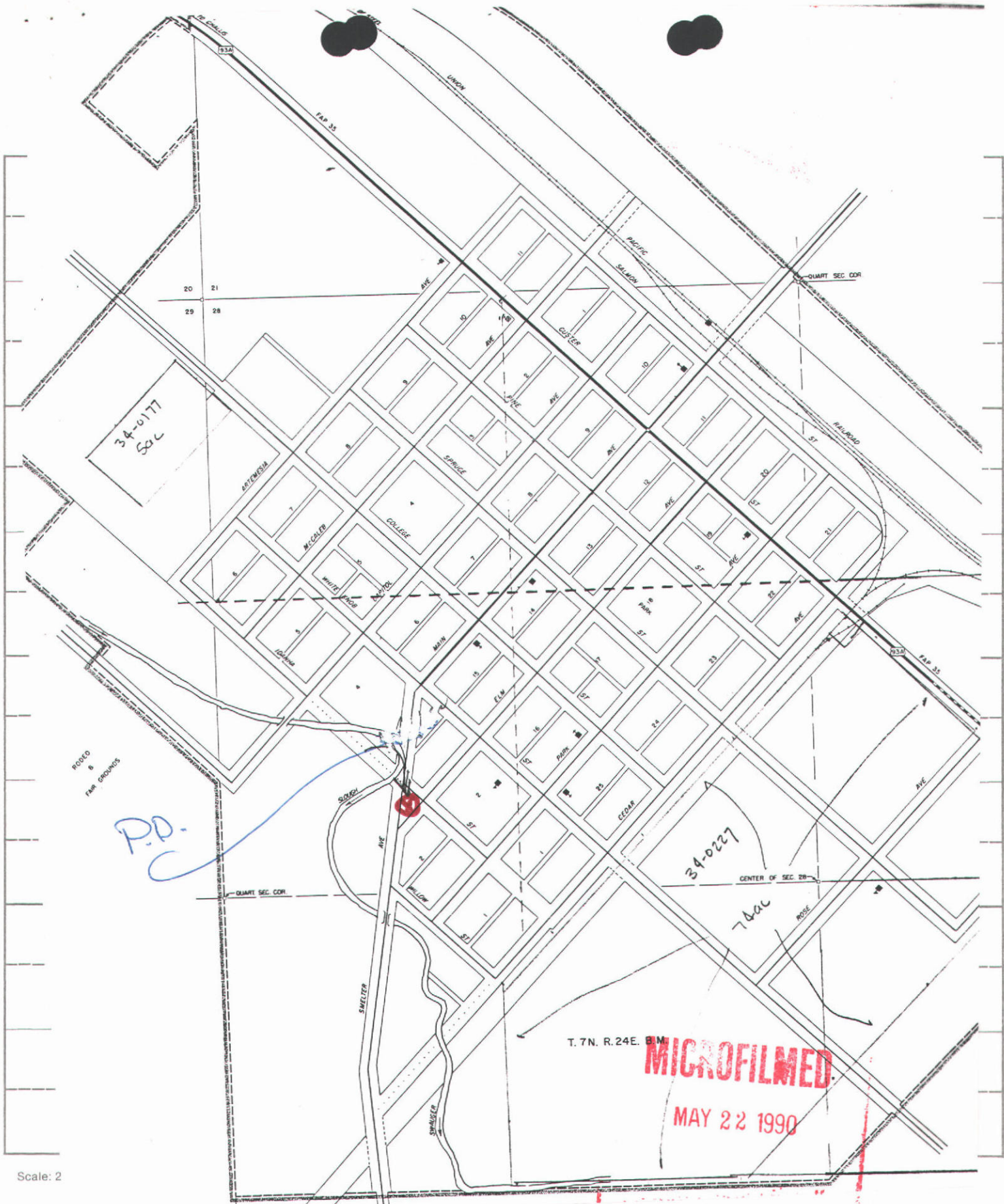




Scale: 2

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

City of Mackay
Oval S. Cooley, Mayor
(Applicant)

Title -



MAY 22 1990

00-33

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Margaret Parks, Publisher of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated Feb 15 1990 and ending with the issue dated Feb 22 1990

Margaret A. Parks

STATE OF IDAHO

COUNTY OF CUSTER

On this 22nd day of Feb. in the year of 1990, before me, a Notary Public,

personally appeared Margaret Parks, 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.

Ethel M. Beck

Notary Public for Idaho

Residing at Challis

My commission expires: 3-21-92

RECEIVED

FEB 26 1990

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION FOR WATER RIGHT

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

34-07532

CITY OF MACKAY

P.O. BOX 509

MACKAY, ID 83251

Source: GROUNDWATER

Diversion Pt: SWNW Sec 28 T
07N R 24E

Use: MUNICIPAL (2,000 CFS)

Total Diversion: (2,000 CFS)

Date Filed: 1/26/1990

In: WITHIN CITY LIMITS OF
MACKAY

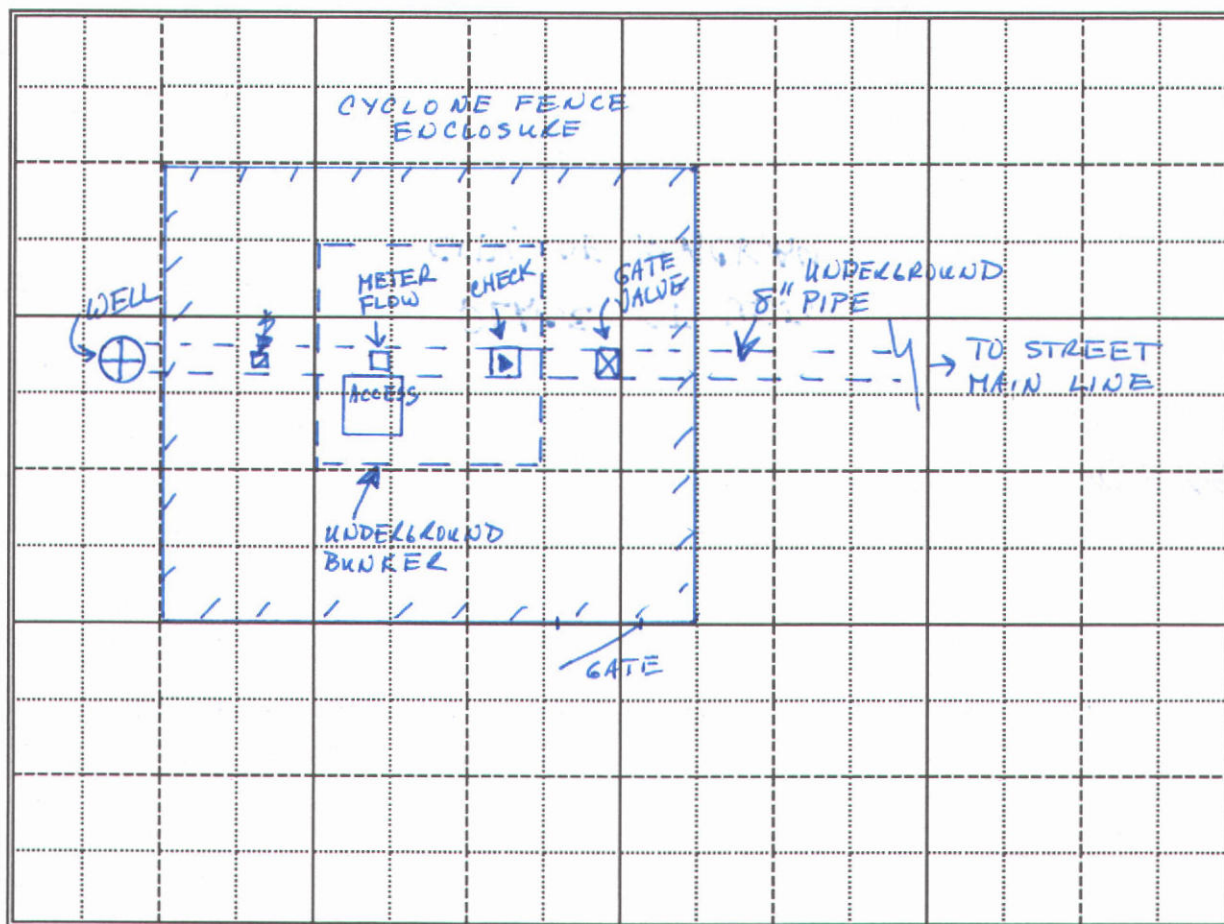
The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before MARCH 5, 1990.

R. Keith Higginson, Director
Pub: Feb. 15 & 22, 1990.

MICROFILMED

MAY 22 1990

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



W. SPRUCE
STREET
200 BLK

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
		30		SUBMERSIBLE	8 INCH DISCHARGE

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

D. FLOW MEASUREMENTS

1.

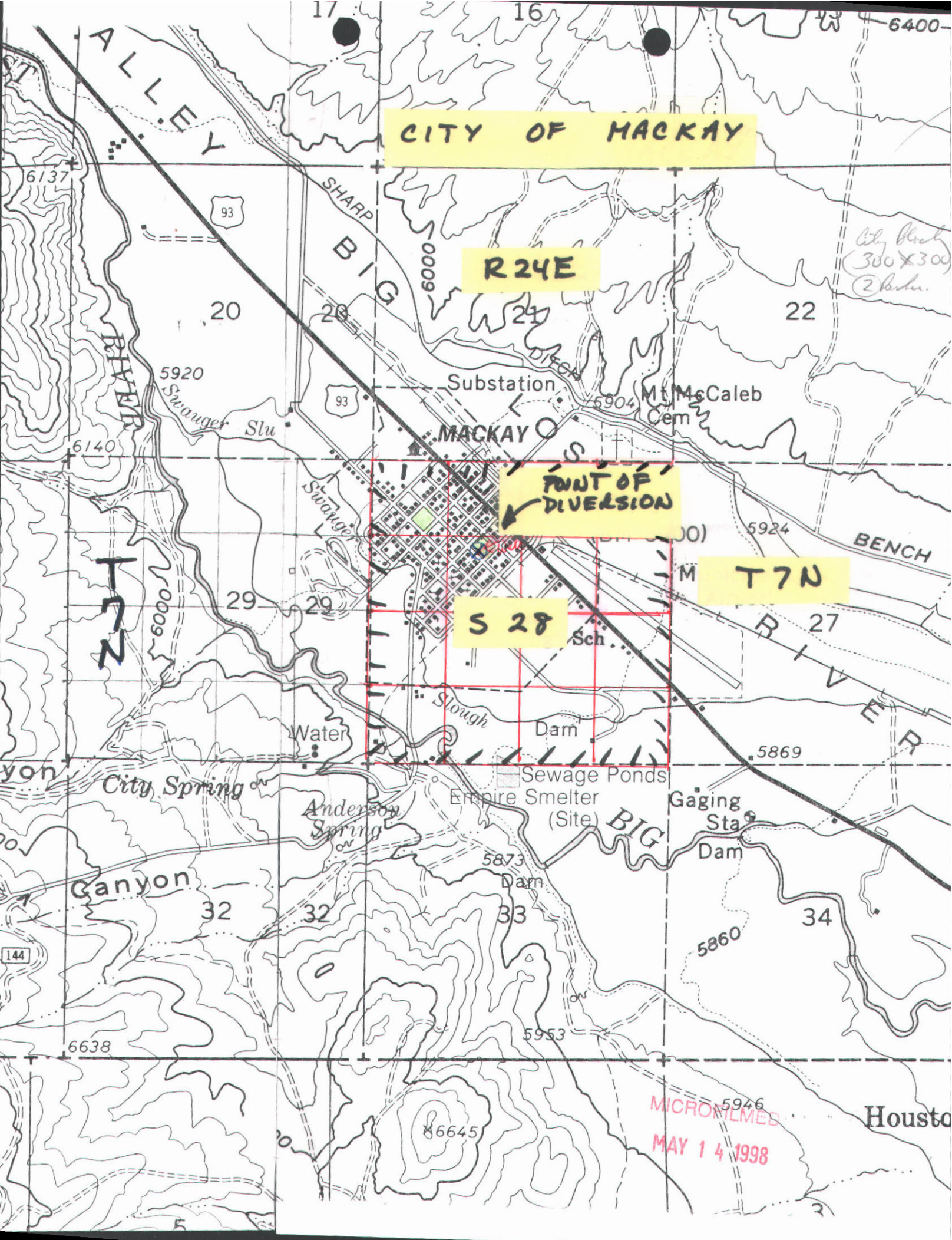
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
PRESSURE GAGE	RAIBIRD				0-160	

2. Measurements: SYSTEM PRESSURE IS 60 PSI

STATIC WATER LEVEL = 21' FEET DYNAMIC PUMPING = 34 FEET
PUMP AT 84 FEET

MICROFILMED

MAY 14 1998



CITY OF MACKAY

R 24E

POINT OF DIVERSION

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S 28

MICRONIMES
MAY 14 1998

34-7532

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J-191

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47.8

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CITY OF MACKAY
PUMP STATION

34-7532



34-7532

MICROFILMED
MAY 14 1998

34-07532

CITY OF MACKAY
P.O. BOX 509
MACKAY, ID 83251

Source: GROUNDWATER

Diversion Pt: SWNW Sec 28 T 07N R 24E

Use: MUNICIPAL (2.000 CFS)
Total Diversion: (2.000 CFS)

Date Filed: 1/26/1990

In: WITHIN CITY LIMITS OF MACKAY

**NOTICE OF APPLICATION FOR
WATER RIGHT**

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

34-07532

CITY OF MACKAY

P.O. BOX 509

MACKAY, ID 83251

Source: GROUNDWATER

Diversion Pt: SWNW Sec 28 T
07N R 24E

Use: MUNICIPAL (2.000 CFS)

Total Diversion: (2.000 CFS)

Date Filed: 1/26/1990

In: WITHIN CITY LIMITS OF
MACKAY

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. Pro-
tests must be filed with the Direc-
tor, Dept. of Water Resources, 150
Shoup Ave., Suite 15, Idaho Falls,
Idaho 83402 on or before MARCH
5, 1990.

R. Keith Higginson, Director
Pub: Feb. 15 & 22, 1990.

MICROFILMED

MAY 22 1990

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 34-07532

Priority: January 26, 1990

Maximum Diversion Rate:

1.12 CFS

This is to certify, that CITY OF MACKAY

PO BOX 509

MACKAY ID 83251

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 26, 1990; and has submitted Proof of Beneficial Use on April 10, 1992. An examination indicates that the works have a diversion capacity of 1.200 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
MUNICIPAL	01/01 to 12/31	1.12 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SENECA, Sec. 28, Township 07N, Range 24E
CUSTER County

PLACE OF USE: See Remarks

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right is for an alternate source of supply during low runoff years to replace water usually available from City Spring under Right 34-00960. The right holder shall use the full allotment from City Spring in conjunction with groundwater diverted under this right.
5. The maximum combined rate of diversion under this right and Right 34-00960 shall not exceed 1.20 cfs.
6. The Director retains jurisdiction over this right to require reconstruction of the well if determined necessary to prevent interference with surface water flows or to require mitigation for injury to prior rights.
7. Place of use is within the city limits of Mackay.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 16TH day of April, 1992.

MICROFILMED

MAY 14 1998


Acting for KARL J. BREHER, Director

RECEIVED

APR 13 1998

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 34-07532

Date of Priority: January 26, 1990 Maximum Diversion Rate: 1.12 CFS
Comes now CITY OF MACKAY
PO BOX 509
MACKAY ID 83251

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. 34-07532, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
MUNICIPAL	01/01 to 12/31	1.12 CFS	

LOCATION OF POINT(S) OF DIVERSION: SENW , Sec. 28, Township 07N, Range 24E
CUSTER County

PLACE OF USE: See Remarks

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 at MACKAY, IDAHO, this 10th day of APRIL, 19 98.

MICROFILMED

Isaac W. Ornel
(Signature)

MAY 14 1998

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 34-07532

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 50.00 Received by LB # CX1205 Date 4/13/98

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. 34-07532 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right is for an alternate source of supply during low runoff years to replace water usually available from City Spring under Right 34-00960. The right holder shall use the full allotment from City Spring in conjunction with groundwater diverted under this right.
5. The maximum combined rate of diversion under this right and Right 34-00960 shall not exceed 1.20 cfs.
6. The Director retains jurisdiction over this right to require reconstruction of the well if determined necessary to prevent interference with surface water flows or to require mitigation for injury to prior rights.
7. Place of use is within the city limits of Mackay.

Witness my hand this 16TH day of APRIL, 1998.


Acting for KARL J. DREHER, Director

MICROFILMED
MAY 14 1998

RECEIVED

APR 10 1992

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

OFFICE USE ONLY

Amt. of Fee \$ 125.00Date 4-10-92Receipt No. 0023744Receipt by [Signature]**PROOF OF BENEFICIAL USE**

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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 34-07532 Telephone No. 588-22742. Name(s) of Permit Holder(s): City of Mackay3. Mailing Address: P.O. Box 5094. Source of Water: GroundwaterIf **GROUNDWATER**, Well Driller's Name: Guthrie Drilling Date Drilled: 7/26/90**OPTIONAL:**Pump horsepower: 30 Pressure (psi): 66 Dynamic pumping level (ft.): 27

5. Extent of Use (as authorized by the permit):

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

Irrigation _____ (No. of acres) Other Municipal, for City of Mackay6. Total rate and/or volume for which proof is submitted 1.20 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? _____ Yes X No Installed? X Yes _____ No

OR

Flow Measurement Port: Required? X Yes _____ No Installed? _____ Yes _____ No8. Fee Enclosed: \$ 125.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Ken Day 588-2274
Name Telephone No.

P.O. Box 509, Mackay, ID 83251
Address

10. The above information 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.

Date

4-7-92

[Signature] Chairman of Council
Signature (and title, if on behalf of a company or organization)

RECEIVED
MAY 15 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 34-07532

Proposed Priority: January 26, 1990 Maximum Diversion Rate: 1.20 CFS

This is to certify, that CITY OF MACKAY
P.O. BOX 509
MACKAY, ID 83251

has applied for a permit to appropriate water from: GROUNDWATER
and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
MUNICIPAL	01/01 to 12/31	1.20 CFS

LOCATION OF POINT(S) OF DIVERSION: SWNW Sec. 28, Township 07N, Range 24E
CUSTER County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1992.
2. Subject to all prior water rights.
3. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
4. 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.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The well shall be constructed according to well constructions standards and in a manner to prevent interference with surface water flows in the local area.
7. This permit is issued as an alternate source of supply to replace water usually available to the City from springs which have been affected by a series of low runoff years. No additional use development is authorized under this permit and the combined rate of diversion from the well and springs shall not exceed a total of 1.2 cfs of water.
8. The Director retains jurisdiction of this permit to require reconstruction of the well if determined necessary to prevent interference with surface water flows or to require mitigation for injury to prior rights.
9. Place of use within the city limits of Mackay.

MICROFILMED

MAY 22 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 34-07532

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

4th day of May, 19 90

for J. Glen Saxton
R. Keith Higginson, Director

MICROFILMED
MAY 22 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

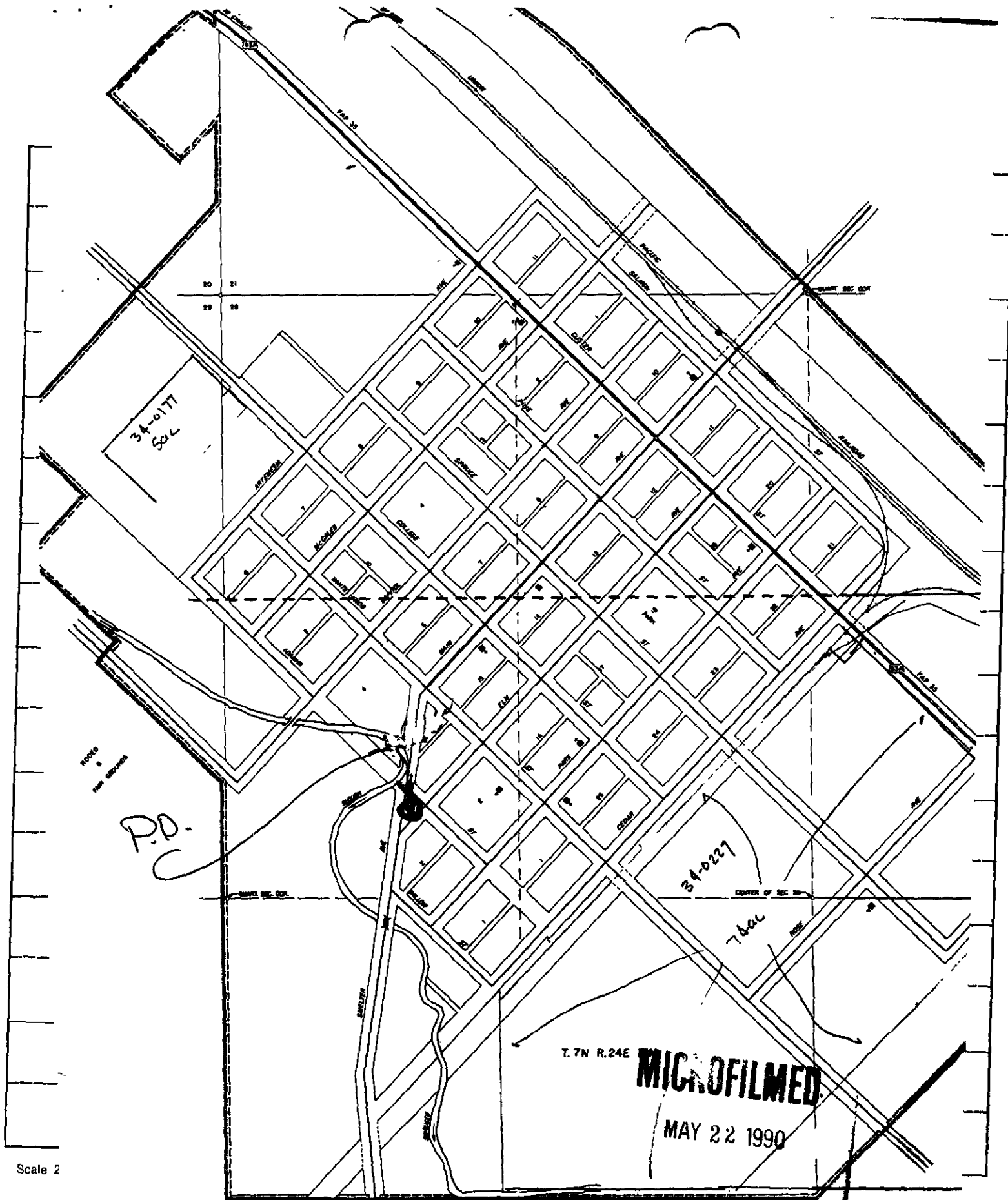
To appropriate the public waters of the State of Idaho

- 1 Name of applicant City of Mackay c/o Oval Caskey Phone 588-2274
Post office address P.O. Box 509, Mackay, ID 83251
- 2 Source of water supply Groundwater which is a tributary of _____
- 3 Location of point of diversion is _____ $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt Lot _____
Sec 28 Township 7N Range 24E B M. Custer County, additional
points of diversion if any _____
- 4 Water will be used for the following purposes:
Allow 1.2 cfs
Amount 2.00 cfs for Municipal purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Allow 1.2 cfs
- 5 Total quantity to be appropriated is (a) --2.00-- and/or (b) _____
cubic feet per second acre feet per annum
- 6 Proposed diverting works:
- a Description of ditches, flumes, pumps, headgates, etc. Well & pump to existing city system
- b Height of storage dam _____ feet; active reservoir capacity _____ acre-feet, total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
- c Proposed well diameter is 10 inches; proposed depth of well is 100 feet
- d Is ground water with a temperature of greater than 90°F being sought? No
- 7 Time required for the completion of the works and application of the water to the proposed beneficial use is
2 years (minimum 1 year)

INDEXED
FILED

MAY 22 1990

0661 22 MAY



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

City of Mackay
 Oswald S. Carley
 (Applicant)

Title -

Received by QW Date 1-26-90 Time 12:15P Preliminary check by _____
Fee \$ 65.00 Receipted by HUT # E011862 Date 1-26-90
Publication prepared by RB Date 2-15-90 Published in Custer Publishing
Area advertised
Publication approved QW Date 3-2-90

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a SUBJECT TO ALL PRIOR WATER RIGHTS

b Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 _____

c The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

MICROFILMED

MAY 22 1990



AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Margaret Parks, Publisher of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated Feb 15 1990 and ending with the issue dated Feb 22 1990

Margaret A. Parks

STATE OF IDAHO

COUNTY OF CUSTER

On this 22nd day of Feb. in the year of 1990, before me, a Notary Public,

personally appeared Margaret Parks, 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.

Ethel M. Beck
Notary Public for Idaho
Residing at Challis
My commission expires: 3-21-92

RECEIVED

FEB 23 1990

Department of Water Resources
Eastern District Office



MICROFILMED

MAY 22 1990

AFFIDAVIT OF PUBLICATION

I, Colleen Babcock

of the Arco Advertiser, a weekly newspaper of general circulation, published weekly at Arco, Idaho, since March, 1909, do solemnly swear that a copy of this notice, per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with

the issue dated Feb. 15, 1990

and ending with the issue dated

Feb. 22, 1990
Colleen Babcock

STATE OF IDAHO

COUNTY OF BUTTE

On this 26 day of February
in the year of 1990, before me, a Notary Public,

personally appeared

Colleen Babcock

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

Thomas P. Cannon
Notary Public for Idaho

Residing at Arco, ID

My commission expires 12-17-91

FEB - 1990

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION

FOR WATER RIGHT

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

34-07528

ANCHO, JOSEPH C.

ANCHO, ANGELINES

MOSES, JACKIE

750 S. UNIVERSITY

BLACKFOOT, ID 83221

Source: GROUNDWATER

Diversion Pt: NWNW Sec 36 T 08N R

20E

Use: DOMESTIC (1.060 CFS)

Total Diversion: (1.060 CFS)

Date Filed: 12/19/1989

In: T08N R20E S36 NWNW

34-07528

CITY OF MACKAY

P.O. BOX 509

MACKAY, ID 83251

Source: GROUNDWATER

Diversion Pt: SWNW Sec 28

T07N R24E

Use: MUNICIPAL (2.000 CFS)

Total Diversion: (2.000 CFS)

Date Filed: 1/26/1990

In: WITHIN THE CITY LIMITS OF

MACKAY

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. 42-2-3C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before MARCH 5, 1990.

R. KEITH HIGGINSON, Director

Published 2/15/1990 & 2/22/1990

MICROFILMED

MAY 22 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

April 16, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF MACKAY
PO BOX 509
MACKAY ID 83251

RE: WATER RIGHT NO. 34-07532

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. 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 of the Department unless a party petitions for reconsideration or files an exception and/or brief 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 twenty-one (21) 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

RECEIVED

MAY 14 1998

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department 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 Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department 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 Department 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.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

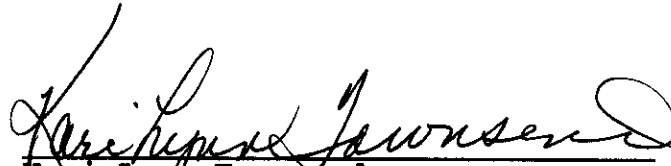
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 16th day of April, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 34-07532

CITY OF MACKAY
PO BOX 509
MACKAY ID 83251


Kari Lynn Townsend
Secretary

MICROFILMED

MAY 14 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

April 2, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF MACKAY
PO BOX 509
MACKAY ID 83251

RE: WATER RIGHT NO. 34-07532

Dear Permit Holder(s):

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 that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the point(s) of diversion developed is in a location other than what was described on your permit. Therefore, before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

The enclosed Application for Amendment form depicts the point(s) of diversion and other information as it 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.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

MAY 14 1998

MEMORANDUM

TO: File 34-07532

FROM: Sharla

DATE: March 26, 1998

RE: Licensing Recommendation Adjustments

The adjustments to licensing recommendations for Permit No. 34-07532 are as follows:

H. RECOMMENDATIONS

Municipal	1/1 - 12/31	1.12 cfs
-----------	-------------	----------

The examiner's theoretical calculation used a TDH of only 18', the static water level. Using the information from the beneficial use form which is more in line with the dynamic pumping level shown by the examiner under the measurements section of the report, the capacity comes out to 1.12 cfs.

Examiner: Don Simpkins
Exam Date: August 10, 1993

MICROFILMED
MAY 14 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 34-07532 DATE 3/26/98 REVIEWER: SHARLA

NAME OK
 Address OK
 SOURCE OK Does change clarify orig. intended source? If no, Void permit
 POINT OF DIV chg ☒ Change (Para P39 gov P40 P47) ☐ Add (P45/P42)
 W32 (multiple in 1/4)
 W36 (overlap)
 W59 (subd. desc)

Overlaps: Right(s): N/A
 File reviewed Profile reports printed

PLACE OF USE blank Muni ☐ Change (P41 - gov P43/P47) ☐ Add (P42)
 W60 (subd. desc)
 W27 (ppu acre limit)

Overlaps: Right(s):
 File reviewed Profile reports printed

RATE OF DIV
 Permitted Rate 1.20 cfs
 Fee limit 2.00 cfs \$125⁰⁰
 Measured cfs .67 (well log)
 Theoretical 1.07 cfs @ 60 psi and 34' lift (blue top)
1.12 cfs " Recommended Total Div Rate 1.12 cfs
1.03 " 60 psi and 27' lift (4u)

WATER USES	<u>Muni</u>	<u>1.12</u> cfs	<u>N/A</u> af	Irrig -	overlap (R58-R61, R62-R65, R66-R69)
		cfs	af		supp. gw (WB7/065/079)
		cfs	af		overlap spec. combined rts (W35)
		cfs	af		<1acre (W31)
		cfs	af		Domestic (W01/WB5/070/071/075)
TOTALS		cfs	af		Power (W42 or W43/025/027/R22 or R23)
					Fish (042) Fire (077) Wtr Quality (081/R07)

Flow rate cfs X days X 1.98 = af

REMARKS P/U City limits w/in of Mackay.

ADD'L CONDITIONS ☐ Watermaster Control WD#
☒ GW Measurement/Measuring Device carry over 2 spec. cond from permit
☒ Others Trust (052/R55 - remove 051) Non-trust (048/049)
 Advance Priority ☐ yes ☒ no SRBA Claim N/A Adjust Memo rate
P39 P38
P47 reminders

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

DEC 23 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 34-7532

1. Owner: CITY OF MACKAY Phone No. 588-2274

Current Address: P.O. BOX 509, MACKAY, IDAHO 83751

2. Accompanied by: KEN DAY EXAM DATE: 8/10/93

Address: SAME AS ABOVE Phone No. N/A

Relationship to Permit Holder: CITY MAINTENANCE SUPERVISOR

3. Source: GROUND WATER tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 34-7073, 7505, 7572, 00780C

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	NW	28	7N	24E	CLUSTER	ASCS ORTHO QUAD PHOTO

2. Place(s) of Use:

Indicate Method of Determination ASCS ORTHO 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	
7N	24E	28																	

PLACE OF USE
CITY OF MACKAY

MICROFILMED

MAY 14 1998

7-10111N

PUMP AT 84 FEET

STATIC WATER LEVEL = 21' FEET DYNAMIC PUMPING = 34' FEET

2. Measurements: SYSTEM PRESSURE 15 60 PSI

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
	ANUBIRD				0-160	
PRESSURE GAGE						

D. FLOW MEASUREMENTS

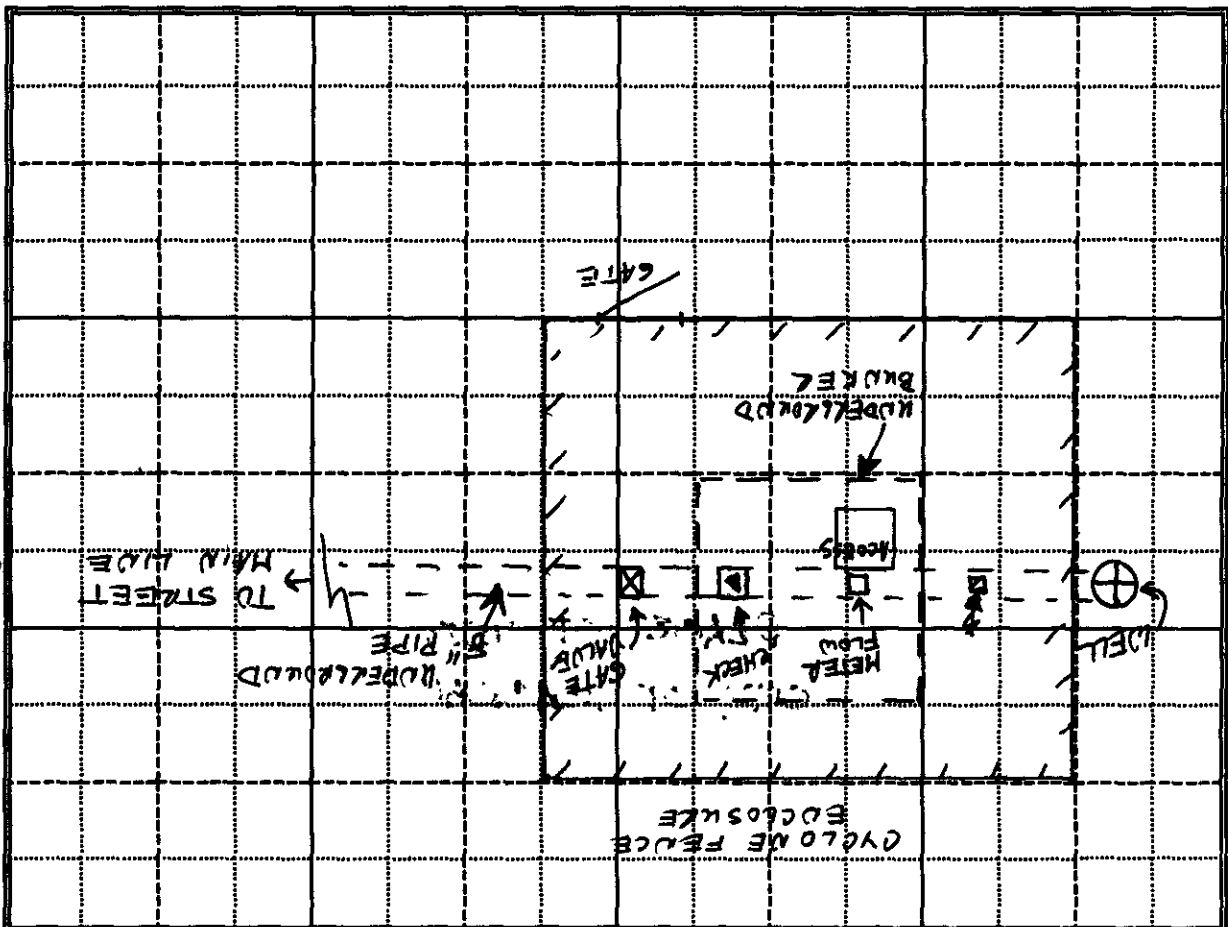
*Code to correspond with No. on map and aerial photo

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		30		SUBMERGIBLE	8 INCH DISCHARGE

4.

_____ Copy of USGS Quadrangle Attached Showing location(s) of
points of diversion and place(s) of use (required).
_____ Aerial Photo Attached
(required for irrigation of 10+ acres)
_____ Photo of Diversion and System Attached

Source: T =



W. SPENCE
STREET
200 BLK

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

E. NARRATIVE/REMARKS/COMMENTS

MUNICIPAL CITY SYSTEM USING A 30HP SUBMERSIBLE
PUMP AT 84 FEET, WITH A STATIC WATER LEVEL OF 21 FEET.
AND A DYNAMIC PUMPING LEVEL OF 34 FEET. THE CITY
SYSTEM USES A CONSTANT PRESSURE OF 60 PSI.
DATA ON WELL OBTAINED FROM KEN DAY.

FLOW METER READING IN BUNKER

80,446,000 (GALS) MC CROMETER

CITY HAS TWO PARKS $300' \times 300' = 90,000 \text{ sq ft} \times 2 = 180,000 \text{ sq ft}$

THE LEGAL DESCRIPTION DIFFERS FROM THE PERMITTED
LOCATION - THE WELL WAS NOT DRILLED IN THE PERMITTED
LOCATION.

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

MICROFILMED

MAY 14 1998

Additional Computation Sheets Attached

Theoretical CFS

$$= \frac{30(6.16)}{18 + (2.31)(60)} = \frac{184.8}{156.6} = 1.18 \text{ CFS}$$

1. Volume Calculations for Irrigation:

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

2. Volume Calculations for Other Uses:

none

1. Recommended Amounts

MAJORITY

From

10

12/31

(3) ପ

11875

(RJE) A

Age Group	18-24	25-34	35-44	45-54	55+
18-24	15%	25%	30%	20%	10%
25-34	20%	30%	25%	15%	10%
35-44	25%	20%	30%	15%	10%
45-54	30%	15%	20%	30%	5%
55+	10%	10%	15%	20%	45%

Totals:

1.18cfs

25711

2. Recommended Amendments

↗ Change P.D. as reflected above

Change P.U. as reflected above

Add P.D. as reflected above

Add P.U. as reflected above

None

Other

1. AUTHENTICATION

Field Examiner's Name _____

514PK105

Date _____

8/10/93

1518 NLS

Reviewer

None
None

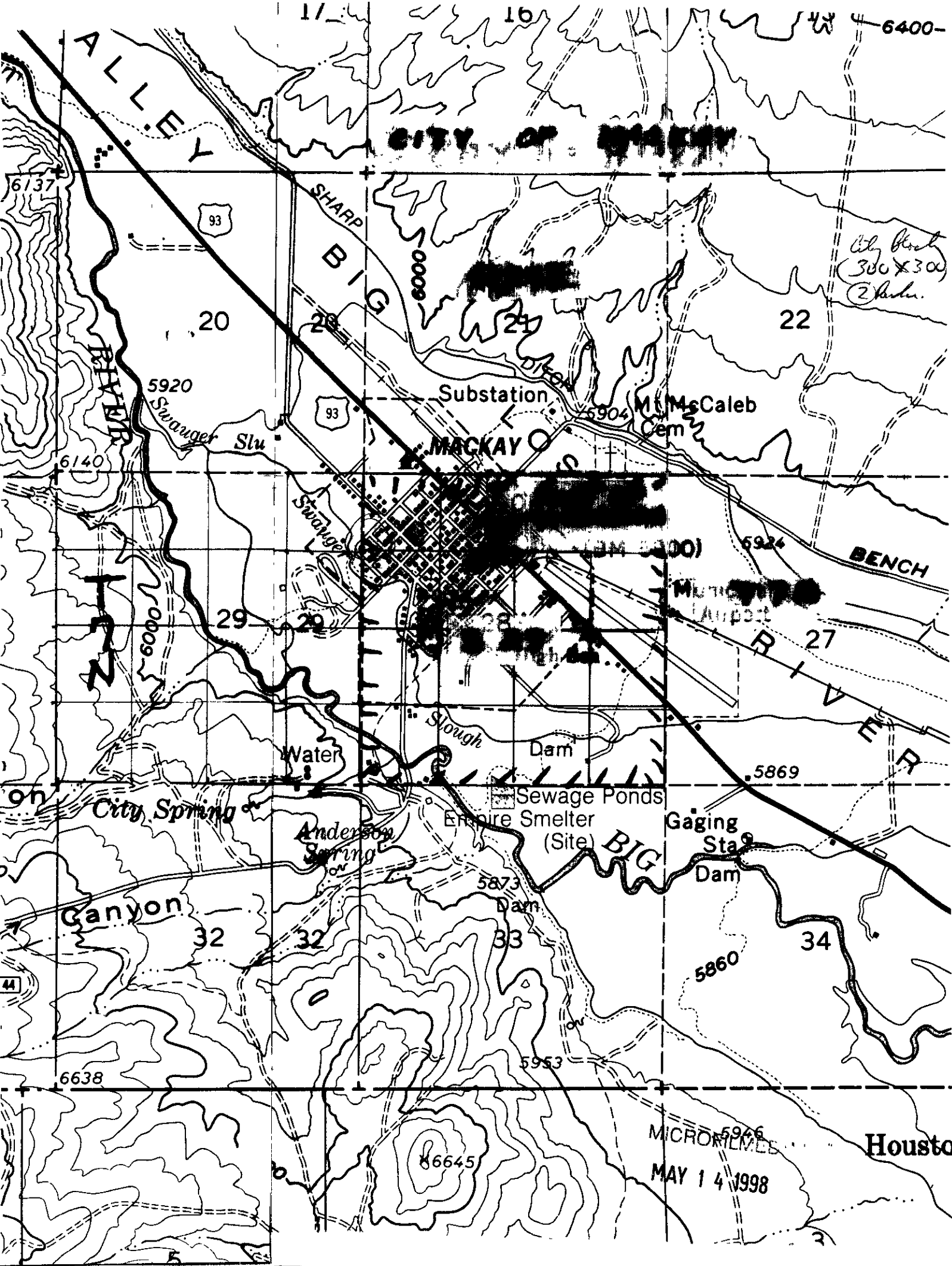
Date _____

१५/११/२०

SEAT

MICROFILMED

MAY 14 1998



CITY OF MACKAY

City Block
(300 x 300)
(2 blocks)

Substation

Mt. McCaleb
Cem

MACKAY

MULTIPLEX
AIRPORT

Sewage Ponds
Empire Smelter
(Site)

Gaging
Sta
Dam

Houston

MAY 14 1998

34-7532

1016

127

2133

2827

0

428

619

264



CITY OF MACKAY
PUMP STATION

34-7532



34-7532

MICROFILMED
MAY 14 1998

9/89

Drilling Permit No. 34-90-E-012 ✓
 Water Right Permit No. 34-7532
 Injection Permit No. _____

State of Idaho
 Department of Water Resources
 DRILLING PERMIT

RECEIVED

JAN 26 1990

Department of Water Resources
 Eastern District Office

1. Applicant City of Maday
 2. Mailing Address P.O. Box 509 Maday, ID 83251
 Telephone 588-2274

(X) Well Owner () Well Operator () Other, specify _____

3. Proposed well location SE 1/4 NW 1/4, or Gov't lot No. _____,
 Sec. 28, Twp. 7N, Rge. 24E, County Custer,
 Street Address of Well Site _____,
 Lot, block and subdivision T7N R.24E

4. Proposed use of well:

- () Single family or stockwater use (less than 13,000 gallons per day)
 () Irrigation (more than 1/2 acre)
 () Monitoring - A well bore schematic and map is required for each well.
 No. of proposed wells: _____

(X) Other (describe fully) Municipal For City of Maday

5. Well construction information:

A. (X) New well () Deepen () Replace - See Condition 9.

B. Proposed surface diameter 10" Maximum depth 100'

C. Anticipated bottom hole temperature:

- (X) 85°F or less (Cold water well)
 () 85°F to 212°F (Low temp. geothermal well)
 () 212°F or more (Geothermal well)

6. Construction Start Date May, 1990

7. Anticipated Well Driller Guthrie
 NOTE: The actual well driller must be identified prior to drilling.

MICROFILMED
 MAY 14 1998

8. Applicant's signature Orval H. Cash Date _____

Title Mayor James Rehner
 (Owner, Firm Representative, Other) Clark Treaswell

ACTION OF DEPARTMENT OF WATER RESOURCES

his Permit is

approved

Date

July 4, 1990

If approved, this permit authorizes the construction of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

The well shall be constructed according to well construction standards and in a manner to prevent interference with surface water flows in the local area.

Signature of Authorized Department Representative

Chief, Water Allocation
Title Bur.Receipt No. E011862 Received by HWT Fee 1.77 Date 1-26-80EXTENSION OF DRILLING PERMITExtension approved by _____ Approval Date MICROFILMED

This extension is good for 60 days beyond the above extension approval date.

MAY 14 1998

April 17, 1992

CITY OF MACKAY
P.O. BOX 509
MACKAY ID 83251

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 34-07532

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 EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED
MAY 15 1992

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 34-07532

Reviewed by Klg

Date 4/13/92

GENERAL CONSIDERATIONS

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

TYPES OF USE

municipal

Correct Uses? yes

SOURCE OF WATER

 Surface water source

✓ Ground water source

yes Drilling permit required?

yes Copy in the file? Drilling Permit No. 34-90-E-012

100 Amount paid for permit yes Correct?

yes Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
125 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
yes Installed?
NA Waiver requested?

PRIORITY CALCULATION

Date proof received	<u>NA</u>	
Date proof due	<u> </u>	-
No. of days late	<u> </u>	=
Priority Date	<u> </u>	+
New Priority Date	<u> </u>	

DEFICIENCIES OR ACTION ITEMS

driller 226

proof acceptable

DATA ENTRY

New Address

Proof Made 4/10/92
4/17/92 Klg

WELL DRILLER'S REPORT

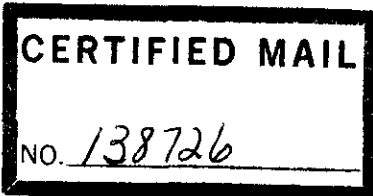
State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]

IF ADDITIONAL SHEETS ARE NECESSARY, FORWARD THE WHITE COPY TO THE DEPARTMENT

CITY OF MACKAY
P.O. BOX 509
MACKAY ID 83251

March 31, 1992



RE: PERMIT NO. 34-07532 PROOF DUE NOTICE

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 June 1, 1992.

(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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

RECEIVED
MAY 15 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 34-90-E-012
Name(s) of Permit Holder(s) City of Mackay / Mother's Well Study
Post Office Address P.O. Box 509, Mackay, ID 83201
Tel. 2274

☒ I hereby certify that construction of diversion works on the above referenced permit began on 7/23/90 I understand that I must
(date) 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*:

*Note: A financing difficulty is
not an acceptable reason

7/23/90
Date

Walter H. Hunsicker / Bookkeeper
Signature of Permit Holder

GUTHRIE Well Drilling

P.O. Box 319

ARCO, ID 83213



RECEIVED
JUL 25 1990



MAY 15 1992

Department of Water Resources
IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



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

Statehouse
Boise, Idaho 83720
(208) 327-7900
May 8, 1990

CITY OF MACKAY
P.O. BOX 509
MACKAY, ID 83251

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P34-07532

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.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

MICROFILMED

MAY 22 1990

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.

Also enclosed is a copy of the approved drilling permit submitted in connection with this water right.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

MAY 22 1990



9/89

Drilling Permit No. 34-90-E-012Water Right Permit No. 34-7532

Injection Permit No. _____

State of Idaho
Department of Water Resources
DRILLING PERMIT

RECEIVED

JAN 20 1990

Department of Water Resources
Eastern District Office

1. Applicant City of Maday
2. Mailing Address P.O. Box 509 Maday, ID 83251
Telephone 588-2274

(X) Well Owner () Well Operator () Other, specify _____

3. Proposed well location SE 1/4 NW 1/4, or Gov't lot No. _____,
Sec. 28, Twp. 7N, Rge. 24E, County Custer,
Street Address of Well Site _____,
Lot, block and subdivision T7N R24E

4. Proposed use of well:

- () Single family or stockwater use (less than 13,000 gallons per day)
() Irrigation (more than 1/2 acre)
() Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____

(X) Other (describe fully) Municipal For City of Maday

5. Well construction information:

A. (X) New well () Deepen () Replace - See Condition 9.

B. Proposed surface diameter 10" Maximum depth 100'

C. Anticipated bottom hole temperature:

- (X) 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)

6. Construction Start Date May, 1990

7. Anticipated Well Driller Guthrie

NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's signature David H. Cashy Date _____

Title Mayor (Owner, Firm Representative, Other) James Babington
Clark T. Baskin

MICROFILMED

MAY 22 1990

ACTI^{ON} OF DEPARTMENT OF WATER RESOURC^E

This Permit is approved Date May 4, 1990

If approved, this permit authorizes the construction of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

The well shall be constructed according to well construction standards and in a manner to prevent interference with surface water flows in the local area.

J. Glen Saylor Chief, Water Alloc.
Signature of Authorized Department Representative Title Bur.

Receipt No. E011862 Received by HWT Fee 1.00 Date 1-26-80

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

MICROFILMED

MAY 22 1990

Dist. for staffing 1-29-90

Sub. d for advertising 1-27-90

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Adventure in Area +
Charles Paper

APPLICATION FOR PERMIT ANALYSIS SHEET

34-7532

INITIAL REVIEW BY DM DATE 1-29-90 APPLICATION NUMBER

City of Mackay c/o Oval Caskey

REQUIRED INFORMATION

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

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☐ Overlapping point of diversion
- ☐ Yes ☒ No Field check required
- ☐ Yes ☒ No Field check by _____
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

RECEIVED
MAR 19 1990

Department of Water Resources

PROCESSING Yes No In form for advertising
Yes No Statewide advertising
Yes No Fee amount, receipt date & No. recorded on application

SEND COPIES TO Idaho Dept. of Health & Welfare U.S. BLM
Idaho Dept. of Fish & Game U.S. Forest Service
Idaho Dept. of Lands Water District
Adjudication Bureau Unit Other

FINAL REGIONAL PROCESSING REVIEW

Yes No Affidavit of publication received
Yes No Application published correctly. If not, record action taken.
Yes No Publication dates & paper, recorded on application
Yes No Protests received
Final date for protest 3-5-90
Yes No Protests, dates, resolution of protest, recorded on application
Yes X No Recommendations attached
Yes X No Measuring device required
X Yes No Access port required
O Yes X No Will water be delivered by watermaster? If yes, what Dist. 34-PO5
X Yes No Special conditions of approval or cover letter below.

Date of priority recommended See below for additional information
By HCWJ Date 1-26-90 3-13-90 (conditions below)

STATE OFFICE REVIEW P05, P23, P03, P17 016 26 46
By kw Date 5-1-90

ADDITIONAL INFORMATION Process drilling permit too.
App. in TRUST Area - DCM I
OK to allow 2 yrs. to develop

- 1 The well shall be constructed according to well construction standards and in a manner to prevent interference with surface water flows.
- 2 This permit is issued as an alternate source of supply to replace water usually available to the city from springs which have been affected by a series of low runoff years. New development is not authorized under this permit and the rate of diversion from the well and springs shall not exceed a total of 1.2 cfs of water.
- 3 The Director retains jurisdiction of this permit to require reconstruction of the well if determined necessary to prevent interference with surface water flows or to require mitigation for injury to prior rights.

MEMORANDUM

TO: File 34-7532
FROM: Norm Young *NY*
RE: Conv. with Councilman Ellis
DATE: April 30, 1990

I called the city hall at Mackay to determine the urgency of the need to drill a well for the city. Councilman Ellis described the need as critical because of reduced flows from the spring from which the city normally gets its water supply. At times last summer, the water was simply flowing through the storage facilities without any storage capacity remaining. This is a critical situation for fire protection and public health. He asked that the application be given immediate consideration. I agreed to call him back in the next several days to let him know what we would do.

The councilman understands the water management problems facing the basin but appeals to municipal use having a higher public need.

INDEXED FILMED

MAY 22 1990

08-Feb-1990

CITY OF MACKAY
C/O OVAL CASKEY
P.O. BOX 509
MACKAY, ID 83251

RE: Application for Permit No. 34-7532

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising your application in the Arco Advertiser. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED

MAY 24 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
J Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 7, 1990

THE ARCO ADVERTISER
P.O. DRAWER C
ARCO, ID 83213

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before MARCH 5, 1990.

Yours truly,

Rita Bodell
Secretary

Encl.

RECEIVED
MAY 22 1990

34-07532

CITY OF MACKAY
P.O. BOX 509
MACKAY, ID 83251

Source: GROUNDWATER

Diversion Pt: SWNW Sec 28 T 07N R 24E

Use: MUNICIPAL (2.000 CFS)
Total Diversion: (2.000 CFS)

Date Filed: 1/26/1990

In: WITHIN CITY LIMITS OF MACKAY

MICROFILMED
MAY 22 1990

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, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before MARCH 5, 1990.

R. Keith Higginson, Director

Published 2/15/1990 & 2/22/1990

MICROFILMED

MAY 22 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 7, 1990

CUSTER PUBLISHING CO.
P.O. BOX 405
CHALLIS, ID 83226

Gentlemen:

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

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Encl.

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R. Keith Higginson, Director

Published 2/15/1990 & 2/22/1990

MICROFILMED

MAY 22 1990

ACTION REQUIRED

FROM: H.W. Jones - IDWR

TO: City of Mackay

Depart
Eastern District Office

Attached is your applic. For permit & drilling permit. Please
review both & sign the applic.. You will need to send
both documents back to me with the \$165 total required fee.

RECEIVED

MAY 24 1990

HWJ

Mr. Jones
There was an error in the marked
location please note the location marked
in pink highlight, the corner sections are correct
& the check is enclosed. Thanks Stormie