

**STARTING
LEFT
SIDE OF
FILE**

FOR OFFICE USE ONLY
Amt. of Fee \$: 200.00
Receipt No. CG 15481
Receipt By: SM
Date Received: 10-15-04

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 13 2004 *dy*

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.

1. Permit No. 47-16843 Telephone No. 208-326-5000

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

3. Mailing Address: P.O. Box 140

City Filer State ID Zip 83328

4. Source of Water: Groundwater If **GROUNDWATER** (well), Date Drilled: mo. 03 / yr. 02

Well Driller: Walker Water Systems Drilling Permit Number: 789217

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

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

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

6. Total rate of diversion and/or volume for which proof is submitted: 4.90 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 _____

8. Fee Enclosed: \$ 200 (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: Bud Compher Telephone Number: 208-326-5000

Address: _____

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

Signature of permit holder: *Jay L. Mayor* Date: 10-5-04

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

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 47-16843

Priority: July 02, 2002

Maximum Diversion Rate: 4.90 CFS

This is to certify, that CITY OF FILER
PO BOX 140
FILER ID 83328

has applied for a permit to appropriate water from:

Source: GROUND WATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
MUNICIPAL	01/01 to 12/31	4.90 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SW¼SW¼NE¼	Sec. 8, Twp 10S, Rge 16E, B.M.	TWIN FALLS County
GROUND WATER	SW¼SW¼NE¼	Sec. 8, Twp 10S, Rge 16E, B.M.	TWIN FALLS County
GROUND WATER	NW¼NE¼SW¼	Sec. 8, Twp 10S, Rge 16E, B.M.	TWIN FALLS County
GROUND WATER	SE¼SE¼NE¼	Sec. 7, Twp 10S, Rge 16E, B.M.	TWIN FALLS County
GROUND WATER	NW¼SW¼NW¼	Sec. 17, Twp 10S, Rge 16E, B.M.	TWIN FALLS County

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **December 1, 2004**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. 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.
6. 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.
7. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
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.

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MAR 11 2003

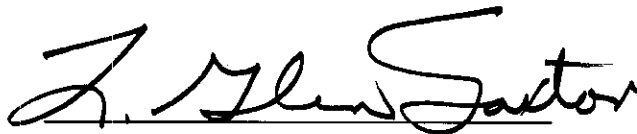
State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 47-16843

CONDITIONS OF APPROVAL

9. Place of use is within the service area of the City of Filer municipal water supply system as provided for under Idaho Law.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 22nd day of November, 2002.


for KARL J DREHER, Director

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NOV 15 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

JUL 02 2002

Department of Water Resources

Department of Water Resources
Southern Region

1. Name of Applicant City of Filer Phone 208-326-5000
Mailing address P.O. Box 140, Filer, ID 83328
2. Source of water supply Groundwater which is a tributary of N/A
3. Location of point of diversion is Township 10S Range 16E Sec. 08 in the SW 1/4,
NE 1/4, 1/4, Govt. Lot _____, B.M., Twin Falls County;
additional points of diversion if any: See attached "Additional Points of Diversion"
4. Water will be used for the following purposes:
- | | |
|---|--|
| Amount <u>4.90 cfs</u> for <u>municipal</u> | purposes from <u>Jan 1</u> to <u>Dec 31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u>_____</u> for <u>_____</u> | purposes from <u>_____</u> to <u>_____</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u>_____</u> for <u>_____</u> | purposes from <u>_____</u> to <u>_____</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u>_____</u> for <u>_____</u> | purposes from <u>_____</u> to <u>_____</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u>_____</u> for <u>_____</u> | purposes from <u>_____</u> to <u>_____</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u>_____</u> for <u>_____</u> | purposes from <u>_____</u> to <u>_____</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
5. Total quantity to be appropriated is (a) 4.90 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source 200 HP vertical turbine pump
and motor
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
- c. Proposed well diameter is 15 inches; proposed depth of well is 400 feet
- d. Is ground water with a temperature of greater than 85°F being sought? No
- e. If well is already drilled, when? 02/2000; Drilling firm Walker Water Systems, Inc.
Well was drilled for (well owner) City of Filer; Drilling Permit No. 771515
7. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. City of Filer
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

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MAR 17 2003

8. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 4 other deep-water wells
within the distribution system

11. a. Who owns the property at the point of diversion? City of Filer

b. Who owns the land to be irrigated or place of use? City of Filer

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

12. Remarks: In order to meet separation requirements, the City entered into a 99-year lease with the Amalgamated Sugar Company for the additional ground required.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

Ray L. Smith, Mayor
Signature of Applicant (and title, if applicable)

Received by J. E. Stanton Date 7-2-02 Time 4 PM Preliminary check by J. E. Stanton
Fee \$ 410. Received by J. E. Stanton # 5025044 Date 7-3-02
Publication prepared by MB Date 8/29/02 Published in Idaho News
Publication approved MB Date 9/19/02

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MAY 11 2003

APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

"ADDITIONAL POINTS OF DIVERSION"

3. ...additional points of diversion if any:

Lot	1\4	1\4	1\4	Sec.	Twp.	Rge.	County	Local name for Diversion
		SW	NW	17	10S	16E	TWIN FALLS	WELL #1
		NE	SW	8	10S	16E	TWIN FALLS	WELL #2
		SW	NE	8	10S	16E	TWIN FALLS	WELL #3
		SE	NE	7	10S	16E	TWIN FALLS	WELL #5

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MAR 11 2003

Twin Falls County

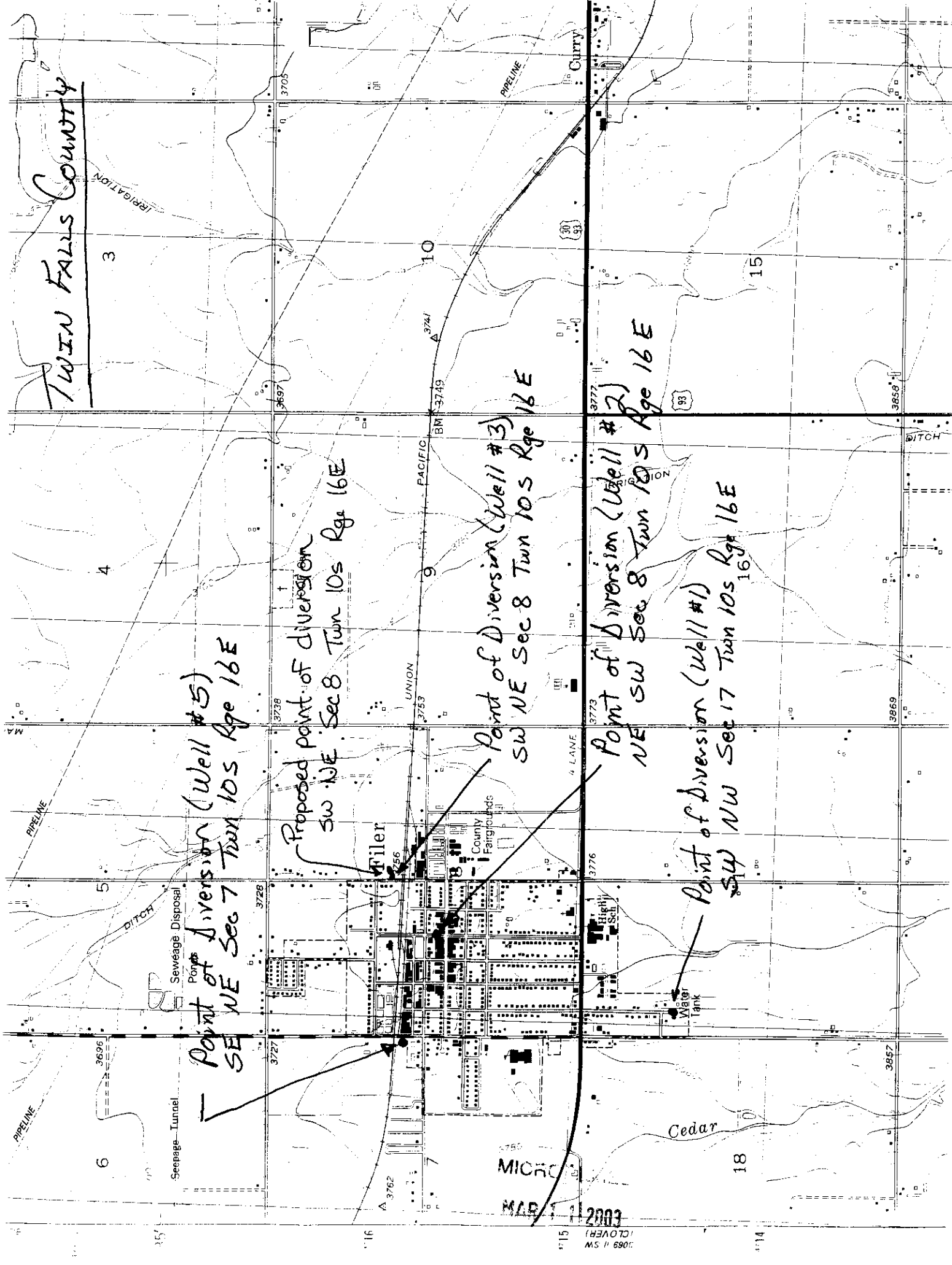
Point of Diversion (Well #5)
SE NE Sec 7 Twn 10S Rge 16E

Proposed point of diversion
SW NE Sec 8 Twn 10S Rge 16E

Point of Diversion (Well #3)
SW NE Sec 8 Twn 10S Rge 16E

Point of Diversion (Well #2)
NE SW Sec 8 Twn 10S Rge 16E

Point of Diversion (Well #1)
SW NW Sec 17 Twn 10S Rge 16E



MAR 1 2003
1069 II SW
CLOVER



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MAR 11 2000

47-16843

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

1. Name: CITY OF FILER
PO BOX 140
FILER ID 83328
(208)326-5000

2. Source: GROUND WATER

3. Location of Point of Diversion:

#1 GROUND WATER	SW1/4SW1/4NE1/4	Sec. 8, Twp 10S, Rge 16E, B.M.
TWIN FALLS County		
#2 GROUND WATER	SW1/4SW1/4NE1/4	Sec. 8, Twp 10S, Rge 16E, B.M.
TWIN FALLS County		
#3 GROUND WATER	NW1/4NE1/4SW1/4	Sec. 8, Twp 10S, Rge 16E, B.M.
TWIN FALLS County		
#4 GROUND WATER	SE1/4SE1/4NE1/4	Sec. 7, Twp 10S, Rge 16E, B.M.
TWIN FALLS County		
#5 GROUND WATER	NW1/4SW1/4NW1/4	Sec. 17, Twp 10S, Rge 16E, B.M.
TWIN FALLS County		

4. Water will be used for the following purposes:

<u>Purpose</u>	<u>From</u> <u>To</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
MUNICIPAL	01/01 to 12/31	4.90 CFS	

5. Total quantity to be appropriated is: 4.90 CFS

6. Proposed diverting works:

POINT OF DIVERSION #1

- a. Type and size of devices used to divert water from the source: EXISTING CITY WELL #3
- b. Height of storage dam _____ feet;
Active reservoir capacity _____ acre-feet;
Total reservoir capacity _____ acre-feet;
- c. Proposed well diameter is _____ inches;
Proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85F being sought?
- e. If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

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MAR 11 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

POINT OF DIVERSION #2

a. Type and size of devices used to divert water from the source: TEST WELL #7 (SEE PERMIT 47-8438)

- b. Height of storage dam _____ feet;
Active reservoir capacity _____ acre-feet;
Total reservoir capacity _____ acre-feet;
c. Proposed well diameter is _____ inches;
Proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 85F being sought?
e. If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

POINT OF DIVERSION #3

a. Type and size of devices used to divert water from the source: EXISTING CITY WELL #2

- b. Height of storage dam _____ feet;
Active reservoir capacity _____ acre-feet;
Total reservoir capacity _____ acre-feet;
c. Proposed well diameter is _____ inches;
Proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 85F being sought?
e. If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

POINT OF DIVERSION #4

a. Type and size of devices used to divert water from the source: EXISTING CITY WELL #5

- b. Height of storage dam _____ feet;
Active reservoir capacity _____ acre-feet;
Total reservoir capacity _____ acre-feet;
c. Proposed well diameter is _____ inches;
Proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 85F being sought?
e. If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

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MAR 11 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

POINT OF DIVERSION #5

- a. Type and size of devices used to divert water from the source: EXISTING CITY WELL #1
- b. Height of storage dam _____ feet;
Active reservoir capacity _____ acre-feet;
Total reservoir capacity _____ acre-feet;
- c. Proposed well diameter is _____ inches;
Proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85F being sought?
- e. If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 2 year(s).

8.

9a. Who owns the property at the point of diversion? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

9b. Who owns the land to be irrigated or place of use? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

10. Remarks:

This application is for wells covered by its existing water rights and permit; no new wells are proposed. Use is within the service area of the City of Filer water system. The additional water is mainly needed during the summer months. Most of the new water will come from Test Well #7, but some is from changes to the other wells in the system.

11. Map of proposed point of diversion and place of use attached? ☐

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.

Applicant

Received by _____ Date _____ Time _____ Preliminary check by _____
Publication prepared by _____ Date _____ Published in _____

MICHAEL
MAR 11 2013

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

Publication approved _____ Date _____

Receipt No. S025044

Date: _____

Received by: _____

MICRO
MAR 11 2003

**NOW
STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 21, 2006

CITY OF FILER
PO BOX 140
FILER ID 83328

PROOF ACKNOWLEDGMENT LETTER

Re: Permit No. 47-16843

Dear Permit Holders:

The department acknowledges receipt of the proof of beneficial use ("proof") form submitted for the above-referenced permit. The next step in the process of developing a water right is for the department to conduct the field examination to determine and confirm the use of the water, and that it meets the permitted beneficial use.

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, or at the department's website at: www.idwr.idaho.gov

If you have questions about the field examination, please contact the **Southern** Regional Office of the department in Twin Falls at (208) 736-3033.

Sincerely,

A handwritten signature in cursive script that reads "Christine Roberts". The signature is written in dark ink and is positioned above the printed name and title.

Christine Roberts
Technical Records Specialist

Encl.



Transmittal Letter

J-U-B ENGINEERS, Inc.
Engineers • Surveyors • Planners

115 Northstar Avenue
Twin Falls, Idaho 83301
208-733-2414
Fax: 208-733-9455

RECEIVED

OCT 13 2004

**DEPARTMENT OF
WATER RESOURCES**

To:

Deborah J Gibson
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Date: October 12, 2004
Project: Filer Water System Project
Project No.: 62384

We are shipping you:

Attached via U.S. Mail the following items:

COPIES	DATE OR NO.	DESCRIPTION
1	10/5/04	Proof of Beneficial Use - Permit No. 47-16843 - City of Filer

These items are transmitted as checked below:

- | | | |
|---|--|---|
| ☐ For Approval | ☒ As Requested | ☐ Returned for Corrections |
| ☐ For Your Information | ☐ For Review and Comment | ☐ _____ |

Remarks:

Copy for: File

Signed

Robert E. Hegstrom

Robert E. Hegstrom, Regional Manager

If enclosures are not as noted, please notify us at once at 733-2414

September 30, 2004

CITY OF FILER
PO BOX 140
FILER, ID 83328

PROOF DUE NOTICE

RE: PERMIT NO. 47-16843

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before December 01, 2004. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

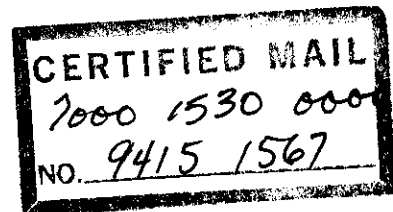
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures





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

November 22, 2002

CITY OF FILER
PO BOX 140
FILER ID 83328

RE: Permit No. 47-16843

Permit Approval Notice

Dear Permit Holder:

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

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

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

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

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

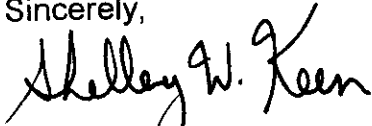
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MAR 11 2003

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

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

Sincerely,

A handwritten signature in black ink that reads "Shelley W. Keen". The signature is written in a cursive, flowing style.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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MAR 11 2003

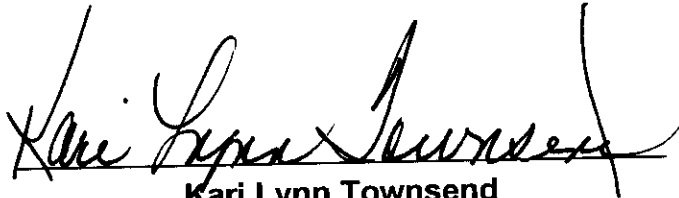
CERTIFICATE OF SERVICE

I hereby certify that on November 22, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

47-16843

**CITY OF FILER
PO BOX 140
FILER ID 83328**



**Kari Lynn Townsend
Secretary**

MICROFILMED

MAR 11 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

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 Water Resource 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.

TWIN FALLS COUNT

47-7273 and 47-7840

Point of Diversion (Well #5)
SE NE Sec 7 Twn 10S Rge 16E

Proposed point of diversion
SW NE Sec 8 Twn 10S Rge 16E

Point of Diversion (Well #3)
SW NE Sec 8 Twn 10S Rge 16E

Point of Diversion (Well #2)
NE SW Sec 8 Twn 10S Rge 16E

Point of Diversion (Well #1)
SW NW Sec 17 Twn 10S Rge 16E

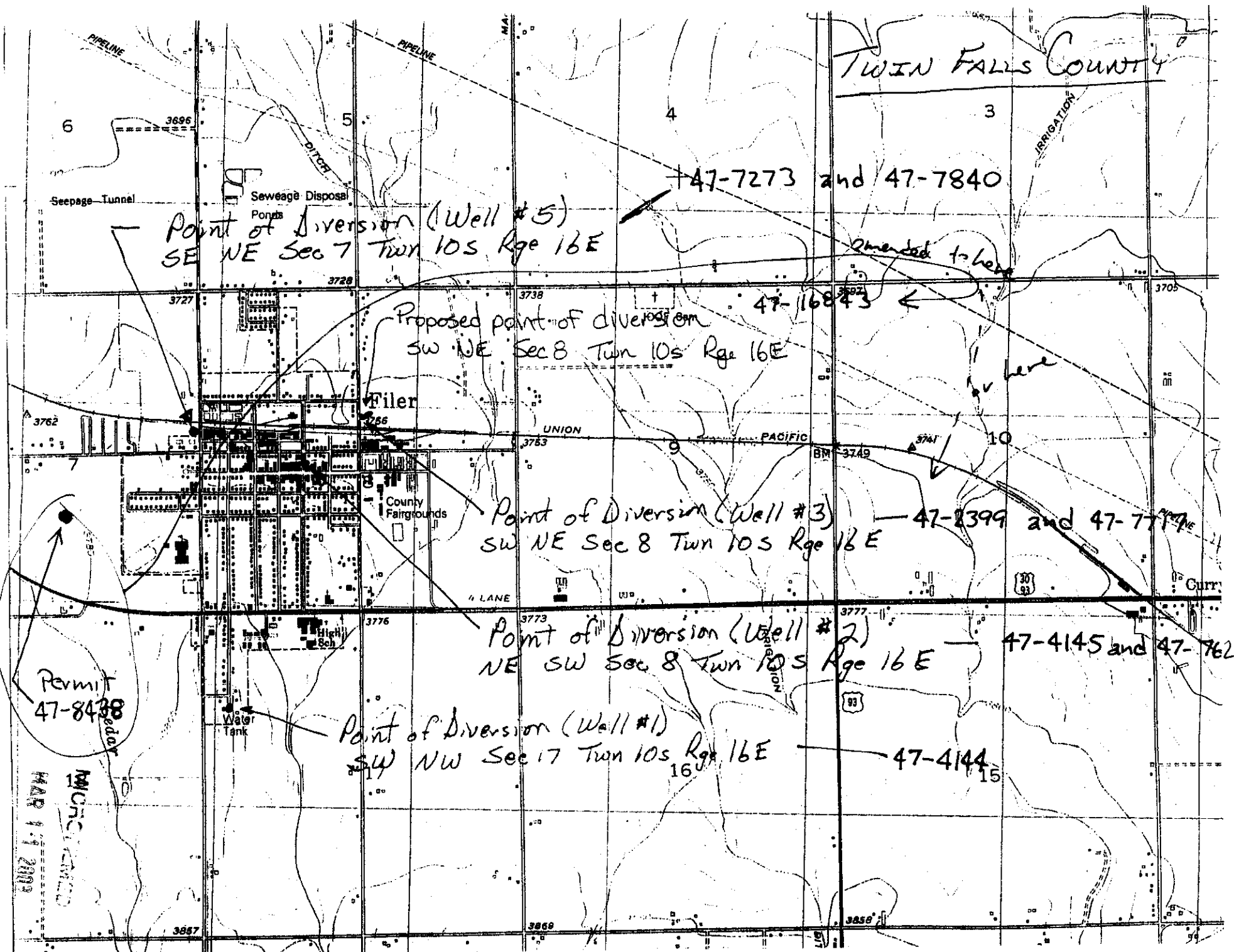
47-4144

47-4145 and

47-2399 and 47-

47-16843

TWIN FALLS COUNTY



Point of Diversion (Well #5)
SE NE Sec 7 Twn 10S Rge 16E

47-7273 and 47-7840

Proposed point of diversion
SW NE Sec 8 Twn 10S Rge 16E

47-16843

Point of Diversion (Well #3)
SW NE Sec 8 Twn 10S Rge 16E

47-1399 and 47-7717

Point of Diversion (Well #2)
NE SW Sec 8 Twn 10S Rge 16E

47-4145 and 47-7623

Point of Diversion (Well #1)
SW NW Sec 17 Twn 10S Rge 16E

47-4144

Permit
47-8438

MAR 17 2002

FILER

Region: 4

County: Twin Falls

POPULATION

	<u>1990</u>	<u>2000</u>
CITY	1,511	1,620
COUNTY	53,580	64,284

**COMMUNITY GOVERNMENT
REVENUE**

	<u>2000</u>
Typical Property Tax Rate	2.3320008%
Total Net Market Value	36,125,967

COUNTY LABOR FORCE DATA**NonFarm Employment**

	<u>2000</u>
Total Nonfarm Employment	28,603
Food Product	2,400
Lumber & Wood Products	54
Chemicals	17
Metals	259
Machinery (exc. elect)	89
Electronics & Elec. Equip.	*
Other Manufacturing	807
Construction	1,369
Mining	31
Trans/Comm/Util	1,616
Wholesale & Retail Trade	8,221
Finance, Insur. & Real Est.	1,116
Services & Misc.	7,309
Government	5,316

Civilian Labor Force

	<u>1998</u>	<u>2000</u>
Total Labor Force	32,252	31,891
Total Employment	30,685	30,477
Total Unemployed	1,567	1,414
Percent Unemployed	4.9	4.4
Farm Employment	2,354	2,377

County Income/Payroll (in dollars)

	<u>1989</u>	<u>1999</u>
Median Household Income	23,520	35,517
Per Capita Income	14,539	21,322
Personal Income Total (000)	776,450	1,342,643
	<u>1989</u>	<u>1999</u>
Avg. Monthly Wage	1,359	1,801
Annual Payroll (000)	338,953	626,971

LARGEST EMPLOYERS/MANUFACTURERS

<u>Name</u>	<u>Product or Service</u>	<u>Number of Employees</u>
Acme Manufacturing	Farm Equipment	50
SeaPac of Idaho	Fish Processing	40
Seminis Vegetable Seed, Inc.	Seed Packaging & Shipping	32
J Bar S Construction	Building Contractor	25
Clear Springs Food Co.	Fish Farming, Processing	18
Allison Feed Mills Inc.	Livestock Feed	15

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Kelly Bean	Bean Storage & Sales	15
Logan's Market	IGA Food Store	8
Vance's One Stop	Gas, Food & Service	7

MUNICIPAL SERVICES AND HEALTH CARE

Sewer System

Treatment Plant	.21 mgd
Design Capacity	
Avg Daily Usage	58 %
(% of capacity)	
Largest Main Line	16 inches
Capacity (diameter in inches)	

Fire Protection System

Rating by Idaho	5
Surveying & Rating Bureau	
(1=best; 10=worst)	
Number of Paid and Volunteer Fireman	22

Water System

Maximum Plant Daily Production	1.44 mgd
Maximum Daily Usage	1.22 mgd
Average Daily Usage	.422 mgd
Storage Capacity	.600 mg

Police Protection

Number of Full-Time Officers	
Part One Crimes/100,000 Population	1,616
Part One crimes are the 8 most serious crimes defined by the FBI	

Planning Services

Regulatory System	<u>Yes</u> <u>No</u>
Comprehensive Plan	X
Zoning Ordinance	X
Building Permit System	X
Subdivision Ordinance	X
Territory Covered by Zoning	
Municipality	X
County	X

Library System

Number of Public Libraries	1
----------------------------	---

Health Care Facilities

Number of Hospitals	0	0
Distance to Nearest	5	
Ambulance Service Available	yes	
Number of General Clinics	0	

TRANSPORTATION

MAJOR HIGHWAYS

<u>Jurisdiction</u>	<u>Route Designation</u>	<u>Direction (Route)</u>	<u>Miles To Access</u>
Federal Interstate	I-84	E-W	12
State Highway	US 30	N-S	0
State Highway	US 93	N-S	0
State Highway	US 74	E-W	5

AIR SERVICE	<u>Navigation Equipment</u>	<u>Runway Length</u>	<u>Miles to Downtown</u>
Joslin Field	ILS, NDB, VOR	8,703	7

WEATHER DATA

Average Annual Total Precipitation	9.1 inches
Average Annual Snowfall	18.7 inches

	<u>Degree</u>	<u>Month</u>
Lowest Average Daily Minimum Temperature	19.0	January
Highest Average Daily Maximum Temperature	88.9	July

Elevation 3,765

EDUCATIONAL FACILITIES**PUBLIC SCHOOLS**

<u>District Name</u>	<u>Average Daily Attendance (ADA)</u>	<u>School Year 2000- 2001</u>	<u>Pupil/Teacher (FTE) Ratio</u>
Filer District #413	1,236		16.4

PRIVATE SCHOOLS (all grades)

	<u>2000-2001</u>
Number of Schools in County	6
Enrollment Total	667
(*Not all private schools report)	

PROFESSIONAL-TECHNICAL SCHOOLS**Public Secondary Programs (by District)**

<u>Name</u>	<u>Enrollment-2000-2001</u>
Filer District #413	755
College of Southern Idaho #607	44

Post-Secondary

<u>Name</u>	<u>Assoc/Certificate Enrollment-1999-2000</u>	<u>Short- Term Training</u>	<u>Distance (in miles)</u>
-------------	---	-------------------------------------	------------------------------------

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College of Southern Idaho Professional-Technical	1,555	2,920	13
Idaho State University Professional-Technical	1,606	8,139	130

COMMUNITY COLLEGES

<u>Name</u>	<u>Enrollment- 2000-2001</u>	<u>Distance (miles)</u>
College of Southern Idaho	4,545	13

FOUR-YEAR COLLEGES OR UNIVERSITIES (nearest)

<u>Name</u>	<u>Academic Enrollment- 2000-2001</u>	<u>Distance (miles)</u>
-------------	---	-----------------------------

LOCAL & REGIONAL ECONOMIC DEVELOPMENT ORGANIZATIONS

<u>Name</u>	<u>Contact</u>	<u>Phone(208)</u>
Filer City Clerk-Treasurer	Shari Hart	326-5000
Filer Gem Community Action Team	Wanda Shaffer	326-5000
Region IV Development Association	Joseph Herring, Exec. Director	732-5727

IDC-ED 11/30/2001

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MAR 11 2003

RECEIVED

SEP 16 2002

OK
MB
9/17/02

PUBLIC NOTICE

of Publication

AHO
TWIN FALLS } SS.

Department of Water Resources
Southern Region

No 44445

The following application has been filed to appropriate the public waters of the State of Idaho within Twin Falls County:

47-16843
CITY OF FILER
PO BOX 140
FILER ID 83328

Source: GROUND WATER
Points of Diversion: NWNESW & (2 wells within SWSWNE), both S08; SESENE S07; NWSWNW S17; all T10S R16E.

Use: 01/01 To 12/31
MUNICIPAL 4.9 CFS
Date Filed: 08/28/2002

Remark: This application proposes to increase the allowable pumping rate for the Filer water system in order to meet the increasing demand (especially during summer) that has occurred during the last several years. A test well, drilled under another permit, has yielded more water than anticipated; it will provide most of the requested flow. Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before 09/23/2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Publish September 5 and 12, 2002

Cheryl Hargrave being first duly sworn upon oath, depose

Principal Clerk of the TIMES-NEWS, published daily at, and do solemnly swear that a copy of the notice of advertisement, as per clipping published in the regular and entire issue of said newspaper, and not in any supplement

2) Two consecutive weeks,
in the issue dated September 5, 2002,
the issue dated September 12, 2002.

Further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily of which newspapers prior to consolidation had been published under said names in said city and and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at newspaper began daily publication under said name in said city and county continuously and unin-

Further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to Friday is announced as the day on which said legal notices will be published.

TWIN FALLS

2 day of September in the year 2002, before me.

Cheryl Hargrave personally appeared

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.

Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires: 5-19-03

Aracela Capps McGuire

RECEIVED

SEP 16 2002

OK MB
9/17/02

Affidavit of Publication

STATE OF IDAHO
COUNTY OF TWIN FALLS } SS.

Department of Water Resources
Southern Region

No 44445

I, Christy Haszger being first duly sworn upon oath, depose
and say that I am Principal Clerk of the TIMES-NEWS, published daily at,
Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping
attached, was published in the regular and entire issue of said newspaper, and not in any supplement
thereof, for (2) Two consecutive weeks,
commencing with the issue dated September 5, 2002,
and ending with the issue dated September 12, 2002.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho
Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily
except Monday, both of which newspapers prior to consolidation had been published under said names in said city and
county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at
which time said newspaper began daily publication under said name in said city and county continuously and unin-
terruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to
be issue thereof, Thursday is announced as the day on which ~~all legal notices will be published.~~

STATE OF IDAHO
COUNTY OF TWIN FALLS

SEP 11 2003

On this 12 day of September in the year 2002, before me,
a Notary Public, personally appeared Christy Haszger,
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.

Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires: 5-19-03

REMITTANCE ADDRESS THE TIMES-NEWS - JAL P.O. BOX 548, TWIN FALLS, ID 83303-0548		BILL TO DEPT WATER RESOURCES	
AD NUMBER 359438	CLASS 0050 LEGAL	SALESPERSON 7	BILLING DATE 09/12/02
AD DESCRIPTION PUBLIC NOTICE THE FOLLOWING APPLIC		47-16843	START DATE 09/05/02
PUBLICATION	INSERTIONS	RATE	STOP DATE 09/12/02
4 THE TIMES NEWS LEGAL	2	LGL	NET AMOUNT 67.20
TOTAL AD CHARGE			67.20
4 AFFIDAVIT CHARGE		AFFID	7.00
DAYS RUN			
PURCHASE ORDER		PAY THIS AMOUNT	74.20
LEGAL			74.20*

OK
MB
9/17/02

20400000003594380000000000000000742000000074209

TOTAL AMOUNT DUE
74.20
ENTER AMOUNT ENCLOSED



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

601 Pole Line Road, Suite 2 • Twin Falls, Idaho 83301-3035 • (208) 736-2190

Dirk Kempthorne, Governor
C. Stephen Allred, Director

September 3, 2002

RECEIVED
SEP 04 2002
Department of Water Resources
Southern Region

Ms. Mary A. Baldwin
Idaho Department of Water Resources – Southern Region
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

RE: Application for Permit No. 47-16843

Dear Mary:

Please see the attached copy of the September 26, 2001 letter I sent to Mayor Sheridan of Filer regarding their proposed new well. I carbon copied Mr. Gary Funderberg of your office at that time.

Please don't hesitate to call if you have questions. 736-2190

Sincerely,

Steve Staufer
Regional Drinking Water Program Coordinator

SS/ph

Enclosure

RECEIVED

SEP 11 2002



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

FILE COPY

601 Pole Line Road, Suite 2 • Twin Falls, Idaho 83301-3035 • (208) 736-2190

Dirk Kempthorne, Governor
C. Stephen Allred, Director

September 26, 2001

RECEIVED

SEP 04 2002

Department of Water Resources
Southern Region

Honorable Russell Sheridan
City of Filer
P.O. Box 140
Filer, ID 83328

Re: Public Water System Well Site Approval of the new **City of Filer Public Water Well Site**, Twin Falls Co.

Dear Mayor Sheridan:

It appears from our site investigation conducted on September 25, 2001 that the proposed well site adjacent to Well #3 complies with all Current State of Idaho Public Water Well setback requirements. However, we would like to make the following comments:

- According to Idaho Code (IDAPA 58.01.08.550.03 m), "A well lot shall be provided for wells constructed after November 1, 1977. The well lot shall be owned in fee simple by the supplier of water or controlled by lease with term of not less than the useful life of the well and be large enough to provide a minimum distance of fifty (50) feet between the well and the nearest property line." If the lease option is chosen, we recommend a term of at least ninety-nine (99) years.
- Please ascertain that the finished ground surface elevation surrounding the well continually slopes away from the well head in order to prevent surface water "ponding."
- If the current Well #3 is to be abandoned, it shall be done so in accordance with Idaho Department of Water Resources specifications.
- The well house should be protected from stray transport trucks from the sugar beet facility striking it.
- A contingency plan, addressing petroleum and radiator fluid contamination, shall be drafted in response to a possible vehicle turnover or wreck at or near the well.
- No parking of vehicles in the fifty-foot setback area shall be permitted.

Monitoring for chemical, radiological, and biological contaminants, as well as sand production during the test pump, will need to be conducted before the well is to supply water to the public.

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MAR 11 2003

Honorable Russell Sheridan
September 26, 2001
Page 2

Please also be aware that we have enclosed a copy of our sampling requirements for your convenience.

If the well does not have the required yield and is abandoned, abandonment must be done in accordance with the Idaho Department of Water Resources Rules and Regulations in order to reduce potential sources of contamination.

The Surface Water Rule states that a determination of surface water influence on ground water sources is conducted in accordance with criteria established by the State. State policy requires an evaluation of surface water influence on groundwater sources located less than five hundred (500) feet from a surface water source. It appears that there is an irrigation ditch approximately 90 feet to the west of the well site, which will require that either two Microscopic Particulate Analyses (MPA) be performed six months apart from each other, or a report from a certified geologist or hydrologist stating there is no surface water influence at the well. If the MPA option is chosen, both sample results will need to demonstrate little or no connectivity to the surface water before well water may be served to the public.

As you are aware, there is the potential for some contamination of the shallow water aquifer in the area around the well. Proper well construction and sealing will help prevent this water from entering the well and prevent contamination, which may require treatment before the water could be used by the system.

Please be aware that this office will need to review plans and specifications of the well before construction.

Upon completion of the well, please contact this office so we may collect GPS information and affix a water source ID tag to the well.

If you have any questions, please do not hesitate to contact this office at 736-2190.

Sincerely,



Steve Stauffer
Regional Drinking Water Program Coordinator

SS/ac
Enclosure

cc: Rob Hegstrom, J-U-B Engineers, Inc, Twin Falls
Gary Funderberg, Idaho Department of Water Resources, Twin Falls w/o enc. MICROFILMED
David Anderson, Regional Engineering Manager, DEQ, TFRO w/o enc.
Tom John, Senior Water Quality Analyst, DEQ State Office w/o enc. MAR 11 2003
Gregory Misbach, P.E., Technical Engineer I, DEQ, TFRO w/o enc.
Brian Reed, Staff Engineer, Twin Falls w/o enc.

The following application has been filed to appropriate the public waters of the State of Idaho within Twin Falls County:

47-16843

CITY OF FILER

PO BOX 140

FILER ID 83328

Source: GROUND WATER

Points of Diversion: NWNESW & (2 wells within SWSWNE), both S08; SESENE S07; NWSWNW S17; all T10S R16E.

Use: 01/01 To 12/31

MUNICIPAL 4.9 CFS

Date Filed: 08/28/2002

Remark: This application proposes to increase the allowable pumping rate for the Filer water system in order to meet the increasing demand (especially during summer) that has occurred during the last several years. A test well, drilled under another permit, has yielded more water than anticipated; it will provide most of the requested flow. Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before 09/23/2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Times News on 9/5 & 9/12/02.

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MAR 11 2003

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET-STE# 200
TWIN FALLS ID 83301
Phone: 736-3033
Fax: 736-3037

August 29, 2002

ATTN RUBY AUFDERHEIDE
LEGALS DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS ID 83303-0548

Dear Ruby:

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 required publication dates. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,



Mary Baldwin

Administrative Assistant

Enclosure

MICROFILMED

MAR 11 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 29, 2002

ATTN MAYOR JAY FORT
CITY OF FILER
PO BOX 140
FILER ID 83328

Re: Application for Permit No. 47-16843 and Amendment of Permit No. 47-8438

Dear Mayor Fort:

The Department of Water Resources acknowledges receipt of water right applications as referenced above. Please refer to these numbers in all further correspondence.

This office has scheduled advertising the applications in the Times News for 9/5 & 9/12/02. A period of ten days following the second publication will be allowed for the submittal of protests. (September 23, 2002)

If an application is protested the applicant 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.

If an application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify the applicant of the outcome of this review. If a permit is issued, the applicant will be sent a copy. A typical processing time for an unopposed application is about eight weeks.

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

Sincerely,

Mary A. Baldwin
Administrative Assistant

MICROFILM

SEP 11 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 29, 2002

ATTN: GREG MISBACH
ID DEPT OF DEQ
601 POLE LINE RD
TWIN FALLS ID 83301

Re: Application for Permit No. 47-16843 filed in the name of the City of Filer

Dear Mr. Misbach:

The Department is seeking your comment and/or recommendations regarding the above referenced application; a copy is enclosed for your information and files.

Your prompt cooperation is appreciated. If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very Truly Yours,

Mary A. Baldwin
Administrative Assistant

Enclosure(s)

MICROFILMED

MAR 11 2003

Baldwin, Mary

From: Baldwin, Mary
Sent: Thursday, August 29, 2002 3:21 PM
To: Yenter, Cindy (Hodges)
Cc: Baldwin, Mary
Subject: NEW app

FYI, the City of Filer has filed App. for Permit No. 47-16843 for 4.90 cfs for municipal uses; a test well drilled in 2000 will be added to the city system.

Comment Report

47-16843

1. jstanton 8/29/2002 Comment/Analysis

Comment: I have worked with Rob of JUB Engineers to prepare this application, so am familiar with the situation. Some old city wells are no longer in use, and some are pumping more than they are licensed for; all the present city wells are included in the app to account for any excess pumpage. A test well has just been drilled east of Well #3 under Permit 47-8438, and will provide the bulk of the new water. According to Rob, it is only possible to run one of these two wells at a time, as the new well will dewater Well #3. The new well would be used during summer when more flow is needed, and Well #3 will be used during winter when less flow is needed. Filer has been short of water during the summer for several years, and has exhausted all other options in meeting their needs (alternate-day lawn watering, etc.). So the increased flow is required to meet their present needs; no mention has been made of any long-term planning horizon, although it appears that the extra flow should allow for some additional population growth. Rob said that they have not added any large parks or industrial users, so apparently it is just homes and lawns that will be served by the additional flow.

2. jstanton 8/29/2002 Legal Notice Remarks

Comment: This application proposes to increase the allowable pumping rate for the Filer water system in order to meet the increasing demand (especially during summer) that has occurred during the last several years. A test well, drilled under another permit, has yielded more water than anticipated; it will provide most of the requested flow.

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MAR 11 2003