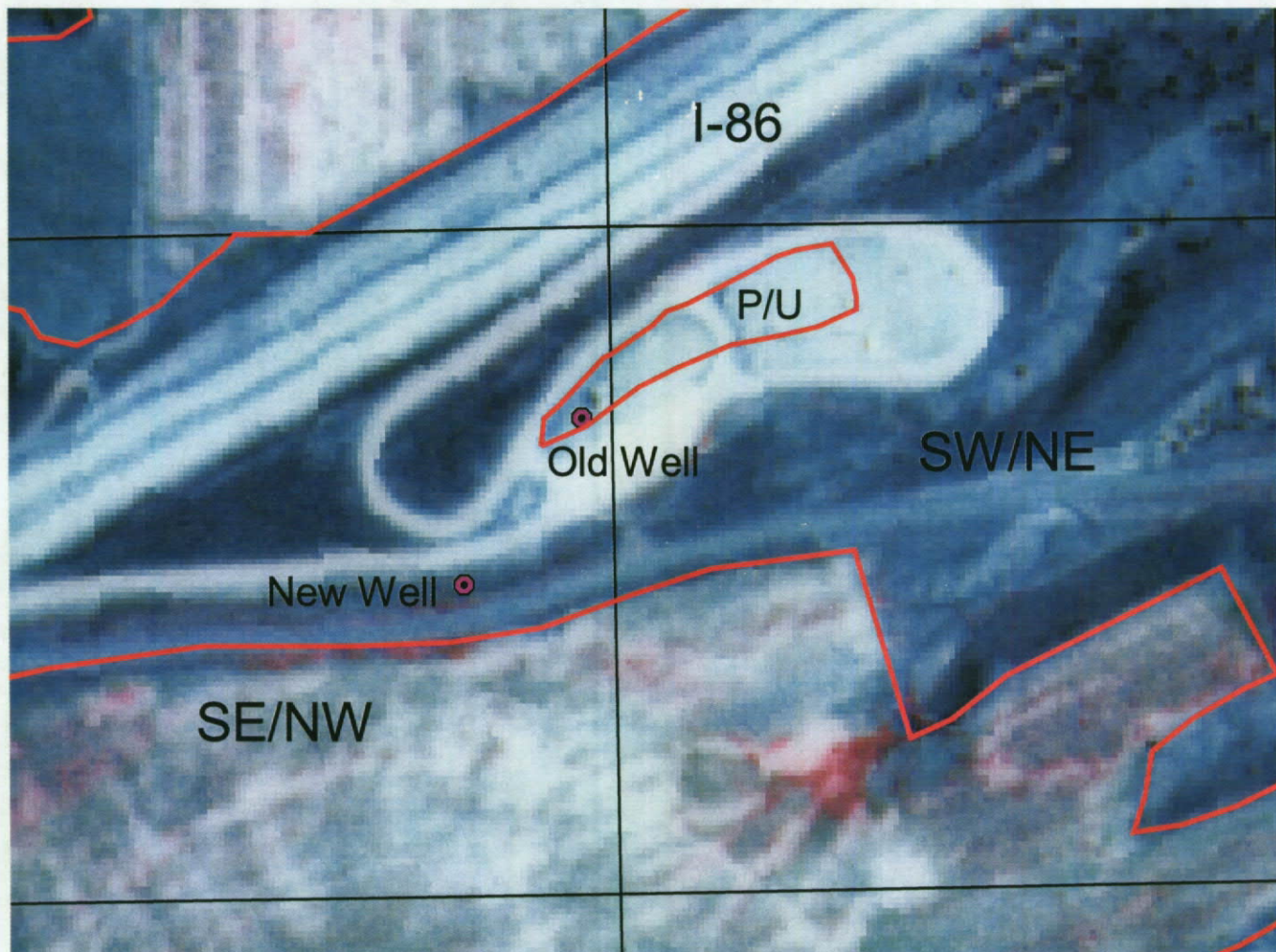


# COLDWATER REST AREA -IDT

T. 9S R. 28E Sec. 26



Prepared By J E Stanton  
5-10-00



41-07095

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 19 2002

PROOF OF BENEFICIAL USE

Department of Water Resources

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

1. Permit No. 41-07095 Telephone No. (208) 239-3312
2. Name of Permit Holder(s): IDAHO TRANSPORTATION DEPT.
3. Mailing Address: P.O. Box 9700  
City POCATELLO State ID Zip 83205
4. Source of Water: WELL If GROUNDWATER (well), Date Drilled: mo. 4 / yr. 00  
Well Driller: VOLLMER WELL DRILLING Drilling Permit Number: 35289
5. Use(s) (as authorized by the water right permit):  
Domestic (No. of households): X Stockwater (No. and type of stock): \_\_\_\_\_  
Irrigation (No. of acres): \_\_\_\_\_ Other: REST AREA
6. Total rate of diversion and/or volume for which proof is submitted: 0.02 cfs OR \_\_\_\_\_ acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)  
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)  
Measuring Device: Is a measuring device required? Yes \_\_\_\_\_ or No X  
Has the measuring device been installed? Yes \_\_\_\_\_ or No \_\_\_\_\_
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.  
Name: ALAN WUBKER Telephone Number: (208) 239-3312  
Address: P.O. Box 9700 POCATELLO, ID 83205
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Alan Wubker Sr. Env. Planner for Date: 6/6/02  
(include your title, if on behalf of company or organization)  
IDAHO TRANS DEPT.

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JUL 16 2002

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 41-07095

Priority: May 10, 2000

Maximum Diversion Rate:

0.02 CFS

This is to certify, that STATE OF IDAHO  
DEPT OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
PO BOX 4700  
POCATELLO ID 83201

has applied for a permit to appropriate water from: GROUND WATER

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESENW , Sec. 26, Township 09S, Range 28E  
SESENW , Sec. 26, Township 09S, Range 28E  
POWER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

09S 28E 26

SWNE

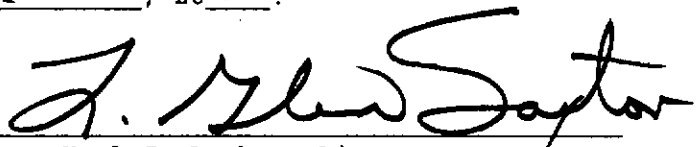
SENW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before August 1, 2002.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Domestic use is for drinking water, restroom &/or culinary purposes at Coldwater Rest Area.

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

4<sup>th</sup> day of August, 2000.

  
Karl J. Dreher, Director  
for

MICROFILMED

AUG 22 2000

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JUL 18 2000

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

# APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 41-07095

RECEIVED

MAY 10 2000

Department of Water Resources  
Southern Region

1. Name of Applicant Idaho Transportation Dept. Div. of Highways Phone 239-3308  
Post Office address PO Box 4700, Pocatello, ID 83201 (District 5 office)
2. Source of water supply Groundwater which is a tributary of \_\_\_\_\_
3. Location of point of diversion is NE 1/4 of SE 1/4 of NW 1/4, Govt. Lot \_\_\_\_\_  
Sec. 26 Township 9S Range 28E B.M. Power County; additional points of diversion if any: SE/SE/NW Sec. 26 T.9S R. 28E
4. Water will be used for the following purposes:  
Amount 0.02 cfs for Domestic purposes from 1-1 to 12-31 (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 is (a) 0.02 and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum
6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc. Two existing wells (main well & backup well), pipelines  
b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet; period of year when water will be diverted to storage: \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
c. ~~Proposed~~ well diameter is 8" & 12" inches; ~~proposed~~ depth of well is 885' & 725' feet.  
d. Is ground water with a temperature of greater than 85°F being sought? No  
e. If well is already drilled, when? 1986 & 2000; Drilling firm Cushman Drilling; Vollmen Drilling  
Well was drilled for (well owner) Applicant
7. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):  
a. Hydropower; show total feet of head and proposed capacity if KW. \_\_\_\_\_  
b. Stockwatering; list number and kind of livestock. \_\_\_\_\_  
c. Municipal; show name of municipality. \_\_\_\_\_  
d. Domestic; show number of households. Culinary water & landscaping at Coldwater Rest Area  
e. Other; describe fully. \_\_\_\_\_

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AUG 22 2000

AUG 27 2000  
MICROFILMED

Received by J. P. Hutton Date 5-10-00 Time noon Preliminary check by 40 Date 5/19/00 # 811 3153 Published in Payson Co. News Date 7/14/00 Publication prepared by JPH Publication approved by JPH

\_\_\_\_\_ (Applicant) Assistant Engineer

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

13. MAP OF PROPOSED PROJECT ATTACHED \_\_\_\_\_  
 \_\_\_\_\_ township and range; number \_\_\_\_\_  
 \_\_\_\_\_ Show clearly the proposed point of diversion, place of use, section

12. Remarks: Use of the west area has increased greatly since it was originally developed, so pumping capacity needs to increase to supply peak demand during the summer months.

11. a. Who owns the property at the point of diversion? Applicant  
 b. Who owns the land to be irrigated or place of use? \_\_\_\_\_  
 c. If the property is owned by a person other than the applicant, describe the arrangement enable the applicant to make this filing: \_\_\_\_\_

10. Describe any other water rights used for the same purposes as described above.

Total number of acres to be irrigated

[illegible]

9. Description of place of use:

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

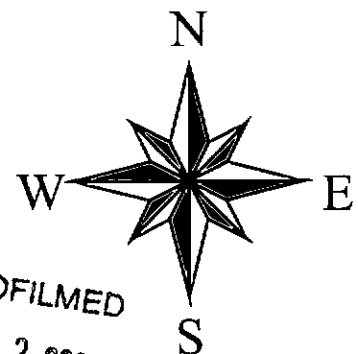
b. If water is used for other purposes, place a symbol of the use (example: *D for Domestic*) in the corresponding place of use below. See instructions for standard symbols.

# COLDWATER REST AREA -IDT

T. 9S R. 28E Sec. 26



Prepared By J E Stanton  
5-10-00



MICROFILMED  
AUG 22 2000

41-07095



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

July 3, 2002

ALAN WUBKER  
SENIOR ENVIRONMENTAL PLANNER  
IDAHO DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
PO BOX 4700  
POCATELLO ID 83201

**PROOF ACKNOWLEDGMENT LETTER**

**Re: Proof of Beneficial Use for 41-07095  
Coldwater Rest Area, Action #02-206**

Dear Permit Holder:

The department acknowledges receipt of the Proof of Beneficial Use (proof) form and a \$50.00 license examination fee submitted for the above referenced permit. A license exam fee is not required for a ground water source with a rate of diversion of 0.04 cfs or less. Therefore, I will initiate the process to refund the license examination fee you submitted. You should receive a State of Idaho check for \$50.00 within seven (7) to ten (10) business days.

Be advised that Section 42-248, Idaho Code requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination or the irrigation allowed, please contact the department's **Eastern** Regional Office in Idaho Falls at (208) 525-7161.

Sincerely,

Deborah J. Gibson  
Administrative Assistant  
Water Allocation Bureau

c: IDWR - Region  
Fiscal

**MICROFILMED**

**JUL 16 2002**

## ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 41-7095

Reviewed By: dgibson

Date: July 2, 2002

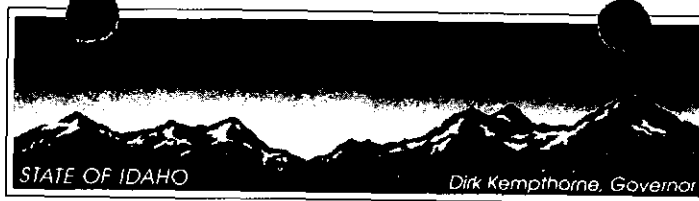
|                                   | <u>Yes</u> | <u>No</u>           |                                  | <u>Yes</u> | <u>No</u> |
|-----------------------------------|------------|---------------------|----------------------------------|------------|-----------|
| Proof received timely?            | X          |                     | Drilling permit required?        | X          |           |
| License examination fee required? |            | X                   | Drilling permit No.:             |            |           |
| Appropriate fee submitted?        |            | X                   | Drilling permit upgrade needed?  |            |           |
| Receipt No.:                      |            | X999999,<br>C062827 | Well driller's report filed?     |            | X         |
| Additional Amount Due:            |            |                     | Measuring device required?       |            | X         |
| Name and address same as permit?  | X          |                     | Measuring device installed?      |            | X         |
| Are the water uses correct?       | X          |                     | Measure device waiver requested? |            |           |

### Priority Calculation

|                     |   |            |
|---------------------|---|------------|
| Date proof received |   | 06/19/2002 |
| Date proof due      | - | 08/01/2002 |
| Lapse notice sent   | - |            |
| No. of days late    | = | 0          |
| Holiday allowance   | + |            |
| Priority date       | + | 05/10/2000 |
| New priority date   | = | 05/10/2000 |

### Deficiencies of Actions Items

Acknowledge proof and refund fee.



RECEIVED

JUN 19 2002

Department of Water Resources

**TRANSPORTATION DEPARTMENT**

DISTRICT 5 • P.O. BOX 4700 • POCA TELLO, ID • 83205-4700 • (208) 239-3300

June 7, 2002

Water Allocation Bureau  
Department of Water Resources  
P.O. Box 83720  
Boise, ID 83720-0098

Re: Proof of Beneficial Use, Permit No. 41-7095, Coldwater Rest Area, Action # 02-206

Included is the proof of beneficial use form and payment. If additional information is required, please contact Alan L. Wubker, at 239-3312.

Sincerely,

Alan Wubker  
Sr. Environmental Planner

Cc; ADE  
DME  
DMF-5-Evan Snow

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JUL 16 2002

May 31, 2002

STATE OF IDAHO  
DEPT OF TRANSPORTATION  
DIVISION OF HWYS  
PO BOX 4700  
POCATELLO, ID 83205

PROOF DUE NOTICE

RE: PERMIT NO. 41-7095

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 August 01, 2002. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

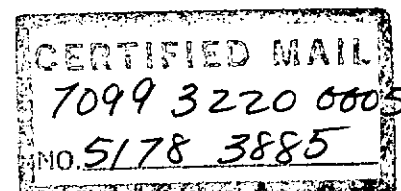
Sincerely,

Deborah J. Gibson, Admin. Assistant  
Water Allocation Bureau

Enclosures

MICROFILMED

JUL 16 2002





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

August 8, 2000

STATE OF IDAHO  
DEPT OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
PO BOX 4700  
POCATELLO ID 83201

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 41-07095

Dear Permit Holder:

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

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

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

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

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

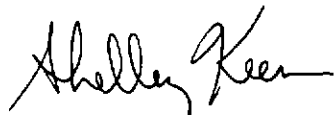
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AUG 22 2000

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

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley Keen".

Shelley W. Keen  
Water Rights Supervisor

SK:klt

Enclosures

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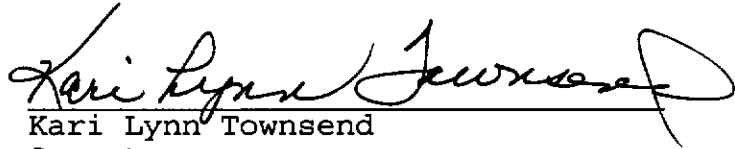
AUG 22 2000

CERTIFICATE OF MAILING

I hereby certify that on the 8th day of August, 2000, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 41-07095

STATE OF IDAHO  
DEPT OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
PO BOX 4700  
POCATELLO ID 83201

  
Kari Lynn Townsend  
Secretary

MICROFILMED

AUG 22 2000

**EXPLANATORY INFORMATION  
TO ACCOMPANY A  
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

**PETITION FOR RECONSIDERATION**

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

**EXCEPTIONS AND BRIEFS**

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

**REQUEST FOR HEARING**

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

**ORAL ARGUMENT**

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

**CERTIFICATE OF SERVICE**

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

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AUG 22 2000

### FINAL ORDER

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

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

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

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

### APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

**APPLICATION FOR PERMIT  
STATE OFFICE ANALYSIS**  
Reviewed by Sharla Curtis on 7/25/00

No. 41-07095 Name: IDT Corp. Officers NA Ad ok / Govt Lots       

AREA OF CONCERN: No/Yes ESPA Moratorium        GWMA TRUST/NON-TRUST

**GROUNDWATER: (✓Flow Chart)**

**DRILLING PERMIT**

All wells - 046(P23)  
Basin 34 - 084 (if necessary)  
Irr. w/in WD - P05  
WMD - North/East/West  
≤ 0.24 cfs/5 acres - No MD  
≥ 0.24 cfs/5 acres - 067

~~WMD~~  
Supp irr (irr = only use) - 065-104  
Supp irr (+ other uses) - 100-105  
≤ 0.24 cfs/5 acres - No MD  
> 0.24 cfs/5 acres - 01M

**LOCATION:**

Boise Front LoGeo - 058 (<85 GW)  
Mitigation - 121  
42-248 Area - P84 (20s-70s, 81-86)  
Swan Falls Flag  
Trust - 051(P74) (consumptive uses)  
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

**USES:**

STORAGE - 18A-01H(P01), 01P-18B(P09)-NA  
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)  
    > 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)  
STOCKWATER - R37 (BLM/USFS)  
MINING - 054-081(P10)  
FISH PROP - 029(70'S only)-007-042-081(P10)  
HEAT/COOL - R07(injection well)  
FIRE PROT. - 077

**BENEFICIAL USE DUE:** 8/01/2002

**MISC CONDITIONS/REMARKS:**

~~Protested~~ - 020-W19  
Development Period  
    ≤ 1 yr - P16  
    > 1 yr - 26A(P17)  
Ownership - 004  
Non-consumptive - 027  
Water Quality - 081-R07

**SURFACE WATER: (✓Flow Chart)**

F&G contacted - Yes/No Response         
In/Above MSF - WB9

PLANNING REVIEW/RESPONSE         
In-stream development - P52  
WD - R04 (WD#       )  
≤ 0.20 cfs/others - 01H(P01), 01P or No MD  
> 0.20 cfs - 01J(P08)

**SPRINGS/SINK, INACTIVE WD & REST OF STATE**

≤ 0.24 cfs/5 acres - No MD  
> 0.24 cfs/5 acres - 01M or No MD

**RIVER BASINS: (SW special considerations)**

Snake R (01) - W22(P04), N/A  
    (02,03) - 007 (w/ remark WB9 if above Weiser)  
Payette R (65) - 047(P04) (Payette Lake)  
Salmon R (70's) - 029 (fish screens)  
Weiser R (67) - 086-087

**USES:**

POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(P10)  
MUNICIPAL  
    Restricted area - 022,075  
    Irr., GW supp to SW - 102  
DOMESTIC  
    Surface water - WB5 (Big Wood or Boise above Star Bridge)  
        27A (Payette R)  
    > 1 in restricted area - 070-071-075(no parks/common areas, etc)  
    Irr use listed separate - WB5  
    Moratorium approvable - W03 (2500 gpd -- meets domestic definition  
        i.e. D/convenience store)

Multiple pd's per ¼ - W32  
Subd lot desc (pd) - W59  
Subd lot desc (pu) - W60  
Use definitions - W02 example - S/50 range  
Pre-1987 development - 068-074 (allow 120 days for proof due)  
Single pd intended - 076

IRRIGATION SEASON        -        (Per updated map)

IRR VOLUME/ACRE       

**OTHER CONDITIONS/REMARKS** D/public water use @ Coldwater Rest area

**COMMENTS**

T#5756 chgs pd's on Rt 41-07075 to the legals identified in this app.

*Idaho Transportation Dept  
Division of Highways*

APPLICATION NO. 41-07095

STATE OF IDAHO  
IDWR SOUTHERN REGION  
APPLICATION FOR PERMIT ANALYSIS SHEET

RECEIVED

JUL 18 2000

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY J.P. Stanton DATE 5-11-00

REQUIRED INFORMATION (Ck if OK)

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.
- ☒ Address
- ☒ Source (see USGS quad for names of water sources)
- ☒ Point of diversion (10 Acres for spring, lot & block descriptions for subdivisions, local name, flow &/or volume.
- ☒ County
- ☒ Quantity (flow &/or volume)
- ☒ Period of use
- ☒ Nature of proposed use (include description of use)
- ☒ Description of diverting works.
- ☒ Time required for beneficial use of water.
- ☒ Place of use or acres irrigated.
- ☒ Map
- ☒ Signature (If applicant is corp., partnership, or municipality, title of signator is required)
- ☒ Fee
- ☐ Yes ☐ No\* In form to receipt? See attached memo

++++PROPOSED PRIORITY DATE \_\_\_\_\_ 19,\_\_\_\_

ADDITIONAL INFORMATION

- ☒ Overlapping place of use( Describe source & relationship to present application on the back.
- ☒ Overlapping point of diversion.
- ☐ Yes ☒ No Is Source Surface Water?  
If Yes Send Copy to F&G.  
If Yes Field check/memo required.  
Field check/memo by \_\_\_\_\_
- ☐ Yes ☒ No Field report attached?
- ☐ Yes ☒ No Critical Ground water area?
- ☐ Yes ☒ No Groundwater management area?
- ☐ Yes ☒ No Measurement District or Groundwater District? .  
What District? \_\_\_\_\_
- ☐ Yes ☒ No Send Dam safety information?
- ☐ Yes ☒ No Send power requirement letter?
- ☐ Yes ☒ No Send fish farm requirement letter?
- ☐ Yes ☒ No Power residency affidavit attached?
- ☐ Yes ☒ No Power efficiency form?
- ☐ Yes ☒ No Within trustwater boundary?(If yes, attach trustwater supplementary analysis sheet.
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft? (If yes,attach large diversion supplementary analysis sheet.
- ☐ Yes ☒ No Is Application made to record Pre Nov 1987 Development?  
If Yes then request clear evidence of when use started.

*Process per ADM*

\* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Date Requested \_\_\_\_\_

Date Sent      Comments Received

SEND COPIES TO:

|                                                         |       |       |
|---------------------------------------------------------|-------|-------|
| <input type="checkbox"/> Idaho Dept of Health & Welfare | _____ | _____ |
| <input type="checkbox"/> USDI BLM                       | _____ | _____ |
| <input type="checkbox"/> Idaho Dept of Fish & Game      | _____ | _____ |
| <input type="checkbox"/> USFS                           | _____ | _____ |
| <input type="checkbox"/> Idaho Dept of Lands            | _____ | _____ |
| <input type="checkbox"/> Water Dist. No. _____          | _____ | _____ |
| <input type="checkbox"/> Adjudication Bureau Unit       | _____ | _____ |
| _____                                                   | _____ | _____ |
| _____                                                   | _____ | _____ |

PROCESSING ☒ Yes ☐ No In form for Advertising?  
☐ Yes ☒ No Statewide Advertising?  
☐ Yes ☒ No Fee amount, receipt date & No. recorded?  
  
☐ Yes ☐ No Has all requested additional information been received?  
If not, describe action taken: \_\_\_\_\_

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received?  
☒ Yes ☐ No Application published correctly? If not, record action taken.

☒ Yes ☐ No Publication dates and paper recorded?  
Final date for protest: \_\_\_\_\_  
☐ Yes ☒ No Protests received?  
☐ Yes ☒ No Protested?  
Describe Resolution: \_\_\_\_\_

☒ Yes ☐ No Measuring device required?  
☐ Yes ☒ No Access port required?  
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what dist? \_\_\_\_\_  
☐ Yes ☐ No Special conditions codes: \_\_\_\_\_

☒ Yes ☐ No Is Evaluation Memo Attached?  
If yes; date of Memo 7/17/00  
Date of priority recommended: 5/10/2000

COMMENTS:

RECOMMEND ☒ Approval ☐ Denial

By AB Date 7/17/00

RECEIVED

JUL 18 2000

Department of Water Resources

MEMO

FROM: Allen Merritt 

DATE: July 17, 2000

TO: Permit No: 41-07095

In the Name of Idaho Department of Transportation Division of Highways

**SUBJECT: Review and Recommendation**

This application is for increased capacity at a rest area on the instate between Raft River and American Falls. The permit is in the moratorium area but was processed since it is essentially non-consumptive and deserves protection and furtherance since it is in the public interest.

There is an existing right for this facility which is covered under a pending transfer to add the recently drilled backup well as a point of diversion.

**Recommendation**

I recommend that the application be approved subject to the following conditions:

- Subject to public drinking water standards.
- No new landscaping shall be added as a result of this approval. Use is non-consumptive bathroom, drinking &/or culinary water only.

MICROFILMED

AUG 22 2000

# Affidavit of Publication

State of Idaho

County of Power

Brett Crompton being first duly sworn on oath, states:  
That he is the publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 7<sup>th</sup> day of June 2000 and the date of the last publication being the 14<sup>th</sup> day of June 2000.

Signed

Brett Crompton

State of Idaho

County of Power

On this 14<sup>th</sup> day of June in the year of 2000, before me, a Notary Public, personally appeared Brett Crompton, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

MICROFILMED  
AUG 22 2000

Holly Morris  
Notary Public for Idaho  
Residing at American Falls, Idaho  
My commission expires: January 21, 2003

RECEIVED

JUL 12 2000

Department of Water Resources  
Southern Region

## Transportation Dept. asks for water right

Published in The Power County Press  
June 7, 14, 2000.

### NOTICE OF APPLICATION FOR WATER RIGHT

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

41-07095

STATE OF IDAHO  
DEPT. OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
PO BOX 4700  
POCATELLO, ID 83201

Source: Groundwater  
Diversion Pt: NESENW Sec 26 T 09S R  
28E in POWER County.

SESENW Sec 26 T 09S R  
28E in POWER County.

Use: DOMESTIC ( 0.020 CFS)

Total Diversion ( 0.020 CFS)

Date Filed: 5/10/2000

In: POWER County

T09S R28E S26 SWNE SENW

The permit(s) will be subject to all  
prior water rights. Any protest must be  
filed with the Director, Dept. of Water  
Resources, Southern Region, 1341 Fill-  
more St., Suite 200, Twin Falls, ID  
83301 together with a protest fee of  
\$25.00 on or before JUNE 26, 2000. The  
protestant must also send a copy of the  
protest to the applicant.

Karl J. Dreher, Director

NOTICE OF APPLICATION FOR WATER RIGHT

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

41-07095

STATE OF IDAHO  
DEPT OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
PO BOX 4700  
POCATELLO, ID 83201

Source: GROUNDWATER

Diversion Pt:                NESENW    Sec 26 T 09S R 28E in POWER County.  
                             SESENW    Sec 26 T 09S R 28E in POWER County.

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

Date Filed: 5/10/2000

In: POWER County  
     T09S R28E S26                        SWNE                        SENW

The permit(s) will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before JUNE 26, 2000. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published: 6/ 7/2000 & 6/14/2000

MICROFILMED

AUG 22 2000

MAY 19, 2000

Legal Notices Department  
POWER COUNTY PRESS  
174 IDAHO STREET  
AMERICAN FALLS, ID 83211

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 JUNE 26, 2000.

Yours truly,

Mary Baldwin  
Administrative Assistant

Enclosure

MICROFILMED

AUG 22 2000

**Stanton, Jim**

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**From:** Stanton, Jim  
**Sent:** Wednesday, May 10, 2000 1:50 PM  
**To:** Allen, Debbie  
**Cc:** Stanton, Jim  
**Subject:** Billing to Idaho Transportation Dept. Div. of Highways

The Div. of Highways filed an app. for transfer (\$100. filing fee) & an app. for permit (\$50. filing fee) today. Purchase Order #E-085660 will be used to pay for this. The guy who filed the apps. only had the number, not an actual purchase order. He said that all billings go their main office in Boise (he works in the Pocatello office). I have accepted their applications per your instructions, with this e-mail as temporary proof of payment. Give us the receipt information when it becomes available. Thanks.

MICROFILMED

AUG 22 2000