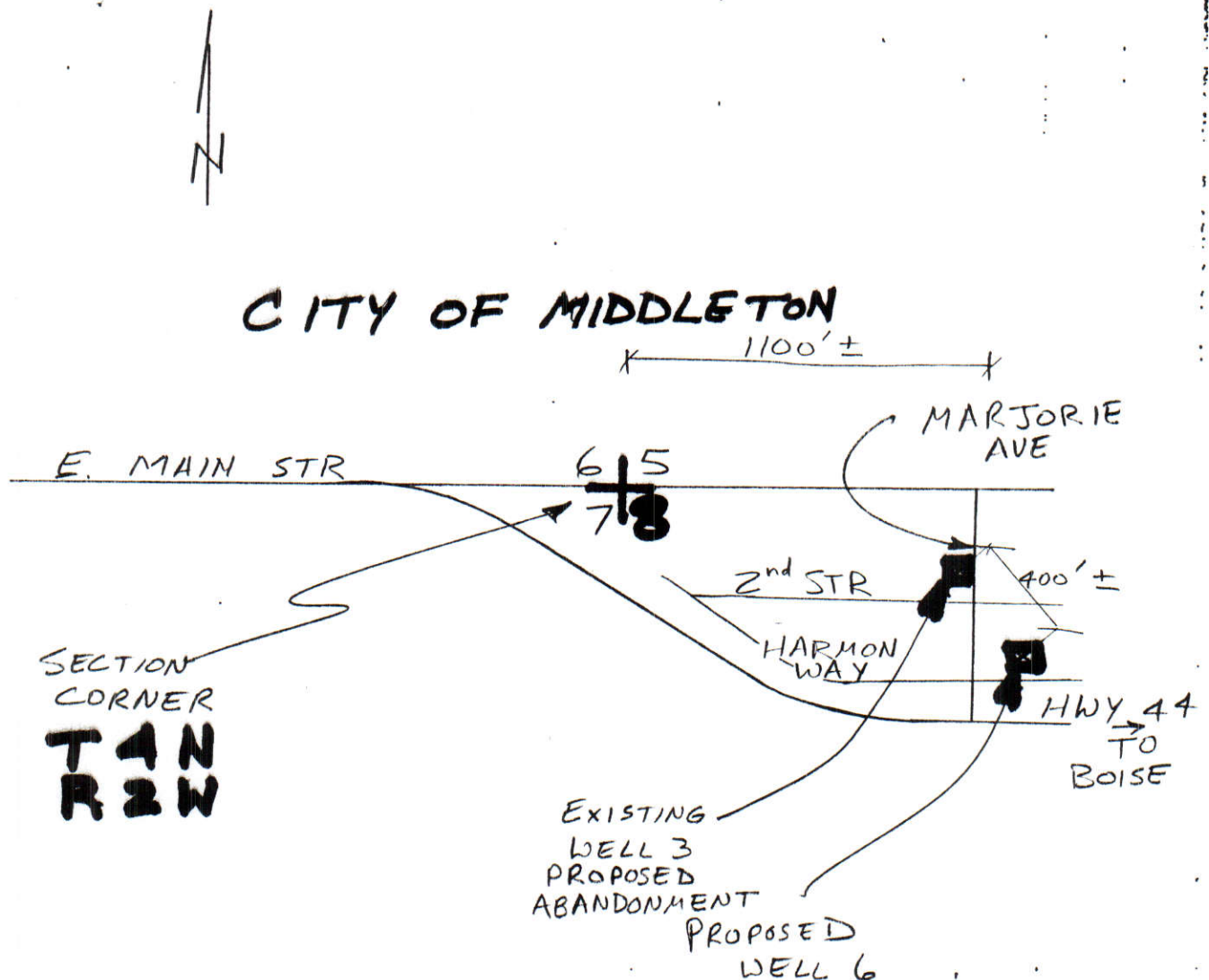


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



MICROFILMED

JUL 23 1993

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

Township 4 North, Range 2 West of the Boise Meridian

township 4 North, range 2 west of the Boise Meridian

•
Proposed well

Section 8

RECEIVED

JUN 14 1976

AFFIDAVIT OF PUBLICATION Department of Water Resources

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

Verla Harker
of Caldwell, 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.

2. That I am the Principle Clerk of the News-Tribune, a daily, (except Sunday) newspaper published in the City of 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 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

Two Times 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:

June 3, 10, 1976

Verla Harker

Subscribed and sworn to before me this

10th day of June, 19 76

Adam D. Law

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that City of Middleton, City Hall, Middleton, Idaho has on May 20, 1976 submitted Application No. 63-8310 for a permit to appropriate 2.0 cubic feet per second of water from ground-water by means of 24" diameter well & pump within the NW 1/4 NW 1/4, Sec 8, T4N-R2W, B:M., Canyon County to be used from Jan. to Dec. 31 for Municipal Water Supply within the Middleton 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 Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before June 21, 1976.

R. KEITH HIGGINSON
Director
June 3, 10, 1976.

OK
6-14-76
RB

RECEIVED

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

Mary B. Scott

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 eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and 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

Two Times
—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:

May 5, 12, 1993

Mary B. Scott

STATE OF IDAHO)
)
COUNTY OF CANYON)

On this 12th day of May in the year of 1993, before me, a Notary Public, personally appeared Mary B. Scott, 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 he/she executed the same.

Janet Leach
Notary Public for Idaho
Residing at Nampa

MY COMMISSION EXPIRES
JUNE 21st, 1997

MICROFILMED

JUL 28 1993

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NOS. 63-08310 and A63-22363

Notice is hereby given that the City of Middleton, Idaho has applied to the Department of Water Resources to change the following described water right(s) pursuant to section 42-222 of Idaho Code.

WATER RIGHT AS RECORDED

Water Right No. 63-08310
Basis License
Date of Priority 7/21/1976
Source Groundwater
Amount 0.67 cfs
Use Municipal
Point of Div NWNW S8 T04N R02W
Place of Use Within the city limits of Middleton

WATER RIGHT AS CLAIMED IN THE SNAKE RIVER BASIN ADJUDICATION

Water Right No. A63-22363
Basis Beneficial Use
Date of Priority 10/16/1919
Source Groundwater
Amount 4.0 cfs
Use Municipal
Point of Div Lot 2 (NWNE) S5,
Lot 4 (NWNW) and SWSE S6,
NWNE S7, NWNW S8,
all in T04N R02W
Place of Use Within the city limits of Middleton

THE FOLLOWING PORTION OF WATER RIGHT NOS. 63-08310 and A63-22363 TO BE CHANGED AS FOLLOWS

Point of Div NWNENW S8
T04N R02W
Proposed as City Well No. 6, to replace
City Well No. 3, with a total expected
production rate of 1.34 cfs.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before May 17, 1993.

R. KEITH HIGGINSON, Director
May 5, 12, 1993

RECEIVED

MAY 13 1993

Department of Water Resources
Western Regional Office

*Delay further processing
until 24 May to allow
a full protest period.*

DNr

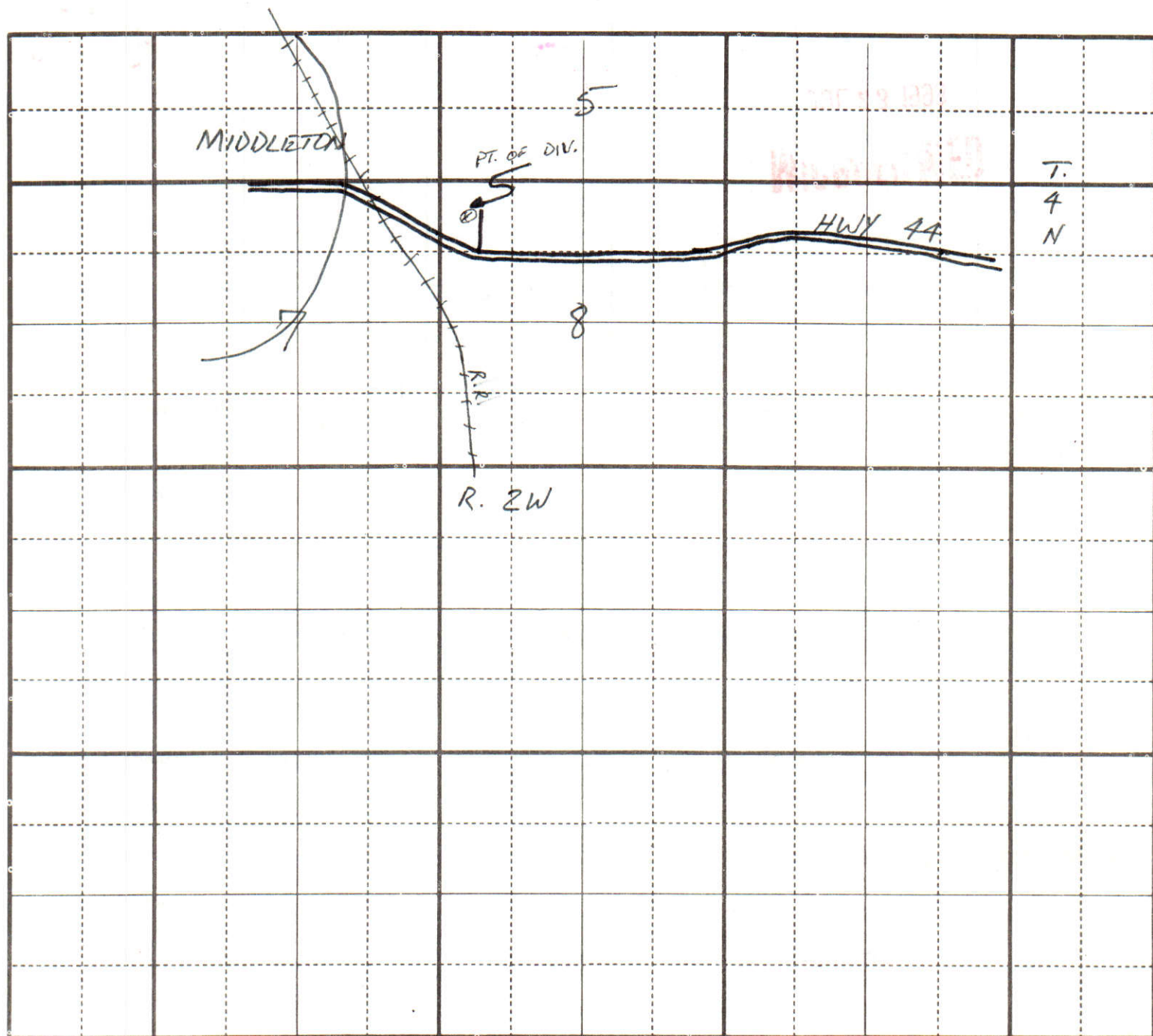


Diagram of System

MICROFILMED

JUL 23 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4121
WATER RIGHT NO(S). 63-08310/63-22363

This is to certify that: CITY OF MIDDLETON
PO BOX 176
MIDDLETON ID 83644

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
Right No. 63-08310 :		
MUNICIPAL	01/01 to 12/31	0.67 CFS
Priority: 07/21/1976		
Right No. 63-22363 :		
MUNICIPAL	01/01 to 12/31	4.00 CFS
Priority: 10/16/1919		

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

Lot 2(NWNE), Sec. 5, Township 04N, Range 02W
Lot 4(NWNW), Sec. 6, Township 04N, Range 02W
SWSE , Sec. 6, Township 04N, Range 02W
NWNE , Sec. 7, Township 04N, Range 02W
NENW , Sec. 8, Township 04N, Range 02W
CANYON County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

MIDDLETON

JUL 23 1993

TRANSFER NO. 4121
WATER RIGHT NO(S). 63-08310/63-22363

CONDITIONS/REMARKS:

3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Place of use is located within the city limits of Middleton.
5. The total combined rate of diversion under Right Nos. 63-08310 and 63-22363 shall not exceed 4.0 cfs.

Dated this 9th day of July, 1993.

J. Glen Saylor
Chief, Water Alloc. Bureau

MICROFILMED

JUL 23 1993

RECEIVED

— 550 —

03/23 UN 044883

208 327 7800

ID WATER RESOURS

APR - 6 1993

002

Department of Water Resources

Department of Water Resources

Page 1 of 8

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4121

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant City of Middleton Phone 585-3133

Post Office address P.O. Box 176, Middleton, ID 83644

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Existing well location is 50' +/- from an existing sewer main and a new location about 400' S, SE would best fit the City's needs now, and in the future, regarding current and future regulations.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>A63-08310</u>	<u>7/21/1976</u>	<u>1.34 cfs .67</u>	<u>Municipal</u>	<u>1/1 to 12/31</u>
<u>A63-22363</u>	<u>10/16/1919</u>	<u>4.0 cfs</u>	<u>Municipal</u>	<u>1/1 to 12/31</u>
		**		

2. Total amount of water being transferred 4.0 cubic feet per second and/or 1.34 acre-feet per annum. **** expected production rate of well 6 is 1.34 gfs**

3. Source of water Groundwater tributary to

4. Point(s) of Diversion:

* P/D only one of 5 on A63-22363

[illegible]

5. Lands irrigated or place of use: Municipal

[illegible]

Total acres N/A

Page 2 of 8Transfer No. 4122

PART 1

6. General Information:

a. Description of diversion system New Well

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

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

N/A for Municipal use

d. Remarks:

None Well 3, NWNW Sec 8, is proposed to be abandoned. 1.34 cfs represents only the total anticipated production rate of new well #6.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

MICHAEL J. [Signature]

JUL 23 1993

Figure 1.23

Page 3 of 8

Transfer No. 4122

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. N/A Decreed to N/A
In case of N/A vs. N/A
dated N/A in N/A county of N/A

b. Licensing No. 63-8310 Issued by the Idaho Department of Water Resources.

SRBA Claim No. N/A 463-8310 on file with the Idaho Department of Water Resources.

d. Transfer No. N/A which produced this right.

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

 γ_A **☐ Tax Notice**☐ **Warranty Deed**

☒ Other City property

3. Source of water groundwater tributary to _____

4. Date or priority 7/21/1976

5. Water is used for the following purpose:

amount .67 cfs for Municipal purposes from 1/1 to 12/31

(cfs/ac-ft) _____

amount _____ for _____ purposes from _____ to _____
(date/ac-ft)

amount _____ for _____ purposes from _____ to _____

6. Total amount of water under right .67 cubic feet per second and/or - acre-feet per annum.

7. Point(s) of Diversion:

[illegible]

8. Lands irrigated or place of use:

[illegible]**Total acres**

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

63-9128, 63-8704 (other City Wells)

A03-22363

Page 4 of 8

PART 2

Transfer No. 4222

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED NA

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

PART 2

(Attach one copy for each right)

1. Right evidenced by:

b. License No. _____ issued by the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water groundwater tributary to _____

4. Date or priority 10/16/1919

5. Water is used for the following purpose:

amount 4.0 for MUNICIPAL purposes from 1/1 to 12/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 4.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
2		NW	NE	5	4N	2W	Canyon	
4		NW	NW	6	1	1	1	
		SW	SE	6	1	1	1	

8. Lands irrigated for use of:

WELL #3 - TO BE REPLACED *

[illegible]**Total acres**

9. Describe any other water rights used for the same purpose as described above 63-3298, 3545,
8310, 8704, 9128 - other city wells

PART 2

Transfer No. _____

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

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

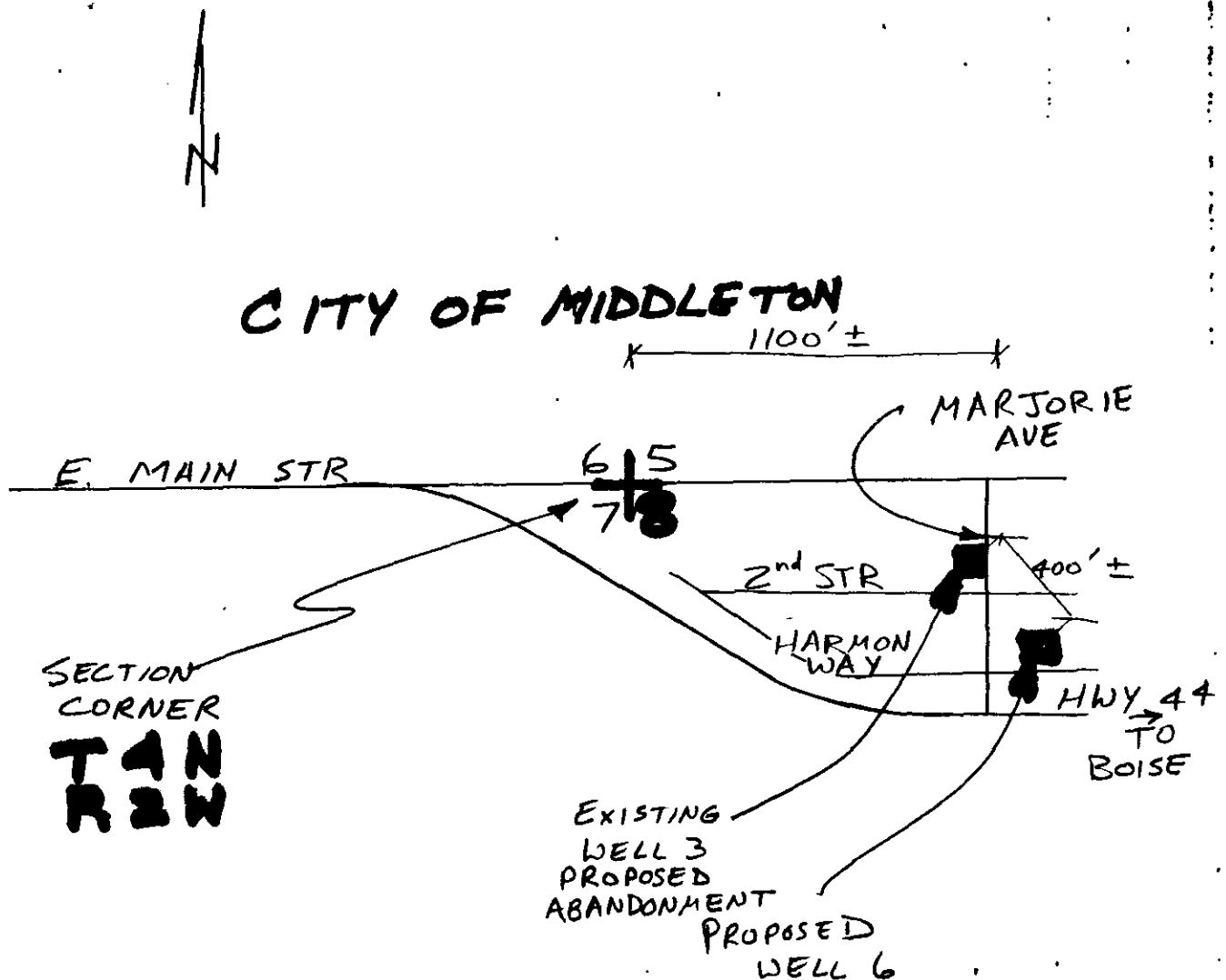
Total acres _____

MICROFILMED

JUL 23 1993

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

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



RECEIVED

JUL 23 1993

Page 8 of 8Transfer No. 4222

PART 3

B. CHANGES IN NATURE OF USE

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

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

N/A

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

None

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

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

X. J. D. Swigert
(Signature of Applicant)

Subscribed and sworn to before me this 2nd day of April, 1993.

Val Jean Bunnell
(Notary Public)

My commission expires 12/26/97

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by J. Carlson Date 4/6/93

Protest filed by _____

Prattm. check by CJH Fee 50

Received by COE225 Date 4/15/93

Published in Press Tribune

Copies of protest forwarded by _____

Pub. dates 5-5 & 12, 1993

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☒ approval ☐ denial

_____ rec'd. _____

by DRC

Copy of transfer sent to lien holder _____

RECORDED

JUL 23 1993

State of Idaho
Department of Water Resources



WATER RIGHT LICENSE

License No. 63-8310 Priority 7/21/1976 Amount .67 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. 63-8310 issued pursuant to Application for Permit dated 5/20/1976, and has
submitted proof to the Department of Water Resources on 8/14/1978, 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 .67 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
.67 CFS	N/A	Municipal	1/1 to 12/31

Location of point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, Twp. 4N, Rge. 2W, B.M., Canyon County

Location of place of use:

TWP.	RGE.	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres irrigated _____

NOTE: Modifications to or variance from the use of water as shown on this license must be made in accordance with Section 42-222, 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 of the State of Idaho this 3 day of March, 1981.

FILED

JUL 20 1993

Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 63-8310)
IN THE NAME OF CITY OF MIDDLETON)

ORDER OF REINSTATEMENT

WHEREAS, on May 20, 1976, the City of Middleton filed with the Department of Water Resources for an application for permit to appropriate 2.00 cubic feet per second of water from a groundwater source to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8 Twp. 4N, Rge. 2W B.M., Canyon County, to be used for domestic purposes; and,

WHEREAS, on June 25, 1976, the Department approved said application and issued Permit No. 63-8310 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before July 1, 1977; and,

WHEREAS, on June 27, 1977, the Department received and granted a request for an extension of time until July 1, 1978; and,

WHEREAS, on April 28, 1978, the Department notified the permit holder by certified mail that proof of beneficial use of water was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on July 1, 1978, the permit lapsed for failure of the permit holder to submit proof of beneficial use of water; and,

WHEREAS, the Idaho Code, Section 42-218a 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 August 14, 1978;

WHEREAS, on September 28, 1978, the proof of beneficial use was returned to the permit holder to be notarized and was returned on October 16, 1978;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 63-8310 be REINSTATED and the priority advanced to July 21, 1976.

Dated this 15th day of November, 1978.


L. GLEN SAXTON

Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR EXTENSION OF TIME

RECEIVED

JUN 27 1977

Department of Water Resources

State of Idaho)
County of Canyon)

Permit No. 63-8310

City of Middleton of City Hall, Middleton
(name) (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to
Appropriate the Public Waters of the State of Idaho No. 63-8310.

That under the terms and conditions of said permit, work thereunder was required
to be completed on or before July 1, 1977.

That he has heretofore performed the following work described under said permit:
The well has been drilled and the pipe line laid. The pump has been
purchased.

Costing \$ 20,000.00

That he is unable to complete the remainder of the work within the required time for
the following reasons, to-wit: We are unable to get the electric line installed
in time to meet the completion date.

Wherefore, he asks that the Department of Water Resources extend the time for the
completion of obligations under said permit to July 1, 1978.

City of Middleton, Idaho

By: Melvin V. Davenport
(signature) * City Engineer

Subscribed and sworn before me this 24th day of June, 1977.

Seal

Nancy A. Campbell
Notary Public residing at
EMMETT, IDAHO

My commission expires 8-10-77

ACTION OF THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED
and the time within which to submit proof of beneficial use of water is extended
to July 1, 1978.

Witness my hand this 5 day of July, 1977.

Bobby D. Flansburg
Chief, Operations Bureau

IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available
through the Department of Water Resources, Statehouse, Boise, Idaho 83720.

Identification No. _____

Application No. 63-8310

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, Idaho Phone: 585-6511
post office address City Hall, Middleton, Idaho
2. Source of water supply Well which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 8 Township 4N
Range 2 W B.M. Canyon County; additional points of diversion if any: _____

- 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 2.0 cfs for domestic purpose from Jan 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum) water (Municipal Water Supply)
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. 2.0 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) 500 (Mo. Day)
- c. Proposed well diameter is 24 inches; proposed depth of well is 200 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 \$ 25,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: Within Middleton City Limits $\frac{1}{4}$ of _____ $\frac{1}{4}$ 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 Middleton, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

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 City
Water wells are in operation

9. a. Who owns the property at the point of diversion Willard Stevens
b. Who owns the land to be irrigated or place of use City of Middleton
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 Subdivision developer, Earl Harmon, who is the contract purchaser of the property

10. Remarks The well will be drilled for the City of Middleton, Idaho by Earl Harmon, The well will be turned over to the City after its completion. The well will be drilled under the direction of the Middleton City Engineer.

Included is a copy of the Plat of the Subdivision (Middleton Place) in which the well will be located with the proposed location (Block 4) indicated on the Plat. Title to Block 4 will be given to the City upon request by the City.

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

Township 4 North, Range 2 West of the Boise Meridian

Proposed well

Section 8

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.

Milton J. Brown
Mayor of Middleton Idaho

CITY OF MIDDLETON IDAHO

BY *Melvin V. Davenport*
(Applicant)

City Engineer

Proposed priority: 5/20/1976.

Received by DEB Date 5-20-76 Time 10:10 AM

Preliminary check by RWH Fee \$ 35.00

Received by RB Date 5-21-76 # 3798

Publication prepared by RB Date 5-27-76

Published in Boysen Tribune

Publication dates June 3 + 10

Publication approved RB Date _____

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RB

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. 63-8310, 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 JULY 1, 19 77.

c. Other: 1) A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

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

2. Denial of said application is for the following reasons: _____

Witness my hand this 25 day of June, 19 76.


Director

JUN 14 1976

AFFIDAVIT OF PUBLICATION Department of Water Resources

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

Verla Harker
of Caldwell, 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.

2. That I am the Principle Clerk of the News-Tribune, a daily, (except Sunday) newspaper published in the City of 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 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

Two Times 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:

June 3, 10, 1976

Verla Harker

Subscribed and sworn to before me this.....

10th day of June, 19 76

Adam D. Lane

Notary Public, Residing at Nampa, Idaho

OK
6-14-76
RB

IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

Use Typewriter
or
Ball Point Pen

1. DRILLING PERMIT NO. 63-94-W-1068 ²⁰⁰
Other IDWR No. 63-08318, 63-22363

2. OWNER: Replaces 63-93-C-0110-000
Name Middleton

Address PO Box 176
City Middleton State ID Zip 83644

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N					
	X				
S					

Twp. 4 North ☒ or South ☐
Rge. 2 East ☐ or West ☒
Sec. 8 NW 1/4 NE 1/4 SW 1/4 SE 1/4
Gov't Lot 10 County CARLE

Address of Well Site _____
City _____

(Give at least name of road + Distance to Road or Landmark)

Lt. 10 Blk. 15 Sub. Name Middleton
place

4. PROPOSED USE:

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

5. TYPE OF WORK

☒ New Well ☐ Modify or Repair ☒ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☐ Air Rotary ☒ Cable ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Bentonite	+1	25	30	Overtone
"	170	235	20 Sacks of Bentonite	
"	+30		Sacks of cement pumped in	

Was drive shoe used? ☐ Y ☐ N Shoe Depth(s) _____
Was drive shoe seal tested? Y ☐ N ☐ How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
13	+1	47	250		☒	☐	☒	☐
16	-25	80	250		☒	☐	☒	☐
10	+2	142	250		☒	☐	☒	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☐ Perforations Method _____
☒ Screens Screen Type Johnson Stainless Steel

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
142	162	25		10	SS	☒	☐
242	262	25		10	SS	☒	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

8 ft. above ground Artesian pressure _____ lb.
Depth flow encountered 62, 142, 162. Describe access port or control devices: Well Cap and Valve
Also flowing at 242 to 262

11. WELL TESTS:

☒ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
575	0 to 60	63	16 Hours

Water Temp. Less than 80 Bottom hole temp. _____
Water Quality test or comments: none

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
18	0	30	Gravel		
18	30	35	Sand		
18	35	45	Hard Brown Clay		
16	45	50	Hard Brown Clay		
	50	60	Brown Sand		
	60	70	Blue Clay		
	70	80	Brown Clay		
	80	90	Brown Sand		
	90	100	Brown Clay Mixed Sand		
	100	110	Brown Sand		
	110	115	Brown Clay		
	115	130	Coarse Sand		
	130	140	Clay		
	140	148	Brown Sand		
	148	150	Clay		
	150	160	Pea Gravel and Sand		
	160	165	Clay		
	165	170	Sand		
	170	195	Clay		
	195	200	Sand		
	200	220	Clay		
	220	225	Sand		
	225	240	Clay		
	240	243	Sand		
	243	265	Sand (Coarse)		
	265	267	Blue Clay		

RECEIVED

JUN 24 1996

WATER RESOURCES
WESTERN REGION

Completed Depth 267 (Measurable)
Date: Started 3-16-95 Completed 6-2-95

13. DRILLER'S CERTIFICATION

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

Firm Name KNIE WELL DRILLING Firm No. 417

Firm Official Mike Knie Date _____

and _____

Supervisor or Operator Brad Renner + Mike Knie Date _____

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

IDAHO DEPT
WI

1. DRILLING PERMIT NO. 63-94-1068-800
Other IDWR No. _____

2. OWNER
Name Middleton
Address Pc Box 176
City Middleton State Id Zip 83644

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.



Twp. 4 North ☒ or South ☐
 Rge. 2 East ☐ or West ☒
 Sec. 8 NW 1/4 NW 1/4 NW 1/4
 Gov't Lot _____ County Carbon

Address of Well Site _____

City _____

(Give at least name of road + Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. PROPOSED USE:

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

5. TYPE OF WORK

☐ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☐ Air Rotary ☐ Cable ☐ Other_____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Native Sand	142	162		
8-T2 Sand	235	267	60 sacks	
Cement	-25	135	8 yards	pumped

Was drive shoe used? ☐ Y ☐ N Shoe Depth(s) _____

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

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
10	162	242	250		☒	☐	☒	☐
10	262 $\frac{1}{2}$	267	250		☒	☐	☒	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☐ Perforations Method _____

☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

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

11. WELL TESTS:

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time

Water Temp. _____ Bottom hole temp. _____

Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Water

[illegible]

Completed Depth _____ (Measurable)

Date: Started _____ Completed _____

13. DRILLER'S CERTIFICATION

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

Firm Name _____ Firm No. 90

Firm Official [Signature] Date

and

Supervisor or Operator _____ Date _____

(Sign once if Firm Official & Operator)



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 12, 1993

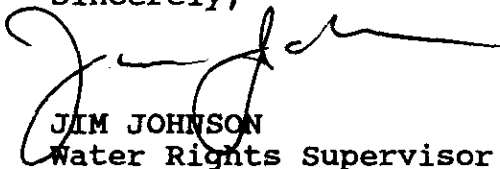
CITY OF MIDDLETON
PO BOX 176
MIDDLETON ID 83644-0176

RE: Transfer of Water Right Nos. 63-08310/63-22363

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 4121). Please be sure to thoroughly review the "CONDITIONS/REMARKS:" as listed on the transfer.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

MIDDLETON
JUL 28 1993

TRANSFER REVIEW SHEET

Transfer # 4121

Date Reviewed 7-8-93 28

Right(s) 63-08310 (Water Right License)

A63-22363 (ADJ Claim)

☒ Change P/D ☒ Add P/Ds ☐ Change P/U ☐ Change Use

Proof of Ownership NA

Transfer ☒ All of Right ☐ Portion of Right (Part B ☐)

Resulting Split(s) NONE

Check Transfer Against Right

(1) ☒ Priority (2) ☒ Use (3) ☒ Season (4) ☒ Rate (5) ☒ Volume

(6) ☒ Source (7) ☒ P/D (8) ☒ P/U (9) ☒ Proof/Owner (10) ☒ Map

(11) NA Water District (12) NO Pertinent Conditions (13) NO Expansion

(7) Drop (Abandoned) NW1/4, S8 + Add NE1/4, S8 - All P/Ds on both rights -
(10) Map showing new p/d

Combined rights shall not exceed 4.0 cfs (WBI)
Transfer Remarks Municipal use within city limits of Middleton

Conditions 046, T08, T09

Database/Processing Notes Create "T" file for 63-08310 + "X" file for A63-22363
Edit 63-08310 after approval to show individual conditions

Database updated 7-13-93 28

WR0749NP
No. T63-08310

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 07/08/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF MIDDLETON PO BOX 176 MIDDLETON ID 83644 (208) 585-3133	07/21/1976	MUNICIPAL	01-01 12-31	0.67 CFS	
TOTAL DIVERSION:					0.67 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T04N R02W S05 Lot 02(NW NE)
S06 Lot 04(NW NW) SW SE
S07 NW NE
S08 NE NW

Pou County:

Non-Irrigation Uses: D/MUNICIPAL.

Conditions of Approval:

- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks: Place of use is located within the city of Middleton.
The total combined rate of diversion under Right No. 63-08310 and Right No. 63-22363 shall not exceed 4.0 cfs.

Dates: App. Received: Priority Date: 07/21/1976
Proof Due Date: 07/01/1978 Proof Made Date: 01/01/1900
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 04/12/1982

Misc: Water District Number: Field Exam Fee:

Comments: Date: 07/08/1993 User-ID: SKAGGS Subject: TRANSFER #4121
Transfer #4121 was filed to change a point of diversion on Snake River Basin Adjudication Claim A63-22363, and change and add points of diversion to Right 63-08310. The approved transfer of SRBA claim 63-22363 will be carried on the water rights database

WR0749NP
No. 163-08310

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 07/08/93
PAGE: 2

=====

Comments: Date: 07/08/1993 User-ID: SKAGGS Subject: TRANSFER #4121
with an X prefix pending the conclusion of the adjudication.

Audit: 07/08/93 SKAGGS

RECEIVED

JUN 04 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

CJH

Department of Water Resources 63-8310Applicant City of Middleton2. Type of right: ☐ Decree ☒ License ☒ Claim3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Other _____

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of useb. ☒ Description of original point of diversion.c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☐ All of right.b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).c. ☒ Check description of point(s) of diversion.d. ☒ Check description of place of use.e. ☒ Check map (shows p.d. and p.u. after transfer).f. ☒ Check for correct signature, notarization, and fee.g. ☒ Check proof of ownership of right &/or land from which water is transferred. Use w/in city limitsh. ☒ Check for expansion in use of right. Comments None. Original well to be abandoned.i. ☒ Check for existing water rights from same source, on land water is being transferred to.Right number(s) 63-4426 GW Domestic - Separate usej. ☒ Is use within a Watermaster District? ☐ Yes ☐ NoIf yes, what district? _____ Comment letter sent ☐ Yes ☐ NoFINAL PROCESSING REVIEW BY: DR

1. Watermaster recommendation requested on _____ Received on _____

2. Is transfer published correctly? ☒ Yes ☐ No3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☐ Approve2. ☐ Deny

3. Conditions* _____

4. By DRDate 5/28/93

* All uses within Watermaster Districts require special conditions.

RECEIVED
JUN 03 1993

Department of Water Resources

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	COUNTY
63-93-C-0110-000	0	CITY OF MIDDLETON PO BOX 176 MIDDLETON, ID 83644	04N	02W	08	NW NE NW		CANYON

Subdivision Location and Description:

Subdivision Name:
Well Site Address:
City, State:Lot(s):
Block(s):

Geographic Location:

Accuracy Code:
Lat: : : N
Long: : : W

Proposed Use of Well: Non-Domestic

Proposed Casing Diameter: 16 In.

Proposed Depth: 475 Ft.

Well Use Comments:

Driller License No: 0417

Firm Name: KNIE WELL DRILLING
Official: MIKE KNIE

Permit Status: Permit

Verbal Issue Date:
Date Received: 02/10/1993
Date Approved: 05/25/1993
Proposed Start Date: 05/26/1993
Extension Date:
Extension Expiration:Receipt No. Receipt Date Fee
C027225 04/15/1993 \$ 250.00

Specific Conditions: 10. THE WELL MUST BE LOCATED AT LEAST 500 FT. FROM ANY EXISTING WELL. WELL SPACING CLOSER THAN 500 FT. MUST BE APPROVED BY THE DEPT. OF WATER RESOURCES PRIOR TO CONSTRUCTION.

11. THE UPPERMOST UNCONFINED AQUIFER SHALL BE ENTIRELY SEALED.

12. THE SCREEN, PERFORATED, FILTERPACKED OR OTHERWISE OPEN AND COMMINGLED STRATA, SHALL NOT EXCEED 25% OF THE TOTAL WELL DEPTH, AS MEASURED FROM THE BOTTOM OF THE OPEN INTERVAL(S) TO THE TOP OF THE OPEN INTERVAL(S).

13. THE DEEPEST CASING STRING (PRODUCTION CASING) SHALL BE SEALED INTO THE CONFINING LAYER ABOVE THE UPPERMOST OPEN INTERVAL AND TESTED FOR SEAL INTEGRITY.

14. SEALING MATERIAL SHALL CONSIST OF A HIGH SOLIDS BENTONITE, (>30%) OR A CEMENT GROUT WITH ADDITIONS OF SODIUM CHLORIDE, SILICA FLOUR OR 200 MESH

Permit Remarks: WE HAVE REVIEWED THE CITY OF MIDDLETON WELL PROPOSAL WITH THE PROSPECTUS DESCRIBING THE FOLLOWING: SET 18" - 3/8" SURFACE CASING TO 80' WITH A MINIMUM OF 20' OF SEAL. PLACE 12" - 1/4" PRODUCTION CASING WITH 20' OF 12" #40 SLOT SCREEN TO T.D. THE BOTTOM OF THE SCREEN WILL BE SET AT 190'. THE 12" CASING WILL HAVE SPACERS SET AT 1/3 POINTS ON EACH SOLID CASING SECTION.

1. THE UPPERMOST UNCONFINED AQUIFER SHALL BE THOROUGHLY SEALED.

2. THE SCREENED, PERFORATED, FILTERPACKED OR OTHERWISE OPEN AND COMMINGLED STRATA SHALL NOT EXCEED 25% OF THE TOTAL WELL DEPTH AS MEASURED FROM THE BOTTOM OF THE OPEN INTERVAL (S) TO THE TOP OF THE OPEN INTERVAL (S). IF HOWEVER THROUGH GEOPHYSICAL LOGGING OF THE WELL IT CAN BE DEMONSTRATED THAT THE AQUIFERS TO BE PRODUCED FROM ARE UNDER SIMILAR HYDRAULIC HEAD AND QUALITY THIS MAY BE WAIVED AND A GREATER OPEN (SCREENED OR FILTERPACKED SECTION) MAY BE APPROVED.

MICROFILMED

JUL 23 1993

WELL DRILLING PERMIT NAME INDEX: Permit No. 63-93-C-0110-000 (cont'd)

Permit Remarks: 3. THE DEEPEST CASING STRING (12" PRODUCTION CASING) SHALL BE SEALED INTO THE CONFINING LAYER ABOVE THE UPPERMOST OPEN INTERVAL. DEPENDING ON SEAL PLACEMENT MATERIAL AND METHOD ONE OF THE FOLLOWING SHOULD BE INCORPORATED INTO THE PROSPECTUS.

4. IF ANNULAR SEAL OF BENTONITE IS TO BE UTILIZED A HIGH SOLIDS (>30%) BENTONITE GROUT SHALL BE PUMPED FROM THE BOTTOM UP.

5. IF A CEMENT GROUT IS INTENDED, ADDITIVES WILL BE USED TO CONTROL FLUID LOSSES AND SHRINKAGE. MIX WATER QUALITY AND QUANTITY SHALL FOLLOW MANUFACTURERS SPECIFICATIONS PAYING CLOSE ATTENTION TO CEMENT GRIND AND WATER RATIOS, ELIMINATING FREE H2O. THE USE OF BENTONITE TO REDUCE HYDRAULIC CONDUCTIVITY SHALL NOT EXCEED 4% AND SHALL BE PREHYDRATED PRIOR TO MIXING. SILICA FLOUR OR 200 MESH SILICA SAND SHALL BE USED IN A RATIO OF 30-50% TO REDUCE PERMEABILITY AND INCREASE THE STABILITY OF THE GROUT. THE USE OF NACL SHOULD BE USED TO REDUCE FLUID LOSS BUT RETARDING AND ACCELERATION PROPERTIES SHALL BE TAKEN INTO ACCOUNT WITH MIXING RATIOS. NACL SHOULD NOT EXCEED 2% BY VOLUME.

6. A 50% EXCESS OF SEAL MATERIALS SHALL BE ON HAND IN THE EVENT OF LOST CIRCULATION WHETHER BENTONITE OR CEMENT IS USED. IF THE SEAL MATERIAL DOES NOT MAKE IT BACK TO THE SURFACE, PERFORATION AND SQUEEZING OR TREMEIEING AT THE TOP OF THE TAGGED LOCATION OF SEAL SHALL BE UNDERTAKEN.

7. ANOTHER MEANS OF SEAL PLACEMENT OR SEAL MATERIAL MAY BE APPROVED AFTER REVIEW BY THE DEPARTMENT OF WATER RESOURCES. THE PROJECT ENGINEER OR GEOLOGIST WILL BE ON SITE DURING SEAL

8. AS OF THE DATE THE WATER RIGHT TRANSFER FOR RTS (63-08310 & A63-22363) AND DRILLING PERMIT ARE NOT APPROVED FOR THIS WELL. DRILLING SHALL NOT COMMENCE UNTIL THIS APPROVAL IS RECEIVED. IF A SEPARATE WATER SUPPLY WELL FOR DRILLING FLUID IS TO BE INSTALLED, IT WILL BE PERMITTED UNDER SEPARATE APPLICATION AND ABANDONED PER COMMENT #9, BELOW.

9. IF THIS WELL OR A REPLACEMENT WELL SHOULD REQUIRE ABANDONMENT, A PROPOSAL WHICH MEETS IDAHO'S WELL CONSTRUCTION STANDARDS 3, 12, 1. SHALL BE SUBMITTED TO THE DEPARTMENT FOR APPROVAL PRIOR TO THE COMMENCEMENT OF ABANDONMENT.

WELL DRILLER'S LOG REPORT

Drilling Permit No: 63-93-C-0110-000 Water Right No: 63-08310
Injection Permit No:

Nature of Work: REPLACE

Construction Method:

Number of Monitor Wells:

Casing Diameter:	In.	Static Water Level:	Ft.	Actual Start Date:
Depth of Casing:	Ft.	Temperature:	F.	Well Finish Date:
Total Depth:	Ft.	Production Rate:	GPM	Log Received Date:
Screen Installed?				Certification Date:
				Field Inspection Date:

Inspector:

[Handwritten signature]

1993

CONVERSATION MEMORANDUM

DATE 5/25/93
FILE 63-08310NAME OF PARTY Vern Brewer 642-3304

TRANSFER

EMPLOYEE Steve LesterRE: EXPEDITED DRILLING PERMIT

Mr. Brewer works for Holladay Eng., consultant for City of Middletown.

Now that protest period for transfer has passed & no protests were received, an Expedited d.p. is requested.

I found out that S.O. prepared 63-93-C-0110-000 with conditions of approval & was told by Mark Shifka that d.p. could be approved at Region.

I told Mr. Brewer that permit was ready to be issued & that it would be mailed to applicant.

MICROFILMED

JUL 23 1993

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
 County of Canyon)

Mary B. Scott

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 eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and 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

Two Times
 -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:

May 5, 12, 1993

Mary B. Scott

STATE OF IDAHO)
)
 COUNTY OF CANYON)

On this 12th day of May in the year of 1993, before me, a Notary Public, personally appeared Mary B. Scott, 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 he/she executed the same.

Janet Lusk
 Notary Public for Idaho
 Residing at Nampa

MY COMMISSION EXPIRES
 JUNE 21st, 1997

RECEIVED

JUL 23 1993

Department of Water Resources
 Western Regional Office
 1313 1993

THE FOLLOWING NOTICE OF
 WATER RIGHT NOT IN COMPLIANCE
 AND ORDER TO BE CANCELED IN
 FAVOR OF THE STATE OF IDAHO
 PUBLISHED IN THE
 IDAHO PRESS-TRIBUNE
 MAY 5, 12, 1993

Any person who has been
 notified of the cancellation of
 a water right and who has not
 appeared in court to contest
 the cancellation of the water
 right, shall be deemed to have
 waived the right to contest the
 cancellation of the water right.

RECEIVED

Department of Water Resources
 Western Regional Office

Delay further processing
 until 24 May to allow
 a full protest period.

Dnr

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT NOS.
63-08310 and A63-22363

Notice is hereby given that the City of Middleton, Idaho has applied to the Department of Water Resources to change the following described water right(s) pursuant to section 42-222 of Idaho Code.

WATER RIGHT AS RECORDED

Water Right No.	63-08310
Basis	License
Date of Priority	7/21/1976
Source	Groundwater
Amount	0.67 cfs
Use	Municipal
Point of Div	NWNW S8 T04N R02W
Place of Use	Within the city limits of Middleton

WATER RIGHT AS CLAIMED IN THE SNAKE RIVER BASIN ADJUDICATION

Water Right No.	A63-22363
Basis	Beneficial Use
Date of Priority	10/16/1919
Source	Groundwater
Amount	4.0 cfs
Use	Municipal
Point of Div	Lot 2(NWNE) S5, Lot 4(NWNW) and SWSE S6, NWNE S7, NWNW S8, all in T04N R02W
Place of Use	Within the city limits of Middleton

THE FOLLOWING PORTION OF WATER RIGHT NOS. 63-08310 and A63-22363 TO BE CHANGED AS FOLLOWS

Point of Div	NWNE S8 T04N R02W Proposed as City Well No. 6, to replace City Well No. 3, with a total expected production rate of 1.34 cfs.
--------------	--

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before

May 17, 1993.

R. Keith Higginson
Director

Published in the Press Tribune
on May 5 and 12, 1993

RECORDED

JUL 23 1993



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. 63-8310

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

JUL 23 1993



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

March 2, 1981

City of Middleton
City Hall
Middleton, Idaho 83644

Dear Sirs,

A representative of this Department has made an examination of the works covered by your Permit No. 63-8310, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: .56 cfs Source: groundwater

The maximum quantity diverted shall not exceed N/A acre feet per year.

Point(s) of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, Twp. 4N, Rge. 2W, B.M.

Beneficial use: Municipal use within the city limits of Middleton.

Priority date established: July 21, 1976

Conditions (if any):

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

RECEIVED

JUL 23 1993

FIELD REPORT

1. Name of permit holder City of Middleton
Post office address City Hall, Middleton, Id Phone 585-16511
Person to contact MEL DAVENPORT, CITY ENG. Phone 459-3158
2. Source of water supply: Groundwater ☒ Surface water ☐ _____
Tributary to _____
- Western Regional Office
(name spring, stream, etc.)

3. Water will be used for the following purposes:

Amount 0.56 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 2.0 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 8, Subdivision NW 1/4 NW 1/4 Canyon
County 1

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

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

Other Points of Diversions: _____

Description of diverting works: 15 Hp pump, 6" pipeline connected to 10" city water main

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

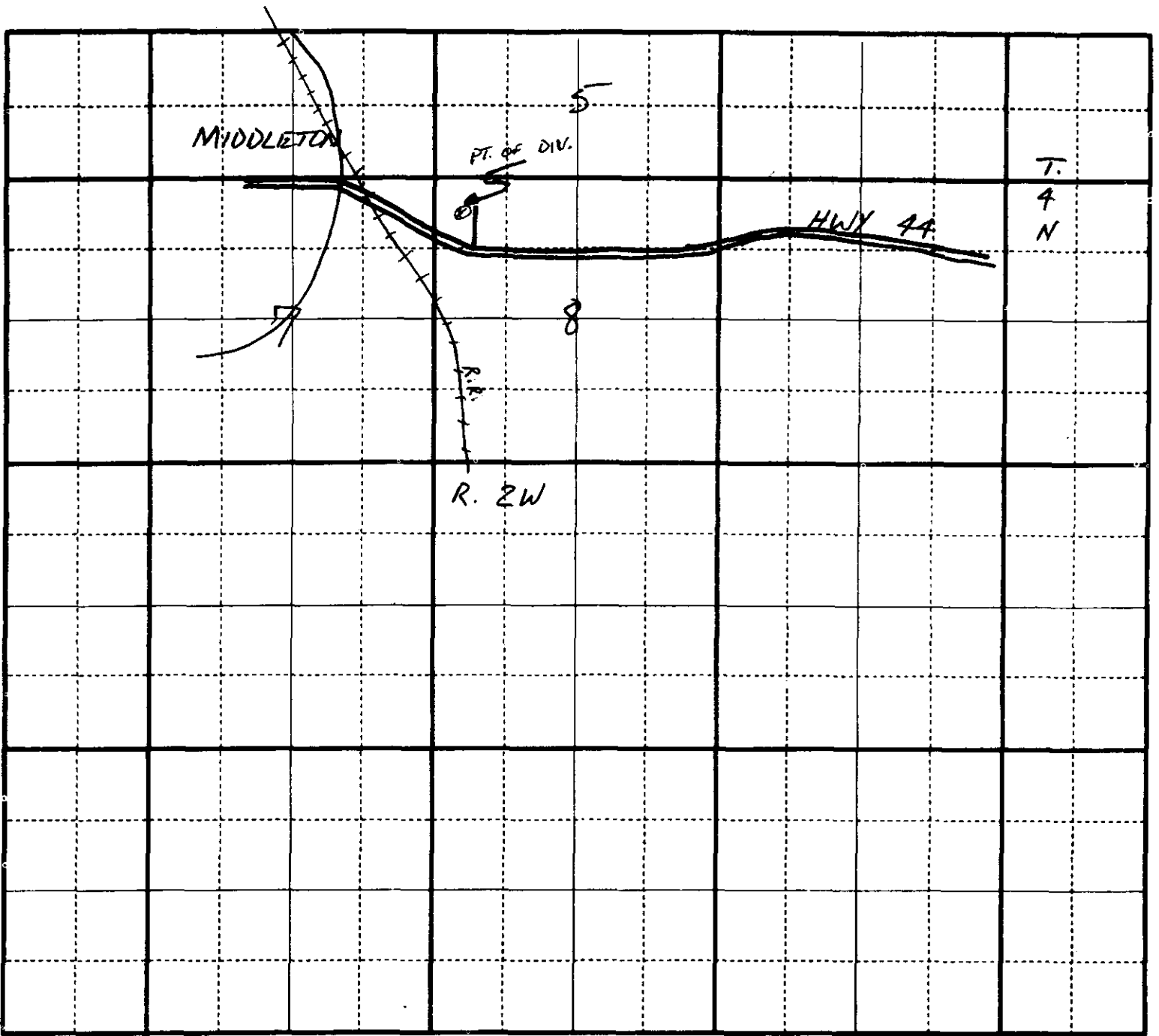


Diagram of System

MIDDLETON

JUL 23 1993

DATE OF EXAM 4/10/79 / 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= .56 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 300 gpm = .67 cfs Method of measurement FLOWMETER
WATER PORTERVILLE, CALIF.
Total Q recommended .56 cfs Meter No. 781223 Type SPECIALTIES Condition Good

Total V recommended N/A

Recommended Amendments:

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

MEASUREMENT CALCULATION:
Q = 15 Lp @ 30% EFFICIENCY, 40 PSI, 0 LIFT = 1.14 cfs.
Q = 300 gpm (.00228) = .67 cfs CAPACITY ← License for .67 due to Municipal Use
RA 3/24/81

SYSTEM DESCRIPTION:
15 Lp SUB. PUMP, 10' OF 4" PIPE THEN 6" TO CITY SYSTEM WHICH CAN GO TO 2 MILLION GAL STORAGE TANK. AUTOMATICALLY KICKS ON APPROX 40 PSI. BASICALLY A BACKUP WELL.

REMARKS:
CITY ENR. REPORTED 250 Gal/min (.56 cfs) ✓
448.8

Examiner's Signature Charles Wilby for Date 10/30/79
Checked by DGS **MICROFILMED** Date 12/4/79
Approved by Rogers Date 2/27/1981

JUL 23 1993



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

November 15, 1978

City of Middleton
City Hall
Middleton, ID 83644

Gentlemen:

Re: Permit No. 63-8310

Enclosed is a copy of the Order reinstating your permit and advancing the priority date to July 21, 1976.

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.

Sincerely,

RITA FLECK
Water Rights

RECORDED



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

RECEIVED

OCT 16 1978

Department of Water Resources

September 28, 1978

City of Middleton
City Hall
Middleton, ID 83644

Attention: Melvin V. Davenport

Gentlemen:

Re: Permit No. 63-8310

Enclosed is the proof of beneficial use form which you submitted in August. Before this office can accept it must be notarized.

Please sign it before a notary public and return it to this office as soon as possible since the permit has lapsed and it is important to return it to good standing.

Sincerely,

Rita Fleck
RITA FLECK
Secretary

Enc: 1

Returned herewith

*Thank you
Melvin V. Davenport*

Identification No. _____

Permit No. _____

RECEIVED

STATE OF IDAHO

RECEIVED

OCT 10 1978

DEPARTMENT OF WATER RESOURCES

AUG 14 1978

Department of Water Resources **PROOF OF APPLICATION OF WATER TO BENEFICIAL USE** Department of Water Resources

1. a) Name of Permit Holder City of Middleton, Idaho
b) Post Office Address City Hall, Middleton, Idaho 83644
2. Permit Number 63-8310
3. Date of Priority that you are prepared to establish Feb. 26, 1977
4. a) Source from which water was appropriated Well
b) Location of the point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8
Township 4N, Range 2W Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 0.56 cfs for Municipal purposes from Jan 1 to Dec 31 incl.
(cfs and/or acre-feet per annum) Domestic & Fire fighting (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/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: Water was measured by orifice on Discharge from Test Pump by Melvin V. Davenport 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 or 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) 15 HP Pump and 6" Pipe Line connected to 10" City Water Main
b) Describe the type and size of measuring device which you have installed at your point of diversion: 6" Meter
c) Give well driller's name and address and the date the well was completed: Pete Cope Drilling Co. Inc. 10566 K Bar T Drive Boise Idaho, Completed 2-28-77 including removal of Test Pump
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 & Fire fighting and is used in City Limits of Middleton Idaho

11/6/78 *if*

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: First use of water was from Test Pump
2- 26- 77 (copy of test pump report attached.)

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

July 31, 1978
(Date)

City of Middleton Idaho
By Melvin V. Davenport
City Engr, (Signature)

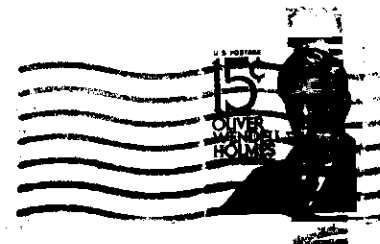
State of IDAHO)
) ss.
County of CANYON)

On this 31st day of JULY, 19 78, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Nancy A Campbell
Notary Public residing at EMMETT, ID

My commission expires LIFETIME

DAVENPORT ENGINEERS
P. O. BOX 131
CALDWELL, IDAHO 83605



Department of Water Resources
State Office
373 W. Franklin St.
Boise, Idaho 83720

Attn: Rita Fleck

September 28, 1978

City of Middleton
City Hall
Middleton, ID 83644

Attention: Melvin V. Davenport

Gentlemen:

Re: Permit No. 63-8310

Enclosed is the proof of beneficial use form which you submitted in August. Before this office can accept it must be notarized.

Please sign it before a notary public and return it to this office as soon as possible since the permit has lapsed and it is important to return it to good standing.

Sincerely,

RITA FLECK
Secretary

Enc: 1

FILED

August 10, 1978

Re: Permit No. 63-8310

Melvin B. Davenport
P. O. Box 131
Caldwell, ID 83605

Dear Mr. Davenport:

On July 25, 1978, we sent you a proof affidavit to be completed for the above referenced permit.

However, as of this date we have not received this proof affidavit, and therefore, unless the affidavit is submitted within 20 days, we will make a decision on the extension application based upon the information it contains.

If you have any questions, please contact us.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw

July 25, 1978

Re: Permit No. 63-8310-City of Middleton

Melvin B. Davenport
P. O. Box 131
Caldwell, ID 83605

Dear Mr. Davenport:

Per our phone conversation of July 20, 1978, enclosed is a proof affidavit for your use in submitting proof of beneficial use for this permit.

We will hold action on the extension of time until proof is submitted and then the extension will be withdrawn.

Please complete the proof affidavit and submit it as soon as possible in order that the permit may remain in good standing.

If you have any questions, please contact us.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME

RECEIVED

JUL 3 1978

Department of Water Resources

State of Idaho)

County of Canyon)

Permit No. 63-8310

City of Middleton
(name)

of City Hall, Middleton, Idaho
(address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to Appropriate the Public Waters of the State of Idaho No. 63-8310.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before July 1, 1977.

(Extended to July 1, 1978.)

That he has heretofore performed the following work described under said permit:

The well has been drilled and the pipe line laid. The pump has been installed in the well, and power brought to the well site.

Costing \$20,000.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: The pumphouse was added to the present Middleton water system improvement project (funded by the Economic Development Agency-Local Public Works Program) continued--see extra sheets

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to January 1, 1979.

Malvin V. Dawsonport
(signature) * City Engineer

Subscribed and sworn before me this 30 day of June, 1978.

seal

Wanda L. Campbell
Notary Public residing at

EMMETT

My commission expires LIFE TIME

ACTION OF THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be DENIED, pursuant to Section 42-204, Idaho Code, which states that a permit holder may only be granted one extension of time.

Witness my hand this day of July, 1978.

C. STEPHEN ALLRED
Director

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms a through the Department of Water Resources, Statehouse, Boise, Idaho 83720.

MICROFILMED

JUL 23 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR EXTENSION OF TIME

and bids were advertised for in January, 1978, and in March 1978, with no acceptable bids received either time. Bid negotiations are under way, and it is expected that a contract will be awarded in July, 1978. Had it been possible to ~~awards~~ the pumphouse contract either ~~time~~, it was advertised, the well would have been in service quite some time before July 1, 1978. ~~As it is~~, there has been a delay beyond the control of the City of Middleton.

Note:

Please make any ~~correspondence~~ correspondence concerning this application to -

Davenport Engineers
P.O. Box 131
1215 Fillmore St.
Caldwell, Idaho 83605

NOT RECORDED

JUL 23 1993

Jan,

- I can't see how
we can approve
an ext.

- I suggest you
call him, advise
him that we have
granted one extension
& can't grant another.

Perhaps they
~~can~~ should go ahead & submit
proof.

7-7-78

Glen,
Is this a case
of prevented from
proceeding by a
governmental
agency? I would
say no - because
the Economic etc -
Local Public **MICROFILMED**
works program is

a City or County
program, but I'm
not sure. They
had only 1 year
before.

Jan

Could not con-
tact Melvin
Davenport by
phone & so will
deny extension &
write in letter
that ~~the~~ it would
be advisable to
file proof on what
has been com-
pleted.

UNRECORDED

~~Get~~ Jan.

Call Davenport &
explain this will
be denied. Ask him
to withdraw ^{extension} file
proof on work

completed

Called +
Mr. Davenport
will submit proof
returning
am extensions 7/19/78 NCC

[Signature]
7-19-78
FIVE



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

April 28, 1978

CERTIFIED MAIL 138750

Re: Permit No. 63-8310

City of Middleton
City Hall
Middleton, Idaho 83644

Gentlemen:

One of the conditions of approval of your water Permit No. 63-8310 (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 July 1, 1978. 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.

Norman C. Young
NORMAN C. YOUNG
Administrator,
Resources Administration Division

NCY:jfr

Encl: Proof affidavit

RECORDED

July 7, 1977

Re: Permit No. 63-8310

City of Middleton
City Hall
Middleton, Idaho 83644

Gentlemen:

Enclosed is a copy of the approved application for extension of time in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to **July 1, 1978.**

Sincerely,

Jan Grover
Water Rights Supervisor

April 29, 1977

CERTIFIED MAIL

138429

Re: Permit No. 63-8310

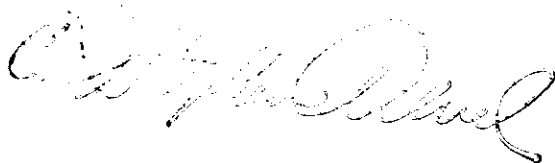
Melvin Davenport, City Engr.
City of Middleton
City Hall
Middleton, Idaho 83644

Dear Mr. Davenport:

One of the conditions of approval of your water Permit No. 63-8310 (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 July 1, 1977. 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.



C. STEPHEN ALLRED

Director

CSA:jfr

Encl. Proof affidavit

RECEIVED

June 28, 1976

Re: Permit No. 63-8310

City of Middleton
City Hall
Middleton, ID 83644

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 63-8310.. We direct your attention to the conditions of approval as listed on the fourth page.

Please be advised that the Idaho Supreme Court has ruled that a water right initiated and/or put to beneficial use by aid of trespass on private property is invalid.

Be sure to 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. We are enclosing a letter describing the different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enclosure

RECOMMENDED

CONDITIONS OF APPROVAL

☒ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

☐ Maximum rate of diversion shall not exceed _____ c.f.s.

☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.

☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.

☐ The proposed well shall not be drilled within _____ feet of another well.

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

☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.

☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

☐ Other: _____

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No.

63-8310

☒ 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) R.W.H. 5-20-76

In form to receipt

(2) _____

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) R.W.H. 5-20-76

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no ☒

(8) _____

Groundwater levels: *no obs wells in vicinity*
Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use *N/A*

(10) _____

Comments: *municipal use*

(11) R.B. ok

Affidavit of Publication received(date) *6-14-76*

(12) _____

Final date for protests *6-21-76*

Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

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*

Date *6-21-76*



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Carl D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

May 27, 1976

Re: Application for Permit No. 63-8310 - City of Middleton

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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 in 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)

Sincerely,

Bill submitted
6-14-76
RB

ca

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that City of Middleton, City Hall, Middleton, Idaho has on May 20, 1976 submitted Application No. 63-8310 for a permit to appropriate 2.0 cubic feet per second of water from groundwater by means of 24" diameter well & pump within the NW 1/4 NW 1/4, Sec 8, T4N-R2W, B.M., Canyon County to be used from Jan. to Dec. 31 for Municipal Water Supply within the Middleton 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 Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before June 21, 1976.

R. KEITH HIGGINSON
Director
June 3, 10, 1976.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that City of Middleton,
City Hall, Middleton, ID
has on May 20, 1976 submitted Application No. 63-8310
for a permit to appropriate 2.0 cubic feet per second ~~acres feet~~
~~per second~~ of water from groundwater
by means of 24" diameter well & pump
within the NW¹4, Sec 8, T4N-R2W, B.M., Canyon County

to be used from Jan to Dec 31
for Municipal Water Supply

within the Middleton 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 Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before June 21, 1976.

R. KEITH HIGGINSON

Director

Published in the News-Tribune, Caldwell, ID
on June 3, 1976 and June 10, 1976.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andres
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

May 26, 1976

Earl E. Harmon
City of Middleton
P. O. Box 176
Middleton, ID 83644

Enclosed is your Receipt No. 3798 in the amount of \$ 35.00
for Application for Permitt No. 63-8310 which was received in this
office on May 20, 1976.

Sincerely,

RITA BENDELE
Senior Clerk

RB

Enclosure



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

May 17, 1976

RECEIVED

MAY 20 1976

Department of Water Resources

Re: Application for Permit

Milt Cram, Mayor
City of Middleton
City Hall
Middleton, ID 83644

Gentlemen:

We are returning the application for permit and check No. 1241 in the amount of \$35.00.

Please sign the application as mayor of Middleton and return it and the check to us for processing.

Sincerely,

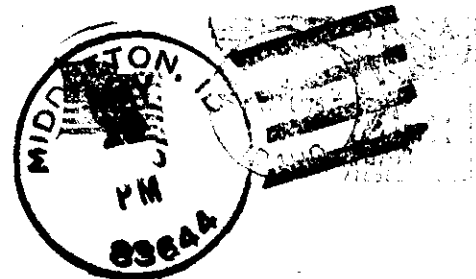
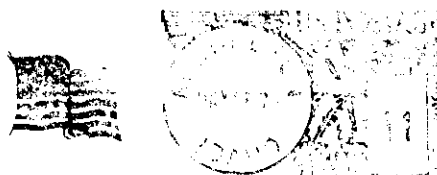
Robert W. Hamilton
ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:rb

Enc.

(CITY OF MIDDLETON

P. O. BOX 176
MIDDLETON, IDAHO
83644



State of Idaho
DEPARTMENT OF WATER RESOURCES
Western District
Statehouse
Boise, Idaho 83720

(
ATTN: Robert W. Hamilton