

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 47-07969

Priority: October 26, 1983

Maximum Diversion Rate: 0.43 CFS
Maximum Diversion Volume: 275.0 AF

It is hereby certified that CITY OF TWIN FALLS
PO BOX 1907
TWIN FALLS ID 83303-1907 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated October 26, 1983; and has
submitted Proof of Beneficial Use on November 30, 1988. An examination confirms water is diverted
from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
HEATING	01/01 to 12/31	0.43 CFS	275.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE1/4SE1/4NW1/4 Sec. 10, Twp 10S, Rge 17E, B.M. TWIN FALLS County

PLACE OF USE: HEATING

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
10S	17E	10					X												

CONDITIONS OF APPROVAL

1. Use of water under the amended permit shall be in compliance with the "Moratorium Agreement" dated July 22, 1987.
2. Use of water under this right shall be non-consumptive.
3. The following rights are diverted through point(s) of diversion described above: 47-7964 and 47-7969.
4. Rights 47-7964 and 47-7969 when combined shall not exceed a total diversion rate of 0.43 cfs, a total annual maximum diversion volume of 275.0 af.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 30th day of December, 2011.

for Shelley W. Keen
GARY SPACKMAN
Interim Director

SCANNED
JAN 09 2012

For Office Use Only
Fees Received \$100.00
Date 11/30/88
Receipt # 5004073
Receipt by EA
Reviewed by JS
Sent to region 4/30/88
So.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 47-7969

Name(s) of Permit Holder: City of Twin Falls

Post Office Address: P.O. Box 1907, Twin Falls, ID 83303-1907

Telephone No. (208) 736-2273

Source of Water: Ground Water

Extent of Use:

Domestic _____ (number of households) Stockwater _____ (number and type of stock)

Irrigation _____ (acres) Other/Remark Heating of Municipal

pool by heat exchange and direct use in pool.

Total rate and/or volume for which proof is submitted 0.95 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: Nov. 2, 1988

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

Fee enclosed \$ 100.00
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☒ Yes ☐ No
Installed? ☒ Yes ☐ No

Person to contact to accompany the Department representative during the field examination:

Gary L. Young

(Name)

736-2273

(Telephone Number)

321 2nd Ave. E. , Twin Falls, Idaho (City Hall)

(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

11-30-88

Date

Signature of Permit Holder (and title, if appropriate)

FEB 08 1989

City Engineer

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED APPLICATION FOR AMENDMENT OF A PERMIT

MAR 9 1988

To change the point of diversion and/or the place of use.

APPROVED

Department of Water Resources
Southern Region Office

Comes now CITY OF TWIN FALLS

of (address) P.O. Box 1907, Twin Falls ID 83301, and represents to the

Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 47-7969, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE ¼ SW ¼, Section 15, Township 10S, Range 17 E; B.M., County of TWIN FALLS. Other points of diversion: ALTERNATE DIVERSION POINT - SE NW, Section 10, T. 10 S., R. 17 E.B.M., Twin Falls County, Idaho.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 1.92 for heating purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	17 E	15								X	X								
10S	17 E	10					X												

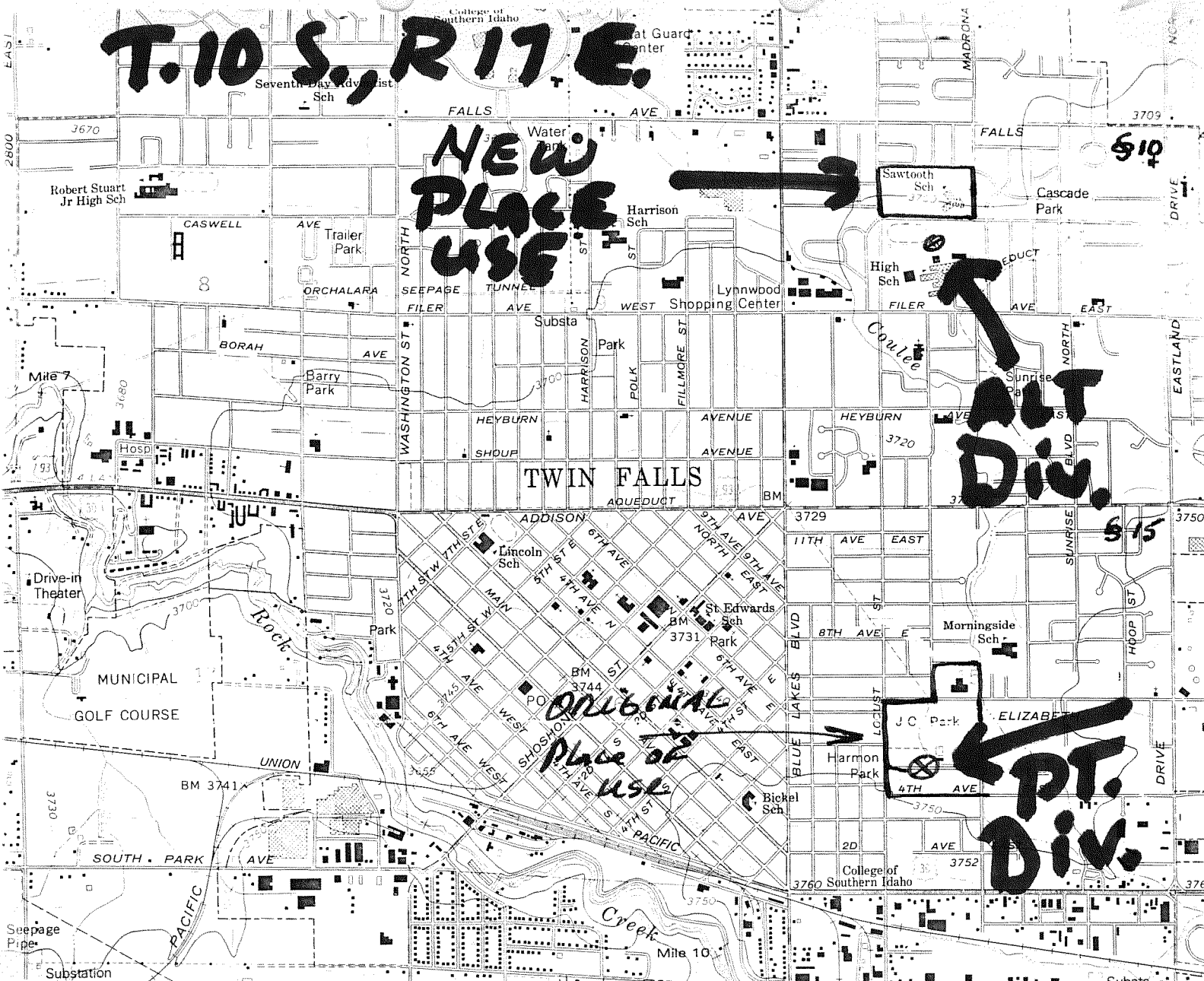
Total number of acres to be irrigated =

NOV 30 1988

4. a. Who owns the property at the point of diversion? SCHOOL DISTRICT #411
b. Who owns the land to be irrigated or the place of use? SCHOOL DISTRICT #411

- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Agreement dated January 19, 1988, between City and School District #411. Also Agreement of July 22, 1987, among users of hot water from common aquifer allows City to transfer point of diversion to School District's well (alternate diversion point under #1 above). Agreement allows City to reuse School District's water under Permit No. 47-7964 and up to .95 cfs under their own right pursuant to this Application 47-7969 for the duration of the Agreement of July 22, 1987, but City retains the right to use of up to 1.92 cfs of water under 47-7969 if IDWR eventually lifts moratorium and allows additional development.

Complete the following map by showing land and point of diversion as proposed by this amendment.



That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at TWIN FALLS, IDAHO , this 9th day of March , 19 88 .

By: [Signature]
MAYOR (Signature)

Reid 3/9/88 3:50pm. MB FOR DEPARTMENT USE ONLY 5000087
Preliminary check by ADN Fee = \$20.00 CL4711 Received by MB Date 4/15/88
Publication prepared by M.B. Date 4/25/88 Published in Times News
Publication dates 5/5 & 5/12/88

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON , of the Department of Water Resources hereby

Approve the above Application for Amendment provided the conditions as set forth in
Permit No. 47-7969 are met. Use of water under the amended permit shall be in compliance
with the "Moratorium Agreement" dated July 22, 1987.

Witness my hand this 6th day of October , 19 88 .
[Signature]
Chief, Operations Bureau

MICROFILMED

NOV 30 1988

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

47-7969

CITY OF TWIN FALLS
Box 1907, Twin Falls, ID 83301

Source:
GROUNDWATER

Date Filed: 10/26/1983
Diversion Pt: NESW Sec 15 T 10S R 17E

Use: HEATING (1.92 CFS)

In: NESW SENW Sec 15 T 10S R 17E

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before DECEMBER 19, 1983.

A. KENNETH DUNN

Director

PUBLISH: Thursday,
November 1, and 8, 1983.

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

I, Sherry Kesler,
being first duly sworn up

oath, depose and say that I am Princ. 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 publications, commencing with the issue dated
December 1, 1983, and ending with the issue dated
December 8, 1983.

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.

Subscribed and sworn to before me on this 31st day of

December, 1983.
Soldier & Newcott

Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

RECEIVED

DEC 29 1983

Department of Water Resources

Subbing First Duty Office

MICROFILMED

AMENDMENT TO A
WATER PERMIT
NO. 47-7969

Notice is hereby given that the City of Twin Falls, ID is the holder of Approved Permit No. 47-7969 authorizing the diversion of 1.92 cubic feet per second of water from groundwater sources, Twin Falls County, to be used for heating within NE 1/4 SW 1/4, SE 1/4 NW 1/4, Sec. 15, T10S, R17E.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to change the Place of Use and add diversion point as follows:

Amount: No change

Period of Use: January 1 to December 31

Point of Diversion: NE 1/4 SW 1/4, Sec. 15, T10S, R17E; SE 1/4 NW 1/4, Sec. 10, T10S, R17E, Twin Falls County; Section 15 parcel is at Harmon Park and Section 10 parcel located North of Twin Falls High School.

Place of Use: SE 1/4 NW 1/4, NE 1/4 SW 1/4, Sec. 15, T10S, R17E; NE 1/4 NW 1/4, Sec. 10, T10S, R17E.

Any protest against approval of the amending of Permit No. 47-7969 as set forth above

Affidavit of Publication

STATE OF IDAHO,

COUNTY OF TWIN FALLS

ss.

MAY 19 1988

RECEIVED
No. 18566

I, Belinda J. Cappe, being first duly sworn upon oath, depose and say that I am Printer of the Southern Region Office of the Department of Water Resources, 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 Seven consecutive Weeks, commencing with the issue dated May 5, 19 88, and ending with the issue dated May 12, 19 88.

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.

Subscribed and sworn to before me on this 13 day of May, 19 88.

Dianna Bruce

Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

TWIN FALLS TIMES NEWS
132 3RD ST W.
P. O. BOX 548
TWIN FALLS

ID 83303

RECEIVED

MAY 3 1988

Department

RETURN THIS PORTION WITH YOUR REMITTANCE

Region Office

RETURN POSTAGE GUARANTEED					
INVOICE NO.		CLASS	BILLING DATE		
18566		343	05/13/88		
INDEXING TERM					
#47-7969					
START DATE		TELEPHONE NO.	ORDER NO.		
5/05/88		734-3578			
LINES/WORDS	TIMES	RATE	NET AMOUNT	GROSS AMOUNT	
52	2		29.12	29.12	
OK MB 5/23/88					
PAY THIS AMOUNT			29.12	29.12	

GROSS AMT DUE AFTER 05/28

18566

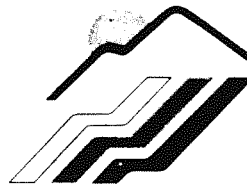
2912

THIS SPACE FOR ADDRESS ONLY

IDAHO WATER RESOURCES

2148 4TH AVE EAST
TWIN FALLS

ID
83301



The Times-News

P.O. Box 548 • Twin Falls, Id. 83303-0548

May 17, 1988

RECEIVED

MAY 23 1988

Idaho Water Resources
2148 4th Ave East
Twin Falls ID 83301

Department of Water Resources
Southern Region Office

RIGHT #47-7969

Two Times

May 5, 1988, 52 lines @ .32- - \$16.64
May 12, 1988, 52 lines @ .24- - \$12.48

TOTAL DUE

\$29.12

OK
MB
5/23/88

MAILED

NOV 30 1988

INVOICE
18566

- N O T I C E -

BEFORE TAKING ACTION ON THIS FILE, PLEASE REFER TO THE
"MORATORIUM AGREEMENT" DATED JULY 22, 1987, COPIES OF WHICH HAVE
BEEN PLACED IN WATER RIGHT FILES 36-7130 AND 47-7606.

10-03-88 lgs

MICROFILMED

NOV 30 1988

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

IN THE MATTER OF PERMIT	)	
	)	
NO. 47-7969 IN THE NAME	)	ORDER TO SHOW CAUSE
	)	
OF CITY OF TWIN FALLS, IDAHO	)	
_____	)	

This matter having come before the Department of Water Resources, the Department finds, concludes and orders as follows:

FINDINGS OF FACT

1. On October 26, 1983, the City of Twin Falls, Idaho, applied to the Department of Water Resources for a permit to appropriate 1.92 cubic feet per second of water from a groundwater source within the NW1/4 SW1/4, Section 15, Township 10 South, Range 17 East, B.M., Twin Falls County, to be used for heating purposes.

2. On December 29, 1983, the Department approved the Application for Permit.

3. Section 42-204, Idaho Code, provides that the time period for commencement of construction of works for permits is one year from the date of approval of the permit. Construction of works within one year from the date of approval of the permit was imposed as a condition of the permit.

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NOV 30 1988

4. On December 12, 1984, the permit holder requested an extension of one additional year for commencement of works.

5. By letter dated December 18, 1984, the Department informed the permit holder that an extension of time for commencement of works could not be granted, and that construction of diversion works must begin immediately.

6. On March 24, 1986, the Department requested evidence that commencement of works had been initiated.

7. On May 19, 1986, the Department received correspondence from the permit holder stating that work on the diverting facility had not yet started due to lack of funding.

8. Despite the condition on the permit requiring commencement of works within one year, and the reminder letter dated December 18, 1984, the permit holder has failed to begin commencement of works.

CONCLUSIONS OF LAW

1. Section 42-311, Idaho Code, provides that where a permittee willfully and intentionally fails to comply with the conditions of the permit, the Department may cancel the permit.

2. The permittee, the City of Twin Falls, has failed to commence construction of works within one year, and the failure is both willfull and intentional in that there has been no construction for approximately three years from the issuance of the permit despite notification of the commencement of works requirement in both the permit and in correspondence sent to the permittee.

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NOV 30 1988

3. Under Section 42-311, Idaho Code, Permit No. 47-7969 should be cancelled, and the water declared available for other appropriation.

ORDER

IT IS HEREBY ORDERED that the permit holder shall show cause on or before ~~September~~ ^{October} 15, 1986, before the Director of the Department of Water Resources why Permit No. 47-7969 should not be cancelled and the water thereunder declared to be subject to appropriation.

Dated this 2nd day of September, 1986.


L. GLEN SAXTON
Chief, Operations Bureau

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NOV 30 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant City of Twin Falls, Idaho Phone 733-0860
Post office address Box 1907 Twin Falls, Idaho 83303-1907

2. Source of water supply ground water which is a tributary of n/a

3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 15 Township 10 S
Range 17 E.B.M. Twin Falls County, additional points of diversion if any: n/a

4. Water will be used for the following purposes:

Amount 1.92 cfs for heating purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 1.92 cubic feet per second and/or b. n/a acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Artesian well piped to municipal swimming pool heat exchanger. Piped return to Perrine Coulee.

b. Height of storage dam n/a feet, active reservoir capacity n/a acre-feet; total reservoir capacity n/a acre-feet, materials used in storage dam: n/a

Period of year when water will be diverted to storage n/a to n/a inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 12 inches; proposed depth of well is 1,400 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 15 Township 10 S
& SE NW 15 10 S
Range 17 E.B.M.
17 E.

(2) Amount of power to be generated: n/a horsepower under n/a feet of head.

(3) List number of each kind of livestock to be watered n/a

(4) Name of municipality to be served City of Twin Falls, Idaho, or number of families to be supplied with domestic water none.

(5) If water is to be used for other purposes describe: Municipal swimming pool facility heating and YFCA swimming pool heating.

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated n/a

c. Describe any other water rights used for the same purposes as described above. n/a

9. a. Who owns the property at the point of diversion City of Twin Falls, Idaho

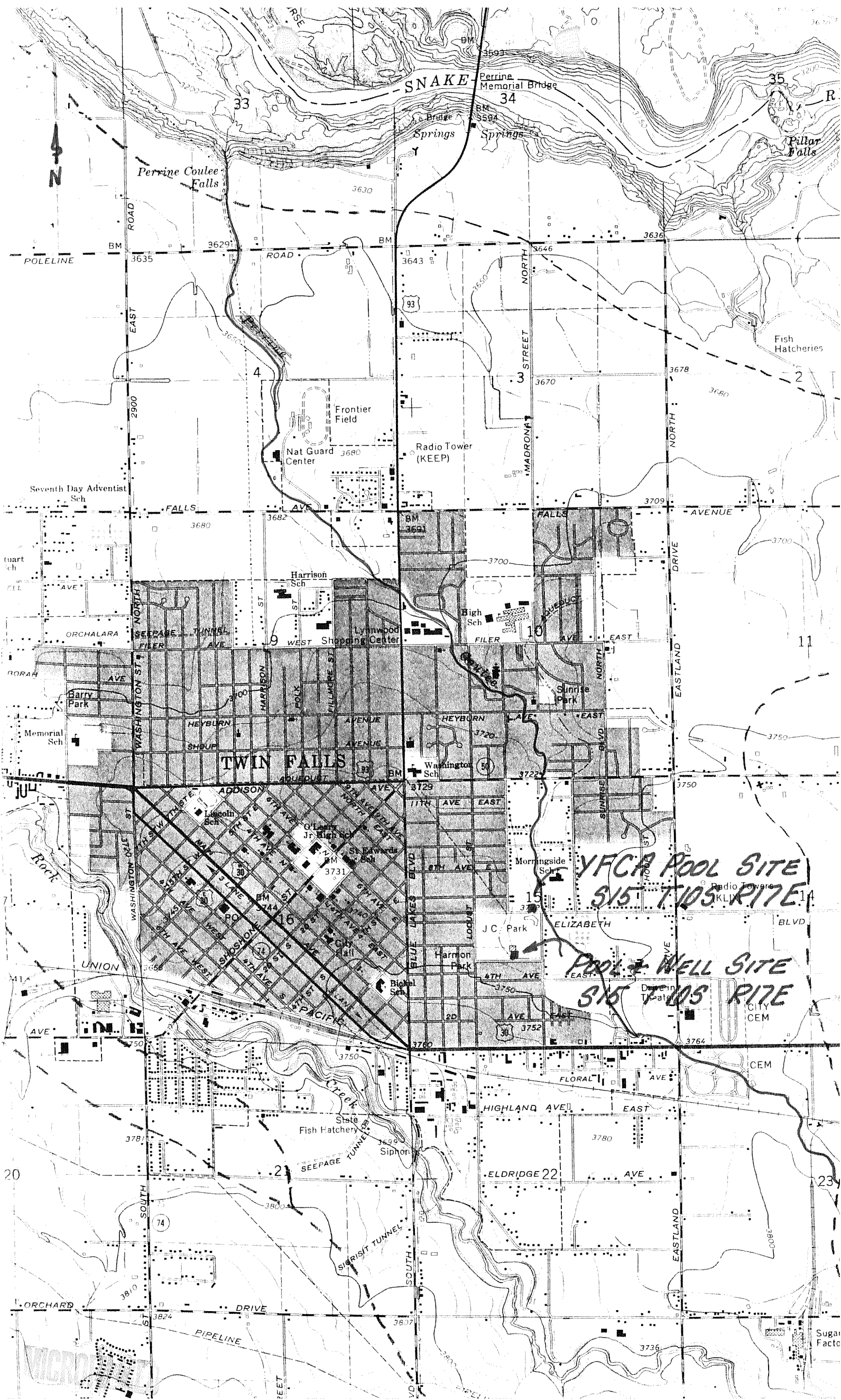
b. Who owns the land to be irrigated or place of use City of Twin Falls, Idaho & Y.F.C.A.

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

10. Remarks _____

The proposed well is to provide heated water for swimming pool facilities at the new City of Twin Falls pool to be constructed at the site of the existing pool at Harmon Park, a City owned and operated park. The enclosed study quantifies our water needs for the City Pool Project. Hot water in excess of City Pool needs and up to the 1.5 c.f.s. limit would be used to provide heated water to the existing Y.F.C.A. pool facility adjacent to the City park. A co-operative agreement will be developed between the City and the Y.F.C.A. to keep the total water use below 1.5 c.f.s.

Each pool requires about 0.96 cfs for heating = 1.92 cfs total required.



YFCA POOL SITE
S15 T10S R17E

POOL & WELL SITE
S15 T10S R17E

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

See attached map.

[illegible]

Scale: 2 inches equal 1 mile.

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

Thomas J. Courtney
(Applicant)
Thomas J. Courtney, City Manager

Proposed Priority 10/26/83

Received by JH Date 10-26-83 Time 3:55pm

Preliminary check by ZH Fee \$ 65.00

Receipted by JH Date 10-26-83 # 32913

Publication prepared by marya Date 11/22/83

Published in times news

Publication dates 12/1 + 12/8/83

Publication approved marya Date 11/29/83

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by ADM

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 47-7969, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 19 88.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Return flow if discharged to a subsurface system must be authorized by a separate injection well permit, and return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.

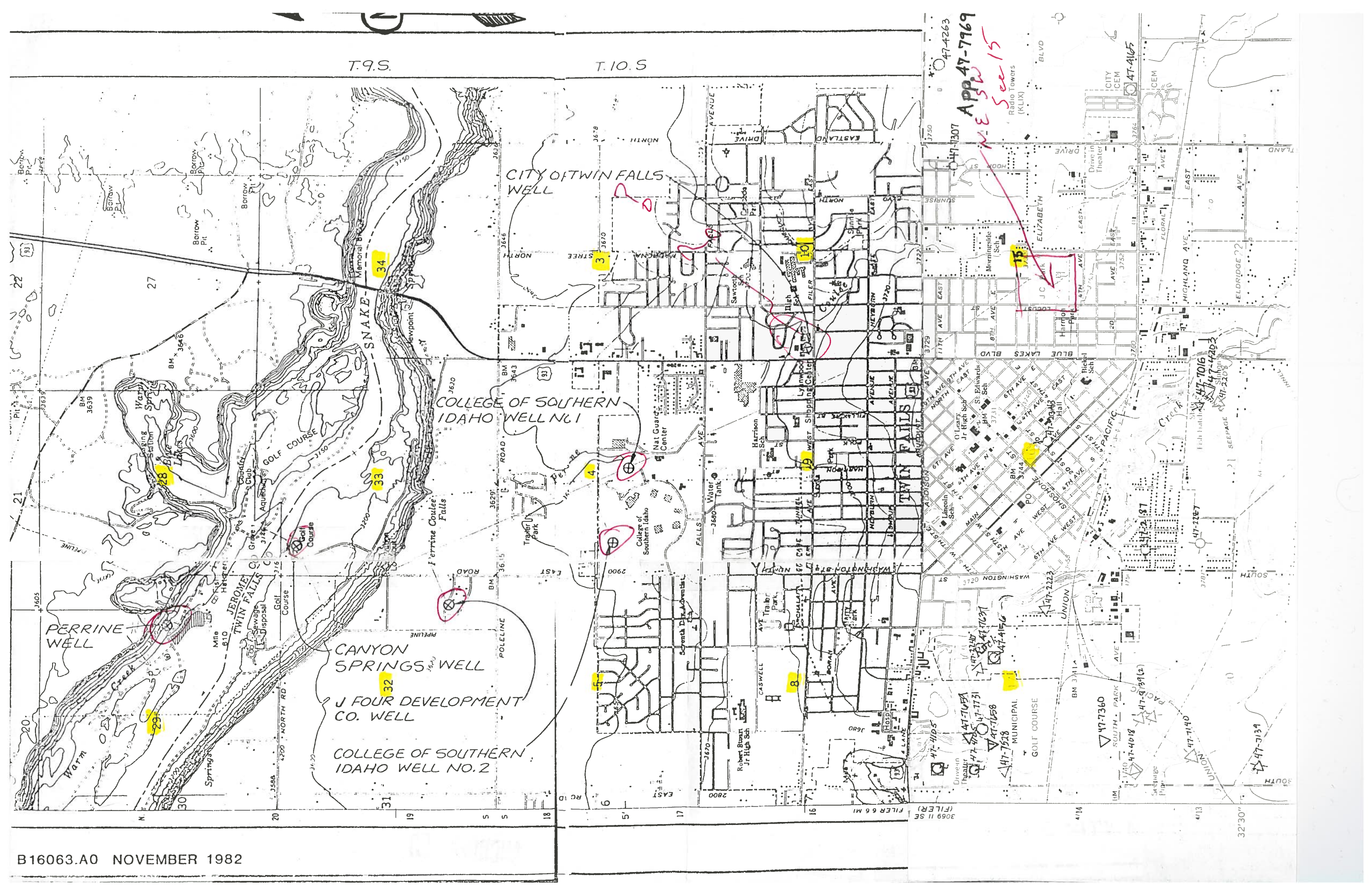
Use of water under this right shall be non-consumptive.

Permit holder shall submit to the Department a drilling prospectus which includes proposed casing and grouting procedures for review and approval prior to drilling of the well.

The Director retains jurisdiction of this permit and may require reinjection of the water if determined to be necessary for protection of the resource or other water rights.

Dated this 29th day of December, 1983.

J. Glen Saxton
Chief, Operations Bureau



**GAS/GEOTHERMAL FEASIBILITY
STUDY
AND
PRELIMINARY COST ESTIMATES**

FOR:

**A NEW SWIMMING POOL
FACILITY**

FOR

THE CITY OF TWIN FALLS

TWIN FALLS,

IDAHO



**GILE-ARMSTRONG P.A. A.I.A.
ARCHITECTS • PLANNERS**

4477 emerald • suite a100 • boise, idaho 83706 • (208) 336-5171
834 falls ave. • suite 1020 • twin falls, idaho 83301 • (208) 733-3000

HEAT REQUIREMENTS - BTU/YEAR:

To determine total annual heat requirements we had to look at three things:

1. Swimming pool heat loss requirement over entire usage period.
2. Domestic hot water heat requirement over entire usage period.
3. Bath house heating requirement over entire usage period.

1. Swimming pool heat requirement was determined by utilizing Table 12 in the 1980 ASHRAE Systems Handbook - Page 37.21 which lists losses in Btu/Hr/Ft^2 of pool surface at various temperature differences between outdoor air and pool surface.

Outdoor air temperatures were obtained by using the average monthly temperatures listed in the January 1980 Passive Solar Design Handbook, Volume 2 written by the United States Department of Energy. These temperatures are listed in Appendix "A", Section A-II.

Pool temperature used was 80°F .

Knowing these above described temperatures, we then interpolated within the ASHRAE Table 12 to determine pool heat losses in Btu/Hr/Ft^2 of surfaces.

Our next step was to deduct solar gains to the pool. A reflectance of 20% was assumed.

Once the daily energy usage/ ft^2 /month was determined it was multiplied by the days/month to get the total heat loss/ ft^2 /month.

Therefore, by multiplying this figure by $5,228 \text{ ft}^2$ of pool surface a total monthly heat loss was obtained.

By using these monthly totals it was a relatively simple process to determine annual pool heat requirement by totaling the monthly usages which corresponded to the particular usage period. See Appendix "A", Section A-IV.

2. Domestic hot water heat requirement was determined by assuming that an average of 3 showers will be running at all times while building is occupied (10 Hrs/day). This total gallorage/day of 2,700 was then multiplied by a 100° water temperature rise to determine a daily hot water load. See Appendix "A" - Section B.

Hot water usage/year was determined by taking the Btu/day and multiplying it by the number of days in the usage period.

3. Bath house heating load assumed a heat loss of 40 Btu/ft^2 for base load at -5°F .

Total monthly usage was determined by taking the total monthly hours multiplied by the building heat load at each average monthly outdoor air temperature. See Appendix "A", Section C-III.

By using these monthly totals we determined annual building heat requirement by totalling the monthly usages which correspond to the particular usage period.

PEAK LOADS:

Peak loads were determined based upon:

- a. Pool heat losses during the coldest average monthly temperature within the usage period.
- b. Pool warm-up load during the first 4 days of the usage period - this load can be increased or decreased depending upon whether the warm-up period is extended or reduced from the 96 hours used for this study.
- c. Bath house heating load at the coldest average monthly temperature within the usage period.

See Appendix "A", Section E.

GEOHERMAL WATER REQUIREMENT (GPM) AT PEAK LOAD:

This figure is used to determine the first cost of the geothermal plant.

To determine flow rate the following formula was used:

$$\frac{\text{Btuh}}{18^\circ (500)}$$

Where: Btuh = peak load for each usage period.

18° = Amount of heat in $^\circ\text{F}$ which can be extracted from the 102° geothermal water.

$500 = 8.33 \text{ lb/gallon} \times 60 \text{ minutes/hour.}$

IV. Total Monthly & Yearly Usage per Usage Periods A-D:

A.	<u>Mo</u> <u>Days</u>	<u>Btu/Day x 10⁶</u>	<u>Total x 10⁹</u>
	May 2	24.2	0.048
	Jun 30	13.6	0.41
	Jul 31	0.3	0.0094
	Aug 31	4.5	0.14
	Sep 5	19.75	0.099

Total/Year = 706,400,000 Btu/Yr (0.71×10^9).

B.	<u>Mo</u> <u>Days</u>	<u>Btu/Day x 10⁶</u>	<u>Total x 10⁹</u>
	May 31	24.2	0.75
	Jun 30	13.6	0.41
	Jul 31	0.30	0.0094
	Aug 31	4.5	0.14
	Sep 30	19.75	0.59

Total/Year = 1,899,400,000 Btu/Yr (1.9×10^9).

C.	<u>Mo</u> <u>Days</u>	<u>Btu/Day x 10⁶</u>	<u>Total x 10⁹</u>
	Apr 30	38.2	1.14
	May 31	24.2	0.75
	Jun 30	13.6	0.41
	Jul	0.3	0.0094
	Aug 31	4.5	0.14
	Sep 30	19.75	0.59
	Oct 31	36.6	1.14

Total/Year = 4,179,400,000 Btu/Yr (4.18×10^9).

D.	<u>Mo</u> <u>Days</u>	<u>Btu/Day x 10⁶</u>	<u>Total x 10⁹</u>
	Jan 31	72.6	2.25
	Feb 28	63.0	1.76
	May 31	49.3	1.53
	Apr 30	38.2	1.14
	May 31	24.2	0.75
	Jun 30	13.6	0.41
	Jul 31	0.3	0.0094
	Aug 31	4.5	0.14
	Sep 30	19.75	0.59
	Oct 31	36.6	1.14
	Nov 30	55.5	1.66
	Dec 31	68.0	2.1

Total/Year = 13,479,400,000 Btu/Yr (13.48×10^9).

B. LOAD "B" - DOMESTIC HOT WATER

- I. Assumed 1.5 showers running at all times in each of 2 shower rooms at all occupied hours (assumed 10 hours/day):

3 Showers (1.5 gpm each) 60 min/hr. (10 hours/day) =
2,700 gallons/day.

- II. Heat Load - Assumed a 100° rise on water temperature . .

$2,700 (100^{\circ}) 1 \text{ btu/lb. } (8.33 \text{ lb/gallon}) =$
2,249,100 Btu/Day.

C. LOAD "C" - BATH HOUSE:

I. Assume 40 Btu/Ft^2 @ -5° O.A.T.

$$40 (3,650^2) = 146,000 \text{ Btu/Hr.}$$

II. Profile of Loads at Various OAT's:

<u>OAT</u>	<u>Load</u>
75	-0-
70	9,125
65	18,250
60	27,375
55	36,500
50	45,625
45	54,750
40	63,875
35	73,000
30	82,125
25	91,250
20	100,375
15	109,500
10	118,625
5	127,750
0	136,875
-5	146,000

III. Total Monthly Usage - Determined by taking total monthly hours multiplied by heat load at each average monthly OAT:

<u>Month</u>	<u>Average O.A.T.</u>	<u>Hours Month</u>	<u>Load</u>	<u>Total Btu x 10⁶</u>
J	23.2	744	94,535	70.3
F	29.4	672	83,220	55.9
M	35.4	744	72,270	53.8
A	45.3	720	54,202	39.0
M	54.4	744	37,595	28.0
J	61.8	720	24,090	17.3
J	71.5	744	6,387	4.7
A	69.5	744	10,037	7.5
S	59.4	720	28,470	20.5
O	48.4	744	48,545	36.1
N	35.7	720	71,722	51.6
D	26.9	744	87,782	65.3

IV. Total Loads for Usage Periods A-D:

A.	May 30 - Sept. 5	= 34.7×10^6 Btuh/Yr.
B.	May 1 - Sept. 30	= 78.0×10^6 Btuh/Yr.
C.	Apr 1 - Oct. 31	= 153.1×10^6 Btuh/Yr.
D.	All Year	= 450.0×10^6 Btuh/Yr.

D. SUMMARY OF USAGE PERIOD:

Option	Pool Heat/Yr. Btu x 10 ⁶	Dom. H.W. Btu x 10 ⁶	Bath House Btu x 10 ⁶	Total Yearly Btu x 10 ⁶
A.	706.4	222.6	34.7*	964
B.	1899.4	344.1	78.0*	2,321
C.	4179.4	481.3	153.1*	4,814
D.	<u>13,479.4</u>	<u>820.9</u>	<u>450.0</u>	<u>14,750</u>

* These figures represent Bath House Load only during pool usage periods, assuming piping will be drained down and building will remain unheated during the unused months.

E. PEAK LOAD:

I. Figures building heating load plus a 4 day pool warm-up including losses. Figures no domestic hot water usage.

II. Per Usage Period A-D:

A. May 30:

Building Load =	37,595 Btuh
Warm-Up Load =	1,652,439 Btuh
Pool Losses =	1,008,333 Btuh
Total =	2,698,367 Btuh

B. May 1:

Building Load =	54,202 Btuh
Warm-Up Load =	1,652,439 Btuh
Pool Losses =	1,008,333 Btuh
Total =	2,714,974 Btuh

C. April 1:

Building Load =	72,270 Btuh
Warm-Up Load =	2,224,438 Btuh
Pool Losses =	1,591,667 Btuh
Total =	3,888,375 Btuh

D. All Year: January 15:

Building Load =	94,535 Btuh
Warm-Up Load =	-0-
Pool Losses =	3,025,000 Btuh
Total =	3,119,535 Btuh

F. GEOHERMAL OPERATING COST/YEAR:

<u>Usage Period</u>	<u>Average Load</u>	<u>Peak Load</u>	<u>Peak HP</u>	<u>Avg. HP</u>	<u>Hour/ Year</u>
A.	405,723	2,698,367	9.2	1.38	2,376
B.	632,080	2,714,974	9.3	2.17	3,672
C.	937,305	3,888,375	13.8	3.32	5,136
D.	1,683,789	3,119,535	10.3	5.59	8,760

Determined average HP by taking the ratio for each usage period of average load/year to peak load and multiplying this figure by peak pump horsepower requirement.

Peak HP was arrived at by making a pump selection at peak gpm and 70 foot head. Horsepower was multiplied by 1.15 for bearing and miscellaneous losses and 1.2 KWH/HP.

GAS/GEOTHERMAL STUDY
TWIN FALLS SWIMMING POOL FACILITY

MICROFILMED

USAGE PERIOD	HEAT REQUIREMENT ⁶ BTU/YR x 10 ⁶	PEAK LOAD BTU/HR	GEOTHERMAL REQUIRED PEAK LOAD (GPM)	GAS REQUIRED PEAK LOAD (THERMS)	INITIAL COST DIFFERENCE (GEOTHERMAL - GAS)	OPERATING COST GEOTHERMAL \$/YEAR	OPERATING COST GAS \$/YEAR	LIFE CYCLE COST SAVINGS 20 YEAR
A MEMORIAL DAY THRU LABOR DAY	POOL - 706.4 BLDG. - 34.7 DOM.WTR. - 222.6 TOTAL 964	2,698,367	<u>299.8</u>	27.0	\$120,000.00	\$165.25	\$ 8,400.00	\$ 45,000.00
B MAY 1 THRU SEPT. 30	POOL - 1,899.4 BLDG. - 78.0 DOM.WTR - 344.1 TOTAL 2,321	2,714,974	<u>301.7</u>	27.1	\$118,000.00	\$401.60	\$ 20,225.00	\$ 278,460.00
C APRIL 1 THRU OCT. 31	POOL - 4,179.4 BLDG. - 153.1 DOM.WTR. - 481.3 TOTAL 4,814	3,888,375	<u>432.0</u>	38.9	\$115,000.00	\$859.40	\$ 41,950.00	\$ 706,820.00
D ALL YEAR	POOL - 13,479.4 BLDG. - 450.0 DOM.WTR. - 820.9 TOTAL 14,750	3,119,535	<u>346.6</u>	31.2	\$115,000.00	\$2,468.00	\$128,535.00	\$2,406,340.00

**STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

January 5, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

CITY OF TWIN FALLS
PO BOX 1907
TWIN FALLS ID 83303-1907

RE: License No. 47-7969

Issuance of License

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or 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 forms and instructions.

If you have any questions, please contact me at 208-287-4916.

Sincerely,

Craig L. Saxton

Water Rights Supervisor

Enclosure(s)

SCANNED
JAN 09 2012

CERTIFICATE OF SERVICE

I hereby certify that on January 5, 2012, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person listed below:

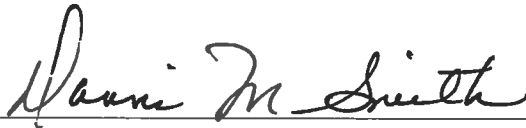
RE: WATER RIGHT NO.

47-7969

CITY OF TWIN FALLS

PO BOX 1907

TWIN FALLS ID 83303-1907

A handwritten signature in black ink, reading "Danni M. Smith", is written over a horizontal line.

Danni M. Smith
Office Services Supervisor

SCANNED
JAN 11 9 2012

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

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

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

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date 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.

SCANNED
JAN 11 9 2012

MEMORANDUM

Date: December 28, 2011
To: Water Right File 47-7969
From: medl
Re: license review

Applicant

The applicant is the City of Twin Falls.

The Proof of Beneficial Use statement was signed by Gary Young on November 30, 1988 and receipted in the Southern Region on the same day. The pool (POU) was not open until May 1989.

Source and POD

The geothermal source is a well is located on Twin Falls School District 411 property. It is currently housed within the boiler room in the heating plant building at the Twin Falls High School. It is in the Twin Falls Ground Water Management Area (TFGWMA) and has the following identifiers:

USGS well #423421114270801 10S 17E 10 BDB1

IDWR Geowell #750; tag A0003157

The POD shape was created by the field examiner and is based on his GPS coordinates of the location. This water right (47-7969) and water right 47-7964 share this well.

Water Use

The municipal pool opened for lifeguard training in May of 1989. Inaugural public use of the pool occurred Memorial Day weekend in 1989. Until September 1999, the pool was not enclosed and typically would have been open only in the summertime.

The beneficial use of this geothermal water before November 30, 1988 would not have resembled the enclosed, year-round pool use, found by the field examiner in 2001.

From November 29, 2011 phone and email exchanges with Kevin Skelton, Parks Coordinator for the City of Twin Falls, I learned the temperature and dimensions of the pool and some of the operations history. Mr. Skelton stated that the pool is operated in compliance with a 75-year lease agreement which the City of Twin Falls entered into on January 19, 1988, with Twin Falls School District 411. In that document, the school district agrees to the reuse of the discharge from its heating system for pool purposes. Article 4 of the agreement specifies the rates of geothermal water available to the city and subordinates the city's use to the school district's use.

I believe that city pool operation self-limits through its agreement with the school district and has conformed its 1st use rate to 0.95 cfs and its reuse of heating system discharge to 0.5 cfs. However, both of these rates are more than the shared well can sustain.

Well capacity

According to a well pumping test conducted October 1- 2, 1984, the source well was able to sustain a constant withdrawal of 195 gpm (~0.43 cfs). Pumping more than 195 gpm resulted in a drawdown of the well.

Heating season use

During the development period of this permit, the pool was not yet open to the public. However, I believe beneficial use of the geothermal water did occur. The heat value of the geothermal water was not and is not exhausted by the school district's heating system. The water exits the heat exchanger in Sawtooth Elementary School at approximately 84 deg F and is routed to the municipal pool. There are no users

between the elementary school and the pool. In the winter months of 1988-89 before the inaugural season for the pool, and in the winter months of subsequent years before the pool was enclosed, the heating system discharge water could have been beneficially used to keep the pool from freezing. The pool would not have needed all of the heat available in that cascaded water to remain free flowing. (See the attached spreadsheet calculation using Geo-Heat Center Direct Use Software)

Non-heating season use

Proof was submitted before any summertime (non-heating season) beneficial use could be documented. I believe that a summer season use was developed within a year after proof was submitted, and I am recommending a volume which includes both heating and non-heating seasons.

Place of Use

The place of use is the City of Twin Falls Municipal pool and the showers associated with the changing facility. I edited the POU shape created by the field examiner to better fit aerial photography.

Season of Use

At the time that the Proof of Beneficial Use statement was submitted, the pool was not open year-round. Until 1999 the operational season would have been Memorial Day to Labor Day. In 2001, the examiner found that the pool had been enclosed to allow year-round use. The season-of-use for heating is year-round and I am willing to recommend a year-round season of use.

Status and Combined Use

Rate and volume limits should be applied to the rights 47-7964 and 47-7969 to recognize the limits of the well.

Calculations and recommendations

I disagree with the rate and volume recommended by the examiner.

Rate recommendation

The rate that can be sustained by the well is 0.43 cfs (195 gpm). This is the rate I recommend.

Volume recommendation

1985 has the highest number of Heating Degree Days (HDD) in the period-of-record for Twin Falls, Idaho. This was the year I chose to analyze the space heating use developed by the upstream water right 47-7964. I also used 1985 for my analysis for the heat use in the pool.

Heating season

In 1985, the Base 65 HDD days totaled 7743. This was an unusually cool year and the heating degree days extended into the summer season. Weather Underground history for Twin Falls KTWF shows 160 HDD between Memorial Day, May 27, 1985 and Labor Day, September 2, 1985. To eliminate the overlap and allow calculation of an isolated summertime volume, I used 7583 HDD (7583 = 7743 – 160) to recalculate the heating season volume of water discharged from the school district.

I recalculated the heating season volume based on an ASHRAE method for estimating heat energy use. The method and most parameters are the same as were used to estimate the license volume for 47-7964. The equation is: $Vol = (HL \times HDD \times hr/day \times Cd) / (\Delta T1 \times K \times C \times \Delta T2)$

HL = design heat load (1916874.7 BTU/hr)

HDD = heating degree day (7583)

Hr/day (24)

Cd = correction factor for standard construction and HDD range (0.65)

$\Delta T1$ = design indoor temperature minus design outdoor temperature (70 - 9.4 = 60.6 deg F)
(9.4 is the design temperature ASHRAE listed for Joslin Field-Magic Valley Regional Airport)

K = correction factor to account for losses (0.9)

C = constant to correct for units (2.72 x 10⁶ BTU/AF-deg F)

$\Delta T2$ = temperature of incoming geothermal water minus temperature of outgoing (92 – 84 = 8 deg F)

I calculated 191.06 AF as the heating system discharge volume available to the pool excluding the 99 days of summertime operation. Although only a portion of the available heat would have been needed to keep the pool from freezing (See the attached spreadsheet calculations using Geo-Heat Center Direct Use Software) I am recommending 191.06 AF for the heating season volume for the pool.

Non- heating season

For the non-heating season volume, I reviewed the weather data from the summer of 1985 and calculated whether the sustainable rate for the well discharge was sufficient to keep the pool temperature at the target of 84 deg F. In the 99 calendar-days from Memorial Day to Labor Day 1985, the maximum sustainable rate (0.43 cfs) would have been beneficially used every day.

I am recommending a non-heating season volume = 84.4 AF. The calculation is $0.43 \text{ cfs} \times 99 \text{ days} \times 1.9835 = 84.43 \text{ AF}$

Total volume recommended

$191.0 + 84.4 = 275.4 \text{ AF}$ rounded to three significant figures = 275.0 AF

WR 47-7969 City of Twin Falls municipal pool

HEAT LOSS FROM PONDS

(Geo-Heat Center Direct Use Software)

OPEN PONDS

winter use/reuse during 1985

1. Resource temp	84 F	assumed HE exit temp
2. Length	188 ft	
3. Width	60 ft	
4. Water temp	33 F	pool temp above freezing
5. Wind velocity	13 mph	avg wind on the day of min temp
6. Air temp	-1 F	min temp in 1985
7. Cover thickness	0.00 in	
8. Cover "k"	0.40 btu in/hr sqft F	
9. Relative humidity	87 %	avg humidity on day of min temp
10. Calculated water vap pres	0.100 psia	

1. Evaporative Loss	420605 btu/hr	37.3 btu/hr sqft
2. Convective Loss	1038529 btu/hr	92.1 btu/hr sqft
3. Radiant Loss	268074 btu/hr	23.8 btu/hr sqft
4. Conductive Loss	13710 btu/hr	1.2 btu/hr sqft
5. Total Loss	1740918 btu/hr	154.3 btu/hr sqft
6. Required flow rate	68.3 gpm	
	0.152 cfs	

ha	2.71
x/k	0.00
p. press	0.027
area	11,280.00
surf temp	33.00
U	2.71

WR 47-7969 City of Twin Falls municipal pool

HEAT LOSS FROM PONDS

(Geo-Heat Center Direct Use Software)

OPEN PONDS

winter use/reuse during 1985

1. Resource temp	84 F	assumed HE exit temp
2. Length	188 ft	
3. Width	60 ft	
4. Water temp	52.5 F	estimated pool temp
5. Wind velocity	13 mph	avg wind on the day of min temp
6. Air temp	-1 F	min temp in 1985
7. Cover thickness	0.00 in	
8. Cover "k"	0.40 btu in/hr sqft F	
9. Relative humidity	87 %	avg humidity on day of min temp
10. Calculated water vap pres	0.195 psia	

1. Evaporative Loss	929803 btu/hr	82.4 btu/hr sqft
2. Convective Loss	1634155 btu/hr	144.9 btu/hr sqft
3. Radiant Loss	449064 btu/hr	39.8 btu/hr sqft
4. Conductive Loss	27782 btu/hr	2.5 btu/hr sqft
5. Total Loss	3040805 btu/hr	269.6 btu/hr sqft
6. Required flow rate	193.1 gpm	

0.430 cfs

what the well will sustain

ha	2.71
x/k	0.00
p. press	0.027
area	11,280.00
surf temp	52.50
U	2.71

History for Twin Falls, ID

May 27, 1985 through September 2, 1985 — View Current Conditions

May 27, 1985 through September 2, 1985

May

27

1985

- TO -

September

2

1985

Go

Daily

Weekly

Monthly

Custom

	Max	Avg	Min	Sum
Temperature				
Max Temperature	96 °F	82 °F	60 °F	
Mean Temperature	83 °F	70 °F	50 °F	
Min Temperature	71 °F	57 °F	39 °F	
Degree Days				
Heating Degree Days (base 65)	16	2	0	160
Cooling Degree Days (base 65)	18	6	0	614
Growing Degree Days (base 50)	33	20	0	1936
Dew Point				
Dew Point	64 °F	42 °F	8 °F	
Precipitation				
Precipitation	0.00 in	0.00 in	0.00 in	0.00 in
Snowdepth	-	-	-	-
Wind				
Wind	52 mph	11 mph	0 mph	
Gust Wind	44 mph	26 mph	18 mph	
Sea Level Pressure				
Sea Level Pressure	30.31 in	30.07 in	29.74 in	

Create calendar: Year: 1985 Country: United States

Calendar for year 1985 (United States)

January Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 6:0 13:0 20:0 28:0	February Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 5:0 12:0 19:0 27:0	March Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 6:0 13:0 21:0 29:0
April Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 5:0 11:0 20:0 27:0	May Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 4:0 11:0 19:0 27:0	June Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 2:0 10:0 18:0 25:0
July Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 2:0 9:0 17:0 24:0 31:0	August Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 8:0 16:0 23:0 30:0	September Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 7:0 14:0 21:0 28:0
October Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 7:0 14:0 20:0 28:0	November Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 5:0 12:0 19:0 27:0	December Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 5:0 11:0 18:0 27:0

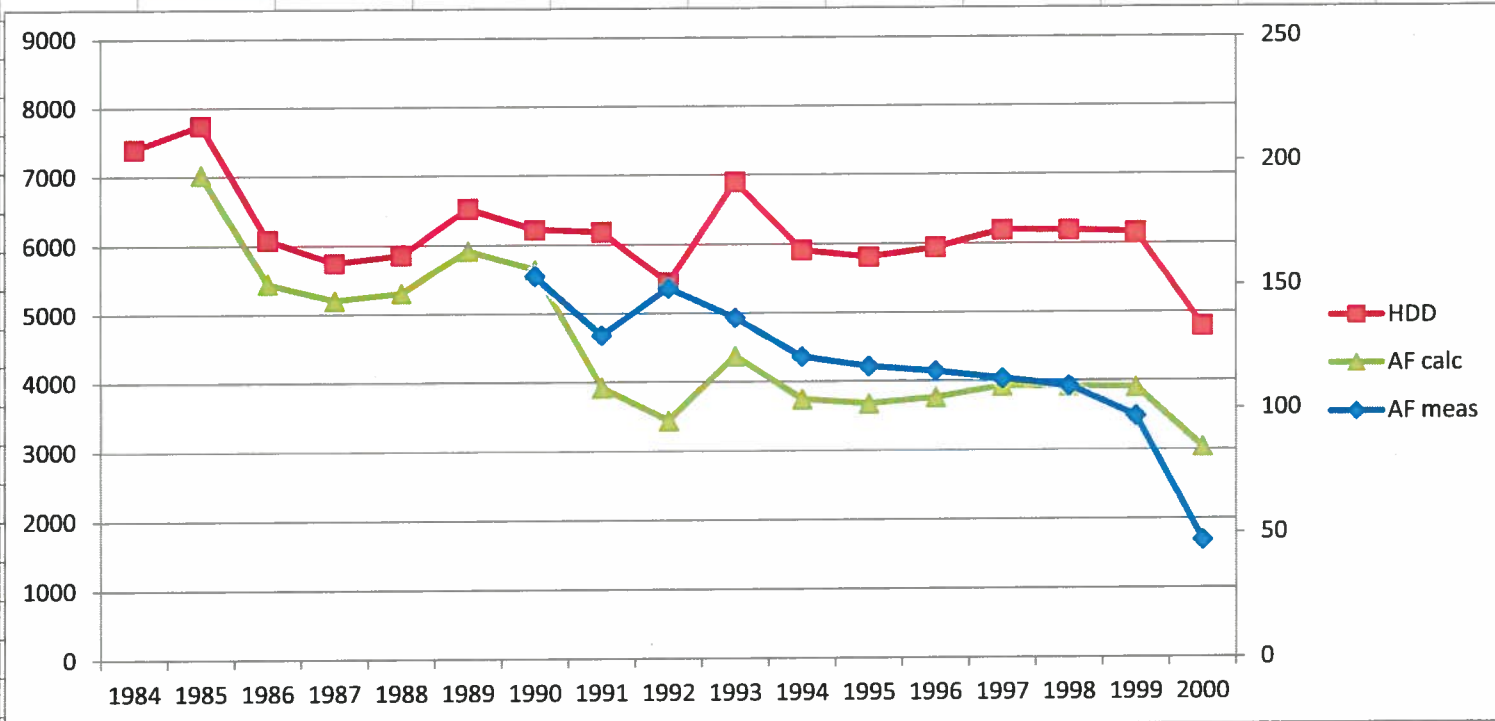
Holidays and Observances:

Jan 1 New Year's Day	Jun 16 Father's Day	Nov 28 Thanksgiving Day
Feb 14 Valentine's Day	Jul 4 Independence Day	Dec 24 Christmas Eve
Feb 18 Presidents' Day	Sep 2 Labor Day	Dec 25 Christmas Day
Apr 7 Easter Sunday	Oct 14 Columbus Day (Most regions)	Dec 31 New Year's Eve
May 12 Mother's Day	Oct 31 Halloween	
May 27 Memorial Day	Nov 11 Veterans Day	

Table and Graph comparing HDD from KTWF with AF from Twin Falls School District 411 well

Year	HDD	AF calc	AF meas	meas quality flag
1984	7397			
1985	7743	195.09		
1986	6079	151.17		
1987	5738	144.58		
1988	5851	147.42		
1989	6524	164.38		
1990	6216	156.62	154 e	
1991	6182	108.83	130 e	
1992	5435	95.68	149	
1993	6896	121.4	137	
1994	5909	104.03	121	
1995	5807	102.24	117	
1996	5939	104.56	115	
1997	6190	108.98	112	
1998	6185	108.89	109	
1999	6160	108.45	97	
2000	4792	84.36	47	

AF calc from HDD using ASHRAE energy method
assuming only Sawtooth Elementary use



History for Twin Falls, ID

January 1, 1984 through December 31, 1984 — View Current Conditions

January 1, 1984 through December 31, 1984

January 1 1984 - TO - December 31 1984

Daily

Weekly

Monthly

Custom

Max

Avg

Min

Sum

Temperature

Max Temperature

96 °F

56 °F

5 °F

Mean Temperature

81 °F

46 °F

2 °F

Min Temperature

69 °F

37 °F

-11 °F

Degree Days

Heating Degree Days (base 65)

64

20

0

7397

Cooling Degree Days (base 65)

16

2

0

597

Growing Degree Days (base 50)

31

6

0

2309

Dew Point

Dew Point

66 °F

34 °F

-13 °F

Precipitation

Precipitation

0.00 in

0.00 in

0.00 in

0.00 in

Snowdepth

-

-

-

-

Wind

Wind

46 mph

11 mph

0 mph

Gust Wind

58 mph

31 mph

21 mph

Sea Level Pressure

Sea Level Pressure

30.72 in

30.06 in

29.47 in

History for Twin Falls, ID

January 1, 1985 through December 31, 1985 — View Current Conditions

January 1, 1985 through December 31, 1985

January 1 1985 - TO - December 31 1985

Daily

Weekly

Monthly

Custom

	Max	Avg	Min	Sum
Temperature				
Max Temperature	96 °F	55 °F	7 °F	
Mean Temperature	83 °F	46 °F	4 °F	
Min Temperature	71 °F	36 °F	-1 °F	
Degree Days				
Heating Degree Days (base 65)	62	21	0	7743
Cooling Degree Days (base 65)	18	2	0	635
Growing Degree Days (base 50)	33	7	0	2537
Dew Point				
Dew Point	64 °F	30 °F	-5 °F	
Precipitation				
Precipitation	0.00 in	0.00 in	0.00 in	0.00 in
Snowdepth	-	-	-	-
Wind				
Wind	69 mph	10 mph	0 mph	
Gust Wind	52 mph	28 mph	17 mph	
Sea Level Pressure				
Sea Level Pressure	31.14 in	30.09 in	29.38 in	

History for Twin Falls, ID

January 1, 1987 through December 31, 1987 — View Current Conditions

January 1, 1987 through December 31, 1987

January 1 1987 - TO - December 31 1987

Daily

Weekly

Monthly

Custom

	Max	Avg	Min	Sum
Temperature				
Max Temperature	100 °F	62 °F	14 °F	
Mean Temperature	82 °F	51 °F	7 °F	
Min Temperature	71 °F	40 °F	0 °F	
Degree Days				
Heating Degree Days (base 65)	58	16	0	5738
Cooling Degree Days (base 65)	16	2	0	601
Growing Degree Days (base 50)	32	8	0	2845
Dew Point				
Dew Point	69 °F	31 °F	-12 °F	
Precipitation				
Precipitation	0.04 in	0.00 in	0.00 in	0.04 in
Snowdepth	-	-	-	-
Wind				
Wind	58 mph	11 mph	0 mph	
Gust Wind	52 mph	26 mph	13 mph	
Sea Level Pressure				
Sea Level Pressure	30.92 in	30.06 in	29.39 in	

History for Twin Falls, ID

January 1, 1988 through December 31, 1988 — View Current Conditions

January 1, 1988 through December 31, 1988

January 1 1988 - TO - December 31 1988

Max

Avg

Min

Sum

Temperature

Max Temperature

99 °F

62 °F

14 °F

Mean Temperature

83 °F

51 °F

8 °F

Min Temperature

72 °F

40 °F

0 °F

Degree Days

Heating Degree Days (base 65)

57

16

0

5851

Cooling Degree Days (base 65)

18

2

0

814

Growing Degree Days (base 50)

33

8

0

2992

Dew Point

Dew Point

65 °F

32 °F

-2 °F

Precipitation

Precipitation

0.00 in

0.00 in

0.00 in

0.00 in

Snowdepth

-

-

-

-

Wind

Wind

52 mph

12 mph

0 mph

Gust Wind

52 mph

28 mph

12 mph

Sea Level Pressure

Sea Level Pressure

30.69 in

30.07 in

29.48 in

History for Twin Falls, ID

January 1, 1989 through December 31, 1989 — View Current Conditions

January 1, 1989 through December 31, 1989

January

1

1989

- TO -

December

31

1989

Go

DailyWeeklyMonthlyCustom				
	Max	Avg	Min	Sum
Temperature				
Max Temperature	100 °F	59 °F	3 °F	
Mean Temperature	82 °F	48 °F	-1 °F	
Min Temperature	70 °F	38 °F	-9 °F	
Degree Days				
Heating Degree Days (base 65)	66	18	0	6524
Cooling Degree Days (base 65)	17	1	0	497
Growing Degree Days (base 50)	32	7	0	2422
Dew Point				
Dew Point	63 °F	32 °F	-11 °F	
Precipitation				
Precipitation	0.55 in	0.00 in	0.00 in	0.55 in
Snowdepth	-	-	-	-
Wind				
Wind	36 mph	9 mph	0 mph	
Gust Wind	46 mph	27 mph	17 mph	
Sea Level Pressure				
Sea Level Pressure	30.62 in	30.08 in	29.18 in	

History for Twin Falls, ID

January 1, 1992 through December 31, 1992 — View Current Conditions

January 1, 1992 through December 31, 1992

January 1 1992 - TO - December 31 1992

Daily

Weekly

Monthly

Custom

Max

Avg

Min

Sum

Temperature

Max Temperature

99 °F

63 °F

14 °F

Mean Temperature

87 °F

52 °F

10 °F

Min Temperature

79 °F

41 °F

1 °F

Degree Days

Heating Degree Days (base 65)

56

15

0

5435

Cooling Degree Days (base 65)

22

2

0

723

Growing Degree Days (base 50)

37

8

0

2998

Dew Point

Dew Point

70 °F

32 °F

-5 °F

Precipitation

Precipitation

0.37 in

0.00 in

0.00 in

0.37 in

Snowdepth

-

-

-

-

Wind

Wind

45 mph

12 mph

0 mph

Gust Wind

63 mph

28 mph

16 mph

Sea Level Pressure

Sea Level Pressure

30.73 in

30.03 in

29.04 in

History for Twin Falls, ID

January 1, 1993 through December 31, 1993 — View Current Conditions

January 1, 1993 through December 31, 1993

January 1 1993 - TO - December 31 1993

Daily

Weekly

Monthly

Custom

Max

Avg

Min

Sum

Temperature

Max Temperature

97 °F

57 °F

14 °F

Mean Temperature

79 °F

47 °F

8 °F

Min Temperature

68 °F

37 °F

-3 °F

Degree Days

Heating Degree Days (base 65)

57

19

0

6896

Cooling Degree Days (base 65)

14

1

0

283

Growing Degree Days (base 50)

29

6

0

2114

Dew Point

Dew Point

58 °F

30 °F

-8 °F

Precipitation

Precipitation

0.00 in

0.00 in

0.00 in

0.00 in

Snowdepth

-

-

-

-

Wind

Wind

63 mph

12 mph

0 mph

Gust Wind

46 mph

29 mph

18 mph

Sea Level Pressure

Sea Level Pressure

30.62 in

30.05 in

29.28 in

History for Twin Falls, ID

January 1, 1995 through December 31, 1995 — View Current Conditions

January 1, 1995 through December 31, 1995

January 1 1995 - TO - December 31 1995

Daily	Weekly	Monthly	Custom
-------	--------	---------	--------

	Max	Avg	Min	Sum
Temperature				
Max Temperature	97 °F	60 °F	21 °F	
Mean Temperature	84 °F	50 °F	14 °F	
Min Temperature	70 °F	40 °F	2 °F	
Degree Days				
Heating Degree Days (base 65)	52	16	0	5807
Cooling Degree Days (base 65)	18	1	0	517
Growing Degree Days (base 50)	34	6	0	2292
Dew Point				
Dew Point	64 °F	33 °F	-1 °F	
Precipitation				
Precipitation	0.00 in	0.00 in	0.00 in	0.00 in
Snowdepth	-	-	-	-
Wind				
Wind	75 mph	11 mph	0 mph	
Gust Wind	58 mph	31 mph	17 mph	
Sea Level Pressure				
Sea Level Pressure	31.01 in	30.02 in	28.55 in	

History for Twin Falls, ID

January 1, 1999 through December 31, 1999 — View Current Conditions

January 1, 1999 through December 31, 1999

January

1

1999

- TO -

December

31

1999

Go

Daily	Weekly	Monthly	Custom					
				Max	Avg	Min	Sum	
Temperature								
Max Temperature				99 °F	62 °F	21 °F		
Mean Temperature				82 °F	50 °F	17 °F		
Min Temperature				69 °F	38 °F	9 °F		
Degree Days								
Heating Degree Days (base 65)				48	17	0	6160	
Cooling Degree Days (base 65)				17	2	0	551	
Growing Degree Days (base 50)				32	7	0	2465	
Dew Point								
Dew Point				72 °F	33 °F	0 °F		
Precipitation								
Precipitation				0.52 in	0.02 in	0.00 in	7.55 in	
Snowdepth				-	-	-	-	
Wind								
Wind				48 mph	11 mph	0 mph		
Gust Wind				62 mph	26 mph	16 mph		
Sea Level Pressure								
Sea Level Pressure				30.83 in	30.00 in	29.28 in		

Edl, Michele

From: Kevin Skelton [Kskelton@tfid.org]
Sent: Tuesday, November 29, 2011 7:53 AM
To: Edl, Michele
Subject: "Y"/City Pool info
Attachments: pool dimensionDOC.PDF

Michele,

This should take care of the info you requested. If you need anything else let me know. Thanx

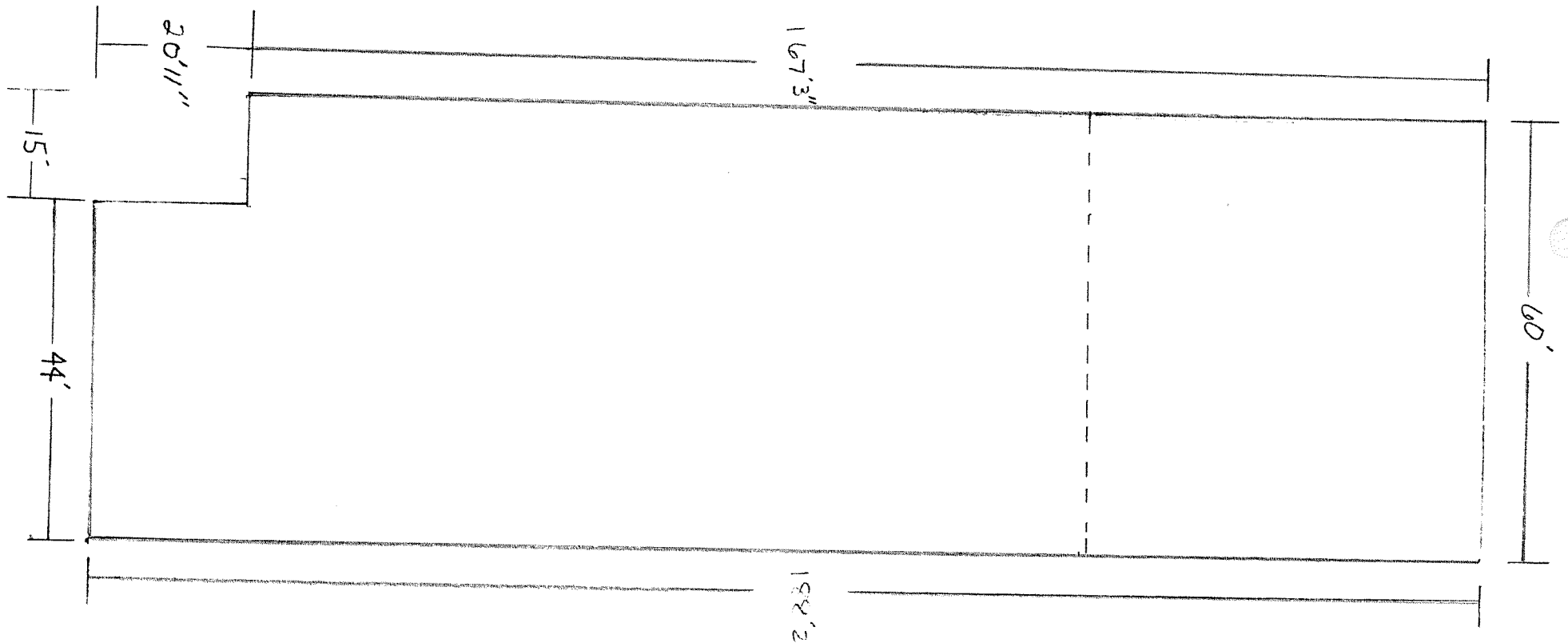
Thank You
Kevin Skelton
Parks Coordinator
City of Twin Falls Parks
& Recreation Department
136 Maxwell Ave.
Twin Falls, ID 83301
Office: 208-736-2277
Cell: 208-308-7387
Fax: 208-736-1548
Kskelton@tfid.org

YMCA / CITY POOL

SCALE
1:20'



NUMBER OF LANES 8
 SURFACE AREA 12,759 sq. ft.
 TOTAL 15,431 sq. ft. - INCLUDES WAIS





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 19, 2002

GARY YOUNG
CITY OF TWIN FALLS
PO 1907
TWIN FALLS ID 83303

RE: Water right permit no. 47-7969

Dear Mr. Young:

The Department of Water Resources is in the process of reviewing the above referenced water right permit for licensing. As we have discussed over the telephone, the Department is now trying to obtain any available information to evaluate the system in place during the period of development from October 26, 1983 to December 20, 1988. Though a beneficial use field examination was conducted by the Department on October 16, 2001, detailed information about the system was not available. Quantifying historic water use is difficult given that the system involves multiple users and has been in place for quite some time. I have identified information that would be helpful for further review of the developed use, and though it is possible that some of this data may not be available, your assistance in locating additional documentation is appreciated to ensure that the permit is licensed appropriately.

As you know, the point of diversion, also referred to as the Twin Falls High School Well, is shared with the Twin Falls School District No. 411 under water right permit no. 47-7964 for use in the Twin Falls High School and the Sawtooth Elementary School. I understand the high school is not currently included in this system, however the use is being considered in the review for licensing since it was described in the permit, and water was put to beneficial use in the high school during the period of development for permit no. 47-7964. Though discharge measurements have been collected from the well as a result of the Moratorium in the Twin Falls Groundwater Management Area (GWMA), it is difficult to establish how much water has been beneficially used under each permit because the measurements were not made for the individual uses and were taken after the period of development.

First, information about the design heating and water use requirements of the pool facility could be used to confirm the reasonableness of the quantities and portions of total water use from the well. A feasibility study for the swimming pool facility was submitted to the Department with the original application for permit. It appears to have been submitted by Gile & Armstrong Architects and Planners. The study includes a

breakdown of different usage periods, estimated heat requirements, and the geothermal peak load required in gallons per minute (gpm). I understand from our February 11, 2002 telephone conversation that this was a preliminary study and was not a contributor to the final design. The plan for the as-built system would be very helpful in lieu of actual measurements of water use.

Second, a detailed account of the periods of operation of the pool facility would also clarify water use requirements and distribution under each permit. The City's permit authorizes year round use, however it is necessary to identify more specifically when the pool was open for use throughout the year, hours of operation of the heating system, and when the pool facility was shut down but heated to avoid freezing. A breakdown of the specific water uses, such as whether the bathrooms and buildings are heated in addition to the pool, how often the pool is drained and filled, and whether a secondary heat source was used would also be helpful.

Additionally, please include a description of the discharge procedure for water from the pool facilities, including when water is discharged into the city sewer or a ditch system. Also note when the pool first began using water from the Twin Falls High School well, and when it began making use of discharges from the schools.

We have discussed the difficulties of documenting water use in the pool facility during our telephone conversations. I understand that quite of bit of information has been requested here, and some of it might not be available. However, our objective is to license the referenced water rights such that they describe the actual uses developed during the authorized period of development. If you have any questions, please contact me at (208) 327-7898 or cclark@idwr.state.id.us.

Sincerely,



Cynthia Bridge Clark
Associate Engineer
Water Right Permits Section

MEMORANDUM

DATE: December 4, 2001

TO: Cynthia Clark

FROM: Shelley W. Keen

RE: Licensing exams for 47-7964 and 47-7969

These two water rights present an interesting technical problem dealing with geothermal water. Right 47-7964 is for the heating of a school in Twin Falls. Right 47-7969 is for heating a swimming pool. Both rights are diverted from the same well. In his field reports Jim Stanton does a pretty good job of describing the diversion and distribution systems. Unfortunately, data is not available to tell us how much of the water that is diverted goes to the school, and how much is used in the pool. Jim recommended issuing the school district a license for half the rate and volume. I am concerned that at times the school may actually use more than half the flow diverted. I do not want to issue the school district a license for less rate and volume than is necessary to heat the school. Jim also recommended that all the volume diverted be credited to the pool. I am concerned that some of the water is shunted into the sewer without being beneficially used in the pool. For example, if the school needs water but the pool doesn't, the water discharged by the school probably isn't beneficially used in the pool.

I need your help to discern how much water is beneficially used at each location. Please see if some kind of data is available from a source Jim may have overlooked. For example, who designed the systems, and what flow and volume assumptions were incorporated into the design? If data is not available, is it possible to calculate what the school and the pool require for heating? Application processing memo #23 is probably a good starting place.

Thanks for your help.

Keen, Shelley

From: Stanton, Jim
Sent: Friday, November 30, 2001 12:04 PM
To: Keen, Shelley
Cc: Stanton, Jim
Subject: RE: Field Reports for 47-7964 and 47-7969 (Twin Falls High School geothermal well)

Shelley; The pipeline carrying pumped water from the well goes north to the city street between the high school & Sawtooth school, then splits into 2 6" pipes according to a school official familiar with the system. He felt that about half the water goes each way, so my volume numbers are based on this. The measuring device is at the pump on high-school property, so as far as I can tell there is no way to actually measure how much goes to the pool and how much to Sawtooth.

There is no way to determine how much goes into the pool, showers, etc., from what I could tell. But this right is 100% consumptive as far as the geothermal aquifer is concerned. Since the water must be pumped, I assume that whoever controls the pump is not wasting tax dollars by running water when it isn't needed. So unless we want to micromanage this system, it seems reasonable to license the known usage. Some use in the pool building has been eliminated this fall, so future use will probably be somewhat less than past use. But it remains to be seen how this will affect operation of the pump.

I don't know why the use was so low in 2000. It never came up in the conversation. I have found out that the city pool was first covered in September of 1999, so has been open in the winter since then. Before that, it was closed from after Labor Day to Memorial Day weekend. So this probably had some affect on the diversion volume. The school usage would be highest in winter regardless of what the pool was doing. If anything, you would expect the volume to go up with full-time operation of the pool. And there has been talk that winter use of the pool is not paying its way, so may be cut back or eliminated in the future.

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

From: Keen, Shelley
Sent: Friday, November 30, 2001 11:28 AM
To: Stanton, Jim
Subject: Field Reports for 47-7964 and 47-7969 (Twin Falls High School geothermal well)

Jim,

I have a couple of questions related to your field reports and draft licenses for 47-7964 and 47-7969 (Twin Falls High School geothermal well).

- The highest annual volume diverted from the well in the past five years is 112 AF. You recommended a volume of 112 AF for the swimming pool. However, you also say, "Water discharges into sewer system after use, or if pool receives more water than it needs." Your statement makes me wonder if the pool really needs the entire volume diverted. If the actual beneficial use is less than the amount diverted, we should license the right for the volume beneficially used. Is there any way to tell how much water was just discharged to the sewer without being used in the pool?
- You didn't provide much justification for limiting the school's right to half the flow. Based on your system description, it seems like all the flow could be diverted to the school. We should be careful that we don't license them for less than they need to heat the school. Is there a way to discern how much water actually goes to the school?
- Just for curiosity, why was only 47 AF diverted in 2000? That's a big drop-off.

Shoot me an email if you have the answers handy. If not, or if you think I'm missing something, give me a call and we can talk it over.

Thanks.

10/20/2021

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 47-7969

1. Owner: City of Twin Falls

Phone No. 735-7273

Current Address: PO 1907, Twin Falls, ID 83303

2. Accompanied by: Emery Warren; Dennis Boyer per telecon EXAM DATE: 10-16-01

Address: Warren - 201 Main Ave West, Twin Falls, 83301 Phone No. 733-4277. 736-2265

Relationship to Permit Holder: Warren-school maint. supv. Boyer-city park manager

3. Source: Ground Water

tributary to

B. OVERLAP REVIEW

1. Other water rights with the same place of use:

2. Other water rights with the same point of diversion: 47-7964

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

[illegible]

2. Place(s) of Use:

Indicate Method of Determination USGS Map

[illegible]

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

Scale: 1" = _____.

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Lealand Faraday	7 1/2	FJ485109003	Aurora	3x5-06869

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Data Industrial Meter	remote		900T	020521		

2. Measurements: Read 55.9 gpm at most during exam. Low was 55.0 gpm. Sensor is located near the booster pump, not at the well head.

E. NARRATIVE/REMARKS/COMMENTS

Well, motor, pump, pipeline to Twin Falls city swimming pool. This is a geothermal well, but does not provide pressure to operate the system.

enough pressure

Some water goes to Sawtooth Elementary School as needed, & then back into pipeline feeding pool. Water discharges into sewer system after use, or if pool receives more water than it needs. A small pump in the pool building did pressurize some of this water for use in sinks & showers, but this will be discontinued & replaced with water from the primary city water supply.

The main pipeline from the well splits into 2 6" pipelines, with one line going to Sawtooth Elementary school (see Permit 47-7964) & one line going to the pool. All the well output (both flow & volume) end up at the pool. The pool has been covered so it can be used all year.

Have conditions of permit approval been met? ☒ yes ☐ no

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

The highest flow recorded by IDWR during the last 5 years has been 71.6 gpm (0.16 cfs).
Allow this amount.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

Highest recorded volume in last 5 years was 112 AFA; allow this amount.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Hesting</u>	<u>1-1</u>	<u>12-31</u>	<u>0.16</u>	<u>112.0</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>0.16</u>	<u>112.0</u>

2. Recommended Amendments

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

I. AUTHENTICATIONField Examiner's Name J.F. Stanton Date 11-21-01

Reviewer _____ Date _____

SEAL

SD-0953
INQUIRY

Idaho Department of Water Resources
Global Positioning Location Data Screen

Date: 12/18/96
Time: 16:34:54

GPS Site Id: A0003157

Global Positioning Data:

Decimal Degrees Latitude: 42.5724509
Latitude: 42:34:20.82 N Std. Dev. 2.4468903

Decimal Degrees Longitude: 114.4526389
Longitude: 114:27: 9.50 W Std. Dev. 2.1084080

Altitude: 1121.8531425 M 3679 Ft Std. Dev. 1.4604152

Datum: WGS-84 Origination Flag:

Altitude Mode Abbr.: HAE

Reading Date: 2/ 7/1995 Reading Time: 20:46:52

RECEIVED

NOV 29 2001

Department of Water Resources

(Enter=Continue)

(GOLD8=Cancel)

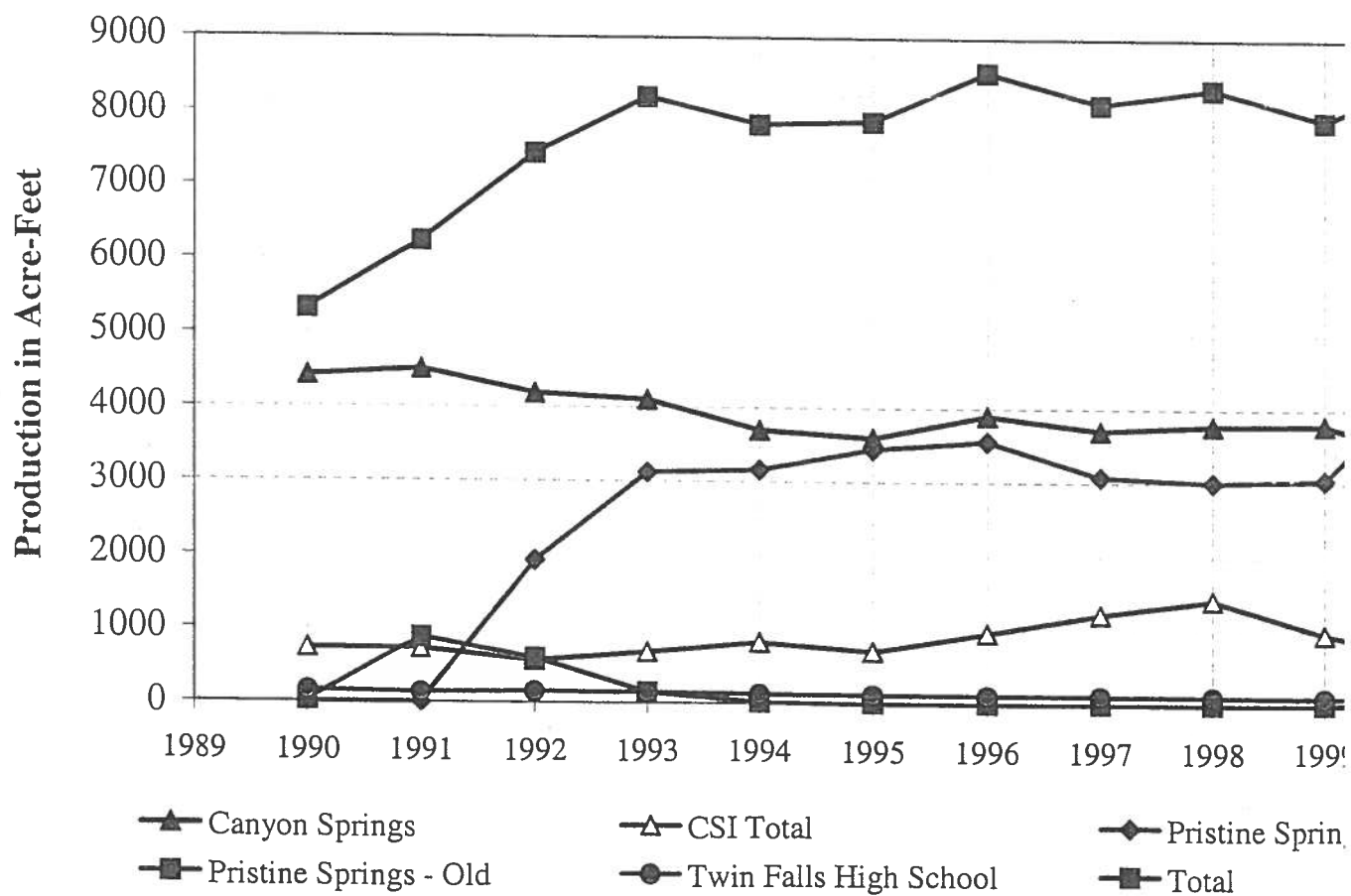
Date	Discharge (gpm)
1/4/1995	80.9
2/7/1995	78.5
4/4/1995	75.6
6/13/1995	75.4
7/19/1995	72.3
8/15/1995	72
9/20/1995	70.7
10/24/1995	73
11/28/1995	73.2
12/21/1995	72.1
1/24/1996	71.4
2/14/1996	70.6
4/8/1996	69.8
5/21/1996	70.5
6/17/1996	70.8
7/16/1996	71.3
8/26/1996	70.3
9/19/1996	70.7
10/23/1996	70.3
11/18/1996	70
12/31/1996	71.6
1/24/1997	70.8
2/27/1997	71
3/24/1997	70
4/24/1997	69.4
5/22/1997	69.2
6/28/1997	68.5
7/10/1997	69.7
8/12/1997	70.1
10/16/1997	69.6
11/26/1997	69.5
12/19/1997	68.4
1/21/1998	69.2
2/20/1998	68.4
5/29/1998	69
6/30/1998	67
7/29/1998	66.3
8/31/1998	65.4
9/29/1998	65.5
10/27/1998	65.5
11/30/1998	67.2

12/28/1998	66.4
1/26/1999	59.4
3/22/1999	59.5
5/3/1999	59.9
6/7/1999	59.5
7/6/1999	59.3
7/30/1999	59.9
Nov-99	58.9
12/2/1999	64.2
1/3/2000	65.4
2/2/2000	65.15
3/1/2000	63.1
3/27/2000	63.3
5/1/2000	63.9
5/31/2000	63.4

Site ID# (Well Name)	1990	1991	1992	1993	1994	1995
Pristine Springs - Old	17	873	597	139	14	0
Pristine Springs - New	0	0	1927	3124	3165	3446
Canyon Springs	4420	4508	4188	4106	3702	3599
CSI #1	278	269	147	376	365	387
CSI #2	456	457	423	312	462	323
Twin Falls High School	154	130	149	137	121	117
CSI Total	734	726	570	688	827	710

Use	1990	1991	1992	1993	1994	1995
Space Heating	888	856	719	825	948	827
Power Generation and Fish Farming	4437	5381	6712	7369	6881	7045
Total	5325	6237	7431	8194	7829	7872

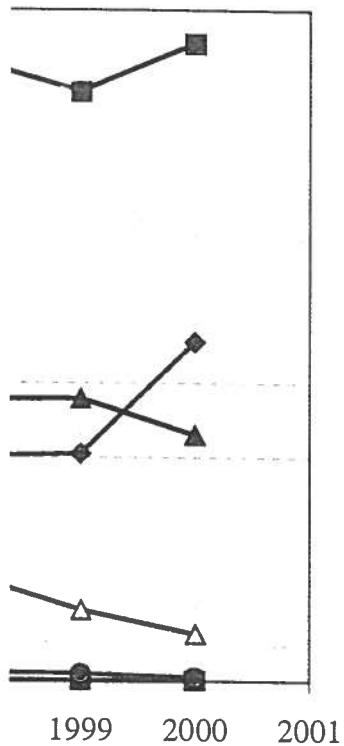
Cumulative Production for the Major Users in Twin Falls Area, 1990-



1996	1997	1998	1999	2000
0	0	0	0	0
3558	3082	3016	3053	4556
3903	3705	3781	3792	3307
616	516	403	88	15
347	703	1019	872	625
115	112	109	97	47
963	1219	1422	960	640

1996	1997	1998	1999	2000
1078	1331	1531	1057	687
7461	6787	6797	6845	7863
8539	8118	8328	7902	8550

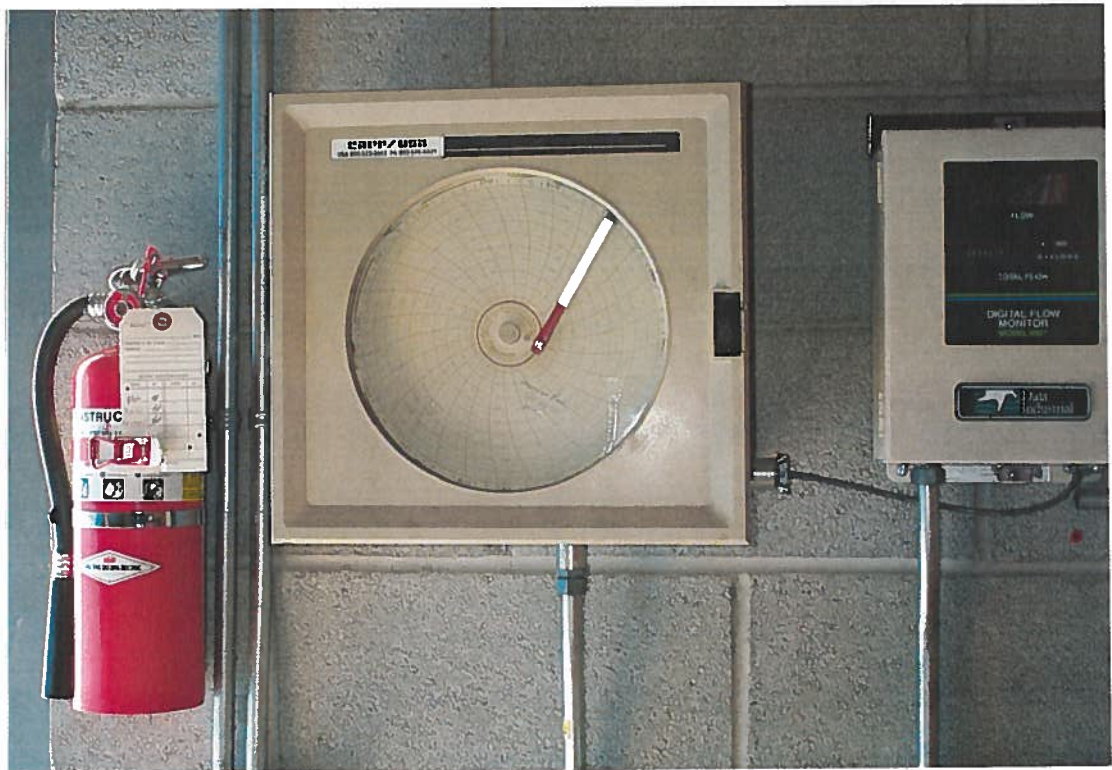
1990-2000.



e Springs - New

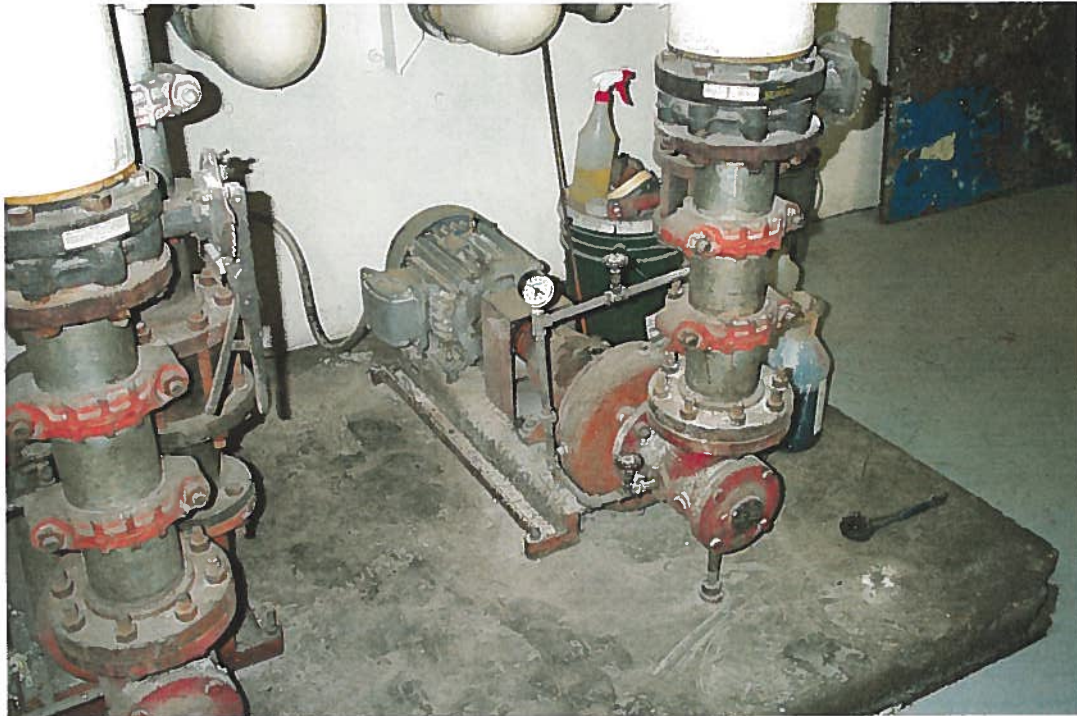


Geothermal Well At High School

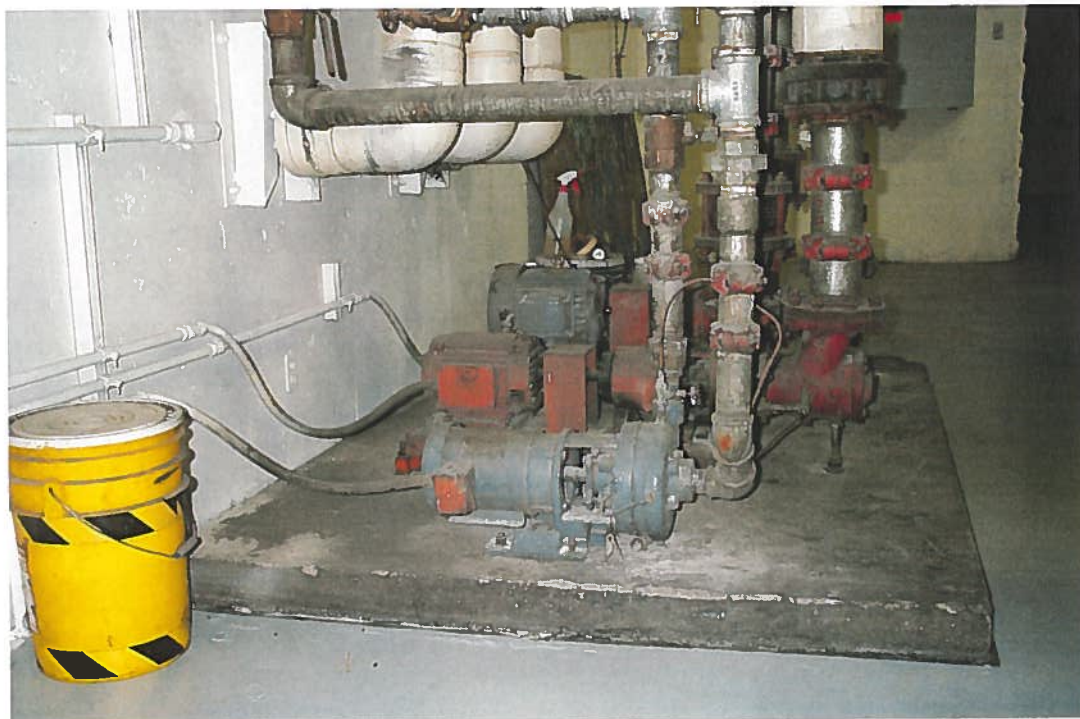


Off-Line Flow Meters

47-7969
By J E Stanton
10-16-01



Main Pressure Pump for Artesian Geothermal Well



Main & Backup Pressure Pumps
(Backup Pump in Front)

47-7969
By J E Stanton
10-16-01



Pressure Pumps & Pielines Carrying Geothermal
Water to Sawtooth School & Twin Falls City Pool

47-7964, 7969
By J E Stanton
10-16-01



Main Entrance To City Pool Looking Mainly East



City Pool Building Looking NW From SE Corner

47-7969
By J E Stanton
10-16-01



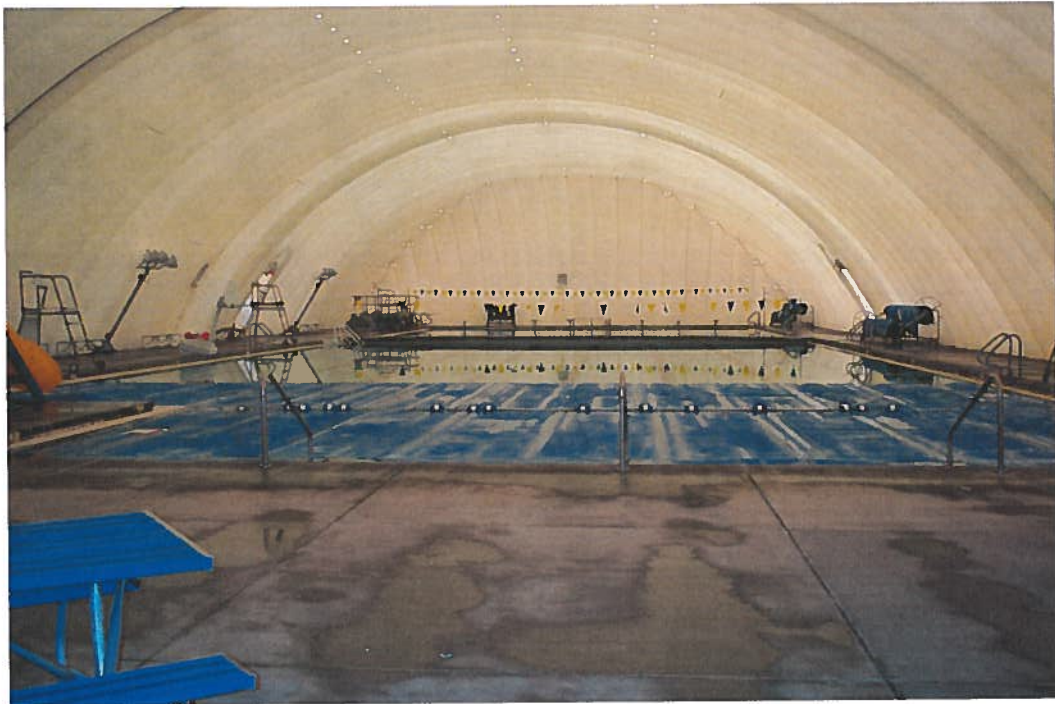
Pipeline Carrying Geothermal Water Into Pool Building



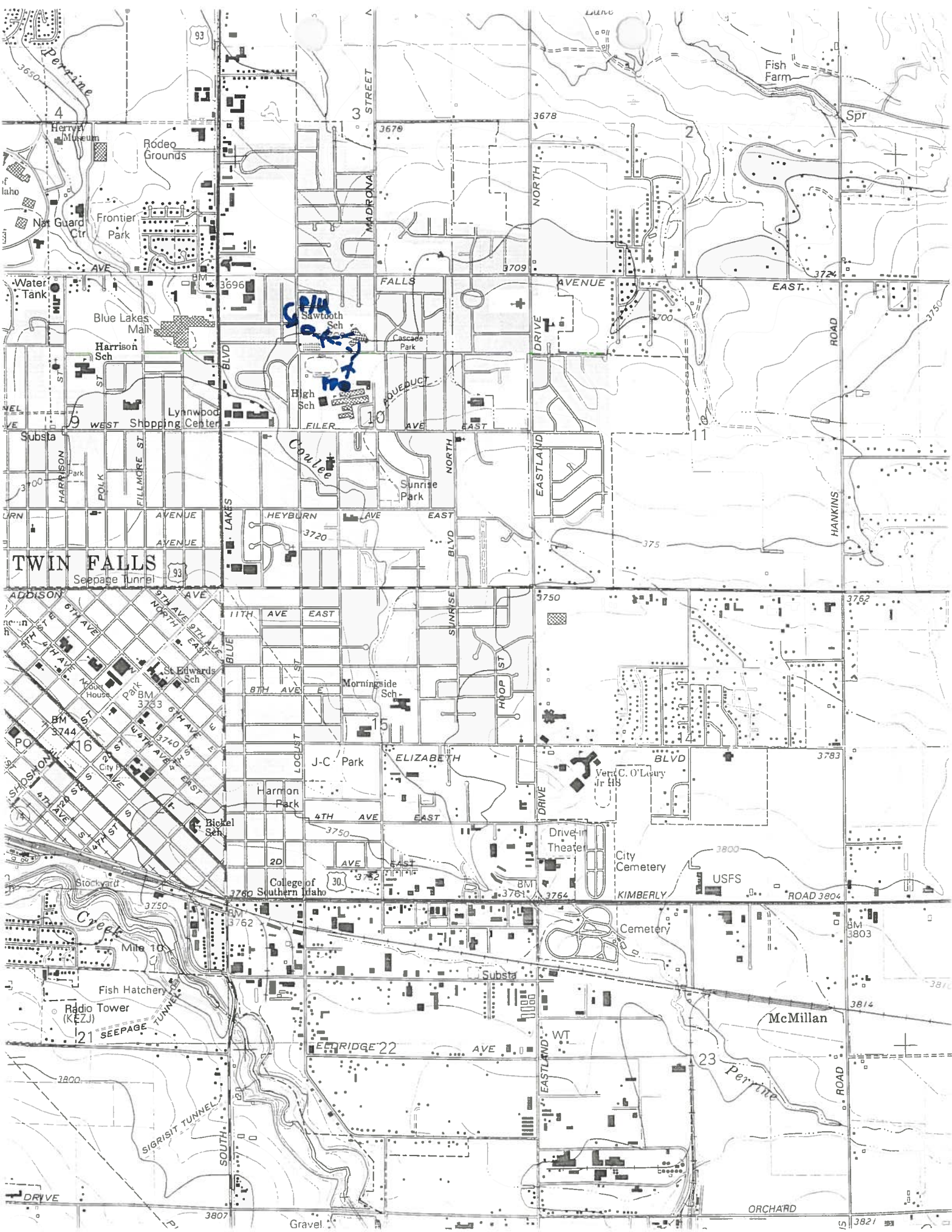
Overflow Carrying Excess Geothermal Water Into Sewer System

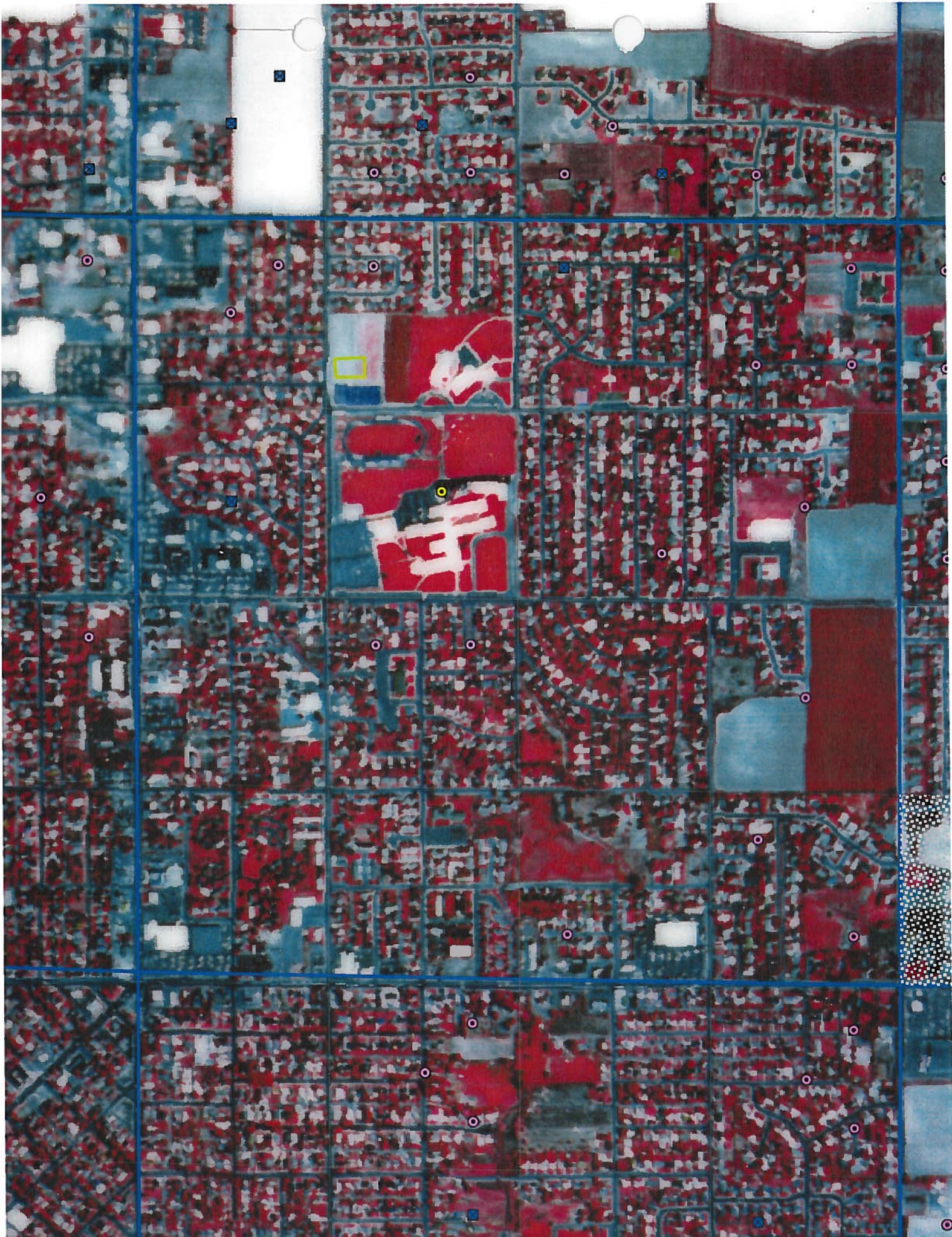


Pipeline Carrying Geothermal Water To Pool



Twin Falls City Pool Inside Covered Building





MEMORANDUM

TO: File/47-07969

FROM: Tim Luke

DATE: 7/8/1996

RE: Status of City of Twin Falls Geothermal Well

On this date I spoke with City Engineer Gary Young regarding the city well described under the above permit and located at T10S., R17E., Section 15, NESW.

Mr. Young advised that this well was never completed. The only geothermal use the City currently has is from the Twin Falls High School well. Water is piped from the high school well to a nearby City swimming pool. The City's use from the high school well is covered by 47-7969 since the right was amended in 1988 to include the high school well as a point of diversion.

My prior review of the file left some confusion as to the status of the well in section 15. The review was made relative to the Twin Falls Geothermal monitoring program and our effort to send a billing for IDWR's 1995 monitoring.

cc: Ken Neely



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

47-7969
CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

M E M O R A N D U M

139363
DATE: JULY 31, 1992
TO: WATER RIGHT HOLDERS AND APPLICANTS IN TWIN FALLS
LOW-TEMPERATURE GEOTHERMAL MORATORIUM AREA
FROM: NORM YOUNG
RE: EXTENSION OF MORATORIUM

Enclosed is a copy of an order extending the order designating the Twin Falls Low-Temperature Geothermal Moratorium Area. I appreciated the attendance of many of the users at the public information meeting on this matter held in Twin Falls last week. I understood those in attendance favored an extension of the moratorium, and some of the users were encouraging that the size of the area be increased and that additional actions be taken to protect artesian pressures. I indicated at the meeting that the moratorium would be extended without modification to keep its continuity and that IDWR will schedule as time and resources permit a review of the following matters:

- Expansion of the area.
- The need for repair or reconstruction of wells in and adjacent to the area.
- Evaluate the adequacy of the agreement to manage pumpage to prevent withdrawal in excess of the average rate of recharge or to maintain artesian pressures in the public interest.
- Review need for and adequacy of monitoring programs.

With respect to monitoring, the data recorded by the USGS from the well at the Nazarene Church is an important part of the information now being collected. The Church will soon be finished and will be using water from the well. Data from an unused well is more reliable for evaluating aquifer conditions. USGS and IDWR are evaluating alternatives for replacing this source of data. If you are aware of a well that is finished into the low-temperature geothermal aquifer and is not being used, please call Loren Holmes, IDWR Regional Manager at Twin Falls, a call at 736-3033.



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 30, 1989

Lloyd J. Walker
131 Second Street West
P.O. Box 1923
Twin Falls, ID 83303-1923

Dear Mr Walker:

The department has reviewed your letter dated August 3, 1989 in connection with the Agreement signed July 22, 1987 (agreement) and the use of low temperature geothermal water in the Twin Falls area.

On July 24, 1987, the Director of the department did issue an Order Establishing a Five Year Moratorium for a portion of the Twin Falls Ground Water Management Area. Enclosed for your information is a copy of the order. Note that the order does provide that some qualified development can occur.

The use and development of water by CSI up to the amount of water authorized by the agreement under permit 47-7606 does not appear to conflict with the moratorium or the agreement.

The City of Twin Falls likely diverted and used water under permit 47-7969 since the city has filed proof of beneficial use under permit 47-7969 showing a swimming pool use. This use also does not appear to conflict with the moratorium or agreement. To the department's knowledge, water was not diverted from the well of the school district under application 47-7964 to fill the city pool.

I hope this letter answers your questions. Please feel free to contact the department if you have additional questions.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 1

c: S. Region
47-7964
47-7969
47-7606

INTER-DEPARTMENT MEMO — 1

DATE

FROM Loren Holmes

TO Glen Saxton

SUBJECT - TFG WTRA & Attached

TO my knowledge no water from the School District well (all) was used to fill the City Pool. CSI still has an open Permit (47-7606) & a Right to develop further under the CSI agreement.

411 - 47-7964
city - 47-7969

[Signature]

SIGNATURE

LLOYD J. WALKER
ATTORNEY AT LAW

131 SECOND STREET WEST
POST OFFICE BOX 1923
TWIN FALLS, IDAHO 83303-1923
TELEPHONE (208) 733-3083

LLOYD J. WALKER

RECEIVED
AUG 25 1989

RECEIVED

AUG - 4 1989

August 3, 1989 Department of Water Resources
Southern Region Office

Department of Water Resources

Mr. L. Glen Saxton, Chief
Water Allocation Bureau
2148 4th Avenue East
Twin Falls, Idaho 83301

RE: Mike Kestler

Dear Mr. Saxton:

We have corresponded in the past concerning underground hot water aquifer in the Twin Falls area. It is my understanding that there is a moratorium on further development in use of that aquifer until it can be determined its capability of sustained pumping.

I am concerned about the maintenance of the moratorium. The Twin Falls City Municipal Pool was filled in June of this year and I believe with natural hot water from that aquifer. More recently another building at CSI has been added to their use of hot water from the aquifer. These are both public uses that I approve of from the community standpoint, but I am not sure how they affect the aquifer in the event that it is determined that it is being overpumped.

I would appreciate very much your comments on the continued development and use of hot water from the aquifer while a moratorium is in place.

Sincerely yours,
LLOYD J. WALKER
Attorney at Law

Lloyd J. Walker
Lloyd J. Walker

LJW/jkl
2935a

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 47-7969

Date: 1.18.89

General Considerations:

Y Name same as permit
Y Signature the same as permit holder
Y Address change _____ If yes, prepare a data entry
Y Proof received timely _____
_____ Reinstated

Source of Water:

_____ Surface water
Y _____ Groundwater
X ? 1. well log in file
N/A 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

Y Rate of diversion appropriate for uses
Y Is rate or volume and fee appropriate?
Y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

Y Is a measuring device or access port required?
Y Has one been installed?
N/A Waiver or modification of measuring device requested

Remarks:

Proof acceptable
** See g.w. protection sheet & letter of 12.14.88 in file.*

N/A Priority Calculation:
Date proof received _____

Date proof due _____ - _____

No. of days late _____ = _____

Priority date _____ + _____

NEW PRIORITY DATE _____ = _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

December 14, 1988

City of Twin Falls
P.O. Box 1907
Twin Falls, ID 83303-1907

Re: Permit No. 47-7969

Gentlemen:

The department received your proof of beneficial use form, however, before completing processing, additional information is needed.

If you have a well driller's report, please send a copy to the department. If you do not have one, please let me know who drilled the well and when it was drilled.

Please remit the requested information by January 14, 1989. Upon receipt of the well information, the department will continue processing the proof by notifying the region that a field exam is needed.

If you have any questions concerning this matter, feel free to contact this office.

Sincerely,

JODI I. SCHULTZ
Clerical Assistant

MicroFILMED

FEB 08 1989

No reply

1/14/89

JS

To: File 47-7969

From: Groundwater Protection

Date: 12/13/88

Drilling Permit: ☒ Not Applicable
☐ Found and in file
☐ Not Found

Well Drillers Report:

☐ Not found, due to reported age of well
probably not available
☐ Found and is in file
☐ Not found

Follow-up

☐ Request from permit holder the well
drillers report and/or the name of the
well driller, *And date drilled.*
☐ Ask permit holder when well was drilled
and notify holder of drilling permit
requirement if after July 01, 1987.

3. I discussed this with
Leah St. They do not know
what well the city
plans to use.

I suggest we Ask
the City to send us
A log for their well!

MICROFILMED

FEB 08 1989

JB'

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTUSE TYPEWRITER OR
BALLPOINT PENState law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name Twin Falls School District No. 411 Address 201 Main Avenue West Twin Falls, Idaho 83301 Owner's Permit No 47-7564		7. WATER LEVEL Static water level 0 feet below land surface Flooding? ☒ Yes ☐ No G.P.M. flow 15 gpm Artesian closed in pressure 0 psi Controlled by ☒ Valve ☒ Cap ☐ Plug Temperature 96°F Quality _____ Describe artesian or temperature below																																																																																																																																																																																										
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe abandonment procedures such as material's plug depths etc. in lithologic log)		8. WELL TEST DATA ☒ Pump ☐ Bailor ☐ Air ☐ Other Discharge G.P.M. _____ Pumping Level _____ Hours Pumped _____																																																																																																																																																																																										
3. PROPOSED USE ☐ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste disposal or injection ☐ Other Heating (specify type)		9. LITHOLOGIC LOG Pg 1 of 2 <table border="1"><thead><tr><th>Bore Diam.</th><th>Depth From</th><th>To</th><th>Material</th><th>Water Yes No</th></tr></thead><tbody><tr><td></td><td>0</td><td>12</td><td>Top Soil</td><td></td></tr><tr><td></td><td>12</td><td>48</td><td>Gray Lava</td><td></td></tr><tr><td></td><td>48</td><td>53</td><td>Lava Ash</td><td></td></tr><tr><td></td><td>53</td><td>130</td><td>Gray Lava</td><td></td></tr><tr><td></td><td>130</td><td>137</td><td>Red Lava</td><td></td></tr><tr><td></td><td>137</td><td>165</td><td>Brown Lava</td><td></td></tr><tr><td></td><td>165</td><td>170</td><td>Red Lava</td><td></td></tr><tr><td></td><td>170</td><td>238</td><td>Gray Lava</td><td></td></tr><tr><td></td><td>238</td><td>258</td><td>Brown Lava</td><td></td></tr><tr><td></td><td>258</td><td>263</td><td>Brown Lava</td><td></td></tr><tr><td></td><td>263</td><td>274</td><td>Brown Rhyolite</td><td></td></tr><tr><td></td><td>274</td><td>315</td><td>Gray Rhyolite</td><td></td></tr><tr><td></td><td>315</td><td>438</td><td>Gray Rhyolite</td><td></td></tr><tr><td></td><td>438</td><td>458</td><td>Softer Gr. Rhyolite More Water</td><td></td></tr><tr><td></td><td>458</td><td>471</td><td>Red & Gray Broken Rhy. - Water</td><td></td></tr><tr><td></td><td>471</td><td>518</td><td>Lots of water</td><td></td></tr><tr><td></td><td>518</td><td>528</td><td>Brown Rhyolite</td><td></td></tr><tr><td></td><td>528</td><td>531</td><td>Broken Gray Rhy. Water</td><td></td></tr><tr><td></td><td>531</td><td>557</td><td>Hard Gray Rhyolite</td><td></td></tr><tr><td></td><td>557</td><td>583</td><td>Broken Softer Red Rhyolite</td><td></td></tr><tr><td></td><td>583</td><td>587</td><td>Solid Gray Rhyolite</td><td></td></tr><tr><td></td><td>587</td><td>606</td><td>Very Hard Gray Rhyolite</td><td></td></tr><tr><td></td><td>606</td><td>612</td><td>Brown Broken Rhy. - water</td><td></td></tr><tr><td></td><td>612</td><td>625</td><td>Solid Gray Rhyolite</td><td></td></tr><tr><td></td><td>625</td><td>638</td><td>Broken Gray Rhy. More Water</td><td></td></tr><tr><td></td><td>638</td><td>698</td><td>Hard Gray Rhyolite</td><td></td></tr><tr><td></td><td>698</td><td>714</td><td>Gray Shale Some Black</td><td></td></tr><tr><td></td><td>714</td><td>797</td><td>Rock More Water</td><td></td></tr><tr><td></td><td>797</td><td>803</td><td>Black Rhy. Broken - Water</td><td></td></tr><tr><td></td><td>803</td><td>809</td><td>Broken Brown Rock</td><td></td></tr><tr><td></td><td>809</td><td>842</td><td>Brown Clay</td><td></td></tr><tr><td></td><td>842</td><td>870</td><td>Green Clay & Shale</td><td></td></tr><tr><td></td><td>870</td><td>879</td><td>Broken Black Rock</td><td></td></tr><tr><td></td><td>879</td><td>910</td><td>Soft Red Rhyolite</td><td></td></tr><tr><td></td><td>910</td><td>926</td><td>Medium Black Rock</td><td></td></tr><tr><td></td><td>926</td><td></td><td>Hard Black Rock</td><td></td></tr></tbody></table>		Bore Diam.	Depth From	To	Material	Water Yes No		0	12	Top Soil			12	48	Gray Lava			48	53	Lava Ash			53	130	Gray Lava			130	137	Red Lava			137	165	Brown Lava			165	170	Red Lava			170	238	Gray Lava			238	258	Brown Lava			258	263	Brown Lava			263	274	Brown Rhyolite			274	315	Gray Rhyolite			315	438	Gray Rhyolite			438	458	Softer Gr. Rhyolite More Water			458	471	Red & Gray Broken Rhy. - Water			471	518	Lots of water			518	528	Brown Rhyolite			528	531	Broken Gray Rhy. Water			531	557	Hard Gray Rhyolite			557	583	Broken Softer Red Rhyolite			583	587	Solid Gray Rhyolite			587	606	Very Hard Gray Rhyolite			606	612	Brown Broken Rhy. - water			612	625	Solid Gray Rhyolite			625	638	Broken Gray Rhy. More Water			638	698	Hard Gray Rhyolite			698	714	Gray Shale Some Black			714	797	Rock More Water			797	803	Black Rhy. Broken - Water			803	809	Broken Brown Rock			809	842	Brown Clay			842	870	Green Clay & Shale			870	879	Broken Black Rock			879	910	Soft Red Rhyolite			910	926	Medium Black Rock			926		Hard Black Rock	
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4. METHOD DRILLED ☒ Rotary ☒ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other		10. (See Page 2) Work started Aug. 15, 1984 finished Sept. 26, 1984																																																																																																																																																																																										
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other Thickness 16 inches Diameter .250 inches From 1 feet To 23 feet .250 inches 12 inches 2 feet 900 feet inches inches feet feet inches inches feet feet Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☐ No Perforated? ☐ Yes ☐ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches Number _____ From _____ To _____ perforations _____ feet _____ feet perforations _____ feet _____ feet perforations _____ feet _____ feet Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Model No. _____ Type _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☐ No Size of gravel _____ feet Placed from _____ feet to _____ feet Surface seal depth 900 Material used in seal: ☒ Cement grout ☐ Bentonite ☐ Pudding clay ☐ Sealing procedure used ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☒ Cemented between strata Describe access port Valve		11. DRILLERS CERTIFICATION 22 I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name Elsing Drilling Firm No. 31 Box 919 Address Twin Falls, ID Date Nov. 6, 1984 Signed by (Firm Official) Arnold Elsing and (Operator) Larry Elsing																																																																																																																																																																																										
6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name _____ Lot No. _____ Block No. _____ County Twin Falls SE 1/4 NW 1/4 Sec. 10, T. 10 N. R. 11 E.																																																																																																																																																																																												

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

FEB 1985

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTUSE TYPEWRITER OR
BALLPOINT PENState law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>Twin Falls School District No. 411</u> Address <u>801 Main Ave. West</u> <u>Twin Falls, Idaho 83301</u> Owner's Permit No. _____	7. WATER LEVEL Static water level _____ feet below land surface Flowing? ☐ Yes ☐ No G.P.M. flow _____ Artesian closed in pressure _____ p.s.i. Controlled by ☐ Valve ☐ Cap ☐ Plug Temperature _____ OF Quality _____ Describe uses air or temperature zones below																																																												
2. NATURE OF WORK ☐ New well ☐ Deepened ☐ Replenishment ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)	8. WELL TEST DATA ☐ Pump ☐ Sailer ☐ Air ☐ Other Discharge G.P.M. _____ Pumping Level _____ Hours Pumped _____																																																												
3. PROPOSED USE ☐ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)	9. LITHOLOGIC LOG Page 2 <u>12</u> <table border="1"><thead><tr><th>Bore Diam.</th><th>Depth From To</th><th>Material</th><th>Water Yes No</th></tr></thead><tbody><tr><td></td><td>926 932</td><td>Soft Brown Rock</td><td></td></tr><tr><td></td><td>932 991</td><td>Hard Black Rock</td><td></td></tr><tr><td></td><td>991 1071</td><td>Soft Brown Sandstone</td><td></td></tr><tr><td></td><td>1071 1085</td><td>Gray Decomposed Rhyolite</td><td></td></tr><tr><td></td><td></td><td>Hit 81° F Water</td><td></td></tr><tr><td></td><td>1085 1121</td><td>Gray Decomposed Rhyolite</td><td></td></tr><tr><td></td><td>1121 1246</td><td>Red Rhyolite</td><td></td></tr><tr><td></td><td>1246 1284</td><td>Broken Red Rhyolite 85° F</td><td></td></tr><tr><td></td><td>1284 1408</td><td>Solid Brown Rhyolite</td><td></td></tr><tr><td></td><td>1408 1416</td><td>Red Rhyolite</td><td></td></tr><tr><td></td><td>1416 1420</td><td>Broken Green & Pink Rhyolite</td><td></td></tr><tr><td></td><td></td><td>Some Water</td><td></td></tr><tr><td></td><td>1420 1505</td><td>Solid Brown Rhyolite</td><td></td></tr><tr><td></td><td>1505 1700</td><td>Gray Rhyolite</td><td></td></tr></tbody></table>	Bore Diam.	Depth From To	Material	Water Yes No		926 932	Soft Brown Rock			932 991	Hard Black Rock			991 1071	Soft Brown Sandstone			1071 1085	Gray Decomposed Rhyolite				Hit 81° F Water			1085 1121	Gray Decomposed Rhyolite			1121 1246	Red Rhyolite			1246 1284	Broken Red Rhyolite 85° F			1284 1408	Solid Brown Rhyolite			1408 1416	Red Rhyolite			1416 1420	Broken Green & Pink Rhyolite				Some Water			1420 1505	Solid Brown Rhyolite			1505 1700	Gray Rhyolite	
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4. METHOD DRILLED ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dig ☐ Other _____	RECEIVED JAN 8 1985 DEPT. OF WATER RESOURCES JAN 11 1985 DEPT. OF WATER RESOURCES																																																												
5. WELL CONSTRUCTION Casing schedule ☐ Steel ☐ Concrete ☐ Other _____ <table border="1"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> Was casing drive shoe used? ☐ Yes ☐ No Was a packer or seal used? ☐ Yes ☐ No Perforated? ☐ Yes ☐ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table border="1"><thead><tr><th>Number</th><th>From</th><th>To</th></tr></thead><tbody><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> Well screen installed? ☐ Yes ☐ No Manufacturer's name _____ Model No. _____ <table border="1"><thead><tr><th>Type</th><th>Diameter</th><th>Slot size</th><th>Set from</th><th>Set to</th></tr></thead><tbody><tr><td>_____</td><td>_____</td><td>_____</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____</td><td>_____</td><td>_____</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth _____ Material used in seal: ☐ Cement grout ☐ Bentonite ☐ Pudding clay ☐ _____ Sealing procedure used: ☐ Slurry pi ☐ Temp. surface casing ☐ Overbore to seal depth Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent Weld _____ ☐ Cemented between strata Describe access port _____		Thickness	Diameter	From	To	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	Number	From	To	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	Type	Diameter	Slot size	Set from	Set to	_____	_____	_____	_____ feet	_____ feet	_____	_____	_____	_____ feet	_____ feet													
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6. LOCATION OF WELL Sketch map location must agree with written location. <table border="1"><tr><td>N</td><td></td><td>E</td></tr><tr><td>W</td><td></td><td>E</td></tr><tr><td>S</td><td></td><td>E</td></tr></table> Subdivision Name _____ Lot No. _____ Block No. _____ County _____ <u>SE 1/4 A 1/4 Sec. 10 T. 10 N. R. 17 E. W.</u>	N		E	W		E	S		E	10 Work started _____ finished <u>9/26/84</u>																																																			
N		E																																																											
W		E																																																											
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11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Eisinger Co.</u> Firm No. <u>31</u> Address _____ Date _____ Signed by (Firm Official) _____ and _____ (Operator)																																																													

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

FEB 08 1985

WELL LOG AND REPORT BY THE
MACK GRAY WELL DRILLING
KIMBERLY IDAHO

RECORDED
351

Department of Conservation

Permit No. Well No. County Twin Falls

Owner City of Twin Falls, Idaho

Address Twin Falls, Idaho

Driller Mack Gray

Address Kimberly, Idaho

Well location Wilcox Lane West, City of Twin Falls E/W

Size of drilled hole 16" & 12"

Locate well in section

NW 1/4	NE 1/4
SW 1/4	SE 1/4

Total depth of well 200 ft.

Give depth to standing water from the ground 11' 8" Water temp. ° Fahr

On "Pumping Test" delivery was 315 g.p.m. or c.f.s. Drawdown was feet.

Size of pump and motor used to make test 10" Bows- 200 H.P. Twin GMC Diesels

Length of time of test 7 1/2 hours minutes.

If flowing well, give flow c.f.s. or g.p.m. and of shut off pressure

If flowing well, described control works

(TYPE AND SIZE OF VALVE, ETC.)

Water will be used for Municipal

Weight of casing per lineal foot

Thickness of casing 1" Casing material Steel

(STEEL, CONCRETE, WOOD, ETC.)

Diameter, length and location of casing 10' of 12", 0 to 10' & 122' of 12", 0 to 122'

(CASING 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER;
CASING OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER.)

CASING RECORD

Diam. Casing	From Feet	To Feet	Length	Remarks—seals, grouting, etc.
12"	0	10'	10'	1 yd of 1" pea gravel around bottom of
12"	0	122'	122'	12" casing.

Number and size of perforations located feet to feet from ground

Date of commencement of well 5/12/61 Date of completion of well 7/7/61

10S 17E 10 SW NE SW

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FEB 08 1989

WELL LOG

From Foot	To Foot	Type of Material	Water-bearing Formation Yes No or ?	Yield Pressure At 100 or 200
0	133	Seamed		
133	153	Grey lava firm		
153	158	Brown shale		
158	168	Brown shale with layers of Brown lava		
168	198	Brown lava water tale		
198	210	Grey lava		
210	214	Grey shale		
214	231	Grey lava		
231	241	Grey shale with layers of grey lava (some water tale)		
241	272	Grey lava		
272	282	Brown shale & gravel		
282	287	Brown lava		
287	420	Brown shale		
420	428	Brown lava		
428	432	Brown shale with layers of Brown lava (some water tale)		
432	457	Brown lava firm		
457	497	Grey lava		
If more space is required use Sheet No. 2				

WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is true and correct to the best of my knowledge and belief.

Signed Frank Henry Hill Drilling

By Mr. Frank Henry

License No. 150

Dated Feb 1, 1919

State Contractors License No. 2040

RECORDED

FEB 18 1919

FEB 08 1919

Ab² 20-^{ad}
BA 1-

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AUG 23 1960

WELL LOG AND REPORT OF THE
STATE RECLAMATION ENGINEER OF IDAHO

Form No. _____ Well No. _____ County Twin Falls
Owner City of Twin Falls
Address Twin Falls, Idaho
Driller Boley, Henry, Hesch & Mack Gray
Address Murtaugh & Kimberly, Idaho
SW SW NW 10 10 17E 18 S 17 E
Well location Lymond Addition, City of Twin Falls 2/W
Size of drilled hole 20" to 12"

Locate well in section

NW 1/4	NE 1/4
SW 1/4	SE 1/4

Total depth of well 1530 ft.

Give depth to standing water from the ground flowing water temp. 87 °Fahr.

On "Pumping Test" delivery was 1000 g.p.m. or 2 c.f.s. Drawdown was 450 feet.

Size of pump and motor used to make test 10" pump, 300 H.P. Diesel, 500 ft. setting.

Length of time of test 15 hours minutes.

If flowing well, give flow c.f.s. or 120 g.p.m. and of shut off pressure no

If flowing well, described control works none (TYPE AND SIZE OF VALVE, ETC.)

Water will be used for Municipal Weight of casing per lineal foot

Thickness of casing 1" Casing material steel (STEEL, CONCRETE, WOOD, ETC.)

Diameter, length and location of casing 47 ft. of 22" OD & 514 ft. of 16" OD. Cemented in
at bottom. (CASING 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER;
CASING OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER)

CASING RECORD

Diam. Casing	From Feet	To Feet	Length	Remarks—seals, grouting, etc.
22"	0	47'	47'	Cemented
16"	0	514'	514'	12' of cement grout around the bottom.

Number and size of perforations none located feet to feet from ground

Date of commencement of well 5/4/1959 Date of completion of well 8/1/1960

10S17E 10 SW SW NW

used

4-16-70

FEB 08 1989

Sheet No. 1
105 178

SHEET NO. 2

W.J. Owner

Well Owner

Well Location

WELL LOG

From Foot	To Foot	Type of Material	Water-bearing Formation Abn. Yes or No	Gravel Percentage Abn. Yes or No
0	9	Dirt and rock		
9	22	Gray lava		
22	31	Black lava		
31	56	Gray lava		
56	73	Brown clay & rocks		
73	86	Black lava		
86	93	Gray lava		
93	102	Brown clay		
102	113	Gray lava broken		
113	118	Clay		
118	140	Gray lava		
140	153	Brown lava		
153	174	Gray lava		
174	218	Brown lava		
218	258	Gray lava		
258	300	Clay & fine gravel		
300	375	Brown clay		
375	418	Gray clay		
418	458	Tan clay		
458	483	Gray clay & gravel		
483	487	Clay & rhyolite		
487	503	Brown clay		
503	579	Black rhyolite		
579	730	Gray rhyolite		
730	746	Black rhyolite		
746	758	Black rhyolite & clay		
758	775	Gray rhyolite (very hard)		

105 178

used

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47

FEB 08 1989

35-75-

SHEET NO. 2

Well Owner _____

Well Digger _____

Well Location _____

WELL LOG

From Foot	To Foot	Type of Material	Water-logged Formation Ash. Yes or No	Gravel Produced Ash. Yes or No
775	858	Brown clay & rocks		
858	876	Grey rhyolite		
876	895	Grey rhyolite (very hard)		
The above drilled by Boley, Henry & Weech, Murtaugh, Idaho.				
May 4, 1959 to August 4, 1959.				
The following drilled by Mack Gray, Kimberly, Idaho.				
April 4, 1960 to August 1, 1960.				
895	950	Hard grey basalt		
950	970	Blue shale		
970	1050	Black basalt		
1050	1120	Blue shale sticky		
1120	1140	Grey sandstone		
1140	1250	Gray shale sticky		
1250	1275	Grey basalt (very hard)		
1275	1290	Brown shale sticky		
1290	1310	White soft shale		
1310	1370	Decomposed limestone		
1370	1375	Grey sand		
1375	1400	Red rhyolite. Well started to flow at 1390'. Temp. 84°.		
1400	1510	Red rhyolite solid. Flowing 54 g.p.m. Temp. 85°.		
1510	1530	Broken loose rhyolite caving.		
Well flowing 100 g.p.m. Water Temp. 87°.				
Water temp. taken at bottom of well with recording thermometer gave a reading of 102°. Flow increased 20 g.p.m. after testing.				

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FEB 08 1960

NAME AND
ADDRESS
OF SENDER

DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

Indicate type of mail

- ☐ Registered
☐ Insured
☐ COD
☒ Certified ☐ Express Mail

Check appropriate block for

Registered Mail:

- ☐ With Postal Insurance
☐ Without Postal Insurance

Affix stamp here if issued as
certificate of mailing or for
additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

Line	Number of Article	Name of Addressee, Street, and Post-Office Address	Postage	Fee	Handling Charge	Act. Value (If Regis.)	Insured Value	Due Sender If C.O.D.	R. R. Fee	S. D. Fee	S. H. Fee	Rest. Del. Fee Remarks
1	138555	City of Twin Falls	45	85								47-07969
2		Box 1907										
3		Twin Falls, Id 83301										
4												
5	138556	Myrtle Eckles										3
6		HC 60 Box 1660										
7		Bless, Id 83331										
8												
9												
10												
11												
12												
13												
14												
15												
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	POSTMASTER, PER (Name of receiving employee)		The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$500 for COD and \$500 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels. Special delivery service also includes special handling service.							
2			Mandy 10/3/88									

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

U.S. G.P.O. 1986-166-494



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

November 14, 1988

RE: Permit No. 47-7969

City of Twin Falls
P.O. Box 1907
Twin Falls, ID 83301

Gentlemen:

Enclosed is a copy of the approved application for amendment submitted in connection with the above referenced permit.

If you have any questions concerning this matter, please contact us.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jim Johnson'.

Jim Johnson

JJ:ky

c: F. Hitchcock, (Nelson, Rosholt, Robertson, Tolman and Tucker)

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NOV 30 1988

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: ADN

Right Number 47-7969 Applicant City of Twin Falls

Purpose of Amendment: ☒ Change point of diversion. ☒ Add diversion point(s).

☐ Increase amount. ☒ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☐ Right number(s) 47-7964 same P/D
- ☒ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Amendment published correctly.
- ☒ Protests processed. Now
- ☒ Approve.
- ☐ Deny.

Conditions Subject to prior conditions of approval of existing permit.
Subject to: Agreement dated 7/22/87 & Agreement dated 1/19/88.
43 / Drilling plan

By ADN Date 5/23/88

STATE OFFICE PROCESSING:

- ☒ Amendment correct and complete. By Juv Date 10-3-
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____

LEASE

THIS LEASE AGREEMENT, is made and entered into this 19 day of January, ¹⁹⁸⁸1987, by and between the CITY OF TWIN FALLS, State of Idaho, (herein "City"), and TWIN FALLS SCHOOL DISTRICT #411, State of Idaho (herein "School District");

W I T N E S S E T H:

WHEREAS, the parties hereto mutually agree that it is in the best interest of the parties for the City of Twin Falls to build a general use, community swimming pool at a site on School District's property located north of the Twin Falls High School tennis courts which are located near the intersection of Locust Street North and Stadium Boulevard; and,

WHEREAS, the City and School District desire to enter into a lease of the premises hereinafter described; and,

WHEREAS, the parties wish to set forth said lease in writing;

NOW, THEREFORE, for and in consideration of the mutual promises, covenants, and conditions contained herein, the parties hereto mutually understand and agree as follows:

1. LEASE OF PREMISES. The School District hereby leases to City and City hereby leases from School District that certain real property located in Twin Falls City and County, State of Idaho, which is more particularly described on Exhibit "A" and shown on the map, Exhibit "B",

NOV 30 1988

which is attached hereto and incorporated herein as though set forth in full.

2. TERM OF LEASE. This Lease shall be effective upon the execution hereof by the parties and shall continue in full force and effect until terminated under the terms of this Agreement. This Lease shall terminate at the end of the seventy-five (75) year term unless terminated sooner as follows: (1) within three (3) years from the date of execution hereof if construction has not been initiated; (2) within five (5) years from date of execution hereof if construction has not been completed; or (3) one (1) year after the property (once the pool has been constructed) has not been utilized as a City swimming pool. In the event of termination, the City agrees to relinquish possession peacefully, and shall remove improvements at City's expense as directed by School District or School District may agree to accept possession of the property and, thereafter own and be responsible for improvements.

Upon expiration of the seventy-five (75) year lease term, City and School District may extend this Lease on such terms as are then mutually agreeable.

City herein consents to the transfer and sale of Twin Falls Canal water appurtenant to the leased premises and will execute necessary documents as required by School District.

3. SALE OF PREMISES. School District shall not sell the premises as long as City has complied with the

NOV 30 1988

provisions of Article 2 of this Agreement.

4. USE OF GEOTHERMAL WATER. School District has developed and is using .5 c/f/s (224 gallons per minute) of geothermal water pursuant to Water Permit No. 47-7964 for heating School District buildings on a year-round basis in the E 1/2 NW 1/4 of Section 10, T. 10 S., R. 17 E.B.M., within the City of Twin Falls. By this Agreement, School District agrees that City may reuse the discharges from School District's heating system for pool purposes on the premises herein leased after School District has beneficially used the water for heating.

A. City's First Use of Discharge Water and Diversion of Additional Water: School District agrees that City may transfer the point of diversion of City's Permit No. 47-7969 to School District's existing well and divert up to .95 c/f/s (426 gallons per minute) pursuant to City's Permit 47-7969 for the heating of City's pool and the buildings associated with the pool facility at such times as the water is needed for such beneficial purposes; provided that City shall first obtain permission to change the point of diversion to School District's well and the place of use of the water to the leased premises as described in Exhibit "A" hereto by the Idaho Department of Water Resources;

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and provided further that City shall only divert water pursuant to Permit No. 47-7969 at such times as the School District's discharges are not adequate for City's beneficial purposes and, then, will divert only such additional water as is required for City's beneficial uses up to .95 c/f/s maximum, it being understood that City will not utilize water in the amounts above the School District's entitlement under the Moratorium Order and Agreement of July 22, 1987, unless the pool and facilities are open for use. The "heating season" of School District is generally from September 15 through May 15, although the period of use may be extended in unusual years.

- B. Cost Sharing. City shall be allowed to utilize School District's discharge which heats School District's buildings. This discharge shall be used by City during the "heating season" of the pool and circulated through the pool to prevent the freezing of the pool. School District shall be responsible for the pumping costs incurred during the "heating season". However, in the event City requires more water than that discharged by School District to keep the

NOV 30 1988

pool from freezing or, at such time the pool is covered and used during the "heating season", City will pay for its portion of the pumping costs. All pumping costs incurred other than during the "heating season" shall be the responsibility of the City. City shall also be responsible for the pumping costs of any water diverted under their own permit (47-7969) which is in excess of the diversions of the School District. Operation, maintenance, rehabilitation and replacement costs shall be shared by the parties in proportion to the gallons diverted by each in the previous twelve (12) months, the redirection of School District's water to be added to City's total. In the event major rehabilitation or replacement costs are incurred the first year, the cost-sharing calculation shall be based upon the first full year of operation, after said year of use has passed.

- C. Subordination of City's Use: School District shall always be entitled to the first use of the water diverted from said well and any diversions by City of water needed for heating above reuse of School District's discharges shall be subordinated to the diversions of

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the School District; e.g., if the well will yield only .35 c/f/s because the aquifer has declined or diversions have been restricted by IDWR or a court order, the .35 c/f/s would be first used by School District at such times as the School District needs the water for beneficial purposes, and City would only be entitled to a secondary use of School District's discharges. In such example, the first use of any water by the City could only be made under the provisions of their Permit No. 47-7969.

D. Retrofit: City agrees to pay all costs of retrofitting to School District's system so as to divert the School District's discharges. School District herein gives such permissions as are necessary to cross School District's property for purposes of the connection in locations directed by School District, and City shall be responsible for O & M, rehabilitation and replacement of the retrofit facilities.

E. Water Quality: City agrees that it shall assume and be responsible for meeting water quality standards for all water diverted from School District.

5. CONTROL AND MANAGEMENT: The City shall

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control the swimming pool complex and shall be responsible for its management. The operating policies and the scheduling of all events and activities for the pool facility shall be set by the City Parks and Recreation Department and approved by the City Council.

6. SCHOOL DISTRICT USE OF POOL AND FACILITIES:

In the event the School District becomes a user of the facility, it shall abide by such operating policies and scheduling requirements as set forth in Article 5 of this Agreement. School District shall reimburse City for all costs associated with School District's use of the pool facility and agrees to reimburse the City upon receipt of a verified summary of such costs submitted by City to School District.

7. CONSIDERATION: Consideration for this Lease is not required pursuant to Idaho Code Section 67-2322, as this Lease is in the best interest of the public in the judgment of the School District.

8. FEES AND COSTS: The fees earned from the use of the swimming pool will be property of the City. All costs related to the generation of the fees or otherwise will be the responsibility of the City.

9. HOLD HARMLESS AND INDEMNIFICATION: The City agrees to indemnify and release and hold the School District harmless from any and all claims, causes of action, suits, demands, rights, damages, costs and expenses, including attorney's fees, which are asserted against the School

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District arising out of City's use of the leased premises; provided that School District shall be responsible for and herein releases and holds City harmless in regard to School District activities which utilize the pool in accordance with Article 6 hereof.

10. TRAFFIC CONTROL AND PARKING: City will allow School District to close Stadium Boulevard between Locust Street North and Madrona Street North from 8:00 a.m. to 5:00 p.m. or from one (1) hour before school begins until one (1) hour after school ends on each day school is in session, ~~whichever is less~~. At such time as Stadium Boulevard is completed between Madrona Street North and Eastland Drive North, City will permanently close Stadium Boulevard between Madrona Street North and Locust Street North.

*Gregg Hillman
Cable in Lambert*

City will provide a continuous two-way, left-turn bay for cars proceeding on Locust Street North from Filer Avenue East to Falls Avenue East. Left-turn lanes will be provided on Locust Street North at Falls Avenue East and on Locust Street North at Filer Avenue East. Pedestrian crossings, including raised, mid-street islands, will be provided on Locust Street North at Stadium Boulevard, Spruce avenue and Wilmore Avenue.

City will pave the approaches, drives and parking areas shown on Exhibit "B", including the drive east of the tennis courts connecting the parking lot with Stadium Boulevard. City will also pave and mark a forty (40) feet deep angle parking area along the south side of Stadium

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Boulevard between the curb and the north side of the stadium fence, both east and west of the stadium seating area. School District will move the stadium fence to provide the necessary forty (40) foot depth.

11. ADDITIONAL REQUIRED IMPROVEMENTS: In addition to the construction of the swimming pool, bath house, concrete deck, parking and other improvements shown on Exhibit "B", City agrees to provide for the following additional improvements to be completed within five (5) years of the execution of this Agreement.

A. FENCING. City will construct a six foot (6.0') high chain link fence approximately six hundred sixty two feet (662.0') along the east boundary of the leased property, and a six foot (6.0') high solid wooden fence approximately three hundred eighty-five feet (385.0') along the north boundary of the lease property.

B. LANDSCAPING AND DEVELOPMENT. City shall landscape the leased property generally as shown on Exhibit "B" in accordance with the requirements of the City Zoning Ordinance.

City shall construct a berm with a minimum height of six feet (6.0') immediately north of the swimming pool area, as shown on Exhibit "B".

The area between the berm and the north boundary of the leased property shall be developed for low intensity use and shall contain no picnic tables,

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barbecue facilities, or playground equipment and shall be accessible only from Locust Street North.

12. GENERAL MAINTENANCE: The City will maintain the premises in good condition during its tenancy, and shall maintain the grounds with good husbandry practices.

13. LIENS: The City shall keep the premises free and clear from any and all liens, claims and demands for work performed, materials furnished or operations conducted thereon at the request or under the direction of the City.

14. DEFAULT BY CITY: All covenants and agreements contained in this Lease shall be declared to be conditions to this Lease. Should the City default in the performance of any covenant, condition or agreement contained in this Lease, the School District may terminate this Lease and re-enter and regain possession of the premises in the manner then provided by the laws of the State of Idaho then in effect.

15. ATTORNEYS' FEES: In the event of any action or proceeding brought by either party against the other under this Lease term, the prevailing party shall be entitled to recover all costs and expenses including the fee of its attorneys in such action or proceeding, and in such amounts as the Court may adjudge reasonable as attorneys' fees.

16. SUCCESSORS AND ASSIGNS: The terms of this Lease shall be binding upon the successors and assigns of the parties hereto in like manner as upon the original

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parties. City shall not assign this Lease to a third party without School District's written permission.

17. SEVERABILITY: Any provisions of this Lease which shall prove to be invalid, void or illegal shall in no way effect, impair or invalidate any of the provisions hereof, and such other provisions shall remain in full force and effect.

18. CHOICE OF LAW: This Lease shall be governed by the laws of the State of Idaho.

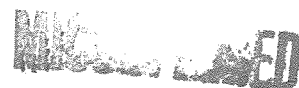
IN WITNESS WHEREOF, the City and School District hereunto have caused this Lease Agreement to be executed on the day and year first above written.

CITY OF TWIN FALLS, IDAHO,
a municipal corporation,

By *Doug Vallance*
Title *Mayor*

TWIN FALLS SCHOOL DISTRICT #411

By *Calvin Lamborn*
Chairman
Board of Trustees



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STATE OF IDAHO)
 : ss.
County of Twin Falls)

On this 19 day of January, ¹⁹⁸⁸~~1987~~,
before me, a Notary Public, personally appeared Doug Vollmer, known to me to be the person whose
name is subscribed to the foregoing instrument, and
acknowledge to me that he executed the same on behalf of the
CITY OF TWIN FALLS, having lawful authority so to do.

IN WITNESS WHEREOF, I have hereunto set my hand
and affixed my official seal the day and year first above
written;.

James Chandler
NOTARY PUBLIC FOR IDAHO
My Commission Expires 8-11-88

STATE OF IDAHO)
 : ss.
County of Twin Falls)

On this 12 day of January, ¹⁹⁸⁸~~1987~~,
before me, a Notary Public, personally appeared Calvin Hamborn, known to me to be the person whose
name is subscribed to the foregoing instrument, and
acknowledge to me that he executed the same on behalf of the
TWIN FALLS SCHOOL DISTRICT #411, having lawful authority so
to do.

IN WITNESS WHEREOF, I have hereunto set my hand
and affixed my official seal the day and year first above
written;.

J. Dougherty
NOTARY PUBLIC FOR IDAHO
My Commission Expires 11-15-91

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EXHIBIT "A"

A parcel of land located in the SW 1/4 NE 1/4 NW 1/4 of Section 10, Township 10 South, Range 17 East, Boise Meridian, more particularly described as follows:

COMMENCING at the northwest corner of the SW 1/4 NE 1/4 NW 1/4;

THENCE S 89°35' E 30.00 feet to the Point of Beginning;

THENCE continuing S 89°35' E 385.00 feet;

THENCE S 0°01'00" W 504.95 feet;

THENCE N 89°35' W 385.00 feet;

THENCE N 0°01'00" E 504.95 feet to the Point of Beginning.

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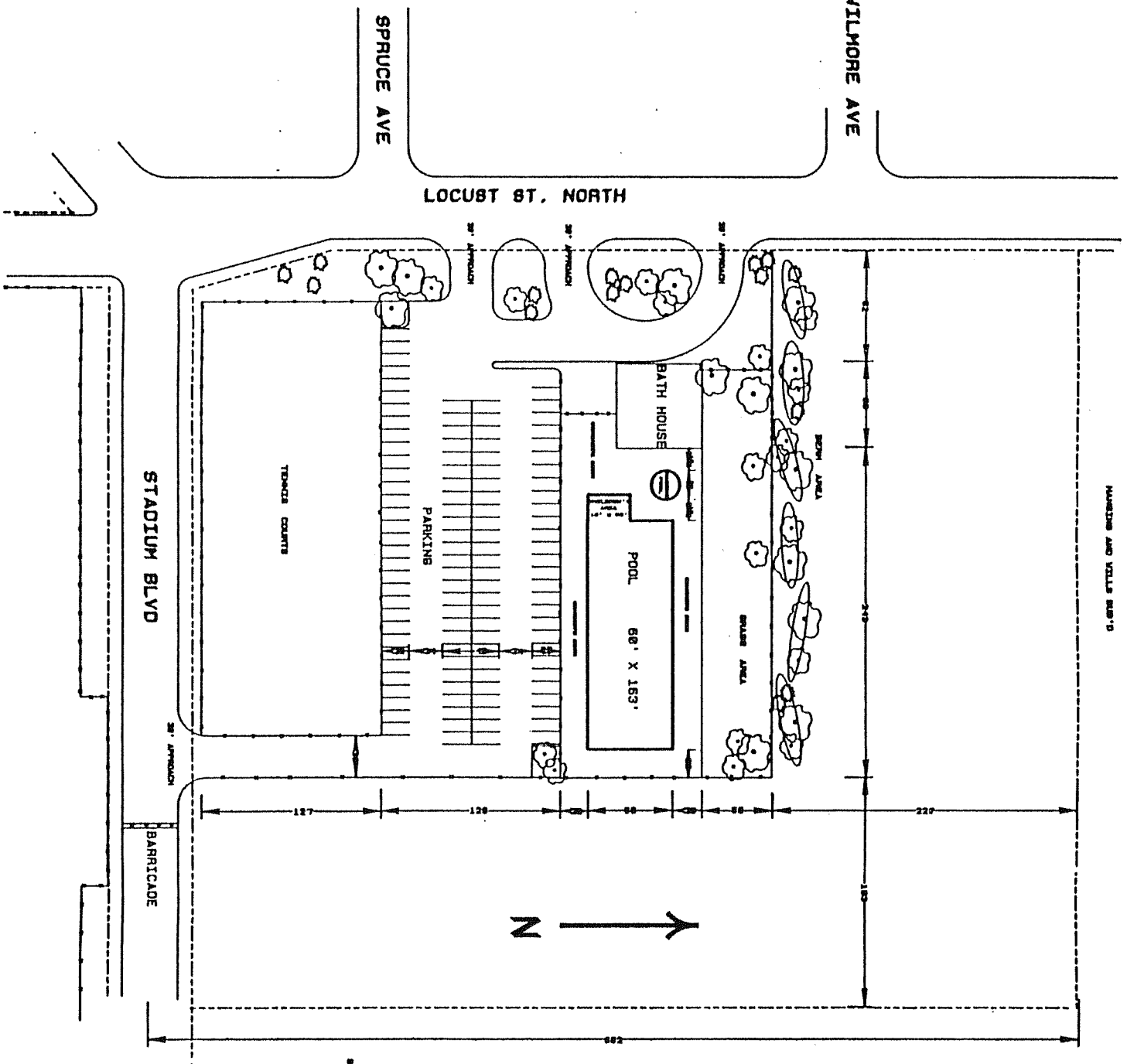
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EXHIBITA

RECEIVED

SWIMMING POOL
LOCATION
ALTERNATE 1

SAVING THE SCHOOL.



AGREEMENT

This Agreement, made and entered into this 22 day of July, 1987, by and among THE IDAHO DEPARTMENT OF WATER RESOURCES, an executive agency of the State of Idaho (hereinafter "IDWR"); COLLEGE OF SOUTHERN IDAHO, a junior college district (hereinafter "CSI"); PROFESSIONAL INVESTORS LIFE INSURANCE COMPANY, a corporation with principal offices in Tulsa, Oklahoma (hereinafter "Professional"); J.D. McCOLLUM and JEAN McCOLLUM, husband and wife, of Twin Falls County, Idaho (hereinafter "McCollum"); SCHOOL DISTRICT 411, an instrumentality of the State of Idaho (hereinafter "411"); MICHAEL KESTLER, an individual of Twin Falls County, Idaho (hereinafter "Kestler"); GARY STONE, an individual of Twin Falls County, Idaho (hereinafter "Stone"); FIRST CHURCH OF THE NAZARENE (hereinafter "Nazarene"); HYDROTUBE OF IDAHO (hereinafter "Hydrotube"); ARNOLD ELSING and RONALD ELSING, individuals of Twin Falls County, Idaho (hereinafter "Elsing"); MAGIC GARDENS (hereinafter "M.G."); and the CITY OF TWIN FALLS, IDAHO (hereinafter "City");

Whereas, the Director of the Department of Water Resources will consider this Agreement as limiting for the purpose of implementing Idaho Code 42-1805(7) which authorizes the Director to suspend further development of existing water rights; and

Whereas, the parties hereto (except IDWR) are the holders of valid water permits and licenses issued by IDWR, or have filed applications which IDWR has not yet approved for the purpose of diverting and beneficially using hot water from a common hot water aquifer that underlies portions of Twin Falls and Jerome Counties in the vicinity of the City of Twin Falls, Idaho; and

Whereas, the parties hereto are desirous of entering into an agreement amongst themselves and IDWR setting forth their respective rights and obligations as to the hot water, for the purpose of resolving the interfaces between the parties, and securing the dismissal of the pending lawsuit; and

Whereas, the parties are concerned that the hot water be used for the heat resource and not as a substitute where cold water is adequate for a particular beneficial use and the parties are concerned about their rights to use the hot water in the future, and are agreeable to limit their rates of

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diversion under their respective rights to facilitate this Agreement conditioned upon protective action of IDWR; and

Whereas, because there is inadequate data necessary to determine whether or not the average annual recharge (hereinafter "AAR") of the aquifer has been reached which would allow conversion of the present Groundwater Management Area designation to a Critical Groundwater Area; and because it will take at least five years of data to make such a determination, the Director of IDWR is willing to declare a five (5) year moratorium pursuant to I.C. §42-1805(7) and Rule 7 of the Water Appropriation Rules and Regulations of the State of Idaho, and applications for permit will not be approved during the moratorium; and

Whereas, all the parties to this Agreement are parties to Twin Falls County Civil Case No. 37298 and agree that this Agreement may be treated as their consent to a stipulation for dismissal without prejudice of Twin Falls County Civil Case No. 37298, and incorporated in the order of dismissal thereof;

Now, therefore, in consideration of the mutual covenants and agreements herein contained and the dismissal of Civil Case No. 37298, and other good and valuable consideration, the parties hereto agree as follows:

1. The parties hereto agree that the primary use of all water diverted from the common hot water aquifer will be for the heat resource and agree that no diversions will be made as a substitute for uses not requiring hot water, except as provided in this Agreement. Additional secondary uses of the water are permitted in accordance with the water right of each party. All water diverted shall be used efficiently only for purposes authorized by the licenses, permits and applications hereinafter set out, and the parties agree to construct, operate and maintain their wells in accordance with existing state criteria and will do those things necessary to prevent surface and subsurface waste or contamination as required by Idaho law. The parties hereto also agree to, and hereby grant IDWR permission to inspect the wells at anytime and collect data as determined necessary by IDWR, and will submit data concerning flows, pressures, temperature, and other information as requested by IDWR at least quarterly. Charges incurred by IDWR in the collection and evaluation of the data requested (not to exceed a total of \$1,000.00 per year without the consent of the parties) shall be billed by IDWR to the parties to this Agreement in proportion to their actual diversions in accordance with this Agreement, and such billings shall be due within 30 days of mailing by IDWR, and if unpaid, shall be considered a lien against water right without further perfection or notice.

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2. Professional is the holder of License No. 36-7130 for the diversion of 6 cfs of hot water from a well located in the NW 1/4 of the NW 1/4 of Section 29, Township 9 South, Range 17 East Boise Meridian, Jerome County, Idaho. Professional agrees that hereafter, during the continuance of this Agreement, they will divert no more than 4.5 cfs of water pursuant to said license and that the primary use of said water shall be for beneficial uses which utilize the heat resource of the water. Professional also agrees that diversions under Application No. 36-8094 for non-consumptive use for power generation (if Application No. 36-8094 be issued) shall be an additional use of the same 4.5 cfs, so that during the continuance of this Agreement, Professional shall divert no more than a total of 4.5 cfs under license.

3. CSI is the owner of Permit Nos. 47-7478 and 47-7606. CSI has submitted proof on 1.21 cfs under Permit No. 47-7478. Permit No. 47-7606 was granted an extension until 1/1/1990 for 7.76 cfs. The total potential diversion under the two permits is 8.97 cfs. CSI agrees that it will limit its development to a total of 6 cfs under both permits in consideration of reaching this agreement, and that the primary use of said water shall be for beneficial uses which utilize the heat resource of the water.

4. McCollum is the owner of Permit Nos. 47-7758 and 47-7813 providing for the development of up to 25 cfs of water from the common hot water aquifer. McCollum currently diverts 6.6 cfs and herein agrees to limit total diversions under both permits from the common hot water aquifer to 8.1 cfs. McCollum agrees that the primary use of all current and future diversions shall be for beneficial uses which utilize the heat resource of the water in an efficient and reasonable manner, except for .5 cfs currently used for irrigation only, which use all parties agree may continue. If McCollum diverts more than 6.6 cfs from the common hot water aquifer, he agrees to reduce his use of hot water by the amount exceeding 6.6 cfs upon 90 days written notice if the other parties to this agreement can insure delivery in accordance with state law of high quality cold water in exchange therefor at no additional cost to McCollum.

5. 411 is the holder of Permit No. 47-7964 providing for the development of 1.11 cfs and has presently developed .5 cfs for heating purposes. In consideration for this Agreement, 411 agrees that their diversions from the common hot water aquifer shall be limited to .75 cfs for beneficial uses which utilize the heat resource of the water.

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6. Kestler is the holder of Permit No. 47-7492 providing for the development of .31 cfs. In consideration for this Agreement, Kestler agrees that his diversions from the common hot water aquifer shall be limited to .31 cfs for beneficial uses which utilize the heat resource of the water.

7. Stone is the holder of Permit No. 47-7714 providing for the development of 2 cfs. In consideration for this Agreement, Stone agrees that his diversions from the common hot water aquifer shall be limited to .5 cfs for beneficial uses which utilize the heat resource of the water.

8. Nazarene is the holder of Permit No. 47-7745 providing for the development of .70 cfs. In consideration for this Agreement, Nazarene agrees that its diversions from the common hot water aquifer shall be limited to .70 cfs for beneficial uses which utilize the heat resource of the water.

9. Hydrotube is the holder of Application No. 47-7872 providing for the development of .20 cfs. In consideration for this Agreement, Hydrotube agrees that its diversions from the common hot water aquifer shall be limited to .10 cfs for beneficial uses which utilize the heat resource of the water.

10. Elsing is the holder of Permit No. 47-7875 providing for the development of .30 cfs. In consideration for this Agreement, Elsing agrees that his diversions from the common hot water aquifer shall be limited to .15 cfs for beneficial uses which utilize the heat resource of the water.

11. M.G. is the holder of Application No. 47-7966 providing for the development of 1 cfs. In consideration for this Agreement, M.G. agrees that its diversions from the common hot water aquifer shall be limited to .5 cfs for beneficial uses which utilize the heat resource of the water.

12. City is the holder of Permit No. 47-7969 providing for the development of 1.92 cfs. While this Agreement is in no way intended to bind IDWR as to the status of the permit, City agrees that if its permit is not cancelled and remains in good standing, its diversions from the common hot water aquifer shall be limited to .95 cfs for beneficial uses which utilize the heat resource of the water.

13. Sun Ventures, LTD. is the holder of Application No. 36-8137 providing for the development of 48 cfs. The parties hereto (except IDWR and Professional) acknowledge that

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Sun Ventures, LTD. is not a party hereto but agree to protest said application because the water would not be used for the heat resource and development of a filing of 48 cfs would decimate the common hot water resource.

14. The Director of IDWR agrees to issue an order declaring a moratorium of five years for processing new applications for permit to develop water from the common hot water aquifer in Twin Falls and Jerome Counties, Idaho, except the applications as herein provided in paragraphs 9 and 11. A copy of said order is attached hereto as Exhibit A, and made a part hereof as if set out at length herein. Said order also limits development by present permit holders who are parties to Civil Case No. 37298 and this Agreement (hereinafter "Stage One" development), to the amounts herein stated in paragraphs 2 through 12 above. The order also provides that parties to Civil Suit No. 37298 who will not execute this limitation Agreement shall be subject to the moratorium. The parties hereto agree that each shall be responsible for compliance with state law and the rules of IDWR prior to effecting a "Stage One" diversion pursuant to the rights listed in paragraphs 2 through 12 hereof. Statutory and permit requirements will be complied with relative to commencing construction and submission of proof of beneficial use for any development or diversion beyond that which presently exists to the maximum extent as provided for in paragraphs 2 through 12 of this Agreement. The pendency of the lawsuit to be dismissed pursuant hereto shall be considered as an adequate reason for granting equivalent extensions of time for development of the reduced amounts of water as set out in Paragraphs 2 through 12 hereof. IDWR also agrees to suspend the commencement of construction and proof of beneficial use requirements of any valid application or permit described in paragraphs 3 through 12 relative to the diversion and development increment herein agreed not to be developed and used (hereinafter "Stage Two" development). If at the end of five years, data indicates that AAR exceeds annual withdrawals (provided that the parties hereto reserve the right to contest such AAR determination administratively or judicially), IDWR agrees to allow "Stage Two" to begin and to allow development by the parties hereto to the extent of the excess water available over AAR, on the basis of an equal priority date which shall be the date of this Agreement, but junior to "Stage One" development. "Stage Two" development shall be on the basis of a proportionate ratio unless the parties hereto or their successors and assigns shall otherwise unanimously agree to a different method for the allocation of the available water, e.g. assume Hydrotube (Paragraph 9) has developed .10 cfs under "Stage One" and wishes to develop the remaining .10 cfs under their Permit No. 47-7872, and Stone (Paragraph 7) has developed .5 cfs under "Stage One" and wishes to develop the remaining 1.5 cfs under

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Permit No. 47-7714, and and that no other parties to the Agreement wish to develop further and AAR exceeds withdrawals by 1 cfs at the end of the moratorium period and reasonable pumping levels are not a factor, development on the basis of a proportionate ratio with the priority date of this Agreement would mean Hydrotube could develop .0667 (0.1 cfs/1.5 cfs = 6.67% x 1 cfs = 0.667 cfs) and Stone would develop .9333 cfs under "Stage Two" and no applications filed after the date of this Agreement would develop. If AAR exceeded "Stage One" developments by 2.0 cfs, under the same example, .4 cfs would be available to applicants who file after the date of this Agreement; provided further that such rights entitled to participate in "Stage Two" development be then in good standing.

15. In the event that a court of competent jurisdiction abrogates the Director's order (Exhibit A) within the period of the moratorium or any extension thereof, this Agreement shall also terminate, unless the parties shall then specifically agree to an extension hereof.

16. The parties agree that the primary purpose of this Agreement is to protect the diversion rights of the parties hereto to the extent set out in paragraphs 2 - 12 and agree that it is not the purpose of this Agreement to protect the pressure of the water except as otherwise provided by state law. If at any time within the five years of the pendency of the order, or at the end of the five years of the order, IDWR evaluation of flow records indicate diversions exceed AAR, the parties hereto agree to reduce their diversions so that AAR is not thereafter exceeded (such reductions under the priority system of first in time is first in right so that the junior right holder shall be totally cut back before the second junior right holder is cut below the rate herein agreed to; the second junior right holder is totally cut back before the third junior right holder is cut below the rate herein agreed to, etc.) unless the parties hereto shall then otherwise unanimously agree (provided that the parties hereto reserve the right to contest such AAR determination administratively or judicially). If at the end of the five year period of the order, the flow records indicate diversions exceed AAR of the hot water aquifer, the parties will petition IDWR for a Critical Groundwater Area designation and will reduce diversions to the level of AAR on the basis of the priority system.

17. If IDWR does not or cannot make a determination of AAR at the end of five years based on the data, but flow pressures have not increased from their present level, the parties will seek a continuance of the moratorium.

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18. Paragraphs 2 through 12 parties hereto agree that requests for extension of time extending the time for forfeiture for non-use filed pursuant to I.C. 42-222(2) shall not be protested during the term of this Agreement. Wells will be capped during times of non-use.

19. Any parties hereto may transfer their real property together with all water rights appurtenant thereto. However, if a party wishes to sell water rights which are subject of this Agreement but retain the real property, the other parties hereto shall have an option of first refusal to purchase any said water rights of any of the parties to this Agreement who may elect to sell. If two or more of the other parties elect to buy, and cannot otherwise agree on a proper allocation, they shall be entitled to purchase said water right being offered pro rata based on their then rights to divert from the aquifer in the amounts which are herein agreed. Any transfers proposed pursuant to this paragraph shall be subject to all applicable state laws.

20. The parties hereto agree that the amounts of the diversions as set out in paragraphs 2 through 12 are reasonable and each agrees not to protest, seek abandonment or forfeiture, or otherwise contest the amount of the agreed diversions of the other parties hereto during the term of this moratorium or any extension thereof, so long as the water is beneficially applied to use.

21. The parties hereto agree to support the efforts of IDWR to obtain funding from the Idaho Legislature so as to perform adequate and continuing hydrogeologic studies for the common hot water aquifer which is the subject of this Agreement.

22. The parties agree to the installation of measuring devices approved by IDWR which will provide an instantaneous readout and totalizing head so that the systems can be readily monitored and integrated volumetric measurements of pump out obtained over the period of the order.

23. The parties hereto agree that nothing herein contained shall prevent any party from seeking relief by injunction or otherwise, or an order requiring modification or closing of any well found to be in violation of the provisions of Idaho Code §§ 42-237a and 42-1601 et seq.

24. The parties hereto (except IDWR) herein consent to changes in the point of diversion and place of use of the City's right under Permit No. 47-7969 to utilize 411's facilities in common as set out in paragraph 5 hereof, provided that the priority for the City's Permit No. 47-7969 shall remain unchanged and the City shall use 411's discharges diverted pursuant to 47-7964 to the extent possible for heat

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for a swimming pool and associated facilities, but in no event shall the City's use of hot water under 47-7969 in excess of 411's discharges exceed .95 c/f/s for the duration of this Agreement. City may make secondary use of 411's discharges during other than the pool season to keep the pool from freezing. City agrees that the use of water under 47-7969 shall only be made at such times as the swimming pool and associated facilities utilizing the heat resource are open for use.

25. This Agreement may be executed in counterparts for convenience of the parties, but shall be binding as though all had executed the same document.

26. The parties hereto bind their heirs, personal representatives, successors and assigns.

IN WITNESS WHEREOF, This Agreement has been executed on the day and year first above written.

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IDAHO DEPARTMENT OF WATER
RESOURCES

By *A. Kenneth Dunn*
Director

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 22 day of July, 1987, before
me, a Notary Public, in and for said County and State,
personally appeared A. Kenneth Dunn, known or
identified to me to be the Director of the IDAHO DEPARTMENT OF
WATER RESOURCES, which executed the foregoing instrument, and
acknowledged to me that such executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year in this certificate
first above written.

James A. Roswell
NOTARY PUBLIC FOR IDAHO
Residing at: Twin Falls
My commission expires: 1989

RECORDED

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COLLEGE OF SOUTHERN IDAHO

By [Signature]
President, Board of Trustees

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 22 day of July, 1987, before me, a Notary Public, in and for said County and State, personally appeared LaRoy Craig, known or identified to me to be the President of the Board of Trustees of the COLLEGE OF SOUTHERN IDAHO, which executed the foregoing instrument, and acknowledged to me that such executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at: Twin Falls
My commission expires: 1989

RECORDED

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CITY OF TWIN FALLS, IDAHO

By Coey Vallmer
Mayor

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 2/14 day of July, 1987, before me, a Notary Public, in and for said County and State, personally appeared Doug Vallmer, known or identified to me to be the Mayor the CITY OF TWIN FALLS, IDAHO, which executed the foregoing instrument, and acknowledged to me that such executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Sherry L. Cael
NOTARY PUBLIC FOR IDAHO
Residing at: Twin Falls, Id
My commission expires: 3/19/92

6302m

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BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF THE TWIN FALLS	)	ORDER ESTABLISHING A
GROUND WATER MANAGEMENT AREA	)	FIVE YEAR MORATORIUM
	)	

WHEREAS, on January 11, 1984, the director of the Idaho Department of Water Resources (IDWR) designated an area in Twin Falls and Jerome Counties as a ground water management area pursuant to Section 42-233B, Idaho Code, because the thermal-artesian ground water system appeared to be approaching the conditions of a critical ground water area; and

WHEREAS, a portion of the area so designated in and around the city of Twin Falls has continued to experience significant interference between wells as evidenced by a continued decline in artesian pressures; and

WHEREAS, hydrogeologic data is not available to adequately evaluate the rate that thermal ground water is recharged to aquifers in the area; and

WHEREAS, the director of the IDWR finds that the agreement of the 22nd day of July, 1987, and this order are in the public interest; and

WHEREAS, Section 42-1805(7), Idaho Code, and Rule 7 of the IDWR Water Appropriation Rules and Regulations provide for a moratorium on the approval of applications in a designated geographic area and the cancellation or modification of permits to the extent that development has not been completed on such

ORDER

permits as needed to protect existing water rights and insure compliance with provisions of Chapter 2, Title 42, Idaho Code:

NOW, THEREFORE, pursuant to Section 42-1805(7), Idaho Code, and Rule 7 of the adopted rules and regulations for water appropriation, it is hereby ordered that:

(1) Applications proposing the diversion and use of thermal ground water (water from a well with a bottom hole temperature of 85°F or greater) will be held without action to approve unless the application is included in the agreement dated the 22nd day of July, 1987, entered into by IDWR and all those holding or seeking to hold water rights to divert and use the thermal ground water in the area herein designated. Approval of applications included in said agreement will be only in accordance with the provisions of the agreement.

(2) Development authorized under all existing permits to divert thermal water in the area as herein designated shall cease except as provided by the agreement dated the 22nd day of July, 1987, entered into by IDWR and all those holding or seeking to hold water rights to divert and use the thermal ground water resources.

(3) If development is allowed by IDWR outside the aquifer area as described in paragraph (5) hereof and as shown on the map attached hereto as Exhibit 1, and said development affects diversions or pressure of the wells within said aquifer, IDWR agrees to act in accordance with law to restrict said development so that neither the pressure or the diversions of the wells which are the subject of the comprehensive agreement of the

ORDER

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22nd day of July, 1987, shall be adversely affected.

(4) The provisions of this order are effective for five years from the date issued unless rescinded or modified by order of a court of competent jurisdiction or unless extended by order of the director.

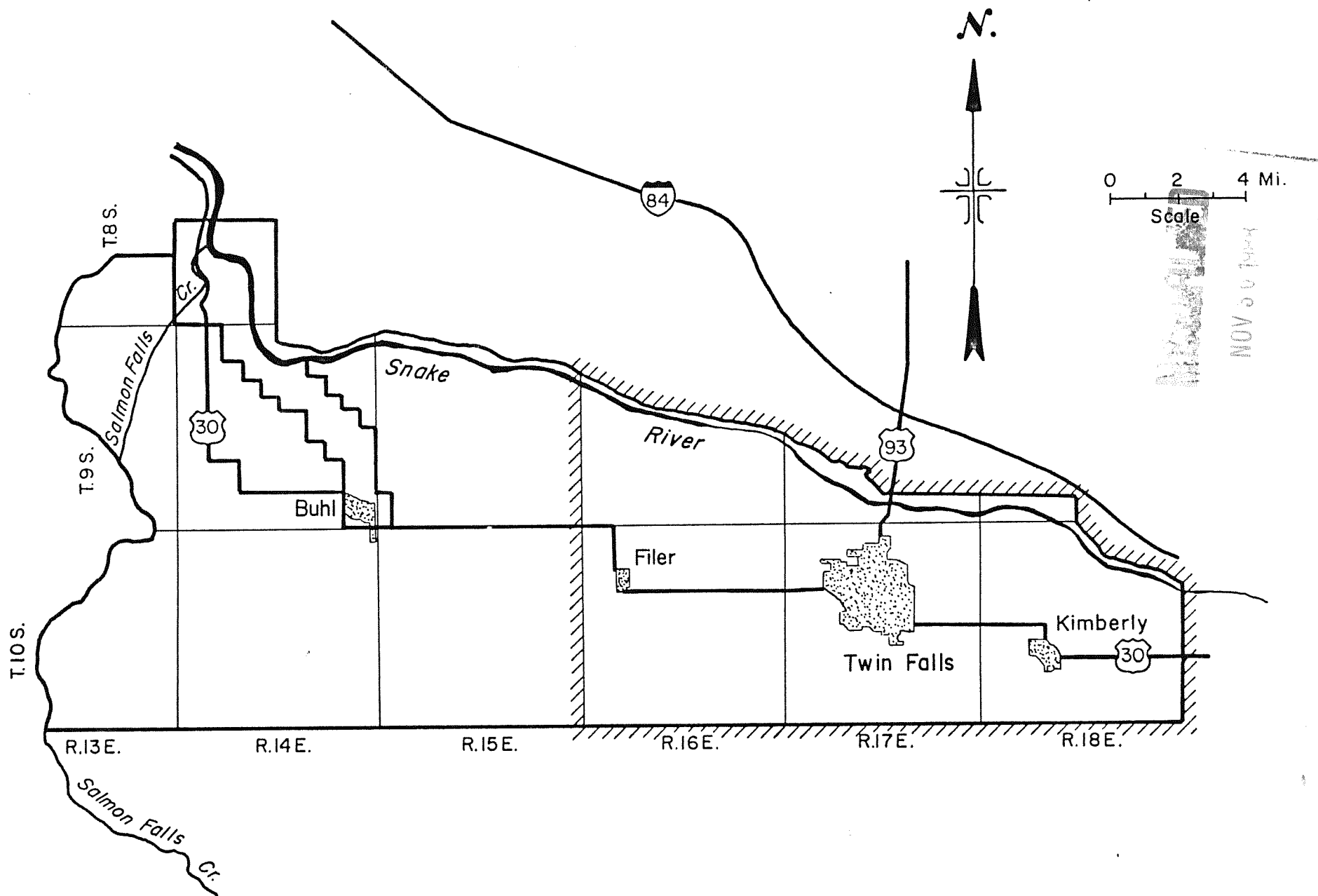
(5) The provisions of this order are effective only in the area designated within the Twin Falls ground water management area lying within Townships 9 & 10 South and Ranges 16, 17 and 18 East of Boise Meridian.

Signed at Boise, Idaho, this ____ day of _____, 1987.

A. KENNETH DUNN, Director
Department of Water Resources

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TWIN FALLS GROUNDWATER MANAGEMENT AREA



Moratorium Area - //////////////

AGREEMENT

This Agreement, made and entered into this ____ day of _____, 1987, by and among THE IDAHO DEPARTMENT OF WATER RESOURCES, an executive agency of the State of Idaho (hereinafter "IDWR"); COLLEGE OF SOUTHERN IDAHO, a junior college district (hereinafter "CSI"); PROFESSIONAL INVESTORS LIFE INSURANCE COMPANY, a corporation with principal offices in Tulsa, Oklahoma (hereinafter "Professional"); J.D. McCOLLUM and JEAN McCOLLUM, husband and wife, of Twin Falls County, Idaho (hereinafter "McCollum"); SCHOOL DISTRICT 411, an instrumentality of the State of Idaho (hereinafter "411"); MICHAEL KESTLER, an individual of Twin Falls County, Idaho (hereinafter "Kestler"); GARY STONE, an individual of Twin Falls County, Idaho (hereinafter "Stone"); FIRST CHURCH OF THE NAZARENE (hereinafter "Nazarene"); HYDROTUBE OF IDAHO (hereinafter "Hydrotube"); ARNOLD ELSING and RONALD ELSING, individuals of Twin Falls County, Idaho (hereinafter "Elsing"); MAGIC GARDENS (hereinafter "M.G."); and the CITY OF TWIN FALLS, IDAHO (hereinafter "City");

Whereas, the Director of the Department of Water Resources will consider this Agreement as limiting for the purpose of implementing Idaho Code 42-1805(7) which authorizes the Director to suspend further development of existing water rights; and

Whereas, the parties hereto (except IDWR) are the holders of valid water permits and licenses issued by IDWR, or have filed applications which IDWR has not yet approved for the purpose of diverting and beneficially using hot water from a common hot water aquifer that underlies portions of Twin Falls and Jerome Counties in the vicinity of the City of Twin Falls, Idaho; and

Whereas, the parties hereto are desirous of entering into an agreement amongst themselves and IDWR setting forth their respective rights and obligations as to the hot water, for the purpose of resolving the interfaces between the parties, and securing the dismissal of the pending lawsuit; and

Whereas, the parties are concerned that the hot water be used for the heat resource and not as a substitute where cold water is adequate for a particular beneficial use and the parties are concerned about their rights to use the hot water in the future, and are agreeable to limit their rates of

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NOV 30 1988

6. Kestler is the holder of Permit No. 47-7492 providing for the development of .31 cfs. In consideration for this Agreement, Kestler agrees that his diversions from the common hot water aquifer shall be limited to .31 cfs for beneficial uses which utilize the heat resource of the water.

7. Stone is the holder of Permit No. 47-7714 providing for the development of 2 cfs. In consideration for this Agreement, Stone agrees that his diversions from the common hot water aquifer shall be limited to .5 cfs for beneficial uses which utilize the heat resource of the water.

8. Nazarene is the holder of Permit No. 47-7745 providing for the development of .70 cfs. In consideration for this Agreement, Nazarene agrees that its diversions from the common hot water aquifer shall be limited to .70 cfs for beneficial uses which utilize the heat resource of the water.

9. Hydrotube is the holder of Application No. 47-7872 providing for the development of .20 cfs. In consideration for this Agreement, Hydrotube agrees that its diversions from the common hot water aquifer shall be limited to .10 cfs for beneficial uses which utilize the heat resource of the water.

10. Elsing is the holder of Permit No. 47-7875 providing for the development of .30 cfs. In consideration for this Agreement, Elsing agrees that his diversions from the common hot water aquifer shall be limited to .15 cfs for beneficial uses which utilize the heat resource of the water.

11. M.G. is the holder of Application No. 47-7966 providing for the development of 1 cfs. In consideration for this Agreement, M.G. agrees that its diversions from the common hot water aquifer shall be limited to .5 cfs for beneficial uses which utilize the heat resource of the water.

12. City is the holder of Permit No. 47-7969 providing for the development of 1.92 cfs. While this Agreement is in no way intended to bind IDWR as to the status of the permit, City agrees that if its permit is not cancelled and remains in good standing, its diversions from the common hot water aquifer shall be limited to .95 cfs for beneficial uses which utilize the heat resource of the water.

13. Sun Ventures, LTD. is the holder of Application No. 36-8137 providing for the development of 48 cfs. The parties hereto (except IDWR and Professional) acknowledge that

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NOV 3 1988

CITY OF TWIN FALLS, IDAHO

By Coey Vallner
Mayor

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 2/24 day of July, 1987, before me, a Notary Public, in and for said County and State, personally appeared Doug Vallner, known or identified to me to be the Mayor the CITY OF TWIN FALLS, IDAHO, which executed the foregoing instrument, and acknowledged to me that such executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Sherry L. Call
NOTARY PUBLIC FOR IDAHO
Residing at: Twin Falls, Id
My commission expires: 3/19/91

6302m

NOV 30 1988

STAFF ANALYSIS SUPPLEMENT

1) Water District 27 Basin # 47

2) Local Description: (of one P/D)

☐

At the above street address

☐

_____ miles N/S _____ and _____ miles E/W _____
of _____ (City or landmark).

☒

Other (describe):

Property adjacent to
Southside Elementary

Section 15 parcel is 2nd Harmon Park
and Section 10 parcel located North of
Twin Falls High School,



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

April 25, 1988

Times News
P.O. Box 548
Twin Falls, ID 83301

Re: Notice of Amendment, 47-7969

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

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NOV 20 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

April 25, 1988

John Rosholt, Esquire
NELSON, ROSHOLT, ROBERTSON,
TOLMAN & TUCKER
Twin Falls, ID 83301

Re: Application for Amendment, 47-7969

Dear Mr. Rosholt:

The Department of Water Resources acknowledges receipt of the application for amendment of a permit on behalf of your client, City of Twin Falls.

This office will be advertising the application in the Times News on 5/5 & 5/12/88. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. A typical processing time for an unprotested application is about eight weeks.

Enclosed please find Receipt No. S000087 in the amount of \$20.00 for the filing fee on this amendment.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Loren O. Holmes

Loren O. Holmes, P.E.
Southern Region Manager

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NOV 20 1988

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER
ATTORNEYS AT LAW
142 3RD AVE. N.
P.O. BOX 1906
TWIN FALLS, IDAHO 83301
(208) 734-0700

DATE:

3/9/98

TO:

IDWR

RECEIVED

MAR 9 1988

Department of Water Resources
Southern Region Office

RE:

47-7969
City of Twin Falls

Attached to Book for Amendment are
Copies of the Agreements which
evidence City's permissions to
build a pool on School Dist Property.

Please Process the Amendment.

Enclosed is a \$20 Check for the
filing fee.

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER

Represents.

John Rosholt

BY

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NOV 30 1988

MEMORANDUM

TO: Glen Saxton
FROM: Phil Rassier PJZ
RE: CSI Agreement - Action on Permits
DATE: October 3, 1988

On July 13, 1988, Judge Hurlbutt approved the order of dismissal in the case of CSI v. IDWR, et al (Twin Falls County Case No. 37298) involving the ground water users within the Twin Falls geothermal aquifer. The order of dismissal is based upon a settlement agreement dated May 19, 1988 between the College of Southern Idaho (CSI) and Professional Investors Life Insurance Company; and upon an agreement dated July 22, 1987 among CSI, the Department and five other defendants in the lawsuit.

1. Complete copies of the documents should be placed in the water right files for Professional Investors (License No. 36-7130) and CSI (Permit No. 47-7606). Two sets of the documents are attached for this purpose. *done 1/28*

2. A notice should be placed in the other water right files affected by the agreements: 36-8094, 47-7478, 47-7758, 47-7813, 47-7964, 47-7492, 47-7714, 47-7745, 47-7872, 47-7875, 47-7966, 47-7969, and 36-8137. The notice should caution: BEFORE TAKING ACTION ON THIS FILE PLEASE REFER TO THE "MORATORIUM AGREEMENT" DATED JULY 22, 1987, COPIES OF WHICH HAVE BEEN PLACED IN WATER RIGHT FILES 36-7130, AND 47-7606. *done 1/28*

3. License No. 36-7130 in the name of Professional Investors. -- Pursuant to Judge Hurlbutt's July 13, 1988 order approving the May 19, 1988 stipulation between CSI and Professional Investors, the Department should take action to reflect in its records the permanent reduction in the authorized rate of diversion for License No. 36-7130 from 6.0 cfs to 4.5 cfs.

4. Permit No. 47-7758 in the name of J.D. McCollum. -- On March 31, 1987, the permit holder requested an extension of time from June 1, 1987 until June 1, 1991 in which to complete putting the water to beneficial use by completing a second nine holes of golf course. Action may now be taken by the Department on the request for extension of time. Under ¶ 4 of the July 22, 1987 moratorium agreement the permit holder agrees to limit the amount and use of water diverted under this permit. Under ¶ 14 of the agreement the parties agree that the pendency of the CSI v. IDWR

NOV 30 1988

MEMORANDUM
October 3, 1988
Page 2

lawsuit shall be considered as an adequate reason for granting equivalent extensions of time for development of the reduced amounts of water in paragraphs 2 through 12 of the agreement. The CSI lawsuit was filed on March 8, 1985 and dismissed on July 13, 1988, a period of 3 years and 4 months. The request for extension may, therefore, be approved in part due to the pending litigation.

5. Permit No. 47-7969 in the name of City of Twin Falls. -- On September 2, 1986, the Department issued an order to the permit holder to show cause why the permit should not be canceled for failure to begin construction within one year from the date of issuance of the permit as required by I.C. § 42-204. The permit holder filed a response to the order to show cause on October 21, 1986. The Department has not taken further action to cancel the permit.

On March 9, 1988, the permit holder filed an application for amendment of permit No. 47-7969 to add an alternative point of diversion. The requested alternative point of diversion is the point of diversion for permit No. 47-7964 in the name of Twin Falls School District No. 411. The proposed amendment is consistent with a lease agreement dated January 19, 1988 between the city and the school district. The amendment is also consistent with ¶ 24 of the July 22, 1987 moratorium agreement. It is appropriate for the Department to take action on the application for amendment providing the permit is determined to still be valid. In addition to the reason provided by the city in its response to the order to show cause the Department may consider the pendency of the CSI lawsuit as possibly providing the city with good cause for not starting construction within one year of the issuance of the permit.

Proof of beneficial use under the permit is due December 1, 1988. The Department should send out its normal proof due notice.

6. Permit No. 47-7478 in the name of the College of Southern Idaho. -- The permit holder has submitted proof of beneficial use. The Department has performed a field exam and should now issue a license.

7. Installation of measuring devices. -- The parties agree in ¶ 22 of the moratorium agreement to the installation of measuring devices approved by IDWR which will provide an instantaneous readout and totalizing head so that the systems can be readily monitored and integrated volumetric measurements of pump out obtained over the period of the order. The Department should issue an order requiring installation of the described measuring devices.

NOV 30 1988

MEMORANDUM
October 3, 1988
Page 3

8. Error in ¶ 14 of moratorium agreement. -- The example of how the amount of "Stage Two" development under ¶ 14, page 6, of the moratorium agreement is calculated contains an error. The example shows that Hydrotube and Stone, respectively, would be entitled to develop an additional .0667 cfs and .9333 cfs. The corrected amount for Hydrotube is .0625 cfs ($0.1 \text{ cfs} / 1.6 \text{ cfs} = .0625 \times 1 \text{ cfs} = .0625 \text{ cfs}$). The corrected amount for Stone is .9375 ($1.5 \text{ cfs} / 1.6 \text{ cfs} = .9375 \times 1 \text{ cfs} = .9375 \text{ cfs}$).

Also attached for your convenience is a set of notes you compiled on September 17, 1987 indicating the recommended action to be taken on each of the water rights affected by the moratorium agreement.

Attachments

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NOV 30 1988

138555
September 30, 1988

CITY OF TWIN FALLS
BOX 1907
TWIN FALLS, ID 83301

PROOF DUE NOTICE

RE: PERMIT NO. 47-07969

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before December 1, 1988. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

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NOV 30 1988

FROM

Glen

DATE

12-30-85

TO

File 47-7969

SUBJECT

- Shane Bengoechea called today and requested the status of 47-7969

- I advised him that the Dept was presently holding the app to allow the negotiations relative to the CSI lawsuit to proceed w/o external influence

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NOV 30 1988

[Signature]

SIGNATURE

SHANE O. BENGOCHEA

CITY ATTORNEY

P. O. BOX 1907

321 SECOND AVENUE EAST

TWIN FALLS, ID 83303-1907

TELEPHONE
AREA CODE 208
733-0860
EXT. 268 OR 269

October 20, 1986

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OCT 21 1986

Department of Water Resources

ms

L. Glen Saxton
Department of Water Resources
State Office
450 West State Street
Boise, Idaho 83720

Re: Response objecting to Order to Show Cause

Dear Mr. Saxton:

Pursuant to our telephone conversation earlier this morning, you will find enclosed a duplicate of the City's Answer to the Order to Show Cause as you requested.

Sincerely,

Shane O. Bengoechea
Shane O. Bengoechea

SOB/ps
Enclosure

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NOV 30 1988

SHANE O. BENGOCHEA

CITY ATTORNEY
P. O. BOX 1907
321 SECOND AVENUE EAST
TWIN FALLS, ID 83303-1907

TELEPHONE
AREA CODE 208
733-0860
EXT. 268 OR 269

October 7, 1986

L. Glen Saxton
Department of Water Resources
State Office
450 West State Street
Boise, Idaho 83720

Re: Response objecting to Order to Show Cause

Dear Mr. Saxton:

Enclosed you will find the City's Response objecting to the Order to Show Cause issued by your agency on September 5, 1986. That Order to Show Cause indicated that response was due from the City on or before October 15, 1986, indicating to the Department why the water permit should not be cancelled and the water thereunder declared to be subject to appropriation.

You will also find enclosed an affidavit of Thomas J. Courtney, City Manager of the City of Twin Falls, indicating--based upon the facts--that the City has not willfully and intentionally disregarded Idaho Code in commencing construction of the well.

After speaking with Gary Spackman on September 30, 1986, it was my understanding that the aforementioned documents in response to the Order to Show Cause are in the appropriate format and that a ruling will thereafter be issued. If the ruling is adverse, it is my understanding that the City may respond once again and/or request a hearing. Please advise at your earliest convenience as to the status of the water permit.

Please forward the appropriate forms for the amendment pursuant to IC. 42-211 ASAP.

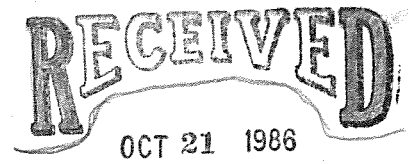
Sincerely,

Shane O. Bengoechea
Shane O. Bengoechea

SOB/ps
Enclosures

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NOV 30 1986



Department of Water Resources

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

IN THE MATTER OF PERMIT	)	
	)	
NO. 47-7969 IN THE NAME	)	RESPONSE TO ORDER
	)	TO SHOW CAUSE
OF CITY OF TWIN FALLS, IDAHO	)	

The City of Twin Falls, hereinafter "City", by and through its attorney, Shane O. Bengoechea, requests that the Department of Water Resources deny the cancellation of water Permit No. 47-7969 and deny that the water be declared available for appropriation by other parties.

ANSWER TO FINDINGS OF FACT

Idaho Code Section 42-204(5) states that the holder of a water permit must commence excavation or construction within one year of the issuance of the permit or prosecute the work diligently and uninterruptedly to completion unless temporarily interrupted, through no fault of the holder of the permit, by circumstances over which the permit holder has no control. The Department seems to have found that the City has not prosecuted the work diligently. Idaho Code Section 42-204

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NOV 30 1988

does not state at what stage the commencement of excavation or construction must be in order to comply with Idaho Code Section 42-204.

Idaho Code Section 42-211 states that whenever a permit has been issued pursuant to the provisions of this act, and the permit holder desires to change the place, period or nature of the intended use, he can file an application for amendment upon forms to be furnished by the Department. The Department of Water Resources seems to interpret this particular section to apply to the actual appropriation of water. The City of Twin Falls interprets Idaho Code Section 42-211 to allow the City to change the period of the intended use as it relates to the period of time in which to commence construction pursuant to Idaho Code Section 42-204.

In the Conclusions of Law section of the Order to Show Cause, the Department of Water Resources refers to Idaho Code Section 42-311 which states that, where a permittee willfully and intentionally fails to comply with the conditions of the permit, the Department may cancel that permit. The term "willful" or "willfully" is defined by Black's Law Dictionary as an act that is done voluntarily and intentionally and with the specific intent to do something the law forbids, or the specific intent to fail to do something the law requires to be done; or for that purpose to disobey or disregard the law. Idaho Code Section 18-101 in the criminal code defines

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NOV 30 1988

"willfully" as implying a purpose or willingness to commit the act or make the omission referred to. It does not require any intent to violate law....

The term "intent", as defined by Black's Law Dictionary, also found in the Restatement of Torts, 2nd, states that intent is stated to denote that the actor desires to cause the consequences of his act, or that he believes that the consequences are substantially certain to result from it. It is further defined as purposeful, deliberate and that the actor intended the desired results.

The City does not come within the purview of willfully and intentionally disregarding compliance with the conditions of the permit. The City did not willfully and intentionally fail to commence the construction work on the project. The City continued to pursue various bond issues on November 8, 1983, August 14, 1984, and November 5, 1985; and those issues failed. The state law requires pursuant to Idaho Code Section 63-2216 that bond elections which result in a tax levy shall be held no sooner than every six months. A bond election requires a considerable amount of preparation and cost in order to hold such an election. The City has shown good faith in pursuing the necessary approval of the project. The City certainly cannot be held to have willfully and intentionally failed to comply with Idaho Code Section 42-204 when the City held three bond elections on the issue in order

NOV 30 1988

to commence construction on the project.

In addition, the City has worked on a consistent basis since 1983 on the swimming pool project which will utilize this particular well. In fact, within the last six months the City, private citizens and businesses have pursued the possibility of accumulating private funds to finance the swimming pool project. There is a move currently to begin a major fund-raising project. The City of Twin Falls has also set aside \$500,000 for the swimming pool project. Various individuals, businesses and the City are scheduled to meet in the near future concerning the viability of alternative funding for the swimming pool. Since Idaho Code Section 42-311 requires that the permittee must willfully and intentionally fail to comply with the conditions of the permit, that is the criteria which the Department must utilize in revoking the City's permit. The time period and failure to commence construction within one year, alone, is not sufficient pursuant to Idaho law in which to terminate the permit. The Department admits by its own Order to Show Cause that the Department must show willful and intentional failure to comply with the law by the City in order to revoke the permit. It is clear that the agents for the City have not willfully and intentionally ignored this requirement to commence construction within one year. The terms "willfully" and "intentionally" connote in practical terms that one

NOV 30 1988

completely disregarded the State law and did nothing in order to accomplish the conditions of the permit by commencing construction within one year. Since the City has clearly not willfully and intentionally failed to commence construction within one year, the City would request that the Department not revoke the permit. The City would further request that the Department extend the time period by one year hereof in which the City shall commence construction of the project.

DATED This 7th day of October, 1986.


Shane O. Bengoechea

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NOV 30 1988

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OCT 21 1986

Department of Water Resources

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

IN THE MATTER OF PERMIT	)	
	)	
NO. 47-7969 IN THE NAME	)	AFFIDAVIT OF
	)	THOMAS J. COURTNEY
OF CITY OF TWIN FALLS, IDAHO	)	
_____	)	

I, Thomas J. Courtney, being first duly sworn, depose and state the following as it relates to Water Permit No. 47-7969 in and for the City of Twin Falls:

I.

That I am the City Manager for the City of Twin Falls, Idaho, and have been so employed in that capacity since April 1, 1981.

II.

That in 1983 the City applied for and received a water permit to construct a well to be used as a heat source for a swimming pool located at Harmon Park in Twin Falls, Idaho.

III.

Various bond elections were held on November 8, 1983, August 14, 1984, and November 5, 1985. The first and third elections failed by less than two percentage points of the required number of votes to pass a bond to finance a

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NOV 20 1988

swimming pool.

IV.

The City has not commenced work on the well due to the fact of the failure of the bond elections.

V.

The City has reserved \$500,000 in its 1986-1987 budget to finance a swimming pool, and an additional \$500,000 to \$600,000 is needed to complete the project.

VI.

That several fund-raising projects are being considered and organized by citizens of the community at the present time.

VII.

That a bill will be proposed to the Idaho State Legislature this coming session which would authorize the passage of a general obligation bond issue by a 50% vote of the qualified voters.

VIII.

That if this bill is passed by the Idaho State Legislature, the City will almost certainly pursue a fourth bond election.

IX.

That the well, as proposed by the City of Twin Falls, will use warm water to heat an outdoor pool during the summer months and such use is opposite that normally associated with

NOV 30 1986

the use of warm-water wells, as most conflicts arise with the use of the wells in the winter months.

X.

That the City of Twin Falls has not willfully and intentionally disregarded the law in failing to begin construction of the well, as the facts clearly indicate that the City of Twin Falls is doing all that was possible in attempting to pass the swimming pool bond elections which would authorize the costs for the construction of the project.

DATED This 7 day of October, 1986.

Thomas J. Courtney
Thomas J. Courtney

SUBSCRIBED AND SWORN To before me this 7 day of October, 1986.

Jewel Chandler
NOTARY PUBLIC FOR IDAHO
Residing at Twin Falls, Idaho

NOV 30 1988

SHANE O. BENGOCHEA

CITY ATTORNEY

P. O. BOX 1907
321 SECOND AVENUE EAST
TWIN FALLS, ID 83303-1907

TELEPHONE
AREA CODE 208
733-0860
EXT. 268 OR 269

October 7, 1986

RECEIVED
OCT 8 1986

L. Glen Saxton
Department of Water Resources
State Office
450 West State Street
Boise, Idaho 83720

Department of Water Resources

Re: Response objecting to Order to Show Cause

Dear Mr. Saxton:

Enclosed you will find the City's Response objecting to the Order to Show Cause issued by your agency on September 5, 1986. That Order to Show Cause indicated that response was due from the City on or before October 15, 1986, indicating to the Department why the water permit should not be cancelled and the water thereunder declared to be subject to appropriation.

You will also find enclosed an affidavit of Thomas J. Courtney, City Manager of the City of Twin Falls, indicating--based upon the facts--that the City has not willfully and intentionally disregarded Idaho Code in commencing construction of the well.

After speaking with Gary Spackman on September 30, 1986, it was my understanding that the aforementioned documents in response to the Order to Show Cause are in the appropriate format and that a ruling will thereafter be issued. If the ruling is adverse, it is my understanding that the City may respond once again and/or request a hearing. Please advise at your earliest convenience as to the status of the water permit.

Please forward the appropriate forms for the amendment pursuant to IC. 42-211 ASAP.

Sincerely,

Shane O. Bengoechea
Shane O. Bengoechea

SOB/ps
Enclosures

RECEIVED

NOV 30 1986

RECEIVED
OCT 8 1986

Department of Water Resources

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

IN THE MATTER OF PERMIT	)	
	)	
NO. 47-7969 IN THE NAME	)	RESPONSE TO ORDER
	)	TO SHOW CAUSE
OF CITY OF TWIN FALLS, IDAHO	)	
	)	

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NOV 30 1988

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NOV 30 1988

"willfully" as implying a purpose or willingness to commit the act or make the omission referred to. It does not require any intent to violate law....

The term "intent", as defined by Black's Law Dictionary, also found in the Restatement of Torts, 2nd, states that intent is stated to denote that the actor desires to cause the consequences of his act, or that he believes that the consequences are substantially certain to result from it. It is further defined as purposeful, deliberate and that the actor intended the desired results.

The City does not come within the purview of willfully and intentionally disregarding compliance with the conditions of the permit. The City did not willfully and intentionally fail to commence the construction work on the project. The City continued to pursue various bond issues on November 8, 1983, August 14, 1984, and November 5, 1985; and those issues failed. The state law requires pursuant to Idaho Code Section 63-2216 that bond elections which result in a tax levy shall be held no sooner than every six months. A bond election requires a considerable amount of preparation and cost in order to hold such an election. The City has shown good faith in pursuing the necessary approval of the project. The City certainly cannot be held to have willfully and intentionally failed to comply with Idaho Code Section 42-204 when the City held three bond elections on the issue in order

NOV 30 1988

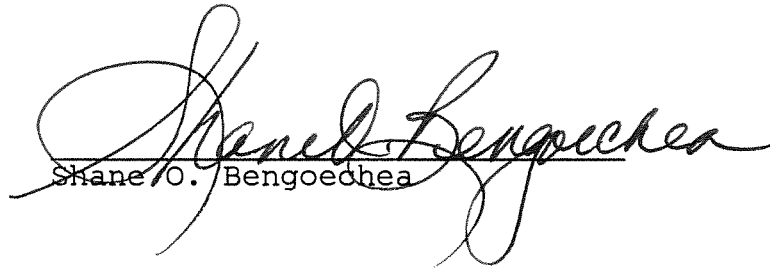
to commence construction on the project.

In addition, the City has worked on a consistent basis since 1983 on the swimming pool project which will utilize this particular well. In fact, within the last six months the City, private citizens and businesses have pursued the possibility of accumulating private funds to finance the swimming pool project. There is a move currently to begin a major fund-raising project. The City of Twin Falls has also set aside \$500,000 for the swimming pool project. Various individuals, businesses and the City are scheduled to meet in the near future concerning the viability of alternative funding for the swimming pool. Since Idaho Code Section 42-311 requires that the permittee must willfully and intentionally fail to comply with the conditions of the permit, that is the criteria which the Department must utilize in revoking the City's permit. The time period and failure to commence construction within one year, alone, is not sufficient pursuant to Idaho law in which to terminate the permit. The Department admits by its own Order to Show Cause that the Department must show willful and intentional failure to comply with the law by the City in order to revoke the permit. It is clear that the agents for the City have not willfully and intentionally ignored this requirement to commence construction within one year. The terms "willfully" and "intentionally" connote in practical terms that one

NOV 30 1988

completely disregarded the State law and did nothing in order to accomplish the conditions of the permit by commencing construction within one year. Since the City has clearly not willfully and intentionally failed to commence construction within one year, the City would request that the Department not revoke the permit. The City would further request that the Department extend the time period by one year hereof in which the City shall commence construction of the project.

DATED This 7th day of October, 1986.


Shane O. Bengoechea

MICROFILMED

NOV 30 1988

RECEIVED

OCT 8 1986

Department of Water Resources

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

IN THE MATTER OF PERMIT)
)
NO. 47-7969 IN THE NAME) AFFIDAVIT OF
) THOMAS J. COURTNEY
OF CITY OF TWIN FALLS, IDAHO)
_____)

I, Thomas J. Courtney, being first duly sworn, depose and state the following as it relates to Water Permit No. 47-7969 in and for the City of Twin Falls:

I.

That I am the City Manager for the City of Twin Falls, Idaho, and have been so employed in that capacity since April 1, 1981.

II.

That in 1983 the City applied for and received a water permit to construct a well to be used as a heat source for a swimming pool located at Harmon Park in Twin Falls, Idaho.

III.

Various bond elections were held on November 8, 1983, August 14, 1984, and November 5, 1985. The first and third elections failed by less than two percentage points of the required number of votes to pass a bond to finance a

NOV 30 1988

swimming pool.

IV.

The City has not commenced work on the well due to the fact of the failure of the bond elections.

V.

The City has reserved \$500,000 in its 1986-1987 budget to finance a swimming pool, and an additional \$500,000 to \$600,000 is needed to complete the project.

VI.

That several fund-raising projects are being considered and organized by citizens of the community at the present time.

VII.

That a bill will be proposed to the Idaho State Legislature this coming session which would authorize the passage of a general obligation bond issue by a 50% vote of the qualified voters.

VIII.

That if this bill is passed by the Idaho State Legislature, the City will almost certainly pursue a fourth bond election.

IX.

That the well, as proposed by the City of Twin Falls, will use warm water to heat an outdoor pool during the summer months and such use is opposite that normally associated with

NOV 30 1988

the use of warm-water wells, as most conflicts arise with the use of the wells in the winter months.

X.

That the City of Twin Falls has not willfully and intentionally disregarded the law in failing to begin construction of the well, as the facts clearly indicate that the City of Twin Falls is doing all that was possible in attempting to pass the swimming pool bond elections which would authorize the costs for the construction of the project.

DATED This 7 day of October, 1986.

Thomas J. Courtney
Thomas J. Courtney

SUBSCRIBED AND SWORN To before me this 7 day of October, 1986.

Jewel Chandler
NOTARY PUBLIC FOR IDAHO
Residing at Twin Falls, Idaho

MICROFILMED

NOV 30 1988

INTER-DEPARTMENT MEMO — 1

FROM Glen S.
TO File 47-7969

DATE 10-22-86

~~SUBJECT~~ - I rec'd & reviewed a copy of the "Response to Order to Show Cause" on Oct 9, 1986. The copy apparently has been misplaced, so I called Shane Bengochea for another copy. He sent another copy which was rec'd on 10-21-86.

NOV 30 1988



SIGNATURE

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

IN THE MATTER OF PERMIT)
NO. 47-7969 IN THE NAME OF)
THE CITY OF TWIN FALLS, IDAHO)

ACCEPTANCE OF SERVICE

I, Jewel Chandler, being duly authorized to accept service on behalf of the City of Twin Falls, do hereby acknowledge that on the 5 day of September, 1986, an original copy of an ORDER TO SHOW CAUSE regarding permit to appropriate water No. 47-7969, issued by the Department of Water Resources on August 20, 1986, was personally served upon me, and that I accepted service of the Order on behalf of the City of Twin Falls, Idaho.

Dated this 5 day of September, 1986.

Jewel Chandler

MICROFILMED

NOV 30 1988

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

IN THE MATTER OF PERMIT)
)
NO. 47-7969 IN THE NAME OF) RETURN OF SERVICE
)
THE CITY OF TWIN FALLS, IDAHO)
_____)

I, Loren Holmes, being an adult citizen of the State of Idaho over 18 years of age, hereby certify that on the 5 day of September, 1986, I personally served Jewell Chandler, agent for the City of Twin Falls and authorized to receive service of process, with a true and correct original copy of an ORDER TO SHOW CAUSE pertaining to permit No. 47-7969, dated August 20, 1986. Service was accomplished at the Twin Falls City Offices, Twin Falls, Idaho.

Dated this 5 day of September, 1986.

Loren O Holmes
Loren Holmes

Subscribed and sworn to before me this 5 day of September, 1986.

Jewell Chandler
Notary Public

NOV 30 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 47-7969
Name(s) of Permit Holder(s): CITY OF TWIN FALLS
Post Office Address: P.O. BOX 1907 TWIN FALLS
83303-1907 Tel. No. 733-0860

☐ I hereby certify that construction of diversion works for the above referenced permit began on _____. I understand that I must
(date)
continue to develop the water system with due diligence to maintain a valid permit.

☒ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

SEE LETTER

*Note: A financing difficulty is
not an acceptable reason.

12-12-84
Date

Thomas J. Courtney
Signature of Permit Holder
City Manager

PLACE
STAMP
HERE

MICROFILMED

NOV 30 1988



RECEIVED

DEC 13 1984

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE

BOISE, IDAHO 83720

Department of Water Resources

Office of
CITY MANAGER



P. O. BOX 1907
321 SECOND AVENUE EAST
TWIN FALLS, ID 83303-1907
PHONE 733-0860 Area Code 208

May 15, 1986

RECEIVED
MAY 19 1986

Jim Johnson
Water Rights Supervisor
Department of Water Resources
Statehouse
Boise, Idaho 83720

Department of Water Resources

Dear Mr. Johnson:

The purpose of this letter is to provide updated information on the status of Permit No. 47-7969.

As of this date, the City has not commenced work on a diversion facility. Funding remains as the only obstacle to construction. Given the fact that our use of the well would be during non-peak summer months, I do not believe we will negatively impact other users. We will keep you informed as we progress with the project.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Thomas J. Courtney
Thomas J. Courtney
City Manager

INDEXED

NOV 20 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

March 24, 1986

RE: Permit No. 47-7969

City of Twin Falls
Attn: Thomas J. Courtney, City Mgr.
Box 1907
321 2nd Ave. E.
Twin Falls, ID 83301

Dear Mr. Courtney:

A review of the above referenced permit, particularly your correspondence of 12/12/84, revealed that you have not been able to initiate commencement of works on the diverting works because of controversy on detailed construction plans which caused the City Council to delay action until public concerns could be determined and a bond approved.

Our follow-up correspondence acknowledged the receipt of your request for additional time to commence work and requested that you advise this office when construction was initiated. It has now been over a year since this correspondence and no information has been received concerning commencement.

In order to keep your permit in good standing, please provide information showing that you have proceeded with construction on the diversion facilities. Please submit this information on or before April 25, 1986.

If you have any questions, please let us know.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

RECEIVED

NOV 30 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.
(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU



NOV 30 1988

March 8, 1985

City of Twin Falls
Box 1907
Twin Falls, ID 83303

Gentlemen:

Re: Permit No. 47-7969

The Department has recently received inquiries from water right permit holders in the Twin Falls area relative to development or continued development of their projects seeking to use the warm groundwater resource in the area. In addition, the Department recently noticed an editorial in the Times News urging taxpayer support for a swimming pool bond issue.

The Department would like to call to the attention of undeveloped water right permit holders as well as to others in the area that there are potential resource problems that should be carefully considered in the decision to proceed with development.

In direct response to reports of declining pressures and temperatures from the warm water resource in the area, on January 11, 1984 the Department created the Twin Falls Groundwater Management Area. The area is roughly described as extending from Salmon Falls Creek on the western boundary to the Kimberly area on the east. The northern boundary is approximately the location of the Snake River and extends southerly averaging from 5 to 15 miles in depth.

A groundwater management area (GWMA) is defined as any groundwater basin or part thereof which may be approaching the conditions of a critical ground water area. Applications for permit in a GWMA may only be approved after it has been determined on an individual basis that sufficient water is available and that other right holders will not be injured. The Director of the Department of Water Resources is also authorized by statute to require water right holders in a GWMA to report withdrawals of ground water and other information for the purpose of assisting him in determining available ground water supplies and their usage.

The Department has in fact monitored and will continue to monitor

NOV 30 1988

select wells for pressure and temperature with the express intent of future management and/or regulation of the resource if appropriate. Depending on the findings of the monitoring, it is possible that the Department would limit withdrawal of water from the resource, require reinjection of water diverted for various permitted uses or impose other regulatory criteria. The Department has recently ordered the owners of a well in the area to repair the well in order that flow may be adequately controlled.

With the monitoring data gathered so far by the Department, it is premature to predict what, if any, action the Department may pursue; however, it would only be prudent for undeveloped water right permit holders to carefully consider their potential investment before making a commitment.

Data gathered from the monitoring effort may be reviewed at the Department's regional office in Twin Falls or in the state office in Boise.

Sincerely,

NORMAN C. YOUNG, Administrator
Administration Resource Division

cc: Southern Region

MICROFILMED

NOV 30 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

December 18, 1984

City of Twin Falls
Attn: Thomas J. Courtney, City Manager
P.O. Box 1907
321 Second Avenue East
Twin Falls, ID 83301

Re: Water Permit No. 47-7969

Dear Mr. Courtney:

We are in receipt of your letter dated December 12, 1984, in which you documented actions to date with respect to development of the geothermal swimming pool heating system proposed in the above-referenced permit.

Please be advised that there is no statutory procedure for this Department to allow an additional year for the commencement of construction of diverting works. Instead, Sec. 42-204, Idaho Code indicates that the permit holder must prosecute work toward development of a permit "diligently and uninterruptedly to completion, unless temporarily interrupted through no fault of the holder of such permit by circumstances, over which he has no control." Therefore, we advise that you proceed as quickly as possible to initiate construction of diverting the works, but can provide no specific time during which this should be accomplished.

Meanwhile, we are retaining your letter and the associated Commencement of Works postcard in our files. Please advise this office when the actual construction of diverting works is initiated.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT/lrs

RECEIVED

NOV 30 1988

Office of
CITY MANAGER



P. O. BOX 1907
321 SECOND AVENUE EAST
TWIN FALLS, IDAHO 83301
PHONE 733-0860 Area Code 208

December 12, 1984

RECEIVED
DEC 13 1984

David R. Tuthill, Jr., P.E.
Supervisor
Water Allocation Section
Department of Water Resources
Statehouse
Boise, Idaho 83720

Department of Water Resources

Dear Mr. Tuthill:

On December 29, 1983, the Department of Water Resources issued Well Permit No. 47-7969 to the City of Twin Falls for a well at Harmon Park. The purpose of the well is to provide a hot water heat source for a proposed municipal swimming pool in the park.

Section 1 D of the permit requires the City to commence construction of the diverting works within one year of the date of issuance. The City will not be able to comply with this condition. During the past year the proposed swimming pool has become a very controversial project. The issues include such things as the size, location, configuration and financing for the pool project. The City Council has decided not to proceed with any phase of the project until they have developed a clear public consensus on the issues outlined above. To date, two bond issues have failed one by a wide margin another by a legal technicality. As of this time the City Council intends to offer a third bond issue during the late winter or early spring of 1985. If the bond issue is approved we anticipate commencing construction during December of 1985.

Based on financial statistics developed over the last ten years we believe the hot water heat source will make the difference between a profitable and a heavily subsidized pool operation. For this reason we request that the City be allowed one additional year for the commencement of construction of the diverting works.

If you have any questions or require any additional information please do not hesitate to contact me.

Sincerely,

Thomas J. Courtney

Thomas J. Courtney
City Manager

RECEIVED

NOV 30 1988

TJC/jh

December 29, 1983

RE: Permit No. 47-7969

City of Twin Falls, Idaho
ATTN: City Manager
P.O. Box 1907
Twin Falls, ID 83303-1907

Gentlemen:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Be sure to note the special condition requiring you to install a measuring device, or an access port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the access port.

The Director has retained jurisdiction of this permit since the area is presently being studied due to reported interferences among existing users of the warm water resource. The study may show that future diversion regulations and/or reinjection may be required to protect the resource.

The 1982 Idaho Legislature added a requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed instructions entitled "Making Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:kw
Enclosures

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Kay Walker

DATE 12/29/83
@ 10:45

TO 47-7969

SUBJECT approval of permit

per request of applicants on 12/28/83; I called them when this permit was signed as approved. Per Glenn Saxton's request I relayed all conditions of approval to city manager, ^{walk} over phone.

(Tom Courtney @ 733-0860 ext. 271 or 272)
talked to: city manager - no name

Kay

MICROFILMED
SIGNATURE



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

November 22, 1983

Gary R. Burkett
Idaho Dept. of Health & Welfare
P. O. Box 1626
Twin Falls, Idaho 83301

Re: Application for Permit No. 47-7969

Dear Mr. Burkett:

Enclosed is a copy of the above referenced application for permit for your information and files.

Sincerely,

Mary A. Newby
Sec/Office Cprrd

Encl:

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

47-2369-

CITY OF TWIN FALLS

BOX 1907, TWIN FALLS, ID 83301

Source: GROUNDWATER

Date Filed: 10/26/1983

Diversion Pt: NESW Sec 15 T 10S R 17E

Use: HEATING (1.92 CFS)

In: NESW SENW Sec 15 T 10S R 17E

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before DECEMBER 19, 1983.

A. KENNETH DUNN

Director

Published 12/1 & 12/8/83.

MICROFILMED

/0928 — KEYWORD
053.8 IN 15:28
legal for Thursday.

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

47-7969

CITY OF TWIN FALLS
Box 1907, Twin Falls, ID 83301

S o u r c e :
GROUNDWATER

Date Filed: 10/26/1983

Diversion Pt: NESW Sec 15 T 10S R 17E

Use: HEATING (1.92 CFS)

In: NESW SENW Sec 15 T 10S R 17E

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before DECEMBER 19, 1983.

A. KENNETH DUNN
Director

PUBLISH: Thursday,
November 1, and 8, 1983.

*Ok
mays
11/29/83*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

NOVEMBER 22, 1983

Times News
P. O. Box 548
Twin Falls, Idaho 83301

Gentlemen:

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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 DECEMBER 19, 1983.

Yours truly,

Mary A. Newby
Secretary

Encl.

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

City of Twin Falls

INITIAL REVIEW BY: [Signature]

APPLICATION NUMBER: 47-7969

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by: _____

Date: _____

Comments: _____

- ☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☒ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: macaya Date: 11/22/83

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. BB-73
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: 12/19/83
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 12/12/83
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☒ Yes ☐ No Measuring device required.
☒ Yes ☐ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
10/26/83 Date of priority recommended.
Special conditions of approval or cover letter. OIC, O9C, 26

By: AD~

Date: 12/20/83

STATE OFFICE REVIEW:

203, 217
leave out nonconsumptive
as per
Jim
12/29/83

☐ See attached sheet for more information.

By: Kay

Date: 12/27/83

MICROFILMED

INTER-DEPARTMENT MEMO — 1

DATE November 21, 1983

FROM

TO

SUBJECT

Call Paul Castelin - Anderson, Kelly Inc. 375-9220

if this application is protested

MICROFILMED

SIGNATURE