

Affidavit • Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

SS.

Copy of Notice

(First Copy)

Notice of Appl' water permit
TITLE OF PUBLICATION
City of Fruitland 65-12099
SPONSOR OR PLAINTIFF
Dept of water resources
PLAINTIFF OR LEGAL AGENT

J Delane Seese

, being

duly sworn, deposes and says:

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

Such notice was published in the issue beginning with
March 3, 1978, and ending with the issue
of March 9, 1978.

Subscribed and sworn to before me this 15 day
of March, 1978.

Mary Jane Lee
Notary Public, Residing at Payette, Idaho.

My Commission Expires April 28, 1980.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that CITY OF FRUITLAND, P.O. Box 324, Fruitland, ID has on February 22, 1978 submitted Application No. 65-12099 for a permit to appropriate 1.34 cubic feet per second of water from two groundwater sources by means of wells and pumps within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 22 T8N-R5W B.M., Payette County to be used from Jan 1 to Dec 31 for domestic purposes within the city of Fruitland, Idaho.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before March 20, 1978.

C. STEPHEN ALLRED
Director

Published in the Independent Enterprise, Payette, Idaho on March 2, 1978 and March 9, 1978.
No. 640/

OK
3-17-78
JL

RECEIVED
MAR 27 1978

Department of Water Resources
Western Regional Office

STATEMENT

Independent-Enterprise
PAYETTE, IDAHO

Number of Lines 17 dau li

Number of Insertions two

17 Lines @ 42 $\frac{1}{2}$... \$ 7.23

17 Lines @ 30 $\frac{1}{2}$... \$ 5.19

TOTAL COST
WILL BE \$ 12.42

No 641

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

(late proof)
License of Water Right No. 65-12099 Priority February 23, 1978 Amount .40 cfs

THIS IS TO CERTIFY, that City of Fruitland
of Fruitland, ID, has complied with the terms and conditions of Permit
No. 65-12099 issued pursuant to Application for Permit dated February 22, 1978,
and has submitted proof to the Department of Water Resources on May 2, 1979,
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 .40 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:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Municipal</u>	from <u>Jan 1</u> to <u>Dec 31</u>	at <u>40</u> cfs and	<u>N/A</u>
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than .40 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 is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
N/A acre feet per year, said waters to be diverted within the SWNE Section 22, Twp 8N,
Rge 5W in the County of Payette

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

NOTE: 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.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of
August, 19 81.

Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 65-12099)
IN THE NAME OF THE CITY OF FRUITLAND)

ORDER OF REINSTATEMENT

WHEREAS, on February 22, 1978, the City of Fruitland filed with the Department of Water Resources an application for permit to appropriate 1.34 cubic feet per second of water from a groundwater source to be diverted within the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 22, Twp. 8N, Rge 5W, B.M., Payette County to be used for domestic purposes; and,

WHEREAS, on April 26, 1978, the Department approved said application and issued Permit No. 65-12099 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before May 1, 1979; and,

WHEREAS, on February 28, 1979, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder to the steps to be taken to make said proof; and,

WHEREAS, on May 1, 1979, Permit No. 65-12099 automatically lapsed for failure to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on May 2, 1979.

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 65-12099 be REINSTATED and the priority date advanced to February 23, 1978.

Dated this 14th day of June, 1979.


L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING }
DEVICE REQUIREMENT FOR PERMIT NO. 65-12099 }

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

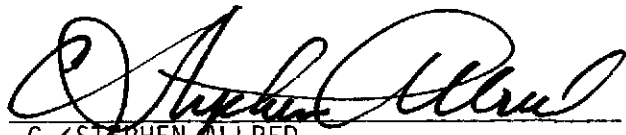
WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

11/11/78

Identification No. _____

Application No. 65-12099

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1 Name of applicant City of Fruitland Phone: 452-4421
post office address P.O. Box 324, Fruitland, ID 83619

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

3. a Location of point of diversion is SW ^(2 pts) ¼ of NE ¼ of Section 22 Township 8N
Range 5W B M Payette County; additional points of diversion if any: _____

b If water is not consumed, it will be discharged into _____ at a point in _____ ¼
of _____ ¼ of Section _____ Township _____ Range _____ B.M. _____

4 Water will be used for the following purposes.

Amount 1.34 for domestic water purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated.

a 1.34 cubic feet per second and/or

b _____ acre feet per annum.

6 Proposed diverting works

a Description of ditches, flumes, pumps, headgates, etc. 2 wells and 2 pump houses pumping into
ground water storage tank

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

Period of year during which storage will occur _____ to _____ inclusive.
(Mo Day) (Mo Day)

c Proposed well diameter is 12 inches; proposed depth of well is 60 feet

7 a Time required for the completion of the works and application of the water to the proposed beneficial use
is 1/2 years Allow 1 yr. 8

b Estimated construction cost is \$ 86,000

8 Description of proposed uses

a If water is **not** for irrigation

(1) Give the place of use of water _____ ¼ of _____ ¼ of Section _____ Township _____
Range _____ B M _____

(2) Amount of power to be generated _____ hp 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 _____

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

MICROFILMED

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

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

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. 4 existing wells owned by City in operation

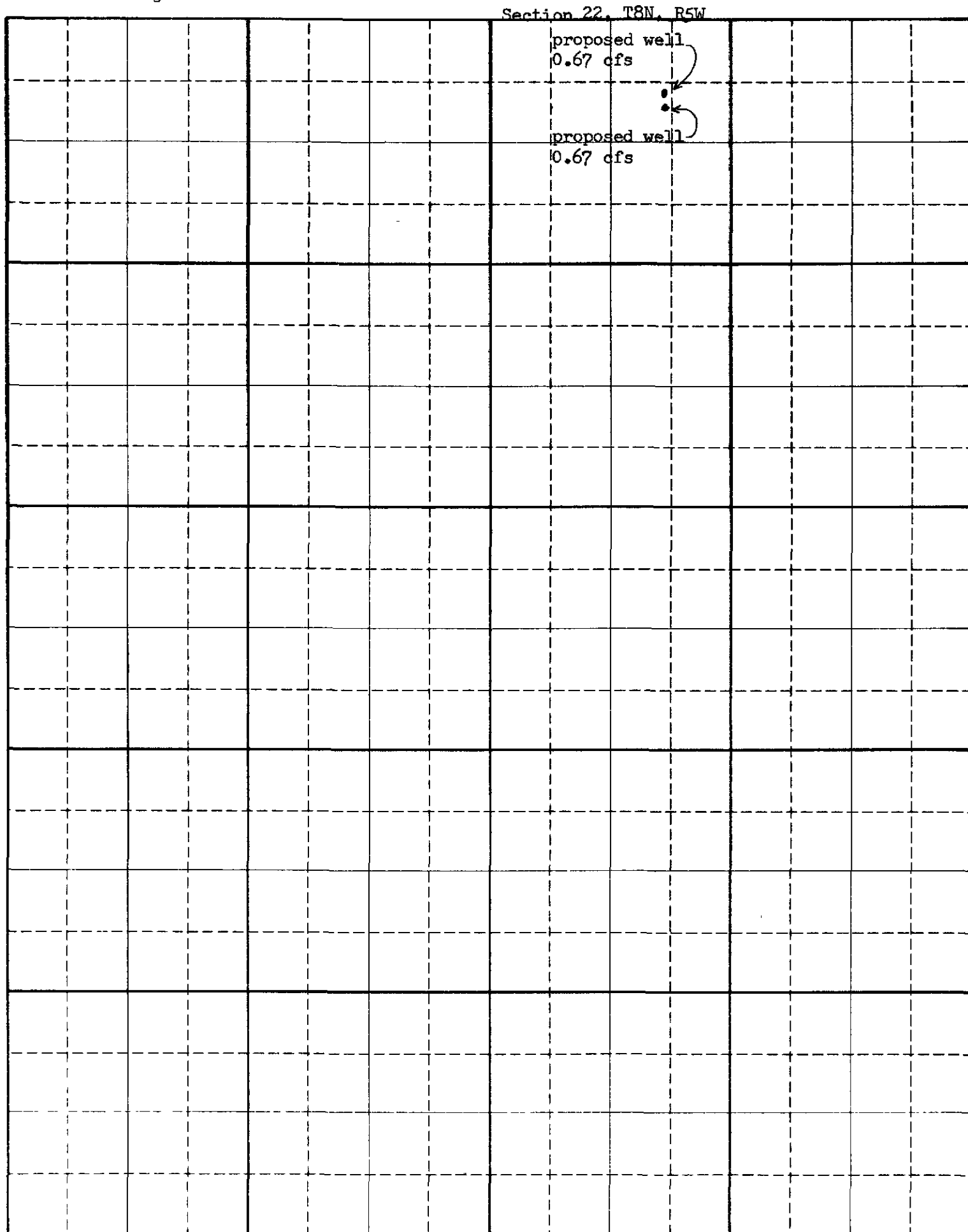
9. a. Who owns the property at the point of diversion City of Fruitland

b. ~~Who owns the land to be irrigated~~ place of use City of Fruitland

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

10. Remarks Population to be served is 2060.

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

City of Fruitland

Melvin V. Davenport
(Applicant)

Melvin V. Davenport, City Engineer

Received by Y Date 2-22-78 Time 11:30 am
Preliminary check by WAM Fee \$ 35.00
Received by Y Date 2-22-78 # 9784
Publication prepared by Y Date 2-23-78
Published in Independent Enterprise
Publication dates March 2 & 9, 1978
Publication approved Y Date 3-20-78
Priority reduced to Y Reason _____

Protests filed by _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for (approval) denial by DBS Y

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 65-12099, 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 May 1, 1979.

c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.

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

Witness my hand this 26TH day of April, 1978.

Norman C Young
Administrator

Affidavit • Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

SS.

Copy of Notice
(First Copy)

Notice of Appl' water permit
TITLE OF PUBLICATION
City of Fruitland 65-12099
SPONSOR OR PLAINTIFF
Dept of water resources
PLAINTIFF OR LEGAL AGENT

J Delane Seese

, being

duly sworn, deposes and says:

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

Such notice was published in the issue beginning with
March 3, 1978, and ending with the issue
of March 9, 1978.

Subscribed and sworn to before me this 15 day
of March, 1978.

Mary Jane Lee
Notary Public, Residing at Payette, Idaho.

My Commission Expires April 28, 1980.

STATEMENT

Independent-Enterprise
PAYETTE, IDAHO

Number of Lines 17 dau li

Number of Insertions two

17 Lines @ 42½... \$ 7.23

17 Lines @ 30½... \$ 5.19

TOTAL COST
WILL BE \$ 12.42

Nº 641

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

September 4, 1981

RE: ~~Permitt~~ No. 65-12099

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

Gentlemen:

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

Sincerely,

A handwritten signature in dark ink, appearing to read "Jim Johnson".

JIM JOHNSON
Water Distribution Supervisor

Enclosure

RECEIVED
SEP 10 1981
WATER RESOURCES



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

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

August 11, 1981

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

Dear Sirs,
A representative of this Department has made an examination of the works covered by your Permit No. 65-12099, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: .40 cfs Source: groundwater

The maximum quantity diverted shall not exceed N/A acre feet per year.

Point(s) of diversion: SWNE Section 22, Twp 8N, Rge 5W

Beneficial use: Municipal use within the city limits of Fruitland

Priority date established: February 23, 1978

Conditions (if any):

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON

Water Distribution Supervisor

1. Name of permit holder City of Fruitland
Post office address P.O. Box 324, Fruitland Phone 452-4421
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

Permit No. 15-12099
Examination for 6/12

RECEIVED

JUN 6 1979

Department of Water Resources
Western Regional Office

[illegible]

TOTAL ACREAGE _____

DATE OF EXAM 8/5/80

ACREAGE
Found - 0 -
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
MUNICIPAL - 0.40 cfs N/A

Is water co-mingled? yes _____ no _____

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no _____

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 0.40 cfs Method of measurement _____

Total Q recommended 0.40 cfs Meter No. 14387941 Type BADGER Condition EXCEL.

Total V recommended N/A

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None

MEASUREMENT CALCULATION:

9-180 gpm -
(well)
 $180 \div 450 = 0.40 \text{ cfs}$ ACRE FEET NOT NECESSARY
FOR MUNICIPAL

SYSTEM DESCRIPTION:

7 1/2 hp 0.5, elect. motor - 3phase, # 9312-05-8
JACUZZI pump, 80722032-6" pipe
Badger Meter # 14387941 80' deep 6" casing

REMARKS:

10 Well was in but has never been hooked up to WATER
System or used at all. I suggested they apply for a new
permit when they are ready to hook-up the well.

Examined by Jan Gruver Date 9/8/80
Checked by DBS Date 10/3/80
Approved by Roger Date 7/16/81



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

June 19, 1979

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

Gentlemen:

Re: Permitt No. 65-12099

Enclosed is a copy of the order reinstating your permit and advancing the priority date to February 23, 1978.

We acknowledge receipt of the affidavit 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. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our regional office in Boise (384-2190).

Sincerely,

RITA FLECK
Water Rights

cc: Davenport Engineers

RECEIVED

Ref
MELVIN V. DAVENPORT, P.E.
1215 Fillmore Street
Caldwell, Idaho
Phone 459-2121

DAVENPORT ENGINEERS
P. O. BOX 131
CALDWELL, IDAHO 83605

CONSULTING ENGINEERS
SURVEYORS and DRAFTSMEN
Phone 459-3158

May 1, 1979

RECEIVED

MAY 2 1979

Department of Water Resources

Dept. Of Water Resources
Statehouse
Boise, Idaho 83720

Atten: Rita Fleek

Dear Madam:

Enclosed please find the proof of application of water to beneficial use for the City of Fruitland. If there are any questions please call.

Sincerely,

Lee J. Van De Bogart

Lee J. Van De Bogart P.E.

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
**PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE**

RECEIVED
1979 *late*

Department of Water Resources

1. a) Name of permit holder City of Fruitland
b) Post office address Box 324 Fruitland, Id. 83619
2. Permit number 65-12099
3. Date of priority that you are prepared to establish Feb. 22, 1978
4. a) Source from which water was appropriated 2 Wells
b) Location of the point of diversion: S W 1/4 N E 1/4, Section 22
Township 8N, Range S W Boise Meridian. Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
Amount 0.85 for Domestic Water purposes from Jan. 1 to Dec. 31 incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
b) Total amount appropriated _____ cfs and/or acre-feet per annum.
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement:
Wells test pumped by Melvin V. Davenport, P.E. and water measured
by use of a permanently installed water meter.
6. If the means of diversion and conveyance are owned by someone other than the permit holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:
2 wells and 2 pump houses pumping into ground water storage
tank. City wells called #9 & #10.
b) Describe the agreement of understanding by which you take water from the works:
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch):
Well #9 - 7 1/2 hp vertical turbine rated 200 gal /min at 120 feet of
Head. 12 inch Diam. casing 147 feet deep with 50 feet of screen. Well
#10 - 5 hp subercible turbine rated 110 gal/min. at 120 feet of Head.
12 inch diam. casing 0-48 feet 10 inch casing 48-175 feet.
b) Describe the provision for making a measurement which you have at your point of diversion:
(i.e., installed measuring device, access port, other)
Water meter on discharge lines.

Exam 100 5/7/79

c) Give well driller's name and address and the date the well was completed: Pete Cope

Box 561 Meridian, Idaho 83642 Well #9 completed June 15, 1978

Well #10 completed June 21, 1978.

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

Domestic water supply for the city of Fruitland.

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: Population to be served is 2060.

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

1 May 1979
(Date)

Lee J Van De Bogart P.E.
(Signature)
Project Engineer

State of Idaho)
County of CANYON) ss.

On this 1st day of MAY, 1979, personally appeared before me the
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

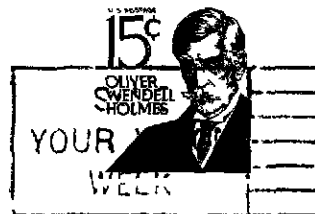
Nancy A. Campbell
Notary Public
Residing at EMMETT

My commission expires LIFETIME

DAVENPORT ENGINEERS

P. O. BOX 131

CALDWELL, IDAHO 83605



Dept. Of Water Resources
Statehouse
Boise, Idaho 83720



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

CERTIFIED MAIL

100673

February 28, 1979

Re: Permit No. 65-12099

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

Gentlemen:

One of the conditions of approval of your water Permit No. 65-12099 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before May 1, 1979. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect.

RITA FLECK
Water Rights

Encl: Proof affidavit

RECEIVED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

Nov 21, 1978

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition should be less restrictive and provide more flexibility to you in the development of your water right system. The specifications related to the size and location of the access port will be available upon request from the Department, as soon as the Department's measuring equipment is obtained.

If you have questions regarding this matter, please contact this office or our regional offices.

Sincerely,

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

LGS:JG:kw

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

April 28, 1978

Re: Permit No. 65-12099

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

Gentlemen:

Your approved copy of Application for Permit No. 65-12099 is enclosed and we direct your attention to the conditions of approval on the fourth page.

Please note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. Enclosed is a letter describing the different types of measuring devices accepted by this Department.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit.

MICROFILMED

However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

A handwritten signature in cursive script, reading "L. Glen Saxton".

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

11-11-68

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 65-12099

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water Allow 1 year
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) WAM 2-22-78

In form to receipt

(2) y 2-27-78

Send Copies to:

☒ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

(3) _____

☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant
☐ Request Dam Safety Information

(4) WAM 2-22-78

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) y OK

Affidavit of Publication received(date) 3-20-78

(12) _____

Final date for protests 3-20-78

Protests received: yes _____ no X

(13) _____

All requested information received from agencies or applicant: yes ☒ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

2-22-78 Proposed Priority

Reason for Reduction _____

☒ Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District W By WAM Date 3-21-78

RECEIVED
MAR 21 1978

Department of Water Resources



STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

Division of Environment
801 Reserve Street
Boise, Idaho 83702

March 3, 1978

RECEIVED

MAR 6 1978

MEMORANDUM

Department of Water Resources

Division of Water Resources
Boise Regional Office

TO: David B. Shaw
FROM: Frank Keller
SUBJECT: Permit #65-12099, City of Fruitland

We have reviewed the well design for the City of Fruitland and have approved it. We believe that the application should be approved.

Frank Keller

FK/rb

RECEIVED

February 27, 1978

Re: Application for Permit No. 65-12099 -- City of Fruitland

Mr. Frank Keller
Department of Health & Welfare
Statehouse Mail
Boise, ID

Dear Mr. Keller:

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.

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

Sincerely,

DAVID B. SHAW
Western Regional Supervisor

DBS:rf

Enc.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

February 27, 1978

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

Gentlemen:

Enclosed is your Receipt No. 9784 in the amount of \$ 35.00
for Application for Permit No. 65-12099 which was received in
this office on February 22, 1978.

Sincerely,

RITA FLECK
Secretary

RF

Enclosure



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

February 24, 1978

Re: Notice of Application for Water Permit No. 65-12099 -- City of Fruitland

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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before March 20, 1978.

Sincerely,

RITA FLECK
Secretary

Bill submitted
3-20-78
J

RECEIVED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that CITY OF FRUITLAND
P. O. Box 324, Fruitland, ID
has on February 22, 1978 submitted Application No. 65-12099
for a permit to appropriate 1.34 cubic feet per second acres feet
per annum of water from two groundwater sources
by means of wells and pumps
within the SW 1/4, Sec 22 T8N-R5W B.M., Payette County

to be used from Jan 1 to Dec 31
for domestic purposes

within the city of Fruitland, Idaho

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before March 20, 1978.

C. STEPHEN ALLRED

Director

Published in the Independent Enterprise, Payette, Idaho
on March 2, 1978 and March 9, 1978.

THE ATTACHED CHECK IS IN
PAYMENT OF ITEMS BELOW.
IF NOT CORRECT PLEASE
NOTIFY US PROMPTLY.

CITY OF FRUITLAND
FRUITLAND, IDAHO 83619

DETACH AND RETAIN
THIS STATEMENT

DATE	REFERENCE	DEPT.	AMOUNT	MEMO
2-31-78		27	35.00	27-434.1

MICROFILMED