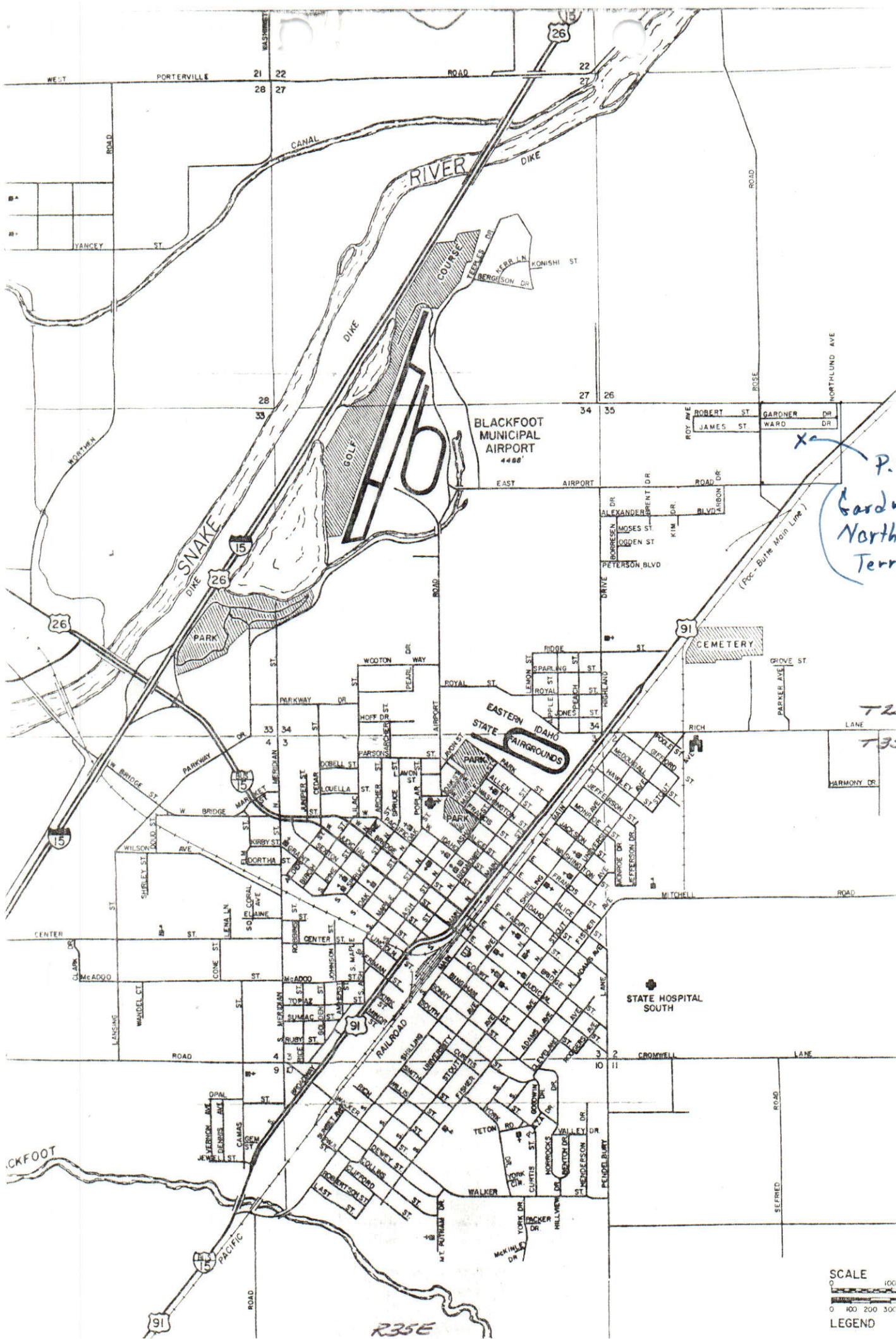
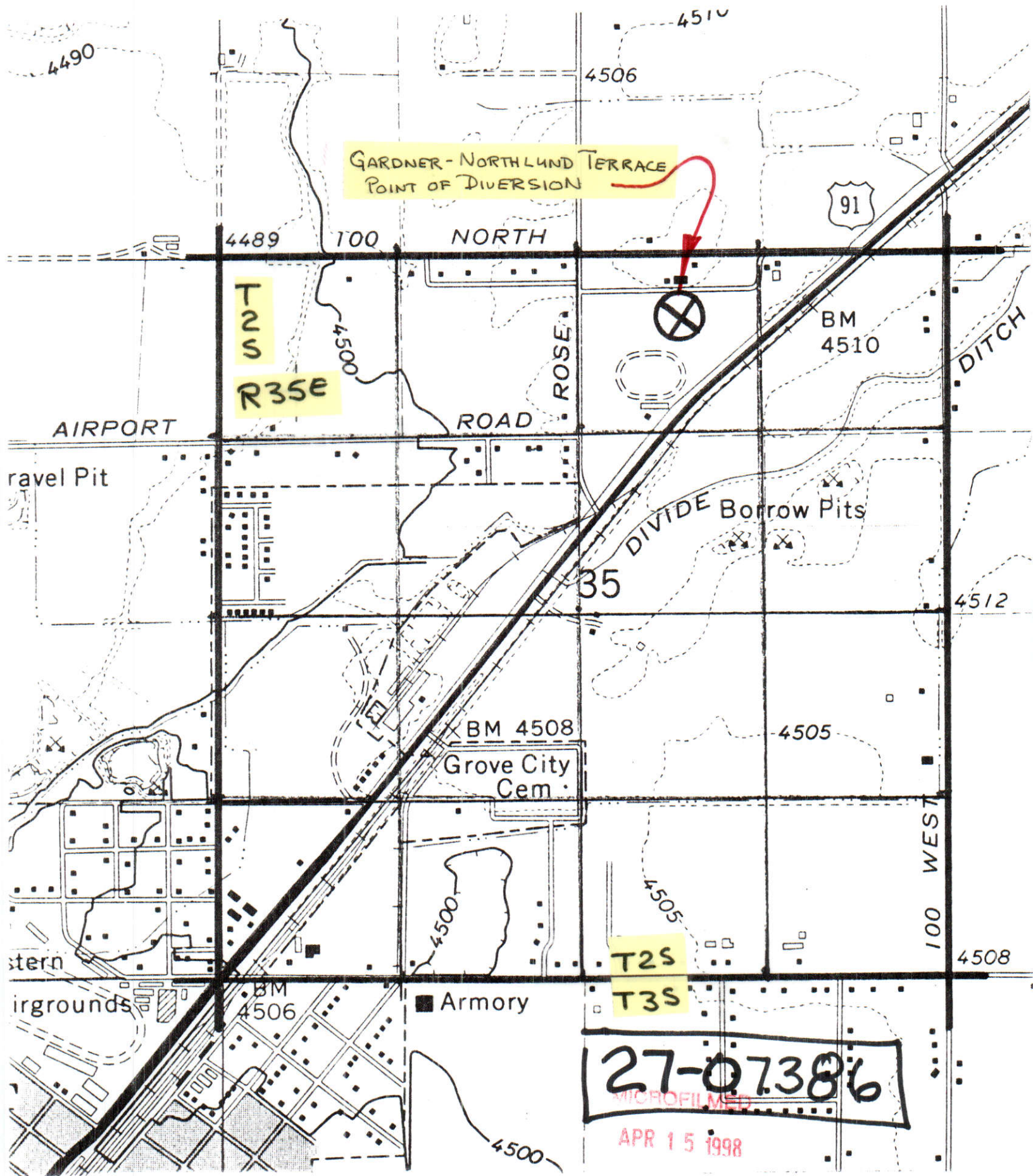


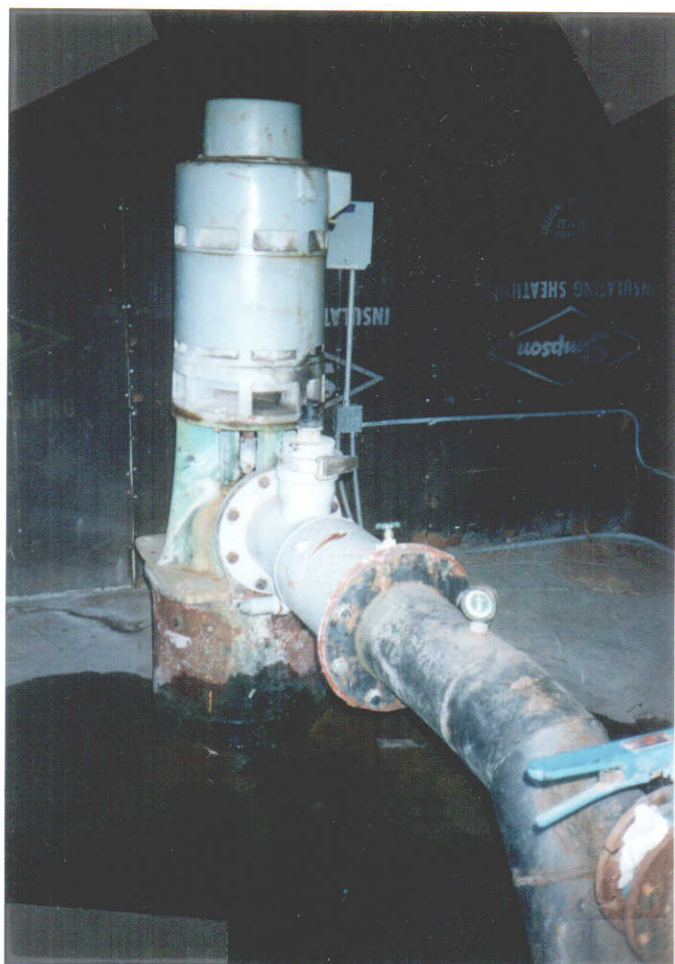


p. of d.
Gardner-Northland
Terrace

T25
T35

SCALE
0 100 200 300
LEGEND





MICROFILMED
APR 15 1998

27-7386

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 27-07386

Priority: November 10, 1983

Maximum Diversion Rate:

1.19 CFS

This is to certify, that CITY OF BLACKFOOT

157 N BROADWAY

BLACKFOOT ID 83221

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 10, 1983; and has submitted Proof of Beneficial Use on April 27, 1990. An examination indicates that the works have a diversion capacity of 1.190 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
MUNICIPAL	01/01 to 12/31	1.19 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 35, Township 02S, Range 35E
BINGHAM County

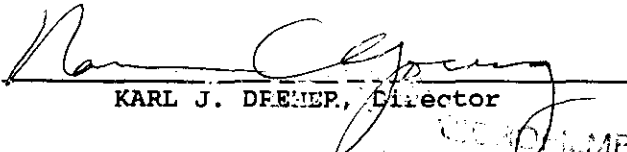
PLACE OF USE: See Remarks

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
6. Place of use is within the city limits of Blackfoot.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.

Witness the seal and signature of the Director, affixed at Boise, this 3rd day of APRIL, 1998.


KARL J. DEENER, Director

RECORDED

APR 15 1998

For Office Use Only
Amt. of Fee \$ 125.00
Date 4/27/90
Receipt No. 7716569
Received by C. W. W.
5-31-90

RECEIVED

STATE OF IDAHO

APR 27 1990 DEPARTMENT OF WATER RESOURCES

Department of Water Resources
PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 27-07386 Telephone No. 208-785-8608
Name(s) of Permit Holder(s): CITY OF BLACKFOOT WATER DEPT.
Post Office Address: 157 N. BROADWAY - BLACKFOOT ID 83221
Source of Water: GROUND WATER DEEP WELL
If ground water, well driller's name: DOUG CUSHMAN DRILLING Date drilled: DEC. 5-1964
Extent of Use:
Domestic _____ (No. of households) Irrigation _____ (No. of acres)
Stockwater _____ (No. and type of stock) Other MUNICIPAL

Total rate and/or volume for which proof is submitted 2.0 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: DEC. 5-1964

One of the following may be a condition of approval of your permit:

Measuring device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

OR

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

Fee Enclosed: \$ 125.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

JACK A. OLNEY 208-785-8608
Name Telephone No.
157 N. BROADWAY BLACKFOOT, ID. 83221
Address

MICROFILMED

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.

JUN 18 1990

4-9-90
Date

Jack A. Olney Water Syst. City of Blackfoot
Signature (and title if on behalf of a company or organization)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant CITY OF BLACKFOOT (Gardner-North-lund Terrace) Phone 785-0491

Post office address 157 N. Broadway, Blackfoot, Idaho 83221

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

3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 35 Township 2 So.

Range 35 E.B.M. Bingham County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 2.0 ~~4.45~~ cfs for Municipal purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. 2.0 ~~4.45~~ cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____

H.P. pump, pressure system

b. Height of storage dam n.a. feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

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

c. Proposed well diameter is 20 inches; proposed depth of well is 200 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year -- maximum 5 years). Completed July 30, 1964

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: n.a. $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: n.a. horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____
n.a.

(4) Name of municipality to be served City of Blackfoot, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____
n.a.

MAY 17 1989

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. _____

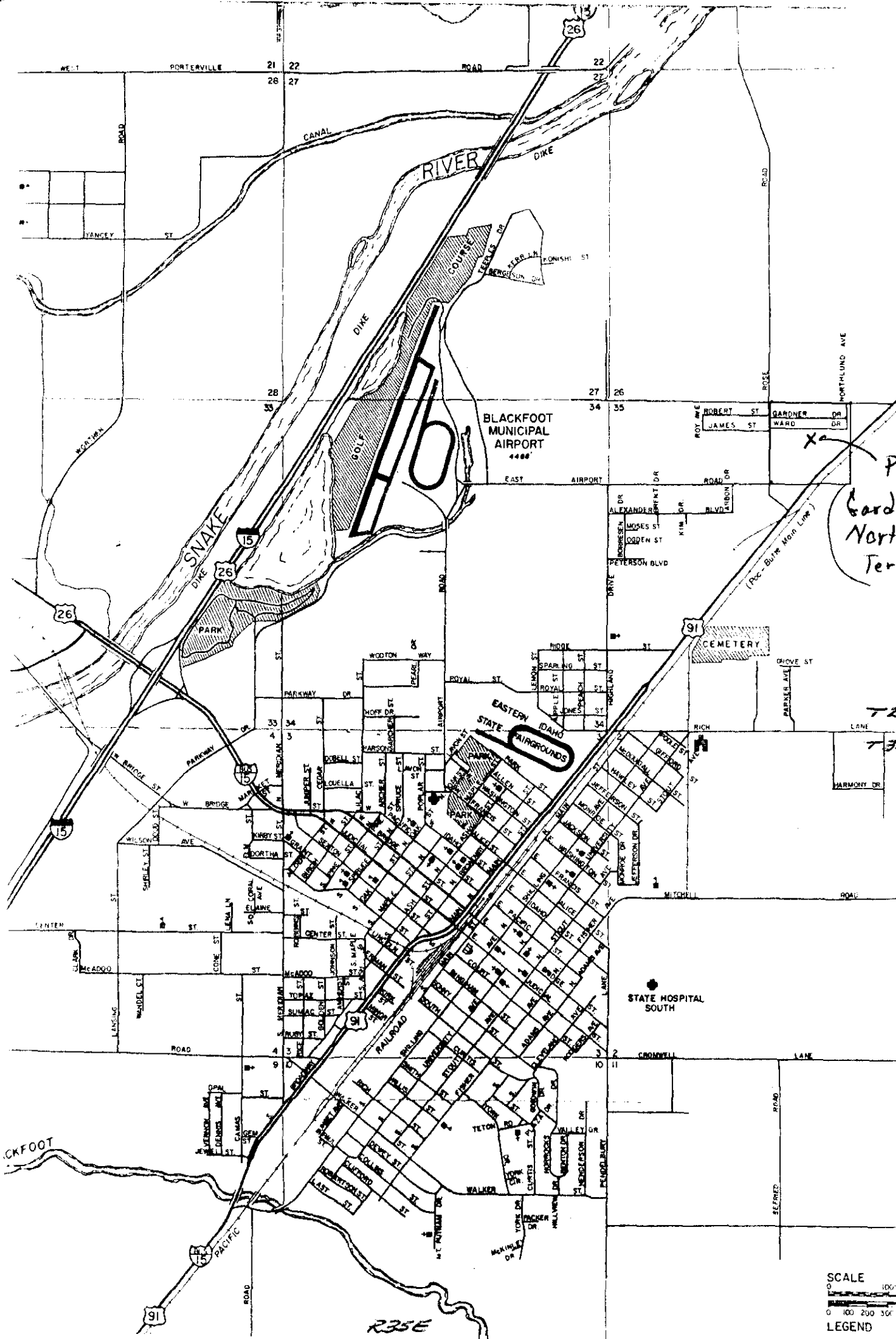
27-4084, 27-4086, 27-4087, 27-4088 27-2142

9. a. Who owns the property at the point of diversion CITY OF BLACKFOOT

b. Who owns the land to be irrigated or place of use CITY OF BLACKFOOT

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

10. Remarks SEE ATTACHED MAP FOR LOCATION OF POINT OF DIVERSION AND
PLACE OF USE



p. of d.
Gardner-
Northland
Terrace

T25
T35

SCALE
0 100
0 100 200 300
LEGEND

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

[illegible]

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.

1990

[illegible]

John H. Carey, Water Dept.
(Applicant)

11/10/83

Received by CW Date 6-30-83 Time 10:30A.
Preliminary check by Br Fee \$ 105.00 35.00 rec'd 11/10/83
Receipted by CW Date 6-30-83 # 25725 @ #29730
Publication prepared by CW Date 3-27-85
Published in Idaho Water Review
Publication dates 4-24-85 4-25-85 4-26-85
Publication approved CW Date 4-16-85 20220-85
Protests filed by: None

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

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. 27-7386, and said application is hereby APPROVED.

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 May 1, 19 90.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 11th day of April, 1989.

RECORDED

MAY 17 1989

J. Glen Saylor

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

27-7384

CITY OF BLACKFOOT

157 N. Broadway
Blackfoot, Idaho 83221
Source: GROUNDWATER
Date Filed: 06/30/1983
Diversion Pt.: SWNE, Sec. 27, T. 02S, R. 35E.

Use: MUNICIPAL (0.1440 CFS)
In: SWNE, Sec. 27, T. 02S, R. 35E.

27-7386

CITY OF BLACKFOOT

157 N. Broadway
Blackfoot, Idaho 83221
Source: GROUNDWATER
Date Filed: 06/30/1983
Diversion Pt.: NWNE, Sec. 35, T. 02S, R. 35E.

Use: MUNICIPAL (2.00 CFS).
In: The City Limits of Blackfoot.

27-7410

RAMEY, Blaine

Route 3, Box 298
Blackfoot, Idaho 83221
Source: GROUNDWATER
Date Filed: 06/04/1985
Diversion Pt.: SWSE, Sec. 33, T. 02S, R. 36E.

Use: STOCKWATER (0.02 CFS).
DOMESTIC (0.02 CFS).
In: SWSE, Sec. 33, T. 02S, R. 36E.

27-7411

R.T. FRENCH CO.

434 S. Emerson Street
Shelley, Idaho 83274
Source: GROUNDWATER
Date Filed: 06/12/1985
Diversion Pt.: SWSW, Sec. 02, T. 01S, R. 37E.

Use: COMMERCIAL (0.39 CFS).
In: NESW, SWSW, SESW, Sec. 02, T. 01S, R. 37E.

35-8617

HEATH, Clem J. &/or AFTON M.

Box 9
Pinegrew, Idaho 83262
Source: GROUNDWATER
Date Filed: 07/22/1985
Diversion Pt.: NESE, Sec. 33, T. 03S, R. 33E.

Use: COMMERCIAL (0.04 CFS)
In: NESE, Sec. 33, T. 03S, R. 33E.

The permit(s) will be subject to all prior water rights. Protests are limited to the public interest criteria under Section 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402, on or before September 23, 1985.

KEN DUNN, Director

(8774)
Pub.: 9-5, 12

RECEIVED

SEP 19 1985

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)
I, Kaye Dayton) do

solemnly

Advertising Manager of

swear that I am the The Morning News which is a daily newspaper of general circulation published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Thursday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue or said newspaper 2 consecutive weeks

the first publication having been made on the 5th day of September, 19 85.

and the last publication having been made on the 12th day of September, 19 85; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

Kaye Dayton

Subscribed and sworn to before me this 17th

day of September, 19 85

Peterson A. Johnson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho

My commission expires
Oct. 20, 1985

RECEIVED

MAY 17 1985

Source: GROUNDWATER
Date Filed: 02/20/1985
Diversion Pt.: SWSE, SESE, Sec. 16, T. 02S, R. 36E.
Use: IRRIGATION (2.40 CFS)
In: NESW, SESW, NESE, NWSE, SWSE, SESE, Sec. 16, T. 02S, R. 36E, for 120 ACRES.

27-7395

LDS CHURCH
Blackfoot South Stake
Route 4, Box 97
Blackfoot, Idaho 83221
Source: GROUNDWATER
Date Filed: 08/09/1984
Diversion Pt.: SWNW, Sec. 22, T. 02S, R. 35E.
Use: DOMESTIC (0.04 CFS)
In: SWNW, Sec. 22, T. 02S, R. 35E.

27-7385

CITY OF BLACKFOOT
157 N. Broadway
Blackfoot, Idaho 83221
Source: GROUNDWATER
Date Filed: 06/30/1983
Diversion Pt.: NWNE, Sec. 35, T. 02S, R. 35E.
Use: MUNICIPAL (2.00 CFS)
In: The City Limits of Blackfoot.

NOTICE OF APPLICATION FOR WATER RIGHT

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

35-8224

SHRADER, Lark G. &/or MAXINE R.
Rt. 2, Box 305
Blackfoot, Idaho 83221
Source: GROUNDWATER
Date Filed: 06/30/1983
Diversion Pt.: SWSE, Sec. 20, T. 03S, R. 34E.
Use: IRRIGATION (0.03 CFS)
DOMESTIC (0.04 CFS)
In: SWSE, Sec. 20, T. 03S, R. 34E, for 1 ACRES.

35-8351

PARRISH, Jay
Rt. 7, Box 356
Blackfoot, Idaho 83221
Source: GROUNDWATER
Date Filed: 06/25/1984
Diversion Pt.: NESE, Sec. 33, T. 02S, R. 34E.
Use: DOMESTIC (0.10 CFS)
In: NESE, Sec. 33, T. 02S, R. 34E.

35-8108

CALCHERA, Rosalie
Rt. 1, Box 262A
Shelley, Idaho 83274
Source: GROUNDWATER
Date Filed: 02/28/1983
Diversion Pt.: NENE, Sec. 17, T. 01N, R. 37E.
Use: IRRIGATION (0.02 CFS)
DOMESTIC (0.04 CFS)
In: NENE, Sec. 17, T. 01N, R. 37E, for 1 ACRES.

35-8083

HORSCH, DWIGHT W.
RR #1
Aberdeen, Idaho 83210
Source: GROUNDWATER
Date Filed: 01/21/1983
Diversion Pt.: NWNW, Sec. 02, T. 06S, R. 31E.
Use: IRRIGATION (2.40 CFS)
In: NWNW, SWNW, SENW, Sec. 02, T. 06S, R. 31E, for 120 ACRES.

35-8082

HORSCH, DWIGHT W.
RR #1
Aberdeen, Idaho 83210
Source: GROUNDWATER
Date Filed: 01/21/1983
Diversion Pt.: SWNE, Sec. 01, T. 06S, R. 31E.
Use: IRRIGATION (1.20 CFS)
In: SENW, NESW, NWSW, SWSW, Sec. 01, T. 06S, R. 31E, for 60 ACRES.

27-7402

MARLOW, Dennis L. &/or MARY JO
Route 6, Box 283
Blackfoot, Idaho 83221
Source: GROUNDWATER
Date Filed: 03/13/1985
Diversion Pt.: SWSW, Sec. 16, T. 02S, R. 36E.
Use: IRRIGATION (1.20 CFS)
In: SWSW, SESW, Sec. 16, T. 02S, R. 36E.

27-7384

CITY OF BLACKFOOT
157 N. Broadway
Blackfoot, Idaho 83221
Source: GROUNDWATER
Date Filed: 6/30/1983
Diversion Pt.: SWNE, Sec. 27, T. 02S, R. 35E.
Use: MUNICIPAL (0.1440 CFS)
In: SWNE, Sec. 27, T. 02S, R. 35E.

27-7357

HENDRICKS, THOMAS H.
&/or GERTRUDE I.
Box 192
Fort Hall, Idaho 83203
Source: GROUNDWATER
Date Filed: 06/03/1983
Diversion Pt.: SENE, Sec. 36, T. 04S, R. 34E.
Use: IRRIGATION (0.09 CFS)
DOMESTIC (0.25 CFS)
In: SENE, Sec. 36, T. 04S, R. 34E, for 3 ACRES.

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

KEN DUNN, Director

(8527)
Pub.: 4-4, 11

RECEIVED
APR 12 1985

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

I, David Mark Brown

solemnly

swear that I am the Publisher of The Morning News which is a daily newspaper of general circulation published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Thursday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue or said newspaper 2 consecutive weeks

the first publication having been made on the 4th day of April, 19 85

and the last publication having been made on the 11th day of April, 19 85; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

David Mark Brown by CLB
Subscribed and sworn to before me this 11th day of April, 19 85

Patricia A. Johnson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, ~~1984~~ 1988

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
1/4 1/4 1/4
Lat: _____ Long: _____

1. WELL TAG NO. D0004842
DRILLING PERMIT NO. 27-98-E-0024
Other IDWR No. 27-07386
RECEIVED
FEB 10 1999

2. OWNER:
Name CITY OF BLACKFOOT Department of Water Resources
Address WELL #9 Eastern Region
City BLACKFOOT State ID Zip 83221

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

W N
S
E
Twp. 2 North ☐ or South ☒
Rge. 35 East ☒ or West ☐
Sec. 35 1/4 NW 1/4 NE 1/4
Gov't Lot _____ 10 acres 40 acres 160 acres
County BINGHAM
Lat. _____ Long. _____
Address of Well Site WELL #9 GARDNER ST.
City _____
(Give at least name of road + Distance to Road or Landmark)
Lt. _____ Bik. _____ Sub. Name _____

4. USE:

☐ Domestic ☒ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK: check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other

6. DRILL METHOD:

☐ Air Rotary ☒ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES:

Seal/Filter Pack			AMOUNT		METHOD
Material	From	To	Sacks or Pounds		
CONCRETE GROUT	0	128	14 YDS.		OVERBORE

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 128, 348.

Was drive shoe seal tested? ☐ Y ☒ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
20	1	42	.500	STEEL	☒	☐	☒	☐
16	2	128	.375	STEEL	☒	☐	☒	☐
12	120	348	.375	STEEL	☒	☐	☒	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS:

☒ Perforations Method MILLS KNIFE
☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
140	145	3/8	40	12		☐	☒
577	606	1/4	540	8		☐	☒
638	668	1/4	540	8		☐	☒

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

52 ft below ground Artesian pressure _____ lb
Depth flow encountered 41 ft. Describe access port or control devices: 2 PIPE

11. WELL TESTS:

Yield gal./min.	Drawdown	Pumping Level	Time
1750	4	56	8 HR.

Water Temp. 54 Bottom hole temp. UNKNOWN

Water Quality test or comments: SEE TEST RESULTS

Depth first Water Encounter 41

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Water Y	N
20	0	41	GRAVEL	X	
	41	104	BASALT - CREVICE (47-70)	X	
	104	110	CINDERS & CHALK	X	
	110	125	BASALT		
16	125	140	BASALT		
	140	144	CINDERS	X	
	144	156	BASALT		
	156	172	CLAY		
	172		STICKY CLAY & STREAKS OF		
		187	BASALT		
12	187	246	GREY CLAY & SANDSTONE		
	246	311	BASALT, STREAKS OF CLAY		
	311	316	STICKY CLAY		
	316	331	HARD BASALT		
	331	342	CLAY & STREAKS OF BASALT		
	342	354	HARD BASALT		
	354	362	CLAY & STREAKS OF BASALT		
	362	469	BASALT WITH LITTLE CLAY		
	469	515	BASALT, STREAKS OF CHALK		
10	515	520	HARD BASALT		
	520	543	CHALK & STREAKS OF BASALT		
	543	555	GREY SANDSTONE & CLAY		
	555	571	BASALT		
	571	606	SANDSTONE & SOFT BASALT	X	
	606	619	BASALT		
	619	623	SANDSTONE	X	
	623		BASALT & LITTLE HARD		
		653	SANDSTONE	X	
	653	664	BROKEN BASALT	X	
	664	668	SOFT BASALT & CLAY		
	668				

10" CASING .375 WALL 305'-516' WELDED
8" CASING .250 WALL 507'-668' WELDED

RECEIVED
FEB 18 1999

Completed Depth 668
Date: Started 6/28/98 Completed 1/27/99
Department of Water Resources (Measurable)

13. DRILLER'S CERTIFICATION:

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name JACK CUSHMAN DRILLING, INC. Firm No. 94

Firm Official Bob Cushman Date 2/8/99

and Driller or Operator Date 2/8/99

(Sign once if Firm Official & Operator)

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

April 6, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF BLACKFOOT
157 N BROADWAY
BLACKFOOT ID 83221

RE: WATER RIGHT NO. 27-07386

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ENCLOSURE

APR 13 1998

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

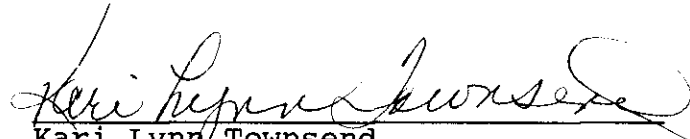
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 6th day of April, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 27-07386

CITY OF BLACKFOOT
157 N BROADWAY
BLACKFOOT ID 83221


Kari Lynn Townsend
Secretary

MEMORANDUM

TO: File 27-07386

FROM: Sharla

DATE: March 25, 1998

RE: Telecon/Recommendation Adjustments

On this date, I spoke with Keith Wilson about the narrative found in his field report. In it he stated that at the time of the inspection the well was not being used because it was too sandy. But he then went on to say the delivery system had been replaced. I called to ask him if the well was now again being used.

Keith stated that the well was repaired and is used again as he recommended for licensing.

An overlapping right, 27-07138, was licensed for a 25 hp pump installed in June of 1980 and used in summer to water lots without homes; the right was licensed in the name of Northland Terrace Water Users Assn. Another pump (7.5hp) under that right was used in winter. Between the time proof of beneficial use was filed for that right in 1984 and the time the right was licensed in 1990, an SRBA claim was filed reducing the right to 0.21 cfs for domestic use of 8 homes with the diversion system being only the 7.5 hp pump. Photos in both water right files clearly indicate the well is the same. 27-07138

The examiner recommends licensing 27-07386 for diversion of water using the 25 hp pump. The right will be licensed as if it were a stand-alone right, with no overlapping rights involved, since the decree for 27-07138 will eliminate the overlap of the use from the 25 hp pump. 27-07386 can be issued for 1.19 cfs (theoretical capacity of the well at 70% efficiency). A copy of this memo will be routed to the adjudication staff to be included in the SRBA file for 27-07138.

SC 4/3/98

LICENSE REVIEW CHECKLIST

PERMIT NO. 27-07386

DATE 3/24/98

REVIEWER: SHARLA

NAME Change OK Address Change NO

SOURCE Change ✓ Is change clarification of originally intended source? NO

POINT OF DIV Change ✓ If not, prepare Notice of Intent to Void NO

PLACE OF USE Change city limits Amendment required NO

Does map agree with written description? ✓ yes no

OVERLAPS 7138 P/D P/U

Overlap file pulled & reviewed ✓

RATE OF DIV

Permitted Rate 2.0 cfs

Fee limit 2.0 cfs \$125.00

Measured 1.19 cfs

Theoretical 1.19 cfs 1.28 at 70% eff.

Recommended Total Div Rate 1.19 cfs

ANNUAL VOLUME/ NATURE OF USES	Use	cfs	Volume Calc
<u>✓</u>	<u>Muni.</u>	<u>1.28</u>	<u>af</u>
		<u>1.19</u>	<u>af</u>
			<u>af</u>
			<u>af</u>
	SUBTOTAL		<u>af</u>

Flow rate 1.19 cfs X 365 days X 1.98 = af

Total volume recommended af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS P/U w/in city limits of Blackfoot

WBS (27-07386)

36

CONDITIONS Watermaster Control WD#

GW Measurement/Measuring Device

Overlap

Use-specific conditions 048.049

Advancement of Priority Date Required yes no

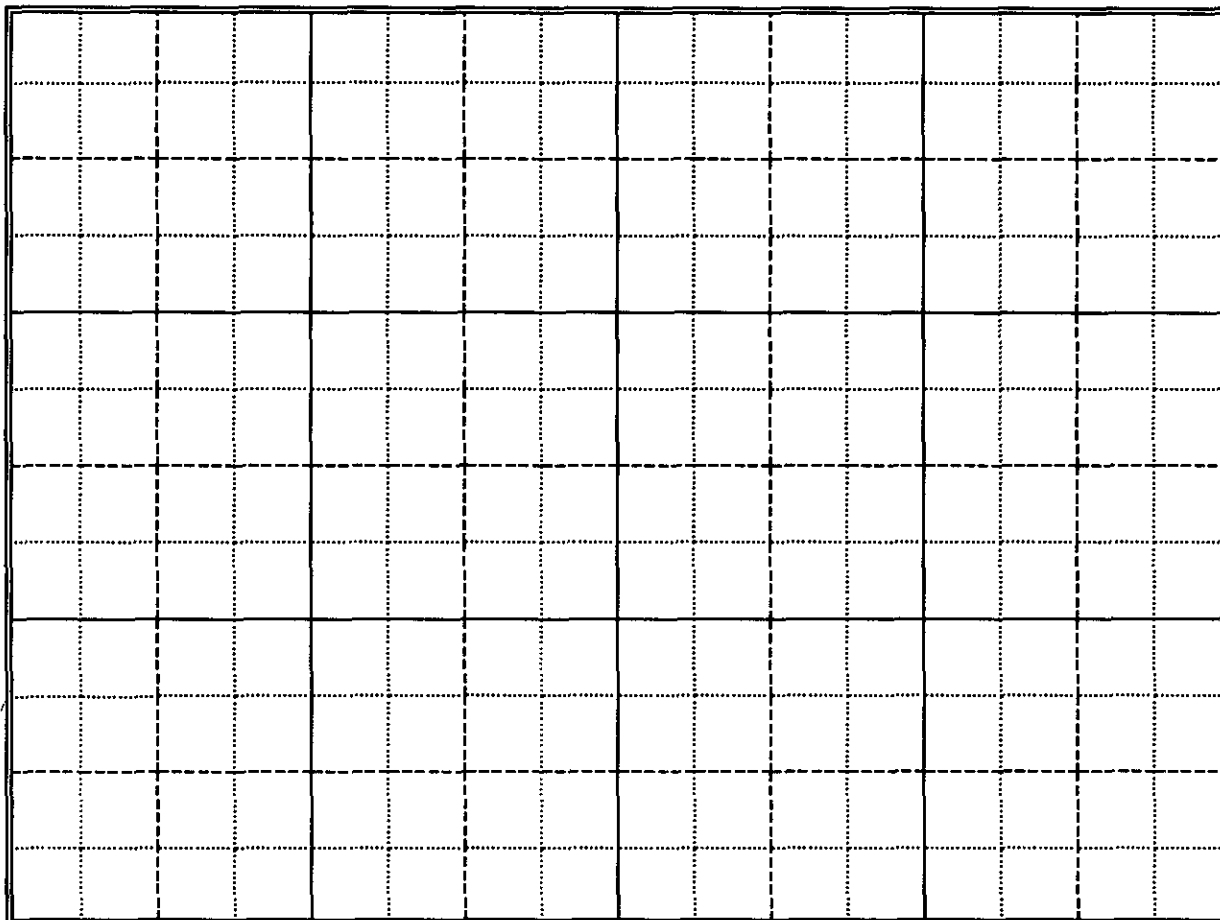
SRBA Claim Filed NA

Adjustment Memo to con. w/
known
rate

1st Amend Letter NA

2nd Amend Letter NA

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
	GE	25	XNT1004067	Fairbanks	PW6228
				Morse	

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: Theoretical

APR 10 1998

APR 10 1998

E. NARRATIVE/REMARKS/COMMENTS

Well pump mainline to homes within the city of Blackfoot
city of Blackfoot not currently using well because well is
too sandy. In 1992 the city replaced the delivery
system from the well to the homes that were served.
(DONE TO UPGRADE SYSTEM TO CITY STANDARDS)

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

APR 15 1996

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

$$Q = \frac{hp(8.814)(\text{eff})}{\text{Lift} + (PSI \times 2.308)} = \frac{25(8.814)(.75)}{60 + (30 \times 2.308)} = 1.28 \text{ cfs}$$

hp = 25 psi = 30 psi
eff = 75%
Lift = 60'

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Municipal	1/1	12/31	1.28 cfs	
Totals:			1.28 cfs	

2. Recommended Amendments

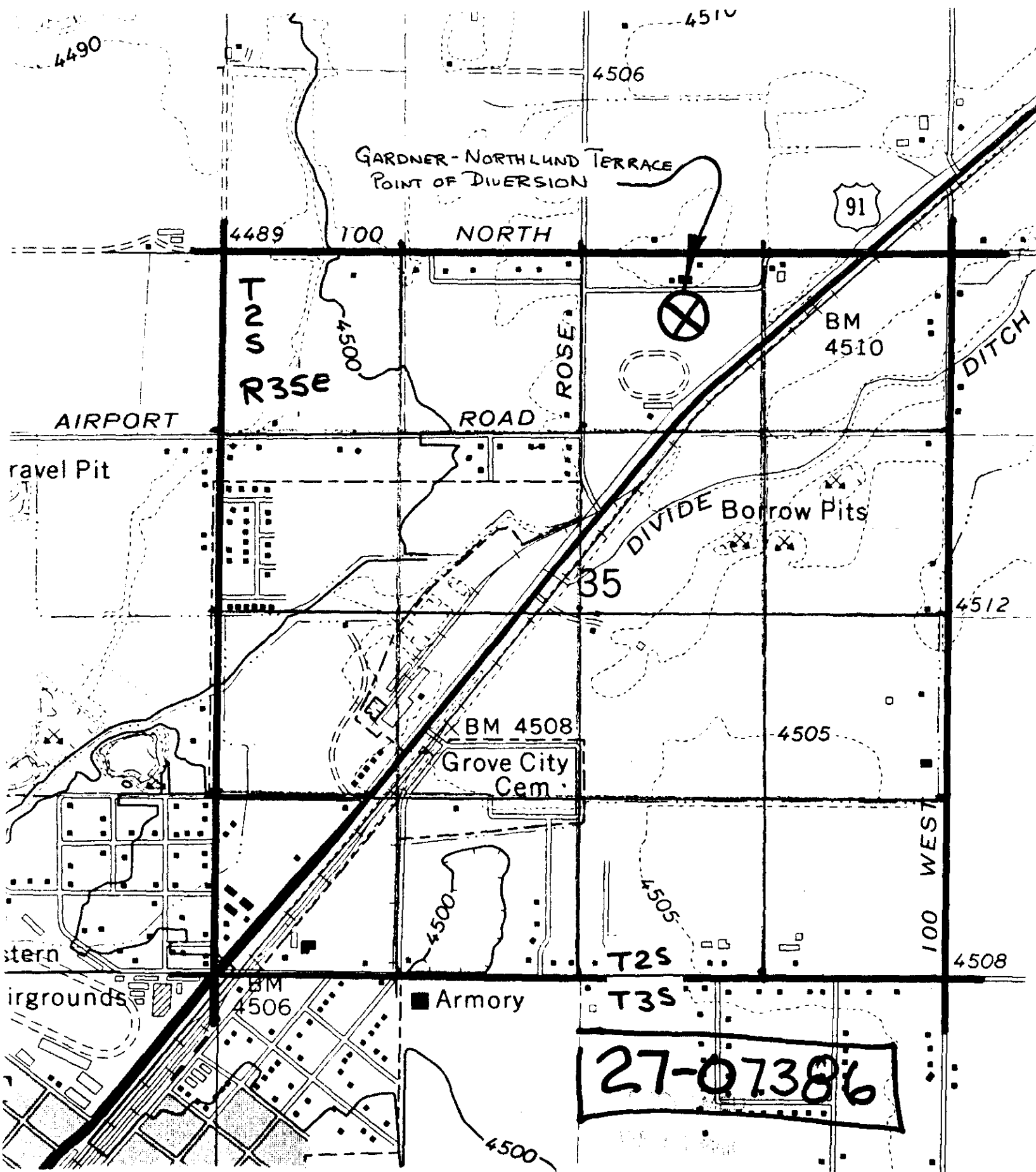
___ Change P.D. as reflected above ___ Add P.D. as reflected above ___ None
___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

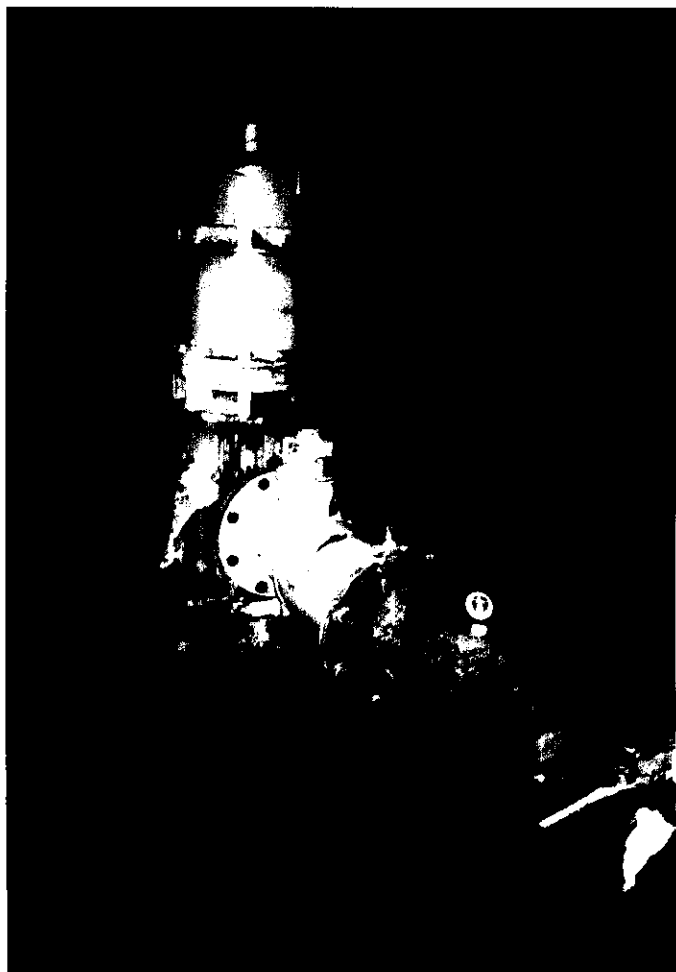
I. AUTHENTICATIONField Examiner's Name KEITH C. WILSON Date 7-9-1993

Reviewer _____ Date _____

SEAL

MICROFILMED
APR 15 1994





APR 11 1968
APR 11 1968

27-7386

June 4, 1990

CITY OF BLACKFOOT
157 N. BROADWAY
BLACKFOOT, ID 83221

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 27-07386

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JUN 18 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 27-7386

Date: 5.31.90

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change NO If yes, prepare a data entry
☒ Proof received timely
☐ Reinstated

Source of Water:

- ☒ Surface water
☐ Groundwater
☐ 1. well log in file 1964
☒ 2. drilling permit
☒ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses
☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- ☒ Is a measuring device or access port required?
☒ Has one been installed?
☒ Waiver or modification of measuring device requested

Remarks:

Proof acceptable

Carover North: Terence

Priority Calculation:

Date proof received	<u>NK</u>	
Date proof due		-
No. of days late		=
Priority date		+
NEW PRIORITY DATE		=

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

138198

February 28, 1990

CITY OF BLACKFOOT
157 N. BROADWAY
BLACKFOOT, ID 83221

PROOF DUE NOTICE

RE: PERMIT NO. 27-07386

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 1, 1990.

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

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

JUN 18 1990

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
April 14, 1989

CITY OF BLACKFOOT
157 N. BROADWAY
BLACKFOOT, ID 83221

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 27-07386

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

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

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

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

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also

RECEIVED
MAY 17 1989

enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

G. F. RAMSEY

INITIAL REVIEW BY:

NOV 16 1983

APPLICATION NUMBER:

27 7386

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☒ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: *CW*

Date: *4-2-85*

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☒ Yes ☐ No Other rights on same place of use. *27-4084, 4086, 4087, 4088 27-2142*
☒ Yes ☐ No In form for advertising. *4-22-85 9-22-85*
☐ Yes ☐ No Final date for protests: _____
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: *4-12-85 9-17-85*
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? *427-P05*
11/10/83 16-30-1983 Date of priority recommended.
Special conditions of approval or cover letter. _____

OIF, 05(W.O.#4). No, well is 200' deep use P05

app. not identified in S.K. suit-app. within NON TRUST area -

By: *Ernest Calver.*

STATE OFFICE REVIEW:

P03, P05, P16

OIG 48 49

Date: *April 24, 1985*

JUL 18 1985

Department of Water Resources

APR 20 1985

Department of Water Resources

☐ See attached sheet for more information.

By: *CW*

KW 4/5/89

October 9, 1985

RE: Application for Permit No. 27-7386

City of Blackfoot
157 N. Broadway
Blackfoot, ID 83221

Gentlemen:

The above referenced water right application has been forwarded from our regional office to this office for final review and approval.

Under the terms of the contract signed in October, 1984 in the Swan Falls settlement negotiations, the Department may approve applications for Domestic, Commercial, Municipal and Industrial uses where consumptive use does not exceed 2 AF/day. Since the rate of diversion of your application would produce a total volume in excess of 2 AF/day, the Department would condition approval of the permit with such a limiting condition if you want to have the permit issued now. If you prefer not to have such a condition on your permit, the Department will hold the application without approval until the draft water allocation rules and regulations have been adopted. The adopted rules will provide guidance for approvals which will use water held in trust by the state.

Unless I hear from you, the Department will hold the application until rules have been adopted.

If you have any questions, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

MAY 27 1985



STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

APR 11 1985

Department of Water Resources

Eastern District Office

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

April 10, 1985

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

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

Dear Mr. Carlsen:

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

Sincerely,

Gordon J. Hopson
Gordon J. Hopson
Source Control Field Officer

GH/jd

RECEIVED

MAY 17 1985

April 2, 1985

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

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

Gentlemen:

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

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

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:GW

Enclosure(s)

MAY 17 1985

27-7386

CITY OF BLACKFOOT

157 N. BROADWAY, BLACKFOOT, ID 83221

Source: GROUNDWATER

Date Filed: 06/30/1983

Diversion Pt: NWNE Sec 35 T 02S R 35E

Use: MUNICIPAL (2.00 CFS)

In: the city limits of Blackfoot

27-7386
CITY OF BLACKFOOT
157 N. Broadway
Blackfoot, Idaho 83221
Source: GROUNDWATER
Date Filed: 06/30/1983
Diversion Pt.: NWNE, Sec. 35, T. 02S, R. 35E.
Use: MUNICIPAL (2.00 CFS)
In: The City Limits of Blackfoot.

27-7386
CITY OF BLACKFOOT
157 N. Broadway
Blackfoot, Idaho 83221
Source: GROUNDWATER
Date Filed: 06/30/1983
Diversion Pt.: NWNE, Sec. 35, T. 02S, R.
35E.
Use: MUNICIPAL (2.00 CFS).
In: The City Limits of Blackfoot.

NOT RECORDED

MAY 17 1984

WATER RIGHT
DATA ENTRY LOG

[illegible]