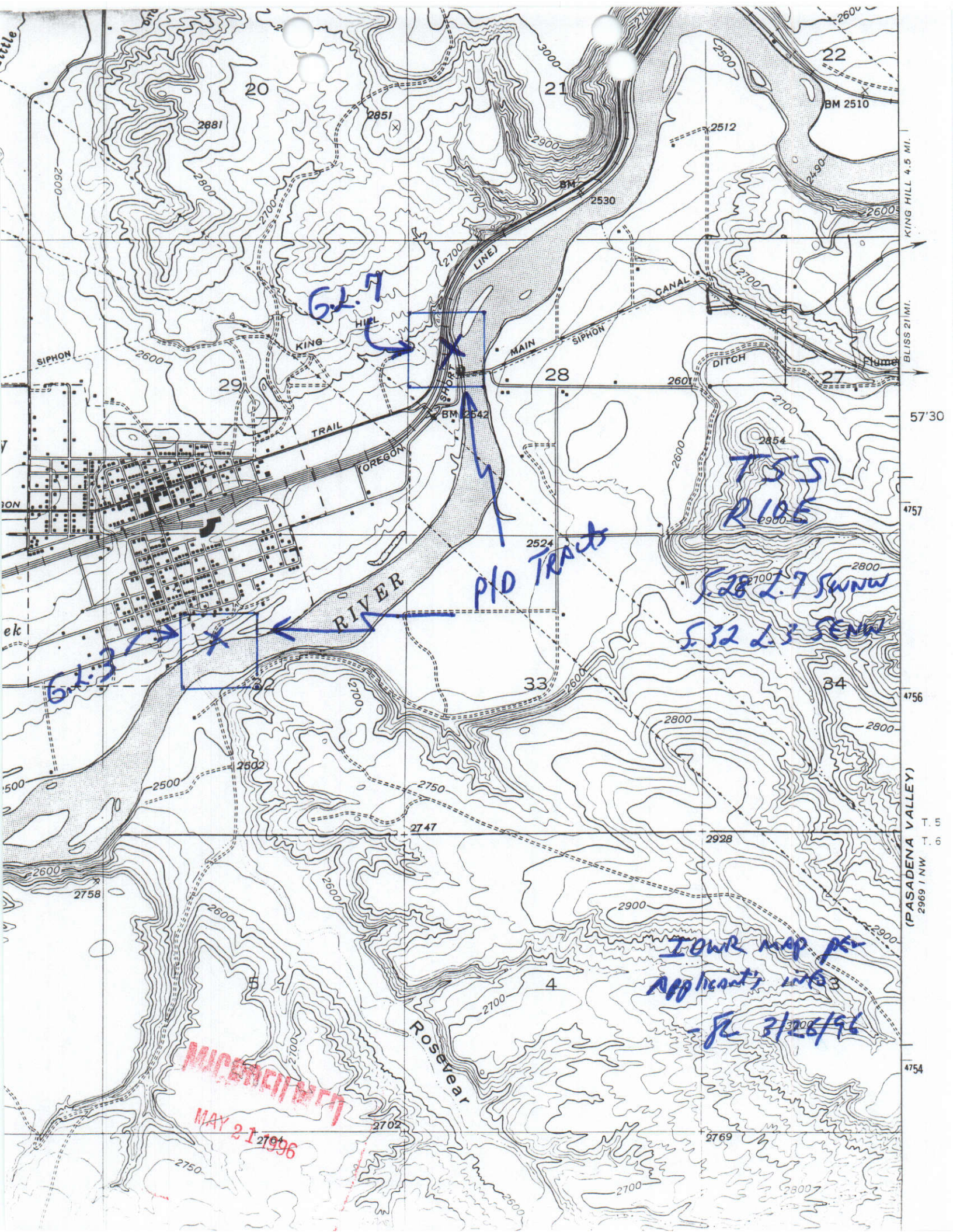
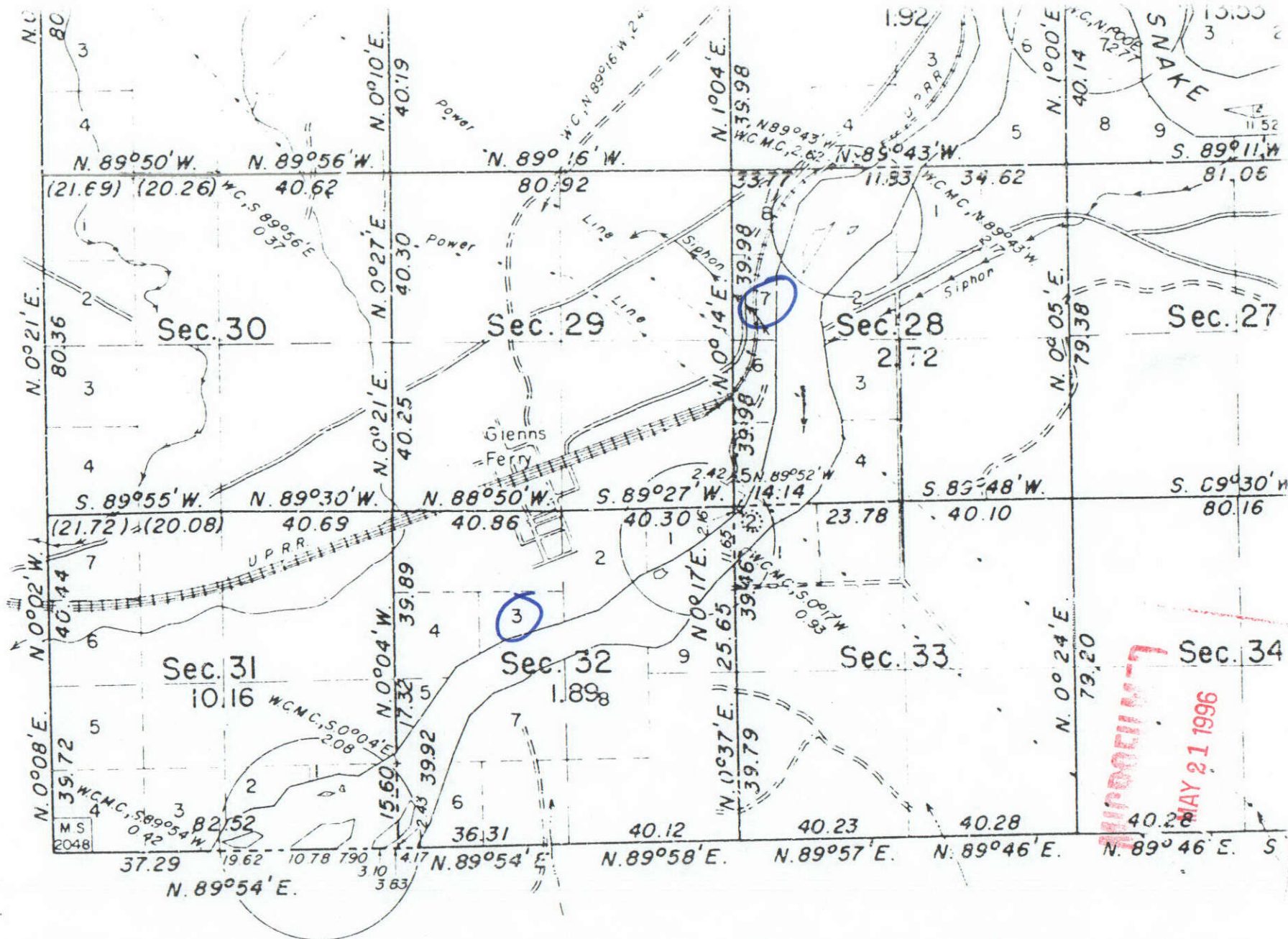




MAY 21 1996

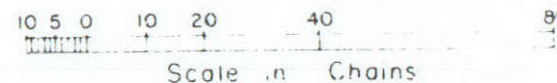
IOWR map per
Applicant's info 3
- Jc 3/26/96

KING HILL 4.5 MI.
BLISS 21 MI.
PASADENA VALLEY
2969 1 NW



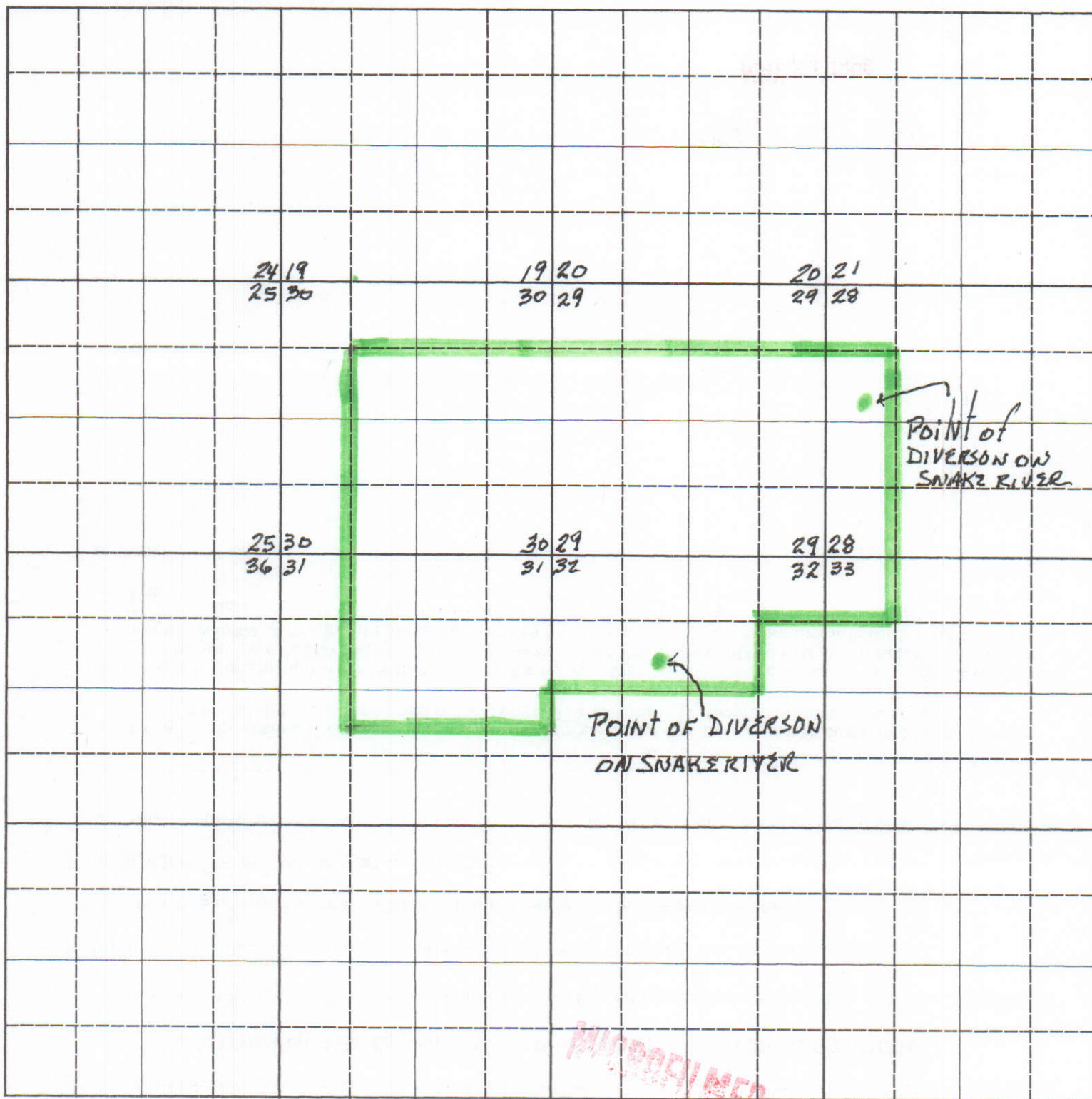
Declination

SS 10E 1963 survey info



Area Resurveyed - 22,475.29 Acres
Area Surveyed - 35.88 Acres

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



Scale: 2 inches equal 1 mile.

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

Lucy McThur (Mayor)
(Applicant)

RECEIVED
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APR 25 2001 REQUEST FOR EXTENSION OF TIME

Department of Water Resources

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

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

Permit No. 2-7470

Name(s) of Permit Holder: City of Glenns Ferry

Address: P.O. Box 910 City Glenns Ferry State ID Zip 83623

Telephone No. 208-366-7418 Date Proof is Due: May 1, 2001

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

The City installed 400' of pipe to develop this system. Further,
we had Idaho Power engineer the power to the proposed site.

Costing \$ 1,400 in materials
and service
(estimated)

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

The City determined that it would be more cost effective to design an
intake at our proposed water treatment plant that will support both
our irrigation and domestic needs. This is a much more viable alternative
than developing a separate system -- something which we had originally
planned to do. The plant should be on-line by Spring or Summer of 2002

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

(Signature)*

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

ACTION OF THE DEPARTMENT OF WATER RESOURCES

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

APPROVED and the time within which to submit proof of beneficial use
is extended to May 1, 2005.

Signed this 3rd day of May, 20 01

L. Glen Saxton
L. GLEN SAXTON, Chief
Water Allocation Bureau

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

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

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

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

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

EXCEPTIONS TO ONLY ONE EXTENSION

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

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

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

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

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 02-07470

Proposed Priority: March 18, 1996

Maximum Diversion Rate:

1.00 CFS

This is to certify, that CITY OF GLENN'S FERRY

PO BOX 910

GLENN'S FERRY ID 83623-0910

has applied for a permit to appropriate water from:

SNAKE RIVER

tributary of COLUMBIA RIVER

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

MUNICIPAL

01/01 to 12/31

1.00 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 7(SWNW), Sec. 28, Township 05S, Range 10E

Lot 3(SENW), Sec. 32, Township 05S, Range 10E

ELMORE 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 May 1, 2001.
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. The issuance of this right does not grant any right-of-way or easement across the land of another.
5. Prior to diversion of water under this approval, the right holder shall permanently install and maintain a totalizing measuring device of a type approved by this Department as part of the diverting works.
6. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
7. Place of use is located within the city limits of Glenn's Ferry.
8. Water shall not be diverted, under this right, when flows in the Snake River are below established minimum flow amounts at any of the following locations: Weiser, 4750 cfs; Johnson Bar, 5,000 cfs; Lime Point 13,000 cfs.

MAY 21 1996

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 02-07470

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

14 th day of May, 1996.

Karl J. Dreher
for Karl J. Dreher, Director

RECEIVED

MAY 14 1996

RECEIVED

MAY 03 1996

Ident. No. 02-07470

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: CITY OF GLENNS FERRY
Address: PO BOX 910
GLENNS FERRY ID 83623
208-366-7418
2. Source: SNAKE RIVER
Trib. to: COLUMBIA RIVER
3. Location of Point of Diversion: SWNW Sec. 28, Township 05S, Range 10E
SENW Sec. 32, Township 05S, Range 10E
ELMORE County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
MUNICIPAL	01/01	12/31	1.000		
5. Total quantity to be appropriated is:
1.000 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
PUMP AND PIPELINE.
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - c. Proposed well diameter is inches; proposed depth of well is
feet.
 - d. Is groundwater with a temperature greater than 85F being sought? NO
 - e. If well is already drilled, when?
Drilling Firm
Well was drilled for
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 5 year(s).
8. Place of Use: See Remarks
9. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

MAY 03 1996

10. Remarks:

Place of use with city limits of Glenns Ferry.

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

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

Applicant

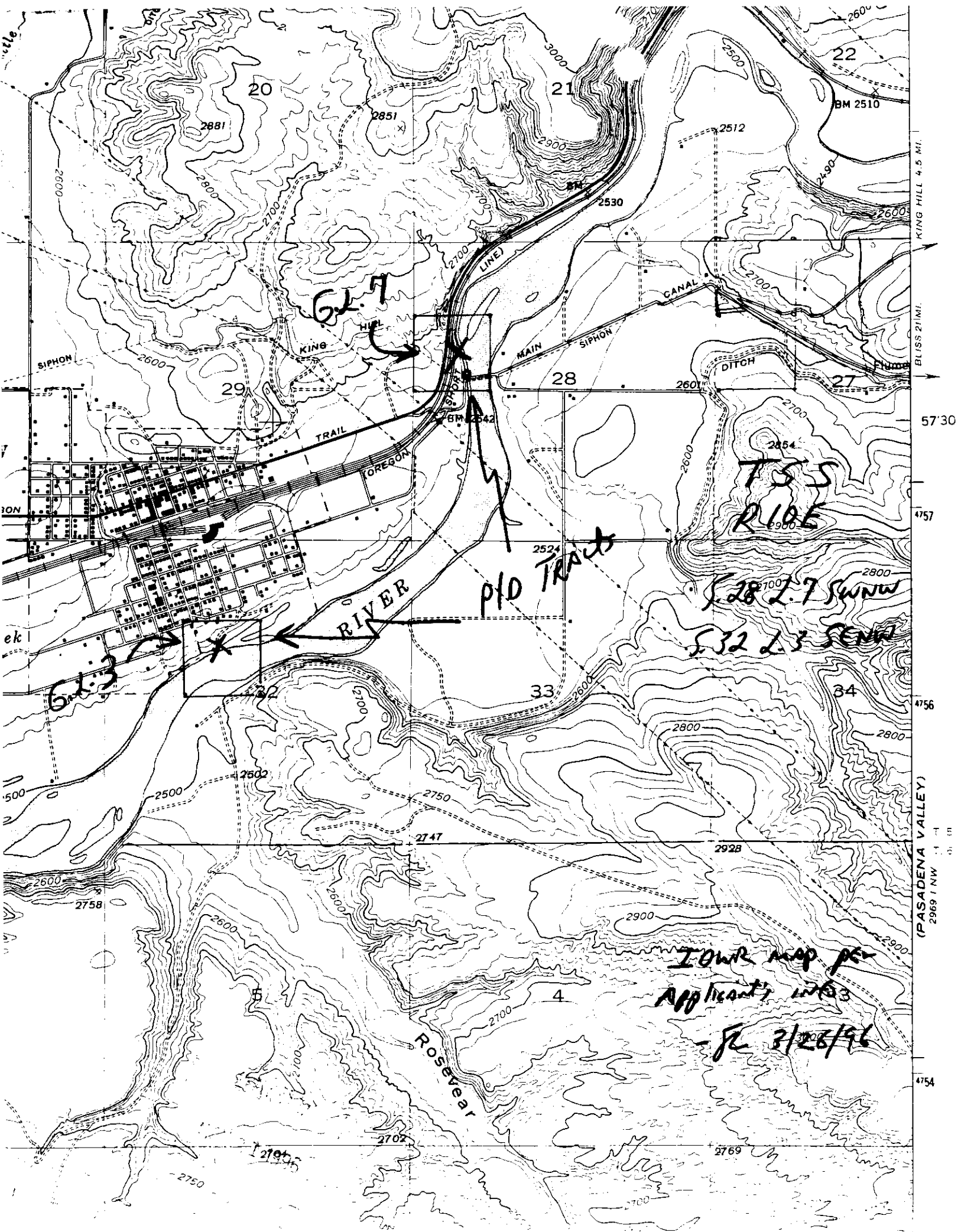
Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ _____ Receipted by _____ # _____ Date _____

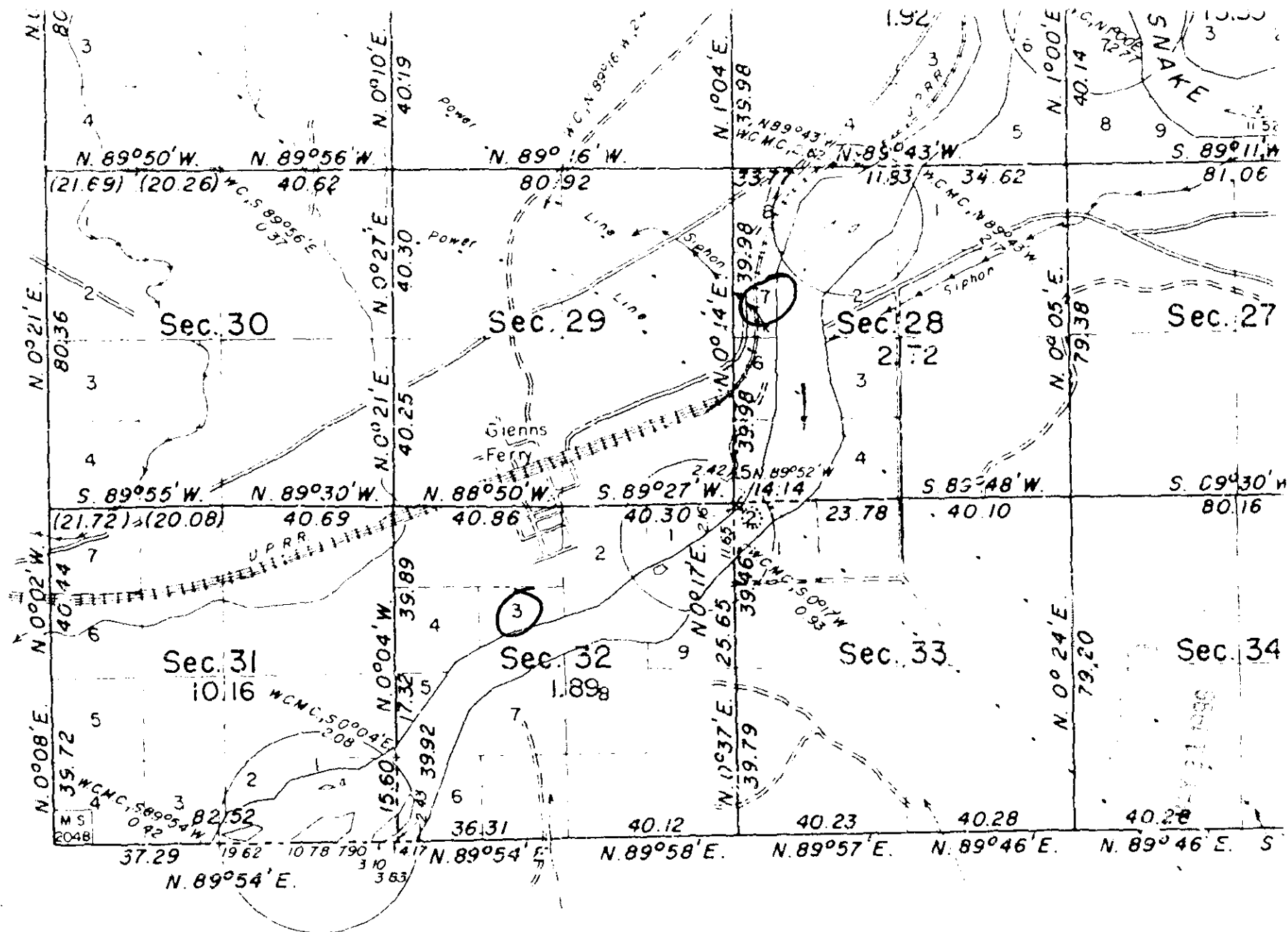
Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

RECEIVED
MAY 21 1990



Destination



55 106 1963 survey info

10 5 0 10 20 40 80
Scale in Chains

Area Resurveyed 22,475.29 Acres

Area Surveyed 35.88 Acres

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 02-7470

RECEIVED

MAR 18 1996

WATER RESOURCES
WESTERN REGION

To appropriate the public waters of the State of Idaho

1. Name of applicant City of Glenns Ferry Phone (208)366-7418

Post office address P. O. Box 910, Glenns Ferry, Idaho 83623

2. Source of water supply Snake River which is a tributary of Columbia River

3. Location of point of diversion is SE 1/4 1/4 of NW 1/4 1/4 of — 1/4, Govt. Lot 3

Sec. 32 Township 5 south Range 10 east B.M. Elmore County; additional

points of diversion if any: SW 1/4 of NW 1/4 Section 28T5 So. R.10E B.M. Gov. Lot 7

4. Water will be used for the following purposes:

Amount 1 cfs for Municipal purposes from January 1 to December 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) 1 cfs and/or (b) —
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 8" PVC Pipe 40hp

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

c. Proposed well diameter is N/A 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? N/A; 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

5 years (minimum 1 year).

MAY 21 1996

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 Glenns Ferry
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	10E	28																	
5S	10E	29																	
5S	10E	30																	
5S	10E	31				ALL SERVICEABLE AREA													
5S	10E	32																	
5S	10E	33																	

DISREGARD LEGALS for PLN data entry,
USE 5th. munic. Remark - JL 3/26/96

Total number of acres to be irrigated _____ *

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? City of Glenns Ferry & King Hill Irrigation District

b. Who owns the land to be irrigated or place of use? SEE item C *

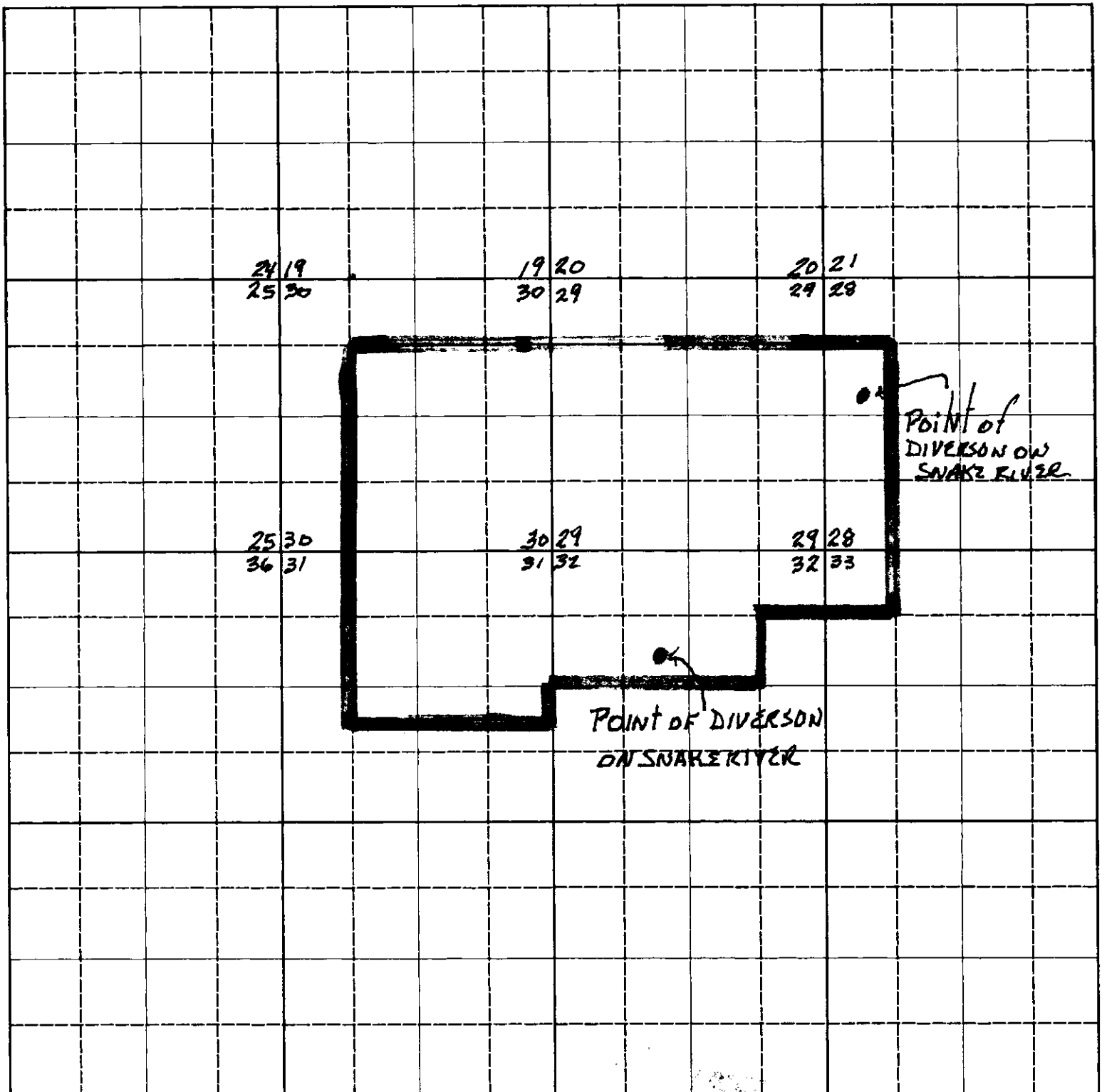
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Please see attached agreement.

12. Remarks: If there is any way to expedite this application, the City would appreciate it.

* JL 3/26/96

MAY 21 1996

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



Scale: 2 inches equal 1 mile.

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

MAY 21 1936
Lucas M. Thie (Mayor)
(Applicant)

Received by DB Date 3-18-96 Time 11:00 AM Preliminary check by JR
Fee \$ 100- Received by DB # W020577 Date 3-18-96
Publication prepared by St Date 3-27-96 Published in Mtn Home News
Publication approved St Date 4-23-96

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:

RECEIVED
MAY 21 1996

MAY 21 1996



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

May 4, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF GLENNS FERRY
PO BOX 910
GLENNS FERRY ID 83623

RE: PERMIT NO. 02-7470

Dear Permit Holder:

I have enclosed a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the time within which to submit proof of beneficial use to **May 1, 2005**. Please note that the department granted the extension based on due diligence. Therefore, it is important that you work diligently towards completion of the project since the department **may not** be able to grant future extension requests based on due diligence.

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

Please contact the department, if you have any questions regarding this matter.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No.: 02-7470

Reviewed By: dgibson

Date: May 3, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Request received timely?	X		Is delay by a government agency?		X
Appropriate fee	X		Is supporting documentation needed to support the file?		
Additional Amount Due:					
Receipt No.:	C053376		Has the permit been involved in litigation?		X
Name and signature same as permit?	X		Is supporting documentation needed to support the file?		
Is address same as permit?	X		Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?		X
Has adequate work been completed to demonstrate due diligence?	X				

Priority Calculation

Extension request received	04/25/2001	New proof due date	05/01/2005
Date proof due	- 05/01/2001		
Lapse notice sent	-		
No. of days late	= 0		
Holiday allowance	+		
Priority date	+ 03/18/1996		
New priority date	= 03/18/1996		

Action Taken

Acknowledge request and advance proof deadline to May 1, 2005.

February 28, 2001

CITY OF GLENN'S FERRY
ATTN CITY CLERK
PO BOX 910
GLENN'S FERRY, ID 836230910

PROOF DUE NOTICE

RE: PERMIT NO. 2-7470

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 May 01, 2001. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

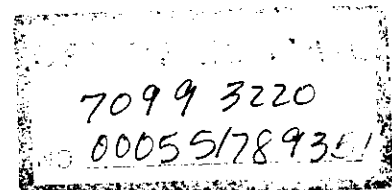
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

Sincerely,

Deborah J. Gibson, Admin. Assistant
Water Allocation Bureau

Enclosures



CHANGE IN ADDRESS OF NOTICE OF CLAIM

5/0r WATER Right

[X] Water Right Number (s): 61-07715 61-04141 CLAIMS: A61-04141

61-07228 - 61-07679

A61-07228

02-07470 02-07471 - u.c.l.e.-u.c.l.e.

[OK] Old Mailing Address: SEE RECORDS ON FILE AT IOWA

(X) New Mailing Address: CITY OF GLENNS FERRY, ATTN CITY CLERK

PO Box 910

GLENN FERRY, ID 83623

New Telephone Number: (208) 366 - 7418

(X) Signature of Claimant: David M. Hahn, City Clerk

$\frac{1}{2}$ water right owner

Date: 2/3/98

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ **By:** _____

Final Review and Data-Entry

Date: _____ By: _____

RECEIVED

FEB 04 1998

WATER RESOURCES
WESTERN REGION

note: 02-07471 d/base already updated.

original forwarded to S.O. WR Permit Section.

cc provided to Western JSEA STATE.

-JL 2/4/98

2-6-98 - Database updated for address & phone.
Tori Lynn



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 20, 1998

COTTONWOOD CANAL COMPANY
ATTN DAN STEENSON - RINGERT CLARK
PO BOX 2773
BOISE ID 83701

CITY OF GLENNS FERRY
ATTN DAVID HAHN
PO BOX 910
GLENNS FERRY ID 83623

RE: SNAKE RIVER WATER FOR MUNICIPAL USE

Dear Co-Applicants:

Recently I informed both of your offices that Transfer No. 5125 to change a portion of License No. 02-02209 to municipal use for the city was "on track and looked good." Additional review within the last few days by Idaho Department of Water Resources (IDWR) administration identified a problem that needs attention.

This office is analyzing the validity of the right, or at least that portion of the right enrolled by the company in the water bank from which the city would obtain water within the terms of the transfer. Notwithstanding the approved extension of time to avoid forfeiture and subsequent placement of the license in the water bank, the validity of the right needs to be addressed in the transfer.

My earlier suggestion that things are on the "fast track" proved to be wrong. Now might be a good time for the city to reconsider its pending application for a new water right while the transfer filing remains unresolved. Application for Permit No. 02-07471 (see enclosed profile report) was filed in late 1996 but not processed due to fishery resource concerns.

IDWR is beginning to approve some new water right applications, and the city's application for permit can be considered. The application can be processed if the city agrees to accept a condition of approval to mitigate if its diversion affects fisheries as determined by the Director of IDWR. Mitigation details

January 20, 1998
Page 2

would not be required now but may be in the future. The mitigation condition would only be invoked with the city's participation in the process by which mitigation is identified and quantified. Acquisition and release of storage water for a portion of a season of use is the most likely form of mitigation.

The city's written reply to the following points will allow this office to process Application No. 02-07471.

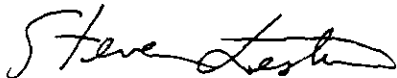
1. Reduce the application to 1.00 cfs. This is the maximum amount of Snake River water that can be processed for approval within the trust water limitations discussed in Water Appropriation Rule No. 45 (allows up to 2 acre feet per day, which implies 1.00 cfs maximum). The city would receive a \$40 refund by completing this step.

2. Add the mitigation condition of approval to the application. The enclosed "draft response form" can be used to complete this step.

Approval of Application No. 02-07471 would provide another 1.00 cfs for the city system. Perhaps that amount plus the 1.00 cfs authorized in Permit No. 02-07470 (see enclosure) will supply the city's needs, at least temporarily.

Please contact me at your earliest convenience if I can help you in any way in the water rights process. I am sending a copy of this letter to the city's new consultant, Mr. Jeff Kissler, since he visited at length with me during my more optimistic view of timely resolution of the transfer.

Sincerely,



Steve Lester
Water Rights Supervisor

Enclosure: Response Form and Profile Reports 02-07470 and 02-07471

c: Jeff Kissler, RCAC



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

May 14, 1996

CITY OF GLENNS FERRY
PO BOX 910
GLENNS FERRY ID 83623-0910

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 02-07470

Dear Permit Holder:

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

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.

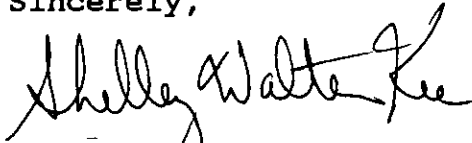
Note also that water shall not be diverted under this permit unless the flow of the Snake River exceeds established downstream minimum stream flows. In addition, there are many applications for permit for the use of Snake River water that are prior to your permit. If these rights are developed, and if established minimum stream flows are maintained, then no water would be available for this permit. You should carefully review this before making expenditures under this appropriation.

Please note that a separate stream channel alteration permit must be obtained from the IDWR prior to any activity in the stream channel other than construction or maintenance of the

RECEIVED
MAY 21 1996

diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

RECEIVED
MAY 21 1996

**NOTICE OF APPLICATIONS
FOR WATER RIGHTS**

The Following applications have
been filed to appropriate the public wa-
ters of the State of Idaho:

02-07470 ✓
CITY OF GLENN'S FERRY
P.O. BOX 910
GLENN'S FERRY, ID 83623
Source: SNAKE RIVER; Tributary:
COLUMBIA RIVER

Diversion Pt: SWNW Sec. 28 T 05S R
10E in ELMORE County, SENW Sec.

32 T 05S R 10E in ELMORE County.

Use: MUNICIPAL (1.000 CFS); Total
Diversion: (1.000 CFS).

Date Filed: 3/18/1996.

Place of use is within the city limits
of Glenn's Ferry.

61-07717

ELLIOTT, THOMAS

ELLIOTT, JUDY

ELLIOTT, PATRICK

McFARLAND, JAMES

McFARLAND, CATHY

500 N. EDGEWOOD LN.

EAGLE, ID 83616

Source: GROUNDWATER.

Diversion Pt: SENW Sec. 34 T 05S R
08E in ELMORE County.

Use: DOMESTIC (0.100 CFS); IRRI-
GATION (0.600 CFS); Total Diversion:
(0.700 CFS).

Date Filed: 3/12/1996.

In: ELMORE County, T05S R08E
S34 SENW.

30.0 ACRES TOTAL.

61-07718

ELLIOTT, THOMAS

ELLIOTT, JUDY

ELLIOTT, PATRICK

McFARLAND, JAMES

McFARLAND, CATHY

500 N. EDGEWOOD LN.

EAGLE, ID 83616

Source: WASTE WATER; Tributary:

Source: BENNETT CREEK; Tribu-
tary: SNAKE RIVER.

Diversion Pt: SENW Sec. 34 T 05S R
08E in ELMORE County.

Use: IRRIGATION (0.600 CFS); To-
tal Diversion: (0.600 CFS).

Date Filed: 3/12/1996.

In: ELMORE County, T05S R08E
S34 SENW.

30.0 ACRES TOTAL.

Permits will be subject to all prior
water rights. Protests may be submit-
ted based on the criteria of Sec. 42-
203A, Idaho Code. Any protest against
the approval of this application must
be filed with the Director, Dept. of Wa-
ter Resources, Western Region, 2735
Airport Way, Boise, Idaho 83705 to-
gether with a protest fee of \$25.00 on
or before APRIL 22, 1996. The protes-
tant must also send a copy of the
protest to the applicant.

KARL J. DREHER, Director

Published: 4/3/1996 & 4/10/1996.

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APR 15 1996

WATER RESOURCES
WESTERN REGION

Affidavit of Publication

County of Elmore } ss.
STATE OF IDAHO }

I, Coleen W. Swenson, do solemnly swear that I
am the foreman, or publisher of the

Mountain Home News

a weekly newspaper of general circulation, pub-
lished once a week at MOUNTAIN HOME, IDAHO,
that the notice attached hereto and which is a part
of publication thereof; was published in said news-
paper for

2 consecutive weeks, the first publi-
cation having been made on 3rd day of

April, 1996, and the last publi-

cation having been made on the 10th day of

April, 1996; every Wednesday

issue of the paper during the period and time of
publication and that the notice was published in the
newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN
HOME NEWS has been continuously and uninter-
ruptedly published in said Elmore County during a
period of 78 consecutive weeks prior to the first
publication of the attached notice.

Coleen W. Swenson
Subscribed and sworn to me this 15th day of

April, 1996

Brenda M. Jacob
Notary Public

Residing in Mountain Home, Elmore County, Ida-
ho. My commission expires 11-16-98.

02-07470

CITY OF GLENNS FERRY
PO BOX 910
GLENNS FERRY, ID 83623

Source: SNAKE RIVER

Tributary: CLOUMBIA RIVER

Diversion Pt:	SWNW	Sec 28 T 05S R 10E in ELMORE County.
	SENW	Sec 32 T 05S R 10E in ELMORE County.

Use: MUNICIPAL	(	1.000 CFS)
Total Diversion:	(	1.000 CFS)

Date Filed: 3/18/1996

Place of use is within the city limits of Glenns Ferry.

RECORDED
MAY 21 1996

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MAR 18 1996

WATER RESOURCES
WESTERN REGION

TEMPORARY WATER CARRIAGE AGREEMENT

THIS AGREEMENT is made as of March 13, 1996, between KING HILL IRRIGATION DISTRICT, an irrigation district organized under the laws of the state of Idaho (the "District"), and the CITY OF GLENN'S FERRY, a political subdivision of the state of Idaho (the "City").

WITNESSETH:

A. RECITALS:

1. For many years an underground pipeline (the "Garfield Pipeline") within the right of way of Garfield Street in the City has been used to deliver irrigation water to landowners who have water rights under the District.
2. The water received under paragraph 1 is used for irrigation of yards and lawns.
3. The City desires to obtain a new source of water to supply to its non-District residents for irrigation use, in order to reduce demand on the City's treated water supply.
4. The City anticipates that it will be able to obtain a water permit from the Idaho Department of Water Resources (IDWR) for the diversion and use of water from the Snake River or lease an appropriate amount from some authorized entity.
5. The City presently does not have pumping facilities capable of delivering water from the Snake River, but the District does have a pumping station on the Snake River which is connected by other pipelines to the Garfield Pipeline, and the District's system

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MAY 21 1996

has sufficient capacity, during all or some parts of the irrigation season, to carry up to 1.0 c.f.s. of city water from the Snake River to the Garfield pipeline.

6. The City and the District are uncertain at this time as to the ownership of the Garfield Pipeline and as to which party has the right to, and the responsibility for, operation and maintenance of the Garfield Pipeline, or whether either party has any interest in the Garfield Pipeline. However, the City is willing, and desires, to repair the Garfield Pipeline and to continue operating the Garfield Pipeline for the benefit of its residents, including those who are landowners of the District, and the District has no objection to such repair and operation by the City.

7. The City does not have sufficient funds to construct a pumping station at Snake River at this time and deems it imprudent, in any event, to construct such a station until it has obtained from IDWR a written permit for Snake River water. The District is willing to carry water from its Glenns Ferry pump station to Garfield Pipeline for the City during the 1996 irrigation season, subject to the terms of this Agreement.

NOW THEREFORE, in consideration of the premises, and the mutual covenants and agreements herein after set forth, the parties agree as follows:

B. OPERATING AGREEMENT

1. The District consents to repair and operation of the Garfield Pipeline by the City, so long as such repair and operation are performed entirely at the expense of the City and without cost to the District.

2. The City agrees that all expenses of repair and operation of the Garfield Pipeline shall be performed by the City at its expense and at no cost to the District.

Handwritten signature
MAY 21 1996

3. The District may, but is not obligated to, assist the City voluntarily in some repair work on the Garfield Pipeline.

4. The District agrees that, subject to the City first obtaining a water permit from IDWR or obtaining a lease, for use of Snake River water and subject to the availability of temporary surplus capacity in the District's system between its Snake River pumping station and the Garfield Pipeline, that it will carry irrigation water from the Snake River to the Garfield Pipeline for the City during the 1996 irrigation season, only.

5. If the City, after obtaining the water permit from IDWR, or leasing water, desires to implement this Agreement by having the District deliver City water to the Garfield Pipeline during the 1996 irrigation season, the City shall so notify the District, in writing and shall remit with such notice the sum of \$250.00 as the agreed compensation to the District for the cost of delivery and for the use of the District's facilities during the 1996 irrigation season.

6. The District, upon receipt of notice and payment as stated in paragraph 5, shall commence carriage of not more than 1 c.f.s. of Snake River water to the Garfield Pipeline.

7. The District will operate its facilities in the usual manner, but beyond that the City agrees that the District shall have no liability or responsibility to the City or to its non-District residents for failure to carry water to the Garfield Pipeline and all such liability and responsibility are expressly waived by the City.

8. The City agrees that landowners of the District who have been receiving water from the Garfield Pipeline shall have the right to continue receiving water from the Garfield Pipeline, and it shall be negotiated between the City and the District to determine

MAY 21 1996

whether, in what manner and to what extent, those landowners are required to pay a proportionate part of the costs and expenses of repairing and operating the Garfield Pipeline.

9. The provisions of this Agreement regarding carriage of water for the City shall terminate at the end of the 1996 irrigation season, as determined by the District's Board of Directors, and thereafter the City shall have no further right under this Agreement, or otherwise, to have the District carry the City's Snake River water to the Garfield Pipeline.

IN WITNESS WHEREOF, the District has hereunto caused its corporate name to be subscribed by its officers first thereunto.

[Faint, illegible stamp]
MAY 21 1996