

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 29-08188

Priority: December 16, 1996

Maximum Diversion Rate:

6.70 CFS

This is to certify, that CITY OF CHUBBUCK

PO BOX 5604

CHUBBUCK ID 83202

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 16, 1996; and has submitted Proof of Beneficial Use on January 30, 1998. An examination indicates that the works have a diversion capacity of 9.800 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
MUNICIPAL	01/01 to 12/31	6.70 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 10, Township 06S, Range 34E
BANNOCK County

PLACE OF USE: See Remarks

CONDITIONS OF APPROVAL AND REMARKS

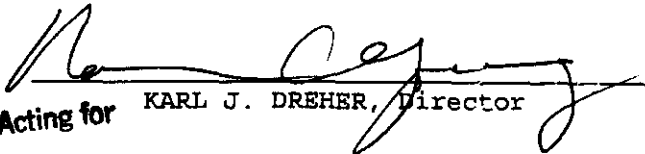
1. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
2. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
3. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
4. 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.
5. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
6. Place of use is located within the city limits of Chubbuck.
7. Point of diversion known as Well #5.

MICROFILMED
MAY 27 1999

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

WATER RIGHT NO. 29-08188

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 administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 14TH day of April, 1999.


Acting for KARL J. DREHER, Director

MICROFILMED
MAY 27 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 30 1998

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. 29-08188 Telephone No. (208) 237-2430
2. Name(s) of Permit Holder(s): City of Chubbuck
3. Mailing Address: P.O. Box 5604, Chubbuck, Idaho 83202-0006
4. Source of Water: Groundwater If **GROUNDWATER** (well), Date Drilled: mo. May / yr. 1996
 - a. Well Driller: High Plains Drilling Drilling Permit Number: 29 - 95 - E - 0087
 - b. **OPTIONAL:**
Pump Horsepower: 500 Pressure (psi): 120 psi Dynamic pumping level (ft): 375 Feet
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: 7.8 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 <u>X</u>	or	No _____
	Has the measuring device been installed?	Yes <u>X</u>	or	No _____
Flow Measurement Port:	Is a flow measurement port required?	Yes _____	or	No <u>X</u>
	Has the measurement port been installed?	Yes _____	or	No <u>X</u>
8. Fee Enclosed: \$ 275 (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: Steven M. Smart Telephone Number: (208) 237-2430
Address: P.O. Box, Chubbuck, Idaho 83202
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: [Signature] Mayor MAR 26 1998 Date: Jan. 20, 1998
(include your title, if on behalf of company or organization)

MICROFILMED

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 29-08188

Proposed Priority: December 16, 1996 Maximum Diversion Rate: 6.70 CFS

This is to certify, that CITY OF CHUBBUCK
PO BOX 5604
CHUBBUCK ID 83202-5604
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	6.70 CFS

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 10, Township 06S, Range 34E
BANNOCK 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 February 1, 1998.
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. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
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.
8. Place of use is located within the city limits of Chubbuck.

MICROFILMED
MAR 10 1997

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 29-08188

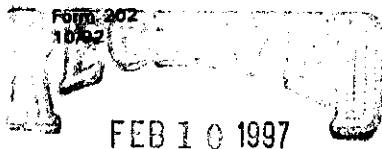
This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

18th day of February, 1997.

Karl J. Dreher
for Karl J. Dreher, Director



MICROFILMED
MAR 10 1997



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 29-8188

RECEIVED

Department of Water Resources To appropriate the public waters of the State of Idaho DEC 16 1996

Department of Water Resources
Eastern Region

1. Name of applicant City of Chubbuck Phone 208-237-2430

Post office address P.O. Box 5604, Chubbuck, ID 83202

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

3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____

Sec. 10 Township 6 South Range 34 East B.M. Bannock County; additional

points of diversion if any: None

4. Water will be used for the following purposes:

Amount 6.7 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) 6.70 cfs and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Vertical turbine pump and motor
diverting water directly into distribution 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 _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 85°F being sought? _____

e. If well is already drilled, when? April 1996; Drilling firm High Plains Drilling; 29-95-E-0037-000

Well was drilled for (well owner) City of Chubbuck

7. Time required for the completion of the works and application of the water to be proposed beneficial use is

One (1) years (minimum 1 year).

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MAR 10 1997

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. City of Chubbuck
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use: All within city limits of the City of Chubbuck

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

City of Chubbuck

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S.	34E.	34									M	M	M	M			M	M	
6S.	34E.	2						M			M	M	M	M					
6S.	34E.	3	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	
6S.	34E.	4	M			M					M			M	M	M	M	M	
6S.	34E.	9	M	M	M	M													
6S.	34E.	10	M	M	M	M	M	M	M	M	M	M	M	M		M			
6S.	34E.	11		M	M		M	M	M	M									

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 29-2385

29-2413, 29-2469, 29-7624

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

b. Who owns the land to be irrigated or place of use? Various property owners in city

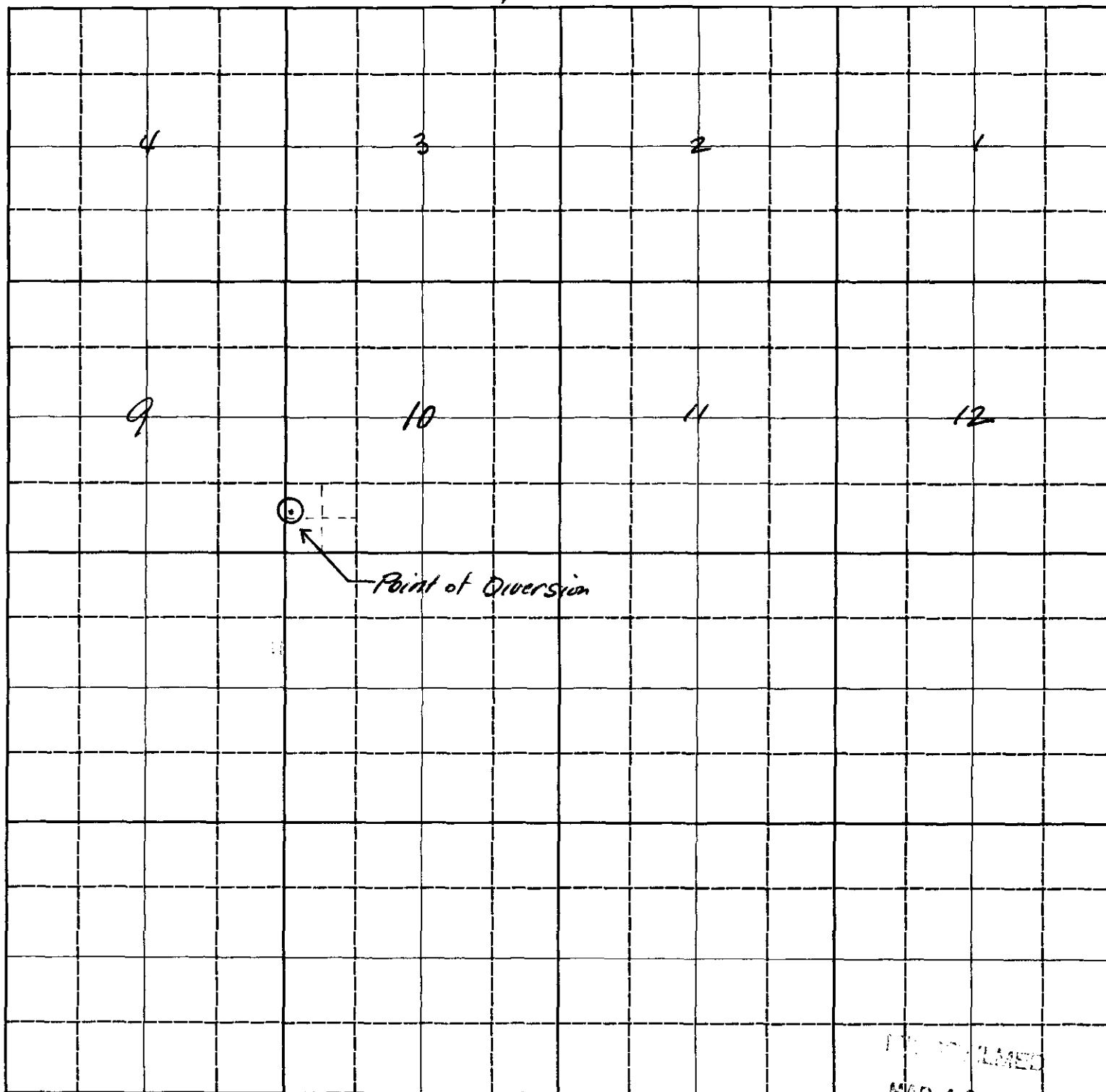
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. City of Chubbuck operates the public water supply system in the municipality

12. Remarks: see attached sheet

RECORDED

MAR 10 1987

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. *T. 6 S. , R. 34 E. B.M.*



Scale: 2 inches equal 1 mile.

RECEIVED
MAR 10 1937

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.

John Batant
Mayor (Applicant)

Received by J. Date 12-16-96 Time 1:03 P Preliminary check by _____
Fee \$ 220.00 ~~NOTE ATTACHED~~ Received by HWT # E022821 Date 12-16-96
Publication prepared by RB Date 1-16-97 Published in Idaho State Journal
Publication approved RB Date 2-5-97

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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MAR 10 1997

**APPLICATION FOR PERMIT
TO APPROPRIATE WATER**

12. This application for water right is being submitted under the old statute. The principle reason for applying under the old statute is time constraint. The city hopes to have this particular well on line and in production by June 1997. The city expects to re-file at a later date under the 1996 Statutes and would include all city water rights.

This new well for which the Water Right Application is being completed replaces some of the lost production due to tetrachloroethylene contamination of two other city production wells. The city is expecting to treat by airstripping the production of one of those contaminated wells (Well No. 4). The city is unsure at this time of the final disposition of the other production well (Well No. 2). Alternatives include: (1) Abandon the well and transfer the water right to another point of diversion or (2) Treatment.

The city's service area continues to expand and the city feels that additional water rights are necessary, irrespective of the ultimate disposition of the contaminated wells. Service area expansion includes annexation of land for residential development, residential development within the existing city limits, as well as commercial expansion within the existing city limits.

RECORDED
FEB 13 1997



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

April 14, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF CHUBBUCK
PO BOX 5604
CHUBBUCK ID 83202

RE: WATER RIGHT NO. 29-08188

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

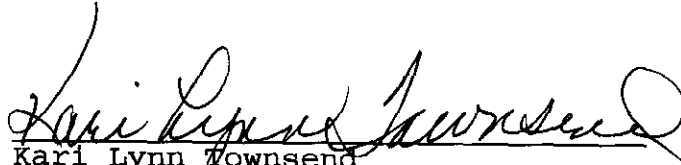
MICROFILMED
MAY 27 1999

CERTIFICATE OF MAILING

I hereby certify that on the 14th day of April, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 29-08188

CITY OF CHUBBUCK
PO BOX 5604
CHUBBUCK ID 83202


Karl Lynn Townsend
Secretary

MICROFILMED
MAY 27 1999

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.

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MAY 27 1999

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.

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MAY 27 1999

WD5804NP
(OD-5804)

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S LOG REPORT

DATE: 04/07/99
PAGE: 1

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	ACC FLG	COUNTY
29-95-E-0087-000	0	CITY OF CHUBBUCK 5160 YELLOWSTONE POCATELLO, ID 83201	06S	34E	10	SW SW		L	BANNOCK

Log Status: Sent To/Microfilmed

Water Right No: 29-02413

Injection Permit No:

Nature of Work: NEW WELL

Construction Method: CABLE

Proposed Use of Well: Municipal

Well Use Comments: WATER RIGHTS 29-02469/07624/02413/02385 ARE LISTED ON PERMIT.

Casing Diameter: 28 In.	Static Water Level: 63 Ft.	Actual Start Date: 10/15/1996
Depth of Casing: 323 Ft.	Temperature: 58 F.	Well Finish Date: 04/17/1996
Total Depth: 460 Ft.	Production Rate: 2000.00 GPM	Log Received Date: 05/22/1996
Screen Installed? Yes		Certification Date: 05/17/1996
Violation Flag:		Field Inspection Date: Inspector:

Firm Name: HIGH PLAINS DRILLING INC

Firm No. 0299

Official: MARCUS FRANSEN

Well Log Remarks: SURFACE SEAL DEPTH 320', CONCRETE AND BENTONITE USED, OVERBORE
CASING SCHEDULE STEEL .375 28" FROM 0 TO 150'
24" FROM 1 TO 155'
20" FROM +2 TO 323'
100 PERFORATIONS, 40 SLOT SIZE, 329 TO 449'
SCREEN USED TYPE-304 SS, 16" DIAM. 3/8 X 3" SLOT SIZE, 45 TO 145.
DEPTH FLOW ENCOUNTERED 312 FT.
COMPLETED DEPTH 460 FT.
DRILLER COMMENTS: WATER QUALITY EXCELLENT

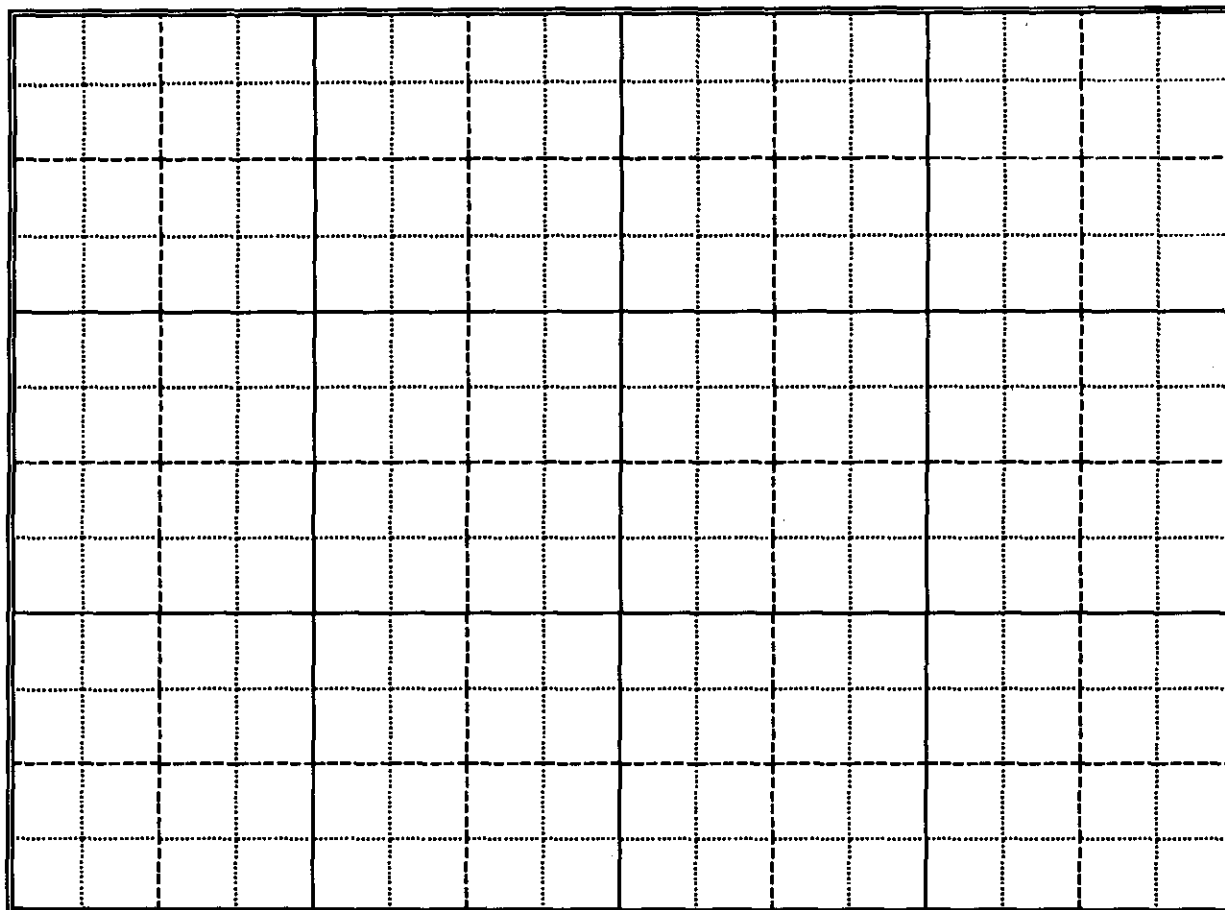
Comments: No Comments Found

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MAY 27 1999

MAY 27 1999

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
# 5	Westinghouse	500	P10138	FAIRBANKS MORSE	Model # 15 H

*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
Totahing Meter		DATA INDUSTRIA	Series 200			

2. Measurements: _____

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MAY 27 1999

E. NARRATIVE/REMARKS/COMMENTS

Well, pump, mainline to city of Chubbuck

Well known as Well #5

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

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MAY 27 1999

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

FROM CITY DATA

$$Q = 4397 \text{ gpm} = 9.797 \text{ cfs} = 9.80 \text{ cfs}$$

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		
MUNICIPAL	1/1	12/31	6.70 cfs	
Totals:			6.70 cfs	

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 KEITH C WILSON Date 7-2-1998

Reviewer _____ Date _____

SEAL

MICROFILMED

MAY 27 1999

CITY OF CHUBBUCK
WELL NO. 5
OPERATING POINTS

DATE	PUMPIN LEVEL (ft)	HEAD DISCHAR PRESSU (psi)	HEAD DISHCHA PRESSU (ft)	TOTAL PUMPIN HEAD (ft)	DISCHAR (gpm)
10-16-97	64.5	0	0.00	64.50	0
10-16-97	69.5	187	431.54	501.04	2474
10-16-97	76.5	130	300.00	376.50	3625
10-29-97	64	0	0.00	64.00	0
10-29-97	75	175	403.85	478.85	2709
10-29-97	78	130	300.00	378.00	4397

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MAY 27 1999

29-08188

T6S, R34E
SW 10 SW 30

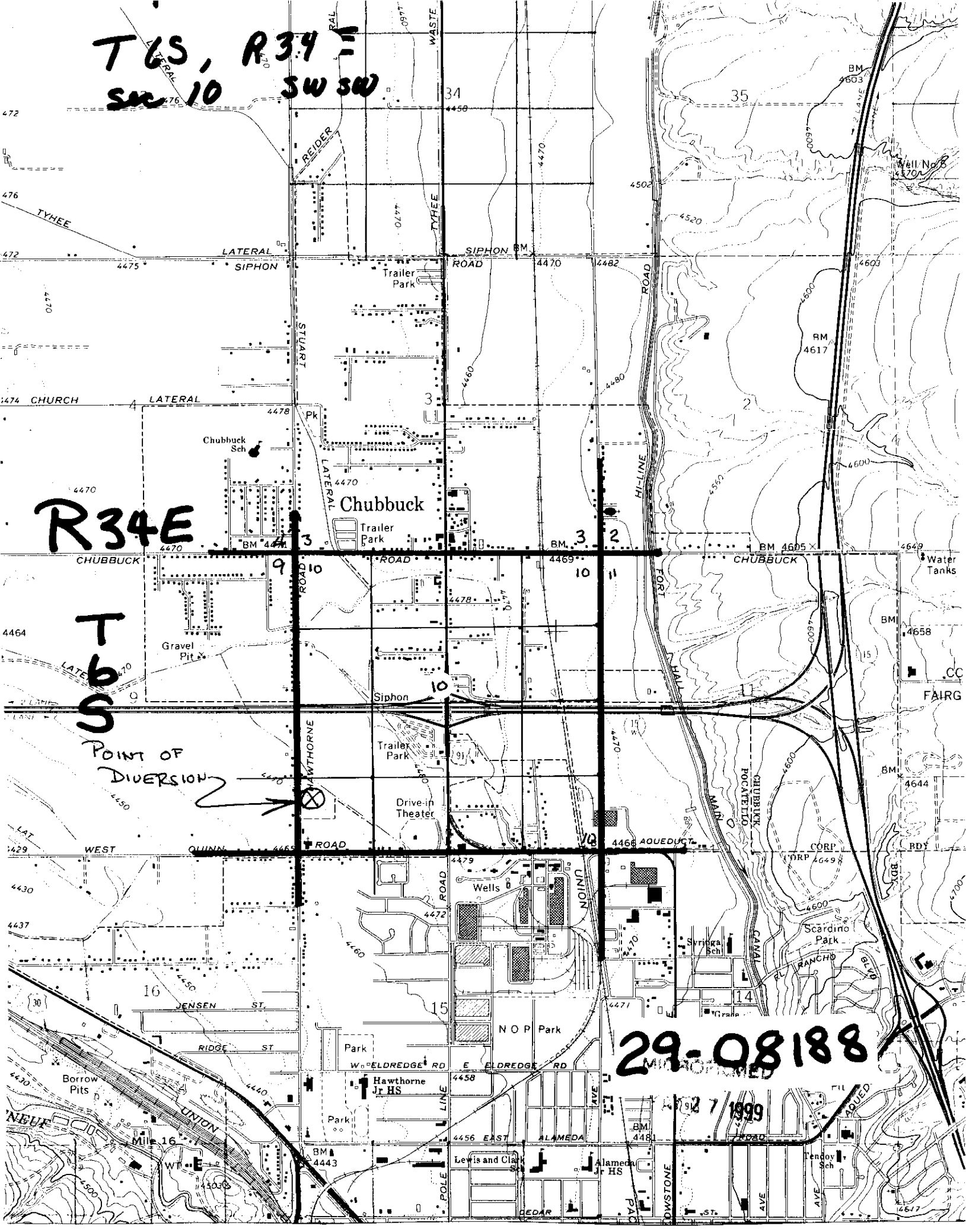
R34E

T6S

POINT OF
DIVERSION

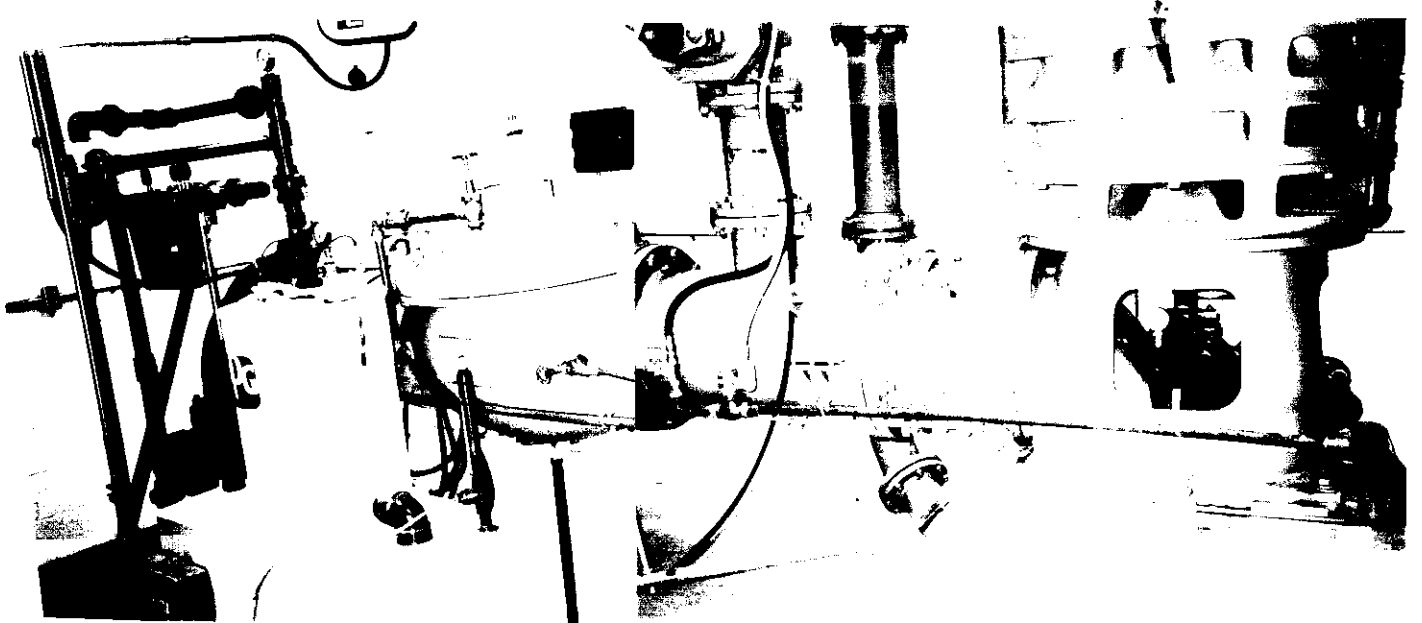
29-08188

7/1999



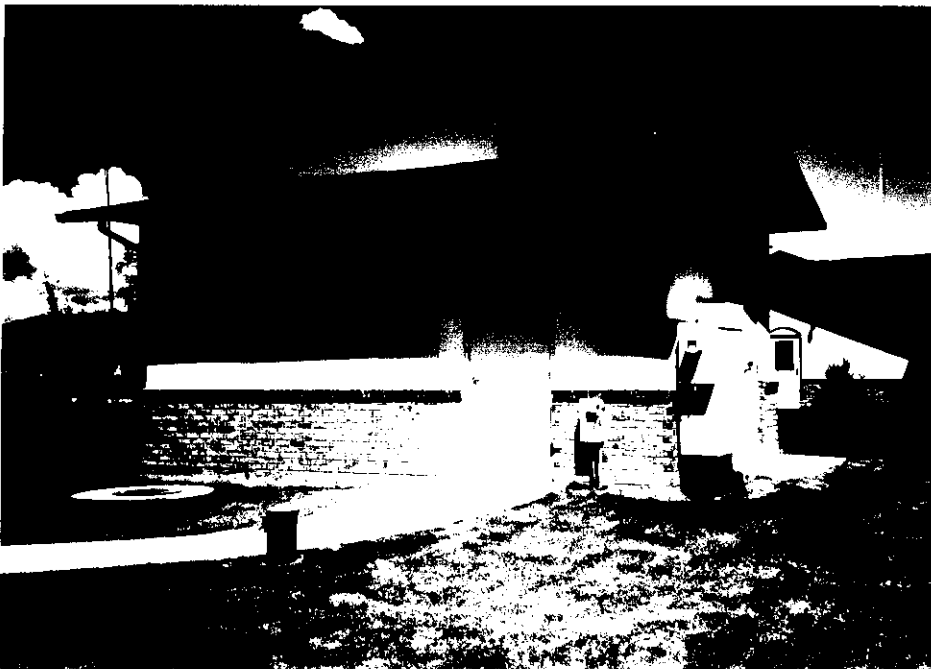


Well House

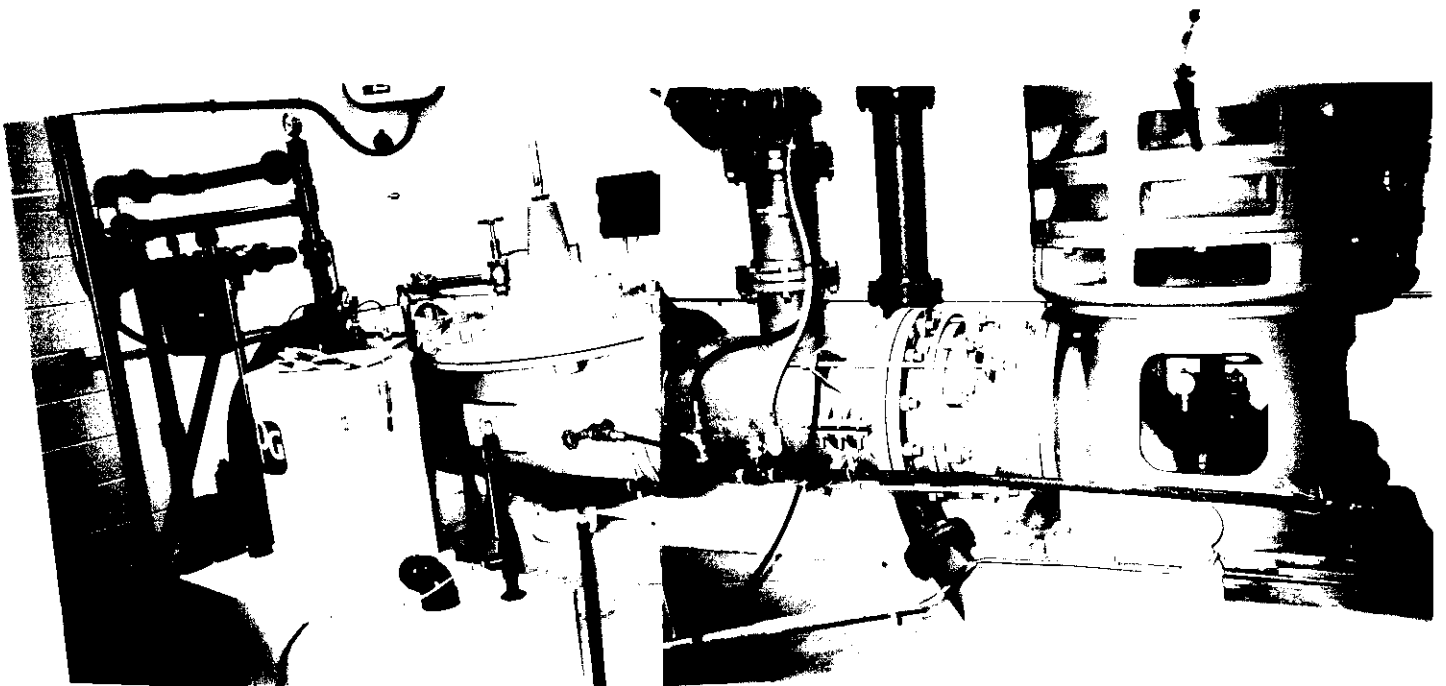


Water Pump

29-08188

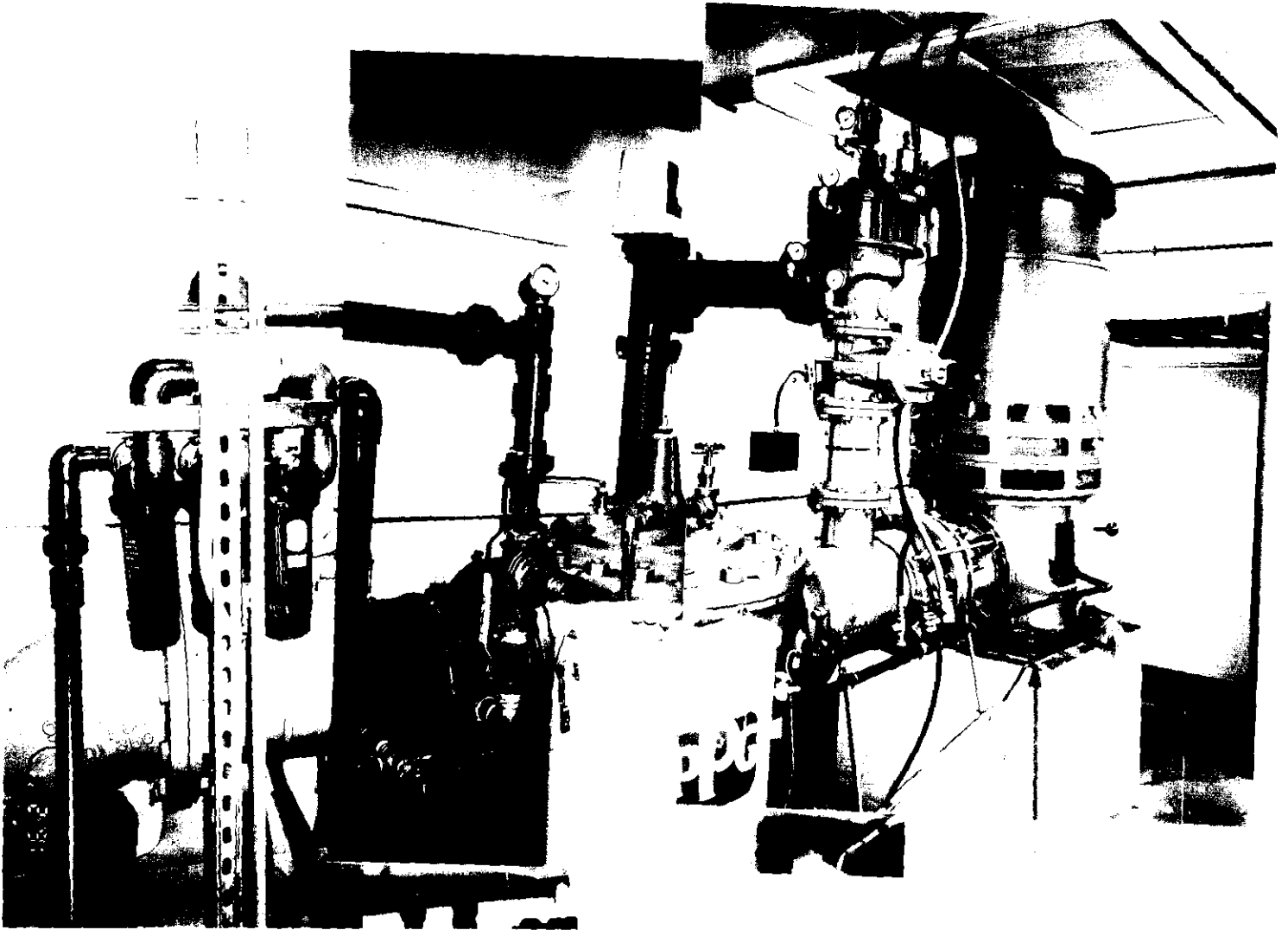


Well House



Pump/well

MICROFILMED 29-08188
MAY 27 1999



Well & Pumping System

29-01-00

MICROFILMED
10.3.97 NPS



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

February 26, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

City of Chubbuck
PO Box 5604
Chubbuck ID 83202-5604

PROOF ACKNOWLEDGMENT LETTER

RE: Permit No. 29-08188

Dear Permit Holder:

The Department is in receipt of the proof of beneficial use statement and the \$275.00 license examination fee filed in connection with the above referenced water right permit.

This water right permit authorizes a maximum rate of diversion of 6.70 cfs for municipal use. The license examination fee for a rate of diversion of 6.70 cfs is \$250.00. Therefore, I have initiated the process to refund the additional \$25.00 exam fee submitted. The refund should arrive in seven (7) to ten (10) business days under separate cover.

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.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. If you have any questions concerning the field examination, contact the **Eastern** Regional Office in Idaho Falls, at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

c: IDWR - Region
Mary McCulley - Fiscal

MICROFILMED

MAR 26 1998

City of Chubbuck

John O. Cotant, Mayor
Thomas J. Holmes, City Attorney
Ron C. Conlin, City Clerk/Treasurer
Steven M. Smart, Public Works Director



P.O. Box 5604
5160 Yellowstone Ave.
Chubbuck, ID 83202-0006
Phone (208) 237-2400

LeRoy S. Quick, Councilman
Steven M. England, Councilman
W. Dean Wood, Councilman
Marv C. Gunter, Councilman

January 16, 1998

RECEIVED

JAN 30 1998

Department of Water Resources

Idaho Department of Water Resources
Attn: Julie L. Yarbrough
P.O. Box 83720
Boise, ID 83720-0098

RE: Permit No. 29-08188

Dear Ms. Yarbrough:

Please find enclosed the following: A completed form "Proof of Beneficial Use", together with a check in the amount of \$275 for license examination fee.

Sincerely,

Steven M. Smart, P.E.
Public Works Director

SMS:ts
Enclosure

MICROFILMED

MAR 26 1998

November 30, 1997

CITY OF CHUBBUCK
PO BOX 5604
CHUBBUCK ID 832025604

PROOF DUE NOTICE

RE: PERMIT NO. 29-08188

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 February 1, 1998. (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.

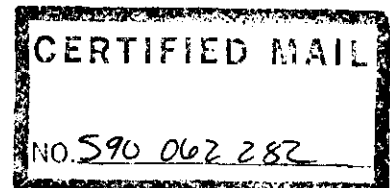
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECORDED
MAR 26 1998





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

February 25, 1997

CITY OF CHUBBUCK
PO BOX 5604
CHUBBUCK ID 83202-5604

RE: Water Right No. 29-08188

PERMIT APPROVAL NOTICE

Dear Permit Holder:

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

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration within fourteen (14) days after issuance. To learn more about preliminary orders, please refer to the enclosed information sheet.

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

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 IDWR. If you acquired a water right or changed your mailing address prior to July 1, 1996, you have until July 30, 1998, to notify IDWR. If you acquire a water right or change your mailing address after July 1, 1996, you must notify IDWR within 120 days of the change. Failure to comply with these requirements could result in a \$100 late filing fee. Contact any IDWR office to obtain the proper reporting form.

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

Respectfully,

Shelley Walter Keen
Water Rights Supervisor

Enclosure

MICROFILMED

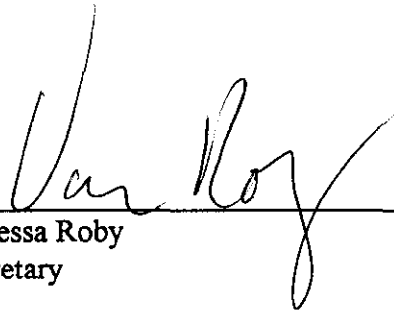
MAR 10 1997

CERTIFICATE OF MAILING

I certify that on the **25th** day of **February, 1997**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved Permit)** to the person(s) listed below:

Water Right No. 29-08188

**CITY OF CHUBBUCK
PO BOX 5604
CHUBBUCK ID 83202-5604**



Vanessa Roby
Secretary

MICROFILMED

MAR 10 1997

MEMORANDUM

DATE: February 18, 1997

TO: File 29-08188

FROM: Shelley W. Keen *SWK*

RE: Appropriation not intended for reasonably anticipated future needs

Application No. 29-08188 submitted by the City of Chubbuck includes a statement that the city does not intend to pursue an appropriation of water under the 1996 amendment to I. C. §42-202. I believe this means that the city does not intend to appropriate water for "reasonably anticipated future needs" on the basis of projected population and other data within a specific planning horizon. Therefore, the city will not be required to submit additional information to document its methodology for estimating its future water needs.

If licensed, this right should be limited to the amount of water beneficially used at the time that proof of beneficial use is submitted.

MICROFILMED
MAR 10 1997

PROOF OF PUBLICATION

STATE OF IDAHO } ss.
County of Bannock }

IRIS F. MASON

being first duly sworn on oath deposes and says: That SHE
was at all times herein mentioned a citizen of the United States of
America, more than 21 years of age, and the Principal Clerk of THE
IDAHO STATE JOURNAL, a daily newspaper, printed and published at
Pocatello, Bannock County, Idaho, and having a general circulation
therein.

That the document or notice, a true copy of which is attached, was
published in the said IDAHO STATE JOURNAL, on the following dates,
to-wit:

JANUARY 16	19 ⁹⁷	19
JANUARY 23	19 ⁹⁷	19
	19	19
	19	19
	19	19

That said paper has been continuously and uninterruptedly published
in said County for a period of seventy-eight weeks prior to the publication
of said notice or advertisement and is a newspaper within the meaning of
the laws of Idaho.

STATE OF IDAHO

COUNTY OF BANNOCK

On this 23RD day of JANUARY in the year of 1997,
before me, a Notary Public, personally appeared

IRIS F. MASON, known or identified to me
to be the person whose name subscribed to the within instrument, and
being by me first duly sworn, declared that the statements therein are
true, and acknowledged to me that he executed the same.

Iris F. Mason
Notary Public for Idaho

Residing at POCATELLO

My commission expires JULY 1997

MICROFILMED
MAR 10 1997

County of Bannock

NOTICE OF APPLICATION FOR WATER RIGHT

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

CITY OF CHUBBUCK
PO BOX 5604
CHUBBUCK, ID 83202
Source: GROUNDWATER
Diversion Pt: NWSWSW Sec 10 T 06S R 34E in Bannock County.
Use: MUNICIPAL (6.700 CFS)
Total Diversion: (6.700 CFS)

Date Filed: 12/16/96

In: BANNOCK COUNTY

T05S R34E S34

NESW

SWSW

SWSW

SESW

SWSE

SESE

NWNW

NESW

NWSW

SWSW

SESW

T06S R34E S02

NENE

NWNE

SWNE

SENE

NENW

NWNW

SWNW

SENW

NESW

NWSW

SWSW

SESW

NESE

NWSE

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NWNE

SWNE

SENE

NENE

NWNW

SWNW

SENW

NESW

NWSW

SWSW

SESW

NWSE

S11

NWNE

SWNE

NENW

NWNW

SWNW

SENW

29-08189

SHEPARD, ALBERT M

6331 N OLD HWY 191

MALAD, ID 83251

Source: SPRING

Diversion Point:

Use: DOMESTIC

(0.020 CFS)

Total Diversion (0.020 CFS)

Tributary: SINKS

SENE Sec 32 T 11S R 36 E in BANNOCK County.

Date Filed: 12/23-96

In: BANNOCK County

T11S R36E S29

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N. Skyline, Idaho Falls, Idaho 83402 on or before FEBRUARY 3, 1997.

KARL J. DREHER, Director

Published: 1/16/97 & 1/23/97

Does this need
to be added?

NOT

County of Bannock

CITY OF CHUBBUCK
PO BOX 5
Source: G
Diversion
Use: MUR

Date Filed
In: BANNOCK
T059

T065
603

604

608
610

611

Source: S
Diversion
Use: MUR

T 605 R 34E in Bannock County.
(0200 CFS)
(0700 CFS)

NESE	SESE	SWSW	SESW
SWSE	SESE		
NWNW	NESE	NWSW	SWSW
SESE			
NENE	NWNE	SWNE	SENE
NENW	NWNW	SWNW	SENE
NBSW	NWSW	SWSW	SESW
NWSE	NWSE	SWSE	SESE
NENE	SENE	NESW	SESW
NESE	NWSE	SWSE	SESE
NENE	NWNE	SWNE	SENE
NENW	NWNW	SWNW	SENE
NBSW	NWSW	SWSW	SESW
NWSE			
NWNE	SWNE	NENW	NWNW
SWNW	SENE		

Tributary: SINKS
SENE Sec 32 T 116 R 34 E in BANNOCK County.

(0020 CFS)
(0020 CFS)

The... all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, Eastern Region, 900 N. Skyline, Idaho Falls, Idaho 83402 on or before FEBRUARY 3, 1997.

KARL J. DREHER, Director

Does this need
to be added?

NOT

RECORDED
MAR 10 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 13, 1997

STEVEN M SMART
CITY OF CHUBBUCK
PO BOX 5604
CHUBBUCK ID 83202

RE: Notice of Application for Permit No. 29-08188

Dear Applicant:

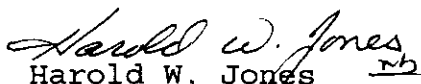
The Department of Water Resources acknowledges receipt of your application for permit of water right. This office is currently in the process of advertising the application in the Idaho State Journal January 16 & 23, 1997. The advertisement will be published once a week for two consecutive weeks, and 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. When a transfer is issued, you will be sent a copy. A typical processing time for an unprotested application is about twelve weeks.

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

Sincerely,


Harold W. Jones
Water Right Supervisor

HWJ/rb

RECEIVED
MAR 10 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JANUARY 10, 1997

Legal Notices Department
IDAHO STATE JOURNAL
P.O. BOX 431
POCATELLO, ID 83204

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before FEBRUARY 3, 1997.

Yours truly,

Rita Bodell
Secretary

Encl.

*Filed
1-10-97*

RECEIVED
MAR 10 1997

29-08188

CITY OF CHUBBUCK
PO BOX 5604
CHUBBUCK, ID 83202

Source: GROUNDWATER

Diversion Pt: NWSWSW Sec 10 T 06S R 34E in BANNOCK County.

Use: MUNICIPAL (6.700 CFS)
Total Diversion: (6.700 CFS)

Date Filed: 12/16/1996

In: BANNOCK County				
T05S R34E S34	NESW	NWSW	SWSW	SESW
	SWSE	SESE		
T06S R34E S02	NWNW	NESW	NWSW	SWSW
	SESW			
S03	NENE	NWNE	SWNE	SENE
	NENW	NWNW	SWNW	SENE
	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE
S04	NENE	SENE	NESW	SESW
	NESE	NWSE	SWSE	SESE
S09	NENE	NWNE	SWNE	SENE
S10	NENE	NWNE	SWNE	SENE
	NENW	NWNW	SWNW	SENE
	NESW	NWSW	SWSW	SESW
	NWSE			
S11	NWNE	SWNE	NENW	NWNW
	SWNW	SENE		

APPROVED FOR FILING

MAY 16 1997

City of Chubbuck



John O. Cotant, Mayor
Thomas J. Holmes, City Attorney
Ron C. Conlin, City Clerk/Treasurer
Steven M. Smart, Public Works Director

P.O. Box 5604
5160 Yellowstone Ave.
Chubbuck, ID 83202-0006
Phone (208) 237-2400

LeRoy S. Quick, Councilman
Steven M. England, Councilman
W. Dean Wood, Councilman
Marv C. Gunter, Councilman

December 12, 1996

RECEIVED

DEC 16 1996

Department of Water Resources
Eastern Region

Idaho Department of Water Resources
Eastern Region Office
900 North Skyline Drive
Idaho Falls, ID 83401

RE: Application for Permit to Appropriate Water - Well No. 5

Dear Water Resources:

Please find attached a completed application to appropriate water for Chubbuck Municipal Well No. 5. Check no 55479 in the amount of \$220 to cover application fees for this application was mailed to your office under separate cover on December 11, 1996.

Sincerely,

Steven M. Smart, P.E.
Public Works Director

SMS:ts
Enclosures

RECEIVED
DEC 19 1996