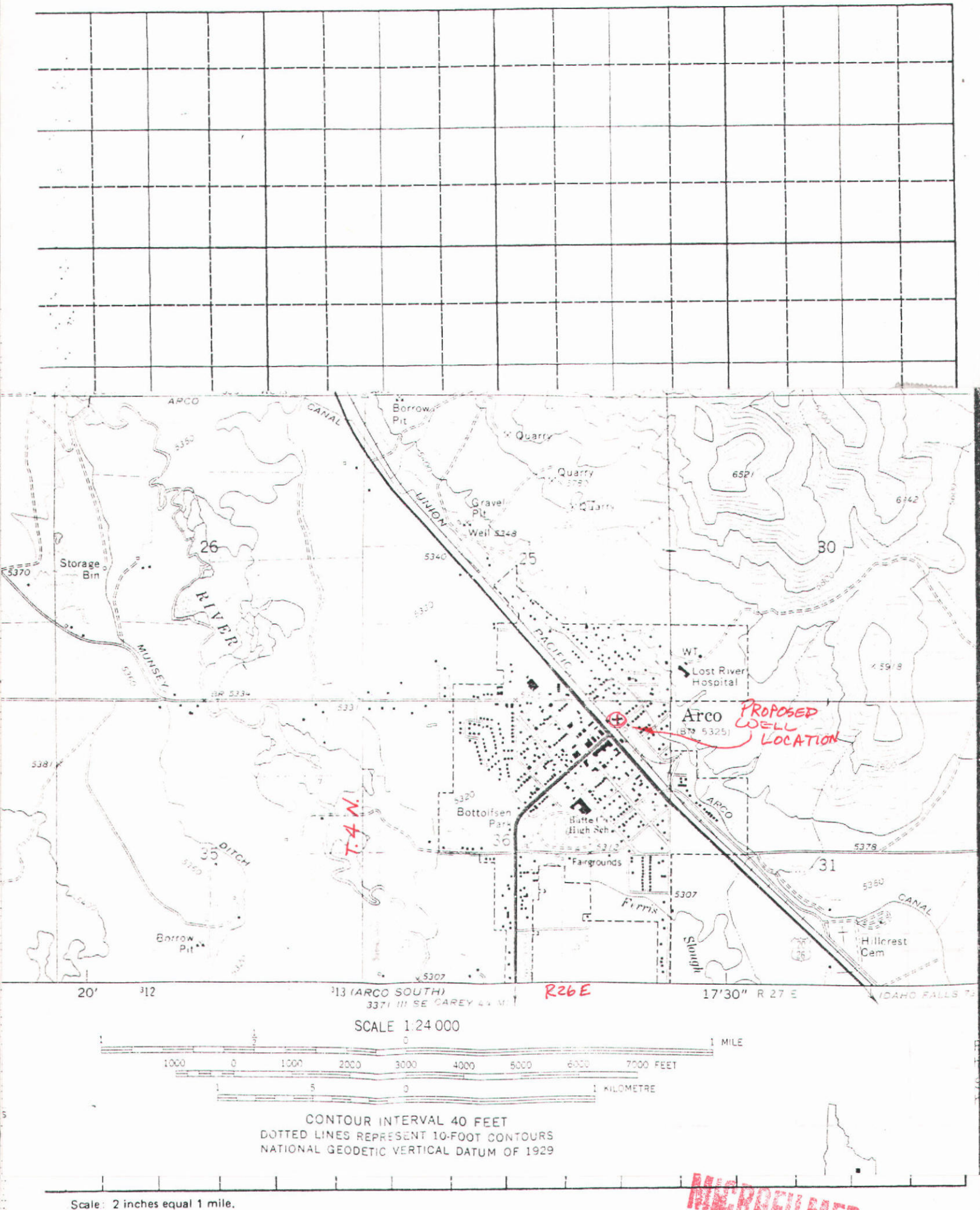


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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
JAN 28 1991

WR Dyer
(Applicant)
CITY OF ARCO

By: Winston R. Dyer, P.E.
Forsgren-Perkins Engineering
350 north 200 East
Rexburg, ID 83440
356-9201

Affidavit of Publication

I, Charles Cammack
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 April 4, 1985

and ending with the issue dated

April 11, 1985

Charles Cammack

Subscribed and sworn to before me this

11th day of April, 19 85

Le Ella A. Cammack
Notary Public

Residence: Arco, Idaho.
My commission expires Life, 19

NOTICE OF APPLICATION FOR WATER RIGHT

The following applications have been filed
to appropriate the public waters of the State
of Idaho:

34-7470

YORK, R. AARON
P.O. BOX 122, ARCO, ID 83213
Source: GROUNDWATER
Date Filed: 06-01-1984
Diversion Pt: NWNE Sec 27 T 04N R 26E
Use: IRRIGATION (0.04 CFS);
DOMESTIC (0.04 CFS)
In: NWNE Sec 27 T 04N R 26E FOR 2
ACRES

34-7454

CITY OF ARCO
P.O. BOX 196, ARCO, ID 83213
Source: GROUNDWATER
Date Filed: 12-01-1983
Diversion Pt: NENE Sec 36 T 04N R 26E
Use: MUNICIPAL (2.00 CFS)
In: NENE Sec 36 T 04N R 26E

The permits will be subject to all prior
water rights. Protests must be filed with the
Director, Dept. of Water Resources, 150
Shoup Ave., Suite 15, Idaho Falls, Idaho
83402 on or before APRIL 22, 1985.

KEN DUNN, Dir.

Published 4-04 & 4-11-85.

RECEIVED

APR 15 1985

Department of Water Resources
Eastern District Office

MICROFILMED

JAN 28 1991

Affidavit of Publication

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and ending with the issue dated Sept. 12, 1985

Charles Cammack

Subscribed and sworn to before me this

3rd day of Oct., 19 85

Judith R. Bailey
Notary Public
Residence: Arco, Idaho.
My commission expires 1-13, 19 86

RECEIVED

OCT 7 1985

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION FOR WATER RIGHT

The following application has been filed to
appropriate the public waters of the State of
Idaho and is being readvertised to allow
evaluation of the public interest criteria
under Section 42-203C, Idaho Code.

34-7454

CITY OF ARCO
P.O. BOX 196, ARCO, ID 83213
Source: GROUNDWATER
Date Filed: 12-01-1983

Diversion Pt: NENE Sec 36 T 04N R 26E
Use: MUNICIPAL (2.00 CFS)
In: NENE Sec 36 T 04N R 26E

The permit will be subject to all prior
water rights. Protests are limited to the
public interest criteria under Section 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 September 23, 1985.

KEN DUNN
Director

Published 9-05 & 9-12-85.

MICROFILMED

JAN 28 1986

NO CLAIM FILED
FOR 34-04080
IN SRBA

R26E

R27E

Existing 500,000 Gallon
Storage Tank

Existing
10" Line

Existing 200,000
Gallon Storage Tank

POINT OF
DIVERSION

T4N

Existing Well

1984
WELL #2
Existing Well House

34-07454

34-04080
#2 & 3

34-07547
well #3

PARK
1 1/5 ACRES

LEGEND

- Proposed 8" W/L
- Proposed 6" W/L
- Proposed 10" W/L

#1 well (1920)
34-04080

T.4 N.

T.3 N.

34-7454

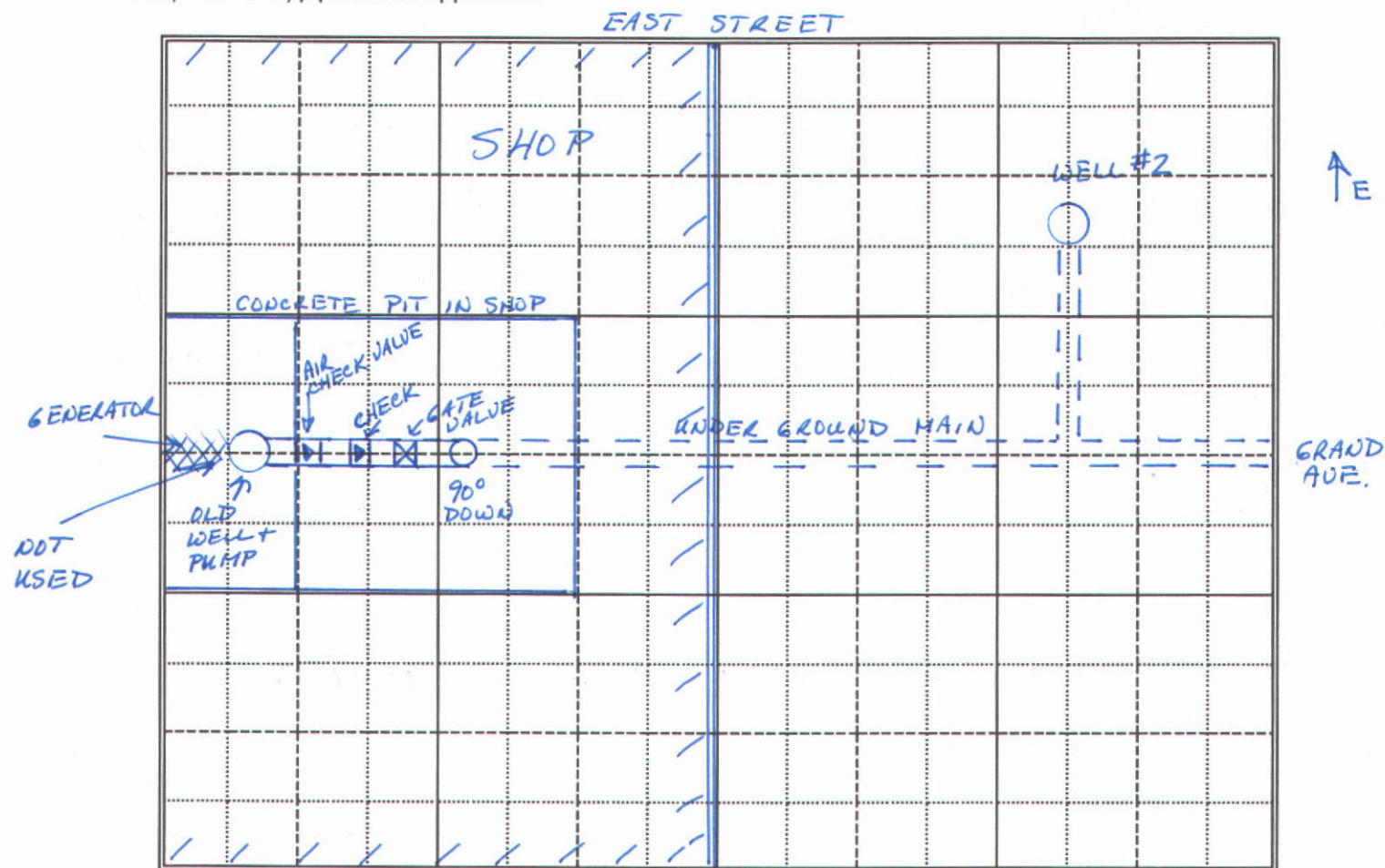
CITY OF ARCO
PROPOSED WATER
SYSTEM IMPROVEMENTS

MICROFILMED

APR 15, 1998

SCALE
0 500 1000 FEET
0 0.5 1 MILE

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
	ANKORA	30		ANKORA	6" OUTPUT

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

D. FLOW MEASUREMENTS

1.

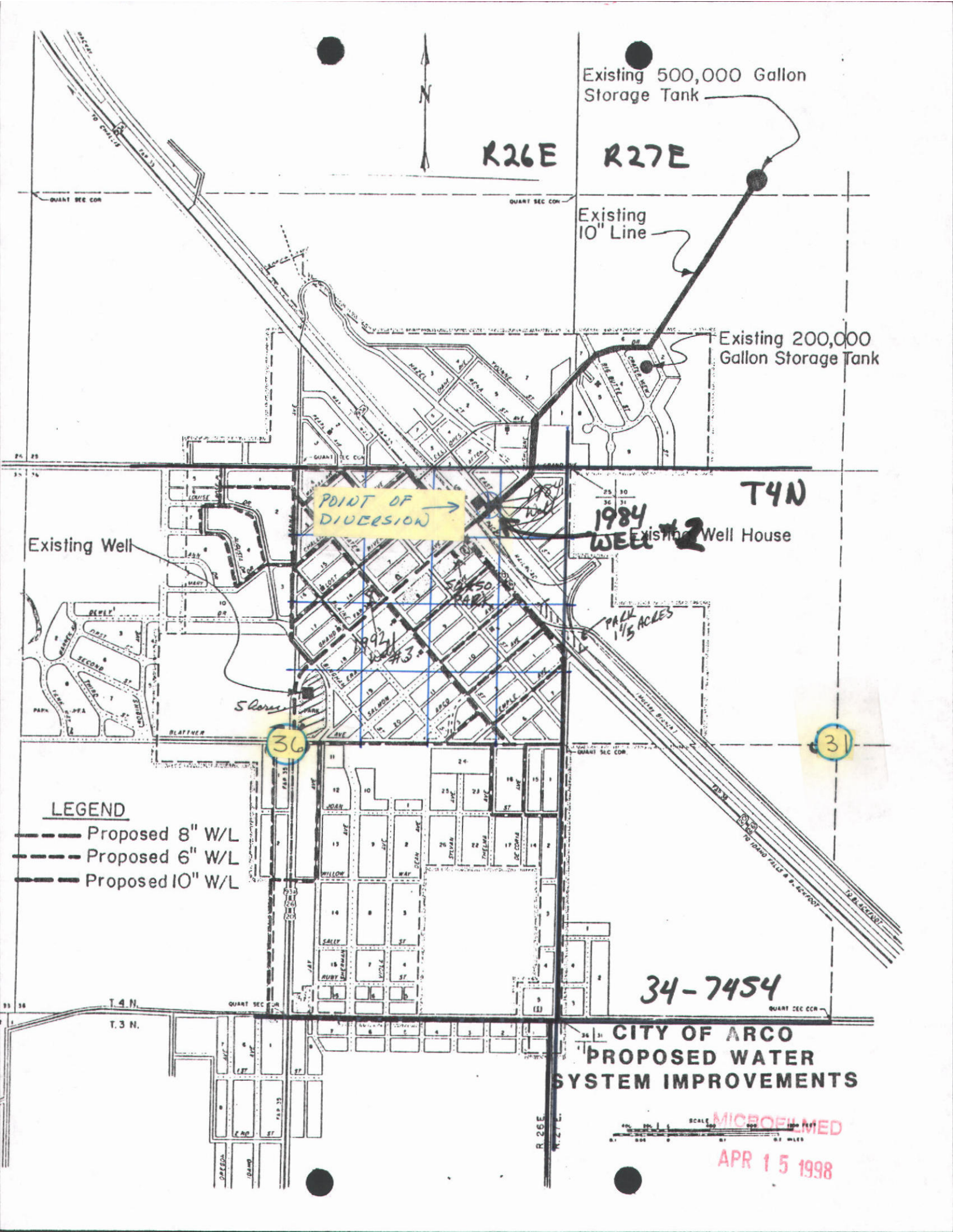
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: PUMP OPERATING AGAINST 80 PSI SYSTEM

STATIC WATER LEVEL 37'

PUMP DEPTH 46'

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APR 15 1998



Existing 500,000 Gallon Storage Tank

K26E

R27E

Existing 10" Line

Existing 200,000 Gallon Storage Tank

T4N

1984 WELL #2
Existing Well House

POINT OF DIVERSION

Existing Well

PARK 1 1/5 ACRES

36

31

LEGEND

- Proposed 8" W/L
- Proposed 6" W/L
- Proposed 10" W/L

34-7454

CITY OF ARCO
PROPOSED WATER
SYSTEM IMPROVEMENTS

SCALE
MICROFILMED
APR 15 1998

34-7454

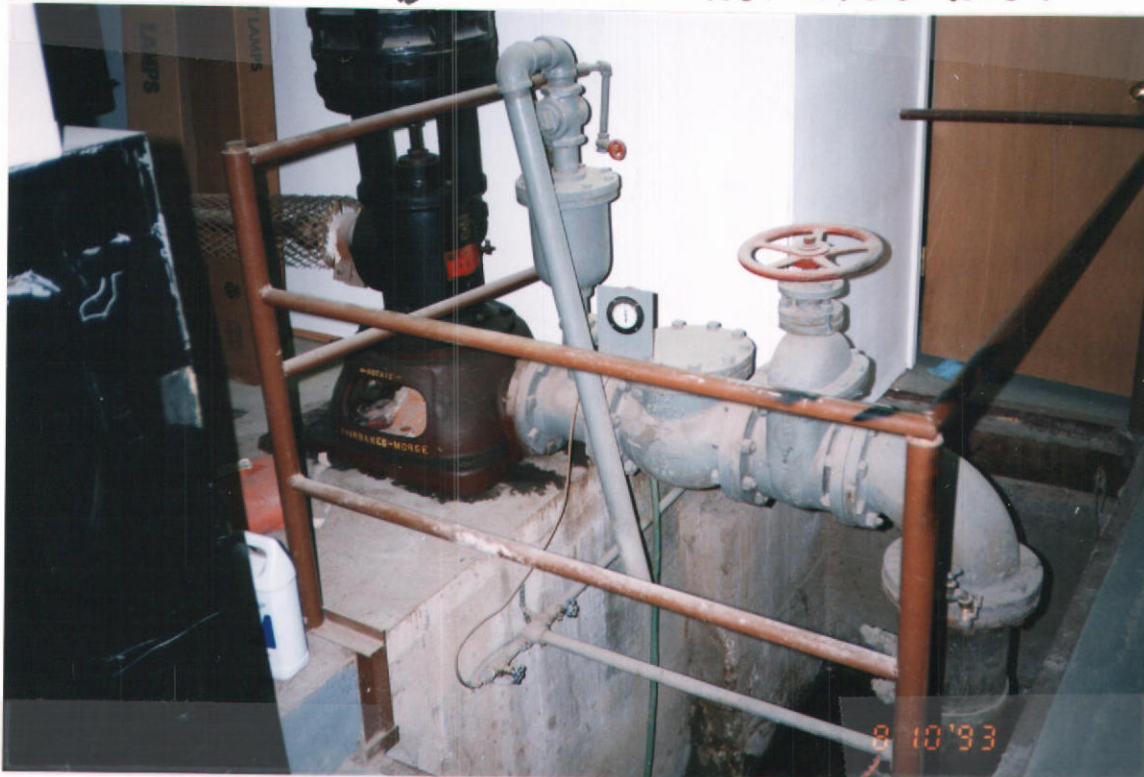
CITY OF
ARCO

WELL # 2
(1984)

← WELL



OLD WELL + ✓ BOOSTER - NOT USED NOW.



SYSTEM
IN CITY
BUILDING
SHOWS
OLD BOOSTER
PUMP TIED
TO MAIN
SYSTEM

34-7454

MICROFILMED

APR 15 1998

34-7454

CITY OF ARCO

P.O. BOX 196, ARCO, ID 83213

Source: GROUNDWATER

Date Filed: 12/01/1983

Diversion Pt: NENE Sec 36 T 04N R 26E

Use: MUNICIPAL (2.00 CFS)

In: NENE Sec 36 T 04N R 26E

34-7454

CITY OF ARCO

P.O. BOX 196, ARCO, ID 83213

Source: GROUNDWATER

Date Filed: 12-01-1983

Diversion Pt: NENE Sec 36 T 04N R 26E

Use: MUNICIPAL (2.00 CFS)

In: NENE Sec 36 T 04N R 26E

The permits will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before APRIL 22, 1985.

KEN DUNN, Dir.

Published 4-04 & 4-11-85.

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following application has been filed to appropriate the public waters of the State of Idaho and is being readvertised to allow evaluation of the public interest criteria under Section 42-203C, Idaho Code.

34-7454

CITY OF ARCO

P.O. BOX 196, ARCO, ID 83213

Source: GROUNDWATER

Date Filed: 12-01-1983

Diversion Pt: NENE Sec 36 T 04N R 26E

Use: MUNICIPAL (2.00 CFS)

In: NENE Sec 36 T 04N R 26E

The permit will be subject to all prior water rights. Protests are limited to the public interest criteria under Section 42-2103C, 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 September 23, 1985.

KEN DUNN
Director

Published 9-05 & 9-12-85.

*Called -
will change*

MICROFILMED

JAN 28 1991

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 34-07454

Priority: January 27, 1984

Maximum Diversion Rate:

0.80 CFS

This is to certify, that CITY OF ARCO

PO BOX 196

ARCO ID 83213

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 1, 1983; and has submitted Proof of Beneficial Use on January 27, 1993. An examination indicates that the works have a diversion capacity of 0.800 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	0.80 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 36, Township 04N, Range 26E
BUTTE County

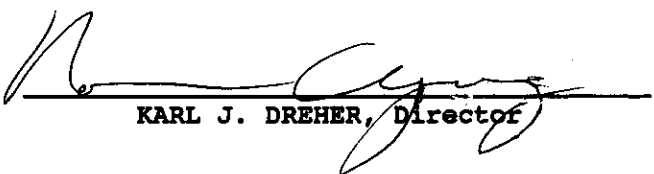
PLACE OF USE: See Remarks

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. Place of use is within the city limits of Arco.

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 3rd
day of April, 1998.


KARL J. DREHER, Director

MICROFILMED

APR 15 1998

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 34-07454

IN THE NAME OF CITY OF ARCO

)
) ORDER OF
) REINSTATEMENT
)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before December 1, 1992; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

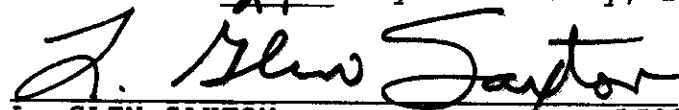
WHEREAS, the Department notified the permit holder that the permit had lapsed for failure to submit the proof of beneficial use; and,

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on January 27, 1993;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 34-07454 be REINSTATED with an advance in priority to January 27, 1984.

Dated this 29th day of January, 1993.



L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED

FEB 02 1993

RECEIVED

JAN 27 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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. 34-7454 Telephone No. 527-8294
2. Name(s) of Permit Holder(s): CITY OF ARCO
3. Mailing Address: P.O. Box 196, Arco, ID 83213
4. Source of Water: Groundwater

If GROUNDWATER, Well Driller's Name: Rocky Mountain Well Drilling Date Drilled: 5/30/84

OPTIONAL:

Pump horsepower: 30 hp Pressure (psi): _____ Dynamic pumping level (ft.): _____

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

Domestic 1080 ^{people} (No. of households) ~~XXXXXX~~ Stockwater _____ (No. and type of stock)

Irrigation _____ (No. of acres) Other municipal 1/27/93 klg

6. Total rate and/or volume for which proof is submitted 2.00 cfs OR 1/27/93 acre/feet

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

Measuring device: Required? XX Yes ___ No Installed? XX Yes ___ No
OR

Flow Measurement Port: Required? ___ Yes ___ No Installed? ___ Yes ___ No

8. 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. _

CHARLES M. GRAY527-8294

Name

Telephone No.

P.O. Box 196, ARCO, IDAHO 83213

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.

RECEIVED

FEB 02 1993

1-25-93

Date

Bill J. McMurtry Mayor City of Arco

Signature (and title, if on behalf of a company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 34-07454

Proposed Priority: December 1, 1983 Maximum Diversion Rate: 2.00 CFS

This is to certify, that CITY OF ARCO
P.O. BOX 196
ARCO, ID 83213

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	2.00 CFS
-----------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: NENE Sec. 36, Township 04N, Range 26E
BUTTE County

PLACE OF USE: MUNICIPAL
TWN RGE SEC

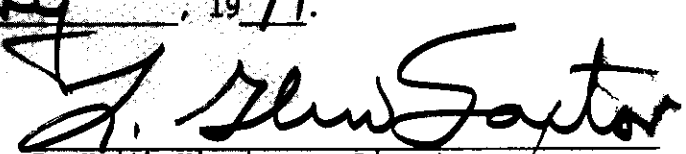
04N 26E 36 NENE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1992.
2. Subject to all prior water rights.
3. A flow measurement port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Municipal use is for the city culinary water supply.

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

14th day of January, 1991.

for 
R. Keith Higginson, Director

MICROFILMED
JAN 28 1991

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 Arco Phone 527-8294

Post office address P.O. Box 196, Arco, Idaho 83213

2. Source of water supply WELL GROUND WATER which is a tributary of N/A

3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 36 Township 4 North

Range 26 E.B.M. Butte County, additional points of diversion if any: N/A

4. Water will be used for the following purposes:

Amount 2.0 cfs for Municipal purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. 2.0 cubic feet per second and/or b. acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Groundwater Well - MUNICIPAL

b. Height of storage dam N/A feet, active reservoir capacity acre-feet; total reservoir capacity acre-feet, materials used in storage dam:

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

c. Proposed well diameter is 16 inches; proposed depth of well is 200± feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is One (1) 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: NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 36 Township 4N
Range 26 E.B.M.

(2) Amount of power to be generated: N/A horsepower under feet of head.

(3) List number of each kind of livestock to be watered N/A

(4) Name of municipality to be served City of Arco, or number of families
supplied with domestic water 1250 persons.

(5) If water is to be used for other purposes describe: City Culinary Water Supply

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JAN 28 1991

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	

Total number of acres to be irrigated _____

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

34-7414

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

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

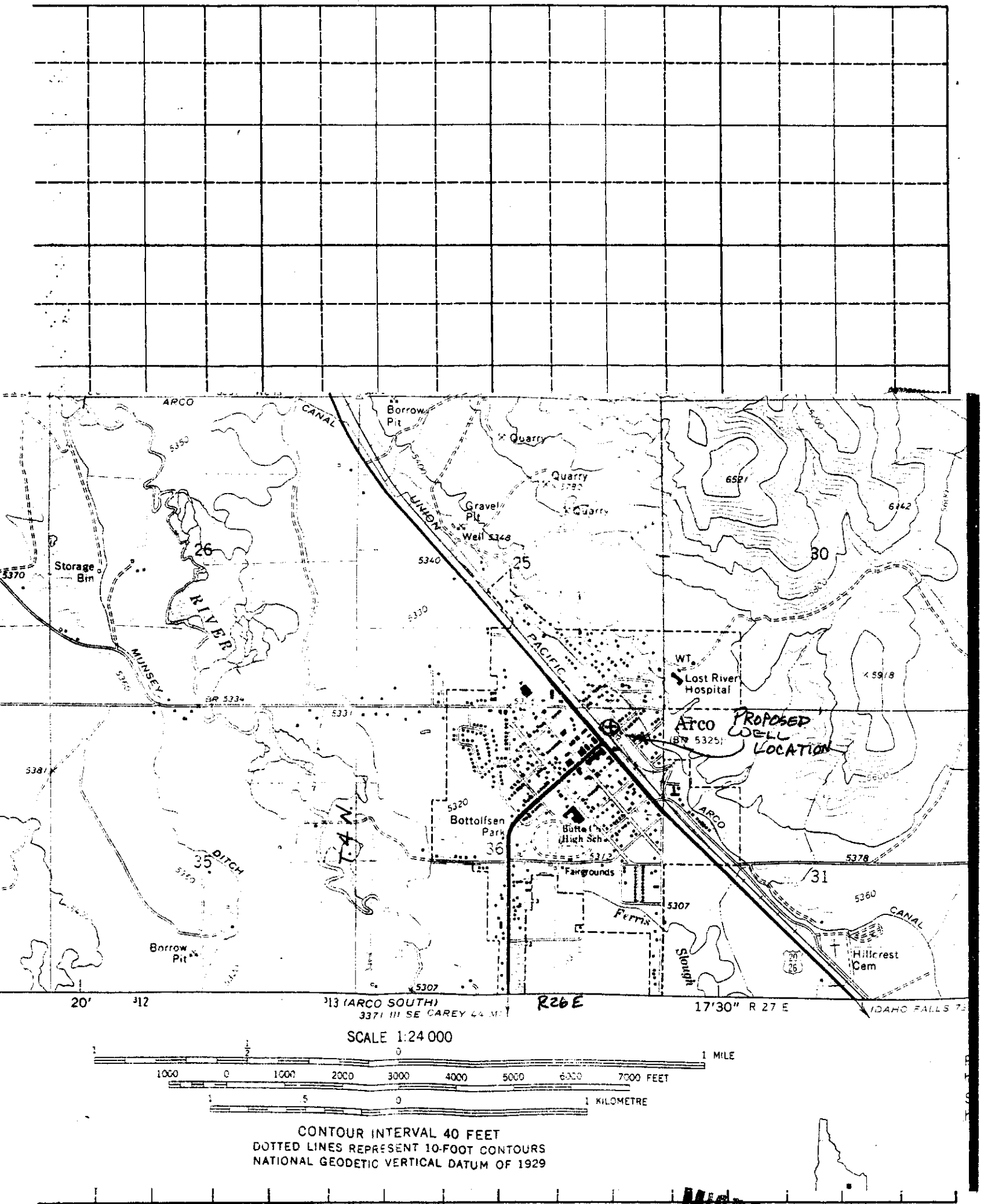
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing N/A

10. Remarks Well is being constructed along with other improvements to enhance the water supply for the City of Arco. This well will be operated mainly during the winter months with the option to supplement the larger well the City uses for summer water supply. Discharge will be metered with integral propeller meter.

MICROFILMED

JAN 28 1991

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



MICROFILMED
JAN 28 1991

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.

WR Dyer
(Applicant)
CITY OF ARCO

By: Winston R. Dyer, P.E.
Forsgren-Perkins Engineering
350 north 200 East
Rexburg, ID 83440
356-9201

Received by CW Date 12-01-83 Time 5:30p
Preliminary check by Yn Fee \$ 65.00
Receipted by BP Date 12-2-83 # 29759
Publication prepared by CW Date 3-27-85
Published in Arco Advertiser
Publication dates 4/04 + 4/11/85 Re-ad 9-5-85 9-12-85
Publication approved CW Date 4-16-85 10-7-85
Protests filed by: _____

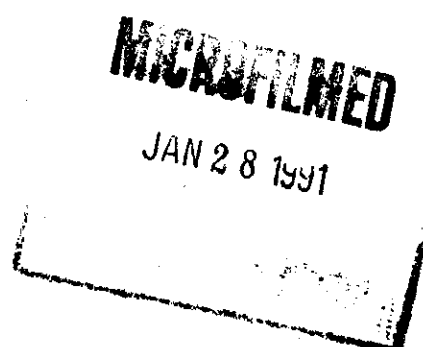
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by EMC

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:



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thereof,

for 2 consecutive weeks, commencing with

the issue dated April 4, 1985

and ending with the issue dated

April 11, 1985

Charles Cammack

Subscribed and sworn to before me this

11th day of April, 1985.

Le Ellis A. Cammack
Notary Public

Residence: Arco, Idaho.

My commission expires Life, 19 .

NOTICE OF APPLICATION FOR WATER RIGHT

The following applications have been filed
to appropriate the public waters of the State
of Idaho:

34-7478

YORK, R. AARON
P.O. BOX 122, ARCO, ID 83213
Source: GROUNDWATER
Date Filed: 06-01-1984
Diversion Pt: NWNE Sec 27 T 04N R 26E
Use: IRRIGATION (0.04 CFS);
DOMESTIC (0.04 CFS)
In: NWNE Sec 27 T 04N R 26E FOR 2
ACRES

34-7454

CITY OF ARCO
P.O. BOX 196, ARCO, ID 83213
Source: GROUNDWATER
Date Filed: 12-01-1983
Diversion Pt: NENE Sec 36 T 04N R 26E
Use: MUNICIPAL (2.00 CFS)
In: NENE Sec 36 T 04N R 26E

The permits will be subject to all prior
water rights. Protests must be filed with the
Director, Dept. of Water Resources, 150
Shoup Ave., Suite 15, Idaho Falls, Idaho
83402 on or before APRIL 22, 1985.

KEN DUNN, Dir.

Published 4-04 & 4-11-85.

RECEIVED

APR 1 1985

Department of Water Resources
Eastern District Office

MICROFILMED

JAN 28 1991

Affidavit of Publication

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published weekly in the regular and entire issue
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thereof,

for 2 consecutive weeks, commencing with

the issue dated sept. 5, 1985

and ending with the issue dated Sept. 12, 1985

Charles Cammack

Subscribed and sworn to before me this

3rd day of Oct., 19 85

Judith R. Bailey
Notary Public

Residence: Arco, Idaho.

My commission expires 1-13, 19 86

RECEIVED

OCT 7 1985

Department of Water Resources
Eastern District Office

REGISTERED

JAN 28 1986



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 6, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF ARCO
PO BOX 196
ARCO ID 83213

RE: WATER RIGHT NO. 34-07454

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.

MICROFILMED

APR 15 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.

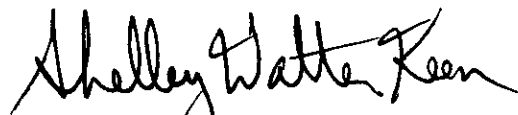
MICROFILMED

APR 15 1998

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.

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

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

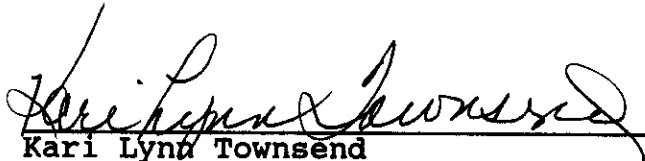
APR 15 1998

CERTIFICATE OF MAILING

I hereby certify that on the 6th 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. 34-07454

CITY OF ARCO
PO BOX 196
ARCO ID 83213


Kari Lynn Townsend
Secretary

MICROFILMED

APR 15 1998

MEMORANDUM

TO: File 34-07454

FROM: Sharla

DATE: April 3, 1998

RE: Overlapping Rights

In his field examination report, the examiner included a photo of an old well and booster pump which he stated is not used now. The examiner stated it was located in the city building and was tied to the main system. A review of the WR and AJ databases, paper files, etc. determined the following timeline/actions:

- Statutory Claim 34-04080 was filed with a 1920 date of priority for a well identified as wells #1 and well #2&3 (#1 in SWNE, #2&3 in NENE, S36). There has been no filing of an SRBA claim for this right, however, a claim (#34-10030) has been filed for the one well still used for the park in the SWNE (well #1). Well #2&3 is the "old well & booster not used now".
- Permit 34-07454 was filed in 1983 for a well drilled in 1984 in the NENE, very close in proximity to the well #2&3 described above.
- Permit 34-07547 was filed in 1990 for a well drilled in 1992 in the NWNE.

MICROFILMED

APR 15 1998

NO CLAIM FILED
FOR 34-04080
IN SRBA

K26E

K27E

Existing 500,000 Gallon
Storage Tank

Existing
10" Line

Existing 200,000
Gallon Storage Tank

T4N

Well House

34-07454

34-07454

PARK
1.5 ACRES

Existing Well

POINT OF
DIVERSION

LEGEND

Proposed 8" W/L

Proposed 6" W/L

Proposed 10" W/L

#1 well (1920)
34-04080

34-7454

CITY OF ARCO
PROPOSED WATER
SYSTEM IMPROVEMENTS

MICROFILMED

APR 15 1998

SCALE
0 100 200 FEET

LICENSE REVIEW CHECKLIST

PERMIT NO. 34-07454 DATE 3/24/98 REVIEWER: SHARLA

NAME Change OK Address Change No
 SOURCE Change OK Is change clarification of originally intended source? Yes
 POINT OF DIV Change OK If not, prepare Notice of Intent to Void No
 PLACE OF USE Change OK Amendment required No

Does map agree with written description? Yes no

OVERLAPS P/D P/U
 Overlap file pulled & reviewed Yes

RATE OF DIV
 Permitted Rate 2.0 cfs
 Fee limit 2.0 cfs \$125.00
 Measured 1.5 cfs examiner doesn't feel meas. is accurate
 Theoretical .80 cfs
 Recommended Total Div Rate .80 cfs

ANNUAL VOLUME/ NATURE OF USES	Use	cfs	Volume Calc
<u>Muni</u>	<u>80</u>	<u>80</u>	<u>af</u>
			<u>af</u>
			<u>af</u>
			<u>af</u>
SUBTOTAL			<u>af</u>

Flow rate 80 cfs X 1 days X 1.98 = 158.4 af
 Total volume recommended 158.4 af
 (SUBTOTAL or Flow Rate, whichever is less)

REMARKS All within city limits of Arco.

CONDITIONS Watermaster Control WD#
GW Measurement/Measuring Device
Overlap
Use-specific conditions

Advancement of Priority Date Required yes no

SRBA Claim Filed N/A 1st Amend Letter N/A
 Adjustment Memo N/A 2nd Amend Letter N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
NOV 29 1996
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 34-7454

1. Owner: CITY OF ARCO

Phone No. 527-8294

Current Address: P.O. BOX 196, ARCO, ID

2. Accompanied by: CHARLES GRAY

EXAM DATE: 8/9/93

Address: SAME AS ABOVE

Phone No. 524-8294

Relationship to Permit Holder: CITY MAINTENANCE EMPLOYEE

3. Source: GROUND WATER

tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

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	NE	NE	36	4N	26E	BUTTE	ORTHO QUAD PHOTO ASCS.

2. Place(s) of Use:

City of Arco

Indicate Method of Determination ASCS QUAD MAP

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	26E	36	~~N~~																

MICROFILMED

APR 15 1998

STATIC WATER LEVEL	37'
PUMP DEPTH	46'

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

D. FLOW MEASUREMENTS

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

Well or Diversion Identification No.*	AUKORA	30	AUKORA	6" OUTPUT
Motor Make				
Hp				
Motor Serial No.				
Pump Make	AUKORA			
Pump Serial No. or Discharge Size				

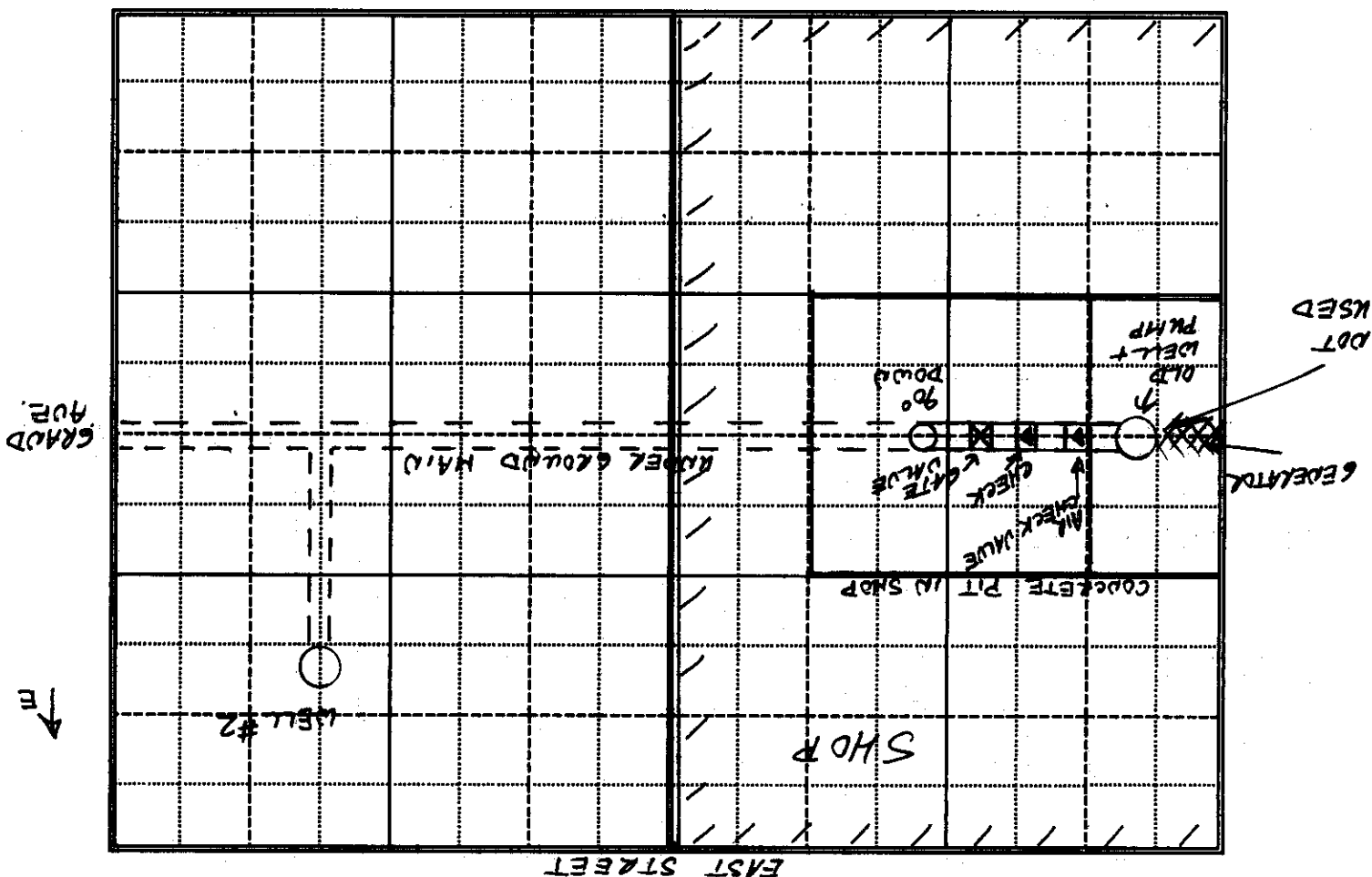
4.

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

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

 Photo of Diversion and System Attached _____

Source: *ibid.*



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 SYSTEM - 30 HP SUBMERSIBLE PUMP. PUMP HAS A 6" DISCHARGE INTO CITY MAIN LINE. PUMP HAS CHECK VALVE AT WELL (PITLESS PUMP SYSTEM).

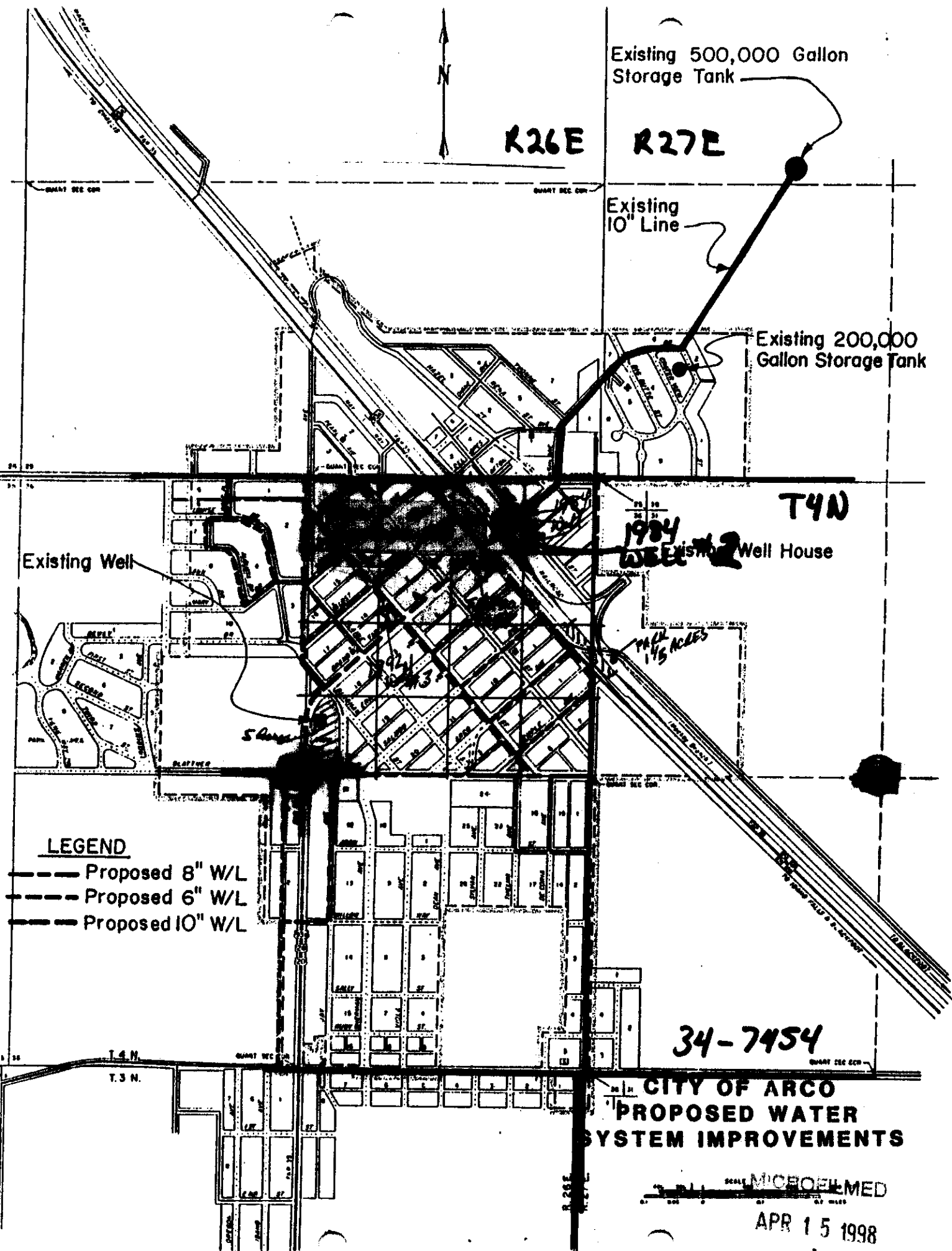
CHARLES GRAY STATED THAT WELL + PUMP HAD NOT BEEN USED FOR APPROX. 2 YEARS - USED ONLY WHEN SYSTEM DEMANDED ADDITIONAL WATER.

ELECTRICAL PANEL READINGS.

223711 X100 GAL. 5732.6 HOURS

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

MICROFILMED
APR 15 1998



PIEKMIT 2.0 CFS

ELECT. METEX (USE)

$$\frac{22,371,100 \text{ GAL}}{5,732.6 \text{ HRS}} = \frac{3,902.4352 \text{ GAL/Hr.}}{60 \text{ MIN/HR.}} = \frac{65.04 \text{ GPM}}{448.8} = 0.1449 \text{ CPS}$$

I DO NOT BELIEVE THIS PANEL READING IS ACCURATE BECAUSE OF STATED WIRING CHANGES DONE OVER PAST 2 YEARS - STATED BY MAINTENANCE WORKER.

THEORETICAL

$$Q = \frac{30(8.814)(.70)}{46 + (80 \text{ PSI} \times 2.308)} = \frac{185.94}{230.64} = 0.8025 \text{ cfs}$$

$$0.8025 \text{ cps} \times 448.8 = 360.1725 \text{ RPM}$$

NOTE: MAINTENANCE SUPERVISOR STATED WELL HAD NOT BEEN USE IN LAST 2 YEARS. THEORETICAL CALCULATIONS BASED ON DATA PROVIDED BY MR. GRAY.

34-7454

MICROFILMED
APR 15 1998

34-7454

CITY OF
ARCO

WELL #2
(1984)

← WELL

OLD WELL + ✓ BOOSTER - NOT USED NOW.

SYSTEM
IN CITY
BUILDING
SHOWS
OLD BOOSTER
PUMP TIED
TO MAIN
SYSTEM

34-7454

MICROFILMED

APR 15 1998

CITY OF ARCO
P.O. BOX 196
ARCO ID 83213

January 29, 1993

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 34-07454

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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

Enclosure

MICROFILMED

FEB 02 1993

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 34-07454

Reviewed by Klg

Date 1/27/93

GENERAL CONSIDERATIONS

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

TYPES OF USE

municipal

Correct Uses? yes

SOURCE OF WATER

 Surface water source
✓ Ground water source

5/30/84 NA Drilling permit required?
 Copy in the file? Drilling Permit No.
 Amount paid for permit Correct?
 Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
25 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
yes Installed?
NA Waiver requested?

PRIORITY CALCULATION

Date proof received	<u>1/27/93</u>	<u>27</u>	
Date proof due	<u>12/1/92</u>	<u>- 335</u>	$\times$
No. of days late		<u>= 57</u>	$\frac{365}{-335}$
Priority Date	<u>12/1/83</u>	<u>+ 335</u>	<u>30</u>
New Priority Date	<u>1/27/84</u>	<u>392</u>	
		<u>- 365</u>	
		<u>27</u>	

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address

needs an order
Proof Made 1/27/93
1/29/93 Klg



**FORSGREN
ASSOCIATES / P.A.**

RECEIVED

JAN 27 1993

Department of Water Resources

January 20, 1993

92-207

Karen L. Gustafson
Water Allocation Bureau
Idaho Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706

RE: Arco Well Permit 34-7454

Dear Ms. Gustafson:

Please find attached the Proof Of Beneficial Use Form for the above referenced permit and a check from the City of Arco for \$125.00 to cover the license fee. Also attached are copies of the Well Driller's Report, the permit to appropriate water dated January 14, 1991, the lapse notice dated December 7, 1992, and the sequence of events for the permit.

As per your instructions, this information is being filed with your office prior to 60 days after the December 7, 1992 lapse notice. On behalf of the City of Arco, we respectfully request that this permit be renewed with the rate of diversion being 2.00 CFS as shown on the January 1991 permit to appropriate water. We also understand that your office will schedule a field examination at your earliest convenience.

Thank you for your help in this matter. If you have further questions, please feel free to call me at 1-800-331-7548.

Sincerely,

FORSGREN ASSOCIATES, P.A.

L. Mark Mulkay

LMM/csd

cc: City of Arco

MAILED
FEB 02 1993

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.

1. WELL OWNER Name <u>City of Arco</u> Address <u>Arco, Idaho</u> Owner's Permit No. <u>—</u>	7. WATER LEVEL Static water level <u>12</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow <u>—</u> Artesian closed-in pressure <u>—</u> p.s.i. Controlled by: ☒ Valve ☒ Cap ☐ Plug Temperature <u>55</u> °F. Quality <u>excellent</u> Describe artesian or temperature zones below.																																																																												
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)	8. WELL TEST DATA ☒ Pump ☐ Bailor ☐ Air ☐ Other <u>—</u> <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th>Discharge G.P.M.</th><th>Pumping Level</th><th>Hours Pumped</th></tr></thead><tbody><tr><td><u>1200</u></td><td><u>26'</u></td><td><u>12 hrs.</u></td></tr><tr><td><u>600</u></td><td><u>17'</u></td><td><u>12 hrs.</u></td></tr></tbody></table>	Discharge G.P.M.	Pumping Level	Hours Pumped	<u>1200</u>	<u>26'</u>	<u>12 hrs.</u>	<u>600</u>	<u>17'</u>	<u>12 hrs.</u>																																																																			
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3. PROPOSED USE ☐ Domestic ☐ Irrigation ☐ Test ☒ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other <u>—</u> (specify type)	9. LITHOLOGIC LOG <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th rowspan="2">Bore Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td>24"</td><td>0</td><td>3</td><td>clay</td><td></td><td>X</td></tr><tr><td>24"</td><td>3</td><td>12</td><td>silt</td><td></td><td>X</td></tr><tr><td>24"</td><td>12</td><td>20</td><td>gravel</td><td></td><td>X</td></tr><tr><td>20"</td><td>20</td><td>36</td><td>good big gravel zone water</td><td>X</td><td></td></tr><tr><td>16"</td><td>36</td><td>97</td><td>sand & clay</td><td></td><td>X</td></tr><tr><td>16"</td><td>97</td><td>118</td><td>gravel</td><td></td><td>X</td></tr><tr><td>16"</td><td>118</td><td>198</td><td>clay & sand</td><td></td><td>X</td></tr><tr><td>16"</td><td>198</td><td>240</td><td>gravel</td><td></td><td>X</td></tr><tr><td>16"</td><td>240</td><td>250</td><td>little gravel & clay sand</td><td></td><td>X</td></tr><tr><td colspan="6" style="text-align: center;"><u>Finished</u></td></tr><tr><td colspan="6" style="height: 100px;"></td></tr></tbody></table>	Bore Diam.	Depth		Material	Water		From	To	Yes	No	24"	0	3	clay		X	24"	3	12	silt		X	24"	12	20	gravel		X	20"	20	36	good big gravel zone water	X		16"	36	97	sand & clay		X	16"	97	118	gravel		X	16"	118	198	clay & sand		X	16"	198	240	gravel		X	16"	240	250	little gravel & clay sand		X	<u>Finished</u>											
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4. METHOD DRILLED ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☒ Cable ☐ Dug ☐ Other <u>—</u>	10. Work started <u>3-1-84</u> finished <u>5-30-84</u>																																																																												
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other <u>—</u> <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td><u>.250</u> inches</td><td><u>24</u> inches</td><td><u>1</u> feet</td><td><u>20</u> feet</td></tr><tr><td><u>.375</u> inches</td><td><u>20</u> inches</td><td><u>1</u> feet</td><td><u>30</u> feet</td></tr><tr><td><u>.375</u> inches</td><td><u>16</u> inches</td><td><u>1</u> feet</td><td><u>215</u> feet</td></tr></tbody></table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☒ Yes ☐ No How perforated? ☐ Factory ☒ Knife ☐ Torch Size of perforation <u>1/4</u> inches by <u>3</u> inches <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th>Number</th><th>From</th><th>To</th></tr></thead><tbody><tr><td><u>112</u> perforations</td><td><u>198</u> feet</td><td><u>214</u> feet</td></tr><tr><td><u>96</u> perforations</td><td><u>24</u> feet</td><td><u>36</u> feet</td></tr></tbody></table> Well screen installed? ☐ Yes ☒ No Manufacturer's name <u>—</u> Type <u>—</u> Model No. <u>—</u> Diameter <u>—</u> Slot size <u>—</u> Set from <u>—</u> feet to <u>—</u> feet Diameter <u>—</u> Slot size <u>—</u> Set from <u>—</u> feet to <u>—</u> feet Gravel packed? ☐ Yes ☒ No ☐ Size of gravel <u>—</u> Placed from <u>—</u> feet to <u>—</u> feet Surface seal depth <u>30</u> Material used in seal: ☒ Cement grout ☒ Bentonite ☐ Puddling clay ☐ <u>—</u> Sealing procedure used: ☐ Slurry pit ☒ Temp. surface casing ☒ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent <u>Weld</u> ☐ Cemented between strata Describe access port <u>well cap</u>	Thickness	Diameter	From	To	<u>.250</u> inches	<u>24</u> inches	<u>1</u> feet	<u>20</u> feet	<u>.375</u> inches	<u>20</u> inches	<u>1</u> feet	<u>30</u> feet	<u>.375</u> inches	<u>16</u> inches	<u>1</u> feet	<u>215</u> feet	Number	From	To	<u>112</u> perforations	<u>198</u> feet	<u>214</u> feet	<u>96</u> perforations	<u>24</u> feet	<u>36</u> feet	11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were compiled with at the time the rig was removed. Firm Name <u>Rocky Mountain</u> Firm No. <u>299</u> <u>Well Drilling</u> Address <u>Box 756 Rafting, Ida</u> Date <u>5-30-84</u> Signed by (Firm Official) <u>Marcus Zander</u> and (Operator) <u>Marcus Zander</u>																																																			
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6. LOCATION OF WELL Sketch map location must agree with written location. N W ——— E S Subdivision Name <u>—</u> Lot No. <u>—</u> Block No. <u>—</u> County <u>Butte</u> <u>NE</u> 1/4 <u>NE</u> 1/4 Sec. <u>36</u> T. <u>4</u> N. R. <u>26</u> E.																																																																													

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 34-07454

Proposed Priority: December 1, 1983

Maximum Diversion Rate:

2.00 CFS

This is to certify, that CITY OF ARCO

P.O. BOX 196

ARCO, ID 83213

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

MUNICIPAL

01/01 to 12/31

2.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

NENE

Sec. 36, Township 04N, Range 26E
BUTTE County

PLACE OF USE: MUNICIPAL

TWN RGE SEC

04N 26E 36

NENE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1992.
2. Subject to all prior water rights.
3. A flow measurement port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Municipal use is for the city culinary water supply.

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

14th day of January, 1991.

[Signature]
for R. Keith Higginson, Director

MICROFILMED

JAN 28 1991

MICROFILMED

FEB 02 1993

SEQUENCE OF EVENTS FOR PERMIT NO. 34-07454

12 01 83	Filed for permit to appropriate water
12 01 83 - 10 24 89	Permit is held pending outcome of legal litigation
09 84	Well is turned on and in use without a approved water right from the Department
10 24 89	Department mailed questionnaire explaining litigation and requesting further information
11 21 89	Department receives completed questionnaire
01 14 91	Department approves permit to appropriate water
01 16 91	Department mails copy of the approved permit along with cover letter to the City of Arco
09 30 92	Department mails proof due notice
12 07 92	Department mails lapse notice because the City of Arco failed to submit proof of beneficial use form and license exam fee

* It is my understanding that when you received this proof due notice, you thought it was for the well drilled in 1992 and therefore filed the proof of beneficial use form for that permit. As you can see, this water right is being used in connection with a completely separate well in a different location. You still need to complete the proof of beneficial use form and submit it and the applicable license exam fee. Since the permit lapsed on December 1, 1992, it is imperative that you return the form and fee on or before February 1, 1993. If you fail to do so, the Department may not be able to reinstate your permit and it will be filmed and destroyed. You will no longer possess a valid water right for this permit. If you need assistance, please feel free to call me.

FEB 02 1993

CITY OF ARCO
P.O. BOX 196
ARCO ID 83213

December 7, 1992

LAPSE NOTICE

RE: PERMIT NO. 34-07454

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated September 30, 1992. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

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

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 12/7/92
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

100
J

FEB 02 1993

CITY OF ARCO
P.O. BOX 196
ARCO ID 83213

December 7, 1992

LAPSE NOTICE

RE: PERMIT NO. 34-07454

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated September 30, 1992. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

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

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 12/7/92
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

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FEB 02 1993

CITY OF ARCO
P.O. BOX 196
ARCO ID 83213

September 30, 1992

PROOF DUE NOTICE

RE: PERMIT NO. 34-07454

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 December 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.

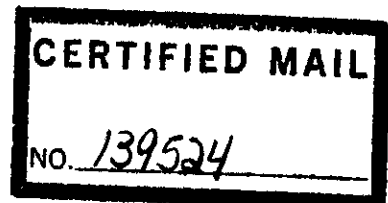
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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



FEB 02 1993



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

January 16, 1991

CITY OF ARCO
P.O. BOX 196
ARCO, ID 83213

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 34-07454

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.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

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.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well

RECEIVED

JAN 28 1991

so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

RECORDED

JAN 20

APPLICATION FOR PERMIT REVIEW

Application #: 34-7454
Date: 12-7-90

Reviewer: 82 Pam Skaggs

Existing:

No - 26A-P17
Complete in 1 year - P16

Yes

Proof not submitted - ~~P16~~
Proof submitted - N/A

Groundwater:

GT. 0.7 cfs - 01G-P03, 01C-P03(existing well)
LT. 0.7 cfs - N/A

Drilling Permit:

Approved w/permit - P99
Not included - ~~046~~-P23

Location:

Water Districts - WD No. 34
surface water - 005, 005-P01, 005-01H-P01 (LT.07),
005-01J-P08 (GT.07), P04(cons.)
groundwater - P05, 005-01H-P01(lock device)

Irrigation Districts - 023
Canal Co. Areas - 023
Drainage Districts - 024
Boise Front (63) - 58 (Groundwater)
Trust (see list) - (051, 052, 053)-P74
Non Trust (see list) - 048, 049
Swan Falls Flag - 8 (1 or Blank)

River Basins:

(Surface Water)
Boise (63) - 11D-P72
Payette (65) - 047, 059-P71
Snake (01, 02 & 03) - 11A-P04 (01), 061-P07 (02 & 03)

Use:

Fish Propagation - (P06) 002, 06A, 007, 09E-P10, 010,
042, 044
Power - (less than 25cfs P18), 01F-P19, 008,
08A, 09E-P10, 017K, 017G, 017M, 025
Mining - 06A, 006, 09E-P10, 010, 54
Storage - 18A-P09, 18B-P09
Domestic - (restricted areas) 021

Ownership:

Non land owner - 004

Protested:

Agreement - 020

Minimum Stream Flow:

Overlapping uses - 029-P20

Beneficial Use Due Date: - 12/1/92

Other Conditions Recommended _____

won't accept 8-

ACTION REQUIRED

FROM: Tim # 12-7-90

TO: Glen

per Glen;
We should now process
this App. ORDER of August 7, 1990
Allows approval of municipal filings
w/in Big Lost R.

Skip Jones called this morning & said City of Haver has a new Application (Filed in late October). ^{new} App. is for 3.0 Acs from well in different location. City has spoken w/ Both Norm & Ron in attempt to expedite approval of new App. Per Skip, Norm has given the City some assurance that the new App will be proved. Meanwhile, we are still holding an earlier App. by the City. What action should be taken on the earlier, attached App. & what action should be taken on the second App. Skip wants to know if he should advertise the second App. - He's suggested that maybe we ought to approve the earlier App & hold the second App. pending final adoption of Big Lost R. Rules.

Tim

Keith

MEMORANDUM

FYI

To: Norman C. Young

From: L. Glen Saxton

RE: MUNICIPAL WELL USE UNDER APPLICATION 34-7454 - CITY OF ARCO

Date: November 22, 1989

The attached application appears to be exempt from trust water considerations, since the use commenced prior to October 1, 1984. The applicant, however, has yet to make a sufficient showing in connection with the criteria of Section 42-203A, Idaho Code.

It appears the department should hold this application without action and without readvertisement until the present Big Lost River Advisory Committee has completed its proceedings and has made recommendations to the director.

Comment or direction?

*I concur
N C*

MEMORIALIZED

JAN 28 1991

FROM Tim

DATE 11-22-89

TO Glen

SUBJECT City of Haco App # 34-7454

Returned Trust Water questionnaire indicated that this municipal use ~~is~~ does not cause a significant reduction & thus could be approved w/out considering public interest criteria of 42-203C(2). Because this is in Basin 34, - should we ~~be~~ **RECEIVED** advertising or approval of this app?

JAN 28 1991

Also, note further that use commencing prior to 10/1/84 AS per comment on questionnaire. App may also be exempt.

SIGNATURE

Tim

43-7192

L/L

1
A43-7192

Jan of 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

RECEIVED
NOV 21 1989

Application No. 34-7454

Department of Water Resources

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

B. IF YOU ARE INTERESTED IN HAVING THE APPLICATION PROCESSED, please answer the following questions as thoroughly as possible. Use the reverse side of this form or attach additional paper if necessary to answer the questions.

1. If the diverting works described under the application have been completed, please list the dates the diversion was complete and the water was put to beneficial use. Diverting works in this case refers to type of diversion (i.e.; groundwater well and pump; headgate and canal etc., refer to item 6 of the enclosed application). If the diverting works are not yet complete, please state the planned completion date. The well was turned on Sept. 1984 for municipal water supply.

2. Please describe the present type of uses associated with this diversion. If for municipal use, describe the relation of this diversion to the entire supply system and estimate percentage of use from this source for irrigation, domestic, commercial etc. If the diversion is not yet complete, describe how the source will be used. It is used for main winter supply and back up in the summer of the municipal water system. Irrigation is 5%, Domestic 94% commercial 1 %

3. What is the present average daily discharge and average daily volume of water diverted? Has the average daily discharge and volume changed since the diversion was first complete and put to use? If so, please describe. We run this pump approx. 180 days a year and average 140,201 gal. per day.

4. Of the average daily volume of water diverted, what percentage is consumptively used. Please estimate if possible. This well is for municipal use during main irrigation months, so I would consider all of it to be consumable at 140,201 gal a day. 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/Contact Person Charles M. Gray Charles M. Gray
Position/Title Maintenance Supervisor Date: 11-2-89

RECORDED

JAN 20 1991

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

JAN 28 1951



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

October 24, 1989

RE: APPLICATION FOR PERMIT NO. 34-7454

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 your 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, the department asks that you complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments and/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.

MICROFILMED

JAN 28 1991

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 should 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 shown on the enclosed questionnaire.

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

TL:sc

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JAN 28 1991

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: G. F. RAMSEY

APPLICATION NUMBER: 34 7154

CHECK: DEC 5 1983

- ☒ 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: _____

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: OW

Date: 4-2-85

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☒ Yes ☐ No Other rights on same place of use. 34-7414
☒ Yes ☐ No* In form for advertising.
Final date for protests: 4-22-85
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application. 9-23-85

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 4-15-85 & 10-7-85
☒ 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? _____
12-01-83. Date of priority recommended.
Special conditions of approval or cover letter. _____

OIF

app. not identified in St. suit

RECEIVED

OCT 10 1985

By: Ernest Carlson

Date: May 30, 1985

STATE OFFICE REVIEW:

RECEIVED RECEIVED

- ☐ See attached sheet for more information.

JUL 18 1985

JUN 04 1985

By: _____

Department of Water Resources Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

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

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

Called Area
Advertiser for
affidavit

9-24-85

CW



STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

RECEIVED

APR 11 1985

Department of Water Resources

Eastern District Office

DIVISION OF ENVIRONMENT
150 North 3rd Avenue
Pocatello, Idaho
83201

April 10, 1985

RE: Application for Permit No. 35-8223 City of Roberts
 25-7390 Jefferson Co-op
 23-7102 Salisbury Trust
 25-7298 City of Idaho Falls
 25-7325 City of Ririe
 25-7391 Brown Estates
 25-7393 Eagle Rock Produce
 35-8333 Sohn
 27-7357 Hendricks
 27-7384 City of Blackfoot
 27-7386 City of Blackfoot
 27-7395 LDS Church
 21-7318 City of Parker
 21-7319 City of Parker
 34-7454 City of Arco

Mr. Ernest Carlsen
Assistant Regional Supervisor
150 Shoup - Suite 15
Idaho Falls, Idaho 83402

Dear Mr. Carlsen:

Regarding the above applications and your letter of April 2, 1985, we have no objections nor do not wish to protest against issuing these permits. Thank you for advising our office of these applications.

Sincerely,

Gordon J. Hopson
Source Control Field Officer

MICROFILMED

GH/jd
JAN 28 1991

April 2, 1985

RE: Application for Permit No. 35-8223 CITY OF ROBERTS
 25-7390 JEFFERSON CO-OP
 23-7102 SALISBURY TRUST
 25-7298 CITY OF IDAHO FALLS
 25-7325 CITY OF RIRIE
 25-7391 BROWN ESTATES
 25-7393 EAGLE ROCK PRODUCE
 35-8333 SOHN
 27-7357 HENDRICKS
 27-7384 CITY OF BLACKFOOT
 27-7386 "
 27-7395 LDS CHURCH
 21-7318 CITY OF PARKER
 21-7319 "
 34-7454 CITY OF ARCO

Department of Health & Welfare
150 North Third
Pocatello, ID 83201

Gentlemen:

We are enclosing a copy of an application(s) that may be of interest to your agency. Please review the application(s) and submit any comments you may have to our Department as soon as possible. The last date of protest is April 22, 1985, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC: CW

Enclosure(s)

MICROFILMED

JAN 26 1981

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

MARCH 27, 1985

The Arco Advertiser
Box "C"
Arco, Idaho 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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 APRIL 22, 1985.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

JAN 28 1991

NOTICE OF APPLICATION FOR WATER RIGHT

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before APRIL 22, 1985.

KEN DUNN, Dir.

Published 4/04 & 4/11/85.

MICROFILMED

JAN 26 1981

34-2454

CITY OF ARCO

P.O. BOX 196, ARCO, ID 83213

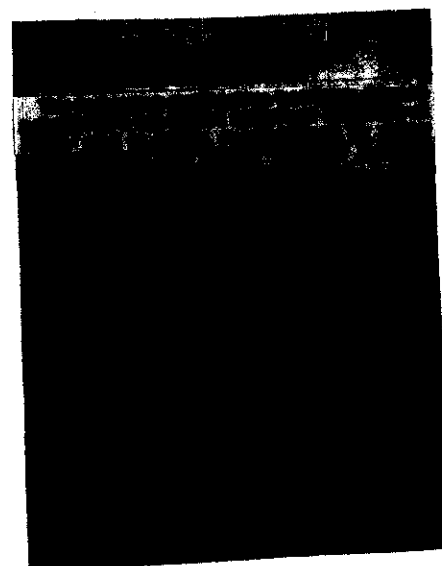
Source: GROUNDWATER

Date Filed: 12/01/1983

Diversion Pt: NENE Sec 36 T 04N R 26E

Use: MUNICIPAL (2.00 CFS)

In: NENE Sec 36 T 04N R 26E



*Called -
will change*

MICROFILMED

JAN 28 1991