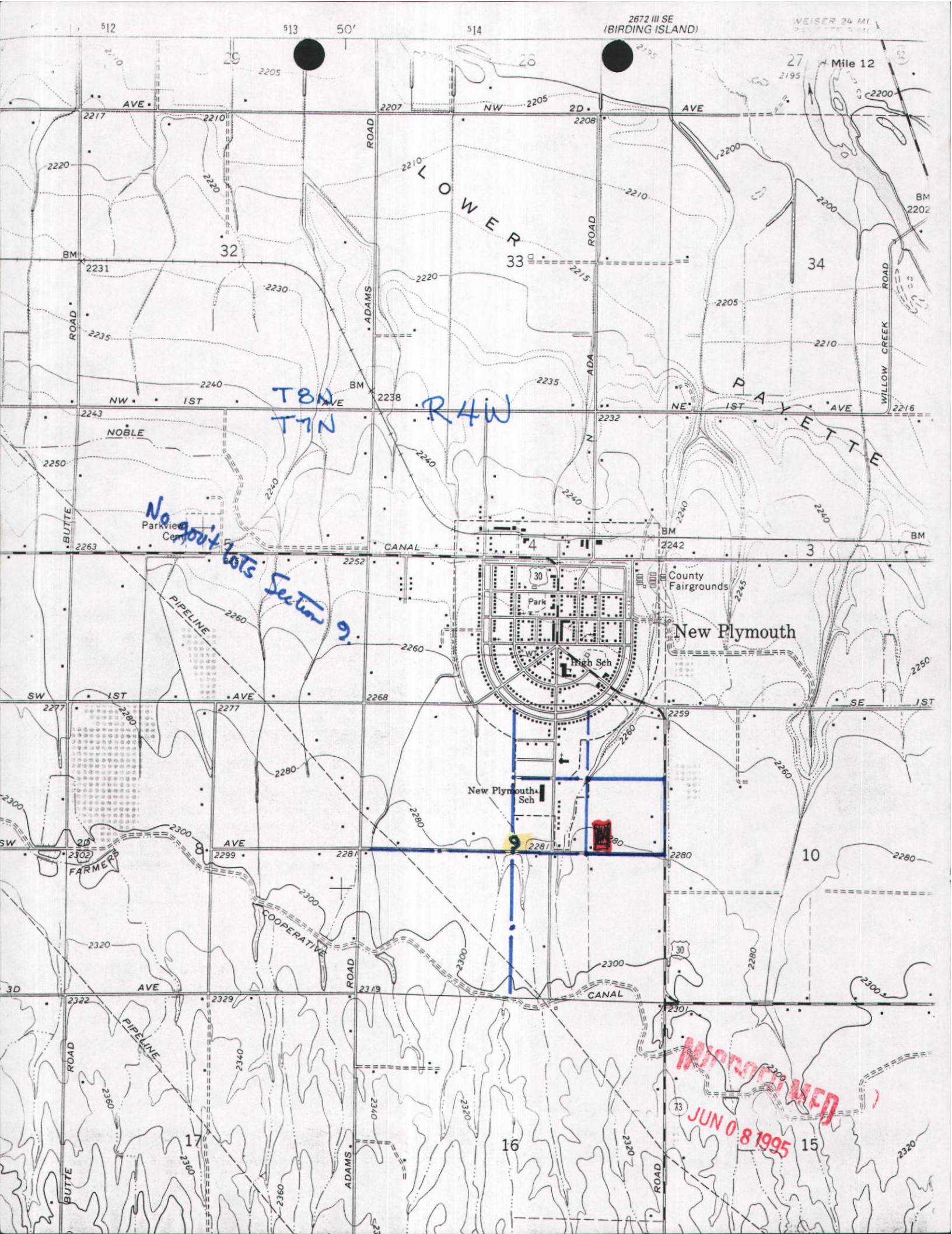




512

513

50'

514

2672 III SE  
(BIRDING ISLAND)

NEISER 24 MI

Mile 12

AVE

NW

2D

AVE

LOWER

ROAD

ROAD

WILLOW CREEK

32

33

34

NW

IST

T8N  
T7N R4W

NE

IST

AVE

NOBLE

No good lots  
Section 9

CANAL

County  
Fairgrounds

New Plymouth

Park  
High Sch

New Plymouth Sch

10

AVE

CANAL

PIPELINE

ROAD

PIPELINE

ROAD

ROAD

ROAD

17

16

15

RECORDED  
JUN 08 1995



8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? \_\_\_\_\_

How far away from the well is this source? \_\_\_\_\_

9. REMARKS:

The well is used to irrigate the  
New Plymouth Middle School grounds and  
playing fields.

*Jan Zernich*

Water Rights Examiner

Signature of Dept. Representative & Title

6-11-97

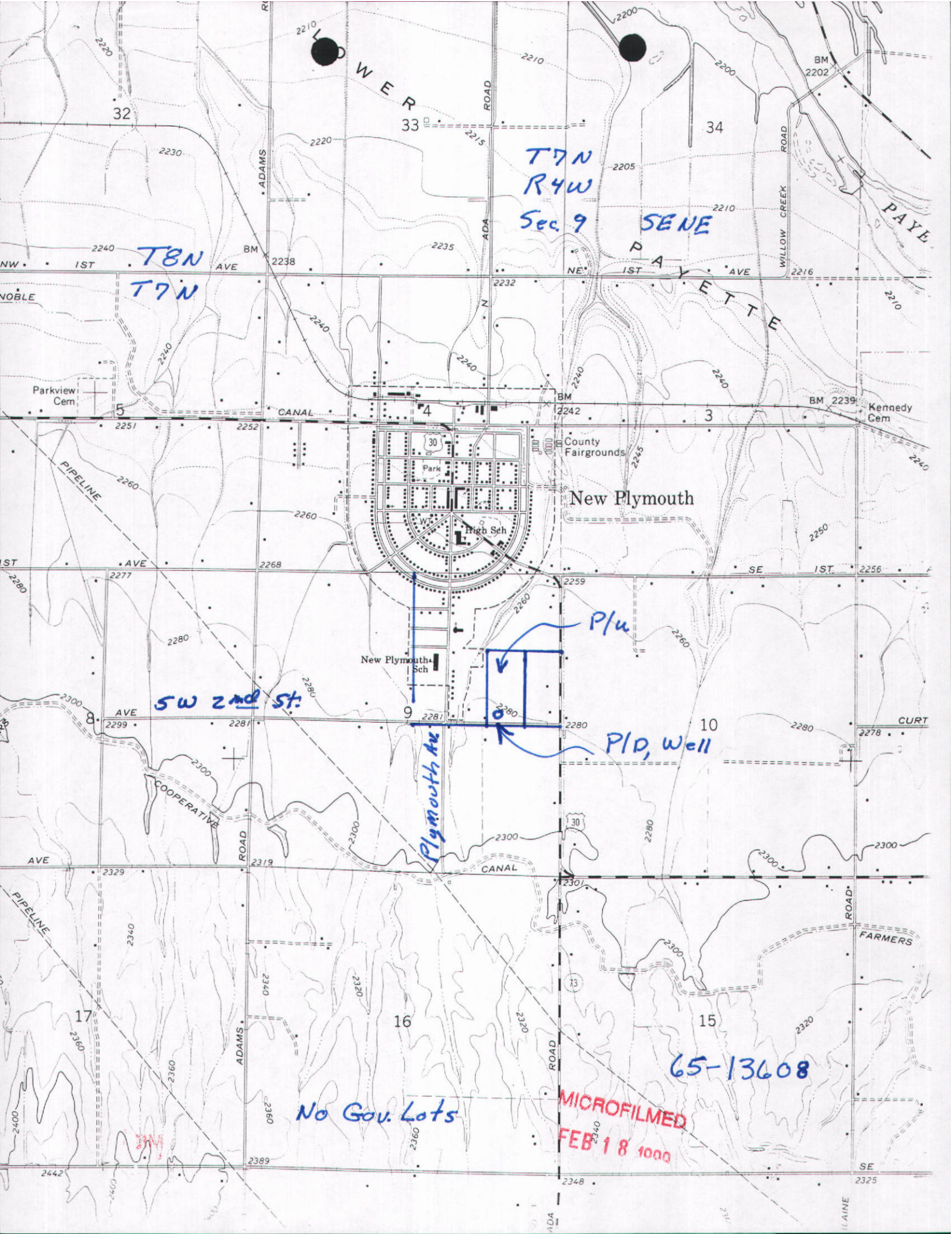
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:



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T7N  
R4W  
Sec 9  
SENE

T8N  
T7N

SW 2nd St.

Plymouth Ave

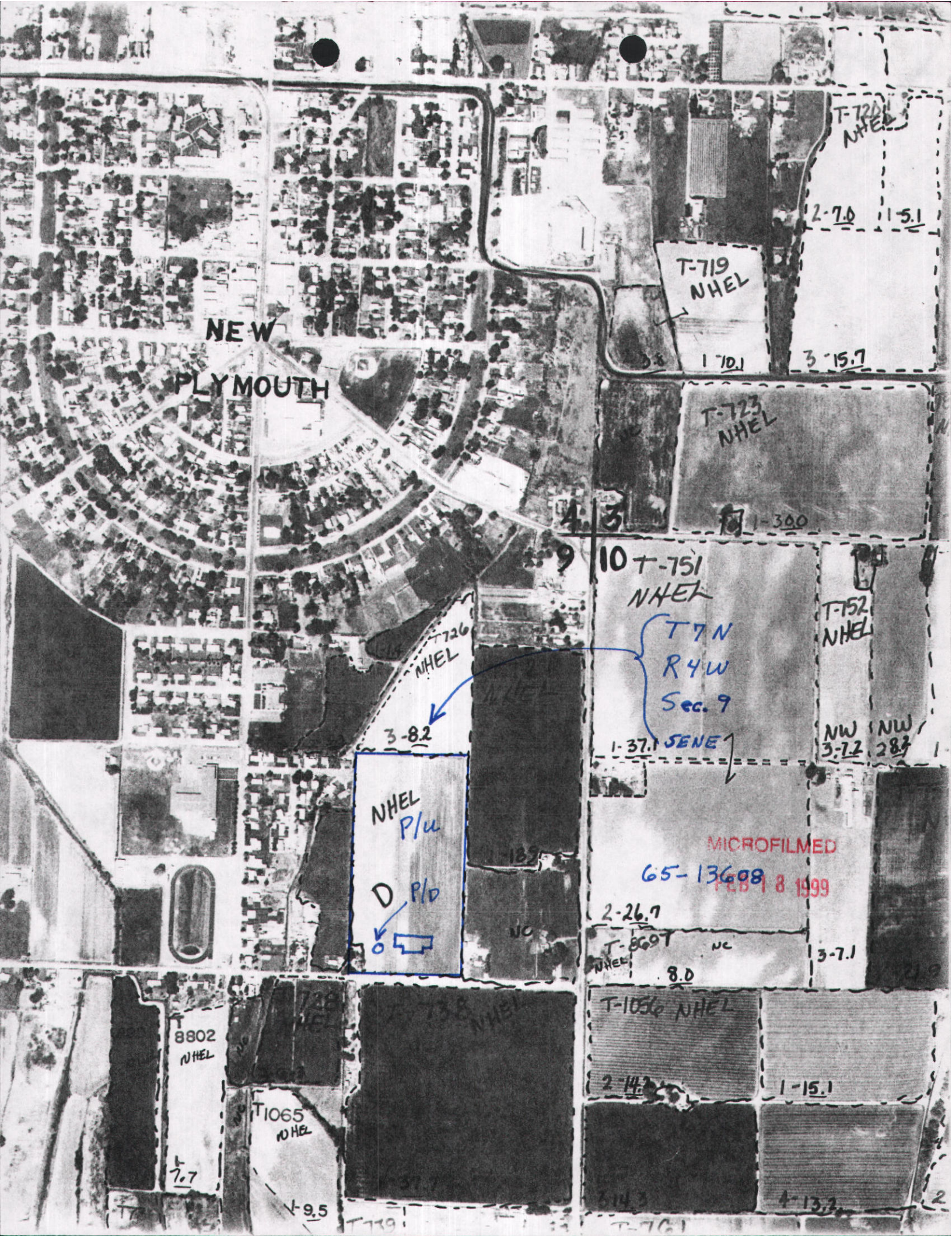
P/u

P/p, well

65-13608

No Gov. Lots

MICROFILMED  
FEB 18 1000



NEW  
PLYMOUTH

T-726  
NHEL

2-7.0 1-5.1

T-719  
NHEL

1-70.1

3-15.7

T-723  
NHEL

1-30.0

T-751  
NHEL

T-7 N  
R-4 W  
Sec. 9

T-752  
NHEL

NW NW  
3-7.2 28.7

1-37.1 SENE

T-726  
NHEL

3-8.2

NHEL  
P/u

D P/u

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65-13608

FEB 18 1999

2-26.7

T-869  
NHEL

8.0

3-7.1

T-1056 NHEL

2-14.2

1-15.1

T-8802  
NHEL

7.7

T-1065  
NHEL

9.5

T-719

T-761

4-13.2

1 of 2



P/O

Well

View

Looking

North



P/O

Valve  
Box

with

pressure  
gage, etc.

Located  
10' East  
of Well.

FEB 18 1999

65-13608

2 of 2

P/u

New Plymouth  
Middle  
School

View

Looking  
North



P/u

New  
Plymouth  
Middle  
School

Playing  
Fields

View

Looking  
North



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FEB 18 1999

65-13608

# Affidavit of Publication

STATE OF IDAHO,  
COUNTY OF PAYETTE

SS.

Notice of Application for  
Water Rights

TITLE OF PUBLICATION

SPONSOR OF PLAINTIFF

Dept of State Resources

PLAINTIFF OR LEGAL AGENT

V.M. Eastwood

, being

duly sworn, deposes and says:

That he is the Principal Clerk of

**THE INDEPENDENT-ENTERPRISE**, a weekly newspaper published at Payette, in the County of Payette and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Payette; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with April 5, 1995, and ending with the issue of April 12, 1995.

STATE OF IDAHO  
COUNTY OF

On this 13th day of April in the year of 1995, before me, a Notary Public, personally appeared V.M. Eastwood, 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.

Marilyn D. Reinhart  
Notary Public for Idaho

Residing at Fruitland

My commission expires: 12-1-98

## Copy of Notice (First Copy)

### NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13608 ✓

SCHOOL DISTRICT DISTRICT NO 372

P.O. BOX 50

NEW PLYMOUTH, ID 83655

Source: GROUNDWATER

Diversion Pt: SENE Sec 9 T 07N R 04W in PAYETTE County.

Use: IRRIGATION( 0.410 CFS)

Total Diversion: (0.410 CFS)

Date Filed: 3/16/1995

In: PAYETTE County

T07N R04W S09 SENE

20.5 ACRES TOTAL

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 on or before APRIL 24, 1995. The protestant must also send a copy of the protest to the applicant.

R. KEITH HIGGINSON, Director  
April 5, 12

No. 59

### STATEMENT

## Independent-Enterprise

PAYETTE, IDAHO

Number of Lines ..... 29

Number of Insertions ..... two

29 Lines @ 90 ... \$ 26.10

29 Lines @ 72 ... \$ 20.88

TOTAL COST

WILL BE ..... \$ 46.98

RECEIVED

APR 20 1995

WATER RESOURCES  
WESTERN REGION

MAILED

JUN 08 1995

No. 59

State of Idaho  
Department of Water Resources  
**Water Right License**  
WATER RIGHT NO. 65-13608

Priority: March 16, 1995

Maximum Diversion Rate:  
Maximum Diversion Volume:

0.38 CFS  
85.5 AF

This is to certify, that SCHOOL DISTRICT NO 372  
PO BOX 50

NEW PLYMOUTH ID 83655-0050 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 16, 1995; and has submitted Proof of Beneficial Use on April 24, 1997. An examination indicates that the works have a diversion capacity of 0.540 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15       | 0.38 CFS                 | 85.5 AF              |

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 9, Township 07N, Range 04W  
PAYETTE 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> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 07N        | 04W        | 9          | SENE         | 19           |              | 19           |

Total number of acres irrigated: 19

CONDITIONS OF APPROVAL AND REMARKS

1. 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.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. Place of use is New Plymouth Middle School.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 19<sup>TH</sup> day of JANUARY, 1999.

MICROFILMED

FEB 18 1999

  
Acting for KARL J. DREHER, Director

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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APR 24 1997

PROOF OF BENEFICIAL USE

Department of Water Resources

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

1. Permit No. 65-13608 Telephone No. 278-5740
2. Name(s) of Permit Holder(s): New Plymouth School District - 372
3. Mailing Address: P.O. Box 50 New Plymouth, ID 83655
4. Source of Water: IRRIGATION If GROUNDWATER (well), Date Drilled: mo. 7 / yr. 95
- a. Well Driller: Dallas Drilling Drilling Permit Number: 65 - 95 - C - 0171 - 000
- b. **OPTIONAL:**  
Pump Horsepower: 15 Pressure (psi): 180 Dynamic pumping level (ft): 130
5. Use(s) (as authorized by the water right permit):  
Domestic (No. of households): \_\_\_\_\_ Stockwater (No. and type of stock): \_\_\_\_\_  
Irrigation (No. of acres): 20 Other: \_\_\_\_\_
6. Total rate of diversion and/or volume for which proof is submitted: 41 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)
- |                               |                                          |                          |
|-------------------------------|------------------------------------------|--------------------------|
| <b>Measuring Device:</b>      | Is a measuring device required?          | Yes _____ or No <u>✓</u> |
|                               | Has the measuring device been installed? | Yes _____ or No <u>✓</u> |
| <b>Flow Measurement Port:</b> | Is a flow measurement port required?     | Yes _____ or No <u>✓</u> |
|                               | Has the measurement port been installed? | Yes _____ or No <u>✓</u> |
8. Fee Enclosed: \$ 100 (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: Mike Hally Telephone Number: 208-278-5311  
Address: 207 S. Plymouth Ave. New Plymouth, ID 83655
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Mike Hally Maintenance Supervisor Date: 4-10-97  
(include your title, if on behalf of company or organization)

MICROFILMED

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

NO. 65-13608

Proposed Priority: March 16, 1995      Maximum Diversion Rate: 0.41 CFS

This is to certify, that SCHOOL DISTRICT DISTRICT NO 372

PO BOX 50

NEW PLYMOUTH ID 83655-0050

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       | 0.41 CFS                 |

LOCATION OF POINT(S) OF DIVERSION:      SENE , Sec. 9, Township 07N, Range 04W  
PAYETTE 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> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 07N        | 04W        | 9          | SENE         | 20.5         |              | 20.5         |

Total number of acres irrigated: 20.5

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1997.
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. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. The right holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this right.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. Construction of the well must comply with Idaho well construction standards.
8. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
9. Place of use is New Plymouth Middle School.

**APPROVED**

JUN 08 1995

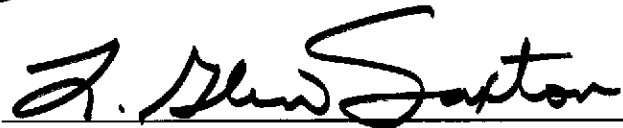
State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 65-13608

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

31<sup>st</sup> day of May, 1995.



Karl J. Dreher, Director

for

JUN 08 1995

RECEIVED  
MAY 25 1995

Ident. No. 65-13608

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: ~~NEW PLYMOUTH~~ SCHOOL DISTRICT #372 208-278-5740  
Address: PO BOX 50  
NEW PLYMOUTH ID 83655
2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: SENE Sec. 9, Township 07N, Range 04W  
PAYETTE County
4. Water will be used for the following purposes:

| Purpose    | From  | To    | CFS   | (or) | AF |
|------------|-------|-------|-------|------|----|
| IRRIGATION | 03/15 | 11/15 | 0.410 |      |    |
5. Total quantity to be appropriated is:  
0.410 CFS (and/or) AF
6. Proposed diverting works:
  - a. Description of ditches, flumes, pumps, headgates, etc.  
WELL, PUMP AND PIPELINE.
  - b. Height of storage dam feet; active reservoir capacity  
acre-feet; total reservoir capacity acre-feet; period of  
year when water will be diverted to storage: to inclusive.
  - c. Proposed well diameter is inches; proposed depth of well is  
feet.
  - d. Is groundwater with a temperature greater than 85F being sought? NO
  - e. If well is already drilled, when?  
Drilling Firm  
Well was drilled for
7. Time required for the completion of the works and application of  
the water to the proposed beneficial use is 2 year(s).
8. Place of Use: IRRIGATION

| TWN | RGE | SEC | ACRES | ACRES | ACRES | TOTAL |
|-----|-----|-----|-------|-------|-------|-------|
| 07N | 04W | 9   | SENE  | 20.5  |       | 20.5  |

Total number of acres irrigated: 20.5

JUN 08 1995

9. 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 this filing.

10. Remarks:

This permit is for the New Plymouth Middle School.

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 \_\_\_\_\_

Fee \$ 100.00 Receipted by \_\_\_\_\_ #C032319 Date 3/16/1995

Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_ Published in \_\_\_\_\_

Publication approved \_\_\_\_\_ Date \_\_\_\_\_

JUN 8 1995  
JUN 8 1995

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

RECEIVED  
MAR 16 1995  
Department of Water Resources  
Ident No.

65-13608

To appropriate the public waters of the State of Idaho

1. Name of applicant NEW PLYMOUTH SCHOOL DISTRICT Phone 278-5740  
Post office address PO BOX 50 NEW PLYMOUTH ID 83655
2. Source of water supply GROUNDWATER which is a tributary of NA
3. Location of point of diversion is \_\_\_\_\_  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of NE  $\frac{1}{4}$ , Govt Lot \_\_\_\_\_  
Sec. 9 Township 7N Range 4W B.M. PAYETTE County; additional  
points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes  
Amount .41 for IRRIGATION purposes from 3-15 to 11-15 (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)
5. Total quantity to be appropriated is (a) .41 and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum
6. Proposed diverting works:
  - a. Description of ditches, flumes, pumps, headgates, etc. Well, Pump  
Combination pop-ups and hand-lines.
  - b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre-feet, total  
reservoir capacity \_\_\_\_\_ acre-feet, period of year when water will be diverted to storage  
\_\_\_\_\_ to \_\_\_\_\_ inclusive.
  - c. Proposed well diameter is 10" inches, proposed depth of well is \_\_\_\_\_ 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 \_\_\_\_\_;  
Well was drilled for (well owner) \_\_\_\_\_
7. Time required for the completion of the works and application of the water to be proposed beneficial use is  
2 years (minimum 1 year).

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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. \_\_\_\_\_
- d. Domestic, show number of households. \_\_\_\_\_
- e. Other, describe fully. \_\_\_\_\_

9. Description of place of use:

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

| TWP | RANGE | SEC | NE¼ |     |     |      | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|-----|-----|-----|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |     | NE¼ | NW¼ | SW¼ | SE¼  | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 7N  | 4W    | 9   |     |     |     | 20.5 |     |     |     |     |     |     |     |     |     |     |     |     | 20.5   |
|     |       |     |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated 20.5

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

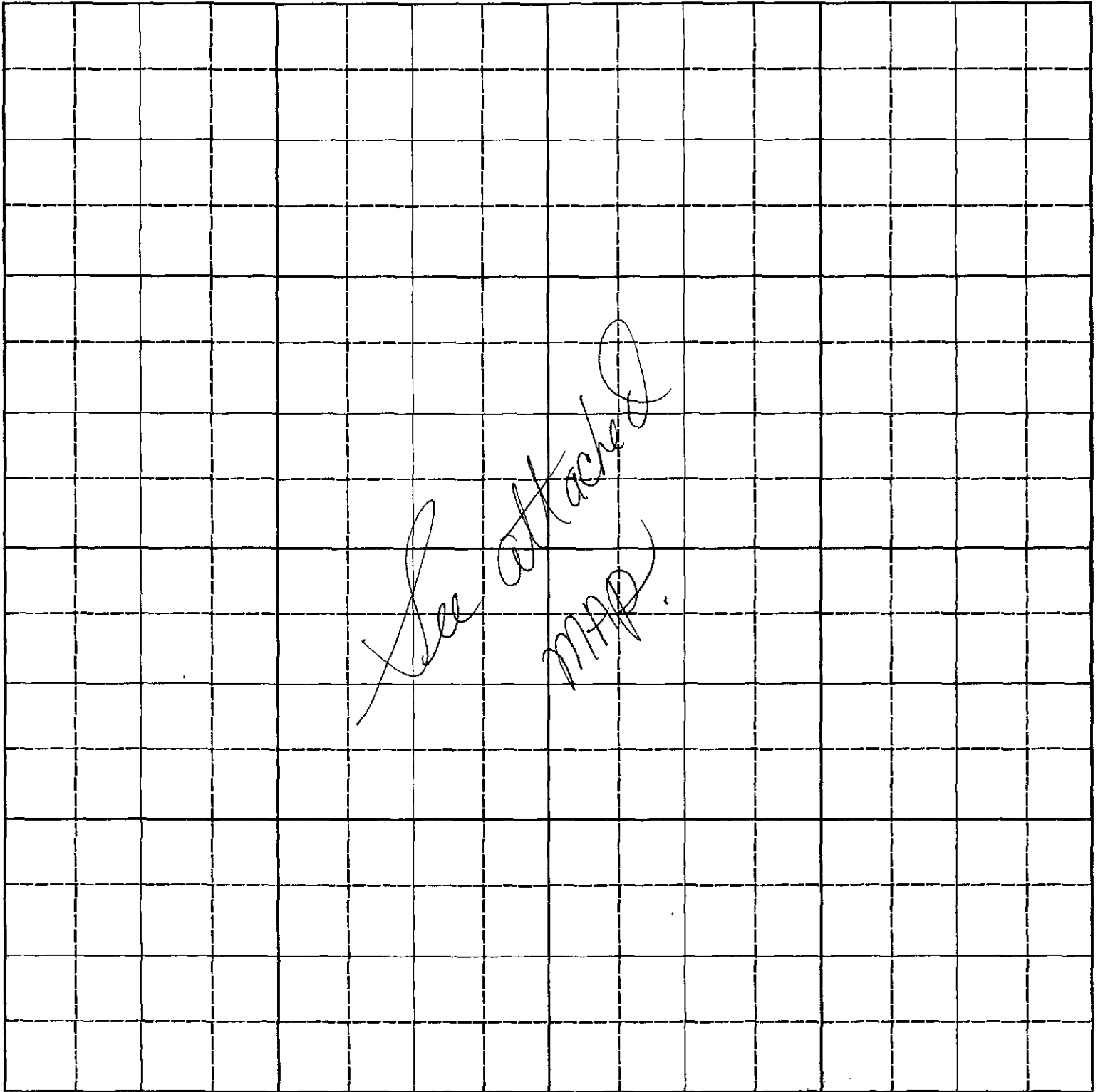
b. Who owns the land to be irrigated or place of use? Applicant

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

12. Remarks: This permit is for the New Plymouth Middle School.

JUN 08 1993

13. Map of proposed project show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale 2 inches equal 1 mile

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

*Ryan J. Kerby*

APR 10 8 1395  
Supt. of Schools  
(Applicant) New Plymouth Dist #372

Received by D. Ellis Date 3/16/95 Time 9:48 AM Preliminary check by \_\_\_\_\_  
Fee \$ 100.00 Receipted by D. Ellis # C032319 Date 3/16/95  
Publication prepared by ST Date 3-29-95 Published in Ind. Ent  
Publication approved ST Date 4-24-95

---

### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a SUBJECT TO ALL PRIOR WATER RIGHTS

b Proof of construction of works and application of water to beneficial use shall be submitted on or before \_\_\_\_\_, 19 \_\_\_\_.

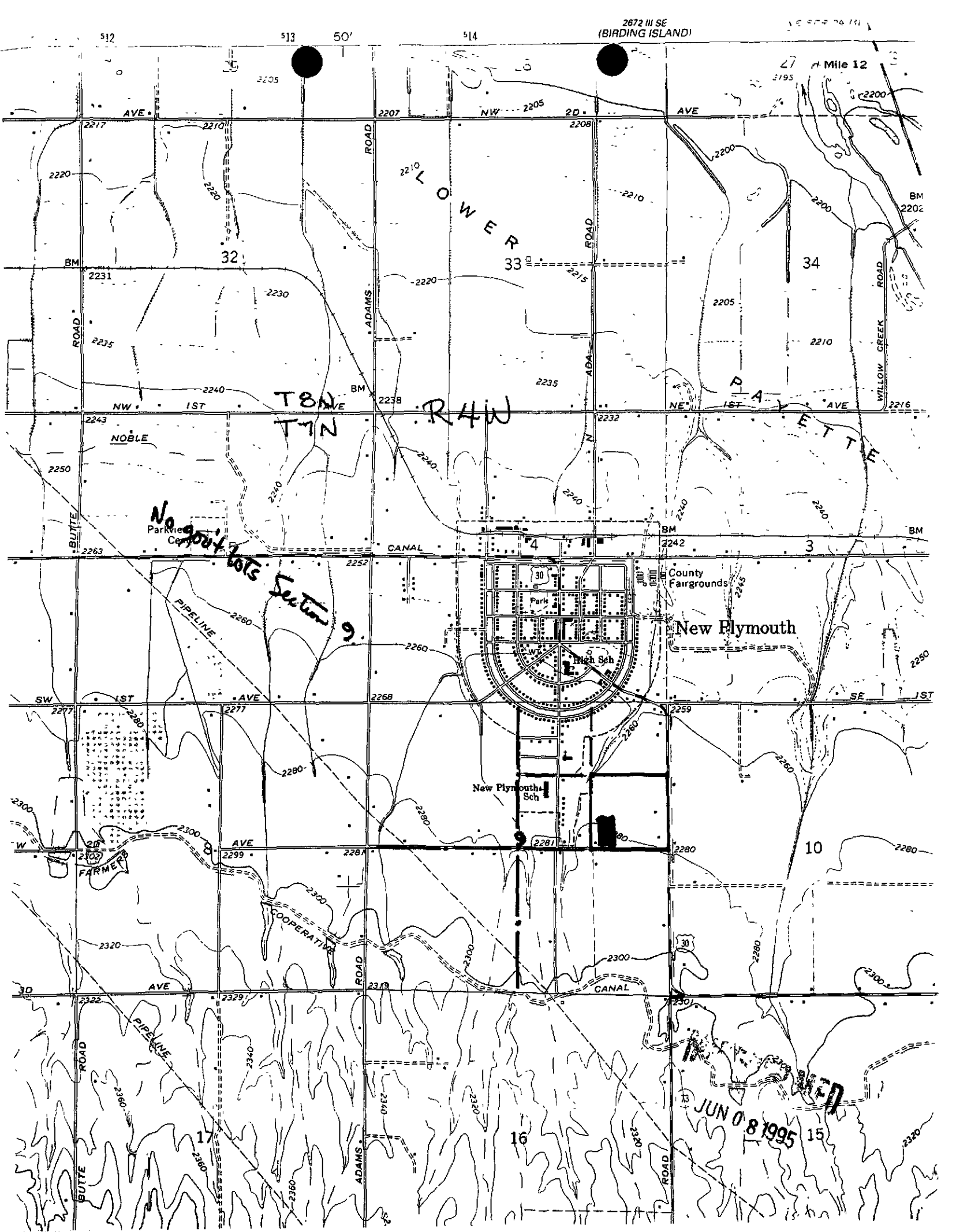
c The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit

e. Other:

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JUN 08 1995





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 [www.idwr.state.id.us/idwr/idwrhome.htm](http://www.idwr.state.id.us/idwr/idwrhome.htm)

January 19, 1999

DIRK KEMPTHORNE

Governor

KARL J. DREHER

Director

SCHOOL DISTRICT NO 372  
PO BOX 50  
NEW PLYMOUTH ID 83655-0050

RE: WATER RIGHT NO. 65-13608

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action 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 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 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 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this 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.

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### ORAL ARGUMENT

If the Department grants a petition to review the 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.

### CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the 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.

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

Sincerely,

A handwritten signature in cursive script, reading "Shelley W. Keen".

Shelley W. Keen  
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

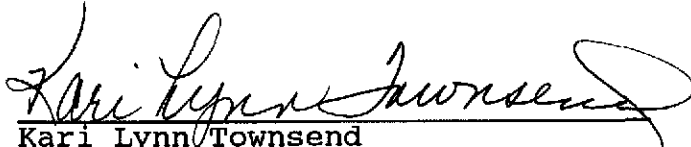
FEB 18 1999

CERTIFICATE OF MAILING

I hereby certify that on the 19th day of January, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 65-13608

SCHOOL DISTRICT NO 372  
PO BOX 50  
NEW PLYMOUTH ID 83655-0050

  
Kari Lynn Townsend  
Secretary

MICROFILMED

FEB 18 1999

## MEMORANDUM

**DATE:** January 14, 1999

**TO:** Water Right File 65-13608

**FROM:** Shelley W. Keen *(SWK)*

**RE:** Phone call from Ryan Kerby

---

On Monday, January 11, 1999, Ryan Kerby called in response to my 1/8/99 letter. Mr. Kerby is the superintendent of the New Plymouth school district. According to Mr. Kerby, the school district purchased the middle school site from L. J. Palmer. The school district tried to purchase the shares of Farmers Cooperative Irrigation Company that had been used to irrigate the property, but Mrs. Palmer would not sell her shares. Therefore, no surface water is available to irrigate the school grounds.

*See 1/13/99 memo from Shaula Curtis also.*

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FEB 18 1999

## MEMORANDUM

**TO:** File 65-13608

**FROM:** Sharla

**DATE:** January 13, 1999

**RE:** Telecon

On this date I spoke with Peggy at Farmers Cooperative Irrigation Co. (FCIC) about any surface water shares related to the property listed in this permit. Peggy told me that the children of the previous owner (Glee and L. J. Palmer) insisted on retaining the surface water shares that were connected with this property and withheld them upon purchase of the property by the school district.

Peggy said FCIC had tried to convince the Palmer's that the shares were of no value to them since they no longer had any property upon which to use them. But because of their insistence, FCIC continues to assess them for the shares and the middle school remains dependent on groundwater, with no surface water shares available for their use

Removal of conditions concerning use of surface water is appropriate.

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FEB 18 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 327-7900 FAX: (208) 327-7866 [www.idwr.state.id.us/idwr/idwrhome.htm](http://www.idwr.state.id.us/idwr/idwrhome.htm)

January 8, 1999

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

NEW PLYMOUTH SCHOOL DISTRICT NO 372  
PO BOX 50  
NEW PLYMOUTH ID 83655-0050

RE: Water Appropriation Permit 65-13608

Dear Permit Holder:

The Department of Water Resources (IDWR) is reviewing our field inspector's report to determine if a water right license should be issued for the development authorized by water appropriation permit 65-13608. The permit was issued to you in 1995 for the development of groundwater to irrigate 20 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 9, T7N, R4W, which is the location of the New Plymouth Middle School. A water right license serves as confirmation that a permit holder has met all the requirements for establishing a water right in Idaho.

When you applied for your permit in 1995, we noted that your development was to be on land irrigated at that time with surface water diverted by the Farmers Cooperative Irrigation Company from the Payette River. Aerial photography from 1992 shows the parcel as farmland. While some people perceive that converting from surface water use to groundwater for irrigation could be convenient, it is not necessarily the best option for conserving Idaho's water resources. In general, continued diversion and use of surface water protects the groundwater resource by minimizing reliance upon the groundwater and by providing, through leaking canals, a source of recharge for the groundwater. Therefore, IDWR often takes measures to encourage the continued use of surface water in lieu of new groundwater development. Because your development site was historically irrigated with water from the Payette River, your permit was issued with a condition that reads, "The right holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this right." The condition was intended to limit your new development to a supplemental supply of groundwater while your primary source of irrigation water remained the Farmers Cooperative Irrigation Company water right from the Payette River.

Before a water right license can be issued, IDWR must complete a field inspection to verify the development of a water use and to be sure that the permit holder has complied with the conditions of his or her permit. Your field inspection was conducted on June 11, 1997, by Dan Tomich of IDWR's Western Region office. According to Mr. Tomich's report, "No surface water is being used at this time. The school grounds are irrigated using the new well and an underground sprinkler system." The report suggests that your irrigation practice may have been in violation of

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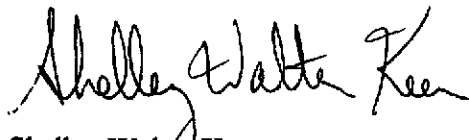
FEB 18 1999

New Plymouth School District  
January 8, 1999  
Page 2

the permit condition requiring you to use the surface water available to you. Mr. Tomich did not, however, elaborate on the circumstances contributing to your reliance solely upon groundwater. Therefore, before we proceed further with the licensing review, I would welcome your comments on this subject. I will hold the file for 30 days awaiting your response.

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

Respectfully,

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

Shelley Walter Keen  
Water Rights Supervisor

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FEB 18 1999

## B/U FIELD EXAM REVIEW

by Cindy Lou
 Permit #: 05-13608 Name: SD # 372 Date: 12/31/98 11/20/98 ✓ Lots ✓

|            |                                                          |                                 |                                                                                                                                                                                                                                                                                                                                                       |
|------------|----------------------------------------------------------|---------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NAME       | <u>Chng</u>                                              | <u>Same</u> ✓                   | Or Address Change?                                                                                                                                                                                                                                                                                                                                    |
| SOURCE     | <u>Chng</u>                                              | <u>Same</u> ✓                   | Clarify source _____<br>Prelim. Order to Void - Source change.                                                                                                                                                                                                                                                                                        |
| P/D        | <u>Chng</u>                                              | <u>Same</u> ✓                   | Amendment Needed? Addn'l 1/4? _____ Legal _____ P39<br>Same 1/4? _____ W32 _____ P36<br>Overlap(s) _____                                                                                                                                                                                                                                              |
|            | <u>Chng</u>                                              | <u>Same</u> ✓                   | Amendment Needed? <u>reduce to 18.9 ac ≈ 19.0 ac</u> P41<br>Overlap(s) <u>Wilder Irr. under 65-00066 *not used *</u><br>(Gov't use special T's) _____ *P/D & P/U Amend? P37                                                                                                                                                                           |
| RATE       | <u>Chng</u>                                              | <u>Same</u> ✓                   | Permit/proof fee limits <u>0.41</u> / <u>1.00</u><br>Measured Quantity = <u>none</u> cfs Theoretical Quantity = <u>0.54</u> cfs<br><u>1 ac x 0.02 cfs/ac = 0.38 cfs.</u><br>(HP) <u>8.8 x 0.70 x 15</u><br><u>* 21 + (2.31 x 65) = 0.54</u> cfs * static level + 10' = 11' + 10' = 21'                                                                |
|            | <u>Chng</u>                                              | <u>Same</u> ✓                   | Recommended capacity <u>0.54</u> cfs<br>Recommended rate <u>0.38</u> cfs                                                                                                                                                                                                                                                                              |
| VOLUME     | <u>Chng</u>                                              | <u>Same</u> ✓                   | Season <u>(D / 4.5)</u> <u>15-11/15</u> = <u>246</u> days<br>Calculations: <u>19.0 ac x 4.5 AF/ac = 85.5 AF</u>                                                                                                                                                                                                                                       |
|            | <u>Chng</u>                                              | <u>Same</u> ✓                   | Flow limit: <u>0.38</u> cfs x <u>246</u> days/yr. x 1.9835 = <u>185.4</u> AF<br>Recommended volume <u>85.5</u> AF                                                                                                                                                                                                                                     |
| USES       | <u>Chng</u>                                              | <u>Same</u> ✓                   | Same Nature of Use? _____ P46<br>Amendment Needed? _____                                                                                                                                                                                                                                                                                              |
| REMARKS    | <u>Chng</u>                                              | <u>Same</u> ✓                   | Multiple p/d's in same 1/4? Use W32 _____<br><u>0.4160</u>                                                                                                                                                                                                                                                                                            |
| CONDITIONS | <u>Chng</u>                                              | <u>Same</u> ✓                   | <u>DIM</u> Measuring Device (R43) or Lockable Controlling Works (R02)<br><u>R65</u> Watermaster Control (R04) - WD # _____<br><u>050</u> Irrigation rate/annual volume overlap<br><u>050</u> GW irrigation replaces surface water (050)<br><u>065</u> GW irrigation supplements surface water (065)<br><u>+</u> Water Quality<br><u>+</u> Other _____ |
| PRIORITY   | App Rod <u>3/16/95</u>                                   | Due <u>6/1/97</u>               | Rc'd <u>4/24/97</u>                                                                                                                                                                                                                                                                                                                                   |
|            | Receipt# <u>0038711</u>                                  | Fee OK? <u>Yes</u> <u>\$100</u> |                                                                                                                                                                                                                                                                                                                                                       |
|            | Order to Reinstate Needed? <u>Yes</u> <u>Done?</u> _____ | Advanced to: _____              |                                                                                                                                                                                                                                                                                                                                                       |
|            | Priority <u>3/16/95</u>                                  | Examined <u>6/11/97</u>         |                                                                                                                                                                                                                                                                                                                                                       |

 COMMENTS: round acres to nearest full acre; adjust AF using field headgate volume.

| USE                 | CFS         | VOLUME      |
|---------------------|-------------|-------------|
| <u>Irr. / 19 ac</u> | <u>0.38</u> | <u>85.5</u> |
| <u>/</u>            | <u>/</u>    | <u>/</u>    |
| <u>TOTAL</u>        | <u>0.38</u> | <u>85.5</u> |

 SRBA Overlap \_\_\_\_\_  
 Adjustment Memo ✓  
 LICENSE  
 #1 AMEND: \_\_\_\_\_/P38  
 #2 AMEND: (R)P42/(C)P47

## MEMORANDUM

DATE: December 31, 1998

TO: File No. 65-13608

FROM: Cindy Lou Zimmerman

SUBJECT: Review of Beneficial Use Field Report

The following adjustments<sup>1</sup> were made on the field report to reflect department standards and licensing practices for uses developed under this permit:

C. 2. Place of use: (acres rounded to nearest acre)

| 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 |           |
| 07N | 04W | 09  |     |    |    | <b>19</b> |     |    |    |    |     |    |    |    |     |    |    |    | <b>19</b> |

F. Flow Calculations.

a. Irrigation.

$$F_{IR} = \text{acres} \times \text{cfs/acre} = \underline{19.0} \times 0.02 = 0.38 \text{ cfs.}$$

b.  $HP = \frac{8.8 \times 0.7 \times HP}{DL* + (2.31 \times \text{psi})} = \frac{8.8 \times 0.7 \times 15}{21 (2.31 \times 65)} = \underline{0.54} \text{ cfs.}$

$$*DL = \text{Dynamic pumping level} = \text{static level} + 10'$$

G. Volume Calculations.

a. Irrigation.

$$V_{IR} = \text{acres} \times \text{AF/acre}^* = \underline{19.0} \times \underline{4.5} = \underline{85.5} \text{ AF. } (* = \text{field headgate requirement.})$$

$$V_{DR} = \text{rate} \times \text{days} \times 1.9835 = 0.38 \times 246 \times 1.9835 = 185.4 \text{ AF.}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = \underline{85.5} \text{ AF.}$$

H. Recommendations.

1. Recommended amounts:

|                |               |                   |                |
|----------------|---------------|-------------------|----------------|
| Beneficial Use | Period of Use | Rate of diversion | Annual Volume  |
| Irrigation     | 3/15-11/15    | 0.38 cfs          | <b>85.5 AF</b> |
|                | Totals:       | 0.38 cfs          | <b>85.5 AF</b> |

Examiner: Dan Tomich  
Examined: June 11, 1997

<sup>1</sup> Adjustments are **bolded and underlined**

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FEB 18 1999

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED

JAN 08 1998

Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 65-13608

1. Owner: New Plymouth School District, #372 Phone No. (208) 278-5740

Current Address: P.O. Box 50, New Plymouth, ID 83655-0050

2. Accompanied by: Mike Hall & Mike Miller EXAM DATE: 6-11-97

Address: 207 S. Plymouth Ave. New Plymouth, ID 83655 Phone No. (208) 278-5311

Relationship to Permit Holder: School District Employee - Maint. Superv.

3. Source: Groundwater tributary to \_\_\_\_\_

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: 65-00066

2. Other water rights with the same point of diversion: None

**C. DIVERSION AND DELIVERY SYSTEM**

1. Point(s) of Diversion:

| Ident No. | Gov't Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County  | Method of Determination/Remarks |
|-----------|-----------|-----|-----|-----|------|------|------|---------|---------------------------------|
|           |           |     | SE  | NE  | 9    | 7N   | 4W   | Payette | Site Visit, Map                 |
|           |           |     |     |     |      |      |      |         |                                 |
|           |           |     |     |     |      |      |      |         |                                 |
|           |           |     |     |     |      |      |      |         |                                 |

2. Place(s) of Use:

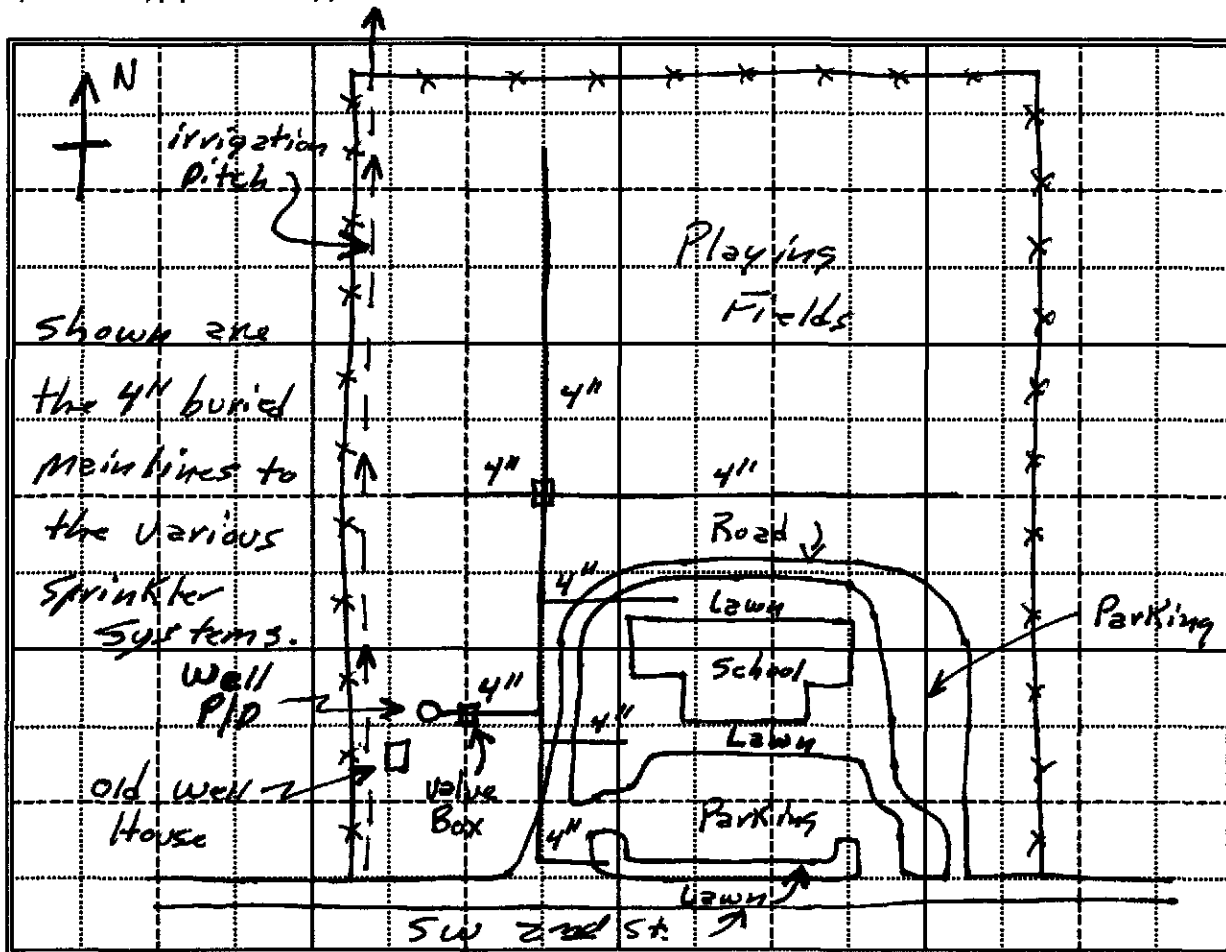
Indicate Method of Determination Site Visit, Map

| TWP | RGE | SEC | NE |    |    |      | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|------|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE   | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 7N  | 4W  | 9   |    |    |    | 18.9 |    |    |    |    |    |    |    |    |    |    |    |    | 18.9   |
|     |     |     |    |    |    |      |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |      |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |      |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |      |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |      |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |      |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |      |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |      |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |      |    |    |    |    |    |    |    |    |    |    |    |    |        |

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



Scale: r - No Scale

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

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

← Photo of Diversion and System Attached

4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No.                    | Pump Make     | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|----|-------------------------------------|---------------|-----------------------------------|
|                                       | Franklin   | 15 |                                     | Texas Turbine | 150 GPM @ 60 psi<br>set at 30'    |
|                                       |            |    | installed by Weiser Pump & Pipe Co. |               |                                   |

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

Weiser, ID

#### D. FLOW MEASUREMENTS

No flow meter in system.

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

2. Measurements: None

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E. NARRATIVE/REMARKS/COMMENTS

1. Before the school was built, this land was surface irrigated under WR 65-0066; Farmers Coop. Irrigation District. No surface water is being used at this time. The school grounds are irrigated using the new well and a underground sprinkler system. The old surface water irrigation ditch is located along the west boundary of the property.
2. The sprinkler system includes a pressure gauge, pressure switch control, timer, valves, fittings, etc, and 4" buried mainlines to the separate sprinkler systems. The sprinkler control and timer allow 2 sprinkler lines to be on at one time, and rotated to the next two lines until all the grounds are irrigated. The operating pressure is 65-75 PSI. The pressure switch and controls are located in the old pump house.
3. A 1" vent plug in the top of the well casing provides access for measuring the well water level.
4. There is no flow meter in the system.
5. The school and grounds are located on a 20 Ac. Tract, but only 18.9 Acres are actually irrigated. The rest is the school buildings, parking lots, access road, etc.

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

Condition 5. - the surface water right, 65-0066, for this land is not being used. only the well ground water is being used to irrigate the school grounds.

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**Additional Computation Sheets Attached**

Max. Discharge Rate,  $Q = \frac{(8.8)(15 \text{ Hp})(70\%) }{11' + (65 \text{ psi}) \left( \frac{34'}{14.7 \text{ psi}} \right)} = \underline{\underline{0.57 \text{ cfs}}}$

$$Q_{\text{Allowed}} = (18.9 \text{ AC}) \left( 0.02 \frac{\text{cfs}}{\text{AC}} \right) = \underline{0.38 \text{ cfs}}$$
$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \frac{(18.9 \text{ Ac.})(3.5 \frac{\text{AFA}}{\text{Ac.}})}{1} = 66.2 \text{ AFA} \text{ (X)}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \frac{(0.38 \text{ cfs})(246)(1.9835)}{1} = 185.4$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 66.2 \text{ AFA}$$

Irrigated Acres =

$$\frac{[(1320')(660') - (50' \times 150') - (25' \times 100') - (100')(200') - (50')(200') - (0')(600')]}{(66 \times 66 \times 10)}$$

**H. RECOMMENDATIONS**  $\approx 18.9 \text{ Ac.}$

Parking Lots - (50' x 200')  
(100' x 200')

Boed - (10' x 600')

School Bldg. - (50' x 150')  
(25' x 100')

### Beneficial Use

### Period of Use

### Rate of Diversion

**Annual Volume**

**From**

**To**

**Q (cfs)**

**V (afa)**

## Irrigation

03/15

11/15

0.38

66.2 ⑤

**Totals:** 0.38 66.2 7

Change P.D. as reflected above

**Add P.D. as reflected above**

None

Change P.U. as reflected above

**Add P.U. as reflected above**

☒ Other

1) Diversion rate is 0.38 cfs.

21 Irrigated Acres  
is 18.9 Ac.

Field Examiner's Name Don Zornick Date 1-5-98

| Reviewer | Date |
|----------|------|
|----------|------|

SEAL

Adjustments made during review of this report for license approval.  
See Memo for additional information. 12/21/98

IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

WELL INSPECTION FORM

JAN 08 1998

Department of Water Resources

1. DRILLING PERMIT NO: 65-95-C-0171-000 OTHER APPLICABLE NO: 65-13608
2. OWNER: New Plymouth School District #372 Phone: (208) 278-5740  
Address: P.O. Box 50 New Plymouth, ID 83655-0050
3. WELL LOCATION: Twp 7N, Rge. 4W, Sec. 9, SE 1/4 NE 1/4  
County Payette (Provide sketch map and photo on reverse.)
4. DRILLER: Dallas Drilling & Pump Lic. No. 445  
When Drilled? 6-22-95 to 6-28-95
5. WELL CONSTRUCTION:  
Casing Diameter 10 inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ No  
Casing  $\geq$  12 inches above ground? ☒ Yes ☐ No - Describe \_\_\_\_\_  
Depth of Casing 93 ft. Method Drilled Air Rotary  
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe \_\_\_\_\_  
Control Valve? ☒ Yes ☐ No Pressure Gauge: ☒ Yes ☐ No  
Condition of Piping and Valving Good  
Auger to a depth of \_\_\_\_\_ ft. Evidence of Annular Seal ☒ Yes ☐ No  
Are there obvious construction problems that may be a source for contamination or waste of water?  
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)
6. HYDROLOGIC INFORMATION:  
Depth to Static Water 11 ft. Water Temperature 61 °F  
Flowing Artesian ☐ Yes ☒ No Pressure: \_\_\_\_\_ (psi)  
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose \_\_\_\_\_  
Water Quality Measurements/Observations (Describe) \_\_\_\_\_
7. WELL USE:  
☐ Domestic ☒ Irrigation ☐ Stock ☒ MICROFILMED  
☐ Test ☐ Municipal ☐ Industrial ☒ OTHER  
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used  
☐ Other: \_\_\_\_\_

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? \_\_\_\_\_

How far away from the well is this source? \_\_\_\_\_

9. REMARKS:

The well is used to irrigate the  
New Plymouth Middle School grounds and  
playing fields.

Water Rights Examiner

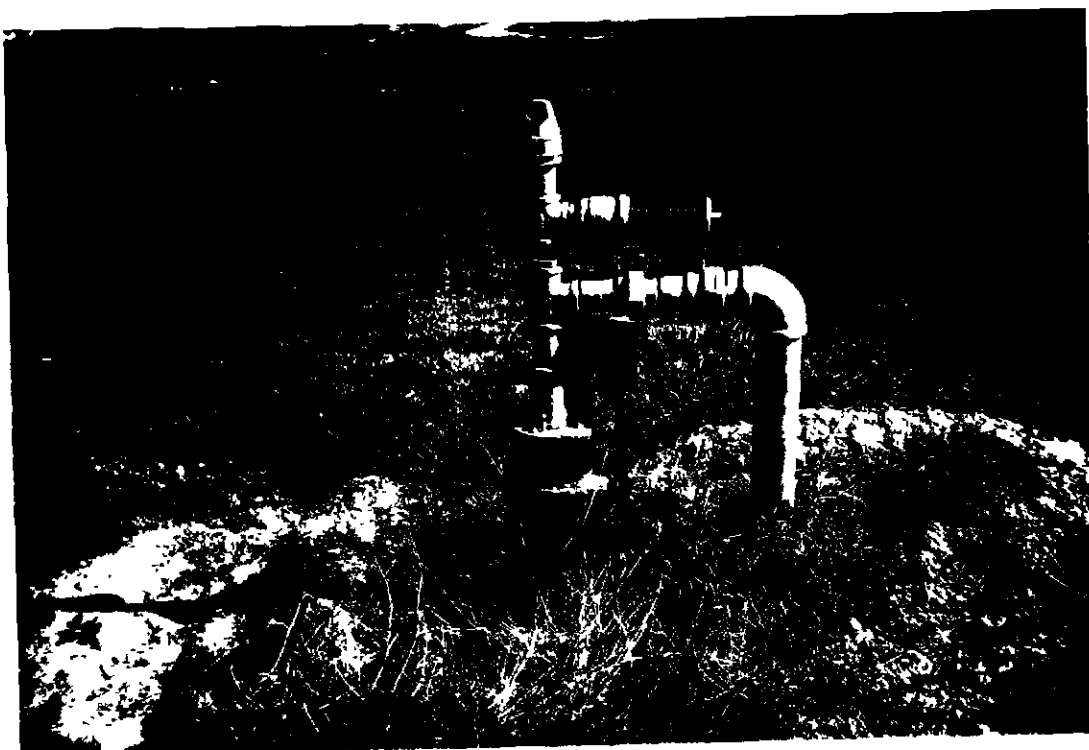
*L. J. Zernich*

Signature of Dept. Representative & Title

6-11-97

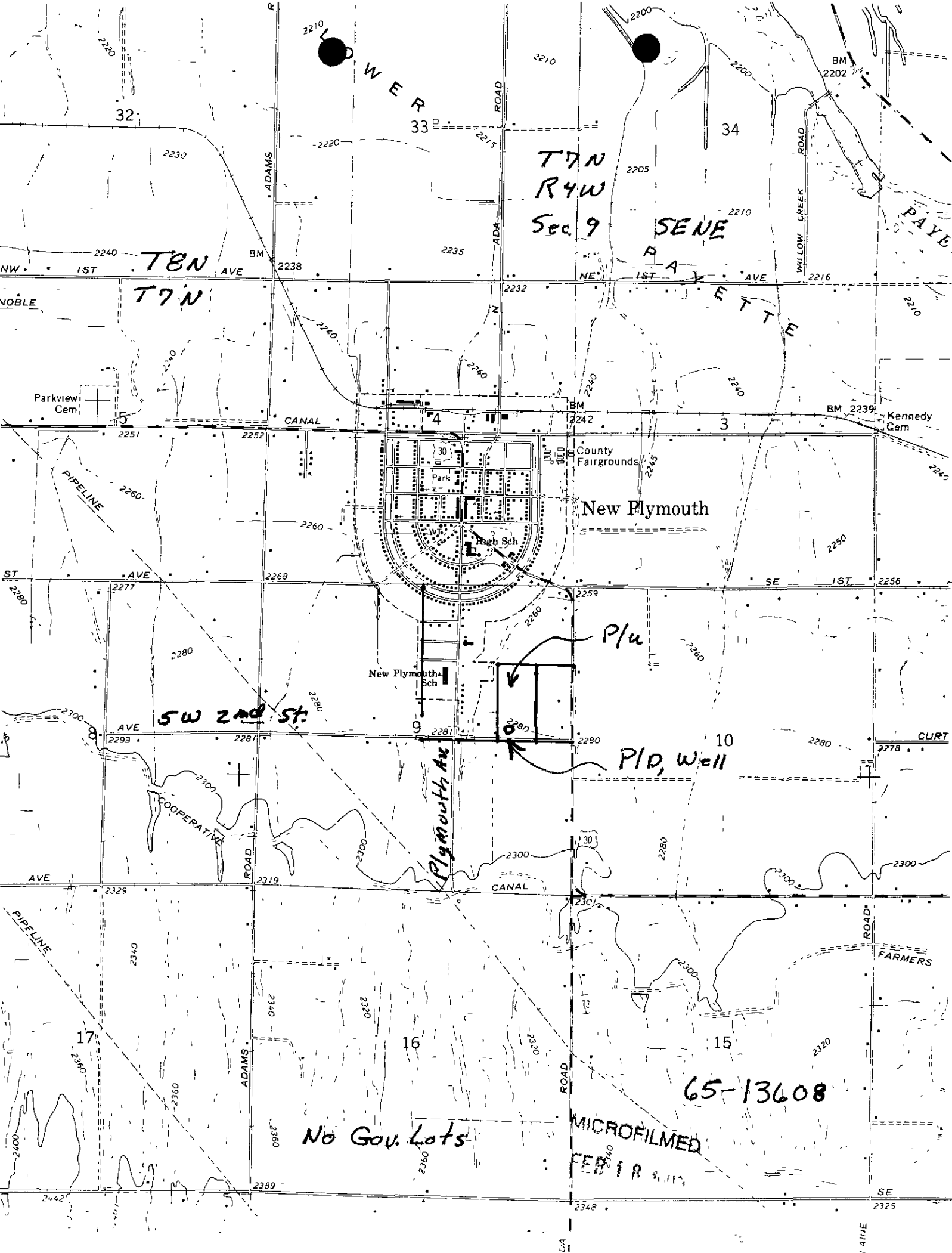
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:



NOFILMED

1 11 1997



T7N  
R4W  
Sec 9

SENE

T8N  
T7N

SW 2nd St

P/u

P/D, Well

No Gov. Lots

65-13608

MICROFILMED  
FEB 18 1975



T-720  
NH

2-7.0 1-5.1

T-719  
NH

1-7.0

3-15.7

NEW  
LYMOUTH

10 T-751  
NH

T-752  
NH

T-751  
R 4-11  
Sec

NW  
3-7.2

1-37.1 SE

T-726  
NH

3-8.2

NH  
P/cu

D

MICROFILMED

65-13

2-26.7

T-869T

8.0

3-7.1

8802  
NH

T-1065  
NH

7.7

9.5

1-15.1

1 of 2



P/O

Well

View

Looking

North



P/O

Valve

Box

with

Pressure

gage, etc.

Located

10' East

of Well.

65-13608

2 of 2



P/u  
New Plymouth  
Middle  
School

View  
Looking  
North



P/u  
New  
Plymouth  
Middle  
School

Playing  
Fields

View  
Looking  
North

MICROFILMED

SEP 14 1997

65-13608

**ANALYSIS SHEET  
FOR  
PROOF OF BENEFICIAL USE**

Permit No. 05-13408 Reviewed by ay Date 5-9-97

**GENERAL CONSIDERATIONS**

**TYPES OF USE**

yes Name same as permit? Jr  
yes Address same as permit?  
yes Proof timely received? Correct Uses? yes  
If not, complete calculation below.

**SOURCE OF WATER**

           Surface water source  
✓ Ground water source  
yes Drilling permit required?  
no Copy in the file? Drilling Permit No. 05-95-C-0171-000  
200.00 Amount paid for permit yes Correct?  
yes Well log in the file?

**LICENSE EXAMINATION FEE**

**MEASURING DEVICE**

yes Required?  
100- Amount Submitted  
yes Correct?  
no Required?  
/ Installed?  
/ Waiver requested?

**PRIORITY CALCULATION**

|                     |                   |
|---------------------|-------------------|
| Date proof received | <u>          </u> |
| Date proof due      | <u>          </u> |
| No. of days late    | <u>          </u> |
| Priority Date       | <u>          </u> |
| New Priority Date   | <u>          </u> |

**DEFICIENCIES OR ACTION ITEMS**

Proof acceptable

**DATA ENTRY**

New Address X Proof Made 4-24-97



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

May 22, 1997

NEW PLYMOUTH SCHOOL DIST 372  
PO BOX 50  
NEW PLYMOUTH ID 83655

**PROOF ACKNOWLEDGMENT LETTER**

**RE:** PERMIT NO. 65-13608

Dear Permit Holder:

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

Please be advised that Section 42-248, Idaho Code, which became affective on July 1, 1996, 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. Failure to maintain current records with the department could result in the assessment of a monetary penalty.

If you have questions concerning the field examination, contact the **WESTERN** Regional Office in Boise, at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH  
Senior Secretary

C: IDWR - Region

MICROFILMED

MAY 22 1997

March 31, 1997

SCHOOL DISTRICT NO 372  
PO BOX 50  
NEW PLYMOUTH ID 836550050

PROOF DUE NOTICE

RE: PERMIT NO. 65-13608

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 1, 1997.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete 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.

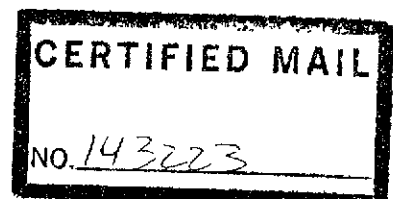
SINCERELY,

JULIE L. YARBROUGH  
Senior Secretary

Enclosures

MICROFILMED

MAY 2 1997



1. DRILLING PERMIT NO. 65-95-C-471-000  
Other DWR No. 65-13608

2. OWNER:  
Name New Plymouth School Dist #372  
Address P.O. Box 50  
City New Plymouth State IN Zip 46519  
83655

**3. LOCATION OF WELL by legal description:**

Sketch map location must agree with written location.



Twp. 7 North ☒ or South ☐  
 Rge. 4 East ☐ or West ☒  
 Sec 9 SE  $\frac{1}{4}$  NE  $\frac{1}{4}$   
10 acres 40 acres 160 acres  
 Gov't Lot \_\_\_\_\_ County Payette  
 Address of Well Site SW 2nd  
 City New Plymouth  
 (Give at least name of road + Distance to Road or Landmark)

Lt. \_\_\_\_\_ Blk. \_\_\_\_\_ Sub Name \_\_\_\_\_

**4. PROPOSED USE:**

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

## 5. TYPE OF WORK

☒ New Well    ☐ Modify or Repair    ☐ Replacement    ☐ Abandonment

## 6. DRILL METHOD

☐ Mud Rotary ☒ Air Rotary ☐ Cable ☐ Other

## 7. SEALING PROCEDURES

| SEAL/FILTER PACK |      |    | AMOUNT          | METHOD                 |
|------------------|------|----|-----------------|------------------------|
| Material         | From | To | Sacks or Pounds |                        |
| Bentonite        | 0    | 96 | 250             | overbore<br>slurry Pit |
|                  |      |    |                 |                        |
|                  |      |    |                 |                        |

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 9 1/2  
Was drive shoe seal tested? Y ☐ N ☒ How? \_\_\_\_\_

**8. CASING/LINER:**

| Diameter | From | To | Gauge | Material | Casing                              | Liner                    | Welded                              | Threaded                 |
|----------|------|----|-------|----------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| 10       | 2    | 96 | .250  | Steel    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8        | 2    | 93 | .250  | Steel    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|          |      |    |       |          | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |

Length of Headpipe 93 Length of Tailpipe 6

## 9. PERFORATIONS/SCREENS

☐ Perforations Method \_\_\_\_\_  
☒ Screens Screen Type 304

| From | To  | Slot Size | Number | Diameter | Material  | Casing                   | Liner                               |
|------|-----|-----------|--------|----------|-----------|--------------------------|-------------------------------------|
| 93   | 123 | 1040      |        | 10       | Stainless | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|      |     |           |        |          |           | <input type="checkbox"/> | <input type="checkbox"/>            |
|      |     |           |        |          |           | <input type="checkbox"/> | <input type="checkbox"/>            |

**10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:**

// ft below ground      Artesian pressure \_\_\_\_\_ lb  
 Depth flow encountered \_\_\_\_\_ ft.      Describe access port or  
 control devices:

## 11. WELL TESTS:

☐ Pump    ☐ Bailer    ☒ Air    ☐ Flowing Artesian

| Yield gal/min | Drawdown | Pumping Level | Time |
|---------------|----------|---------------|------|
| 200 +         |          | 130           | 6    |
|               |          |               |      |
|               |          |               |      |

Water Temp 61° Bottom hole temp. \_\_\_\_\_

Water Quality test or comments: \_\_\_\_\_

**12. LITHOLOGIC LOG:** (Describe repairs or abandonment)

[illegible]

Completed Depth 130 (Measurable)  
Date: Started 6-22-95 Completed 6-28-95

### 13. DRILLER'S CERTIFICATION

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

Firm Name Dallas Dullins & Kemp Firm No 445

Firm Official [Signature] Date 1-20-95  
and

Supervisor or Operator \_\_\_\_\_ Date \_\_\_\_\_

(Sign once if Firm Official &amp; Operator)



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000  
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

June 1, 1995

SCHOOL DISTRICT DISTRICT NO 372  
PO BOX 50  
NEW PLYMOUTH ID 83655-0050

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13608

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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.

If a well has not already been constructed you are required to obtain a "drilling permit" from the department. The right to drill a well is not a part of this permit to appropriate water.

Sincerely,

Shelley W. Keen  
Water Rights Supervisor

SK:rl

Enclosures

JUN 08 1995

**APPLICATION FOR PERMIT  
STATE OFFICE REVIEW**  
by Cindy Zimmerman

No.: 65-13608 Name: School Dist #312 Date: 5/31/95 Ad OK? ☒  
Correct Fee? ☒ Receipt #: 60 Priority: 3/16/95 ☒ Gvmt Lts: ☒

AREA OF CONCERN? - No/Yes \_\_\_\_\_ Mor \_\_\_\_\_ GWMA Trust/Non-trust  
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)

SYSTEM COMPLETED:  
Yes/proof filed - NA  
1 year/no proof - P16  
+1 year - 26A-P17

GROUNDWATER: <✓ FLO-CH>  
+ 0.2 cfs - 01M  
- 0.2 cfs - No MD  
+ 5 a. (POU/cmp) - 01M, 803(if GW use SW 1st)

Drilling Permit:  
Existing well - NA (pre 7/1/87)  
Included w/permit - Permit No. \_\_\_\_\_, P99  
No WD permit? - 046-46B-P23 (post 7/1/87)  
irr. in WD - P05 (new well)

SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink):  
Water District (dem) - 005 (req) WD # \_\_\_\_\_ <SEE MAP & LISTING>  
+ 0.2 cfs - 01J-P08 or 01M  
- 0.2 cfs - 01H-P01 or No MD  
+ 5 a. irr. - 01M (POU cmp)  
In-WD + 0.2 cfs - 01M or No MD (in-stream)  
- 0.2 cfs - No MD  
+ 5 a. irr. - 01M (POU cmp)

RIVER BASINS (\*Surface water):  
Snake R (01) - 11A-P04, NA  
(02/03) - 007-P07 (w/remark WB9), NA  
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA  
Payette R (65) - 064(consump. use), 047-P04 (Payette Lake), NA

USE:  
Domestic (surface) - 021(Boise R + L Peak); 27A(Payette R); NA  
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10; 044(N 1000 Spr)  
Irr - 5 acres - 057 (0.03 cfs/A)  
+ 5 acres - 03A (0.02 cfs/A)  
Mining - 054 (req) & 06A/010/09E-P10  
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);  
+25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09  
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:  
Boise Front LoGeo - 058 (-85° GW temp only)  
In-stream dev. - P52 (stream channel alteration)  
Irr Dist/Canal Co. - 023 (Twin Falls area)  
Swan Falls Flag - 8 <SEE CONDITION CODE CHART>  
Trust - 051-052-053-P74 (Consumptive Uses), NA  
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner - 004 (PD/PU)

OTHER CONDITIONS: -

STANDARD REMARKS: - Place of use is for The New Plymouth Middle School

BENEFICIAL USE DUE: - 6-1-1997

COMMENTS: -

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

RECEIVED  
MAY 25 1995

INITIAL REVIEW BY: 6 DATE: 3/24/95 APPLICATION: 65-13608

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)  
☒ Period of use:  
☒ Nature of proposed use: (Include description of use)  
☒ Description of diverting works:  
☒ Time required for beneficial use of water:  
☒ Place of use or acres irrigated:  
☒ Map: (show T, R, S, QQ &/or QQQ)  
☒ 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)  
☒ Fee:  
☒ Yes ☐ No\* In form to receipt:
- Gov't. Lots:  
☒ P/D  
☒ P/U

ADDITIONAL INFORMATION

YES NO

- ☒ ☐ Overlapping place of use: (Describe source & relationship to present application on the back.)  
☒ ☐ Overlapping point of diversion:  
☐ ☐ Field check required: Field check by: \_\_\_\_\_  
☐ ☐ Field report attached:  
☐ ☒ Critical groundwater area:  
☐ ☒ Groundwater management area:  
☐ ☒ 1992 moratorium:  
☐ ☒ Copy to SCA staff: (perennial stream, non-pump diversion)  
☐ ☒ Copy to Dam Safety staff: (for any storage)  
☐ ☒ Basin 63 mitigation plan: (where ground water replaces surface water for irrigation, request additional information &/or mitigation plan to address reduced aquifer recharge)  
☐ ☒ Send power requirement letter:  
☐ ☒ Send fish farm requirement letter:  
☐ ☒ Power residency affidavit:  
☐ ☒ Power efficiency form:  
☐ ☒ 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

DATE REQUESTED: \_\_\_\_\_

☒ Additional information on reverse side:

PROCESSING

APPLICATION

65-13608

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

YES NO

☐ ☒  
☐ ☒  
☐ ☒  
☐ ☒  
☐ ☒

I.D. Health and Welfare

I.D. District Health

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒  
☐ ☒  
☐ ☒  
☐ ☒

U.S. BLM

U.S. Forest Svc.

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:

Protests received. Final date for protest

4-24-95

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, DNR

Measuring device required:

Measuring port required:

Water delivered by water master? District #

Special conditions of approval or cover letter:

46, 26A (Allow 2 yrs)

See below for additional information

Recommended Date or Priority 3/16/1995

Recommended by: DNR

Date 5/16/1995

STATE OFFICE REVIEW

See below for additional information. By Date

ADDITIONAL INFORMATION

P/D & P/U 65-04135 dam  
- 04519 dam/stock  
- 04081 Tur 1400 dam/stock  
- 04925 dam  
- 06548 dam/stock  
groundwater  
separate  
P/U, P/D +  
owners

65-07066 Tur surface water

# Affidavit of Publication

STATE OF IDAHO,  
COUNTY OF PAYETTE

ss.

Copy of Notice  
(First Copy)

## NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13608 ✓

SCHOOL DISTRICT DISTRICT NO 372  
P.O. BOX 50

NEW PLYMOUTH, ID 83655

Source: GROUNDWATER

Diversion Pt SENE Sec 9 T 07N R 04W in  
PAYETTE County.

Use: IRRIGATION( 0 410 CFS)

Total Diversion: (0.410 CFS)

Date Filed: 3/16/1995

In PAYETTE County

T07N R04W S09 SENE

20 5 ACRES TOTAL

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 on or before APRIL 24, 1995. The protestant must also send a copy of the protest to the applicant

R. KEITH HIGGINSON, Director  
April 5, 12

No. 59

Notice of Application for  
Water Right  
TITLE OF PUBLICATION

SPONSOR OF PLAINTIFF

Dept of State Resources  
PLAINTIFF OR LEGAL AGENT

I do hereby being  
duly sworn, deposes and says:

That he is the principal owner of  
**THE INDEPENDENT-ENTERPRISE**, a weekly newspaper published at Payette, in the County of Payette and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Payette; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement

Such notice was published in the issue beginning with April 5, 1995, and ending with the issue of April 12, 1995.

STATE OF IDAHO  
COUNTY OF

On this 13th day of April in the year of 1995, before me, a Notary Public, personally appeared William Erickson 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.

William Erickson  
Notary Public for Idaho

Residing at Frederick

My commission expires 12-1-98

## STATEMENT

**Independent-Enterprise**

PAYETTE, IDAHO

Number of Lines 25

Number of Insertions two

29 Lines @ 90 ... \$ 26.10

29 Lines @ 72 ... \$ 20.88

TOTAL COST  
WILL BE ... \$ 46.98

RECEIVED

APR 20 1995

WATER RESOURCES  
WESTERN REGION

Nº

59

65-13608

SCHOOL DISTRICT DISTRICT NO 372  
PO BOX 50  
NEW PLYMOUTH, ID 83655

Source: GROUNDWATER

Diversion Pt: SENE Sec 9 T 07N R 04W in PAYETTE County.

Use: IRRIGATION ( 0.410 CFS)  
Total Diversion: ( 0.410 CFS)

Date Filed: 3/16/1995

In: PAYETTE County  
T07N R04W S09 SENE

20.5 ACRES TOTAL

JUN 08 1995