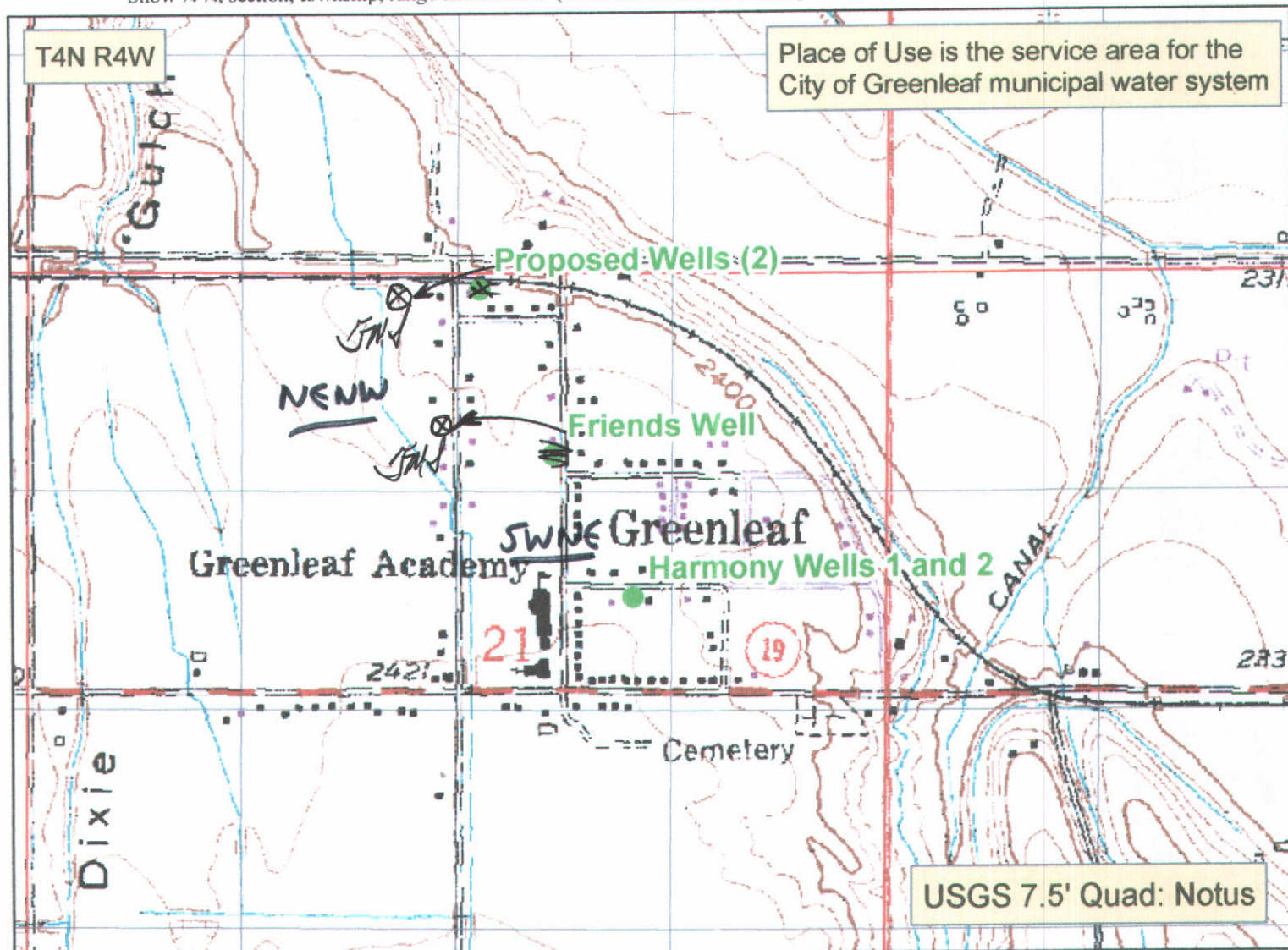


Complete the following map by showing land and point of diversion as proposed by this amendment.
Show 1/4, section, township, range and ditches. (The smallest subdivision represents 40 acres.)



Scale: 1 inch equals 1000 feet

I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 24 day of May, 20 04. [Signature] Mayor

Permit Holder Signature (and title, if for a company or organization)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by [Signature] Publication prepared by N/A (process without legal notice) Date

Published in Publication dates

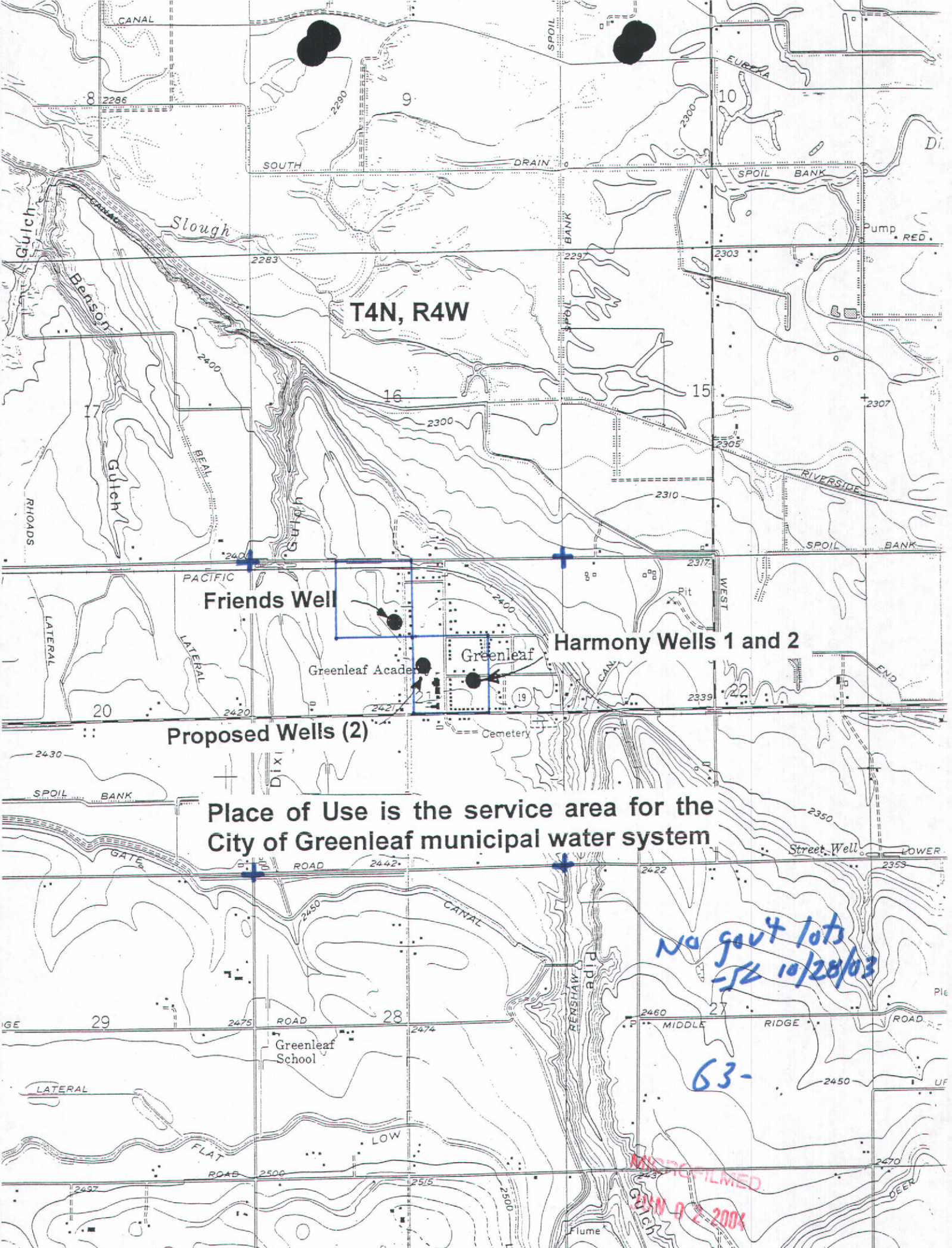
I, , of the Department of Water Resources hereby

Witness my hand this day of , 20

SIGNATURE

MICROFILMED

III 15 2004



T4N, R4W

Friends Well

Harmony Wells 1 and 2

Proposed Wells (2)

Place of Use is the service area for the
City of Greenleaf municipal water system

No gov't lots
- 5/2 10/28/03

63-

NOT FILMED
JUN 9 2004

PROCESSING

APPLICATION #

63-31787

YES NO

- ☒ In form for advertising
☒ Statewide advertising (> 10 cfs &/or 1000 af)
☒ Fee amount, receipt number, & date recorded on application

Receipt included \$330 for
 transfer Appl. subsequently
 withdrawn - ok
 refund issued

COMMENT LETTERS

YES NO

- ☒ IDEQ
☒ District Health
☒ IDFG
☒ IDL

YES NO

- ☐ US BLM
☐ US Forest Service
☐ Water Dist #
☐ Water Planning Bureau
☐ Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

- ☒ Affidavit of publication received
☒ Application published correctly? If not, record action taken

DEQ requirements will be incorporated
 into well drilling approvals as usual
 for public water supply

- ☒ Publication dates & paper recorded on application
☒ Final date for protest 11-24-03
☒ Protests received
☒ Recommendations attached
☒ Measuring device required in future as needed
☒ Water delivered by water master? District #
☒ Special conditions of approval or cover letter

Std. conditions including possible future mitigation, use available surface
 water to extent possible, limited to 5 wells where only 2 can be new
 wells, 150-400 ft' water bearing zone.

Recommended Date of Priority

8-15-2003

Recommendation ☒ Approve ☐ Deny

by

J. Vestra

Date

2/18/04

ADDITIONAL INFORMATION

- ☒ See attached proof report, note Legal Notice Remarks &/or Comments

- ☒ Shapefile completed (optional: attach with proof report) (plds only)

Minor discrepancies on Appl. OK without revising needed: add'l pld line says 3 add'l
 wells but should be 2 per other Appl. info; existing wells e 350' but w.b. zone down to 400';
 assume new wells will be ≥ 400' deep; city will explain access to plds in follow up
 contacts... SEE Attachment A in Appl. Received 1/28/04 e access - ok.

→ "Regular" permit, not RAFN

State of Idaho
Department of Water Resources
Amendment of Permit

NO. 63-31787

Priority: August 15, 2003

Maximum Diversion Rate: 1.00 CFS

This is to certify, that CITY OF GREENLEAF
20523 WHITTIER DR
GREENLEAF ID 83626

has applied for an amendment of a permit and the amendment is APPROVED for development of water as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
MUNICIPAL	01/01 to 12/31	1.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 21, Twp 04N, Rge 04W, B.M.	CANYON County
GROUND WATER	SW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 21, Twp 04N, Rge 04W, B.M.	CANYON County
GROUND WATER	NE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 21, Twp 04N, Rge 04W, B.M.	CANYON County
GROUND WATER	NE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 21, Twp 04N, Rge 04W, B.M.	CANYON County
GROUND WATER	NE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 21, Twp 04N, Rge 04W, B.M.	CANYON County

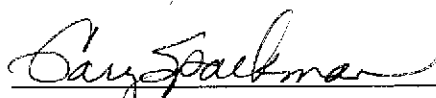
CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **February 1, 2009**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. Water bearing zone to be appropriated is 150 to 400 feet.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
8. Place of use is within the service area of the City of Greenleaf municipal water supply system as provided for under Idaho Law.
9. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

This amendment of permit is issued pursuant to the provisions of Section 42-211, Idaho Code. Witness the signature of the Director, affixed at Boise, this 8th day of July, 2004.

MICROFILMED

JUL 15 2004


For KARL J DREHER, Director

RECEIVED

MAY 28 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESFee \$50
Receipt WO 31865
Received by DB
Date 6/22/04WATER RESOURCES
WESTERN REGION

APPLICATION FOR AMENDMENT OF A PERMIT

Name of Applicant City of Greenleaf Phone (208) 454-0552Mailing address 20523 Whitter Drive, Greenleaf, ID, 83626I am the owner and the holder of Permit to Appropriate the Public Waters of the State of Idaho No. 63-31787, and request that the permit and permit map be amended and/or changed as follows:Purpose of Amendment: ☒ Change point of diversion ☐ Add point of diversion
☐ Change place of use ☐ Change nature of use ☐ Change period of use ☐ Other1. Point of diversion: 1/4 SW 1/4 NE 1/4, Section 21, Township 4N, Range 4W, B.M.,
County of Canyon. Other points of diversion SWNE and three in NENW all in section
21, Township 4N Range 4W

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

Amount 1.00 cfs for municipal purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year) (water use) (Begin Month) (End month)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year) (water use) (Begin Month) (End month)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year) (water use) (Begin Month) (End month)

3. Place of use or land to be irrigated:

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total number of acres to be irrigated _____

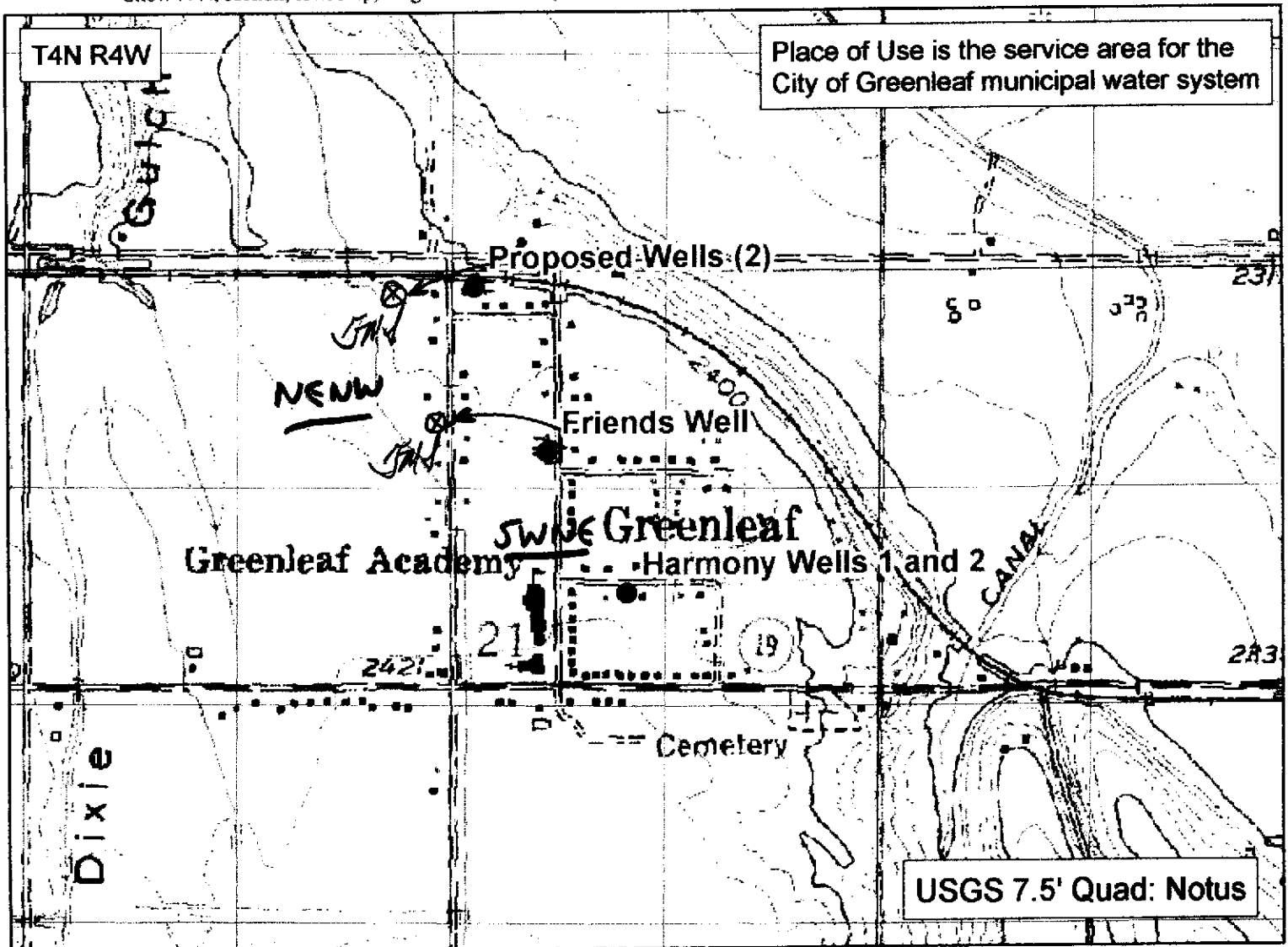
4. a. Who owns the property at the point of diversion? Applicant (existing wells); see option for new well site
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

NA

MICROFILMED

JUL 15 2004

Complete the following map by showing land and point of diversion as proposed by this amendment.
Show 1/4 1/4 section, township, range and ditches. (The smallest subdivision represents 40 acres.)



Scale: 1 inch equals 1000 feet

I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 24 day of May, 20 04 [Signature] Mayor
Permit Holder Signature (and title, if for a company or organization)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by [Signature] Publication prepared by N/A (process without legal notice) Date _____
Published in _____ Publication dates _____
I, _____, of the Department of Water Resources hereby

Witness my hand this _____ day of _____, 20 _____

SIGNATURE

MICROFILMED

JUL 15 2004

**OPTION
WITH THE CONSIDERATION APPLIED TOWARD PRICE**

May 2, 2004

In consideration of a two hundred even dollar Demand Note, the receipt of which is hereby acknowledged, we hereby give to the City of Greenleaf, and assigns, the exclusive option of buying, for the price of Ten Thousand Dollars even dollars (\$10,000.00), the following described real estate situated in the County of Canyon, State of Idaho, to wit:

A parcel of ground whose dimensions are 150 +/- feet (adjacent to the south railroad boundary line) by 150 +/- feet in depth located in the Northeast Quarter of the Northwest Quarter of Section 21, T4N, R4 West of the Boise Meridian. Property is to be surveyed for Deed.

The City of Greenleaf shall have the right to close title on or before the 30th day of June, 2004, at which time we will execute to them, or assigns, a good and sufficient warranty deed. Upon delivery of said deed, we are to be paid the further sum of nine thousand eight hundred even dollars (\$9,800.00), which shall be payment in full for the above described property. If the option is not exercised on or before the above date, we are to retain the said consideration as liquidated damages. If the option is closed within the specified time, the said consideration is to be applied toward the purchase price.

RIGHT TO TEST THE LAND

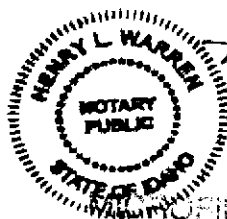
The Optionee has the right to take percolation test and other borings, make surveys and otherwise investigate the land to determine its composition and suitability for their purposes. Upon completing such investigations, the Optionee shall restore the property to its former state, or if any crops or other plantings are thereby damaged, the Optioner shall be reimbursed for its reasonable value should this option not be exercised. This Option Agreement is also subject to approval by the City of Greenleaf City Council.

Dated this 2nd day of May, 2004

Witness

David L. Ferreira 5-2-04

Sherry L. Ferreira 5/2/04



Henry L. Warren
5/2/04 Bond expires 3-15-2010
Greenleaf, Idaho 83626

JUL 15 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31787

Priority: August 15, 2003

Maximum Diversion Rate: 1.00 CFS

This is to certify, that CITY OF GREENLEAF
20523 WHITTIER DR
GREENLEAF ID 83626

has applied for a permit to appropriate water from:

Source: GROUND WATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
MUNICIPAL	01/01 to 12/31	1.00 CFS

LOCATION OF POINTS OF DIVERSION:

GROUND WATER	SW¼NE¼	Sec. 21, Twp 04N, Rge 04W, B.M., CANYON County
GROUND WATER	SW¼NE¼	Sec. 21, Twp 04N, Rge 04W, B.M., CANYON County
GROUND WATER	SW¼NE¼	Sec. 21, Twp 04N, Rge 04W, B.M., CANYON County
GROUND WATER	NE¼NW¼	Sec. 21, Twp 04N, Rge 04W, B.M., CANYON County
GROUND WATER	SW¼NE¼	Sec. 21, Twp 04N, Rge 04W, B.M., CANYON County

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **February 01, 2009**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. Water bearing zone to be appropriated is from 150 to 400 feet.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
8. Place of use is within the service area of the City of Greenleaf municipal water supply system as provided for under Idaho Law.

MICHAEL WED

JUN 02 2004

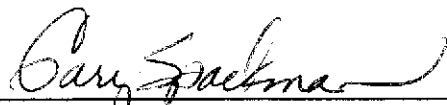
State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 63-31787

9. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 23rd day of February, 2004.


Acting for KARL J DREHER, Director

MICROFILMED

JUN 02 2004

RECEIVED

AUG 15 2003

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED
FEB 20 2004
Department of Water Resources

1. Name of Applicant City of Greenleaf Phone 208-454-0532
Mailing address P.O. Box 337, Greenleaf, ID 83626 20573 Whittier Dr
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is Township 4N Range 4W Sec. 21, in the _____ $\frac{1}{4}$,
SW $\frac{1}{4}$, NE $\frac{1}{4}$, Govt. Lot _____, B.M., Canyon County; additional
points of diversion if any: three additional wells (four total) in SWNE, one well in NENW, Sec 21, T4N, R4W
4. Water will be used for the following purposes:
- | |
|--|
| Amount <u>1.0 cfs</u> for <u>municipal</u> purposes from <u>01/01</u> to <u>12/31</u> (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) 1.0 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 five wells (three existing wells and two proposed) with submersible pumps discharge into municipal water system
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
- c. Proposed well diameter is 8, 10, and 12 inches; proposed depth of well is 350 feet
- d. Is ground water with a temperature of greater than 85°F being sought? no
- e. If well is already drilled, when? 1966, 1984, 1990; Drilling firm Marlin Witt, Marlin Witt, Dufoe Well Drilling
Well was drilled for (well owner) Greenleaf Village, Greenleaf Water Corp.; Drilling Permit No. _____
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. City of Greenleaf
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

MILWAUKEE

JUN 02 2004

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	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Place of use is within the City Limits of Greenleaf

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 63-4117, 63-7094, 63-20246

11. a. Who owns the property at the point of diversion? Greenleaf Friends Academy

b. Who owns the land to be irrigated or place of use? patrons of Greenleaf municipal water system

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: SEE ATTACHMENT A *

12. Remarks: Two new wells are proposed for the City of Greenleaf municipal water system. Both wells will be located in the SWNE Section 21. Additional wells in use are Harmony Wells 1 and 2 (SWNE) and Friends Well (NWNE). Water-bearing zone to be appropriated is 150 to 400 feet.

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 (and title, if applicable)

Received by Kh Date 8/15/03 Time 1:55 Preliminary check by JK
Fee \$ 250.00 Receipted by Kh # W030838 Date 8/15/03
Publication prepared by AT Date 11-8-03 Published in PRESS TRIBUNE
Publication approved AT Date 12-8-03

* Received 1/28/04 -g

MICROFILMED

JUN 9 2 2004

Attachment A

The lease agreement contract (99 year length) between the City of Greenleaf and the Greenleaf Friends Church is pending and under legal review. The agreement will provide a well site, with access to the well from Friends Road (public right of way) as a part of the actual site.



Honorable Mayor Victoria Kerns
City of Greenleaf, Idaho

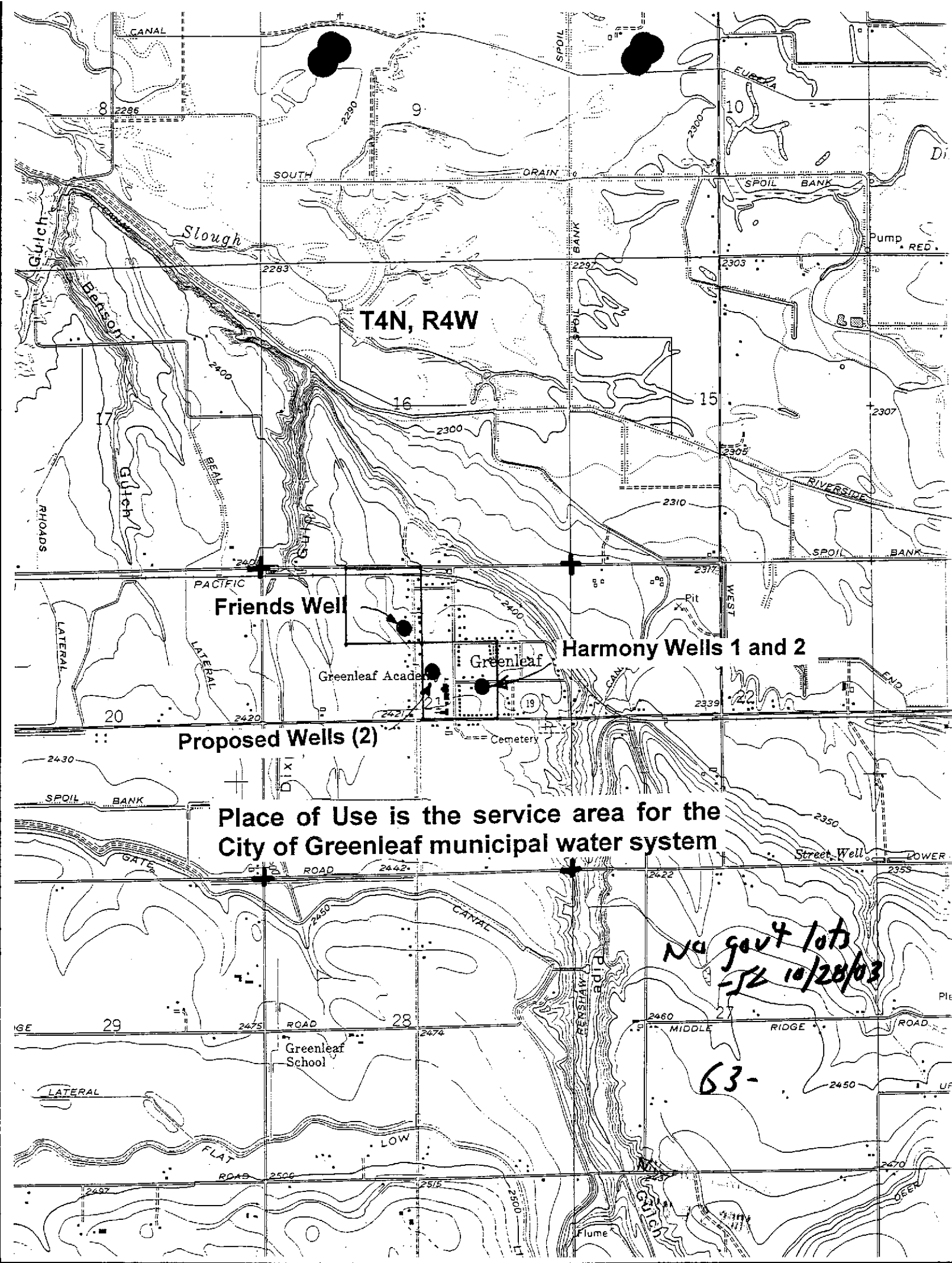
1-12-03

RECEIVED

JAN 28 2004

WATER RESOURCES
WESTERN REGION

63-31787
MICROFILMED
JUN 02 2004



RECEIVED

AUG 15 2003

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 Greenleaf
Mailing Address P.O. Box 337 20523 Whittier Dr
Greenleaf, ID 83626
Application No. _____
(if known)

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.

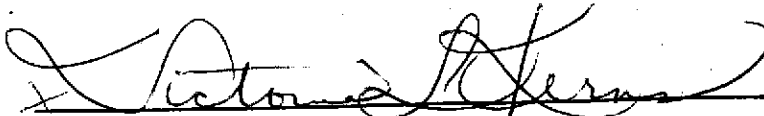
PROPOSE MITIGATION NOW

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.

X 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



Date

8-13-03

Please return this form to:

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

Michael L. ...

AUG 19 2003



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

July 9, 2004

CITY OF GREENLEAF
20523 WHITTIER DR
GREENLEAF ID 83626

RE: Permit No. 63-31787

Amendment of Permit Approval Notice

Dear Permit Holder:

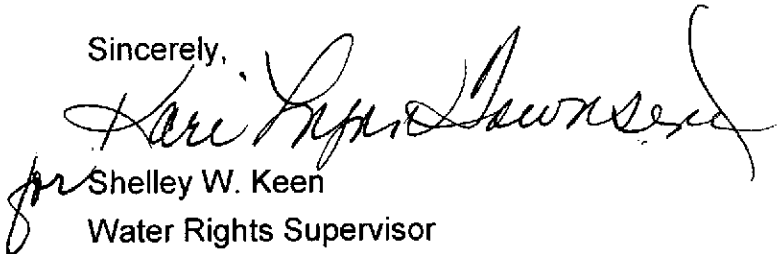
The Department of Water Resources has issued the enclosed amendment of permit approving your application to amend the permit referenced above. Please be sure to thoroughly review every element including the conditions of approval listed on your permit.

The amendment of permit 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.

Also, 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 208-327-7946.

Sincerely,


for Shelley W. Keen
Water Rights Supervisor

RECORDED

JUL 15 2004

SWK:klt

Enclosure(s)

cc: SPF WATER ENGINEERING LLC

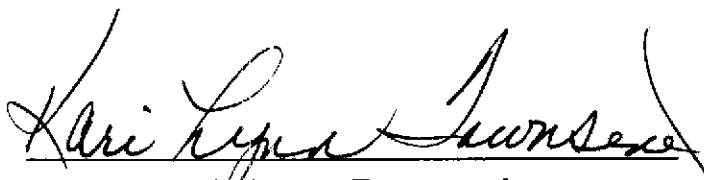
CERTIFICATE OF SERVICE

I hereby certify that on July 9, 2004 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Amendment of Permit) to the person(s) listed below:

RE: WATER RIGHT PERMIT NO. 63-31787

CITY OF GREENLEAF
20523 WHITTIER DR
GREENLEAF ID 83626

SPF WATER ENGINEERING LLC
C/O TERRY SCANLAN
600 E RIVER PARK LN STE 105
BOISE ID 83706

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

Kari Lynn Townsend
Secretary

MICROFILMED

JUL 15 2004

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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. 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 Idaho Water Resource Board (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).

MICROFILMED
JUL 15 2004

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 issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

REVIEW CHECKLIST -- AMENDMENT OF PERMIT

Application i.d. # 71347 Permit # 63-31787
Applicant City of Greenleaf
Reviewed by SL Data entry by SC Date 6/23/04
Legal Notice: Word filename N/A
OR Use Workflow ad N/A

Purpose of Amendment ☒ Change P/D ☐ Add P/D ☐ Change P/U
☐ Change Period of use ☐ Change Nature of use ☐ Other (list)

CHECK:

- ☒ \$50 fee paid?
NO Should amendment be advertised?
NO SRBA Claim filed? If Yes: _____ Email sent to AJ Supervisor.
☒ Description of amended element(s).
☒ Ownership of P/D and P/U and arrangement for access if not owned by applicant. *Proposed pld site - Access documented in Appl.*
☒ Map showing P/D &/or P/U changes.
☒ Signature, must be permit holder. Include title if applicant is organization, partnership etc.
☒ Overlap for amended P/D &/or P/U? Explain in memo or in review checklist. *- See next page*
☒ AreView updated? *P/D shapes updated by SC 6/23/04*
NO Comment Letters? If Yes, check below.

_____ IDFG for surface water _____ Water District No. _____

_____ Water Planning Bureau for protected river or minimum flow reach - send copy of application instead of letter.

_____ Other, see attached mailing list.

IDFG automatically involved in well drilling approval process for municipal system, letter not needed

NO Review Memo, date = _____ or: use space below &/or on next page for additional review notes.

Permit allows 3 existing wells (Harrow 1 & 2 in SWNE & Friends in NENW) plus 2 proposed wells SWNE. Amendment seeks to change location of proposed wells from SWNE to NENW. Both tracts were identified in legal notice of original Appl. in 2003. No protests were filed in that process. Additionally, City faces community problems in getting new permit developed. Additional legal notice is not needed.

FINAL REGIONAL PROCESSING REVIEW:

N/A Affidavit of publication received
 Published correctly? Re-publication required?
 Protests processed.
 Watermaster comments received (date).
 Other comment letters received?

Recommendation and Conditions of Approval: X APPROVE DENY

No additional conditions are needed.

By J. Winters

Date 6/28/04

Review Notes continued:

City has several other rights from existing well. This does not
complicate amendment proposal.

Copy for Region WR file after "recommendations" & "file forwarded" items completed. Always include:

✓ Application
N/A Legal Notice
✓ Review Checklist
N/A Review Memo (if included in file)
 Other, list:

File forwarded to SO

sk 6-28-04
(initials & date)



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 25, 2004

CITY OF GREENLEAF
20523 WHITTIER DR
GREENLEAF ID 83626

RE: Permit No. 63-31787

Permit Approval Notice

Dear Permit Holder:

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

The permit is a PRELIMINARY ORDER issued by 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.

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

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

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

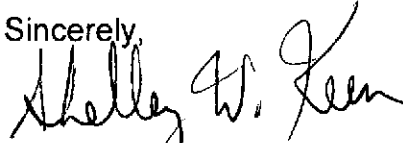
MICHAEL L. HARRIS

JUN 02 2004

Also, 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 208-327-7946.

Sincerely,



Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

cc: SCANLAN ENGINEERING

MICROFILMED

APR 12 2006

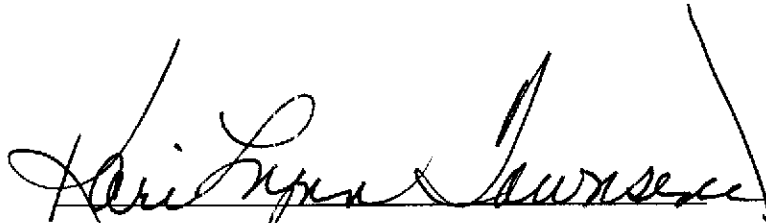
CERTIFICATE OF SERVICE

I hereby certify that on February 25, 2004 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 63-31787

**CITY OF GREENLEAF
20523 WHITTIER DR
GREENLEAF ID 83626**

**SCANLAN ENGINEERING
TERRY SCANLAN
600 E RIVER PARK LN STE 105
BOISE ID 83706**



**Kari Lynn Townsend
Secretary**

M. J. Townsend

FEB 25 2004

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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. 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 Idaho Water Resource Board (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).

MICROFILMED
JUN 02 2004

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 issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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



Idaho Secretary of State Viewing Business Entity

[[New Search](#)] [[Back to Summary](#)]
[[Get a certificate of existence for CITY OF GREENLEAF, IDAHO](#)]

CITY OF GREENLEAF, IDAHO

CITY HALL
GREENLEAF, ID 83626

Type of Business: CORPORATION, MUNICIPAL CORPORATION

Status: GOODSTANDING 11 Jun 1973

State of Origin: IDAHO

Date of Origination/Authorization: 11 Jun 1973

Current Registered Agent: CITY COUNCIL
CITY HALL
GREENLEAF, ID 83626

Organizational ID / Filing Number: C47612

Number of Authorized Stock Shares: N/A

Date of Last Annual Report: N/A

Amendments:

Amendment 0 filed 11 Jun 1973 INCORPORATION

[View Document Online](#)
[Download \(TIFF format\)](#)

[Idaho Secretary of State's Main Page](#)

[State of Idaho Home Page](#)

Comments, questions or suggestions can be emailed to: sosinfo@idsos.state.id.us

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Initial review by JR Date 10/28/03 Application # 63-31787

REQUIRED INFORMATION

☒ Name (for corporation or partnership, names & addresses for directors, officers, &/or other partners must be included)
☒ Address - Appl. RECEIVED w/ hand-correction, OK
☒ Source (see USGS quad for source names)
☒ P/D (10 acres for spring, lot & block descriptions for subdivisions, local name)
☒ County
☒ Quantity (flow & /or volume)*
☒ Period of use
☒ Nature of use (list details in appl. Item 8 if non-irrigation)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ P/U
☒ Map (show T, R, S, QQ &/OR QQQ) - Assume Service AREA MAP will be OK in JRAA
☒ Subdivision plat (if > 1 home restricted area ≥ 5 homes non-restricted area) Recommendation to be prepared, don't need map now.
☒ Signature (if corporation, partnership, municipality, need title of signatory)
☒ Correct fee paid \$250-OK

RECEIVED
FEB 20 2004
Department of Water Resources

Government Lots
N P/D
N/A P/U

ADDITIONAL INFORMATION

Yes ADVERTISE REMARKS (Yes or No)

YES NO

☒ P/D overlap (explain) } * City's other rights 63-4117, 63-7094 & 63-20246 use
☒ P/U overlap (explain) } 3 existing wells listed in new appl.
☒ Critical groundwater area (send letter)
☒ Ground water management area (send letter)
☒ Drilling concern area (send letter)
☒ 1992 moratorium (send letter) - OK for municipal use
☒ Surface water source, IDFG comment letter
☒ Protected river or minimum flow reach, notify water planning bureau
☒ E-mail to Dam Safety staff (if any storage)
☒ Mitigation plan: "request to process form" in file:
N/A Immediate = closed areas, acceptable plan required & submitted
Future = open areas, plan not required - RECEIVED w/ hand-correction, OK
☒ Send power requirement letter &/or fish farm requirement letter
☒ Power residency affidavit
☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres (if YES, attach large diversion supplementary analysis sheet)

☒ REQUEST ADDITIONAL INFORMATION FROM APPLICANT

Date Requested _____ Date Response Received _____

* Tel. conversations with city staff & consultant confirmed city does seek additional flow, not simply adding wells to existing flow.

PROCESSING

APPLICATION # 63-31787

YES NO

☒ ☐ In form for advertising
☒ ☐ Statewide advertising (> 10 cfs &/or 1000 af)
☒ ☐ Fee amount, receipt number, & date recorded on application

Receipt included \$330 for
 transfer Appl subsequently
 withdrawing - ok
 refund issued

COMMENT LETTERS

YES NO

☒ ☐ ~~DEQ~~ *11/14/03 reply*
☒ ☐ District Health
☒ ☐ IDFG
☒ ☐ IDL

YES NO

☐ ☒ US BLM
☐ ☒ US Forest Service
☐ ☒ Water Dist #
☐ ☒ Water Planning Bureau
☐ ☒ Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐ Affidavit of publication received
☒ ☐ Application published correctly? If not, record action taken

DEQ requirements will be incorporated
 into well drilling approvals as usual
 for public water supply

☒ ☐ Publication dates & paper recorded on application
☒ ☐ Final date for protest 11-24-03
☒ ☐ Protests received
☒ ☐ Recommendations attached
☒ ☐ Measuring device required *in future as needed*
☒ ☐ Water delivered by water master? District #
☒ ☐ Special conditions of approval or cover letter

*Std conditions including possible future mitigation, use available surface
 water to extent possible, limited to 5 wells where only 2 can be new
 wells, 150-400 ft' water bearing zone.*

Recommended Date of Priority 8-15-2003Recommendation ☒ Approve ☐ Denyby J. VestraDate 2/18/04

ADDITIONAL INFORMATION

☒ See attached proof report, note Legal Notice Remarks &/or Comments☒ Shapefile completed (optional: attach with proof report) (plds only)

*Minor discrepancies on Appl. ok without revising needed: add'l pld line says 3 add'l
 wells but should be 2 per other Appl. info; existing wells @ 350' but w.b. zone down to 400'
 assume new wells will be ≥ 400' deep; city will explain access to plds in follow up
 contacts... SEE Attachment A in Appl. RECEIVED 1/28/04 & access - ok.*

→ "Regular" permit, NOT RAFTN

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 63-31787

WATER RIGHT NUMBER: 63-31787

<u>Owner Type</u>	<u>Name and Address</u>
Representative	SCANLAN ENGINEERING TERRY SCANLAN 600 E RIVER PARK LN STE 105 BOISE, ID 83706 (208)383-4140

Current Owner	CITY OF GREENLEAF 20523 WHITTIER DR GREENLEAF, ID 83626 (208)454-0552
---------------	--

Priority Date: 08/15/2003

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	01/01 to 12/31	1.000 CFS	
	<u>Total Diversion:</u>	1.000 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 21, Twp 04N, Rge 04W, B.M.
CANYON County		
GROUND WATER	SW1/4NE1/4	Sec. 21, Twp 04N, Rge 04W, B.M.
CANYON County		
GROUND WATER	SW1/4NE1/4	Sec. 21, Twp 04N, Rge 04W, B.M.
CANYON County		
GROUND WATER	SW1/4NE1/4	Sec. 21, Twp 04N, Rge 04W, B.M.
CANYON County		
GROUND WATER	NE1/4NW1/4	Sec. 21, Twp 04N, Rge 04W, B.M.
CANYON County		

Place of UseConditions of Approval:Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 63-31787

Comments:

1. slester 10/28/2003 Legal Notice Remarks

Comment: **Applicant agrees to mitigate consumptive use in the future as needed for municipal use in city service area. Three existing and two proposed wells will utilize a water bearing zone from 150 to 400 feet.**

2. slester 10/28/2003 Comment/Analysis

Comment: **City has 3 other rights sharing use of 3 existing wells listed in this application (Harmony Wells 1 & 2 plus Friends Well, drilled 1966-1990, for 63-4117, 63-7094 and 63-20246). City may file transfer later to add two new wells proposed in this application to those older rights. Drilling permit fee upgrade for existing well drilled after 1987 is not an issue since that well would have needed non-domestic drilling fee for approval. Regular municipal use is proposed (not RAFN within a planning horizon).**

Dates and Other Information:

Application Received Date: 8/15/2003

Application Denied Date:

Last Date of Beneficial Use:

Extension End Date:

Protest Deadline Date:

Number of Protests: 0

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Application Type: New Appropriation

Applicant Remarks: Two new wells are proposed for the City municipal water system. Both wells will be located in SWNE Section 21. Additional wells in use are Harmony Wells 1 and 2 (SWNE) and Friends Well (NENW). Water bearing zone to be appropriated is 150 to 400.

Other Water Rights: 63-4117, 63-7094, 63-20246 for 2 existing wells SWNE and 1 existing well NENW

Time to Complete Works: 5

Transfer Affected Description:

Transfer Affected Contracts:

Old Transfer Number:

Transfer Reason:

Transfer Return Flows:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Lester, Steve

From: Lester, Steve
Sent: Wednesday, January 07, 2004 8:36 AM
To: 'TMSCANLAN@aol.com'
Subject: RE: Greenleaf

Terry:

It is not necessary to wait until the city owns the land at the p/d. All the applicant needs to do is provide a brief written confirmation that an agreement with the landowner is pending ... something like "purchase agreement pending" or "contract pending" would suffice. A copy of any agreement etc. is not needed for the application file. Since this information should have been on the original application, the trick now is to incorporate an answer into the file in a way that meets the standards set by dept. administration. That is why I suggest the applicant submit an attachment, with a signature by a person authorized to sign for the city, to the file to provide the brief answer. This method will avoid having to make revisions to the original application.

But if you think it would be easier for the city to simply amend the original form to answer the question, I can provide the original to you to take care of that.

In any event, it should be easy to answer the question without much more documentation. Then the application can be approved. Whatever way is easiest to get this done is welcome. It is also fine if the applicant prefers to wait for a while to take care of this. Let me know how you want to proceed.

Thanks Terry.

Steve

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

From: TMSCANLAN@aol.com [mailto:TMSCANLAN@aol.com]
Sent: Tuesday, January 06, 2004 5:08 PM
To: slester@idwr.state.id.us
Subject: Greenleaf

I passed on your request to Entranco, the City's engineer. I was both surprised and disappointed to learn that the agreement for the well site has not been completed. I was under the impression that the City had purchased the site last fall. Apparently the City and the Church met last Sunday to discuss, and the Church is supposed to get back with the City by the end of this week. Hopefully, they can finalize an agreement soon afterward. Therefore, can we wait on this issue for a couple of weeks?

MICROFILMED

JUN 02 2004

c 63- 31787 "access to p/d" question,
 Resolved w/ 1/28/04 "Attachment A" to
 Application.
 -JZ

1/7/2004



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

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 1/6/04

TO: Kary Scanlon
Scanlon Engr.
FAX 383-4156

FROM Steve Latta

DOCUMENT DESCRIPTION: City of Greenleaf Appl 63-31787 for
new municipal right:

Item 1 of my 10/28/03 letter remains incomplete. Can't issue Permit
until I complete this. Suggest a document labeled as Attachment A & signed by
someone with legal authority to sign for city be faxed or mailed to
explain Applicant's access to P10 property. Thanks for your attention to
this matter. Please let me know if need more info.

TOTAL PAGES SENT: 01 + COVER SHEET

Handy,
Steve Latta

CONTACT: _____

MICROFILMED

JUN 02 2004



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

October 28, 2003

TERRY SCANLAN
SCANLAN ENGINEERING
600 E RIVER PARK LN STE 105
BOISE ID 83706

Re: Water Right Applications for City of Greenleaf

Dear Terry:

This letter follows our telephone conversation earlier today in which you confirmed your work on behalf of the City of Greenleaf. The City's application for permit is being processed for five wells for an additional 1.00 cfs for municipal use (Application No. 63-31787). The legal notice for this application will be published during the first two weeks of November with a November 24 protest deadline.

A couple items need attention. Please consider the following points and advise the City in these matters.

1) Additional Information for Application for Permit No. 63-31787

The application stated that Greenleaf Friends Academy owns the point of diversion site. I assume this meant the site for the new wells is on academy property. The application did not explain the arrangement providing the City access to land owned by the academy. Please have the City provide a brief written explanation for access to this property (contract, easement, verbal agreement etc.).

2) Disposition of Application for Transfer for Water Right Nos. 63-4117, 63-7094 and 63-20246

The city also filed a transfer application to add the two new wells proposed in 63-31787 to the three older rights held by the City. You and I discussed some pros and cons of this idea. The city probably would benefit from withdrawing the transfer application at this time. Enclosed is a withdrawal form for that purpose. A completed withdrawal of the transfer application would allow a \$330 refund to be issued to the applicant. The City could consider filing the transfer at a later date.

#1 incomplete
11/6/04

withdrawn 11/10/03

MAILED

JUN 02 2004

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS.
County of Canyon)

Rae Barbosa
of Nampa, Canyon County, Idaho, being
first duly sworn, deposes and says:

e0100285 04514510
1 Idaho Dept. of Water Resourc
2735 Airport Way
BOISE ID 83705

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.

RECEIVED

NOV 17 2003

WATER RESOURCES³.
WESTERN REGION

That the notice, of which the annexed is a printed copy, was published in said newspaper 2 time(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following:
11/06/2003, 11/13/2003

Rae Barbosa

STATE OF IDAHO)
County of Canyon)

On the 13th day of November in the year of 2003
before me, a Notary Public, personally appeared.

Rae Barbosa,
known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that he/she executed the same.



Rebecca L. Thompson
Notary Public for Idaho
Residing at Nampa
My commission expires April 19, 2008

Also see notice
on back of this
page - 80

JUN 02 2004

LEGAL NOTICE

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

63-31787 ✓

CITY OF GREENLEAF
20523 WHITTIER DR
GREENLEAF ID 83626

Point(s) of Diversion
SWNE
S21 T04N R04W
CANYON County
Source GROUND WATER

Point(s) of Diversion
SWNE
S21 T04N R04W
CANYON County
Source GROUND WATER

Point(s) of Diversion
SWNE
S21 T04N R04W
CANYON County
Source GROUND WATER

Point(s) of Diversion
SWNE
S21 T04N R04W
CANYON County
Source GROUND WATER

Point(s) of Diversion
NENW
S21 T04N R04W
CANYON County
Source GROUND WATER

Use: MUNICIPAL
01/01 To 12/31
1 CFS
Total Diversion: 1 CFS

Date Filed: 08/15/2003

Remark: Applicant agrees to mitigate consumptive use in the future as needed for municipal use in city service area.

Three existing and two proposed wells will utilize a water bearing zone from 150 to 400 feet.

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 11/24/2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

November 6, 13, 2003 04514510

Water Resources

JUN 22 2004



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1410 North Hilton • Boise, Idaho 83706-1255 • (208) 373-0502

Dirk Kempthorne, Governor
C. Stephen Allred, Director

TSCEE/D-209/2003

November 14, 2003

City of Greenleaf
20523 N. Whittier
Greenleaf, Idaho 83626

RE: 2003 Greenleaf Source of Supply – Well Site Evaluation and Well Construction Plans and Specifications (Canyon County, City of Greenleaf)

The well site evaluation and plans and specifications for the subject project appear to meet State of Idaho standards, and are conditionally approved as noted below.

STANDARD CONDITIONS:

- A. The standard conditions on the Department of Environmental Quality (DEQ) review stamp are part of this approval. Supporting reports or documents are considered to be part of the approved documents.
- B. No work may begin until a copy of this approval letter and the approved plans and specifications are delivered to and kept on the job site. Approval conditions must be met and you, as the project owner, must ensure that the contractor, inspecting, and certifying engineer are aware of these conditions.
- C. This approval will be voided if: (1) construction is not completed by November 6, 2003; (2) the project is improperly constructed operated or maintained; or (3) the project fails to function, as intended.
- D. Per the project documents, a professional engineer or construction inspector under the supervision of a professional engineer with Entranco, Inc. shall provide construction inspection sufficient to ensure the project is built in substantial accordance with the approved plans. DEQ approval, prior to construction, is required for any substantial deviations from the approved plans and specifications. Verbal approvals, if any, shall be documented by the professional engineer in a cover letter submitted with the project record drawings.
- E. Within thirty (30) days after construction, the professional engineer shall provide DEQ with record drawings with a cover letter as described in Item D.

PROJECT SPECIFIC CONDITIONS and COMMENTS:

- 1. This is an approval for the well site and well construction only. Separate reviews are necessary for the proposed storage tank, piping, well house, etc. A final inspection of the well and well house by a DEQ representative must be conducted before water from the new wells can be distributed to the public.

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2. A certified laboratory must test the water quality of all new sources, and the results approved by DEQ, before the water may be distributed to the public. A list of water quality monitoring requirements is attached.
3. The well site evaluation submitted by your consultant indicates that the proposed well site has adequate separation from potential contaminant sources, that there are no surface water sources within 500 feet, and that the aquifer that is being target is not likely to be classified as ground water under the direct influence (GWUDI) of surface water. On October 31, 2003, Pam Smolczynski from the DEQ Boise Regional Office conducted a GWUDI field survey. Based on the information in the well site evaluation and the GWUDI field survey, further GWUDI evaluation will not be necessary. This source is classified as "groundwater".
4. The well casing used in both wells must be NSF Standard 61 approved.
5. The Well Construction Design Checklist submitted has not been updated to reflect recent changes to the Idaho Rules for Public Drinking Water Systems (Rules). Specifically, test pumping requirements have changed. The Rules now require that the well be test pumped at design capacity for 24 hours after draw-down has stabilized, or at 150% of design capacity for at least 6 continuous hours after draw-down has stabilized. If draw-down does not stabilize test pumping must continue for at least 72 hours. An excerpt from the rules is attached which gives more details. You may need to increase the test pumping rate and/or length of time depending on what the target design capacities of the wells are.
6. An Application to Appropriate Water and an Application for Drilling Permit must be approved by the Idaho Department of Water Resources (IDWR) prior to construction.
7. The proposed *Ground Water Disinfection Rule* will evaluate ground water sources that are not GWUDI for vulnerability to microbial contamination. If your source is found to be vulnerable, you could be required to provide disinfection, including adequate contact time, prior to the first point of use. Therefore, the layout and design of your system must show a *location* for facilities that will provide for an equivalent of 30 minutes of contact time with a minimum residual of 0.2 parts per million of free chlorine. Actual design of the disinfection facilities is not required at this time. *The Ground Water Disinfection Rule* is still under development and subject to change.
8. DEQ has adopted the *Disinfectants/Disinfection Byproducts Rule* enacted by EPA in 1998. DEQ regulates certain compounds that are formed when disinfectants combine with naturally occurring, organic constituents in water. The rule applies only to water systems that use chemical disinfectants. The rule currently applies to systems with population of 10,000 or more. Smaller systems will be affected in 2004.

Please call me with any questions at 373-0175 or via e-mail at tthrall@deq.state.id.us.

Sincerely,

Troy Thrall

Troy Thrall
Drinking Water Engineer
DEQ Technical Services

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RECEIVED
NOV 18 2003
WATER RESOURCES
WESTERN REGION

Letter to City of Greenleaf
November 14, 2003
Page 3

TAT:slt

H:\DATA\WP61\Pete_Bair\Troy_T\greenleaf 2003 source of supply approval_letter.doc

Enclosures: (a) 1 Set of approved plans and specifications; (b) 1 excerpt from IDAPA 58.01.08 (1 page); and
(c) 1 copy of Drinking Water Monitoring Requirements for New

cc: Amy Woodruff, P.E., Entranco, Inc. *(w/ all enclosures)*
Steve Rae, DEQ-BRO *(w/ 1 set of approved plans and specifications)*
Steve Lester, IDWR-Western Regional Office
Chas Ariss, DEQ-BRO
Peter Bair, DEQ-TS
TSCEE/D Reading File
Southwest District Health Department
Source File # __, Source File # __ - Engineering, Reading File

MICH
JUN 02 2004

Kreger (Taylor), Sue

To: SRAE@DEQ.STATE.ID.US
Cc: Kreger (Taylor), Sue
Subject: comment letter

Contacts: DEQ

**IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705**

October 29, 2003

ID DEPT ENV QUALITY
STEVE RAE
1445 N ORCHARD
BOISE ID 83706-2239

Dear Mr. Rae:

Attached are copies of one or more applications that may be of interest to you. Please review the application(s) 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 any of these applications, your written protest along with the \$25.00 protest fee for each application protested, must be received in this office by November 24, 2003.

If you have any questions regarding these applications, please contact this office at 334-2190.

Sincerely,

Sue Kreger
ID Dept Water Resources
Western Region
334-2190



63-31787.pdf

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JUN 02 2004



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

October 28, 2003

TERRY SCANLAN
SCANLAN ENGINEERING
600 E RIVER PARK LN STE 105
BOISE ID 83706

Re: Water Right Applications for City of Greenleaf

Dear Terry:

This letter follows our telephone conversation earlier today in which you confirmed your work on behalf of the City of Greenleaf. The City's application for permit is being processed for five wells for an additional 1.00 cfs for municipal use (Application No. 63-31787). The legal notice for this application will be published during the first two weeks of November with a November 24 protest deadline.

A couple items need attention. Please consider the following points and advise the City in these matters.

1) Additional Information for Application for Permit No. 63-31787

The application stated that Greenleaf Friends Academy owns the point of diversion site. I assume this meant the site for the new wells is on academy property. The application did not explain the arrangement providing the City access to land owned by the academy. Please have the City provide a brief written explanation for access to this property (contract, easement, verbal agreement etc.).

2) Disposition of Application for Transfer for Water Right Nos. 63-4117, 63-7094 and 63-20246

The city also filed a transfer application to add the two new wells proposed in 63-31787 to the three older rights held by the City. You and I discussed some pros and cons of this idea. The city probably would benefit from withdrawing the transfer application at this time. Enclosed is a withdrawal form for that purpose. A completed withdrawal of the transfer application would allow a \$330 refund to be issued to the applicant. The City could consider filing the transfer at a later date.

withdrew 11/10/03

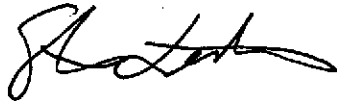
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JUN 02 2004

City of Greenleaf
October 28, 2003
Page 2

Please have the City submit the above requested information within thirty (30) days to avoid delays in resolving these items. Thank you for your help in these matters.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Lester', with a stylized, cursive script.

Steve Lester
Water Rights Supervisor

Enclosure

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**IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705**

October 29, 2003

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

RE: Application for Permit No. 63-31785, 63-31786 and 63-31787

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 11/24/2003. Your cooperation is appreciated.

Sincerely

Sue Kreger
Administrative Assistant

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JUN 02 2004

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

63-31787

CITY OF GREENLEAF
20523 WHITTIER DR
GREENLEAF ID 83626

Point(s) of Diversion	SWNE	S21	T04N R04W CANYON County	Source GROUND WATER
Point(s) of Diversion	SWNE	S21	T04N R04W CANYON County	Source GROUND WATER
Point(s) of Diversion	SWNE	S21	T04N R04W CANYON County	Source GROUND WATER
Point(s) of Diversion	SWNE	S21	T04N R04W CANYON County	Source GROUND WATER
Point(s) of Diversion	NENW	S21	T04N R04W CANYON County	Source GROUND WATER

Use: MUNICIPAL 01/01 To 12/31 1 CFS

Total Diversion: 1 CFS

Date Filed: 08/15/2003

Remark: Applicant agrees to mitigate consumptive use in the future as needed for municipal use in city service area.
Three existing and two proposed wells will utilize a water bearing zone from 150 to 400 feet.

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 11/24/2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Press Tribune on November 6 and 13, 2003.

MICHAEL J. LEMMON

JUN 02 2004