

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

ATTN CITY CLERK *

1. Name: CITY OF GLENNS FERRY 208-366-7418
Address: PO BOX 910
GLENNS FERRY ID 83623

2. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER
3. Location of Point of Diversion: Lot 7(SWNW), Sec. 28, Township 05S, Range 10E
Lot 3(SENW), Sec. 32, Township 05S, Range 10E
ELMORE County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
MUNICIPAL	01/01	12/31	3.000		

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

- 6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
40 HP PUMP AND 8" PVC PIPE TO DISTRIBUTION SYSTEM
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - c. Proposed well diameter is inches; proposed depth of well is
feet.
 - d. Is groundwater with a temperature greater than 85F being sought? NO
 - e. If well is already drilled, when?
Drilling Firm
Well was drilled for

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

8. Place of Use: See Remarks

- 9. a. Who owns the property at the point of diversion?
KING HILL I.D. & APPLICANT
- b. Who owns the land to be irrigated or place of use?
N/A MUNICIPAL USE
- c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.
AGREEMENT BETWEEN PARTIES AS REFERENCED BUT NOT ATTACHED IN ORIGINAL

* d'base update per Applicant's 1/22/98 tele. call -SL

10. Remarks:

11. Map of proposed point of diversion and place of use attached? []

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.

See original

Applicant

*per file documentation:
JL for **

Received by JL Date 12/9/96 Time 1:10 Preliminary check by _____

Fee \$ 140.00 Received by JS #S019751 Date 12/11/1996

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

* *See "Comments" e. d.o.p.*

Ident. No. 02-07471

Comments: Date: 2/10/1997 User-ID: SLESTER

Subject: ADDITIONAL INFORMATION

Data entered but used T flag pending S.O. guidance about continued processing. Appears this filing might replace city's protested ground water application, 61-07715. Per cover letter originally rec'vd at Eastern, application plus fee first rec'vd by IDWR on 12-9-96 although not receipted until 12-11-96 at Southern. Filing finally made it to Western on 12-13. P/U is service area of applicant.

↑
-7715
~~but wrong~~
EO cancelled
4/28/00 D'BASE
check

RECEIVED

DEC 11 1996

Ident. No. 02-07471

Department of Water Resources
Southern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

RECEIVED

DEC 12 2000

To appropriate the public waters of the State of Idaho

DEC 13 1996

WATER RESOURCES
WESTERN REGION

WATER RESOURCES
WESTERN REGION

1. Name of applicant CITY OF GLENNS FERRY ATTN: City CLERK Phone (208)366-7418

Post office address P. O. BOX 910, GLENNS FERRY, IDAHO 83623

2. Source of water supply SNAKE RIVER which is a tributary of Columbia River

3. Location of point of diversion is SE 1/4 of NW 1/4 of - 1/4, Govt. Lot 3
Sec. 32 Township 5 South Range 10 East B.M. Elmore County; additional
points of diversion if any: SW 1/4 of NW 1/4 Section 28 T5 So. R.10E B.M. Gov. Lot 7

4. Water will be used for the following purposes:

Amount 3 cfs for Municipal purposes from January 1 to December 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 is (a) 3 cfs and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 8" PVC Pipe 40hp

b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total
reservoir capacity N/A acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is N/A inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 85°F being sought? _____

e. If well is already drilled, when? N/A; Drilling firm _____;

Well was drilled for (well owner) _____

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

Revisions Approved David John 10/25/00
initial & date

8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in KW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. City of Glenns Ferry

d. Domestic; show number of households. _____

e. Other; describe fully. _____

9. Description of place of use:

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

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	10E	28																	
5S	10E	29																	
5S	10E	30																	
5S	10E	31																	
5S	10E	32																	
5S	10E	33																	

see Remarks for place of use

ALL SERVICEABLE AREA

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? CITY OF Glenns Ferry & KING HILL Irrigation District.

b. Who owns the land to be irrigated or place of use? municipal customers

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Please see attached agreement. * The city

and King Hill Irrigation have an agreement for King Hill to pump the city's irrigation water at lot 7. The city still needs to develop the pumping site at lot 8.

12. Remarks: If there is any way to expedite this application, the City would appreciate it.

Place of use is SERVICE AREA of Applicant.

* Not Attached - re 2/10/97

Received by Jo Date 12-9-96 Time 1:00 P Preliminary check by JS

Fee \$ 140. Received by JS # 5019951 Date 12-11-96

Publication prepared by ST Date 2-27+24-01 Published in Mtn Home News

Publication approved ST Date 2-6-01

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. _____, and said application is hereby _____.

- 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 _____, 19 ____.
 - 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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
 - e. Other:

Application 02-07471
August 23, 2000
Page 2

Adequately
Explained?

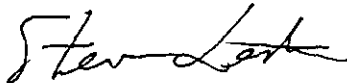
- Explain the need for the total quantity of Snake River water held by or sought by the City under various water rights. Why does the City need at least 11 cfs from the Snake River? See the attached table for a summary to date of City acquisition of river water. IDWR needs a context in which to evaluate application no. 02-07471.

Your responses to the above points will also be useful in pending Transfer No. 5788 for King Hill Irrigation District water to be conveyed to the City for municipal use.

In addition to the preceding points, please indicate which of the following three options the City wants to pursue:

1. Reduce the application to 1.00 cfs, limiting the volume to 2 af/day.
 2. Retain the 3.00 cfs flow rate but document how daily volume will be limited to 2 af/day.
 - ✓ 3. Retain the 3.00 cfs flow rate and explain why more than 2 af/day is needed.
- ✓ *Completion of the above steps plus your responses to point nos. 2-5 in my April 27, 2000, letter (copy enclosed) will allow IDWR to process application no. 02-07471. Your reply within thirty (30) days will be appreciated. Please let me know if I can provide any assistance in this or other water right matters for the City.*

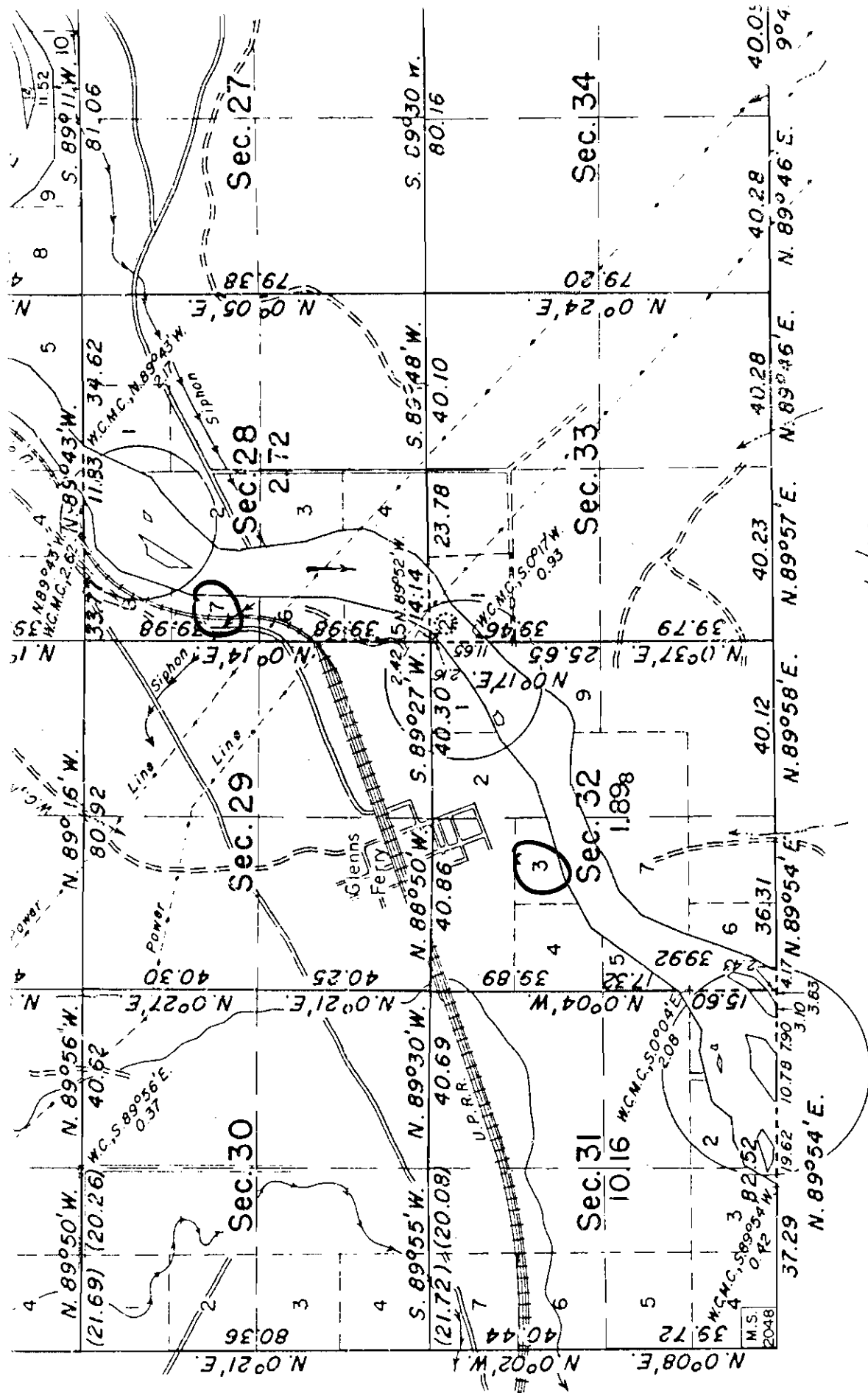
Sincerely,



Steve Lester
Water Rights Supervisor

Enclosure

Declination



SS 106 9/6/63
 5.28 L.7
 5.32 L.3
 pld's

02-07471

Area Resurveyed - 22,475.29 Acres
 Area Surveyed - 35.88 Acres

August 23, 2000

Summary of City of Glens Ferry Municipal Water Rights from the Snake River.

Number	Cfs	Priority	Notes
02-02209B	2.4	1963	Cottonwood Canal Transfer approved 1998
02-07470	1.0	1996	Permit approved 1996
02-07471	3.0	1996	Pending Application with preliminary priority date
37-04112B	5.0	1902	Pending Transfer of King Hill Irr. District water via Malad River to Snake River pump(s)
Total	11.4		Of total: 3.4 cfs approved and 8 cfs pending

RECEIVED

DEC 12 2000

WATER RESOURCES
WESTERN REGION

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

Name of Applicant

City of Glenns Ferry

Mailing Address

PO Box 910

Glenns Ferry, ID 83623

Application No.
(if known)

02-07471

IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature

David M. Hahn

Date

10/25/00

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

January 23, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

STATE OF IDAHO
DEPT OF FISH & GAME
3101 S POWERLINE RD
NAMPA ID 83686

Re: Application for Water Right No. 02-7471 in the Name of City of Glens Ferry

Dear Sir:

Enclosed is a copy of the above-referenced application for permit that the proposed use is from surface water. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by February 5, 2001.

If you have any questions regarding the application, please contact this office.

Sincerely,

Gary Spackman

GS:lm

Encl.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

January 23, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ID DEPT OF HEALTH & WELFARE
DIV OF ENV QUALITY
BOISE REGIONAL OFFICE
PO BOX 83720
BOISE ID 83706

Re: Application for Water Right No. 02-7471 in the Name of City of Glens Ferry

Dear Sir:

Enclosed is a copy of the above-referenced application which may be of interest to your agency. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by February 5, 2001.

If you have any questions regarding the application, please contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman". The signature is written in black ink and is positioned above the printed name.

Gary Spackman

GS:st

Encl.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 23, 2001

ROBERT SCHAMBER CHRMN
KING HILL IRRIGATION DIST
PO BOX 428
KING HILL ID 83633

Re: Application for Water Right No. 02-7471 in the Name of City of Glens Ferry

Dear Sir or Madam:

Enclosed is a copy of the above-referenced application for permit.

Please review the application and return any comments you might have within two weeks. If you desire to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by February 5, 2001.

If you have any questions or need information, feel free to contact this office.

Sincerely,

Gary Spackman

GS:lm

Encl: Copy of Application

01/10/2001

MOUNTAIN HOME NEWS
PO BOX 1330
MOUNTAIN HOME ID 83647

RE: Application for Permit No. 2-7471

Dear Legal Notice Department:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before February 5, 2001. Your cooperation is appreciated.

Sincerely,



Sue Taylor
Senior Secretary

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

2-7471

CITY OF GLENN'S FERRY
PO BOX 910
GLENN'S FERRY ID 83623

Source: SNAKE RIVER

Diversion Pt SENW Sec 32 T 05S R 10E in ELMORE County

SWNW Sec 28 T 05S R 10E in ELMORE County

Use: MUNICIPAL (1/01 To 12/31 3 CFS 0 AFA)

Total Diversion: (3 CFS)

Date Filed: 12/09/1996

Applicant agrees to mitigate consumptive use in the future as needed for water used in city service area.

This application proposes use of trust water.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before 02/05/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER,
Director

Published on January 17 and 24, 2001.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 19, 2000

DAVID HAHN CITY ADMINISTRATOR
CITY OF GLENNS FERRY
PO BOX 910
GLENNS FERRY ID 83623

Re: Application for Permit No. 02-07471

Dear Mr. Hahn:

Processing the above referenced application will resume based on your reply of December 11, 2000. Thank you for your efforts in that regard.

Please let me know if you need further assistance.

Sincerely,

Steve Lester
Water Rights Supervisor

The City of Glens Ferry

MAYOR
Glenn D. Thompson

CITY ADMINISTRATOR
David M. Hahn

P. O. Box 910
204 East 2nd Ave.
Glens Ferry, Idaho 83623

RECEIVED

DEC 12 2000

WATER RESOURCES
WESTERN REGION

COUNCIL
Earl P. Gardner
Larry A. Stevenson
Dewey C. Crane
F. JoAnne Lanham

Phone (208) 366-7418
FAX (208) 366-2238

December 11, 2000

Mr. Steve Lester
Idaho Department of Water Resources
Western Region, 2735 Airport Way
Boise, Idaho 83705-5082

Dear Mr. Lester:

I am writing in response to your August 23, 2000 letter regarding the City of Glens Ferry's application for Permit No. 02-07471. You requested that I respond to a series of questions in order to provide additional information for the evaluation process. I have organized my responses by restating the questions and then following them with my response.

- **Questions:** Does the City propose "reasonably anticipated future needs" pursuant to I.C. § 42-202B(5-7), or does the application define the rate of flow to be fully developed and used within the maximum five year development period associated with "regular" water rights? See the enclosed statute for details.

Response: The city wishes to define a rate of flow to be fully developed and used within the maximum five-year development period associated with "regular" water rights.

- **Questions:** During what period(s) of the year will the new rate of flow be diverted? Will water be diverted primarily during the irrigation season or in some other configuration? Will different periods of the year require different amounts of the new rate of flow? Please specify.

Response: Water will be diverted during the irrigation season from April through October. Once the pumps are started, the flow would remain constant through the irrigation season.

- **Questions:** For consumptive use considerations, approximately how many acres will be irrigated in the City service area with the new rate of flow? Approximately what percent of this irrigation will be supplemental in nature?

Response: The city would be able to water or irrigate an additional 15 acres with the 3 cfs. Acreage was determined by estimating an allotment of 6 gpm per lot, which translates into 225 lots or 15 acres. It is important to note that the amount of pressure we are able to maintain may dictate exactly how many lots we would be able to connect. Use of the 3 cfs for irrigation purposes will help reduce the required production rate of our drinking water supply.

- **Questions:** Explain the need for the total quantity of Snake River water held by or sought by the City under various water rights. Why does the City need at least 11 cfs from the Snake River? See the attached table for a summary to date of City acquisition of river water. IDWR needs a context in which to evaluate application no. 02-07471.

Response: It is the city's desire to develop a dual system in which irrigation water will meet nondomestic needs and domestic water will be limited to meeting domestic needs. Of the total 11.4 cfs, 6.4 is dedicated to irrigation and 5 cfs is dedicated to the domestic side of our system. It is critical that we have the necessary water rights to expand our irrigation system to its fullest potential.

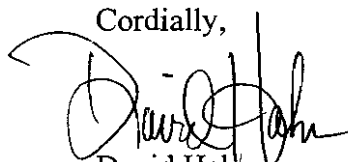
The transfer of water rights from King Hill Irrigation in the amount of 5 cfs is necessary for the following reasons:

- We will be constructing a 2 mgd water treatment facility that will treat Snake River water. Rather than relying solely on the expensive treated water for all our needs, we plan to commingle the treated water with water from our existing spring source. However, this source has experienced significant decreases in production in the past. If the spring source declines in production, it will be necessary to increase our reliance proportionately on the treated Snake River water. Further, the spring source has significant nitrate contamination that may affect the city's ability to use it for domestic purposes. It is important, then, that we have the water rights available to offset any decrease in our spring production.
- We anticipate both industrial and residential growth once we are able to guarantee an adequate supply of domestic water.

Finally, of the three options available to the city, we wish to retain the 3 cfs flow rate and explain why more than 2 af/day is needed.

Please contact either the city's engineer, Bryan Donaldson at 467-5252, or me if you have any further questions.

Cordially,



David Hahn
City Administrator

CONVERSATION MEMORANDUM

DATE 5/3/00

FILE 02-07471

NAME OF PARTY David Hahn City of Glens Ferry

EMPLOYEE JZ \ 336-7418

RE: Reply to IDWR 4/27/00 Letter -

Can city get > 1 cfs in new mini right?
waivers etc. to Rule 45?

Check if let him know.

Recall Director's interest in City situation.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 27, 2000

ATTN MAYOR
CITY OF GLENNS FERRY
PO BOX 910
GLENNS FERRY ID 83623

Re: Application for Permit No. 02-07471

Dear Mayor:

I received a message from Jeff Peppersack of the Idaho Department of Water Resources (IDWR) State Office that you inquired about the above referenced application. This is a 1996 filing to appropriate 3.00 cubic feet per second (cfs) from the Snake River for municipal use.

Please review the attached summary of the City's municipal water rights and Snake River Basin Adjudication (SRBA) claims. The table may help you determine if the City would like to proceed with Application No. 02-07471 or withdraw it. Copies of the records listed in the table are included for your convenience.

If you decide to proceed with the enclosed application, please complete the following steps:

1. Reduce the amount of water shown in items 4 and 5 to 1.00 cfs. That is the maximum amount that can be approved for a new municipal use from the river pursuant to IDWR Water Appropriation Rule No. 45.
2. Explain the City's legal access to the diversion point by completing item 11c.
3. Complete the enclosed "request to process" form. An explanation is attached to the form. Most applicants choose the last option shown on the form.
4. Initial and date the revisions to the application at the bottom of the front page of the application. Note that "attention city clerk" was added to the address line based on a 1998 request by the City.
5. Return the revised application and "request to process" form to this office.

Your reply within thirty (30) days will be appreciated. Please let me know if I can provide any assistance in this or other water right matters for the City.

Sincerely,

A handwritten signature in cursive script that reads "Steve Lester".

Steve Lester
Water Rights Supervisor

Enclosures

Cc: Jeff Peppersack, Section Manager IDWR State Office

April 27, 2000

Summary of City of Glenns Ferry municipal water rights

<i>Number</i>	<i>Cfs</i>	<i>Priority</i>	<i>Notes</i>
02-02209B	2.4	1963	From Cottonwood Canal transfer, SRBA # is A02-02209E
02-07470	1.0	1996	SRBA n/a since post-1987 right
02-07471	3.0	1996	Pending application, SRBA n/a
61-04141	2.54	1917	SRBA recommendation made, no objections filed
61-07228	0.45	1975	SRBA recommendation made, no objections filed
61-07679	2.68	1992	SRBA n/a since post-1987 right

Notes:

- Rights beginning in 02 are from the Snake River.
- Right No. 61-04141 includes water from springs.
- The other rights are for city wells.
- The City's portion of water provided from the Cottonwood Canal transfer has not been recommended to the SRBA Court yet (water right no. 02-02209B, reflected in the SRBA as claim no. A02-02209E) but will be once the river portion of the adjudication work is completed.

Lester, Steve

From: Peppersack, Jeff
Sent: Tuesday, March 28, 2000 9:23 AM
To: Lester, Steve
Subject: RE: Application No. 02-07471

Steve,

Thanks for the update. The current mayor is trying to come up to speed on their water rights. I think they would appreciate a letter outlining their alternatives regarding this application. Could you proceed ahead with a letter?

I agree that a trust water refresher would be beneficial. Certainly would help me. Will keep that in mind.

Thanks for your help.

Jeff

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

From: Lester, Steve
Sent: Tuesday, March 28, 2000 8:06 AM
To: Peppersack, Jeff
Subject: RE: Application No. 02-07471

Jeff:

This application was filed in late 1996 when I was filling in for DRT as manager. At that time Norm told me not to forward any applications that included consumptive use even if the area in question was open to new appropriations (this was called the "irrigation delay" expected to be temporary as Idaho wrestled with other states & feds over salmon water issues). This turned into the "request to process" form and condition of approval about possible mitigation for flow augmentation situation.

Anyway, Western had quite a lot of contact with the City about what to do. Last contact was early 1998 in which I asked City to respond. No response was made. Been meaning to send them a letter with choices to proceed or to withdraw application. Maybe they are ready to make a decision.

Filing was for 3 cfs. This involves trust water. Apparently Water Approp. Rule 45 would allow us to authorize up to 1 cfs (the amount that will not exceed 2 af/day) under the "DCMI" idea of trust water processing.

This reminds me that Shelley & I have talked about some trust water refresher training for both our offices (and maybe Southern &/or Eastern might benefit?). This got lost over the winter with other ITSC etc. stuff going on. That's another thing for the back burner, I guess.

Let me know if City wants to proceed or if you need us to take it from here.

-- Steve

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

From: Peppersack, Jeff
Sent: Monday, March 27, 2000 11:21 AM
To: Lester, Steve
Subject: Application No. 02-07471

Steve,

The Mayor of Glenns Ferry was in today to find out about their water rights. One of their filings, Application No. 02-07471, is on hold at this time. Can you look into this one and give me an update on the status please.

Thanks,
Jeff

INTER-DEPARTMENT MEMO--1

FROM Steve Lester

DATE 2/5/98

TO Jim Johnson

SUBJECT ADDRESS UPDATES - City of Glenora Ferry

City clerk submitted Attached form to update address field so mail routed directly to clerk. This will help city make timely responses etc.

I already updated 02-07471, pending App. e Weston. Have provided cc to Jan for SRBA claim updates.



SIGNATURE

cc: Jan Shute e Weston

CHANGE IN ADDRESS OF NOTICE OF CLAIM *f/ or WATER right*

[X] Water Right Number (s): 61-07715 61-04141 CLAIMS: A61-04141
61-07228 61-07679 A61-07228
02-07470 02-07471

ok
[X] Old Mailing Address: SEE RECORDS ON FILE AT IDWR

[X] New Mailing Address: CITY OF GLENNS FERRY, ATTN CITY CLERK
PO Box 910
GLENNS FERRY, ID 83623

New Telephone Number: (208) 366-7418

[X] Signature of Claimant: David M. Haber, City Clerk
Water Right OWNER → Date: 2/3/98

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: By:
Further Action Needed:
Further Action Taken
Date: By:
Final Review and Data-Entry
Date: By:

RECEIVED
FEB 04 1998
WATER RESOURCES
WESTERN REGION

NOTE: 02-07471 d'base already updated.
original forwarded to S.O. WR Admin Section.
cc provided to Western IRBA STAFF.

-SL 2/4/98



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

January 29, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ATTN DAVID HAHN CITY CLERK
CITY OF GLENNS FERRY
PO BOX 910
GLENNS FERRY ID 83623

RE: CHANGE IN ADDRESS FORM FOR CITY WATER RIGHT FILINGS

Dear Mr. Hahn:

We discussed updating the department records to include an item to route all correspondence to the city clerk to be sure that department information reaches the proper person in a timely manner.

Enclosed is a form that can be signed and returned to me at your earliest convenience to do that. I have also included a list that includes all water rights ("wr") and all adjudication claims ("aj") in the name of the City of Glens Ferry.

This step should help you whenever the department sends something to the city. Let me know if you need more information about this or any other related item.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure

MEMORANDUM

Date: January 27, 1998

To: Steve Lester

From: Jim Johnson

Subject: City of Glens Ferry

=====
Here is my response to your question "...if the City should put this request in writing..."

In general I believe it is always prudent to document any change in writing. I have a strong belief that "every item of data in the database needs to be documented in water right file. I think its always better to have a written request come directly from the right holder than have a written request come from a IDWR staff member passing on a telephone request.

RECEIVED

JAN 28 1998

**WATER RESOURCES
WESTERN REGION**

RECEIVED

JAN 26 1998

DATE 1/22/98

CONVERSATION MEMORANDUM

Department of Water Resources

FILE SEE Attached for

NAME OF PARTY David Hahn, City Clerk

WR + AJ
distribution

EMPLOYEE FL

RE: CONTACT FOR CITY OF GLENNS FERRY

City has experienced problems e I don't realize getting into
right person's hands in timely fashion.

Requests that contact - mail or phone - be directed
to city clerk.

Can WR + AJ databases be changed to include
in address:

ATTN CITY CLERK

S.O. WR staff }
Region AJ staff } ↓

PLEASE let me know if city should put
this request in writing & I'll pass that
on to city clerk.

Otherwise - assume can update database
for WR & AJ Records.

via S.O. WR staff }
except Appl. 02-07471
via Region WR staff.

via Region AJ staff

SD-0601-2 Last Name: (Y OF GLENN'S FERRY STATE

S	O	W	Water	Priority	Total	Use
E	First	N	Right No.	Date	Diversion	Code Desc
L	Name					

CITY OF GLENN'S FERRY						
	C		61-07715	01/16/1996	GROUNDWATER	1.780 40 MUNI
	C		61-04141	01/01/1930	SPRINGS	2.890 40 MUNI
	C		61-07228	05/21/1975	GROUNDWATER	0.450 40 MUNI
	C		61-07266	00/00/0000		0.00
	C		61-07344	00/00/0000		0.00
	C		61-07679	12/10/1992	GROUNDWATER	2.680 40 MUNI
	C		61-07682	00/00/0000		0.00

claimed

Not claimed (claims not required for these 2)

"claims" refers to adjudication claims to protect water rights

SD-0601-2 Last Name: CITY OF GLENN'S FERRY STATE

S	O	W	Water	Priority	Total	Use
E	First	N	Right No.	Date	Diversion	Code Desc
L	Name					

CITY OF GLENN'S FERRY						
	C		02-07470	03/18/1996	SNAKE RIVER	1.000 40 MUNI
	C		02-07471	12/09/1996	SNAKE RIVER	3.000 40 MUNI

region can update Appl. - 7471

WR →

AJ ↓

No BAS. 02 claims per Ajg!

SD-0601-2 Last Name: CITY OF GLENN'S FERRY STATE

S	O	W	Water	Priority	Total	Use
E	First	N	Right No.	Date	Diversion	Code Desc
L	Name					

CITY OF GLENN'S FERRY						
	C		A61-04141	01/01/1930	SPRINGS	2.890 40 MUNI
	C		A61-07228	05/21/1975	GROUNDWATER	0.450 40 MUNI

region can update these 2

SL

1/22/98

NAME INDEX

CONVERSATION MEMORANDUM

DATE 1/22/98

FILE SEE Attached for

NAME OF PARTY David Hahn, City Clerk

WR + AJ
distribution

EMPLOYEE [Signature]

RE: CONTACT FOR CITY OF GLENNS FERRY

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ATTN CITY CLERK

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PLEASE let me know if city should put
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via S.O. WR staff }
except APR. 02-07471
via Region WR staff.

via Region AJ staff

SD-0601-2 Last Name: Ci OF GLENNS FERRY STATE

S	O	W	Water	Priority	Source	Total	Use
E	First	N	Right No.	Date		Diversion	Code Desc
L	Name						

CITY OF GLENNS FERRY

C	61-07715	01/16/1996	GROUNDWATER	1.780	40	MUNI
C	61-04141	01/01/1930	SPRINGS	2.890	40	MUNI
C	61-07228	05/21/1975	GROUNDWATER	0.450	40	MUNI
C	61-07266	00/00/0000		0.00		
C	61-07344	00/00/0000		0.00		
C	61-07679	12/10/1992	GROUNDWATER	2.680	40	MUNI
C	61-07682	00/00/0000		0.00		

SD-0601-2 Last Name: CITY OF GLENNS FERRY STATE

S	O	W	Water	Priority	Source	Total	Use
E	First	N	Right No.	Date		Diversion	Code Desc
L	Name						

CITY OF GLENNS FERRY

C	02-07470	03/18/1996	SNAKE RIVER	1.000	40	MUNI
C	02-07471	12/09/1996	SNAKE RIVER	3.000	40	MUNI

region can update Appl. -7471 ← completed 1/22/98 ✓

WR →

AJ →

No BAS-2 02 claims per Ajg!

SD-0601-2 Last Name: CITY OF GLENNS FERRY STATE

S	O	W	Water	Priority	Source	Total	Use
E	First	N	Right No.	Date		Diversion	Code Desc
L	Name						

CITY OF GLENNS FERRY

C	A61-04141	01/01/1930	SPRINGS	2.890	40	MUNI
C	A61-07228	05/21/1975	GROUNDWATER	0.450	40	MUNI

region can update these 2

SL

1/22/98

NAME INDEX



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

January 20, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

COTTONWOOD CANAL COMPANY
ATTN DAN STEENSON - RINGERT CLARK
PO BOX 2773
BOISE ID 83701

CITY OF GLENNS FERRY
ATTN DAVID HAHN
PO BOX 910
GLENNS FERRY ID 83623

RE: SNAKE RIVER WATER FOR MUNICIPAL USE

Dear Co-Applicants:

Recently I informed both of your offices that Transfer No. 5125 to change a portion of License No. 02-02209 to municipal use for the city was "on track and looked good." Additional review within the last few days by Idaho Department of Water Resources (IDWR) administration identified a problem that needs attention.

This office is analyzing the validity of the right, or at least that portion of the right enrolled by the company in the water bank from which the city would obtain water within the terms of the transfer. Notwithstanding the approved extension of time to avoid forfeiture and subsequent placement of the license in the water bank, the validity of the right needs to be addressed in the transfer.

My earlier suggestion that things are on the "fast track" proved to be wrong. Now might be a good time for the city to reconsider its pending application for a new water right while the transfer filing remains unresolved. Application for Permit No. 02-07471 (see enclosed profile report) was filed in late 1996 but not processed due to fishery resource concerns.

IDWR is beginning to approve some new water right applications, and the city's application for permit can be considered. The application can be processed if the city agrees to accept a condition of approval to mitigate if its diversion affects fisheries as determined by the Director of IDWR. Mitigation details

January 20, 1998
Page 2

would not be required now but may be in the future. The mitigation condition would only be invoked with the city's participation in the process by which mitigation is identified and quantified. Acquisition and release of storage water for a portion of a season of use is the most likely form of mitigation.

The city's written reply to the following points will allow this office to process Application No. 02-07471.

1. Reduce the application to 1.00 cfs. This is the maximum amount of Snake River water that can be processed for approval within the trust water limitations discussed in Water Appropriation Rule No. 45 (allows up to 2 acre feet per day, which implies 1.00 cfs maximum). The city would receive a \$40 refund by completing this step.

2. Add the mitigation condition of approval to the application. The enclosed "draft response form" can be used to complete this step.

Approval of Application No. 02-07471 would provide another 1.00 cfs for the city system. Perhaps that amount plus the 1.00 cfs authorized in Permit No. 02-07470 (see enclosure) will supply the city's needs, at least temporarily.

Please contact me at your earliest convenience if I can help you in any way in the water rights process. I am sending a copy of this letter to the city's new consultant, Mr. Jeff Kissler, since he visited at length with me during my more optimistic view of timely resolution of the transfer.

Sincerely,



Steve Lester
Water Rights Supervisor

Enclosure: Response Form and Profile Reports 02-07470 and 02-07471

c: Jeff Kissler, RCAC

CONVERSATION MEMORANDUM

DATE 1/12/98

FILE T5125

NAME OF PARTY

EMPLOYEE

SL

5
Appl 02-07471

RE: Meeting c S.O. To Discuss
(Norm - Phil - Glen - Gary - SL)

Does partition(s) in water bank have pln?
apparently not

Is work valid - at least water bank partition(s)?
" forfeiture an issue?

Forfeiture probably not a problem (file history) but
validity of counsel partition(s) may be.

Gary will write memo to summarize this - may
need to solicit more info.

Should Appl. 02-07471 be Revised?

Limit to 100 yf (2 Af/day) to avoid
tax complications (presumed not in public interest
beyond DCMI & 2 Af/day)?

Agree to future mitigation cond. of ~~approval~~
approval before process.

CAN process once address these issues

cc: 02-07471

**APPLICATION WORKSHEET FOR
"ADVERTISING DELAY"**

APPL. NO. 02-7471

DATE 3-11-97

T FLAG USED IN DATA ENTRY ✓

APPS.LIS UPDATED TO SHOW
FILE AT SL'S DESK ✓

APPL. FOLDER PREPARED AND
BAR CODE ENTRY COMPLETED _____

FILE ROUTED TO SL _____

CONVERSATION MEMORANDUM

DATE 3/7/97FILE 02-07471NAME OF PARTY 9/6W StantonEMPLOYEE Steve LesterRE: Response to my 12/23/96? Memos re Processing
1/24/97Mini use from River -if cons. use ≤ 2 AF/day, could process
since Apprms meets test of 42-203(c)(2)if cons. use > 2 AF/day, must 1st meet
42-203(c)(2) - see Rule 45 03 KIL (in
Water Approp.)However -still can't process re Snake R. / interstate
"delay" scenario. 9/6W discussed with Nelson
today & no change in that delay yet.Eventually, if can process -is this really just irrig use? if so, ~~that~~
should appl. be amended? 9/6W not convinced
OK to file mini if only use is irrig.CONTINUE HOLDING Appl. without processing -
DO NOT send letter re "Adv. Delay"
File the Appl. in "Adv. Delay" hold drawer.

→ Cindy / Lori — file copy in
02-07471

MEMORANDUM

TO: GARY SPACKMAN
FROM: STEVE LESTER *SL*
DATE: FEBRUARY 10, 1997

RE: GROUND WATER APPLICATIONS IN GLENN'S FERRY AREA

This memo summarizes the situation in the Glenn's Ferry - Hammett area regarding several water right applications for permit proposing ground water for several uses. All of the applications are protested although only one protest conference for one application has been held to date.

Cold and hot (low temperature geothermal) water is involved. All of the points of diversion are on the north side of the Snake River. Two of the four filings include irrigation while the others involve municipal and industrial (latter two uses assume some degree of consumptive use?).

APPLICATION 61-07653 (AMENDED) - COLD SPRINGS PROJECT

Bill Ringert's application proposes up to four cold water wells, approximately 300' deep, for irrigation, commercial, domestic and fire protection uses. The irrigated land is associated with Carey Act Project No. 61-CA-03. The BLM has indicated that the public land will not be released for private development. The amended version was advertised as directed by the S.O. per applicant's November 1, 1996 letter.

This application should remain in the processing delay related to irrigation in "open areas". Also, it appears that approval is highly unlikely given the BLM response to the Carey Act issues.

APPLICATION 61-07715 - CITY OF GLENN'S FERRY

The city applied for a 1500' cold water well for increased municipal use, including lawn irrigation according to the mayor's statements in the March 13, 1996 protest conference hosted by Dave Tuthill. Numerous protestants attended. The city was authorized to drill a test well and contracted with J-U-B Engineers to conduct a pump test while monitoring surrounding wells.

I requested a status report from the city via a November 5, 1996 letter but have not received a reply. Based on a few telephone conversations plus the city's action of filing a new municipal application for permit for Snake River water¹,

¹No. 02-07471 - application held at region pending direction from S.O. regarding direct diversion from the river since at least some consumptive use will occur for this municipal use. See attached copy of my 1/24/97 memo to GLS.

it might be inferred that the city does not intend to pursue application no. 61-07715.

Once S.O. direction is provided for the city's surface water application, IDWR should allow the city 30 days to clarify its intent for 61-07715.

APPLICATION 61-07722 - KEITH CHAMBERLAIN

Mr. Chamberlain applied for irrigation of 33 acres (reduced from original 72 acres to address protestants' concerns) from an existing 170' cold water well. The BLM withdrew its protest upon the deletion of three acres listed on public land. It remains to be seen if the remaining protestant (Robert Hall) will withdraw his protest based upon a second reduction of the acreage.

The remaining land proposed for irrigation is above the ditch and is therefore not served by King Hill water. The application should remain on hold pending the "irrigation in open areas" delay.

APPLICATION 61-07724 - MAGIC WEST

This filing is perhaps the most problematic of the bunch due to a variety of issues. Magic West holds license 61-07189 for .67 cfs and 12.9 afa from August 15 through July 1, excluding about six weeks each summer. The source is a hot water well thought to be about 1230' deep. Some of the protestants have complained that expanded industrial use at the food processing plant has injured older domestic and/or stock wells which also use the low temperature geothermal aquifer apparently found on both sides of the Snake River in the local area.

The application was filed to codify the expanded use plus provide "make-up volume" that the applicant believes was overlooked in licensing of its older right. As the examiner of that right in 1987, I recall considerable effort in soliciting flow and volume data from the company, resulting in the current license.

I sent a letter to Magic West on July 2, 1996 requesting that the company show how it is meeting the measuring device requirement re-instated upon licensing after being removed in 1978. I also asked for any records held by the company to detail the flow and volume data to better understand the annual use made of this well in recent years. The only response received has been a couple of telephone calls from Magic West staff that progress is being made in installing a measuring device.

That response seemed adequate when received since I thought the department would make significant progress in resolving some of the inter-related issues found in all of the applications under discussion. However, other information that has been anticipated has not been forthcoming (e.g., status report from city).

Recently, the region received a fax complaint (see attached) by Mr. Hall, a protestant common to all four applications, that Magic West, with its partner Co-Generation, has been using the plant's hot well to produce power. The region has already notified the parties, verbally and in writing, that the well cannot be used for an additional use such as power production until a valid water right is secured for this purpose. No application or other approval has been issued by

IDWR for use of the Magic West well beyond the limits of license 61-07189.

IDWR should respond to the protestant's allegation and should follow-up to previous department correspondence by requiring Magic West to document its recent and current use of the existing hot well.

OTHER INFORMATION

Also see my memo dated December 23, 1996 (copy in 61-07715 and 61-07724) for more summary information. Perhaps the department can play a limited role if some type of ground water study occurs as a result of any of these protests or related matters. Any approvals for new uses of ground water in the area in question should be considered within a "big picture" viewpoint, it appears.

RECOMMENDED ACTION FOR IDWR REGARDING THE FOUR APPLICATIONS

1. 61-07653 - continue holding the application without additional processing due to new irrigation issues. Eventually, the application might be withdrawn or voided based on the BLM stance re Carey Act land.

2. 61-07715 - upon receiving S.O. guidance re processing no. 02-07471, send a letter allowing 30 days for the applicant to clarify its intention regarding ground water development.

3. 61-07722 - continue holding as in 61-07653.

4. 61-07724 - send a letter requiring written response within 30 days - or begin N.O.V. process? - to document the following:

a) installation of measuring device for 61-07189;

b) submittal of any flow and volume records (or best estimates if records not available) for last five years of use for 61-07189;

c) clearly state the extent of use, if any, for power production at the food plant as alleged by the written complaint received by IDWR; and

d) applicant's response to protestants' concerns about allowing use of the hot well beyond the limits of 61-07189.

Based on a timely written response, a protest conference could be scheduled to more fully air these issues. This application might be able to move forward since irrigation use is n/a (although some consumptive use might occur - problem in "irrigation delay" thinking?).

5. Question - to what extent can or should IDWR respond to protestants requests to conduct a ground water study in the area in question? If IDWR does proceed on that path, what roles would S.O. and Regional staff play?

MEMORANDUM

TO: GLEN SAXTON

FROM: STEVE LESTER *SL*

DATE: JANUARY 24, 1997

-02-07471

RE: SNAKE RIVER APPLICATION FOR PERMIT

Attached is a re-submittal of an earlier memo that did not reach you according to a telephone conversation that I had with Shelley a few days ago. An additional thought occurs to me as this is forwarded.

Can river water between Swan Falls and Milner be appropriated for a non-irrigation use in excess of 2 af/day (recalling the "DCMI up to 2 af/day" limit in the trust water category) notwithstanding Norm's July 30, 1996 memo? I am a little unclear on the ability to establish new consumptive uses other than irrigation from the river between Swan Falls (terminal control point for trust water) and King Hill Gaging Station (terminal control point for Amended Moratorium Order, Eastern Snake River Plain Area).

Advertising of this application remains on hold pending your advice. If advertising does proceed, do you see a need for any clarifying remark in the ad?

*cc for 2/10/97 ground water
App's. memo*

MEMORANDUM

TO: GLEN SAXTON

FROM: STEVE LESTER 

DATE: JANUARY 24, 1997

RE: SNAKE RIVER APPLICATION FOR PERMIT


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Can river water between Swan Falls and Milner be appropriated for a non-irrigation use in excess of 2 af/day (recalling the "DCMI up to 2 af/day" limit in the trust water category) notwithstanding Norm's July 30, 1996 memo? I am a little unclear on the ability to establish new consumptive uses other than irrigation from the river between Swan Falls (terminal control point for trust water) and King Hill Gaging Station (terminal control point for Amended Moratorium Order, Eastern Snake River Plain Area).

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MEMORANDUM

TO: GLEN SAXTON, ACTING WATER MANAGEMENT DIVISION ADMINISTRATOR

FROM: STEVE LESTER 

DATE: DECEMBER 23, 1996

RE: SNAKE RIVER APPLICATION FOR PERMIT

Attached is a copy of a municipal application for Glenns Ferry. In light of Norm's July 30, 1996 memo (copy attached) regarding direct diversions from the Snake River, what do you advise for processing of this filing? I am assuming that at least the irrigation part of municipal includes consumptive use.

The city currently has protested application 61-07715 for a cold water well for municipal use. It appears that the river is being considered due to problems that remain unresolved at this point for a new ground water system.

The region will delay advertising this application pending your advice.

RECEIVED

JUL 31 1996

WATER RESOURCES
WESTERN REGION

MEMORANDUM

TO: GLEN SAXTON AND STEVE LESTER
FROM: NORM YOUNG *NY*
SUBJECT: APPROVALS FOR DIRECT DIVERSION FROM SNAKE RIVER
DATE: July 30, 1996

Idaho is presently working with Oregon and Washington to resolve issues concerning additional irrigation development from the Snake/Columbia Rivers as such development is related to the maintenance of flows for anadromous fish. Although the Snake River mainstem in Idaho from Milner to Lewiston is not presently under a formal moratorium order, it is important that Idaho not authorize additional irrigation from the river until the matter is resolved.

Please advise me or Karl before taking action to approve any application for a new appropriation for consumptive purposes or any application for an extension of time to develop an existing permit from the mainstem Snake River in Basins 02 and 03. Applicants should be advised that processing of these filings may be delayed pending resolution of the interstate concerns.

c. Jim Johnson
Bob Haynes

The City of Glens Ferry

RECEIVED

DEC 05 1996

MAYOR
Sandra F. Cranor

CLERK
Eddie H. Bostic

P. O. Box 910
204 East 2nd

Glens Ferry, Idaho 83623

Department of Water Resources COUNCIL
John L. Morris
Larry A. Stevenson
Dewey C. Crane
JoAnne F. Lanham

Phone (208) 366-7418
FAX (208) 366-2238

RECEIVED

DEC 13 1996

WATER RESOURCES
WESTERN REGION

RECEIVED

DEC 09 1996

Department of Water Resources
Eastern Region

December 4, 1996

Shelley W. Keen, Water Rights Supervisor
State of Idaho, Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Dear Ms. Keen:

Enclosed please find our Application for Permit to use 3cfs from the Snake River. Also enclosed is our application fee, check #4209, in the amount of \$140.00.

Any questions regarding the processing of this request may be directed to my attention. Thank you.

Sincerely,



Eddie H. Bostic, City Clerk

EHB/cdp

Encs: Check #4209