Ident. No. 61-07731

RECEIVED
MAY 04 1998
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: MOUNTAIN HOME GROUNDWATER ADVISORY COMM 208-587-9055
   Address: RON HIDDLESTON CHAIRMAN
   RT 3 PO BOX 610W
   MOUNTAIN HOME ID 83647

2. Source: CANYON CREEK Trib. to: SNAKE RIVER

3. Location of Point of Diversion: site #, pg. 16 → map

2 C - SWNE Sec. 14, Township 03S, Range 05E
2 D - NWNW Sec. 29, Township 03S, Range 05E
2 B - NESW Sec. 7, Township 03S, Range 06E
2 A - NENE Sec. 9, Township 03S, Range 06E
1 - NENE Sec. 10, Township 03S, Range 06E
ELMORE County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
GROUNDWATER RECHARGE	01/01	12/31	200.000		
GW RECHARGE STORAGE	01/01	12/31			1000.00

5. Total quantity to be appropriated is:
   200.000 CFS (and/or) AF

6. Proposed diverting works:
   a. Description of ditches, flumes, pumps, headgates, etc.
   CONTROLLED DIVERSION AND CHECK STRUCTURES IN CANYON CREEK
   b. Height of storage dam 6 feet; active reservoir capacity 1000.00 acre-feet; total reservoir capacity 1000.00 acre-feet; period of year when water will be diverted to storage: 1/01 to 12/31 inclusive.
   c. Proposed well diameter is inches; proposed depth of well is feet.
   d. Is groundwater with a temperature greater than 85F being sought? NO
   e. If well is already drilled, when?
   Drilling Firm
   Well was drilled for

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 year(s).

8. Place of Use: See Remarks

ORIGINAL

9. a. Who owns the property at the point of diversion?
ID DEPT. LANDS, BLM
b. Who owns the land to be irrigated or place of use?
MTN HOME AREA GROUND WATER
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.
GROUND WATER USERS IN MTN HOME GROUND WATER MANAGEMENT AREA

10. Remarks:
PLACE OF USE LOCATED WITHIN THE LANDS OF THE MOUNTAIN HOME GROUNDWATER MANAGEMENT AREA

11. Map of proposed point of diversion and place of use attached? [X] "See pg 16 site map in Applicant's Demo/Study Report

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.

per file, SL for:

Ron Williamson
Applicant
CHAIRMAN, Mountain Home Area Ground Water Advisory Committee

Received by JFW Date 3/6/97 Time ~ Preliminary check by SL

Fee $ 1780 Receipted by S.O. # T. Doc. BILL2387 Date 3/26/97 *

Publication prepared by ST Date 4/9/97 Published in Id Statesman, Lewiston Morning Tribune, Times-News, Post Register on 4/17+24/97. On 4/16 to 4/23/97 in Mtn Hm News.

Publication approved _____ Date _____

See attached Memorandum.

* proposed priority per fee receipt date.

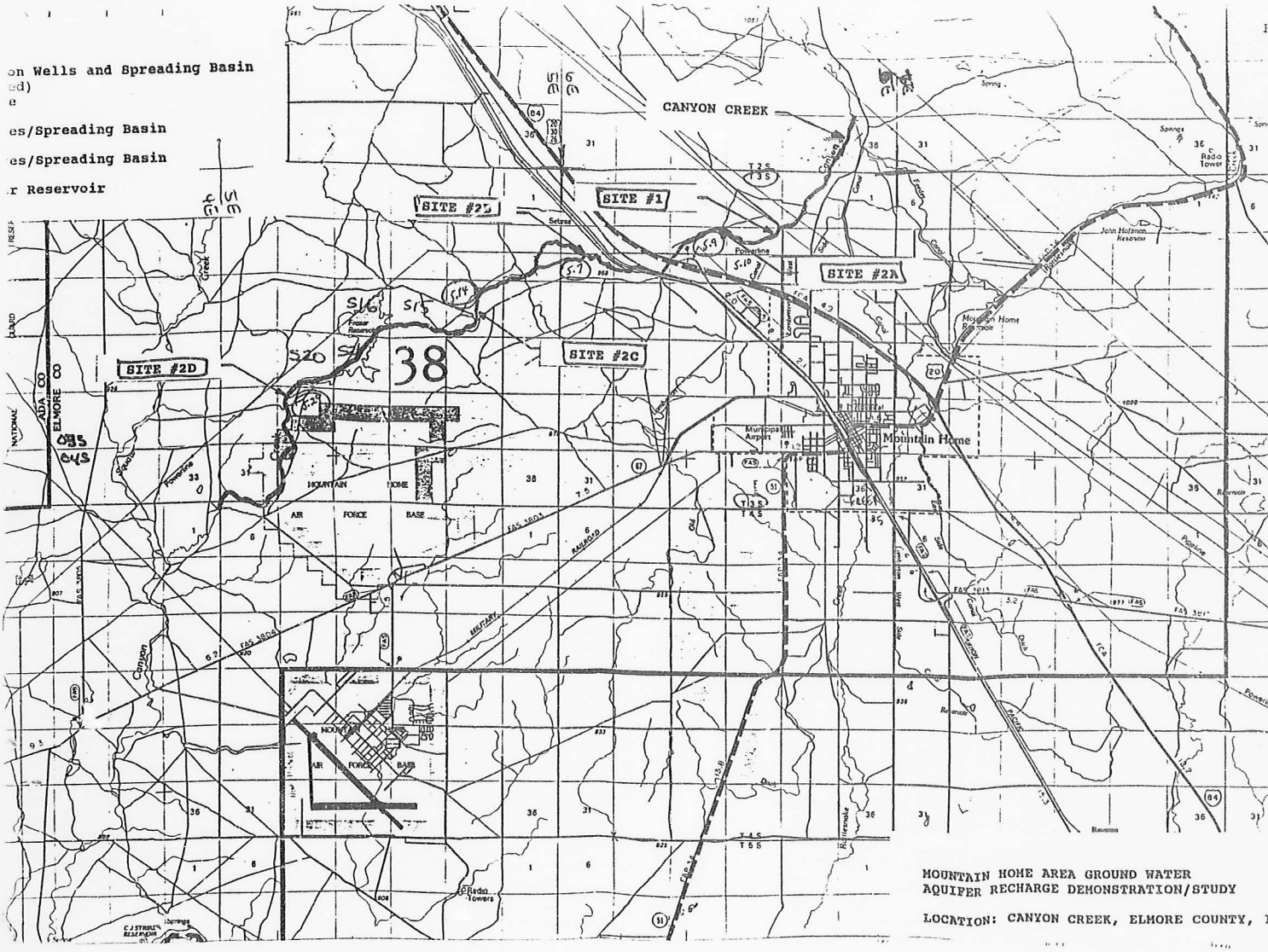
Protest of Idaho Power withdrawn in October, 1997.
See file for paper copy of protest withdrawal.

on Wells and Spreading Basin
ed)
e

es/Spreading Basin

es/Spreading Basin

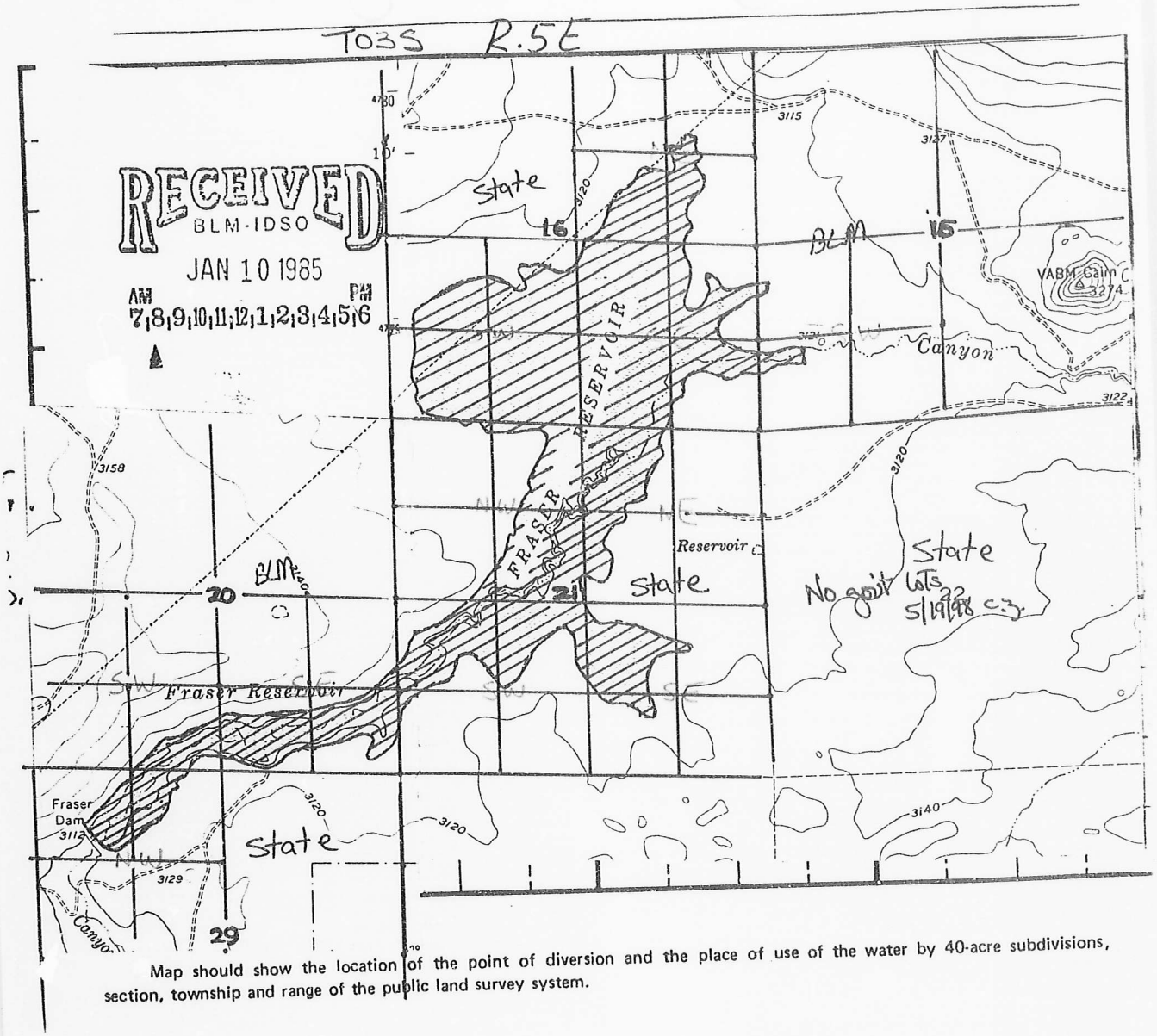
r Reservoir



MOUNTAIN HOME AREA GROUND WATER
AQUIFER RECHARGE DEMONSTRATION/STUDY

LOCATION: CANYON CREEK, ELMORE COUNTY,

T035 R.5E



Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

Map from 61-04144.

Same as D61-4064.

cj. 5/19/98

= GROUNDWATER RECHARGE STORAGE PLACE OF USE.

Ident. No. 61-07731

Comments: Date: 4/ 9/1997 User-ID: SLESTER

Subject: ADDITIONAL INFORMATION

No new storage reservoir is proposed. Frazer Res. storage is included in this application just in case that storage is not validated in SRBA under existing claims (BLM &/or Simplot?). Including it at this point is a precaution against having to file another application later in time to reflect beneficial use of the reservoir as an addition to the aquifer recharge project.
USGS will monitor the effects of this project. Use of Canyon Ck. water must be subject to Watermaster control if water shortages occur. Applicant sent 2-20-97 comment letters to federal, state & county agencies with request for replies to be sent to Western Region IDWR office.
Three injection well applications have also been filed and are being processed at S.O. (appls. # 61-W-0001 through 0003).
Large diversion supplemental information has been submitted with application. Also, a report entitled "Mountain Home Area Ground Water Aquifer Recharge Demonstration/Study" has been submitted with this application.
Legal notices will include statewide plus Elmore County papers.
Legal notices should include clarifying remark.

per database on 5/11/98, claims were withdrawn
, only 61-4144 for 505 AF for Fraser Res.
CJ.

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 61-07731

Proposed Priority: March 26, 1997 Maximum Diversion Rate: 200.00 CFS

This is to certify, that **MOUNTAIN HOME GROUNDWATER ADVISORY**
RON HIDDLESTON CHAIRMAN
RT 3 BOX 610W
MOUNTAIN HOME ID 83647
has applied for a permit to appropriate water from:
CANYON CREEK tributary of **SNAKE RIVER**

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

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
GROUNDWATER RECHARGE	01/01 to 12/31	200.00 CFS	
GW RECHARGE STORAGE	01/01 to 12/31		1000.0 AF
	Totals	200.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 14, Township 03S, Range 05E
NWNW , Sec. 29, Township 03S, Range 05E
NESW , Sec. 7, Township 03S, Range 06E
NENE , Sec. 9, Township 03S, Range 06E
NENE , Sec. 10, Township 03S, Range 06E
ELMORE County

PLACE OF USE: GROUNDWATER RECHARGE

TWN	RGE	SEC			
03S	05E	14	SWNE		
		15	NWSW	SWSW	
		16	NENE	SWNE	SENE
			NESW	NWSW	SWSW
			SESW	NESE	NWSE
			SWSE	SESE	
		20	SWSW	NESE	SWSE
			SESE		
		21	NWNE	SWNE	NENW
			NWNW	SWNW	SENW
			NESW	NWSW	SWSW
			NESE	NWSE	SWSE
		29	NENW	NWNW	
	06E	7	NESW		
		9	NENE		
		10	NENE		

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **June 1, 2003.**
2. Subject to all prior water rights.

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 61-07731

CONDITIONS OF APPROVAL AND REMARKS

3. Use of water under this right may be affected by an agreement between the protestant and the right holder.
4. 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.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 61A.
6. The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.
7. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
8. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
9. The Director retains jurisdiction over this right and may change, add, or remove any requirement as determined to be appropriate.
10. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
11. The issuance of this right does not grant any right-of-way or easement across the land of another.
12. Upon specific notification by the department, the right holder shall install/maintain permanent measuring devices in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.
13. Return flows discharged to any subsurface system must be authorized by separate injection well permits.
14. Groundwater recharge storage place of use is locally known as Fraser Reservoir.
15. Prior to diversion of water under this right, the right holder shall consult with the department to determine the best construction methods for the diversion structures.
16. This right is subject to all prior water rights, including those water rights for power purposes that may otherwise be subordinated by contract entered into by the governor and Idaho Power Company on October 25, 1984, and ratified by the legislature pursuant to section 42-203B, Idaho Code.
17. Pursuant to section 42-4201A(3), Idaho Code, the director may reduce the amount of water diverted for recharge purposes under this right even though there is sufficient water to supply the entire amount authorized for appropriation under this right.

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 61-07731

CONDITIONS OF APPROVAL AND REMARKS

18. To insure that other water rights are not injured by the operations of the recharge project authorized by this right, the director retains jurisdiction to approve, disapprove, or require alterations in the methods employed to achieve ground water recharge.

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

22nd day of May, 1998.

for L. Glen Saxton
Karl J. Dreher, Director

MEMORANDUM

File: 61-07731 Application for Permit

Date: 3/26/97

From: J Westra

RE: Application Fees

The fee payment for this application has been made from a Water Board grant award made to the applicant (Mtn. Home Advisory Committee). To simplify many issues and be efficient, the fee was electronically transferred from the Water Board account to the Department's WR Application account by the S.O. Accounting Section- Debbie Allen, Nancy Handzel.

Please use the following:

Application Received: 3/6/97
* Fee: $1780.00
Fee Received: 3/26/97---Priority Date
Transfer Document NO. BILL2387
(Please use this for documentation per Debbie Allen)

* $1280

+ 5 per 1.0 cfs > 100 cfs

5(200-100) = $500

$1280 + $500 = $1780 correct fee submittal

-SL 4/8/97

WATER APPROPRIATION RULES

Large Diversion Information
IDPA37, TITLE 03, CHAPTER 08

C.i. For applications appropriating springs or surface streams with 5 or fewer existing users.

Canyon Creek has numerous existing water users upstream and downstream of the proposed project. This does not apply, see attached Adjudication Claims filed on Canyon Creek

C.ii. For applications appropriating groundwater.....
This does not apply for surface water

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

The recharge demonstration/study will employ diversion structures at the diversion sites in Canyon Creek that will be controllable to allow for deliveries to senior water users. All flows injected into the aquifer will be measured and recorded in the established USGS data base. The demonstration operation will be overseen by a manager, and diversions regulated by the Canyon Creek 61A Water District.

D.i. Water requirements of the project.....

The project is a demonstration/study and is dependent on excess spring runoff Canyon Creek flows that are not diverted by senior water users. Injected Recharge flows will be diverted initially at site #1 with excess flows being diverted at diversions in sequence downstream along the creek. Flows required at the site #1 injection well site can be minimal for injection.

D.ii. Water quantity available.....

Recharge flows available will vary with annual spring runoff and water required by senior users. The USGS stream gauge at the Oregon Trail crossing has recorded a peak flow of 261 cfs during 1986. During the 1995 water year a volume was recorded of 30,340 ac-ft was recorded, (diversions made downstream by the Mountain Home Irrigation District must be subtracted). See attached Canyon Creek stream gauge records, and the following references:

- -Ground Water Investigation of Mountain Home Plateau, Idaho, IDWR, 1982
- -Summary of Hydrologic Conditions in the Mountain Home and Cinder Cone Butte Areas, IDWR, 1994

E.i. Copies of deeds, leases easements or application .....

Easements/right of ways are in process with the Department of Lands and BLM agencies for the creek diversions and related recharge areas. Agreements/permits will be assigned to the local recharge district when activated.

E.ii. Copies of applications and permits.....
See attachments

F.i. Current financial statement.....

The Advisory Committee has been awarded $7500.00 grant from the Idaho Water Resource Board for seed funds. Funding for the project will come from grants, and local community contributions.

F.ii. Project costs.....
See attached project proposal, page 3.

G. Conflict with Local Public Interest.....
Comment letters from public entities are pending, letters sent attached.

H.i. Project design.....
Project design of structures and measuring devices will meet NRCS and USGS standards

H.ii. Irrigation development.....
Does not apply

H.iii. Jobs created.....
There will be 1 part-time job created to manage and operate the project during recharge periods. Construction may involve contractors hiring several employees for well drilling, and the construction of the diversion structures and weirs. Estimated construction would be 3 months.

H.iv. Community Services changes.....
The construction and operation of this demonstration/study recharge project should have no impact on community services.

H.v. Energy requirements.....
The project will require no energy to operate.

H.vi. Return water flows.....
There will be no return water flows as a result of this project.

H.vii. Kinship of owners/operators.....

General Comments/Remarks

The Ground Water Advisory Committee realizes there are many issues the must be resolved to make the recharge project a reality. In filing the water right Application for Permit, the Committee would like it to help serve as a catalyst to begin resolving the numerous issues such as water rights, easement/right of ways, and monitoring with concerned parties and regulatory agencies. We would also like to emphasized, a local recharge district will be facilitated before the implementation of the project. All permits, agreements, and easements will be assigned to the recharge district.

-The recharge storage use component (1000 ac-ft) is for storage in Frazer Reservoir Site #2D only. A flow-over check structure will be utilized at this site for retention, 6 feet or less.

-Advisory Committee membership and officers, listed page 8 of the project proposal.

CONVERSATION MEMORANDUM

DATE 11/15/96

FILE

NAME OF PARTY

EMPLOYEE Steve Lester

RE: Mt Home GWMA - Recharge Appl. for Permit

I discussed the issue of waiving fee per 42-4201(5) with Glen & Phil to get Allocation Bur. plus Deputy A.G. perspectives.

Neither was inclined to support fee waiver in this case. Too many legal ambiguities are raised - dept. would probably be taxed passed to defend this plus if W.R. issued, that right & could be subject to challenge if dept. does not follow sound legal direction in processing.

Phil mentioned that a Recharge district is not required to obtain a recharge water right - used to be that only an irrig. dist. or recharge dist. could hold such a right, but not true now.

If a Recharge district is formed ~ 7/1/97, dept. can revisit fee issue.

The dept. would also be in weak position to incur 500% increase in advertising costs (Big Apple = Statewide Advertising) while waiving fee on shaky legal ground while legislature & gov. directing agencies to cut back & hold the line on expenses.

Mt. Home + 40 other papers =

Mountain Home Area
Groundwater Advisory
Committee
Chairperson: Ron Hiddleston
Vice-Chairperson: Brenda Zehr

RT 3 BOX 610 W ● MOUNTAIN HOME ID 83647 ● (208) 587-9055 ●

February 20, 1997

Gary Spackman, Western Regional Manager
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RE: Mountain Home Area Ground Water Recharge Demonstration/Study Project

Dear Mr. Spackman:

During the past several months a ground water aquifer recharge demonstration/study has been developed for the Mountain Home area. The project is the result of a cooperative effort by local community, participating government agencies, and the Advisory Committee. We would like to submit the attached Application for Permit, and Injection Well Construction Applications to the Department for processing.

I have authorized payment of the filing fees in the amount of $1930.00 to be withdrawn from the Advisory Committee's grant award previously approved by the Idaho Water Resource Board. Your office will be receiving the fee payment shortly. The Advisory Committee would request the Department Director consider waiving the application filing fees under Idaho Code 42-4201 (5) once a local recharge district is facilitated for the project in the near future.

We look forward in working with the Department on this important project. Please feel free to contact me if there any questions, or additional information required, phone 587-9055.

Sincerely,

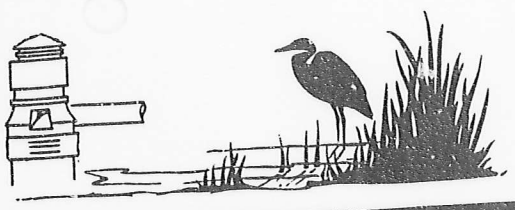
Ron Hiddleston

Ron Hiddleston

Chairperson

Enclosure
cc: Helen Harrington, IDWR

See 11/15/96 conv. here (GW S. & Plan R.) - NO?



Mountain Home Area Groundwater Advisory Committee

Chairperson: Ron Hiddleston
Vice-Chairperson: Brenda Zehr

RT 3 BOX 610 W ● MOUNTAIN HOME ID 83647 ● (208) 587-9055 ●

February 20, 1997

Rob Howarth
Division of Environmental Quality
1445 N Orchard
Boise, ID 83706-2239

RE: Mountain Home Area Ground Water Recharge Project

Dear Mr. Howarth:

As you are aware, the Mountain Home Area Ground Water Advisory Committee, local leaders, and agencies have been working toward the development of a ground water recharge project for the Mountain Home area. Attached is the recharge demonstration/study that has resulted. When completed, the project will document the area aquifer(s) conditions, and also the feasibility of a long term recharge program.

Presently, the Advisory Committee is in the process of submitting the applications for the required permits, easements, and agreements. The Water Right Application for Permit requires information submitted relative to conflict with the local public interests. Applicants are to seek letters of comment from governing bodies located within the points of diversion and place of use areas. The Advisory Committee would like to request your written comments concerning the project. Please send your agency's comments to:

Gary Spackman, Manager Western Regional Office
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

We look forward to working with your agency on this important project. Should you have any questions, or require additional information feel free to contact me.

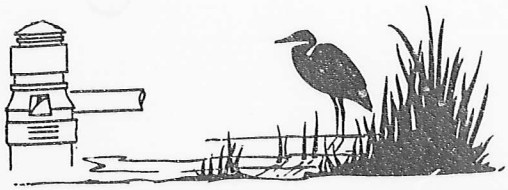
Sincerely,

Ron Hiddleston

Ron Hiddleston
Chairperson

Enclosure
cc: IDWR Western Regional Office

DEQ



Mountain Home Area Groundwater Advisory Committee

Chairperson: Ron Hiddleston
Vice-Chairperson: Brenda Zehr

RT 3 BOX 610 W • MOUNTAIN HOME ID 83647 • (208) 587-9055 •

February 20, 1997

Scott Grunder
Idaho Department of Fish & Game
Southwest Regional Office
3101 S. Powerline RD.
Nampa, ID 83686

RE: Mountain Home Area Ground Water Recharge Project

Dear Mr. Grunder:

As you may be aware, the Mountain Home Area Ground Water Advisory Committee, local leaders, and agencies have been working toward the development of a ground water recharge project for the Mountain Home area. Attached is the recharge demonstration/study that has resulted. When completed, the project will document the area aquifer(s) conditions, and also the feasibility of a long term recharge program.

Presently, the Advisory Committee is in the process of submitting the applications for the required permits, easements, and agreements. The Water Right Application for Permit requires information submitted relative to conflict with the local public interests. Applicants are to seek letters of comment from governing bodies located within the points of diversion and place of use areas. The Advisory Committee would like to request your written comments concerning the project. Please send your agency's comments to:

Gary Spackman, Manager Western Regional Office
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

We look forward to working with your agency on this important project. Should you have any questions, or require additional information feel free to contact me.

Sincerely,

Ron Hiddleston

Ron Hiddleston
Chairperson

IDF&G

Enclosure
cc: IDWR Western Regional Office

Mountain Home Area
Groundwater Advisory
Committee
Chairperson: Ron Hiddleston
Vice-Chairperson: Brenda Zehr

RT 3 BOX 610 W • MOUNTAIN HOME ID 83647 • (208) 587-9055 •

February 20, 1997

Honorable Donald Etter, Mayor
City of Mountain Home
310 S 15 E
Mountain Home ID 83647

RE: Mountain Home Area Ground Water Recharge Project

Dear Mayor Etter:

As you are aware, the Mountain Home Area Ground Water Advisory Committee, local leaders, and agencies have been working toward the development of a ground water recharge project for the area. Attached is the recharge demonstration/study proposal that has resulted. When completed, the project will document the area aquifer(s) conditions, and also the feasibility of a long term recharge program.

Presently, applications for required permits, easements, and agreements are being initiated by the Advisory Committee. The Water Right Application for Permit requires information submitted relative to conflict with the local public interests. Applicants are to seek letters of comment from governing bodies located within points of diversion and place of use areas. The Advisory Committee would like to request your written comments concerning the project. Please send your letter to:

Gary Spackman, Manager Western Regional Office
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

We look forward to continue working with your City on this important project. Should you have any questions, or require additional information feel free to contact me.

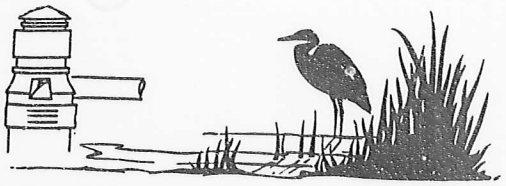
Sincerely,

Ron Hiddleston

Ron Hiddleston
Chairperson

Enclosure
cc: IDWR Western Regional Office

City



Mountain Home Area Groundwater Advisory Committee
Chairperson: Ron Hiddleston
Vice-Chairperson: Brenda Zehr

RT 3 BOX 610 W ● MOUNTAIN HOME ID 83647 ● (208) 587-9055 ●

February 20, 1997

Elmore County Commissioners
Elmore County Courthouse
150 S 4 E
Mountain Home ID 83647

RE: Mountain Home Area Ground Water Recharge Project

Dear Commissioners:

As you are aware, the Mountain Home Area Ground Water Advisory Committee, local leaders, and agencies have been working toward the development of a ground water recharge project for the area. Attached is the recharge demonstration/study proposal that has resulted. When completed, the project will document the area aquifer(s) conditions, and also the feasibility of a long term recharge program.

Presently, applications for required permits, easements, and agreements are being initiated by the Advisory Committee. The Water Right Application for Permit requires information submitted relative to conflict with the local public interests. Applicants are to seek letters of comment from governing bodies located within points of diversion and place of use areas. The Advisory Committee would like to request your written comments concerning the project. Please send your letter to:

Gary Spackman, Manager Western Regional Office
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

We look forward to continue working with you on this important project. Should you have any questions, or require additional information feel free to contact me.

Sincerely,

Ron Hiddleston

Ron Hiddleston
Chairperson

Enclosure
cc: IDWR Western Regional Office

County

Mountain Home Area
Groundwater Advisory
Committee
Chairperson: Ron Hiddleston
Vice-Chairperson: Brenda Zehr

RT 3 BOX 610 W • MOUNTAIN HOME ID 83647 • (208) 587-9055 •

February 20, 1997

Bob Snapp
Idaho Department of Lands
8355 W State St
Boise, ID 83703

Del Bale, Reality Specialist
Bureau of Land Management
3948 Development Ave.
Boise, ID 83705

RE: Mountain Home Area Ground Water Recharge Project

Dear Mr. Bale & Mr. Snapp:

As you are aware, the Mountain Home Area Ground Water Advisory Committee, local leaders, and agencies have been working toward the development of a ground water recharge project for the area. Attached is the recharge demonstration/study proposal that has resulted. When completed, the project will document the area aquifer(s) conditions, and also the feasibility of a long term recharge program.

The Advisory Committee is beginning the process of submitting applications to obtain the required easements and permits. We realize that many of the recharge sites are located on properties that are State and Federal Lands, which will require easements and aggreements. After your review of the attached proposal, the Advisory Permit Subcommittee would like to meet with you to discuss your agency's requirements. We will contact you in the near future to make the necessary meeting arrangements.

We look forward to working with your agencies on this important project. Should you have any questions, or require additional information feel free to contact me.

Sincerely,

Ron Hiddleston

Ron Hiddleston
Chairperson

Enclosure
cc: IDWR Western Regional Office

IDL + BLM

42-39-1
5/94

Permit No. 61-W-0001
61-W-0002
61-W-0003

Copy for Appl. 61-07731

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT TO
CONSTRUCT _X_
MAINTAIN ___
AN INJECTION WELL

Under the Provisions of Title 42, Chapter 39 of the Idaho

I. GENERAL INFORMATION

A. Name and Address of Legal Contact ( ) Owner (X) Operator *

Name MOUNTAIN HOME AREA GROUND WATER ADVISORY COMMITTEE

Address RT 3 PO BOX 610W

City MOUNTAIN HOME State ID Zip Code 83647

Phone No. 208-587-9055

Facility Name and Location (if different than above)
Name

Address

City State Zip Code

B. Location of Well (attach map see item II L)
Township 3S Range 6E Section 10 , 1/4 SE 1/4 NE 1/4 NE 1/4 Lot

Subdivision Name GRAVEL PIT Block Lot

County ELMORE

C. Is facility located on Indian Lands? Yes ( ) No (X)

D. Injection Well Classification
1. Depth of well: _____ Less than or equal to 18 feet below land surface
400 + FT. Greater than 18 feet below land surface
2. Classification: 5R21 (see list below)

5A5	Electric Power Generation	5W10	Cesspools
5A6	Geothermal Heat	5W11	Septic Systems (General)
5A7	Closed-Loop Heat Pump Return	5W12	Water Treatment Plant Effluent
5A8	Aquaculture Return Flow	5W20	Industrial Process Water
5A19	Cooling Water Return	5W31	Septic Systems (Well Disposal)
5B22	Saline Water Intrusion Barrier	5W32	Septic Systems (Drainfield)
5D2	Storm Runoff	5X13	Mine Tailings Backfill
5D3	Improved Sinkholes	5X14	Solution Mining
5D4	Industrial Storm Runoff	5X15	In-Situ Fossil Fuel Recovery
5F1	Agricultural Runoff Waste	5X16	Spent Brine Return Flow
5G30	Special Drainage Water	5X25	Experimental Technology
5N24	Low-level Radioactive Waste Disposal	5X26	Aquifer Remediation
5R21	Aquifer Recharge	5X27	Other Wells
5S23	Subsidence Control	5X28	Service Station Waste
5W9	Untreated Sewage	5X29	Abandoned Drinking Water Wells

* APPLICANT WILL ASSIGN THE PERMIT TO A LOCAL RECHARGE DISTRICT WHEN FACILITATED.

II. TECHNICAL DATA

A. Description of injection well, if bored, drilled or driven
If well has not been constructed:

Well Bore: Diameter 12 inches Depth 400+ feet

B. Description of injection well, if bored, drilled or driven
If well is constructed: NONE

Well Bore: Diameter _____ inches Depth _____ feet

Surface Casing: diameter _____ inches Depth _____ feet

Perforation depth: from _____ feet to _____ feet

Surface seal: ( ) No ( ) Yes, Type _____ Depth _____ feet

Secondary casing, if applicable:

Diameter _____ inches

Initial depth _____ feet Terminal depth _____

Seal type _____ Packer depth _____

Well Log available ( ) No ( ) Yes (if yes, attach a copy)

Driller's Name/Address _____

_____

Month, Day, Year, Drilled _____

C. Description of injection well, if dug

Surface dimensions _____ feet, by _____ feet, or Diameter _____ inches

Depth _____ feet Filler material, if any _____

Date constructed: _____

Name/address of contractor _____

_____

D. Distance to nearest domestic well APPROX. 1/4 miles

Direction to nearest domestic well SOUTH

Depth to ground water MTN HOME HIWAY DIST. LOG= 195 FT

E. Frequency of Injection _____ Continuous X Seasonal _____ Intermittent

Maximum Average Weekly Rate of Injection _____ gpm

Maximum Capacity UNKNOWN-MAXIMUM THE WELL WILL TAKE gpm

F. Are hazardous wastes, as defined in 40 CFR, Part 261, present in the injected fluids? (excluding 5F1) ___Yes X No
If yes, attach RCRA numbers for constitutents identified as hazardous (see 40 CFR, Part 261 of the Federal Register):

G. If well is class 5F1, (Agricultural Runoff Waste) or class (Surface runoff):
Method of irrigation for (for class 5F1): ___gravity ___sprinkler
Use of lands in drainage area:

DOES NOT APPLY

Pesticides/fertilizers/chemicals used (type and quantity) _____

Approximate Drainage area: _____ acres

Settling pond at injection site? ( )No (X) Yes, size TO BE DESIGNED

Screening structure at well? ( ) No (X) Yes, Size and mesh TRASH SCREEN AT CREEK DIVER

H. If well is class 5W20, (Industrial Process Waste) or other industrial waste:

Type of Waste _____

Describe Treatment prior to injection: _____

(Attach statement describing the complete physical, chemical and microbiological quality of the fluids.)

I. Description of the type of business and the principal products _____

See water quality monitoring section in attached proposal.

J. Alternate methods of disposal that have been considered _____

Recharge flows into spreading basins and fissures are also part of the recharge project, see proposal attached.

K. Why were they rejected? Not rejected

L. Attach a topographi ap or aerial photo showing area within e mile radius, to include:

a. Location of injection well described herein and associated facilities (drain ditches, settling pond, etc.),
b. Other injection wells and associated facilities,
c. Approximate drainage area (if applicable),
d. Intake and discharge or injection structures (if applicable),
e. Hazardous waste facilities,
f. All drinking water wells,
g. All other wells, springs and surface waters.

III. A. Any request to treat any document or portion thereof as a trade secret as defined under Chapter 8, Title 48, Idaho Code shall be made at the time said document is submitted to the Department. The person making the request shall stamp or otherwise mark each page or item on a page, to which the request applies, with the word "confidential."

Be it know that the undersigned (owner/operator) hereby makes Application for Permit to Construct or Maintain a Waste Disposal and Injection Well. The above information is true and correct to the best of my knowledge.

_____ Ron Hilleston

Date Signature and Title

B. Action of the Department of Water Resources

I have examined Application No._____ and said application is hereby_____subject to the attached conditions.

Witness my hand this _____day of_____ 19_____

_____
Official, Idaho Department of Water Resources

_____
Title

per file, SL for.

For Department Use Only

Received by JFW Date 3/5/97 Reviewed by _____

Fees $50 Receipted by ~~S.O. per JFW 3/26/97 MMW~~ Receipt No. ~~TRANSFER DOCUMENT~~ ~~Bill2387~~

Forwarded to S. O. _____

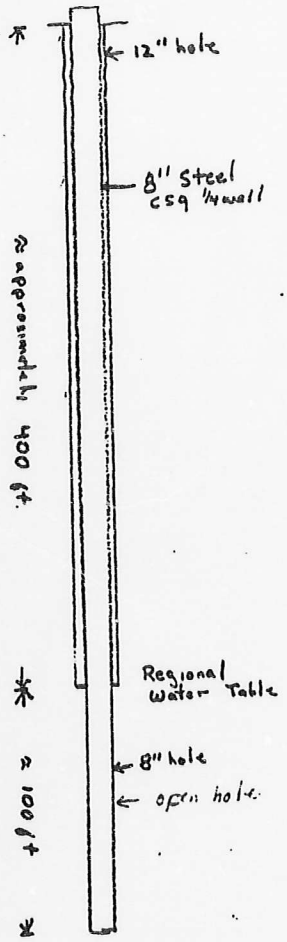
Notice of completion received_____

Field Inspection_____

Disregard these entries - this is just 1 of 3 I.W. Appls. filed (originals at S.O.)

MOUNTAIN HOME AQU. R RECHARGE PROJECT

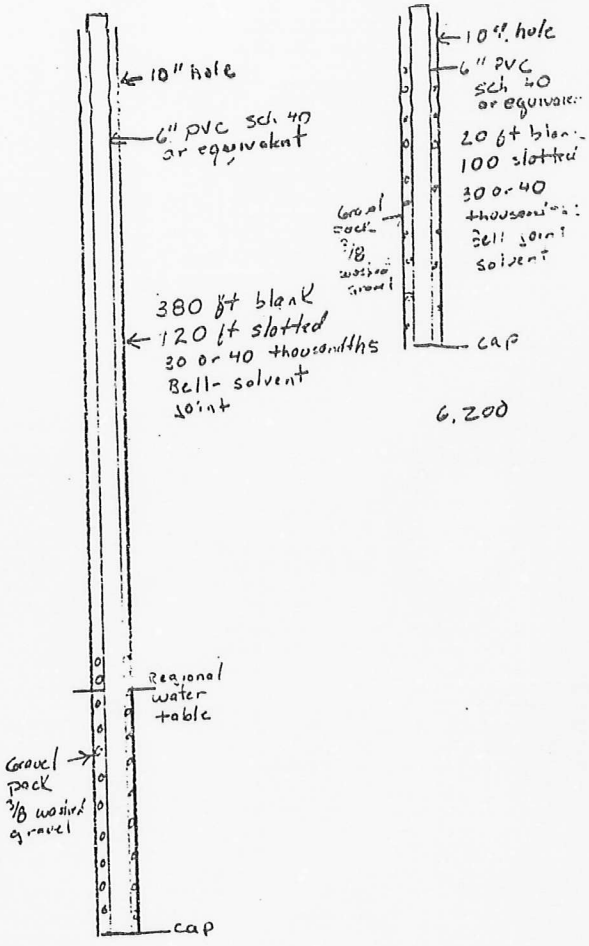
INJECTION WELL (3)



28,000

Number of Injection wells 3 (1500 ft)

OBSERVATION WELLS



23,000

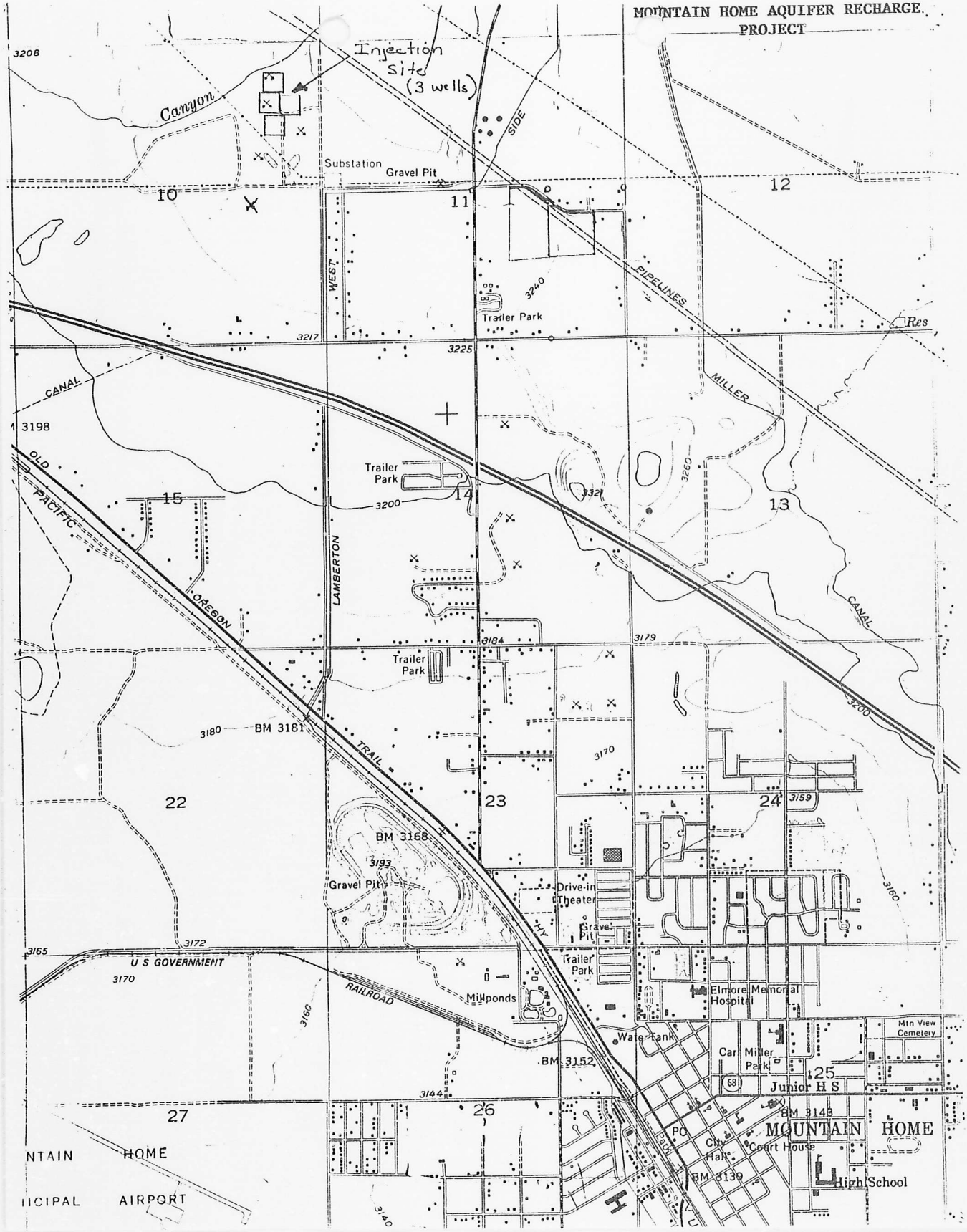
Number of 500 ft observation wells 2

6,200

Number of 120 ft observation wells 2

Sheet No. ..... of ..... Sheets. Prepared by ..... Date ..... Checked by ..... Date .....

GPO : 1971 OF - 413-014


MOUNTAIN HOME AQUIFER RECHARGE PROJECT
Injection Site (3 wells)
Canyon
Substation
Gravel Pit
SIDE
WEST
PIPELINES
Trailer Park
Res
CANAL
MILLER
OLD
PACIFIC
OREGON
LAMBERTON
TRAIL
BM 3181
BM 3168
Gravel Pit
Drive-in Theater
U S GOVERNMENT
RAILROAD
Millponds
Trailer Park
Elmore Memorial Hospital
Water Tank
Mtn View Cemetery
Carl Miller Park
Junior H S
BM 3152
BM 3148
MOUNTAIN HOME
City Hall
Court House
BM 3139
High School
POST
NTAIN HOME
IICIPAL AIRPORT
10
11
12
13
14
15
22
23
24
25
26
27

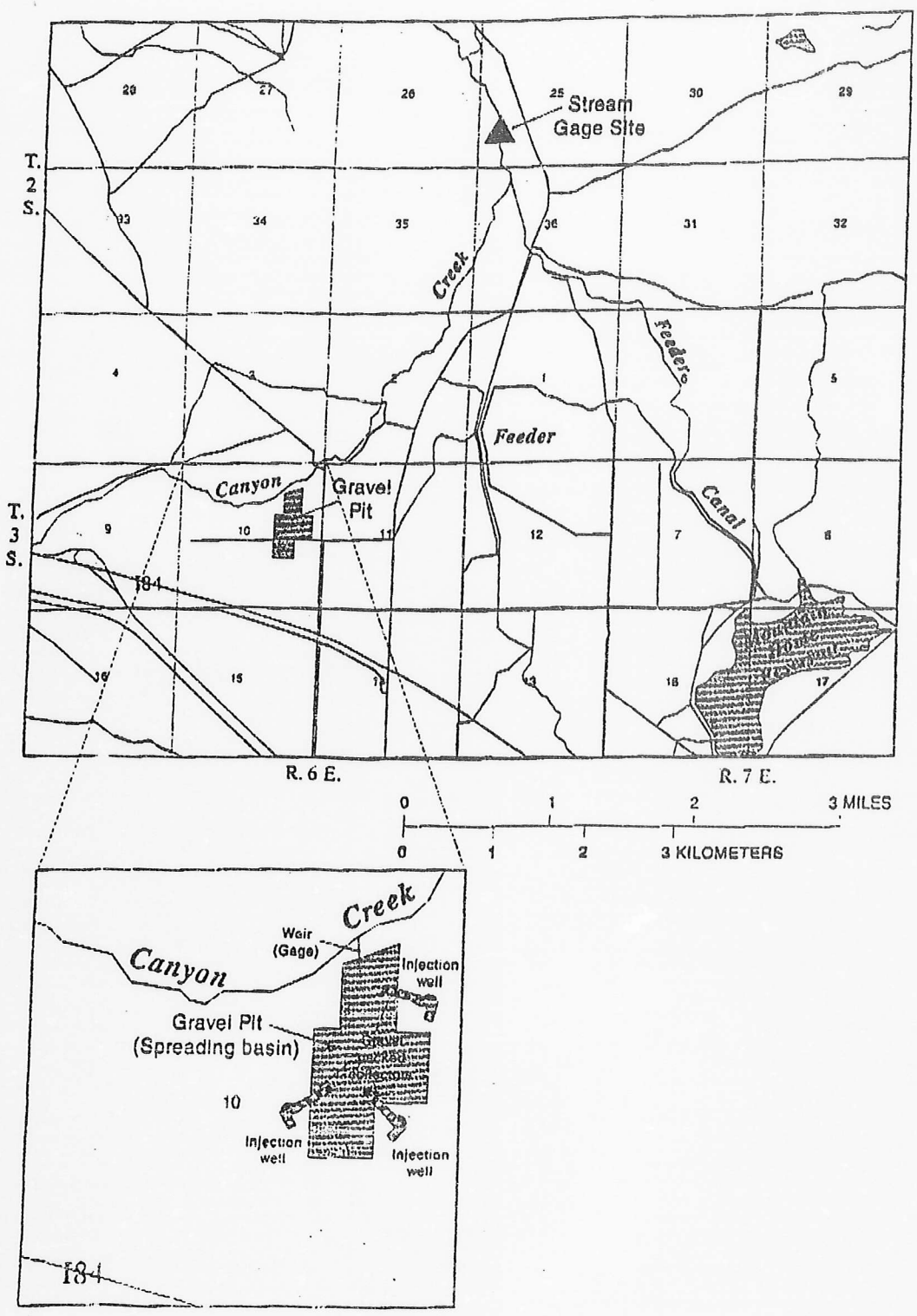
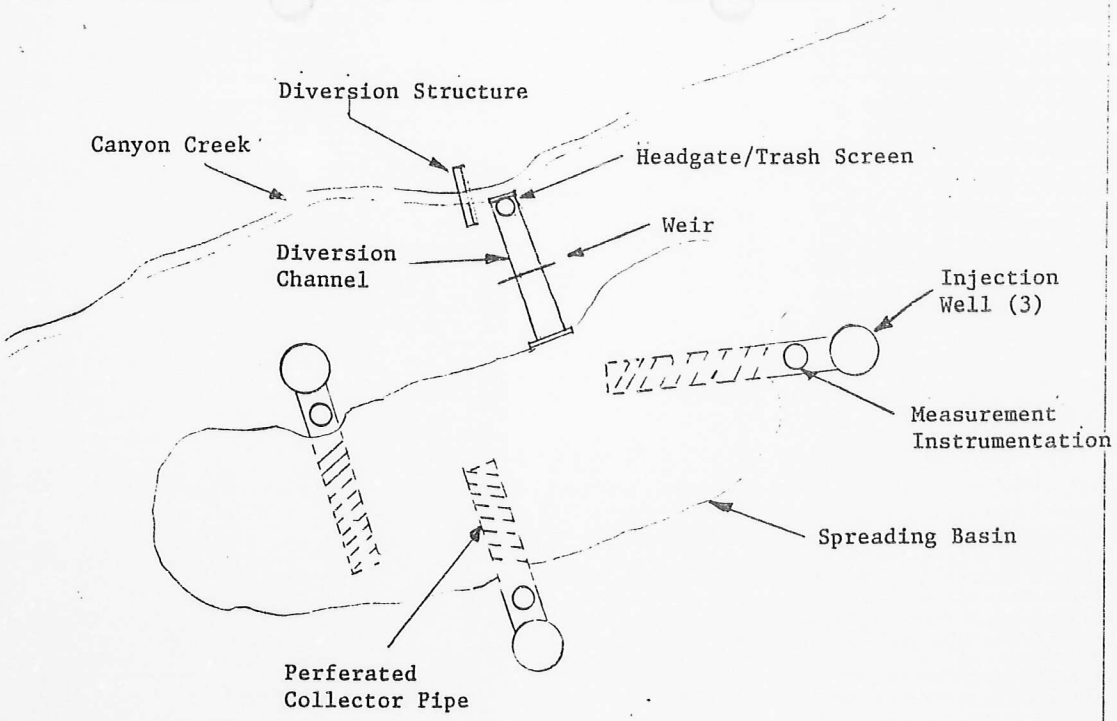
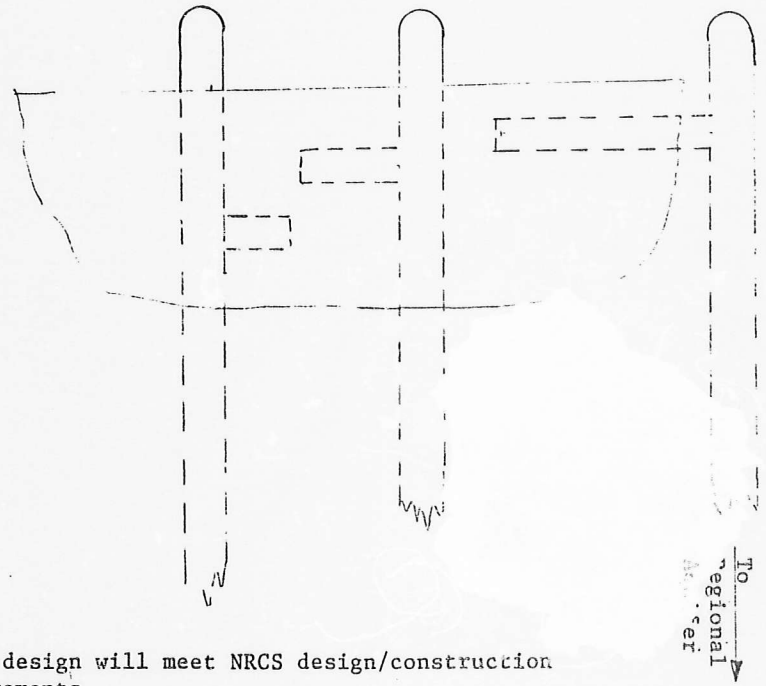

Stream
Gage Site
T.
2
S.
T.
3
S.
Creek
Feeder
Feeder
Canyon
Gravel
Pit
Canal
184
R. 6 E.
R. 7 E.
0 1 2 3 MILES
0 1 2 3 KILOMETERS
Creek
Canyon
Weir
(Gage)
Injection
well
Gravel Pit
(Spreading basin)
10
Injection
well
Injection
well
184

Figure 2.





* Final design will meet NRCS design/construction requirements.

WD5802NP
(OD-5802)

IDAHO DEPARTMENT OF WATER RESOURCES
LISTING OF DRILLING PERMITS

DATE: 02/10/97
PAGE: 1

Wells near Site #1

WESTERN REGION
DRILLING PERMITS SORTED IN WELL LOCATION ORDER

PERMIT NUMBER	LAST NAME, FIRST NAME	TWP	RNG	SC	TRACT	LT	ACC FLG	USE	LIC	APPROVED DATE	SWL	TOTAL DEPTH	CASNG DEPTH	SCD
61-94-W-0013-000	CAMPBELL, DENNIS	03S	06E	10	SW SW			D	0035	04/19/1994	430	550	18	6
61-88-C-0015-200	WITHERS, OLLIE	03S	06E	10	SE SW		P	D	0035	05/10/1988				
61-93-W-0052-001	LEYDET, HENRY	03S	06E	10	NW SE			I	0035	12/21/1993	40	510	400	12
61-92-W-0005-000	WHIPPLE, CHARLES	03S	06E	10	SW SE			D	0035	03/06/1992	158	425	74	6
61-90-C-0010-000	LOLL, PAUL	03S	06E	10	SE SE		P	D	0035	05/23/1990	100	250	51	6
		03S	06E	10	SE SW		L							
61-95-W-0034-001	CHEVRON PIPELINE CO	03S	06E	11	SW NE		L	M	0035	06/29/1995	14	20	10	2
61-95-W-0004-001	CHEVRON PIPELINE CO	03S	06E	11	SE NE			M	0035	02/10/1995	99999	52	37	2
		03S	06E	11	SE NE		L							
61-95-W-0036-001	CHEVRON PIPELINE CO	03S	06E	11	SE NE		L	M	0035	06/29/1995	14	22	12	2
61-91-C-0018-000	LOTT, DEBBIE	03S	06E	11	SE NE		L	D	0035	06/07/1991	145	280	69	6
61-96-W-0018-002	CHEVRON PIPELINE CO	03S	06E	11	SE NW		L	M	0035	05/20/1996	15	27	10	2
61-96-W-0018-006	CHEVRON PIPELINE CO	03S	06E	11	SE NW		L	M	0035	05/20/1996	15	27	10	2
61-95-W-0035-001	CHEVRON PIPELINE CO	03S	06E	11	SE NW		L	M	0035	06/29/1995	14	25	15	2
61-96-W-0018-001	CHEVRON PIPELINE CO	03S	06E	11	SE NW		L	M	0035	05/20/1996	15	27	10	2
61-96-W-0018-005	CHEVRON PIPELINE CO	03S	06E	11	SE NW		L	M	0035	05/20/1996	15	27	14	2
61-96-W-0018-003	CHEVRON PIPELINE CO	03S	06E	11	SE NW		L	M	0035	05/20/1996	15	27	10	2
61-95-W-0038-001	CHEVRON PIPELINE CO	03S	06E	11	SE NW		L	M	0035	06/29/1995	14	25	15	2
61-96-W-0018-004	CHEVRON PIPELINE CO	03S	06E	11	SE NW		L	M	0035	05/20/1996	15	27	16	2
61-96-W-0018-008	CHEVRON PIPELINE CO	03S	06E	11	SE NW		L	M	0035	05/20/1996	15	27	10	2
61-95-W-0037-001	CHEVRON PIPELINE CO	03S	06E	11	SE NW		L	M	0035	06/29/1995	14	22	12	2
61-96-W-0018-007	CHEVRON PIPELINE CO	03S	06E	11	SE NW		L	M	0035	05/20/1996	15	27	13	2
61-88-C-0050-200	GRIEVE, JAMES	03S	06E	11	NE SW		P	D	0035	12/22/1988				
61-94-W-0044-000	CANTRELL, TODD	03S	06E	11	NW SW		L	D	0035	10/05/1994	65	200	38	6
61-94-W-0051-001	CHEVRON PIPELINE CO	03S	06E	11	NW SW			M	0035	11/03/1994	99999	22	12	2
61-94-W-0050-001	CHEVRON PIPELINE CO	03S	06E	11	NW SW			M	0035	11/03/1994	99999	25	10	2
61-94-W-0052-001	CHEVRON PIPELINE CO	03S	06E	11	NW SW			M	0035	11/03/1994	99999	19	9	2
61-94-W-0054-001	CHEVRON PIPELINE CO	03S	06E	11	NW SW			M	0035	11/03/1994	99999	19	9	2
61-94-W-0053-001	CHEVRON PIPELINE CO	03S	06E	11	NW SW			M	0035	11/03/1994	99999	19	9	2
61-87-C-0001-000	MURRI, PAUL R	03S	06E	11	NW SW		P		0035	08/17/1987				
61-87-C-0001-100	MURRI, PAUL R	03S	06E	11	NW SW		P	D	0035	08/17/1987				
61-91-C-0025-200	JONES, GEORGE	03S	06E	11	SW SW		L	D	0035	07/02/1991	50	245	30	6
		03S	06E	11	NW SW		P							
61-91-C-0025-000	JONES, GEORGE	03S	06E	11	SW SW			D	0035	07/02/1991	50	245	30	6
61-92-W-0058-000	HAMMER, RUSSELL	03S	06E	11	SE SW		L	D	0035	08/18/1992	125	250	58	6
61-94-W-0046-000	MASHBURN, TOM	03S	06E	11	NE SE		L	D	0035	10/13/1994	55	200	18	6
61-90-C-0009-000	MILLER, FRED	03S	06E	11	NE SE		P	D	0035	05/07/1990	26	253	19	6
		03S	06E	11	SW SE		L							
61-91-C-0057-000	COX, ED	03S	06E	11	NW SE		P	D	0035	12/06/1991				
61-91-C-0024-000	REISINGER, ALLEN	03S	06E	11	SW SE			D	0035	07/02/1991	40	180	19	6
61-91-C-0024-200	REISINGER, ALLEN	03S	06E	11	SW SE		L	D	0035	07/02/1991	40	180	19	6
61-93-W-0047-000	BENGE, RANDY	03S	06E	11	SW SE			D	0035	11/16/1993	30	196	18	6
61-92-W-0028-200	SWENSON, REYNOLD L	03S	06E	11	SW SE		L	D	0160	06/18/1992	42	265	36	6
61-91-C-0030-000	PACHNER, DON	03S	06E	11	SE SE			D	0035		65	255	19	6
61-91-C-0030-200	PACHNER, DON	03S	06E	11	SE SE		L	D	0035	07/15/1991	65	255	19	6
61-88-C-0001-000	CIHA, JIM	03S	06E	15	SW NE		P	D	0035	02/08/1988				
61-93-W-0036-000	CASTILLO, GORDON	03S	06E	15	SE NE			D	0035	09/28/1993	160	341	98	6
61-76-C-0001-000	CARRIE, JIM	03S	06E	15	NW NW		L	D	0035		175	318	94	8
61-75-C-0001-000	CARRIE, JIM	03S	06E	15	NW NW		L	D	0035		160	300	83	8
61-76-C-0001-100	CARRIE, JIM	03S	06E	15	NW NW		L	D	0035		99999	500		
61-84-C-0001-100	CARRIE, JIM	03S	06E	15	NW NW		L	D	0035		160	500		
61-92-W-0055-000	JOHNSON, MELVIN	03S	06E	15	NE SW			D	0160	08/07/1992	179	550	417	6

WESTERN REGION
DRILLING PERMITS SORTED IN WELL LOCATION ORDER

PERMIT NUMBER	LAST NAME, FIRST NAME	TWP	RNG	SC	TRACT	LT	ACC FLG	USE	LIC	APPROVED DATE	SWL	TOTAL DEPTH	CASNG DEPTH	SCD
61-88-C-0025-100	WING, SID	03S	06E	15	NE SW		P	D	0035	06/07/1988				
61-93-W-0035-000	MARTIN, CHRIS	03S	06E	15	NE SE			D	0035	09/28/1993	140	344	95	6
61-93-W-0043-000	MOUNTAIN HOME AGENCY	03S	06E	15	SW SE			D	0035	10/29/1993	180	550	18	6
61-95-W-0008-000	SCHMOLL, RICK	03S	06E	15	SE SE		P	D	0035	02/17/1995	200	488	105	8
		03S	06E	15	SE SE		L							

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 10, 1997

CLAYTON COLTHORP
140 S 3RD E
MOUNTAIN HOME ID 83647

Re: Application for Permit No. 61-07731 in the Name of Mountain Home Groundwater Advisory Committee

Dear Watermaster:

The Mountain Home Area Groundwater Advisory Committee is working toward the development of a groundwater recharge project for the Mountain Home area. Enclosed for your review is the application for water right for this project which is within your water district. Also enclosed is a form for your recommendation concerning this application for permit.

Please review the application and return your recommendation within two weeks. If you have questions or need information, feel free to contact this office.

Sincerely,

Gary Spackman

Gary Spackman

GS/st

Enclosure: Copy of Application
Recommendation of Watermaster Form

Watermaster

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of $25.00 on or before MAY 5, 1997. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 4/17/1997 & 4/24/1997

NOTICE OF APPLICATION FOR WATER RIGHT

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

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

APRIL 9, 1997

Legal Notices Department
Lewiston Morning Tribune
505 C., P.O. Box 957
Lewiston, ID 83501

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MAY 5, 1997.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

APRIL 9, 1997

Legal Notices Department
Mountain Home News
PO Box 1330
Mountain Home, ID 83647

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MAY 5, 1997.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

APRIL 9, 1997

Legal Notices Department
Post Register
P.O. Box 1800
Idaho Falls, ID 83401

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

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SUE TAYLOR
Secretary/Office Coordinator

Encl.

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

APRIL 9, 1997

Legal Notices Department
THE IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MAY 5, 1997.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

APRIL 9, 1997

Legal Notices Department
Times New
P.O. Box 548
Twin Falls, ID 83301

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MAY 5, 1997.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

61-07731

MOUNTAIN HOME GROUNDWATER ADVISORY COMM
RON HIDDLESTON CHAIRMAN
RT 3 PO BOX 610W
MOUNTAIN HOME, ID 83647

Source: CANYON CREEK Tributary: SNAKE RIVER

Diversion Pt:	SWNE	Sec 14 T 03S R 05E in ELMORE County.
	NWNW	Sec 29 T 03S R 05E in ELMORE County.
	NESW	Sec 7 T 03S R 06E in ELMORE County.
	NENE	Sec 9 T 03S R 06E in ELMORE County.
	NENE	Sec 10 T 03S R 06E in ELMORE County.

Use: GROUNDWATER RECHARGE (200.000 CFS)
GW RECHARGE STORAGE (1000.00 AF)
Total Diversion: (200.000 CFS)

Date Filed: 3/26/1997

Recharge using excess spring runoff to benefit Mtn. Home Ground Water Mngt. Area will occur via injection wells, spreading basins, surface fissures and existing Frazer Reservoir (storage portion of proposal).

NOTICE OF APPLICATION FOR WATER RIGHT

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

61-07731

MOUNTAIN HOME GROUNDWATER ADVISORY COMM
RON HIDDLESTON CHAIRMAN
RT 3 PO BOX 610W
MOUNTAIN HOME, ID 83647
Source: CANYON CREEK
Tributary: SNAKE RIVER
Diversion Pt: SWNE Sec 14 T 03S R 05E in ELMORE County.
NWNW Sec 29 T 03S R 05E in ELMORE County.
NESW Sec 7 T 03S R 06E in ELMORE County.
NENE Sec 9 T 03S R 06E in ELMORE County.
NENE Sec 10 T 03S R 06E in ELMORE County.
Use: GROUNDWATER RECHARGE (200.000 CFS)
GW RECHARGE STORAGE (1000.00 AF)
Total Diversion: (200.000 CFS)
Data Filed: 3/26/1997

Recharge using excess spring runoff to benefit Mtn. Home Ground Water Mngt. Area will occur via injection wells, spreading basins, surface fissures and existing Frazer Reservoir (storage portion of proposal).

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of $25.00 on or before MAY 5, 1997. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: April 17, 24, 1997

Proof of Publication

The Post Register

State of Idaho
County of Bonneville

I, S. Bob Bright or Robert Park, first being duly sworn, depose and say: That I am the Production Supervisor or Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for two consecutive (days) weeks, first publication having been made on the 17th day of April, 1997, last publication having been made on the 24th day of April, 1997, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

S Bob Bright

Subscribed and sworn to before me, this 30th day of April , 1997

Patricia O'Malley
Notary Public

My commission expires January 3, 2003

STATE OF IDAHO PATRICIA O'MALLEY NOTARY PUBLIC

RECEIVED

MAY 0 2 1997

WATER RESOURCES
WESTERN REGION

RECEIVED

APR 3 0 1997

WATER RESOURCES
WESTERN REGION

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707-0040

LEGAL ADVERTISING INVOICE

Amount Due
$93.75

Account Number/Trans. #	Identification		
047628	Notice of Application for Water Right		
Ordered By	**P.O. Number**	**Rate**	**Run Dates**
Sue Taylor		TT	April 17, 24, 1997

Sue Taylor
DEPARTMENT OF WATER RESOURCES
Western Region
2735 Airport Way
Boise ID 83705-5082

Estimated Inches	Real Inches
# Affidavits	Legal Number
1	7410

LEGAL NOTICE
NOTICE OF APPLICATION FOR WATER RIGHT

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

MOUNTAIN HOME GROUNDWATER ADVISORY COMM
RON HIDDLESTON, CHAIRMAN
RT 3, PO BOX 610W
MOUNTAIN HOME, ID 83647

Source: CANYON CREEK Tributary: SNAKE RIVER

Diversion Pt:

SWNE	Sec 14	T	03S	R	05E in ELMORE County
NWNW	Sec 29	T	03S	R	05E in ELMORE County
NESW	Sec 7	T	03S	R	06E in ELMORE County
NENE	Sec 9	T	03S	R	06E in ELMORE County
NENE	Sec 10	T	03S	R	06E in ELMORE County

Use: GROUNDWATER RECHARGE (200.000 CFS)
SW RECHARGE STORAGE (1000.00 AF)
Total Diversion: (200.000 CFS)

Date Filed: 3/26/1997

Recharge using excess spring runoff to benefit Mtn. Home Ground Water Mngt. Area will occur via injection wells, spreading basins, surface fissures and existing Frazer Reservoir (storage portion of Proposal).

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42—203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of $25.00 on or before MAY 5, 1997. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Pub. April 17 & 24, 1997 7410

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for Two

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip

insertion(s) beginning with the issue of
April 17, 1997
and ending with the issue of
April 24, 1997

Janice Hildreth

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 24th day of April in the year of 1997, before me, a Notary Public, personally appeared JANICE HILDRETH known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

JANIE MODIE NOTARY PUBLIC STATE OF IDAHO

Janie Modie
Notary Public for Idaho
Residing at: Boise, Idaho
My commission expires: 5/97

RECEIVED
APR 2 8 1997
WATER RESOURCES
WESTERN REGION

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 04/24/97 INVOICE NO. 141028

Account No. 964760

Description 141028NOTICEOFAPPLICAT

Times 2 Lines 30

Tab. Lines

$ 90.00

LEGAL ADVERTISING INVOICE

SOLD TO: DEPT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE ID 83705

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

141028

NOTICE OF APPLICATION FOR WATER RIGHT

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

61-07731

MOUNTAIN HOME GROUNDWATER ADVISORY COMM
BON HIDDLESTON CHAIRMAN
RT 3 BOX 610W
MOUNTAIN HOME, ID 83647 Tributary: SNAKE RIVER
Source: CANYON CREEK
Diversion Pt: SWNE Sec 14 T 03S R 05E in ELMORE County.
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NESW Sec 7 T 03S R 06E in ELMORE County.
NENE Sec 9 T 03S R 06E in ELMORE County.
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GW RECHARGE STORAGE (200.000 CFS)
Total Diversion:

Date Filed: 3/26/97

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KARL J. DREHER, Director

Published: 4/17/1997 & 4/24/1997

STATE OF IDAHO, ss.
County of Nez Perce

Karen Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 141028NOTICEOFA attached hereto and which is made a part of this affadavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 04/17, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 04/17/97, and the last publication thereof being on the 04/24/97, and said 141028NOTICEOFA was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Karen J. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS THE 25

day of April 1997

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 7/97

RECEIVED
APR 28 1997
WATER RESOURCES
WESTERN REGION

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

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KARL J. DREHER, Director

Published: 4/17/1997 & 4/24/1997

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KARL J. DREHER, Director

Published: 4/17/1997 & 4/24/1997

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County of Nez Perce

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Karen J. Lewis

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Commission Expires 7/97

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KARL J. DREHER, Director

PUBLISH: April 16 and 23, 1997

of Publication

DAHO } SS.
F TWIN FALLS }

№ 29284

Emily McKnight being first duly sworn upon oath, depose
am principle clerk of the TIMES-NEWS, published daily, at
daho, and do solemnly swear that a copy of the notice of advertisement, as per
hed, was published in the regular and entire issue of said newspaper, and not in any
ereof, for two consecutive weeks ,
with the issue dated April 16 , 19 97 ,
th the issue dated April 23 , 19 97 .

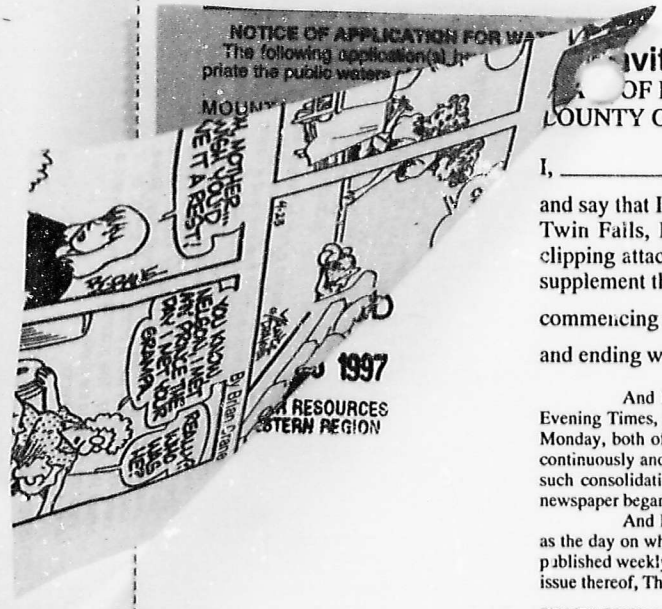
do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except which newspapers prior to consolidation had been published under said names in said city and county uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since on, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said daily publication under said name in said city and county continuously and uninterruptedly.

further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated ich legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be , will be published; and that at the head of the editorial column of said combined newspapers, and in each ursday is announced as the day on which said legal notices will be published.

HO
WIN FALLS

24th day of April in the year of 1997 , before me,
personally appeared Emily McKnight ,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Irene R. Fellman
Notary Public for Idaho
Residing at Twin Falls, Idaho.
My commission expires: 5/19/2000



Affidavit of Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.

№ 29284

I, Emily McKnight being first duly sworn upon oath, depose and say that I am principle clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks,

commencing with the issue dated April 16, 19 97,

and ending with the issue dated April 23, 19 97.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 24th day of April in the year of 1997, before me, a Notary Public, personally appeared Emily McKnight, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Irene R. Fellman
Notary Public for Idaho
Residing at Twin Falls, Idaho.
My commission expires: 5/19/2000

Mountain Home Irrigation Dist.

140 South 3rd East

Mountain Home, Idaho 83647

May 2, 1997

Department of Water Resources
Western Region
Attention: Gary Spackman

Dear Mr. Spackman,

The Mountain Home Irrigation District Protests filing 61-07731 submitted by the Mountain Home Ground Water Advisory Committee. At this time it is not clearly defined who will manage the water. We wish this matter to be clarified in writing before this permit is granted.

Sincerely,

Board of Directors
Mountain Home Irrigation District

Clayton Colthorp

Clayton Colthorp, Manager

$25.00 pd receipt # WO22225 on 5/2/97 ck# 2238 cj.

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 6, 1997

MOUNTAIN HOME GROUNDWATER ADV COMM
RON HIDDLESTON
RT 3 PO BOX 610 W
MOUNTAIN HOME ID 83647

Re: Application for Permit No. 61-07731

Dear Applicant:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to the above-referenced application(s). The Department suggests that you contact the protestant(s) and attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) have been resolved, the matter will be scheduled for a conference. The following are the criteria the Department must consider (per Section 42-203A, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

Please contact this office if you have questions regarding this procedure.

Sincerely,

Gary Spackman

Enclosure: Copy of protest(s)

GS/st

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 6, 1997

CLAYTON COLTHORP
MOUNTAIN HOME IRRIG DIST
140 S 3RD E
MOUNTAIN HOME ID 83647

Re: Application for Permit No. 61-07731 in the Name of Mountain Home Groundwater Advisory Committee

Dear Protestants:

This office acknowledges receipt of your protest(s) to the issuance of a permit pursuant to the above referenced application(s). The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest(s) have been resolved, the matter will be scheduled for conference. The following are the criteria the Department must consider in either approving or denying an application or permit (Section 42-203A, Idaho Code):

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5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

If this office can be of further assistance, please contact us.

Sincerely,

Gary Spackman

Gary Spackman

GS/st

ROSHOLT, ROBERTSON & TUCKER
Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
JOHN K. SIMPSON
PATRICK D. MADIGAN
TIMOTHY J. STOVER
NORMAN M. SEMANKO

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

RECEIVED
MAY 09 1997
WATER RESOURCES
WESTERN REGION

May 5, 1997

RECEIVED
MAY 05 1997
Department of Water Resources
Southern Region

Karl J. Dreher
Director
Idaho Department of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, ID 83720

RE: App. # 61-07731; Mtn. Home Groundwater Adv. Comm.

Dear Director Dreher:

On behalf of the Idaho Power Company, I have reviewed the above described application. As previously expressed to the Department, the Company is interested in participating in any proceedings intended to result in the managed recharge of aquifers or other underground water sources tributary to the Snake River. However, to date we are unaware of any specific processes that have been implemented by the Department relative to any such recharge efforts.

It is in this context that this letter is being submitted to the Department with regard to the above described application for permit. While we are submitting the required protest fee, this letter is not intended to be a formal protest to the application. The Company does however desire to participate in the application process to determine the impact of the proposed recharge event on downstream in-river uses and otherwise insure that the provisions of the Idaho Code are recognized. The Company would also hope that by this process the nature and extent of the Department's administration of managed recharge within the Basin might be better defined.

We are forwarding a copy of this correspondence to the applicant so it might be apprised of our interest in the subject application.

Very truly yours,

JAMES C. TUCKER

cc: Mtn. Home Groundwater Adv. Comm.

Receipt # W022312, dated 5/9/97, #25.00. cj.
ck# 26121

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 13, 1997

RON HIDDLESTON CHAIRMAN
MOUNTAIN HOME GW ADV COMM
RT 3 PO BOX 610W
MOUNTAIN HOME ID 83647

Re: Application for Permit No. 61-07731

Dear Applicant:

Enclosed is a copy of another protest(s) filed against the issuance of a permit pursuant to the above-referenced application(s). The Department suggests that you contact the protestant(s) and attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) have been resolved, the matter will be scheduled for a conference. The following are the criteria the Department must consider (per Section 42-203A, Idaho Code):

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4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

Please contact this office if you have questions regarding this procedure.

Sincerely,

Gary Spackman

Gary Spackman

Enclosure: Copy of protest(s)

GS/st

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 13, 1997

IDAHO POWER CO
C/O JAMES C TUCKER
ROSHOLT ROBERTSON & TUCKER
PO BOX 1906
TWIN FALLS ID 83303-1906

Re: Application for Permit No. 61-07731 in the Name of Mountain Home groundwater Advisory Committee

Dear Protestants:

This office acknowledges receipt of your protest(s) to the issuance of a permit pursuant to the above referenced application(s). The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

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If this office can be of further assistance, please contact us.

Sincerely,

Gary Spackman

Gary Spackman

GS/st

PROTEST INFORMATION SHEET

APPLICANT: Mountain Home Groundwater Advisory Committee

WR #: 61-07731

DATE FILED: 3-26-97 **PROTEST DATE:** May 5, 1997

PROTESTANT(S) NAME & ADDRESS:

Clayton Colthorp, Mtn. Home Irrig. Co.

140 S. 3rd E., Mountain Home, Idaho 83647

ID Power Co., C/O James, Tucker, Rosholt Robertson & Tucker

PO Box 1906, Twin Falls, Idaho 83303-1906

Attorney - Name & Address

Issues

Applicant - Attorney - Name & Address

Dates:

Acknowledgement Letters 5-6-97 & 5-13-97

Hearing Notice

Hearing Date

Other:

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RON HIDDLESTON CHAIRMAN
RT. 3 P.O. BOX 610W
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Source: CANYON CREEK; Tributary: SNAKE RIVER.

Diversion Pt: SWNE Sec. 14, T 03S R 05E in ELMORE County; NWNW Sec. 29, T 03S R 05E in ELMORE County; NESW Sec. 7, T 03S R 06E in ELMORE County; NENE Sec. 9, T 03S R 06E in ELMORE County; NENE Sec. 10, T 03S R 06E in ELMORE County.

Use: GROUNDWATER RECHARGE (200.000 CFS); GW RECHARGE STORAGE (1000.00 AF); Total Diversion: (200.000 CFS).

Date Filed: 3/26/1997.

Recharge using excess spring runoff to benefit Mountain Home Ground Water Mngt. Area will occur via injection wells, spreading basins, surface fissures and existing Frazer Reservoir (storage portion of proposal).

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of $25.00 on or before MAY 5, 1997. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 4/16/1997 & 4/23/1997.

RECEIVED
MAY 29 1997
WATER RESOURCES
WESTERN REGION

Affidavit of Publication

County of Elmore } ss.
STATE OF IDAHO }

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

Mountain Home News

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

2 consecutive weeks, the first publication having been made on 16th day of April, 1997, and the last publication having been made on the 23rd day of April, 1997; every Wednesday issue of the paper during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 52 consecutive weeks prior to the first publication of the attached notice.

Coleen W. Swenson

Subscribed and sworn to me this 23rd day of April, 1997

Cynthia Roberson
Notary Public

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

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 61-07731 IN THE NAME OF MOUNTAIN HOME GROUNDWATER ADVISORY COMMITTEE.	STIPULATION AND AGREEMENT FOR WITHDRAWAL OF PROTEST

The Mountain Home Groundwater Advisory Committee filed application for permit no. 61-07731, seeking to appropriate excess waters in Canyon Creek for groundwater recharge. The application was protested by the Mountain Home Irrigation District. After meeting to discuss the concerns of Mountain Home Irrigation District, the parties agreed that the following condition should be placed on any approval by the Department of Water Reosurces:

1. This right is subject to all prior water rights, including water rights owned by the Mountain Home Irrigation District.

2. This right shall be administered by the watermaster of water district no. 61A, Canyon Creek.

AGREEMENT

The undersigned agree that the conditions stated above shall be conditions of any water right approval, and that the protest of Mountain Home Irrigation District is withdrawn.

DATED this 10th day of July, 1997.

Ron Middleston, Chairman
Mtn Home Groundwater Advisory Committee

Calvin Ireland, Chairman
Mountain Home Irrigation District

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 61-07731 IN THE NAME OF MOUNTAIN HOME GROUNDWATER ADVISORY COMMITTEE	NOTICE OF CONFERENCE

On March 26, 1997, Mountain Home Groundwater Advisory Committee filed with the Department of Water Resources (Department) an application for permit to appropriate the public waters of the State of Idaho. The application was protested by the Mountain Home Irrigation District and Idaho Power. Mountain Home Irrigation District has withdrawn its protest.

The Department has set the matter of protest for a conference to be held on Thursday, August 7, 1997, at 10:00 a.m., at the Mountain Home City Hall, 150 S. 4th St. E., Mountain Home, Idaho 83647. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice of the Department of Water Resources, and Rules 40 and 45 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources.

The Department will provide the opportunity for parties to the matter to respond and present information and argument on the issues involved.

The conference will be conducted in a facility which satisfies the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise the department within (10) days prior to the conference.

Dated this 15th day of July, 1997.

Gary Spackman

Gary Spackman

I hereby certify that on the 15th day of July, 1997, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

Sue Taylor

Sue Taylor
Secretary/Office Coordinator

MOUNTAIN HOME IRRIG DIST
140 S 3RD E
MOUNTAIN HOME ID 83647

IDAHO POWER CO
C/O JAMES TUCKER
ROSHOLT ROBERTSON & TUCKER

RON HIDDLESTON
RT 3 BOX 610 W
MOUNTAIN HOME ID 83647

BRENDA ZEHR
366 CES/CEV
1030 LIBERATOR ST
MTN HOME AFB ID 83648-5442

MIKE POPE
366 CES/CEOIU
1030 LIBERATOR ST
MTN HOME AFB ID 83648-5442

JERRY PETERMAN
1690 S 10TH E
MTN HOME ID 83647

FORREST FREER
RT 1 BOX 876
MTN HOME ID 83647

RON LEYDET
PO BOX 521
MTN HOME ID 83647

CLAYTON COLTHORP
1220 E 12 N
MTN HOME ID 83647

CALVIN IRELAND
RT 3 BOX 646
MOUNTAIN HOME ID 83647

PAUL D RAYMOND PE
CITY ENGINEER
PO BOX 10
MOUNTAIN HOME ID 83647

DAVID OLSON
RT 1 BOX 777 M
MOUNTAIN HOME ID 83647

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR PERMIT

Section 42-203A, Idaho Code, requires the department to consider the following issues in connection with an application for permit:

1) Will the proposed appropriation injure other water rights?

2) Is the proposed water supply sufficient for the purpose for which it is sought to be appropriated?

3) Was the application made in good faith or for delay or speculative purposes?

4) Does the applicant have sufficient financial resources with which to complete the proposed project?

5) Is the proposed appropriation in the local public interest, which is defined as the affairs of the people in the area directly affected by the proposed use?

6) Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The Applicant has the initial burden of proof on issues 1, 2, 3, 4, & 6 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors which they are most knowledgeable and cognizant. the applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

CONFERENCE

The purpose of a prehearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement offers, schedule hearings, establish procedure at hearings and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon written request and the payment of the cost of reproducing the tape.

The hearing likely will be conducted by a hearing officer appointed by the Director rather than the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file a petition for reconsideration, exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director.

Parties may by written stipulation waive their right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer prior to any scheduled hearing.

AMERICANS WITH DISABILITIES ACT

The hearing will be conducted in a facility satisfies the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing please advise the department within ten (10) days prior to the hearing.

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 15, 1997

MOUNTAIN HOME IRRIG DIST
140 S 3RD E
MOUNTAIN HOME ID 83647

Re: Application for Permit No. 61-07731 in the Name of Mountain Home Groundwater Advisory Committee

Dear Protestant:

This letter is to acknowledge your withdrawal of protest against the above-referenced application for water right.

There is still a protest remaining on this application, therefore we will schedule a conference in this matter for August 7, 1997, at 10:00 a.m. at the Mountain Home City Hall, 150 S. 4th St. E., Mountain Home, Idaho. Enclosed is a Notice of Conference.

If you have any questions please call this office.

Sincerely,

Gary Spackman

GS:st

CC: Applicants
Idaho Power

RECEIVED
NOV - 3 1997
WATER RESOURCES
WESTERN REGION

James C. Tucker
ROSHOLT, ROBERTSON & TUCKER
P. O. Box 1906
Twin Falls, Idaho 83703-1906
Telephone: (208) 734-0700
jct.96\tw\mthome.stip

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 61-07731 IN THE NAME OF MOUNTAIN HOME GROUNDWATER ADVISORY COMMITTEE	)	**STIPULATION AND WITHDRAWAL OF PROTEST**

COME NOW, **MOUNTAIN HOME GROUNDWATER ADVISORY COMMITTEE, Applicant**, and **IDAHO POWER COMPANY, Protestant**, and stipulate and agree as follows:

1. Applicant acknowledges and agrees that, pursuant to the provisions of Idaho Code §42-4201A, any water right acquired by the Applicant herein shall be junior and subordinate to all prior water rights, including those held by the Protestant herein for hydropower purposes.

2. Upon the Applicant's execution hereof, Protestant does hereby withdraw its protest to the application.

DATED this 9th day of October, 1997.

APPLICANT:

MT. HOME GROUNDWATER ADVISORY COMMITTEE

By: Ron Hiddleston

PROTESTANT:

IDAHO POWER COMPANY

By:

CERTIFICATE OF MAILING

I hereby certify that on this 31st day of October, 1997, I served a copy of the foregoing STIPULATION AND WITHDRAWAL OF PROTEST, by depositing same in the United States mail, postage prepaid, in an envelope, addressed to the following:

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Mt. Home Groundwater Advisory Committee
Ron Hiddleston, Chairman
Rt. 3, Box 610W
Mt. Home, ID 83647

James C. Tucker

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 21, 1997

JAMES C TUCKER
ROSHOLT ROBERTSON & TUCKER
PO BOX 1906
TWIN FALLS ID 83703-1906

Re: Application for Permit No. 61-07731 in the Name of Mountain Home Ground Water Advisory Committee

Dear Mr. Tucker:

This letter is to acknowledge receipt of your withdrawal of protest against the above-referenced application for permit with certain conditions as agreed to in the stipulation and withdrawal of protest..

The Department will now continue to process the application, subject to those conditions.

If you have any questions please call this office.

Sincerely,

Gary Spackman

Gary Spackman

GS:st

CC: Applicant

MEMORANDUM

To: File no. 61-07731; Application filed by Mountain Home Groundwater Advisory Committee
From: Gary Spackman
Date: April 27, 1998

Re: Conditions of Approval

Application to appropriate water no. 61-07731 proposes diversion of water from Canyon Creek for recharge. The water will be applied to spreading basins and possibly placed into some wells drilled to receive the spring runoff water into the regional aquifer.

I propose the following conditions of approval:

1. An injection well permit must be obtained prior to diversion of water from Canyon Creek into any well as defined in the well construction standards of the department.

2. The water right holder must consult with the department to determine the best construction methods for the diversion structure.

3. 004

4. 081

5. R04 (61A, Canyon Creek)

6. This right is junior and subordinate to all prior water rights, including rights for hydropower purposes as defined by Idaho Code § 42-4201A.

MEMORANDUM

DATE: May 20, 1998

TO: File No. 61-07731

FROM: Cindy Zimmerman CZ.

SUBJECT: Application Review

The intent of this application is to recharge groundwater aquifer levels in the Mountain Home Groundwater Management and Cinder Cone Butte Critical Groundwater Management areas. Water will naturally flow in Canyon Creek to diversion structures to a number of ponds with injection wells and Fraser Reservoir.

This application was received with the place of use described as within the lands of the Mountain Home Groundwater Management Area. In compliance with other recently approved groundwater recharge permits, the place of use should be described as the location of actual recharge. Including the bed of Fraser Reservoir.

I spoke with Gary Spackman, Western Region Manager today. Gary serves on the Mountain Home Groundwater Recharge Advisory Committee. Gary agreed the place of use description would accurately be described as the location of the points of injection and Fraser Reservoir. The points of injection are within the same 40-acre tracts as the points of diversion to those injection wells. The place of use description for Fraser Reservoir was determined from maps contained in 61-04144 and dam safety records. A copy of that map is with the application.

Gary believes that the ponds supplying the injection wells will probably not account for a significant storage factor since they will probably fit into the under 24 hour fill rule of thumb.

Per Gary, places of use on this application may be added or clarified without requirement of re-advertisement. Also, additional information, e.g., large diversion project information requirements, were not applicable to this specific case.

Per dam safety records, Fraser Reservoir failed sometime prior to February 1987. Reconstruction of Fraser Dam and Reservoir may occur under this application. Gary agreed to adding condition 18B to address dam safety concerns.

Also, to remain in compliance with other recently issued groundwater recharge applications, three conditions of approval addressing concerns of 42-4201A were included.

SUMMARY SHEET

BASIN	:	61
DAM_NUMBER	:	4064
NAME_OF_DAM	:	FRAZIER
COUNTY	:	ELMORE
STREAM	:	CANYON CREEK
REGION	:	W
PURPOSE	:	SO
RISK_CATAGORY	:	3
SIZE_CATAGORY	:	2
QUARTER_QUARTER_SEC	:	NWNW
SECTION	:	29
TOWNSHIP	:	03S
RANGE	:	05E
LATITUDE	:	43.1395
LONGITUDE	:	115.8928
MAP_CODE	:	
DAM_TYPE	:	EARTH
STORAGE_AC-FT	:	3535
HEIGHT_FT	:	15.0
DRAINAGE_SQ_MI	:	150.0
RES_AREA_ACRES	:	480
YEAR_COMPLETED	:	1916
CREST_ELEV_MSL	:	3112
CREST_LENGTH_FT	:	750
SPILL_TYPE	:	CHNAFD
SPILL_DEPTH_FT	:	5.0
SPILL_CAP_CFS	:	107
OUTLET_TYPE	:	NONE
OUTLET_SIZE_IN	:	0
OUTLET_CAP_CFS	:	0
INFLOW_DESIGN_FLOOD	:	Q100 cfs.
IDF_MAGNITUDE_CFS	:	0
RELEASE_CAPACITY_CFS	:	0
CONDITION	:	NA
INSPECTION_DATE	:	0985
CERT_EXPIRATION	:	0000
LAST_RISK_EVALUATION	:	0778
CALL_UP_DATE	:	1-Feb-87
CERT_ISSUE_DATE	:	
INSPECTION_INTERVAL	:	5 YR
RESTRICTED	:	
PHASE1_INSPECT_DATE	:	
OPERATIONS_PLAN	:	
SEISMIC_ANALYSES	:	
ORDERS_ISSUED_DATE	:	
JOINT_INSPECTION	:	
QUADRANGLE_NUMBER	:	Z11
QUADRANGLE_NAME	:	CINDER CONE BUTTE
QUADRANGLE_SCALE	:	024000
DAM_OWNER	:	IDAHO DEPARTMENT OF LANDS
ADDRESS_LINE_1	:	C/O STANLEY F HAMILTON, DIR
ADDRESS_LINE_2	:	STATEHOUSE
CITY	:	BOISE
STATE	:	ID
ZIP_CODE	:	00000 0000
PHONE_NUMBER	:	3343567
AREA_CODE	:	208
GENERAL_REMARKS	:	NOTE: PHONE = MRS HICKEYS'S WORK PHONE. ON CALL UP SEE IF NEW DAM WILL BE BUILT TO REPLACE FAILED STRUCTURE.
TECHNICAL_REMARKS	:	
MAINTENANCE	:	
RESTRICTIONS	:	
ALTERNATE_CONTACTS	:	

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

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 26, 1998

MOUNTAIN HOME GROUNDWATER ADVISORY
RON HIDDLESTON CHAIRMAN
RT 3 BOX 610W
MOUNTAIN HOME ID 83647

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 61-07731

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a **preliminary order** issued by IDWR pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.**

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Be sure to note the special condition requiring you to install a measuring device and lockable controlling works that will enable the watermaster to control the rate of diversion.

If the diversion dam is 10 feet or more in height, or has an impounding capacity of 50 acre-feet or more, certain dam safety requirements must be met. Please contact the regional office nearest you for details.

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

to report these changes could result in a $100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

Please note that a separate stream channel alteration permit must be obtained from the IDWR prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of Idaho for the use and benefit of the people within the state. Conditions pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the **26th** day of **May, 1998**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved Permit)** to the person(s) listed below:

Water Right No. 61-07731

MOUNTAIN HOME GROUNDWATER ADVISORY
RON HIDDLESTON CHAIRMAN
RT 3 BOX 610W
MOUNTAIN HOME ID 83647

Kari Lynn Townsend
Secretary

ROSHOLT, ROBERTSON & TUCKER
ATTORNEYS AT LAW

142 THIRD AVENUE NORTH
P.O. BOX 1906
TWIN FALLS, ID 83303-1906
(208) 734-0700
FAX (208) 736-0041

MEMORANDUM

RECEIVED
MAY 0 9 1997
WATER RESOURCES
WESTERN REGION

TO: JCT

FROM: SHS

DATE: April 28, 1997

RE: RECHARGE APPLICATION/MT.HOME GROUNDWATER ADVISORY

Attached is a copy of the above-referenced application for groundwater recharge/groundwater recharge storage, seeking to divert 200 cfs from Canyon Creek in Elmore County, which is a tributary of the Snake River. Their recharge operation will consist of injection wells, spreading basins, surface fissures and the Frazer Reservoir for storage.

I have a call in to Chuck Brockway to have him take a look at this to determine its impact on river flows. As soon as I hear back from him, I will let you know.

Please note that the protest deadline is MAY 5, 1997.

cc: Roger Fuhrman w/enclosures