

RECEIVED  
NOV 09 1994

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

Ident. No. 13-2529

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of applicant City of Franklin Phone (208) 646-2300  
Post office address 128 East Main, Franklin, Idaho 83237
2. Source of water supply ground water which is a tributary of N/A
3. Location of point of diversion is NE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of NW  $\frac{1}{4}$ , Govt. Lot \_\_\_\_\_  
Sec. 14 Township 16 S Range 40 E B.M. Franklin County; additional  
points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount 0.33 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) 0.33 and/or (b) 240  
cubic feet per second acre feet per annum
6. Proposed diverting works:
  - a. Description of ditches, flumes, pumps, headgates, etc. Well with pump to supply water for  
municipal water 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 six inches; proposed depth of well is 244 feet.
  - d. Is ground water with a temperature of greater than 85°F being sought? no
  - e. If well is already drilled, when? 6/94; Drilling firm Intermountain Well Drilling;  
Well was drilled for (well owner) City of Franklin 13-94-E-018
7. Time required for the completion of the works and application of the water to be proposed beneficial use is  
two years (minimum 1 year).

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

- a. Hydropower; show total feet of head and proposed capacity in KW. \_\_\_\_\_
- b. Stockwatering; list number and kind of livestock. \_\_\_\_\_
- c. Municipal; show name of municipality. City of Franklin
- 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.

City of Franklin

| TWP | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 165 | 40E   | 20   | m   | m   | m   | m   | m   | m   | m   | m   | m   | m   | m   | m   | m   | m   | m   | m   |        |
| 165 | 40E   | 21   | m   | m   |     |     | m   |     | m   | m   |     | m   | m   |     |     |     |     |     |        |
| 165 | 40E   | 22   | m   | m   |     |     | m   | m   |     |     |     |     |     |     |     |     |     |     |        |
| 165 | 40E   | 29   | m   | m   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
| 165 | 40E   | 28   |     |     |     |     | m   |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated \_\_\_\_\_

10. Describe any other water rights used for the same purposes as described above. 13-07265; 13-02071;  
13-02070; 13-00051

11. a. Who owns the property at the point of diversion? Orville Rallison
- b. Who owns the land to be irrigated or place of use? residents in and near Franklin
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. The city is presently negotiating with the owner to acquire the property.

12. Remarks: Production from the town's existing spring and well sources has dropped considerably, due to drought conditions in recent years. The proposed project will provide a deeper, more reliable well source.

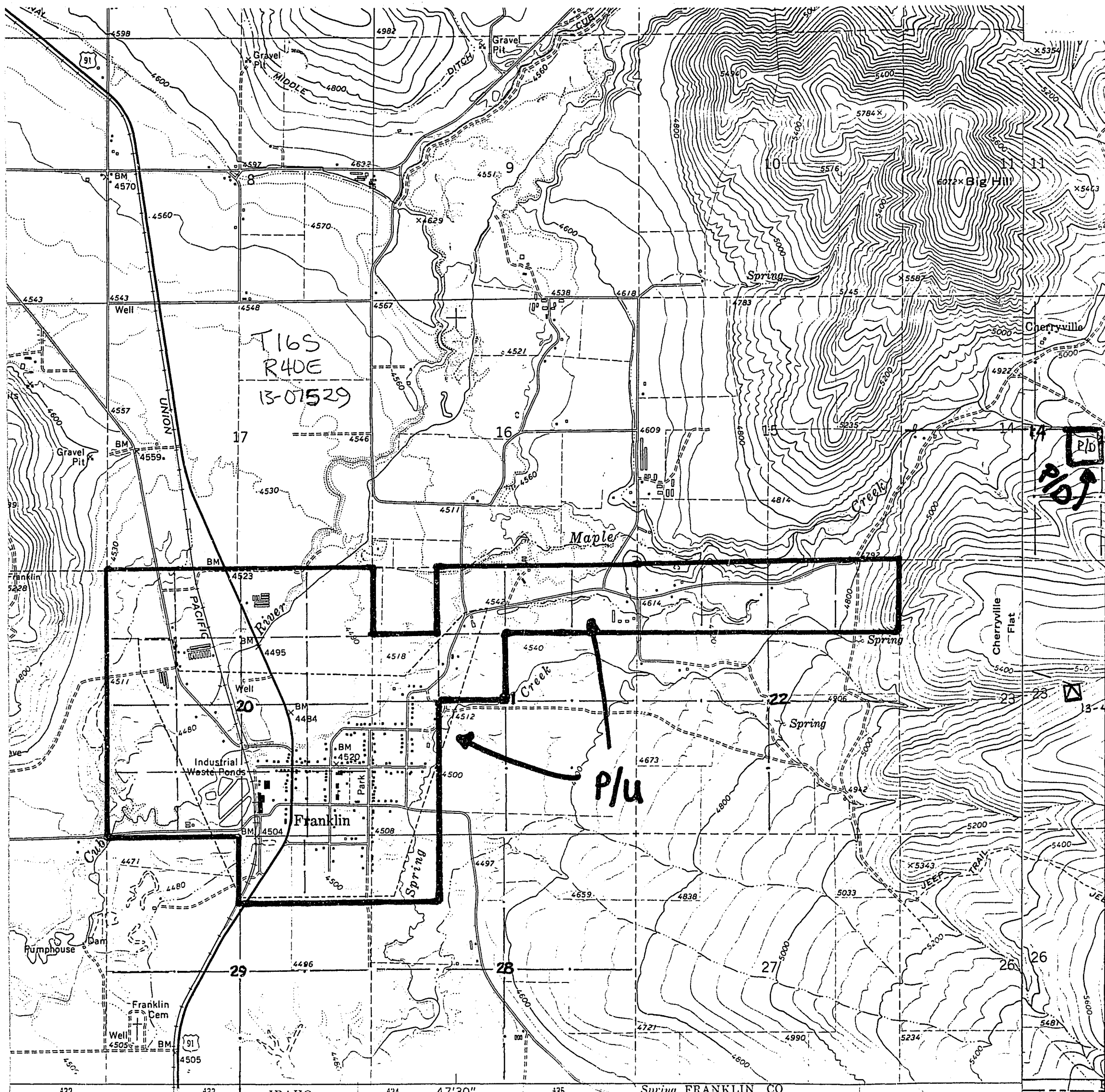
See attached map

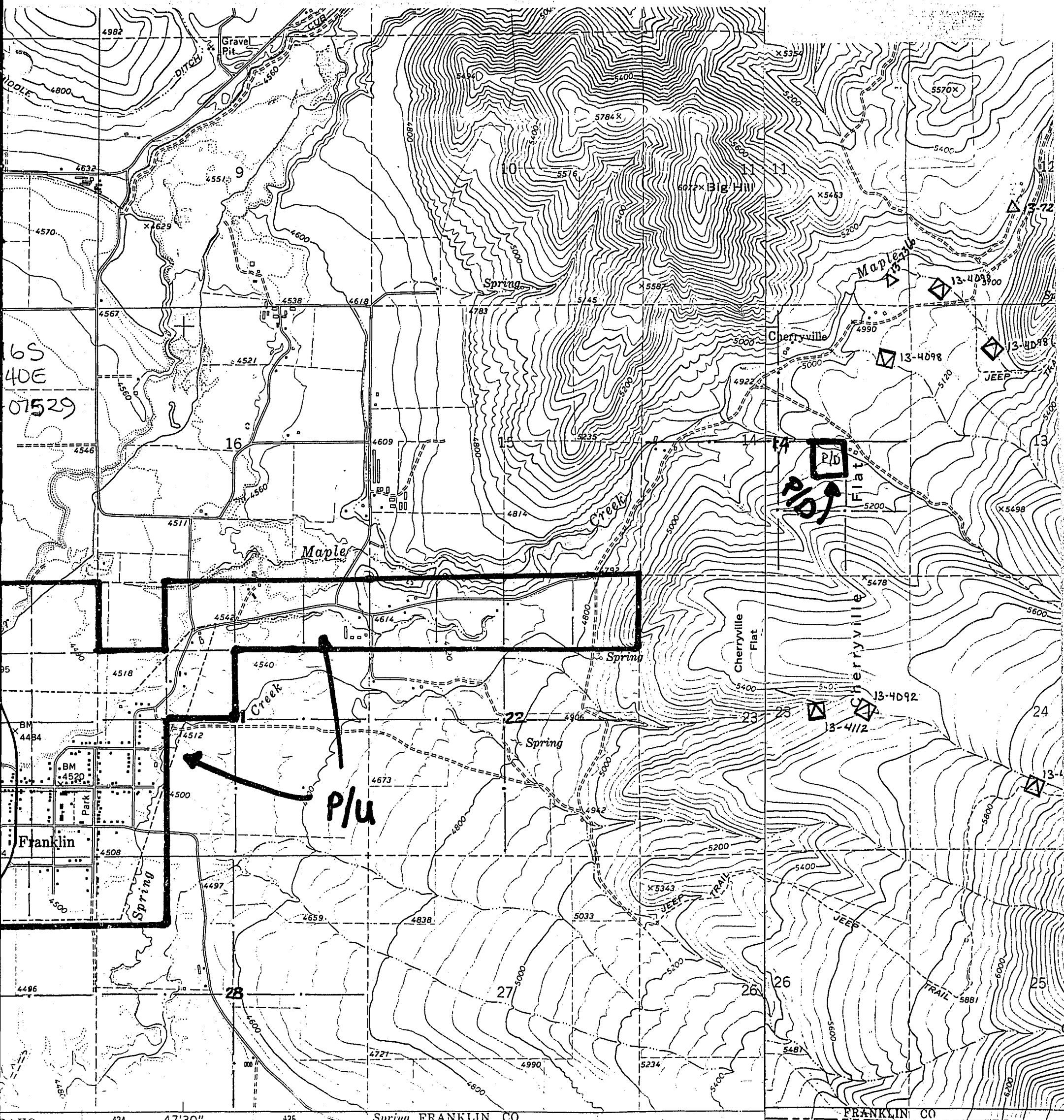
Project: Mgr.  
Glen Faust of  
Laird West  
801-753-0153

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.

Application for permit to appropriate the public waters of

Chad W. Wornick  
(Applicant) *Councilman*





DAHO 434 47'30" 435 Spring FRANKLIN CO FRANKLIN CO  
UTAH CACHE CO INTERIOR-GEOLOGICAL SURVEY, WASHINGTON, D.C.-1973 45' CACHE CO 439

Date of Priority

Received by WM Date 9/19/94 Time 12:41 Preliminary check by \_\_\_\_\_  
Fee \$ 100.00 Received by HWT # E020359 Date 10-3-94  
Publication prepared by LB Date 10-20-94 Published in Preston Citizen  
Publication approved \_\_\_\_\_ Date \_\_\_\_\_

**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:

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

NO. 13-07529

Proposed Priority: October 3, 1994 Maximum Diversion Rate: 0.33 CFS

This is to certify, that CITY OF FRANKLIN  
128 E MAIN  
FRANKLIN ID 83237

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 | 0.33 CFS |
|-----------|----------------|----------|

LOCATION OF POINT(S) OF DIVERSION: NESENW , Sec. 14, Township 16S, Range 40E  
FRANKLIN County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1996.
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 right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. The issuance of this right in no way grants any right-of-way or easement across the land of another.
6. Place of use is within city limits of Franklin and surrounding service area.
7. The domestic use authorized under this permit shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code.
8. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this permit.

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

2<sup>nd</sup> day of December, 1994.

*R. Keith Higginson*  
for R. Keith Higginson, Director

This is a copy of the check  
we sent to you. I called the  
bank & it hasn't been cashed yet.  
I'm sending you another check so  
if you find the other one, return  
it to us.

**RECEIVED**

Lorraine A. Morrison

OCT 03 1994

9.29.93

CITY OF FRANKLIN  
SEWER CONSTRUCTION ACCOUNT  
P. O. BOX D  
FRANKLIN, ID 83237



2321

92-85  
1241

PAY Forty five and no dollars  
100

TO  
THE  
ORDER  
OF

Idaho Dept. of Water Resources

DATE  
8-30-94

AMOUNT  
45.00

*Lorraine A. Morrison*  
**NOT NEGOTIABLE**

⑆00002321⑆ ⑆124100057⑆ 80 ⑆0000⑆ 2⑆

CITY OF FRANKLIN  
SEWER CONSTRUCTION ACCOUNT

DELUXE - FORM TWO-2 V-6

| DATE    | DESCRIPTION            | DEBIT | CREDIT | BALANCE |
|---------|------------------------|-------|--------|---------|
| 8-30-94 | Application for Permit | 45.00 |        | 45.00   |

| EMPLOYEE |       |      |            |           | DEDUCTIONS |             |            |  |  | TOTAL      | NET PAY |
|----------|-------|------|------------|-----------|------------|-------------|------------|--|--|------------|---------|
| PERIOD   | HOURS | RATE | AMOUNT     | AMOUNT    | FICA       | WITHHOLDING | STATE      |  |  | DEDUCTIONS |         |
| ENDING   |       |      | REGULATORY | AND OTHER |            | US DED. TAX | INCOME TAX |  |  |            |         |
|          |       |      |            |           |            |             |            |  |  |            |         |

V-6

October 12, 1994

CITY OF FRANKLIN  
128 E MAIN  
FRANKLIN ID 83237

RE: Application for Permit No. 13-07529

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Preston Citizen on October 20 & 27, 1994. 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,

  
Harold W. Jones  
Water Right Supervisor

HWJ/rb

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 NOVEMBER 7, 1994.

R. KEITH HIGGINSON, Director

Published: 10/20/1994 & 10/27/1994

13-07529

CITY OF FRANKLIN  
128 E MAIN  
FRANKLIN, ID 83237

Source: GROUNDWATER

Diversion Pt: NESENW Sec 14 T 16S R 40E in FRANKLIN County.

Use: MUNICIPAL ( .330 CFS)  
Total Diversion: ( .330 CFS)

Date Filed: 9/19/1994

00

NOTICE OF APPLICATION FOR WATER RIGHT

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

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region  
900 N Skyline

---

Idaho Falls, Idaho 83402  
(208) 525-7161

OCTOBER 12, 1994

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

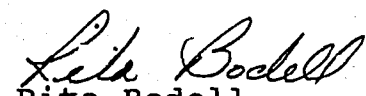
Gentlemen:

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 NOVEMBER 7, 1994.

Yours truly,

  
Rita Bodell  
Secretary

Encl.

875

IN

3856

## AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

ss.

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

10/19, 1994, and ending  
with the issue of 10/26, 1994

Fee \$ 33.08Subscribed and sworn to before me this 26 dayof Oct, 1994.

Notary Public, Residing at Preston, Idaho

My Commission Expires Aug 14, 1995.

RECEIVED

OCT 27 1994

Department of Water Resources  
Eastern District OfficeNOTICE OF APPLICATION FOR  
WATER RIGHT

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

13-07529

CITY OF FRANKLIN

128 E MAIN

FRANKLIN, ID 83237

Source: GROUNDWATER

Diversion Pt: NESENW Sec 14 T

16S R 40E in FRANKLIN County.

Use: MUNICIPAL (.330 CFS)

Total Diversion: (.330 CFS)

Date Filed: 9/19/1994

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 NOVEMBER 7, 1994.

R. KEITH HIGGINSON, Director  
Legal No. 3856—Publish Oct. 19, 26, 1994.



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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

December 5, 1994

CITY OF FRANKLIN  
128 E MAIN  
FRANKLIN ID 83237

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 13-07529

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.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Johnson', written over a horizontal line.

JIM JOHNSON, Manager  
Water Right Permits Section

JJ:dc

Enclosures

FOR OFFICE USE ONLY  
Amt. of Fee \$: 100.00  
Receipt No. 0036821  
Receipt By: Kr  
Date Received: 10.24.96

RECEIVED

OCT 24 1996

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 13-07529 Telephone No. 208-646-2300
2. Name(s) of Permit Holder(s): City of Franklin
3. Mailing Address: P.O. Box 69, Franklin, ID 83237
4. Source of Water: Groundwater If **GROUNDWATER** (well), Date Drilled: mo. Aug / yr. 94
  - a. Well Driller: Wright Drilling Drilling Permit Number: 13 - 94 - E - 018
  - b. **OPTIONAL:**  
Pump Horsepower: 10 HP Pressure (psi): Free flow to Reservoir  
Dynamic pumping level (ft): 160'
5. Use(s) (as authorized by the water right permit):  
Domestic (No. of households): 185 Stockwater (No. and type of stock): \_\_\_\_\_  
Irrigation (No. of acres): \_\_\_\_\_ Other: \_\_\_\_\_
6. Total rate of diversion and/or volume for which proof is submitted: .82 cfs OR \_\_\_\_\_ acre feet  
Total flow of East #2 well and West #3 well.
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)  

|                                                                    |              |                  |         |
|--------------------------------------------------------------------|--------------|------------------|---------|
| <b>Measuring Device:</b> Is a measuring device required?           | Yes <u>X</u> | or No _____      | Metered |
| Has the measuring device been installed?                           | Yes <u>X</u> | or No _____      |         |
| <b>Flow Measurement Port:</b> Is a flow measurement port required? | Yes _____    | or No <u>N/A</u> |         |
| Has the measurement port been installed?                           | Yes _____    | or No <u>N/A</u> |         |
8. Fee Enclosed: \$ 100.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.  
Name: Glen Kirkbride Telephone Number: 208-646-2300  
Address: P.O. Box 69, 128 E. Main, Franklin, ID 83237
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: Glen Kirkbride Supervisor \_\_\_\_\_ Date: 1-18-96  
(include your title, if on behalf of company or organization)

September 30, 1996

CITY OF FRANKLIN  
128 E MAIN  
FRANKLIN ID 83237

PROOF DUE NOTICE

RE: PERMIT NO. 13-07529

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, 1996. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

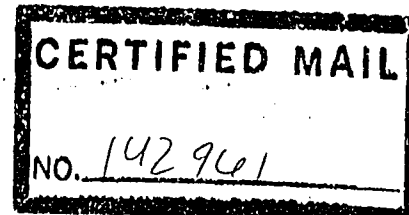
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

SINCERELY,

JULIE L. YARBROUGH  
Senior Secretary

Enclosures





State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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

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

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR  
November 12, 1996

CITY OF FRANKLIN  
PO BOX 69  
FRANKLIN ID 83237

**PROOF ACKNOWLEDGMENT LETTER**

RE: PERMIT NO. 13-07329

Dear Permit Holder:

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

Please be advised that Section 42-248, Idaho Code, which became affective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any 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. Failure to maintain current records with the department could result in the assessment of a monetary penalty.

If you have questions concerning the field examination, contact the **EASTERN** Regional Office in Idaho Falls, at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH  
Senior Secretary

c: IDWR - Region

State of Idaho  
Department of Water Resources

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Department of Water Resources

APPLICATION FOR AMENDMENT  
(For Licensing Purposes)  
WATER RIGHT NO. 13-07529

Date of Priority: October 3, 1994 Maximum Diversion Rate: 0.33 CFS  
Comes now CITY OF FRANKLIN  
PO BOX 69  
FRANKLIN ID 83237 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. 13-07529, and requests that the permit be changed as follows:

Source: GROUNDWATER

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| MUNICIPAL             | 01/01 to 12/31       | 0.33 CFS                 |                      |

LOCATION OF POINT(S) OF DIVERSION: SENW, Sec. 14, Township 16S, Range 40E  
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 Franklin, this 8 day of April, 1999.

Louis Menay  
Mayor (Signature)

PAGE 2

State of Idaho  
Department of Water Resources

**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
WATER RIGHT NO. 13-07529

\*\*\*\*\*

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 50.<sup>00</sup> Receipted by Ly # 0045105 Date 4/13/99

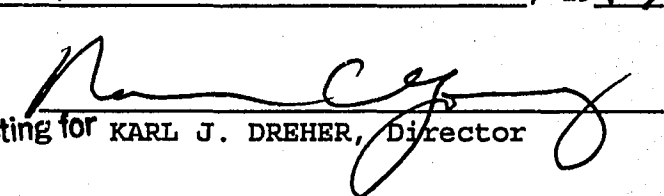
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the  
above Application for Amendment for Permit No. 13-07529 with the following;

**CONDITIONS OF APPROVAL AND REMARKS**

1. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
2. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
3. Place of use is within city limits of Franklin and surrounding service area.
4. Two points of diversion are located within SENW, S14, T16S, R40E.

Witness my hand this 14<sup>TH</sup> day of APRIL, 1999.

  
Acting for KARL J. DREHER, Director

State of Idaho  
Department of Water Resources

**Water Right License**  
WATER RIGHT NO. 13-07529

Priority: October 3, 1994

Maximum Diversion Rate:

0.33 CFS

This is to certify, that CITY OF FRANKLIN  
PO BOX 69

FRANKLIN ID 83237 has complied with the terms and conditions  
of the permit, issued pursuant to Application for Permit dated October 3, 1994; and  
has submitted Proof of Beneficial Use on October 24, 1996. An examination indicates  
that the works have a diversion capacity of 0.520 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 | 0.33 CFS |  |
|-----------|----------------|----------|--|

LOCATION OF POINT(S) OF DIVERSION:

SENW , Sec. 14, Township 16S, Range 40E  
FRANKLIN County

PLACE OF USE: See Remarks

CONDITIONS OF APPROVAL AND REMARKS

1. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
2. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
3. Place of use is within city limits of Franklin and surrounding service area.
4. Two points of diversion are located within SENW, S14, T16S, R40E.

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 14<sup>TH</sup> day of

April, 1999.

  
Acting for KARL J. DREHER, Director

## WELL DRILLER'S REPORT

**State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.**

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED

FEB 16 1999

Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 13-7529

1. Owner: City of Franklin Phone No. (208) 646-2300

Current Address: 128 E Main Franklin ID. 83237

2. Accompanied by: Glen Kirkbride EXAM DATE: 6-10-98

Address: PO Box 69 Phone No. (208) 646-2512

Relationship to Permit Holder: City Main Supervisor

3. Source: Ground Water tributary to NA

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: 13-07265, 13-02070, 13-02071

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

**C. DIVERSION AND DELIVERY SYSTEM**

1. Point(s) of Diversion:

| Ident No. | Gov't Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County   | Method of Determination/Remarks |
|-----------|-----------|-----|-----|-----|------|------|------|----------|---------------------------------|
| #3        | (West)    | NE  | SE  | NW  | 14   | 16S  | 40E  | Franklin | USGS and NOS/NOAA maps          |
| #2        | (East)    | NE  | SE  | NW  | 14   | 16S  | 40E  | Franklin | USGS and NOS/NOAA maps          |
|           |           |     |     |     |      |      |      |          |                                 |
|           |           |     |     |     |      |      |      |          |                                 |

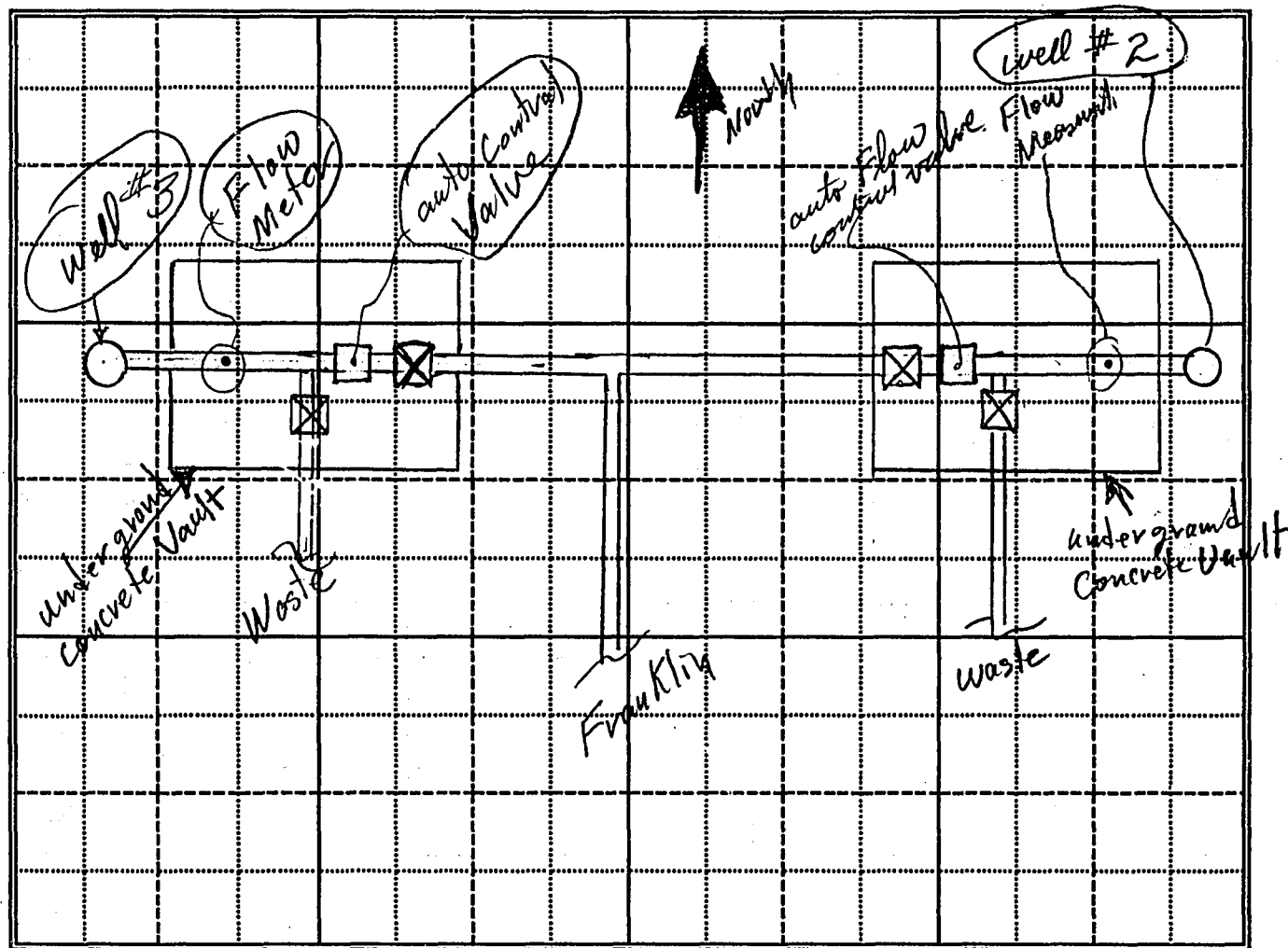
2. Place(s) of Use:

Indicate Method of Determination USGS maps

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

USED WITHIN CITY LIMITS OF FRANKLIN

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 |
|---------------------------------------|---------------|----|------------------|-----------|-----------------------------------|
| #3 west                               | Franklin Elec | 10 | 2822029210       |           | 4" DP ≈ 5#                        |
| #2 East                               | " "           | 10 | 2822029210       |           | 3" " "                            |
|                                       |               |    |                  |           |                                   |

\*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 |
|-----------------------|------|--------|-----------|------------|------|-------------|
| Furnans               |      | Signet | 8510      | PN3-2517-0 |      | Unknown     |
| "                     |      | "      | "         | "          |      | unknown     |

2. Measurements: Flow reading for Well #3 115 gal/min  
Flow reading for Well #2 Not Ava.

E. NARRATIVE/REMARKS/COMMENTS

Well #3 GPS # EO 6947

Well #2 GPS # EO 6948

Discharge pressure is 5#

Well depth 185 ft - from Glen Kirkbride

The normal flow is from springs - These pumps are used when springs fail to supply enough water.

There is a third well at the point of diversion - This well is cased and not being used

The wells are enclosed in a chain link enclosure with locked access - each vault is locked.

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

**F. FLOW CALCULATIONS**

Measured Method:

1 Additional Computation Sheets Attached

1/ Flow meter well #3 is 115gpm or 0.26 cfs  
(Both wells set up the same)

2/ Allow 115gpm from well #2 or 0.26 cfs  
Total 0.52 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:

NA

**H. RECOMMENDATIONS**

## 1. Recommended Amounts

| Beneficial Use | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|---------------|-------|------------------------------|--------------------------|
|                | From          | To    |                              |                          |
| Municipal      | 01/01         | 12/31 | .33                          |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
| Totals:        |               |       | .33                          |                          |

## 2. Recommended Amendments

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

**I. AUTHENTICATION**Field Examiner's Name Lee L. Simmons Date 6-10-98Reviewer [Signature] Date 2-3-1999

SEAL

## THEORETICAL PUMP FLOW CALCULATIONS

Formula:

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

$$\begin{aligned} Hp &= \text{Horsepower} = \underline{10} \\ Eff &= \text{Efficiency} = \underline{70\%} \quad (\text{Usually } 70\%) \\ \text{Lift: } &(\text{Static Level} + \text{Assumed Draw down}) \\ \text{Static Water Level} &= \underline{185} \text{ ft.} \\ \text{Assumed Draw down} &= + \text{ } \text{ft.} \\ \text{Lift} &= \underline{185} \end{aligned}$$

OR

$$\text{Measured Dynamic Water Level} = \text{ } \text{ft.}$$

$$\text{psi} = \text{Operating Pressure} = \text{ } \text{psi}$$

$$Q_{cfs} = [ \underline{10}_{Hp} \times 8.814 \times \underline{.70}_{Eff} ] \div [ \underline{185}_{Lift} + ( \underline{5}_{psi} \times 2.308 ) ]$$

$$Q_{cfs} = [ \underline{61.6980} ] \div [ \underline{196.54} ]$$

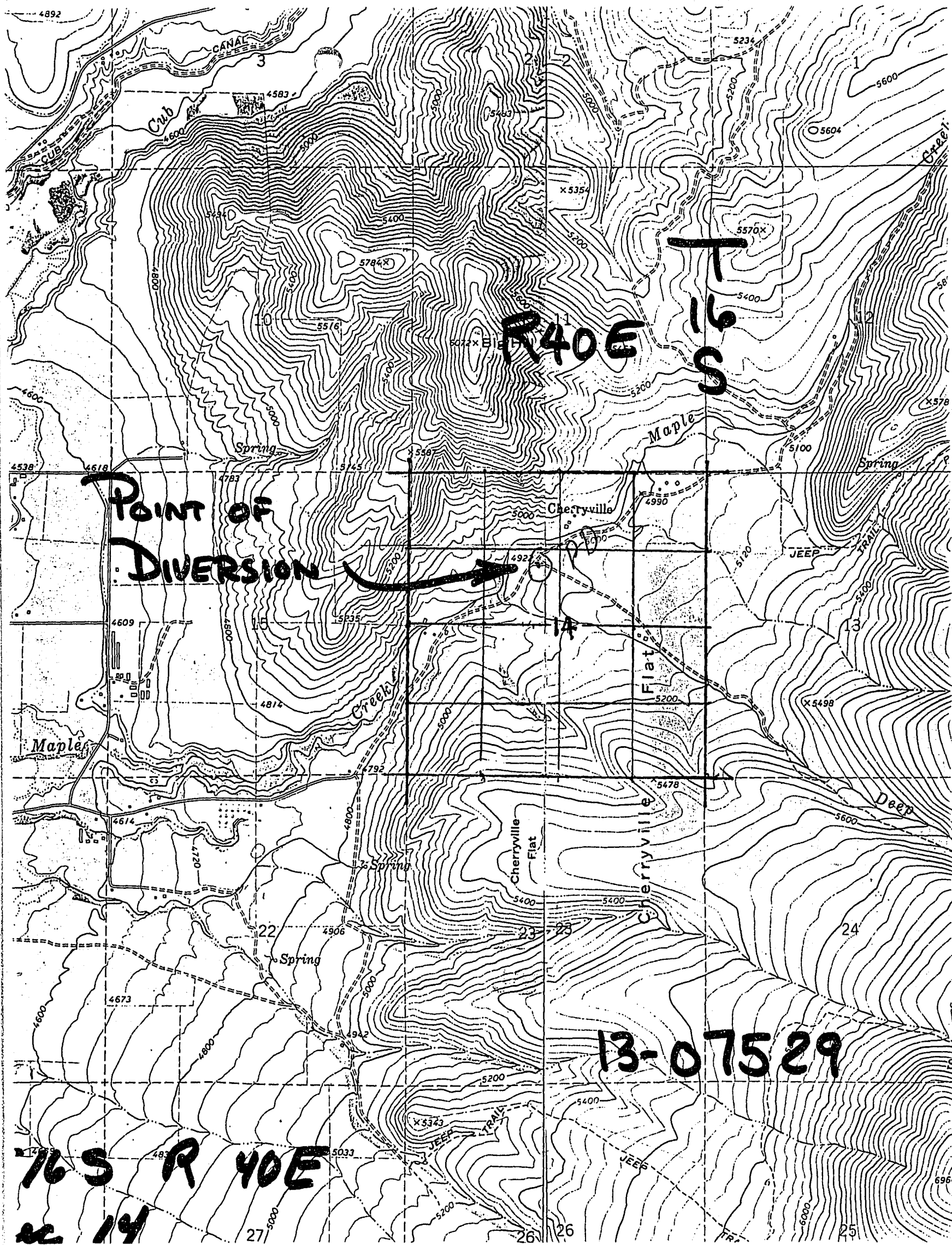
$$Q_{cfs} = \underline{0.3139} \text{ cfs}$$

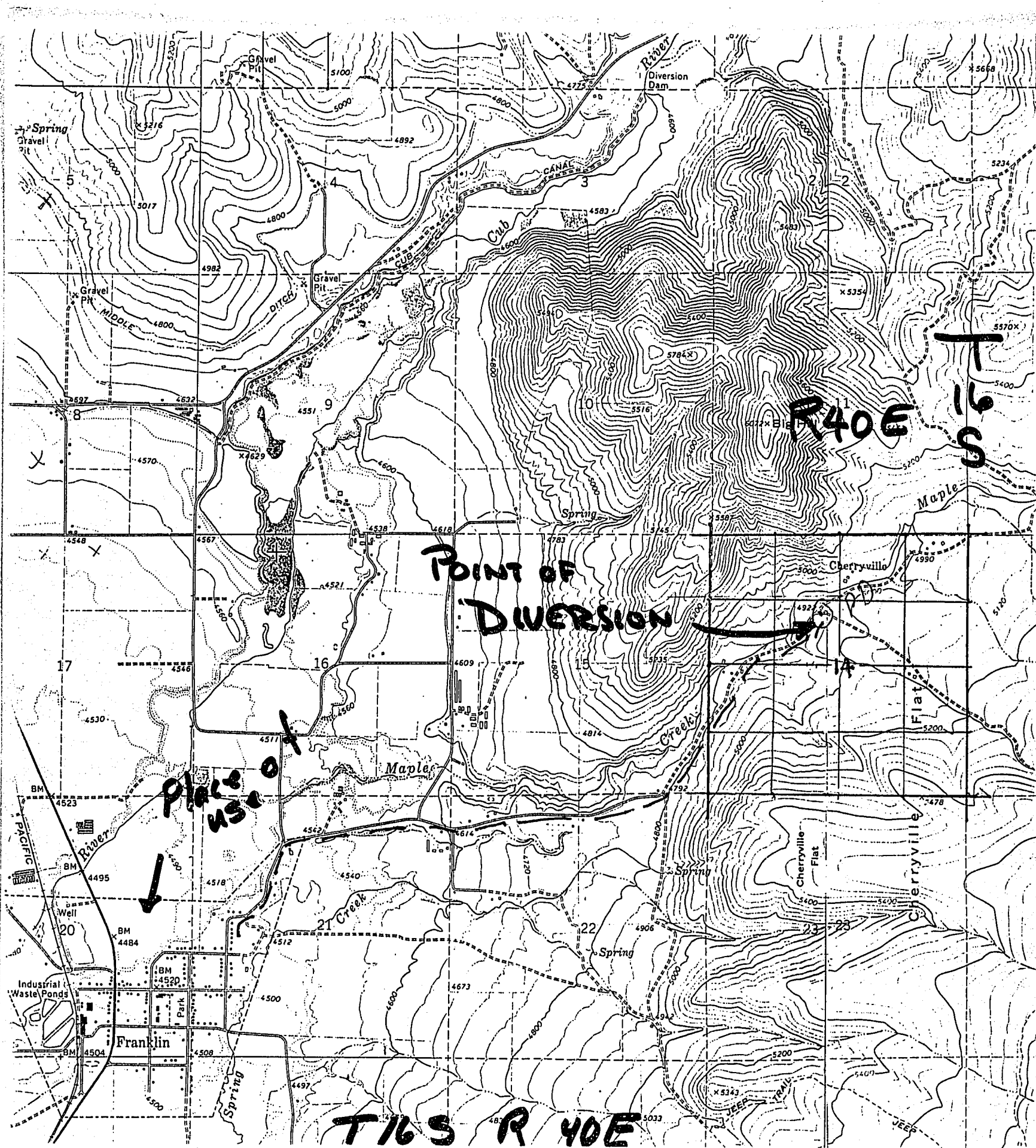
*Two pumps same HP & Discharge  
Pressure same level in well*

*Total Gcfs from Both wells is*

$$0.3139 \times 2 = 0.6278$$

PERMIT NO. 13-7529





NOT TO SCALE: REDUCED TO SHOW RELATIVE LOCATION  
BETWEEN POINTS OF DIVERSION & CITY OF FRANKLIN

13-07529



13-07529 Well #2 Looking North West



Showing Both Well Looking East. Well #3 on middle and Well #2 at Upper Right.

13-07529



13-07529 Well #3 with underground bunker  
Looking South.



Well #3 looking SE showing well #3 + bunker.  
and Well #2 where Glen Kirkbride is standing

13-07529

13-07529



Looking West with well # 3 on right and  
well # 2 on left.- behind Brush

13-07529

***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 24, 1999

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

CITY OF FRANKLIN  
PO BOX 69  
FRANKLIN ID 83237

RE: WATER RIGHT NO. 13-07529

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,

Shelley W. Keen  
Water Rights Supervisor

SK:klt

Enclosure

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

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

### **PETITION FOR RECONSIDERATION**

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

### **EXCEPTIONS AND BRIEFS**

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

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

### **ORAL ARGUMENT**

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

**CERTIFICATE OF SERVICE**

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

**FINAL ORDER**

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

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

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

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

**APPEAL OF FINAL ORDER TO DISTRICT COURT**

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

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

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



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 FRANKLIN  
PO BOX 69  
FRANKLIN ID 83237

RE: WATER RIGHT NO. 13-07529

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.

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,

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

Shelley W. Keen  
Water Rights Supervisor

SK:klt

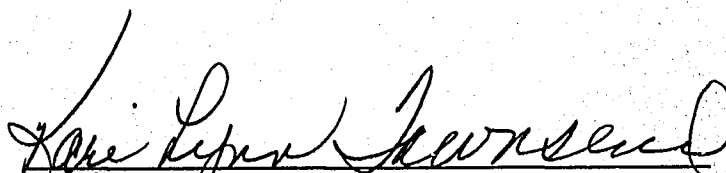
Enclosure

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. 13-07529

CITY OF FRANKLIN  
PO BOX 69  
FRANKLIN ID 83237

  
Kari Lynn Townsend  
Secretary