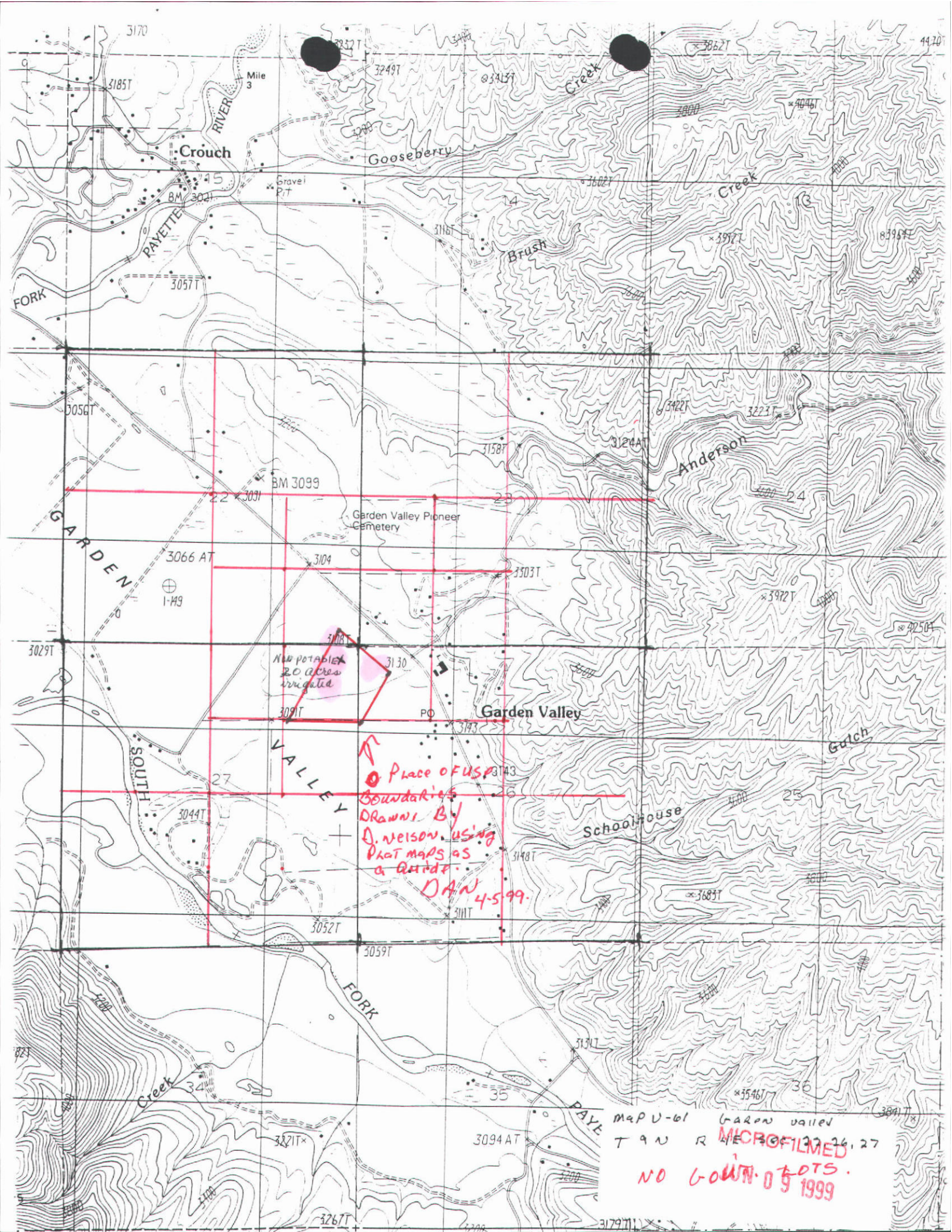




Crouch

Gooseberry

Brush

Anderson

Garden Valley

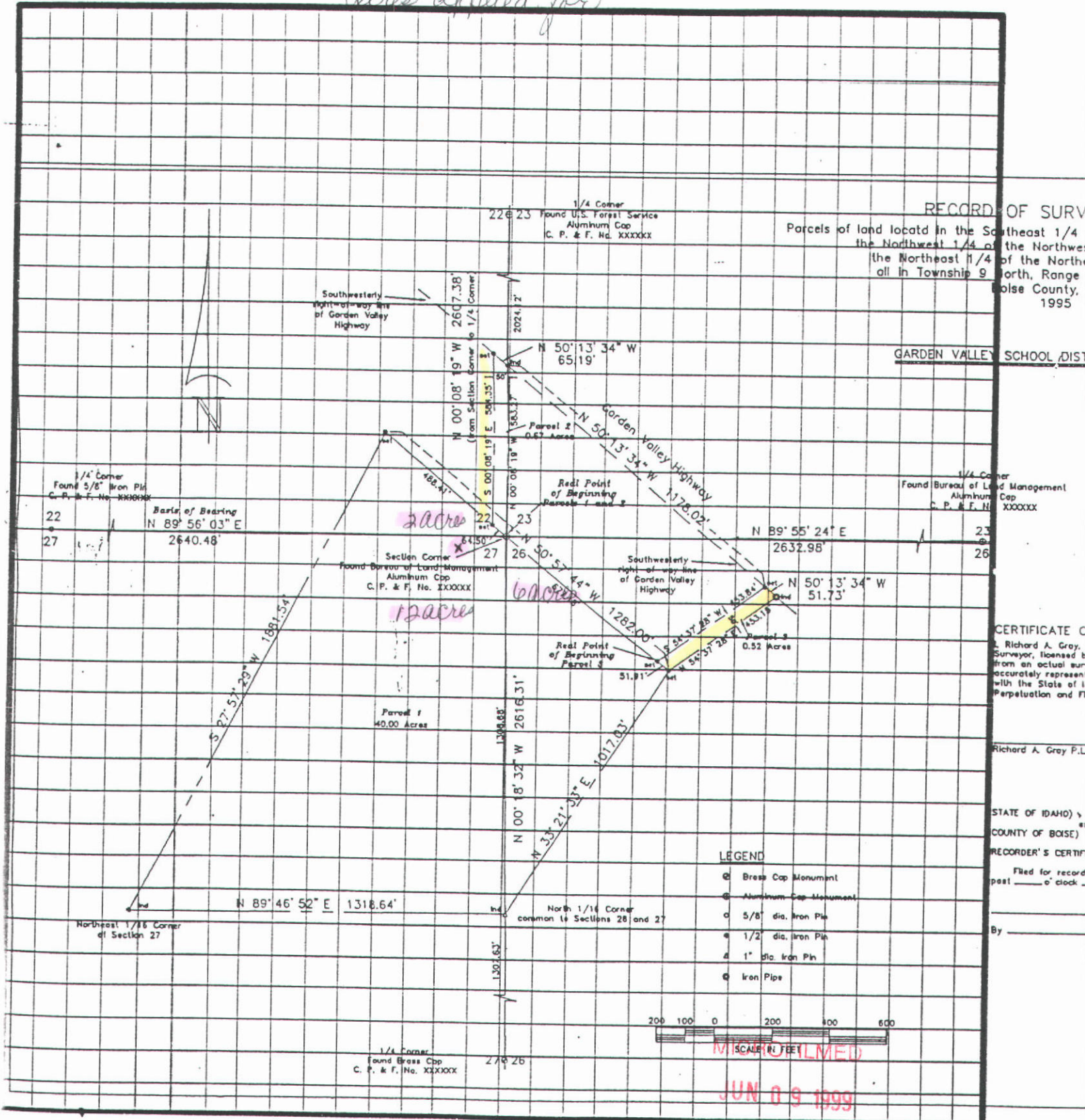
Schoolhouse

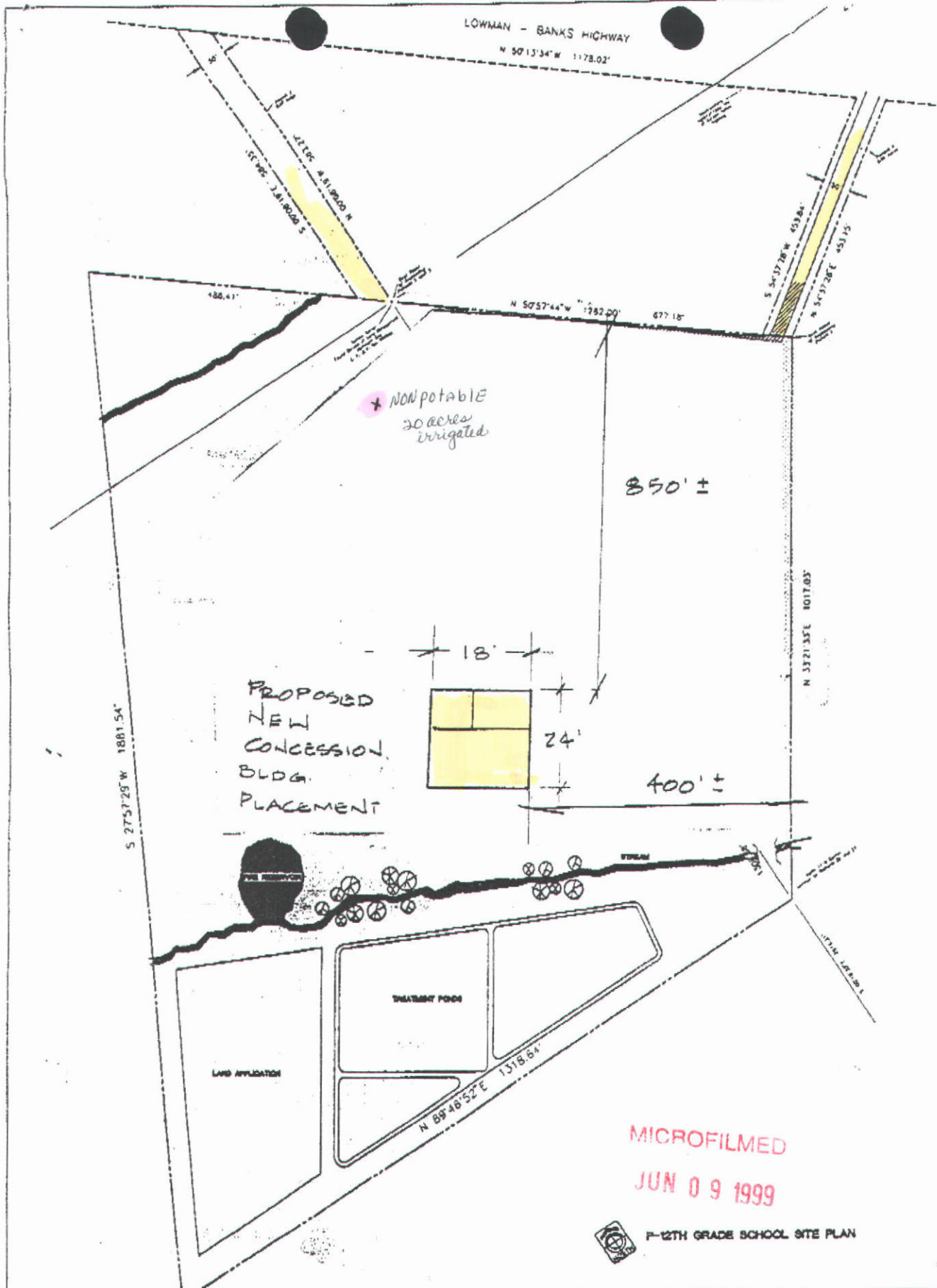
Place of USF
boundaries
drawn by
J. Nelson using
phot maps as
a guide.
DAN
4-5-99.

MAP U-61 GARDEN VALLEY
TAN R 4-5-99
MICROFILMED
NO GOWNS 1999



Acres applied for





MICROFILMED
JUN 09 1999



P-12TH GRADE SCHOOL SITE PLAN

A11	SITE PLAN	PROJECT GARDEN VALLEY SCHOOL (P-12) LOWMAN-BANKS HIGHWAY, GARDEN VALLEY, ID.	CSHA ARCHITECTS/PLANNERS Central Station - 300 N. 4th Street Boise, Idaho 83702 Phone (208) 343-6535 Fax (208) 343-1228	DATE 1999.03.25	BY [Signature]	SCALE AS SHOWN	NOTES 1. SEE P-12TH GRADE SCHOOL SITE PLAN FOR DETAILED INFORMATION.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

RECEIVED

MAY 20 2004

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

DEPARTMENT OF
WATER RESOURCES

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right

Permit No 65-13834
Name(s) of Permit Holder Garden Valley School Dist. #71
Address P.O. Box 710 City Garden Valley State ID Zip 83622
Telephone No. (208) 462-3756 Date Proof is Due June 1, 2004

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

1 Well has been drilled and we are watering approx. 4 acres

Well drilled Pump installed Pump house Costing \$ 10,000.00 Approx.

The permit holder(s) has been unable to complete the remainder of the work for the following reasons.

The school is hoping to pass a bond and if the Bond passes:
We will develop some landscaped lawn areas around the
new School site.

Permit holder(s) request an extension to June 1, 20 09

(Signature)*

*If other than permit holder, Power of Attorney must be supplied

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

APPROVED and the time within which to submit proof of beneficial use is extended to
June 1, 2009.

Signed this 26th day of August, 20 04

Gary Spackman
GARY SPACKMAN

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
INSTRUCTIONS FOR EXTENSION OF TIME REQUEST
TO SUBMIT PROOF OF BENEFICIAL USE

If the water right development authorized by your permit is not complete and you need more time to submit proof of beneficial use of water under your permit, please read the following:

Under the provisions of Section 42-204, Idaho Code, the department can extend the proof due date of your permit only once, and then only if you can demonstrate that you have been pursuing development of the permit with due diligence.

The Request for Extension of Time form requires that you indicate the extent of development that has occurred, the cost, and the reason(s) the work has not been completed. This information must be provided in enough detail to show due diligence. Examples of work performed are: well drilled, pump installed, 10 acres now irrigated, fish propagation ponds constructed, sprinkler system purchased, etc.

If no work has been accomplished, the statutes provide that the Request for Extension of Time must be denied. **Lack of financial resources, the state of the economy or personal illness usually cannot be considered adequate reasons to approve a Request for Extension of Time.**

EXCEPTIONS TO ONLY ONE EXTENSION

The proof due date for a permit that has not been developed for one of the following reasons may be granted one or more extensions of time even though no work has been accomplished:

- When there is a lack of a required consent or final approval from a federal government agency (**evidence of delay must be submitted with the request**), i.e. right-of-way easement or land classification such as Desert Land Entry or Carey Act.
- When litigation related to title of the water has prevented development of the permit (**evidence must be submitted with the request**).
- When the water project is of a large scale -- storage of more than 10,000 acre-feet or diversion of more than 25,000 acre-feet in one irrigation season for an irrigation project of at least 5,000 acres.
- When the water right permit is held by the United States of America (**reason for request must be submitted**)

A non-refundable filing fee of **\$50.00** must accompany the Request for Extension of Time form

NOTE that in no case should a Proof of Beneficial Use form and a Request for Extension of Time form both be submitted. If your water development project is completed, then the proof of beneficial use form should be completed and returned. If the project is started but not completed, then the Request for Extension of Time form should be completed and returned in compliance with the guidelines above. If the project has not been initiated and does not fit into one of the exceptions listed above, then neither form should be returned and the permit will lapse and become of no further force nor effect

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-13834

Proposed Priority: January 26, 1999 Maximum Diversion Rate: 0.80 CFS

This is to certify, that SCHOOL DISTRICT NO 71
PO BOX 710
1076 BANKS LOWMAN RD
GARDEN VALLEY ID 83622

has applied for a permit to appropriate water from: GROUNDWATER

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>
-----------------------	----------------------	--------------------------

IRRIGATION	03/15 to 11/15	0.80 CFS
------------	----------------	----------

<u>LOCATION OF POINT(S) OF DIVERSION:</u>	NWNW , Sec. 26, Township 09N, Range 04E
	NENE , Sec. 27, Township 09N, Range 04E
	BOISE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09N	04E	22	SESE	2.0		2.0
		26	NWNW	6.0		6.0
		27	NENE	12.0		12.0

Total number of acres irrigated: 20.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 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.

MICROFILMED

JUN 03 1999

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

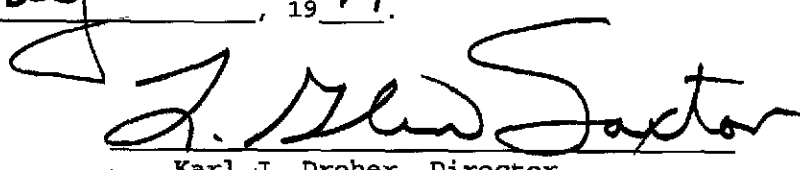
NO. 65-13834

CONDITIONS OF APPROVAL AND REMARKS

6. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary for this purpose will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
7. Two points of diversion are located within NWNW, S27, T09N, R04E.
8. This right when combined with all other rights shall provide no more than 0.04 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
9. Place of use is locally known as Garden Valley School.

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

25 th day of May, 1999.


Karl J. Dreher, Director
for

MICROFILMED

JUN 09 1999

65-13834
RECEIVED
Permit No. 65

RECEIVED

JAN 26 1999

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JAN 14 1999

APPLICATION FOR PERMIT

Garden Valley School District #71

To appropriate the public waters of the State of Idaho

1. Name of Applicant Garden Valley School District #71 Phone (208)462-3756
Mailing address P.O. Box 710, 1076 Banks Lowman Road, Garden Valley, ID 83622
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is Township 09N Range 04E Sec. 26 27 * in the _____ 1/4,
NE 1/4, NE 1/4, Govt. Lot _____, B.M., _____ Boise County;
additional points of diversion if any: 2nd p/d: NWNW, S26, T9N, R4E
4. Water will be used for the following purposes:
Amount 0.80 for Irrigation purposes from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.80 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 Submersible Pump piped to fields
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
 - c. Proposed well diameter is 6 inches; proposed depth of well is 200 feet
 - d. Is ground water with a temperature of greater than 85°F being sought? NO
 - e. If well is already drilled, when? _____; Drilling firm Rauch Drilling;
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in KW. _____
 - b. Stockwatering; list number and kind of livestock. _____ **MICROFILMED**
 - c. Municipal; show name of municipality. _____ **JUN 09 1999**
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. _____

* Changes made per map supplied by applicant.

DAN 4-8-99

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

[illegible]

10. Describe any other water rights used for the same purposes as described above. None

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

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

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

:ဝိပလ္လိယ အုပ္ပါ

12. Remarks: ~~High rate of diversion is required to irrigate school grounds during off-~~

~~school hours. Extended season required in the event of a dry spring.~~

Applicant agrees to mitigate court system & use in

The Future as Needed. DAN 4-6-99

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

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

Signature of Applicant (and title, if applicable)

Victor Koshuta, Superintendent

Preliminary check by

Time 11:45

Date _____

Fee \$ 100.00

Publication prepared by:

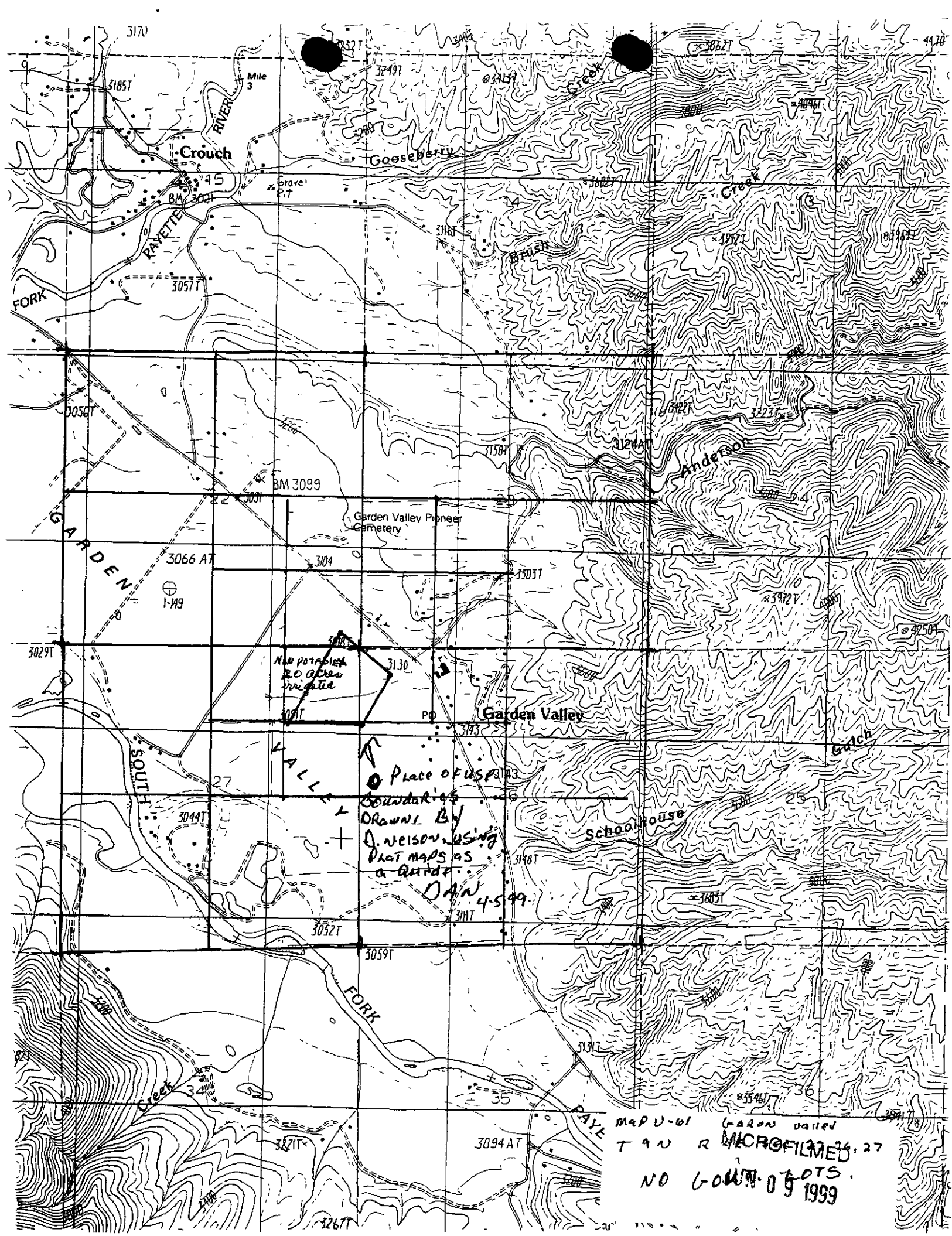
Publication approved

Date _____

Published in

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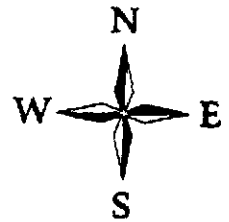
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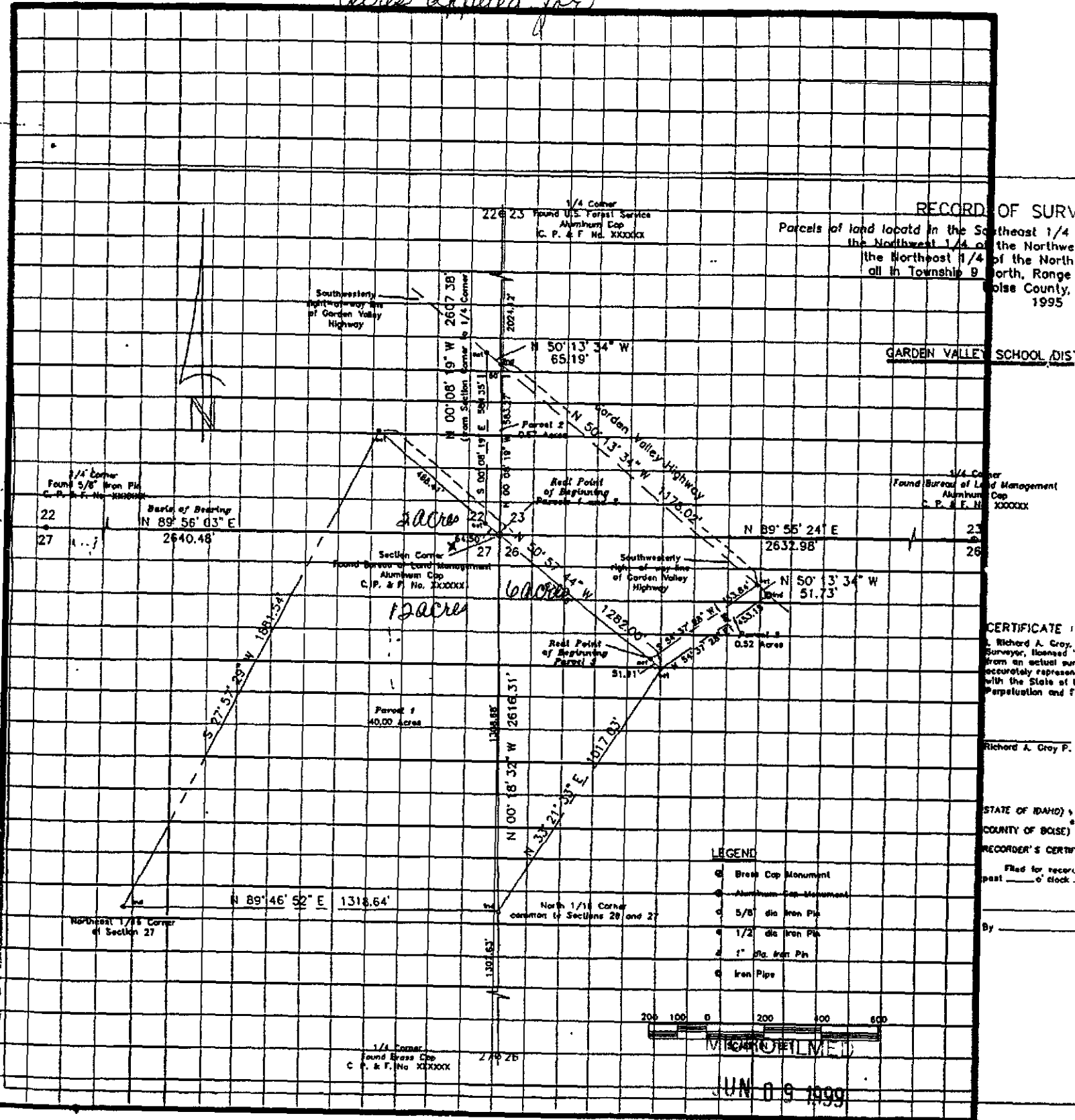


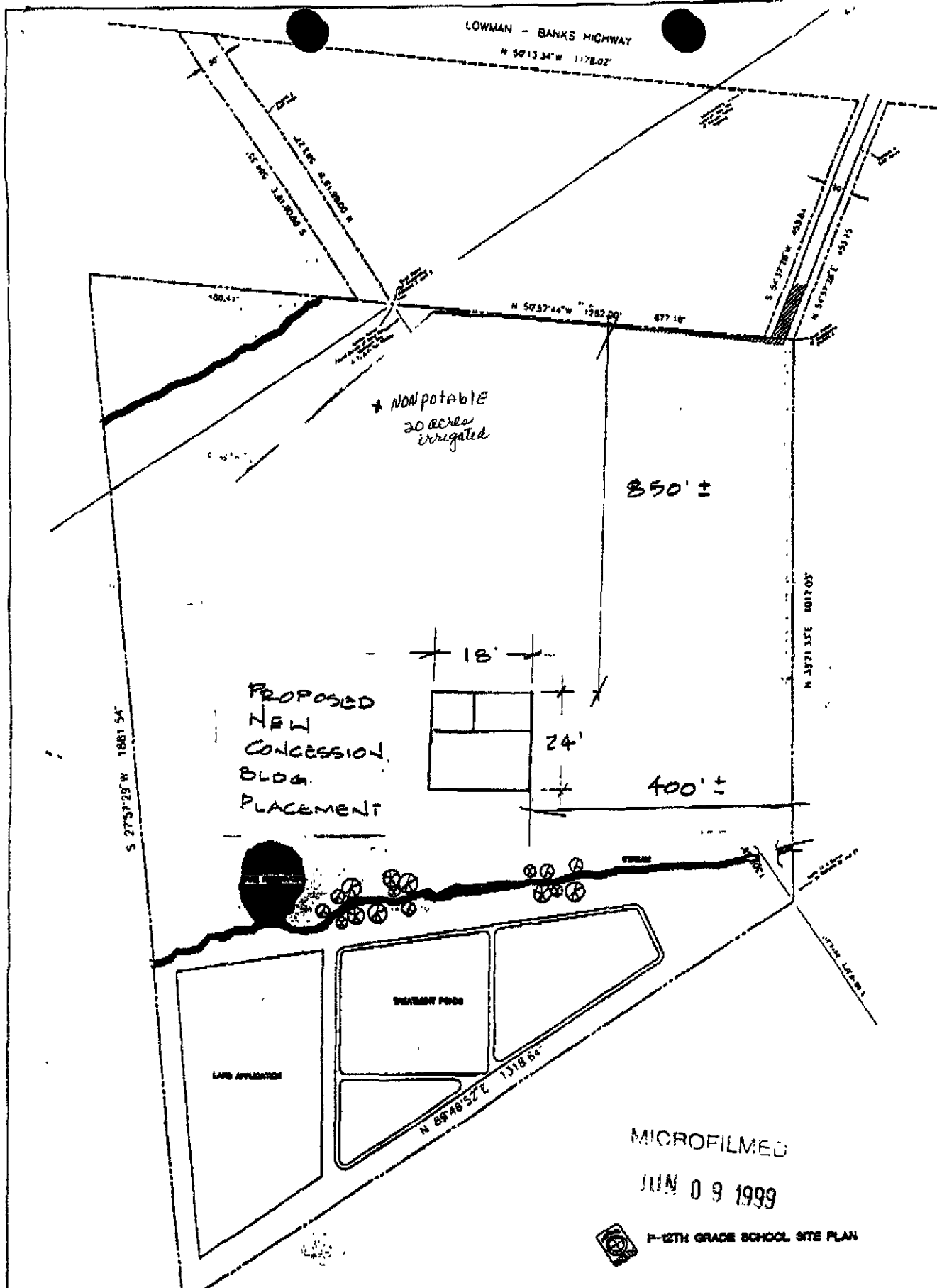
New Service Extension

Draw your property in the grid below. Show the nearest cross roads and the exact service location.



Acres applied for





Comments: Date: 4/ 6/1999 User-ID: DNELSON

Subject: ADDITIONAL INFORMATION

IDWR review revealed overlapping water rights for both the point of diversion and place of use. The only significant overlapping water right is 65-11409 for the place of use. Extended season of use and increased diversion rate was requested to allow school to irrigate fields during non-school hours and to maintain fields for activities during late fall and early spring.

MICROFILMED

JUN 09 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 27, 2004

GARDEN VALLEY SCHOOL DISTRICT NO. 71
PO BOX 710
GARDEN VALLEY ID 83622

RE: PERMIT NO. 65-13834

Dear Permit Holder:

I have enclosed a copy of the approved Request for Extension of Time ("request") you submitted to the department in connection with the above referenced permit, which extends the time to submit proof of beneficial use to **June 1, 2009**. Please note that the department granted this extension based on evidence of **due diligence**. It is important that you work diligently toward the completion of this project during the construction period allowed, since the department may not be able to grant an additional extension request based on this category.

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. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner. Additionally, these forms can be found on our website at: www.idwr.state.id.us

If you have any questions regarding this matter, contact me at (208) 327-7953.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No.: 65-13834

Reviewed By: dgibson

Date: August 26, 2004

	<u>Yes</u>	<u>No</u>	
Request received timely?	X		Is delay by a government agency?
Appropriate fee	X		Is supporting documentation needed to support the file?
Additional Amount Due:			
Receipt No.:	~~Acknowledge request and extend proof deadline to 6/1/2009.~~		Has the permit been involved in litigation?
Name and signature same as permit?	X		Is supporting documentation needed to support the file?
Is address same as permit?	X		Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?
Has adequate work been completed to demonstrate due diligence?	X		

Priority Calculation

Extension request received	05/20/2004	New proof due date	06/01/2009
Date proof due	- 06/01/2004		
Lapse notice sent	-		
No. of days late	= 0		
Holiday allowance	+		
Priority date	+ 01/26/1999		
New priority date	= 01/26/1999		

Action Taken

Acknowledge request and extend proof deadline to 6/1/09.

March 31, 2004

GARDEN VALLEY SCHOOL DISTRICT #71
PO BOX 710
GARDEN VALLEY, ID 83622

PROOF DUE NOTICE

RE: PERMIT NO. 65-13834

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 June 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.

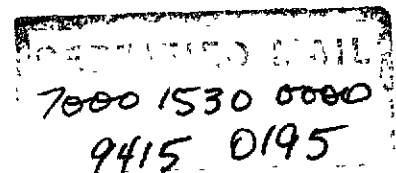
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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



IDAHO DEPARTMENT OF WATER RESOURCES

WELL DRILLER'S REPORT

Use Typewriter or Ballpoint Pen

Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
1/4 _____ 1/4 _____ 1/4 _____
Lat _____ Long _____
☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

1. DRILLING PERMIT NO. 65-99-W-0048-000
Other ~~XXXXX~~ D 000 9856

2. OWNER: WR 65-13834
Name Garden Valley School
Address Box 710 Banks-Lowman Rd.
City Garden Valley State ID Zip 83622

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location

N
W
E
S
Twp 9N North ☐ or South ☐
Rge 4E East ☐ or West ☐
Sec 26 NW 1/4 NW 1/4 1/4
Gov't Lot _____ County _____
Lat _____ Long _____
Address of Well Site Across from School City Garden Valley
(Give at least name of road + Distance to Road or Landmark)

Lt _____ Blk _____ Sub Name _____

4. USE:

☐ Domestic ☒ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☐ Air Rotary ☐ Cable ☒ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Bentonite	0	50	47	Gravity

Was drive shoe used? ☐ Y ☐ N Shoe Depth(s) N.A.
Was drive shoe seal tested? ☐ Y ☐ N How? N.A.

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6"	0	160	250	Steel	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe 160 Length of Tailpipe 10

9. PERFORATIONS/SCREENS

☐ Perforations Method _____
☐ Screens Screen Type S/S 030

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
160	170	030		6"	S/S	☒	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

50 ft below ground Artesian pressure N.A. lb
Depth flow encountered 44 ft Describe access port or control devices N.A.

11. WELL TESTS:

Yield gal/min	Drawdown	Pumping Level	Time
75	170	170	2 Hr.

Water Temp 57 Bottom hole temp 57

Water Quality test or comments Good

Depth first Water Encountered 8

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
10	0	8	Clay		X
10	8	30	Rocks, Boulders, Sand	X	
10	30	38	Sand & Silt		X
10	38	44	Clay & Silt	X	
10	44	70	Gravel & Sand	X	
10	70	72	Clay		X
10	72	140	Silt & Sandy Clay		X
10	140	160	Sand & Gravel	X	
10	160	180	D.G.		X

RECEIVED

JUL 07 1999

WATER RESOURCES
WESTERN REGION

RECEIVED

JUN 28 1999

WATER RESOURCES
WESTERN REGION

RECEIVED

JUL 13 1999

Department of Water Resources

Completed Depth 180 (Measurable)
Date Started 5-26-99 Completed 5-31-99

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed

Firm Name Rauch Drilling Firm No 570

Firm Official [Signature] Date 6-16-99

and

Supervisor or Operator _____ Date _____

(Sign once if Firm Official & Operator)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 26, 1999

SCHOOL DISTRICT NO 71
PO BOX 710
1076 BANKS LOWMAN RD
GARDEN VALLEY ID 83622

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13834

Dear Permit Holder:

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

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

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

MICROFILMED

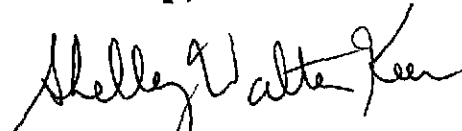
JUN 09 1999

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your right may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

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

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

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED

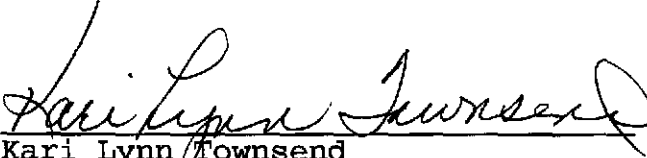
JUN 09 1999
MICRO

CERTIFICATE OF MAILING

I hereby certify that on the 26th day of May, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 65-13834

SCHOOL DISTRICT NO 71
PO BOX 710
1076 BANKS LOWMAN RD
GARDEN VALLEY ID 83622


Kari Lynn Townsend
Secretary

FILMED
JUN 09 1999

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

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

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

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

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

FILED
09 1999

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED

JUN 09 1999

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

 by *Andy*

 No.: 65-13834 Name: Sch. Dist #71 Date: 5/24/99 Ad OK? ☒ Gvmt Lts: ☒

AREA OF CONCERN: - No/Yes _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

 > 1 year - 264 P17
 ≤ 1 year/no proof - P16
GROUNDWATER: (✓ FLO-CH)
DRILLING PERMIT

 All wells (✓ WDAQ3) - 045 P23

 In Basin 34? - 085

 Irr within WD - P05 (new well location)

WMD (✓ MAP) - North / East / West

> 0 24 cfs/5 acres - 067 or No MD (in-stream stock or power)

≤ 0 24 cfs/5 acres - No MD

WMD

Supp irr use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)

Supp irr + uses - 100-101

 > 0 24 cfs/5 acres - 01M (report when notified)

≤ 0 24 cfs/5 acres - No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated).

FISH & GAME CONTACTED - YES / NO, WHEN _____ RESPONSE' _____

IN/ABOVE MSF (✓ MAP) - *WB9

 IN-STREAM DEVELOPMENT - P52 (stream channel alteration)

WD (✓ MAP & LISTING) - R04 (WD # _____)

> 0 20 cfs - 01J-P08 (MD & LD)

≤ 0 20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)

> 0 24 cfs/5 acres - 067 or No MD (in-stream stock or power)

≤ 0 24 cfs/5 acres - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0 24 cfs/5 acres - 01M or No MD (in-stream stock or power)

≤ 0 24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water)

Snake R (01) - *W22 -P04, NA

(02/03-irr) - 007 (w/ remark *WB9 if above Weiser), NA

Payette R (65) - *W22 (regulated uses), 047-P04 (Payette Lake), NA

Salmon R (70's) - 029 (fish screens), NA

Weiser R (67) - 086, 087

USE:

STORAGE (✓ 3 compo) - 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

IRR ≤ 5 acres - R66/R67/R68/R69 (0 03 cfs/acre + 3 0/3 5/4 0/4 5 AF)

> 5 acres - R62/R63/R64/R65 (0 02 cfs/acre + 3 0/3 5/4 0/4 5 AF)

STOCKWATER - R37 (BLM/USFS), NA

MINING - 054(req) -081-P10

FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10

HEATING/COOLING - R07 (injection well)

 POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons use),
 17G (FERC) or 17M (FERC), 18B-P09, >25 cfs-P18

MUNICIPAL

In restricted area? - 022, 075, 004 (+memo?)

Irr., GW supp. to SW? - 102

DOMESTIC

Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge), 27A (Payette River), NA

>1 in rest area - 071-070

FIRE PROTECTION

- 077

LOCATION:

BOISE FRONT LOGEO - 058 (<85° GW temp only)

 MITIGATION - 120

 42-248 AREA - P84 (in 20/30/40/50/60/70/80 (87) basin)

SWAN FALLS FLAG (✓ Code) -

Trust - 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

 STANDARD REMARKS: - (1) W31/0.04/3.5 (2) W60/Garden Valley School (3) W32/NWJW

 BENEFICIAL USE DUE: - 6/1/2004
COMMENTS

RECEIVED

MAY 17 1999

Form No. 202a.
9/98

Department of Water Resources
IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: DAN DATE: 3-23-99 APPLICATION: 65-13834

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources)
- ☐ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County:
- ☒ Quantity: (flow and/or volume) EXCESS USE OK'D PER S. LESTER FOR SCHOOL PURPOSES
- ☒ Period of use: EXCESS USE OK'D PER S. LESTER FOR SCHOOL PURPOSES
- ☒ Nature of proposed use: (Include description of use) Gov't. Lots: NO P/D NO P/U
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map: (show T, R, S, QQ &/or QQQ)
- N/A Subdivision plat: (for > 1 home in restricted area. ≥ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid

ADDITIONAL INFORMATION

YES ADVERTISE REMARK(S)
(Reviewer identify which remarks)

X T FLAG CHANGED TO P FLAG

YES NO

- ☒ ☐ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☒ ☐ Overlapping point of diversion.
- ☐ ☒ Critical groundwater area:
- ☐ ☒ Groundwater management area:
- ☐ ☒ 1992 moratorium:
- ☐ ☒ Surface water source, IDFG letter needed.
- ☐ ☒ Bull trout impact area, IDFG letter needed
- ☐ ☒ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☐ ☒ E-mail to Dam Safety staff: (for any storage)
- ☒ ☐ Mitigation plan: Check any that apply.
- ☐ ☐ immediate = acceptable plan required and submitted.
- ☐ ☒ future = open areas, acceptance of condition of approval is in file.
- ☐ ☒ Send power requirement letter &/or fish farm requirement letter.
- ☐ ☒ Power residency affidavit:
- ☐ ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
- ☒ ☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

NEED MAP OF P/U & P/D'S.

Date Requested 3-23-99 Date Received 3-31-99

PROCESSING

APP. NO.

65-13834

YES NO

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

SEND COPIES TO: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

☐ ☒ I.D. Health & Welfare
☐ ☒ I.D. District Health
☐ ☒ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☐ ☒ Water Dist. # _____
☐ ☒ Other _____

FINAL REGIONAL PROCESSING REVIEW:

YES NO

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

☒ ☐ Publication dates and paper recorded on application:

☐ ☒ Final date for protest 5-10-99

☐ ☒ Protests received.

☐ ☒ Recommendations attached:

☐ ☒ Measuring device required:

☐ ☒ Water delivered by water master? District # _____

☒ ☐ Special conditions of approval or cover letter: 046,120

See below for additional information

Recommended Date of Priority 1/26/99Recommended by: GARYSDate: 5/14/99

ADDITIONAL INFORMATION:

IDWR Review Shows overlapping water rights for both
Place of use. The only significant overlapping water right
is 665-11409 for the Place of use. Extend season
of use and increased diversion rate was requested
to allow school irrigate during non-school hours
and to maintain fields when needed.

The Idaho World

P.O. Box 99
Garden Valley, ID 83622
(208) 462-3487

RECEIVED

MAY 10 1999

WATER RESOURCES
WESTERN REGION

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13834

SCHOOL DISTRICT NO 71
GARDEN VALLEY SCHOOL
PO BOX 710
1076 BANKS LOWMAN RD
GARDEN VALLEY, ID 83622

Source GROUNDWATER

Diversion Pt: NWNW Sec 26 T 09N R 04E in BOISE County
NENE Sec 27 T 09N R 04E in BOISE County

Use: IRRIGATION (0.800 CFS)
Total Diversion: (0.800 CFS)

Date Filed: 1/26/1999

In: BOISE County
T09N R04E S22 SESE
S26 NWNW
S27 NENE

20.0 ACRES TOTAL

Applicant agrees to mitigate consumptive use in the future as needed

65-13845

US DEPARTMENT OF AGRICULTURE
FOREST SERVICE
380 E PARKCENTER STE 330
BOISE, ID 83706

Source: SPRING Tributary: DEER CREEK

Diversion Pt: NENENE Sec 7 T 08N R 04E in BOISE County

Use: STOCKWATER (0.020 CFS)
Total Diversion: (0.020 CFS)

Date Filed: 3/23/1999

In: BOISE County
T08N R04E S07 NENE

65-13849

US DEPARTMENT OF AGRICULTURE
FOREST SERVICE
380 E PARKCENTER STE 330
BOISE, ID 83706

Source: SPRING Tributary: SHIRTS CREEK

Diversion Pt: LOT 1 (SENE) Sec 2 T 09N R 02E in BOISE County.
NESENE Sec 2 T 09N R 02E in BOISE County.

Use: STOCKWATER (0.020 CFS)
Total Diversion: (0.020 CFS)

Date Filed: 3/23/1999

In: BOISE County
T09N R02E S02 Lot 1 (NENE) SENE

65-13850

US DEPARTMENT OF AGRICULTURE
FOREST SERVICE
380 E PARKCENTER STE 330
BOISE, ID 83706

Source: SPRING Tributary: SHIRTS CREEK

Diversion Pt: NWNESE Sec 2 T 09N R 02E in BOISE County

Use: STOCKWATER (0.020 CFS)
Total Diversion: (0.020 CFS)

Date Filed: 3/23/1999

In: BOISE County
T09N R02E S02 NESE

65-13851

US DEPARTMENT OF AGRICULTURE
FOREST SERVICE
380 E PARKCENTER STE 330
BOISE, ID 83706

Source: SPRING Tributary: TIMBER GULCH

Diversion Pt: NESENE Sec 3 T 09N R 02E in BOISE County

State of Idaho)
County of Boise)

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with Apr 21, 1999 and ending with the issue of Apr 28, 1999.

Deanna Stevenson

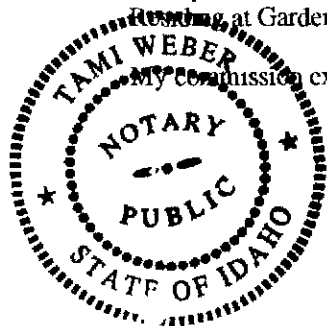
State of Idaho)
County of Boise)

On this 7 day of May in the year 1999, before me, a notary public, personally appeared Deanna Stevenson known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Tami Weber

Notary Public for Idaho
Residing at Garden Valley, Idaho

My commission expires 2/12/05



COPIED FILMED

Use: STOCKWATER (0.020 CFS)
Total Diversion (0.020 CFS)

Date Filed 3/23/1999

In: BOISE County
T09N R02E S03 SENW

65-13852

US DEPARTMENT OF AGRICULTURE
FOREST SERVICE
380 E PARKCENTER STE 330
BOISE, ID 83706

Source: SPRING Tributary: SOLDIER CREEK, NORTH FORK

Diversion Pt. SESESE Sec 4 T 09N R 02E in BOISE County

Use: STOCKWATER (0.020 CFS)
Total Diversion (0.020 CFS)

Date Filed 3/23/1999

In: BOISE County
T09N R02E S04 SESE

65-13853

US DEPARTMENT OF AGRICULTURE
FOREST SERVICE
380 E PARKCENTER STE 330
BOISE, ID 83706

Source: CAMP CREEK Tributary: PAYETTE RIVER, SOUTH FORK

Diversion Pt. NESWNE Sec 26 T 10N R 10E in BOISE County.

Use: DOMESTIC (0.040 CFS)
Total Diversion (0.040 CFS)

Date Filed 3/23/1999

In: BOISE County
T10N R10E S26 SWNE

65-13854

US DEPARTMENT OF AGRICULTURE
FOREST SERVICE
380 E PARKCENTER STE 330
BOISE, ID 83706

Source: SPRING Tributary: SQUAW CREEK

Diversion Pt. SWNWSW Sec 36 T 13N R 01E in BOISE County

Use: STOCKWATER (0.020 CFS)
Total Diversion (0.020 CFS)

Date Filed: 3/23/1999

In: BOISE County
T13N R01E S36 NWSW

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 Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before MAY 10, 1999. The protestant must also send a copy of the protest to the applicant.
KARL J. DREHER, Director

Published in The Idaho World April 21 and 28, 1999

RECEIVED

MAY 10 1999

WATER RESOURCES
WESTERN REGION

MICROFILMED
MAY 10 1999

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

Name of Applicant Garden Valley School District #71

Mailing Address P.O. Box, 1076 Banks Lowman Road

Garden Valley, ID 83622

Application No(s).:
(if known)

☐ IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

☐ PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions to flows in the Snake River during the periods of anadromous fish migration.

☒ WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature

Lee Kershner

Date

1/25/99

Please return this form to:

Idaho Dept. of Water Resources
State Office
1301 N. Orchard Rd.
Boise ID 83706

MICROFILMED

JUN 09 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

RECEIVED

MAR 31 1999

WATER RESOURCES
WESTERN REGION

3/23/1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

GARDEN VALLEY SCHOOL DISTRICT # 71
PO BOX 710
1076 BANKS LOWMAN RD
GARDEN VALLEY, ID 83622

RE: APPLICATION FOR PERMIT TO DIVERT GROUNDWATER

Ladies and Gentlemen,

Your application to appropriate the public waters of the State of Idaho was received on 1/26/1999. In order to continue processing this application our office will need a map. (This map will need the acres to be irrigated and the 2 proposed well sites clearly marked and labeled. I have enclosed a copy of the United States Quadrangle map of your area. You may use this map and return it to me.

Your file will be held until a map is submitted to this office. In order process yours and other applications in timely fashion, please submit this map by 4/23/1999. If you have any questions or need assistance, please contact me at the above address or telephone number.

David -

Respectfully,

Daniel A. Nelson
Water Right Agent

In answer to the 3rd sentence. We applied for 20 acres to be irrigated; football and soccer fields, plus, school campus.

We are not planning to drill the 2nd well (potable) at this time and we are unsure of where to place it.

RECEIVED

MAR 24 1999

Garden Valley School District #71

Ramona

NOTIONED

JUN 09 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

3/23/1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

GARDEN VALLEY SCHOOL DISTRICT # 71
PO BOX 710
1076 BANKS LOWMAN RD
GARDEN VALLEY, ID 83622

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Respectfully,

Daniel A. Nelson
Water Right Agent

COPY
MICROFILMED

JUN 03 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

APRIL 15, 1999

Legal Notices Department
The Idaho World
PO Box 99
Garden Valley, ID 83622

Dear Legal Dept.:

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

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

Please send the affidavit of publication and publication billing to this office before MAY 10, 1999.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

RECORDED

APR 09 1999

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

JUN 09 1999

65-13834

SCHOOL DISTRICT NO 71
GARDEN VALLEY SCHOOL
PO BOX 710
1076 BANKS LOWMAN RD
GARDEN VALLEY, ID 83622

Source: GROUNDWATER

Diversion Pt: NWNW Sec 26 T 09N R 04E in BOISE County.
 NENE Sec 27 T 09N R 04E in BOISE County.

Use: IRRIGATION (0.800 CFS)
 Total Diversion: (0.800 CFS)

Date Filed: 1/26/1999

In: BOISE County
 T09N R04E S22 SESE
 S26 NWNW
 S27 NENE

20.0 ACRES TOTAL

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

MICROFILM

JUN 09 1999

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 Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before MAY 10, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 4/21/1999 & 4/28/1999

MICROFILMED

JUN 09 1999