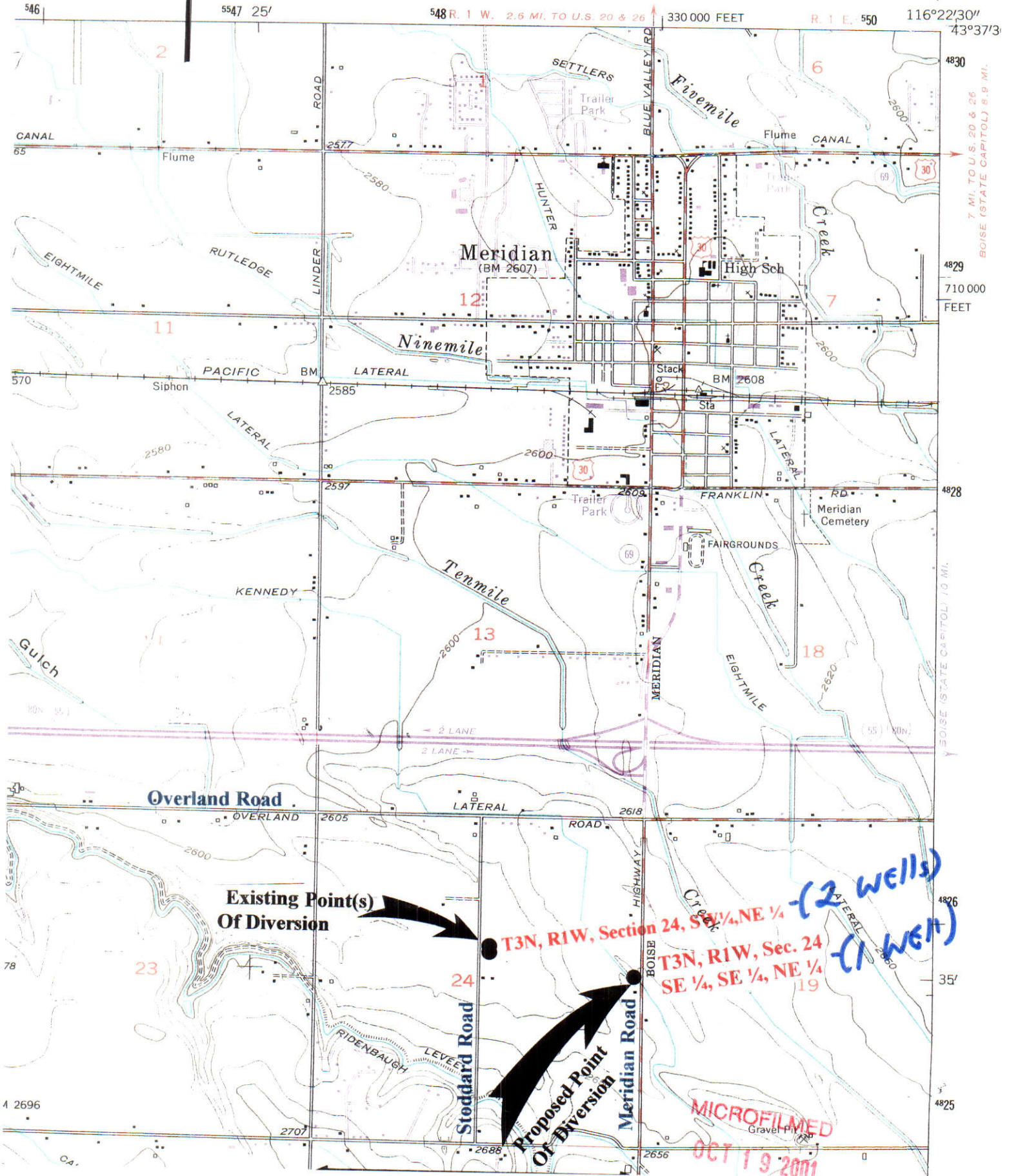


7.5 MINUTE SERIES (TOPOGRAPHIC)

7 MI. TO U.S. 20 & 26
BOISE (STATE CAPITOL) 8.9 MI.

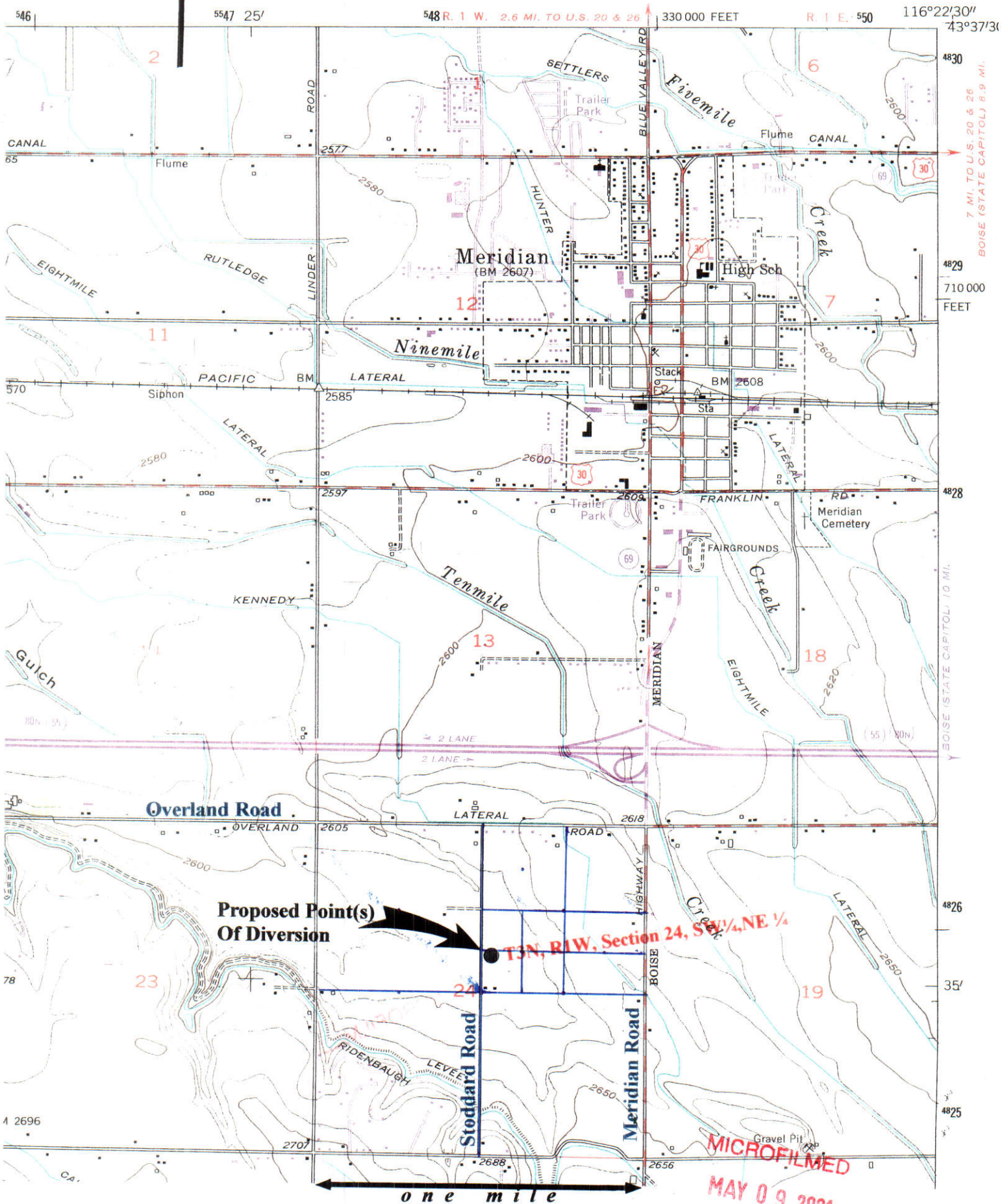


MERIDIAN QUADRANGLE

IDAHO

7.5 MINUTE SERIES (TOPOGRAPHIC)

2771' 111' (EAG)



Proposed Point(s)
Of Diversion

T3N, R1W, Section 24, SW 1/4, NE 1/4

MICROFILMED
MAY 09 2001

State of Idaho
Department of Water Resources
Amendment of Permit

NO. 63-31138

Priority: January 29, 2001

Maximum Diversion Rate: 5.00 CFS

This is to certify, that CITY OF MERIDIAN
33 E IDAHO AVE
MERIDIAN ID 83642

has applied for an amendment of a permit and the amendment is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
MUNICIPAL	01/01 to 12/31	5.00 CFS

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
MUNICIPAL	01/01 to 12/31	5.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 24, Twp 03N, Rge 01W, B.M.	ADA County
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 24, Twp 03N, Rge 01W, B.M.	ADA County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 24, Twp 03N, Rge 01W, B.M.	ADA County

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **April 1, 2006**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
8. The well in the SENE, S24 will serve to supply the irrigation component under this municipal right and shall not be interconnected to the other two municipal supply wells identified in this right.

MICROFILMED

OCT 19 2001

State of Idaho
Department of Water Resources
Amendment of Permit

NO. 63-31138

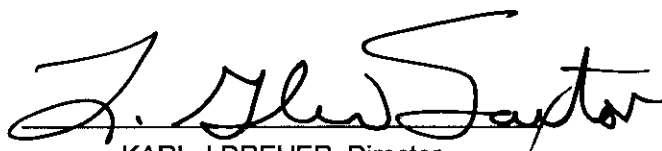
CONDITIONS OF APPROVAL

9. The water bearing zone to be appropriated for the two wells in the SWNE, S24 is from 500 to 800 feet. The water bearing zone to be appropriated for the single well in the SENE, 24 is from 100 to 160 feet.
10. Place of use is within the service area of the City of Meridian.

This amendment of permit is issued pursuant to the provisions of Section 42-211, Idaho Code. Witness

the signature of the Director, affixed at Boise, this 24th day of August,

2001.



KARL J DREHER, Director
for

MICROFILMED

OCT 19 2001

RECEIVED

Form 211
JUN 15 2001

JUN 04 2001

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESReceipt No. 110-27856
Accepted By AS
Date 6/14/01WATER RESOURCES
WESTERN REGION

APPLICATION FOR AMENDMENT OF A PERMIT

* Please direct all inquiries to Ed Squires at 342-8369

* Applicant City of Meridian (#22 supply) Phone 342-8369
Address 33 East Idaho Avenue, Meridian, Idaho 83642

I am the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 63-31138 and request that the permit and permit map be amended and/or changed as follows:

Purpose of Amendment: Change point of diversion ☒ Add point of diversion
Change place of use Change nature of use Change period of use Other

* 1. Point of diversion SE 1/4 SE 1/4 NE 1/4, Section 24, Township 3 N, Range 1 W, B.M.,
County of Ada. Other points of diversion 2 POD's in SW 1/4, SW 1/4, SE 1/4, Sec. 8, T3 N, R1 W
from the original permit NE 24

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

Amount 5.00 cfs for Municipal purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

3. Place of use or land to be irrigated:

T w p	R g e	S e c	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Place of Use is the present
and future service area of
the City of Meridian, Idaho

Total number of acres to be irrigated = N/A

4. a. Who owns the property at the points of diversion? Bear Creek LLC & Elk Run Subdivision
b. Who owns the land to be irrigated at the place of use? Not applicable to a municipal water right
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Long-term lease arrangement with intent (by developer) to eventually donate land to City and/or to secure long-term easements necessary to the operation of the wells.

* Address - new for City
Well sites - corrected to agree with map

Revisions Approved By BRW
initials

6-15-01
MICROFILMED

OCT 13 2001

RECEIVED

AUG - 1 2001

Department of Water Resources

Complete the following map by showing land and point of diversion as proposed in this amendment.
Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)

See Attached Map

Scale: 2 inches equal 1 mile

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

Signed this 31 day of May, 20 01.

Robert D. Conrie
Permit Holder

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by FL Publication prepared by FL Date 6/15/01
Published in DO. Ditchman Publication dates 6/21 & 6/28/01

I, _____, of the Department of Water Resources hereby

Witness my hand this _____ day of _____, 20 01.

Signature

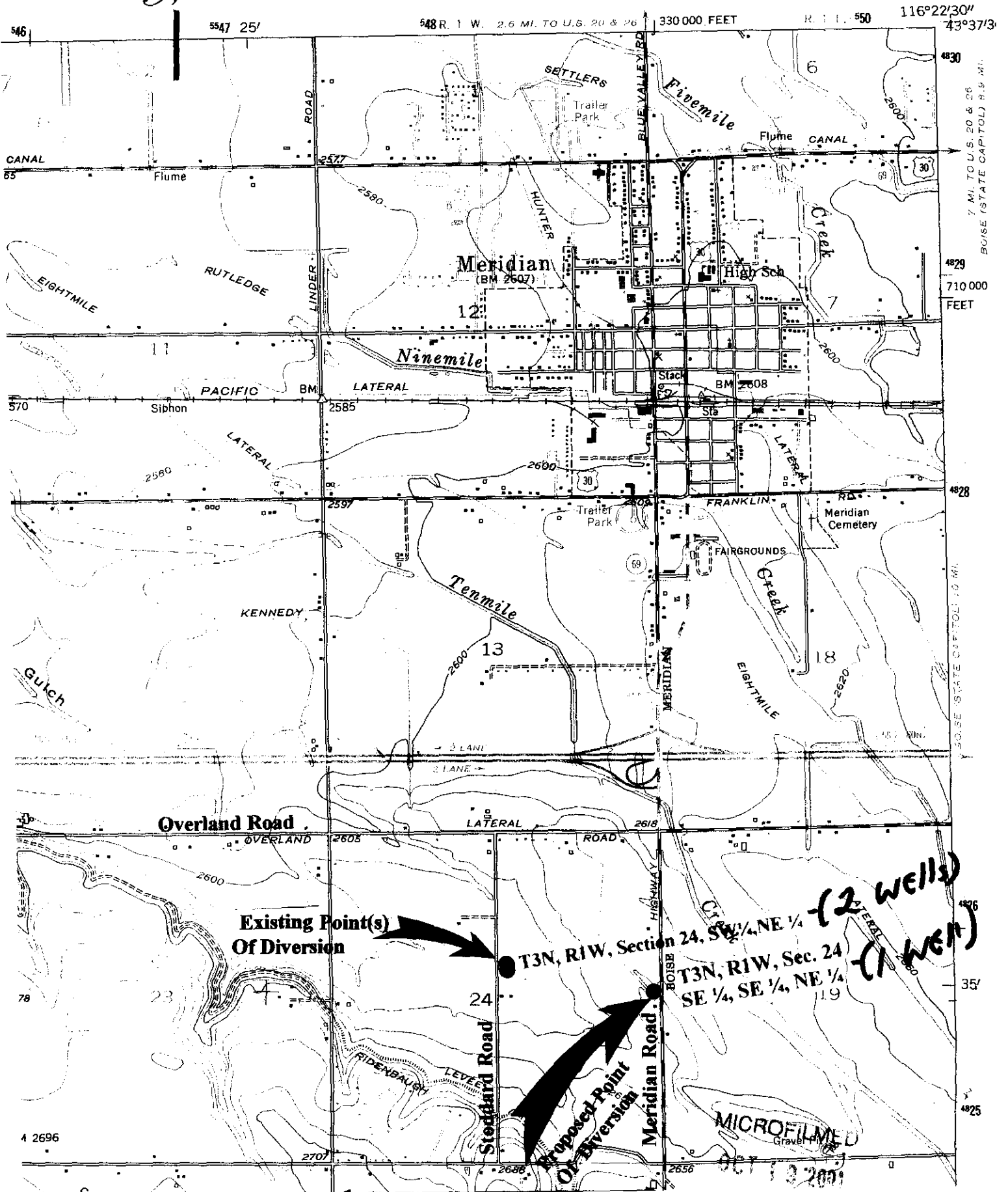
MICROFILMED
6/22 & 8/2001

MERIDIAN QUADRANGLE

IDAHO

7.5 MINUTE SERIES (TOPOGRAPHIC)

2771 III
IEAO



State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31138

Priority: 01/29/2001

Maximum Diversion Rate: 5.00 CFS

This is to certify, that CITY OF MERIDIAN
200 E CARLTON STE 100
MERIDIAN ID 83642

has applied for a permit to appropriate water from:

Source: GROUND WATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
MUNICIPAL	01/01 to 12/31	5.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 24, Twp 03N, Rge 01W, B.M.	ADA County
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 24, Twp 03N, Rge 01W, B.M.	ADA County

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2006**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
6. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
7. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
8. Place of use is within the service area of the City of Meridian.
9. Water bearing zone to be appropriated is from 500 to 800 feet.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 18th day of April, 2001.

MICROFILMED

MAY 09 2001

Karl J Dreher
Acting for **KARL J DREHER, Director**

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31138

Priority: 1/29/2001

Maximum Diversion Rate: 5.00 CFS

This is to certify, that CITY OF MERIDIAN
200 E CARLTON STE 100
MERIDIAN ID 83642

has applied for a permit to appropriate water from:

Source: GROUND WATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
MUNICIPAL	01/01 to 12/31	5.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 24, Twp 03N, Rge 01W, B.M. ADA County

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before April 1, 2006.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
6. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
7. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
8. Place of use is within the service area of the City of Meridian.
9. Water bearing zone to be appropriated is from 500 to 800 feet.

MICROFILMED

MAY 09 2001

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31138

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 9th day of April, 2001.


for KARL J DREHER, Director

MICROFILMED
MAY 09 2001

ROBERT D. CORRIE
Mayor

GARY D. SMITH, P.E.
Public Works Director

CITY OF MERIDIAN

PUBLIC WORKS / BUILDING DEPARTMENT

COUNCIL MEMBERS
CHARLES M. ROUNTREE
GLENN R. BENTLEY
RON ANDERSON
KEITH BIRD

City of Meridian

Elected Public Officials

November 30, 2000

Mayor: Robert D. Corrie

Council: Ron Anderson
Keith Bird
Tammy deWeerd
Cherie McCandless

Address: 33 East Idaho Ave, Meridian, ID 83642
888-4433, Fax 887-4813

City Attorney: William F. Gigray, III
(contracted) *White, Peterson, Pruss, Morrow, & Gigray*
Attorneys at Law
P.O. Box 247
Nampa, ID 83652
466-9272

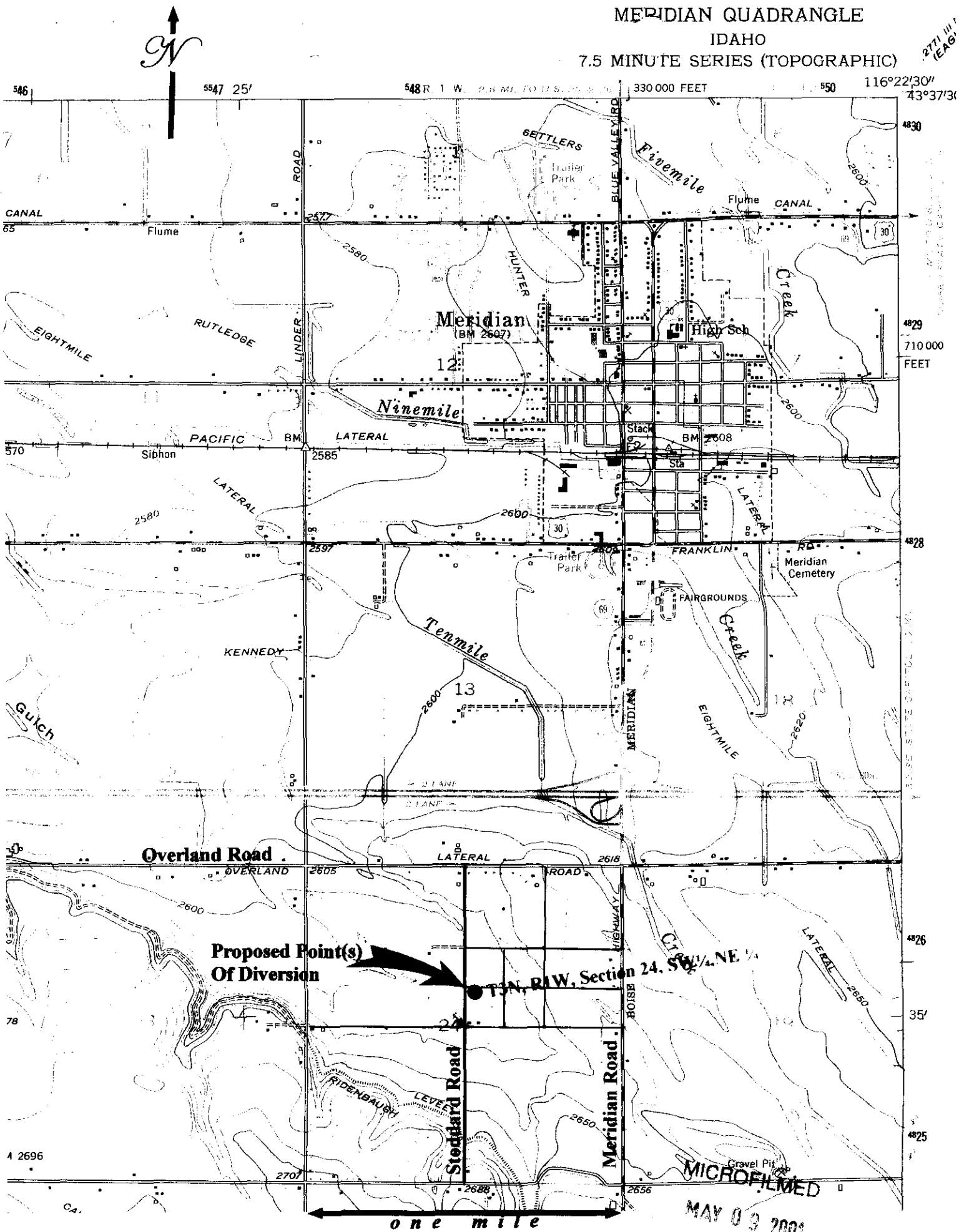
MICROFILMED
MAY 09 2001

MERIDIAN QUADRANGLE

IDAHO

7.5 MINUTE SERIES (TOPOGRAPHIC)

2771 III
(EAG)



RECEIVED

MAR 21 2001

Form 202
2/96

RECEIVED

DEC 11 2000

WATER RESOURCES
WESTERN REGION

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 63-31138APP ID # 8848

* Please direct all inquiries to Ed Squires at 342-8369

1. Name of applicant City of Meridian, Idaho Phone (208) 887-2211Mailing address 200 E. Carlton, Suite 1002. Source of water supply Groundwater which is a tributary of N/A3. Location of point of diversion is Township 3N, Range 1W, Sec. 24, in the SW $\frac{1}{4}$,
SW $\frac{1}{4}$, NE $\frac{1}{4}$, Govt. Lot. Ada County;additional points of diversion if any: a second well in the same $\frac{1}{4}$, $\frac{1}{4}$, $\frac{1}{4}$, section (if necessary)

4. Water will be used for the following purposes:

Amount 5.0 cfs for Municipal purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)Amount 5.0 cfs for 4-6-01 purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)Amount 5.0 cfs for 4-6-01 purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)Amount 5.0 cfs for 4-6-01 purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)Amount 5.0 cfs for 4-6-01 purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)Amount 5.0 cfs for 4-6-01 purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)5. Total quantity to be appropriated is (a) 5.0 cfs and/or (b) 4-6-01
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source 18" & 12" diameter, 800' & 500' wells equipped with deep-well, line-shaft turbine pumps, discharging to the City's integrated system of water mains and reservoirsb. Height of storage dam 18 & 12 feet; active reservoir capacity 800 & 500 acre-feet; total reservoir capacity 800 & 500 acre-feetc. Proposed well diameter is 18 & 12 inches; proposed depths of wells are 800 & 500 feet.d. Is ground water with a temperature of greater than 85°F being sought? Noe. If well is already drilled, when? 4-6-01; Drilling firm Ed Squires;
Well was drilled for (well owner) City of Meridian, Idaho; Drilling Permit No. 4-6-017. Time required for completion of works and application of water to proposed beneficial use is Five (5) years (minimum 1 year).

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

a. Hydropower; show total feet of head and proposed capacity in KW. City of Meridian, Idahob. Stockwatering; list number and kind of livestock. City of Meridian, Idahoc. Municipal; show name of municipality. City of Meridian, Idahod. Domestic; show number of households. City of Meridian, Idahoe. Other; describe fully. City of Meridian, Idaho

continued on reverse

MICROFILMED

MAY 09 2001

Fees 250.00 Received BY DAN # W027327 OATC 1-29-01 DAN

Memorandum

From: Jeff Peppersack *JP* September 10, 2001
To: Water Right Permit File No. 63-31138
Re: Phone Call from Ed Squires Regarding Permit Conditions

Ed Squires called to let me know that he discussed conditions on the permit with Norm Young. He indicated that since it is too late to file a petition for reconsideration, he would pursue a correction at the time of licensing. The remaining issue was the condition requiring that the well in the SENE of Sec. 24 will serve to supply the irrigation component under the municipal use. That well will serve to supply exclusively irrigation use, but the other wells on the permit can supply the irrigation use in addition to other municipal uses. The wording of the condition on the license, when issued, should be changed to reflect that.

MICROFILMED
OCT 19 2001

MEMORANDUM

Date: August 28, 2001

To: File for WR Permit No. 63-31138

From: Jeff Peppersack

Re: Phone Call from Ed Squires Regarding Conditions of Approval on Amended Permit

Ed Squires called to discuss conditions on the recently amended permit. He was concerned about the condition limiting the ground water use for irrigation on the permit to times when surface water is not available (condition no 7). Ed indicated that future development in the city may include irrigation of open spaces and it will be difficult for the city to manage the distribution if restricted by the condition. He was also concerned about the condition regarding the well in SENE of Sec. 24 (condition no. 8). The condition appears to limit the other wells to non-irrigation uses which contradicts condition no. 7. Since the amendment approval is a preliminary order, I explained to Ed that we could consider changes if he filed a petition for reconsideration before the 14-day period for filing expires. Ed indicated that he would proceed along those lines.

RECORDED
INDEXED
AUG 30 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 24, 2001

CITY OF MERIDIAN
33 E IDAHO AVE
MERIDIAN ID 83642

RE: Permit 63-31138

Dear Permit Holder(s):

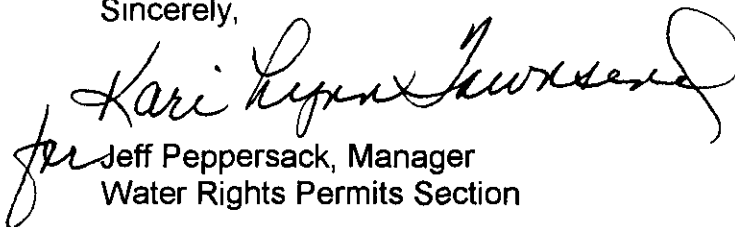
The Department of Water Resources (IDWR) has issued the enclosed Amendment of Permit approving your application to amend the water right referenced above. Please be sure to review every element of the Amendment of Permit, including the conditions of approval and remarks.

The Amendment of Permit is a **preliminary order** issued by IDWR pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.**

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet at <http://www.idwr.state.id.us> to obtain the proper reporting form.

If you have any questions regarding this matter, you may call me at 208-327-7940.

Sincerely,


Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosures

MICROFILMED

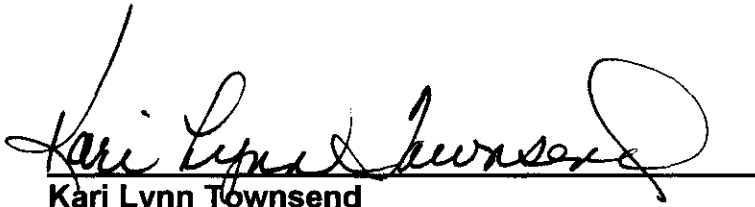
OCT 19 2001

CERTIFICATE OF MAILING

I hereby certify that on August 24, 2001 I mailed a true and correct copy, postage prepaid, of the forgoing **PRELIMINARY ORDER (Amendment of Permit)** to the person(s) listed below:

RE: AMENDMENT OF PERMIT 63-31138

**CITY OF MERIDIAN
33 E IDAHO AVE
MERIDIAN ID 83642**



Kari Lynn Townsend
Secretary

MICROFILMED
OCT 15 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED
OCT 19 2001

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

AMENDMENT OF PERMIT REVIEW

Review Date 8/23/01

PERMIT NO. 63-31138 NAME City of Meridian

TYPE: A = AMENDED E = CHANGE N/U I = CHANGE P/D & P/U
B = CHANGE P/D F = CHANGE Per/U J = ADD P/D & CHANGE P/U
C = ADD P/D G = OTHER
D = CHANGE P/U H = CHANGE P/D & + P/D

AREA OF CONCERN: Mor GWMA ~~Trust/Non-trust~~

PROOF OF B/U RECEIVED? Yes (No) Due < 6 months? Yes (No)

GROUNDWATER:

Drilling Permit No. - - - - ;
Drilled

Swan Falls Flag

Conditions of Approval: 26A, 046, 01M, 121, 102,

Remarks/Comments Plu w/in service area of City of Meridian
Water bearing zone SWSENE wells = 500-800 ft.
" " " SESENE well = 100-160 ft.

Form 211a
January 2001
RECEIVED

AUG - 1 2001

**IDWR WESTERN REGION
AMENDMENT OF PERMIT ANALYSIS SHEET**

*Note Address update
done in d'base per
current address in
amendment*

Department of Water Resources

Permit No. 63-31138 Applicant City of Meridian

Reviewed by FL Data entry by FL Date 6/15/01

Legal Notice: Word filename Amend 63-31138

OR Use Workflow ad _____

Purpose of Amendment _____ Change P/D ☒ Add P/D _____ Increase Amount

_____ Change P/U _____ Other: _____

CHECK:

☒ Description of amended elements.

☒ Amount, nature and period of use. If increased, delay date of priority.

☒ Ownership of P/D and ~~P/U~~ and arrangement for access if not owned by applicant.

☒ Map ☒ \$50 Fee.

☒ Signature, must be permit holder. Include title if applicant is an organization, partnership etc.

☒ Existing water rights from the same source for amended P/D or P/U?

Right No(s). None for this owner on this use

yes Should amendment be advertised?

no Should date of priority be delayed? If yes, to what date? _____

☒ Send comment Letters? Check any of the following to indicate "yes":

_____ IDFG for surface water _____ Water District No. _____

_____ Water Planning Bureau for protected river or minimum flow reach - reviewer should forward copy of application instead of sending a letter.

☒ Other, ~~see attached mailing list~~ = DEQ ... no reply received

N/A Additional analysis information attached. Date of the information is _____

~~Same water bearing zone~~
New address.

Continued by consultant 6/15/01 tel. call.

Retain original w.b. zone for 2 pld in SWNE but allow
100'-160' w.b. zone for new pld in SENE. SEE consultant's
7/16/01 letter.

06/15/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Water Permit Report

WATER RIGHT NO. 63-31138

Owner Type
Current Owner

Name and Address
CITY OF MERIDIAN
200 E CARLTON STE 100
MERIDIAN, ID 83642
(208)887-2211

— new address OK per amendment.
Ed Squires 8/15/01

this is previous address

Priority Date: 01/29/2001
Status: Active

Source
GROUND WATER

Tributary to

Beneficial Use
MUNICIPAL

From	To	Diversion Rate	Volume	Subuse Code
01/01	12/31	5 CFS		

Total Diversion 5 CFS

Location of Point(s) of Diversion:

GROUND WATER	SWSWNE	Sec. 24	Township 03N	Range 01W	ADA County
GROUND WATER	SWSWNE	Sec. 24	Township 03N	Range 01W	ADA County

— 2 wells in
Approved in
some QX

Place(s) of use: No POUs found for this right

Conditions of Approval:

- 26A Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
- 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 01M After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
- 121 The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
- 102 The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.

Remarks:

- Place of use is within the service area of the City of Meridian.
- Water bearing zone to be appropriated is from 500 to 800 feet.

Dates:
Proof Due Date: 04/01/2006
Proof Made Date:
Approved Date: 04/09/2001

MICROFILMED
OCT 19 2001

NO change per
Ed Squires 8/15/01

But added 100'-150' zone
per 7/16/01 letter

✓ Affidavit of publication received

☒ Published correctly?

_____ Re-publication required if published incorrectly?

N/A Protests processed.

N/A Watermaster comments received on date: _____

No Other comment letters received?

Recommendation and Conditions of Approval: APPROVE DENY

See Steve Lester's recommended conditions below

By Cary S

Date 7/26/01

Copy for Region file after final recommendations are complete. Always include application, legal notice, staff analysis sheet, and analysis memo (if applicable). List other items to copy:

~~Also~~ just highlighted items

? Should approval be conditional:

- 1) New well SWE w/ 100'-160' w.b. zone & well cannot be interconnected directly to original pld wells.
- 2) New well will serve irrigation component of municipal use while original wells will serve other " " " " " "
- 3) Wells in SWC will retain 500'-800' w.b. zone.

? New web zone identified after legal notice. Unfortunately legal notice stated some zone to be used (deeper zone). This flaw, while regrettable, is not fatal & should not require re-advertising.

MICROFILMED

OCT 19 2001

Hydro Logic, Inc

988 S. Longmont, Ave, Suite 100, Boise, ID 83706 (208) 342-8369, (Fax) 342-3100, hydrologic@qwest.net

RECEIVED

JUL 19 2001

WATER RESOURCES
WESTERN REGION

July 16, 2001

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

RE: City of Meridian Wells #22-b - notification of change of water-bearing zone.

Dear Gary:

The City of Meridian intends to drill two-to-three wells under water right Permit #63-31138. Under the original application for permit, a water-bearing zone of 500-to-800 feet below ground level was specified for two points of diversion at the same location. This completion zone is satisfactory for the two points of diversion in the SW ¼, SW ¼, NE ¼, Section 24 of T3N, R1W. An amendment was made to the original permit to add a third point of diversion in the SE ¼, SE ¼, NE ¼, Section 24 of T3N, R1W. Information obtained from an exploratory test well on the site has convinced the City that irrigation water can be obtained from an 8-inch diameter well completed into the 100-to-160 foot zone at the third (added through amendment) point of diversion. The 8-inch (shallow) well will not be interconnected with the City's domestic culinary supply system but, rather, will be used to supply a pressurized irrigation system when surface waters are not available. Please call me if you have further questions.

Respectfully,



Ed Squires
Water rights consultant to the City of Meridian

c: Gary Smith, City of Meridian

MICROFILMED

OCT 19 2001

CONVERSATION MEMORANDUM

DATE 7/13/01
FILE 63-31138

NAME OF PARTY Ed Squires
EMPLOYEE FL

RE: Amendment & Drilling Permit Issues

Discussed w/ RBW, LG & DN yesterday. Then discussed with Ed yesterday.

This morning left message for Ed: City should request a second water bearing zone as part of amendment process.

Then IOWA could consider the request for expedited drilling permit (RBW has that request).

ISSUES

1) Water bearing zone now 500'-800', need shallower one to allow well #2 to be drilled (well #2 proposes 180' depth).

2) 1 water right w/ 2 wells but wells cannot be tied together directly, since well #2 will not be a public water supply well per DEC specs. How should show this is 1 system for 1 right.... or should we split right in the amendment process? If so, fee issues?

Wait to get city's request & shallower water bearing zone.

MICROFILMED

OCT 18 2001

The Idaho Statesman

RECEIVED

JUL 03 2001

WATER RESOURCES
WESTERN REGION

P.O. Box 40, Boise, Idaho 83707-0040

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification	Amount:
047628	472090	APPLICATION FOR AMENDMENT TO WATER RIGHT	\$57.60
Ordered by:	P.O. #	Rate	Run Dates
SUE TAYLOR		NT	JUNE 21, 28, 2001
IDAHO DEPARTMENT OF WATER RESOURCES WEST 2735 AIRPORT WAY BOISE, IDAHO 83705			Number of Lines 35
			Affidavit 1
			Legal # 10736

LEGAL NOTICE APPLICATION FOR AMENDMENT OF WATER RIGHT

CITY OF MERIDIAN of 33 E. Idaho Ave., Meridian ID 83642 has applied to the Department of Water Resources to change the Point of Diversion pursuant to I.C. § 42-211 for the following ground water right in Ada County (all sites listed in this notice are in Section 24, T3N R1W):

Permit #63-31138, priority 1-29-2001, 5.0 cfs diverted from 2 wells in SWSWNE. Water is for year around municipal use within the applicant's service area. Water bearing zone appropriated by this permit is from 500 to 800 feet.

PROPOSED AMENDMENT

Add a well in SESENE with the same water bearing zone to be used.

The permit will be subject to all prior water rights. Any protest against approval of the proposed amendment must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before July 9, 2001. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Pub. Jun. 21, 28, 2001

10736

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

TWO

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

beginning with the issue of: JUNE 21, 2001

and ending with the issue of: JUNE 28, 2001

Janice Hildreth

STATE OF IDAHO)
)ss
COUNTY OF ADA)

On this 28 day of JUNE in the year of 2001
before me, a Notary Public, personally appeared before me Janice Hildreth
known or identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared that the state-
ments therein are true, and acknowledged to me that she executed the same.

Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: 1/6/2004

Jack Murphy

MICROFILMED

JUL 13 2001

Sue Please send the requested info Gary

FAX

June 21, 2001

TO: Gary Spackman- IDWR - Western Regional Office
Fax # (208) 334-2348

FROM: Lin Buck - BLM - Idaho State Office
Fax # (208) 373-3805

RE: Application for Amendment of Permit No. 63-31138, City of
Meridian.

Our office reviewed the above application from the IDWR New Water Rights
Filing Report dated 06-18-2001.

Would you please fax us the POU 1/4 1/4s or a boundary map.

Thank you.

✓
6-26-01
AT

MICROFILMED

OCT 19 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

June 15, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DIV OF ENV QUALITY
BOISE REGIONAL OFFICE
PO BOX 83720
BOISE ID 83706

Re: Amendment of Application for Water Right No. 63-31138 in the Name of City of Meridian.

Dear Sir and or Madam:

Enclosed is a copy of the above-referenced amendment, which may be of interest to your agency. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by July 9, 2001.

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

Sincerely,

Gary Spackman

GS:lm

Encl.

MICROFILMED

OCT 19 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

June 15, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Application to Amend Permit No. 63-31138

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before July 9, 2001. Your cooperation is appreciated.

Sincerely

Steve Lester for Sue Taylor
Water Rights Supervisor

MICROFILMED

OCT 19 2001

FXED on 6/15/01 to meet deadline.

✓
ok
Fax would not go through, talked
to Janice & emailed her the
ad instead

-JZ

Lester, Steve

From: Lester, Steve
Sent: Friday, June 15, 2001 1:21 PM
To: 'legals@idstates.com'
Subject: Legal Notice for Amendment of Water Right 63-31138

Janice:

Attached is the legal notice for June 21 and 28, 2001. Please contact me immediately if you cannot publish the notice on those dates. Please submit your affidavit of publication and publication bill to this office before July 9, 2001. The affidavit and bill should be sent to:

Sue Taylor
IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082

Please send me an email reply to confirm receipt of this message and let me know if anything doesn't look right.

I will follow up with Sue about using email for all future notices -- would be great on both ends of the process!

Thanks for your help.

Steve Lester, IDWR Western Region

slester@idwr.state.id.us

tel. 334-2190



Amend 63-31138.doc

emailed ad to Janice & ID Attorney

MICROFILMED
OCT 13 2001

NOTICE OF APPLICATION FOR AMENDMENT OF WATER RIGHT

CITY OF MERIDIAN of 33 E. Idaho Ave., Meridian ID 83642 has applied to the Department of Water Resources to change the Point of Diversion pursuant to I.C. § 42-211 for the following ground water right in Ada County (all sites listed in this notice are in Section 24, T3N R1W):

Permit #63-31138, priority 1-29-2001, 5.0 cfs diverted from 2 wells in SWSWNE. Water is for year around municipal use within the applicant's service area. Water bearing zone appropriated by this permit is from 500 to 800 feet.

PROPOSED AMENDMENT

Add a well in SESENE with the same water bearing zone to be used.

The permit will be subject to all prior water rights. Any protest against approval of the proposed amendment must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before July 9, 2001. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published on June 21 and 28, 2001.

MICROFILMED
OCT 13 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

April 19, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

CITY OF MERIDIAN
200 E CARLTON STE 100
MERIDIAN ID 83642

RE: Permit No. 63-31138

Dear Permit Holder:

The Department of Water Resources has re-issued the enclosed permit. The original application for permit proposed the use of two wells, but the permit approval dated April 9, 2001 indicated authorization for the use of only one well. The enclosed permit has been issued to correct this omission.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

cc: Ed Squires

MICROFILMED

MAY 09 2001

CERTIFICATE OF MAILING

I hereby certify that on April 19, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 63-31138

**CITY OF MERIDIAN
200 E CARLTON STE 100
MERIDIAN ID 83642**

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**MICROFILMED
MAY 09 2001**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

741. -- 749. (RESERVED).

750. ORDER NOT DESIGNATED (Rule 750).

If an order does not designate itself as recommended, preliminary or final at its release, but is designated as recommended, preliminary or final after its release, its effective date for purposes of reconsideration or appeal is the date of the order of designation. If a party believes that an order not designated as a recommended order, preliminary order or final order according to the terms of these rules should be designated as a recommended order, preliminary order or final order, the party may move to designate the order as recommended, preliminary or final, as appropriate. (7-1-93)

751. -- 759. (RESERVED).

re-issue permit
760. MODIFICATION OF ORDER ON PRESIDING OFFICER'S OWN MOTION (Rule 760).

A hearing officer issuing a recommended or preliminary order may modify the recommended or preliminary order on the hearing officer's own motion within fourteen (14) days after issuance of the recommended or preliminary order by withdrawing the recommended or preliminary order and issuing a substitute recommended or preliminary order. The agency head may modify or amend a final order of the agency (be it a preliminary order that became final because no party challenged it or a final order issued by the agency head itself) at any time before notice of appeal to District Court has been filed or the expiration of the time for appeal to District Court, whichever is earlier, by withdrawing the earlier final order and substituting a new final order for it. (7-1-93)

761. -- 769. (RESERVED).

770. CLARIFICATION OF ORDERS (Rule 770).

Any party or person affected by an order may petition to clarify any order, whether interlocutory, recommended, preliminary or final. Petitions for clarification from final orders do not suspend or toll the time to petition for reconsideration or appeal the order. A petition for clarification may be combined with a petition for reconsideration or stated in the alternative as a petition for clarification and/or reconsideration. (7-1-93)

771. -- 779. (RESERVED).

780. STAY OF ORDERS (Rule 780).

Any party or person affected by an order may petition the agency to stay any order, whether interlocutory or final. Interlocutory or final orders may be stayed by the judiciary according to statute. The agency may stay any interlocutory or final order on its own motion. (7-1-93)

781. -- 789. (RESERVED).

790. PERSONS WHO MAY APPEAL (Rule 790).

Pursuant to Section 67-5270, Idaho Code, any party aggrieved by a final order of an agency in a contested case may appeal to district court. Pursuant to Section 67-5271, Idaho Code, a person is not entitled to judicial review of an agency action in district court until that person has exhausted all administrative remedies available with the agency, but a preliminary, procedural, or intermediate agency action or ruling is immediately reviewable in district court if review of the final agency action would not provide an adequate remedy. (7-1-93)

791. NOTICE OF APPEAL (Rule 791).

The notice of appeal must be filed with the district court and served on the agency and all parties. (4-5-00)

01. Filing Appeal. Pursuant to Section 67-5272, Idaho Code, appeals may be filed in the district court of the county in which: (4-5-00)

- a. The hearing was held; (7-1-93)
- b. The final agency action was taken; (7-1-93)
- c. The party seeking review of the agency action resides; or (7-1-93)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 10, 2001

CITY OF MERIDIAN
200 E CARLTON STE 100
MERIDIAN ID 83642

RE: Permit No. 63-31138

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

MICROFILMED

MAY 9 9 2001

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

for 

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

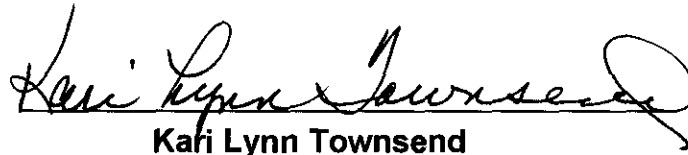
MAY 09 2001

CERTIFICATE OF MAILING

I hereby certify that on April 10, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 63-31138

**CITY OF MERIDIAN
200 E CARLTON STE 100
MERIDIAN ID 83642**



**Kari Lynn Townsend
Secretary**

MICROFILMED

MAY 09 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED

MAY 09 2001

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED

MAY 09 2001

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS
Reviewed by Sharla Curtis on 3/28/01

No. 63-31138 Name: City of Meridian Corp. Officers ☒ Ad ok ☒ Govt Lots ☐

AREA OF CONCERN: No/Yes TVGW Moratorium Study area GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046
Basin 34 - 084 (if necessary)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
~~WMD~~
Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121

Trust - 051 (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-01H-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 054-106
FISH PROP - 029 (70'S only)-007-042-106
HEAT/COOL - R07 (injection well)
FIRE PROT. - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8

BENEFICIAL USE DUE: 4/01/2006

MISC CONDITIONS/REMARKS:

~~Protested~~ - 020-W19
Development Period
> 1 yr - 26A
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response _____
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE _____
WD - R04 (WD# _____)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or WD

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W22, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

~~POWER~~ - 17H-17K (+uses)-08A-025-01N-106
MUNICIPAL
~~Restricted area~~ - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075 (no parks/common areas, etc)
Irr use listed separate
or none allowed - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple pd's per ¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON _____ (Per updated map)

IRR VOLUME/ACRE _____

OTHER CONDITIONS/REMARKS

All city limits of Meridian & surrounding
COMMENTS Water bearing zone 500-800 ft. Service area.

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

MAR 21 2001

Department of Water Resources

INITIAL REVIEW BY: DAN DATE: 1-10 APPLICATION: 63-31138
App ID# 68848

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources)
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County:
- ☒ Quantity: (flow and/or volume)
- ☒ Period of use:
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map: (show T, R, S, QQ &/or QQQ)
- ☒ Subdivision plat: (for > 1 home in restricted area. $\geq$ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid
- Gov't. Lots:
☒ P/D
☒ P/U

ADDITIONAL INFORMATION

yes ADVERTISE REMARK(S)
(Reviewer identify which remarks)

X T FLAG CHANGED TO P FLAG

YES NO

- ☒ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☒ Overlapping point of diversion.
- ☒ Critical groundwater area:
- ☒ Groundwater management area:
- ☒ 1992 moratorium: Municipal Right
- ☒ Surface water source, IDFG letter needed.
- ☒ Protected river or minimum flow reach, notify water planning bureau.
- ☒ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☒ E-mail to Dam Safety staff: (for any storage)
- ☒ Mitigation plan: Check any that apply. Municipal Right
____ immediate = acceptable plan required and submitted.
____ future = open areas, acceptance of condition of approval is in file.
- ☒ Send power requirement letter &/or fish farm requirement letter.
- ☒ Power residency affidavit:
- ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
- ☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested _____ Date Response Received _____

PROCESSING

APP. NO. 3-31138APP ID # 68840

YES NO

☒ ☐ In form for advertising:
☐ ☒ Statewide advertising: (> 10 cfs &/or 1000 af)
☒ ☐ Fee amount, receipt number and date recorded on application:

SEND COPIES TO: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

☒ ☐ I.D. Health & Welfare
☐ ☒ I.D. District Health
☐ ☒ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☐ ☒ Water Dist. # _____
☐ ☒ Water Planning Bureau
☐ ☒ Other _____

FINAL REGIONAL PROCESSING REVIEW:

YES NO

☒ ☐ Affidavit of publication received:
☒ ☐ Application published correctly: If not, record action taken.

☒ ☐ Publication dates and paper recorded on application:

☒ ☐ Final date for protest 3-5-01

☐ ☒ Protests received.

☐ ☒ Recommendations attached:

☐ ☒ Measuring device required:

☐ ☒ Water delivered by water master? District # _____

☒ ☐ Special conditions of approval or cover letter: 046, 121

See below for additional information

Recommended Date or Priority 12/11/00

Recommended by: Gay Date: 3/17/01

ADDITIONAL INFORMATION:

There are a large number of overlapping
right for the PLU under the name of
city of Meridian, but there are no
overlapping rights at the PLU.

The Idaho Statesman

P.O. Box 40, Boise, Idaho 83707-0040

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification	Amount
047628	402195	NOTICE OF APPLICATION	\$150.00
Ordered by:		P.O. #	Rate
SUE TAYLOR			TT
		Run Dates	
		FEBRUARY 15, 22, 2001	
IDAHO DEPARTMENT OF WATER RESOURCES WEST 2735 AIRPORT WAY BOISE, IDAHO 83705			Number of Lines
			42 X 2
			Affidavit
			Legal #
			1 9577

RECEIVED

FEB 23 2001

**WATER RESOURCES
WESTERN REGION**

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

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
 insertion(s)

beginning with the issue of: FEBRUARY 15, 2001
 and ending with the issue of: FEBRUARY 22, 2001

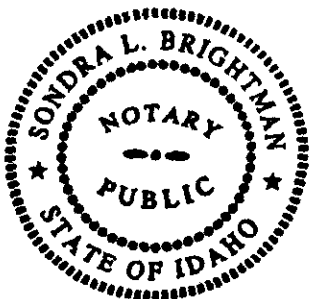
Janice Hildreth

STATE OF IDAHO)
) ss
COUNTY OF ADA)

On this 22 day of FEBRUARY in the year of 2001 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Sondra L. Brightman

Notary Public for Idaho
 Residing at: Boise, Idaho
 My Commission expires: 6/20/02



**MICROFILMED
MAY 09 2001**

(over)

RECEIVED
FEB 23 2001

WATER RESOURCES
WESTERN REGION

**LEGAL NOTICE
NOTICE OF APPLICATION**

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

63-31149
PARKVIEW EAST CONDOMINIUM ASSOCIATION
3100 CRESCENT RIM DR.
BOISE ID 83706

Point(s) of Diversion SWSE S9 T03N R02E ADA County
Source GROUNDWATER
Use: COOLING 01/01 To 12/31 0.2 CFS 2 AFA
Total Diversion: 0.2 CFS 2 AFA
Date Filed: 01/17/2001
Place Of Use: COOLING
T03N R02E S9 SWSE

Remark: Water bearing zone to be appropriated is from 112 to 225 feet.
63-31138

CITY OF MERIDIAN
200 E CARLTON STE 100
MERIDIAN ID 83442

Point(s) of Diversion SWSWNE S24 T 03N R01W ADA County
Source GROUNDWATER
Use: MUNICIPAL 01/01/ To 12/31 5.5 CFS
Total Diversion: 5.5 CFS
Date Filed: 01/29/2001

Remark: Municipal use is for City of Meridian's service area for 2 wells diverting from the 500 to 800 feet water bearing zone.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of these applications must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 03/05/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Pub. Feb. 15, 22, 2001

9577

MICROFILMED
MAY 9 9 2001

02/07/2001

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Application for Permit No. 63-31138

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 03/05/2001. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED

MAY 09 2001

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

63-31138

CITY OF MERIDIAN
200 E CARLTON STE 100
MERIDIAN ID 83642

Point(s) of Diversion SWSWNE S24 T03NR01W ADA County
Source GROUND WATER

Use: MUNICIPAL 01/01 To 12/31 5.5 CFS

Total Diversion: 5.5 CFS

Date Filed: 01/29/2001

Remark: Municipal use is for City of Meridians service area for 2 wells diverting from the 500 to 800 feet water bearing zone.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 03/05/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on February 15 & 22, 2001.

MICROFILMED

MAY 09 2001

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

Name of Applicant City of Meridian, Idaho
Mailing Address 200 E. Carlton, Suite 100
Meridian, Idaho 83642
Application No. _____
(if known)

 IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

 PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

XX WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature

Robert D. Carver, Mayor

Date

12/1/2000

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

MICROFILMED

MAY 09 2001

Hydro Logic, Inc.

988 S. Longmont, Ave, Suite 100, Boise, ID 83706 (208) 342-8369, (Fax) 342-3100, hlogic@msn.com

January 29, 2001

Dan Nelson
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

Subject: City of Meridian Supply Well #22

Dear Mr. Nelson:

Under this cover, please find a check for \$250 that is the balance of the Water Right Application fee due the Department for the new #22 supply well for the City of Meridian. The water-bearing zone we are proposing to complete the new well into is presently estimated to be ~~between 500 to 800 feet below ground level~~. We understand that the new application will be publicly advertised on February 8th and 15th in the Idaho Statesman. Thank-you for your assistance with this matter. Please call me if you have further questions.

Respectfully,

Ed Squires



MICROFILMED

MAY 09 2001