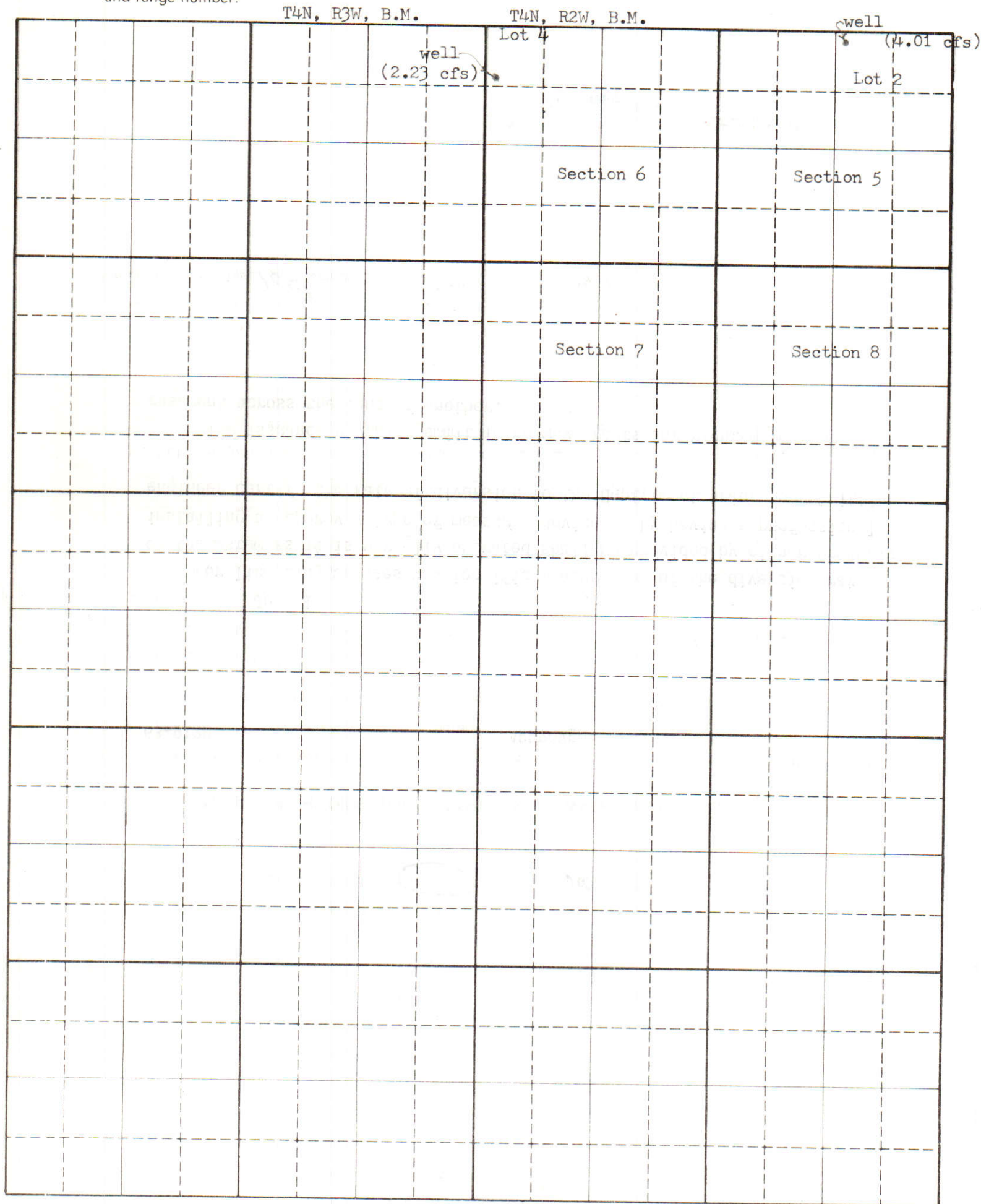


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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


(Applicant)
Milton J. Cram
Mayor

AFFIDAVIT OF PUBLICATION

RECEIVED
APR 10 1978

STATE OF IDAHO,)
) ss.
County of Canyon.)

Department of Water Resources
Western Regional Office

Verla Harker
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all
times hereinafter mentioned was over the age of twenty-one years,
and not a party to the above entitled action.

Idaho Free Press &
2. That I am the Principle Clerk of the News-Tribune,
a daily, (except Sunday) newspaper published in the City of
Nampa-Caldwell, in the County of Canyon, State of Idaho; that
the said newspaper is in general circulation in the said County of
Canyon, and in the vicinity of Nampa and Caldwell, and has
been uninterruptedly published in said County during a period of
seventy-eight consecutive weeks prior to the first publication of the
notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was
published in said newspaper

March 30; April 6, 1978
in the regular and entire issue of said paper, and was
printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

Verla Harker

Subscribed and sworn to before me this _____

19 78 6th day of April

Janet Lusk
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1981.

NOTICE OF APPLICATION FOR WATER PERMIT
Notice is hereby given that CITY OF MIDDLETON, City Hall,
Middleton, Idaho, has on March 17, 1978 submitted Application
No. 63-9128 for a permit to appropriate 1.24 cubic feet per second
of water from groundwater sources by means of wells and pump-
ps within the Government Lot 2, Sec. 5; Government Lot 4, Sec.
6, T4N-R2W B.M. Canyon County, to be used from Jan. 1 to Dec.
31 for municipal purposes within the city limits.
It issued, this permit will be subject to all prior water rights.
Protests against the granting of the permit must be filed with
the Director of the Idaho Department of Water Resources, 92
South Cole Road, Boise, Idaho 83705 on or before April 17, 1978.
C. STEPHEN ALLRED
Director
March 30; April 6, 1978.

OK
4-12-78
JH

Microfilm

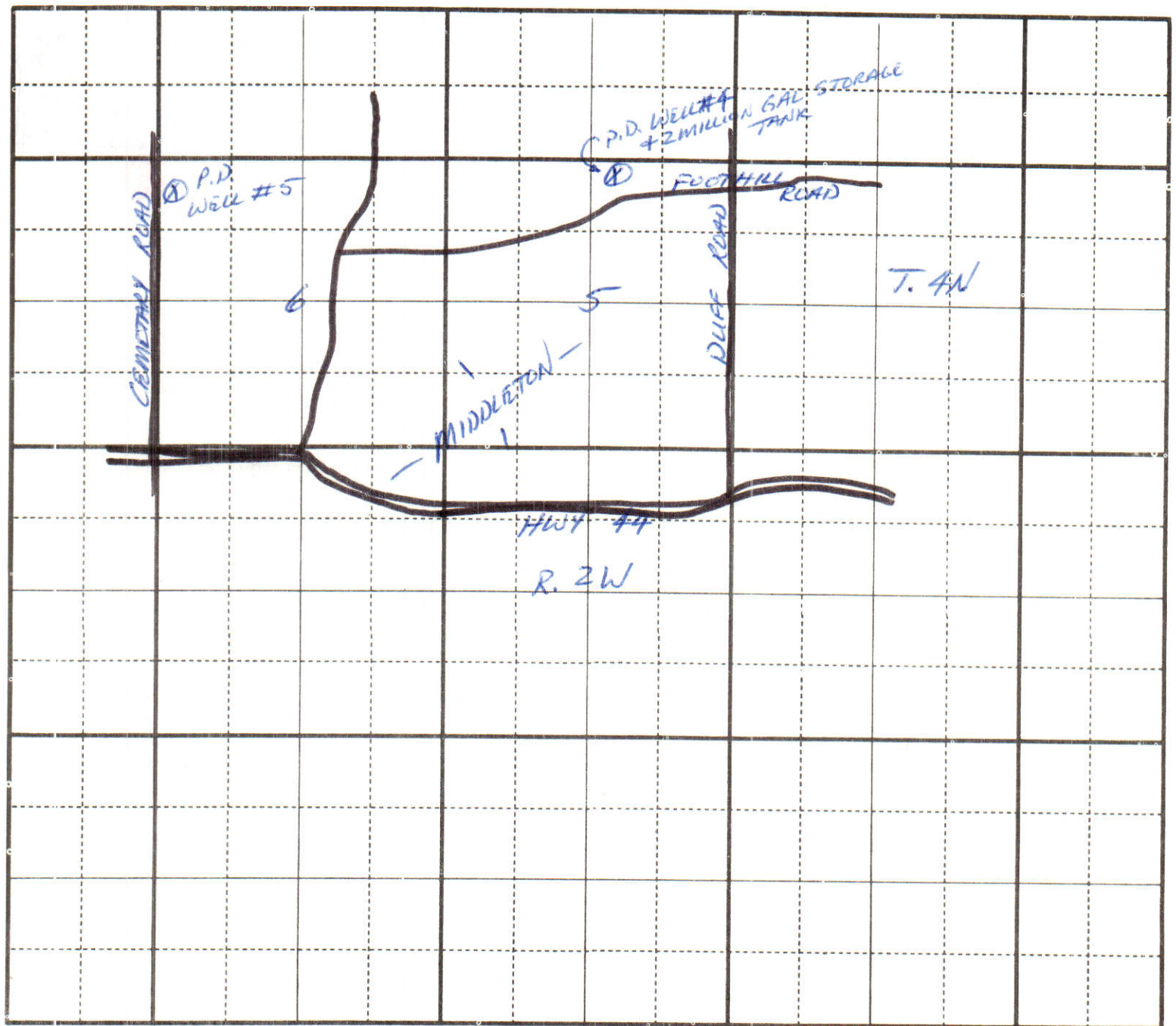


Diagram of System

MICROFILMED

State of Idaho
Department of Water Resources



WATER RIGHT LICENSE

License No. 63-9128 Priority 3/29/1978 Amount 1.24 CFS N/A AF

THIS IS TO CERTIFY, that CITY OF MIDDLETON

of Middleton, Idaho, has complied with the terms and conditions of
Permit No. 63-9128 issued pursuant to Application for Permit dated 3/17/1978, and has
submitted proof to the Department of Water Resources on 6/13/1979, that he has applied water to a
beneficial use; and examination by the Department indicates that the works have a capacity for the
diversion of 6.24 CFS of water from a groundwater source
tributary to, and that the permit holder has
applied to a beneficial use and established a right to use water as follows:

RATE OF DIVERSION	VOLUME	BENEFICIAL USE	PERIOD OF USE
1.24 CFS	N/A	Municipal	1/1 to 12/31

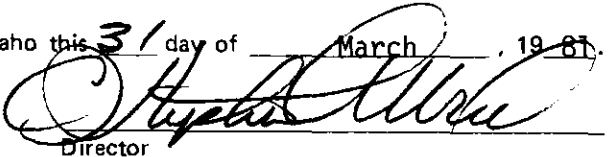
Location of point of diversion: Lot 2 (NW¼NE¼), Sec. 5; Lot 4 (NW¼NW¼), Sec. 6, Twp. 4N,
Rge. 2W, B.M., Canyon County

Location of place of use:

TWP.	RGE.	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 irrigated _____

Modifications to or variance from the use of water as shown on this license must be made in accordance with Sec-
tion 4 of Idaho Code, or the applicable Idaho law. This right may be forfeited by five years of non-use.
The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as
provided by the laws of Idaho.
Witness the seal and signature of the Director, affixed at Boise, Idaho this 31 day of March, 1981.


Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 63-9128)
IN THE NAME OF CITY OF MIDDLETON)

ORDER OF REINSTATEMENT

WHEREAS, on March 17, 1978, The City of Middleton filed with the Department of Water Resources an application for permit to appropriate 1.24 cubic feet per second of water from a ground water source to be diverted within the government Lot 2, Sec 5, Twp. 4N, Rge. 2W, B.M. Canyon County, to be used for municipal water supply purposes; and,

WHEREAS, on May 10, 1978, the Department approved said application and issued Permit No. 63-9128 which the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before June 1, 1979; and,

WHEREAS, on March 30, 1979, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on June 1, 1979, Permit No. 63-9128 automatically lapsed for failure to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on June 13, 1979.

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 63-9128 be REINSTATED and the priority advanced to March 29, 1978.

Dated this 18th day of June, 1979.


L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. **63-9128**

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

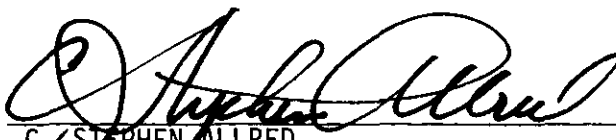
WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

11/1/78

Identification No. _____
Application No. 63-9128

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES*
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant City of Middleton Phone: 585-6611
post office address City Hall, Middleton, Idaho 83644
2. Source of water supply 2 wells which is a tributary of _____
3. a. Location of point of diversion is Gov. Lot 12 of _____ $\frac{1}{4}$ of Section 5 Township 4N
Range 2W B.M. Canyon County; additional points of diversion if any: _____
Government Lot 4, Section 6, T4N, R2W, B.M.
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1.24 for municipal/water supply purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.24 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 24 inches; proposed depth of well is 475 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.
b. Estimated construction cost is \$ 66,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: City of Middleton $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served City of Middleton, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

RECEIVED

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

TWP.	RANGE	SEC	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTALS
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	

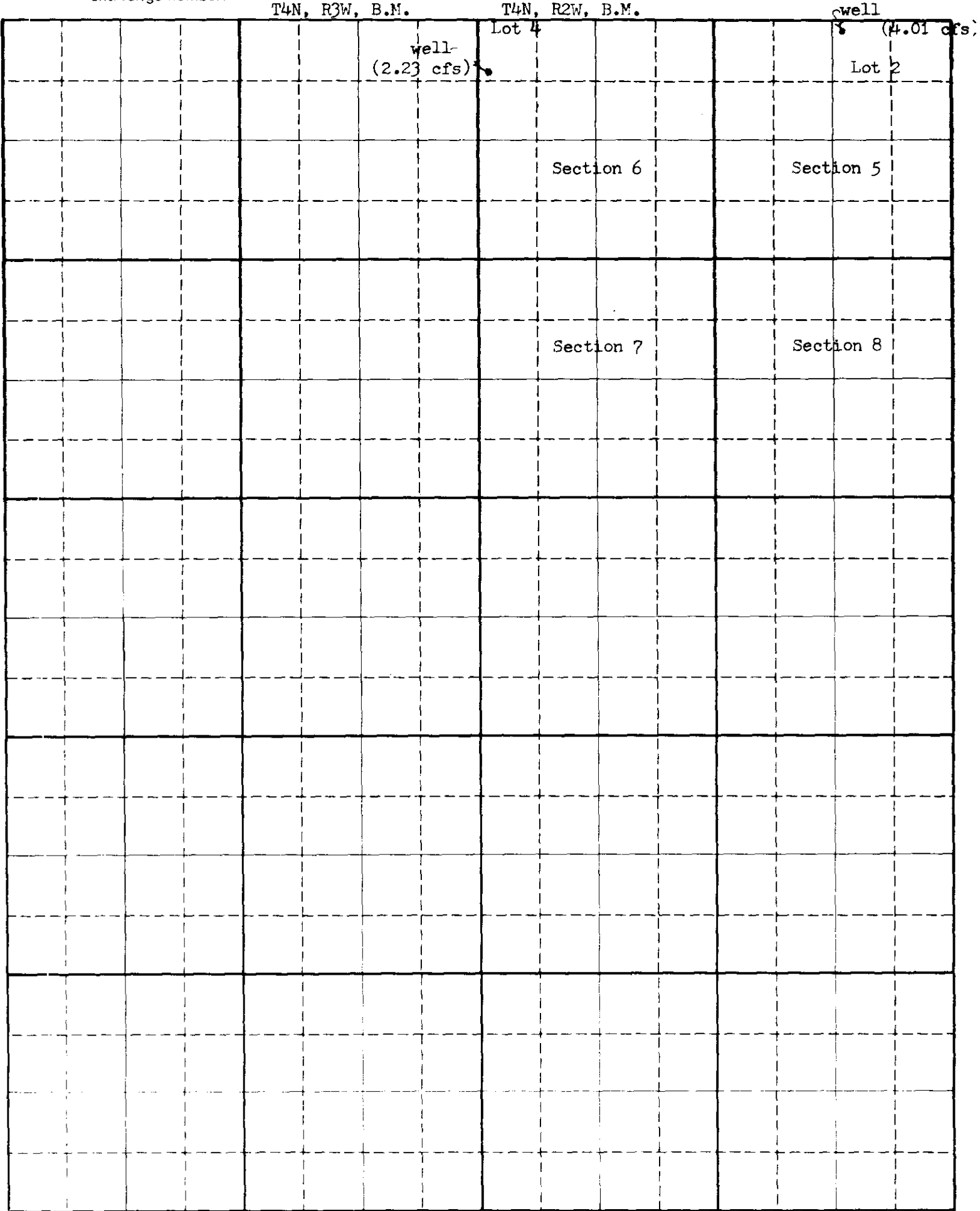
Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. 2 existing wells and one well drilled but not in service yet

9. a. Who owns the property at the point of diversion City owned land at one point; private land to be given to city at second point
b. Who owns the land to be irrigated or place of use _____
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing City agreement with Arlo Nelson (land owner) by which land for well (in Government Lot 4, Section 6, T4N, R2W, B.M.) will be given to city

10. Remarks A previous application for 5 cfs was approved (Permit No. 63-8704). The first two wells out of a projected 3 wells had a higher than expected capacity and plans for a third well were cancelled. It is planned to pump 6.24 cfs from the two wells or 1.24 cfs more than originally applied for. The additional pumping capacity is desirable for enhanced fire protection and future domestic consumption.

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



Scale: 2 inches equal 1 mile

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


(Applicant)
Milton J. Cram
Mayor

Proposed Priority 3/17/78

Received by Y Date 3-17-78 Time 11:20

Preliminary check by NHM Fee \$ 35.00

Receipted by Y Date 3-20-78 # 11008

Publication prepared by Y Date 3-22-78

Published in Boise Tribune

Publication dates March 30 + April 6

Publication approved Y Date 4-12-78

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DAS C

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. 63-9128, 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 June 1, 1979.

c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.

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

Witness my hand this 10TH day of May 19 78.

Norman C Young
Administrator

AFFIDAVIT OF PUBLICATION

RECEIVED
APR 10 1978

STATE OF IDAHO,)
) ss.
County of Canyon.)

Department of Labor Resources
Western Regional Office

Verla Harker
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all
times hereinafter mentioned was over the age of twenty-one years,
and not a party to the above entitled action.

Idaho Free Press &
2. That I am the Principle Clerk of the News-Tribune,
a daily, (except Sunday) newspaper published in the City of
Nampa-Caldwell, in the County of Canyon, State of Idaho; that
the said newspaper is in general circulation in the said County of
Canyon, and in the vicinity of Nampa and Caldwell, and has
been uninterruptedly published in said County during a period of
seventy-eight consecutive weeks prior to the first publication of the
notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was
published in said newspaper

March 30; April 6, 1978
in the regular and entire issue of said paper, and was
printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

OK
4-12-78
JH

Verla Harker

Subscribed and sworn to before me this _____

_____ 6th _____ day of _____ April _____,
19 78

James G. Smith
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1981.

WATER RIGHT NUMBER 63-9128

OWNER LAST NAME - CITY OF MIDDLETON ✓

FIRST NAME - ORIG OWNER -

ADDRESS LINE 1 - CITY HALL ✓

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - MIDDLETON ✓

STATE - ID ZIP CODE - 83644 ✓

SOURCE - GROUNDWATER ✓

TRIBUTARY OF -

STAGE - LICENSE ✓ STATUS -

PRIORITY - 03-29-1978 ✓

COUNTY - CANYON ✓

TOTAL DIV. RATE -

1.2400 -CFS ✓

TOTAL DIV. VOLUME - ✓.00 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NWNW 05 04N 02W LOT 02 REDIV - ✓

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

NWNW 06 04N 02W LOT 04 REDIV - ✓

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - 01-01 TO - 12-31 USE - MUNICIPAL ✓

USE DIV. RATE -

1.2400 CFS ✓

USE DIV. VOLUME -

.00 AFA ✓

USE -

PLACE OF USE - TWN

RNG

SEC

DATE -

TOTAL ACRES ✓ 0

DECREE NAME -

REMARKS - REINSTATED 6-18-1979. ✓

P/U WITHIN CITY LIMITS OF MIDDLETON. ✓

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE - 63-8704.

PROOF DUE - 06-01-1979 PERMIT/DENIED - 05-10-1978 PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - P FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS - WELL, PUMP & PIPELINE.



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

April 6, 1981

City of Middleton
City Hall
Middleton, Idaho 83644

Dear Sirs,

RE: License No. 63-9128

Enclosed is a copy of the Water Right License issued on the above referenced Permit.

Please be advised that one of the conditions of your permit was that a measuring device be installed as part of your diversion works. That requirement has been waived with issuance of the enclosed license. However, in the event that water supply shortages become a problem installation of measuring devices may be required.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:mr
Enclosure

MICROFILMED

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

FIELD REPORT

1. Name of permit holder City of Middleton
Post office address City Hall, Middleton Phone 585-6644
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 1.24 c.f.s. for municipal
AF/Annum (nature of use)

Period of Use: from 1-1 to 12-31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum _____ (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum _____ (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 1.24 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 4N N/S, Range 2W E/W, B.M., Section 5, Subdivision 1/4 1/4, 1/4 1/4, 1/4 1/4

Township _____ N/S, Range _____ E/W, B.M., Section 6, Subdivision Part 4 $\frac{1}{4}$ $\frac{1}{4}$ County _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County _____

Other Points of Diversions: _____

Description of diverting works: 30 HP pump, 16" x 375', 100 HP pump
16" x 475', 12" lines

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

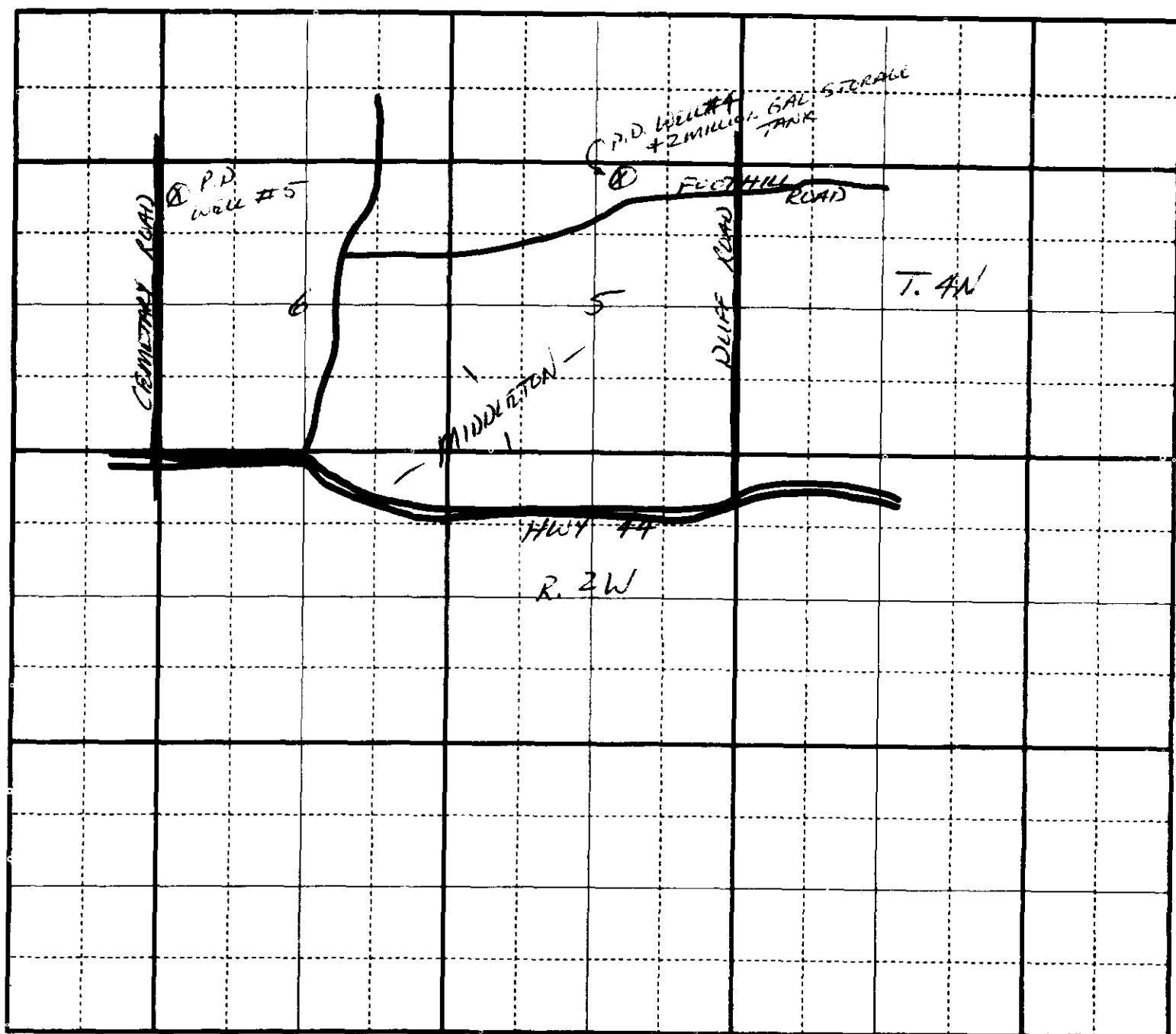


Diagram of System

DATE OF EXAM 10/30/79

ACREAGE
Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Municipal Q = 1.29 cfs V = N/A 1/1 to 12/31

Is water co-mingled? yes _____ no ✓

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ✓

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 6.29 cfs Method of measurement FLOWMETERS
Total Q recommended 1.29 cfs Meter No. WELL 5: 78-12-319 Type MACROMETER Condition GOOD
WELL 4: 78-12-316 Type MACROMETER Condition GOOD

Total V recommended N/A

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ✓

MEASUREMENT CALCULATION:
Q = 2800 gpm (1.002228) = 6.29 cfs capacity
WELL 4: 900 gpm
WELL 5: 1900 gpm
2800 gpm
Allow 1.24 as per permit

SYSTEM DESCRIPTION:
WELL #5: 50 hp ID # R-6232-04-236 R219640 HIGH THRUST U.S. ELECTRIC MOTOR.
12" LINE TO CITY SYSTEM PRESSURE EQUALIZING VALVE IN LINE
WELL #4: 100 hp ID # R-7185-01-384 R2117545 DITTO ABOVE.

REMARKS:
ADRIAN COBLER, ONE OF CITY'S ENGINEERS, DEMONSTRATED SYSTEM
TO ME. HE REPORTS WELL 5 HAS PUMPED 1100 gpm AND #4 HAS
PUMPED 2200 gpm.
CITY HAS 2 MILLION GAL STORAGE TANK IN SYSTEM LINE.
63-8704 IS SUPPLEMENTED BY THIS RIGHT TO TOTAL 6.24 cfs

Examiner's Signature Charles Kellerman for Date 10/30/79

Checked by DBS Date 12/4/79

Approved by Rebyn Date 3/4/81

ACTION

N OWNER LAST NAME - CITY OF MIDDLETON

N ADDRESS LINE 1 - CITY HALL

N

CITY - MIDDLETON

STATE - ID ZIP CODE - 83644

N SOURCE - GROUNDWATER

N STAGE - PERMIT

PRIORITY - 03-19-1978 COUNTY - CANYON

TOTAL DIV. RATE - 1.2400CFS

N DIVERSION POINT - 05 04W 02W LOT 02

06 04W 02W LOT 04

N FROM - 01-01 TO - 12-31 USE - MUNICIPAL

USE DIV. RATE - 1.2400CFS

N REMARKS - REINSTATED 6-18-1979.

N P/U WITHIN CITY LIMITS OF MIDDLETON.

N OTHER RIGHTS FOR SAME USE - 63-8704.

N PROOF DUE - 06-01-1979 PERMIT/DENIED - 05-10-1978

N PROOF MADE - P COND. OF APPROV - 01A 04

N DIVERSION MEANS - WELL, PUMP & PIPELINE.

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. _____

Old No. _____

New No. _____

163-9128

Record

1. Original Owner: _____

City of Middleton

Present Owner: _____

2. Address: _____

City Hall

3. City: _____

Middleton

State: ID

zip: 83644

4. A. Source of Water: _____

GW

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): _____

P

B. Status (D,L,R,C,A,I,F - leave blank if valid): _____

C. Priority Date: 3-19-1978

D. County: 21

E. Total Diversion Rate: 1.24

F. Total Diversion Volume: _____

G. Transfer/Amendment (P,T of A or blank): _____

H. Water District: _____

I. DLE/Carey Act (D,C or blank): _____

J. Right Basis (for adjudication claims A,B,C only): _____

6. A. Point of Diversion

Tract

Sec.

Twp.

Rge.

Gov't

Lot

Rediv.

5

4N

2W

2

6

4N

2W

4

7. Period of Use, Use, Diversion Rate/Volume:

from 1-1 to 12-31 for M purposes.

Amount 1.24
(cfs or AC-Ft/yr)

from _____ to _____ for _____ purposes.

Amount _____

from _____ to _____ for _____ purposes.

Amount _____

from _____ to _____ for _____ purposes.

Amount _____

from _____ to _____ for _____ purposes.

Amount _____

from _____ to _____ for _____ purposes.

Amount _____

from _____ to _____ for _____ purposes.

Amount _____

CSA 9-14-79

8. Use Code:

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. Reinstated 6-18-1979.
B. P/U within city limits of Middleton.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use: 63-8704.

13. A. Proof Due Date: 6-1-1979

B. Date Permit Approved or Denied: 5-10-1978

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank): P

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: OIA, 04

14. Diversion Means (brief narrative): well, ~~flow~~ pump & pipeline.



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

June 18, 1979

City of Middleton
City Hall
Middleton, ID 83644

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our regional office in Boise. (384-2190)

Sincerely,

RITA FLECK
Water Rights

Enc: Reinstatement order

100-437887

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUL 13 1978

PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of permit holder City of Middleton
b) Post office address City Hall, Middleton, Idaho
2. Permit number 63-9128
3. Date of priority that you are prepared to establish 3-17-78
4. a) Source from which water was appropriated Well
b) Location of the point of diversion: Gov. Lot 2 Section 5
Township 4N, Range 2W Boise Meridian. Other points of diversion: _____
Gov. Lot 4, Section 6, T4N, R2W, B.M.
5. a) The amount of water and use to which the water has been applied:
Amount 1.24 CFS for Municipal purposes from Jan. 1 to Dec. 31 incl.
(cfs &/or acre-feet per annum) Domestic & Fire Fighting (month-day) (month-day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
b) Total amount appropriated _____ cfs and/or acre-feet per annum.
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement:
Flow was with permanently installed in line flowmeter in the pump discharge lines
measured
at a storage tank water level of 7 feet by Adren R. Kroeger P.E.
6. If the means of diversion and conveyance are owned by someone other than the permit holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement of understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch):
50 hp turbine pump with 8" discharge, 16" well casing, 375' well and a 100 hp
turbine pump with a 10" discharge, 16" well casing, 475' well, both pumps discharge
into 12" lines connected to city water mains.
b) Describe the provision for making a measurement which you have at your point of diversion:
(i.e., installed measuring device, access port, other)
Installed flowmeter

6/15/79 af

c) Give well driller's name and address and the date the well was completed: Pete Cone Drilling Co. Inc.
10566 K Bar R Drive, Boise, Idaho

Well No. 4 completed by Nov. 28, 1977 (including test pumping)

Well No. 5 completed by December 5, 1977 (including test pumping)

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

Water is for Domestic use and fire fighting and is used in the City limits of Middleton,
Idaho

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: Permanent Pumping facilities completed the last of May 1979

and final flow measurements completed the first week of June.

The above information is a true statement of the extent to which the above numbered permit has been developed.

6-6-1979

(Date)

Alice M. Lanning
Mayor (Signature)

State of Idaho)
County of Canyon) ss.

On this 11th day of June, 19 79, personally appeared before me the
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Walter J. Bunnell
Notary Public
Residing at Caldwell

My commission expires 12-13-81



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

CERTIFIED MAIL

100776

March 30, 1979

Re: Permit No. 63-9128

City of Middleton
City Hall
Middleton, ID 83644

Gentlemen:

One of the conditions of approval of your water Permit No. 63-9128 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before June 1, 1979. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect.


RITA FLECK
Water Rights

Encl: Proof affidavit

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State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

NOV 22 1979

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition should be less restrictive and provide more flexibility to you in the development of your water right system. The specifications related to the size and location of the access port will be available upon request from the Department, as soon as the Department's measuring equipment is obtained.

If you have questions regarding this matter, please contact this office or our regional offices.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:JG:kw

Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

May 15, 1978

Re: Permit No. 63-9128

City of Middleton
City Hall
Middleton, ID 83644

Gentlemen:

Your approved copy of Application for Permit No. 63-9128 is enclosed and we direct your attention to the conditions of approval on the fourth page.

Please note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. Enclosed is a letter describing the different types of measuring devices accepted by this Department.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit.

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However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

ENCLOSURE

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 63-9128

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) W/m 3-20-78

In form to receipt

(2) if 3-27-78

Send Copies to:

☒ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

(3) _____

☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant

(4) W/m 3-20-78

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) if OK

Affidavit of Publication received(date) Apr-10, 1978

(12) _____

Final date for protests Apr-17, 1978
Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or applicant: yes ☒ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

3-17-78 Proposed Priority

Reason for Reduction _____

☒ Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District W

By W/m Date 4/17/78

Right-of-way
clause.
RECEIVED
APR 19 1978
Department of Water Resources
MICROFILMED



STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

Division of Environment
801 Reserve Street
Boise, ID 83702

March 29, 1978

MEMORANDUM

TO: David B. Shaw

FROM: Frank Keller

RE: Application for permit numbers:

1. 63-S-268 Loggers Creek Crossing
2. 63-S-273 Boise River bridges (I-80N)
3. 63-S-270 Bank erosion control (Boise River)
4. 67-S-119A Gravel bar removal (Weiser River)
5. 78-S-60 Land adjacent to the Little Salmon
6. 63-S-272 State of Idaho Dept of Lands
7. 63-S-274 Bank erosion control (Mores Creek)
8. 63-S-278 did not receive
9. 63-9128 City of Middleton wells
10. 67-7377 City of Cambridge well

On items 1 through 4 and 6 and 7 we are concerned with minimizing the turbidity increase of the stream. With the methods proposed, we have no objection.

On item 5 we have no comment.

Item 8 was referred to but not included. We have reviewed plans and specifications for the wells referred to as items 9 and 10 and have no objection.

Frank Keller

FK/ds

MICROFILMED

March 27, 1978

Re: Application for Permit No. 63-9128 -- City of Middleton
67-7377 -- City of Cambridge

Mr. Frank Keller
Department of Health & Welfare
Statehouse Mail
Boise, ID 83720

Dear Mr. Keller:

Enclosed is a copy of each of the above referenced applications for permit which may be of interest to your agency. Please review the applications and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter.

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

Yours truly,

DAVID B. SHAW
Western Regional Supervisor

DBS:rf

Enc.

ENCLOSURE



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

March 27, 1978

City of Middleton
City Hall
Middleton, ID 83644

Gentlemen:

Enclosed is your Receipt No. 11008 in the amount of \$35.00
for Application for Permit No. 63-9128 which was received in
this office on March 20, 1978.

Sincerely,

RITA FLECK
Secretary

RF

Enclosure

MICROFILMED



DEPARTMENT OF WATER RESOURCES

WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

March 24, 1978

Re: No tice of Application for Water Permit No. 63-8127 -- City of Middleton
63-9128 -- Delmar Cloud

News-Tribune
P. O. Box 1179
Caldwell, ID 83605

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before April 17, 1978.

Sincerely,

RITA FLECK
Secretary

Bill submitted
4-12-78
Jy

MPD-11-MFD

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that CITY OF MIDDLETON
City Hall, Middleton, Idaho
has on March 17, 1978 submitted Application No. 63-9128
for a permit to appropriate 1.24 cubic feet per second ~~annexed~~
per annum of water from groundwater sources
XXXXXXXX by means of wells and pumps
within the Government Lot 2, Sec 5; Government Lot 4 Sec 6 T4N-R2W B.M.
Canyon County
to be used from Jan 1 to Dec 31
for municipal purposes
within the city limits

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before April 17, 1978.

C. STEPHEN ALLRED

Director

Published in the News-Tribune, Caldwell, ID
on March 30, 1978 and April 6, 1978.

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