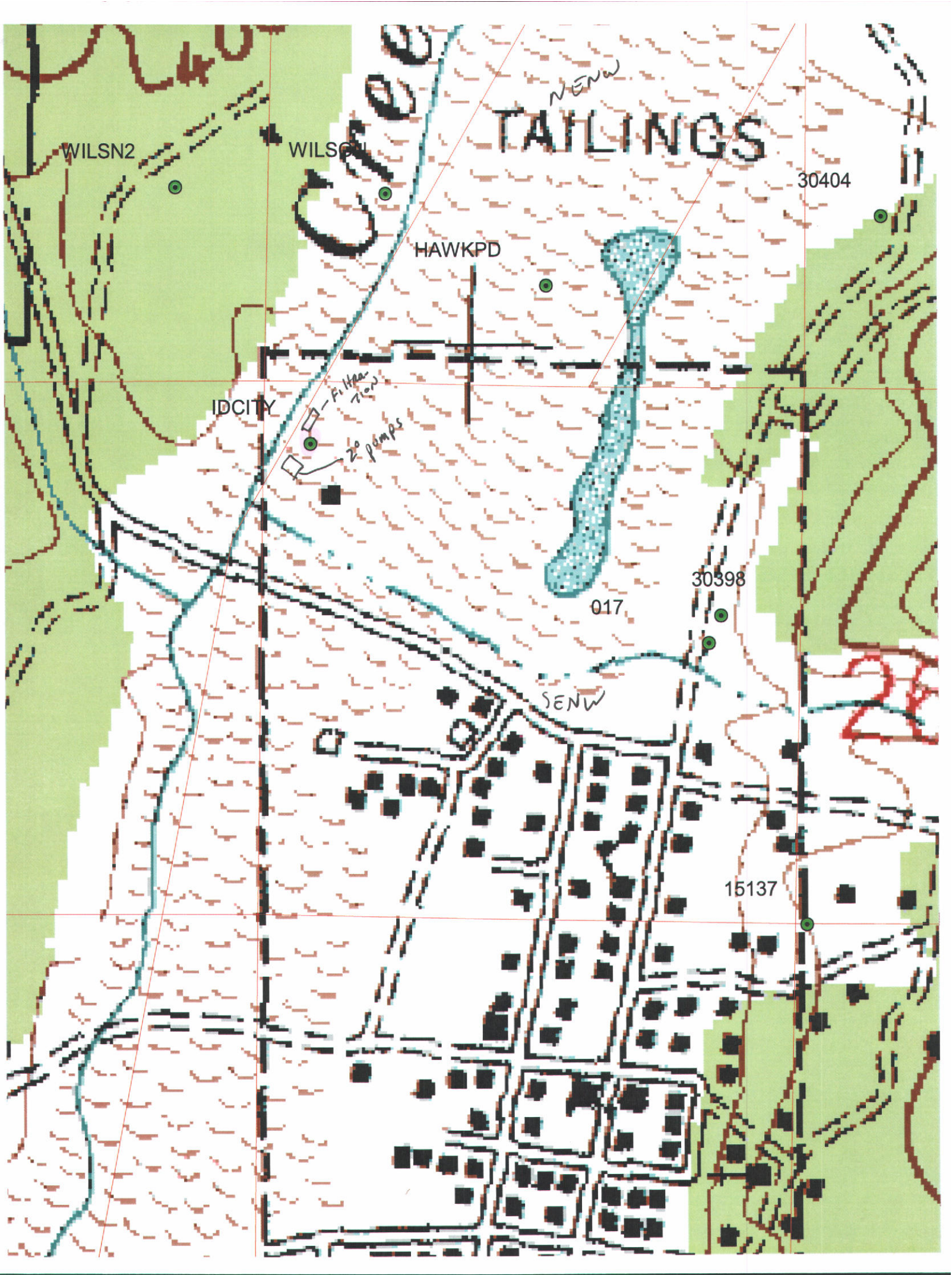




NEW
TAILINGS

WILSON2

WILSON

30404

HAWKPD

IDCITY

Filter
pumps

017

30398

SENEW

15137

SRBA Claim Number A63-15422, -4073 Date of Photos 11/07/2001

Photographer M. Pinicucci Legal Description T6NRSE26 SENW

① Dam in Elk Creek,

located west of
point of
diversion



② Wells located
next to Elk Creek.

Each well has a
7.5 HP pump. Water
is piped to filtration
system via common
pipe, then to small
holding tank. Relifted
to 200,000 gal tank
above town, gravity
to users.



APPLICATION FOR PERMIT To Appropriate the Public Waters of the State of Idaho

Application No. 27274
Permit No. 19741
District No.

Fred T. Peck, Village Clerk
Idaho City, Idaho

1. Name of Applicant: The Village of Idaho City

Postoffice address: Idaho City County: Boise State: Idaho

1. If applicant is a corporation, give:

(a) Date and place of incorporation: Idaho City, Idaho, Oct. 17, 1895

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors: M. Garrecht, Chairman of Trustees; Ernie Hall, Dove Williams, Harry Jensen and Morris Hall, Trustees; Harry Palmer, Treas. and Fred T. Peck, Clerk

II. The financial resources of the applicant are:

(b) Treasury stock: None

(d) Other resources: Village lots

(a) Cash on hand: \$1,500.00

(c) Bonds to be issued: None

2. Quantity of water claimed: Two (2) cubic feet per second.

2. Source of water supply: Elk Creek

which is a tributary of Boise River (Liberty's Creek)

1. Location of point of diversion: 1400

feet distant from the Northwest

corner of Section 25 .T. 6 N. .R. 5 E. .E. M. and is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$

of Section 25 .T. 6 N. .R. 5 E. .E. M. County of Boise

3. Water is to be used for feeding a well dug in tailings of Elk Creek- domestic water supply

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: 2000 feet distant from NW corner of Section 25

.T. 6 N. .R. 5 E. .E. M. in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25 .T. 6 N. .R. 5 E. .E. M.

(b) Amount of power generated: H.P. under feet head.

(c) Water is to be returned to Elk Creek at a point 1500 feet

distant from the NW corner of Section 25 .T. 6 N. .R. 5 E. .E. M. in the

SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25 .T. 6 N. .R. 5 E. .E. M.

7. Estimated cost of works: \$ 500.00

8. Kind of works: Trench and 36 feet of pipe

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet;

11. Ditch: Width at bottom 2 feet; width at water line feet; depth of water .5 feet;

Construction of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is Three (3) years.

63-2627

13. (a) Is reservoir to be used? If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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.

The Village of Idaho City

Applicant.

By

Fred T. Peck,

Agent.

Village Clerk

Date of first receipt at Department of Reclamation: 9:00 A. M. December 17, 1945

Returned to applicant for correction: December 17, 1945

Corrected application received: December 22, 1945

Approval of State Reclamation Engineer

The number of this permit is 19741

Recorded in Book 71

Page 19741

Approved December 22, 1945

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before February 20, 1946

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before June 22, 1947

The whole of said work to be completed on or before December 22, 1948

Beneficial use of water appropriated in accordance herewith, to be made on or before December 22, 1949

Witness my hand this 22nd day of December, 1945

MARK E. KEMP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ARNOLD WILLIAMS

Governor of the State of Idaho,

and IRA E. MUSTERS

Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 22nd

day of December, 1945.

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA E. MUSTERS

Secretary of State.

By ARNOLD WILLIAMS

Governor

Remarks:

14.

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	

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that THE VILLAGE OF IDAHO CITY of Idaho City, County of Boise, and State of Idaho, the holder of Permit No. 19741, issued upon Application No. 27274, bearing date of priority of December 17, 1945, authorizing the diversion of two (2) second feet of the waters of Elk Creek, a tributary of Morr's Creek, thence Boise River, County of Boise, State of Idaho, for feeding a well in tailings of Elk Creek, for domestic water supply, has fully complied with the provisions of laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said permit; that said works are adequate for diverting and conveying to the place of intended use two (2) second feet of the waters of Elk Creek; that the point of diversion of said waters is 1400 ft. distant from the Northeast corner of Section 26, Township 6 North, Range 5 East, B.M., and in the NE 1/4 of said Section 26; and that the place of use of said water is in the SW 1/4 of Section 26, Township 6 North, Range 5 East, B.M.

Witness my hand this 12th day of November, A.D. 1946.

MARK E. KEMP

State Reclamation Engineer

Proof of completion of works made October 15, 1946

Certificate of Completion of Works issued November 17, 1946.

127 477

20
N

Twp 6 N R 3 E

CR
E
L
E
V
U.S. Gen. Land Office
1/4 Con. 23 1938 Survey

open ditch
Pump plant
Storage tank

25 Highway

26

27

Lowman
Creek

28

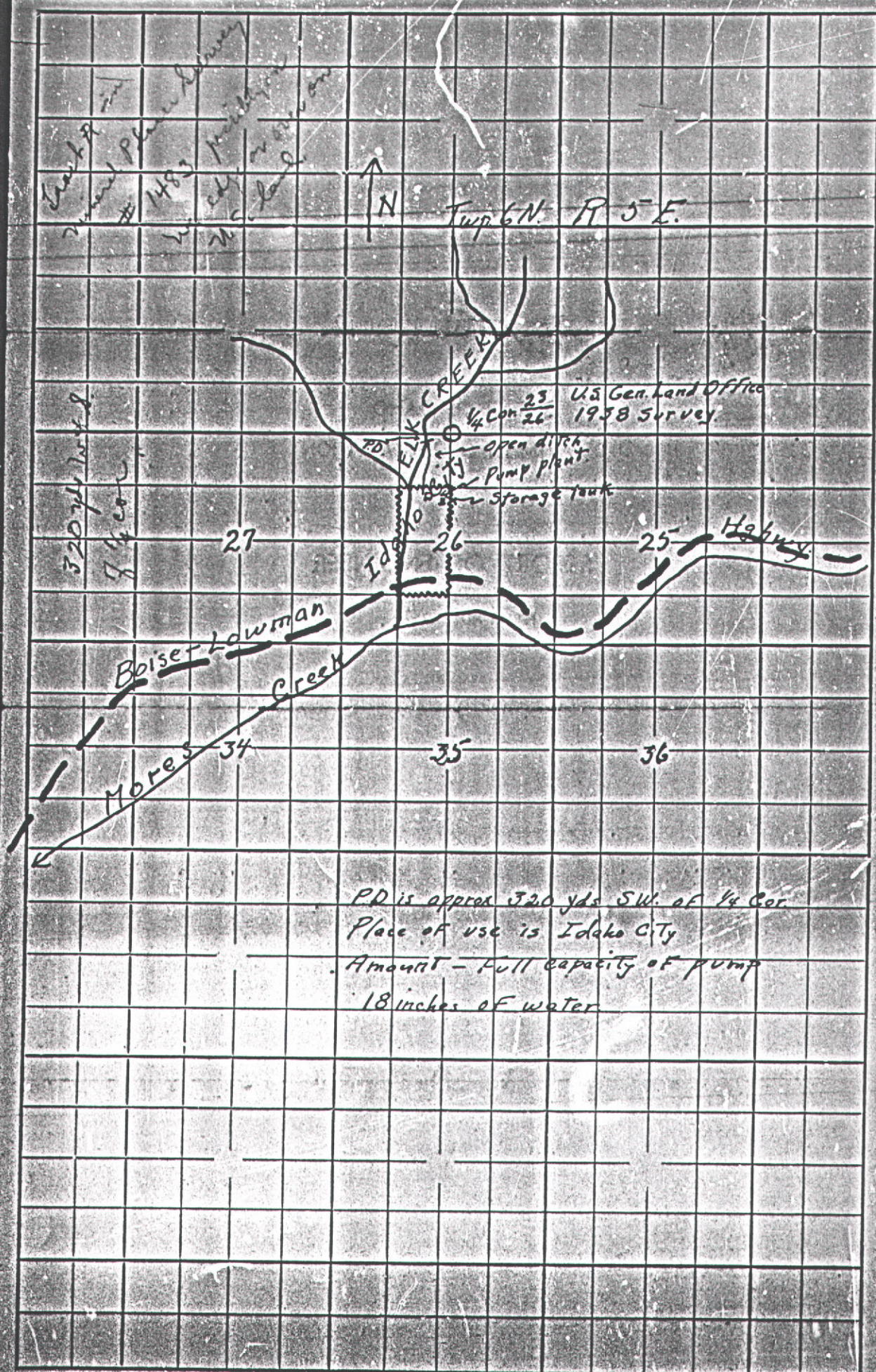


Chart A
Mineral Planter Survey
1483
W. ed. on section
W. C. land

Twp 6N. R 5E.

23 US Gen. Land Office
1/4 Con 26 1958 Survey

open ditch
Pump plant
Storage tank

PD is approx 320 yds SW. of 1/4 Cor.
Place of use is Idaho City
Amount - Full capacity of pump
18 inches of water

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-2627
Date Received: 5/16/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CITY OF IDAHO CITY
PO BOX 130
IDAHO CITY ID USA 83631

Phone: (208)392-4584

2. Date of Priority: 12/17/1945

3. Source: ELK CREEK Trib. to: MORES CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	05E	26	SE NW	BOISE	

5. Description of diverting works:

The city has 2 wells w/ approx. equal dimensions. Depth 15 ft 9"

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
MUNICIPAL	01/01	12/31	0.36	

7. Total Quantity Appropriated is:
0.36 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
----------	-------	---------	------------	-----	-----	-------

11. Place of use in counties:

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

This claim was renumbered from 63-15422. DH 7/30/2002

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

PLACE OF USE IS WITHIN THE CITY OF IDAHO CITY AND SURROUNDING SERVICE AREA.

15. Basis of Claim: License

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Renumbered: 63-2627

Ident. Number: A63-15422

Date Received: 5/16/1989

Receipt No: W002827-W2678

Received By: 66 W2987

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF IDAHO CITY 208-392-4584
Address: PO BOX 130
IDAHO CITY, ID 83631
2. Date of Priority: DEC 17, 1945
3. Source: ELK CREEK Trib. to: MORES CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	05E	26	SE	NW			BOISE
5. Description of diverting works:
THE CITY HAS 2 WELLS W/APPROX. EQUAL DIMENSIONS: DEPTH 15" 9"--
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.360		
7. Total Quantity Appropriated is:
0.360 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
D/THIS IS A EARLIER WATER RIGHT, NUMBER OF HOMES UNKNOWN
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	05E	26	NE	NW		DOMEST	
			NW	NW		DOMEST	
			SW	NW		DOMEST	

A63-15422

Page 1

Date: 05/22/89

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AUG 25 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	05E	26	SE	NW	DOMEST	
			NE	SW	DOMEST	
			NW	SW	DOMEST	
			SW	SW	DOMEST	
			NW	SE	DOMEST	

11. Place of use in counties: BOISE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A63-04073

14. Remarks:

IDAHO CITY IS A MUNICIPALITY OPERATING AS A WATER UTILITY.
WELLS ARE CLOSE TO CREEK AND USED FOR FILTERING.
ITEM 5-CONT'D. DIAMETER 31 1/2" +/- 1".
THIS WAS INITIALLY FILED AS A STATUTORY CLAIM-NUMBER 63-4073,
WHICH LISTED TWO PRIORITY DATES.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. Number 63-15422
Date Received _____
Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
MAY 10 1989

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Idaho City, Idaho Phone (208) 392.4584
Mailing Address P.O. Box 130, Idaho City, Idaho Zip 83631
2. Date of Priority (Only one (1) per claim) December 17, 1945 - .36 cfs*
3. Source of water supply (a) Groundwater wells located near Elk Creek, Elk Creek point of diversion
which is tributary to (b) Elk Creek/Mores Creek - Boise River/Lucky Peak Reservoir
4. a. Location of existing point of diversion is: Township 6N Range 5E Section 26,
1/4 of SE 1/4 of NW 1/4, Govt. Lot, B.M., County of Boise
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.
The City has two wells with approximately equal dimensions: depth 15" 9"
diameter 31 1/2" ± 1". Multiple stage centrifugal pumps.
Elk Creek is the point of diversion.

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AUG 25 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from Jan 1 to Dec. 31 amount .36 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .36 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is X86 N/A acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic - This is a earlier water rights, number of homes are not known.

10. Description of place of use:

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6 N	5 E	26		D			D	D	D	D	D	D	D						
6 N	5 E	27																	
6 N	5 E	34																	

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? _____

12. Do you own the property listed above as place of use? Yes _____ No _____ (some)
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None ()

14. Remarks: Idaho City is a municiplatity operating as a water utility.

Last Name Idaho City Ident No. _____

MICROFILMED
Copies: White - State, Yellow - Claimant
AUG 25 1992

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

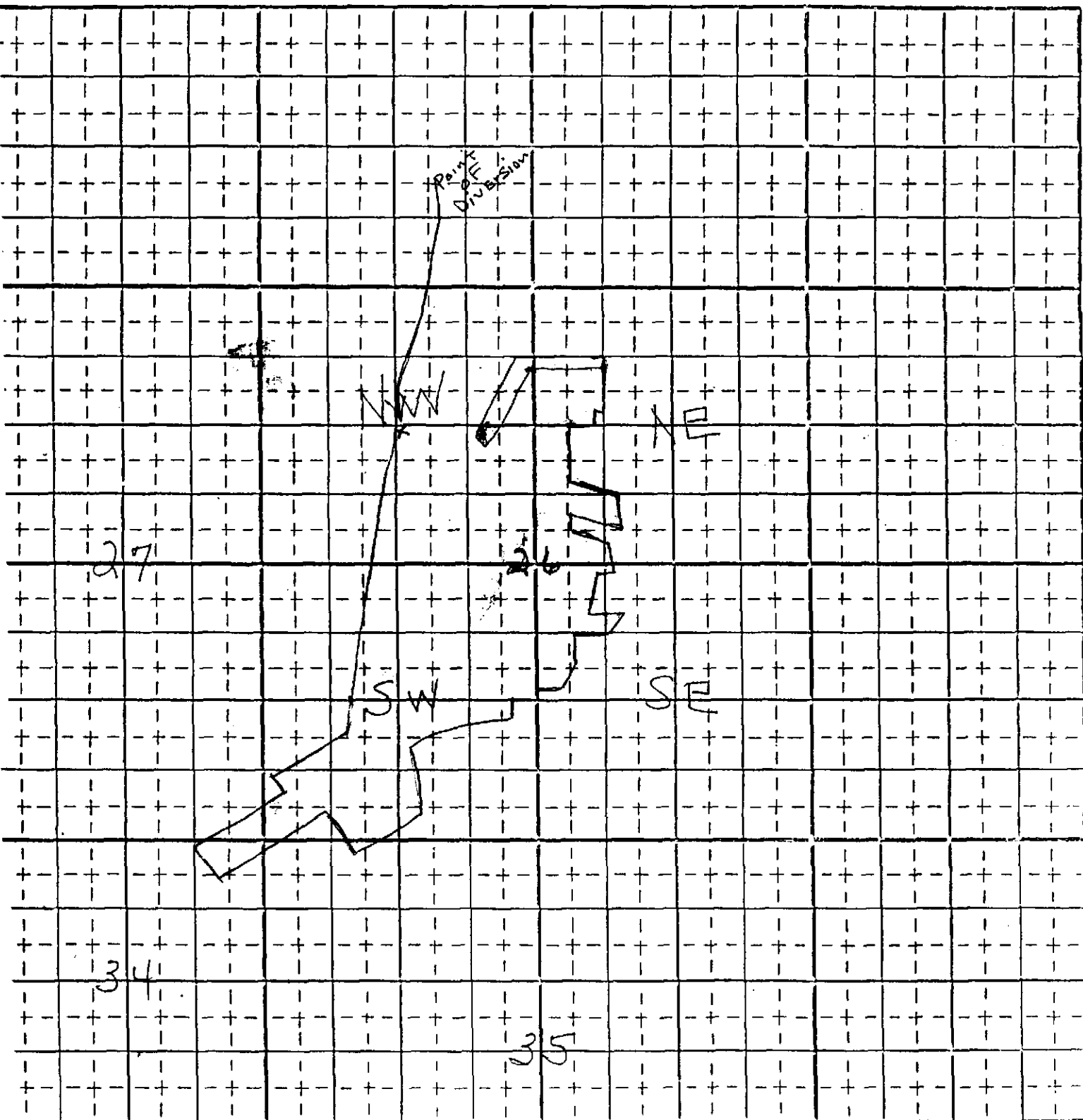
If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

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

Scale: 2 inches equals 1 mile



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Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claims

AUG 25 1992

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number ID #63-4073

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Raymond G. Robison Mayor
Title

of City of Idaho City , that I have signed the foregoing
Organization

document in the space below as Raymond G. Robison of City of Idaho City
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Raymond G. Robison

Title and Organization City of Idaho City Date 5-11-89

State of Idaho/or _____)
County of Bonanza) SS.

Subscribed and sworn (or affirmed) before me this 11th day of May 19 89

SEAL

Notary Public Bonnie West

Residing at Idaho City, Idaho

My Commission Expires 1/13/94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

MICROFILMED
Copies White-State, Yellow-Claimant
AUG 25 1992

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2627 V1

WATER RIGHT NUMBER: 63-2627 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF IDAHO CITY PO BOX 130 IDAHO CITY, ID 83631 (208)392-4584

Priority Date: 12/17/1945

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
ELK CREEK	MORES CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	01/01 to 12/31	0.360 CFS	
	<u>Total Diversion:</u>	0.360 CFS	

Location of Point(s) of Diversion

ELK CREEK	SE1/4NW1/4	Sec. 26, Twp 06N, Rge 05E, B.M.
BOISE County		

Place of UseConditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. Place of Use PLACE OF USE IS WITHIN THE CITY OF IDAHO CITY AND SURROUNDING SERVICE AREA.

Comments:

1. jshurte 8/7/2002 Number change
Comment: Number changes from b/u claim to original license number 63-2627 - was 63-15422. All claimed was exactly as licensed. Attorney Bryce Ferris requested number change.

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2627 V1

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

02/28/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: ~~63-15422~~ Renumbered To. 63-2627

NAME AND ADDRESS: CITY OF IDAHO CITY
PO BOX 130
IDAHO CITY ID 83631

SOURCE: ELK CREEK

TRIBUTARY: MORES CREEK

QUANTITY: 0.36 CFS

PRIORITY DATE: 12/17/1945

POINT OF DIVERSION:

T06N R05E S26 SENW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	01/01 12/31	0.360 CFS
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.		

PLACE OF USE:

PLACE OF USE IS WITHIN THE CITY OF IDAHO CITY AND SURROUNDING SERVICE
AREA.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-15422 V1

WATER RIGHT NUMBER: 63-15422 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF IDAHO CITY PO BOX 130 IDAHO CITY, ID 83631 (208)392-4584

Priority Date: 12/17/1945
 Basis: Beneficial Use
 Status: Active

<u>Source</u>	<u>Tributary</u>
ELK CREEK	MORES CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	01/01 to 12/31	0.360 CFS	
	<u>Total Diversion:</u>	0.360 CFS	

Location of Point(s) of Diversion

ELK CREEK	SE1/4NW1/4	Sec. 26, Twp 06N, Rge 05E, B.M.
BOISE County		

Place of UseConditions of Approval:

1. C04 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

1. Place of Use PLACE OF USE IS WITHIN THE CITY OF IDAHO CITY AND SURROUNDING SERVICE AREA.

Comments:

1. jshurte 2/26/2002 License 63-2627

Comment: This beneficial use right actually mirrors the license issued for 63-2627. Not sure why they did not claim the license, however, evidence of priority taken from license to substantiate this claim. Field exam on license conducted in 1951. See comments on disallowed right no. 63-4073 for complete situation on Idaho City rights.

Dates and Other Information:

SEE FURTHER DOCUMENTATION IN 63-4073

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-15422 V1

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Source	2/26/2002 12:07:52 PM	jshurte			Active
Season	2/26/2002 12:50:33 PM	jshurte			Active
Quantity	2/26/2002 12:51:10 PM	jshurte			Active
Priority Date	2/26/2002 12:52:29 PM	jshurte			Active
Season	2/26/2002 12:53:11 PM	jshurte			Active
Quantity	2/26/2002 12:53:38 PM	jshurte			Active
Use	2/26/2002 12:54:31 PM	jshurte			Active
POD	2/26/2002 1:04:56 PM	jshurte			Active
POU	2/26/2002 1:04:57 PM	jshurte			Active
Source	2/26/2002 1:05:02 PM	jshurte			Active
Summary	2/26/2002 1:05:03 PM	jshurte	2/26/2002 1:05:03 PM	jshurte	Active

01/30/2002

9:00-11:00

PD Nicicucci, J Shure, IDWR

Bayle Farris, ID City Attorney (Ringer/Clark)

AG-15422 ^{Rec.} ~~Reg.~~ as licensed (63-2627) ^{PLAN 1951-36} .36 CFS

AG-4073 Evidence shows expansion of system in violation of mandatory permit statute. ^{1978 INSTALLATION}

Discussed options

Reviewed license & approved transfer for Wilderness Ranch

Reviewed Memo 59

Ploratorium on SW in Upper Boise & Conjunctive Mgt.

Some options discussed

1) Filing application for permit for GW (since diversion system ^{now} consists of wells deeper than 18ft) and an application for transfer to move the point of diversion from Elk Creek to the GW source. Transfer would be filed on AG-15422 (or 63-2627, the license on which the claim is based).

2) Transferring water from a willing seller in the Boise Valley. This has been done recently with Nampa-Tremonton Irrigation District water. The District annexed the new lands into the District and is assessing fees to those property owners. Unknown if this process would hold for canal companies, ~~water~~ or other water delivery entities.

Shurte, Jan

From: Keen, Shelley
Sent: Thursday, February 21, 2002 11:02 AM
To: Shurte, Jan
Subject: RE: Upper Boise River Applications

Jan,

I don't have a copy of the 1977 memo either, and I'm not sure who might. At any rate, according to Gary' latest draft memo on processing in Basin 63, we would not process a surface water application out of order unless it is non-consumptive, is fully mitigated, or the diversion coincides with flood flows being released from Lucky Peak. Has anyone looked for an old lapsed permit that could be reinstated?

For a good discussion of the reasons for not processing out of order, see the recommended decision and order issued on 2/19/2002 by Peter Anderson for I W Land Company. I'm sure Gary has a copy.

Shelley

-----Original Message-----

From: Shurte, Jan
Sent: Thursday, February 21, 2002 9:58 AM
To: Keen, Shelley
Cc: Shurte, Jan
Subject: Upper Boise River Applications

Hi Shelley,

We have come across a situation with the City of Idaho City. They have filed a couple of b/u claims. One is for an existing license for a 1945 priority date (why they didn't claim the license I don't know) and another for a 1965 priority date. They have not been able to find evidence of priority to support the 1965 date and all they know is that in 1978 they upgraded the system. So, basically they only have a water right for .36 cfs and are using more than that. The source is Elk Creek.

After all that, my question concerns whether or not an application could be processed if they could show that the development took place prior to the surface water moratorium in the Upper Boise. My problem comes with what date that is. There is the 1980 Admin. Memo, however, it references a 1977 memo. I think the 1977 memo actually closed the area and the 1980 memo added in the bottom asterisked portion. I'm not sure though because I don't have a copy of the 1977 memo.

Do you have a record of when the area was officially closed to surface water appropriation? Also, if they can show it was previous to the closure, could an application for permit be processed?

Thanks,

Jan

*MEMO IN 1977 DOES CLOSE UPPER BOISE
RIVER AREA.*

- 1 - Claim - Elk Creek - 1945
Exam in 1951 - .36 gpm
2 - Claim - 1965 - 3.0 gpm
? on amount of water between
51 + 21 to claim - probably less.

1978. 10" casing down 25' - 30' deep (3)
by Elk Creek - pumped out of
(well casing) to small stor. pond
w/ boosters to large stor. & gravity flow.

G.W. app. Upper Boise.

1.47 gpm pumped - 659 GPM

Can they transfer to change source
from surface H₂O to G.W.
on Elk Creek (old rt).

+ file app. for permit in Upper Boise
w/ mitigation in lieu of Conj. mgmt.

Mores Creek - Wilderness Ranch -
G.W. infiltration gallery. Regret
Creek changed to G.W., etc.

ADJUDICATION MEMORANDUM

CLAIM NO.: A63-15422-4073

SUBJECT: Priority

EMPLOYEE: M Ninivucci

DATE: _____

Dale Bridwell 392-4281

City engineer previous to Steve Sanders

01/22/2002 1:26 pm

left msg on machine requesting call-back

01/23/2002 9:10 am

Mr. Bridwell returned my call.

Current "wells" were dug in 1997.

System previously was a buried 10 inch perforated pipe ~~with~~ wrapped in filtration fabric. Located ~ 70 ft north of current turbidity well ("3rd well"). This system was installed in the early 1980s and replaced an older, similar system.

~ 1994/1995 3 people from IDWR came up to town and measured flow in Elk Creek (using mechanical flow meters.)

He will pursue information on system changes from 1951 onward. I will try to find information on 1994-1995 activities.

9:40 am Mr. Bridwell

Filtration system in 1950s - 3" line

~ 1976: 6" line + increased pump sizes

1978: Water quality problems. Installed 10" infiltration system (buried pipes)

ADJUDICATION MEMORANDUM

CLAIM NO.: A63-15422, -4073

SUBJECT: Date of development

EMPLOYEE: M Minicucci

DATE: _____

Bryce Farris, Attorney for City of Idaho City 342-4657
left msg on machine to hearing Tues or Thursday
of next week (29th or 31st)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A63-15422

1. No Change NAME IS SAME ✓
NEW OWNER: _____
No Change ADDRESS
NEW ADDRESS: _____

2. No Change - DATE OF PRIORITY: Completed evidence submitted
Incomplete - Claimant should be asked during the exam when was water first
used and submit proof of date of priority.

Priority date, per claimant, is: 12/17/1945
(If the priority date, based on your exam, seems questionable, explain below.)

Claimed date reflects original priority date of license 63-2627.
Licensed priority was advanced a week due to paperwork
problems, leading to filing of this B/U claim to retain

3. No Change — SAME SOURCE ✓ earlier priority date.
Source is different than that claimed:
Source found: _____

4. No Change — POINT OF DIVERSION
Point of diversion is different than the claim and/or new P/D's:

Township 6N Range 5E Section 26 1/4 NW 1/4 SE 1/4 ~~NW~~
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. No Change - DESCRIPTION OF DIVERTING WORKS
Incomplete description, list below:

(2) 30' "wells" sunk in creek bed (Elk Creek). 7.5 HP
pump through filtration system to 20,000 gal. storage
tank. Relifted w/ (2) 15 HP pump to 200,000 gal storage tank
on hillside above town. Gravity flow to POV.

6. No Change - WATER USES
Different uses, (list uses found):

Use Dom From 1/1 To 12/31 Amount .36 CFS _____ AFA _____
Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____
Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____

*changed to Municipal
use for Idaho City.
Accomplished
change*

7. No Change - TOTAL VOLUME

Incomplete on claim, the total is, Amount _____ CFS _____ AFA _____

Changes found, the new total is, Amount _____ CFS _____ AFA _____

8. No Change - NON-IRRIGATION USES:

Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: Place of use is service area for City of Idaho City

9. No Change — PLACE OF USE: (If changed, list below.)

Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____

Remarks: (Comments pertinent to field examination) See additional attachment

Place of use is service area of the City of Idaho City

SYSTEM DIAGRAM INCLUDED

NA

Shown on GIS Layout

CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 11/07/2001

FIELD EXAMINER:

MARIA MINICUCCI

Print Name

[Signature]
Signature

NEW
TAILINGS

30404

HAWKPD

DCITY

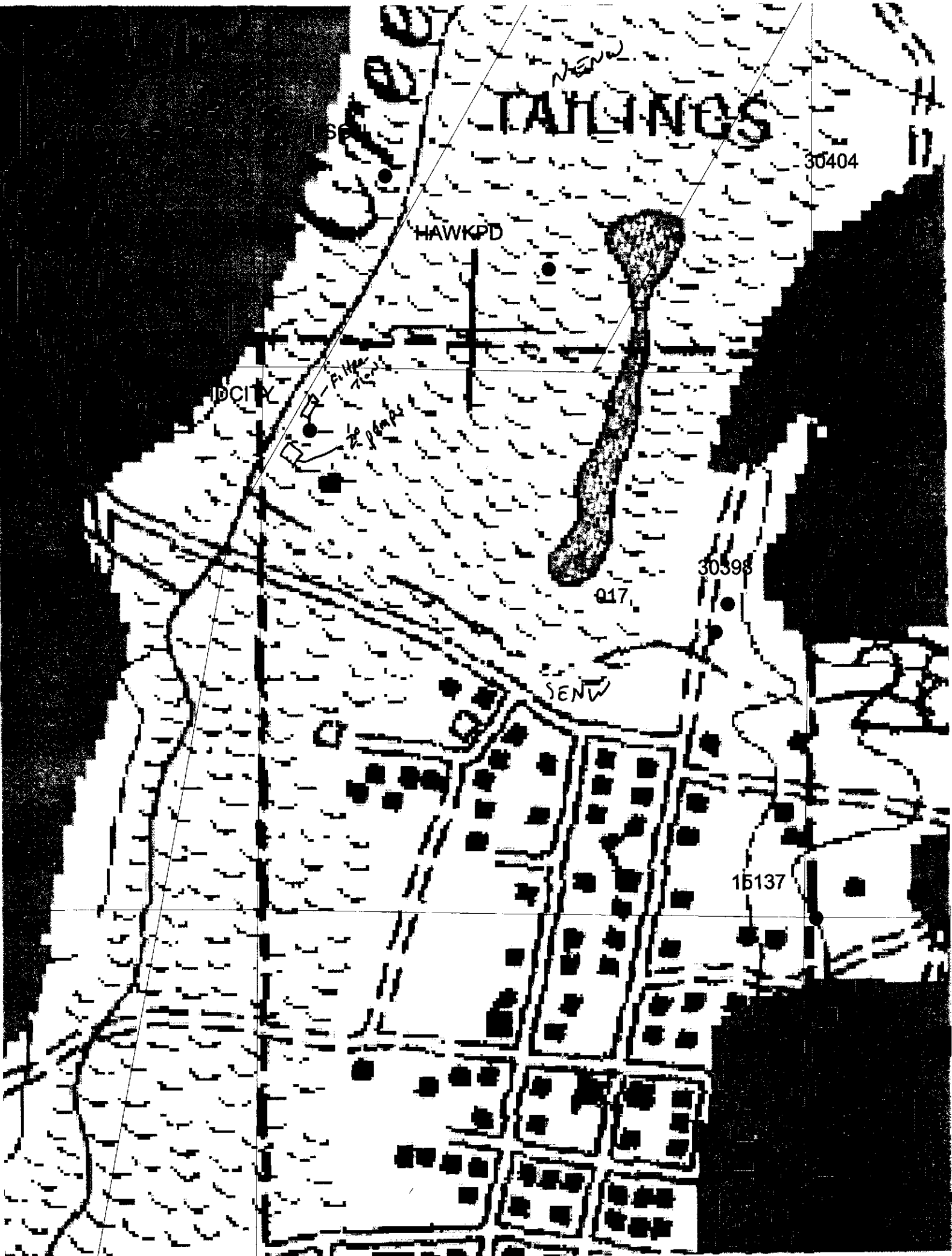
Filter
pumps

30398

Q17

SEW

15137



SRBA Claim Number A63-15422, -4073 Date of Photos 11/07/2001
Photographer M. Minicucci Legal Description T6NRSE26 SENW

① Dam in Elk Creek.

located west of
point of
diversion



② Wells located
next to Elk Creek.

Each well has a
7.5 HP pump. Water
is piped to filtration
system via common
pipe, then to small
holding tank. Relifted
to 200,000 gal tank
above town, gravity
to users.



APPLICATION FOR PERMIT To appropriate the Public Waters of the State of Idaho

Application No. 27278
Permit No. 19741
District No.

Prof. J. Peck, Village Clerk
Idaho City, Idaho

1. Name of Applicant: The Village of Idaho City

Postoffice address: Idaho City County: Boise State: Idaho

1. If applicant is a corporation, give:

(a) Date and place of incorporation: Idaho City, Idaho, Oct. 17, 1895

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors: J. C. Corbett, Chairman of Directors; Emily Peck, Dora Williams, Harry Peck and Morris Hall, Trustees; Harry Salmon, Treas., and Prof. J. Peck, Clerk

2. The financial resources of the applicant are:

(a) Treasury stock: none

(b) Other resources: Village Lots

(a) Cash on hand: \$1,400.00

(c) Bonds to be issued: none

2. Quantity of water claimed: One (1)

cubic feet per second.

3. Source of water supply: Elk Creek

which is a tributary of Boise River (Boone's Creek)

4. Location of point of diversion: 1400

feet distant from the Northwest

corner of Section 25 T. 6 N. R. 5 E. E. M. and is in the SE¹ 4¹

of Section 25 T. 6 N. R. 5 E. E. M. County of Boise

5. Water is to be used for: feeding a well for a settlement of Elk Creek- domestic water supply

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of waters: 2000 feet distant from NW corner of Section 25

T. 6 N. R. 5 E. E. M. in the SE¹ 4¹ of Section 25 T. 6 N. R. 5 E. E. M.

(b) Amount of power generated: H. P. under foot head.

(c) Water is to be returned to: Elk Creek at a point 1800 feet

distant from the NW corner of Section 25 T. 6 N. R. 5 E. E. M. in the

SE¹ 4¹ of Section 25 T. 6 N. R. 5 E. E. M.

7. Estimated cost of works: \$ 500.00

8. Kind of works: Ditch and 36 feet of pipe

9. Height of dam feet: length of dam at top

feet: length of dam at bottom

feet: material used in dam:

10. Size of headgate: Width feet: height

feet:

11. Ditch: Width at bottom 2 feet: width at water line

feet: depth of water -5

feet:

Description of dam:

Diameter of pipe inches: length of conduit

miles.

Average grade per mile feet.

12. The time required for the completion of each work is Three (3) years.

ADJUDICATION MEMORANDUM

CLAIM NO.: A63-15422, A63-4073

SUBJECT: Capacity of Filtration System

EMPLOYEE: M. Minicucci

DATE: 01/22/2002

Field visit to Idaho City w/ Steve Sanders

Hydraulic Loading (gpm/ft²)

	Flow (gpm)	2 Filters Operating	Σ Filters Operating
Peak Day	270	.11	.08
Av. Summer Day	150	.06	.04
Av. Winter Day	145	.06	.04

Max. allowable filtration rate is $.1 \text{ gpm/ft}^2 = 240 \text{ gpm w/ 2 filters}$

Cleanwell : Total capacity is 23,327 gallons

ALL info from:

Operation + maintenance Manual
City of ID City Sept., 2000
1995 Slow Sand Filtration
I-B-B Eng. Inc

Inside Filtration system house

Both pumps come into system via one pipe
650 gpm w/ both pumps (meter on pipe) = 1.45 CFS

Prev. City Engineer: Dale Bridwell
392-4281

Long pre #302
Canddy directly x from
school
(grammar)

ADJUDICATION MEMORANDUM

CLAIM NO.: A63-15422, -4073

SUBJECT: Measurements of Flow System

EMPLOYEE: T. T. Nicucci

DATE: 01/16/2002

Conversation with Scott King, IDWR Engineer (SRBA)

Low head systems ~~that~~ have high percentage changes in theoretical cfs calculations when lift is changed a small amount.

Design of filtration system is acceptable evidence of historical flow rate. Measurement via pressure gauges is OK, if system is running at capacity.

Polysonic measurement would help to bounce off other numbers - depends on availability of acceptable measuring site.

15. (a) Is reservoir to be used? Yes, as in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit: _____
 (c) Date of filing of Application for Storage Permit and Name of Applicant: _____

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.

The Village of Idaho City

Applicant

Frank T. Pack,

Agent

Village Clerk

Date of first receipt at Department of Reclamation: 9:00 A. M. December 17, 1945

Returned to applicant for correction: December 17, 1945

Corrected application received: December 22, 1945

Approval of State Reclamation Engineer

The number of this permit is 19741

Recorded in Book 71 Page 19741 Approved December 22, 1945

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before February 20, 1946

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before June 22, 1947

The whole of said work to be completed on or before December 22, 1948

Beneficial use of water appropriated in accordance herewith, to be made on or before December 22, 1949

Witness my hand this 22nd day of December, 1945

WILLIAM E. KEMP

State Reclamation Engineer

IN TESTIMONY WHEREOF, We, ARVID JULIUS,

Governor of the State of Idaho,

and ELA E. KASTNER,

Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 22nd

day of December, 1945.

STATE OF IDAHO

Countersigned:

(SEAL)

By ELA E. KASTNER

Secretary of State.

By ARVID JULIUS

Governor

Remarks:

11.

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	

CERTIFICATE OF COMPLETION OF WORK

Priority date 9
Dec. 17, 1945

TO ALL WHOM IT MAY CONCERN:

This is to certify that THE VILLAGE OF IDAHO CITY of Idaho City, County of Boise, and State of Idaho, the permit No. 19741, issued upon Application No. 27276, bearing date of priority of December 17, 1945, authorizing the use of two (2) second feet of the waters of Elk Creek, a tributary of Snake River, thence Snake River, County of Boise, State of Idaho, for feeding a well in tailings of Elk Creek, for domestic water supply, has fully complied with the provisions of laws of the State of Idaho relating to the proof of completion of the works of diversion and put the described works in place and said works are adequate for diverting and conveying to the place of intended use two (2) second feet of the waters of Elk Creek; that the point of diversion of said waters is 1400 ft. distant from the Northwest corner of Section 26, Township 4 North, Range 5 East, S.W., and in the NE 1/4 of said Section 26; and that the place of use of said water is in the Section 26, Township 4 North, Range 5 East, S.W.

Witness my hand this 15th day of November, A.D. 1948.

WILLIAM E. KEMP
State Reclamation Engineer

Proof of completion of works made October 15, 1948

Certificate of Completion of Work issued November 17, 1948.

WILLIAM E. KEMP

17-472

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 19741

This proof is for Beneficial use

In Water District No. _____

1. Name of applicant Village of Idaho City, Idaho City, Idaho
2. Source of water supply: Elk Creek, a tributary of Mores's Creek
3. Location of point of diversion: Is in the NE 1/4 NW 1/4 of Section 26
T. 6 N. R. 5 E. County of Boise

4. Describe works as they exist, giving dimensions and capacities of same: The creek bed has been placer mined, thus the reason for using culvert pipes in places. Water is diverted from Elk Creek thru an 18" culvert pipe into an open ditch. Goes thru an other culvert pipe before reaching the pond. There is an overflow for by-pass around the pond approx. 100 yds. above forest service headquarters. A 6" C.I. pipe leads from the pond directly into the well. Same is screened. Pond is approx. 20' x 40' x 4' deep. Water is pumped into town water mains and on thru into a storage tank located in NE part of town on hill. Tank is 21' d. x 16' h. is war surplus. Water mains are 6" d.. Well is 40" d. x 16' deep. Pump house is over well. Wood const. with corrugated roof (galv) size 10' x 18' x 8' h. Uses a heating stove in winter.

5. Water is used for: Domestic water supply for Village of Idaho City.

6. State whether or not water has been turned into works of diversion: yes
Insufficient capacity as now being operated.

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Village of Idaho City, in SE 1/4 NW 1/4 and NE 1/4 SW 1/4 Section 26, Township 6 North,

Range 5 East, B. M.

Used for domestic and irrigation of lawns and gardens. Village population is approx. 300 people.

Motor is U. S.. 5 hp., 1 phase, 220 v., 60 cycle, 1800 rpm., No. 405 348
Pump is a Deming Mueller Centrifugal Size 8, capcy 155 gpm., 100' head, 1750rpm
Serial 6463. Pipe from pump is 4" d., then 6" mains.

Gage is 43 lbs. when tank is full 43 lbs.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Boise River via Mores Cr

Remarks: This system is used also for fire protection for the town.

They intend to move the well and increase the capacity of the whole system.

This examination was made on the 16 th day of June, 1951

(Signed) E. H. Humphrey

Exam. eng.

19741

20
21

N

Twp 6N R 5E

US Gen. Land Office
1938 Survey

1/4 Cor 23
1/4 Cor 26

open ditch
prop. plat

Stones

25
Helm

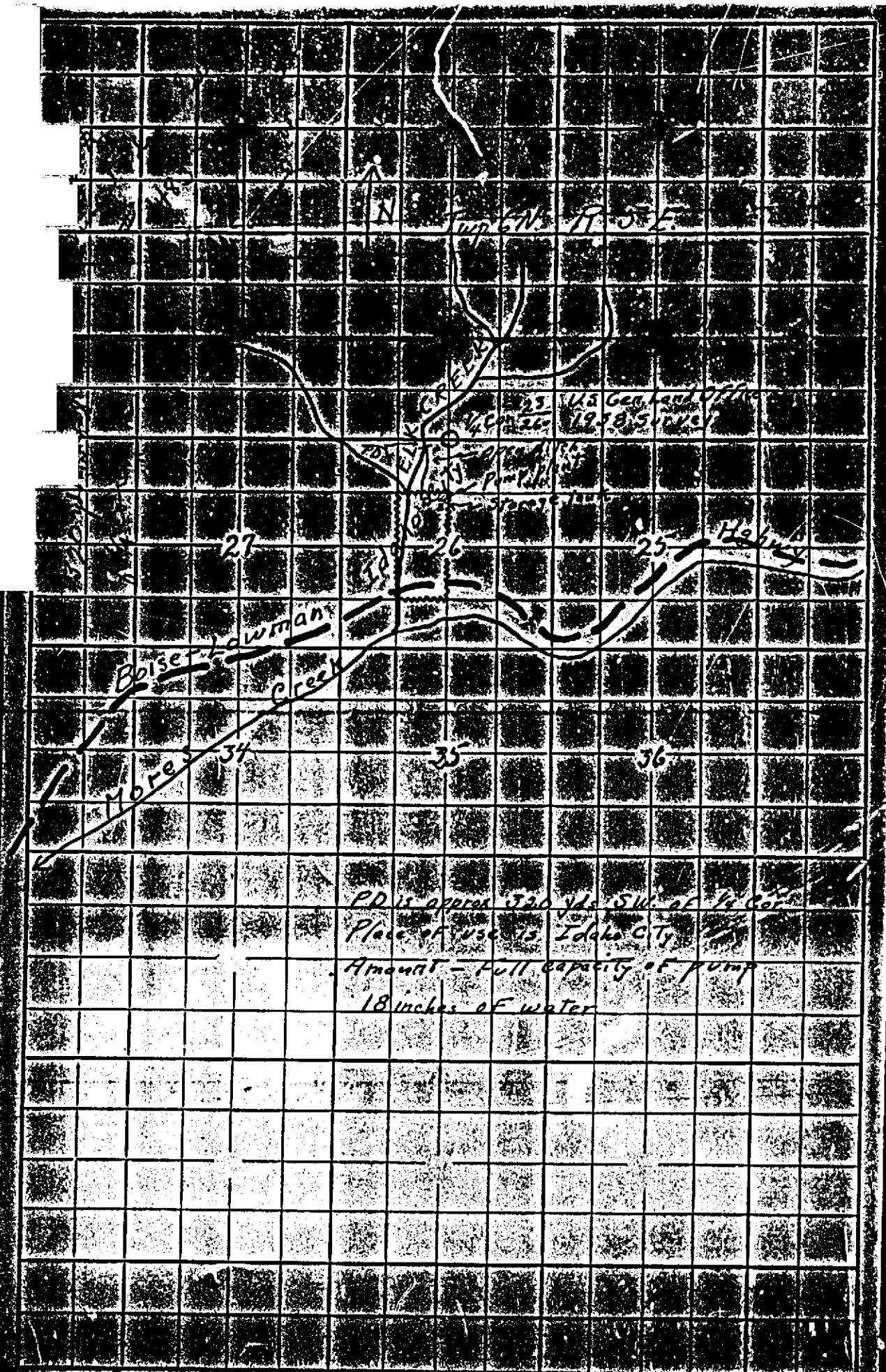
26

27

Woman

Creed

28



PD is approx 320 yds SW of 1/4 corner
Place of use is Idaho City
Amount - Full capacity of pump
18 inches of water

Steve Sanders,
Idaho City

12/10/2001
9:45 am

Pumps are 7.5 HP, NOT 5 HP

500 gpm per pump (1.11 CFS)

Design capacity

pump 350 gpm

VFDs taken off -
pump full bore.

On demand

Flush about $\frac{1}{2}$ Water

Filter plant -

325,000

400,000 per day

part of that goes to
waste.

City of Idaho City

11/07/2001

Steve Sanders, City Engineer via City Hall

- 1) Describe present system - 1A) Extent of delivery system
- 2) Dates of changes within city limits
- 3)

Wells are $\approx$ 25'-30' deep

Submersible pump in each well.

5 HP each (connected to 7.5 HP)

Photo 7: Wells. (white)

Pump into Filter (pump) tank into another "well" to
~~20,000~~²⁵⁰⁰ gal holding tank to another holding tank
(200,000^{gal}) above town. 2 15 HP pumps from 1st holding
tank to one above town.

Dam in creek (ELK CREEK) to try to recharge wells.

Photo 8: Dam in ELK CREEK

3rd well measures turbidity. $\frac{1}{3}$ HP.

Located in well house east of city wells

Discharges to ~~the~~ ground surface on N side of well
house $\rightarrow$ then to Elk Creek.

Pumps to storage tank cranked up to 5300-5400.

Mr. Sanders has witnessed 600 gpm

Marlin Reed, previous operator, told Mr. Sanders they
pumped $\approx$ 1 million gpd. New system + metering reduced usage significantly.

COUNTY SEAT OF BOISE COUNTY

PIONEER CITY OF IDAHO

FOUNDED IN 1863

GOLD MINING

LUMBERING

HUNTING

FISHING

Village of Idaho City Dec. 16. th. 1946

IDAHO CITY, IDAHO

State of Idaho Department Of Reclamation
Boise, Idaho

Dear sir:

Enclosed find money order for \$5.25. Last summer the village dug a well and installed a pumping plant which connects up with thier water mains, this water is all used for domestic purposes.

The bed of Elk creek where this well is located is about 1000 feet wide, three years ago when we had the high water here, the channel was changed over to the west side so the town would not be washed out and a embankment about 24 feet was built, this dried up most of the seepage, and to protect our well we are asking for this winter right, the ditch and pipe are already dug and installed, but this next summer we will have to install a head gate with wings and perhaps lower the pipe in the embankment. The ditch is about 75 feet north of the well and gives us enough seepage to supply the well.

Very truly yours

Fred T. Peck
Village clerk



19741

January 10, 2002

RECEIVED

JAN 11 2002

**WATER RESOURCES
WESTERN REGION**

Maria Minicucci
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

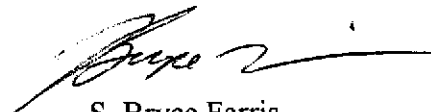
Re: Idaho City's Water Rights

Dear Maria:

This letter is a quick reminder regarding the above-referenced matter. It was my understanding that the Department's engineer was still reviewing the data relating to the City's water rights, and that you would be providing us an update of the status of the water rights before the Department's recommendation. Please advise as to whether you have had a chance to go over this matter with the Department's engineer.

Thank you for your assistance, and I look forward to working with you on this matter. Please contact me if you have any questions. I will be out of the office next week, January 14-18, 2002, but will be available any time after that to meet or discuss this matter.

Yours very truly,



S. Bryce Farris

SBF/kw

cc: Idaho City, Beth Wilson

12/13/01

City of ID City

9:50

Bryce Ferris

Will call when have run numbers to determine
system capacity.

Would like to meet w/IDare when we
have the numbers + idea of what we'll
recommend.

TJ

11/19/2001

10:15

Bryce Ferris, representing IC.

Told him that our (Jar + I) analysis was:

rec. license (1.36 cfs, 1945 priority)

rec. add'l rate

of div. (? cfs, 1951 priority)

(Rate of flow found during 2001
field exam - 3.4 cfs)

Will call Bryce when rate of flow (current)
is determined after consultation w/ our
engineers.

□□

Per Scott King, info req'd includes

- 1) Pump curves for 5 HPs in "wells"
- 2) Rated capacity based on system design?

Also

3) size of pipes from wells

4) Capacity of filtration system

11/29/2001

Steve Sanders IC Engineer

392 4584

9:20 am left msg

12/5/2001

left msg for Mr. Sanders requesting 1) Pump curves for 5 HPs + 2) Rated Capacity

11/08/2001

1:00

Bern Wilson, IC City Clerk
392 4584

Rae licensed amount w/1945 priority date
He add water via blu claim w/priority
date 1 day 7 field exam (1951) or
date IC shows they upgraded system

~~1.12~~
~~.36~~
~~.76~~ 1951 priority

Bern will call Bryce Ferris ~~XXXX~~ (attorney)
to have him call us to go over the details. on

Important Message

Time: 7:54 Date: 12-5
For: Maria
From: Steve Sanders
City of Idaho City
Telephone: 392-4584

- | | |
|--|---|
| ☐ Telephoned | ☒ Please call |
| ☐ Wants to see you | ☐ Will call again |
| ☐ Returned your call | ☐ URGENT |
| ☐ Was here to see you | |

Message: Please a detailed msg.
Regarding info. you need.

Taken by: _____

~~Parcel size 2.3 acres~~

MM, Jan Shuere, Bryce Ferris (Id City)

10/23/2001

2 shallow wells adjacent to elk creek

Licensed may have been filed

Could city file just one claim? Blu, 1865ish priority date:
1965: increase in capacity?

Bryce will forward name/number of public works director.

- 1) Conduct field exam: determine capacity
- 2) Info from city regarding system development
- 3) Determine how much water w/ 1865 date
date of $\uparrow$ + how much

City Eng:

Steve Sander

Present system

Date of change

Extent of delivery system



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 15, 2001

CITY OF IDAHO CITY
PO BOX 130
IDAHO CITY, ID 83631

Re: Claim No(s) 63-4073

63-15422

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by **October 15, 2001**, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

JS:lh
Enclosures

CONVERSATION MEMORANDUM

DATE 5-5-89FILE A63-4073

NAME OF PARTY

Mayor Raymond Robinson - A63-15422

EMPLOYEE

Linda Warner

RE:

Second priority date of 12-17-1945
for 36 cfs. (Usage)Fee - Domestic @ 2.0 cfs = \$200.00IRR of 30 acres = 30.00\$230.00No answer on 5-5 @ 4'5" 50.00280.005-8-8 Per Mayor Robinson - city clerkwells are filtering system.POD: Elk Creek3650.0036.0086.00\$56.00 Due because
overpayment on claim
63-4073 of \$20.00Also - send a claim form

12/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Idaho City, ID

CLAIM IDENT. NO.

63

DATE RECEIVED

5-16-89

CK #

11757

AMOUNT \$

50.00

YES

NO

Require
Init1. Is the name and address complete with zip code? ☒2. Is a priority date entered? ☒Is the priority date acceptable in view of mandatory filing dates? ☒3. (a) Is a source entered? ☒(b) Is a tributary to entered? (if required) N/A ☒4. Is the legal description of the p.d. sufficient? ☒5. Is there a description of the diverting works? ☒6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒Is the period of use included? ☒Is a quantity claimed for each use? ☒7. Is a total quantity claimed entered? ☒8. If required is a consumptive use entered? N/A ☒Is the consumptive use correct? N/A ☒9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A ☒10. Is (are) the place(s) of use and purpose(s) indicated? ☒11. Is (are) the county(ies) entered? ☒12. Is the ownership of p.u. checked? ☒13. Are other water rights listed or "none" indicated? ☒14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☒15. Is the basis of the claim indicated? ☒16. Has the claimant requested a monthly docket sheet? (If yes, describe payment status in "Comments" below.) ☒17. Is the claim signed by the claimant, and is the signature appropriate? ☒18. Has the claim been signed, sealed, and dated by a notary? ☒19. Was this claim filed on time, or was an extension granted? ☒20. Is the fee enclosed correct? Exempt ☒21. If this claim is based on an existing water right, has the identification number been entered? N/A ☒22. Should this claim be receipted and data entered? ☒Claim checked by: LWDate: 5-19-89Claim must be returned to claimant: (Yes) (No)Claimant must be sent a copy of amended claim for approval: (Yes) (No)

Receipt Prepared by: _____

Date: _____

Claim data entered by: _____

Date: _____

Checked by: _____

Date: _____

Sent to claimant by: _____

Date: _____

Comments: _____

MICROFILMED

AUG 25 1992