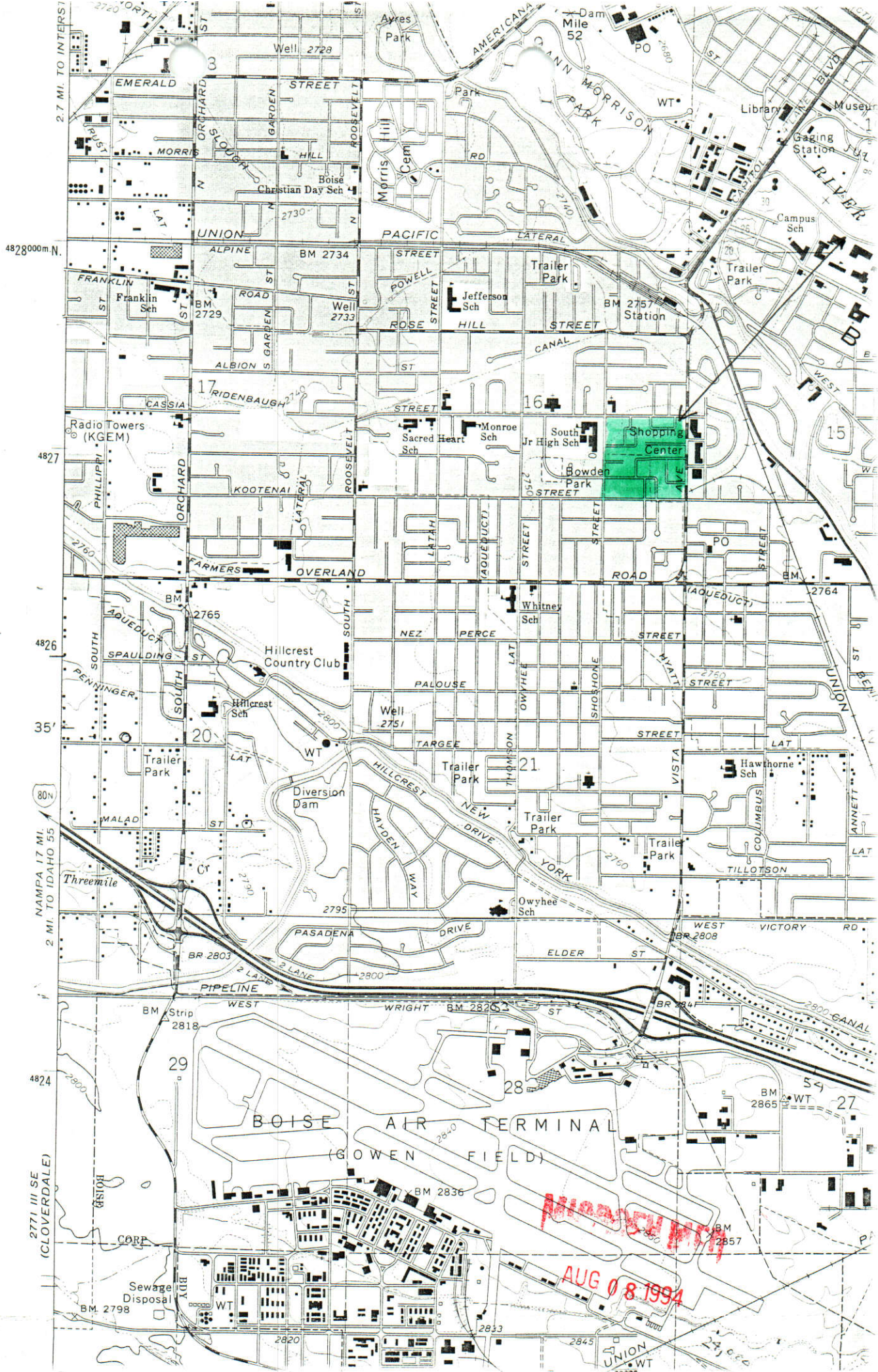
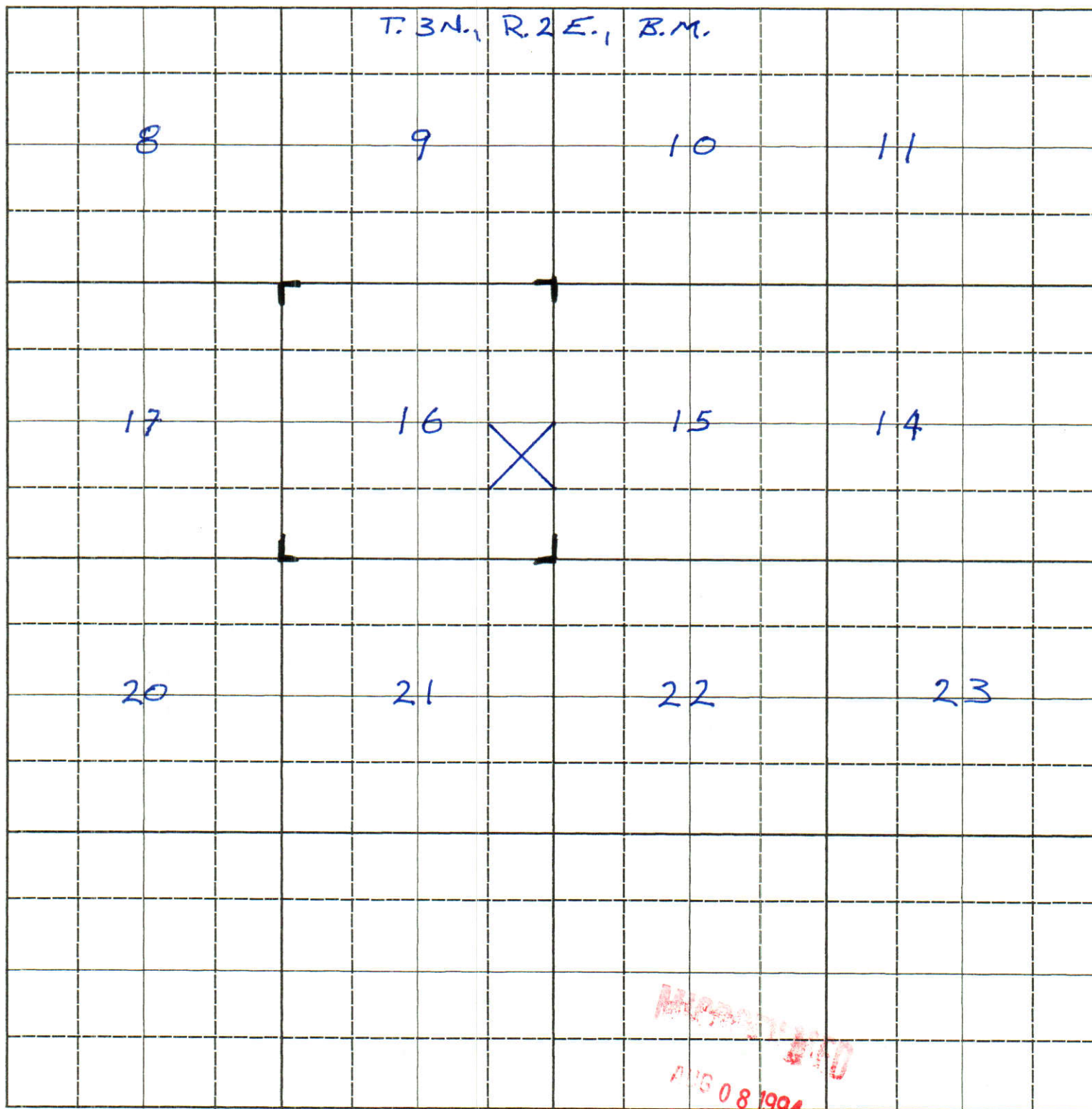




1.4
6.6
15
10.7

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.

Benjamin M. Hepler, VICE PRES.
(Applicant)

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707-0040

LEGAL ADVERTISING INVOICE

Amount Due

\$102.00

Account Number/Trans. #		Identification	
047628		AMENDMENT OF WATER RIGHTS	
Ordered By	P.O. Number	Rate	Run Dates
SUE TAYLOR		NT	MARCH 4, 11, 1999
STATE OF IDAHO DEPT. OF WATER RESOURCES WESTERN REG. 2735 AIRPORT WAY BOISE, IDAHO 83705 - 5082		Estimated Inches	Real Inches
		# Affidavits	Legal Number
		1	3461

RECEIVED

MAR 22 1999

WATER RESOURCES
WESTERN REGION

JANICE HILDRETH

, 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, 1999

and ending with the issue of
MARCH 11, 1999

Janice Hildreth

STATE OF IDAHO)

ss.

COUNTY OF ADA)

On this 11TH day of MARCH in the year of 1999, before me, a Notary Public, personally appeared JANICE HILDRETH 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.

Angela M Newland
Notary Public for Idaho

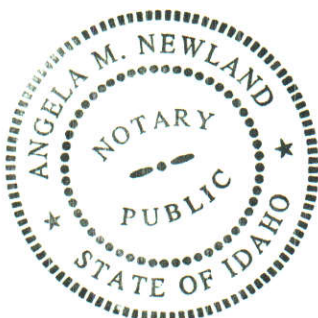
Residing at:

Boise, Idaho

My commission expires:

9/10/05

NOTARIZED
SEP 30 1999



NOTICE OF APPLICATIONS FOR AMENDMENT OF WATER RIGHTS
Notice is given that UNITED WATER IDAHO, PO Box 7488, Boise ID 83707 has applied to the Department of Water Resources to change the limitations of the following municipal ground water rights in Ada County pursuant to I.C. § 42-211:

RIGHT #	PRIORITY	CFS	DIVERSION POINT & LOCAL NAME
63-11118	02-01-1990	2.78	T3N R2E S16 NESE
63-11949	10-14-1992	1.10	T3N R3E S30 SESE
63-11950	10-14-1992	2.30	T3N R2E S21 NENE
63-11951	10-14-1992	0.85	T3N R2E S19 NENE
63-12143	10-18-1994	3.50	T4N R1E S28 SWNW
63-12143	10-30-1994	3.00	T4N R1E S24 NWSE
63-12310	01-19-1996	3.00	T4N R2E S32 SESE
63-12363	09-09-1996	4.50	T3N R2E S16 NESE
63-12432	01-30-1998	4.50	T4N R1E S16 NWSE & S21 NWNW, Island Woods #1 & 2

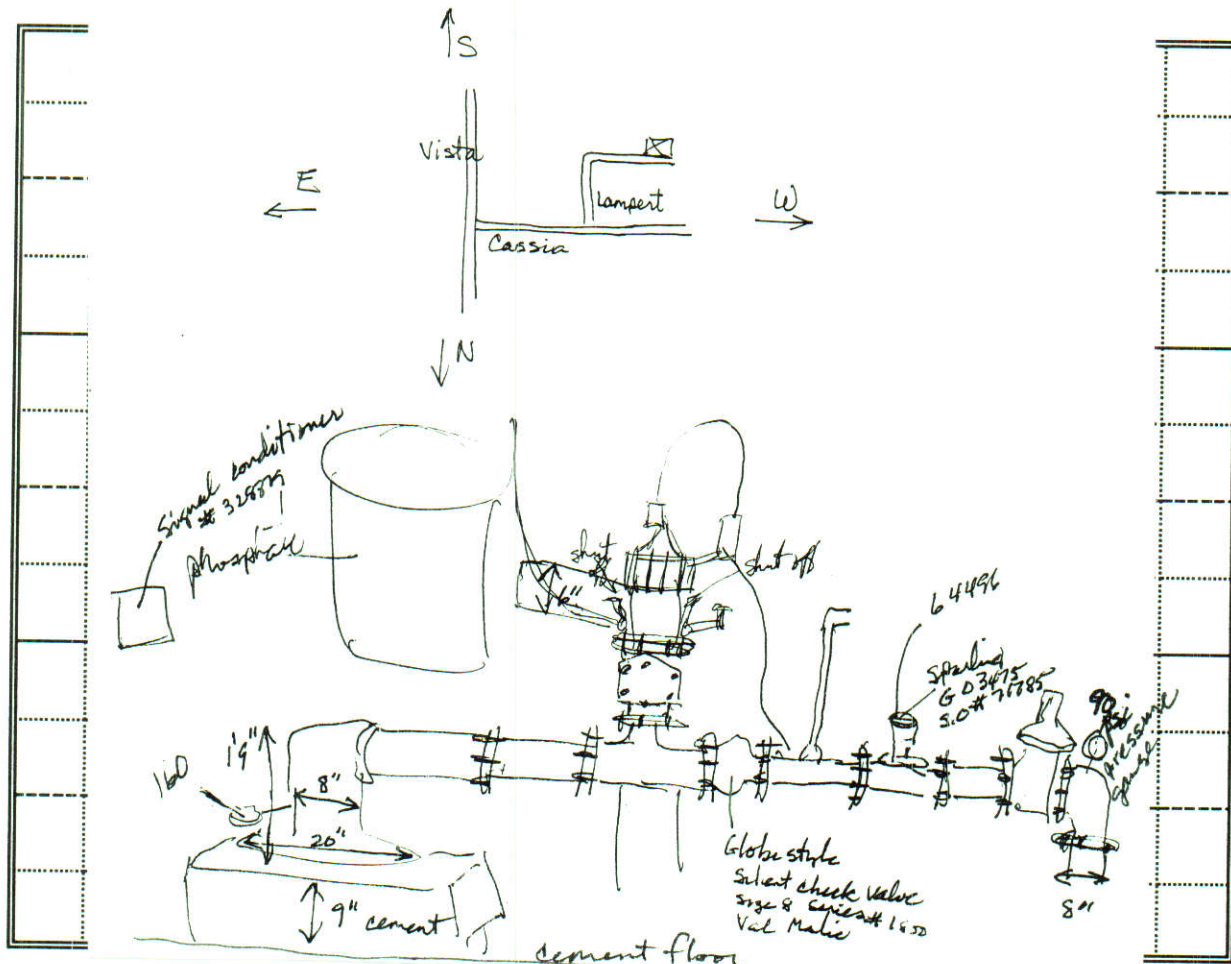
All of the rights were approved within limits of the local processing moratorium and do not authorize irrigation of large parcels such as golf course, do not provide subdivision yard irrigation exceeding 1/2 acre per home, and do not allow commercial and other miscellaneous users more than 2,500 gallons per day. All of these limits are known as domestic limits based on I.C. § 42-111.

PROPOSED AMENDMENTS

The amendments propose to remove the above described domestic limits. The applicant requests regular municipal rights for full use within the service area of the applicant. The water rights will be subject to all prior water rights. Any protest against approval of the proposed amendments must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 protest fee of \$25.00 for each right being protested on or before March 22, 1999. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
Pub. Mar. 4, 11, 1999

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 Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
submersible	Hitachi LTD	12.5	G39268A	Crown	8"
					serial # 2039

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Sparling flow meter						

2. Measurements:

technical data info updates chart for 3-24-95 showed 1250 gpm x .00223 = 2.78 cfs

AUG 25 1995

63-11118

8 H-1000

MODEL 8 H-1000 PERFORMANCE CHARACTERISTIC

BOWL — CAST IRON or NI-RESIST-8.15" DIA CHANGE EFFICIENCY AS FOLLOWS
IMPELLER — BRONZE
DISCHARGE 5" STANDARD — 6" OPT.
K FACTOR 6.0
MAX. O.D. W/CABLE GUARD 8-3/4"
BEARING: CUTLESS RUBBER or BRONZE

No. of Points	No. of Stages
-7	1
-4	2
-2	3
0	4

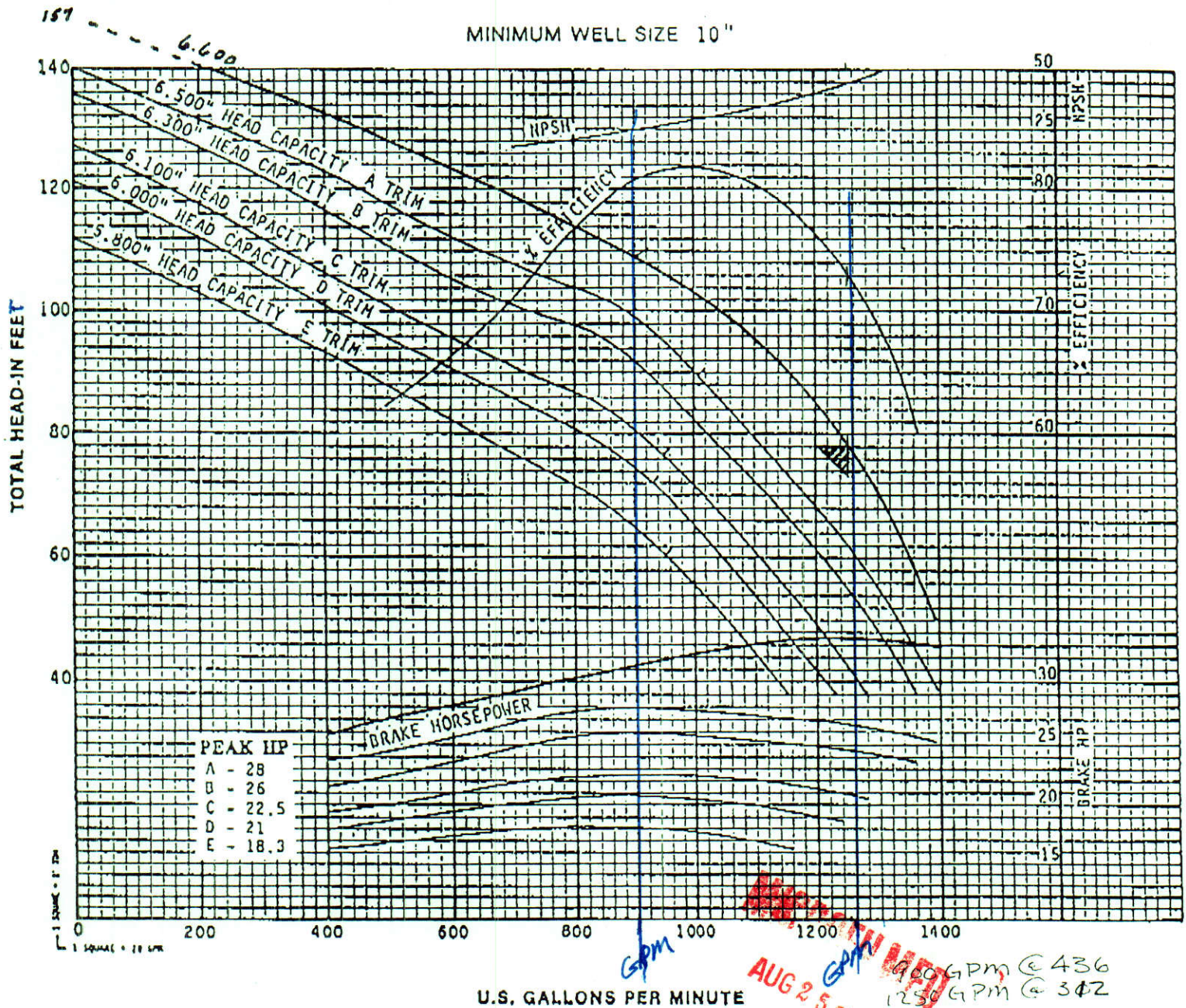
POWER: ELECTRIC
CYCLE: 60 Hz
R P M: 3530
IMPELLER TYPE: ENCLOSED
BOWL TYPE: FLANGED
CURVE SHEET NO. 1

NOTE: EFFICIENCY PERFORMANCE BASED ON CAST IRON BOWLS - POLISHED BRONZE IMPELLERS
AND 12 FEET SUBMERGENCE.

THIS CHARACTERISTIC CURVE IS BASED ON FACTORY TESTS WHEN PUMPING CLEAR, FRESH, NON-AERATED WATER AT A TEMPERATURE NOT EXCEEDING 85° F. AND UNDER SUCTION CONDITIONS AS INDICATED.

PUMP PERFORMANCE RATING IS FOR THE DESIGNATED POINT ONLY AND IS SUBJECT TO TEST TOLERANCES AND PROCEDURES AS SPECIFIED IN THE STANDARD OF THE HYDRAULIC INSTITUTE.

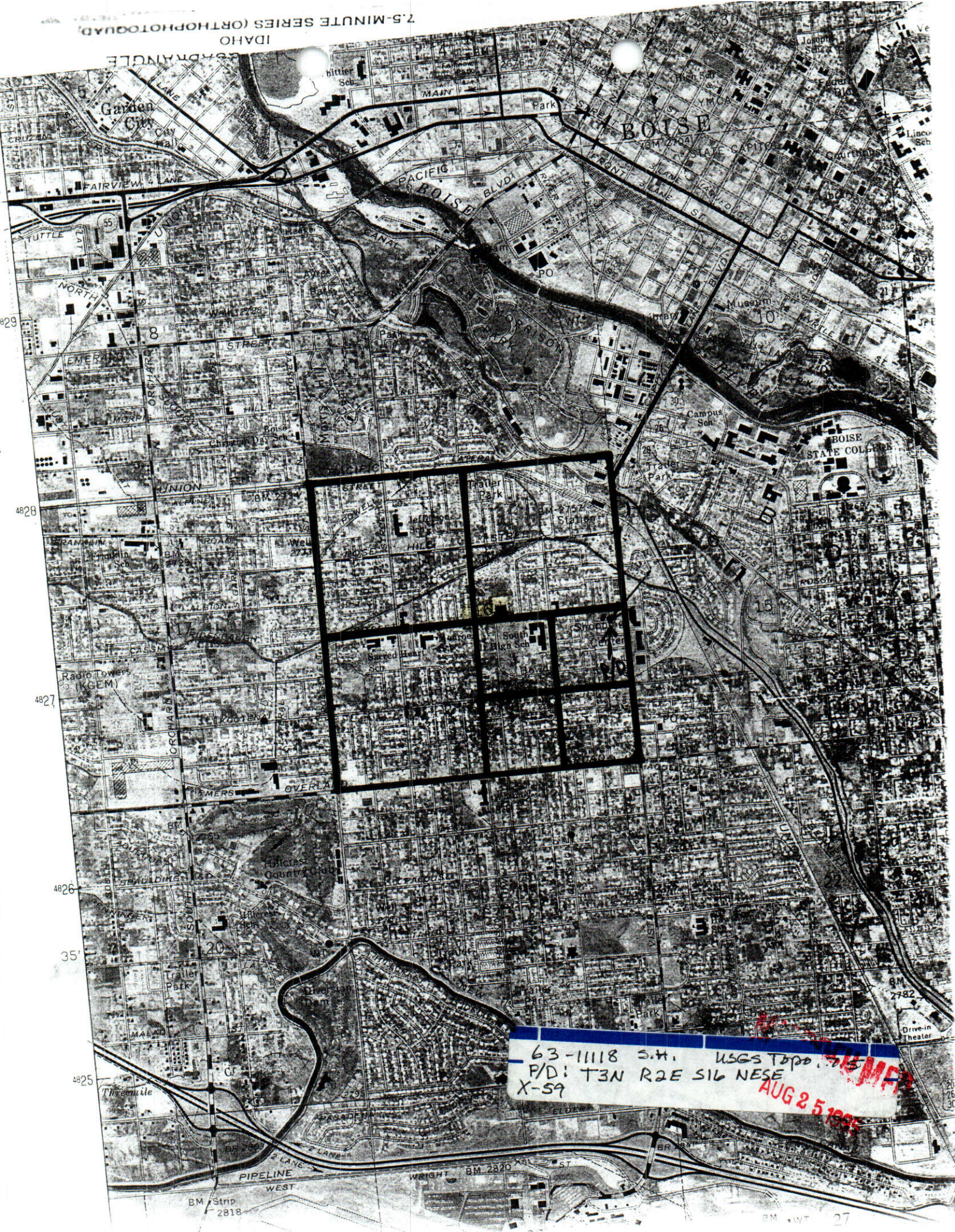
MINIMUM WELL SIZE 10"



CROWN

CROWN PUMP CORPORATION • HIGHWAY 16 & BIVAR • DE LEON, TEXAS

06.04.90 07:55 AM P02



63-11118 S.H. USGS Topo
P/D: T3N R2E S16 NESE
X-59
AUG 25 1995

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? _____

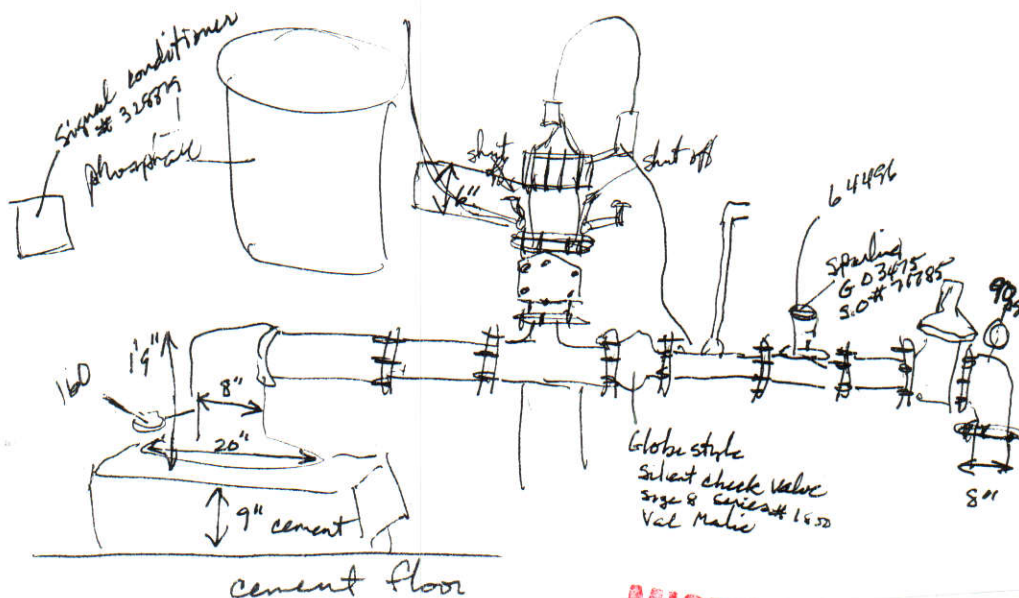
How far away from the well is this source? _____

9. REMARKS: _____

Sandy Hemenway WR Agent
Signature of Dept. Representative & Title

6/9/95
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS: (photos on another sheet)



MAINTENANCE MED

AUG 25 1995



63-11118
6/9/95 S.H

P/D:

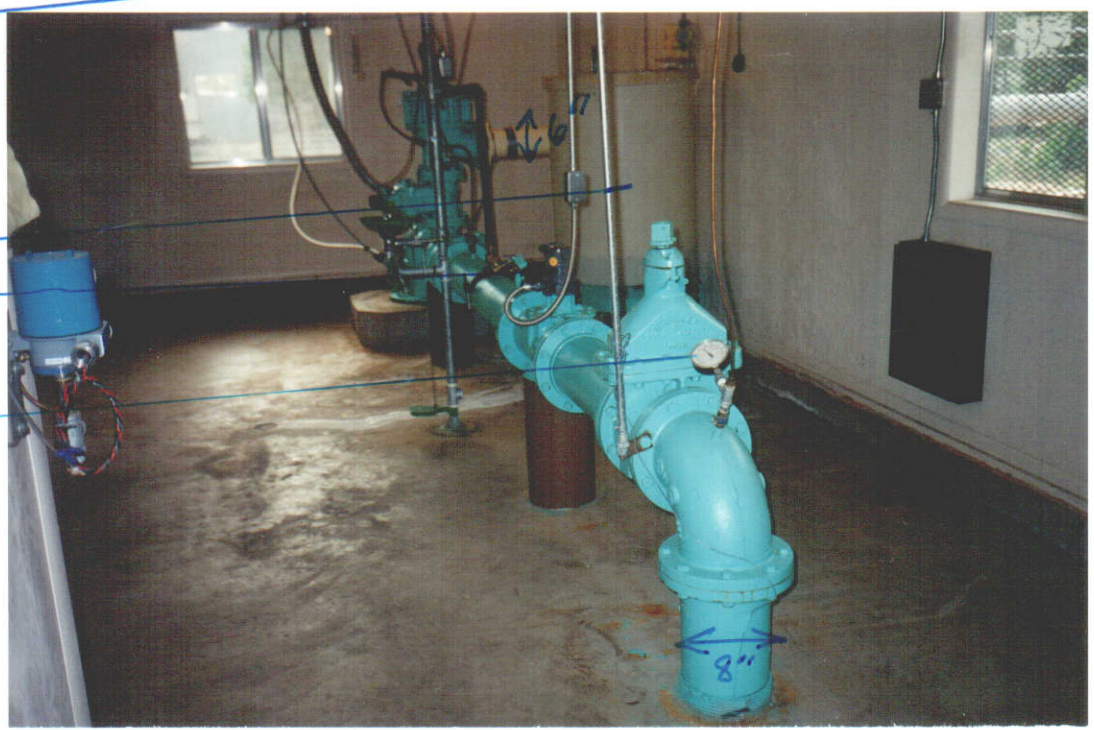
8" discharge

submersible pump
Globe style silent check
Valve size 8 series #1850
Val. Mod. 1.
20" casing



phosphate

Sparling
GO 3475 S.O #71785
pressure opening
90psi



pump house

MILWAUKEE
AUG 25 1995

State of Idaho
Department of Water Resources
Water Right License

AMENDED

WATER RIGHT NO. 63-11118

AMENDED

Priority: February 1, 1990

Maximum Diversion Rate:

2.78 CFS

This is to certify, that UNITED WATER IDAHO

PO BOX 7488

BOISE ID 83707-1488

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 1, 1990; and has submitted Proof of Beneficial Use on August 30, 1994. An examination indicates that the works have a diversion capacity of 2.780 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

MUNICIPAL

01/01 to 12/31

2.78 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 16, Township 03N, Range 02E
ADA County

PLACE OF USE: See Remarks

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
2. Place of use is located within the city limits of Boise and the surrounding area served by Boise Water Corporation.
3. Point of diversion is known as the Cassia Well.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 16TH day of

AUGUST, 1999.

Acting for

KARL J. DREHER, Director

MICROFILMED

SEP 30 1999

RECEIVED

APR 22 1999

Based on IDWR
Form 211

10/93 (converted for use with multiple water rights)

Department of Water Resources

Receipt No.
Received by
Date

W024486 + W024487

1019198
(#450*)STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

- GROUP FILING -
SEE NOTE NEXT
PAGEApplicant United Water Idaho (UWID)¹ Phone 208-362-1704Address 8248 W. Victory Road, P.O. Box 7488, Boise, ID 83707-1488I am the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. see chart below, and request that the permit and permit map be amended and/or changed as follows:

Purpose of Amendment:

- ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other see footnote²

1. Point(s) of Diversion:

OK'd per 3/19/99 Petition from UWID's attorney

Water Right Number	CFS	Point of Diversion								
		Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Name for diversion
~~63-11949~~	~~1.10~~		NE	SE	SE	30	3N	3E	Ada	Aspen
63-12143	3.00		NE	NW	SE	24	4N	1E	Ada	Gary Lane
L 63-11118 ✓	2.78		NE	NE	SE	16	3N	2E	Ada	Cassia #1
L 63-12363 ✓	4.50		NE	NE	SE	16	3N	2E	Ada	Cassia #2
63-12432 ✓	4.50	05	NE	NW	SW	16	4N	1E	Ada	Island Woods #1
		04	NE	NW	SW	16	4N	1E	Ada	Island Woods #2
63-12310 ✓	3.00	01	SW	SE	SE	32	4N	2E	Ada	Veterans
63-12140 ✓	3.50		SE	SW	SW	28	4N	1E	Ada	McMillan
L 63-11951 ✓	0.85		NW	NE	NW	19	3N	2E	Ada	Overland
L 63-11950 ✓	2.30		SW	NE	NE	21	3N	2E	Ada	Taggart #3

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

amount see chart above for municipal purposes from 01/01 to 12/31
(cfs/acre feet per annum) (water use) (begin month) (end month)

3. Place of use or land to be irrigated:

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SE¼	SW¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
			See UWID's most recent Description of Municipal Service Area, filed separately with the Department.																

MICROFILMED

Total acres not applicable

SEP 30 1999

¹For corporate officers, see UWID's most recent Description of Municipal Service Area, on file with the Department.²In each case, the existing permit is for municipal use. UWID seeks to bring each water right under the Municipal Water Right Act of 1996, Idaho Code §§ 42-202, 42-202B, 42-217, 42-219, 42-222 as a regular municipal water right, without domestic limitations. However, UWID intends to use the water solely to meet current needs and does not assert any claim for a "future need" component to the right under the Municipal Water Right Act of 1996.

* p/d's for 63-12432 as permitted; correct legal confirmation per applicant's
 1/29/99 fax. - JL 2/8/99 L = licensed as of today, petition from
 applicant to follow per 1/29/99 telecon w/ applicant.

4. a. Who owns the property at the point of diversion? UWID
- b. Who owns the land to be irrigated at the place of use? Not applicable to a municipal water right.
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Not applicable to a municipal water right.

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 1/4 1/4, section, township, range and ditches. (The smallest subdivision represents 40 acres.)

This map is not applicable. No change in point of diversion is sought. The new place of use is UWID's municipal service area.			
IOWA NOTE:	This is a group	filing to remove	similar cap
	on 9 rights.	AT the time of	filing this,
	63-11118 was	licensed & REST	were permits.
	Now, 3 of the	permits have been	licensed since
	filing. Applicant will	enhance amendments via a	
	<u>petition</u> to lift	the cap on	licenses per
	consultation with	Iowa.	
	This is best viewed	as 9 amendments filed on	single form for ~~convenience~~ - paid full fee per right.*

Scale: 2 inches equal 1 mile.

I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 8th day of October, 1998.

Ed Squires
Edward Squires, Hydrogeologist, for UWID (Permit Holder)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by SL 2/8/99 Publication prepared by SL Date 2-10-99
 Published in Id Statesman Pub. dates 3-4 & 11-1999
 I, _____, of the Department of Water Resources hereby

Witness my hand this _____ day of _____, 19____

MICROFILMED

SEP 30 1999

* 9 x \$50 each = \$450 total paid

S:\Clients\30174\IDWR\1998-10-07 Application for Amendment of Permits.wpd

-SL 2/8/99

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-11118

Priority: February 1, 1990

Maximum Diversion Rate:

2.78 CFS

This is to certify, that BOISE WATER CORP
PO BOX 7488

BOISE ID 83707-7488 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 1, 1990; and has submitted Proof of Beneficial Use on August 30, 1994. An examination indicates that the works have a diversion capacity of 2.780 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
MUNICIPAL	01/01 to 12/31	2.78 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 16, Township 03N, Range 02E
ADA County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
5. Place of use is located within the city limits of Boise and the surrounding area served by Boise Water Corporation.
6. The domestic use authorized under this right shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code.
7. This right authorizes irrigation of up to 1/2 acre within each platted subdivision lot upon which a domestic dwelling has been constructed.
8. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
9. Point of diversion is known as the Cassia Well.

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 24th
day of AUGUST, 1995.

Acting for  K. R. J. DREHER, Director

SUPERSEDED

AUG 25 1995

RECEIVED
AUG 30 1994

OFFICE USE ONLY
Amt. of Fee \$ 150.00
Date 8-30-94
Receipt No. 031162
Receipt by RT

STATE OF IDAHO Department of Water Resources
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 63-11118 Telephone No. (208) 362-1704
2. Name(s) of Permit Holder(s): Boise Water Corporation
3. Mailing Address: P.O. Box 7488, Boise, ID 837077488
4. Source of Water: Groundwater

If **GROUNDWATER**, Well Driller's Name: Stevens and Sons Date Drilled: 5-20-1990

OPTIONAL:

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

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

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

Irrigation _____ (No. of acres) Other Municipal

6. Total rate and/or volume for which proof is submitted 2.80 cfs OR _____ acre/feet

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

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

OR

Flow Measurement Port: Required? ☒ Yes _____ No Installed? ☒ Yes _____ No

8. Fee Enclosed: \$ 150.00 (See License Fee Schedule on back of Instruction Sheet)

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

Edward Squires 362-1704
Name Telephone No.

8248 W. Victory Rd, Boise, ID 83709
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

AUGUST 16, 1994 Benjamin M. Nepler, Vice Pres. SEP 22 1994
Date Signature (and title, if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-11118

Proposed Priority: February 1, 1990 **Maximum Diversion Rate:** 2.80 CFS

This is to certify, that **BOISE WATER CORP**
PO BOX 7488
BOISE ID 83707-7488

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
MUNICIPAL	01/01 to 12/31	2.80 CFS

LOCATION OF POINT(S) OF DIVERSION: NESE , Sec. 16, Township 03N, Range 02E
ADA County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1995.
2. Subject to all prior water rights.
3. The right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. The point of diversion identified in this right is located within the boundaries of the Boise Front Low Temperature Geothermal Resource Groundwater Management Area. The well driller must monitor water temperatures while drilling the well. If water with a temperature greater than 85 degrees Fahrenheit is encountered by the driller, drilling must immediately cease, and the Department must be notified. Drilling shall not resume until the Department has reviewed the drilling conditions, and established standards for construction with the driller.
5. Use of water under this right is subject to control by the watermaster of State Water District No. 63.
6. Place of use is within the city limits of Boise and the surrounding area served by Boise Water Corporation.
7. The domestic use authorized under this permit shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code.
8. This permit authorizes irrigation of up to 1/2 acre within each platted subdivision lot upon which a domestic dwelling has been constructed.
9. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this permit.

MISSISSIPPI

AUG 08 1994

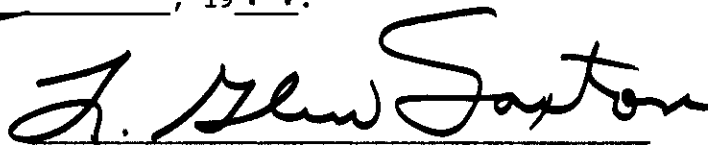
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11118

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

8th day of July, 1994.



R. Keith Higginson, Director

for

RECEIVED

AUG 08 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 63-11118

To appropriate the public waters of the State of Idaho

1. Name of applicant Boise Water Corporation Phone 362-1300
Post office address P. O. Box 7488 Boise, Idaho 83707

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is _____ ¼ of NE ¼ of SE ¼, Govt. Lot _____
Sec. 16 Township 3N. Range 2E. B.M. Ada County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 2.80 for Municipal purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated is (a) 2.80 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing (see memo 2/3/94) Drilling Permit # 63-90-W-0019.
An 18-inch drilled and cased deep well
approximately 700' deep. Pumped by a deep well turbine pump and electric motor.
Discharge will be directly into applicant's distribution system.

b. Height of storage dam N/A 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 700 feet.

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

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

RECEIVED
AUG 08 1994

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. City of Boise
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
		*	Water used for municipal purpose within																
			Boise City limits and areas outside of the																
			city limits as listed on "Land List Attachment".																

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. All permits for Boise Water Corporation as filed and on record with the Idaho Dept. of Water Resources.

11. a. Who owns the property at the point of diversion? Boise Water Corporation

b. Who owns the land to be irrigated or place of use? N/A

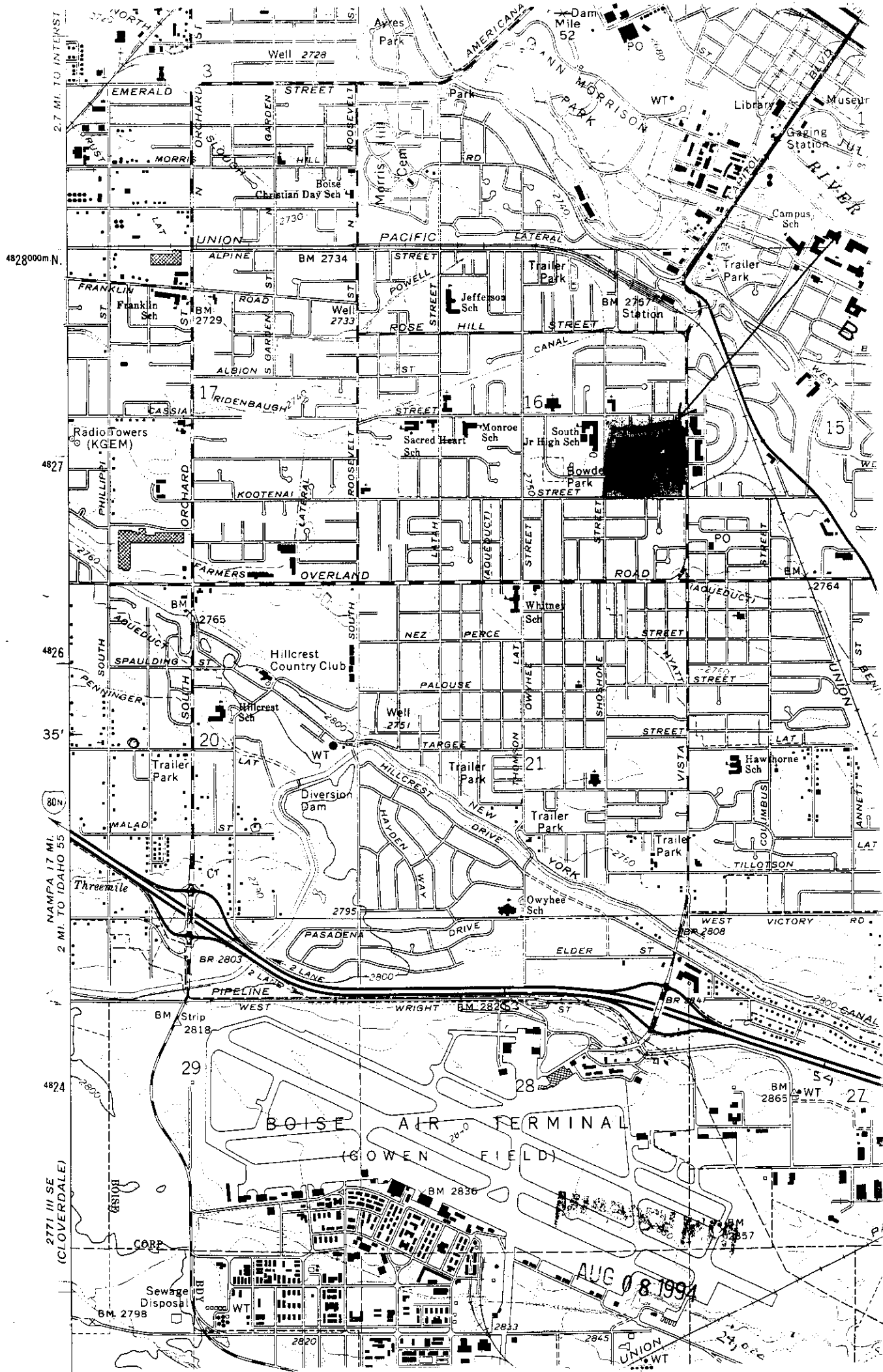
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Drilling Permit 63-90-W-019 approved 2/1/90 at applicant's request. This is the Cassia Well.

AUG 08 1994

* p/u is within service area of Boise Water Corp.

FL 2/1/90



4828000m N.

4827

4826

35'

4824

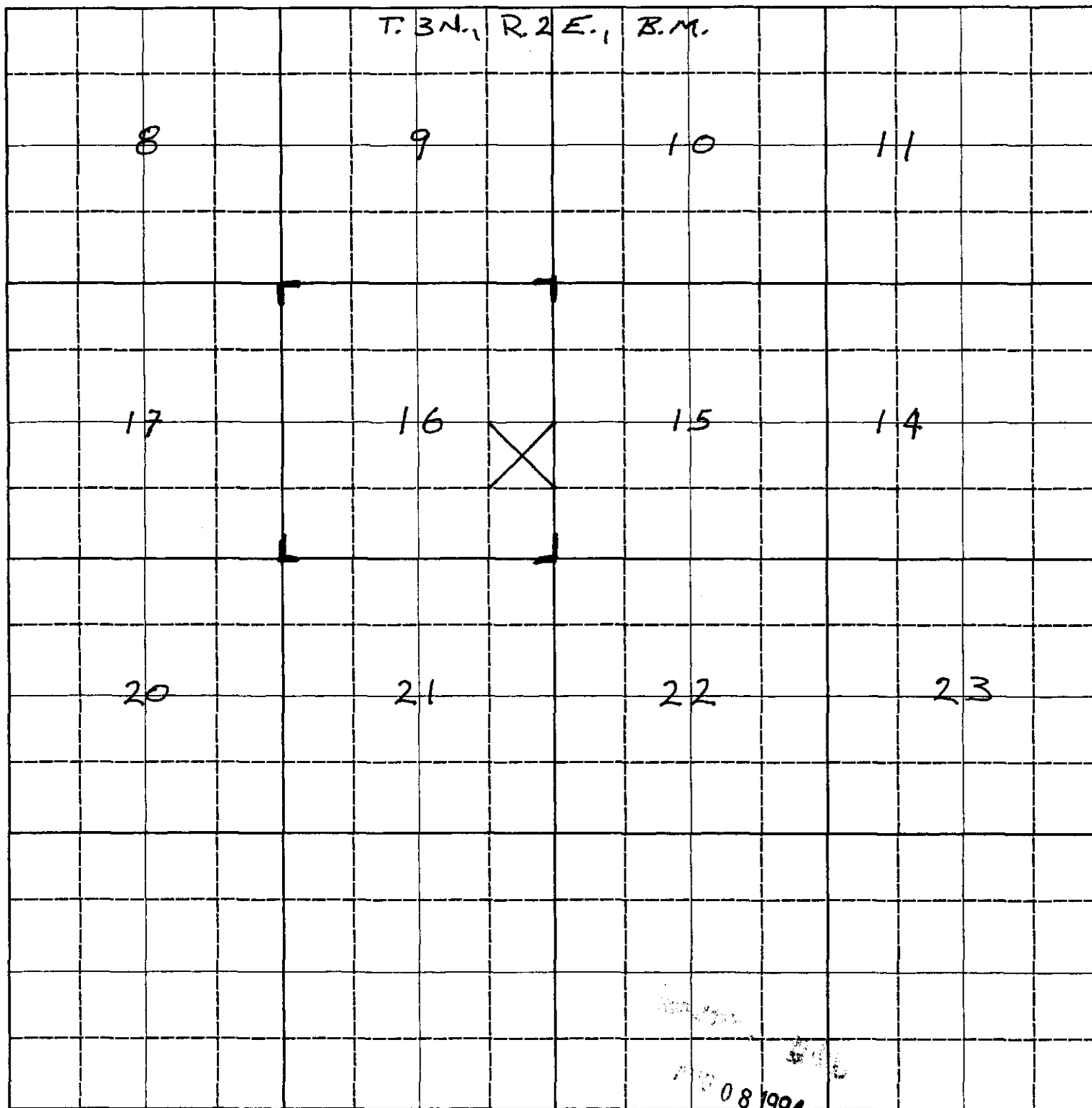
NAMPA 17 MI.
2 MI. TO IDAHO 55

2771 III SE
(CLOVERDALE)

1.6
1.0
0.7

AUG 08 1994

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.

Benjamin M Kepler, VICE PRES
(Applicant)

Received by SL Date 2/1/90 Time 11:15 Preliminary check by SL
Fee \$ 85⁰⁰ Receipted by SL # Ww 8171 Date 2/1/90
Publication prepared by GG Date 2-7-90 Published in ID Statesman
Publication approved ST Date 4-2-90
2/15 & 2/22/90

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

AUG 08 1994

RECEIVED

OCT 17 1989

Department of Water Resources
Western Regional Office

Boise Water Corporation
Corporate Officers

President	Wayne L. Booe	P. O. Box 8066, Boise, Idaho 83707
Secretary	Charles A. Martin	P. O. Box 8066, Boise, Idaho 83707
Directors	George B. Flegal, Jr.	950 Haverford Rd., Bryn Mawr, PA 19010
	Wayne L. Booe	P. O. Box 8066, Boise, Idaho 83707
	Lewis R. Masotti	950 Haverford Rd., Bryn Mawr, PA 19010

Vice-Pres.

Benjamin M. Hapler

per application

AUG 08 1994

63-11118



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

August 17, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

UNITED WATER IDAHO
PO BOX 7488
BOISE ID 83797-1488

RE: Water Right No. 63-11118

Dear Water Right Holder:

The Department of Water Resources (the Department) has issued the enclosed amended license confirming that a water right has been established in accordance with the permit referenced above. The amended license, which supersedes the license issued on August 24, 1995, is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. The purpose of the amended license is to remove certain approval conditions placed on the original license. The preliminary order can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

Enclosure

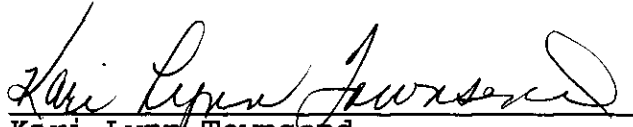
MICROFILMED
SEP 30 1999

CERTIFICATE OF MAILING

I hereby certify that on the 17th day of **August, 1999**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 63-11118

UNITED WATER IDAHO
PO BOX 7488
BOISE ID 83707-1488


Kari Lynn Townsend
Secretary

SEP 30 1999

MEMORANDUM

TO: Files 63-11118, 63-11950, 63-11951, 63-12140, 63-12310, 63-12363 and 63-12432

FROM: Sharla Curtis

DATE: August 12, 1999

RE: Amended Licenses and Amendments of Permit

In October of 1998, UWID filed a single Application for Amendment of Permit form to remove specific conditions of approval from a total of nine (9) rights. One right was removed from the proposal in March, leaving 8 rights to be processed. Four (4) of the rights were already licenses and the remaining four (4) were permits. 63-12143 subsequently lapsed and the right holder has not filed a proof of beneficial use form or an extension of time request as of this date and no further consideration will be made in regards to amending that file.

The application for amendment form and all supporting documentation can be found in file 63-11118. Included in the documentation is a conversation memo from Steve Lester to Phil Rassier (Deputy Attorney General) dated December 21, 1998 concerning the use of an application for amendment of permit form to change licensed rights. It was concluded that the amendment form could be used to change the permits AND licenses.

On this date, I spoke with Norm about the action that should be taken on these files. It was decided that an amendment approval document will be prepared for each of the permits; amended licenses will be prepared for those rights already licensed. The approved amendments and amended licenses all need to be sent as preliminary orders with all the typical associated language. Some mention should probably be made in the cover letter of the lapsed status of 63-12143.

MC 10-11118
SEP 30 1999

State of Idaho

Department of Water Resources

AMENDMENT ANALYSIS SHEET

group #17, 9
amendments on 1
form

RECEIVED

APR 22 1999

Right Number SEE APPL 9 WR's WP File Name UW GROUP Department of Water Resources
Initial Review By: 82 Date 2-8-99
Applicant UW-701 WATER Idaho

Purpose of Amendment: ☐ Change point of diversion. ☐ Add diversion point(s)
☐ Increase amount. ☐ Change place of use. ☒ Other Remove mountain
condition of approval

CHECK:

- ☒ Description of Revised Right ~~amended point(s) of diversion~~
☒ Amount, nature and period of use. If increased, delay date of priority.
☒ Ownership of point of diversion ~~and place of use~~.
☒ Map. N/A
☒ Signature (must be permit holder).
☒ Fee.
☒ Existing water rights from the same P/O ~~source, amended place of use~~.
☐ Right number(s) see 2/10/99 memo
☒ Yes ☐ No Should amendment be advertised?
☒ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____
☒ Legal notice electronically transmitted to State Office.
☒ Additional analysis information attached.

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received. ☐ Amendment published correctly
☐ Protest processed.
☒ Comment letters to: Just for 63-11949: send to SEBQWMA Adv. Committee, attached list
☐ Copy for region file: Always include application, staff analysis sheet, legal notice
List other items to copy 2/10/99 memo, 2/10/99 file summary (both are attached)
☐ Approve.
☐ Deny.

Conditions _____

By _____ Date _____

STATE OFFICE PROCESSING:

- ☐ Amendment correct and complete: By _____ Date _____
☐ Approved copy sent to applicant and to Region. By _____ Date _____ pam

stetewick and N/A since really = 9 amendments, ~~not 1~~
not 1.

MEMORANDUM

RECEIVED

APR 22 1999

To: File No. 63-11118 et al: Application for Amendment Filed by United Water

Department of Water Resources

From: Gary Spackman, *Gary*

Date: 04/20/99

The application to amend several water right permits and licenses filed by United Water Idaho (UWID) included permit no. 63-11949. A letter was received from Simplot Land and Development Co., stating that development authorized by permit no. 63-11949 was not completed during the permitted development period, and the permit had lapsed. The letter stated that UWID had agreed to remove the permit from the application for amendment. Nonetheless, Simplot Land and Development protested the application for amendment if permit no. 63-11949 was not deleted from the application for amendment, and sent a \$25.00 check. The last day for protest was March 22, 1999.

On March 23, 1999, UWID filed a document titled "Petition to Proceed with Application for Amendment" that contained a paragraph reading as follows:

11. UWID agrees to set the Aspen Right No. 63-11949 aside for purposes of this Petition. UWID will deal with the Aspen Right separately. Consequently, this Petition should be read to apply only the [sic] each of the other water rights in the caption.

Nampa & Meridian Irrigation District filed a petition to intervene on March 25, 1999. The petition to intervene was accompanied by a \$25.00 filing fee. Nampa & Meridian Irrigation District subsequently withdrew its petition to intervene on April 7, 1999.

Because the condition set forth in the Simplot Land & Development Co. letter was satisfied, IDWR should view the application as no longer being protested. Furthermore, Nampa & Meridian Irrigation District withdrew its petition to intervene. This is no longer a contested case, and the file can be forwarded to the state office.

I recommend that the application be approved.

The following conditions should be removed from the permits or licenses:

1. (022).
2. (075).
3. Irrigation occurring under this municipal use shall not exceed ½ acre within each private subdivision lot upon which a home has been constructed.

In addition, any conditions that prohibited irrigation of large projects are no longer a part of these approvals.

MICROFILMED
SEP 30 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MC 10-1111
SEP 10 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

April 19, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

VIC CONRAD
SIMPLOT LAND & DEVELOPMENT
PO BOX 27
BOISE ID 83707-0027

S BRYCE FARRIS
NAMPA & MERIDIAN IRRIG DIST
PO BOX 2773
BOISE ID 83702

Re: Application for Permit No. 65-11951 and Application for Amendment of Permit Nos. 63-12143, 63-11118, 63-12363, 63-12432, 63-12310, 63-12140 and 63-11951 in the Name of United Water Idaho.

Dear Protestants:

This letter is to acknowledge the withdrawal of protests in the above-referenced matter.

The department will now continue to process the application, subject to certain conditions of approval.

If you have any questions please call this office.

Sincerely,

Gary Spackman

GS:st

CC: Applicant

NOTED
SEP 30 1999

Daniel V. Steenson
Charles L. Honsinger
S. Bryce Farris
Ringert Clark, Chartered
P.O. Box 2773
Boise, ID 83702
(208)342-4591

RECEIVED

APR 07 1999

WATER RESOURCES
WESTERN REGION

Attorneys for Nampa & Meridian Irrigation District

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

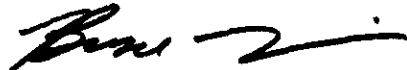
IN THE MATTER OF)
APPLICATION FOR)
AMENDMENT OF PERMIT NOS.)
63-12143, 63-11118,)
63-12363, 63-12432, 63-12310,)
63-12140, 63-11951,)
AND 63-11950, IN THE NAME)
OF UNITED WATER IDAHO)

WITHDRAWAL OF INTERVENTION

Nampa & Meridian Irrigation District (NMID), by and through its attorneys of record
Ringert Clark, Chartered, hereby withdraws its intervention dated March 24, 1999 to the above-
captioned application for amendment.

DATED this 6th day of April, 1999.

RINGERT CLARK CHARTERED



S. Bryce Farris
Attorneys for Nampa & Meridian
Irrigation District

MODIFIED

SEP 30 1999

GIVENS PURSLEY LLP

LAW OFFICES

277 North 6th Street, Suite 200
PO Box 2720, Boise, Idaho 83701

TELEPHONE: 208 388-1200

FACSIMILE: 208 388-1201

DIRECT DIAL: (208) 388-1236
EMAIL: chm@givenspursley.com

Gary G. Allen
Christopher J. Beeson
Michael C. Creamer
Thomas E. Dvorak
Roy Lewis Eiguren
Jeffrey C. Fereday
L. W. Grant III
Richard W. Jankowski
Karl T. Klein
David R. Lombardi

Kimberly D. Maloney
Kenneth R. McClure
Cynthia A. Meilillo
Christopher H. Meyer
L. Edward Miller
Patrick J. Miller
Judson B. Montgomery
Aaron H. Nemec
W. Hugh O'Riordan
Kenneth L. Pursley

Conley Ward
Steven R. Weeks
Stephanie C. Westermeier
Robert B. White

Raymond D. Givens
James A. McClure
OF COUNSEL

RECEIVED

MAR 29 1999

WATER RESOURCES
WESTERN REGION

March 26, 1999

S. Bryce Farris, Esq.
Ringert/Clark, Chartered
P.O. Box 2773
Boise, ID 83702

Re: In the Matter of Application for Amendment of Permit, No. 63-11949
(Aspen—withdrawn), No. 63-12143 (Gary Lane), No. 63-11118 (Cassia
#1), No. 63-12363 (Cassia #2), No. 63-12432 (Island Woods #1 & #2), No.
63-12310 (Veterans), No. 63-12140 (McMillan), No. 63-11951 (Overland),
No. 63-11950 (Taggart #3)

Our File No. 30-74

Dear Bryce:

Ed Squires forwarded to me a copy of the *Notice of Petition to Intervene* you filed in this matter on behalf of Nampa & Meridian Irrigation District ("NMID"). At the outset, let me say that United Water Idaho ("UWID") welcomes your participation and has no objection to NMID's intervention.

Please ensure that further communications in this matter on behalf of NMID are copied to me. On the other hand, I do not wish to hamper productive discussions between NMID and UWID. Consequently, on behalf of UWID, I expressly waive any ethical prohibition against communications between you and the staff of UWID. I know from past experience with your firm that you will keep me appropriately abreast of any such discussions.

I understand from your conversation with Ed Squires that NMID is interested in learning more about this application in order to assure that it does not seek any enlargement or expansion of water rights. In this regard, I thought that the enclosed correspondence might shed additional light on the situation. You may have already

SEP 30 1999

S. Bryce Farris, Esq.
March 26, 1999
Page 2

obtained it from the Department. But in case you have not, I am happy to pass along these copies. I will also include correspondence with the Department regarding another set of water rights known as the Ten Mile Ridge Rights (Nos. 63-12043 63-12138, and 63-12139). Identical issues were raised by those amendment applications. By the way, the Department of Water Resources has approved the Ten Mile Ridge applications.

The purpose of the pending application is summed up in footnote 2 of the application (emphasis supplied):

In each case, the existing permit is for municipal use. UWID seeks to bring each water right under the Municipal Water Right Act of 1996, Idaho Code §§ 42-202, 42-202B, 42-217, 42-219, 42-222 as a regular municipal water right, without domestic limitations. However, UWID intends to use the water solely to meet current needs and does not assert any claim for a "future need" component to the right under the Municipal Water Right Act of 1996.

Essentially, UWID is simply seeking the removal of moratorium-related conditions placed on permits (a few of which are now licenses) during the period of the Snake River moratorium. No change in diversion rate is sought. The service area remains the UWID service area. Note in particular that UWID is not at this time seeking a "future need" component to this water right.

The effect of the moratorium conditions, in essence, is to prohibit delivery of water from particular wells to industrial and large park uses (which do not fit within the domestic use exception to the moratorium). For instance, UWID cannot deliver water from restricted wells directly to Micron, to the State Prison or to the Southeast Boise soccer fields. Instead, water from the restricted wells must first reach UWID's integrated municipal system, at which point it is allocated to domestic users, while water from unrestricted wells is allocated to non-domestic users.

The bottom line is that the moratorium conditions do not reduce the amount of water used by UWID, and removing them will not increase the water available to UWID. But these conditions do impose a complex and, frankly, pointless burden. As explained in the enclosed correspondence, this burden is not limited to paper accounting. In some instances, UWID has been required to alter its delivery configuration and incur additional

SEP 30 1999

S. Bryce Farris, Esq.
March 26, 1999
Page 3

pumping costs in order to satisfy these moratorium conditions. This exercise is all the more unnecessary given that the moratorium has been lifted for some time now.

One final item. I understand that NMID expressed concern regarding the possible revival of the lapsed permit for the Apsen Right (No. 63-11949). You will note in paragraph 11 of UWID's *Petition to Proceed with Application for Amendment*, we agreed to remove this right from the application for amendment and to deal with that issue separately.

Sincerely,



Christopher H. Meyer

P.S., I don't believe we have met before, have we? In any event, you have joined a fine firm, and I look forward to working with you on this.

Encl: Letter from Chris Meyer to Gary Spackman (Aug. 7, 1998)
Letter from Chris Meyer to Karl Dreher (Mar. 26, 1998)
Letter from Karl Dreher to Chris Meyer (May 22, 1999)
Letter from Chris Meyer to Karl Dreher (June 8, 1998)
Letter from Steve Lester to Ed Squires (Feb. 10, 1999)
Petition to Proceed with Application for Amendment (Mar. 15, 1999)

cc: Steve Lester
✓ Gary Spackman
Ed Squires
Scott Rhead

CHM:baf

S:\Clients\30\74\Corr\1999-03-26 CHM Ltr to B.Farris - Re intervention.wpd

SEP 30 1999

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: W021913

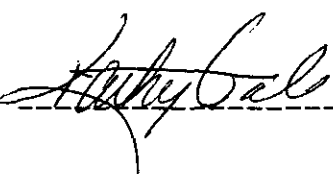
Date: 3/25/1999
Time: 12:27:30

Received
From: RINGERT CLARK CHARTERED

Type of Payment	Program A cct	Amount
PETITION TO INTERVENE	62103 229 21 1155	25.00

CHECK	16551	Total	\$	25.00
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Region: WESTERN

Signature: 

REC'D - 1999
SEP 30 1999

Receipt # 10024913
RECEIVED
MAR 25 1999
WATER RESOURCES
WESTERN REGION

Daniel V. Steenson
Charles L. Honsinger
S. Bryce Farris
Ringert Clark, Chartered
P.O. Box 2773
Boise, ID 83702
(208)342-4591

Attorneys for Nampa & Meridian Irrigation District

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF)
APPLICATION FOR)
AMENDMENT OF PERMIT NOS.)
63-11949, 63-12143, 63-11118,)
63-12363, 63-12432, 63-12310,)
63-12140, 63-11951,)
AND 63-11950, IN THE NAME)
OF UNITED WATER IDAHO)

NOTICE OF PETITION TO INTERVENE

Nampa & Meridian Irrigation District (NMID), by and through its attorneys of record Ringert Clark, Chartered, hereby files this Petition to Intervene in the protested matter of Application for Amendment of Permit Numbers 63-11949, 63-12143, 63-11118, 63-12363, 63-12432, 63-12310, 63-12140, 63-11951 and 63-11950, filed in the name of United Water Idaho. NMID is an irrigation district duly organized and operating under the laws of the State of Idaho. NMID is located at 1503 First Street South, Nampa, Idaho 83651.

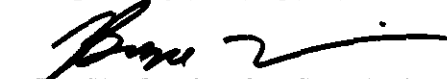
NMID supplies to its owners irrigation water throughout the Boise Valley. NMID supplies this water pursuant to natural flow rights from the Boise River, certain storage entitlements in the Boise River reservoirs and various wells diverting groundwater. NMID has concerns regarding the proposal to remove the "domestic limits," as provided by I.C. § 42-111,

from these applications, and the impact such removal may have on NMID's rights. Thus, NMID has a direct and substantial interest in this proceeding and wishes to have an opportunity to comment on this application for amendment of permits as a party to this proceeding, to receive copies of all pleadings and papers filed in this matter, and, as necessary, to participate as a full party.

Pursuant to IDAPA, Rule 37.01.01.200, this Notice also constitutes notice of appearance of the above attorneys in this matter for NMID.

DATED this 24th day of March, 1999.

RINGERT CLARK CHARTERED



S. Bryce Farris
Attorneys for Nampa & Meridian
Irrigation District

CERTIFICATE OF SERVICE

I certify that on March 24th 1999, I mailed the original and copies of this document, to the following:

Idaho Dept. of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

United Water Idaho
P.O. Box 7488
Boise, Idaho 83707



S. Bryce Farris

FOR
YOUR
INFORMATION

FROM

CHRISTOPHER H. MEYER

✓ Steve—
Enclosed for
Aling - per
your letter to
Ed Squires. Please
call. Thanks!

GIVENS PURSLEY LLP

PARK PLACE, 277 No. 6th St., SUITE 200

P.O. BOX 2720 • BOISE, IDAHO 83701

TELEPHONE: (208) 388-1236

FAX: (208) 388-1201

EMAIL: CHM@GIVENSPURSLEY.COM

-Chris

Christopher H. Meyer, Esq.
GIVENS PURSLEY LLP
277 N. 6th Street, Ste. 200
P.O. Box 2720
Boise, ID 83701-2720
ATTORNEYS FOR UNITED WATER IDAHO

Telephone: 208-388-1236
Facsimile: 208-388-1201
Email: chm@givenspursley.com

RECEIVED

MAR 23 1999

WATER RESOURCES
WESTERN REGION

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN RE: APPLICATION FOR
AMENDMENT OF PERMITS
BELONGING TO UNITED
WATER IDAHO

Water Rights:
No. 63-11949 (Aspen)
No. 63-12143 (Gary Lane)
No. 63-11118 (Cassia #1)
No. 63-12363 (Cassia #2)
No. 63-12432 (Island Woods #1 & #2)
No. 63-12310 (Veterans)
No. 63-12140 (McMillan)
No. 63-11951 (Overland)
No. 63-11950 (Taggart #3)

PETITION TO PROCEED WITH
APPLICATION FOR AMENDMENT

COMES NOW United Water Idaho ("UWID") and submits this *Petition to Proceed with Application for Amendment* ("Petition").

In support of its Petition, UWID states as follows:

1. On October 8 1998, UWID filed with the Idaho Department of Water Resources ("IDWR" or the "Department") an *Application for Amendment of Permit* (the "*Application*"). The *Application for Amendment* identified nine permits (those in the caption above) owned by UWID to which the Department had attached so-called "Moratorium Conditions" at the time of issuance.

2. UWID requested that the permits be amended to bring them expressly within the Municipal Water Rights Act of 1996. UWID also sought removal of the Moratorium Conditions.

3. This *Application* was preceded by a round of correspondence and meetings between counsel for UWID and the Director of the Department. On March 26, 1998, Counsel wrote to the Director inquiring as to the status of the Moratorium and as to the proper administrative procedure for removal of the Moratorium Conditions. On May 22, 1998, UWID's Counsel received a detailed response from the Director outlining the need to proceed pursuant to Idaho Code § 211 in order to remove the Moratorium Conditions.

4. That letter specifically noted that three of the water permits referenced in the correspondence had proof of beneficial use pending. The Director noted, nonetheless: "We do not believe that these three permits need to be treated differently than those for which proof of beneficial use has not been filed. However, United Water may want to request that the Department withhold licensing for these rights until United Water has attempted to amend the permits."

5. On June 8, 1998, UWID's Counsel replied to the Director, thanking the Department for its consideration and indicating UWID's intention to proceed "in the administrative forum that you deem appropriate." That October, UWID filed its *Application to Amend*.

6. UWID had been under the impression that an informal, oral request to delay processing of the licenses had been made. However, this may have been

overlooked. UWID regrets that its intent was not more clearly conveyed.

7. In any event, while the *Application to Amend* was pending, four of these permits have proceeded through the proof stage, and licenses have been issued for them. This raises a question about whether it is appropriate for the Department to proceed to amend those four licenses pursuant to the original *Application for Amendment*.

8. On February 10, 1999, Steve Lester of the Department's Western Office sent a letter to Ed Squires of UWID suggesting that UWID file a petition stating reasons that the Department should proceed under the *Application for Amendment* despite the fact that four of the permits have now been licensed. This *Petition* is filed in response to that suggestion.

9. UWID urges the Department to proceed with the requested amendment of the each of the nine water rights identified in the original *Application for Amendment*, including those four which are now licensed rights. United Water used the mechanism specifically provided by the Legislature for amendment of a permit, Idaho Code § 211. This statutory provision does not expressly address the Department's authority to act when the permit at issue is re-issued as a license during the pendency of the application for amendment. Nor is there any case law on the subject. However, it is intuitively compelling that if the *Application* was proper as of the time of filing, and the Department had the authority to grant the application at that time, the mere progress of the water right through the administrative process to the licensing stage should not deprive the Department of the authority to grant the requested relief. Stated differently, if the

amendment would not injure other water rights at the permit stage, it should be equally innocuous at the license stage. This conclusion is consistent with the Director's conclusion, as stated in his letter to Counsel on May 22, 1998.

10. Following UWID's filing of its *Application for Amendment*, the Department advertised the application and otherwise complied with all other requirements of statute. No other water user has raised any objection, question or concern over the proposed amendment—except with respect to the Aspen Right, No. 63-11949. (See Paragraph 11 below with respect to the Aspen Right.) It is implausible that a user might have a concern with the requested amendment now that a license has issued, which would not have been equally apparent a few months earlier prior to proof of beneficial use.

11. UWID agrees to set the Aspen Right, No. 63-11949 aside for purposes of this Petition. UWID will deal with the Aspen Right separately. Consequently, this Petition should be read to apply only the each of the other water rights in the caption.

12. Given that (a) the *Application for Amendment* was proper at the time of filing, (b) the public has been fully advised of the proposed amendment, and (c) no objection or concern has been raised by any interested person, the Department may exercise its inherent power to approve the requested change at this time.

13. This is, in essence, a *nunc pro tunc* action. See, e.g., *State v. Hagerman Water Right Owners, Inc.*, 130 Idaho 718, 721-22, 947 P.2d 391, 394-95 (1997) (in which Director's Reports were filed *nunc pro tunc*). Thus, the IDWR may amend the

license, noting that the amendment could have been properly made at the permit stage.

Respectfully submitted this 19th day of March, 1999.

GIVENS PURSLEY LLP

By Christopher H. Meyer
Christopher H. Meyer

Attorneys for United Water Idaho

SEP 30 1999

CONVERSATION MEMORANDUM

DATE 3/10/99
 FILE Amendment appl.
group filing
Spinning

NAME OF PARTY Ed Iguier
 EMPLOYEE R

RE: Status update

" Spinning"
 (1) I received his 3/9 fax & Access/ownership to Fortrail well. Hard copy not needed. Assignment of permit - pending signature, then will send.

" group filing"
 (2) might delete Aspen well (83-11949) from filing s/w might pursue re-instatement with second ext. of time.

Protest deadline = 3/22/99 instead of 3/8/99 due to newspaper's error.

He said Wright sent letter to Iguier & possible protest to this filing.

MICROFILMED

SEP 30 1999

Receipt 00248641
A

J.R. SIMPLOT COMPANY ONE CAPITAL CENTER 999 MAIN STREET SUITE 1300
P.O. BOX 27 BOISE, IDAHO 83707-0027 (208) 336-2110 FAX (208) 389-7515

CORPORATE HEADQUARTERS

March 8, 1999

RECEIVED

HAND DELIVERY

MAR 08 1999

Gary Spackman, Manager
State of Idaho
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

WATER RESOURCES
WESTERN REGION

Re: Application by United Water Idaho to Amend IDWR Permit Nos. 63-11949, 63-12143, 63-11118, 63-12363, 63-12432, 63-12310, 63-12140, 63-11951, 63-11950.

Dear Gary:

In discussing the proposed amendment with the applicant I was informed that IDWR Permit No. 63-11949 was included by mistake. Development under this right was not accomplished within the permitted development period and consequently the permit lapsed. During our meeting March 3, 1999, the applicant explained they will amend the application to remove this permit.

In the event this application is not amended to remove permit no. 63-11949 please consider this letter a formal protest to the application. Any attempt to divert water under this permit will reduce the quantity of water available within the Southeast Boise Groundwater Management Area causing injury to other water right holders. The applicant should consider filing a new application if they need to develop additional groundwater supplies in this area.

Please use the enclosed \$25.00 check to cover your protest fee if the above application is not corrected.

Sincerely,



Vic Conrad
Simplot Land and Development

Enclosure

c. E. Squires

MAILED

SEP 30 1999

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

W024864

Date:

Time: 3/ 9/1999
08:46:28

Received

From:

J.R. SIMPLOT

Type of Payment

Program A cct

Amount

PROTEST 63-11949

62103

229 21 1155

25.00

CHECK

7366

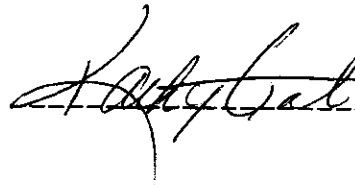
Total

\$

25.00

Region: WESTERN

Signature: _____



MC 15-11550
SEP 30 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

February 22, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

To: Those on the Attached List

Re: Application for Amendment of Water Right Permit in the Name of the United Water Idaho

Dear Interested Parties:

Enclosed is a copy of the above-referenced application for amendment of water rights. Since permit no. 63-11949 falls within the Southwest Boise Groundwater Management Area this amendment may be of interest to you.

Please review the application and return any comments you might have.

A protest must be received with a \$25.00 protest fee on or before March 8, 1999. If you do not wish to protest, informal comments should still be submitted by the end of the protest period.

Sincerely,

A handwritten signature in cursive script that reads 'Gary Spackman'.

Gary Spackman

GS:st

Encl.

MICROFILMED

SEP 30 1999

BILL BACHMAN
CROMAN CORP
1625 YAMHILL RD
BOISE ID 83705

CHAS F MCDEVITT
PO BOX 2564
BOISE ID 83701-2564

VIC CONRAD
JR SIMPLOT CO
PO BOX 27
BOISE ID 83707

MIKE MCINTYRE
MICRON TECHNOLOGY INC
MAIL STOP 507
8000 S FEDERAL WY
PO BOX 6
BOISE ID 83707-0006

CATHERINE CHERTUDI
CITY OF BOISE
PO BOX 500
BOISE ID 83701-0500

MACROFILMED

SEP 30 1999

MEMORANDUM

TO: FILES

FROM: STEVE LESTER *SL*

DATE: FEBRUARY 10, 1999

RE: UNITED WATER AMENDMENTS FOR 9 RIGHTS

United Water (UW) filed a "group amendment" last October to remove the municipal moratorium limits for nine rights. The full fee for nine amendments was paid ... it is only for efficiency that all amendment applications are on one form. This seems acceptable. Based on a similar and successful request to lift the limits on UW rights for the "Southeast Boise Pipeline" well field, it appears that the amendments can be approved except as noted in this memo.

The following items should be noted in evaluating the amendments. References to individual rights to be amended include the local well name instead of the water right number (see local names listed on page 1 of the application).

1. GWMA's - All of the rights except Island Woods, McMillan and Overland are within acceptable parameters of the Boise Front GWMA (cold water deeper than 300 feet). The Aspen right, formerly known as Boise Avenue, also falls within acceptable parameters of the SE Boise GWMA.

* 2. Licenses - When the amendments were filed, Cassia #1 was already licensed. Cassia #2, Overland and Taggart #3 have been licensed since then. I discussed the issue of using the amendment instead of the transfer option for licenses with Phil Rassier. He thinks that the amendment route is most likely acceptable to alter a license condition of approval provided that the applicant supports the amendment with a petition or similar document that requests revision of the limiting condition of approval. Ed Squires for UW stated that UW will submit such documentation as soon as possible. Processing can continue but cannot be concluded without this additional step.

3. "Future mitigation" - As I understand the issue, the basis to approve the amendments rests on the conclusion that an expansion of use will not occur by lifting the condition of approval. That analysis was used to approve the similar permit amendments as noted. I do not know if this analysis also applies to licenses but assume that it does based on Phil Rassier's lead in this matter. If that is correct, the "future mitigation" condition of approval for increased consumptive use must be assumed to be non-applicable by definition to most of the rights: there is no increased use to mitigate.

* 4. Exception to item #3 - However, the Aspen right states that "use of water under this right shall be non-consumptive." The non-expansion analysis does not appear to work in this case since consumptive use will clearly occur if the well supplies uses beyond the domestic concept. Removal of the moratorium cap must include removal of the non-consumptive condition. Those steps would result in an expansion of use. Additionally, this right lapsed by failure of UW to file proof of beneficial use by January 1, 1999. It remains to be seen if the right

SEP 3 6 1999

* Petition Rec'd 3/23/99 from Chris Meyer for UWI.
Petition also deletes Aspen well (63-11949) from amendment filing.

UW Amendments
Feb. 10, 1999
Page 2 of 2

can be reinstated with an approved second extension of time or proof of beneficial use. It appears that amending the Aspen right is not possible due to the expansion plus lapse issues.

5. P/D overlap - Two of the rights have other UW rights from the same wells, although the older rights do not include the moratorium cap, as follows:

Overland shared with 63-03562;

Island Woods shared with 63-11467¹; but

Taggart #3 is a different well than another well at the same site for 63-03128.

sent 2-10 ✓
c: Phil Rassier, IDWR State Office

¹Note that pending application 63-11900 covers shallow ground water for pond amenities in Island Woods Subdivision. UW and the homeowners are working on resolving the issues for the pending application. This has no bearing on the amendment.

MO
SEP 30 1999

CONVERSATION MEMORANDUM

DATE 2/10/99
FILE united water
Amendments

NAME OF PARTY -

EMPLOYEE JL

RE: "FILE SUMMARY"

9 Amendments in 1 group filing

63-11118 ← file original in

- 11949

- 11950

- 11951

- 12140

- 12143

- 12310

- 12363

- 12432

← file cc's in

SEE

63-11118 for
amendment info,
analysis etc.

SEP 20 1999

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707-0040

LEGAL ADVERTISING INVOICE

Amount Due
\$102.00

Account Number/Trans. #		Identification	
047628		AMENDMENT OF WATER RIGHTS	
Ordered By	P.O. Number	Rate	Run Dates
SUE TAYLOR		NT	MARCH 4, 11, 1999
STATE OF IDAHO DEPT. OF WATER RESOURCES WESTERN REG. 2735 AIRPORT WAY BOISE, IDAHO 83705 - 5082		Estimated Inches	Real Inches
		# Affidavits	Legal Number
		1	3461

RECEIVED

MAR 22 1999

WATER RESOURCES
WESTERN REGION

JANICE HILDRETH, 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 ☐ single
☐ consecutive daily ☐ odd skip

insertion(s) beginning with the issue of
MARCH 4, 1999
and ending with the issue of
MARCH 11, 1999

Janice Hildreth

STATE OF IDAHO)
COUNTY OF ADA) ss.

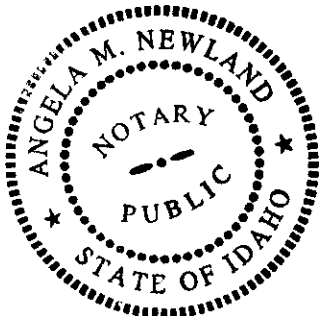
On this 11TH day of MARCH in the year of 1999, before me, a Notary Public, personally appeared JANICE HILDRETH known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Angela M. Newland
Notary Public for Idaho

Residing at: Boise, Idaho

My commission expires:

8/12/05



NOTICE OF APPLICATIONS FOR AMENDMENT OF WATER RIGHTS
Notice is given that UNITED WATER IDAHO, PO Box 298, Boise ID 83707 has applied to the Department of Water Resources to change the limitations of the following municipal ground water rights in Ada County pursuant to I.C. § 42-311:

RIGHT #	PRIORITY	CF	DIVERSION POINT & LOCAL NAME
63-1118	02-01-1990	2.78	TAN R2E S16 N28E
63-1149	10-14-1992	1.10	TAN R2E S16 N28E
63-1190	10-14-1992	2.30	TAN R2E S16 N28E
63-1191	10-14-1992	0.85	TAN R2E S16 N28E
63-1214	10-19-1994	3.50	TAN R2E S16 N28E
63-1215	10-19-1994	3.50	TAN R2E S16 N28E
63-1216	10-19-1994	3.50	TAN R2E S16 N28E
63-1217	10-19-1994	3.50	TAN R2E S16 N28E
63-1218	10-19-1994	3.50	TAN R2E S16 N28E
63-1219	10-19-1994	3.50	TAN R2E S16 N28E
63-1220	10-19-1994	3.50	TAN R2E S16 N28E
63-1221	10-19-1994	3.50	TAN R2E S16 N28E
63-1222	10-19-1994	3.50	TAN R2E S16 N28E
63-1223	10-19-1994	3.50	TAN R2E S16 N28E
63-1224	10-19-1994	3.50	TAN R2E S16 N28E
63-1225	10-19-1994	3.50	TAN R2E S16 N28E
63-1226	10-19-1994	3.50	TAN R2E S16 N28E
63-1227	10-19-1994	3.50	TAN R2E S16 N28E
63-1228	10-19-1994	3.50	TAN R2E S16 N28E
63-1229	10-19-1994	3.50	TAN R2E S16 N28E
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63-1232	10-19-1994	3.50	TAN R2E S16 N28E
63-1233	10-19-1994	3.50	TAN R2E S16 N28E
63-1234	10-19-1994	3.50	TAN R2E S16 N28E
63-1235	10-19-1994	3.50	TAN R2E S16 N28E
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63-1240	10-19-1994	3.50	TAN R2E S16 N28E
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63-1369	10-19-1994	3.50	TAN R2E S16 N28E
63-1370	10-19-1994	3.50	TAN R2E S16 N28E
63-1371	10-19-1994	3.50	TAN R2E S16 N28E
63-1372	10-19-1994	3.50	TAN R2E S16 N28E
63-1373	10-19-1994	3.50	TAN R2E S16 N28E
63-1374	10-19-1994	3.50	TAN R2E S16 N28E
63-1375	10-19-1994	3.50	TAN R2E S16 N28E
63-1376	10-19-1994	3.50	TAN R2E S16 N28E
63-1377	10-19-1994	3.50	TAN R2E S16 N28E
63-1378	10-19-1994	3.50	TAN R2E S16 N28E
63-1379	10-19-1994	3.50	TAN R2E S16 N28E
63-1380	10-19-1994	3.50	TAN R2E S16 N28E



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

February 10, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ATTN ED SQUIRES
UNITED WATER IDAHO
PO BOX 7488
BOISE ID 83707-1488

RE: APPLICATIONS FOR AMENDMENTS

Dear Ed:

This letter regards a number of applications to amend various United Water permits and licenses. Processing of the amendments will continue but cannot be completed by IDWR without your response as noted below.

1. Right 63-12334, "Spurwing" - The amendment application will be forwarded to IDWR's state office upon completion of assignment of the permit to United Water. Also, in your reply please explain United Water's access to the Foxtail well that is included in this amendment.

2. Group filing for nine rights, "Aspen through Taggart #3" - As we recently discussed, four of the nine rights in this group filing are now licensed. The group amendment route can be used to request removal of the "moratorium municipal cap" provided that United Water files a petition or similar request to supplement the amendment form. The petition should state the basis for using an amendment option rather than the transfer option normally associated with changing a licensed right.

3. Lapse of Aspen right - Please note that right 63-11949 lapsed in early January of this year. Proof of beneficial use or a request for a second extension of time was due on January 1, 1999 but not filed by United Water. United Water should seek re-instatement of this right or, failing that, should refile the right via a new application for permit.

I look forward to hearing from you within thirty days. Feel free to contact me at your convenience if you need more information.

Sincerely,

Steve Lester
Water Rights Supervisor

MCN
SEP 11 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

*Idaho Statesman
Press Tribune*

February 10, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

**THE INDEPENDENT ENTERPRISE
PO BOX 520
PAYETTE ID 83661**

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated. 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 affidavits of publication and publication billing to this office before
MARCH 8, 1999.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Sue Taylor'.

**Sue Taylor
Senior Secretary**

Encl.

APR 10 1999

SEP 10 1999

Janice Hildreth, Idaho Statesman called Monday, February 22, 1999, at 8:15 a.m. She had been on vacation for a month and the people responsible for getting the legal ads in the paper didn't get 6 applications advertised on February 18 and 25. She will advertise them on March 4 and 11 with the protest date on March 22, 1999.

United Water, amendment

Julius Jeker, ext. of time.

City of Eagle, amendment

Lisa Gray, transfer

Don Watkins, app.

Don Watkins, app.

MOBILE FILE

SEP 30 1999

NOTICE OF APPLICATIONS FOR AMENDMENT OF WATER RIGHTS

Notice is given that UNITED WATER IDAHO, PO Box 7488, Boise ID 83707 has applied to the Department of Water Resources to change the limitations of the following municipal ground water rights in Ada County pursuant to I.C. § 42-211:

<u>RIGHT #</u>	<u>PRIORITY</u>	<u>CFS</u>	<u>DIVERSION POINT & LOCAL NAME</u>
63-11118	02-01-1990	2.78	T3N R2E S16 NESE aka Cassia #1
63-11949	10-14-1992	1.10	T3N R3E S30 SESE Aspen
63-11950	10-14-1992	2.30	T3N R2E S21 NENE Taggart #3
63-11951	10-14-1992	0.85	T3N R2E S19 NENW Overland
63-12140	10-19-1994	3.50	T4N R1E S28 SWSW McMillan
63-12143	10-30-1994	3.00	T4N R1E S24 NWSE Gary Lane
63-12310	01-19-1996	3.00	T4N R2E S32 SESE Veterans
63-12363	09-09-1996	4.50	T3N R2E S16 NESE Cassia #2
63-12432	01-30-1998	4.50	T4N R1E S16 NWSW & S21 NWNW, Island Woods #1 & 2

All of the rights were approved within limits of the local processing moratorium and do not authorize irrigation of large parcels such as golf courses, do not provide subdivision yard irrigation exceeding 1/2 acre per home, and do not allow commercial and other miscellaneous users more than 2,500 gallons per day. All of these limits are known as "domestic limits" based on I.C. § 42-111.

PROPOSED AMENDMENTS

The amendments propose to remove the above described "domestic limits." The applicant requests that the rights be recognized as regular municipal rights for full use within the service area of the applicant.

The water rights will be subject to all prior water rights. Any protest against approval of the proposed amendments must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 together with a protest fee of \$25.00 for each right being protested on or before March 8, 1999. The protestant must also send a copy of the protest to the applicant. 22

Karl J. Dreher, Director

Published in the Idaho Statesman on ~~February 18~~ ^{March 4 & 11} and 25, 1999.

*Statesman
error*

VC
SEP 30 1999

United Water



United Water Idaho
Geosciences Department
Telephone (208) 362-7332
Facsimile (208) 362-3858

United Water Idaho
8248 West Victory Road
PO Box 7488
Boise, ID 83707-1488

facsimile transmittal

To: Steve Lester  Fax:

From: HEATHER GOLDSTEIN Date: 1/29/99

Re: Application for Amendment Pages: 2 (including cover)
of Permit

cc:

☒ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Notes:

Steve - The correct POD for water right

#63-12432 is: Lot 5 (NWSW), Sec 16, Twp 4N, Rge 1E

Lot 4 (NWNW), Sec 21, Twp 4N, Rge 1E

Thank you for picking up on our mistake
and please let me know if there is any
reason that this cannot be advertized during
the next adverizement. Thank you-

Heather Goldstein
362-7390

AS on permit ✓

MICROFILMED

SEP 30 1999

CONVERSATION MEMORANDUM

DATE 1/29/99

FILE _____

NAME OF PARTY Ed Squires

EMPLOYEE FL

RE: U.W. group filing - amendments

Reply e my 12/18/98 fax

- ✓ Issue (1) will fax continuation of 63-12432 p/h's -
- ✓ OR AS permitted (2) " following e 63-11467 as separate side
issue
- ✓ (3) will " e assignment re Spurring
63-12334
- ✓ (4) will follow e other Spurring Appl.
63-12142.
- ✓ Plus: will send letter/petition to change
license conditions for any of right id
group submitted per advice from
EDMR (63-11118 plus 3 others just license)
- TO ADVERTISE - just need issue #1 confirmed
other items can follow up later.
Petition needed to finalize amendment process

MICROFILMED

SEP 30 1999

CONVERSATION MEMORANDUM

DATE 12/21/98

FILE UW Amendments

NAME OF PARTY Phil Rassin

EMPLOYEE FL

RE: Amending A License

I called Phil to see what he thinks about the idea of using an amendment instead of a transfer to change a condition of approval.

He indicated that this is probably OK if Amendment includes a petition or ~~similar~~ similar instrument to address the issue. Also, probably OK even if field exam already done since, in that case, right is still a permit. (3 of 9 rights in group filing are in licensing process per exams completed prior to amendment appl.; 1 of rights licensed in 1995).

→ Looks OK to proceed i get petition etc. as processing continues.

I concluded

MICROFILMED

SEP 30 1999

— COPY of 1998 Memo
Removing monitoring
cop attached —

RECEIVED

AUG 24 1998

WATER RESOURCES
WESTERN REGION

MEMORANDUM

TO: Norman C. Young, Administrator, Water Management Division *NLY*

FROM: Phillip J. Rassier, Deputy Attorney General *PJR*

RE: Applications for Amendment of United Water Idaho Permit Nos. 63-12043, 63-12138, and 63-12139

DATE: August 19, 1998

At your request, I have reviewed attorney Chris Meyer's letter of August 7, 1998, on behalf of United Water Idaho relating to the "Tenmile Ridge Water Rights." As described in Mr. Meyer's letter, ground water permit nos. 63-12043, 63-12138, 63-12139 were issued by the Department of Water Resources in 1993 and 1995 with "domestic use only" conditions in order to comply with the requirements of the Snake River Basin Moratorium then in effect. The Department formally lifted the moratorium in 1995, but has continued to hold most new applications for permit except where a strong public purpose is being served or where adequate mitigation or a non-consumptive water use is demonstrated.

On June 12, 1998, United Water filed applications to amend the referenced water right permits to remove the moratorium based conditions limiting the use of water to domestic purposes. The applications were advertised in accordance with the requirements of I.C. § 42-211 and no timely protests were filed. The Department may now approve the applications for amendment under the provisions of I.C. § 42-211, providing the change will not result in the diversion and use of more water than originally permitted; the rights of others will not be adversely affected by the change; and the change will not conflict with the local public interest.

The amendment of the permits as proposed by United Water will not change the municipal purpose of use, the authorized place of use, the point of diversion, or the authorized rate of diversion under the permits. The only change requested is removal of the conditions limiting the types of municipal uses that may be served with water diverted pursuant to the permits. Because the permits are still in the developmental stage, it is not necessary to consider the history of use under the permits as is commonly done when a fully perfected water right is transferred under the provisions of I.C. § 42-222. It, thus, appears that approval of the permit amendments as requested by United Water would be consistent with the decision criteria under I.C. § 42-211.

?
How
Applicable
to

12 : 63- 11118
- 11950
- 11951
- 12363

Licensed 1995

Perf filed, exam conducted by mid 1998,
license review pending *EX- 11/98*
MICROFILMED

SEP 30 1998

Amendment to
lift "domestic"
esp. 6-16-98 10/98.

AUG 07 1998

Department of Water Resources

LAW OFFICES

277 North 6th Street, Suite 200

PO Box 2720, Boise, Idaho 83701

TELEPHONE: 208 388-1200

FACSIMILE: 208 388-1201

DIRECT DIAL: 208 388-1236

EMAIL: chm@givenspursley.com

Gary G. Allen
Christopher J. Beeson
Michael C. Creamer
Thomas E. Dvorak
Roy Lewis Eiguren
Jeffrey C. Faraday
L. W. Grant III
Richard W. Jankowski
Karl T. Klein
David R. Lombardi

Kimberly D. Maloney
Kenneth R. McClure
Cynthia A. Melillo
Christopher H. Meyer
L. Edward Miller
Patrick J. Miller
Judson S. Montgomery
Ramona S. Neal
Aaron H. Nemecek
W. Hugh O'Riordan

Kenneth L. Pursley
Gregory J. Vietz
Conley Ward
Steven R. Weeks
Stephanie C. Westemeier

Raymond D. Givens
James A. McClure
OF COUNSEL

August 7, 1998

Via Hand Delivery

Mr. Gary Spackman
Regional Manager
Western Regional Office
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Re: Tenmile Ridge Water Rights
United Water Idaho Application Nos. 63-12043, 63-12138, 63-12139

Dear Gary:

I am responding on behalf of United Water Idaho ("UWID") to your letter of July 21, 1998 to Ed Squires. Your letter addressed UWID's pending applications to amend the above-captioned permits in order to eliminate the "domestic" conditions imposed by the Department in response to the Snake River Basin Moratorium, which has since been lifted.¹

¹Condition No. 5 requires UWID not to provide more than 13,000 gallons per day to any individual home. This condition is academic with respect to domestic customers. To its knowledge, UWID has never supplied more than 13,000 gallons per day to any individual home. The more significant impact of Condition No. 5 is to prohibit UWID from serving nondomestic customers, such as Micron or the State Prison.

Condition No. 6 prohibits use of the water for "large projects such as parks, golf courses or sports activities fields." This condition has prevented UWID from using Tenmile Ridge water to serve the Columbia Village soccer fields.

MICROFILMED

SEP 30 1999

Mr. Gary Spackman
August 7, 1998
Page 2

You note correctly that UWID must demonstrate, under Idaho Code § 42-211, that approval of its applications for amendment of the Tenmile Ridge permits "would not result in the diversion and use of more water than originally permitted" and that "the rights of others will not be adversely affected." It is UWID's position that both these conditions are satisfied.

The conditions were understood to be temporary measures.

First, the domestic conditions were never understood to be permanent. Rather, they were a temporary accommodation agreed to by UWID in the context of a cooperative effort involving the Department. Let me briefly recap that history.

The Tenmile Ridge well field was commenced in response to water level declines in the Southeast Boise Ground Water Management Area. As part of a collective effort to solve management problems, UWID agreed, prior to the imposition of the Moratorium, to stop pumping its Oregon Trail and Gowen wells. This, in turn, entailed replacing that water with water from new wells along Tenmile Ridge. As these wells were drilled pursuant to this cooperative agreement, they were subjected to the Moratorium-based domestic conditions. UWID accepted these restrictions on the understanding that they were temporary measures to address a drought emergency. Likewise, the public was always made to understand that the Moratorium was temporary.

That drought emergency is now over, and conditions in the aquifer have allowed the Department to lift the Moratorium which gave rise to the domestic conditions. Indeed, we understand that the Department is now processing other applications for non-domestic water rights in the area. Consequently, UWID is entitled to have the conditions removed.

The conditions do not affect water quantity, and their removal will not increase diversions.

Second, UWID is seeking no change in the rate of flow at which water may be diverted nor in the total annual volume of water it may divert. (In fact, there is no annual volume associated with this municipal right.) Instead, UWID seeks solely to have lifted the two domestic conditions imposed by the Department.

The effect of the domestic conditions is not to restrict the quantity of water available under the permit. Indeed, the diversion rate on each of the permits remained

NOT RECORDED

SEP 30 1999

Mr. Gary Spackman
August 7, 1998
Page 3

unchanged and is identical with that sought on each application for permit. Likewise, lifting the conditions will also have no impact on the quantity of water available under the permits. Regardless of the conditions, UWID is entitled to prove up the entire diversion rate allowed under the permit.

This conclusion is reinforced by considering the underlying purpose of the conditions. Unlike other conditions typically imposed by the Department, the domestic conditions were not aimed at protecting other users or limiting the impact of the right on the resource. Instead, they were intended to allow a particular class of water uses to escape the Moratorium, despite their impact on the aquifer. In an exercise of political judgment, the Department crafted the exception to mimic the statutory exemption for domestic use. But that did not have the effect of converting the rights to domestic rights. Indeed, each permit states plainly on its face that it is a municipal right, a statement which has put the public on notice from the outset.

The conditions increase costs and reduce efficiency, but conserve no water.

As described in my March 26, 1998 letter to Karl Dreher and Norm Young, as a result of the domestic conditions, water from Tenmile Ridge cannot be delivered directly to Micron, the prison, the soccer fields, or other nondomestic uses. Instead, industrial and commercial demand in that area must be met by delivering the Tenmile Ridge water down to the lower Gowen Reservoir (where it mixes with water from older wells at the lower service level) and then boosting (re-pumping) water from non-restricted water rights up to the higher service level for commercial and industrial use. In other words, the Department will not allow UWID to engage in an accounting process unless it first makes a physical connection to its larger integrated system, and then pumps back from that system. This exercise creates no new water, but contributes to higher costs and rates.

This arrangement has conserved no water, but has wasted a good deal of energy—with attendant environmental costs. And, as you can imagine, it imposes a substantial accounting burden. This approach to system operation can only be understood in the historical context of the need to fit an arbitrary exception to the Moratorium. Now that the Moratorium has been lifted, there can be no sound policy justification for maintaining these conditions.

Let me emphasize, UWID can and will continue to develop the Tenmile Ridge permits to the limits of their permitted capacity. UWID can and will do so regardless of whether the domestic conditions are lifted. Thus, whether UWID remains subject to the

ALC 101-10112
SEP 30 1998

Mr. Gary Spackman
August 7, 1998
Page 4

domestic conditions will have no impact one way or the other on other water users or on the resource itself. The only issue is whether UWID is allowed to manage water delivery efficiently.

UWID is entitled to prove up any time prior to the proof date.

In your letter, you requested "information regarding the quantity of water diverted from the four wells during the period of time the wells have been operating." You stated further that "[t]he information will be used to condition water rights to ensure that the use under the water rights will not be enlarged."

Your statement hints that UWID's entitlement under this permit may be capped based on a period of use prior to the date of proof. As it happens, UWID is using the four wells to their full capacity today. That measure, however, should not serve as a basis for establishing the quantity of the water right. For instance, additional wells might be drilled prior to proof. The law is quite clear that the holder of a permit has up until the date of proof to establish the quantity dimensions of a right. (Indeed, UWID might request an extension of the date of proof.) There may be any number of reasons why a particular permit is not pumped at full capacity prior to the time at which proof is made. Those reasons may have to do with production capacity and other physical limitations, financial considerations, and all manner of concerns unique to the holder. In sum, until the time that proof is made, the measure of a permitted right is the quantity stated on the permit.

Municipal water right holders are entitled to additional flexibility.

This right to use the entire proof period applies to all water permits. Additional and even more compelling considerations come into play where a municipal right is concerned, as is the case here. As a holder of a municipal right, UWID's proof focuses on system capacity. Its use records for any pre-proof period are simply not relevant to the analysis.

We would like to explore these issues with you further.

As you can imagine, the elimination of domestic conditions without sacrificing the integrity of its water rights is of the utmost importance to UWID. Given what is at stake, we would appreciate an opportunity to meet with you and any other Department officials who may be involved in resolving this principle.

REC'D - WATERS
SEP 30 1998

Mr. Gary Spackman
August 7, 1998
Page 5

As always, I appreciate your candor, your practical insights, and your willingness to work through a problem constructively. I look forward to hearing from you.

Best regards,



Christopher H. Meyer

cc: ✓ Norman C. Young
Steve Lester
Phillip J. Rassier, Esq.
Edward Squires

CHM:baf

S:\Clients\30\82\Corr\1998-08-07 CHM Ltr to G.Spackman - Re response to letter.wpd

MICROFILMED
SEP 3 11 1998

RECEIVED

JUL 01 1998

WATER RESOURCES
WESTERN REGIONThe Idaho
Statesman

P.O. BOX 40, BOISE, IDAHO 83707-0040

LEGAL ADVERTISING INVOICE

Amount Due

\$91.44

Account Number/Trans. #	Identification		
047628	AMENDMENTS OF WATER RIGHTS		
Ordered By	P.O. Number	Rate	Run Dates
SUE TAYLOR		NT	JUNE 18, 25, 1998
IDAHO DEPT. OF WATER RESOURCES WEST 2735 AIRPORT WAY BOISE, IDAHO 83705		Estimated Inches	Real Inches
		# Affidavits	Legal Number
		1	1600

LEGAL NOTICE

NOTICE OF APPLICATIONS FOR
AMENDMENTS OF WATER RIGHTS

Notice is given that United Water Idaho, 8248 W. Victory Rd., P.O. Box 7488, Boise ID 83707-1488 has applied with the Department of Water Resources to amend three water right permits, proposing to eliminate conditions of the permits that limit use from four wells located in south Ada Co. approximately one to two miles north of the state prison.

RECORDED RIGHTS

Permit #63-12043, ground water, priority date 7/23/1993, for 4.46 cfs.

Permit #63-12138, ground water, priority date 8/19/1994, for 3.90 cfs.

Permit #63-12139, ground water, priority date 8/19/1994, for 4.90 cfs.

Each of the three permits authorizes diversion of water from four wells for limited municipal use within the boundaries of the United Water service area. Two of the wells are located in the NE1/4 of S17, one in the NW1/4 of S21, and one in the NE1/4 of S22, all within T2N, R2E, Ada Co.

Each of the three permits prohibits irrigation of large projects such as parks, golf courses, or sports activity fields, and limits diversion to 13,000 gallons/day per dwelling. In addition, permit nos. 63-12138 & 63-12139 limit yard irrigation to one half acre per dwelling and limit nondomestic use to 2,500 gallons/day per each nondomestic activity.

PROPOSED AMENDMENTS

An application for amendment has been filed for each of the three permits seeking to remove the conditions limiting use to domestic use and to allow full municipal use. Complete approval of the proposed amendments would allow United Water to deliver water from the wells anywhere within its service area for irrigation, industrial, commercial, and other beneficial uses. Parks, golf courses, sports activity fields, and larger than one-half acre domestic lots could be irrigated from the wells. United Water could supply large industrial or commercial businesses with ground water from the wells.

The permits will be subject to all prior water rights. Any protest against approval of the proposed amendments must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 together with a protest fee of \$25.00 on or before July 6, 1998. Each right must be protested separately (\$25 per protested right). The protestant must also send a copy of the protest(s) to the applicant.

Karl J. Dreher, Director

Pub. June 18, 25, 1998

1600

JANICE HILDRETH

, 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

single

consecutive daily

odd skip

insertion(s) beginning with the issue of

JUNE 18

1998

and ending with the issue of

JUNE 25

1998

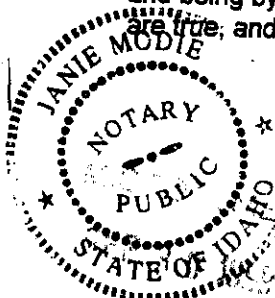
Janice Hildreth

STATE OF IDAHO)

SS.

COUNTY OF ADA)

On this 25TH day of JUNE in the year of 1998, before me, a Notary Public, personally appeared JANICE HILDRETH 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.



Notary Public for Idaho

Residing at:

Boise, Idaho

My commission expires:

8/03



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

August 25, 1995

BOISE WATER CORP
PO BOX 7488
BOISE ID 837077488

RE: WATER RIGHT NO. 63-11118

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

AUG 25 1995

LICENSE REVIEW CHECKLIST



PERMIT NO. 63-11118 DATE 8-10-95

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? NA

PLACE OF USE ☒ Amendment needed?
 ☒ Overlaps?

DIV RATE ☒ Permit/fee limits: 2.80 CFS
125' x .7 x 8.8 FLOW METER Meas Q = 2.78 Theo Q = 2.91 Recommend: 2.78
57 + (2.31 x 90) = 2.91 CFS RESULTS 1250 gpm = 2.78 CFS
 Combined rates exceed capacity

ANNUAL VOLUME NA Volume Limit: Season:
 Calculations:
 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 Supplemental Groundwater PPU Scenario
 Irr/Dom Combination Shared G/W System

NEW REMARKS NO Multiple p/d(s) in 1/4 1/4?
YES Other KNOWN AS CASSIA WELL

NEW CONDITIONS RO4 Watermaster control - District 63
 Measuring/Locking Devices
 Irrigation Overlap
 Other
 Water Quality Heat/Cool/Fish verified

COMMENTS: KEEP @ 13000 gal condition #7, #8, + #9. Edit "permit" for
change to right.

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	<u>NO</u>
<u>Municipal</u>	<u>2.78</u>	<u> </u>	Adjustment Memo Needed	<u>YES</u>
<u> </u>	<u> </u>	<u> </u>	LICENSE	<u> </u>
<u> </u>	<u> </u>	<u> </u>	1ST AMEND LETTER	<u> </u>
<u> </u>	<u> </u>	<u> </u>	2ND AMEND LETTER	<u> </u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUL 17 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-11118

1. Owner: Boise Water Corp. Phone No. (208) 362-1704

Current Address: PO Box 7488 Boise, Id 83707-7488

2. Accompanied by: Camille Brown EXAM DATE: 6/9/95

Address: PO Box 7488 Boise, Id 83707-7488 Phone No. (208) 362-7371

Relationship to Permit Holder: Boise Water Corp. employee

3. Source: groundwater tributary to -

B. OVERLAP REVIEW

1. Other water rights with the same place of use: N/A

2. Other water rights with the same point of diversion: ~~63-10016~~ 63-10016

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
			NE	SE	16	3N	2E	Ada	USGS Topo. + exam

2. Place(s) of Use:

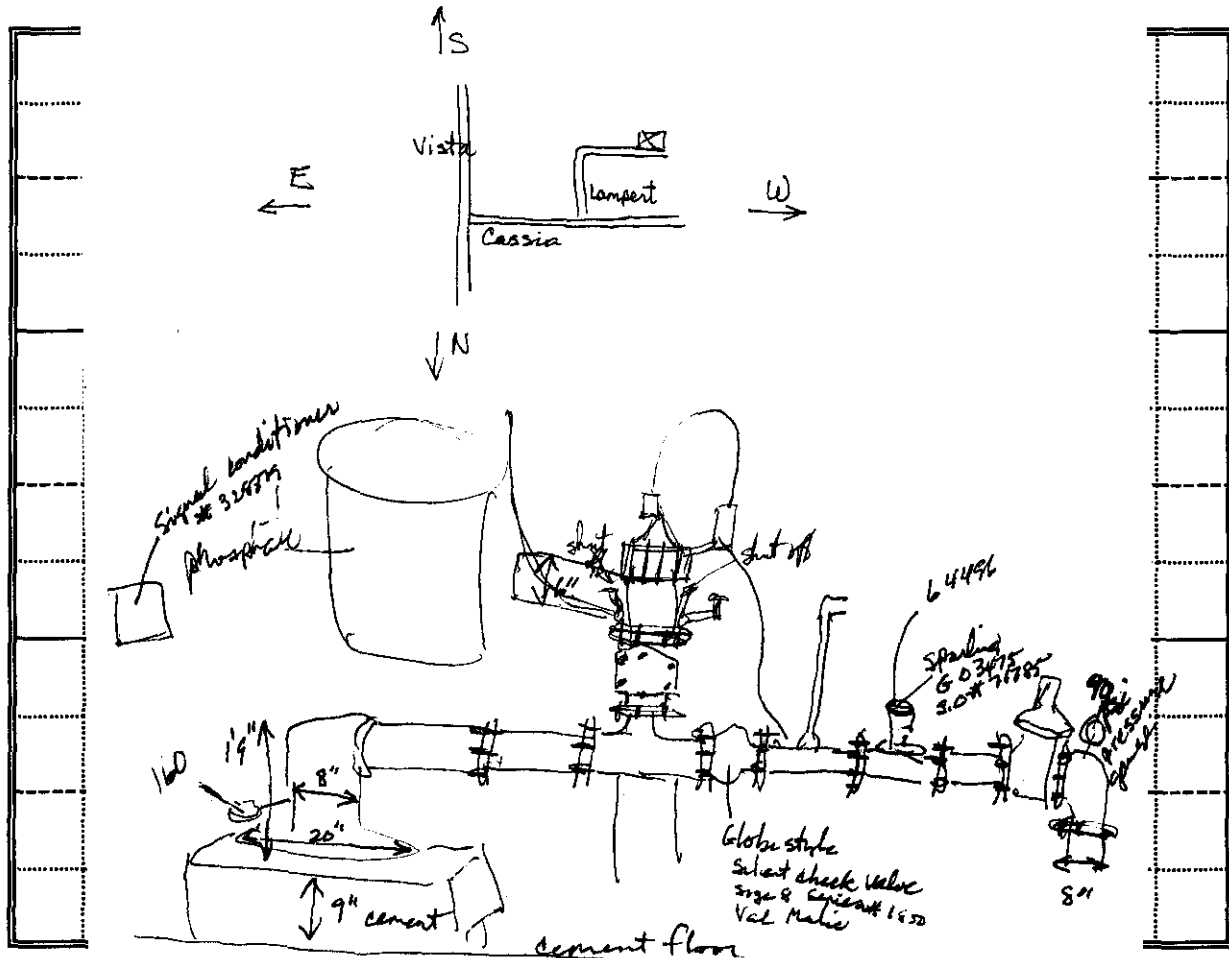
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

P/U within Boise City limits

RECEIVED
AUG 2 5 1995

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



Scale: 1" = _____

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

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
submersible	Hitachi LTD	12.5	G39268A	Crown	8"
					serial # 2039

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Sparling flow meter						

2. Measurements: technical data info updates chart for
3-24-95 showed 1250 gpm x .00223 = 2.78 cfs

AUG 25 1995

E. NARRATIVE/REMARKS/COMMENTS

- No split lots were found.
- A 20" well with a 125 HP pump supplies water to the City of Boise (primarily the area surrounding sec. 16) via a 8" buried main line throughout. The system was running at 90 psi. The well is equipped with a Sparling flow meter, which on the technical update 3-24-95 logged 1250 gpm 300 T.D.H. Pump curve shows 1250 gpm = 2.8 cfs.
- This well is tied in with other systems, & is referred to as Cassia Well - Lampert St.
- Use is for Municipal for the City of Boise area around P/O.
- Overlaps for P/O is other source.
- Camille Brown, ⁽³⁶²⁻⁷³⁷¹⁾ from Boise Water Corp. said the range for the system is 900 gpm (2.0 cfs) thru 1250 gpm (2.8 cfs) depending on the time of the year.

Have conditions of permit approval been met? ☒ yes

☐ no

APPROVED
AUG 25 1995

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

Tech. data
Flow Meter: 1250 gpm = 2.78 cfs (lower/higher in diff. times of year)

Pump curve provided by Boise City: 1250 gpm = 2.78 = 2.8 cfs

Theoretical pump calculation (see attachment) = 2.89 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:

$$2.8 \text{ cfs} \times 365 \times 1.9835 = 2027.1 \text{ Afa}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Municipal</i>	<i>1/1</i>	<i>12/31</i>	<i>2.8</i>	<i>2027.1</i>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<i>2.8</i>	<i>2027.1</i>

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. AUTHENTICATION

Field Examiner's Name

Sandy Hemenway Date *6/12/95*

Reviewer _____

Date _____

SEAL

* SEE adjustment memo. *cc*

RECEIVED

AUG 25 1995

MEMORANDUM

TO: File 63-11118 / Boise Water Corp. .
FROM: Brenda Chapman
DATE: August 10, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

F. FLOW CALCULATIONS

The recommended rate (also capacity) has been reduced. The 1250 gpm production equates to 2.78 cfs.

G. VOLUME CALCULATIONS

According to Rule 5,1,10. of the Beneficial Use Rules and Regulations, municipal and fire protection are uses exempt from listing an annual volume.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Municipal	1-01 to 12-31	2.78	None listed

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63-11118

8 H-1000

MODEL 8 H-1000 PERFORMANCE CHARACTERISTIC

BOWL — CAST IRON or NI-RESIST-8.15" DIA CHANGE EFFICIENCY AS FOLLOWS
IMPELLER — BRONZE
DISCHARGE 5" STANDARD — 6" OPT.
K FACTOR 6.0
MAX. O.D. W/CABLE GUARD 8-3/4"
BEARING: CUTLESS RUBBER or BRONZE

No. of Points	No. of Stages
-7	1
-4	2
-2	3
0	4

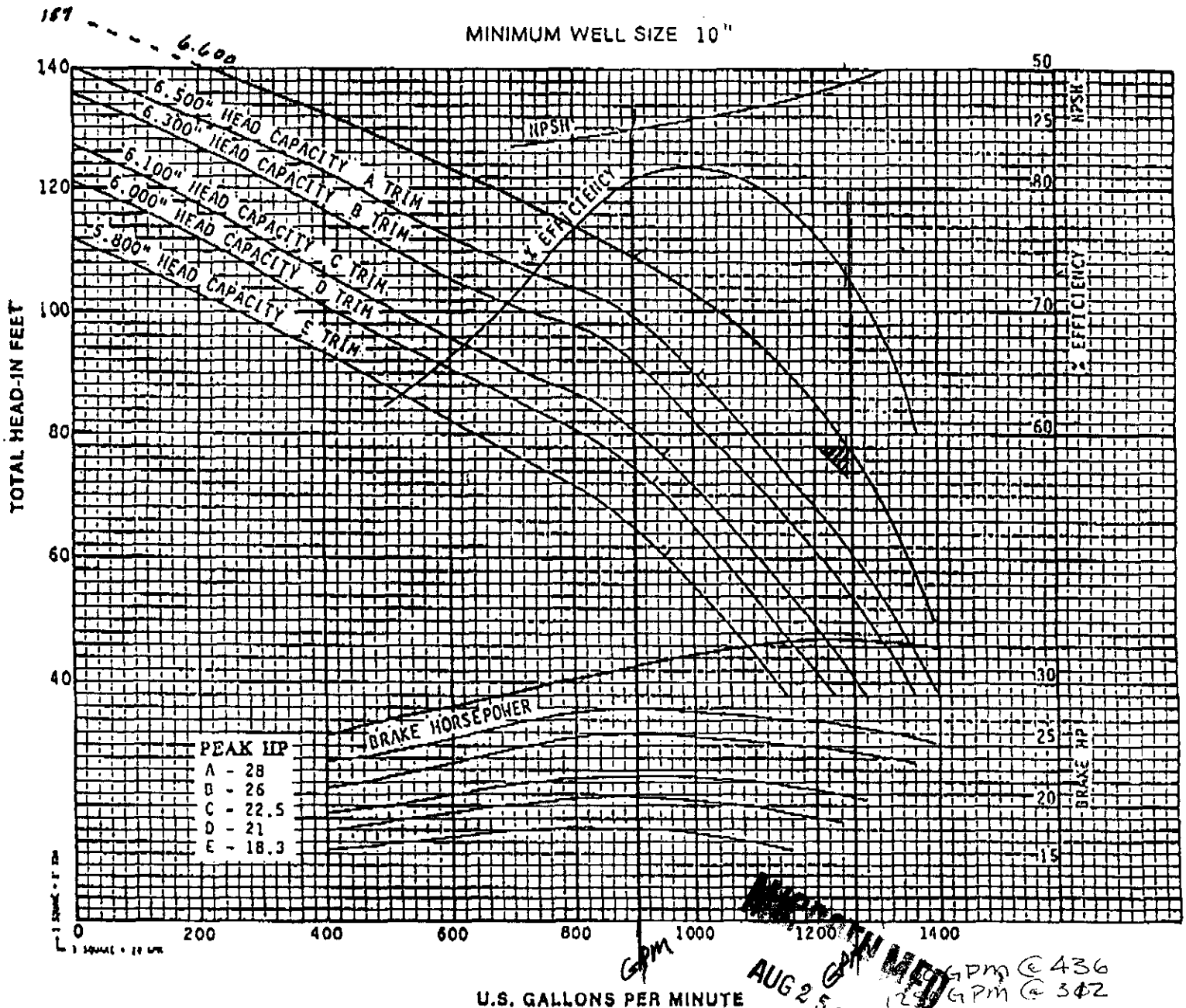
POWER: ELECTRIC
CYCLE: 60 Hz
R P M: 3530
IMPELLER TYPE: ENCLOSED
BOWL TYPE: FLANGED
CURVE SHEET NO. 1

NOTE: EFFICIENCY PERFORMANCE BASED ON CAST IRON BOWLS - POLISHED BRONZE IMPELLERS AND 12 FEET SUBMERGENCE.

THIS CHARACTERISTIC CURVE IS BASED ON FACTORY TESTS WHEN PUMPING CLEAR, FRESH, NON-AERATED WATER AT A TEMPERATURE NOT EXCEEDING 85° F. AND UNDER SUCTION CONDITIONS AS INDICATED.

PUMP PERFORMANCE RATING IS FOR THE DESIGNATED POINT ONLY AND IS SUBJECT TO TEST TOLERANCES AND PROCEDURES AS SPECIFIED IN THE STANDARD OF THE HYDRAULIC INSTITUTE.

MINIMUM WELL SIZE 10"



CROWN

CROWN PUMP CORPORATION • HIGHWAY 16 & BIVAR • DE LEON, TEXAS

06.04.90 07:55 AM P02

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 63-11118

DATE: 12-JUN-95

COMPLETE BY: SANDY HEMENWAY

HORSEPOWER = 125

PUMP EFFICIENCY = 70%

DYNAMIC LIFT = 57 FEET (47' static + 10')

SYSTEM PRESSURE = 90 PSI from gauge

QUANTITY = 2.89 CFS

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- ① Permit: 1/1-12/31 2.80 cfs
 ② B/u fee: \$150.00 8-30-94 Municipal 2.01-3.00 cfs
 ③ TDH:

given 90 psi

$$\text{dynamic} = 47' \text{ static} + 10' = 57'$$

Conversion:

$$90 \text{ psi} \times 2.31 = 207.9'$$

$$\text{or } 57' \text{ dynamic} \div 2.31 = 24.675 = 24.78 \text{ psi}$$

$$\text{TDH} = 57' + 207.9' = 264.9' = 265'$$

$$\text{or } (90 \text{ psi} + 24.78 \text{ psi}) \times 2.31 = 265.14 = 265' \text{ TDH}$$

$$\begin{array}{r} 90 \text{ psi} \\ + 24.78 \text{ psi} \\ \hline 114.78 \text{ psi} \times 2 \end{array}$$

④ per Camille Brown, + Boise City Records:
range 400 gpm $\times .00223 = 2.007 = 2.0 \text{ cfs}$
 @ 436

$$\text{thru } 1250 \text{ gpm} \times .00223 = 2.787 = 2.8 \text{ cfs}$$

MAINTAINED

AUG 25 1995

63-11118

United Water



United Water Idaho
8248 West Victory Road
PO Box 7488
Boise, ID 83707-1488
telephone 208-362-1300
facsimile 208-362-3858

FAX No. (208) 362-3858Fax Cover LetterDate: June 9, 1995Time: 2:00

Please deliver to:

Name: Sandy Hemmingway

From:

Camille BrownFirm: IDWRNo. of page(s) transmitted including this
cover sheet from, a FUJITSU Dex 530

cc: _____

FAX Number: 334-23482 Page(s)If you have any problems receiving, please call: Operator C58 (208) 362-7336.**MESSAGE:**

Sandy:

Give me a call if you need
any more information!

Camille

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JUN 25 1995

Station C. SSIAWell Pump 1Duty 63-11118

GALLONS PER MINUTE

Technical Data

PUMP

Manufacturer CROWNGPM 1250Disch. Dia. 8Type SUBTDH 300Imp. Setting 160Serial No. 2039

Avg. Disch. Press.

Imp. Dia. --Size 8RPM 3600Rated Eff. --No. of Stages 4

MOTOR

Manufacturer HITACHI LTDHP 12.5Volts 460Type SUBRPM 3525Amps 14.5Serial No. G392L8AFrame KW99Phase 3Kind SUBModel 8 HCycles 60STARTER AMPICO ?

Type

REMARKS

INFO UPDATE 3-24-95

Company

Boise Water Corp

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR
BALLPOINT PEN

63-11118

WELL DRILLER'S REPORT

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

1. WELL OWNER Name <u>Boise Water Corp</u> Address <u>8248 W Victory</u> Owner's Permit No. <u>63-90-W-019</u>	7. WATER LEVEL Static water level <u>47</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ of. Quality _____ Describe artesian or temperature zones below																																																																																																																																																																						
NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Well diameter increase ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)	8. WELL TEST DATA ☒ Pump ☐ Bailor ☐ Other <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:30%;">Discharge G.P.M.</td> <td style="width:70%;">Pumping <u>10</u> <u>2</u> <u>0</u> <u>1990</u> hours Pumped</td> </tr> <tr> <td colspan="2" style="text-align: center;">Department of Water Resources</td> </tr> </table>	Discharge G.P.M.	Pumping <u>10</u> <u>2</u> <u>0</u> <u>1990</u> hours Pumped	Department of Water Resources																																																																																																																																																																			
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PROPOSED USE ☐ Domestic ☐ Irrigation ☐ Test ☒ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)	9. LITHOLOGIC LOG <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Bore Diam.</th> <th colspan="2">Depth</th> <th rowspan="2">Material</th> <th colspan="2">Water</th> </tr> <tr> <th>From</th> <th>To</th> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr><td>20</td><td>0</td><td>3</td><td>pitrun gravel fill</td><td></td><td>X</td></tr> <tr><td></td><td>3</td><td>5</td><td>dark brown topsoil</td><td></td><td>X</td></tr> <tr><td></td><td>5</td><td>8</td><td>tan hardpan</td><td></td><td>X</td></tr> <tr><td></td><td>8</td><td>20</td><td>brown cemented sand & gravel</td><td></td><td>X</td></tr> <tr><td></td><td>20</td><td>42</td><td>sandy river gravel, brown</td><td></td><td>X</td></tr> <tr><td></td><td>42</td><td>55</td><td>gravelly clay, brown</td><td></td><td>X</td></tr> <tr><td></td><td>55</td><td>63</td><td>clay, fine sand, silt-brown</td><td></td><td>X</td></tr> <tr><td></td><td>63</td><td>70</td><td>fine brown sand</td><td></td><td>X</td></tr> <tr><td></td><td>70</td><td>117</td><td>streaks brown cemented sand & gravel, brown clay</td><td></td><td>X</td></tr> <tr><td></td><td>117</td><td>128</td><td>blue clay</td><td></td><td>X</td></tr> <tr><td></td><td>128</td><td>155</td><td>cemented sand & gravel</td><td></td><td>X</td></tr> <tr><td></td><td>155</td><td>174</td><td>blue clay</td><td></td><td>X</td></tr> <tr><td></td><td>174</td><td>217</td><td>sandy brown clay</td><td></td><td>X</td></tr> <tr><td></td><td>217</td><td>233</td><td>fine to coarse sand & gravel</td><td></td><td>X</td></tr> <tr><td></td><td>233</td><td>245</td><td>cemented sand & brown clay</td><td></td><td>X</td></tr> <tr><td></td><td>245</td><td>280</td><td>sandy blue clay</td><td></td><td>X</td></tr> <tr><td></td><td>280</td><td>285</td><td>fine to medium blue sand</td><td></td><td>X</td></tr> <tr><td></td><td>285</td><td>298</td><td>cemented blue sand, streaks blue clay</td><td></td><td>X</td></tr> <tr><td></td><td>298</td><td>317</td><td>fine to medium blue sand,</td><td></td><td>X</td></tr> <tr><td></td><td>317</td><td>360</td><td>silty blue clay</td><td></td><td>X</td></tr> <tr><td></td><td>360</td><td>401</td><td>sandy blue clay</td><td></td><td>X</td></tr> <tr><td></td><td>401</td><td>505</td><td>silty blue clay</td><td></td><td>X</td></tr> <tr><td></td><td>505</td><td>554</td><td>blue sandstone</td><td></td><td>X</td></tr> <tr><td></td><td>554</td><td>558</td><td>blue clay</td><td></td><td>X</td></tr> <tr><td></td><td>558</td><td>563</td><td>sandstone</td><td></td><td>X</td></tr> <tr><td></td><td>563</td><td>590</td><td>dark brown clay</td><td></td><td>X</td></tr> </tbody> </table>	Bore Diam.	Depth		Material	Water		From	To	Yes	No	20	0	3	pitrun gravel fill		X		3	5	dark brown topsoil		X		5	8	tan hardpan		X		8	20	brown cemented sand & gravel		X		20	42	sandy river gravel, brown		X		42	55	gravelly clay, brown		X		55	63	clay, fine sand, silt-brown		X		63	70	fine brown sand		X		70	117	streaks brown cemented sand & gravel, brown clay		X		117	128	blue clay		X		128	155	cemented sand & gravel		X		155	174	blue clay		X		174	217	sandy brown clay		X		217	233	fine to coarse sand & gravel		X		233	245	cemented sand & brown clay		X		245	280	sandy blue clay		X		280	285	fine to medium blue sand		X		285	298	cemented blue sand, streaks blue clay		X		298	317	fine to medium blue sand,		X		317	360	silty blue clay		X		360	401	sandy blue clay		X		401	505	silty blue clay		X		505	554	blue sandstone		X		554	558	blue clay		X		558	563	sandstone		X		563	590	dark brown clay		X
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METHOD DRILLED ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☒ Cable ☐ Dug ☐ Other _____	10. WELL CONSTRUCTION Casing schedule ☒ Steel ☐ Concrete ☐ Other _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr><td>.250 inches</td><td>20 inches</td><td>1 feet</td><td>121 feet</td></tr> <tr><td>.375 inches</td><td>18 inches</td><td>2 feet</td><td>214 feet</td></tr> <tr><td>.250 inches</td><td>16 inches</td><td>192 feet</td><td>195 feet</td></tr> <tr><td>.250 inches</td><td>10 inches</td><td>195 feet</td><td>215 feet</td></tr> </tbody> </table> Was casing drive shoe used? ☒ Yes ☐ No <u>240' 8" - 285'</u> Was a packer or seal used? ☒ Yes ☐ No <u>321' - 357'</u> Perforated? ☐ Yes ☒ No <u>367' 4" - 390'</u> How perforated? ☐ Factory ☐ Knife ☐ Tap <u>1 1/2" - 4 1/2"</u> Size of perforation _____ inches by _____ inches <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr> <tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr> <tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr> </tbody> </table> Well screen installed? ☒ Yes ☐ No Manufacturer's name <u>Johnson</u> Type <u>stainless steel</u> Model No. <u>304</u> Diameter <u>0</u> Slot size <u>30</u> Set from <u>215</u> feet to <u>240' 8"</u> Diameter <u>0</u> Slot size <u>30</u> Set from <u>285</u> feet to <u>321</u> feet Gravel packed? ☒ Yes ☐ No ☐ Size of gravel <u>#8-12</u> sand Placed from <u>192-410'</u> feet to <u>490-400' 4"</u> feet Surface seal depth _____ seal: ☐ Cement grout ☐ Bentonite Sealing procedure used: ☒ Slurry pit ☐ Temp. surface casing ☐ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata	Thickness	Diameter	From	To	.250 inches	20 inches	1 feet	121 feet	.375 inches	18 inches	2 feet	214 feet	.250 inches	16 inches	192 feet	195 feet	.250 inches	10 inches	195 feet	215 feet	Number	From	To	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet																																																																																																																																						
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LOCATION OF WELL Sketch map location must agree with written location. N <table border="1" style="width: 100px; height: 100px; border-collapse: collapse;"> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> </table> W <u>Cassia Well-Lampert St</u> Subdivision Name _____ Lot No. _____ Block No. _____										11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Stevens & Sons</u> Firm No. <u>153</u> Address <u>3709 Hawthorne Dr</u> Date <u>6/13/90</u> 3/15/90 finished 5/20/90 Work started																																																																																																																																																													

AUG 25 1995

7.5-MINUTE SERIES (ORTHO) PHOTOGRAPH

IDAHO

BOISE



63-11118 S.M. USGS Topo. 7.5'
P/D: T3N R2E S16 NESE
X-59 AUG 25 1963

BM Sand
2818

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: 63-90-W-019 OTHER APPLICABLE NO: ^{WR}63-11118
2. OWNER: Boise Water Corp. Phone: (208) 362-1300
Address: PO Box 7488 Boise Id 83707-7488
3. WELL LOCATION: Twp 3N, Rge. 2E, Sec. 16, NE 1/4 SE 1,
County Ade (Provide sketch map and photo on reverse.)
4. DRILLER: Stevens & Sons Lic. No. 153
When Drilled? 5/20/90
5. WELL CONSTRUCTION:
Casing Diameter 20 inches Water tight cap? ☒ Yes ☐ No Access Port: ☐ Yes ☒ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____
Depth of Casing 410 ft. Method Drilled cable
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 47 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: _____

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AUG 25 1995

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? _____

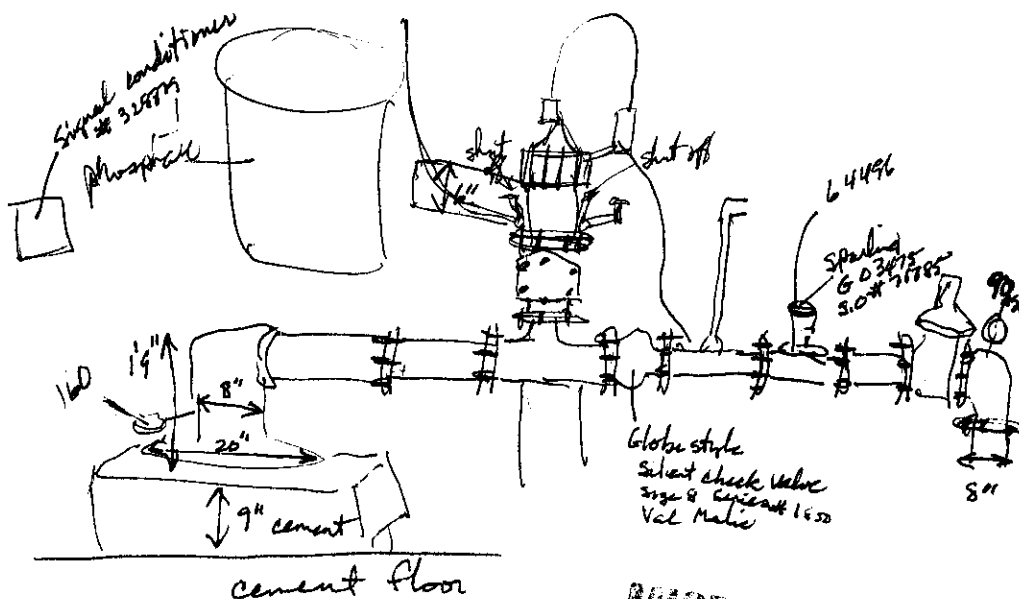
How far away from the well is this source? _____

9. REMARKS: _____

Sandy Hemmaway GR Agent
Signature of Dept. Representative & Title

6/9/95
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS: (photos on another sheet)



RECEIVED MED

AUG 25 1995

63-11118
6/9/95 S.H

P/D:

8" discharge

submersible pump
Globe style silent check
Valve size 8 series #1850
Val. Mat. 1/2"
20" casing

phosphate

Sparling
GO 3475 S.O #71785
pressure range
90psi

pump house

REPRODUCED

AUG 25 1995

September 15, 1994

BOISE WATER CORP
PO BOX 7488
BOISE ID 837077488

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-11118

Dear Permit Holder:

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

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

SEP 22 1994



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

July 11, 1994

BOISE WATER CORP
PO BOX 7488
BOISE ID 837077488

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-11118

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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

Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Johnson', with a long horizontal line extending to the right.

JIM JOHNSON, Section Manager
Water Right Permits Section

JJ:dc

Enclosures

RECEIVED

AUG 08 1994

MEMORANDUM

DATE: February 3, 1994
TO: File No. 63-11118
FROM: Cindy Zimmerman
SUBJECT: Permit Review

=====

Glen discovered this file while reviewing the contents of the hold drawer.

It was not clear why the application was being held. Dave T. at region contacted Dave Brown of Boise Water Corp. It was determined that the well is the BWC's Cassia Street well which has been operational since 1990. See attached drilling permit report.

RECEIVED
AUG 08 1994

WD0790NP
(00-0790)

DEPARTMENT OF WATER RESOURCES
WELL DRILLING PERMIT NUMBER INDEX

DATE: 02/03/94
PAGE: 1

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	COUNTY
63-90-W-0019-000	0	BOISE WATER CORP 8248 WEST VICTORY ROAD BOISE, ID 83709 (208) 362-1300	03N	02E	16	NE SE		ADA

Subdivision Location and Description:
Subdivision Name:
Well Site Address:
City, State:

Geographic Location:
Accuracy Code:
Lat: : : N
Long: : : W

Proposed Use of Well:

Proposed Casing Diameter:

In.

Proposed Depth:

Ft.

Well Use Comments:

Driller License No: 0153

Firm Name: STEVENS & SONS WELL DRILLING INC
Official: WAYNE E STEVENS

Permit Status:

Verbal Issue Date:	Receipt No.	Receipt Date	Fee
Date Received:		NOT ON FILE	
Date Approved:		NOT ON FILE	
Proposed Start Date:	02/01/1990	NOT ON FILE	
Extension Date:		NOT ON FILE	
Extension Expiration:		NOT ON FILE	

Specific Conditions:

Permit Remarks:

Conditions of Approval:

WELL DRILLER'S LOG REPORT

Drilling Permit No: 63-90-W-0019-000

Water Right No: 63-01118-11111
Injection Permit No:

Nature of Work: NEW WELL

Construction Method:

Number of Monitor Wells:

Casing Diameter:
Depth of Casing:
Total Depth:
Screen Installed?

In.
Ft.
Ft.

Static Water Level:
Temperature:
Production Rate:

Ft.
F.
GPM

Actual Start Date:
Well Finish Date:
Log Received Date:
Certification Date:
Field Inspection Date:

Inspector:

Well Log Remarks:

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AUG 08 1994

RECEIVED

FEB 26 1990

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Department of Water Resources
Western Regional Office

Amount Due

101.28

Account Name			Account Number		
Idaho Dept. of Water Resources - Western Region			47628		
Address		City/State		Zip	
2735 Airport Way		Boise, Idaho		83705	
Ordered By	P.O. Number	Rate	Run Dates		
Gail Garrett		nt	1990 February 15, 22		
Identification			Estimated Inches	Real Inches	
Notice of Application for Water Rights					
☐ Number of Affidavits Requested			Legal Number		
1			4832		

NOTICE OF APPLICATION
FOR WATER RIGHTThe following application(s) have
been filed to appropriate the public
waters of the State of Idaho:

63-11090

Crandlemire, Roger C.
1400 W. Floating Feather Rd.
Eagle, ID 83616

Source: Groundwater

Diversion Pt: SWSW Sec 5 T 04N

R 01E

Diversion Pt: SESW Sec 5 T 04N

R 01E

Use: Irrigation (2.600 CFS)

Use: Stockwater (.050 CFS)

Use: Domestic (.040 CFS)

Total Diversion: (2.690 CFS)

Date Filed: 1/05/1990

In: T04N R01E S05 NESW NWSW

SWSW SESW

130.0 Acres Total

63-11118

Boise Water Corp.

P.O. Box 7488

Boise, ID 83707

Source: Groundwater

Diversion Pt: NESE Sec 16 T 03N

R 02E

Use: Municipal (2.800 CFS)

Total Diversion: (2.800 CFS)

Date Filed: 2/01/1990

Place of Use is Municipal use within

the City of Boise

63-11121

Northwest Food Service, Inc.

305 E. 37th St.

Boise, ID 83714

Source: Groundwater

Diversion Pt: Lot 17 (SENE) Sec 5

T 03N R 02E

Use: Commercial (.100 CFS)

Use: Domestic (.040 CFS)

Total Diversion: .140 CFS

Date Filed: 1/19/1990

In: T03N R02E S05 Lot 17 (SENE)

63-11122

Rowland, H.C.

Rowland, D.M.

P.O. Box 1071

Eagle, ID 83616

Source: Groundwater Springs

Tributary: Big Gulch Creek

Diversion Pt: NWNENW Sec 15

T 05N R 01E

Diversion Pt: NENWNW Sec 15

T 05N R 01E

Diversion Pt: NWNWNW Sec 15

T 05N R 01E

Diversion Pt: NESWNW Sec 15

T 05N R 01E

Use: Irrigation (1.000 CFS)

Use: Domestic (.060 CFS)

Total Diversion: (1.000 CFS)

Date Filed: 12/14/1989

In: T05N R01E S15 NENW

NWNW SWNW SENW

160.0 Acres Total

63-11123

Cimino, Jim

Box 448

Sun Valley, ID 83353

Source: Groundwater

Diversion Pt: SWNW Sec 33

T 05N R 01E

Use: Irrigation (3.000 CFS)

Use: Wildlife (3.000 CFS)

Total Diversion (3.000 CFS)

Date Filed: 1/31/1990

In: T05N R01E S33 SWNW SENW

NESW NWSW

160.00 Acres Total

The permit(s) will be subject to

all prior water rights. Protests must

be filed with the Director, Dept. of

Water Resources, Western Region,

2735 Airport Way, Boise, Idaho

83705 on or before MARCH 5, 1990.

R. KEITH HIGGINSON

Director

Pub. Feb. 15, 22, 1990

4832

Debbie Richards

, 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 2

☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of February 15, 19 90

and ending with the issue of February 22, 19 90

Debbie Richards

STATE OF IDAHO)

COUNTY OF ADA) ss.

On this 22nd day of February in the year of
1990 before me, a Notary Public, personally appeared
Debbie Richards

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

Notary Public for Idaho
Boise, Idaho

Residing at

My commission expires: 12/93

AUG 08 1994

63-11118

BOISE WATER CORP.
P.O. BOX 7488
BOISE, ID 83707

Source: GROUNDWATER

Diversion Pt: NESE Sec 16 T 03N R 02E

```

Use: MUNICIPAL                ( 2.800 CFS)
      Total Diversion: ( 2.800 CFS)

```

Date Filed: 2/01/1990

Place of Use is Municipal use within the City of Boise

14-00000

AUG 08 1994