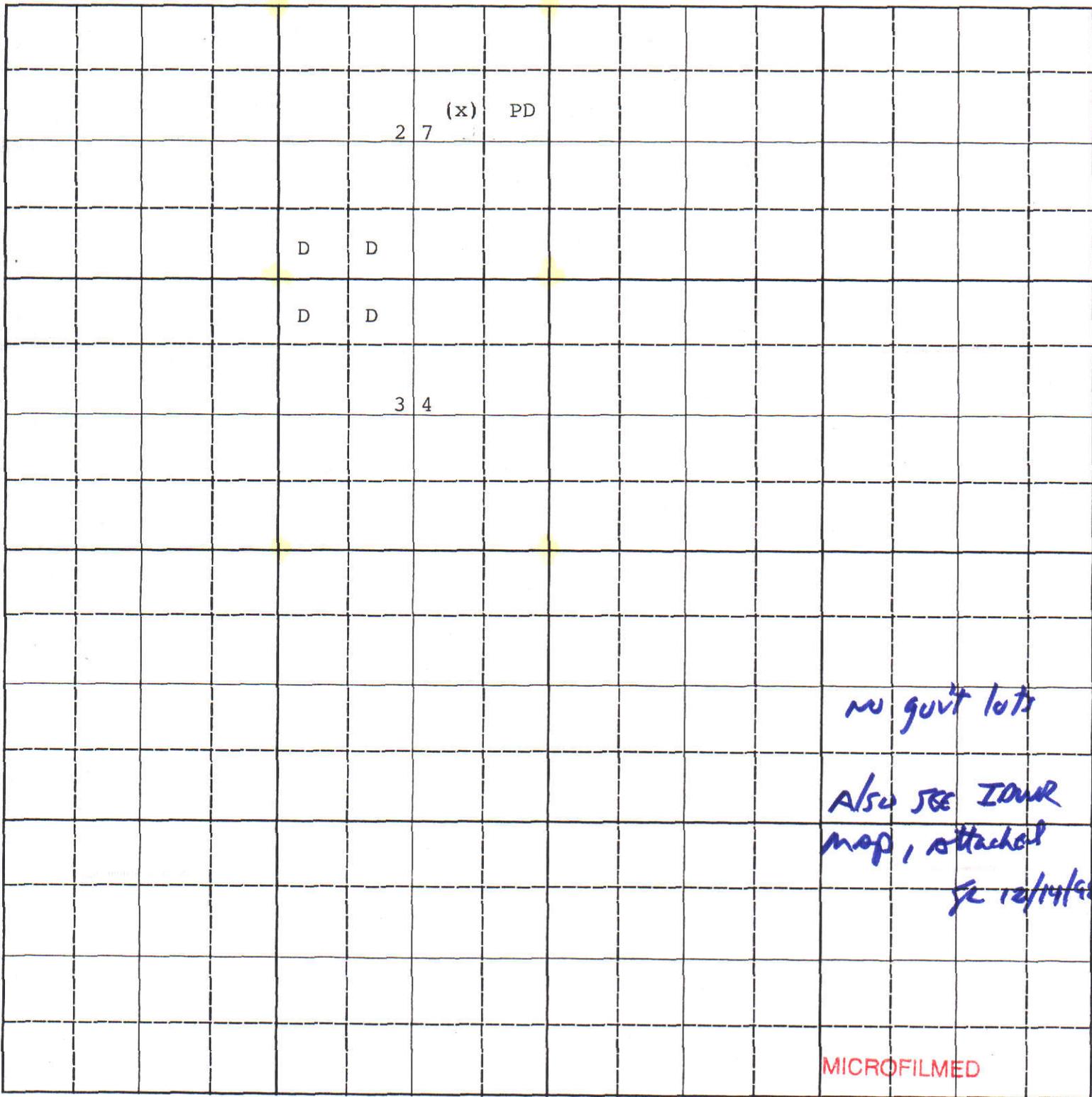


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



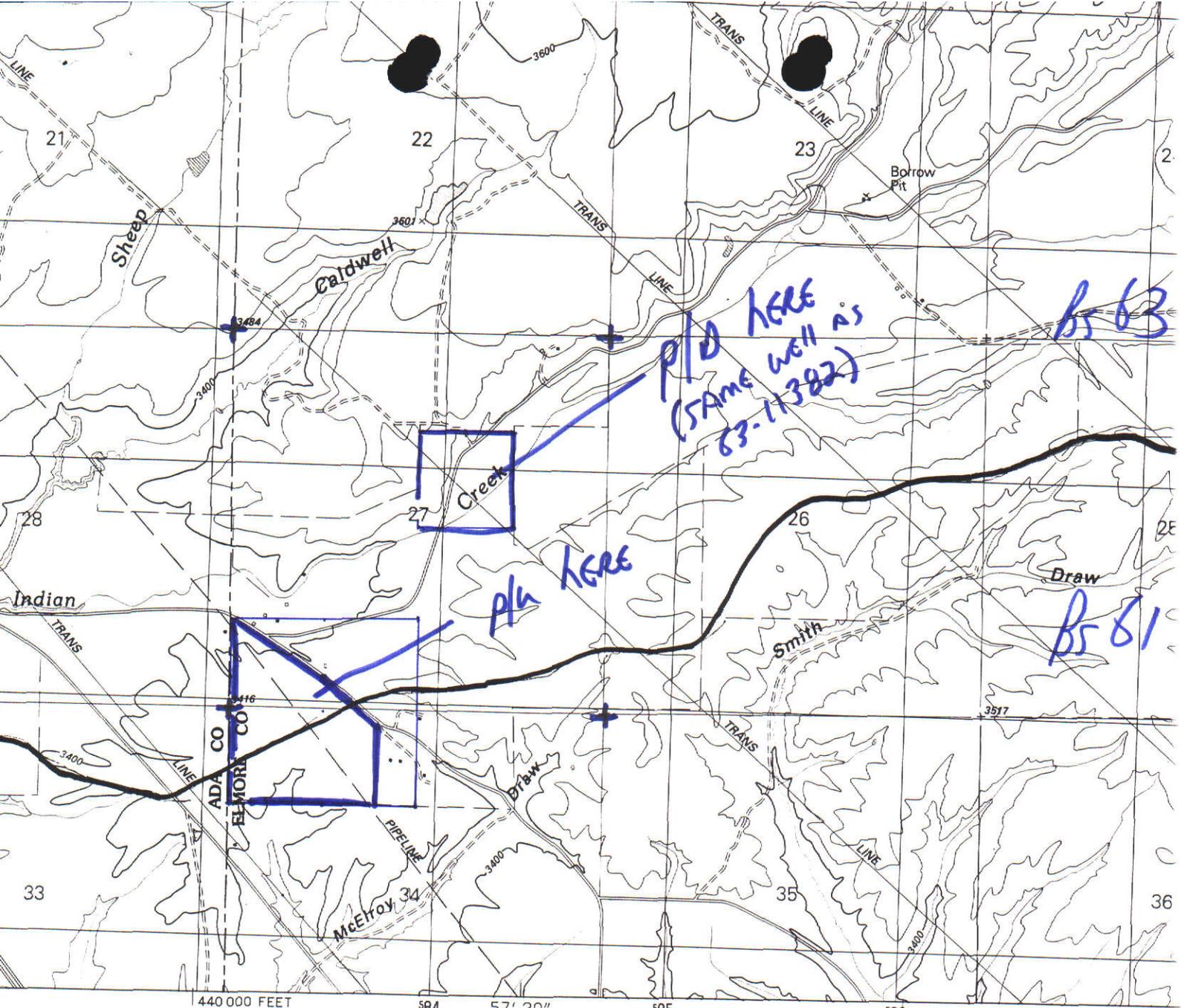
Scale: 2 inches equal 1 mile.

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

DANSKIN PROPERTIES, LTD.

(Applicant)

By: James S. Underwood, Jr.



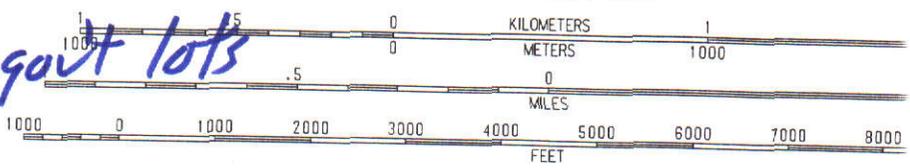
U.S. GEOLOGICAL SURVEY
 USGS, NOS/NOAA
 1958
 1960
 TAKEN 1987
 DITED 1990
 .. TRANSVERSE MERCATOR
 .. MERCATOR ZONE 11
 .. IDAHO, WEST ZONE
 .. 0°44' EAST
 .. 16°30' EAST
 .. METRIC VERTICAL DATUM OF 1929
 .. NORTH AMERICAN DATUM
 .. American Datum of 1983,
 .. by dashed corner ticks

the boundaries of any
 this map
 published in 1960 and

PROVISIONAL MAP
 Produced from original
 manuscript drawings. Infor-
 mation shown as of date of
 field check. T

IN 4E 5.27 : 34
 no govt lots

SCALE 1:24 000



CONTOUR INTERVAL 40 FEET
 To convert feet to meters multiply by .3048
 To convert meters to feet multiply by 3.2808

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
 FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225
 OR RESTON, VIRGINIA 22092

Right = Bs. 63 per pld
 all in Elmore Co.
 part of Plu in Bs. 61
 Also see oversized subd. plat in file

MICROFILMED
 APR 13 1999
 12/14/98

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-12494

Proposed Priority: December 9, 1998 Maximum Diversion Rate: 0.16 CFS

This is to certify, that **DANSKIN PROPERTIES LTD**
605 W FRANKLIN ST
BOISE ID 83702

has applied for a permit to appropriate water from: **GROUNDWATER**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

DOMESTIC	01/01 to 12/31	0.16 CFS
----------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: SWNE , Sec. 27, Township 01N, Range 04E
ELMORE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

01N 04E	27	SWSW	SESW
	34	NENW	NWNW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **March 1, 2004**.
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.
5. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
6. 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.
7. 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 needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary 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.

MICROFILMED

APR 13 1999

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-12494

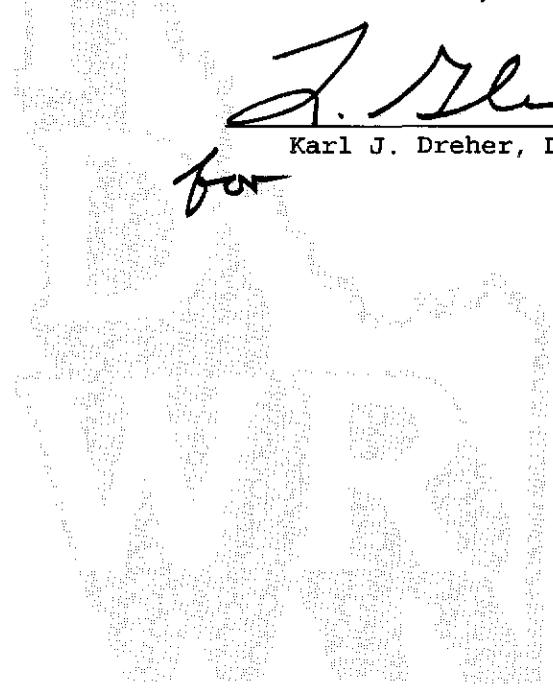
CONDITIONS OF APPROVAL AND REMARKS

- 8. The issuance of this right does not grant any right-of-way or easement across the land of another.
- 9. Point of diversion is located within Lot 19, Blk. 1, Danskin Properties Subdivision No. 1.
- 10. Place of use is located within Lots 1-8, Danskin Properties Subdivision No. 2.
- 11. Domestic use is for 8 homes.
- 12. Water bearing zone to be appropriated is from about 420 to 470 feet.

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

10th day of March, 1999.

Karl J. Dreher
 Karl J. Dreher, Director
 for



MICROFILMED

APR 17 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

*CONTACT is Attorney
James Underwood
per file
-sw*

1. Name of applicant Danskin Properties Ltd. Phone 342-6532

Post office address 605 West Franklin Street Boise, Idaho 83702

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

3. Location of point of diversion is SW 1/4 of NE 1/4 of _____ 1/4, Govt. Lot _____

Sec. 27 Township 1N Range 4E B.M. Elmore County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .16^{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) .16 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. existing well, pumps, pipeline, reservoir tank & new pipeline. This is an expansion of the existing Danskin Properties Water System

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.

c. Proposed well diameter is 12 inches; proposed depth of well is 480 feet.

d. Is ground water with a temperature of greater than 85°F being sought? _____
Pete Cope Drilling

e. If well is already drilled, when? 1993; Drilling firm Drilling Permit 63-93-C-869-0,

Well was drilled for (well owner) Applicant

7. Time required for the completion of the works and application of the water to be proposed beneficial use is

5 years (minimum 1 year).

*PER 1993
well log.
-sw
12/23/98*

MICROFILMED

APR 13 1999

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. eight (8) households
- e. Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼													
1N	4E	27											D	D					
		34					D	D											

*delete**

Total number of acres to be irrigated _____

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

License 63-11382 from same well

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

MICROFILMED
3/3 1900

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

COMMENTS

12. Remarks: This is for the expansion of an existing public water supply

system for domestic purposes, same well (but additional homes) as

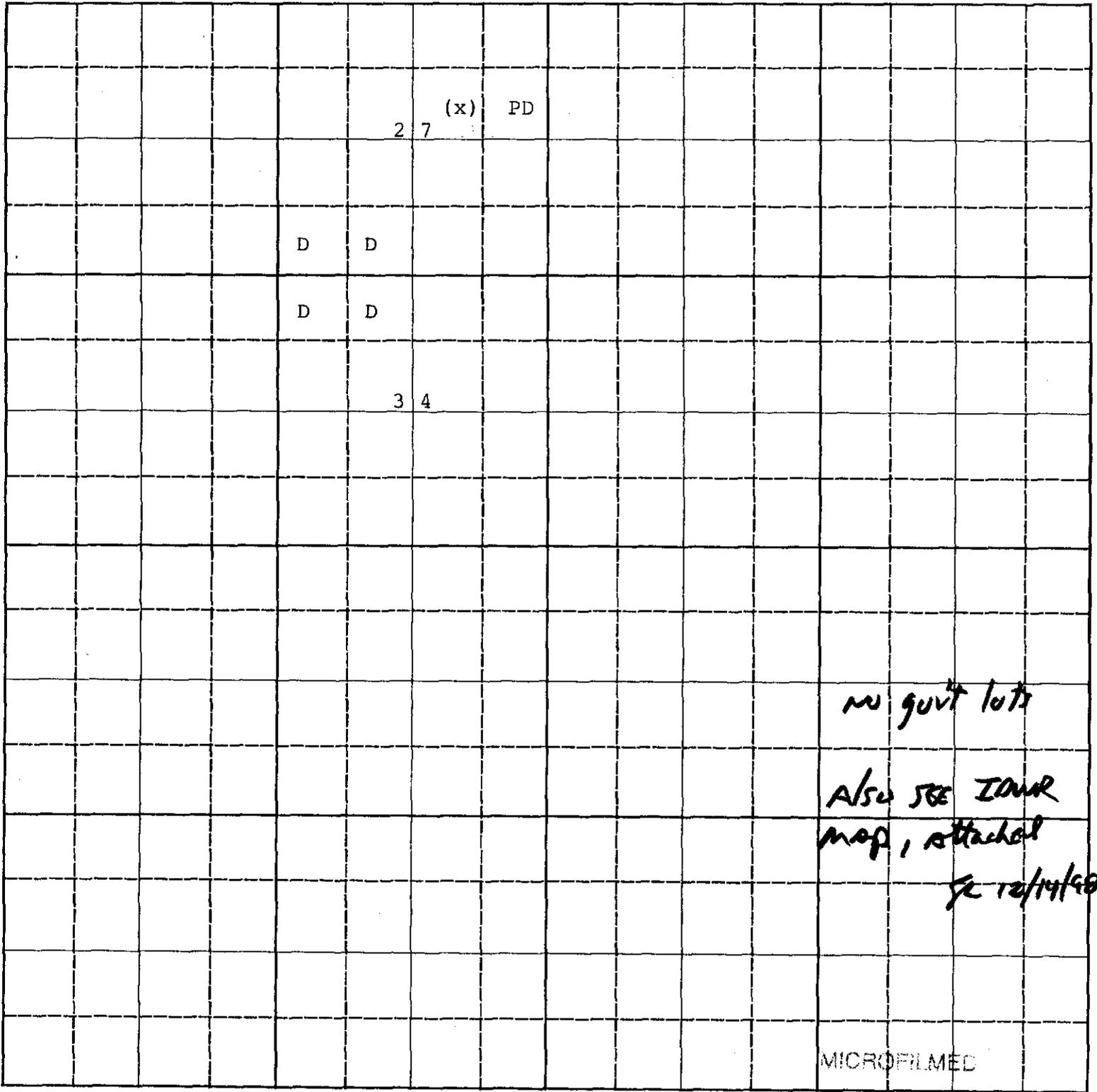
63-11382. Drilling permit issue resolved in previous right so N/A in new right.

REMARKS

Applicant agrees to mitigate consumptive use in the future as needed. Water bearing zone to be appropriated from an existing well to serve 8 new homes and yards is from about 420 to 470 feet.

* per file documentation - gr 12/23/98

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



Scale: 2 inches equal 1 mile.

MICROFILMED

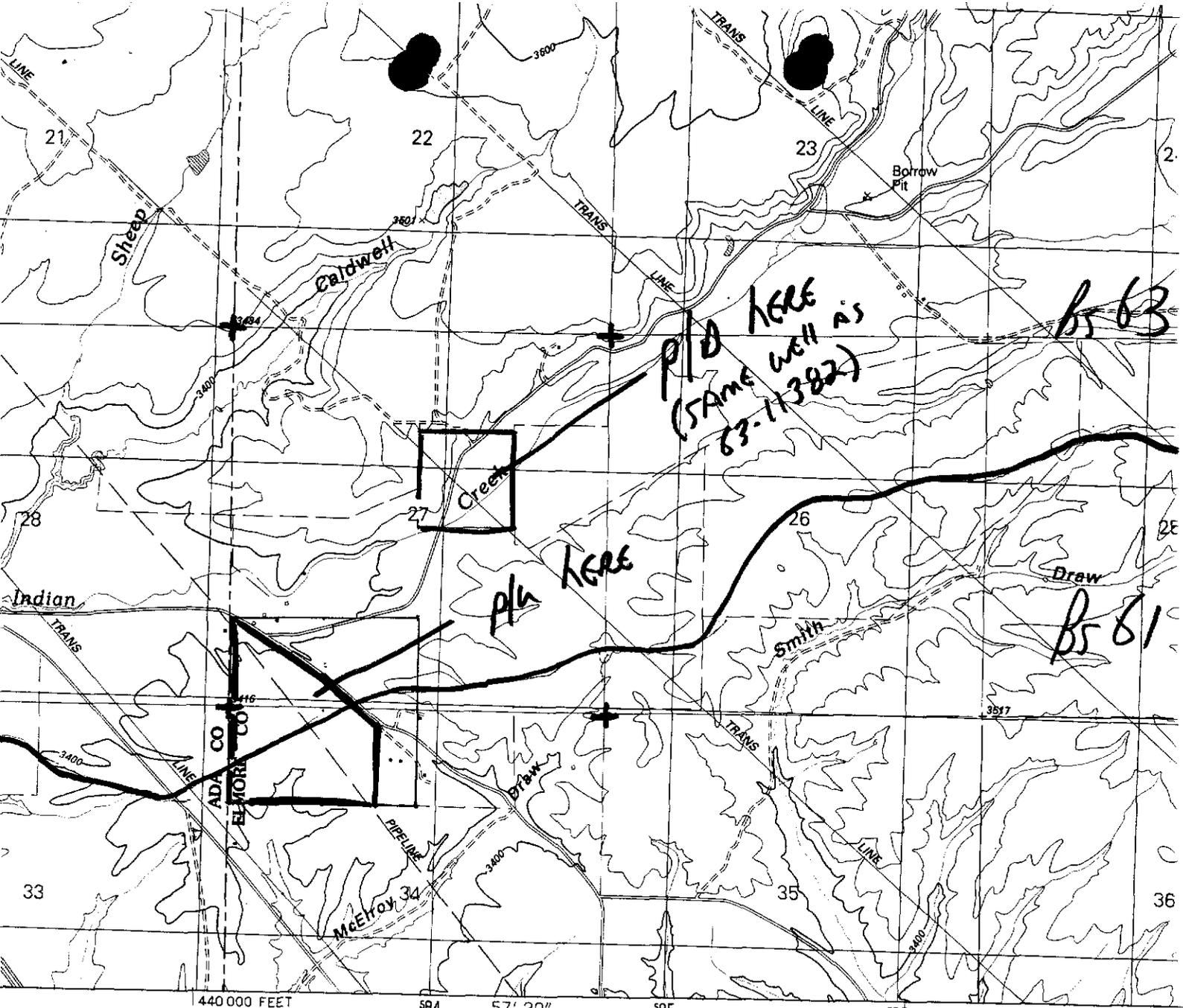
APR 13 1969

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

DANSKIN PROPERTIES, LTD.

[Handwritten Signature]
(Applicant)

By: James S. Underwood, Jr.

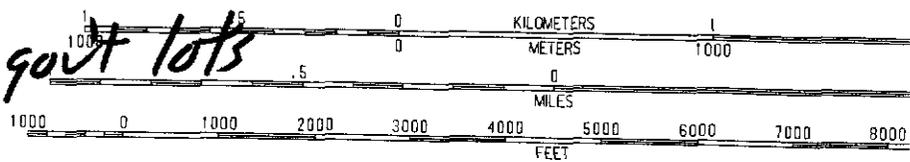


440 000 FEET

IN 4E 5.27 : 34

SCALE 1:24 000

NO GOVT LOTS



GEOLOGICAL SURVEY
 USGS, NOS/NOAA
 'N 1958
 1960
 TAKEN 1987
 DATED 1990
 .. TRANSVERSE MERCATOR
 RCATOR ZONE 11
 .. IDAHO, WEST ZONE
 0°44' EAST
 16°30' EAST
 TIC VERTICAL DATUM OF 1929
 NORTH AMERICAN DATUM
 erican Datum of 1983,
 by dashed corner ticks



PROVISIONAL MAP
 Produced from original
 manuscript drawings. Infor-
 mation shown as of date of
 field check. T

CONTOUR INTERVAL 40 FEET
 To convert feet to meters multiply by .3048
 To convert meters to feet multiply by 3.2808

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
 FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225
 OR RESTON, VIRGINIA 22092

Right = Bs. 63 per pld
 all in Elmore Co.
 part of Plu in Bs. 61
 Also see oversized subd. plat in file

MICROFILMED

APR 13 1989

12/14/98

Received by KH Date 12/9/97 Time 11:07 Preliminary check by PTT / 82
Fee \$ 50⁰⁰ Received by KH # W023297 Date 12/9/97
Publication prepared by ST Date 12-30-98 Published in Mtn Home News
Publication approved ST Date 1-27-99
1-6-99 9 1-13-99

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

1. Approval of said application is subject to the following limitations and conditions:
 - a. SUBJECT TO ALL PRIOR WATER RIGHTS.
 - b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
 - c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
 - d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
 - e. Other:

MICROFILMED
APR 1 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 24, 1999

DANSKIN PROPERTIES LTD
605 W FRANKLIN ST
BOISE ID 83702

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-12494

Dear Permit Holder:

The Department of Water Resources (IDWR) 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 IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief 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 right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure

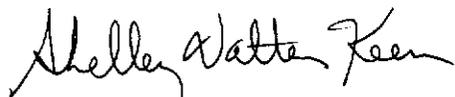
MICROFILMED

SEP 1999

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 reporting form.

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

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED

APR 13 1999

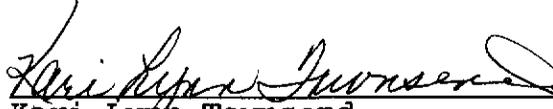
1999

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of March, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 63-12494

DANSKIN PROPERTIES LTD
605 W FRANKLIN ST
BOISE ID 83702



Kari Lynn Townsend
Secretary

MICROFILMED
APR 13 1999

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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.

MICROFILMED

APR 13 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

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

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy*

No.: 63-12494 Name: Danski Date: 3/8/99 Ad OK? Gvmt Lts:

AREA OF CONCERN: - No/Yes: RED Mor / _____ GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

- > 1 year - 26A P17
- ≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

- All wells (✓ WDQ3) - 046 P23
- In Basin 34? - 085
- Irr. within WD - P05 (new well location)
- WMD (✓ MAP) - North / East / West
- > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

WMD

- Supp irr use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)
- Supp. irr + uses - 100-101
- ~~> 0.24 cfs/5 acres~~ - 01M (report when notified)
- ≤ 0.24 cfs/5 acres - No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that *doesn't* sink is regulated):

FISH & GAME CONTACTED: - YES / NO; WHEN: _____ RESPONSE: _____

IN/ABOVE MSF (✓ MAP) - *WB9 _____

IN-STREAM DEVELOPMENT - P52 (stream channel alteration)

WD (✓ MAP & LISTING) - R04 (WD # _____)

- > 0.20 cfs - 01J-P08 (MD & LD)
- ≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)

- > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

- > 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

- Snake R (01) - *W22 -P04, NA
- (02/03-irr) - 007 (w/ remark *WB9 if above Weiser), NA
- Payette R(65) - *W22 (regulated uses), 047-P04 (Payette Lake), NA
- Salmon R (70's) - 029 (fish screens), NA
- Weiser R (67) - 086, 087

USE:

- STORAGE (✓3 compo.) - 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA
- IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- > 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- STOCKWATER - R37 (BLM/USFS); NA
- MINING - 054(req) -081-P10
- FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10
- HEATING/COOLING - R07 (injection well)
- POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use); 17G (FERC) or 17M (FERG); 18B-P09; >25 cfs-P18

MUNICIPAL

- In restricted area? - 022, 075, 004 (+memo?)
- Irr., GW supp. to SW? - 102

DOMESTIC

- Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- >1 in rest. area - 071-070
- FIRE PROTECTION - 077

LOCATION:

- BOISE FRONT LOGEO - 058 (<85° GW temp only)
- MITIGATION - 130
- 42-248 AREA - P84 (in 20/30/40/50/60/70/80 (87) basin)
- SWAN FALLS FLAG (✓Code) -

- Trust - 051-052-053-P74 (Consumptive Uses), NA
- Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU) _____

OTHER CONDITIONS:

- ① W59 ② W60 ③ W01/B

BENEFICIAL USE DUE: - 3 / 1 / 2004

COMMENTS: - _____

RECEIVED

FEB 19 1999

Department of Water Resources

MEMORANDUM

To: Cindy Zimmerman, Shelley Keen
From: Gary Spackman *Gary*
Date: February 17, 1999

Re: Application for Water Right No. 63-12494

I recommend approval of application for water right no. 63-12494 conditioned with condition no. 120.

Please note that license no. 63-11382 also authorizes delivery of water to the subdivision from the same point of diversion proposed by application no. 63-12494. License no. 63-11382 describes an irrigation and a domestic component. I don't understand why we don't follow the original form and permit water right no. 63-12494 with split components. At the very least, there ought to be some remark or comment included in the approval of application no. 63-12494 clarifying that the domestic use includes an irrigation component similar to the irrigation authorized by license no. 63-11382.

MICROFILMED

APR 13 1999

Form No. 202a.
RECEIVED

FEB 19 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

OK to process

Department of Water Resources

INITIAL REVIEW BY: RR DATE: 12/23/1997 APPLICATION: 43-12494

REQUIRED INFORMATION

12/14/98

see Applicant's 10/27/98 letter

- Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- Address:
- Source: (See USGS Quad for names of water sources)
- Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- County:
- Quantity: (flow and/or volume)
- Period of use:
- Nature of proposed use: (Include description of use)
- Description of diverting works:
- Time required for beneficial use of water:
- Place of use or acres irrigated:
- Map: (show T, R, S, QQ &/or QQQ)
- Subdivision plat: (for > 1 home in restricted area. ≥ 5 homes in non-restricted area)
- Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- Correct fee paid

Gov't. Lots:
N P/D
P/U

SEE LARGE plat map for subd. #2

ADDITIONAL INFORMATION

yes ADVERTISE REMARK(S)
(Reviewer identify which remarks) ← all

N/A T FLAG CHANGED TO P FLAG

YES NO

- Overlapping place of use: (Describe source & relationship to present application on next page.)
- Overlapping point of diversion.
- Critical groundwater area:
- Groundwater management area:
- 1992 moratorium: — OK for "42-111" concept & community well
- Bull trout impact area
- Copy to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- Copy to Dam Safety staff: (for any storage)
- Mitigation plan: where ground water replaces surface water for irrigation, request additional information &/or mitigation plan to address reduced aquifer recharge.
- Send power requirement letter: "future mitigation" agreed to for consumption use aspect
- Send 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 THE APPLICANT

① Water bearing zone 420-470' by (screen settings) ② Title James S Underwood Jr ✓

③ Officers ✓ ④ External use? ≤ 1/2 acre/home ✓

⑤ S. bd. plat ✓ ⑥ Surface water? None per MM's note on 12/21/97 letter

Date Requested 12/23/1997 Date Response Received #1-5 per 10/27/98 letter; #6 ✓
via telephone 12/31/1997 by letter

PROCESSING

APP. NO. 63-12494

YES NO

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

SEND COPIES TO:

YES	NO		YES	NO	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	I.D. Health & Welfare	<input type="checkbox"/>	<input checked="" type="checkbox"/>	U.S. BLM
<input checked="" type="checkbox"/>	<input type="checkbox"/>	I.D. District Health	<input type="checkbox"/>	<input checked="" type="checkbox"/>	U.S. Forest Service
<input type="checkbox"/>	<input checked="" type="checkbox"/>	I.D. Fish & Game	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water Dist. # _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	I.D. Lands	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other _____

FINAL REGIONAL PROCESSING REVIEW:

YES NO

Affidavit of publication received:
 Application published correctly: If not, record action taken.

Publication dates and paper recorded on application:
 Final date for protest 1-25-1999
 Protests received.
 Recommendations attached:
 Measuring device required:
 Measuring port required:
 Water delivered by water master? District # _____
 Special conditions of approval or cover letter: _____

See below for additional information

Recommended Date or Priority 12-9-1997 -82
Recommended by: _____ Date: _____

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION:

This is an expansion of use from well licensed ⁶³⁻¹¹³⁸² for Danstar Prop. Subd. #1.
 Well ^{ok} is a 1.1M ~~surface~~, e.g., shows total depth ~~to~~ RATE for new use is:
 D/O allow .13 cfs, year irrig. $\leq \frac{1}{2}$ ac. each can be as high as .12 cfs (4 ac x
 max .03 cfs/ac) but total not to exceed .16 cfs per application. Licensed system can
 produce e 159 Afa (.22 cfs all year) so plenty of available water beyond the volume
 licensed in 63-11382 (44.2 Afa). NO surface water serves the proposed p/w.

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

61-07749

PERCY, HELEN
PERCY, STEPHEN H
HC 87 BOX 28
MOUNTAIN HOME, ID 83647
Source: SPRING
Tributary: RATTLESNAKE CREEK
Diversion Pt: NESWNW Sec 24 T 02S R
07E in ELMORE County.
Use: STOCKWATER (0.020 CFS)
Total Diversion: (0.020 CFS)
Date Filed: 7/7/1998
In: ELMORE County
T02S R07E S24 SWNW

63-12494

DANSKIN PROPERTIES LTD
605 W FRANKLIN ST
BOISE, ID 83702
Source: GROUNDWATER
Diversion Pt: SWNE Sec 27 T 01N R
04E in ELMORE County.
Use: DOMESTIC (0.160 CFS)
Total Diversion: (0.160 CFS)
Date Filed: 12/9/1996
In: ELMORE County
T01N R04E S27 SWSW SESW
S34 NENW NWNW

Applicant agrees to mitigate consumptive use in the future as needed. Water bearing zone to be appropriated from an existing well and serve new homes and yards is from about 420 to 470 feet.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before JANUARY 25, 1999. The protestant must also send a copy of the protest to the applicant.

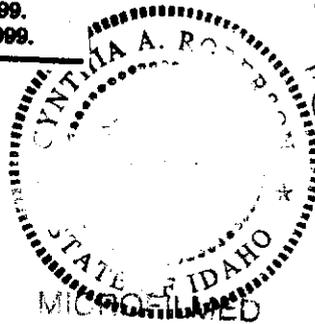
KARL J. DREHER, Director

First Publication January 6, 1999.
Last Publication January 13, 1999.

RECEIVED

JAN 20 1999

WATER RESOURCES
WESTERN REGION



APR 13 1999

Affidavit of Publication

County of Elmore } ss.
STATE OF IDAHO }

I, Coleen W. Swenson, do solemnly swear that I am the foreman, or publisher of the

Mountain Home News

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of publication thereof; was published in said newspaper for

2 consecutive weeks, the first publi-

cation having been made on 6th day of

January, 1999, and the last publi-

cation having been made on the 13th day of

January, 1999; every Wednesday

issue of the paper during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Subscribed and sworn to me this 13th day of

January, 1999

Cynthia A. Roberts
Notary Public

Residing in Mountain Home, Elmore County, Idaho. My commission expires 09-09-2002.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

January 6, 1999

~~MARKER BART~~
DIRK KEMPTHORNE GOVERNOR

KARL J. DREHER
DIRECTOR

ENVIRONMENTAL HEALTH
CENTRAL DISTRICT HEALTH
707 N ARMSTRONG PL
BOISE ID 83704

Re: Application for Water Right No. 63-12494 in the Name of Danskin Properties, LTD

Dear Interested Party:

Enclosed is an copy of the above-referenced application for water right which may be of interest to you.

Please review the application and return any comments you might have.

A protest must be received with a \$25.00 protest fee on or before January 25, 1999. If you do not wish to protest, informal comments should still be submitted by the end of the protest period.

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

Gary Spackman

GS:st

Encl.

MICROFILMED

APR 13 1999

DANSKIN PROPERTIES, LTD.

**605 West Franklin Street
Boise, Idaho 83702
208-342-6581**

RECEIVED

DEC 24 1998

WATER RESOURCES
WESTERN REGION

December 22, 1998

*this was also faxed
ON 12/22*

Mr. Steve Lester *SL*
Water Rights Supervisor
Idaho Dept. of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

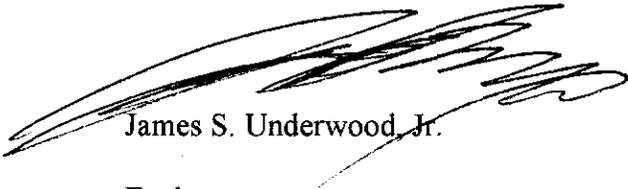
Re: Application for Permit for Danskin Properties Subdivision II

Dear Mr. Lester:

I have reviewed the plats and the application and you are absolutely correct about the description. The place of use for the new application does not include the SE ¼ of the SE ¼ of Section 27, Township 1 North, Range 4 East. I ask that your copy of the description be corrected by deleting or "whiting out" the incorrect "D" which occurs in item 9 "Description of place of use". Please advise if we need to submit a new amended application or whether the application can be amended by this letter.

We also enclose an executed "Request to Process" form.

Sincerely,


James S. Underwood, Jr.

Enclosure

RECEIVED

DEC 23 1998

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. eight (8) households
- e. Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	4E	27											D	D					
		34					D	D											

please delete or "white out"

SESE 5.27
APPEARS
incorrect

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. License 63-11382 from same well

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 is for the expansion of an existing public water supply system for domestic purposes

RECEIVED

DEC 24 1998

WATER RESOURCES
WESTERN REGION

REQUEST TO PROCESS

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

Name of Applicant Danskin Properties Ltd. - phase II subdivision
 Mailing Address 605 West Franklin Street
Boise, Idaho 83702
 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.

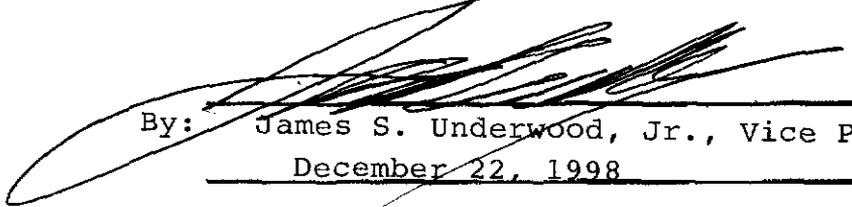
 PROPOSE MITIGATION NOW

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.

XX 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

By:  James S. Underwood, Jr., Vice President

Date

December 22, 1998

Please return this form to:

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

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APR 13 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 12/23/98

TO: James S. Underwood, Jr.

FROM: Steve Lester

fax 342-7963

DOCUMENT DESCRIPTION: DANSKIN Properties Subd #2 -

Received your fax reply dated 12-22-98. The place of
use correction has been noted; the "request to process"
form is complete. No further action is needed on your
part. Application processing can continue - legal notice to be

TOTAL PAGES SENT: 0 + COVER SHEET

CONTACT: _____

published 1st 2 weeks of January.

Thank you for your prompt response.

Merry Christmas,

Steve Lester

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APR 14 1999

**DANSKIN PROPERTIES, LTD.
605 West Franklin Street
Boise, Idaho 83702
208-342-6581**

December 22, 1998

Mr. Steve Lester 
Water Rights Supervisor
Idaho Dept. of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

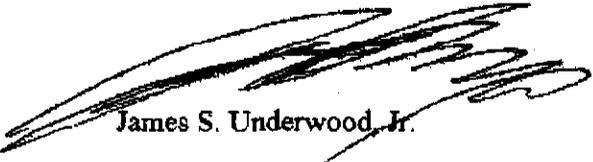
Re: Application for Permit for Danskin Properties Subdivision II

Dear Mr. Lester:

I have reviewed the plats and the application and you are absolutely correct about the description. The place of use for the new application does not include the SE ¼ of the SE ¼ of Section 27, Township 1 North, Range 4 East. I ask that your copy of the description be corrected by deleting or "whiting out" the incorrect "D" which occurs in item 9 "Description of place of use". Please advise if we need to submit a new amended application or whether the application can be amended by this letter.

We also enclose an executed "Request to Process" form.

Sincerely,


James S. Underwood, Jr.

Enclosure

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APR 13 1999

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. eight (8) households
- e. Other; describe fully. _____

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.

please delete or "white out"

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼													
1N	4E	27											D	D					D
		34					D	D											

SEE 5.27 APPLICANT'S INDEMNITY

Total number of acres to be irrigated: _____

10. Describe any other water rights used for the same purposes as described above. License 63-11382 from same well

- 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 is for the expansion of an existing public water supply system for domestic purposes

REQUEST TO PROCESS

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

Name of Applicant Danskin Properties Ltd. - phase II subdivision
 Mailing Address 605 West Franklin Street
Boise, Idaho 83702
 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.

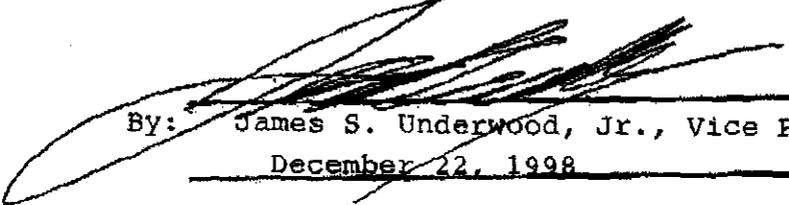
 PROPOSE MITIGATION NOW

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.

XX 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

By:  James S. Underwood, Jr., Vice President

Date

December 22, 1998

Please return this form to:

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

MICROFILMED

APR 13 1999

Law Offices
James S. Underwood, Jr.
Telephone: 208-342-6532

FAX: 208-342-7963

.....
facsimile transmission information

from: James S. Underwood, Jr.
605 West Franklin Street
Post Office Box 387
Boise, Idaho 83701

for information re transmission contact: Sue

date: December 22, 1998

to: Mr. Steve Lester
Water Rights Supervisor

Idaho Department of Water Resources

fax no.: 334-2348

number of pages: 4

original to be forwarded: yes no
acknowledgment requested: yes no

COMMENTS: Please advise if we need to submit a new amended application of whether the application can be amended as set forth in our letter of this date.

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APR 13 1999

This message is intended for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, notify us immediately by telephone and return the original message to us at the above address via the United States Postal Service. We will reimburse for all telephone and mailing costs. Thank you.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR


FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 12/15/98

TO: JAMES S. UNDERWOOD, JR.

FROM: Steve Lester

fax 342-7963

DOCUMENT DESCRIPTION: PROCESSING Appl. For Expansion of DOMESTIC SYSTEM For SUB. #2 :

1) Letter of explanation & "Request to Process" form - most applicants select 3rd option on form. Need completed form in order to process your appl.

TOTAL PAGES SENT: 5 + COVER SHEET

continued
↓
✓

CONTACT: _____

2) confirm place of use for sub. #2 - application lists new use in SESE S.27 but your appl map does not show " " " " - your subd. plat showed all use in S 1/2 SW 1/4 S.27 & N 1/2 NW 1/4 S.34. Appears SESE S.27 is

MICROFILMED
APR 13 1999
ERROR.

Your reply (fax reply ok if you prefer) by 12/24 will allow legal notice to be published in first 1/2 of January.
- Celebrating Our Centennial Year of Service to Idaho 1895-1995 -
Thank you
SL



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

December 15, 1998

~ SENT VIA FAX
PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Attn. James S. Underwood, Jr.
Danskin Properties Ltd.
Fax No. 342-7963

RE: APPLICATION FOR PERMIT FOR DANSKIN SUBD. #2

Dear Mr. Underwood:

You have filed the above referenced application for permit to appropriate water for a consumptive use. If the appropriation is completed as described in the application, it may result in some reduction in flows in the Snake River. As you are undoubtedly aware, various actions are being taken throughout the Snake River and Columbia River Basins to protect endangered and threatened anadromous fish. These actions include the acquisition of water supplies to maintain or enhance streamflows during migration periods.

Federal funds are being used to obtain the rights to both natural flow and stored water to augment flows in order to meet flow targets in the Snake and Columbia Rivers. While the necessity and value of flow augmentation has not yet been established, the State of Idaho has cooperated with the other states in the Pacific Northwest and with federal agencies to allow limited flow augmentation on a trial basis while additional data are gathered to determine the most appropriate way to stabilize and enhance fish populations.

Under Idaho law, an application to appropriate water cannot be granted unless the six criteria listed in Section 42-203A, Idaho Code, are satisfied. One of these criterion is that the proposed use must be in the "local public interest" where the local public interest is defined as "the affairs of the people in the area directly affected by the proposed use." If granting an application to appropriate would reduce flows in the Snake River such that additional water would have to be secured from other sources for flow augmentation, it may be difficult to show that granting the application would be in the local public interest. As a result, the Idaho Department of Water Resources (IDWR) has delayed processing applications which, without mitigation, may deplete flows in the Snake River.

Proposed appropriations of water, such as that described in your application, may also have value with respect to the local public interest and should be given consideration, provided salmon recovery efforts would not be affected and the appropriation would not result in additional flow augmentation being required. Consequently, IDWR is processing applications to appropriate water when the applicant either:

- (1) can 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;

MICROFILMED

SEP 13 1999

December 15, 1998

Page 2

- (2) proposes adequate mitigation (or make-up water) as part of the proposed appropriation to offset anticipated depletions to flows in the Snake River during periods of anadromous fish migration; or
- (3) agrees to provide mitigation as needed in the future if it is determined that not mitigating depletions caused by the applicant's appropriation would result in additional water being required from other sources to augment flows during migration periods of anadromous fish.

The purchase or rental of storage water, which can be used for flow augmentation, may be the most available form of mitigation that could be used for mitigation, should mitigation be necessary. Under alternative 3 above, mitigation is not required when the application is processed, but may be required in the future based upon a finding by IDWR that depletions to Snake River flows resulting from appropriations made under permits issued after January 1, 1998 have increased the amounts of water required from other sources to augment flows for migrating anadromous fish. This alternative would entail including the following condition of approval if the application for a permit to appropriate water is approved:

The Director retains jurisdiction over this permit and any subsequent license to require the right holder to provide purchased or leased water from natural flow or storage, or other mitigation acceptable to the Director, to offset depletion of Lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary 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 and any subsequent license.

For applications where one of the three conditions listed above is met, and the application is otherwise of proper form, IDWR will process the application. Alternatively, an applicant may choose to have IDWR continue to delay processing an application for permit until a later date. In that case, IDWR can hold your application pending changes in salmon recovery strategies, such as the potential elimination of flow augmentation requirements, and corresponding changes in IDWR policies. The priority date (seniority) of the proposed appropriation is protected for applications held because of IDWR policies. If you choose to have IDWR continue to hold your application at this time, you do not need to reply to this letter.

Please contact me if you have any questions about your application.

Sincerely,



Steve Lester
Water Rights Supervisor

Enclosure

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APR 13 1999

DANSKIN PROPERTIES, LTD.

**605 West Franklin Street
Boise, Idaho 83702
208-342-6581**

RECEIVED

DEC 04 1998

WATER RESOURCES
WESTERN REGION

December 3, 1998

fax = 342-7963

Mr. Gary Spackman
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

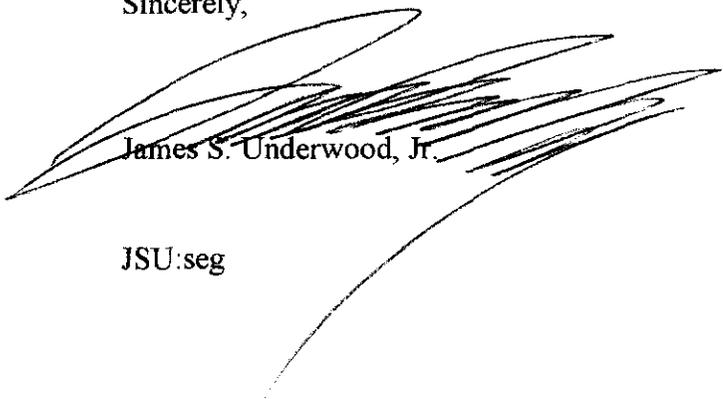
Re: Danskin Properties Application for Permit

Dear Mr. Spackman:

I forwarded to you on October 27 the supplemental information required for the application by Danskin Properties, Inc. for the permit for additional water for eight homes in Danskin Properties subdivision. I have attempted to communicate with Ms. Minicucci but have been advised that she is no longer working in her former position.

Please advise whether or not you need any additional information and report on the status of our application. I will appreciate any help you can give us on this matter.

Sincerely,



James S. Underwood, Jr.

JSU:seg

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APR 19 1999

Danskin Properties, Ltd.

RECEIVED
OCT 27 1998
WATER RESOURCES
WESTERN REGION

October 27, 1998

Mr. Gary Spackman
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

Re: Your communication dated 10-19-98
Re Application for Permit

Dear Mr. Spackman:

This letter is to advise you that Danskin Properties, Inc., does not wish to withdraw its application for water right permit for domestic purposes as filed December 9, 1997, and is herewith responding to your inquiry for further information to enable your office to process the application.

see /us ✓

1. The proposed water bearing zone of the well is as follows:

The pump is set at an approximate level of 405 feet below the measuring point. The initial static water level was 148 feet below the measuring point. Dynamic pumping level stabilized at 329 feet below the measuring point after about 4 hours and 40 minutes and remained at that level for about 2 hours and 40 minutes when the test was concluded. Flow rate was in the range of 183 to 196 gpm during testing. Some throttling of the flow was reportedly necessary to prevent overloading of the pump motor. (See attached Well Driller's Report)

2. Officers/members of Danskin Properties are:

Carl Agenbroad	President and Director
James S. Underwood, Jr.	Vice President/Treasurer and Director
Darla G. Underwood	Secretary and Director
Judith A. Agenbroad	Director

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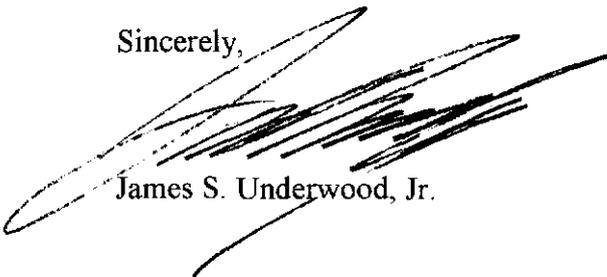
APR 13 1999

✓ 3. A plat of the subdivision, including legal description, is submitted herewith.

✓ 4. The proposed use is primarily for internal use and will allow external use for lawn/garden areas limited to one-half acre per homeowner.

I trust this will permit you to complete the application for permit. Please contact me if you need further assistance.

Sincerely,



James S. Underwood, Jr.

Enclosure

JSU:seg

cc - Maria Minicucci

IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

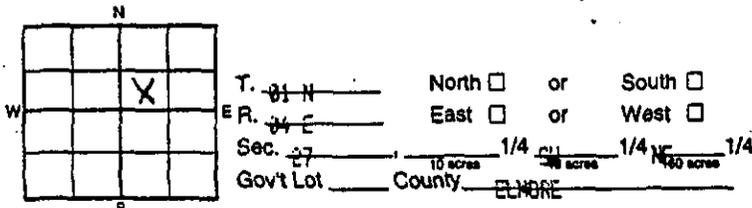
Use Typewriter
or
Ball Point Pen

1. DRILLING PERMIT NO. 63 93 C - 869 - 0
Other IDWR No. _____

2. OWNER:
Name DANSKIN PROPERTIES LTD
Address INDIAN CR. RD. HC 34 MAYFIELD STAGE
City BOISE State ID Zip 83706

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.



Address of Well Site INDIAN CR RD HC34 MAYFIELD STAGE

(Give at least Direction + Distance to Road or Landmark)

Lot No. 19 Block No. 1 Subdiv. DANSKIN PROPERTIES

4. PROPOSED USE: DOMESTIC
 Domestic Municipal Monitor Irrigation
 Thermal Injection Other _____

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

6. DRILL METHOD REVERSE CIRCULATION
 Mud Rotary Air Rotary Cable Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK		AMOUNT		METHOD
Material	From	To	Sacks or Pounds	
BENTONITE	0	125	22,500	POURED
BENTONITE	360	380	2500	POURED

Was drive shoe seal tested? YES NO How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Casting	Liner	Steel	Plastic	Welded	Threaded
12"	0	430	.250			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10"	460	480	.250			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Final location of shoes _____

Top Packer or Headpipe _____ Bottom Tailpipe _____

9. PERFORATIONS/SCREENS

Perforations Method _____
 Screens Type HOUSTON Material STAINLESS STEEL

From	To	Slot Size	Number	Diameter	Telg/Pipe Size	Casting	Liner
420	460	.20		10"		<input type="checkbox"/>	<input type="checkbox"/>

10. WELL TESTS: N/A

Pump Bailor Air Flowing Artesian

Yield gal./min.	Drawdown	Pumping Depth	Time
NA	NA	NA	NA

Temperature of water _____ Was a water analysis done? Yes No

By whom? _____

Water Quality (odor, etc.) GOOD

Bottom Hole Temperature 65

11. STATIC WATER LEVEL:

NA ft. below surface Depth artesian flow found _____

Artesian pressure _____ lb. Describe access port WELL CAP

Describe Controlling Devices: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	GPM	SWL
26"	0	10	TOPSOIL		N
	10	35	COURSE SAND		Y
	35	55	CLAY & CRSE SAND MIX		Y
	55	65	CRS & FINE SAND SOME CLAY MIX		Y
	65	75	CRS SAND W/BRN CLAY MIX		N
	75	105	CRS SAND W/BRN CLAY & GRAVEL MIX		Y
	105	115	BRN CLAY W/CRS SAND & SMALL ROCK MIX		N
	115	120	BRN CLAY		N
	120	125	FINE TO COURSE SAND, WITH CLAY		N
			RND SNGL GRAVEL & LARGE ROCKS MIXED		
	125	140	CRS SAND, CLAY, SNGL & LARGE GRAVEL MIXED		N
					N
	140	160	FINE TO CRS SAND		N
	160	165	BROWN CLAY		N
	165	195	FINE TO CRS SAND W/CLAY & GRAVEL MIX		N
	195	218	FINE TO CRS SAND & GRAVEL		N
	218	227	FINE TO CRS SAND & CLAY MIX		N
	227	235	FINE TO CRS SAND & GRAVEL		N
	235	245	FINE TO CRS SAND & SNGL GRAVEL		N
	245	255	FINE TO CRS SAND W/ CLAY MIX		N
	255	260	FINE TO CRS SAND		N
	260	265	FINE SAND & CLAY MIX		N
	265	271	FINE TO CRS SAND W/CLAY & GRAVEL MIX		N
	271	275	FINE SAND		Y
	275	285	FINE SAND WITH CLAY MIX		N
	285	295	FINE TO CRS SAND		N
	295	305	CLAY & FINE SAND MIX		N

Date: Started 10-15-93 Completed 10-20-93

13. DRILLER'S CERTIFICATION

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

MICROFILMED

Firm Name PETE COPE DRILLING Firm No. 213

Firm Official [Signature] Date 10/29/93

Supervisor or Operator _____ Date 10/29/93

(Sign once if Firm Official & Operator)

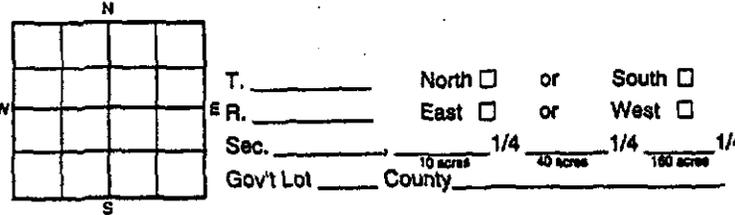
IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

Use Typewriter
or
Ball Point Pen

1. DRILLING PERMIT NO. 63 93 C - 869 - 9
Other IDWR No. _____

2. OWNER:
Name WINSKIN PROPERTIES LTD
Address _____
City _____ State _____ Zip _____

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



Address of Well Site _____
(Give at least Direction + Distance to Road or Landmark)

Lot No. _____ Block No. _____ Subd. Name _____

4. PROPOSED USE:
 Domestic Municipal Monitor Irrigation
 Thermal Injection Other _____

5. TYPE OF WORK
 New Well Modify or Repair Replacement Abandonment

6. DRILL METHOD
 Mud Rotary Air Rotary Cable Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK		AMOUNT		METHOD
Material	From To	Sacks or Pounds		

Was drive shoe seal tested? Y N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Casting	Liner	Steel	Plastic	Welded	Threaded
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoes _____
Top Packer or Headpipe _____ Bottom Tailpipe _____

9. PERFORATIONS/SCREENS
 Perforations Method _____
 Screens Type _____ Material _____

From	To	Slot Size	Number	Diameter	Tail/Pipe Size	Casting	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

10. WELL TESTS:

Pump Bailer Air Flowing Artesian

Yield gal./min.	Drawdown	Pumping Depth	Time

Temperature of water _____ Was a water analysis done? Yes No
By whom? _____
Water Quality (odor, etc.) _____
Bottom Hole Temperature _____

11. STATIC WATER LEVEL:
_____ ft. below surface Depth artesian flow found _____
Artesian pressure _____ lb. Describe access port _____
Describe Controlling Devices: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	GPM	SWL
	305	315	FINE SAND AND CLAY MIX		N
	315	325	CLAY & FINE SAND MIX		N
	325	335	LIGHT BRN CLAY		N
	335	339	LIGHT BRN CLAY		N
	339	341	FINE TO CRS SAND		N
	341	351	SANDY LIGHT BRN CLAY		N
	351	355	FINE TO CRS SAND & GRAVEL		N
	355	365	FINE SAND W/SMALL AMOUNT CLAY MIX		N
	365	370	FINE SAND		N
	370	372	FINE TO CRS SAND & BOULDERS		N
	372	374	FINE TO CRS SAND W/BOULDERS & BROKEN ROCK		N
	374	376	SAND & CLAY MIXED		N
	376	382	SANDY CLAY LIGHT BROWN COLOR		N
	382	387	SANDY CLAY & SHALE MIXED		N
	387	400	CRS SAND & CLAY MIXED		N
	400	407	FINE TO MED SAND		N
	407	413	SAND & CLAY MIXED		Y
	413	423	FINE TO MED SAND & CLAY MIXED		Y
			SOME DEA GRAVEL MIXED		Y
	423	429	FINE TO MED SAND & DEA GRAVEL		Y
	429	433	FINE SAND, & SMALL AMOUNT CLAY MIXED		Y
	433	440	FINE MED SAND		Y
	440	443	FINE TO CRS SAND W/GRAVEL & CLAY MIXED		Y
	443	449	FINE TO COURSE SAND		Y
	449	450	BRN CLAY		N
	450	457	SAND, GRAVEL & CLAY MIXED		Y

Date: Started _____ Completed _____

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 HERE IS A 3RD PG. of 105 Firm No. _____
Firm Official Showing total depth of 480' - see Date _____
and License copy in file of complete
Supervisor or Operator _____ Date _____
(Sign once if Firm Official & Operator)

105
12/23/88



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

October 19, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES S UNDERWOOD JR
DANSKIN PROPERTIES INC
605 W FRANKLIN ST
BOISE ID 83702

Re: Application For Permit

Dear Mr. Underwood:

NOTICE OF INTENT TO VOID APPLICATION FOR PERMIT

On December 9, 1997, James S. Underwood filed with the Idaho Department of Water Resources (IDWR) application for water right permit for domestic purposes located within Sec. 27, T01N, R04E, B.M., in Elmore County.

On December 31, 1997, IDWR corresponded with you requesting additional information which is necessary to continue processing this application. No response was received from you.

IDWR personnel also left several telephone messages requesting the information and still there was no response from you.

The purpose of this letter is to request that you withdraw your application or explain why IDWR should not void your application. Enclosed is a withdrawal form that should be signed and returned to me, unless you have an explanation that would prevent IDWR from voiding your application.

If you fail to respond in writing to this inquiry within ten (10) days from the date of this letter, IDWR will issue an order to void your application. The application will be voided on the grounds that you have not provided the necessary information needed to analyze the application.

Sincerely,


Gary Spackman

GS:st

Enc: Withdrawal Form

MICROFILMED

APR 13 1999

10/19/98



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

December 31, 1997

KARL J. DREHER
DIRECTOR

JAMES S UNDERWOOD JR
DANSKIN PROPERTIES LTD
605 W FRANKLIN ST
BOISE ID 83702

Dear Mr. Underwood:

This office has received your application for permit for ground water for domestic use at 8 homes in Danskin Properties. Additional information is required, as described below:

1. You must identify the proposed water bearing zone of the well. Your driller may be able to assist you with this. IDWR has well logs available which may also provide the necessary information. Processing of the application will not proceed without this information.
2. Please submit a list of the names and titles of the officers/members of Danskin Properties Ltd.
3. Please submit a plat of the subdivision with the legal description clearly indicated. The location of the well and the 8 homes must be clearly indicated. The legal description and the map in the application do not match.
4. Please indicate whether the proposed use is for external use (lawns and gardens), internal use, or both.

Please do not hesitate to contact me if you have any questions or need additional information. If no response is received within 30 days of the date of this letter, it will be assumed that you do not wish to proceed with the application. In that case you will be asked to void the permit and your fees will be refunded to you.

Sincerely,

Maria Minicucci
Maria Minicucci
Senior Water Agent

2/02/1998: Mr. Underwood: No surface H₂O apparent
Will send requested info ASAP

4/24/1998: Left msg for Mr. Underwood. TTT

6/25/1998: No response. Request ^{MICRO} withdrawal of Application.
APR 13 1998 TTT 6/25/1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-11382

Priority: May 15, 1990 Maximum Diversion Rate: 0.22 CFS
Maximum Diversion Volume: 44.2 AF

This is to certify, that CARL AGENBROAD
1309 TETONIA DR
BOISE ID 83705 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated April 5, 1990; and
has submitted Proof of Beneficial Use on December 6, 1994. An examination indicates
that the works have a diversion capacity of 0.220 cfs of water from a GROUNDWATER
source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	04/01 to 10/31	0.17 CFS	34.0 AF
DOMESTIC	01/01 to 12/31	0.18 CFS	10.2 AF
	Totals	0.22 CFS	44.2 AF

LOCATION OF POINT(S) OF DIVERSION: SWNE, Sec. 27, Township 01N, Range 04E
ELMORE County

PLACE OF USE: IRRIGATION	ACRES	ACRES	ACRES	TOTAL
TWN RGE SEC				
01N 04E 26	SWNW 0.5	NWSW 1	SWSW 1	2.5
27	SWNE 0.5	SESW 2	NESE 1	
	NWSE 0.5	SWSE 1	SESE 1	6
	Total number of acres irrigated:			8.5

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

MICROFILMED

APR 13 1995

*Lic. w/ some extra
info is complete
well log info
3 pgs.*

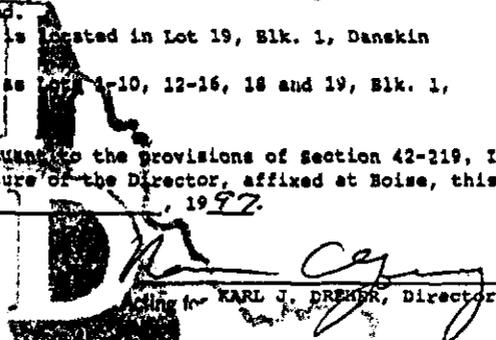
WATER RIGHT LICENSE

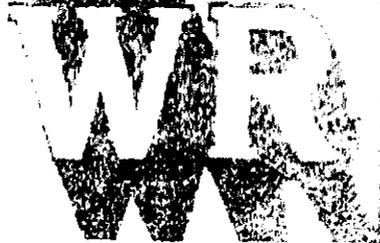
WATER RIGHT NO. 63-11382

CONDITIONS OF APPROVAL AND REMARKS

5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. Domestic use is for 17 homes and does not include lawn, garden, landscape, or other types of irrigation.
7. The irrigation use occurring under this right shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed.
8. Point of diversion is located in Lot 19, Blk. 1, Danskin Properties.
9. Place of use known as lots 4-10, 12-16, 18 and 19, Blk. 1, Danskin Properties.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
 Witness the seal and signature of the Director, affixed at Boise, this 18th
 day of June, 1997.


 Acting Director



MICROFILMED

APR 13 1999

F. FLOW CALCULATIONS

pump curve
 Additional Computation Sheets Attached

Measured Method:

20 HP pump
 * *set D 390'*
460' TDH } 100 GPM = .22 cfs

* *per A+B Engineers*

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 8.5 \times 4.0 = 34$
 $V_{DR} = (\text{Diversion Rate (cfs)}) \times (\text{Days in Irrigation Season}) \times 1.9835 = .17 \times 214 \times 1.9835 = 72.2$
 $V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 34$

2. Volume Calculations for Other Uses:

17 homes, internal use: 17 x .6 = 10.2

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (ata)
	From	To		
<i>Irrigation</i>	<i>4/1</i>	<i>10/31</i>	<i>.17</i>	<i>34</i>
<i>Domestic</i>	<i>1/1</i>	<i>12/31</i>	<i>.18</i>	<i>10.2</i>
Totals:			<i>.22</i>	<i>44.2</i>

2. Recommended Amendments

Change P.D. as reflected above Add P.D. as reflected above None
 Change P.U. as reflected above Add P.U. as reflected above Other

I. AUTHENTICATION

Field Examiner's Name *Loi Guaner* Date *3/5/96*
 Reviewer _____ Date _____

SEAL

MICROFILM
 APR 13 1996

TO: LORI WR
 FROM: Don Watts A&B Engr
 FAX #: 334-2348 FAX #: 387-1187 PHONE #: 342-7751 1

DATE: 8/15/93
 PAGES INCLUDING THIS PAGE: 1



CROWN

Dankix well

MODEL 6L-160

PERFORMANCE CHARACTERISTICS

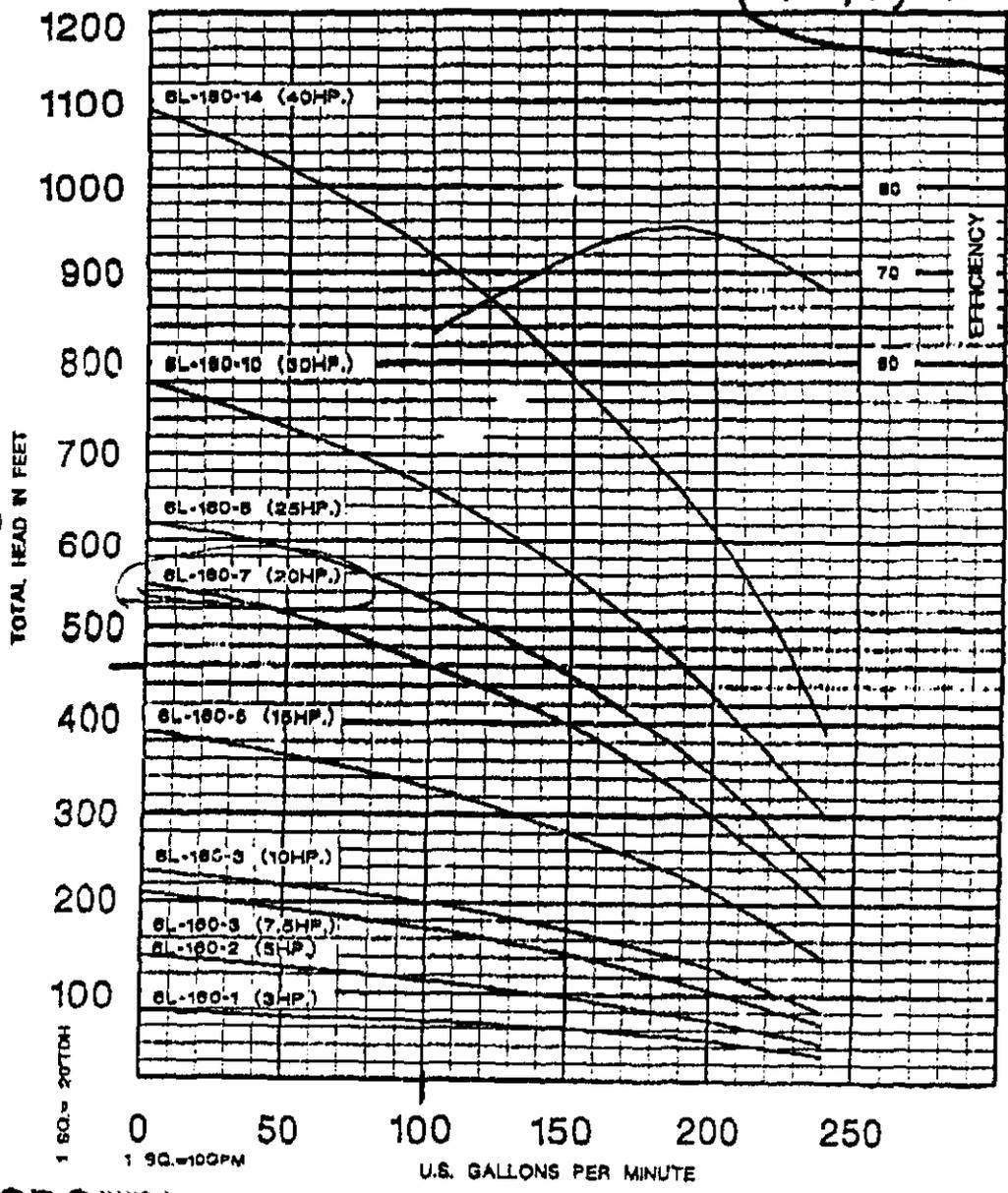
MINIMUM WELL SIZE 7"

6L-160

Lori - Pump, Setting - 4053

Pumping level - less

MAX 325'



CROWN CROWN PUMP CORPORATION, HIGHWAY 16 & BIVAR, DE LEON, TEXAS

63-11382

MICROFILM

APR 13 1993