

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bonneville

} ss.

I Aden Hyde, first being duly sworn, depose and say that I am the ~~printer/foreman~~ principal clerk of the Idaho Falls Publishing Company, an Idaho corporation, Bonneville County, Idaho, being publishers of the Eastern Idaho Farmer, legal newspaper of general circulation, published weekly at Idaho Falls, Idaho, having been published continuously and uninterruptedly in conformity with the provisions of Section 60-106, of Idaho Code, for more than seventy-eight (78) weeks prior to the first publication of the legal notice hereinafter referred to.

That the notice, of which copy is hereto attached and made a part of this affidavit, was published in the Eastern Idaho Farmer for two consecutive weeks, first publication having been made on the third day of August, 19 67, last publication having been made on the tenth day of August, 19 67, and that notice was published in regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this eleventh day of August, 19 67

Maurine D. Freeman

Notary Public

Residing at: Idaho Falls, Idaho
My Commission Expires 2/21/67, 19 68

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that the City of Idaho Falls, Idaho has on July 13, 1967 applied for permit to divert 10.0 (cubic feet per second) of water from a subterranean source under application No. 35-7001. Water will be diverted by underground pipe within the NW 1/4 NE 1/4, Sec. 23, T. 2N. R. 37E. B.M. and is to be used from January 1 to December 31 for municipal domestic use, culinary and industrial purposes in Idaho Falls distribution system. Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Eastern Idaho Farmer, Idaho Falls, Idaho, on August 3 and August 10.

RECEIVED
AUG 14 1967
Department of Reclamation

35-7001

Range 37E

23

MUNICIPAL

ALLOW Q - 8.9 cfs

max Vol - 1,401,000,000

- 4300 AC-FT/ANNUM

PRIORITY - JULY 13, 1967

35-7001

Permit No. 35-7001

Name of Applicant City of Idaho Falls, Box 220, Idaho Falls, Idaho

Source of Water Underground water

a tributary of

Location of P.D. NW¹/₄NE¹/₄, Sec. 23, T. 2N, R. 37E.B.M., Bonneville

County

Water is used for Municipal, domestic, culinary, industrial

Quantity of water claimed: Permit 10. c.f.s. Depositions 10. c.f.s.

Type of measuring device installed or method of measurement and general description

of diversion works Electronic Integrator & Flo-meter, underground

pipng system, pump, 250hp motor, well

Measuring device

is required.

pump size: 4,000 GPM casing varies from 26" at top to 18" at

Motor Size: 250 HP bottom-well depth 400 feet

Land to be irrigated or place of use:

TWP. RGE. SEC. Description

Vicinity of the City of Idaho Falls

Total acreage

Filed: July 13, 1967

Due: July 1, 1969

Made: May 12, 1969

Priority: July 13, 1967.

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and

acreage covered by subdivision; also show land covered on the map.

(see attached sheet)

Water volume in file number 31141/25-2142

HANSEN & HANSEN

LAWYERS

576 N. CAPITAL AVE. - P. O. BOX 96

IDAHO FALLS, IDAHO

ORVAL HANSEN
JOHN D. HANSEN

TELEPHONE
523-5171

August 17, 1967

RECEIVED
AUG 18 1967

Department of Reclamation

Reclamation Department
State House
Boise, Idaho

Attention: Mr. Jack Barnett, Deputy
State Reclamation Engineer

Dear Mr. Barnett:

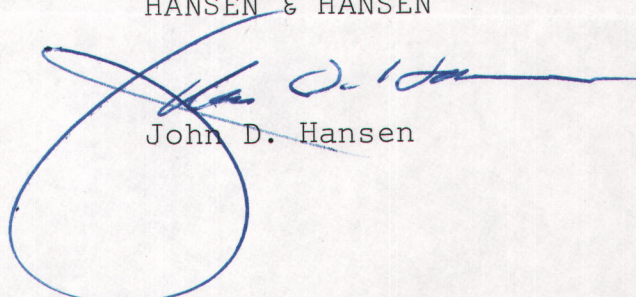
Confirming our recent telephone conversation, I enclose an Affidavit of Mr. J. Earl Evans of this City which, together with the within letter, we wish to have lodged as a protest against the application of the City of Idaho Falls, dated July 13, 1967, for permit to divert subterranean water under application No. 35-7001, to be divered from an underground pipe within the Northwest Quarter Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$), Section 23, Township 2 North, Range 37, East of the Boise Meridian.

If you should desire additional information or a more formal application, please advise.

Thanking you for your cooperation, I remain

Yours very truly,

HANSEN & HANSEN


John D. Hansen

JDH:am
enclosure
CERTIFIED

Confirmed Aug 29 67

3pm.

Public works office

City Hall Bldg.

Idaho Falls

35-7001

WATER LICENSE

Water License No. 35-7001 Priority July 13, 1967 Amount 8.9 c.f.s.

THIS IS TO CERTIFY, that CITY OF IDAHO FALLS

of Idaho Falls, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 13, 1967; that Permit 35-7001 was issued pursuant to said application; that the proposed works were completed on or about May 9, 1969, with a storage or carrying capacity of 8.9 c.f.s., said works consisting of well, pump, and motor; and that on May 12, 1969, proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 4,300 acre feet per season, with a maximum rate of diversion of 8.9 cubic feet per second of the waters of ground-water, tributary of _____, for the purpose of Municipal from January 1 to December 31; and for _____ from _____ to _____; and that the use of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is located in NW 1/4 NE 1/4, Sec. 23, T. 2 N, R. 37 E, B.M., and other additional points _____, in the County of Bonneville; and that the amount of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 4,300 acre feet per year.

Description and location of place of use: Vicinity of the City of Idaho Falls

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres irrigated _____

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

3rd day of April, 19 70.

L. Kirk Higgs
State Reclamation Engineer

35-7001

Identification No. _____

Permit No. _____

RECEIVED

MAY 12 1967

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION**

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

1. a) Name of Permit Holder City of Idaho Falls, Idaho ✓
b) Post Office Address P. O. Box 220, Idaho Falls, Idaho 83401 ✓
2. Permit Number 35-7001 ✓
3. Date of Priority that you are prepared to establish 7-13-67 ✓
4. a) Source from which water was appropriated Subterranean waters ✓
b) Location of the point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23 ✓
2N, Range 37 East ✓ Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
amount 10 cfs ✓ for Municipal Domestic purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 10 cfs ✓ cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: The Waterworks Superintendent and the Chief Water Supply Operator are both qualified to make the measurement.

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: Not applicable
b) Describe the agreement or understanding by which you take water from the works: None

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Pump size, 4,000 GPM; motor size, 250 HP; casing varies from 26" at top to 18" at bottom; well depth, 400 feet.
b) Describe the type and size of measuring device which you have installed at your point of diversion: Electronic Integrator and Flo-meter
c) Give well drillers name and address and date the well was completed Andrew Well Drilling Contractors, 1268 East 17th St., Idaho Falls, Idaho 83401

35-2001

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use Municipal domestic, commercial and industrial use.

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: Lawn sprinkling only

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated _____

10. Remarks: This is part of the Municipal water system which is composed entirely of 11 deep wells and underground distribution system.

The above information is a true statement of the extent to which the above numbered permit has been developed.

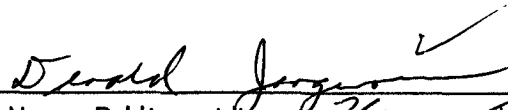
May 9, 1969 ✓
(Date)



(Signature) S. Eddie Pedersen, Mayor

State of Idaho)
County of Bannville) ss.

On this 9 day of May, 1969, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



Notary Public residing at Ucon, Idaho

My commission expires Nov - 14 - 1970

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
Department of Reclamation

MAY 12 1967

1. a) Name of Permit Holder City of Idaho Falls, Idaho
b) Post Office Address P. O. Box 220, Idaho Falls, Idaho 83401
2. Permit Number 35-7001
3. Date of Priority that you are prepared to establish 7-13-67
4. a) Source from which water was appropriated Subterranean waters
b) Location of the point of diversion: NW 1/4 NE 1/4, Section 23
Township 2N, Range 37 East, Boise Meridian, Other points of diversion:

5. a) The amount of water and use to which the water has been applied:
amount 10 cfs for Municipal Domestic purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 10 cfs cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: The Waterworks Superintendent and the Chief Water Supply Operator are both qualified to make the measurement.

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: Not applicable
b) Describe the agreement or understanding by which you take water from the works: None

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Pump size, 4,000 GPM; motor size, 250 HP; casing varies from 26" at top to 18" at bottom; well depth, 400 feet.
b) Describe the type and size of measuring device which you have installed at your point of diversion: Electronic Integrator and Flo-meter
c) Give well drillers name and address and date the well was completed Andrew Well Drilling Contractors, 1268 East 17th St., Idaho Falls, Idaho 83401

35-7001

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use Municipal domestic, commercial and industrial use.

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: Lawn sprinkling only

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated _____

10. Remarks: This is part of the Municipal water system which is composed entirely of 11 deep wells and underground distribution system.

The above information is a true statement of the extent to which the above numbered permit has been developed.

May 9, 1969
(Date)

S. Eddie Pedersen
(Signature) S. Eddie Pedersen, Mayor

State of Idaho)
County of Bannock) ss.

On this 9 day of May, 1969, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Donald Johnson
Notary Public residing at Ucon, Idaho

My commission expires Nov - 14 - 1970

35-2001

Identification No.

35-7001

Application No.

41943

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant City of Idaho Falls, Idaho
post office address Box 220, Idaho Falls, Idaho 83401

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

3. a. Location of point of diversion is NW 1/4 of NE 1/4 of Section 23 Township 2N
Range 37 E.B.M. Bonneville County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into Snake River at a point in SW 1/4
of NE 1/4 of Section 35 Township 2N Range 37, E.B.M.

4. Quantity to be appropriated:

- a. 10 cfs cubic feet per second and/or
b. _____ acre feet per annum will be stored.

5. Water will be used for the following purposes:

Municipal domestic, culinary, and industrial purpose from Jan 1 to Dec 31 (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)

2. 500,000
per Telephone inst
7/13-67
over

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Underground piping system. This becomes
a part of the entire distribution system of the City.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet; materials used in storage dam: _____
One 500,000 gallon elevated tank.

c. Proposed well diameter is 22 (Min) inches; proposed depth of well is 400 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 year, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 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2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 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2796, 2797, 2798, 2799, 2800, 2801, 2802, 2803, 2804, 2805, 2806, 2807, 2808, 2809, 2810, 2811, 2812, 2813, 2814, 2815, 2816, 2817, 2818, 2819, 2820, 2821, 2822, 2823, 2824, 2825, 2826, 2827, 2828, 2829, 2830, 2831, 2832, 2833, 2834, 2835, 2836, 2837, 2838, 2839, 2840, 2841, 2842, 2843, 2844, 2845, 2846, 2847, 2848, 2849, 2850, 2851, 2852, 2853, 2854, 2855, 2856, 2857, 2858, 2859, 2860, 2861, 2862, 2863, 2864, 2865, 2866, 2867, 2868, 2869, 2870, 2871, 2872, 2873, 2874, 2875, 2876, 2877, 2878, 2879, 2880, 2881, 2882, 2883, 2884, 2885, 2886, 2887, 2888, 2889, 2890, 2891, 2892, 2893, 2894, 2895, 2896, 2897, 2898, 2899, 2900, 2901, 2902, 2903, 2904, 2905, 2906, 2907, 2908, 2909, 2910, 2911, 2912, 2913, 2914, 2915, 2916, 2917, 2918, 2919, 2920, 2921, 2922, 2923, 2924, 2925, 2926, 2927, 2928, 2929, 2930, 2931, 2932, 2933, 2934, 2935, 2936, 2937, 2938, 2939, 2940, 2941, 2942, 2943, 2944, 2945, 2946, 2947, 2948, 2949, 2950, 2951, 2952, 2953, 2954, 2955, 2956, 2957, 2958, 2959, 2960, 2961, 2962, 2963, 2964, 2965, 2966, 2967, 2968, 2969, 2970, 2971, 2972, 2973, 2974, 2975, 2976, 2977, 2978, 2979, 2980, 2981, 2982, 2983, 2984, 2985, 2986, 2987, 2988, 2989, 2990, 2991, 2992, 2993, 2994, 2995, 2996, 2997, 2998, 2999, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3065, 3066, 3067, 3068, 3069, 3070, 3071, 3072, 3073, 3074, 3075, 3076, 3077, 3078, 3079, 3080, 3081, 3082, 3083, 3084, 3085, 3086, 3087, 3088, 3089, 3090, 3091, 3092, 3093, 3094, 3095, 3096, 3097, 3098, 3099, 3100, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114, 3115, 3116, 3117, 3118, 3119, 3120, 3121, 3122, 3123, 3124, 3125, 3126, 3127, 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3792, 3793, 3794, 3795, 3796, 3797, 3798, 3799, 3800, 3801, 3802, 3803, 3804, 3805, 3806, 3807

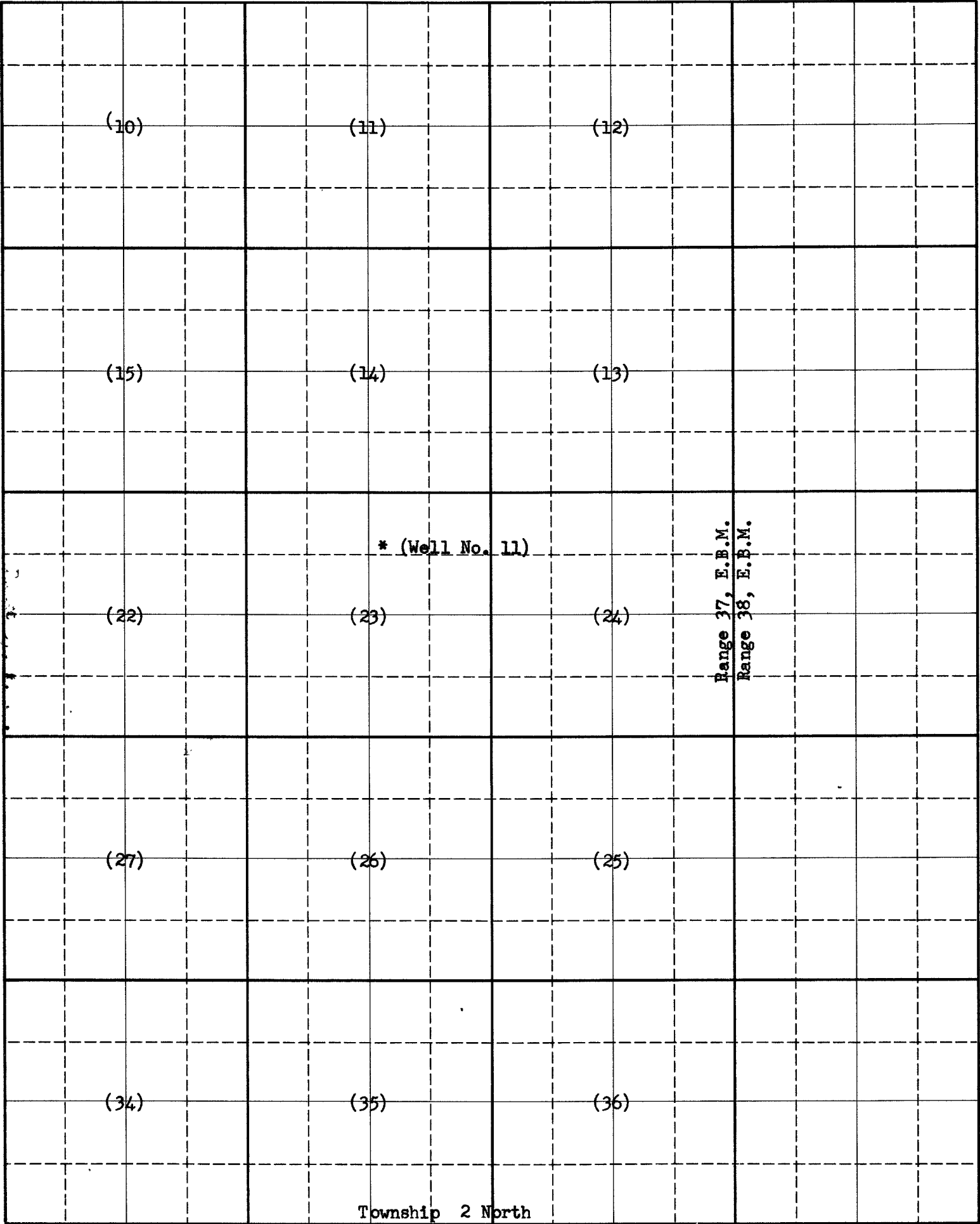
[illegible]

c. Describe any other water rights used for the same purposes (see remarks below)

10. Remarks This application is for the operation of our Well No. 11 which will be
completed and on the line within the next month. Other existing permits
and licenses:

License # 16689	5.2 cfs	2/25/27
License # 3304		12/3/07 (Snake River - Power)
License # 16799		10/28/27 (Snake River - Power)
License # 445		12/29/09 (Snake River - Power)
Decree (Rexburg)	140 cfs	4/20/1900 (Snake River - Power)
Decree (Rexburg)	48 cfs	10/22/04 (Snake River - Power)
Permit # 31141	51 cfs	5/24/63
Permit # 31487	17.82 cfs	12/13/63

11. Map of proposed project:

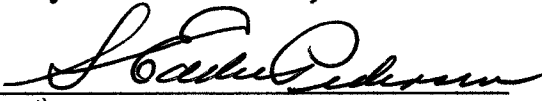


Scale: 2 inches equal 1 mile

Township 2 North
Township 1 North

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.

City of Idaho Falls, Idaho


(Applicant) S. Eddie Pedersen - Mayor

35-2001

Received by ef Date 7-13-67 Time 8:15 AM
Preliminary check by DM Fee \$ 65.00
Receipted by ef Date 7-13-67
Publication prepared by KS Date 7-18-67
Published in Eastern Ida Farmer
Publication dates Aug 3/10
Publication approved KS Date 7-27-67
Priority reduced to _____ Reason _____

Protests filed by: J. Carl Evans,
Robert E. Evans
Copies of protests forwarded by M.W. - 8-22-67
Hearing held by _____ Date _____
Recommended for approval denial by SA

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-7001, and said application is hereby APPROVED.

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 July 1, 19 69.
- c. Other: The applicant shall permanently install a measuring device of a type approved by the department as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 14 day of June, 19 68.

R. Keith Higgins
State Reclamation Engineer

HANSEN & HANSEN
LAWYERS

ORVAL HANSEN
JOHN D. HANSEN

576 NORTH CAPITAL AVENUE - P. O. BOX 96
IDAHO FALLS, IDAHO 83401

TELEPHONE
208 / 523-5171

June 11, 1968

RECEIVED

JUN 13 1968

Department of Reclamation

Mr. R. Keith Higginson
State Reclamation Engineer
107 State House
Boise, Idaho 83701

Re: Appl. 35-7001

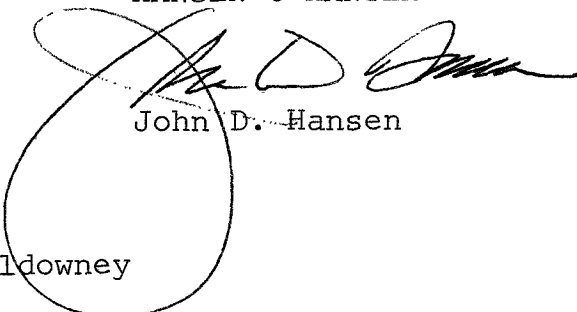
Dear Mr. Higginson:

This is to confirm recent communication with your office and the City of Idaho Falls relative to application no. 35-7001 in connection with what is designated as City of Idaho Falls Well No. 11. Our clients Mr. J. Earl Evans and Robert E. Evans have authorized the withdrawal of the protest previously lodged against such application.

Your many courtesies and patience in connection with this matter have been greatly appreciated.

Yours very truly,

HANSEN & HANSEN


John D. Hansen

JDH:am

cc: Mr. Donald W. McElldowney
Mr. A. H. Evans
Mr. Robert E. Evans

35-7001

HANSEN & HANSEN
LAWYERS

ORVAL HANSEN
JOHN D. HANSEN

576 NORTH CAPITAL AVENUE - P O BOX 96
IDAHO FALLS, IDAHO 83401

TELEPHONE
208 / 523-5171

June 11, 1968

Mr. R. Keith Higginson
State Reclamation Engineer
107 State House
Boise, Idaho 83701

Re: Appl. 35-7001

Dear Mr. Higginson:

This is to confirm recent communication with your office and the City of Idaho Falls relative to application no. 35-7001 in connection with what is designated as City of Idaho Falls Well No. 11. Our clients Mr. J. Earl Evans and Robert E. Evans have authorized the withdrawal of the protest previously lodged against such application.

Your many courtesies and patience in connection with this matter have been greatly appreciated.

Yours very truly,

HANSEN & HANSEN

John D. Hansen

JDH:am

cc: Mr. Donald W. McEldowney ✓
Mr. A. H. Evans
Mr. Robert E. Evans

C
O
P
Y

35-7001

AFFIDAVIT

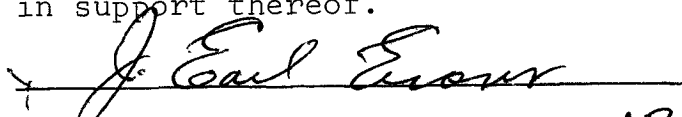
STATE OF IDAHO)
) ss.
County of Bonneville)

J. EARL EVANS, being first duly sworn, deposes and says as a protest against an application filed by the City of Idaho Falls, Idaho on July 13, 1967 for a permit to divert 10.0 cubic feet per second of water from a subterranean source under application No. 35-7001, said water to be diverted by underground pipe within the Northwest Quarter Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) Section Twenty-three (23), Township Two (2) North, Range Thirty-seven (37), East of the Boise Meridian for municipal domestic use, culinary and industrial purposes in Idaho Falls distribution system, as follows:

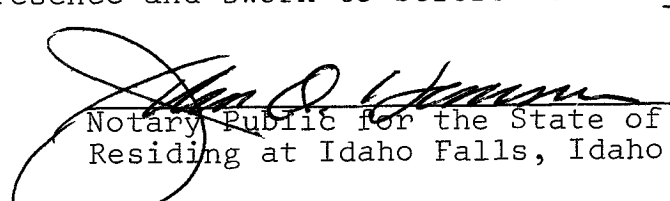
That he resides at 1980 West Broadway in Bonneville County, Idaho; that he and his son Robert E. Evans own and operate a farm West of and adjacent to the limits of the City of Idaho Falls, located within Section Fourteen (14), Township Two (2) North, Range Thirty-seven (37) East of the Boise Meridian in Bonneville County, Idaho.

Your Affiant states that he has resided on the aforesaid farm located within the Section immediately North from the proposed point of diversion; that on Affiant's farm and located approximately 800 to 1000 feet in a northerly direction from the proposed point of diversion of the City of Idaho Falls, Affiant has a domestic well from which water is diverted for domestic culinary and livestock purposes in connection with six residences and the farm operation; that said well was developed prior to 1910 and has been in continuous use since initial development up to the present time; that Affiant has a submersible pump at the bottom of the well which is approximately 190 feet deep and contains a 4-inch casing; that a new submersible pump was installed in said well approximately three (3) years ago; that during the latter part of April and early part of May, 1967, Affiant began experiencing difficulties in pumping adequate supplies of water for the customary purposes; that Affiant had a qualified well driller lower the submersible pump a few additional feet to the bottom of the well in an effort to improve the situation, however the difficulties continued and do continue up to and including the present time; that Affiant and his son have determined a correlation between the times that they are unable to obtain adequate water supply from their well to times when the City of Idaho Falls was initially testing and thereafter has been operating the pump as a part of the City water supply system; that the flow of the pump has, since the latter part of April, 1967, been interrupted and no water has been available at certain periods of time necessitating turning off and starting the pump frequently during the daylight and night time hours; that Affiant verily believes and therefore alleges that the difficulties experienced in the operation of Affiant's pump as aforesaid have resulted from the operation of the above mentioned City of Idaho Falls well.

WHEREFORE, Affiant does hereby register a formal protest to the above described application of the City of Idaho Falls, Idaho for a permit to divert subterranean waters and requests an opportunity to make further showing in support thereof.


J. Earl Evans

Subscribed in my presence and sworn to before me this 17th day of August, 1967.


Notary Public for the State of Idaho
Residing at Idaho Falls, Idaho

35-7001

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Bonneville } ss.

I Aden Hyde, first being duly sworn, depose and say that I am the ~~Printer/Foreman/~~ principal clerk of the Idaho Falls Publishing Company, an Idaho corporation, Bonneville County, Idaho, being publishers of the Eastern Idaho Farmer, legal newspaper of general circulation, published weekly at Idaho Falls, Idaho, having been published continuously and uninterruptedly in conformity with the provisions of Section 60-106, of Idaho Code, for more than seventy-eight (78) weeks prior to the first publication of the legal notice hereinafter referred to.

That the notice, of which copy is hereto attached and made a part of this affidavit, was published in the Eastern Idaho Farmer for two consecutive weeks, first publication having been made on the third day of August, 19 67, last publication having been made on the tenth day of August, 19 67, and that notice was published in regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this _____ day of _____, 19 67

Aden Hyde

Notary Public

Residing at: _____
My Commission Expires _____, 19 _____

**NOTICE OF APPLICATION
FOR WATER**

Notice is hereby given that the City of Idaho Falls, Idaho has on July 13, 1967 applied for permit to divert 10.0 (cubic feet per second) of water from a subterranean source under application No. 35-7001. Water will be diverted by underground pipe within the NW 1/4 Sec. 23, T. 2N R. 12E. 14N and is to be used from January 1 to December 31 for municipal domestic use, culinary and industrial purposes in Idaho Falls district.

Any protest against this application must be filed with the Department of Reclamation within ten days from the date of publication of this notice.

KEITH HIGGINSON
Reclamation Engineer
Published in the Eastern Idaho Farmer, Idaho Falls, Idaho, on August 3 and August 10

35-7001

APR.	
MAY	
JUNE	
JULY	
AUG.	
SEPT.	
OCT.	
NOV.	
DEC.	

DATE	DESCRIPTION	CHARGES	CREDITS	BALANCE
TOTAL ACCOUNT FORWARDED				
ADVERTISING				
Issue	1 2 3 4 5 Rate			
Display				
Classified				
NOTICE OF APPLICATION FOR WATER City of Idaho Falls				
Publish: August 3 and 10, 1967		8.75		\$ 8.75
COMMERCIAL PRINTING AND OTHER CHARGES:				
NO.	State of Idaho County of Bonneville The undersigned being duly sworn says that the service has been performed or the material delivered and the amount claimed hereon is justly due. <i>Ernest Idaho Farmer</i> <i>By Adam J. Adams</i> Claimant's Signature Subscribed and sworn to before me this <u>11</u> day of <u>August</u> 1967 <i>Thomas C. Wright</i> Notary Public STATE of IDAHO ALL ACCOUNTS DUE AND PAYABLE 10TH OF MONTH FOLLOWING PURCHASE. A SERVICE CHARGE OF 1% PER MONTH WILL BE CHARGED ON ALL PAST DUE ACCOUNTS.			

Seal

RES: P.O. Address
Box 597
Idaho Falls, Idaho

PAY LAST
AMOUNT

35-7601

WELL LOG

From Feet	To Feet	Type of Material	Water-bearing Formation Ans. Yes or No	Casing Perforated Ans. Yes or No
0	19	Topsoil		
10	22	Lava		
22	26	Lava rotten-broken		
26	47	Lava firm grey		
47	50	Lava harder		
50	63	Lava firm grey		
63	64	Lava broken		
64	70	Lava red firm		
70	75	Lava brown firm		
75	94	Lava grey firm		
94	100	Broken lava cinders		
100	103	Cinders red		
103	118	Cinders red (caving)		
118	120	Cinders red broken lava		
120	127	Cinders broken lava		
127	130	Brokne lava (caving)		
130	138	Lava - fractured		
138	149	Silt -brown		
If more space is required use Sheet No. 2				

WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is true and correct to the best of my knowledge and belief.

Signed Andrew Well Drilling Contractors

By *Howard F. Andrew*

Dated August 25, 19 65.

License No. # 5

35-7001

4-1 26 1965

Drilling Log

SHEET NO. 2

Well Owner City of Idaho Falls

Well Driller Andrew Well Drillers

Well Location Bonneville County

27378-23778

WELL LOG

From Feet	To Feet	Type of Material	Water-bearing Formation Ans. Yes or No	Casing Perforated Ans. Yes or No
149	162	Lava grey - fractured		
162	174	Cinders black (caving)		
174	193	Broken lava (caving)		
193	197	Cinders (caving)		
197	204	Lava grey hard		
204	206	Lava (fractured)		
206	214	Lava grey		
214	218	Lava		
218	225	Lava grey		
225	227	Cinders		
227	231	Lava		
231	243	Broken lava		
243	260	Lava grey		
260	263	Lava grey fractured		
263	273	Lava grey very hard		
273	280	Broken lava		
280	298	Lava red		
298	300	Lava red harder		
300	316	Lava grey very hard		
316	317	Lava broken		
317	322	Lava broken clay		
322	325	Lava firm		
325	331	Lava broken cinders & fine sand		
331	349	Lava firm grey		
349	355	Clay - Water on top		
355	357	Lava soft		
357	368	Lava firm		
368	376	Red cinders		

WWS

35-7001

SHEET NO. 2

Well Owner City of Idaho Falls

Well Driller. Andrew Well Drilling

Well Location Bonneville County

WELL LOG

[illegible]

35-7001

WELL LOG AND REPORT OF THE
STATE RECLAMATION ENGINEER OF IDAHO

Permit No. 9 3114 / Well No. _____ County Bonneville

Owner City of Idaho Falls

Address Idaho Falls, Idaho

Driller Andrew Well Drilling Contractors

Address 1268 E 17th St, Idaho Falls, Idaho

Well location NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23, T. 2N N/S, R. 37E BM E/W

Size of drilled hole 28"

Well # 11 Total depth of well 400'

Locate well in section

NW $\frac{1}{4}$	NE $\frac{1}{4}$
SW $\frac{1}{4}$	SE $\frac{1}{4}$

Give depth to standing water from the ground _____ Water temp. 50 °Fahr.

On "Pumping Test" delivery was 3905 g.p.m. or _____ c.f.s. Drawdown was 2.19 feet.

Size of pump and motor used to make test _____

Length of time of test 12 hours _____ minutes.

If flowing well, give flow _____ c.f.s. or _____ g.p.m. and of shut off pressure _____

If flowing well, described control works _____

(TYPE AND SIZE OF VALVE, ETC.)

Water will be used for Municipal Weight of casing per lineal foot 58.07

Thickness of casing 250 Casing material Steel

(STEEL, CONCRETE, WOOD, ETC.)

Diameter, length and location of casing _____

(CASING 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER;
CASING OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER)

CASING RECORD

Diam. Casing	From Feet	To Feet	Length	Remarks—seals, grouting, etc.
<u>28"</u>	<u>0</u>	<u>22$\frac{1}{2}$</u>	<u>22$\frac{1}{2}$</u>	
<u>22"</u>	<u>+ 2</u>	<u>256</u>	<u>258</u>	<u>Well cemented and sealed between 28" hole & 22"</u> <u>casing from 256' to top of ground.</u>

Number and size of perforations _____ located _____ feet to _____ feet from ground

Date of commencement of well Oct 27, 1964 Date of completion of well Feb 24, 1965

35-2001

May 13, 1970

Mr. Donald P. Lloyd, P. E.
Director of Public Works
City of Idaho Falls
P. O. Box 220
Idaho Falls, Idaho 83401

Re: Permit Nos. 25-2142/G-31141
25-2143/G-31587
License Nos. 25-2095/16689
35-7001

Dear Don:

Regarding the above-referenced permits and licenses, I have reviewed our files and the data transmitted by Mr. Evans' letter of May 8, 1970, and Water System Plan, Idaho Falls, Idaho, prepared by Cornell, Howland, Hayes and Merryfield (CH₂M). We now have in our files three letters stating the amount of water pumped by the City in 1968; however, each letter lists a different amount, each of which is different from the quantity indicated in the CH₂M report. For the purposes of licensing, I am assuming that the figure in Mr. Evans' May 8 letter to be correct.

The CH₂M report indicates the city system is essentially at capacity during peak periods and will require additional capacity to meet future demand. Considering this and the possibility of obtaining a higher use by encouraging off peak use by large users, I have determined that the following quantity can be licensed under the referenced permits:

Water pumped 1969	6,380,000,000 gallons	19,600 acre feet
Addition system capacity	192,000,000 gallons	600 acre feet
Total License	6,572,000,000 gallons	20,200 acre feet

The Department is ready to license Permit No. 25-2142 for 50.2 c.f.s. and Permit No. 25-2143 for 17.1 c.f.s., subject to a total annual volume withdrawal of 20,200 acre feet under these two permits and license numbers 25-2095 and 35-7001.

35-7001

Mr. Donald F. Lloyd, P. E.

Page 2

May 13, 1970

The licensing fees are \$17.00 for Permit No. 25-2142 and \$7.20 for Permit No. 25-2143. These fees must be received within 30 days from the date of this letter for the Department to issue a license on the permits.

Sincerely,

A. KENNETH DUNN, Assistant
State Reclamation Engineer

AKD:mjl

C
O
P
Y

35-7001

CITY OF IDAHO FALLS

P.O. BOX 220

IDAHO FALLS, IDAHO 83401

OFFICE OF: Donald F. Lloyd, P. E.

25-2142
25-2143
RECEIVED
MAY 11 1970
Department of Reclamation
May 8, 1970

Mr. Kenneth Dunn

Asst. State Reclamation Engineer
Department of Reclamation
Statehouse, Annex 2
Boise, Idaho 83707

Re: Permit No. 25-2142/G-31141
25-2143/G-31141
License No. 25-2095/16689
35-7001

Dear Mr. Dunn:

Reference is made to your letter of April 24, 1970 and our subsequent telephone conversation of May 8, 1970 regarding the above captioned Permits and Licenses.

As we indicated to you on the phone, the 14,710 acre feet that you proposed to license as the water right of the City of Idaho Falls is inadequate in light of our experience with reference to total gallonage that we have pumped in past years. We are submitting a few random samples of the monthly reports which we maintain showing the total gallons pumped by each of the wells. These reports are summarized each year indicating that the following total gallons were pumped for the past 5 years:

1965	4,687,000,000 gallons	19.4
1966	5,507,000,000 gallons	14.1
1967	6,071,000,000 gallons	12.7
1968	6,215,000,000 gallons	19.1
1969	6,380,000,000 gallons	

The 14,710 acre feet equals 4,792,944,590 gallons, and it is obvious that we have been pumping more than that for many years.

You have probably received a copy of the report from CH₂M by this time which should give you some better idea of the capabilities and demands of our system.

Please review your findings on these permits and advise us if you need any further information.

Very truly yours,

Donald F. Lloyd, P. E.
Director of Public Works

A. H. Evans
A. H. Evans
Adm. Assistant

35-7001

AHE:bp

May 13, 1970

C
O
P
Y

Mr. Donald F. Lloyd, P. E.
Director of Public Works
City of Idaho Falls
P. O. Box 220
Idaho Falls, Idaho 83401

Re: Permit Nos. 25-2142/G-31141
25-2143/G-31587
License Nos. 25-2095/16689
35-7001

Dear Don:

Regarding the above-referenced permits and licenses, I have reviewed our files and the data transmitted by Mr. Evans' letter of May 8, 1970, and Water System Plan, Idaho Falls, Idaho, prepared by Cornell, Howland, Hayes and Merryfield (CH₂M). We now have in our files three letters stating the amount of water pumped by the City in 1968; however, each letter lists a different amount, each of which is different from the quantity indicated in the CH₂M report. For the purposes of licensing, I am assuming that the figure in Mr. Evans' May 8 letter to be correct.

The CH₂M report indicates the city system is essentially at capacity during peak periods and will require additional capacity to meet future demand. Considering this and the possibility of obtaining a higher use by encouraging off peak use by large users, I have determined that the following quantity can be licensed under the referenced permits:

Water pumped 1969	6,380,000,000 gallons	19,600 acre feet
Addition system capacity	192,000,000 gallons	600 acre feet
Total License	6,572,000,000 gallons	20,200 acre feet

The Department is ready to license Permit No. 25-2142 for 50.2 c.f.s. and Permit No. 25-2143 for 17.1 c.f.s., subject to a total annual volume withdrawal of 20,200 acre feet under these two permits and license numbers 25-2095 and 35-7001.

35-7001

Mr. Donald F. Lloyd, P. E.

Page 2

May 13, 1970

The licensing fees are \$17.00 for Permit No. 25-2142 and \$7.20 for Permit No. 25-2143. These fees must be received within 30 days from the date of this letter for the Department to issue a license on the permits.

Sincerely,

A. KENNETH DUNN, Assistant
State Reclamation Engineer

AKD:mjl

C
O
P
Y

35-700!

April 3, 1970

Re: Permit No. 35-7001

City of Idaho Falls
P.O. Box 220
Idaho Falls, Idaho 83401

Dear Sirs:

Enclosed herewith is your Water License issued on the above
numbered permit.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

DSA:kh

Enclosure

35-7001

January 27, 1970

Re: Permit No. 35-7001

City of Idaho Falls, Idaho
P.O. Box 220
Idaho Falls, Idaho 83401

Dear Sirs:

A representative from this department has made an examination of your works covered by Permit 35-7001. The works were found capable of producing 8.9 c.f.s. of which 8.9 c.f.s. can be recognized as beneficially used and licensed under Idaho law. The water is used for municipal use for the City of Idaho Falls.

If you disagree with the findings, please advise us within 10 days; otherwise, a license will be issued showing the findings as set forth in this letter.

Very truly yours,

Dorian Clay
Field Examiner

DC:kh

35-7001

Range 37E

23

MUNICIPAL
ALLOW Q - 8.9 cfs
max Vol - 1,401,000,000
- 4300 AC-FT/ANNUM
PRIORITY - JULY 13, 1967

NE 1/4 of NW 1/4 of Sec. 23

Permit No. 35-7001 35-
Name of Applicant City of Idaho Falls, Box 220, Idaho Falls, Idaho
Source of Water Underground water
a tributary of _____
Location of P.D. NW 1/4 NE 1/4, Sec. 23, T. 2N, R. 37E.B.M., Bonneville
County _____

Water is used for Municipal domestic, culinary, industrial
Quantity of water claimed: Permit 10. c.f.s. Depositions 10. c.f.s.
Type of measuring device installed or method of measurement and general description
of diversion works Electronic Integrator & Flo-meter, underground
piping system, pump, 250hp motor, well Measuring device
is required.
pump size: 4,000 GPM casing varies from 26" at top to 18" at
Motor Size: 250 HP bottom-well depth 400 feet

Land to be irrigated or place of use:			Description
TWP.	RGE.	SEC.	
			Vicinity of the City of Idaho Falls

Total acreage _____
Filed: July 13, 1967 Due: July 1, 1969
Made: May 12, 1969 Priority: July 13, 1967
Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and
acreage covered by subdivision; also show land covered on the map.
(see attached sheet)

Water volume in file number 31141/25-2142

35-7001

Source of supply SUBTERRANEAN

a tributary of _____

Location of P.D.(s) NW 1/4 SEC. 23, T.2N, R.37E, B.M.
BONNEVILLE COUNTY.

Water is used for MUNICIPAL

Quantity of water found 4000 gpm or 8.9 cfs

How was the measurement made? recorded

Measurement calculations _____

Diversion works description and diagram

SEPARATE SHEET

Indicate area irrigated in each subdivision on the map.

Total acreage irrigated _____

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

MUNICIPAL

Who represented the permit holder at the examination?

LEROY WESTON

Recommended allowance for licensing 8.9 cfs

Description of required amendments. Comments. _____

Report checked? _____

Examination date 10-9-69

Signature Dennis Timoskovich

Other rights:

10. Remarks This application is for the operation of our Well No. 11 which will be completed and on the line within the next month. Other existing permits and licenses:

well #1	License # 16689	5.2 cfs	2/25/27
	License # 3304		12/3/07 (Snake River - Power)
	License # 16799		10/28/27 (Snake River - Power)
	License # 445		12/29/09 (Snake River - Power)
	Decree (Rexburg)	140 cfs	4/20/1900 (Snake River - Power)
	Decree (Rexburg)	48 cfs	10/22/04 (Snake River - Power)
well #1, 3, 4, 5, 6, 7, 8	Permit # 31141	51 cfs	5/24/63
	Permit # ~~31487~~	17.82 cfs	12/13/63

Wells #9 & 10 # 31587

35-7001

CITY OF IDAHO FALLS

WELL NO. 11

PUMP FROM WELL:

G.E. 250 HP

MODEL: 5M6326XC6A

S# HCJ816013

LAYNE & BOWLER PUMP

MODEL: 14 FHM H

S# D15489

4000 gpm @ 180' @ 1770 rpm

14" DISCHARGE

WATER LEVEL: 172'

Q = 4000 gpm

BOOSTER PUMP TO ~~ST~~ SYSTEM:

G.E. 250 HP

MODEL: 5M6326XC6A

S# HCJ816013

LAYNE & BOWLER PUMP

MODEL: 14 F H

S# D15491

4000 gpm @ 180' @ 1770 rpm

14" DISCHARGE

35-7001

May 14, 1969

Re: Permit No. 35-7001

City of Idaho Falls, Idaho
P.O. Box 220
Idaho Falls, Idaho 83401

Gentlemen:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for permit 35-7001.

Before a license can be issued a field examination must be made by a representative from this department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

exam typed
35-7001

NAME AND ADDRESS OF SENDER

Deptal Reclamation

Indicate type of mail

☐ INSURED

☐ C. O. D.

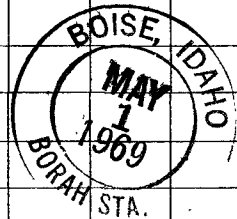
☐ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

Pd

NUMBER OF ARTICLES	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	DUE SENDER IF C. O. D.	ENDORSEMENT ¹	R. R. FEE	S. D. FEE	S. H. FEE ²	RESTRICTED DELIVERY FEE	REMARKS
1	20962 City of Idaho Falls, Idaho	26	30			10				35-7001
2	Box 550, Idaho Falls, Idaho	6	10							
3	20969 Greenleaf Water Association									63-7094
4	Inc. Greenleaf, Idaho									
5	20940 R. F. Malmberg, Route 1									57-7011
6	Box 94, Marsing, Idaho									
7	20971 Postenai Whoshoda Water									94-7000
8	Association, Inc. P. O.									0
9	Box 870, Kellogg, Idaho									
10										
11										
12										
13										
14										
15										
16										
17										
18										
19										
20										



TOTAL NUMBER OF PIECES LISTED BY SENDER

Four

TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE

4

POSTMASTER, PER (Name of receiving employee)

[Signature]

¹ Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs," "EH" if "Eggs for Hatching," "B" if "Butter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid-This Side Up."
² Special-handling charges apply only to fourth-class parcels. Special-delivery service also includes special-handling service.

POD Form 3877-A—July 1958

35-7001

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

1

City of Idaho Falls

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

2

Alta Stewart

DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

3

5

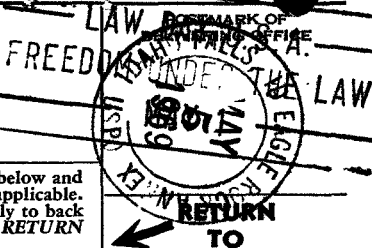
1969

35-7001

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS



PENALTY FOR PRIVATE USE: AVOID
PAYMENT OF POSTAGE



INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED**.

NAME OF SENDER

STREET AND NO. OR P.O. BOX

POST OFFICE, STATE, AND ZIP CODE

Department of Reclamation
Annex # 2 Statehouse
Boise, Idaho 83707

058-10-71648-10

POD Form 3811 Apr. 1967

May 1, 1969

Re: Permit No. 35-7001

City of Idaho Falls, Idaho
Box 220
Idaho Falls, Idaho 83401

Gentlemen:

One of the conditions of the approval of your permit
35-7001 was that proof of application of the water to
beneficial use be submitted to this office on or before _____
July 1, 1969.

Enclosed is an affidavit form which must be used to submit
this proof. You may request an extension of time provided the
delay is for reasonable cause as indicated in Section 42-204, ICA.

Either the proof or a request for extension must be received
by this department on or before the above mentioned date, otherwise
the permit will lapse and be of no further force or effect.

R. Keith Higginson

State Reclamation Engineer

RKH:tg

Enclosure: Proof form

35-7001

RECEIVED

CITY OF IDAHO FALLS

SEP 9 1968

P.O. BOX 220

IDAHO FALLS, IDAHO 83401

Department of Reclamation

September 6, 1968

OFFICE OF:

Donald F. Lloyd

*This should
go in the City of
Idaho Falls well. a
recent permit* *RKB*

Mr. Keith Higginson
Idaho State Department of Reclamation
Statehouse
Boise, Idaho 83701

Dear Keith:

With reference to your question concerning the well rig at the bank site, I want you to know I have talked to Howard Andrews. This machine was his and he is digging a hole about 35 feet deep for a hydraulic cylinder which will be used for a hydraulic elevator. According to Howard, this has been done at several other buildings in this area which was quite a surprise to me.

It was good to visit with you and to meet Jack.

Sincerely,

[Signature]
Donald F. Lloyd, P. E.
Public Works Director

DFL:bp

35-7001

June 17, 1968

Re: Permit 35-7001

**City of Idaho Falls, Idaho
Box 220
Idaho Falls, Idaho 83401**

Gentlemen:

We enclose a copy of your approved application for permit 35-7001 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

**C. Stephen Allred, Assistant
State Reclamation Engineer**

CSA:kd

**Enclosures: Copy of application
Receipt No. 33856 for \$65.00**

June 4, 1968

C
O
F
F
Y

City of Idaho Falls
P. O. Box 220
Idaho Falls, Idaho 83401

Re: Appl. 35-7001

Gentlemen:

I am again writing concerning the matter of the Application of the City of Idaho Falls and the protest filed by Mr. J. Earl Evans.

I will appreciate being advised if the City and Mr. Evans have been able to reach a satisfactory settlement of the dispute so that we might proceed with action concerning the water permit.

Very truly yours,

R. KEITH HIGGINSON
State Reclamation Engineer

RKH:ew

cc: John D. Hansen
Attorney at Law
P. O. Box 96
Idaho Falls, Idaho 83401

35-7001

RECEIVED
ORVILLE HANSEN
JOHN D. HANSEN
APR 25 1968

Department of Reclamation

HANSEN & HANSEN
LAWYERS

576 NORTH CAPITAL AVENUE - P. O. BOX 96
IDAHO FALLS, IDAHO 83401

TELEPHONE
208 / 523-5171

April 24, 1968

Mr. Donald W. McEldowney
Appropriation Examiner
State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

Dear Mr. McEldowney:

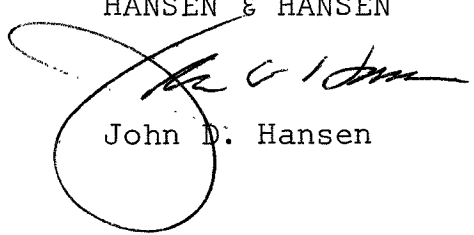
I have recently discussed with our client Mr. J. Earl Evans his feeling with respect to withdrawal of the protest previously lodged against the application of the City of Idaho Falls No. 35-7001 as to the diversion of subterranean water within the Northwest Quarter Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 23, Township 2 North, Range 37, East of the Boise Meridian.

Mr. Evans has asked me to inquire as to whether or not it would be possible, without unduly inconveniencing any of the parties involved, to defer a final decision for a few weeks to see if any difficulties are experienced during the low water table this spring. If this would create a serious problem, please advise and I will discuss the matter further with Mr. Evans.

I sincerely apologize for my delay in responding to your many inquiries and hope that this has not caused you undue inconvenience. Your cooperation in this as in all matters is greatly appreciated.

Yours very truly,

HANSEN & HANSEN


John D. Hansen

JDH:am

35-7001

April 18, 1968

C
O
F
Y

Donald F. Lloyd, P. E.
Public Works Director
P. O. 220
Idaho Falls, Idaho 83401

Dear Don:

Will you please advise me whether the City has been successful in negotiating a settlement of your ~~disputations~~ with Mr. J. Earl Evans concerning the City No. 11 well.

We would like to clarify the matter of his protests against your application for permit on which we held a conference in the city office on August 29, 1967.

Sincerely yours,

R. KEITH HIGGINSON
State Reclamation Engineer

RKH:ew

35-7001

February 15, 1968

Re: Application No. 35-7001
City of Idaho Falls, Idaho

John D. Hansen
Hansen & Hansen Lawyers
576 N. Capital Avenue
P. O. Box 96
Idaho Falls, Idaho

Dear Mr. Hansen:

The Department of Reclamation has withheld action in connection with application for Permit No. 35-7001; however, we have not received additional information since your last correspondence of December 1, 1967.

Please advise the department by return mail as to the current status of your negotiations.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

35-7001

HANSEN & HANSEN
LAWYERS
576 N. CAPITAL AVE. - P. O. BOX 96
IDAHO FALLS, IDAHO

RECEIVED

DEC 4 1967

ORVAL HANSEN
JOHN D. HANSEN

December 1, 1967

Department of Reclamation
TELEPHONE 336-5171

Mr. R. Keith Higginson
State Reclamation Engineer
State of Idaho
107 State House
Boise, Idaho 83701

Fick

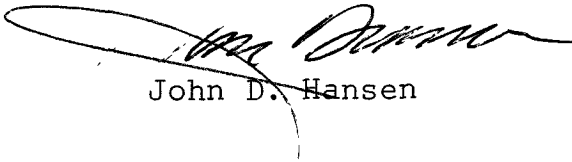
Re: Permit 35-7001

Dear Mr. Higginson:

Mr. J. Earl Evans brought in your letter of November 28, 1967 relative to the pending water permit application of the City of Idaho Falls. I would appreciate it very much if this could be held in abeyance for just a few more days so that I can be certain all arrangements have been satisfactorily made. While I would prefer to have the matter so held, I do not at this time anticipate that Mr. Earl will seriously pursue his protest.

Yours very truly,

HANSEN & HANSEN


John D. Hansen

JDH:am

35-7001

November 28, 1967

Re: Permit 35-7001

Mr. J. Earl Evans
1930 West Broadway
Idaho Falls, Idaho 83401

Dear Mr. Evans:

I have been advised by the City of Idaho Falls that they have submitted a proposal to you for connection of your water system to the city lines.

If you have made such arrangements with the City and have no further objection to approval of its application for a permit, I will appreciate a letter from you withdrawing your protests. If you have not agreed to the City's offer, please advise.

Very truly yours,

R. KEITH HIGGINSON
State Reclamation Engineer

RKH:ev

35-7001

CITY OF IDAHO FALLS

P.O. BOX 220

IDAHO FALLS, IDAHO 83401

OFFICE OF:

Donald F. Lloyd

October 31, 1967

RECEIVED
NOV 1 1967
Department of Reclamation

Mr. R. Keith Higginson
State Reclamation Engineer
107 State House
Boise, Idaho

Dear Mr. Higginson:

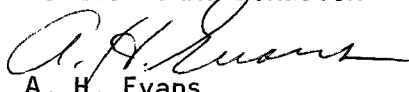
Reference is made to your letter of September 27, 1967 in regards the Application No. 35-7001 covering City Well No. 11.

We are enclosing a copy of a proposal that we made to Mr. Evans on September 28, 1967. To date we have not heard as to whether they want to go ahead with this proposal. Mr. Evans did say that he had instructed his attorney to drop the protest and that they would advise your office. You will probably hear from the attorney in the near future.

Hope this will keep you up to date on what has transpired as far as the City is concerned, and that you will be able to process the application and issue the permit in the near future.

Very truly yours,

DONALD F. LLOYD, P. E.
PUBLIC WORKS DIRECTOR


A. H. Evans
Adm. Assistant

AHE:bp
Enclosure

35-7001

F7-g

Donald F. Lloyd

September 28, 1967

Mr. J. Earl Evans
1980 West Broadway
Idaho Falls, Idaho 83401

Dear Mr. Evans:

In response to your request during our meeting of the 29th of August we are enclosing two (2) contract forms for water service outside the City. One of the contracts is for the Dr. Wendell Nielsen home, while the second is intended to satisfy the balance of places now connected to your well. We are also enclosing a print of the area showing pertinent features.

We are suggesting that the following steps be taken:

1. Sign the enclosed contracts with City for water service outside City and return to this office for execution by the Mayor.
2. Arrange to pay the City the water main fee in accordance with your previously signed contract. This amount will be 375 feet at \$3.15 per foot = \$1,181.25.
3. Obtain a service connection permit for a 2½-inch service to replace the existing well, and 1½-inch individual service to Dr. Nielsen's home. The cost for these service connections shall be

1½-inch =	_____	\$125.00
2½-inch =	_____	200.00
4. City to install the service connections outlined above to the north property line of Broadway.
5. Arrange to disconnect the existing well and Dr. Nielsen's home and connect the same to the new service connections provided above.
6. The City shall bill Dr. Nielsen \$4.50 per month and shall bill you at the rate of \$27.00 per month. This amount is for six (6) services at \$4.50 per each.

I apologize for the long delay in responding to your request. Should there be any further questions kindly contact this office.

Yours very truly,

Donald F. Lloyd, P. E.
Public Works Director

A. H. Evans
Adm. Assistant

AHE:bp

cc: Atty. John Hansen

Enclosures

35-7001

September 27, 1967

Re: Application No. 35-7001

City of Idaho Falls
S. Eddie Pedersen, Mayor
Box 220, Idaho Falls, Idaho

Dear Mayor Pedersen:

Reference is made to Application No. 35-7001 covering City well #11 and the protest filed by J. Earl Evans. I appreciated receiving the information forwarded by Donald F. Lloyd in his letter of August 31, 1967.

We have reviewed the data and while we recognize that the pump test was only of short duration, it does appear to indicate that the difficulty Mr. Evans is having may be caused by the operation of his own well rather than interference from the city well. This is particularly true when it became apparent from the information from our informal conference, held in the city office on August 29th, that Mr. Evans complained of difficulties during period when the city well was not in operation.

I will, therefore, appreciate it if both the City and Mr. Evans will advise this office of the status of any negotiations currently in effect to arrange for a solution to the problem. As indicated, if Mr. Evans wishes to pursue his protest we will be happy to schedule a meeting for a formal hearing. If, however, he has determined that other arrangements can be made I will appreciate a letter withdrawing the protest so that this office can consider issuance of the permit.

Very truly yours,

R. KEITH HIGGINSON
State Reclamation Engineer

RKH:ew

cc: J. Earl Evans
1930 West Broadway
Idaho Falls, Idaho 83401

35-7001

RECEIVED
SEP 1 1967

CITY OF IDAHO FALLS
Department of Reclamation

P. O. Box 220 — Phone 522-3191

IDAHO FALLS, IDAHO 83402



OFFICE OF
PUBLIC WORKS DIVISION

August 31, 1967

Mr. R. Keith Higginson
State Reclamation Engineer
107 State House
Boise, Idaho 83701

Dear Keith:

In response to your request at the informal hearing in Idaho Falls on August 29 we have gathered the enclosed data. Our Water Superintendent, Mr. Wendell Gillespie, conducted the following tests with the help of his Water Supply Foreman, LeRoy Weston and in the presence of Earl and Bob Evans. These tests were conducted on August 31, 1967.

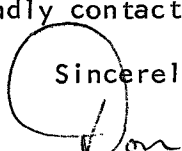
6 A.M. City Well No. 11 in full operation with deep well turbine and booster pump operating at 2000 GPM. Distribution system pressure 73 lbs.

6:15 A.M. Evans Well pump off -- M-Scope measured a static level at 161 feet 6 inches. The Evans Well pump on, static level dropped especially fast to 185 feet 6 inches. This process was repeated several times with no change in the results.

7:15 A.M. City Well No. 11 deep well turbine was turned off. M-Scope was again used to measure the Evans Well with the pump in the "on" and "off" positions. Static level with the pump off remained 161 feet 6 inches. With the well pump turned on, the water level dropped immediately to 185 feet 6 inches. The process was repeated until 8 A.M.

I certainly hope this is part of the information you requested and should there be any questions, kindly contact this office.

Sincerely,


Donald F. Lloyd, P. E.
Public Works Director

DFL:bp

cc: J. Earl Evans
John Hanson

35-7001

CITY OF IDAHO FALLS - APR 35-1001

JOHN D. HANSEN)
J. EARL EVANS) PROTESTANTS

DON LLOYD - City Public Works Director
City Engineer
City Water Sup

DON LLOYD

WELL WHERE IT IS TO SERVICE WEST SIDE OF CITY
NEW TEST PUMPED ONLY IN FEB 1965 - 3:05 PM
HAS NOT BEEN TOUCHED UNTIL JUNE 22, 1967
FOR 1 1/2 HOURS BETWEEN 2-4 PM

ABOUT ~~JULY~~ ^{JUNE} 24 WAS PUT ON SYSTEM
PUMPED INTERMITTENTLY FOR 9 HRS TOTAL TO 27 JUNE
INTO 240,000 gal tank

PLAN TO INSTALL VARIABLE SPEED MOTORS ON PUMP
OTHER WELLS IN AREA

CITY HAS NOT CHECKED EVANS WELL
EVANS WATER LEVEL IN WELL (EVANS)

WELL DRAINED AT LEAST 50 YEARS

MAY 1967 HAD TO LOWER PUMP 5'

PUMP SERVICE CO WAS OUT TO WORK ON
SEVERAL OCCASIONS.

6 FAMILIES ON WELL

35-7001

HAVE CONSIDERED HOOKING TO City System

35-7001

AUGUST 29, 1967 IDAHO FALLS
IDAHO FALLS AND EVANS (HANSEN)

WELL - 1965 I.F. # 11

CITY DON LLOYD

DEVELOP WELL - 3-4 YRS

LOCATION - BASED ON NEED & STUDY
ON LINE - THIS FALL - J

TEST PUMPING - ANDREW 12 HRS
IN FEB OF 1965

JUNE 22, 1967 @ 1 1/2 HRS PUMP ON
~~ON LINE JULY 5~~

24,	"	"	"
25	"	"	"
26	"	3 HRS	"
27	"	1/2 HR	"

TOTAL 9 HRS

PUT ON LINE ON JULY 5 - TWO
STAGE SYSTEM - LIFT PUMP
AND PRESSURE PUMP

WELL PULLS WATER ONLY BELOW
258'

MR BOB EVANS

SUBMERSIBLE Pump

@ 175' W.L

Pump AT @ 190'

NO DATA ON PUMP

2001

MR BOB EVANS CON'T

ONLY NOTES ON WELL

APRIL OR MAY ¹⁹⁶⁷ - AIR IN LINES

LOWER SUBMERSIBLE 5'

@ 2-3 WEEKS LATER

NO PRESSURE - RESET OUT

PUT IN RESET NOW - ONLY BUILD

UP TO @ 1/2 OF FORMER PRESSURE -

SAID PUMP WOULD TURN OFF

WASN OVERHEATED DUE TO

LACK OF WATER.

TESTED IT - COULD PULL WATER

DOWN BEYOND PUMP LEVEL.

PUMP MAN SAID TO CUT DOWN

DISCHARGE

6 FAMILIES ON WELL - "

@ 1956 ROD & JACK

@ 1964 SUBMERSIBLE

GUESS THAT WELL IS @ 200'

4" CLOSING

DON LOYO

SAID THAT @ 10' D.D. DURING

PUMPING

~~BOB EVANS~~

5/2/67

August 22, 1967

Re: Permit 35-7001

City of Idaho Falls
S. Eddie Pedersen, Mayor
Box 220
Idaho Falls, Idaho 83401

Dear Mayor Pedersen:

Enclosed is a copy of a protest filed in connection with the above referenced application for permit for the City of Idaho Falls.

Please be advised that the State Department of Reclamation has scheduled a conference for 3:00 p. m. August 29, 1967, at the Public Works Office, City Hall, Idaho Falls, Idaho.

You or your representative are requested to attend. Please contact us if we can be of further assistance.

Very truly yours,

C. Stephen Allred
Assistant State Reclamation Engineer.

CSA:DWM:nw

Enclosure: Copy of protest

35-7001

August 22, 1967

Re: Permit 35-7001
City of Idaho Falls

John D. Hansen
Hansen & Hansen
576 North Capital Avenue
P.O. Box 96
Idaho Falls, Idaho 83401

Dear Mr. Hansen:

Please be advised that a conference is scheduled for 3:00 p.m. August 29, 1967, at the Public Works Office, City Hall, Idaho Falls, Idaho.

The conference is to be held in connection with the protest filed by your office for Mr. J. Earl Evans. You or your representative are requested to attend.

Please contact us if we can be of further assistance.

Very truly yours,

C. Stephen Allred
Assistant State Reclamation Engineer

CSA:DWM:nw

35-7001

HANSEN & HANSEN

LAWYERS

576 N. CAPITAL AVE. - P. O. BOX 96

IDAHO FALLS, IDAHO

ORVAL HANSEN
JOHN D. HANSEN

TELEPHONE
523-5171

August 17, 1967

RECEIVED
AUG 18 1967

Department of Reclamation

Reclamation Department
State House
Boise, Idaho

Attention: Mr. Jack Barnett, Deputy
State Reclamation Engineer

Dear Mr. Barnett:

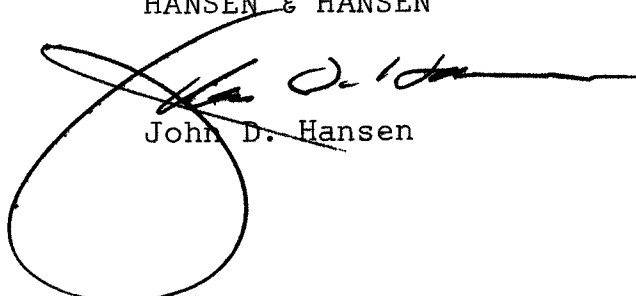
Confirming our recent telephone conversation, I enclose an Affidavit of Mr. J. Earl Evans of this City which, together with the within letter, we wish to have lodged as a protest against the application of the City of Idaho Falls, dated July 13, 1967, for permit to divert subterranean water under application No. 35-7001, to be divered from an underground pipe within the Northwest Quarter Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$), Section 23, Township 2 North, Range 37, East of the Boise Meridian.

If you should desire additional information or a more formal application, please advise.

Thanking you for your cooperation, I remain

Yours very truly,

HANSEN & HANSEN


John D. Hansen

JDH:am
enclosure
CERTIFIED

Conferred Aug 29 - 7

3pm.

Public works office

Act. Helt. 20.

Idaho Falls

35-7001

RECEIVED
JUL 27 1967

Department of Reclamation

**NOTICE OF APPLICATION
FOR WATER**

Notice is hereby given that the City of Idaho Falls, Idaho has on July 23, 1967 applied for permit to divert 10.6 (cubic feet per second) of water from a subterranean source under application No. 35-7001. Water will be diverted by underground pipe within the NW 1/4, Sec. 23, T. 22 N. R. 37 E. B.M. and is to be used from January 1 to December 31 for municipal domestic use, culinary and industrial purposes in Idaho Falls distribution system.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R KEITH HIGGINSON
State Reclamation Engineer
Published in the Eastern Idaho Farmer, Idaho Falls, Idaho, on August 3 and August 10.

35-7001

July 18, 1967

Re: Application 35-7001

The Eastern Idaho Farmer
Idaho Falls,
Idaho 83401

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for proofing before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you can not publish the notice on the proposed dates, please contact us immediately.

The expense of this publication is to be paid by the Department of Reclamation to whom you must furnish an affidavit of publication with the bill as soon as the publication is completed.

Very truly yours,

Donald W. McEldowney
Water Right Clerk

DWM:ks

Enclosure: legal notice

P.S. Please send a certified bill in order to receive prompt payment.

Form 3

35-7001

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that the City of Idaho Falls, Idaho
has on July 13, 1967 applied for permit to (divert) ~~store~~ XXXXXX
10.0 (cubic feet per second) ~~(acre feet)~~ XXXXXXXXXX of water from a sub-
terranean source under application No. 35-7001. Water will be
diverted by underground pipe within the NW 1/4 NE 1/4, Sec. 23, T. 2N, R.
37E, 3.4. and is to be used from January 1
to December 31 for municipal domestic use, culinary and industrial purposes
in Idaho Falls distribution system

Any protest against this application must be filed with the Department
of Reclamation within ten days from the last date of publication of this
notice.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Eastern Idaho Farmer, Idaho Falls,
August 3 and August 10,
Idaho, on _____ and _____.

CITY OF IDAHO FALLS

P. O. Box 220 — Phone 522-3191
IDAHO FALLS, IDAHO 83402



OFFICE OF
PUBLIC WORKS DIVISION

July 13, 1967

Mr. R. Keith Higginson
State Reclamation Engineer
107 State House
Boise, Idaho
Attn: Donald W. McEldowney
Gentlemen:

Re: Application for
Permit - Subterranean Water
File 11A-35

In your perusal of our recent Application for Permit to appropriate for subterranean water you will note that on Question No. 5 the dates were inadvertently omitted. This should read: "January 1 to December 31 each year."

Will you please make this change on the original form in your office.

Thank you very much.

Yours very truly,

A. H. Evans
Adm. Assistant

AHE:bp

RECEIVED
JUL 17 1967

Department of Reclamation

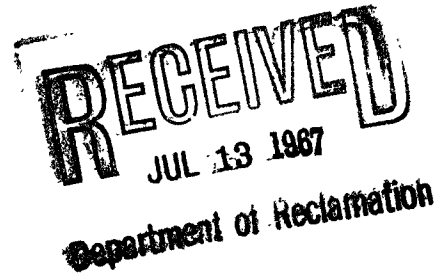
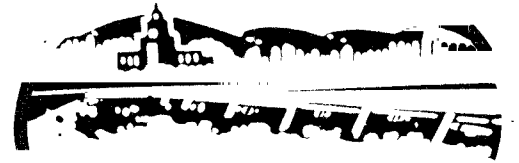
35-7001

CITY OF IDAHO FALLS

P. O. Box 220 — Phone 522-3191
IDAHO FALLS, IDAHO 83402

OFFICE OF
PUBLIC WORKS DIVISION

July 11, 1967



Mr. R. Keith Higginson
State Reclamation Engineer
107 State House
Boise, Idaho 83701

Dear Mr. Higginson:

We are re-submitting the Application for Permit to appropriate the subterranean water of the State of Idaho together with the appropriate fee in the amount of \$65.00.

Will you please return one copy of the Permit for our files. Please sign the enclosed claim and return to this office at your earliest convenience.

Very truly yours,

A. H. Evans
Adm. Assistant

AHE:bp
Enclosures

35-7001