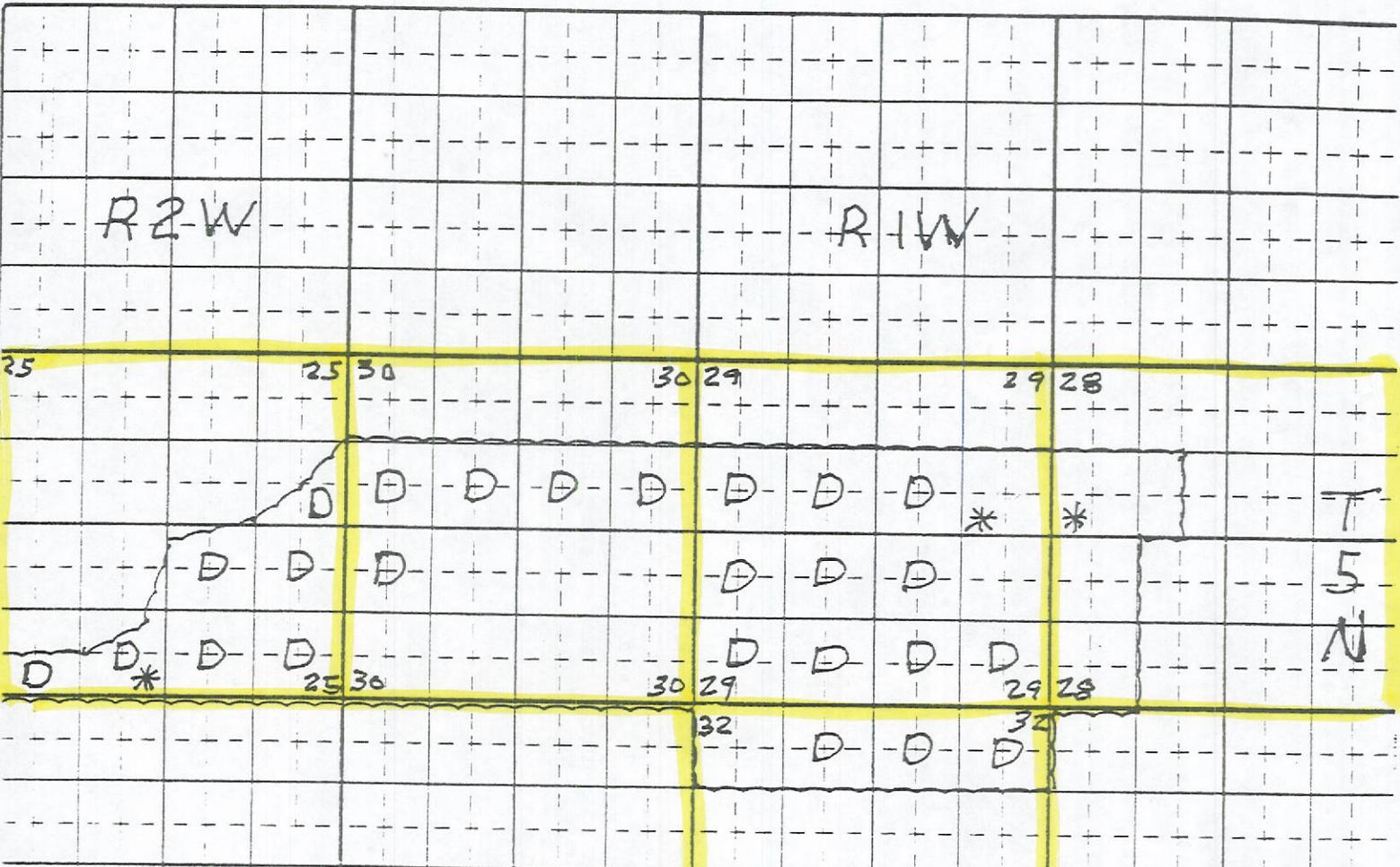


Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



LEGEND

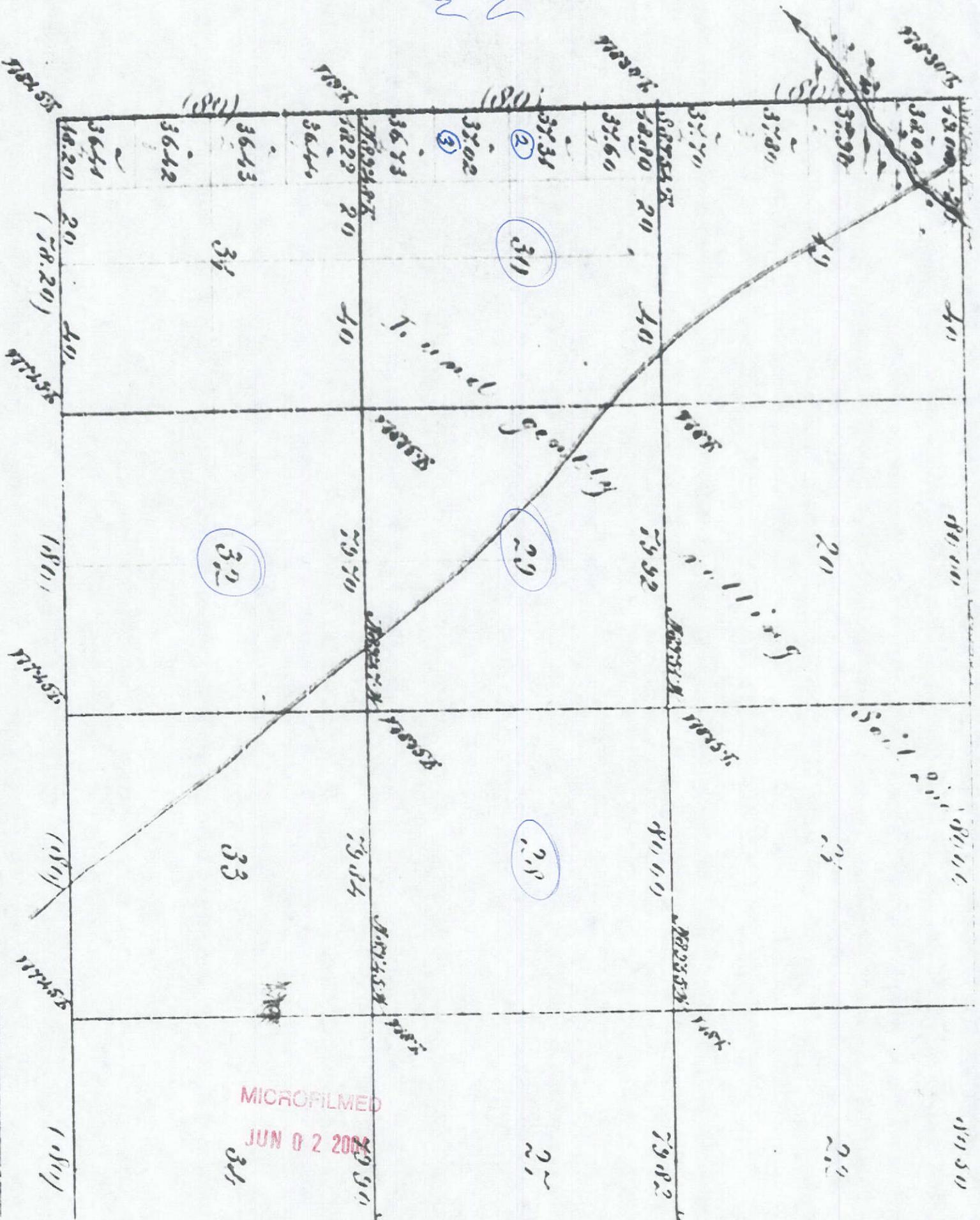
- GENERALIZED BOUNDARY OF PROJECT
- DOMESTIC SYSTEM WELL
- DOMESTIC USE UNDER THIS FILING

ALSO SEE LARGE PLAT MAP

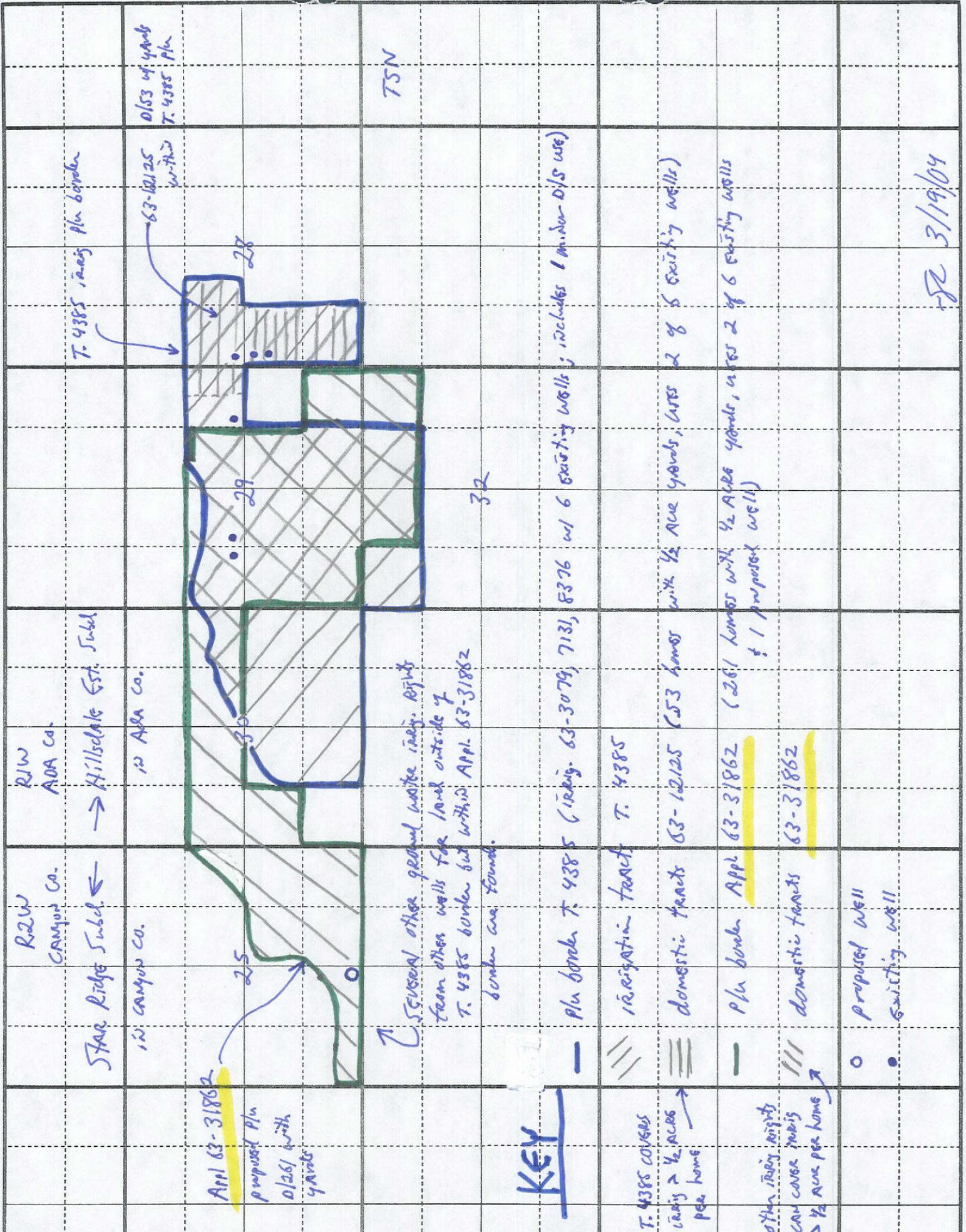
Last Name \_\_\_\_\_ Ident No \_\_\_\_\_  
JUN 02 2004

Copies: White-State, Yellow-Claimant

TSIN  
RIM



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R2W  
CANYON CO.  
Star Ridge Subd. ←

R1W  
ADA CO.  
→ Hillsdale Est. Subd.

12 Acre Co.

12 CANYON CO.

Several other ground water irrig. rights from other wells for land outside of T. 4385 border but within Appl. 63-31862 border are found.

**KEY**

- T. 4385 covers irrig. > 1/2 acre per home →
- other irrig. rights can cover irrig. > 1/2 acre per home →
- p/u border
- domestic tracts
- irrigation tracts
- p/u border
- proposed well
- existing well

plu border T. 4385 (irrig. 63-3079, 7131, 8376 w/ 6 existing wells; includes 1 minor D/S use)

irrigation tracts T. 4385  
domestic tracts 63-12125 (53 homes with 1/2 acre yards, uses 2 of 6 existing wells)  
p/u border Appl. 63-31862 (261 homes with 1/2 acre yards, uses 2 of 6 existing wells & 1 proposed well)domestic tracts 63-31862

proposed well  
existing well

3/19/04

TSN

32

Appl 63-31862 proposed p/u 0/261 with 4 acres

T. 4385 irrig. plu border

0/53 w/ yards within T. 4385 plu

63-12125

28

29

30

25

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

NO. 63-31862

Priority: January 29, 2004

Maximum Diversion Rate: 3.26 CFS

This is to certify, that HILLSDALE ESTATES HOMEOWNERS ASSN INC  
 210 MURRAY ST  
 GARDEN CITY ID 83714

has applied for a permit to appropriate water from:

**Source:** 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>
DOMESTIC	01/01 to 12/31	3.26 CFS

**LOCATION OF POINTS OF DIVERSION:**

GROUND WATER SW¼SW¼NW¼ Sec. 28, Twp 05N, Rge 01W, B.M., ADA County  
 GROUND WATER SW¼SE¼NE¼ Sec. 29, Twp 05N, Rge 01W, B.M., ADA County  
 GROUND WATER SE¼SE¼SW¼ Sec. 25, Twp 05N, Rge 02W, B.M., CANYON County

**PLACE OF USE:** DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE													
05N 01W 29			X				X	X	X	X	X	X			X	X	X
05N 01W 30			X	X			X	X		X							
05N 01W 32	X	X			X		L2				L3						
05N 02W 25				X							X	X	X	X	X	X	X

**CONDITIONS OF APPROVAL**

1. Proof of application of water to beneficial use shall be submitted on or before **April 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 the 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 200 to 662 feet.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
7. Domestic use is for 261 homes.

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State of Idaho  
Department of Water Resources

# Permit to Appropriate Water

NO. 63-31862

8. Place of use is located within Lots 15-23, 26-31, 33-49, 51-57, 59-62, Blk. 3; Lots 22-24, 27, 29, 31-38, 41-48, 50-55, Blk. 4; Lots 1-6, 9-26, 30-57, 60-76, Blk. 5; Lots 1-7, 9-25, Blk. 6; Lots 1-6, 8-11, 13-22, Blk. 7; Hillside Estates and Lots 1-14, Blk. 1; Lots 1-15, 18-28, Blk. 2; Lots 2-9, 11-31, Blk. 3; Star Ridge Subdivision.
9. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
10. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
11. After specific notification by the Department, the right holder shall install a suitable measuring device 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.
12. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 08<sup>th</sup> day of May, 2004.



KARL J DREHER, Director

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JAN 29 2004

Department of Water Resources

Ident. No. 63-31862

FORM 202  
12/99

Should questions arise during the processing of this application please contact:  
Norm Young - ERO Resources Corp. (208) 373-7983

RECEIVED

JAN 29 2004

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

WATER RESOURCES  
WESTERN REGION

1. Name of Applicant Hillsdale Estates Homeowners' Association, Inc.  
Mailing address 210 Murray Street, Garden City, Idaho, 83714

Phone (208) 376-4665

2. Source of water supply Groundwater which is a tributary of \_\_\_\_\_

3. Location of point of diversion is Township 5N Range 1W Sec. 28, in the SW ¼, SW ¼, NW ¼, Govt. Lot \_\_\_\_\_ B.M., Ada County;  
additional points of diversion if any: SW SE NE Sec. 29, T5N, R1W, Ada County and SE SE SW Sec. 25, T5N, R2W, Canyon County.

4. Water will be used for the following purposes:

- Amount 3.26 cfs for Domestic purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)
- Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
- Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
- Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 3.26 cfs and/or (b) \_\_\_\_\_  
cfs acre feet per annum

6. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source Three wells and buried pipeline distribution system to the subdivision lots.
- b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet
- c. Proposed well diameter is See Remark 4 inches; proposed depth of well is \_\_\_\_\_ feet
- d. Is ground water with a temperature of greater than 85° F being sought? NO
- e. If well is already drilled, when? See Remark 4; 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 if kW. \_\_\_\_\_
- b. Stockwatering; list number and kind of livestock. \_\_\_\_\_
- c. Municipal; show name of municipality. \_\_\_\_\_
- d. Domestic; show number of households. 261 homes
- e. Other; describe fully. \_\_\_\_\_

MURCUM PLATE

JAN 29 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													
5N	1W	29			D					D	D	D	D	D		D	D	D	
5N	1W	30			D	D				D	D								
5N	1W	32	D	D				D											
5N	2W	25											D	D	D	D	D	D	

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

10. Describe any other water rights used for the same purposes as described above. 63-12125 provides water for 53 additional homes in the same subdivision using the same system.
11. a. Who owns the property at the point of diversion? Applicant  
 b. Who owns the land to be irrigated or place of use? Members of the homeowners association  
 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:

- 1) The requested use includes up to 0.5 acre irrigation of lawns, gardens and landscaping per lot.  
261 lots x 0.5 acre/lot = 130.5 acres x 0.02 cfs per acre = 2.61 cfs  
A diversion rate of 0.65 cfs is requested for in-home use based on IDWR's guideline (see Appendix IV, Idaho Water Law Handbook). The diversion rate applied for is 2.61 + 0.65 = 3.26 cfs
- 2) Hillsdale Estates Homeowners Association, Inc. includes lot owners in Hillsdale Estates (Ada County) and Star Ridge Subdivision (Canyon County).
- 3) Domestic use is for 261 homes located within Lots 15-23, 26-31, 33-49, 51-57, 59-62 of Block 3; Lots 22-24, 27, 29, 31-38, 41-48, 50-55 of Block 4; Lots 1-6, 9-26, 30-57, 60-76 of Block 5; Lots 1-7, 9-25 of Block 6; and Lots 1-6, 8-11, 13-22 of Block 7; Hillsdale Estates and Lots 1-14 of Block 1; Lots 1-15, 18-28 of Block 2; Lots 2-9, 11-31 of Block 3, Star Ridge Subdivision.
- 4) Two of the three wells have been drilled to divert water under right no. 63-12125. Copies of the Driller's Reports are attached to this application. These wells are 685 feet and 640 feet deep holes, each have a 28 inch bore hole diameter at the surface and are cased to the surface with 16 inch diameter

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steel casing. The wells were drilled in 1994 by Pete Cope Drilling. Drilling permit no. 63-94-C-893-0 and 63-94-C-894-0. These wells are cased and screened to take water from below 450 feet LSD (approximate). The third well is proposed to be drilled in the SE SE SW Sec. 25, T5N, R2W. The proposed maximum depth of this well is 600 feet to take water from below 200 feet LSD. The proposed well diameter is 16 inches. WATER BEARING ZONE 200-662 FEET.

5) An Application for Transfer is pending at IDWR to add the third well as a point of diversion to right no. 63-12125.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½" x 11" 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 a herein set forth.

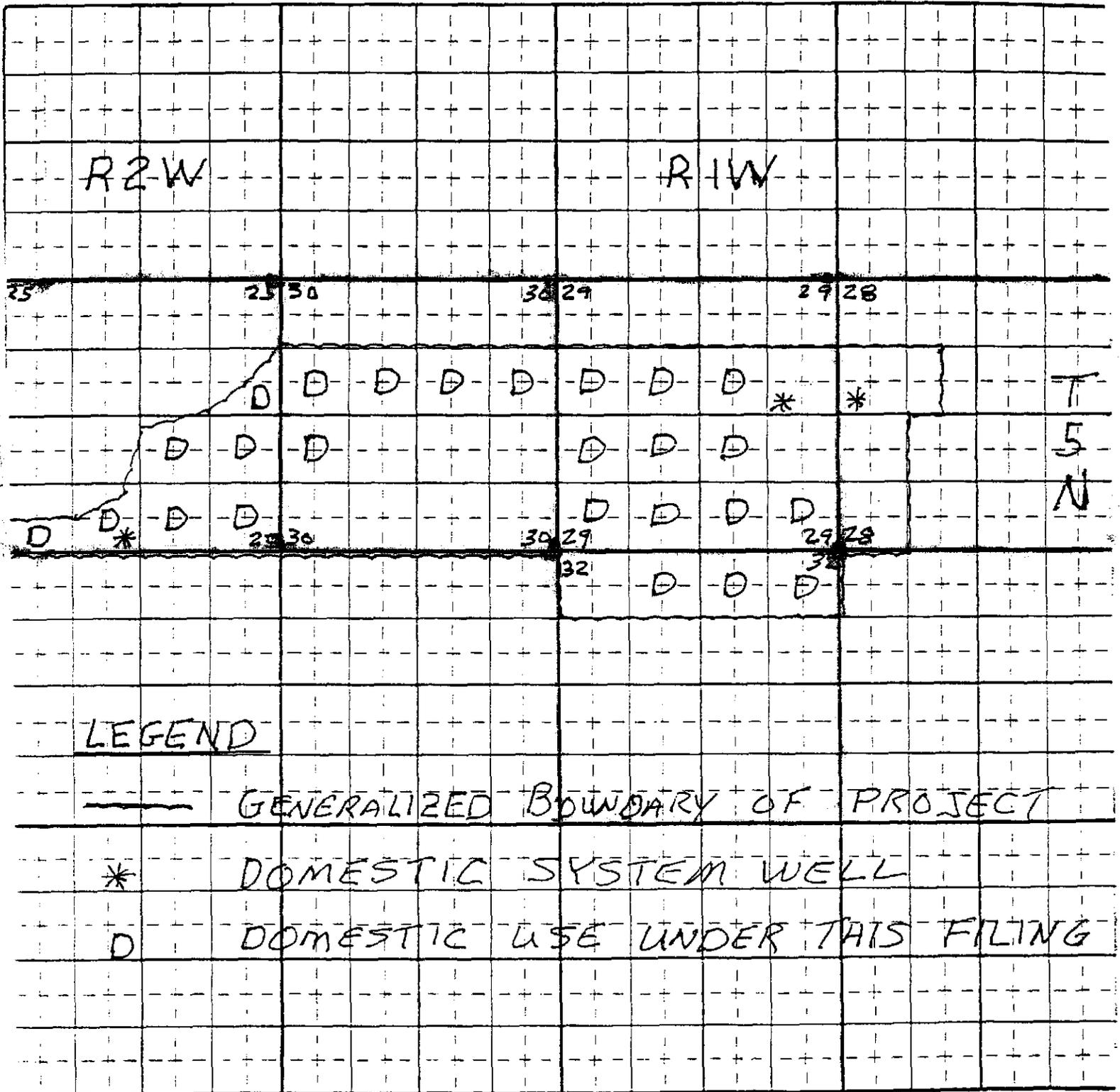
Roy Johnson - Vice President  
Signature of Applicant (and title, if applicable)

Received by KL Date 1129104 Time 3:46 Preliminary check by [Signature]  
Fee \$ 370<sup>00</sup> Received by KL # W031275 Date 1129104  
Publication prepared by AK Date 4-17-04 Published in PRESS TRIBUNE  
Publication approved AK Date 4-20-04 and THE IDAHO STATESMAN

MICROFILMED  
JUN 02 2004

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

Scale: 2 inches equals 1 mile



LEGEND

- GENERALIZED BOUNDARY OF PROJECT
- DOMESTIC SYSTEM WELL
- DOMESTIC USE UNDER THIS FILING

ALSO SEE LARGE PLAT MAP

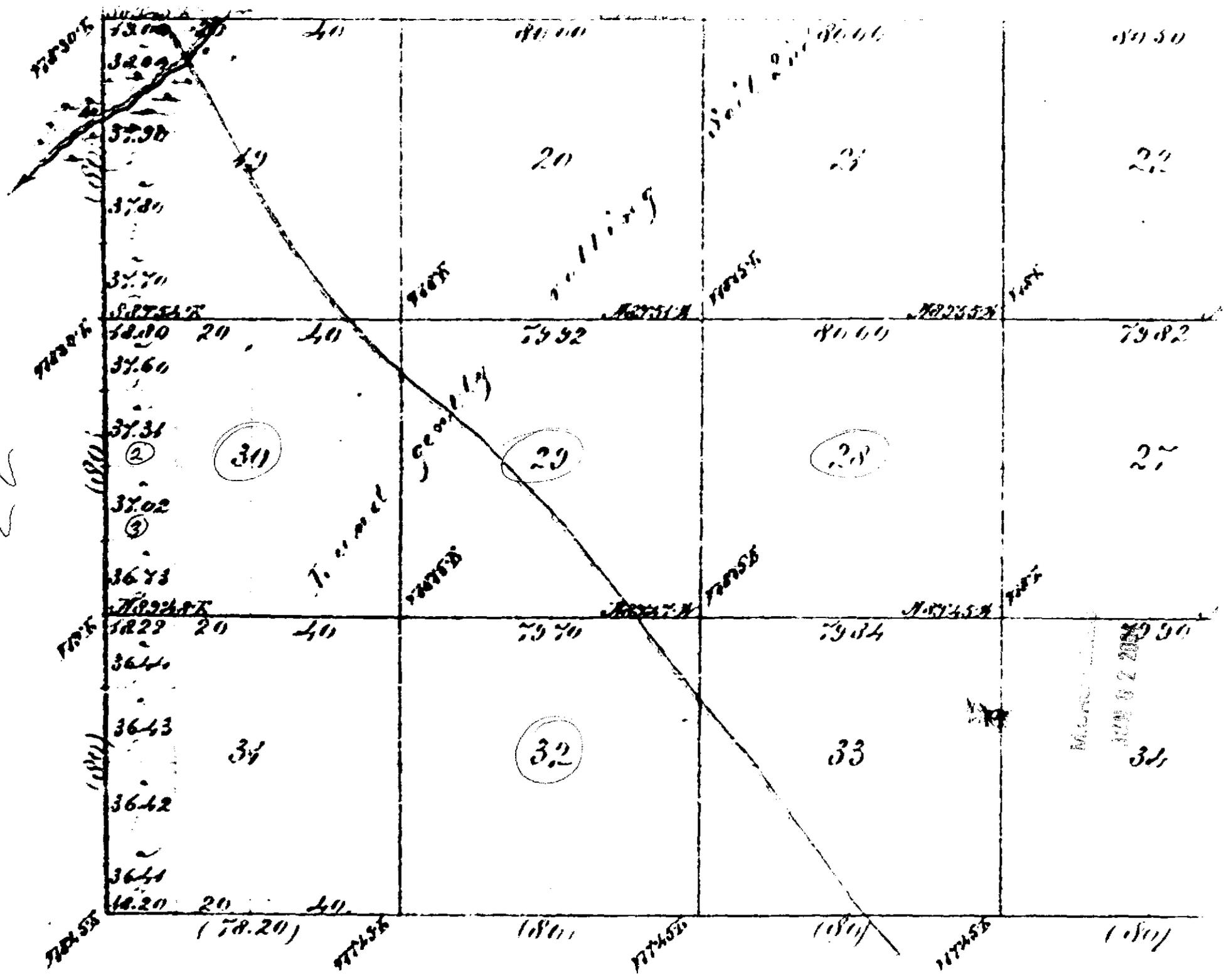
MICROFILMED  
IDENT NO. 2004

Last Name \_\_\_\_\_

Ident No. \_\_\_\_\_

Copies: White-State, Yellow-Claimant

T5N  
R1W



HILLSDALE  
WELL #1  
EASTWELL

# IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

Use Typewriter  
or  
Ball Point Pen

DRILLING PERMIT NO. 63-94-C-894-0  
or IDWR No. 63-12125

OWNER:  
by WILLOWBROOK DEVELOPMENT INC  
Address 210 MURRAY STREET  
GARDEN CITY State ID Zip 83714

### LOCATION OF WELL by legal description:

Each map location must agree with written location.

N					
		X			
S					

Twp. 05N North  or South   
Rge. 01W East  or West   
Sec. 29 SE 1/4 NE 1/4 1/4  
Gov't Lot \_\_\_\_\_ County ADA 10 acres 40 acres 160 acres

Address of Well Site HWY 21 HILLSDALE ESTATES  
BOISE

Give at least name of road - Distance to Road or Landmark

Blk. \_\_\_\_\_ Sub. Name \_\_\_\_\_

### PROPOSED USE: MUNICIPAL

- Domestic  Municipal  Monitor  Irrigation  
 Thermal  Injection  Other \_\_\_\_\_

### TYPE OF WORK NEW WELL

- New Well  Modify or Repair  Replacement  Abandonment

### DRILL METHOD REVERSE ROTARY

- Mud Rotary  Air Rotary  Cable  Other \_\_\_\_\_

### SEALING PROCEDURES

Material	SEAL/FILTER PACK		Amount	METHOD
	From	To		
MTGONITE	0	60	100000	POURED

drive shoe used?  Y  N

drive shoe seal tested?  Y  N How? \_\_\_\_\_

### CASING/LINER:

Depth	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
*	2	445	.250	STEEL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	445	460	.250	STEEL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	470	540	.250	STEEL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Depth of Headpipe 5 REDUCER Length of Tailpipe 13 FT

### PERFORATIONS/SCREENS SCREENS

1 Perforations Method \_\_\_\_\_

1 Screens Screen Type 304 STAINLESS STEEL

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
470	500	30	304	10"	STAINLESS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
500	560	30	304	10"	STAINLESS	<input type="checkbox"/>	<input type="checkbox"/>
560	625	30	304	10"	STAINLESS	<input type="checkbox"/>	<input type="checkbox"/>

### STATIC WATER LEVEL OR ARTESIAN PRESSURE:

\_\_\_\_\_ ft. below ground Artesian pressure \_\_\_\_\_ lb.  
No flow encountered \_\_\_\_\_ ft. Describe access port or control devices: \_\_\_\_\_

### 11. WELL TESTS: PUMP

- Pump  Bailer  Air  Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
<u>1200</u>	<u>115</u>	<u>302</u>	<u>8 HRS</u>

Water Temp. COLD Bottom hole temp. COLD

Water Quality test or comments: UNKNOWN

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

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Water	
				Y	N
2 1/2"	0	2	TOPSOIL		
	2	6	HARD PAN		
	6	28	BROWN CLAY		
	28	70	SANDY BRN CLAY		
	70	140	BROWN CLAY		
	140	195	SANDY BROWN CLAY		
	195	200	IRON-GRAY CLAY		
	200	205	CRS BRN SAND		X
	205	215	CRS SAND W/BRN CLAY		
	215	220	BRN CLAY W/IRON AND SAND		
	220	225	BRN CLAY W/SAND & IRON		
	225	233	GRAY CLAY		
	233	235	BLUE CLAY		
	235	255	SAND W/BLE CLAY		
	255	275	CRS SAND W/FINE BLUE CLAY		
	275	285	CRS SAND W/STRKS BLUE CLAY		
	285	295	CRS SAND W/FINE BLUE CLAY		
	295	297	CRS SAND W/BLE CLAY		
	297	375	BLUE CLAY		
	375	382	DRK BRN CLY		
	382	385	DRK BRN CLAY W/BLE CLAY STRKS		
	385	435	BLUE CLAY		
	435	454	SAND BLUE		
	454	460	BLUE CLAY		
	460	470	SAND BLUE		
	470	490	BLUE CLAY SANDY		
	490	500	BLUE CLAY		
	500	501	BLUE SAND		
	501	505	SANDY BLUE CLAY		
	505	540	STRNKS OF SAND & CLAY		
	540	562	BLUE SAND		
	562	592	BLUE CLAY		
	592	604	BRN SAND		

Completed Depth 11/15/01 (Measurement)  
Date: Started 10/17/94 Completed 10/24/94

### 13. DRILLER'S CERTIFICATION

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

Firm Name PETE COPE DRILLING Firm No. 213

Firm Official [Signature] Date 10-27-94

Supervisor or Operator [Signature] Date 10-27-94

(Sign once if Firm Official & Operator)



8-7 Hillsdale Well No. 2 WEST WELL

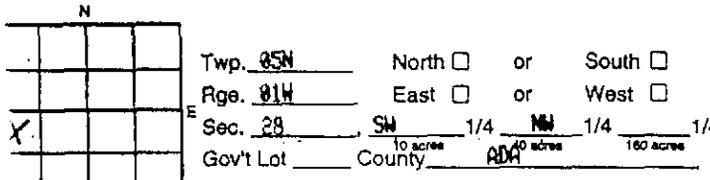
IDAHO DEPARTMENT OF WATER RESOURCES  
WELL DRILLER'S REPORT

Use Typewriter  
or  
Ball Point Pen

DRILLING PERMIT NO. 63 - 94 - C - 893 - 0  
Other IDWR No. 63-12125

OWNER:  
Name WILLOWBROOK DEVELOPMENT  
Address 210 MURRAY STREET  
City BOISE State ID Zip 83714

LOCATION OF WELL by legal description:  
Sketch map location must agree with written location.



Twp. 05N North  or South   
Rge. 01W East  or West   
Sec. 28 SW 1/4 NE 1/4 SE 1/4  
Gov't Lot \_\_\_\_\_ County ADA <sup>10 acres</sup> <sup>40 acres</sup> <sup>160 acres</sup>

Address of Well Site HWY 21 HILLSDALE ESTATES  
City BOISE

Blk. \_\_\_\_\_ Sub. Name HILLSDALE ESTATES

PROPOSED USE: MUNICIPAL  
 Domestic  Municipal  Monitor  Irrigation  
 Thermal  Injection  Other \_\_\_\_\_

TYPE OF WORK NEW WELL  
 New Well  Modify or Repair  Replacement  Abandonment

DRILL METHOD REVERSE ROTARY  
 Mud Rotary  Air Rotary  Cable  Other \_\_\_\_\_

SEALING PROCEDURES

SEAL/FILTER PACK		AMOUNT		METHOD
Material	From	To	Sacks or Pounds	
BENTONITE	0	60	175000	POURED

as drive shoe used?  Y  N   
as drive shoe seal tested?  Y  N  How? \_\_\_\_\_

CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
16"	+1	440	.250	STEEL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16"	460	500	.250	STEEL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16"	530	615	.250	STEEL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Length of Headpipe NONE Length of Tailpipe 5 FT

PERFORATIONS/SCREENS SCREENS  
 Perforations Method \_\_\_\_\_  
 Screens Screen Type HOUSTON 304 STAINLESS STEEL

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
440	460	40	304	10"	STAINLESS	<input type="checkbox"/>	<input type="checkbox"/>
460	530	40	304	10"	STAINLESS	<input type="checkbox"/>	<input type="checkbox"/>
530	635	40	304	10"	STAINLESS	<input type="checkbox"/>	<input type="checkbox"/>

STATIC WATER LEVEL OR ARTESIAN PRESSURE:  
3 ~~12~~ ft. below ground Artesian pressure NONE lb.  
Depth flow encountered \_\_\_\_\_ ft. Describe access port or control devices: WELL CAP

11. WELL TESTS: PUMP  
 Pump  Bailer  Air  Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
1500	345	423	9 HRS

Water Temp. COLD Bottom hole temp. COLD  
Water Quality test or comments: UNKNOWN

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

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
28"	0	4	TOPSOIL		
	4	7	SAND		
	7	9	CLAY		
	9	15	SAND		
	15	25	CLAY		
	25	35	CLAY & SAND MIX		
	35	55	SAND		
	55	65	CLAY		
	65	75	CLAY & SAND MIX		
	75	80	SAND		
	80	85	FINE BRN SAND		
	85	90	CLAY & COURSE SAND MIX		
	90	95	CLAY		
	95	100	SAND		
	100	105	CLAY & COURSE SAND		
	105	115	CLAY		
	115	120	FINE BRN SAND & CLAY MIX		
	120	165	CLAY		
	165	190	SAND & CLAY MIX		
	190	205	CLAY		
	205	210	TAN & BLUE CLAY		
	210	212	BLUE & BRN CLAY		
	212	214	BLUE CLAY		
	214	215	SAND & BLUE CLAY MIX		
	215	225	SAND & BLUE CLAY		
	225	227	BLUE CLAY & SAND		
	227	233	SAND		X
	233	240	BLUE CLAY & SAND		
	240	245	BLUE CLAY & SAND		
	245	250	BLUE CLAY		
	250	265	CLAY & SAND		
	265	270	SAND		
	270	280	SAND & CLAY		

Completed Depth 640 (Measurable)  
Date: Started 9/26/94 Completed 10/3/94

13. DRILLER'S CERTIFICATION

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

Firm Name PETE COPE DRILLING Firm No. 213  
Firm Official [Signature] Date 10-15-94  
and  
Supervisor or Operator [Signature] Date 10-15-94  
(Sign once if Firm Official & Operator)





## Idaho Secretary of State Search Results

Search Result Summary

[ [New Search](#) ]

### Search Results 1 through 1

(HILLSDALE ESTATES HOMEOWNERS' ASSOCIATION, INC. ... HILLSDALE ESTATES HOMEOWNERS' ASSOCIATION, INC.)

### **HILLSDALE ESTATES HOMEOWNERS' ASSOCIATION, INC.**

[[View Details](#)]

Organizational ID / Filing number: C109489  
210 MURRAY ST  
BOISE, ID 83714

Filed 16 Feb 1995  
CORPORATION  
GOODSTANDING

---

[Idaho Secretary of State's Main Page](#)

[State of Idaho Home Page](#)

Comments, questions or suggestions can be emailed to: [sosinfo@idsos.state.id.us](mailto:sosinfo@idsos.state.id.us)

M.C.F.

JUN 02 2004

# REQUEST TO PROCESS

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

Should questions arise during the processing of this application please contact:  
\_\_\_\_\_ - ERO Resources Corp. (208) 373-7983

Name of Applicant Hillsdale Estates Homeowners Association, Inc.

Mailing Address 210 Murray Street  
Garden City, Idaho, 83714

Application No. \_\_\_\_\_  
(if known)

RECEIVED

FEB 03 2004

WATER RESOURCES  
WESTERN REGION

\_\_\_\_\_ **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.

\_\_\_\_\_ **PROPOSE MITIGATION NOW**

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

X **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

Boyer John - Vice President

Date

2/2/04

Please return this form to:

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



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

May 7, 2004

HILLSDALE ESTATES HOMEOWNERS ASSN INC  
210 MURRAY ST  
GARDEN CITY ID 83714

RE: Permit No. 63-31862

**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.

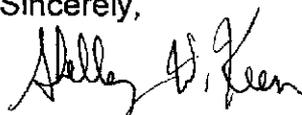
MICROFILMED

JUN 02 2004

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:kit

Enclosure(s)

cc: ERO RESOURCES CORP

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JUN 02 2004

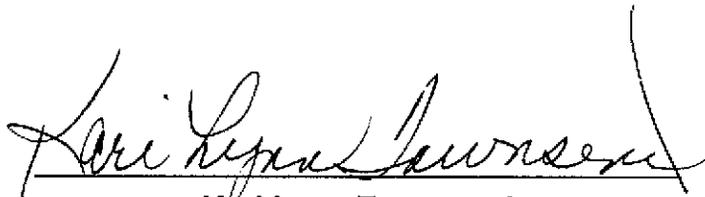
**CERTIFICATE OF SERVICE**

I hereby certify that on May 7, 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.                      63-31862**

**ERO RESOURCES CORP  
C/O NORM YOUNG  
1106 N COLE RD STE C  
BOISE ID 83704-8661**

**HILLSDALE ESTATES HOMEOWNERS ASSN INC  
210 MURRAY ST  
GARDEN CITY ID 83714**

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

**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.

## MEMORANDUM

To: File no. 63-31862  
From: Gary Spackman *Gary*  
Date: May 5, 2004

Re: Color of the Application

In the shades of gray related to processing of applications in Basin 63, Boise River, application to appropriate water no. 63-31862 is on the darker side. Application no. 63-31862 appears to propose a domestic right for lands that may already be described as a place of use by irrigation ground water rights. The application states that the domestic use will serve 261 homes. All of the lots in the subdivision appear to be at least 2.0 acres in size. As a result, each of the lot owners will probably irrigate a full one-half acre, the maximum acreage allowed for irrigation under a domestic water right. The remainder of each lot and additional areas around the lots will be irrigated with the existing ground water rights.

Although I don't know that all of the land platted as lots has been irrigated previously, the result of approving this application could be the approval of an additional 130 acres of irrigation with no mitigation. This is not an expansion of municipal service into small lot subdivisions.

The comparison could be made to a proposal for a new 5,000-cow dairy that must transfer water for use in the dairy. If the proponent of the dairy proposed that we recognize a 42-111 domestic exemption for the first 300 cows we would tell him no because the proposed dairy would use more than the domestic exemption from the outset. This application is no different, other than there are 261 homes that will have uses exceeding the domestic exemption definition that allows processing. Approval of the application will allow the applicant to continue to spread its existing ground water rights across the northwest bench of the Treasure Valley.

Despite these strong reservations, I will sign the permit unless directed otherwise. I am not willing to fight against this proposal in light of all the other past indiscretions in the Treasure Valley. Nonetheless, approving this application with so many pending ahead of it is distasteful and unpleasant.

MICROFILMED

JUN 12 2004

## Comment Report

63-31862

1. slester 3/19/2004 Legal Notice Remarks

Comment: Domestic use is for 261 homes and yards in Hillsdale Estates and Star Ridge Subdivisions.

Water bearing zone to be appropriated is from 200 to 662 feet via 2 existing wells and 1 proposed well.

Applicant agrees to mitigate consumptive use in the future as needed.

2. slester 3/19/2004 Comment/Analysis

Comment: See extensive application remarks for additional information useful for conditions of approval etc. Inhouse use and 1/2 acre yards are proposed for 261 homes (0.65 cfs inhouse and 2.61 cfs for yards). Two existing wells and 1 proposed well will serve the community system. Application adds more homes to Hillsdale Estates Subd. previously initiated under 63-12125 plus adds homes in adjacent development aka Star Ridge Subd. All of this development was started by Willowbrook Development Inc. Hillsdale Estates is in Ada County (Sections 28-30 & 32) while Star Ridge is in Canyon County (Section 25). The overall plan will encompass Transfer 4385 (standard irrigation), 63-12125 (homes & yards), this application (homes & yards), and use of other existing irrigation rights (standard irrigation). The latter rights might be reconfigured in a future transfer. The end result will be a domestic system of 3 wells serving homes and 1/2 acre yards plus an irrigation system of several additional wells to cover irrigation uses beyond the yards. A companion transfer application is being processed to add the proposed well in 63-31862 (Section 25) to the 63-12125 system to complete the domestic system. Surface water is not available here.

3. kwalker 4/30/2004 Permit Review

Comment: Added subdivision lots to place of use entry. Recommend approval as shown on regional recommendations.

MICHAEL J. BAKER  
MAY 12 2004

# Advertise Adair Canyon Counties

Form No 202a  
April 2003

RECEIVED

## IDAHO DEPARTMENT OF WATER RESOURCES APPROPRIATION APPLICATION ANALYSIS SHEET

APR 28 2004

Initial review by Department of Water Resources Date 3/19/04 Application # 63-31862

**REQUIRED INFORMATION**

*Appl. Registered Pub. entity e IOSOS, officers id in this appl file - OK*

- 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)
- Period of use
- Nature of use (list details in appl. Item 8 if non-irrigation)
- 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

Government Lots	
N	P/D
y	P/U

**ADDITIONAL INFORMATION**

*SEE hand drawn MAP attached to PROOF REPORT*

**ADVERTISE REMARKS (Yes or No)**

- | YES                                 | NO                                  |                                                                                                                                           |
|-------------------------------------|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | P/D overlap (explain) • 63-12125 " " " " " " other homes & yards.                                                                         |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | P/U overlap (explain) • other irrig. rights from other irrig. wells cover irrig > yards outside of plan boundary of T. 4385.              |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Critical groundwater area (send letter)                                                                                                   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Ground water management area (send letter)                                                                                                |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Drilling concern area (send letter)                                                                                                       |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1992 moratorium (send letter) - but exempt for "42-111" wells                                                                             |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Surface water source, IDFG comment letter                                                                                                 |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Protected river or minimum flow reach, notify water planning bureau                                                                       |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | E-mail to Dam Safety staff (if any storage)                                                                                               |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Mitigation plan: "request to process form" in file:                                                                                       |
|                                     | <input type="checkbox"/>            | Immediate = closed areas, acceptable plan required & submitted                                                                            |
|                                     | <input checked="" type="checkbox"/> | Future = open areas, plan not required                                                                                                    |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Send power requirement letter &/or fish farm requirement letter                                                                           |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Power residency affidavit                                                                                                                 |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 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**

*(Consultant confirmed call with source & w.s. zone 200-662' 3/19/04 tel. conv. can process & get Appl. endorsement of these details as Appl. Form while processing continues)*

Date Requested 3/19/04 Date Response Received 4/27/04

*See consultant's 4/26/04 letter - acceptable method to contain this information*

PROCESSING

APPLICATION # 63-31862

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

*no reply received - ok*

YES NO

- IDEQ
- District Health
- IDFG
- IDL
- US BLM
- US Forest Service
- Water Dist # \_\_\_\_\_
- Water Planning Bureau
- Other \_\_\_\_\_

FINAL REGIONAL PROCESSING REVIEW

YES NO

*Legal notice 2 counties per proposed plans*

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

- Publication dates & paper recorded on application
- Final date for protest 4-19-04
- Protests received
- Recommendations attached
- Measuring device required *M.D. & MERS reports can be regional in future as needed... base stl. condition & this*
- Water delivered by water master? District # \_\_\_\_\_
- Special conditions of approval or cover letter

*stl. conditions, future mitigation conditions, D/281 with irrigation limited to 1/2 acre/home, w.b. zone 200'-662', wells must comply with water quality standards (IDSG), see Applicant's #3 remarks & subd. lot/block details*

Recommended Date of Priority 1-29-2004

Recommendation  Approve  Deny by J. Neetha Date 4/27/04

ADDITIONAL INFORMATION

- See attached proof report, note Legal Notice Remarks &/or Comments *→ plus*
  - Shapefile completed (optional: attach with proof report) *↓*
- See 3/19/04 - diagram attached to proof report for overview RE overlap etc. - CC from IDSGS site & officers of association*



IDAHO DEPARTMENT OF WATER RESOURCES  
Water Application Report 63-31862

05N 02W 25 |  
|

X |  
|

|  
|

X

X

|

X

X

X

X

} Canyon Co.  
Star Ridge Subd.

Conditions of Approval:

Remarks:

Comments:

1. slester 3/19/2004 Legal Notice Remarks

Comment: Domestic use is for 261 homes and yards in Hillsdale Estates and Star Ridge Subdivisions. Water bearing zone to be appropriated is from 200 to 662 feet via 2 existing wells and 1 proposed well. Applicant agrees to mitigate consumptive use in the future as needed.

2. slester 3/19/2004 Comment/Analysis

Comment: See extensive application remarks for additional information useful for conditions of approval etc. Inhouse use and 1/2 acre yards are proposed for 261 homes (0.65 cfs inhouse and 2.61 cfs for yards). Two existing wells and 1 proposed well will serve the community system. Application adds more homes to Hillsdale Estates Subd. previously initiated under 63-12125 plus adds homes in adjacent development aka Star Ridge Subd. All of this development was started by Willowbrook Development Inc. Hillsdale Estates is in Ada County (Sections 28-30 & 32) while Star Ridge is in Canyon County (Section 25). The overall plan will encompass Transfer 4385 (standard irrigation), 63-12125 (homes & yards), this application (homes & yards), and use of other existing irrigation rights (standard irrigation). The latter rights might be reconfigured in a future transfer. The end result will be a domestic system of 3 wells serving homes and 1/2 acre yards plus an irrigation system of several additional wells to cover irrigation uses beyond the yards. A companion transfer application is being processed to add the proposed well in 63-31862 (Section 25) to the 63-12125 system to complete the domestic system. Surface water is not available here.

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Application Report 63-31862

Dates and Other Information:

Application Received Date: 1/29/2004

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: Extensive application Remarks included ... see original application for details.

Other Water Rights: None, but other ground water rights for irrigation beyond yard use are available for the proposed use in the 2 subdivisions.

63-12125 provides similar domestic & yard water to 53 other homes in one of the same subdivisions proposed in this application.

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:

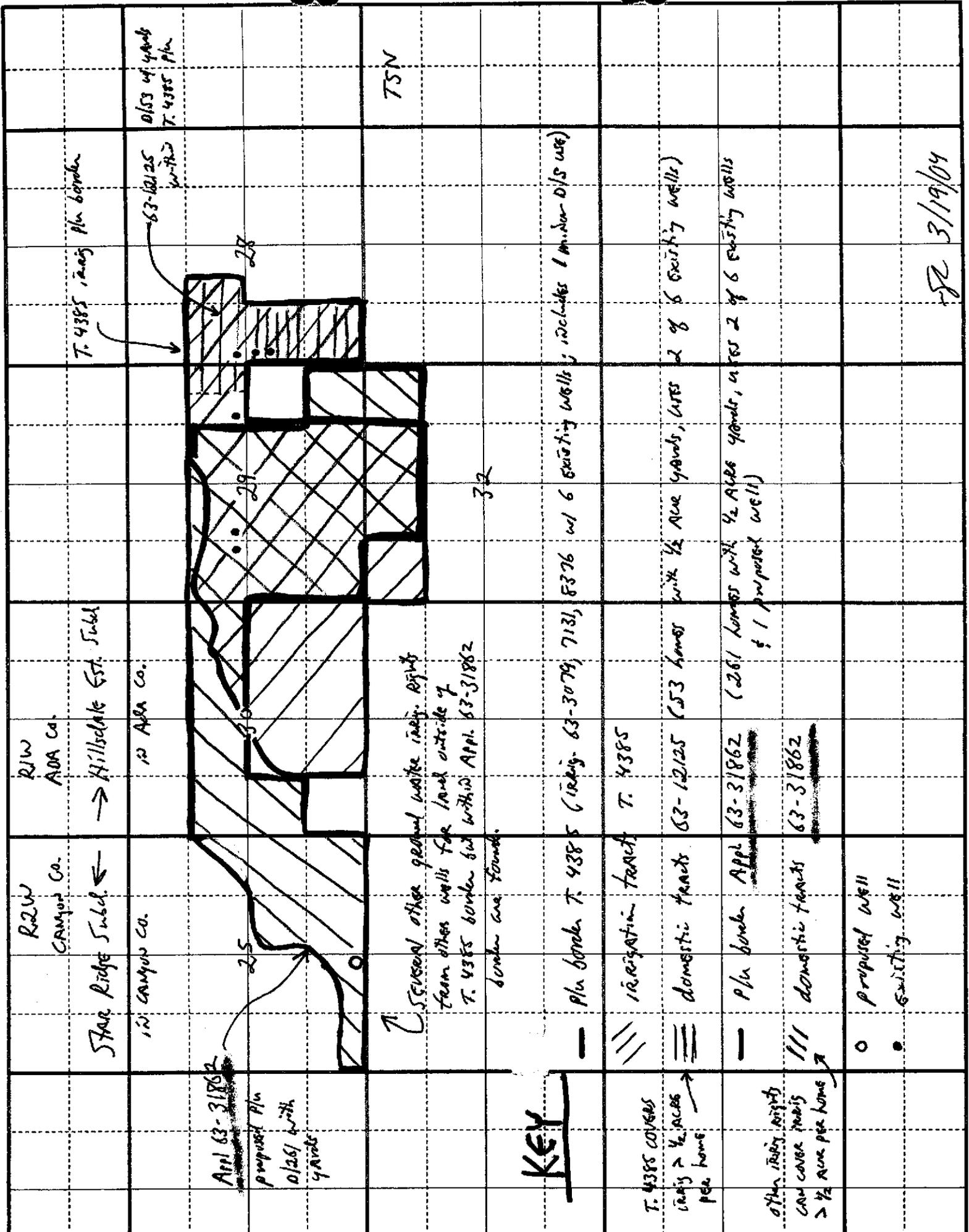
DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

*Hillside  
Est. Fund*



R2W  
Canyon Co.  
Star Ridge Subd. ←

in Canyon Co.

R1W  
ADA Co.

→ Hillsdale Est. Subd.  
in ADA Co.

Appl 63-31862  
proposed plan  
0/261 with  
4 acres

Several other ground water irrig. rights  
from other wells for land outside of  
T. 4385 border but within Appl. 63-31862  
border are found.

**KEY**

- T. 4385 covers  
irrig > 1/2 acres  
per home →
- Other irrig. rights  
can cover more  
> 1/2 acre per home →
- proposed well
- existing well

— plan border T. 4385 (irrig. 63-3079, 7131, 8376 w/ 6 existing wells; includes 1 m. non-D/S use)

/// irrigation tracts T. 4385

=== domestic tracts 63-12125 (53 homes with 1/2 acre yards, uses 2 of 6 existing wells)

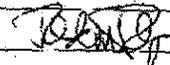
— plan border Appl. 63-31862 (261 homes with 1/2 acre yards, uses 2 of 6 existing wells & 1 proposed well)

/// domestic tracts 63-31862

○ proposed well  
● existing well

RF 3/19/04

TSN

No. <b>C 109489</b> Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 <b>NO FILING FEE IF          RECEIVED BY DUE DATE</b>		<b>Due no later than February 29, 2004          Annual Report Form</b> HILLSDALE ESTATES HOMEOWNERS' ASSOC RICHARD M PHILLIPS 210 MURRAY ST BOISE, ID 83714		2. Registered Agent and Office NO PO BOX RICHARD M PHILLIPS 210 MURRAY ST BOISE, ID 83714 3. New Registered Agent Signature	
4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.					
<u>Office held</u>	<u>Name</u>	<u>Street or P.O. Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
President	Richard M. Phillips	210 Murray St	Boise	Idaho	83714
Secretary	Phil Keene	"	"	"	"
Directors	Richard M. Phillips	"	"	"	"
	Roy B Johnson	"	"	"	"
	Ron McConnell	"	"	"	"
5. Organized Under the Laws of: IDAHO C 109489		6. Signature  Name <sup>ID#214</sup> Richard M. Phillips Title President		Date 1-7-04	

Issued 12/01/2003 Do Not Tape or Staple 4410

63-31862 covers 2 adjacent subd. - different subd. names due to 2 counties... actually is all 1 development operation aka Willowbrook Development. So appears ok that applicant is business entity = Hillsdale (presume that it incorporates Star Ridge since all 1 system).

homeowners' ASSOC.  
 officers  
 S

-JC

ERO Resources Corp.  
1106 N. Cole Rd., Ste. C  
Boise, Idaho 83704-8661  
(208) 373-7983  
Fax: 373-7985

Denver • Boise

www.eroresources.com  
eroboise@eroresources.com

RECEIVED

APR 27 2004

WATER RESOURCES  
WESTERN REGION

April 26, 2004

Steve Lester  
Idaho Department of Water Resources  
2735 Airport Way  
Boise, Idaho 83705-5082

By FAX: 208-334-2348

Re: Application for Permit No. 63- 31862 (Hillsdale Estates)

Dear Steve:

This letter is in response to your phone call indicating that additional information is needed to complete processing of the application for Hillsdale Estates Homeowners' Association, Inc.

Question No. 1: Is ground water being sought having a temperature of 85 degrees Fahrenheit or higher?

No. The water, because it is needed for domestic uses, will be taken from zones having temperatures lower than 85 degrees Fahrenheit. The applicant is aware that construction of the well must be stopped and that IDWR must be notified for additional approvals under Section 42-233, Idaho Code, if ground water with a temperature of 85 degrees Fahrenheit or more is encountered.

Question No. 2: What are the proposed depth of the well and the elevations of the water-bearing zones from which water will be taken?

Based upon the well logs attached to the application, it is anticipated that the well will be about 700 feet deep and the water bearing zones will be located between 450 to 700 feet below land surface. It is my understanding that IDWR requests this data for information purposes only and that the well can be constructed deeper than 700 feet \* and that water can be taken from other zones if it is necessary to do so, assuming that the bottom-hole temperature does not exceed 85 degrees Fahrenheit.

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JUN 02 2004  
w.b. zone 200'-662', would  
NEED to seek amended condition  
of approval to go a deeper zone.  
to  
-JK

ERO  
Resources  
Corporation

We appreciate your effort to complete processing of the application. If additional information is needed, please contact me.

Sincerely,



Norman C. Young

cc: Roy Johnson  
Terry Scanlan

MICROFILMED ERO  
Resources  
JUN 02 2004 Corporation

JOHNSON ENGINEERING  
9225 CHINDEN BLVD. SUITE J  
BOISE, ID 83714  
(208) 323-7563  
FAX (208) 323-9004

Mr. Steve Lester  
Idaho Department of Water Resources  
1301 N. Orchard  
Boise, Idaho 83706

RECEIVED

APR 23 2004

WATER RESOURCES  
WESTERN REGION

Re: Star Ridge Estates No. 2 well permit  
Willowbrook Development Inc. Owner

Mr. Lester:

For the above proposed well, I understand the advertised time was up on April 19 and the grace period on April 21<sup>st</sup>. Even though we are still within our water rights for Hillsdale Estates and Star Ridge subdivisions, the peak use for the lots is higher than expected and will soon exceed the short term capacity of our wells and reservoir. For this reason, it is critical that we have this new well on line as soon as possible. The well driller has ordered the casing and screens and is ready to drill the well as soon as a permit can be issued.

The developer and the homeowners association are requesting the Department of Water Resources to expedite the permit process so we can start as soon as possible.

Thank you for your consideration.

Sincerely

  
\_\_\_\_\_  
Roy B. Johnson

MICROFILMED  
JUN 02 2004



LEGAL NOTICE

*sk*

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

63-31862

HILLSDALE ESTATES HOMEOWNERS ASSN INC  
210 MURRAY ST  
GARDEN CITY ID 83714

Point(s) of Diversion	SWSWNW	S28	T05N	R01W	ADA County	Source	GROUND WATER
Point(s) of Diversion	SWSENE	S29	T05N	R01W	ADA County	Source	GROUND WATER
Point(s) of Diversion	SESESW	S25	T05N	R02W	CANYON County	Source	GROUND WATER
Use:	DOMESTIC			01/01 To 12/31			3.26 CFS

Total Diversion: 3.26 CFS

Date Filed: 01/29/2004

Place Of Use: DOMESTIC

T05N R01W S29	SWNE SWNW SENW NESW NWSW SWSW SESW NWSE SWSE SESE
T05N R01W S30	SWNE SENE SWNW Lot 2 SENW <i>sk</i>
T05N R01W S32	NENE NWNE NENW
T05N R02W S25	SENE SWSW SESW NESE NWSE SWSE SESE

Remark: Domestic use is for 261 homes and yards in Hillsdale Estates and Star Ridge Subdivisions. Water bearing zone to be appropriated is from 200 to 662 feet via 2 existing wells and 1 proposed well. Applicant agrees to mitigate consumptive use in the future as needed.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 04/19/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

April 1, 8, 2004

0451628

MICROFILMED

JUN 02 2004

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO )  
 ) SS.  
County of Canyon )

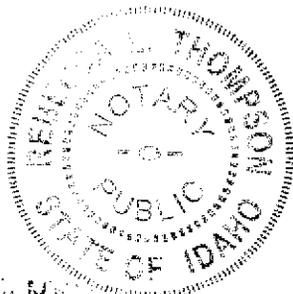
Corina L. Engelhart  
of Nampa, Canyon County, Idaho, being  
first duly sworn, deposes and says:

e0100285 04516283  
1 Idaho Dept. of Water Resourc  
2735 Airport Way  
BOISE ID 83705

1. That I am a citizen of the United States, 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 newspaper published in the City of Nampa, 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 uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this 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 2 time(s) 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:  
04/01/2004,04/08/2004

Corina Engelhart  
STATE OF IDAHO )  
County of Canyon )

On the 2<sup>nd</sup> day of April in the year of 2004 before me, a Notary Public, personally appeared Corina L. Engelhart, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that he/she executed the same.



Kenneth L. Thompson  
Notary Public for Idaho  
Residing at Nampa  
My commission expires April 19, 2008

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JUN 6 2 2004

Kreger (Taylor), Sue

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To: srae@deq.state.id.us  
Cc: Kreger (Taylor), Sue  
Subject: comment letters

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

March 22, 2004

ID DEPT ENV QUALITY  
STEVE RAE  
1445 N ORCHARD  
BOISE ID 83706-2239

Dear Mr. Rae:

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 April 19, 2004.

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

Sincerely,

Sue Kreger  
ID Dept Water Resources  
Western Region  
334-2190

Sue Kreger  
(208) 334-2190  
Id Dept Water Resources  
skreger@idwr.state.id.us



63-31858.pdf



63-31862.pdf

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JUN 02 2004

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

March 22, 2004

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

RE: Application for Permit Nos. 63-31858 and 63-31862  
Application for Transfer Nos. 71048 and 71028

**Dear LEGAL NOTICE DEPARTMENT:**

Enclosed you will find four legal notices 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 notices 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 04/19/2004. Your cooperation is appreciated.

Sincerely

Sue Kreger  
Administrative Assistant

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JUN 02 2004

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

March 22, 2004

**Legal Notice Department**  
PRESS-TRIBUNE  
PO BOX 9399  
NAMPA ID 83652

RE: Application for Permit No. 63-31862

**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 04/19/2004. Your cooperation is appreciated.

Sincerely

Sue Kreger  
Administrative Assistant

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JUN 02 2004

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

63-31862

HILLSDALE ESTATES HOMEOWNERS ASSN INC  
210 MURRAY ST  
GARDEN CITY ID 83714

Point(s) of Diversion SWSWNW S28 T05N R01W ADA County Source GROUND WATER

Point(s) of Diversion SWSENE S29 T05N R01W ADA County Source GROUND WATER

Point(s) of Diversion SESESW S25 T05N R02W CANYON County Source GROUND WATER

Use: DOMESTIC 01/01 To 12/31 3.26 CFS

Total Diversion: 3.26 CFS

Date Filed: 01/29/2004

Place Of Use: DOMESTIC

T05N R01W S29 SWNE SWNW SENW NESW NWSW SWSW SESW NWSE SWSE SESE

T05N R01W S30 SWNE SENE SWNW Lot 2 SENW

T05N R01W S32 NENE NWNE NENW

T05N R02W S25 SENE SWSW SESW NESE NWSE SWSE SESE

Remark: Domestic use is for 261 homes and yards in Hillsdale Estates and Star Ridge Subdivisions.  
Water bearing zone to be appropriated is from 200 to 662 feet via 2 existing wells and 1 proposed well.  
Applicant agrees to mitigate consumptive use in the future as needed.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 04/19/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Press-Tribune on April 1 and 8, 2004.

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JUN 02 2004