

Figure 3.

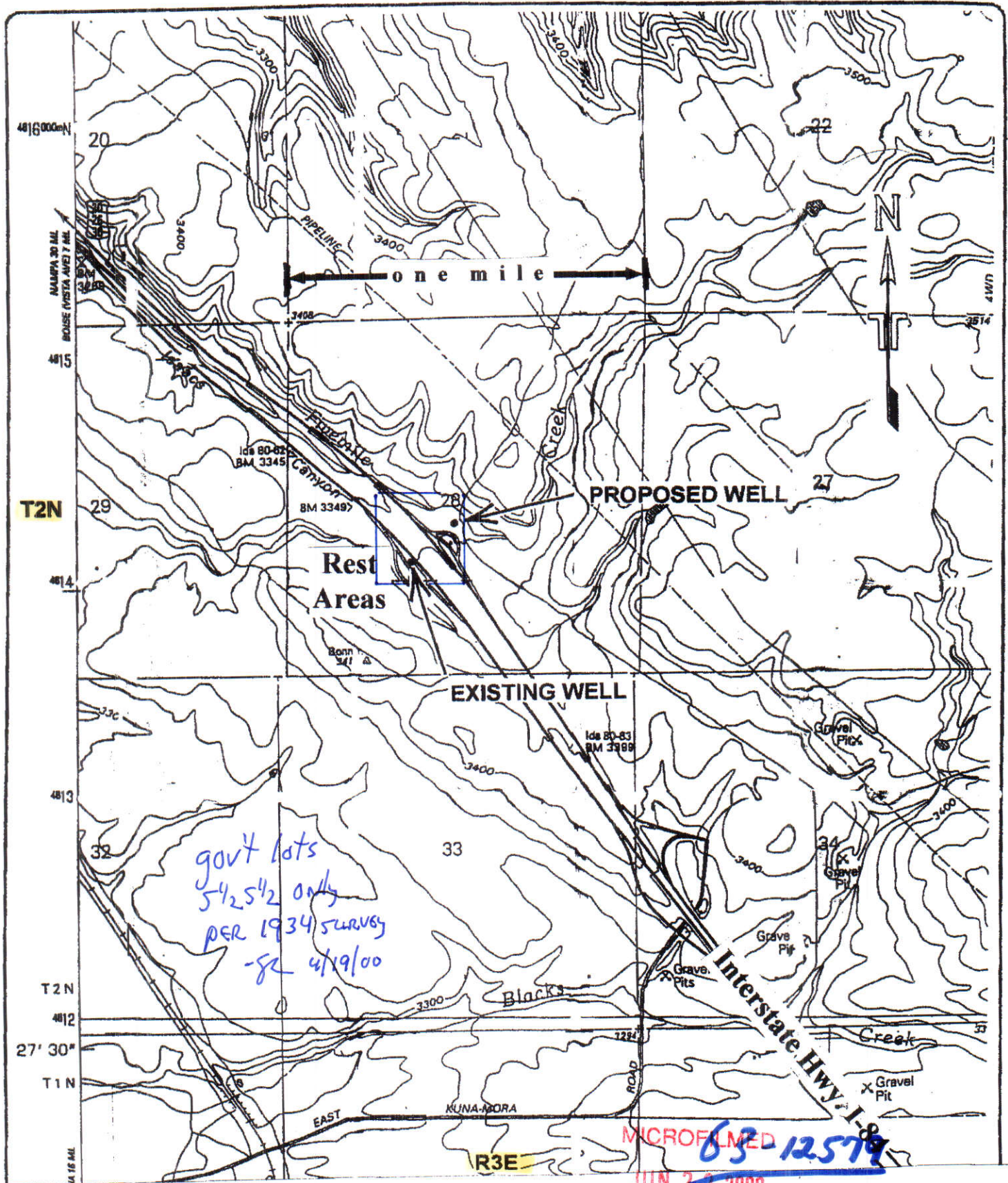


Figure 3. Location map of the Idaho Transportation Department's Blacks Creek Rest Area along Interstate Highway I-84 southeast of Boise City, Ada County, Idaho. Also shown are the existing Rest Area well, in the east bound lane, and a proposed additional point of diversion (well) in the west bound lane. USGS 7 1/2-minute Topographic Series base map.

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-12579

Priority: March 24, 2000

Maximum Diversion Rate:

0.20 CFS

This is to certify, that STATE OF IDAHO

DEPT OF TRANSPORTATION

PO BOX 8028

BOISE ID 83707

has applied for a permit to appropriate water from: GROUND WATER

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

MUNICIPAL

01/01 to 12/31

0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

NENESW , Sec. 28, Township 02N, Range 03E

SWNESW , Sec. 28, Township 02N, Range 03E

ADA County

PLACE OF USE: MUNICIPAL

TWN RGE SEC

02N 03E 28

NESW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before June 1, 2005.
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. Any well constructed under this water right shall include a measuring tube or other suitable method to allow measurement of water levels. The right holder is not responsible for measuring water levels but shall allow access to the well(s) by the Idaho Department of Water Resources or its representative to collect data as needed.
7. Water bearing zone to be appropriated is from 800 to 1000 feet. Place of use is known as Blacks Creek Rest Area.

MICROFILMED

22 2000

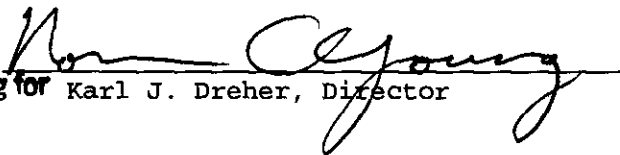
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-12579

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

15TH day of June, 2000.


Acting for Karl J. Dreher, Director

MICROFILMED
JUN 22 2000

RECEIVED
MAY 25 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of applicant Idaho Transportation Department Phone (208) 334-8350
Mailing address P.O. Box 8028, Boise, ID 83707 Attn: Scott Gurnsey
2. Source of water supply Groundwater which is a tributary of N/A
3. Location of point of diversion is Township 2N Range 3E Sec. 28 in the NE $\frac{1}{4}$,
NE $\frac{1}{4}$, SW $\frac{1}{4}$, Blacks Creek Rest Area, Interstate Hwy. I-84 Ada County;
additional points of diversion if any: T2N, R3E, Section 28, SW $\frac{1}{4}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$
4. Water will be used for the following purposes:
Amount 0.2 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)
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) 0.2 cfs and/or (b) N/A
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 An existing 8-inch diameter, 975-foot deep well and a proposed 10-inch diameter, 1000-foot deep well, both, equipped with deep well submersible pumps (Figure 1)
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
 - c. Proposed well diameter is 10 inches; proposed depth of well is 1000 feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - e. If well is already drilled, when? Well #1- Jun. 1967; Drilling firm Wayne E. Stevens (see attached Figure 2)
Well was drilled for (well owner) State Highway Department; Drilling Permit No. 0-32956
7. 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. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. State of Idaho (see attached letter)
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. _____

MICROFILMED

JUN 22 2000

Received by SL, Date 3/24/2000, Time 11:42, Preliminary check by SL
 Fee \$ 50.00, Received by SL, # W026258, Date 3/24/2000
 Publication prepared by SL, Date 3-24-00, Published in THE IDAHO STATESMAN
 Publication approved SL, Date 5-23-00

Hydro Logic, Inc.

1530 Knights Drive, Boise, ID 83712 (208) 342-8369, 342-3100- Fax, hlogic@msn.com

March 23, 2000

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

Dear Mr. Spackman:

This letter constitutes an addendum to the Application for Permit to appropriate the public waters of the State of Idaho, on behalf of the Idaho Department of Transportation (ITD), for its Blacks Creek Rest Area located approximately 8-miles southeast of Boise, ID (Figure 3). ITD intends to improve the facility to accommodate increasing use and growing demands on the existing water system. Owing to the great depth to water (>650-feet below ground) at the site, associated pump/well maintenance activities are typically prolonged; leaving the facility without water for days-to-weeks at a time. The existing well is of small diameter (8-inch) and is 34-years old. Therefore, IDT seeks to add a second (back-up) supply well as an additional point of diversion. **Water bearing zone to be appropriated is 800-to-1000 feet below ground.**

ITD's Blacks Creek Rest Area (BCRA) is listed with the Idaho Division of Environmental Quality as Public Water System #4010221. Water use runs the gamut of typical municipal uses including (but not limited to) potable drinking water, lawn irrigation, toilets and wash-up water, water for cleaning of the facility, and water for filling of recreational vehicle storage tanks and automobile cooling systems. A proposed future use includes a caretaker's residence. The BCRA meets the definition of "Municipal provider" as defined by Idaho Code 42-202B, (2) (b) which states ". . . a political subdivision of the state of Idaho authorized to supply water for municipal purposes, and which does supply water, for municipal purposes to users within its service area; . . .". BCRA's "service area" is the state-owned land (approximately 18 acres) centered on I-84 and split between the eastbound and westbound lanes. Most of the property is dedicated as paved roadway and vehicle parking, walkways, and covered picnic areas. Irrigated lawn areas are surrounded by a dry land seed perimeter which is not watered. Irrigated area, including lawn, pet walking area, and landscaped areas, constitutes about 5-acres. Projected peak day water demand is estimated at 34,000 gallons for irrigation and 26,200 gallons for all other uses.

ITD holds an existing water right (License No. 63-03523) for the BCRA facility. This is a 1966 priority, "Domestic Use" right with a 0.11 cfs Diversion Rate, and Diversion Volume of 40.0 AFA. This right is not adequate for the proposed facility expansion and is not approved for municipal use. ITD seeks to preserve its 1966 priority and will file a Transfer for this right to add an additional point of diversion and to change the nature of use to municipal. The Transfer will be filed prior to submitting Proof of Beneficial Use for the 2000 priority Permit (if approved) so that the Permit can be reduced accordingly at the time of the Beneficial Use Exam.

Thank-you for your assistance with this filing. Please keep me informed of its progress through the process and call with any questions you, or your staff, may have.

MICROFILMED

Respectfully, JUN 22 2000
Ed Squires, Hydro Logic, Inc.

c: Jennifer Berkey, Terracon
Susan Burnham, Earth Tech
Scott Gurnsey, ITD

E Squires

Attachment #1

63-12579

Figure 3.

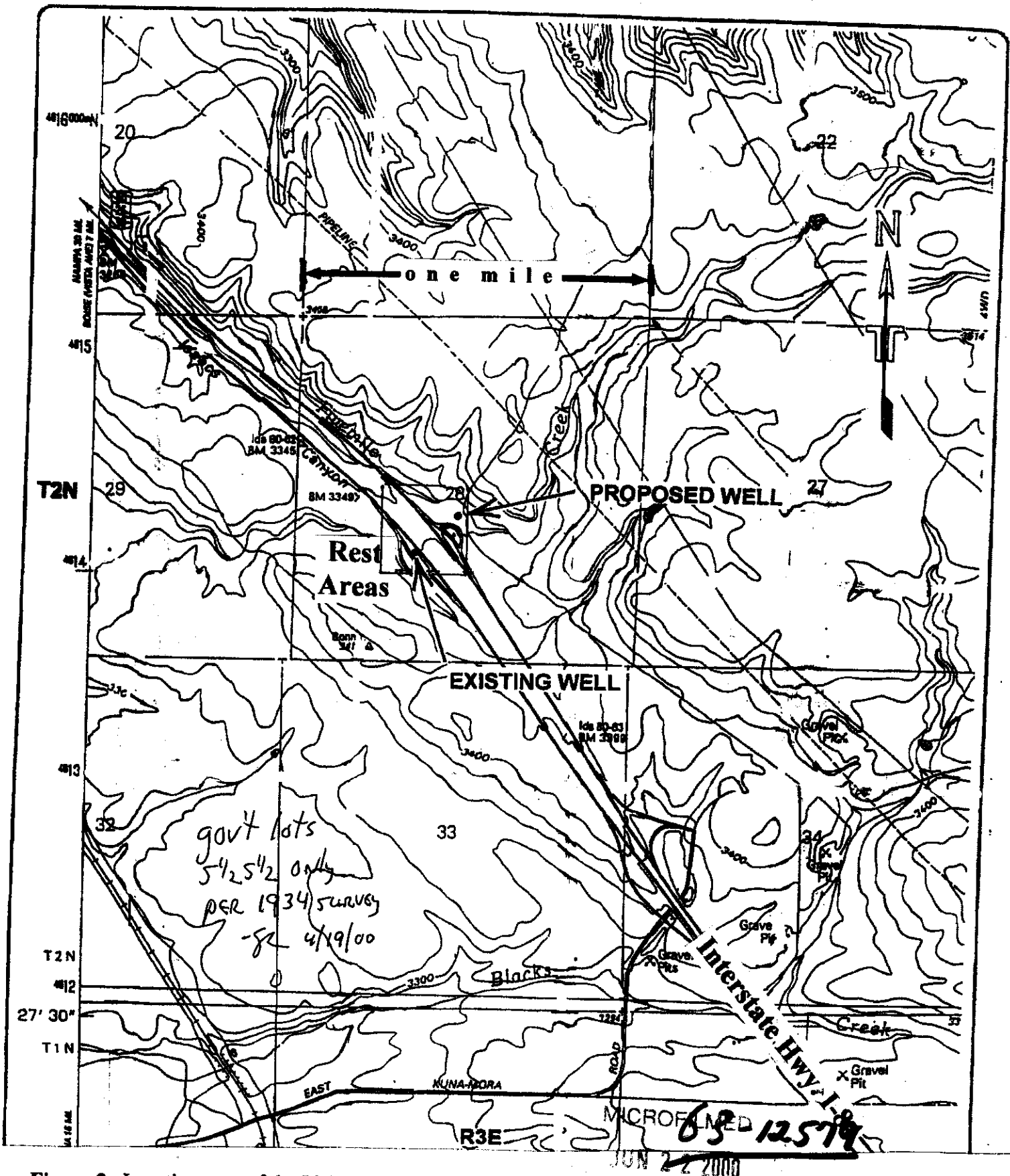


Figure 3. Location map of the Idaho Transportation Department's Blacks Creek Rest Area along Interstate Highway I-84 southeast of Boise City, Ada County, Idaho. Also shown are the existing Rest Area well, in the east bound lane, and a proposed additional point of diversion (well) in the west bound lane. USGS 7 1/2-minute Topographic Series base map.

Attachment #2

RECEIVED

APR 24 2002

Department of Water Resources



TRANSPORTATION DEPARTMENT

DISTRICT 3 • P.O. BOX 8028 • BOISE, ID • 83707-2028 • (208) 334-8300

April 22, 2002

Glen Saxton, Bureau Chief
Idaho Department of Water Resources
1301 North Orchard Street
Boise Idaho 83720-0098

Re: IM-IR-84-2(032)62, Blacks Creek Rest Area, Ada County, Key No. 4160

Dear Mr. Saxton:

On March 24, 2000, your office issued a permit (No. 63-12579) to the Idaho Transportation Department to appropriate water from Ground Water for the Blacks Creek Rest Area on Interstate 84, south of Boise.

Due to the funding delays, the construction of this project has not yet begun. The project design has been completed and on the shelf since the water permit was first issued. We feel confident that the funding will become available in 2002 and construction can begin.

The project design has remained the same since our original request two years ago so we are asking for a renewal.

If you have any questions feel free to call me at 334-8956.

Sincerely,

A handwritten signature in black ink, appearing to read "Jack Sparks", is written over the typed name and title.

Jack Sparks
Project Manager

JS:tc

RECEIVED

APR 29 2002

Department of Water Resources

April 25, 2002

Glen Saxton, Bureau Chief
Idaho Department of Water Resources
1301 North Orchard Street
Boise, ID 83720-0098

RE: IM-IR-84-2(032)62, Black Creek Rest Area, Ada County, Key No 4160

Dear Mr. Saxton:

A permit approval notice was received on June 19, 2000 for the above said project (Permit No. 63-12579). As construction on the project did not take place within one year of the notice, condition 3 of the permit was not satisfied. Attached is a letter from the Idaho Transportation Department stating the reason for the construction delay. I submit this letter and attachment as a request for extension of this permit in order to proceed with this work.

Telephone

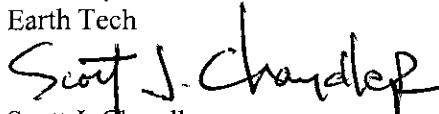
208.855.2000

Facsimile

208.855.2060

If you have any questions, feel free to call me at 855-2016.

Sincerely,
Earth Tech



Scott J. Chandler
Project Engineer

Attachment

AZ - #160471

CA - #641639

E A R T H  T E C H

BCC: DF
ADE(E)
PDE



TRANSPORTATION DEPARTMENT

DISTRICT 3 • P.O. BOX 8028 • BOISE, ID • 83707-2028 • (208) 334-8300

April 22, 2002

Glen Saxton, Bureau Chief
Idaho Department of Water Resources
1301 North Orchard Street
Boise Idaho 83720-0098

Re: IM-IR-84-2(032)62, Blacks Creek Rest Area, Ada County, Key No. 4160

Dear Mr. Saxton:

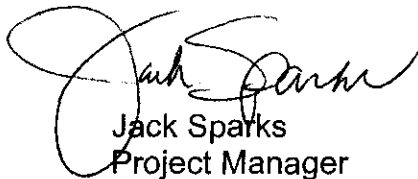
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Due to the funding delays, the construction of this project has not yet begun. The project design has been completed and on the shelf since the water permit was first issued. We feel confident that the funding will become available in 2002 and construction can begin.

The project design has remained the same since our original request two years ago so we are asking for a renewal.

If you have any questions feel free to call me at 334-8956.

Sincerely,


Jack Sparks
Project Manager

JS:tc



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

June 16, 2000

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 8028
BOISE ID 83707

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-12579

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.

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 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.

MICROFILMED

JUN 22 2000

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 to obtain the proper reporting form.

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

Sincerely,

Sharla Curtis

for Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

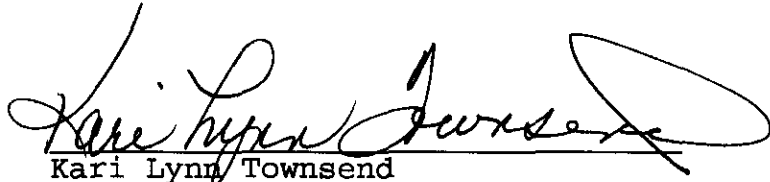
MICROFILMED
JUN 22 2000

CERTIFICATE OF MAILING

I hereby certify that on the **16th** day of **June, 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. 63-12579

**STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 8028
BOISE ID 83707**


Kari Lynn Townsend
Secretary

MICROFILMED

JUN 22 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).

MICROFILMED
JUN 22 2000

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.



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

FAX TRANSMITTAL COVER SHEET

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DATE: 6.16.00

TO:

Ed Squires

342-3100

FROM:

Karl J. Dreher

IDWR

DOCUMENT

DESCRIPTION:

Approved Permit 63-12579

Dept. of Transportation

COMMENTS:

COVER SHEET + 2 PAGES

PLEASE CONTACT
ENTIRE DOCUMENT

Karl J. Dreher
327-7941

IF YOU DON'T RECEIVE THIS

MICROFILMED

JUN 22 2000

MEMORANDUM

DATE: June 16, 2000

TO: Water Right File 63-12579

FROM: Shelley W. Keen *SWK*

RE: Approve municipal use

Despite the processing hold on most applications for new consumptive uses in the Treasure Valley, this application was processed because it has been our policy not to hold up applications for multiple domestic uses and municipal uses. Moreover, this application proposes such a small use that it will have minimal, if any, impact on the water supply in the Treasure Valley, especially given the strong possibility that the aquifer to be tapped is tributary to the Snake River, not the Boise River.

MICROFILMED

JUN 22 2000

Harrington, Helen

From: Lester, Steve
Sent: Thursday, June 08, 2000 8:53 AM
To: *file* Curtis, Sharla
Cc: Harrington, Helen; Spackman, Gary
Subject: ~~Application~~ 63-12579 for Blacks Creek Rest Area

Sharla:

This email confirms that final application processing can proceed.

1) Yesterday I had two telephone conversations with consultant Ed Squires. He confirmed that applicant agrees to a monitoring condition of approval and intends to comply with that. He also confirmed that ITD is eager to participate in any way that it can with monitoring efforts. Ed said that ITD had already planned for some type of monitoring capability in the well construction plans. Ed told me that ITD hopes that IDWR can conduct the periodic monitoring visits in conjunction with work associated with the SE Boise GWMA.

2) ***Ed requested that a copy of the approved permit be faxed to his office at fax # 342-3100.*** I told him that S.O. could take care of that. Will you be sure that appropriate person does that once the permit is issued?

3) Proposed condition of approval for monitoring follows:

Any well constructed under this water right shall include a measuring tube or other suitable method to allow measurement of water levels. The right holder is not responsible for measuring water levels but shall allow access to the well(s) by IDWR to collect data as needed.

Please let me know if you need more information for this condition.

Thanks.

Steve

*or its representative
per Helen
6/8/00*

MICROFILMED

JUN 22 2000

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 5/31/00

No. 63-12579 Name: ITD Corp. Officers N/A Ad ok ☒ Govt Lots _____

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

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)
Basin 34 - 084
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 - P84 (20s-70s, 81-86)
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 - 054-081(P10)
FISH/PROP - 029(70's only)-007-042-081(P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 6/01/2005

MISC CONDITIONS/REMARKS:

~~Protested~~ - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 266(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 081-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-081(P10)
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 - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple pd's per 1/4 - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60 Black Creek Rest area
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)

OTHER CONDITIONS/REMARKS Water bearing zone 800-1000'

COMMENTS _____

9/99

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEETINITIAL REVIEW BY: [Signature] DATE: 4/19/2000 APPLICATION: 63-12579REQUIRED 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:

N P/D
P/U← NOTE P/U QQQ entered in d'base for
"limited municipal" scenario

RECEIVED

ADDITIONAL INFORMATIONYes ADVERTISE REMARK(S)
(Reviewer identify which remarks)

MAY 25 2000

Department of Water Resources

N/A 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: ← exception for municipal use OK

 / 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.

 / N/A 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 _____

CONTACT = CONSULTANT ED SQUIRES (SEE 3/23/00 LETTER)

PROCESSING

APP. NO. 3-12579

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 5-22-00

☐ ☒ Protests received.

☐ ☒ Recommendations attached:

☒ ☐ Measuring device required:

☐ ☒ Water delivered by water master? District # _____

☒ ☐ Special conditions of approval or cover letter:

D.P. conditions, public water supply issues, "future mitigation" allow
5 years, retain plan area in d'base since "service area" is somewhat
meaningless in this limited context.

See below for additional information

Recommended Date or Priority 3-24-2000

Recommended by: Chrys Date: 5/23/00

ADDITIONAL INFORMATION:

Existing well is 63-03523, domestic use for some R&E

AREA. See Appl. Attachment #1 for info & transfer to
be filed - sounds like acceptable approval.

This is second "limited municipal" appl. being processed in

Basin 63. Probably will see more of this especially in/around

Boise. First one was 63-12575, a well to irrigate

several acres & Boise greenbelt.

*following in
processing -
63-12501 can
be withdrawn?*

Ident. No. 63-12579

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: STATE OF IDAHO 208-334-8350
Address: DEPT OF TRANSPORTATION
PO BOX 8028
BOISE ID 83707
2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: NENESW Sec. 28, Township 02N, Range 03E
SWNESW Sec. 28, Township 02N, Range 03E
ADA County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
MUNICIPAL	01/01	12/31	0.200		
5. Total quantity to be appropriated is:
0.200 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
EXISTING 8"/975' WELL, PROPOSED 10"/1000' WELL, PUMPS & PIPELINES
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - c. Proposed well diameter is 10 inches; proposed depth of well is 1000 feet.
 - d. Is groundwater with a temperature greater than 85F being sought? NO
 - e. If well is already drilled, when? 06/14/1967
Drilling Firm WAYNE STEVENS
Well was drilled for APPLICANT (INFO FOR EXISTING WELL)
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 year(s).
8. Place of Use: MUNICIPAL

TWN RGE SEC
02N 03E 28

NESW

- file copy -

9. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

10. Remarks:

Water bearing zone to be appropriated for an existing well and a
proposed well is from 800 to 1000 feet.
Applicant agrees to mitigate consumptive use in the future as
needed for Blacks Creek rest area.

11. Map of proposed point of diversion and place of use attached? []

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

Applicant

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ 50.00 Receipted by _____ #W026258 Date 3/24/2000

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

SD-0420-2
MODIFY RECORD

Idaho Department of Water Resources
Modify Comment

Date: 04/19/00
Time: 11:19:57

Water Right Number: 63-12579

Comment Date: 4/19/2000 User ID: SLESTER

Subject: ADDITIONAL INFORMATION

APPLICANT'S: Existing well is 63-03523 for same P/U. A transfer____
will be filed later to change the nature of use and add the new____
well for the older right. No "future needs" requested in new____
municipal proposal._____

IDWR'S: P/U tract data entered to show limited intent of this____
application. Two P/D in NESW Section 28._____

CONSULTANT CONTACT is Ed Squires. ITD CONTACT is Scott Gurnsey.____

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

RECEIVED

MAY 17 2000

WATER RESOURCES
WESTERN REGION

**LEGAL NOTICE
APPLICATION FOR WATER RIGHT**

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

STATE OF IDAHO
DEPT. OF TRANSPORTATION
PO BOX 8028
BOISE, ID 83707

63-12579

Source: GROUNDWATER
Diversion Pt:

NENESW Sec 28 T 02N R 03E in ADA County.
SWNESW Sec 28 T 02N R 03E in ADA County

Use: MUNICIPAL

Total Diversion:
3/24/2000

(0.200 CFS)
(0.200 CFS)

Date Filed:
In: ADA County

NESW

Water bearing zone to be appropriated for an existing well and a proposed well is from 800 to 1000 feet.

Applicant agrees to mitigate consumptive use in the future as needed for Blacks Creek rest area.

63-12580

WESTPARK CO INC., THE
PO BOX 344
MERIDIAN, ID 83680

Source: GROUNDWATER

Diversion Pt:

NESW

Sec 4 T 02N R 01E in ADA County

Use: DOMESTIC

FIRE PROTECTION

Total Diversion:
4/20/2000

(0.040 CFS)
(0.200 CFS)
(0.200 CFS)

Date Filed:
In: ADA County

NESW

Non-consumptive use proposed for water diverted from the 175 feet to 342 foot 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 Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before MAY 22, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Pub. May 4, 11, 2000

7138

MICROFILMED

JUN 22 2000

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707-0040

LEGAL ADVERTISING INVOICE

Amount Due

\$162.00

Account Number/Trans. #	Identification		
047628 244954	APPLICATION FOR WATER RIGHT		
Ordered By	P.O. Number	Rate	Run Dates
SUE TAYLOR		NT	MAY 4, 11, 2000
STATE OF IDAHO DEPT. OF WATER RESOURCES WESTERN REG. 2735 AIRPORT WAY BOISE, IDAHO 83705 - 5082		Estimated Inches 50X2 LINES	Real Inches
		# Affidavits 1	Legal Number 7138

RECEIVED

MAY 16 2000

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

MAY 4, 2000

and ending with the issue of

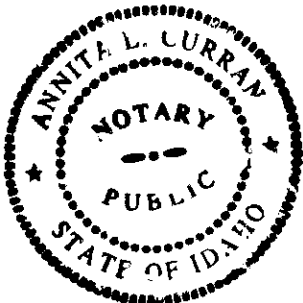
MAY 11, 2000

Janice Hildreth

STATE OF IDAHO)

ss.

COUNTY OF ADA)



MICROFILMED
JUN 27 2000

On this 11TH day of MAY in the year of 2000, before me, a Notary Public, personally appeared 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.

Annita L. Curran
Notary Public for Idaho

Residing at:

Boise, Idaho

My commission expires:

10/13/2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

April 28, 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. 63-12579 in the Name of Idaho Department of Transportation

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 cursive script that reads "Gary Spackman".

Gary Spackman

GS:lm

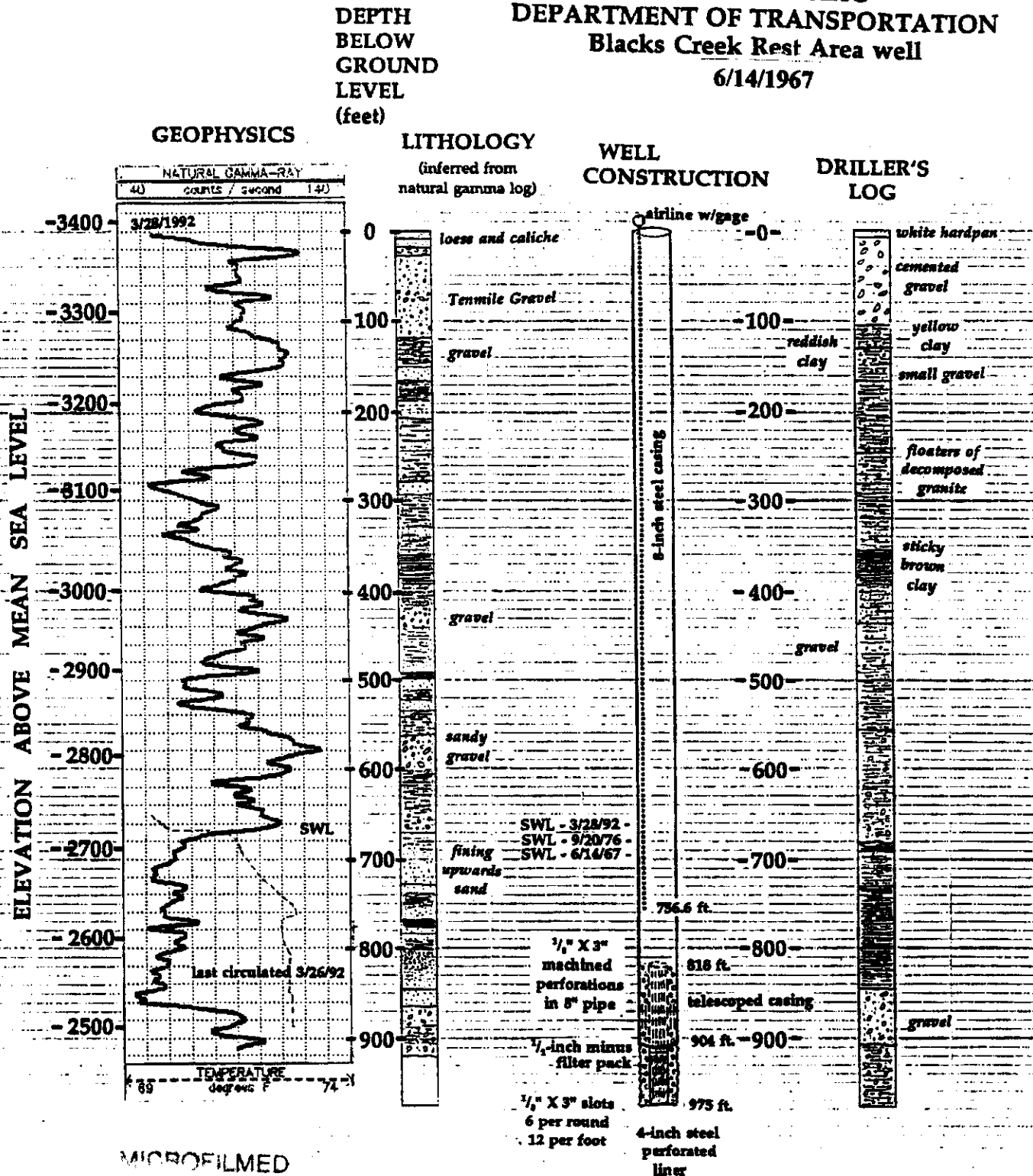
Encl.

MICROFILMED

JUN 22 2000

Figure 1.

STATE OF IDAHO
DEPARTMENT OF TRANSPORTATION
Blacks Creek Rest Area well
6/14/1967



JUN 22 2000

Figure 1. Geological, geophysical, and drilling data for the State of Idaho Department of Transportation Blacks Creek Rest Area well.

Submitted with Application
3/24/00

63-12579

add'l.
into not
for left
side of
file

Figure 2.

REPORT OF WELL DRILLER
State of IdahoRECEIVED
JUL 10 1967

COPY

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:
Name State Highway Dept. (Black Creek West Area)
Address Boise, Idaho

Size of drilled hole: 8" Total
depth of well: 975 ft. Standing water
level below ground: 695 ft. Temp.
Fahr. 71 • Test delivery: 45-75 gpm
or cfs Pump? ☒ Bail ☐
Size of pump and motor used to make test:
20 h.p. Sub. pump

Owner's Permit No. 63-03523
NATURE OF WORK (check): Replacement well ☐
New well ☐ Deepened ☐ Abandoned ☐
Water is to be used for: Drinking & Test Area
METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Dug ☐ Other ☐

Length of time of test: 45 Mins. Min.
Drawdown: 30 ft. Artesian pressure: ft.
above land surface Give flow cfs
or gpm. Shutoff pressure:
Controlled by: Valve ☐ Cap ☐ Plug ☐
No control ☐ Does well leak around casing?
Yes ☐ No ☒

CASING SCHEDULE: Threaded ☐ Welded ☒
"Diam. from 6 ft. to 900 ft.
"Diam. from 6 ft. to ft.
"Diam. from 6 ft. to ft.
"Diam. from 6 ft. to ft.
Thickness of casing: 3/4" wall Material:
Steel ☒ concrete ☐ wood ☐ other ☐

DEPTH MATERIAL WATER
FROM TO YES OR NO
FEET FEET

0	2	Top Soil	
2	4	White hardpan	
4	104	Cemented gravel	
104	120	Gravel & sand - small amount yellow clay	
120	130	Small gravel & reddish clay	
130	145	Light brown clay & small gravel	
145	245	Yellowish sand & clay	
245	250	Yellowish sand & clay (floaters of decomposed granite)	
250	353	Sand & clay	
353	400	Gravel - brown clay	
400	425	Brown sand & clay	
425	500	Brown sand & clay (some gravel)	
500	545	Layers of sand & clay	
545	600	Sand, gravel & clay	
600	690	Light brown clay	
690	730	Sand, gravel & clay	
730	825	Clay - small amount of sand	
825	904	Sand & gravel - small layers of clay	
904	975	Casing perforation 865' to 975'	
		layers of clay, sand & gravel	
		4" liner installed from 815' to 975'	
		2nd gravel packed	

(explain)
PERFORATED? Yes ☒ No ☐ Type of
perforator used: Machine

Size of perforations: 1 1/2" by 3"
perforations from 500 ft. to 690 ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

WAS SCREEN INSTALLED? Yes ☐ No ☒
Manufacturer's name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

CONSTRUCTION: Well gravel packed? Yes ☒
No ☐ size of gravel 1/4" minus Gravel
placed from 815 ft. to 975 ft. Surface seal
provided? Yes ☒ No ☐ To what depth?
ft. Material used in seal:

Did any strata contain unusable water? Yes ☒
No ☐ Type of water:
Depth of strata ft. Method of sealing
strata off:

Surface casing used? Yes ☐ No ☒
Cemented in place? Yes ☐ No ☒

Locate well in section

MICROFILMED

JUL 22 2000

LOCATION OF WELL: County Ada
N 1/4 & SW 1/4 Sec. 28 T. 3 N. & E 1/4

Use other side for additional remarks

Work started: November 23, 1966
Work finished: June 14, 1967
Well Driller's Statement: This well was
drilled under my supervision and this report
is true to the best of my knowledge.

Name: Wayne E. Stevens
Address: 1709 Hawthorne Drive, Boise, Idaho
Signed by: Wayne E. Stevens
License No. 319 Date: June 21, 1967
no helper used

63-12579

REQUEST TO PROCESS

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

Name of Applicant State of Idaho Transportation Department
Mailing Address P.O. Box 8028, Boise, Idaho 83707
Attn: Scott Gurnsey
Application No. 63-12519
(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

Date

Please return this form to:

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

MICROFILMED
JUN 22 2000

3/24/00

WR5809NP
No. 63-12501

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/19/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STATE OF IDAHO	12/28/1998	IRRIGATION	03/15 11/15	0.150 CFS	
			DOMESTIC	01/01 12/31	0.120 CFS	
TOTAL DIVERSION:					0.150 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: APPLICATION

Point(s) of Diversion: T02N R03E S28 NENESW ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
02N	03E	28	:										05							5.0
TOTAL ACRES																			5.0	

Place of use Legal Description for: DOMESTIC

02N	03E	28	:																	
-----	-----	----	---	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Pou County: ADA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

63-03523 63-12579

Remarks: GEN Applicant agrees to mitigate consumptive use in the future as needed. Water bearing zone to be appropriated is from 670 ft. to 1000 ft.

Dates: App. Received: 12/28/1998 Priority Date: 12/28/1998
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 01/25/1999 User-ID: DNELSON Subject: ADDITIONAL INFORMATION

The owner states that this application is for restrooms and lawn use at the Blacks Creek Rest Area. The owners projected peak use for domestic purposes is 26,200 gallons per day and .12 cfs. The owner also has agreed to determine the water bearing zone and submit it to us prior to advertising. IDWR review indicates that the rest area is covered under water right 63-03523 and that this application is for expansion purposes. IDWR review also indicate that there is no other water rights in this 40 acre tract.

MICROFILMED
JUN 22 2000

REPLACED BY Municipal Appl. ~~63~~ 63-12579 3/24/01.
Followup - if 63-12579 approval, withdraw this Appl. -JL

WR5809NP

No. 63-12501

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT PROFILE REPORT

DATE: 04/19/00

PAGE: 2

Comments: Date: 01/25/1999 User-ID: DNELSON Subject: ADDITIONAL INFORMATION
Processing will be delayed pending backlog reduction.

Audit: 01/25/99 DNELSON 01/27/99 DNELSON 02/19/99 DNELSON



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

APRIL 26, 2000

Legal Notices Department
THE IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MAY 22, 2000.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

MICROFILMED

JUN 22 2000

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED
JUN 22 2000

63-12579

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 8028
BOISE, ID 83707

Source: GROUNDWATER

Diversion Pt: NENESW Sec 28 T 02N R 03E in ADA County.
SWNESW Sec 28 T 02N R 03E in ADA County.

```

Use: MUNICIPAL ( 0.200 CFS)
      Total Diversion: ( 0.200 CFS)

```

Date Filed: 3/24/2000

In: ADA County
T02N R03E S28 NESW

Water bearing zone to be appropriated for an existing well and a proposed well is from 800 to 1000 feet.
Applicant agrees to mitigate consumptive use in the future as needed for Blacks Creek rest area.

MICROFILMED
JUN 22 2000

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 Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before MAY 22, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 5/ 4/2000 & 5/11/2000

MICROFILMED
JUN 22 2000