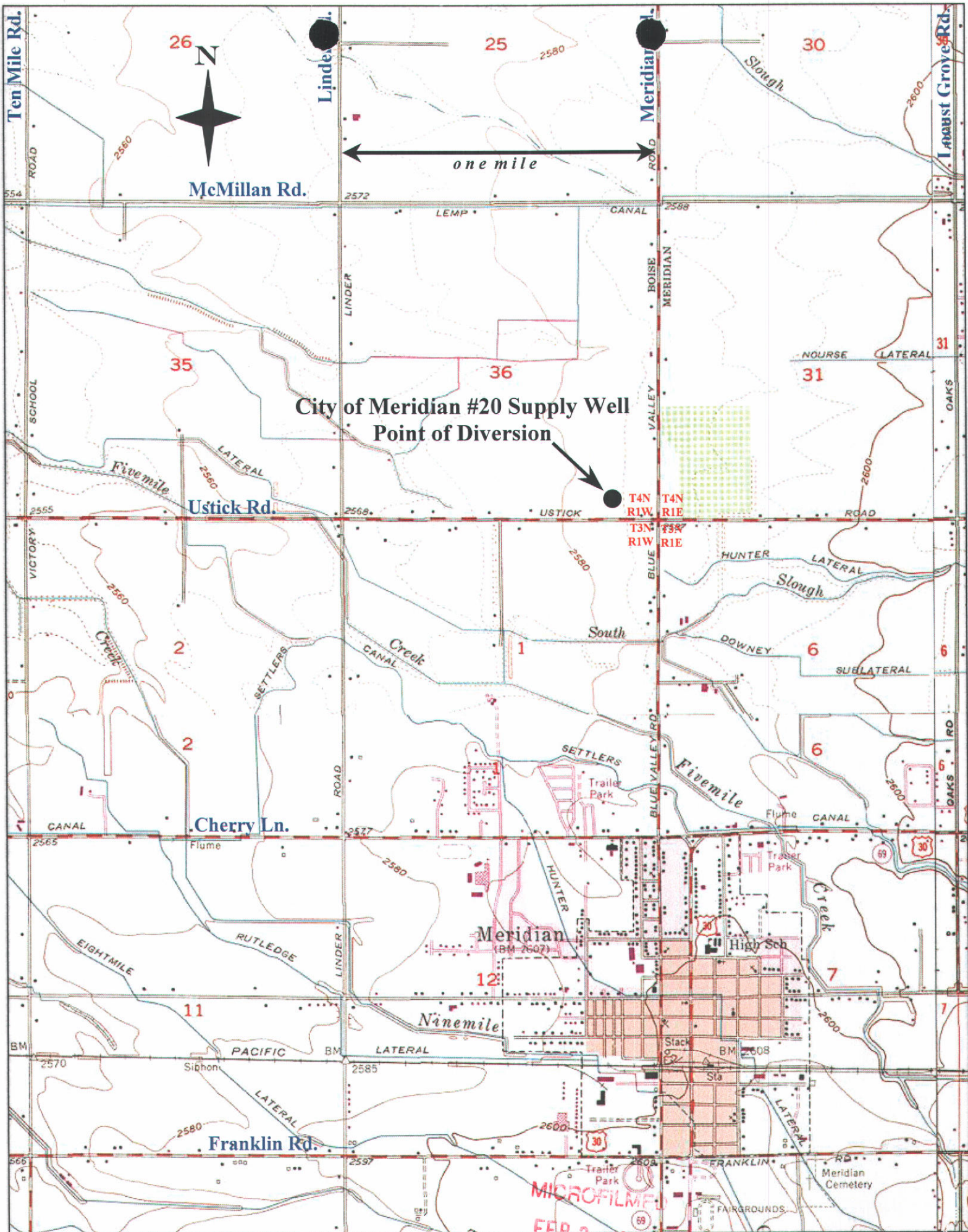
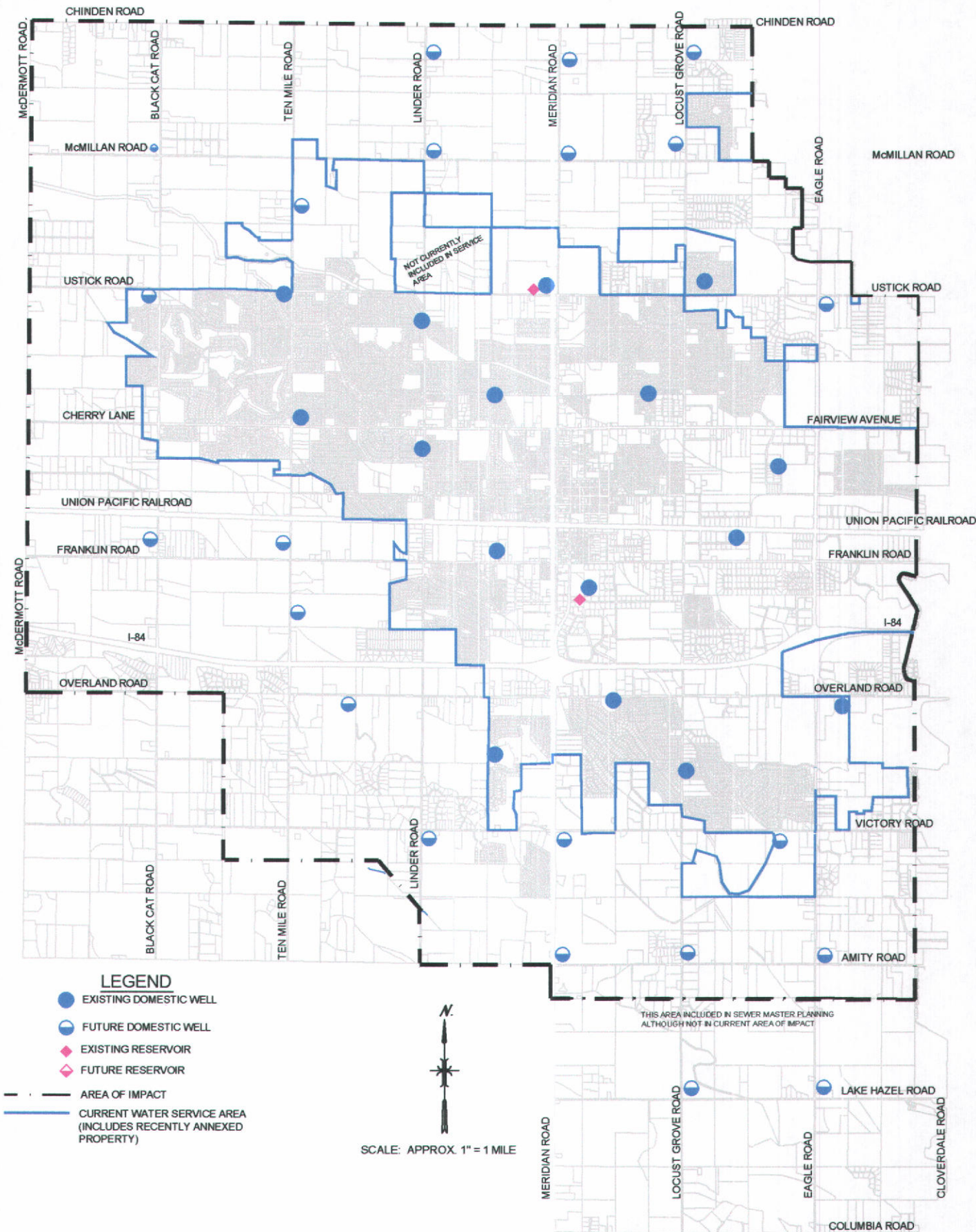
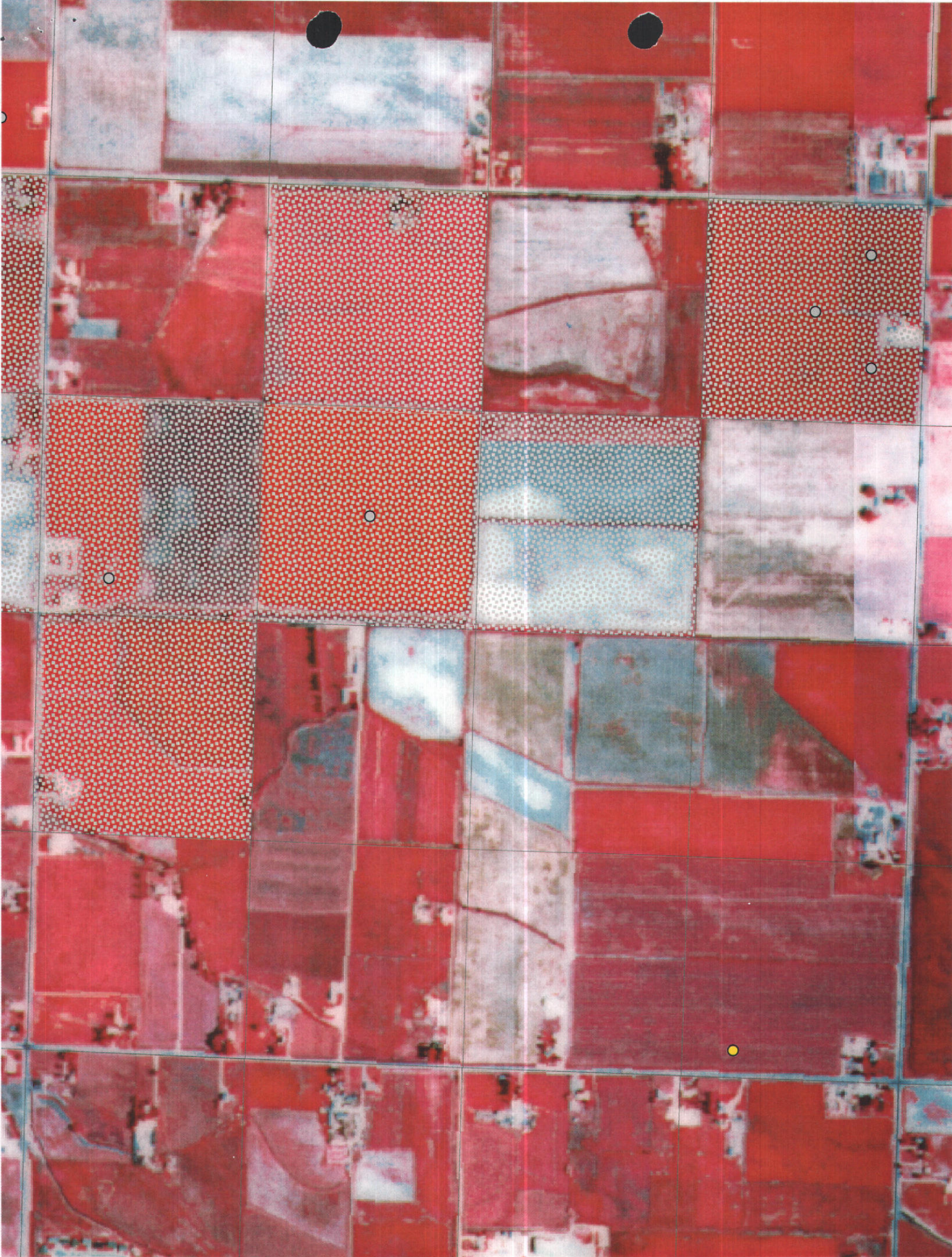




CITY OF MERIDIAN WATER SYSTEM EXISTING SERVICE AREA
(8-9-02)



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FEB 24 2004



State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31677

Priority: April 18, 2003

Maximum Diversion Rate: 5.00 CFS

This is to certify, that CITY OF MERIDIAN
33 E IDAHO AVE
MERIDIAN ID 83642

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	5.00 CFS

LOCATION OF POINTS OF DIVERSION:

GROUND WATER	SW¼SE¼SE¼	Sec. 36, Twp 04N, Rge 01W, B.M., ADA County
GROUND WATER	SW¼SE¼SE¼	Sec. 36, Twp 04N, Rge 01W, B.M., ADA County
GROUND WATER	SW¼SE¼SE¼	Sec. 36, Twp 04N, Rge 01W, B.M., ADA County

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **December 01, 2008**.
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 310 to 980 feet.
6. Place of use is within the service area of the City of Meridian municipal water supply system as provided for under Idaho Law.
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. 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.

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FEB 24 2004

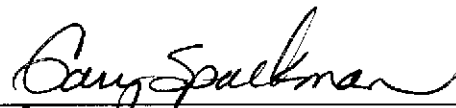
State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 63-31677

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 18th day of December, 2003.


Acting for KARL J DREHER, Director

MICROFILMED

FEB 24 2004

RECEIVED

APR 18 2003

WATER RESOURCES
WESTERN REGION

Ident. No.

63-31677

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

SEP 12 2003

Department of Water Resources

Please direct all inquiries to Ed Squires at 342-8369

1. Name of applicant City of Meridian, Idaho Wells #20-B & #20-C Phone (208) 342-8369 E. Squires
Mailing address 33 E. Idaho, Meridian, Idaho 83642
2. Source of water supply Groundwater which is a tributary of N/A
3. Location of point of diversion is Township 4N, Range 1W, Sec. 36, in the SW $\frac{1}{4}$,
SE $\frac{1}{4}$, SE $\frac{1}{4}$, Govt. Lot. _____, B.M., Ada County;
additional points of diversion if any: A second new well and an existing 625-foot well at the same site (three wells total in the SW, SE, SE of Section 36)
4. Water will be used for the following purposes:
Amount 5.0 cfs for Municipal purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 5.0 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 or two new deep wells equipped with deep-well turbine pumps, discharging into the City's integrated system of water mains and storage reservoirs.
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
 - c. Proposed well diameter is 18 inches; proposed depths of wells are 440' and 980' feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - e. If well is already drilled, when? No; Drilling firm Project to be bid;
Well was drilled for (well owner) N/A; Drilling Permit No. N/A
7. Time required for completion of works and application of water to proposed beneficial use is Five (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 Meridian, Idaho
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. _____

continued on reverse

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FEB 24 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.

[illegible]

Total number of acres to be irrigated N/A

10. Describe any other water rights used for the same purpose as described above. The City of Meridian's portfolio of municipal water rights appurtenant to its service area.
11. a. Who owns the property at the point of diversion? The City of Meridian
b. Who owns the land to be irrigated or place of use? N/A to a municipal water right.
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A to a municipal water right.
12. Remarks: Attachments include: 1) a listing of the current elected officials of the City of Meridian, Idaho, and 2) a location map showing the proposed point of diversion using a USGS 7½-minute topographic base map. 3) updated map showing the present boundary of the City of Meridian's water system service area as of 4-11-03. This application is for municipal use. The City of Meridian seeks this water right to be in accord with the Municipal Water Right Act of 1996, I.C. 42-202, 42-202B, 42-217, 42-219, 42-222 as a municipal water right without domestic limitations. Water-bearing zone to be appropriated is 310-to-980 feet below land surface.
13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 ½ "x 11" 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.

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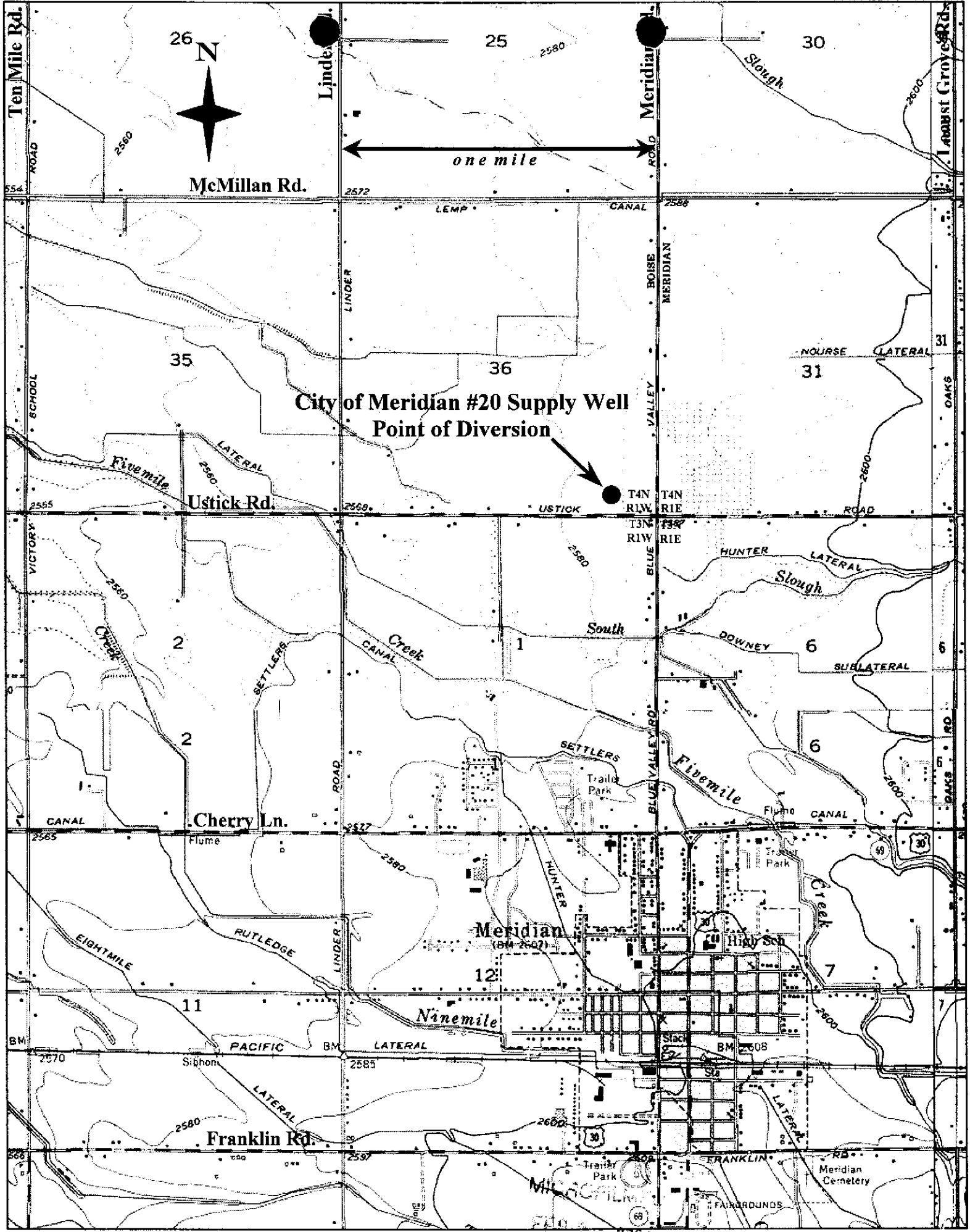
FILE # 2 2392


Signature of _____

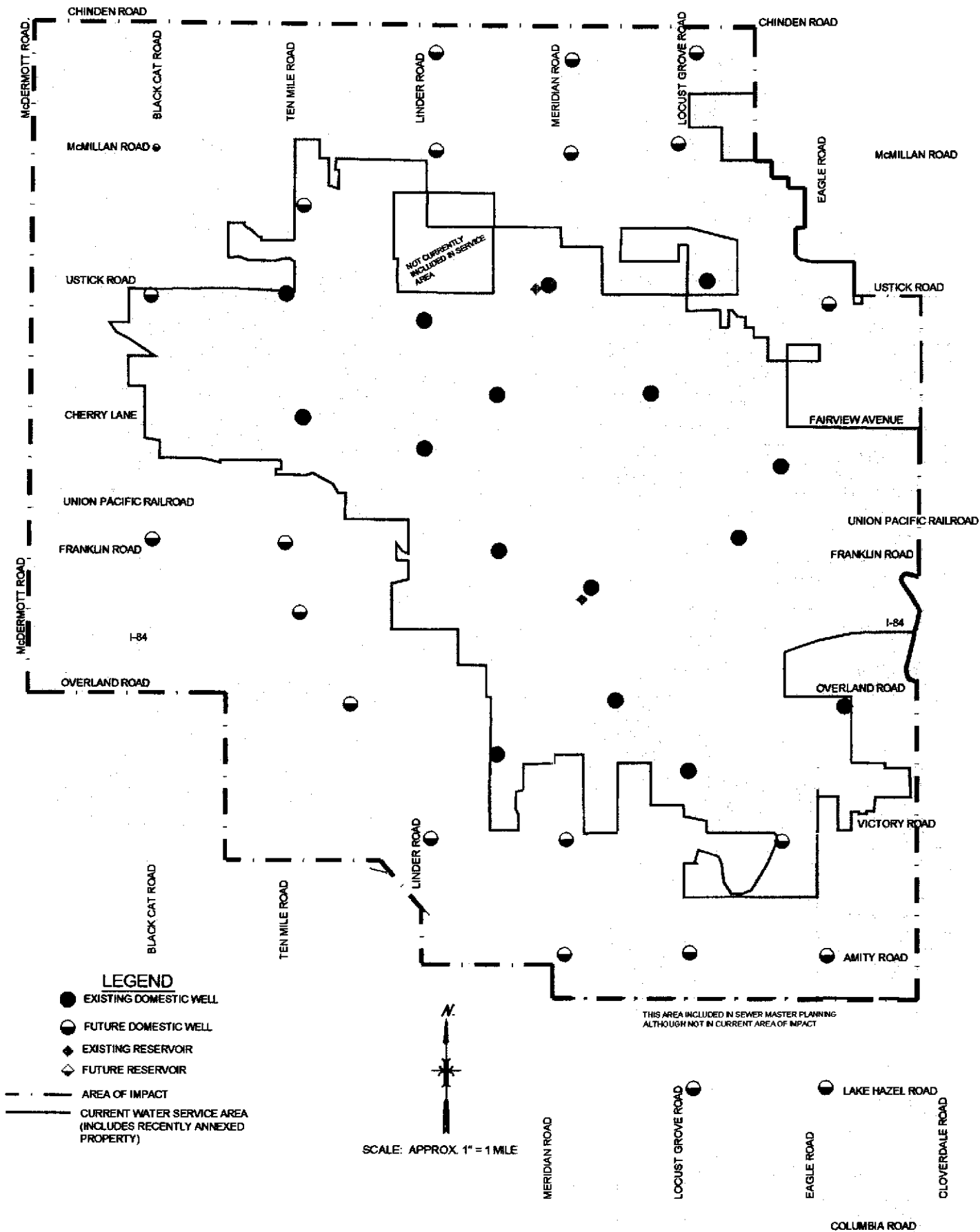
Mayor

Signature of the Applicant (and title, if applicable)

Received by AT Date 4-18-03 Time 11:30 Preliminary check by LY
 Fee \$ 410 Received by AT # W030345 Date 4-18-03
 Publication prepared by AT Date 5-15+22-03 Published in THE IDAHO STATESMAN
 Publication approved AT Date 6-2-03



CITY OF MERIDIAN WATER SYSTEM EXISTING SERVICE AREA
(8-9-02)



MICROFILMED
FEB 24 2004

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 Meridian, Idaho

Mailing Address 33 E. Idaho
Meridian, Idaho 83642

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.

XX _____ 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 have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature

Robert D. Corbin

Date

04/15/03

Please return this form to:

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

MICHAEL

APR 24 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

December 18, 2003

CITY OF MERIDIAN
33 E IDAHO AVE
MERIDIAN ID 83642

RE: Permit No. 63-31677

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.

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FEB 24 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,

for Kay Walker
for Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

cc: HYDRO LOGIC INC

MICROFILMED
FEB 24 2004

CERTIFICATE OF SERVICE

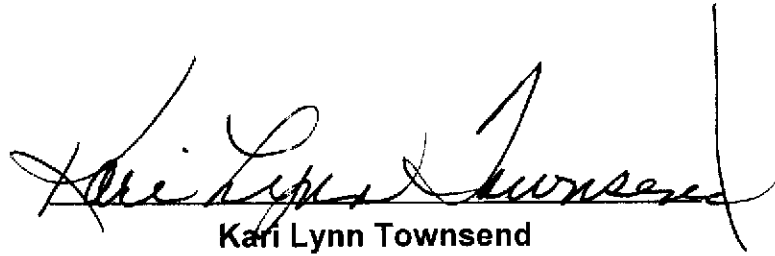
I hereby certify that on December 18, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

63-31677

**CITY OF MERIDIAN
33 E IDAHO AVE
MERIDIAN ID 83642**

**HYDRO LOGIC INC
C/O ED SQUIRES
1002 W FRANKLIN ST
BOISE ID 83702**


Kari Lynn Townsend
Secretary

MICROFILMED
FEB 24 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).

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FEB 24 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 DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Comments
RECEIVED
SEP 12 2003
Department of Water Resources

Initial review by g Date 4/25/03 Application # 63-31677

REQUIRED INFORMATION

- ☒ Name (for corporation or partnership, names & addresses for director, officers, &/or other partners must be included)
- ☒ Address
- ☒ 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)
- ☒ Subdivision plat (if > 1 home restricted area ≥ 5 homes non-restricted area)
- ☒ Signature (if corporation, partnership, municipality, need title of signatory)
- ☒ Correct fee paid
- Government Lots
☒ P/D
☒ P/U

ADDITIONAL INFORMATION

Y ADVERTISE REMARKS (Yes or No)

YES NO

- ☐ ☐ P/D overlap (explain)
- ☐ ☒ P/U overlap (explain)
- ☐ ☒ Critical groundwater area (send letter)
- ☐ ☒ Ground water management area (send letter)
- ☐ ☒ Drilling concern area (send letter)
- ☐ ☒ 1992 moratorium *exempt* (send letter)
- ☐ ☒ 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:
☐ Immediate = closed areas, acceptable plan required & submitted
☒ Future = open areas, plan not required
- ☐ ☒ 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

Future needs appl or regular?

Date Requested

4/28/03

Date Response Received

4/30/03

PROCESSINGAPPLICATION # 63-31677

YES NO

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

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 _____

☒ ☐ Publication dates & paper recorded on application
☐ ☒ Final date for protest 6-2-03
☐ ☒ Protests received
☐ ☐ Recommendations attached
☐ ☐ Measuring device required
☐ ☐ Water delivered by water master? District #
☐ ☐ Special conditions of approval or cover letter

Recommended Date of Priority 4/18/03Recommendation ☐ Approve ☐ Deny by _____ Date _____**ADDITIONAL INFORMATION**☐ See attached proof report, note Legal Notice Remarks &/or Comments☒ Shapefile completed (optional: attach with proof report)



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

December 4, 2003

CHARLES L HONSINGER
RINGERT CLARK CHTD
PO BOX 2773
BOISE ID 83701-02773

Re: Application for Permit No. 63-31677, Withdrawal of Protest

Dear Applicant(s):

The Department of Water Resources has received a Withdrawal of Protest on behalf of United Water Idaho, Inc. for the above referenced application.

There are no remaining protests against this application, so the hearing set in this matter has been cancelled, and normal processing will continue in this office by the Permit Section.

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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

CC: John Marshall
Ed Squires
Western Region
Dan Nelson

MICROFILMED

FEB 24 2004

Christopher H. Meyer [ISB No. 4461]
John M. Marshall [ISB No. 5628]
GIVENS PURSLEY LLP
601 W. Bannock Street
P.O. Box 2720
Boise, ID 83701-2720
chrismeyer@givenspursley.com
johnmarshall@givenspursley.com

Attorneys for United Water Idaho Inc.
S:\CLIENTS\30\123\CASE CAPTION.DOC

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NOV 24 2003

Department of Water Resources

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

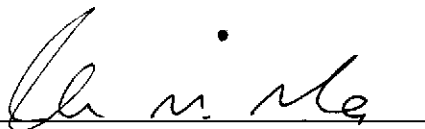
IN THE MATTER OF APPLICATION FOR
PERMIT NO. 63-31677 IN THE NAME OF
THE CITY OF MERIDIAN

WITHDRAWAL OF PROTEST

Based on mutual understandings reached by the Parties, United Water Idaho Inc. hereby
withdraws its Protest in this matter.

DATED this 24th day of November 2003.

GIVENS PURSLEY LLP

By 
John M. Marshall
Attorneys for United Water Idaho Inc.

MICROFILMED
FEB 24 2004

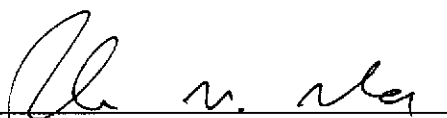
ORIGINAL

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of November 2003, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Charles L. Honsinger
RINGERT CLARK CHTD.
455 S. Third Street
P.O. Box 2773
Boise, ID 83701-2773

☐ U.S. Mail
☒ Hand Delivered
☐ Overnight Mail
☐ Facsimile


John M. Marshall

Christopher H. Meyer, Esq. (Idaho State Bar No. 4461)
John M. Marshall, Esq. (Idaho State Bar No. 5628)
GIVENS PURSLEY LLP
277 North 6th Street, Suite 200
P.O. Box 2720
Boise, Idaho 83701-2720
Office: (208) 388-1200
Fax: (208) 388-1300
Email: chrismeyer@givenspursley.com; jmm@givenspursley.com

RECEIVED

NOV - 7 2003

Department of Water Resources

Counsel for Protestant United Water Idaho Inc.

**BEFORE THE
IDAHO DEPARTMENT OF WATER RESOURCES**

IN THE MATTER OF APPLICATION FOR
PERMIT NO. 63-31677 IN THE NAME OF
THE CITY OF MERIDIAN.

NOTICE OF SERVICE

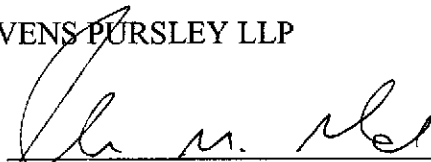
On behalf of Protestant United Water Idaho Inc., I, John M. Marshall of the firm Givens Pursley LLP, certify that on this date, I caused to be served upon the City of Meridian a true and correct copy of UWID's First Set of Discovery Requests to the City of Meridian by hand delivering the same to their counsel of record at the address listed below.

Charles L. Honsinger
Ringert Clark, Chartered
455 S. Third Street
P.O. Box 2773
Boise, ID 83701-2773

DATED this 6th day of November 2003.

GIVENS PURSLEY LLP

By



John M. Marshall

Attorneys for United Water Idaho Inc.

MICROFILMED

FEB 24 2004

NOTICE OF SERVICE - 1

S:\CLIENTS\30\123\NOS - UWID's First Set of Disc Req to City of Meridian.DOC

ORIGINAL

**RINGERT
CLARK
CHARTERED
LAWYERS**

RECEIVED

NOV 6 2003

Department of Water Resources

November 5, 2003

Gary Spackman
Idaho Department of Water Resources
1301 N. Orchard Avenue
Boise, ID 83706

Laura E. Burri
Jeffrey R. Christenson
D. Blair Clark
Michael J. Doolittle
S. Bryce Farris
Patrick D. Furey
David Hammerquist
Charles L. Honsinger
Joseph B. Jones
James P. Kaufman
Jennifer Reid Mahoney
James G. Reid
William F. Ringert
Daniel V. Steenson
Aliyn L. Sweeney
Samuel Kaufman (1921-1986)

RE: City of Meridian Application for Permit No. 63-31677

Dear Mr. Spackman:

Enclosed for filing, please find a Notice of Service of City of Meridian's First Set of Discovery to United Water Idaho. Please provide me with a conformed copy in the enclosed self-addressed envelope.

Thank you.

Very truly yours,

Charlie / klm
Charles L. Honsinger

CLH:klm
Enclosures

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FEB 24 2004

RECEIVED

NOV - 6 2003

Department of Water Resources

CHARLES L. HONSINGER (ISB # 5240)
RINGERT CLARK CHARTERED
455 S. Third, P. O. Box 2773
Boise, Idaho 83701-2773
Telephone: (208) 342-4591
Facsimile: (208) 342-4657
Attorneys for Applicant City of Meridian

BEFORE THE DEPARTMENT OF WATER RESOURCES OF
THE STATE OF IDAHO

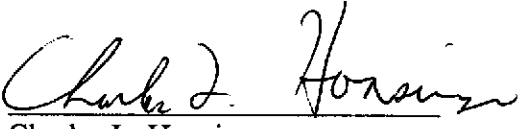
IN THE MATTER OF APPLICATION FOR	)	NOTICE OF SERVICE OF CITY OF
PERMIT NO. 63-31677 IN THE NAME OF	)	MERIDIAN'S FIRST SET OF
CITY OF MERIDIAN	)	DISCOVERY TO PROTESTANT UNITED
	)	WATER IDAHO

TO: THE IDAHO DEPARTMENT OF WATER RESOURCES.

YOU WILL PLEASE TAKE NOTICE that on November 5, 2001, Applicant City of Meridian, through the undersigned counsel, served the City of Meridian's First Set of Discovery to Protestant United Water Idaho by hand-delivering a copy of the same to the following:

John M. Marshall
Givens Pursley, LLP
601 W. Bannock Street, Ste. 200
Boise, ID 83702

Dated this 5th day of November, 2003

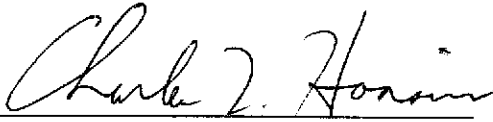

Charles L. Honsinger
Ringert Clark Chartered
Attorney for City of Meridian

MICROFILMED
FEB 24 2004

CERTIFICATE OF MAILING

I hereby certify that service of the within and foregoing document was made this 5th day of November, 2003, by hand delivering a a copy thereof to each of the parties listed below.

John M. Marshall
Givens Pursley, LLP
601 W. Bannock Street, Ste. 200
Boise, ID 83702


Charles L. Honsinger

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 63-31677)
IN THE NAME OF CITY OF)
MERIDIAN)
_____)

**ORDER VACATING HEARING
AND SECOND NOTICE OF HEARING**

IT IS HEREBY ORDERED that the hearing set in this matter for **December 2-4, 2003,**
starting at 9:00 a.m. is hereby **VACATED.**

SECOND NOTICE OF HEARING

PLEASE TAKE NOTICE that a formal hearing will be held on **January 6 & 7, 2004**
beginning at 9:00 a.m. in Boise, Idaho will be held at the offices of the Idaho Department of Water
Resources, State Office, located at 1301 N. Orchard St., in Conference Rooms A&B.

If you plan to offer exhibits for the record at the hearing, note that Rule 606 of the
department's Rules of Procedure requires that a copy be provided to each party and to the presiding
officer.

The presiding officer at the hearing will be Gary Spackman.

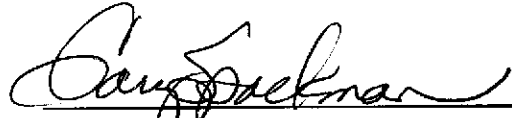
The hearing will be held in accordance with the provisions of Chapters 2 and 17, Title 42 and
Chapter 52, Title 67, Idaho Code, and the adopted Rules of Procedure of the department. IDAPA
37.01.01. A copy of the rules may be obtained from the department upon request.

The hearing will be conducted in accordance with the accessibility requirements of the
Americans with Disabilities Act. If you require special accommodations in order to attend,

**MICROFILMED
FEB 24 2004**

participate in or understand the hearing, please advise the department within twenty-four hours prior to the hearing. Inquires about scheduling, hearing facilities, etc., should be directed to Deborah Gibson, Administrative Assistant, Idaho Department of Water Resources, 1301 N. Orchard St., Boise, Idaho 83706-2237, telephone: (208) 327-7953, fax: (208) 327-7866.

Dated this 22nd day of October, 2003.


Gary Spackman

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of October, 2003, the above and foregoing document was served on the following by placing a copy of the same in the United States mail, postage prepaid and properly addressed to the following:

CHARLES L HONSINGER
RINGERT CLARK CHARTERED
455 S THIRD
PO BOX 2773
BOISE ID 83701-2773

JOHN MARSHALL
GIVENS PURSLEY
277 N 6TH ST STE 200
BOISE ID 83701

ED SQUIRES
HYDRO-LOGIC INC
1002 W FRANKLIN ST
BOISE ID 83702-5431


Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

cc'd: Dan Nelson & Western

RECEIVED

OCT 10 2003

Department of Water Resources

**RINGERT
CLARK**
CHARTERED
LAWYERS

RECEIVED

OCT 07 2003

October 6, 2003 WATER RESOURCES
WESTERN REGION

Laura E. Burri
Jeffrey R. Christenson
David P. Claiborne
D. Blair Clark
Michael J. Doolittle
S. Bryce Farris
David Hammerquist
Charles L. Honsinger
Joseph B. Jones
James P. Kaufman
Jennifer Reid Mahoney
James G. Reid
Daniel V. Sorenson
Allyn L. Sweeney

William F. Ringert, of Counsel
Samuel Kaufman (1921-1986)

Gary Spackman
Idaho Department of Water Resources
1301 N. Orchard Ave.
Boise, ID 83706

Re. City of Meridian Application for Permit No. 63-31677

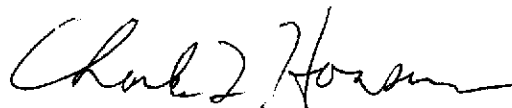
Dear Mr. Spackman:

Although your October 1, 2003 Order Authorizing Discovery and Second Prehearing Order does not schedule a hearing in the above-referenced matter, it was my understanding that the parties and IDWR agreed to seek a hearing during the first week or two of December, 2003.

United Water Idaho and the City of Meridian are currently engaging in settlement negotiations over this matter. To promote these discussions, the City hereby requests that a hearing on this matter be postponed for one month to the first half of January, 2004.

Please contact me with any questions or concerns.

Sincerely,



Charles L. Honsinger

cc: Gary Smith
John Marshall
Ed Squires

MICROFILMED

FEB 24 2004

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

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 63-31677)
IN THE NAME OF CITY OF)
MERIDIAN)

NOTICE OF HEARING

PLEASE TAKE NOTICE that a formal hearing will be held on **December 2-4, 2003** beginning at 9:00 a.m. in Boise, Idaho will be held at the offices of the Idaho Department of Water Resources, State Office, located at 1301 N. Orchard St., in Conference Rooms A&B.

If you plan to offer exhibits for the record at the hearing, note that Rule 606 of the department's Rules of Procedure requires that a copy be provided to each party and to the presiding officer.

The presiding officer at the hearing will be Gary Spackman.

The hearing will be held in accordance with the provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, Idaho Code, and the adopted Rules of Procedure of the department. IDAPA 37.01.01. A copy of the rules may be obtained from the department upon request.

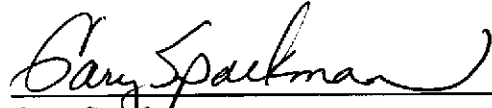
The hearing will be conducted in accordance with the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please advise the department within twenty-four hours prior

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FEB 24 2004

to the hearing. Inquires about scheduling, hearing facilities, etc., should be directed to Deborah Gibson, Administrative Assistant, Idaho Department of Water Resources, 1301 N. Orchard St., Boise, Idaho 83706-2237, telephone: (208) 327-7953, fax: (208) 327-7866.

Dated this 6th day of October, 2003.



Gary Spackman

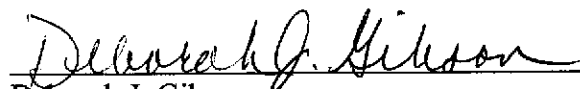
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of October, 2003, the above and foregoing document was served on the following by placing a copy of the same in the United States mail, postage prepaid and properly addressed to the following:

CHARLES L HONSINGER
RINGERT CLARK CHARTERED
455 S THIRD
PO BOX 2773
BOISE ID 83701-2773

ED SQUIRES
HYRO-LOGIC INC
1002 W FRANKLIN ST
BOISE ID 83702-5431

JOHN MARSHALL
GIVENS PURSLEY
277 N 6TH ST STE 200
BOISE ID 83701



Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

MICROFILMED

FEB 24 2004

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

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 63-31677)
IN THE NAME OF CITY OF)
MERIDIAN)
_____)

**ORDER AUTHORIZING DISCOVERY
AND SECOND PREHEARING ORDER**

On September 9, 2003, the applicant, City of Meridian, through its attorney, Charles L. Honsinger, filed a Motion to Allow Discovery with the Idaho Department of Water Resources (IDWR). The protestant, United Water Idaho, Inc., filed no objection to the motion.

ORDER

IT IS HEREBY ORDERED that the parties to this matter are authorized to engage in discovery beginning on the date of this order.

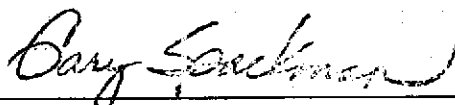
IT IS FURTHER ORDERED that discovery is limited to expert testimony and technical information that will be presented at the hearing.

IT IS FURTHER ORDERED that the parties shall complete discovery on or before November 21, 2003.

IT IS FURTHER ORDERED that discovery shall be governed by the Idaho Rules of Civil Procedure. Specifically, depositions of expert witnesses must be taken according to the Idaho Rules of Civil Procedure, and any appropriate fee must be paid as set forth in the Rules of Procedure.

IT IS FURTHER ORDERED that the parties shall exchange exhibits and witness lists, and provide a copy of proposed exhibits to the hearing officer on or before November 28, 2003.

Dated this 15th day of October, 2003.



Gary Spackman

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FEB 24 2004

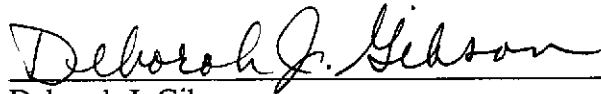
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of October, 2003, the above and foregoing document was served on the following by placing a copy of the same in the United States mail, postage prepaid and properly addressed to the following:

CHARLES L HONSINGER
RINGERT CLARK CHARTERED
455 S THIRD
PO BOX 2773
BOISE ID 83701-2773

ED SQUIRES
HYRO-LOGIC INC
1002 W FRANKLIN ST
BOISE ID 83702-5431

JOHN MARSHALL
GIVENS PURSLEY
277 N 6TH ST STE 200
BOISE ID 83701



Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

MICROFILMED

FEB 24 2004

**RINGERT
CLARK**
CHARTERED
LAWYERS

RECEIVED

SEP 10 2003

WATER RESOURCES
WESTERN REGION

Laura E. Burri
Jeffrey R. Christenson
D. Blair Clark
Michael J. Doolittle
S. Bryce Farris
Patrick D. Furey
David J. Hammerquist
Charles L. Honsinger
Joseph B. Jones
James P. Kaufman
Jennifer Reid Mahoney
James G. Reid
William F. Ringert
Daniel V. Steenson
Alynn L. Sweeney
Samuel Kaufman (1921-1986)

TO: IDAHO DEPT. OF WATER RESOURCES - WESTERN REGION
FROM: CHARLES L. HONSINGER DATE: 9/9/03
RE: IN THE MATTER OF APPLICATION FOR PERMIT NO. 63-31677 IN
THE NAME OF CITY OF MERIDIAN

1. Copy of Motion to Disallow Discovery

___ FOR YOUR INFORMATION	___ FILE ORIGINAL & CONFORM COPY
___ FOR YOUR FILE	___ PLEASE REPLY FOR MY SIGNATURE
___ PLEASE FILE	___ PLEASE ANSWER AND SEND COPY OF LETTER TO ME
___ IN ACCORDANCE WITH YOUR REQUEST	___ PLEASE RECORD AND RETURN
___ PLEASE COMMENT	___ RUSH
___ PLEASE SIGN AND RETURN	___ AS PER OUR PHONE CONVERSATION
___ PLEASE TELEPHONE/SEE ME	___ PLEASE REVIEW AND CALL TO DISCUSS

REMARKS: The above-referenced document was filed by fax on 9/9/03. Please conform the enclosed copy and return it in the enclosed pre-paid envelope. Thank you, Kimi White.

MICROFILMED

FEB 24 2004

CHARLES L. HONSINGER (ISB # 5240)
RINGERT CLARK CHARTERED
455 S. Third, P. O. Box 2773
Boise, Idaho 83701-2773
Telephone: (208) 342-4591
Facsimile: (208) 342-4657

Attorneys for Applicant City of Meridian

BEFORE THE DEPARTMENT OF WATER RESOURCES OF
THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 63-31677 IN THE NAME OF)
CITY OF MERIDIAN)
_____))

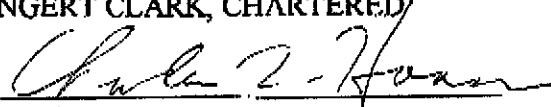
MOTION TO ALLOW DISCOVERY

COMES NOW the Applicant, City of Meridian, by and through its attorneys of record,
Ringert Clark, Chartered, and hereby moves the Hearing Officer to issue an Order permitting
discovery in the above captioned matter pursuant to IDAPA 37.01.01.521 and the prior Order
entered herein.

Dated this 9th day of September, 2003.

RINGERT CLARK, CHARTERED

By


Charles L. Honsinger

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FEB 24 2004

MOTION TO ALLOW DISCOVERY - 1

CERTIFICATE OF MAILING

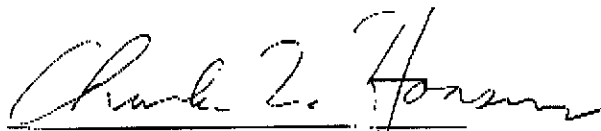
I hereby certify that service of the within and foregoing document was made this 9th day of September, 2003, by mailing a copy thereof, postage prepaid, to each of the parties listed below.

1. Original filed with:

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

2. Copies mailed to:

John M. Marshall
Givens Pursley, LLP
277 N. 6th Street, Ste. 200
Boise, ID 83701


Charles L. Honsinger

MICROFILMED

FEB 24 2004

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 63-31677 IN THE) **PREHEARING ORDER**
NAME OF THE CITY OF MERIDIAN)
_____)

A prehearing conference was conducted for the above titled matter on July 31, 2003. At the conclusion of the prehearing conference, the parties established a schedule for hearing and preparation for the hearing. The following order represents the schedule the parties agreed to follow:

ORDER

IT IS HEREBY ORDERED:

1. The parties shall request and exchange information informally during the month of August 2003.
2. If any party has not received desired information from the other party by September 1, 2003, the party seeking additional information shall petition IDWR for an order authorizing discovery on or about September 2, 2003.
3. All prehearing motions must be filed with IDWR on or prior to October 15, 2003.
4. A hearing will be conducted on December 2-4, 2003. A notice of the hearing will be sent approximately two months before the date set for hearing.

Some flexibility in the above schedule may be necessary to accomplish unforeseen discovery needs.

Dated this 3rd day of September 2003.



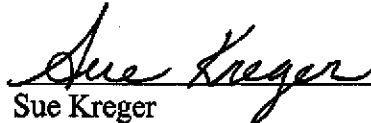
Gary Spackman

PREHEARING ORDER

¹ MICROFILMED
FEB 24 2004

CERTIFICATE OF MAILING

I hereby certify that on the 3rd day of August 2003, I mailed a true and correct copy, postage prepaid, of the Prehearing Order to those listed:


Sue Kreger
Senior Secretary

CITY OF MERIDIAN
C/O ED SQUIRES
1002 W FRANKLIN ST
BOISE ID 83702

CITY OF MERIDIAN
33 E IDAHO
MERIDIAN ID 83642

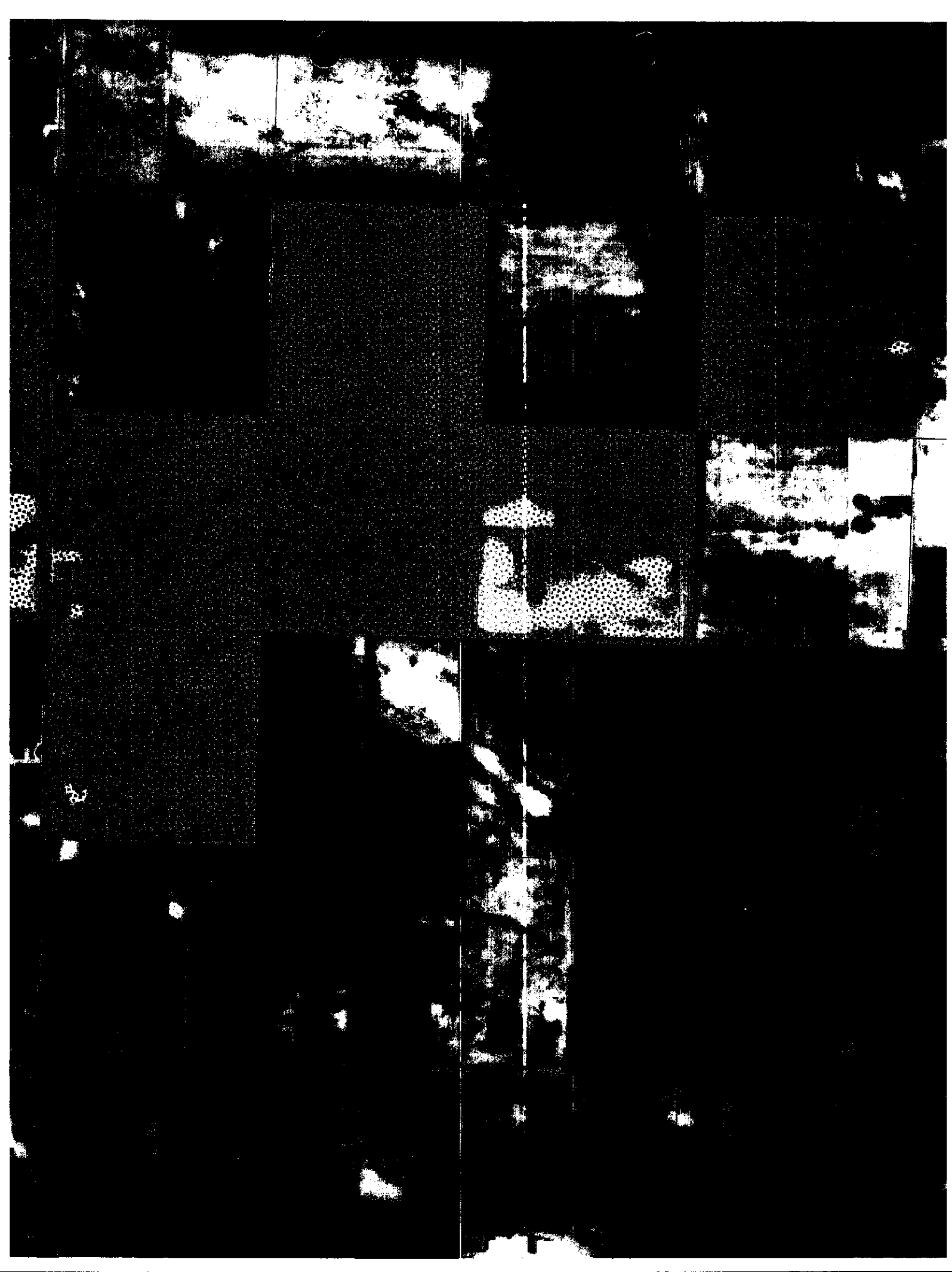
UNITED WATER ID INC
C/O JOHN MARSHALL
277 N 6TH ST STE 200
BOISE ID 83701

CHARLES L HONSINGER
RINGERT CLARK CHARTERED
PO BOX 2773
BOISE ID 83701-2773

PREHEARING ORDER

2 MICROFILMED

FEB 24 2004



ROSTER OF ATTENDANCE

IDAHO DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY, BOISE, IDAHO 83705

Re: Application for Permit No. 63-31677 in the Name of the City of Meridian

Place: IDWR Western Region, 2735 Airport Way, Boise, Idaho 83705

Date: July 31, 2003

Conducted by: Gary Spackman

NAME

ADDRESS

Scott RHEA	charter water	8248 W. Victory	Boise 83709
Roger Dittus	United Water	"	"
Charlie Honsinger	Reed City of Meridian - River Clark, Chartered.	P.O. 2773, Boise, ID	83701
Gary Smith	City of Meridian -	660 E. Watertower Ln.	Meridian, Id. 83642
Ed Squires	Hydro Logic, Inc.	1002 W. Franklin,	Boise 83702

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FEB 24 2004

RECEIVED

JUL 25 2003

WATER RESOURCES
WESTERN REGION

CHARLES L. HONSINGER (ISB # 5240)
RINGERT CLARK CHARTERED
455 S. Third, P. O. Box 2773
Boise, Idaho 83701-2773
Telephone: (208) 342-4591
Facsimile: (208) 342-4657

Attorneys for Applicant City of Meridian

BEFORE THE DEPARTMENT OF WATER RESOURCES OF
THE STATE OF IDAHO

_____	)	
IN THE MATTER OF APPLICATION FOR	)	
PERMIT NO. 63-31677 IN THE NAME OF	)	NOTICE OF APPEARANCE
CITY OF MERIDIAN	)	
_____	)	

COMES NOW Charles L. Honsinger of the firm of Ringert Clark, Chartered, and hereby makes his appearance as counsel of record for Applicant City of Meridian in the above entitled matter.

Dated this 24th day of July, 2003.

RINGERT CLARK, CHARTERED

By Charles L. Honsinger
Charles L. Honsinger

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FEB 24 2004

CERTIFICATE OF MAILING

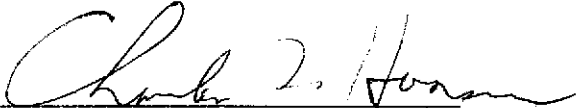
I hereby certify that service of the within and foregoing document was made this 24th day of July, 2003, by mailing a copy thereof, postage prepaid, to each of the parties listed below.

1. Original filed with:

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

2. Copies mailed to:

John M. Marshall
Givens Pursley, LLP
277 N. 6th Street, Ste. 200
Boise, ID 83701


Charles L. Honsinger

MICROFILMED

FEB 24 2004

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

**IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 63-31677 IN THE)
NAME OF THE CITY OF MERIDIAN)
_____)** **CORRECTED NOTICE OF
PREHEARING CONFERENCE**

On June 4, 2003 IDWR sent prehearing conference notices to the applicants and the protestants in the above matter stating that the prehearing conference would be held on Wednesday, July 31, 2003. **The correct day is THURSDAY, July 31, 2003. The time and the place remain the same at 10:00 a.m. at the Idaho Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705.**

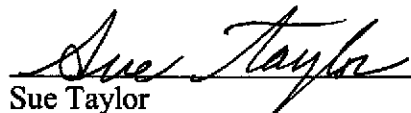
Dated this 24th day of June 2003.



Gary Speckman

CERTIFICATE OF MAILING

I hereby certify that on the 25th day of June 2003, I mailed a true and correct copy, postage prepaid, of the Notice of Prehearing Conference to those listed:



Sue Taylor
Senior Secretary

CITY OF MERIDIAN
C/O ED SQUIRES
1002 W FRANKLIN ST
BOISE ID 83702

UNITED WATER ID INC
C/O JOHN MARSHALL
277 N 6TH ST STE 200
BOISE ID 83701

CITY OF MERIDIAN
33 E IDAHO
MERIDIAN ID 83642

*Charles L Honsinger
Ranigert Clark Charters*

-7-28-03

Po Box 2773

Boise Id 83701-2773

NOTICE OF PREHEARING CONFERENCE 1

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FEB 24 2004

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE
STATE OF IDAHO

RECEIVED

JUN - 6 2003

Department of Water Resources

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 63-31677 IN THE)
NAME OF THE CITY OF MERIDIAN)

NOTICE OF PREHEARING
CONFERENCE

On April 18, 2003 the City of Meridian filed with the Department of Water Resources (IDWR) an application for permit to appropriate the public waters of the State of Idaho. The application was protested by United Water ID, Inc.

IDWR has scheduled a prehearing conference for the protest to be held on **Wednesday, July 31, 2003 at 10:00 a.m. at the Idaho Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705.** The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Procedure of the Department of Water Resources, and Rules 40 and 45 of the adopted Rules of Water Appropriation of the Department of Water Resources.

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

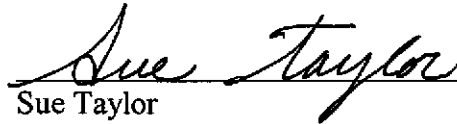
Dated this 4th day of June 2003.



Gary Spackman

CERTIFICATE OF MAILING

I hereby certify that on the 4TH day of June 2003, I mailed a true and correct copy, postage prepaid, of the Notice of Prehearing Conference to those listed:


Sue Taylor
Senior Secretary

CITY OF MERIDIAN
C/O ED SQUIRES
1002 W FRANKLIN ST
BOISE ID 83702

CITY OF MERIDIAN
33 E IDAHO
MERIDIAN ID 83642

UNITED WATER ID INC
C/O JOHN MARSHALL
277 N 6TH ST STE 200
BOISE ID 83701



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1445 North Orchard • Boise, Idaho 83706-2239 • (208) 373-0550

Dirk Kempthorne, Governor
C. Stephen Allred, Director

May 30, 2003

RECEIVED

JUN 05 2003

WATER RESOURCES
WESTERN REGION

Sue Taylor
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

RE: Water Right No. 63-31677 in the name of The City of Meridian, Idaho
Wells #20-B & #20-C

Dear Ms. Taylor:

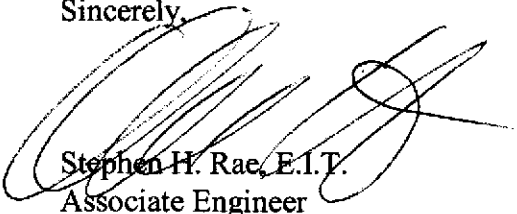
Thank you for the opportunity to respond to your letter dated May 7, 2003. We have the following general comments regarding this project:

Potable Water Supply

This project proposes modifications to an existing public drinking water system. Per *Idaho Code* § 39-118 and the associated *Idaho Rules for Public Drinking Water Systems*, all components of public water system construction, including wells, must be designed by an Idaho registered professional engineer (engineer) and approved by the Idaho Department of Environmental Quality (IDEQ) prior to construction.

If you have any questions, please contact me at (208) 373-0162, or via e-mail at srae@deq.state.id.us.

Sincerely,



Stephen H. Rae, E.I.T.
Associate Engineer

cc: Charles W. Ariss, P.E., Regional Manager-Engineering, Boise Regional Office
Bob Ward, Boise Regional Office
File 24, Reading File

Document7

MICROFILMED

FEB 24 2004

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 63-31677 IN THE)
NAME OF THE CITY OF MERIDIAN)
_____)

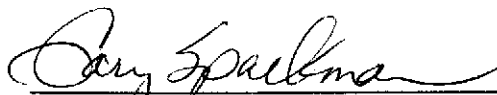
**NOTICE OF PREHEARING
CONFERENCE**

On April 18, 2003 the City of Meridian filed with the Department of Water Resources (IDWR) an application for permit to appropriate the public waters of the State of Idaho. The application was protested by United Water ID, Inc.

IDWR has scheduled a prehearing conference for the protest to be held on **Wednesday, July 31, 2003 at 10:00 a.m. at the Idaho Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705.** The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Procedure of the Department of Water Resources, and Rules 40 and 45 of the adopted Rules of Water Appropriation of the Department of Water Resources.

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

Dated this 4th day of June 2003.



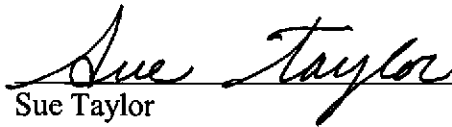
Gary Spackman

MICROFILMED

FEB 24 2004

CERTIFICATE OF MAILING

I hereby certify that on the 4th day of June 2003, I mailed a true and correct copy, postage prepaid, of the Notice of Prehearing Conference to those listed:



Sue Taylor
Senior Secretary

CITY OF MERIDIAN
C/O ED SQUIRES
1002 W FRANKLIN ST
BOISE ID 83702

CITY OF MERIDIAN
33 E IDAHO
MERIDIAN ID 83642

UNITED WATER ID INC
C/O JOHN MARSHALL
277 N 6TH ST STE 200
BOISE ID 83701

MICROFILMED
FEB 24 2004

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR PERMIT

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

- 1) Will the proposed appropriation injure other water rights?
- 2) Is the proposed water supply sufficient for the purpose for which it is sought to be appropriated?
- 3) Was the application made in good faith or for delay or speculative purposes?
- 4) Does the applicant have sufficient financial resources with which to complete the proposed project?
- 5) Is the proposed appropriation in the local public interest, which is defined as the affairs of the people in the area directly affected by the proposed use?
- 6) Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

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

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

PROCEDURE

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

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CONFERENCE

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

HEARING

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

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

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

EXHIBITS

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

AMERICANS WITH DISABILITIES ACT

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

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FEB 24 2014



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

June 4, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

CITY OF MERIDIAN
C/O ED SQUIRES
1002 W FRANKLIN ST
BOISE ID 83702

CITY OF MERIDIAN
33 E IDAHO
MERIDIAN ID 83642

Re: Application for Permit No. 63-31677

Dear Applicant:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to the above-referenced application.

The following are the criteria the department must consider in either approving or denying an application for permit (per Section 42-203A, Idaho Code):

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

Enclosed is a Notice of Prehearing Conference scheduled for July 31, 2003 at the Idaho Department of Water Resources, Western Region, Boise Idaho 83705. At the conference, the department will review possibilities for resolution of the protest. If the matter cannot be resolved at that time, a formal hearing will be arranged for a future date.

The department suggests you contact the protestant(s) directly in an effort to determine what is in dispute in the application and to attempt to resolve the protest. Direct, sincere conversation between the parties prior to initiation of formal proceedings can often resolve a protest.

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

Sincerely,



Gary Spackman

GS:st

Enclosure: Copy of protest(s)
Notice of Prehearing Conference

MICROFILMED

FEB 24 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

June 3, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

UNITED WATER ID INC
C/O ED SQUIRES
HYDRO LOGIC INC
1002 W FRANKLIN ST
BOISE ID 83702-5431

Re: Application for Permit No. 63-31677 in the Name of the City of Meridian

Dear Protestant:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application.

The following are the criteria the department must consider in either approving or denying an application for permit (Section 42-203A, Idaho Code):

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

Enclosed is a Notice of Prehearing Conference scheduled for July 31, 2003 at the Idaho Department of Water Resources, Western Region, Boise Idaho 83705. At the conference, the department will review possibilities for resolution of the protest. If the matter cannot be resolved at that time, a formal hearing will be arranged for a future date.

The department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest prior to the prehearing conference. Direct, sincere conversation between the parties prior to initiation of formal proceedings can often resolve a protest.

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

Sincerely,


Gary Spackman

GS:st

Encl: Copy of Application
Notice of Prehearing Conference

MICROFILMED

FEB 24 2004

GIVENS PURSLEY LLP

LAW OFFICES

277 North 6th Street, Suite 200
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
FACSIMILE: 208 388-1300
WEBSITE: www.givenspursley.com

Direct Dial: (208) 388-1270
E-Mail: jmm@givenspursley.com

Gary G. Allen
Christopher J. Beeson
Jessica M. Borup
William C. Cole
Michael C. Creamer
Emily MacMaster Durkee
Thomas E. Dvorak
Roy Lewis Eiguren
Timothy P. Feamside
Jeffrey C. Fereday
Steven J. Hippler
Karl T. Klein
Debora K. Kristensen
Anne C. Kunkel
Deborah E. Nelson

Franklin G. Lee
David R. Lombardi
D. David Lorello, Jr.
Kimberly D. Maloney
John M. Marshall
Kenneth R. McClure
Kelly Greene McConnell
Cynthia A. Melillo
Christopher H. Meyer
Kendall L. Miller
L. Edward Miller
Patrick J. Miller
Judson B. Montgomery
Angela K. Nelson
W. Hugh O'Riordan

Michael C. Orr
Kenneth L. Pursley
Bradley V. Sneed
H. Barton Thomas
Conley E. Ward
Robert B. White

Raymond D. Givens
James A. McClure
Stephanie C. Westemeier
OF COUNSEL

John A. Miller, LL.M. *
TAX CONSULTANT
*Licensed in Kentucky only

June 2, 2003

VIA HAND DELIVERY

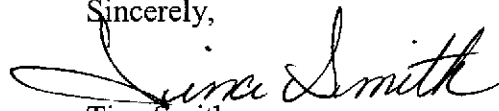
Clerk of Court
Western Regional Office
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Re: Application for Permit No. 63-31677
Our File: 30-123

Dear Clerk:

Enclosed for filing, please find Notice of Protest in the above referenced case. I have also enclosed a check in the amount of \$25.00 for the protest fee. Please call me if you have any questions.

Sincerely,



Tina Smith
Assistant to John M. Marshall

Enclosure

cc: H. Scott Rhead
SACLIENTS\30\123\Tina to IDWR re protest.DOC

RECEIVED

JUN 02 2003

WATER RESOURCES
WESTERN REGION

MICROFILMED

FEB 24 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 02 2003

WATER RESOURCES
WESTERN REGION

NOTICE OF PROTEST

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, 42-222, and 42-224, Idaho Code. The department will also accept a timely protest not completed on this form if it contains the same information.

1. Matter being protested Application for Permit No. 63-31677 in the name of the City of Meridian
2. Name of protestant United Water Idaho Inc.
3. Protestant's Representative for service (If different than protestant)
John M. Marshall, Givens Pursley LLP
4. Service mailing address 277 N. 6th Street, Suite 200, Boise, ID 83701
5. Service telephone no. (208) 388-1200
6. Basis of protest (including statement of facts and law upon which the protest is based)
The Application may violate all criteria of Idaho Code § 42-203A(5). The Application does not provide sufficient information for Protestant to identify more specific concerns.

(additional pages may be attached to describe nature of the protest)

7. What would resolve your protest? Additional information from the Applicant 1) demonstrating the source for the proposed permit is sufficient to supply the proposed permit without injuring Protestant's water rights and 2) that Applicant actually requires the quantity of water requested.

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 2nd day of June, 2003.

Protestant

John M. Marshall
Protestant's Representative

MICROFILMED
FEB 24 2004

NOTE:

A protestant is required to timely file a protest with the department together with a \$25.00 protest fee for each application being protested in order for the protestant to be considered a full party by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

INSTRUCTIONS

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. _____ in the name of _____" or "Application for Transfer No. _____ in the name of _____."
2. Show the name of the protestant. Only one (1) protestant may be shown per protest form. If this protest form is signed by more than one person, the hearing officer will consider the first signer as the official protestant and the representative for service of documents.
3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.
4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
6. Specifically describe the nature of the protest.
7. Describe the relief being sought by the protestant.

FOR DEPARTMENT USE ONLY

Received by JRL Date 6-2-03 Time 4:27 p.m.
\$25.00 fee Receipted by JRL # 0030530 Date 6-2-03

MICROFILMED

FEB 24 2004

The Idaho Statesman

RECEIVED

MAY 23 2003

WATER RESOURCES
WESTERN REGION

P.O. Box 40, Boise, Idaho 83707-0040

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification	Amount
047628	873857	APPLICATION 63-31677	\$122.00
Attention:	P.O. #	Run Dates	
SUE TAYLOR		MAY 15, 22, 2003	
IDAHO DEPT. WATER RESOURCES WEST 2735 AIRPORT WY. BOISE, ID 83705			Number of Lines 2 X 34
			Affidavit 1
			Legal # 16384

LEGAL NOTICE

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

63-31677

CITY OF MERIDIAN
33 E IDAHO AVE
MERIDIAN ID 83642

Point(s) of Diversion SWSESE S36 T04N R01W ADA County Source GROUND WATER
Point(s) of Diversion SWSESE S36 T04N R01W ADA County Source GROUND WATER
Point(s) of Diversion SWSESE S36 T04N R01W ADA County Source GROUND WATER
Use: MUNICIPAL 01/01 To 12/31 5 CFS
Total Diversion: 5 CFS
Date Filed: 04/18/2003

Remark: Applicant agrees to mitigate consumptive use in the future as needed.

Municipal use is for applicants service area

Water bearing zone to be appropriated is from 310 to 980 feet.

Applicant proposes to construct wells for ground water not under direct influence of surface 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 Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 06/02/2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Pub. May 15,22, 2003

16384

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

TWO

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

beginning issue of: MAY 15, 2003

ending issue of: MAY 22, 2003

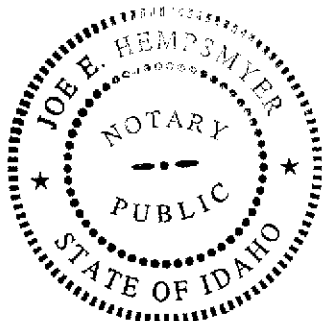
Janice Hildreth

STATE OF IDAHO)

) ss

)

On this 22 day of MAY in the year of 2003 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Notary Public for Idaho

Residing at: Boise, Idaho

My Commission expires:

05/21/08

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559 2 2 978

Taylor, Sue

From: Taylor, Sue
Sent: Wednesday, May 07, 2003 2:03 PM
To: DEQ (E-mail)
Cc: Taylor, Sue
Subject: Comment Letters

May 7, 2003

Steve Rae, DEQ

Dear Sirs:

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 June 2, 2003.

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

Sincerely,

Sue Taylor
ID Dept Water Resources
Western Region
334-2190

MICROFILMED

MAY 24 2003

5/7/2003



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

May 06, 2003

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Application to Amend Permit No. 63-9139
Applications for Permit Nos. 63-31677, 63-31678 and 63-31679

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find legal notices 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 notices 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 06/02/2003. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED

MAY 24 2003

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

63-31677

CITY OF MERIDIAN
33 E IDAHO AVE
MERIDIAN ID 83642

Point(s) of Diversion SWSESE S36 T04N R01W ADA County Source GROUND WATER

Point(s) of Diversion SWSESE S36 T04N R01W ADA County Source GROUND WATER

Point(s) of Diversion SWSESE S36 T04N R01W ADA County Source GROUND WATER

Use: MUNICIPAL 01/01 To 12/31 5 CFS

Total Diversion: 5 CFS

Date Filed: 04/18/2003

Remark: Applicant agrees to mitigate consumptive use in the future as needed.

Municipal use is for applicants service area

Water bearing zone to be appropriated is from 310 to 980 feet.

Applicant proposes to construct wells for ground water not under direct influence of surface 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 Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 06/02/2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Idaho Statesman on May 15 and 22, 2003.

MICRO

APR 24 2003

Graves, Lori

From: Lester, Steve
Sent: Wednesday, April 30, 2003 4:25 PM
To: Spackman, Gary; Graves, Lori
Subject: City of Meridian conditions of approval

Gary & Lori:

If I am remembering correctly, each of you are dealing with a separate City of Meridian municipal application where Ed proposed specific conditions of approval for the permit. The conditions detailed well construction stuff.

We just received a copy of approved permit 63-31630 for Meridian with specific conditions detailing well construction. The permit was approved April 25. So you might be able to include similar conditions on the applications you have if appropriate.

Steve

ps. Lori - also received approved permit 63-31526 for Paradise Homeowners Assn. ... soaking pool mitigated by lease or other documentation to be submitted annually by the permit holder.

April 18, 2003

Mr. John Marshall
Givens Pursley LLP
Suite 200, Park Place
277 North Sixth Street
P.O. Box 2720
Boise, Idaho 83701-2720

RECEIVED

APR 21 2003

WATER RESOURCES
WESTERN REGION

Re: City of Meridian Application for Permit

Dear John:

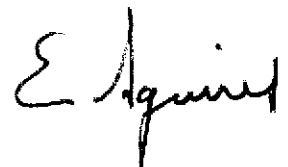
I write to inform you of the City of Meridian's (City or Meridian) intention to file an Application for Permit (to appropriate the public waters of the state of Idaho) for 5 cfs of groundwater for municipal purposes. The City needs this water to serve immediate demand in the rapidly developing northern portion of their service area. The application will be filed with the Western Regional Office of IDWR today and will likely not be advertised until the first two weeks in May.

With all of the present controversy over "Municipal" water rights, and with the Meridian and United Water Idaho service areas growing together, and toward a spirit of cooperative understanding amongst municipal water providers in the Boise River Valley, the City of Meridian wanted to make you aware of its application. It is the City's hope that this gesture will foster a reciprocal relationship whereby your municipal clients notify cities of new water rights filings and/or service agreements to provide municipal water to non-contiguous or "satellite" portions of United Water Idaho's certificated service area.

It is positive that United Water and Meridian have never protested each other's water rights applications seeking to provide needed water for current population growth. This is especially true considering the juxtaposition of the two service areas. As water availability becomes an issue in the Valley, as it almost certainly will in the future, cooperation between water users will be paramount to avoidance of costly legal disputes and "water wars" between major users. To this end, the City is open to any discussion of municipal water rights and/or water supply issues that United Water would like to explore and would welcome a meeting on the subject. Attached, please find the City's most recent Application for Permit for your information.

Respectfully,

Ed Squires



c: Gary D. Smith, P.E., City of Meridian
Gordon Law, P.E., City of Caldwell
✓ Gary Spackman, IDWR - WRO

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FEB 24 2004

4/18/03

City of Meridian Appl -

Can't adventure drilling specs in Ed's cover letter - too lengthy.

Probably can't add them as permit conditions per recent S.O. guidance.

Instead, I suggest:

1) Legal notice remark:

"Applicant proposes to construct a well for ground water not under direct influence of surface water."

2) Permit conditions

This permit authorizes use of ground water not under direct influence of surface water. *

3) Drilling permit conditions - maybe ~~can~~ ^{can} adopt as stated in Ed's letter.

Discuss 2+3 with Gary when manager's review occurs. Might want to include ROB c #3 at some time.

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FEB 24 2004

* might not need this if cover it under any drilling permits issued. But what about possible additional wells maybe added to WR in future? That's a reason to include condition on WR.

April 17, 2003

Mr. Steve Lester 
Water Rights Supervisor
State of Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, Idaho 83705-5082

RECEIVED

APR 18 2003

WATER RESOURCES
WESTERN REGION

Dear Steve:

This letter accompanies an Application for Permit (to appropriate the public waters of the State of Idaho) on behalf of my client, the City of Meridian, Idaho (City or Meridian). The City continues to grow at a rapid pace and, with this application, seeks to appropriate an additional 5.0 cfs of groundwater for its municipal water supply. Under this cover letter, you will find the following:

- 1) A completed Application for Permit form signed by the Mayor of Meridian.
- 2) A listing of the current elected officials of the City of Meridian.
- 3) A USGS 7½ -minute topographic map showing the proposed points of diversion.
- 4) A map depicting the current extent of Meridian's municipal water service area.
- 5) A Request to Process form signed by the Mayor of the City of Meridian.
- 6) A signed check for the \$410.00 processing fee made payable to the IDWR.

Over the past year, and in response to anxiety over evolving Conjunctive Management (of surface and ground waters) issues, the U.S Bureau of Reclamation (Reclamation or Bureau) has established a pattern of protesting municipal applications for groundwater development in the Boise River Valley. I have personally been involved with the protested filings of the Cities of Kuna, Meridian, and Caldwell. Permit Applications by United Water Idaho, Inc., a public municipal water provider, have also been protested by Reclamation. In all cases to date, the concerns of the Bureau have been addressed through conditional approval of the water right relative to the details of well construction. The settlement agreements have not, however, been resolved without significant expenditures of time by Department staff, agency administrators, legal representation, and consultants. Delay of the water right approval process is an end result. In the absence of up-front proactive attention to this issue, the same fate is expected for Meridian's current application.

The City believes it understands the Bureau's concerns over the potential direct interconnection between surface water and ground water obtained from wells. Indeed, Meridian and Reclamation share the common goal of ensuring a separation of surface and ground waters. All of the City's existing wells have been classified as "Groundwater Not Under the Direct Influence of Surface Water" by the Idaho Department of Environmental Quality in response to professional hydrogeologic evaluations of its water well sources. Over the last ten year period, the City's municipal well designs evidence Meridian's conviction to effectively seal its wells from potential interconnection to surface waters and shallow ground waters.

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FEB 24 2004

A thorough review of Driller's Reports for the local area surrounding the proposed points of diversion has already been accomplished by the City as a pre-requisite for its existing municipal supply Well #20 drilled in 1998 on the same site as the proposed points of diversion for this water right. Good hydrogeologic oversight and documentation during the City's drilling, completion, and testing of a 1012-foot deep exploratory test-well and the 625-foot deep #20-A production well have provided good sub-surface information on the geologic section beneath the site. Drill cuttings and geophysical records from these wells show significant cumulative thicknesses of low-permeability strata to exist within the upper 300 feet of geologic section. In this area, even shallow 200-foot deep wells exhibit above-ground pressure heads indicating confined conditions. It is the City's habit, and continuing intention, to case and continuously seal all new wells by utilizing full-depth surface seals and un-perforated casing from land surface to the top of target aquifer units; practices we believe should be enforced for all water wells including domestic wells.

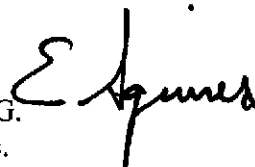
In order to expedite processing of this application, and to forestall the expense of the water right hearing process for all parties, the City agrees to, and requests that, the following preemptive conditions be publicly advertised with its application and to be predetermined as conditions of approval of its permitted water right:

- 1) The well(s) proposed as points of diversion for this water right shall be drilled using open-hole, fluid-rotary drilling techniques.
- 2) The water right holder shall extend un-perforated surface casing from land surface to a confining layer directly overlying the top of the aquifer open to the well.
- 3) The well(s) proposed as points of diversion for this water right shall be constructed with a surface casing that shall not, under any discovered (during drilling) circumstances, be less than 230 feet in length.
- 4) The well(s) proposed as points of diversion for this water right shall be sealed by the emplacement of a continuous (full-depth) surface seal consisting of low-permeability grout or chip bentonite within the annular space between the open drilled hole and the surface casing.
- 5) The water right holder shall ensure that the installation of the surface seal is inspected and documented by a professional Engineer or Geologist registered in the State of Idaho.

Please call me at 342-8369 with any questions you may have concerning this application or if you require additional information for processing. The City of Meridian acknowledges the on-going helpful assistance of the Department and especially that of your staff charged with processing the City's frequent water right applications. It is our hope that this complete application package and proactive recognition of the concerns of other water right holders will reduce the time commitment by the Department and streamline this key segment of the City's critical path to development of new water supplies for its residents.

Respectfully,

Ed Squires, R.P.G.
Hydro Logic, Inc.



c: Gary D. Smith, P.E., City of Meridian
E. Gail McGarry, U.S. Bureau of Reclamation
John Marshall, Givens Pursley LLP

MICROFILMED

FEB 24 2004