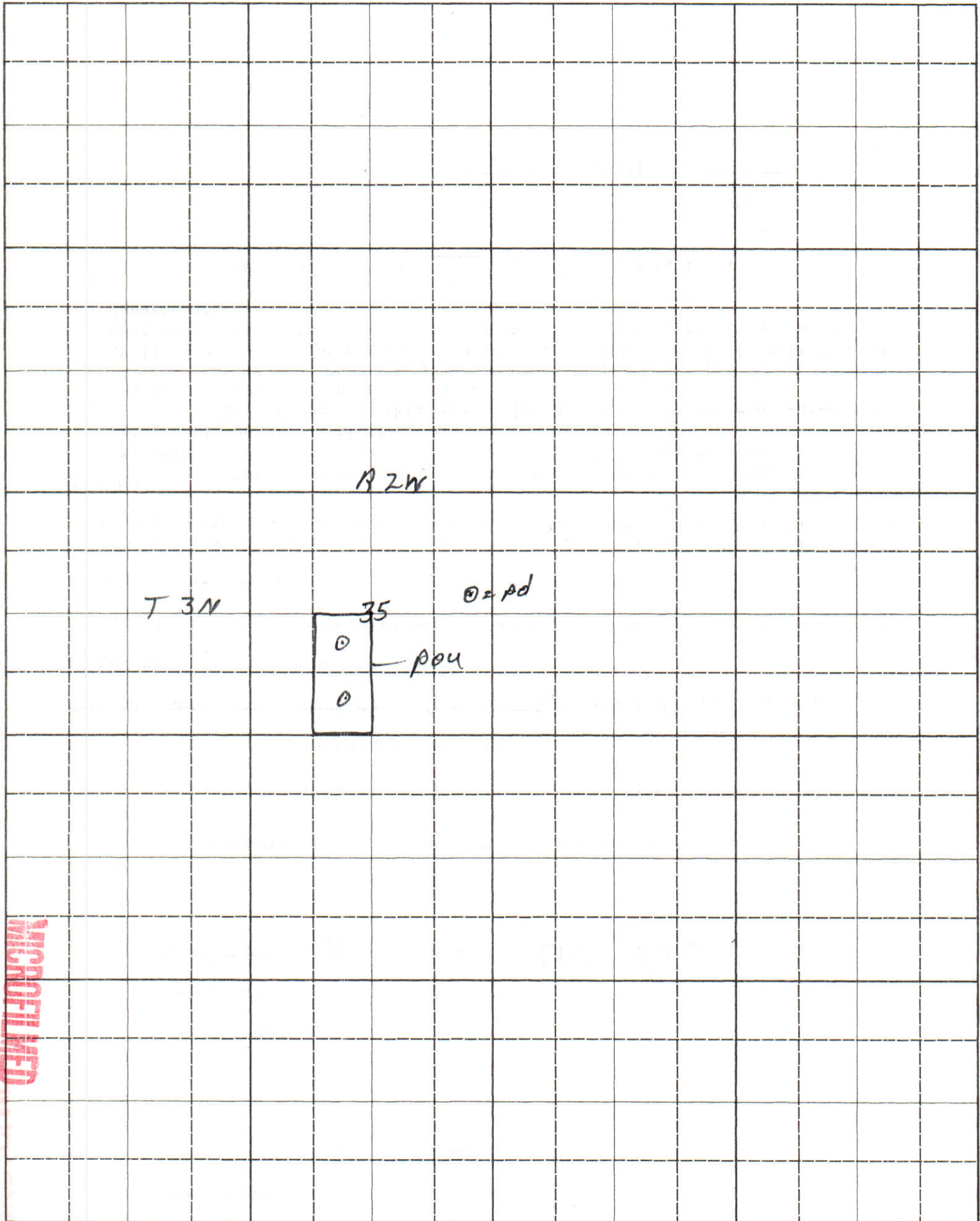


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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.

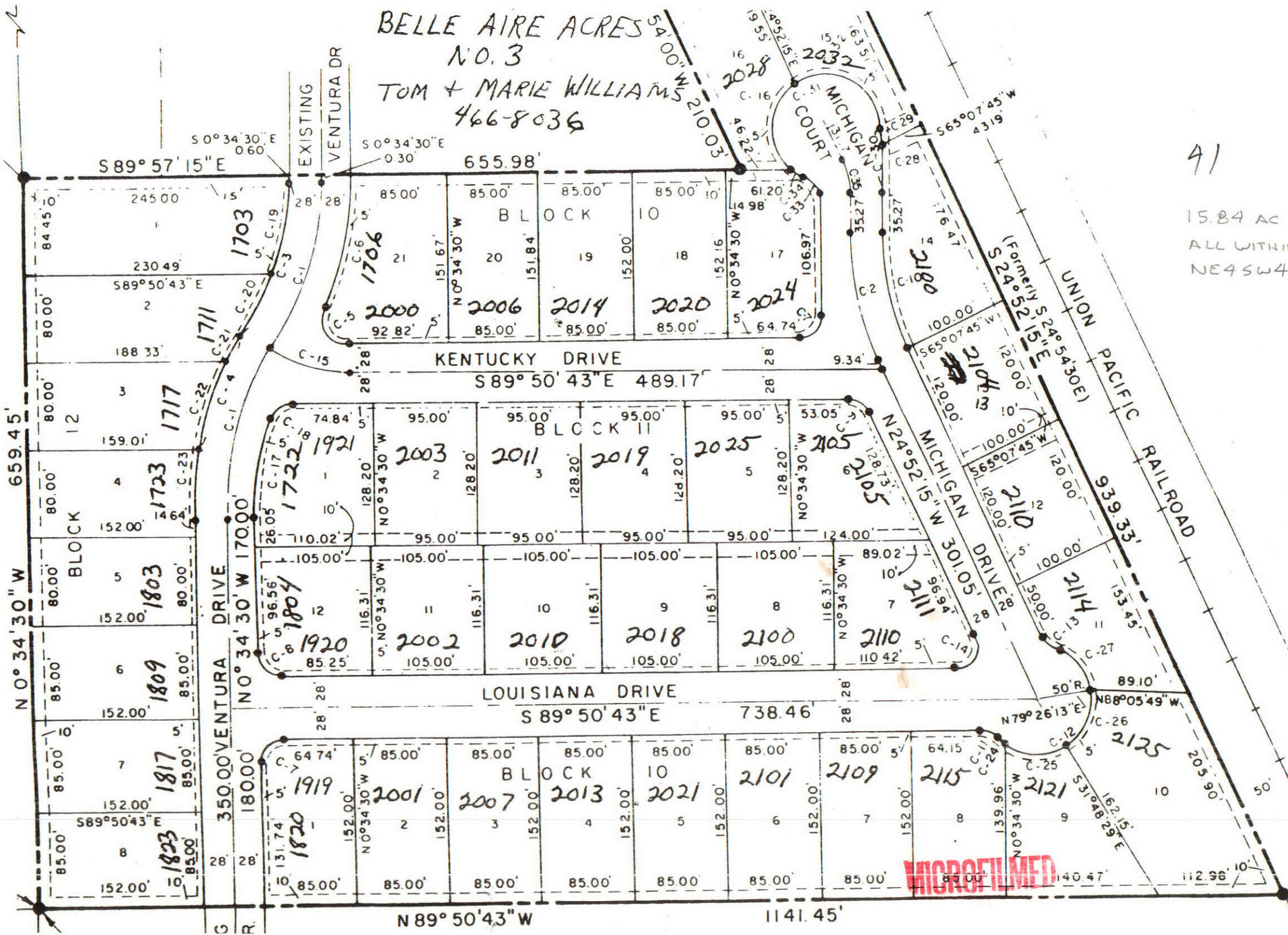
Thomas Williams pres.
(Applicant)
Belle Air Acres #2 Prop. Owners Assn. INC.

UNPLATTED

BELLE AIRE ACRES⁵⁰
N.O. 3⁰⁰
TOM + MARIE WILLIAMS⁴
466-8036

41

15.84 AC
ALL WITHIN
NE4SW4



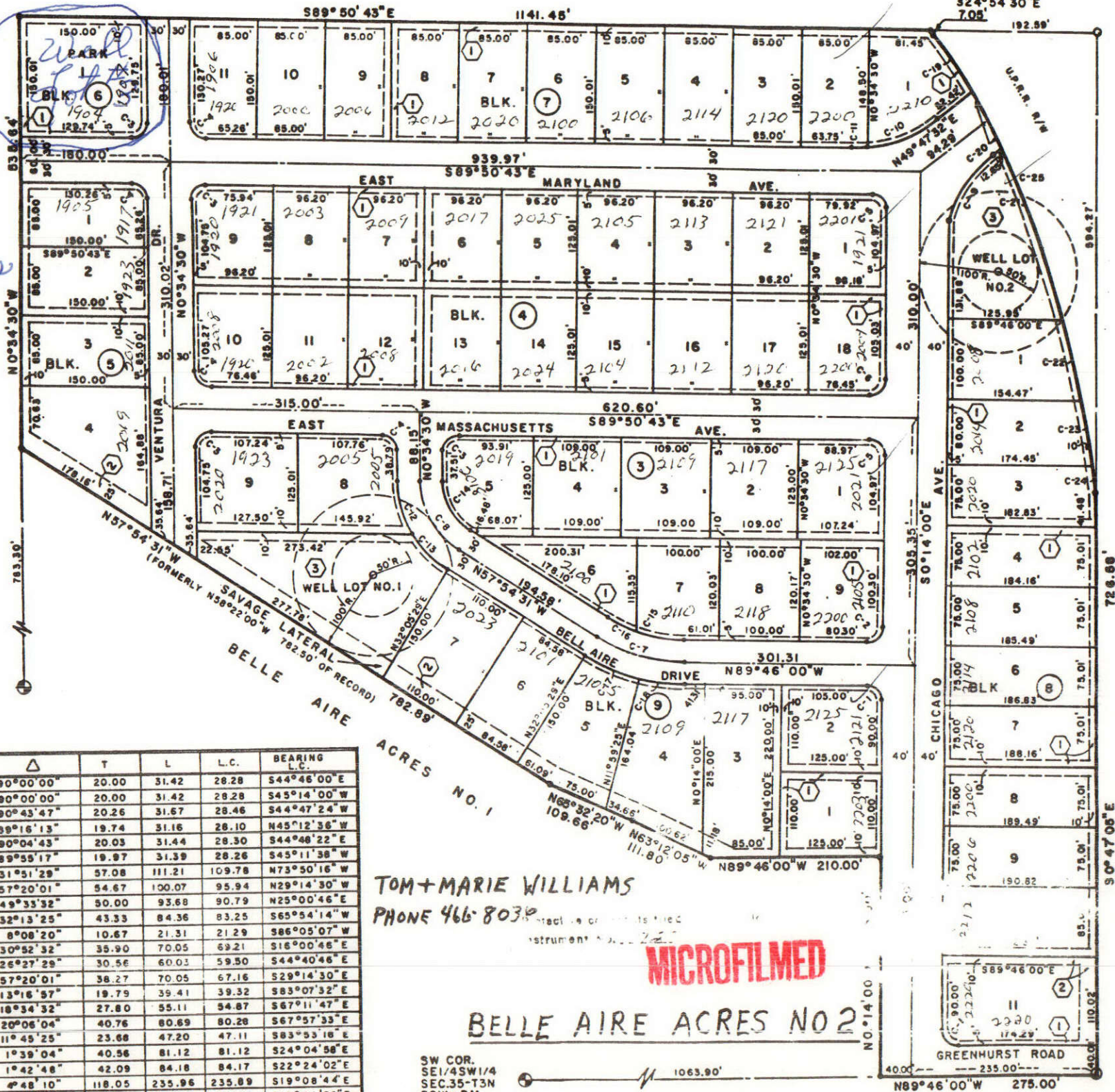
NW COR.
SE1/4 SW1/4
SEC 35-T3N
R2W-BM

Well
Lot #3

26 Acres

SW COR.
SE1/4 SW1/4
SEC.35-T3N
R2W-BM

CURVE NO.	R	Δ	T	L	L.C.	BEARING
C-1	20.00	90°00'00"	20.00	31.42	28.28	S44°46'00"E
C-2	20.00	90°00'00"	20.00	31.42	28.28	S45°14'00"W
C-3	20.00	90°43'47"	20.26	31.67	28.46	S44°47'24"W
C-4	20.00	89°16'13"	19.74	31.16	28.10	N45°12'36"W
C-5	20.00	90°04'43"	20.03	31.44	28.30	S44°48'22"E
C-6	20.00	89°55'17"	19.97	31.39	28.26	S45°11'38"W
C-7	200.00	31°51'29"	57.08	111.21	109.78	N73°50'16"W
C-8	100.00	57°20'01"	54.67	100.07	95.94	N29°14'30"W
C-9	108.31	49°33'32"	50.00	93.68	90.79	N25°00'46"E
C-10	150.00	32°13'25"	43.33	84.36	83.25	S65°54'14"W
C-11	150.00	8°08'20"	10.67	21.31	21.29	S86°05'07"W
C-12	130.00	30°52'32"	35.90	70.05	69.21	S16°00'46"E
C-13	130.00	26°27'29"	30.56	60.03	59.50	S44°40'46"E
C-14	70.00	57°20'01"	36.27	70.05	67.16	S29°14'30"E
C-15	170.00	13°16'57"	19.79	39.41	39.32	S83°07'32"E
C-16	170.00	18°34'32"	27.80	55.11	54.87	S67°11'47"E
C-17	230.00	20°06'04"	40.76	80.69	80.28	S67°57'33"E
C-18	230.00	11°45'25"	23.66	47.20	47.11	S83°53'16"E
C-19	2814.93	1°39'04"	40.56	81.12	81.12	S24°04'58"E
C-20	2814.93	1°42'48"	42.09	84.18	84.17	S22°24'02"E
C-21	2814.93	1°48'10"	118.05	235.96	235.89	S19°08'44"E
			52.00	103.99	103.99	S15°41'05"E



TOM + MARIE WILLIAMS
PHONE 466-8038

MICROFILMED

BELLE AIRE ACRES NO 2

SW COR.
SE1/4 SW1/4
SEC.35-T3N
R2W-BM

NOTICE OF APPLICATION
FOR WATER RIGHT.
The following application has
been filed to appropriate the public
waters of the State of Idaho:
63-10198 **VSR**
BELLEAIRE AC. 2 3 PROP.
OWNERS ASSN. INC.
2203 S. CHICAGO, NAMPA, Idaho
83651
Source: GROUNDWATER
Date Filed: June 15, 1983
Diversion Pt: SESW NESW Sec 35
T 03N R 02W
Use: IRRIGATION (0.78 CFS)
DOMESTIC (0.60 CFS)
In: NESW SESW Sec 35 T 03N R
02W FOR 39 ACRES
The permit will be subject to all
prior water rights. Protests must
be filed with the Director, Dept. of
Water Resources, Western Region,
Statehouse, Boise, Idaho 83720 on
or before NOVEMBER 28, 1983.
KEN DUNN
Director
November 10, 17, 1983

RECEIVED
NOV 28 1983

Department of Water Resources
Western Regional Office

MICROFILMED

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)
) ss.
County of Canyon)

Connie Cutberth
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States of
America, and at all times hereinafter mentioned
was over the age of eighteen years, and not a party
to the above entitled action.
2. That I am the Principal Clerk of the Idaho
Press-Tribune, a daily, (except Saturday)
newspaper published in the City of Nampa and
Caldwell, in the County of Canyon, State of Idaho;
that the said newspaper is in general circulation
in the said County of Canyon, and in the vicinity of
Nampa and Caldwell, and has been uninterrupted-
ly published in said County during a period of
seventy-eight consecutive weeks prior to the first
publication of the notice, a copy of which is hereto
attached.
3. That the notice, of which the annexed is a printed
copy, was published in said newspaper

Two times
in the regular and entire issue of said paper, and
was printed in the newspaper proper, and not in a
supplement.

4. That said notice was published the following
dates:

November 10, 17, 1983

Connie Cutberth

Subscribed and sworn to before me this 17th
day of November
1983.

Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1985

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
NOV 30 1992

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-10198

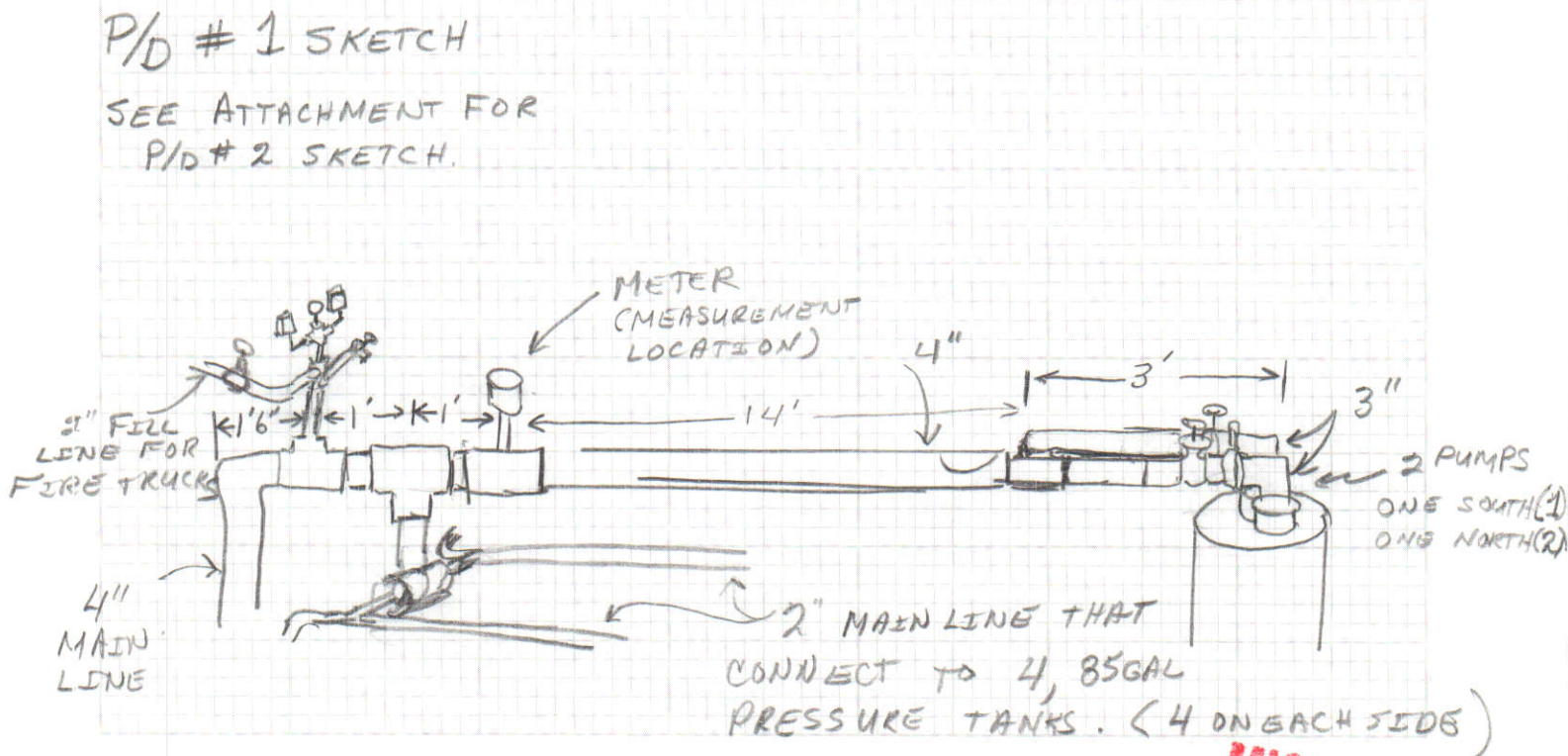
1. Owner: BELLE AIRE ACRES #2 & 3 PROPERTY OWNERS ASSOC Phone No. _____
Current Address: 2203 So CHICAGO Nampa ID.
2. Accompanied by: WENDEL EXAM. DATE: 8-27-89
Address: _____ Phone No. 466-0607
Relationship to Permit Holder: ASSOC PRESIDENT
3. Source: GROUND WATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE 63-9005 OTHER USER & SYSTEM
IN SAME Q/Q ☐ Copies Attached
2. Other water rights with same point of diversion: NONE ; 63-9005 SEE ABOVE
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

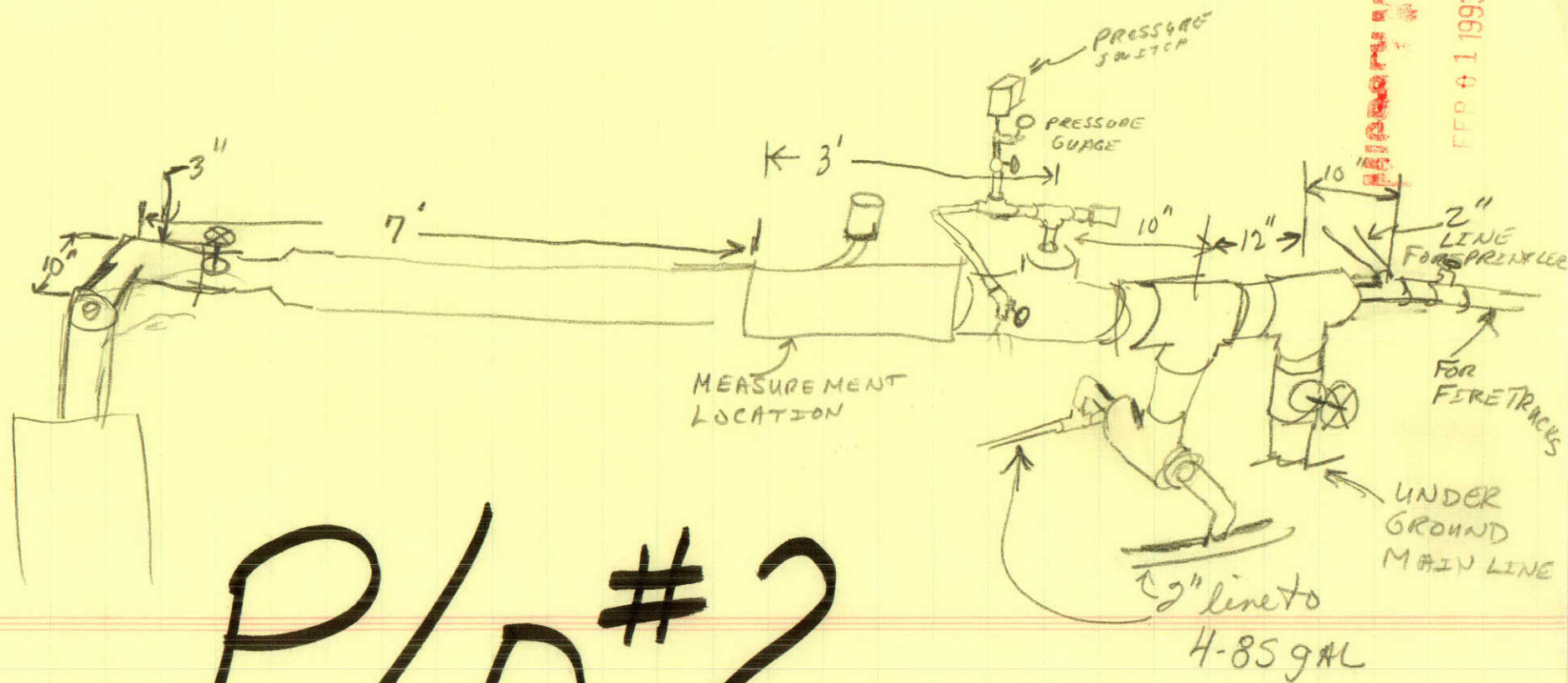


Scale: 1" = _____

2. ☒ Copy of U.S.G.S. 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 or more)
- ☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater.)

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63-10198



P/D #2

DUBLIN MEADOWS SUB.

BELLE AIRE ACRES
NO. 3

TOM + MARIE WILLIAMS
466-8036

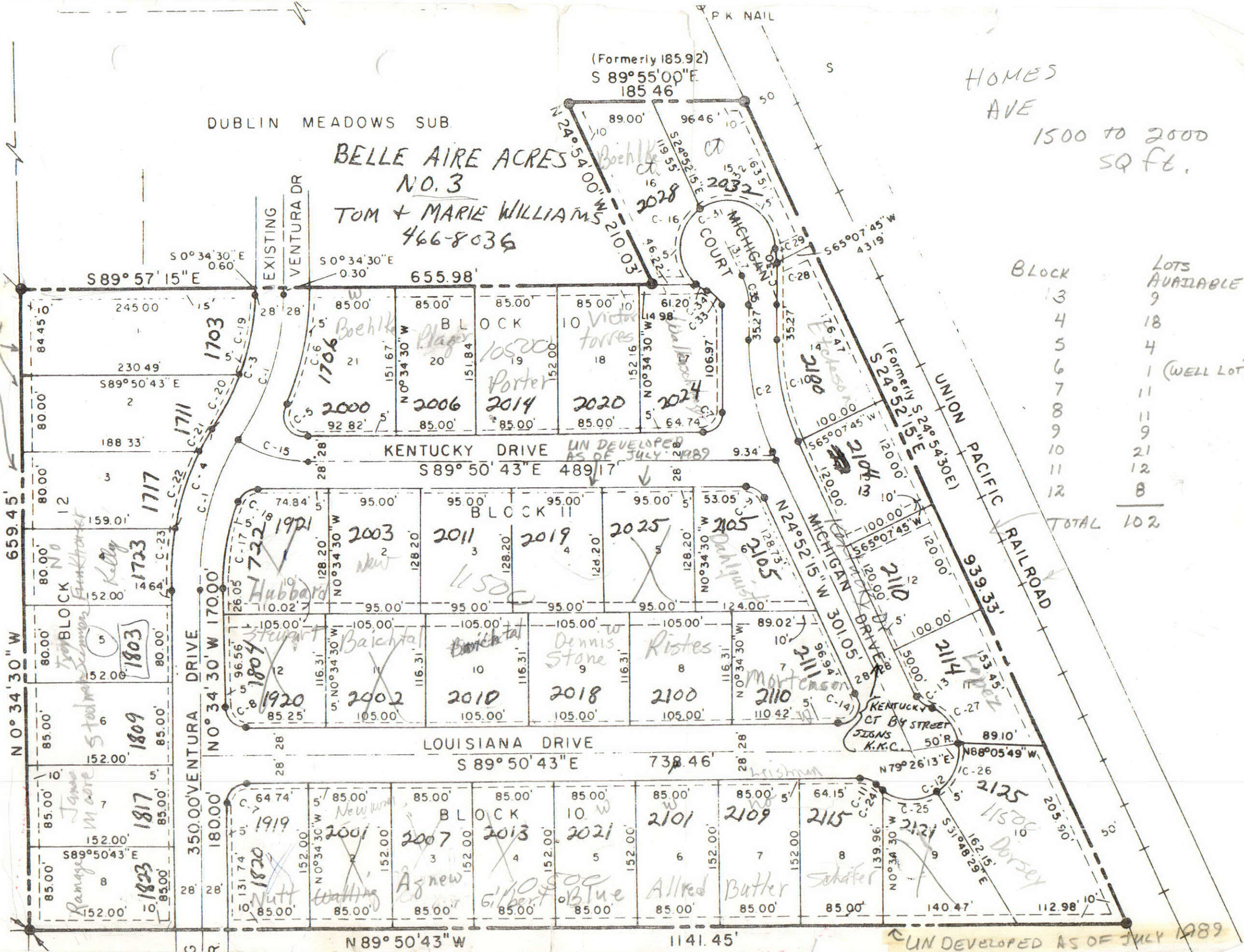
HOMES
AVE

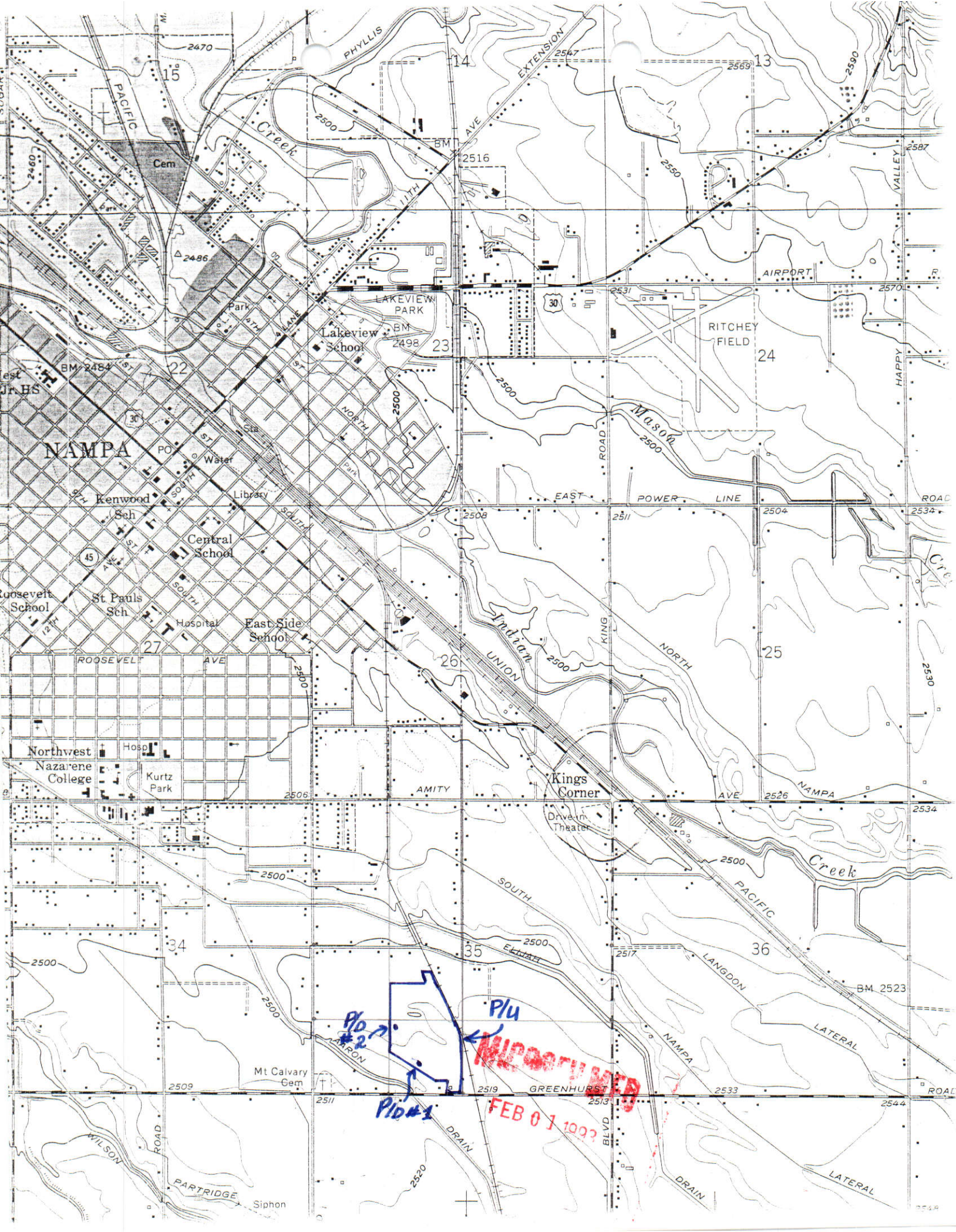
1500 to 2000
SQ FT.

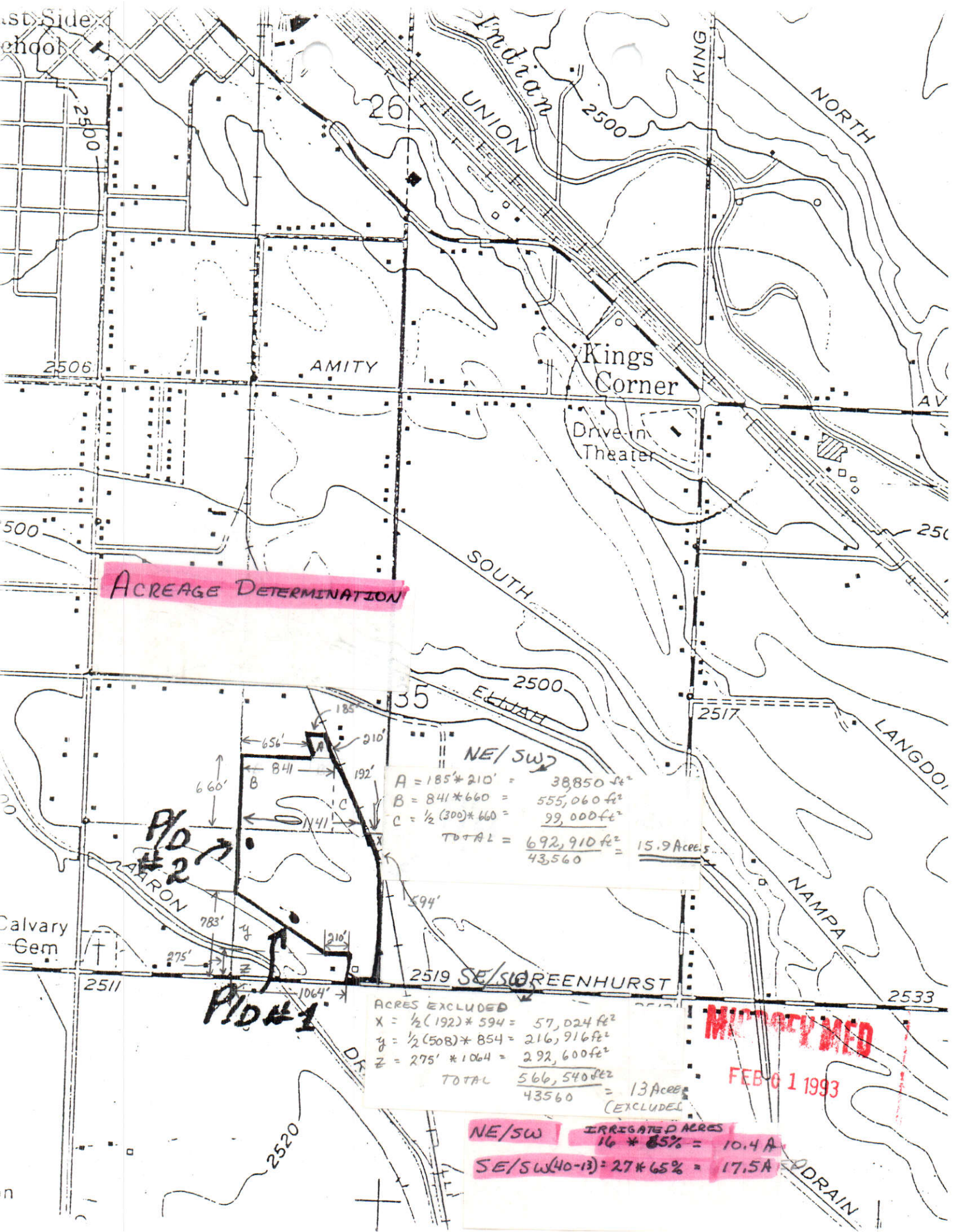
UNDEVELOPED
AS OF JULY
1989

UNPLATTED

BLOCK	LOTS AVAILABLE
3	9
4	18
5	4
6	1 (WELL LOT)
7	11
8	11
9	9
10	21
11	12
12	8
TOTAL	102







ACREAGE DETERMINATION

Plot #2

Plot #1

NE/SW?

$$\begin{aligned} A &= 185' \times 210' = 38,850 \text{ ft}^2 \\ B &= 841' \times 660' = 555,060 \text{ ft}^2 \\ C &= \frac{1}{2} (300) \times 660 = 99,000 \text{ ft}^2 \\ \text{TOTAL} &= \frac{692,910 \text{ ft}^2}{43,560} = 15.9 \text{ Acres} \end{aligned}$$

ACRES EXCLUDED

$$\begin{aligned} X &= \frac{1}{2} (192) \times 594 = 57,024 \text{ ft}^2 \\ Y &= \frac{1}{2} (508) \times 854 = 216,916 \text{ ft}^2 \\ Z &= 275' \times 1064' = 292,600 \text{ ft}^2 \end{aligned}$$

$$\begin{aligned} \text{TOTAL} &= \frac{566,540 \text{ ft}^2}{43,560} = 13 \text{ Acres} \\ &\text{(EXCLUDED)} \end{aligned}$$

NE/SW

IRRIGATED ACRES

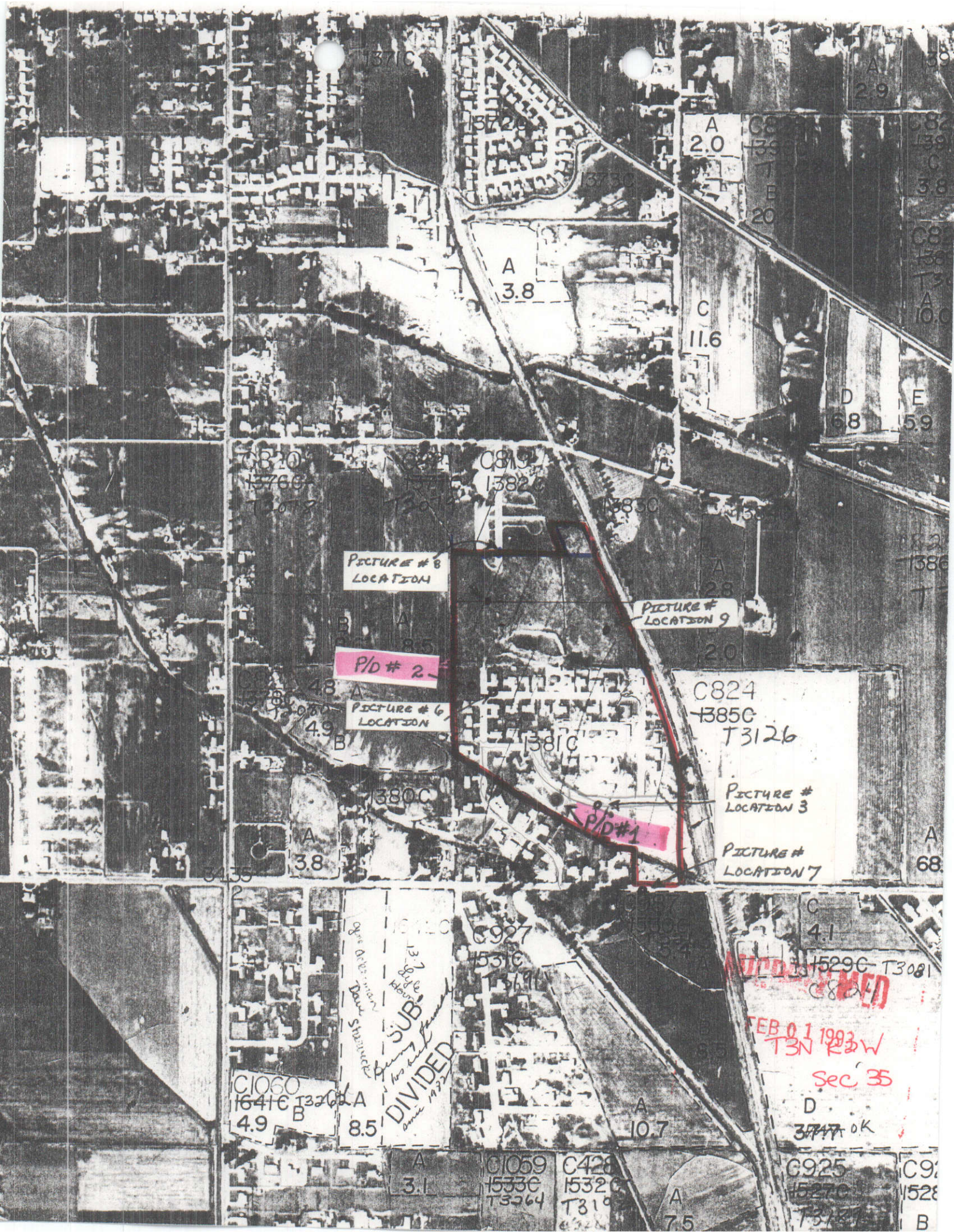
$$16 \times 65\% = 10.4 \text{ A}$$

$$\text{SE/SW (40-13)} = 27 \times 65\% = 17.5 \text{ A}$$

MICHAEL MED

FEB 01 1993

DRAIN



PICTURE # 8
LOCATION 4

P/D # 2

PICTURE # 6
LOCATION 4

PICTURE #
LOCATION 9

PICTURE #
LOCATION 3

PICTURE #
LOCATION 7

*Don't Disturb
Don't Structure
SUB
DIVIDED
1972*

RECORDED

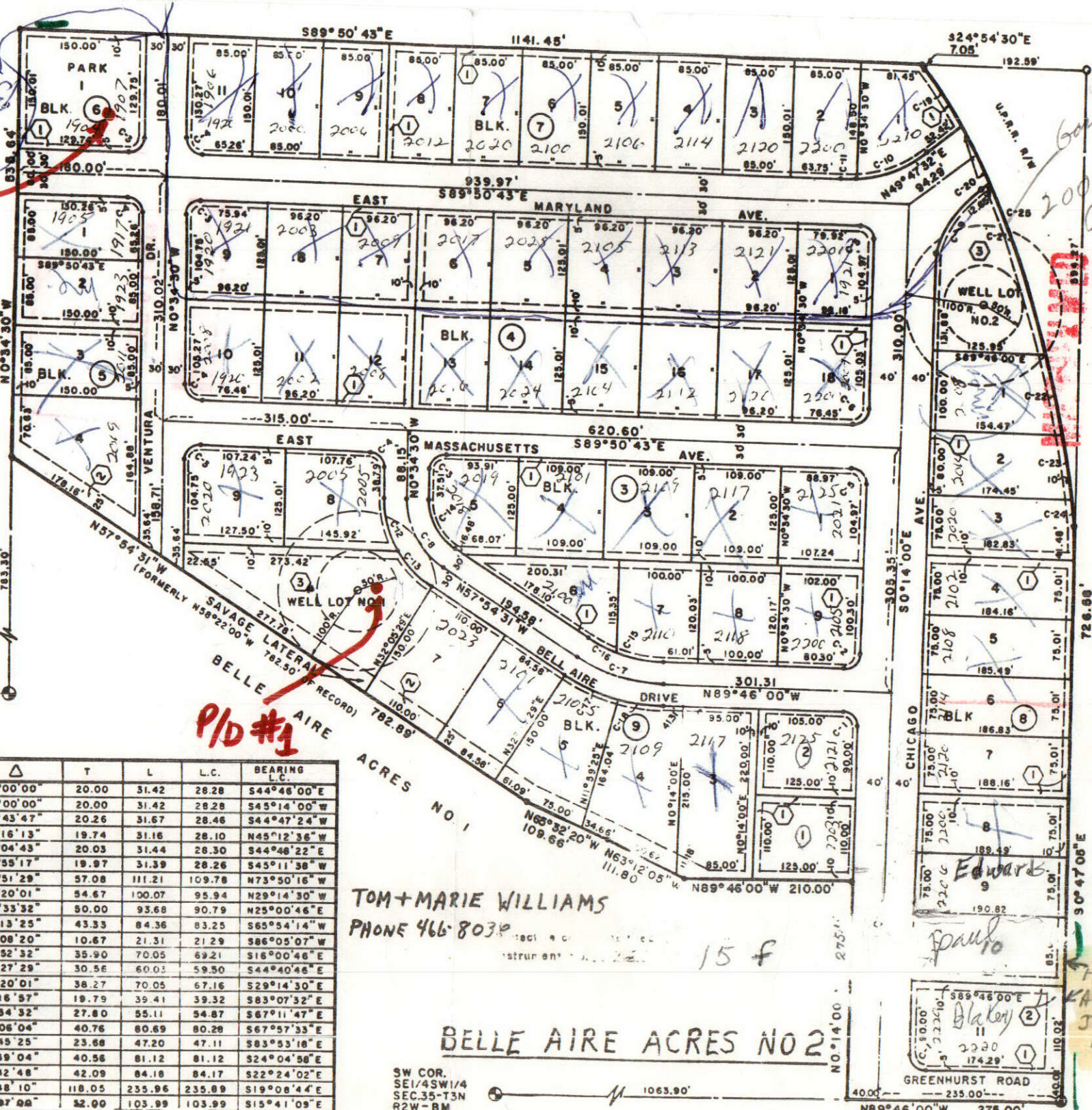
FEB 01 1993
T3N R2W
Sec 35

3747 OK

SW COR.
SE1/4 SW1/4
SEC 35-T3N
R2W-BM

*all north
have been
P/D #2*

*all #3
P/D #3*



FEB 01 1993

*Gary Jenkins
2000.5
Chicago*

*NO HOMES
AS OF
JULY
1989*

CURVE NO.	R	Δ	T	L	L.C.	BEARING L.C.
C-1	20.00	90°00'00"	20.00	31.42	28.28	S44°46'00"E
C-2	20.00	90°00'00"	20.00	31.42	28.28	S45°14'00"W
C-3	20.00	90°43'47"	20.26	31.67	28.46	S44°47'24"W
C-4	20.00	89°16'13"	19.74	31.16	28.10	N45°12'36"W
C-5	20.00	90°04'43"	20.03	31.44	28.30	S44°46'22"E
C-6	20.00	89°55'17"	19.97	31.39	28.26	S45°11'38"W
C-7	200.00	31°51'29"	57.08	111.21	109.78	N73°50'16"W
C-8	100.00	57°20'01"	54.67	100.07	95.94	N29°14'30"W
C-9	108.31	49°33'32"	50.00	93.68	90.79	N25°00'46"E
C-10	150.00	32°13'25"	43.33	84.36	83.25	S65°54'14"W
C-11	150.00	8°08'20"	10.67	21.31	21.29	S86°05'07"W
C-12	130.00	30°52'32"	35.90	70.05	69.21	S16°00'46"E
C-13	130.00	26°27'29"	30.56	60.03	59.50	S44°40'46"E
C-14	70.00	57°20'01"	38.27	70.05	67.16	S29°14'30"E
C-15	170.00	13°16'57"	18.79	39.41	39.32	S83°07'32"E
C-16	170.00	18°34'32"	27.80	55.11	54.87	S67°11'47"E
C-17	230.00	20°06'04"	40.76	80.69	80.28	S67°57'33"E
C-18	230.00	11°45'25"	23.68	47.20	47.11	S83°53'18"E
C-19	2814.93	1°39'04"	40.56	81.12	81.12	S24°04'58"E
C-20	2814.93	1°42'48"	42.09	84.18	84.17	S22°24'02"E
C-21	2814.93	4°48'10"	118.05	235.96	235.89	S19°08'44"E
C-22	2814.93	2°27'02"	52.00	103.99	103.99	S15°41'09"E

TOM + MARIE WILLIAMS
PHONE 466-8038

BELLE AIRE ACRES NO 2

SW COR.
SE1/4 SW1/4
SEC.35-T3N
R2W-BM

1063.90'

N89°46'00"W 275.00'

P/D #1

PUMPING STATION
HAS TWO PUMPS (ONE FOR STANDBY)

Picture # 1



P/D #1 PRESSURE SYSTEM

PRESSURE TANK SYSTEM

Picture # 2

MEASURE MENT LOCATION



EXITS
BUILDING TO
FILL FIRE
TRUCKS.

↑
4 MORE PRESSURE TANKS
ON THIS SIDE.

MAINTAINED
FEL 31 1993

WELL House For P/D # 1 LOOKING WEST

Picture # 3

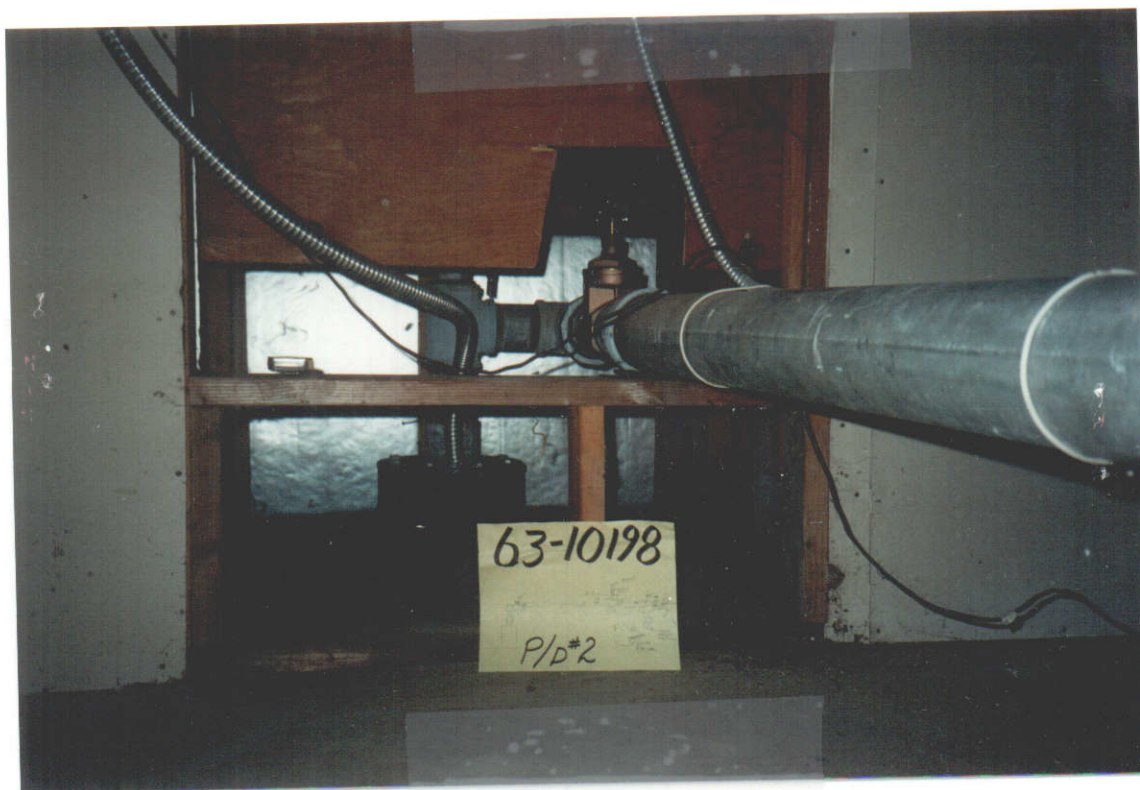


Picture # _____

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P/D P/D #2

Picture # 4



Picture # 5



PROPERTY MED
FEB 01 1993

Picture # 6



Picture # 7



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Picture # 8



Picture # 9



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USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Administration

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Administration within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name Tom Williams
Address Rt 3 Nampa, Id.
Owner's Permit No. _____

7. WATER LEVEL

Static water level 14 feet below land surface
Flowing? ☐ Yes ☐ No G.P.M. flow _____
Temperature _____ ° F Quality _____
Artesian closed in pressure _____ p.s.i.
Controlled by ☐ Valve ☐ Cap ☐ Plug _____

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning) _____

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Other _____

Discharge G.P.M.	Draw Down	Hours Pumped

3. PROPOSED USE

☐ Domestic ☐ Irrigation ☐ Test ☐ Other (specify type) _____
☒ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
12	0	2	Top soil		X
	2	4	Hard pan		X
	4	54	Sandy clay	X	
	54	56	Hard shale stone line		X
	56	59	Hard sand	X	
	59	62	Solid lava		X
	62	63	Basal Capricorn	X	
	63	67	Solid lava		X
	67	77	Hard mixed stone lava	X	
	77	79	Solid lava		X

4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Diameter of hole 12 inches Total depth 79 feet

Casing schedule: ☐ Steel ☐ Concrete

Thickness	Diameter	From	To
250 inches	12 inches	2 feet	60 1/2 feet

Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch

Size of perforation _____ inches by _____ inches
Number _____ From _____ To _____
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet

Well screen installed? ☐ Yes ☒ No

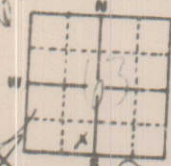
Manufacturer's name _____
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No Size of gravel _____
Placed from _____ feet to _____ feet

Surface seal depth 30 Material used in seal ☐ Cement grout
☒ Pudding clay ☐ Well cuttings
Sealing procedure used ☐ Slurry pit ☐ Temporary surface casing
☒ Overbore to seal depth

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name Free Area
Lot No. 1 Block No. 9

County CANAWA

SE 1/4 SW 1/4 Sec. 35, T. 3, N. 2, R. 2, W. 1

10. Work started 3/25/74 finished 3/29/74

11. DRILLERS CERTIFICATION

Firm Name DAVIS WELL DRILLING Firm No. 11
Address P.O. Box 209 Nampa, Idaho 83655
Signed by (Firm Official) Carroll M. Davis
and
(Operator) Charles Davis

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE COPY TO THE DEPARTMENT

DEC 08 1988

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 63-10198

Priority: June 15, 1983

Maximum Diversion Rate: 0.99 CFS
Maximum Diversion Volume: 186.0 AF

This is to certify, that BELLE AIRE ACRES PROPERTY OWNERS ASSN
2203 S CHICAGO
NAMPA ID 83651

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated June 15, 1983; and
has submitted Proof of Beneficial Use on November 21, 1988. An examination indicates
that the works have a diversion capacity of 1.250 cfs 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>
IRRIGATION	03/15 to 11/15	0.56 CFS	126.0 AF
DOMESTIC	01/01 to 12/31	0.43 CFS	60.0 AF
	Totals	0.99 CFS	186.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 35, Township 03N, Range 02W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	02W	35	NESW 10	SESW 18		28

Total number of acres irrigated: 28

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The issuance of this right in no way grants any right-of-way or easement across the land of another.

MAINTAINED

FEB 01 1993

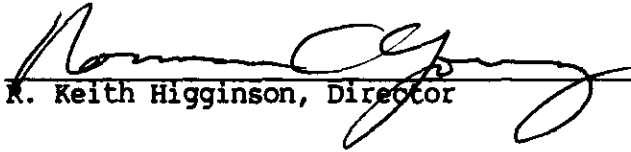
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 63-10198

CONDITIONS/REMARKS:

6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
7. The right holder shall fully use all surface water rights appurtenant to the lands identified above prior to using water under this right.
8. Two points of diversion are located within SESW, S35, T03N, R02W. Domestic use is for 100 homes.
9. Place of use is located within Belle Aire Acres Subdivision Nos. 2 and 3.

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 12th day of JANUARY, 1993.

Acting for  R. Keith Higginson, Director

RECORDED

FEB 01 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Belle Aire Acres #2&3 Prop. Owners Assn. Inc. Phone 466-8036

Post office address 2203 S. Chicago, Nampa, Idaho 83651

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 35 Township 3N

Range 2W B.M. Canyon County, additional points of diversion if any: _____

NESW Sec. 35 T3N R2W

4. Water will be used for the following purposes:

Amount .60 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .78 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 1.38 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Wells with pumps and pipelings

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 12 inches; proposed depth of well is 80 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is .5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 35 Township 3N

Range 2W B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served BELLE AIRE ACRES #2 PROPERTY OWNERS ASSN., or number of families to be supplied with domestic water 100.

(5) If water is to be used for other purposes describe: _____

MICROFILMED

MICROFILMED

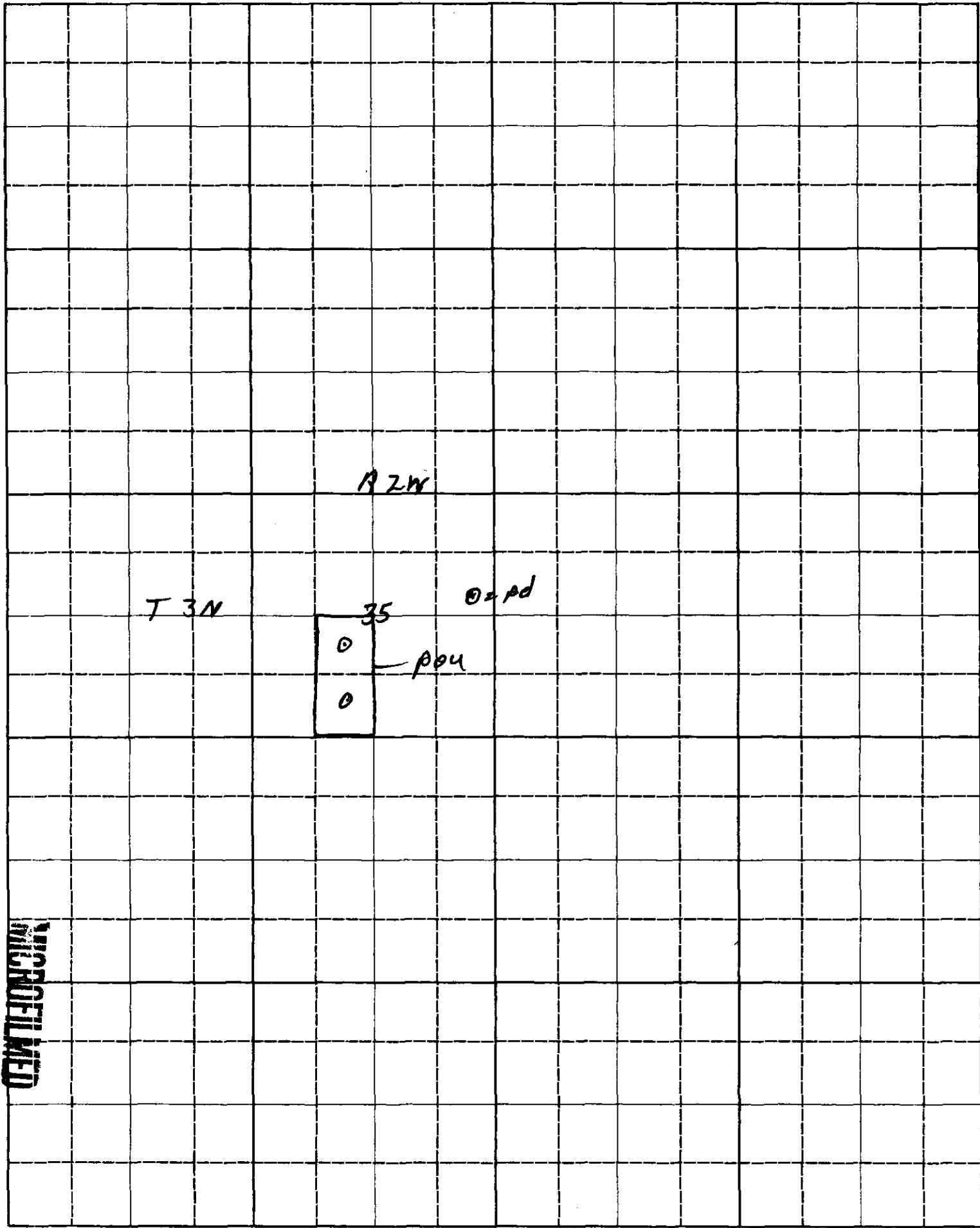
[illegible]

Total number of acres to be irrigated	39
--	-----------

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

9. a. Who owns the property at the point of diversion BELLE AIRE ACRES #2 PROP OWNERS ASSN. INC.
b. Who owns the land to be irrigated or place of use INDIVIDUAL MEMBERS
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing THOMAS WILLIAMS, PRESIDENT
BELLE AIRE ACRES #2 PROP. OWNERS
ASSN. INC.
10. Remarks THIS WELL WAS DRILLED & PUMPS
INSTALLED IN 1974, THERE ARE
APPROX. 25 LOTS YET TO BE BUILT ON,
OUT OF TOTAL OF 100 LOTS

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



MICROFILMED

Scale: 2 inches equal 1 mile.

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.

Thomas Williams *pres.*
(Applicant)
Belle Air Lines #2 Prop. Owners Assn. INC.

Proposed Priority 6/15/83

Received by see Date 6/15/83 Time 3:40
Preliminary check by 6h5 Fee \$ \$45.00 plus \$20.00
Receipted by JP Date 6/16/83 11/1/83 #32473
Publication prepared by JP Date 11/3/83
Published in Idaho Tribune
Publication dates 11/10 & 11/17/83
Publication approved _____ Date _____
Protests filed by: none
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by DBS kw

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. 63-10198, and said application is hereby APPROVED.

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

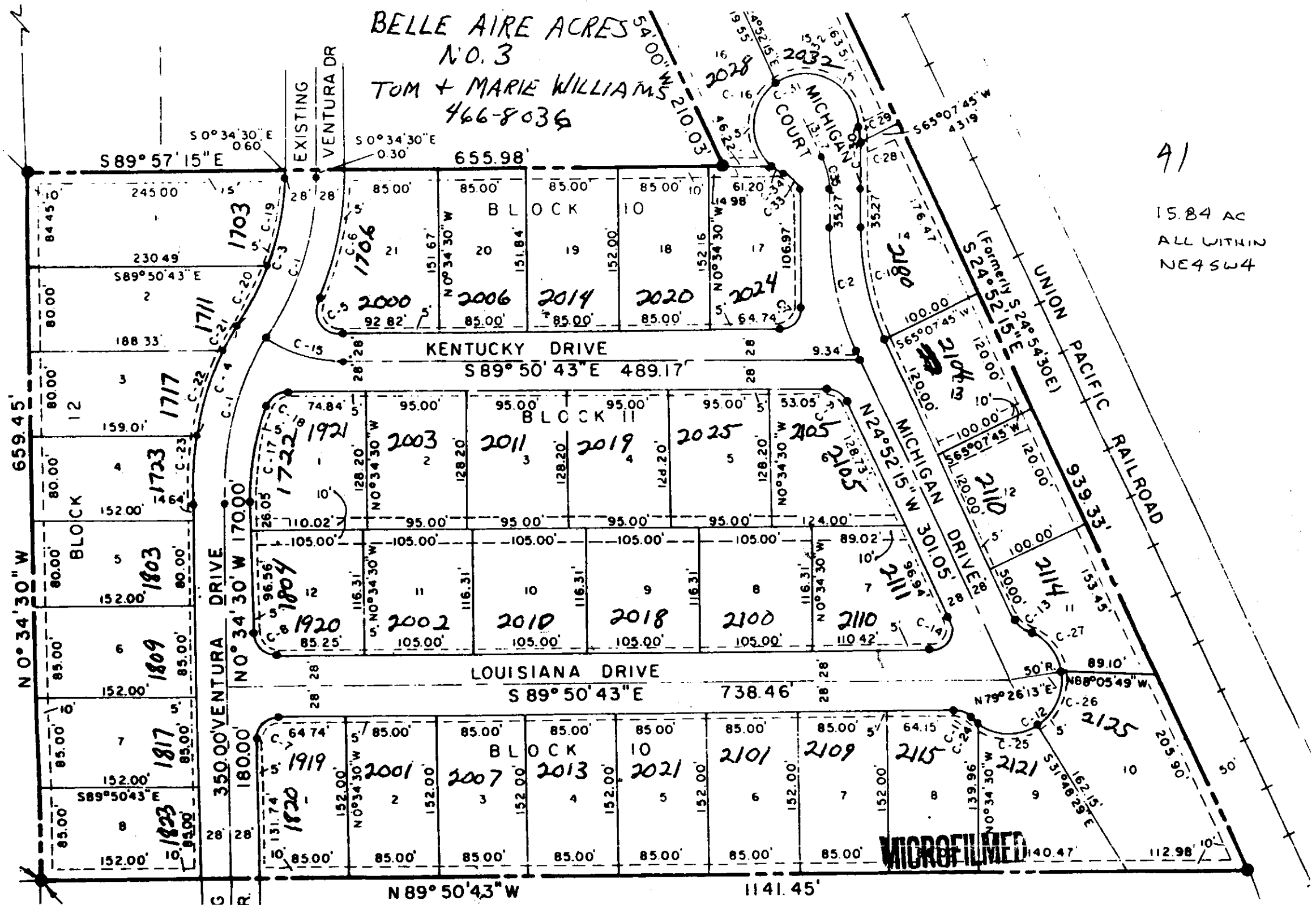
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 19 88.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
The issuance of this permit in no way grants any right-of-way or easement across the land of another.
An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 7th day of December, 1983.

A. Glen Saxton
Chief, Operations Bureau

MICROFILMED

13 acres
UNPLATTED



13 acres

DECLARATION OF PROTECTIVE RESTRICTIONS

AND

COVENANTS FOR BELLE AIRE ACRES NO. 3

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned do hereby certify and declare:

I.

That THOMAS E. WILLIAMS and MARIE A. WILLIAMS, husband and wife, are the owners in fee simple of the following described real property located in Canyon County, Idaho, to wit:

BEGINNING at the SW Corner of said NE 1/4 SW 1/4; Thence N 0°34'30" W along the West boundary of said NE 1/4 SW 1/4, a distance of 659.45 feet to the NW Corner of SW 1/4 NE 1/4 SW 1/4 of said Section 35; Thence S 89°57'15" E along the North boundary of said SW 1/4 NE 1/4 SW 1/4, a distance of 655.98 feet; Thence N 24°54'00" W a distance of 210.03 feet; Thence S 89°55'00" E along a line parallel with the North boundary of said NE 1/4 SW 1/4, a distance of 185.46 feet (formerly 185.92 feet) to a point on the Westerly Right of Way boundary, for the Union Pacific Railroad; Thence S 24°52'15" E (formerly S 24°54'30"E) along said Westerly Right of Way boundary, a distance of 939.33 feet to a point on the South boundary of said NE 1/4 SW 1/4; Thence N 89°50'43" W along the South boundary of said NE 1/4 SW 1/4, a distance of 1141.45 feet to the POINT OF BEGINNING. This plat contains 15.84 acres.

II.

That all of the real property and all lots, parcels or tracts thereof, and any conveyance describing all or any part thereof, either by reference to the official plat of said subdivision or any number of designations therein, of any restrictions, covenants, reservations and conditions herein expressed

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and set forth, and that by the acceptance of such conveyance, assignment or transfer of interest the grantee or grantees and their heirs, executors, administrators, successors and assigns, and each of them, agree with each other as to the property so described or conveyed in or by such conveyance, as follows:

III.

(a) BUILDING RESTRICTIONS: All lots in said subdivision shall be known and described as residential lots and restricted to single family dwellings and no structure shall be erected upon any residential building site other than residential dwellings together with garages.

(b) TYPE OF BUILDINGS: All buildings shall be of frame, stone, brick, concrete or block construction and, if other than brick or stone, shall be finished and painted and kept in good repair, and said property shall be used in such manner as to be inoffensive to any other property owners thereof.

(c) MINIMUM BUILDING SIZE: All residential buildings erected upon said property shall have a floor area required by a majority of the committee established in accordance with the provisions of Section III, hereof, provided however, that in no event shall the required area be less than 1,000 square feet of ground floor area in case of one story houses, nor less than 900 square feet of first floor area in the case of a two-story or split-level house, exclusive of garage, carports, patios, breezeways, storage rooms, porches, and similar structures and which shall cost not less than \$35,000.00 based upon the prevailing average building costs as of the date hereof.

(d) BUILDING LOCATION: Unless otherwise specifically approved in writing by a majority of the Architectural Control

Committee, hereinafter provided for, no dwelling house or garage or any part thereof or any other structure (exclusive of fences and similar structures) shall be placed nearer than twenty-five (25) feet to the front, which it is located. No building foundation or wall shall be erected nearer than ten (10) feet to any side lot line, and upon corner lots all buildings shall be at least ten (10) feet from the side street line; this provision shall apply except to garages or other buildings located on the rear quarter of any lot except corner lots. For the purpose of this covenant, eaves, steps, chimneys, gutters, and open porches shall not be considered as part of the building; provided, however, that this shall not be construed to permit any portion of a building or any site to encroach upon any other site.

(e) BUILDING SITE: A building site shall consist of at least one (1) of the residence tracts as platted in said plat, and as described in a deed or conveyance, or two (2) a parcel composed of such resident tracts or portions thereof, the depth and frontage of which parcel shall equal or exceed the depth and frontage of residence tracts as platted in the same block, with a minimum of 12,000 square feet of area and 75 feet of frontage at the building setback line.

(f) MOVING OF BUILDINGS - CONSTRUCTION OF OUTBUILDINGS: No building or structures shall be moved onto said real property from any land outside of said plat except a new prefabricated structure of a type and design approved by the Architectural Control Committee. No trailer house shall be parked in any street or within building setback lines, and no mobile home or trailer house erected on a tract shall at any time be used as a residence, temporarily or permanently, nor shall any residence of a temporary

character be permitted. No building of any kind shall be erected or maintained on a building site prior to the erection of the dwelling house thereon, except that a garage, other small building of permanent construction, or trailer may be erected for the purpose of storing tools and other articles prior to the erection of a permanent dwelling and during the construction period.

(g) PROSECUTION OF CONSTRUCTION WORK: The construction of the dwelling and associated structures shall be prosecuted diligently and continuously from time of commencement thereof until such dwelling and associated structures are fully completed and painted. All structures shall be completed as to external appearance, including finished painted, within eight months from the date of commencement of construction, unless prevented by causes beyond the control of the owner or builder and only for such time as that cause continues.

(h) REFUSE DISPOSAL - MATERIAL STORAGE: The undersigned shall have the right to enter upon any vacant building site for the purpose of burning or removing weeds, brush, growth or refuse.

(k) FENCES - HEDGES: No fence, hedge or boundary wall situated anywhere upon any building site shall have a height greater than Six (6) feet or such other lesser heights as the undersigned owner may specify above the finished graded surface of the ground upon which such fence, hedge, or wall is situated. No fence, wall, hedge, or shrub planting which obstructs sight lines at elevation between four (4) and eight (8) feet above the roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them at points twenty-five (25) feet from the intersection of the street lines, or in the case of a rounded

property corner from the intersection of the street property lines extended. The same sight line limitations shall apply on any lot within ten (10) feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

(1) NOXIOUS USE OF PROPERTY - SPITE FENCES: No portion of the real property or of a building site or any structure thereon shall be used for the conduct of any noxious or undesirable acts, or undesirable use of any portion of the real property is prohibited and shall not be permitted or maintained. The determination of the undersigned owner that any activity or use is undesirable or noxious shall be conclusive upon all parties.

The construction or maintenance of a spite fence or spite tree shall be prohibited upon any building site. The determination by the undersigned owner that any wall, fence, hedge, or tree falls within the latter category shall be conclusive upon all parties.

(m) BILLBOARDS - SIGNS: No sign of any kind shall be displayed to the public view on any residential building site except one professional sign of not more than four square feet, or one sign of not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.

(n) ANIMALS: No livestock or poultry excepting dogs and cats shall be permitted at any time upon the real property of the developed subdivision. Dogs and cats are permitted only as pets and no boarding or commercial enterprises will be permitted where

such small animals exceed in number those usually owned by lot or trust owners.

(o) No trailer, motor homes, boats, trucks, automobiles, cycles, snowmobiles, equipment, recreational equipment, or personal property of any kind whatsoever except during the period of construction of a dwelling house shall be stored upon that portion of the real property in front of the building setback line for a period of more than seven (7) consecutive days.

IV.

That no building shall be erected, placed or altered on any lot until the construction plans and specifications and a plan showing the location of the structure have been approved by the Architectural Control Committee, hereinafter designated, as to quality of workmanship and materials, harmony or external designs with existing structures, and as to location with respect to topography and finish grade elevation. No fence or wall shall be erected, placed or altered on any lot nearer to any street than the minimum building setback line unless similarly approved, as provided in Paragraph IV hereof.

As to all improvements, construction, and alterations upon building sites, the Architectural Control Committee shall have the right to refuse to approve any design, plan, floor area or color for such improvements, construction, or alterations which is not suitable or desirable, in the opinion of a majority of said Committee, for any reason, aesthetic or otherwise, and in so passing upon such design the Committee shall have the right to take under consideration the suitability of the proposed

building or other structure, and ability of the proposed building or other structure, and the material of which it is proposed to be erected, the harmony thereof with the surroundings and the effect of the building or other structure or alterations therein as planned on the outlook of the adjacent or neighboring property, and the effect or impairment that said structures will have on the view of surrounding building sites, and any and all other factors which in the opinion of a majority of the Committee shall affect the desirability or suitability of such proposed structure, improvements or alterations. Actual construction shall comply with the plans and specifications as approved and shall not commence prior to the receipt of the written approval or expiration of the time period provided herein for the granting of such approval, by the Architectural Control Committee.

V.

The Architectural Control Committee is composed of:

Thomas Williams, Marie Williams and Carl D. Hamilton. A majority of the Committee may designate a representative to act for it.

In the event of the death or resignation of any member of the Committee, the remaining members shall have full authority to designate a successor. Neither the members of the Committee, nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant. No members of this Committee duly appointed or elected shall incur liability by reason of any act or omission in exercising the duties herein established for such Committee.

REPROFILMED

VI.

The Committee's approval or disapproval as required in these covenants shall be in writing. In the event the Committee or its designated representative fails to approve or disapprove within 30 days after plans and specifications have been submitted to it, or in any event, if no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and the related covenants shall be deemed to have been fully complied with.

VII.

That these protective restrictions and covenants shall run with the land described herein and shall be binding upon the parties hereto and all successors in title or interest to said real property or any part thereof, until July 1, 2008, at which time said Protective Restrictions and Covenants shall be automatically extended for successive period of ten years unless the owner or owners of the legal title to not less than two-thirds of the platted residence tracts or platted lots, by an instrument or instruments in writing, duly signed and acknowledged by them shall then terminate or amend said Protective Restrictions and Covenants, and such termination or amendment shall become effective upon the filing of such instrument or instruments for record or instruments shall contain proper references by volume and page numbers to the record of the plat and the Record of the Declaration in which the Protective Restrictions and Covenants are set forth, and all amendments hereof.

MICROFILMED

40 @ .5 200
 45 @ .5 225

 425.00 20 hrs
 150

 575.
 2 x 30 = 60
 90

425
 1700
 150

 850.00
 450

 400.00
 10 hrs. / 18
 12 hrs. / 45
 523

Tom needs for Donnelly
 mayonnaise
 ameyay Dish washing soap
 paper towels
 Coffee - regular
 Booze
 57 sauce
 Pam

VIII.

That should any Grantee violate or attempt to violate any of the provisions of these Protective Restrictions and Covenants, any other person or persons owning any real property embraced in the said subdivision plat shall have full power and authority to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any of the said Protective Restrictions and Covenants, and either to prevent him or them from so doing or to recover damages by reason of such violation.

IX.

That the invalidation of any provision, sentence, or paragraph contained in these Protective Restrictions and Covenants by Judgment or court order shall in no way affect or invalidate any of the other provisions, sentences or paragraphs of said Protective Restrictions and Covenants, but the same shall be and remain in full force and effect.

THOMAS E. WILLIAMS

MARIE A. WILLIAMS

MICROFILMED

To R.A. Hansen & Company.
Spokane Washington.

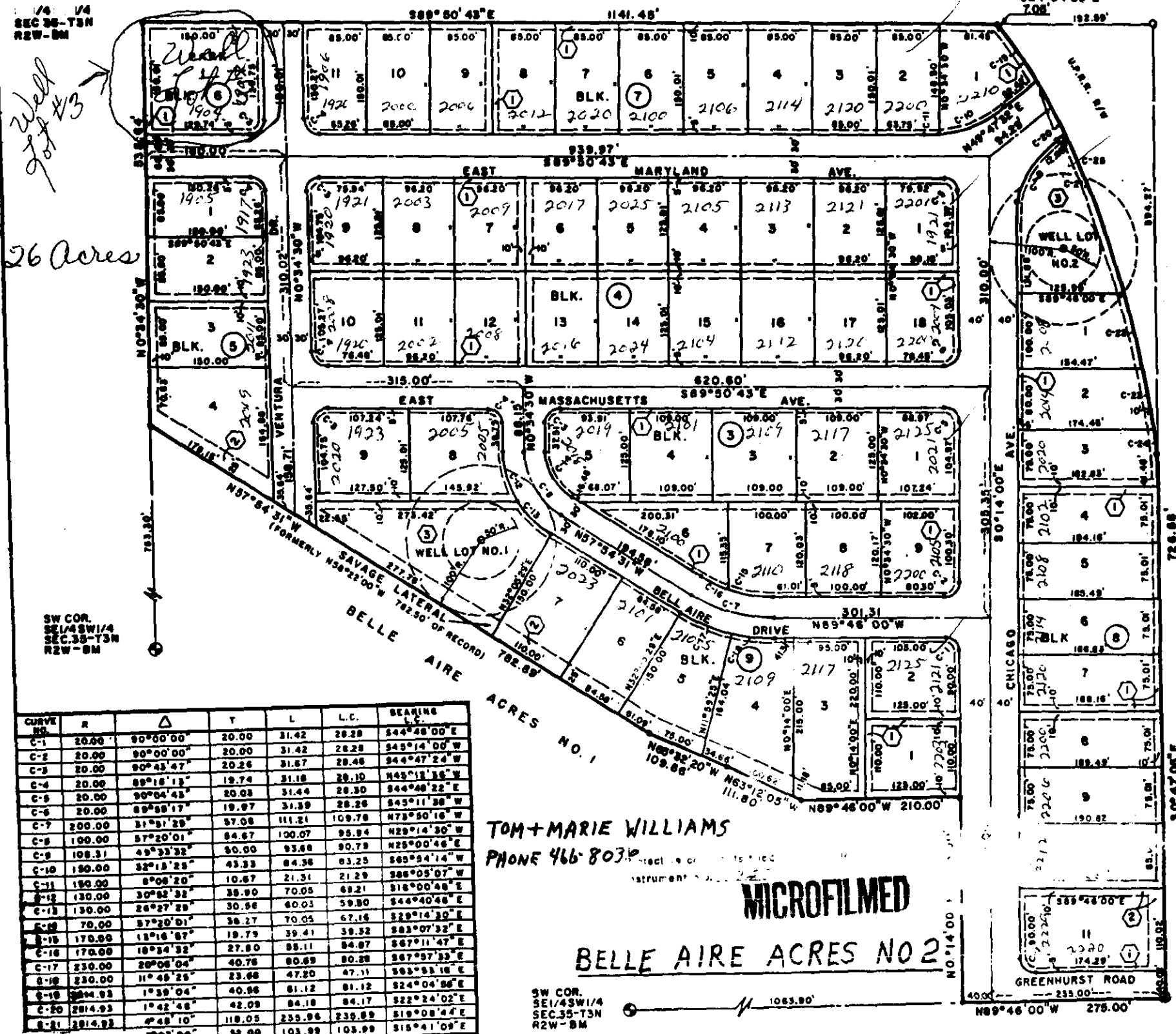
Gentleman.

Enclosed you will find ~~at~~ ^{my} resume, describing
the ~~type~~ type of duties that I have performed.

In addition to this, I have prepared
and served the meals to ~~our~~ own construction
crews, consisting of 8 to 10 people, when we
were out of town. I do not feel I would have
any difficulty in ~~satisfying~~
satisfying your ~~company's~~
crew.

1/4 SEC 36-T3N
R2W-BM

26 Acres



CURVE NO.	R	Δ	T	L	L.C.	BEARING
C-1	20.00	90°00'00"	20.00	31.42	28.28	S44°48'00"E
C-2	20.00	90°00'00"	20.00	31.42	28.28	S45°14'00"W
C-3	20.00	90°43'47"	20.26	31.67	28.46	S44°47'24"W
C-4	20.00	89°16'13"	19.74	31.18	28.10	N49°13'36"W
C-5	20.00	90°04'43"	20.03	31.44	28.50	S44°48'22"E
C-6	20.00	89°58'17"	19.97	31.39	28.26	S45°11'38"E
C-7	200.00	31°51'25"	57.08	100.07	95.84	N73°50'16"W
C-8	100.00	57°20'01"	84.67	100.07	95.84	N29°14'30"W
C-9	108.31	49°33'32"	90.00	93.68	90.79	N25°00'46"E
C-10	180.00	52°13'25"	43.33	84.36	83.25	S63°54'14"W
C-11	180.00	52°13'25"	10.67	21.31	21.29	S65°05'07"W
C-12	130.00	30°52'32"	35.90	70.05	69.21	S18°00'48"E
C-13	130.00	28°27'29"	30.56	60.03	59.80	S44°40'46"E
C-14	70.00	57°20'01"	36.27	70.05	67.16	S29°14'30"E
C-15	170.00	13°16'57"	19.79	39.41	39.32	S63°07'32"E
C-16	170.00	18°54'32"	27.80	55.11	54.87	S67°11'47"E
C-17	230.00	20°06'04"	40.76	80.89	80.28	S67°57'33"E
C-18	230.00	11°48'25"	23.66	47.20	47.11	S65°55'16"E
C-19	284.93	1°59'04"	40.96	81.12	81.12	S24°04'36"E
C-20	284.93	1°42'46"	42.09	84.18	84.17	S22°24'02"E
C-21	284.93	4°48'10"	118.05	239.96	239.89	S19°08'44"E
C-22	284.93	4°48'10"	118.05	103.99	103.99	S15°41'09"E

TOM + MARIE WILLIAMS
PHONE 466-8030

MICROFILMED
BELLE AIRE ACRES NO 2

SW COR.
SE1/4SW1/4
SEC.35-T3N
R2W-BM

N89°46'00"W 275.00'

26 Acres

DECLARATION OF PROTECTIVE RESTRICTIONS

AND

COVENANTS FOR BELLE AIRE ACRES NO. 2

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned do hereby certify and declare:

I

That THOMAS WILLIAMS and MARIE WILLIAMS, husband and wife,
are the owners in fee simple of the following described real property
located in Canyon County, Idaho, to-wit:

This parcel is situated in the SE 1/4 SW 1/4
of Section 35, Township 3 North, Range 2 West
of the Boise Meridian and is more particularly
described as follows:

Beginning at the SE corner of said SE 1/4 SW 1/4;
Thence North 89° 46' 00" West, along the South
boundary of said SE 1/4 SW 1/4, a distance of
275.00 feet; Thence North 0° 14' 00" East,
a distance of 275.00 feet; Thence North 89° 46'
00" West, parallel with the South boundary of
said SE 1/4 SW 1/4, a distance of 210.00 feet
to a point on the Southwesterly bank of an
existing irrigation lateral known as Savage
Lateral; Thence traversing the Southwesterly bank
of said Savage Lateral as follows; North 63°
12' 05" West a distance of 111.80 feet; North
65° 32' 20" West a distance of 109.66 feet;
North 57° 54' 31" West a distance of 782.89
feet (formerly North 58° 22' 00" West, 782.50
feet of record) to a point on the West boundary
of said SE 1/4 SW 1/4; Thence leaving the Southwesterly
bank of said Savage Lateral and running North
0° 34' 30" West, along the West boundary of said
SE 1/4 SW 1/4, a distance of 535.64 feet to
the NW corner of said SE 1/4 SW 1/4; Thence
South 89° 50' 43" East, along the North boundary
of said SE 1/4 SW 1/4, a distance of 1141.45
feet to a point on the Westerly boundary of
the right of way for Union Pacific Railroad;
Thence South 24° 54' 30" East a distance of
7.05 feet to a point of curve; Thence Southeasterly
along the Westerly boundary for said right of
way, a distance of 621.94 feet along the arc
of a curve to the right, having a radius of
2814.93 feet, a central angle of 12° 39' 33"
and a long chord which bears South 18° 34' 44"
East, a distance of 620.68 feet to a point on
the East boundary of said SE 1/4 SW 1/4;

RECORDED

TOM WILLIAMS 466-8036

Thence South 0° 47' 05" East, along the East boundary of said SE 1/4 SW 1/4, a distance of 726.58 feet to the point of Beginning. This parcel contains 27.83 acres.

II

That all of the real property and all lots, parcels or tracts thereof, and any conveyance describing all of any part thereof, either by reference to the official plat of said subdivision or any number of designations therein, of any restrictions, covenants, reservations and conditions herein expressed and set forth, and that by the acceptance of such conveyance, assignment or transfer of interest the grantee or grantees and their heirs, executors, administrators, successors and assigns, and each of them, agree with each other as to the property so described or conveyed in or by such conveyance, as follows:

III

(a) BUILDING RESTRICTIONS: All lots in said subdivision shall be known and described as residential lots and restricted to single family dwellings and no structure shall be erected upon any residential building site other than residential dwellings together with garages.

(b) TYPE OF BUILDINGS: All buildings shall be of frame, stone, brick, concrete or block construction and, if other than brick or stone, shall be finished and painted and kept in good repair, and said property shall be used in such manner as to be inoffensive to any other property owners thereof.

(c) MINIMUM BUILDING SIZE: All residential buildings erected upon said property shall have a floor area required by a majority of the committee established in accordance with the provisions of Section III, hereof, provided however, that in no event shall the required area be less than 1,000 square feet of ground floor

area in case of one-story houses, nor less than 300 square feet of first floor area in the case of a two-story or split-level house, exclusive of garage, carports, patios, breezeways, storage rooms, porches, and similar structures and which shall cost not less than \$22,500.00 based upon the prevailing average building costs as of the date hereof.

(d) BUILDING LOCATION: Unless otherwise specifically approved in writing by a majority of the Architectural Control Committee, hereinafter provided for, no dwelling house or garage or any part thereof or any other structure (exclusive of fences and similar structures) shall be placed nearer than twenty-five (25) feet to the front, which it is located. No building foundation or wall shall be erected nearer than ten (10) feet to any side lot line, and upon corner lots all buildings shall be at least ten (10) feet from the side street line; this provision shall apply except to garages or other buildings located on the rear quarter of any lot except corner lots. For the purpose of this covenant, eaves, steps, chimneys, gutters, and open porches shall not be considered as part of the building; provided, however, that this shall not be construed to permit any portion of a building or any site to encroach upon any other site.

(e) BUILDING SITE: A building site shall consist of at least one (1) of the residence tracts as platted in said plat, and as described in a deed or conveyance, or two (2) a parcel composed of such resident tracts or portions thereof, the depth and frontage of which parcel shall equal or exceed the depth and frontage of residence tracts as platted in the same block, with a minimum of 12,000 square feet of area and 75 feet of frontage at the building setback line.

(f) MOVING OF BUILDINGS - CONSTRUCTION OF OUTBUILDINGS:

No building or structures shall be moved onto said real property from any land outside of said plat except a new prefabricated structure of a type and design approved by the Architectural Control Committee. No trailer houses shall be parked in any street or within building setback lines, and no mobile home or trailer house erected on a tract shall at any time be used as a residence, temporarily or permanently, nor shall any residence of a temporary character be permitted. No building of any kind shall be erected or maintained on a building site prior to the erection of the dwelling house thereon, except that a garage, other small building of permanent construction, or trailer may be erected for the purpose of storing tools and other articles prior to the erection of a permanent dwelling and during the construction period.

(g) PROSECUTION OF CONSTRUCTION WORK: The construction of the dwelling and associated structures shall be prosecuted diligently and continuously from time of commencement thereof until such dwelling and associated structures are fully completed and painted. All structures shall be completed as to external appearance, including finished painted, within eight months from the date of commencement of construction, unless prevented by causes beyond the control of the owner or builder and only for such time as that cause continues.

(h) REFUSE DISPOSAL - MATERIAL STORAGE: The undersigned shall have the right to enter upon any vacant building site for the purpose of burning or removing weeds, brush, growth or refuse.

(k) FENCES - HEDGES: No fence, hedge or boundary wall situated anywhere upon any building site shall have a height greater than Six (6) feet or such other lesser heights as the undersigned owner may specify above the finished graded surface of the ground upon which such fence, hedge, or wall is situated. No fence, wall, hedge, or shrub planting which obstructs sight lines at elevation between four (4) and eight (8) feet above the roadways shall be

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placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them at points twenty-five (25) feet from the intersection of the street lines, or in the case of a rounded property corner from the intersection of the street property lines extended. The same sight line limitations shall apply on any lot within ten (10) feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

(1) NOXIOUS USE OF PROPERTY - SPITE FENCES: No portion of the real property or of a building site or any structure thereon shall be used for the conduct of any noxious or undesirable acts, or undesirable use of any portion of the real property is prohibited and shall not be permitted or maintained. The determination of the undersigned owner that any activity or use is undesirable or noxious shall be conclusive upon all parties.

The construction or maintenance of a spite fence or spite tree shall be prohibited upon any building site. The determination by the undersigned owner that any wall, fence, hedge, or tree falls within the latter category shall be conclusive upon all parties.

(m) BILLBOARDS - SIGNS: No sign of any kind shall be displayed to the public view on any residential building site except one professional sign of not more than four square feet, or one sign of not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.

(n) ANIMALS: No livestock or poultry excepting dogs and cats shall be permitted at any time upon the real property of the

developed subdivision. Dogs and cats are permitted only as pets and no boarding or commercial enterprises will be permitted where such small animals exceed in number those usually owned by lot or trust owners.

(o) No trailer, motor homes, boats, trucks, automobiles, cycles, snowmobiles, equipment, recreational equipment, or personal property of any kind whatsoever except during the period of construction of a dwelling house shall be stored upon that portion of the real property in front of the building setback line for a period of more than Seven (7) consecutive days.

IV

That no building shall be erected, placed, or altered on any lot until the construction plans and specifications and a plan showing the location of the structure have been approved by the Architectural Control Committee, hereinafter designated, as to quality of workmanship and materials, harmony or external designs with existing structures, and as to location with respect to topography and finish grade elevation. No fence or wall shall be erected, placed or altered on any lot nearer to any street than the minimum building setback line unless similarly approved, as provided in Paragraph IV hereof.

As to all improvements, construction, and alterations upon building sites, the Architectural Control Committee shall have the right to refuse to approve any design, plan, floor area or color for such improvements, construction, or alterations which is not suitable or desirable, in the opinion of a majority of said Committee, for any reason, aesthetic or otherwise, and in so passing upon such design the Committee shall have the right to take under consideration the suitability of the proposed building or other structure, and ability of the proposed building or other structure, and the material of which it is proposed to be erected, the harmony thereof with the surroundings and the affect of the building or other structure

or alterations therein as planned on the outlook of the adjacent or neighboring property, and the effect or impairment that said structures will have on the view of surrounding building sites, and any and all other factors which in the opinion of a majority of the Committee shall effect the desirability or suitability of such proposed structure, improvements or alterations. Actual construction shall comply with the plans and specifications as approved and shall not commence prior to the receipt of the written approval or expiration of the time period provided herein for the granting of such approval, by the Architectural Control Committee.

V

The Architectural Control Committee is composed of: Thomas Williams, Marie Williams, and Carl D. Hamilton. A majority of the Committee may designate a representative to act for it. In the event of the death or resignation of any member of the Committee, the remaining members shall have full authority to designate a successor. Neither the members of the Committee, nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant. No members of this Committee duly appointed or elected shall incur liability by reason of any act or omission in exercising the duties herein established for such Committee.

VI

The Committee's approval or disapproval as required in these covenants shall be in writing. In the event the Committee or its designated representative fails to approve or disapprove within 30 days after plans and specifications have been submitted to it, or in any event, if no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and the related covenants shall be deemed to have been fully complied with.

RECORDED

VII

That these protective restrictions and covenants shall run with the land described herein and shall be binding upon the parties hereto and all successors in title or interest to said real property or any part thereof, until April 1, 2004, at which time said Protective Restrictions and Covenants shall be automatically extended for successive period of ten years unless the owner or owners of the legal title to not less than two-thirds of the platted residence tracts or platted lots, by an instrument or instruments in writing, duly signed and acknowledged by them shall then terminate or amend said Protective Restrictions and covenants, and such termination or amendment shall become effective upon the filing of such instrument or instruments for record or instruments shall contain proper references by volume and page numbers to the record of the plat and the Record of the Declaration in which the Protective Restrictions and Covenants are set forth, and all amendments hereof.

VIII

That should any Grantee violate or attempt to violate any of the provisions of these Protective Restrictions and Covenants, any other person or persons owning any real property embraced in the said subdivision plat shall have full power and authority to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any of the said Protective Restrictions and Covenants, and either to prevent him or them from so doing or to recover damages sustained by reason of such violation.

IX

That the invalidation of any provision, sentence, or paragraph contained in these Protective Restrictions and Covenants by Judgment or court order shall in no way affect or invalidate any

of the other provisions, sentences or paragraphs of said Protective Restrictions and Covenants, but the same shall be and remain in full force and effect.

Thomas Williams
THOMAS WILLIAMS

Marie Williams
MARIE WILLIAMS

STATE OF IDAHO }
County of Canyon } ss.

On this 19th day of April, 1974, before me, the undersigned, a Notary Public in and for said State, personally appeared THOMAS WILLIAMS and MARIE WILLIAMS, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

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

Core D. Hamilton
NOTARY PUBLIC FOR IDAHO
Residence: Nampa, Idaho

*SEAL

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)
) ss.
County of Canyon)

Connie Cutberth
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States of
America, and at all times hereinafter mentioned
was over the age of eighteen years, and not a party
to the above entitled action.

2. That I am the Principal Clerk of the Idaho
Press-Tribune, a daily, (except Saturday)
newspaper published in the City of Nampa and
Caldwell, in the County of Canyon, State of Idaho;
that the said newspaper is in general circulation
in the said County of Canyon, and in the vicinity of
Nampa and Caldwell, and has been uninterrupted-
ly published in said County during a period of
seventy-eight consecutive weeks prior to the first
publication of the notice, a copy of which is hereto
attached.

3. That the notice, of which the annexed is a prin-
ted copy, was published in said newspaper

Two times

in the regular and entire issue of said paper, and
was printed in the newspaper proper, and not in a
supplement.

4. That said notice was published the following
dates:

November 10, 17, 1983

Connie Cutberth

Subscribed and sworn to before me this 17th
day of November

1983

Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1985

RECORDED
NOV 21 1983

Department of State, Boise
Western Regional Office

MICROFILMED



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

January 12, 1993

BELLE AIRE ACRES PROPERTY OWNERS ASSN
2203 S CHICAGO
Nampa ID 83651

RE: WATER RIGHT NO. 63-10198

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

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JAN 14 1993



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

December 14, 1992

BELLE AIRE ACRES PROPERTY OWNERS ASSN
2203 S CHICAGO
NAMPA ID 83651

RE: WATER RIGHT NO. 63-10198

Dear Water Right Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

A handwritten signature in cursive script that reads 'Pamela Skaggs'.

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

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LICENSE REVIEW CHECKLIST

Permit # 63-10198

Date 12-10-92
38

	Yes	No	
NAME	☐	☒	Address Change?
PRIORITY DATE	☐	☒	Advance?
	☐	☒	Memo to Advance
	☐	☒	Order to Reinstate Needed?
TOTAL CFS	☐	☒	Incorrect Fee for rate recommended?
	☐	☒	Disagree with Actual Measurement?
	☒	☐	Disagree with Theoretical? $1.5 \times 8.5 \times .7 = .72 \times 1.44$
	☐	☒	Limited by Capacity? $1.25 \text{ cfs } 25' + (2.31 \times 45)$ (Measured)
TOTAL VOLUME			Rate/ac <u>4.5</u> AFA Irr. Season <u>D</u>
			<u>3-15 to 11-15</u> Standard Irr. Season
			<u>Same Per Permit</u> Season Recommended
	☐	☒	Disagree with Examiner's Calculations?
	☐	☒	Limited by Flow? $28 \times 4.5 = 126$ (IRR) $100 \times .6 = 60$ (AFA) (DOM)
SOURCE	☐	☒	Changes? Clarification of Originally Intended source
	☐	☒	Notice of Intent to Void.
<u>P/D</u>			Verify with Map
	☐	☒	Amendment Needed? <u>Drop NESW/Both wells in SESW</u>
	☐	☒	Is Overlap Analysis a Consideration? <u>per USGS + Orthophoto</u>
P/U			Verify with Map
	☐	☒	Amendment Needed?
	☐	☒	Is Overlap Analysis a Consideration?
USES	☐	☒	Change(s) in Nature of Use?
	☐	☒	Amendment Needed?
REMARKS	☒	☐	Multiple P/Ds in 1/4 1/4? <u>2/SESW</u>
	☒	☐	Non-Irr. Uses <u>DOM/100 Homes</u>
	☐	☒	Special Overlap Condition
	☐	☒	Other
CONDITIONS	☐	☒	Measuring Device
	☐	☒	W/Master Control
	<u>R30</u>	☐	Overlap
	☐	☒	Water Quality
			DATES/MISC
		☒	Water Dist.
		☒	App Rec'd
		☒	Exam Made
COMMENTS/MEMOS NEEDED:	<u>Reduced acres, rate</u>		
	<u>16' static level / Used 25' minimum dynamic level</u>		
	<u>\$45 psi per measurements</u>		
License	☐	☒	10-Day
	☐	☐	15-Day
	☐	☐	Special Correspondence

WR0749NP
No. L63-10198

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 12/10/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BELLE AIRE ACRES PROPERTY OWNERS ASSN 2203 S CHICAGO NAMPA ID 83651 (208) 466-0607	06/15/1983	IRRIGATION DOMESTIC	03-15 11-15 01-01 12-31	0.56 CFS 0.43 CFS	126.0 AFA 60.0 AFA
TOTAL DIVERSION:					0.99 CFS	186.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 1.25 CFS

Point(s) of Diversion: T03N R02W S35 SE SW

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE																																							
T	R	S	NENE		NWNE		SWNE		SENE		:	NENW		NWNW		SNNW		SENE		:	NESW		NWSW		SWSW		SESW		:	NESE		NWSE		SWSE		SESE		:	SUM																				
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:																							
03N	02W	35	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:																			
																														:	10	:	18	:															:	28.0	:			:	28.0				
																																								:	TOTAL ACRES										:			:			:		

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: CANYON

Non-Irrigation Uses: ~~0-100 HOMES~~

Other Water Rights with Same Point(s) of Diversion and Source:
63-10198

Other Water Rights Listing Overlapping Place(s) of use:
63-10198

Conditions of Approval:

- 004 - The issuance of this right in no way grants any right-of-way
- or easement across the land of another.
R32 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 4.5 afa per acre for the
- lands above.

Remarks: Two points of diversion are located within the SESW, S35, T03N,
R02W.
Domestic use is for 100 homes.

Dates: App. Received: 06/15/1983 Priority Date: 06/15/1983
Proof Due Date: 12/01/1988 Proof Made Date: 11/21/1988
Exam Made Date: 07/27/1989 Exam Sent to S.O.: 11/25/1992
Licensed Date:

Misc: Water District Number: Field Exam Fee: R (Received)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
NOV 30 1992

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-10198

1. Owner: BELLE ACRE ACRES #2 & 3 PROPERTY OWNERS ASSOC Phone No. _____
Current Address: 2203 So CHICAGO Nampa ID.
2. Accompanied by: WENDELL EXAM. DATE: 8-27-89
Address: _____ Phone No. 466-0607
Relationship to Permit Holder: ASSOC PRESIDENT
3. Source: GROUND WATER tributary to _____

B. OVERLAP REVIEW

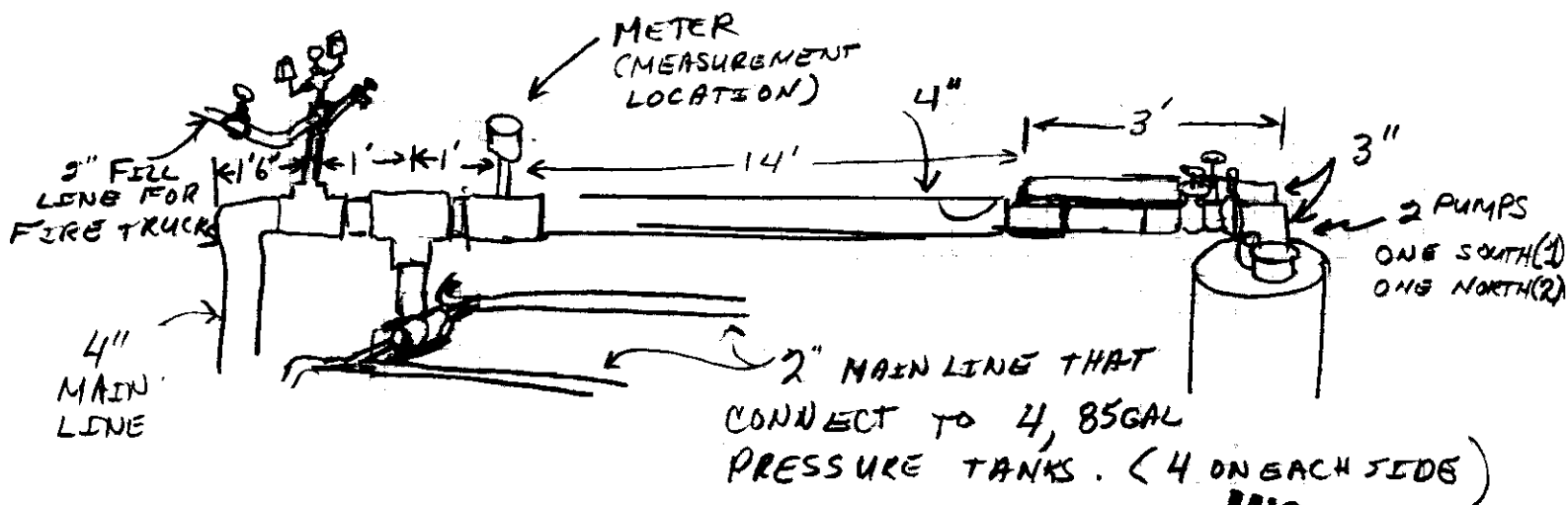
1. Other water rights with same place of use: NONE 63-9005 OTHER USER & SYSTEM
IN SAME Q/Q ☐ Copies Attached
2. Other water rights with same point of diversion: NONE ; 63-9005 SEE ABOVE
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

P/D # 1 SKETCH

SEE ATTACHMENT FOR
P/D # 2 SKETCH.



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. 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 or more)
- ☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.)

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System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

THIS SYSTEM IS TWO WELLS SUPPLYING WATER TO BELL AIRE ACRES #2 & 3 SUBDIVISION VIA A BURIED 4" MAIN LINE BOTH P/D'S ARE TIED INTO THE SAME SYSTEM. P/D #1 HAS 2 PUMPS INSTALLED IN THE WELL WITH ONLY 1 IN SERVICE AT A TIME. THEY ARE NORMALLY ALTERNATED ON A YEARLY BASIS. P/D #2 HAS ONE PUMP ONLY. ALL BUT 5 LOTS WERE DEVELOPED AT EXAM TIME THEREFORE I RECOMMEND

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
PUMP 1 (SOUTH)	HITACHI	15	UNKNOWN	RED JACKET	3"
PUMP 2 (NORTH)	HITACHI	15	"	RED JACKET	3"
P/D # 2	HITACHI	15	—	RED JACKET	3"

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

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
#1			SE	SW	35	3N	2W	CANYON	AERIAL PHOTO.
#2			NE	SW	35	3N	2W	CANYON	AERIAL PHOTO.

6. **Place(s) of Use:**

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	2W	35									10			18					28

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Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

	Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
P/D #1	McCROMETER	READING IN	GPM.		74-4-180	4" PIPE	
P/D #2	McCROMETER	READING IN	GPM		78-4-205	4" PIPE	

2. Measurements:

P/D #1 PUMP #2 @ 44 PSI READ - 270 GPM

PUMP #1 - ON STAND BY, - GENERALLY ALTERNATED ON A YEARLY

P/D #2 - @ 45 PSI READ 290 GPM

BASIS

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: #1 = 270 GPM / 448.8 = 0.60 CFS
#2 = 290 GPM / 448.8 = 0.65 CFS

TOTAL = 1.25 CFS

2. Alternate Method for Checking Purposes: $\frac{15 \times 8.8 \times .8}{15 + (2.3 \times 40)} = 0.99 \text{ CFS} \times 2 \text{ P/D's} = 1.98 \text{ CFS}$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3)

: Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 28 \times 4.5 = 126$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.56 \times 245 \times 1.9835 = 272.1$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 126$

2. Volume Calculations for Other Uses:

DOMESTIC 100 HOMES * .6 = 60 AFA
VS.

$0.143 \times 365 \times 1.9835 = 311.3 \text{ AFA}$

FEB 01 1993

H. REMARKS AND OVERLAP REVIEW ANALYSIS

THE LICENSE TO COVER THE ENTIRE SUB DIVISION.
FOR LAND IRRIGATED I ASSUMED HOMES AND ROADS
TO COVER 35% OF THE PROPERTY.

NO OTHER SOURCES OF WATER FOUND.

PERMIT FOR DOMESTIC	0.60 CFS
IRRIGATION OF 39 ACRES AND	0.78 CFS
FOUND DOMESTIC 102 LOTS	
IRRIGATION 28 ACRES AND	1.25 CFS
FEES PAID FOR	2.00 CFS MAX
LEGAL LIMIT	28 ACRES @ 0.02 = .56 CFS
	0.43 CFS PER 100 UNITS.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	3-15	11-15	0.56 CFS	126
DOMESTIC	1-1	12-31	0.43 CFS	60

Totals: 0.99 CFS 186 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

J. AUTHENTICATION

Field Examiner's Name

2 Witnesses 8-4-92
KELLY K. CHRISTENSEN

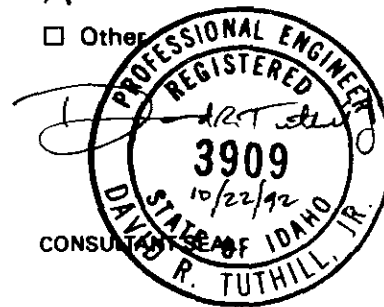
Signature

Kelly K. Christensen

Certification Date

Field Report Preparation Date

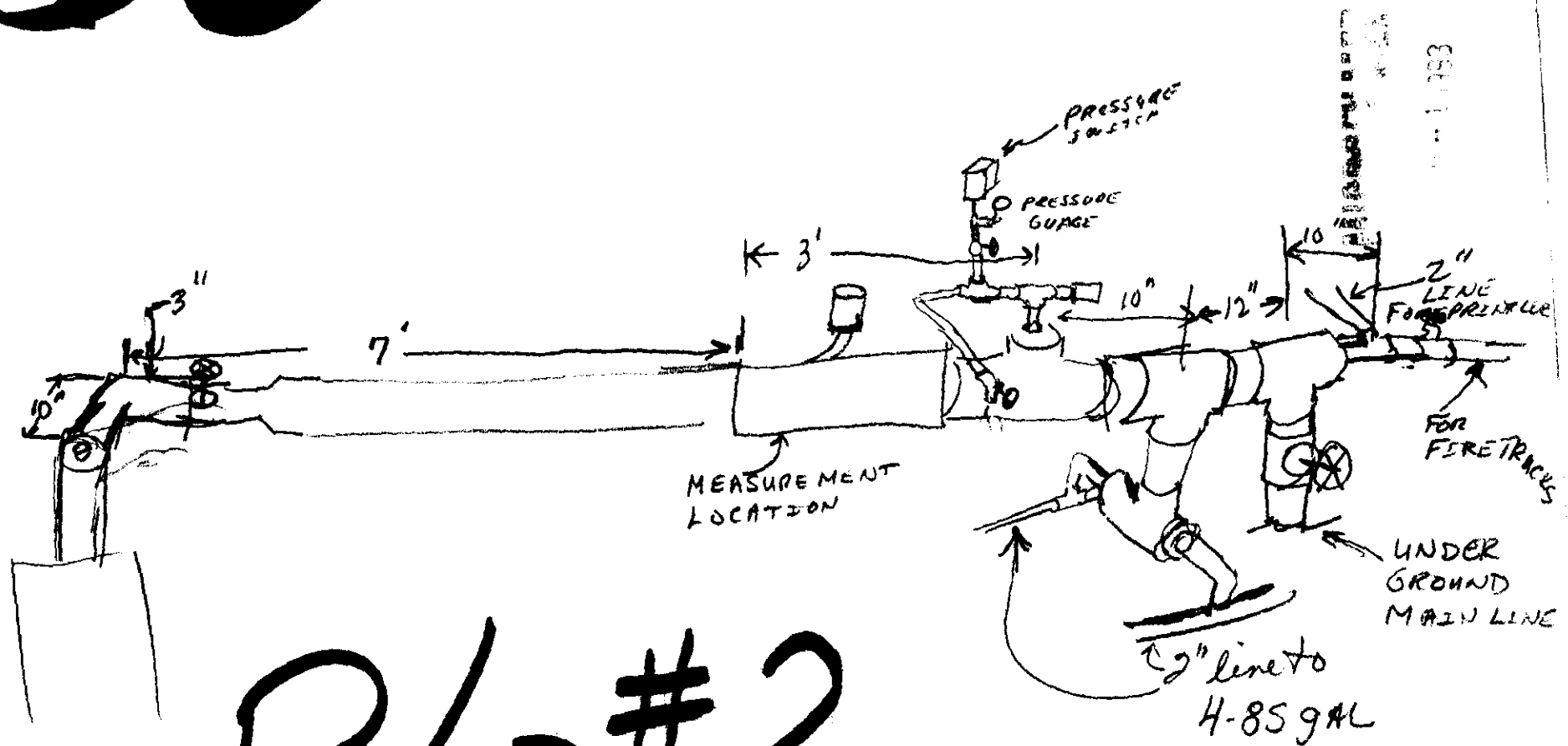
8-22-89



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

FEB 01 1993

63-10198



P/D #2

DUBLIN MEADOWS SUB

BELLE AIRE ACRES

NO. 3

TOM + MARIE WILLIAMS

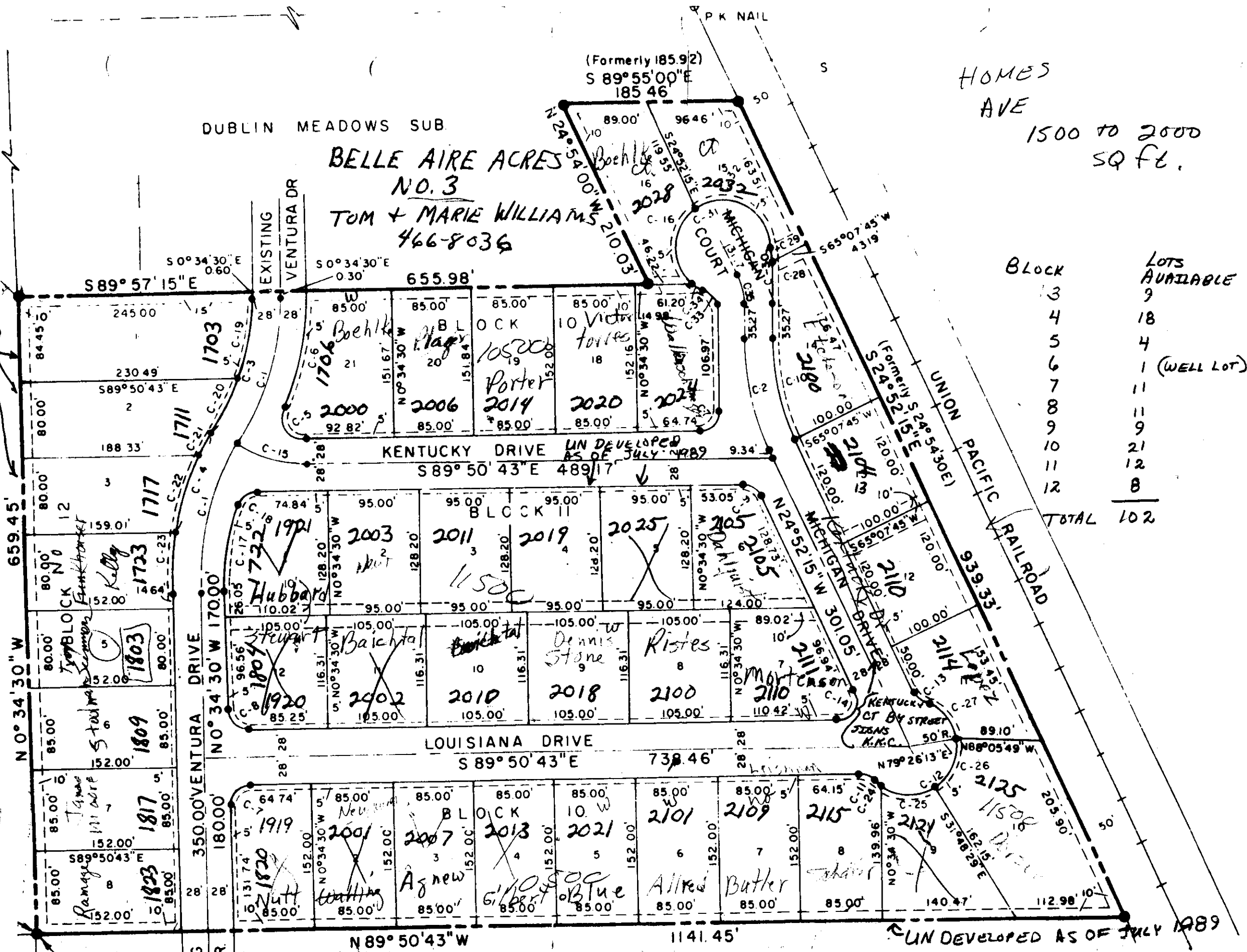
466-8036

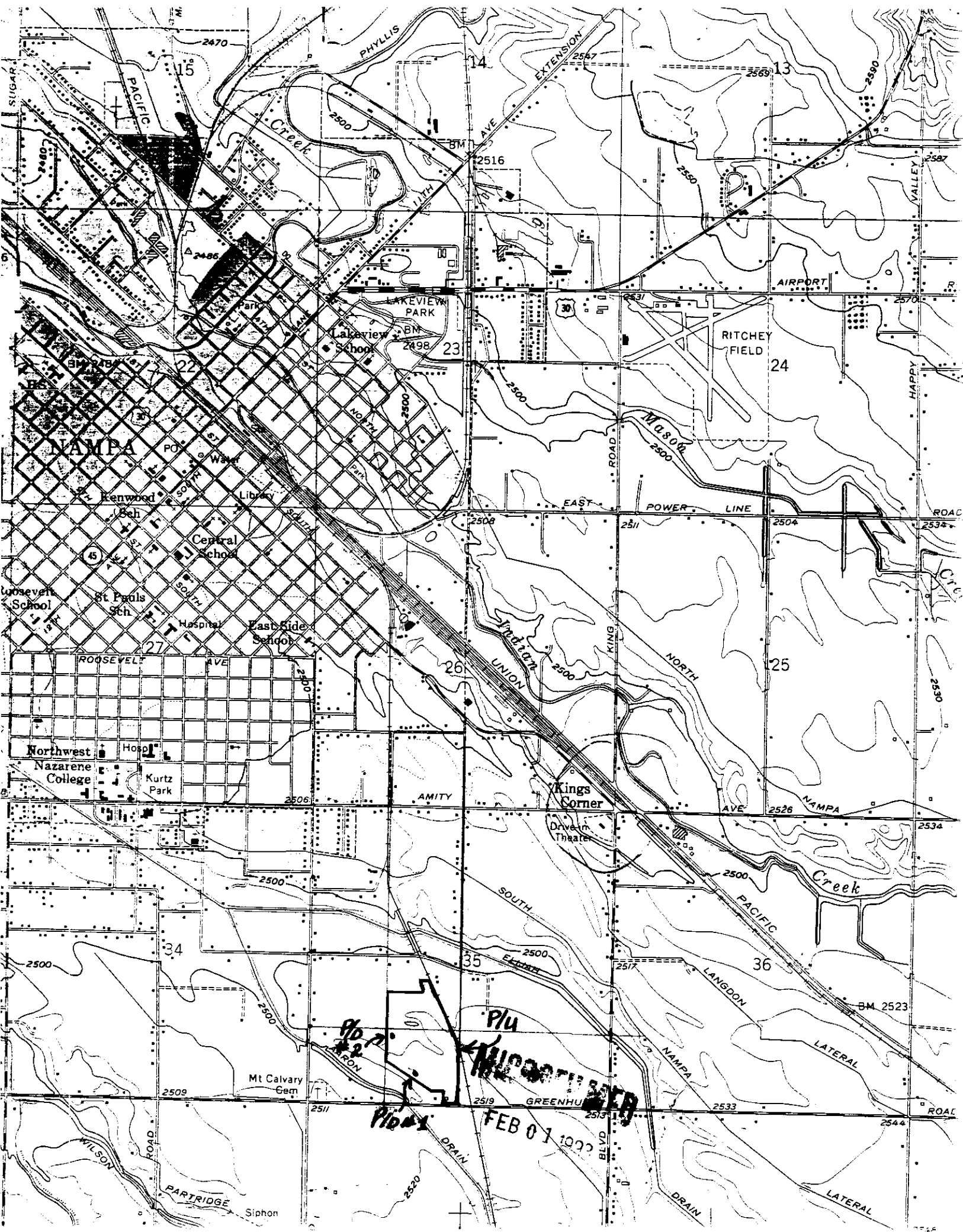
HOMES
AVE

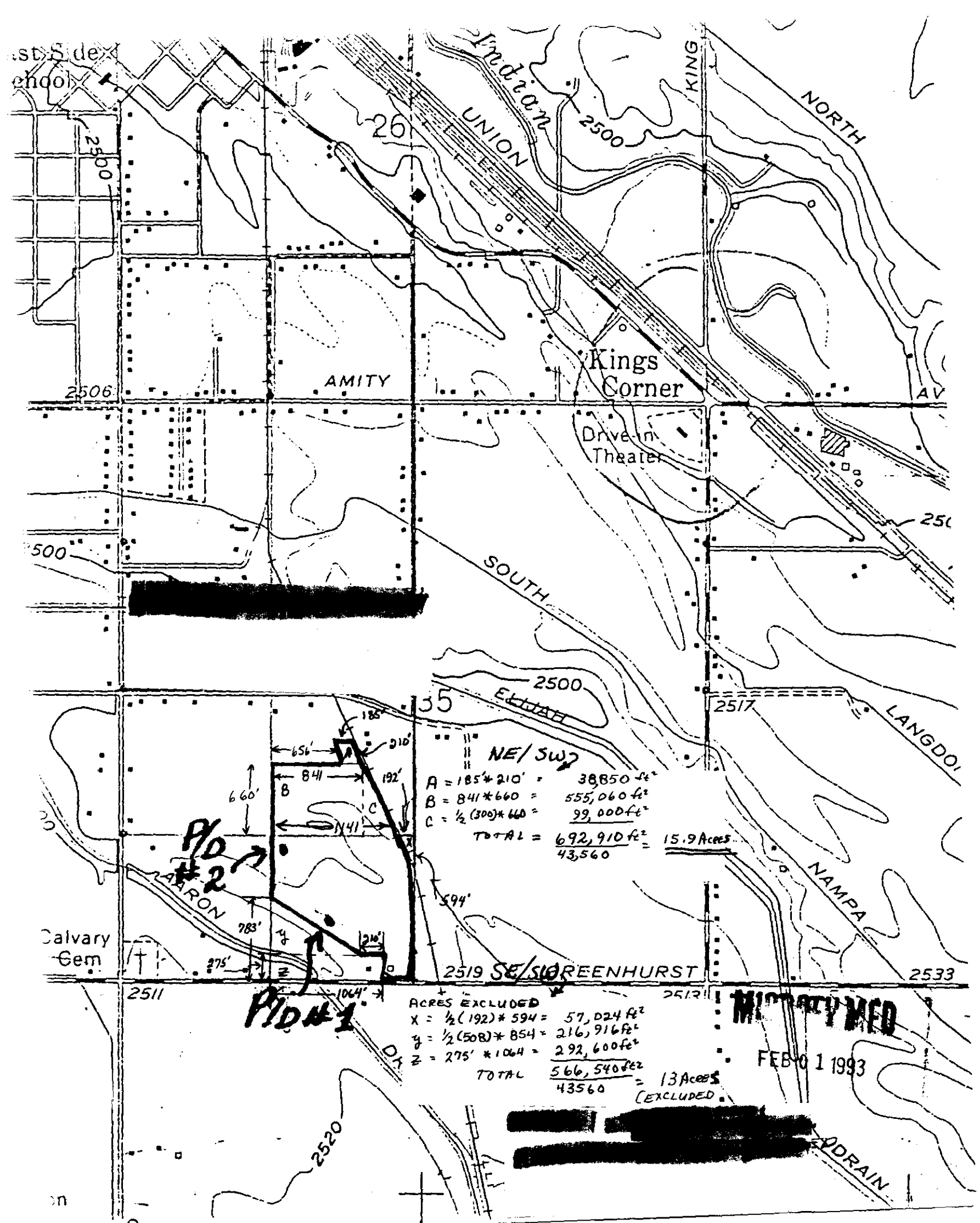
1500 TO 2000
SQ FT.

UNDEVELOPED
AS OF JULY
1989

UNPLATTED







A
3.8

C
11.6

8

PICTURE &
LOCATION

PICTURE &
LOCATION

C824
-1385C
T3126

PICTURE #
LOCATION 3

PICTURE #
LOCATION 7

James D. Williams
Dawson Street

137
846
1400
SUB
DIVIDED
1972

C1060
1641C T3201A
4.9 B 8.

8.5

529C-T3081

FEB 01 1993
T3N K2W

Sec 35

D

3847 OK

C42
1532
T81

C9:
4528
B

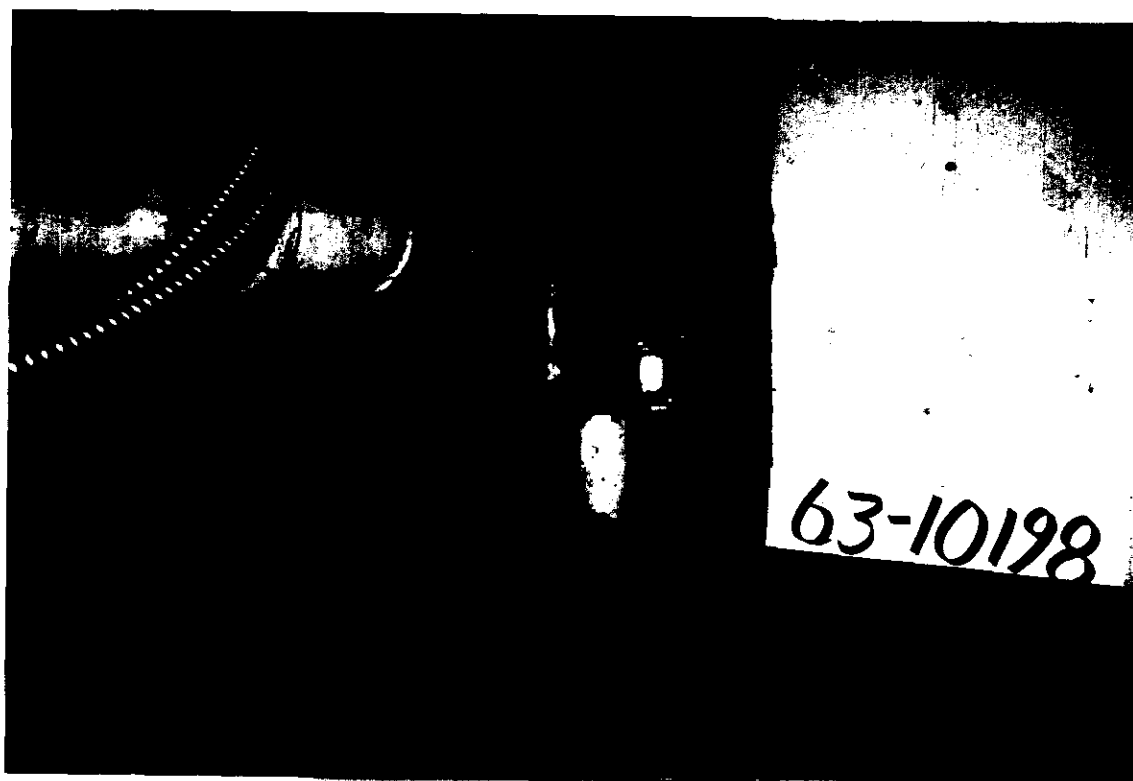
089° 46' 00" W 275.00'

Cleveland ✓ at hos
part new photo

P/D #1

PUMPING STATION
HAS TWO PUMPS (ONE FOR STANDBY)

Picture # 1

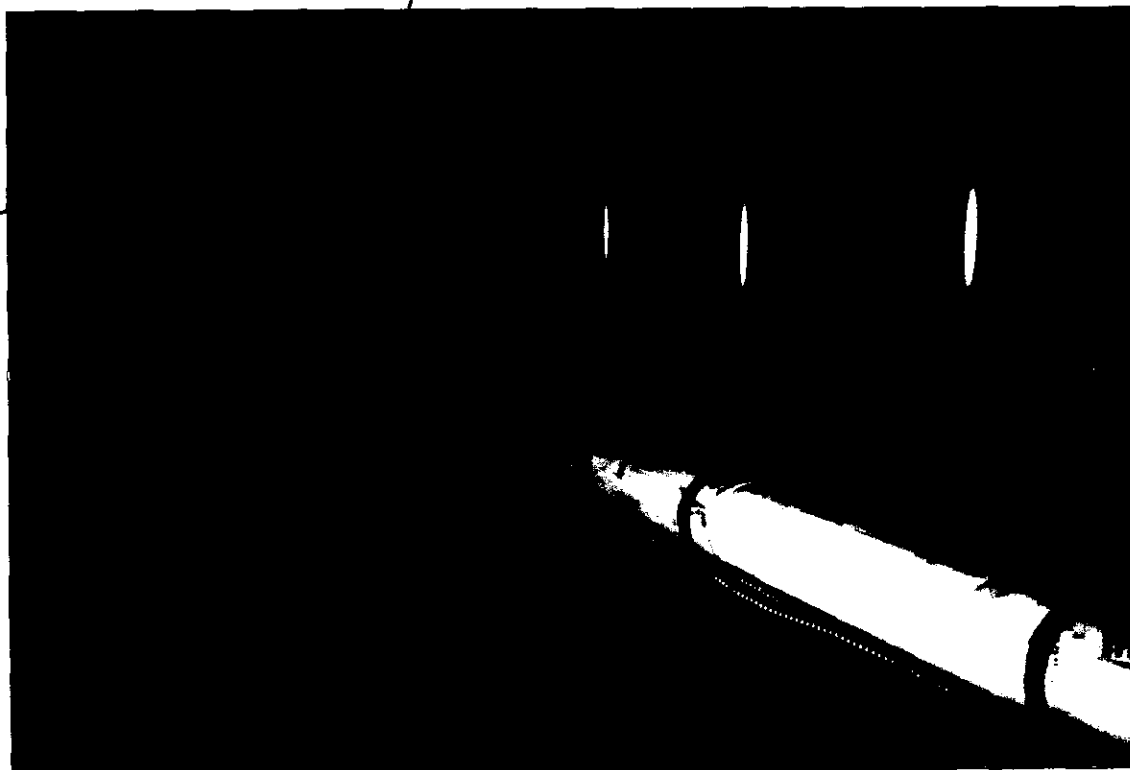


P/D #1 PRESSURE SYSTEM

PRESSURE TANK SYSTEM

Picture # 2

MEASURE MENT LOCATION



EXITS
BUILDING TO
FILL FIRE
TRUCKS.

4 MORE PRESSURE TANKS
ON THIS SIDE.

WELL HOUSE FOR P/D # 1 LOOKING WEST

Picture # 3

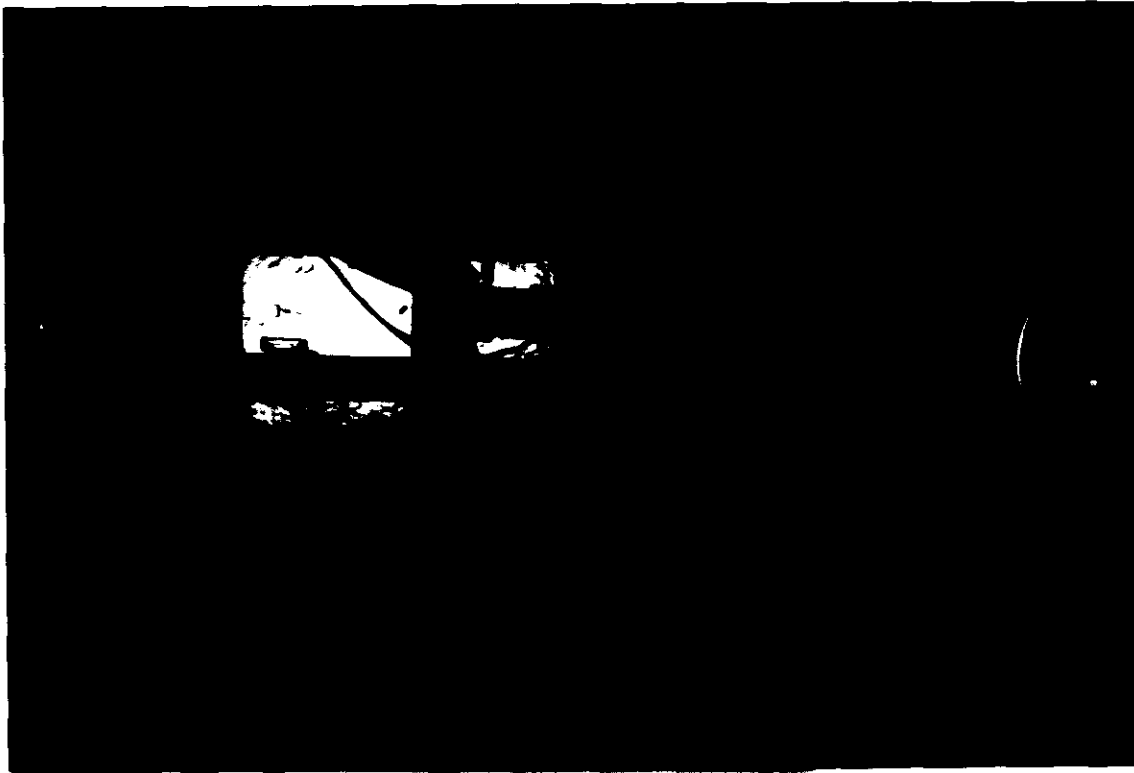


Picture # _____

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P/D P/D #2

Picture # 4

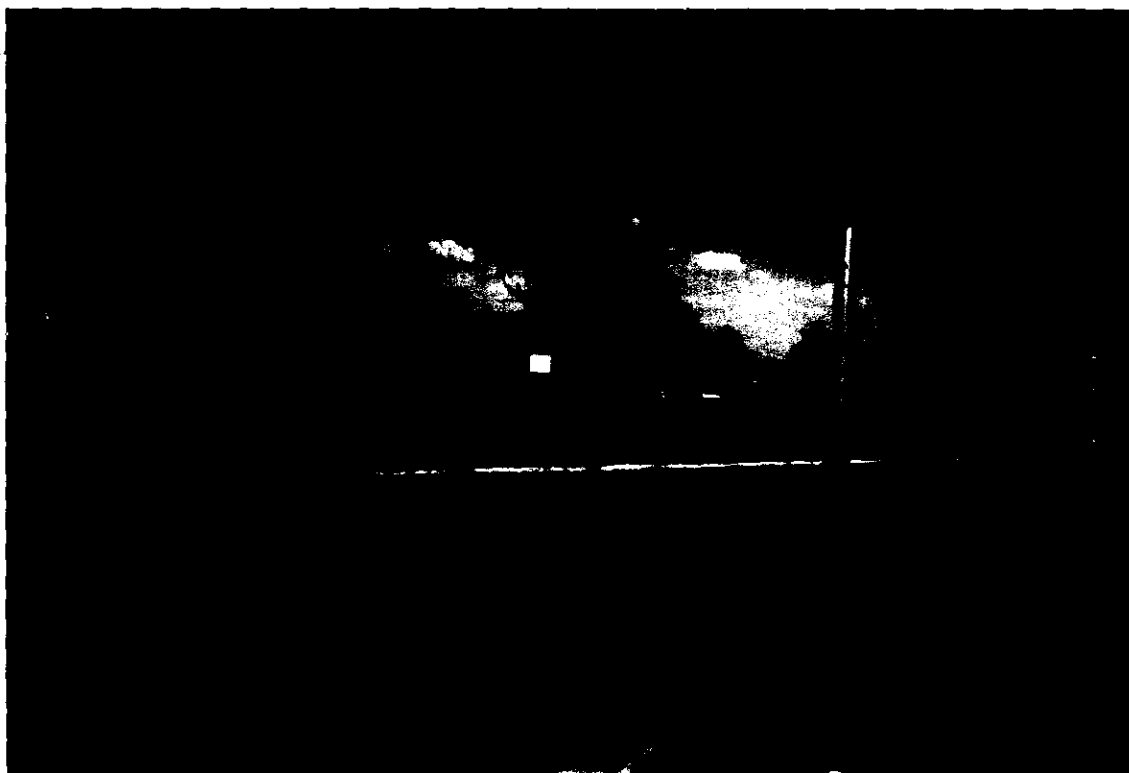


Picture # 5



TIME
FEB 01 1993

Picture # 6



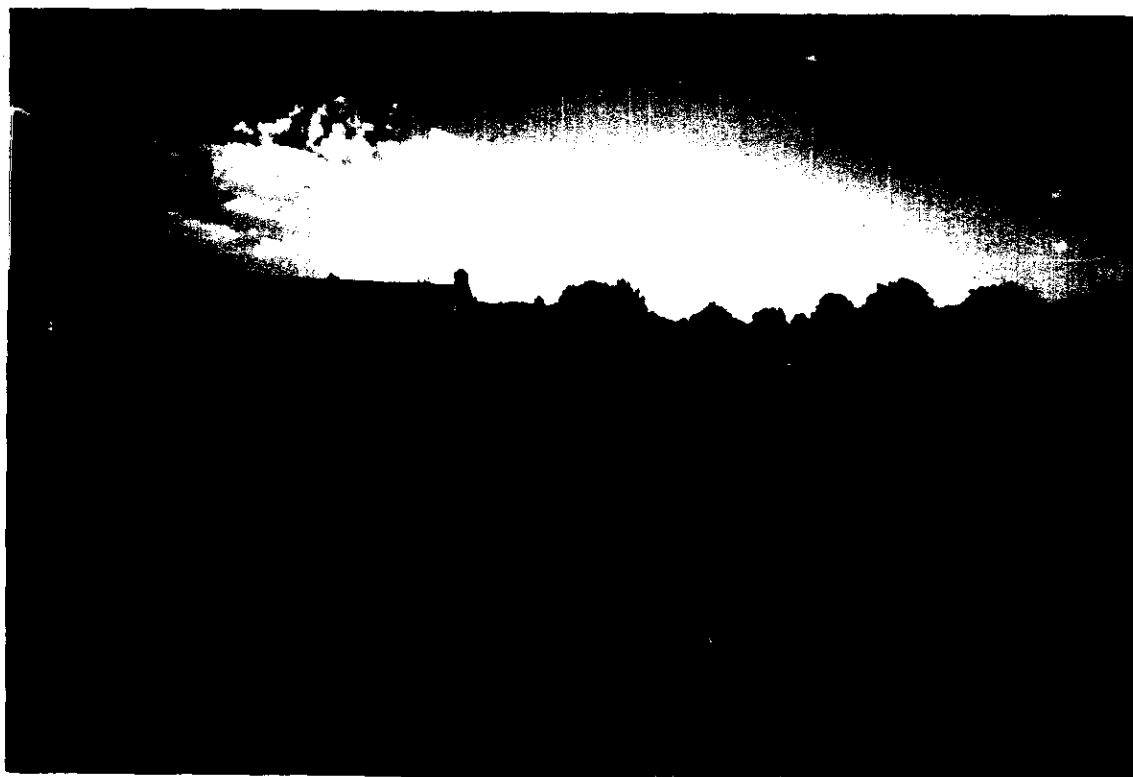
Picture # 7



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72 0 1 1993

Picture # 8



Picture # 9



SIPDREY MCD
FEB 01 1993

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 63-10198

Date: 11-29-88

General Considerations:

Y Name same as permit
Y Signature the same as permit holder
N Address change _____ If yes, prepare a data entry
Y Proof received timely
_____ Reinstated

Source of Water:

_____ Surface water
Y Groundwater
_____ 1. well log in file
N/A 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

Y Rate of diversion appropriate for uses
Y Is rate or volume and fee appropriate?
Y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

Y Is a measuring device or access port required?
Y Has one been installed?
N/A Waiver or modification of measuring device requested

Remarks:

Proof acceptable

N/A

Priority Calculation:

Date proof received _____

Date proof due _____

No. of days late _____

Priority date _____

NEW PRIORITY DATE _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received \$125.00
Date 11/22/88
Receipt # C093524
Receipt by [Signature]
Reviewed by [Signature]
NOV 21 1988

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 63-10198-

Name(s) of Permit Holder: Belle Aire Acres # 2 & 3 Prop. Owners Assn. Inc.

Post Office Address: 2203 S. Chicago, Nampa, Idaho 83686-

Telephone No. 1 208 466-8036

Source of Water: Groundwater or 208 466-0607

Extent of Use:

Domestic 90 (number of households) Stockwater _____ (number and type of stock)

Irrigation 39 (acres) Other/Remark and 2 well lots - lawns;

There are 13 Lots that have not been built on as yet.

Total rate and/or volume for which proof is submitted 1.38 cts/ _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: August 1984

Measuring Device: Required? ☐ Yes ☐ No
Installed? ☒ Yes ☐ No

Fee enclosed \$ 125.00
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☒ Yes ☐ No
Installed? ☐ Yes ☐ No

Person to contact to accompany the Department representative during the field examination:

Wendell Klein 208 466-0607
(Name) (Telephone Number)

1923 Ventura Dr., Nampa, Idaho 83686
(Address)

The above information 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.

11-16-88
Date

Wendell R. Klein Secretary-Treasurer
Signature of Permit Holder (and title, if appropriate)

83686
Nampa, Idaho.
1923 Ventura Dr.

State of Idaho 11-16-88
Department of Water Resources
R. Keith Higginson, Director
Attention: Kite Fleck

I the peak of our water usage,
is during July and August, since
all lawns are watered from wells
as well as household usage.

If you want to make an
inspection sometime, please contact
either me or Jeff Kamage, Pres.
His address is: 1823 Ventura Dr.
Nampa, Idaho, 83686
Ph: 208 466-9381

We both have keys to the wellhouses.

Sincerely,

DEC 08 1988

Wendell Klein

Secretary - Treasurer

Check:
enclosed

To: File 63-10178

From: Groundwater Protection

Date: 11/28/88

5254
35
32
24

Drilling Permit: ☒ Not Applicable
☐ Found and in file
☐ Not Found

Well Drillers Report:

☐ Not found, due to reported age of well
probably not available
☒ Found and is in file
☐ Not found

Follow-up

☐ Request from permit holder the well
drillers report and/or the name of the
well driller, *and date drilled.*
☐ Ask permit holder when well was drilled
and notify holder of drilling permit
requirement if after July 01, 1987.

One well log found.

*MAY be other wells - Logs
may or may not be in Microfilm.
?*

OK

g3

RECEIVED

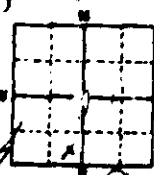
DEC 08 1988

USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Administration

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Administration within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>Sam Williams</u> Address <u>Rt 3 Nampa Id.</u> Owner's Phone No. _____		7. WATER LEVEL Static water level <u>16</u> feet below land surface Flowing? Yes ☐ No ☐ G.P.M. flow _____ Temperature _____ F Quality _____ Artesian closed in pressure _____ P.S.I. Controlled by ☐ Valve ☐ Cap ☐ Plug																																																																							
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____		8. WELL TEST DATA ☐ Pump ☐ Bailor ☐ Other _____ Discharge G.P.M. _____ Draw Down _____ Hours Pumped _____																																																																							
3. PROPOSED USE ☐ Domestic ☐ Irrigation ☐ Stock ☐ Other (specify type) _____ ☒ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection		9. LITHOLOGIC LOG <table border="1"><thead><tr><th rowspan="2">Hole Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td>12</td><td>0</td><td>2</td><td>Top soil</td><td></td><td>X</td></tr><tr><td></td><td>2</td><td>4</td><td>Hard pan</td><td></td><td>X</td></tr><tr><td></td><td>4</td><td>54</td><td>Sandy clay</td><td>X</td><td></td></tr><tr><td></td><td>54</td><td>56</td><td>Hard Shale - some lumps</td><td>X</td><td></td></tr><tr><td></td><td>56</td><td>59</td><td>Blue loam sand</td><td>X</td><td></td></tr><tr><td></td><td>59</td><td>62</td><td>Sand - hard</td><td></td><td>X</td></tr><tr><td></td><td>62</td><td>63</td><td>Blue clay</td><td>X</td><td></td></tr><tr><td></td><td>63</td><td>67</td><td>Hard sand</td><td>X</td><td></td></tr><tr><td></td><td>67</td><td>77</td><td>Hard coarse sandstone - some lumps</td><td>X</td><td></td></tr><tr><td></td><td>77</td><td>79</td><td>Solid sand</td><td></td><td>X</td></tr></tbody></table>		Hole Diam.	Depth		Material	Water		From	To	Yes	No	12	0	2	Top soil		X		2	4	Hard pan		X		4	54	Sandy clay	X			54	56	Hard Shale - some lumps	X			56	59	Blue loam sand	X			59	62	Sand - hard		X		62	63	Blue clay	X			63	67	Hard sand	X			67	77	Hard coarse sandstone - some lumps	X			77	79	Solid sand		X
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4. METHOD DRILLED ☒ Cable ☐ Rotary ☐ Dug ☐ Other _____																																																																									
5. WELL CONSTRUCTION Diameter of hole <u>12</u> inches Total depth <u>79</u> feet Casing schedule ☐ Steel ☐ Concrete Thickness _____ Diameter _____ From _____ To _____ <u>256</u> inches <u>12</u> inches <u>2</u> feet <u>60 1/2</u> feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches Number _____ From _____ To _____ _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>20</u> Material used in seal ☐ Cement grout ☒ Packing clay ☐ Well cuttings Sealing procedure used ☐ Slurry pit ☐ Temporary surface casing ☒ Overbore to seal depth																																																																									
6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name <u>Blue Ridge</u> Roll <u>100</u> Lot No. <u>1</u> Block No. <u>9</u> County <u>Canyon</u> SE 4 SW 4 Sec. <u>35</u> T. <u>3</u> N. R. <u>2</u> E.		10. Work started <u>3/25/74</u> finished <u>3/29/74</u> 11. DRILLER'S CERTIFICATION Firm Name <u>Davis Well Drilling Firm</u> Address <u>P.O. Box 205 Nampa 4/20/74</u> Signed by (Firm Official) <u>Carroll M. Davis</u> and <u>Charles Davis</u> (Operator)																																																																							

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE COPY TO THE DEPARTMENT

Belle Air Acres #243

1923 Ventura Dr.

Nampa, Idaho 83651



State of Idaho
Department of Water Resources
1301 N. Orchard Statehouse Mail
Boise, Idaho 83720

BELLEAIRE AC. 2 3 PROP. OWNERS ASSN INC
2203 S. CHICAGO
NAMPA, ID 83651

September 30, 1988

138500

PROOF DUE NOTICE

RE: PERMIT NO. 63-10198

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, 1988. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

RECEIVED

DEC 08 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 63-10198
Name(s) of Permit Holder(s): Belle River #2 Prop Owner Assn.
Post Office Address: 2203 S. CHICAGO
NAMPA, IDA 83651 Tel. No. 466-8034

☐ I hereby certify that construction of diversion works for the above referenced permit began on July 1974. I understand that I must continue to develop the project with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:
DEC 08 1988

*Note: A financing difficulty is not an acceptable reason.

Date

Thomas Williams
Signature of Permit Holder

Prop. BAA #2 Prop Owner Assn.

PLACE
STAMP
HERE

RECEIVED
JAN 30 1987

Department of Water Resources
Nevada Regional Office



DEC 01 1986

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

SINCERELY,

David R. Tuthill

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

Please Note,

*We do have installed a
Flo-Meter which measures the
actual G.P.M. flow, plus the total acre feet
that has been used!*



DEC 08 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

BELLEAIRE AC. 2 3 PROP. OWNERS ASSN INC
2203 S. CHICAGO
NAMP, ID 83651

DECEMBER 20, 1983

RE: PERMIT NO. 63-10198

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR AN ACCESS PORT TO PROVIDE FOR THE INSTALLATION OF MEASURING EQUIPMENT BY THE DEPARTMENT. ENCLOSED PLEASE FIND A LIST OF MEASURING DEVICE OPTIONS, AND SPECIFICATIONS FOR THE INSTALLATION OF THE ACCESS PORT.

THE 1982 IDAHO LEGISLATURE ADDED A REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

RECEIVED

DEC 08 1983

S T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

BELLEAIRE AC. 2 3 PROP. OWNERS ASSN INC
2203 S. CHICAGO
NANPA, ID 83651

DECEMBER 20, 1983

RE: PERMIT NO. 63-10198

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MICROFILMED

RE: PERMIT 63-10198

PAGE 01
DECEMBER 20, 1983

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: 6LS

APPLICATION NUMBER: 63-10198

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature. oh

Field check by: _____

Date: _____

Comments: _____

- ☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☒ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: JP

Date: 11/3/83

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. None
☒ Yes ☐ No* In form for advertising.
Final date for protests: 11/28/83
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 11/23/83
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application. \$5.00 32473/31045
☒ Publication dates and paper, recorded on application. News-bib 11/10 & 11/17/83
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☒ Yes ☐ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
☒ 6/15/83 Date of priority recommended.

Special conditions of approval or cover letter. Right-of-way condition

(26) I.R. G.W. letter

MICROFILMED

By: DBS

Date: 11/28/83

STATE OFFICE REVIEW:

103,417

26 OIC 04

- ☐ See attached sheet for more information.

By: Kay

Date: 12/1/83

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

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lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

40
307
156
3



STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

Division of Environment - 801 Reserve Street, Boise, Idaho

DIVISION OF ENVIRONMENT

Statehouse
Boise, Idaho 83720

83712

November 23, 1983

Mr. David B. Shaw
Western Region Supervisor
Department of Water Resources
450 West State Street
Boise, Idaho 83720
Statehouse Mail

RE: #63-10198, Belle Aire Acres

Dear Mr. Shaw:

The above referenced application has been reviewed by this office. We have no objections or comments.

Sincerely,

George Varin
Sr. Environmental Specialist

GV/bg

cc: Craig Shepard, IDHW/DOE

MICROFILMED

RECEIVED
NOV 23 1983

Department of Water Resources
Western Regional Office

EQUAL OPPORTUNITY EMPLOYER

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

NOVEMBER 3, 1983

Idaho Press-Tribune
P.O. Box 9399
Nampa, ID 83652

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before NOVEMBER 28, 1983.

Yours truly,

JUDY PENSE
Secretary

Encl.

11
M-F

63-10198

BELLEFAIRE AC. 2 3 PROP. OWNERS ASSN INC

2203 S. CHICAGO, Nampa, ID 83651

Source: GROUNDWATER

Date Filed: 06/15/1983

Diversion Pt: SESW NESW Sec 35 T 03N R 02W

Use: IRRIGATION (0.78 CFS)
DOMESTIC (0.60 CFS)

In: NESW SESW Sec 35 T 03N R 02W FOR 39 ACRES

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before NOVEMBER 28, 1983.

KEN DUNN, Dir.

Published 11/10 & 11/17/83.

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

November 3, 1983

George Varin
Idaho Department of Health & Welfare
Division of Environment
Statehouse
Boise, ID 83720

Re: No. 63-10198 - Belle Aire Acres

Dear Mr. Varin:

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 28, 1983.

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

Sincerely,

DAVID B. SHAW
Western Regional Supervisor

DBS:jp

Enclosure

MICROFILMED

63-10198

October 13, 1983

Mr. Thomas Williams
Route 3, Box 3287
Nampa, ID 83651

Dear Mr. Williams:

I have visited in the past with your wife regarding a Water Right Application that was submitted for the Belle Aire Acres Property Owners Assn. Thanks to the information that she provided the Application is nearly complete. One last problem remains, that of the filing fee.

After adjusting the amount of water for domestic and irrigation up to the legal limits for a subdivision the size of yours, the amount is 1.38 cfs; this requires a \$65.00 fee. You have already paid \$45.00 which takes up to 1.00 cfs; so, if you desire the additional water, then a \$20.00 fee must be submitted. If you feel that the 1.00 cfs (450 gpm) is sufficient for the subdivision, then we will adjust the amount down.

Please contact us at your earliest convenience concerning this matter.

Sincerely,

G. L. Sisco
Senior Water Resource Agent

GLS/cjk