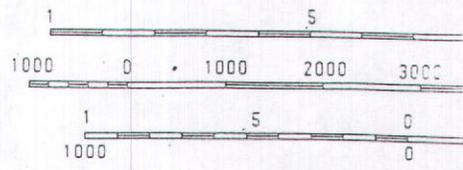


PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY  
 CONTROL BY ..... USGS, NOS/NOAA  
 COMPILED FROM AERIAL PHOTOGRAPHS TAKEN ..... 1980  
 FIELD CHECKED ..... 1981 MAP EDITED ..... 1985  
 PROJECTION ..... TRANSVERSE MERCATOR  
 GRID: 1000-METER UNIVERSAL TRANSVERSE MERCATOR ..... ZONE 11  
 10,000-FOOT STATE GRID TICKS ..... IDAHO, WEST ZONE  
 UTM GRID DECLINATION ..... 0°23' EAST  
 1985 MAGNETIC NORTH DECLINATION ..... 17' EAST  
 VERTICAL DATUM ..... NATIONAL GEODETIC VERTICAL DATUM OF 1929  
 HORIZONTAL DATUM ..... 1927 NORTH AMERICAN DATUM  
 To place on the predicted North American Datum of 1983,  
 move the projection lines as shown by dashed corner ticks  
 (15 meters north and 77 meters east)  
 There may be private inholdings within the boundaries of any  
 Federal and State Reservations shown on this map  
 Gray tint indicates area in which selected buildings are shown  
 All marginal data and lettering generated and positioned by

MICROFILMED

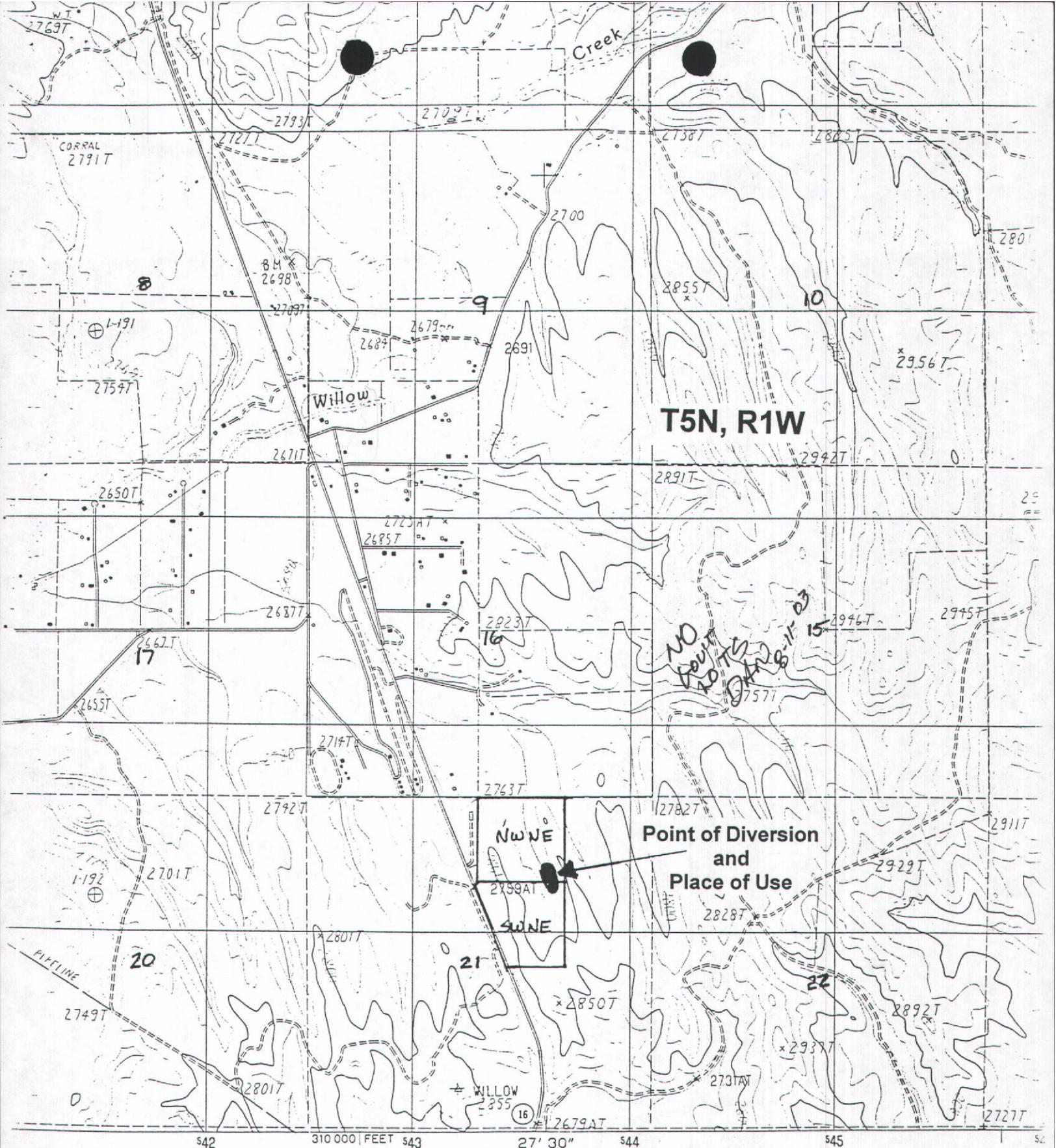
JUN 02 2004



**PROVISIONAL MAP**  
 Produced from original  
 manuscript drawings. Informa-  
 tion shown as of date of  
 field check.

CONT  
SUPPLEMENTA

THIS MAP COMPLIES WITH  
FEDERAL ACQUISITION REGULATORY



**T5N, R1W**

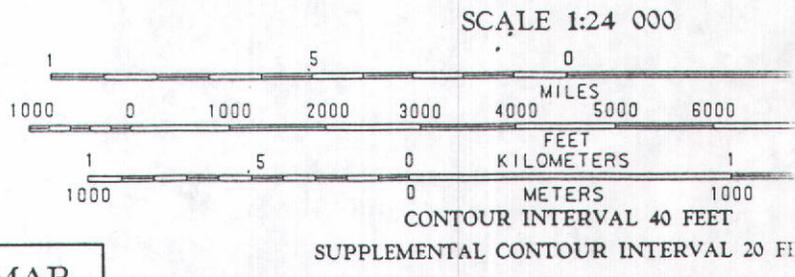
**Point of Diversion  
and  
Place of Use**

*NO ROUTE  
TO THE  
DAM 6-11-23  
15*

UNITED STATES GEOLOGICAL SURVEY  
 USGS, NOS/NOAA  
 PHOTOGRAPHS TAKEN . . . . . 1980  
 . . . . . 1981  
 MAP EDITED . . . . . 1985  
 TRANSVERSE MERCATOR  
 ZONAL TRANSVERSE MERCATOR . . . . . ZONE II  
 GRID TICKS . . . . . IDAHO, WEST ZONE  
 DECLINATION . . . . . 0°23' EAST  
 . . . . . 17' EAST  
 NATIONAL GEODETIC VERTICAL DATUM OF 1929  
 . . . . . 1927 NORTH AMERICAN DATUM  
 Projected North American Datum of 1983,  
 lines as shown by dashed corner ticks  
 77 meters east)

**MICROFILMED**  
**JUN 02 2004**

**PROVISIONAL MAP**  
 Produced from original



# MASTER UTILITY PLAN FOR HIGHPLAINS ESTATES SUBDIVISION

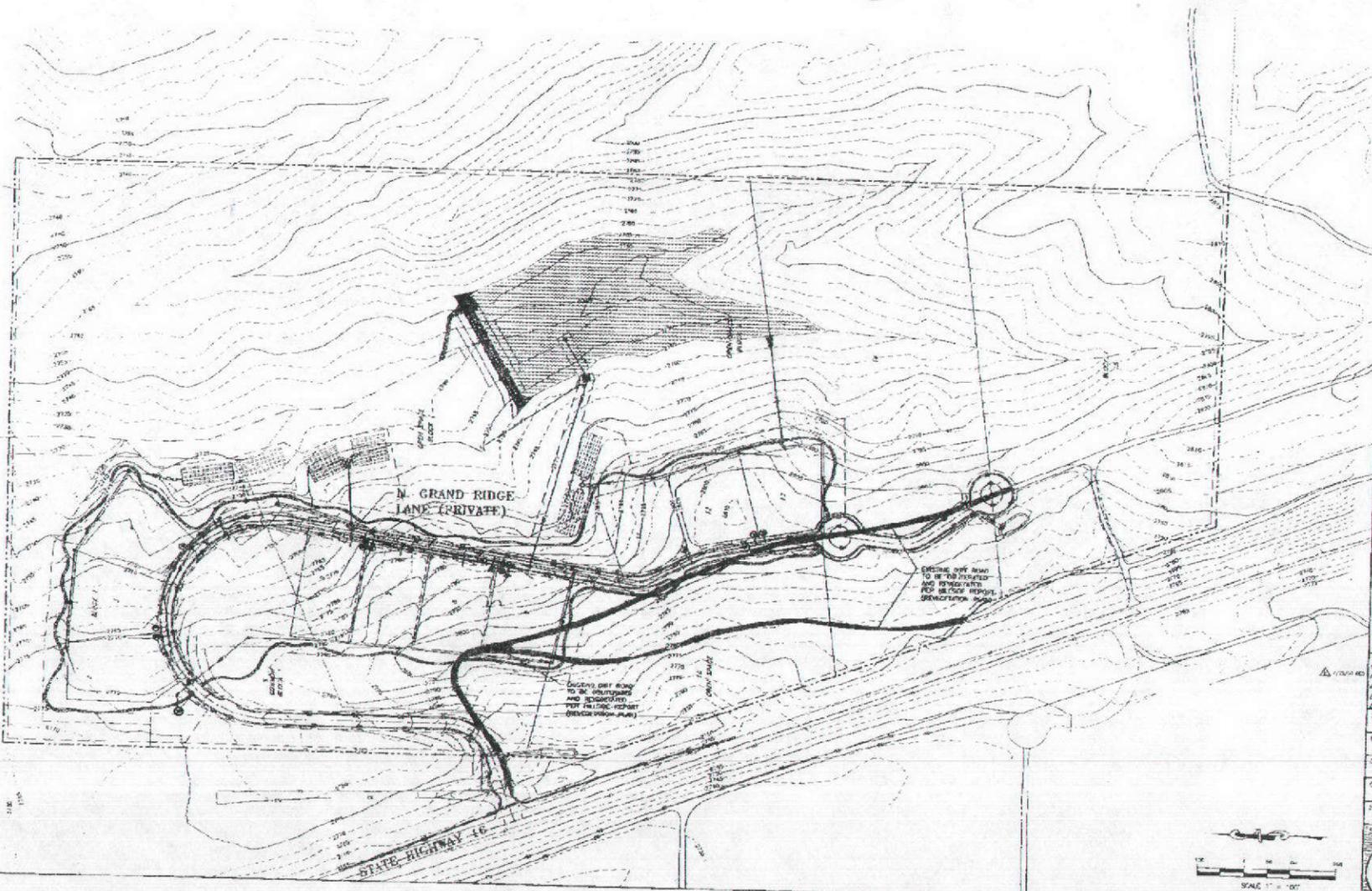
A PORTION OF THE N1/2  
OF THE NE1/4 OF SECTION 21  
TEN, E1/4, BRUSH MERIDIAN  
ADA COUNTY, IDAHO  
2002

**PINNACLE**  
ENGINEERS, P.C.  
100 S. 1000 E. SUITE 200  
IDAHO FALLS, IDAHO 83402

HIGHPLAINS ESTATES SUBDIVISION  
MASTER UTILITY PLAN  
SHIRLEY SHARP

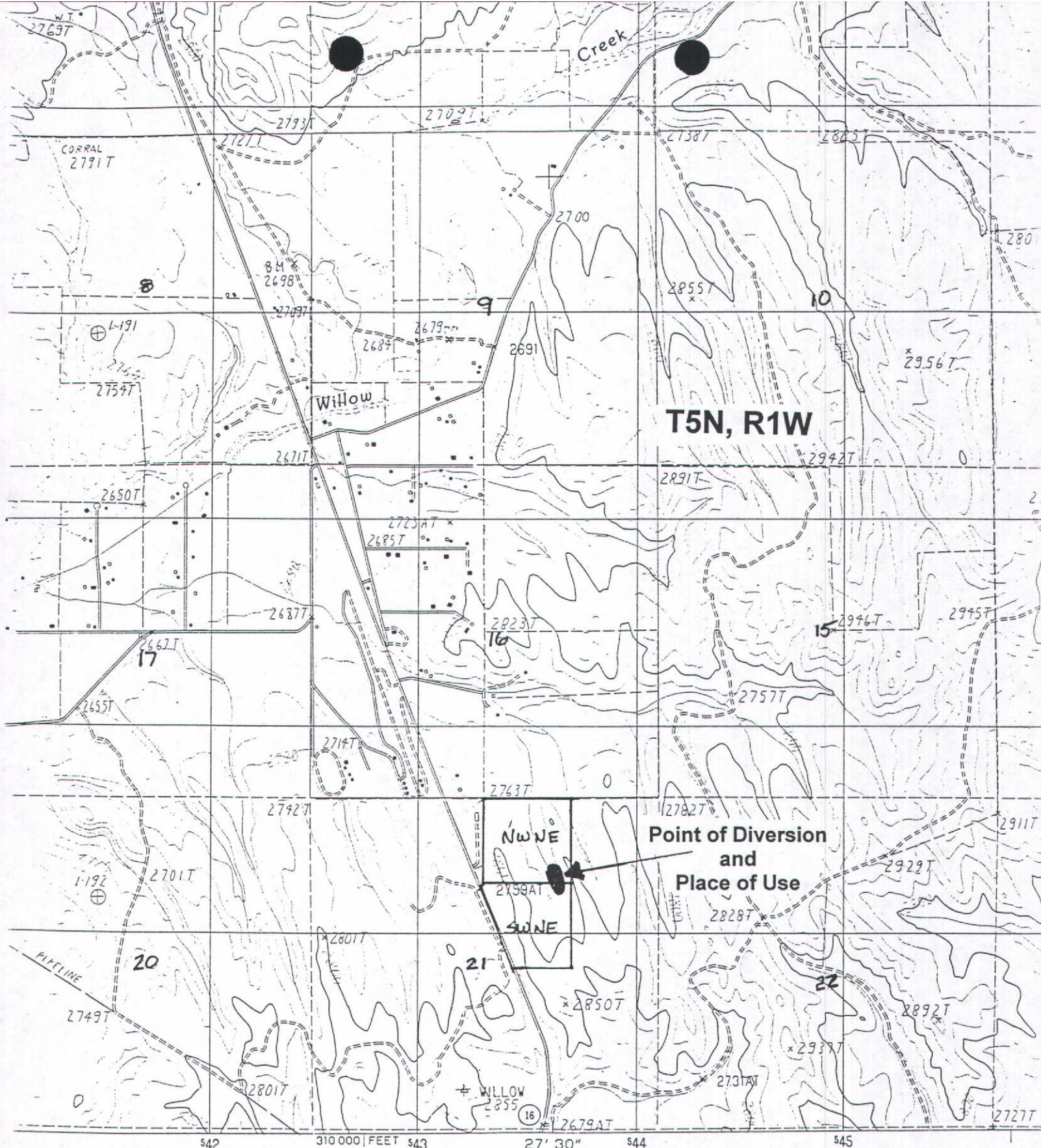
DESIGNED BY	SHIRLEY SHARP
CHECKED BY	SHIRLEY SHARP
DATE	08/01/03
SCALE	1" = 100'

4



**MICROFILMED**  
JUN 02 2004

ALL RIGHTS RESERVED PINNACLE ENGINEERS, INC. 08/01/03 03:04:25 PM



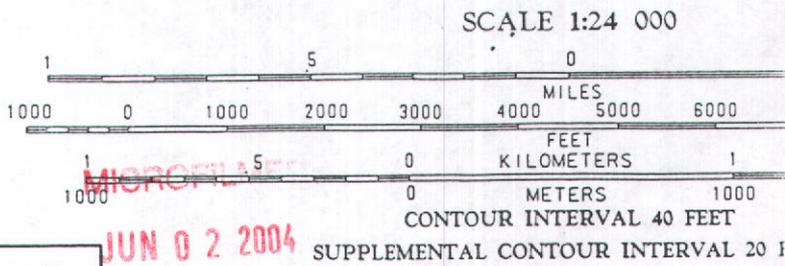
**T5N, R1W**

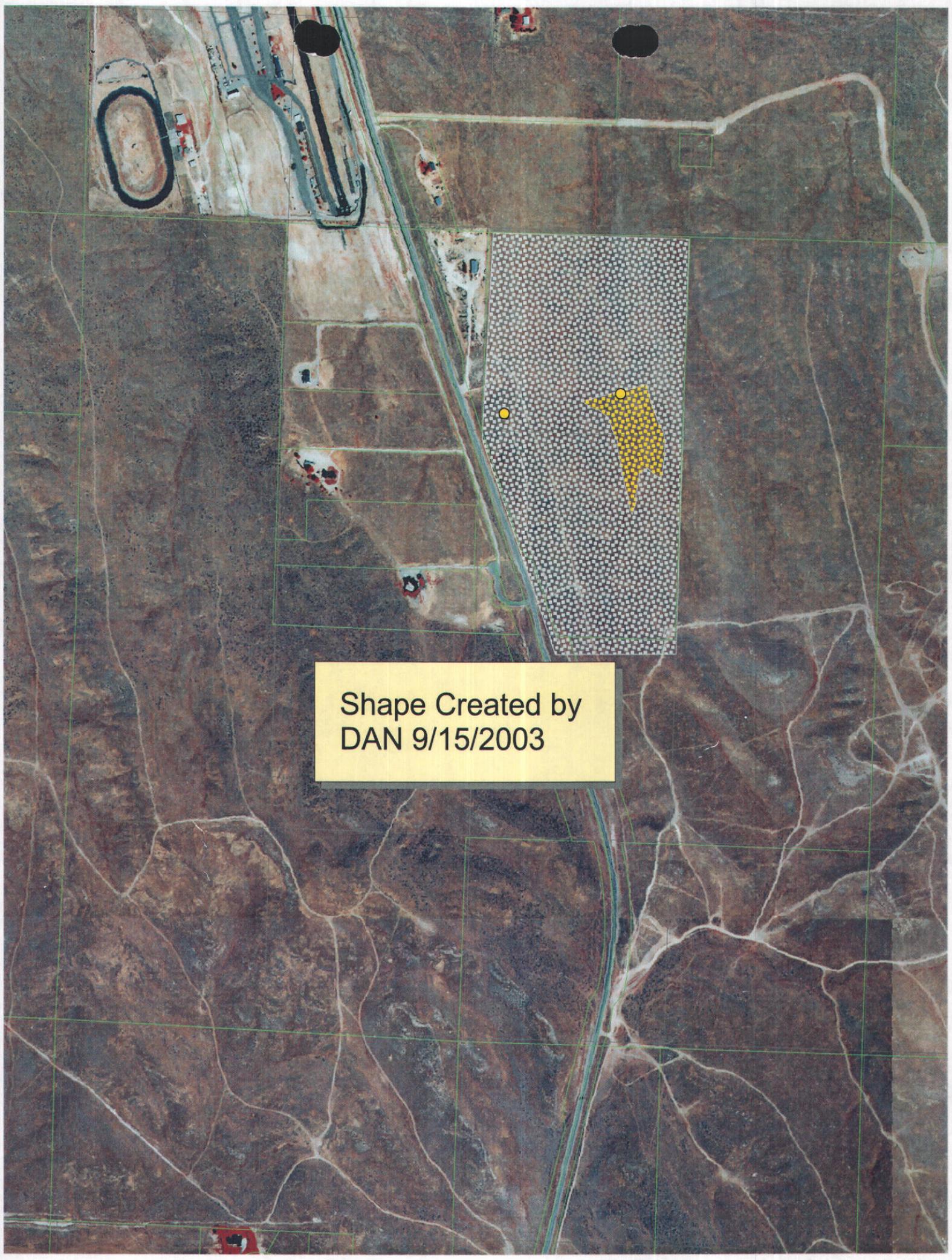
**Point of Diversion  
and  
Place of Use**

NWNE  
SWNE

UNITED STATES GEOLOGICAL SURVEY  
 PHOTOGRAPHS TAKEN ..... USGS, NOS/NOAA  
 1981 ..... 1980  
 MAP EDITED ..... 1985  
 TRANSVERSE MERCATOR  
 ZONAL TRANSVERSE MERCATOR ..... ZONE 11  
 GRID TICKS ..... IDAHO, WEST ZONE  
 DECLINATION ..... 0°23' EAST  
 NATIONAL GEODETIC VERTICAL DATUM OF 1929  
 1927 NORTH AMERICAN DATUM  
 (adjusted North American Datum of 1983,  
 77 meters east)

**PROVISIONAL MAP**  
 Produced from original





Shape Created by  
DAN 9/15/2003

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

NO. 63-31770

Priority: September 10, 2003

Maximum Diversion Rate: 1.00 CFS

This is to certify, that **SHIRLEY ADAMS SHARP**  
 10686 W PATTIE  
 BOISE ID 83713

has applied for a permit to appropriate water from:

**Source:** UNNAMED STREAM      **Tributary:** WILLOW CREEK  
 GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DIVERSION TO STORAGE	01/01 to 12/31	1.00 CFS	
AESTHETIC STORAGE	01/01 to 12/31		22.0 AF
RECREATION STORAGE	01/01 to 12/31		22.0 AF
FIRE PROTECTION STORAGE	01/01 to 12/31		22.0 AF
FIRE PROTECTION FROM STORAGE	01/01 to 12/31		22.0 AF

**LOCATION OF POINTS OF DIVERSION:**

GROUND WATER    NW¼NE¼    Sec. 21, Twp 05N, Rge 01W, B.M., ADA County  
 UNNAMED STREAM    NW¼NE¼    Sec. 21, Twp 05N, Rge 01W, B.M., ADA County

**PLACE OF USE:** AESTHETIC STORAGE, RECREATION STORAGE, FIRE PROTECTION STORAGE AND FIRE PROTECTION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE													
05N 01W 21		X	X														

**CONDITIONS OF APPROVAL**

1. Proof of application of water to beneficial use shall be submitted on or before **February 01, 2009**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. Water bearing zone to be appropriated is from 350 to 700 feet.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.

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JUN 12 2004

State of Idaho  
Department of Water Resources

# Permit to Appropriate Water

NO. 63-31770

7. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
8. Prior to diversion of water under this right, the right holder shall provide a means acceptable to the department to measure the amount of water entering the reservoir and the amount of water released from the reservoir.
9. The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.
10. After specific notification by the Department, the right holder shall install a suitable measuring device on the diverting works from ground water or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
11. Mitigation for consumptive use of water under this right shall be provided by Right 63-31759 as approved by Transfer 70781.
12. Water for the initial filling of the reservoir under this right shall be provided through the rental of 22 acre feet of water from the State Water Supply Bank or from some other authorized source of water.
13. Water shall not be diverted from storage for fire protection use under this right except to fight or repel an existing fire.
14. Aesthetic storage and recreation storage are for swimming and fishing.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 26<sup>th</sup> day of February, 2004.



Acting for KARL J DREHER, Director

Metropolitan

JUN 02 2004

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR PERMIT**  
To appropriate the public waters of the State of Idaho

**AMENDED**

RECEIVED  
SEP 10 2003

RECEIVED  
FEB - 5 2004  
Department of Water Resources

1. Name of Applicant Shirley Adams Sharp Phone 208-378-4623  
Mailing address 10686 West Pattie, Boise, ID 83713

2. Source of water supply Groundwater & Unnamed Stream which is a tributary of Willow Creek  
3. Location of point of diversion is Township 5N Range 1W Sec. 21, in the NW 1/4, NE 1/4, Govt. Lot 4, B.M., Ada County; additional points of diversion if any: two points of diversion (total) in NWNE Sec 21

4. Water will be used for the following purposes:  
Amount 22 af for aesthetic storage purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 22 af for recreation storage purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 22 af for fire protection storage purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 22 af for fire protection from storage purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 1.0 cfs for diversion to storage purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 1.00 and/or (b) 22 af  
cubic feet per second acre feet per annum

6. Proposed diverting works:  
a. Describe type and size of devices used to divert water from the source well with electric submersible pump discharging to pond; 3.3-acre pond with 13-foot dam, 22 af capacity, and fire pump  
b. Height of storage dam 13 feet; active reservoir capacity 22 acre-feet; total reservoir capacity 22 acre-feet  
c. Proposed well diameter is 10 inches; proposed depth of well is 600 feet  
d. Is ground water with a temperature of greater than 85°F being sought? no  
e. If well is already drilled, when? No; Drilling firm \_\_\_\_\_  
Well was drilled for (well owner) \_\_\_\_\_; Drilling Permit No. \_\_\_\_\_

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

8. Description of proposed uses (if irrigation only, go to item 9):  
a. Hydropower; show total feet of head and proposed capacity in kW.  
b. Stockwatering; list number and kind of livestock.  
c. Municipal; show name of municipality.  
d. Domestic; show number of households.  
e. Other; describe fully. Aesthetic and recreation uses include swimming and fishing. Fire protection is for High Plains Estates subdivision. Permit 63-31656 will provide flow to pond during a fire, but this application provides fire protection storage to allow for fire suppression water supply beyond

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JUN 02 2004

9. Description of place of use:

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	1W	21		J,R	J,R														
5N	1W	21		F	F														

Total number of acres to be irrigated

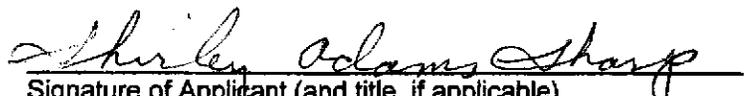
10. Describe any other water rights used for the same purposes as described above. See companion transfer 70781 of a 4-acre portion of water right 63-31494 (0.065 cfs and 18.0 afa) for water-level maintenance. Also 63-31656 for fire protection.

- 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:

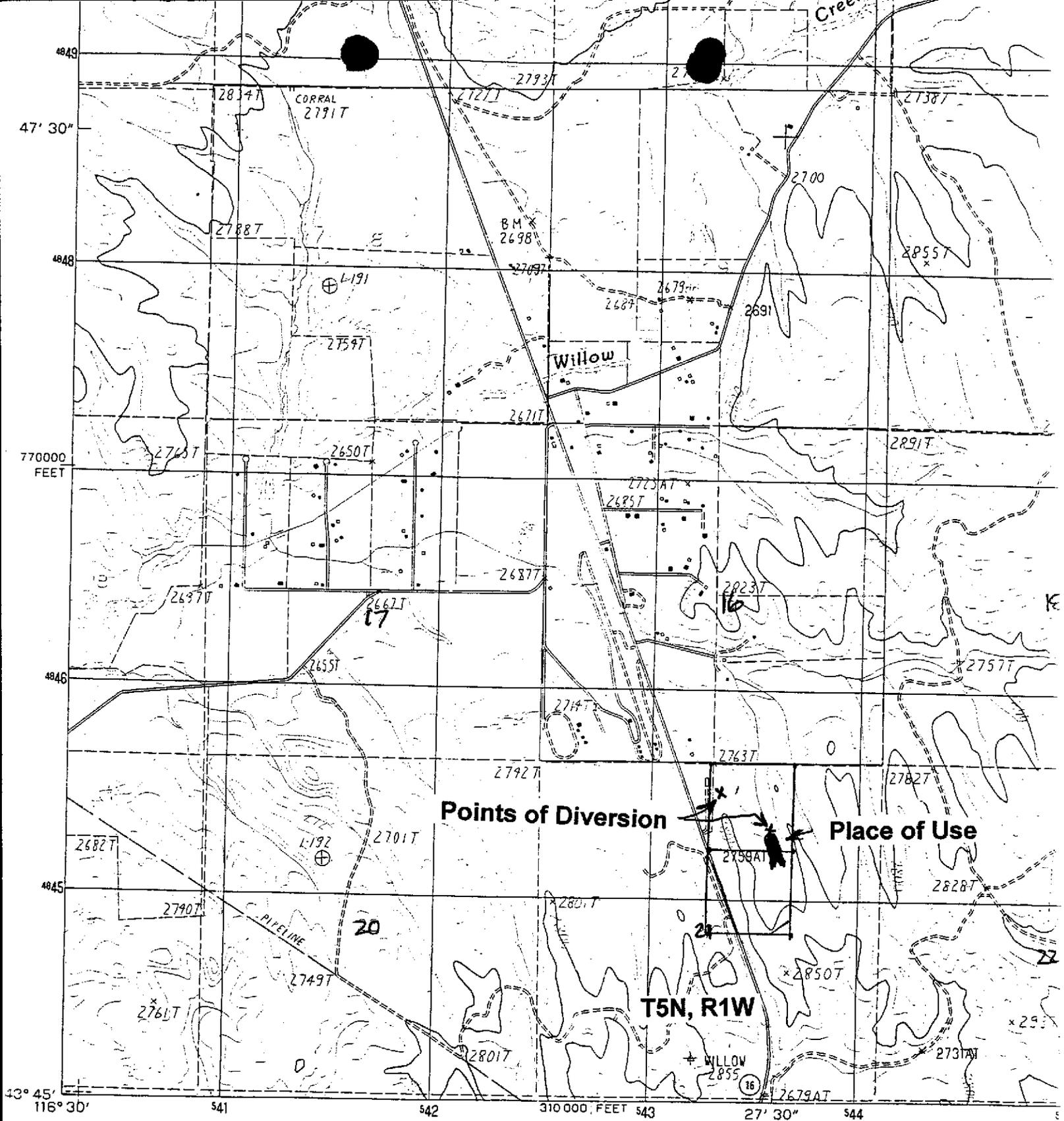
12. Remarks: This application is for a lined water storage pond located in Lot 1, Block 1 of High Plains Estates Subdivision. Initial filling will be mitigated through rental of 22 acre feet from the State Water Supply Bank. Pond level will be maintained by transfer 70781 (changing a 4-acre portion of irrigation water right 63-31494 to recreation and aesthetic purposes for pond water-level maintenance). The transferred water right will mitigate annual evaporation loss. Pond will be filled and level will be maintained from same well as utilized by domestic water right 63-31656.

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

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

  
Signature of Applicant (and title, if applicable)

Received by AG Date 9/10/03 Time 11:12 Preliminary check by MICROFILMED  
 Fee \$ \_\_\_\_\_ Received by \_\_\_\_\_ # \_\_\_\_\_ Date \_\_\_\_\_  
 Publication prepared by SP Date 1-1-8-04 Published in AG Statement Date JUN 02 2004  
 Publication approved \_\_\_\_\_ Date \_\_\_\_\_

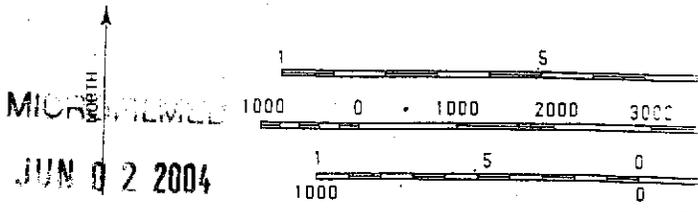


**Points of Diversion**

**Place of Use**

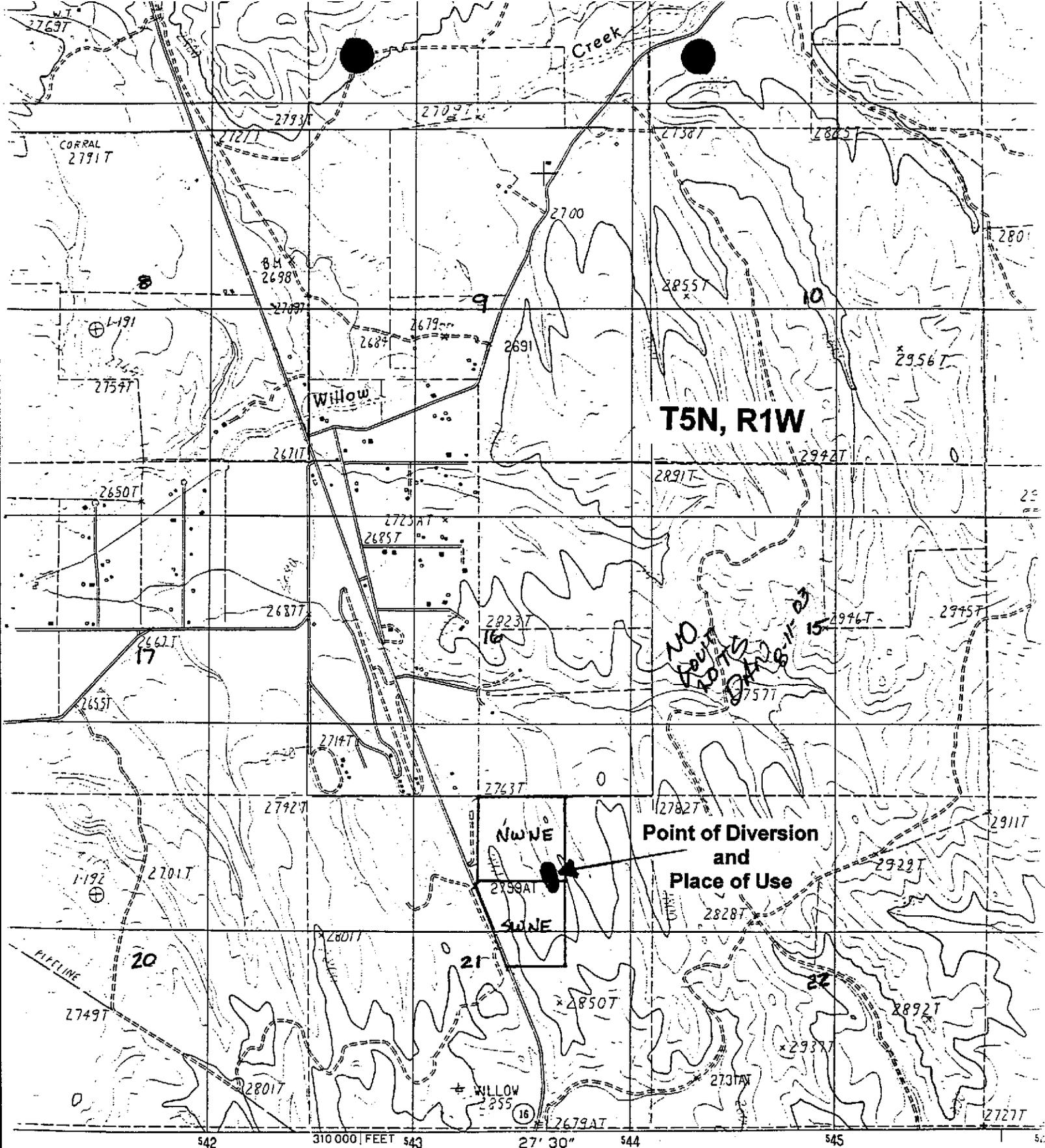
**T5N, R1W**

PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY  
 CONTROL BY ..... USGS, NOS/NOAA  
 COMPILED FROM AERIAL PHOTOGRAPHS TAKEN ..... 1980  
 FIELD CHECKED ..... 1981 MAP EDITED ..... 1985  
 PROJECTION ..... TRANSVERSE MERCATOR  
 GRID: 1000-METER UNIVERSAL TRANSVERSE MERCATOR ..... ZONE 11  
 10,000-FOOT STATE GRID TICKS ..... IDAHO, WEST ZONE  
 UTM GRID DECLINATION ..... 0°23' EAST  
 1985 MAGNETIC NORTH DECLINATION ..... 17' EAST  
 VERTICAL DATUM ..... NATIONAL GEODETIC VERTICAL DATUM OF 1929  
 HORIZONTAL DATUM ..... 1927 NORTH AMERICAN DATUM  
 To place on the predicted North American Datum of 1983,  
 move the projection lines as shown by dashed corner ticks  
 (15 meters north and 77 meters east)  
 There may be private inholdings within the boundaries of any  
 Federal and State Reservations shown on this map  
 Gray tint indicates area in which selected buildings are shown  
 All marginal data and lettering generated and positioned by



**PROVISIONAL MAP**  
 Produced from original  
 manuscript drawings. Informa-  
 tion shown as of date of  
 field check.

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 SUPPLEMENTA  
 THIS MAP COMPLIES WITH  
 THE ACT OF MARCH 3, 1879



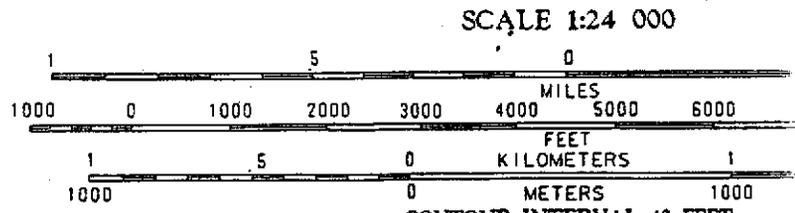
**T5N, R1W**

**Point of Diversion  
and  
Place of Use**

*NO ROUTE  
TO THE  
DAM 6-11-03  
15*

UNITED STATES GEOLOGICAL SURVEY  
 PHOTOGRAPHS TAKEN . . . . . 1980  
 . . . . . 1981  
 . . . . . 1985  
 . . . . . TRANSVERSE MERCATOR  
 . . . . . ZONE II  
 . . . . . IDAHO, WEST ZONE  
 . . . . . 0°23' EAST  
 . . . . . 17' EAST  
 . . . . . NATIONAL GEODETIC VERTICAL DATUM OF 1929  
 . . . . . 1927 NORTH AMERICAN DATUM  
 . . . . . Modified North American Datum of 1983,  
 . . . . . lines as shown by dashed corner ticks  
 . . . . . 77 meters east)

MICRO  
 JUN 0 2004  
 NORTH



**PROVISIONAL MAP**  
 Produced from original

SCALE 1:24 000  
 MILES  
 FEET  
 KILOMETERS  
 METERS  
 CONTOUR INTERVAL 40 FEET  
 SUPPLEMENTAL CONTOUR INTERVAL 20 FEET



# REQUEST TO PROCESS

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

Name of Applicant Shirley Adams Sharp  
Mailing Address 10686 West Pattie  
Boise, ID 83713  
Application No. \_\_\_\_\_  
(If known)

       IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

  X   PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will ~~XXXXXX~~ include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

       WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature Shirley Adams - Sharp

Date 06-12-03

Please return this form to:

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

JUN 02 2004

RECEIVED

JUL 29 2003

WATER RESOURCES  
WESTERN REGION

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

ORIGINAL

To appropriate the public waters of the State of Idaho

1. Name of Applicant Shirley Adams Sharp Phone 208-378-4623  
Mailing address 10686 West Pattie, Boise, ID 83713

2. Source of water supply ground water and unnamed stream which is a tributary of Willow Creek

3. Location of point of diversion is Township 5N Range 1W Sec. 21 in the \_\_\_\_\_  
NW 1/4, NE 1/4, Govt. Lot \_\_\_\_\_, B.M., Ada \_\_\_\_\_ Count  
additional points of diversion if any: SWNE Sec 21

4. Water will be used for the following purposes:  
Amount 22 af for aesthetic and recreation storage purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 3.35 cfs for fire protection purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 22 af for fire protection 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) 3.35 and/or (b) 22  
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source diesel drive fire pump  
and buried pipe to hydrants in subdivision.

b. Height of storage dam 13 feet; active reservoir capacity 0 acre-feet; total  
reservoir capacity 22 acre-feet

c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet

d. Is ground water with a temperature of greater than 85°F being sought? \_\_\_\_\_

e. If well is already drilled, when? \_\_\_\_\_; Drilling firm \_\_\_\_\_  
Well was drilled for (well owner) \_\_\_\_\_; Drilling Permit No. \_\_\_\_\_

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

8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in KW. \_\_\_\_\_

b. Stockwatering; list number and kind of livestock. \_\_\_\_\_

c. Municipal; show name of municipality. \_\_\_\_\_

d. Domestic; show number of households. \_\_\_\_\_

e. Other; describe fully. aesthetic and recreation uses include swimming and fishing  
Fire protection is for High Plains Estates Subdivision

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JUN 02 2004

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	1W	21		J,R	J,R														
		21		F	F														

Total number of acres to be irrigated \_\_\_\_\_

10. Describe any other water rights used for the same purposes as described above. see companion transfer for 0.065 and 18 afa for water-level maintenance

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: This application is for a pond with 3.3-acre surface area, 13-foot maximum depth, and 22 acre foot capacity located in Lot 1, Block 1, of High Plains Subdivision. Initial filling will be mitigated through rental of 22 acre feet of groundwater from State Water Bank. Pond level will be maintained through transfer of 4-acre portion of water right 63-31494. Transferred water right will mitigate annual evaporation losses.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

Shirley Adams Sharp  
Signature of Applicant (and title, if applicable)

Received by KG Date 6/16/03 Time 1:56 Preliminary check by \_\_\_\_\_  
 Fee \$ 12000 Received by KL # W030594 Date 6/16/03  
 Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_ Published in \_\_\_\_\_  
 Publication approved \_\_\_\_\_ Date \_\_\_\_\_

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JUN 02 2004

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

ORIGINAL

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED  
APR 21 2003

WATER RESOURCES  
WESTERN REGION

1. Name of Applicant Shirley Adams Sharp Phone 208-378-4623  
Mailing address 10686 West Pattie, Boise, ID 83713

2. Source of water supply unnamed pond which is a tributary of sinks

3. Location of point of diversion is Township 5N Range 1W Sec. 21 in the 1/4  
NW 1/4, NE 1/4, Govt. Lot , B.M., Ada County  
additional points of diversion if any: SWNE Sec 21

4. Water will be used for the following purposes:  
Amount 22 af for aesthetic and recreation 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)  
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) 22  
cubic feet per second acre feet per annum

6. Proposed diverting works:  
a. Describe type and size of devices used to divert water from the source \_\_\_\_\_

b. Height of storage dam 13 feet; active reservoir capacity 0 acre-feet; total reservoir capacity 22 acre-feet

c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet

d. Is ground water with a temperature of greater than 85°F being sought? \_\_\_\_\_

e. If well is already drilled, when? \_\_\_\_\_; Drilling firm \_\_\_\_\_  
Well was drilled for (well owner) \_\_\_\_\_; Drilling Permit No. \_\_\_\_\_

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

8. Description of proposed uses (if irrigation only, go to item 9):  
a. Hydropower; show total feet of head and proposed capacity in KW. \_\_\_\_\_  
b. Stockwatering; list number and kind of livestock. \_\_\_\_\_  
c. Municipal; show name of municipality. \_\_\_\_\_  
d. Domestic; show number of households. \_\_\_\_\_  
e. Other; describe fully. aesthetic and recreation uses include swimming and fishing

MICHAEL  
JUN 02 2004

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	1W	21		J,R	J,R														

Total number of acres to be irrigated \_\_\_\_\_

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

see companion transfer for 0.065 and 18 afa for water-level maintenance

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: This application is for a pond with 3.3-acre surface area, 13-foot maximum depth, and 22 acre foot capacity located in Lot 1, Block 1, of High Plains Subdivision. Initial filling will be mitigated through rental of 22 acre feet of groundwater from State Water Bank. Pond level will be maintained through transfer of 4-acre portion of water right 63-31494. Transferred water right will mitigate annual evaporation losses.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

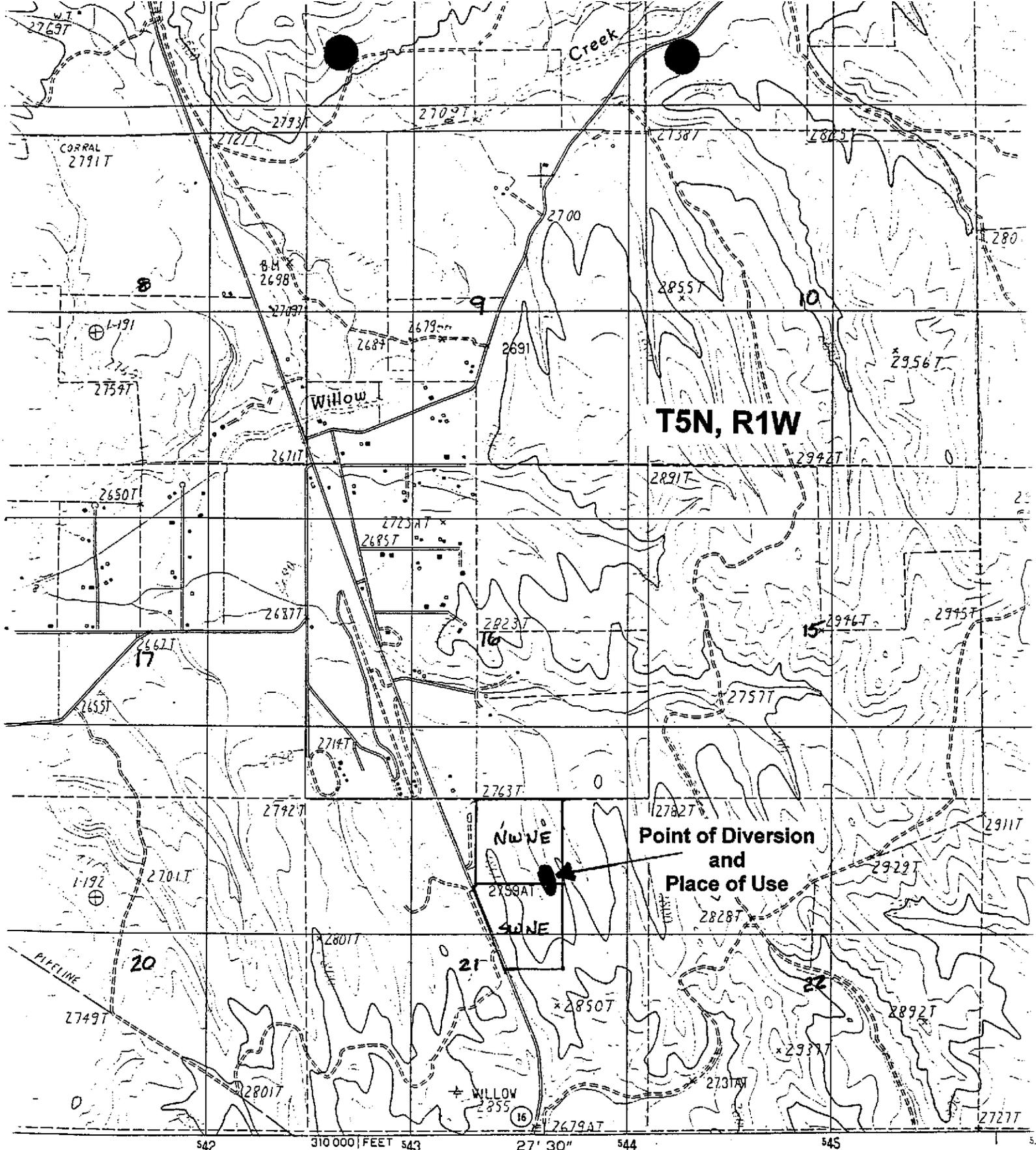
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

*Shirley Adams Sharp*

Signature of Applicant (and title, if applicable)

Received by KLJ Date 4/21/03 Time 1:58 Preliminary check by \_\_\_\_\_  
 Fee \$ 2500 Received by KLJ # W030356 Date 4/21/03  
 Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_ Published in \_\_\_\_\_  
 Publication approved \_\_\_\_\_ MR Date \_\_\_\_\_

JUN 02 2004

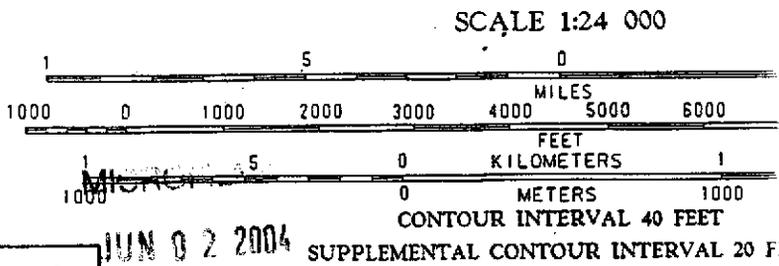


**T5N, R1W**

**Point of Diversion  
and  
Place of Use**

UNITED STATES GEOLOGICAL SURVEY  
 PHOTOGRAPHS TAKEN ..... 1980  
 1981 MAP EDITED ..... 1985  
 TRANSVERSE MERCATOR  
 ZONAL TRANSVERSE MERCATOR ..... ZONE 11  
 GRID TICKS ..... IDAHO, WEST ZONE  
 DECLINATION ..... 0°23' EAST  
 NATIONAL GEODETIC VERTICAL DATUM OF 1929  
 1927 NORTH AMERICAN DATUM  
 North American Datum of 1983,  
 lines as shown by dashed corner ticks  
 77 meters east)

**PROVISIONAL MAP**  
 Produced from original



CONTOUR INTERVAL 40 FEET  
 SUPPLEMENTAL CONTOUR INTERVAL 20 F.

# REQUEST TO PROCESS

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

Name of Applicant Shirley Adams Sharp  
Mailing Address 10686 West Pattie  
Boise, ID 83713  
Application No. \_\_\_\_\_  
(if known)

       IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

  X   PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will ~~also~~ include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

       WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature

Shirley Adams Sharp

Date

Please return this form to:

Idaho Dept. of Water Resources  
Western Regional Office  
2735 Airport Way  
Boise, ID 83705-3082

JUN 02 2004



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

February 26, 2004

SHIRLEY ADAMS SHARP  
10686 W PATTIE  
BOISE ID 83713

RE: Permit No. 63-31770

**Permit Approval Notice**

Dear Permit Holder:

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

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

MICROFILMED

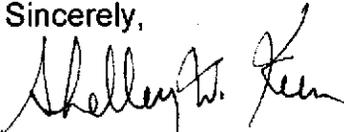
JUN 02 2004

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

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

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

Sincerely,



Shelley W. Keen

Water Rights Supervisor

SWK:klf

Enclosure(s)

cc: SCANLAN ENGINEERING

MICROFILMED

JAN 12 2004

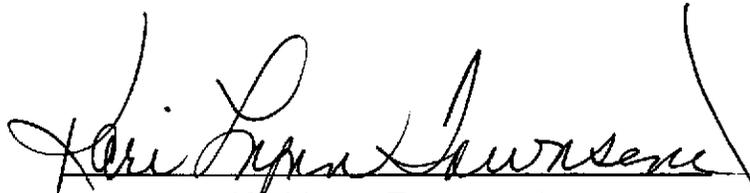
**CERTIFICATE OF SERVICE**

I hereby certify that on February 26, 2004 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

**RE: WATER RIGHT NO.                      63-31770**

**SHIRLEY ADAMS SHARP  
10686 W PATTIE  
BOISE ID 83713**

**SCANLAN ENGINEERING  
C/O TERRY SCANLAN  
600 E RIVER PARK LN STE 105  
BOISE ID 83706**



**Kari Lynn Townsend  
Secretary**

MICROFILMED

JUN 02 2004

**EXPLANATORY INFORMATION  
TO ACCOMPANY A  
PRELIMINARY ORDER**

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

**PETITION FOR RECONSIDERATION**

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

**EXCEPTIONS AND BRIEFS**

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

**REQUEST FOR HEARING**

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

**ORAL ARGUMENT**

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

**CERTIFICATE OF SERVICE**

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

## FINAL ORDER

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

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

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

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

### APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

IDAHO DEPARTMENT OF WATER RESOURCES  
APPROPRIATION APPLICATION ANALYSIS SHEET

Initial review by DAV Date 7-26-03 Application # 63-31770

**REQUIRED INFORMATION**

- Name (for corporation or partnership, names & addresses for director, officers, &/or other partners must be included)
- Address
- Source (see USGS quad for source names)
- P/D (10 acres for spring, lot & block descriptions for subdivisions, local name)
- County
- Quantity (flow &/or volume) Government Lots
- Period of use NO P/D
- Nature of use (list details in appl. Item 8 if non-irrigation) NO PIU
- Description of diverting works
- Time required for beneficial use of water
- P/U
- Map (show T, R, S, QQ &/OR QQQ)
- Subdivision plat (if > 1 home restricted area ≥ 5 homes non-restricted area)
- Signature (if corporation, partnership, municipality, need title of signatory)
- Correct fee paid

RECEIVED  
FEB - 5 2004  
Department of Water Resources

**ADDITIONAL INFORMATION**

YES NO

- P/D overlap (explain) 31656
- P/U overlap (explain) 63-31656 OVERLAPS P/D : PIU (Permit)
- Critical groundwater area (send letter) 63-31656 31563 Application overlaps P/D : PIU.
- Ground water management area (send letter)
- Drilling concern area (send letter)
- 1992 moratorium (send letter)
- Surface water source, IDFG comment letter mitigation Proposed?
- Protected river or minimum flow reach, notify water planning bureau SURFACE WATER TRIBUTARY BELOW STAR BRIDGE
- E-mail to Dam Safety staff (if any storage)
- Mitigation plan: "request to process form" in file:
  - Immediate = closed areas, acceptable plan required & submitted
  - Future = open areas, plan not required
- Send power requirement letter &/or fish farm requirement letter
- Power residency affidavit
- Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres (if YES, attach large diversion supplementary analysis sheet)

REQUEST ADDITIONAL INFORMATION FROM APPLICANT

Date Requested \_\_\_\_\_ Date Response Received \_\_\_\_\_

**PROCESSING**

APPLICATION # \_\_\_\_\_

YES NO

- In form for advertising
- Statewide advertising (> 10 cfs &/or 1000 af)
- Fee amount, receipt number, & date recorded on application

**COMMENT LETTERS**

YES NO

- IDEQ
- District Health
- IDFG
- IDL

YES NO

- US BLM
- US Forest Service
- Water Dist # 63
- Water Planning Bureau
- Other \_\_\_\_\_

**FINAL REGIONAL PROCESSING REVIEW**

YES NO

- Affidavit of publication received
- Application published correctly? If not, record action taken \_\_\_\_\_

- Publication dates & paper recorded on application
- Final date for protest 1-20-04
- Protests received
- Recommendations attached
- Measuring device required
- Water delivered by water master? District # \_\_\_\_\_
- Special conditions of approval or cover letter

Std Conditions

- Consumptive use is mitigated 63-31759, Trans. # 70781

Recommended Date of Priority 9/10/03

Recommendation  Approve  Deny by John Weston Date 1/3/04

**ADDITIONAL INFORMATION**

- See attached proof report, note Legal Notice Remarks &/or Comments
- Shapefile completed (optional: attach with proof report)

SURFACE WATER BELOW STAR - BEVAD mitigated  
By TRANSFER 70781.



IDAHO DEPARTMENT OF WATER RESOURCES  
 Water Application Report 63-31770

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE													
05N	01W	21		X	X														

FIRE PROTECTION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE													
05N	01W	21		X	X														

FIRE PROTECTION FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE													
05N	01W	21		X	X														

DIVERSION TO STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE													
05N	01W	21		X	X														

Conditions of Approval:

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Application Report 63-31770

Comments:

1. dnelson 9/15/2003 Legal Notice Remarks

Comment: Applicant agrees to mitigate consumptive use in the future as needed.  
Water bearing zone to be appropriated is from 350 to 700 feet.

2. dnelson 9/15/2003 Comment/Analysis

Comment: This application has been filed for the nonconsumptive use of a pond for a High Plains Subdivision. The pond will be used for aesthetic, recreation, and fire protection purposes. Fire Protection was filed for the subdivision under water right 63-31563. This portion of this right will be pumped into the pond during an existing fire. This application was to allow fire fighters to divert over and above the well pump capacity during an existing fire by using the existing water in the pond. All of the storage evaporation and seepage losses have been compensated by transfer 70781. Please review the transfer memo for more information on this transfer.

3. dnelson 9/15/2003 Comment/Analysis (transfer memo)

Comment: MEMORANDUM

TO: FILE  
FROM: DANIEL A. NELSON  
DATE: 9/3/2003

RE: SHIRLEY ADAMS SHARP TRANSFERS, 70781, 70782, and 70783 AND AN APPLICATION FOR PERMIT 63-31770.

Three transfers, an Idaho Water Supply Bank rental request, and an application for permit have been filed to provide water for a pond and 15 acres of irrigation in Highplains Estates subdivision. The subdivision is located in the W1/2 of the NE ¼ S21 T5N R1W, Ada County. The three transfers will retire a total of 19 acres from water right 63-31494 in the SE ¼ of S36 T6N R3W, Gem County, and move the appurtenant groundwater to the subdivision.

The subdivision would like to build a pond that will initially be filled with rental of water from the Idaho Water Supply Bank. The application for permit was filed to cover the non-consumptive use of storage in the pond for aesthetic, recreational, and fire protection storage. There is an existing water right permit for the subdivision, 63-31656, that provides for the domestic use and fire protection. The fire protection listed on the existing permit 63-31656 is for the immediate flow of water to fight a fire from the well, which will be run through the pond during an existing fire to allow a sufficient water supply for local fire officials. Transfer Number 70781 (now water right 63-31759) was filed to use the water from 13 acres of the 19 acres retired from 63-31494 to irrigate 9 acres of common area and provide the water needed for the consumptive uses of the pond and to maintain the pond level.

Transfer number 70782 (now water right number 63-31760) will use 3 acres of the 19 acres retired from 63-31494 to allow irrigation of 3 acres of irrigation associated with Lot 14 of the subdivision. The remaining 3 acres of water retired under 63-31494 will be used for transfer 70783 (now water right 63-31761) to irrigate 3 acres in Lot 15 of the subdivision.

**AUTHORITY TO FILE:**

The applicant supplied a warranty deed showing ownership of the property and a purchase agreement for the water being purchased from 63-31494. Therefore, ownership to file this transfer has been proven.

**WATER RIGHT VALIDITY:**

Transfer 5285 was filed in 1999 that reviewed the number of acres and reduced those acres to actual irrigation. Transfer 69920 was filed in 2002, and confirmed the number of acres found in the previous transfer. This water right is currently being sold to various individuals, but there is still adequate land space for the property currently being retired for this application.

**INJURY TO OTHER WATER RIGHTS:**

The transfer proposes to move an already existing water right. Therefore, there is no information available at this time to suggest injury.

**ENLARGEMENT OF USE:**

The transfer proposal mitigates the consumptive uses in the pond, and the irrigation portion will be an acre for acre swap. Therefore, it appears that the issue of enlargement of the water right has been addressed.

**LOCAL PUBLIC INTEREST:**

There is no information available to suggest that this proposal would not be within the local public interest.

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Application Report 63-31770

**BENEFICIAL USE/CONSERVATION OF WATER RESOURCES:**

This transfer proposes a beneficial use consistent with conservation of water resources in Idaho and has been operating using licensed water rights with the State of Idaho.

Review of the application finds there is no clear inconsistency with criteria of I.C. § 42-222 preventing processing of the application.

**NARRATIVE**

The applicants consultant has provided information that deals with the evaporative losses from the pond that is consistent with our calculations. The irrigation uses should not be a problem, since they will be an acre for acre swap. The original application was made on water right 63-31494. However, in order to split the water right for the three transfers, the adjudication staff was asked to split the water right prior to transfer data entry. This allowed us to data enter and advertise all three transfers applications at the same time along with the application for permit. Therefore, the portions of 63-32494 are listed as follows for each transfer: 70781 è 63-31759, 70782 è 63-31760, and 70783 è 63-31761.

There are overlapping water rights on the subdivision, but 63-31494 is the only water right on the land being retired. Water right 63-31656 is an active permit to supply domestic water and ½ acre of irrigation to lots 2-4, 6-9, and 11-13 in this subdivision and fire protection for the entire subdivision. The fire protection for 63-31656 will be run through the pond to allow for a sufficient water supply for local fire officials. By using the pond for fire suppression, the local fire officials can use the storage water and well water without providing stress on the well or aquifer system.

There is also an application for permit, 63-31563, that was filed to irrigate the land listed under the subdivision, but it is currently being held under the Basin 63 processing hold procedures. This application would cover the lands listed on these transfers, but this application will be reduced to cover the lands that will not be covered under these transfers if the processing hold is ever lifted.

**CONDITIONS AND SUGGESTIONS**

These transfers seem acceptable as proposed with the inclusion of the conditions listed under draft approvals.

IDAHO DEPARTMENT OF WATER RESOURCES  
 Water Application Report 63-31770

Dates and Other Information:

Application Received Date: 9/15/2003  
 Application Denied Date:  
 Last Date of Beneficial Use:  
 Extension End Date:  
 Protest Deadline Date:  
 Number of Protests: 0  
 Enlargement Use Priority Date:  
 Enlargement Statute Priority Date:  
 State or Federal:  
 Owner Name Connector:  
 Water District Number:  
 Generic Max Rate Per Acre:  
 Generic Max Volume Per Acre:  
 Application Type: New Appropriation  
 Applicant Remarks: This application is for a lined water storage pond located in Lot 1, Block 1, Highplains estates subdivision. Initial Filling will be mitigated through rental of 22 acre feet from the State Water Supoply Bank. Pond Level will be maintained by transfer 70781 (changing a 4-acre portion of irrigation water right 63-31494 to recreation and aesthetic purposes for pond water level maintenance). Thre transferred water right will mitigate annual evaporation loss. Pond will be filled and level will be maintained from same well as utilized by domestic water right 63-31658.  
 Other Water Rights: See companion transfer 70781 doe a 4-acre portion of water right 63-32494 (0.07 cfs and 18 afa) for water level maintenance. Also 63-31656 for fire protection.  
 Time to Complete Works: 5  
 Transfer Affected Description:  
 Transfer Affected Contracts:  
 Old Transfer Number:  
 Transfer Reason:  
 Transfer Return Flows:  
 Swan Falls Trust or Nontrust:  
 Swan Falls Dismissed:  
 DLE Act Number:  
 Carey Act Number:  
 Mitigation Plan: False

Element Reviewed/Verified Dates:

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

Verification Log:

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

**Shape Created by  
DAN 9/15/2003**

**Kreger (Taylor), Sue**

---

**From:** legals [legals@idahostatesman.com]  
**Sent:** Saturday, December 27, 2003 11:44 AM  
**To:** Kreger (Taylor), Sue  
**Subject:** Re: legal ad

Thank You Sue! It will be published as requested!

"Kreger (Taylor), Sue" wrote:

> Hi Janice. Merry Christmas!!  
>  
> Just one ad again.  
>  
> Sue

> <<1-20-04 is.doc>>

> -----  
> Name: 1-20-04 is.doc  
> 1-20-04 is.doc Type: Microsoft Word Document (application/msword)  
> Encoding: base64

--  
Season Greetings!

Remember that early deadlines for both Christmas  
and New Years begin the Monday before Christmas.  
Deadlines will be one day earlier than usual.

(i.e. Monday 12/22 deadline will be noon Thursday,  
12/18 instead of noon Friday 12/19)

Janice Hildreth

The Idaho Statesman Legal Ads Dept.

ph. 377-6306; fx: 377-6309

email: legals@idahostatesman.com

State of Idaho  
Department of Water Resources

**RECOMMENDATION OF WATERMASTER**

Application Number: 63-31770

Applicant's Name: Shirley Adams Sharp

Watermaster's Recommendation:

a)  I do not oppose approval of this application.

b)  I do not oppose approval of this application if it is conditioned as follows:

Standard Watermaster Conditions.

c)  I oppose approval of this application for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

d) Additional Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated this 15 day of January, 2004

Water District Number: 123 Watermaster's Signature: Lee J. Jira

Use back side of this page if you need more space

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JUN 02 2004

# The Idaho Statesman

RECEIVED

JAN 13 2004

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

WATER RESOURCES  
WESTERN REGION

## LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification	Amount
047628	1011485	APPLICATION FOR PERMIT	\$83.00
Attention:		P.O. #	Run Dates
SUE KREGER			JANUARY 1, 8, 2004
IDAHO DEPT. WATER RESOURCES WEST 2735 AIRPORT WY. BOISE, ID 83705			Number of Lines 50
			Affidavit 1
			Legal # 18264

### LEGAL NOTICE

Shirley Adams Sharp of 10686 West Patie, Boise, ID 83713 filed an application for permit and three applications for transfer with IDWR. Application for permit 63-31770 was filed on 9/10/2003 for a pond for aesthetic, recreation and fire protection for year around use from groundwater and an unnamed stream. Water bearing zone to be appropriated is from 350 to 700 feet. Mitigation is proposed for consumptive use under application 63-31770. Transfers 70781, 70782, and 70783 were filed to split a water right with a 1978 priority date from ground water totaling 0.31 cfs. The transfer will split the existing right into three portions. Application 70781 will provide 0.21 cfs for irrigation and mitigation of Application 63-31770 from a single existing well. Applications 70782 and 70783 will each provide 0.05 cfs for irrigation from two separate proposed wells. The combined applications will provide two new wells along with the existing well and new uses for High Plains Subdivision approximately 1/2 mile southeast of Firebird Raceway near Highway 16.

For specific details regarding the application, please contact IDWR Western Region at 208-334-2190 or visit [www.idwr.state.id.us](http://www.idwr.state.id.us) with detail provided under "new water right applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Any protest against the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Wy, Boise ID 83705-5082 together with a protest fee of \$25.00 for each application on or before January 20, 2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Pub. Jan. 1, 8, 2004

18264

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman*, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in *The Idaho Statesman*, in conformity with Section 60-108, Idaho Code, as amended, for:

TWO

consecutive weekly       single  
 consecutive daily       odd skip  
insertion(s)

beginning issue of: JANUARY 1, 2004

ending issue of: JANUARY 8, 2004

*Janice Hildreth*

STATE OF IDAHO )  
) ss

COUNTY OF ADA )

On this 8 day of JANUARY in the year of 2004 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Notary Public for Idaho

Residing at: Boise, Idaho

My Commission expires: 6/30/06



*Donda Z. Brantner*

6/30/06  
18264

**Kreger (Taylor), Sue**

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**From:** Kreger (Taylor), Sue  
**Sent:** Wednesday, December 24, 2003 12:25 PM  
**To:** WD63 (E-mail)  
**Cc:** Kreger (Taylor), Sue  
**Subject:** comment letters - with attachment this time

IDAHO DEPARTMENT OF WATER RESOURCES  
WESTERN REGION  
2735 AIRPORT WAY  
BOISE ID 83705

December 24, 2003

LEE SISCO  
WATERMASTER DIST. NO. 63  
6616 OVERLAND RD  
BOISE ID 83709

Re: Application(s) for Water Right No. 63-31770

Dear Watermaster:

Attached are copies of one or more applications. Also attached is a form for your recommendation concerning these application(s).

Please review the application(s) that are in your area. We must have your comments within two weeks. If you have any questions or need information, feel free to contact this office at 334-2190.

Sincerely,

Sue Kreger  
Administrative Assistant

MICROFILMED  
JUN 02 2004



63-31770.pdf



Copy of  
commendation of Wa

MICROFILMED  
JUN 02 2008

**Kreger (Taylor), Sue**

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**From:** Kreger (Taylor), Sue  
**Sent:** Wednesday, December 24, 2003 12:30 PM  
**To:** 'eleitzin@IDFG.STATE.ID.US'  
**Cc:** Kreger (Taylor), Sue  
**Subject:** comment letter

**Contacts:** Leitzinger, Eric

IDAHO DEPARTMENT OF WATER RESOURCES  
WESTERN REGION  
2735 AIRPORT WAY  
BOISE ID 83705

December 24, 2003

ERIC LEITZINGER, IDFG  
PO BOX 25  
BOISE ID 83707

Re: Applications for Permit

Dear Sir:

Attached are copies of one or more applications that may be of interest to you. Please review the application(s) 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 any of these applications, your written protest along with the \$25.00 protest fee for each application protested, must be received in this office by January 5, 2004.

If you have any questions regarding these applications, please contact this office at 334-2190.

Sincerely,

Sue Kreger  
ID Dept Water Resources



63-31770.pdf

MIDWESTERN  
JAN 02 2004

**IDAHO DEPARTMENT OF WATER RESOURCES  
WESTERN REGION  
2735 AIRPORT WAY  
BOISE ID 83705**

December 24, 2003

**Legal Notice Department**  
IDAHO STATESMAN  
PO BOX 40  
BOISE ID 83707

RE: Transfer Nos. 70781, 70782, 70783  
Water Right No(s). 63-31770

**Dear LEGAL NOTICE DEPARTMENT:**

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 01/20/2004. Your cooperation is appreciated.  
Sincerely

Sue Kreger  
Administrative Assistant

MAILED  
JAN 02 2004

Shirley Adams Sharp of 10686 West Pattie, Boise, ID 83713 filed an application for permit and three applications for transfer with IDWR. Application for permit 63-31770 was filed on 9/10/2003 for a pond for aesthetic, recreation and fire protection for year around use from groundwater and an unnamed stream. Water bearing zone to be appropriated is from 350 to 700 feet. Mitigation is proposed for consumptive use under application 63-31770. Transfers 70781, 70782, and 70783 were filed to split a water right with a 1978 priority date from ground water totaling 0.31 cfs. The transfer will split the existing right into three portions. Application 70781 will provide 0.21 cfs for irrigation and mitigation of Application 63-31770 from a single existing well. Applications 70782 and 70783 will each provide 0.05 cfs for irrigation from two separate proposed wells. The combined applications will provide two new wells along with the existing well and new uses for High Plains Subdivision approximately ¼ mile southeast of Firebird Raceway near Highway 16.

For specific details regarding the application, please contact IDWR Western Region at 208-334-2190 or visit [www.idwr.state.id.us](http://www.idwr.state.id.us) with detail provided under "new water right applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Any protest against the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Wy, Boise ID 83705-5082 together with a protest fee of \$25.00 for each application on or before January 20, 2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Idaho Statesman on January 1 and 8, 2004.

REC'D  
JAN 02 2004

# SCANLAN ENGINEERING

*Groundwater and Environmental Engineering*

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SEP 10 2003

WATER RESOURCES  
WESTERN REGION

September 7, 2003

Dan Nelson  
Western Region Office  
Idaho Department of Water Resources  
2735 Airport Way  
Boise, ID 83705

Subject: Application for Permit – Shirley Adams Sharp

Dear Dan:

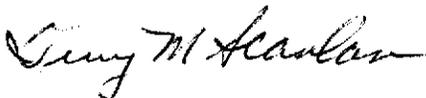
Enclosed please find an amended application for permit associated with Mrs. Sharp's proposed pond. The application has been revised to address issues raised by your office. The application now describes the proposed use as 22 af for aesthetic, recreation, and fire protection storage, 22 af for fire protection from storage, and 1.0 cfs for diversion to storage.

The diversion to storage rate listed in the application refers to diversion for initial pond filling (mitigated through water bank rental) or for diversion to storage during a fire. Actual diversion rate at these times may be less than 1.0 cfs, and will be determined by the capacity of the pump ultimately installed in the well serving domestic and fire protection water right 63-31656. Diversion rate while replacing water lost to evaporation will be limited by the diversion rate requested under transfer 70781.

Note also that we have listed "unnamed stream" as a water source at the Department's request, but we do not anticipate accruing any significant volume of water to storage from surface runoff. Although the USGS 7.5-minute quadrangle map shows the drainage as a stream, I understand that surface flow to the pond site from the drainage basin above rarely, if ever, occurs.

Please contact me with any questions.

Sincerely,



Terry M. Scanlan

Cc: Mark Adams  
Shirley Adams Sharp

MICROFILMED

SEP 02 2004

## MEMORANDUM

TO: FILE  
FROM: DANIEL A. NELSON  
DATE: 9/3/2003

**RE: SHIRLEY ADAMS SHARP TRANSFERS, 70781, 70782, and 70783 AND  
AN APPLICATION FOR PERMIT**

Three transfers, an Idaho Water Supply Bank rental request, and an application for permit have been filed to provide water for a pond and 15 acres of irrigation in Highplains Estates subdivision. The subdivision is located in the W1/2 of the NE ¼ S21 T5N R1W, Ada County. The three transfers will retire a total of 19 acres from water right 63-31494 in the SE ¼ of S36 T6N R3W, Gem County, and move the appurtenant groundwater to the subdivision.

The subdivision would like to build a pond that will initially be filled with rental of water from the Idaho Water Supply Bank. The application for permit was filed to cover the non-consumptive use of storage in the pond for aesthetic, recreational, and fire protection storage. There is an existing water right permit for the subdivision, 63-31656, that provides for the domestic use and fire protection. The fire protection listed on the existing permit 63-31656 is for the immediate flow of water to fight a fire from the well, which will be run through the pond during an existing fire to allow a sufficient water supply to for local fire officials. Transfer Number 70781 (now water right 63-31759) was filed to use the water from 13 acres of the 19 acres retired from 63-31494 to irrigate 9 acres of common area and provide the water needed for the consumptive uses of the pond and to maintain the pond level.

Transfer number 70782 (now water right number 63-31760) will use 3 acres of the 19 acres retired from 63-31494 to allow irrigation of 3 acres of irrigation associated with Lot 14 of the subdivision. The remaining 3 acres of water retired under 63-31494 will be used for transfer 70783 (now water right 63-31761) to irrigate 3 acres in Lot 15 of the subdivision.

**AUTHORITY TO FILE:**

The applicant supplied a warranty deed showing ownership of the property and a purchase agreement for the water being purchased from 63-31494. Therefore, ownership to file this transfer has been proven.

**WATER RIGHT VALIDITY:**

Transfer 5285 was filed in 1999 that reviewed the number of acres and reduced those acres to actual irrigation. Transfer 69920 was filed in 2002, and confirmed the number of acres found in the previous transfer. This water right is currently being sold to various individuals, but there is still adequate land space for the property currently being retired for this application.

NOT RECORDED

JUN 22 2004

**INJURY TO OTHER WATER RIGHTS:**

The transfer proposes to move an already existing water right. Therefore, there is no information available at this time to suggest injury.

**ENLARGEMENT OF USE:**

The transfer proposal mitigates the consumptive uses in the pond, and the irrigation portion will be an acre for acre swap. Therefore, it appears that the issue of enlargement of the water right has been addressed.

**LOCAL PUBLIC INTEREST:**

There is no information available to suggest that this proposal would not be within the local public interest.

**BENEFICIAL USE/CONSERVATION OF WATER RESOURCES:**

This transfer proposes a beneficial use consistent with conservation of water resources in Idaho and has been operating using licensed water rights with the State of Idaho.

**Review of the application finds there is no clear inconsistency with criteria of I.C. § 42-222 preventing processing of the application.**

**NARATIVE**

The applicant's consultant has provided information that deals with the evaporative losses from the pond that is consistent with our calculations. The irrigation uses should not be a problem, since they will be an acre for acre swap. The original application was made on water right 63-31494. However, in order to split the water right for the three transfers, the adjudication staff was asked to split the water right prior to transfer data entry. This allowed us to data enter and advertise all three transfers applications at the same time along with the application for permit. Therefore, the portions of 63-32494 are listed as follows for each transfer: 70781 → 63-31759, 70782 → 63-31760, and 70783 → 63-31761.

There are overlapping water rights on the subdivision, but 63-31494 is the only water right on the land being retired. Water right 63-31656 is an active permit to supply domestic water and ½ acre of irrigation to lots 2-4, 6-9, and 11-13 in this subdivision and fire protection for the entire subdivision. The fire protection for 63-31656 will be run through the pond to allow for a sufficient water supply for local fire officials. By using the pond for fire suppression, the local fire officials can use the storage water and well water without providing stress on the well or aquifer system.

*M. J. ...*

JUN 02 2004

There is also an application for permit, 63-31563, that was filed to irrigate the land listed under the subdivision, but it is currently being held under the Basin 63 processing hold procedures. This application would cover the lands listed on these transfers, but this application will be reduced to cover the lands that will not be covered under these transfers if the processing hold is ever lifted.

### **CONDITIONS AND SUGGESTIONS**

These transfers seem acceptable as proposed with the inclusion of the conditions listed under draft approvals.

MICHAEL J. ...

JUN 02 2004

# SCANLAN ENGINEERING

*Groundwater and Environmental Engineering*

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AUG 04 2003

WATER RESOURCES  
WESTERN REGION

August 2, 2003

Dan Nelson  
Western Region Office  
Idaho Department of Water Resources  
2735 Airport Way  
Boise, ID 83705

Subject: Place of Use Clarification – Shirley Adams Sharp

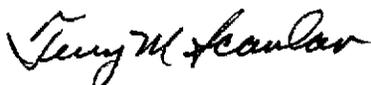
Dear Dan:

Enclosed please find a map showing the location of the aesthetic/recreation/fire protection pond proposed Shirley Sharp's water right applications. The map shows that the pond is located primarily in Lot 1, Block 1, of High Plains Estates Subdivision. The southern end of the pond extends approximately 100 feet into Lot 14, Block 1.

Also, the nine acres of common area irrigation proposed in the Application for Water Right Transfer will include portions of Lots 1 and 10, Block 1, in addition to portions of Lot 5, Block 1.

Please contact me with any additional questions.

Sincerely,



Terry Scanlan

Cc: Mark Adams  
Shirley Adams Sharp

JUN 02 2004

# SCANLAN ENGINEERING

*Groundwater and Environmental Engineering*

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JUL 29 2003

WATER RESOURCES  
WESTERN REGION

July 28, 2003

Dan Nelson  
Western Region Office  
Idaho Department of Water Resources  
2735 Airport Way  
Boise, ID 83705

Subject: Application for Permit – Shirley Adams Sharp

Dear Dan:

Enclosed please find the following documents.

1. A revised page 1 of the application for permit associated with Mrs. Sharp's proposed pond. The application has been revised to list "ground water" as the source of supply rather than "unnamed pond".
2. My letter to you dated March 31, 2003 showing the lands to which the 19 acres of water right purchased by Mrs. Sharp are appurtenant.

I expect to receive proof of ownership for Mrs. Sharp's lands within the next few days. Those documents will be forwarded to you at that time. In the meantime, please contact me with any questions.

Sincerely,



Terry Scanlan

Cc: Mark Adams  
Shirley Adams Sharp

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# SCANLAN ENGINEERING

*Groundwater and Environmental Engineering*

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JUN 16 2003

WATER RESOURCES  
WESTERN REGION

June 13, 2003

Dan Nelson  
Idaho Department of Water Resources  
2735 Airport Way  
Boise, ID 83705

Subject: Amended Application for Permit – Shirley Adams Sharp

Dear Dan:

On behalf of Shirley Sharp, I am pleased to submit the following amended Application for Permit associated with a proposed recreation, aesthetic, and fire protection pond at High Plains Estates Subdivision.

The amendments consist of adding fire protection (3.35 cfs maximum) and fire protection storage (22 af) to the application. Fire protection for the subdivision was originally to be diverted from groundwater under water right permit 63-31656. However, Mrs. Sharp has determined that obtaining fire protection primarily from the proposed recreation pond will be more economical.

In addition, I have included an application to rent 40 acre feet of groundwater from the State Water Bank in 2003. The 40 acre feet will be used for initial filling of the proposed pond and for landscape irrigation of up to 9 acres of landscape in the late summer and fall of 2003.

A check for \$120 in additional filing fees is enclosed. This check is based on a \$370 total filing fee for 3.35 cfs minus the \$250 included in the original application for permit.

Please contact me with any questions.

Sincerely,



Terry M. Scanlan, P.E., P.G.

Cc: Shirley Adams Sharp  
Mark Adams  
Bruce Smith