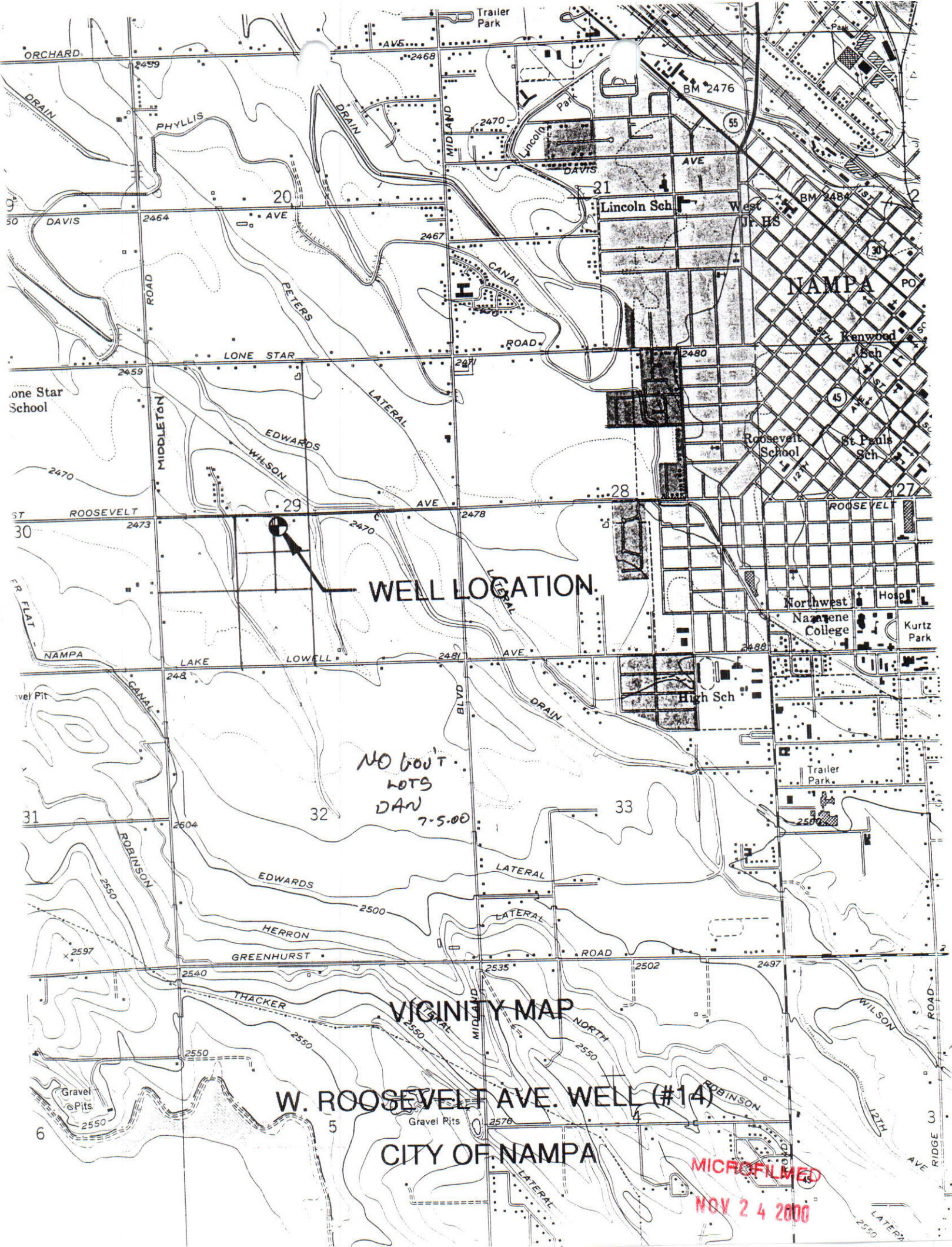




WELL LOCATION

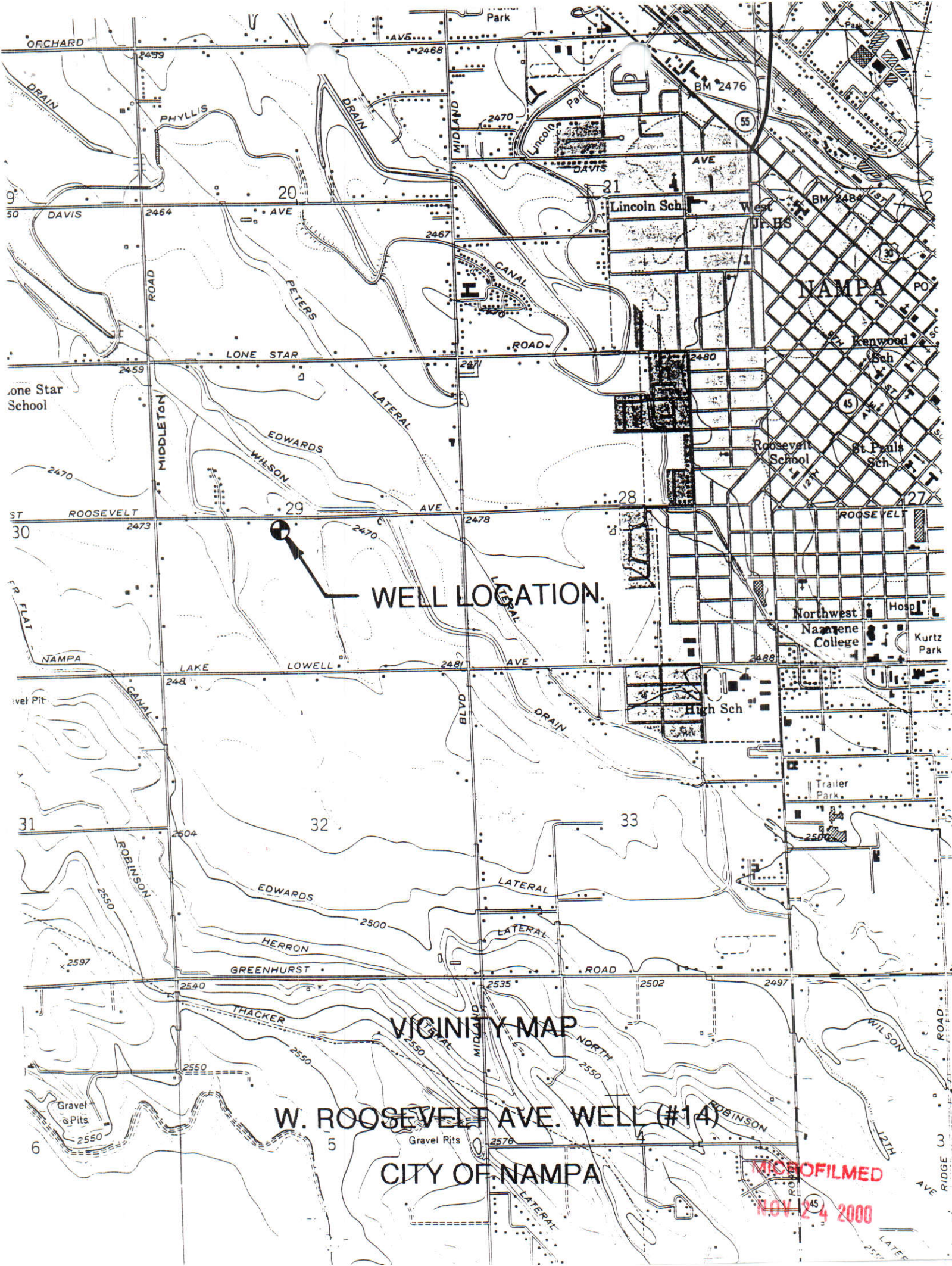
NO GOVT.
LOTS
DAN
7-5-00

VICINITY MAP

W. ROOSEVELT AVE. WELL (#14)

CITY OF NAMPA

MICROFILMED
NOV 24 2000



VICINITY MAP

W. ROOSEVELT AVE. WELL (#14)

CITY OF NAMPA

MICROFILMED
NOV 24 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

RECEIVED
NOV 23 2001

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 63-12591
Name(s) of Permit Holder: City of Nampa
Address: 411 3rd Street South City Nampa State ID Zip 83651
Telephone No. 208 465-2270 Date Proof is Due: October 1, 2001

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)

Well has been drilled and is capped off at this time.

It is awaiting pumps, well house, etc.

Costing \$ 128,898.00

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

The City of Nampa is requesting more time to have the
pumps, well house, etc. designed and constructed.

The remainder of this project will be persued as soon
as possible.

Permit holder(s) request an extension to October 1, 2006

[Signature]
(Signature)

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

REINSTATED with the priority advanced to August 21, 2000. IT IS FURTHER ORDERED that the time within which to submit proof of beneficial use is extended to October 1, 2006.

Signed this 3rd day of December, 2001

[Signature]
L. GLEN SAXTON, Chief
Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
INSTRUCTIONS FOR EXTENSION OF TIME REQUEST
TO SUBMIT PROOF OF BENEFICIAL USE

If the water right development authorized by your permit is not complete and you need more time to submit proof of beneficial use of water under your permit, please read the following:

Under the provisions of Section 42-204, Idaho Code, the department can extend the proof due date of your permit only once, and then only if you can demonstrate that you have been pursuing development of the permit with due diligence.

The Request for Extension of Time form requires that you indicate the extent of development that has occurred, the cost, and the reason(s) the work has not been completed. This information must be provided in enough detail to show due diligence. Examples of work performed are: well drilled, pump installed, 10 acres now irrigated, fish propagation ponds constructed, sprinkler system purchased, etc.

If no work has been accomplished, the statutes provide that the Request for Extension of Time must be denied. **Lack of financial resources, the state of the economy or personal illness usually cannot be considered adequate reasons to approve a Request for Extension of Time.**

EXCEPTIONS TO ONLY ONE EXTENSION

The proof due date for a permit that has not been developed for one of the following reasons may be granted one or more extensions of time even though no work has been accomplished:

- When there is a lack of a required consent or final approval from a federal government agency **(evidence of delay must be submitted with the request)**, i.e. right-of-way easement or land classification such as Desert Land Entry or Carey Act.
- When litigation related to title of the water has prevented development of the permit **(evidence must be submitted with the request)**.
- When the water project is of a large scale -- storage of more than 10,000 acre-feet or diversion of more than 25,000 acre-feet in one irrigation season for an irrigation project of at least 5,000 acres.
- When the water right permit is held by the United States of America **(reason for request must be submitted)**.

A non-refundable filing fee of **\$50.00** must accompany the Request for Extension of Time form.

NOTE that in no case should a Proof of Beneficial Use form and a Request for Extension of Time form both be submitted. If your water development project is completed, then the proof of beneficial use form should be completed and returned. If the project is started but not completed, then the Request for Extension of Time form should be completed and returned in compliance with the guidelines above. If the project has not been initiated and does not fit into one of the exceptions listed above, then neither form should be returned and the permit will lapse and become of no further force nor effect.

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-12591

Priority: June 29, 2000

Maximum Diversion Rate:

3.50 CFS

This is to certify, that CITY OF NAMPA
411 3RD ST S
NAMPA ID 83651

has applied for a permit to appropriate water from: 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	3.50 CFS

LOCATION OF POINT(S) OF DIVERSION:

NENESW , Sec. 29, Township 03N, Range 02W
CANYON County

PLACE OF USE: See Remarks

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before October 1, 2001.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. 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.
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. 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.
7. Place of use is within the service area of the City of Nampa.
8. Water bearing zone to be appropriated is 200 to 500 feet.

MICROFILMED

JUN 24 2000

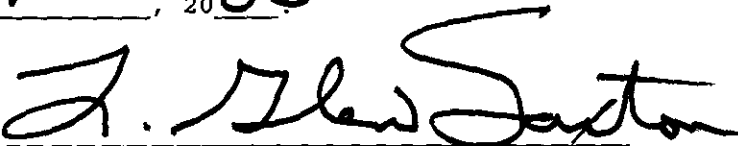
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-12591

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

13 day of October, 2000


for Karl J. Dreher, Director



MICROFILMED
NOV 24 2000

Ident. No. 63-12591

RECEIVED

JUN 29 2000

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

AUG 24 2000

Department of Water Resources

1. Name of Applicant City of Nampa Phone (208) 465-2220
Post Office address 411 Third Street South, Nampa, ID 83651
2. Source of water supply Groundwater which is a tributary of N/A
3. Location of point of diversion is NE 1/4 of NE 1/4 of SW 1/4, Govt. Lot _____
Sec. 29 Township 3N Range 2W B.M. Canyon County; additional points of
diversion if any: N/A
4. Water will be used for the following purposes:
Amount 3.5 cfs for Municipal purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 3.5 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well pump
- b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total
reservoir capacity N/A acre-feet; period of year when water will be diverted to storage:
N/A to N/A inclusive.
- c. Proposed well diameter is 20/12 inches; proposed depth of well is 500 feet.
- d. Is ground water with a temperature of greater than 85°F being sought? No
- e. If well is already drilled, when? N/A; Drilling firm N/A:
Well was drilled for (well owner) N/A
7. Time required for completion of works and application of water to proposed beneficial use is 1 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 if KW. N/A
b. Stockwatering; list number and kind of livestock. N/A
c. Municipal; show name of municipality. City of Nampa
d. Domestic; show number of households. N/A
e. Other; describe fully. N/A

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NOV 24 2000

9. Description of place of use:

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

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	2W	29									M								

Total number of acres to be irrigated 0

10. Describe any other water rights used for the same purposes as described above. N/A

11. a. Who owns the property at the point of diversion? City of Nampa

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

c. If the property is owned by a person other than the applicant, describe the arrangement enable the applicant to make this filing: N/A

12. Remarks: _____

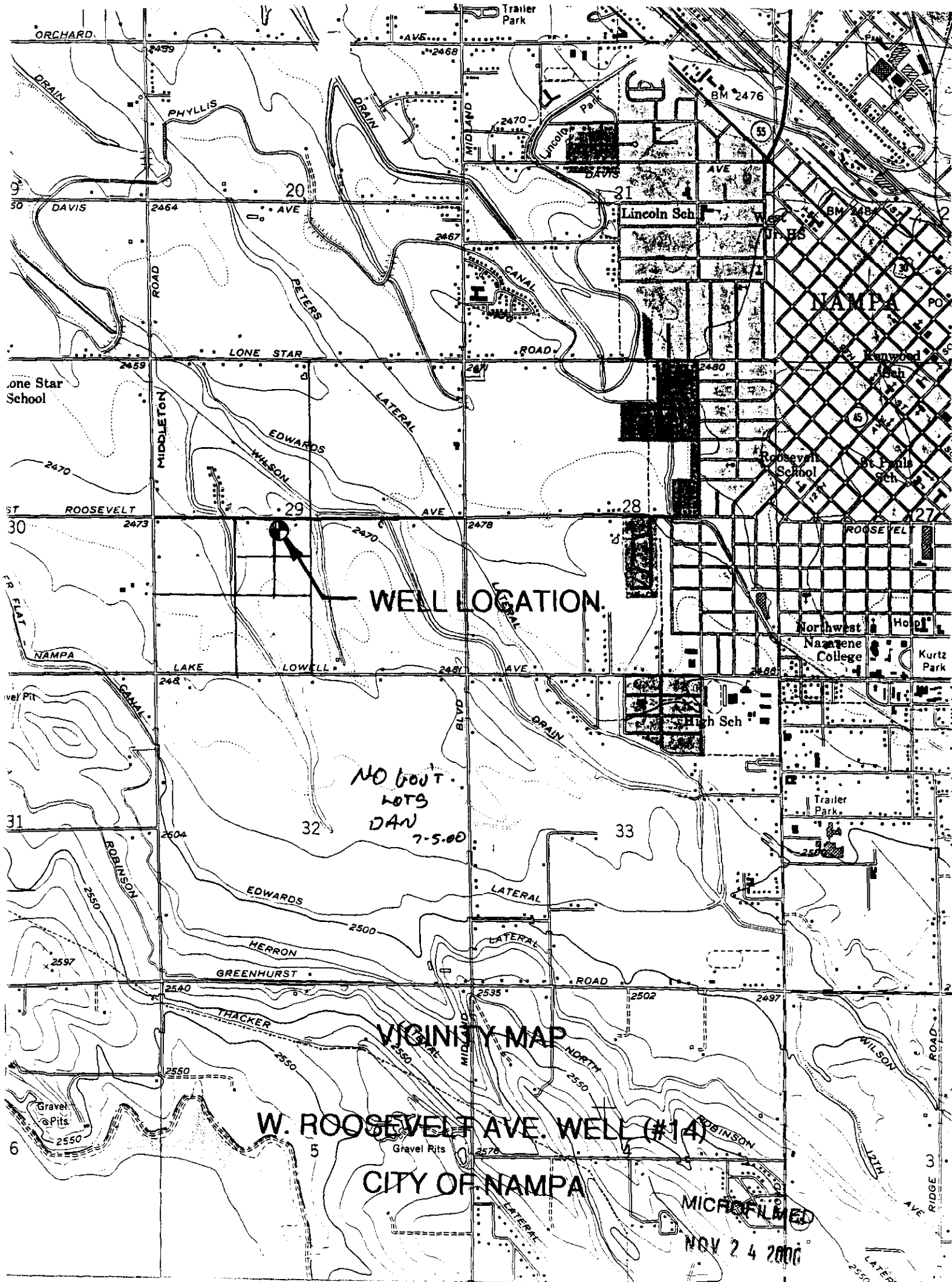
13. MAP OF PROPOSED PROJECT ATTACHED X Show clearly the proposed point of diversion, place of use, section number, township and range number.

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

Douglas Cox, P.E. City Engineer
(Applicant)
6/28/00

Received by KH Date 6/29/00 Time 8:59 Preliminary check by DAN
Fee \$ 160.00 Received by KH # W022184 Date 6/30/00
Publication prepared by alt Date 2-19-00 Published in PRESS TRIBUNE
Publication approved: LM Date 8-16-00 MICROFILMED

JUN 26 2000



WELL LOCATION

NO BOAT
LOTS
DAN
7-5-00

VICINITY MAP

W. ROOSEVELT AVE. WELL (#14)

CITY OF NAMPA

MICROFILMED
NOV 24 2000

WELL DRILLER: PLEASE COMPLETE FOR VERBAL

IDWR Employee Issuing Verbal: _____
Verbal Issued Date: _____ Time: _____

COPY

RECEIVED

State of Idaho
Department of Water Resources

JUN 29 2000

WATER RESOURCES
WESTERN REGION

**APPLICATION FOR DRILLING PERMIT
(FOR THE CONSTRUCTION OF A WELL)**

1. Applicant (please print): City of Nampa

2. Mailing Address: 411 Third Street South

City & State Nampa, ID Zip Code 83651 Telephone (208) 465-2220

☒ Well Owner ☐ Well Operator ☐ Contractor or Other, specify _____

3. Proposed Well Location: Twp. 3N, Rge. 2W, Sec. 29, NE 1/4 NE 1/4 SW 1/4

Gov't Lot No. _____ County Canyon Lat. _____:_____:_____ Long. _____:_____:_____

Street Address of Well Site W. Roosevelt Ave. - 3000' West of Midland Blvd. City _____

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

Lot, block and subdivision N/A

4. Proposed Use of Well:

☐ DOMESTIC: The use of water for homes, organization camps, public campgrounds, livestock (1,000 head or less) and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

NON-DOMESTIC: ☐ Irrigation ☒ Municipal ☐ Industrial
☐ Stock ☐ Test ☐ Other _____
(Over 1,000 Head) (Describe)

☐ INJECTION

☐ MONITORING: A well bore schematic and map is required for each blanket permit.
No. of proposed wells: _____

5. Well Construction Information:

A. ☒ New well ☐ Modify ☐ Replace

B. Proposed Casing Diameter 20/12 inch Proposed Maximum Depth 500 feet

C. Anticipated bottom hole temperature:

☒ 85°F or less ☐ 85°F to 212°F
(Cold Water Well) (Low Temp. Geo. Well)

☐ 212° F. or more
(Geothermal Well)

6. Construction Start Date: August 2000 (Anticipated)

7. Anticipated Well Driller: To be determined Driller's Lic. No. _____
NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's Signature Douglas Cox Date 6/28/00 NOV 24 2000

Title City Engineer
(Owner, Firm Representative, Other)

ACTION (THE DEPARTMENT OF WATER RESOURCES

This Permit is _____ Date _____

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. **READ CAREFULLY!**

GENERAL CONDITIONS

1. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well. All wells must be drilled a minimum distance of 100 feet from a drain field. Domestic and Public Water Supply wells must be drilled a minimum of 50 feet and 100 feet respectively from a septic tank.
3. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

SPECIFIC CONDITIONS:

MICROFILMED

NOV 24 2000

Signature of Authorized Department Representative _____

Title _____

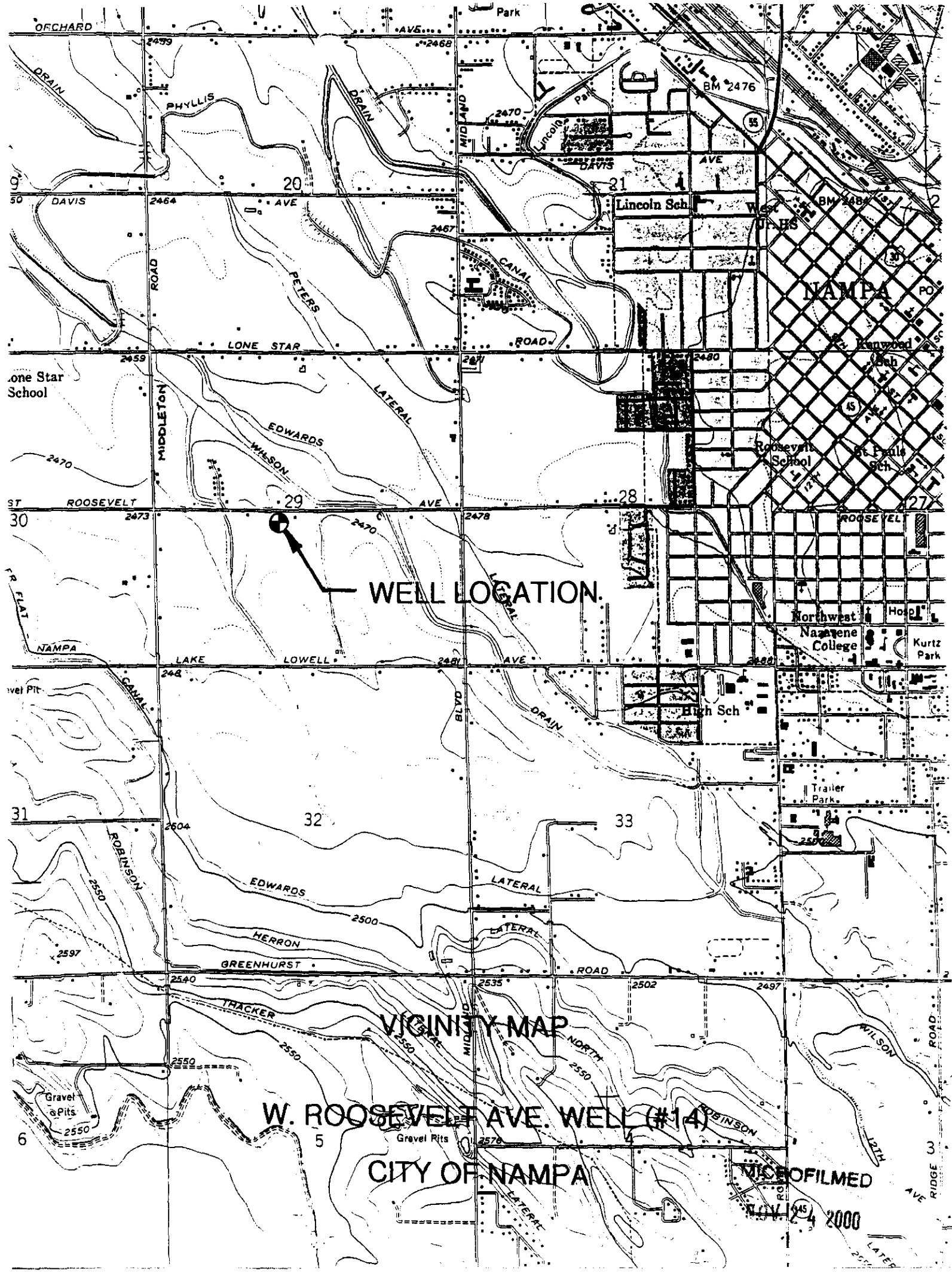
Receipt No. _____ Received by _____ Fee _____ Date _____

no Fee 6/29/00 KG

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension expires: _____



VICINITY MAP

W. ROOSEVELT AVE. WELL (#14)

CITY OF NAMPA

MICROFILMED

NOV 24 2000

SD-0420-2
MODIFY RECORD

Idaho Department of Water Resources
Modify Comment

Date: 07/11/00
Time: 09:13:48

Water Right Number: 63-12591

Comment Date: 7/11/2000 User ID: DNELSON

Subject: ADDITIONAL INFORMATION _____

APPLICANT: The applicant stated in a telephone conversation that this is not a future use application. They believe that the well will be operating at capacity within the next 1 to 2 years. This well will also be connected to the city's main system and will not be a stand alone system. Brian Donaldson of JUB Engineers is handling the technical aspects of the well. _____

IDWR: Rob Whitney approved the 200 to 500 ft water bearing zone prior to advertising permit. _____

(Enter=Continue/Exit) (Gold2=Update) (Gold3=Delete) (Gold4=Prev) (Gold5=Next)

MICROFILMED
NOV 24 2000



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

December 3, 2001

CITY OF NAMPA
ATTN CARLA
411 3RD ST S
NAMPA ID 83651

RE: PERMIT NO. 63-12591

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the proof due date to **October 1, 2006**. Please note that the approved request reinstates the permit, however, since your request was submitted after the proof due date the priority of the permit advances to August 21, 2000, as referenced in Section 42-218a, Idaho Code.

Please note that the department has granted this extension based on **due diligence**. It is important that you work diligently toward the completion of the development during the construction period allowed since the department **may not** be able to grant additional extensions based on due diligence.

Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please feel free to contact the department if you have questions.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No.: 63-12591

Reviewed By: dgibson

Date: December 3, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Request received timely?		X	Is delay by a government agency?		
Appropriate fee	X		Is supporting documentation needed to support the file?		
Additional Amount Due:					
Receipt No.:		W026684,	Has the permit been involved in litigation?		
Name and signature same as permit?	X		Is supporting documentation needed to support the file?		
Is address same as permit?	X		Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?		
Has adequate work been completed to demonstrate due diligence?	X				

Priority Calculation

Extension request received	11/23/2001	New proof due date	10/01/2006
Date proof due	- 10/01/2001		
Lapse notice sent	- 10/11/2001		
No. of days late	= 53		
Holiday allowance	+		
Priority date	+ 06/29/2000		
New priority date	= 08/21/2000		

Action Taken

Acknowledge request and extend proof deadline to Oct. 1, 2006. Issue an order to reinstate permit.

October 11, 2001

CITY OF NAMPA
411 3RD ST S
NAMPA, ID 83651

LAPSE NOTICE

RE: PERMIT NO. 63-12591

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in the proof due notice dated October 1, 2001. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 10/11/01
a ~~copy~~ original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



July 31, 2001

CITY OF NAMPA
411 3RD ST S
NAMPA, ID 83651

PROOF DUE NOTICE

RE: PERMIT NO. 63-12591

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before October 01, 2001. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

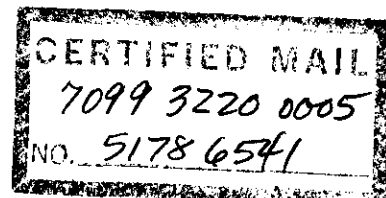
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

Sincerely,

Deborah J. Gibson, Admin. Asst.
Water Allocation Bureau

Enclosures





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 13, 2000

CITY OF NAMPA
411 3RD ST S
NAMPA ID 83651

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-12591

Dear Permit Holder:

The Department of Water Resources (IDWR) 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 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.

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

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 right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

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 homepage on the Internet to obtain the proper reporting form.

MICROFILMED
NOV 24 2000

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Shelley Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

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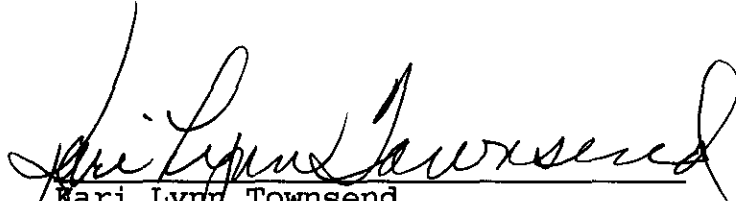
NOV 24 2000

CERTIFICATE OF MAILING

I hereby certify that on the 13th day of October, 2000, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 63-12591

CITY OF NAMPA
411 3RD ST S
NAMPA ID 83651


Kari Lynn Townsend
Secretary

MICROFILMED
NOV 24 2000

**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.

**City of Nampa
411 Third Street South
Nampa, Idaho 83651
465-2270**

Mayor

**Maxine Horn
411 Third Street South
Nampa, Idaho 83651
465-2200, Fax: 465-2227**

Councilmembers

**Lynda Clark, President
613 West Boone Avenue
Nampa, Idaho 83651
334-4500 - w
367-1719 - h**

**Tom Dale
911 Florence
Nampa, Idaho 83686
465-5488**

**Stephen Kren
605 North Horton
Nampa, Idaho 83651
467-4871**

**Martin Thorne
420 West Dakota
Nampa, Idaho 83686
466-0798**

MICROFILMED

NOV 24 2000

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 9/26/00

No. 63-12591 Name: City of Nampa Corp. Officers ✓ Ad ok ✓ Govt Lots

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

study area

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046
Basin 34 - 084 (if necessary)
Irr. w/in WD - P05
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
42-248 Area
Swan Falls Flag
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-01H(P01), 01P-18B(P09)-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(P10)
FISH PROP - 029(70'S only)-007-042-106 (P10)
HEAT/COOL - R07 (injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 10 / 01 / 2001

MISC CONDITIONS/REMARKS:

~~Protested~~ - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
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
In-stream development - P52
WD - R04 (WD#)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 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(P04), N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

~~POWER~~ - 17H-17K (+uses)-08A-025(P18)-01N-106 (P10)
~~MUNICIPAL~~
~~Restricted area~~ - 022,075
~~Ex. 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 - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple pd's per ¼¼ - 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 Water bearing zone 200-500 feet.

COMMENTS Full service area City of Nampa.

9/99

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: DAN DATE: 7-5-00 APPLICATION: 63-12591

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: CITY OF Nampa service area
- ☒ Map: (show T, R, S, QQ &/or QQQ)
- ☒ Subdivision plat: (for > 1 home in restricted area. ≥ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid

RECEIVED

AUG 24 2000

Gov't. Lots:

NO P/D
NO PIU

Department of Water Resources

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.) Canal water Right (Nampa/Meridian Irrigation Dist)
- ☒ Overlapping point of diversion.
- ☒ Critical groundwater area:
- ☒ Groundwater management area:
- ☒ 1992 moratorium: MUNICIPAL USE (EXEMPT)
- ☒ 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.
- ☐ 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. 6 - 12591

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 8-7-00
☐ ☒ Protests received.
☐ ☒ Recommendations attached:
☐ ☒ Measuring device required:
☐ ☒ Water delivered by water master? District # _____
☒ ☐ Special conditions of approval or cover letter: 121,046

See below for additional information

Recommended Date or Priority 6/29/00Recommended by: Emy Date: 8/22/00

ADDITIONAL INFORMATION:

Water Bearing Zone is 200-500 ft. Per
Telephone conversation between Rob Whitney
and City of Nampa Engineer Contractor JUB
Engineers, Brian Donaldson. Contact PLU is City
of Nampa service area/per telephone conversation
with Doug Cox City Engineer. This permit is
for current needs of the city.

RECEIVED

JUL 10 2000

WATER RESOURCES
WESTERN REGIONAL

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 Nampa

Mailing Address

411 3rd St. S.

Nampa, ID 83651

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.

X 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 also understand that the Director will not require mitigation until 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

Douglas Cox

Date

July 7, 2000

Please return this form to:

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

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NOV 24 2000

AFFIDAVIT OF PUBLICATION RECEIVED

JUL 28 2000

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO)
) SS.
County of Canyon)

Carolyn Roberson
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States, 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
newspaper published in the City of Nampa and Caldwell, in the
County of Canyon, State of Idaho; that the said newspaper is in

in the said County of Canyon, and in the
and Caldwell, and has been uninterruptedly
County during a period of seventy-eight
prior to the first publication of the notice, a
eto attached.

of which the annexed is a printed copy, was
newspaper two times in the regular and entire
and was printed in the newspaper proper, and

as published the following dates:

2000

Roberson

HO)

)

n)

of July in the year of 2000

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-12590

LEIGH, STANLEY
LEIGH, JO ANNE
PO BOX 1029
PARMA, ID 83660

Source: DRAIN DITCH NO. 3 Tributary: SNAKE RIVER
Diversion Pt: LOT 4 (SESW) Sec 24 T 06N R 06W in CANYON County.

Use: IRRIGATION { 0.500 CFS
Total Diversion: { 0.500 CFS

Date Filed: 6/12/2000

In: CANYON County
T06N R06W S24 Lot 2 (SWNE) Lot 2 (SENW)

25.0 ACRES TOTAL

Applicant agrees to mitigate consumptive use of waste water tributary to the
Snake River in the future as needed.

63-12591

CITY OF NAMPA
411 THIRD STREET SOUTH
NAMPA, ID 83651

Source: GROUNDWATER
Diversion Pt: NENESW Sec 29 T 03N R 02W in CANYON County.

Use: MUNICIPAL { 3.500 CFS
Total Diversion: { 3.500 CFS

Date Filed: 6/29/2000

T R S00

Applicant agrees to mitigate consumptive use in the future as needed to divert wa-
ter from the 200 to 500 ft water bearing zone to supply the City of Nampa service
area.

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 Resources, Western Re-
gion, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for
each application on or before AUGUST 7, 2000. The protestant must also send a
copy of the protest to the applicant.

KARL J. DREHER, Director
July 20, 27, 2000

1400

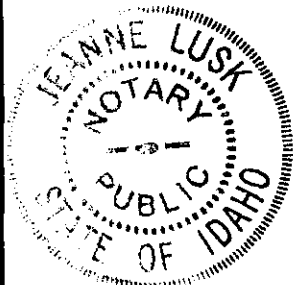
Notary Public for Idaho

Residing at Nampa

My Commission expires June 21st, 2003

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NOV 24 2000





State of Idaho
DEPARTMENT OF WATER RESOURCES

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

July 18, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ID DEPT OF HEALTH & WELFARE
DIV OF ENV QUALITY
BOISE REGIONAL OFFICE
PO BOX 83720
BOISE ID 83706

Re: Application for Permit No. 63-12591 in the Name of City of Nampa

Dear Sir:

Enclosed is a copy of the above-referenced application for permit 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 May 22, 2000.

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

Sincerely,

A handwritten signature in black ink that reads 'Gary Spackman'. The signature is fluid and cursive, with the first name 'Gary' being more prominent.

Gary Spackman

GS:lm

Encl.

MICROFILMED

NOV 24 2000

63-12591

CITY OF NAMPA
411 THIRD STREET SOUTH
NAMPA, ID 83651

Source: GROUNDWATER

Diversion Pt: NENESW Sec 29 T 03N R 02W in CANYON County.

Use: MUNICIPAL	(	3.500 CFS)
Total Diversion:	(	3.500 CFS)

Date Filed: 6/29/2000

T R S00

Applicant agrees to mitigate consumptive use in the future as needed to divert water from the 200 to 500 ft water bearing zone to supply the City of Nampa service area.

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NOV 24 2000