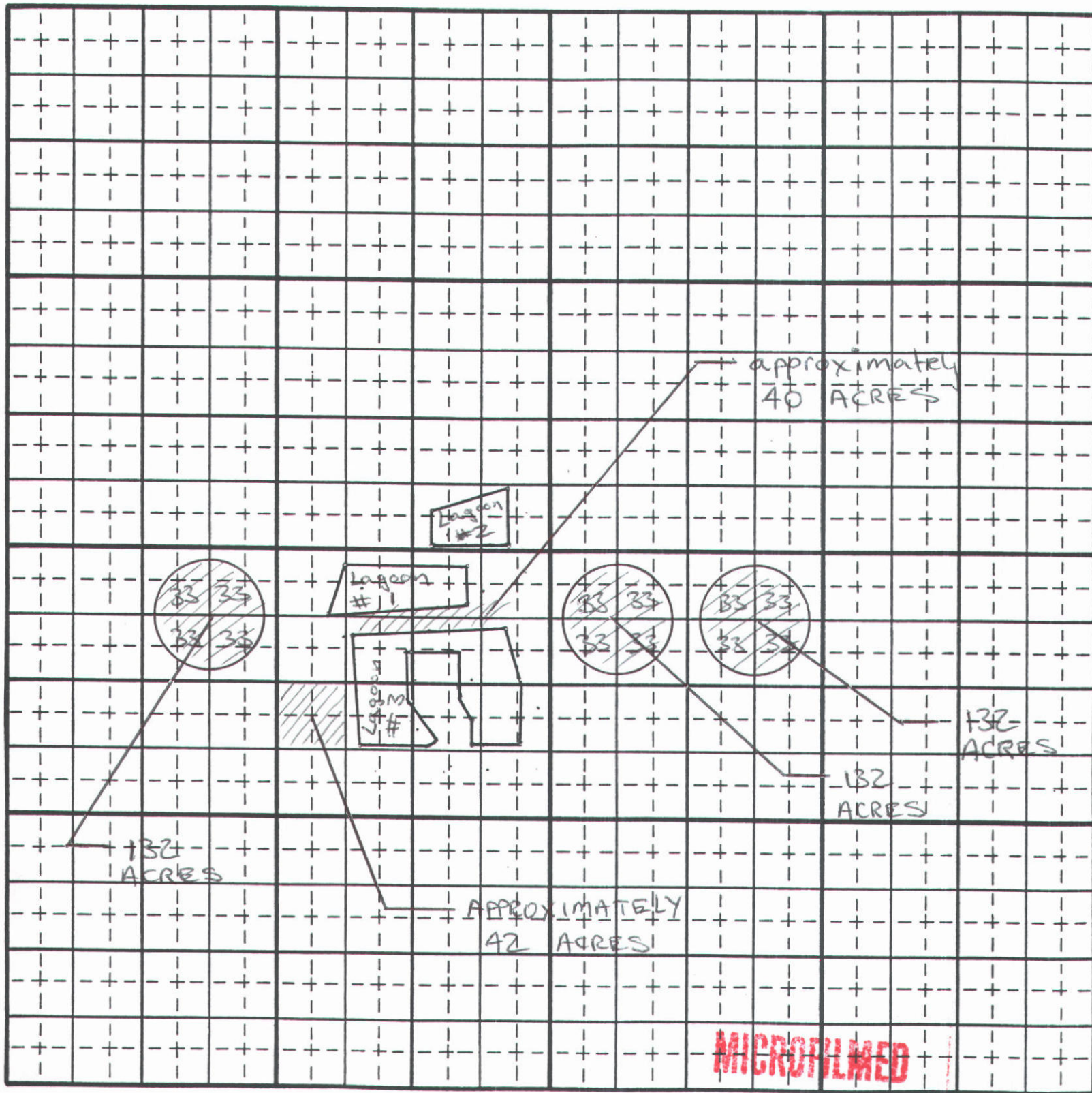


Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



City of Rupert, Idaho

SEP 20 1990

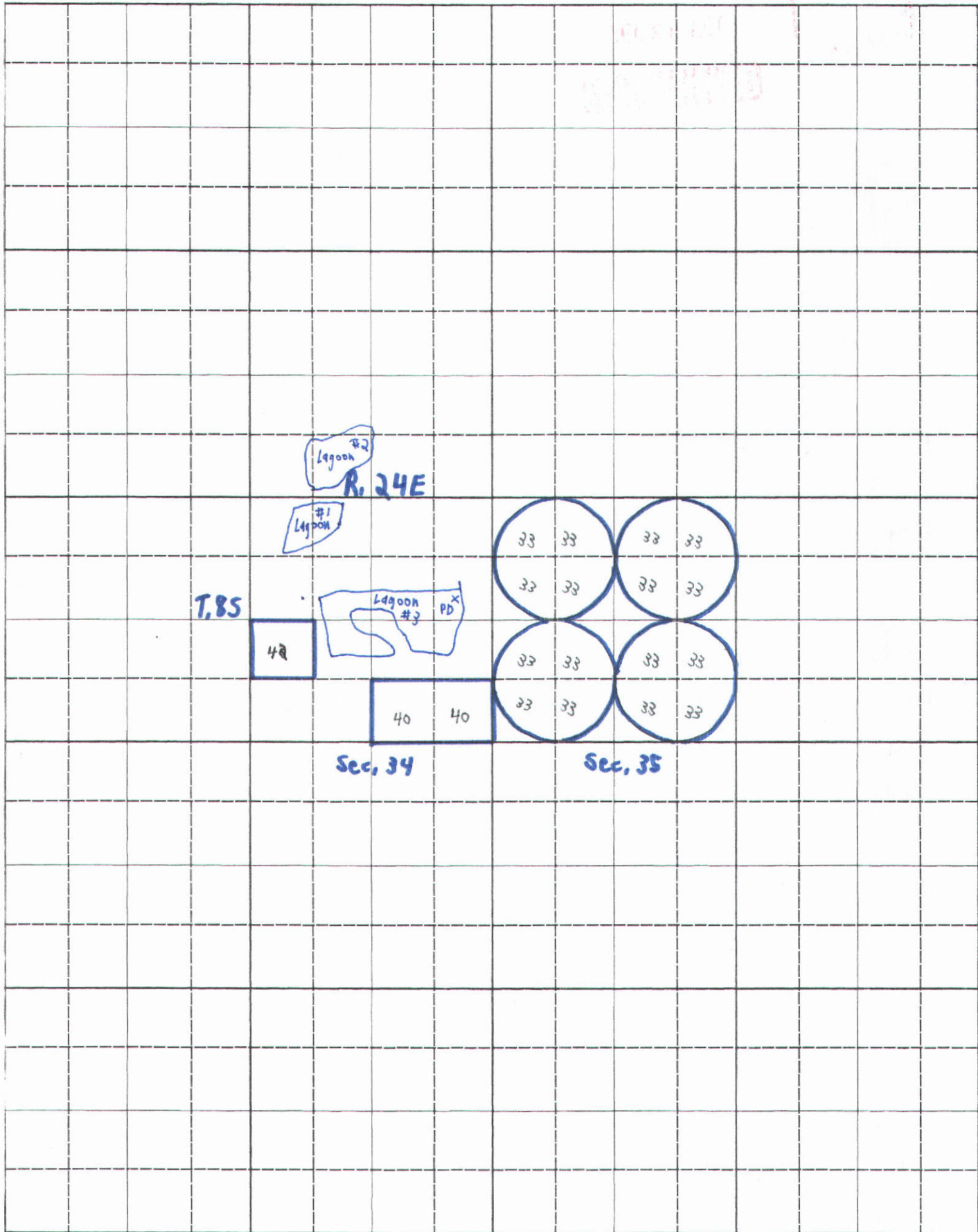
Last Name

Don
Don Dustin
PROJECT COORDINATOR

Ident No.

Copies: White-State, Yellow-Claimant

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.

MICROFILMED

SEP 20 1990

City of Rupert
(Applicant)
Donald E. Brantley

RECEIVED

AUG 22 1990

SOUTH IDAHO PRESS
BURLEY, IDAHO

Department of Water Resources

AFFIDAVIT OF PUBLICATION

County of Cassia, } ss.
STATE OF IDAHO }

90-188
NOTICE OF APPLICATION
FOR TRUST WATER RIGHT
36-08198
CITY OF RUPERT
P.O. BOX 426
RUPERT, ID 83350
Source: WASTE WATER
Tributary: SINKS
Diversion Pt: SENE Sec 34 T 08S R 24E
Use: IRRIGATION STORAGE (1500.00 AF)
IRRIGATION FROM STORAGE (1500.00 AF)
Total Diversion: (1500.00 AF)
Date Filed: 6/10/1983
In: T08S R24E S33 NENE NWNE SWNE SENE
S34 NWNE SWNE SENW NWSW
S35 NENE NWNE SWNE SENE
NENW NWNW SWNW SENW
480.0 ACRES TOTAL
The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before MAY 21, 1990.
/s/ R. Keith Higginson, Director
Published in the South Idaho Press on May 17 and 24, 1990.

Irene C. Sanchez being first duly sworn, deposes and says that she is the Clerk 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 weeks, commencing with the issue dated May 17 19 90, and ending with the issue dated May 24, 19 90. Irene C. Sanchez

STATE OF IDAHO }
COUNTY OF Cassia }

On this 21 day of August in the year of 1990, before me, a Notary Public, personally appeared Irene C. Sanchez, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Dolores Mabey
Notary Public for Idaho

Residing at Burley ID

My commission expires: 2/4/93

Cost of Publication: N/C

Notary Fee: N/C

Total Cost: N/C

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SEP 20 1990

**Idaho Dept. of Water Resources
Place of Use Comparison Report**

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Rec	36 2683	EAMES ACRES,	GROUND WATER	08S24E27					5	20	11										36
Right	36 2683	EAMES ACRES,	GROUND WATER	08S24E27					5	20	11										36
Right	1 14	A & B IRRIGATION DISTRICT,	SNAKE RIVER	08S24E27																	0
Right	36 8198	CITY OF RUPERT,	WASTE WATER	08S24E27													X	X	X	X	0

[illegible]

**Idaho Dept. of Water Resources
Place of Use Comparison Report**

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Right	1 14	A & B IRRIGATION DISTRICT,	SNAKE RIVER	08S24E34																	0
Right	1 219	US DEPT OF INTERIOR,	SNAKE RIVER	08S24E34																	0
Right	1 8	MINIDOKA IRRIGATION DISTRICT,	SNAKE RIVER	08S24E34																	0
Permit	36 8198	CITY OF RUPERT,	WASTE WATER	08S24E34		13	14					15		42							84
Right	36 8198	CITY OF RUPERT,	WASTE WATER	08S24E34		X	X	X	X	X	X	X	X				X	X			0

Idaho Dept. of Water Resources
Place of Use Comparison Report[illegible]

1777

T1398
1055

85T

NHEL 2

WHEEL

118.8

T1128 HEL
 858
 1 9.1

T1129
859

2 39.4

T1397
1054

T 854
2420

TH 30
860-

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5.9

T 2068
2352

T1140

1139
1771

TRACT-HEL

TRACT - HEL

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JUL 1977

1947-HEL

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3 HEL
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NW
6

HEL
47.6

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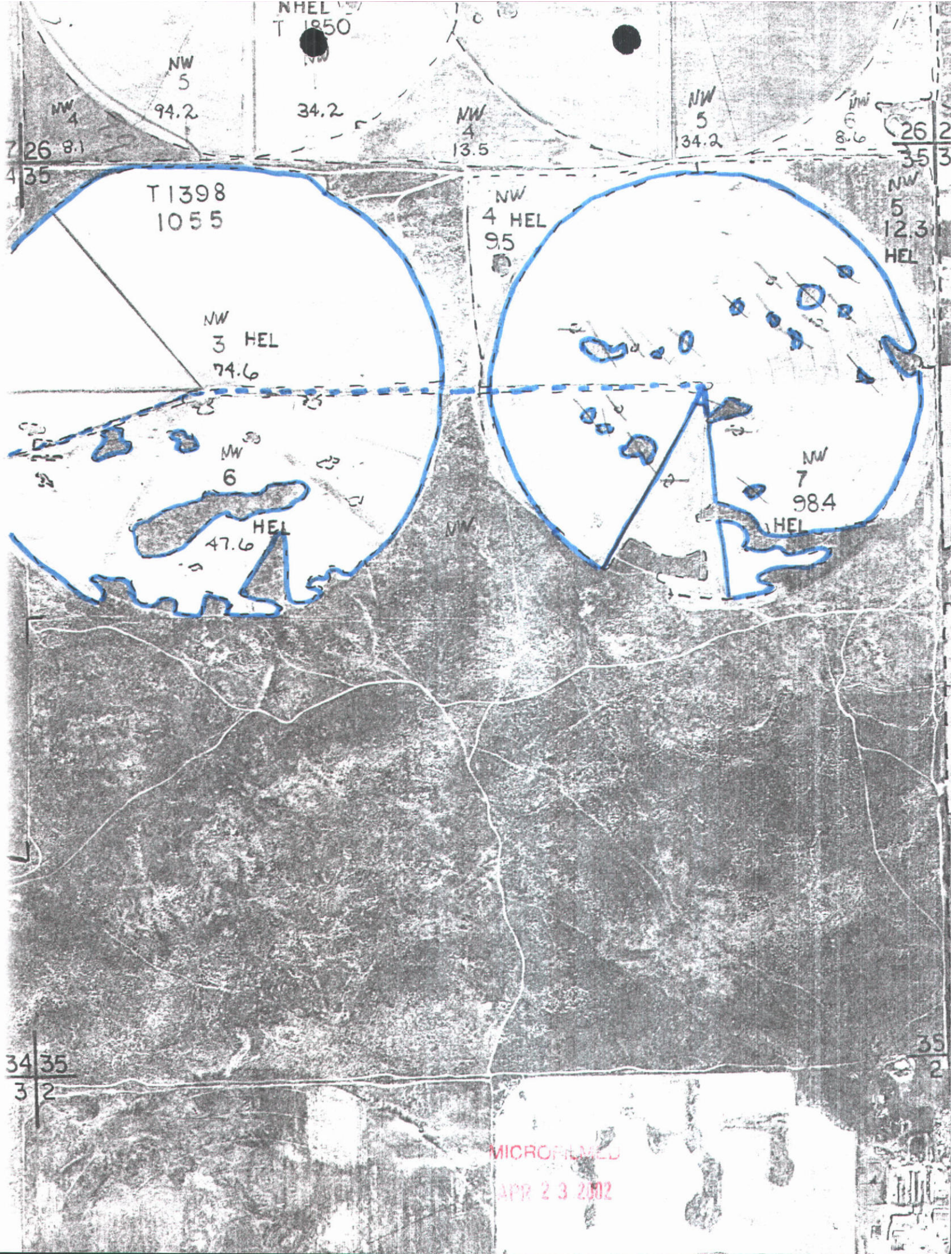
OAT

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APR 23 2002



NHEL T 1850
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NW 3 HEL
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NW 6
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47.6

NW 4 HEL
95
NW 5
12.3
HEL
NW 7
98.4
HEL

34 35 3 2 35 2

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APR 23 2002



East Pump, booster, pond



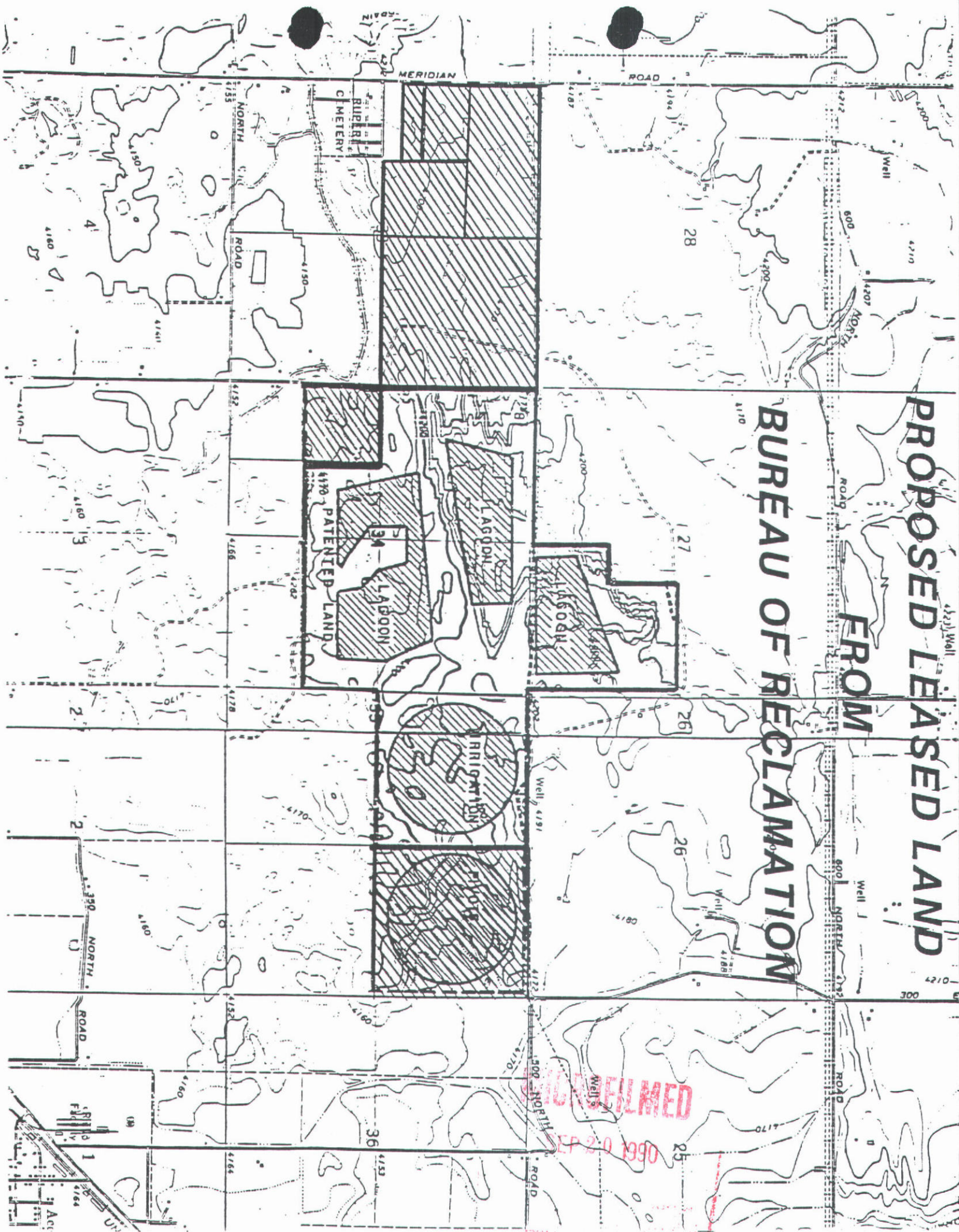
West Pump

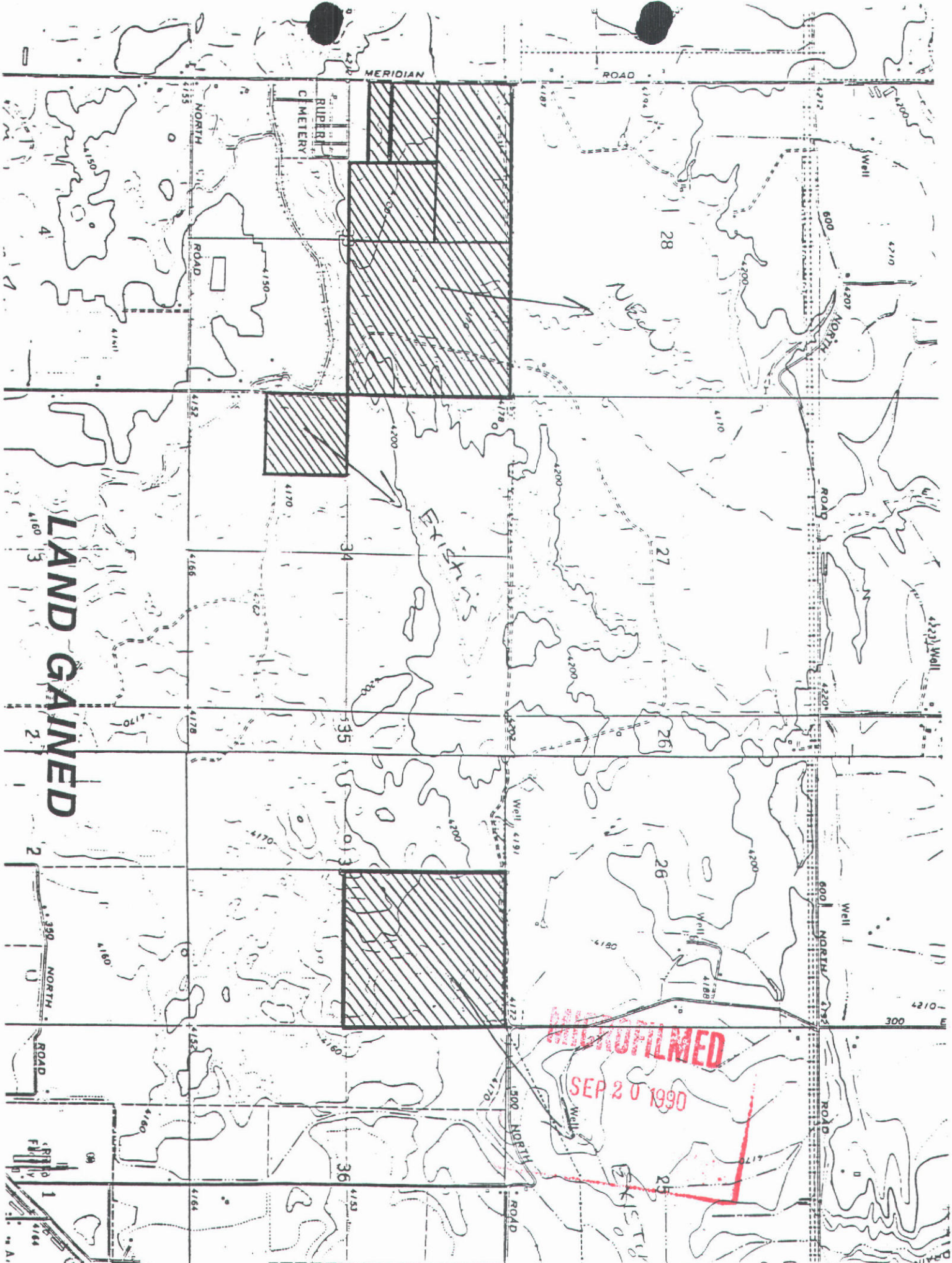
MICROFILMED
APR 23 2002

West Pivot, P/U

36-08198

BUREAU OF RECLAMATION

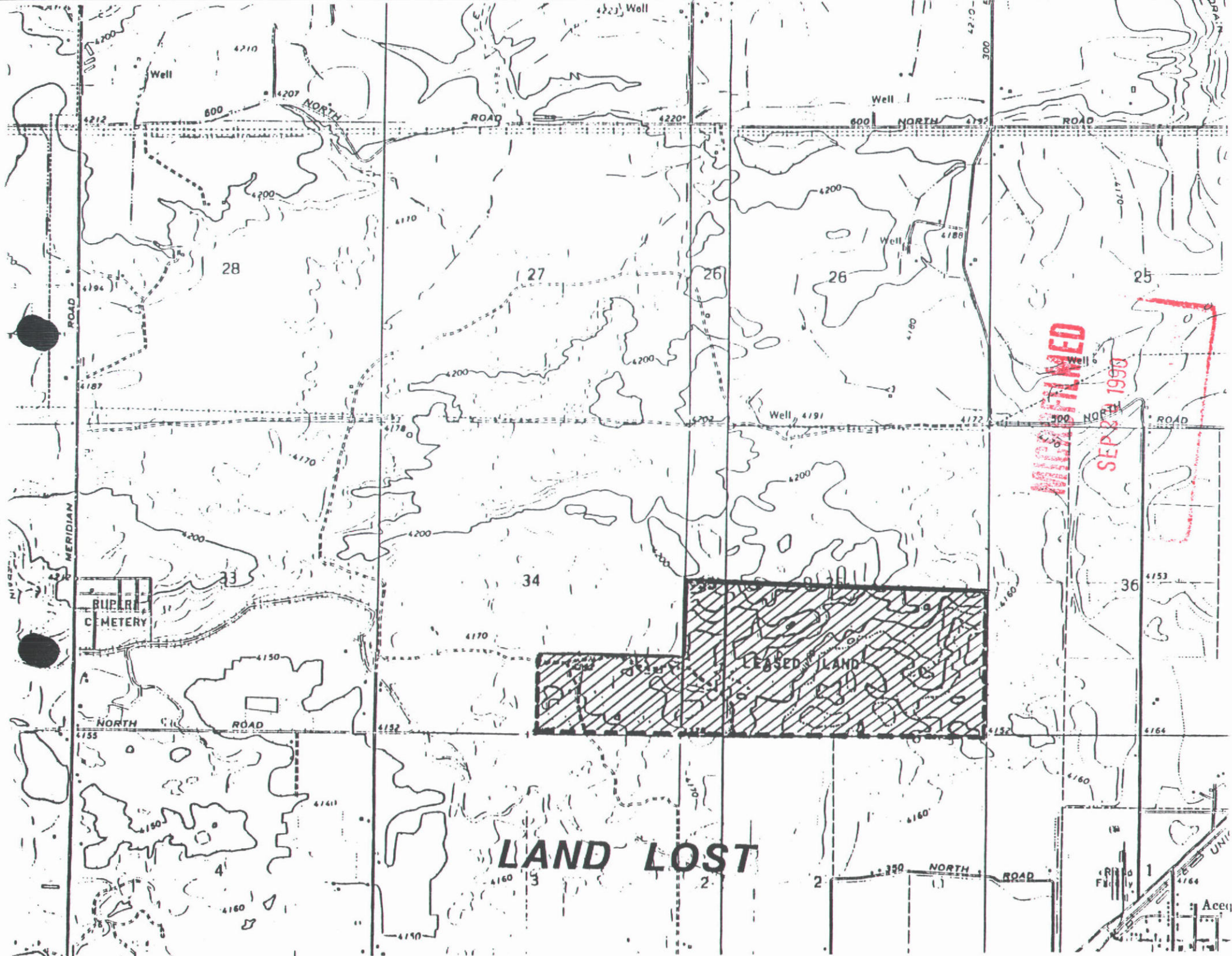


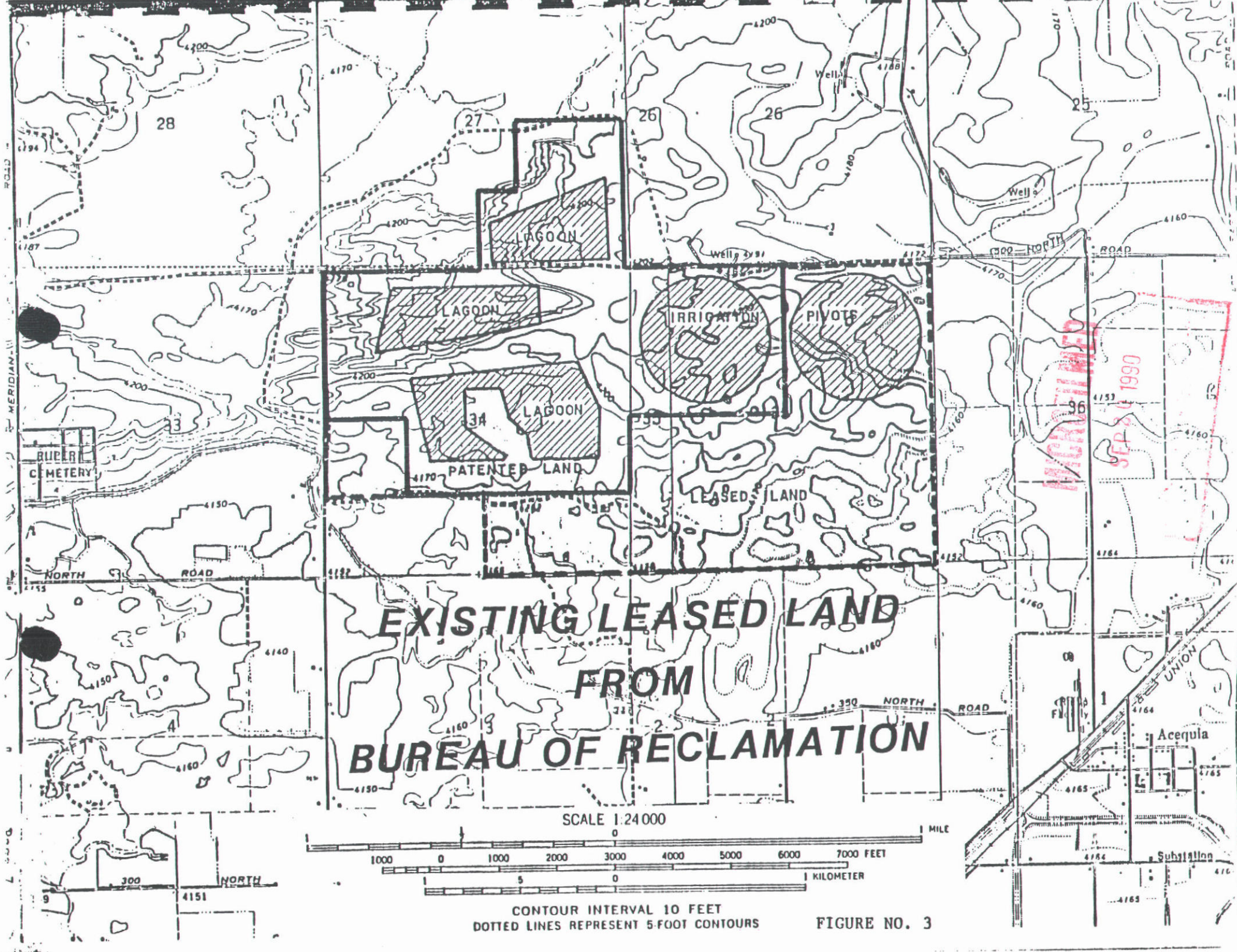


LAND GAINED

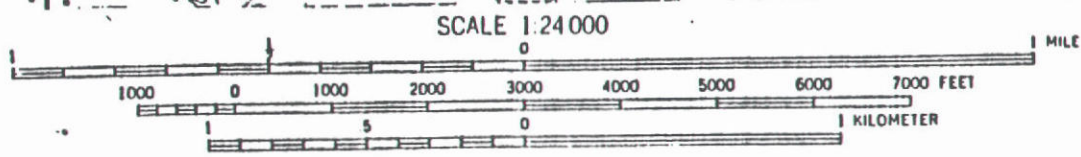
RECORDED
SEP 20 1990

SECTION





**EXISTING LEASED LAND
FROM
BUREAU OF RECLAMATION**



CONTOUR INTERVAL 10 FEET
DOTTED LINES REPRESENT 5-FOOT CONTOURS

FIGURE NO. 3

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 36-08198

Priority: June 10, 1983

Maximum Diversion Volume: 1,500.0 AF

It is hereby certified that CITY OF RUPERT
PO BOX 426
RUPERT ID 83350 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 10, 1983; and has
submitted Proof of Beneficial Use on June 13, 1995. An examination indicates that the works have a
diversion capacity of 1500 acre feet of water from:

SOURCE

WASTE WATER

Tributary: SINKS

and a water right has been established as follows:

BENEFICIAL USE

IRRIGATION STORAGE
IRRIGATION FROM
STORAGE

PERIOD OF USE

01/01 to 12/31
03/15 to 11/15

**ANNUAL
DIVERSION VOLUME**

1,500.0 AF
780.0 AF

LOCATION OF POINT(S) OF DIVERSION:

WASTE WATER NW¼SE¼NE¼ Sec. 34, Twp 08S, Rge 24E, B.M. MINIDOKA County

PLACE OF USE: IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 24E 27													X	X	X	X	
08S 24E 34		X	X	X	X	X	X	X	X				X	X			

Total Acres: 480

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 24E 33	33.0	33.0	33.0	33.0													132.0
08S 24E 34	2.0			2.0													4.0
08S 24E 35	22.0	26.0	18.0	25.0	26.0	35.0	22.0	30.0									204.0

Total Acres: 340

MICROFILMED

APR 23 2002

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 36-08198

CONDITIONS OF APPROVAL

1. The storage facilities used in connection with this right have a combined capacity of 1114 acre feet. This right authorizes the diversion of up to 1500 acre feet each year, which is achieved by filling the storage facilities, releasing up to 780 acre feet of water from storage for irrigation purposes, and refilling the storage facility until the annual limit of 1500 acre feet is reached.
2. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 9TH day of April, 2002.

Acting for

KARL J. DREHER
Director

MICROFILMED

APR 23 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 36-08198

RECEIVED

MAR 26 2002

Department of Water Resources

Date of Priority: June 10, 1983

Maximum Diversion Volume: 1,500.0 AF

Comes now CITY OF RUPERT
PO BOX 426

RUPERT ID 83350 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 36-08198, and requests that the permit be changed as follows:

Source: WASTE WATER

Tributary: SINKS

BENEFICIAL USE**PERIOD OF USE****ANNUAL VOLUME**

IRRIGATION STORAGE

01/01 to 12/31

1,500.0 AF

IRRIGATION FROM STORAGE

03/15 to 11/15

780.0 AF

LOCATION OF POINT OF DIVERSION:

WASTE WATER NW¼SE¼NE¼ Sec. 34, Twp 08S, Rge 24E, B.M., MINIDOKA County

PLACE OF USE: IRRIGATION STORAGE

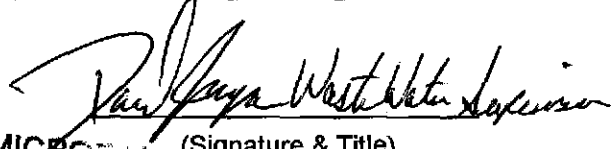
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 24E 27													X	X	X	X	
08S 24E 34		X	X	X	X	X	X	X	X				X	X			

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 24E 33	33.0	33.0	33.0	33.0													132.0
08S 24E 34	2.0			2.0													4.0
08S 24E 35	22.0	26.0	18.0	25.0	26.0	35.0	22.0	30.0									204.0

Total Acres: 340

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 22 day of March, 2002


(Signature & Title)

MICROFILMED

APR 29 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08198

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = \$50.00 Received by JM # 6068957 Date 3/26/02

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 36-08198 with the following:

CONDITIONS OF APPROVAL

1. The storage facilities used in connection with this right have a combined capacity of 1114 acre feet. This right authorizes the diversion of up to 1500 acre feet each year, which may be achieved by filling the storage facilities, releasing up to 780 acre feet of water from storage for irrigation purposes, and refilling the storage facility until the annual limit of 1500 acre feet is reached.
2. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Witness my hand this 9TH day of April, 2002.

Acting for


KARL J. DREHER
Director

MICROFILMED

APR 23 2002

JUN 13 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

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

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

Irrigation (No. of acres): 480 ± Other: Storage of same

6. Total rate of diversion and/or volume for which proof is submitted: cfs OR 1500 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?
Has the measuring device been installed?

not required

Yes _____ or No X
Yes _____ or No X

Flow Measurement Port: Is a flow measurement port required?
Has the measurement port been installed?

Yes _____ or No X
Yes _____ or No X

8. Fee Enclosed: \$ NONE (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: Kelly Sullivan Telephone Number: 436-0421
Address: P.O. Box 426 — 50 West, 200 South ^{Rupert, Id.} ₈₃₃₅₀

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:

Public Works Director Date: 6/8/95
(Include your title, if on behalf of company or organization)

AUG 08 1995

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 36-08198

Proposed Priority: June 10, 1983

Maximum Storage Volume: 1500.0 AF

This is to certify, that **CITY OF RUPERT**
P.O. BOX 426
RUPERT, ID 83350
has applied for a permit to appropriate water from:

WASTE WATER tributary of **SINKS**

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>	<u>ANNUAL VOLUME</u>
IRRIGATION STORAGE	01/01 to 12/31		1500.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		1500.0 AF
	Totals		1500.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE Sec. 34, Township 08S, Range 24E
MINIDOKA County

PLACE OF USE: IRRIGATION STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S	24E	33	NENE 33	NWNE 33	SWNE 33		
			SENE 33				132
		34	NWNE 13	SWNE 14	SENE 15		
			NWSW 42				84
		35	NENE 33	NWNE 33	SWNE 33		
			SENE 33	NENW 33	NWNW 33		
			SWNW 33	SENE 33			264

Total number of acres irrigated: 480

PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION STORAGE use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 1995.
2. Subject to all prior water rights.
3. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
4. Any license issued by IDWR pursuant to the permit 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 interest at the end of the term.

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SEP 20 1990

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

NO. 36-08198

CONDITIONS/REMARKS:

5. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
6. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.

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

5th day of September, 1990.

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

SEP 20 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

APPLICATION FOR PERMIT

AMENDED

To appropriate the public waters of the State of Idaho

1. Name of applicant City of Rupert, Idaho Phone 436-4900
Post office address Box 426, Rupert, ID 83350
2. Source of water supply Wastewater which is a tributary of Sinks
3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 34 Township 8S
Range 24E B.M. Minidoka County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1500 AFA for Storage for purposes from Jan 1 to Dec 31 (both dates inclusive)
(acre-feet per annum) Irrigation
Amount 1500 AFA for Irrigation purposes from Mar 15 to Nov 15 (both dates inclusive)
(acre-feet per annum) from Storage
Amount _____ for _____ purposes from _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated: * per tele con w/ Don Dustin, City of Rupert on 4/6/90
13.0 cubic feet per second and/or 1500 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. City of Rupert sewage lagoons, pump
& pipeline to sprinkler system (pivots).

b. Height of storage dam 0-10 feet, active reservoir capacity 1125 acre-feet; total reservoir capacity 1462 acre-feet, materials used in storage dam: earth & concrete

Period of year when water will be diverted to storage Jan 1 to _____ inclusive.
(Month/Day) (Year)

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

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

8. Description of proposed uses:

a. If water is not for irrigation:

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

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

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

(4) Name of municipality to be served _____ of family _____
supplied with domestic water _____

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

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SEP 20 1990

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

[illegible]

Total number of acres to be irrigated 478

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

9. 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 enabling the applicant to make this filing

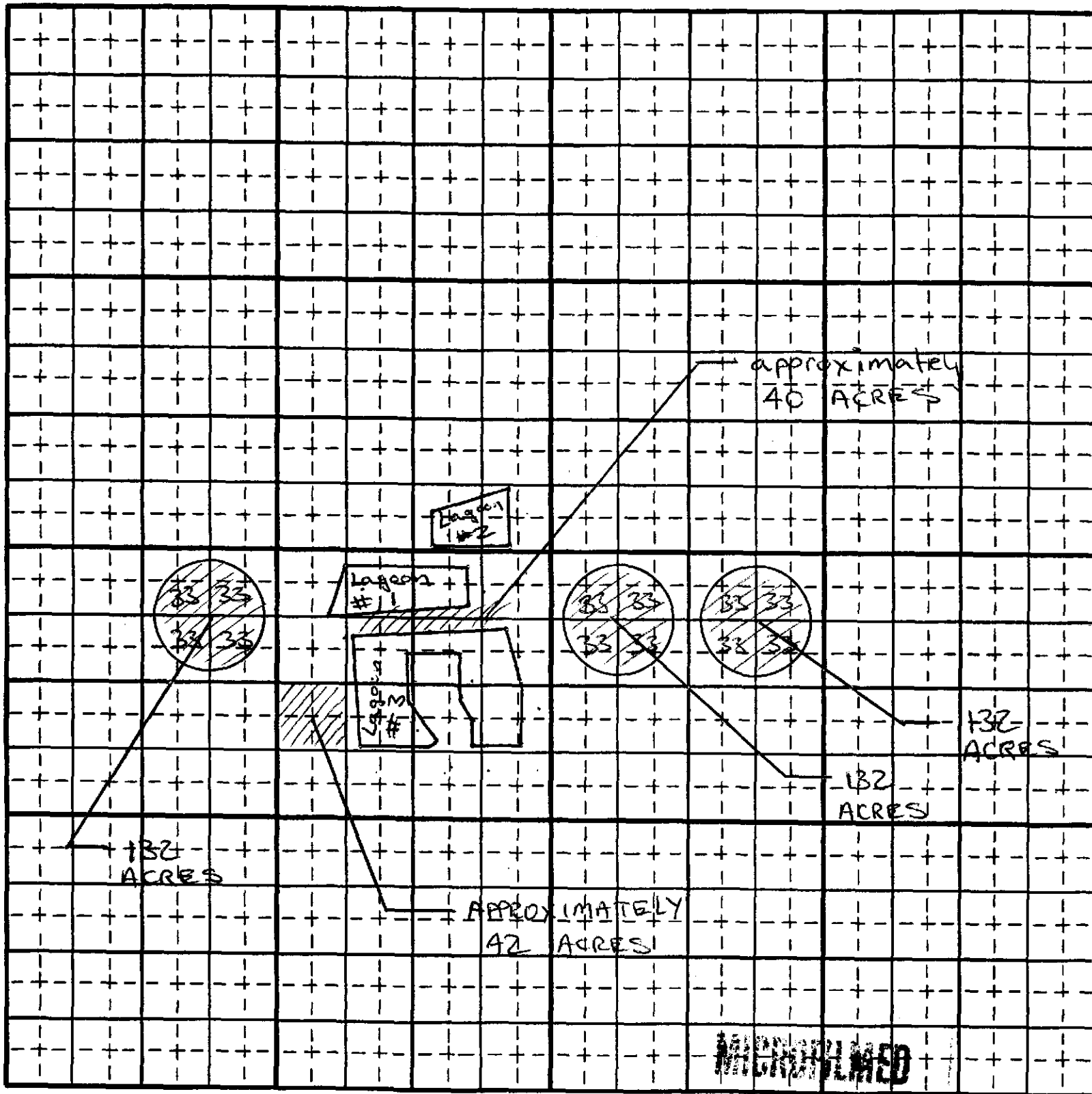
10. Remarks This water formerly ran into the Snake River, but has been totally contained
by the lagoons since they were constructed 8 years ago. Development of this
irrigation will not increase the diversion of live water, as the source is
wastewater from the city's municipal water system,
Corners around the pivots will not be watered, as this land is required to
be set aside for wildlife use.

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SEP 20 1990

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

Scale: 2 inches equals 1 mile



City of Rupert, Idaho

SEP 20 1990

Last Name

Don Dustin
PROJECT COORDINATOR

Copies: White-State, Yellow-Chaimant

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant City of Rupert, Idaho Phone 436-4900

Post office address Box 426, Rupert, ID 83350

2. Source of water supply Wastewater which is a tributary of Sinks

3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 34 Township 8S

Range 24E B.M. Minidoka County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1500 AFA for Storage for Irrigation purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 13.0 cfs for Irrigation from Storage purposes from Mar 15 to Nov 15 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated:

a. 13.0 cubic feet per second and/or b. 1500 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. City of Rupert sewage lagoons, pump
& pipeline to sprinkler system (pivots).

b. Height of storage dam 0-10 feet, active reservoir capacity 1125 acre-feet; total reservoir capacity 1462 acre-feet, materials used in storage dam: earth & concrete

Period of year when water will be diverted to storage Jan 1 to Dec 31 inclusive.
(Month/Day) (Month/Day)

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

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

8. Description of proposed uses:

a. If water is not for irrigation:

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

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

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

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

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

MICROFILMED

SEP 20 1990

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8S	24E	34										42					40	40	122
		35	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	528

Total number of acres to be irrigated 650

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

9. a. Who owns the property at the point of diversion Applicant

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

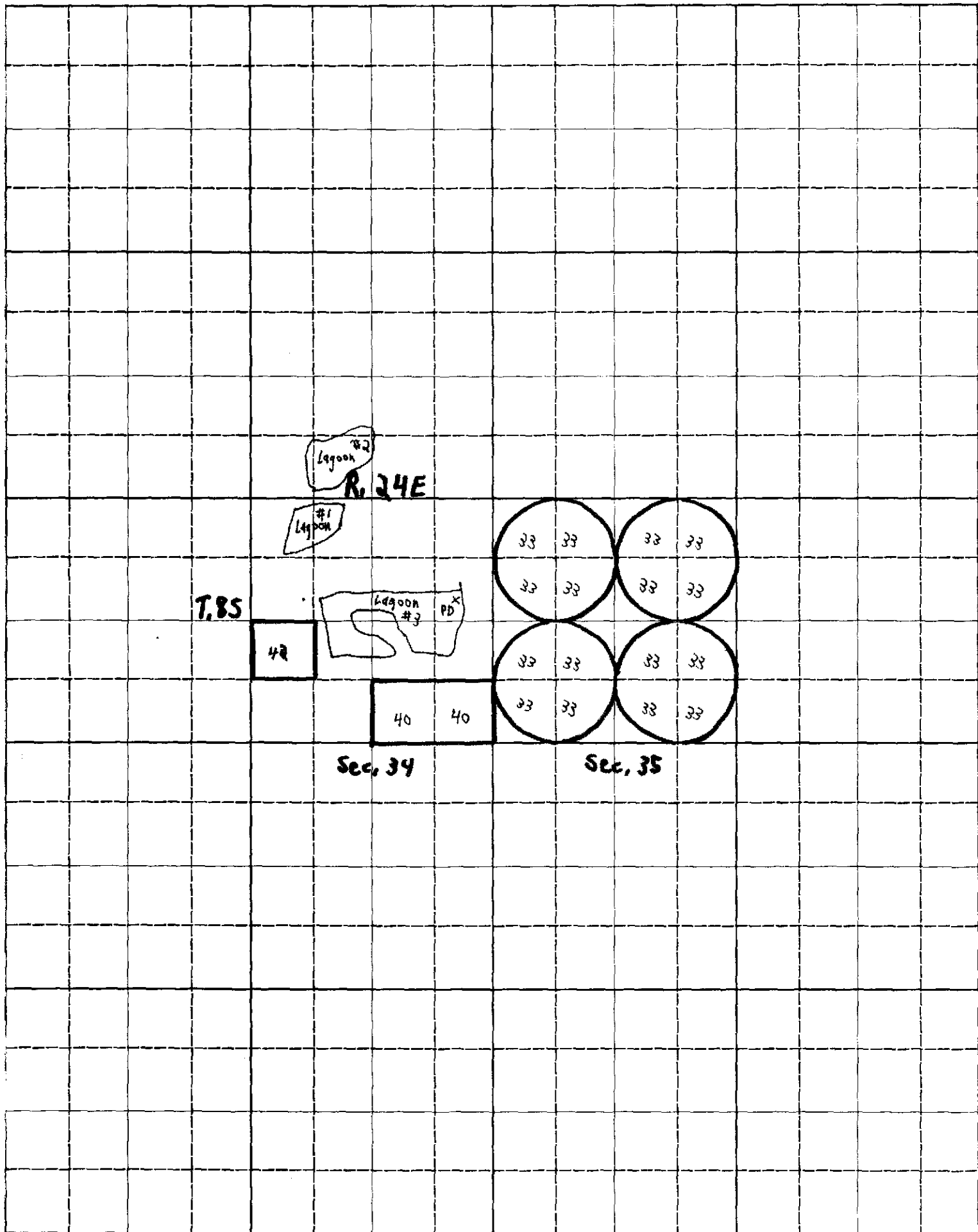
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks This water formerly ran into the Snake River, but has been totally contained by the lagoons since they were constructed 8 years ago. Development of this irrigation will not increase the diversion of live water, as the source is wastewater from the city's municipal water system. Corners around the pivots will not be watered, as this land is required to be set aside for wildlife use.

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SEP 20 1990

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.

MICROFILMED

SEP 20 1990

City of Rupert
(Applicant)
Donald E. Brundage

Received by macya Date 6/10/83 Time 11:30 a
Preliminary check by X.H. Fee \$ 325.00 # 30284
Receipted by macya Date 6/10/83
Publication prepared by _____ Date _____
Published in _____
Publication dates _____
Publication approved _____ Date _____
Protests filed by: none

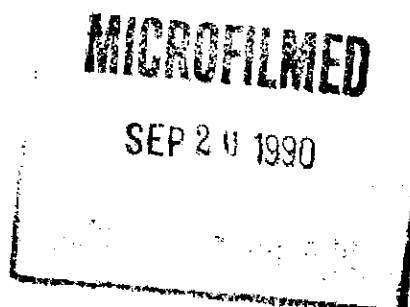
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by tw

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. Other:



RECEIVED
AUG 22 1990

SOUTH IDAHO PRESS
BURLEY, IDAHO

Department of Water Resources

AFFIDAVIT OF PUBLICATION

County of Cassia, }
STATE OF IDAHO } ss.

Irene C. Sanchez being first
duly sworn, deposes and says that she
is the Clerk 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 weeks, commencing with the
issue dated May 17 19 90, and
ending with the issue dated May 24,
19 90. Irene C. Sanchez

STATE OF IDAHO }
COUNTY OF Cassia }

On this 21 day of August in the year of 1990, before me,
a Notary Public, personally appeared Irene C. Sanchez,
known or identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared that the
statements therein are true, and acknowledged to me that he executed
the same.

Dolores Mabey
Notary Public for Idaho

Residing at Burley

My commission expires: 2/4/93

Cost of Publication: n/c
Notary Fee: n/c
Total Cost: n/c



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 10, 2002

CITY OF RUPERT
PO BOX 426
RUPERT ID 83350

RE: License No. 36-8198 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a copy of the approved Application for Amendment.

Please note that water right owners are required to report any change of water right ownership and/or 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 forms and instructions.

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

Sincerely,

for 
Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

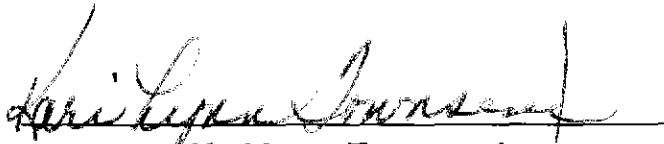
UNRECORDED

CERTIFICATE OF SERVICE

I hereby certify that on April 10, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 36-8198

**CITY OF RUPERT
PO BOX 426
RUPERT ID 83350**


**Kari Lynn Townsend
Secretary**

MICROFILMED

2002 11 22

**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).

MICROFILMED

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.



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 12, 2002

CITY OF RUPERT
PO BOX 426
RUPERT ID 83350

RE: Water Right Permit No. 36-08198

Dear Permit Holders:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

☒ **Place of Use**

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

MICROFILM

LICENSE REVIEW CHECKLIST

Permit No. 36-8198 Date: 3-1-02 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use add

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): None.

File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 1500. cfs AF
Fee Limit 1500. cfs
Measured 1110. cfs
Theoretical _____ cfs

Recommended Total Diversion Rate 1110.

Water Uses OK

Change (P46)

Season of Use per new Standards

3-15 11-15

Irrigation _____ cfs _____ af
Stockwater _____ cfs _____ af
Domestic _____ cfs _____ af
Irr Stor _____ cfs 1500. af
From Stor _____ cfs 1500. af
Total _____ cfs 1500. af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)
supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
<1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (106/R07)
Payette - (W22/047/27A)
Stockwater for US (R37)

Volume Determination

_____ cfs x 1.9835 x _____ days = _____ af (vs) N/A acres x 1.0 (FHR) = _____ af
3.0

Remarks: _____

Additional Conditions _____ Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051)
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below.
no

SRBA Claim? NO - not req'd

Adjust memo _____

Amend Letters _____

P87, S06

Second Amendment Notice P44

S06

flow to lagoons

per records
of city
of Report
in exam

1995 - 463 AF
767
343
336
1909 AF

1994 - 311 AF
417
310
481
1519 AF

1993 - 283 AF
339
635
408
1665 AF

1992 - 376 AF
475
438
317
1606 AF

WICHITA
KANSAS

flow exceeded 1500 AF that
was permitted - allow 1500
for irrig. storage purposes.
KW 3/12/02

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NESE	NWSE	SWSE	SESE	NENW	NWNW	SWNW	SENW	NESE	NWSE	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
																					36
Right	36 2883	EAMES ACRES,	GROUND WATER	08S24E27					5	20	11										36
Right	1 14	A & B IRRIGATION DISTRICT,	SNAKE RIVER	08S24E27																	0
Right	36 8198	CITY OF RUPERT,	WASTE WATER	08S24E27													X	X	X	X	0

[illegible]

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NE1W	N1W1W	SW1W1	SE1W1	N1SW1	SW1SW1	SE1SW1	NE1SE	NW1SE	SW1SE	SE1SE	Total
Right	114	A & B IRRIGATION DISTRICT,	Snake River	08S24E34																0
Right	1219	US DEPT OF INTERIOR,	Snake River	08S24E34																0
Right	18	MINIDOKA IRRIGATION DISTRICT,	Snake River	08S24E34																0
Right	38 8198	CITY OF RUPERT,	WASTE WATER	08S24E34		13	14							42						64
Right	38 8198	CITY OF RUPERT,	WASTE WATER	08S24E34		X	X	X	X	X	X	X	X			X	X			0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUN 10 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-08198

1. Owner: City of Rupert

Phone No. 436-4900

Current Address: PO Box 426, Rupert, ID 83350

2. Accompanied by: Kelly Sullivan

EXAM DATE: 1-4-96

Address: Same

Phone No. 436-0421

Relationship to Permit Holder: Wastewater superintendent

3. Source: Waste Water tributary to Sinks

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	SE	NE	34	8S	24E	Minidoka	

2. Place(s) of Use: X = Irrig. Storage

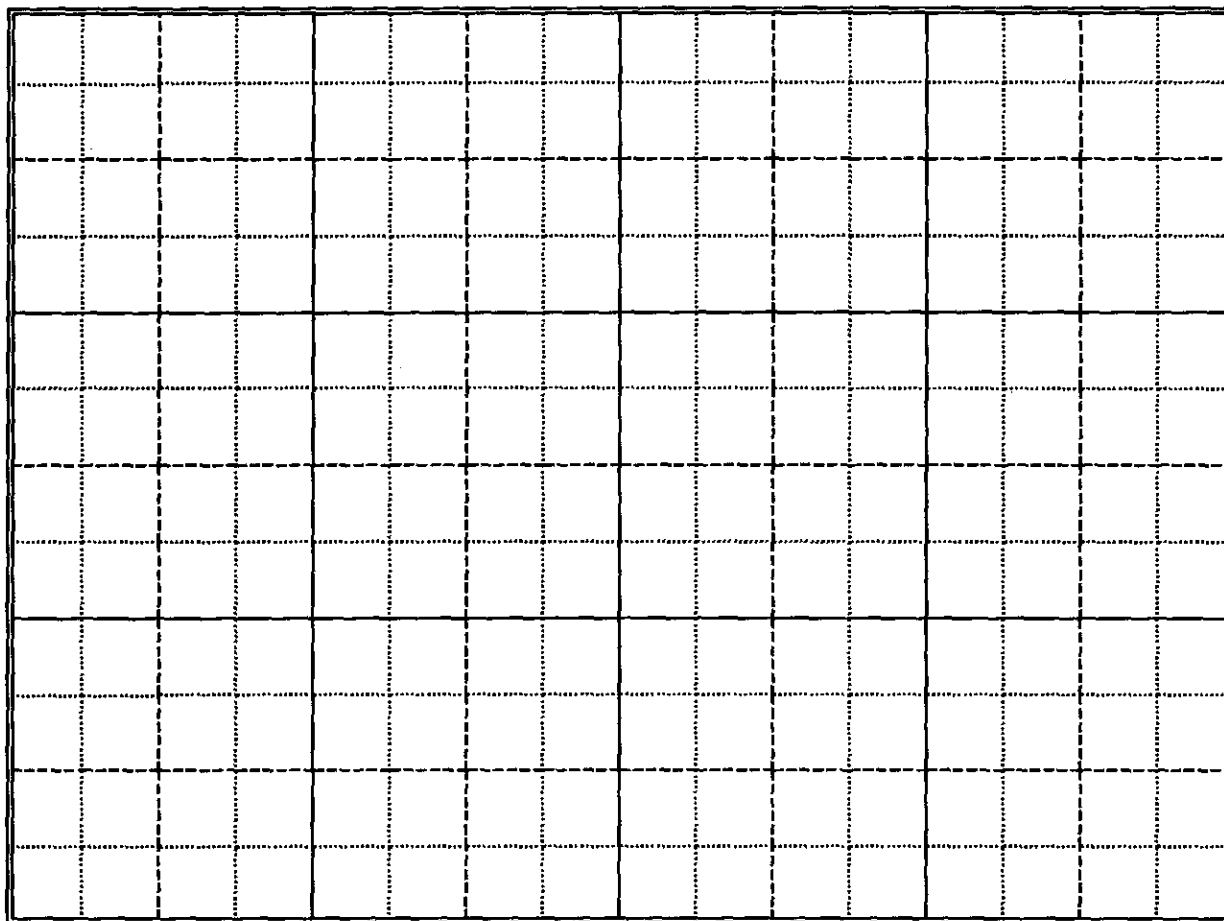
Indicate Method of Determination ASCS photo

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8S	24E	33	33	33	33	33													132
		34	2	X	X	2	X	X	X	X	X				X	X			44
		35	22	26	18	25	26	35	22	30									204
		27													X	X	X	X	340

MICROFILMED

APR 23 2002

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



Scale: 1" = _____

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

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
East Pump	45 Motors	75	A-2023959	Pyron-Jackson	801311
" Booster	"	30	6232-SD3R312R	032R-11 Layne	LP89249
West Pump	"	60	624053	Peabody	90-01-906

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: Not measured. West pivot is rated 930 gpm, ^{east} center pivot is 590 gpm, ~~east~~ pivot is 720 gpm according to Mr. Sullivan.
center

E. NARRATIVE/REMARKS/COMMENTS

Rupert treatment plant provides primary treatment, then sends its water about 7 miles via a 16" pipeline to 2 aeration ponds for secondary treatment. During summer, some water goes directly to the ponds. The east & west pumps are not connected to each other. One pump feeds a pivot sprinkler west of the ponds. The first pivot east of the pond is served by a separate pump. If the second pivot east of the ponds is also running, a booster pump also feeds the east mainline.

Ponds cover 60.7 acres, 70.3 acres, and 91.7 acres. Normal operating depth is 5 feet. Depth varies from 2 feet to 6'. Storage capacity is 1113.5 AF at normal pool depth of 5'.

Lockwood elapsed-time meters record water usage in the irrigation systems.

Some land around the east pivots that was formerly irrigated is no longer irrigated. Booster pumps for that land have been removed.

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

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APR 23 2002

Additional Computation Sheets Attached

Volumes for 1990-1994 ranged from 561.5 to 780.4 AFA per owner records. Allow 780.4 AFA. = 2.3 AFA/acre

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

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

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

2. Volume Calculations for Other Uses:

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrig. from Storage	4-1	10-31		780.4
Storage for Irrig.	1-1	12-31		1113.5
Totals:				1113.5

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

Field Examiner's Name J. F. Stanton Date 6-6-96

Reviewer	Date
----------	------

SEAL

MICROFILMED

2000



T 8 S

T 9 S

MICROFILMED
APR 23 2002

29 28
32 33

21.6

161.2

61.0

28 27
33 34

27
34

T 85

T1128 HEL 9.1

2 NHT HEL 39.4

T1129 859

1815.4

2420 HEL

69.1

T1140 1771

T1397 1054

2 63.0

T 2068 2352

4 58.2

T1130 850 NHT HEL

T1131 862

T 1978 2106

T 1977 2105

T1139 1771

Tract - HEL

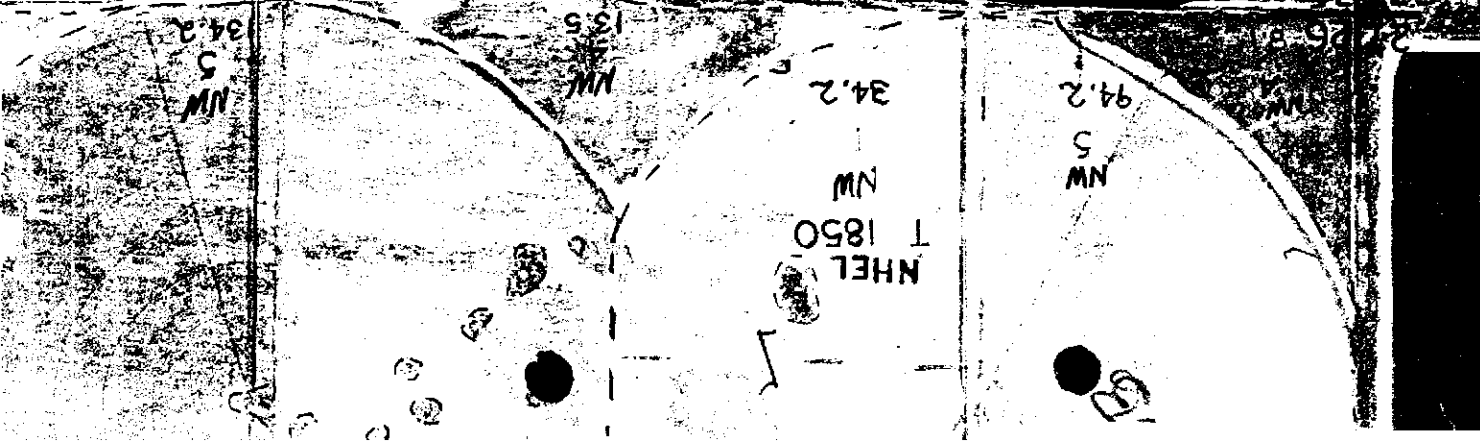
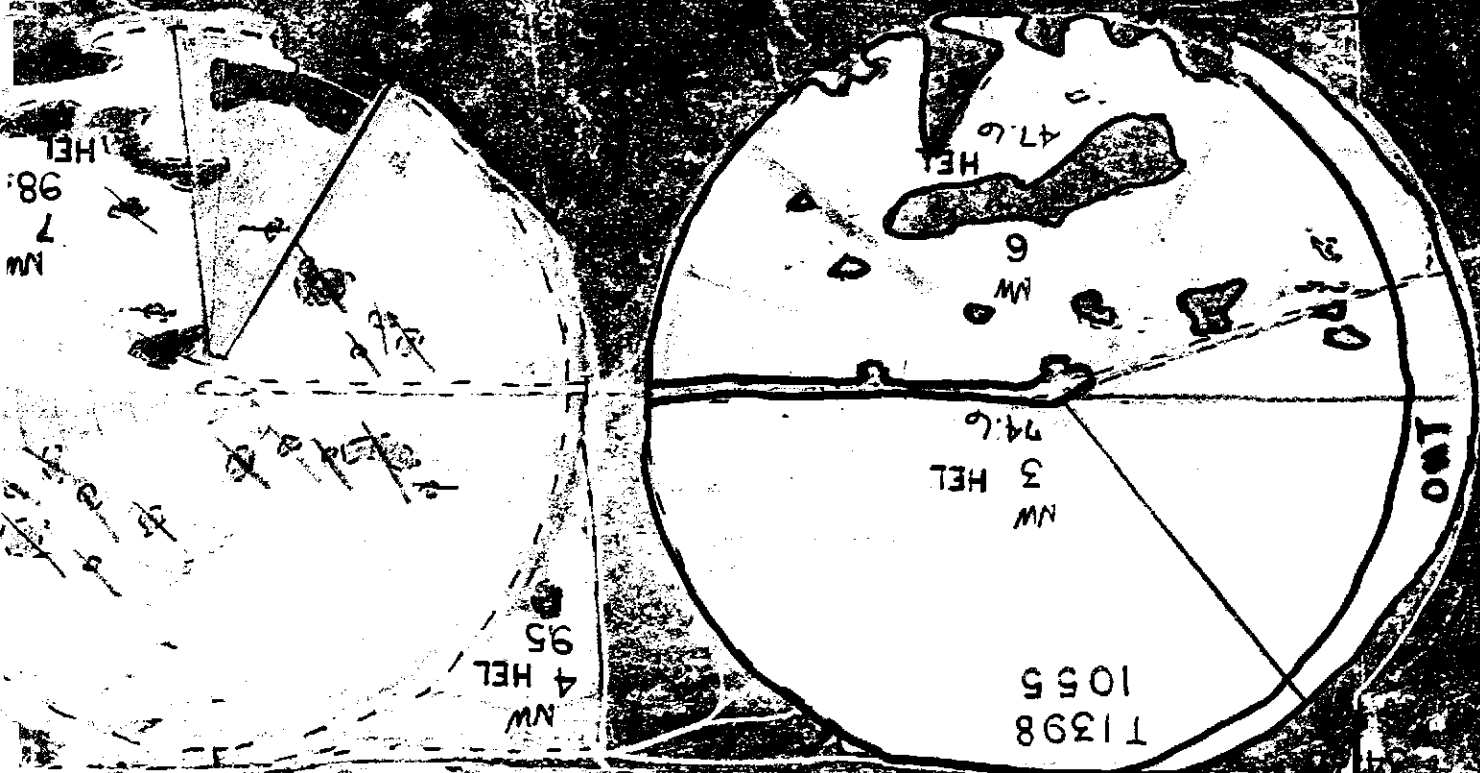
Tract - HEL

T 1947 HEL

2 6.6

2002 2 3 2002

34



NHEL
T 1850

NW
5

94.2

34.2

NW

13.5

NW
5

34.2

NW
6

8.6

26

35

T 1398
1055

NW
3 HEL
74.6

NW
6

HEL

47.6

NW
4 HEL
95

NW
7
98.4

HEL

MICROFILM

APR 23 2002

Lagoons info:
pump info: for
1990 AC FT

768.83

1991 AC FT

780.41

1992 AC FT

621.15

1993 AC/FT

561.46

1994 AC/FT

697.7

1995 AC/FT.

1954.00

REINKE HAS (Q METER) "DAILY READ."

Lockwood Elapsed Time Meter HRS x Q of pump = Q PER DAY

ZINMATIC "

"

"

Q of pump

REINKE .093 (GPH)

ZINMATIC ~~.072~~ .072

LOCKWOOD .059

for

HRS of pump Run x $\overset{\text{pump eff.}}{Q}$ (GPH) * 24 GPD, MICROFILMED

MGD x 3.07 = AC/ET pumped.

CITY OF RUPERT
REQUEST TO PURCHASE OR
REQUEST TO PERFORM MAINTENANCE REQUIRING PURCHASE

DEPARTMENT: _____ DATE REQUESTED: _____

ITEM TO BE PURCHASED OR DESCRIPTION OF WORK TO BE PERFORMED: _____

USED FOR: _____

COST: _____ LOCAL PURCHASE? ☐ YES ☐ NO

If not a local purchase, why? _____

ROUTINE PURCHASE? ☐ YES ☐ NO

1ST TIME PURCHASE? ☐ YES ☐ NO

IN BUDGET? ☐ YES ☐ NO

Supervisor Making Request

☐ APPROVED

☐ DISAPPROVED

Approval Signature (Mayor, Councilman, or
Public Works Director)

DATE: _____

MICROFILMED

Aug 23 2002

**CITY
OF
RUPERT**

P.O. Box 426

Rupert, Idaho 83350

Phone (208) 436-4900

RECEIVED

JAN 12 1996

**Department of Water Resources
Southern Region**

January 9, 1996

**Attn: Jim Stanton
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301**

Dear Mr. Stanton:

Enclosed please find the City of Rupert, Waste Water Departments quarterly reports that you requested.

Should you have any questions please feel free to contact me at (208) 436-0421.

Sincerely,

Kelly W.T. Sullivan / S. Miller

**Kelly W. T. Sullivan
Superintendent Wastewater Department**

MICROFILMED

1996

Phone (208) 436-4900

() Attn: Michael Cook
Department of H & W
Environmental Quality
1410 North Hilton
Statehouse Mail
Boise, Idaho 83720-9000

Kelly W. T. Sullivan
Superintendent Wastewater Department

99501-155

CITY OF RUPERT

P.O. Box 426

Rupert, Idaho 83350

Phone (208) 436-4900

(X) Attn: Greg Misbach
Department of H & W
Environmental Quality
963 Blue Lakes
P.O. Box 1626
Twin Falls, Idaho 83303-1626

() Attn: Michael Cook
Department of H & W
Environmental Quality
1410 North Hilton
Statehouse Mail
Boise, Idaho 83720-9000

RE: Quarterly Report From city of Rupert for 3rd Quarter 1995

FLOW TO LAGOONS 767 ac/ft

APPLICATIONS: PIVOT 1: Barley 60 acres
60 acres

PIVOT 2: Alfalfa, Hay 80 acres
80 acres

PIVOT 3: Hay 80 acres

	old/ccc		new/ccc
COD for <u>7/95</u>	<u>204</u> mg/l	<u>207</u> mg/l	
<u>8/95</u>	<u>123</u> mg/l	<u>191</u> mg/l	
<u>9/95</u>	<u>194</u> mg/l	<u>224</u> mg/l	

	old / new	old/ccc new/ccc	old/ccc new/ccc	old/ccc new/ccc
	TOTAL NITROGEN	TOTAL N KJ	TOTAL NIT.	TOTAL NITRA.
7/95	<u>15.1</u> <u>14.7</u>	<u>/</u>	<u>/</u>	<u>/</u>
8/95	<u>4.3</u> <u>11.2</u>	<u>/</u>	<u>/</u>	<u>/</u>
9/95	<u>9.3</u> <u>10.4</u>	<u>/</u>	<u>/</u>	<u>/</u>

(* occc - OLD CHLORINE CONTACT CHAMBER)
(nccc - NEW CONTACT CHAMBER)
(* results have not been reported)

FLOW IN AC/FT FOR EACH PIVOT FOR THE QUARTER

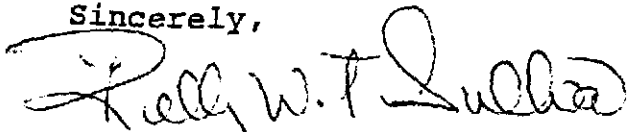
PIVOT 1: 1520 ac/ft

PIVOT 2: 181.88 ac/ft

PIVOT 3: 79.22 ac/ft

Please see attached well sample sheets.

Sincerely,



Kelly W. T. Sullivan
Superintendent Wastewater Department

MICHAEL COOK

7/11/95



CITY
OF
RUPERT

P.O. Box 426

Rupert, Idaho 83350

Phone (208) 436-4900

() Attn: Greg Misbach
Department of H & W
Environmental Quality
963 Blue Lakes
P.O. Box 1626
Twin Falls, Idaho 83303-1626

(*) Attn: Michael Cook
Department of H & W
Environmental Quality
1410 North Hilton
Statehouse Mail
Boise, Idaho 83720-9000

RE: Quarterly Report From City of Rupert for 4th Quarter 1995

FLOW TO LAGOONS 342.64 ac/ft

APPLICATIONS: PIVOT 1: Wild Life Cover 80 acres
Barley 00 acres

PIVOT 2: hay 80 acres
Alfalfa, Hay 00 acres

PIVOT 3: hay 180 acres

		old/ccc		new/ccc
COD for	5/95	183	mg/l	201
	6/95	334	mg/l	119
			mg/l	

	new/old TOTAL NITROGEN	old/ccc new/ccc TOTAL N KJ	old/ccc new/ccc TOTAL NIT.	old/ccc new/ccc TOTAL NITRA.
5/95	7.3 / 9.4	14.4 / 16.4	.01 / .01	.10 / .32
6/95	4.6 / 0.8	35.9 / 14.9	.02 / .01	.11 / .10

(* cccc - OLD CHLORINE CONTACT CHAMBER)
(nccc - NEW CONTACT CHAMBER)
(* results have not been reported)

FLOW IN AC/FT FOR EACH PIVOT FOR THE QUARTER

PIVOT 1: 45.52 ac/ft

PIVOT 2: 48.45 ac/ft

PIVOT 3: 55.227 ac/ft

LAGOON QUARTERLY

Please see attached well sample sheets.

Sincerely,

Kelly W. T. Sullivan
Superintendent Wastewater Department

MICROFILMED

8/11/95

CITY OF RUPERT

P.O. Box 426

Rupert, Idaho 83350

Phone (208) 436-4900

(X) Attn: Greg Misbach
Department of H & W
Environmental Quality
963 Blue Lakes
P.O. Box 1626
Twin Falls, Idaho 83303-1626

() Attn: Michael Cook
Department of H & W
Environmental Quality
1410 North Hilton
Statehouse Mail
Boise, Idaho 83720-9000

RE: Quarterly Report From City of Rupert for 1st Quarter 1995

FLOW TO LAGOONS 336 ac/ft

APPLICATIONS: PIVOT 1: Wild Life Cover _____ acres
Barley _____ acres
PIVOT 2: Sugar Beets _____ acres
Alfalfa, Hay _____ acres
PIVOT 3: Beets _____ acres

COD for _____ old/ccc new/ccc
_____ mg/l mg/l
_____ mg/l mg/l No test due to
_____ mg/l mg/l winter shut down

	old/ccc	new/ccc	old/ccc	new/ccc	old/ccc	new/ccc
TOTAL NITROGEN	TOTAL N KJ	TOTAL NIT.	TOTAL NITRA.			
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

(* occc - OLD CHLORINE CONTACT CHAMBER)(Quarterly well tests are on
(nccc - NEW CONTACT CHAMBER) back of report.)

(* results have not been reported) (Only irrigation was to keep
levels down, small handline
no crops.)

FLOW IN AC/FT FOR EACH PIVOT FOR THE QUARTER

PIVOT 1: 4.08 ac/ft (Did not use pivot, just pump for
handline sets)
PIVOT 2: _____ ac/ft
PIVOT 3: 11.95 ac/ft

Please see attached well sample sheets.

LAGOON QUARTERLY

Sincerely,

W. T. Sullivan

W. T. Sullivan
Superintendent Wastewater Department

MICHAEL COOK

BOISE, IDAHO

CITY
OF
RUPERT

1ST QUARTER

JAN,

FEB

MARCH

1994

KS

phone (208) 436-4900

DIVISION OF

963 Blue Lakes
P.O. Box 1626
Twin Falls, Idaho

el Cook
t Enforcement
TCN, STATEHOUSE MAIL
3720-9000

ATTN:

RE: Quarterly Repc

1st Quarter of 1994

FLOW TO LAGOONS 311 ac/ft

APPLICATIONS: PIVOT 1: Wild Live Cover _____ acres
Barley _____ acres

PIVOT 2: Sugar Beets _____ acres
Alfalfa, Hay _____ acres

PIVOT 3: BEETS _____ acres

COD for _____ old/coc _____ new/coc _____ mg/l _____ mg/l @ no coc test just well
_____ mg/l _____ mg/l test.
_____ mg/l _____ mg/l

	old/coc	new/coc	old/coc	new/coc	old/coc	new/coc
TOTAL NITROGEN	TOTAL N KJ	TOTAL NIT.	TOTAL NITRA.			
_____	/	/	/			
_____	/	/	/			
_____	/	/	/			

(* cccc- OLD CHLORINE CONTACT CHAMBER)

(nccc- NEW CONTACT CHAMBER)

(* results have not been reported)

FLOW IN AC/FT FOR EACH PIVOT FOR THE QUARTER

PIVOT 1 0 ac/ft

PIVOT 2 0 ac/ft

PIVOT 3 0 ac/ft

Please see attached well sample sheets.

Sincerely,

Kelly W. T. Sullivan

Kelly W. T. Sullivan
Superintendent Wastewater Department

CITY OF RUPERT

P.O. Box 426

Rupert, Idaho 83350

Phone (208) 436-4900

DIVISION OF ENVIRONMENTAL QUALITY

Attn: Michael Cook
Permit Enforcement

963 Blue Lakes
P.O. Box 1626
Twin Falls, Idaho 83303-1626

1410 NORTH HILTON, STATEHOUSE MAIL
BOISE IDAHO 83720-9000

ATTN:

RE: Quarterly Report From City of Rupert for 2nd. Quarter

FLOW TO LAGOONS 417.4 ac/ft

APPLICATIONS: PIVOT 1: Wild Live Cover 60 acres
Hay 60 acres

PIVOT 2: WHEAT 160 acres
 acres

PIVOT 3: WHEAT 160 acres

	old/ccc	new/ccc
COD for <u>4/94</u>	<u>153</u> mg/l	<u>207</u> mg/l
<u>5/94</u>	<u>205</u> mg/l	<u>232</u> mg/l
<u>6/94</u>	<u>276</u> mg/l	<u>241</u> mg/l

	old/ccc	new/ccc	old/ccc	new/ccc	old/ccc	new/ccc
<u>TOTAL NITROGEN</u>	<u>TOTAL N KJ</u>	<u>TOTAL NIT.</u>	<u>TOTAL NITRA.</u>			
occ ncc						
4/94 <u>5.4/ 12.6</u>	<u>9.7 / 25.2</u>	<u>.06 / .01</u>	<u>.10 / .10</u>			
5/94 <u>9.4 @</u>	<u>17.3 / 17.1</u>	<u>@ / @</u>	<u>@ / @</u>			
6/94 <u>9.73 12.1</u>	<u>15.8 / 15.0</u>	<u>.01 / .01</u>	<u>.12 / .17</u>			

(* occc- OLD CHLORINE CONTACT CHAMBER)

(nccc- NEW CONTACT CHAMBER)

(@ results have not been reported)

FLOW IN AC/FT FOR EACH PIVOT FOR THE QUARTER

PIVOT 1 116.79 ac/ft

PIVOT 2 49.72 ac/ft

PIVOT 3 70.99 ac/ft

Please see attached well sample sheets.

Sincerely,

Kelly W. T.
Kelly W. T. Sullivan

Superintendent Wastewater Department

MICHAEL COOK

Permit Enforcement

CITY OF RUPERT

P.O. Box 426

Rupert, Idaho 83350

Phone (208) 436-4900

DIVISION OF ENVIRONMENTAL QUALITY

963 Blue Lakes

P.O. Box 1626

Twin Falls, Idaho 83303-1626

Attn: Michael Cook

Permit Enforcement

1410 NORTH HILTON, STATEHOUSE MAIL
BOISE IDAHO 83720-9000

ATTN:

RE: Quarterly Report From City of Rupert for 3rd Quarter

FLOW TO LAGOONS 309.65 ac/ft

APPLICATIONS: PIVOT 1: Wild Live Cover 60 acres
Barley 60 acres
PIVOT 2: HAY 60 acres
Alfalfa, Hay 60 acres
PIVOT 3: HAY 160 acres

COD for	old/ccc	new/ccc
mg/l	N/A	N/A
mg/l	347	265
mg/l	239	239

	old/ccc	new/ccc	old/ccc	new/ccc	old/ccc	new/ccc
TOTAL NITROGEN	TOTAL N KJ	TOTAL NIT.	TOTAL NITRA.			
ULY	21.8	30.5	.18	.01	.10	.10
UG.	32.3	26.0	.01	.001	.15	.10
UFP.	10.2	23.7	.01	.00	.10	.10

(* cccc- OLD CHLORINE CONTACT CHAMBER)

(nccc- NEW CONTACT CHAMBER)

(* results have not been reported)

FLOW IN AC/FT FOR EACH PIVOT FOR THE QUARTER

PIVOT 1 110.9 ac/ft

PIVOT 2 108.71 ac/ft

PIVOT 3 231.53 ac/ft

Please see attached well sample sheets.

Sincerely,

Kelly T. Sullivan

Kelly T. Sullivan
Superintendent Wastewater Department

Michael Cook

Permit Enforcement

CITY OF RUPERT

P.O. Box 426

Rupert, Idaho 83350

Phone (208) 436-4900

DIVISION OF ENVIRONMENTAL QUALITY

Attn: Michael Cook
Permit Enforcement

963 Blue Lakes
P.O. Box 1626
Twin Falls, Idaho 83303-1626

1410 NORTH HILTON, STATEHOUSE MAIL
BOISE IDAHO 83720-9000

ATTN:

RE: Quarterly Report From City of Rupert for 4 Quarter

FLOW TO LAGOONS 481 ac/ft

APPLICATIONS: PIVOT 1: Wild Live Cover _____ acres
Barley _____ acres

NO PIVOT USE DUE TO WINTER,

ALSO WELL TEST ARE INCLUDED PIVOT 2: Sugar Beets _____ acres
Alfalfa, Hay _____ acres

PIVOT 3: BEETS _____ acres

	old/ccc	new/ccc
COD for _____	_____ mg/l	_____ mg/l
_____	_____ mg/l	_____ mg/l
_____	_____ mg/l	_____ mg/l

	old/ccc	new/ccc	old/ccc	new/ccc	old/ccc	new/ccc
<u>TOTAL NITROGEN</u>	<u>TOTAL N KJ</u>	<u>TOTAL NIT.</u>	<u>TOTAL NITRA.</u>			
_____	_____ /	_____ /	_____ /			
_____	_____ /	_____ /	_____ /			
_____	_____ /	_____ /	_____ /			

(* occc- OLD CHLORINE CONTACT CHAMBER)

(nccc- NEW CONTACT CHAMBER)

(* results have not been reported) BECAUSE OF NO PIVOT USE

FLOW IN AC/FT FOR EACH PIVOT FOR THE QUARTER

PIVOT 1 0 ac/ft

PIVOT 2 0 ac/ft

PIVOT 3 0 ac/ft

Please see attached well sample sheets.

Sincerely,


Kelly W. T. Sullivan
Superintendent Wastewater Department

CITY OF RUPERT

P.O. Box 426

Rupert, Idaho 83350

Phone (208) 436-4900

IDAHO DEPARTMENT OF HEALTH AND WELFARE

MICHAEL COOK

WASTEWATER LAND APPLICATION PERMIT COORDINATOR

1410 n. Hilton ST.

BOISE ID-83706 Idaho 83706-1111

ATTN: MICHAEL COOK

RE: Quarterly Report From City of Rupert for 1st Quarter OF 1993

FLOW TO LAGOONS 283 ac/ft

APPLICATIONS: PIVOT 1: Wild Live Cover _____ acres

Barley _____ acres

@ irr is off due
cold weather.

PIVOT 2: Sugar Beets _____ acres

Alfalfa, Hay _____ acres

PIVOT 3: Potatoes _____ acres

	old/ccc	new/ccc
COD for _____	_____ mg/l	_____ mg/l
_____	_____ mg/l	_____ mg/l
_____	_____ mg/l	_____ mg/l

93

	old/ccc	new/ccc	old/ccc	new/ccc	old/ccc	new/ccc
<u>TOTAL NITROGEN</u>	<u>TOTAL N KJ</u>	<u>TOTAL NIT.</u>	<u>TOTAL NITRA.</u>			
_____	_____/____	_____/____	_____/____	_____	_____	_____
_____	_____/____	_____/____	_____/____	_____	_____	_____
_____	_____/____	_____/____	_____/____	_____	_____	_____

(* occc- OLD CHLORINE CONTACT CHAMBER)

(nccc- NEW CONTACT CHAMBER)

(* results have not been reported)

WELL TEST FOR GROUNDWATER
MONITORING IS ATTACHED.

FLOW IN AC/FT FOR EACH PIVOT FOR THE QUARTER

PIVOT 1 @ _____ ac/ft

PIVOT 2 _____ ac/ft

PIVOT 3 _____ ac/ft

Please see attached well sample sheets.

Sincerely,

Kelly W. T. Sullivan

Superintendent Wastewater Department

CITY OF RUPERT

P.O. Box 426

Rupert, Idaho 83350

Phone (208) 436-4900

DIVISION OF ENVIRONMENTAL QUALITY

Attn: Michael Cook
Permit Enforcement

963 Blue Lakes
P.O. Box 1626
Twin Falls, Idaho 83303-1626

1410 NORTH HILTON, STATEHOUSE MAIL
BOISE IDAHO 83720-9000

ATTN:

RE: Quarterly Report From City of Rupert for 3rd. Quarter

FLOW TO LAGOONS 635.35 ac/ft

APPLICATIONS: PIVOT 1: Wild Live Cover 60 acres
Barley 60 acres

PIVOT 2: Sugar Beets 60 acres
Alfalfa, Hay 60 acres

PIVOT 3: BEETS 100 acres

	old/ccc	new/ccc
COD for july	<u>407</u> mg/l	<u>274</u> mg/l
aug.	<u>250</u> mg/l	<u>256</u> mg/l
sept.	<u>210</u> mg/l	<u>271</u> mg/l

	old/ccc	new/ccc	old/ccc	new/ccc	old/ccc	new/ccc
TOTAL NITROGEN			TOTAL N KJ		TOTAL NIT.	TOTAL NITRA.
o/cc n/cc						
july	<u>11.9</u>	<u>6.7</u>	<u>21.7</u> / <u>17.8</u>		<u>(.01</u> / <u>.04</u>	<u>(.10</u> / <u>(.10</u>
aug.	<u>5.8</u>	<u>5.4</u>	<u>13.3</u> / <u>12.4</u>		<u>.41</u> / <u>.28</u>	<u>.39</u> / <u>.40</u>
sept.	<u>5.7</u>	<u>17.0</u>	<u>12.7</u> / <u>39.0</u>		<u>.10</u> / <u>(.01</u>	<u>(.11</u> / <u>(.10</u>

(* occc- OLD CHLORINE CONTACT CHAMBER)

(nccc- NEW CONTACT CHAMBER)

(* results have not been reported)

FLOW IN AC/FT FOR EACH PIVOT FOR THE QUARTER

PIVOT 1 58.64 ac/ft

PIVOT 2 25.75 ac/ft

PIVOT 3 174.07 ac/ft

Please see attached well sample sheets.

Sincerely,

Kelly W. T. Sullivan

Kelly W. T. Sullivan
Superintendent Wastewater Department

CITY OF RUPERT

P.O. Box 426

Rupert, Idaho 83350

Phone (208) 436-4900

DIVISION OF ENVIRONMENTAL QUALITY

Attn: Michael Cook
Permit Enforcement

963 Blue Lakes
P.O. Box 1626
Twin Falls, Idaho 83303-1626

1410 NORTH HILTON, STATEHOUSE MAIL
BOISE IDAHO 83720-9000

ATTN:

RE: Quarterly Report From City of Rupert for 4 Quarter

FLOW TO LAGOONS 408.27 ac/ft

APPLICATIONS: PIVOT 1: Wild Live Cover 60 acres
Barley 50 acres

PIVOT 2: Sugar Beets 0 harvested acres
Alfalfa, Hay 0 acres

PIVOT 3: BEETS 0 acres

	old/ccc		new/ccc	
COD for <u>Oct/03</u>	<u>189</u> mg/l	<u>305</u> mg/l		@se attached lab copies.
<u>Nov</u> off line	mg/l	mg/l		
<u>DEC.</u> off line	mg/l	mg/l		

	old/ccc	new/ccc	old/ccc	new/ccc	old/ccc	new/ccc
TOTAL NITROGEN	TOTAL N KJ		TOTAL NIT.		TOTAL NITRA.	
<u>Oct. 03</u>	<u> </u> / <u>42.2</u>		<u>(.28)</u> / <u>(.10)</u>		<u>.30</u> / <u>(.10)</u>	
<u>Nov</u>	<u>no irr.</u> / <u> </u>		<u> </u> / <u> </u>		<u> </u> / <u> </u>	
<u>dec.</u>	<u>no irr.</u> / <u> </u>		<u> </u> / <u> </u>		<u> </u> / <u> </u>	

(* occc- OLD CHLORINE CONTACT CHAMBER)

(nccc- NEW CONTACT CHAMBER)

(* results have not been reported)

@ AT this time we are in storage mode at lag area.

FLOW IN AC/FT FOR EACH PIVOT FOR THE QUARTER

PIVOT 1 16.59 ac/ft

PIVOT 2 18.56 ac/ft

PIVOT 3 0 ac/ft

Please see attached well sample sheets.

Sincerely,

Kelly W. T. Sullivan
Superintendent Wastewater Department



CITY
OF
RUPERT

P.O. Box 426

Rupert, Idaho 83350

Phone (208) 436-4900

IDAHO DEPARTMENT OF HEALTH AND WELFARE

963 Blue Lakes
P.O. Box 1626
Twin Falls, Idaho 83303-1626

ATTN:

RE: Quarterly Report From City of Rupert for 4th Quarter

FLOW TO LAGOONS 376 ac/ft

APPLICATIONS: PIVOT 1: Wild Live Cover 70 acres
Barley 40 acres

PIVOT 2: Sugar Beets 110 acres
Alfalfa, Hay 10 acres

PIVOT 3: Potatoes 120 acres

COD for old/ccc new/ccc @ ALL CROPS HARVESTED BY
 mg/l mg/l SEPT. NO TESTING
 mg/l mg/l EXCEPT WELL TEST .
 mg/l mg/l

	old/ccc	new/ccc	old/ccc	new/ccc	old/ccc	new/ccc
TOTAL NITROGEN	TOTAL N KJ	TOTAL NIT.	TOTAL NITRA.			
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

(* occc- OLD CHLORINE CONTACT CHAMBER)
(nccc- NEW CONTACT CHAMBER)
(* results have not been reported)

FLOW IN AC/FT FOR EACH PIVOT FOR THE QUARTER

PIVOT 1 11.05 ac/ft

PIVOT 2 3.07 ac/ft

PIVOT 3 6.14 ac/ft

Please see attached well sample sheets.

Sincerely,

Kelly W. T. Sullivan
Kelly W. T. Sullivan
Superintendent Wastewater Department

IDAHO DEPARTMENT OF HEALTH AND WELFARE

Chris Lavelle

963 Blue Lakes

P.O. Box 1626

Twin Falls, Idaho 83303-1626

ATTN: Chris Lavelle

RE: Quarterly Report From City of Rupert for 3rd Quarter

FLOW TO LAGOONS 474.89 ac/ft

APPLICATIONS: PIVOT 1: Wild Live Cover 70 acres
Barley 40 acres

PIVOT 2: Sugar Beets 110 acres
Alfalfa, Hay 10 acres

PIVOT 3: Potatoes 120 acres

COD for	7/92	old/ccc	298	mg/l	new/ccc	435	mg/l
	8/92	(20.0	mg/l		282	mg/l	
	9/92	25.0	mg/l		234	mg/l	

	TOTAL NITROGEN	old/ccc new/ccc	TOTAL N KJ	old/ccc new/ccc	TOTAL NIT.	old/ccc new/ccc	TOTAL NITRA.
7/92	16.98 14.7	18.5 / 27.1	(0.01/ (0.01	(0.10 / (0.10			
8/92	(0.10 12.2	(0.1 / 13.0	(0.01 / (0.01	4.61 / 0.10			
	ncc occ						
9/92	or/12.8 2.64	3.7 / 19.7	(0.01/ (0.01	4.05 / 0.20			

(* occc- OLD CHLORINE CONTACT CHAMBER)

(nccc- NEW CONTACT CHAMBER)

(* results have not been reported)

FLOW IN AC/FT FOR EACH PIVOT FOR THE QUARTER

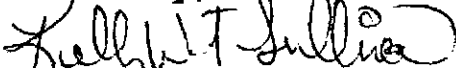
PIVOT 1 90.39 ac/ft

PIVOT 2 44.91 ac/ft

PIVOT 3 308.68 ac/ft

Please see attached well sample sheets.

Sincerely,



Kelly W. T. Sullivan

Superintendent Wastewater Department

CITY OF RUPERT

P.O. Box 426

Rupert, Idaho 83350

Phone (208) 436-4900

IDAHO DEPARTMENT OF HEALTH AND WELFARE
Chris Lavelle
963 Blue Lakes
P.O. Box 1626
Twin Falls, Idaho 83303-1626

ATTN: CHRIS LAVELLE

RE: Quarterly Report From City of Rupert for 2nd. Quarter

FLOW TO LAGOONS 438 ac/ft

APPLICATIONS: PIVOT 1: Wild Live Cover 70 acres
Barley 40 acres

PIVOT 2: Sugar Beets 110 acres
Alfalfa, Hay 10 acres

PIVOT 3: Potatoes 120 acres

COD for	4/92	old/ccc	mg/l	new/ccc	mg/l
	<u>5/92</u>	<u>136</u>	mg/l	<u>201</u>	mg/l
	<u>6/92</u>	<u>306</u>	mg/l	<u>344</u>	mg/l
		<u>234</u>	mg/l	<u>422</u>	mg/l

	old/ccc	new/ccc	old/ccc	new/ccc	old/ccc	new/ccc
TOTAL NITROGEN	TOTAL N KJ	TOTAL NIT.	TOTAL NITRA.			
5/92	<u>(0.05)</u>	<u>3.5 / 10.3</u>	<u>(0.01/ (0.01</u>	<u>(0.10 / (0.10</u>		
5/92		<u>24.4 / 16.6</u>	<u>/</u>	<u>/</u>		
6/92		<u>11.0 / 21.8</u>	<u>/</u>	<u>/</u>		

(* occc- OLD CHLORINE CONTACT CHAMBER) @ well sampling data, and info attache
(nccc- NEW CONTACT CHAMBER)
(* results have not been reported)

FLOW IN AC/FT FOR EACH PIVOT FOR THE QUARTER

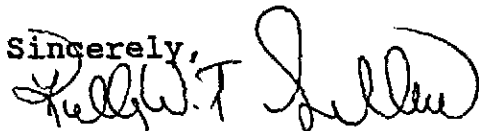
PIVOT 1 27.56 ac/ft

PIVOT 2 37.92 ac/ft

PIVOT 3 11.93 ac/ft

Please see attached well sample sheets.

Sincerely,



Kelly W. T. Sullivan
Superintendent Wastewater Department



P.O. Box 426

Rupert, Idaho 83350

Phone (208) 436-4900

IDAHO DEPARTMENT OF HEALTH AND WELFARE

Mike Mc Masters

963 Blue Lakes

P.O. Box 1626

Twin Falls, Idaho 83303-1626

ATTN: Mike Mc Masters

RE: Quarterly Report From City of Rupert for 1st QuarterFLOW TO LAGOONS 317 ac/ft

APPLICATIONS: PIVOT 1: Wild Live Cover 70 acres
@no irr, due to winter shutdown. Barley 0 acres

PIVOT 2: Sugar Beets 0 acres
only irr. was to keep levels @ Alfalfa, Hay 0 acres
down. and it was in march.

PIVOT 3: Potatoes 0 acres

	old/ccc	new/ccc	
COD for @ 3/26	<u>127</u> mg/l	<u>195</u> mg/l	@no test, winter shutdownn.
	<u> </u> mg/l	<u> </u> mg/l	
	<u> </u> mg/l	<u> </u> mg/l	

	old/ccc	new/ccc	old/ccc	new/ccc	old/ccc	new/ccc
TOTAL NITROGEN	TOTAL N KJ	TOTAL NIT.	TOTAL NITRA.			
<u>3</u>	<u>1</u>	<u>1</u>	<u>1</u>			
ncc Occ						
3/26 <u>9.37/ 8.14</u>	<u>10.4 / 12.8</u>	<u>(0.01/ (0.01</u>	<u>(0.10 / (0.10</u>			
	<u>1</u>	<u>1</u>	<u>1</u>			

(* occc- OLD CHLORINE CONTACT CHAMBER)

(nccc- NEW CONTACT CHAMBER)

(* results have not been reported)

well results, but no other test,
due to winter shut down.

FLOW IN AC/FT FOR EACH PIVOT FOR THE QUARTER

PIVOT 1 15.18 ac/ftPIVOT 2 14.32 ac/ftPIVOT 3 0 ac/ft

Please see attached well sample sheets.

Sincerely,

Kelly W. T. Sullivan

Superintendent Wastewater Department

CITY OF RUPERT

P.O. Box 426

Rupert, Idaho 83350

Phone (208) 436-4900

IDAHO DEPARTMENT OF HEALTH AND WELFARE

Mike Mc Masters

963 Blue Lakes

P.O. Box 1626

Twin Falls, Idaho 83303-1626

ATTN: Mike Mc Masters

RE: Quarterly Report From City of Rupert for 4th Quarter

FLOW TO LAGOONS 440 ac/ft

APPLICATIONS: PIVOT 1: Wild Live Cover 70 acres
Barley 40 acres

PIVOT 2: Sugar Beets 110 acres
Alfalfa, Hay 10 acres

PIVOT 3: Potatoes 120 acres

	old/ccc	new/ccc
COD for	<u> </u> mg/l	<u> </u> mg/l
	<u> </u> mg/l	<u> </u> mg/l
	<u> </u> mg/l	<u> </u> mg/l

	old/ccc	new/ccc	old/ccc	new/ccc	old/ccc	new/ccc
TOTAL NITROGEN	TOTAL N KJ	TOTAL NIT.	TOTAL NITRA.			
<u> </u>	<u> </u>	<u> </u>	<u> </u>			
<u> </u>	<u> </u>	<u> </u>	<u> </u>			
<u> </u>	<u> </u>	<u> </u>	<u> </u>			

(* occc- OLD CHLORINE CONTACT CHAMBER)

(nccc- NEW CONTACT CHAMBER)

(* results have not been reported)

FLOW IN AC/FT FOR EACH PIVOT FOR THE QUARTER

PIVOT 1 333.24 ac/ft

PIVOT 2 0 ac/ft

PIVOT 3 13.50 ac/ft

Please see attached well sample sheets.

Sincerely,

Kelly W. T. Sullivan

Kelly W. T. Sullivan

Superintendent Wastewater Department

CITY OF RUPERT

P.O. Box 426

Rupert, Idaho 83350

Phone (208) 436-4900

IDAHO DEPAI
Mike Mc Mas
963 Blue L
P.O. Box 16
Twin Falls,

THE BOLD LOOK
OF **KOHLER.**

ATTN: Mike
RE: Quarte

3rd Quarter

1991

3rd. Quarter

FLOW TO LAG

APPLICATION

NORMAN SUPPLY
150 MADRONA
TWIN FALLS, IDAHO 83301

— acres
— acres

PIVOT 2: Sugar Beets — 110 acres
Alfalfa, Hay — 10 acres

PIVOT 3: Potatoes — 120 acres

COD for	old/ccc	new/ccc
july	157 mg/l	251 mg/l
aug.	125 mg/l	358 mg/l
sept.	249 mg/l	259 mg/l

TOTAL NITROGEN	old/ccc new/ccc TOTAL N KJ	old/ccc new/ccc TOTAL NIT.	old/ccc new/ccc TOTAL NITRA.
july	8.85 / 12.10	-.01 / .01	-.10 / .10
aug.	8.14 / 21.60	-.01 / .01	-.10 / .12
sept.	8.85 / 22.10	.01 / .01	.10 / .10

(* occc- OLD CHLORINE CONTACT CHAMBER)
(* nccc- NEW CONTACT CHAMBER)
(* results have not been reported)

FLOW IN AC/FT FOR EACH PIVOT FOR THE QUARTER

PIVOT 1 — 20.16 ac/ft
PIVOT 2 — 11.60 ac/ft
PIVOT 3 — 80.09 ac/ft

Please see attached well sample sheets.

Sincerely,

Kelly W. T. Sullivan
Superintendent Wastewater Department

**CITY
OF
RUPERT**

P.O. Box 426

Rupert, Idaho 83350

Phone (208) 436-4900

INDUTRIAL WASTEWATER BILLING

Kraft
(customer)

DATE: 12 31 1995
month day year

MEASURED LOADINGS:

FLOW

3.78

3.78 (MG/Month)

BOD

40,605

40,605 (LBS/Month)

TSS

23,081

23,081 (LBS/Month)

MONTHLY CHARGES:

MINIMUM MONTHLY

\$ 7.43

FLOW

3.78 MG x 1,000 x \$ 0.79 per 1000 gal. \$ 2,986.20

BOD

40,605 LBS / 1,000 x \$ 70.66 per 1000 lbs. \$ 2,869.14

TSS

23,081 LBS / 1,000 x \$ 13.08 per 1000 lbs. \$ 301.89

BOD SURCHARGE

1,579 LBS / 1,000 x \$200.00 per 1000 lbs. \$ 315.80

TOTAL AMOUNT DUE

\$ 6,480.46

CITY OF RUPERT

P.O. Box 426

Rupert, Idaho 83350

Phone (208) 436-4900

INDUTRIAL WASTEWATER BILLING

Magic Valley Foods
(customer)

DATE: 12 31 1995
month day year

MEASURED LOADINGS:

FLOW

3.68

3.68 (MG/Month)

BOD

91,746

91,746 (LBS/Month)

TSS

21,348

21,348 (LBS/Month)

MONTHLY CHARGES:

MINIMUM MONTHLY

\$ 7.43

FLOW

3.68 MG x 1,000 x \$ 0.79 per 1000 gal. \$ 2,907.20

BOD

91,746 LBS / 1,000 x \$ 70.66 per 1000 lbs. \$ 6,482.77

TSS

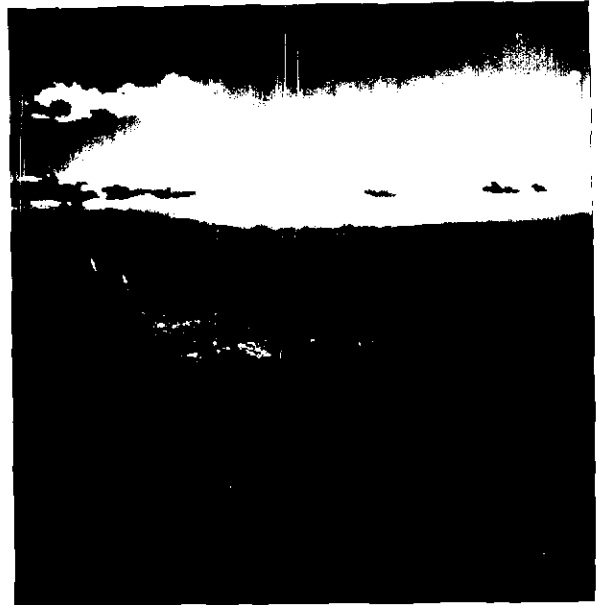
21,348 LBS / 1,000 x \$ 13.08 per 1000 lbs. \$ 279.23

BOD SURCHARGE

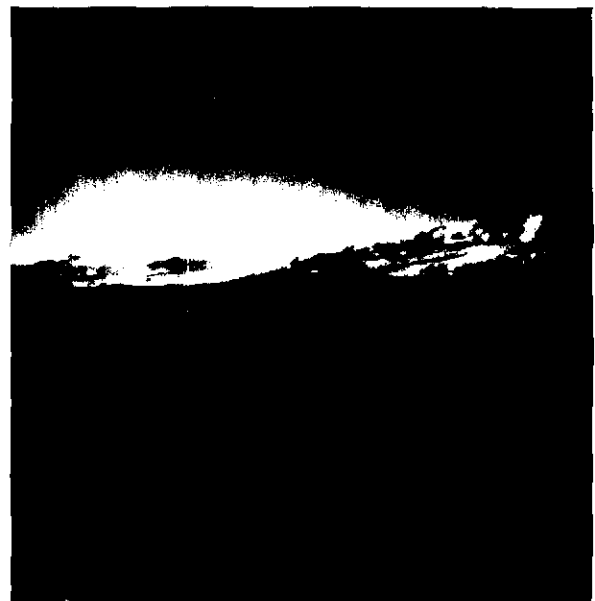
12,101 LBS / 1,000 x \$200.00 per 1000 lbs. \$ 2,420.20

TOTAL AMOUNT DUE

\$ 12,096.83



East Pump, booster, pond



West Pump

West Pivot, P/U

August 1, 1995

CITY OF RUPERT
P.O. BOX 426
RUPERT ID 83350

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08198

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED
AUG 08 1995

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 36-08198 Reviewed by [Signature] Date 6-20-95

GENERAL CONSIDERATIONS

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

TYPES OF USE

for storage

Correct Uses? yes

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☐ Drilling permit required?

☐ Copy in the file? Drilling Permit No. _____

☐ Amount paid for permit

☐ Well log in the file?

_____ Correct?

LICENSE EXAMINATION FEE

yes Required?

0 Amount Submitted

no Correct?

MEASURING DEVICE

no Required?

☐ Installed?

☐ Waiver requested?

PRIORITY CALCULATION

Date proof received

Date proof due

No. of days late

Priority Date

New Priority Date

_____	-	_____
_____	=	_____
_____	+	_____

DEFICIENCIES OR ACTION ITEMS

Return for \$450.00 license exam fee

Fee Received / Proof acceptable

DATA ENTRY

New Address _____

Proof Made 6-13-95

MAYOR'S OFFICE
CITY OFFICE

436-9600
436-9608

CITY OF RUPERT

P. O. BOX 426

RUPERT, IDAHO
83350

PUBLIC WORKS
ELECTRIC DEPT.

436-4900
436-1868

July 18, 1995

RECEIVED
JUL 19 1995
Department of Water Resources

Ms. Julie Yarbrough
Senior Secretary
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Re: Permit No. 36-08198

Dear Ms. Yarbrough:

Enclosed, please find a copy of the Proof of Beneficial Use form, and \$450 check for payment of the license examination fee you requested. The City was under the impression that no fee would be assessed unless a field review was found to be necessary. We apologize for any inconvenience this oversight may have caused.

Please call if you have any questions (208) 436-4900.

Sincerely,


Don Dustin
Public Works Director

RECEIVED
JUL 19 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 26, 1995

City of Rupert
c/o Don Dustin
P.O. Box 426
Rupert, ID 83350

RE: Permit No. 36-08198

Dear Permit Holder:

I have returned a copy of the Proof of Beneficial Use form submitted in connection with the above referenced water right permit. The proof indicates the total rate of diversion of water to be 1500 acre feet from a surface water source (waste water). The license examination fee for a volume of 1500 acre feet is \$450.00, however, no fee was submitted along with the proof form.

Please return the copy of the proof along with the \$450.00 license examination fee within thirty (30) days of receipt of this letter. **Please address your correspondence to my attention.**

If you have any questions or if I can be of any assistance, please feel free to contact me at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

RECEIVED
AUG 08 1995

**CITY
OF
RUPERT**

P.O. Box 426

Rupert, Idaho 83350

Phone (208) 436-4900

RECEIVED

JUN 13 1995

Department of Water

032

Ms. Julie Yarbrough
Senior Secretary
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Id. 83720-9000

Re: Permit No. 36-08198, City of Rupert

Dear Ms. Yarbrough:

Enclosed, please find the completed Proof of Beneficial Use form. I have provided general information regarding water use according to the provisions of Permit No. 36-08198 and request field examination if so desired by the Department of Water Resources.

Please call if you have any questions (436-4900).

Sincerely,



Don Dustin
Public Works Director

Enclosure

AUG 08 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 31, 1995

CITY OF RUPERT
P.O. BOX 426
RUPERT ID 83350

PROOF DUE NOTICE

RE: PERMIT NO. 36-08198

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, 1995.

(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.

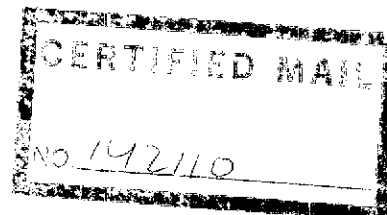
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

AUG 10 1995



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 36-08198
Name(s) of Permit Holder(s): City of Rupert
Post Office Address: P.O. Box 1426
Rupert, Idaho 83350 Tel. No. (208) 436-4900

☒ I hereby certify that construction of diversion works on the above referenced permit began on 4/16/90 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control:

(Can Duston)

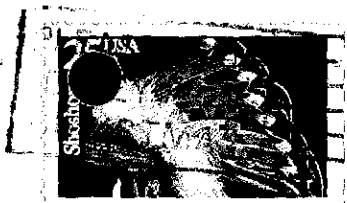
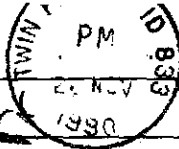
*Note: A financing difficulty is not an acceptable reason.

11/19/90
Date

[Signature]
Signature of Permit Holder
Project Coordinator

ATTN:

Don Weston
City of Rupert
P.O. Box 426
Rupert, Id. 83350



UNDOCUMENTED

AUG 08 1995

NOV 27 1990
IDaho DEPARTMENT OF WATER RESOURCES
STATEHOUSE
Department of Water Resources
BOISE, IDAHO 83720

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
September 6, 1990

CITY OF RUPERT
P.O. BOX 426
RUPERT, ID 83350

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 36-08198

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

SEP 20 1990

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

RUPERT, City of

INITIAL REVIEW BY: A.J.

APPLICATION NUMBER: 36-8198

CHECK:

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

Field check by: _____

Date: _____

Comments: _____

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

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

KAY.
THE LAGOONS
WERE BUILT 8 YRS
AGO. SINCE THEY
ARE FOR WASTE
RETENTION &
TREATMENT, THEY
ARE NOT SUBJECT
TO THE DAM SAFETY
RULES & REGULATIONS,
RULES 2, 6, 4, 5.

SEND COPIES TO:

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

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. BB-29
- ☐ Yes ☐ No Other rights on same place of use. _____

- ☐ Yes ☐ No* In form for advertising.
- ☐ Yes ☐ No Final date for protests: _____
- ☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: _____
- ☐ Application published correctly. If not, record action taken: _____
- ☒ Fee amount, receipt date & number, recorded on application.
- ☐ Publication dates and paper, recorded on application.
- ☒ Protests, dates, withdrawal, etc., recorded on application.
- ☒ Recommendation & initial, recorded on application.
- ☐ Yes ☒ No Measuring device required.
- ☐ Yes ☒ No Access port required.
- ☐ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 01- source sinks
- 06-10-83 Date of priority recommended.
- Special conditions of approval or cover letter.

App. in TRUST area - Trust Water

OK to allow 5 yrs. to develop -

By: _____ Date: _____

STATE OFFICE REVIEW:

PIY 26 51 52 53

- ☐ See attached sheet for more information.

By: kw Date: 8-27-90 FEB 16 1990

POINT OF DIVERSION AND STREAM INDEX INFORMATION

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

MEMORANDUM

TO: FILE/APPLICATION NO. 36-8198

FROM: TIM LUKE

RE: RULE 4,5,3. INFORMATION

DATE: 6-11-90

The file does not show that correspondence was sent to the applicants regarding information required under Water Appropriation Rule 4,5,3. I had drafted a special letter to the City of Rupert asking for certain information to satisfy the rules, but that correspondence apparently was lost or never copied to the file. The letter essentially eliminated all of the individual requirements under rules 4,5,3,1 through 4,5,3,4. I felt that these rules were not applicable to this application because the source of water for the irrigation project is treated city effluent. I did ask the city however to comply with rule 4,5,3,5 and submit comments from appropriate state or federal agencies, irrigation districts or other water users etc.

The city returned a copy of the Bureau of Reclamation lease agreement it holds for the irrigable lands (BOR owns the land in question). The agreement addresses most or all of the concerns that might be raised within Rule 4,5,3,5., and includes a wildlife management plan which is coordinated with the Idaho Department of Fish and Game.

Based on review of the lease agreement, it appears the city has taken the necessary steps to comply with rule 4,5,3,5. I recommend approval of the application. Trust conditions are applicable. All acreage is considered trust acreage.

*Kathy Miller
mg Editor
spoke w/ LR
on 8-21-
she will personally
take care of it*

678-042 **RECORDED**
SEP 24 1990

PLACE OF USE 1/4 1/4 OVERLAP REPORT

03/23/90

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE				NW				SW				SE				SUM
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3608198																							
0100008	MINIDOKA IRRIGATION DI	D	SNAKE RIVER	08S	24E	34																	
0100014	A & B IRRIGATION DIST	D	SNAKE RIVER	08S	24E	34																	
0100219	U.S. DEPT. OF INTERIOR	D	SNAKE RIVER	08S	24E	34																	
3608198	CITY OF RUPERT	A	WASTE WATER	08S	24E	34										42				40	40	122	
	1986 MAPPING DATA	—	COUNTY 67 QUAD BB-18	08S	24E	34	9				5		1			3	7	40	40		3	108	
3608198																							
0100008	MINIDOKA IRRIGATION DI	D	SNAKE RIVER	08S	24E	35																	
0100014	A & B IRRIGATION DIST	D	SNAKE RIVER	08S	24E	35																	
0100219	U.S. DEPT. OF INTERIOR	D	SNAKE RIVER	08S	24E	35																	
3608198	CITY OF RUPERT	A	WASTE WATER	08S	24E	35	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	528	
3608282	CRANE	P	GROUNDWATER	08S	24E	35	7					7										14	
	1986 MAPPING DATA	—	COUNTY 67 QUAD BB-17	08S	24E	35	39	39	31	35		37	38	34	23			1		1	2	4	284

SEP 20 1990

MOUNTAIN

**CITY
OF
RUPERT**

P.O. Box 426

Rupert, Idaho 83350

Phone (208) 436-4900

June 7, 1990

RECEIVED
JUN 8 1990

Tim Luke
Sr. Water Resource Agent
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

Department of Water Resources

Re: Application for Permit No. 36-8198

Dear Tim:

Please find the enclosed lease agreement between the City of Rupert and Bureau of Reclamation. This agreement should satisfy rule 4,5,3,5.

If you have any questions please feel free to call me directly at 436-4900.

Sincerely,



Don Dustin
Project Coordinator

DAD:dd

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SEP 20 1990



United States Department of the Interior

BUREAU OF RECLAMATION
MINIDOKA PROJECT OFFICE
1359 HANSEN AVENUE
BURLEY, IDAHO 83318

IN REPLY
REFER TO:

427
LND-5.00

OCT - 3 1989

Lester Hutchinson
Acting Public Works Director
City of Rupert
P. O. Box 426
Rupert ID 83350

Subject: Lease of Lands to the City of Rupert for the Purpose of Utilizing
Treated Sewage Effluent Water for Irrigating Agricultural Crops -
Contract No. 9-07-10-L0976 (Lease of Land)

Dear Mr. Hutchinson:

Enclosed is a copy of the subject lease authorizing the use of 510 acres of
United States lands in connection with the City of Rupert's municipal
wastewater treatment and disposal system.

The Idaho Fish and Game Department should be contacted for consultation
regarding compliance with the wildlife covenants that are applicable to these
lands.

Sincerely,

Max E. Van Den Berg

Max E. Van Den Berg
Project Superintendent

Enclosure

MICROFILMED

SEP 24 1990

UNITED STATES
DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

Minidoka Irrigation Project, Idaho

LEASE OF LAND FOR AGRICULTURAL PURPOSES*

THIS LEASE, made this 5 day of *September*, 1989, in pursuance of the act of June 17, 1902 (32 Stat. 388), and acts amendatory thereof or supplementary thereto, between the UNITED STATES OF AMERICA, hereinafter styled the United States, represented by the officer executing this lease, and

The City of Rupert, Idaho, hereinafter styled the lessee.

2. WITNESSETH, that in consideration of managing said property for wildlife benefits and purposes as presented in wildlife management plan attached to, marked Exhibit A and other covenants herein specified, including an annual use fee, it is hereby mutually agreed by the parties hereto as follows:

3. Description of land leased--Subject to the conditions hereinafter set forth, the United States does hereby lease to the lessee, for agricultural purposes, the following-described premises in the State of Idaho, to wit:

Township 8 South, Range 24 East, Boise Meridian, Idaho

Section 33: NE1/4, N1/2NW1/4, N1/2SW1/4NW1/4, N1/2S1/2SW1/4NW1/4, SE1/4NW1/4

Section 34: NW1/4SW1/4

Section 35: NE1/4

MICROFILMED

SEP 20 1990

containing 510 acres, more or less, with privileges and appurtenances, subject, however, to the exceptions and reservations set out in the next succeeding article.

* Lease of land to utilize treated sewage effluent water for irrigating agricultural crops.

4. Exceptions and reservations.--There are excepted and reserved from the lease of the premises described in Article 3, the following:

(a) All lands to which other rights have lawfully attached before the date of this lease.

(b) The right to take from said lands material for the construction of irrigation works, and to construct, operate, and maintain such works thereon.

(c) The right to prospect and carry on developments for oil, gas, coal, and other minerals, on said lands, under the act of October 2, 1917 (40 Stat. 297), the act of February 25, 1920 (41 Stat. 437), and the act of October 21, 1976 (90 Stat. 2757).

(d) A right-of-way along all section lines, or other practicable routes when locations on section lines are not feasible, freely to give ingress to passage over, and egress from all said lands.

(e) The right of the officers, agents, employees, licensees, and permittees of the United States or designee of the United States, at all proper times and places, freely to have ingress to, passage over, and egress from all said lands, for the purpose of exercising, enforcing, and protecting the rights described in and reserved by this article, or for the purpose of operating and maintaining any Federal project thereon.

(f) A right-of-way for any facilities constructed by or for the United States and the right of the United States to grant easements, licenses, or rights-of-way affecting the leased premises.

(g) The right of the officers, agents, and employees of the United States at all times to have unrestricted access and ingress to, passage over, and egress from all of said lands, to make investigations of all kinds, dig test pits and drill test holes, to survey for and construct reclamation and irrigation works and other structures incident to Federal Reclamation Projects.

5. Prior lease.--This lease replaces Contract No. 3-07-10-L0564, which is hereby terminated.

6. Term of lease.--The lease of the premises described for the purpose of utilizing treated sewage effluent water to irrigate agricultural crops shall be for the period from May 1, 1989 to April 30, 1999, inclusive, unless sooner terminated as hereinafter provided.

7. Rental charges.--The lessee shall pay to the United States rental charges for the use of this land, on a graduated cost basis. This fee is payable by December 31 of each year, according to the following schedule:

- 1% of gross income for the 1989 - 1991 seasons.
- 2% of gross income for the 1992 - 1995 seasons.
- 4% of gross income for the 1996 - 1998 seasons.

8. Repairs.--The lessee shall, at his own cost and expense, keep in a state of good repair such fences and ditches as may be located on the leased premises.

9. Miscellaneous conditions.--In the use of the leased premises the lessee shall faithfully observe the following conditions:

- (a) No unlawful business shall be carried on.

NON-FILMED

SEP 20 1990

(b) The lessee shall conduct his agricultural operations in such a manner as not to interfere in any manner with the utilization or management of adjacent lands owned or operated by persons other than the lessee and agrees to construct, without cost to the United States, such fences and cattle-guards as may be necessary to insure compliance with this condition. No fence, with or without gates, shall be constructed upon or across the right-of-way of any canal or lateral operated or controlled by the United States. Fences constructed by the lessee may be removed by him at any time during the term of this lease. All fences remaining on the leased premises for a period of 30 days after expiration or termination of the lessee's lease rights will, at the option of the contracting officer, become the property of the United States.

(c) The lessee shall release and relinquish any and all claims which he at any time may have or claim to have against the United States, its officers, agents, and employees on account of injury to or loss of animals pastured, loss of or damage to growing crops, or injury and health hazard to operators, hunters, and other publics pursuant to the lease for any cause whatsoever.

(d) The lessee shall guard against excessive use and waste of water which might result in erosion or other damage to the leased premises or to adjacent lands.

(e) The lessee shall keep all lands leased for agricultural purposes under crop during each growing season in order that the cultivated land will be subjected to a minimum amount of wind erosion. Sound crop rotation practices applicable within the area in which the leased premises are located shall be followed to prevent depletion of the soil. Subsequent to the harvesting of crops in the last year of the lease term or with termination of lease provided under Article 11, the lessee, shall, without cost to the United States, furnish the seed and plant the entire cultivated portion of the leased premises to perennial grasses and forbs beneficial to wildlife, in accordance with the general practices in the planting of such seed, and to the satisfaction of the aforementioned officer of the United States.

Subsequent to the last year of the lease term or with termination of the lease provided under Article 11, the lessee, shall, without cost to the United States, provide a soil analysis to determine the level of heavy metals or other hazardous materials present. Should any element or compound be found at levels exceeding those established by either Federal or State regulatory agencies as acceptable, then the City, at its expense, shall take the necessary actions to reduce contaminant concentrations to within acceptable levels.

(f) The lessee must utilize effluent water from the city of Rupert's sewage treatment plant to grow irrigated crops on said land. The lessee may commingle effluent water with potable water or irrigate portions of said lands solely with potable water to sustain seasonal and year-to-year productivity of said land, provided commingling or the use of potable water alone does not result in excessive wastewater loading rates, as determined by the Idaho Department of Health and Welfare, on lands irrigated solely with effluent water. The United States is not responsible for the quality of water used nor for providing a water supply for said land.

(g) In use of pesticides on the land covered by this lease, the lessee shall comply with all provisions of Federal and State pesticide laws and any amendments thereto. Pesticides will be used in accordance with instructions and precautions given on the product labels.

MICROFILMED

SEP 20 1990

(h) No chemical toxicant shall be used on the lands covered by this lease for the purpose of killing predatory mammals or birds, nor shall any chemical toxicant be used which causes any secondary poisoning effect for the purpose of killing mammals, birds, or reptiles.

(i) The lessee shall comply with all provisions of the Wildlife Management Plan attached to, marked Exhibit A. Lessee agrees to consult with and abide by recommendations of Idaho Department of Fish and Game in matters that affect elements of Wildlife Management Plan for which Idaho Department of Fish and Game is responsible for administering.

(j) The lessee shall comply with the State of Idaho's "Guidelines for Land Application of Municipal and Industrial Wastewater" and Land Application Permit Requirements and any appropriate Federal and State wellhead protection regulations for public water systems that become effective during the term of the lease.

(k) Since the land will be irrigated with effluent water from the city of Rupert's sewage treatment plant, the lessee will comply with all state and Federal regulations regarding the crops which can be grown with this water source and other restrictions which may apply.

(l) Lessee must use low pressure, downward-directed sprinkler heads to minimize spray drift onto adjacent lands.

(m) The city-owned drain well within the area must be abandoned and sealed in accordance with Idaho Well Construction Standards and Regulations to prevent ground-water contamination.

10. Transfer of lease.--Neither this lease nor any interest therein shall be transferred by the lessee, without the written consent of the United States made by the officer executing this lease on behalf of the Government. While it is understood that actual farming of said property will be accomplished by a local farmer through an agreement or sublease between lessee and farmer, responsibility for enforcement of all conditions and reservations contained herein shall be retained by the lessee.

11. Termination of lease.--This lease shall terminate upon conveyance of the land to the City of Rupert. In the event that this conveyance does not occur, this lease shall terminate and all rights of the lessee hereunder shall cease, and the lessee shall quietly and peaceably deliver to the United States possession of the leased premises in the condition as specified under article 9(e):

(a) At the expiration of the term as provided by article 6.

(b) After failure of the lessee to observe any of the conditions of articles 8 or 9, and on the tenth day following service of written notice on the lessee of termination because of failure to observe such conditions.

The notices provided by this article shall be served by certified mail addressed to the respective post office address given at the foot of this lease, and the mailing of any such notice properly enclosed, addressed, stamped, and registered, shall be considered service.

12. Officials not to benefit.--No member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this contract or to any benefit to arise therefrom. Nothing, however, shall be construed to extend to any incorporated company if the contract be for the general benefit of such corporation or company.

SEP 20 1990

13. Successors in interest obligated.--The provisions of this lease shall apply to and bind the assigns of the United States and assigns of the lessee.

14. Absolution of Responsibility.--The validation of this lease by the United States is contingent upon the lessee providing proof that a rider has been attached to lessee's insurance policy that would protect and absolve the United States from third party claims resulting from the lessee's operation under this lease for any cause whatsoever. In addition, the lessee agrees to release and hold harmless the United States from all liability for any injury or damage to any person or property incident to or that may arise during and in connection with the exercise by the lessee and its agents, contractors, licensees, and/or permittees of the privilege granted by this agreement.

REPRODUCTION

SEP 20 1990

IN WITNESS WHEREOF, the parties have hereunto subscribed their names as of the date first above written.

UNITED STATES OF AMERICA

By

John W. Key, III
Bureau of Reclamation
Box 043 - 550 West Fort Street
Boise, Idaho 83724

(SEAL)

Attest

City of Rupert

Lessee

P. O. Address P O Box 426

Rupert, ID 83350

By

W. F. "Bill" Whitten
Mayor

Donita Hagenberg
Clerk

Philip R. Rane
Notary Public - Idaho
Rupert. 9-7-89

By

Paul S. Rogers
Councilman

By

William H. Haggard
Councilman

By

Donna E. Edwards
Councilman

By

Donald C. Thum
Councilman

MICROFILMED

SEP 20 1990

11/16/82*

During the performance of this lease, lessee agrees to follow all terms of Wildlife Management Plan contained herewith, marked Exhibit A. Lessee agrees to consult with and abide by recommendations of Idaho Department of Fish and Game in matters that affect elements of Wildlife Management Plan for which Idaho Department of Fish and Game is responsible for administering.

WILDLIFE MANAGEMENT PLAN FOR SEWAGE EFFLUENT DISPOSAL AREA

City of Rupert, Idaho

I. Hunting

A. Entire area open to public hunting during pheasant hunting season, except for limited areas where private property, structures, and fields during harvesting operations, need to be protected.

B. Special signs to regulate hunting and public access will be provided by Idaho Department of Fish and Game (IDFG).

C. Walk-in hunting only; vehicle parking allowed only in northeast corner of section 35.

D. Permission for hunting will not be required.

E. Private property damage caused by hunter will be dealt with through civil action.

F. Regulations and controls imposed by Idaho Department of Health and Welfare may necessitate some modification in time periods that hunter use would be available. The city may prohibit or limit access to protect the health and welfare of the public but must make a reasonable effort to ensure maximum hunter use.

II. Management Provisions

A. Irrigated farmed areas (approximately 410 acres selected by lessee)--managed for agricultural production.

1. Land clearing--accomplished in a manner to preserve the native vegetation in the intermixed nonfarmed irrigated lands and the nonirrigated lands.

2. No limitation on grazing on irrigated farmed areas. If grazed, irrigated farmed land must be fenced to separate those areas from the wildlife areas. The intermixed nonfarmed irrigated and nonirrigated areas will not be grazed beyond a level specified by IDFG. No grazing on entire area during pheasant hunting season.

SEP 20 1980

*This version approved by Rupert City Council November 16, 1982.

*3. When residue burning (e.g., grain stubble) is used in farming operations, reasonable precautions must be used to prevent burning of vegetation on the nonfarmed irrigated and nonirrigated lands being managed for wildlife purposes.

B. Nonfarmed irrigated areas (approximately 90 acres selected by lessee)--managed for wildlife habitat. These are sprinkler irrigated areas, but due to severe rocky condition, would not be cultivated and farmed.

1. These nonfarmable areas within the irrigation system cannot be cleared of native vegetation either mechanically or by burning. However, these areas may be planted with vegetation favorable to wildlife by mechanical means under the habitat enhancement provision of IIIB, below. Care must be taken during clearing of the adjacent farmable lands to protect these areas.

2. Grazing permitted within levels specified by IDFG, and only when used as a management tool to maintain or enhance wildlife habitat.

3. Weed control limited to spot spraying; no broadcast or aerial spraying allowed. IDFG will be responsible for noxious weed control on nonfarmed irrigated areas.

C. Nonirrigated areas (approximately 90 acres selected by lessee)--managed for wildlife habitat.

1. The same clearing and weed control provisions apply as for nonfarmed irrigated area.

2. No grazing permitted except with special approval of IDFG, and only when used as a management tool to maintain or enhance wildlife habitat.

3. These areas cannot be used for farm travel or storage areas except for the northeast corner of section 35.

III. Habitat Enhancement--This aspect of the wildlife plan relates to the wildlife "habitat development" provision contained in the September 25, 1981, agreement between A&B Irrigation District and Idaho Department of Fish and Game. This agreement states that 25 percent of the irrigated cropland would be committed to an "alfalfa equivalent" level of management. The alfalfa equivalent can be met by either managing cropland or creating and maintaining permanent wildlife cover and feed crops, with varying acres obligated depending on the alternative chosen. Two options are presented. The first corresponds rigidly to the 1981 agreement; the second, called the alternative option, is specially adapted for this project. The choice of options is that of the farm operator.

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*Item added following discussion with Don Courtright November 24, 1982

A. 1981 Agreement Option

The following table identifies six cropping and management alternatives available under the 1981 agreement. Shown are acres which would be obligated for each alternative assuming there is no mix of these practices. The "obligated acres" are based on the August 5, 1982, development scheme, which is the basis for the figure identified herein (map available from City of Rupert or Bureau of Reclamation, Boise, Idaho). The acres obligated for a particular year would be based on the amount of land actually being irrigated during the same year.

<u>Crop</u>	<u>Management</u>	<u>Net Impact to Farmer</u>	<u>Acre Ratio to "Equivalent"</u>	<u>Obligated Acres^{1/}</u>
"Alfalfa Equivalent"	Delay first cutting; farmer harvest second cutting; leave third cutting	Slight profit	(1.0)	101
Alfalfa	Delay first cutting; farmer harvest second and third cutting	Slightly more profit	1.25	126
Grain and other seed crops	Leave crop	Major cost	.5	50
Grain	Leave high stubble and 5 percent of crop until spring	Fair profit; minor inconveni- ence with a little extra cost	2.5	252
Permanent wildlife	Moderate development and management with water, e.g., legume/ grass cover (no grazing)	Moderate cost and weed control problem	.4	40
Permanent wildlife	Major development and management with water (e.g., shrub/brush cover, windrows)	Significant cost major weed control and management problems	.2	20

^{1/} Based on August 5, 1982; plan of ultimate development; 406 irrigated cropland acres X .25 = 101 acres "alfalfa equivalent"

Under this option, there is no restriction on locating the habitat enhancement areas so long as the areas are under irrigation. The nonirrigated lands cannot be used to meet the obligation. It would be preferable from the standpoint of wildlife to disperse the areas, either as strips within the cropped areas, along the edges of the irrigated areas, or around the rock outcrops.

8. Alternative Option

This option deals with special management of those rocky lands which would be sprinkled but not commercially farmed. These are the same land, totaling approximately 90 acres, referred to as nonfarmed irrigated acres under IIB above.

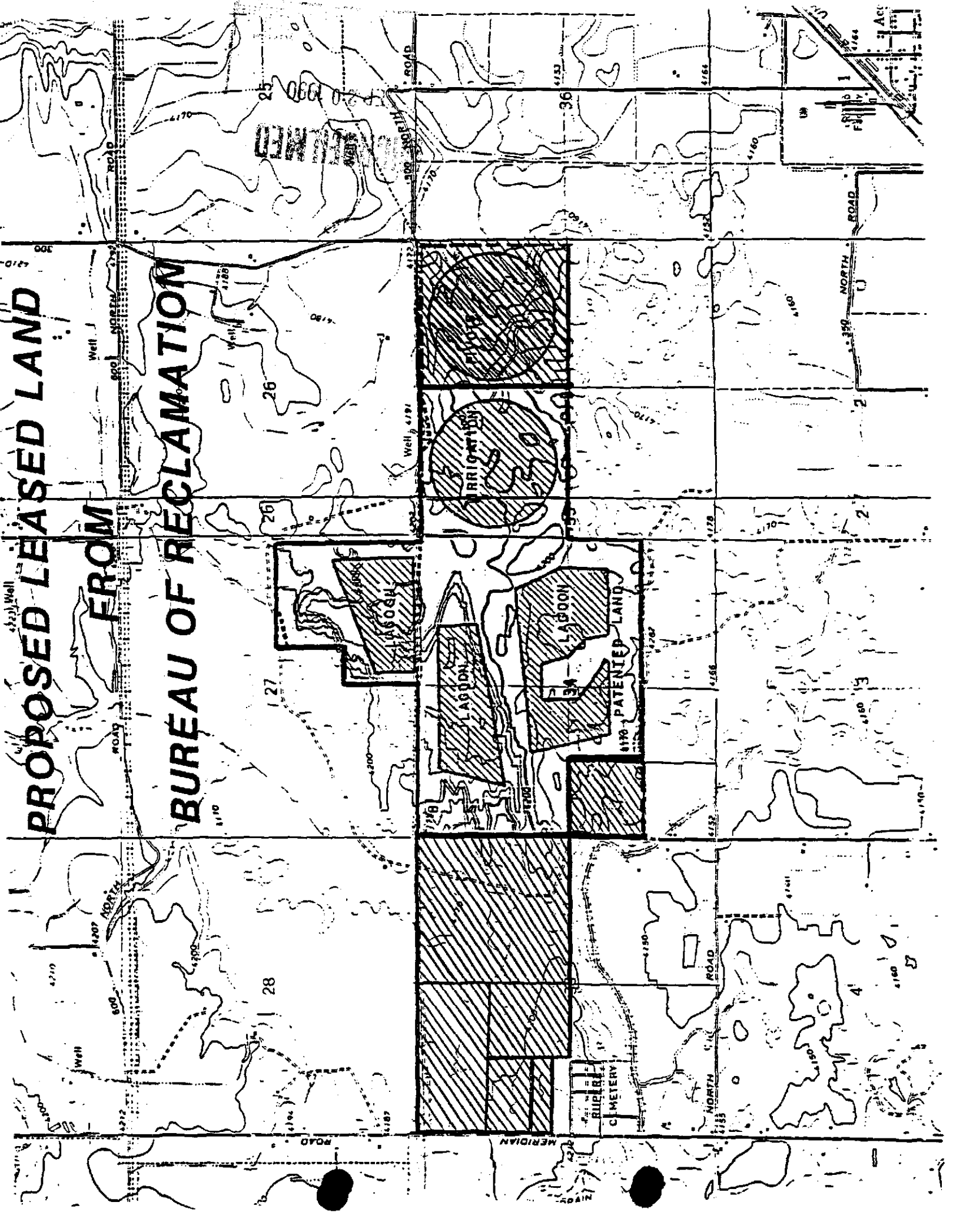
An estimated 70 percent or 63 acres of these lands have tillable productive pockets of soil among the basalt outcrop. These productive areas are generally inaccessible to conventional farming machinery and are judged uneconomical to commercially develop. Under this alternative option, the obligation would be as follows:

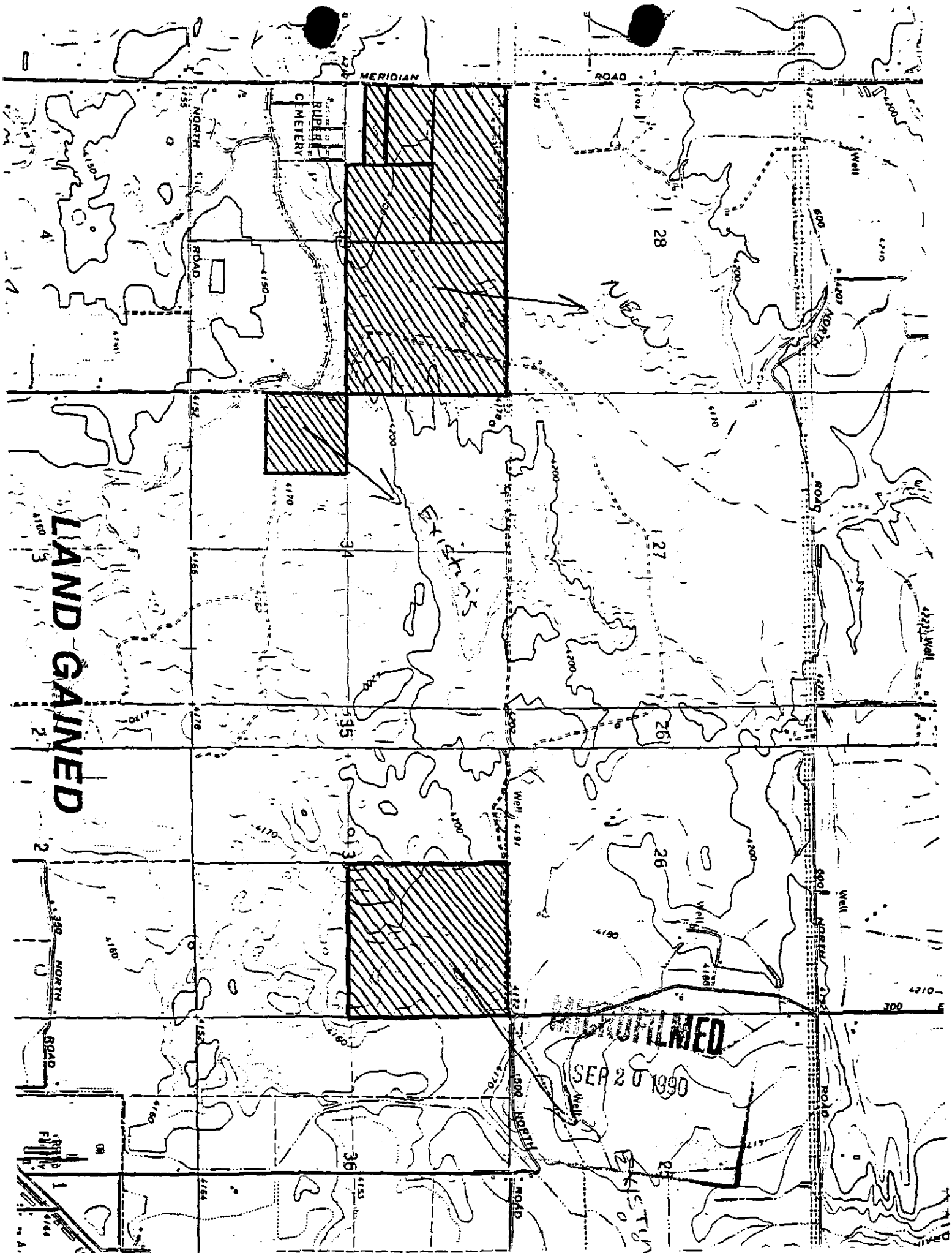
- (1) Seed the 63 acres of soil area within the irrigated rocky lands to a grass-legume-forb mixture selected by IDFG. Seed would be supplied by Bureau of Reclamation. No tillage would be required to establish seedings.
- (2) Maintain and protect seeded areas through irrigation and no, or very limited and controlled, grazing.

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**PROPOSED LEASED LAND
FROM
BUREAU OF RECLAMATION**





LAND GAINED

SEP 20 1990

EX-10

LAND LOST

RIVER
C. METERY

MERIDIAN

ROAD

NORTH

ROAD

NORTH

ROAD

NORTH

ROAD

SEP 2 1990

UNCLASSIFIED



34

28

27

26

26

25

36

Well

Well

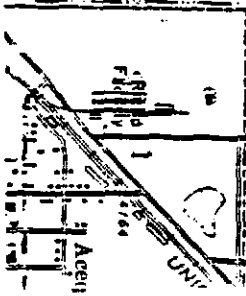
Well

Well

Well

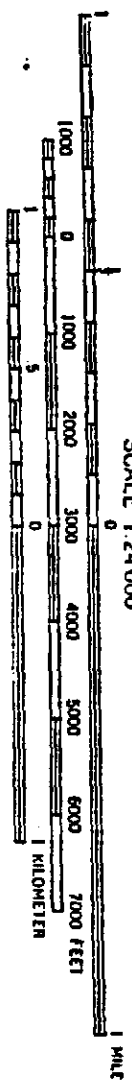
Well

Well

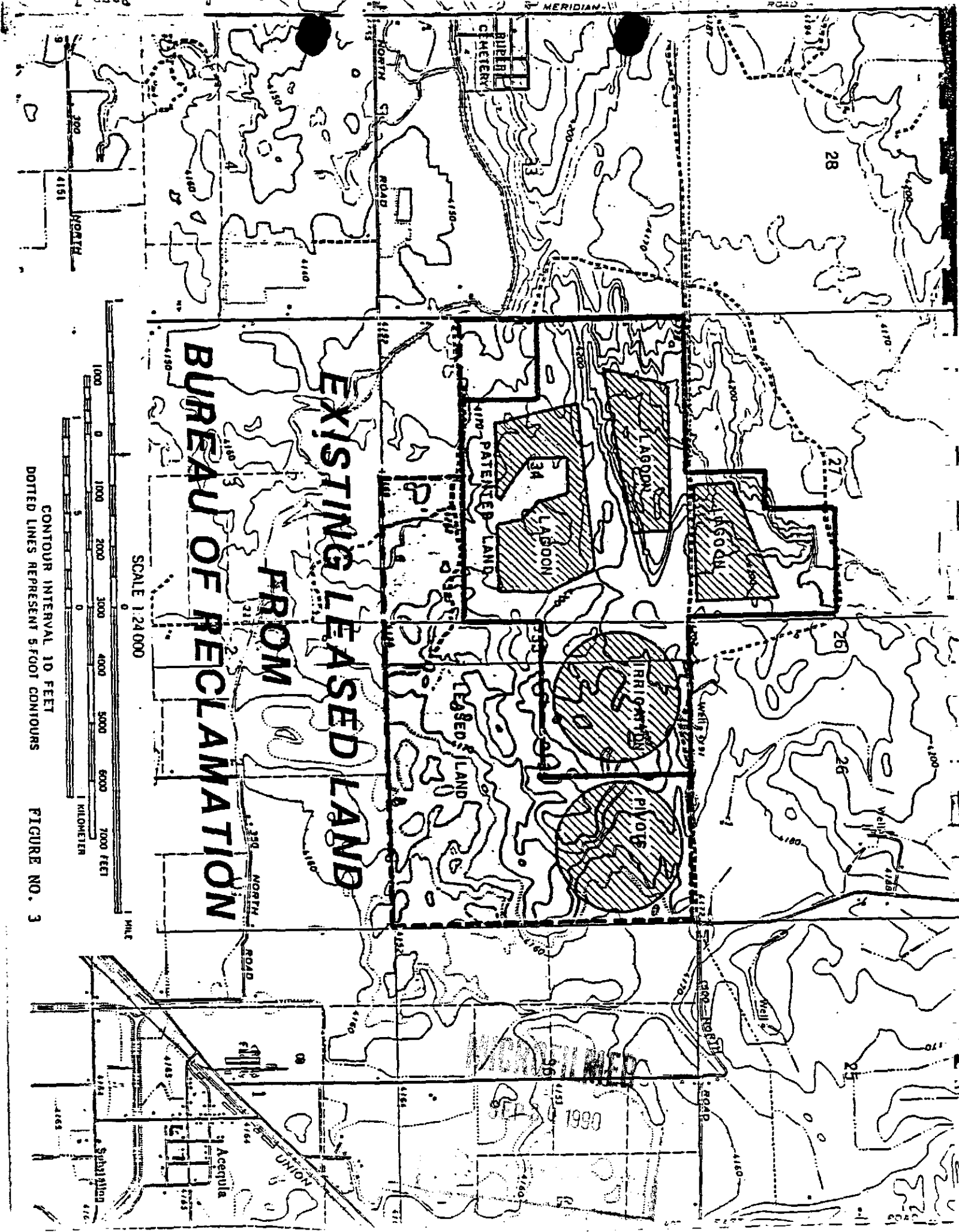


EXISTING LEASED LAND FROM BUREAU OF RECLAMATION

SCALE 1:24000



CONTOUR INTERVAL 10 FEET
 DOTTED LINES REPRESENT 5-FOOT CONTOURS
 FIGURE NO. 3



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

APRIL 24, 1990

South Idaho Press
Box 190
Burley, ID 83318

Dear Legal Dept.:

Enclosed you will find legal notices which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MAY 21, 1990.

Yours truly,

SHARLA CURTIS
Secretary

Encl.

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SEP 20 1990

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

36-08198

CITY OF RUPERT
P.O. BOX 426
RUPERT, ID 83350

Source: WASTE WATER

Tributary: SINKS

Diversion Pt: SENE Sec 34 T 08S R 24E

Use: IRRIGATION STORAGE	(1500.00 AF)
IRRIGATION FROM STORAGE	(1500.00 AF)
Total Diversion:	(1500.00 AF)

Date Filed: 6/10/ 1983

In: T08S R24E S33	NENE	NWNE	SWNE	SENE
S34	NWNE	SWNE	SENE	NWSW
S35	NENE	NWNE	SWNE	SENE
	NENW	NWNW	SWNW	SENE

480.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before MAY 21, 1990.

Published 5/ 2/1990 & 5/ 9/1990 R. Keith Higginson, Director

MICROFILMED

SEP 20 1990

**CITY
OF
RUPERT**

P.O. Box 426

Rupert, Idaho 83350

Phone (208) 436-4900

RECEIVED
APR 4 1990

April 3, 1990

Department of Water Resources

Tim Luke
Department of Water Resources
Statehouse Mail
Boise, Idaho 83720

RE: Application for Permit No. 36-8198

Dear Tim:

Please find the enclosed application referred to above. I have taken the liberty of making changes in the Subdivision Tabulation and the Map of Project sections. These changes are due to recent developments in negotiations with the Bureau of Reclamation.

If you have any questions or need further information please feel free to call me at 436-4900.

Sincerely,



Don Dustin
Project Coordinator

DAD/sm

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SEP 20 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

Application No. 36-8198

INSTRUCTIONS: IF YOU ARE NOT INTERESTED IN HAVING THE APPLICATION PROCESSED, PLEASE COMPLETE AND RETURN THE ENCLOSED WITHDRAWAL FORM.

IF YOU WISH TO HAVE THE APPLICATION PROCESSED, PLEASE ANSWER THE FOLLOWING QUESTIONS AS THOROUGHLY AS POSSIBLE. FAILURE TO RETURN EITHER THE WITHDRAWAL FORM OR QUESTIONNAIRE IS CAUSE FOR THE DEPARTMENT TO VOID THE APPLICATION.

1a. Are you the current owner of the land or place of use described under this application? Yes _____ No X

b. If you are not the propoerty owner, please describe the arrangement enabling you to develop the proposed project.

Leased land from the Bureau of Reclamation

(10 yrs
w/option to
Purchase)

2a. Has the source of water listed on this application been used to irrigate any of the land described under this same application prior to October 1, 1984? Yes _____ No X

b. If yes, please describe the extent of development and number of acres irrigated. (Note: Uses developed after October, 1984 are considered trust water diversions and may be subject to certain restrictions and/or conditions. You may be asked to verify uses established prior to October, 1984.)

3. Please state the number of acres you have irrigated under this application since October 1, 1984. ~~638~~ 304

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete. _____

5. If the permit is a supplemental filing please identify other water rights which are used on the same land.

Use the reverse side of this form if you wish to add any comments. You may mark changes on the enclosed application to designate any proposed amendments. (Note: Proposed changes which result in an expansion of use will not be considered by the department.)

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application.

Applicant *[Signature]*

for City of Rupert

Date 4/2/90

MICROFILMED

SEP 20 1990

IDAHO DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

5. REMARKS/COMMENTS:

Please note the changes
made in the application i.e. subdivision
tabulation changes & Map of Project
changes

MICROFILMED

SEP 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 20, 1990

RE: APPLICATION FOR PERMIT NO. 36-8198

Dear APPLICANT:

Due to the Swan Falls litigation, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

2. If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments &/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water. Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the Department to void the application.

Please be further advised that if any undeveloped portion of your proposed project is greater than 200 acres, the Department will issue a notice requesting additional information as required by Water Appropriation Rule 4,5. (in particular, Rules 4,5,3. thru 4,5,3,5, apply to your project if it is more than 200 acres).

RECORDED

SEP 20 1990

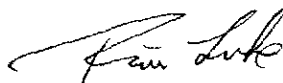
Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720
Attn: Tim Luke

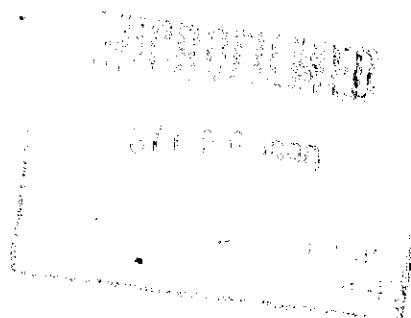
Please note that a copy of your application is enclosed. The application number is also shown on the enclosed questionnaire.

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures





STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION

John V. Evans
Governor

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

C. Stephen Allred
Director

May 26, 1983

Donald Courtright
City of Rupert
Box 426
Rupert, Idaho 83350

Re: Application for Permit

Dear Mr. Courtright:

As we discussed, we are returning your application for permit and check for \$30.00.

We have prepared a new application that better describes your proposed water project. If the application is satisfactory, please return it to this office with a filing fee of \$325.00.

If you have questions concerning this matter, please feel free to contact this office.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

LOH:JES:marya

Encl:

MICROFILMED

SEP 26 1990