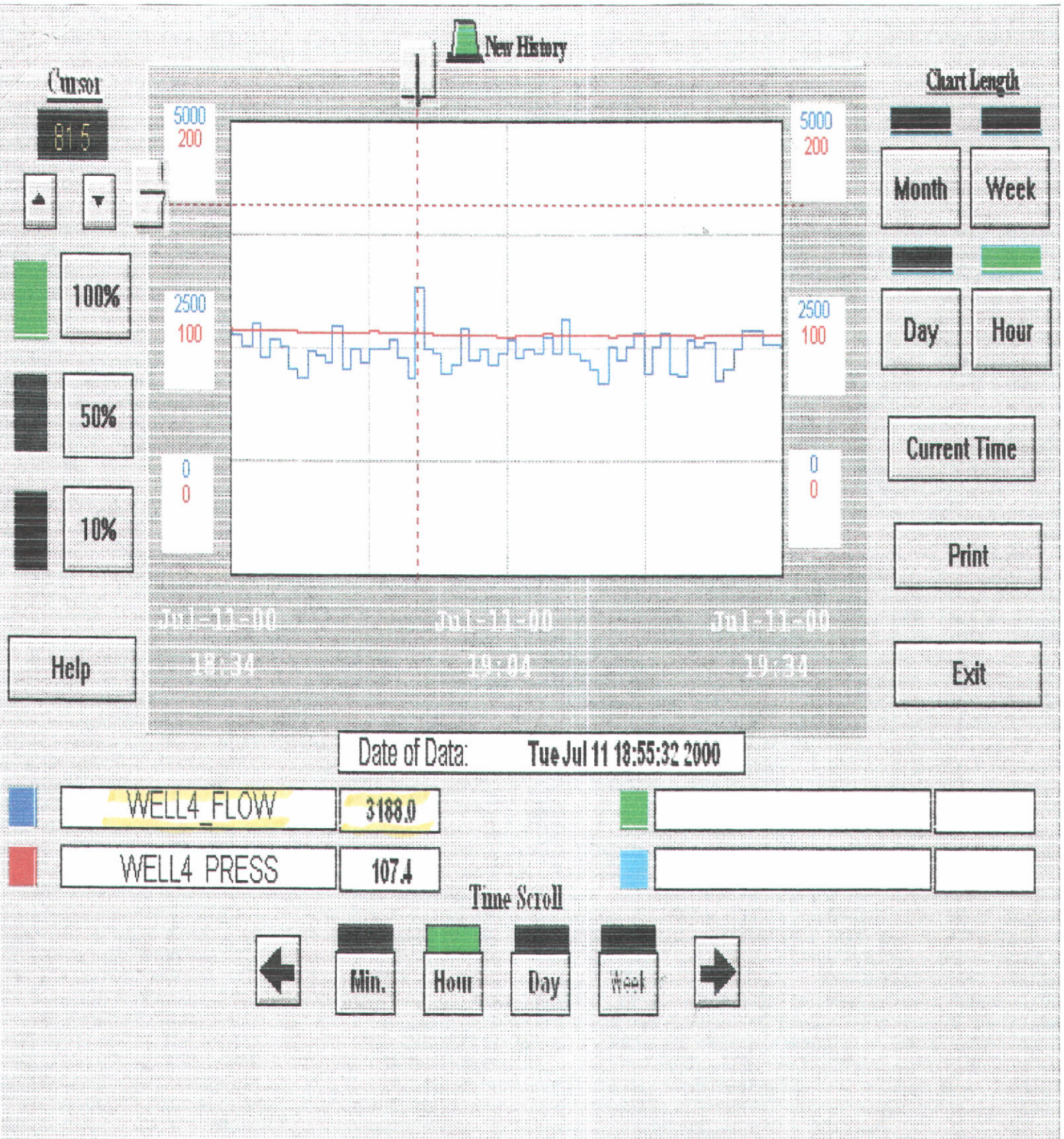




MICROFILMED
MAR 24 2003

29-8229



POD

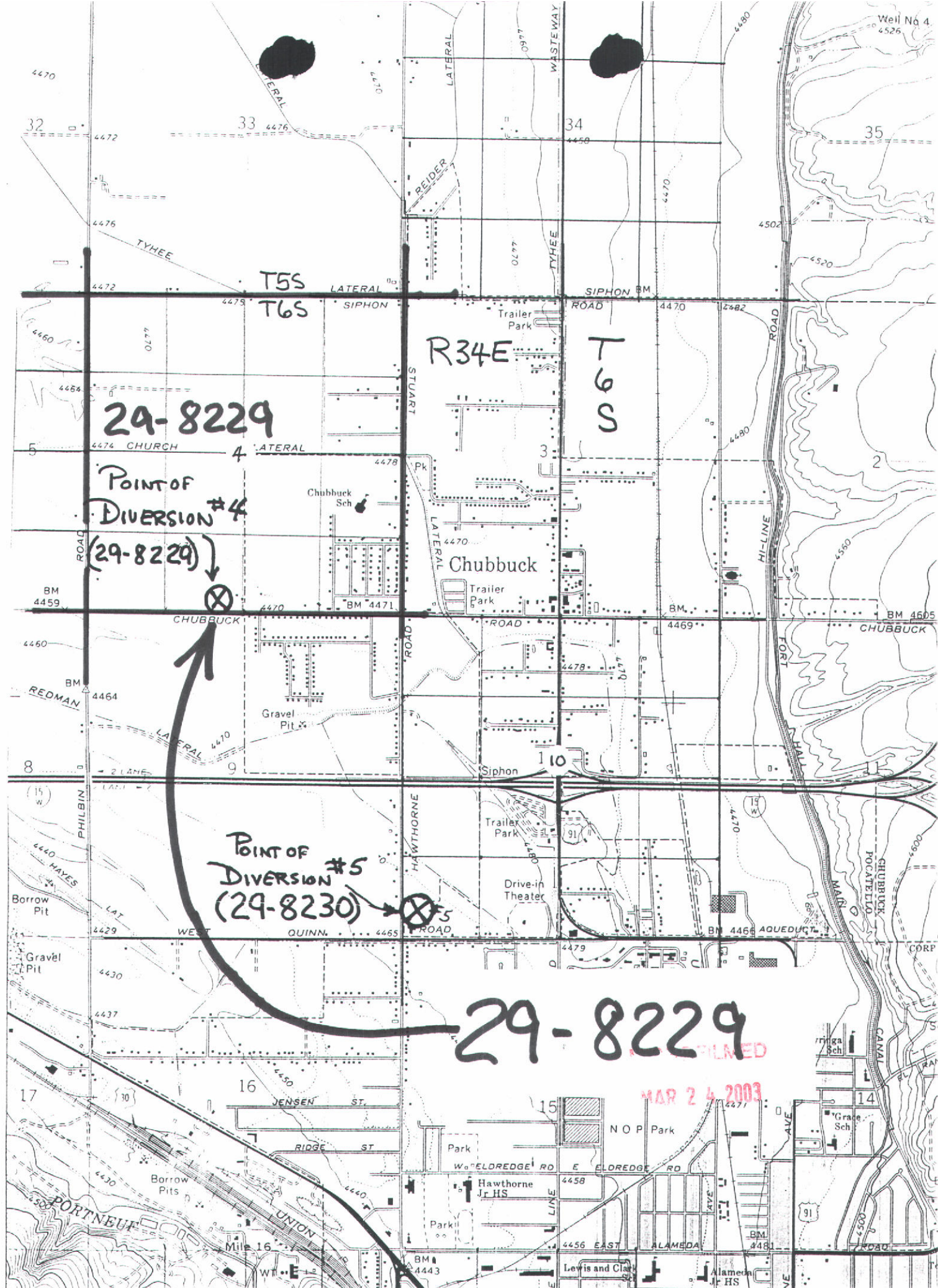


Rediversion Pump - Booster

MICROFILMED

MAR 24 2003

29-8229



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 29-08229

Priority: April 05, 1999

Maximum Diversion Rate: 1.74 CFS

It is hereby certified that CITY OF CHUBBUCK
PUBLIC WORKS DEPARTMENT
PO BOX 5604
CHUBBUCK ID 83202-5604 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated April 05, 1999; and has
submitted Proof of Beneficial Use on July 12, 1999. An examination indicates that the works have a
diversion capacity of 7.1 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE

MUNICIPAL

PERIOD OF USE

01/01 to 12/31

DIVERSION RATE

1.74 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 4, Twp 06S, Rge 34E, B.M., BANNOCK County

CONDITIONS OF APPROVAL

1. Right 29-07624 is also diverted through the point of diversion described above.
2. Place of use is within the service area of the City of Chubbuck municipal water supply system as provided for under Idaho Law.
3. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
4. 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.
5. The daily diversion volume for non-domestic uses under this municipal right shall not exceed 2,500 gallons per use and the daily diversion volume for domestic uses under this right shall not exceed 13,000 gallons per dwelling in accordance with Section 42-111, Idaho Code.
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.

MICROFILMED

APR 24 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 29-08229

7. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
8. The issuance of this right does not grant any right-of-way or easement across the land of another.

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

Signed and sealed this 12th day of March, 2003.


for KARL J. DREHER
Director

MICROFILMED
MAR 24 2003

RECEIVED

JUL 12 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 29-08229 Telephone No. 208-237-2400

2. Name(s) of Permit Holder(s): City of Chubbuck, Idaho

3. Mailing Address: PO Box 5604, Chubbuck, ID 83202-5604

4. Source of Water: Groundwater If **GROUNDWATER** (well), Date Drilled: mo. June / yr. 1984

a. Well Driller: Jack Cushman Drilling Drilling Permit Number: _____

b. **OPTIONAL:**
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 2,326 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 1.74 cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes X or No _____

Has the measuring device been installed? Yes X or No _____

Flow Measurement Port: Is a flow measurement port required? Yes _____ or No X

Has the measurement port been installed? Yes _____ or No X

8. Fee Enclosed: \$ 125.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Charles Piquet Telephone Number: 208-237-2430

Address: PO Box 5604, Chubbuck, ID 83202-5604

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: [Signature]

SCANNED

(Include your title, if on behalf of company or organization)

Date: 7-1-99

JUN 29 2001

MICROFILMED

NOV 30 1999

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 29-08229

Proposed Priority: April 5, 1999

Maximum Diversion Rate:

1.74 CFS

This is to certify, that CITY OF CHUBBUCK
PO BOX 5604

CHUBBUCK ID 83202-5604

has applied for a permit to appropriate water from: GROUNDWATER

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

MUNICIPAL

01/01 to 12/31

1.74 CFS

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 4, Township 06S, Range 34E
BANNOCK County

PLACE OF USE: See Remarks

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 2000.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. 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.
5. The daily diversion volume for non-domestic uses under this municipal right shall not exceed 2,500 gallons per use and the daily diversion volume for domestic uses under this right shall not exceed 13,000 gallons per dwelling in accordance with Section 42-111, Idaho Code.
6. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
7. The issuance of this right does not grant any right-of-way or easement across the land of another.
8. 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.

MICROFILMED

MAY 27 1999

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

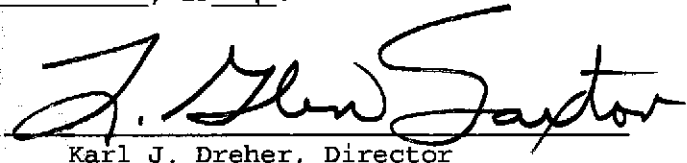
NO. 29-08229

CONDITIONS OF APPROVAL AND REMARKS

9. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
10. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
11. The Director retains jurisdiction over this right and may change, add, or remove any requirement as determined to be appropriate.
12. Place of use is within the city limits of Chubbuck.

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

12th day of May, 1999.


Karl J. Dreher, Director

for

MICROFILMED
MAY 27 1999

RECEIVED

STATE OF IDAHO

Ident. No. 29-08229

APR 05 1999 DEPARTMENT OF WATER RESOURCES

RECEIVED
Department of Water Resources
Eastern Region

APPLICATION FOR PERMIT

RECEIVED

MAR 16 1999

MAY 1 1999

To appropriate the public waters of the State of Idaho

Department of Water Resources
Eastern Region

Department of Water Resources

1. Name of applicant City of Chubbuck, Idaho Phone (208) 237-2430

Post office address P.O. Box 5604, Chubbuck, ID 83202

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____

Sec. 4 Township 6S Range 34E B.M. Bannock County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

1.74 cfs
6.70 cfs
Amount _____ 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)

5. Total quantity to be appropriated is (a) 1.74 cfs and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Vertical turbine pump and motor
diverting water directly into an air stripping, treatment tower for
elimination of VOC's. Water is then recollected and pumped directly
into the distribution system.

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

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

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

e. If well is already drilled, when? June 1984; Drilling firm Jack Cushman Drilling;
MICROFILMED

Well was drilled for (well owner) City of Chubbuck, Idaho MAY 27 1999

7. Time required for the completion of the works and application of the water to be proposed beneficial use is

1 years (minimum 1 year). Work completed.

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 Chubbuck, Idaho
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

9. Description of place of use: All within the city limits of the City of Chubbuck

- 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.

City of Chubbuck 2

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S.	34E.	34									M	M	M	M			M	M	
6S.	34E.	2						M			M	M	M	M					
6S.	34E.	3	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	
6S.	34E.	4	M			M					M			M	M	M	M	M	
6S.	34E.	9	M	M	M	M													
6S.	34E.	10	M	M	M	M	M	M	M	M	M	M	M	M		M			
6S.	34E.	11		M	M		M	M	M	M									

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 39-2385
29-2413, 29-2469, 29-08188

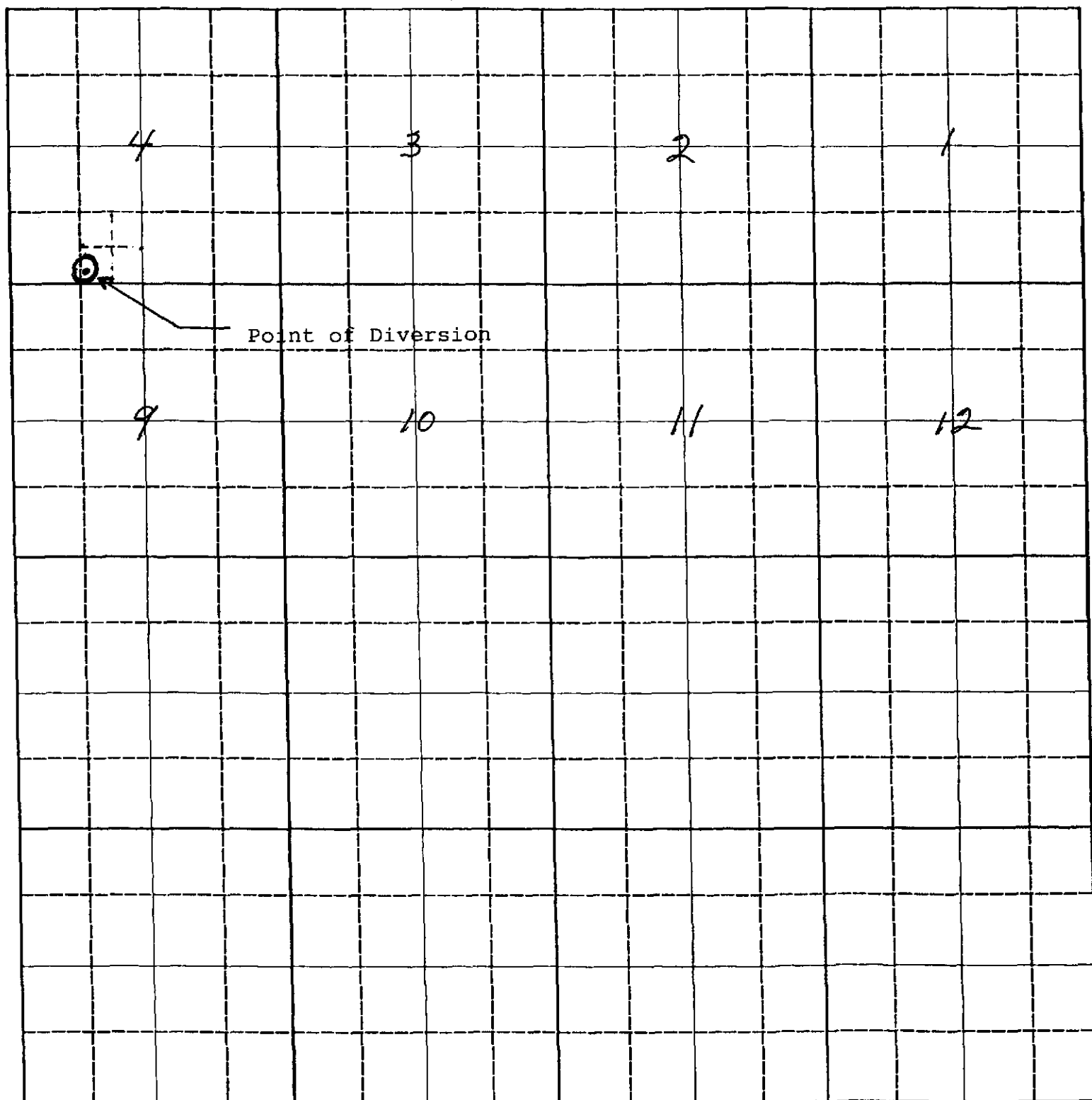
11. a. Who owns the property at the point of diversion? City of Chubbuck, Idaho
- b. Who owns the land to be irrigated or place of use? Various property owners incity.
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. City of Chubbuck operates the public water supply system in the municipality.

12. Remarks: This application is a request to increase the water appropriation rate from 4.96 cfs. to 6.70 cfs. The 4.96 cfs appropriation rate is authorized under permit no. 29-7624.

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MAY 27 1999

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. T.6S., R.34E., BM



Scale: 2 inches equal 1 mile.

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

John Obata
MICROFILMED
(Applicant)
MAY 27 1999

Received by HWT Date 2-5-99 Time _____ Preliminary check by _____
Fee \$ 120.00 Received by HWT # E024885 Date 4-5-99
Publication prepared by Sc Date 4/15 & 4/22/99 Published in Idaho State Journal
Publication approved SC Date 4/24/99

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

MICROFILMED
MAY 27 1999



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

March 13, 2003

CITY OF CHUBBUCK
PUBLIC WORKS DEPARTMENT
PO BOX 5604
CHUBBUCK ID 83202-5604

RE: License No. 29-8229 - Issuance of License

Dear Water Right Holder(s):

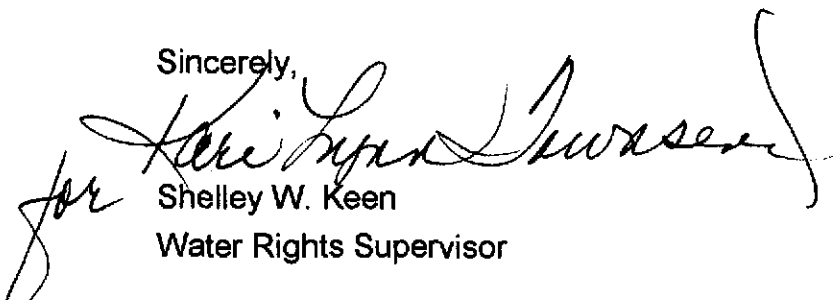
The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,


Shelley W. Keen
Water Rights Supervisor

SWK:kit

Enclosure(s)

MICROFILMED

MAR 24 2003

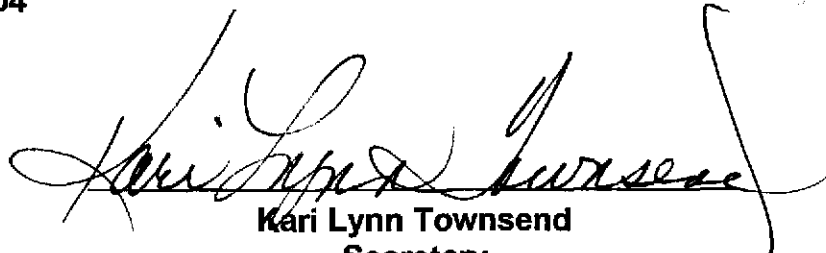
CERTIFICATE OF SERVICE

I hereby certify that on March 13, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

29-8229

**CITY OF CHUBBUCK
PUBLIC WORKS DEPARTMENT
PO BOX 5604
CHUBBUCK ID 83202-5604**



**Kari Lynn Townsend
Secretary**

**MICROFILMED
MAR 24 2003**

**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).

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.

Comment Report

29-8229

1. kwalker 3/6/2003 Point of Diversion

Comment: Since the examiners location and SRBA recommendations were different locations I called Paul Meyer to find out how he located the diversion point. He had gone out there and was searching for the well and ran into the grounds keeper for the City and was shown the location of the well which he then GPSd under Rt. 29-7624. This point is on a lot owned by the city per Bannock Co tax info which is consistent with the information on this application. Have recommended the SRBA location of this well for licensing.

2. VAULT 7/13/1999 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

MICROFILMED

MAR 7 4 2003

LICENSE REVIEW CHECKLIST

Permit No. 29-8229 Date: 3-6-2003 Reviewer: Kay Walker

Change/OK

Name/Address

fix per exam & proof

Source

OK

Does change clarify original intended source? If no, void permit.

Point of Diversion:

Change (P39/P49) Add (P45/P44) Feds (P40)

Place of Use

OK

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s):

File reviewed Profile reports printed

29-7634 @ well & plu will not exceed capacity

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 1.74 cfs

Fee Limit 2.0 cfs

Measured 7.10 cfs

Theoretical cfs

Recommended Total Diversion Rate 1.74

Water Uses

OK

Change (P46)

Season of Use per new Standards

Irrigation cfs af
Stockwater cfs af
Domestic cfs af
Munic. 1.74 cfs af
Total 1.74 cfs af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)
supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
<1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (106/R07)
Payette - (W22/047/27A)
Stockwater for US (R37)

Volume Determination

cfs x 1.9835 x days = af (vs) acres x (FHR) = af

Remarks:

Additional Conditions Watermaster Control
GW Measurement/Measuring Device
Other
Trust R55 - remove 051
Non-trust (048)

GW Dist?
Water Msmt. Dist?
Crit. GWMA?
GWMA?
Government Lots?

Advance Priority? yes If yes, explain why below.

SRBA Claim?

NO - not req'd

Adjust memo

see comment report for pld location

Amend Letters

P87, S06

Second Amendment Notice

S06

.65 miles = 3432' — lot owned
by Michael Peterson or Larry
Gunn — only lot owned
by city = SWSESW — very SW 1/4
lot — on Chubbuck road.
Chubbuck Rd & Independence Ave.

<u>Basin</u>	<u>Sequence</u>	<u>Rate(cfs)</u>	<u>Volume(af)</u>	<u>Source</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>	<u>Version</u>	<u>Source Ta App.ID</u>
29	7624	~~4.45~~	~~3228.43~~	GROUND WATER	MUNICIPAL	CITY OF CHUBBUCK (Current)		wrAdjudicationClaim
29	7624	~~4.96~~		GROUND WATER	MUNICIPAL	CITY OF CHUBBUCK (Current)	1	wrAdjudicationRecomr
29	7624	4.96		GROUND WATER	MUNICIPAL	CITY OF CHUBBUCK (Current)		wrWaterRight
29	8229	1.74		GROUND WATER	MUNICIPAL	CITY OF CHUBBUCK (Current)		wrWaterRight
~~29~~	~~8229~~	~~1.74~~		GROUND WATER	MUNICIPAL	CITY OF CHUBBUCK (Current)		wrWaterPermit

6.7 ← will
not
exceed.
capacity.

RECEIVED

APR - 9 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 29-082291. Owner: City of Chubbuck Phone No. (208) 237-2430Current Address: P.O. Box 5604, Chubbuck, ID 83202-56042. Accompanied by: Douglas King EXAM DATE: 7-10-00

Address: _____ Phone No. _____

Relationship to Permit Holder: Water Systems Tech3. Source: Well - Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Yes 29-2385/2413/7624/8188/82302. Other water rights with the same point of diversion: 29-7624

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
#4			SE	SW	4	6S	34E		USGS quad/on site

2. Place(s) of Use: Within city limits of Chubbuck

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

SCANNED

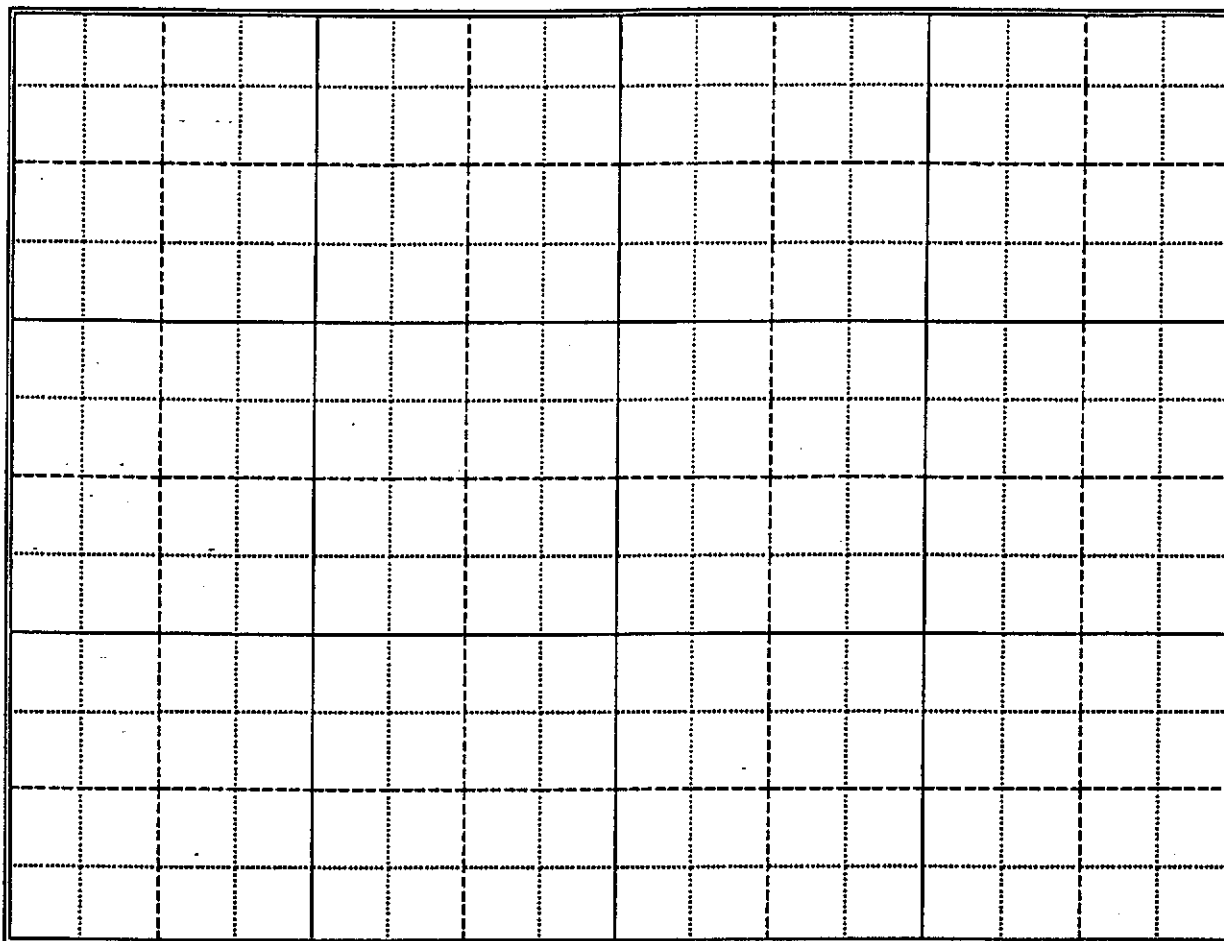
JUN 29 2001

MICROFILMED

MAR 24 2003

29-8229

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as appropriate.



Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Well #4	US Motors	125	B07-97063083-001R-1		H20M/L 7100A
Booster	US Motors	250	B07-97063083-002R-1	Pump Tech	Model 16 MKM Serial 8-0255B

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
		Data Industrial	2100			

2. Measurements: City printed $Q = 3188 \text{ gpm} = 7.10 \text{ cfs}$

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MAR 24 2003

29-8229

Well pump pumps to a storage tower 12' x 12' x 24'. It is then pumped by the booster into the city's city water mains. The flowmeter is attached to the booster. However, the well pump adjusts to match the flow of the booster so the tower doesn't overflow or go dry.

Well # 4 is one of several wells that feed into a common system providing water to the city of Chubbuck. Its flowrate will be taken from the city's electronic flowmeter. No suitable mounting site is available for FOWR's polysonic flowmeter. Exposed piping is coated.

Well #4 flowrate printout was provided by Doyle King. See attached sheet.

Well is located .65 miles west of the intersection of Hawthorne and Chubbuck roads.

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

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29- 8229

F. FLOW CALCULATIONS

Measured Method:

$Q = 2.10 \text{ cfs}$

Additional Computation Sheets Attached

$Q_{A-7624} = 4.96 \text{ cfs}$

$Q_{\text{LIMITED BY PERMIT}} = 1.74 \text{ cfs}$

$Q = 2.10 \text{ cfs} - 4.96 \text{ cfs} = 2.14 \text{ cfs}$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$

$V = \text{Smaller of } V_{LR} \text{ and } V_{D.R.} =$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Municipal	1/1	12/31	1.74 cfs	
Totals:			1.74 cfs	

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name KETH C WILSON Date 3/20/2001

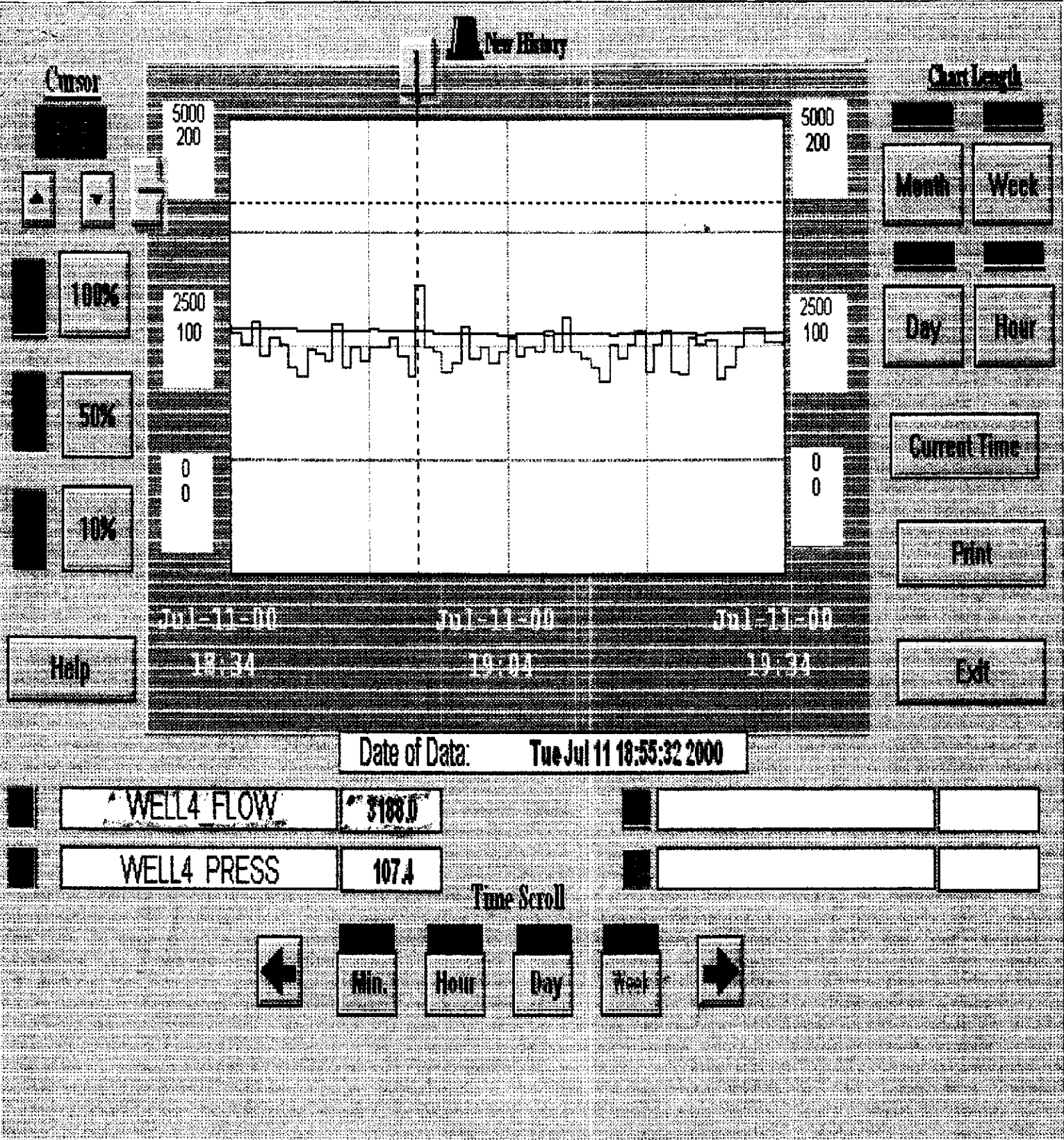
Reviewer _____ Date _____

SEAL

MICROFILMED

MAR 24 2003

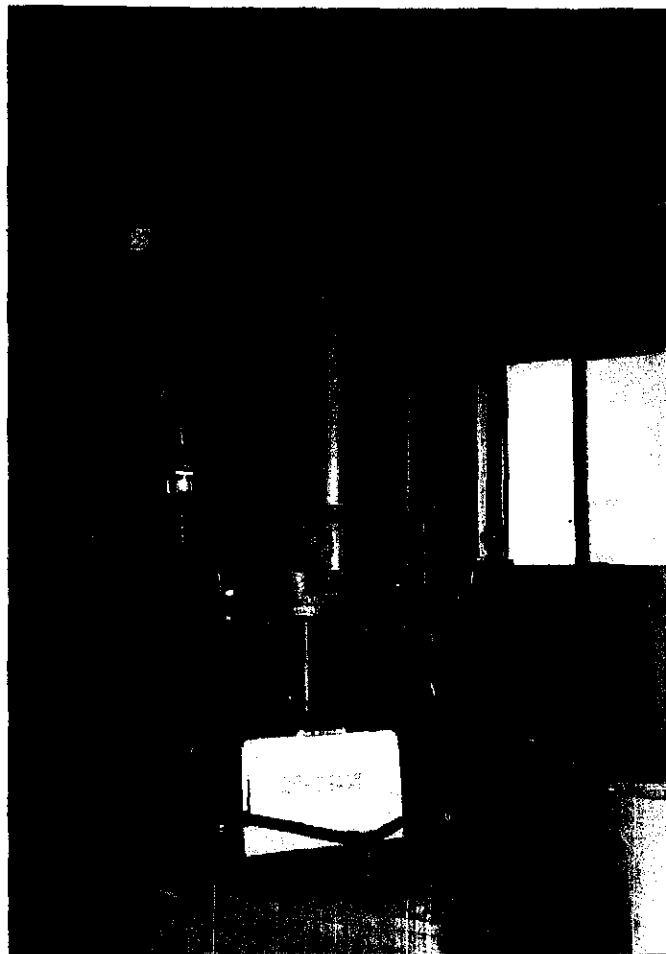
29-8229



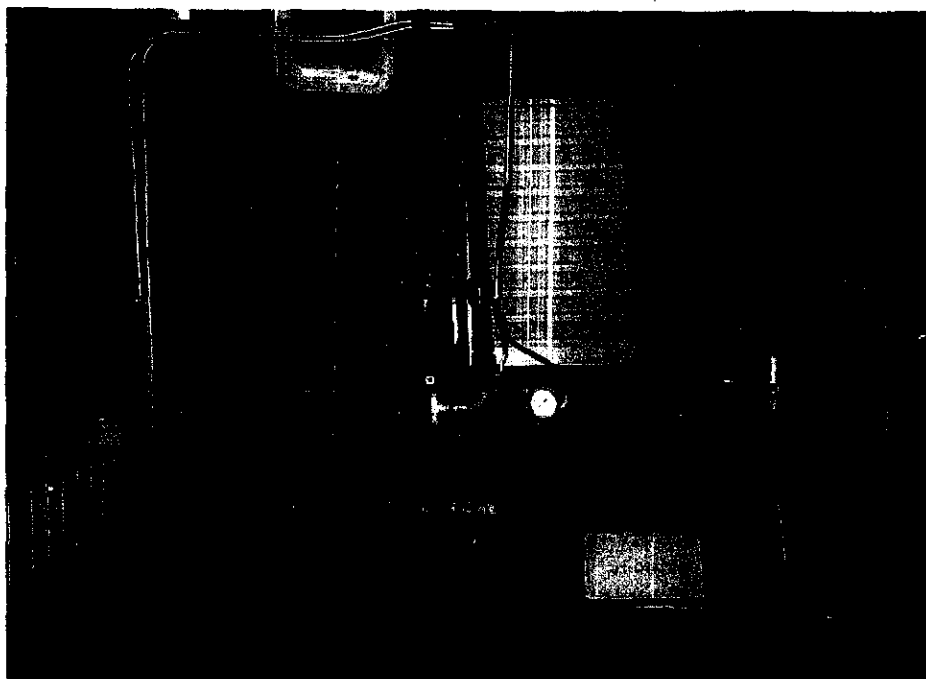
MICROFILMED

MAR 24 2003

29-8229



POD



Rediversion Pump - Booster
MICROFILMED

MAR 24 2003

29-8229





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 18, 1999

City of Chubbuck
PO Box 5604
Chubbuck ID 83202-5604

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-08229

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **EASTERN** Regional Office of the department in Idaho Falls at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

NOV 30 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 13, 1999

CITY OF CHUBBUCK
PO BOX 5604
CHUBBUCK ID 83202-5604

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 29-08229

Dear Permit Holder:

The Department of Water Resources (IDWR) 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 IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

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 right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

Also, please note that water right owners are required to report any change of water right ownership and/or change of 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 reporting form.

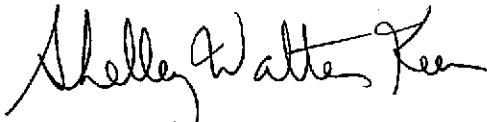
MICROFILMED

MAY 27 1999

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of Idaho for the use and benefit of the people within the state. Conditions pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

If you have any questions, please call me at 208-327-7946.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

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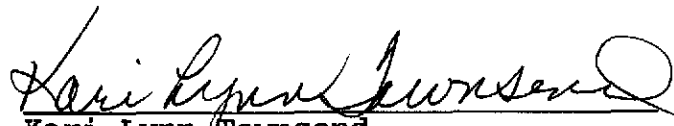
MAY 27 1982

CERTIFICATE OF MAILING

I hereby certify that on the 13th day of May, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 29-08229

CITY OF CHUBBUCK
PO BOX 5604
CHUBBUCK ID 83202-5604


Kari Lynn Townsend
Secretary

MICROFILMED

MAY 27 1999

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department 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.

MICROFILMED

MAY 27 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MEMORANDUM

DATE: May 11, 1999
TO: File No. 29-08229
FROM: Cindy Zimmerman 
RE: Status of municipal use

Section 42-202(2) of the Idaho Code states that "an application proposing an appropriation of water by a municipal provider for reasonably anticipated future needs" must be accompanied by documentation related to the service area, planning horizon, etc.

The file includes a note on the application form identifying "Work completed." Because this application includes that language, it is assumed that this application is intended to meet current needs. It should not at any time be interpreted as supplying "reasonably anticipated future needs".

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MAY 27 1999

DO NOT SCAN

5-1 Copy to DEQ - Pocatello

Dist. for staffing
Submitted for advertising 4-5-99

Form No. 202
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATIONS FOR PERMIT ANALYSIS PERMIT

RECEIVED

INITIAL REVIEW BY HWS DATE 4-5-99 APPLICATION NO. 29-08229 MAY 10 1999

REQUIRED INFORMATION

Department of Water Resources

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map NA
☒ Signature (If applicant is corp., partnership, or municipality, title of signatory is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.)
☒ Overlapping point of diversion
Yes ☐ No ☒ Field check required
Field check by _____
Yes ☐ No ☒ Field report attached
Yes ☐ No ☒ Critical groundwater area
Yes ☐ No ☒ Groundwater management area
Yes ☐ No ☒ Send dam safety information
Yes ☐ No ☒ Send power requirement letter
Yes ☐ No ☒ Send fish farm requirement letter
Yes ☐ No ☒ Power residency affidavit
Yes ☐ No ☒ Power efficiency form
Yes ☐ No ☒ Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
Yes ☐ No ☒ Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)

See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

_____ Date Requested _____

PROCESSING

☒ Yes ☒ No In form for advertising
☒ Yes ☒ No Statewide advertising
☒ Yes ☒ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

☒ Idaho Dept. of Health & Welfare DIHQ - Bky 4/8/99 ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken _____
☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest _____
☒ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☐ No Recommendations attached
☐ Yes ☐ No Measuring device required
☐ Yes ☐ No Access port required
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. _____
☐ Yes ☐ No Special conditions of approval or cover letter below.

Date of priority recommended 4-05-1999
By: [Signature] Date: 5-4-1999

STATE OFFICE REVIEW

By _____ Date: _____

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

_____ City	_____ Idaho Fish & Game	_____ Irrigation Dist.
_____ County	_____ Idaho Health & Welfare	_____ Canal Company
_____ Reservations	_____ Div. of Environment	_____ Other _____

Project impacts/implications report

COMMENTS

[illegible]

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Bannock }

ss.

KAREN GROVER

NOTICE OF
APPLICATION FOR
WATER RIGHT
The Following applica-
tion(s) have been filed
to appropriate the public
waters of the State of
Idaho:

29-08229
CITY OF CHUBBUCK
PO BOX 5604
CHUBBUCK, ID 83202
Source: GROUNDWATER
Diversion Pt: SESW Sec
4 T 06S R 34E in BAN-
NOCK County.
Use: MUNICIPAL
(1,740 CFS)
Total Diversion:
(1,740
CFS)
Date Filed: 4/5/1999
00

29-08230
CITY OF CHUBBUCK
PO BOX 5604
CHUBBUCK, ID 83202
Source: GROUNDWATER
Diversion Pt: NWSWSW
Sec 10 T 06S R 34E in
BANNOCK County.
Use: MUNICIPAL
(2,210
CFS)
Total Diversion:
(2,210
CFS)
Date Filed: 4/5/1999
00

Any protests against the
proposed application
must be filed with the
Dept. of Water Resourc-
es, 900 N Skyline Dr.,
Ste A, Idaho Falls ID
83402, together with a
protest fee of \$25.00
on or before MAY 3,
1999 to be considered
by the Department in its
decision to grant or
deny any part of the
proposed application.
The protestant must
also send a copy of the
protest to the applicant.
April 15, 22, 1999
LN4610

being first duly sworn on oath deposes and says: That SHE
was at all times herein mentioned a citizen of the United States of
America, more than 21 years of age, and the Principal Clerk of THE
IDAHO STATE JOURNAL, a daily newspaper, printed and published at
Pocatello, Bannock County, Idaho, and having a general circulation
therein.

That the document or notice, a true copy of which is attached, was
published in the said IDAHO STATE JOURNAL, on the following dates,
to-wit:

APRIL 15	19 99	19
APRIL 22	19 99	19
	19	19
	19	19
	19	19

That said paper has been continuously and uninterruptedly published
in said County for a period of seventy-eight weeks prior to the publication
of said notice or advertisement and is a newspaper within the meaning of
the laws of Idaho.

Karen Grover

STATE OF IDAHO

COUNTY OF

BANNOCK

On this 22ND day of APRIL in the year of 1999,
before me, a Notary Public, personally appeared _____

KAREN GROVER

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 he executed the same.

Lori A. Schot
Notary Public for Idaho

Residing at POCATELLO

MICROFILMED

MAY 27 1999

My commission expires FEBRUARY 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

April 8, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DEPARTMENT OF ENVIRONMENTAL QUALITY
224 S ARTHUR
POCATELLO ID 83204

RE: Applications for Permit #29-08229 and 29-08230

Dear Sirs:

We are enclosing a copy of the application (s) that may be of interest to your department. Please review the application (s) and submit any comments you may have to our Department as soon as possible. The last date of protest is May 3, 1999, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

A handwritten signature in cursive script that reads "Harold W. Jones".

Harold W. Jones
Water Right Supervisor

HWJ: sc

Enc.

MICROFILMED

MAY 27 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

April 8, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF CHUBBUCK, IDAHO
PO BOX 5604
POCATELLO ID 83202

RE: Application for Permit #29-08229 and #29-08230

Dear Applicant:

This office is currently in the process of advertising the application in the Idaho State Journal on April 15 and 22, 1999. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ::sc

MICROFILMED

MAY 27 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

APRIL 8, 1999

Legal Notices Department
IDAHO STATE JOURNAL
P.O. BOX 431
POCATELLO, ID 83204

Dear Legal Dept.:

Enclosed you will find legal notices which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

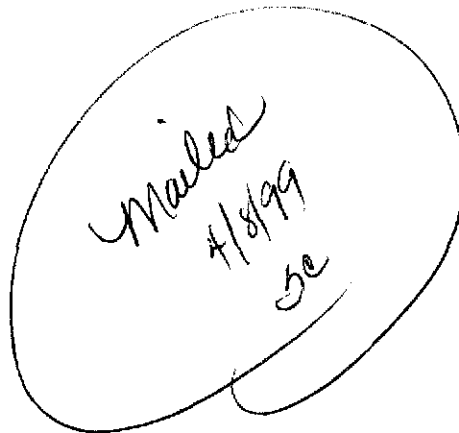
An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MAY 3, 1999.

Yours truly,

Sharla Cox
Senior Secretary

Encl.



MICROFILMED

MAY 27 1999

NOTICE OF APPLICATION FOR WATER RIGHT

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

29-08229

CITY OF CHUBBUCK
PO BOX 5604
CHUBBUCK, ID 83202

Source: GROUNDWATER

Diversion Pt: SESW Sec 4 T 06S R 34E in BANNOCK County.

Use: MUNICIPAL	(	1.740 CFS)
Total Diversion:	(	1.740 CFS)

Date Filed: 4/ 5/1999

00

Any protests against the proposed application must be filed with the Dept. of Water Resources, 900 N Skyline Dr., Ste A, Idaho Falls ID 83402, together with a protest fee of \$25.00 on or before MAY 3, 1999. to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 4/15/1999 & 4/22/1999

MICROFILMED

MAY 27 1999