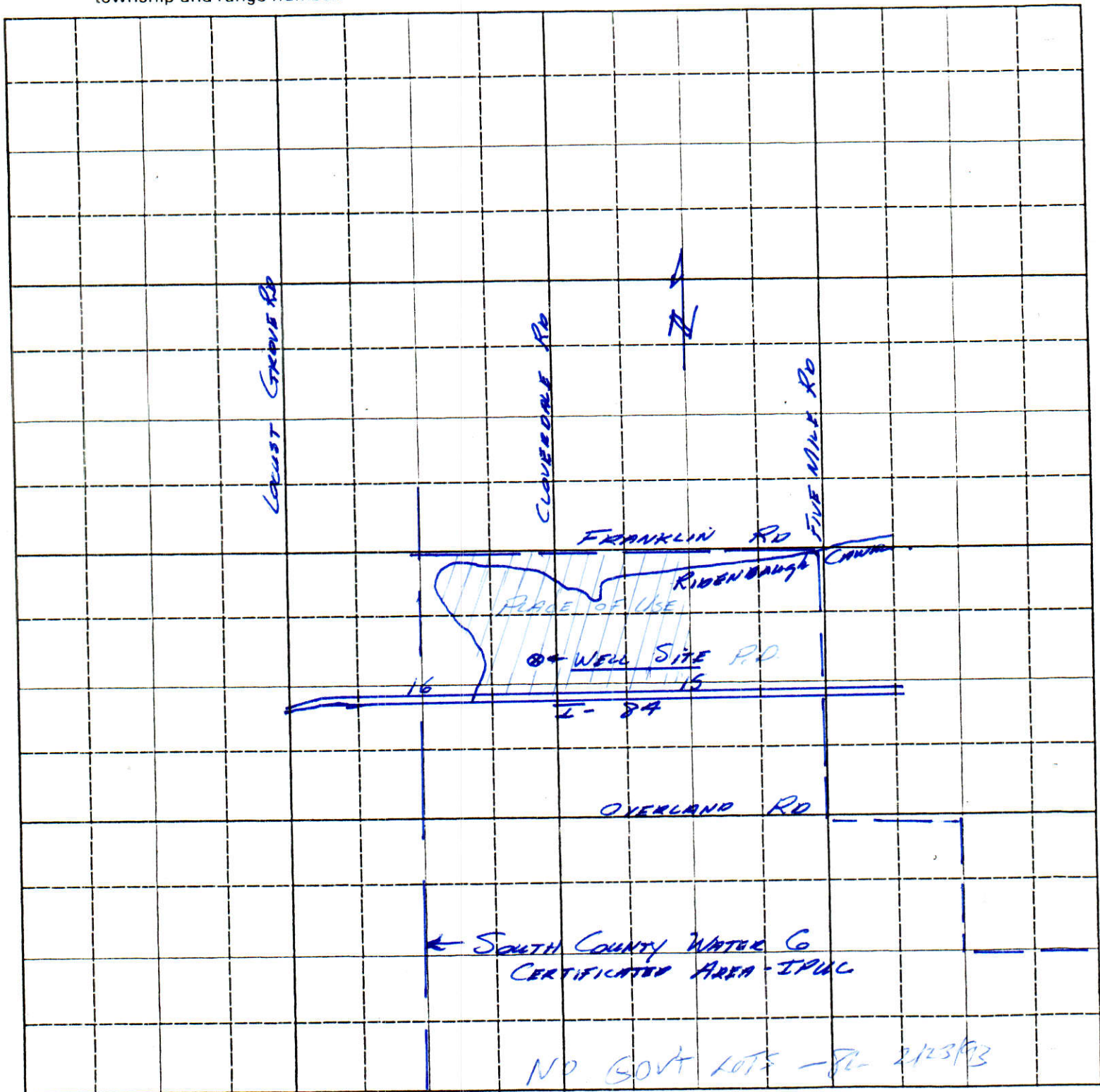
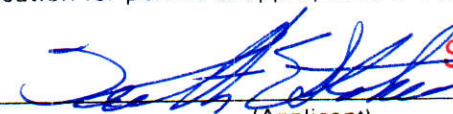


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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


(Applicant)
Keith E. Stokes P.E.
President
South County Water Company

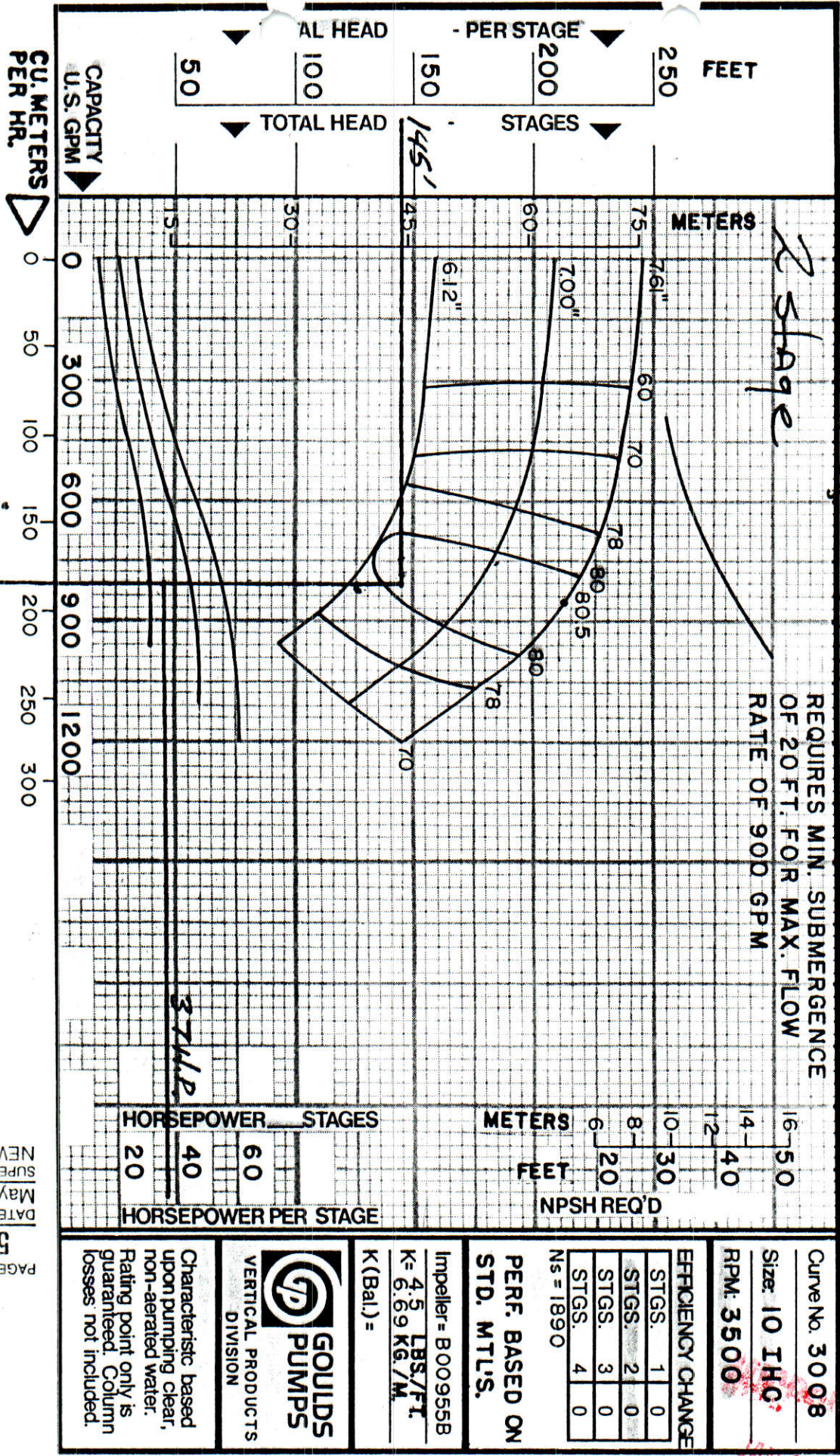
SEP 28 1993

63-1/1990

PROJECT	Goulds Proposal No.	Goulds S.O. No.	Inquiry No.	Customer P.O. No.	P.O. Date	Item No.	Customer	GPM Capacity	F.T. TDH	% Efficiency	RPM
	145' X 2 stage						Kath Stokes	810 = 290'	80	3500	

145' X 2 stage = 290'
37 H.P. X 2 stage = 74 H.P.

1.8 cfs



810 GPM = 1.8 cfs

Curve No. 3008
Size: 10 IHC
RPM: 3500

EFFICIENCY CHANGE	
STGS.	1 0
STGS.	2 0
STGS.	3 0
STGS.	4 0

Ns = 1890

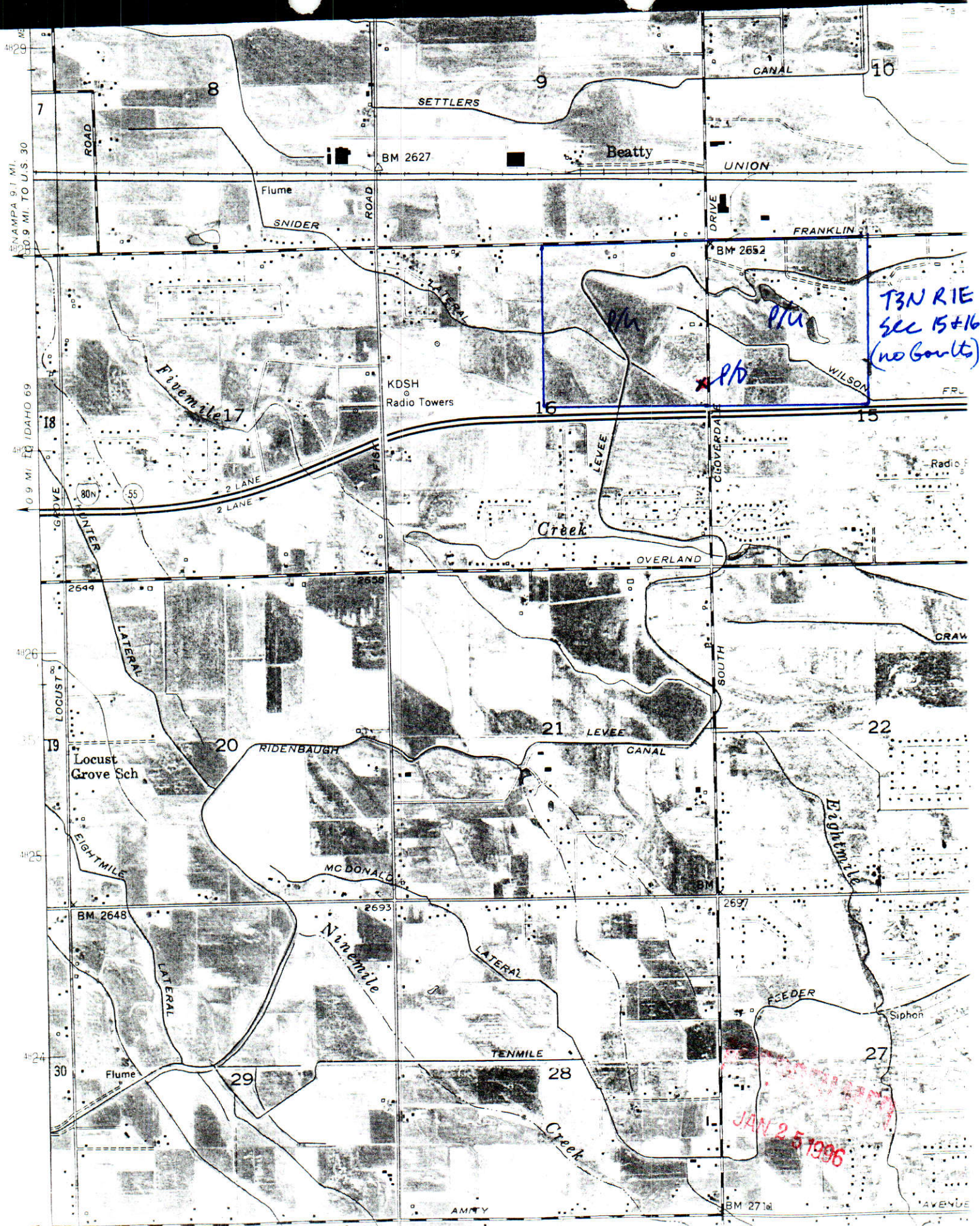
PERF. BASED ON STD. MTL'S.

Impeller = B009558
K = 4.5 LBS./FT.
K = 6.69 KG./M.

K(Bal.) =

GOULDS PUMPS
VERTICAL PRODUCTS DIVISION

Characteristic based upon pumping clear, non-aerated water. Rating point only is guaranteed. Column losses not included.



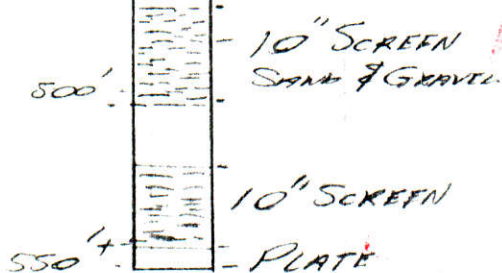
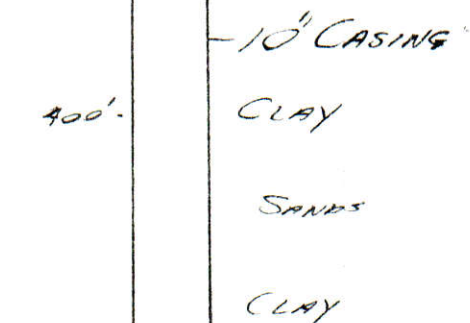
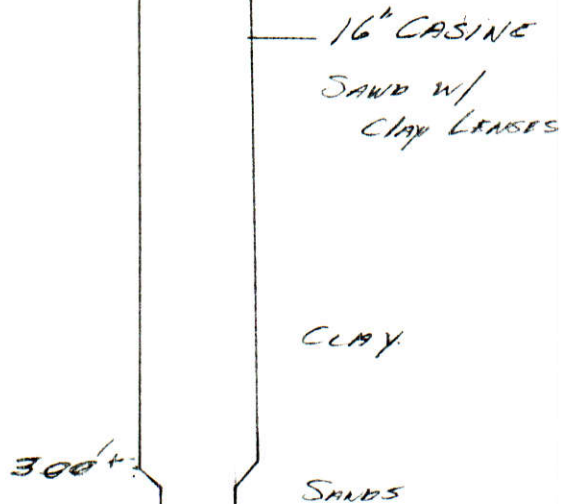
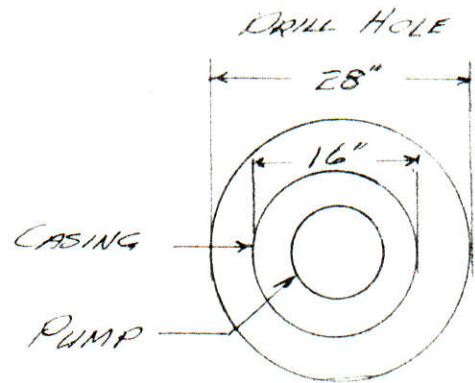
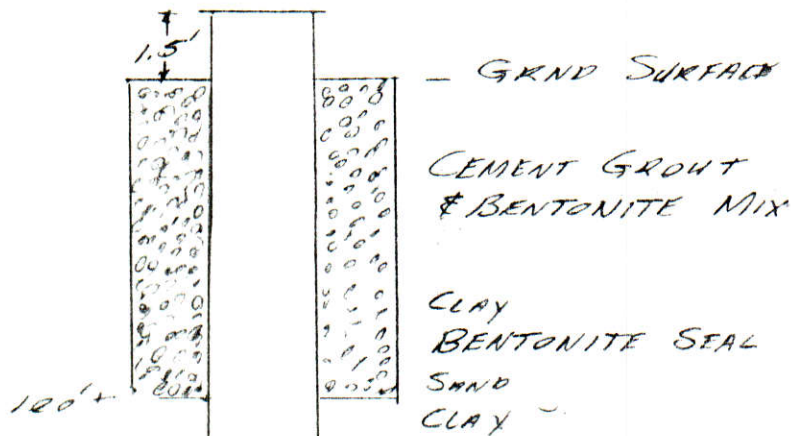
63-11990



- P/D
1



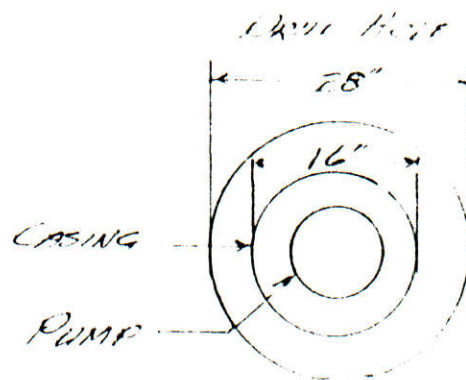
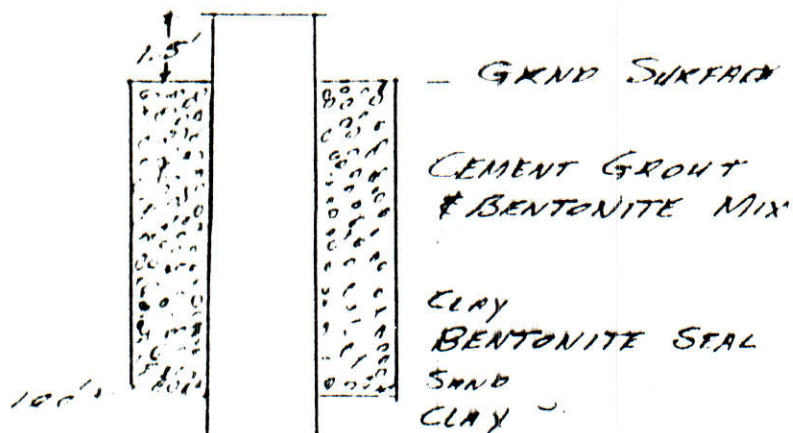
63-11990



NTS



EDGEVIEW WELL
SOUTH COUNTY WATER CO
BOISE IDAHO
SCALE NTS MAR. - 1993
KEITH E STOKES PE



PLAN VIEW

16" CASING

SAND W/
CLAY LENSES

CLAY

300'

SANDS

10" CASING

400'

CLAY

SANDS

CLAY

10" SCREEN

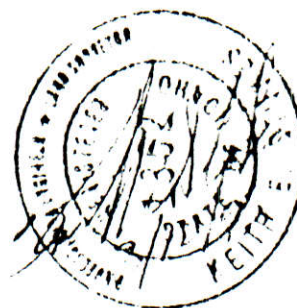
500'

SAND & GROUT

10" SCREEN

550'

PLATE



SEP 28 1993

EDGEVIEW WELL

SOUTH COUNTY WATER

BOISE IDAHO

SCALE NTS. MAP 11

KEITH E. SMITH

CLOVERDALE ROAD

S02°51'45"W

500.62'

S04°25'05"W

387.28'

21

159'

165'

120'

100'

100'

100'

100'

100'

100'

100'

100'

100'

100'

100'

100'

100'

100'

100'

100'

100'

100'

100'

100'

BLOCK

BLK 11

BRADDOCK DR.

WELL SITE

SOUTH COUNTY WATER COMPANY

ELEMENTARY SCHOOL

AND

PUBLIC PARK

67

BLOCK 1

SEP 28 1993

INTERSTATE 70

1389.58'

SERVICE AREA

REPAVED LANDSCAPE
BUS LOADING & UNLOADING

PARK SHELTER

PUBLIC RESTROOMS

CITY PARK PARKING

PARK AREA

ASPHALT PLAY AREA

PEDESTRIAN
ACCESS

PARKING



5074 County Water Co.
CERTIFICATED AREA

X
LAWSON
WELLS
(Proposed)

APPROVED FOR
EP 28 1993

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

\$144.75

Account Number 047628		Identification NOTICE OF APPLICATION OF WATER RIGHT	
Ordered By Gail Garrett	P.O. Number	Rate NT	Run Dates March 4, 11, 1993
State of Idaho Department of Water Resources Western Region 2735 Airport Way Boise, Idaho 83705		Estimated Inches	Real Inches
		# Affidavits 1	Legal Number 4350

Thursday, March 11, 1993 7B

LEGAL NOTICES

LEGAL NOTICES

LEGAL NOTICE OF APPLICATION FOR WATER RIGHT

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

SOUTH COUNTY WATER COMPANY

PO BOX 7361
BOISE, ID 83707

Source:

Diversion Pt:

Use: IRRIGATION

DOMESTIC

FIRE PROTECTION

Total Diversion:

Date Filed:

In: ADA County

T03N R01E S15 NENW NWNW SWNW SENW

S16 NENE NWNE SWNE SENE

260.0 ACRES TOTAL

63-11991

GROUNDWATER

SENE Sec 16 T 03N R 01E in ADA County.

(3.500 CFS)

(.940 CFS)

(3.500 CFS)

(3.500 CFS)

1/27/1993

Tributary: DRY CREEK

NWNWSW Sec 4 T 04N R01E in ADA County.

(.080 CFS)

(.080 CFS)

2/11/1993

GROUNDWATER

SWNW Sec 4 T 04N R 01E in ADA County.

(.200 CFS)

(2.700 CFS)

(2.900 CFS)

2/11/1993

GROUNDWATER

SESWSE Sec 3 T 03N R 02E in ADA County.

(.176 CFS)

(.176 CFS)

(.176 CFS)

2/12/1993

4350

PAN _____, being duly

That she is the Principal Clerk of The newspaper printed and published at Boise, and having a general circulation therein has been continuously and uninterruptedly during a period of twelve consecutive publication of the notice, a copy of which is notice was published in The Idaho th Section 60-108, Idaho Code as

consecutive daily ☐ single ☐ odd skip

the issue of MARCH 4, 1993

of MARCH 11, 1993

SS.

ay of MARCH in the year of e, a Notary Public, personally appeared PAN

known or identified to name subscribed to the within instrument, sworn, declared that the statements therein to me that she executed the same.

ublic for Idaho BOISE, ID

mission expires: 11-27-93

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

FEB 16 1999

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
incomplete forms will be returned.

1. Water Right Number(s) 63-11990
Adjudication Claim Number(s) _____

2. The following **REQUIRED** information must be submitted with this form.

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former South County Water Co.
Owner/claimant(s) P.O. Box 7361 Boise, ID 83707

4. New Owner/Claimant(s) United Water Idaho
Name connector (check): [] AND, [] OR, [] AND/OR

New Mailing Address 8248 W. Victory RD
City, State and ZIP Code Boise, ID 83709

New Telephone Number (208) 362-7332
5. Date you acquired the property 6/5/1998

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies describe in detail you portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS 1.80 Number of Homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Benjamin M. Saylor, Vice Pres. Date 2/12/99
Owner/ Claimant(s) _____ Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

MICROFILMED

MAR 15 1999

United Water

RECEIVED

FEB 16 1999

Department of Water Resources

United Water Idaho

8248 West Victory Road
PO Box 7488
Boise, ID 83707-1488
telephone 208-362-1300
facsimile 208-362-1479

President	William C. Linam	8248 W. Victory Rd. Boise, Idaho 83709
Vice President	John Turner	200 Old Hook Rd. Harrington Park, NJ 07640
	Benjamin M. Hepler	8248 W. Victory Rd. Boise, Idaho 83709
Treasurer	John J. Turner	200 Old Hook Rd. Harrington Park, NJ 07640
Secretary	Allen D. Shakley	200 Old Hook Rd. Harrington Park, NJ 07640
Assist. Secretary	Jeremiah Healy	8248 W. Victory Rd. Boise, Idaho 83709

MICROFILMED
MAR 15 1999

RECEIVED

FEB 16 1999

STOCK PURCHASE AGREEMENT

Department of Water Resources

This STOCK PURCHASE AGREEMENT, dated June 5, 1998, is between UNITED WATER IDAHO INC., an Idaho corporation (the "Purchaser" or "Buyer"), and THORNTON B. STEARNS, THORNTON BRADLEY STEARNS TRUST ACCOUNT, THORNTON B. STEARNS and ELISABETH I. STEARNS, KEITH E. STOKES and JANET R. STOKES TRUST U/T/A, DAVID N. SUHR, RONALD E. BAILEY, EARL T. GROSSAINT, EDYTHE L. GROSSAINT, PATRICIA K. STIBUREK and GERALD E. STIBUREK ("Sellers/Seller"), individually and as all the shareholders of SOUTH COUNTY WATER CO., an Idaho corporation, a public utility corporation organized and existing under the laws of the Idaho ("South County"). In consideration of the mutual agreements, representations and covenants herein, and intending to be legally bound hereby, the parties agree as follows:

SECTION 1. BACKGROUND OF THIS AGREEMENT

The Sellers are the owners of all of the issued and outstanding capital stock of South County, as set forth on Exhibit A attached hereto (the "Stock"). The Purchaser is willing to purchase, and the Sellers to sell, the Stock at the Closing, hereinafter defined, on the terms and conditions and in reliance on the representations and warranties herein set forth.

SECTION 2. PURCHASE AND SALE OF THE STOCK

- 2.1 Obligation to Purchase and Sell. At the Closing, on the terms and subject to the conditions of this Agreement, the Sellers shall sell to the Purchaser, and the Purchaser shall purchase from the Sellers, the Stock.

MICROFILMED
MAR 15 1999

Twenty-three page Stock Purchase Agreement available upon request

MICROFILMED
MAR 15 1999

IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the
respective dates set forth below, effective as of June 5, 1998.

SOUTH COUNTY WATER COMPANY
An Idaho corporation

By: [Signature]
Its: PRESIDENT
*Date: 6/4/98

BUYER:

UNITED WATER IDAHO INC.
An Idaho corporation

By: [Signature]
Its: President
*Date: 6/5/98

SELLER(S):

By: [Signature]
Thornton B. Stearns
*Date: June 5, 1998

By: [Signature]
Thornton Bradley Stearns Trust Account
*Date: June 5, 1998

By: [Signature]
Elisabeth I. Stearns
*Date: 6-5-98

By: [Signature]
Keith E. Stokes

*Date: 6-4-98

By: [Signature]
Janet R. Stokes Trust U/T/A

*Date: 6-4-98

By: [Signature]
David N. Suhr

*Date: 6/5/98

By: [Signature]
Ronald E. Bailey

*Date: 6-5-98

By: [Signature]
Earl T. Grossaint

*Date: 6-4-98

By: [Signature]
Edythe L. Grossaint

*Date: 6/4/98

By: [Signature]
Patricia K. Stiburek

*Date: 6-5-98

By: Gerald E. Stiburek
Gerald E. Stiburek

*Date: 6-5-98

* The last date shown shall be the "effective date" of this Agreement.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-11990

Priority: January 27, 1993

Maximum Diversion Rate:

1.80 CFS

Maximum Diversion Volume:

624.0 AF

This is to certify, that SOUTH COUNTY WATER COMPANY

PO BOX 190185

BOISE ID 83719

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 27, 1993; and has submitted Proof of Beneficial Use on June 19, 1995. An examination indicates that the works have a diversion capacity of 1.800 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.94 CFS	624.0 AF
FIRE PROTECTION	01/01 to 12/31	1.80 CFS	
	Totals	1.80 CFS	624.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 16, Township 03N, Range 01E
ADA County

PLACE OF USE: DOMESTIC

TWN RGE SEC

03N 01E 15

16

NENW

SEnw

NENE

SENE

NWNW

NWNE

SWNW

SWNE

PLACE OF USE:

FIRE PROTECTION, same as DOMESTIC use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

JAN 25 1996

State of Idaho
Department of Water Resources

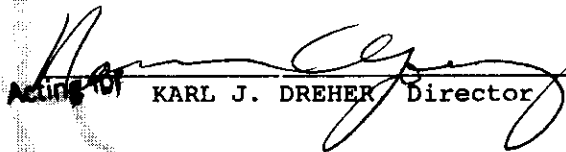
WATER RIGHT LICENSE

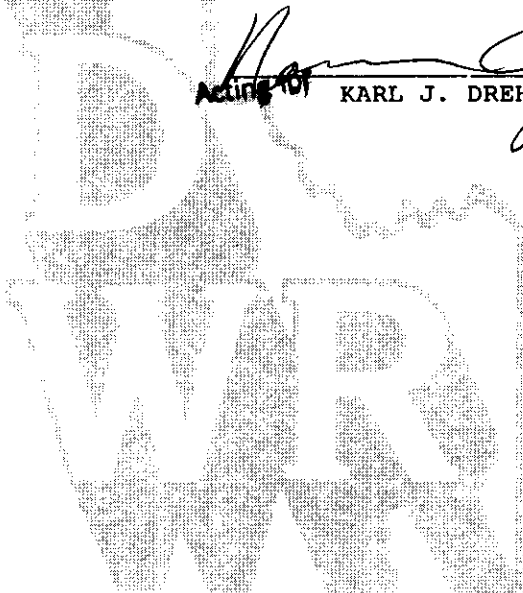
WATER RIGHT NO. 63-11990

CONDITIONS OF APPROVAL AND REMARKS

5. The domestic use authorized under this right shall not exceed 13,000 gallons per day per dwelling.
6. Surface water available from Nampa & Meridian Irrigation District shall be used for lawn, garden and landscape irrigation to the extent it is available.
7. Domestic use is for 520 homes within the Walden Pond and Edgewater Estates Subdivisions.
8. Water for fire protection use shall not be diverted under this right except to fight or repel an existing fire.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 23RD day of JANUARY, 1996.


KARL J. DREHER Director



JAN 25 1996

Amt. of Fee \$: 125.00
Receipt No. 123-774
Receipt By: 17
Date Received: 6-30-95

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 19 1995

PROOF OF BENEFICIAL USE

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

1. Permit No. 63-11990 Telephone No. (208) 375-1130
2. Name(s) of Permit Holder(s): SOUTH COUNTY WATER CO.
3. Mailing Address: P.O. Box 190135 - * Boise 83719
NOTE NEW
4. Source of Water: Well If **GROUNDWATER** (well), Date Drilled: mo. 9 / yr. 1993
 - a. Well Driller: PETE COPE DRILLING CO. Drilling Permit Number: 63-7371 2083-000
 - b. **OPTIONAL:**
Pump Horsepower: 75 Pressure (psi): 90 Dynamic pumping level (ft): 290 ft
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 500+ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 2.0 cfs OR _____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes ☒ or No _____
Has the measuring device been installed? Yes ☒ or No _____

Flow Measurement Port: Is a flow measurement port required? Yes _____ or No _____
Has the measurement port been installed? Yes _____ or No _____

8. Fee Enclosed: \$ 125.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Keith E Stokes PE Telephone Number: (208) 375-1130
Address: 12549 NECLAND RD BOISE ID
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Keith E Stokes PE President Date: 6/12/95
(include your title, if on behalf of company or organization)

For South County Water

JUN 29 1995

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

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 63-11990 IN)
THE NAME OF SOUTH COUNTY WATER)
CO.)
_____)

FINAL ORDER

This matter having come before the Idaho Department of Water Resources (department) in the form of a protested application for permit, the department having held a conference and a hearing in the matter, the Director of the department makes the following Findings of Fact, Conclusions of Law, Analysis and Order:

FINDINGS OF FACT

1. On January 27, 1993, South County Water Co. (applicant) submitted Application for Permit No. 63-11990 to the department requesting the diversion of 3.5 cubic feet per second (cfs) of ground water to be diverted from a proposed well to be located in the SE1/4NE1/4 Section 16, T3N, R1E, BM in Ada County. The uses of water proposed by the applicant are domestic, fire protection and the irrigation of 260 acres associated with a total of 520 homes.

2. The department published notice of the application which was protested by Carmen J. Mayes. The department subsequently granted intervention to protestant Nampa & Meridian Irrigation District.

3. The protestant objected to the applicant's proposal to irrigate the subdivision with ground water rather than with surface water provided by Nampa & Meridian Irrigation District which has already been used for the irrigation of the land. The protestant also was concerned that diversion of water from the applicant's proposed well could adversely affect the use of water from her well.

4. On July 28, 1993, the department conducted a hearing in the contested matter. The applicant was present and was represented by Keith Stokes, the president of the company. Protestant Carmen J. Mayes was present and represented herself. Intervenor Nampa & Meridian Irrigation District did not appear at the hearing.

5. The applicant's purpose for filing the application is primarily to provide fire protection for some existing and some newly proposed subdivision development.

6. South County Water Company is a privately owned company

SEP 28 1993

which currently owns and operates thirteen (13) wells in its system and provides water to about 3,000 customers. The proposed new well would be hooked into the existing water supply system.

7. The total depth of the applicant's proposed well is about 550 feet of which the upper 300 feet would be cased with non-perforated casing. The applicant plans to seal the casing to 100 feet below land surface.

8. Of the 260 acres of land to be irrigated, about 200 acres have been irrigated in the past with surface water provided by Nampa & Meridian Irrigation District. Walden Pond Subdivision comprises about 120 acres of the 260 acres. This subdivision has been constructed in the past and did not provide for the use of surface water within the subdivision for irrigation purposes. Edgewater Estates Subdivision which has not been constructed comprises about 140 acres of the 260 acres and will provide for the use of surface water in the subdivision for irrigation purposes.

9. In 1986, the applicant installed a metering system to measure water delivered to its customers.

10. Protestant Carmen Mayes has lived in her residence for about 30 years. She does not have much information about the well she uses, however, since the well was constructed before she purchased the property and is underground. Hence, the protestant is not sure of the location of her well or of the characteristics of it. She has been told that the well is about 117 feet deep.

11. The protestant's well is about a mile away from the applicant's proposed well. There are several large wells closer to the protestant than the well proposed by the applicant.

12. The protestant's well has not been noticeably affected by the six (6) year drought or by other users, except that her pump had to be reprimed once due to air in it.

13. Ground water interference problems which became apparent in the Boise River drainage during the duration of six (6) consecutive years of drought conditions prior to 1993 demonstrate that it generally is not in the local public interest to allow a wateruser to change the source of water used for irrigation from surface water to ground water. Among the reasons are that the surface water previously used provides some recharge to the ground water system through seepage and that the surface water no longer used for irrigation of the original land could be used on new land resulting in an overall enlarged use of the water resource.

14. The applicant is willing to conduct a pump test on a well in the vicinity of the protestant's well to determine whether there is an identifiable effect upon the protestant's well. The applicant also is willing to accept responsibility for injury to the protestant's well if it can be shown that the applicant's well

is responsible for the injury.

CONCLUSIONS OF LAW

1. Section 42-203A(5), Idaho Code, states in part as follows:

The director of the department of water resources shall find and determine from the evidence presented to what use or uses the water sought to be appropriated can be and are intended to be applied. In all applications whether protested or not protested, where the proposed use is such (a) that it will reduce the quantity of water under existing water rights, or (b) that the water supply itself is insufficient for the purpose for which it is sought to be appropriated, or (c) where it appears to the satisfaction of the department that such application is not made in good faith, is made for delay or speculative purposes, or (d) that the applicant has not sufficient financial resources with which to complete the work involved therein, or (e) that it will conflict with the local public interest, where the local public interest is defined as the affairs of the people directly affected by the proposed use, or (f) that it is contrary to the conservation of water resources within the state of Idaho; the director of the department of water resources may reject such application and refuse issuance of a permit therefor, or may partially approve and grant a permit for a smaller quantity of water than applied for, or may grant a permit upon conditions.

2. On May 15, 1992, the Director of the department issued a moratorium order against the issuance of permits which propose new consumptive uses in the Boise River drainage. The moratorium order does not apply to applications for "domestic purposes" as the term is defined in Section 42-111, Idaho Code. The order also provides that the department will consider approval of applications seeking water for multiple ownership subdivisions or mobile home parks provided each unit satisfies the definition for the exception of requirement to file an application for permit as described in Section 42-111, Idaho Code.

3. Section 42-111, Idaho Code, defines "domestic purposes" or "domestic uses" as follows:

A. The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to one-half (1/2) acre of land, if the total use is not in excess of thirteen thousand (13,000) gallons per day, or

B. Any other uses, if the total use does not exceed a diversion rate of four one-hundredths (0.04) cubic feet per second and a diversion volume of twenty-five hundred (2,500)

SEP 28 1993

gallons per day.

4. The protestant's water right will not be injured by approval of the application under conditions to protect her right and other prior water rights.

5. The water supply is sufficient to provide water for domestic and fire protection purposes.

6. The application was made in good faith and not for delay or speculative purposes.

7. The applicant has sufficient financial resources with which to construct the project proposed in the application.

8. The application will not conflict with the local public interest, since it will enhance the public interest by providing additional capacity for fire protection.

9. The application is not contrary to conservation of water resources within the state of Idaho. The applicant's installation of water metering equipment in 1986 to measure water delivered to its customers demonstrates an intent to conserve water.

10. The department should approve the application with certain conditions and limitations.

11. The department should set aside the protest of intervenor Nampa & Meridian Irrigation District for failure to appear at the hearing.

ANALYSIS

In the instant case, the applicant, generally provides water in a manner similar to a municipality and does not have control over the source of water used for irrigation in a subdivision within its service area.

The proposed use listed as "irrigation" on the application can not be approved due to the moratorium. The right holder can, however, use water for irrigation purposes as limited by and included in the "domestic use" allowance, provided the applicant otherwise complies with the terms of this approval.

ORDER

IT IS THEREFORE hereby ORDERED that the protest of intervenor Nampa & Meridian Irrigation District is **SET ASIDE** for failure to appear at the hearing and will not be further considered by the department.

IT IS FURTHER, THEREFORE hereby ORDERED that Application for Permit No. 63-11990 be **APPROVED** subject to the following conditions

and limitations:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 1995.

2. Use of water under this right is subject to all prior water rights.

3. The right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

4. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

5. The issuance of this right in no way grants any right-of-way or easement across the land of another.

6. The right holder shall either install a measuring device or provide a certified measurement by a professional engineer or shall install an access port or other device as specified by the department.

7. Uses authorized in this approval are as follows:

0.94 cfs	Domestic use	1-1 to 12-31
<u>3.5 cfs</u>	Fire Protection	1-1 to 12-31
3.50 cfs	TOTAL	

8. Domestic use is for 520 homes.

9. The domestic use authorized under this right shall not exceed 13,000 gallons per day per dwelling.

10. Surface water available from Nampa & Meridian Irrigation District shall be used for irrigation to the extent it is available.

11. Prior to commencing construction of the well, the permit holder shall submit information to the department for review and approval to demonstrate that the Edgewater Estates Subdivision will complete the installation of a separate irrigation system to allow use of the available surface water provided by Nampa & Meridian Irrigation District.

Signed this 3rd day of SEPTEMBER, 1993.


R. KEITH HIGGINSON
Director

SEP 28 1993

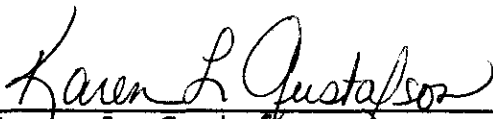
CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 7th day of September, 1993, I mailed a true and correct copy, postage prepaid, of the foregoing Final Order to the following:

South County Water Co
PO Box 7361
Boise, ID 83707

Carmen J Mayes
3710 E Franklin Rd
Meridian, ID 83642

Nampa Meridian Irrigation Dist
1503 1st St South
Nampa, ID 83651-4395



Karen L. Gustafson
Secretary/Records Manager

SEP 28 1993

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 63-11990

Proposed Priority: January 27, 1993 Maximum Diversion Rate: 3.50 CFS
This is to certify, that **SOUTH COUNTY WATER COMPANY**

PO BOX 7361
BOISE ID 837077361

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.94 CFS
FIRE PROTECTION	01/01 to 12/31	3.50 CFS
	Totals	3.50 CFS

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 16, Township 03N, Range 01E
ADA County

PLACE OF USE: DOMESTIC
TWN RGE SEC

03N 01E 15	NENW	NWNW	SWNW
	SEnw		
16	NENE	NWNE	SWNE
	SENE		

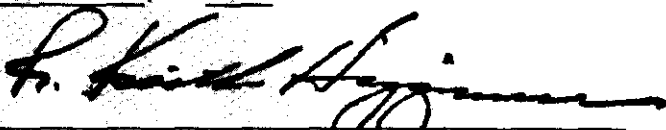
PLACE OF USE: FIRE PROTECTION, same as DOMESTIC use

CONDITIONS/REMARKS:

1. See Final Order for conditions of approval.

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

3rd day of September, 1993.


R. Keith Higginson, Director

RECORDED

SEP 28 1993

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

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 63-11990 IN)
THE NAME OF SOUTH COUNTY WATER)
CO.)
_____)

RECOMMENDED ORDER

This matter having come before the Idaho Department of Water Resources (department) in the form of a protested application for permit, the department having held a conference and a hearing in the matter, the Director of the department makes the following Findings of Fact, Conclusions of Law, Analysis and Order:

FINDINGS OF FACT

1. On January 27, 1993, South County Water Co. (applicant) submitted Application for Permit No. 63-11990 to the department requesting the diversion of 3.5 cubic feet per second (cfs) of ground water to be diverted from a proposed well to be located in the SE1/4NE1/4 Section 16, T3N, R1E, BM in Ada County. The uses of water proposed by the applicant are domestic, fire protection and the irrigation of 260 acres associated with a total of 520 homes.

2. The department published notice of the application which was protested by Carmen J. Mayes. The department subsequently granted intervention to protestant Nampa & Meridian Irrigation District.

3. The protestant objected to the applicant's proposal to irrigate the subdivision with ground water rather than with surface water provided by Nampa & Meridian Irrigation District which has already been used for the irrigation of the land. The protestant also was concerned that diversion of water from the applicant's proposed well could adversely affect the use of water from her well.

4. On July 28, 1993, the department conducted a hearing in the contested matter. The applicant was present and was represented by Keith Stokes, the president of the company. Protestant Carmen J. Mayes was present and represented herself. Intervenor Nampa & Meridian Irrigation District did not appear at the hearing.

5. The applicant's purpose for filing the application is primarily to provide fire protection for some existing and some newly proposed subdivision development.

6. South County Water Company is a privately owned company

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which currently owns and operates thirteen (13) wells in its system and provides water to about 3,000 customers. The proposed new well would be hooked into the existing water supply system.

7. The total depth of the applicant's proposed well is about 550 feet of which the upper 300 feet would be cased with non-perforated casing. The applicant plans to seal the casing to 100 feet below land surface.

8. Of the 260 acres of land to be irrigated, about 200 acres have been irrigated in the past with surface water provided by Nampa & Meridian Irrigation District. Walden Pond Subdivision comprises about 120 acres of the 260 acres. This subdivision has been constructed in the past and did not provide for the use of surface water within the subdivision for irrigation purposes. Edgewater Estates Subdivision which has not been constructed comprises about 140 acres of the 260 acres and will provide for the use of surface water in the subdivision for irrigation purposes.

9. In 1986, the applicant installed a metering system to measure water delivered to its customers.

10. Protestant Carmen Mayes has lived in her residence for about 30 years. She does not have much information about the well she uses, however, since the well was constructed before she purchased the property and is underground. Hence, the protestant is not sure of the location of her well or of the characteristics of it. She has been told that the well is about 117 feet deep.

11. The protestant's well is about a mile away from the applicant's proposed well. There are several large wells closer to the protestant than the well proposed by the applicant.

12. The protestant's well has not been noticeably affected by the six (6) year drought or by other users, except that her pump had to be reprimed once due to air in it.

13. Ground water interference problems which became apparent in the Boise River drainage during the duration of six (6) consecutive years of drought conditions prior to 1993 demonstrate that it generally is not in the local public interest to allow a wateruser to change the source of water used for irrigation from surface water to ground water. Among the reasons are that the surface water previously used provides some recharge to the ground water system through seepage and that the surface water no longer used for irrigation of the original land could be used on new land resulting in an overall enlarged use of the water resource.

14. The applicant is willing to conduct a pump test on a well in the vicinity of the protestant's well to determine whether there is an identifiable effect upon the protestant's well. The applicant also is willing to accept responsibility for injury to the protestant's well if it can be shown that the applicant's well

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is responsible for the injury.

CONCLUSIONS OF LAW

1. Section 42-203A(5), Idaho Code, states in part as follows:

The director of the department of water resources shall find and determine from the evidence presented to what use or uses the water sought to be appropriated can be and are intended to be applied. In all applications whether protested or not protested, where the proposed use is such (a) that it will reduce the quantity of water under existing water rights, or (b) that the water supply itself is insufficient for the purpose for which it is sought to be appropriated, or (c) where it appears to the satisfaction of the department that such application is not made in good faith, is made for delay or speculative purposes, or (d) that the applicant has not sufficient financial resources with which to complete the work involved therein, or (e) that it will conflict with the local public interest, where the local public interest is defined as the affairs of the people directly affected by the proposed use, or (f) that it is contrary to the conservation of water resources within the state of Idaho; the director of the department of water resources may reject such application and refuse issuance of a permit therefor, or may partially approve and grant a permit for a smaller quantity of water than applied for, or may grant a permit upon conditions.

2. On May 15, 1992, the Director of the department issued a moratorium order against the issuance of permits which propose new consumptive uses in the Boise River drainage. The moratorium order does not apply to applications for "domestic purposes" as the term is defined in Section 42-111, Idaho Code. The order also provides that the department will consider approval of applications seeking water for multiple ownership subdivisions or mobile home parks provided each unit satisfies the definition for the exception of requirement to file an application for permit as described in Section 42-111, Idaho Code.

3. Section 42-111, Idaho Code, defines "domestic purposes" or "domestic uses" as follows:

A. The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to one-half (1/2) acre of land, if the total use is not in excess of thirteen thousand (13,000) gallons per day, or

B. Any other uses, if the total use does not exceed a diversion rate of four one-hundredths (0.04) cubic feet per second and a diversion volume of twenty-five hundred (2,500)

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gallons per day.

4. The protestant's water right will not be injured by approval of the application under conditions to protect her right and other prior water rights.

5. The water supply is sufficient to provide water for domestic and fire protection purposes.

6. The application was made in good faith and not for delay or speculative purposes.

7. The applicant has sufficient financial resources with which to construct the project proposed in the application.

8. The application will not conflict with the local public interest, since it will enhance the public interest by providing additional capacity for fire protection.

9. The application is not contrary to conservation of water resources within the state of Idaho. The applicant's installation of water metering equipment in 1986 to measure water delivered to its customers demonstrates an intent to conserve water.

10. The department should approve the application with certain conditions and limitations.

11. The department should set aside the protest of intervenor Nampa & Meridian Irrigation District for failure to appear at the hearing.

ANALYSIS

In the instant case, the applicant, generally provides water in a manner similar to a municipality and does not have control over the source of water used for irrigation in a subdivision within its service area.

The proposed use listed as "irrigation" on the application can not be approved due to the moratorium. The right holder can, however, use water for irrigation purposes as limited by and included in the "domestic use" allowance, provided the applicant otherwise complies with the terms of this approval.

ORDER

IT IS THEREFORE hereby ORDERED that the protest of intervenor Nampa & Meridian Irrigation District is **SET ASIDE** for failure to appear at the hearing and will not be further considered by the department.

IT IS FURTHER, THEREFORE hereby ORDERED that Application for Permit No. 63-11990 be **APPROVED** subject to the following conditions

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SEP 28 1993

and limitations:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before the date shown in the Final Order.

2. Use of water under this right is subject to all prior water rights.

3. The right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

4. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

5. The issuance of this right in no way grants any right-of-way or easement across the land of another.

6. The right holder shall either install a measuring device or provide a certified measurement by a professional engineer or shall install an access port or other device as specified by the department.

7. Uses authorized in this approval are as follows:

0.94 cfs	Domestic use	1-1 to 12-31
<u>3.5 cfs</u>	Fire Protection	1-1 to 12-31
3.50 cfs	TOTAL	

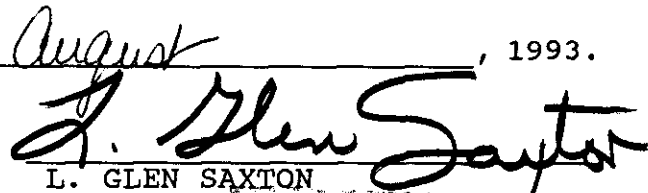
8. Domestic use is for 520 homes.

9. The domestic use authorized under this right shall not exceed 13,000 gallons per day per dwelling.

10. Surface water available from Nampa & Meridian Irrigation District shall be used for irrigation to the extent it is available.

11. Prior to commencing construction of the well, the permit holder shall submit information to the department for review and approval to demonstrate that the Edgewater Estates Subdivision will complete the installation of a separate irrigation system to allow use of the available surface water provided by Nampa & Meridian Irrigation District.

Signed this 14th day of August, 1993.


L. GLEN SAXTON
Hearing Officer

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 14th day of August, 1993, I mailed a true and correct copy, postage prepaid, of the foregoing Recommended Order to the following:

South County Water Co
PO Box 7361
Boise, ID 83707

Carmen J Mayes
3710 E Franklin Rd
Meridian, ID 83642

Nampa Meridian Irrigation Dist
1503 1st St South
Nampa, ID 83651-4395



Karen L. Gustafson
Secretary/Records Manager

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SEP 28 1993

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 63-11990 IN THE) **NOTICE OF HEARING**
NAME OF SOUTH COUNTY WATER CO.)

The Department has scheduled the matter for a hearing to be held on July 28, 1993, at 10:00 a.m. at the Second Floor Conference Room, Department of Water Resources, 1301 N. Orchard St., Boise, Idaho 83706. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, Idaho Code, the adopted Rules of Procedure of the department and Water Appropriation Rules 40 and 45. The presiding officer at the hearing will be Glen Saxton.

All parties to the matter will have the opportunity to respond and present information and argument on all issues involved.

Dated this 9th day of July, 1993.

David R. Tuthill
DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

REPORT NO.

SEP 28 1993

I hereby certify that on the 12th day of July, 1993, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

Sue Taylor
Sue Taylor
Secretary, Office Coordinator

Certified Mail

SOUTH COUNTY WATER CO
PO BOX 7361
BOISE ID 83707

NAMPA-MERIDIAN IRRIGATION DIST
1503 1ST ST SOUTH
NAMPA ID 83651-4395

CARMEN J MAYES
3710 E FRANKLIN RD
MERIDIAN ID 83642

South County Water Co. notice was hand delivered on Friday,
July 9, 1993.

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CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR PERMIT

Section 42-203A, Idaho Code, requires the department to consider the following issues in connection with an application for permit:

- 1) Will the proposed appropriation injure other water rights?
- 2) Is the proposed water supply sufficient for the purpose for which it is sought to be appropriated?
- 3) Was the application made in good faith or for delay or speculative purposes?
- 4) Does the applicant sufficient financial resources with which to complete the proposed project?
- 5) Is the proposed appropriation in the local public interest, which is defined as the affairs of the people in the area directly affected by the proposed use?
- 6) Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The Applicant has the initial burden of proof on issues 1, 2, 3, 4, & 6 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The procedure generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

CONFERENCE

The purpose of a prehearing conference is to provide the opportunity for the parties and the department to familiarize

SEP 28 1993

themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement offers, schedule hearings, establish procedure at hearings and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon request and the payment of the cost of reproducing the tape.

The hearing likely will be conducted by a hearing officer appointed by the Director rather than the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director.

Parties may by written stipulation waive their right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing please advise the department within ten (10) days prior to the hearing.

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AUG 04 1993

JAN 27 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Department of Water Resources Ident. No. 63-11990
Western Regional Office

Department of Water Resources To appropriate the public waters of the State of Idaho

1. Name of applicant South County Water Company Phone 375-1130

Post office address P.O. Box 7361, Boise, Idaho 83707

2. Source of water supply Ground Water which is a tributary of -

3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of - Govt. Lot -

Sec. 16 Township 3N Range 1E B.M. ADA County; additional

points of diversion if any: None

4. Water will be used for the following purposes:

Amount 3.5 cfs for Municipal purposes from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .94 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 3.5 for Fire Protection purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

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

5. Total quantity to be appropriated is (a) 3.5 cfs and/or (b) -
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, pump and appurtanances

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

c. Proposed well diameter is 18" inches; proposed depth of well is 600 feet.

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

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

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* Per letter with Keith Stokes Pres., 2/23/93 to comply with
Adm. Memo # 18. Domestic 520 lpm; max rate allowable is .94 cfs.
See comments. - JH

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. ~~South County Water Company~~ SW Boise
- d. Domestic; show number of households. ~~500~~ plus 520
- e. Other; describe fully. Fire protection - 1500 gpm required by Fire District

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

[illegible]

10. Describe any other water rights used for the same purposes as described above. 63-8265

11. a. Who owns the property at the point of diversion? Bedelco Inc.
- b. Who owns the land to be irrigated or place of use? Home owners
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. South County Water Co. has a lease purchase agreement
for the well site in this new subdivision.

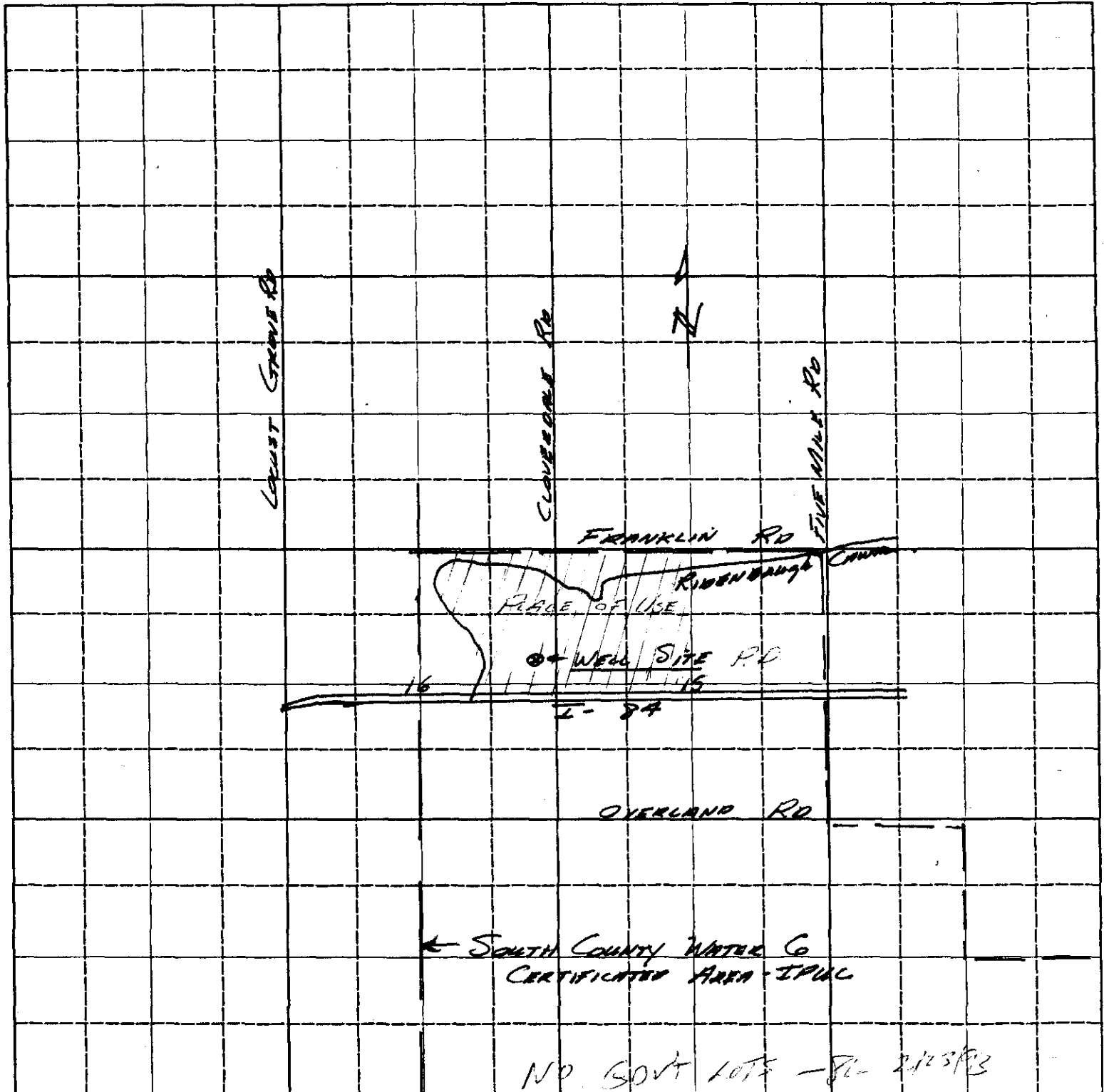
12. **Remarks:** This new well is necessary for additional subdivision growth in the area
and provides both domestic flows and fire protection flows

Total use will not exceed 3.5 cfs in irrigated season or 7.4 cfs in non-irrigation season (fire protection is included use).
* OFFICERS - Keith Stokes Pres., Earl Gressant VP, David Sukh Treas.

* See taken with Pres. K. Stokes 2/27/53 - 82
Ph. Storm in SW+NE 516 per significant map.

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



Scale: 2 inches equal 1 mile.

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

 SEP 28 1993
 (Applicant)
 Keith E. Stokes P.E.
 President
 South County Water Company

Received by MM Date 1-27-93 Time 11:30 am Preliminary check by JR
Fee \$ 105⁰⁰ Receipted by JR # W0015864 Date 1-27-93
Publication prepared by GG Date 2/24/93 Published in ID Statesman
Publication approved JR Date 3-25-93 ^{3/4} & 3/11/93

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

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PROPOSED WELL SITE

SECTION 16, T.3N., R.1E.

January 22, 1993

A portion of the SE 1/4 of the NE 1/4 of Section 16, Township 3 North, Range 1 East of the Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the east 1/4 corner of Section 16, T.3N., R.1E., B.M., thence N 00°00'00" W 733.89 feet along the east line of the SE 1/4 of the NE 1/4;

Thence N 90°00'00" W 133.26 feet to the **REAL POINT OF BEGINNING** of this description.

Thence N 90°00'00" W 70.97 feet to a point;

Thence N 82°51'16" W 29.22 feet to a point;

Thence S 3°30'00" W 101.32 feet to a point on a curve;

Thence S 86°30'00" E 100.00 feet to a point;

Thence N 3°30'00" E 103.80 feet to the **REAL POINT OF BEGINNING** of this description.

This parcel contains 0.233 acres, more or less.

Michael E. Marks, No. 4998



SEP 28 1993



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

March 1, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

UNITED WATER IDAHO
8248 W VICTORY RD
BOISE ID 83709

RE: Water Rights 63-07641/63-07896/63-07979/63-07998/63-08011/
63-08248/63-08265/63-08405/63-08635/63-09087/63-09106/63-09198/
63-09199/63-09384/63-10391/63-11990

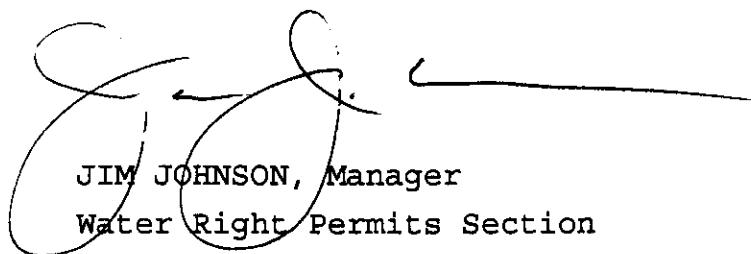
Dear Water Right Holder(s):

The Department is in receipt of the correspondence changing ownership of the above referenced water rights to you. We have modified our records to reflect these changes in ownership and computer generated reports are enclosed.

Just a reminder, because of a law that went into effect July 1, 1996, all water right owners are required to report change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee to the water right owner. If you have other water rights that haven't had the ownership updated please contact the department as soon as possible.

If you have any questions regarding this matter, please feel free to contact me at (208) 327-7947.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosures

MICROFILMED

MAR 15 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 23, 1996

SOUTH COUNTY WATER COMPANY
PO BOX 190185
BOISE ID 83719

RE: WATER RIGHT NO. 63-11990

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

JAN 25 1996

LICENSE REVIEW CHECKLIST

PERMIT NO. 63-11990 DATE 1-19-96



NAME Change OK ☒ Or Address Change? ☐

PRIORITY DATE Advance? ☒ Advanced to: Order to reinstate needed? ☐ Incorrect fee for rate recommended? NO

SOURCE Changes or just clarification of originally intended source? ☒ Notice of Intent to Void necessary? ☐

POINT OF DIV Amendment needed? ☒ Overlaps? ☒

PLACE OF USE Amendment needed? ☒ Overlaps? ☒

DIV RATE Permit/fee limits: 3.50 / 2.0 CFS
Meas Q = 1.8 Theo Q = Recommend: 1.8
Pump Curve Results
PERMIT DOMESTIC limit is .94 CFS
Combined rates exceed capacity ☐

ANNUAL VOLUME Volume Limit: Season:
Calculations: 520 homes x 1.2 = 624 cf
NO FIRE VOLUME
Flow limit: cfs x x 1.9835 =
Combined volumes exceed capacity/allowable ☐

USES Change in Nature of Use or additional uses? ☐ Amendment necessary? ☐

ADDITIONAL INFO Replaces Surface Water 050 Supplemental GW
Irr/Dom Combination WB5 PPU Recommendation
Boise River/Wood River Source Aes/Rec Uses W38

NEW REMARKS Multiple p/d(s) in 1/4 1/4? YES Other WBLE (FIRE PROTECT) CONDITION #10 should be on the license - didn't get in the data base.

NEW CONDITIONS WM Control- District Meas/Lock Devices
Irrigation Overlap
Other
Water Quality Heat/Cool/Fish verified

COMMENTS: Add condition #10 from the order, was omitted in the data entry.

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	
<u>Domestic</u>	<u>.94</u>	<u>624</u>	Adjustment Memo Needed	<u>NO</u>
<u>Fire</u>	<u>1.80</u>	<u> </u>	LICENSE	☒
<u>TOTAL</u>	<u>1.80</u>	<u>624</u>	1ST AMEND LETTER	<u> </u>
			2ND AMEND LETTER	<u> </u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 11 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-11950

1. Owner: South County Water Co Phone No. 375-1130

Current Address: PO Box 7361 Boise ID 837077361

2. Accompanied by: Keith Stokes EXAM DATE: 8/4/95

Address: same Phone No. same

Relationship to Permit Holder: Mgt

3. Source: Ground water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 63-02338, -02106, -02330, -04945

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	NE	16	3N	1E	Ada	USGS Quad

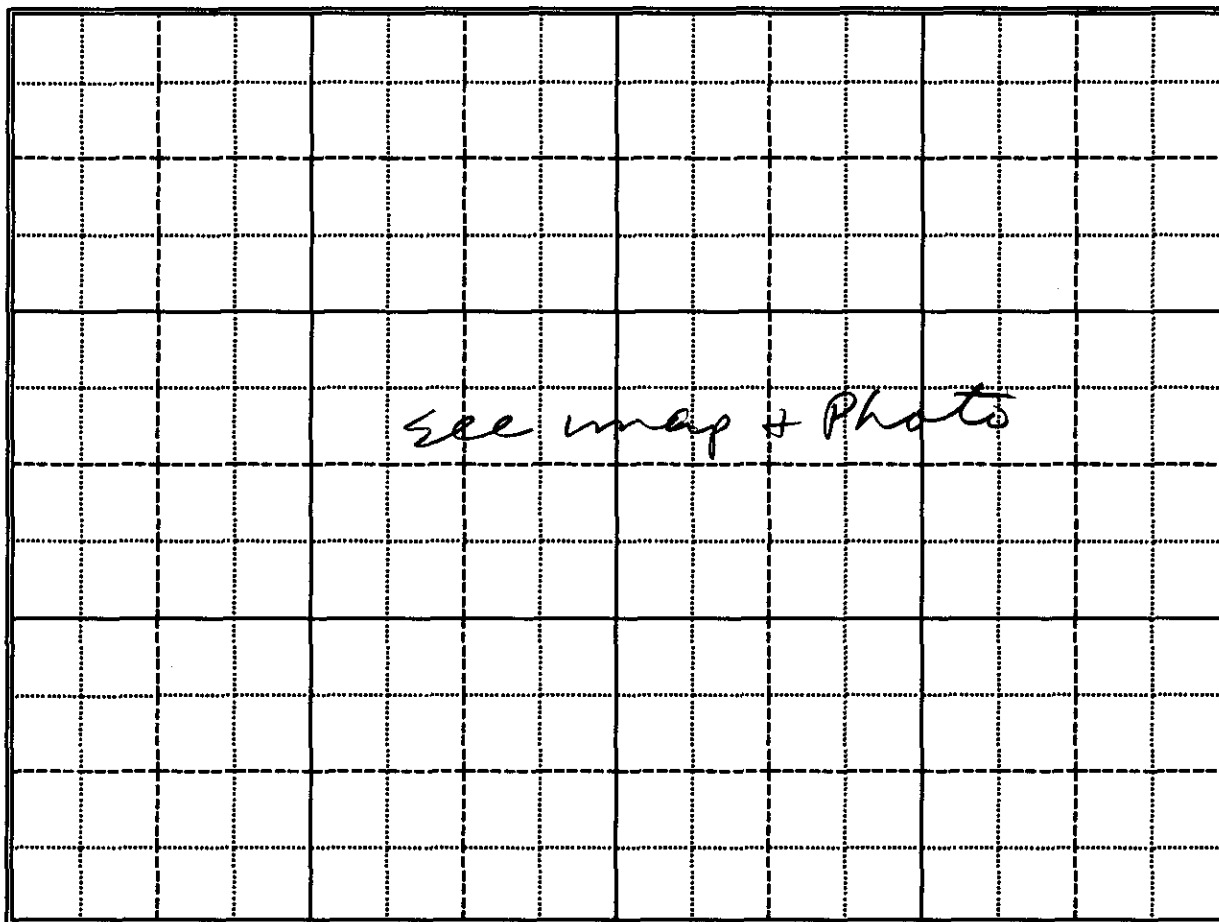
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	1E	15					D	D	D	D									
		16	D	D	D	D													

JAN 25 1996

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



Scale: 1" =

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

N/A

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

☒

Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		75	Submers	Goold	

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: Pump curve provided by Keith
Stoker

JAN 25 1996

E. NARRATIVE/REMARKS/COMMENTS

A 16" well with a 75HP submersible pump supplies water to 520 homes. South City Water Company's delivery system consists of 14 wells and 10" mainline on variable frequency control. Water from this well is directed towards homes in the NW qtr of sec 15 and the NE qtr of sec 16. At the time of the exam, a Sparling Flowmeter located on the discharge pipe read 660 BPM and the pressure gage read 80 PSI.

Nampa Meridian Irrigation water is also used for external domestic use per conditions of the permit.

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

JAN 25 1996

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

per pump curve: 810 BPM capacity = 1.8 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

520 homes $\times$ 1.2 af = 624

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	1/1	12/31	.94	624
Fire Protection	1/1	12/31	1.8	
Totals:			1.8 cfs	624 afa

2. Recommended Amendments

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

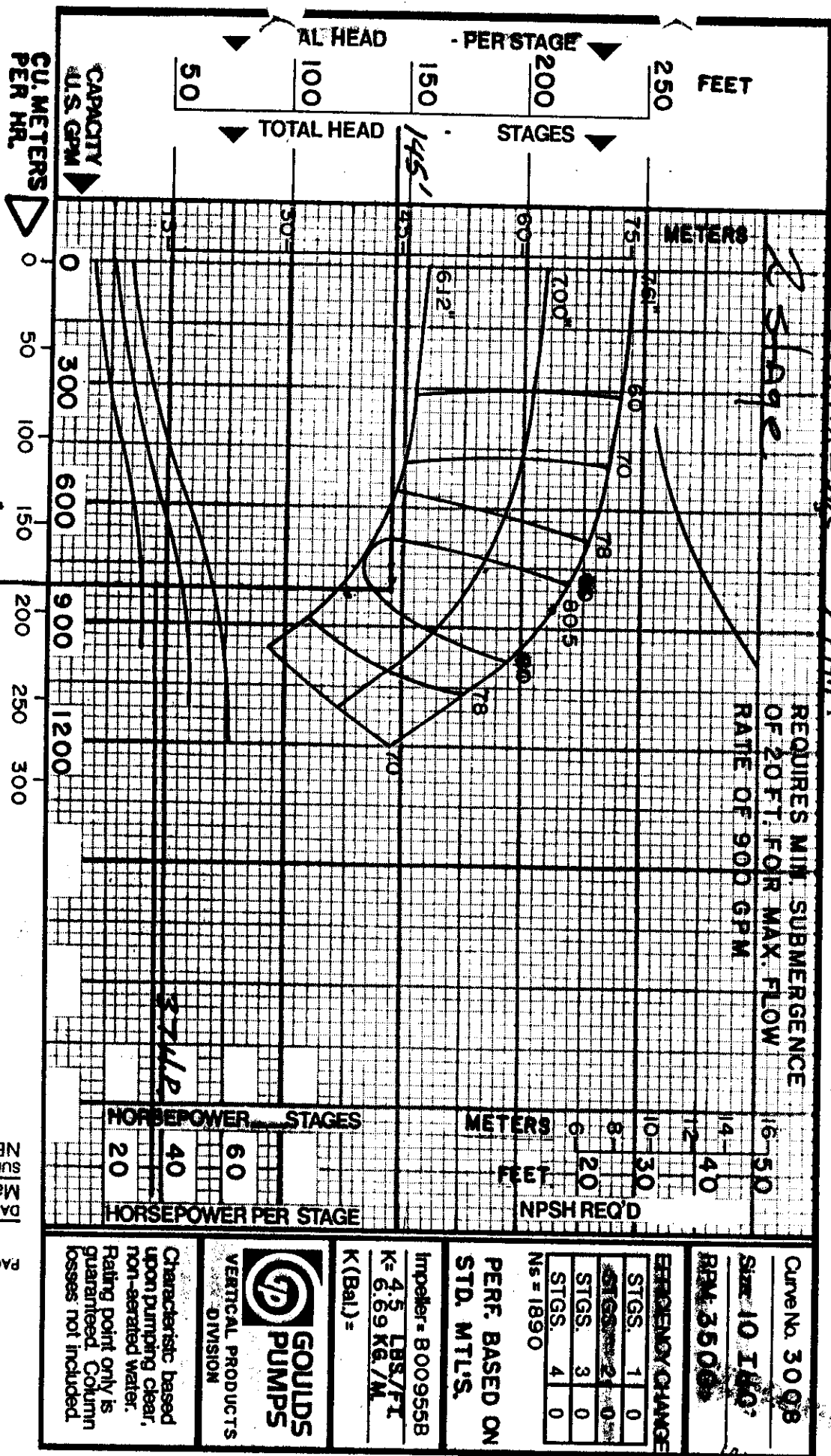
I. AUTHENTICATIONField Examiner's Name Lee Chaver Date 12/27/95

Reviewer _____ Date _____

SEAL

JAN 25 1996

PROJECT	Goulds Proposal No.	Goulds S.O. No.	Inquiry No.	Customer P.O. No.	P.O. Date	Item No.	Customer
							Kah Shakes
SERVICE	145' x 2 stage / = 290'						
	37 H.P. x 2 stage = 74 H.P.						
	810 = 1.8 cfs						
	CAPACITY		F.T. TDH		% EFFICIENCY		
	810		290		80 3500		



810 GPM = 1.8 cfs

DATE: May 2, 1988

PAGE: 5C13.1A

Curve No. 3008

Size 10 I.D.

RM: 3500

EFFICIENCY CHANGE

STGS.	1	0
STGS.	2	0
STGS.	3	0
STGS.	4	0

Ns = 1890

PERF. BASED ON STD. MTL'S.

Impeller - 800955B

K = 4.5 LBS./FT

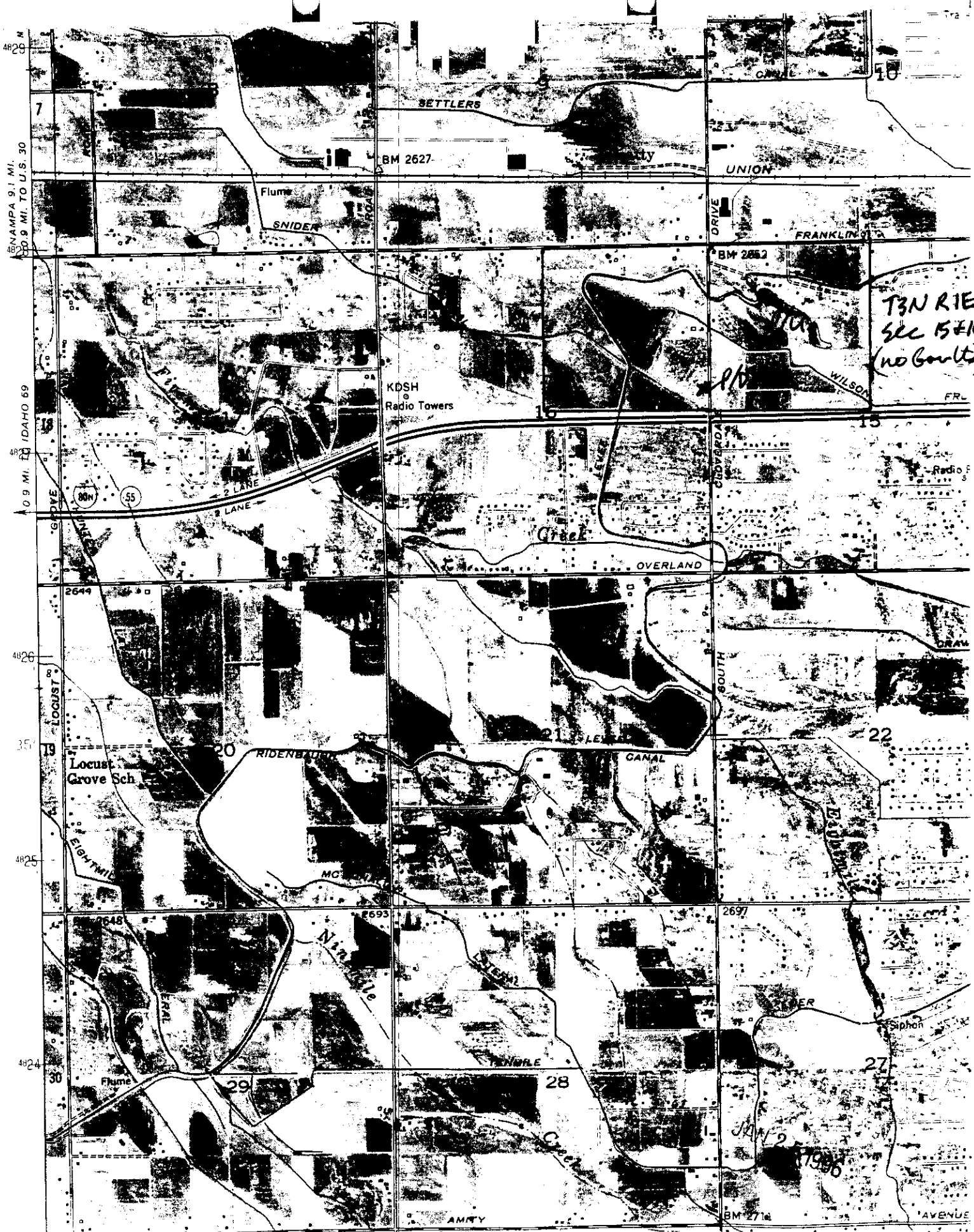
K = 6.69 KG./M

K (Bal.) =

GOULDS PUMPS

VERTICAL PRODUCTS DIVISION

Characteristic based upon pumping clear, non-aerated water. Rating point only is guaranteed. Column losses not included.



T3N R1E
Sec 15E16
(no Gaults)

JAN 2
1986

63-11990

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: 63-93-W-683-0 OTHER APPLICABLE NO: 63-11990

2. OWNER: S City Water Co Phone: 375-1130
Address: Boise

3. WELL LOCATION: Twp 3N, Rge. 1E, Sec. 16, SE 1/4 NE 1/4
County Ada (Provide sketch map and photo on reverse.)

4. DRILLER: Cope Lic. No. 213
When Drilled? 1993

5. WELL CONSTRUCTION:

Casing Diameter 16 inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____
Depth of Casing 450 ft. Method Drilled _____
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____
Control Valve? ☒ Yes ☐ No Pressure Gauge: ☒ Yes ☐ No
Condition of Piping and Valving good
Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)

6. HYDROLOGIC INFORMATION:

Depth to Static Water 20 ft. Water Temperature cold °F
Flowing Artesian ☐ Yes ☒ No Pressure: 90 (psi)
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____

7. WELL USE:

☒ Domestic	☐ Irrigation	☐ Stock
☐ Test	☒ Municipal	☐ Industrial
☐ Abandoned	☐ Waste Disposal/Injection	☐ Not Used
☐ Other: _____		

JAN 25 1996

63-11990

8. **POSSIBLE CONTAMINATION SOURCES:**

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. **REMARKS:**



Signature of Dept. Representative & Title

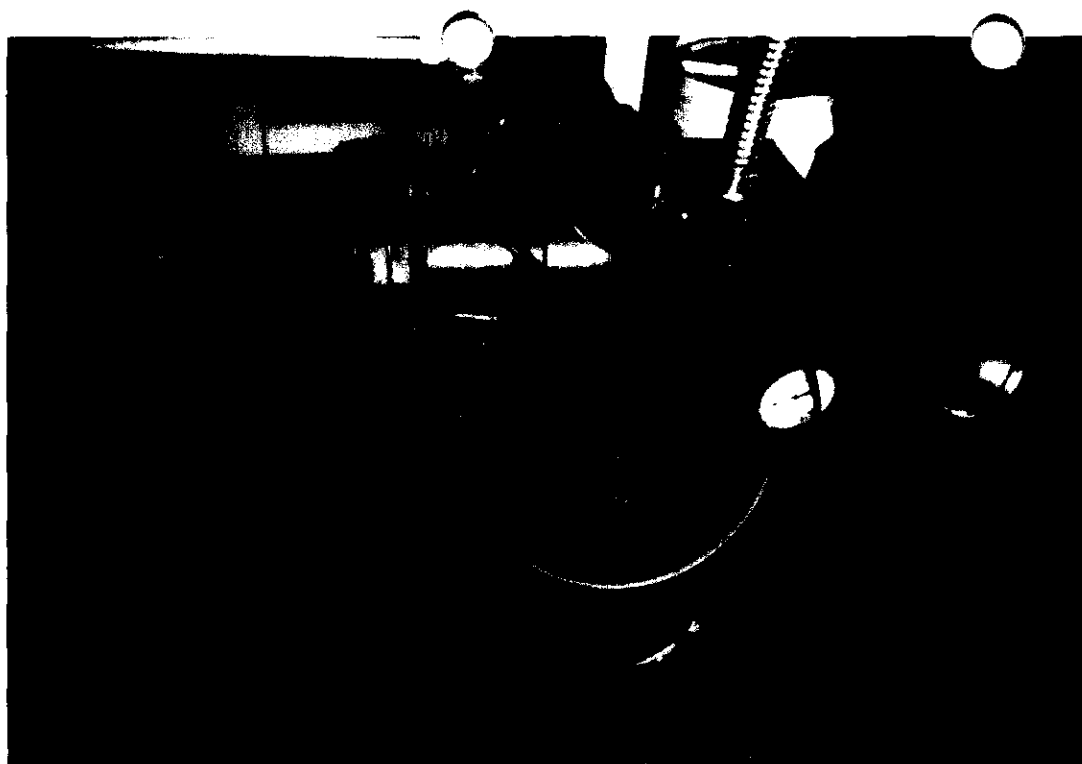
8/4/95

Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

30-1-100001 0407

JAN 25 1996



- P/D
1



RECEIVED
JAN 25 1996

63-11990



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR
June 27, 1995

SOUTH COUNTY WATER COMPANY
P O BOX 190185
BOISE ID 83719

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 63-11990

Dear Permit Holder:

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

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning the field examination, please feel free to contact the WESTERN Regional Office in Boise, at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

MICROFILMED

JUN 29 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 31, 1995

SOUTH COUNTY WATER COMPANY
PO BOX 7361
BOISE ID 837077361

COPY

PROOF DUE NOTICE

RE: PERMIT NO. 63-11990

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 1995.

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

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

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

SINCERELY,

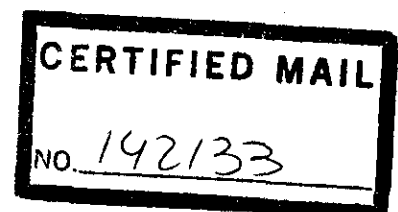
Julie L. Yarbrough

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

JUN 29 1995





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 7, 1993

Re: In the matter of application for permit no. 63-11990 in the name of South County Water Co

Dear Interested Party:

The accompanying order is a "final order" issued by the department pursuant to section 67-5246 or 67-5247, Idaho Code.

Section 67-5246 provides as follows:

- (1) If the presiding officer is the agency head, the presiding officer shall issue a final order.
- (2) If the presiding officer issued a recommended order, the agency head shall issue a final order following review of that recommended order.
- (3) If the presiding officer issued a preliminary order, that order becomes a final order unless it is reviewed as required in section 67-5245, Idaho Code. If the preliminary order is reviewed, the agency head shall issue a final order.
- (4) Unless otherwise provided by statute or rule, any party may file a petition for reconsideration of any order issued by the agency head within fourteen (14) days of the issuance of that order. The agency head shall issue a written order disposing of the petition. The petition is deemed denied if the agency head does not dispose of it within twenty-one (21) days after the filing of the petition.
- (5) 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.

RECORDED

SEP 28 1993

(6) A party may not be required to comply with a final order unless the party has been served with or has actual knowledge of the order. If the order is mailed to the last known address of a party, the service is deemed to be sufficient.

(7) A nonparty shall not be required to comply with a final order unless the agency has made the order available for public inspection or the nonparty has actual knowledge of the order.

(8) The provisions of this section do not preclude an agency from taking immediate action to protect the public interest in accordance with the provisions of section 67-5247, Idaho Code.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a final order 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(4) Idaho Code.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by a final order or orders previously issued in a matter before the department, may appeal the final order and all previously issued orders in the matter 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 a) of the service date of the final order, b) of an order denying petition for reconsideration, or c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See section 67-5273, Idaho Code. The filing of an appeal to district court does not in itself stay the effectiveness or enforcement of the order under appeal.

Sincerely,



L. Glen Saxton
Chief, Water Allocation Bureau

Enclosure

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SEP 28 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 11, 1993

Dear Interested Party:

The accompanying order is a "recommended order" issued by the department pursuant to Section 67-5243, Idaho Code. The provisions of this order will not become effective until the Director issues a final order in this matter.

Each party to these proceedings who appeared at the hearing may file a petition for reconsideration, briefs and exceptions to the recommended order and may request oral argument before the Director of the department as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of this recommended order, (b) the service date of a denial of a petition for reconsideration from this recommended order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this recommended order, any party may in writing support or take exceptions to any part of a recommended order and may file briefs in support of the party's position on any issue in the proceeding. Written briefs in support of or taking exceptions to the recommended order shall be filed with the Director. Opposing parties shall have twenty-one (21) days to respond.

ORAL ARGUMENT

The Director may schedule oral argument in the matter before issuing a final order. Oral argument on exceptions to a

MAILED
SEP 28 1993

SEP 28 1993

recommended order shall be heard at the discretion of the Director. If oral arguments are to be heard, the Director will, within a reasonable time, 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 recommended order shall be served on all other parties to these proceedings in accordance with Rules of Procedure 302 and 303.

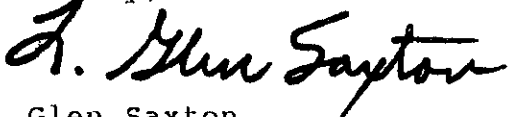
FINAL ORDER

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 agency 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.

APPEAL OF FINAL ORDER TO DISTRICT COURT

A party aggrieved by a final order of the Director is entitled to judicial review in compliance with sections 67-5271 through 67-5279, Idaho Code.

Sincerely,



L. Glen Saxton
Chief, Water Allocation Bureau

Enclosures



SEP 28 1993

- ROSTER OF ATTENDANCE -

RE: Hearing - Application for Permit No. 63-11990 in the name of South County Water Co.

Date: July 28, 1993

Place: IDWR State Office Conference Rm., 1301 N. Orchard St., Boise, Idaho

	Name	Address	Representing
1.	<i>Carmen J. Mayes</i>	<i>3710 E. Franklin,</i>	<i>Meridian myself</i>
2.	<i>Keith Stokes PE</i>	<i>P.O. Box 7361</i>	<i>Boise Id 83707</i>
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			

SEP 28 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

MEMORANDUM

To: L. Glen Saxton
From: R. Keith Higginson *RKH*
RE: **APPOINTMENT AS HEARING OFFICER - PROCEDURE RULE 410**
Date: July 15, 1993

I, R. Keith Higginson, Director of the Idaho Department of Water Resources (department) hereby appoint L. GLEN SAXTON in compliance with department Procedure Rule 410 to act as Hearing Officer on behalf of the department in the following contested matter:

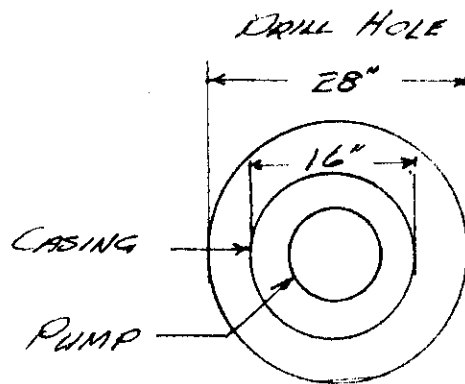
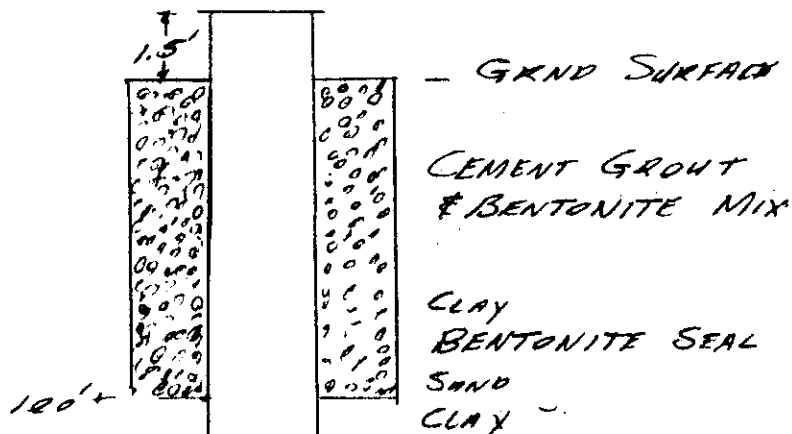
In the Matter of Application for Permit No. 63-11990 in the Name of South County Water Co.

The department has scheduled a hearing in the matter as follows:

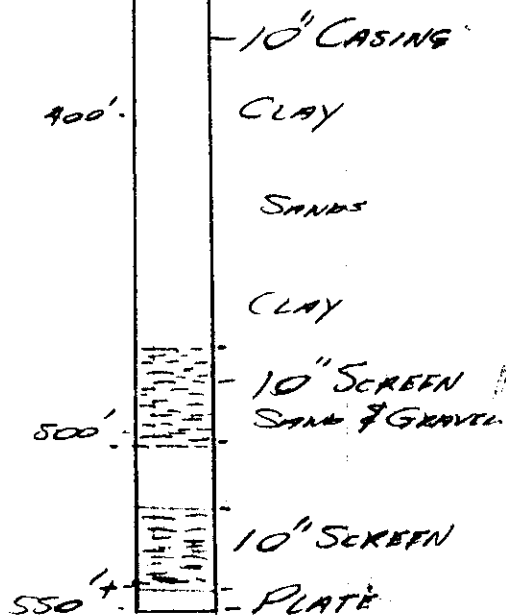
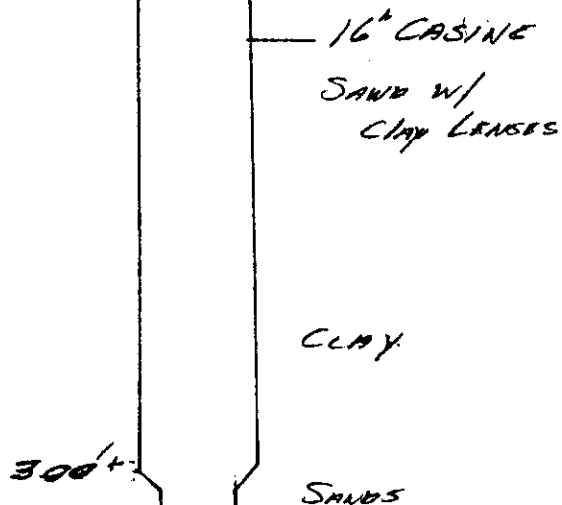
Date: July 28, 1993
Time: 10:00 a.m.
Place: IDWR Conference Room, 1301 N. Orchard St,
Boise, Idaho

[Handwritten signature]

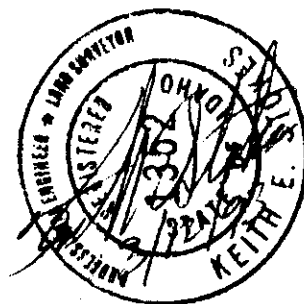
SEP 28 1993



PLAN VIEW



NTS



SEP 28 1993

EDGEVIEW WELL
SOUTH COUNTY WATER CO
BOISE IDAHO
SCALE NTS. MAR. - 1993
KEITH E STOKES P.E.

P 423 600 487



**Receipt for
Certified Mail**

No Insurance Coverage Provided

CARMEN J MAYES
3710 E FRANKLIN RD
MERIDIAN ID 83642

PS Form 3800, June 1991

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$ 2.29
Postmark or Date	

SEP 28 1993

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).**

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

105603-92-B-0226

PS Form 3800, June 1991 (Reverse)

P 423 600 486



**Receipt for
Certified Mail**

No Insurance Coverage Provided

NAMPA-MERIDIAN IRRIG DIST
1503 1ST ST SOUTH
NAMPA ID 83651-4395

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$ 2.29
Postmark or Date	

PS Form 3800, June 1991

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).**

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
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4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

105603-82-B-0226

PS Form 3800, June 1991 (Reverse)



South County Water Co.

P.O. BOX 7361 • BOISE, IDAHO 83707 • TELEPHONE 208/375-1130

May 13, 1993

RECEIVED
MAY 14 1993

Mrs. Carman J. Mayes
3710 Franklin Road
Meridian, ID 83642

Department of Water Resources
Western Regional Office

Re: Protested Application #63-11990

Dear Mrs. Mayes,

I'm writing in response to the questions raised at the informal hearing held by the Idaho Department of Water Resources on May 12, 1993. I submit the following:

We, South County Water Company, will monitor your well or any other well you feel will be representative, when we test pump our new well located in the Edgeview Estates. Copies of all information will be made available to you and reviewed as necessary.

In regard to your concerns about your well going dry, I can only state that we will be responsible for any damage our well may cause. However, since we are dealing with speculation, it is difficult to be specific, but I assure you, we will be open to correcting any problem that may arise, and will work with you on a solution without litigation,

With the assurances contained in this letter, and the explanations provided us by Mr. Tuthill at the hearing, I trust you will feel comfortable about withdrawing your protest of our application to drill a well in Edgeview Estates.

Sincerely,



Keith E. Stokes, P.E.

KES:ls

Copy: David R. Tuthill, Jr. P.E.

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SEP 28 1993

South County Water Company
63-11990 5/12/1993

Keith Stokes - Representing Applicant

Plans to drill 550'-600'

Plans to take water from the 400' & greater depths

Primary Concern: Fire protection

Nampa Meridian atty Bill Ringert is drafting an agreement re: pressurized irrigation systems. Concern: air gap disconnect must be installed to prevent cross-connections. Making an agreement to provide water via well to irrigation system.

1. Public information re cross-connections
2. Shared liability for cross-connections
3. Add
4. Backflow preventers at every house - when sprinkler is installed

Monitor Bees well during pump test

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SEP 28 1993

Conference for South Co Water Company Conf
63-11990 5/12/1993 8:30 am

<u>Name</u>	<u>Representing</u>
Carmen Mayes	myself
John P. Anderson	Nampa Meridian Irrigation District
Keith Stokes	South County Water Co.

SEP 28 1993

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)	
FOR PERMIT NO. 63-11990 IN THE)	NOTICE OF CONFERENCE
<u>NAME OF SOUTH COUNTY WATER CO.</u>)	

On January 27, 1993, South County Water Co. filed with the Department of Water Resources an application for permit to appropriate the public waters of the State of Idaho. The application was protested by Carmen J. Mayes, and Nampa & Meridian Irrigation District has become an intervenor.

The Department has set the matter of protest for a conference to be held on Wednesday, May 12, 1993, at 8:30 a.m. in the Second Floor Conference Room, Department of Water Resources, 1301 N. Orchard St., Boise, Idaho 83706. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present information and argument on all issues involved.

Dated this 10th day of May, 1993.



DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

RECEIVED
SEP 28 1993

I hereby certify that on the 10th day of May, 1993, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

Sue Taylor
Sue Taylor
Secretary

SOUTH COUNTY WATER CO
PO BOX 7361
BOISE ID 83707

CARMEN J MAYES
3710 E FRANKLIN RD
MERIDIAN ID 83642

NAMPA-MERIDIAN IRRIGATION DIST
1503 1ST ST SOUTH
NAMPA ID 83651-4395

SEP 28 1993

CONFERENCE AND HEARING PROCEDURE

IN THE MATTER OF A PROTESTED APPLICATION FOR PERMIT

In accordance with IDAHO CODE, Section 42-203, the following issues are involved in the consideration of the application and protest(s):

- 1) Will the proposed use reduce the quantity of water under existing rights?
- 2) Is the proposed water supply insufficient for the purposes intended?
- 3) Is the application made in good faith or for delay or speculative purposes?
- 4) Has the applicant sufficient financial resources with which to complete the proposed project?
- 5) Will the proposed use conflict with the local public interest?
- 6) Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The Applicant has the initial burden of proof on issues 1,2,3,4,& 6 above, that is, the applicant has the burden of coming forward with evidence for evaluation of those criteria.

The initial burden of proof on issue 5, local public interest, lies with both the applicant and protestant as to factors which they are most knowledgeable and cognizant of. The applicant has the ultimate burden of persuasion with respect to this issue.

PROCEDURE

The procedure normally followed by the department in arriving at a decision on the issues which must be considered is to first hold a conference in the matter and then, if necessary, hold a hearing. If a hearing is held a written decision is issued based on the hearing record.

CONFERENCE

Preliminary to holding a hearing, a pre-hearing conference is held to familiarize the department and the parties with the matter and to determine if a resolution of the protest(s) is possible without the need for a hearing.

SEP 28

At the conference the department may formulate and simplify the issues, obtain admissions of fact and of documents which will avoid unnecessary proof, arrange for the exchange of proposed exhibits or prepared expert testimony prior to the hearing, limit the number of witnesses, consolidate the examination of witnesses, and advise the parties of the procedure which will be followed at any subsequent hearing.

HEARING

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes at the expense of the requesting party. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

If the hearing is conducted by a hearing officer appointed by the Director, rather than the Director himself, a proposed decision will be issued and the parties will be afforded the opportunity to file exceptions to the proposed decision and present briefs and to request oral argument before the Director prior to the issuance of a final decision by the Director. This procedure is required by IDAHO CODE, Section 42-1701A.

The parties by written stipulation, may waive their right to a proposed decision, however, the failure of either party to waive a proposed decision will not prejudice the director's review of a party's evidence and arguments. However, such a waiver will shorten the decision making process and may expedite substantially the issuance of a final decision. Whether compliance with Section 42-1701A is waived will not affect a party's right to petition for a rehearing of the final decision pursuant to rule 11 of the Department's Rules of Practice and Procedure or affect a party's right to appeal the final decision to the District Court.

Under the provisions of the IDAHO CODE, Sections 42-1701A and 67-5215, any court review of the department's decision on appeal shall be confined to the record created before the department.

If you require special accommodations for a disability in order to participate in or attend the conference (hearing) (public meeting) please advise the department within ten (10) days prior to the conference, hearing or public meeting.

EXHIBITS

If any party at a hearing intends to present an exhibit to augment the hearing record, such party shall in advance of the hearing, prepare sufficient copies of the exhibit for distribution to all parties at the hearing.



South County Water Co.

P.O. BOX 7361 • BOISE, IDAHO 83707 • TELEPHONE 208/375-1130

RECEIVED
APR 28 1993

April 27, 1993

Department of Water Resources
Western Regional Office

Dnr
Mr. David R. Tuthill, Jr., P.E.
Manager Western Regional Office
Idaho Dept of Water Resources
2735 Airport Way
Boise, ID 83705

RE: Application for Permit #63-11990

Dear Mr. Tuthill,

We received your letter of April 26, 1993, notifying us of the protest of Nampa-Meridian Irrigation District.

We have no objection to Nampa-Meridian becoming intervenors in this application, however, we do request that you set a hearing date for this matter as soon as possible.

We have had some discussion with Nampa-Meridian concerning pressurized irrigation and suggested a meeting, however to date nothing has been resolved. Hopefully, this formal hearing will provide an avenue of open discussion.

We would like very much to proceed with a time schedule for drilling and equipping this well, therefore we need to bring the permitting process to an early conclusion.

Very truly yours,


Keith W. Stokes, P.E.

KES:ls
Copy: Nampa-Meridian Irrig. Dist.

RECEIVED

SEP 28 1993

CONVERSATION MEMORANDUM

DATE 9/26/93
FILE 63-11990NAME OF PARTY Keith StokesEMPLOYEE Steve LasterRE: CONFERENCE

Mr. Stokes called & said he has not been able to work at agreement with protestant. He requested a conference to be held a.s.a.p. to resolve this application.

I told him that I would pass the request on to Dave Tutkell.

SEP 28 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 26, 1993

JOHN P ANDERSON
NAMPA & MERIDIAN IRR DIST
1503 1ST ST S
NAMPA ID 83651-4395

Re: Application for Permit 63-11990 in the Name of South
County Water Co.

Dear Mr. Anderson:

We are in receipt of your letter dated April 23, 1993, in which you protested the approval of the above-referenced application for permit. Please be advised, however, that the final protest date was March 22, 1993. Pursuant to the Idaho Code, we cannot officially accept the protest as valid.

You may be aware that other protests were received by this office in a timely manner. Therefore, the application is currently officially protested and the applicant has been sent copies of the protests.

You have requested leave to intervene in this matter and by copy of this letter we ask that the applicant please advise this office no later than May 10, 1993, regarding any formal objections to your becoming intervenors.

If you have any questions in this matter please call this office.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:st

CC: South County Water Comp.

RECEIVED

SEP 28 1993

RECEIVED

APR 28 1993

Department of Water Resources
Western Regional Office

Nampa & Meridian Irrigation District

1503 FIRST STREET SOUTH

NAMPA, IDAHO 83651-4395

FAX # 208-888-6201

21 April 1993

David Tutthill *DN*
Department of Water Resources
1381 N. Orchard
Boise ID 83704

Phones: Area Code 208

OFFICE: Nampa 466-7861
Boise 343-1884

SHOP: Nampa 466-0663
Boise 345-2431

Dear Mr. Tutthill:

If it is not too late to protest water right permit #63-11990 filed 27 January 1993, we would like to do so. If it is too late, Nampa & Meridian Irrigation District would like to request a leave to intervene.

The District protests 3.50 cfs to be used for irrigation purposes as the land already has an adequate water right.

The owners of the property wish to exclude from the Irrigation District the surface irrigation only. They wish to drill a well to provide water to a piece of ground that has an already adequate source.

The reason we are late in protest is because the developer led us to believe they were going to install a pressurized system utilizing the surface water and at the last minute they decided to withdraw from the Nampa & Meridian Irrigation District.

Thank you for your consideration in this matter. Please feel free to contact me if you care to discuss this matter further.

Sincerely,



John P. Anderson, Water Superintendent
NAMPA & MERIDIAN IRRIGATION DISTRICT

JPA/dln

pc: File
Secretary/Treasurer
Each Director
Attorney/Ringer

SEP 28 1993

APPROXIMATE IRRIGABLE ACRES

RIVER FLOW RIGHTS - 23,000

BOISE PROJECT RIGHTS - 40,000



South County Water Co.

P.O. BOX 7361 • BOISE, IDAHO 83707 • TELEPHONE 208/375-1130

10/2/93
Protest File

March 30, 1993

RECEIVED
MAR 31 1993

Mrs. Carmen J. Mayes
3710 E Franklin Road
Meridian, ID 83642

Department of Water Resources
Western Regional Office

Dear Mrs. Mayes,

I have received notice of the protest you filed against the drilling of a new well for South County Water Company.

Please be assured that one of our first considerations in selecting a site and the drilling of a new well is the effect it may have on existing wells. For this reason we have located as far as possible from known existing wells and we plan on not taking any water above the 400 foot level. A drawing of our proposed well construction and a vicinity map are enclosed.

If deep wells were going to influence your well, I believe the Bews well located just South of your property across Franklin Road would be the most likely. This well was pumped for irrigation last summer for several months. It is 485 feet deep and takes water below 420 feet. To my knowledge it did not effect any near by wells.

As shown by the drawing, we intend to seal our new well to a depth of 100 feet. This not only protects the deeper aquifer, but assures we are not taking any water from the upper strata.

Your concern about the surface irrigation are well taken and I agree provisions should be made to use this water if possible. We are in discussion with both Nampa Meridian Irrigation District and the developer concerning the best and safest method of using this water in the subdivision.

In order to serve this subdivision we must provide 1500 gpm for fire protection at the fire hydrants. Our application is for 3.5 cfs or 1570 gallons per minute. This is the total applied for, in order to provide domestic, fire and irrigation service. The actual pumping equipment can only be determined after the well is drilled & tested. Full capacity use of this will be, at most, only 2-3 months per year.

SEP 28 1993

If you want more information or wish to have me come and discuss this matter with you in person, please call me at your convenience. My phone number is 375-1130, and you can reach me between 8am to 5pm, weekdays.

I sincerely hope that with our explanation and well site location, you will withdraw your protest as filed with the Idaho Department of Water Resources.

Very truly yours,

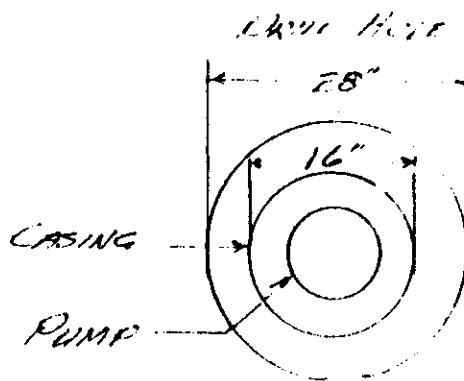
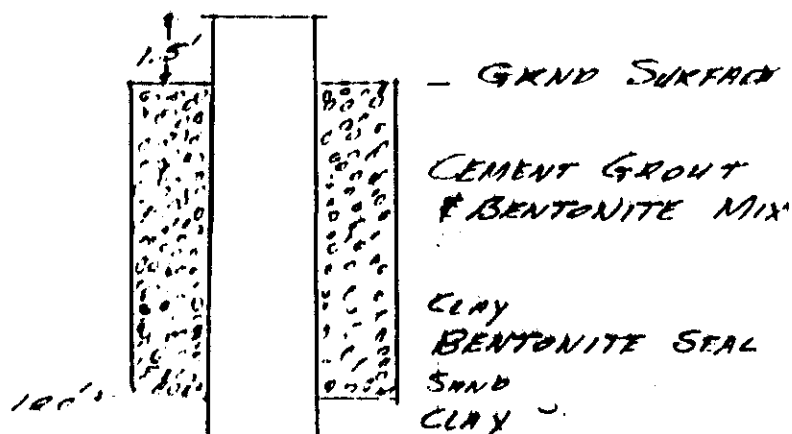


Keith E. Stokes, P.E.
President

KES:ls
Enclosure
Copy: David Tuthill, Jr., P.E.

RECEIVED

SEP 28 1993



PLAN VIEW

16" CASING

SAND W/ CLAY LENSES

CLAY

300'

SANDS

10" CASING

400'

CLAY

SANDS

CLAY

500'

10" SCREEN

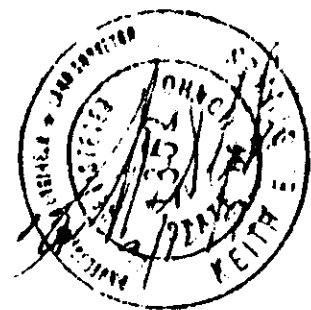
SAND & GROUT

600'

10" SCREEN

PLATE

SEP 28 1993



EDGEVIEW WELL

SOUTH COUNTY WATER

BOISE IDAHO

SCALE NTS. MAP

APPROVED

CLOVERDALE ROAD

50251'45" W

50062'

50426'06" W

387'28"

21

BLOCK 1

67

SEP 28 1993

BRADDOCK DR

BLOCK 11

WELL SITE

SOUTH COUNTY WATER COMPANY

ELEMENTARY SCHOOL

AND

PUBLIC PARK

PUBLIC RESTROOMS

PARK SHELTER

SERVICE AREA

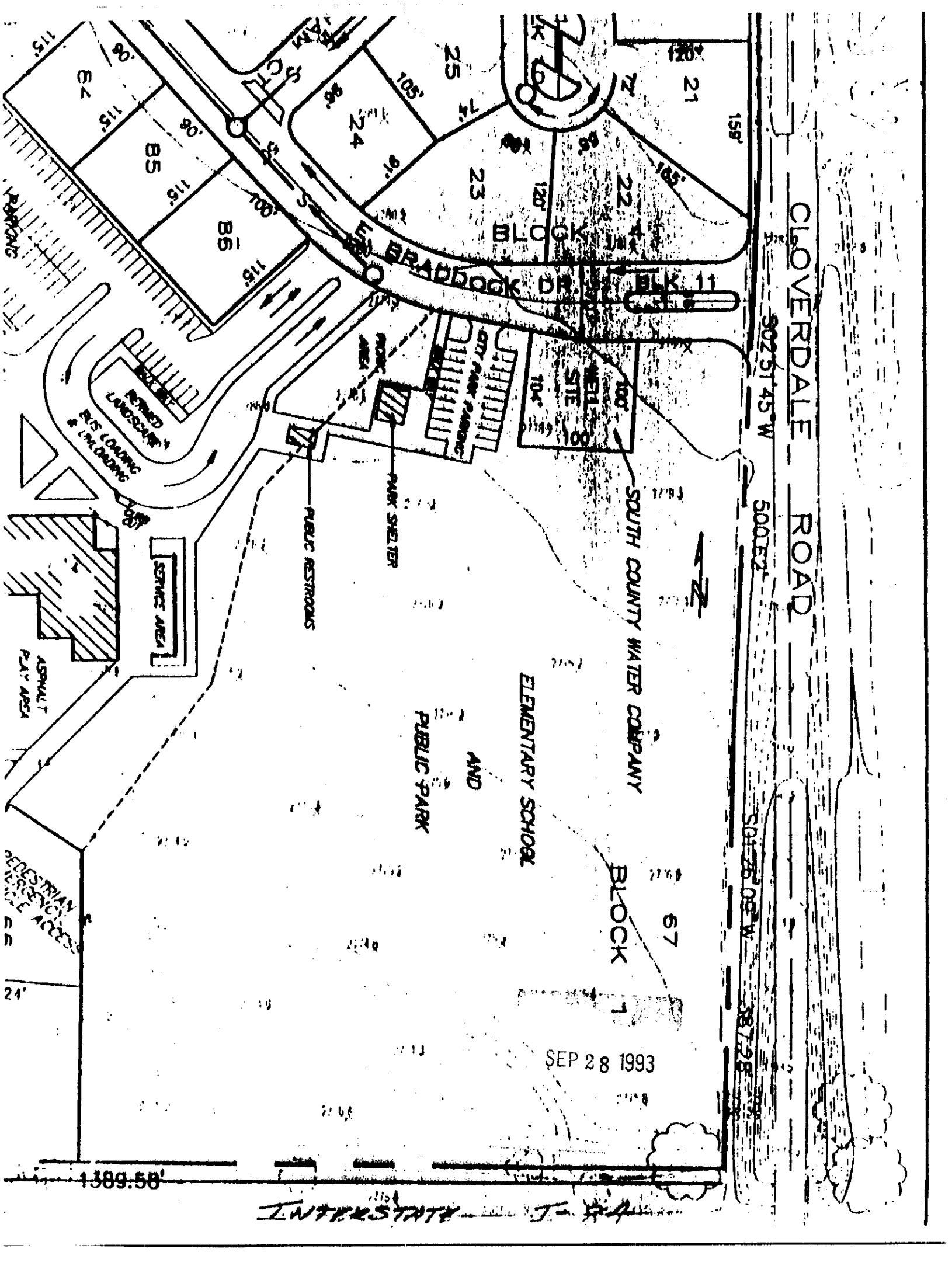
EMERGENCY
LANDSCAPE
& UNLOADING

ASPHALT
PLAY AREA

PEDESTRIAN
ACCESS

1389.50'

INTERSTATE 70





INTERSTATE

INTERSTATE

SOUTH COUNTY WATER CO.
CERTIFICATED AREA

PACIFIC

RAILROAD

1" = 800'

CLOVERDALE

WHITE CO.

EP 28 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

March 25, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

SOUTH COUNTY WATER CO
PO BOX 7361
BOISE ID 83707

Re: Application for Permit No. 63-11990

Dear Applicant:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to the above-referenced application. The Department suggests that you contact the protestant(s) and attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for a conference. At such a conference, the following are the principle items the Department will review (per Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

Please contact this office if you have questions regarding this procedure.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

Enclosure: Copy of protest(s)

RECEIVED
SEP 28 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

March 25, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

CARMEN J MAYES
3710 E FRANKLIN RD
MERIDIAN ID 83642

Re: Application for Permit No. 63-11990 in the Name of South
County Water Co.

Dear Protestant:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference. At such a conference, the following are the principle items the Department can consider in either approving or denying an application or permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

If this office can be of further assistance, please contact us.

Sincerely,

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT/st

SEP 28 1993

RECEIVED

MAR 18 1993

March 12, 1993

Department of Water Resources
Western Regional Office
Director R. Keith Higginson
Dept. of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Dear Sir,

After discussing my concerns about
South County Water Company's application
63-11990 for water rights filed 1/27/1993
(Pub. March 4/11, 1993) with Dave Tuthill today,
I have decided to file this written protest.

I am concerned about the effects
of South County Water Company's proposed
diversions upon the groundwater table
where I live on Franklin Road - North and
West of at least four proposed large
subdivisions along Cloverdale Road
South and East of my home.

We have Grandfather (before 1900) ground
water rights registered with the State
and Nampa Meridian Irrigation Water Rights
for 70 acres distributed through open

SEP 28 1993

ditches from the Ridenbaugh Canal.

I protest South County Water Company's application because:

1. I believe it will effect our domestic well - even though, we are told it is 117' deep and we have had no problems with it in 30 years.

2. After 6 years of drought, many wells have gone dry and a moritorium on drilling wells has been imposed.

3. There is no need for irrigation well water at 3,500 CFS, or otherwise, when above ground irrigation water rights exist.

4. Removal of these 260 acres from the Nampa Meridian Irrigation District will compound ground water depletion and increase our irrigation expenses on 40 acres.

SEP 28 1993

5. With efforts being made to re-establish irrigation water systems to subdivisions once excluded - New subdivisions such as, Edgeview Estates, Waldon Pond, and the Ott Co. site on Franklin and Cloverdale Rd.

Carmen Mayes Page 2 of 4

should be required to develop water systems which would distribute the existing irrigation water to subdivision home owners.

6. Ada County Planning + Zoning originally recommended surface irrigation water development for the Edgeview Estates. (The meeting on Ott Co. site will be March 25, 1993)

7. I expressed my concerns at the Ada County Commissioners' Public Hearing for Edgeview Estates publicly and individually to the South County Water Company, Nampa Meridian Irrigation Co, etc.

I do not wish to go to ^{SEP 28, 1993} court to protect my water rights after the fact, but hope to avoid any future conflicts.

Many others might be equally concerned about their water rights if letters of notification on area well drilling were required as it is for area rezoning. It is tragic that factors such as farm areas (vacant lands), rental

Carmen J. Mayes Page 3 of 4

property, busy daily lives, and the fine print and random placement of legal notices in a non-determined newspaper obscure the awareness of endangered property and water rights.

Sincerely yours,

Carmen J. Mayes

3710 E. Franklin Road

Meridian, Idaho 83642

My phone number is 887-0868.

RECEIVED

SEP 28 1993

Carmen J. Mayes Page 4 of 4



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 3, 1993

IDAHO DEPT OF HEALTH & WELFARE
DIV OF ENV QUALITY
SWIRO
1420 N HILTON
BOISE, ID 83706

Re: Application for Permit No. 63-11990 in the name of South
County Water Company

Dear Sir:

Enclosed is a copy(s) of the above-referenced
application(s) for permit which may be of interest to your
agency. Please review the application(s) and submit any
comments you may have.

This office normally completes the processing of an
application within a six-week period and is required to take
final action shortly thereafter, however, if your agency
desires to file a formal protest against the approval of this
application(s), your written protest must be received in this
office by March 22, 1993.

If you have any questions regarding the application,
please contact this office.

Sincerely,

A handwritten signature in cursive script, reading 'D R Tuthill Jr'.

DAVID R. TUTHILL, JR. P. E.
Manager, Western Regional Office

DRT:st

Enclosure(s):

MAILED 11/15/90
SEP 28 1993

Dave

Steve 2/9

Per Ad memo # 18 - do you
think SO. County Water Co.
qualifies for municipal WR. Steve -
I don't think
they qualify
for munic. use.
If not, looks like need more specific
of homes so can evaluate irrig area
allowable in permit area.

JR

SD-0601-2 Last Name: S H COUNTY WATER

STATE

SE L	First Name	W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code	Desc
	SOUTH COUNTY WATER CO							
		C	63-08405	01/12/1977	GROUNDWATER	2.000	01	IRR
							43	DOMEST
							49	FIRE
	SOUTH COUNTY WATER CO.							
		C	63-07641	08/17/1972	GROUNDWATER	2.000	43	DOMEST
		C	63-07896	11/13/1973	GROUNDWATER	0.250	43	DOMEST
		C	63-07979	05/13/1974	GROUNDWATER	2.000	01	IRR
							43	DOMEST
							49	FIRE
		C	63-07998	06/25/1974	GROUNDWATER	1.270	01	IRR
							43	DOMEST
							49	FIRE
		C	63-08011	07/18/1974	GROUNDWATER	3.000	43	DOMEST
							49	FIRE
		C	63-08248	01/02/1976	GROUNDWATER	1.570	01	IRR

(Enter=Continue)

(GOLD 7=This Query)

(Menu _____)

SD-0601-2 Last Name: SOUTH COUNTY WATER

STATE

SE L	First Name	W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code	Desc
	SOUTH COUNTY WATER CO.							
		C	63-08248	01/02/1976		1.570	43	DOMEST
							49	FIRE
		C	63-08265	02/23/1976	GROUNDWATER	2.370	43	DOMEST
		C	63-08635	08/17/1983	GROUNDWATER	0.890	01	IRR
							43	DOMEST
							49	FIRE
		C	63-09087	11/25/1977	GROUNDWATER	3.400	40	MUNI
		C	63-09088	00/00/0000		0.000		
		C	63-09106	01/23/1978	GROUNDWATER	1.120	43	DOMEST
							49	FIRE
		C	63-09198	01/02/1979	GROUNDWATER	2.450	40	MUNI
							49	FIRE
		C	63-09199	01/03/1979	GROUNDWATER	3.120	40	MUNI
							49	FIRE
		C	63-09384	05/27/1980	GROUNDWATER	1.000	01	IRR
		C	63-10391	11/14/1986	GROUNDWATER	0.300	01	IRR
							43	DOMEST
							49	FIRE

Approval
1/29/78 -
2/27/79 -
3/1/79 -
 All approval prior to Admin Memo # 18;
 as of 11/5/79 looks like S. County Water Co.
 is not "the city or its delivery agent"?

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

\$144.75

Account Number 047628		Identification NOTICE OF APPLICATION OF WATER RIGHT	
Ordered By Gail Garrett	P.O. Number	Rate NT	Run Dates March 4, 11, 1993
State of Idaho Department of Water Resources Western Region 2735 Airport Way Boise, Idaho 83705		Estimated Inches	Real Inches
		# Affidavits 1	Legal Number 4350

Western Regional Office

Thursday, March 11, 1993

LEGAL NOTICES

LEGAL NOTICES

LEGAL NOTICE OF APPLICATION FOR WATER RIGHT
The Following application(s) have been filed in the public waters of the State of Idaho:

SOUTH COUNTY WATER COMPANY

P.O. BOX 7361
BOISE, ID 83707

Source:

Diversion Pt:

Use: IRRIGATION

Domestic

Fire Protection

Total Diversion:

Date Filed:

In: ADA County

T03N R01E S15 NENE NWNW SWNW SENW

S16 NENE NWNE SENE

240.0 ACRES TOTAL

63-11991

OKINS, ROGER D

OKINS, BETTY M

2022 N EAGLE RD

EAGLE, ID 83616

Source: WATER

Diversion Pt:

Use: IRRIGATION

Total Diversion:

Date Filed:

In: ADA County

T04N R01E S04 NWSW

2.5 ACRES TOTAL

63-11992

CHURCH OF JESUS CHRIST LATTER DAY SAINTS

P.O. BOX 15309

2710 W SUNRISE RIM RD STE 200

BOISE, ID 83715

Source:

Diversion Pt:

Use: DOMESTIC

Fire Protection

Total Diversion:

Date Filed:

In: ADA County

T04N R01E S04 SWNW

63-11993

PARKLAND CO

C/O KENNETH G. HOWELL

P.O. BOX 2725

BOISE, ID 83701

Source:

Diversion Pt:

Use: HEATING

Fire Protection

Total Diversion:

Date Filed:

In: ADA County

S04SW Sec 3 T 03N R 02E

1.17 ACRES TOTAL

63-11994

PAN, being duly

That she is the Principal Clerk of The newspaper printed and published at Boise, and having a general circulation therein has been continuously and uninterruptedly during a period of twelve consecutive publication of the notice, a copy of which is notice was published in The Idaho 4th Section 60-108, Idaho Code as

consecutive daily ☐ single ☐ odd skip

the issue of MARCH 4, 1993

of MARCH 11, 1993

Rayne Wilson

ss.

ay of MARCH in the year of 1993, a Notary Public, personally appeared PAN, known or identified to

name subscribed to the within instrument, sworn, declared that the statements therein to me that she executed the same.

Rayne Wilson SEP 28 1993

Public for Idaho BOISE, ID

mission expires: 11-22-93

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

\$144.75

Account Number 047628		Identification NOTICE OF APPLICATION OF WATER RIGHT	
Ordered By Gail Garrett	P.O. Number	Rate NT	Run Dates March 4, 11, 1993
State of Idaho Department of Water Resources Western Region 2735 Airport Way Boise, Idaho 83705		Estimated Inches	Real Inches
		# Affidavits 1	Legal Number 4350

Western Regional Office

Thursday, March 11, 1993

LEGAL NOTICES

LEGAL NOTICE

AMENDED
NOTICE OF HEARING
CASE No. 2P-15615

IN THE DISTRICT COURT OF THE
FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND
FOR THE COUNTY OF ADA

In the Matter of
the Guardianship of
SHELBY LEIGH DUNCAN,
A Minor child.

vs. ERIN MARGARET DUNCAN
and JIM JOHNSON;
PLEASE TAKE NOTICE that the
undersigned will bring on for hear-
ing their PETITION FOR CO-
GUARDIANSHIP OF A MINOR
which Petition will be heard before
the above-entitled Court in the
Courtroom at the Ada County
Courthouse on the 27th day of April
1993, at 10:00 o'clock a.m., of the
day or as soon thereafter as counsel
may be heard.
DATED This 26th day of
February, 1993.

BEER & CAIN

By: DENNIS L. CAIN

Attorneys for Petitioners

Pub. March 11, 18, 25, 1993 442

LEGAL NOTICE

NOTICE OF HEARING

BEFORE THE BOARD
OF DIRECTORS OF THE NEW
YORK IRRIGATION DISTRICT

NOTICE IS HEREBY GIVE
that Petitions have been filed wi
the Board of Directors of the Ne
York Irrigation District for th
following described real proper
situated in the County of Ada, Sta
of Idaho, and described as bel
1.00 acres (more or less)
1/4, 51/2 Section

CAROL PAYNE-CULPAN

, being duly

sworn, deposes and says: That she is the Principal Clerk of The
Idaho Statesman, a daily newspaper printed and published at Boise,
Ada County, State of Idaho, and having a general circulation therein
and which said newspaper has been continuously and uninterruptedly
published in said County during a period of twelve consecutive
months prior to the first publication of the notice, a copy of which is
attached hereto; that said notice was published in The Idaho
Statesman in conformity with Section 60-108, Idaho Code as
amended, for TWO

consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of MARCH 4, 1993

and ending with the issue of MARCH 11, 1993

Carol Payne-Culpan

STATE OF IDAHO)

ss.

COUNTY OF ADA)

On this 11TH day of MARCH in the year of
1993

before me, a Notary Public, personally appeared
CAROL PAYNE-CULPAN

, known or identified to
me to be the person whose name subscribed to the within instrument,
and being by me first duly sworn, declared that the statements therein
are true, and acknowledged to me that she executed the same.

Carol Payne-Culpan
Notary Public for Idaho

Residing at BOISE, ID

My commission expires: 11-27-93

SEP 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region
2735 AIRPORT WAY

Boise, Idaho 83705
(208) 334-2190

FEBRUARY 24, 1993

The Idaho Statesman
P.O. Box 40
Boise, ID 83707

Dear Legal Dept.:

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

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

Please send the affidavit of publication and publication billing to this office before MARCH 22, 1993.

Yours truly,

GAIL GARRETT
Secretary

Encl.

MAILED

SEP 28 1993

63-11990

SOUTH COUNTY WATER COMPANY
PO BOX 7361
BOISE, ID 83707

Source: GROUNDWATER

Diversion Pt: SENE Sec 16 T 03N R 01E in ADA County.

Use: IRRIGATION (3.500 CFS)
DOMESTIC (.940 CFS)
FIRE PROTECTION (3.500 CFS)
Total Diversion: (3.500 CFS)

Date Filed: 1/27/1993

In: ADA County				
T03N R01E S15	NENW	NWNW	SWNW	SENW
S16	NENE	NWNE	SWNE	SENE

260.0 ACRES TOTAL

RECORDED
FEB 28 1993