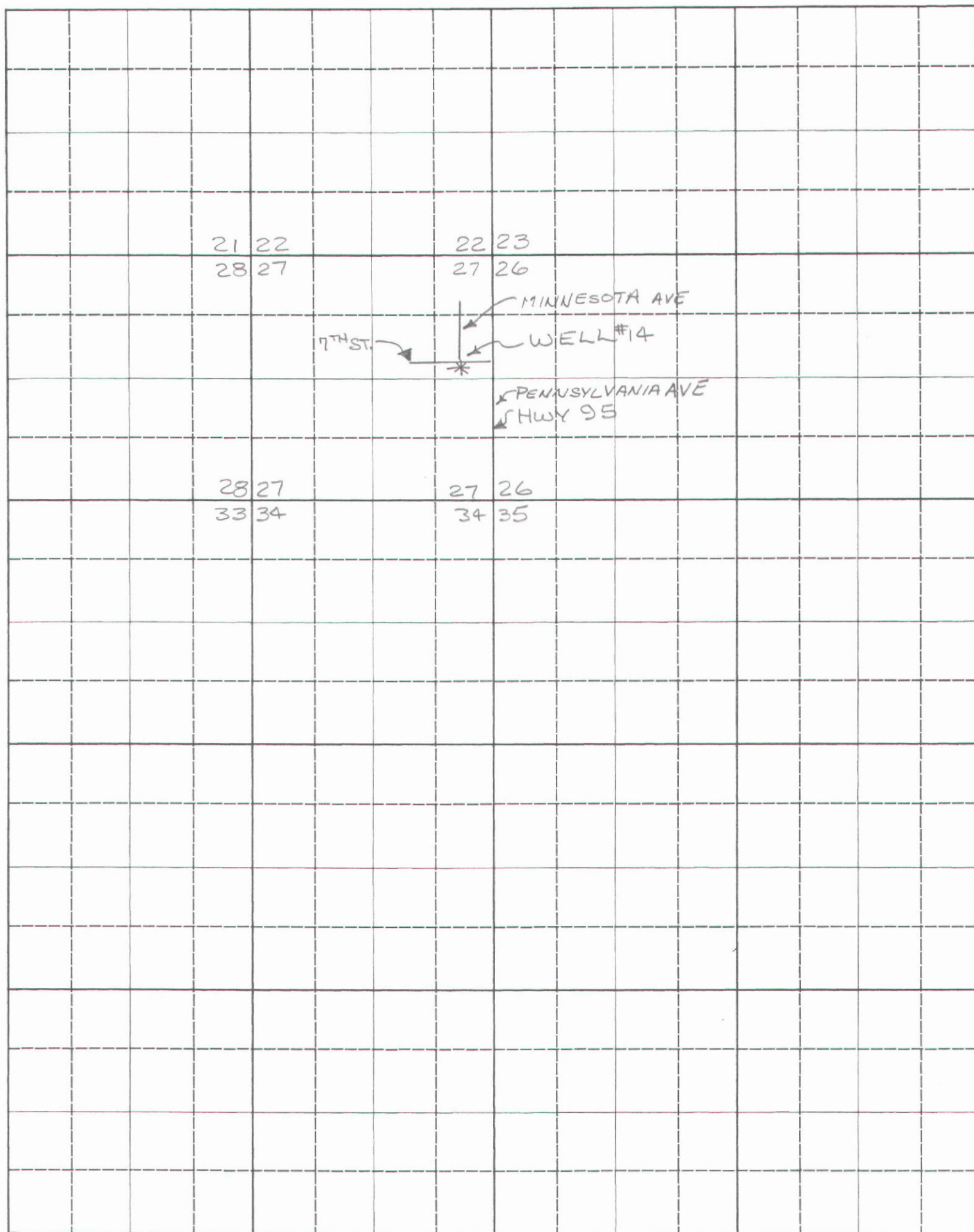


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.


(Applicant)
Mayor John H. Sheldon
City of Fruitland

MICROFILMED

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.

65-12710 ✓ 38

CITY OF FRUITLAND

P.O. BOX 324, FRUITLAND, ID 83619

Source: GROUNDWATER

Date Filed: 04/13/1984

Diversion Pt: SENE Sec. 27 T 08N R 05W

Use: MUNICIPAL (0.56 CFS)

In: Within the City Limits of Fruitland

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before MAY 14, 1984.

KEN DUNN, Dir.
April 25, May 2

No. 158

Notice of Application for Water Right
TITLE OF PUBLICATION

SPONSOR OR PLAINTIFF

Dept. of Water Resources
PLAINTIFF OR LEGAL AGENT

J. Melvina Bernick, 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
(2) 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 adver-
tisement.

Such notice was published in the issue beginning with
April 25, 1984, and ending with the issue
of May 2, 1984.

Subscribed and sworn to before me this 10th day
of May, 1984.

Maile J. Rhinehart
Notary Public, Residing at Payette, Idaho.

My Commission Expires Dec. 1, 1986.

STATEMENT

Independent-Enterprise
PAYETTE, IDAHO

Number of Lines 17 dbl. lines

Number of Insertions (2) two

17 Lines @ 54¢ . . . \$ 9.69

17 Lines @ 38¢ . . . \$ 6.46

TOTAL COST
WILL BE \$ 16.15

RECEIVED
JUN 6 1984

Department of Water Resources
Western Regional Office

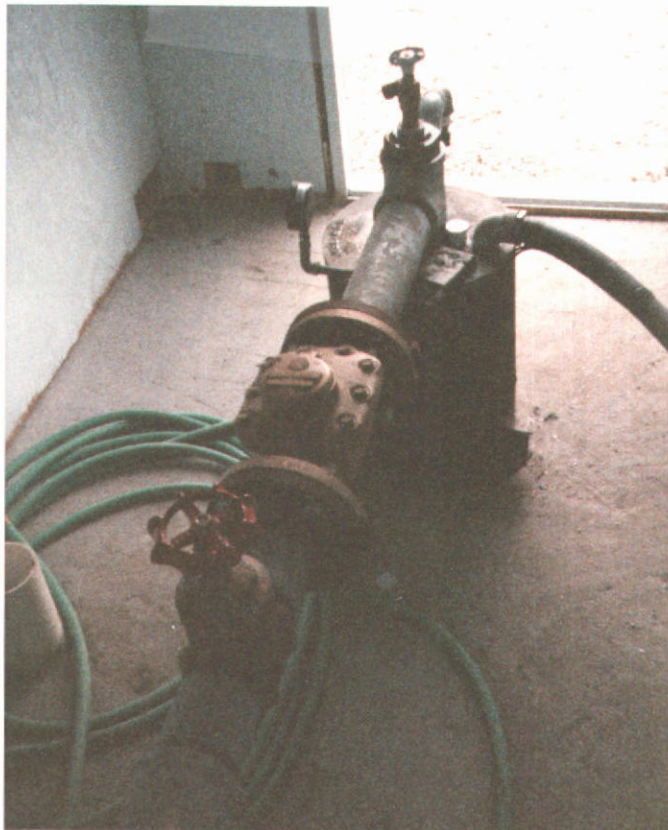
MICROFILMED

No 158

City of Fruitland Well No. 14 - Beneficial Use Field Report - Attachment to Form 219



Well Casing with piping,
vent and electrical
connection



Well Casing with piping,
sample tap, meter and
pressure gauge.

City of Fruitland Well No. 14 - Beneficial Use Field Report - Attachment to Form 219

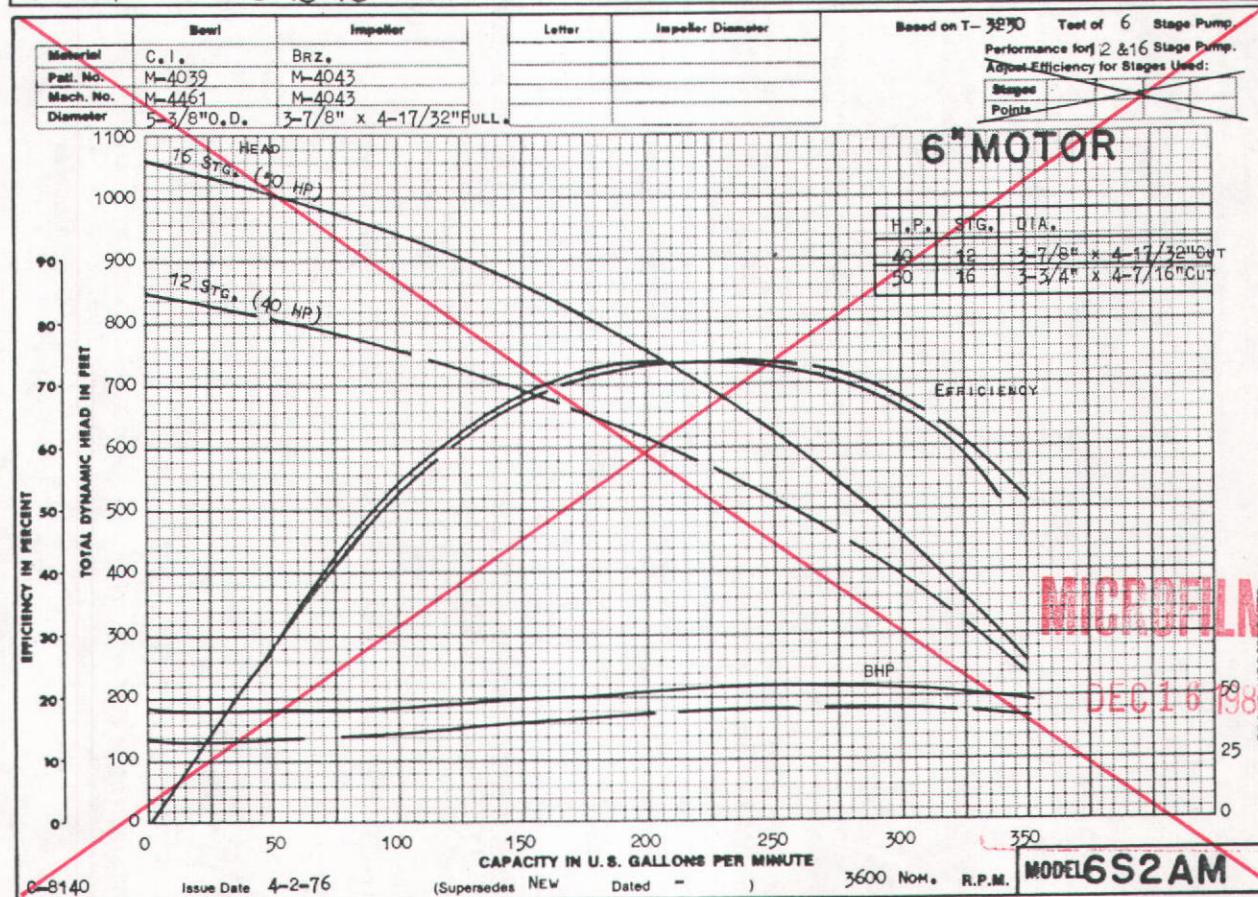
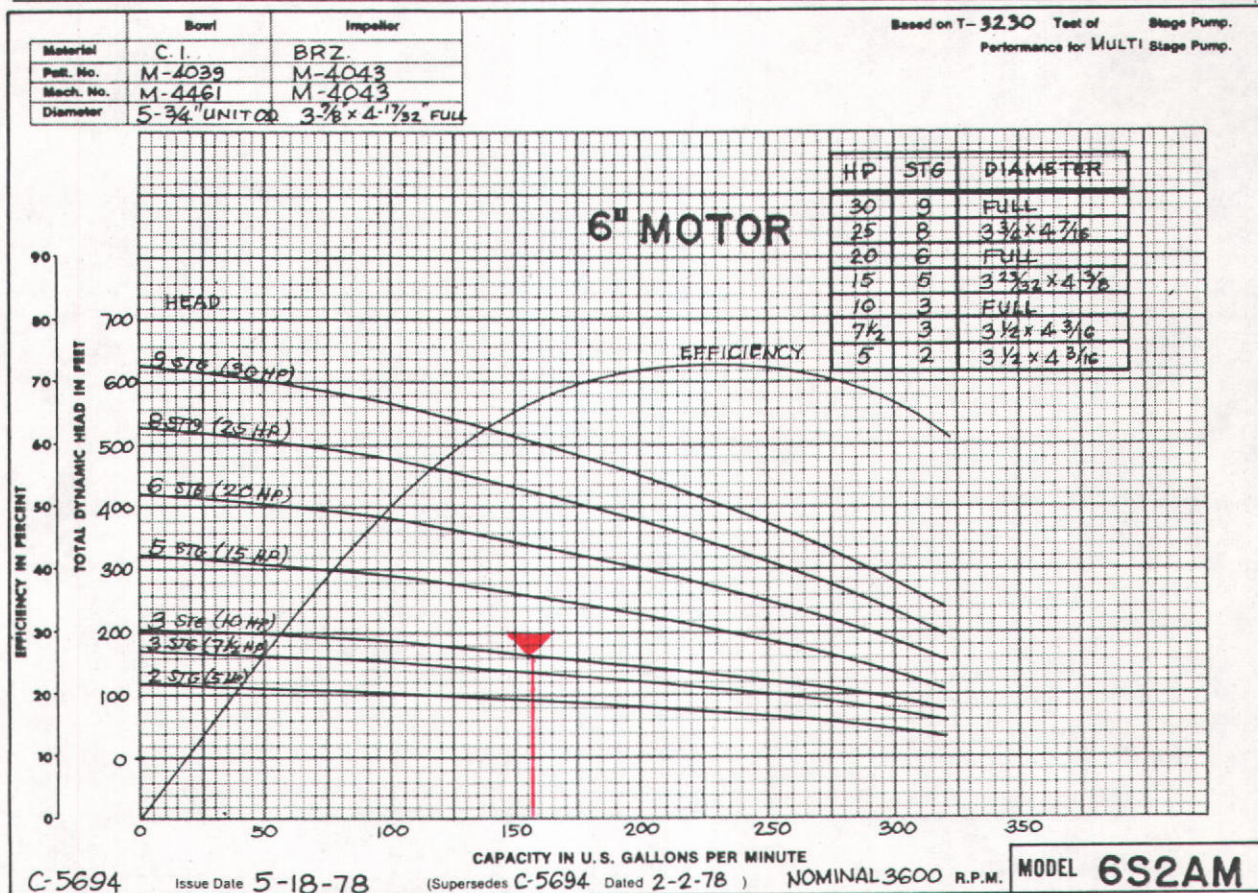


Well house and power
supply looking north
toward elevated tank



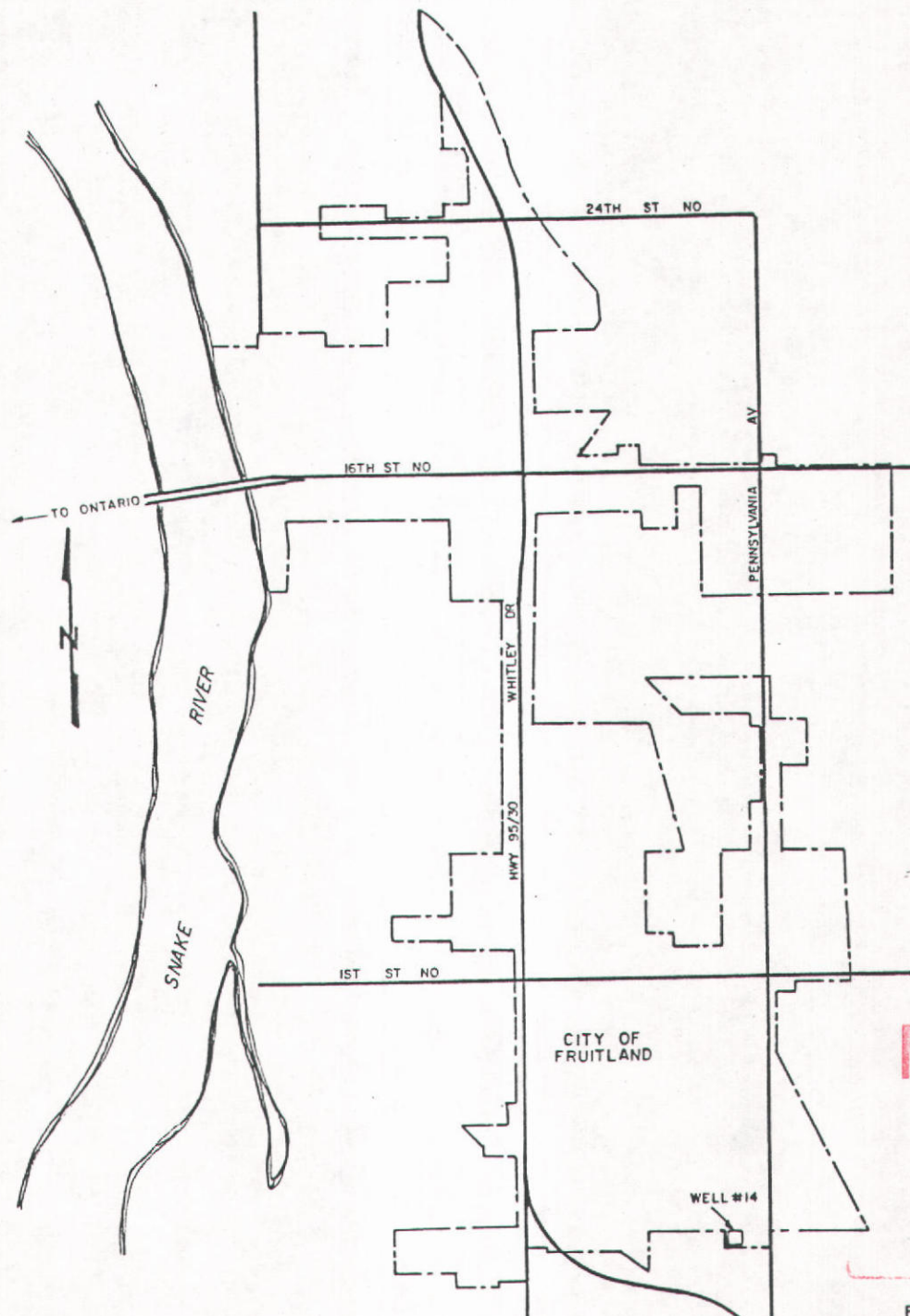
BERKELEY PUMP COMPANY
SUBMERSIBLE TURBINE PUMPS
6" AND 7" BOWLS
PERFORMANCE CURVES

CURVE	2500
DATE	6-5-78
PAGE	1.72
SUPERSEDES	
NEW	



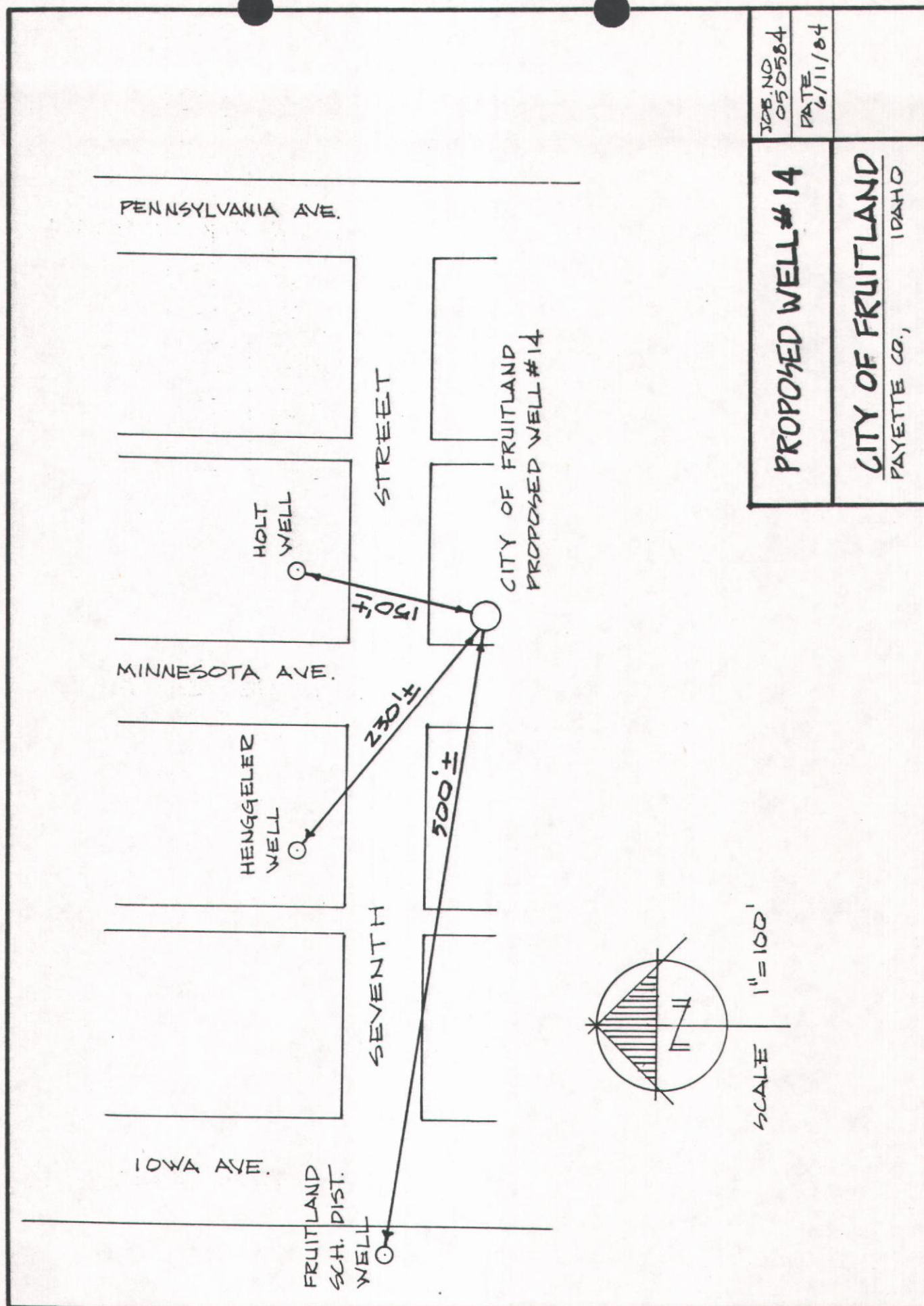
CITY OF FRUITLAND WELL #14

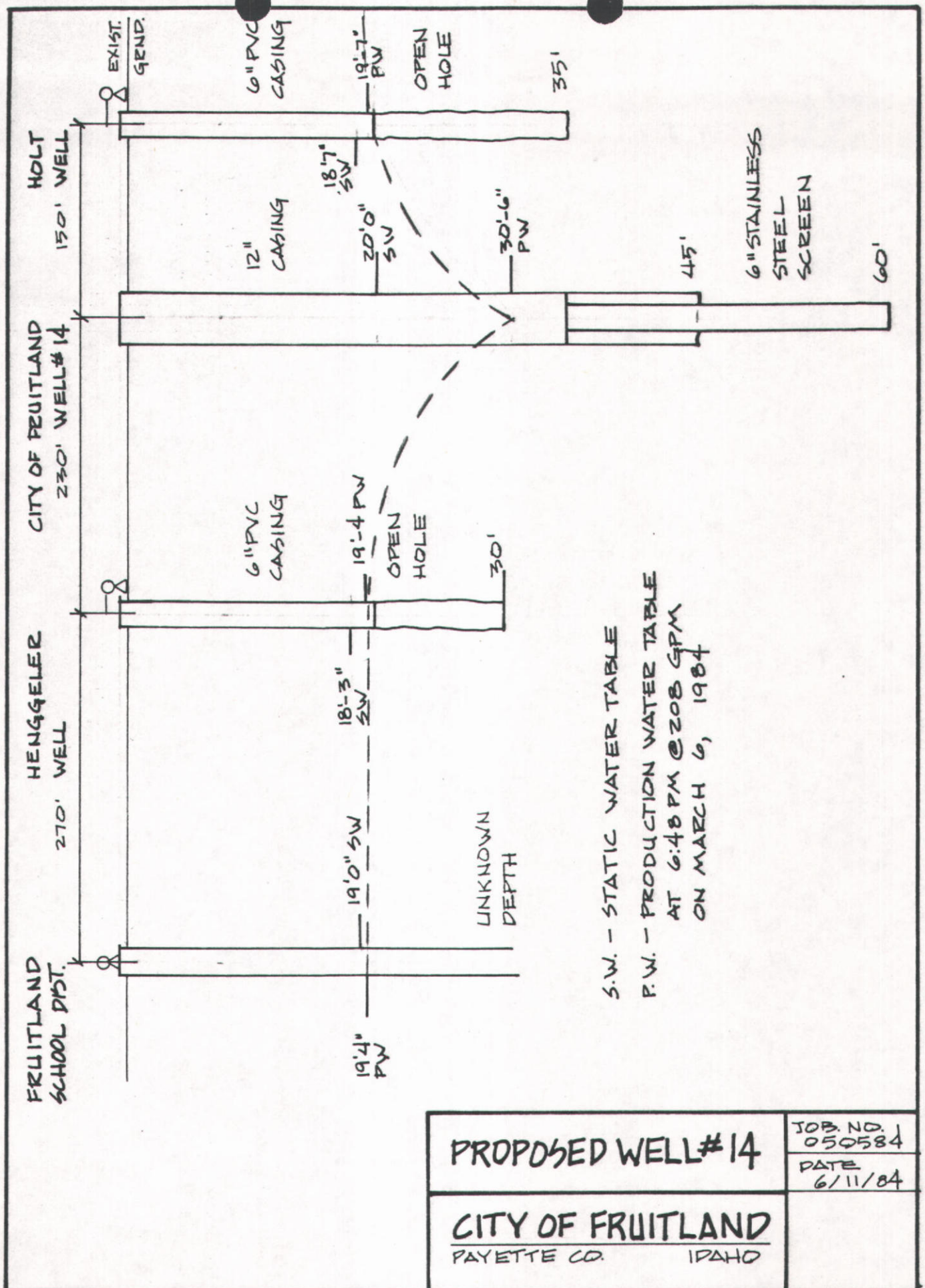
BENEFICIAL USE FIELD REPORT ATTACHMENT TO FORM 219



MICROFILMED

DEC 16 1986





PROPOSED WELL #14

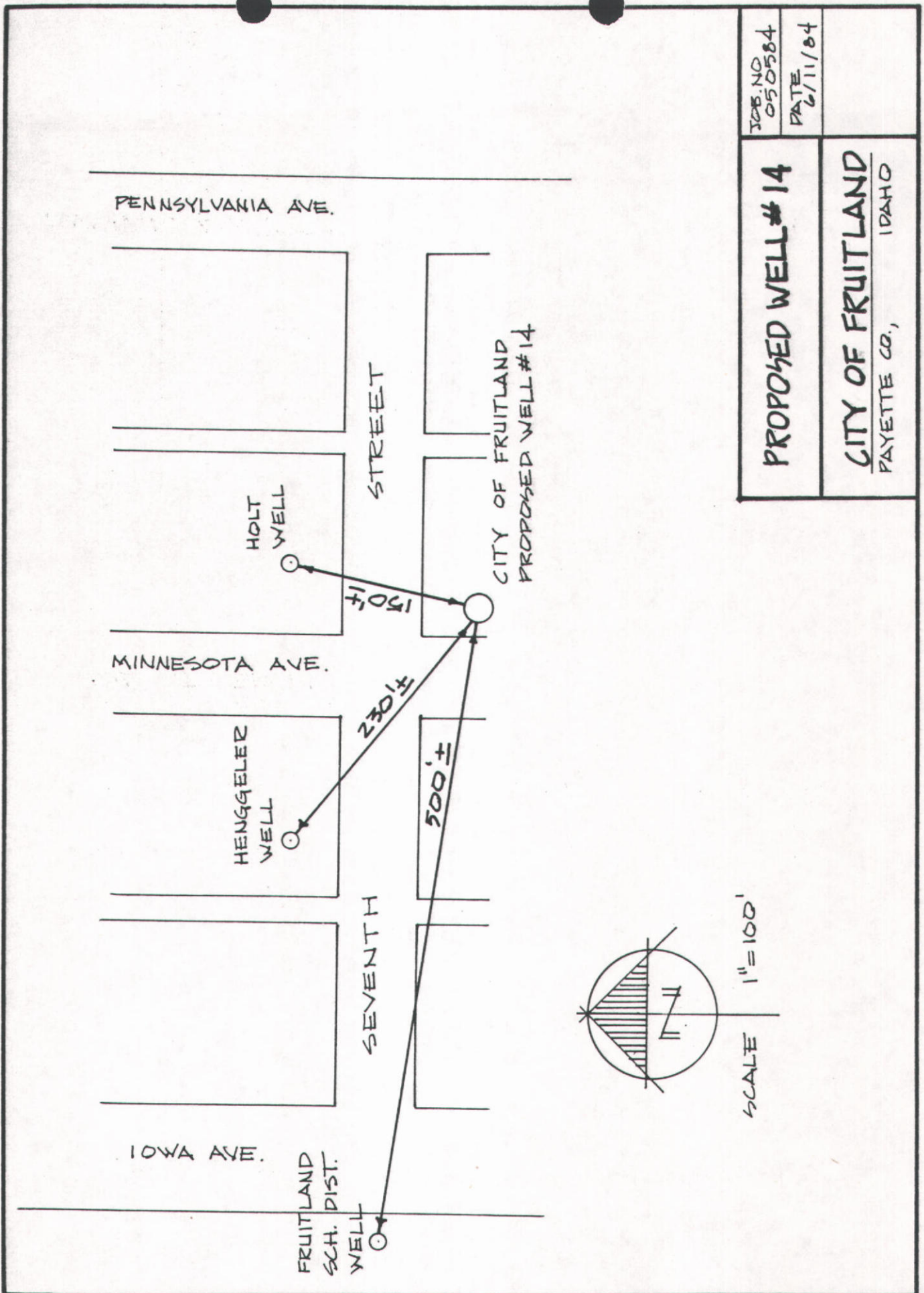
JOB NO. 1
050584

DATE
6/11/84

CITY OF FRUITLAND

PAYETTE CO.

IDAHO



CONDITIONS OF APPROVAL

a. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

c. Any water right confirmed in this license 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 license 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 license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 26TH day of NOVEMBER, 19 86.

MICROFILMED

DEC 16 1986

Acting for the Director

Norm C Young

B.S.
J.M.

IN THE MATTER OF PROTESTS AGAINST APPROVAL OF
APPLICATION FOR PERMIT NO. 65-12710 IN THE
NAME OF THE CITY OF FRUITLAND

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL
OF APPLICATION FOR PERMIT NO. 65-12710 IN
THE NAME OF THE CITY OF FRUITLAND

CERTIFICATE OF MAILING

I HEREBY CERTIFY That on this the 22nd day of March, 1985, a true and correct copy of the foregoing ORDER ADOPTING PROPOSED MEMORANDUM DECISION AND ORDER was mailed, postage prepaid to:

John H. Sheldon, Mayor
City of Fruitland
P. O. Box 324
Fruitland, ID 83619

Bert L. Olson, Attorney
P. O. Box 307
Payette, ID 83661

Katherine D. and Bennedict A. Henggeler
P. O. Box 211
Fruitland, ID 83661

James R. and Opal F. Holt
614 Minnesota Avenue, Box 273
Fruitland, ID 83619



RITA I. FLECK

Secretary/Records Manager
Idaho Department of Water Resources

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL	)	PROPOSED
	)	
OF APPLICATION FOR PERMIT NO. 65-12710 IN	)	MEMORANDUM DECISION
	)	
THE NAME OF THE CITY OF FRUITLAND	)	AND ORDER
	)	

On April 13, 1984, the City of Fruitland applied to the Department of Water Resources for a permit to appropriate 0.56 cubic feet per second of water from ground water within the SE1/4NE1/4, Sec. 27, Twp. 8N, Rge 5W, B.M., Payette County, to be used for municipal purposes.

Notice of this application was published in the Independent-Enterprise newspaper, Payette, Idaho on April 25 and May 2, 1984. On May 4, 1984, a protest against the approval of the application was received from Katherine D. and Benedict A. Henggeler and an additional protest against the approval of this application was received on May 7, 1984 from James R. and Opal F. Holt.

On June 12, 1984, a conference was held in Payette, Idaho. The applicant was represented by John H. Sheldon, Mayor for the City of Fruitland and Bert L. Osborn, Attorney at Law. The protestants, Katherine D. and Benedict A. Henggeler, were present and represented themselves and the protestants, James R. and Opal F. Holt, were present and represented themselves.

The protestants' concern is that the city well will interfere with their existing wells. The City of Fruitland submitted at the conference a copy of the engineering report for the proposed well No. 14 prepared by Holladay Engineering Company. Well No. 14 is the City of Fruitland's designation for the well shown as the point of diversion on this application for permit. The arguments of all parties were heard at the conference and all agreed that the Director should reach a decision in the matter based upon the information gathered at the conference and on the official files and records of the Department.

Based on the information presented at the conference, the official files and records of the Department of Water Resources and the Director's understanding of the Law, the hearing officer for the Director of the Department of Water Resources, proposes the following Findings of Fact, Conclusions of Law, Analysis and Order.

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FINDINGS OF FACT

1) The applicant is proposing to develop a ground water right which diverts water from the same aquifer as the protestants' existing wells.

2) The aquifer appears to be limited in depth with water existing from approximately 35 feet to 60 feet below land surface in the area of the applicant's and protestants' wells.

3) The applicant's well extends through the full 60-foot depth of the aquifer.

4) The protestants' wells are 42 feet or less and, therefore, do not extend to the full 60-foot depth of the aquifer.

5) The protestants' wells are each used for the irrigation of lawn and garden associated with a single family dwelling, but are not used for culinary use within the dwellings.

6) Protestant Holt's well was drilled in May of 1981.

7) Protestant Henggeler's well was constructed and water beneficially used prior to March 18, 1978.

8) The applicant proposes to divert at a maximum rate of diversion of 175 gallons per minute (0.39 cubic feet per second).

9) Available data indicates the proposed diversion of 175 gallons per minute (0.39 cubic feet per second) from the applicant's new well, will produce approximately one foot of drawdown in the protestants' wells and ten feet of drawdown in the applicant's.

10) The Ground Water Act, Section 42-226, Idaho Code, was enacted in 1953 which confirmed the doctrine of first in time is first in right and established the requirement that prior appropriators, to be protected, must obtain water from a reasonable pumping level. On March 18, 1978, Section 42-227, Idaho Code, was amended to clarify, that owners of domestic wells must also obtain water from a reasonable pumping level. The Idaho Supreme Court decided in Parker v. Wallentine, 103 Idaho 506, 650 p.2d 648 (1982) that domestic wells drilled prior to the March 18, 1978 amendment of Section 42-227 are not subject to the reasonable pumping level requirement.

CONCLUSIONS OF LAW

1) The protestants' use of water is considered as domestic use since it is used in connection with a single family household and is for the irrigation of less than one-half acre of land.

2) The well of protestant Holt was drilled after March 18, 1978 and,

therefore, is subject to the requirement of Section 42-226, Idaho Code that water must be obtained from a reasonable pumping level. The well of protestant Heneggler was drilled before March 18, 1978 and is not subject to the reasonable pumping level requirement as decided by the Idaho Supreme Court in Parker v. Wallentine, 103 Idaho 506, 650 p.2d.

3) The maximum rate of diversion should be limited to 0.39 cubic feet per second which is about 175 gallons per minute.

4) The diversion of 175 gallons per minute from the applicant's well will not lower the water level of the protestants' wells below the point it can be obtained.

5) There is unappropriated water available in the ground water source for appropriation.

6) The applicant has made a sufficient showing to satisfy the remaining criteria of Section 42-203, Idaho Code and is entitled to a permit from the Department of Water Resources with certain conditions and limitations.

ANALYSIS

The protestants concerns center around their ability to continue to use their wells. No well logs are available for these wells, however, the protestant Mr. Henggeler, stated that his well was 42 feet deep with a centrifugal pump at the surface. Mr. Henggeler did not state a length of suction line attached to his pump, but the practical limit for a centrifugal pump in this area is 25 to 28 feet of suction head. The applicant's well was originally drilled to 400 feet to determine if an additional usable water supply existed below the shallow aquifer confined between 35 and 60 feet. No additional usable water was obtained and the well was developed to use the shallow aquifer. The applicant's well is capable of diverting water from, at or near the 60-foot depth of the aquifer. If the water level declines so the applicant is pumping from a depth of 60 feet, which is the worst case, the water level at the protestant's wells will be about 50 feet below land surface. This worst case is, of course, not possible since there must be sufficient water to cover the applicant's pumps to allow them to operate.

There may arise in future years, a dispute between the City of Fruitland and Mr. Heneggler if he can no longer pump water from his well. The cause of the inability to obtain water from the well must then be determined. Some possible causes are: a decline in the water level due to pumping from the city's wells or other wells in the area, a failure of the well, or an improper original

construction of the system by not installing a pump capable of obtaining water from the full depth of the well. The party responsible for the unavailability of water would have the responsibility of making water available or compensating Mr. Heneggler for his loss.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that Application for Permit No. 65-12710 is approved subject to the following conditions:

- 1) This permit be and is subject to all prior water rights.
- 2) The maximum rate of diversion of water under this permit shall be limited to 0.39 cubic feet per second or approximately 175 gallons per minute.
- 3) Proof of construction of works and application of water to beneficial use shall be submitted to the Department on or before the date indicated on the final order.

Dated this 3 day of December, 1984.


BOBBY D. FLEENOR
Hearing Officer

BEFORE THE DIRECTOR OF THE DEPARTMENT
OF WATER RESOURCES OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST)
APPROVAL OF APPLICATION FOR PERMIT)
NO. 65-12710 IN THE NAME OF THE)
CITY OF FRUITLAND)
_____)

ORDER ISSUING
PROPOSED DECISION

A. Kenneth Dunn, Director of the Department of Water Resources, having reviewed the attached proposed decision prepared by his appointee, Bobby D. Fleenor, who conducted the hearing or who has read the record in this case, hereby approves the same as a proposal for decision pursuant to Idaho Code, § 67-5211 and orders that said proposed decision and a copy of this order be served upon each of the parties to these proceedings who appeared at the hearing on June 12, 1984, of this matter or upon their attorneys in accordance with Rule 7.3 of the Rules of Practice and Procedure of this Department.

Each party to these proceedings who appeared at the hearing is hereby afforded the opportunity, pursuant to Idaho Code §§ 42-1701A and 67-5211, to file exceptions to the attached proposed decision and to present briefs and oral arguments in accordance with the provisions of this order. Exceptions may not be filed and briefs and oral arguments may not be presented by parties who did not appear at the hearing of this case. If no timely and proper exceptions are received, an order by the Director will be entered adopting and issuing the proposed decision as his final decision.

I.
EXCEPTIONS

A. To be considered by the Director, exceptions must:

1. be received by the Director on or before the 15th day following the day of service of this Order and the proposed decision,
2. specifically identify the portions of the proposed decision to which exceptions are made and specifically state the grounds for those exceptions, and
3. be sent to each of the parties who appeared or their attorneys.

B. Exceptions not in compliance with the above stated requirements will not be considered and will be deemed an acceptance of the proposed decision.

II.
BRIEFS

A. Any briefs in support of exceptions to the proposed decision shall be filed with the Director at the same time that party's exceptions are filed with the Director.

B. Any party desiring to file a brief in response to any exceptions filed by any other party may do so by filing such brief with the Director on or before the 15th day following the last day any exceptions by any other party were served upon that party desiring to respond.

MICROFILMED

III.
ORAL ARGUMENTS

A. No oral arguments before the Director on the proposed decision will be held unless specifically requested by a party filing exceptions to the proposed decision and unless that request is filed with the Director concurrently with the filing of that party's exceptions.

B. If oral arguments have been properly requested by a party filing exceptions, any other party, upon reasonable notice to the Director, shall have the right to present oral arguments in response to the exceptions filed.

C. Oral arguments before the Director on exceptions to the proposal for decision shall be heard at the discretion of the Director, pursuant to Idaho Code, § 42-1701A. After all exceptions, briefs and requests for oral arguments have been received, the Director will decide whether to hear oral arguments. If oral arguments are to be heard, the Director will, within a reasonable time, set the case for oral arguments and notify each party of the place, date and hour the oral arguments will take place and of the period of time allocated for the arguments of this case. Unless the Director orders otherwise, all oral arguments shall be heard in Boise, Idaho.

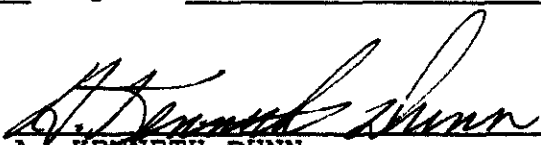
IV.
CERTIFICATION OF SERVICE

A. All exceptions, briefs, requests for oral arguments and other matters filed with the Director in connection with the proposed decision shall be served on all other parties to these proceedings in accordance with Rule 7.2.

V.
FINAL DECISION

A. Following the submission of all exceptions and briefs and oral arguments, if they are heard, the Director shall issue a final decision adopting, modifying or rejecting and replacing the proposed decision. Copies of the decision and order shall be served on all parties.

Dated this 4th day of December, 1984.


A. KENNETH DUNN
Director
Department of Water Resources

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL	)	
OF APPLICATION FOR PERMIT NO. 65-12710 IN	)	CERTIFICATE OF MAILING
THE NAME OF THE CITY OF FRUITLAND	)	

I HEREBY CERTIFY That on this the 4th day of December, 1984, true and correct copies of the foregoing ORDER ISSUING PROPOSED DECISION and PROPOSED MEMORANDUM DECISION AND ORDER, were mailed postage prepaid to:

John H. Sheldon, Mayor
City of Fruitland
P. O. Box 324
Fruitland, ID 83619

Bert L. Olson, Attorney
P. O. Box 307
Payette, ID 83661

Katherine D. and Benedict A. Henggeler
P. O. Box 211
Fruitland, ID 83661

James R. and Opal F. Holt
614 Minnesota Avenue, Box 273
Fruitland, ID 83619



RITA L. FLECK
Secretary/Records Manager
Idaho Department of Water Resources

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 65-12710

Well #14

RECEIVED

APR 13 1984

To appropriate the public waters of the State of Idaho

1. Name of applicant City of Fruitland Phone 452-4421 Department of Water Resources

Post office address P. O. Box 324 Fruitland, ID 83619

2. Source of water supply Ground Water Well which is a tributary of _____

3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 27 Township 8N

Range 5W B.M. Payette County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.56 for Municipal ~~Domestic~~ purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.56 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, Pump, Well House and
Associated Equipment, Flow Meter, etc.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 12 inches; proposed depth of well is 70 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 1 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served City of Fruitland, or number of families to be
supplied with domestic water 790.

(5) If water is to be used for other purposes describe: _____

MICROFILMED

[illegible]

Existing rights

Wells are used to supply demands of city residents

City of Fruitland

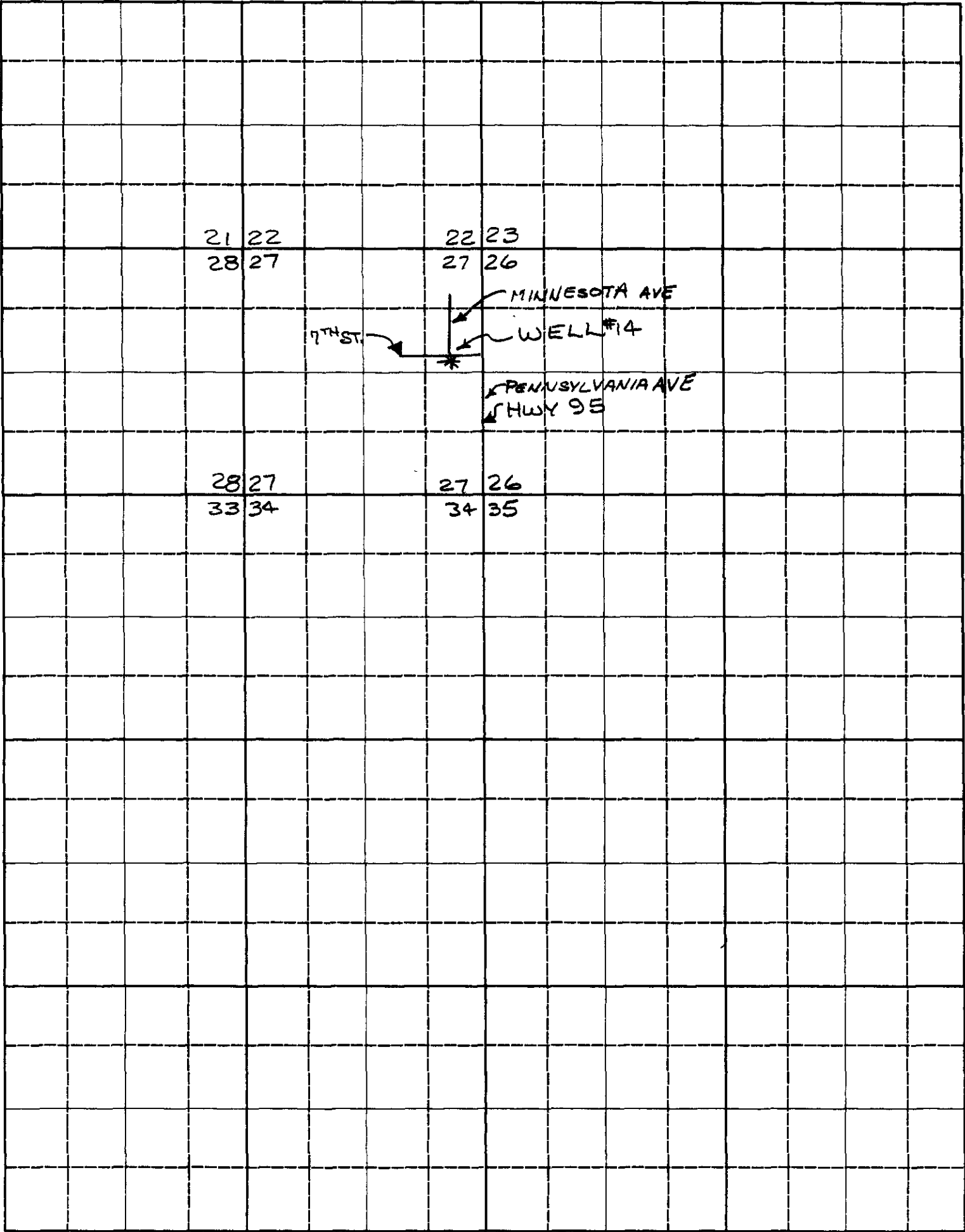
Residents of the City of Fruitland

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

[illegible]

marks

11. 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.

John H. Sheldon
(Applicant)

Mayor John H. Sheldon
City of Fruitland

MICROFILMED

Received by RW Date 4-13-84 Time 4:15 PM
Preliminary check by 665 Fee \$ 451.32598
Received by JP Date 4/11/84
Publication prepared by JP Date 4/19/84
Published in Independent Enterprise
Publication dates 4/26 & 5/3/84
Publication approved _____ Date _____
Protests filed by: Katherine D. & Benedict A. Hengeler
_____ James R. & Opal J. Holt
Copies of protests forwarded by JP
Hearing held by _____ Date _____
Recommended for approval denial by _____

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. 65-12710, and said application is hereby APPROVED

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 19 86.
- 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. Other: PURSUANT TO PROPOSED MEMORANDUM DECISION AND ORDER AND ORDER

ADOPTING PROPOSED MEMORANDUM DECISION AND ORDER.

Dated this 15th day of March, 1985.

A. KENNETH DUNN, Director

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

SS.

Copy of Notice
(First Copy)

Notice of Application for Water Right
TITLE OF PUBLICATION

SPONSOR OR PLAINTIFF

Dept. of Water Resources
PLAINTIFF OR LEGAL AGENT

J. Melvina Bennett, 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
(2) 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 adver-
tisement.

Such notice was published in the issue beginning with
April 25, 1984, and ending with the issue
of May 2, 1984.

Subscribed and sworn to before me this 10th day
of May, 1984.

Marilyn J. Rhinehart
Notary Public, Residing at Payette, Idaho.

My Commission Expires Dec. 1, 1986.

STATEMENT

Independent-Enterprise
PAYETTE, IDAHO

Number of Lines 17 dbl. lines

Number of Insertions (2) two

17 Lines @ 57¢ ... \$ 9.69

17 Lines @ 38¢ ... \$ 6.46

TOTAL COST
WILL BE \$ 16.15

RECEIVED
JUN 6 1984

Department of Water Resources
Western Regional Office

MICROFILMED

No 158

May 7, 1984

DBS

Director, Dept. of Water Resources
Western Region, Statehouse
Boise, Idaho 83720

Dear Sirs;

We, James R. & Opal F. Haet, at this time, wish to protest the granting of an Application for Water Permit by the City of Fruitland, #65-12710. This protest is made because of the close proximity (approx 200 ft. or less) to my shallow well & because of the problems that could arise for us if they pump a volume large enough to lower the water table below the limits of my pump.

Thank You,

James R. Haet
Opal F. Haet

614 Minnesota Ave, Box 273
Fruitland, Idaho 83619

RECEIVED

MAY 7 1984

Department of Water Resources
Western Regional Office

MICROFILMED

Mar - 4th - 1984

035

We Ben and Katherine Henggeler wish to protest this water application from the city of Fruitland number 65-12710. This protest was made on the 4th day of May, at the Director's Dept of Water Resources, Western Region at the State house in Boise, Idaho. During the drilling time and pumping time, the water level dropped considerably, and no longer pumped water.

Katherine D. Henggeler
Benedict A. Henggeler
Box 211
Fruitland Idaho 83619

RECEIVED

MAY 4 1984

Department of Water Resources
Western Regional Office

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

December 8, 1986

RE: Permit No. 65-12710

City of Fruitland
Box 324
Fruitland, ID 83619

Gentlemen:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure

MAILED
DEC 10 1986

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that City of Fruitland
of Fruitland, Idaho, has complied with the terms and conditions of Permit
No. 65-12710 issued pursuant to Application for Permit dated April 13, 1984,
and has submitted proof to the Department of Water Resources on December 3, 1985,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.35 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Subject, however, to the condition that no more than 0.35 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed N/A feet per year, said waters to be diverted within the SE 1/4 Section 27,
Twp 8N, Rge 5W in the County of Pattee

[illegible]

Total number of acres irrigated _____

CONDITIONS OF APPROVAL

a. Modifications to or variance from this license must be made within the limits of Section 42-222, **Idaho Code**, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

c. Any water right confirmed in this license 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 license 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 license.

VOID

Witness the seal and signature of the Director, affixed at Boise, Idaho, this _____ day of _____, 19 _____.

Director

RECEIVED
DEC 16 197

Sim



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

November 3, 1986

RE: Permit No. 65-12710

City of Fruitland
Box 324
Fruitland, ID 83619

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

If you do not concur with the information shown on the draft license, please advise the Department within ten (10) days. If you have any questions, please let us know; otherwise, the license will be issued as identified on the draft copy.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED
DEC 10 1986

MEMORANDUM

TO: File
 FROM: Jim Johnson
 DATE: 10-22-86
 RE: Beneficial Use Field Report Review

Right No. 65-12710

Comments

Part A - General Info.

EXAM CONDUCTED BY CERTIFIED
 EXAMINER

Part B - Overlap Review

- OK

Part C - System Description

- PHOTOS - OK

Part D - Flow Measurements

- METER READING 156 gpm = 0.35 cfs.

Part E - Flow Calculations

$$Q = \frac{10 \text{ HP} (8.8) \cdot 70}{70 + 52(2.31)} = \frac{61.6}{190} = 0.32 \text{ cfs}$$

Part F - Volume Calculations

N/A $\frac{0.32 - 0.35}{0.35} = \frac{0.03}{0.35} = 8.6\%$

REASONABLE
 ERROR.

Part G - Remarks

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Part H - Recommendations

DEC 16 1986
 - ALLOW DISCHARGE OF 156 GPM
 or 0.35 rather than recommendation
 shown on field report

OCT 21 1986

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-12710

1. Owner: CITY OF FRUITLAND

Phone No. 452-4421

Current Address: P.O. BOX 324, FRUITLAND, Id. 83619

2. Accompanied by: JERRY MORDHORST

EXAM. DATE: 9-12-86

Address: P.O. BOX 324, FRUITLAND Id

Phone No. 452-4421

Relationship to Permit Holder: EMPLOYEE

3. Source: GROUND WATER tributary to _____

8. OVERLAP REVIEW

1. Other water rights with same place of use: 65-2783(1), 65-0055(3), 65-7049 (4±5)
65-7611(11), 65-12766(15), 65-12099(9), 65-12370(10) Copies Attached

2. Other water rights with same point of diversion:

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached

UNCLASSIFIED
DEC 16 1986

Scale: 1" = _____

2. ☐ Copy of U.S.G.S. 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 or more).
- ☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
FLOW METER	PROP	ROCKWELL	W-350DR	1161794	3	UNK

2. Measurements:

used stop watch to time flow meter - 156 GPM
on two, one minute runs

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

SEE ABOVE

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

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

2. Volume Calculations for Other Uses:

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DEC 16 1966

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc)

WELL # 14 - 12" DIAMETER WELL CASING WITH 8" DIAMETER
S.S. SCREENS - 10 HP BERKELEY SUBM. PUMP MODEL
GS2AM-3-10 - PUMPING 156 GPM @ 52 PSI - 3"
DIAMETER DISCHARGE PIPING WITH METER, PRESSURE
GAUGE & SAMPLE TAP - DISCHARGES IN 6" DIAMETER
MAIN

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
WELL # 14	UNK	10	UNK	BERKELEY	GS2AM-3-10
					SEE ATTACHED
					CURVE - # UNK

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
14		SE	SE	NE	27	8N	5W	PAYETTE	CITY MAP

6. Place(s) of Use:

Indicate Method of Determination CITY MAP

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8N	5W	14										M							
		15			M		M	M	M	M	M	M	M		M	M			
		16																M	
		21					M												
		22	M	M	M	M	M		M		M	M		M	M	M	M		
		23					M				M	M							
		26					M	M											
8N	5W	27	M	M	M	M		M		M					M				

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DEC 10 1980

Do not use this space

H. REMARKS AND OVERLAP REVIEW ANALYSIS

NONE AT THIS TIME

I. RECOMMENDATIONS

1. Recommended Amounts

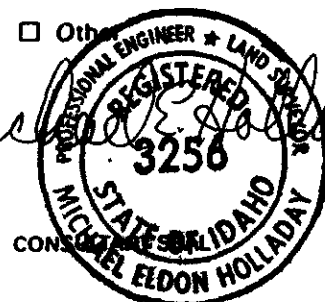
Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
CITY OF FRUITLAND	1-1	12-31	0.39 CFS	
MUNICIPAL USE				
Totals:			0.39	

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name MICHAEL E. HOLLADAY
Signature Michael E. Holladay
Certification Date July 9, 1986
Field Report Preparation Date Sept 12, 1986



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

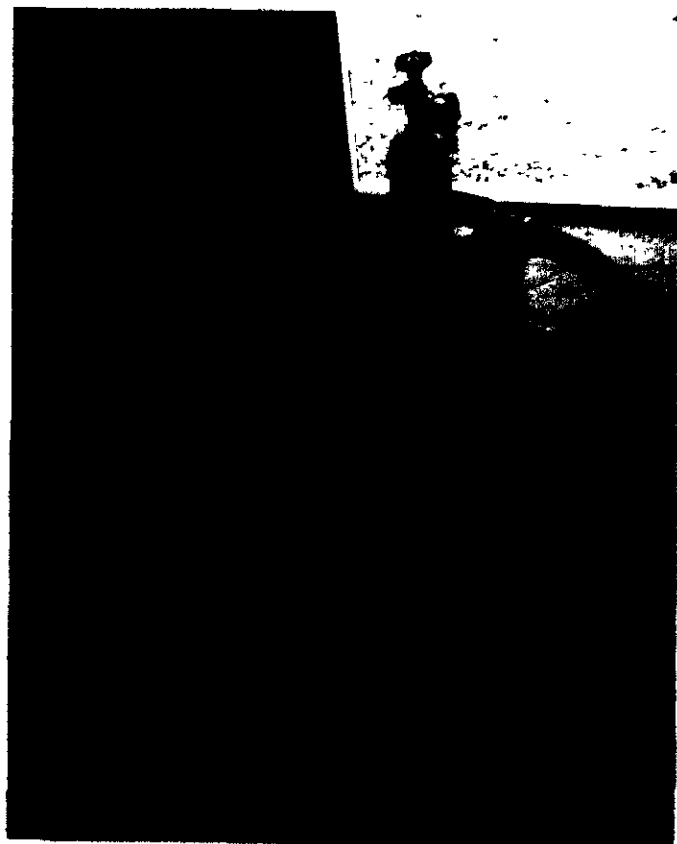
MICROFILMED

DEC 16 1986

City of Fruitland Well No. 14 - Beneficial Use Field Report - Attachment to Form 219

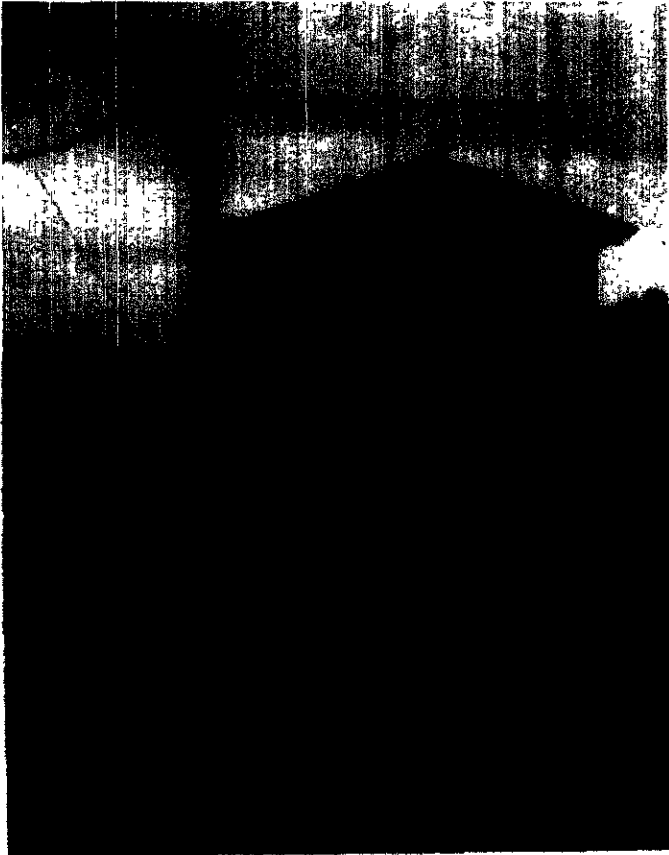


Well Casing with piping,
vent and electrical
connection



Well Casing with piping,
sample tap, meter and
pressure gauge.

City of Fruitland Well No. 14 - Beneficial Use Field Report - Attachment to Form 219

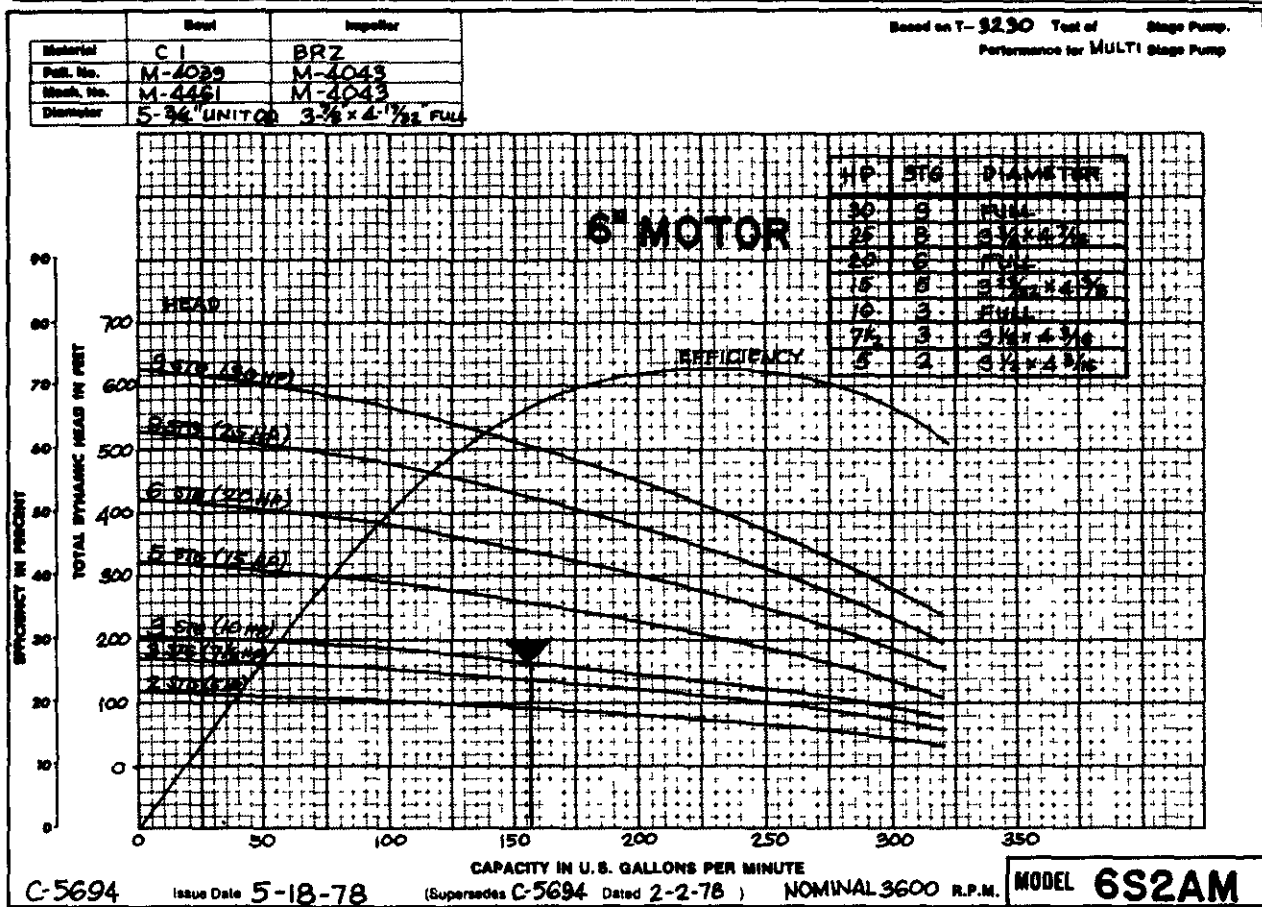


Well house and power
supply looking north
toward elevated tank

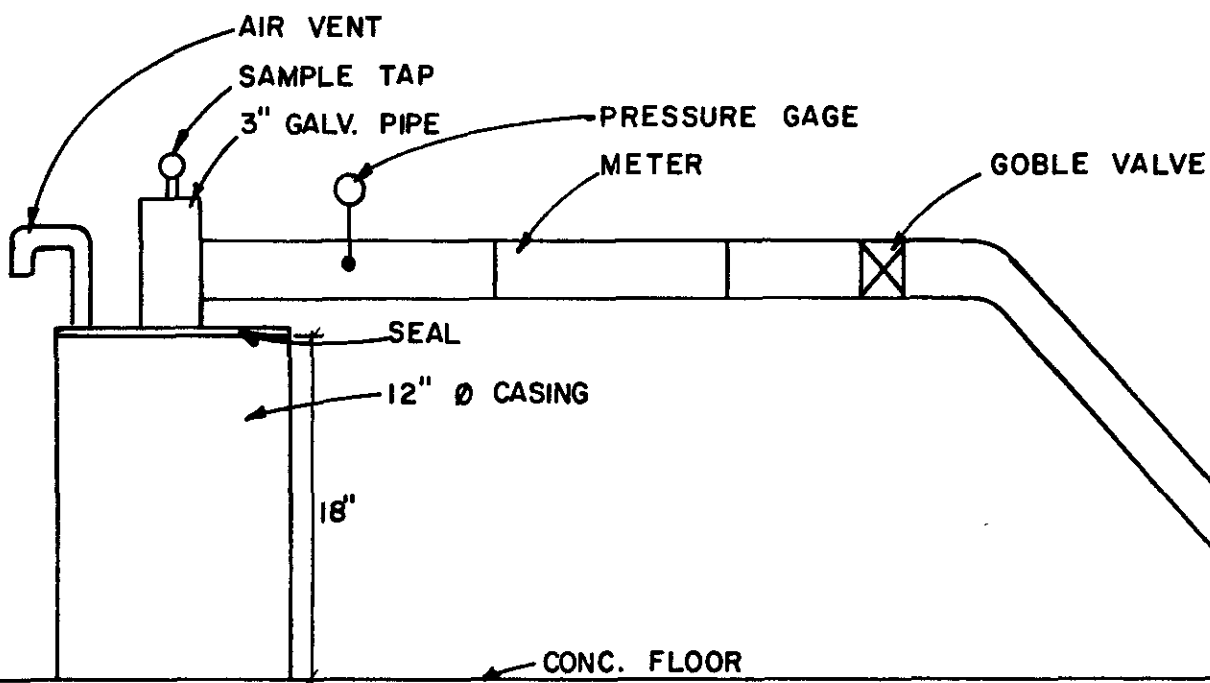


BERKELEY PUMP COMPANY
SUBMERSIBLE TURBINE PUMPS
6" AND 7" BOWLS
PERFORMANCE CURVES

CURVE	2500
DATE	6-5-78
PAGE	1.72
SUPERSEDES	
NEW	



CITY FRUITLAND WELL #14
BENEFICIAL USE FIELD REPORT
ATTACHMENT TO FORM 219

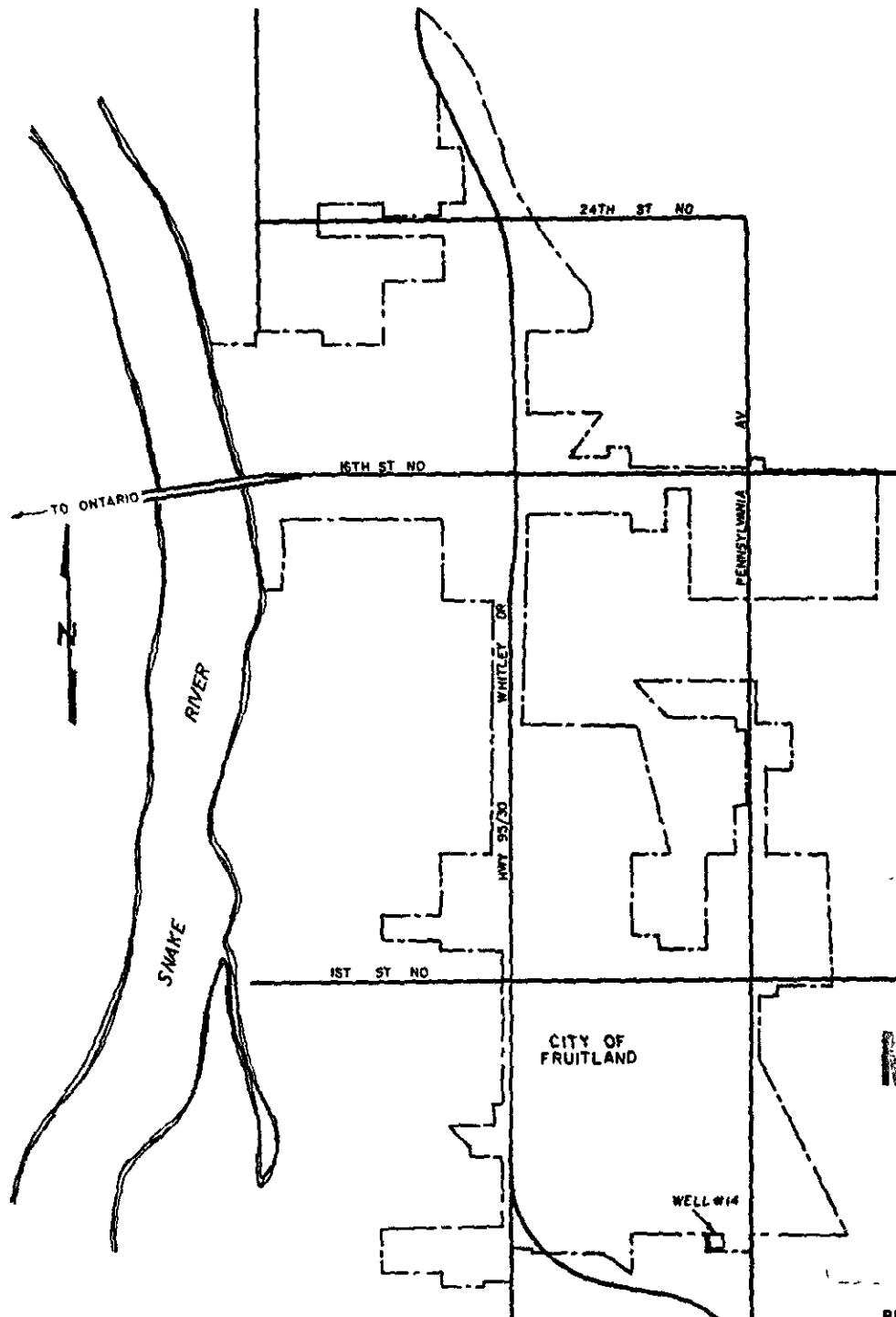


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DEC 16 1986

CITY OF FRUITLAND WELL #14

BENEFICIAL USE FIELD REPORT
ATTACHMENT TO FORM 219



MICROFILMED

DEC 16 1986

SEPTEMBER 1986

PROJECT NO. 050584

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name City of Fruitland
Address Fruitland, Idaho 83619
Owner's Permit No. 65-84-C-0017-000

7. WATER LEVEL

Static water level 22 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature 56°F. Quality good
Describe artesian or temperature zones below _____

2. NATURE OF WORK

W.R. 65-12710

- ☒
- New well
- ☐
- Deepened
- ☐
- Replacement
-
- ☐
- Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

8. WELL TEST DATA

☒ Pump ☐ Bailer ☐ Air ☐ Other _____Discharge G.P.M. 650 Pumping Level 55 Hours Pumped 8

3. PROPOSED USE

- ☐
- Domestic
- ☐
- Irrigation
- ☐
- Test
- ☒
- Municipal
-
- ☐
- Industrial
- ☐
- Stock
- ☐
- Waste Disposal or Injection
-
- ☐
- Other _____ (specify type)

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
18	0	14	Brown clay		
18	14	32	sandy brown clay		
18	32	38	Brown sand (fine)		
18	38	42	brown clay		
12	42	56	sand gravel		
12	56	60	brown clay		
12	60	65	brown sand		

5. WELL CONSTRUCTION

I used two different
thickness of casing
Casing schedule: ☒ Steel ☐ Concrete ☐ Other
Thickness Diameter From To
250 inches 12 inches 40 feet 66 feet
380 inches 12 inches 43 feet 40 feetWas casing drive shoe used? ☒ Yes ☐ No
Was a packer or seal used? ☒ Yes ☐ No
Perforated? ☒ Yes ☐ No
How perforated? ☐ Factory ☐ Knife ☒ Torch
Size of perforation 5 inches by 5 inchesNumber From To
288 perforations 47 feet 60 feet
perforations feet feet
perforations feet feetWell screen installed? ☒ Yes ☐ NoManufacturer's name JohnsonType wood Model No. _____Diameter 8 Slot size 40 Set from 40 feet to 55 feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☒ Yes ☐ No Size of gravel 5 inPlaced from 18 feet to 60 feetSurface seal depth 18 Material used in seal: ☐ Cement grout☒ Bentonite ☐ Puddling clay ☐ _____Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing☒ Overbore to seal depthMethod of joining casing: ☐ Threaded ☒ Welded ☐ Solvent

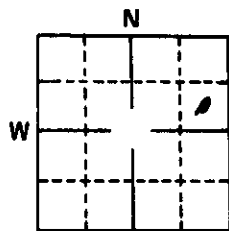
Weld

☐ Cemented between strata

Describe access port _____

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County Payette

SE 1/4 NE 1/4 Sec. 27, T. 8 (N), R. 5 (W)

10.

Work started 2-26-84 finished 3-12-84

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.Firm Name Dallas Drilling Firm No. 224Address Rt. 1 Box 47 B Date 3-23-84Signed by (Firm Official) Johnny J. Hoffand
(Operator) Johnny J. Hoff

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

Well #14

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name City of Fruitland
Address Fruitland, Idaho
Owner's Permit No. _____

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

☐ Domestic ☐ Irrigation ☐ Test ☒ ~~Municipal~~
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☒ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ No

Was a packer or seal used? ☐ Yes ☐ No

Perforated? ☒ Yes ☐ No

How perforated? ☐ Factory ☐ Knife ☒ Torch

Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☐ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth _____ Material used in seal: ☐ Cement grout ☒ Bentonite ☐ Puddling clay ☐ _____

Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth

Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld

☐ Cemented between strata

Describe access port _____

7. WATER LEVEL

Static water level 22 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature 56°F. Quality good
Describe artesian or temperature zones below.

8. WELL TEST DATA

☒ Pump ☐ Bailer ☐ Air ☐ Other

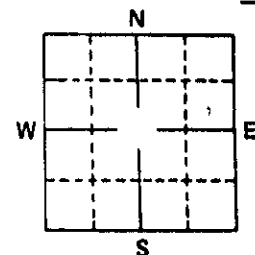
Discharge G.P.M.	Pumping Level	Hours Pumped
650	55	8

9 LITHOLOGIC LOG

[illegible]

3. LOCATION OF WELL

Sketch map location must agree with written location



Subdivision Name WILSON
DEC 16 1986
 Lot No. _____ Block No. _____

County San Diego
 _____ 1/4 _____ 1/4 Sec. 2 T. _____ N/S. R. 2 E/W.

11. DRILLERS CERTIFICATION

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

Firm Name Dallas Builders Firm No. 224

Address 1111 17th St Date 3-2-38

Signed by (Firm Official) John D. Hoff
and
(Operator) Robert L. Hoff



HOLLADAY ENGINEERING CO.

ENGINEERS • CONSULTANTS

1431 Bus. Alt.-Hwy. 95

P.O. Box 211

Payette, ID 83661

(208) 642-3304

July 10, 1986

RECEIVED
JUL 14 1986

Honorable Joseph P. Wozniak, Mayor
City of Fruitland
P. O. Box 324
Fruitland, ID 83619

Department of Water Resources

Re: City of Fruitland Well No. 14--Field Examination of Well
for Department of Water Resources Project No. 050584

Dear Mayor Wozniak:

Thank you for the opportunity to perform the field Examination
of Well No. 14 for the City of Fruitland.

We are in the process of being certified by the Department and
will complete the examination as soon as our certification is
issued.

If you have any questions, please call.

Sincerely,
HOLLADAY ENGINEERING CO.

Michael E. Holladay
Michael E. Holladay, P.E.

MEH/db

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DEC 10 1986

RECEIVED
JUL 24 1986

Department of Water Resources
Western Regional Office

EXAM TO BE COMPLETED
BY HOLLADAY ENGINEERS

RECEIVED
JUL 15 1986

Department of Water Resources
Western Regional Office

STATE OF IDAHO

For Office Use Only
Fee Received N/A *OK*
Date 7/29/86
Receipt # 2
Receipt by [Signature]
Sent to S.O. 7/29/86

RECEIVED
JUL 14 1986

Department of Water Resources
Western Regional Office

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

1. Permit No. 65-12710

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE

☐ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: City of Fruitland

3. Post Office Address: P. O. Box 324

Fruitland, ID 83619 Telephone No. 452-4421

4. Source of Water: Groundwater

5. Extent of Use:

Domestic 790 (No. of households) Stockwater (No. and type of stock)

Irrigation (acres) Other/Remark

6. Total rate &/or volume for which proof is submitted 0.56 cfs acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

December 2, 1985

8. Person to contact to accompany the department representative during the field examination:

(Name)

(Address)

(Telephone Number)

☒ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner. I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

Date

July 10, 1986

Signature of Permit Holder (and title, if appropriate)

[Signature] City Clerk

State of Idaho
Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse
Boise, Idaho 83720

65-12710
CITY OF FRUITLAND
P.O. BOX 324
FRUITLAND, ID 83619

138664

June 5, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

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of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

RECEIVED
DEC 15 1986

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

JANUARY 25, 1986

CITY OF FRUITLAND
P.O. BOX 324
FRUITLAND ID 83619

RE: Permit No. 65-12710

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

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

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 334-2190 or in person in the third floor State Towers Building, 450 West State Street, Boise.

Sincerely,
s/Judy Pense
Secretary

MICROFILMED

DEC 16 1980

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
DEC 3 1985

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 65-12710

Name(s) of Permit Holder: City of Fruitland

Post Office Address: P.O. Box 324 Fruitland, Idaho 83619

Telephone No. 452-4421

Source of Water: Ground Water Well

Extent of Use.

Domestic 790 (number of households)

Stockwater _____ (number and type of stock)

Irrigation _____ (acres)

Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: March or April 1986

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☐ No

Flow Measurement Port: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☐ No

Person to contact to accompany the Department representative during the field examination:

Rick S. Watkins
(Name)

200 S. Whitley Fruitland, Idaho
(Address)

452-4421
(Telephone Number)

MICROFILMED

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

December 2, 1985
Date

Rick S. Watkins Rick S. Watkins, City Administrator
Signature of Permit Holder (and Title, if appropriate)

NOTE: MAYOR JOHN SHELDEN HAS RESIGNED AFTER THIS PERMIT WAS APPLIED FOR.

1228

City of Fruitland

P.O. Box 324

Fruitland, Idaho 83619



Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720

T A T E O F I D A H
D E P A R T M E N T O F W A T E R R E S O U R C E S

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
NOVEMBER 30, 1985

138581

CITY OF FRUITLAND
P.O. BOX 324
FRUITLAND, ID 83619

P R O O F D U E N O T I C E

RE: PERMIT NO. 65-12710

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 FEBRUARY 1, 1986. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST.) ENCLOSED IS A FORM WHICH 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 A COMPLETED PROOF OF BENEFICIAL USE FORM OR A 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,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED

March 22, 1985

John H. Sheldon, Mayor
City of Fruitland
P. O. Box 324
Fruitland, ID 83619

Dear Mayor Sheldon:

Re: Application for Permit No. 65-12710

Enclosed is a copy of the approved Application for Permit No. 65-12710 along with a copy of the Proposed Memorandum Decision and Order and Order Adopting Proposed Memorandum Decision and Order. Please note the conditions of approval as set forth in the proposed order.

Any person who does not agree with the decision of the Department may request a rehearing before the Director within 20 days or may appeal directly to the district court within 30 days of the date the decision is mailed.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

Enclosures

cc: Bert L. Olson, Attorney
Katherine D. & Benedict A. Hennigeler
James R. & Opal F. Holt

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: 625 APPLICATION NUMBER: 65 12710

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.

Field check by: _____

Date: _____

Comments: _____

- ☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☒ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: dr Date: 4/19/84

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☒ Yes ☐ No Other rights on same place of use. 65-7049, 65-12099
65-12370, 65-7611, 65-2783
☐ Yes ☐ No* In form for advertising.
Final date for protests: may 14, 1984
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 6/16/84
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application. 45132598
☒ Publication dates and paper, recorded on application. Payette Independent Enterprise
W26 # 5/3/84.
☒ Protests, dates, withdrawal, etc., recorded on application.
☐ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what district? Payette Co.
4-13-1984 Date of priority recommended.
Special conditions of approval or cover letter. _____

Be sure to reduce amt. on page 1 of app. to 0.39 if PMD20 is approved - Ray

By: _____
STATE OFFICE REVIEW:
send receipt -

105, LK0

- ☐ See attached sheet for more information.

By: Mike

Date: 7-19-84

RECEIVED

JUL 19 1984

Department of Water Resources

MICROFILMED

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

SPECIAL NOTE: _____

Application No. 65-12710

PROTEST INFORMATION SHEET

Protestant - Name(s)

Katherine D. &/or Benedict A. Henggeler
James R. & Opal J. Holt

Address Box 211 Fruitland, ID 83619
614 Minnesota Ave. Box 273, Fruitland, ID. 83619

Attorney - Name & Address _____

Date Filed 5/4/84 5/7/84 Protest Date 5/7/84

Issues Well Interference

Applicant - Attorney - Name & Address _____

Dates: _____

Acknowledgement letters: 5/7/84

Hearing Notice: 6/1/84

Hearing Date: 6/12/84

Other: _____

MICROFILMED

Protest Information submitted in Computer (following hearing): _____

RECEIVED

JUL 13 1984

RECEIVED

JUL 5 1984

July 3, 1984

035

65-12710 #

Dear Sir,
Department of Water Resources
Western Regional Office

Department of Water Resources

We received a copy of the letter that was sent to you by the City of Fruitland in regards to our water protest. I would like to clarify their letter a bit, if I might.

Mr. Ben Henggeler & myself met with the City Council at a special meeting to see if we could get together with them on settling the water situation. We requested, that if their well does affect our wells, that they drill our well to the same depth as theirs & install a pump capable of handling the increased depth. Also we asked for a period of 15 years to uncover any future damage. They refused this & did not make us any counter offer at all & added (Mayor Sheldon) that the City felt we had no need of any contract at all. At this point, Mr. Henggeler & myself requested that the Water Resources Dept. make the final ruling.

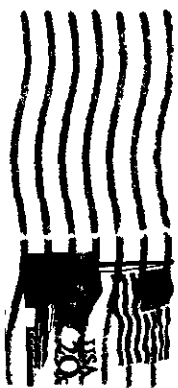
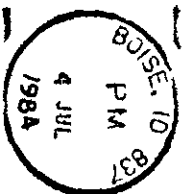
We are hoping that there will be no damage to our wells in the future, but feel that we should have some sort of insurance.

Thank you,

MICROFILMED

James R. Reed

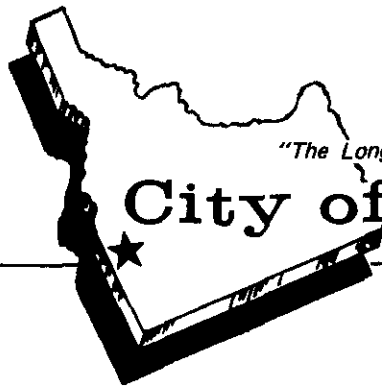
Jim, Opal Holt
Box 273
Fruitland, ID. 83619



State, Dept. of Water Resources
Western Region, State House
Boise, Idaho 83720

MICROFILMED

Artin, not Heenan



"The Longest Little City In Idaho"

City of Fruitland

Area Code 208
Phone 452-4421

P. O. Box 324
FRUITLAND, IDAHO 83619

27 June 1984

State of Idaho
Dept. of Water Resources
Statehouse
Boise, Idaho 83720

ATTN: DAVID S. SHAW

Dear Mr. Shaw,

The Fruitland City Council discussed the matter of the protests against our application #65-12710 at their meeting held last night.

The Council feels we are at an impasse in reaching any sort of an agreement that would be acceptable to the parties involved. We therefore request a decision from the informal hearing held June 12, 1984 at the Payette County Courthouse as soon as possible.

Thank you for your cooperation.

Sincerely,



John H. Shelden, Mayor

CC: Mike Holladay
Bert Osborn
Mr. & Mrs. Jim Holt
Mr. & Mrs. Ben Henggeler

RECEIVED
JUN 29 1984

Department of Water Resources
Western Regional Office

MICROFILMED

65-12710

City of Fruitland
Mayor - John Sheldon
Attny - ~~Barry~~ Osborn
Engr. - Mike Holladay

6-12-84

Protestants

Benedict & Katherine Henggele -

James & Cpel Holt -

Mike - City Engr.

Well #14

Well drilled to 400 - W Test Well A
to give 145 & 27.

Summertime use demands ~~the~~ use of all existing well
Well was

8 existing well - 6 being used →

Well 4 is out of ~~service~~ service is in the North end

Mr Henggele water right -

Pumped well day at 620 gpm - W/L dropped to 55'
W/L 15' 4"

Centrifical Pump -

Well is used only for irrigation 75 x 150
~~20 x 50~~

Mr Holt

Drilled 5/1981 - Lawn & Garden - 11" x 150

165 gpm production capacity - Would cause 1 ft. drawdown -

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①

June 12, 1984 1130 P.M.

GS-12710 - City of Fruitland

App - City of Fruitland - Bert Osborn - ath.

- Mike Holladay - engr.

- John Sheldon - mayor

- Rick S. Watkins

Prot: Mr. & Mrs. Henggeler - self

Mr. & Mrs. Holt - - self

Also - Donald Barber[?], Robert Himes

Mike Holladay - Well #14 - Municipal
Test well A - tried to 400' - tried
to find additional water besides 35-60'
known aquifer - tried to find good quality,
deep, high production.

Summer use - City did not have any
reserve well capacity - land donated, good
location to tie into city system.

8 wells presently available - 2 out
of service - 1 additional abandoned ~~usage~~,
no power but hole has not been plugged.

Mr. Henggeler - wanted from City an insurance
that he would be supplied water.

15' 4" to water in Henggeler - 42' deep
well - centrifugal pump set on top
of well - 20' max lift.

Uses well for irrigation - ordinance against
hooking private well up to house.

MICROFILMED

Himes - has nearby domestic well

Henngeler - 65-6938 - check claim

Holt - 5/1981 well drilled - no record
lawn & garden irrigation associated w/house
Holladay - 175 gpm is anticipated production
of city well - draw down in other
wells is about 1' - see report.

- agreement w/ School is partly
for 100' ft square clear area (non-
polluting agreement)

Henngeler - 75 X 150' lot + 20 X 50 ?

Holt - 90 X 150 lot + 20 X 50 ?

CITY OF FRUITLAND

**PROPOSED
WELL NO. 14**

ENGINEERING REPORT

**Prepared By
HOLLADAY ENGINEERING
COMPANY**

MICROFILMED

SCOPE

This report reviews the design, location, construction, capacity, necessity and proposed monitoring program.

CONCLUSIONS

The construction and operation of Well No. 14 is required by the City of Fruitland's domestic water usage. The well will provide domestic, fire, and irrigation supply for the City. The well will provide the City with an additional supply to allow for maintenance of wells without curtailing usage during the peak usage months. The well will reduce the time that the other wells in the system must run to provide water during the summer months. Well No. 14 will also allow the reserve capacity to provide fire protection in the summer months that does not exist at the present time.

RECOMMENDATIONS

1. Complete construction of Well No. 14 as soon as possible.
2. Work with the State of Idaho Water Resources to gain the permit required for usage of the well.
3. Work with the adjacent irrigation well owners to provide a reasonable settlement of their concerns with respect to water usage.
4. Institute a program of well monitoring to determine draw down and usage of all wells in the area of Well No. 14.

HISTORY OF EXISTING WELL SYSTEM

The City of Fruitland now has eight (8) wells in service that provide approximately 1200 gallons per minute, under maximum production. Due to the age of four of the wells we have experienced many problems with the production capacity of the wells ; the problems have included motors, pumps, and sand migration into the casing.

The static water table in the wells on the North end of the city have shown a decrease of 8 to 12 feet since 1967, based on records filed at City Hall. Five of the City's wells are located on the North end.

DEMOGRAPHICS OF SERVICE AREA

The present domestic water system services 2559 residents, of which 80-90% use the domestic water system to provide irrigation. The present area is serviced by an elevated 200,000 gallon tank and a ground level 1,000,000 gallon tank with booster pumps.

The winter time demand is supplied by two wells, except in the case of a fire. Summer demand requires that eight wells be used to supply water for the system.

WELL NO. 14

Well No. 14 was drilled in the existing location because of a gift of the property to the City by E. M. Mell, a member of the City Council. The site was in an excellent location on the South end of the domestic system with a six (6) inch diameter water main adjacent to the site.

Well No. 14 was drilled to a depth of 400 feet to evaluate the water bearing materials below the upper layer of ~~45 to 60 feet~~ below the surface. The drilling uncovered two layers of material, but both layers contained hydrogen sulfide gas, making them unacceptable as domestic water sources.

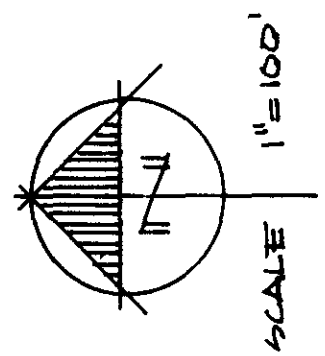
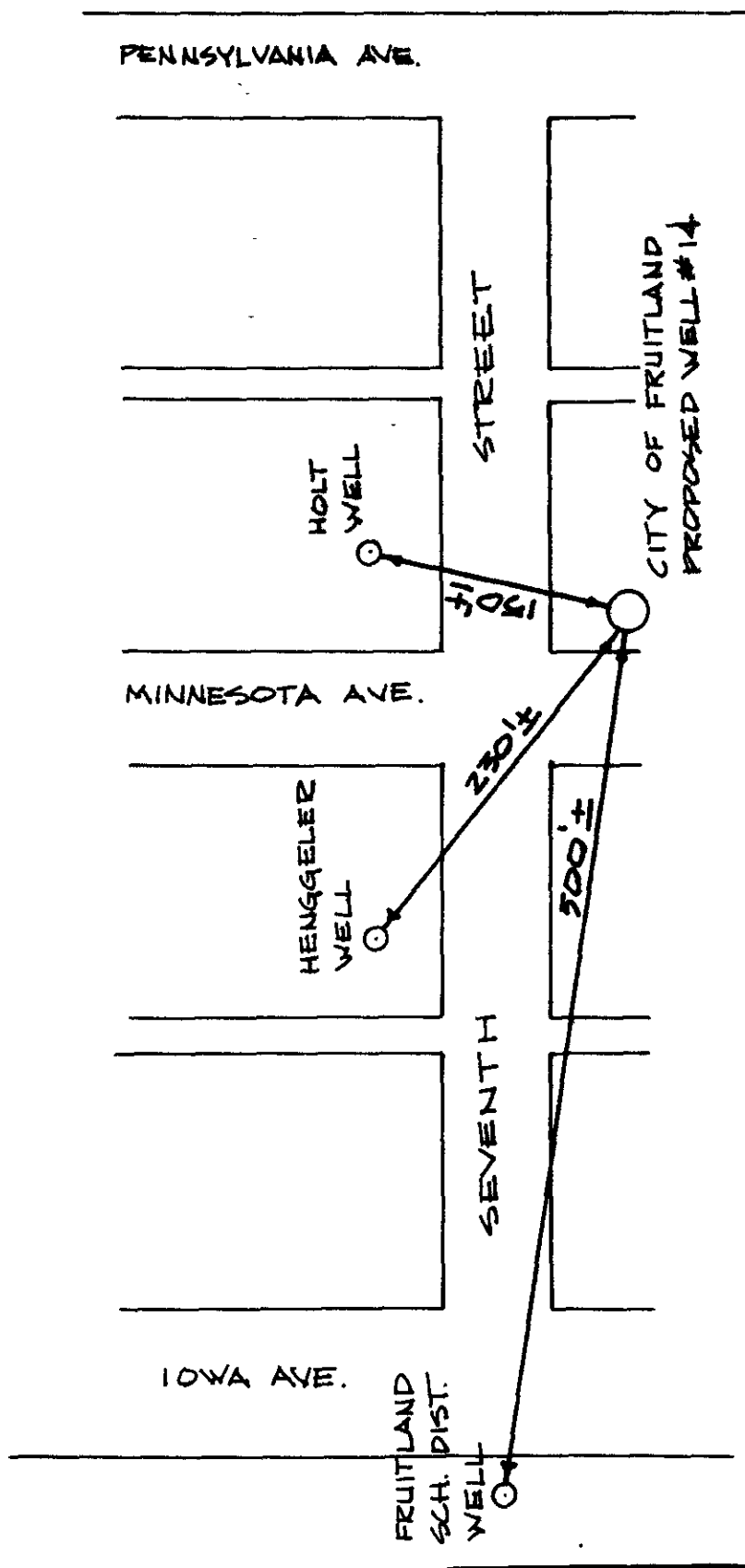
The well was drilled as a test well or hole. The well logs of exploratory gas and oil wells in the area noted water bearing materials at deeper depths that produced artesian flows. The well was drilled with the concept of using the high volume artesian flows as a part of the domestic water system or use it to recharge the existing aquifer.

After reaching the 400 foot level it was decided that the quality of the water encountered did not justify their usage in the domestic system, based on the hydrogen sulfide gas content. The deeper portion of the well was abandoned and a screened well was constructed from ~~45 to 60 feet~~ below the surface.

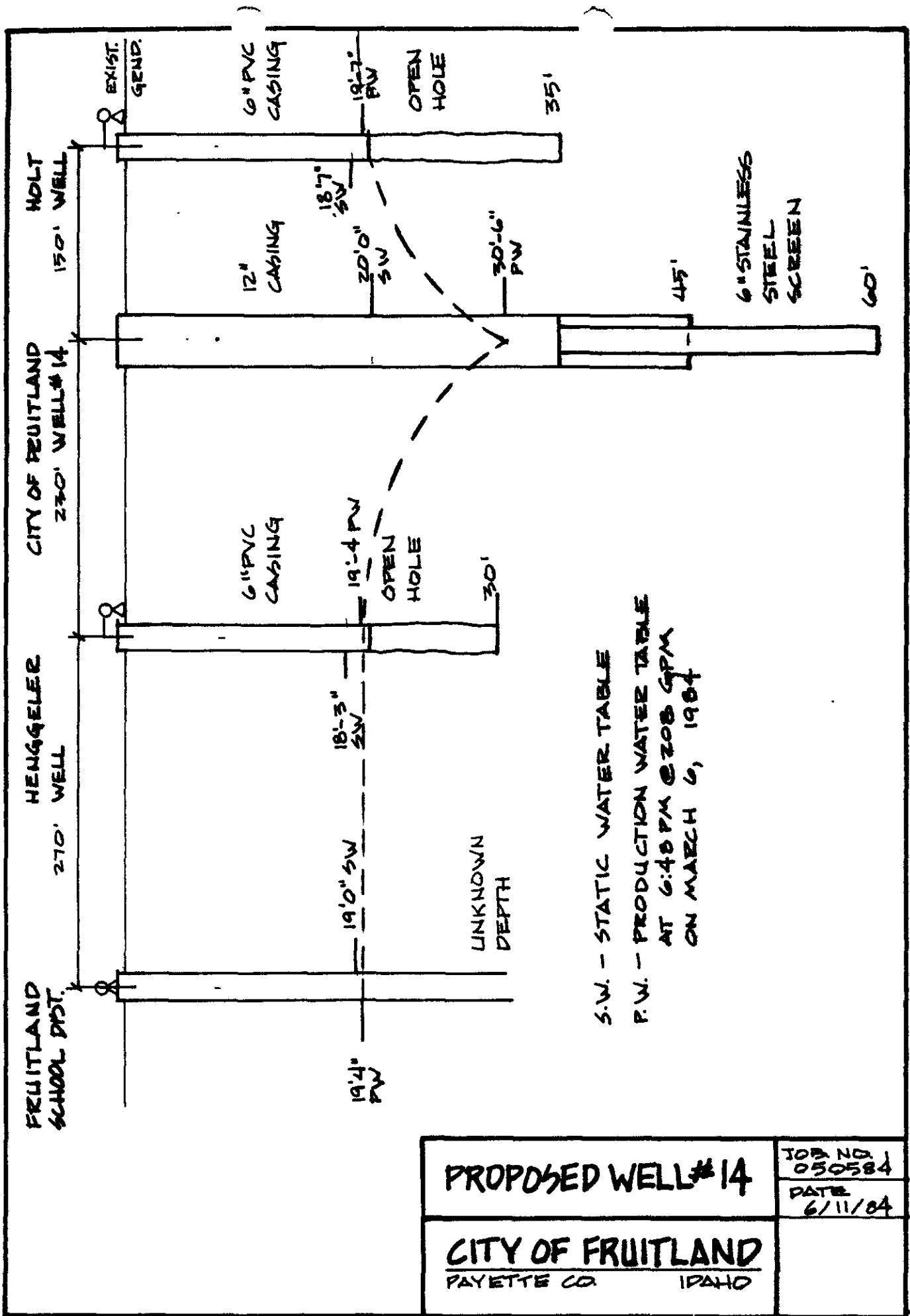
During the construction of the well a perforated casing was installed to a depth of 65 feet. Development of the aquifer was started using surging equipment and air. Final development was accomplished using a high capacity pump. The pump capacity was approximately 600 gallons per minute. The pump removed fine sand, silts and clays from the formation. During the pump development stage, Mr. Henggeler's pump was running and it broke suction. The City did not make an attempt to monitor the draw down during this stage of development.

During the test pumping of the developed well, the City monitored the draw down in Mr. Holt's, Mr. Henggeler's and Fruitland School District's wells. The results are included in this report for review.

The proposed product volume of Well No. 14 is set at ~~175 gallons~~
~~per minute.~~



JOB NO 050584	DATE 6/11/84	
PROPOSED WELL # 14		<u>CITY OF FRUITLAND</u> PAYETTE CO., IDAHO



DRAW DOWN DATA FROM PUMP TEST ON MARCH 6, 1984*

TIME	VOL. GPM	WELL #14	HOLT	HENG- GELER	SC.H.	TIME	VOL. GPM	WELL #14	HOLT	HENG- GELER	SC.H.	TIME	VOL. GPM	WELL #14	HOLT	HENG- GELER	SC.H.
STATIC	0	20'-0"	18'-7"	18'-3"	19'-0"	4:22		30'-3"			18'-9"	6:15		30'-5"	19'-7"		
2:58			18'-7"			4:23		30'-3"				6:18		30'-5"			
2:59	93	23'-11"				4:24		30'-3"				6:19		30'-5"			
3:00		23'-11"				4:30			19'-5"	19'-0"		6:20				19'-3"	
3:01		24'-0"				4:33						6:30					
3:02		24'-1"				4:34		30'-3"				6:33					
3:03		24'-1"				4:38						6:34	206	30'-6"			19'-35"
3:08	110	24'-11"				4:39		30'-3"				6:38					
3:10			19'-2"			4:45			19'-5"	19'-1"		6:45			19'-7"		19'-4"
3:12		24'-11"				4:48						6:48					
3:13		24'-11"				4:49		30'-3"				6:49		30'-6"			
3:15						4:52											
3:18	110	24'-11"			18'-6"	5:00			19'-5"	19'-1"							
3:19	192	28'-0"				5:03		30'-4"									
3:21		29'-2"				5:04											
3:22		29'-2"				5:08											
3:23	207	29'-2"	19'-3"			5:15			19'-5"	19'-15"							
3:25				19'-2"		5:18											
3:28		29'-2"			18'-9"	5:19		30'-45"									
3:33		30'-0"				5:30			19'-6"	19'-15"							
3:38		30'-0"				5:33											
3:48		30'-0"				5:34	206	30'-5"									
4:00			19'-4"			5:38			19'-65"	19'-4"							
4:03				19'-0"		5:45											
4:08			19'-5"			5:48		30'-3"									
4:15					18'-9"	5:49											
4:18	208	30'-1"		19'-0"		5:52			19'-7"	19'-3"							
4:19		30'-3"				6:00											
4:20		30'-3"				6:04											
4:21		30'-3"				6:08											

* MEASUREMENT FROM TOP OF CASING

JOBS NO. 030384
DATE 6/11/84

PROPOSED WELL #14

CITY OF FRUITLAND
FRYETTE CO. IDAHO

Received at conference
on 6-12-84,, Payette
from the applicant -

CITY OF FRUITLAND

**PROPOSED
WELL NO. 14**

ENGINEERING REPORT

**Prepared By
HOLLADAY ENGINEERING
COMPANY**

MICROFILMED

SCOPE

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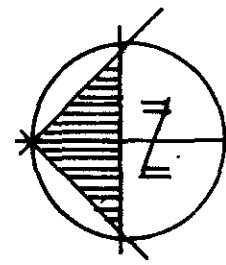
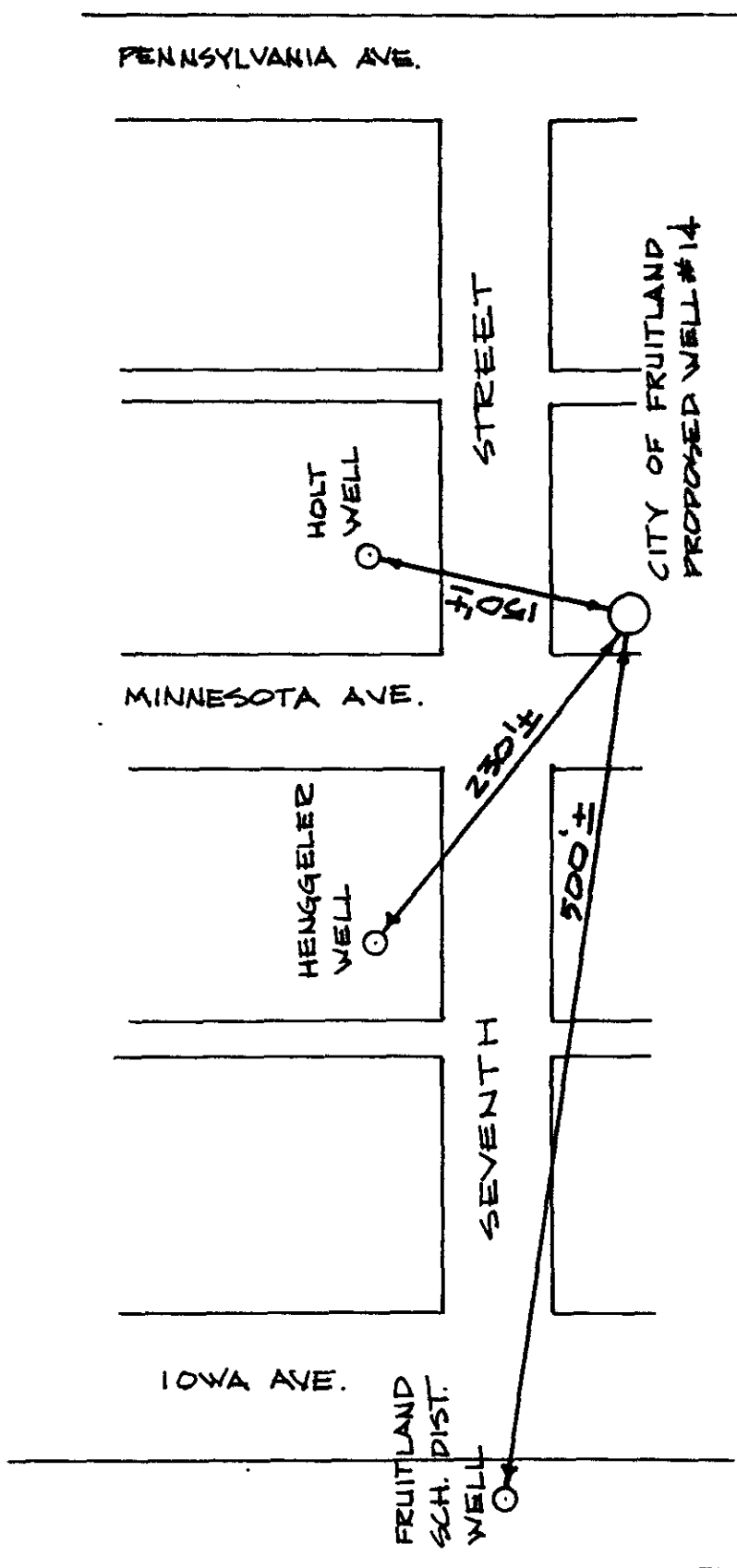
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After reaching the 400 foot level it was decided that the quality of the water encountered did not justify their usage in the domestic system, based on the hydrogen sulfide gas content. The deeper portion of the well was abandoned and a screened well was constructed from 45 to 60 feet below the surface.

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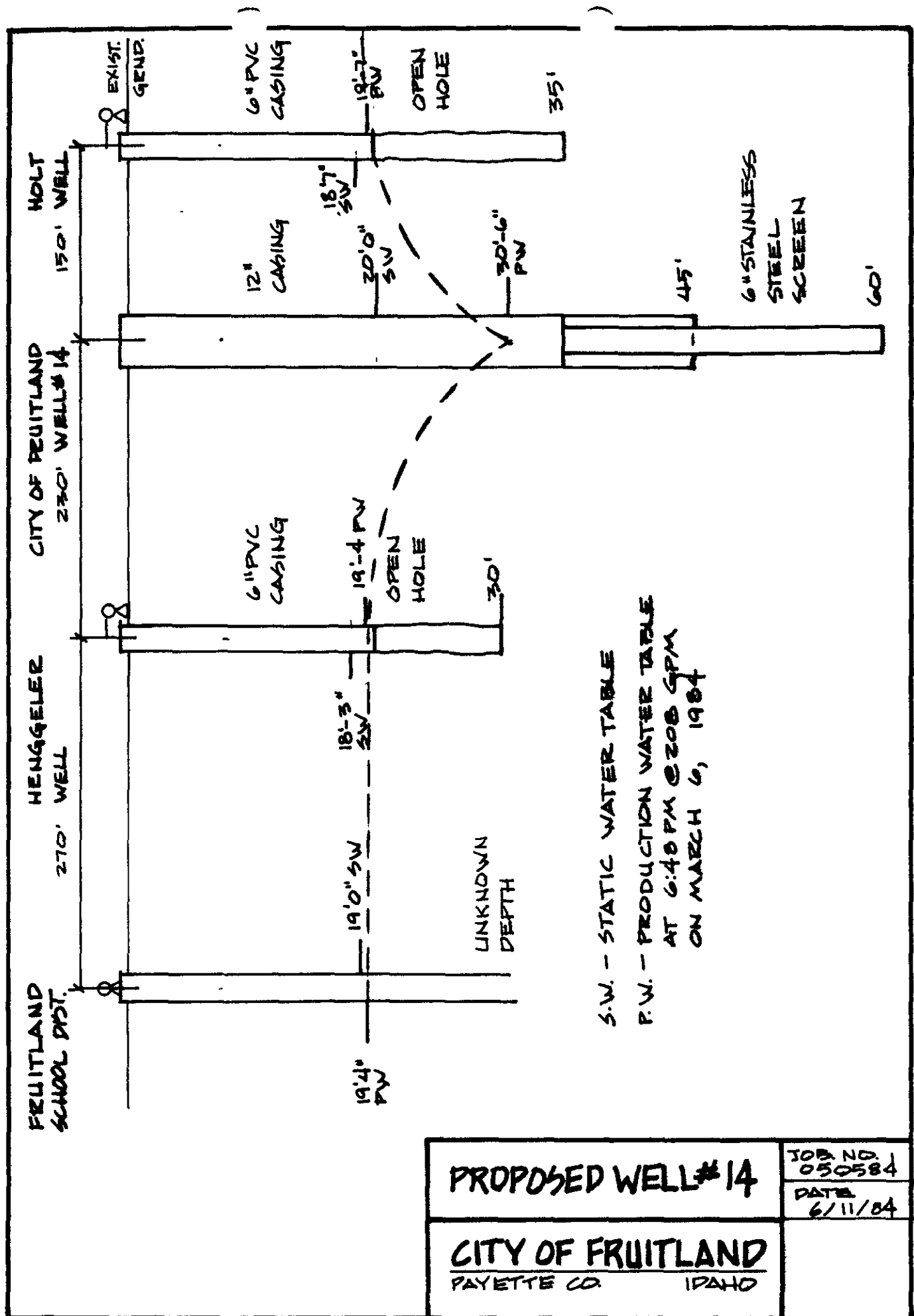
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The proposed product volume of Well No. 14 is set at 175 gallons per minute.



SCALE 1"=100'

JOB NO. 050384	DATE 6/11/04	PROPOSED WELL # 14
CITY OF FRUITLAND PAYETTE CO., IDAHO		



PROPOSED WELL #14

JOB NO. 050584
DATE 6/11/84

CITY OF FRUITLAND
PAYETTE CO. IDAHO

DRAW DOWN DATA FROM PUMP TEST ON MARCH 6, 1984*

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3:02		24'1"				4:34		30'3"				6:33					
3:03		24'1"				4:38					18'9"	6:34	206	30'6"			
3:08	110	24'11"				4:39		30'3"				6:38					
3:10			19'2"			4:45			19'5"	19'1"		6:45			19'7"		19'4"
3:12		24'11"		19'0"		4:48						6:48					
3:13		24'11"				4:49		30'3"			18'9"	6:49		30'6"			
3:15					18'6"	4:52											
3:18	110	24'11"				5:00				19'1"							
3:19	192	28'0"				5:03											
3:21		29'2"				5:04		30'4"									
3:22		29'2"				5:08											
3:23	207	29'2"	19'3"	19'2"	18'9"	5:15			19'5"	19'15"							
3:25		29'2"				5:18											
3:28		30'0"				5:19		30'4.5"									
3:33		30'0"				5:30			19'6"	19'15"							
3:38		30'0"				5:33											
3:48		30'0"	19'4"			5:34	206	30'5"									
4:00				19'0"		5:38											
4:03			19'5"		18'9"	5:45			19'6.5"	19'4"							
4:08						5:48											
4:15						5:49		30'5"									
4:18	206	30'1"		19'0"		5:52											
4:19		30'3"				6:00			19'7"								
4:20		30'3"				6:04		30'5"									
4:21		30'3"				6:08				19'3"							

* MEASUREMENT FROM
TOP OF CASING

PROPOSED WELL #14

JOB NO.
050584

DATE
6/11/84

CITY OF FRUITLAND
FRUITLAND CO. IDAHO

Re: 65-12710

Place: Payette County Courthouse, 1130 3rd. Ave. N., Payette, ID

Date: 1:30 p.m., Tuesday, June 12, 1984

Hearing conducted by: Bob Fleenor & David Shaw

ROSTER OF ATTENDANCE

[illegible]

IN THE MATTER OF PROTESTED APPLICATION
FOR PERMIT NO 65-12710 IN THE
NAME OF THE CITY OF FRUITLAND

AGREEMENT

We, the undersigned, hereby agree to allow the Director of the Department of Water Resources to reach a decision in the above captioned matter based upon the information presented at the conference held on June 12, 1984 at Payette, Idaho, the official files and records of the Department of Water Resources, the Director's understanding of the law and provided, no decision will be reached until after July 12, 1984 to allow the applicant and protestants to attempt to reach an agreement that would resolve the protests against this application and allow the protests to be withdrawn.

The decision will first be issued as a proposed decision to which the undersigned may file exceptions and request a hearing before the Director.

The undersigned understand that this agreement does not waive the right of the undersigned to apply for a rehearing as described in Rule 11 of the Department of Water Resources Rules and Regulations for Practice and Procedure or to appeal the decision of the Director of the Department of Water Resources to the District Court.

Signed this 12 day of June, 1984, at Payette, Idaho.

Send one copy each
of this agreement
to City &
both protestants

John H. Sheldon
John H. Sheldon, Mayor, City of Fruitland.
Katherine Hengge
Katherine Hengge
Benedict Hengge
Benedict Hengge
Opal Holt
Opal Holt
James Holt
James Holt

MICROFILMED

P 300-226 190

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO				
City of Fruitland				
STREET AND NO				
P.O. Box 324				
P.O. STATE AND ZIP CODE				
Fruitland, ID 83619				
POSTAGE			\$	
CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE		¢
		SPECIAL DELIVERY		¢
		RESTRICTED DELIVERY		¢
	RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED		¢
		SHOW TO WHOM DATE AND ADDRESS OF DELIVERY		¢
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY		¢
		SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY		¢
TOTAL POSTAGE AND FEES			\$	
POSTMARK OR DATE				
6/1/84				

PS Form 3800, Apr. 1976

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front)**

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, **leaving the receipt attached**, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article date, detach and retain the receipt, and mail the article
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811
6. Save this receipt and present it if you make inquiry

P 300 226 189

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO		Katherine J Benedikt Henggeler	
STREET AND NO		Box 211	
P.O., STATE AND ZIP CODE		Fruitland, ID 83619	
POSTAGE		\$	
CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE	¢
		SPECIAL DELIVERY	¢
		RESTRICTED DELIVERY	¢
	RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	¢
		SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY	¢
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
		SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES		\$	
POSTMARK OR DATE			6/1/84

PS Form 3800, Apr. 1976

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE.
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front)**

- 1 If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, **leaving the receipt attached**, and present the article at a post office service window or hand it to your rural carrier (no extra charge)
- 2 If you *do not* want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article date, detach and retain the receipt, and mail the article
- 3 If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number
- 4 If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse RESTRICTED DELIVERY on the front of the article
- 5 Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811
- 6 Save this receipt and present it if you make inquiry

P 300-226 188
RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
 NOT FOR INTERNATIONAL MAIL
 (See Reverse)

SENT TO			
James R. & Opal J. Hold			
STREET AND NO			
614 Minnesota Ave, Box 273			
P.O., STATE AND ZIP CODE			
Fruitland, ID 83619			
POSTAGE			\$
CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE	c
		SPECIAL DELIVERY	c
		RESTRICTED DELIVERY	c
	RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	c
		SHOW TO WHOM DATE AND ADDRESS OF DELIVERY	c
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	c
		SHOW TO WHOM DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	c
TOTAL POSTAGE AND FEES			\$
POSTMARK OR DATE			
6/1/84			

PS Form 3800, Apr. 1976

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE.
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front)**

1. *If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (no extra charge)*
2. *If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article*
3. *If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number*
4. *If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article*
5. *Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811*
6. *Save this receipt and present it if you make inquiry*

PS Form 3811, July 1982

- **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO"
space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
- ☒ Show to whom and date delivered \$
- ☐ Show to whom, date, and address of delivery .. \$
2. ☐ **RESTRICTED DELIVERY** \$
(The restricted delivery fee is charged in addition
to the return receipt fee.)

TOTAL \$

3. ARTICLE ADDRESSED TO:

City of Fruitland
P.O. Box 324
Fruitland, ID 83619

4. TYPE OF SERVICE:

- ☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER

P300226190

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

Barb S. [Signature]

5. DATE OF DELIVERY

JUN 4 1984

6. ADDRESSEE'S ADDRESS (Only if requested)



7. UNABLE TO DELIVER BECAUSE:

7a EMPLOYEE'S INITIALS

[Signature]

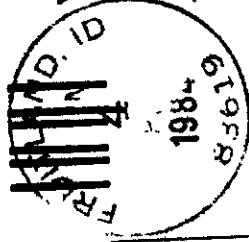
0121-56

RETURN RECEIPT

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

- Print your name, address, and ZIP Code in the space below.
- Complete Items 1, 2, 3, and 4 on the reverse.
 - Attach to front of article if space permits.
 - Enclosure article "Return Receipt Requested"
 - affixed to number.



PENALTY FOR PRIVATE
USE, \$300

**RETURN
TO**

Idaho Department of Water Resources
Western Region (Name of Sender)
Statehouse
Boise, Idaho 83720 (Street, P.O. Box)
(City, State, and ZIP Code)

PS Form 3811, Dec. 1980

- **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space
on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☒ Show to whom and date delivered —¢
☐ Show to whom, date, and address of delivery.. —¢

- 2.
- ☐
- RESTRICTED DELIVERY**
- ¢

(The restricted delivery fee is charged in addition to
the return receipt fee.)

TOTAL \$ _____

3. **ARTICLE ADDRESSED TO:**

Katherine & Benedict Henggeler
Box 211
Fruitland, ID 83619

4. **TYPE OF SERVICE:**

☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER

P300226 189

(Always obtain signature of addressee or agent)

I have received the article described above.

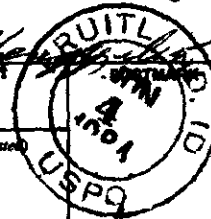
SIGNATURE ☐ Addressee ☐ Authorized agent

5. DATE OF DELIVERY 1 1984

6. **ADDRESSEE'S ADDRESS** (Only if requested)7. **UNABLE TO DELIVER BECAUSE:**7a. **EMPLOYEE'S
INITIALS**

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL.

0121-59



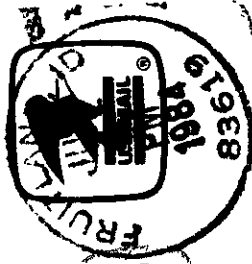
UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete boxes 1, 2, 3, and 4 on the reverse
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE
USE - \$5.00 PER ARTICLE
OF POSTAGE PAID



**RETURN
TO**

Department of Water Resources
Western Regional Office

Idaho Department of Water Resources
Western Region

Statehouse (Street or P.O. Box)
Boise, Idaho 83720

(City, State, and ZIP Code)

PS Form 3811, Dec. 1980

- **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space
on reverse

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☒ Show to whom and date delivered —¢
☐ Show to whom, date, and address of delivery.. —¢

- 2.
- ☐
- RESTRICTED DELIVERY**
- ¢

(The restricted delivery fee is charged in addition to
the return receipt fee.)

TOTAL \$ _____

3. **ARTICLE ADDRESSED TO:**

James R. & Opal J. Holt
614 Minnesota Ave, Box 273
Fruitland, ID 83617

4. **TYPE OF SERVICE:**

☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER

P300226 188

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☒ Authorized agent

Opal J. Holt
 5. **DATE OF DELIVERY**
 JUN 4 1984

6. **ADDRESSEE'S ADDRESS** (Only if requested)7. **UNABLE TO DELIVER BECAUSE:**7a. **EMPLOYEE'S INITIALS**

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

0121-57

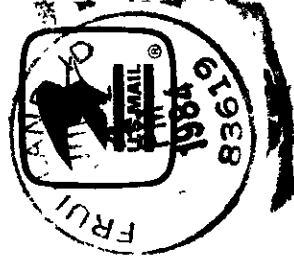
UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



RECEIVED
JUN 6 1984
RETURN TO
Department of Water Resources
Western Regional Office



(Name of Sender)

Idaho Department of Water Resources
Western Region

(Street or P.O. Box)

Statehouse
Boise, Idaho 83720

(City, State, and ZIP Code)

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 65-12710 IN THE NAME OF) NOTICE OF HEARING AND/OR
CITY OF FRUITLAND) CONFERENCE

On April 13, 1984, City of Fruitland filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On May 4, 1984, the Department received a protest against approval of said application from Katherine D. and Benedict A. Henggeler. On May 7, 1984, the Department received a protest from James R. and Opal J. Holt against approval of said application.

The Department has set the matter of protest for hearing for June 12, 1984, 1:30 p.m. in the Jury Room at the Payette County Courthouse, 1130 3rd. Ave. North, Payette, Idaho, 83661. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code and Adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved. A pre-hearing conference may be held beginning at the above set time and prior to the hearing.

Dated this 1 day of June, 1984.



DAVID B. SHAW
Western Regional Supervisor

MICROFILMED

CONFERENCE AND HEARING INFORMATION
IN THE MATTER OF APPROVAL OF AN APPLICATION FOR PERMIT

In accordance with Idaho Code, Section 42-203, the following issues are involved in the consideration of the application and protest(s):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes at the expense of the requesting party. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

If the hearing is conducted by a hearing officer appointed by the Director, rather than the Director himself, a proposed decision will be submitted to the parties and the parties may be afforded an opportunity to file exceptions to the proposed decision and present briefs and oral arguments to the Director prior to the issuance of a final decision by the Director. This procedure is required by Idaho Code, Section 42-1701A.

The parties by written stipulation may waive their right to a proposed decision, however, the failure of either party to waive a proposed decision will not prejudice the Director's review of a party's evidence and arguments. However, such a waiver will shorten the decision-making process and may expedite substantially the issuance of a final decision. Whether compliance with Section 42-1701A is waived will not affect a party's right to petition for a rehearing of the final decision pursuant to Rule 11 of the Department's Rules of Practice and Procedure or affect a party's right to appeal the final decision to the district court.

Under the provisions of Idaho Code, Sections 42-1701A and 67-5215, any court review of the Department's decision on appeal shall be confined to the record created before the Department.

Failure to appear at the time and place set for hearing by the applicant or protestant(s) may allow the Department to dismiss without prejudice the protest(s) or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

May 7, 1984

James R. &/or Opal J. Holt
614 Minnesota Ave. Box 273
Fruitland, ID 83619

Re: 65-12710/City of Fruitland

Dear Mr. & Mrs. Holt:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Yours truly,

DAVID B. SHAW
Western Regional Supervisor

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

May 7, 1984

City of Fruitland
P. O. Box 324
Fruitland, ID 83619

Gentlemen:

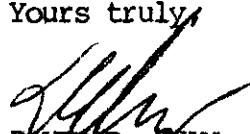
Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to your Application No. 65-12710. The Department suggests you contact the protestant(s) directly in an effort to determine the nature of the protest(s) and to attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Yours truly,


DAVID B. SHAW
Western Regional Supervisor

Enc:

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

May 7, 1984

Benedict A. &/or Katherine D. Henggeler
Box 21
Cruitland, ID 83619

Re: 65-12710

Dear Mr. & Mrs. Henggeler:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Yours truly,

DAVID B. SHAW
Western Regional Supervisor

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

City of Fruitland
P. O. Box 324
Fruitland, ID 83619

May 7, 1984

Gentlemen:

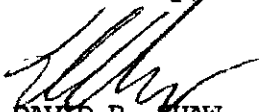
Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to your Application No. 65-12710. The Department suggests you contact the protestant(s) directly in an effort to determine the nature of the protest(s) and to attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Yours truly,


DAVID B. SHAW
Western Regional Supervisor

Enc:

MICROFILMED



STATE OF IDAHO

D135

DEPARTMENT OF HEALTH AND WELFARE

Division of Environment - 801 Reserve Street, Boise, Idaho

DIVISION OF ENVIRONMENT

Statehouse
Boise, Idaho 83720

83712

April 26, 1984

Mr. David B. Shaw
Western Region Supervisor
Department of Water Resources
450 West State
Boise, Idaho 83720

RE: 65-12710 (Fruitland)

Dear Mr. Shaw:

This office has reviewed the above described application and has no objections to this appropriation of water.

Sincerely,

Jon Wroten
Sr. Water Quality Specialist

JN/bg

cc: Craig Shepard, IDHW/DOE

RECEIVED
APR 30 1984

Department of Water Resources
Western Regional Office

EQUAL OPPORTUNITY EMPLOYER

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

April 19, 1984

Jon Wroten
State of Idaho
Department of Health & Welfare
Statehouse
Boise, ID 83720

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

Re: No. 65-12710/City of Fruitland

Dear Mr. Wroten:

Enclosed is a copy of the above referenced application for permit which may be of interest to your agency. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application, your written protest must be received in this office by May 14, 1984.

If you have any questions regarding the application, please contact this office.

Sincerely,

A handwritten signature in dark ink, appearing to read "D. Shaw", is written over the typed name.

DAVID B. SHAW
Western Regional Supervisor

DBS:jp

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

APRIL 19, 1984

Independent Enterprise
Box 520
Payette, ID 83661

Gentlemen:

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 14, 1984.

Yours truly,

JUDY PENSE
Secretary

Encl.

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NOTICE OF APPLICATION FOR WATER RIGHT

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before MAY 14, 1984.

KEN DUNN, Dir.

Published 04/26 & 05/03/84.

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65-12710

CITY OF FRUITLAND

P.O. BOX 324, FRUITLAND, ID 83619

Source: GROUNDWATER

Date Filed: 04/13/1984

Diversion Pt: SENE Sec 27 T 08N R 05W

Use: MUNICIPAL (0.56 CFS)

In: Within the City Limits of Fruitland

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