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SEP 28 2006

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

*

1. Name of Applicant Boise-Highland Development Co. Phone (208)853-1222

Mailing address 6100 Pierce Park Ln., Boise, ID 83703

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

3. Location of point of diversion is Township 01S Range 04E Sec. 11, in the _____ 1/4,
SW 1/4, NE 1/4, Govt. Lot _____, B.M., _____ County;

additional points of diversion if any: 01S, 04E, S02, SESE; 01S, 04E, S11, NWSE; 01S, 04E, S11, NENE

4. Water will be used for the following purposes:

Amount 5.0 cfs for municipal 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) 5.0 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source up to 4 wells with electric pumps

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet;
total reservoir capacity _____ acre-feet

c. Proposed well diameter is 16 inches; proposed depth of well is 700 feet

d. Is ground water with a temperature of greater than 85°F being sought? No

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. Sterling Sage Subdivision

d. Domestic; show number of households. _____

e. Other; describe fully. _____

* Assigned to NEVIO LLC 10/17/07

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													
01S	04E	2													M		M	M	
		11	M	M	M	M										M			

Total number of acres to be irrigated _____

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

11.a. Who owns the property at the point of diversion? Betsy Binnendijk-Zijderlaan

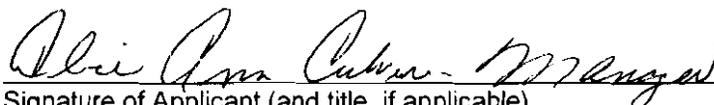
b. Who owns the land to be irrigated or place of use? Betsy Binnendijk-Zijderlaan

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: business contract

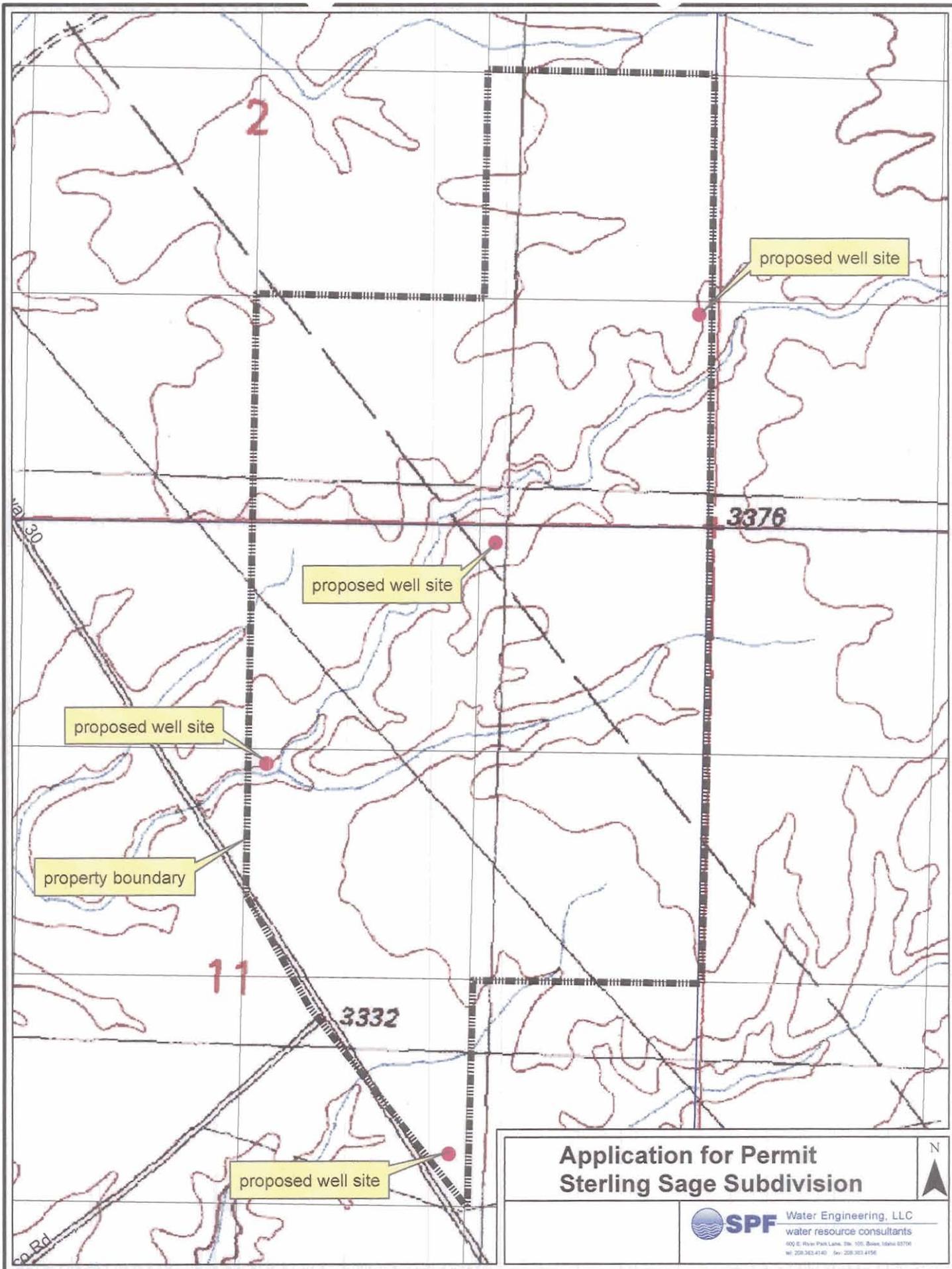
12. Remarks: The proposed 5.0 cfs municipal diversion rate assumes diversion of 0.60 cfs for in-house domestic use, 2.76 cfs for irrigation, and 0.04 cfs for commercial uses. The domestic use estimate is based on 176 residential units using IDWR's standard chart. The irrigation estimate is based on 176 residential units with an average irrigated area of 0.5 acre per unit, and a diversion rate of 0.02 cfs/acre plus the irrigation of approximately 50 acres of common area with a diversion rate of 0.02 cfs/acre. The commercial use is associated with a small equestrian center. The municipal use also includes fire protection flow at the rate of 2.2 cfs, per International Fire Code.

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 DB Date 9-28-06 Time 11:30 am Preliminary check by JR
 Fee \$ 410- Received by DB # W034738 Date 9-28-06
 Publication prepared by DB Date 4/9/08 Published in MTN HOME NEWS; APRIL 16 & 23, 2008
 Publication approved _____ Date _____



**Application for Permit
Sterling Sage Subdivision**



Water Engineering, LLC
water resource consultants
402 E. 95th Park Lane, Ste. 101, Boise, Idaho 83706
Tel: 208.383.4140 Fax: 208.383.4156

61-12090

**Signature Page
for
Operating Agreement
of
Boise – Highland Development Company, LLC**

(continued)

IN WITNESS WHEREOF, this Operating Agreement has been executed on the date hereinabove first written by the following Manager and Members, whose respective mailing addresses are set forth opposite their signatures. By their signatures below said Manager and Members do hereby affirm that they have read the foregoing Operating Agreement and are familiar with its contents and they do hereby verify the truthfulness thereof.

Mailing Address:

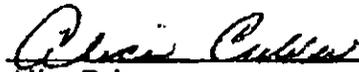
MANAGERS:

12 West 100 North, Suite 201A
American Fork, Utah 84003



Roger Hoffman

6100 Pierce Park Lane
Boise, Id. 83714

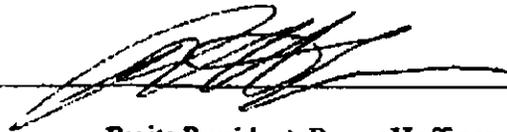


Alice Culver

Mailing Addresses:

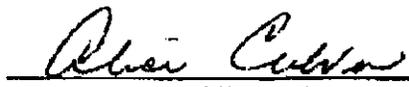
MEMBERS:

The Nexus Group, III, P.C.



By its President, Roger Hoffman

5726 W. 9970 North
Highland, Ut. 84003



Alice Culver

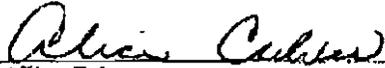
6100 Pierce Park Lane
Boise, Id. 83714

846168/01

18. Execution:

18.1 This Agreement is executed by the undersigned on the date so inscribed by their respective signatures. This Agreement shall become effective on the latest date executed which shall serve as the "execution date" as provided under this Agreement.

"CULVER"

 11-29-05
By: Alice Culver Date

"NEXUS"

 12-6-05
By: Roger Hoffman, President, The Nexus Group, P.C. Date