

2

SECOND DIVISION

JAMES McMILLAN, COMMISSIONER

TWIN FALLS, IDAHO

1910

Decreed Water Rights

Birch Creek, Cassia County

IN THE DISTRICT COURT OF THE
FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO

IN AND FOR
CASSIA COUNTY

*Jacob Dayley, E. R. Dayley, L. A.
Nelson, Jas. Worthington, Geo.
Craner, Wm. R. Lee, Louisa Haight,
J. J. Millard, H. R. Matthews, Mar-
tha Matthews, and Grissa Critch-
field,*

} Plaintiffs

vs.

FILED

Heber C. Dayley, Timothy Matthews, James Lyman, John McMurray, T. E. West, James Walker, Thos. Birch and Nephi Birch,

} Defendants

DECREE.

This cause having been regularly called, and the defendant, Heber C. Dayley, having filed his disclaimer herein, and the default of the defendants, Timothy Matthews, James Lyman, Jos. McMurray, James Walker, Thomas Birch and Nephi Birch, for failure to appear and answer, having been duly entered, and all the parties hereto not in default or having disclaimed, having agreed upon a statement of facts herein, and the Court having made its findings of fact and conclusions of law:

IT IS NOW ORDERED, ADJUDGED AND DECREED that the following parties are entitled to divert from Birch Creek the amount of water herein indicated, and the right of each party dates from the time hereinafter stated and set opposite each name, to-wit:

Jacob Dayley.....	80 inches from Mar.	1st, 1875
Jacob Dayley.....	30 inches from Apr.	1st, 1881
Jacob Dayley.....	50 inches from Dec.	5th, 1882
E. R. Dayley.....	80 inches from Mar.	1st, 1875
E. R. Dayley.....	30 inches from Apr.	1st, 1881
E. R. Dayley.....	50 inches from Dec.	5th, 1882
L. A. Nelson.....	48 inches from Apr.	1st, 1881
James Worthington....	48 inches from Apr.	1st, 1881
Geo. Craner	70 inches from Apr.	16th, 1882
Wm. R. Lee	48 inches from Apr.	1st, 1881
Louisa Haight	48 inches from Apr.	1st, 1881
Jno. J. Millard	75 inches from Apr.	15th, 1882
H. R. Matthews	40 inches from June	1st, 1882
Martha Matthews	50 inches from Dec.	1st, 1882
T. E. West, all the waters of that certain Spring known as Cold Springs, being a tributary to Birch Creek.		
Orrissa Critchfield, two-thirds of all the waters of Critchfield Springs by her placed in said Birch Creek, not exceeding in amount 200 inches.		

It is further ordered, adjudged and decreed that the plaintiff, Jacob Dayley, upon demand being made therefor, shall deed by good and sufficient conveyance, properly signed and acknowledged, such interest in the water rights and the right to the use of the waters of Birch Creek herein decreed to him, to the parties to whom he has heretofore, and prior to the commencement of this action, agreed to sell and sold and disposed of certain parts and portions of the lands owned and possessed by him and described in the complaint herein, and certain proportionate interests in the water rights and the right to the use of the water of said Birch Creek appurtenant to said land; such interests so conveyed to each of said persons to be of such a proportionate amount of said water right and the right to the use of water decreed to him as the land bought or agreed to be bought by each of said persons bears to the whole of said lands described in the complaint herein as belonging to said plaintiff.

It is further ordered, adjudged and decreed that the plaintiff, E. R. Dayley, upon demand being made therefor, shall deed by good and sufficient conveyance, properly signed and acknowledged, such interest in the water rights and the right to the use of the waters of Birch Creek herein decreed to him, to the parties to whom he has heretofore, and prior to the commencement of this action, agreed to sell and sold and disposed of certain parts and portions of the lands owned and possessed by him and described in the complaint herein, and certain proportionate interests in the water rights and the right to the use of water of said Birch Creek appurtenant to said land; such interests so conveyed to each of said persons to be such a proportionate amount of said water right and the right to the use of the water decreed to him as the land bought or agreed to be bought by each of said persons bears to the whole of said lands described in the complaint herein as belonging to said plaintiff.

It is further adjudged and decreed that the several quantities of water herein decreed shall be the quantities hereinbefore named, measured at the point of diversion thereof, under a four-inch pressure, and that the first appropriator in point of time is first in right.

It is further ordered, adjudged and decreed that in case of an insufficiency of water to supply all the parties hereto, to whom water is decreed, the entire volume of the water of said stream is to be divided to and be used by those appropriators who are first in point of time, except the water from said Cold Springs, decreed to defendant, T. E. West, and the two-thirds (2-3) of the waters of Critchfield Springs decreed to the plaintiff, Orissa Critchfield.

It is further ordered, adjudged and decreed that each and all of the parties to this action, and their successors and assigns, and each and every of them, are hereby perpetually enjoined from diverting or interfering with any of the waters of said Birch Creek, except in the quantity and in the order and manner in which they and each of them are herein decreed to be entitled thereto.

It is further ordered, adjudged and decreed that each of the parties herein shall pay all the costs by him or her incurred without recourse upon any of the other parties hereto.

(Signed)

LYTTLETON PRICE, *Judge.*

Filed in open Court this 10th day of October, 1903. Recorded Nov. 30, 1903.

JOS. Y. HAIGHT, *Clerk.*

STATE OF IDAHO, }
County of Cassia, } ss.

I, Joseph Y. Haight, Clerk of the District Court of the Fourth Judicial District of Idaho, in and for the County of Cassia, do hereby certify that the foregoing three sheets of typewritten matter is a full, true and correct copy of the decree in an action entitled Jacob Dayley, et al., vs. Heber C. Dayley, et al., the original of which is now on file in my office.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of said Court, at Albion, Idaho, this 26th day of May, 1910.

(Seal)

JOS. Y. HAIGHT,

Clerk of the District Court of the Fourth Judicial District of Idaho, in and for Cassia County.

Heber C. Dayley, Timothy Matthews, James Lyman, John McMurray, T. E. West, James Walker, Thos. Birch and Nephi Birch, } Defendants

DECREE.

This cause having been regularly called, and the defendant, Heber C. Dayley, having filed his disclaimer herein, and the default of the defendants, Timothy Matthews, James Lyman, Jos. McMurray, James Walker, Thomas Birch and Nephi Birch, for failure to appear and answer, having been duly entered, and all the parties hereto not in default or having disclaimed, having agreed upon a statement of facts herein, and the Court having made its findings of fact and conclusions of law:

IT IS NOW ORDERED, ADJUDGED AND DECREED that the following parties are entitled to divert from Birch Creek the amount of water herein indicated, and the right of each party dates from the time hereinafter stated and set opposite each name, to-wit:

00077	Jacob Dayley.....	80 inches from Mar.	1st, 1875	Trans # 538-92
00078	Jacob Dayley.....	30 inches from Apr.	1st, 1881	" " "
00079	Jacob Dayley.....	50 inches from Dec.	5th, 1882	" " "
00080	E. R. Dayley.....	80 inches from Mar.	1st, 1875	
00081	E. R. Dayley.....	30 inches from Apr.	1st, 1881	
00082	E. R. Dayley.....	50 inches from Dec.	5th, 1882	
00083	L. A. Nelson.....	48 inches from Apr.	1st, 1881	
00084	James Worthington....	48 inches from Apr.	1st, 1881	Trans # 123
00085	Geo. Craner.....	70 inches from Apr.	16th, 1882	
00086	Wm. R. Lee.....	48 inches from Apr.	1st, 1881	
00087	Louisa Haight.....	48 inches from Apr.	1st, 1881	Trans # 1019
00088	Jno. J. Millard.....	75 inches from Apr.	15th, 1882	
00089	H. R. Matthews.....	40 inches from June	1st, 1882	
00090	Martha Matthews.....	50 inches from Dec.	1st, 1882	
00091	T. E. West, all the waters of that certain Spring known as Cold Springs, being a tributary to Birch Creek.			672
	Orrissa Critchfield, two-thirds of all the waters of Critchfield Springs by her placed in said Birch Creek, not exceeding in amount 200 inches.			

RECORDED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Certificate of Water Right
Transferred Right No. 678

THIS IS TO CERTIFY THAT NORTH OAKLEY WATER COMPANY, of Oakley, Idaho, is the owner of and using a certain water right for all of the waters of Cold Springs, a tributary to Birch Creek, in Cassia County, Idaho, with date of priority of October 10, 1903, said water being decreed to T. E. West, by Judge Lyttleton Price, of the District Court of the Fourth Judicial District of the State of Idaho, in and for Cassia County, in the case of

JACOB DAYLEY, ET AL,

Plaintiffs

vs.

HEBER C. DAYLEY, ET AL,

Defendants

said decree bearing date of October 10, 1903, and being appurtenant to the following described lands, to-wit:

NE¹/₄, NW¹/₄, SW¹/₄, Section 14,
Township 14 South, Range 22 East, B.M.

That the said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 3 of Decrees, at Page 946.

That the said North Oakley Water Company has become the owner of such water right through purchase.

And that now, upon the application of North Oakley Water Company, of Oakley, Idaho, through its President, Lewis E. Critchfield, for a transfer of all of said water, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of all of the waters of Cold Springs upon the above described lands is hereby abandoned, and the lands to be irrigated under such right, and to which the water right HEREBY CONFIRMED shall become appurtenant, by this Certificate, for irrigation, domestic, and stock watering purposes, are described as follows, to-wit:

Certain undescribed lands lying adjacent to the pipe line of the North Oakley Water Company, being all the lands served by said North Oakley Water Company through said pipe line.

That the said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes, and consists of all the waters of said Cold Springs, tributary to Birch Creek, in Cassia County, Idaho.

That the water right hereby transferred has been conducted to the first above described lands from Cold Springs through West Ditch, with point of diversion in the NE¹/₄, NE¹/₄, Section 23, Township 14 South, Range 22 East, B.M.

RECORDED

That the water right hereby transferred will hereafter be conducted to the last above described lands through the North Oakley Water Company Pipeline, with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24, Township 14 South, Range 22 East, B. M.

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 20th day of January, A. D. 1945.

MARK R. KILP
State Reclamation Engineer
By

Ray W. Thompson
Supervisor of Water Distribution

COPY

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of

North Oakley Water Company,
Oakley, Idaho

For a Transfer of Water Right,
in Water District No. 10-B,
County of Cassia, Idaho

ORDER GRANTING TRANSFER

WHEREAS, On the 27th day of December, 1944, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of an application of the North Oakley Water Company, of Oakley, Idaho, through its President, Lewis R. Critchfield, for a Transfer of Water Right, came on regularly for hearing, pursuant to the published notice, in due and statutory form; and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that said transfer would enable said applicant to put the water to a more beneficial use, and that no one would be injured thereby;

NOW, THEREFORE, IT IS HEREBY ORDERED that the said application be and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 20th day of January, A. D. 1945.

MARK R. KULP
State Reclamation Engineer
By

Ray W. Thompson
Supervisor of Water Distribution

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
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West, T. E.

All Cold Springs

45-0091

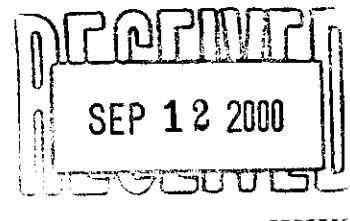
672

North Oakley Water Co.

All Cold Springs 0

45-0091A





September 1, 2000

Keith and Jan Farms Limited Partnership
c/o Mr. Keith P. Critchfield
1896 South Hwy. 27, Box 14C
Oakley, Idaho 83346

RE: Proposed purchase of a well site by North Oakley Water Company, Inc.
from Keith and Jan Farms Limited Partnership

Dear Keith and Jan:

On behalf of the North Oakley Water Company, Inc. I hereby make offer to purchase the real property described on Exhibit "A" consisting of .37 acres more or less.

Purchase price \$5,000.00 plus 10 shares of stock in
North Oakley Water Company, Inc.

Possession shall be on September _____, 2000

TITLE INSURANCE premium shall be paid by (☒) North Oakley Canal Water Company
(☐) Keith and Jan Farms Limited Partnership

Dated this 1st day of September, 2000

NORTH OAKLEY WATER COMPANY, INC.

By: *Ref L Huff*
Title: President

ACCEPTANCE OF THE TERMS OF THIS OFFER

KEITH AND JAN FARMS LIMITED PARTNERSHIP

By: *Keith P. Critchfield*
Keith P. Critchfield, General Partner

By: *M. Janice "Jan" Critchfield*
M. Janice "Jan" Critchfield, General Partner

Please make the \$5,000.00 check for the sale and issue the 10 shares of stock out to K & D Farms.

MICROFILMED

SEP 12 2000

T08966

271092

WARRANTY DEED

#32856

For Value Received

KEITH AND JAN FARMS LIMITED PARTNERSHIP, an Idaho limited partnership

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

NORTH OAKLEY WATER COMPANY, INC., an Idaho non-profit corporation
Address: 1818 South 500 West
Oakley, ID 83346

Hereinafter called the Grantee, the following described premises situated in **Cassia** County, Idaho, to-wit:

TOWNSHIP 13 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 10: Part of the SE $\frac{1}{4}$, more particularly described as follows:

Commencing at the S $\frac{1}{4}$ corner of said Section 10, said point lies North 89°05'15" West 2648.56 feet from the Southeast corner of said Section 10; Thence South 89°05'15" East 1070.53 feet along the Southerly boundary of SE $\frac{1}{4}$, Section 10 to the Real Point Of Beginning; Thence North 32°44'14" West 92.18 feet to a point on the Southerly line of a County roadway easement; Thence North 54°36'45" East 120.83 feet along said County roadway easement; Thence South 32°44'18" East 178.11 feet to a point on the Southerly boundary of said SE $\frac{1}{4}$, Section 10; Thence North 89°05'15" West 145.00 feet along the Southerly boundary of said SE $\frac{1}{4}$, Section 10 to the Real Point Of Beginning.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2000 and subsequent years.

Power Line Easement from Critchfield Land & Livestock, Co., to Idaho Power Company, a corporation, dated February 10, 1975 and recorded November 18, 1975 as Instrument No. 86771 on Film No. 98, records of Cassia County, Idaho, over and across the South 100 feet of SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, Township 13 South, Range 22 East of the Boise Meridian.

Grant of Easements between Matthews Brothers, Inc., an Idaho Corporation, and Critchfield Land & Livestock, Co., an Idaho Corporation, dated December 19, 1986 and recorded December 22, 1986 as Instrument No. 184382 on Film No. 186, records of Cassia County, Idaho.

MICROFILMED
SEP 87 1991

T68966

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: September 11, 2000

KEITH AND JAN FARMS LIMITED PARTNERSHIP

BY: Keith P. Critchfield
Keith P. Critchfield, General Partner

BY: Jan Critchfield
Jan Critchfield, General Partner

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 11th day of September, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared **KEITH P. CRITCHFIELD and JAN CRITCHFIELD**, known or identified to me to be the partner or one of the partners in the Partnership of **Keith and Jan Farms Limited Partnership**, two of the partners who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said Partnership name.

Larry Roberts
Notary Public
State of Idaho

[Signature]
Notary Public
Residing at: Burley, ID
My Commission expires: 06/30/03

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
SEP 11 2000
SEP 11 2000

271092
CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLEY
RECORDER
FEE 1.00 DEPUTY [Signature]

MICROFILM
SEP 11 2000

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
12S	22E	27	SW SW	SW SW	STOCKWATER DOMESTIC	
12S	22E	33	SE SE	NE NE	STOCKWATER DOMESTIC	
12S	22E	34	SW NW NW SW	NW SW SW NW	STOCKWATER STOCKWATER DOMESTIC DOMESTIC	
DELETE 13S	22E	3	SW SW	NW NW	STOCKWATER DOMESTIC	
13S	22E	4	SE SE SE SE	NE SW NE SW	STOCKWATER STOCKWATER DOMESTIC DOMESTIC	
13S	22E	5	SE SE	SE SE	STOCKWATER DOMESTIC	
13S	22E	8	SE SE	SE SE	STOCKWATER DOMESTIC	
13S	22E	9	NW SE SW SW SE SW SE NW SE SW SW SE SW SE	NE NE NW SW SW SE SE NE NE NW SW SW SE SE	STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER DOMESTIC DOMESTIC DOMESTIC DOMESTIC DOMESTIC DOMESTIC DOMESTIC DOMESTIC	
13S	22E	10	NW SW SW NW SW SW	NW SW SE NW SW SE	STOCKWATER STOCKWATER STOCKWATER DOMESTIC DOMESTIC DOMESTIC	
13S	22E	15	NE NW SW NE NW SW	NE SW SW NE SW SW	STOCKWATER STOCKWATER STOCKWATER DOMESTIC DOMESTIC DOMESTIC	
13S	22E	16	NW SE NW SE	NW SE NW SE	STOCKWATER STOCKWATER DOMESTIC DOMESTIC	

MICROFILMED

SEP 8 / 2001

09/28/2000

13S	22E	20	NE	NE	STOCKWATER
			SE	NE	STOCKWATER
			NE	SE	STOCKWATER
			SE	SE	STOCKWATER
			NE	NE	DOMESTIC
			SE	NE	DOMESTIC
			NE	SE	DOMESTIC
			SE	SE	DOMESTIC
13S	22E	21	NW	NE	STOCKWATER
			SW	NE	STOCKWATER
			SE	NE	STOCKWATER
			NE	NW	STOCKWATER
			NW	NW	STOCKWATER
			SW	NW	STOCKWATER
			SE	NW	STOCKWATER
			NE	SW	STOCKWATER
			NW	SW	STOCKWATER
			SW	SW	STOCKWATER
			SE	SW	STOCKWATER
			NE	SE	STOCKWATER
			NW	SE	STOCKWATER
			SW	SE	STOCKWATER
			SE	SE	STOCKWATER
			NW	NE	DOMESTIC
			SW	NE	DOMESTIC
			SE	NE	DOMESTIC
			NE	NW	DOMESTIC
			NW	NW	DOMESTIC
			SW	NW	DOMESTIC
			SE	NW	DOMESTIC
			NE	SW	DOMESTIC
			NW	SW	DOMESTIC
			SW	SW	DOMESTIC
			SE	SW	DOMESTIC
			NE	SE	DOMESTIC
			NW	SE	DOMESTIC
			SW	SE	DOMESTIC
			SE	SE	DOMESTIC
13S	22E	22	NW	NW	STOCKWATER
			SW	NW	STOCKWATER
			NW	SW	STOCKWATER
			SW	SW	STOCKWATER
			NW	NW	DOMESTIC
			SW	NW	DOMESTIC
			NW	SW	DOMESTIC
			SW	SW	DOMESTIC
13S	22E	27	NW	NW	STOCKWATER
			SW	NW	STOCKWATER
			SW	SW	STOCKWATER
			NW	NW	DOMESTIC
			SW	NW	DOMESTIC
			SW	SW	DOMESTIC

MICROFILMED

SEP 9 / 2001

13S	22E	28	NE	NE	STOCKWATER
			SW	NE	STOCKWATER
			SE	NE	STOCKWATER
			NE	NW	STOCKWATER
			NW	NW	STOCKWATER
			SW	NW	STOCKWATER
			SE	NW	STOCKWATER
			NE	SW	STOCKWATER
			NW	SW	STOCKWATER
			NE	NE	DOMESTIC
			SW	NE	DOMESTIC
			SE	NE	DOMESTIC
			NE	NW	DOMESTIC
			NW	NW	DOMESTIC
			SW	NW	DOMESTIC
			SE	NW	DOMESTIC
			NE	SW	DOMESTIC
			NW	SW	DOMESTIC

13S	22E	29	NE	NE	STOCKWATER
			SE	NE	STOCKWATER
			NE	SE	STOCKWATER
			NE	NE	DOMESTIC
			SE	NE	DOMESTIC
			NE	SE	DOMESTIC

13S	22E	33	NE	NE	STOCKWATER
			NE	NE	DOMESTIC

13S	22E	34	NW	NE	STOCKWATER
			NE	SE	STOCKWATER
			NW	NE	DOMESTIC
			NE	SE	DOMESTIC

DELETE

13S	22E	35	SW	SW	STOCKWATER
			SE	SW	STOCKWATER
			SW	SW	DOMESTIC
			SE	SW	DOMESTIC

14S	22E	2	NE	NE	STOCKWATER
			NW	NE	STOCKWATER
			NE	NW	STOCKWATER
			SW	SW	STOCKWATER
			NE	NE	DOMESTIC
			NW	NE	DOMESTIC
			NE	NW	DOMESTIC
			SW	SW	DOMESTIC

DELETE

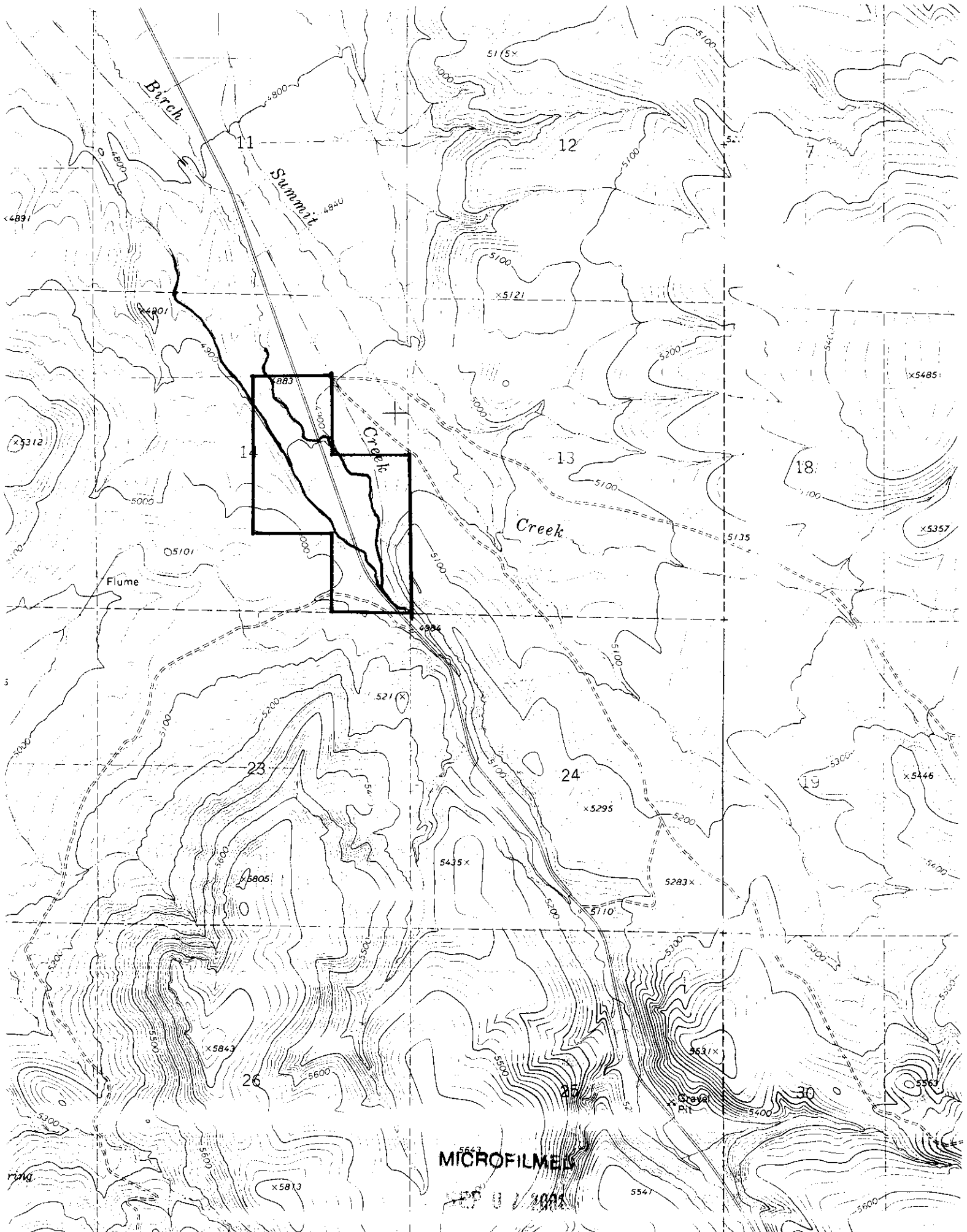
14S	22E	11	NE	NW	STOCKWATER
			NE	NW	DOMESTIC

14S	22E	24	NW	NW	STOCKWATER
			SE	NW	STOCKWATER
			NW	NW	DOMESTIC
			SE	NW	DOMESTIC

11. Place of use in counties: CASSIA

MICROFILMED

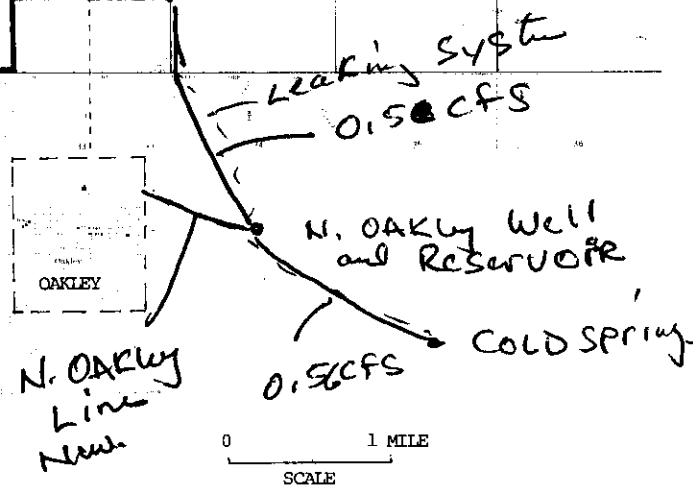
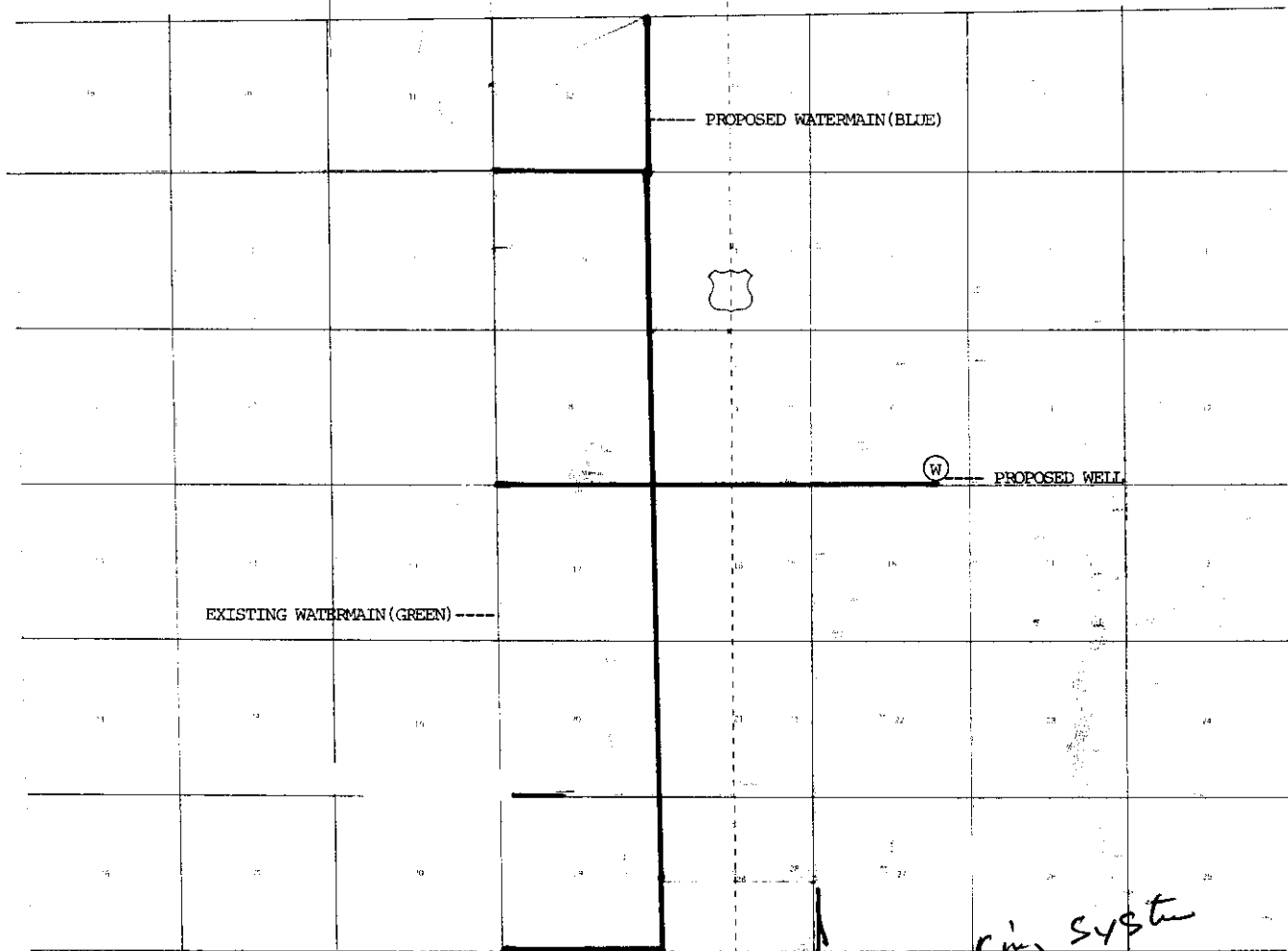
SEP 07 2001



MICROFILMED

SEP 11 1961

T68966



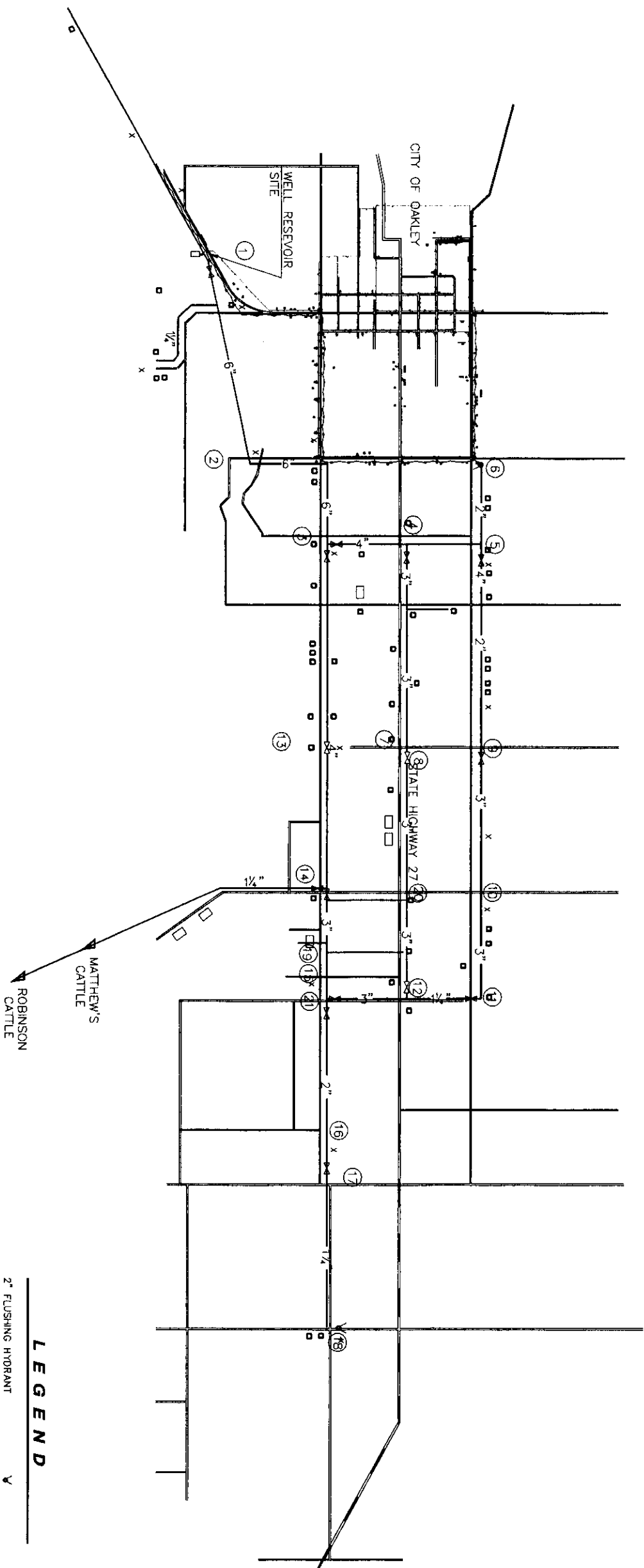
MICROFILMED

NORTH OAKLEY WATERMAIN PROJECT

SEP 6 / 1971

T68966

- NOTES:
- 1) ALL CONSTRUCTION SHALL BE COMPLETED IN ACCORDANCE WITH THE LATEST REVISION OF THE IDAHO STANDARDS FOR PUBLIC WORKS CONSTRUCTION.
 - 2) ALL NEW WATERMAINS SHALL BE DISINFECTED IN ACCORDANCE WITH THE REQUIREMENTS OF AWWA C601.
 - 3) ALL PIPING SHALL BE CLASS 160 PVC.
 - 4) PIPING FROM NODE 21 TO NODE 18 SHALL BE CLASS 200 PVC.



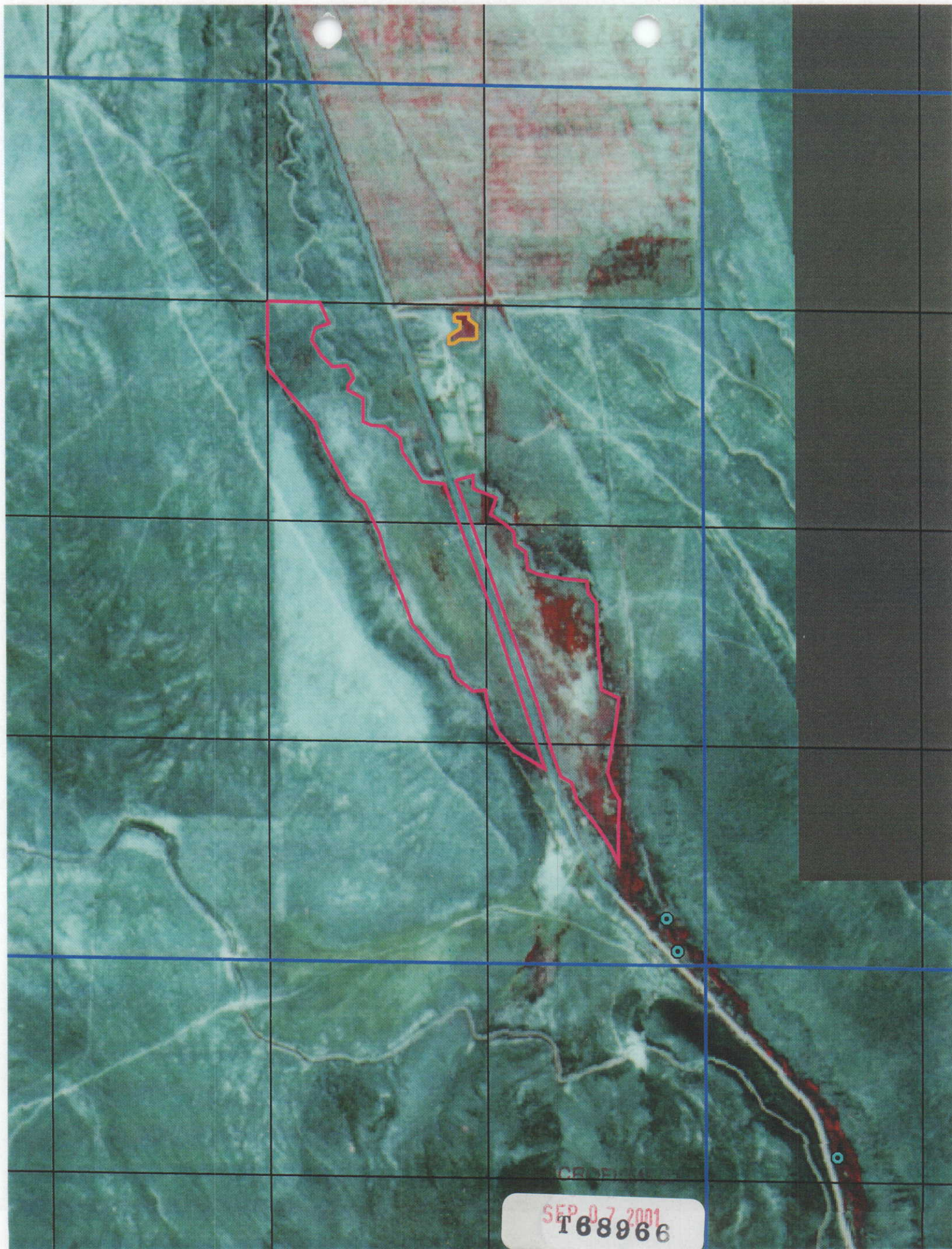
LEGEND

- | | |
|--------------------------------------|-----|
| 2" FLUSHING HYDRANT | V |
| PROPOSED LOOP EXTENSION | 3" |
| PROPOSED REPLACEMENT | 8" |
| NODE IDENTIFICATION NUMBER | ① |
| RESILIENT WEDGE GATE VALVE | ⋈ |
| PROPOSED WATER LINE | — |
| NEW WATER LINE | — |
| EXISTING WATER LINE | — |
| CANAL | —C— |
| PROPOSED FIRE HYDRANT | ⊙ |
| NEW FIRE HYDRANT | ⊙ |
| EXISTING FIRE HYDRANT (SUB-STANDARD) | ⊙ |
| EXISTING FIRE HYDRANT (APPROVED) | ⊙ |
| VALVE | ⋈ |
| HOUSE | ⊞ |

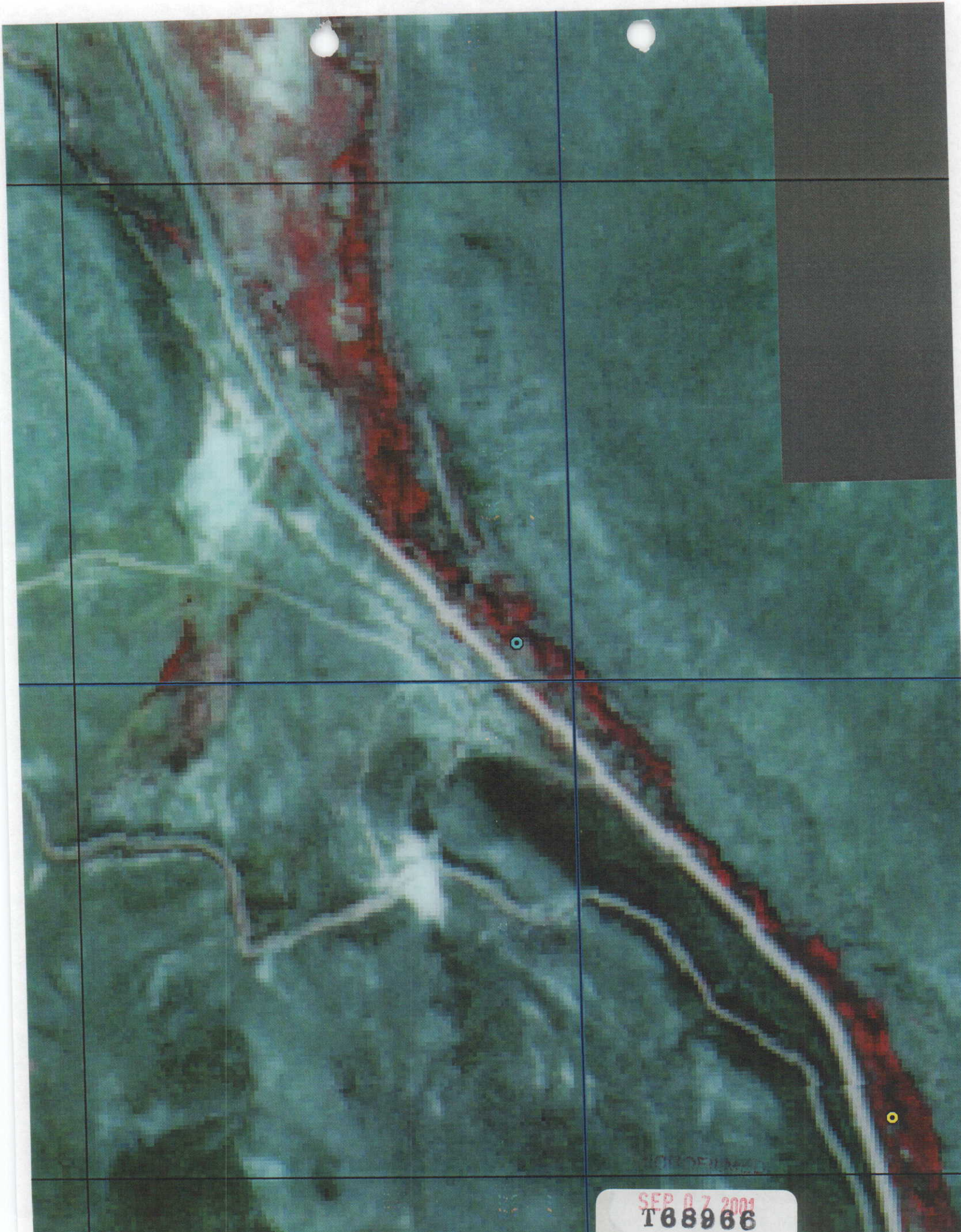
CITY OF OAKLEY
1999 WATER PROJECT

EHM Engineers, Inc.
ENGINEERS/SURVEYORS/PLANNERS
621 NORTH COLLEGE ROAD, SUITE 100 - TWIN FALLS, IDAHO 83301
TELEPHONE (208)734-4888 - FAX (208)734-8049

DO NOT SCALE DRAWINGS
CONTRACTOR SHALL VERIFY ALL
DIMENSIONS AND LOCATIONS AT
THE JOB SITE AND NOTIFY THE
ENGINEER OF ANY DISCREPANCIES
BEFORE PROCEEDING WITH
CONSTRUCTION OF WORK.



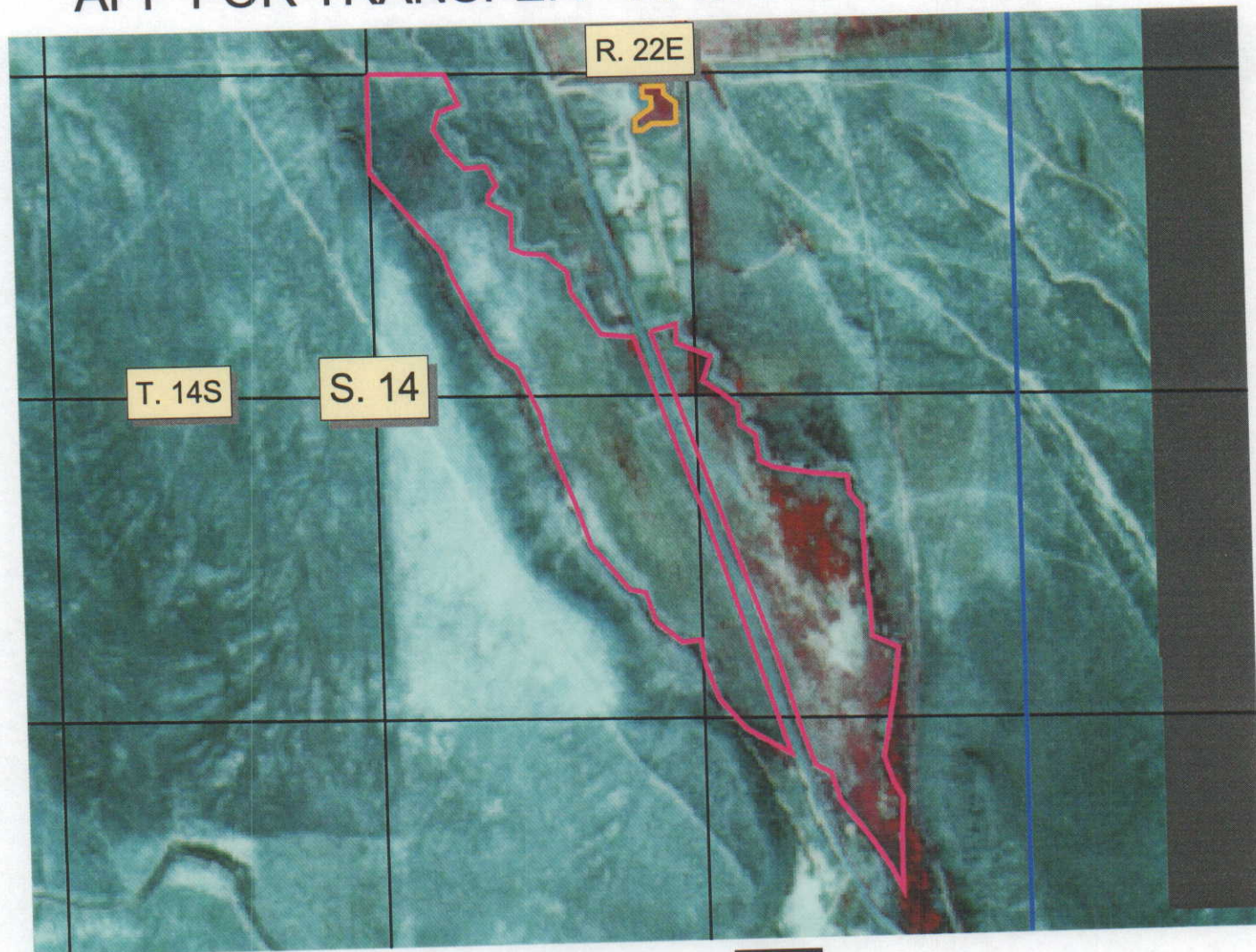
SEP 07 2001
T68966



SEP 07 2001
T08066

IDAHO DEPARTMENT OF WATER RESOURCES

APP FOR TRANSFER - N. OAKLEY WATER CO.



Section Lines



Quarter/Quarter Lines

General Location: SE of Oakley Near Mouth of Birch Creek Canyon



Original P/U of 45-91 Prior To 1944 Transfer

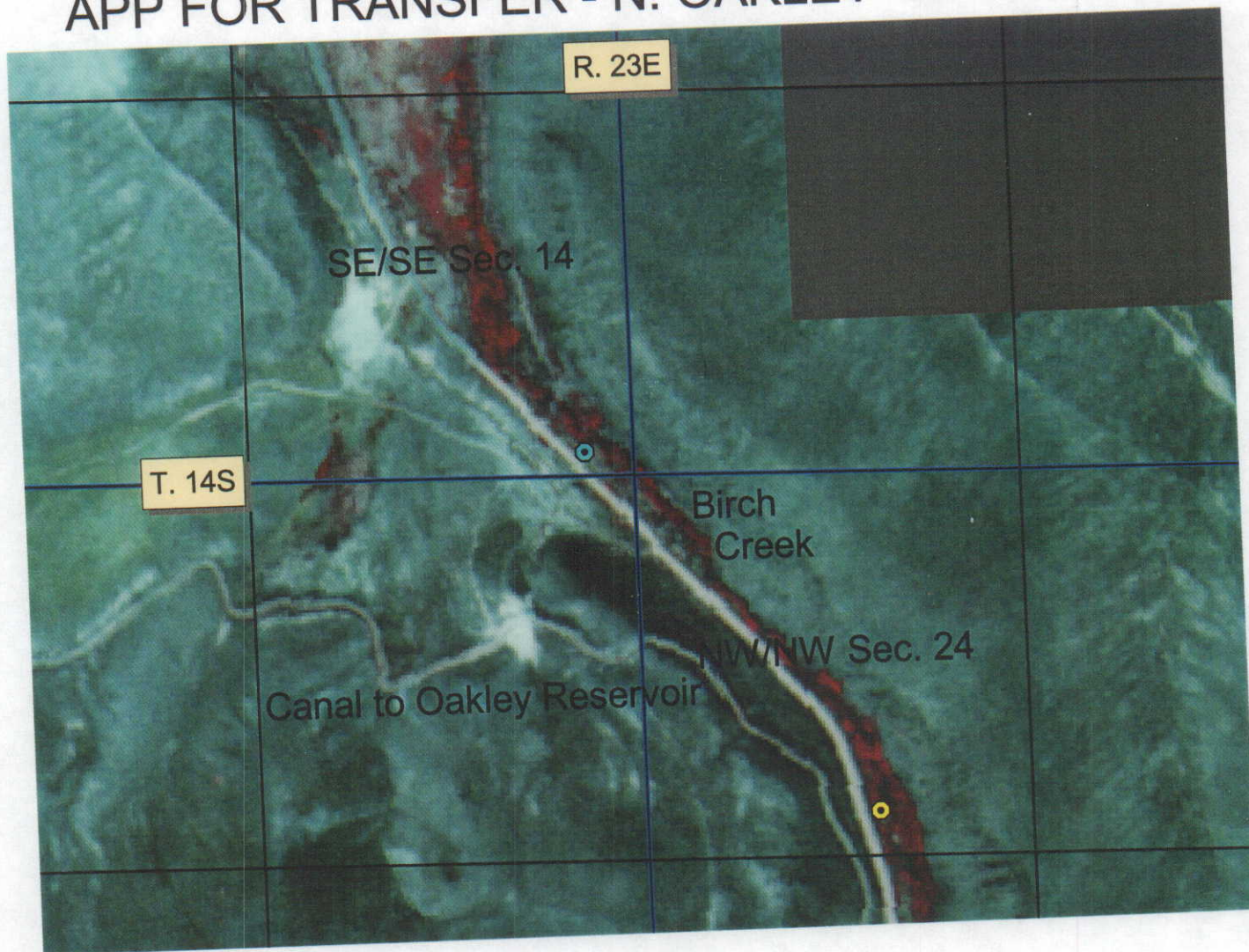
MICROFILMED
SEP 07 2001



Prepared By J E Stanton 3-21-01

1986/87 NAPP Data
168966

APP FOR TRANSFER - N. OAKLEY WATER CO.



- Lower Spring Diversion
- Upper Spring Diversion
(Abandoned to Birch Cr. in 1998)

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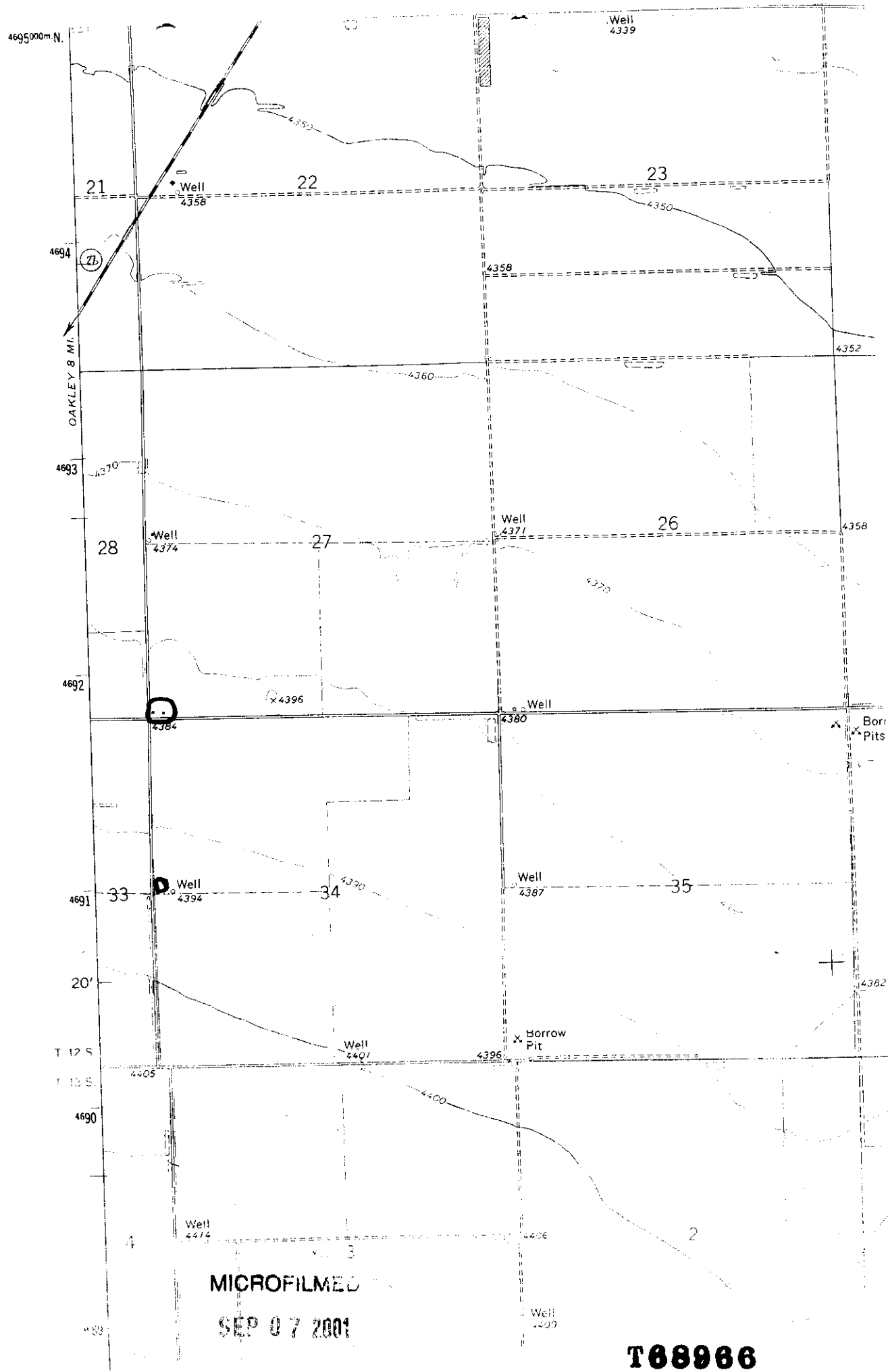
Prepared By J E Stanton 11-27-00

T68966

3268 IV SW
(MARION)



T68966



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T88966

MAR 19 2001

Transfer No. _____

PART 3

Department of Water Resources
Southern Region

B. CHANGES IN NATURE OF USE

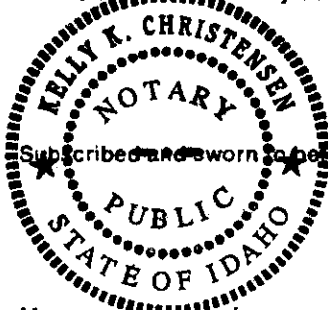
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Subscribed and sworn to before me this

19th day of March, 2001

(Signature of Applicant)

Kelly K. Christensen
(Notary Public)

My commission expires

3-11-04

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 15 attachments

Received by

J. Peltan

Date

3-19-01

Protest filed by

None

Prelim. check by

J

Fee

\$250. 5023437

Receipted by

JS

Date

10-12-00

Published in

S. Id. Press

Copies of protest forwarded by

Pub. dates

4/23 + 4/30/01

Hearing held by

Date

Watermaster recommendation requested on

4/16/01

Recommended for

☒ approval☐ denial

rec'd.

by

AR

Copy of transfer sent to lien holder

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ATTACHMENT A

TRANSFER _____

RIGHT NO				NE				NW				SW				SE			
	TN S	RN G	SE C	N E	N W	S W	SE	N E	N W	S W	SE	N E	N W	S W	SE	N E	N W	S W	SE
	125	22E	27											S,D					
			34							S									
	135	"	3							S,D									
			4				S								S,D				
			5															S,D	
			8													S,D			S
			9	S	S,D		S		S,D					S,D	S,D			S	S
			10						S				S,D	S,D					D
			11			S,D													
			15		S,D			S	S	S,D				S,D					
			16														S,D	S,D	S,D
			17				S												
			20	S,D			S									S,D		S	S,D
			21	S,D	S,D	S,D	S,D	S,D		S,D	S,D	S,D	S,D	S,D	S,D	S,D		S,D	
			22											S,D					
			27						S,D	S,D			S,D	S,D					
			28		S,D		S,D	S,D				S,D							S
			29	S,D			S,D									S,D			

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TRANSFER _____

Tracts shown in blue will be part of City of Oakley system after transfer

SEP 07 2001

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ATTACHMENT B

TRANSFER _____

RIGHT NO				NE				NW				SW				SE			
	TN S	RN G	SE C	N E	N W	S W	SE	N E	N W	S W	SE	N E	N W	S W	SE	N E	N W	S W	SE
	125	22E	27											M					
			34							M									
	135	"	3							M									
			4				M								M				
			5																M
			6													M			M
			9	M	M		M		M					M	M			M	M
			10						M				M	M					M
			11			M													
			15		M			M	M	M				M					
			16														M	M	M
			17				M												
			20	M			M									M			M
			21	M	M	M	M	M		M	M		M	M	M	M		M	
			22											M					
			27						M	M			M	M					
			28		M		M	M				M							M
			29	M			M									M			
			34						M							SE			

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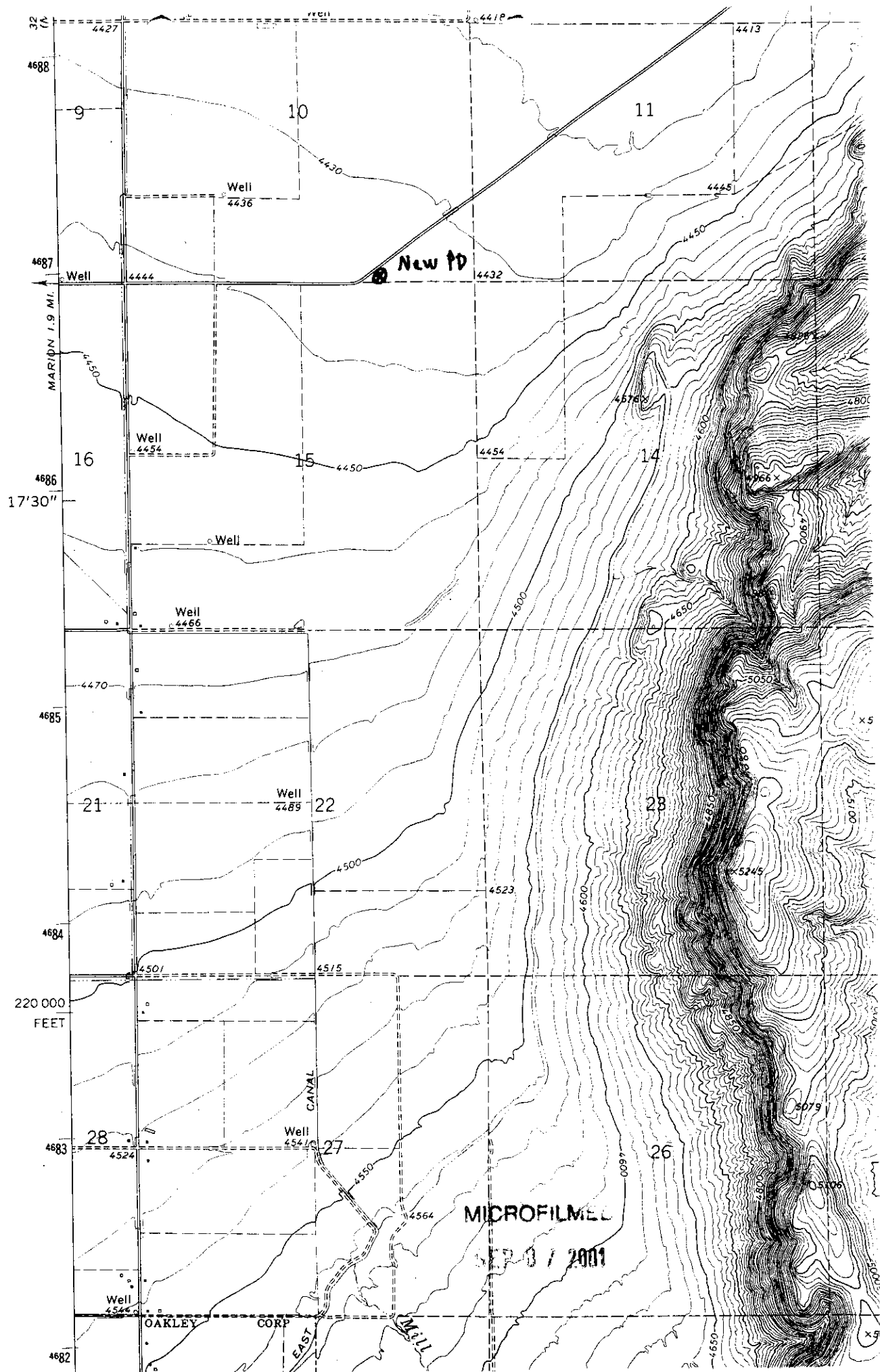
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TRANSFER _____

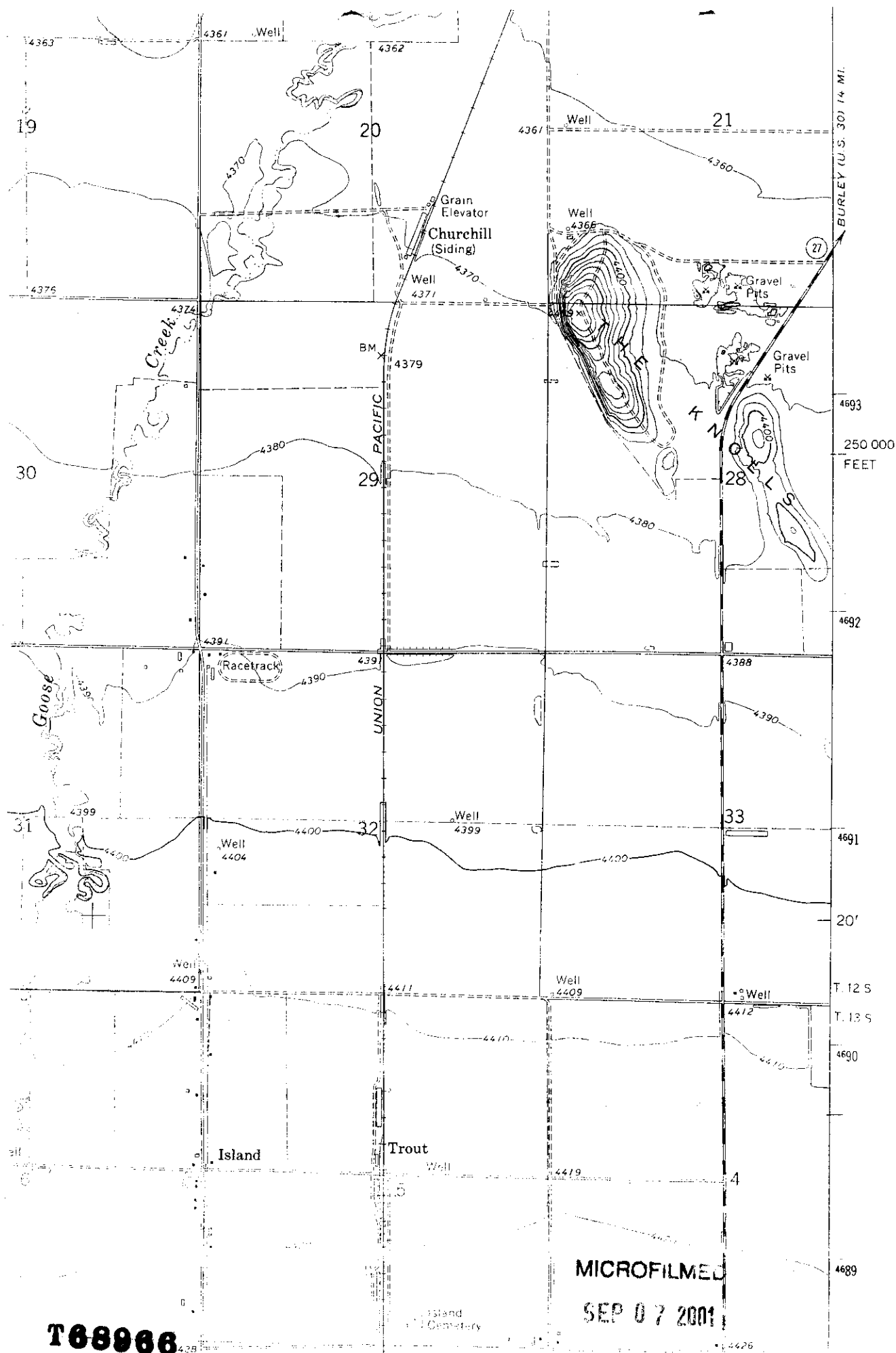
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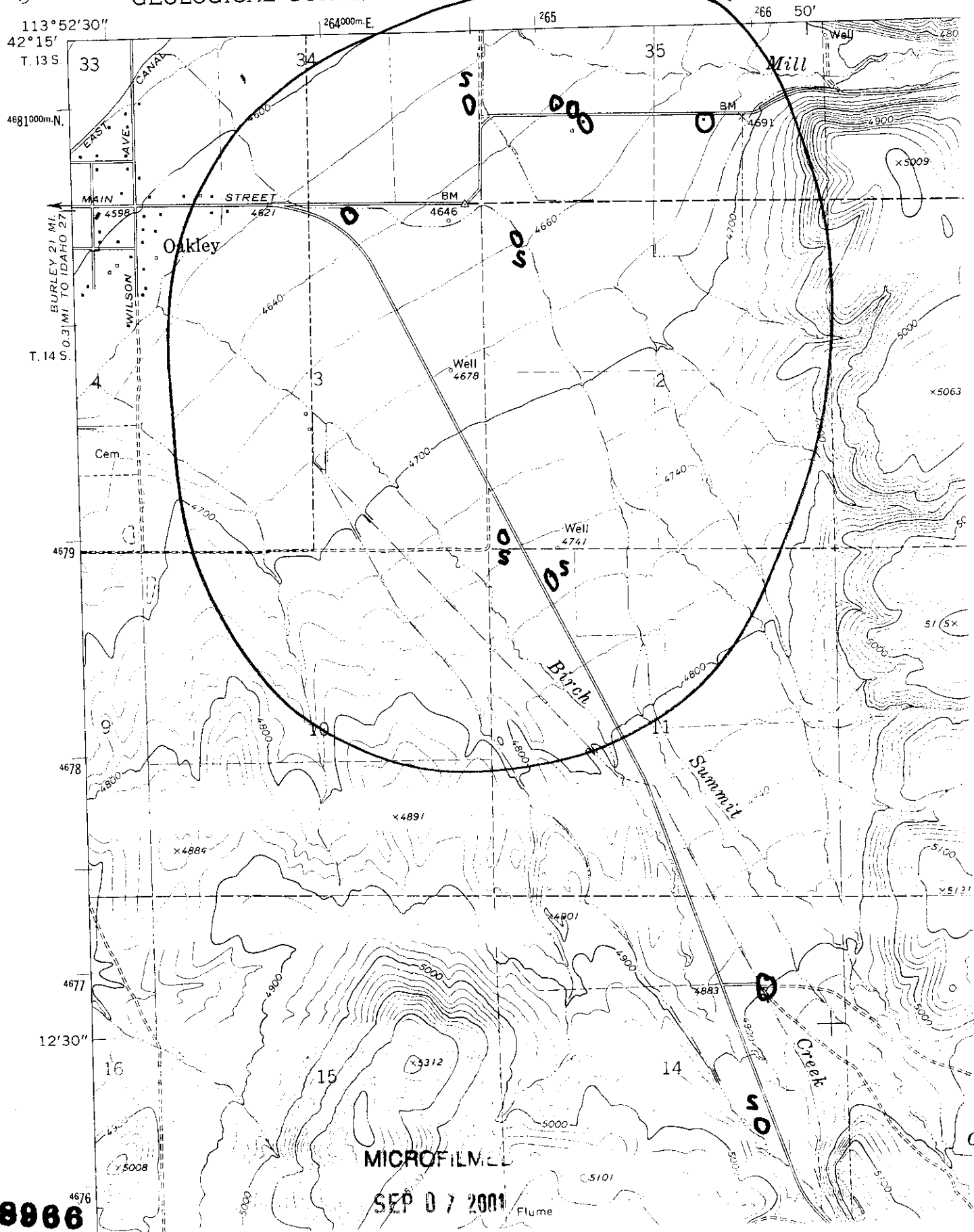
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SEP 07 2001

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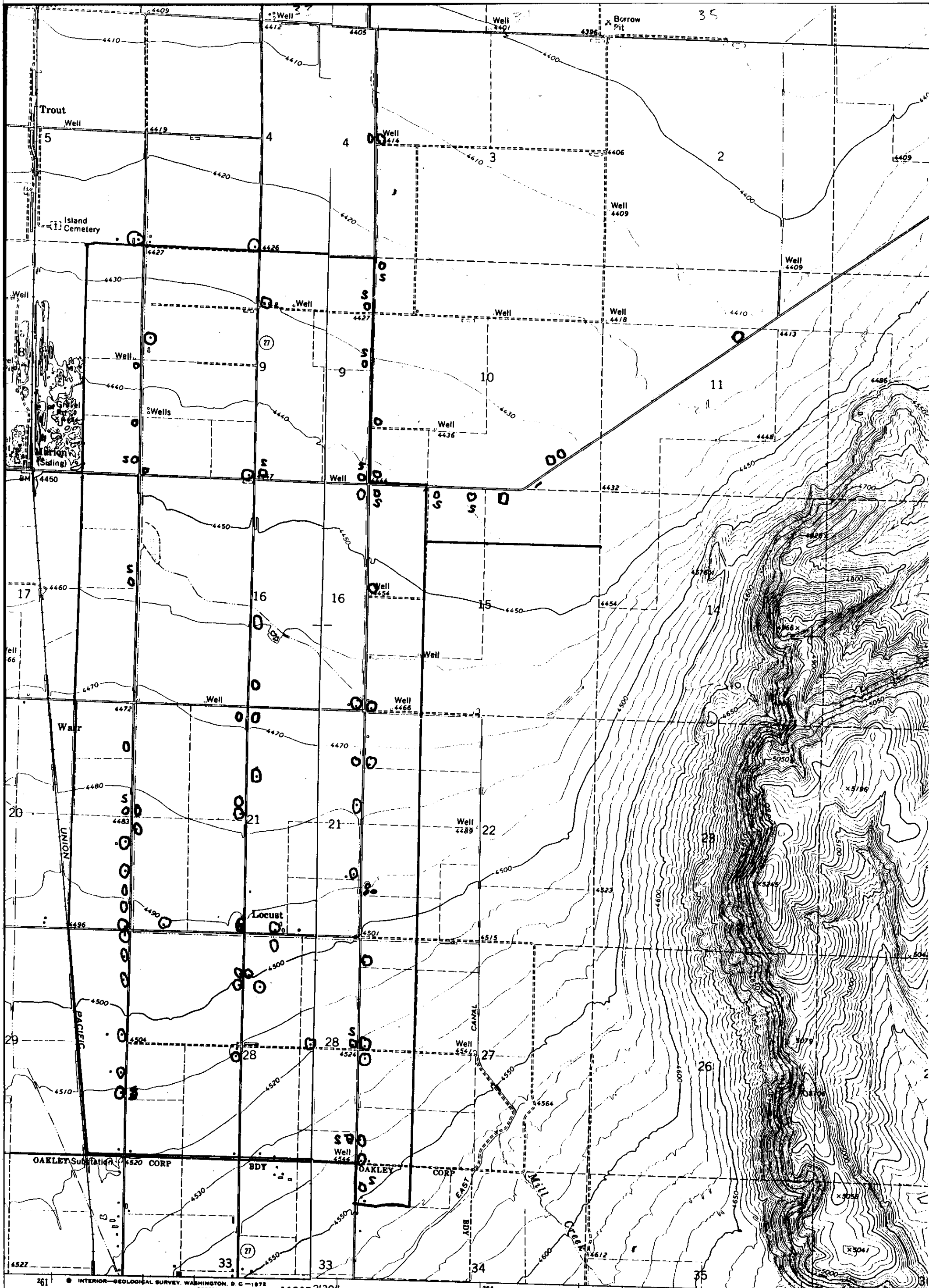
3288 JV SW
(MARION)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

Remove From System

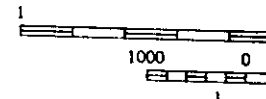
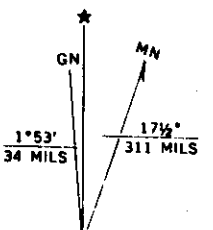


T68966



ROAD CLASSIFICATION
Secondary highway, all weather, Light-duty road, all weather,
hard surface — — — improved surface

Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS
Topography by photogrammetric methods from aerial
photographs taken 1967. Field checked 1968
Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system,
central zone
1000-meter Universal Transverse Mercator grid ticks,
zone 12, shown in blue



Py 508 6
T 68966

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MAR 19 2001

Name of applicant North Oakley Water Co. Phone 862-3681 home
Post Office address C/o Randy Hardy, 1496 S 500 W, Oakley, ID 83346 431-3680 cell #

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☐ Change period of use ☒ Other Clarify our status as a municipal/provider

2. Describe the reason for the proposed changes Springs can no longer be used as a source of drinking water per DEQ regulations, so we want to use a well close to our service area for this purpose. Springs will be retained for outside uses, & the new well may be used outside also. The upper spring is being abandoned - will flow back into Birch Creek

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>45-91</u>	<u>4-25-1902</u>	<u>1.00 cfs</u>	<u>Municipal</u>	<u>1-1</u> to <u>12-31</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>

2. Total amount of water being transferred 1.00 cubic feet per second and/or acre-feet per annum

3. Source of water Cold Springs & Ground Water tributary to Birch Creek ? -

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use: See Attachment A B

[illegible]

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333 / 2001

1089610

PART 1

6. General Information:

- a. Description of diversion system Collection box at lower spring, pipeline to ⁶⁵ users, Well 2 pump, pipelines to 13 users. Nine users east of Oakley will be served by city system after transfer.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

N/A

d. Remarks:

One user still uses spring water for culinary purposes (water is treated prior to use). License 45-2226 covers the same springs, but allows the same use as 45-71 at a lower flow rate. License will be relinquished if transfer is approved. Spring water will be injected into the aquifer for recharge as required by IDWR.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

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SEP 8 / 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

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MAR 19 2001

Department of Water Resources
Southern Region

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 45-91 Decreed to North Oakley Water Co.
in case of Jacob Dayley et al vs. Heber C. Dayley et al
dated 10-10-1903 in Fourth District county of Cassia
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 672 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Cold Springs tributary to Birch Creek4. Date or priority 4-25-1902 * Claimed rate. Right is for entire flow of springs

5. Water is used for the following purpose:

- amount 1.00 for Domestic purposes from 1-1 to 12-31
(cfs/ac-ft)
amount 1.00 for Stockwater purposes from " to "
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right * 1.00 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SE	SE	14	14S	22E	Cassia	Lower diversion per GPS
	SE	NW	NW	24	"	"	"	Upper " " "

8. Lands irrigated or place of use: See Attachment A

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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Total acres _____

9. Describe any other water rights used for the same purpose as described above 45-2226, 2323B

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68966

This is to certify that: NORTH OAKLEY WATER CO
C/O RANDY HARDY
1496 S 500 W
OAKLEY ID 83346
(208)431-3680

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Purpose</u>	<u>Source</u>
45-91	AJC/Decreed	04/25/1902	1.00 cfs	Domestic Stockwater	COLD SPRINGS

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
45-91	NO	NO	YES	YES	NO	YES

Summary of Water Rights After the Approved Change

<u>Right</u>	<u>Rate</u>	<u>Volume</u>	<u>Purpose</u>
45-91	1.00 cfs	129.0 af	Municipal
TOTALS	1.00 cfs	129.0 af	

Detailed Water Right Description(s) attached

Dated this 2nd day of July, 2001


Administrator, Water Management Division

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WATER RIGHT NO. 45-91
As Modified by Transfer No. 68966

In accordance with the approval of Transfer No. 68966, Water Right No. 45-91 is now described as follows.

Right Holder: NORTH OAKLEY WATER CO
C/O RANDY HARDY
1496 S 500 W
OAKLEY ID 83346

Priority Date: 04/25/1902

Source: COLD SPRINGS

Tributary: BIRCH CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01	12/31	1.00 CFS	129.0 AF

LOCATION OF POINT(S) OF DIVERSION:

COLD SPRINGS SENWNW Sec. 24 Twp 14S Rge 22E CASSIA County

COLD SPRINGS SESESE Sec. 14 Twp 14S Rge 22E CASSIA County

Injection to Ground Water SE Sec. 14 Twp 14S Rge 22E CASSIA County

Re-diversion from Ground Water SESWSE Sec. 10 Twp 13S Rge 22E CASSIA County

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 45-B, Birch Creek.
3. Prior to injecting water and re-diverting from ground water under this approval, the right holder shall install and maintain measuring devices acceptable to the Department at all authorized point(s) of injection, diversion, and re-diversion.
4. The total amount of water diverted from all points of diversion from Cold Springs under Transfer 68966 shall not exceed 1.00 cfs, nor a total combined annual volume of 129.0 af.
5. The instantaneous rate of re-diversion from ground water is limited to those times water is available for diversion under this right and priority from Cold Springs and is limited to the instantaneous rate of injection to ground water for recharge purposes. The right holder shall record monthly diversion, injection, and re-diversion volumes and file an annual report of the total amounts with the Department.

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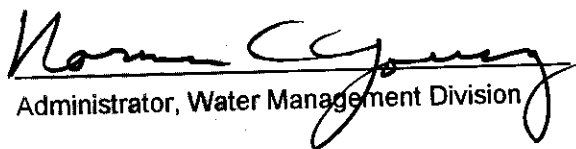
WATER RIGHT NO. 45-91
As Modified by Transfer No. 68966

CONDITIONS OF APPROVAL

6. Prior to injecting water and re-diverting from ground water under this approval, the right holder shall submit a recharge plan acceptable to the Department and obtain a separate injection well permit as required.
7. A priority date of March 19, 2001 shall be applied relative to any injury to nearby wells due to the re-diversion from ground water authorized under this approval.
8. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
9. Approval of Transfer 68966 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
10. Place of use is located within the North Oakley Water Co. service area.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 2nd day of July, 2001


Administrator, Water Management Division

FILMED
SEP 07 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

July 3, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

NORTH OAKLEY WATER CO
C/O RANDY HARDY
1496 S 500 W
OAKLEY ID 83346

RE: Transfer No.: 68966 - Water Right 45-91 - Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

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

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

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

If you have any questions, please contact me at 208-327-7940.

Sincerely,

Jeff Peppersack, Manager
Water Rights Permits Section

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SEP 07 2001

JP:klt

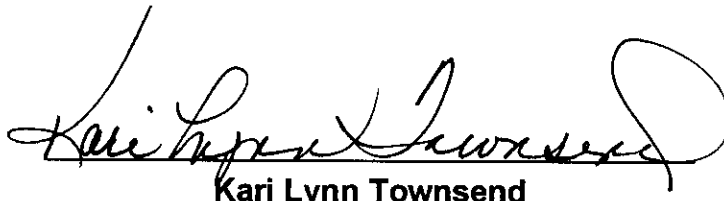
Enclosure(s)

CERTIFICATE OF MAILING

I hereby certify that on July 3, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 68966 - WATER RIGHT 45-91

**NORTH OAKLEY WATER CO
C/O RANDY HARDY
1496 S 500 W
OAKLEY ID 83346**

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", is written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**MICROFILMED
SEP 07 2001**



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 3, 2001

ROBERT BELL
WATERMASTER
106 N CENTER
OAKLEY ID 83346

RE: TRANSFER OF WATER RIGHT 45-91 (Transfer 68966)

Dear Robert:

Enclosed is a copy of the recently approved Transfer of Water Right for the above referenced water right (Transfer 68966) in the name North Oakley Water Co.

If you have any questions regarding this matter, please call me at 208-327-7940.

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

JP:kit

Enclosure

MICROFILMED
SEP 07 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

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FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED

SEP 07 2001

MEMORANDUM

Date: July 2, 2001

To: Transfer No. 68966 – North Oakley Water Co.
WR No. 45-91

From: Jeff Peppersack

Re: Transfer Approval

State Office Administrative review resulted in several changes to the approval/conditions as recommended by Allen Merritt (see memo dated 5/21/2001).

- On approval of this transfer right 45-02226 is voided/relinquished or abandoned and no longer in force.

License No. 45-2226 appears to cover the same use as Decree No. 45-91. The license was not part of the transfer application. Action on the license should be handled in the SRBA.

- To prevent injury to water users in the Oakley Kenyon Critical Ground Water Area all water not delivered from Cold Springs to NOWC share holders directly from Cold springs shall be injected into the ground water for recharge of the aquifer. This recharge shall be measured with a totalizing meter. Water available to be pumped from the well in the SESWSE S10, T13S, R22E is limited in volume to 126.7 afa or the actual amount recharged which ever is smaller.
- For purposes of regulation the volumes will be compared on a calendar year. The department retains jurisdiction to modify limitations of volume if additional hydrologic data becomes available. The department may consider banking of recharge if supported by future data or models.

These conditions were replaced by the following: The total amount of water diverted from all points of diversion from Cold Springs under Transfer 68966 shall not exceed 1.00 cfs, nor a total combined annual volume of 129.0 af; and, The instantaneous rate of re-diversion from ground water is limited to those times water is available for diversion under this right and priority from Cold Springs and is limited to the instantaneous rate of injection to ground water for recharge purposes.

It is not necessary to require all water from Cold Springs to be diverted or used as recharge as long as the amount recharged limits the amount that can be re-diverted from ground water. Regarding the volume limitation, since Manning will continue to divert water from the upper Cold Spring under authority of Decree No. 45-91, the total use under the right including Manning's use should be limited to the historical volume of

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129 af. Manning's use (2.3 af) cannot be split from North Oakley Water Co.'s approval until we receive sufficient notice of a change in ownership of the right.

In addition, the following condition was added to protect nearby ground water pumpers from potential injury: **A priority date of March 19, 2001 shall be applied relative to any injury to nearby wells due to the re-diversion from ground water authorized under this approval.**

The point of injection was added to the transfer approval per Norm Young based on location provided by Gary Burkett (see faxed letter of June 28, 2001).

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6/28/01
JUN 28 2001
JUN 28 2001

EHM ENGINEERS, INC.

621 North College Rd., Suite 100

Twin Falls, Idaho 83301

Phone: 208-734-4888 Fax: 208-734-6049

TO: Jeff Pepersack, IDWR

FAX: 327-7866

FROM: Gary Burkett

DATE: 6-28-01

RE: North Oakley Water System Water Right Transfer

DEPARTMENT OF WATER RESOURCES

RECEIVED

2 Pages Were Sent (Including Cover Page)
If all pages were not received please call 208-734-4888

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Engineers, Inc.

ENGINEERS / SURVEYORS / PLANNERS

IN THE FIELDS OF:
PLANNING
SURVEYING
HIGHWAYS
WATER
SEWAGE
STRUCTURAL
SUBDIVISIONS
BRIDGES
ENVIRONMENTAL
QUALITY CONTROL
CONSTRUCTION MGMT.

TO: Jeff Pepersack
Section Manager, IDWR

FROM: Gary Burkett

DATE: June 28, 2001

RE: North Oakley Water system Water Right Transfer

Mr. Pepersack,

The current proposed recharge point of injection for cold springs water is located in the S.E. 1/4 of Section 14, Township 14 South, Range 22 East, B.M.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Gary Burkett".

Gary Burkett

SEP 07 2001

Skaggs, Pam

From: Stanton, Jim
Sent: Thursday, June 28, 2001 4:10 PM
To: Skaggs, Pam
Cc: Stanton, Jim
Subject: RE: North Oakley Water Co/Transfer 68966

I finally was able to reach Birch Creek Watermaster Robert Bell. He said that he sent in his comments, but apparently they never got into the file. He said that he had no objections to the transfer, and did not mention any conditions that he wanted to see in the approval. Hope this helps.

-----Original Message-----

From: Skaggs, Pam
Sent: Tuesday, May 29, 2001 8:02 AM
To: Merritt, Allen; Stanton, Jim
Subject: North Oakley Water Co/Transfer 68966

This transfer has been identified as high priority & I have sent a copy to Hydrology section for review. I see that a letter was sent to the Watermaster of WD 45-B on 4-16-01. However, there is no comment letter from the watermaster in the file. Have you received it there? Please follow-up with the watermaster & forward to State Office asap. Everyone has put in a lot of time & effort on this one & it would be nice to get it wrapped up.

Pam

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SEP 07 2001

MEMORANDUM

June 14, 2001

To: Pam Skaggs

Through: Bob Sutter 

From: Shane Bendixsen

Subject: Water Rights Transfer #68966

It is our understanding this water right transfer involves transferring a spring water right of 0.5 cfs from Cold Springs at T14S R22E sec 14, to a ground water right at T13S R22E sec 10. Attachment #1 presents the current and proposed points of diversions. Reason for the transfer is the water is for municipal use and DEQ standards do not permit the use of surface water for municipal use unless treated. The transfer is within the Oakley Kenyon Critical Ground Water Area (CGWA). The question is whether the transfer will increase use of an already declining aquifer.

The most detailed work completed in the area is by Young and Newton (1989). The following is a brief description based on their work. There are three major aquifers in the Oakley Kenyon area: a deep rhyolite aquifer, and intermediate basalt aquifer, and an overlying, shallow, alluvial aquifer. The basalt and alluvial aquifers are interconnected while ground water in rhyolite aquifer is in confined conditions. Also within the Oakley Kenyon area there is a "perched" or shallow ground water system (see Attachment #2). In Young and Newton's 1989 report it was referred to as a "perched" system that by definition means it has no hydraulic connection with any underlying system. Per communication with Bill Young (1994) he felt that the "perched" term was not correct and the shallow system would be much better described as a "ground water mound" with a direct hydraulic connection to the alluvial aquifer.

Water from Cold Springs is considered tributary to Birch Creek. Birch Creek in turn is tributary to either the alluvial aquifer or the shallow ground water system. Attachment #2 presents ground elevations and flow directions based on a mass measurement in 1984. As shown, the flow direction is north by northwest. The current point of diversion is not directly upgradient from the proposed point of diversion, but very close. Therefore the transfer should not increase use for the alluvial or basalt aquifers.

A review of the well log for the proposed point of diversion suggests that the well has penetrated rhyolite, but there was no record if water was or was not encountered. Therefore it is possible there could be increased use for the rhyolite aquifer. But if the water right stays at the present amount, this will amount to decreased use for the alluvial and basalt aquifers. Therefore there will be no net change within the basin.

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In closing, the current point of diversion is spring water which is tributary to Birch Creek which in turn is tributary to either the alluvial aquifer or the shallow ground water system. The proposed point of diversion is down gradient and withdraws water from the shallow and / or alluvial aquifer. If the deep rhyolite aquifer was encountered there will still be no net change in use from the basin.

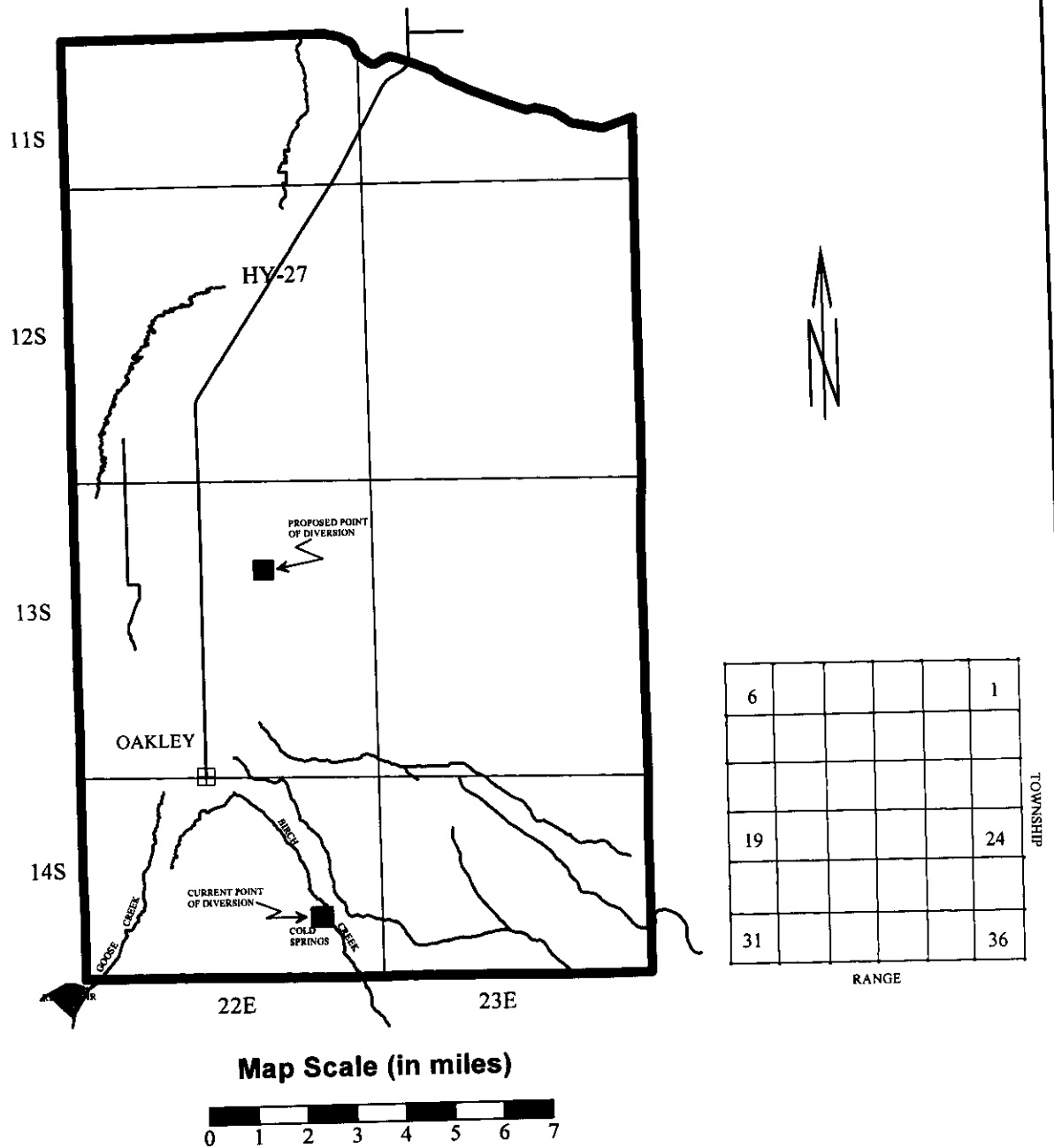
REFERENCES

Young, H. W., and Newton, G.D., Hydrology of the Oakley Fan Area, South-Central Idaho, U.S. Geological Survey Water Resources Investigations, Report 88-4065. Prepared in Cooperation with the Southwest Irrigation District. Boise, Idaho, 1989.

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OAKLEY KENYON CRITICAL GROUND WATER AREA

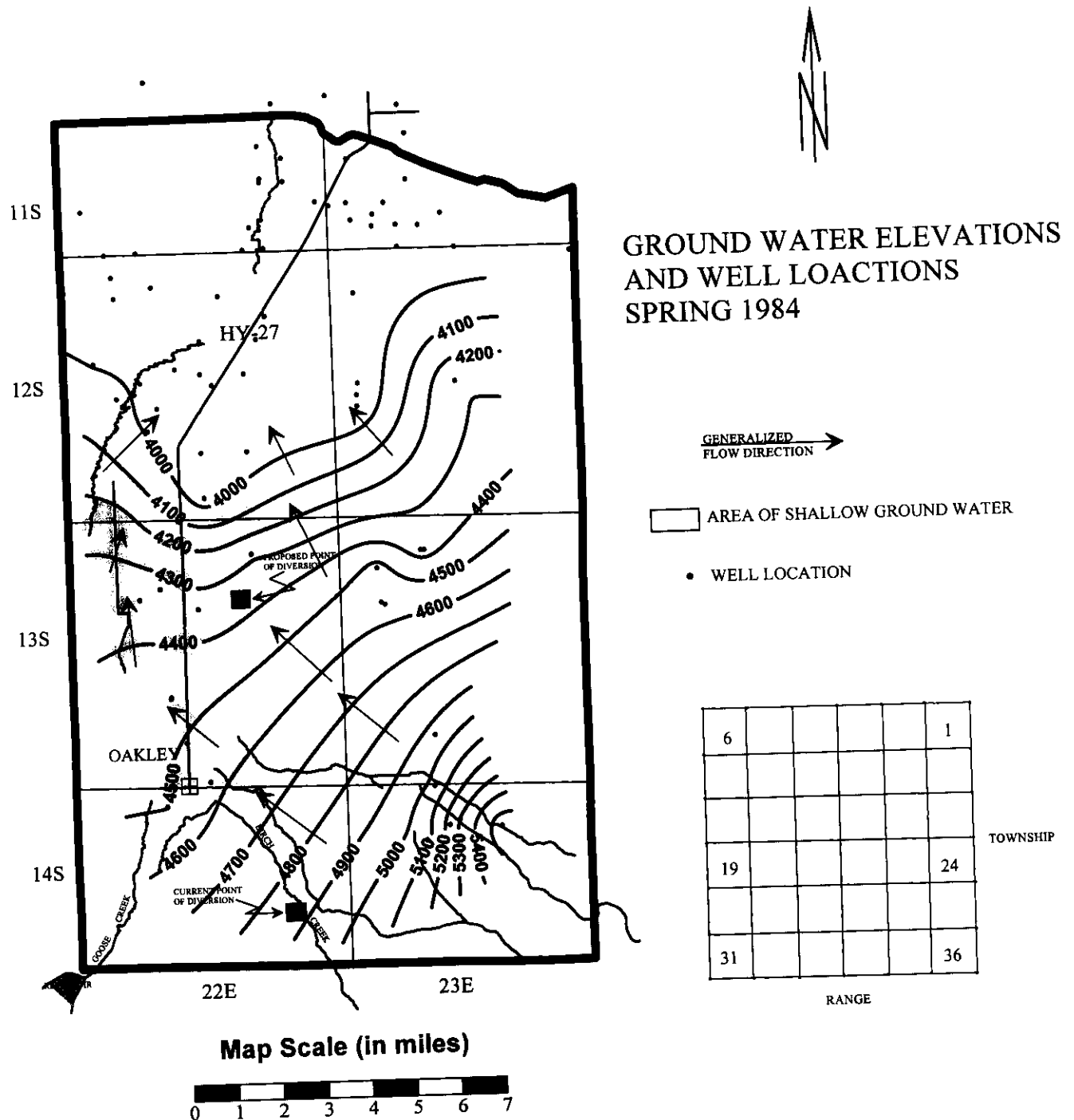


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SEP 07 2001

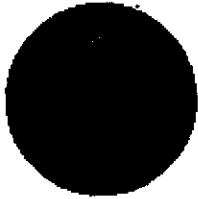
ATTACHMENT #1

OAKLEY KENYON CRITICAL GROUND WATER AREA



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SEP 07 2004 ATTACHMENT #2

**Idaho Secretary of State
Business Entity Search**

NORTH OAKLEY WATER COMPANY, INC.

1496 S 500 W
OAKLEY, ID 83346

Type of Business: CORPORATION, WATER USERS ASSOCIATION

Status: GOODSTANDING, ANREPT SENT 02 Jan 2001

State of Origin: IDAHO

Date of 17 Mar 1993

Origination/Authorization:

Initial Registered Agent: KARLA ROBINSON
1496 S 500 W
OAKLEY, ID 83346

Filing Number: C-101443

Number of Authorized Stock 200
Shares:

Date of Last Annual Report: 26 Feb 2001

Related Documents: 17 Mar 1993 - INCORPORATION (NORTH OAKLEY WATER COMPANY, INC.)
19 Jul 1993 - 1993 ANNUAL REPORT
28 Jul 1994 - 1994 ANNUAL REPORT
20 Jul 1995 - 1995 ANNUAL REPORT
19 Jul 1996 - 1996 ANNUAL REPORT
26 Jul 1997 - 1997 ANNUAL REPORT
13 Oct 1998 - 1998 ANNUAL REPORT
24 Sep 1999 - 1999 ANNUAL REPORT
26 Feb 2001 - 2001 ANNUAL REPORT

Get a certificate of existence for NORTH OAKLEY WATER COMPANY, INC.

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SEP 07 2001

No. C 101443		Due no later than Mar 31, 2001 Annual Report Form		2. Registered Agent and Office NO PO BOX	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080		NORTH OAKLEY WATER COMPANY, INC. KARLA ROBINSON 1496 S 500 W OAKLEY, ID 83346		KARLA ROBINSON 1496 S 500 W OAKLEY, ID 83346	
NO FILING FEE IF RECEIVED BY DUE DATE				3. New Registered Agent Signature	
4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.					
Office held	Name	Street or P.O. Address	City	State	Zip
Pres.	Randy Hardy	1818 S 500W	Oakley	ID	83346
V.P.	John Martin	1722 S 500W	"	"	"
Sec.	Karla Robinson	1496 S 500W	"	"	"
Director	Hilton Critchfield	1687 S Highway 27			
5. Organized Under the Laws of:		6. Signature <u>Karla Robinson</u>		Date <u>2/23/01</u>	
IDAHO C 101443		Name <u>Karla Robinson</u>		Title <u>Secretary</u>	

Issued 01/02/2001

Do Not Tape or Staple

1500

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MEMORANDUM

TO: Bob Sutter
Hydrology Section

FROM: Pam Skaggs 
Water Permits Section

SUBJECT: Application for Transfer 68966

DATE: May 24, 2001

This transfer application by the North Oakley Water Company proposes changing the source from Cold Springs to groundwater and proposes recharge of the spring flows as mitigation. The application will also change the nature of use from Domestic and Stockwater to Municipal to more accurately reflect the current purpose of the system. Please review the application and the attached Hydrogeologic Report provided by the applicant.

This application has been in progress for a long time and has caused great concern to the applicant whose funding for the project is withheld pending Water Resources approval of the transfer. Norm has directed prompt action on our behalf now that the application is in our office. Please provide your comments and recommendations on the project as quickly as possible.

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Copy - Sent to Hydrology Section for review.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 21, 2001

Weston Hawkes
Public Works Director
City of Oakley
P.O. Box 266
Oakley, Idaho 83346

Re: Transfer of North Oakley Water Company No. 68966

Dear Mr. Hawkes:

I have reviewed the status of the application for transfer with staff at the Southern Regional Office staff. The application has been advertised and the protest period lapsed without receipt of a protest. Regional office staff has indicated they intend to expedite the review and forward the application to the state office for action. With the data migration/process re-engineering effort complete, the State Office staff has time to concentrate on the review and approval of the application.

You can anticipate prompt action on the application. I will advise staff of your need for timely processing to assure that processing of the application remains on track.

Sincerely,

A handwritten signature in black ink, appearing to read 'Norman C. Young'.

Norman C. Young
Administrator
Water Management Division

c: Allen Merritt, Southern Region
✓ Glen Saxton, Water Allocations Bureau

Handwritten initials in black ink, possibly 'MS' or similar.

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SEP 07 2001



CITY OF OAKLEY

200 W. Main - P.O. Box 266
Oakley, ID 83346 Phone (208) 862-5513

RECEIVED

MAY 17 2001

Department of Water Resources

May 16, 2001

Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

Attention: Norman Young

Dear Mr Young,

Thank you again for your help in settling our water rights questions here in the Oakley valley. The staff in Twin Falls has published the proposed transfer of North Oakley's water rights and there have been no protests, and the comment period ended on May 4th 2001. We are now ready to build our new pump house and water storage tank with the grant money we have been awarded. The only hold-up is waiting for Water Resources to complete the filing and transfer of the water rights. The grant money will not be released to us without the water rights transfer being completed. The difficulty is in the work load that Water Resources Staff is having to wade through with the adjudication of the Snake River. Our Engineer reports that the Water Resources Staff is unable to give us a timetable for completion of this transfer because of the work load created by the Snake River Plain Water Adjudication.

I hesitate to impose on you again, and I am sympathetic to Water Resources Staff and the heavy load that they are presently working through. I am however, respectfully asking that this transfer be completed quickly so that our grants will be made available to us for the completion of our project. Because of this years drought, we have several families who are without water for most of each afternoon and evening. I cannot solve this problem until the project is near completion.

Mr Young, if you would please expedite the filing and recording of this transfer, our projects could be completed. If there is anything I could do to help, please let me know.

Sincerely,

Weston Hawkes
Public Works Director
City of Oakley

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SEP 07 2001

MEMO

FROM: Allen Merritt 

DATE: May 21, 2001

TO: Transfer File No. 68966

In the name of: **North Oakley Water Co. (NOWC)**

Water Right(s): 45-00091

RECEIVED

MAY 24 2001

Department of Water Resources

SUBJECT: Review and Recommendation

This application proposes the addition of a point of diversion from a well for a right historically diverted from springs. The application also identifies the use as municipal and also describes in more detail where the place of use is and the modifications to the place of use. The reason for these changes are due in part to the DEQ requirement to treat surface waters being delivered to public water supply systems. Changing the source to ground water avoids the treatment requirement.

The transfer was first filed back in October of 2000 and initial review by staff identified that right had historically been used with right 45-02323B which had been sold to the City of Oakley. Issues were: the historical use, the capacity of the system, potential expansion and impact to critical ground water area, and treatment of water right as a municipal right. (See file for documents, letters and memos describing these issues) After much discussion with staff, applicant and City of Oakley there was a meeting on 3/12/01 these parties, Norm Young and southern staff. The outcome was for a revised transfer to be filed and Norm directed we would process the application to the extent of the old historical use of the right prior to it being transferred to the NOWC. In essence it would be given Municipal preference against forfeiture but limited to the historical irrigated use limits.

On 3/19/01 a modified transfer was filed. Jim Stanton has submitted a memo dated 11-3-00 and revised 3-22-01 outlining his review and identifying many of the issues.

The applicant was requested to submit information showing that the Cold Springs and the aquifer from which they propose to divert is hydraulically connected. Their engineer submitted a report 4-10-01. This needs to be reviewed by State Office Ground Water Hydrology staff.

Comments were sought from DEQ and are included in the file.

This transfer needs to be reviewed by administration.

The transfer was processed without protest.

Recommendation

I recommend that this transfer be approved subject to the following conditions:

-To be reviewed by administration and ground water hydrology staff.

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- On approval of this transfer right 45-02226 is voided/relinquished or abandoned and no longer in force.
- The diversion work of this right (45-00091) shall meet all requirements of DEQ for public water supply systems.
- Approval of this transfer is predicated on a recharge plan be submitted by the applicant to be approved by the department. The recharge plan will require obtaining a separate injection well permit or shallow injection well permit.
- To prevent injury to water users in the Oakley Kenyon Critical Ground Water Area all water not delivered from Cold Springs to NOWC share holders directly from Cold Springs shall be injected into the ground water for recharge of the aquifer. This recharge shall be measured with a totalizing meter. Water available to be pumped from the well in the SESWSE S10, T13S, R22E is limited in volume to 126.7 afa or the actual amount recharged, which ever is smaller. The 126.7 is derived by the historical irrigation use minus Manning's ongoing use... ([43 acres X 3.0 afa/acre] – Manning use 2.3 afa)

For example: If 180 afa is recharged re-diversion is limited to 126.7 afa.
 If 108 afa is recharged re-diversion limited to 108 afa.

- For purposes of regulation the volumes will be compared on a calendar year. The department retains jurisdiction to modify limitations of volume if additional hydrologic data becomes available. The department may consider banking of recharge if supported by future data or models.
- The applicant shall record total volumes used and injected monthly and report readings annually to the department with appropriate reporting fee.
- Subject to SRBA.
- Place of Use is the service area of the NOWC.

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

County of Cassia)
) ss
STATE OF IDAHO)

Ruth Holmes, being first duly sworn, deposes and is a legal clerk of the South Idaho Press, a newspaper published at Burley, Idaho, in the county aforesaid. The paper is of general circulation therein. Deponent that the printed notice attached hereto was distributed according to law in the regular editions of the Press for 2 consecutive week(s), commencing with issue dated April 23, 2001, and ending with the

April 30, 2001

Ruth Anne Holmes

STATE OF IDAHO)
COUNTY OF)
MINIDOKA)

On this 30th day of April in the year of 2001, me, a Notary Public, personally appeared Ruth Holmes, identified to me to be the person whose name is subscribed within instrument, and being by me first duly sworn, the statements therein are true, and acknowledged to be executed the same.

Ray Moore
Notary Public for Idaho

Residing at: Paul, Idaho

My commission expires: 09-20-2001

Cost of Publication 60.06
Affidavit Fee 5.00
Total Cost 65.06

ANGE
NORTH OAKLEY WATER CO.
C/O RANDY HARDY, 1496 S 500 W
OAKLEY ID 83348, has filed
Application No. 68966 for changes to a
water right within CASSIA County:
Right No. 45-91
Priority: 4/25/1902
Source: COLD SPRINGS tributary
to Birch Creek
Use: STOCKWATER 1.00 CFS
DOMESTIC 1.00 CFS
Total Amount: 1.00 CFS
Point(s) of Diversion SESESE S14 &
SESWNW 624 both T14S R22E
Place of Use: Within Sections 27 &
34 T12S R22E; within Sections 3-5, 8-
11, T5-17, 20-22, 27-29, 34, T13S
R22E; S14 T14S R22E.

The applicants wish to divert 1.00 cfs from an existing well within SWSE S10 T13S R22E for municipal use within service area listed above, including S35 T13S R22E and Sections 2, 3, & 11 T14S R22E. Diversion from the lower North Spring within SESESE S14 T14S R22E via a collection box will continue to be used for lawn watering within municipal service area. The upper Spring will be impacted into the aquifer for recharge purposes.

Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 1341 Filson St., Suite 200, Park Valley, ID 83331 together with a protest fee of \$25.00 for each application or subdivision of the right. The protest must also contain a copy of the protest to the applicant.

KARL J. DREHER, Director
Published in the South Idaho Press on
April 23 and 30, 2001.

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MAY 2 2001

Department of Water Resources
Southern Region Office

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SEP 07 2001



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

601 Pole Line Road, Suite 2 • Twin Falls, Idaho 83301-3035 • (208) 736-2190

Dirk Kempthorne, Governor
C. Stephen Allred, Director

April 18, 2001

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APR 19 2001

Department of Water Resources
C. Stephen Allred, Director

Ms. Mary A. Baldwin
Administrative Assistant
Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RE: Application for Transfer 68966 for Water Right Number (s) 45-91

Dear Mary:

We have reviewed the above referenced application for a water right transfer for the North Oakley Water Company.

DEQ supports the application for the transfer as there appears to be no water quality or environmental impacts associated with the proposal.

Please feel free to contact Mike McMasters or myself if you have any questions.

Sincerely,

A handwritten signature in black ink, reading "Nick A. Cizmich".

Nick A. Cizmich
Water Quality Science Officer, TF-DEQ

NC/ac

cc: Mike McMasters, Regional Manager-Engineering, TW-DEQ
Dave Anderson, Water Quality Science Officer, TF-DEQ

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SEP 07 2001

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NORTH OAKLEY WATER CO, C/O RANDY HARDY, 1496 S 500 W OAKLEY ID 83346, has filed Application No. 68966 for changes to a water right within CASSIA County:

Right No. 45-91

Priority: 4/25/1902

Source: COLD SPRINGS tributary to Birch Creek

Use: STOCKWATER	1.00 CFS
DOMESTIC	1.00 CFS

Total Amount: 1.00 CFS

Point(s) of Diversion SESESE S14 & SENWNW S24 both T14S R22E

Place of Use: Within Sections 27 & 34 T12S R22E; within Sections 3-5, 8-11, 15-17, 20-22, 27-29, 34, T13S R22E; S14 T14S R22E.

The applicants wish to divert 1.00 cfs from an existing well within SWSE S10 T13S R22E for municipal uses within service area listed above, including S35 T13S R22E and Sections 2, 3, & 11 T14S R22E. Diversion from the lower North Spring within SESESE S14 T14S R22E via a collection box will continue to be used for lawn watering within municipal service area. The upper Spring will be injected into the aquifer for re-charge purposes.

Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before May 11, 2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the South Idaho Press on 4/23 & 4/30/01

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SEP 07 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 16, 2001

Legal Notice Department
SOUTH IDAHO PRESS
230 E MAIN ST
BURLEY ID 83318

Re: North Oakley Water Co.

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before May 11, 2001. Your cooperation is appreciated.

Sincerely

Mary A. Baldwin
Administrative Assistant

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SEP 07 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 16, 2001

NORTH OAKLEY WATER CO
C/O RANDY HARDY
1496 S 500 W
OAKLEY ID 83346

RE: Application for Transfer No 68966, Water Right No(s) 45-91

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right transfer application. Please refer to the above referenced transfer number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the South Idaho Press on 4/23 & 4/30/01. Submittal of protests to this application will be allowed for a period ending ten days after the second publication. (May 11, 2001)

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the 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 Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved.

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

Sincerely,

Mary A. Baldwin
Administrative Assistant

Enclosure(s)

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

April 16, 2001

**ROBERT BELL WATERMASTER
WATER DISTRICT # 45-b
108 N CENTER
OAKLEY ID 83346**

RE: Application for Transfer No. 68966, Water Right Number(s) 45-91 (North Oakley Water Co.)

Dear Mr. Bell:

Enclosed is a copy of the above referenced application. Please review the application, complete the enclosed recommendation form, and submit it to this office by May 11, 2001.

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

Sincerely,

**Mary A. Baldwin
Administrative Assistant**

Enclosure(s)

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SEP 07 2001

State of Idaho
Department of Water Resources
Transfer of Water Right(s)

RECOMMENDATION OF WATERMASTER

Application No: 68966 Water Right No(s): 45-91
Applicant's Name: NORTH OAKLEY WATER CO

Watermaster's Recommendation:

- a) ☐ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows:
- c) ☐ I oppose approval of this application for the following reasons:
- d) ☐ Additional Comment:

Dated this _____ day of _____, 2001.

Water District No: 45-B

Watermaster's Signature

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SEP 07 2001

ACTION REQUIRED

4/16/01

FROM: MB

TO: Terry Blue

SCA comment please

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SEP 07 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 13, 2001

IDEQ
NICK CIZMICH
601 POLE LINE RD, SUITE # 2
TWIN FALLS, ID 83301

RE: Application for Transfer 68966
Water Right Number(s) 45-91

Dear Mr. Cizmich:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference.

This office can complete the processing of an unprotected application as soon as the protest period is past; therefore, your prompt response to this request is appreciated.

If your agency desires to file a formal protest against the approval of this application, your written protest along with a \$25.00 filing fee must be received in this office by May 11, 2001

Please contact this office if you have any questions regarding the application.

Sincerely,

Mary A. Baldwin
Administrative Assistant

Enclosure(s)

MICROFILMED

SEP 07 2001

Merritt, Allen

From: Merritt, Allen
Sent: Thursday, March 29, 2001 8:40 AM
To: 'slvrchst@magiclink.com'; Merritt, Allen
Cc: Young, Norm; rich carlson, atty at law; Baldwin, Mary
Subject: RE: COUPLE OF QUESTIONS

Lee

This application has been filed and data entered into the database but the advertising has not yet been created and probably will not be for at least a week since Mary is going on vacation. I estimate it will be published in mid April.

The transfer involves moving a surface water right to a well. It is my understanding that the spring is up Birch Creek several miles from the current place of use. Since the waters are "surface water" DEQ's changed standards require that the water be treated regardless of its quality. Instead of building an expensive treatment facility they have opted to file this transfer to move to an un-used well within the service area of the company. Since the current standards do not require treatment of "ground water" the company may avoid a treatment facility.

Since the area is in a critical ground water area mitigation of the ground water by recharging the spring water is being proposed. This also keeps the water separate from the Birch Creek water users that would normally not get this water.

There are other aspects to this proposal not yet filed. The NOWC system currently has a well augmenting the spring. This well is being sold to the City of Oakley for hookup into their system. There may be another transfer in the near future to reflect this. As part of the deal I understand the City of Oakley system will be cross connected to the NOWC as backup to fulfill DEQ requirements.

-----Original Message-----

From: slvrchst@magiclink.com [mailto:slvrchst@magiclink.com]
Sent: Thursday, March 29, 2001 7:15 AM
To: allen merritt
Cc: norm young; rich carlson, atty at law
Subject: COUPLE OF QUESTIONS

Dear Allen, When is the deadline for protest on this transfer? Once again, the web site leaves this vital information out. Also, I am confused as to the ability of the State to allow condemned water to be directly injected into an aquifer but maybe I'm missing something. If water that cannot be used for culinary purposes is mixed with water that can be used for culinary purposes, doesn't that make the water that can be used for culinary purposes unable to be used for culinary purposes because it now is the same unfit water, only underground? Please excuse my confusion and explain what I'm missing. Thank you. Lee Halper

Transfer No 68966

Water Right No(s) 45-00091

Name: NORTH OAKLEY WATER CO

Right No. 45-00091

Priority 4/25/1902

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 SEP 07 2001

T68966

Source COLD SPRINGS

Use STOCKWATER 1.00 CFS

DOMESTIC 1.00 CFS

Total Amount 1.00 CFS

Point(s) of Diversion SWSW S2 T14S R22E CASSIA County

Place of Use S27, S33, S34, T12S R22E

S3, S4, S5, S8, S9, S10, S15, S16, S20, S21, S22, S27, S28, S29, S33, S34, S35 T13S R22E

S2, S11, S24, T14S R22E

The purpose of the transfer is to change a portion of the above rights as follows:

Proposed Right No. 45-00091

Source COLD SPRINGS, GROUND WATER

Use MUNICIPAL 1.00 CFS

Total Amount 1.00 CFS

Point(s) of Diversion SESWSE S10 T13S R22E CASSIA County

SESESE S14 T14S R22E CASSIA County

Remarks: The springs have been condemned for culinary use by DEQ, so a well is needed for this purpose.

This transfer application also proposes a change in nature of use.

To mitigate new groundwater withdrawal, spring water will be injected into the aquifer at a

Volume equal to what is pumped out of the aquifer.

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SEP 07 2001

MEMO

TO: File

Date: 11-3-00 & 3-22-01

FROM: Jim Stanton

RE: App For Transfer, North Oakley Water Co.

Today I met with Weston Hawkes on site. We located the spring box, which is very close to the Sec. 13/14/23/24 corner. I later GPS'd the locations of both diversions, and prepared a GIS map for the file. He said that the pipeline from the upper spring rusted in 1998, and was not repaired. I could see where water from this diversion was leaking out onto the ground and probably back into Birch Creek. So the upper diversion point appears to be abandoned; Weston said this was the smaller diversion. There is a valve between the 2 diversions showing the location of the buried pipeline. Water is diverted from Birch Creek into a ditch that runs ^{along the hillside above} uphill from the springs and into Oakley Reservoir from March 1 to the end of June and sometimes into July. Both springs get contaminated when water is running in this ditch. Although Weston has been in his present job for less than a year, he has lived in the area for 5 years. He said that the pipeline from the lower spring was last used in the spring of 1998 according to his predecessor David Babbitt. The diversion pipeline runs north from the spring box to Robert Manning's home, and he has taken over this diversion for stockwater and domestic purposes; it is no longer part of the North Oakley system. Mr. Manning treats the spring water for his own use. The springs historically served 6 homes and stock uses south & east of Oakley, including the Manning home. The system also served 69 more homes north of Oakley; there was little lawn watering and little stock use in these locations, as these needs were met from other sources.

The pipeline from the spring runs north nearly 2 miles before coming to the surface in the SW/SW Sec. 2. Just east of this point, a well pumps into a concrete storage tank (which looks like a dirt mound just west of the well). The pipeline from the spring comes up just west of the mound, and is marked by a swampy spot and a tall vertical breather pipe. The swampy spot was not there until they stopped using the spring. During low-use periods, the spring furnished all the water for the NOWC system. The well supplemented the spring during summer or if the spring flow was not sufficient. The 2 sources joined in a common pipeline a little north of the mound. The well has provided all the water for NOWC since the spring of 1998, and will continue to do so until the transfer to the new well is approved. The City of Oakley acquired the NOWC well last summer, and is laying a new pipeline from the well directly into the city system. The city is growing, adding 10 new homes this year, and needs additional diversion capacity (the present city system is supplying its full 2 cfs water right when needed during the summer). The city system will be tied into the North Oakley system at the NW corner of the city limits, where a pressure-sensing valve will open to provide water to the North Oakley system for emergencies only; a flow meter will record all deliveries. The city will also provide

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water to the 5 users east of town thru part of the North Oakley system. The proposed new well for North Oakley (actually an existing but unused well) is located near the NE corner of the North Oakley service area, and will be pumped back south and west to serve their customers. North Oakley is losing 6 customers, while the city is gaining 5 customers (not counting emergency use).

It appears that the historic maximum flows thru the North Oakley system occurred in the summer when both the well and spring were being diverted has been 0.50 cfs plus the flow from the spring. While there are supposedly measurements of the spring up to 1993, Weston could not find this information while I was with him. I told him that I did not know if this transfer could be approved without a measurement. Since the spring is now only used by one home, I don't know if measuring the system now would show the historic diversion rate. And since this has been a very dry year, the spring is probably down quite a bit from its maximum flows. There is nothing at the headbox to show how much the spring might flow, as it is on flat ground between the county road on Birch Creek; there is no obvious water source other than Birch Creek. Weston did not have a key to the box, so I could not see what was in there. There was an overflow pipe on the east side of the box, but there was no indication that any overflows had occurred in a long time. He said that the spring gets muddy when water is being diverted from Birch Creek to Oakley Reservoir, so that may increase the spring flow during the non-irrigation season. Weston said that he did not think that Birch Creek was feeding the spring box directly. He said that the swampy area near the well is over very porous soil, so any visible surface flow would not be indicative of the diversion rate for the spring.

Rt. 45-00091 was originally decreed for irrigation, and the source was listed as a tributary to Birch Creek. In 1944, Transfer #672 was approved to change the use from irrigation in Sec. 14 to irrigation, domestic and stockwater use in the NOWC system; the p/d was moved upstream about 1/4 mile. It appears that the original diversion was not used from 1915 to 1945 for some reason, but that IDWR approved the transfer anyway. Based on *res judicata*, I suppose that the decreed priority is still good. License 45-02226 appears to cover the same system as 45-00091, although it has a 1946 priority. It is hard to say why NOWC filed for this license if it felt that the decreed right was still good, however, since the license appears to cover the same system as what was allowed under the transfer. The licensing exam indicates that two 15' deep concrete collection boxes were built in the 1940's under an FHA loan. The examiner stated that the two boxes had a total diversion rate of 0.20 cfs, although the license was issued for 0.10 cfs. Both rights have been claimed in the SRBA, but the transfer is based only on the decreed right.

During the meeting with the NOWC people, Norm Young stated that their ability to transfer this right is based on the historic irrigation use before the 1944 transfer. The right was used on a maximum of about 43 acres in the E 1/2 Sec. 14 (now owned by Robert Manning). He said that he waters the 17 acres east of the county road once or twice in spring with his Birch Creek rights. These rights have been claimed on land further north, but I suggested that he amend his claims to show the use of the south property also. There are about 26 acres west of the county road, which he said is watered only in wet years (the last wet year was some time ago). Both these tracts are pasture.

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While the standard consumptive volume for 43 acres is 129 AFA, the actual historic use would probably have been much less. NOWC wants about 102 AFA, so this is within the standard allowance.

On 11-13-00, I talked to David Babbitt. He was maintenance man for NOWC from 1980 thru 1999. He said that the spring boxes had overflow pipes into Birch Creek that could be open for maintenance, and that he measured the outflow from each diversion by the Roman method by observing the outflow from these pipes. The highest reading that he remembered, taking during a wet year in the 1980's, was for 140 gpm from the upper diversion and 300 gpm from the lower diversion. He said that water backed up to within 2-3' of the surface in the lower box. He said that he would put this in writing for the transfer file. This data is probably the highest recorded flow (0.98 cfs), but I don't know how this relates to the average diversion rate. Our 9-25-1980 memo shows a standard rate of about 0.40 cfs for in-house for 75 homes, so I don't know if the maximum spring flow could actually have been put to beneficial use in this system. The new system will be pumping 0.5 cfs from the new well, and water will continue to be diverted from the lower spring. Even if the unused spring water was run back into the aquifer, this would still amount to an increase in the rate of groundwater diversion from the Oakley/Kenyon Critical Groundwater Area. This is clearly illegal, and I don't see how we could allow it.

On a volume basis, the standard use for 74 homes without lawns would be 44.4 AFA. Add another 1.2 AFA for the Manning home, and some additional for stockwater use, and the total volume for NOWC approaches 50 AFA. We should get their delivery records for the last 5 years to verify this, and any approved transfer should be limited to this volume. Shelley said that they could change their use to municipal via a transfer, as they are now legally considered to be a municipal provider. He said that there was nothing wrong with the city taking part of the NOWC people into its service area, but that the city needs to apply for a water transfer in order to add the NOWC well as a city point of diversion. Overall, the total diversion volume for municipal-type uses will not significantly change as a result of the City of Oakley/NOWC situation. However, the volume diverted from groundwater will increase, which is again illegal. If the transfer is approved, the amount of water taken from the aquifer should not exceed the amount injected into it; both points should be monitored and reported to verify this.

Due to the many legal issues involved in this City of Oakley/NOWC situation, I do not feel qualified to make a recommendation on this application. The city has spent a lot of money on the premise that this project would be allowed, and both parties have been forced into this situation by DEQ condemning the spring source. NOWC obviously has a dire need for water so it can continue to serve 69 families. I was going to suggest that the city apply for a new water permit if it needs to increase its pumping rate, but Shelley reminded me that we already have a policy against issuing municipal permits in critical groundwater areas. Based on Norm's comment at the recent meeting, municipal providers are free to do just about anything they want without regard to the principles that would normally be used to assess a transfer involving the unstacking of primary and supplemental rights (which is exactly what is happening here, as the City will be filing a separate transfer to move the NOWC supplemental groundwater right to its system). The

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corrected application that I prepared, and that NOWC agreed to, is very open-ended; I expect a lot of negotiations between the parties before all the issues are settled, and did not want to get too restrictive at this point in the process.

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T68966

Merritt, Allen

From: City of Oakley [oakley@pmt.org]
Sent: Friday, February 23, 2001 8:55 AM
To: nyoung@idwr.state.id.us
Subject: water rights

February 16, 2001

Scott Bedke

Idaho State Legislature

State Capitol Building

P.O. Box 83720

Boise, Idaho 83720-0038

Dear Scott,

I am writing to give you an update on the water rights transfers which are critical to our water project here in the City of Oakley, and to request any assistance you might be able to give us with this issue.

On Wednesday, January 31, 2001, the President of the North Oakley Water System, Randy Hardy and I attended a meeting with the Department of Water Resources in their office in Twin Falls. In addition to myself and Mr Hardy, the meeting was attended by James Stanton and Alan Merritt of the Department. The reasons for the meeting were to determine all the points of use on the North Oakley Water System and to find out from the Department of Water Resources the status of our water rights transfer application, and to have them clarify how much of a water right was being allowed for Cold Springs.

Cold Springs was for many years the primary source of water for the North Oakley Water System and is located next to Birch Creek, near the mouth of the Birch Creek Canyon. Cold Springs and the attached water right were donated to the North Oakley Water System which began using them as a water source in 1945. The water right for these springs has a priority date of 1902. Later a well was drilled further North in the same drainage and was eventually donated to the North Oakley Water System to make up

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for low spring flows in dry years and to allow the water system to grow as more people came to Oakley. This " Birch Creek" well came to North Oakley Water with a ½ of 1 cfs water right with a priority date of 02/19/1950..

The water volume flowing from Cold Springs varies from 90 g.p.m. to 600 g.p.m. When monthly flow measurements are averaged, this spring produces an average of well over ½ of 1 cfs. The water right that came to the water system with the Birch Creek Well was ½ of 1 cfs. These two water rights total at least 1 cfs.

In 1998, the State Department of Environmental Quality Condemned Cold Springs as a public drinking water source due to influence from surface water. The springs have not been used for drinking water since that decision. This left the North Oakley System with a new problem. The Department of Environmental Quality requires that a drinking water system have a back-up source of water. With the condemning of the Springs, North Oakley has no back-up water source. Now the North Oakley Water System is attempting to correct the problems as DEQ has mandated.

Other "Oakley Valley" water problems impact our entire population. The City of Oakley's water system has insufficient water flow and storage to provide for adequate firefighting. The City of Oakley is also short of water for future growth. The North Oakley System has insufficient or rusted out water transmission lines. The system serves approximately 65 families, and because of its size, will have difficulty implementing and financing the new stringent water quality standards and testing which will be required by the DEQ in 2003. Finally, North Oakley, as mentioned above has only 1 water source.

To Solve these complicated problems, the City of Oakley has initiated a water improvement project. This project will solve the City's problems, and facilitate the solutions for the small water system outside the city limits.

The City's project, as you know, involves laying 5 miles of new transmission lines, significant upgrading and sanitation work on our City Springs, and incorporating the Birch Creek Well, and corresponding water right, currently used by North Oakley Water into the City water system. The City then provides a hookup to North Oakley on the North edge of town. This provides the City with adequate water for firefighting and growth and maintains a back-up water source for the North Oakley System. Once this project is complete, then North Oakley can develop a new well further North on the 1600 South Road. This well coupled with the water hookup from the City of Oakley gives the North Oakley system Its required 2 water sources.

To Accomplish these projects, the City of Oakley has been awarded a \$75,000.00 Project Search grant from the Federal Government. The City has also been awarded an Economic Development grant in the amount of \$298,700.00. The North Oakley Water System has also been awarded a \$75,000.00 Federal Project Search grant. That totals \$448,700.00. In addition the State Revolving Loan Fund (SRF) administered by the DEQ is willing to loan the North Oakley Water System \$298,000.00 to lay 11 miles of new water transmission lines. The SRF Money is repaid with 4% interest.

The only problem with all this is the Department of Water Resources refuses to transfer North Oakley Water System's full water rights. The Department claims that because North Oakley's transmission lines will not carry more than ½ of 1 cfs, that no more than that will be allowed.

So if North Oakley transfers its "allowed" ½ of 1 cfs to the City when the City incorporates the Birch Creek Well into its system, there is no water to transfer to North Oakley's new well on 1600 South. When asked who will get the spring water, the Department ~~insists~~ ^{claims} that it must be allowed to percolate

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back into the ground. This is fine, but then who gets the water produced by those springs?

So what the North Oakley Water System is faced with is the DEQ condemning our springs, and Water Resources then taking the water away from us.

The Department of Water Resources must allow the North Oakley Water system to transfer the water right and the well to the City of Oakley, and then allow the spring water rights to be transferred to a new well if the DEQ regulations are to be complied with. If the combined 1 cfs water rights are not allowed, then North Oakley has no water to transfer to the City. The City, then cannot provide the DEQ mandated second water source to the North Oakley System.

From my point of view, the Department of Water Resources is simply taking the water, and giving it to users down hill from Oakley. This decision by Water Resources jeopardizes nearly half a million dollars in federal grants that the economically depressed Oakley area needs in order to finance compliance with State and Federal mandates and, provide adequate drinking water to the population.

The water at the springs and at the well have both been used in their entirety within the last 5 years, but not simultaneously. If the new system were put in place, nothing would change. Both water sources would be used intermittently with no new water usage.

If a meeting could be arranged with the Water Resource Director, the Mayor of Oakley-Garth Greenwell, the President of the North Oakley Water System-Randy Hardy, the City Engineer-Gary Burkett, Senator Denton Darrington, Yourself, and any others who might be helpful, perhaps this difficult issue could be resolved. David Babbitt, my predecessor suggested that a Mr Norman Young of the Department of Water Resources would be a good contact with that department in Boise.

Your interest is appreciated and your help is vital to eliminating this roadblock to our progress as a community.

Sincerely,

Weston Hawkes

Public Works Director

City of Oakley

cc:Garth Greenwell Nedra Bedke

Randy Hardy Roger Ling

2/23/01

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Gary Burkett Doug Cranney

Denton Darrington Bruce Newcomb

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2/23/01

RECEIVED

JAN 16 2001

Department of Water Resources
Southern Region

Oakley, Idaho
January 12, 2001

Dear Gary,

This letter is in response for your request for information regarding the number of cows that may be using water from the North Oakley Water Co. system. I have also included some numbers pertaining to yards and home lots on the system that are currently being irrigated by other means due to insufficient water availability from the North Oakley system.

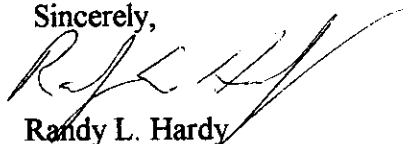
In regards to cattle, I would estimate that we probably have an average of 50 cows per day using water from the system. This varies throughout the year, but that would seem to be a fair estimate. We have three or four commercial ranchers who have acreage within our system, who use our water while pasturing those fields. In addition there would be some cattle that are in confinement areas during various times of the year. I would estimate that the maximum number of cattle using from the system in any one day could approach 400. These figures include cattle located in the revised North Oakley Water system boundaries only.

In addition to those mentioned above, we currently supply water to cattle in the upper end of the system nearer to the spring and well. These are cattle owned by two cattlemen in that area. There are approximately 80 head that are watered year-round.

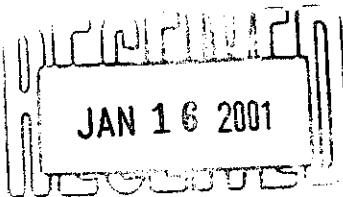
Due to the inability to deliver sufficient water throughout the system for outdoor use on lawns, gardens, and other domestic uses, there are approximately 25 homes on the North Oakley system that have been forced to use water from other sources, mainly water from the Oakley reservoir. This is water intended for irrigation use and has been made available for the most part, as a necessity by the landowners, and as a favor to neighbors. This has only been available during years of above-normal water and is usually not available in short years.

It is our hope that we can obtain sufficient water and construct a system that is capable of servicing the needs of the shareholders without depending on water that is intended for agricultural irrigation.

Sincerely,



Randy L. Hardy
President-North Oakley Water Co.



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Norm... Here are our comments.

February 16, 2001

Scott Bedke

Idaho State Legislature

State Capitol Building

P.O. Box 83720

Boise, Idaho 83720-0038

Dear Scott,

I am writing to give you an update on the water rights transfers which are critical to our water project here in the City of Oakley, and to request any assistance you might be able to give us with this issue.

On Wednesday, January 31, 2001, the President of the North Oakley Water System, Randy Hardy and I attended a meeting with the Department of Water Resources in their office in Twin Falls. In addition to myself and Mr Hardy, the meeting was attended by James Stanton and Allen Merritt of the Department. *Also in attendance was Gary Burkett with EHM Engineering.* The reasons for the meeting were to determine all the points of use on the North Oakley Water System and to find out from the Department of Water Resources the status of our water rights transfer application, and to have them clarify how much of a water right was being allowed for Cold Springs.

Jim Stanton has been reviewing a transfer filed 10/21/2000 in the name of North Oakley Water Company (NOWC). The transfer proposes to move a portion of right 45-00091 to an existing but un-used well. (0.67 cfs of a right for the entire flow from Cold Springs. The records show 1.00 cfs is claimed for Domestic & Stockwater pursuant to transfer in 1944 from irrigation to D&S.) Jim's review found based on Gary Burkett's flow calculations is that the system capacity from the springs and another existing well known as the Birch Creek Well is 0.56 cfs. (The Birch Creek Well use is covered under 45-02323B for 0.50 cfs for Domestic & Stockwater purposes recorded pursuant to another transfer in the 1950's) He further found that the place of use for the current system was not complete and that the NOWC had sold right 45-02323B to the City of Oakley. Also there is another water right record 45-02226 for 0.10 cfs from the Cold Springs claimed by the NOWC. This right is not included in the transfer application but appears to be redundant.

Cold Springs was for many years the primary source of water for the North Oakley Water System and is located next to Birch Creek, near the mouth of the Birch Creek Canyon. Cold Springs and the attached water right were donated to the North Oakley Water System which began using them as a water source in 1945. The water right for these springs has a priority date of 1902. Later a well was drilled further North in the same drainage and was eventually donated to the North Oakley Water System to make up for low spring flows in dry years and to allow the water system to grow as more people came to Oakley. This " Birch Creek" well came to North Oakley Water with a 1/2 cfs water right with a priority date of 02/19/1950.

The water volume flowing from Cold Springs varies from 90 g.p.m. to 600 g.p.m. When monthly flow measurements are averaged, this spring produces an average of well over 1/2 cfs. The water right that came to the water system with the Birch Creek Well was 1/2 cfs. These two water rights total at least 1 cfs.

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The capacity of the system is 0.56 cfs from the springs to the existing well and then 0.50 cfs from the well north to the majority of the system. Only one user is between the springs and the well. We understand that since the spring of 1998 the springs have not been used except by the user between the well and the spring. (Manning) All other users to the north have used the well under 45-02323B. The majority of the spring water has either sank or contributed to Birch Creek.

In 1998, the State Department of Environmental Quality Condemned Cold Springs as a public drinking water source due to influence from surface water. The springs have not been used for drinking water since that decision. This left the North Oakley System with a new problem. The Department of Environmental Quality requires that a drinking water system have a back-up source of water. With the condemning of the Springs, North Oakley has no back-up water source. Now the North Oakley Water System is attempting to correct the problems as DEQ has mandated. Other "Oakley Valley" water problems impact our entire population. The City of Oakley's water system has insufficient water flow and storage to provide for adequate firefighting. The City of Oakley is also short of water for future growth. The North Oakley System has insufficient or rusted out water transmission lines. The system serves approximately 65 families, and because of its size, will have difficulty implementing and financing the new stringent water quality standards and testing which will be required by the DEQ in 2003. Finally, North Oakley, as mentioned above has only 1 water source.

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The only problem with all this is the Department of Water Resources refuses to transfer North Oakley Water System's full water rights. The Department claims that because North Oakley's transmission lines will not carry more than 1/2 cfs, that no more than that will be allowed.

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So if North Oakley transfers its "allowed" 1/2 cfs to the City when the City incorporates the Birch Creek Well into its system, there is no water to transfer to North Oakley's new well on 1600 South. When asked who will get the spring water, the Department answers that it must be allowed to percolate back into the ground. This is fine, but then who gets the water produced by those springs? *We believe that to allow consideration of the transfers as described below that the spring water must be recharged and not diverted by other Birch Creek users under other rights.*

Our concerns are:

The area is a critical ground water area. The ground water right 45-02323B is supplemental to the surface water rights. To allow conversion of the surface water to ground water and also allow unrestricted use of right 45-02323B by the City of Oakley is an expansion in a critical ground water area.

Our office discussed these matters with Jeff P and Pam S and they had the same concerns.

In our meeting described in this letter we discussed these issues and discussed the possible modification of the rights to "municipal" in the SRBA. We further discussed quantifying the volume of whatever "municipal" right is there and allowing it to be split between City and NOWC and limiting the instantaneous diversion rate. We also discussed processing an application for fire protection for the city. We also discussed the city filing for a transfer to add the existing NOWC well to their system and other water rights..

After the meeting I contacted you to see if it would be possible to consider these rights as municipal and that there is somehow an unused volume under the "municipal" heading to allow continued development. I was thinking on limiting all rights to 0.56 cfs (system capacity) with a total volume of 405.4 afa (0.56x1.9835x365). Gary Burkett was open to this but indicated that if the rate was split between NOWC and the city that a larger storage tank would be needed by NOWC. This 405.4 afa might even be too much. Currently the use of the NOWC system based on 1999 power records is around 180 afa which is about twice the standard volume for the number of homes and cattle reported to be served by the system. Part of the problem is the pipeline network leaks terribly. The original transfer requests 64.5 afa but now NOWC thinks they need 109 afa.

If the rights are not limited and are allowed to be changed as it seems this letter requests the worst case would be:

1.00 cfs for NOWC for municipal.....724.0 afa

0.50 cfs for CITY for municipal 362.0 afa

****This is a large potential impact to the critical ground water area*

So what the North Oakley Water System is faced with is the DEQ condemning our springs, and Water Resources then taking the water away from us.

The Department of Water Resources must allow the North Oakley Water system to transfer the water right and the well to the City of Oakley, and then allow the spring water rights to be transferred to a new well if the DEQ regulations are to be complied with. If the combined 1 cfs

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SEP 07 2001

T68966

water rights are not allowed, then North Oakley has no water to transfer to the City. The City, then cannot provide the DEQ mandated second water source to the North Oakley System. From my point of view, the Department of Water Resources is simply taking the water, and giving it to users down hill from Oakley. This decision by Water Resources jeopardizes nearly half a million dollars in federal grants that the economically depressed Oakley area needs in order to finance compliance with State and Federal mandates and, provide adequate drinking water to the population.

The water at the springs and at the well have both been used in their entirety within the last 5 years, but not simultaneously. If the new system were put in place, nothing would change. Both water sources would be used intermittently with no new water usage.

If a meeting could be arranged with the Water Resource Director, the Mayor of Oakley-Garth Greenwell, the President of the North Oakley Water System-Randy Hardy, the City Engineer-Gary Burkett, Senator Denton Darrington, Yourself, and any others who might be helpful, perhaps this difficult issue could be resolved. David Babbitt, my predecessor suggested that a Mr Norman Young of the Department of Water Resources would be a good contact with that department in Boise.

Your interest is appreciated and your help is vital to eliminating this roadblock to our progress as a community.

Sincerely,
Weston Hawkes
Public Works Director
City of Oakley

Call if you have questions about our comments.

Allen & Jim

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SEP 07 2001

T88966

January 3, 2001

Jim Stanton
IDWR
1341 Fillmore St. Ste 200
Twin Falls, ID 83301-3380

RE: N. Oakley Water Right Transfer

Mr. Stanton,

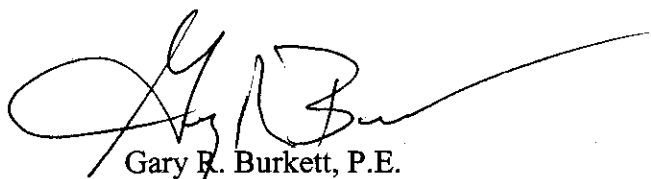
The following calculations are submitted to clarify the 318.4 AC-FT figure listed under the claim section of our December 28, 2000 letter.

$122 \text{ days @ } 0.2009 \text{ cfs (90 gpm)} \times 60 \times 1440 \div 43560 = 48.6 \text{ AC-FT}$

$243 \text{ days @ } 0.56 \text{ cfs} \times 60 \times 1440 \div 43,560 = 269.8 \text{ AC-FT}$

Total: 318.4 AC-FT

Respectfully,



Gary R. Burkett, P.E.

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T68966

RECEIVED

JAN 02 2001

Department of Water Resources
Cynthia R. Rabin

December 28, 2000

Jim Stanton
IDWR
1341 Fillmore St. Ste 200
Twin Falls, ID 83301-3380

RE: North Oakley Water Right Transfer 10/12/00

Mr. Stanton,

We have received your letter dated December 4th, 2000 regarding North Oakley Water companies request for Water Right transfer. Attached for your review are copies of system piping capacities and Idaho Power billing summaries from 1992-1999.

Need:

Records indicate that the North Oakley system has served 74 users for domestic and stock water. These users require up to $74 \times 13,000 \text{ gpd} / \text{user} = 962,000 \text{ gpd}$ domestic and $74 \times 100 \text{ head} \times 5 \text{ gpd} = 37,000 \text{ gpd}$ stock water. These figures equate to a capacity of 694 gpm.

Delivery System Capacity:

Calculations attached indicate that the spring piping system can deliver 0.56 cfs to the reservoir. The piping from the reservoir to the distribution system can deliver 0.5 cfs without leaks. Historically, the delivery pipes from both the springs and the reservoir have leaked adding significant delivery amounts required to supply the users. In 1998 the IDEQ required the North Oakley System to remove spring flows from the drinking water system and deliver only what the well would supply. System users reduced their usage in 1999 to accommodate this reduction. Several users curtailed the use of North Oakley water for irrigation to insure an adequate supply of drinking water.

Historic Well Usage:

Annual audits from the North Oakley system (enclosed) indicate Idaho Power billings for the well between \$1,710.91 and \$4,020.50 from 1994 to 1999. 71.74% of this amount was the cost of power to run the pump. The pump had an output of 225 gpm. During the period from 1994 through 1998 the well delivered between 70.1 and 109.0 acre feet of water to system users in addition to spring flows. In 1999, after users reduced their consumption, the well delivered 104.8 acre feet of water at a maximum rate of 225 gpm (see attached calculations).

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Historic Spring Flows:

IDWR reports a measured spring production rate of 90 gpm. EHM Engineers, Inc. confirmed this rate in December of 2000. However, spring and summer flow rates have exceeded this figure. As referenced in your letter, Mr. Babbitt has measured spring flows totaling 440 gpm. No other flow data for this period is available.

Summary:

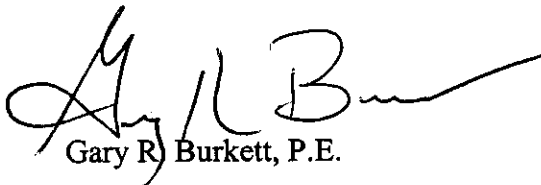
In 1999 the well alone provided 164.8 AC-FT and spring flows were only delivered to one user high on the system (Manning) at an estimated 915,930 gallons domestic plus stock water at 182,500 gpd for a total of 1,098,430 gallons or 3.37 AC-FT.

The spring has been used at up to 0.56 cfs until 1999 when IDEQ required it to be turned out of the system. Concurrently, the well has delivered 225 gpm and up to 109.0 acre feet of water annually. Beginning in 1999 the well delivered 225 gpm and 164.8 acre feet annually.

Claim:

The North Oakley Water Company will measure spring flow rates in April of 2001 and will forward the results to the IDWR. However, based on available usage figures we request that IDWR proof North Oakley's spring use claim at 0.56 cfs and 318.4 AC-FT annually and the well right at 0.50 cfs and 164.8 AC-FT annually. Also, we request that IDWR approve the transfer of the spring rite to the well listed in the transfer considering that a groundwater recharge project will be included in the upcoming IDEQ-SRF project.

Respectfully,



Gary R. Burkett, P.E.

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Idaho Power Water Use Calculations

Historic Power Costs:

71.74%

1992	\$3,273.49	\$2,348.46
1993	\$2,230.35	\$1,600.09
1994	\$2,657.43	\$1,906.49
1995	\$1,710.91	\$1,272.44
1996	\$1,822.22	\$1,307.29
1997	\$1,825.24	\$1,309.46
1998	\$1,849.89	\$1,327.14
1999	\$4,020.50	\$2,884.38

Annual KWH (Rate: \$0.026858/kwh)

1992	\$ 87,440. kwh
1993	\$ 59,573. kwh
1994	\$ 70,984. kwh
1995	\$ 45,701. kwh
1996	\$ 48,674. kwh
1997	\$ 48,755. kwh
1998	\$ 49,413. kwh
1999	\$107,394. kwh

Pump Run Time (Demand 27 kw)

	Hours	225 gpm Million Gallons
1992	3,238.5	43.7
1993	2,206.4	29.8
1994	2,629.0	35.5
1995	1,629.3	22.0
1996	1,802.7	24.4
1997	1,805.7	24.4
1998	1,830.1	24.8
1999	3,977.6	53.7

Total AC-FT Delivered (Well)

1992	134.2
1993	91.5
1994	109.0
1995	70.1
1996	74.6
1997	74.8
1998	75.8
1999	

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Billing Date: 11/22/2000
Due Date: 12/08/2000

Questions? Call us at (208) 388-2323 or (800) 488-6151.
For faster service please call Tuesday through Friday, 7:30 am - 6:30 pm.

Page: 2 of 2

Service Agreement Number: 2608477710
Service Location: 0280W 2095S/OAKLEY, ID

Next Read Date: 12/18/2000

Meter	Rate Sched.	* Number of Days	Previous Reading Date	Current Reading Date	Prior Meter Reading	Current Meter Reading	Meter Constant	Billing Demand	Billing Energy kWh	Basic Load Capacity
015L92515685	109S	R 29	10/18/2000	11/16/2000	40513	48957	1	27	8444	28

Commercial Electric Service

10/18/2000 - 11/16/2000 29 days

Customer Charge, per meter per month \$5.54

BLC Charge 28 BLC @ \$0.36 per kW of BLC \$10.08

Demand Charge 27 kW @ \$2.73 per kW \$73.71

Energy Charge 8,444 kWh @ \$0.026858 per kWh \$226.79

TOTAL CURRENT CHARGES - Electric Service..... \$316.12

Average Daily Use Comparison

This Month This Year:
Days = 29
kWh Billed = 8444
kWh per Day = 291.6

This Month Last Year:
Days = 31
kWh Billed = 8968
kWh per Day = 289.7

*
A, S, V, R = Regular Reading CR = Credit
C = Customer Reading MN = Minimum
E, L, Y = Estimated Reading AV = Average

FOR YOUR INFORMATION

CUSTOMER BILLING INFORMATION

Idaho Power reads your electric meter within 2-3 days of the same date every month. A bill is prepared and mailed to you within 7 days of the scheduled meter reading date. Your billing is considered past due 15 days after the bill is mailed to you. If you have any questions about your reading schedule or your bill, contact the Idaho Power Customer Service Center at the number printed on the front of the bill. Our business hours are from 7:30 a.m. to 6:30 p.m. (MST), Monday through Friday, except holidays.

LATE PAYMENT CHARGE

A monthly charge of 1 percent will be assessed against any unpaid balance at the time of next month's billing (Idaho only).

RETURNED CHECK CHARGES

In Idaho - \$10.00
In Oregon - \$7.00

PARA SU INFORMACIÓN

INFORMACIÓN SOBRE COBROS

La Compañía Idaho Power revisa su medidor eléctrico dentro de dos o tres días de la misma fecha cada mes. Se prepara la cuenta y se le envía por correo dentro de siete días de la fecha fijada para revisar su medidor. Su cuenta se considera vencida 15 días después de enviársela por correo. Si tiene alguna pregunta sobre la fecha de revisión de su medidor o sobre su cuenta, comuníquese con nuestro centro de servicio al cliente al número impreso al frente de su cuenta. Nuestras horas de servicio son de lunes a viernes (excepto días festivos) de 7:30 a.m. a 6:30 p.m.

COBROS POR PAGOS RETRASADOS

Si reside en Idaho, se le cobrará un cargo de 1 por ciento contra el balance de toda cuenta sin pagar al mismo tiempo que se prepara su cuenta para el próximo mes.

CARGO POR CHEQUES DEVUELTOS

En Idaho - \$10.00
En Oregon - \$7.00

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T68966

To: Gary B.

From: Karla R.

North Oakley Water

RE: North Oakley Well Power Bill
& History

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NORTH OAKLEY WATER COMPANY

December 1, 1994 Balance \$16,140.82

Receipts for year \$26,516.91

Expenses:

Power	\$1,710.91
Repair & Maintenance	1,187.58
Office Expense	80.63
Contract Labor	2,870.00
Water Testing	137.00
Postage	156.51

Total Expenses	<u>\$6,142.63</u>
----------------	-------------------

December 31, 1995 Ending Balance \$36,515.10

Power Expense in 1992: 3,273.49

1993: 2,230.35

1994: 2,657.43

1995: 1,710.91

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NORTH OAKLEY WATER COMPANY

December 31, 1995 Balance \$36,515.10

Receipts for year \$17,838.37

Loan taken-Key Bank 15,000.00

Expenses:

Power	\$ 1,822.22
DEQ Dues	700.00
Repair & Maintenance	258.97
Analysis Charge	3.00
Office Expense	240.01
Contract Labor-Brent Weedop	25,074.85
Pipe & Parts for Upgrade	31,980.88
Contract Labor	2,450.00
Water Testing	<u>233.90</u>

Total Expenses \$62,763.83

December 31, 1996 Ending Balance \$ 6,589.64

Power Expense in 1992:	\$3,273.49
1993:	2,230.35
1994:	2,657.43
1995:	1,710.91
1996:	1,822.22

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NORTH OAKLEY WATER COMPANY

December 31, 1996 Balance	\$ 6,589.64
Receipts for year	13,797.14
Payments on Note	10,500.00
Expenses:	
Power	\$1,825.24
DEQ Dues	350.00
Repair & Maintenance	398.22
Office Expense	136.90
Contract Labor	2,400.00
Water Testing	<u>104.00</u>
Total Expenses	<u>5,214.36</u>
December 31, 1997 Ending Balance	\$ 4,672.42

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NORTH OAKLEY WATER COMPANY

December 31, 1997 Balance	\$ 4,672.42
Receipts for year	14,779.64
Payments on Note *	1,878.37
Expenses:	
Power	\$1,849.89
DEQ Dues	350.00
Repair & Maintenance	814.13
Billing Expense	134.13
Contract Labor	2,600.00
Water Testing	<u>1,853.00</u>
(Includes 1366.00 for Critchfield Well Tests)	
Total Expenses	<u>7,601.15</u>
December 31, 1998 Ending Balance	\$9,972.54

* The last payment on our note is due on April 16. We owe \$4,489.01 principle plus interest.

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NORTH OAKLEY WATER COMPANY
Statement of Income
For Period Ending
12/31/99

	Current Period		Year-To-Date	
Income	-----		-----	
INCOME-WATER SALES	1,183.96	100.00%	16,373.97	100.00%
Total Income	\$1,183.96	100.00%	\$16,373.97	100.00%
	-----		-----	
Cost of Goods Sold				
Total Cost of Goods Sold	\$0.00		\$0.00	
	-----		-----	
Gross Margin	\$1,183.96	100.00%	\$16,373.97	100.00%
	-----		-----	
Expenses				
ACCOUNTING & LEGAL	75.00	6.33%	247.50	1.51%
BANK CHARGES	0.50	0.04%	10.95	0.07%
CONTRACT LABOR	0.00		2,700.00	16.49%
DEPRECIATION	0.00		0.00	
LICENSES, FEES, PERMITS	0.00		0.00	
INSURANCE	0.00		0.00	
INTEREST	0.00		0.00	
POWER	307.35	25.96%	349.77	2.14%
REPAIRS & MAINTENANCE	24.90	2.10%	4,020.50	24.55%
SUPPLIES	44.63	3.77%	1,089.38	6.65%
WAGES	0.00		228.33	1.39%
WATER TESTS	0.00		0.00	
			44.00	0.27%
Total Expenses	\$452.38	38.21%	\$8,690.43	53.07%
	-----		-----	
Profit or (Loss)	\$731.58	* 61.79%	\$7,683.54	* 46.93%
	=====		=====	

Cash Balance 12/31/1999: \$10,792.07

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T68966

MEMO

TO: File

Date: 12-18-00

FROM: Jim Stanton

RE: NOWC Transfer

Last week I met with their project engineer Gary Burkett. He presented a model of their carrying capacity between the lower spring and the well, and between the well and Oakley. Both areas consist of buried 6" steel pipelines. The upper section can carry 0.56 cfs, while the lower section can carry 0.50 cfs according to standard engineering math. There is some use above the well, but most use occurs below (north of) the well. The maximum diversion capacity of the system is 0.56 cfs. Since the well is licensed for 0.50 cfs, it alone can fill the pipeline if the spring goes dry (the well has been the sole source for NOWC for the last 2 years, except for the Robert Manning place). So if NOWC sells the groundwater right to the City of Oakley, that leaves only 0.06 cfs left for their use. Manning's diversion rate is probably about 0.06 cfs, leaving nothing at all for NOWC to use.

While Weston Hawkes told me that Oakley needs a higher flow rate to serve additional residents, Gary told me that Oakley already has all the water it needs. I suggested that Oakley file a transfer on its existing water right to add the NOWC well without increasing its overall diversion rate. This would leave the NOWC groundwater right available for transfer to another well, which would presumably benefit them by eliminating the need to replace a couple miles of rusted-out steel pipe.

I was under the impression that Manning had taken over the upper part of the pipeline, but either Weston or Gary told me that he is still carried as a customer of NOWC. So a Change of Ownership from Manning is not needed.

Gary told me that, while DEG will not allow the spring water to be diverted for culinary use without treatment, the water IS clean. While we may want a water-quality test to verify this for the record, it appears that this water could be injected into the aquifer for recharge purposes if needed. But that would probably expand the overall diversion rate.

I explained to Gary the importance of determining the historic annual volume usage for NOWC, and he said that he would work on this. I plan to hold the application until this information is provided, since the whole picture will not be clear without it.

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T68966

December 15, 2000

Jim Stanton
IDWR
1341 Fillmore St. Ste 200
Twin Falls, ID 83301

RE: North Oakley Water System

Mr. Stanton,

Enclosed find copies of exhibits and calculations for the North Oakley Water System Spring and Distribution Main capacities.

The calculations indicate that the spring transmission main is capable of delivering 0.56 cfs to the North Oakley Reservoir.

A well at the reservoir procedures 0.5 cfs (225 gpm).

The distribution system piping below the reservoir has capacity to deliver up to 0.5 cfs (224 gpm) to the first user.

Interviews with system operators indicate that the transmission line between the reservoir and first user has had substantial leaks. These leaks have required that when available both the spring and well water flows were required to deliver even minimal water to the users.

We hope this information to be of value.

Respectfully,


Gary R. Burkett, P.E.

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SEP 07 2001

Water System Transmission Main Capacity Analysis

Line "A" 6" Spring Delivery Line Springs to Reservoir

Length 11,100 LF (lower springs)

Elevation Drop $4960 - 4752 = 208$ Ft

Hydraulic gradient
 $208 \div 11,100 = 1.87 \%$

$n = 0.015$ (Steel)

Capacity 0.56 cfs (250 gpm)

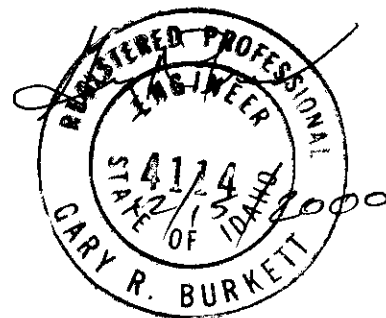
Line "B" 6" Water Distribution Main Reservoir to 1st user

Length 6,700 LF

Elevation drop $4752 - 4645 = 107$ Ft

Hydraulic Gradient
 $107 \div 6,700 = 1.60\%$

Line capacity 0.5 cfs (224 gpm)



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3268 IV SW
(MARION)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

113°52'30"
42°15'
T. 13 S.

264000m E.

265

266 50'

267

R. 22 E.

3268 IV SE
(MARION SE)

4681000m N.

BURLEY 21 MI.
9.3 MI. TO IDAHO 271

T. 14

4679

4678

4677

12'30"

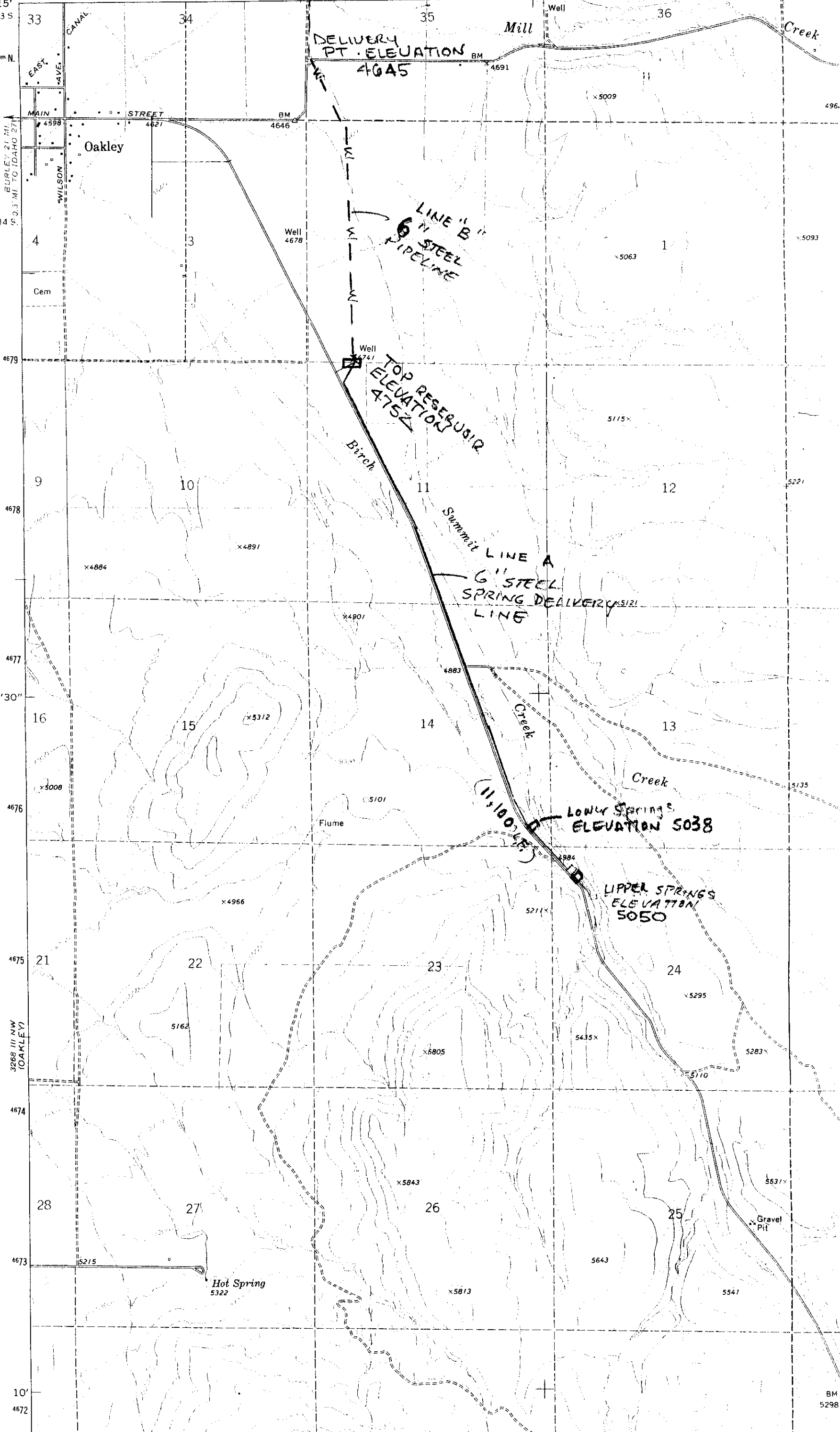
4676

4675

4674

4673

4672



108996

MEMO

TO: File

Date: 12-6-00

FROM: Jim Stanton

RE: App for Transfer, North Oakley Water Co.

Today I got a call from their employee Weston Hawkes. He told me that they have historically watered lawns, but that their delivery pipelines are now so full of holes that they lose maybe half their water to seepage. Much of the pipeline runs over porous soils, so the seepage could actually enter the aquifer in the form of recharge. Lawn watering has been voluntarily restricted to save water for culinary purposes.

I asked him if they voluntarily abandoned the springs due to the condition of the pipeline, and he said that they fought DEQ for as long as they could in order to keep the right to use the springs. The springs were adequate for their needs until the pipeline went bad, and they would have fixed the pipeline if DEQ would have allowed it.

Weston was concerned that we were trying to take away their right to use the springs, and my attempt to convince him that this was not true wasn't very successful. He did say that their engineer would be contacting me on this transfer.

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SEP 9 / 2001

T68966



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 4, 2000

North Oakley Water Co.
1496 S 500 W
Oakley, ID
83346

RE: App. for Transfer Filed 10-12-00

Dear Sirs;

During my preliminary review of your application, I have discovered the following information. The water system covered by your application consists of two concrete diversion structures along the west side of Birch Creek. The upper diversion is located in the SE/NW/NW Sec. 24, and the lower diversion is in the SE/SE/SE Sec. 14 T. 14S R. 23E. A 4" pipeline connects the two diversions, with a control valve about halfway between them. The pipeline from the upper diversion rusted out a couple of years ago, and was not replaced, so this water now leaks back into Birch Creek. The north diversion is now used only by Robert Manning, who took it over in the spring of 1998. Both springs become contaminated when water is diverted from Birch Creek into Oakley Reservoir, which occurs between March 1 and the end of June or mid-July each year. DEQ has required that the springs be abandoned for this reason (Mr. Manning treats the water that he uses). The only official record we have of the diversion rate is a statement by a licensing examiner in 1946 that the upper spring flowed at 9 gpm and the lower spring at 81 gpm. Your former employee David Babbitt told me over the phone that he measured the upper diversion at up to 140 gpm and the lower diversion at up to 300 gpm, but I have received no written confirmation on this. License 45-02226 covers the same system as Rt. 45-00091 but with a later priority date. The transfer proposes to change only the decreed right.

While the springs have been the primary water source for NOWC since the diversions were built about 1946, the well covered by License 45-02323B has been a supplemental source when needed (the licensed rate is 225 gpm). The well has provided all the water for NOWC since the spring of 1998. This well has been sold to the City of Oakley for

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SEP 07 2001

T68966

use in its system, and a Change of Ownership has been filed with IDWR on this license/claim.

My conclusions are as follows: Mr. Manning needs to execute a Change of Ownership for his portion of Rt. 45-00091. You should decide what diversion rate he is entitled to, as this will determine what the remaining diversion rate will be that is available for transfer. Without written evidence supporting a higher flow rate, I can only recommend the 90 gpm minus what Mr. Manning gets.

Our standard diversion rate for in-house use for 75 homes is 180 gpm. I would expect an additional rate for miscellaneous outside uses (Weston Hawkes told me that only a few homes on the upper part of the system had stockwater, and that few lawns were watered). So I question whether the claimed maximum rate of 0.98 cfs can be justified. The licensed groundwater rate of 0.50 cfs would APPEAR to be a reasonable diversion rate from both sources combined. If the city is taking the well, then it APPEARS that there is no diversion rate left to transfer.

The application proposes to change a surface-water right to a groundwater right in a critical groundwater area, which would amount to a new groundwater diversion. This is not allowed under the CGWA designation. The only way to avoid this problem under your proposed transfer is for you to inject clean surface water into the local aquifer (we would not allow contaminated water to be injected). The application does not propose this, however, so I will have to recommend that the transfer be denied for this reason alone.

With regard to annual diversion volume, it APPEARS that your historic usage would approach 50 acre. I could find no record of your well in the 1999 Idaho Power Co. listing, so could not determine your actual usage for that year. To deal with this issue, we need whatever delivery records you have for the last five years. Your historic volume is what is available for transfer between NOWC and the City of Oakley; this parameter cannot be increased through the transfer process. You could be required to recharge this amount into the aquifer in order for the transfer to be approvable on this basis.

The City of Oakley has no right to use your existing well at this time. Sec. 42-222 of the Idaho Code requires that a transfer be approved by IDWR before any significant element of a water right can be changed. Since the City will change the place of use for Rt. 45-02323B, a transfer is required. They can also change the use from stockwater and domestic to municipal.

Under present law, NOWC can also be considered a municipal provider. You may want to change your application to reflect this.

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T68966

License/Claim 45-02226 appears to be redundant, as it represents the same development as 45-00091 but with a later priority. The claim should either be withdrawn by you or should be recommended for denial in the SRBA. This issue may be dealt with as part of our final action on this matter.

As you can see, there are some serious problems with this project involving both you and the City of Oakley. The application does not appear to be approvable as filed. I will hold your application until January 9 so that you can try to find a solution to this complicated situation. If you have not been successful by then, you can either request more time or I can return your application and process a refund of your filing fee. This letter contains no legal advice, and is only a review of the pertinent issues as I see them. If you have questions or comments, feel free to contact me.

Regards,

James E. Stanton
Sr. Water Resource Agent

MICROFILMED

SEP 11 1981

T68966

MEMO

TO: File

Date: 12-4-00

FROM: Jim Stanton

RE: App for Transfer, North Oakley Water Co.

Today I wrote to the applicant expressing various conclusions based on my preliminary review of this proposal. In the letter I stated that I had not received written documentation on the claimed flow rate. After the letter was mailed, however, I did receive a letter from Mr. Babbitt on this matter. He described the method he used to make his measurements. I had Doug review the letter, and he told me that the method used was neither the California Method or the Purdue Method. I then called Weston Hawkes to let him know that we had received the letter from Babbitt, but that we would need a further explanation of the method he used to measure these diversions. Weston said that they would probably have their engineer make new measurements. I suggested that they read my letter first, as they have more problems than just verifying the diversion rates.

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SEP 07 2001

T68966

December 1, 2000

RECEIVED
DEC 04 2000
Department of Water Resources
Southern Region

Jim Stanton
Department of Water Resources
1341 Fillmore #200
Twin Falls, ID 83301

RE: North Oakley Water System

Dear Mr. Stanton:

I worked with the manager for the North Oakley Water System starting in 1980. In 1984 I was given the job of being the manager for North Oakley Water System. I held the job until December 1999. During the 19 years, I have been in the spring boxes to calibrate the water flows and with a mathematical process, I would determine how much chlorine to add to the springs to maintain the free available chlorine at .1 to .2 parts per million.

The springs fluctuated in the amount of water they produced. I have seen the total spring flow to less than 30 g.p.m. to over 650 g.p.m. The springs delivered more water than would flow out of the pipe under pressure.

The upper springs producing at their highest volume that I witnessed was 164 g.p.m. The upper springs produced a discharge from a 4" pipe 8 inches from the pipe where the bottom of the pipe (if it continued) would intersect with the outside edge of the falling water. By squaring the diameter of the pipe and multiplying it by the discharge distance it will give a number that if multiplied by 1.28 will give you g.p.m. for a horizontal open discharge.

The lower springs had a 6-inch pipe leaving the spring then reducing to a 4 inch pipe. The water would back up into the spring several feet increasing the head of the water leaving the spring box. As I measured the water this spring produced at it's highest volume was just under 500 g.p.m.

I don't remember how that compares to the water right, but the two springs during my observation produced approximately 650 g.p.m. The average production of the springs generally produced enough water to supply the North Oakley Water System with all of their needs.

If you have any questions or if I can be of further assistance let me know.

Sincerely,



David N. Babbitt

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SEP 07 2001

T68966

MEMO

TO: File

Date: 11-3-00

FROM: Jim Stanton

RE: App For Transfer, North Oakley Water Co.

Today I met with Weston Hawkes on site. We located the spring box, which is very close to the Sec. 13/14/23/24 corner. I GPS'd the location, but was not able to retrieve it from the Garmin unit; I will go back and do it again. Although Weston has been in his present job for less than a year, he has lived in the area for 5 years. He said that the pipeline from the spring was last used in the spring of 1997 according to DEQ. The diversion pipeline runs north from the spring box to Robert Manning's home, and he has taken over this diversion for stockwater and domestic purposes; it is no longer part of the North Oakley system. The spring historically served 6 homes and stock uses south & east of Oakley, including the Manning home. The system also served 69 more homes north of Oakley; there was little lawn watering and little stock use in these locations, as these needs were met from other sources.

The pipeline from the spring runs north nearly 2 miles before coming to the surface in the SW/SW Sec. 2. Just east of this point, a well pumps into a concrete storage tank (which looks like a dirt mound just west of the well. The pipeline from the spring comes up just west of the mound, and is marked by a swampy spot and a tall vertical breather pipe. The swampy spot was not there until they stopped using the spring. During low-use periods, the spring furnished all the water for the NOWC system. The well supplemented the spring during summer or if the spring flow was not sufficient. The 2 sources joined in a common pipeline a little north of the mound. The City of Oakley acquired the well last summer, and is laying a new pipeline from the well directly into the city system. The city system will be tied into the North Oakley system at the NW corner of the city limits, where a pressure-sensing valve will open to provide water to the North Oakley system for emergencies only; a flow meter will record all deliveries. The city will also provide water to the 5 users east of town thru part of the North Oakley system. The proposed new well for North Oakley (actually an existing but unused well) is located near the NE corner of the North Oakley service area, and will be pumped back south and west to serve their customers. North Oakley is losing 6 customers, while the city is gaining 5 customers (not counting emergency use).

It appears that the historic maximum flows thru the North Oakley system occurred in the summer when both the well and spring were being diverted has been 0.50 cfs plus the flow from the spring. While there are supposedly measurements of the spring up to 1993, Weston could not find this information while I was with him. I told him that I did not know if this transfer could be approved without a measurement. Since the spring is now only used by one home, I don't know if measuring the system now would show the

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historic diversion rate. And since this has been a very dry year, the spring is probably down quite a bit from its maximum flows. There is nothing at the headbox to show how much the spring might flow, as it is on flat ground between the county road on Birch Creek; there is no obvious water source other than Birch Creek. Weston did not have a key to the box, so I could not see what was in there. There was an overflow pipe on the east side of the box, but there was no indication that any overflows had occurred in a long time. He said that the spring gets muddy when water is being diverted from Birch Creek to Oakley Reservoir, so that may increase the spring flow during the non-irrigation season. Weston said that he did not think that Birch Creek was feeding the spring box directly. He said that the swampy area near the well is over very porous soil, so any visible surface flow would not be indicative of the diversion rate for the spring.

Rt. 45-00091 was originally decreed for irrigation, and the source was listed as a tributary to Birch Creek. In 1944, Transfer #672 was approved to change the use from irrigation in Sec. 14 to irrigation, domestic and stockwater use in the NOWC system; the p/d was moved upstream about ¼ mile. It appears that the original diversion was not used from 1915 to 1945 for some reason, but that IDWR approved the transfer anyway. Based on *res judicata*, I suppose that the decreed priority is still good. License 45-02226 appears to cover the same system as 45-00091, although it has a 1946 priority. It is hard to say why NOWC filed for this license if it felt that the decreed right was still good, however, since the license appears to cover the same system as what was allowed under the transfer. The licensing exam indicates that two 15' deep concrete collection boxes were built in the 1940's under an FHA loan. The examiner stated that the two boxes had a total diversion rate of 0.20 cfs, although the license was issued for 0.10 cfs. Both rights have been claimed in the SRBA, but the transfer is based only on the decreed right.

My conclusions are that NOWC is entitled to 0.50 cfs of groundwater under 45-02323B, and 0.20 cfs of spring water under 45-00091. Rt./Claim 45-02226 is redundant and should be relinquished/disallowed. The SRBA claim on 45-00091 is for 1.0 cfs, but this amount cannot be justified with the available data. I don't know how 75 families could have been properly served with 90 gpm, but this was apparently the diversion rate in 1946. The total historic diversion rate for NOWC has therefore been 0.70 cfs. But the City of Oakley has taken the 0.50 cfs well, thereby increasing its total diversion rate by this amount. The transfer proposes to leave 0.33 cfs diverted from the spring, but we would probably only recognize 0.04 cfs for 1 home, plus some additional flow for stock use, on the Manning property. This would leave maybe 0.12 to 0.16 cfs that could be transferred, but the application proposes to move 0.67 cfs to a groundwater diversion. Even if the unused spring water was run back into the aquifer (which is not planned at this time), this would still amount to an increase in the rate of groundwater diversion of over 0.5 cfs from the Oakley/Kenyon Critical Groundwater Area. This is clearly illegal, and I don't see how we could allow it. Unless we receive convincing evidence of a much

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Proposed New NOWC Diversion (Capped Well)
(Looking West)



Pipeline Being Laid To City of Oakley
From 4S-02323B Well

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JE Stanton
11-3-00



Overflow Pipe On West Side of Storage Tank



Closeup View (Note Seepage Around Pipe)

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45-00091

11-3-00

J E Stanton



NOWC Supplemental Well



Pipe ~~way~~ Running West From Well To Storage Tank

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45-023238
11-3-00
JE Stanton



NOWC North Diversion Looking West
Across Birch Cr. Road

45-00091

11-7-00

J.E. Stanton

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Seepage Below Upper Diversion (Pipeline In Photo Center)



NOWC Lower (North) Diversion

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45-00091

11-7-00

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NOWC Upper Spring Diversion



Seepage From Pipeline Below Diversion

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45-00091

11-7-06

JE Stanton

MEMO

TO: File

DATE: 10-30-00

FROM: Jim Stanton

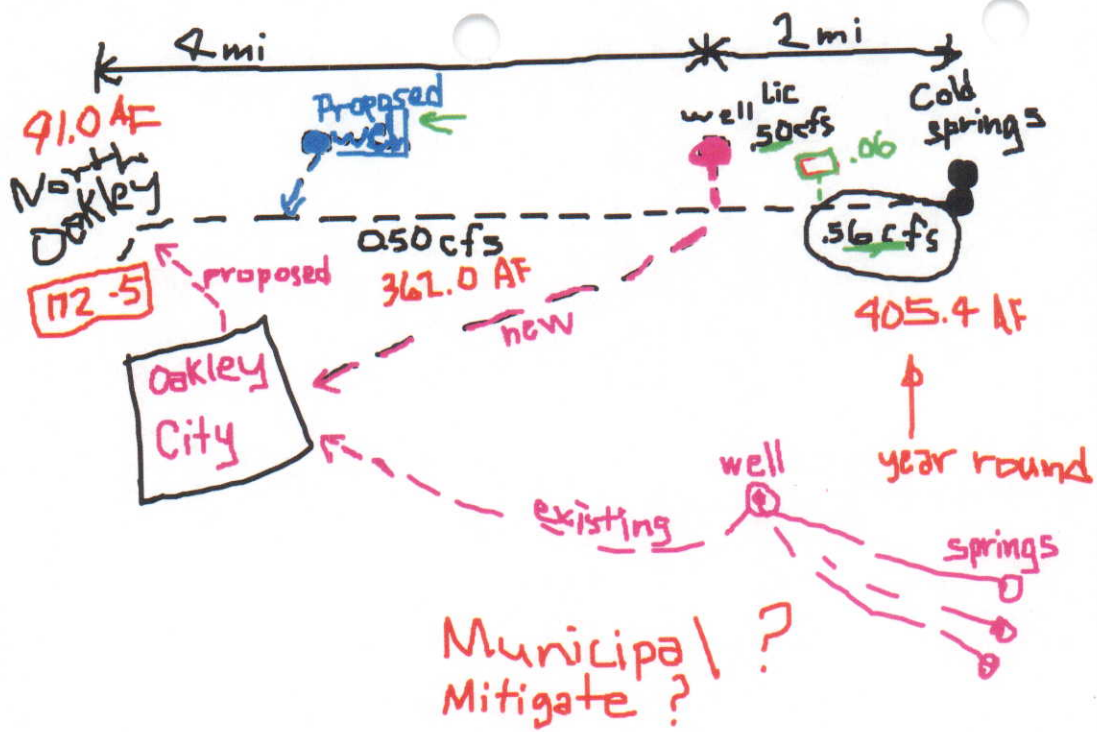
RE: App. for Transfer, North Oakley Water Co.

Today I discussed this application with Gary Burkett of EHM Engineers, who is working with the applicant on this project. I asked if any mitigation work was planned to make sure that the unused spring water got into the aquifer, and he said that no such work (infiltration ponds, etc) was planned. He said that spring water is collected underground in several pipelines, which feed into a single pipeline that runs north to discharge into a pond. A well near the pond also dumps into it under a separate water right. A pipeline from the pond then runs north to feed the NOWC system. As part of this project, last June the pond & well (& Rt. 45-02323B) were deeded to the City of Oakley. The City in turn agreed to furnish water from its system to NOWC in case of emergencies only. It seems like the city should have to apply for a water transfer to add place of use to the groundwater right, but as far as I know this hasn't been done. Gary said that the diversion rate from the spring had been measured by company employees at the pond on a random basis, but that no measurements had been taken since 1993 (a very dry year). I plan to meet with system operator Weston Hawkes (who also works for the city) to discuss this project and to verify the points of diversion.

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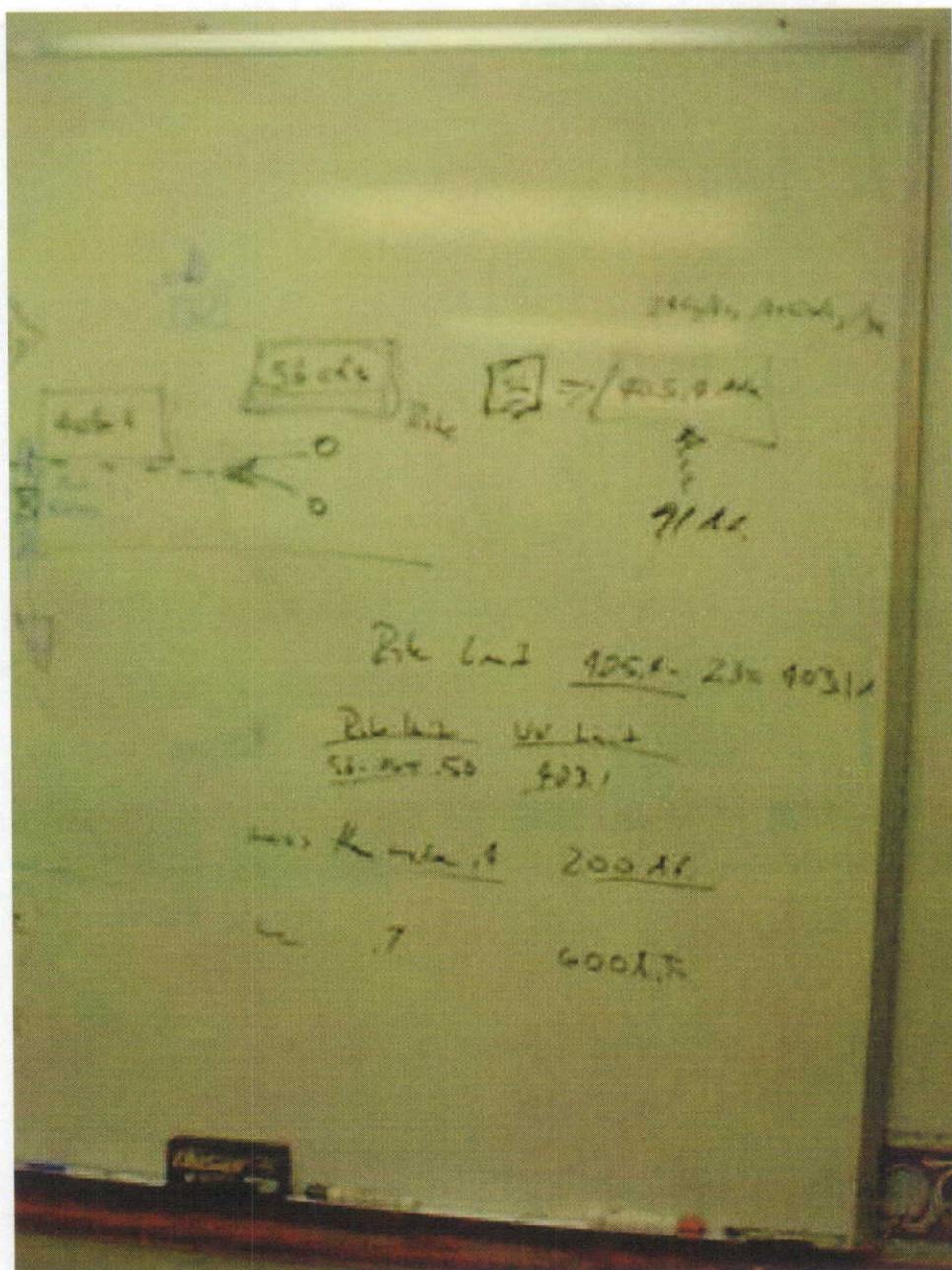
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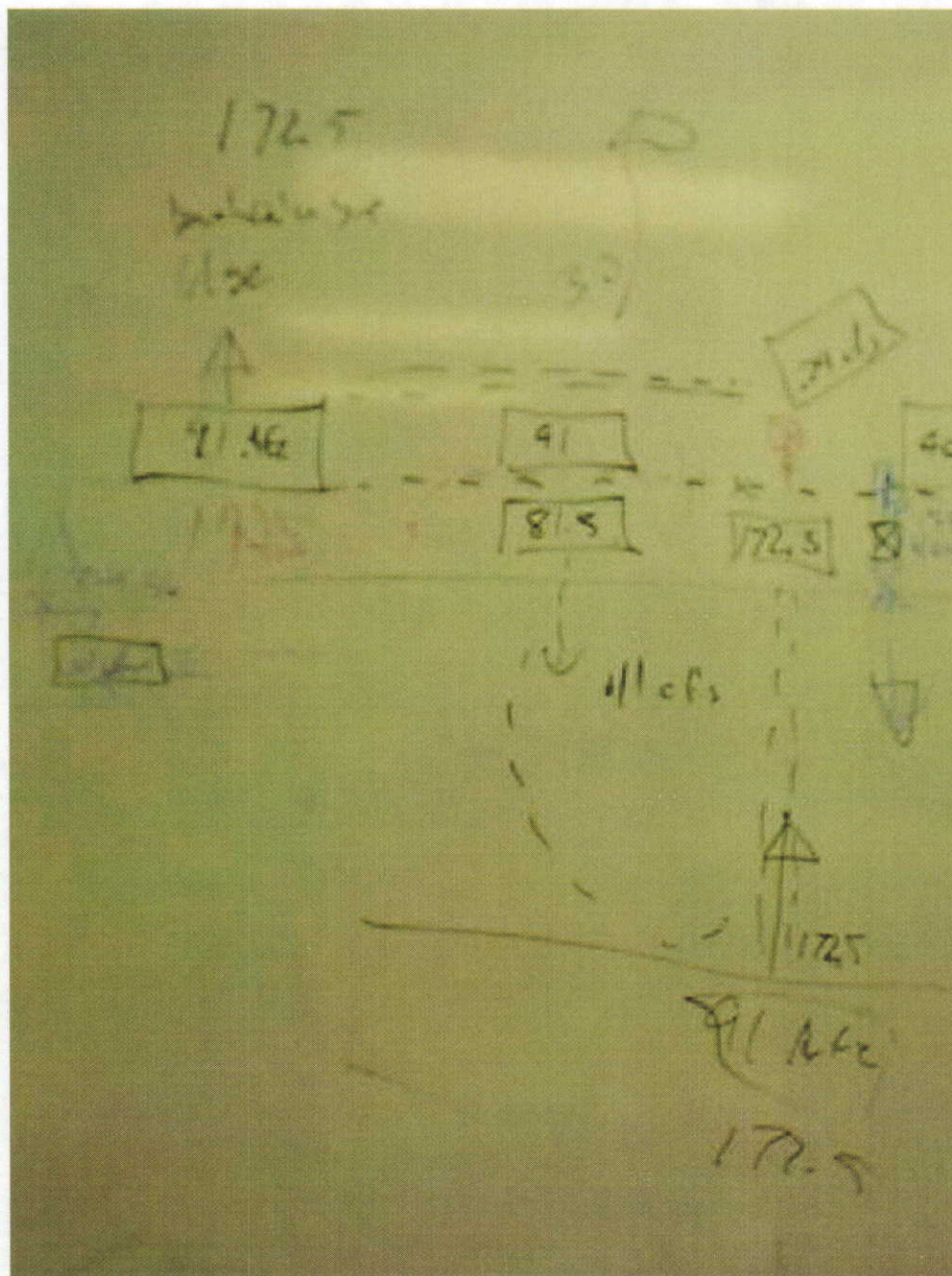
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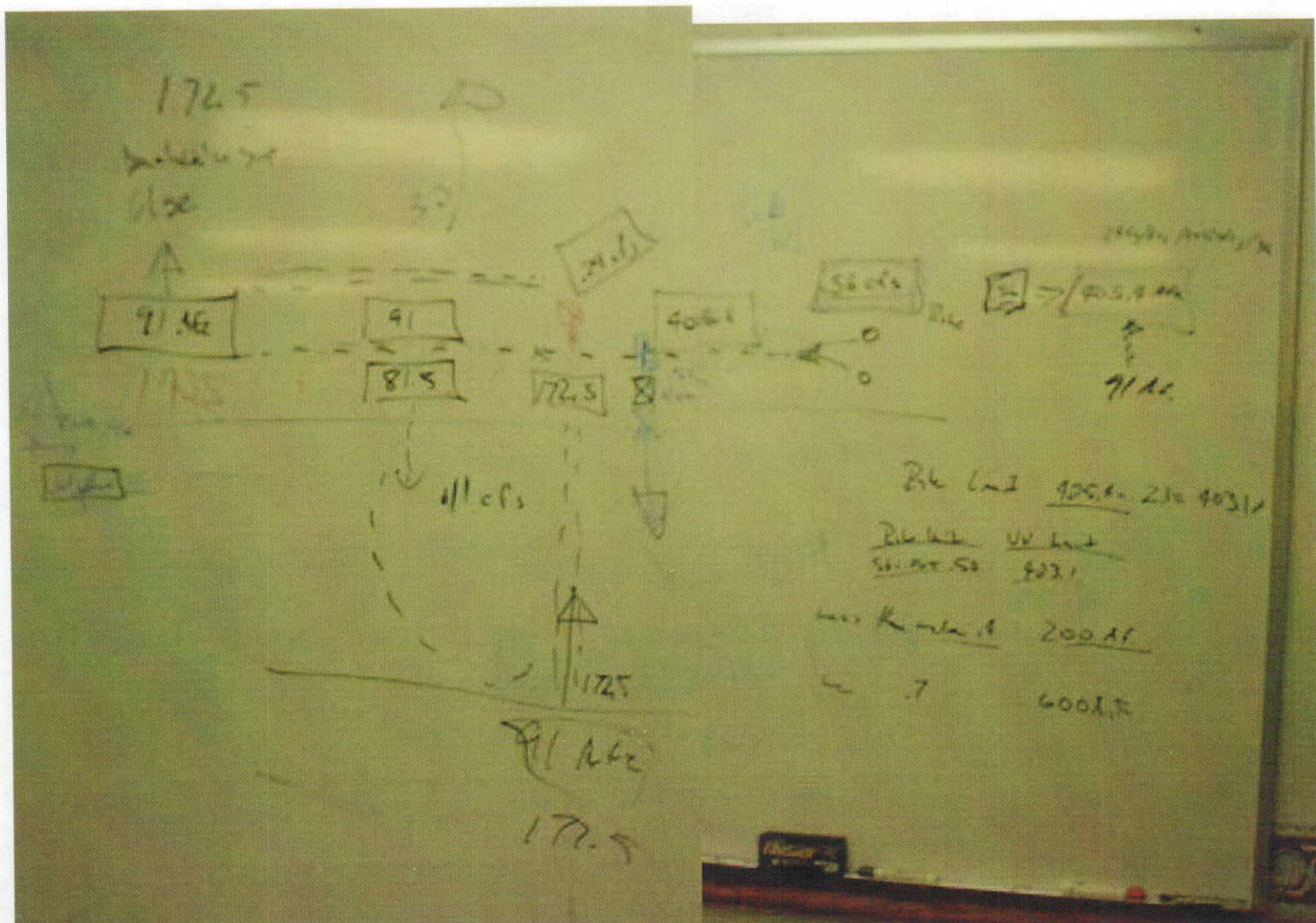
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try next Monday
8 am

785-8040
ext 278

681-7031 all #
↓

spring used until spring of 98 per David Babbitt, former employee.
city is growing-needs more water, is presently diverting full 2 cfs in summer
Babbitt measured 390 gpm based on Roman method (water running out
of end of 4" pipe)

Upper spring box outlet pipe rusted out & collapsed in '98, & was not
repaired

upper box 0514088⁴
30 fix 0121763³

water flowing on surface $\approx$ 60' north of
upper spring box, going to Birch Cr.

lower box 0513789⁹⁰
0122154⁴
³

pipeline from upper spring on top of ground,
then disappeared for quite a ways. saw valve
coming out of ground quite a ways above lower
box

springs about 0.3 road miles apart
lower spring 0.1 road miles from start of
road turn

Note: per Weston 11-7-00. concrete box at pond is overflow for pipe. hole in pipe
allows overflow pipe runs N about 200' into pond, which is also fed by Birch
Cr. for irrigation. Pump on north end of pond pressurizes sprinklers. End of pipe is
barely visible at upper end of pond, so not possible to measure there.

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R# 45-00091

1. Decreed for entire flow of Cold Springs, priority 4-25-1903 but not to be reduced in times of water shortages
2. Original P/U is E $\frac{1}{2}$ SE, NW/SE & SW/NE $\frac{1}{4}$ T14S R.22E
3. No point of diversion listed in Findings or Decree; SE/SE/SE $\frac{1}{4}$ per USGS quad
4. Water available for transfer per Norm Young = 3.0 AFA per irrigated acre
5. Initial G/S work shows $\approx$ 25.6 ac west of Birch Cr Road that could have been irrigated (looks dry now) + 17.4 ac east of Birch Cr Rd (looks irrigated in 1987).
= 43 ac total
6. Decreed rights not claimed on this property (are claimed incorrectly on NW/SE, but should be on NW/NE $\frac{1}{4}$, 14) - are all used north of Robert Manning's house.
7. Pasture south of Manning house & east of county road are irrigated from ditch in spring by Manning, needs to amend claims to reflect this.
8. Land west of county road is irrigated in high-water years by Manning, but has been dry for several years due to lack of high water

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Historic Use of North Oakley Water Co. Rights Below Well

1. Rights

45-91 0.56 cfs Cold Spring (capacity of pipeline above well)

45-2226 0.10 cfs Springs
0.56 cfs

45-23238 0.50 cfs Ground Water (licensed rate + pipeline capacity below well)
0.50 cfs

2. Standard Volume - 73 homes $\times$ 1.2 AFA/home $\times$ lawn = 87.6 AFA

50 coffee $\times$ 12 gpd/head $\times$ 365 days/yr = 0.7 AFA

Total = 88.3 AFA = 32845 gallons/month/home

3. 1999 Ground Water Use - 164.8 AFA

4. Adjustment For Lawns Not Watered In 1999 - 25 lawns $\times$ 0.6 AFA/lawn = 15.0 AFA

5. Adjusted 1999 Volume = 164.8 AFA + 15.0 AFA = 179.8 AFA

6. 1999 Conveyance Loss = Adjusted Volume - Standard Volume = 91.5 AFA = 50.9%
of total pumpage

7. Historic Ground Water Use 1994-99 $\approx$ 70.1 - 109 AFA

8. " Spring Water Use " $\approx$ ~~63.5 - 102.4~~ AFA

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Historic Use - North Oakley Water Co. Above Well

1. Rights

45-91	0.06 cfs	Cold Spring	& (difference between pipeline capacity above & below well)
45-2226	"	Springs	
	0.06 cfs		

2. Standard Volume - 1 home w/ lawn $\times$ 1.2 AFA home = 1.2 AFA

80 cattle $\times$ 12 gpd/ld $\times$ 365 days/yr = 1.1 AFA

Total = 2.3 AFA

3. Conveyance Loss assuming same % as Below Well = 50.9 % of Pumpage = 1.2 AFA

4. Total Usage Above Well = 3.5 AFA

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3. Breakdown by Source

a. Groundwater		26	35.6
	Domestic	24 0.50 cfs	34.1 - 55.4 AFA
	Stockwater	0.09 cfs	0.3 - 0.4 AFA
	Conveyance Loss	<u>0.25 cfs</u>	<u>33.3 - 51.8 AFA</u>
		0.50 24 22 cfs	70.1 - 109 AFA

Above b. Springs - Below Well (Manning)	Domestic	0.04 cfs	1.2 AFA
	Stockwater	0.03 cfs	<u>1.1 AFA</u>
	Conveyance Loss	<u>0.06 cfs</u>	<u>1.1 AFA</u>
		0.06 cfs	3.4 AFA

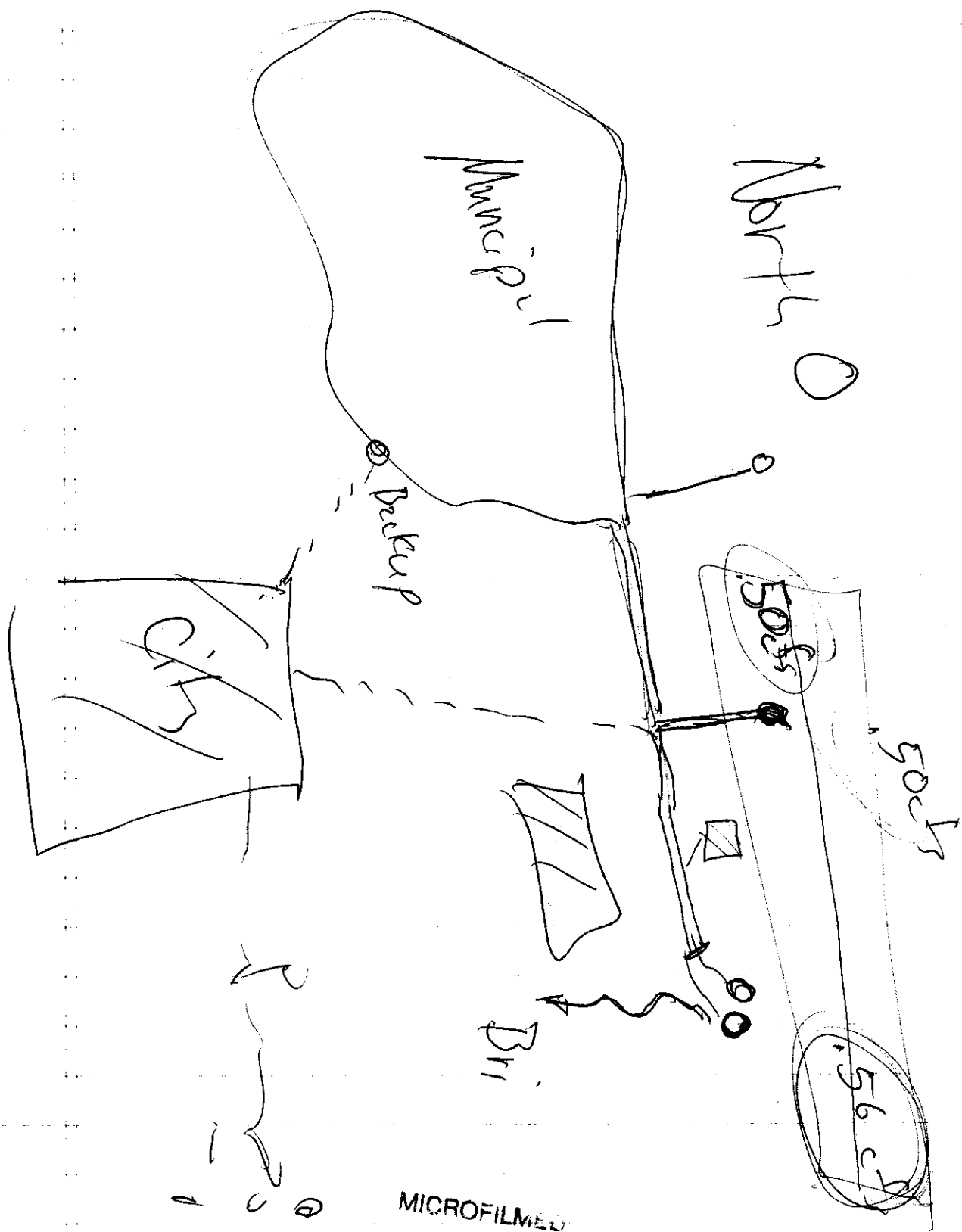
Below c. Springs - Below Well	Domestic	0.26 cfs	32.2 - 52.0 AFA
	Stockwater	0.09 cfs	0.3 - 0.4 AFA
	Conveyance Loss	<u>0.25 cfs</u>	<u>30.1 - 48.6 AFA</u>
		0.50 cfs	63.5 - 102.4

Note: NOWC wants ability to deliver 40,000 gal/month to 74 users = 109.0 AFA

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11-23-00 J Feltman

start of road 3D Nw EPE 20' 051386¹ 0122045

springbox 3D Nw EPE 19' 051378⁹ 0122159 28-5043' elev
0513790 0122152

Birch Cr. diversion 3D Nw EPE 22' 0513735 0122191
19' 730 201
733 198

449 steps^{NE} from road start to spring box = 430'

234 steps south from Birch Cr. diversion to spring along side of road
= 224'

big tree on road 3D 18' EPE 0513700 0122234
696 240

178 steps from big tree S along road to Birch Cr. div. = 171'

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Questions On Oakley Water Co. Transfer

- ✓ 1. What mitigation work will be done to see that unused spring water enters aquifer?
none planned
 - 2. Need data showing flow rate of spring - never measured where pipe enters ponds.
last measured 1993
 - 3. Locate spring & new well on quad maps
 - 4. Don't need shapefile for PU now per ADM, only for P/D
 - 5. Need map of entire system - only available map is in file
 - ✓ 6. Call Gary Burkett ~~733-2444~~ 734-4888 EHM Engineers
- Walter Hawkes 431-6090 runs N Oakley system & works for city 862-3313
for site visit
- N Oakley owned well & pond - sold last June to City of Oakley. water right
from well went to city. N Oakley has tie in to city system for emergencies only.

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GE10 dairy site Viewed 95-99 slides; 2000 not yet labeled
HH10 farmland

city will provide water to homes in S $\frac{1}{2}$ S. 35
watered is 15 homes, 6 homes south & east of city - 1 still on spring
(Dan Manning). city will provide water to ~~most~~ all but Manning.
homes N of town used little or no stockwater. city will tap into N Oakley
at NW corner of city limits w/tie in for emergencies only w/special pressure
sensing valve & water meter to record any deliveries to N Oakley. N Oakley
starts just outside city limits. is a stock trough ~~just outside~~

N Oakley system - city tie in at NE corner S. 32

bricks S. 28, W side S. 27, NW/WW S. 34,
E side S. 29, E side S. 20, S. 21, W side S.
15 & W side S. 22, N side S. 15, N side S. 13,
S. 16, E side S. 17, S. 9, E side S. 8, stock
trough in SW $\frac{1}{4}$ S. 12, 2 sand cells in S. 10
N of angle road, home in NW/NE S. 11
(all NW of city)

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PROOF OF WATER DELIVERY

SEPTEMBER 2000

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SEP 07 2001

9/04/00
9:54PMNorth Oakley Water
Billing Register

Page 1

ADAER Ernest Adams			Balance Forward:	20.00
315 N. Wilson Avenue			PAYMENT #717-THANKS!	-20.00
Oakley, ID 83346				0.00
				0.00
4 shares			Garbage Charge:	0.00
Readings: 845000	855700		Water Charge:	20.00
Gallons Used: 10700			New Balance:	20.00
ADAJO John Adams			Balance Forward:	-30.00
440 W 1900 S				0.00
Oakley, ID 83346				0.00
				0.00
2 shares-Lease 2 Bob Robi			Garbage Charge:	0.00
Readings: 300	300		Water Charge:	10.00
Gallons Used: 0			New Balance:	-20.00
AMBFR Frank Ambler			Balance Forward:	50.42
1729 S Highway 27			PAYMENT #809-THANKS!	-50.42
Oakley, ID 83346				0.00
				0.00
4 shares			Garbage Charge:	0.00
Readings: 2014200	2062700		Water Charge:	25.10
Gallons Used: 48500			New Balance:	25.10
ANDTR Trent Anderson			Balance Forward:	1,040.00
961 South 50 West				0.00
Burley, ID 83318				0.00
				0.00
2 shares			Garbage Charge:	0.00
Readings: 100	100		Water Charge:	10.00
Gallons Used: 0			New Balance:	1,050.00
ARCVE Venola Archibald			Balance Forward:	14.44
1755 S 500 W			PAYMENT #421-THANKS!	-64.44
Oakley, ID 83346				0.00
				0.00
2 shares			Garbage Charge:	0.00
Readings: 806500	810500		Water Charge:	10.00
Gallons Used: 4000			New Balance:	-40.00
BEDBR Bruce Bedke			Balance Forward:	80.00
42 E 1975 S			PAYMENT #580-THANKS!	-100.00
Oakley, ID 83346				0.00
				0.00
4 shares			Garbage Charge:	0.00
Readings: 100	100		Water Charge:	20.00
Gallons Used: 0			New Balance:	0.00

To: Gary Burkett
From: North Oakley

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SEP 11 2001

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9/04/00
9:54PMNorth Oakley Water
Billing Register

Page 2

BEDRA Ray C. Bedke 485 N. Center P. O. Box 283 Oakley, ID 83346 2 shares	Readings: 166800 Gallons Used: 32700	199500	Balance Forward:	-41.00
				0.00
				0.00
				0.00
			Garbage Charge:	0.00
			Water Charge:	17.62
			New Balance:	-23.38
BENLE Lee Bennett 333 W 2000 S Oakley, ID 83346			Balance Forward:	23.50
				0.00
				0.00
				0.00
2 Shares			Garbage Charge:	0.00
Readings: 8511100	8581400		Water Charge:	40.18
Gallons Used: 70300			New Balance:	63.68
BORLY Lynne Boren 1818 S. Highway 27 Oakley, ID 83346			Balance Forward:	24.68
			PAYMENT #2183-THANKS	-24.68
				0.00
				0.00
4 shares			Garbage Charge:	0.00
Readings: 711800	736000		Water Charge:	20.00
Gallons Used: 24200			New Balance:	20.00
COOJE Jeff Cooper 425 W 1700 S Oakley, ID 83346			Balance Forward:	176.08
			PAYMENT #5996-THANKS	-176.08
				0.00
				0.00
2 shares			Garbage Charge:	0.00
Readings: 4620200	4872200		Water Charge:	149.20
Gallons Used: 252000			New Balance:	149.20
COOJI Jim Cooper 345 West 1600 South Oakley, ID 83346			Balance Forward:	249.64
			PAYMENT #203-THANKS!	-100.00
				0.00
				0.00
2 shares			Garbage Charge:	0.00
Readings: 5197700	5399000		Water Charge:	118.78
Gallons Used: 201300			New Balance:	268.42
CRDAC Daren Critchfield - Cellar 495 W 1700 S Oakley, ID 83346			Balance Forward:	10.00
			PAYMENT #5203-THANKS	-10.00
				0.00
				0.00
2 shares - Cellar			Garbage Charge:	0.00
Readings: 726700	732500		Water Charge:	10.00
Gallons Used: 5800			New Balance:	10.00

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9/04/00
9:54PM

North Oakley Water
Billing Register

Page 3

CRIDA Daren Critchfield		Balance Forward:	30.00
1815 S Highway 27		PAYMENT #5474-THANKS	-30.00
Oakley, ID 83346			0.00
			0.00
6 shares - Home		Garbage Charge:	0.00
Readings: 2168200	2219900	Water Charge:	30.00
Gallons Used: 51700		New Balance:	30.00
CRIHI Hilton Critchfield		Balance Forward:	-356.30
1687 S Highway 27		2 RENTAL HOMES	20.00
Oakley, ID 83346			0.00
			0.00
6 shares		Garbage Charge:	0.00
Readings: 3064000	3071900	Water Charge:	30.00
Gallons Used: 7900		New Balance:	-306.30
CRIHN Scott Nelson		Balance Forward:	8.68
436 W 1800 S		HILTON PAYS BASIC CH	-10.00
Oakley, Id 83346			0.00
			0.00
2 SH-Bobby's Rental House		Garbage Charge:	0.00
Readings: 1390200	1404400	Water Charge:	10.00
Gallons Used: 14200		New Balance:	8.68
CRIHS HILTON CRITCHFIELD-SHOP		Balance Forward:	-70.00
1687 S HIGHWAY 27			0.00
OAKLEY, ID 83346			0.00
			0.00
2 SHARES		Garbage Charge:	0.00
Readings: 107400	107400	Water Charge:	10.00
Gallons Used: 0		New Balance:	-60.00
CRIHW James Cook		Balance Forward:	-0.44
1730 S 400 W		HILTON PAYS BASIC CH	-10.00
Oakley, ID 83346			0.00
			0.00
2 shares-Rental House WST		Garbage Charge:	0.00
Readings: 1307400	1343200	Water Charge:	19.48
Gallons Used: 35800		New Balance:	9.04
CRIKE Keith Critchfield		Balance Forward:	10.00
1896 S Highway 27		CREDIT FROM DAVE	-1.80
Oakley, ID 83346		PAYMENT #5695-THANKS	-10.00
			0.00
2 shares Cellar		Garbage Charge:	0.00
Readings: 890700	921400	Water Charge:	16.42
Gallons Used: 30700		New Balance:	14.62

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9/04/00
9:54PM

North Oakley Water
Billing Register

Page 4

CRIRO Robert Critchfield			Balance Forward:	20.00
495 W 1700 S			PAYMENT #339-THANKS!	-20.00
Oakley, ID 83346				0.00
				0.00
2 shares			Garbage Charge:	0.00
Readings: 1139900	1144900		Water Charge:	10.00
Gallons Used: 5000			New Balance:	10.00
CRISH Hilton Critchfield			Balance Forward:	-100.40
1687 S Highway 27			CREDIT FROM HILTON	-43.20
Oakley, ID 83346				0.00
				0.00
2 shares - Shaun			Garbage Charge:	0.00
Readings: 2930600	3071300		Water Charge:	82.42
Gallons Used: 140700			New Balance:	-61.18
CRKED Keith Critchfield			Balance Forward:	10.00
1896 S Highway 27			PAYMENT #5695-THANKS	-10.00
Oakley, ID 83346				0.00
				0.00
2 shares - David's Home			Garbage Charge:	0.00
Readings: 438400	444800		Water Charge:	10.00
Gallons Used: 6400			New Balance:	10.00
CRKEL Keith Critchfield			Balance Forward:	10.00
1896 S Highway 27			CREDIT FROM DAVE	-5.88
Oakley, ID 83346			PAYMENT #5695-THANKS	-10.00
				0.00
2 shares - Lind home			Garbage Charge:	0.00
Readings: 1073100	1102900		Water Charge:	15.88
Gallons Used: 29800			New Balance:	10.00
ELIJA Jay Elison			Balance Forward:	20.00
1794 S Highway 27			PAYMENT #258-THANKS!	-20.00
Oakley, ID 83346				0.00
				0.00
4 shares			Garbage Charge:	0.00
Readings: 1068600	1080000		Water Charge:	20.00
Gallons Used: 11400			New Balance:	20.00
EMEHI Hilton Emery			Balance Forward:	10.00
1580 S 500 W			PAYMENT #3680-THANKS	-10.00
Oakley, ID 83346				0.00
				0.00
2 shares			Garbage Charge:	0.00
Readings: 487800	494600		Water Charge:	10.00
Gallons Used: 6800			New Balance:	10.00

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SEP 07 2001

9/04/00
9:54PMNorth Oakley Water
Billing Register

Page 5

HARBE Ben Hardy			Balance Forward:	10.00
1810 S 500 W			PAYMENT #714-THANKS!	-10.00
Oakley, ID 83346				0.00
				0.00
2 SHARES-RANDY			Garbage Charge:	0.00
Readings: 170100	173500		Water Charge:	10.00
Gallons Used: 3400			New Balance:	10.00
HARBO Bonnie Hardy			Balance Forward:	-10.00
1802 S 500 W				0.00
Oakley, ID 83346				0.00
				0.00
2 shares			Garbage Charge:	0.00
Readings: 778900	787100		Water Charge:	10.00
Gallons Used: 8200			New Balance:	0.00
HARRA Randy Hardy			Balance Forward:	16.36
1818 S 500 W				0.00
Oakley, ID 83346				0.00
				0.00
2 shares - North Meter			Garbage Charge:	0.00
Readings: 2183300	2196600		Water Charge:	10.00
Gallons Used: 13300			New Balance:	26.36
HARRI Richard Hardy			Balance Forward:	-30.68
1832 S 500 W				0.00
Oakley, ID 83346				0.00
				0.00
2 shares			Garbage Charge:	0.00
Readings: 1265000	1310000		Water Charge:	25.00
Gallons Used: 45000			New Balance:	-5.68
HARRS Randy Hardy			Balance Forward:	19.04
1818 S 500 W				0.00
Oakley, ID 83346				0.00
				0.00
2 Shares - South Meter			Garbage Charge:	0.00
Readings: 1635600	1650300		Water Charge:	10.00
Gallons Used: 14700			New Balance:	29.04
HAWWE Weston Hawkes			Balance Forward:	-20.22
1796 S 500 W				0.00
Oakley, Id 83346				0.00
				0.00
2 shares			Garbage Charge:	0.00
Readings: 1138500	1150100		Water Charge:	10.00
Gallons Used: 11600			New Balance:	-10.22

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HUNMI Mike Hunter		Balance Forward:	53.50
1746 S Highway 27			0.00
P. O. Box 187			0.00
Oakley, ID 83346			0.00
2 shares		Garbage Charge:	0.00
Readings: 1933500 2010500		Water Charge:	44.20
Gallons Used: 77000		New Balance:	97.70
HUNRN Robert Hunter		Balance Forward:	38.26
3004 S 9150 W		PAYMENT #3251-THANKS	-38.26
MAGNA, UT 84084			0.00
			0.00
2 shares - North Meter		Garbage Charge:	0.00
Readings: 481700 530200		Water Charge:	27.10
Gallons Used: 48500		New Balance:	27.10
HUNRO Robert Hunter		Balance Forward:	62.32
3004 S 9150 W		PAYMENT #3251-THANKS	-62.32
MAGNA, UT 84084			0.00
			0.00
2 shares - South Meter		Garbage Charge:	0.00
Readings: 605100 667300		Water Charge:	35.32
Gallons Used: 62200		New Balance:	35.32
LAYMA Mary Ann Layton		Balance Forward:	92.68
396 W 1300 S		CREDIT FROM EUGENE	-21.00
Oakley, ID 83346		PAYMENT #4270-THANKS	-92.68
			0.00
2 shares-2 shares Eugene		Garbage Charge:	0.00
Readings: 7208000 7367400		Water Charge:	81.64
Gallons Used: 159400		New Balance:	60.64
MAJOW Rick Alves		Balance Forward:	169.74
1772 S 400 W		PAYMENT - THANK YOU!	-160.00
Oakley, ID 83346			0.00
			0.00
6 shares-Alves Home		Garbage Charge:	0.00
Readings: 3070600 3133700		Water Charge:	31.86
Gallons Used: 63100		New Balance:	41.60
MANRH Robert Manning		Balance Forward:	10.00
			0.00
			0.00
			0.00
2 Shares-Line to Hill-Bob		Garbage Charge:	0.00
Readings: 1615900 1615900		Water Charge:	10.00
Gallons Used: 0		New Balance:	20.00

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MANRO Robert Manning 2233 Birch Creek Road Oakley, ID 83346		Balance Forward:	10.00
			0.00
			0.00
			0.00
2 shares		Garbage Charge:	0.00
Readings: 100	000	Water Charge:	10.00 0.00
Gallons Used: 0		New Balance:	20.00
MARAN Ann Martell 1749 S 500 W Oakley, ID 83346		Balance Forward:	-66.46
			0.00
			0.00
			0.00
4 shares		Garbage Charge:	0.00
Readings: 7563400	7590200	Water Charge:	20.00
Gallons Used: 26800		New Balance:	-46.46
MARCL Claudia Martin 1701 S Highway 27 Oakley, ID 83346		Balance Forward:	93.74
		CREDIT FROM MIS-READ	-23.94
		CREDIT FROM RON	-4.20
		PAYMENT #3852-THANKS	-93.74
4 shares		Garbage Charge:	0.00
Readings: 7597800	7597900	Water Charge:	20.00
Gallons Used: 100		New Balance:	-8.14
MARJO John R. Martin 1722 S 500 W Oakley, ID 83346		Balance Forward:	40.00
			0.00
			0.00
			0.00
2 shares		Garbage Charge:	0.00
Readings: 5091500	5109800	Water Charge:	10.00
Gallons Used: 18300		New Balance:	50.00
MARRO Claudia Martin 1701 S Highway 27 Oakley, ID 83346		Balance Forward:	20.00
		PAYMENT #3852-THANKS	-20.00
			0.00
			0.00
4 shares		Garbage Charge:	0.00
Readings: 4637500	4669800	Water Charge:	20.00
Gallons Used: 32300		New Balance:	20.00
MARSI Joyce Smith-John Martin P.O. Box 45 1809 S 400 W Oakley, ID 83346		Balance Forward:	41.62
			0.00
			0.00
			0.00
2 Shares-John Martin		Garbage Charge:	0.00
Readings: 1503300	1579700	Water Charge:	43.84
Gallons Used: 76400		New Balance:	85.46

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MATEB Barry Matthews		Balance Forward:	10.00
440 W 1900 S		PAYMENT #3275-THANKS	-10.00
Oakley, ID 83346			0.00
			0.00
2 Shares - Ennis Matthews		Garbage Charge:	0.00
Readings: 659800 659800		Water Charge:	10.00
Gallons Used: 0		New Balance:	10.00
MATEC Eugene Matthews		Balance Forward:	10.00
		PAYMENT #2396-THANKS	-10.00
			0.00
			0.00
2 Shares - Cellar Hill		Garbage Charge:	0.00
Readings: 3906800 3907400		Water Charge:	10.00
Gallons Used: 600		New Balance:	10.00
MATEN Robert Manning		Balance Forward:	20.00
2233 Birch Creek Road			0.00
Oakley, ID 83346			0.00
			0.00
4 shares EN350W1900		Garbage Charge:	0.00
Readings: 5185000 5185000		Water Charge:	20.00
Gallons Used: 0		New Balance:	40.00
MATER Gerardo Vega		Balance Forward:	9.92
P.O. Box 109		PAYMENT - THANK YOU!	-20.00
Oakley, ID 83346			0.00
862-3640			0.00
2 shares-400 W 1700 S VEG		Garbage Charge:	0.00
Readings: 2027200 2045000		Water Charge:	10.00
Gallons Used: 17800		New Balance:	-0.08
MATEU Eugene Matthews		Balance Forward:	20.00
1249 S Highway 27		PAYMENT #2396-THANKS	-20.00
Oakley, ID 83346			0.00
			0.00
4 shares Cellar		Garbage Charge:	0.00
Readings: 1070100 1071500		Water Charge:	20.00
Gallons Used: 1400		New Balance:	20.00
MCBBI Bill McBride		Balance Forward:	-72.10
1825 S Highway 27			0.00
Oakley, ID 83346			0.00
			0.00
2 shares		Garbage Charge:	0.00
Readings: 806300 806500		Water Charge:	10.00
Gallons Used: 200		New Balance:	-62.10

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MCBTO Tom McBride			Balance Forward:	50.38
1772 S 500 W			PAYMENT #6279-THANKS	-50.38
Oakley, ID 83346				0.00
				0.00
2 shares			Garbage Charge:	0.00
Readings: 1456800	1527700		Water Charge:	40.54
Gallons Used: 70900			New Balance:	40.54
MCIAL Alta McIntosh Altom			Balance Forward:	-10.22
1850 S 420 W				0.00
P. O. Box 71				0.00
Oakley, ID 83346				0.00
4 shares			Garbage Charge:	0.00
Readings: 5788000	5819900		Water Charge:	20.00
Gallons Used: 31900			New Balance:	9.78
MCLJO Joyee McLaws			Balance Forward:	44.84
1862 S 500 W			PAYMENT #4015-THANKS	-44.84
Oakley, ID 83346				0.00
				0.00
4 shares			Garbage Charge:	0.00
Readings: 6100700	6172500		Water Charge:	39.08
Gallons Used: 71800			New Balance:	39.08
NEWDO Douglas Newman			Balance Forward:	13.60
1874 S 500 W			PAYMENT #2959-THANKS	-13.60
Oakley, ID 83346				0.00
				0.00
2 shares			Garbage Charge:	0.00
Readings: 3125000	3146200		Water Charge:	10.72
Gallons Used: 21200			New Balance:	10.72
PICRA Pickett Ranch & Sheep			Balance Forward:	10.00
1650 S 568 W			PAYMENT #3971-THANKS	-10.00
Oakley, ID 83346				0.00
				0.00
2 shares			Garbage Charge:	0.00
Readings: 2010200	2010200		Water Charge:	10.00
Gallons Used: 0			New Balance:	10.00
POUCH Chris Poulton			Balance Forward:	155.76
269 W 1975 S Basin Road				0.00
Oakley, ID 83346				0.00
				0.00
4 shares - Chris Poulton			Garbage Charge:	0.00
Readings: 8720000	8837600		Water Charge:	66.56
Gallons Used: 117600			New Balance:	222.32

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North Oakley Water
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PRARI Richard Praegitzer
1889 South 400 West
Oakley, ID 83346

2 Shares
Readings: 3310500 3334900
Gallons Used: 24400

Balance Forward: 65.24
PAYMENT #1783-THANKS -65.24
0.00
0.00
Garbage Charge: 0.00
Water Charge: 12.64
New Balance: 12.64

ROBBO Bob Robinson
1525 S Highway 27
Oakley, ID 83346

6 shares
Readings: 769200 779600
Gallons Used: 10400

Balance Forward: 120.00
0.00
0.00
0.00
Garbage Charge: 0.00
Water Charge: 30.00
New Balance: 150.00

ROBDU Dutch Robinson
2288 Williamsburg Circle
West Jordan, UT 84088

4 shares
Readings: 3051700 3198300
Gallons Used: 146600

Balance Forward: 191.56
0.00
0.00
0.00
Garbage Charge: 0.00
Water Charge: 83.96
New Balance: 275.52

ROBHI Bob Robinson
1525 S Highway 27
Oakley, ID 83346

Lease2Sh-John-Hill-RobMan
Readings: 3461600 3461600
Gallons Used: 0

Balance Forward: 40.00
0.00
0.00
0.00
Garbage Charge: 0.00
Water Charge: 10.00
New Balance: 50.00

ROBRA Randy Robinson
1496 S 500 W
Oakley, ID 83346

2 shares
Readings: 924900 935000
Gallons Used: 10100

Balance Forward: 0.00
0.00
0.00
0.00
Garbage Charge: 0.00
Water Charge: 10.00
New Balance: 10.00

ROBRC Randy Robinson
Route 1 Box 35
Oakley, ID 83346

2 shares - Cellar
Readings: 568100 568200
Gallons Used: 100

Balance Forward: 0.00
0.00
0.00
0.00
Garbage Charge: 0.00
Water Charge: 10.00
New Balance: 10.00

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ROBRI Bob Robinson
1525 S Highway 27
Oakley, ID 833462 shares-Ricks Home
Readings: 1304600 1392600
Gallons Used: 88000

Balance Forward:	40.00
CREDIT FROM BOB	-24.00
	0.00
	0.00
Garbage Charge:	0.00
Water Charge:	50.80
New Balance:	66.80

ROBRT Trent Robinson

2 shares CF NOTATION
Readings: 1451000 1474300
Gallons Used: 23300

Balance Forward:	0.00
	0.00
	0.00
	0.00
Garbage Charge:	0.00
Water Charge:	10.00
New Balance:	10.00

RORAR Randy Robinson
Rental House
1596 S 400 W
Oakley, ID 83346
2 shares-Rental
Readings: 2412400 2422800
Gallons Used: 10400

Balance Forward:	-20.00
	0.00
	0.00
	0.00
Garbage Charge:	0.00
Water Charge:	10.00
New Balance:	-10.00

SMIKE Kevin Smith
1596 S Highway 27
Oakley, ID 833464 shares
Readings: 1464600 1532100
Gallons Used: 67500

Balance Forward:	130.96
PAYMENT #4029-THANKS	-40.82
	0.00
	0.00
Garbage Charge:	0.00
Water Charge:	36.50
New Balance:	126.64

STACS JERRY (Clem) STANGER
P.O. BOX 156
OAKLEY, ID 833464 Shares
Readings: 2523700 2632600
Gallons Used: 108900

Balance Forward:	58.10
PAYMENT #5955-THANKS	-58.10
	0.00
	0.00
Garbage Charge:	0.00
Water Charge:	61.34
New Balance:	61.34

STAJC Jerry(Clem) Stanger
P.O. BOX 156
Oakley, ID 833464 Shares
Readings: 2706400 2789100
Gallons Used: 82700

Balance Forward:	53.90
PAYMENT #5955-THANKS	-53.90
	0.00
	0.00
Garbage Charge:	0.00
Water Charge:	45.62
New Balance:	45.62

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WASRO Robert Washburn 1849 S 400 W Oakley, ID 83346	4 shares Readings: 2549200 2606800 Gallons Used: 57600	Balance Forward: 209.22 0.00 0.00 0.00 Garbage Charge: 0.00 Water Charge: 30.56 New Balance: 239.78
WEEBR Brent Weedop 1824 S Highway 27 Oakley, ID 83346	2 shares Readings: 829600 859000 Gallons Used: 29400	Balance Forward: 132.36 PAYMENT - THANK YOU! -20.00 0.00 0.00 Garbage Charge: 0.00 Water Charge: 15.64 New Balance: 128.00
WELBE Bill Wells 272 W 1975 S Basin Road Oakley, ID 83346	2 shares - East of Chris Readings: 490500 491600 Gallons Used: 1100	Balance Forward: 10.00 PAYMENT #774-THANKS! -10.00 0.00 0.00 Garbage Charge: 0.00 Water Charge: 10.00 New Balance: 10.00
WELBI Bill Wells 272 W 1975 S (Basin Road) Oakley, ID 83346	2 shares Readings: 337900 455400 Gallons Used: 117500	Balance Forward: 60.40 CREDIT FROM NON-USE -5.40 CREDIT FROM NON-USE -10.80 PAYMENT #774-THANKS! -60.40 Garbage Charge: 0.00 Water Charge: 68.50 New Balance: 52.30
WELBP Bill Wells 272 W 1975 S Basin Road Oakley, ID 83346	2 shares - Pasture Readings: 2195800 2206400 Gallons Used: 10600	Balance Forward: 10.00 PAYMENT #774-THANKS! -10.00 0.00 0.00 Garbage Charge: 0.00 Water Charge: 10.00 New Balance: 10.00
WOOEL Bish's Boys 1550 S Highway 27 Oakley, ID 83346	2 shares Readings: 540900 557300 Gallons Used: 16400	Balance Forward: 19.36 PAYMENT #13040-THANK -19.36 0.00 0.00 Garbage Charge: 0.00 Water Charge: 10.00 New Balance: 10.00

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WOOER Erik Woodhouse
1420 S 600 W
Oakley, ID 833462 shares
Readings: 100 100
Gallons Used: 0Balance Forward: 10.00
PAYMENT #333-THANKS! -60.00
0.00
0.00
Garbage Charge: 0.00
Water Charge: 10.00
New Balance: -40.00WOOPA Paul Woodhouse
1550 S Highway 27
Oakley, ID 833462 shares
Readings: 1756200 1770800
Gallons Used: 14600Balance Forward: 10.00
PAYMENT #13040-THANK -10.00
0.00
0.00
Garbage Charge: 0.00
Water Charge: 10.00
New Balance: 10.00

Gallons Used: 2,803,200

Balance Forward: 3,162.48
"PMT" Payment Entries: 0.00
Other Credit Entries: -1,879.48
Charge Entries: 20.00
Garbage Charges: 0.00
Water Charges: 1,936.50
New Balance: 3,239.50MICROFILMED
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OCT 12 2000

**Department of Water Resources
Southern Region**

PART 1

PURPOSE OF TRANSFER

- ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Split right

Describe the reason for the proposed changes N. Oakley Water Co. would like to transfer 0.67 cfs
from their spring source No. 145-00091 to a new well source. The spring source
was designated as surface water impacted by IDHWDEQ and is not useable.

DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
45-00091	04/25/1902	0.33 0.67	Domestic/Stock	Jan. 1 to Dec. 31
				to
				to
				to
				to

Total amount of water being transferred/ 0.67 cubic feet per second and/or 64.5 acre-feet per annum.

Source of water Groundwater tributary to _____

Point(s) of Diversion:

[illegible]

Lands irrigated or place of use: See Attached P.O.U. Listing

[illegible]

PART 1

i. General Information:

a. Description of diversion system Well water pumped to a reservior and then piped to
users along County Roads. Existing abandoned well will be put back into service.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
The land now supplied will be serviced from a new well which is the same
point of diversion where the 0.67 cfs is being transferred.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. Page 946, Book 3 Decreed to North Oakley Water Company
in case of Jacob Dayley vs. Heber Dayley
dated Oct. 10, 1903 in District Court county of Cassia
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice☐ Warranty Deed☒ Other Owner's Permission3. Source of water Springs tributary to _____4. Date or priority Oct. 10, 1903

5. Water is used for the following purpose:

amount 1.00 for Domestic purposes from Jan. 1 to Dec. 31
(cfs/ac-ft)
amount 1.00 for Stockwater purposes from Jan. 1 to Dec. 31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.00 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	2	14S	22E	Cassia	Cold Springs

8. Lands irrigated or place of use: See Attached P.O.U. Listing

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals.
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

9. Describe any other water rights used for the same purpose as described above

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.67 cfs for Domestic purposes from Jan. 1 to Dec. 31
 (cfs/ac-ft)
 amount 0.67 cfs for stockwater purposes from Jan. 1 to Dec. 31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW	SE	10	13S	22E	Cassia	

3. Lands irrigated or place of use: See Attached P.O.U.

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.33 cfs for domestic purposes from Jan. 1 to Dec. 31
 (cfs/ac-ft)
 amount 0.33 cfs for Stock purposes from Jan. 1 to Dec. 31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	2	14S	22E	Cassia	Cold Springs

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
22E	14S	11					SD												
22E	13S	3							SD										
22E	13S	35											SD	SD					

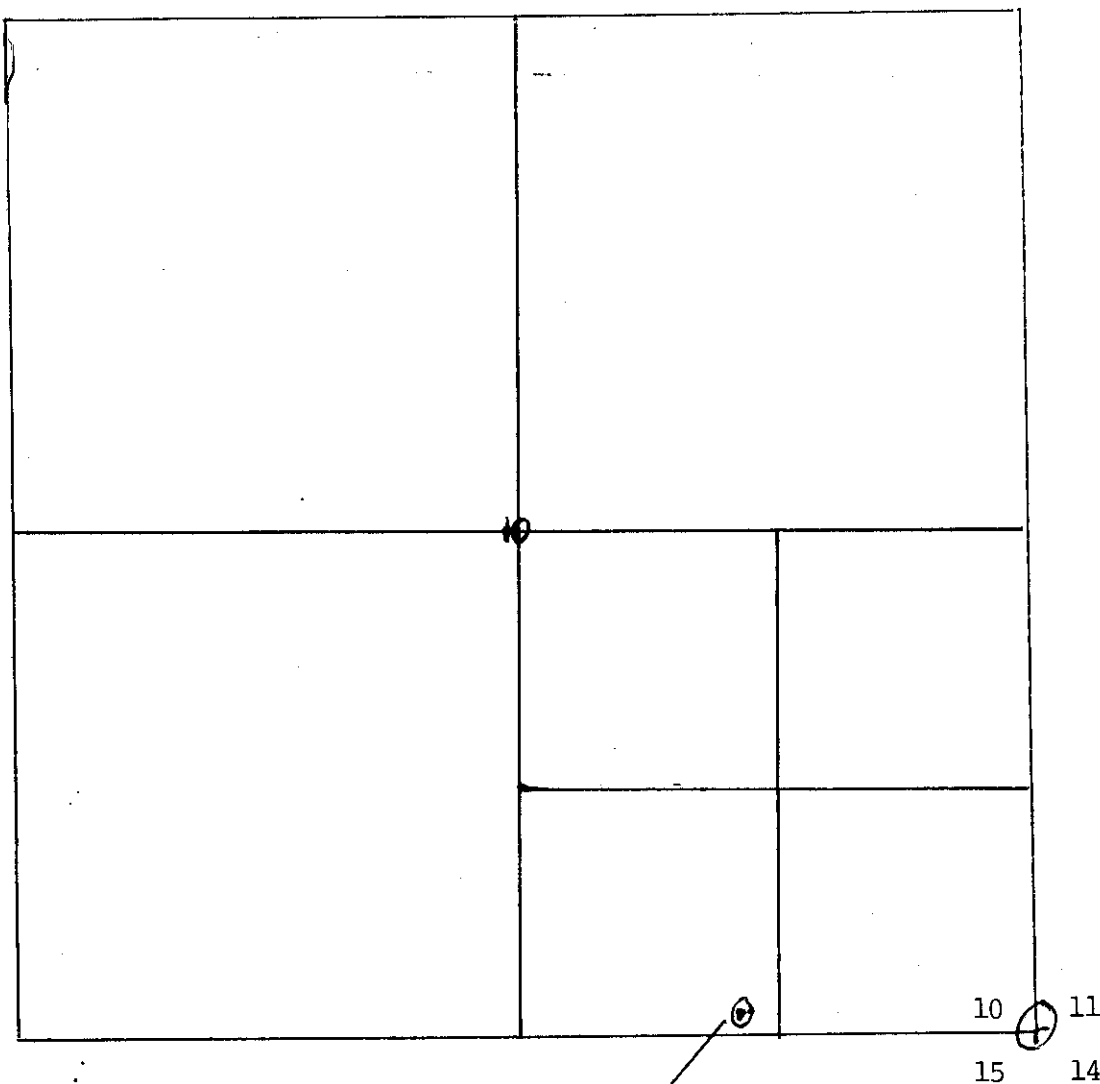
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

SECTION 10 T 13 S., R 22 E., BM

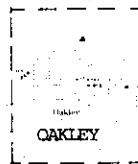
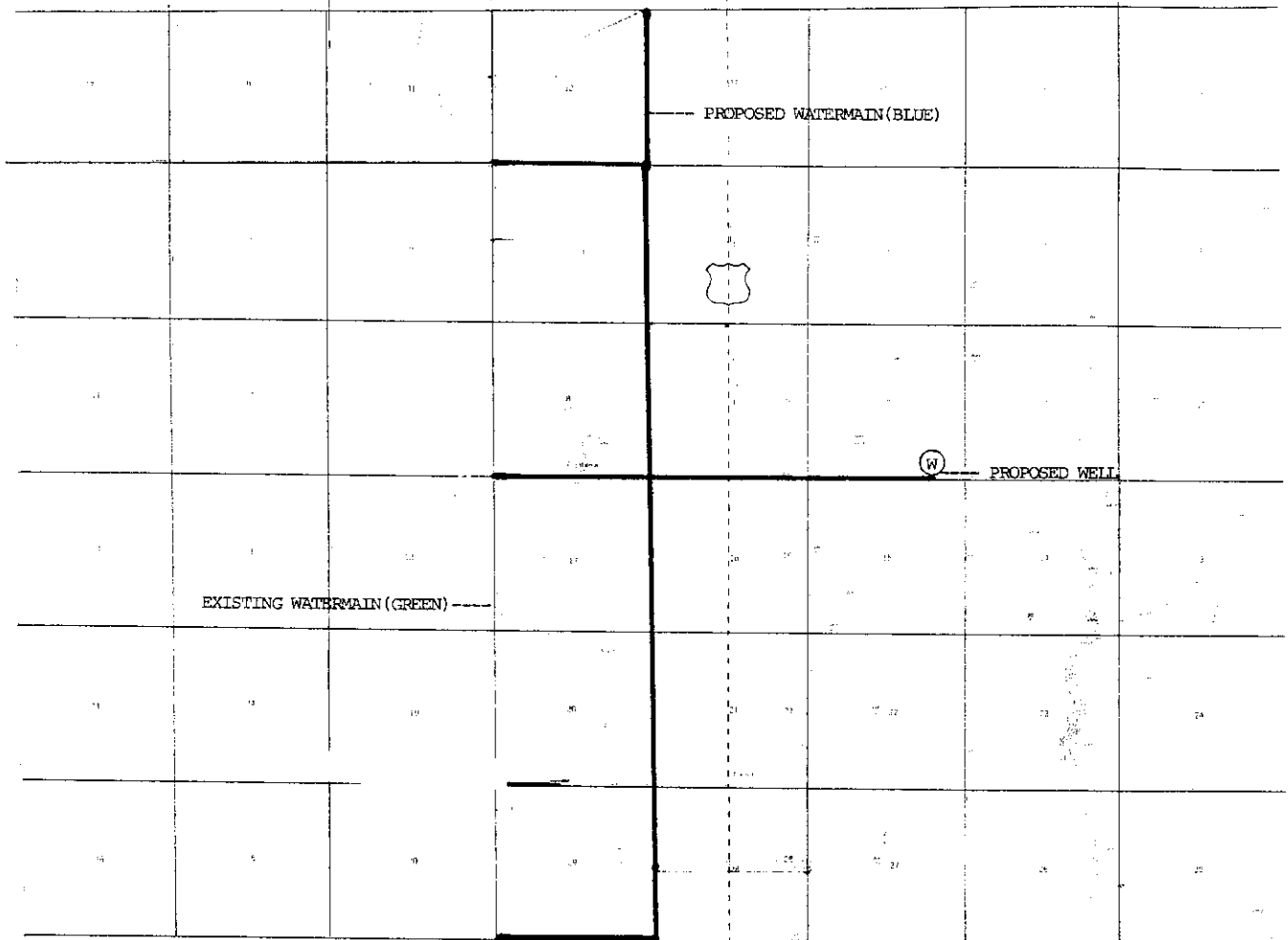


NEW
POINT OF DIVERSION

SE⁴ SW⁴ SE⁴ SECTION 10
T 13 S., R 22 E.

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0 1 MILE
SCALE

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OAKLEY WATERMAIN PROJECT

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PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	No Change			_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:

N/A

3. Describe effects on other water uses resulting from the proposed change:

New well water source meets IDHWDEQ requirements for delivery to public.

Old source, Cold Springs, was determined to be surface water impacted and

NOT fit for human consumption.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 20th day of Sept, 2000.

R. J. K. President
(Signature of Applicant)

My commission expires Dec. '2000

Linda J. Hoxsey
(Notary Public)

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by J. E. Stanton Date 10-12-00 Protest filed by _____Prelim. check by _____ Fee \$250. 5023437Receipted by JS Date 10-12-00

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

MICROFILMED

SEP 3 7 2001

Land Description

A parcel of land located in SE¼ of Section 10, Township 13 South, Range 22 East, Boise Meridian, Cassia County, Idaho; being more particularly described as follows:

Commencing at the South quarter corner of said section 10. Said point lies North 89°05'15" West, 2648.56 feet from the Southeast Corner of said Section 10. Thence South 89°05'15" East, 1070.53 feet along the Southerly boundary of SE¼, Section 10 to THE REAL POINT OF BEGINNING.

Thence North 32°44'14" West, 92.18 feet to a point on the Southerly line of a County roadway easement.

Thence North 54°36'45" East, 120.83 feet along said County roadway easement.

Thence South 32°44'14" East, 178.12 feet to a point on the Southerly boundary of said SE¼, Section 10.

Thence North 89°05'15" West, 145.00 feet along the Southerly boundary of said SE¼, Section 10 to THE REAL POINT OF BEGINNING.

The above described parcel contains Approximately 16,313 Sq. Ft., 0.37 Acres

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SEP 07 2001

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TO: Lynn Buck

TOTAL PAGES SENT: 10

(including cover sheet)

DOCUMENT DESCRIPTION: _____

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IDAHO DEPARTMENT OF WATER RESOURCES

1341 FILLMORE ST, STE 200

TWIN FALLS ID 83301-3380

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FAX: 736-3037

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SEP 07 2001

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FAX : 2087363037
TEL : 2087363033

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

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00:03:27
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STANDARD
ECM

MICROFILMED

SEP 07 2001

TRANSMISSION VERIFICATION REPORT

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TEL : 2087363033

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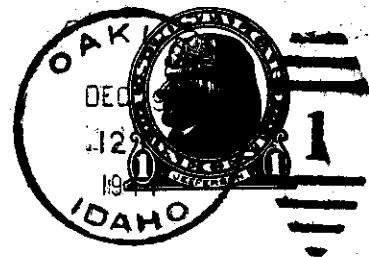
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SEP 07 2001

RECEIVED
DEC 11 1944
Department of Reclamation

THIS SIDE OF CARDS FOR ADDRESS



State Reclamation Engineer
Mark R. Kulp
State House
Boise, Idaho

MICROFILMED
SEP 07 2001

17
THE OAKLEY HERALD

CHARLES BROWN, OWNER

BROWN'S MAGAZINE AGENCY

OAKLEY, IDAHO

12-7-44

Notice by Lewis R. Britchfield
of Proposed Transfer of Water
Right is being published in
issues dated Dec. 7 and 14,

MICROFILMED

1944. A copy of paper will
be mailed to you.

SEP 07 2004

Charles Brown.

**NOTICE OF PROPOSED
TRANSFER OF WATER RIGHTS**

Notice is hereby given that Lewis R. Critchfield of Oakley, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to transfer the use of All of the water of Cold Springs, a tributary to Birch Creek, from the land upon which it is now used, i. e. E $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ & SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 14, Twp. 14 S., Range 22 E., B.M. to the following described tract: To all the lands served by the North Oakley Water Company, through their pipe line.

And that, on the 17th day of December, 1944, at 10:00 o'clock A.M., at Room 107 State House, Boise, Idaho, before the State Reclamation Engineer or his authorized agent, the opportunity will be given to any and all persons to appear and present for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

MARK R. KULP

State Reclamation Engineer
First publication December 7, 1944,
Second publication December 14, 1944

I, Charles Brown, being first duly sworn on oath, say:

That I am the publisher and printer of THE OAKLEY HERALD, which is a newspaper of general circulation in Cassia County, Idaho, and which has been continuously and uninterruptedly published at said place during a period of more than 78 consecutive weeks prior to the final publication of the notice

herein mentioned; that a notice

of which the attached clipping is a copy, was published in the regular issue of said newspaper for 2 consecutive weeks, to-wit, on Dec. 7 and 14,

19 44.

Charles Brown.

Subscribed and sworn to before me this 22

day of, December, 1944

**NOTICE OF PROPOSED
TRANSFER OF WATER RIGHT**

Notice is hereby given that Lewis R. Critchfield of Oakley, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to transfer the use of All of the water of Cold Springs, a tributary to Birch Creek, from the land upon which it is now used, i. e. E $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ & SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 14, Twp. 14 S., Range 22 E., B.M. to the following described tract: To all the lands served by the North Oakley Water Company, through their pipe line.

And that, on the 27th day of December, 1944, at 10:00 o'clock A.M., at Room 107 State House, Boise, Idaho, before the State Reclamation Engineer or his authorized agent, the opportunity will be given to any and all persons to appear and present for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

MARK R. KULP

State Reclamation Engineer
First publication December 7, 1944,
Second publication December 14, 1944

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herein mentioned; that a notice

of which the attached clipping is a copy, was published in the regular issue of said newspaper for _____ consecutive weeks, to-wit, on

Dec. 7 and 14,

19 44

Subscribed and sworn to before me this 22

day of, December

1944

January 20, 1945

Mr. Henry Callahan, Watermaster
Water District No. 10-B, Birch Creek,
Oakley, Idaho

Dear Mr. Callahan:

We enclose herewith copy of Transferred Water
Right No. 672, on the waters of Cold Springs,
tributary to Birch Creek.

If for any reason you should not be the Water-
master for 1945, please see that this instrument
is passed on to your successor.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

T:A
Encl.

Charles C. Gossett

January 20, 1945

Mr. Lewis R. Critchfield, President,
North Oakley Water Co.
Oakley, Idaho

Dear Mr. Critchfield:

We enclose herewith Certificate of Transferred
Water Right, No. 672, issued upon your application
to transfer the waters of Cold Springs, tributary
to Birch Creek.

We also enclose Departmental Receipt #18755, for
the \$1.00 fee for recording this transfer.

A copy of Certificate of Transfer is being sent to
the Watermaster of Water District No. 10-B.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy A. Thompson
Supervisor of Water Distribution

A
Encl.

Charles C. Gossett

January 10, 1945

Mr. Lewis R. Critchfield
Oakley, Idaho

Dear Mr. Critchfield:

There were no protests filed to your application for transfer, on the date set for hearing, December 27, 1944.

Therefore, upon receipt from you of the affidavit of publication, which the Oakley Herald was instructed to send you- and the statutory fee of \$1.00 for recording, a certificate of transfer will be issued.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

A

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Date . . December 4, 1944

The Oakley Herald

Oakley, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for two consecutive weeks prior to Dec. 27, 1944, the date set ^{hearing} for ~~proof~~, the expense of the publication to be paid by the applicant,

Lewis R. Critchfield, Oakley, Idaho

to whom you should furnish proof of publication on or prior to the date for proof. Please publish December 14th & 21st.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

Commissioner of Reclamation

Notice of Proposed Transfer of Water Right

Notice is hereby given that Lewis R. Critchfield of Oakley
Idaho, State Reclamation Engineer, has applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing him to transfer the use of All
Cold Springs, a tributary to Birch Creek
 of the water of

from the land upon which it is now used, i. e. E $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{2}$ SE $\frac{1}{4}$ & SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 14, Twp.
14 S., Range 22 E., B.M.

to the following described tract: To all the lands served by the North Oakley Water
Company, through their pipe line.

And that, on the 27th day of December, 1944, at 10:00 o'clock A.M., A. D.
192, Room 107 State House, Boise, Idaho
State Reclamation Engineer
 before the Commissioner of Reclamation, or his authorized agent, the opportunity will be given to any
 and all persons to appear and present for his consideration any reason or reasons why a certificate
 should not be issued authorizing such transfer.

MARK R. KULP

Commissioner of Reclamation.
State Reclamation Engineer

Notice of Proposed Transfer of Water Right

Notice is hereby given that Lewis R. Litchfield of Oakley
~~Adrian~~, has applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing him to transfer the use of

All of the water of Cold Spring, a tributary
to Birch Creek.

from the land upon which it is now used, i. e. E 1/2 S E 1/4, NW 1/4 E 1/4,

& SW 1/4 Sec. 14, Twp. 14. S. R. 22. E. 13. m.

to the following described tract To all lands served by

the North Oakley Water Company
through their pipeline.

And that, on the 24th day of June, A. D.
 1922, at Boise, Id.

before the Commissioner of Reclamation, or his authorized agent, the opportunity will be given to any and all persons to appear and present for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

 Commissioner of Reclamation.

Handwritten signature/initials in the bottom left corner.

Vertical stamp: MICROFILMED

Calph. W. Thomas.

Post. Civil Eng.

Farm Security ~~Adm.~~ Adm.

Pocatello Idaho.

COUNTY OF CASSIA

STATE OF IDAHO

BURLEY

IVIN HOGGAN

CLERK OF THE DISTRICT COURT
EX-OFFICIO AUDITOR AND RECORDER
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS

November 24, 1944.

To Whom it May Concern:

I, Ivin Hoggan, Clerk of the District Court, Ex-Officio Auditor & Recorder of Cassia County, State of Idaho, hereby certify and declare: Blanche Bates and Emery Bates, her husband, sold to North Oakley Water Company, a corporation having its principal place of business at Oakley, Idaho, the following described real estate, to-wit:

E $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, Tp. 14 South, Range 22, EBM., together with ten (10) inches of water in Cold Springs in Birch Creek,

as shown by Warranty Deed dated June 15, 1944, filed for record in the office of the County Recorder of Cassia County, Idaho on Oct. 4, 1944, and recorded in Liber 49, Deeds, Page 135, Entry No. 149349.

IVIN HOGGAN,
Clerk of the District Court,
Ex-Officio Auditor & Recorder,
Cassia County, Idaho.

By J. G. McClafflin Deputy.

19212

RECEIVED

NOV 27 1944

Department of Reclamation

Application For Transfer of Water Right

STATE OF IDAHO

County of Cassia

ss.

Lewis R. Critchfield, President for

North Oakley Water Company, Oakley, Idaho, being first duly sworn, deposes and says:

That his name is Lewis R. Critchfield; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Oakley, Idaho

That he is the ~~owner~~ ^{representative of the} and using a certain water right, bearing date of priority of October 10, 1903, for all ~~cubic feet per second~~ of the waters of Cold Springs

County of Cassia, State of Idaho, decreed to T. E. Westby decree of Judge, Lytleton Price of the 4 Judicial District of the State ofIdaho, in and for the County of Cassia, in the case of Jacob Dayley, et alvs. Heber C. Dayley, et al, said decree bearing date of October 10, 1903

(or obtained by virtue of License No. _____, issued by the State Engineer of the State of Idaho,

dated _____, 19____, bearing date of _____, 19____.)

for the purpose of irrigating the following described lands situate, lying and being in Water District

Burgess Creek water district
No. 10-B in the County of Cassia and State of Idaho, to-wit: SE 1/4, NW 1/4, SW 1/4SW 1/4 Section 14, Township 14 South, Range 22 East Boise Meridian

_____ and is the ~~person~~ ^{(or} representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i. e. purchase of land

as per abstract of title of said water right hereto attached and made a part of this statement:

That said waters are now diverted from said stream in the NE 1/4, NW 1/4 ofSection 23, Township 14 S, Range 22 E, B. M., and con-ducted to the above described lands through The West ditch

as per map herewith and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of all ~~cubic feet per second~~

of said water upon the above described land, and to convey and use same upon the following tract,

situate, lying and being in the County of Cassia and State of Idaho, to-wit:on land adjacent to the pipe line north from the reservoir as shown on themap herewith.

That his reasons for desiring to make such transfer are as follows: Need for domestic and stock water.

That he intends to divert and convey said all ~~second feet~~ of water to the tract of land last above described in the following manner, to-wit: through pipe lines

as set forth upon the map herewith; and that no one will be injured by such transfer.

WHEREFORE, Affiant and Petitioner prays that the Commissioner of Reclamation of the State of Idaho issue to him the proper certificate authorizing such transfer, in accordance with the provisions of Section 5582 of the Idaho Compiled Statutes.

NORTH OAKLEY WATER COMPANY
BY Lewis R. Britchfield PRESIDENT
Applicant.

Subscribed and sworn to before me this 24 day of Nov.
A. D. 1944 Earl Luley Secretary Public
Comm Ex 4/12/48 Sherry Cecilia Co. Idaho
APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? Cold Springs, tributary of Birch Creek

Where is the diversion point located? NE 1/4 NE 1/4 Section 23, Township 14 S., R. 22 EBM.

Through what ditch is it now conducted? West ditch

How much land is now irrigated by the water sought to be transferred? 10 acres

Give the description: Part of E 1/4 SE 1/4, NW 1/4 SE 1/4, Section 14, Twp. 14 S., R. 22 EBM

What is the total amount of water in inches, or second feet, dedicated to said land? All of spring

What kind of crops are being raised? garden and orchard

How much water per acre is now required to irrigate said land? one inch

What will be the effect on the land now irrigated, if the use of water on it is discontinued? garden
will be discontinued. Orchard will subirrigate.

Give location of new point of diversion, if change is to be made NW 1/4 NE 1/4 Section 24

Through what ditch will it be conducted after transfer? North Oakley Water Company Pipeline

How much water will be required per acre to irrigate the land to which this water is transferred?
Mostly domestic and stock water.

Do you claim any other water right for the land from which you seek to abandon the use of this water?

If so, give amount, date and source. None

Is there now any other water right for the land to which you seek to make this transfer? If so, give amount, date and source. None for domestic and stock water.

Signed North Oakley Water Co.
Lewis R. Britchfield Pres. Applicant.

STATE OF IDAHO.

County of Cassia } ss.

G W Layton and H C Matthews

being first duly sworn, each for himself, and not one for the other, deposes and says: That he is a citizen of the United States and of the State of Idaho, residing at Oakley Idaho, that he is user of water from Burch Creek, in Water District No. 10-18 County of Cassia State of Idaho; that he has read or heard read the foregoing affidavit and petition of North Oakley Water Co and is familiar with its allegations and with the water right and lands therein mentioned and described and is not in any way interested in either, nor in any way related to said petitioner; that the statements and allegations therein made are true of his own knowledge; and that no one will be injured by the granting of the certificate authorizing the transfer therein petitioned.

G W Layton
H C Matthews

Subscribed and sworn to before me this 24 day of Nov

A. D. 19 44.

Earle Whiteley
Nat'l Pub'g
Oakley Idaho

com. Ex
4/17/1948

STATE OF IDAHO.

County of Cassia } ss.

I, Henry Cellahean, Watermaster of Burch Creek 10-18 Water District No. 10-18, County of Cassia, State of Idaho, whose postoffice address is Oakley Idaho, have read or heard read the foregoing affidavit and petition of North Oakley Water Co, and, of my own knowledge, believe the same to be true as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized; and I hereby endorse my approval of said petition, and request that the Commissioner of Reclamation issue the certificate of transfer as petitioned; or (do not approve of the issuance of the certificate of transfer prayed for) for the following reasons: _____

Henry Cellahean

Watermaster Dist. No. 10-18

Dated at Nov. 24, Idaho, this _____ day of _____, 1944

Signed this day 11/24/44 before me.
Earle Whiteley, a Nat'l Pub'g.

com. Ex 4/17/1948

Earle Whiteley
Oakley Cassia Co
Idaho

Name of Applicant *North Oakley Water Company*

Range 22 East

Note:- Proposed use of water to be on land adjacent to pipe line from Reservoir North

Twp 13 South
Twp 14 South

Reservoir

North Oakley Water Company
Pipe Line

Note:- Present use on part of
E $\frac{1}{2}$ SE $\frac{1}{4}$ - NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14 T14S R22E

Bird Creek
Present Diversion Point
Cold Springs
Proposed Diversion Point

Scale: 2 Inches—1 Mile. Draw Map in Ink.

**Hydrogeologic Report
For
North Oakley Water System
Water Right Transfer #68966**

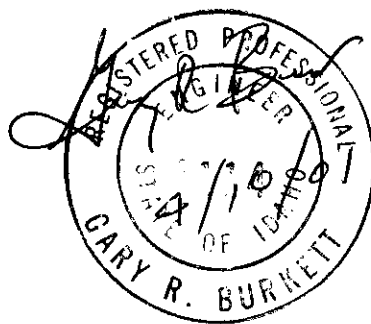
EHM Engineers, Inc.
ENGINEERS/SURVEYORS/PLANNERS

MICROFILMED

SEP 3 / 2009

*Entire
Book!*

**Hydrogeologic Report
For
North Oakley Water System
Water Right Transfer #68966**



April, 2001

**Prepared by EHM Engineers, Inc.
621 N. College Rd. Ste 100
Twin Falls, ID 83301
208-736-7608**

MICROFILMED

APR 10 2001

1) Project Description

The North Oakley Water Company has proposed a water right transfer for rights currently held in Cold Springs, Section 14, Township 14 South, Range 22 East, Boise Meridian (Figure 1) to a proposed well in Section 10, Township 13 South, Range 22 East, Boise Meridian. The water right transfer application has been submitted to the Idaho Department of Water Resources (IDWR). Part of the Application proposal is to recharge water from the flow from Cold Springs at a point in Section 14, Township 14 South, Range 22 East to provide aquifer recharge for the transferred water right (0.5cfs).

Purpose

The purpose of this report is to evaluate the area geologic conditions to determine if the described recharge in Section 14 will deliver water to the aquifer serving the proposed well location in the referenced Section 10.

Methods

Methods presented in this report for determining whether the recharge project and proposed well are in the same aquifer unit include the following analysis:

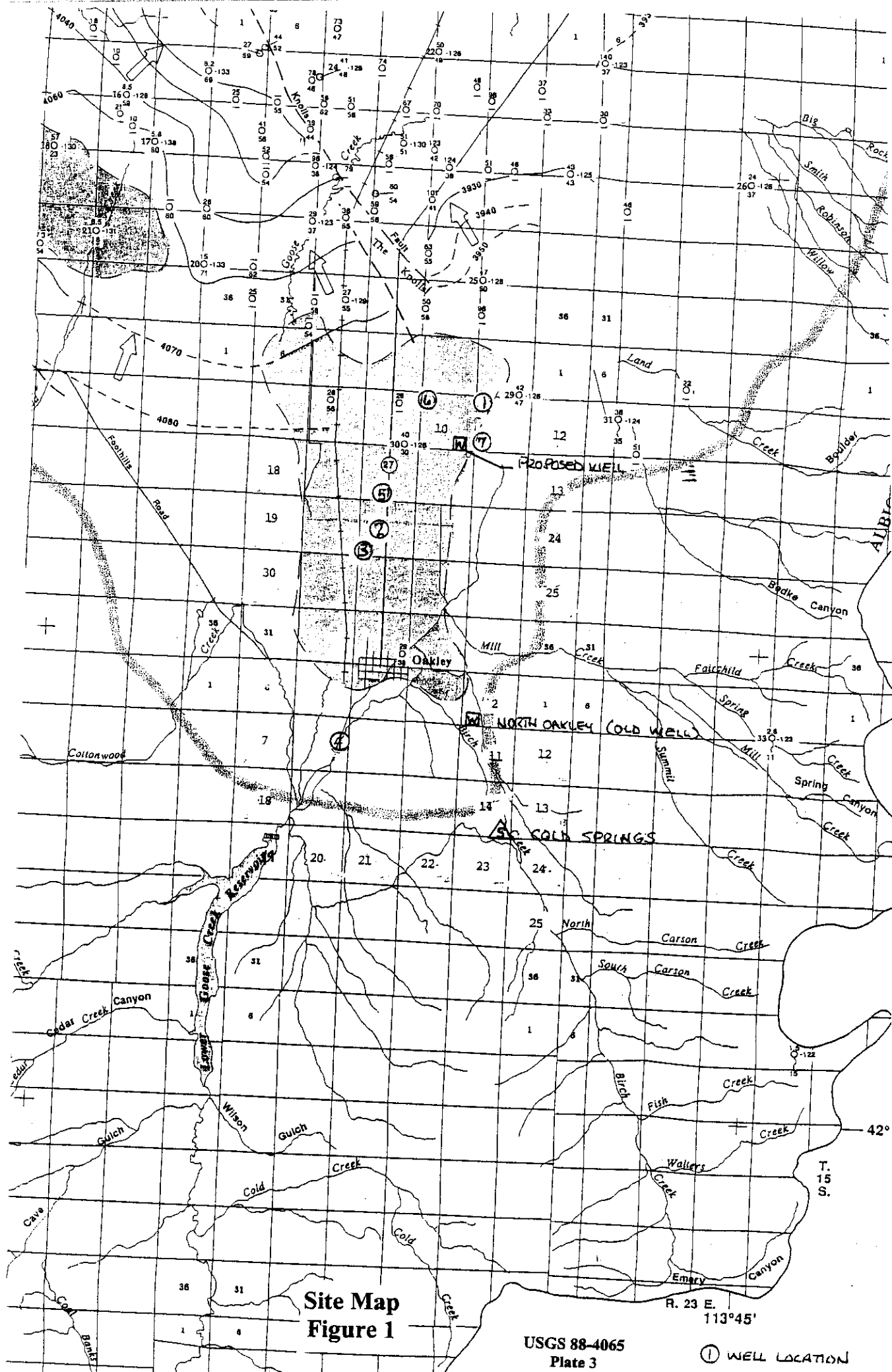
- 1) Review of Existing Reports
- 2) Water Quality Similarities Analysis
- 3) Geology Review
- 4) Potentiometric Surface Analysis

1) Review of Existing Reports

The following reports were reviewed:

- 1) USGS Report 84-4231 H.W. Young 1984
- 2) WRIR 84-4140 Edwards & Young 1984
- 3) IDWR Open File Report Summary of Groundwater Conditions in the Oakley Fan Area Bendixsen 1994
- 4) USGS Report 88-4065 Hydrology of the Oakley Fan Area Young & Newton 1989

IDWR Open- File Report



Site Map
Figure 1

USGS 88-4065
Plate 3

① WELL LOCATION

IDWR Open- File Report

"Summary of Ground Water Conditions in the Oakley Fan Area" Bendixsen 1994

The Oakley Fan was divided into 4 Aquifer Management Areas. The Oakley – Kenyon unit encompassed the area including the Birch Creek Springs and proposed well location. The spring water recharge point is located in the same aquifer management unit as the proposed well. The document considers the aquifer as being in one distinct management unit.

Item #2 Water Quality

The North Oakley Well Section 2, Township 14 South, Range 22 East is the closest groundwater monitoring point to the proposed Cold Springs Recharge Point Section 14, Township 14 South, Range 22 East.

Water Quality samples taken from this Well site are shown in Appendix A. These TDS levels indicate a value of 292 ppm. This conforms with area values of 310 to 330 ppm presented in USGS Report 88-4065 plate 4. Similar TDS values suggest similar water sources.

Item #3 Geology

No well log was found for the existing North Oakley well Section 2, Township 14 South, Range 2 East. The well log for the proposed well Section 10, Township 13 South, Range 22 East, is provided in this report (appendix B). According to U.S. Geological study report "Hydrology of the Oakley Fan Area, South Central Idaho" (Report 88-4065, 1989), Figure 10, the Birch Creek Area where recharge is proposed and the proposed new well location are in the same Alluvium Aquifer. Plate 2 of USGS Report 88-4065 shows both the Birch Creek Springs and proposed well site in Qal, Quarternary Alluvium, unconsolidated deposits of clay, silt, sand and gravels including windblown and alluvial fan deposits. The proposed injection point and new well are in the same geologic formation.

Item # 4 Potentiometric Surface

Figures 9 and 17 of USGS Report 88-4065 shown a connected potentiometric surface between the proposed injection point and the proposed new well location.

Layer 1 represents the "shallow" ground-water system where recharge and ground-water pumping are most active. Water is present under both confined and unconfined conditions; in both instances, head generally decreases with depth because of recharge from irrigation. The shallow aquifer system gains water from or loses water to the Snake River, depending on where the river intersects the water table.

the surrounding mountains. Groundwater is discharged by pumping and as subsurface outflow to the Snake River Plain.

Figures 10, 11, 12 and 13 show the connection characteristics between layers 1 and 2. These figures illustrate that the shallow and deep aquifers are hydraulically connected.

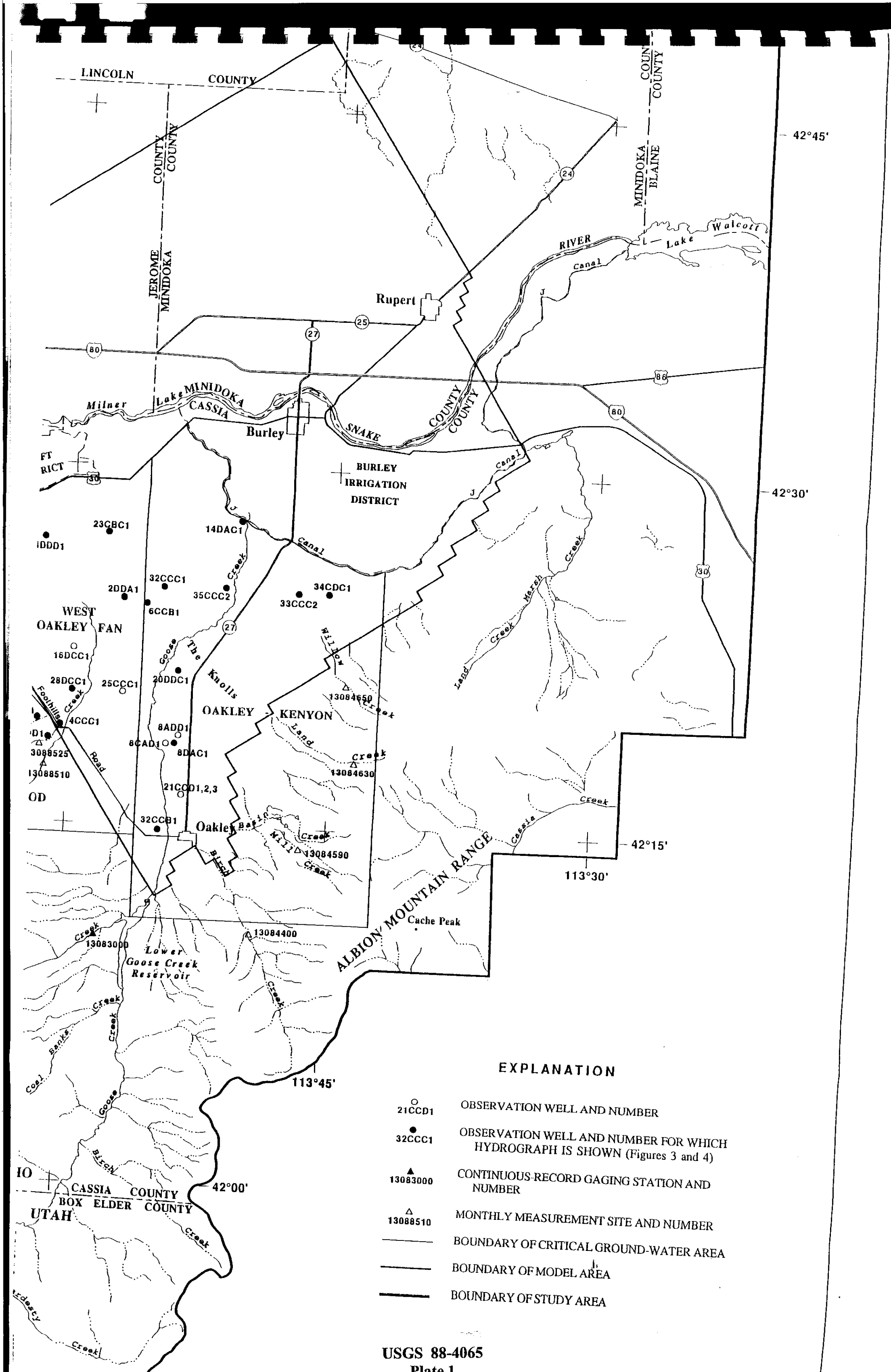
Observations

- 1) The IDWR considers both the recharge site and new well site in the same aquifer management unit.
- 2) The water quality between the two sites is similar suggesting one aquifer.
- 3) The geologic formations between the recharge site and new well are consistent and congruous.
- 4) The aquifer potentiometric surface between the recharge site and the proposed well site is representative of one continuous aquifer.

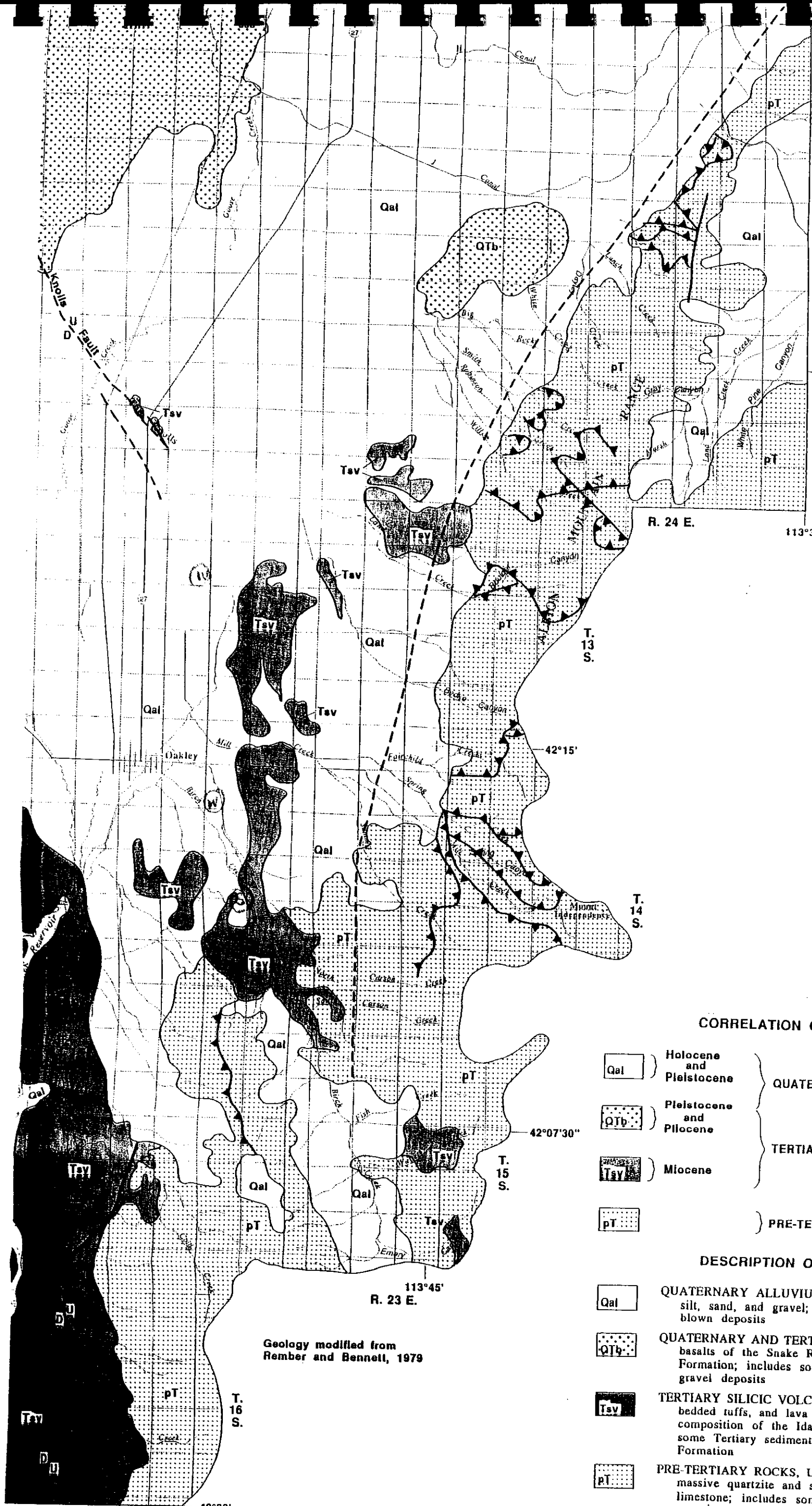
Conclusion

The recharge site is in the same aquifer as the proposed well.

Aquifer Boundaries
USGS Report 4065
Plate 1



Area Geology
USGS Report 88-4065
Plate 2



Geology modified from
Rember and Bennell, 1979

CORRELATION OF MAP UNITS

Qal	Holocene and Pleistocene	QUATERNARY
QTb	Pleistocene and Pliocene	
Tsv	Miocene	TERTIARY
pT		
		PRE-TERTIARY

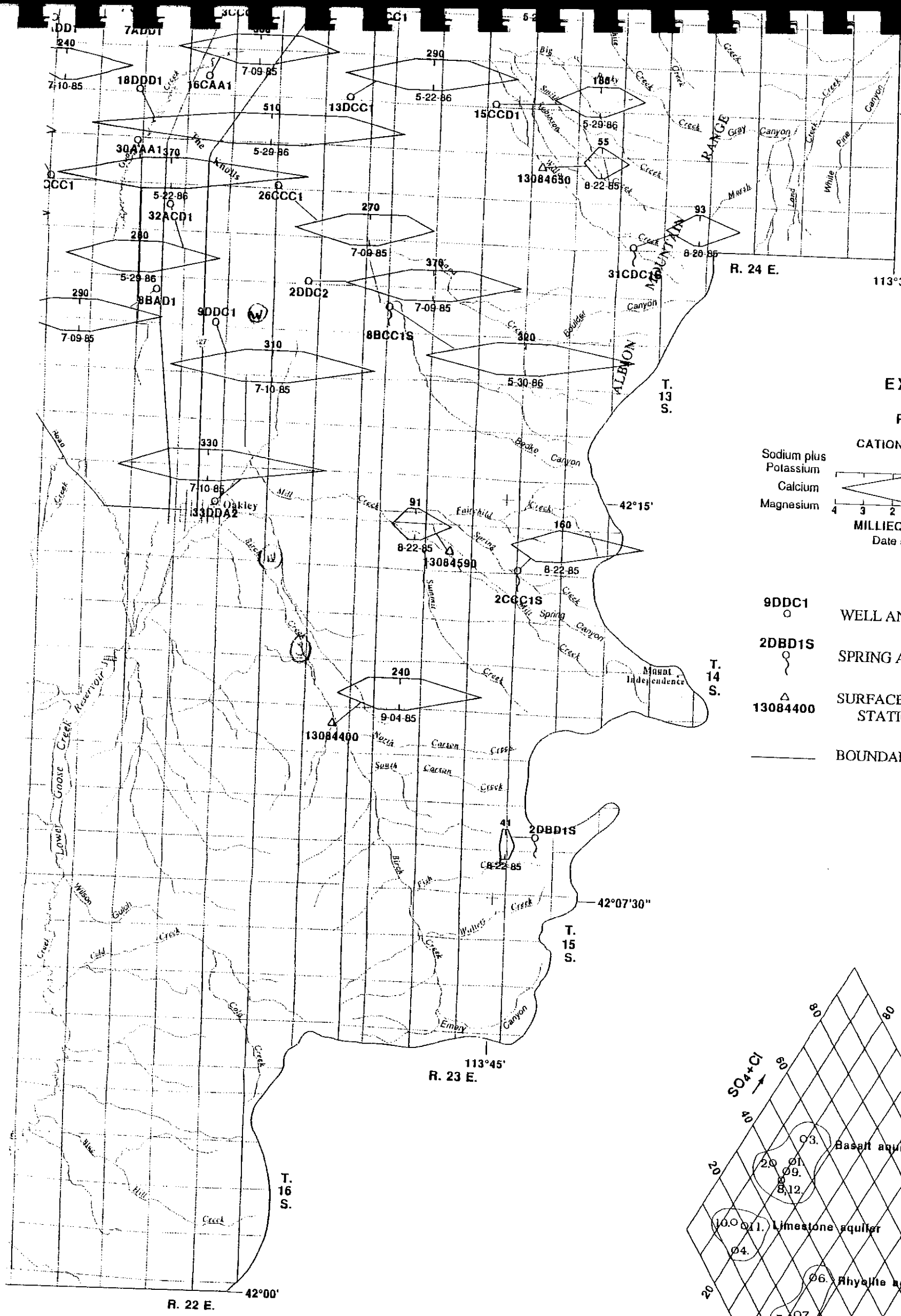
DESCRIPTION OF MAP UNITS

Qal	QUATERNARY ALLUVIUM--Unconsolidated deposits of clay, silt, sand, and gravel; includes alluvial fan and wind-blown deposits
QTb	QUATERNARY AND TERTIARY BASALTS--Chiefly olivine basalts of the Snake River Group and Glens Ferry Formation; includes some interbedded silt, sand, and gravel deposits
Tsv	TERTIARY SILICIC VOLCANICS--Chiefly welded ash flows, bedded tuffs, and lava flows of rhyolite and latitic composition of the Idavada Volcanics; may include some Tertiary sedimentary rocks of the Salt Lake Formation
pT	PRE-TERTIARY ROCKS, UNDIFFERENTIATED--Predominantly massive quartzite and schist and marine deposits of limestone; includes some marble, sandstone, and shale

GEOLOGIC CONTACT

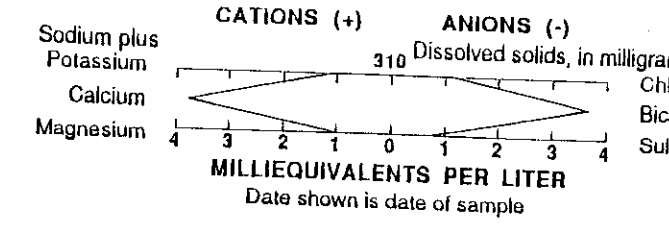
U	FAULT--Dashed where inferred; U, upthrown side; D, downthrown side
▲	THRUST FAULT--Dashed where inferred; teeth on upper plate
---	BOUNDARY OF STUDY AREA

Groundwater Dissolved Solids
USGS Report 88-4065
Plate 4

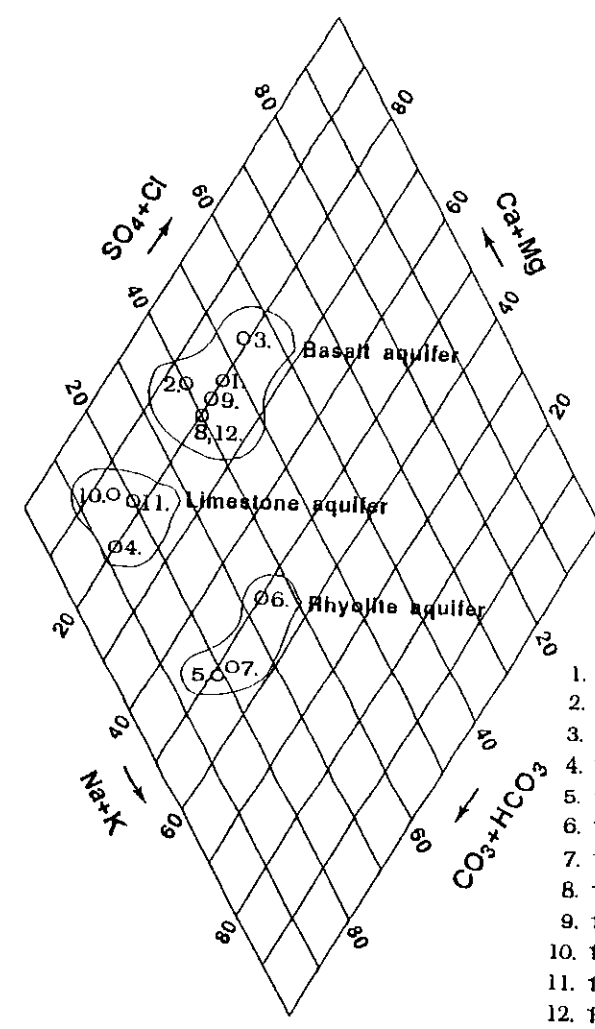


EXPLANATION

Pattern Diagram



- 9DDC1
WELL AND NUMBER
- 2DBD1S
SPRING AND NUMBER
- 13084400
SURFACE-WATER GAGING STATION AND NUMBER
- BOUNDARY OF STUDY AREA



- 11S-21E-9DDDD1
- 11S-22E-14DAC1
- 11S-23E-26CDC1
- 12S-20E-3CDD1
- 12S-21E-11ADD1
- 12S-21E-14CCB1
- 12S-22E-6BBB1
- 12S-22E-16CAA1
- 12S-22E-26CCC1
- 13S-21E-5CBC1
- 13S-21E-8BAD1
- 13S-22E-2DDC2

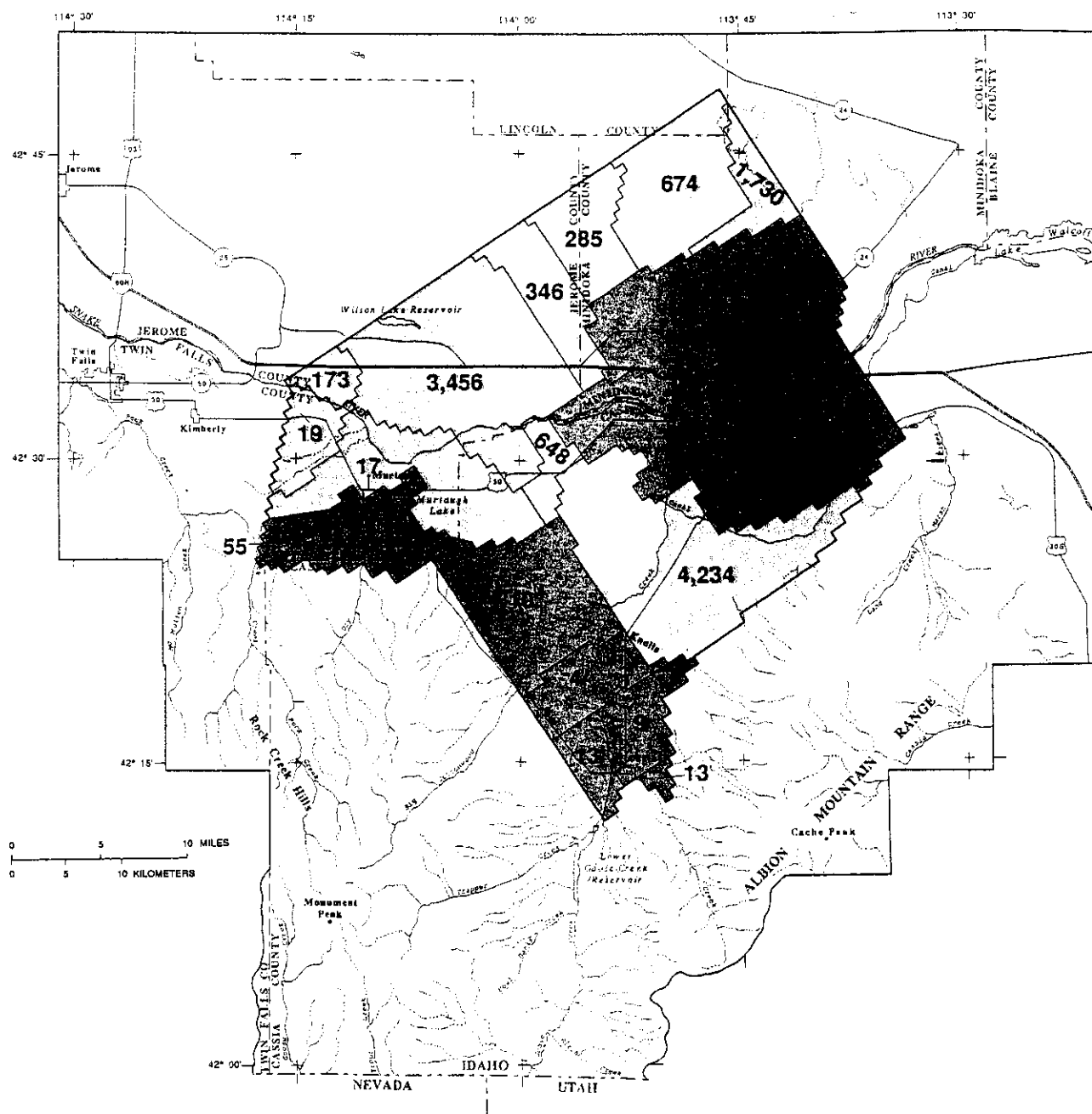
PERCENTAGE REACTING VALUES

GROUND AND SURFACE WATER AND LOCATIONS KEY FAN AREA, SOUTH-CENTRAL IDAHO

USGS 88-4065
Plate 4

**Simulated Hydraulic Conductivity
Between Shallow Aquifer (Layer 1) and
Deep Aquifer (layer 2)**

**USGS Report 88-4065
Figures 10, 11, 12 and 13**



EXPLANATION

- | | | | |
|---|---|---|------------------------|
|  | APPROXIMATE AREA OF ALLUVIUM AQUIFER |  | BOUNDARY OF ZONE |
|  | APPROXIMATE AREA OF BASALT AQUIFER |  | BOUNDARY OF MODEL AREA |
| 648 | VALUE OF SIMULATED HYDRAULIC CONDUCTIVITY FOR ZONE, IN FEET PER DAY |  | BOUNDARY OF STUDY AREA |

Figure 10.--Distribution of simulated hydraulic conductivity, layer 1.

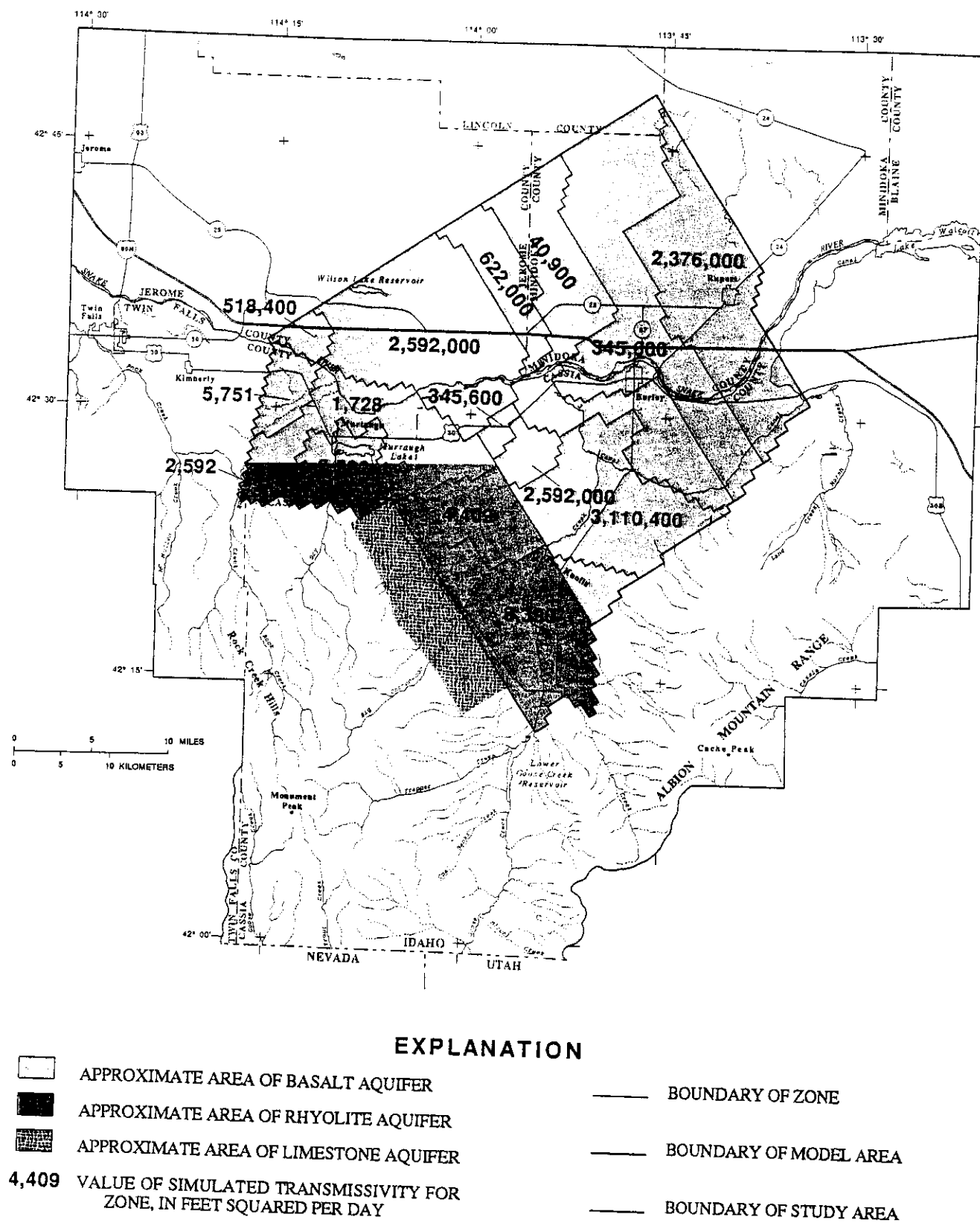
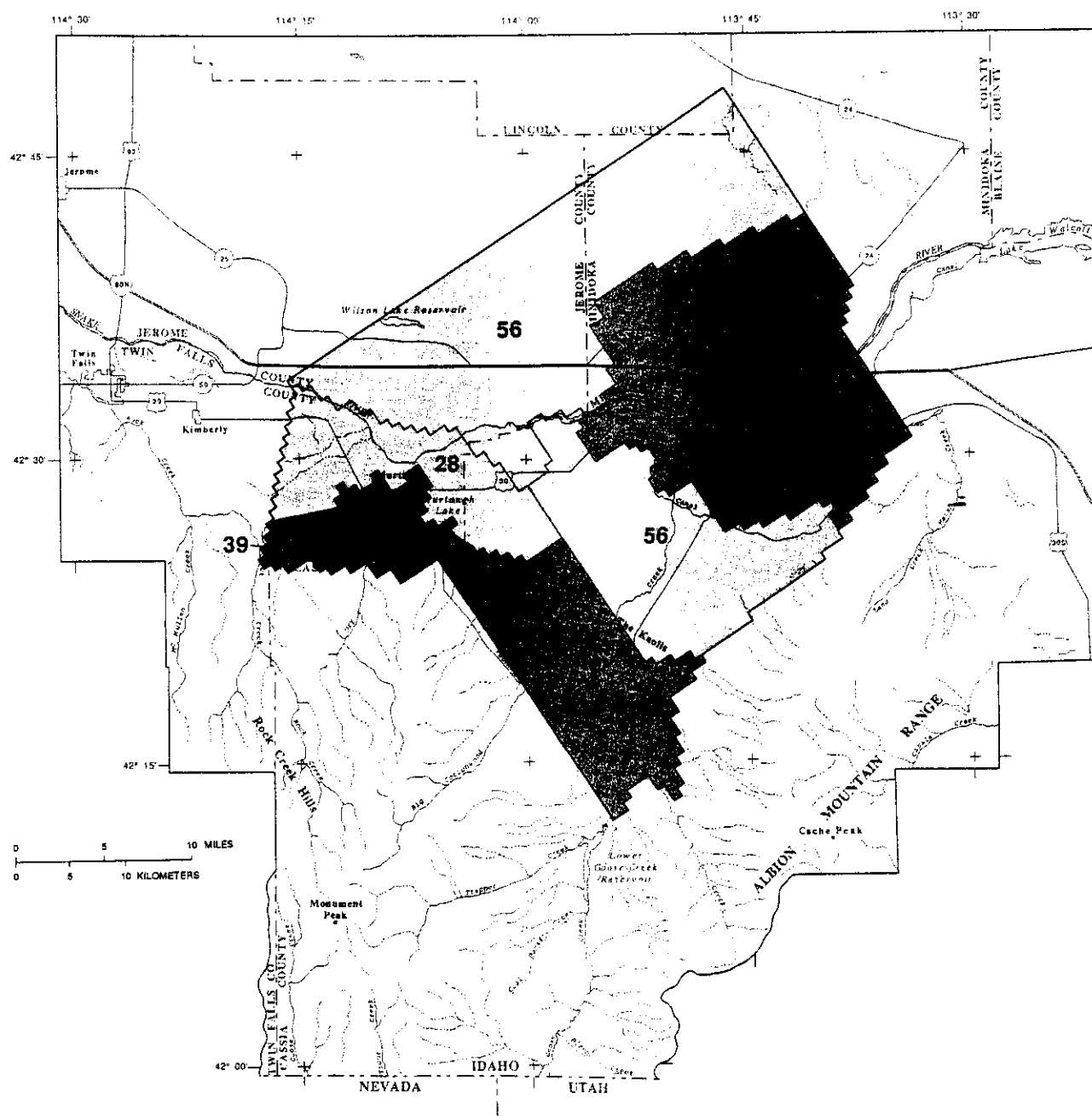


Figure 11.--Distribution of simulated transmissivity, layer 2.



EXPLANATION

- | | | | |
|----|---|--|------------------------|
| | APPROXIMATE AREA OF ALLUVIUM | | BOUNDARY OF ZONE |
| | APPROXIMATE AREA OF BASALT | | BOUNDARY OF MODEL AREA |
| 11 | VALUE OF VERTICAL HYDRAULIC CONDUCTIVITY, IN FEET PER DAY, BETWEEN LAYERS 1 AND 2 | | BOUNDARY OF STUDY AREA |

Figure 12.--Distribution of simulated vertical hydraulic conductivity between layers 1 and 2.

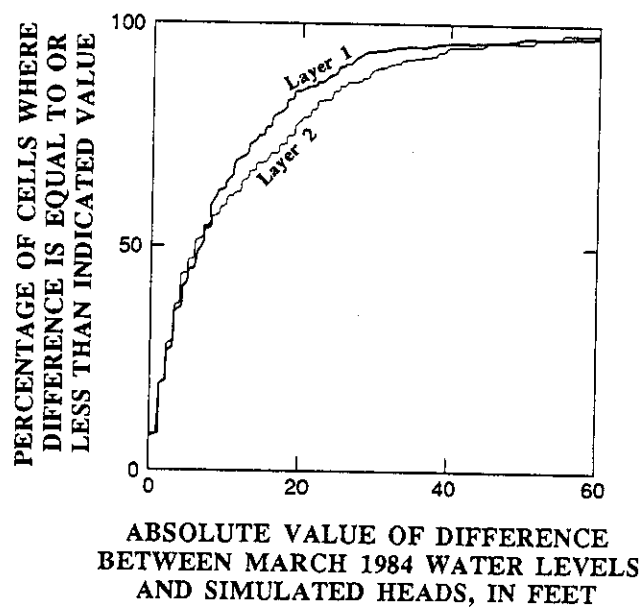
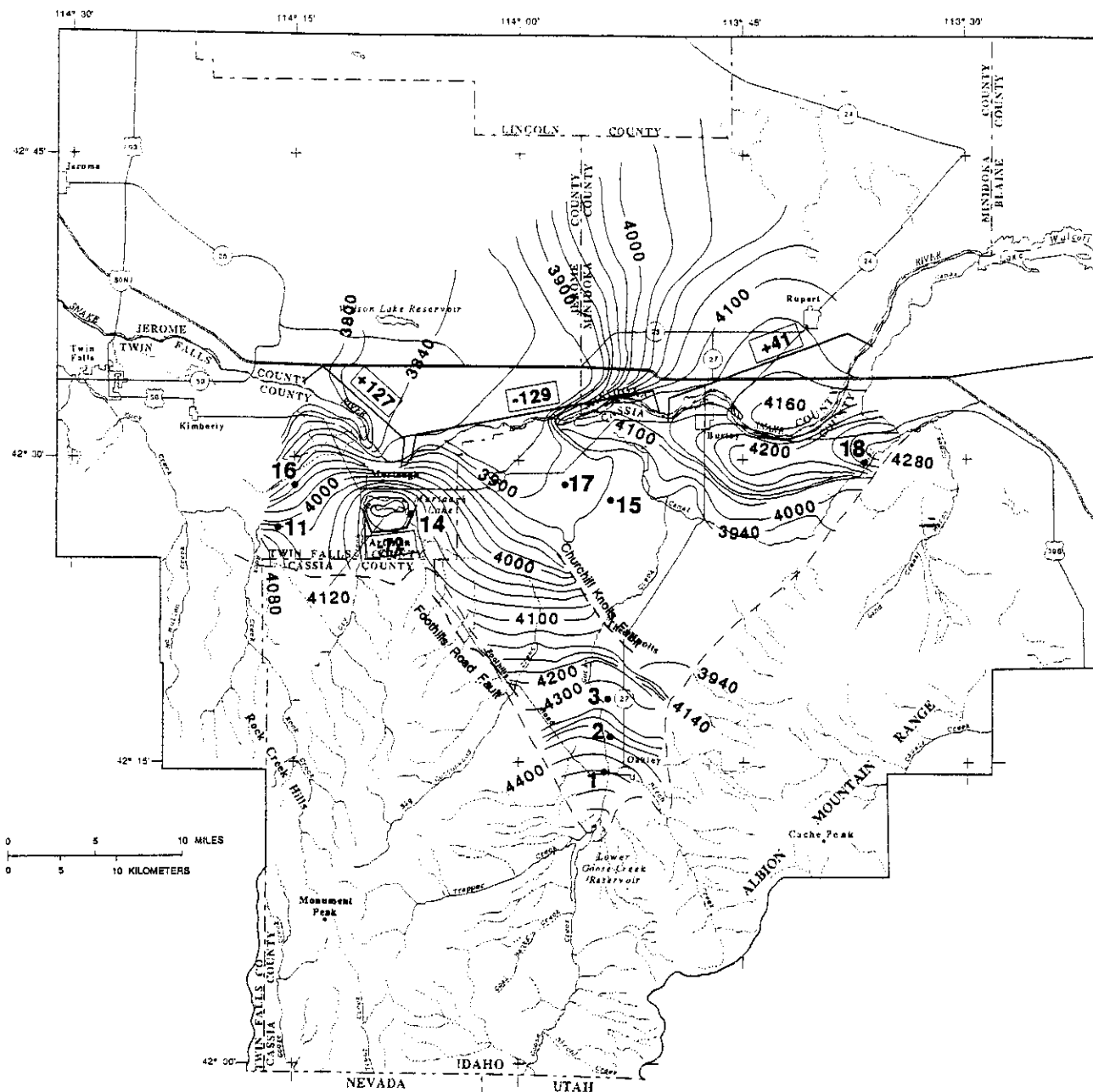


Figure 13.--Relation between March 1984 water levels and simulated heads for average 1979-84 hydrologic conditions.

Aquifer Simulated Potentiometric Surfaces
USGS Report 88-4065
Figures 8 and 18



EXPLANATION

- 4100 — POTENTIOMETRIC-SURFACE CONTOUR--Shows water level altitude for steady-state simulation of 1979-84 average conditions. Contour interval, in feet, is variable. Datum is sea level
- +127 GAIN OR LOSS BY RIVER REACH FROM SNAKE RIVER AND MURTAUGH LAKE, IN CUBIC FEET PER SECOND--Negative number indicates losing reach, positive number indicates gaining reach
- 3 LOCATION OF WELL USED IN TRANSIENT SIMULATION--Number refers to hydrograph shown in figure 16
- - - - - APPROXIMATE BOUNDARY OF LOWLANDS
- BOUNDARY OF STUDY AREA

Figure 8.--Simulated steady-state potentiometric surface, layer 1, and gains or losses by river reach, 1979-84

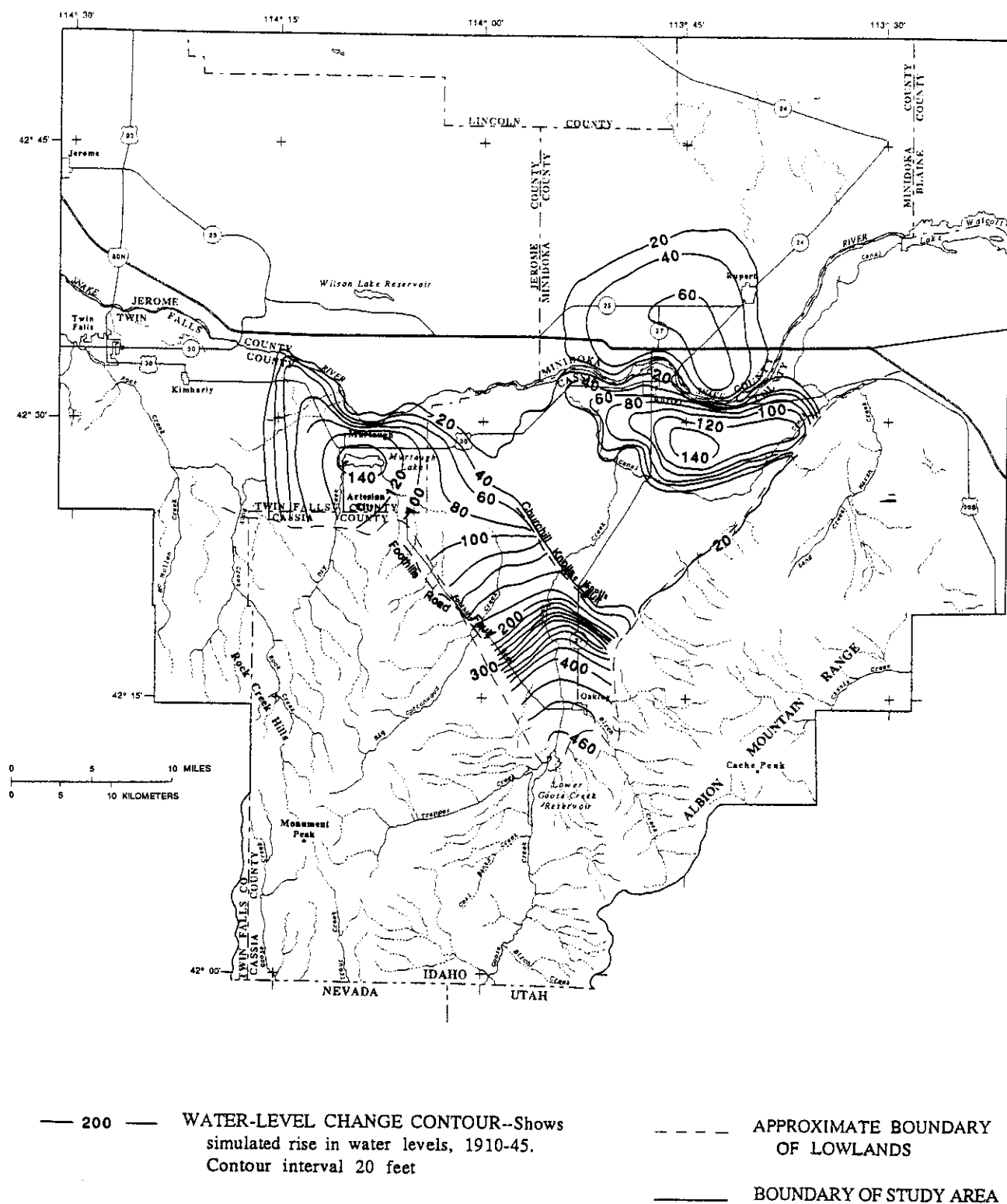
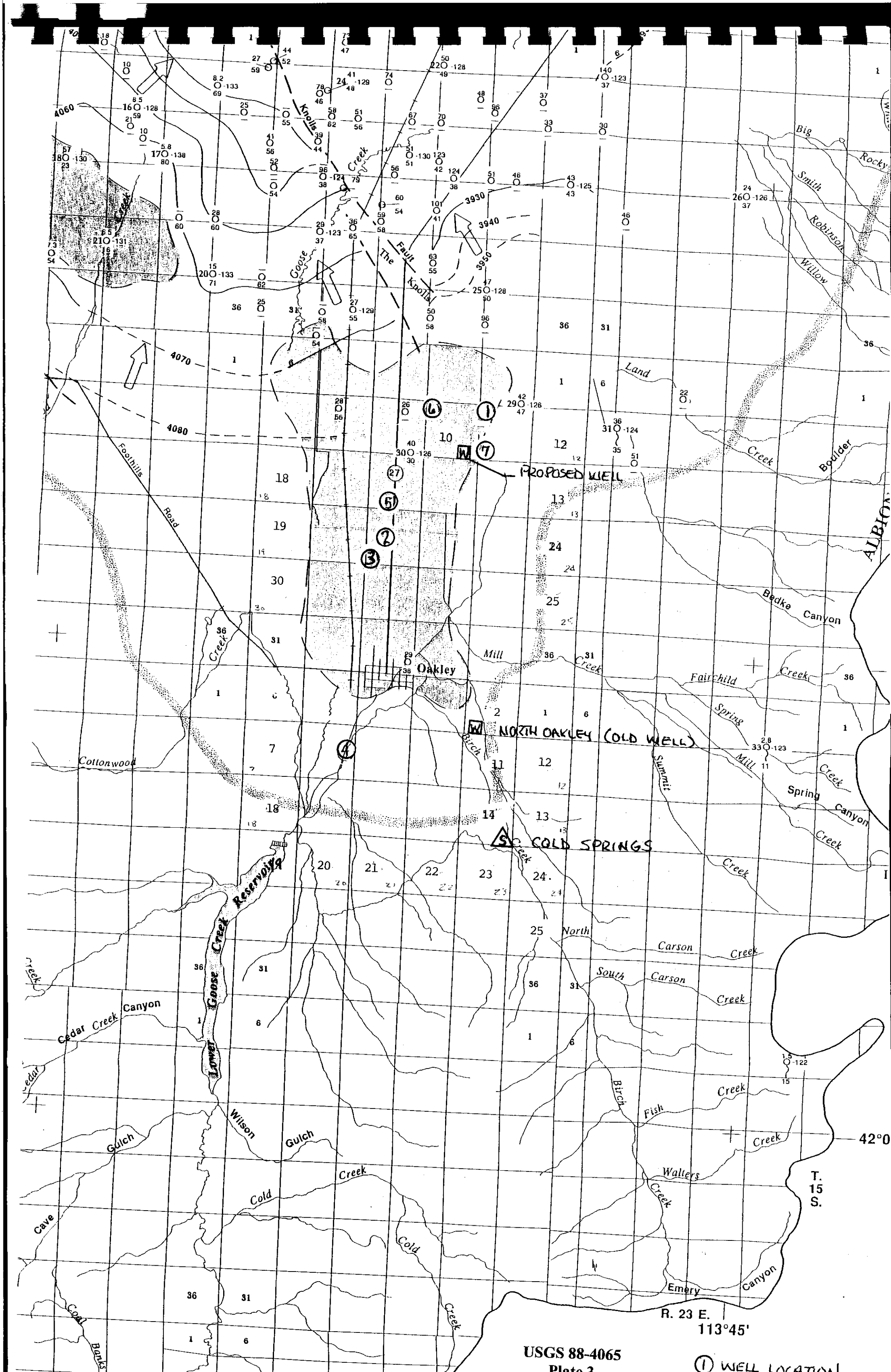


Figure 18.--Simulated rises in water levels for layer 1, 1910-45.

Area Well Logs



USGS 88-4065

Plate 2

① WELL LOCATION

R. 23 E. 113°45'

T. 15 S.

State law requires that this report be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

DRILLER'S CERTIFICATION

This well was drilled under my supervision and this report is true to the best of my knowledge.

Robert H. H. Wright

Driller's or Firm's Name _____ Number _____

Phoenix Drilling Co. Idaho

Address _____

Elgin, Idaho

Signed By _____ Date _____

State law requires that this report be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

SEP 27 1973

[illegible]

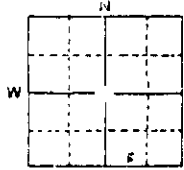
SE 1/4 NW 1/4 Sec. 8 T. 14 N/S R. 22 E/W.

WELL DRILLER'S REPORT

5

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>Critchfield Land & Livestock</u> Address <u>Babing, La.</u> Owner's Permit No. _____	7. WATER LEVEL Static water level _____ feet below land surface Flowing? ☐ Yes ☒ No G.P.M. flow _____ Temperature _____ ° F. Quality _____ Artesian closed-in pressure _____ p.s.i. Controlled by ☐ Valve ☐ Cap ☐ Plug																																																																			
2. NATURE OF WORK ☐ New well ☐ Deepened ☒ Replacement ☐ Abandoned (describe method of abandoning) _____	8. WELL TEST DATA ☐ Pump ☐ Bailer ☐ Other <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Discharge G.P.M.</th> <th>Draw Down</th> <th>Hours Pumped</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	Discharge G.P.M.	Draw Down	Hours Pumped																																																																
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6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name _____ Lot No. _____ Block No. _____	10. Work started <u>12-8-75</u> finished <u>2-15-76</u> 11. DRILLERS CERTIFICATION Firm Name <u>Paul C. Hestley Drilling Co.</u> Firm No. <u>1000</u> Address <u>1700 Maple St.</u> Date <u>2-15-76</u> Signed by (Firm Official) <u>Paul C. Hestley</u> and (Operator) <u>Paul C. Hestley</u>
--	---

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTState 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.USE TYPEWRITER OR
BALLPOINT PEN

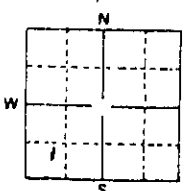
RECEIVED

MAR 7 1983

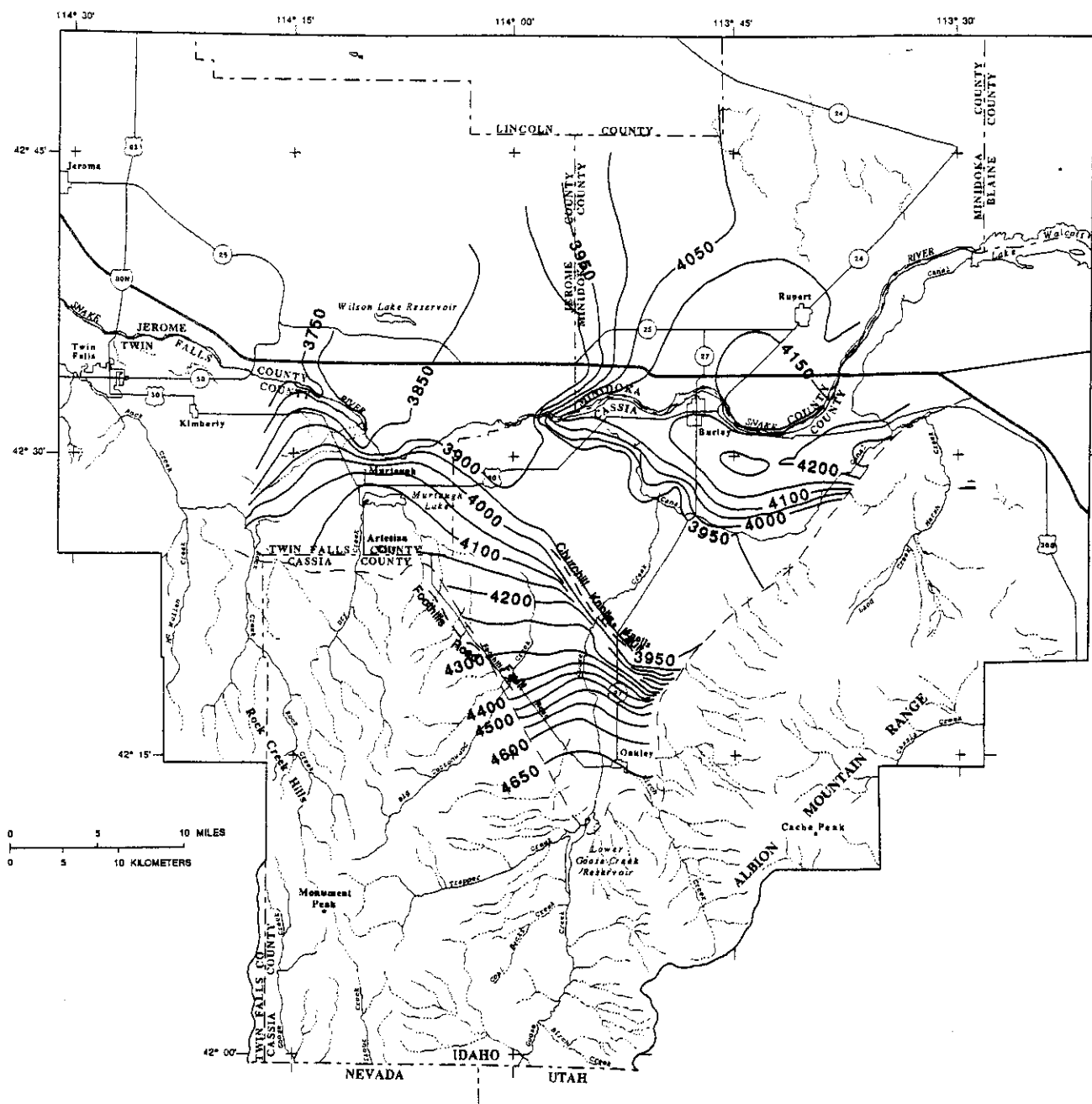
1. WELL OWNER Name <u>CRISTIAN FERRER LINDO / LINDO'S FOOD, INC.</u> Address <u>2400 S. 10th St. #324</u> Owner's Permit No. _____		7. WATER LEVEL Department of Water Resources District Office Static water level <u>450</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ °F. Quality _____																																																																																																																																										
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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>Darin Critchfield</u> Address <u>Chaplin Idaho</u> Owner's Permit No. _____	7. WATER LEVEL Static water level <u>467'</u> feet below land surface Flowing? ☐ Yes ☐ No G.P.M. flow _____ Temperature _____ ° F. Quality _____ Artesian closed-in pressure _____ p.s.i. Controlled by ☐ Valve ☐ Cap ☐ Plug																																																																																																																
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____	8. WELL TEST DATA ☐ Pump ☐ Bailer ☐ Other <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th>Discharge G.P.M.</th><th>Draw Down</th><th>Hours Pumped</th></tr></thead><tbody><tr><td><u>2250</u></td><td><u>7'</u></td><td><u>1</u></td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table>	Discharge G.P.M.	Draw Down	Hours Pumped	<u>2250</u>	<u>7'</u>	<u>1</u>																																																																																																										
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3. PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Test ☐ Other (specify type) _____ ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection	9. LITHOLOGIC LOG <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th rowspan="2">Hole Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th rowspan="2">Water Yes - No</th></tr><tr><th>From</th><th>To</th></tr></thead><tbody><tr><td><u>20</u></td><td><u>0</u></td><td><u>2</u></td><td><u>Top Soil</u></td><td> </td></tr><tr><td> </td><td><u>2</u></td><td><u>140</u></td><td><u>Sand & Gravel 80% water bearing</u></td><td> </td></tr><tr><td> </td><td><u>140</u></td><td><u>200</u></td><td><u>Brown & Brown Clay</u></td><td> </td></tr><tr><td> </td><td><u>200</u></td><td><u>270</u></td><td><u>Crumbly Red Clay</u></td><td> </td></tr><tr><td> </td><td><u>270</u></td><td><u>256</u></td><td><u>Gravel</u></td><td> </td></tr><tr><td> </td><td><u>256</u></td><td><u>297</u></td><td><u>Clay & Gravel Brown</u></td><td> </td></tr><tr><td> </td><td><u>297</u></td><td><u>373</u></td><td><u>Dark Clay</u></td><td> </td></tr><tr><td> </td><td><u>373</u></td><td><u>389</u></td><td><u>Gravel</u></td><td> </td></tr><tr><td> </td><td><u>389</u></td><td><u>420</u></td><td><u>Sandy Clay</u></td><td> </td></tr><tr><td> </td><td><u>420</u></td><td><u>475</u></td><td><u>Clay & Gravel</u></td><td> </td></tr><tr><td> </td><td><u>475</u></td><td><u>495</u></td><td><u>Clay</u></td><td> </td></tr><tr><td> </td><td><u>495</u></td><td><u>502</u></td><td><u>Black Red Gravel</u></td><td> </td></tr><tr><td> </td><td><u>502</u></td><td><u>560</u></td><td><u>Red Gravel 10-20%</u></td><td> </td></tr><tr><td> </td><td><u>560</u></td><td><u>574</u></td><td><u>Brown Red Gravel 10-20%</u></td><td> </td></tr><tr><td><u>16</u></td><td><u>574</u></td><td><u>610</u></td><td><u>Gray Gravel 10-20% 16" Red</u></td><td> </td></tr><tr><td> </td><td><u>610</u></td><td><u>650</u></td><td><u>Brown Gravel 10-20% 16"</u></td><td> </td></tr><tr><td> </td><td> </td><td> </td><td><u>Low string to 16" Red at 650 ft</u></td><td> </td></tr><tr><td> </td><td> </td><td> </td><td><u>Top line back to 16" Red at 650 ft</u></td><td> </td></tr><tr><td> </td><td> </td><td> </td><td><u>at 112 ft along 16" Red</u></td><td> </td></tr><tr><td> </td><td> </td><td> </td><td><u>Big hole from 550 ft to 625 ft up</u></td><td> </td></tr><tr><td> </td><td> </td><td> </td><td><u>Change to 16" Red at 620 ft</u></td><td> </td></tr></tbody></table>	Hole Diam.	Depth		Material	Water Yes - No	From	To	<u>20</u>	<u>0</u>	<u>2</u>	<u>Top Soil</u>			<u>2</u>	<u>140</u>	<u>Sand & Gravel 80% water bearing</u>			<u>140</u>	<u>200</u>	<u>Brown & Brown Clay</u>			<u>200</u>	<u>270</u>	<u>Crumbly Red Clay</u>			<u>270</u>	<u>256</u>	<u>Gravel</u>			<u>256</u>	<u>297</u>	<u>Clay & Gravel Brown</u>			<u>297</u>	<u>373</u>	<u>Dark Clay</u>			<u>373</u>	<u>389</u>	<u>Gravel</u>			<u>389</u>	<u>420</u>	<u>Sandy Clay</u>			<u>420</u>	<u>475</u>	<u>Clay & Gravel</u>			<u>475</u>	<u>495</u>	<u>Clay</u>			<u>495</u>	<u>502</u>	<u>Black Red Gravel</u>			<u>502</u>	<u>560</u>	<u>Red Gravel 10-20%</u>			<u>560</u>	<u>574</u>	<u>Brown Red Gravel 10-20%</u>		<u>16</u>	<u>574</u>	<u>610</u>	<u>Gray Gravel 10-20% 16" Red</u>			<u>610</u>	<u>650</u>	<u>Brown Gravel 10-20% 16"</u>					<u>Low string to 16" Red at 650 ft</u>					<u>Top line back to 16" Red at 650 ft</u>					<u>at 112 ft along 16" Red</u>					<u>Big hole from 550 ft to 625 ft up</u>					<u>Change to 16" Red at 620 ft</u>	
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4. METHOD DRILLED ☒ Cable ☐ Rotary ☐ Dug ☐ Other	10. Work started <u>2-20-79</u> finished <u>3-1-80</u>																																																																																																																
5. WELL CONSTRUCTION Diameter of hole <u>20</u> inches Total depth <u>650</u> feet Casing schedule: ☒ Steel ☐ Concrete <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>150</u> inches</td><td> </td><td><u>1</u> feet</td><td><u>505</u> feet</td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </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 _____ inches by _____ 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> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>15</u> Material used in seal ☒ Cement grout ☐ Pudding clay ☐ Well cuttings Sealing procedure used ☐ Slurry pit ☐ Temporary surface casing ☒ Overbore to seal depth	Thickness	Diameter	From	To	<u>150</u> inches		<u>1</u> feet	<u>505</u> feet																	Number	From	To																																																																																						
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6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name _____ Lot No. _____ Block No. _____ County <u>CASSIA</u> <u>SW SW 11 13-23E</u>	11. DRILLERS CERTIFICATION Firm Name <u>Darin Critchfield</u> Firm No. <u>220</u> Address <u>1710 Oakley Ave</u> Date _____ Signed by (Firm Official) <u>Darin Critchfield</u> and (Operator) <u>James Hunter</u>																																																																																																																

**Potentiometric Surface
USGS Report 88-4065
Figures 9 and 17**



EXPLANATION

- | | | | |
|----------|---|---------|----------------------------------|
| — 4200 — | POTENTIOMETRIC-SURFACE CONTOUR--Shows water-level altitude for simulation of 1945 hydrologic conditions. Contour interval 50 feet. Datum is sea level | - - - - | APPROXIMATE BOUNDARY OF LOWLANDS |
| | | ———— | BOUNDARY OF STUDY AREA |

Figure 17.--Simulated 1945 potentiometric surface, layer 1.

Appendix A
North Oakley Water Quality Report

DAW 78 781

WATER DISTRIBUTION
 State - PWS Owner
 County - ID/W Region/District
 Sub - ID/W Region/District
 Laboratory

State of Idaho
 DEPARTMENT OF HEALTH & WELFARE

OCT 17 1979

WATER QUALITY REPORT
 INORGANIC CHEMICAL CONTAMINANTS
 Drinking Water Systems

LAB NAME
 (Check One)
☐ Boise
☐ Coeur d'Alene
☐ Pocatello

(See Instructions on Back of Form)

Name of Water System: **NA Oakley Water System** County: **Cassia** Date Collected (10-15): **9 5 79** Office Use Only: PWS ID (1-7): **79-58**

REPORT RESULTS TO: **Mo Day Yr** Time Collected (16-19): **Mo Day Yr** (20-23) AM PM LIO Trans Code (8-9): **0 0 2 0 0 3**

Collector By: **B. TUPPI**

City: **Idaho Falls** State: **ID** Zip Code: **23401** Container Type: ☐ Glass ☐ Plastic Preservative Used: ☐ None ☐ Nitric Acid ☐ Sodium Hydroxide ☐ Sulfuric Acid ☐ Other

Sample Type (Check One): ☒ D - REG. DISTRIBUTION ☐ C - CHECK ☐ P - PLANT TAP ☐ R - RAW WATER ☐ S - SPECIAL

COMMON CHEMICAL CONTAMINANTS

Check Desired Analysis			PRIMARY					Office Use Only						
ID (25-28)	CONTAMINANT NAME Maximum Allowable Level	Method (29-31)	ANALYSIS RESULTS* (32-39)			Analysis Date (40-45) Mo Day Yr			Analyst Initials	LAB NAME	LAB ID (46-50)			
✓ 1005	Arsenic .05	12	LOI			921	79	BP						
✓ 1010	Barium 1	101	LOI			101	79	BP						
✓ 1015	Cadmium .010	125	LOOI			914	79	BP						
✓ 1020	Chromium .05	125	LOI			104	79	BP						
✓ 1025	Fluoride 1.4-2.4	115	030			927	79	BP						
✓ 1030	Lead .05	125	LOI			912	79	BP						
✓ 1035	Mercury .002	103	LOOOS			911	79	BP						
✓ 1040	Nitrate (As N) 10	109	30			913	79	BP						
✓ 1045	Selenium .01	125	LOOS			910	79	BP						
✓ 1050	Silver .05	125	LOOI			919	79	BP						
1024	Cyanide .2	111												

SECONDARY										OTHER									
ID	CONTAMINANT NAME Maximum Limit	Method	ANALYSIS RESULTS*	ID	CONTAMINANT NAME	Method	ANALYSIS RESULTS*	ID	CONTAMINANT NAME	Method	ANALYSIS RESULTS*	ID	CONTAMINANT NAME	Method	ANALYSIS RESULTS*	ID	CONTAMINANT NAME	Method	ANALYSIS RESULTS*
1017	Chloride 250	153	277	1927	Alkalinity (Total)	157	22	1905	Color (C.U.) 15 units	129		1003	Ammonia (As N)	147	182	1022	Copper 1	101	LOI
1027	Hydrogen Sulfide .05	155		1915	Hardness (as CaCO ₃)	141	138	1027	Iron .3	101	22	1016	Calcium	141	80	1928	Manganese .05	101	LOI
1032	Manganese .05	101		1031	Magnesium	101	76	1920	Odor No. (T.O.) 3	133		1925	pH (pH units)	135	80	1920	Odor No. (T.O.) 3	133	
2910	Phenols .001	209		1049	Silica	143	50	1926	Spec. Cond. Umhos/cm	145	372	1042	Potassium	101	68	1055	Sulfate 250	137	20
1055	Sulfate 250	137	20	1052	Sodium	101	234	1926	Spec. Cond. Umhos/cm	145	372	1095	Zinc 5	101	LOOI	1926	Spec. Cond. Umhos/cm	145	372
2905	Surfactants .5	207																	
1930	Total Dissolved Solids 500	139	292																

*Results Expressed in mg/liter Unless Indicated Otherwise

Lab Supervisor Signature

Analysis Completion Date (Mo, Day, Year)

Appendix B
Proposed Well
Well Log

Ralph C. Denton, Drilling Contractor

MURTAUGH, IDAHO

20 July 1966

CRITCHFIELD WELL

RALPH DENTON
Telephone 432-2969

DRILL RECORD

Drilled for Ed. True

Drilled by Sherman Couch Helper

Water struck at ft. Stands at Hole started 6-9-66 Completed 6-10-66

Casing used ft. Size ft. Left in Hole Size

From	To	Formation
Well filled to 780 ft. and 367 ft. of 12 in. liner with 16 in. bell on top set. Top of liner <u>395 ft.</u>		
882	895	brown sandy clay
895	893	ryolite-hard
893	926	brown sticky clay-sandy
926	929	red ryolite-hard
929	943	red ryolite-loose. lost all cuttings
943	955	red ryolite-solid, losing 50-60% of cuttings.
955	959	brown sandstone and ryolite
959	962	ryolite-solid
962	964	crevice in rock, lost all cuttings
964	974	red and brown ryolite-firm, lost all cuttings
974	985	red and brown ryolite-hard

Ralph C. Denton, Drilling Contractor

MURTAUGH, IDAHO

RALPH DENTON
Telephone HEmlock 2-2989

DRILL RECORD

Drilled for ED TRUE

Drilled by SHERMAN COUCH

Helper BOB DENTON

Water struck at 105 ft. Stands at 185 Hole started 8 - 3 - 65 Completed 8 - 9 - 65

Casing used 5274 ft. Size 20 in. ft. Left in Hole _____ Size _____

From	To	Formation
0	3	topsoil and clay
3	8	sand and large gravel
8	47	large sandy gravel and clay
47	157	sandy clay and gravel
157	234	brown sandy clay
234	240	brown sand
240	267	brown sandy clay
267	339	gravel and sandy clay - Perforated - very few holes
339	374	brown sticky clay
374	380	gravel (water) - Perforated
380	410	fine gravel and clay - Perforated
410	412	clay and gravel
412	435	brown sandy clay
435	487	brown sticky clay
487	497	white sandy clay
497	521	brown sandy clay and small gravel
521	632	sandstone, lava, clay
632	689	sand and small gravel
689	725	sandstone and small gravel
725	800	ryolite (hard)
800	812	white sandy clay
812	835	ryolite (hard)
835	851	gray shale
851	871	brown sticky clay
871	882	ryolite (hard)

Reduced to 16" at 780 ft

SESE 10 - 135 - 22E

Ralph C. Denton, Drilling Contractor

MURTAUGH, IDAHO

20 July 1966

RALPH DENTON
Telephone 432-2969

DRILL RECORD

6

Drilled for Ed True
Drilled by Sherman Couch Helper _____
Water struck at _____ ft. Stands at _____ Hole started 6-9-66 Completed 6-10-66
Casing used _____ ft. Size _____ ft. Left in Hole _____ Size _____

From	To	Formation
Well filled to 780 ft. and 367 ft. of 12 in. liner with 16 in. bell on top set. Top of liner- 395 ⁴⁹⁵ ft.		
882	895	brown sandy clay
895	898	ryolite-hard
898	926	brown sticky clay-sandy - clay
926	929	red ryolite-hard
929	943	red ryolite-loose. lost all cuttings
943	955	red ryolite-solid, losing 50-60% of cuttings.
955	959	brown sandstone and ryolite
959	962	ryolite-solid
962	964	crevice in rock, lost all cuttings
964	974	red and brown ryolite-firm, lost all cuttings
974	985	red and brown ryolite-hard

Page 2

Irrigation Well #4

Located: SW Cor, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15

Drilled: 1953 Bore: 14" Depth: 380' Cost: \$5,700

Static Water: 85' Pumping Level: 215' Casing Length: 380'

Drilled by: Savage & Denton, Murtaugh, Idaho

Pumping Plant - Cost: \$6,300 Purchased from: Fairbanks Morse Co.

Motor: Type-VHS; H.P.-60; Volts-440; RPM: 1760; Year-1953

Pump: Type turbine; Discharge Open Pipe-450gpm; Year 1952

Pumping Lift: 215 feet Total 215 feet

Irrigation Well #5

Located SE Cor SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15

Drilled: 1954 Bore: 14" Depth: 425' Cost: \$6,800

Static Water: 83' Pumping Level: 220' Casing Length: 425'

Drilled by: Savage & Denton, Murtaugh, Idaho

Pumping Plant - Cost \$7,500 Purchased from Fairbanks Morse Co.

Motor: Type-turbine; H.P.-100; Volts-440; RPM-1760; Year-1954

Pump: Type-turbine; Discharge Open Pipe-1350gpm; Year-1954

Pumping Life: 220' Total 220'

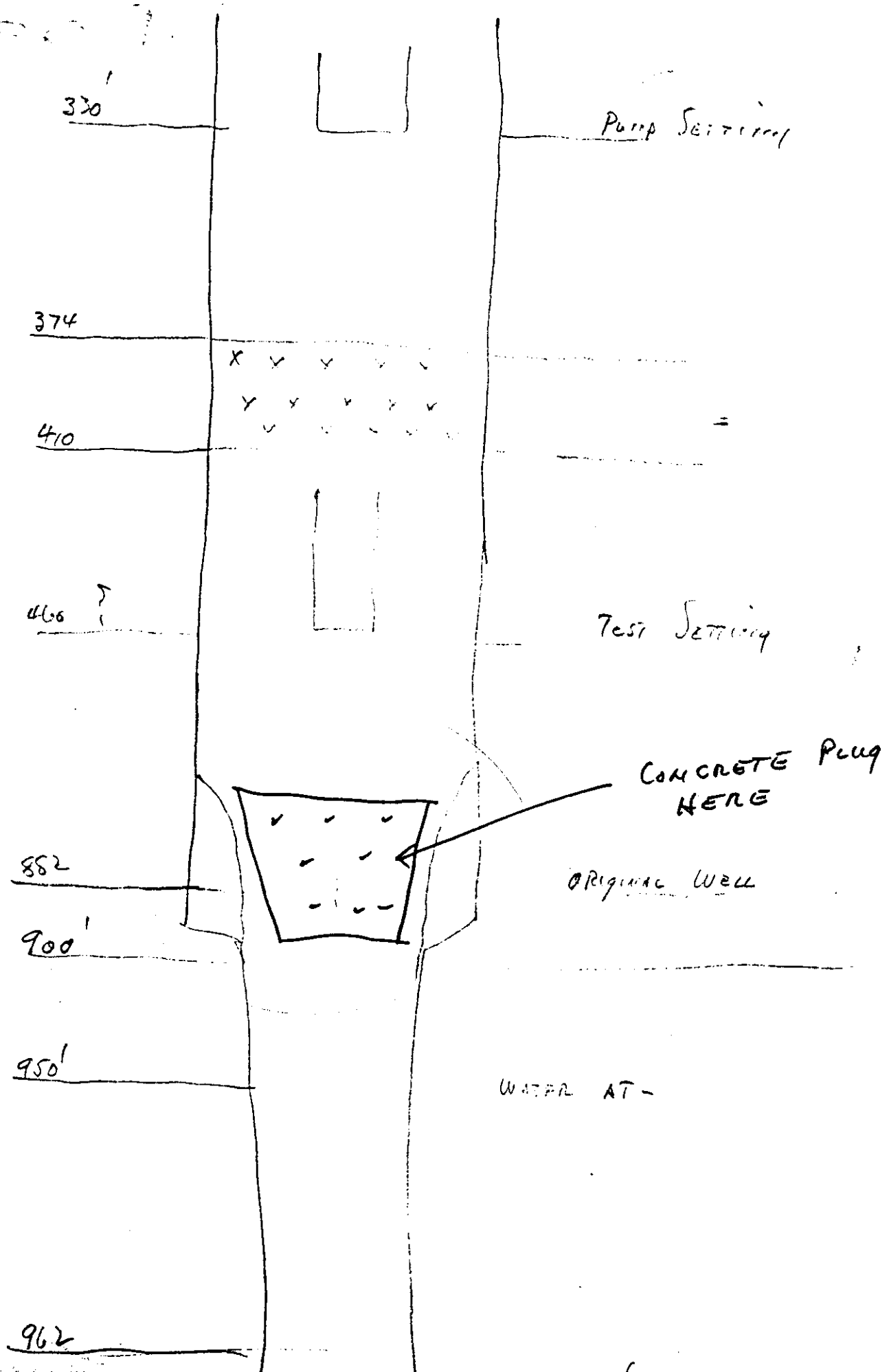
- #4. Drilled 1951 " 380' 380' 14" casing Flow 50" " 215'
- 60 H. P. 14" pump 40' column 240' setting
 Motor Fairbanks Morse # 1-13,567
 Pump " " # PL-6927
- #5. Drilled 1953 425' 425' 14" casing Flow 150" " 220'
- 100 H. P. 12" pump 60' column 240' setting
 Motor Fairbanks Morse # 1-178645
 Pump " " # PA-8118

Be sure to remember we own four shares of North Oakley Water Company.
 Domestic water piped to the farm from mountain springs. Plentiful
 supply for the houses and feed lots. Soft, cold water.

1. a. Larger well on Trac 1600000 is
assigned to NW $\frac{1}{4}$ of Sec 15
b. Smaller well is assigned to
SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 10 320 ac $\frac{1}{4}$

2. License 45-2379 2.02

water assigned to S $\frac{1}{2}$ of Sec 35
with exception of SE $\frac{1}{4}$ of SE $\frac{1}{4}$
Well located NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec 2
T13 22E



MONEY

The MUTUAL Life Insurance Company OF NEW YORK

303 Federal Way, Boise, Idaho 83705
345-1010



J. EDWIN TRUE, C.L.U.
Registered Representative



June 15, 1972

Mr. Darren Critchfield
Oakley
Idaho

Dear Darren:

A thorough search persuades me that I must have turned over the records on all the wells to you. I intended to.

The best I can give you on the well in question is from memory. Enclosed is a sketch which should give you all the information as I remember it. I am very sure that the season we pumped it, it was ~~around~~ 66 inches. I believe the pumping level was about 235 feet.

You can go to the power company and take out their records for the year we pumped that well. Pick a mid-summer month and check out the power used against 66 inches, and that will pretty well tell the pumping level--maybe saving a test.

Sorry I don't have more accurate records. Maybe they are in your files.

Cordially,

J. Edwin True

JET/mp

Enclosure



20" CASING DOWN TO
365'

PAVING LEVEL AT
235' - 66"
FOR ONE SEASON.

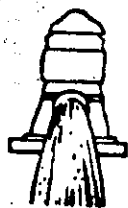
CONCRETE PLUG AT 365'

16" CASING DOWN TO
760'

FROM MEMORY

OPEN HOLE DOWN TO
1050'

WELL AT OLD TRAILER HOUSE SITE.



LAYNE & BOWLER PUMP COMPANY

2843 VAIL AVENUE, LOS ANGELES 22, CALIFORNIA. MAILING ADDRESS: P. O. BOX 8991

TELEPHONE: RAYMOND 3-3381

July 16, 1962

Subject: Well test report on capacity of 5 wells in
the Oakley area on the property of TrueEnterprise.

Attn: Mr. Hall

100 HP F&M & L&B pump ,	pumping	1420 GPM or	158 "
60 HP F&M & L&B pump,	pumping	765 GPM or	85 "
50 HP Pomona pump,	pumping	675 GPM or	75 "
50 HP F&M & L&B pump,	pumping	620 GPM or	67 "
50 HP F&M pump could be pumping	540 GPM or	60 "	
Total			445 "

Test conducted by LAYNE & BOWLER PUMP COMPANY of Twin Falls, Idaho.
Testing done by T.M. Thompson & Wm Chess. 7/11/62/

Yours truly,

LAYNE & BOWLER PUMP CO.

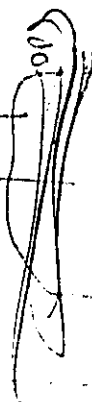
T.M. Thompson, Manager

1-3-67-

WATER STOOD AT 218'
DROPPED PUMP TO 490'

WATER NOW STOOD AT 216'

376
1 x 1 x 1



395
367

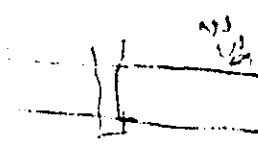
762

898
367

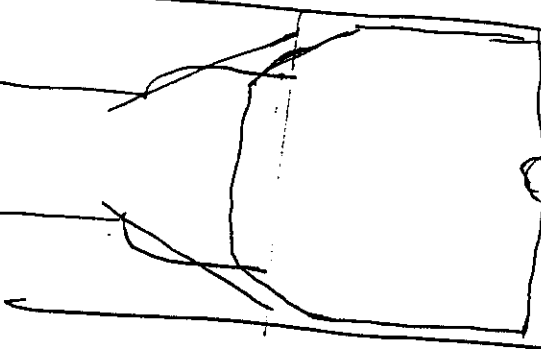
531



440



755-260
640



2000