

**BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO**

**IN THE MATTER OF APPLICATION FOR )  
PERMIT NO. 63-32535 IN THE NAME OF )     **PRELIMINARY ORDER**  
BONNEVILLE PROPERTIES LLC     )  
\_\_\_\_\_ )**

**FINDINGS OF FACT**

1. On October 12, 2006, Bonneville Properties LLC filed an application for permit with the Idaho Department of Water Resources (IDWR).
2. IDWR sought additional information from the applicant on November 26, 2007. The applicant was provided up to ninety (90) days in which to respond. The request for information specified the application would be voided without a timely response.
3. IDWR approved multiple extensions of time in which to provide the information from February 2008 through December 2009. The last deadline for providing the information was January 31, 2010.
4. The applicant failed to submit the information requested by IDWR.

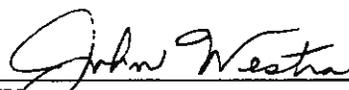
**CONCLUSIONS OF LAW**

1. Section 42-204, Idaho Code, and Water Appropriation Rule 35.01 authorize IDWR to void an application if an applicant fails to provide the requested information.
2. The application should be voided.

**ORDER**

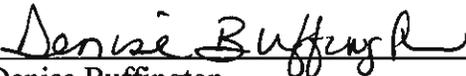
**IT IS HEREBY ORDERED that Application for Permit No. 63-32535 in the name of BONNEVILLE PROPERTIES LLC is VOIDED.**

Dated this 3<sup>rd</sup> day of February, 2010

  
\_\_\_\_\_  
John Westra  
Manager, Western Regional Office

**CERTIFICATE OF SERVICE**

I hereby certify that on this 3<sup>rd</sup> day of February, 2010, I mailed a true and correct copy of the foregoing Preliminary Order to the person(s) listed below:

  
\_\_\_\_\_  
Denise Buffington  
Administrative Assistant

BONNEVILLE PROPERTIES LLC  
661 S RIVERSHORE LN STE 120  
EAGLE ID 83616

ROXANNE BROWN  
SPF WATER ENGINEERING LLC  
300 E MALLARD DR STE 350  
BOISE ID 83706



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													
01N	03E	03			M				M	M			M	M	M	M	M		
		04	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	
		10	M	M	M	M	M	M	M	M	M			M					
		11						M											

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

10. Describe any other water rights used for the same purposes as described above. Permit 63-11540 will provide irrigation water within the project boundary.

11.a. Who owns the property at the point of diversion? Robert and Joan Prigge, Manuel and Betty Karagianes, Great Oaks Water Co., Inc.

b. Who owns the land to be irrigated or place of use? Robert and Joan Prigge, Manuel and Betty Karagianes, Great Oaks Water Co., Inc.

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

12. Remarks: The proposed 16 cfs municipal diversion rate assumes diversion of 3.1 cfs for in-house domestic use, 8.2 cfs for residential irrigation, 1.1 cfs for commercial use, 3.1 cfs for the irrigation of open space and school yards, and 0.5 cfs for miscellaneous uses. The domestic use estimate is based on 6,997 residential units @ 0.2 gpm/unit (288 gpd/unit). The irrigation estimate is based on 50% of the 820.9 acres of residential area, plus 50% of the 308.6 acres of open space and schools being under irrigation (a total of 564.8 acres), at a diversion rate of 0.02 cfs/acre. The commercial uses could include restaurants, schools, office, and retail with a total demand of 500 gpm. The miscellaneous uses could include industrial, aesthetic, recreation, or other beneficial uses. Irrigation of common areas and sports fields may be accomplished with water diverted under permit 63-11540 or with reclaimed municipal wastewater. Water-bearing zone to be appropriated is 600 to 1500 feet.

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.)

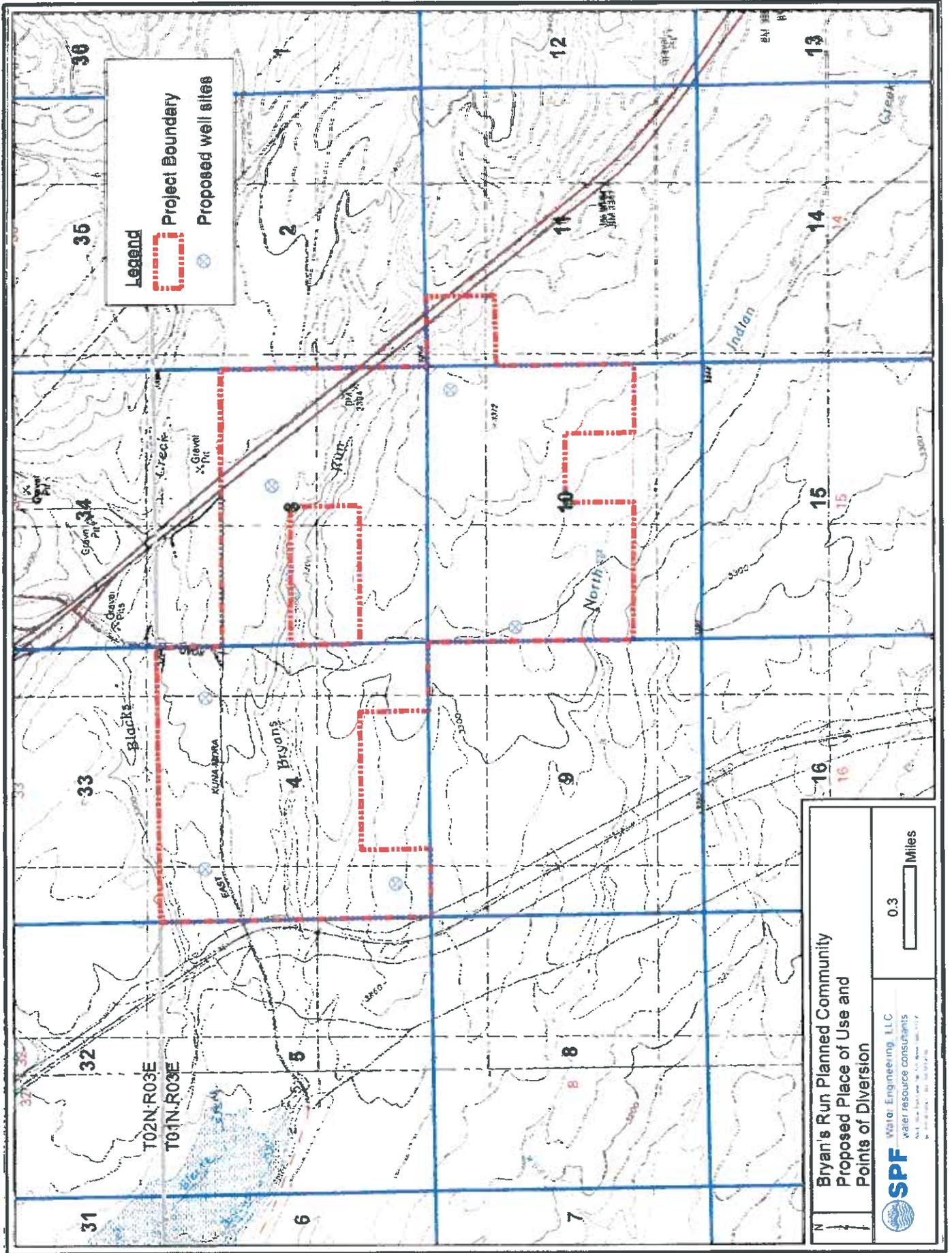
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.



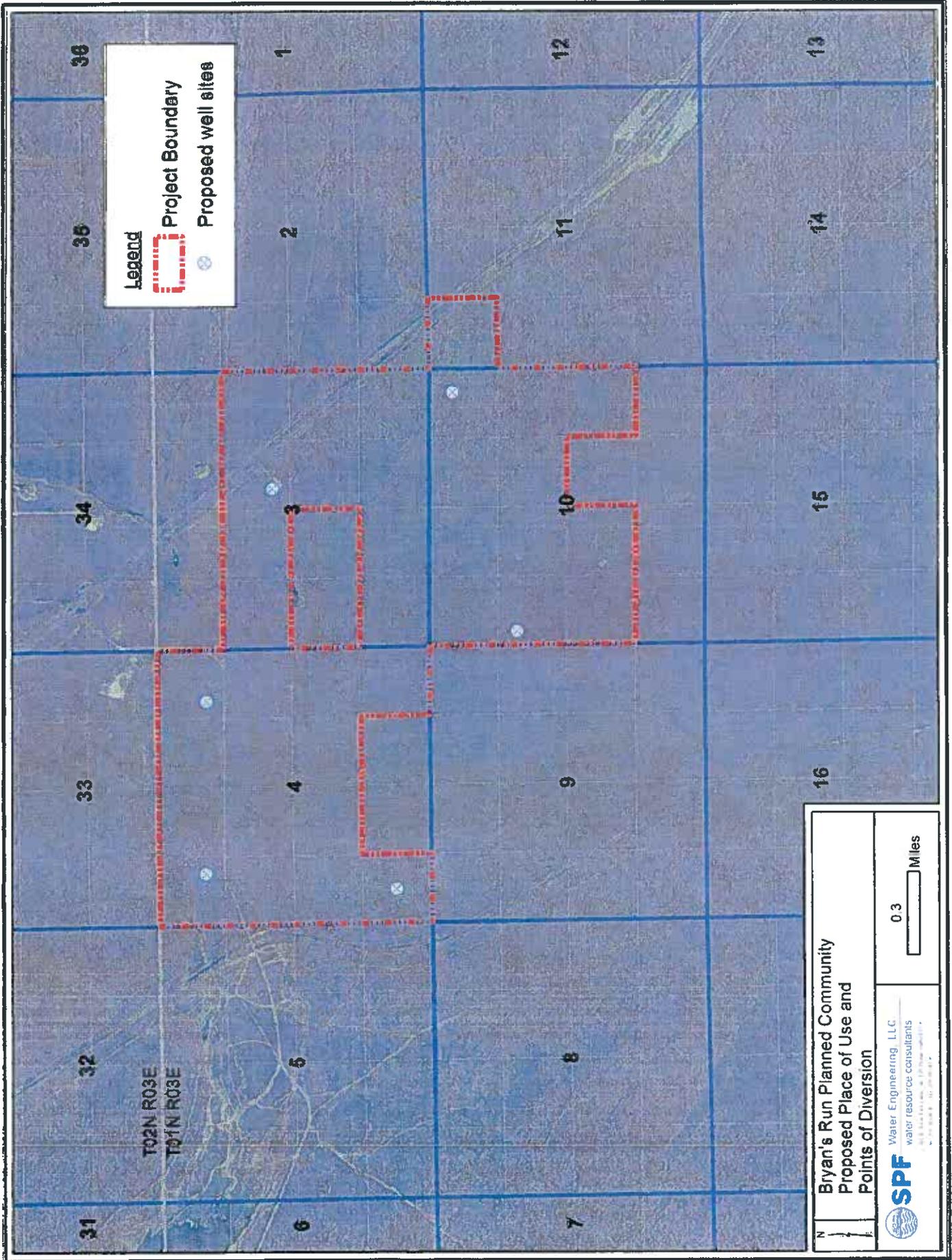
Signature of Applicant (and title, if applicable)

Received by DB Date 2-20-07 Time 3:00 PM Preliminary check by AR  
 Fee \$ \* Received by \_\_\_\_\_ # \_\_\_\_\_ Date \_\_\_\_\_  
 Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_ Published in \_\_\_\_\_  
 Publication approved \_\_\_\_\_ Date \_\_\_\_\_

\* See original 10/12/06 \$850 paid



65-32535



**Legend**

Project Boundary

Proposed well sites

**Bryan's Run Planned Community  
Proposed Place of Use and  
Points of Diversion**

Water Engineering, LLC  
water resources consultants

0.3 Miles

63-32535



# ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

(Instructions on back of application)

FILED  
06 FEB -2 PM 2: 16

SECRETARY OF STATE  
STATE OF IDAHO

1. The name of the limited liability company is:

Bonneville Properties, LLC

2. The street address of the initial registered office is:

661 S. Rivershore Lane, Suite 120; Eagle, ID 83616

and the name of the initial registered agent at the above address is:

Randy Clarno

3. The mailing address for future correspondence is:

661 S. Rivershore Lane, Suite 120; Eagle, ID 83616

4. Management of the limited liability company will be vested in:

Manager(s)  or Member(s)  (please check the appropriate box)

5. If management is to be vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is to be vested in the member(s), list the name(s) and address(es) of at least one initial member.

Name	Address
<u>Randy Clarno</u>	<u>661 S. Rivershore Ln, Ste 120</u> <u>Eagle, ID 83616</u>
_____	_____
_____	_____
_____	_____
_____	_____

6. Signature of at least one person responsible for forming the limited liability company:

Signature: \_\_\_\_\_

*Randal S. Clarno*

Typed Name: Randal S. Clarno

Capacity: C. E. O.

Signature \_\_\_\_\_

Typed Name: \_\_\_\_\_

Capacity: \_\_\_\_\_

Secretary of State use only

Idaho Form LLC-1 Form for Idaho Organization 1995  
Revised 07/2002

IDAHO SECRETARY OF STATE  
02/02/2006 05:00  
CK: 718999 CT: 172899 BH: 935787  
1 @ 100.00 = 100.00 ORGAN LLC # 2

W47118

RECEIVED

OCT 12 2006

FORM 2002

Permit No. 63-32535 11/2/99

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 Bonneville Properties LLC Phone (208) 938-4655  
Mailing address 661 S. Rivershore Ln., Suite 120 Eagle, ID 83616

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

3. Location of point of diversion is Township 01N Range 03E Sec. 04, in the \_\_\_\_\_  
NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , Govt. Lot 4, B.M., Ada County,  
additional points of diversion if any: SWNE, S03; NENE, S04; SWSW, S04; SWNW, S10; NENE, S10 all in T01N, R03E

4. Water will be used for the following purposes:

- Amount 16.0 for Municipal purposes from 01/01 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) 16.0 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 6 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 18" inches; proposed depth of well is 1500 feet

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

e. If well is already drilled, when? May 2006; Drilling firm Riverside, Inc.;

Well was drilled for (well owner) Joan Prigge/Vision First; Drilling Permit No. 892790-838055

This applies to well in NWNW, S04, T01N, R03E, other wells to be drilled during development \_\_\_\_\_

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. Bryan's Run Planned Community

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

e. Other; describe fully. \_\_\_\_\_

*Superseded*

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.

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			NE	NW	SW	SE													
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		04	M	M	M	M	M	M	M	M	M	M	M		M	M		M	
		10	M	M	M	M	M	M	M	M	M			M					
		11						M											

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

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b. Who owns the land to be irrigated or place of use? Robert and Joan Prigge, Manuel and Betty Karagianes, Great Oaks Water Co., Inc.

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

12. Remarks: The proposed 16 cfs municipal diversion rate assumes diversion of 2.6 cfs for in-house domestic use, 11.8 cfs for irrigation, 1.1 cfs for commercial and 0.5 cfs for miscellaneous uses. The domestic use estimate is based on 5921 residential units @ 0.2 gpm/unit (288 gpd/unit). The irrigation estimate is based on 5921 residential units with an average irrigated area of 0.1 acres per unit, and a diversion rate of 0.02 cfs/acre. The commercial uses could include restaurants, schools, office, and retail with a total demand of 500 gpm. The miscellaneous uses could include industrial, aesthetic, recreation, or other beneficial uses. Irrigation of common areas and sports fields may be accomplished with water diverted under permit 63-11540 or with reclaimed municipal wastewater. Water-bearing zone to be appropriated is 600 to 1500 feet.

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.

 *Managing Member*

Signature of Applicant (and title, if applicable)

Received by DB Date 10-12-06 Time 12:00 PM Preliminary check by \_\_\_\_\_  
 Fee \$ 850- Received by DB # W034784 Date 10-12-06  
 Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_ Published in \_\_\_\_\_  
 Publication approved \_\_\_\_\_ Date \_\_\_\_\_



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

February 3, 2010

BONNEVILLE PROPERTIES LLC  
661 S RIVERSHORE LN, STE 120  
EAGLE ID 83616

**RE: Preliminary Order in the matter of Application for Permit No. 63-32535**

Dear Applicant(s):

The accompanying order 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 unless a party petitions for reconsideration within fourteen (14) days after issuance as described in the enclosed yellow information sheet.

If you have any questions regarding this matter, please call me at 208-334-2190.

Sincerely,

John Westra  
Manager, Western Regional Office

for:

Enclosures

cc: SPF Water Engineering

**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.

## Grimm, Angie

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**From:** Randy Clarno [randyc@visionfirst.net]  
**Sent:** Tuesday, December 15, 2009 9:08 AM  
**To:** Grimm, Angie  
**Subject:** RE: Bonneville Properties LLC - Bryans Run

Thank you Angie and enjoy the holidays.

Randy Clarno

---

**From:** Grimm, Angie [mailto:Angie.Grimm@idwr.idaho.gov]  
**Sent:** Monday, December 14, 2009 10:40 AM  
**To:** Randy Clarno  
**Cc:** Roxanne Brown  
**Subject:** RE: Bonneville Properties LLC - Bryans Run

Randy,

Per your request and in light of the holiday season, the deadline to submit additional information for Permit Application No. 63-32535 (Bonneville Properties LLC) requested in my letter of November 26, 2007 and further clarified in my email of October 27, 2009 has been extended to January 31, 2010. Please contact me if you have any additional questions.

Thanks,  
Angie

Angela M. Grimm  
Water Resource Agent, Sr.  
IDWR - Western Region  
2735 Airport Way  
Boise, ID 83705  
(208) 334-2190 phone  
(208) 334-2348 fax

---

**From:** Randy Clarno [mailto:randyc@visionfirst.net]  
**Sent:** Friday, December 11, 2009 7:40 AM  
**To:** Grimm, Angie  
**Subject:** Bonneville Properties LLC - Bryans Run

Good Morning Angie,

I am not going to be able to finalize my response today as I had hoped. I am struggling to coordinate with others that are helping me. Please give me until the end of the month is possible.

*Randal S. Clarno*

*Vision First*

**Phone: 208-570-7575**

[www.visionfirst.net](http://www.visionfirst.net)

[www.tullamoreliving.com](http://www.tullamoreliving.com)

[www.bryansruidaho.com](http://www.bryansruidaho.com)

## Grimm, Angie

---

**From:** Roxanne Brown [RBrown@spfwater.com]  
**Sent:** Tuesday, October 27, 2009 11:49 AM  
**Subject:** Read: Application 63-32535 Bonneville Properties LLC Bryans Run Planned Community

Your message

To: [RBrown@spfwater.com](mailto:RBrown@spfwater.com)  
Subject:

was read on 10/27/2009 11:49 AM.

## Grimm, Angie

---

**From:** Randy Clarno [randyc@visionfirst.net]  
**Sent:** Tuesday, October 27, 2009 10:16 AM  
**Subject:** Read: Application 63-32535 Bonneville Properties LLC Bryans Run Planned Community

Your message

To: [randyc@visionfirst.net](mailto:randyc@visionfirst.net)  
Subject:

was read on 10/27/2009 10:16 AM.

**Grimm, Angie**

---

**From:** Grimm, Angie  
**Sent:** Tuesday, October 27, 2009 9:59 AM  
**To:** Roxanne Brown  
**Cc:** 'randyc@visionfirst.net'  
**Subject:** Application 63-32535 Bonneville Properties LLC Bryans Run Planned Community  
**Attachments:** 8.27.09 ltr to IDWR.doc

Roxanne,

On August 28, 2009, I received the attached letter from Randy Clarno submitted on behalf of Bonneville Properties LLC. This letter was drafted as a response to my November 26, 2007 large diversion information request. Mr. Clarno's letter alone is inadequate to fulfill the information requirement. I am reluctant to proceed with the application solely relying on Mr. Clarno's letter, as the application would be voided on the basis the information provided is insufficient and a clear statement the application is speculative due to lack of financial resources for development of the proposed project. I suggest the applicant submit a new letter in response to my July 27, 2009 letter in lieu of the letter Mr. Clarno submitted August 28, 2009. This letter should include statements regarding the progress the applicant has made in addressing the information requirements, as Mr. Clarno drafted, along with supporting documentation including SPF's "Water Supply Assessment and Conceptual Water System Design for the Bryans Run Planned Community" report and the measures the applicant has agreed to implement to minimize the potential impact the proposed diversion may have on water rights owned by United Water Idaho and Micron Technology Mr. Clarno referenced. This letter should request additional time to submit the remaining information required including that regarding financial resources for the proposed project, if that is still the desire of the applicant. Additionally, if the applicant is not currently being represented by SPF Water Engineering, LLC, I request the applicant provide a written statement to that effect.

A written response to this request is required within 30 days of the date of this email. A response is expected from SPF Water Engineering LLC as the current representative of record for the applicant, or directly from the applicant as Mr. Clarno has been sent a copy of this correspondence. If a response is not received, the Department will recognize Mr. Clarno's letter of August 27, 2009 as the applicant's final response to my November 26, 2007 large diversion information request and the application will be deemed speculative and voided accordingly. Please contact me if you have any questions. I appreciate your attention in this matter and look forward to your response.

Thanks,  
Angie

Angela M. Grimm  
Water Resource Agent, Sr.  
IDWR - Western Region  
2375 Airport Way  
Boise, ID 83705  
(208)334-2190 phone  
(208)334-2348 fax

---

**From:** Randy Clarno [mailto:randyc@visionfirst.net]  
**Sent:** Friday, August 28, 2009 3:41 PM  
**To:** Grimm, Angie  
**Cc:** Roxanne Brown  
**Subject:** Bryans Run

10/27/2009

Angie,

Attached is the letter you requested.

<<8.27.09 ltr to IDWR.doc>>

***Randal S. Clarno***

***Vision First***

***Phone: 208-570-7575***

***www.visionfirst.net***

***www.tullamoreliving.com***

***www.bryansrunidaho.com***

## Grimm, Angie

---

**From:** Randy Clarno [randyc@visionfirst.net]  
**Sent:** Friday, August 28, 2009 3:41 PM  
**To:** Grimm, Angie  
**Cc:** Roxanne Brown  
**Subject:** Bryans Run  
**Attachments:** 8.27.09 ltr to IDWR.doc

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Angie,

Attached is the letter you requested.

<<8.27.09 ltr to IDWR.doc>>

*Randal S. Clarno*

*Vision First*

*Phone: 208-570-7575*

*[www.visionfirst.net](http://www.visionfirst.net)*

*[www.tullamoreliving.com](http://www.tullamoreliving.com)*

*[www.bryansrumidaho.com](http://www.bryansrumidaho.com)*

## Bonneville Properties LLC

August 27, 2009

Ms. Angela M. Grimm  
Water Resource Agent, Sr.  
State of Idaho Department of Water Resources  
Western Region  
2735 Airport Way  
Boise, ID 83705-5082

Subject: Application for Permit 63-32535; Bonneville Properties LLC Bryans  
Run Planned Community

Ms. Grimm,

This letter hopefully will address the items you requested in your November 26, 2007 letter to Roxanne Brown of SPF Water Engineering.

### *Effect on Existing Water Rights*

- Very few water rights are located near the proposed points of diversion.
- Bonneville Properties has discussed the potential impact of this proposed permit on water rights owned by United Water Idaho and Micron Technology. Bonneville has agreed to implement measures to minimize impacts on these water rights.

### *Sufficiency of Water Supply*

- SPF's Water Supply Assessment report includes a hydro geologic analysis of the aquifer and an estimate of project water demands and consumptive use.

### *Good Faith, delay, Speculative Purposes and Financial Resources*

Bonneville Properties LLC has currently invested millions of dollars into the project and is still committed to go forward with the development of the planned community. However due to the challenges with the current economy we lost our significant financial commitment to develop the property. We are currently pursuing financing from major financial institutions however it is a very slow process given the economy. We expect that will change but cannot forecast when that might be.

Po Box 2648 Eagle, Idaho 83616

## ***Local Public Interest***

A. Work the applicant has completed or will complete to become a municipal provider per Idaho Code 42-202B(5)

- The on-site irrigation well was constructed to municipal standards with the required engineering oversight, so that the well can be a diversion point in the future municipal water system. This work included engineering inspection of the surface seal installation, a 24-hour pumping test with engineering supervision and analysis, and water-quality sampling for municipal water system parameters.
- SPF Water Engineering prepared a report describing the proposed municipal water system. This report ("Water Supply Assessment and Conceptual Water System Design for the Bryans Run Planned Community", dated December 14, 2006) includes (1) estimates of water demands, (2) description of existing water rights and water right applications, (3) a hydro geologic assessment of local groundwater resources, (4) a conceptual design of water supply facilities (including wells, future regional water system connections, pressure zones, booster stations, storage systems, and (5) a preliminary estimate of water facility costs.

B. Work the applicant has completed or will complete to satisfy Ada County approval requirements.

A complete planned community application was made to Ada County and when through a significant portion of the review process however we have suspended the final review pending a new financing commitment.

C. Provide information about long-term sustainability of the water supply for this project to show that mining of the aquifer will not occur.

- SPF's Water Supply Assessment report includes a hydro geologic analysis of the aquifer.
- SPF has conducted water level monitoring to help assess the sustainability of the aquifer. Water levels were collected on 8/22/07, 8/13/07, 7/27/07, 7/9/07, 7/11/07 and 6/5/07. These measurements supplement measurements collected during initial test pumping in May 2006. Recently, IDWR has added the on-site well(s) to their monitoring network.

D. Provide information regarding any cumulative impacts to the source aquifer.

- "The interaction of the aquifer at Bryans Run and aquifers in the Mayfield vicinity has not been documented. We understand that IDWR hydrology staff has been evaluating groundwater supply in that area over the past two years.

Please don't hesitate to contact me immediately if you need additional information.

Sincerely,

Randal S. Clarno  
Managing Member

c. Roxanne Brown, SPF Water Engineering LLC



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER  
Governor

July 27, 2009

GARY SPACKMAN  
Interim Director

Bonneville Properties LLC  
c/o SPF Water Engineering, LLC  
Attn: Roxanne Brown  
300 E. Mallard Dr., Suite 350  
Boise, ID 83706

**Re: Application for Permit 63-32535: Bonneville Properties LLC Bryan's Run Planned Community**

Dear Roxanne:

Processing of the above referenced application for permit has been delayed to allow for the applicant to provide additional information required by I.D. § 42-203A(5)(a-e) for "large diversion projects" requested via my letter of November 26, 2007. The original deadline of February 25, 2008, given for submittal of this information, was extended to March 4, 2009 per the applicant's request. On June 10, 2009, Department staff met with Randy Clarno and Terry Scanlan regarding the status of the proposed project along with efforts the applicant has made in gathering the required information. During this meeting, Mr. Clarno indicated he would work with SPF Water Engineering LLC to submit documentation regarding the project status and efforts made to gather the required information. To date, the Department has yet to receive the required information or the credible documentation.

The Department requests submittal of information indicating the applicant's intentions regarding this application. I have enclosed a Withdrawal of Application for Permit form should the applicant determine they can not provide the required information in the near future and wish to withdraw the application based on speculation concerns. Should the applicant wish to pursue this application, please submit all information requested in my letter of November 26, 2007 or a request for additional time to provide the information with credible documentation demonstrating the applicant's progress to date on acquiring the information. **Your response must be received within the next thirty (30) days. This deadline will not be extended. Without an acceptable response, as outlined above, the Department will begin the process of voiding the application on August 28, 2009.**

Please contact me at (208) 334-2190 if you have any questions or need additional information. Thank you for your attention in this matter. I look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read 'Angela M. Grimm', written over a white background.

Angela M. Grimm  
Water Resource Agent, Sr.

Enclosures: Withdrawal of Application for Permit form



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

March 12, 2009

Bonneville Properties LLC  
c/o SPF Water Engineering, LLC  
Attn: Roxanne Brown  
300 E. Mallard Dr., Suite 350  
Boise, ID 83706

**COPY**

**Re: Application for Permit 63-32535: Bonneville Properties LLC Bryan's Run Planned Community**

Dear Roxanne:

Processing of the above referenced application for permit has been delayed to allow for the applicant to provide additional information required by I.D. § 42-203A(5)(a-e) for "large diversion projects" requested via my letter of November 26, 2007. The original deadline of February 25, 2008, given for submittal of this information, was extended to March 4, 2009 per the applicant's request. To date, the Department has yet to receive the required information.

The Department requests submittal of information indicating the applicant's intentions regarding this application. I have enclosed a Withdrawal of Application for Permit form should the applicant determine they can not provide the required information in the near future and wish to withdraw the application based on speculation concerns. Should the applicant wish to pursue this application, please submit all information requested in my letter of November 26, 2007. If all the information is not currently available, please submit a request for additional time to provide the information with credible documentation demonstrating the applicant's progress to date on acquiring the required information. **Your response must be received within the next sixty (60) days. This deadline will not be extended. Without an acceptable response, as outlined above, the Department will begin the process of voiding the application on May 12, 2009.**

Please contact me at (208) 334-2190 if you have any questions or need additional information. Thank you for your attention in this matter. I look forward to your response.

Sincerely,

Angela M. Grimm  
Water Resource Agent, Sr.

Enclosures: Withdrawal of Application for Permit form

RECEIVED  
JAN 01 2009  
WATER RESOURCES  
WESTERN REGION

Perkins  
Coie

251 East Front Street, Suite 400  
Boise, ID 83702-7310  
PHONE: 208.343.3434  
FAX: 208.343.3232  
www.perkinscoie.com

Erika E. Malmen  
PHONE: (208) 387-7504  
FAX: (208) 343-3232  
EMAIL: EMalmen@perkinscoie.com

December 30, 2008

*VIA U.S. MAIL*

Idaho Department of Water Resources  
Attention: Angie Grim  
Western Regional Office  
2735 Airport Way  
Boise, Idaho 83705-5082

**Re: Request for Notification / Applications for Appropriation or Transfer Nos. 63-32535, 61-2188, 63-32605, 61-12095, 61-12096, 63-32703, 61-12162, 61-12168, 63-32973, 61-12173, 61-12174, 63-32680**  
**Our Reference: 69165-0001**

Dear Ms. Grim:

Please notify this office when the above-referenced water right applications / transfers are published for public comment.

Very truly yours,



Erika E. Malmen

EEM/kjg



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

September 22, 2008

COPY

Bonneville Properties LLC  
c/o SPF Water Engineering, LLC  
Attn: Roxanne Brown  
300 E. Mallard Blvd., Suite 350  
Boise, ID 83706

**Re: Application for Permit 63-32535: Bonneville Properties LLC Bryan's Run  
Planned Community**

Dear Roxanne:

Recently you requested more time to provide additional information for the above referenced application.

Your request is approved. The information requested by the Department on November 26, 2007 is therefore due by **March 4, 2009**.

More information about water rights and other matters administered by IDWR is available on the Internet at [www.idwr.idaho.gov](http://www.idwr.idaho.gov). Please contact me at 208-334-2190 if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Angela M. Grimm', written in black ink.

Angela M. Grimm  
Water Resource Agent, Sr.



September 4, 2008

Angela Grimm  
IDWR Western Region                      via email  
2735 Airport Way  
Boise, ID 83705

**Subject:**            Request for Additional Time to Submit Information  
Application for Permit No. 63-32535  
Bonneville Properties LLC – Bryans Run Planned Community

Dear Angie,

On behalf of Bonneville Properties LLC, we wish to request additional time to respond to your letter dated November 26, 2007. We understand that additional time has already been granted for submitting the requested information.

We previously reported progress on this project to include a completed water supply assessment and conceptual water system design for the planned community. Bonneville Properties continues to move forward with the necessary local and State agency permits and approvals.

Bonneville Properties is currently obtaining funding for the completion of the project. In the current economic climate, this is taking longer than anticipated. We are requesting an additional three to six months to complete this process.

Thank you in advance for your consideration of this matter. Please provide a written notification of the new deadline for our records.

Sincerely,

Roxanne Brown

Cc: Karyn Lovell, Vision First (via email)

SPF file number: 466.0030



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

February 14, 2008

Roxanne Brown  
SPF Water Engineering, LLC  
600 East River Park Lane, Suite 105  
Boise, ID 83706

COPY

**Re: Application for Permit 63-32535: Bonneville Properties LLC Bryan's Run  
Planned Community**

Dear Roxanne:

Recently you requested more time to provide additional information for the above referenced application.

Your request is approved. The information requested by the Department on November 26, 2007 is therefore due by **August 26, 2008**.

More information about water rights and other matters administered by IDWR is available on the Internet at [www.idwr.idaho.gov](http://www.idwr.idaho.gov). Please contact me at 208-334-2190 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Angela M. Grimm', written over a horizontal line.

Angela M. Grimm  
Water Resource Agent



RECEIVED

FEB 14 2008

WATER RESOURCES  
WESTERN REGION

February 13, 2008

Angela Grimm  
IDWR Western Region  
2735 Airport Way  
Boise, ID 83705

Subject: Request for Additional Time to Submit Information  
Application for Permit No. 63-32535  
Bonneville Properties LLC – Bryans Run Planned Community

Dear Angie,

We wish to request additional time to respond to your letter dated November 26, 2007. Bonneville Properties LLC understands this request will interrupt processing of their application for up to six (6) months.

Significant progress has been made on the project. SPF has completed a water supply assessment and conceptual water system design for the Bryans Run Planned Community. Bonneville Properties is working with local agencies to obtain the necessary permits and approvals. Additional time is needed to complete this process.

Thank you in advance for your consideration of this matter. Please provide a written notification of the new deadline for our records.

Sincerely,

Roxanne Brown

Cc: Karyn Lovell, Vision First

SPF file number: 466.0030



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082  
Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

November 26, 2007

Roxanne Brown  
SPF Water Engineering LLC  
600 East River Park Lane, Suite 105  
Boise, ID 83706

**COPY**

**Re: Application for Permit 63-32535: Bonneville Properties LLC Bryan's Run Planned Community**

Dear Ms. Brown:

The above referenced application for permit regarding ground water for municipal use is being processed. To assist this office in completing the initial processing steps, please submit additional information required by I. C. § 42-203A(5)(a-e) for "large diversion projects." This requirement includes the following items discussed in the enclosed copy of Water Appropriation Rule 40 Subsections 040.05c through 040.05g (IDAPA 37.03.08.040.05.c-g):

1. Effect on existing water rights;
2. Sufficiency of water supply;
3. Good faith, delay or speculative purposes;
4. Financial resources; and
5. Local public interest

In lieu of sending comment letters to the public entities described in IDAPA 37.03.08.040.05.g, for local public interest, please provide information to address the following factors under consideration:

- Describe work the applicant has completed or will complete to become a municipal provider per Idaho Code 42-202B(5), which states:
  - (a) *A municipality that provides water for municipal purposes to its residents and other users within its service area;*
  - (b) *Any corporation or association holding a franchise to supply water for municipal purposes, or a political subdivision of the state of Idaho authorized to supply water for municipal purposes, and which does supply water, for municipal purposes to users within its service area; or*
  - (c) *A corporation or organization which supplies water for municipal purposes*

Brown  
November 26, 2007  
Page 2 of 2

*through a water system regulated by the state of Idaho as a "public water supply" as described in section 39-103(12), Idaho Code.*

- Describe work the applicant has completed or will complete to satisfy Ada County approval requirements.

Also include information to address the following proposed project water supply considerations:

- Provide information about long-term sustainability of the water supply for this project to show that mining of the aquifer will not occur.
- Provide information regarding any possible cumulative impacts to the source aquifer with respect to municipal use for this project in conjunction with projects under recently approved water right permit 63-32225 for the Mayfield Springs project and pending water right permit application 63-32499 for the Goldsmith project in the vicinity of the Bryan's Run project. Please address the hydraulic interconnection and interaction between ground water sources for 63-32225, 63-32499, and this project application 63-32535 if present and applicable.

Please submit the requested information to allow evaluation of your application to be completed. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. **Your response or a request for more time to seek the information must be received within the next ninety (90) days.** The application will be voided without a timely written reply.

Please contact me at (208) 334-2190 if you have any questions or need additional information. Thank you for your attention to these matters. I look forward to your response.

Sincerely,



Angela M. Grimm  
Water Resource Agent

Enclosure(s): Water Appropriation Rules IDAPA 37.03.08.040.05.c-g

## **Water Appropriation Rules 40.05.c through 40.05.g**

**c. Information relative to the effect on existing water rights, Section 42-203A(5)(a), Idaho Code, shall be submitted as follows:**

i. For applications appropriating springs or surface streams with five (5) or fewer existing users, either the identification number, or the name and address of the user, and the location of the point of diversion and nature of use for each existing water right shall be submitted.

ii. For applications appropriating groundwater, a plat shall be submitted locating the proposed well relative to all existing wells and springs and permitted wells within a one-half mile radius of the proposed well.

iii. Information shall be submitted concerning any design, construction, or operation techniques which will be employed to eliminate or reduce the impact on other water rights.

**d. Information relative to sufficiency of water supply, Section 42-203A(5)(b), Idaho Code, shall be submitted as follows:**

i. Information shall be submitted on the water requirements of the proposed project, including, but not limited to, the required diversion rate during the peak use period and the average use period, the volume to be diverted per year, the period of year that water is required, and the volume of water that will be consumptively used per year.

ii. Information shall be submitted on the quantity of water available from the source applied for, including, but not limited to, information concerning flow rates for surface water sources available during periods of peak and average project water demand, information concerning the properties of the aquifers that water is to be taken from for groundwater sources, and information on other sources of supply that may be used to supplement the applied for water source.

**e. Information relative to good faith, delay, or speculative purposes of the applicant, Section 42-203A(5)(c), Idaho Code, shall be submitted as follows:**

i. The applicant shall submit copies of deeds, leases, easements or applications for rights-of-way from federal or state agencies documenting a possessory interest in the lands necessary for all project facilities and the place of use or if such interest can be obtained by eminent domain proceedings the applicant must show that appropriate actions are being taken to obtain the interest. Applicants for hydropower uses shall also submit information required to demonstrate compliance with Sections 42-205 and 42-206, Idaho Code.

ii. The applicant shall submit copies of applications for other needed permits, licenses and approvals, and must keep the department apprised of the status of the applications and any subsequent approvals or denials.

**f. Information Relative to Financial Resources, Section 42-203A(5)(d), Idaho Code, shall be submitted as follows:**

i. The applicant shall submit a current financial statement certified to show the accuracy of the information contained therein, or a financial commitment letter along with the financial statement of the lender or other evidence to show that it is reasonably probable that financing will be available to appropriate the water and apply it to the beneficial use proposed.

ii. The applicant shall submit plans and specifications along with estimated construction costs for the project works. The plans shall be definite enough to allow for determination of project impacts and implications.

**g. Information Relative to Conflict with the Local Public Interest, Section 42-203A(5)(e), Idaho Code, shall be submitted as follows:**

The applicant shall seek comment and shall submit all letters of comment on the effects of the construction and operation of the proposed project from the governing body of the city and/or county and tribal reservation within which the point of diversion and place of use are located, the Idaho Department of Fish and Game, the Idaho Department of Environmental Quality, and any irrigation district or canal company within which the proposed project is located and from other entities as determined by the director.

REVIEW CHECKLIST -- APPLICATION FOR PERMIT

Initial review by ANGIE G. Date 11/23/07 Application # 63-32535

REQUIRED INFORMATION

- Name (corporation or partnership, names & addresses for director, officers, &/or other partners must be included) } W47118 bus. entity #
- Address
- Source \* (see USGS quad for source/trib names, comment for local name)
- P/D (10 acres for spring, lot & block info for subdivisions)
- County \*
- Quantity (flow & /or storage volume) Government Lots
- Period of use \* \_\_\_\_\_ P/D
- Nature of use (list details in appl. item 8 if non-irrigation) \_\_\_\_\_ P/U
- Description of diverting works
- Time required for beneficial use of water
- P/U
- Map (show T, R, S, QQ &/OR QQQ)
- Signature (need title of signatory if applicable)
- Correct fee paid

\* N/A tributary, county &/or irrigation season corrected per dept. standards w/o amended appl.

ANALYSIS

YES NO

- \_\_\_\_\_ P/D overlap (explain) 63-11540 <sup>RIGHT IF APPROVED FOR IRRIGATION OF COMMON AREAS PER APP. CMNT.</sup> 1 PR WATER TO BE USED IN CONJUNCTION WITH THIS
- \_\_\_\_\_ P/U overlap (explain) 63-11540 <sup>"</sup>
- \_\_\_\_\_ Bs 63 "moratorium" delay - send letter if cannot process - MUNICIPAL ACCEPTABLE USE, CAN PROCES
- \_\_\_\_\_ Bs 77, 78, 79 - 42-111 D/S any source or community well, normal processing; all others parallel process w/ SO, county comment letter; check for Wild & Scenic processing
- \_\_\_\_\_ Critical ground water area delay - no cons. use - send letter if cannot process
- \_\_\_\_\_ Ground water mngt. area - send letter: info for Q, injury etc. - or - if cannot process
- \_\_\_\_\_ Large diversion > 5 cfs, > 500 af storage or > 200 acres - attach large diversion checklist
- \_\_\_\_\_ Minimum flow or Protected river status - email water planning bureau
- \_\_\_\_\_ Mitigation plan - consumptive use, p/d in closed area, acceptable plan needed/submitted
- \_\_\_\_\_ Municipal - required info per wr processing/application tips (see muni + attachment b)
- \_\_\_\_\_ Power residency affidavit - send power letter for other factors if needed
- \_\_\_\_\_ Storage proposed - email regional Dam Safety
- \_\_\_\_\_ Stream Channel, perennial stream p/d &/or return flow - email regional SCA
- \_\_\_\_\_ Surface water source - IDFG comment letter
- \_\_\_\_\_ Trust Water - p/d in t.w. boundary for consumptive use - attach trust water checklist
- \_\_\_\_\_ Wild & Scenic - county comment letter, spreadsheet update, advertising remarks

REQUEST ADDITIONAL INFORMATION FROM APPLICANT

Sent ltr requesting add info for large diversion; municipal right

Received request for additional time. Deadline of 8/26/08 given.

DEADLINE EXTENDED TO 3/4/09 PER APPLICANT REQUEST. DEADLINE EXTENDED TO 5/12/09.

MEETING HELD 6/10/09 - NEW DEADLINE 8/28/09. REC INSUFFICIENT INFO 8/27/09. EMAIL REQ ADD INFO WITH DEADLINE 12/27/09. EXT DEADLINE TO 1/31/2010 PER REQUEST.

Date Requested 11/26/07

Date Response Received NO LRG DIV. INFOS OF 2/2/11

**PROCESSING**

APPLICATION 63-32535

YES NO

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

**COMMENT LETTERS**

YES NO

IDFG  
  IDL  
  IDWR Water Planning Bureau  
  Other - list here or see attached

YES NO

US BLM  
  US Forest Service  
  Water Dist # \_\_\_\_\_  
note: IDEQ comments covered in well drilling process

**LEGAL NOTICE & PROTEST**

Final date for protest \_\_\_\_\_

YES NO

Protests received  
If Yes:  Scan protest to powerdocs  
  Affidavit of publication received & published correctly  
If No:  Re-advertising & published correctly  
  Newspaper & publication dates recorded on application

**RECOMMENDATIONS**

memo attached, date = \_\_\_\_\_  
  measuring device required  
  future mitigation condition 121, consumptive use, unless covered in mitigation plan  
  watermaster 6/15 cutoff:  basin 65, condition 185  basin 67, condition 086  
  water-bearing zone condition, basin 63 only - n/a for exempted use

Date of Priority \_\_\_\_\_

Approve  Deny\* by \_\_\_\_\_ Date \_\_\_\_\_

**NOTES**

See attached proof report, note Legal Notice Remarks &/or Comments  
 Shapefile completed (optional: attach with proof report)  
 DP fee upgrade requested & documented:  Paid  Not Paid = SO follow up

Form No.  
7/87

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

CHECKLIST OF REQUIREMENTS  
LARGE DIVERSION SUPPLEMENTARY  
ANALYSIS SHEET\*

EFFECT ON EXISTING RIGHTS

- Yes  No Springs/surface streams with 5 or less existing users  
 Identify number of impacted rights  
 Name and address of users  
 Location of points of diversion  
 Nature of use of the existing rights
- Yes  No Groundwater  
 Plat showing proposed well and any other wells &/or  
springs within 1/4 mile radius
- Yes  No Statement of design construction, or operation techniques  
which will be used to reduce impact on existing rights

SUFFICIENCY OF WATER SUPPLY

Water Requirements of Proposed Project

- Required diversion rate during peak use (Maximum rate)  
 Required diversion rate during average use period  
 Annual volume  
 Season of use  
 Volume to be consumptively used/year
- Quantity of Water Available from Source
- Flow rates for surface water sources available during peak  
and average water demand period  
 Properties of aquifers  
 Other sources available for supplementation

GOOD FAITH, DELAY OR SPECULATION

- Copies of deeds, leases, easements, and right-of-ways from \_\_\_\_\_
- Power applications affidavit form 205/206 is required  
 Yes  No Other needed permits, licenses, or approvals required. If  
yes, \_\_\_\_\_

FINANCIAL RESOURCES

- Current certified financial statement  
 Financial commitment letter/financial statement from  
committed party  
 Project design/plans along with cost estimation to  
complete project

\*For applications of more than 5 cfs. or more than 500 AF.

LOCAL PUBLIC INTEREST

Comments received from:

- |                                       |   |  |
|---------------------------------------|---|--|
| <input type="checkbox"/> City         | <input type="checkbox"/> Idaho Fish & Game      | <input type="checkbox"/> Irrigation District |
| <input type="checkbox"/> County       | <input type="checkbox"/> Idaho Health & Welfare | <input type="checkbox"/> Canal Company       |
| <input type="checkbox"/> Reservations | Division of Environment                         | <input type="checkbox"/> Other _____         |

Project impacts/implications report

COMMENTS

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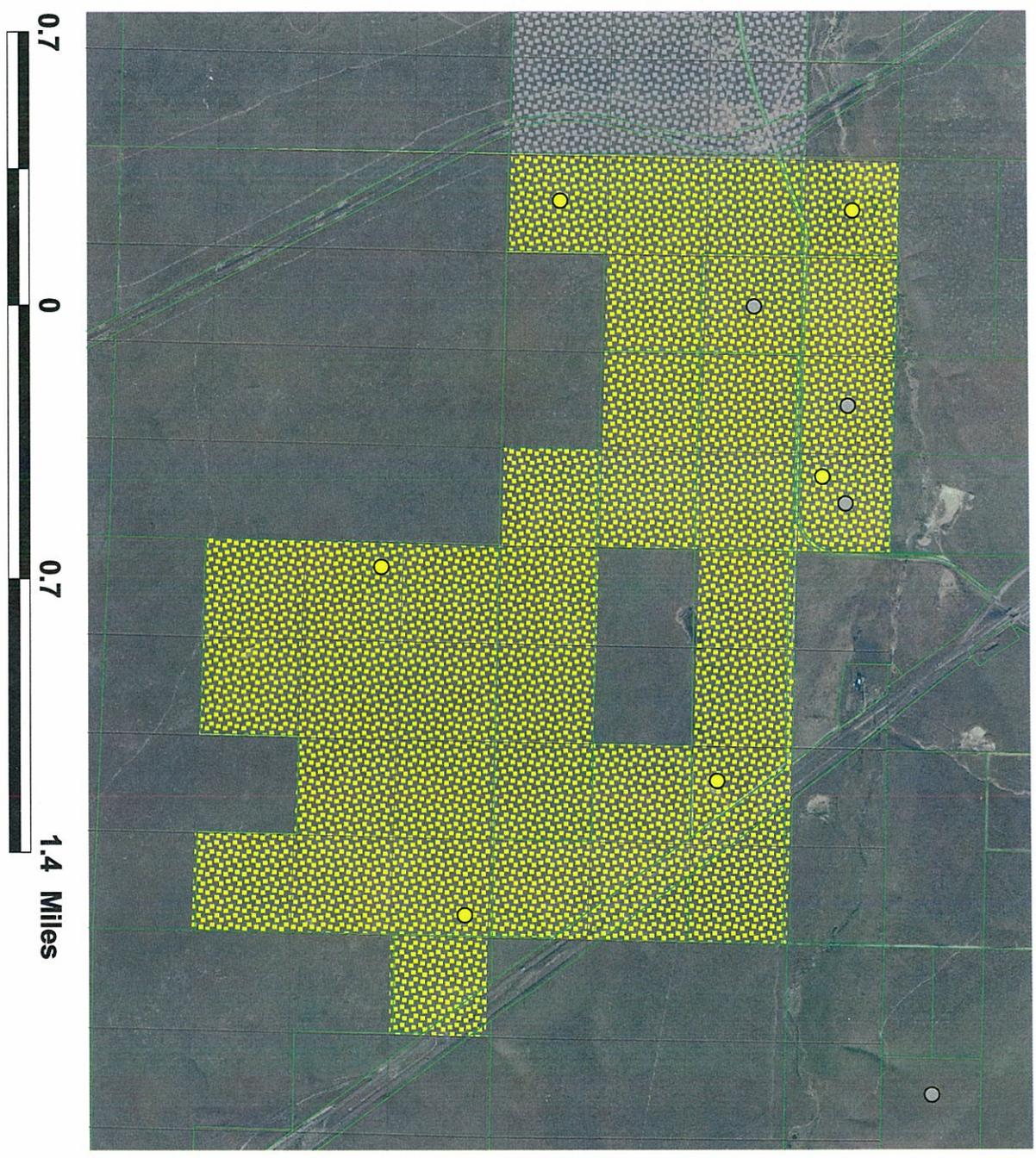
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# 63-32535 PODs and POU



**Legend**

- Ada taxlots
- GCDB01N03E GCDB
- Application POD
- Application POU



**SPF**Water Engineering, LLC  
water resource consultants**RECEIVED****AUG 07 2007**WATER RESOURCES  
WESTERN REGION

August 4, 2007

Mr. John Westra  
Western Region Manager  
Idaho Department of Water Resources  
2735 Airport Way  
Boise, ID 83705

*Application for**-je 11/7/07*

Subject: Proposed Conditions for Permit 63-32535

Dear John:

As a follow-up to our meeting on April 5, 2007, this letter provides proposed conditions associated with water right permit 63-32535.

**Background**

Application for permit 63-32535 proposes diversion of up to 16 cfs for municipal purposes at the proposed Bryans Run planned community. The groundwater resource beneath the proposed planned community site has not been fully developed, and the sustainable yield of the aquifer is currently unknown. Given the uncertainty associated with aquifer sustainability, Bonneville Properties proposes a phased development approach for permit 63-32535. The phased approach will allow groundwater development to occur at a controlled rate, with concurrent aquifer water-level monitoring. This approach to groundwater development will provide protection to existing water right holders in the region, while allowing Bonneville Properties to proceed with planned community development.

**Proposed Permit Conditions**

Specific permit conditions are proposed below.

1. Groundwater production under water right permits 63-32535 and 63-11540 will be limited, in combination, to a total annual diversion volume of 1,200 acre feet annually.
2. The Department of Water Resources will, from time to time, increase the combined annual volume limit under these permits following a showing by the applicant that the aquifer can support increased development. The applicant shall provide the Department with sufficient production and water-level monitoring data to support all such increases. The Department may, at its discretion, provide public notice of any requests to increase diversion volume limits under these permits.

3. The applicant shall provide a monitoring plan for review and approval by the Department. The monitoring plan shall remain in effect throughout the development period of permit 63-32535. Continued monitoring shall be a licensing condition of water right 63-32535.

### **Monitoring Plan**

The following plan is proposed for monitoring groundwater use and development in the vicinity of the Bryans Run Planned Community.

**Groundwater Production.** Groundwater production will be monitored at all producing wells within the planned community using totalizing flow meters. Flow meter readings will be recorded on a quarterly basis. At the time of monitoring, both totalized and instantaneous flow will be recorded.

**Groundwater Levels.** Groundwater level will be monitored on a quarterly basis for all on-site wells, and on a semi-annual basis for off-site wells. Where possible, groundwater levels shall be measured with a calibrated electric-line well sounder. In wells equipped with pumps and air line, air-line measurements shall be made using calibrated pressure gauges.

Groundwater levels shall be measured at the following wells.

1. Bryans Run 18-inch Well (1249 feet total depth; open interval 844 to 1244 feet)
2. Bryans Run 6-inch Test Well (735 feet total depth; open interval 627 to 730 feet)
3. I84 West Bound Blacks Creek Rest Area Well (960 feet total depth; open interval 810 to 945 feet)
4. I84 East Bound Blacks Creek Rest Area Well (975 feet total depth; open interval 866 to 975 feet).
5. Boise Gun Club Well
6. Idaho Department of Fish and Game Rifle Range Well
7. Idaho Department of Transportation Port of Entry Well
8. United Water Idaho Pioneer Well.

Additional wells will be added to the monitoring program as they become available. Measurement of the wells listed above assumes that the well owners will grant permission and allow access for monitoring.

**Reporting.** A summary report will be prepared on an annual basis. The report shall be delivered to the Department no later than February 15 of each year. An evaluation of current aquifer conditions by a qualified engineer or geologist shall be included in the report. The report shall include recommendations for modifications to the monitoring program as appropriate.

**Summary**

A phased development approach is proposed as a condition of approval for water right permit application 63-32535. Application 63-32535, in combination with existing permit 63-11540, will initially be limited to 1200 acre feet. This 1200 acre-foot volume is less than the volume currently authorized under permit 63-11540. The permit holder may request increases in the annual volume limit based on monitoring data that demonstrates aquifer capacity for increased annual groundwater withdrawals. Phased development of the permit will provide assurance to the Department that other water rights in the area will not be injured and that the groundwater resource is sufficient to support the proposed water right.

Please contact me with any questions.

Sincerely,



Terry M. Scanlan, P.E., P.G.  
Consultant to Bonneville Properties

cc: Randy Clarno – Bonneville Properties and Vision First  
Buzz Grant - Duke Properties Blacks Creek, LLC

MEMORANDUM

Type: In Office Conversation  
Telephone  
Meeting Notes

Follow-up  
Log of Events  
Other \_\_\_\_\_

*Bonneville Prop.*  
To: 63-32535 Application For Permit  
From: J. Westra, Western Reg.  
Date: 4/5/07

RE: Status of Development App.

- Participants Craig Driver Karyn Lowell Terry Scanlan.

- Discussed phase development - not exceed Prigg we possibly precondition application - send letter for addition.

- Discussed processing applications from July 06 application file Oct 06 should get to in July 07 possibly. Terry keep in touch on progress.

- Consider licensing exam for Prigg WR 63-11540 Permit and Proof of BU filed. Will provide accurate information for later possible changes.



**VISION FIRST** L.L.C.

HELPING SHAPE COMMUNITIES FOR THE FUTURE

**Craig Driver**  
Land Acquisition/Commercial Development

email: [craigd@visionfirst.net](mailto:craigd@visionfirst.net)  
fax: (208) 938-4765  
[www.visionfirst.net](http://www.visionfirst.net)

(208) 938-4655  
cell (208) 867-5679

661 S. Rivershore Lane, Suite 120  
Eagle, ID 83616

**Lester, Steve**

---

**From:** Terry Scanlan [TScanlan@spfwater.com]  
**Sent:** Saturday, March 10, 2007 12:08 PM  
**To:** Westra, John; Lester, Steve  
**Cc:** Karyn Lovell  
**Subject:** Application for Permit - Bonneville Properties

John and Steve --

Attached is a plan for water right permit development associated with the Bryan's Run Planned Community that is proposed for the area east of Blacks Creek Reservoir and south of I84 in eastern Ada County. Bonneville Properties is the applicant and Vision First is the developer. We have presented the plan to United Water and Micron, as we see them as potential protestants due to the location of the proposed appropriation (3 miles south of the Southeast Boise Ground Water Management Area). Both United Water and Micron appear to be satisfied with our approach, and we think we will avoid protest from them. Our next step is to present this plan to you for discussion purposes.

Would you be available to meet with Vision First in the next week or so to discuss this proposed plan? My schedule is currently open Wednesday, Thursday, and Friday of next week.

Terry

July -

**SPF**Water Engineering, LLC  
water resource consultants

## Memorandum

**To:** John Chapman, Micron Technology, Inc.  
Scott Rhead, United Water Idaho

**From:** Terry Scanlan

**Date:** February 25, 2007

**Subject:** Municipal Water Right Permit Development Plan for the Bryans Run  
Planned Community

### Introduction

Bonneville Properties LLC has submitted application for water right permit 63-32535 seeking a maximum of 16 cfs of groundwater for municipal purposes at the proposed Bryans Run Planned Community. This memo summarizes aquifer conditions, proposes a plan for phased development of the water right permit, and presents a plan for monitoring aquifer water levels.

### Hydrogeology

Groundwater is found beneath the Bryans Run Planned Community property in sand and gravels aquifers beginning at a depth of approximately 600 feet and extending to a depth of more than 1250 feet. Water quality meets applicable drinking water standards and is suitable for municipal use without treatment.

Groundwater flow direction is from northeast to southwest. Recharge is from local surface water sources (Blacks Creek Reservoir, Blacks Creek, and Bryans Run), underflow from up-gradient areas, and infiltration of precipitation. Water-level monitoring to the west (Boise Gun Club) and north (Blacks Creek Rest Area) suggests that local water levels are stable.

Local aquifer hydraulic conditions are not well known. The 18-inch Bryans Run Well was test pumped following completion at 1500 gpm for 24 hours with approximately 100 feet of drawdown. Long-term yield from this well can best be determined through pumping of the well for sustained periods.

### Existing Groundwater Development.

Groundwater resources have not been developed to a significant extent in the project vicinity.

Irrigation pumping associated with water-right permit 63-11540 began in September of 2006. Approximately 300 acres were irrigated within the Bryans Run project site at that time. However, the duration of irrigation was not adequate to significantly stress the aquifer. Beginning in the spring of 2007, annual groundwater production for irrigation purposes under permit 63-11540 will likely exceed 1,000 acre feet annually. Pumping under this permit will provide insight into local aquifer productivity.

Groundwater has been developed for irrigation of several thousand acres of land in the area 6 to 10 miles west (i.e., Pleasant Valley Road to Cloverdale Road) of the project site without significant long-term water level declines. Groundwater development in the Micron area (approximately 5 miles north-northwest of Bryans Run) resulted in water-level decline, prompting formation of the Southeast Boise Ground Water Management Area (SBGWMA) in 1994. Water-levels are now relatively stable in the SBGWMA, with production of approximately 3000 acre feet annually. There has been no measurable water-level decline at the Blacks Creek Rest Area well, approximately midway between the SBGWMA and the Bryans Run property. This suggests that interference between these two areas should not be anticipated.

#### **Proposed Permit 63-32535 Conditions**

The groundwater resource beneath the proposed planned community site has not been fully developed, and the sustainable yield of the aquifer is currently unknown. Given the uncertainty associated with aquifer sustainability, Bonneville Properties proposes a phased development approach for permit 63-32535. The phased approach will allow groundwater development to occur at a controlled rate, with concurrent aquifer water-level monitoring. This approach to groundwater development will provide protection to existing water right holders in the region, while allowing Bonneville Properties to proceed with planned community development.

Specific permit conditions are proposed below.

1. Groundwater production under water right permits 63-32535 and 63-11540 will be limited, in combination, to a total annual diversion volume of 1,200 acre feet annually.
2. The Department of Water Resources will, from time to time, increase the combined annual volume limit under these permits following a showing by the applicant that the aquifer can support increased development. The applicant shall provide the Department with sufficient production and water-level monitoring data to support all such increases. The Department may, at its discretion, provide public notice of any requests to increase diversion volume limits under these permits.
3. The applicant shall provide a monitoring plan for review and approval by the Department. The monitoring plan shall remain in effect throughout the

development period of permit 63-32535. Continued monitoring shall be a licensing condition of water right 63-32535.

### **Monitoring Plan**

The following plan is proposed for monitoring groundwater use and development in the vicinity of the Bryans Run Planned Community.

**Groundwater Production.** Groundwater production will be monitored at all producing wells within the planned community using totalizing flow meters. Flow meter readings will be recorded on a quarterly basis. At the time of monitoring, both totalized and instantaneous flow will be recorded.

**Groundwater Levels.** Groundwater level will be monitored on a quarterly basis for all on-site wells, and on a semi-annual basis for off-site wells. Where possible, groundwater levels shall be measured with a calibrated electric-line well sounder. In wells equipped with pumps and air line, air-line measurements shall be made using calibrated pressure gauges.

Groundwater levels shall be measured at the following wells.

1. Bryans Run 18-inch Well (1249 feet total depth; open interval 844 to 1244 feet)
2. Bryans Run 6-inch Test Well (735 feet total depth; open interval 627 to 730 feet)
3. 184 West Bound Blacks Creek Rest Area Well (960 feet total depth; open interval 810 to 945 feet)
4. 184 East Bound Blacks Creek Rest Area Well (975 feet total depth; open interval 866 to 975 feet).

Additional wells will be added to the monitoring program as they become available.

**Reporting.** A summary report will be prepared on an annual basis. The report shall be delivered to the Department no later than February 15 of each year. An evaluation of current aquifer conditions by a qualified engineer or geologist shall be included in the report. The report shall include recommendations for modifications to the monitoring program as appropriate.

### **Summary**

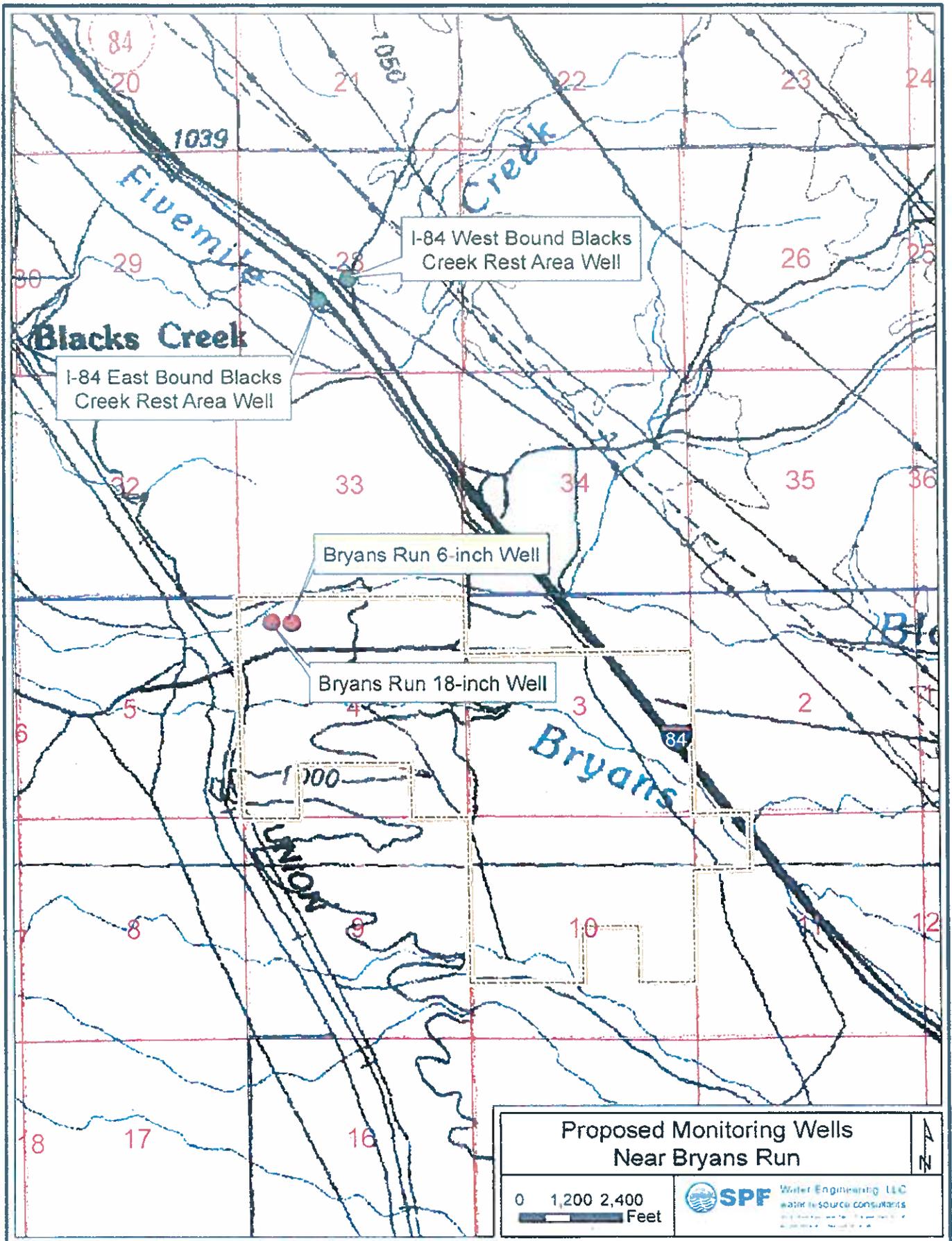
A phased development approach is proposed as a condition of approval for water right permit application 63-32535. Application 63-32535, in combination with existing permit 63-11540, will initially be limited to 1200 acre feet. This 1200 acre-foot volume is less than the volume currently authorized under permit 63-11540. The permit holder may request increases in the annual volume limit based on monitoring data that demonstrates aquifer capacity for increased annual groundwater withdrawals. Phased development of the permit will provide assurance to the Department that other water

rights in the area will not be injured and that the groundwater resource is sufficient to support the proposed water right.

**Attachments**

1. Permit 63-11540
2. Application 63-32535
3. Proposed Monitoring Well Locations

cc: Randy Clarno – Bonneville Properties and Vision First  
Ken Elliot – Vision First  
Karyn Lovell – Vision First  
Craig Driver – Vision First  
John Moeller – Forsgren Associates  
Pat Reilly – ReillyO'Reilly



Close

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Permit Report

02/25/2007

WATER RIGHT NO. 63-11540

Owner Type	Name and Address
Current Owner	JOAN PRIGGE 10712 CRUSER DR BOISE, ID 83709 (208)375-1853

Priority Date: 05/28/1991  
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	6.47 CFS	
COMMERCIAL	1/01	12/31	0.06 CFS	
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			6.57 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NENE Lt 1	Sec. 04	Township 01N	Range 03E	ADA County
GROUND WATER	NWNE Lt 2	Sec. 04	Township 01N	Range 03E	ADA County
GROUND WATER	NWNW Lt 4	Sec. 04	Township 01N	Range 03E	ADA County
GROUND WATER	SENW	Sec. 04	Township 01N	Range 03E	ADA County

Place(s) of use:

Place of Use Legal Description: IRRIGATION ADA County

Township	Range	Section	Lot	Tract	Acres									
01N	03E	3	3	NENW	20	4	NWNW	30						
		4	1	NENE	38.4	2	NWNE	38.4						
			3	NENW	38.4	4	NWNW	38.3		SEnw	40			
02N		34		NESW	40		SWSW	20		SESW	20			

Place of Use Legal Description: COMMERCIAL same as IRRIGATION

Place of Use Legal Description: DOMESTIC same as IRRIGATION

Total Acres: 323.5

Conditions of Approval:

1.	03A	The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
2.	26A	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.
3.	46B	The right holder shall comply with Idaho well construction standards when constructing a well pursuant to this right.
4.	01M	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.
5.	046	Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6.		Domestic use is for 2 homes. Commercial use is for 100 unit recreational vehicle park with related facilities, restaurant and grocery. See Final Order for additional conditions of approval.
7.	004	The issuance of this right does not grant any right-of-way or easement across the land of another.
8.	01G	Prior to the diversion of water under this right a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
9.	46A	A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.

Dates:

Proof Due Date: 10/01/2006

Proof Made Date: 09/29/2006

Approved Date: 08/02/1991

Moratorium Expiration Date:

Enlargement Use Priority Date:

Water Right Report

Enlargement Statute Priority Date:  
Application Received Date: 05/28/1991  
Protest Deadline Date:  
Number of Protests: 0  
Field Exam Date::  
Date Sent to State Off:  
Date Received at State Off:

Other Information:

State or Federal:  
Owner Name Connector:  
Water District Number: 63  
Generic Max Rate per Acre:  
Generic Max Volume per Acre:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Cary Act Number:  
Mitigation Plan: False

Close

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Application Report

02/25/2007

WATER RIGHT NO. 63-32535

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BONNEVILLE PROPERTIES LLC 661 S RIVERSHORE LN STE 120 EAGLE, ID 83616 (208)938-4655
Representative	SPF WATER ENGINEERING LLC C/O ROXANNE BROWN 600 E RIVER PARK LN STE 105 BOISE, ID 83706 (208)383-4140

Priority Date: 10/12/2006

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01	12/31	16 CFS	
Total Diversion			16 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SWNE	Sec. 03	Township 01N	Range 03E	ADA County
GROUND WATER	NENE	Sec. 04	Township 01N	Range 03E	ADA County
GROUND WATER	NWNW Lt 4	Sec. 04	Township 01N	Range 03E	ADA County
GROUND WATER	SWSW	Sec. 04	Township 01N	Range 03E	ADA County

GROUND WATER	NENE	Sec. 10	Township 01N	Range 03E	ADA County
GROUND WATER	SWNW	Sec. 10	Township 01N	Range 03E	ADA County

Place(s) of use: Large POU Info

Dates:

Date Application Received: 10/12/2006

Date Application Denied:

Last Date of Beneficial Use:

Extension End Date:

Protest Deadline Date:

Number of Protests: 0

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

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: The proposed 16 cfs municipal diversion rate assumes diversion of 2.6 cfs for in-house domestic use, 11.8 cfs for irrigation, 1.1 cfs for commercial and 0.5 cfs for miscellaneous uses. The domestic use estimate is based on 5921 residential units @ 0.2 gpm/unit (288 gpd/unit). The irrigation estimate is based on 5921 residential units with an average irrigated area of 0.1 acres per unit, and a diversion rate of 0.02 cfs/acre. The commercial uses could include restaurants, schools, office, and retail with a total demand of 500 gpm. The miscellaneous uses could include industrial, aesthetic, recreation, or other beneficial uses. Irrigation of common areas and sports fields may be accomplished with water diverted under permit 63-11540 or with reclaimed municipal waste water. Water bearing zone to be appropriated is 600 to 1500 ft.

Other Water Rights: Permit 63-11540 will provide irrigation water within the project boundary

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:

Cary Act Number:

Mitigation Plan: False

Close

RightID606367

Place(s) of use:

Place of Use Legal Description: MUNICIPAL ADA County

Township	Range	Section	Lot	Tract	Acres										
01N	03E	3		SWNE			SENE								
				SWNW			SENE								
				SWSW			SENE								
		4	1		NESE			NWSE			SWSE			SESE	
					NENE	2	NWNE			SWNE			SENE		
					NENW	4	NWNW			SWNW			SENE		
		10	3		NESW			NWSW			SWSW			SENE	
					NESE			NWSE			SESE			SENE	
					NENE			NWNE			SWNE			SENE	
					NENW			NWNW			SWNW			SENE	
					NESW			NWSW						SENE	
					NESE									SENE	
		11			NWNW										



RECEIVED

FEB 20 2007

WATER RESOURCES  
WESTERN REGION

February 15, 2007

Steve Lester  
IDWR Western Region  
2735 Airport Way  
Boise, ID 83705

Subject: Amended Application for Permit  
Water Right/Subcase No(s) 63-32535

Dear Western,

Enclosed on behalf of Bonneville Properties LLC, is an *Amended Application for Permit*. Changes have been made to Item 12 (Remarks). These are the only changes to the application.

Please let me know if there are any questions concerning this change.

Sincerely,

Roxanne Brown  
Water Rights Specialist

Cc: Bonneville Properties, LLC

Enclosures  
Amended Application for Permit

SPF file number: 466.0020



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

Phone: (208) 334-2190 FAX: (208) 334-2348 [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

JAMES E. RISCH, Governor  
KARL J. DREHER, Director

December 18, 2006

BONNEVILLE PROPERTIES LLC  
C/O ROXANNE BROWN  
SPF WATER ENGINEERING LLC  
600 E RIVER PARK LN STE 105  
BOISE ID 83706

Re: Application for Permit No. 63-32535

Dear Roxanne:

Your recent December 12 letter notes that different remarks are necessary for the above referenced application. The information significantly affects the intent of the applicant. The application should be amended.

An application can be amended in one of two ways. One, changes can be made to the original form. Two, a complete replacement application labeled "amended" can be submitted. In this case, additional fees would not be required.

Please contact me at 334-2190 if you need more information. Thank you for your attention to these matters.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Lester". The signature is fluid and cursive.

Steve Lester  
Water Rights Supervisor



RECEIVED

DEC 15 2006

WATER RESOURCES  
WESTERN REGION

December 12, 2006

Steve Lester  
IDWR Western Region  
2735 Airport Way  
Boise, ID 83705

Subject: Application for Permit  
Bonnevill Properties, LLC

Dear Steve,

SPF submitted an *Application for Permit* on behalf of our client during October of this year for the Bryans Run Planned Community. The application has not yet been processed or advertised. The conceptual plan has been altered slightly, due in most part to a desire for a slightly higher housing density in the plan.

The following Remarks (Item #12) were included on the original application to assist IDWR with its consideration of the proposed use:

12. Remarks: The proposed 16 cfs municipal diversion rate assumes diversion of 2.6 cfs for in-house domestic use, 11.8 cfs for irrigation, and 1.1 cfs for commercial and 0.5 cfs for miscellaneous uses. The domestic use estimate is based on 5921 residential units @ 0.2 gpm/unit (288 gpd/unit). The irrigation estimate is based on 5921 residential units with an average irrigated area of 0.1 acres per unit, and a diversion rate of 0.02 cfs/acre. The commercial uses could include restaurants, schools, office, and retail with a total demand of 500 gpm. The miscellaneous uses could include industrial, aesthetic, recreation, or other beneficial uses. Irrigation of common areas and sports fields may be accomplished with water diverted under permit 63-11540 or with reclaimed municipal wastewater. Water-bearing zone to be appropriated is 600 to 1500 feet.

SPF has completed a review of the new conceptual plan. We do not feel the water right elements of the application need to be amended, but the Remarks section is no longer accurate. Based on the new information, the Remarks at Item #12 would more accurately describe the project as follows:

12. Remarks: The proposed 16 cfs municipal diversion rate assumes diversion of 3.1 cfs for in-house domestic use, 8.2 cfs for residential irrigation, 1.1 cfs for commercial use, 3.1 cfs for the irrigation of open space and school yards, and 0.5 cfs for miscellaneous uses. The domestic

use estimate is based on 6,997 residential units @ 0.2 gpm/unit (288 gpd/unit). The irrigation estimate is based on 50% of the 820.9 acres of residential area, plus 50% of the 308.6 acres of open space and schools being under irrigation (a total of 564.8 acres), at a diversion rate of 0.02 cfs/acre. The commercial uses could include restaurants, schools, office, and retail with a total demand of 500 gpm. The miscellaneous uses could include industrial, aesthetic, recreation, or other beneficial uses. Irrigation of common areas and sports fields may be accomplished with water diverted under permit 63-11540 or with reclaimed municipal wastewater. Water-bearing zone to be appropriated is 600 to 1500 feet.

We would like to have this information associated with the original *Application for Permit*. Please let me know if you feel an amendment to that application is necessary.

Sincerely,



Roxanne Brown  
Water Rights Specialist

Cc: Bruce Smith - Moore Smith Buxton & Turcke  
Karyn Lovell - Vision First

SPF file number: 466.0030



RECEIVED

OCT 12 2006

WATER RESOURCES  
WESTERN REGION

October 9, 2006

Steve Lester  
Water Rights Supervisor  
Western Region Office  
Idaho Dept. of Water Resources  
2735 Airport Way  
Boise, ID 83705

Subject: Application for Permit – Bryans Run Planned Community

Dear Steve,

On behalf of Bonneville Properties LLC, I am pleased to submit the enclosed *Application for Permit*. The application proposes the diversion of up to 16.0 cfs for municipal use at the Bryans Run Planned Community on E. Kuna Mora Rd. near Blacks Creek, in Ada County.

The proposed use includes domestic use and irrigation for 5921 residential units, irrigation of common areas, and commercial use in restaurants, small businesses, etc. Irrigation of the common areas, school grounds and sports fields may also be accomplished with water diverted under irrigation permit 63-11540 or with reclaimed municipal wastewater.

We understand that the filing fee for this Application is \$850.00. You will find a check for that amount enclosed.

Please contact me with any questions.

Sincerely,

Roxanne Brown  
Water Rights Specialist  
SPF Water Engineering, LLC

Cc: Craig Driver - Vision First

Document Info:  
Project No.: 466.0030