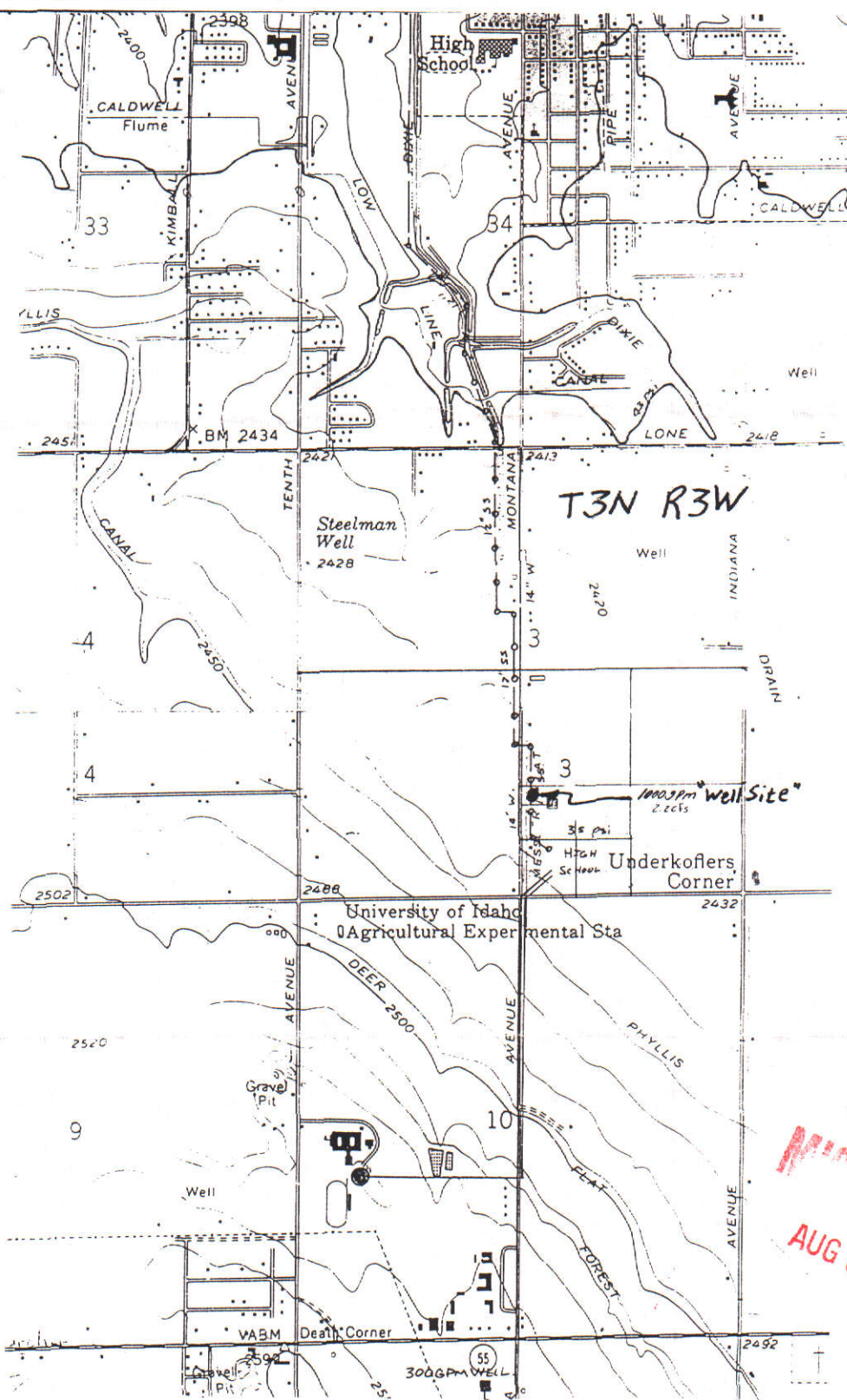


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



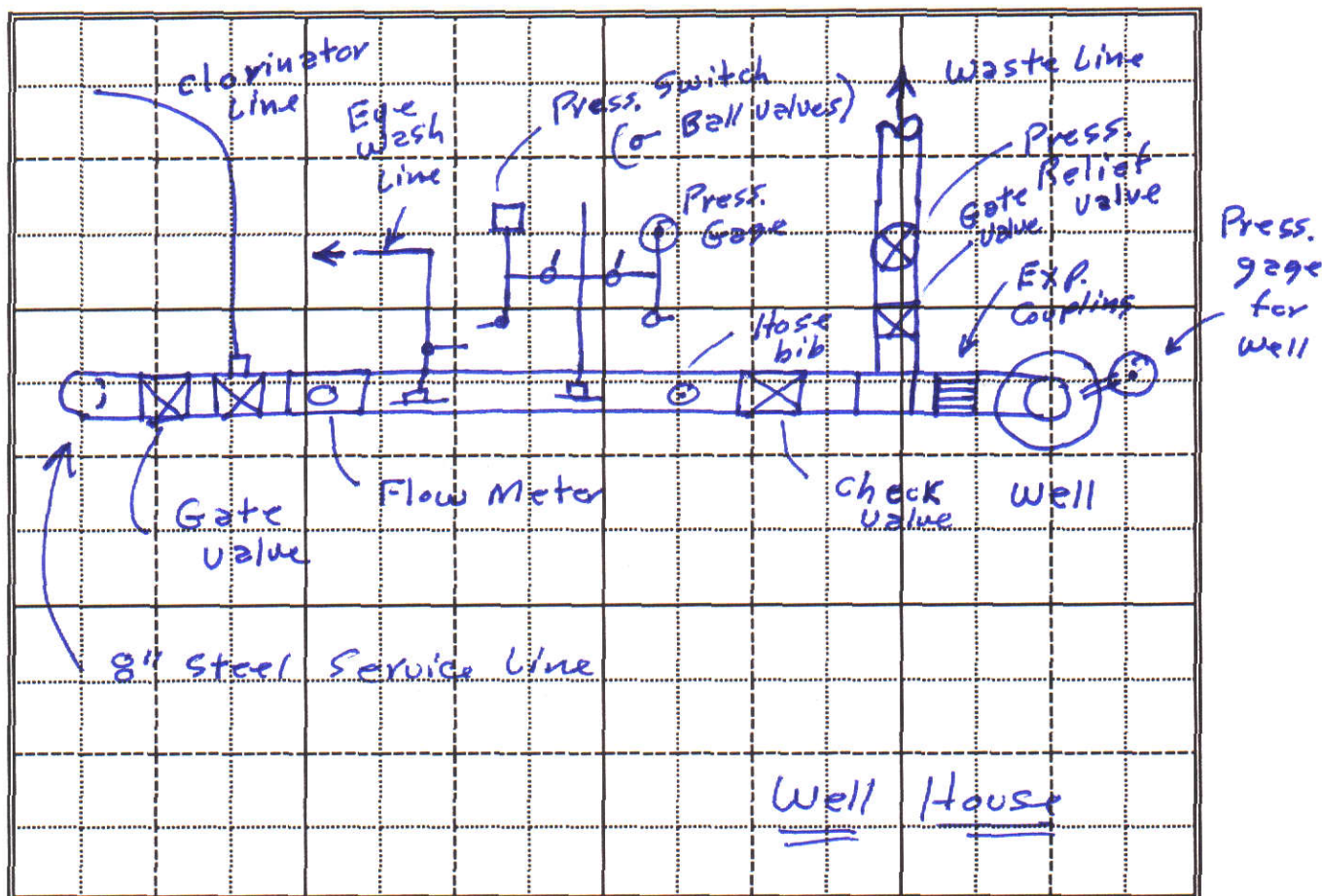
Scale: 2 inches equal 1 mile.

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

Gordon M. Law, City Engineer
City of Caldwell, Idaho

(Applicant)

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = No Scale

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE Motors	100	OLD6902001	Goulds	Model 12 RJLC
	Mod. 5K404 DBB				Curve No. 3118
			6008A		5-stage

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

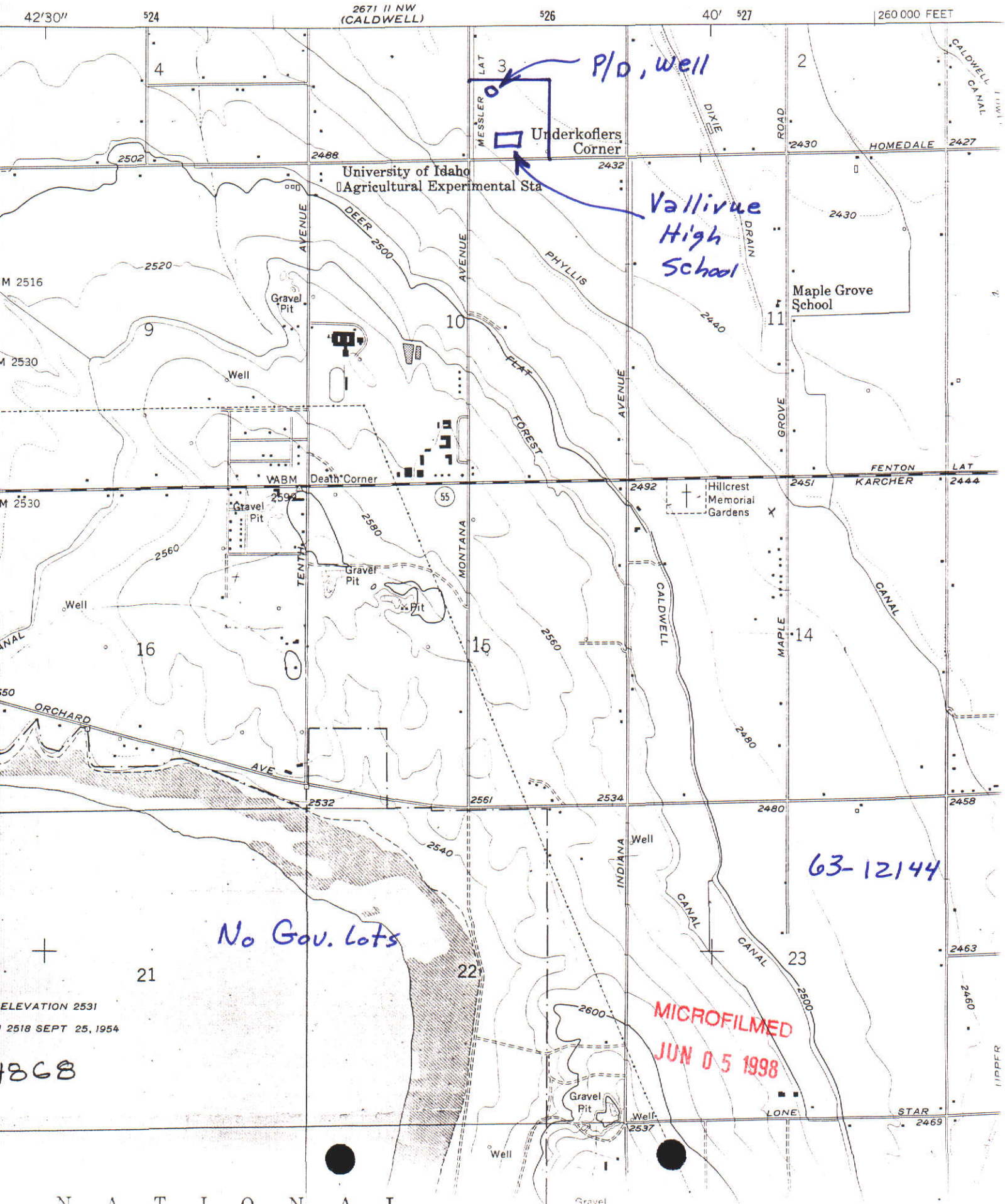
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Flow Meter		McCrometer			8"	
			MW500			

2. Measurements: Pump not running at the time of exam

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JUN 05 1998

T3N, R3W, Sec. 3
SWSE



8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS: This well + water system were
developed by the Vallivue School District
for the Vallivue High School and then taken
over by the City of Caldwell.

Don Tomich, Water Rights Examiner
Signature of Dept. Representative & Title

4-30-97
Inspection Date

MICROFILMED

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

JUN 05 1998





P/D
Well,
Valves,
Piping,
etc.
in
Well
House



P/D
Flow
Meter
- Light
Blue

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JUN 05 1998

63-12144

1 of 2



P/O

Well

House

Vallivue

High

School

in

background,

View

Looking

South east



P/O

Well

House

View

Looking

North west

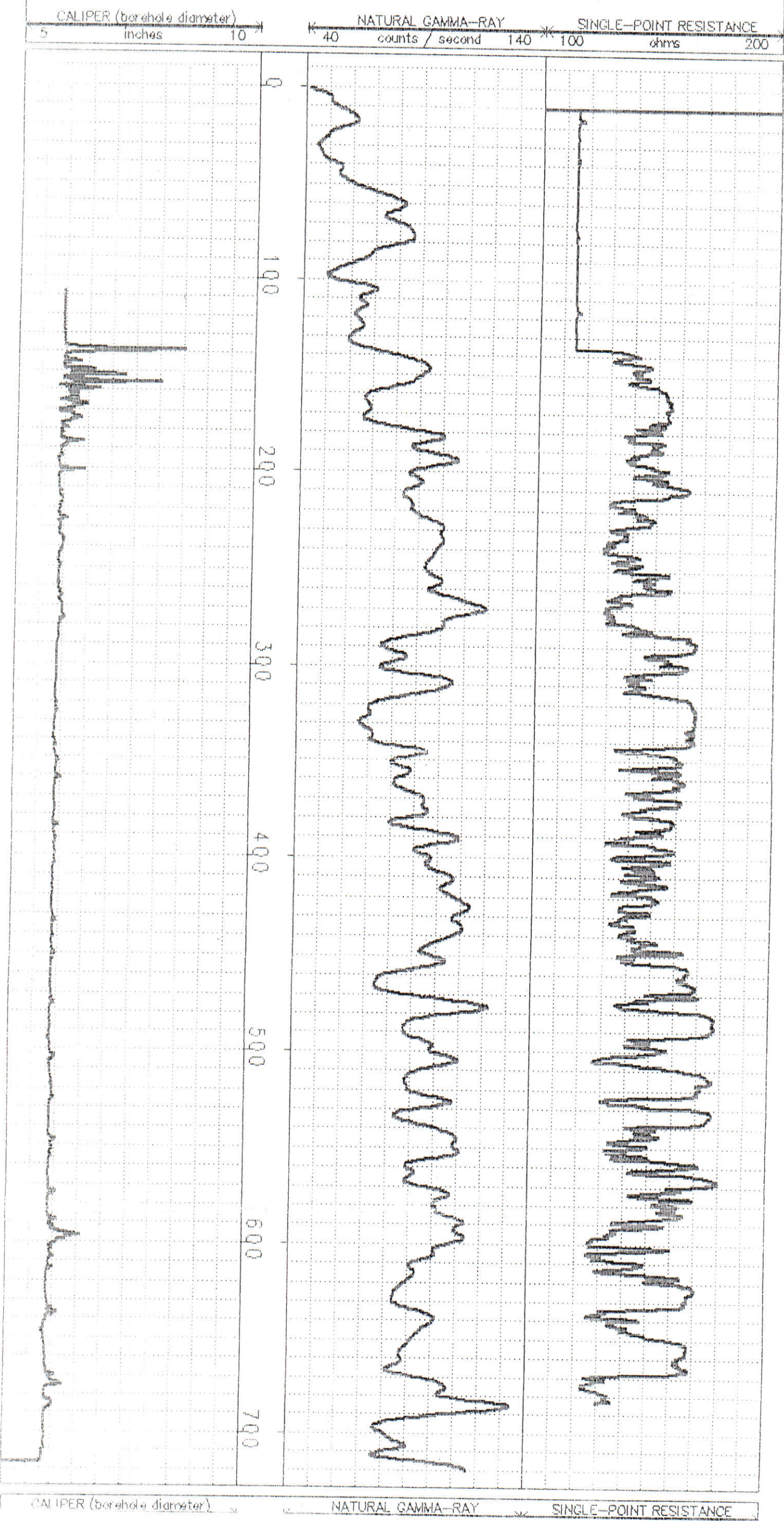
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JUN 05 1998

63-12144

FIGURE 2

Caldwell Valiview School Exploratory Test—well 4/13/1995



CALWELL, ALLVIEW SCHOOL TEST WELL

T3N, R3W, SEC. 3, NW1/4 of the SE 1/4

OPTION A

GEOPHYSICAL LOGS

FIGURE 3

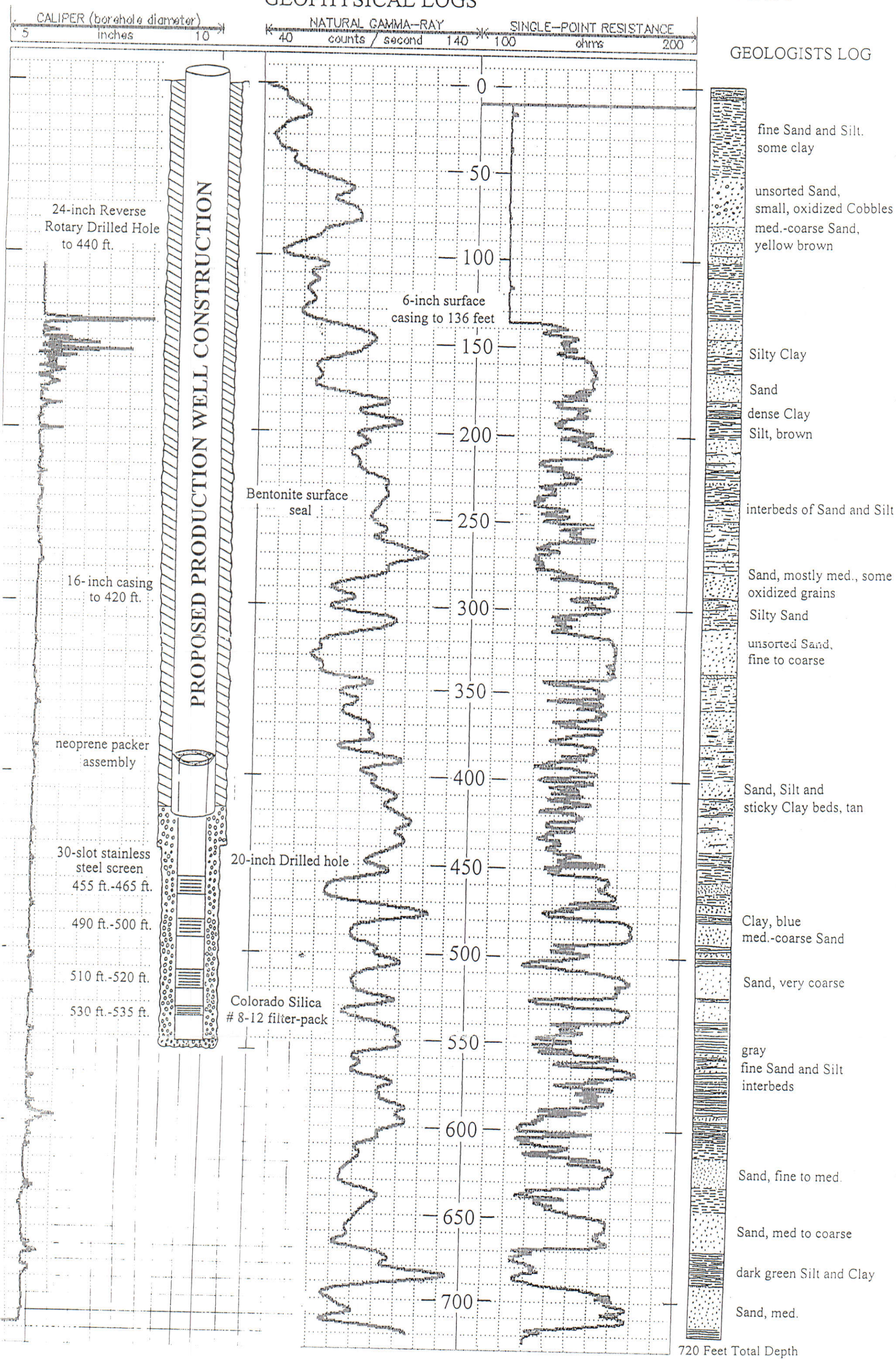
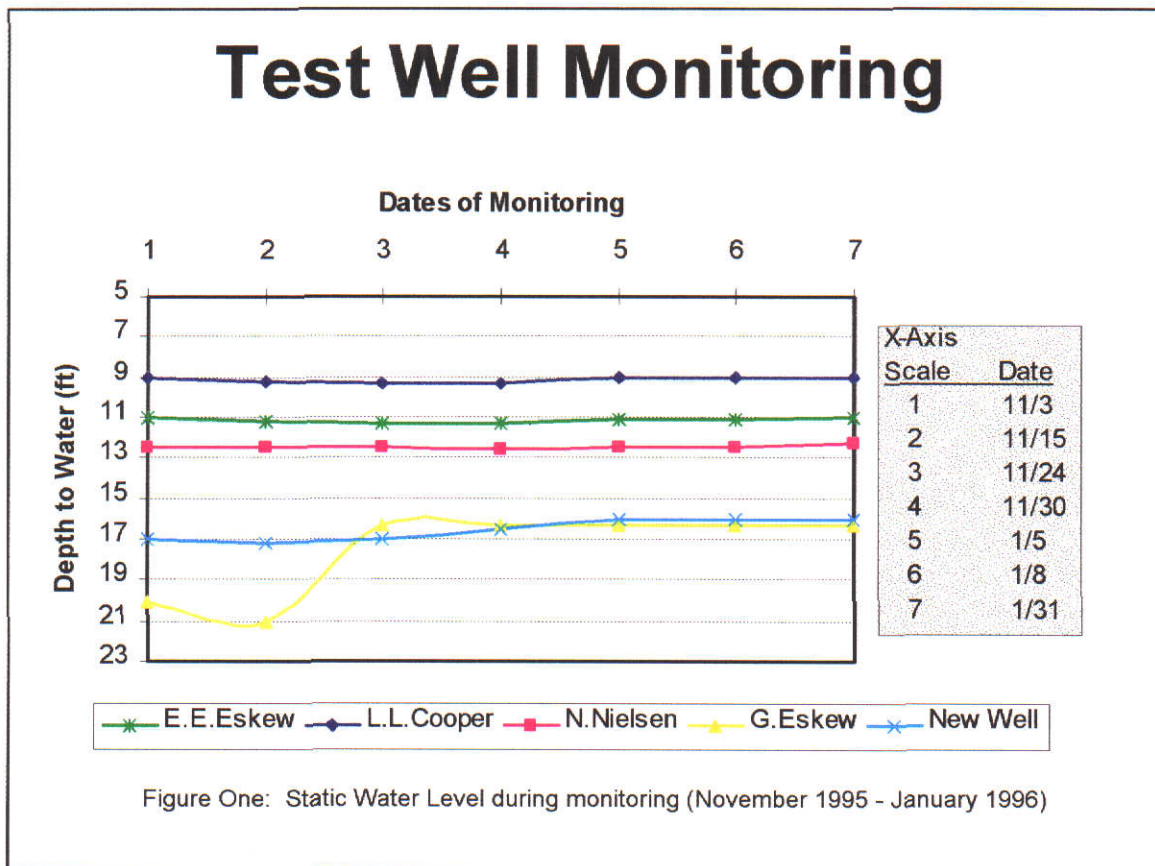


Figure One shows that the monitored wells experienced no measurable change in static water level. It is important to point out that the last point on the chart represents the day that the 48 hour pump test was completed (January 31, 1996). It clearly shows that the monitored wells did not experience any measurable affect as a result of pumping the new well.

The irrigation wells were monitored continuously for the first three hours of the pump test in order to track closely any change in the water level in those wells. At the end of the first three hours of the pump test, the data on the monitored wells was reviewed and it was determined that no effect was measurable. At that point, the monitoring intervals



were progressively lengthened until the wells were checked morning and night. Throughout the irrigation well monitoring effort, there was no measurable change in the static water level of any of the wells. Data that was collected to reach these conclusions may be found in the Appendix.

PROPOSED MUNICIPAL WELL LOCATION

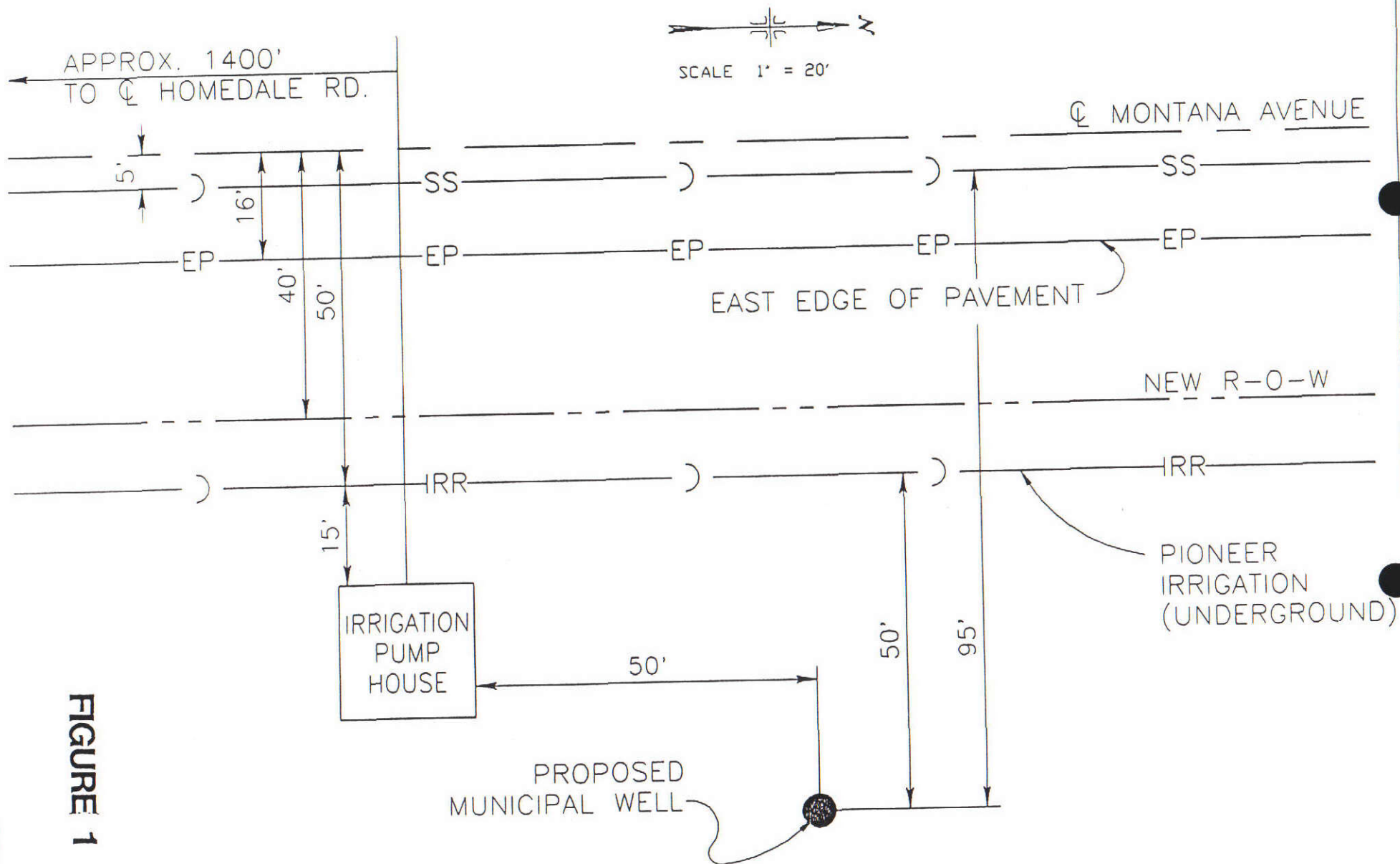


FIGURE 1

PROPOSED MUNICIPAL WELL LOCATION

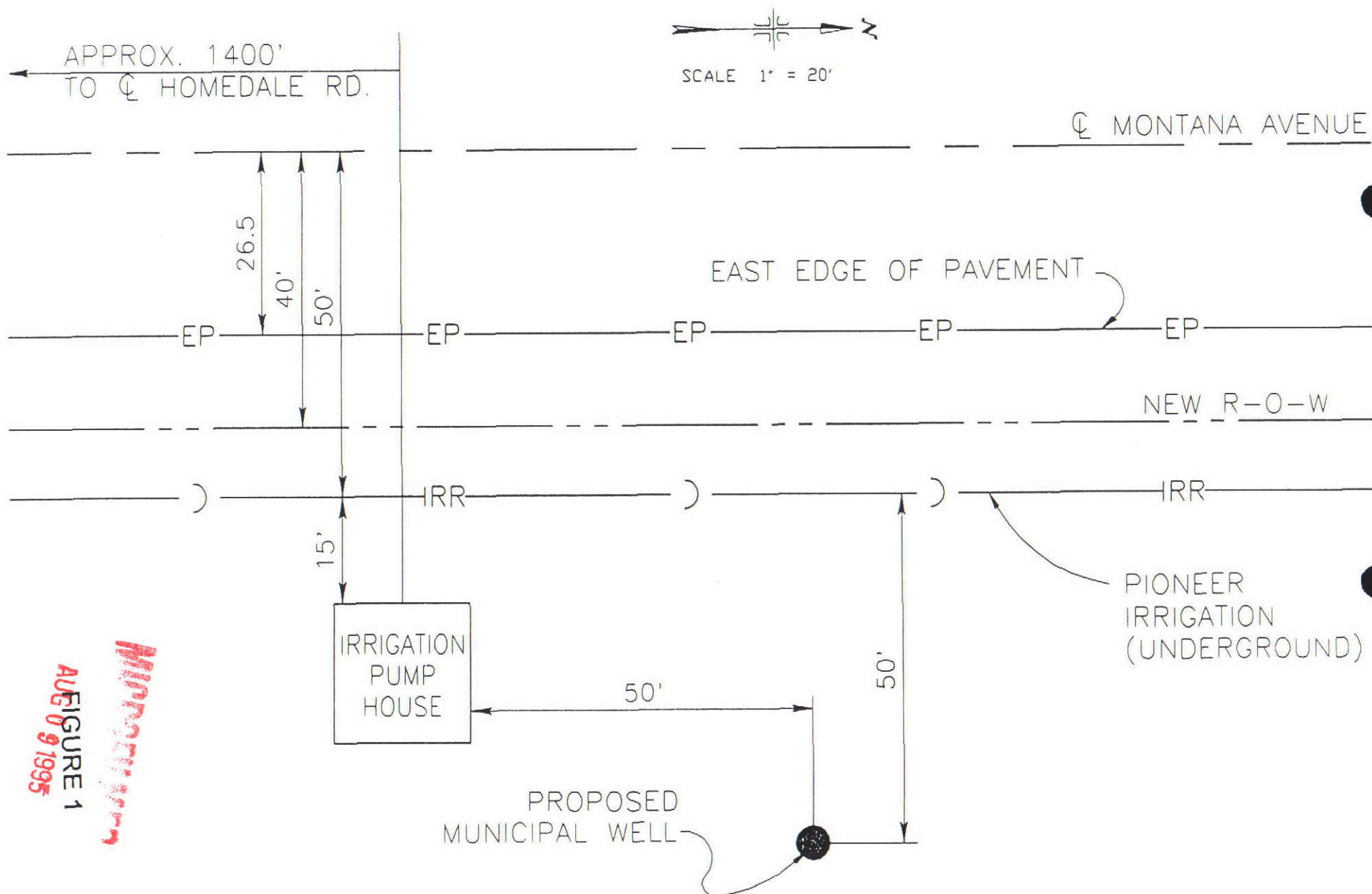


FIGURE 1
AUG 9 1995

CALDWELL VALLIVIEW SCHOOL TEST WELL

T3N, R3W, SEC. 3, NW1/4 of the SE 1/4

OPTION A

GEOPHYSICAL LOGS

FIGURE 3

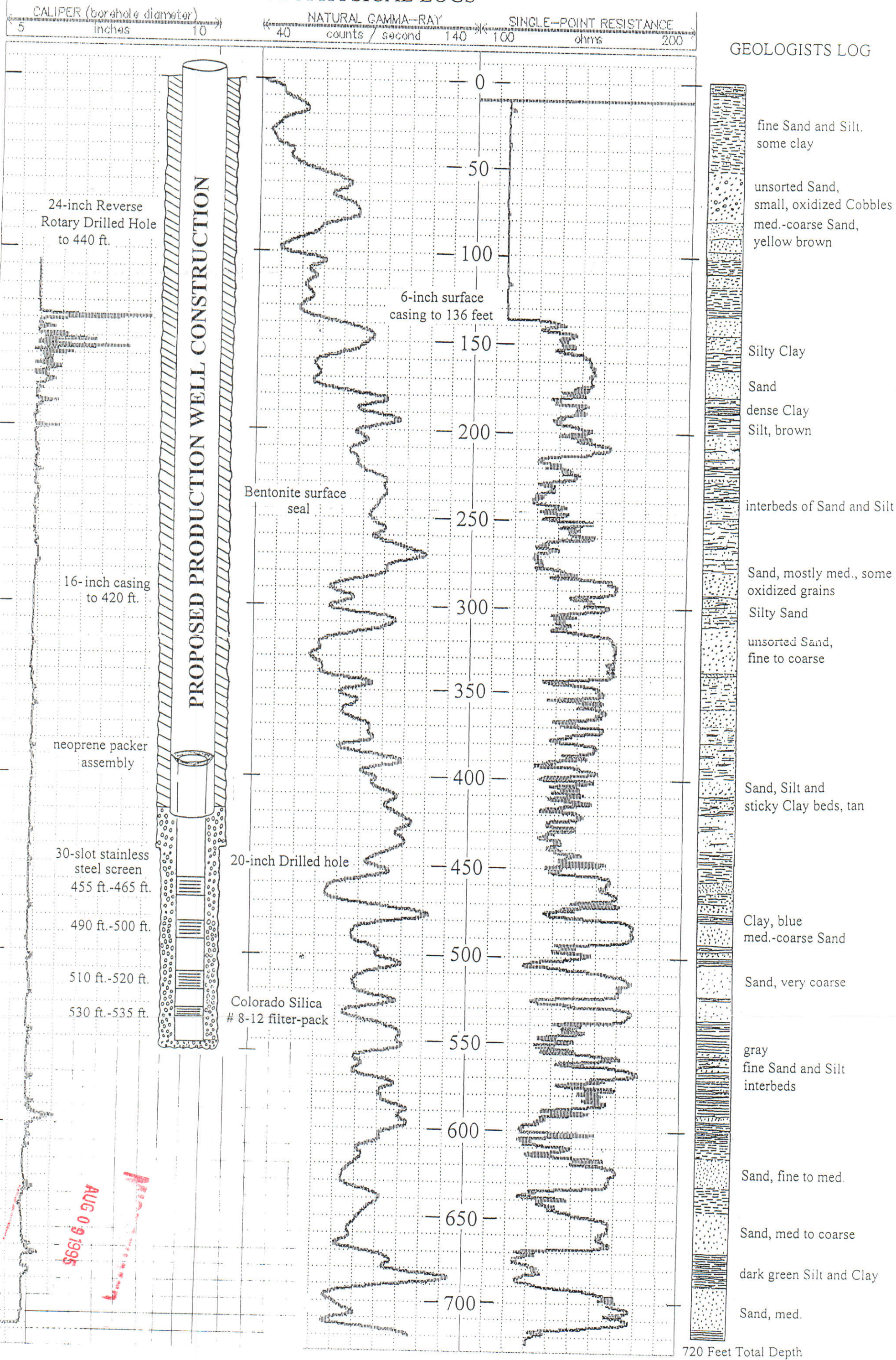
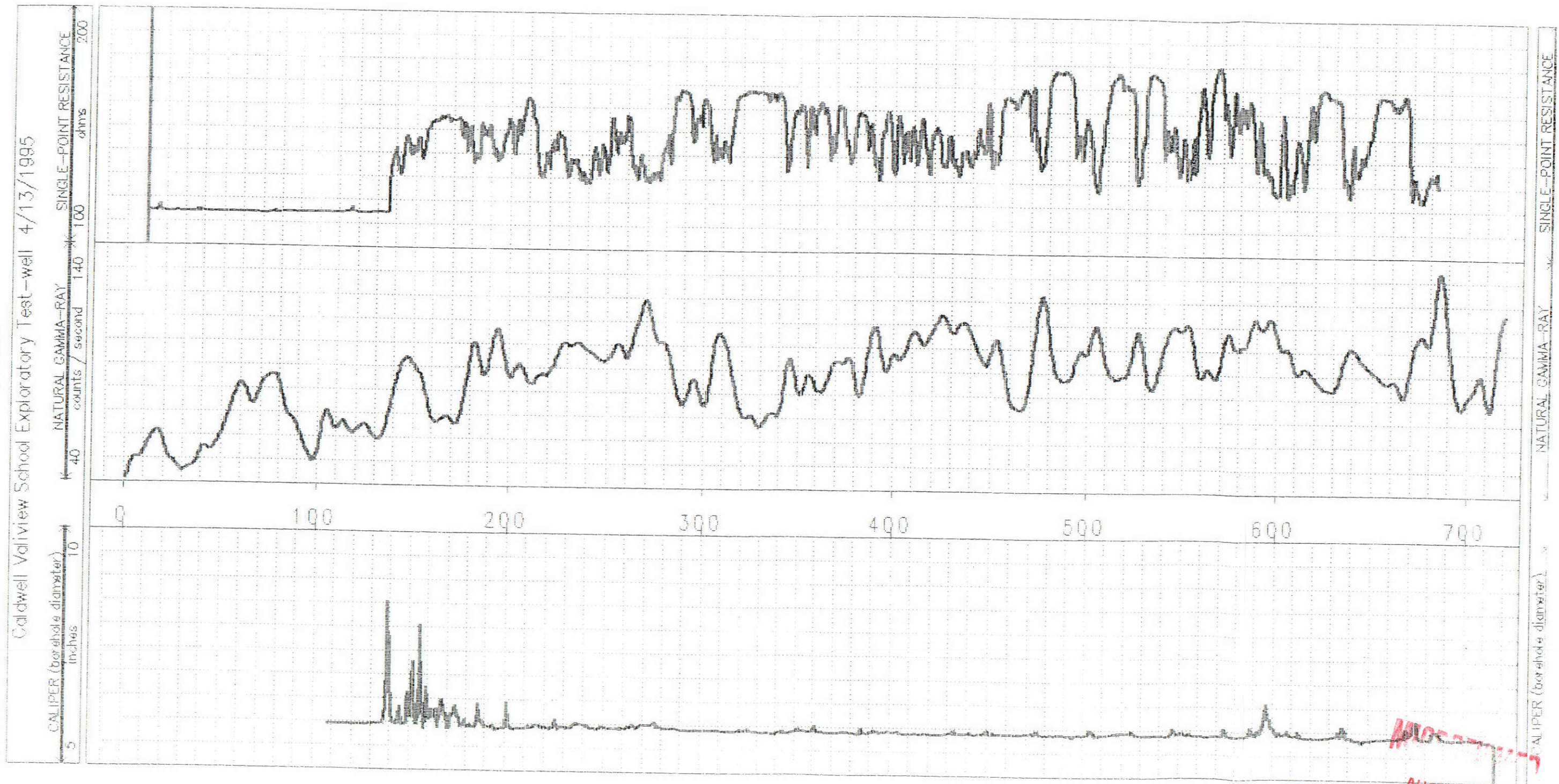


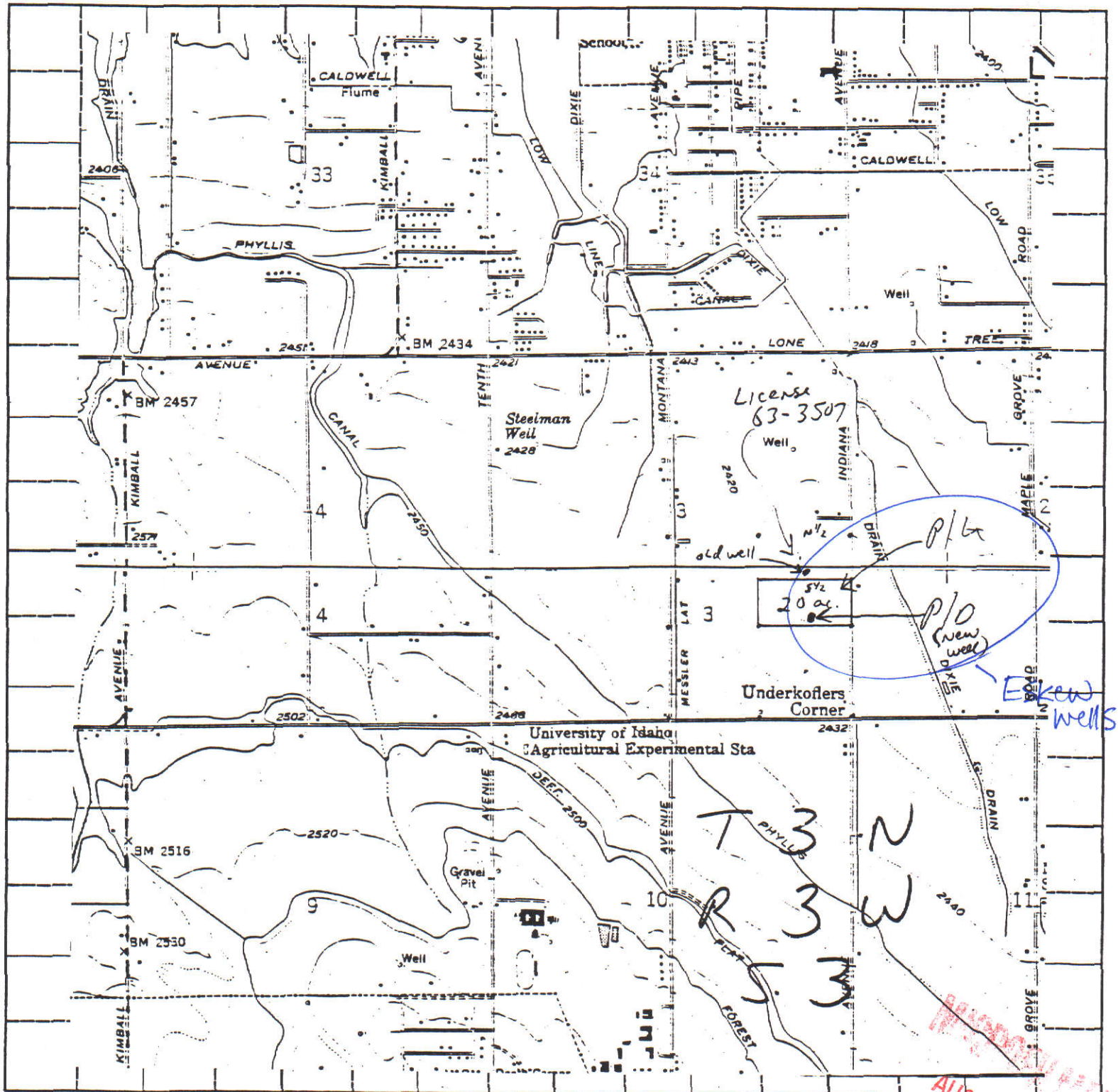
FIGURE 2

Caldwell Valview School Exploratory Test--well 4/13/1995



63-12, 63-10679

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

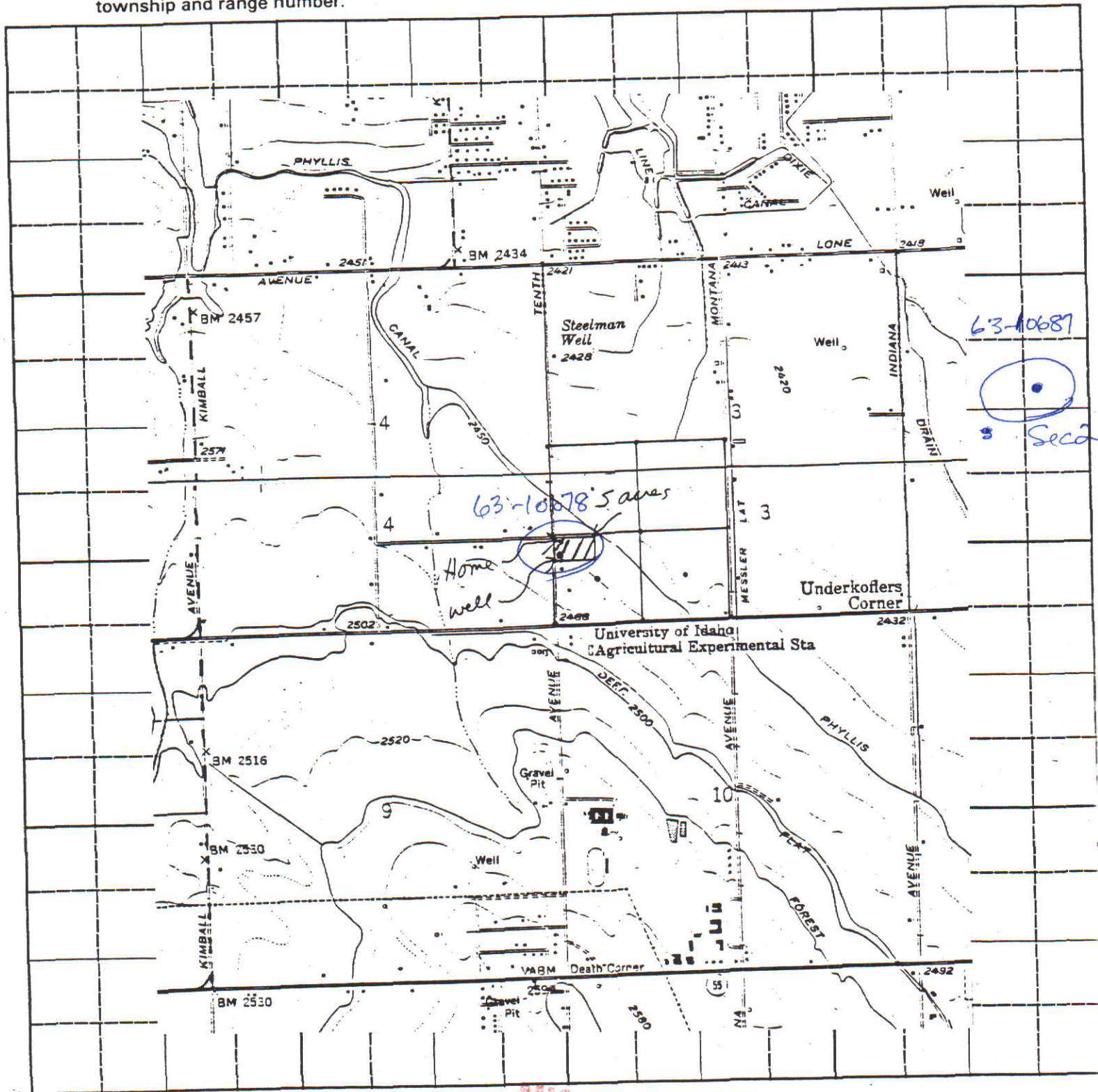


Scale: 2 inches equal 1 mile.

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

James E. Eber
(Applicant)

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



Scale: 2 inches equal 1 mile.

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

AUG 09 1935

[Signature]
(Applicant)

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-12144

Priority: September 2, 1994

Maximum Diversion Rate:

2.20 CFS

This is to certify, that CITY OF CALDWELL

621 CLEVELAND BLVD

CALDWELL ID 83605

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 2, 1994; and has submitted Proof of Beneficial Use on June 26, 1996. An examination indicates that the works have a diversion capacity of 3.420 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
-----------------------	----------------------	--------------------------	----------------------

MUNICIPAL	01/01 to 12/31	2.20 CFS	
-----------	----------------	----------	--

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 3, Township 03N, Range 03W
CANYON County

PLACE OF USE: See Remarks

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
5. Place of use is located within the city of Caldwell and surrounding service area.
6. The right holder is responsible to ensure that pumpage under this right does not directly cause the water level to significantly decline in any domestic wells drilled and in use prior to March 29, 1978, or any irrigation well drilled and in use prior to July 1, 1953, or to cause the water level in any other well having a prior right to exceed a reasonable pumping level, unless the right holder provides reasonable compensation or mitigation to the prior water right holder for the reduced water levels as determined by the Director.

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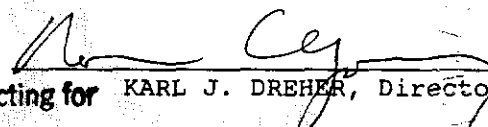
State of Idaho
Department of Water Resources**Water Right License**

WATER RIGHT NO. 63-12144

CONDITIONS OF APPROVAL AND REMARKS

7. A totalizing flow measurement device of a type approved by the Department shall be maintained as a part of the diverting works. This device shall be maintained by the right holder and shall be made available to inspection by Department personnel for the purpose of long-range study and monitoring of the ground water aquifer. The right holder shall maintain records of the amount of water diverted under this right.
8. The daily diversion volume for non-domestic uses under this municipal right shall not exceed 2,500 gallons per use and irrigation uses under this municipal right shall not exceed 1/2 acre within each platted subdivision lot upon which a domestic dwelling has been constructed.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 30TH day of MAY, 1998.


Acting for KARL J. DREHER, DirectorMICROFILMED
JUN 05 1998

RECEIVED

JUN 26 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 63-12144 Telephone No. (208) 455-3006
2. Name(s) of Permit Holder(s): CITY of Caldwell
3. Mailing Address: 621 Cleveland Blvd. Caldwell ID 83605
4. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. July yr. 95
 - a. Well Driller: Riverside Drilling Permit Number: 63-95-W-0471-000
 - b. OPTIONAL:
Pump Horsepower: 100 Pressure (psi): 68 Dynamic pumping level (ft): 98
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: MUNICIPAL USE
6. Total rate of diversion and/or volume for which proof is submitted: 2.2 cfs OR _____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?	Yes ☒	or No ☐
Has the measuring device been installed?	Yes ☒	or No ☐
Flow Measurement Port: Is a flow measurement port required?	Yes ☐	or No ☒
Has the measurement port been installed?	Yes ☐	or No ☒

8. Fee Enclosed: \$ 150.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: John Carpenter Telephone Number: 455-3006
Address: 621 Cleveland Blvd. Caldwell ID 83605

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: John Carpenter Date: 6/17/96
(include your title, if on behalf of company of organization)

AUG 09 1996

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-12144

Proposed Priority: September 2, 1994 Maximum Diversion Rate: 2.20 CFS

This is to certify, that **CITY OF CALDWELL**
621 CLEVELAND BLVD
CALDWELL ID 83605

has applied for a permit to appropriate water from: **GROUNDWATER**

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	2.20 CFS
-----------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 3, Township 03N, Range 03W
CANYON County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **August 1, 1996**.
2. Subject to all prior water rights.
3. Use of water under this right may be affected by an agreement between the protestant and the right holder.
4. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Construction of the well must comply with Idaho well construction standards.
7. The issuance of this right in no way grants any right-of-way or easement across the land of another.
8. Place of use is located within the city of Caldwell and surrounding service area.
9. The well drilled to supply water for this water right shall be cased and sealed to a depth of at least 200 feet, or to a confining layer, whichever is greater. Prior to the drilling of the well to be used to supply water for this water right, the right holder shall drill a test well which is six inches in diameter which shall be drilled to the level to be used to furnish the supply of water for this right. The right holder shall furnish to the Department and to the protestants a well log for that test well showing that the aquifer for the supply of water for this right is below a confining layer relative to the protestant's aquifer. The final well to be used to supply water for this right shall be drilled in the near vicinity to the test well, and to at least the same depth and aquifer as the test well, and the applicant shall furnish to the Department and to the protestants a well log showing the well drilled and cased to the required depth.

APPROVED
AUG 09 1995

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 63-12144

CONDITIONS/REMARKS:

10. When the well construction under this right is completed, the right holder shall provide for the conduct of an aquifer test, subject to the approval of the Department, to determine impacts of pumping the well on nearby shallower wells. The test shall be at least forty-eight hours in duration and shall be conducted by a licensed professional engineer or geologist. Results of the test shall be provided to the Department and to all who protested the approval of this right.
11. The right holder is responsible to ensure that pumpage under this right does not directly cause the water level to significantly decline in any domestic wells drilled and in use prior to March 29, 1978, or any irrigation well drilled and in use prior to July 1, 1953, or to cause the water level in any other well having a prior right to exceed a reasonable pumping level, unless the right holder provides reasonable compensation or mitigation to the prior water right holder for the reduced water levels as determined by the Director.
12. The right holder shall identify a well acceptable to the Department to be used as a monitoring well. This well is to be included if possible in the Department of Water Resources/United States Geological Survey monitoring network for the purpose of providing long-term monitoring in the vicinity of the proposed withdrawals.
13. A totalizing flow measurement device of a type approved by the Department shall be permanently installed and maintained as a part of the diverting works. This device shall be maintained by the right holder and shall be made available to inspection by Department personnel for the purpose of long-range study and monitoring of the ground water aquifer. The right holder shall maintain records of the amount of water diverted under this right.
14. The daily diversion volume for non-domestic uses under this municipal right shall not exceed 2,500 gallons per use and irrigation uses under this municipal right shall not exceed 1/2 acre within each platted subdivision lot upon which a domestic dwelling has been constructed.

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

7th day of August, 1995.

Karl J. Dreher
for Karl J. Dreher, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: CITY OF CALDWELL
Address: 621 CLEVELAND BLVD
CALDWELL ID 83605

208-455-3000

2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: NWSWSE Sec. 3, Township 03N, Range 03W
CANYON County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
MUNICIPAL	01/01	12/31	2.200		

5. Total quantity to be appropriated is:
2.200 CFS (and/or) AF

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc.

b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.

c. Proposed well diameter is inches; proposed depth of well is
feet.

d. Is groundwater with a temperature greater than 85F being sought? NO

e. If well is already drilled, when?

Drilling Firm

Well was drilled for

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 year(s).

8. Place of Use: See Remarks

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.

AUG 09 1995

10. Remarks:

PLACE OF USE IS WITHIN THE CITY LIMITS OF CALDWELL.

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 \$ _____ Receipted by _____ # _____ Date _____

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

RECEIVED
AUG 9 8 1925

RECEIVED

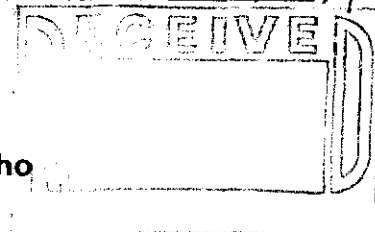
Form 202
10/92

SEP 02 1994

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 63-12144



To appropriate the public waters of the State of Idaho

1. Name of applicant City of Caldwell Phone 455-3000

Post office address 621 Cleveland Blvd, Caldwell, Idaho 83605

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot N/A

Sec. 3 Township 3N Range 3W B.M. Canyon County; additional

points of diversion if any: N/A

4. Water will be used for the following purposes:

Amount 2.2cfs for Municipal purposes from 1/95 to No limit (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) 2.2 cfs and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works: Well

a. Description of ditches, flumes, pumps, headgates, etc. N/A

b. Height of storage dam N/A feet; active reservoir capacity _____ acre-feet; total
reservoir capacity N/A acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is 20" inches; proposed depth of well is 480' 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 the completion of the works and application of the water to be proposed beneficial use is
1 year years (minimum 1 year).

APPROVED
AUG 09 1995

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

- a. Hydropower; show total feet of head and proposed capacity in KW. N/A
- b. Stockwatering; list number and kind of livestock. N/A
- c. Municipal; show name of municipality. City of Caldwell
- d. Domestic; show number of households. 10,000
- e. Other; describe fully. _____

9. Description of place of use: City of Caldwell, Idaho

- 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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	3W	4	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	
3N	3W	3	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	
4N	3W	34									M	M	M	M	M	M	M	M	
4N	3W	33													M	M	M	M	

P/A within the city limits of Caldwell - IDWR standard remark

Total number of acres to be irrigated N/A

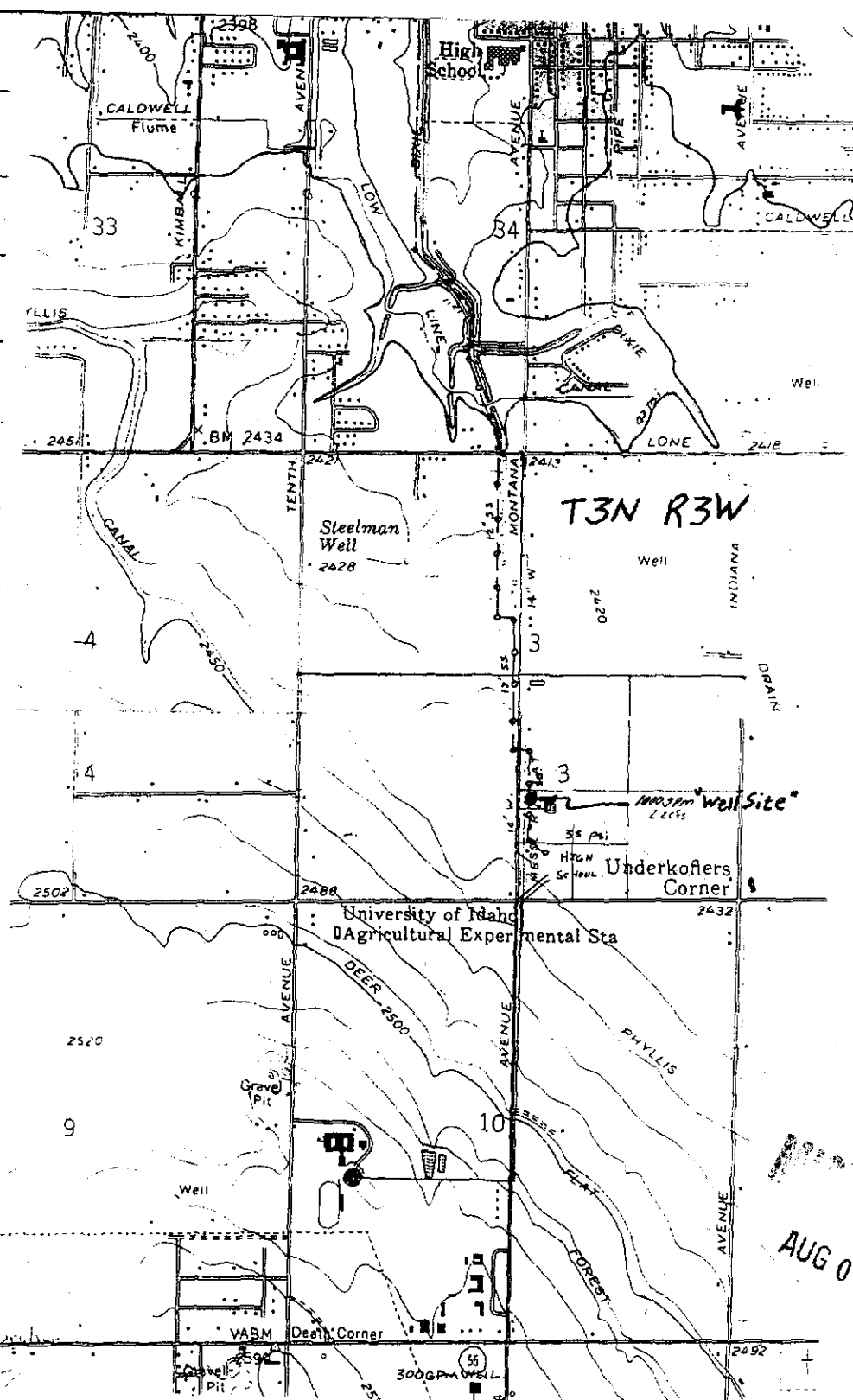
10. Describe any other water rights used for the same purposes as described above. N/A

11. a. Who owns the property at the point of diversion? Vallivue School District
- 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 enabling the applicant to make this filing. AUG 9 1995

12. Remarks: This well will serve as a supplement to the existing City of Caldwell water supply and will also provide for fire protection at the Vallivue High School.

- Irrigation use is limited to 1/2 acre per home developed within Caldwell City limits and thereby exempt from the Snake River Moratorium.*
- This permit does not authorize the development and irrigation of new land not previously irrigated.*

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



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.

Gordon M. Law, City Engineer
City of Caldwell, Idaho

(Applicant)

Received by VR Date 2-94 Time 1:00 pm Preliminary check by ly
Fee \$ 200- Receipted by # W018046 # VR Date 9-2-94
Publication prepared by st Date 9-14-94 Published in Press Tribune
Publication approved st Date 10-11-94

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

RECEIVED
AUG 09 1995



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

June 1, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF CALDWELL
621 CLEVELAND BLVD
CALDWELL ID 83605

RE: WATER RIGHT NO. 63-12144

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license 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 unless a party petitions for reconsideration or files an exception and/or brief 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 twenty-one (21) 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

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JUN 05 1998

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department 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 Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department 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 Department 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.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

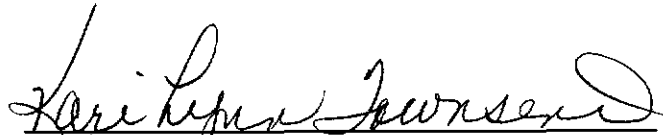
MICROFILMED
JUN 05 1998

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of June, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 63-12144

CITY OF CALDWELL
621 CLEVELAND BLVD
CALDWELL ID 83605


Kari Lynn Townsend
Secretary

MICROFILMED

JUN 05 1998

B/U FIELD EXAM REVIEW

by Cindy LouPermit #: 63-12144 Name: City of Caldwell Date: 5/20/98 ✓ Lots ✓

NAME	Chng	Same	Or Address Change?
		✓	
SOURCE		✓	Clarify source _____ Prelim. Order to Void - Source change.
P/D		✓	Amendment Needed? Addn'l ¼¼? _____ Legal _____ P39 Same ¼¼? _____ W32 _____ P36 Overlap(s) <u>none</u>
P/U		✓	Amendment Needed? _____ P41 Overlap(s) <u>directly diverted into city system w/ 13 other Rts.</u> (Gov't use special T's) _____ P/D & P/U Amend? P37
RATE		✓	Permit/proof fee limits <u>2.20</u> / <u>3.00</u> Measured Quantity = _____ cfs Theoretical Quantity = <u>3.42</u> cfs <u>rate limited by permit</u> (HP) $\frac{8.8 \times 0.70 \times 100}{30 + (2.31 \times 65)} = 3.42$ cfs Recommended capacity <u>3.42</u> cfs * <u>examiner used 19' (static level)</u> Recommended rate <u>2.20</u> cfs
VOLUME		✓	Season: (<u>1</u>) <u>1/1-12/31</u> = <u>365</u> days Calculations: <u>NA</u> Flow limit: cfs x days/yr. x 1.9835 = _____ AF Recommended volume <u>NA</u> AF
USES		✓	Same Nature of Use? _____ P46 Amendment Needed? _____
REMARKS		✓	Multiple p/d's in same ¼¼? Use W32 _____ <u>OWBO/cty area</u>
CONDITIONS		✓	T17 Measuring Device (R43) or Lockable Controlling Works (R02) Watermaster Control (R04) - WD # _____ Irrigation rate/annual volume overlap _____ GW irrigation replaces surface water (050) _____ GW irrigation supplants surface water (065) _____ Water Quality _____ Other <u>028, 022</u>
PRIORITY	App Rcd	<u>9/2/94</u>	Due <u>8/1/96</u> Rcd <u>6/26/96</u> Receipt# <u>6035949</u> Fee OK? <u>Yes</u> No <u>#150.</u> Order to Reinstate Needed? Yes <u>No</u> Done? _____ Advanced to: _____ Priority <u>9/2/94</u> Examined <u>4/30/97</u>
COMMENTS:	<u>license as permitted</u>		

USE	CFS	VOLUME
<u>Muni.</u>	<u>2.20</u>	<u>NA</u>
<u>/</u>	<u>/</u>	<u>/</u>
<u>/</u>	<u>/</u>	<u>/</u>
<u>/</u>	<u>/</u>	<u>/</u>
TOTAL	<u>2.20</u>	<u>NA</u>

SRBA Overlap no PD's
Adjustment Memo _____
LICENSE
#1 AMEND: _____/P38
#2 AMEND: (R)P42/(C)P47

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 08 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-12144

1. Owner: City of Caldwell Phone No. (208) 455-3006

Current Address: 621 Cleveland BLVD., Caldwell, ID. 83605

2. Accompanied by: Gary Shoemaker EXAM DATE: 4-30-97

Address: (Same) Phone No. (208) 455-3006

Relationship to Permit Holder: City Employee - Water Superintendent

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Date Base shows 13 other Municipal Permits

2. Other water rights with the same point of diversion: None

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	SE	3	3N	3W	Canyon	Site Visit, Map

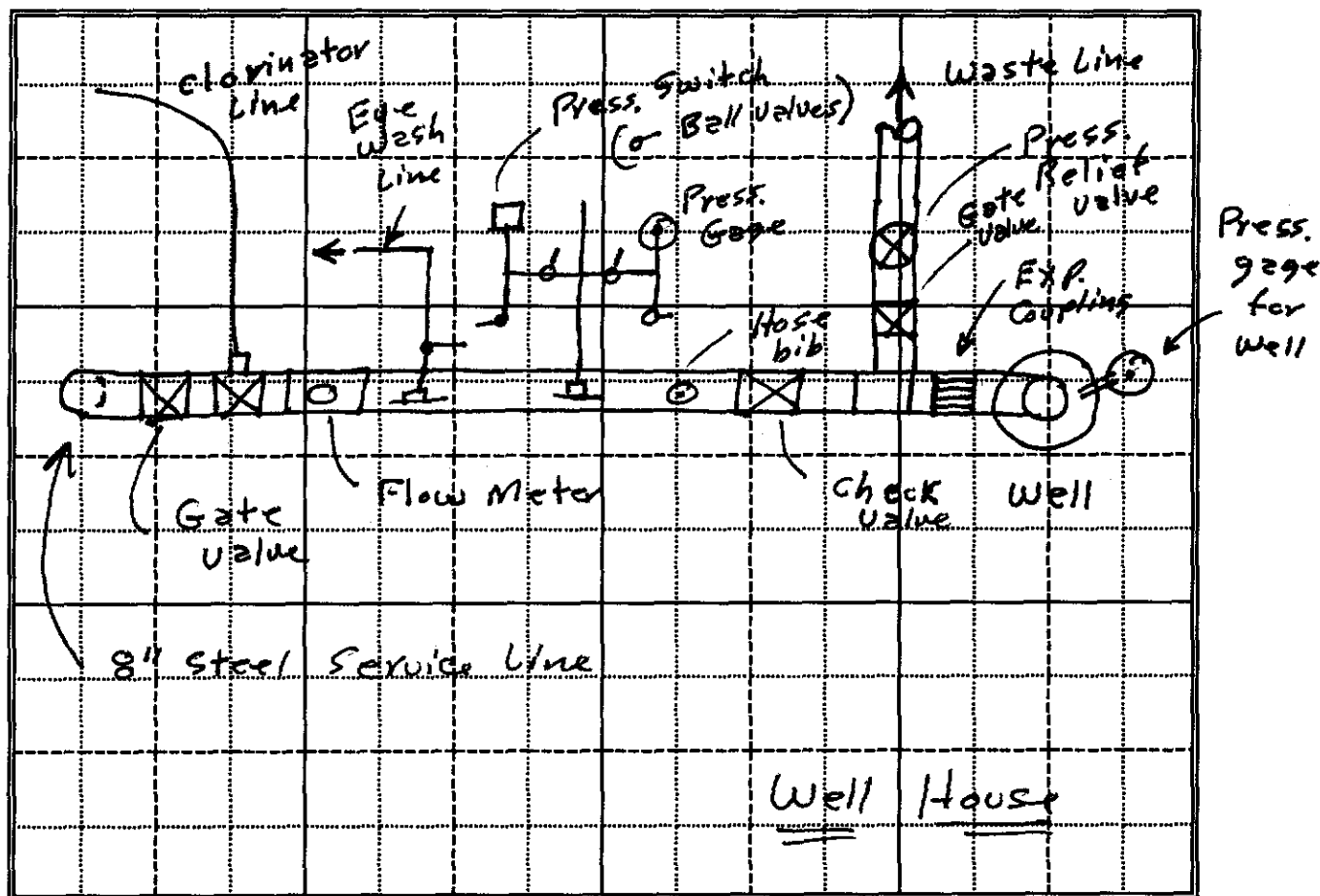
2. Place(s) of Use: City of Caldwell Indicate Method of Determination Site Visit, Map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

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JUN 05 1998

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = No Scale

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE Motors	100	OLD6902001	Goulds	Model 12 RJLC
	Mod. 5K404 DBB				Curve No. 3118
			6008A		5-stage

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Flow Meter		McGrometer			8"	
			MW500			

2. Measurements: Pump not running at the time of exam

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JUN 05 1988

E. NARRATIVE/REMARKS/COMMENTS

1. This well and water system was developed by Vallivue School District for the Vallivue High School. It was then taken over by the City of Caldwell.
2. The test well and aquifer test was completed and results were submitted and accepted. (copies in folder).
3. This well has a water quality problem related to Sulfur odor, and is mostly used to provide fire protection for the high school. The well pumps directly into the City water system.
4. The pump was not operating at the time of the exam. The normal operating pressure is 65 psi.
5. The well is 1 of 12 wells for the city.
6. The pump is set at 80', the static water level is 19', and the drawdown is 30'. The pump has 5 stages with a rated capacity of 800 GPM, and has been test pumped to 1000 GPM, for 16 hours. The permit is for 2.2 cfs = 987.4 GPM.

Have conditions of permit approval been met? ☒ yes ☐ no

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JUN 05 1998

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method: None

Theoretical Max Div. Rate:

$$Q = \frac{(8.8)(100 \text{ HP})(70\%)}{19' + (65 \text{ PSI}) \left(\frac{34'}{14.7 \text{ PSI}} \right)} = \underline{3.6 \text{ cfs}}$$

Allow 2.2 cfs in permit.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses: Municipal

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Municipal</u>	<u>01/01</u>	<u>12/31</u>	<u>2.20</u>	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>2.20</u>	_____

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

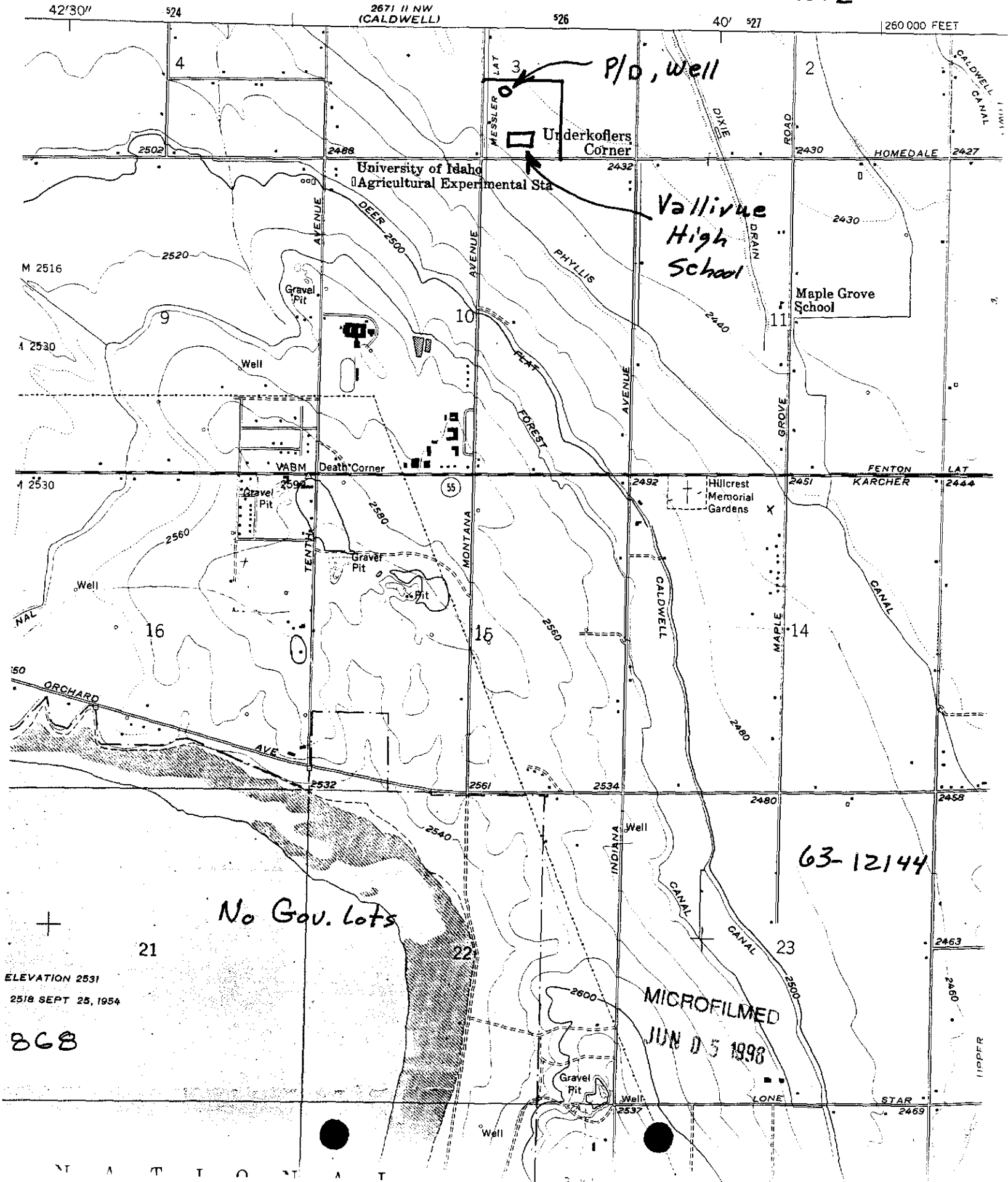
I. AUTHENTICATION

Field Examiner's Name Don Tombl Date 12-18-99

Reviewer _____ Date _____

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JUN 05 1998

T 3 N, R 3 W, Sec. 3
SWSE



IDAHO DEPARTMENT OF WATER RESOURCES

JAN 08 1998

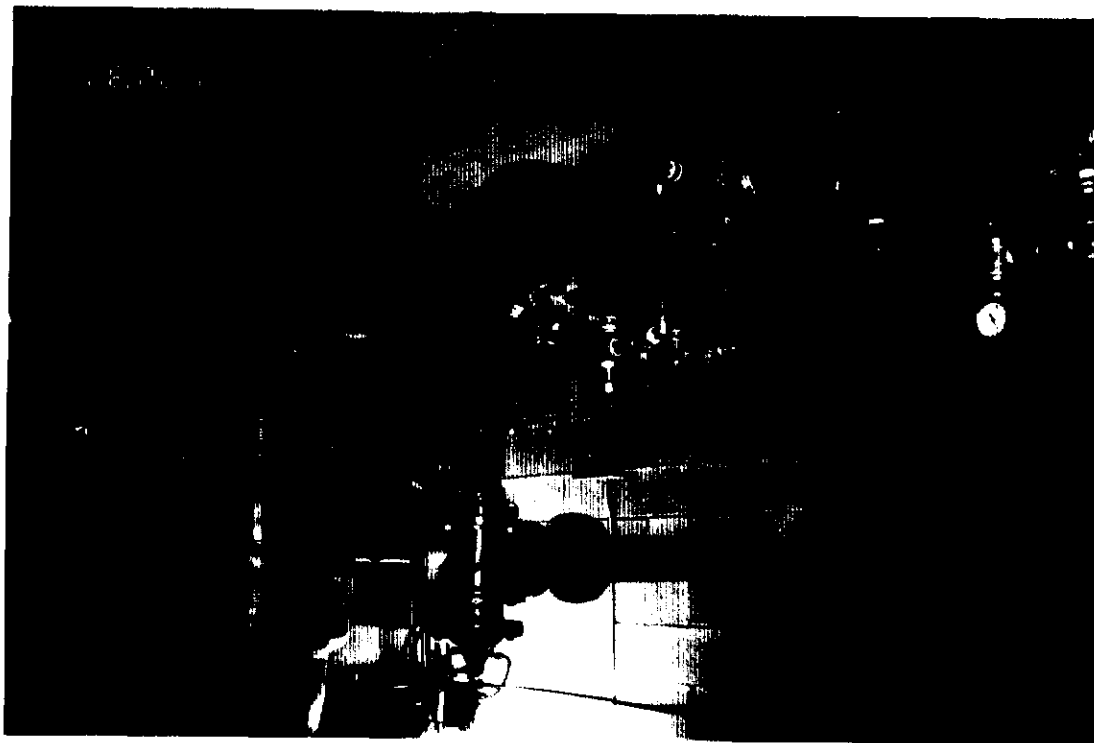
Department of Water Resources

WELL INSPECTION FORM

1. DRILLING PERMIT NO: 63-95-W-0471-000 OTHER APPLICABLE NO: 63-12144
2. OWNER: City of Caldwell Phone: (208) 455-3006
Address: 621 Cleveland BLVD., Caldwell, ID 83605
3. WELL LOCATION: Twp 3N, Rge. 3W, Sec. 3, SW 1/4 SE 1/4
County Canyon (Provide sketch map and photo on reverse.)
4. DRILLER: Riverside, Inc. Lic. No. 333
When Drilled? 8-16-95 to 8-31-95
5. WELL CONSTRUCTION:
Casing Diameter 16 inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____
Depth of Casing 535 ft. Method Drilled Reverse Rotary
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____
Control Valve? ☒ Yes ☐ No Pressure Gauge: ☒ Yes ☐ No
Condition of Piping and Valving Good
Auger to a depth of _____ ft. Evidence of Annular Seal ☒ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)
6. HYDROLOGIC INFORMATION:
Depth to Static Water 19 ft. Water Temperature _____ °F
Flowing Artesian ☐ Yes ☒ No Pressure: _____ (psi)
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____
7. WELL USE:
☐ Domestic ☐ Irrigation ☐ Stock
☐ Test ☒ Municipal ☒ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☐ Other: _____

MICROFILMED

JAN 05 1998



PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

MICROFILMED
JUN 05 1998

4-30-97
Inspection Date

Signature of Dept. Representative & Title

Don Zond Water Rights Examiner

REMARKS: This well + water system were developed by the Valluue School District for the Valluue High School and then taken over by the City of Caldwell.

How far away from the well is this source?

If yes, what Type?

Is there a possible source of contamination nearby? ☒ Yes ☐ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there evidence of Chemigation? ☒ Yes ☐ No

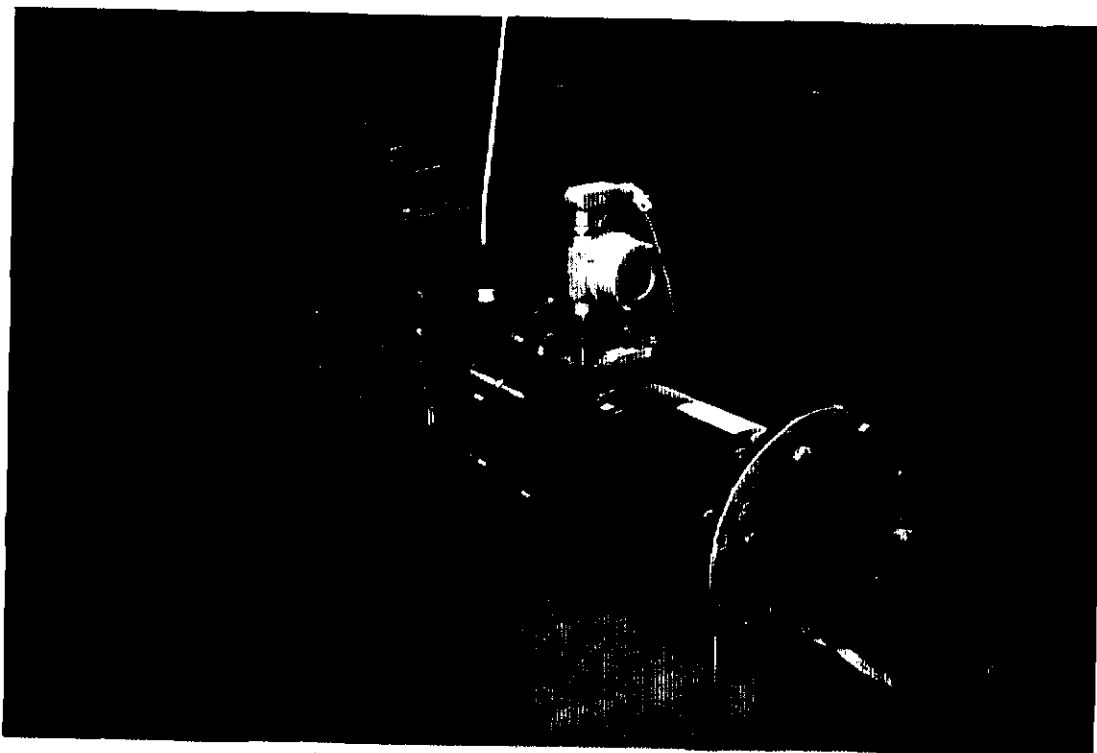
POSSIBLE CONTAMINATION SOURCES:

9.

8.



P/D
Well,
Valves,
Piping,
etc.
in
Well
House



P/D
Flow
Meter
- Light
Blue

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JUN 05 1998

63-12144

1 of 2



P/O

Well

House

Vallivue

High

School

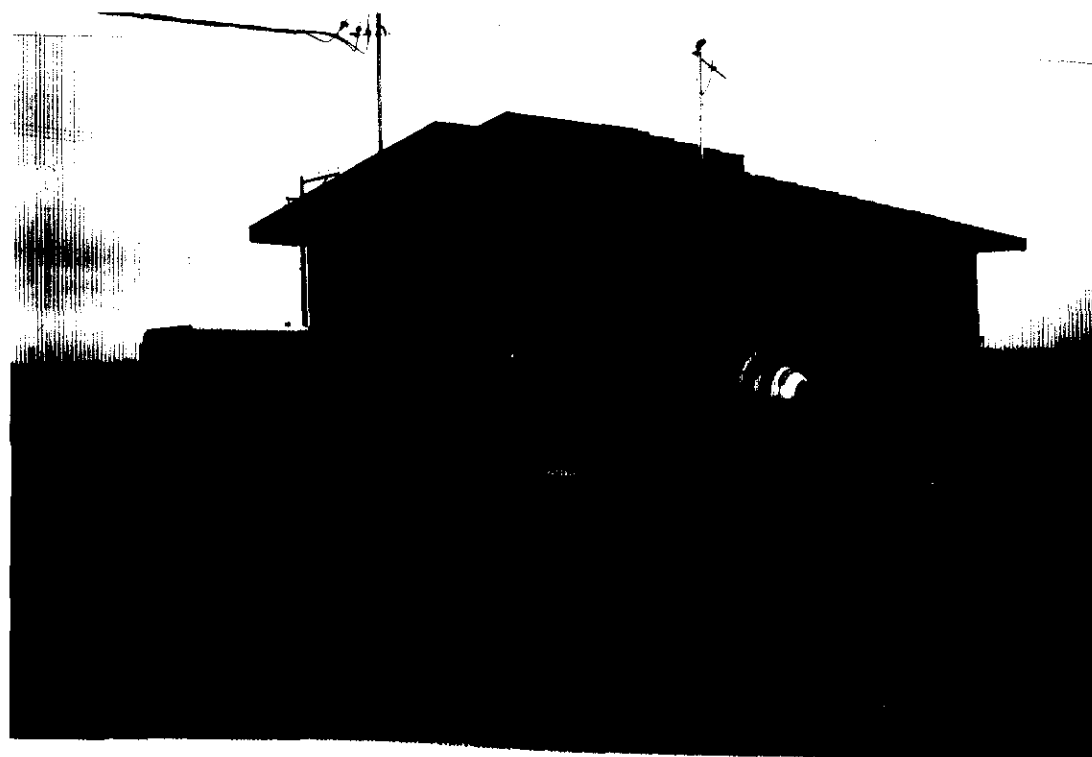
in

background,

View

Looking

Southeast



P/O

Well

House

View

Looking

Northwest

MICROFILMED

JUN 05 1998

63-12144

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

RECEIVED

JUL 29 1996

WATER RESOURCES
WESTERN REGION

July 27, 1996

Mr. Dan Brown
United Water Idaho
P.O. Box 7488
Boise, ID 83707

RECEIVED

AUG 07 1996

Department of Water Resources

Subject: Water Level Monitoring of Delmar Vail and Marvin Miller Wells

Dear Dan:

Water levels were measured in the Delmar Vail and Marvin Miller wells on July 25, 1996. The measurements were obtained as part of the bi-monthly water-level measurement program proposed as a condition for permit No. 63-12144.

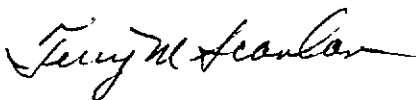
Water levels in each of the wells were measured using an electric-line well sounder. The sounder end was disinfected in a chlorine solution prior to each measurement. The measuring points are the tops of the well casings.

Water-level data are provided below. Previous measurements are included for comparison purposes.

Date	Miller Well	Vail Well	Remarks
6/15/95	32.46	40.25	
7/27/95	30.55	38.90	before Floating Feather Test
7/31/95	29.99	39.27	after Floating Feather Test
10/11/95	29.42	34.01	
12/20/95	32.44	36.29	
2/22/96	37.15	38.66	Miller well recovering 0.5"/min
5/15/96	37.63	40.40	Miller well recovering 0.5"/min
7/25/96	31.13	40.64	

Please contact me with any questions.

Sincerely,



Terry M. Scanlan, P.E., P.G.
Engineer/Hydrogeologist

cc: Del Vail
Marv Miller
David Tuthill - IDWR

RECEIVED
AUG 09 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RECEIVED

FEB 13 1996

Department of Water Resources

February 9, 1996

Chad Coleman, EIT
Keller and Associates, Inc.
545 Benjamin Lane, Suite 185
Boise, ID 83704

RE: Aquifer Test for Water Right Permit No. 63-12144 in the Name
of the City of Caldwell

Dear Mr. Coleman:

I have reviewed the report entitled Vallivue Aquifer Testing dated February 1996, which you submitted in partial fulfillment of the conditions of approval for the above-referenced water right. I have found the report to be complete, thorough, and in full compliance with conditions of approval in both the water right permit and Well Drilling Permit No. 63-95-W-0471-000.

The report represents completion of water right Condition of Approval No. 10, except that all protestants are to be supplied with a copy of the report. It is my understanding that your firm will be conducting this notification process.

I am forwarding the report to the original permit file in our State Office.

Sincerely,

David R. Tuthill, Jr., P. E.
Manager, Western Region Office

cc w/report: State Office

AUG 09 1996

Vallivue Aquifer Testing

Report of Findings

Keller Associates Project Number 194039

February 1996



RECEIVED
The entire book
AUG 09 1996

A COMPANY OF PROFESSIONAL ENGINEERS AND SCIENTISTS
KELLER ASSOCIATES INC., 545 BENJAMIN LANE, SUITE 185, BOISE, IDAHO 83704 / (208) 375-1992

Vallivue Aquifer Testing

Report of Findings

Keller Associates Project Number 194039

February 1996



A COMPANY OF PROFESSIONAL ENGINEERS AND SCIENTISTS
KELLER ASSOCIATES INC., 545 BENJAMIN LANE, SUITE 185, BOISE, IDAHO 83704 / (208) 375-1992

Vallivue Well Report

INTRODUCTION

As part of the requirements for the new Vallivue High School to connect to the City of Caldwell water system, the school district has agreed to provide a new city production well. There were concerns raised by some of the neighboring landowners that a new high capacity well may disturb their shallow irrigation wells. The landowners subsequently filed a formal protest with the State Department of Water Resources.

The formal protest has been followed by a Withdrawl of Protest and Agreement of Conditions. This document (which may be found in the Appendix) enumerates nine conditions that the Vallivue School District must satisfy prior to bringing the new well on line. This report details the compliance of the Vallivue School District on each of these conditions.

CONDITIONS 1 & 2

This well, as with all wells, is subject to all prior water rights. After research and the execution of the appropriate field work, it is not anticipated that any prior water rights will be adversely affected as a result of this well being put into service. Conditions Four and Five detail work that has been performed that has lead to this conclusion.

Keller Associates engineers supervised all of the test drilling and production well drilling efforts. All of the drilling permit requirements were followed and the well was built according to plans and specifications approved by the State of Idaho, Division of Environmental Quality. A letter from Bill Freeman of the Division of Environmental Quality approving the plans and specifications for the well may be found in the Appendix.

CONDITION 3

Condition Three of the Withdrawl of Protest states in part that "...the applicant shall drill a test well which is six inches in diameter...". The test well was drilled and the results were compiled in an earlier report. A copy of this report is included in the appendix.

Based on the results of the test well, a production well was designed and built. The production well was required to be cased at least 200 feet deep or to a confining layer, whichever is deeper, by Item 3 of the Withdrawl of Protest. In fact, the well was cased with a solid 16" steel casing to a depth of 420'. A diagram of the well design may be found with the report of the test well findings in the Appendix.

CONDITION 4

An aquifer test was designed by Keller Associates engineers which would satisfy requirements of Condition Four. After the test was designed, it was presented to Dave Tuthill of the IDWR for approval. The test plan was approved (see related letter to Dave Tuthill in the Appendix) and the test began on January 26 with a planned 8 hour step drawdown test.

The 8 hour step drawdown test was to serve two purposes. The first was to develop the well by over-pumping so that its maximum yield could be obtained. The second purpose was to give information regarding the optimum pumping rate for the constant discharge pump test that was required by the Withdrawl of Protest. Both of the objectives of the 8 hour step test were met and the well was allowed to recover for the weekend.

The 48 hour constant discharge test was carried out starting on Monday, January 29. The discharge was 1,100 gallons per minute (gpm). Data detailing the test results may be found in the appendix. The test was carried out according to the plan approved by Mr. Tuthill of IDWR.

Riverside, Inc. performed the work on the pump test using a vertical turbine pump driven by a truck mounted diesel engine. The discharge was monitored continuously for the first eight hours of the test and then at one hour intervals for the duration of the test. The only irregularity of the flow monitoring was that the manometer tubes used for measurement froze and broke at hour 42 of the test. At that point Riverside employees were able to approximate the flow measurement using the RPM's of the engine. In any case, the incident had no bearing on the outcome of the test.

Time and drawdown data from the test is included in the Appendix. A time vs. drawdown curve was plotted from the data which gives some indication of the expected drawdown at a pumping rate of 1,100 gpm. The drawdown appeared to level off and hold steady at about 90 feet below the ground surface for the last 8 hours of the test. Since the City of Caldwell intends to pump at 850 gpm, the actual drawdown should be less than projected on the curve in the Appendix.

CONDITION 5

One of the most important parts of the testing process was to insure that pumping the new production well at the desired rate did not cause the water level in neighboring wells to significantly decline or cause the static water to fall below a reasonable pumping level. This was accomplished through a testing program carried out by Keller Associates engineers.

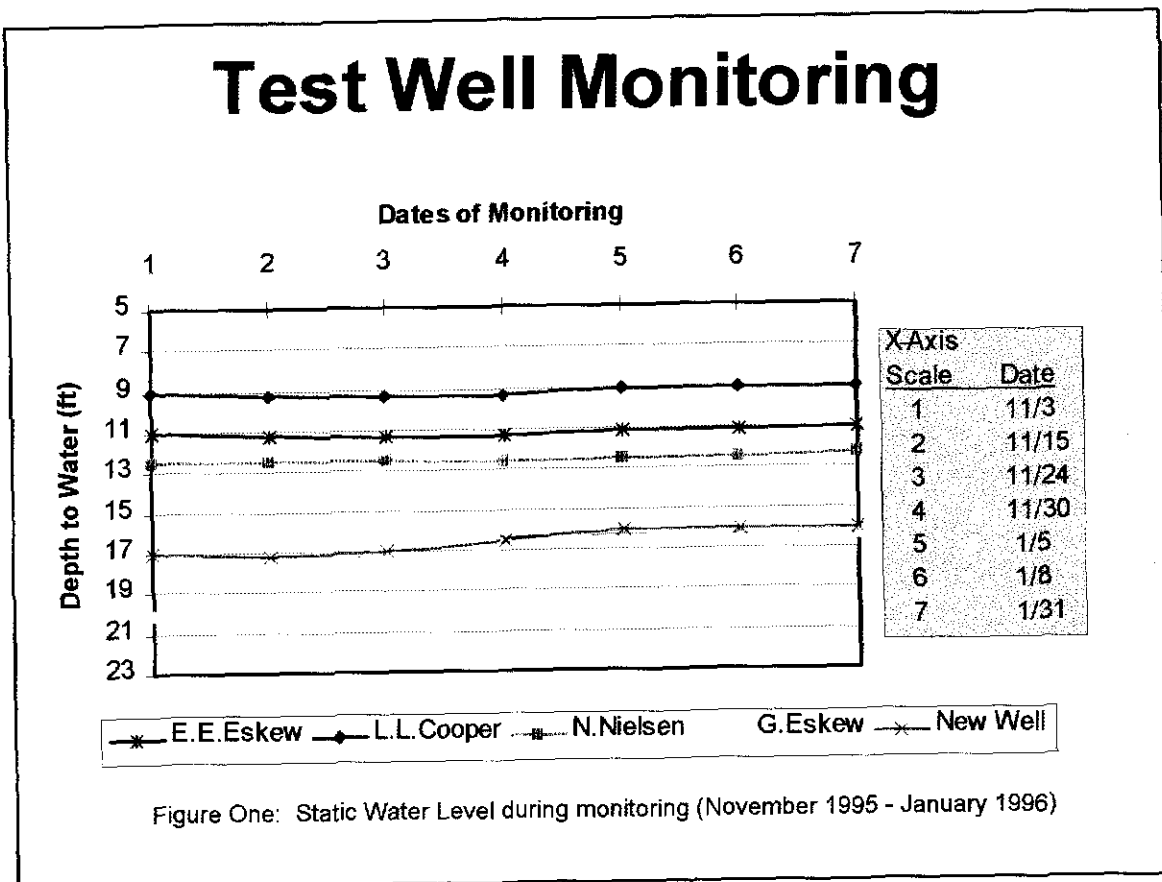
It is important to note that it is perfectly normal for the static water level to fluctuate seasonally. To illustrate this point, data from a USGS long-term monitoring well within one mile of the new well was obtained. The static water level was plotted starting in March of 1975. The data from the long-term well show that the static water level varied from a high point of 9.56 feet below ground level in 1988 to a low of 19.54 feet below ground level in 1990. This data and a plot of the static water level may be found in the Appendix.

Selected irrigation wells of the surrounding property owners were monitored starting in November to determine the elevation of the static water level. This monitoring effort was continued until the day of the 48 hour pump test. Wells to be monitored were selected based on proximity to the new production well and on the willingness of the property owner to have the well monitored.

Another service offered to all protestants was pump testing of their wells to determine the steady state drawdown of their individual wells under pumping conditions (see letter to this affect in the Appendix). Four of the well owners were desirous of this information and the tests were performed. Results of the drawdown tests and the static water level monitoring are included in the Appendix. A plot of the static water level during the monitoring period follows as Figure One.

Figure One shows that the monitored wells experienced no measurable change in static water level. It is important to point out that the last point on the chart represents the day that the 48 hour pump test was completed (January 31, 1996). It clearly shows that the monitored wells did not experience any measurable affect as a result of pumping the new well.

The irrigation wells were monitored continuously for the first three hours of the pump test in order to track closely any change in the water level in those wells. At the end of the first three hours of the pump test, the data on the monitored wells was reviewed and it was determined that no effect was measurable. At that point, the monitoring intervals



were progressively lengthened until the wells were checked morning and night. Throughout the irrigation well monitoring effort, there was no measurable change in the static water level of any of the wells. Data that was collected to reach these conclusions may be found in the Appendix.

CONDITION 6

Mr. E.E. Eskew of 4812 S. Indiana Ave. has agreed to allow his well to be designated the long term monitoring well. As required by Condition Six of the Withdrawl of Protest, this well may be used by the State of Idaho Department of Water Resources or the United States Geologic Survey to monitor the depth to static water level. Copies of two letters relating to the Eskews agreement on this matter are located in the Appendix.

CONDITION 7

A totalizing flow meter is specified to be installed in the new well facilities. A copy of the specification given to the contractor relating to this item is in the Appendix. As required, a totalizing flow meter will be installed and maintained by the City of Caldwell. Record keeping, as required by Condition Seven, will be the responsibility of the City of Caldwell.

CONDITIONS 8 & 9

It is understood and agreed to that the water right granted is subject to the provisions of the Boise River Basin moratorium on new water rights. Among other restrictions, commercial and industrial uses are not permitted in excess of 2500 gallons per day per site. Also, irrigation tracts in excess of one half acre per household are not permitted for uses for water diverted under this right. It will be the responsibility of the city of Caldwell as well owners and operators to abide by all of the restrictions of the Boise River Basin moratorium.

CONCLUSION

The Vallivue School District has met all of the requirements of the Withdrawl of Protest and Agreement of Conditions. Most importantly, it has been demonstrated that Condition Five has been met. Namely, Keller Associates engineers have demonstrated that "...pumpage under this water right does not directly cause the water level to significantly decline in [neighboring] wells...", and that water levels in wells having prior water rights do not "...exceed a reasonable pumping level...".

The Vallivue School District hereby makes appeal to the State of Idaho Department of Water Resources to give final approval of the water right and allow the new well to commence operation.

APPENDIX

- 1) Withdrawl of Protest and Agreement of Conditions
- 2) Drilling Permit
- 3) DEQ Approval letters for the Well and Well House
- 4) Test Well Report of Findings
- 5) Aquifer Test plan approval confirmation from Dave Tuthill
- 6) Pump Test data
- 7) Drawdown vs. Time curves
- 8) USGS long term monitoring well data and curve
- 9) Sample letter to protestants offering drawdown testing services
- 10) Replies to those well owners who asked for drawdown testing
- 11) Monitored well inventory sheet
- 12) Static water level charts
- 13) Letters to E.E. Eskew regarding the new long term monitoring well
- 14) Propeller flow meter specification including totalizer

COPY

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR) WITHDRAWAL OF PROTEST
PERMIT NO. 63-12144 IN THE NAME OF) AND
THE CITY OF CALDWELL) AGREEMENT OF CONDITIONS
_____)

The undersigned applicant agrees to abide by the following conditions which will be made a part of the permit issued based on the above-referenced application for permit. Accordingly, the undersigned protestant agrees to withdraw the protest to the approval of this application.

1. This water right is subject to all prior water rights.
2. The water right holder shall comply with the drilling permit requirements of Section 42-234, Idaho Code.
3. The well drilled to supply water for this water right shall be cased and sealed to a depth of at least 200 feet, or to a confining layer, whichever is greater. Prior to the drilling of the well to be used to supply water for this water right, the applicant shall drill a test well which is six inches in diameter which shall be drilled to the level to be used to furnish the supply water for this water right. The applicant shall furnish to the Department and to the protestants a log for that test well showing that the aquifer for the supply of water for this water right is below a confining layer relative to the protestant's aquifer. The final well to be used to supply water for this water right shall be drilled in the near vicinity to the test well, and to at least the same depth and aquifer as the test well, and the applicant shall furnish to the protestant's and the Department a well log showing the well drilled and cased to the required depth.
4. When the well construction under this water right is completed, the water right holder shall provide for the conduct of an aquifer test, subject to the approval of the Department, to determine impacts of pumping the well on nearby shallower wells. The test shall be at least forty-eight hours in duration and shall be conducted by a licensed professional engineer or geologist. Results of the test shall be provided to the Department and to all who protested the approval of this water right.

5. The permit holder is responsible to ensure that pumpage under this water right does not directly cause the water level to significantly decline in any domestic wells drilled and in use prior to March 29, 1978, or any irrigation well drilled and in use prior to July 1, 1953, or to cause the water level in any other well having a prior right to exceed a reasonable pumping level, unless the permit holder provides reasonable compensation or mitigation to the prior water right holder for the reduced water levels as determined by the Director.

6. The water right holder shall identify a well acceptable to the Department to be used as a monitoring well. This well is to be included if possible in the Department of Water Resources/United States Geologic Survey monitoring network for the purpose of providing long-term monitoring in the vicinity of the proposed withdrawals.

7. A totalizing flow measurement device of a type approved by the department shall be permanently installed and maintained as a part of the diverting works. This device shall be maintained by the water right holder and shall be made available to inspection by Department personnel for the purpose of long-range study and monitoring of the ground water aquifer. The water right holder shall maintain records of the amount of water diverted under this water right.

8. This water right is subject to the provisions of the Boise River Basin moratorium on new water rights, so that among other restrictions commercial and industrial uses in excess of 2500 gallons per day per site and irrigation of tracts in excess of one half acre per household are not permitted uses for water diverted under this water right.

9. The place of use of this water right is limited to the service area of the City of Caldwell.

DATED: this 1 day of July, 1995.

Applicant: Neil J. Nielsen *n.n.*

DATED: this 1 day of July, 1995.

Protestant: x Neil J. Nielsen

DATED: this _____ day of _____, 1995.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR DRILLING PERMIT

1. Name: CITY OF CALDWELL
Address: PO BOX 1177
CALDWELL ID 83605

O 208-455-3006

2. Proposed Well Location: Township 03N, Range 03W, Sec. 3, SWNE
CANYON County

Street Address of Well Site: EAST SIDE OF MONTANA AVE - APPROX 1460' +/- N OF HOMEDALE
CALDWELL ID

3. Proposed Use of Well: Non-Domestic Municipal

4. Well Construction Information:

A. NEW WELL

B. Proposed Surface Diameter 26 In. Proposed Maximum Depth 580 Ft.

C. Anticipated Bottom Hole Temperature: 85 F or less (Cold water well)

(NOTE: Construction diagrams and/or other information may be requested for
monitor, low temperature geothermal, municipal and artesian wells.)

5. Construction Start Date: 7/ 1/1995

6. Anticipated Well Driller: (No. 9999)

NOTE: The actual well driller must be identified prior to drilling.

7. Applicant's Signature _____ Date _____

Title _____
(Owner, Firm Representative, Other)

Fee \$ 35.00 Received by _____ No. W018716 Date 3/10/1995

Remaining \$165 to be submitted.

(Continued)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This permit is APPROVED

Date: 7/21/1995

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

CONDITIONS OF APPROVAL:

1. This drilling permit is valid for two (2) months from the 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 prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any 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 the bottom hole temperature of 85 Degrees F (29.44 oC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. Idaho Code, § 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (Dig Line is a locator service) not less than 3 working days prior to the start of any excavation for this project. The "Dig Line" Number for your area is 1-800-342-1585.
9. The uppermost unconfined aquifer shall be thoroughly sealed. All seals will be placed from the bottom up.
10. If an annular seal of bentonite is to be utilized, a high (>30%) solids bentonite shall be pumped from the bottom up to land surface. The bentonite shall not contain chemical polymers which effect long term stability of the seal and are often found in drilling fluid grade bentonites, but rather will be specifically recommended by the manufacturer for use as a seal material in water wells.
11. A 50% excess of seal material shall be on hand in the event of lost circulation. If the seal material does not make it back to the surface, tremieing or perforation and squeezing is to commence at the top of the tagged seal position and will continue until returns reach the surface or the department is satisfied aquifers are sufficiently isolated and/or protected from waste and contamination.
12. The project engineer or geologist will be on site during seal placement should any peculiarities arise which require further evaluation. Any alteration of the proposed or herein modified well construction procedure shall be approved by the department before they are undertaken.

(Continued)

CONDITIONS OF APPROVAL:

13. Drilling fluids shall be developed with water which meets or exceeds drinking water standards.
14. The screened, perforated, filterpacked or otherwise open and commingled strata which are to be produced from, shall be of similar hydraulic head, temperature and quality. If there are notable variations encountered as the well is drilled and/or developed the Department will be notified for evaluation.

David P. Tutthill

Signature of Authorized Dept. Representative

Mgr Western Reg Off

Title

EXTENSION OF DRILLING PERMIT

Extension Approved by: _____

Approval Date: _____

Expires On: _____



IDAHO DEPARTMENT
OF HEALTH AND WELFARE

DIVISION OF
ENVIRONMENTAL QUALITY

1445 North Orchard, Boise, ID 83706-2239, (208) 334-0550

Philip E. Balt, Governor

August 4, 1995

Mr. Chad Coleman
Keller Associates, Inc.
545 Benjamin Lane, Suite 185
Boise, ID 83704

RE: Vallivue Well - NW/4 of SE/4 Sec. 3, T3N, R3W, BM
Well Site Approval
Caldwell/Canyon County

Dear Chad:

We have reviewed the information you provided to support the use of a well site located on Montana Avenue, approximately 1460 feet north of Homedale Road. Based on the information provided and a field inspection made June 22, 1995, we are accepting the well site per the *Idaho Rules for Public Drinking Water Systems* (IRPDWS), Section 08.550.03.n, subject to the conditions listed below. ⁰²

1. The technical specifications included in the "Vallivue School District Culinary Water Well, Contract Documents and Specifications" have been reviewed by both DEQ and Doug Davidson of the Idaho Department of Water Resources (IDWR). Construction of the well shall conform to comments 1 through 7 in the attached memorandum dated July 13, 1995, from Mr. Davidson. Additional conditions will be included in the drilling permit issued by IDWR. Well construction must not begin until your permit is approved.
2. The *Idaho Rules for Public Drinking Water Systems* requires that your well be test pumped for a minimum of six hours, at a rate of 125 percent of the desired production rate. The test should be conducted under the supervision of a consulting engineer or hydro geologist. You must provide this office with the flow rate and water level recordings, driller's log, pump curve and specifications for the production pump, and other information requested on our Water System Checklist.

Water samples should be taken during the pump test and sent to the lab for analysis (see the monitoring requirements outlined on the following page).

3. After installation of permanent pumping equipment, the well must be disinfected according to AWWA Standard C654, or equal.

Mr. Chad Coleman
August 4, 1995
Page 2

4. New source monitoring is required prior to using a new source of water in a public water system. The following list includes general categories to be tested under existing federal and state regulations. Additional detail is provided in the attached list of specific constituents that must be analyzed.
 - a. Coliform bacteria
 - b. Radiological (gross alpha activity; results greater than 5.0 pCi/l require additional testing)
 - c. Corrosivity (total dissolved solids, alkalinity, calcium hardness, temperature, and pH)
 - d. Phase II and Phase V volatile organic contaminants (VOC's; see list on page 1 of attachment)
 - e. Phase II and Phase V synthetic organic contaminants (SOC's except for dioxin; see list on page 2 of attachment)
 - f. Phase II and Phase V inorganic contaminants (IOC's) plus lead (see list of contaminants on page 3 of attachment; you need not test for asbestos unless the source is vulnerable)
 - h. We strongly recommend testing the secondary IOC's (see bottom of page 3)
 - g. Sand content (suspended solids)

You should review the laboratory data and send it to DEQ with a cover letter confirming that all the requirements have been met, or listing those contaminants that exceed maximum levels, and explaining what will be done next (retesting, for example). The lab results may be included with plans and specs for pumping facilities (see condition number 5 below).

5. Construction of the well house and pumping facilities shall not begin until plans and specifications are approved by DEQ. Your engineering report should include the following items:
 - a. General Checklist
 - b. Water System Checklist
 - c. Well logs and pump test data
 - d. Other items required per the checklists
6. This well, along with all other ground water sources nationwide, must be evaluated as a source of ground water under the direct influence of surface water (GWUDI). Our evaluation will consider lithology and well construction, including the depth of surface seal. Due to the distance from surface water and the depth of the producing zone, it is unlikely that your well would be found to be influenced by surface water. However, if the evaluation indicates potential influence from surface water, monitoring will be required, and if monitoring shows that the well is influenced by surface water, extensive

Mr. Chad Coleman
August 4, 1995
Page 3

treatment such as filtration and disinfection may be required. We recommend that the well be tested monthly to demonstrate the absence of fecal coliform bacteria (this sampling is in addition to the required *system* sampling). Test results will be an important consideration in the GWUDI evaluation.

Future federal regulations could affect the design and operation of water systems using ground water sources:

- a. The proposed "Ground Water Disinfection Rule" will evaluate ground water sources that are not under the direct influence of surface water for vulnerability to microbial contamination. If a source is found to be vulnerable, it may be necessary to provide disinfection, including adequate contact time.
- b. The proposed "Disinfectants-Disinfection By-Products Rule" will regulate certain compounds that are formed when disinfectants combine with certain naturally-occurring, organic constituents in water.

Both of these rules are still under development and are subject to change.

Any major changes in well construction or changes that would result in violations of Idaho regulations must be reviewed by this office prior to construction.

Please call me at 334-0550 if you have questions.

Sincerely,



Bill Freeman
Water Quality Engineering Specialist

office\wpwin\projects\vallivue.wsa

Enclosures

- c: Steve Rae, DEQ-SWIRO
Gordon Law, City of Caldwell (with enclosures)
Vallivue School District
John Carlson/Doug Davidson, IDWR
Source File #1, City of Caldwell, Vallivue Well, Engineering Correspondence
Reading File



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

July 13, 1995

PHILIP E. BATT
GOVERNOR

TO: Bill Freeman

KARL J. DREHER
DIRECTOR

FROM: Doug Davidson

RE: Vallivue School District Well Conditions

After reviewing the contract documents and specifications for the Vallivue School District Culinary Water Well the following conditions will be included on the approved drilling permit when it is issued to the owner or his representative.

The conditions listed will include but not be limited to the following:

- 1) The uppermost unconfined aquifer shall be thoroughly sealed. All seals will be placed from the bottom up.
- 2) The screened, perforated, filterpacked or otherwise open and commingled strata shall not exceed 25% of the total well depth as measured from the bottom of the open interval to the top of the open interval (s). If however through geophysical logging of the well, (or other means) it can be demonstrated the aquifers to be produced from are under similar hydraulic head, quality and not subject to waste or contamination this may be waived and a greater open (screened or filterpacked section) may be approved.
- 3) If an annular seal of bentonite is to be utilized, a high (>30%) solids bentonite shall be pumped from the bottom up to land surface. The bentonite shall not contain chemical polymers which effect long term stability of the seal and are often found in drilling fluid grade bentonite, but rather will be specifically recommended by the manufacturer for use as a seal material in water wells.
- 4) A 50% excess of seal material shall be on hand in the event of lost circulation. If the seal material does not make it back to the surface, tremieing or perforation and squeezing is to commence at the top of the tagged seal position and will continue until returns reach the surface or the department is satisfied aquifers are sufficiently isolated and/or protected from waste and contamination.
- 5) The project engineer or geologist will be on site during seal placement should any peculiarities arise which require further evaluation. Any alteration of the proposed or herein modified well construction procedure shall be approved by

the department before they are undertaken.

6) Drilling fluids shall be developed with water which meets or exceeds drinking water standards.

7) The screened, perforated, filterpacked or otherwise open and commingled strata which are to be produced from, shall be of similar hydraulic head, temperature and quality. If there are notable variations encountered as the well is drilled and/or developed the Department will be notified for evaluation.

This list is not inclusive of all conditions which will be on the drilling permit. All of the conditions above as well as any added in the future have been discussed in the Contract Documents and Specifications booklet. The well can be let out to bid as it is written within the document. Any conditions added will not change the construction specifications of the well.

At this time a drilling permit cannot be issued because a permit to appropriate water has not been approved. At the date of this letter the application was still in advertising at the Western Region office. It can be assumed that 4 to 6 weeks could pass before the water right permit is approved and a drilling permit be issued. If the use of this well is necessary an expedited request for a drilling permit may be signed and submitted to IDWR by the engineer or owner. The well may then be drilled with the understanding that if the water right is not issued for whatever reason the use of the well must cease.



IDAHO DEPARTMENT
OF HEALTH AND WELFARE

DIVISION OF
ENVIRONMENTAL QUALITY

194639-000/E8

1445 North Orchard, Boise, ID 83706-2239, (208) 334-0550

Philip E. Batt, Governor

February 5, 1996

Vallivue School District
Administration Offices
2423 South Georgia Avenue
Caldwell, ID 83605

RE: Vallivue School District
Vallivue Well on Montana Avenue - Well House and Pump Controls
Caldwell/Canyon County

Ladies and Gentlemen:

Your plans and specifications appear to meet State of Idaho standards and are approved subject to the conditions listed below. Addendum No. 1, dated February 2, 1996, is considered an integral part of the plans and specifications.

Regarding Technical Specification 11500, Section 2.02 and Addendum Item No. 14 pertaining to chlorine solution tanks, we understand that NSF has not listed any tanks approved for use in drinking water systems (NSF Standard 61). However, DEQ will accept tanks made from materials listed for use in food equipment, as listed in NSF Standard 51.

The standard conditions on the Division of Environmental Quality (DEQ) review stamp are part of the approval. This approval will expire in February, 1997. If construction is not completed by this expiration date, plans must be resubmitted to DEQ for review and approval before further construction may proceed. This approval may be rescinded if the project is improperly constructed or maintained.

Any major changes or changes that would result in violations of Idaho regulations must be reviewed by this office prior to construction.

Construction must be supervised by a professional engineer licensed in Idaho. Within thirty days after completion, this engineer must provide this office with as-built plans or a letter of certification that the project was constructed substantially in accordance with the approved plans. Keller Associates will inspect construction and prepare the as-built plans or provide the letter of certification. Keller Associates shall contact DEQ for a final inspection prior to delivery of water.

Please call me at 373-0166 if you have questions.

Sincerely,

Bill Freeman
Water Quality Engineering Specialist

c: Gordon Law, City of Caldwell
Chad Coleman, Keller Associates, Inc.
Source File #1, City of Caldwell, Vallivue Well, Engineering Correspondence
Reading File

Vallivue Test Well

Report of Findings

KA Project Number 195004

April 1995



A COMPANY OF PROFESSIONAL ENGINEERS AND SCIENTISTS
KELLER ASSOCIATES, INC. 545 BENTLEY LANE, SUITE 185 • BOISE, ID 83704 • (208) 375-1992

Vallivue High School Test Well

INTRODUCTION

As part of the requirements for the new Vallivue High School to connect to the City of Caldwell water system, the school district was required to provide a new city production well. There were concerns raised by some of the neighboring landowners that a new 1,000 gpm capacity well may disturb their shallow irrigation and domestic wells. The landowners subsequently filed a formal protest with the State Department of Water Resources. In a compromise agreement established by the Department of Water Resources, the Vallivue School District was to define the location of any confining clay layers between the shallow irrigation wells and the strata targeted for use by the production well.

Accordingly, the school district retained Keller Associates as an engineering consultant to assist in exploratory field work. It was the position of Keller Associates that a test well would provide sufficient evidence of the location and depths of the underlying strata to all parties involved.

OBJECTIVE

The State Department of Water Resources recognizes the fact that some of the neighboring wells are quite shallow. Because of this, the requirements for the new production well are that it have no adverse effects on the wells *to their economic pumping depth*.

After the test well was drilled, the hole was to be geophysically logged in order to establish the condition of the subsurface layers. Given this information, a decision could be made by the Department of Water Resources as to whether the installation of a production well would have any adverse effect at the economic pumping depth of the neighboring shallow wells. Also, this information would provide a starting point for the design of the proposed production well.

PROCEDURE

The test well was located close to the irrigation pump house toward the north west corner of the school site, immediately adjacent to the proposed production well. A map of the well site is included in this report as Figure 1 in the Appendix. Prior to beginning the well drilling, this site was reviewed with Bill Freeman of the Division of Environmental Quality. He agreed with the assertion of Keller Associates engineers that this site was in accordance with the State of Idaho guidelines for well siting and would pose no adverse environmental risks to the existing lot or to the users of the future well.

Drilling on the test well began on April 5. The well was drilled by the mud rotary method by Hiddleston Drilling and Pump Company with Ken Cooke as the head driller. Work proceeded as planned, with the exception of a few work stoppages due to poor weather and equipment failure, until the completion date on April 14.

Keller Associates retained the services of Ed Squires, Geohydrologist, to provide geophysical logging of the test well. Logging was done on the afternoon of April 13. After the well drilling and the geophysical logging was complete, the well was abandoned by pressure grouting from the bottom up as per Department of Water Resources specifications.

RESULTS AND DISCUSSION

Overview

Four different logs were made in an effort to obtain the most information possible about the well. The logs made were: a temperature log, caliper log, natural gamma ray log, and a single point resistance log. A report of the logging results is included in this report as Table 1 and Figure 2, both in the Appendix.

The findings of the test well and logging effort are very positive for all parties involved. Results clearly show large confining layers between the zones currently in use by the neighboring landowners and the zones targeted for production by the school district. Layers that are most likely to provide protection to the shallow irrigation wells are from 180' - 310', and from 340' - 450'.

These confining layers are generally composed of clays and fine material not conducive to the transport of water.

The upper layers, ones in use by the neighboring landowners, were found to have an abundance of water. The strata was very unconfined, so much so that the well drillers were in jeopardy of losing the casing in the sand layer from 80' - 140' as it was falling through the sand ahead of the drill bit. At this point in the drilling, the drillers had not began to circulate mud. This means that the water in these layers was circulated up to the surface. It was the estimate of the driller that anywhere from 300 to 400 gpm was being removed. This volume was obtained without the aid of any pumps or well development. It seems from this observation that the local irrigation wells have an abundance of water from which they can continue to provide for their needs regardless of the position of the proposed Vallivue production well.

After studying the information obtained through the drilling and geophysical effort, a viable option for the proposed production well has been identified. The following discussion will detail this possibility.

Figure 3 in the Appendix includes a proposed well construction diagram for Option A. This diagram outlines the recommendation of Keller Associates engineers for completing the required city production well. Neighboring irrigation wells are completed in the upper layers (above 200 feet) of the stratigraphy. These layers are separated by interbedded clay layers from 180 feet to 310 feet. Another large confining clay layer exists from 340 feet to 450 feet. This abundance of separating strata will provide more than enough protection for the users of the upper zones of water.

Sand layers are located at various intervals. There is a large sand layer from 315 feet to 342 feet but it will remain unused by the proposed well. It is felt that, although this layer could be used as a city production well without impacting the existing wells, the quality may not be acceptable. Cuttings from this zone were observed to be quite yellow. This is generally a sign of high concentrations of iron and/or manganese in the water. Development of low quality water is not

advisable as excessive water treatment would be required as well as additional operation and maintenance costs to keep the well screens and pumps free of mineral deposits.

A review of the geologists log shows that this layer is obviously from a different formation than the deeper layers. Evidence for this conclusion is derived from the color of the material removed from the layers in question. Surrounding the upper sand layer (315' - 342') are clays that are generally brown and yellow. Below the large confining layer (342' - 450') the drill cuttings were observed to be blue. Water from layers in proximity to blue clays are usually better quality and more desirable for culinary water wells.

Generally, it is not advisable to mix waters from differing zones. Because of these two reasons, (probable poor quality water and waters from two different zones) Keller Associates engineers have recommend casing through the sand layer located from 315' - 342' and pursuing the water at the lower depths.

It is proposed that well screens be set at four intervals shown on the diagram. These intervals are approximately 455' - 465', 490' - 500', 510' - 520', and 530' - 535'. Actual screen intervals will be slightly larger in order to maximize water production from the well. Given the coarseness of the sand in these zones and the characteristics of other wells completed in the valley, it is felt that this proposed well design will provide the target yield of 1000 gpm without effecting the neighboring wells at their economical pumping depth.

CONCLUSIONS

Test well drilling provided valuable information related to the underlying strata at the site of the proposed Vallivue production well. Most important of the findings was the location and depth of numerous confining layers separating zones currently in use by neighboring property owners and the zones targeted for use by the school district.

The exploratory effort leads to the conclusion that the completion and development of a production well on the site of the new Vallivue High School will not impact the local wells at their economic pumping depth.

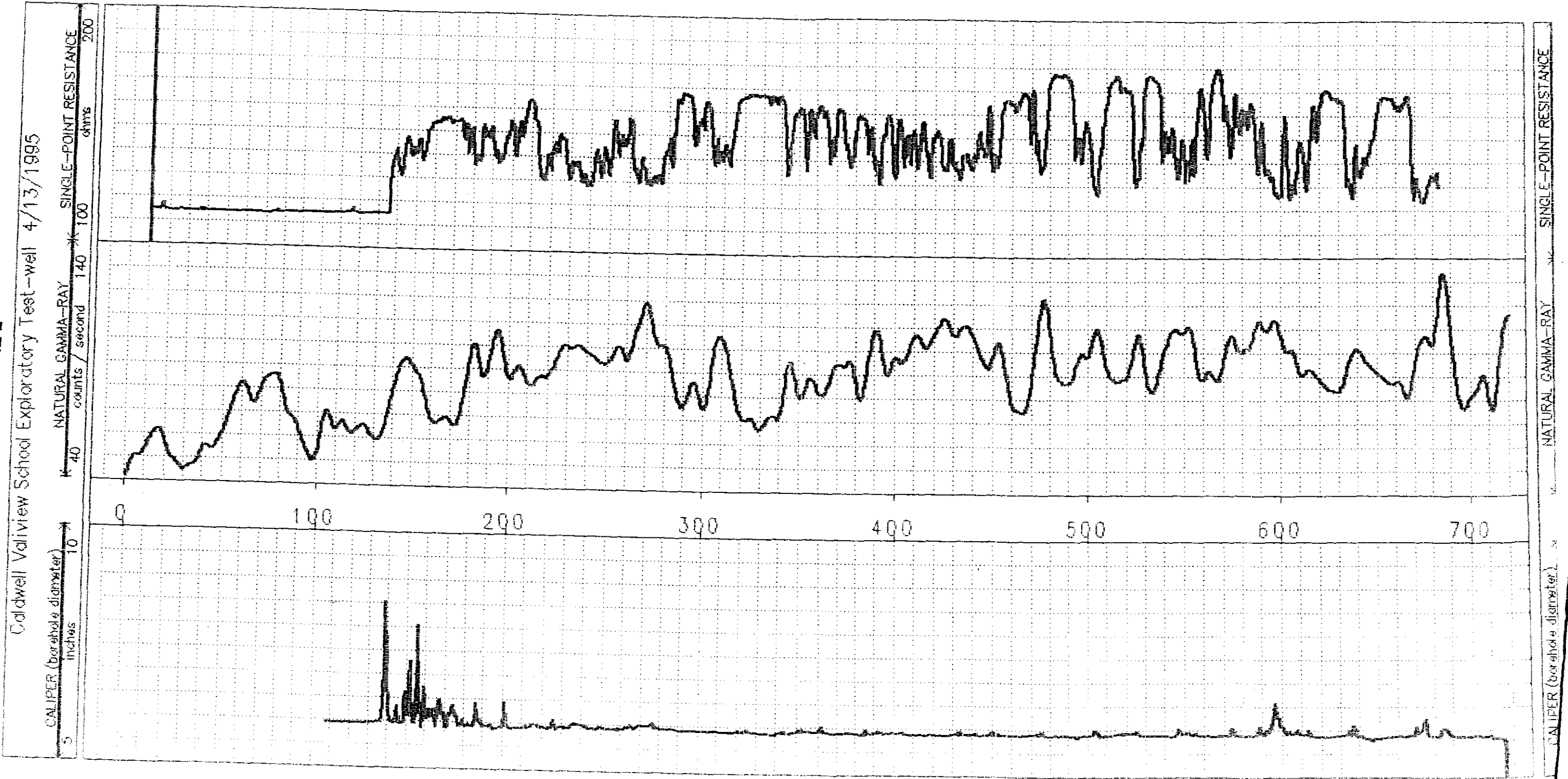
RECOMMENDATIONS

It is the recommendation of Keller Associates engineers that the school district pursue the development of a production well to a depth of 540 feet as defined in the Results and Discussion Section above. At this point it is anticipated that all of the required water can be obtained by implementing this proposal. Sufficient confining layers exist between the shallow irrigation wells and the layers targeted for use by the proposed production well.



APPENDIX

FIGURE 2



CALL WELLS • ALL-VIEW SCHOOL TEST WELL

T3N, R3W, SEC. 3, NW1/4 of the SE 1/4

OPTION A

FIGURE 3

GEOPHYSICAL LOGS

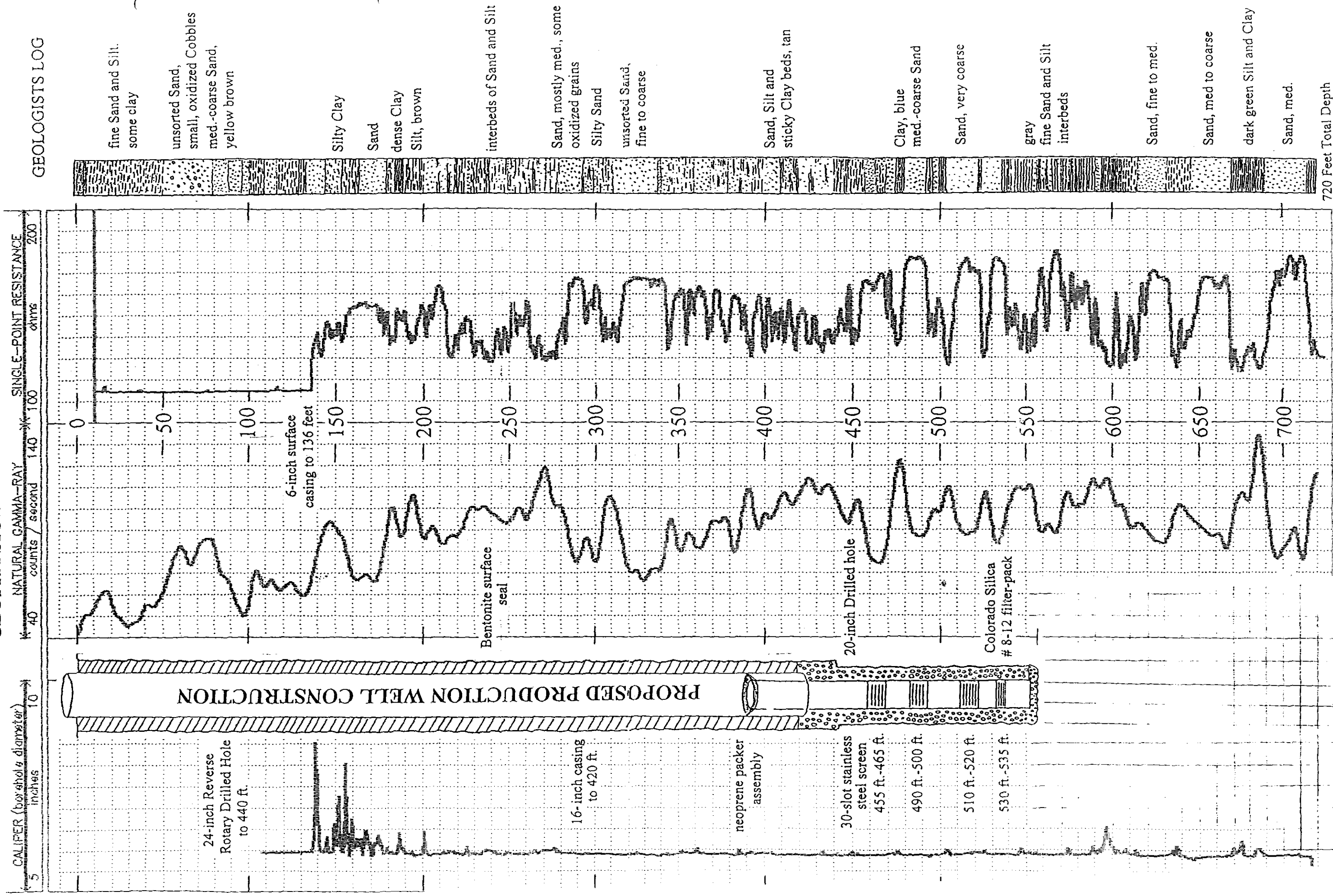


TABLE 1

United Water Idaho, Inc.

Geoscience Department

WELL NAME: Valliview School test-well.

GEOPHYSICAL WELL LOG: Caliper Natural Gamma-ray Single-point resistance		PERMANENT DATUM: Mean Sea Level LOG MEASURED FROM: Land Surface ELEVATION: 2434.5 feet above MSL		OTHER SERVICES: - Geologists log. - Bottom hole temperature.	
COMPANY: Keller and Associates PROJECT: Valliview School test-well. WELL IDENTIFICATION: test-well to be abandoned			COORDINATES: NW1/4, SE1/4, Sec 3 T. 3N, R. 3W ELEVATION: KB: GL: 2433 ft.		LOCATION: 7 mi. S. of Ustick on Montana WELL: Valliview School test-well. WELL OWNER: City of Caldwell
COUNTY: Canyon		STATE: Idaho			
	Run No. 1		Run No. 1		
Date	4/13/1995	Fluid Level	8 feet BGL		
Bottom logged Int.	721.5 ft. BTOC	Fluid Nature	drilling mud		
Top Logged Int.	0.0 ft. BTOC	Fluid Viscosity	47 secs (Marsh)		
Footage Logged	721.5 ft.	Fl. Resistivity			
Bottom (Driller)	720 feet BGL	Fl. Res. at BHT			
Casing (from Log)	6-inch to 136 ft.	Fluid pH			
Casing (Driller)	136 feet BGL	Last Circulated	Just prior		
Casing Size	6-inch temporary	Bottom Hole Temp	72.5 degrees F		
Bit Size	6-inch				
		LOGGED BY:	Edward Squires		
		WITNESSED BY:	Chad Coleman		
REMARKS: - Natural gamma-ray log filtered with 19-point weighted filter. - Well abandoned with 30% high-solids bentonite grout from bottom up.				- Last circulated 2 hrs prior to removing drill steel and logging. - Hiddleston Drilling (Ken Cooke driller) - 6" steel casing +1.5 feet to -136 feet. - Log datum = top of casing = +1.5 ft AGL	

PROPOSED MUNICIPAL WELL LOCATION

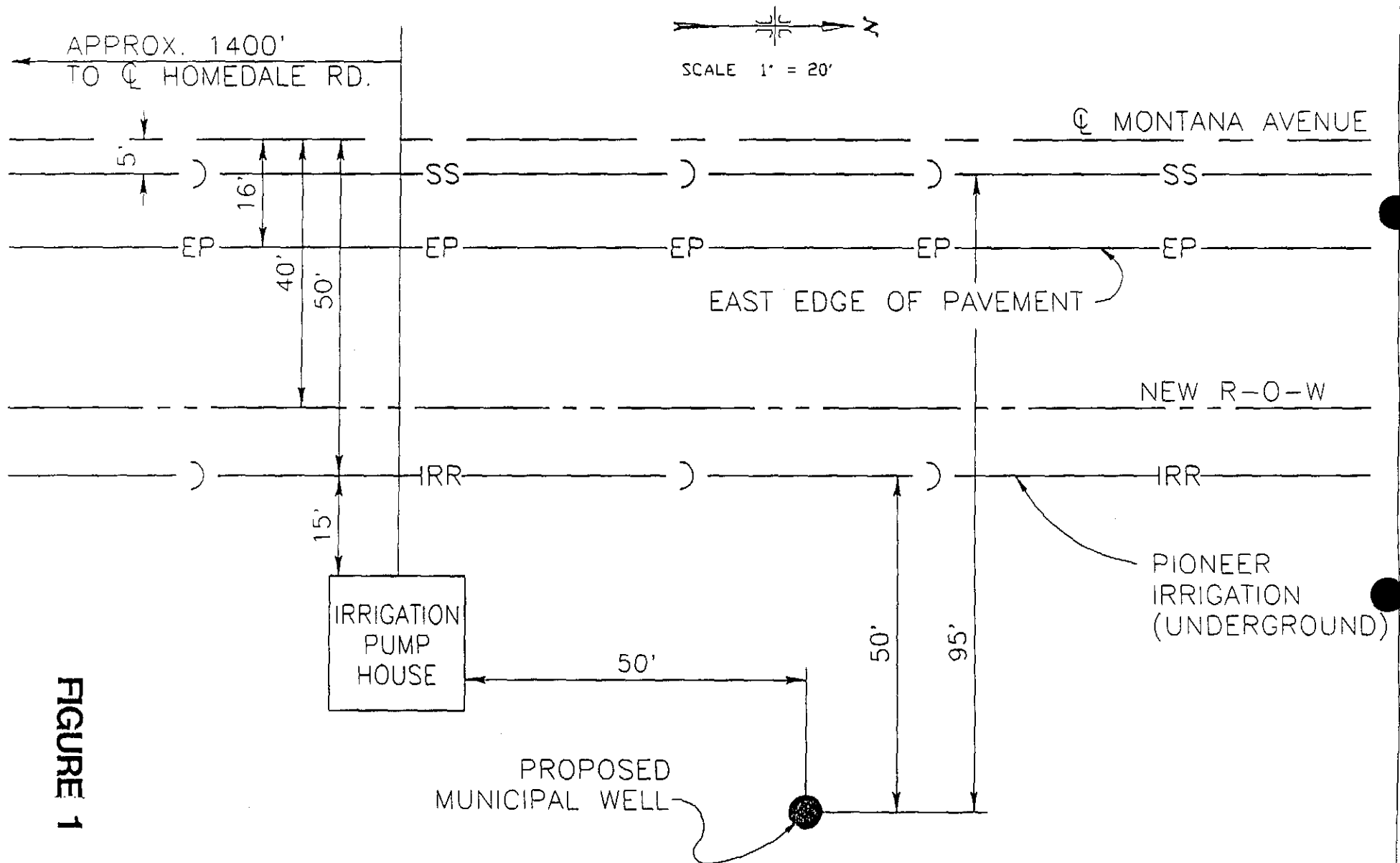


FIGURE 1



November 27, 1995

Idaho Department of Water Resources
Attn: Dave Tuthill
2735 Airport Way
Boise, ID 83705

Re: Aquifer Test in Caldwell for the Vallivue High School (Permit No. 63-12144)

Dear Mr. Tuthill,

I am writing to confirm the plan that was made for aquifer testing in our short meeting this afternoon. As you know, the aquifer test that we are proposing is subject to approval of the Department of Water Resources.

As I understand it, I have your verbal approval of the specifications attached to Change Order #2 to Riverside Construction with the following additional stipulation: monitoring of the four closest protestants wells must take place within half-hour intervals for the three hours at the beginning of the pumping test and the three hours immediately following the completion of the pumping test. For the remainder of the test, the wells will be monitored at eight hour intervals assuming that there is no visible affect on the wells from the pumping test. Of course, if the pumping test seems to be affecting the monitored wells, they will be monitored much more closely.

If this aquifer test plan is acceptable to you please write me a short note indicating your approval for my records. I appreciate your help in this matter.

Sincerely,



Chad R. Coleman, E.I.T.
PROJECT ENGINEER

Vallivue Well

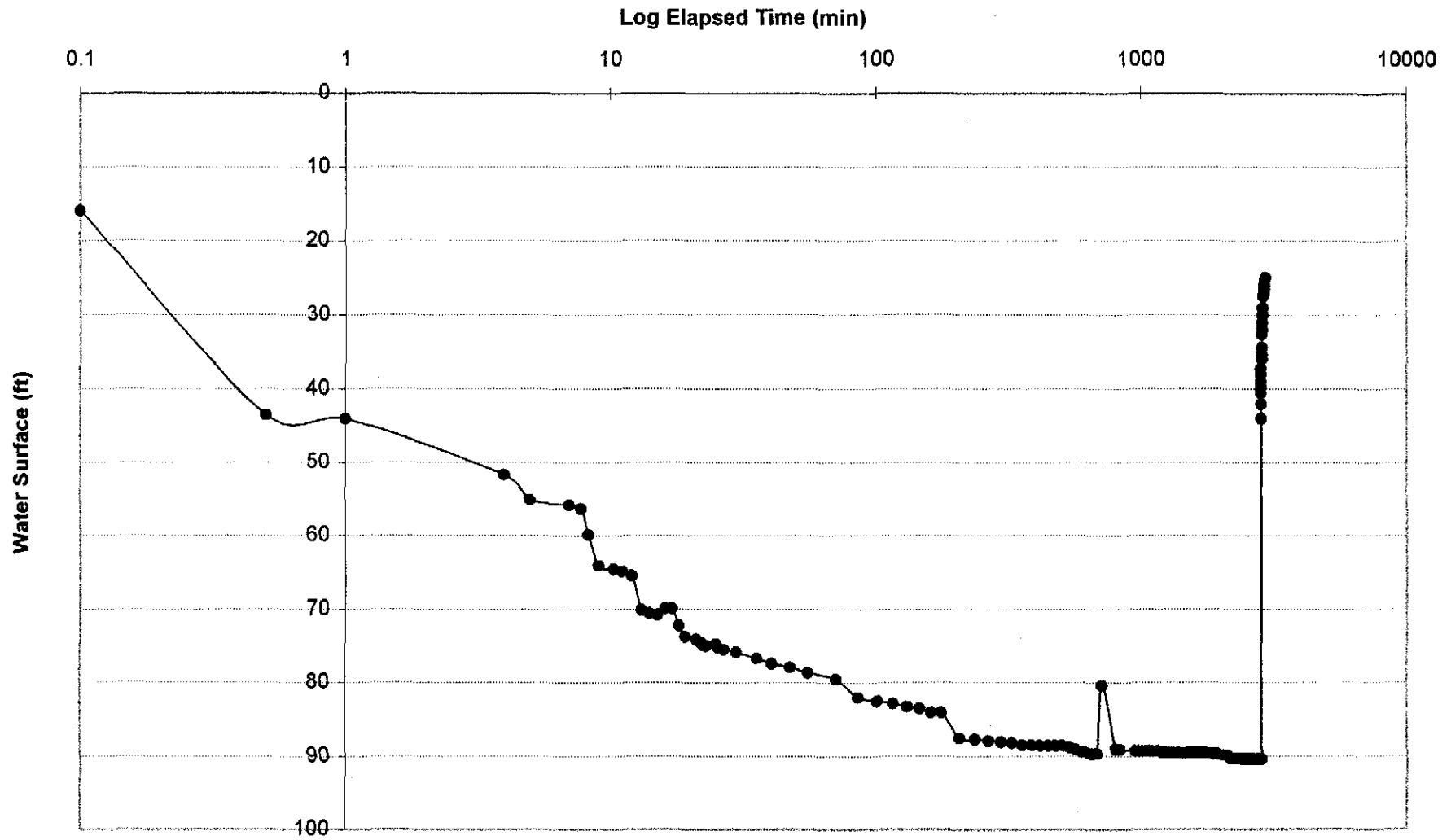
Constant Discharge Pump Test

Date	Time	Elapsed Time	Measured Water Level	Actual Water Surface	Observations/Adjustments
29-Jan	9:04 AM	0.1	32	16	Begin test
	9:04 AM	0.5	59.5	43.5	Q ~ 650 gpm
	9:05 AM	1.0	60	44	
	9:08 AM	4.0	67.67	51.67	Q ~ 890 gpm
	9:09 AM	5.0	71.08	55.08	
	9:11 AM	7.0	71.75	55.75	
	9:11 AM	7.8	72.25	56.25	Inc. Q slightly
	9:12 AM	8.3	75.83	59.83	
	9:13 AM	9.0	80	64	
	9:14 AM	10.3	80.5	64.5	
	9:15 AM	11.0	80.83	64.83	
	9:16 AM	12.0	81.42	65.42	Q ~ 1030 gpm
	9:17 AM	13.0	86.08	70.08	
	9:18 AM	14.0	86.58	70.58	
	9:19 AM	15.0	86.75	70.75	
	9:20 AM	16.0	85.83	69.83	
	9:21 AM	17.0	85.83	69.83	Q ~ 1087 gpm
	9:22 AM	18.0	88.17	72.17	
	9:23 AM	19.0	89.67	73.67	
	9:25 AM	21.0	90	74	Some foam in bucket check
	9:26 AM	22.0	90.5	74.5	
	9:26 AM	22.5	90.83	74.83	
	9:27 AM	23.0	90.92	74.92	Switch discharge to sewer
	9:29 AM	25.0	90.67	74.67	
	9:29 AM	25.5	91.17	75.17	A few grains of sand, rust flakes
	9:31 AM	27.0	91.42	75.42	
	9:34 AM	30.0	91.83	75.83	
	9:40 AM	36.0	92.67	76.67	
	9:45 AM	41.0	93.33	77.33	
	9:52 AM	48.0	93.83	77.83	
	10:00 AM	56.0	94.67	78.67	
	10:15 AM	71.0	95.5	79.5	Q = 1080 gpm
	10:30 AM	86.0	98	82	Q = 1101 gpm
	10:45 AM	101.0	98.5	82.5	
	11:00 AM	116.0	98.83	82.83	Q = 1094 gpm
	11:15 AM	131.0	99.25	83.25	
	11:30 AM	146.0	99.5	83.5	Q = 1073 gpm
	11:45 AM	161.0	100	84	
	12:00 PM	176.0	100	84	Q = 1073 gpm
	12:30 PM	206.0	103.5	87.5	Q = 1107 gpm
	1:00 PM	236.0	103.67	87.67	Trace of sand in bucket
	1:30 PM	266.0	103.83	87.83	Q = 1101 gpm

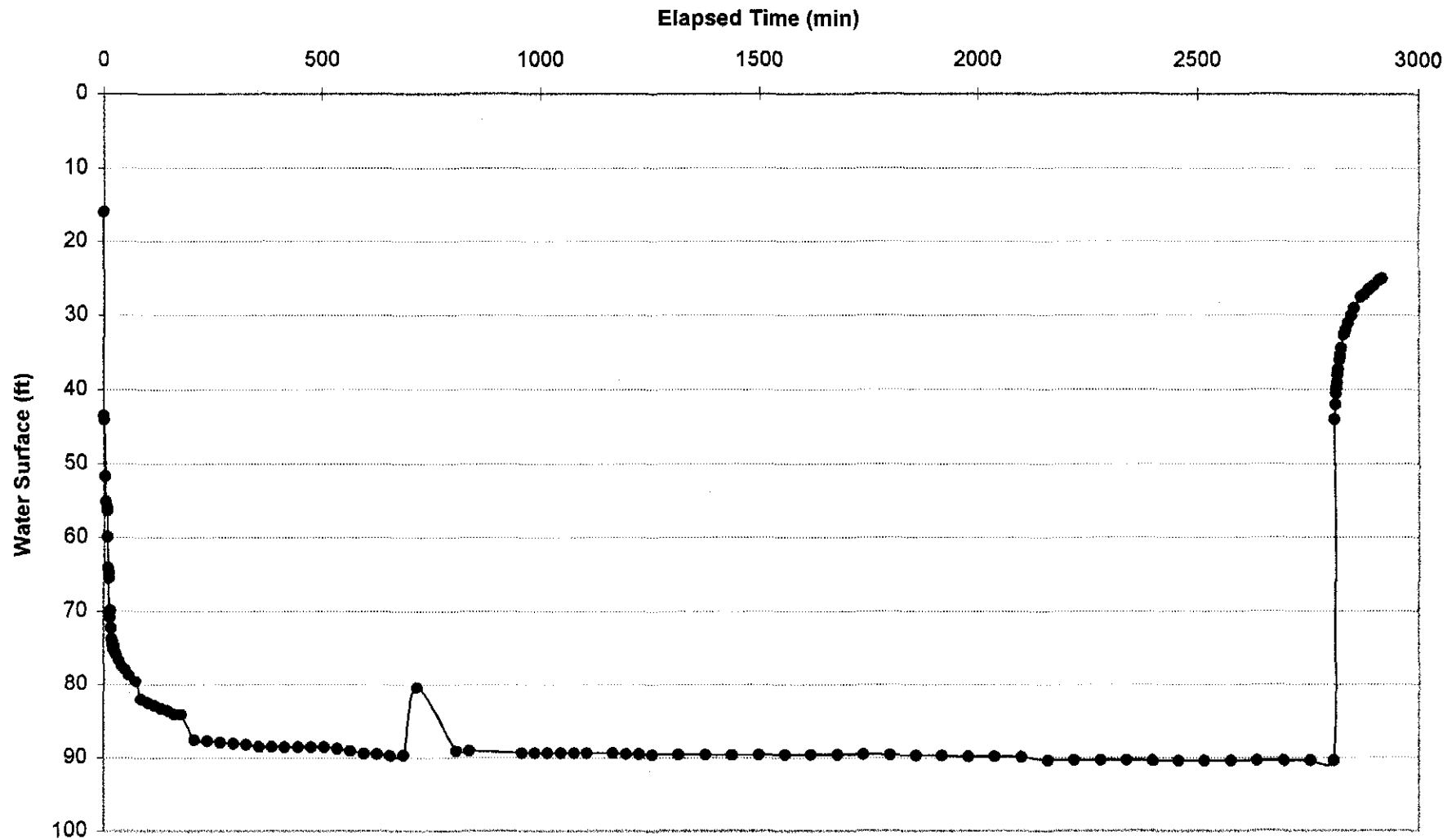
	2:00 PM	296.0	104	88			
	2:30 PM	326.0	104.17	88.17			
	3:00 PM	356.0	104.42	88.42			
	3:30 PM	386.0	104.42	88.42			
	4:00 PM	416.0	104.5	88.5			
	4:30 PM	446	104.5	88.5			
	5:00 PM	476	104.5	88.5			
	5:30 PM	506	104.5	88.5			
	6:00 PM	536	104.75	88.75			
	6:30 PM	566	105	89			
	7:00 PM	596	105.33	89.33			
	7:30 PM	626	105.42	89.42			
	8:00 PM	656	105.67	89.67			
	8:30 PM	686	105.58	89.58			
	9:00 PM	716	96.33	80.33	engine cut-out, frozen meter		
	10:30 PM	806	105	89			
	11:00 PM	836	105	89			
30-Jan	1:00 AM	956	105.25	89.25			
	1:30 AM	986	105.25	89.25	frozen meter		
	2:00 AM	1016	105.25	89.25			
	2:30 AM	1046	105.25	89.25			
	3:00 AM	1076	105.25	89.25			
	3:30 AM	1106	105.25	89.25			
	4:30 AM	1166	105.25	89.25			
	5:00 AM	1196	105.42	89.42			
	6:30 AM	1226	105.42	89.42			
	7:00 AM	1256	105.5	89.5			
	8:00 AM	1316	105.5	89.5			
	9:00 AM	1376	105.5	89.5			
	10:00 AM	1436	105.58	89.58			
	11:00 AM	1496	105.5	89.5			
	12:00 PM	1556	105.5	89.5			
	1:00 PM	1616	105.5	89.5			
	2:00 PM	1676	105.5	89.5			
	3:00 PM	1736	105.5	89.5			
	4:00 PM	1796	105.58	89.58			
	5:00 PM	1856	105.67	89.67			
	6:00 PM	1916	105.67	89.67			
	7:00 PM	1976	105.75	89.75			
	8:00 PM	2036	105.75	89.75			
	9:00 PM	2096	105.83	89.83			
	10:00 PM	2156	106.25	90.25			
	11:00 PM	2216	106.25	90.25			
31-Jan	12:00 AM	2276	106.25	90.25			
	1:00 AM	2336	106.25	90.25			
	2:00 AM	2396	106.33	90.33			
	3:00 AM	2456	106.33	90.33			
	4:00 AM	2516	106.33	90.33			
	5:00 AM	2576	106.33	90.33			

	6:00 AM	2636	106.33	90.33			
	7:00 AM	2696	106.33	90.33			
	8:00 AM	2756	106.33	90.33			
	8:52 AM	2808	106.33	90.33	Shut off pump - Recovery		
	8:53 AM	2809	60	44			
	8:56 AM	2812	58	42			
	8:57 AM	2813	56.5	40.5			
	8:58 AM	2814	55.75	39.75			
	8:59 AM	2815	55	39			
	9:01 AM	2817	54	38			
	9:02 AM	2818	53.25	37.25			
	9:05 AM	2821	52	36			
	9:07 AM	2823	51.33	35.33			
	9:09 AM	2825	50.42	34.42			
	9:14 AM	2830	48.58	32.58			
	9:17 AM	2833	48	32			
	9:23 AM	2839	47	31			
	9:31 AM	2847	46	30			
	9:36 AM	2852	45	29			
	9:52 AM	2868	43.5	27.5			
	9:59 AM	2875	43.17	27.17			
	10:10 AM	2886	42.5	26.5			
	10:21 AM	2897	42	26			
	10:34 AM	2910	41.17	25.17			
	10:39 AM	2915	41	25			

Drawdown vs. Time



Drawdown vs. Time



RIVERSIDE, INC.

PAGE 1 OF 2

DATE: 1/29/90

PHONE# (208) 722-6731 FAX# (208) 722-6736

WELL TEST DATA SHEET

48 Hr. Continuous

PUMP SETTING: 210' + 800Ls (4' 6")

CUSTOMER: Keller & Assoc.

AIR LINE SETTING: 213"

JOB LOCATION: Madras Ave.

STATIC WATER LEVEL: 19' 10" (8.204)

TESTED BY: Shawn Riley

WELL DIAMETER: 16"

JOB CARD NUMBER:

WELL TEST DATA

RECOVERY DATA

DATE	TIME	ACCUL MINUTES	WATER LEVEL	GALLONS PER MINUTE	RPM	Fuel/COMMENTS	DATE	TIME	WATER LEVEL	ACCL SHUTOFF
1/29/90	9:00		Start up							
	9:05		59' 6"	651.36	950	water is foamy				
	9:08		60'	897.65	1080					
	9:45		80' 6"	1029.89	1025	Foamy				
	9:50		85' 10"	1087.15	1050					
	9:55		89' 8"	1107.87	1100					
	9:58		91' 10"	1087.85						
	9:59		93' 10"	1087.85		water is clear				
	10:00		94' 8"	1080.16						
	10:15		95' 6"	1080.16	1150	clear				
	10:30	98'	1101.00							
	11:00		98' 6"	1094.09	1150	Fill up fuel				
	11:22		99' 8"							
	11:30		99' 6"	1073.12						
	11:45		100'	1073.12	1150	Turn up RPM 1175				
	12:00		100'	1073.12						
	12:30		103' 6"	1102.80	1175					
	13:00		103' 8"	1107.80		water clear				
	13:30		103' 10"	1107.00						
	14:00		104'	1101.00	1175					
	14:30		104' 2"	1101.00	1175	22" up to 26" 6' 2" 24" / 14"				
	15:00		104' 5"	1101.00						
	15:30		104' 5"	1101.00	1175					
	16:00		104' 6"	1106.00		water clear				
	16:30		104' 6"	1101.00	1175					

COMMENTS

RIVERSIDE, INC.

WELL TEST DATA

DATE	TIME	ACCUL. MINUTES	WATER LEVEL	GALLONS PER MINUTE	RPM	COMMENTS
1/29/96	17:00	*R.U.	104'6"	1101.00	1175	Water clear
1	17:30		104'6"	1101.00		
	18:00		104'9"	1101.00		
	:30		105'	1087.15		
	19:00		105'4"	1097.15	1160	Clear
	:30		105'5"	1087.15		
	20:00		105'8"	1087.15		
	:30		105'7"	1087.15		
	21:00		Meter Frozen			Engine Cutoff
	22:30		96'4"	1023.5		Fill Fuel 20.2
	23:00		105'4"	Meter Frozen		
1/30/96	1:00		105'3"	1066.04		
	1:30		Meter Frozen			Check Fuel
	2:00		105'3"	1058.90	1150	
	:30		105'3"	1058.90		
	3:00		105'3"	1058.90		
	:30		105'3"	1058.90		
	4:30		105'3"	Meter Frozen		
	5:00		105'5"	1058.90	1150	Turn up RPM
*SA	6:30		105'5"	Meter Frozen		Hoses
	7:00		105'6"	1073.12	1175	
	8:00		105'6"	1073.12		Fill Fuel tank
	8:30		105'6"	1073.12	1175	
	9:00		105'6"	1073.12		
	10:00		105'7"	1073.12		
	11:00		105'6"	1073		Water is clear
	12:00		105'6"	1073		
	13:00		105'6"	1073		
	14:00		105'6"	"		
	15:00		"	1073.12		
1/30/96	16:00		105'7"	1073		Fill Fuel tank

RIVERSIDE, INC.

PAGE 2 OF 2

PHONE# (208) 722-6731 FAX# (208) 722-6736

DATE:

WELL TEST DATA SHEET

PUMP SETTING: 210' + BOWLS (8'6")

CUSTOMER: Kelbar & Assoc

AIR LINE SETTING: 213'

JOB LOCATION: Montana Ave. Valley View School

STATIC WATER LEVEL: 18' 10"

TESTED BY: Shawn Riley

WELL DIAMETER: 16"

JOB CARD NUMBER:[illegible]

SITE: 433745116412501

LOCAL NUMBER: 03N 03W 03BCB2

WATER LEVELS IN FEET BELOW LAND SURFACE DATUM

DATE	WATER LEVEL MS	DATE	WATER LEVEL MS	DATE	WATER LEVEL MS	DATE	WATER LEVEL MS
MAR 21, 1975	15.69 S	NOV 19, 1979	15.06 S	JAN 28, 1982	15.70 S	MAR 16, 1988	9.56 S
SEP 05	14.98 S	JAN 23, 1980	15.17 S	MAY 17	17.13 S	SEP 29	17.24 S
MAR 18, 1976	16.26 S	MAR 15	16.03 S	JUL 22	17.29 S	APR 12, 1990	19.54 S
SEP 25	13.55 S	MAY 19	16.34 S	SEP 30	15.08 S	SEP 17	16.68 S
MAR 08, 1977	16.22 S	JUL 18	16.21 S	MAR 29, 1983	15.61 S	MAR 27, 1991	17.78 S
SEP 16	17.44 S	AUG 05	15.83 S	SEP 22	13.82 S	SEP 26	16.94 S
MAR 24, 1978	17.68 S	SEP 16	14.46 S	MAR 30, 1984	14.89 S	MAR 24, 1992	18.29 S
SEP 19	16.65 S	NOV 25	14.15 S	SEP 25	14.75 S	SEP 23	19.13 S
NOV 17	16.32 S	JAN 28, 1981	14.87 S	MAR 21, 1985	15.51 S	MAR 31, 1993	12.10 S
JAN 18, 1979	16.81 S	MAR 16	15.76 S	SEP 17	12.75 S	SEP 28	18.75 S
MAR 29	17.86 S	MAY 27	16.18 S	MAR 27, 1986	14.38 S	MAR 30, 1994	19.40 S
MAY 18	18.14 S	JUL 21	16.72 SS	SEP 11	12.38 S	SEP 20	19.40 S
JUL 18	16.54 S	SEP 29	14.22 S	MAR 24, 1987	15.42 S	MAR 30, 1995	15.97 S
SEP 19	14.68 S	NOV 30	13.92 S	SEP 28	15.47 S		

HIGHEST 9.56 MAR 16, 1988

LOWEST 15.54 APR 12, 1990

PERIOD OF RECORD

HIGHEST 7.13 SEP 27, 1960

LOWEST 19.54 APR 12, 1990

RECORD AVAILABLE FROM OCT 19, 1953 TO MAR 30, 1995 147 ENTRIES

6-4" DIAMETER

94' DEPTH

6" CASING @ 0-90.5'

PERFORATED @ 22-25'

4" SCREEN @ 84-94.5'

LAND SURFACE ELEV. = 2429.23'

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

of pages 1

To	Chad Coleman	From	Annette Tongate
Dept./Agency	Keller Assoc.	Phone #	387-1317
Fax #	375-1994	Fax #	387-1372 - USGS

NSN 7540-01-317-7368

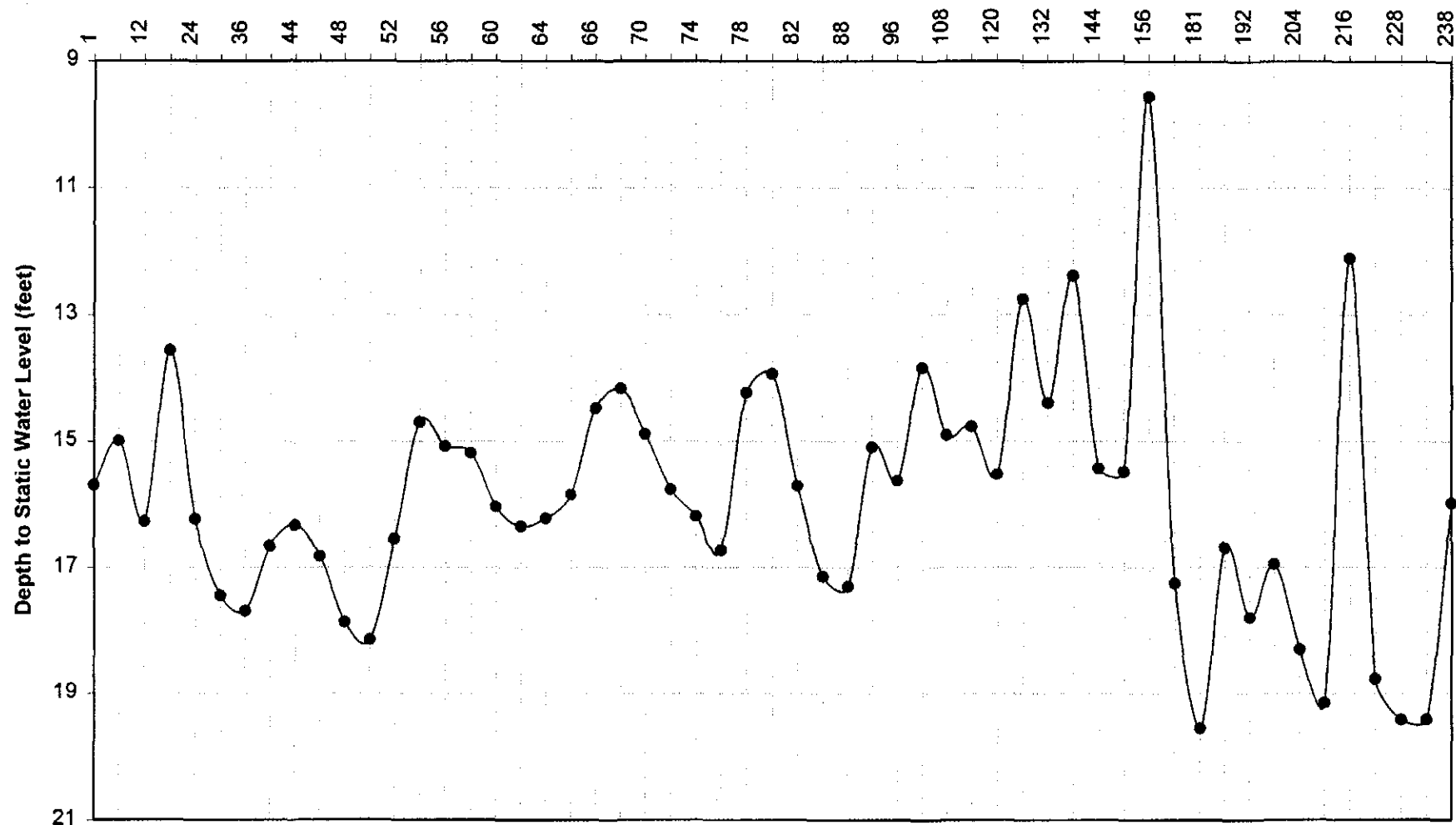
5099-101

GENERAL SERVICES ADMINISTRATION

Month	Date	Water Level
1	March 21, 1975	15.69
6	September 5, 1975	14.98
12	March 18, 1976	16.26
18	September 25, 1976	13.55
24	March 8, 1977	16.22
30	September 16, 1977	17.44
36	March 24, 1978	17.68
42	September 19, 1978	16.65
44	November 17, 1978	16.32
46	January 18, 1979	16.81
48	March 29, 1979	17.86
50	May 18, 1979	18.14
52	July 18, 1979	16.54
54	September 19, 1979	14.68
56	November 19, 1979	15.06
58	January 23, 1980	15.17
60	March 15, 1980	16.03
62	May 19, 1980	16.34
64	July 18, 1980	16.21
65	August 5, 1980	15.83
66	September 16, 1980	14.46
68	November 25, 1980	14.15
70	January 28, 1981	14.87
72	March 16, 1981	15.76
74	May 27, 1981	16.18
76	July 21, 1981	16.72
78	September 29, 1981	14.22
80	November 30, 1981	13.92
82	January 28, 1982	15.7
86	May 17, 1982	17.13
88	July 22, 1982	17.29
90	September 30, 1982	15.08
96	March 29, 1983	15.61
102	September 22, 1983	13.82
108	March 30, 1984	14.89
114	September 25, 1984	14.75
120	March 21, 1985	15.51
126	September 17, 1985	12.75
132	March 27, 1986	14.38
138	September 11, 1986	12.38
144	March 24, 1987	15.42
150	September 28, 1987	15.47
156	March 16, 1988	9.56
162	September 29, 1988	17.24
181	April 12, 1990	19.54
186	September 17, 1990	16.68
192	March 27, 1991	17.78
198	September 26, 1991	16.94
204	March 24, 1992	18.29
210	September 23, 1992	19.13
216	March 31, 1993	12.1
222	September 28, 1993	18.75
228	March 30, 1994	19.4
232	September 20, 1994	19.4
238	March 30, 1995	15.97

Static Water Level (March 1975 - March 1995)

Months (Beginning March 1975)





November 9, 1995

Niel Nielsen
P.O. Box 603
Othello, WA 99344

Re: Aquifer Testing

Dear Mr. Nielsen,

According to the information we have received from the Idaho Department of Water Resources, you are a party to the protest filed against the Culinary Water Well proposed by the Vallivue School District. As you know, the terms of the Withdrawal of Protest require the Vallivue School District to perform an aquifer test in the vicinity of their new culinary water well. We have been retained by the school district to perform this test.

As part of the test we are offering to each protestant the opportunity to have their drawdown measured by our engineers. This may be valuable information for you in the future should any problems with your well arise as it will give you information concerning the current conditions at your well. In order to have the drawdown measured, you will need to contact me at the number below and schedule a time when the well can be turned on and pumped for a short period of time.

This information is not required to fulfill the requirements of the aquifer test but it may be very helpful to you in the event of any change in your future pumping condition. For this reason, we are recommending that you allow us to perform this service. There will be no charge to you from our office as we will include the data we gather in our report.

If you elect to allow us to measure the drawdown in your well you will need to contact me by November 20 to set up a time for the test. I hope to hear from you by that time.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Chad R. Coleman', is written over a horizontal line.

Chad R. Coleman, E.I.T.
PROJECT ENGINEER

cc: all protestants
Dave Fraser, MK



194039/D4
November 15, 1995

Gary Eskew
5315 S. 10th
Caldwell. ID 83605

Re: Well Testing

Dear Mr. Eskew,

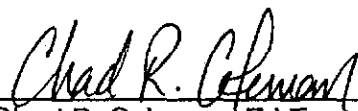
I am sending this letter to document the well tests that were performed this morning. The static water level in your well near the new Vallivue High School (#1596) was measured prior to starting the pump to be 13 feet below the top of the standpipe. The standpipe was measured to be 8 feet below the natural ground level. Therefore, the static water level at your well was 21 feet below the ground level.

The pump was started and run for approximately 25 minutes. At that time I took a measurement and then waited another ten minutes. The pumping level was holding steady at 18 feet below the top of the standpipe. Adding this measurement to the depth of the standpipe (8'), the steady-state pumping level of your well was 29 feet below natural ground level this morning.

It is my hope that your well does not experience difficulties in the future. In the event that it does, this information may be valuable to you.

Thank you for your cooperation.

Sincerely,


Chad R. Coleman, E.I.T.
PROJECT ENGINEER



194039/D4
November 15, 1995

E.E. Eskew
4812 S. Indiana
Caldwell, ID 83605

Re: Well Testing

Dear Mr. Eskew,

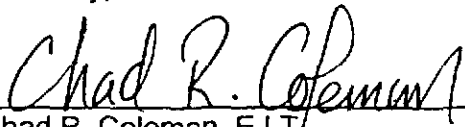
I am sending this letter to document the well tests that were performed this morning. As you know, I came with your son Gary to measure the steady-state drawdown in your well. I was not able to measure the static water level in your well today as the pump had been running for half an hour when I arrived. On November 3 I did measure the static water level at 11'6" below the top of the standpipe. Today I measured the standpipe and found that it was 6" above the natural ground surface.

When I arrived at your well this morning I took a measurement and then waited about five minutes before taking a second measurement. The pumping level was holding steady at 24'2" below the top of the standpipe. Subtracting the height of the standpipe (6") from this measurement, the steady-state pumping level of your well was 23'8" below natural ground level this morning.

It is my hope that your well does not experience difficulties in the future. In the event that it does, this information may be valuable to you.

Thank you for your cooperation.

Sincerely,


Chad R. Coleman, E.I.T.
PROJECT ENGINEER



November 15, 1995

Lilburn Cooper
1924 E. Ustick
Caldwell, ID 83605

Re: Well Testing

Dear Mr. Cooper,

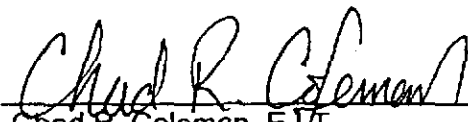
I am sending this letter to document the well test that was performed this morning. I came with Gary Eskew to measure the steady-state drawdown in your well. I began by measuring the static water level in your well at 3'3" below the top of the standpipe. I measured the depth to the top of the standpipe and found that it was 6' below the natural ground surface.

Gary started the well and ran it for about 20 minutes. At that time I took a measurement. I then waited about ten minutes and re-measured. The water level was constant at 14'5" below the top of the standpipe. Adding this measurement to the depth of the standpipe, the steady-state drawdown at your well this morning was 20'5".

It is my hope that your well does not experience difficulties in the future. In the event that it does, this information may be valuable to you.

Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads 'Chad R. Coleman'. The signature is written over a horizontal line.

Chad R. Coleman, E.I.T.
PROJECT ENGINEER



Monitored Well Inventory

Well Description	Well Depth (ft)	Casing Height (ft)	Steady State Drawdown (ft)	Pump Information		
				Motor Size (hp)	Discharge Pipe Diameter (in)	Motor RPM's
E.E. Eskew on Indiana	67	-0.5	24.2	7.5 hp	4	1725
L.L. Cooper on Indiana #1598	166	6	14.4	5 hp	6	1750
Niel Nielsen #1525	135	0	22.6	10 hp ? (submersible)	6	?
Gary Eskew by Vallivue High School	60?	8	18	?	4	?
New Production Well	530'	2.66	90.33	100	8	1175



Depth to Static Water Level

Ground Surface to Water

Well Description	Casing Depth (ft)	Depth from Top of Casing to Static Water Level (ft)							Depth to Water (ft)						
		3-Nov	15-Nov	24-Nov	30-Nov	5-Jan	8-Jan	31-Jan	3-Nov	15-Nov	24-Nov	30-Nov	5-Jan	8-Jan	31-Jan
E.E. Eskew on Indiana	-0.5	11.5		11.8	11.8	11.6	11.6	11.5	11	11.2	11.3	11.3	11.1	11.1	11
L.L. Cooper on Indiana #1598	6	3	3.25	3.3	3.3	3	3	3	9	9.25	9.3	9.3	9	9	9
Niel Nielsen #1525	0	12.5	12.5	12.5	12.6	12.5	12.5	12.3	12.5	12.5	12.5	12.6	12.5	12.5	12.3
Gary Eskew by Vallivue High School	8	12	13	8.3	8.3	8.3	8.3	8.3	20	21	16.3	16.3	16.3	16.3	16.3
New Production Well	-2	19	19.2	19		18	18	18	17	17.2	17	16.6	16	16	16

Note: Bold entries are interpolated values at times when actual values were unavailable.

Vallivue Well

Monitoring During Test Pumping

Date	Time	Depth to Water				Measurement
		G. Eskew	N. Nielsen	E.E. Eskew	L. Cooper	Taken By
29-Jan	9:00 AM	8.2				Victor
	9:05 AM		12.3			Victor
	9:10 AM			11.5		Victor
	9:20 AM				3.1	Victor
	9:30 AM	8.2				Victor
	9:34 AM		12.3			Victor
	9:40 AM			11.5		Victor
	9:50 AM				3.1	Victor
	10:03 AM	8.2				Victor
	10:07 AM		12.3			Victor
	10:20 AM			11.4		Victor
	10:30 AM				3.1	Victor
	10:40 AM	8.2				Victor
	10:45 AM		12.3			Victor
	10:55 AM			11.4		Victor
	11:10 AM				3.1	Victor
	11:20 AM	8.2				Victor
	11:25 AM		12.3			Victor
	11:35 AM			11.4		Victor
	11:40 AM				3.1	Victor
	12:00 PM	8.2				Victor
	12:10 PM		12.3			Victor
	12:20 PM			11.4		Victor
	12:30 PM				3.1	Victor
	2:40 PM	8.3				Chad
	2:45 PM		12.4			Chad
	2:50 PM			11.4		Chad
	3:00 PM				3	Chad
	4:40 PM	8.3				Chad
	4:45 PM		12.4			Chad
	4:50 PM			11.4		Chad
	5:00 PM				3	Chad
30-Jan	8:20 AM	8.4				Chad
	2:25 AM					Chad
	8:35 AM			11.5		Chad
	9:00 AM		12.3		3	Chad
	3:35 PM	8.3				Chad
	3:40 PM		12.3			Chad
	3:45 PM			11.4		Chad
	3:55 PM				3	Chad
31-Jan	8:20 AM	8.3				Chad
	8:25 AM		12.3			Chad
	8:30 AM			11.4		Chad
	8:40 AM				3	Chad



November 27, 1995

E.E. Eskew
4812 S. Indiana
Caldwell. ID 83605

Re: Long Term Monitoring

Dear Mr. Eskew,

Item six of the Withdrawal of Protest and Agreement of Conditions regarding the new well for the Vallivue High School to which you are a party states that "the water right holder shall identify a well acceptable to the Department [of Water Resources] to be used as a monitoring well". As engineer for the water right holder (Vallivue School District) I have identified your well as the most desirable for long term monitoring in the vicinity.

As a long term monitoring well, your well would be monitored most likely twice yearly by representatives of the Department of Water Resources or the USGS. This would give you data regarding the depth to water in the aquifer at your location. It would be similar to the arrangement that we currently have to periodically check the static water level of the aquifer at the location of your well.

The USGS currently has a long term monitoring well within 1/2 mile of the school site so it is not clear whether they will indeed require an additional monitoring site. But, in the event that the additional site is required, I am writing to ask you for permission to have your well designated as the long term monitoring well.

Please give me a call at my office at 375-1992 to discuss any questions that you may have. I appreciate your cooperation throughout this process.

Sincerely,


Chad R. Coleman, E.I.T.
PROJECT ENGINEER

cc: Dave Tuthill, IDWR
Gary Eskew



February 7, 1996

E.E. Eskew
4812 S. Indiana
Caldwell, ID 83605

Re: Long Term Monitoring

Dear Mr. & Mrs. Eskew,

I am writing to confirm my telephone conversation of this afternoon with Mrs. Eskew. It is my understanding that Mrs. Eskew agreed to allow the Department of Water Resources/United States Geological Survey use your well as a long term monitoring well. This is a great help as it will allow the static water level to be tracked.

It is not anticipated that the pump will need to be primed as it is most desirable to monitor the water level with the pump off. But, should the IDWR/USGS wish to have the pump started, they should contact you in advance so that the pump can be properly primed.

I am including this letter signifying your agreement to use your well as a long term monitoring well in a report to IDWR.

Please give me a call at my office at 375-1992 to discuss any questions that you may have. I appreciate your cooperation throughout this process.

Sincerely,

A handwritten signature in cursive script, reading 'Chad R. Coleman', is written over a horizontal line.

Chad R. Coleman, E.I.T.
PROJECT ENGINEER

SECTION 11208

PROPELLER FLOW METERS

PART 1 - GENERAL

1.01 GENERAL

- A. Provide all labor, materials and equipment as required for the installation of a propeller flow meter sending unit, receiving unit, and 4-20 ma convertor for measuring the flow rate of the water that is being pumped.

1.02 RELATED WORK

- A. Section 15051 - Pipe Installation and Support - Building
- B. Section 16185 - Building Electrical

1.03 CALIBRATION

- A. The flow meter is to be preset and calibrated. Factory operate before final calibration to insure that all circuits are operational.
- B. Provide certification that all components have been checked and calibrated.

1.04 SUBMITTALS

- A. Prior to ordering, submit to the Engineer the submittal information required by Section 01300.

PART 2 - PRODUCTS

2.01 SYSTEM METER

- A. Provide a propeller-type meter with an operating range from 190 to 2,000 gpm, with accuracy registration of 100 percent $\pm$ 1.5 percent of actual throughput.
- B. Meter shall be a Sensus model 102 of the size indicated on the Plans, with straightening veins.

- C. Other approved meter manufactures are Micrometer and Sparling.

2.02 INSTRUMENTATION

- A. Supply the meter with an electronic rate of flow indicator in gpm (E-ROFI) register.
- B. Provide a Sensus Act-pak model (100 DNBI). The Act-pak will display the instantaneous rate of flow and totalize the amount of flow which is passed through the flow meter with a non-resettable totalizer. Provide cable suitable for buried applications.
- C. The Act - pak is to provide a 4-20 ma flow rate and flow totalization signal that will be remotely telemetered.
- D. Provide NEMA 4 x enclosure.

2.03 FITTINGS

- A. Furnish all required fittings for the installation of the meter. Use ductile iron fittings.

PART 3 - EXECUTION

3.01 INSTALLATION

- A. Install per manufacturers recommendations.

END OF SECTION

July 1, 1996

CITY OF CALDWELL
621 CLEVELAND BLVD
CALDWELL ID 83605

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-12144

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

44-3885-54

JUL 09 1996

May 31, 1996

CITY OF CALDWELL
621 CLEVELAND BLVD
CALDWELL ID 83605

PROOF DUE NOTICE

RE: PERMIT NO. 63-12144

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 August 1, 1996.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete 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.

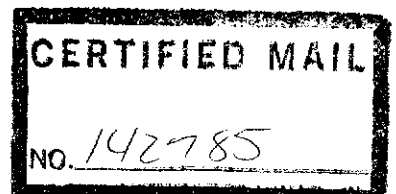
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

AUG 09 1996



SCANLAN ENGINEERING

Groundwater and Environmental Engineering

State Office File for
63-12144

RECEIVED

FEB 27 1996

WATER RESOURCES
WESTERN REGION

RECEIVED

FEB 29 1996

Department of Water Resources

February 24, 1996

Mr. Dan Brown
United Water Idaho
P.O. Box 7488
Boise, ID 83707

Subject: Water Level Monitoring of Delmar Vail and Marvin Miller Wells

Dear Dan:

Water levels were measured in the Delmar Vail and Marvin Miller wells on February 22, 1996. The measurements were obtained as part of the bi-monthly water-level measurement program proposed as a condition of the pending application for permit No. 63-12144.

Water levels in each of the wells were measured using an electric-line well sounder. The sounder tip was disinfected in a chlorine solution prior to each measurement. The measuring points are the tops of the well casings.

Water-level data are provided below. Previous measurements are included for comparison purposes.

Date	Miller Well	Vail Well	Remarks
6/15/95	32.46	40.25	
7/27/95	30.55	38.90	before Floating Feather Test
7/31/95	29.99	39.27	after Floating Feather Test
10/11/95	29.42	34.01	
12/20/95	32.44	36.29	
2/22/96	37.15	38.66	Miller well recovering 0.5"/min

Please contact me with any questions.

Sincerely,



Terry M. Scanlan, P.E., P.G.
Engineer/Hydrogeologist

cc: Del Vail
Marv Miller
David Tuthill - IDWR

AUG 09 1996

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

RECEIVED

DEC 05 1995
Typewriter
or
Ball Point Pen
WATER RESOURCES
WESTERN REGION1. DRILLING PERMIT NO. 63-95-W-0491-000
Other IDWR No. 63-12144

2. OWNER:

Name City of Caldwell
Address P.O. Box 1177
City Caldwell State Id. Zip 83605

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N				
		X		
S				

Twp. 3 North ☒ or South ☐
Rge. 3 East ☐ or West ☒
Sec. 3 1/4 SW 1/4 NE 1/4
Gov't Lot _____ County _____

Address of Well Site East Side of
Montana Ave. City Caldwell
(Give at least name of road + Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. PROPOSED USE:

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

5. TYPE OF WORK

☒ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☐ Air Rotary ☐ Cable ☐ Other Reverse Rotary

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT		METHOD
Material	From	To	Sacks or Pounds		
<u>Benonite granular</u>	<u>0</u>	<u>420'</u>	<u>65,000</u>		<u>Over bore</u>

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

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
<u>16"</u>	<u>42</u>	<u>420'</u>	<u>.315</u>	<u>Steel</u>	☒	☐	☒	☐
<u>10"</u>	<u>420'</u>	<u>455'</u>	<u>.365</u>	<u>"</u>	☒	☐	☒	☐
<u>10"</u>	<u>465'</u>	<u>490'</u>	<u>.365</u>	<u>"</u>	☒	☐	☒	☐
<u>10"</u>	<u>500'</u>	<u>510'</u>	<u>.365</u>	<u>"</u>	☒	☐	☒	☐

Length of Headpipe _____ Length of Tailpipe 10' of 10"

9. PERFORATIONS/SCREENS

☐ Perforations Method Wire
☐ Screens Screen Type Halibuton wrap

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
<u>455'</u>	<u>465'</u>	<u>.030</u>		<u>10"</u>	<u>SS</u>	☒	☐
<u>490'</u>	<u>500'</u>	<u>.030</u>		<u>10"</u>	<u>SS</u>	☒	☐
<u>510'</u>	<u>520'</u>	<u>.030</u>		<u>10"</u>	<u>SS</u>	☒	☐
<u>570'</u>	<u>575'</u>	<u>.030</u>		<u>10"</u>	<u>SS</u>	☒	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

19' ft. below ground Artesian pressure _____ lb.
 Depth flow encountered _____ ft. Describe access port or control devices: 1 1/2" Pipe to Side

11. WELL TESTS:

☒ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
<u>Waiting for Results</u>			

Water Temp. _____ Bottom hole temp. _____

Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
<u>28"</u>	<u>0</u>	<u>4</u>	<u>Top soil</u>		
	<u>4</u>	<u>48</u>	<u>Clay with some sand</u>		
	<u>48</u>	<u>80</u>	<u>Sandst & Gravels</u>		
	<u>80</u>	<u>155</u>	<u>Bn Clay with Sand Layers</u>		
	<u>155</u>	<u>175</u>	<u>Fine to med. bn Sand.</u>		
	<u>175</u>	<u>212</u>	<u>Bn Clay streaks Sand.</u>		
	<u>212</u>	<u>287</u>	<u>Bn Clay</u>		
	<u>287</u>	<u>300</u>	<u>Fine to Med. Sand.</u>		
	<u>300</u>	<u>315</u>	<u>Bn Clay</u>		
	<u>315</u>	<u>330</u>	<u>Fine to Med Sand.</u>		
	<u>330</u>	<u>345</u>	<u>Bn Clay</u>		
	<u>345</u>	<u>354</u>	<u>Fine Sand.</u>		
	<u>354</u>	<u>456</u>	<u>Bn Clay with Sand layers</u>		
	<u>456</u>	<u>467</u>	<u>Soft Sandstone with Sand.</u>		
	<u>467</u>	<u>467</u>	<u>Bn Sandy Clay</u>		
	<u>467</u>	<u>472</u>	<u>Medium to coarse Sand.</u>		
	<u>472</u>	<u>477</u>	<u>Blue Clay</u>		
	<u>477</u>	<u>476</u>	<u>Bn Clay</u>		
	<u>476</u>	<u>490</u>	<u>Fine Bn Sand.</u>		
	<u>490</u>	<u>508</u>	<u>Blue Clay streaks Sand.</u>		
	<u>508</u>	<u>520</u>	<u>Fine Sand.</u>		
	<u>520</u>	<u>521</u>	<u>Blue Clay</u>		
	<u>521</u>	<u>523</u>	<u>Coarse Sand.</u>		
	<u>523</u>	<u>531</u>	<u>Blue Clay</u>		
	<u>531</u>	<u>543</u>	<u>" " with Sand.</u>		
	<u>543</u>	<u>557</u>	<u>Blue Clay</u>		

RECEIVED
DEC 07 1995
Department of Water Resources

RECEIVED
DEC 04 1995
AUG 01 1995
Department of Water Resources

Completed Depth 545' (Measurable)
Date: Started 8-16-95 Completed 8-31-95

13. DRILLER'S CERTIFICATION

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

Firm Name Riverside Inc Firm No. 333Firm Official Tony Dwyer Date 10-10-95and Supervisor or Operator Kevin Christman Date 10-10-95

(Sign once if Firm Official & Operator)

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

State Office File — gac

RECEIVED

DEC 26 1995

WATER RESOURCES
WESTERN REGION

RECEIVED

DEC 28 1995

December 22, 1995

✓ Dan
Mr. Dan Brown
United Water Idaho
P.O. Box 7488
Boise, ID 83707

Department of Water Resources

Subject: Water Level Monitoring of Delmar Vail and Marvin Miller Wells

Dear Dan:

Water levels were measured in the Delmar Vail and Marvin Miller wells on December 20, 1995. The measurements were obtained as part of the bi-monthly water-level measurement program proposed as a condition of the pending application for permit No. 63-12144.

Water levels in each of the wells were measured using an electric-line well sounder. The sounder tip was disinfected in a chlorine solution prior to each measurement. The measuring points are the tops of the well casings.

Water-level data are provided below. Previous measurements are included for comparison purposes.

Date	Miller Well	Vail Well	Remarks
6/15/95	32.46	40.25	
7/27/95	30.55	38.90	before Floating Feather Test
7/31/95	29.99	39.27	after Floating Feather Test
10/11/95	29.42	34.01	
12/20/95	32.44	36.29	

Please contact me with any questions.

Sincerely,

Terry M. Scanlan

Terry M. Scanlan, P.E., P.G.
Engineer/Hydrogeologist

cc: Del Vail
Marv Miller
David Tuthill - IDWR

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

✓ Dan
Saxton
United Water file
RECEIVED
OCT 13 1995

October 12, 1995

RECEIVED

OCT 19 1995

WATER RESOURCES
WESTERN REGION

Mr. Dan Brown
United Water Idaho
P.O. Box 7488
Boise, ID 83707

Department of Water Resources

63-12144

Subject: Water Level Monitoring of Delmar Vail and Marvin Miller Wells

Dear Dan:

At your request, I have initiated the bi-monthly water-level monitoring program for the Delmar Vail and Marvin Miller wells. The water-level monitoring program was proposed as a condition of the pending application for permit No. 63-12144. Measurements were obtained on October 11, 1995. I plan to obtain bi-monthly measurements (December, February, April, June, and August) for one year, followed by semi-annual measurements (April and October) through October 1999.

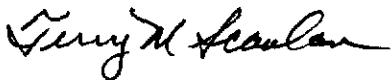
Water levels in each of the wells were measured using an electric-line well sounder. The sounder tip was disinfected in a chlorine solution prior to each measurement. The measuring points are the tops of the well casings.

Water-level data are provided below. Previous measurements from June and July 1995 are included for comparison purposes.

Date	Miller Well	Vail Well	Remarks
6/15/95	32.46	40.25	
7/27/95	30.55	38.90	before Floating Feather Test
7/31/95	29.99	39.27	after Floating Feather Test
10/11/95	29.42	34.01	

Please contact me with any questions.

Sincerely,



Terry M. Scanlan, P.E., P.G.
Engineer/Hydrogeologist

cc: Del Vail
Marv Miller
David Tuthill - IDWR



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 7, 1995

CITY OF CALDWELL
621 CLEVELAND BLVD
CALDWELL ID 83605

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-12144

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

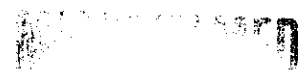
If a well has not already been constructed you are required to obtain a "drilling permit" from the department. The right to drill a well is not a part of this permit to appropriate water.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosures



AUG 09 1995

RECEIVED

JUL 17 1995

WATER RESOURCES
WESTERN REGION

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR) WITHDRAWAL OF PROTEST
PERMIT NO. 63-12144 IN THE NAME OF) AND
THE CITY OF CALDWELL) AGREEMENT OF CONDITIONS
_____)

The undersigned applicant agrees to abide by the following conditions which will be made a part of the permit issued based on the above-referenced application for permit. Accordingly, the undersigned protestant agrees to withdraw the protest to the approval of this application.

1. This water right is subject to all prior water rights.
2. The water right holder shall comply with the drilling permit requirements of Section 42-234, Idaho Code.
3. The well drilled to supply water for this water right shall be cased and sealed to a depth of at least 200 feet, or to a confining layer, whichever is greater. Prior to the drilling of the well to be used to supply water for this water right, the applicant shall drill a test well which is six inches in diameter which shall be drilled to the level to be used to furnish the supply water for this water right. The applicant shall furnish to the Department and to the protestants a log for that test well showing that the aquifer for the supply of water for this water right is below a confining layer relative to the protestant's aquifer. The final well to be used to supply water for this water right shall be drilled in the near vicinity to the test well, and to at least the same depth and aquifer as the test well, and the applicant shall furnish to the protestant's and the Department a well log showing the well drilled and cased to the required depth.
4. When the well construction under this water right is completed, the water right holder shall provide for the conduct of an aquifer test, subject to the approval of the Department, to determine impacts of pumping the well on nearby shallower wells. The test shall be at least forty-eight hours in duration and shall be conducted by a licensed professional engineer or geologist. Results of the test shall be provided to the Department and to all who protested the approval of this water right.

JUL 19 1995

5. The permit holder is responsible to ensure that pumpage under this water right does not directly cause the water level to significantly decline in any domestic wells drilled and in use prior to March 29, 1978, or any irrigation well drilled and in use prior to July 1, 1953, or to cause the water level in any other well having a prior right to exceed a reasonable pumping level, unless the permit holder provides reasonable compensation or mitigation to the prior water right holder for the reduced water levels as determined by the Director.

6. The water right holder shall identify a well acceptable to the Department to be used as a monitoring well. This well is to be included if possible in the Department of Water Resources/United States Geologic Survey monitoring network for the purpose of providing long-term monitoring in the vicinity of the proposed withdrawals.

7. A totalizing flow measurement device of a type approved by the department shall be permanently installed and maintained as a part of the diverting works. This device shall be maintained by the water right holder and shall be made available to inspection by Department personnel for the purpose of long-range study and monitoring of the ground water aquifer. The water right holder shall maintain records of the amount of water diverted under this water right.

8. This water right is subject to the provisions of the Boise River Basin moratorium on new water rights, so that among other restrictions commercial and industrial uses in excess of 2500 gallons per day per site and irrigation of tracts in excess of one half acre per household are not permitted uses for water diverted under this water right.

9. The place of use of this water right is limited to the service area of the City of Caldwell.

DATED: this 1 day of July, 1995.

Applicant: Neil J. Nielsen *nn*

DATED: this 1 day of July, 1995.

Protestant: X Neil J. Nielsen

DATED: this _____ day of _____, 1995.

RECEIVED
AUG 09 1995

Protestant: _____

DATED: this _____ day of _____, 1995.

Protestant: _____

DATED: this _____ day of _____, 1995.

Protestant: _____

DATED: this _____ day of _____, 1995.

Protestant: _____

DATED: this _____ day of _____, 1995.

Protestant: _____

DATED: this _____ day of _____, 1995.

Protestant: _____

DATED: this _____ day of _____, 1995.

Protestant: _____

DATED: this _____ day of _____, 1995.

Protestant: _____

AUG 09 1995

RESPONSE FORM

Boise River Basin Moratorium Application

RECEIVED

MAY 25 1995

WATER RESOURCES
WESTERN REGION

Name of Applicant: City of Caldwell

Address: 621 Cleveland Blvd.
Caldwell ID 83605

Water Right No.: 63-12144

Do you wish to proceed with development of the water right as proposed in the application?

X Yes No

(If the response is no, please complete and return the enclosed withdrawal form.)

If the source of water that you propose to appropriate is ground water, what aquifer level do you propose to develop to obtain water? 455 ft to 540 ft

Signature: [Signature]

Printed Name: John Carpenter

Please return this form to:

Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705

RECEIVED
AUG 09 1995

WR5809NP
No. 63-12144

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/17/95
PAGE: 296

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF CALDWELL 621 CLEVELAND BLVD CALDWELL ID 83605 (208) 455-3000	09/02/1994	MUNICIPAL	01-01 12-31	2.200 CFS	
TOTAL DIVERSION:					2.200 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: APPLICATION

Point(s) of Diversion:

T03N R03W S03

NWSWSE

CANYON County

Pou County:

Remarks: Place of use is within the city limits of Caldwell.

Dates:	App. Received: 09/02/1994	Priority Date: 09/02/1994
	Proof Due Date:	Proof Made Date:
	Exam Made Date:	Exam Sent to S.O.:
	Licensed Date:	

Misc: Water District Number:

Field Exam Fee:

RECEIVED
AUG 02 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 26, 1995

NIEL J NIELSON
C/O HERBERT W RETTIG
PO BOX 729
CALDWELL ID 83606

Re: Application for Permit No. 63-12144 in the Name of City of Caldwell

Dear Protestant:

This letter is to acknowledge your withdrawal of protest against the above-referenced application for water right. There are now no remaining protests of this application.

The Department now will continue to process the application, subject to certain conditions of approval.

If you have any questions please call this office.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:st

CC: Applicants

RECEIVED
AUG 09 1995

LAW OFFICES OF
RETTIG & ROSENBERY
ATTORNEYS AT LAW
1024 BELMONT STREET
P.O. BOX 729
CALDWELL, IDAHO
83606

RECEIVED

JUL 17 1995

WATER RESOURCES
WESTERN REGION

TELEPHONE
(208) 459-1541
FAX
(208) 454-2532

HERBERT W. RETTIG

RICHARD ROSENBERY, OF COUNSEL

July 13, 1995

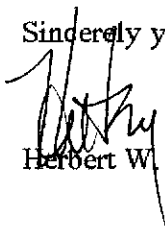
David R. Tuthill, Jr., P.E.
Manager, Western Regional Office
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Re: Application for Permit No. 63-12144 in the name of the City of Caldwell

Dear Mr. Tuthill:

I am enclosing with this letter the Withdrawal of Protest in the above-referenced matter signed by Niel J. Nielsen.

Sincerely yours,


Herbert W. Rettig

HWR/bt
Enclosure

cc: Gordon Law, City of Caldwell
Gary Eskew

AUG 09 1995

CONVERSATION MEMORANDUM

DATE 7-10-95FILE 63-12144NAME OF PARTY Chad Coleman (Keller Assoc.) 375-1992EMPLOYEE Steve LattaRE: ProtestFinal protest withdrawn by Niel Nielsen?no, not found in file.(do have withdrawn from Leroy Nielsen but not from Niel).Gave him atty name/phone plus Niel N.
address/phone to pursue.Explained ~~now~~ need for resolution or must go
to hearing before any IDA decision is issued.He will pursue.**INDEXED**

AUG 09 1995



LETTER OF TRANSMITTAL

Dave Tuthill
Idaho Water Resources
2735 Airport Way
Boise, Idaho 83705

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JUN 01 1995

WATER RESOURCES
WESTERN REGION

DATE: May 30, 1995
PROJECT: City of Caldwell - Vallivue High School Well
ATTENTION: Dave Tuthill
REFERENCE:

6/1/95.
Notified Jim Keller's office
that this letter is fine.
DK

WE ARE ENCLOSING:

COPIES	DESCRIPTION
1	Draft Letter to Protestants
1	List of Protestants
1	Vallivue High School Test Well Report
1	Geophysical Logs

REMARKS: Enclosed is a copy of the Vallivue High School Test Well Report that will be submitted to each of the Protestants.

I have also enclosed a draft copy of a letter that will be sent to each of the Protestants. We are requesting their comments be back before the 16th of June.

We will also be submitting an application for Drilling Permit for Production Well in the very near future.

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James L. Keller

If enclosures are not as noted, please notify us.

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WATER RESOURCES
WESTERN REGION

May 30, 1995

RE: City of Caldwell - Vallivue High School Well

Dear Protestant:

The City of Caldwell in association with the Vallivue School District has completed a test well on the new Vallivue High School property. This test well verifies our previous geologic evaluation and defines the strata that will be encountered in the development of a production well on the school property.

The findings of the report, a copy of which is attached for your review, indicates that there is an abundant supply of shallow groundwater from approximately 20 feet to a depth of 140 feet. The strata in this area is primarily a sand that is highly permeable with an occasional thin layer of silt and clays. Below 140 feet there are intermeidate beds of silty clay, dense clay and silty sands. These clay and silt confining layers range from approximately 180 to 310 feet and then again from approximately 340 to 450 feet as documented by the attached test well report.

It is, therefore, the intent of the City of Caldwell in association with the Vallivue School District to develop a production well to a depth of approximately 540 feet. The upper layers to a depth of 430 feet will be sealed and cased out of the well and screens will be placed at the sand layers from 455 feet to approximately 535 or at depths below the two major clay and silty confining layers. The City of Caldwell has submitted a copy of the Vallivue Test Well report to Mr. Dave Tuthill of the Idaho Department of Water Resources and has been encouraged to file a well drilling permit for the actual production well. It is the intent of the City to proceed with the production well. If you have any further comments concerning this proposal we would advise you to submit comments to the City of Caldwell and Mr. Dave Tuthill, Department of Water Resources on or before June 16, 1995. The Cities address is:

City of Caldwell
621 Cleveland Blvd.
Caldwell, Idaho 83605

Attn: Gordan Law, Public Works Director/City Engineer

Very truly yours,

CITY OF CALDWELL

Gordan Law, Public Works Director

GL/jlk/kh

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Post-It® Fax Note 7671		Date	# of pages 1
To <i>Jim Keller</i>		From <i>Dave Tuthill</i>	
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

PROTESTANTS

459-4368 TROY &/OR LESLIE KRANTZ ✓
5606 S INDIANA
CALDWELL ID 83605

509 488 - NIEL J NIELSEN ✓
3 993 PO BOX 603
OTHELLO WA 99344

459-4291 JODY &/OR DOROTHY BROWN ✓
and. mach. 4515 S INDIANA AVE
CALDWELL ID 83605

459-8073 STEPHEN W &/OR RUTH M MARSHALL ✓
1824 FILLMORE
CALDWELL ID 83605

459-9420 E E &/OR JESSIE ESKEW ✓
4812 S INDIANA
CALDWELL ID 83605

459-3535 *t/a* GARY/JUDY A ESKEW ✓
5315 S 10TH
CALDWELL ID 83605

454-1828 L D WREN PRES ✓
RENCO INC
4512 S FLORIDA
CALDWELL ID 83605

459-8526 LILBURN & IRENE COOPER ✓
1924 E USTICK RD
CALDWELL ID 83605

459-1988 LEROY A NIELSEN ✓
4520 E HOMEDALE RD
CALDWELL ID 83605

Herbert N. Rettig Esq. (counsel)
P.O. Box 79
Caldwell, ID 83606

APPLICANT

CITY OF CALDWELL
621 CLEVELAND BLVD
CALDWELL ID 83605

Jim Keller
545 Benjamin Lane Suite 18
Boise Id 83704

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WATER RESOURCES
WESTERN REGION

Vallivue High School Test Well

INTRODUCTION

As part of the requirements for the new Vallivue High School to connect to the City of Caldwell water system, the school district was required to provide a new city production well. There were concerns raised by some of the neighboring landowners that a new 1,000 gpm capacity well may disturb their shallow irrigation wells. The landowners subsequently filed a formal protest with the State Department of Water Resources. In a compromise agreement established by the Department of Water Resources, the school district was to define the location of any confining clay layers between the shallow irrigation wells and the strata targeted for use by the production well.

Accordingly, the school district retained Keller Associates as an engineering consultant to assist in exploratory field work. It was the position of Keller Associates that a test well would provide sufficient evidence of the location and depths of the underlying strata to all parties involved.

OBJECTIVE

The State Department of Water Resources recognizes the fact that some of the neighboring wells are quite shallow. Because of this, the requirements for the new production well are that it have no adverse effects on the irrigation wells *to their economic pumping depth*.

After the test well was drilled, the hole was to be geophysically logged in order to establish the condition of the subsurface layers. Given this information, a decision could be made by the Department of Water Resources as to whether the installation of a production well would have any adverse effect at the economic pumping depth of the neighboring shallow irrigation wells. Also, this information would provide a starting point for the design of the proposed production well.

PROCEDURE

The test well was located close to the irrigation pump house toward the north west corner of the school site, immediately adjacent to the proposed production well. A map of the well site is included in this report as Figure 1 in the Appendix. Prior to beginning the well drilling, this site was reviewed with Bill Freeman of the Division of Environmental Quality. He agreed with the assertion of Keller Associates engineers that this site was in accordance with the State of Idaho guidelines for well siting and would pose no adverse environmental risks to the existing lot or to the users of the future well.

Drilling on the test well began on April 5. The well was drilled by the mud rotary method by Hiddleston Drilling and Pump Company with Ken Cooke as the head driller. Work proceeded as planned, with the exception of a few work stoppages due to poor weather and equipment failure, until the completion date on April 14.

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Keller Associates retained the services of Ed Squires, Geohydrologist, to provide geophysical logging of the test well. Logging was done on the afternoon of April 13. After the well drilling and the geophysical logging was complete, the well was abandoned by pressure grouting from the bottom up as per Department of Water Resources specifications.

RESULTS AND DISCUSSION

Overview

Four different logs were made in an effort to obtain the most information possible about the well. The logs made were: a temperature log, caliper log, natural gamma ray log, and a single point resistance log. A report of the logging results is included in this report as Table 1 and Figure 2, both in the Appendix.

The findings of the test well and logging effort are very positive for all parties involved. Results clearly show large confining layers between the zones currently in use by the neighboring landowners and the zones targeted for production by the school district. Layers that are most likely to provide protection to the shallow irrigation wells are from 180' - 310', and from 340' - 450'. These confining layers are generally composed of clays and fine material not conducive to the transport of water.

The upper layers, ones in use by the neighboring landowners, were found to have an abundance of water. The strata was very unconfined, so much so that the well drillers were in jeopardy of losing the casing in the sand layer from 80' - 140' as it was falling through the sand ahead of the drill bit. At this point in the drilling, the drillers had not began to circulate mud. This means that the water in these layers was circulated up to the surface. It was the estimate of the driller that anywhere from 300 to 400 gpm was being removed. This volume was obtained without the aid of any pumps or well development. It seems from this observation that the local irrigation wells have an abundance of water from which they can continue to provide for their needs regardless of the position of the proposed Vallivue production well.

After studying the information obtained through the drilling and geophysical effort, a viable option for the proposed production well has been identified. The following discussion will detail this possibility.

Figure 3 in the Appendix includes a proposed well construction diagram for Option A. This diagram outlines the recommendation of Keller Associates engineers for completing the required city production well. Neighboring irrigation wells are completed in the upper layers (above 200 feet) of the stratigraphy. These layers are separated by interbedded clay layers from 180 feet to 310 feet. Another large confining clay layer exists from 340 feet to 450 feet. This abundance of separating strata will provide more than enough protection for the users of the upper zones of water.

Sand layers are located at various intervals. There is a large sand layer from 315 feet to 342 feet but it will remain unused by the proposed well. It is felt that, although this layer could be used as a city production well without impacting the existing wells, the quality may not be acceptable.

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advisable as excessive water treatment would be required as well as additional operation and maintenance costs to keep the well screens and pumps free of mineral deposits.

A review of the geologists log shows that this layer is obviously from a different formation than the deeper layers. Evidence for this conclusion is derived from the color of the material removed from the layers in question. Surrounding the upper sand layer (315' - 342') are clays that are generally brown and yellow. Below the large confining layer (342' - 450') the drill cuttings were observed to be blue. Water from layers in proximity to blue clays are usually better quality and more desirable for culinary water wells.

Generally, it is not advisable to mix waters from differing zones. Because of these two reasons, (probable poor quality water and waters from two different zones) Keller Associates engineers have recommend casing through the sand layer located from 315' - 342' and pursuing the water at the lower depths.

It is proposed that well screens be set at four intervals shown on the diagram. These intervals are approximately 455' - 465', 490' - 500', 510' - 520', and 530' - 535'. Actual screen intervals will be slightly larger in order to maximize water production from the well. Given the coarseness of the sand in these zones and the characteristics of other wells completed in the valley, it is felt that this proposed well design will provide the target yield of 1000 gpm without effecting the neighboring wells at their economical pumping depth.

CONCLUSIONS

Test well drilling provided valuable information related to the underlying strata at the site of the proposed Vallivue production well. Most important of the findings was the location and depth of numerous confining layers separating zones currently in use by neighboring property owners and the zones targeted for use by the school district.

The exploratory effort leads to the conclusion that the completion and development of a production well on the site of the new Vallivue high school will not impact the local irrigation wells at their economic pumping depth.

RECOMMENDATIONS

It is the recommendation of Keller Associates engineers that the school district pursue the development of a production well to a depth of 540 feet or as defined in the Results and Discussion Section above. At this point it is anticipated that all of the required water can be obtained by implementing this proposal. Sufficient confining layers exist between the shallow irrigation wells and the layers targeted for use by the proposed production well.

PRODUCTION WELL COST ESTIMATE

Budget numbers have been obtained for the production well. These costs are given for the benefit of the school board. The following table summarizes budget quotes obtained from two local drillers. Estimated costs were made from the average of the two quotes. Best estimates are

that the production well should be completed for \$ 57,230 with additional expenses required for the equipment and building.

Production Well - Cost Estimates

Vallivue High School

As Planned for Vallivue High School

		Riverside, Inc.			Pete Cope Drilling		Contractor's Average	
Item	Estimated Quantity		Unit Cost	Total Cost	Unit Price	Total Cost	Unit Cost	Total Cost
20" - 24" Drilling	540	LF	\$62	\$33,480	\$46	\$1,540,080	\$54	\$83,164,320
16" Casing	420	LF	\$41	\$17,220	\$30	\$516,600	\$36	\$18,339,300
Filter Packing	30	CY	\$300	\$9,000	\$300	\$2,700,000	\$300	\$810,000,000
10" Stainless Steel Screen	40	LF	\$116	\$4,640	\$92	\$426,880	\$104	\$44,395,520
					Total Estimated Cost		\$57,230.00	

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APPENDIX

APPROVED

AUG 0 9 1995

PROPOSED MUNICIPAL WELL LOCATION

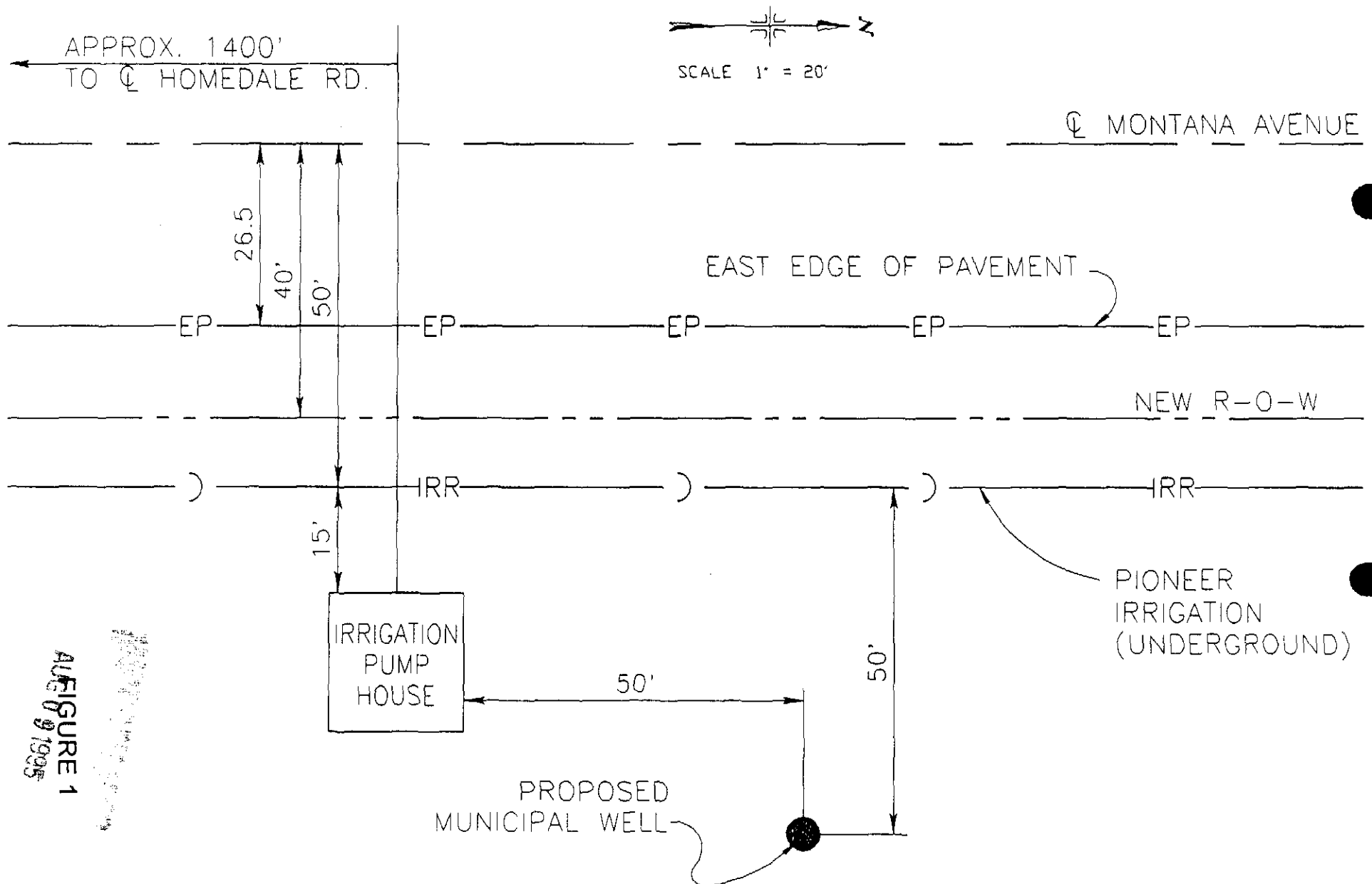


FIGURE 1
1995

TABLE 1

United Water Idaho, Inc.

Geoscience Department

WELL NAME: Valliview School test—well.

GEOPHYSICAL WELL LOG: Caliper Natural Gamma-ray Single-point resistance		PERMANENT DATUM: Mean Sea Level LOG MEASURED FROM: Land Surface ELEVATION: 2434.5 feet above MSL		OTHER SERVICES: — Geologists log. — Bottom hole temperature.	
COMPANY: Keller and Associates PROJECT: Valliview School test—well. WELL IDENTIFICATION: test—well to be abandoned			COORDINATES: NW1/4, SE1/4, Sec 3 T. 3N, R. 3W ELEVATION: KB: GL: 2433 ft.		WELL OWNER: City of Caldwell WELL: Valliview School test—well. LOCATION: 7 mi. S. of Ustick on Montana
COUNTY: Canyon		STATE: Idaho			
	Run No. 1		Run No. 1		
Date	4/13/1995	Fluid Level	8 feet BGL		
Bottom logged Int.	721.5 ft. BTOC	Fluid Nature	drilling mud		
Top Logged Int.	0.0 ft. BTOC	Fluid Viscosity	47 secs (Marsh)		
Footage Logged	721.5 ft.	Fl. Resistivity			
Bottom (Driller)	720 feet BGL	Fl. Res. at BHT			
Casing (from Log)	6-inch to 136 ft.	Fluid pH			
Casing (Driller)	136 feet BGL	Last Circulated	Just prior		
Casing Size	6-inch temporary	Bottom Hole Temp	72.5 degrees F		
Bit Size	6-inch				
		LOGGED BY:	Edward Squires		
		WITNESSED BY:	Chad Coleman		
REMARKS: — Natural gamma-ray log filtered with 19-point weighted filter. — Well abandoned with 30% high-solids bentonite grout from bottom up.				— Last circulated 2 hrs prior to removing drill steel and logging. — Hiddleston Drilling (Ken Cooke driller) — 6" steel casing +1.5 feet—to—136 feet. — Log datum= top of casing = +1.5 ft AGL	

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CALDWELL VALLIVIEW SCHOOL TEST WELL

T3N, R3W, SEC. 3, NW1/4 of the SE 1/4

OPTION A

GEOPHYSICAL LOGS

FIGURE 3

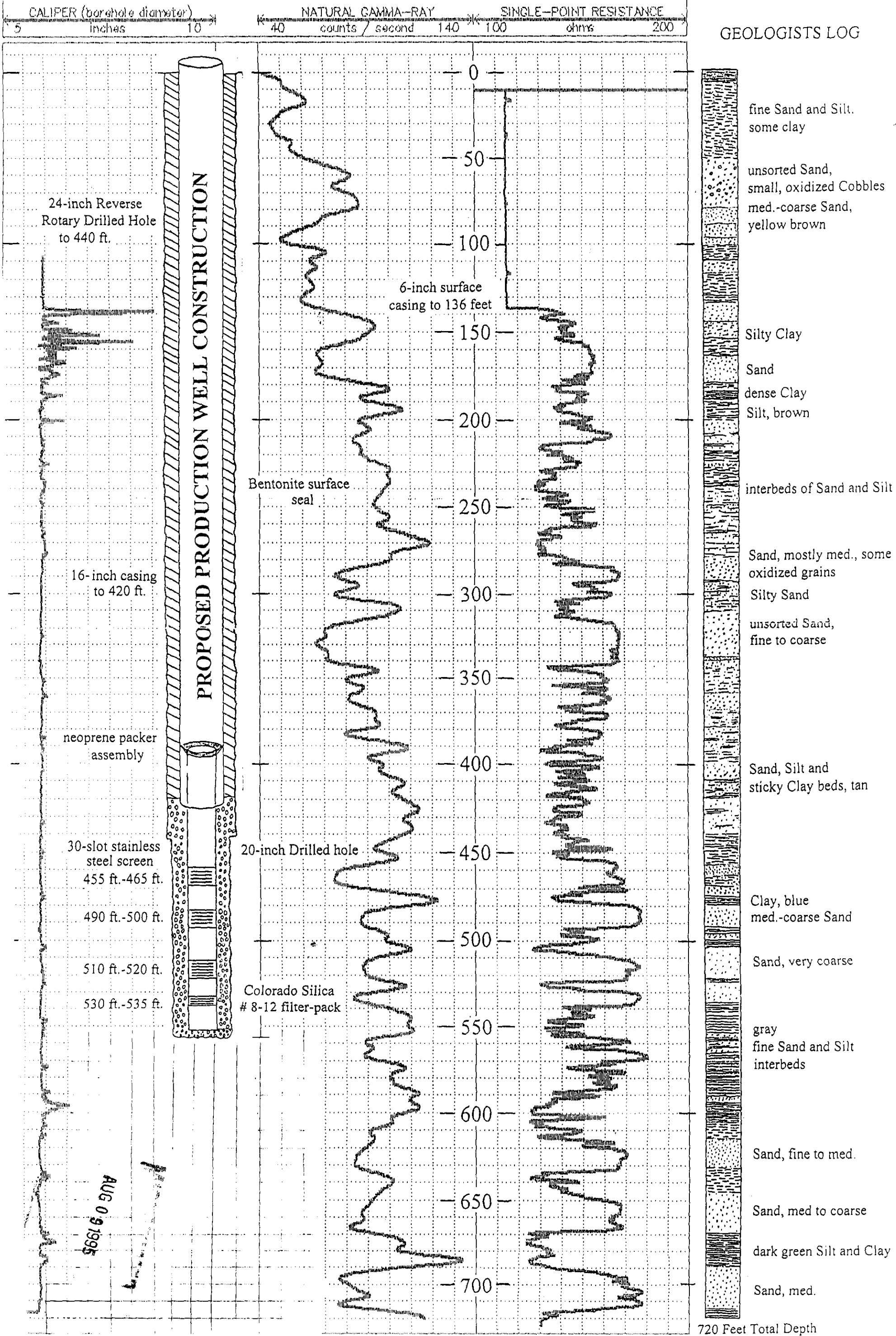
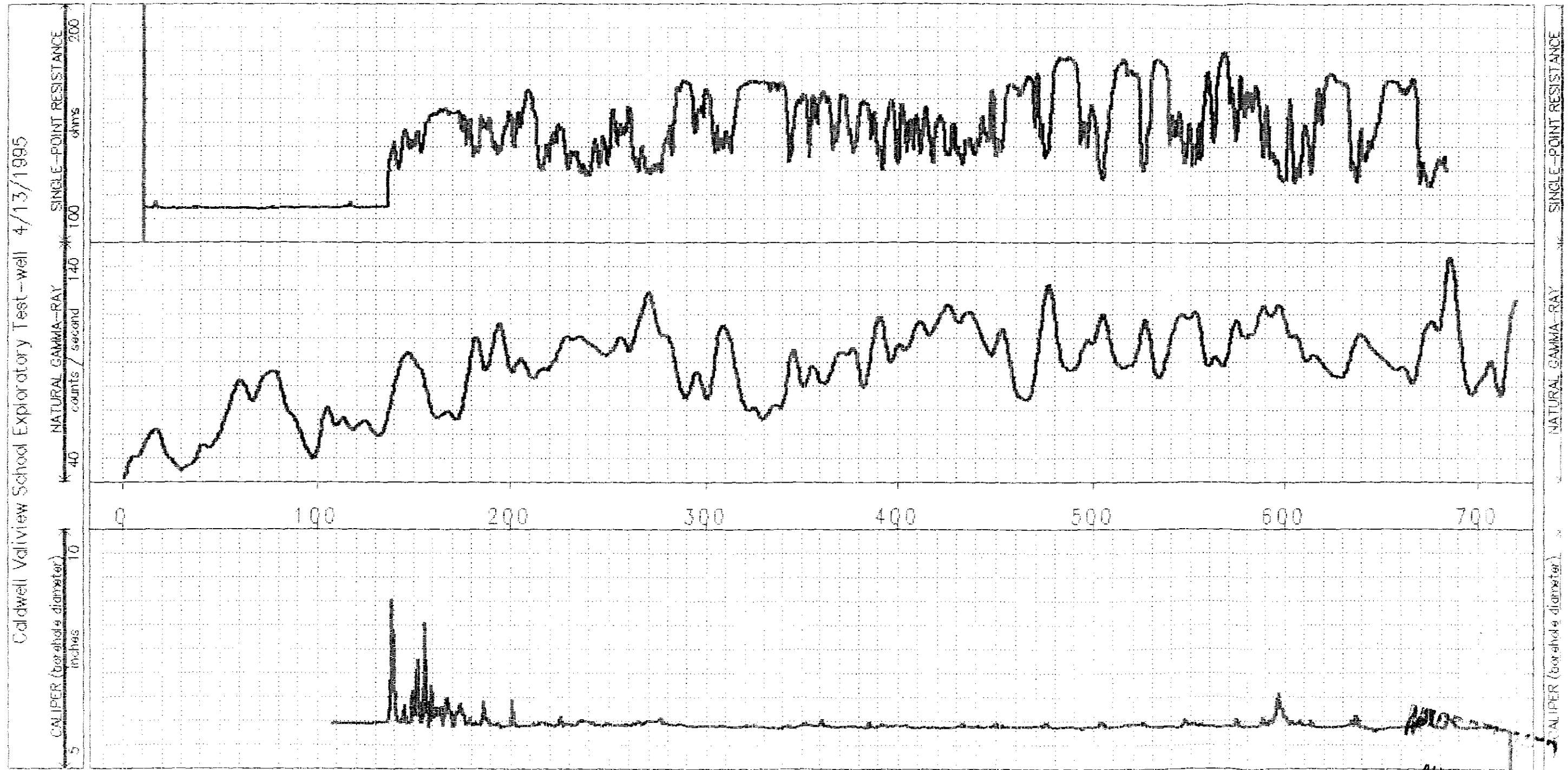


FIGURE 2



CONVERSATION MEMORANDUM

DATE 5/30/95

FILE 63-12144

NAME OF PARTY Jim Keller, Engineer

EMPLOYEE Dave Tuttle

RE: Test Well

Test well has been completed. Jim will distribute well log and
allow comment. (per withdrawn agreement).

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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 28, 1995

HERBERT W RETTIG ESQ
RETTIG & ROSENBERRY
PO BOX 729
CALDWELL ID 83606

Re: Protest of Application for Permit No. 63-12144 in the name of
the City of Caldwell

Dear Mr. Rettig:

We have not yet received a withdrawal of protest from Neil Nielsen
in the above-referenced matter. Would you please let us know the
status of this matter.

If you have any questions please let us know.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT/st

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LAW OFFICES OF
RETTIG & ROSENBERRY
ATTORNEYS AT LAW
1024 BELMONT STREET
P.O. BOX 729
CALDWELL, IDAHO
83606

HERBERT W. RETTIG
RICHARD ROSENBERRY, OF COUNSEL

TELEPHONE
(208) 459-1541
FAX
(208) 454-2532

March 1, 1995

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MAR 02 1995

WATER RESOURCES
WESTERN REGION

DW
Mr. David R. Tuthill, Jr., P. E.
Manager, Western Regional Office
State of Idaho
Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

RE: Application for Permit No. 63-12144 in the name of the City of Caldwell

Dear Mr. Tuthill:

I am enclosing executed copies of the Withdrawal of Protest and Agreement to Conditions which has been signed by the parties. There are three copies because of the fact that all of the Protestants did not sign the same document. We have one other Protestant, Mr. Neil Nielsen who lives in the State of Washington, and he is supposed to sign and send that back to me, and I will return it to you. If you have any questions concerning this matter, please advise.

Sincerely yours,

RETTIG & ROSENBERRY

Herbert W. Rettig
Herbert W. Rettig

HWR:c
Enclosures

cc: Gordon Law, City of Caldwell
Gary Eskew

AUG 03 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

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MAR 02 1995

WATER RESOURCES
WESTERN REGION

IN THE MATTER OF APPLICATION FOR) WITHDRAWAL OF PROTEST
PERMIT NO. 63-12144 IN THE NAME OF) AND
THE CITY OF CALDWELL) AGREEMENT OF CONDITIONS
_____)

The undersigned applicant agrees to abide by the following conditions which will be made a part of the permit issued based on the above-referenced application for permit. Accordingly, the undersigned protestant agrees to withdraw the protest to the approval of this application.

1. This water right is subject to all prior water rights.
2. The water right holder shall comply with the drilling permit requirements of Section 42-234, Idaho Code.
3. The well drilled to supply water for this water right shall be cased and sealed to a depth of at least 200 feet, or to a confining layer, whichever is greater. Prior to the drilling of the well to be used to supply water for this water right, the applicant shall drill a test well which is six inches in diameter which shall be drilled to the level to be used to furnish the supply water for this water right. The applicant shall furnish to the Department and to the protestants a log for that test well showing that the aquifer for the supply of water for this water right is below a confining layer relative to the protestant's aquifer. The final well to be used to supply water for this water right shall be drilled in the near vicinity to the test well, and to at least the same depth and aquifer as the test well, and the applicant shall furnish to the protestant's and the Department a well log showing the well drilled and cased to the required depth.
4. When the well construction under this water right is completed, the water right holder shall provide for the conduct of an aquifer test, subject to the approval of the Department, to determine impacts of pumping the well on nearby shallower wells. The test shall be at least forty-eight hours in duration and shall be conducted by a licensed professional engineer or geologist. Results of the test shall be provided to the Department and to all who protested the approval of this water right.

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5. The permit holder is responsible to ensure that pumpage under this water right does not directly cause the water level to significantly decline in any domestic wells drilled and in use prior to March 29, 1978, or any irrigation well drilled and in use prior to July 1, 1953, or to cause the water level in any other well having a prior right to exceed a reasonable pumping level, unless the permit holder provides reasonable compensation or mitigation to the prior water right holder for the reduced water levels as determined by the Director.

6. The water right holder shall identify a well acceptable to the Department to be used as a monitoring well. This well is to be included if possible in the Department of Water Resources/United States Geologic Survey monitoring network for the purpose of providing long-term monitoring in the vicinity of the proposed withdrawals.

7. A totalizing flow measurement device of a type approved by the department shall be permanently installed and maintained as a part of the diverting works. This device shall be maintained by the water right holder and shall be made available to inspection by Department personnel for the purpose of long-range study and monitoring of the ground water aquifer. The water right holder shall maintain records of the amount of water diverted under this water right.

8. This water right is subject to the provisions of the Boise River Basin moratorium on new water rights, so that among other restrictions commercial and industrial uses in excess of 2500 gallons per day per site and irrigation of tracts in excess of one half acre per household are not permitted uses for water diverted under this water right.

9. The place of use of this water right is limited to the service area of the City of Caldwell.

DATED: this 28th day of February, 1995.

Applicant: Spencer Nelson for City of Caldwell

DATED: this 21 day of February, 1995.

Protestant: Renee Dora - Will Kumbus

DATED: this 21 day of February, 1995.

Protestant: Irene Cooper

DATED: this 21 day of February, 1995.

Protestant: Lilburn Cooper

DATED: this 21 day of Feb., 1995.

Protestant: Leroy O. Nielsen

DATED: this 21 day of Feb., 1995.

Protestant: Jessie Eskew

DATED: this 21 day of Feb, 1995.

Protestant: Larry Eskew

DATED: this 21 day of February, 1995.

Protestant: Stephen H. Masland

DATED: this _____ day of _____, 1995.

Protestant: _____

DATED: this _____ day of _____, 1995.

Protestant: _____

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

RECEIVED
MAR 02 1995
WATER RESOURCES
WESTERN REGION

IN THE MATTER OF APPLICATION FOR) WITHDRAWAL OF PROTEST
PERMIT NO. 63-12144 IN THE NAME OF) AND
THE CITY OF CALDWELL) AGREEMENT OF CONDITIONS
_____)

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1. This water right is subject to all prior water rights.
2. The water right holder shall comply with the drilling permit requirements of Section 42-234, Idaho Code.
3. The well drilled to supply water for this water right shall be cased and sealed to a depth of at least 200 feet, or to a confining layer, whichever is greater. Prior to the drilling of the well to be used to supply water for this water right, the applicant shall drill a test well which is six inches in diameter which shall be drilled to the level to be used to furnish the supply water for this water right. The applicant shall furnish to the Department and to the protestants a log for that test well showing that the aquifer for the supply of water for this water right is below a confining layer relative to the protestant's aquifer. The final well to be used to supply water for this water right shall be drilled in the near vicinity to the test well, and to at least the same depth and aquifer as the test well, and the applicant shall furnish to the protestant's and the Department a well log showing the well drilled and cased to the required depth.
4. When the well construction under this water right is completed, the water right holder shall provide for the conduct of an aquifer test, subject to the approval of the Department, to determine impacts of pumping the well on nearby shallower wells. The test shall be at least forty-eight hours in duration and shall be conducted by a licensed professional engineer or geologist. Results of the test shall be provided to the Department and to all who protested the approval of this water right.

WITHDRAWAL OF PROTEST AND AGREEMENT OF CONDITIONS

RECORDED
AUG 09 1995

5. The permit holder is responsible to ensure that pumpage under this water right does not directly cause the water level to significantly decline in any domestic wells drilled and in use prior to March 29, 1978, or any irrigation well drilled and in use prior to July 1, 1953, or to cause the water level in any other well having a prior right to exceed a reasonable pumping level, unless the permit holder provides reasonable compensation or mitigation to the prior water right holder for the reduced water levels as determined by the Director.

6. The water right holder shall identify a well acceptable to the Department to be used as a monitoring well. This well is to be included if possible in the Department of Water Resources/United States Geologic Survey monitoring network for the purpose of providing long-term monitoring in the vicinity of the proposed withdrawals.

7. A totalizing flow measurement device of a type approved by the department shall be permanently installed and maintained as a part of the diverting works. This device shall be maintained by the water right holder and shall be made available to inspection by Department personnel for the purpose of long-range study and monitoring of the ground water aquifer. The water right holder shall maintain records of the amount of water diverted under this water right.

8. This water right is subject to the provisions of the Boise River Basin moratorium on new water rights, so that among other restrictions commercial and industrial uses in excess of 2500 gallons per day per site and irrigation of tracts in excess of one half acre per household are not permitted uses for water diverted under this water right.

9. The place of use of this water right is limited to the service area of the City of Caldwell.

DATED: this 28th day of February, 1995.

Applicant: *Mayor J. Law for City of Caldwell*

DATED: this _____ day of _____, 1995.

Protestant: *Troy Krantz*

DATED: this 29 day of FEB., 1995.

Protestant: _____

DATED: this _____ day of _____, 1995.

Protestant: _____

DATED: this _____ day of _____, 1995.

Protestant: _____

DATED: this _____ day of _____, 1995.

Protestant: _____

DATED: this _____ day of _____, 1995.

Protestant: _____

DATED: this _____ day of _____, 1995.

Protestant: _____

DATED: this _____ day of _____, 1995.

Protestant: _____

DATED: this _____ day of _____, 1995.

Protestant: _____

RECEIVED
MAR 02 1995
WATER RESOURCES
WESTERN REGION

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR) WITHDRAWAL OF PROTEST
PERMIT NO. 63-12144 IN THE NAME OF) AND
THE CITY OF CALDWELL) AGREEMENT OF CONDITIONS
_____)

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4. When the well construction under this water right is completed, the water right holder shall provide for the conduct of an aquifer test, subject to the approval of the Department, to determine impacts of pumping the well on nearby shallower wells. The test shall be at least forty-eight hours in duration and shall be conducted by a licensed professional engineer or geologist. Results of the test shall be provided to the Department and to all who protested the approval of this water right.

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5. The permit holder is responsible to ensure that pumpage under this water right does not directly cause the water level to significantly decline in any domestic wells drilled and in use prior to March 29, 1978, or any irrigation well drilled and in use prior to July 1, 1953, or to cause the water level in any other well having a prior right to exceed a reasonable pumping level, unless the permit holder provides reasonable compensation or mitigation to the prior water right holder for the reduced water levels as determined by the Director.

6. The water right holder shall identify a well acceptable to the Department to be used as a monitoring well. This well is to be included if possible in the Department of Water Resources/United States Geologic Survey monitoring network for the purpose of providing long-term monitoring in the vicinity of the proposed withdrawals.

7. A totalizing flow measurement device of a type approved by the department shall be permanently installed and maintained as a part of the diverting works. This device shall be maintained by the water right holder and shall be made available to inspection by Department personnel for the purpose of long-range study and monitoring of the ground water aquifer. The water right holder shall maintain records of the amount of water diverted under this water right.

8. This water right is subject to the provisions of the Boise River Basin moratorium on new water rights, so that among other restrictions commercial and industrial uses in excess of 2500 gallons per day per site and irrigation of tracts in excess of one half acre per household are not permitted uses for water diverted under this water right.

9. The place of use of this water right is limited to the service area of the City of Caldwell.

DATED: this _____ day of _____, 1995.

Applicant: _____

DATED: this 23 day of Feb., 1995.

Protestant: *John Brown*

DATED: this _____ day of _____, 1995.

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Protestant: _____

DATED: this _____ day of _____, 1995.

Protestant: _____

DATED: this _____ day of _____, 1995.

Protestant: _____

DATED: this _____ day of _____, 1995.

Protestant: _____

DATED: this _____ day of _____, 1995.

Protestant: _____

DATED: this _____ day of _____, 1995.

Protestant: _____

DATED: this _____ day of _____, 1995.

Protestant: _____

DATED: this _____ day of _____, 1995.

Protestant: _____

AUG 09 1995

PROTESTANTS

APPLICANT

459-4368 TROY &/OR LESLIE KRANTZ ✓
5606 S INDIANA
CALDWELL ID 83605

509 488 - NIEL J NIELSEN ✓
3 993 PO BOX 603
OTHELLO WA 99344

459-4291 JODY &/OR DOROTHY BROWN ✓
and. mach. 4515 S INDIANA AVE
CALDWELL ID 83605

459 - 8073 STEPHEN W &/OR RUTH M MARSHALL ✓
1824 FILLMORE
CALDWELL ID 83605

459-9420 E E &/OR JESSIE ESKEW ✓
4812 S INDIANA
CALDWELL ID 83605

459-3535 ^{for} GARY/JUDY A ESKEW ✓
5315 S 10TH
CALDWELL ID 83605

454-1828 L D WREN PRES ✓
RENCO INC
4512 S FLORIDA
CALDWELL ID 83605

459-8526 LILBURN & IRENE COOPER ✓
1924 E USTICK RD
CALDWELL ID 83605

459-1988 LEROY A NIELSEN ✓
4520 E HOMEDALE RD
CALDWELL ID 83605

CITY OF CALDWELL
621 CLEVELAND BLVD
CALDWELL ID 83605

Jim Keller
545 Benjamin Lane Suite 185
Boise Id 83704

Herbert W. Rettig Esq. (counsel)
P.O. Box 79
Caldwell, ID 83606

RECORDED
AUG 09 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 11, 1995

Distribution: Protestants

RE: Application for Permit No. 63-12144 in the name of the
City of Caldwell

Dear Protestant:

At the water right conference in the above-referenced matter held on November 28, 1994, we discussed conditions of approval that would address the concerns of the protestants. I agreed to assemble conditions that the Department would consider to be appropriate in this matter, have them reviewed by the City of Caldwell, and distribute them to protestants for review.

Accordingly, please find enclosed a copy of a document entitled "Withdrawal of Protest and Agreement of Conditions", which has been signed by Gordon Law, P.E. as a representative of the City of Caldwell. If you find these conditions to be acceptable, please sign the document and return it in the enclosed stamped, self-addressed envelope. If you do not find the conditions to be acceptable, please contact me immediately to identify your concerns.

If signed withdrawals are received from all protestants by January 24, 1995, no hearing in this matter will be needed and I will forward the application to our state office for processing with this list of conditions. If we do not receive the withdrawals from all protestants by that date, we will have to schedule a water right hearing in this matter, which will probably be held on February 3, 1995 at 10:00 am in Caldwell. In this event, none of the conditions to which the City of Caldwell has agreed will be binding and we will take a fresh look at potential conditions.

Please feel free to contact me at 334-2190 if you have any questions about this procedure.

Sincerely,

David R. Tuthill, Jr., P.E.
Manager, Western Regional Office

AUG 09 1995

Enclosures: Withdrawal of Protest and Agreement of Conditions
Stamped, Self-Addressed Envelope for each Protestant

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

RECEIVED

JAN 06 1995

WATER RESOURCES
WESTERN REGION

IN THE MATTER OF APPLICATION FOR)	WITHDRAWAL OF PROTEST
PERMIT NO. 63-12144 IN THE NAME OF)	
THE CITY OF CALDWELL)	AND
)	AGREEMENT OF CONDITIONS
)	

The undersigned applicant agrees to abide by the following conditions which will be made a part of the permit issued based on the above-referenced application for permit. Accordingly, the undersigned protestant agrees to withdraw the protest to the approval of this application.

1. This water right is subject to all prior water rights.
2. The water right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. The well drilled to supply water for this water right shall be cased and sealed to a depth of at least 200 feet, or to a confining layer, whichever is greater.
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AUG 09 1995

the prior water right holder for the reduced water levels as determined by the Director.

6. The water right holder shall identify a well acceptable to the Department to be used as a monitoring well. This well is to be included if possible in the Department of Water Resources/United States Geologic Survey monitoring network for the purpose of providing long-term monitoring in the vicinity of the proposed withdrawals.

7. A totalizing flow measurement device of a type approved by the department shall be permanently installed and maintained as a part of the diverting works. This device shall be maintained by the water right holder and shall be made available to inspection by Department personnel for the purpose of long-range study and monitoring of the ground water aquifer. The water right holder shall maintain records of the amount of water diverted under this water right.

8. This water right is subject to the provisions of the Boise River basin moratorium on new water rights, so that among other restrictions commercial and industrial uses in excess of 2500 gallons per day per site and irrigation of tracts in excess of one half acre per household are not permitted uses for water diverted under this water right.

9. The place of use of this water right is limited to the service area of the City of Caldwell.

DATED this 4th day of January, 1995

Applicant: Lynda A. Law, P.E. (City Engineer)
City of Caldwell, Id.

DATED this _____ day of _____, 199__

Protestant: _____

RECEIVED
AUG 09 1995

January 11, 1995

Distribution: Protestants

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Manager, Western Regional Office

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Stamped, Self-Addressed Envelope for each Protestant

RECEIVED
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BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

RECEIVED

JAN 06 1995

WATER RESOURCES
WESTERN REGION

IN THE MATTER OF APPLICATION FOR	)	WITHDRAWAL OF PROTEST
PERMIT NO. 63-12144 IN THE NAME OF	)	AND
THE CITY OF CALDWELL	)	AGREEMENT OF CONDITIONS

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JAN 09 1995

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Applicant: Lynda A. Law, P.E. (City Engineer)
City of Caldwell, Id.

DATED this _____ day of _____, 199__

Protestant: _____

RECORDED
AUG 09 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 30, 1994

Gordon N. Law, P.E., City Engineer
City of Caldwell
P.O. Box 1177
Caldwell, ID 83606-1177

RE: Proposed Withdrawal of Protest and Agreement of Conditions for
Protested Application of Permit No. 63-12144

Dear Mr. Law:

I have received your letter dated December 29, 1994, in which you expressed some comments about the initial draft of the above-referenced document. I will respond to your comments at this time to enable the City of Caldwell to consider this response in determining whether or not to sign the document.

1. The significance of the date of March 28, 1978, relative to domestic wells, is that this is the date the law went into effect which made domestic wells subject to reasonable pumping depth considerations. According to the Idaho Supreme Court in the decision of Parker v. Wallentine, domestic wells drilled prior to that date were not subject to the reasonable pumping level considerations. I am not aware of any newly proposed legislation in this regard.

2. To my understanding, most wells utilized by municipalities are equipped with totalizing flow measuring devices. If this is not the case for the proposed well, please advise and we can consider adjusting this requirement.

3. While the 2500 gallon per day per commercial or industrial user restriction may be impractical for a municipality, this restriction does allow for some use while on the other hand irrigation users cannot receive approved water rights in the moratorium area. The moratorium is presently being reviewed, and it may or may not be modified. If it is modified, the permit holder can request a change in this condition of approval.

4. Presently our files show that more than 4,000 wells in the Boise River Basin have uses in excess of single household domestic uses. Many of these uses are for supplemental irrigation water supplies on land that receives water from canals which divert from the Boise River. Many irrigators have found that these wells are economically viable in order to provide an assured water supply in a basin that has a high potential for periodic shortages in river water supplies. The irrigator who has a Boise River surface water

AUG 09 1995

Page 2

supply normally has to pay the annual assessments whether or not the water is used. Thus, in most situations there is an economic incentive to use the surface water fully before ground water is pumped. A water user does, however, in most cases have the option to select the source from which the water is to be provided.

These responses will provide at least an initial snapshot regarding our positions in these issues. If based on these responses the withdrawal form appears to be acceptable, please have the withdrawal signed by the appropriate City of Caldwell official and return it to this office. We will then distribute copies of the signed document to the protestants to see if the protests can be resolved in this manner, while providing a hearing date of February 3, 1994, in case withdrawals of the protests are not received.

Sincerely,



David R. Tuthill, Jr., P.E.
Manager, Western Regional Office

cc: James Keller

Enclosure

RECEIVED
AUG 09 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)	WITHDRAWAL OF PROTEST
PERMIT NO. 63-12144 IN THE NAME OF)	AND
THE CITY OF CALDWELL)	AGREEMENT OF CONDITIONS
_____)	

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AUG 8 5 1978

the prior water right holder for the reduced water levels as determined by the Director.

6. The water right holder shall identify a well acceptable to the Department to be used as a monitoring well. This well is to be included if possible in the Department of Water Resources/United States Geologic Survey monitoring network for the purpose of providing long-term monitoring in the vicinity of the proposed withdrawals.

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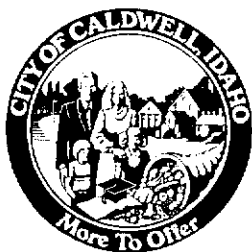
DATED this _____ day of _____, 199__

Applicant: _____

DATED this _____ day of _____, 199__

Protestant: _____

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AUG 9 1995



Office of City Engineer
&
Public Works Director

RECEIVED

DEC 30 1994

WATER RESOURCES
WESTERN REGION

GORDON N. LAW, P.E.

December 29, 1994

CITY OF CALDWELL

City of Caldwell
P. O. Box 1177
Caldwell, Idaho 83606-1177
BUS. 208/455-3006

621 Cleveland Blvd.
Caldwell, Idaho 83605
PHONE (208) 455-3000
FAX (208) 455-3003

Mr. David Tuthill *DM*
C/O Idaho Dept. of Water Resources, Western Region
2735 Airport Way
Boise, ID 83705-5082

Re: Conditions for Permit No. 63-12144; City of Caldwell

Dear Mr. Tuthill;

I have received and reviewed your proposed conditions for issuance of Permit No. 63-12144. We find your proposed conditions largely in agreement with your intent expressed at the preliminary hearing. The City has no specific objection to these conditions.

The City of Caldwell does have some general comments for your consideration.

1. It is noted that domestic wells in use prior to March 29, 1975 have a "water level right" that far exceeds that available to later domestic diversions. (See Item 5 of Agreement of Conditions) The City feels that the pre-1978 "water level right" is inappropriate and ought to be modified to be consistent with the post-1978 "reasonable pumping level" criteria. We hope that DWR is actively promoting such a change to the Idaho Legislature.
2. Item 7 requires the City to provide a "totalizing flow measurement device" as part of the well equipment. The City has no objections to this condition but would suggest that, in fairness, the protestants with non-domestic diversions be placed under the same requirement.
3. Item 8 places a restriction of 2500 gallons per day for industrial use from this water right and bases the condition on the Boise River Basin moratorium. The City understands that consideration is being given to modifying the conditions of the moratorium. The City suggests that the language of Item 8 be changed to allow this water right to take advantage of any relaxation in moratorium conditions. We also think the 2500 gallon per day industrial restriction is impractical for a municipality.

AUG 09 1995

..A page 2

4. The City has some concern that several of the protestants have groundwater rights for irrigation in addition to long-standing surface rights. In all but the rarest years, the surface rights are more than adequate to take care of irrigation. We do not object to emergency appropriations of water in time of drought, but do question the wisdom of allowing double appropriations for agricultural use at other times.

Again, this letter is provided only by way of comment and should not be construed as an objection to your suggested conditions for issuance of a water right. We do reserve, however, the right to raise these issues at the formal hearing if one proves necessary.

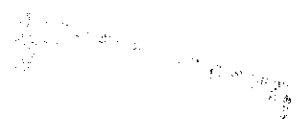
Sincerely,


Gordon N. Law, P.E.
City Engineer

GNL/js

cc: Mayor Richard Winder
Vaughn Heinrich
James Keller
Gary Shoemaker
File:

Attachment: "Withdrawal of Protest and Agreement of Conditions"


AUG 08 1995

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DEC 30 1994

WATER RESOURCES
WESTERN REGIONBEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)	WITHDRAWAL OF PROTEST
PERMIT NO. 63-12144 IN THE NAME OF)	AND
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AUG 6 9 1995

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DATED this _____ day of _____, 199__

Applicant: _____

DATED this _____ day of _____, 199__

Protestant: _____

AUG 09 1995

City of Caldwell

63-12144

Conference on 28 Nov 94

notes by

D. Tuttle

Jim Keller - Representing City of Caldwell / Vallivue School District

Well to be sealed to 200' min

Found: 0-30' to 60' sand/gravel

then, alternating clay layers

Expectation: find water @ 350'-500'

Notes from protestants: - some wells are not shown on Exhibit 1

- some data are questionable

- average depth of closest wells: 60 feet

Gordon Law - City Engineer for City of Caldwell

City has been drilling large diameter municipal wells since 1945

City has drilled through Boise L. alluvium, thru aquitards, into deeper aquifers. Pumpage has not seemed to create cones of depression in the surface alluvium

Anderson & Kelly has assessed ^(in 1982) gw supply in Caldwell. They found that the available supply would be sufficient for 20 yrs at least. Irrigation water from surface sources has been encouraged for at least 2 years.

Area is zoned for redevelopment - lies within ~~the~~ ^{the} area of the city.

AUG 09 1995

Protestants - concerned about economic impact of potentially
lowered water table

Pump only pumps 25' for irrigation

Shut out withdrawal of protest proposal

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AUG 09 1995

City of Caldwell Wtr Rt Conference 63-12144
1:00 PM Caldwell Library, 11/28/1994

<u>Name</u>	<u>Representing</u>
Ruth Marshall	Protestant
Stephen W. Marshall	"
Jim Keller	Respondent
Gordon Law	RESPONDENT
Leroy Nielsen	protestant
Niet Nielsen	protestant
Hojo Krantz	PROTESTANT
Ray Eskew	PROTESTANT
Leslie Eskew	protestant
Rene Cooper	Protestant
Lilburn Cooper	Protestant
W W W (Rene Inc)	PROTESTANT
Nancy Shemake	Respondent
Ingulf Heinrich	Respondent
Steve Woodard	Respondent
Bruce Muir	respondent
Bob Ryan	Observer

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AUG 09 1995

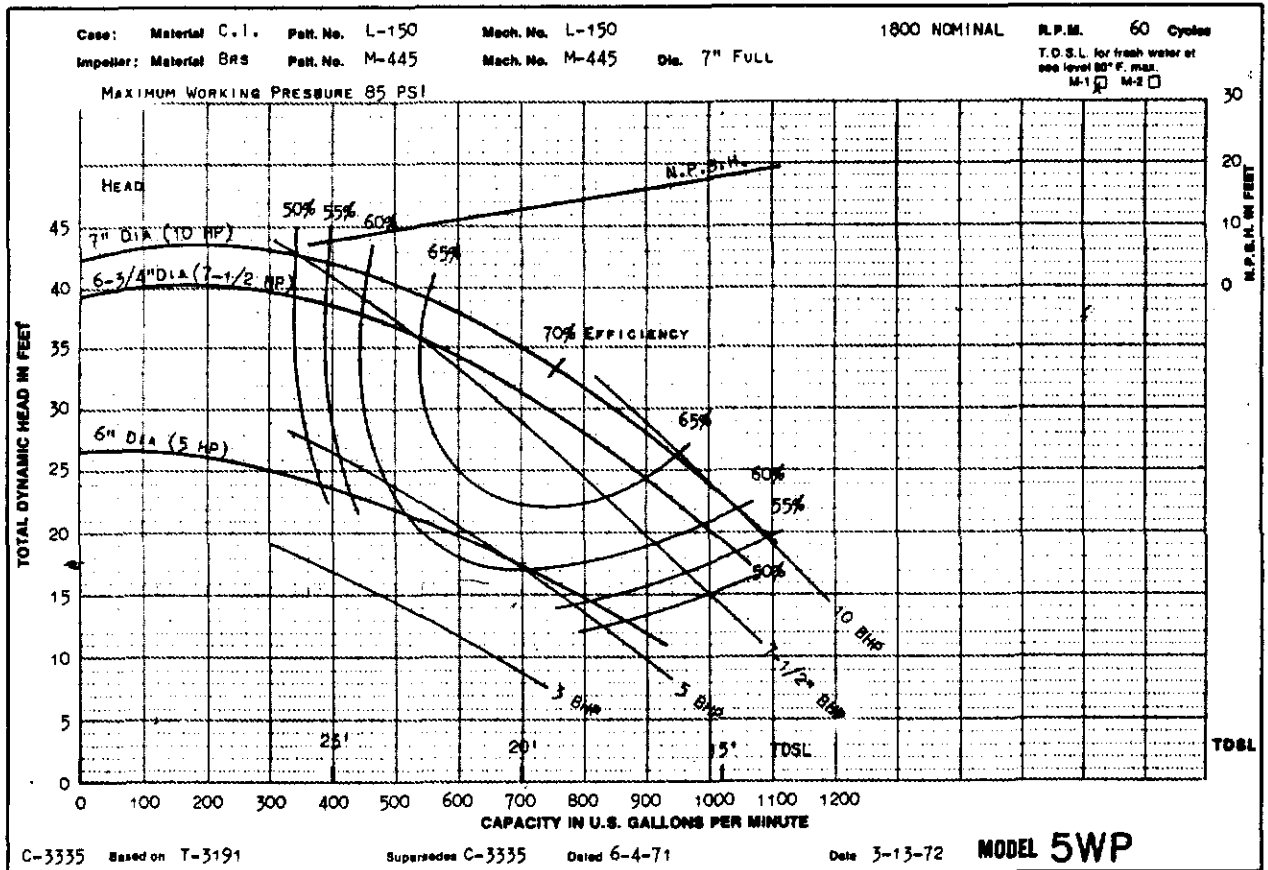
BERKELEY PUMPS

CURVE 4075
DATE 9-1-87
PAGE 10.05



TYPE "A" RATING CURVES MOTOR DRIVE

SUPERSEDES
Curve 4085 Page 12.01
Dated 6-1-72



AUG 09 1995

RESPONSE TO PROTESTS ON PERMIT NO. 63-12144

RESPONDENT: City of Caldwell
by Gordon N. Law, P.E.
City Engineer

Date: November 28, 1994

The City of Caldwell is pleased to provide comments on a proposed municipal well in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, Township 3N, Range 3W. The City is listed as the water right applicant for Permit No. 63-12144 and herewith responds to the objections of nine protestants of record.

In our response, we note that the protestants as a whole were concerned that the proposed well would adversely affect their water supplies. In addition the protestants objected to the location of a "municipal" well in an "agricultural" area and further stated that the Canyon County Planning and Zoning Commission intended that no "commercial" wells be drilled in the area.

The City does not agree with the contentions of the protestants. The City has followed a deliberate policy of drilling wells to depths and into formations that do not effect the near surface users. It is our intent to continue this policy.

When the City began drilling large diameter municipal wells in 1945, the intent was to tap groundwater supplies independent of the source of near-surface domestic wells in existence at the time.

AUG 09 1995

Virtually all of the domestic wells at the time were drilled into the alluvial deposits of the ancestral Boise River. The City chose to drill through the Boise River alluvium, through one or more aquitards, and into the deeper permeable sediments of the Idaho formation.

In developing the wells, the upper alluvium were cased out. It was found that the deeper aquifer was in an artesian condition while the upper formation tended to be under water-table conditions. According to the former long-time City Engineer, Mel Lewis, pumping in the deeper wells did not create a cone of depression in the Boise River Formation. In general, limiting City water to formations at MSL+2090 and lower has been protective of the upper aquifer.

Since 1945, the City has tended to grow southward and four deep wells were added to the municipal system in these newly developed areas. The producing zones of these wells exhibited the same production characteristics at the same depths as the older wells in the original townsite. It is the opinion of the City that the same aquifer formations extend into and under the site proposed for this new well.

In 1982, the City of Caldwell commissioned the engineering firm, CH2M/Hill, to prepare a Water System Plan. As part of the study, the firm Anderson & Kelly were asked to "assess the past, present

and future ground-water supply potential for Caldwell." Their conclusion, after examining seasonal water level fluctuations was that "the available recharge will be sufficient to continue to meet projected water requirements for at least the next 20 years and probably much beyond that time."

It was projected in the 1982 study that the City would need to add four more wells by the year 2002. Since that time, the City has drilled one new well (No. 14) and has plans for two more (including this proposed one). It is uncertain at this point whether the fourth well will be needed before the end of the planning period. One policy of the City that has tended to reduce the demand for new water supplies is that new subdivisions are encouraged to provide irrigation water from surface sources rather than from potable supplies. All new subdivisions in the last two years in Caldwell have complied with this policy.

One additional factor of importance to this protest is that the protestants wells do not penetrate into the Idaho group of formations. Experience has shown that the water supply of the protestants is distinct from the intended water source of the City. While the City understands the protestants concerns, it certainly feels they are unfounded in this instance. It could even be concluded that the protestants have more to fear from each others wells than they do from this proposed City well.

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The protestants contention that a municipal well has no place in an agricultural area may not need response from the City but we will comment by informing the Department of Water Resources that the "area" referred to is in the impact area for the City, that it is zoned for residential development, that the site for the well is in the process of annexation, and that the well site lies between the proposed Vallivue High School site and a 200 acre parcel in process of platting for residential development.

The contention of the protestants that the Canyon County Planning and Zoning Commission intended that no wells be drilled in the area is, to our knowledge, unfounded. It would seem, regardless of the circumstances, to be an issue outside the normal auspices of Department of Water Resources and should logically be directed to the Canyon County Planning and Zoning Commission if the issue of "land use" is at question here.

With the foregoing information at hand, the City of Caldwell would like to summarize and fulfill their statutory requirements as defined in Section 42-203A (Idaho Code) relative to this water right application.

- a) Will the proposed use reduce the quantity of water under existing water rights?

Response: The City diverts water from an aquifer source distinct and separate from that used by the protestants. History and an analysis of

existing well logs has shown this assertion to be correct and the City intends to develop this new well in the same manner and to similar depths that experience has shown is protective of upper aquifer diversions.

- b) Is the supply sufficient for the purpose for which it is sought to be appropriated?

Response: The 1982 City Water study concluded that the recharge rate of the deep aquifer was sufficient to take care of all the city wells in existence at the time of the study, plus four additional wells by the year 2002, and implied that its ultimate potential is, in all probability, much greater than that. Since 1982, the City has developed only one of the four planned wells, meaning that this proposed diversion is within the scope of the conclusion of the 1982 study.

- c) Is the proposed diversion made in good faith or for delay or speculative purposes?

Response: The City has invested considerable effort into water supply planning so that it is known when

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additional water supplies are needed and how much needs to be diverted. This proposed diversion is consistent with the City Water Plan and thus the request is submitted in "good faith".

- d) Does the applicant have sufficient financial resources to complete the proposed project?

Response: The Caldwell municipal water department has an annual average capital expenditure budget of \$300,000 - \$400,000. The cost of developing this well is estimated to be \$175,000 and consequently is well within the capabilities of the City.

- e) Is the proposed appropriation in the local public interest?

Response: In accordance with the provisions of the Local Planning Act (Title 67, Chapter 65, Idaho Code), the area in which this proposed well is located is designated for residential and associated services development. The availability of a clean and sustainable

RECEIVED
AUG 09 1995

potable water supply has always been of the greatest importance to residential and business development and certainly "in the local public interest".

- f) Is the proposed use contrary to conservation of water resources within the State of Idaho?

Response: The present policy of the City is to discourage the use of potable water for non-potable purposes such as lawn watering. We encourage property owners to retain and use their surface water rights whenever possible. The benefits of this program are two-fold in that limited pristine waters are not wasted and the surface irrigation distribution system is maintained to perform its primary role of supplying irrigation water to surrounding property and its secondary role of recharging the aquifer.

The City feels that the above information is sufficient to justify the issuance of a water right for the quantity specified and for the use indicated in the "Application For Permit".

PLANNING DEPARTMENT
AUG 09 1995

P 311 711 715



Receipt for Certified Mail

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to <i>City of Caldwell</i>		
Street and No. <i>621 Cleveland Blvd</i>		
P.O., State and ZIP Code <i>Caldwell 83605</i>		
Postage:	<i>22</i>	\$
Certified Fee	<i>00</i>	
Special Delivery Fee	<i>00</i>	
Restricted Delivery Fee	<i>00</i>	
Return Receipt Showing to Whom & Date Delivered		
Return Receipt Showing to Whom, Date, and Addressee's Address		
TOTAL Postage & Fees		\$ <i>229</i>
Postmark or Date		

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).**

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address *leaving the receipt attached* and present the article at a post office service window or hand it to your rural carrier (no extra charge).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article *by means of the gummed ends if space permits*. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want *delivery restricted to the addressee, or to an authorized agent of the addressee*, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

☆ U.S. GPO: 1991—302-916

P 311 711 706



**Receipt for
Certified Mail**

No Insurance Coverage Provided

JODY &/OR DOROTHY BROWN
4515 S INDIANA AVE
CALDWELL ID 83605

Postage	\$
Certified Fee	3.00
Special Delivery Fee	0.00
Restricted Delivery Fee	6.95
Return Receipt Showing to Whom & Date Delivered	5.00
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$ 22.95

Postmark or Date

PS Form 3800, June 1991

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).**

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6. Save this receipt and present it if you make inquiry.

☆ U.S. GPO: 1991-302-916

P 311 711 709



Receipt for Certified Mail

No Insurance Coverage Provided

STEPHEN W &/OR RUTH M MARSHALL
1824 FILLMORE
CALDWELL ID 83605

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$ 2.29

Postmark or Date

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
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6. Save this receipt and present it if you make inquiry.

☆ U.S. GPO: 1991-302-916

P 311 571 965



**Receipt for
Certified Mail**

No Insurance Coverage Provided

**TROY &/OR LESLIE KRANTZ
5606 S INDIANA
CALDWELL ID 83605**

Postage

\$

Certified Fee

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing
to Whom & Date Delivered

Return Receipt Showing to Whom,
Date, and Addressee's Address

TOTAL Postage
& Fees

\$2.29

Postmark or Date

AUG 09 1995

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
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6. Save this receipt and present it if you make inquiry.

☆ U.S. GPO: 1991-302-916

P 311 711 711



Receipt for Certified Mail

No Insurance Coverage Provided

GARY JUDY A ESKEW
5315 S 10TH
CALDWELL ID 83605

PS Form 3800, June 1991

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$ 22.9
Postmark or Date	

AUG 08 1995

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).**

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6. Save this receipt and present it if you make inquiry.

☆ U.S. GPO: 1991 — 302-916

P 311 579 626



Receipt for Certified Mail

No Insurance Coverage Provided

NIEL J NIELSEN
PO BOX 603
OTHELLO WA 99344

Postage	AUG 09 1991	\$
Certified Fee		
Specia. Delivery Fee		
Restricted Delivery Fee		
Return Receipt Showing to Whom & Date Delivered		
Return Receipt Showing to Whom, Date, and Addressee's Address		
TOTAL Postage & Fees		\$ 2.29

Postmark or Date

PS Form 3800, June 1991

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).**

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6. Save this receipt and present it if you make inquiry.

☆ U.S. GPO: 1991-302-916

P 311 711 712



**Receipt for
Certified Mail**

No Insurance Coverage Provided

L D WREN PRES
RENCO INC
4512 S FLORIDA
CALDWELL ID 83605

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$ 2.29

Postmark or Date

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
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5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

P 311 711 713



Receipt for Certified Mail

No Insurance Coverage Provided

LILBURN & IRENE COOPER
1924 E USTICK RD
CALDWELL ID 83605

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$ 2.29
Postmark or Date	

PS Form 3800, June 1991

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
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6. Save this receipt and present it if you make inquiry.

☆ U.S. GPO: 1991-302-916

P 311 711 710

**Receipt for
Certified Mail**

No Insurance Coverage Provided

E E &/OR JESSIE ESKEW
4812 S INDIANA
CALDWELL ID 83605

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$ 2.29

Postmark or Date

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5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

P 311 711 714



**Receipt for
Certified Mail**

No Insurance Coverage Provided

**LEROY A NIELSEN
4520 E HOMEDALE RD
CALDWELL ID 83605**

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$ <u>2.29</u>

Postmark or Date

PS Form 3800, June 1991

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).**

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5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, *check the applicable blocks in item 1 of Form 3811.*
6. Save this receipt and present it if you make inquiry.

☆ U.S. GPO: 1991-302-916

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

CITY OF CALDWELL
621 CLEVELAND BLVD
CALDWELL ID 83605

4a. Article Number

P 311 711 715

4b. Service Type

- | | |
|--|---|
| ☐ Registered | ☐ Insured |
| ☐ Certified | ☐ COD |
| ☒ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

11/19

5. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

Chris Adams

UNITED STATES POSTAL SERVICE



Official Business

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



RECEIVED

NOV 15 1994

WATER RESOURCES
WESTERN REGION

PAID 0.00

AUG 09 1995

Print your name, address and ZIP Code here

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

06



SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
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65-12144

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

505 60 951

LEROY A NIELSEN
4520 E HOMEDALE RD
CALDWELL ID 83605

4a. Article Number

P 311 711 714

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

11/14

5. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

+Lola Nielsen

UNITED STATES POSTAL SERVICE

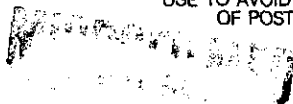


Official Business

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



RECEIVED
NOV 15 1994
WATER RESOURCES
WESTERN REGION



AUG 09 1995

Print your name, address and ZIP Code here

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83706

06



SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
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I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

LILBURN & IRENE COOPER
1924 E USTICK RD
CALDWELL ID 83605

4a. Article Number

5661 6 0 907 P 311 711 713

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

11/12/94

5. Signature (Addressee)

Irene Cooper

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

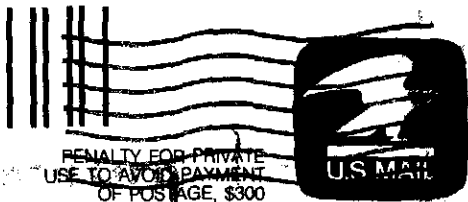
UNITED STATES POSTAL SERVICE

Official Business

RECEIVED

NOV 14 1994

WATER RESOURCES
WESTERN REGION



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300

AUG 09 1995

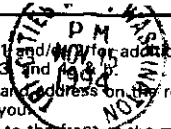
Print your name, address and ZIP Code here

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and 2 for additional services.
- Complete items 3 and 4.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.



KENNEWICK
PASCO
RICHLAND

I also wish to receive the following services (for an extra fee):

☐ Addressee's Address

☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

NIEL J NIELSEN
PO BOX 603
OTHELLO WA 99344

4a. Article Number

P311 579 626

4b. Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

11-14-94

5. Signature (Addressee)

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

~~*4681-TR2~~
UNITED STATES POSTAL SERVICE



99301 PASCO WA 22:02 11/14/94

Official Business

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



RECEIVED

NOV 17 1994

WATER RESOURCES
WESTERN REGION

AUG 09 1995

Print your name, address and ZIP Code here

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

B6



Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

6-1214
I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

STEPHEN W &/OR RUTH M MARSHALL
1824 FILLMORE
CALDWELL ID 83605

4a. Article Number

P 311 711 709

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

[Handwritten signature]

5. Signature (Addressee)

11 12 94

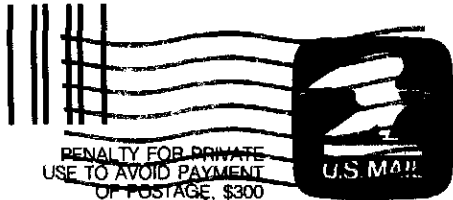
6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE

Official Business



RECEIVED

NOV 14 1994

WATER RESOURCES
WESTERN REGION

AUG 09 1995

Print your name, address and ZIP Code here

DEPARTMENT OF WATER RESOURCES

2735 AIRPORT WAY

BOISE, IDAHO 83705



Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
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I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

JODY &/OR DOROTHY BROWN
4515 S INDIANA AVE
CALDWELL ID 83605

4a. Article Number

P 311 711 706

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery NOV 16 1994

5. Signature (Addressee)

Dorothy Brown

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

11-16-2012
UNITED STATES POSTAL SERVICE

Official Business

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NOV 17 1994
WATER RESOURCES
WESTERN REGION



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300

Missoula, MT

AUG 09 1995



Print your name, address and ZIP Code here

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

06



Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

63-12144

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

L D WREN PRES
RENCO INC
4512 S FLORIDA
CALDWELL ID 83605

NOV 6 1994

4a. Article Number

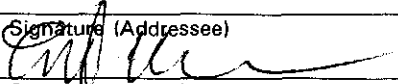
4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

P 311 711 712

5. Signature (Addressee)



6. Signature (Agent)

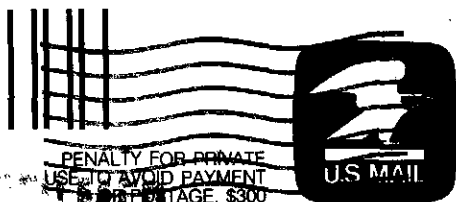
8. Addressee's Address (Only if requested and fee is paid)

11/12/94

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE

Official Business



RECEIVED

NOV 14 1994

AUG 09 1995

WATER RESOURCES
WESTERN REGION

Print your name, address and ZIP Code here

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

12/14/91

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

TROY &/OR LESLIE KRANTZ
5606 S INDIANA
CALDWELL ID 83605

4a. Article Number

P 311 571 965

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

5. Signature (Addressee)

Leslie Krantz

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

1 1-7-94 2214
UNITED STATES POSTAL SERVICE



Official Business

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE \$300



RECEIVED

NOV 18 1994

WATER RESOURCES
WESTERN REGION

AUG 09 1995

Print your name, address and ZIP Code here

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

63-12144

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

GARY JUDY A ESKEW
5315 S 10TH
CALDWELL ID 83605

4a. Article Number

P 311 711 711

4b. Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

NOV 14 1994

5. Signature (Addressee)

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

There is no charge for Using First-Class Mail Service.

UNITED STATES POSTAL SERVICE

Official Business

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



AUG 09 1995

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NOV 15 1994

WATER RESOURCES
WESTERN REGION

Print your name, address and ZIP Code here

DEPARTMENT OF WATER RESOURCES

2735 AIRPORT WAY
BOISE, IDAHO 83705

06



SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

63-12144
I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

E E &/OR JESSIE ESKEN
4812 S INDIANA
CALDWELL ID 83605

4a. Article Number

P 311 711 710

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

NOV 14 1994

5. Signature (Addressee)

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

UNITED STATES POSTAL SERVICE



Official Business

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



RECEIVED

NOV 15 1994

WATER RESOURCES
WESTERN REGION

AUG 09 1995

Print your name, address and ZIP Code here

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

06



BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 63-12144 IN THE)
NAME OF CITY OF CALDWELL)

NOTICE OF CONFERENCE

On September 2, 1994, the City of Caldwell filed with the Department of Water Resources an application for permit to appropriate the public waters of the State of Idaho. The application was protested by the persons on the attached list.

The Department has set the matter of protest for a conference to be held on Monday, November 28, 1994, at 1:00 p.m., in the Caldwell Public Library, 1010 Dearborn, Caldwell, Idaho 83605. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 40 and 45 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present information and argument on all issues involved.

Dated this 10th day of November, 1994.

Steve Lester, Water Right Supervisor for
DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

AUG 09 1995

I hereby certify that on the 10th day of November, 1994, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

Sue Taylor
Sue Taylor
Secretary

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AUG 09 1995

PROTESTANTS

TROY &/OR LESLIE KRANTZ
5606 S INDIANA
CALDWELL ID 83605

NIEL J NIELSEN
PO BOX 603
OTHELLO WA 99344

JODY &/OR DOROTHY BROWN
4515 S INDIANA AVE
CALDWELL ID 83605

STEPHEN W &/OR RUTH M MARSHALL
1824 FILLMORE
CALDWELL ID 83605

E E &/OR JESSIE ESKEW
4812 S INDIANA
CALDWELL ID 83605

GARY JUDY A ESKEW
5315 S 10TH
CALDWELL ID 83605

L D WREN PRES
RENCO INC
4512 S FLORIDA
CALDWELL ID 83605

LILBURN & IRENE COOPER
1924 E USTICK RD
CALDWELL ID 83605

LEROY A NIELSEN
4520 E HOMEDALE RD
CALDWELL ID 83605

APPLICANT

CITY OF CALDWELL
621 CLEVELAND BLVD
CALDWELL ID 83605

Jim Keller
545 Benjamin Lane Suite 185
Boise Id 83704

PROCESSED
AUG 09 1995

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR PERMIT

Section 42-203A, Idaho Code, requires the department to consider the following issues in connection with an application for permit:

- 1) Will the proposed appropriation injure other water rights?
- 2) Is the proposed water supply sufficient for the purpose for which it is sought to be appropriated?
- 3) Was the application made in good faith or for delay or speculative purposes?
- 4) Does the applicant have sufficient financial resources with which to complete the proposed project?
- 5) Is the proposed appropriation in the local public interest, which is defined as the affairs of the people in the area directly affected by the proposed use?
- 6) Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The Applicant has the initial burden of proof on issues 1, 2, 3, 4, & 6 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

CONFERENCE

The purpose of a prehearing conference is to provide the opportunity for the parties and the department to familiarize

AUG 8 9 1995

themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement offers, schedule hearings, establish procedure at hearings and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon request and the payment of the cost of reproducing the tape.

The hearing likely will be conducted by a hearing officer appointed by the Director rather than the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director.

Parties may by written stipulation waive their right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing please advise the department within ten (10) days prior to the hearing.

RECEIVED
AUG 09 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 19, 1994

To: Protestants on the Attached List

Re: Application for Permit No. 63-12144 in the Name of City of Caldwell

Dear Protestants:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference. At such a conference, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

If this office can be of further assistance, please contact us.

Sincerely,

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT/st

AUG 09 1995

TROY &/OR LESLIE KRANTZ
5606 S INDIANA
CALDWELL ID 83605

NIEL J NIELSEN
PO BOX 603
OTHELLO WA 99344

JODY &/OR DOROTHY BROWN
4515 S INDIANA AVE
CALDWELL ID 83605

STEPHEN W &/OR RUTH M MARSHALL
1824 FILLMORE
CALDWELL ID 83605

E E &/OR JESSIE ESKEW
4812 S INDIANA
CALDWELL ID 83605

GARY JUDY A ESKEW
5315 S 10TH
CALDWELL ID 83605

L D WREN PRES
RENCO INC
4512 S FLORIDA
CALDWELL ID 83605

LILBURN & IRENE COOPER
1924 E USTICK RD
CALDWELL ID 83605

LEROY A NIELSEN
4520 E HOMEDALE RD
CALDWELL ID 83605

ALC 09 1905



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 19, 1994

CITY OF CALDWELL
621 CLEVELAND BLVD
CALDWELL ID 83605

Re: Application for Permit No. 63-12144

Dear Applicant:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to the above-referenced application. The Department suggests that you contact the protestant(s) and attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for a conference. At such a conference, the following are the principle items the Department will review (per Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

Please contact this office if you have questions regarding this procedure.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

Enclosure: Copy of protest(s)

RECEIVED

AUG 09 1995

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES NOTICE OF PROTEST

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, 42-222 and 42-224, Idaho Code. The department will also accept a timely protest not completed on this form if it contains all necessary information.

1. Matter being protested 63-12144 CITY OF CALDWELL
2. Name of protestant TROY +/OR LESLIE KRANTZ
3. Protestant's representative for service (If different than protestant)

4. Service mailing address 5606 So INDIANA, CALDWELL, ID 83605
5. Service telephone no. 208-459-4368
6. Basis of protest (including statement of facts and law upon which the protest is based) _____
WE HAVE A SHALLOW RESIDENTIAL WELL ON OUR PROPERTY THAT IS
ABOUT 1/4 MILE FROM THE SCHOOL. WE ARE CONCERNED THAT THIS
LARGE CITY WELL COULD LOWER THE WATER TABLE BELOW OUR WELL
DEPTH. WE HAD TO DRILL THIS WELL IN 93 DUE TO THE WATER TABLE DROPPING
SEE ATTACHMENT
 (additional pages may be attached to describe the nature of the protest)
7. What would resolve your protest? LOCATE THE WELL IN AN AREA WITHOUT PRIVATE
WELLS. IF THIS CITY WELL IS DRILLED AT THIS LOCATION AND DOES AFFECT OUR WELL,
THEN OUR WELL SHOULD BE REPLACED WITH EQUAL OR GREATER WATER PRODUCTION AT NO COST
TO US.

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 10TH day of OCTOBER, 19 94.

Troy Krantz
 PROTESTANT

PROTESTANT'S REPRESENTATIVE

AUG 09 1995

NOTE:

- a) Not more than two (2) representatives for service of documents may be designated on a protest. If this protest is signed by more than one person without identifying the representative(s) for service of documents, the hearing officer may select the person(s) upon whom documents will be served.
- b) A protestant is required to timely file a protest with the department together with a \$25.00 protest fee in order for the protest to be considered by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

INSTRUCTIONS

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. _____ in the name of _____" or "Application for Transfer No. _____ in the name of _____."
2. Show the name of the protestant.
3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.
4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
6. Specifically describe the nature of the protest.
7. Describe the relief being sought by the protestant.

FOR DEPARTMENT USE ONLY

Received by VR Date 10-11-94 Time 1:30

\$25.00 fee Receipted by VR # W018227 Date 10-11-94

RECEIVED

AUG 0 9 1995

IN OUR ORIGINAL WELL, WE DO NOT WISH TO DRILL ANOTHER.
THE CANYON COUNTY PLANNING + ZONING TOLD THE SCHOOL DISTRICT
#139 TO GET WATER + SEWER SERVICE FROM THE CITY OF CHOWELL
I DO NOT BELIEVE PLANNING + ZONING INTENDED FOR THE CITY
TO COME OUT TO THIS RURAL AGRICULTURAL AREA AND DRILL A
LARGE COMMERCIAL WELL.

Gray Krantz

10/10/94

AUG 09 1995

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST**

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, 42-222 and 42-224, Idaho Code. The department will also accept a timely protest not completed on this form if it contains all necessary information.

1. Matter being protested 43-12144 City of Caldwell
2. Name of protestant Stephen W. +/or Ruth M. Marshall
3. Protestant's representative for service (If different than protestant)
~~1824 Fillmore, Caldwell~~
4. Service mailing address 1824 Fillmore, Caldwell, ID., 83605
5. Service telephone no. 208-459-8073
6. Basis of protest (including statement of facts and law upon which the protest is based)
We have an agricultural irrigation well (03N 03W 3 1/4 of 1/4 SE of 1/4 SE Canyon county with a
with a notice of claim to a water right
aquired under State law with a priority
date of Apr 15, 1953. (additional pages may be attached to describe the nature of the protest)
(See attached)
7. What would resolve your protest? The City of Caldwell to
not drill this well in the Agricultural Area
but in a non-agricultural (historically) area.

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 10 day of October, 19 94.

Stephen W. Marshall
PROTESTANT

PROTESTANT'S REPRESENTATIVE

Rec'd \$25.00
10-11-94
W018228
By: VR

RECEIVED
OCT 11 1994

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST**

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, 42-222 and 42-224, Idaho Code. The department will also accept a timely protest not completed on this form if it contains all necessary information.

1. Matter being protested 63-13144 City of Caldwell
2. Name of protestant Jody Brown & Dorothy Brown
3. Protestant's representative for service (If different than protestant)

4. Service mailing address 4515 S. Indiana Ave
5. Service telephone no. 459-4291
6. Basis of protest (including statement of facts and law upon which the protest is based)
We have 2 wells on our property. The proposed well located at the new Vallivue school site may cause a significant change to the area's water table. This could cause our wells to dry up.
(additional pages may be attached to describe the nature of the protest)
7. What would resolve your protest? locate the well where residents are not dependent on private wells

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 10 day of October, 19 94
Jody Brown Dorothy L. Brown
PROTESTANT

PROTESTANT'S REPRESENTATIVE

NOTE:

- a) Not more than two (2) representatives for service of documents may be designated on a protest. If this protest is signed by more than one person without identifying the representative(s) for service of documents, the hearing officer may select the person(s) upon whom documents will be served.
- b) A protestant is required to timely file a protest with the department together with a \$25.00 protest fee in order for the protest to be considered by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

INSTRUCTIONS

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. _____ in the name of _____" or "Application for Transfer No. _____ in the name of _____."
2. Show the name of the protestant.
3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.
4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
6. Specifically describe the nature of the protest.
7. Describe the relief being sought by the protestant.

FOR DEPARTMENT USE ONLY

Received by VR Date 10-11-94 Time 1:30
\$25.00 fee Receipted by VR # W018229 Date 10-11-94

63-12144 • City of Caldwell •

Stephen W. Marshall +/or Ruth M. Marshall

63-12144 - City of Caldwell proposed well in this agricultural area with shallow wells as ours on the adjacent property would use ^(requiring) such a volume to severely affect the surrounding irrigation wells. Canyon County Planning + Zoning required School District # 139 to receive water and Sewer Service from the City of Caldwell. The School District # 139 entered into an agreement with the City of Caldwell after a zoning change (which we also protested) to take it into the city. The zoning change and the drilling of a city well in the agricultural area violates the intent of the Canyon County Planning + Zoning. A well of this size will adversely affect the existing shallow irrigation wells. A commercial well has no place in this agricultural community.

~~Stephen W. Marshall~~

10-10-94

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES NOTICE OF PROTEST

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, 42-222 and 42-224, Idaho Code. The department will also accept a timely protest not completed on this form if it contains all necessary information.

1. Matter being protested 63-12144 City of Caldwell
2. Name of protestant E.E. & Jessie Esbew
3. Protestant's representative for service (If different than protestant)

4. Service mailing address 4812 So. Indiana Caldwell ID
83605
5. Service telephone no. 459-9420
6. Basis of protest (including statement of facts and law upon which the protest is based) The permit was issued to build school that they took up city water & sewer. That a well would not be drilled on the property we do not want fly (wells) effected by this, in any way. They are already effecting the way we farm, they don't need to bother our water to.
(Additional pages may be attached to describe the nature of the protest)
7. What would resolve your protest? no well on this property

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 5 day of October, 19 94.

PROTESTANT

PROTESTANT'S REPRESENTATIVE

AUG 09 1995

NOTE:

- a) Not more than two (2) representatives for service of documents may be designated on a protest. If this protest is signed by more than one person without identifying the representative(s) for service of documents, the hearing officer may select the person(s) upon whom documents will be served.
- b) A protestant is required to timely file a protest with the department together with a \$25.00 protest fee in order for the protest to be considered by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.
-

INSTRUCTIONS

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. _____ in the name of _____" or "Application for Transfer No. _____ in the name of _____."
 2. Show the name of the protestant.
 3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.
 4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
 5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
 6. Specifically describe the nature of the protest.
 7. Describe the relief being sought by the protestant.
-

FOR DEPARTMENT USE ONLY

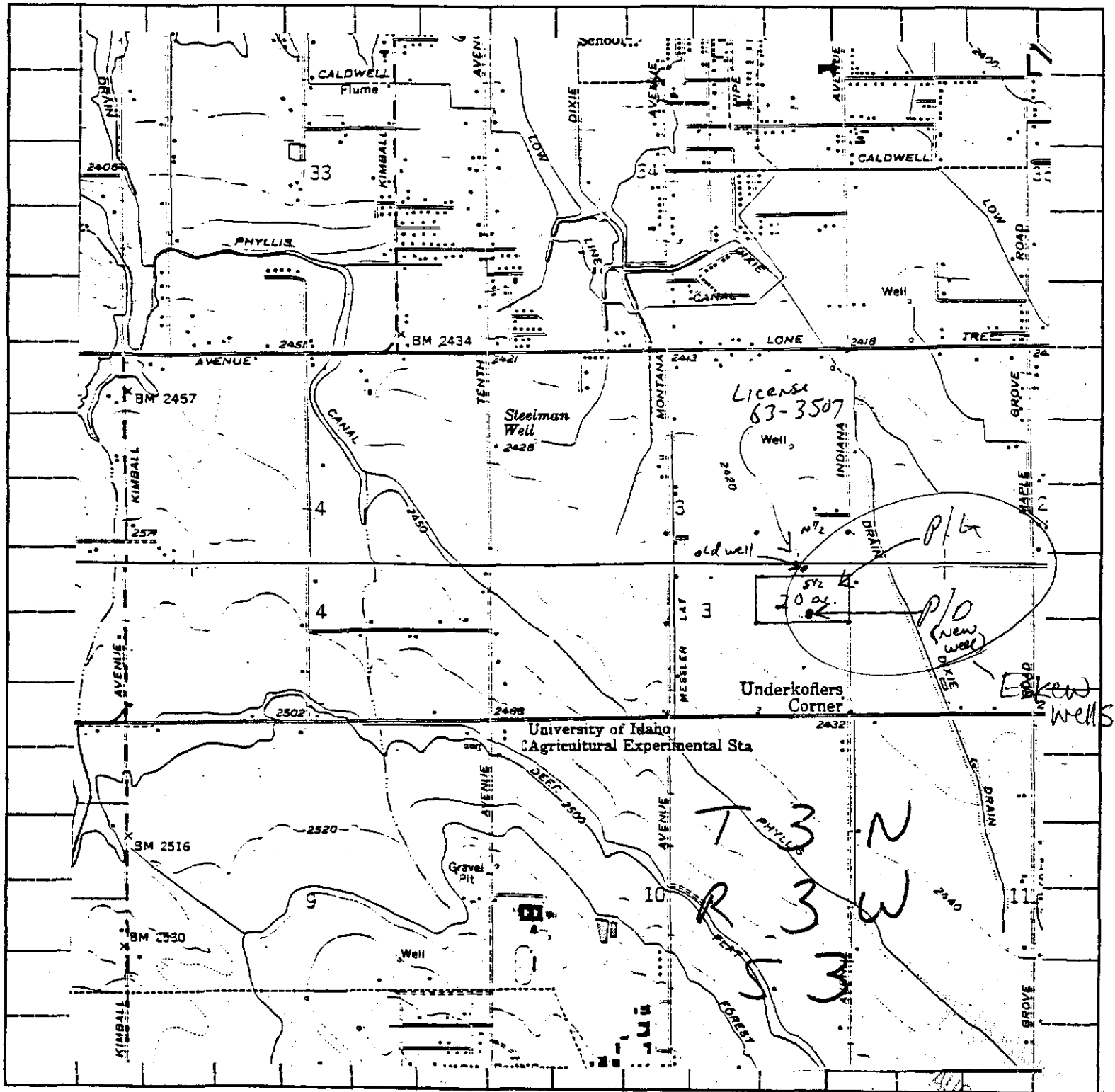
Received by CJH Date 10/5/94 Time 11:45
\$25.00 fee Receipted by CJH # 16018204 Date 10/5/94

RECEIVED

AUG 9 1995

63-~~2417~~ 12, 63-10679

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



Scale: 2 inches equal 1 mile.

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

James E. Eber
(Applicant)

63-12144 City of Caldwell

Gay Eskew & Jody K. Eskew Continued

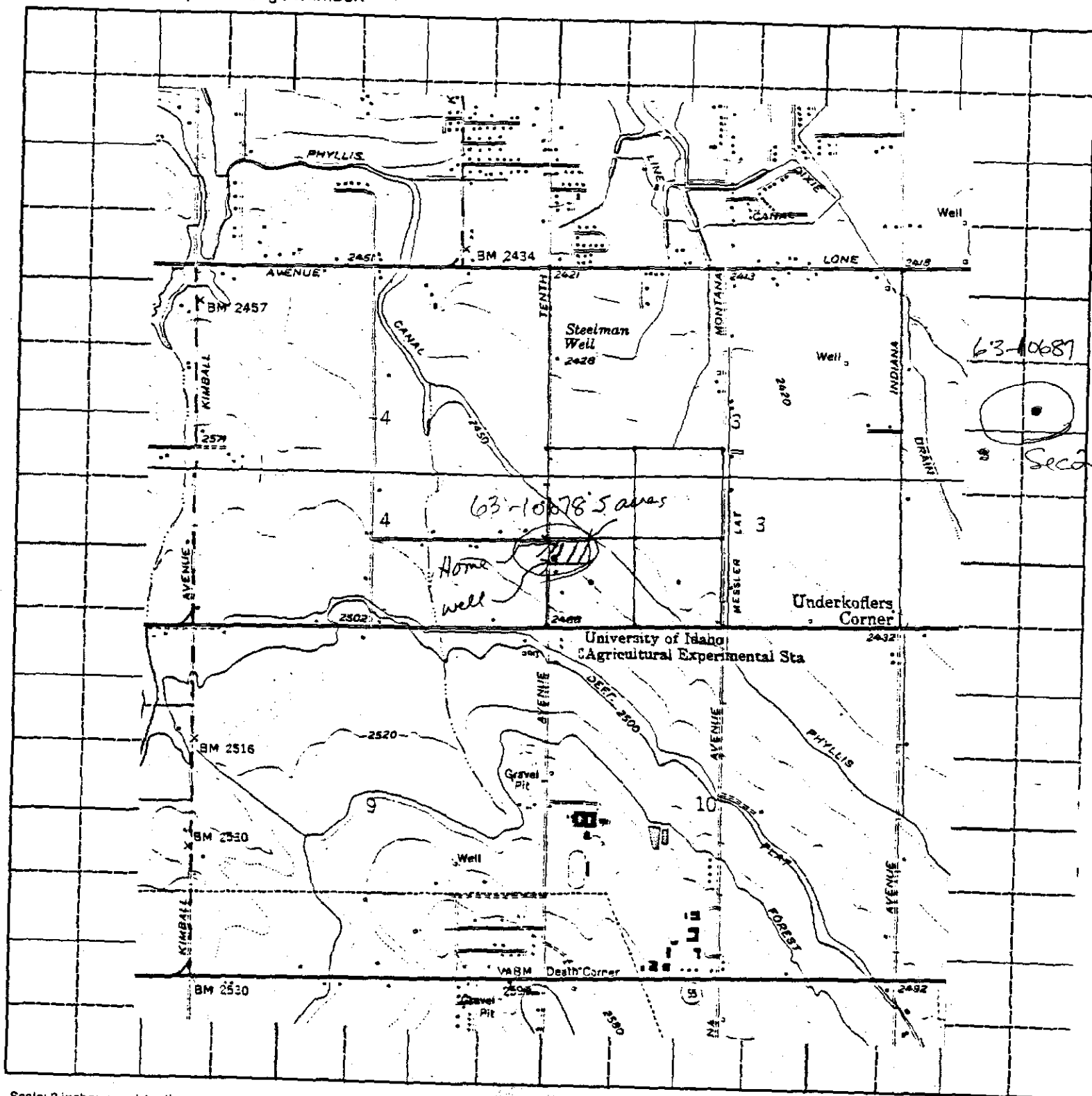
to receive water and Sewer Services from the City of Caldwell. School District #139 entered into an agreement with the City of Caldwell after a zoning change to take it into city. The zoning change and the building of a City still violates the intent of Canyon County Planning & Zoning. A well of this size will adversely affect the existing shallow irrigation wells. A Commercial well has no place in a farming Community!

Gay Eskew

MICROFILMED

AUG 09 1995

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



Scale: 2 inches equal 1 mile.

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

[Signature]
 (Applicant)

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES NOTICE OF PROTEST

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, 42-222 and 42-224, Idaho Code. The department will also accept a timely protest not completed on this form if it contains all necessary information.

1. Matter being protested 63-12144 City of Caldwell
2. Name of protestant Gary Esbaw & Judy H. Esbaw
3. Protestant's representative for service (If different than protestant) _____
4. Service mailing address 5315 South 10th Caldwell, Idaho 83605
5. Service telephone no. 208-459-3535
6. Basis of protest (including statement of facts and law upon which the protest is based) _____
Being an agriculture area with shallow wells
that volume the city would require would
severely affect irrigation wells. Canyon County
planning & zoning required School District #139
(See attached) (additional pages may be attached to describe the nature of the protest)
7. What would resolve your protest? The City of Caldwell should
look elsewhere in a non farming area
with the right # of irrigation wells.

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 5 day of October, 19 94.

Gary Esbaw
PROTESTANT

PROTESTANT'S REPRESENTATIVE

NOV 9 1994

NOTE:

- a) Not more than two (2) representatives for service of documents may be designated on a protest. If this protest is signed by more than one person without identifying the representative(s) for service of documents, the hearing officer may select the person(s) upon whom documents will be served.
- b) A protestant is required to timely file a protest with the department together with a \$25.00 protest fee in order for the protest to be considered by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

INSTRUCTIONS

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. _____ in the name of _____" or "Application for Transfer No. _____ in the name of _____."
2. Show the name of the protestant.
3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.
4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
6. Specifically describe the nature of the protest.
7. Describe the relief being sought by the protestant.

FOR DEPARTMENT USE ONLY

Received by CJH Date 10/5/94 Time 11:50
\$25.00 fee Received by CJH # W018205 Date 10/5/94

AUG 5 1995

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST**

RECEIVED

OCT 04 1994

WATER RESOURCES
WESTERN REGION

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, 42-222 and 42-224, Idaho Code. The department will also accept a timely protest not completed on this form if it contains all necessary information.

1. Matter being protested CITY OF CALDWELL (#63-12144) GROUNDWATER APPLICATION
2. Name of protestant RENCO, INC., LD WREN, PRES.
3. Protestant's representative for service (If different than protestant)

4. Service mailing address 4512 South FLORIDA, CALDWELL, IDAHO 83605
5. Service telephone no. (208) 454-1828
6. Basis of protest (including statement of facts and law upon which the protest is based) _____
CONCERNED THAT THIS AMOUNT OF WATER FROM A NEW WELL WILL LOWER
OUR WELLS
- _____
- _____
- (additional pages may be attached to describe the nature of the protest)
7. What would resolve your protest? NO NEW WELLS IN OUR AREA
- _____
- _____

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 4th day of October, 19 94.

Renco Inc
PROTESTANT

LD Wren (Pres)
PROTESTANT'S REPRESENTATIVE

AUG 09 1995

NOTE:

- a) Not more than two (2) representatives for service of documents may be designated on a protest. If this protest is signed by more than one person without identifying the representative(s) for service of documents, the hearing officer may select the person(s) upon whom documents will be served.
- b) A protestant is required to timely file a protest with the department together with a \$25.00 protest fee in order for the protest to be considered by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

INSTRUCTIONS

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. _____ in the name of _____" or "Application for Transfer No. _____ in the name of _____."
2. Show the name of the protestant.
3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.
4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
6. Specifically describe the nature of the protest.
7. Describe the relief being sought by the protestant.

FOR DEPARTMENT USE ONLY

Received by PW Date 10-4-94 Time 10:30 A
\$25.00 fee Receipted by PW # W018195 Date 10-4-94

AUG 09 1995

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, 42-222 and 42-224, Idaho Code. The department will also accept a timely protest not completed on this form if it contains all necessary information.

1. Matter being protested 63-12144 City of Caldwell
2. Name of protestant Lilburn & Irene Cooper
3. Protestant's representative for service (If different than protestant)

4. Service mailing address 1924 E. Ustick Rd Caldwell, Id.
5. Service telephone no. 459-8526
6. Basis of protest (including statement of facts and law upon which the protest is based)
protection of shallow irrigation well for
farming.

(additional pages may be attached to describe the nature of the protest)

7. What would resolve your protest? Compensation - if we begin
to have problems with our wells.
(63-02935)

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 29 day of September, 19 94.

PROTESTANT Lilburn Cooper & Irene Cooper

PROTESTANT'S REPRESENTATIVE _____

AUG 13 1994

NOTE:

- a) Not more than two (2) representatives for service of documents may be designated on a protest. If this protest is signed by more than one person without identifying the representative(s) for service of documents, the hearing officer may select the person(s) upon whom documents will be served.
- b) A protestant is required to timely file a protest with the department together with a \$25.00 protest fee in order for the protest to be considered by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

INSTRUCTIONS

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. _____ in the name of _____" or "Application for Transfer No. _____ in the name of _____."
2. Show the name of the protestant.
3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.
4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
6. Specifically describe the nature of the protest.
7. Describe the relief being sought by the protestant.

FOR DEPARTMENT USE ONLY

Received by Ly Date 9/29/94 Time 11 AM
\$25.00 fee Receipted by Ly # W018173 Date 9/29/94

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST**

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, 42-222 and 42-224, Idaho Code. The department will also accept a timely protest not completed on this form if it contains all necessary information.

1. Matter being protested 63-12144
2. Name of protestant Leroy O. Nielsen
3. Protestant's representative for service (If different than protestant)

4. Service mailing address 4520 E Homedale Rd
Caldwell, Idaho 83605
5. Service telephone no. 208-459-1988
6. Basis of protest (including statement of facts and law upon which the protest is based) _____
GW concerns - water table, pump
problems etc

(additional pages may be attached to describe the nature of the protest)

7. What would resolve your protest? Compensation for all
expenses incurred regarding ground water
supply for farm and home.

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 29th day of September, 1994.

Leroy O. Nielsen
PROTESTANT

PROTESTANT'S REPRESENTATIVE

AUG 09 1995

NOTE:

- a) Not more than two (2) representatives for service of documents may be designated on a protest. If this protest is signed by more than one person without identifying the representative(s) for service of documents, the hearing officer may select the person(s) upon whom documents will be served.
- b) A protestant is required to timely file a protest with the department together with a \$25.00 protest fee in order for the protest to be considered by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

INSTRUCTIONS

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. _____ in the name of _____" or "Application for Transfer No. _____ in the name of _____."
 2. Show the name of the protestant.
 3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.
 4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
 5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
 6. Specifically describe the nature of the protest.
 7. Describe the relief being sought by the protestant.
-

FOR DEPARTMENT USE ONLY

Received by Ly Date 9/29/94 Time 11:15 AM
\$25.00 fee Receipted by Ly # W018174 Date 9/29/94

APPROVED

AUG 09 1995

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST**

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, 42-222 and 42-224, Idaho Code. The department will also accept a timely protest not completed on this form if it contains all necessary information.

1. Matter being protested 63-12144
2. Name of protestant Niel J. Nielsen
3. Protestant's representative for service (If different than protestant)

4. Service mailing address P.O.Box 603, Othello, Washington 99344
5. Service telephone no. -509-488-9442 509-488-3993
6. Basis of protest (including statement of facts and law upon which the protest is based) Concerns about the water table, loss of pressure, pump problems, etc.

(additional pages may be attached to describe the nature of the protest)

7. What would resolve your protest? Compensation for all expenses incurred
regarding ground water supply for farm and home in the event of any adverse
occurrence from the well drilling or the water usage.

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 5 day of October, 19 94

Niel J. Nielsen
PROTESTANT

** Leroy O Nielsen will represent me at any hearings or conferences
PROTESTANT'S REPRESENTATIVE

RECORDED

AUG 19 1995

NOTE:

- a) Not more than two (2) representatives for service of documents may be designated on a protest. If this protest is signed by more than one person without identifying the representative(s) for service of documents, the hearing officer may select the person(s) upon whom documents will be served.
- b) A protestant is required to timely file a protest with the department together with a \$25.00 protest fee in order for the protest to be considered by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

INSTRUCTIONS

1. ~~The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. _____ in the name of _____" or "Application for Transfer No. _____ in the name of _____."~~
2. Show the name of the protestant.
3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.
4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
6. Specifically describe the nature of the protest.
7. Describe the relief being sought by the protestant.

FOR DEPARTMENT USE ONLY

Received by VR Date 10-11-94 Time 9:10 am
\$25.00 fee Receipted by VR # W018225 Date 10-11-94

RECORDED

AUG 09 1995



IDAHO DEPARTMENT
OF HEALTH AND WELFARE

DIVISION OF
ENVIRONMENTAL QUALITY

1445 North Orchard, Suite 100, Statehouse Mail, Boise, ID 83720-9000, (208) 334-0550

RECEIVED

OCT 05 1994

WATER RESOURCES
WESTERN REGION Cecil D. Andrus, Governor

October 3, 1994

CALDWELL.IWR

David R. Tuthill, P.E.
Manager, Western Regional Office
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705

RE: IDWR - Public Waters Appropriation Permit
Permit No. 63-12144

Dear Mr. Tuthill:

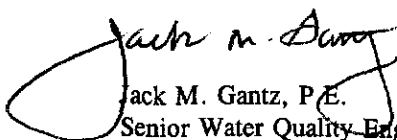
The project must be conducted under the design and supervision of an Idaho registered professional engineer. The process to follow is:

1. The engineer must submit a preliminary site evaluation based on proximity of pollution sources. We will evaluate the proposal, conduct a site inspection, and issue a written site approval if warranted. The applicant should give his consultant the enclosed checklist.
2. Detailed plans and specifications must be submitted to this office for review. The well may not be drilled until all approvals are obtained from both the Division of Environmental Quality (DEQ) and the Idaho Department of Water Resources (IDWR). The last approval will come from DEQ; we will not issue approval until final approvals of both IDWR permits (appropriation permit and well drilling permit) have been submitted.
3. This will be a Public Water System and must have one (1) source of water for less than twenty-five (25) connections and two (2) sources for twenty-five (25) or more connections.

We will pay particular attention to the following items:

1. Construction must be done under the general supervision of the professional engineer. The contract assuring this must be submitted with the application.
2. Numerous water quality parameters must be tested as soon as the well is completed.

Sincerely,


Jack M. Gantz, P.E.
Senior Water Quality Engineer

cc: City of Caldwell, Applicant (w/encl)

RECEIVED

AUG 09 1995

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

63-12144 *set*

CITY OF CALDWELL
621 CLEVELAND BLVD.
CALDWELL, ID 83605
Source: GROUNDWATER
Diversion Pt: NWSWSE Sec 3 T 03N
R 03W in CANYON County.

Use: MUNICIPAL (2.200 CFS)
Total Diversion: (2.200 CFS)

Date Filed: 9/2/1994

Municipal use is within the city limits
of Caldwell.

Permits will be subject to all prior wa-
ter 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, Water Region, 2735 Air-
port Way, Boise, Idaho 83705 togeth-
er with a protest fee of \$25.00 on or
before OCTOBER 11, 1994. The prot-
estant must also send a copy of the
protest to the applicant.

R. KEITH HIGGINSON, Director

September 21, 28, 1994. 907

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

RECEIVED

SEP 29 1994

WATER RESOURCES
WESTERN REGION

Mary Scott

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

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

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

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

—in the regular and entire issue of said paper, and was printed in
the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

September 21, 28, 1994

Mary Scott

STATE OF IDAHO)
)
COUNTY OF CANYON)

On this 28th day of September in the
year of 1994, before me, a Notary Public, personally
appeared Mary Scott, known
or identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared
that the statements therein are true, and acknowledged to me that
he/she executed the same.

Janae Leach
Notary Public for Idaho
Residing at Nampa
MY COMMISSION EXPIRES
JUNE 21st, 1997

Approved on 9/2/94

AUG 09 1995

CONVERSATION MEMORANDUM

DATE

9/30/94

FILE

63-12144

NAME OF PARTY KEVIN SHREVE 375-1992EMPLOYEE Steve Lipton

RE:

KEVIN is contact person at consulting firm
of Keller Associates for City of Caldwell.

Discussed

① Overpayment of \$60 - told i apply to drills.
permit apply to follow unless notified
otherwise.

② Protest, rec'd - discuss this ~~process~~ process.

MICROFILMED

AUG 09 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 9, 1994

IDAHO DEPT OF HEALTH & WELFARE
DIV OF ENV QUALITY
SWIRO
1420 N HILTON
BOISE, ID 83706

Re: Application for Permit No. 63-12144 in the Name of City of
Caldwell

Dear Sir:

Enclosed are copies of the above-referenced applications
for permit which may be of interest to your agency. Please
review the applications and submit any comments you may have.

This office normally completes the processing of an
application within a six-week period and is required to take
final action shortly thereafter, however, if your agency
desires to file a formal protest against the approval of this
application(s), your written protest must be received in this
office by October 11, 1994.

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

Sincerely,

A handwritten signature in cursive script, reading "David R. Tuthill, Jr.".

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:st

Enclosure(s):

AUG 30 1994



Office of City Engineer
&
Public Works Director

RECEIVED
SEP 02 1994
WATER RESOURCES
WESTERN REGION

GORDON N. LAW, P.E.

City of Caldwell
P. O. Box 1177
Caldwell, Idaho 83606-1177
BUS. 208/455-3006

September 1, 1994

CITY OF CALDWELL

621 Cleveland Blvd.
Caldwell, Idaho 83605
PHONE (208) 455-3000
FAX (208) 455-3003

Department of Water Resources
Drilling - Stream Channel Protection
2735 Airport Way
Boise, ID 83705

Dear Sirs;

Please find enclosed the following:

1. Application for permit to Appropriate the Public Waters Of The State Of Idaho (4 pages)
2. Application Fee - Check No. 2474 in the amount of \$200.00.

The application is for permit to drill a well for municipal purposes in the NW/4 SW/4 SE/4 Section 3 T3N R3W, B.M., Canyon County, Idaho. Questions concerning the application may be directed to Gordon Law, P.E. (455-3006) or James Keller, P.E. (375-1992). Your attention to this matter is appreciated.

Sincerely,

Gordon N. Law, P.E.
City Engineer

GNL/js

enclosures

cc: File 30.98-1
Gary Shoemaker, Superintendent Caldwell Water Systems
Vaughn Heinrich, Superintendent of Vallivue School District
James Keller, P.E.

63-12144

CITY OF CALDWELL
621 CLEVELAND BLVD
CALDWELL, ID 83605

Source: GROUNDWATER

Diversion Pt: NWSWSE Sec 3 T 03N R 03W in CANYON County.

Use: MUNICIPAL (2.200 CFS)
Total Diversion: (2.200 CFS)

Date Filed: 9/ 2/1994

Municipal use is within the city limits of Caldwell.