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OCT 15 1999

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. 45-07735 Telephone No. 208-678-2103
2. Name(s) of Permit Holder(s): City of Burley
3. Mailing Address: P.O. Box 1090 Burley ID- 83318
4. Source of Water: Ground Water If GROUNDWATER (well), Date Drilled: mo. 9 / yr. 98
 a. Well Driller: Vollmer well drilling Drilling Permit Number: 45-97-S-0065-000
 b. **OPTIONAL:**
 Pump Horsepower: 200 Pressure (psi): 19 Dynamic pumping level (ft):
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
6. Total rate of diversion and/or volume for which proof is submitted: 4.46 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: \$ 200.00 (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: JESSE D. Mabrey Telephone Number: 208-678-2103Address: P.O. Box 1090 Burley ID 83318

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: Jesse D. Mabrey for City of Burley Date: 10-14-99
 (include your title, if on behalf of company or organization)

JAN 28 2000

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDMENT OF PERMIT
PERMIT NO. 45-07735

This is to certify, that CITY OF BURLEY
PO BOX 1090

BURLEY ID 83318-1090

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-211, Idaho Code. The approved amendment of permit is described as follows:

SOURCE

GROUNDWATER

Priority: September 3, 1996

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

MUNICIPAL

01/01 to 12/31

4.46 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 28, Township 10S, Range 23E

NESE , Sec. 29, Township 10S, Range 23E

SWNW , Sec. 33, Township 10S, Range 23E

CASSIA County

PLACE OF USE: See Remarks

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1999.
2. Subject to all prior water rights.
3. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction over this right and may change, add, or remove any requirement as determined to be appropriate.

NOT RECORDED

MAY 15 1998

PERMIT NO. 45-07735

CONDITIONS OF APPROVAL AND REMARKS

8. The issuance of this right does not grant any right-of-way or easement across the land of another.
9. The daily diversion volume for non-domestic uses under this municipal right shall not exceed 2,500 gallons per use and the daily diversion volume for domestic uses under this right shall not exceed 13,000 gallons per dwelling in accordance with Section 42-111, Idaho Code.
10. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
11. This right authorizes a total of two (2) points of diversion.
12. Place of use is within city limits of Burley and surrounding service area.

Witness my hand this 22nd day of January, 1998

J. Glen Saylor
Chief, Water Allocation Bureau

15-11-11

MAY 15 1998

RECEIVED -

Receipt No. 5020655
 Received By A. SKINNER
 Date 10/24/1997

OCT 24 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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Department of Water Resources
Southern Region

APPLICATION FOR AMENDMENT OF A PERMIT

DEPARTMENT OF WATER RESOURCES
678-8382

Applicant CITY OF BURLEY Phone 678-8382

Address Box 1090, Burley, Idaho 83318

I am the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 45-07735, and request that the permit and permit map be amended and/or changed as follows:

Purpose of Amendment: ☐ Change point of diversion ☒ Add point of diversion

Change place of use Change nature of use Change period of use Other

1. Point of diversion: N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, Township 10^S, Range 23^E, B.M.,

County of Cassia . Other points of diversion SWSE 1/4 Section 28 Township 14 South

~~RANGE 13 EAST AND NESE 1/4 SECTION 29 TOWNSHIP 18 NORTH RANGE 23 E~~

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

Amount 4.46 for municipal purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

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

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

3. Place of use or land to be irrigated: Not irrigated - municipal use

***NO CHANGE** (PLACE OF USE WITHIN CITY LIMITS OF BURLEY AND SURROUNDING SERVICE AREA)

[illegible]

Total number of acres to be irrigated =

4. a. Who owns the property at the point of diversion? City of Burley (Option subject to water availability)

b. Who owns the land to be irrigated at the place of use?

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Option from Sun Valley Land Company

~~MAY 15 1938~~

* CHANGES MADE BY C. SKINNER PER 10/24/97
TELECOM WITH WILLIAM PARSONS

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

SEE ATTACHED MAP

NO CHANGE

Scale: 2 inches equal 1 mile

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

Signed this 23rd day of October, 19 97.

CITY OF BURLEY.
Willie Parson
 City Attorney Permit Holder

ACTION OF THE DEPARTMENT OF WATER RESOURCES.

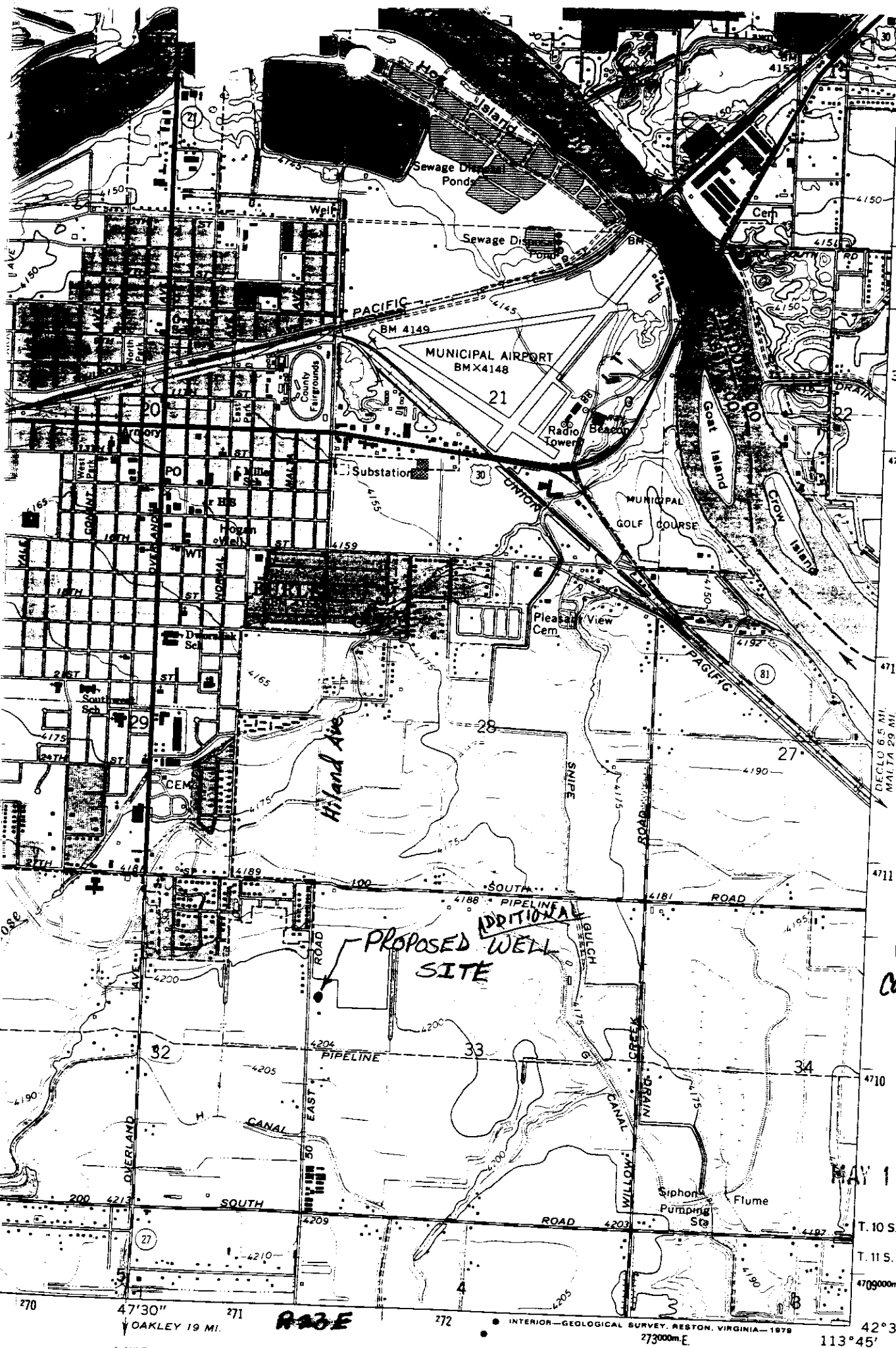
Preliminary check by CS Publication prepared by MB Date 11/25/97
Published in So. Ill. Press Publication dates 12/1 & 12/8/97

I, _____, of the Department of Water Resources hereby

Witness my hand this _____ day of _____, 19____

MAY 1 1965

SIGNATURE



1997
CITY OF BURLEY
PROPOSED WELL #6

MAP SHOWING
CORRECT WELL
LOCATION
P.S.

P.U. = WITHIN
BURLEY CITY LIMITS AND SURROUNDING
SERVICE AREA
ADDITIONAL POD'S (COVERED UNDER ORIGINAL PERMIT)
LOCATED IN SWSE 1/4 SECTION 28

MAY 15 1933

ROAD CLASSIFICATION

VIEW

NORTH STORAGE TANK
NORTH PUMP STATION
WELL #4

N.

NORTH PRESSURE ZONE

PRESSURE ZONE

MAP SUPERSEDED BY

COPY OF QUA MAP PROVIDED

BY JVB ENGINEERS AND VIA

TELEPHONE WITH H

WILLIAM PARSONS. 10/30/97

CENTRAL PRESSURE ZONE

WELL #2

WELL #3

ELEVATED STORAGE TANK
WELL #1

PRESSURE ZONE
SEPERATION

WEST PRESSURE
REGULATING
STATION

SOUTH PRESSURE ZONE

WRONG WELL
EAST PRESSURE
REGULATING STATION

PROPOSED NEW WELL SITE

SOUTH STORAGE TANK
SOUTH PUMP STATION
WELL #5

FIGURE 2-2

LOCATION MAP

LOCATION
(JVB) MAY 15 1998

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 45-07735

Proposed Priority: September 3, 1996 Maximum Diversion Rate: 4.46 CFS

This is to certify, that CITY OF BURLEY

PO BOX 1090

BURLEY ID 83318-1090

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	4.46 CFS
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LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 28, Township 10S, Range 23E

NESE , Sec. 29, Township 10S, Range 23E

CASSIA County

PLACE OF USE: See Remarks

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1999.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The right holder shall comply with Idaho well construction standards when constructing a well pursuant to this right.
7. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
8. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
9. The Director retains jurisdiction over this right and may change, add, or remove any requirement as determined to be appropriate.

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SEP 15 1997

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 45-07735

CONDITIONS OF APPROVAL AND REMARKS

10. The issuance of this right does not grant any right-of-way or easement across the land of another.
11. The daily diversion volume for non-domestic uses under this municipal right shall not exceed 2,500 gallons per use and the daily diversion volume for domestic uses under this right shall not exceed 13,000 gallons per dwelling in accordance with Section 42-111, Idaho Code.
12. Place of use is within city limits of Burley and surrounding service area.
13. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
14. This right authorizes a single point of diversion.

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

26th day of November, 1996

J. Glue Saylor
for Karl J. Dreher, Director

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FEB 25 1997

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SEP 03 1996

Form 202
10-92
RECEIVED

SEP 09 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 45-07735

Department of Water Resources appropriate the public waters of the State of Idaho
Southern Region

1. Name of applicant City of Burley Phone (208) 678-2224 (clerk)
Post office address P. O. Box 1090 Burley, ID 82218 83318

2. Source of water supply Groundwater which is a tributary of n/a

3. Location of point of diversion is _____ 1/4 of NE 1/4 of SE 1/4, Govt. Lot _____
Sec. 29 Township 10S Range 23E B.M. CASSIA County; alternate
points of diversion if any: SW SE Sec 28 T10S R23E B.M.

4. Water will be used for the following purposes:

Amount 4.46 cfs for Municipal purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 4.46 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well and pump, pipelines to
City domestic water system. All water is metered to users. Fire protection
is from the domestic system.

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 16 inches; proposed depth of well is 700 feet.

d. Is ground water with a temperature of greater than 85°F being sought? No NO MICROFILMED

e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____

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

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. City of Burley
- d. Domestic; show number of households. Various; changes with development. New well will be on city water system for existing and future development
- e. Other; describe fully. _____

9. Description of place of use within the City of Burley and Impact area

- 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	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. A45-04097, A45-04099, A45-04098, A36-04080, A45-07269

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

12. Remarks: Water well driller to be determined. Refer to enclosed addendum for information pertaining to planning horizon and reasonably anticipated future needs.

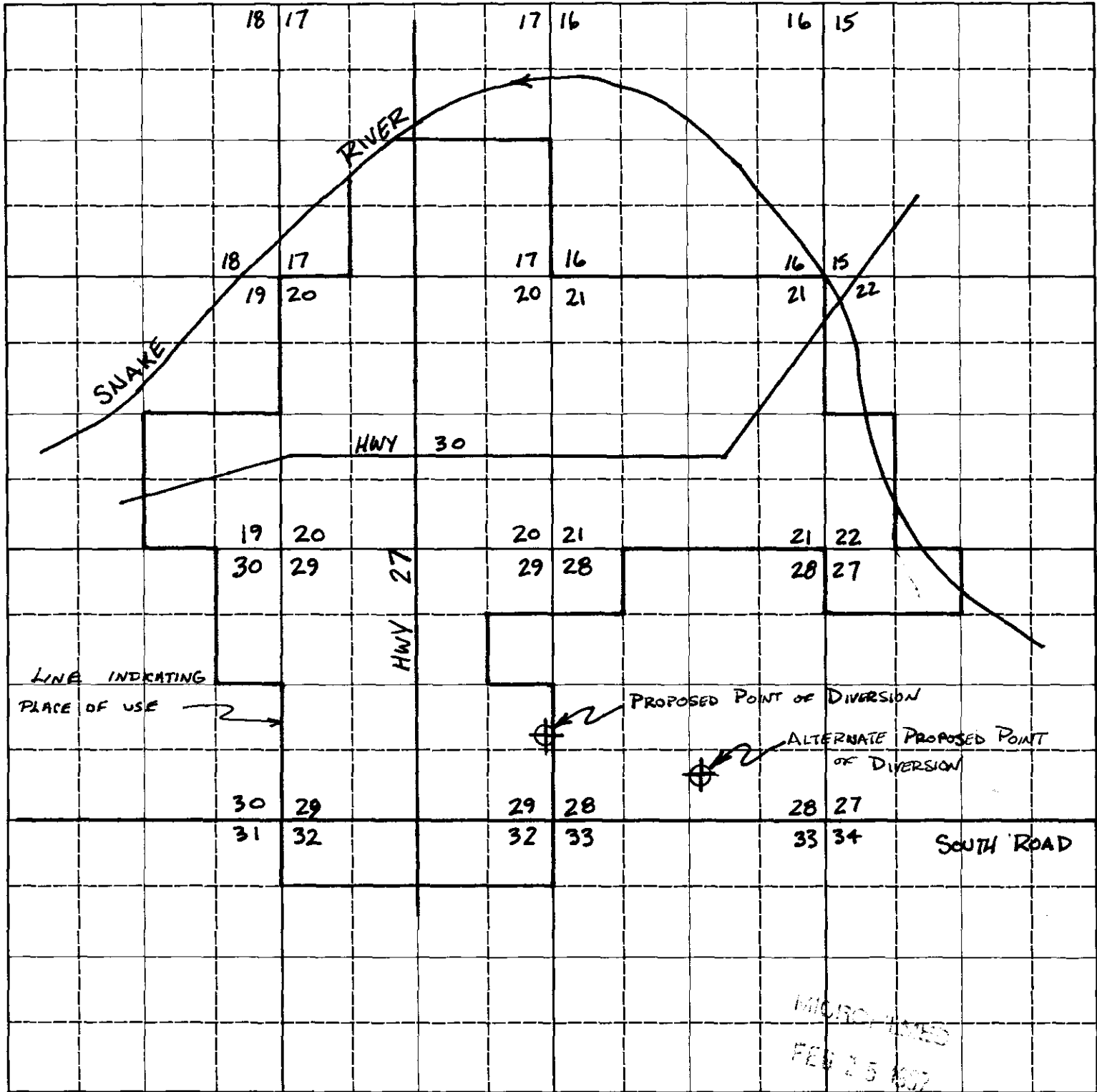
MICROFILMED

FEB 25 1987

City of Burley

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

TOWNSHIP 10 S RANGE 23 E B.M.



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.

CITY OF BURLEY

Mayor

Hank Bannan

XXXXXX

45-07735

Received by KLT Date 9-3-96 Time _____ Preliminary check by J. G. Stanton
Fee \$ 180⁰⁰ Received by KLT # C036462 Date 9-3-96
Publication prepared by MB Date 9/24/96 Published in S. Id. Press
Publication approved MBaldwin Date 10/25/96

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:

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FEB 25 1997

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SEP 03 1996

Department of Water Resources

**Addendum to IDWR Form 202,
Application for Permit to Appropriate the Public Waters of the State of Idaho**

City of Burley, Applicant

Well Name: Well No. 6

Introduction

This addendum to the well permit application for City of Burley Well No. 6 is being submitted as documentation in partial fulfillment of the requirements set forth in the recently passed legislation amending Section 42-202, Idaho Code. Section 42-202, as amended, stipulates additional filing requirements for permit applications that pertain to the appropriation of water for municipal purposes.

The addendum is being submitted in support of the City of Burley's permit application to appropriate ground water for municipal purposes from a proposed new water well (Well No. 6) at a proposed flow rate of 2000 gallons per minute (gpm). It contains supporting documentation for estimates of a "reasonably anticipated future need" of 2000 gpm and defines the "planning horizon" within which the City's future demand for water has been projected.

Documentation

In a report entitled Municipal Water System Master Plan, City of Burley, Idaho (J-U-B Engineers, Inc., 1996), municipal water demand on the high pressure system (deep wells) has been projected to the year 2015. The report concludes that a new well with a yield of 2000 gpm is necessary to provide water to the south and central pressure zones of the City.

Relevant pages from the Municipal Water System Master Plan are attached for review by the Idaho Department of Water Resources. These include the following pages:

- Chapter 1-**Introduction**;
- Chapter 2-**Description of Existing System**, pp. 3-6;
- Chapter 5-**Analysis of Existing and Future System**, pp. 28-33;
- Chapter 6-**Summary and Implementation**, p. 47.

MUNICIPAL WATER SYSTEM MASTER PLAN

**CITY OF BURLEY,
IDAHO**

MARCH, 1996



Prepared By

J-U-B ENGINEERS, Inc.
Engineers Surveyors Planners
800 Falls Ave., Suite 1
Twin Falls, Idaho 83301

FILED
MAY 15 1996
TWIN FALLS, IDAHO

CHAPTER 1 - INTRODUCTION

1.1 INTRODUCTION

This study was authorized by the City of Burley (the "City"), Idaho, by an Agreement for Professional Engineering Services for a Water System Master Plan.

1.2 PURPOSE

The City has experienced steady growth in the last several years and is anticipating continued growth. A portion of this growth has occurred in areas outlying the currently developed area of the City. This growth has required service extensions to the outlying areas of the water system resulting in new pipe construction to the developing areas. As developments continue to be constructed, the City has become concerned about providing adequate domestic water and fire protection flows to these areas, while continuing adequate service to the existing portions of the City. Therefore, City officials decided it was necessary to initiate this study of the existing water system, utilizing current technology. The intent was to produce a master plan and calibrated computer model, enabling the City to have information and techniques available to make sound decisions concerning the expansion and extension of the existing water system, and the ability to assess the impacts of planned future improvements.

1.3 SCOPE

The scope of this report has required that the following items be completed, most of which are incorporated into this study:

- Comprise a city-wide water system map based on information provided by the City's Water Department.
- Compile a computer model of the City's water system that represents the existing system and functional operation.
- Verify the accuracy of the model by utilizing residual static pressure readings, in addition to flow testing fire hydrants and recording adjacent pressures.
- Recommend needed improvements for both existing and projected supply, storage, and distribution, including examination of water quality and fire flow.
- Prepare preliminary cost estimates for constructing the proposed improvements.

- Coordinate with the comprehensive plan and the City with respect to land use and the compatibility of the water system.
- Provide technical assistance to the City in the utilization of the computer model and this report.

1.4 REFERENCES

The 1995 City of Burley Comprehensive Plan was used as a guide for establishing population projection and land use patterns relating to the municipal water consumption.

Information provided in the report by Spronk Water Engineers, Inc. titled Review and Evaluation of the City Burley's Water Supply and Water Rights, 1995 has been incorporated in this report.

Recommended discharge of pressures for meeting a variety of fire flow demands was provided by the Idaho Surveying and Rating Bureau in conjunction with the City's Fire Department. The City's Water Department and Public Works Office provided the information on the existing distribution system, existing metered use records, and metered pump production records, tank storage data, and the operation and performance data of the various pumping facilities in the system.

1.5 ACKNOWLEDGMENTS

During the course of this report, many people were extremely helpful in furnishing information and suggestions. We wish, however, to especially thank Jess Mabry, Water Department and his staff and Leon Bedke, Public Works Superintendent and his staff, for their assistance in providing current water system data. We would also like to send a special thanks to the Burley Fire Department for their support and helpfulness in providing flow testing and fire flow requirements and data.

CHAPTER 2 - DESCRIPTION OF EXISTING SYSTEM

2.1 EXISTING WATER SYSTEM

Two separate water systems supply and distribute the domestic and irrigation demand of the City of Burley: a low pressure irrigation system and a high pressure domestic system. The low pressure irrigation system supplies irrigation water to much of the older section of the City. All domestic water is supplied by the high pressure water system. The high pressure system also supplies irrigation water to those residents not connected to the low pressure irrigation system. Figure 2-1 shows the current limits of the two water systems. The low pressure irrigation system is supplied by relatively shallow wells and provides irrigation water only at a low pressure. The low pressure irrigation system itself is not analyzed in this report but the effects of providing a separate irrigation system are taken into account and are discussed in more detail later in the report.

The high pressure water system consists of five groundwater supply wells, two pump stations, three storage tanks and a vast grid of distribution lines. The system is divided into three pressure zones that are separated by regulating stations. The location of the system components are shown in Figure 2-2.

2.2 EXISTING SUPPLY WELLS

Supply to the domestic water system is provided from five separate groundwater wells located throughout the City. Table 2-1 summarizes the information for the existing wells. Gas chlorination is set up at each well for disinfection.

2.2.1 WELL NO. 1

Well #1 is located in the City's Water Department building at the corner of Albion and 16th Street. A new pump and motor was installed in 1995. A stainless steel sand screen is attached to the discharge. The 100 horsepower pump is designed to supply 800 gpm at 384 total dynamic head directly into the distribution system.

2.2.2 WELL NO. 2

Well #2 is located in a wellhouse near the intersection of Albion and 14th Street. The pump and motor were replaced in 1986. The 200 horsepower pump provides approximately 1200 gpm directly into the distribution system.

2.2.3 WELL NO. 3

Well #3 is located in a wellhouse just north of the City Service Department building on Park Avenue. In 1984 the 150 horsepower motor was replaced with a 200

horsepower motor. The 200 horsepower pump provides an average of 1000 gpm directly into the distribution system.

2.2.4 WELL NO. 4

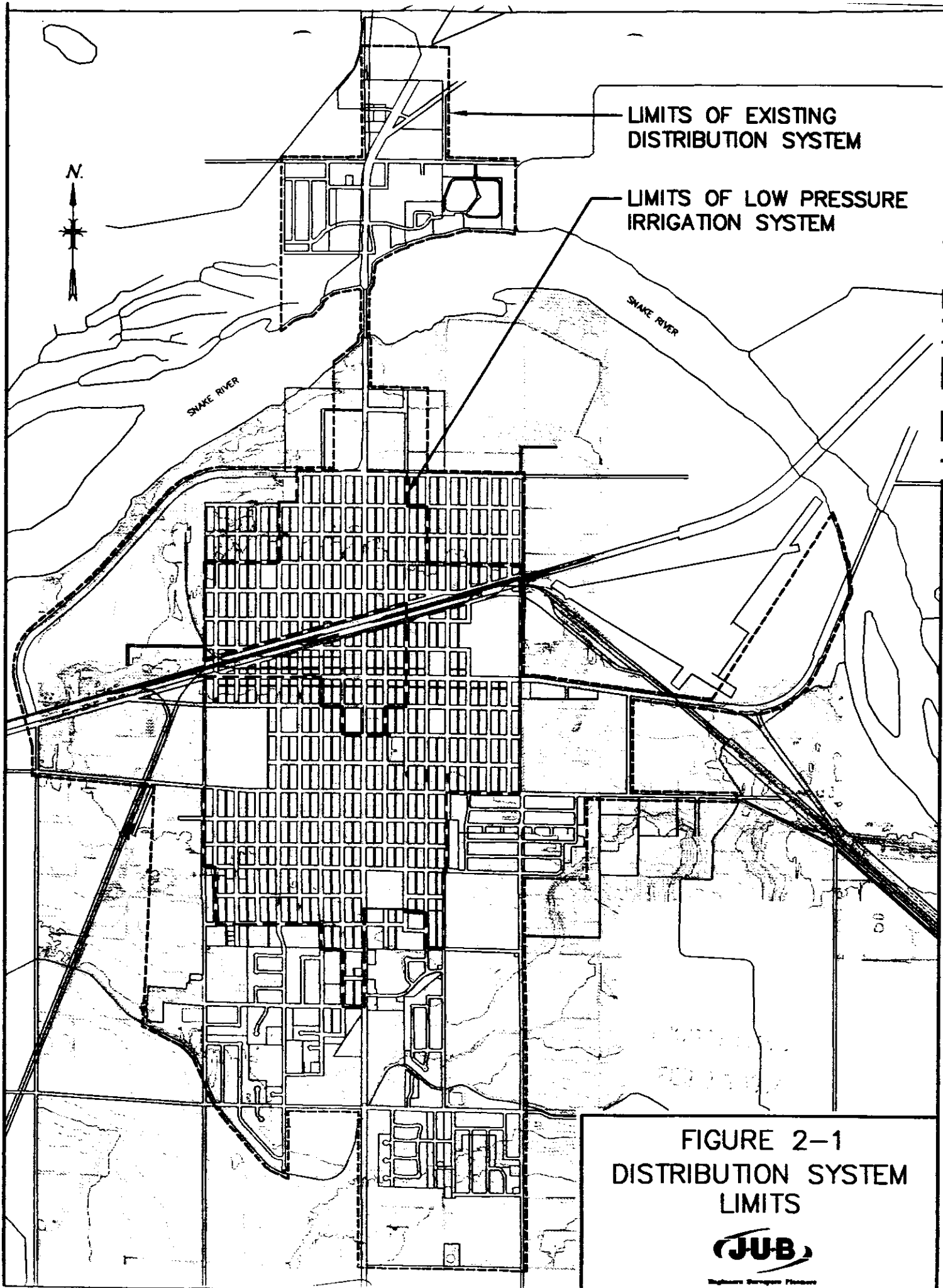
Well #4 is located in the North Booster Station at West 4th Street North and North Miller. The 150 horsepower pump supplies water to the North Storage Reservoir and is controlled by the water level in the reservoir.

2.2.5 WELL NO. 5

Well #5 is located in the South Booster Station between Hiland and Overland. The 250 horsepower pump supplies water to the South Storage Tank and is controlled by the water level in the tank. A centrifugal sand separator was recently installed on the discharge of the well pump.

**TABLE 2-1
WELL INFORMATION**

Well No.	Present Pump & Motor	Normal Operating Capacity (gpm)	Water Source Supplied to:	Auxiliary Power
Well #1	100 HP Vertical Turbine Pump	800	Distribution System	None
Well #2	200 HP Vertical Turbine Pump	1,200	Distribution System	None
Well #3	200 HP Vertical Turbine Pump	1,000	Distribution System	None
Well #4	150 HP Vertical Turbine Pump	1,000	North Storage Tank	Diesel Generator
Well #5	250 HP Vertical Turbine Pump	1,800	South Storage Tank	Diesel Generator
	Total Capacity	5,800		



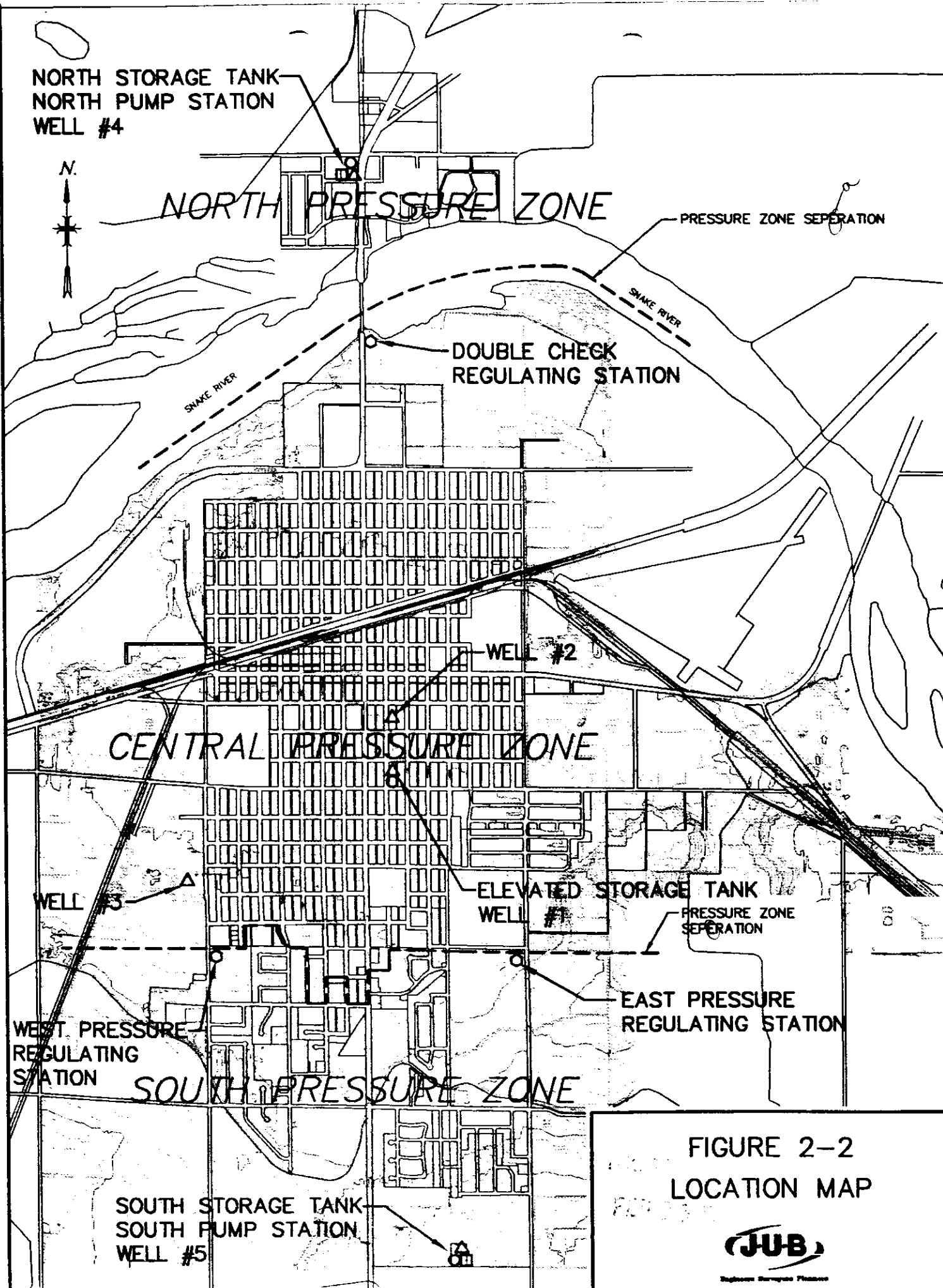


FIGURE 2-2
LOCATION MAP

CHAPTER 5 - ANALYSIS OF EXISTING AND FUTURE SYSTEM

5.1 OVERVIEW

This chapter on recommended improvements is intended primarily to indicate, in our opinion, which improvements to the existing system are necessary, what alternatives are available, and to discuss a priority in which they be constructed. It is, however, the City's judgment and its policy decisions that will dictate the order in which these improvements are made and which improvements may be delayed.

The criteria used by J-U-B Engineers in the analysis of the future water system consisted of several points. The first of these was the assumption that the City of Burley would experience additional growth within the current developed areas in addition to growth around the City.

The second assumption was that the future development would occur in accordance with the City of Burley 1995 Comprehensive Plan. The total population and population projections were also based upon the estimates provided in the Comprehensive Plan. This is critical because it affects the amount of water demand expected in the future system. The final factor influencing the development of a future water system grid was water use behavior and trends.

J-U-B Engineers has assumed that the current water use behavior will continue into the future. The per capita usage of water will remain as it is today. For expansion of the water distribution system irrigation will be investigated as a continued part of the domestic water supply. Irrigation will also be addressed as a separate alternate component.

Bearing all of this in mind, J-U-B Engineers has come up with a total system analysis combined with alternatives to provide a future water system that should meet net demands and needs of the City of Burley through the year 2015.

5.2 WATER SUPPLY

5.2.1 EXISTING AND FUTURE ANALYSIS

The City of Burley's current water supply has been reviewed and evaluated in the January 1995 report by Spronk Water Engineers, Inc. Analysis provided in the Spronk report has been updated with data for water year 1995 and the appropriate information has been incorporated in this report.

As discussed earlier in the report, the water supply for the City of Burley comes from five wells that are distributed throughout the City. The combined capacity of the five

wells is approximately 5,800 gpm with the largest of the wells being Well #5 which supplies 1,800 gpm.

Well #5 has continued to pump sand over the years. The City has just recently cleaned the South Storage Tank of sand and installed a sand separator on the discharge of the well pump. The total volume of sand that the well has discharged over its life is fairly substantial. It is of concern that the well could possibly collapse in the future depending on subsurface strata. It is also possible that the well could continue to operate as is for many years to come.

The current design maximum day requires a flow of 4,167 gpm (6.0 mgd). In the event the largest existing well (Well #5) was to become inoperable, the current supply would be cut to 4,000 gpm. As can be seen, the demand would exceed supply and the system could only keep up with the demand until storage has been depleted from the tanks. Should any one of the other four wells instead of Well #5 become inoperable the remaining supply would exceed the overall demand for the day but storage would have to be used to meet peak hour demands. A new source is currently needed to provide an adequate backup supply and to ease the operation of the existing wells. A new source would also allow room for future growth.

The projected design maximum day for the year 2015 requires a flow of 6,340 gpm (9.13 mgd). If a new source of 2,000 gpm is added now to the existing system the total available supplied would be 7,800 gpm. Again, assuming the largest source (the new 2,000 gpm well) becomes inoperable during peak operation, a supply of 5,800 gpm would be available. This is less than the projected requirement of 6,340 gpm, thus a small additional supply would be needed starting in the year 2011. This supply could be provided by either a second new well or possibly by increasing the capacity of the existing wells.

Well #5 must currently run 15 hours per day to meet the maximum day demand in the South Pressure Zone and Well #5 is the only source of water to the South Storage Tank. Should Well #5 go down there is currently no way to fill this tank. The East Pressure Regulating Station is equipped, however, with a 75 HP pump that can provide water to the South Pressure Zone in emergencies by drawing water from the Central Pressure Zone. This pump is design to provide 2,050 gpm at 110' of total dynamic head (TDH) which is greater than the current maximum day demand for the South Pressure Zone. During maximum day demand however, there is not currently sufficient supply in the Central Pressure Zone to provide water to the entire system.

Currently, to meet maximum day demand in the Central Zone, Wells #1, #2 and #3 would each have to run an average of 21 hours (if each well was run equal time). In the North Pressure Zone Well #4 must run an average of 10 hours per day to meet the maximum day demand. As can be seen there is some flexibility still available to supplement the Central Pressure Zone from the North and South Pressure Zones provided the interties between the pressure zones are operational.

Available data shows that some of the wells are operating below their original design capacities. Increasing the capacity of the existing wells and thus maximizing the use of existing facilities would be the most cost effective method of supplying future additional flow requirements. In addition, it appears that several of the pumps may be operating at a fairly low efficiency rate which results in wasted power costs. By installing more efficient motors and pumps the City could reduce power costs. The City of Burley should have pump efficiency tests performed on the existing wells and should thoroughly investigate the possibilities of increasing their capacities by conducting pump/drawdown tests. By comparing the pump efficiencies and the potential for increased capacity the City can determine which wells will provide the most return for money spent on upgrading the existing sources.

5.2.2 NEW SUPPLY

From the above discussion there are two critical areas that a new additional supply source must meet. First, it must be able to both supplement and provide backup for Well #5 in supplying water to the South Storage Tank. Secondly, it must be able to supply water to the Central Pressure Zone to provide backup/relief for Wells #1, #2 and #3. The Pressure Regulating Stations were originally designed to pass large volumes of water to the Central Pressure Zone. The South Pump Station is capable of supplying full demand to the Central Pressure Zone provided there is sufficient supply at the South Storage Tank to meet this demand. The South Storage Tank, however, would quickly be depleted under current conditions if the South Pump Station was to supply full system demand since it is filled only by Well #5.

5.2.3 WATER SUPPLY ALTERNATIVES

The City of Burley has several options for increasing the water supply volume needed for the future. As indicated previously, it is estimated the demand placed on the City's water system will increase by an additional 3.13 million gallons per day (2,180 gpm) during maximum day flow by the year 2015. Several alternatives were reviewed to provide this additional water supply. These include:

- Develop additional water supply wells.
- Fully develop existing wells and water rights.
- Develop a complete City wide separate irrigation system.
- Groundwater recharge program.
- Water conservation.

The following is a description for each of the alternatives reviewed for additional water supply in the City of Burley.

DEVELOP ADDITIONAL WATER SUPPLY WELLS

The needs of the water system for additional supply as discussed in Section 5.2.2 could be met by two separate well layouts. The first layout would be to construct a well as near as possible to the South Storage Tank so that it could pump directly into the tank to supplement Well #5. The new well locations determined in this report are based on the hydraulics of the existing water system. The exact location in reference to subsurface conditions and existing wells should be determined by the City's hydrogeologist. The existing South Pump Station is sized such that it could supply the addition water to the distribution system through the pressure regulating stations. A dedicated line would be required to deliver the water from the new well to the South Storage Tank. The distance required between the new well and Well #5 in order to avoid interference between them would determine the length of this dedicated main. The new well would be controlled by water level in the storage tank in a similar manner as Well #5 is currently. As the water level in the storage tank drops one well would be called to turn on. Then if the level continues to drop in the storage tank the second well would be called to turn on. The disadvantage to this setup would be that if the South Pump Station is down the new well would be isolated from the system.

The second layout would be to construct the new well near the zone separation between the Central and South Pressure Zones so that the well could provide water directly into the system to either zone. The best location is near the East Pressure Regulating Station. There is a good system of distribution to the entire system from this location. The distribution near the West Pressure Regulating Station is much more limited. The system in this area distributes water from both Well #3 and through the pressure station. To connect an additional source in this area without major main upgrades would cause interference with the other nearby sources.

The Spronk report has recommended the construction of a new well in the range of 2,000 gpm for current conditions. As determined earlier, this would provide adequate source up to the year 2011 and then additional supply would be needed. We concur that a new source is currently needed and that a new well would be the best alternative for the City.

It is our recommendation that a new well be constructed near the East Pressure Regulating Station and connected directly into the South Pressure Zone distribution system. Water would be supplied to the Central Pressure Zone through the East Pressure Regulating Station as demand in the Central Zone calls for water. The new well would be set up to turn on during high system demand periods and at night. During the low demand period at night the new well would push water through the South Pressure Zone to fill the South Storage Tank via a pressure relief valve at the South Pump Station. This would relieve the demand on Well #5.

Table 5-1 shows the cost to construct and develop the new well at a location east of the East Pressure Regulating Station. These costs do not include the purchase of land, easement acquisition and bringing power to the site.

TABLE 5-1
CONSTRUCT & DEVELOP NEW WELL
Pump to Distribution System
Opinion of Probable Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT COST	ESTIMATED COST
1	Construct Well (Estimate from Spronk Report)				\$100,000
	Develop Well				
2	Mobilization (5%)	1	LS	\$12,500.00	\$12,500
3	16" DI Water Main	1,200	LF	\$34.00	\$40,800
4	16" Gate Valve	2	EA	\$3,400.00	\$6,800
5	Fire Hydrant Assembly	2	EA	\$2,000.00	\$4,000
6	Connect To Existing Main	1	EA	\$1,600.00	\$1,600
7	Asphalt Surface Repair	200	LF	\$18.00	\$3,600
8	Utility Relocations (5%)	1	LS	\$2,700.00	\$2,700
9	250 HP Vertical Turbine Pump	1	LS	\$30,000.00	\$30,000
10	Wellhouse Building	1	LS	\$50,000.00	\$50,000
11	Wellhouse Piping	1	LS	\$25,000.00	\$25,000
12	Wellhouse Electrical/Controls	1	LS	\$40,000.00	\$40,000
13	Chlorination System	1	LS	\$10,000.00	\$10,000
14	Sitework	1	LS	\$20,000.00	\$20,000
15	Bypass at Storage Tank	1	LS	\$15,000.00	\$15,000
	Subtotal				<u>\$362,000</u>
	Contingencies	10%			\$36,200
	Engineering, Surveying, Testing & Administration	20%			\$72,400
Total Estimated Cost					<u>\$470,600</u>

The exact location of the new well should be determined by the City's hydrogeologist with the following criteria taken into account. The well lot should be sized to accommodate a future storage tank and pump station. A site of approximately one acre with a minimum dimension in any direction of 125 feet would be appropriate. The 125 foot dimension is important in order to maintain the required control of a 50 foot radius around the well. The Division of Environmental Quality is also currently requiring testing and monitoring for surface water impacts for wells within 500 feet of surface

water such as open ditches, canals and ponds. If possible, it would therefore be prudent to locate the well with this 500 foot clearance in mind.

As there are no existing mains in the proposed area east of Hiland Avenue, a new main, sized to carry the full capacity of the new well, would have to be installed. The closer the new well is located to Hiland Avenue the less large diameter main would have to be installed. The City currently owns property approximately one-half mile east of Hiland Avenue and the East Pressure Station. To locate the new well at this site would require the installation of a new main for this distance. The cost of the installation of this new main would be much higher than the cost of purchasing a well lot closer to Hiland Avenue. It appears that an easement will also be required for the main line connection from the well site to Hiland Avenue. The City currently has no easements in this area. Power must also be brought to the site. The City should consider all aspects of the project in making a decision as to the location of the well site.

FULLY DEVELOP EXISTING WELLS

Fully developing the existing wells is something the City should strongly consider. The existing wells are set up and have all the equipment and connections in place, thus have a potential to provide a cost effective method of increasing supply. To increase the capacity of the existing wells may only require the cost of a new pump and/or motor along with any necessary upgrade in electrical needs. To check whether an existing well has potential for increasing the capacity previous records should be consulted for such things as water drawdown tests, water level readings, sand problems, and original design capacity. Much of this information may not be available or may be time consuming to track down. With available data the City should determine which wells have the most potential and further investigate them. To be assured that the well will produce the projected flow a pump/drawdown test should be conducted on the well prior to making the improvements.

In addition to increased capacity better pump efficiency may be also be gained which could potentially pay for the improvements with reduced power consumption. Over the years efficiency is reduced due to wear on the pumps or to such things as changes in operation of the well such that it is no longer operating at peak efficiency. Also, a drop in the water table can change the point of operation of the pump thus reducing both the efficiency and the capacity of the pump. In order to determine the efficiency of the wells, pump efficiency tests should be conducted on all the wells.

Increasing the capacity at the existing wells was discussed in the Spronk report. The information contained in that report should be consulted.

CHAPTER 6 - SUMMARY & IMPLEMENTATION

6.1 OVERVIEW

This Chapter is intended to summarize the recommendations concluded from the detailed discussions presented in this study.

With the recent growth, the City of Burley has reached its capacity to supply water during peak usage. In addition to improvements required to alleviate supply problems there are also system changes that are needed to provide a more uniform distribution of demand and fire flows. Following is a brief summary listing the recommendations of this study. Table 6-1 at the end of this Chapter 6 shows the recommendations in a schedule format.

6.2 WATER SUPPLY

1. Develop a new domestic water well with a target capacity of 2,000 gpm that will provide water to either the Central or South Pressure Zones. Size the new well lot to accommodate a future storage tank and pump station. The estimated cost for implementation of the well is \$470,600 (excluding land, easements and power).
2. Maintain the existing separate irrigation system. The system provides significant relief to the domestic system during the high irrigation demands in the summer.
3. Begin an education program in the City for water conservation. At an annual use of 486 gallons per capita per day, Burley is 2 to 2.5 times the national average for water use.
4. Have a water rate study conducted to review the current rates and rate structure. Adjustment of water rates or changing to a new rate structure will result in some water conservation.
5. Investigate the possibility of converting the large irrigation users from the domestic water system to the separate irrigation system or to surface water sources such as the Burley Irrigation District. This would help reduce the peak summer demands that are placed on the water system.
6. Prepare for future supply requirements projected for the year 2011.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
AUG 28 2001
DEPARTMENT OF WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 45-7735

1. Owner: City of Burley Phone No. 208-678-2103

Current Address: PO Box 1090 Burley ID 83318

2. Accompanied by: Jesse Mabry EXAM DATE: June 11, 2001

Address: Same Phone No. Same

Relationship to Permit Holder: Employee

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

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
		NW	SW	NW	83	10S	23E	Cassia	GPS TAG # E-0007827

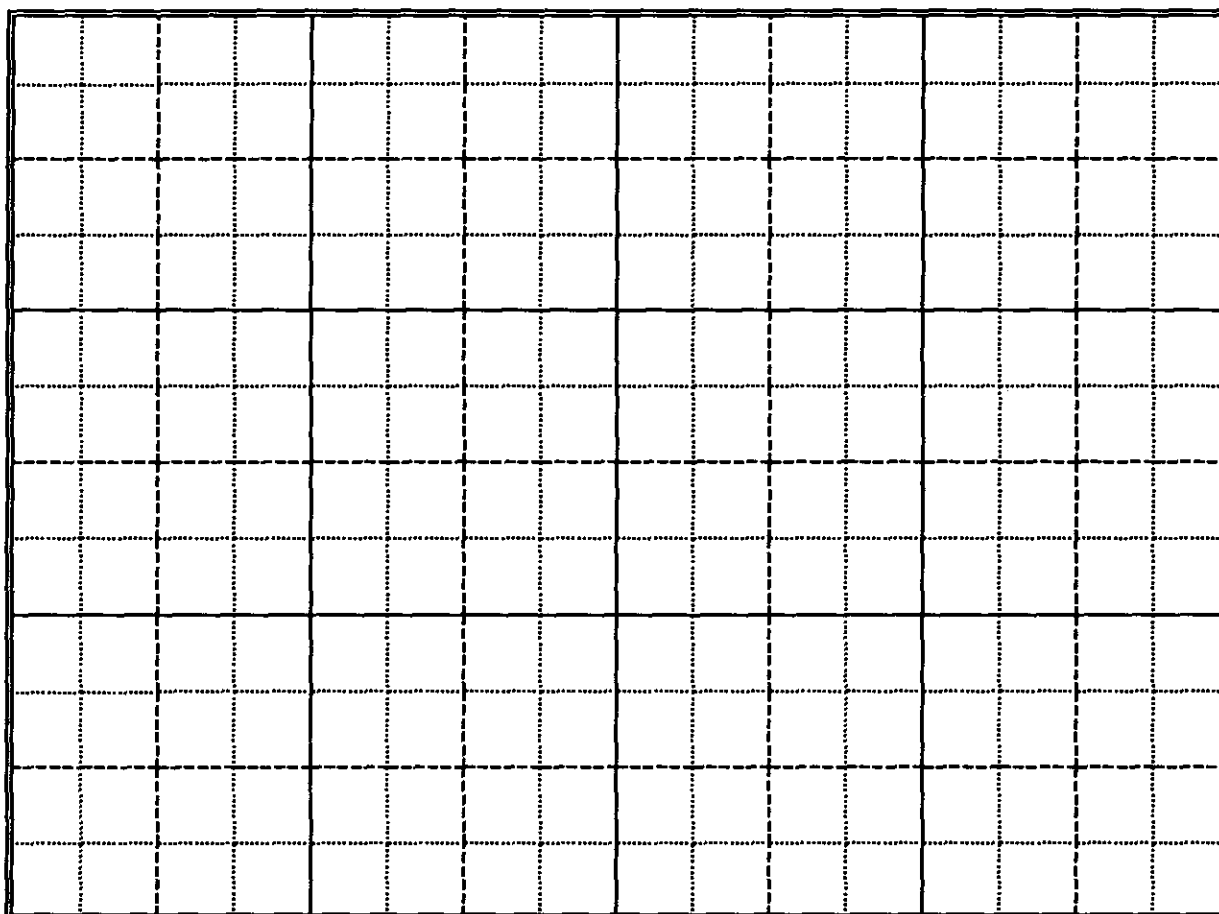
2. Place(s) of Use:

Indicate Method of Determination GIS

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

* Place of use is within the Burley City limits

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



Scale: 1" = _____

☒ 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
E0007827	US Electric	250	974102		

*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

2. Measurements: Please see narrative

E. NARRATIVE/REMARKS/COMMENTS

PERMIT: 45-7735
FROM: Amanda Folsom
DATE: August 1, 2001

I met with Jess Mabry, who works for the City of Burley, on June 11, 2001. Jess works with the maintenance for the city and the wells that feed the city of Burley.

POINT OF DIVERSION

The point of diversion for this permit is a single well located in the SWNW ¼ of Sec 33, Twp 10S, Rge 23E. After reviewing all of the notes and reports submitted by J-U-B Engineer's, this well was drilled in the hopes to remove some of the stress off of the other wells and allow for a backup incase one of the other wells should stop or be taken off line. This well, E0007827, is also known as Well #6. The water from Well #6 is pumped about a ¼ of a mile SW to a 2 million-gallon tank underground. Well #5 also pumps to this tank. There the water is chlorinated and dispersed to the city of Burley. The two wells are activated when the water level drops in the tank, however, the wells alternate when filling the tank.

Arnie with the West Measurement district measured this well in 1999. At the time of the exam the Sparling meter was recording the same as in Arnie's measurement. The total capacity for the system came to 2130gpm or 4.74cfs. The permitted diversion rate was 4.46cfs.

PLACE OF USE

The place of use for this permit is for municipal use inside of the Burley City limits.

I am recommending the 4.46cfs that was permitted for municipal use.

Idaho Department of Water Resource

Recommendation for Permits 45-7735

City of Burley



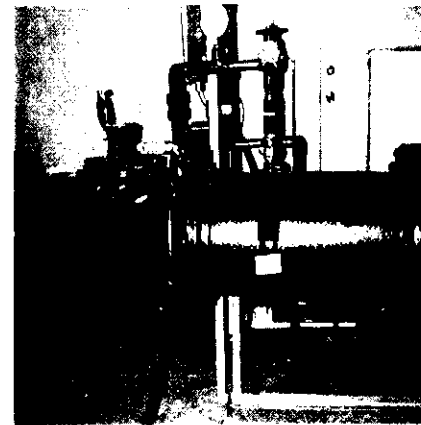
- ⊙ Point of Diversion
- Quarter-Quarter Lines
- Section Lines
- Water Right



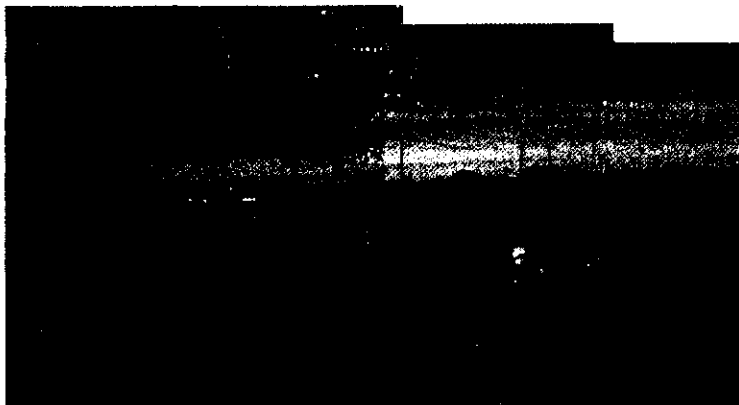
City of Burley
 100 S. 2nd St.
 Burley, Idaho 83401
 Point of Diversion Presentation
 1982-1988 NAPP Ch. 10, 11, 12
 City of Burley, Idaho



250hp well E0007827



Sparling meter



2 million-gallon tank underground

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 45-07735

Priority: September 03, 1996

Maximum Diversion Rate: 4.46 CFS

It is hereby certified that CITY OF BURLEY
PO BOX 1090

BURLEY ID 833181090 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 03, 1996; and has submitted Proof of Beneficial Use on October 15, 1999. An examination indicates that the works have a diversion capacity of 0 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
MUNICIPAL	01/01 to 12/31	4.46 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER
CASSIA County

NW1/4SW1/4NW1/4

Sec. 33, Twp 10S, Rge 23E, B.M.

CONDITIONS OF APPROVAL

1. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
2. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
3. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
4. The Director retains jurisdiction over this right and may change, add, or remove any requirement as determined to be appropriate.
5. The issuance of this right does not grant any right-of-way or easement across the land of another.
6. The daily diversion volume for non-domestic uses under this municipal right shall not exceed 2,500 gallons per use and the daily diversion volume for domestic uses under this right shall not exceed 13,000 gallons per dwelling in accordance with Section 42-111, Idaho Code.
7. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 45-07735

8. Place of use is within city limits of Burley and surrounding service area.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this ____ day of _____, 2001.

KARL J. DREHER
Director

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Have conditions of permit approval been met? X yes ___ no

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

$$\frac{2130 \text{ gpm}}{448.83} = 4.74 \text{ cfs} \rightarrow \text{Highest Capacity}$$

Permitted $\rightarrow$ 4.46 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

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>7/1</u>	<u>12/31</u>	<u>4.46</u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Totals:			<u>4.46</u>	<u> </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. AUTHENTICATIONField Examiner's Name Amanda Tolson Date Reviewer Date

SEAL



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

January 13, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 45-07735

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.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **SOUTHERN** Regional Office of the department in Twin Falls at (208) 736-3033.

Sincerely,

Kari Lynn Townsend
Secretary

c: IDWR - Regional Office

MICROFILMED

JAN 28 2000

September 30, 1999

CITY OF BURLEY
PO BOX 1090
BURLEY ID 833181090

PROOF DUE NOTICE

RE: PERMIT NO. 45-07735

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 December 1, 1999.

(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.

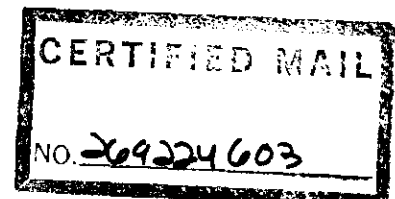
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

JAN 28 2000





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

January 27, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318-1090

RE: Water Right 45-07735

Dear Permit Holder:

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

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

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

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

MICROFILMED
MAY 15 1998

CERTIFICATE OF MAILING

I hereby certify that on the 27th day of January, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Amendment of Permit)** to the person(s) listed below:

WATER RIGHT 45-07735

CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318-1090


Kari Lynn Townsend
Secretary

MICROFILM

MAY 15 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order 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 the 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 a 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, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a 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.

ORAL ARGUMENT

If the Department grants a petition to review a 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 a 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.

MICROFILMED
MAY 15 1998

AMENDMENT OF PERMIT REVIEW

Review Date 1/14/98

PERMIT NO. 45-07735 NAME City of Burley

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

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

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

GROUNDWATER:

Drilling Permit No. 45-97-S-0065-000
Drilled ?

Swan Falls Flag 7

Conditions of Approval: 01M/046/051/052/053/004/022/075

Remarks/Comments _____

FILE PROGRESS SUMMARY

APPLICANT:

City of Durkey

WATER RIGHT NO. 45-07735

INIT.	DATE	COMMENT
ada	10/27/97	Staffed to Carey
CS	10/24/97	INFORMED WILLIAM PARSONS VIA TELECOM THAT A BETTER MAP IS NEEDED WITH THE APPLICATION. THERE APPEARED TO BE A DISCREPANCY BETWEEN POD LOCATION AND ^{ON} MAP AND ON LOCATION DESCRIBED ON APPLICATION. MR. PARSONS SAID THAT THE POD ON THE APPLICATION SHOULD BE CORRECT BECAUSE IT WAS PULLED OFF OF LEGAL DOCUMENTS DESCRIBING THE PROPERTY WHERE THE WELL IS TO BE LOCATED. MR. PARSONS SAID HE WOULD CONTACT JUB ENGINEERS TO PROVIDE A BETTER MAP FOR THE APPLICATION. MADE SOME MINOR CORRECTIONS TO APPLICATION PER MR. PARSONS.
CS	10/20/97?	TRACY AHRENS OF JUB DROPS MAP OFF @ OFFICE WITH A MESSAGE TO CALL HIM.
CS	10/30/97	CALL MR. AHRENS @ JUB. CONFIRM WELL LOCATION. MR. AHRENS INQUIRES ABOUT AMENDING APPLICATION TO ADD A POD INSTEAD OF CHANGE POD CASE NEW WELL LOCATION DOES NOT WORK OUT AND CITY HAS TO USE ONE OF THE ORIGINAL PERMITTED WELL LOCATIONS. DISCUSSED OPTION(S) AND HE SAID HE WOULD TALK IT OVER WITH WILLIAM PARSONS (CITY ATTORNEY) MR. PARSONS CALLS AND SAYS HE WANTS APPLICATION TO BE FOR ADDING A POD TO EXISTING PERMITTED POD'S UNDER 45-07735. I MAKE NECESSARY CHANGES TO APPLICATION PER MR. PARSONS REQUEST.
CS	10/31/97	GAVE APPLICATION TO MARY TO PREPARE ADVERTISING
MB	11/25/97	Adv. sch - SP 12/1, + 12/8/97, 12/18/97
MB	12/11/97	Pub. app. rec.
MB	12/19/97	to ADM for reg. signoff.

MICROFILMED

MAY 15 1998

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

DEC 11 1997

County of Cassia)
STATE OF IDAHO) ss

Ruth Holmes, being first duly sworn, deposes and says that she is the Legals clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of the South Idaho Press for 2 consecutive week(s), commencing with the issue dated December 1 1997, and ending with the issue dated December 8 1997.

Ruth Holmes

STATE OF IDAHO)
COUNTY OF)
MINIDOKA)

On this 8th day of December in the year of 1997 before me, a Notary Public, personally appeared Ruth Holmes, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Kay Moore
Notary Public for Idaho

Residing at Paul, ID

My commission expires: 9-20-2001

Cost of Publication 38.28
Affidavit Fee 5.00
Total Cost 43.28

OK
MB
12/11/97

NOTARY PUBLIC
MAY 15 1998

97-548

**NOTICE OF AMENDMENT TO A
WATER PERMIT**

Notice is hereby given that the City of Burley, PO Box 1090; BURLEY ID 83318 has applied to the Department of Water Resources to change the point of diversion by adding an additional point of diversion and drilling a new well within the SW1/4NW1/4, S33, T10S, R23E; Cassia County. **PRESENTLY**, Permit No. 45-07735 with a priority date of 09/03/1996 authorizes diversion within SW1/4SE1/4, S28 and NE1/4SE1/4, S29, T10S, R23E; Cassia County for municipal use (4.46 cfs) within the city limits of Burley, ID and surrounding service area. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before December 18, 1997 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on
December 1 & 8, 1997.

.....

**NOTICE OF AMENDMENT TO A
WATER PERMIT**

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Karl J. Dreher, Director

Published in the South Idaho Press on
12/1 & 12/8/97.

APR 13 1998

MAY 15 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

November 26, 1997

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

**ATTENTION-LEGALS
SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318**

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

MAY 15 1998

NOTICE OF AMENDMENT TO A WATER PERMIT

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Karl J. Dreher, Director

Published in the South Idaho Press on 12/1 & 12/8/97.

MAY 15 1998

OK
AD~



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

November 25, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

WILLIAM A PARSONS ESQ
PARSONS SMITH STONE & FLETCHER
PO BOX 910
BURLEY ID 83318

Re: Application for Amendment of Permit No. 45-07735 (City of Burley)

Dear Mr. Parsons:

The Department of Water Resources acknowledges receipt of the Application for Amendment of Permit as referenced above.

This office will be advertising the application in the South Idaho Press on 12/1 & 12/8/97. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely yours,

Corey Skinner, E.I.T.
Safety of Dams Engineer

cs:mb

cc:

TRACY A AHRENS PE
JUB ENGINEERS
800 FALLS AVENUE
TWIN FALLS ID 83301

CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

MAY 15 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

November 7, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ATTN ACCOUNTING DEPT
CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

RE: Check No. 01017

Gentlemen:

This office is returning your Check No. 01017 in the amount of \$50.00 received on 11/6/97.

Other than the notation on the check stub stating "permit", no other information was given regarding the purpose of the payment.

Therefore, I am guessing that you intended that the payment was for the filing fee for the Amendment of Permit No. 45-07735 for the City that is currently being processed by the Department. However, payment was previously received from the law firm of Parsons, Smith & Stone for the \$50.00 filing fee.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Sincerely,

Mary A. Baldwin
Senior Secretary

MB

MAY 15 1998

PARSONS, SMITH, STONE & FLETCHER, LLP

WILLIAM A. PARSONS
RICHARD K. SMITH
RANDOLPH C. STONE
rcstone@cyberhighway.net
WM. KENT FLECHER
wkt@cyberhighway.net

ATTORNEYS AT LAW
137 WEST 13TH STREET
P. O. BOX 910
BURLEY, IDAHO 83318

TELEPHONE
(208) 678-8382
FAX NO.
(208) 678-0146

October 23, 1997

Department of Water Resources
1341 Fillmore - Suite 200
Twin Falls, Idaho 83301

Gentlemen:

Enclosed please find Application for Amendment of a Permit for City of Burley, along with our check in the amount of \$50.00 so that the City can proceed with developing a new municipal well.

We would appreciate your expediting this as we need to get started on the drilling process.

Very truly yours,


William A. Parsons

WAP:rt

Enc.

cc: JUB Engineers
E. E. Brinegar

RECEIVED

OCT 24 1997

Department of Water Resources
Gordon H. Hoggan

MAY 15 1998

Ident. No. 45-97-S-0065-000
Water Right No. 45-07735

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR DRILLING PERMIT

1. Name: CITY OF BURLEY O 208-678-2224
Address: P.O. BX 1090
BURLEY ID 83318

2. Proposed Well Location: Township 10S, Range 23E, Sec. 33, SWNW
CASSIA County

Street Address of Well Site: HILAND AVE. 3/8 MILE S. OF 100 S. RD.
BURLEY ID

3. Proposed Use of Well: Non-Domestic Municipal

4. Well Construction Information:

- A. NEW WELL
 - B. Proposed Surface Diameter 20 In. Proposed Maximum Depth 650 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: 11/17/1997

6. Anticipated Well Driller: (No. 9999)

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

7. Applicant's Signature _____ Date _____

Title _____
(Owner, Firm Representative, Other)

Fee \$ _____ Receipted by _____ No. _____ Date _____

RECEIVED
MAY 15 1998

(Continued)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This permit is _____.

Date: _____

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

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. Public Water Supply wells must not be drilled closer than 100' from any drainfield or septic tank.
3. The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If a bottom hole temperature of 85 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, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (DigLine is a one-call center for utility notification) not less than 2 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 cased and sealed to exclude water from this zone from entering the well. All seals will be placed from the bottom up.
10. 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, temperature and quality and are not subject to waste or contamination this may be waived and a greater open (screened or filterpacked section) may be approved.

(Continued)

MAY 15 1998

CONDITIONS OF APPROVAL:

11. If an annular slurry 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 shall be a bentonite which has been specifically recommended by the manufacturer for use as a seal material in water wells.
12. If an annular space of at least 4 inches greater than the outside diameter of the casing is provided a granular bentonite or bentonite chips may be poured at the manufacturer's recommended rate or no greater than 50 pounds in five minutes. The pour shall also be presifted through 1/4 inch mesh screen to reduce the introduction of fines unless the annular space is free of water, ie. (above the water table and there is no cascading water). The top of the seal shall be tagged at regular intervals, ie. (30' intervals) during placement with a sinker bar or other appropriate device to ensure the seal is reaching the intended depth. If bridging occurs, the seal shall be tamped to its intended position or the Department will be contacted for evaluation.
13. 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 that aquifers are sufficiently isolated and/or protected from waste and contamination.
14. 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.
15. If after the commencement of drilling a construction problem develops, another means of seal placement or seal material may be approved after the Department has had an opportunity to review proposed changes. A 24 hour review period will be provided for department personnel should said changes become necessary.
16. If a neat cement grout is to be utilized as a seal material, additives such as the following shall be used to reduce dehydration and shrinkage. Mix water quantity shall strictly follow manufacturer's specifications paying close attention to cement grind and water ratios, (generally between 5 and 6 gallons per sack) eliminating free water. Water quality of the mix water should meet drinking water standards.
17. The use of bentonite added to cement grout to reduce hydraulic conductivity shall not exceed 4% and shall be prehydrated prior to mixing with the neat cement. The bentonite shall not contain chemical polymers which effect long term stability, and are often found in drilling fluid grade bentonites, but will be specifically recommended by the manufacturer for use as a seal material.
18. Drilling fluids shall be mixed with water which meets or exceeds drinking water standards.
19. The screened, perforated, filterpacked or otherwise open and commingled strata which are to be produced from, shall be of similiar 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.

(Continued)

MAY 15 1993

CONDITIONS OF APPROVAL:

20. If an annular seal of bentonite is to be utilized, it shall be a high solids (>30) bentonite. 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 in the construction or abandonment of water wells.
21. A silica flour or 200 mesh silica sand shall be utilized in a ratio of 30-50% to reduce permeability and increase the stability of the cement grout.
22. Proper casing and sealing procedures of this well may require pressure grouting and/or multiple casing strings to protect the resource. Casing shoe seals made by installing multiple casing strings shall be tested by bailing or pumping the hydrostatic head and observing any water level changes over a predetermined time interval. A maximum leakage rate may be considered.
23. Reference drilling specifications of the American Water Works Association Standard for Water Wells (ANSI/AWWA A100-90) and the Recommended Standards For Water Works (Greater Lakes Upper Mississippi River Board of States Public Health & Environmental Manager 1992).
24. The construction location of this well will be at a site approved by the Division of Environmental Quality.
25. Casing thickness is required to meet the ASE standards.

Signature of Authorized Dept. Representative_____
Title*****
EXTENSION OF DRILLING PERMIT

Extension Approved by: _____

Approval Date: _____

Expires On: _____

MAY 15 1998

MEMORANDUM

TO: City of Burley Amendment of Permit (45-07735) File
FROM: Corey Skinner *CS*
DATE: October 30, 1997
SUBJECT: Staff Review

The enclosed Application for Amendment of Permit 45-07735, in the name of the city of Burley, was filed by William Parsons, the city attorney. The application seeks to add a point of diversion location to the two possible point of diversion locations that are currently permitted under 45-07735.

The city of Burley has found a more desirable well location and would like to amend their permit to also show this new possible location. The application was amended (per William Parsons) so that it proposed to **add** this new possible point of diversion instead of the application's original intent of **changing** to this new point of diversion. This was done in order to give the city of Burley more flexibility in case their proposed well fails to produce, which would enable the city to drill another well in one of the other permitted locations.

The enclosed Application for Amendment should be pretty straight forward, and I see no reason why it can not be approved if the appropriate approval conditions are implemented.

MAY 15 1993



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

November 26, 1996

CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318-1090

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 45-07735

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "Conditions of Approval and Remarks" listing on the permit.

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

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

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.

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of Idaho for the use and benefit of the people within the state. Conditions pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

ENCLOSURE

FEB 26 1997

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosures

RECEIVED 1/10/98

FEB 23 1998

MEMORANDUM

DATE: November 20, 1996

TO: File No. 45-07735

FROM: Cindy Zimmerman *CZ*

SUBJECT: Trustwater Review

This application proposes to divert 4.46 cfs of trustwater from groundwater for municipal use within the city limits of Burley and surrounding service area. This application satisfies 42-203A & C requirements.

RECORDED

FEB 25 1997

MEMORANDUM

Date: November 12, 1996

To: Shelley Keen

From: Jim Johnson

Subject: City of Burley Application

=====

Thank you for bring this application to my attention.

I have reviewed the addendum to the application for permit and didn't find any reason to request additional information beyond what was supplied in the addendum.

The new provisions of Section 42-202 require;

1. **Qualification as municipal provider.** City of Burley is both the municipality and the municipal provider, no additional information is required.
2. **Service area** description as recommended by Alan Merritt should be put on the permit.
3. **Planning horizon** is anticipated growth to year 2015. This is reasonable. No additional information is needed.
4. **Reasonably anticipated future needs** has been projected to year 2015 and the maximum daily demand is projected to be 6340 gpm or 9.13 mgd. This application will add 2000 gpm to the cities capacity. Which will take care of the needs to year 2011. They are looking at different alternatives for meeting supply to year 2015.

The application should be approved. Further municipal water use provisions under section 42-217 will be considered when proof of beneficial use is submitted.

MEMORANDUM

FEB 24 1997

FROM: Allen Merritt *Am*

DATE: November 5, 1996

TO: File: Application for Permit 45-07735

SUBJECT: Review & Recommendation

The application proposes to develop a new well for municipal use for the city of Burley. The well is to be located in an area presently covered by the "Eastern Snake Plain Moratorium". Pursuant to the moratorium such municipal wells have been allowed for "domestic & fire protection" purposes but not authorized for new major consumptive uses such as irrigation of large tracts of lands such as ballfields, parks, etc.

The application was advertised with no protests.

Recommendation:

I recommend that the application be approved subject to the following conditions:

1. 1. A measuring device with totalizing meter be installed at the new well.
- OK 2. The place of use is limited to within the city limits of the city of Burley and to the surrounding service area.
- OK 3. Irrigation of large projects such as parks, golf courses, or athletic fields is not authorized under this permit.
1. 4. Uses authorized under this permit must be for fire protection or uses which individually meet the definition for domestic use provided in 42-111, Idaho Code.
2. 5. The new well authorized under this permit must comply with the drilling permit (42-235) requirement and meet IDWR well construction standards and DEQ health requirements for Public Water Supply Systems.
1. 6. Subject to all county, state & federal permits that may be required.
1. 7. Subject to West ESPA Water Measurement District requirements.

*DEQ Rules for
Public Water
Supply
Systems.
must. Same*

MONOCLAMED

FEB 26 1997

County of Cassia)
) ss
STATE OF IDAHO)

STATE OF IDAHO)
COUNTY OF)
MINIDOKA)

Sandra K. Burns
Notary Public for Idaho

Cost of Publication 30.24
Notary Fee 50
Total Cost 30.74

OK
MB
10/25/96

W E I D

14-00000
 OCT 22 1996
 Department of Water Resources
 14-00000

96-481

**NOTICE OF APPLICATION FOR
WATER PERMIT**

The following application has been filed
to appropriate the public waters of the
State of Idaho:

CITY OF BURLEY

PO BOX 1090

BURLEY ID 83318

Application for Permit No. 45-07735

Source: groundwater

**Diversion Pt: NE1/4SE1/4, S29, T10S,
R23E or alternate location SW1/4SE1/4,
S28, T10S, R23E; Cassia County (one
(1) new well,**

Use: Municipal (4.46 cfs) 1/1-12/31

Date Filed: 9/3/96

**Is: within city limits. The permit will
be subject to all prior water rights.
Any protest must be filed with the
Director, Dept. of Water Resources,
Southern Region, 222 Shoshone Street
East, Twin Falls, ID 83301 together
with a protest fee of \$25.00 on or before
October 24, 1996. The protestant must
also send a copy of the protest to the
applicant.**

Karl J. Dreher, Director

Published in the South Idaho Press on
October 7 and 14, 1996.

**NOTICE OF APPLICATION FOR
WATER PERMIT**

The following application has been filed
to appropriate the public waters of the
State of Idaho:

CITY OF BURLEY

PO BOX 1090

BURLEY ID 83318

Application for Permit No. 45-07735

Source: groundwater

**Diversion Pt: NE1/4SE1/4, S29, T10S,
R23E or alternate location SW1/4SE1/4,
S28, T10S, R23E; Cassia County (one
(1) new well.**

Use: Municipal (4.46 cfs) 1/1-12/31

Date Filed: 9/3/96

**In: within city limits. The permit will
be subject to all prior water rights.
Any protest must be filed with the
Director, Dept. of Water Resources,
Southern Region, 222 Shoshone Street
East, Twin Falls, ID 83301 together
with a protest fee of \$25.00 on or before
October 24, 1996. The protestant must
also send a copy of the protest to the
applicant.**

Karl J. Dreher, Director

**Published in the South Idaho Press on
10/7 & 10/14/96.**

10/17/96 - 10/18/96

FOR 10/18/96



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

September 24, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

NOTICE OF APPLICATION FOR WATER PERMIT

The following application has been filed to appropriate the public waters of the State of Idaho:

CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

Application for Permit No. 45-07735

Source: groundwater

Diversion Pt: NE1/4SE1/4, S29, T10S, R23E or alternate location SW1/4SE1/4, S28, T10S, R23E; Cassia County (one (1) new well.

Use: Municipal (4.46 cfs) 1/1-12/31

Date Filed: 9/3/96

In: within city limits

The permit will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before October 24, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on 10/7 & 10/14/96.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

September 24, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

MAYOR FRANK BAUMAN
CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

Re: Application for Permit No. 45-07735

Dear Mayor Bauman:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office has scheduled advertising the application in the South Idaho Press for 10/7 & 10/14/96. A period of ten days following the second publication will be allowed for the submittal of protests.

If an application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If an application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB
cc: William Parsons, Esq.

PARSONS, SMITH, STONE & FLETCHER

WILLIAM A. PARSONS
RICHARD K. SMITH
RANDOLPH C. STONE
WM. KENT FLETCHER

ATTORNEYS AT LAW
137 WEST 13TH STREET
P. O. BOX 910
BURLEY, IDAHO 83318

TELEPHONE
(208) 678-8382
FAX NO.
(208) 678-0146

August 30, 1996

RECEIVED

SEP 03 1996

Department of Water Resources

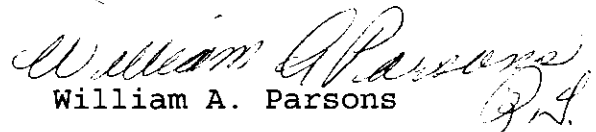
Idaho Department of Water Resources
1301 North Orchard St.
Statehouse Mail
Boise, Idaho 83720-9000

RE: City of Burley - Application for Permit

Gentlemen:

Enclosed is Application for Permit by City of Burley,
along with a check for \$180.00 for payment of the fees.

Very truly yours,


William A. Parsons

WAP:rt
Enc.

RECEIVED

SEP 09 1996

Department of Water Resources
Southern Region

11/1/1996

11/1/1996

Randy Stone

Bill Parsons

Box 910

Burley 83318

678-8382

— send a copy of the
approved amendment

to him, please

Kari Lynne
1-27-98