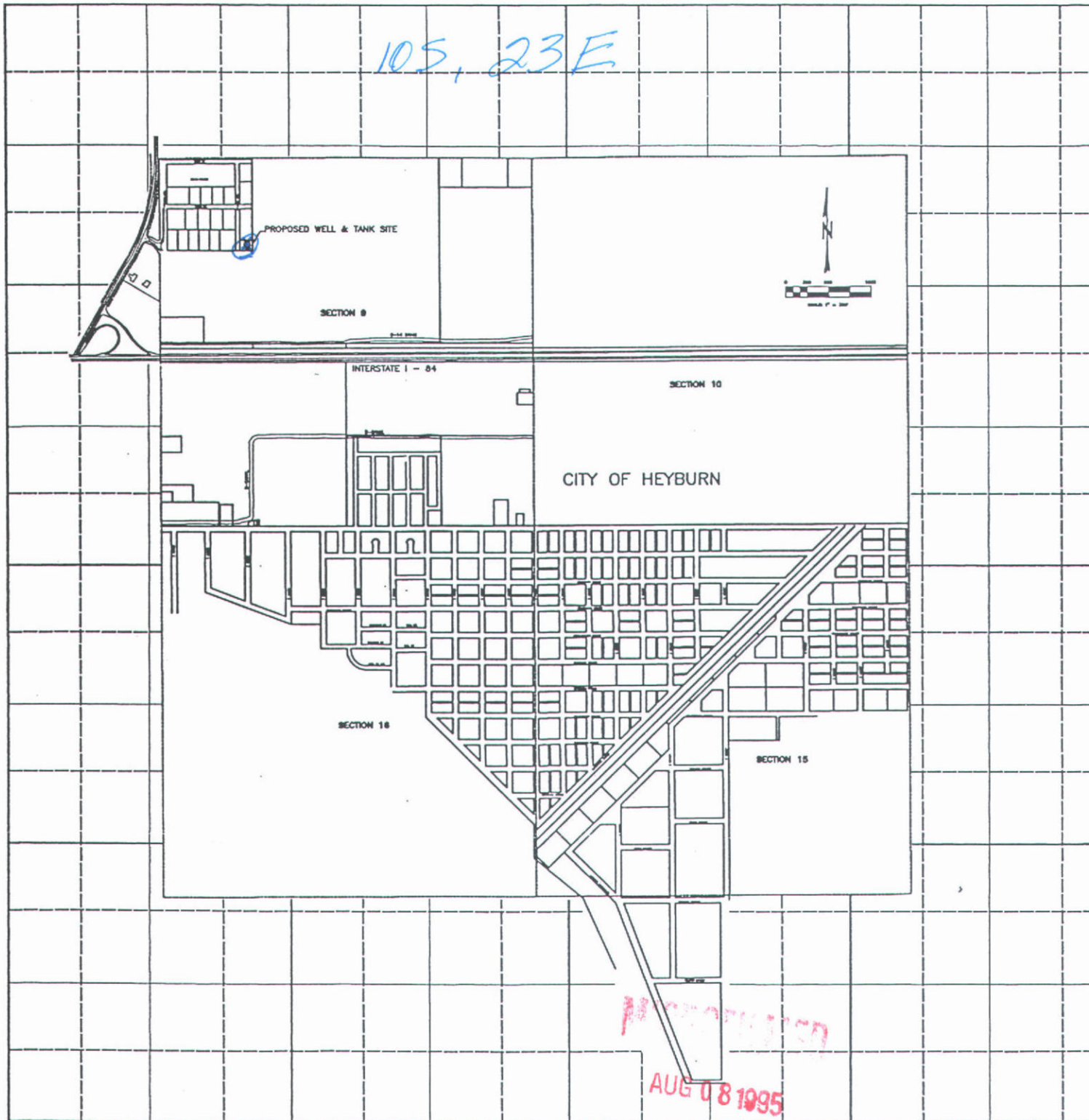


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Stan Louland
(Applicant)
Mayor, City of Heyburn

within ESRP Aquifer

COMMENTS: -

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

IN THE MATTER OF PERMIT NO.)
36-08738 IN THE NAME OF THE) **REINSTATEMENT ORDER**
CITY OF HEYBURN)
_____)

FINDINGS OF FACT

1. On July 25, 1995, the Department of Water Resources (department) issued Permit No. 36-08738 (permit) to City of Heyburn (permit holder) with a condition of approval that proof of construction of works and application of water to beneficial use (proof) be submitted to the department on or before August 1, 1997.

2. On May 31, 1997, the department sent a Proof Due Notice by certified mail to the permit holder advising that the proof was due on or before August 1, 1997.

3. On August 12, 1997, the department sent a Lapse Notice to the permit holder, since the permit holder had not filed either a request for an extension of time or the proof with the department.

4. On August 15, 1997, the permit holder submitted proof to the department together with a license examination fee in the amount of fifty dollars (\$50) instead of the required one hundred seventy five dollar (\$175) fee.

5. On February 24, 1998, the department corresponded with the permit holder seeking the additional fee in the amount of one hundred twenty five dollars (\$125).

6. On March 2, 1998, the permit holder submitted the additional license examination fee.

CONCLUSIONS OF LAW

1. The Director is authorized under Section 42-218a, Idaho Code, to reinstate a lapsed permit upon a showing of reasonable cause.

2. The department inadvertently did not timely advise the permit holder that an additional license examination fee was required in order to accept the proof.

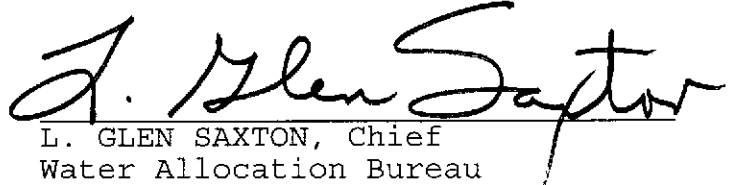
3. The Director should reinstate the above captioned permit, since the permit holder has shown reasonable cause by submitting the proof with the proper fee after being so advised by the department of the required additional fee.

4. This reinstatement order should advance the priority only fourteen (14) days, calculated as the number of days late after August 1, 1997 that the proof form was submitted to the department.

ORDER

IT IS THEREFORE, HEREBY ORDERED that Permit No. 36-08738 in the name of the City of Heyburn is **REINSTATED** with an advance in priority to May 22, 1995.

Dated this 19th day of March, 1998.


L. GLEN SAXTON, Chief
Water Allocation Bureau

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. CO39862
Receipt By: [Signature]
Date Received: 8-15-97
CO41567 - 125.00
3-2-98
RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

AUG 15 1997

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

1. Permit No. 36-08738 Telephone No. 678-8158

2. Name(s) of Permit Holder(s): City of Heyburn

3. Mailing Address: P.O. Box 147 Heyburn Idaho 83336

4. Source of Water: Ground water If GROUNDWATER (well), Date Drilled: mo. 5/17 yr. 96

a. Well Driller: High Plains Drilling Drilling Permit Number: 36-96-S-0033-000

b. OPTIONAL:
Pump Horsepower: 125 Pressure (psi): _____ Dynamic pumping level (ft): 185

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 1040 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 3.30 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 _____

Has the measuring device been installed? Yes ☒ or No _____

Flow Measurement Port: Is a flow measurement port required? Yes _____ or No ☒

Has the measurement port been installed? Yes _____ or No ☒

8. Fee Enclosed: \$ _____ (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: Jim Roberts Telephone Number: 678-8158

Address: 300 S 300 W

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Peggy Danks, City Superintendent Date: 8/17/97
(include your title, if on behalf of company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 36-08738

Proposed Priority: May 8, 1995 Maximum Diversion Rate: 3.30 CFS

This is to certify, that CITY OF HEYBURN

PO BOX 147

HEYBURN ID 83336-0147

has applied for a permit to appropriate water from: GROUNDWATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
MUNICIPAL	01/01 to 12/31	3.30 CFS

LOCATION OF POINT(S) OF DIVERSION: NWNW , Sec. 9, Township 10S, Range 23E
MINIDOKA County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 1997.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Construction of the well must comply with Idaho well construction standards.
7. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
8. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
9. The Director retains jurisdiction of this right and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
10. The issuance of this right in no way grants any right-of-way or easement across the land of another.

AUG 08 1995

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

NO. 36-08738

CONDITIONS/REMARKS:

11. The daily diversion volume for non-domestic uses under this municipal right shall not exceed 2,500 gallons per use and the daily diversion volume for domestic uses under this right shall not exceed 13,000 gallons per dwelling in accordance with Section 42-111, Idaho Code.
12. Place of use is within city limits of Heyburn and surrounding service area.
13. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this permit.

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

25 day of July, 1995.

Karl J. Dreher

for
Karl J. Dreher, Director

1995 JUL 27 10:00 AM
DWS 1181295

RECEIVED

JUL 19 1995
STATE OF IDAHO

Ident. No. 36-08738

RECEIVED

MAY 08 1995

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

Department of Water Resources
Southern Region

To appropriate the public waters of the State of Idaho

1. Name of applicant City of Heyburn Phone 678-8158

Post office address PO Box 147 Heyburn ID 83336

2. Source of water supply Groundwater which is a tributary of N/A

3. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____

Sec. 9 Township 10 S Range 23 E B.M. Minidoka County; additional

points of diversion if any: N/A

4. Water will be used for the following purposes:

Amount 3.3 cfs for municipal 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 is (a) 3.3 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 75 Hp pump into a storage tank and then
pumped into distribution system with booster pumps.

b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total
reservoir capacity N/A acre-feet; period of year when water will be diverted to storage:
N/A to N/A inclusive.

c. Proposed well diameter is 20 inches; proposed depth of well is 300 feet.

d. Is ground water with a temperature of greater than 90°F being sought? No

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

AUG 08 1995

8. Description of proposed uses (irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. City of Heyburn
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10 S	23 E	9						M									M	M	
10 S	23 E	10																	0
10 S	23 E	15	M	M	M	M	M	M	M	M	M	M	M	M		M			
10 S	23 E	16	M	M	M	M	M	M		M					M	M		M	
			Within the service area of City of Heyburn																

Total number of acres to be irrigated _____

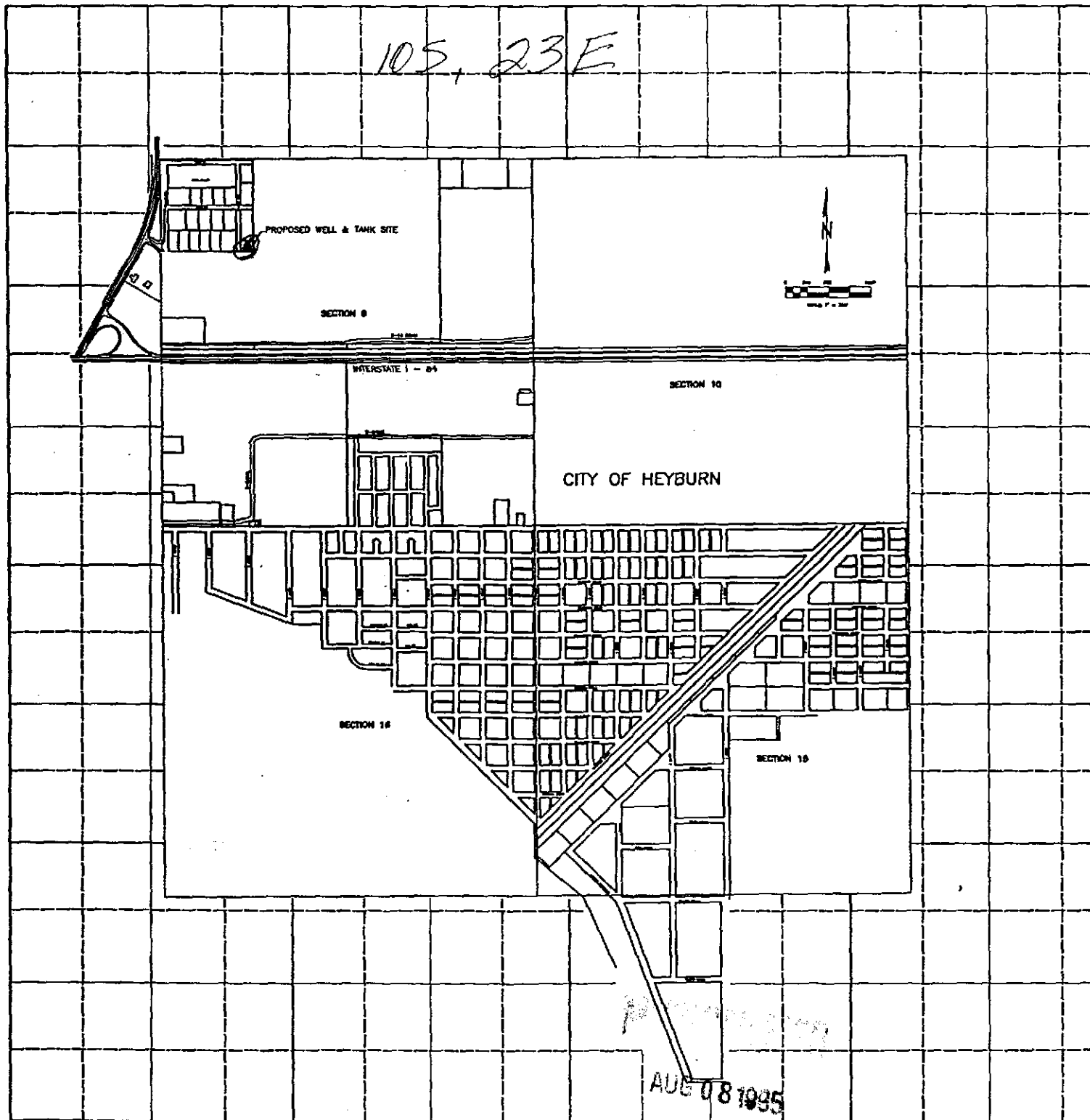
10. Describe any other water rights used for the same purposes as described above. _____
(2) Existing City wells SW¼ NE ¼ NW ¼ Sec. 15 T10 S R23 E; SE ¼ NW ¼ NE¼Sec. 15 T10 S R23 E

11. a. Who owns the property at the point of diversion? City of Heyburn
- b. Who owns the land to be irrigated or place of use? N/A
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

AUG 08 1995

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



Scale: 2 inches equal 1 mile.

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

Stan Louland
Mayor, City of Heyburn
(Applicant)

Received by mb Date 5/8/95 Time 10:29 am Preliminary check by MTS
Fee \$ 160⁰⁰ Receipted by js # 5018060 Date 5-8-95
Publication prepared by mb Date 6/9/95 Published in Idaho Press
Publication approved mb Date 6/29/95

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

AUG 08 1995

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 36-08738 Reviewed by Jef Date 2-20-92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
no Proof timely received?
If not, complete calculation below.

municipal
yes Correct Uses?

SOURCE OF WATER

 Surface water source

✓ Ground water source

yes Drilling permit required?

no Copy in the file? Drilling Permit No. 36-96-S-0033-000

200- Amount paid for permit

yes Correct?

yes Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?

NO Required?

50- Amount Submitted 175.00

yes Installed?

no Correct?

 Waiver requested?

PRIORITY CALCULATION

Date proof received 8-15-97

Date proof due 8-1-97

No. of days late 14 = 14

Priority Date 5-8-95 + 128

New Priority Date 5-22-95 142

5-22-95

DEFICIENCIES OR ACTION ITEMS

Reinstate & advance priority to may 22, 1995.
Request add. \$125.00 lic. exam fee
✓ Fee Received / Proof acceptable

DATA ENTRY

New Address X Proof Made 8-15-97



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 19, 1998

City of Heyburn
PO Box 147
Heyburn ID 83336-0147

PROOF ACKNOWLEDGMENT LETTER

RE: Permit No. 36-08738

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and supporting information submitted for the above referenced permit.

Enclosed is an order reinstating the permit since proof was submitted after the proof due date. Note that the priority date has been advanced to May 12, 1995, as provided in Section 42-218a.2, Idaho Code.

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.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. If you have questions concerning the field examination, you may contact the **Southern** Regional Office of the department in Twin Falls at (208)736-3033.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED

MAR 26 1998



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 24, 1998

City of Heyburn
PO Box 147
Heyburn ID 83336-0147

RE: Permit No. 36-08738

Dear Permit Holder:

I have returned a copy of the Proof of Beneficial Use statement you submitted in connection with the above referenced water right permit. Before the department can accept the proof, it must be accompanied by the appropriate license examination fee. You indicate on the proof statement that you are diverting 3.30 cfs from a ground water source for municipal use. The license exam fee for a rate of diversion of 3.30 cfs is \$175.00.

Please return the copy of the proof statement along with the additional \$125.00 license examination fee within **30 days** of receipt of this letter. **Please address your correspondence to my attention.**

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

Enclosure

c: IDWR- Southern Region

MICROFILMED

MAR 26 1998

I certify that file No. 36-08738

has been reviewed and is ready to be

MICROFILMED and DESTROYED.

The attached proof report is the water right as it appeared in the database prior to final status entry and deletion from the database.

Heri P. [Signature]
Reviewer

11-4-97
Date

MICROFILMED

JAN 11 1998

Water Right Number - 36-08738

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

CITY OF HEYBURN

1 - PO BOX 147

2 -

3 -

City- HEYBURN

State- ID Zip- 833360147

Phone - 208-678-8158

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/08/1995 17 SOUTHERN P - PERMIT

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
10S	23E	9	NW NW		(67)	MINIDOKA			

+ - - - - Water Use - - - - - +

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
40 - MUNICIPAL		01/01	12/31	3.300	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
3.300

+ - - - - Place of Use - - - - - +

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
-----	-----	-----	-------	-----	-------	------	-------------	--------

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +

Place of use is within city limits of Heyburn and surrounding service area.

Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this permit.

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +

- 26A - 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.
- 01M - After specific notification by the department, the right holder
 - shall install a suitable measuring device or shall enter into an

MICROFILMED

JAN 05 1998

Water right number - 36-08738

Prefix Translation: WATER RIGHT

+ - - - - Conditions of Approval - - - - - +

(Condition continued from previous page)

- agreement with the department to determine the amount of water
- diverted from power records and shall annually report the
- information to the department.
- 046 - Right holder shall comply with the drilling permit
- requirements of Section 42-235, Idaho Code.
- 468 - The right holder shall comply with Idaho well construction
- standards when constructing a well pursuant to this right.
- 051 - Any license issued by IDWR pursuant to the right or portion
- thereof for the use of trust water is subject to a term review
- of 20 years after the date of this approval to determine
- availability of water for the use and to re-evaluate the public
- interest at the end of the term.
- 052 - Diversion and use of water under this right is subject to an
- annual use fee if rules are subsequently promulgated which
- provide for the submittal of the fee.
- 053 - The Director retains jurisdiction over this right and may
- change, add, or remove any requirement as determined to be
- appropriate.
- 004 - The issuance of this right does not grant any right-of-way
- or easement across the land of another.
- 022 - The daily diversion volume for non-domestic uses under this
- municipal right shall not exceed 2,500 gallons per use and
- the daily diversion volume for domestic uses under this right
- shall not exceed 13,000 gallons per dwelling in accordance with
- Section 42-111, Idaho Code.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +

00/00/0000

+ - - - - Comments - - - - - +

Date: 06/12/1995 User Id: SCURTIS Subject: OVERLAPPING WELLS

The city has two existing wells already covered by other rights in the SWNENW and SENWNE, S15, T10S, R23E.

Date: 07/24/1995 User Id: CZIMMERM Subject: TRUSTWATER REVIEW

This application proposes to divert 3.3 cfs of trustwater from groundwater for municipal use within the city of Heyburn and surrounding service area. This application satisfies 42-203A & C requirements.

Date: 08/12/1997 User Id: VAULT Subject: Lapse Notice Sent

Lapse Notice Sent

+ - - Audit Fields - 06/07/95 MBALDWIN 06/12/95 SCURTIS 07/05/95 CZIMMERM 07/24/95 CZIMMERM 08/12/97 COMMENTS

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 08/01/1997	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 07/25/1995	Protested Date - 00/00/0000	Swan Falls - 7
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date- 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number - S018060	Water District -
Licensed Date - 00/00/0000	Appl Received - 05/08/1995	Transfer/Amended -
Decree Date - 00/00/0000	Name Connector -	POU Ownership Flag - Y
Presumption Flag -		

11/05/1997

August 12, 1997

CITY OF HEYBURN
PO BOX 147
HEYBURN ID 833360147

LAPSE NOTICE

RE: PERMIT NO. 36-08738

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated May 31, 1997. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING
I hereby certify that on 8-12-97
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.
L. Glen Saxton

MICROFILMED

JAN 05 1998

May 31, 1997

CITY OF HEYBURN
PO BOX 147
HEYBURN ID 833360147

PROOF DUE NOTICE

RE: PERMIT NO. 36-08738

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 1, 1997.

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

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

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

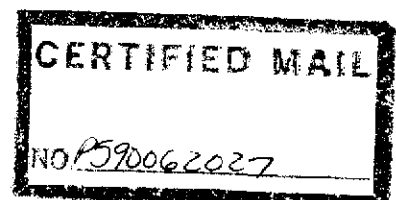
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILM

JAN 15 1998



WELL DRILLER'S REPORT

Use Typewriter or Ballpoint Pen

Office Use Only		
Inspected by _____		
Twp _____	Rge _____	Sec _____
_____ 1/4	_____ 1/4	_____ 1/4
Lat: _____	Long: _____	

1. DRILLING PERMIT NO. 36-96-S-0033-000
Other IDWR No. 36-087382. OWNER: City of Heyburn #3 well
Name City of Heyburn
Address 941 18th Street
City Heyburn State ID Zip 83334

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N	
Twp. <u>10</u> North ☐ or South ☒	
Rge. <u>23</u> East ☒ or West ☐	
Sec. <u>9</u> 1/4 <u>NW</u> 1/4 <u>NW</u> 1/4	
Gov't Lot _____	County <u>Minidoka</u>
Lat: _____	Long: _____

RECEIVED
Address of Well _____
City _____

(Give at least name of road, Distance to Road or landmark)

Lt. JUL 10 1996 Blk. _____ Sub. Name JUN 24 1996

Department of Water Resources

4. USE: ☐ Domestic ☒ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____5. TYPE OF WORK check all that apply (Replacement etc.)
☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____6. DRILL METHOD
☐ Air Rotary ☒ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK		AMOUNT		METHOD
Material	From	To	Sacks or Pounds	
concrete	0	28	4 yds	overbore
concrete	0	350	24 yds	pumping

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

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
20	2	306	375	steel	☒	☐	☒	☐
14	2	352	375	steel	☒	☐	☒	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS
☐ Perforations Method _____
☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

240 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or control devices: well cap

11. WELL TESTS:

☐ Pump ☐ Bailor ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
2200	12	252	13 min

Water Temp. _____ Bottom hole temp. _____

Water Quality test or comments: _____

Depth first Water Encountered _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
28	0	2	clay		X
28	2	10	gray clay		X
28	10	25	sand & pea gravel		X
20	25	30	sand & gravel		X
20	30	52	gray clay		X
20	52	82	sand		X
20	82	85	gravel		X
20	85	107	gray clay		X
20	107	125	sand & gray clay		X
20	125	133	sand		X
20	133	210	sticky grey & blue clay		X
20	210	215	sand gray clay		X
20	215	225	blue & brown clay		X
20	225	240	blue & gray clay & sand		X
20	240	278	sandy blue clay		X
20	278	278	hard lava		X
20	278	290	gray sandy clay		X
20	290	305	brown silt & clay		X
20	305	337	Black lava		X
20	337	348	red cinders	X	
20	345	348	Black cinders	X	
20	348	350	Black cinders	X	
20	350	351	Black cinders	X	
14	351	384	hard black lava		X
14	384	400	black cinders	X	
14	400	407	loose black cinders	X	
14	407	434	hard lava no cuttings	X	
14	434	450	hard hard lava	X	
14	450	451	black lava	X	
			Finished		

Completed Depth 451 (Measurable)
Date: Started 4-10-96 Completed May 17, 96

13. DRILLER'S CERTIFICATION

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

Firm Name High Plains Drilling Firm No. 299
Firm Official Marcus F. ... Date 6-22-96
and
Supervisor or Operator Tony F. ... Date 6-22-96
(Sign once if Firm Official & Operator)



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

September 6, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Forsgren Associates, Inc.
C/O. John W. Millar, PE
350 N. 200 E
Rexburg, ID 83440

36-8738

RE: Heyburn Water Project

Dear Mr. Millar:

We are in receipt of your letter requesting information on the City of Heyburn's Water Project. Your letter was forwarded to us from our Twin Falls office.

If you have any questions regarding the Energy Efficiency Evaluations, please contact John Crockett of this Department.

Any questions on the Water Rights can be addressed to our Southern Region Office in Twin Falls.

I have enclosed some information you have requested along with a map to better identify Well Drillers Reports which you may have an interest in. Please either specify the locations to a section or from the reports with drilling permit numbers. You can send this request to this office.

I hope this is of some assistance to you.

Sincerely

John D. Carlson
Groundwater Protection Section

MICRO-113

JAN 19 1996

Hayburn
10s 23E
9 16
16 15



FORSGREN
ASSOCIATES, INC.

RECEIVED
AUG 30 1995

RECEIVED
SEP 05 1995

Department of Water Resources
Southern Region

Department of Water Resources

August 28, 1995

95-019

corres\aug-95\dwr-hey8.28

Department of Water Resources
222 Shoshone East
Twin Falls, ID 83301

RE: Heyburn Water Project

We are in the pocesses of developing a new water supply for the City of Heyburn and need to obtain existing well information on wells that are near the City of Heyburn. Accompaning this letter is a request for information.

We also request that if there is any information on Heyburn's existing water rights or information as to any efficiency studies which have been completed for the City of Heyburn. We very much appreciate your help on this issue, and if there are costs on any reproduction please bill us and we will insure that payment is made as soon as possible.

Very Truly Yours,

FORSGREN ASSOCIATES, INC.

John W. Millar, PE
Project Manager

JWM/bbt

MICROFILM

JAN 13 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

JULY 25. 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF HEYBURN
PO BOX 147
HEYBURN ID 83336-0147

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 36-08738

Dear Permit Holder:

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

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

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

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

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of Idaho for the use and benefit of the people within the state. Conditions pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

Sincerely,


Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

AUG 08 1995

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

within ESRP Aquifer

No.: 36-8738 Name: City of Hayward Date: 7/24/95 Ad OK? ☒
Correct Fee? ☒ Receipt #: 508060 Priority: 5/8/95 ☒ Gvmt Lts: ☒

AREA OF CONCERN? - No/Yes ESRP Mor GWMA Trust/Non-trust
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)
SYSTEM COMPLETED:
Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17
GROUNDWATER: <✓ FLO-CH>
+ 0.2 cfs - 01M
=- 0.2 cfs - No MD
=/+ 5 a. (POU cmp) - 01M, 065(if GW use SW 1st)
Drilling Permit:
Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)
SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink):
Water District (dem) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 028(may report)-01J(meas dev)-P08
=- 0.2 cfs - 028(may report)-01H(lock dev)-P01 or No MD
=/+ 5 a. irr. - 028(may report) (POU cmp)
In-WD + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M
RIVER BASINS (*Surface water):
Snake R (01) - 11A-P04, NA
(02/03) - 007-P07 (w/remark WB9), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(consump. use), 047-P04(Payette Lake), NA
USE:
Domestic (surface) - 021(Boise R + L Peak); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10; 044(N 1000 Spr)
Irr =/- 5 acres - 057 (0.03 cfs/A) <DO POU COMPARISON>
+ 5 acres - 03A (0.02 cfs/A) <DO POU COMPARISON>
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA
LOCATION:
Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - 87 <SEE CONDITION CODE CHART>
Trust +1.0 cfs - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA
OWNERSHIP: Non-land owner - 004 (PD/PU) residents
OTHER CONDITIONS: - 022
STANDARD REMARKS: - 1) PU = within city of Hayward & surrounding service area
(5) 021
BENEFICIAL USE DUE: - 8-1-1997
COMMENTS: -

MEMORANDUM

DATE: July 24, 1995
TO: File No. 36-08738
FROM: Cindy Zimmerman
SUBJECT: Trustwater Review

=====

This application proposes to divert 3.3 cfs of trustwater from groundwater for municipal use within the city of Heyburn and surrounding service area. This application satisfies 42-203A & C requirements.

PROCESSED

AUG 08 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

RECEIVED
JUL 19 1995
Department of Water Resources

INITIAL REVIEW BY MTS DATE 5-9, 1995
APPLICATION NO. 36-08738

REQUIRED INFORMATION

- ☒ 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. *Process*)
☒ 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

++++PROPOSED PRIORITY DATE
5-8- 1995

ADDITIONAL INFORMATION

- ☐ Overlapping place of use(Describe source & relationship to present application on the back.
☐ Overlapping point of diversion.
☐ Yes ☒ No Field check required
Field check by _____
☐ Yes ☒ No Field report attached
☐ Yes ☒ No Critical Ground water area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send Dam safety information
☐ Yes ☒ No Send power requirement letter
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit.
☐ 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.

☒ See reverse side for additional information.

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

_____ Date Requested _____, 19____

PROCESSING ☒ Yes ☐ No In form for Advertising
☐ Yes ☒ No No Statewide Advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on app.

SEND COPIES TO: ☐ Idaho Dept of Health & Welfare ☐ USDI BLM
☐ Idaho Dept of Fish & Game ☐ USFS
☐ Idaho Dept of Lands ☐ Water Dist.
☐ Adjudication Bureau Unit ☐ Other

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 on App.
☐ Yes ☒ No Protests received
Final date for Protest
☒ Yes ☐ No Protests, dates, resolution of protest, recorded on app.
☐ Yes ☒ No Recommendations attached
☒ 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 of approval or cover letter below.

001M, 026

See below for additional information ☒
Date of priority recommended 5/8, 19 95
By AD Date 7/18, 19 95

STATE OFFICE REVIEW

See below for additional information
By _____ Date _____, 19 ____

ADDITIONAL INFORMATION:

- Limit use to domestic types uses with no irrigation of large tracts of land such as parks or ball fields.
- Place of use within city of Hayden & surrounding service area.

LOCAL PUBLIC INTEREST

Comments recieved from:

_____ City	_____ Idaho Fish & Game	_____ Irrigation Dist.
_____ County	_____ Idaho Health & welfare	_____ Canal Company
_____ Reservations	_____ Div. of Enviromental Quality	_____ Other _____

PROJECT IMPACTS/IMPLICATIONS REPORT

COMMENTS:

DATE _____, 19____

P 36-08550 overlaps this use.

**SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION**

County of Cassia)
STATE OF IDAHO) ss
)

Kary D. Miller, being first duly sworn, deposes and says that she is the General Manager of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of The South Idaho Press for two consecutive week(s), commencing with the issue dated June 19, 19 95, and ending with the issue dated June 26, 19 95.

Kary D Miller

STATE OF IDAHO)
COUNTY OF Cassia)
)

On this 27th day of June in the year of 1995 before me, a Notary Public, personally appeared Kary Miller, 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.

Kelly Solomon
Notary Public for Idaho
Residing at Burley ID
My commission expires: May 23, 1997

Cost of Publication 28.08
Notary Fee 50
Total Cost 28.58

OK
MB
6/29/95

RECEIVED

JUN 28 1995

Department of Water Resources
Southern Region

NOT RETURNED

AUG 08 1995

95-205

**NOTICE OF APPLICATION FOR
WATER PERMIT**

The following application has been filed
to appropriate the public waters of the
State of Idaho:

CITY OF HEYBURN

PO BOX 147

HEYBURN ID 83336

36-08738

Source: groundwater

**Diversion Pt: SE1/4NW1/4NW1/4, S9,
T10S, R23E; Minidoka County.**

Use: Municipal (3.3 cfs) 1/1-12/31

Date Filed: 5/8/95

**In: Within the service area of the City
of Heyburn.**

The permit will be subject to all prior
water rights. Any protest must be filed
with the Director, Dept. of Water
Resources, Southern Region, 222
Shoshone Street East, Twin Falls, ID
83301 together with a protest fee of
\$25.00 on or before July 6, 1995. The
protestant must also send a copy of the
protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on June
19 & 28, 1995.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

City of Heyburn
ATTN: Linda
PO Box 147
Heyburn, ID
83336

June 19, 1995

RE: App. for Permit 36-08738

Dear Linda;

As we discussed, we received your check for \$160. for this application on May 8. Receipt #S018060 was issued to cover this payment. For some reason we just received another check for \$160. The second check is being returned per your request.

Sincerely,

James E. Stanton
Sr. Water Resource Agent

MAILED
AUG 08 1995

**NOTICE OF APPLICATION FOR
WATER PERMIT**

The following application has been filed
to appropriate the public waters of the
State of Idaho:

CITY OF HEYBURN

PO BOX 147

HEYBURN ID 83336

36-08738

Source: groundwater

**Diversion Pt: SE1/4NW1/4NW1/4, S9,
T10S, R23E; Minidoka County.**

Use: Municipal (3.3 cfs) 1/1-12/31

Date Filed: 5/8/95

**In: Within the service area of the City
of Heyburn.**

The permit will be subject to all prior
water rights. Any protest must be filed
with the Director, Dept. of Water
Resources, Southern Region, 222
Shoshone Street East, Twin Falls, ID
83301 together with a protest fee of
\$25.00 on or before July 6, 1995. The
protestant must also send a copy of the
protest to the applicant.

Karl J. Dreher, Director

**Published in South Idaho Press on 6/19
& 6/26/95.**

RECEIVED
AUG 08 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

June 13, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

RECEIVED
AUG 08 1995

NOTICE OF APPLICATION FOR WATER PERMIT

The following application has been filed to appropriate the public waters of the State of Idaho:

CITY OF HEYBURN
PO BOX 147
HEYBURN ID 83336

36-08738

Source: groundwater

Diversion Pt: SE1/4NW1/4NW1/4, S9, T10S, R23E; Minidoka County.

Use: Municipal (3.3 cfs) 1/1-12/31

Date Filed: 5/8/95

In: Within the service area of the City of Heyburn.

The permit will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before July 6, 1995. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in South Idaho Press on 6/19 & 6/26/95.

AUG 08 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

June 9, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

MAYOR GLEN LOVELAND
CITY OF HEYBURN
PO BOX 147
HEYBURN ID 83336

Re: Application for Permit No. 36-08738

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office has scheduled advertising the application in the South Idaho Press for 6/19 & 6/26/95. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Mel Schulte
Sr. Water Resource Agent

MS:MB

AUG 08 1995