

RECEIVED

DEC 16 2008

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESIdent. No. 63-33140**APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

1. Name of Applicant Middleton School District #134 Phone 208-585-3027
Mailing address 5 South 3rd Avenue West, Middleton, ID 83644 Email _____
2. Source of water supply Ground Water which is a tributary of N/A
3. Location of point of diversion is Township 4N Range 3W Sec. 1, in the _____ $\frac{1}{4}$,
NE $\frac{1}{4}$, NW $\frac{1}{4}$, Govt. Lot 3, B.M., Canyon County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.95 cfs for Irrigation purposes from 3/1 to 11/15 (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)
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) 0.95 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source One well with submersible pump
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet;
total reservoir capacity _____ acre-feet
 - c. Proposed well diameter is 16 inches; proposed depth of well is 309 feet
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - e. If well is already drilled, when? May 1978; Drilling firm Pete Cope Drilling Co.;
Well was drilled for (well owner) James E. Green; Drilling Permit No. 782391
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
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. _____
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. _____

9. Description of place of use:

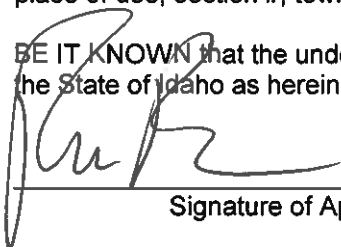
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	3W	1						19	19										40

Total number of acres to be irrigated 38

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? Primary source of water is Black Canyon Irrigation District. A portion of 63-9017 is used for supplemental irrigation, but diversion rate is limited to 0.015 cfs/acre.
- 11.a. Who owns the property at the point of diversion? Middleton School District #134
- b. Who owns the land to be irrigated or place of use? Middleton School District #134
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. The applicant plans to construct a new high school with up to 38 acres of irrigated landscaping and sport fields. Primary irrigation water is delivered to the site by Black Canyon Irrigation District. Water right 63-9017 authorizes use of ground water for supplemental irrigation, but the diversion rate is limited to 0.015 cfs/acre. This application requests an increase in the maximum diversion rate for supplemental irrigation, because the school grounds cannot be irrigated 24 hours per day. Because the applicant intends to irrigate 12 hours per day, a maximum diversion rate of 0.04 cfs per acre (in combination with the applicant's portion of water right 63-9017) is requested in accordance with IDWR Administrator's Memorandum, Irrigation Diversion Rate for Turf Grass in Public Areas, dated August 15, 1996.
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

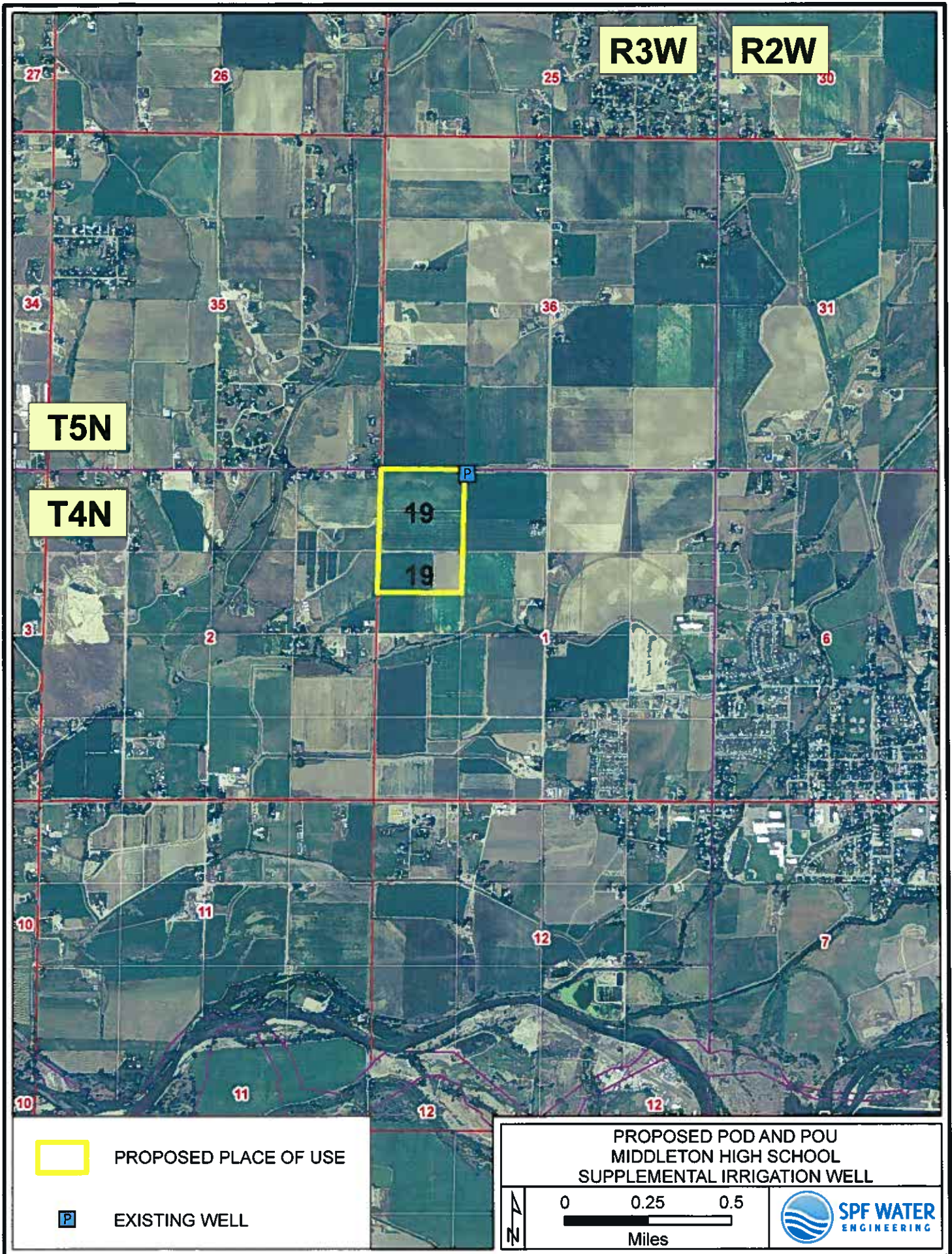


Signature of Applicant

Rick Bunscher - Sup't. of Schools
Print Name (and title, if applicable)

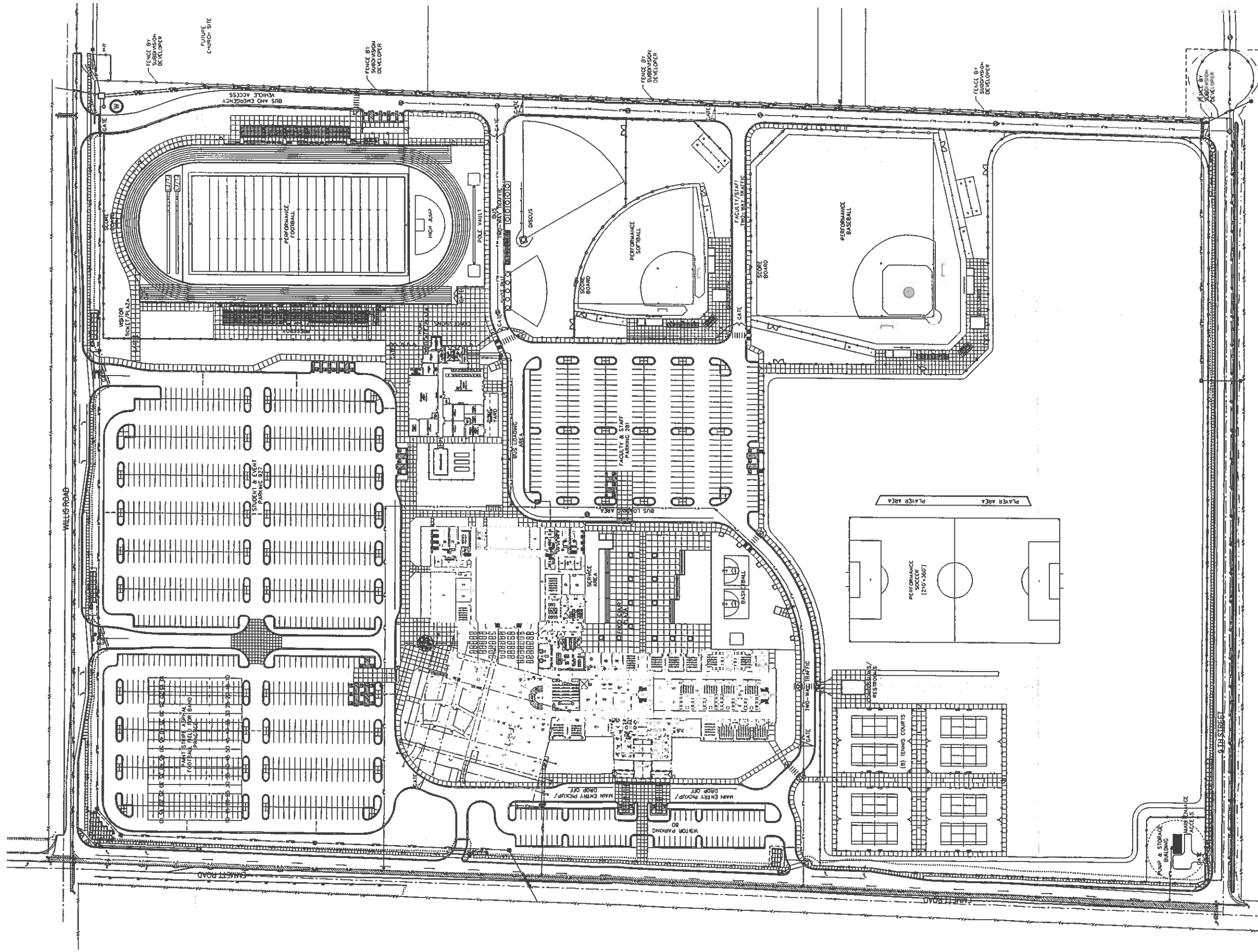
For Department Use:

Received by DB Date 12-16-08 Time _____ Preliminary check by SR
 Fee \$ 250- Received by DB Receipt No. W037103 Date 12-16-08
 Publication prepared by DB Date 5/27/2009 Published in PRESS TRIBUNE
 Publication approved _____ Date _____ Dates Published JUNE 4 & 11, 2009



63-33140

MIDDLETON HIGH SCHOOL



63-3314

IDAHO PRESS TRIBUNE
AD AUTHORIZATION

Salesperson: MARISSA MCNEAL

Printed at 06/01/09 11:29 by \$LOGIN

Acct#: 46057 Ad#: 9370 Status: N
1 IDAHO DEPT. OF WATER RESOURCES Start: 06/04/09 Stop: 06/11/09
2735 AIRPORT WAY Times Ord: 2 Times Run: ****
BOISE ID 83705 LEG 4.00 X 25.00 Words: 194
Contact: DENISE BUFFINGTON Rate: L4 Cost: 159.33
Phone: (208)334-2190 Class: 0001 LEGAL NOTICES
Fax#: Descript: 63-33140
Email: Denise.Buffington@idwr.idaho.gov Given by: *
Created: mmcl4 06/01/09 11:24
Agency: Last Changed: mmcl4 06/01/09 11:28

PUB ZONE ED TP START INS STOP SMTWTFS
IPT A 96 S 06/04,11

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

DENISE BUFFINGTON
Name (print or type)

Denise Buffington
Name (signature)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
63-33140

MIDDLETON SCHOOL DISTRICT # 134
5 S 3RD AVE W
MIDDLETON ID 83644-5563

Point(s) of Diversion L3 (NENW) S1 T04N R03W CANYON County Source GROUND WATER

Use: IRRIGATION 03/01 To 11/15 0.95 CFS
Total Diversion: 0.95 CFS
Date Filed: 12/16/2008
Place Of Use: IRRIGATION
T04N R03W S1 NWNW Lot 4 SWNW
Number of Acres 38

Remark: Water bearing zone to be appropriated from an existing well is from 170 to 309 feet. Use will supplement existing irrigation plus provide adequate flow to sufficiently irrigate when school athletic fields are not in use. 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 Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 06/22/2009. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

June 4, 11, 2009

9370

E-mailed back to Press Tribune 6/11/09.

Buffington, Denise

From: Buffington, Denise
Sent: Wednesday, May 27, 2009 4:49 PM
To: 'Legals'
Subject: LEGAL NOTICES - CANYON COUNTY
Attachments: Canyon County Ads - Cover Letter.RTF; 63-33140 Ad.RTF; 63-33110 Ad.RTF; X-fer 75058 Ad.doc

Attached please find (3) legal notices being submitted for publication. Please contact me if you have any questions about the attached information; or if you are not able to run the ads on the dates listed.

Thank You,

Denise Buffington
Administrative Assistant
Dept of Water Resources
Western Region

5/27/2009

May 27, 2009

Legal Notice Department
PRESS-TRIBUNE
PO BOX 9399
NAMPA ID 83652

RE: Application for Permit No. 63-33110 and 63-33140

RE: Transfer No. 75058
Water Right No(s). 63-32256

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 06/22/2009. Your cooperation is appreciated.

Sincerely,

Denise Buffington
Administrative Assistant

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DAVID R. TUTHILL, JR., Director

Published on June 4th & 11th, 2009

MEMORANDUM

Date: May 19, 2009

To: Water Right File 63-33140

From: Steve Lester 

Re: Comment/Analysis

Requesting excessive flow per Appl Memo #60 where:

- $0.02 \text{ cfs} / (12 \text{ hr}/24 \text{ hr}) = 0.04 \text{ cfs per acre}$
- $38 \text{ acres} \times 0.04 \text{ cfs} = 1.52 \text{ cfs}$
- $1.52 \text{ cfs minus } 0.57 \text{ cfs under } 63-33138 \text{ (split from } 63-9017) = 0.95 \text{ cfs requested in application.}$

Well and acres are same as 63-33138. Acceptable to have additional right from same well for same acres since older right is less than normal duty of water, 0.02 cfs/acre. Also, combined uses from same well for same land will not exceed the requested duty of water (0.04 cfs/acre) in this case.

Water bearing zone is from 1978 well log (for legal notice but not condition of approval re location downstream from Star).

If approved, will need daily volume limit per Memo #60.