



CITY OF GREENLEAF

20523 North Whittier Drive
Greenleaf, Idaho 83626

David R. Tuthill, Jr.
Administrator, Water Management Division
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

RECEIVED

DEC 08 2006

DEPARTMENT OF
WATER RESOURCES

06 December 2006

RE: PRELIMINARY RECOMMENDATION OF WATER RIGHTS 63-20246, 63-4117, 63-7094

Greetings!

Thank you for your preliminary recommendations packet dated 20 November 2006 regarding water rights 63-20246, 63-4117, and 63-7094. The preliminary recommendation shows 63-20246 and 63-4117 disallowed, and shows 63-7094 as a licensed municipal use of .210 cfs with a priority date of 4/22/1968. This letter accompanies and is referenced by 'Notice of Error Reply' forms for the preliminary recommendations for 63-20246 and 63-4117.

The city has had difficulty confirming the date when beneficial use of water began for 63-20246 and 63-4117. Although settlement of the Greenleaf community began in approximately 1903, the City of Greenleaf did not incorporate until 08 June 1973, and did not take ownership of the municipal water system until after a bond election held in the fall of 2001. Prior to the city, the water system was owned and operated by the Greenleaf Water and Sewer Association.

Although we believe water for 63-20246 and 63-4117 has been in beneficial use in the community since approximately 1907 - 1910, as reported for statutory claim by the Greenleaf Water and Sewer System to IDWR in the 1970s, our search of records inherited from the Water and Sewer Association have not led to documents proving this beneficial use date for the oldest well in the system. This is not surprising, as the Greenleaf Water and Sewer Association incorporated on 21 June 1966.

The City currently has four well sites. I spoke with Idaho Power today, and verbally received dates as follows for meter installation at the four well sites listed below. The city also has a fifth well site under construction (Butler Well, permit 63-31787).

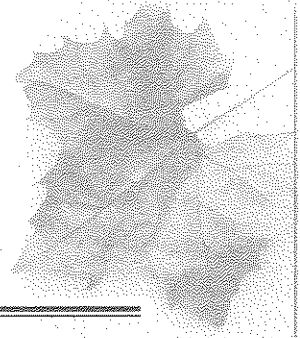
Well Site	Address	Id. Power Acct No.	Meter Install Date
Academy Well	20838 Academy Road	1048059259	01 Jan 1938
Harmony Well	21367 Harmony Lane	3802128228	01 Jan 1966
Hillcrest Well	20660 Hillcrest Drive	9584799825	01 Feb 1966
Friends Well	20791 Friends Road	2799375085	15 Jan 1990
Butler Well	not yet on-line (permit 63-31787)	Not Available	Not Available

Although the Academy site received a dedicated power meter in 1938, it remains the City's firm belief and understanding that this community well was operated under varying private individual power accounts before this date, and that the well has been in service providing beneficial use to the



CITY OF GREENLEAF

20523 North Whittier Drive
Greenleaf, Idaho 83626



community since approximately 1910. Unfortunately, to date we have been unsuccessful in finding supporting documentation, and direct witnesses of the well installation are no longer with us to give affidavit testimony to the establishment of the use.

The City of Greenleaf respectfully requests that the Idaho Department of Water Resources adjust the recommendation for water rights 63-20246 and 63-4117 to recommend for year-round municipal use based on beneficial use, with a priority date based on the 01 January 1938 power meter installation date for the power meter currently in place at the Academy Well site.

When I spoke with Idaho Power today I asked for a fax documenting the meter installation dates given above. Idaho Power quoted a 48-hour window for providing the fax. As soon as it arrives I will fax it to your attention at 208/287-6700 and send a follow-up copy by mail.

The recommendation for 63-7094 appears to be accurate, and the appropriate 'Notice of Error Reply' form is enclosed, signed to show agreement with the recommendation.

Please let me know if I can be of any further assistance.

Thank you,

Lee C. Belt
City Clerk
City of Greenleaf

RECEIVED

DEC 08 2006

DEPARTMENT OF
WATER RESOURCES

LCB/hs

enc 'Notice of Error Reply' form for 63-20246
'Notice of Error Reply' form for 63-4117
'Notice of Error Reply' form for 63-7094

cc Mayor
City Attorney
Public Services Director

11/21/2006

NOTICE OF ERROR
REPLY

RECEIVED

DEC 08 2006

DEPARTMENT OF
WATER RESOURCES

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 7, 2006

Water right number: 63-7094

CITY OF GREENLEAF
C/O CITY CLERK
20523 N WHITTIER DR
GREENLEAF ID 83626
Telephone Number: (208)454-0552

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 06 DEC 2006

SIGNATURE: *Lisa C. Belt*

Please print your name: LISA C. BELT

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800