

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 13-7453

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant City of Weston, Idaho Phone 747-3985
Post office address Rt. 1, Box 292 A Weston, Idaho 83286
2. Source of water supply Ground water which is a tributary of N/A
3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Gov. Lot 8 *
Sec. 15 Township 16S Range 1-W B.M. Franklin County; additional
points of diversion if any: NONE * Change as per tele-con with Lou Fannesbeck-City Clerk
HWJ
4. Water will be used for the following purposes:
Amount 2cfs 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) 2 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Pump through a pipeline into
municipal storage facility -distribute through pipe system
 - b. Height of storage dam N/A 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 12 inches; proposed depth of well is 200' feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 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. N/A
- b. Stockwatering; list number and kind of livestock. N/A
- c. Municipal; show name of municipality. City of Weston, Idaho
- d. Domestic; show number of households. N/A
- e. Other; describe fully. N/A

9. Description of place of use: Within the city limits of Weston, Idaho

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

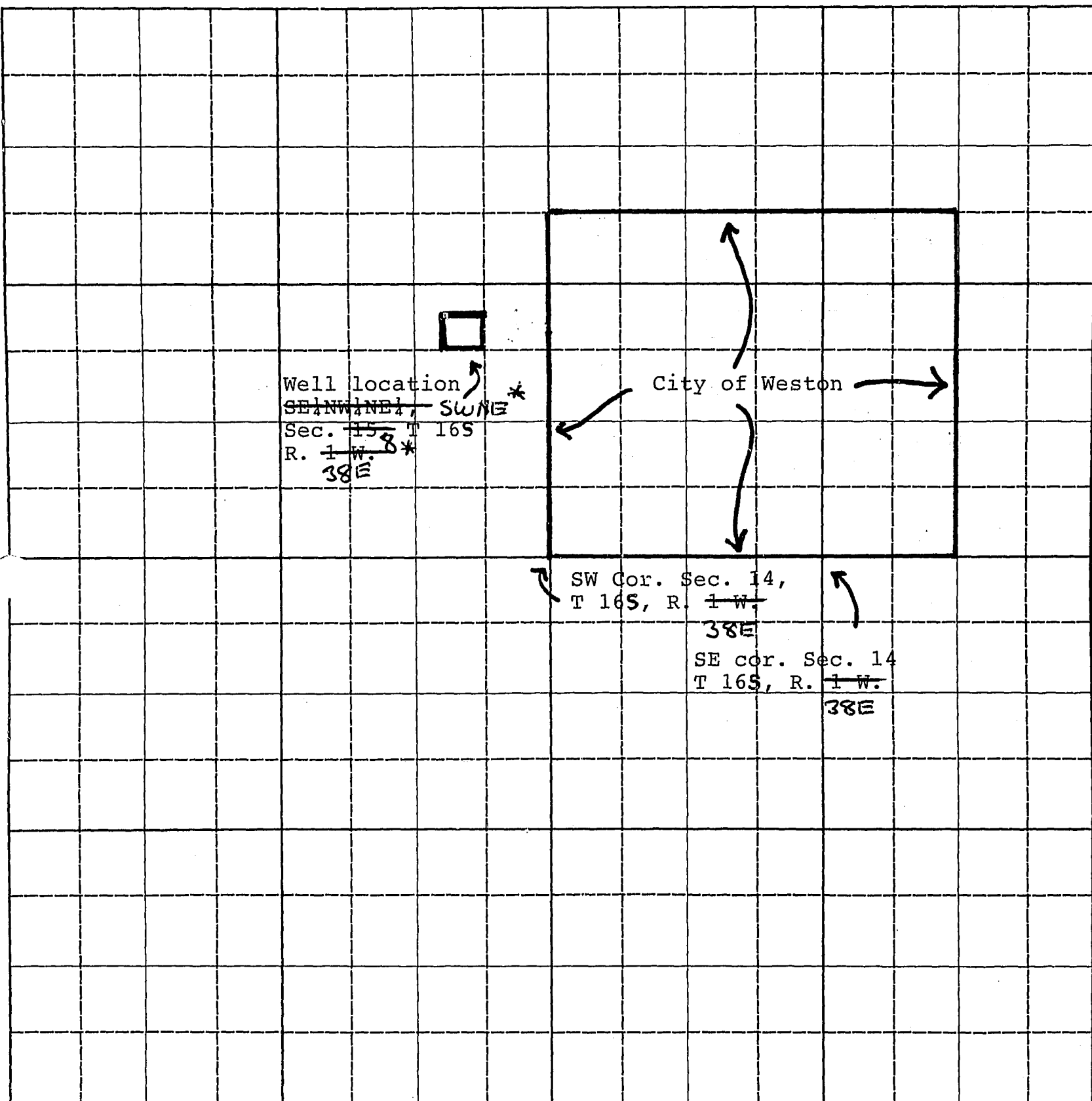
Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 13-4070, 13-7274

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

12. Remarks: _____

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.

x Clint D. Buttan 5-31-88
Mayor* (Applicant)

*per drilling permit - tw 11/21/88

Proposed Priority 6/3/88

Received by CEL Date 6-03-88 Time 1:00 Preliminary check by gd
Fee \$ 65⁰⁰ Receipted by dg # E000464 Date 6-21-88
Publication prepared by dg Date 6-29-88 Published in Preston Citizen
Publication approved CEL Date 8-04-88-10-20-88

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. 13-7453, and said application is hereby APPROVED.

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 December 1,, 19 89.
- 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: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 28th day of November, 1988.

A. Glen Saylor

#875

SEP 14 1988

No 2625

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

J. Warren Ross

being duly sworn,

deposes and says:

That he is the Co-Publisher of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

Aug. 31, 1988, and ending

with the issue of Sept 7, 1988

Fee \$ 28.63

Subscribed and sworn to before me this 8th day of Sept, 1988

Ken D. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1992

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that Application for Permit No. 13-07453 assigned to City of Weston, Weston, Idaho, was filed for the diversion of 2.0 cfs of water from a groundwater source with the point of diversion within SE 1/4 NW 1/4 NE 1/4, Sec. 15, T. 16S, R. 38E, B.M., Franklin County; to be used from Jan. 1 to Dec. 31 for municipal use within the city limits of Weston.

The applicant now proposes to amend Permit No. 13-07453, changing the point of diversion to the SW 1/4 NE 1/4, Sec. 8, T. 16S, R. 38E, B.M., Franklin County.

Any protest to the proposed amending of the application must be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, Idaho, 83402, on or before September 19, 1988.

R. Keith Higginson
Director

Legal No. 2625 -27L- Published August 31 and September 7, 1988

RECEIVED

OCT 5 1988

Department of Water Resources
Eastern District Office

JUL 26 1988

NO 3190

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

AUG 4 1988

Department of Water Resources
Eastern District Office

J. WALTER ROSS

being duly sworn,

deposes and says:

That he is the Co-Publisher of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

July 20, 1988, and ending with the issue of July 27, 1988.

Fee \$ 85.75

Subscribed and sworn to before me this 28th

of July, 1988.

Notary Public, Residing at Preston,

My Commission Expires June 7

NOTICE OF CLAIMS TO WATER RIGHT

The following claim(s) have been filed on water rights created by diversion and beneficial use:

13-04300
FREW, DAV
BOX 41
PRESTON, ID 83263
Source: SPRINGS
Tributary: SINKS
Diversion Pt: SESE Sec 32 T 15S R 39E
Use: STOCKWATER (.500 CFS)
Priority Date: 4/1/1877
In: T15S R39E S32 SESE

13-04301
FREW, DAV
BOX 41
PRESTON, ID 83263
Source: SPRINGS
Tributary: BEAR RIVER
Diversion Pt: SWNESW Sec 4 T 16S R 39E
Use: STOCKWATER (.500 CFS)
Priority Date: 4/1/1877
In: T16S R39E S04 SWSW

13-04302
FREW, DAV
BOX 41
PRESTON, ID 83263
Source: SPRINGS
Tributary: SINKS
Diversion Pt: LOT 3 (SESW) Sec 5 T 16S R 39E
Use: STOCKWATER (.500 CFS)
Priority Date: 4/1/1877
In: T16S R39E S05 Lot 3 (SESW)

13-04303
COSTLEY, WYNN
7807 EAST HWY. 36
PRESTON, IDAHO 83263
Source: SPRING
Tributary: STRAWBERRY CREEK
Diversion Pt: NENWSE Sec 17 T 13S R 41E
Use: DOMESTIC (.020 CFS)
Priority Date: 5/1/1882
In: T13S R41E S17 NWSE

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402.

R. KEITH HIGGINSON,
Director

NOTICE OF APPLICATION FOR WATER RIGHT

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

13-07453
WESTON, CITY OF
ROUTE 1 BOX 292-A
WESTON, ID 83286
Source: GROUNDWATER
Diversion Pt: SENWNE Sec 15 T 16S R 38E
Use: MUNICIPAL (2,000 CFS)
Date Filed: 6/03/1988
In: T16S R38E S14 SWSW

13-07454
HAMILTON, SHARON
HAMILTON, CLETUS
4850 WEST 13400 SOUTH
RIVERTON, UT 84065
Source: GROUNDWATER
Diversion Pt: SESW Sec 12 T 14S R 38E
Use: IRRIGATION (4,000 CFS)
Date Filed: 6/22/1988
In: T14S R38E S11 SWSE SESE S12 NESW NWSW SWSW SESW SWSE
280.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before JULY 25, 1988.

R. KEITH HIGGINSON, Director
Legal No. 3190 -98L- Publish July 20, 27, 1988.

CITY OF WESTON, IDAHO
Rt. 1 P.O. Box 292A
Weston, Idaho 83286

RECEIVED

JUN 3 1988

Department of Water Resources
Eastern District Office

May 26, 1988

Idaho Department of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83401

Dear Sirs,

Attached are Form 202, Application for Permit, and Form 235-1, Drilling Permit. We have an urgent need for additional culinary water since our spring flow has diminished significantly. We are very close to being awarded an imminent threat grant to construct a well and pump station facility.

Since the funding will be committed in the next several days and because of our critical need, we request that you give interim approval as soon as possible so we can proceed immediately with the drilling. We plan to drill a 6-inch test well prior to drilling the main well. If necessary, the permit should reflect both a test well and a permanent well.

Attached please find a check in the amount of \$165.00 to cover both the application permit and the drilling permit.

Your immediate response to this request will certainly be appreciated.

Sincerely,

WESTON CITY

Clint D. Buttars

Clint Buttars, Mayor



VALLEY ENGINEERING, INC.

168 North 100 East
Logan, Utah 84321
(801) 753-0153

Letter of Transmittal

Date	6-2/88	Job. No.
Attention	Mr. Erick Verner	
Re:	Weston City Plans and Specs.	

To Idaho Dept. of Water Resource
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83401

GENTLEMEN:

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via _____ the following items:

- | | | | | |
|---|---------------------------------------|--------------------------------|----------------------------------|--|
| ☐ Shop drawings | ☐ Prints | ☐ Plans | ☐ Samples | ☒ Specifications |
| ☐ Copy of letter | ☐ Change order | ☐ _____ | | |

COPIES	DATE	NO.	DESCRIPTION
			1 copy of contract documents for Weston, Idaho
			culinary well.

THESE ARE TRANSMITTED as checked below:

- | | | |
|--|---|---|
| ☒ For approval | ☐ Approved as submitted | ☐ Resubmit _____ copies for approval |
| ☐ For your use | ☐ Approved as noted | ☐ Submit _____ copies for distribution |
| ☐ As requested | ☐ Returned for corrections | ☐ Return _____ corrected prints |
| ☒ For review and comment | ☐ _____ | |
| ☐ FOR BIDS DUE _____ 19____ | ☐ PRINTS RETURNED AFTER LOAN TO US | |

REMARKS Inasmuch as Weston City is in an emergency situation and need to
proceed as soon as possible, it is requested that you review the
information submitted and give us verbal response as soon as
possible.

RECEIVED

JUN 6 1988

Department of Water Resources
Eastern District Office

Thank You,

COPY TO Idaho Dept. of Health & Welfare

SIGNED: *Little Paper*

If enclosures are not as noted, kindly notify us at once.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 834
(208) 525-7161

JUNE 29, 1988

THE PRESTON CITIZEN
P.O. BOX 472
PRESTON, ID 83263

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 JULY 25, 1988.

Yours truly,

Deena Green
Secretary

Encl.

NOTICE OF APPLICATION FOR WATER RIGHT

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

13-07453

WESTON, CITY OF
ROUTE 1 BOX 292-A
WESTON, ID 83286

Source: GROUNDWATER

Diversion Pt: SENWNE Sec 15 T 16S R 38E

Use: MUNICIPAL (2.000 CFS)

Date Filed: 6/03/1988

In: T16S R38E S14 SWSW

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before JULY 25, 1988.

R. KEITH HIGGINSON, Director

Published 7/07/1988 & 7/14/1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

July 18, 1988

City of Weston
Rt. 1, Box 292-A
Weston, Idaho 83286

RE: Application for Permit No. 13-7453

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 13-7453. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Preston Citizen. The advertisement will be published 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 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.

Sincerely,

Ernest Carlsen
Water Rights Supervisor

EC/dg



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

July 18, 1988

Dept. of Health & Welfare
Division of Environment
150 N. 3rd
Pocatello, Idaho 83201

RE: Application for Permit No. 13-7453

Dear Sir:

This office is currently in the process of publishing notice that the above application was filed with the Department of Water Resources. Since the application may be of interest to you, a copy is enclosed for your examination. Comments concerning the application should be addressed to the applicant with a copy forwarded to this office. Protests objecting to granting a permit should be directed to this Department and received by July 25, 1988. Final action will be taken by this office shortly after this date, provided there are no protests lodged against the applications.

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor

EC/dg
Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

August 26, 1988

The Preston Citizen
P.O. Box 472
Preston, ID 83263

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 September 19, 1988.

Respectfully submitted, ...

Deena Green
Office Secretary

Enclosure

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that Application for Permit No. 13-07453 assigned to City of Weston, Weston, Idaho, was filed for the diversion of 2.0 cfs of water from a groundwater source with the point of diversion within SE1/4NW1/4NE1/4, Sec. 15, T. 16S, R. 38E, B.M., Franklin County; to be used from Jan. 1 to Dec. 31 for municipal use within the city limits of Weston.

The applicant now proposes to amend Permit No. 13-07453, changing the point of diversion to the SW1/4NE1/4, Sec. 8, T. 16S, R. 38E, B.M., Franklin County.

Any protest to the proposed amending of the application must be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, Idaho, 83402, on or before September 19, 1988.

R. Keith Higginson

Director

Published in The Preston Citizen on September 1 and 8, 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

September 23, 1988

The Preston Citizen
P.O. Box 472
Preston, Idaho 83263

RE: Application No. 13-7453, City of Weston

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on September 1 and 8, 1988.

Your cooperation in this matter is greatly appreciated.

Sincerely,

Deena Green
Office Secretary

Form 235-1
4/88

Drilling Permit No. 13-88-Z-02
Water Permit No. 13-7453
Injection Permit No. _____

RECEIVED

JUN 3 1988

State of Idaho
Department of Water Resources

Department of Water Resources
Eastern District Office

D R I L L I N G P E R M I T

(Authorizing Construction of a Well)*

1. Applicant City of Weston, Idaho
2. Address Rt. 1, Box 292 A
Weston, Idaho Telephone 208/747-3985
(X) Well Owner (X) Well Operator () Other, specify _____
3. Proposed well location NW 1/4 NE 1/4, or Gov't lot No. _____,
Sec. 15, Twp. 16S, Rge. 38E, County Franklin,
Lot, block and subdivision N/A
4. Proposed use of well: (Check all that apply)
() Domestic () Stockwater () Monitoring
() Irrigation () Industrial (X) Municipal
() Injection () Other, Specify _____
5. Well construction information:
(X) New well () Deepen () Replace
Proposed surface diameter 12" Maximum depth 200'
Anticipated bottom hole temperature: _____
(X) 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)
6. Anticipated construction start date June 1, 1988
7. Well Driller (if known) Not known yet
Address _____
8. Applicant's signature * Clint D. Butters 5-31-88
Title Mayor
Date _____

* After other pre-requisite approvals have been obtained.

* Fee is \$10 for single family domestic. Other uses may be \$100, \$50 or \$10.

ACTION OF IDWR

(☒) Approved () Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. 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.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.

SPECIFIC CONDITIONS:

Dated this 28th day of November, 1988

Signed J. Glen Saylor
Title Chief, Water Alloc. Bur

Received by dg Fee \$100⁰⁰ Date 6-21-88
Receipt No. E000464 Construction start extension to _____
Extension approved by _____

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
December 12, 1988

CITY OF WESTON
ROUTE 1 BOX 292-A
WESTON, ID 83286

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 13-07453

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Also enclosed is a copy of the approved drilling permit submitted in connection with this water right.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

We have enclosed 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 for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

GARY SPACKMAN, Supervisor
Water Rights Permits Section

GS: SC
Enclosures

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 13-07453 IN THE)
NAME OF CITY OF WESTON, IDAHO) ORDER OF REINSTATEMENT
_____)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before December 1, 1989; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

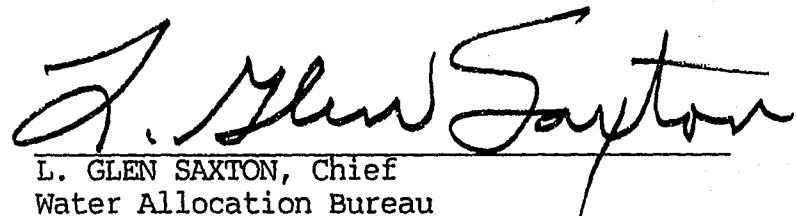
WHEREAS, the Department notified the permit holder that the permit lapsed for failure of the permit holder to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on January 8, 1990;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 13-07453 be REINSTATED and the priority advanced to July 11, 1988.

Dated this 2nd day of March, 1990.


L. GLEN SAXTON, Chief
Water Allocation Bureau

CITY OF WESTON
ROUTE 1 BOX 292-A
WESTON, ID 83286

September 30, 1989

138640

RE: PERMIT NO. 13-07453 PROOF DUE NOTICE

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, 1989. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

December 14, 1989

CITY OF WESTON
ROUTE 1 BOX 292-A
WESTON, ID 83286

LAPSE NOTICE

RE: PERMIT NO. 13-07453

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced water permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time. You were provided the proper form in our proof due notice to you dated September 30, 1989.

Your permit cannot be reinstated unless you submit proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal (including the examination fee or a completed field examination report) or the extension request form together with the \$15 fee must be received by this department within sixty days of the date of mailing of this lapse notice or the permit will no longer be of any force or effect.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a governmental agency or by litigation which might bring title to the water in question.

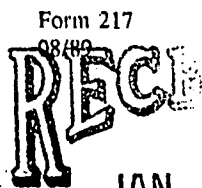
L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

LGS:RF

CERTIFICATION OF MAILING

I hereby certify that on 12/15/89
a copy/an original of this document is
deposited in the United States Mail,
postage prepaid addressed to the
individual(s) named above.



JAN 8 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

For Office Use Only
Amt. of Fee \$ 125.00
Date 1/9/90
Receipt No. C013886
Received by J. J. J. J.

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 13-07453 Telephone No. 747-3425

Name(s) of Permit Holder(s): Weston City

Post Office Address: 292 So 2nd East

Source of Water: Well

If ground water, well driller's name: Cushman Drilling Date drilled: Aug 88

Extent of Use:
Domestic 150 (No. of households) Irrigation _____ (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 2 CF. SEC cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 5-15-89

One of the following may be a condition of approval of your permit:

Measuring device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

OR

Flow Measurement Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

Fee Enclosed: \$ 125.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Vereen Bingham 747-3213
Name Telephone No.

Weston Idaho
Address

The above information 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.

1-3-90 Clint D. Butters
Date Signature (and title if on behalf of a company or organization)

February 28, 1990

Jack L. Cushman
Jack Cushman Drilling & Pump Co., Inc.
1405 South Broadway
Blackfoot, ID 83221

Dear Mr. Cushman:

Re: Water Right Permit No. 13-07453
Drilling Permit No. 13-88-Z-02

Please provide me with a copy of the well driller's report for the City of Weston. The well was drilled approximately August 1988. The location is the SWNE, Sec. 8, Twp. 16S, Rge. 38E.

Please send this copy soon.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

c: G. W. Prot. Bur.

March 14, 1990

CITY OF WESTON
ROUTE 1 BOX 292-A
WESTON, ID 83286

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 13-07453

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

Enclosure

RECEIVED

APR 23 1998

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 13-07453

Date of Priority: July 11, 1988

Maximum Diversion Rate:

2.00 CFS

Comes now

CITY OF WESTON

293 S 2ND E

WESTON ID 83286

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 13-07453, and requests that the permit be changed as follows:

Source: GROUNDWATER

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

ANNUAL VOLUME

MUNICIPAL

01/01 to 12/31

2.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWNE, Sec. 8, Township 16S, Range 38E
FRANKLIN County

PLACE OF USE: See Remarks

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Weston City, this 20 day of April, 1998.

Geo R. Walley - Mayor
(Signature)

PAGE 2

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 13-07453

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 50⁰⁰ Receipted by KS # 6042124 Date 4/23/98

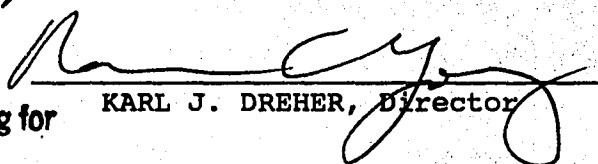
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 13-07453 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Place of use within the city limits of Weston.
5. Two points of diversion located in SWNE, S8, T16S, R38E.

Witness my hand this 27th day of April, 1998.


Acting for KARL J. DREHER, Director

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 13-07453

Priority: June 3, 1988

Maximum Diversion Rate:

2.00 CFS

This is to certify, that CITY OF WESTON
ROUTE 1 BOX 292-A
WESTON ID 83286

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated June 3, 1988; and
has submitted Proof of Beneficial Use on January 8, 1990. An examination indicates
that the works have a diversion capacity of 0.000 cfs of water from a GROUNDWATER
source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
MUNICIPAL	01/01 to 12/31	2.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 8, Township 16S, Range 38E
FRANKLIN County

PLACE OF USE: MUNICIPAL

TWN RGE SEC

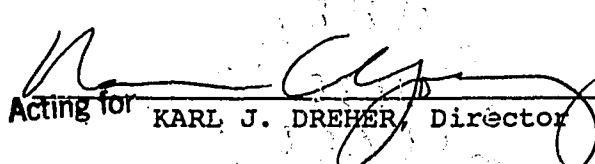
16S 38E 14

SWSW

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Prior to the diversion of water under this right a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
6. PLACE OF USE WITHIN CITY LIMITS OF WESTON.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 22nd
day of APRIL, 1998.

Acting for  KARL J. DREHER, Director

RECEIVED
JAN 22 1996

Department of Water Resources
Permit No. 13-07453

A. GENERAL INFORMATION

1. Owner: CITY OF WESTON Phone No. (208) 747-3473
Current Address: 293 So. 2nd EAST, WESTON, IDAHO 83286

2. Accompanied by: HOWARD AASMUSSEN EXAM DATE: 1/19/95
Address: P.O. BOX 44, WESTON, IDAHO 83286 Phone No. (208) 747-3610
Relationship to Permit Holder: MAINTENANCE

3. Source: GROUND WATER tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 13-04070, 13-02097

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

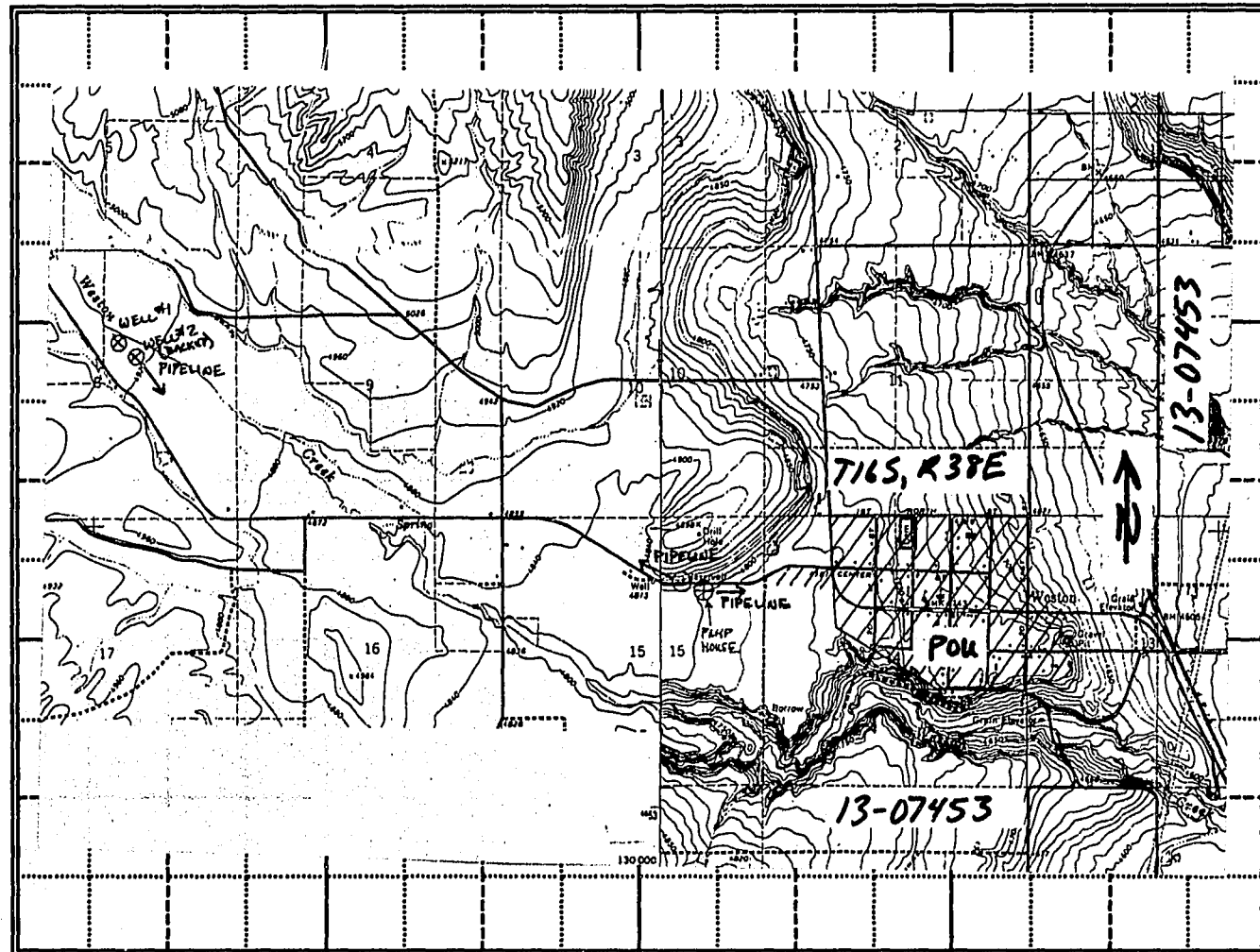
[illegible]

2. Place(s) of Use: *MUNICIPAL*

Indicate Method of Determination ON SITE 10SP.

[illegible]

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate well 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
#1		10			
#2		7 1/2			

*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: NONE

E. NARRATIVE/REMARKS/COMMENTS

THIS IS A MUNICIPAL WATER SYSTEM, MOSTLY BURIED.

TWO WELLS (1 PRIMARY, 1 BACKUP) PUMP WATER DOWNHILL
TO TWO" STORAGE TANKS. BOOSTER/PRESSURE PUMPS SUPPLY
WATER FROM STORAGE TANKS TO BURIED CITY SYSTEM.

WELLS ARE 480 FEET APART.

WELL #1 10 HP SUBMERSIBLE PUMP

230' DEEP WELL

30' ± STATIC WATER

900 GPM TEST BY DRILLER (JACK CUSHMAN)

WELL #2 7 1/2 HP SUBMERSIBLE PUMP (BACKUP)

180' DEEP WELL

30' ± STATIC WATER

350 GPM TESTED BY DRILLER (JACK CUSHMAN)

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

F. FLOW CALCULATIONS☒ Additional Computation Sheets Attached

Measured Method:

#1 $Q = 1.23$ #2 $Q = 0.925$ 2.155 cfs Q LIMITED BY PERMIT. to 2.00 cfs**G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

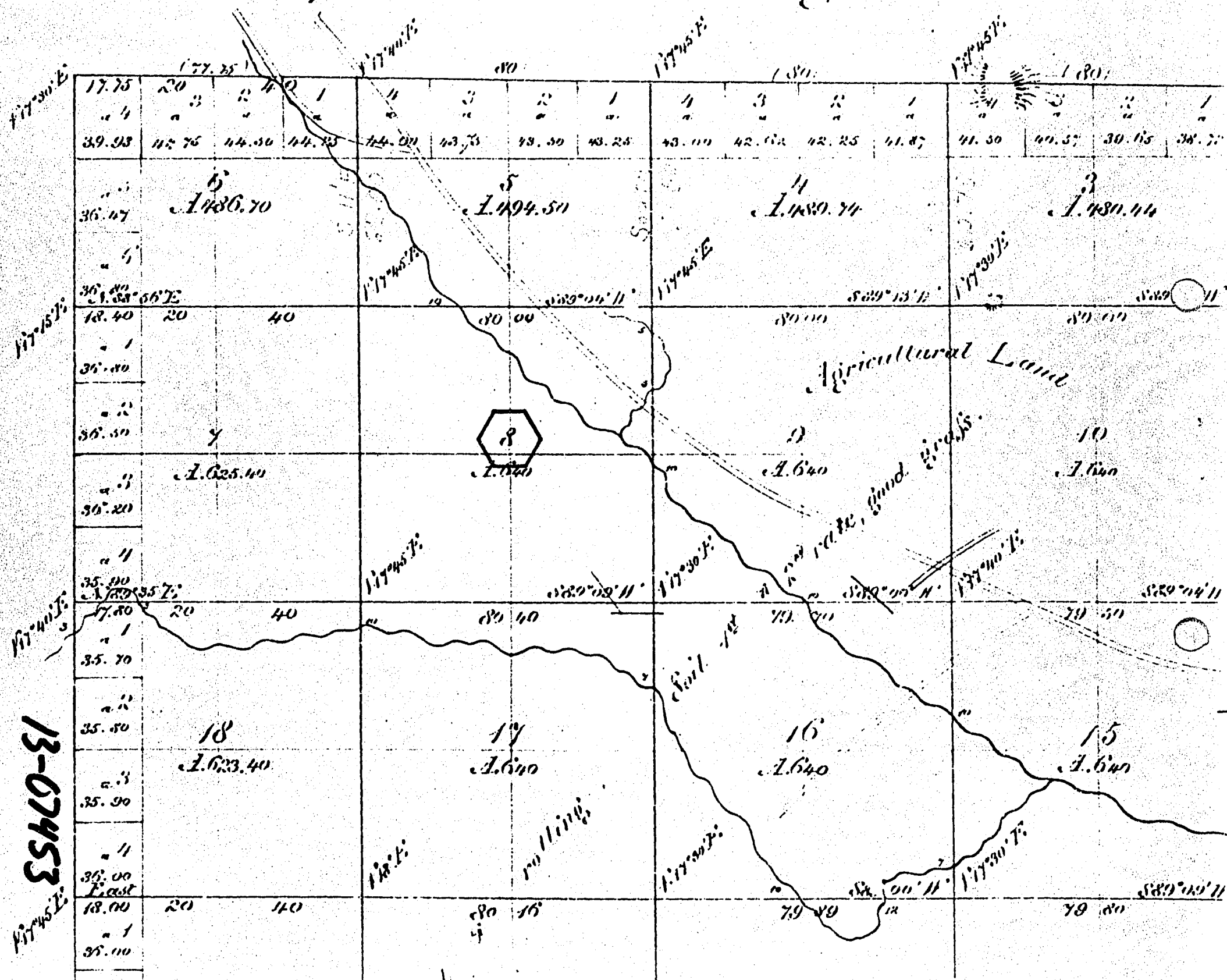
Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
MUNICIPAL	1/1	12/31	2.0	
Totals:			2.0 cfs	

2. Recommended Amendments

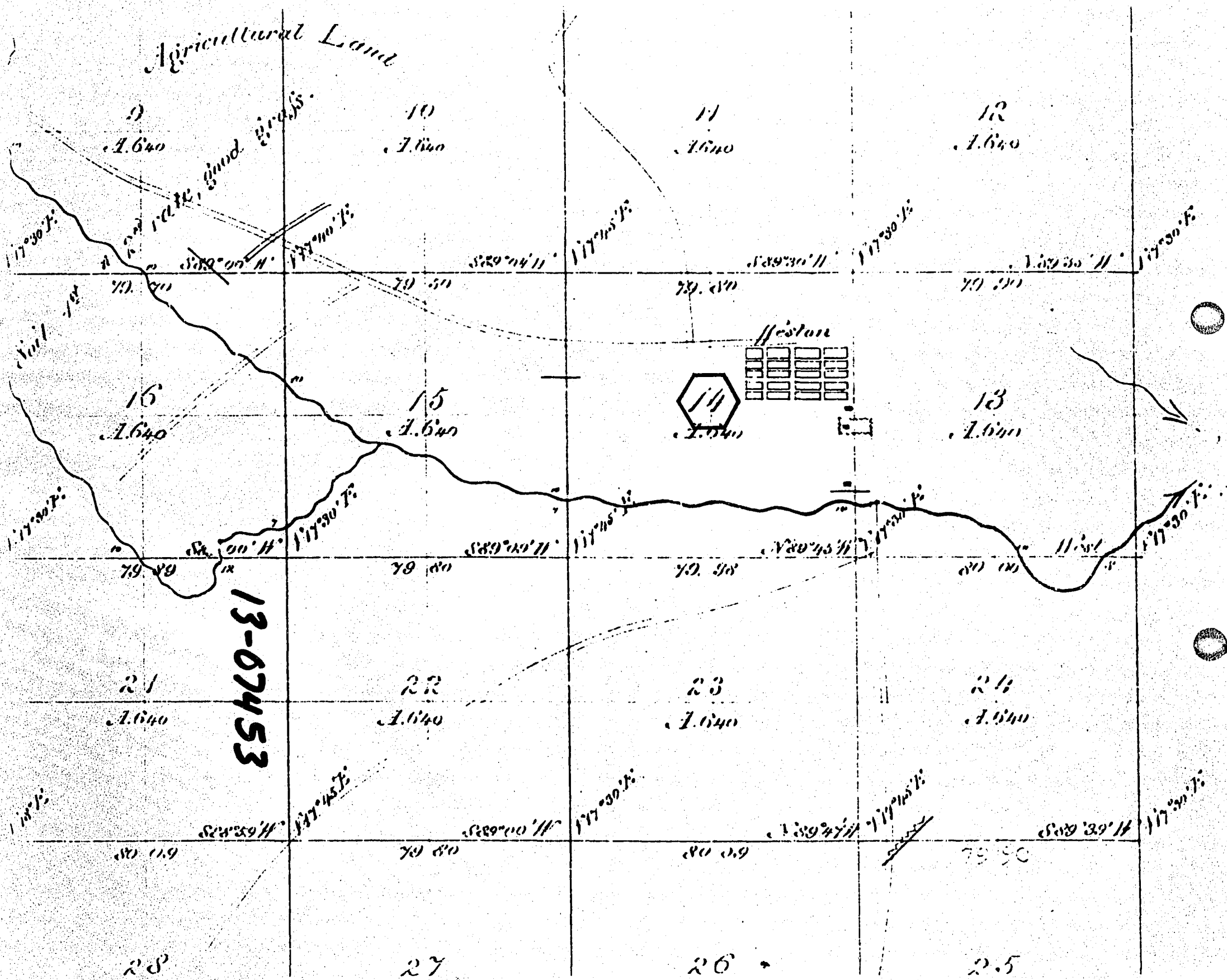
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name SIMPkins Date 1/11/96Reviewer [Signature] Date 1-12-96

SEAL



Agricultural Land



THEORETICAL PUMP FLOW CALCULATIONS

Formula: $Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$

SYSTEM: WELL #1

Hp = Horsepower = 10
Eff = Efficiency = .7 (Usually 70%)
Lift: (Static Level + Assumed Draw down)
Static Water Level = 30 ft.
Assumed Draw down = + 20 ft.
Lift = 50

OR

Measured Dynamic Water Level = _____ ft.

psi = Operating Pressure = 0 psi
OPEN DISCHARGE DOWN HILL TO STORAGE TANKS

$$Q_{cfs} = \left[\frac{10}{Hp} \times 8.814 \times \frac{.7}{Eff} \right] \div \left[\frac{50}{Lift} + \left(\frac{0}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\frac{61.698}{Lift} \right] \div \left[\frac{50}{Lift} \right]$$

$$Q_{cfs} = \underline{1.23} \text{ cfs SYSTEM } \underline{\#1}$$

SYSTEM: WELL #2

Hp = Horsepower = 7.5
Eff = Efficiency = .7 (Usually 70%)
Lift: (Static Level + Assumed Draw down)
Static Water Level = 30 ft.
Assumed Draw down = + 20 ft.
Lift = 50

OR

Measured Dynamic Water Level = _____ ft.

psi = Operating Pressure = 0 psi
OPEN DISCHARGE TO STORAGE TANKS

$$Q_{cfs} = \left[\frac{7.5}{Hp} \times 8.814 \times \frac{.7}{Eff} \right] \div \left[\frac{50}{Lift} + \left(\frac{0}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\frac{46.273}{Lift} \right] \div \left[\frac{50}{Lift} \right]$$

$$Q_{cfs} = \underline{0.925} \text{ cfs SYSTEM } \underline{\#2}$$

$$\begin{aligned} \#1 &= 1.23 \\ \#2 &= 0.925 \\ &\underline{2.155 \text{ CFS}} \end{aligned}$$

PERMIT NO. 13-07453

CITY OF WESTON
MUNICIPAL

1 of 2



VIEW OF
POINTS OF
DIVERSION
(2)



2 STORAGE
TANKS

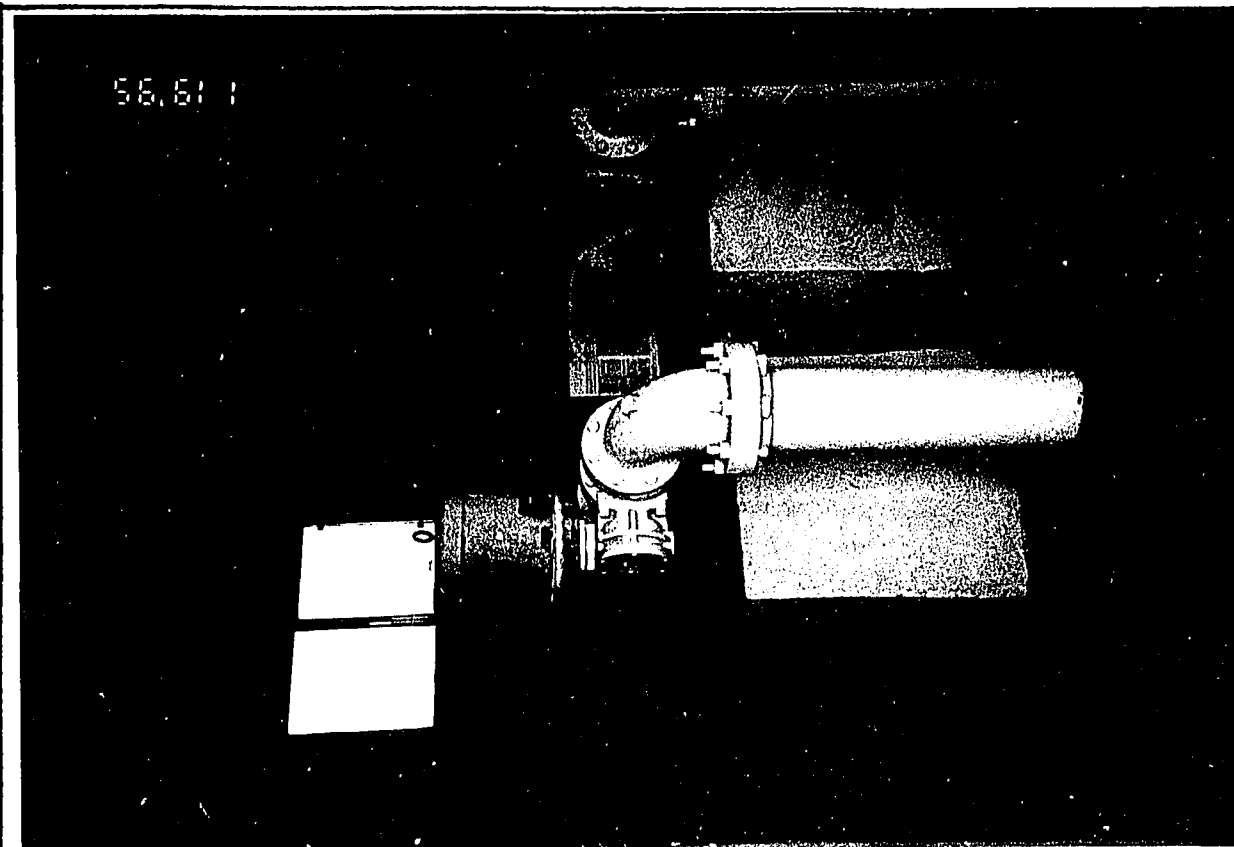
PUMP HOUSE
ON LEFT

13-07453

MUNICIPAL

2 of 2

58.611



INTERIOR
OF PUMP
HOUSE
BOOSTS/
PRESSURE
PUMPS FROM
STORAGE TANKS.



PUMP HOUSE
ON RIGHT
PLACE OF
USE IN
BACKGROUND

13-07453

***FOR CLARITY
OF ANY
PHOTOGRAPHS
MICROFILMED,
SEE FILE.***



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

March 23, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF WESTON
293 S 2ND E
WESTON ID 83286

RE: WATER RIGHT NO. 13-07453

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that you developed more points of diversion than were described on your permit. Therefore, before a license can be issued, your permit must be amended to include the additional point(s) of diversion.

The enclosed Application for Amendment form describes the additional point(s) of diversion and other information that will be included on the license when it is issued. In some cases, the reference to multiple points of diversion is contained in the list of conditions of approval and remarks on the last page of the amendment form. Please review the amendment carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7946.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure



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 13, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF WESTON
293 S 2ND E
WESTON ID 83286

RE: WATER RIGHT NO. 13-07453

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has actually been developed.

As of this date, I have not received this amendment. If I do not receive the amendment within 14 days, a Water Right License will be issued for less than could have been allowed. In case the amendment form I sent you has been misplaced, a new one is enclosed. Please note that the filing fee for this amendment is \$50.00.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure



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 27, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF WESTON
293 S 2ND E
WESTON ID 83286

RE: WATER RIGHT NO. 13-07453

Dear Water Right Holder(s):

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

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

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

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

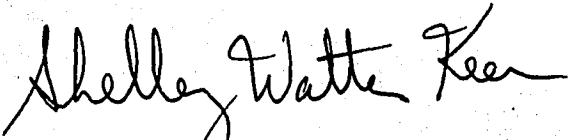
- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

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

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:klt

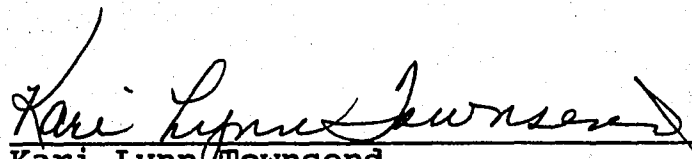
Enclosure

CERTIFICATE OF MAILING

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

Water Right No. 13-07453

CITY OF WESTON
293 S 2ND E
WESTON ID 83286


Kari Lynn Townsend
Secretary