

RECEIVED
JUN 20 1995

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

MAR 31 1995

Ident. No. 15-7151
Department of Water Resources
Eastern District Office

To appropriate the public waters of the State of Idaho

1. Name of applicant CITY OF MALAD Phone (208) 766-4160
Post office address 59 BANNOCK STREET, MALAD, IDAHO 83252
2. Source of water supply GROUND WATER which is a tributary of N/A
3. Location of point of diversion is SE 1/4 of SW 1/4 of 1/4 Govt. Lot N/A
Sec. 10 Township 14 S Range 36 E B.M. ONEIDA County; additional
points of diversion if any: EXISTING FIVE POINTS WELL; EXISTING MAI WELL
4. Water will be used for the following purposes:
Amount 2.23 cfs for MUNICIPAL purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 2.23 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. THREE GROUND WATER WELLS WILL
BE PUMPED INTO EXISTING AND/OR MODIFIED DISTRIBUTION/TRANSMISSION
SYSTEM TO PLACES OF USE - A 500,000 GALLON SUPPLY TANK IS PLANNED FOR THE FUTURE
(DRILLING PERMIT ATTACHED)
 - b. Height of storage dam 19' feet; active reservoir capacity 1.63 acre-feet; total
reservoir capacity 1.63 acre-feet; period of year when water will be diverted to storage:
JAN 1 to DEC 31 inclusive.
 - c. Proposed well diameter is 12 inches; proposed depth of well is 500 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
5 years (minimum 1 year).

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

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

9. Description of place of use: WITHIN CORPORATE CITY LIMITS, CITY OF MALAD

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

City of Malad

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
~~14S~~	~~36E~~	~~16~~									M		M	M			M	M	
~~14S~~	~~36E~~	~~15~~											M						
~~14S~~	~~36E~~	~~22~~						M	M			M	M	M			M		
~~14S~~	~~36E~~	~~21~~	M	M	M	M					M				M	M	M	M	
~~14S~~	~~36E~~	~~27~~					M	M	M	M	M			M					
~~14S~~	~~36E~~	~~28~~	M	M	M	M													

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? FIVE M. CALDWELL; OPTION TO BUY CITY OF MALAD.

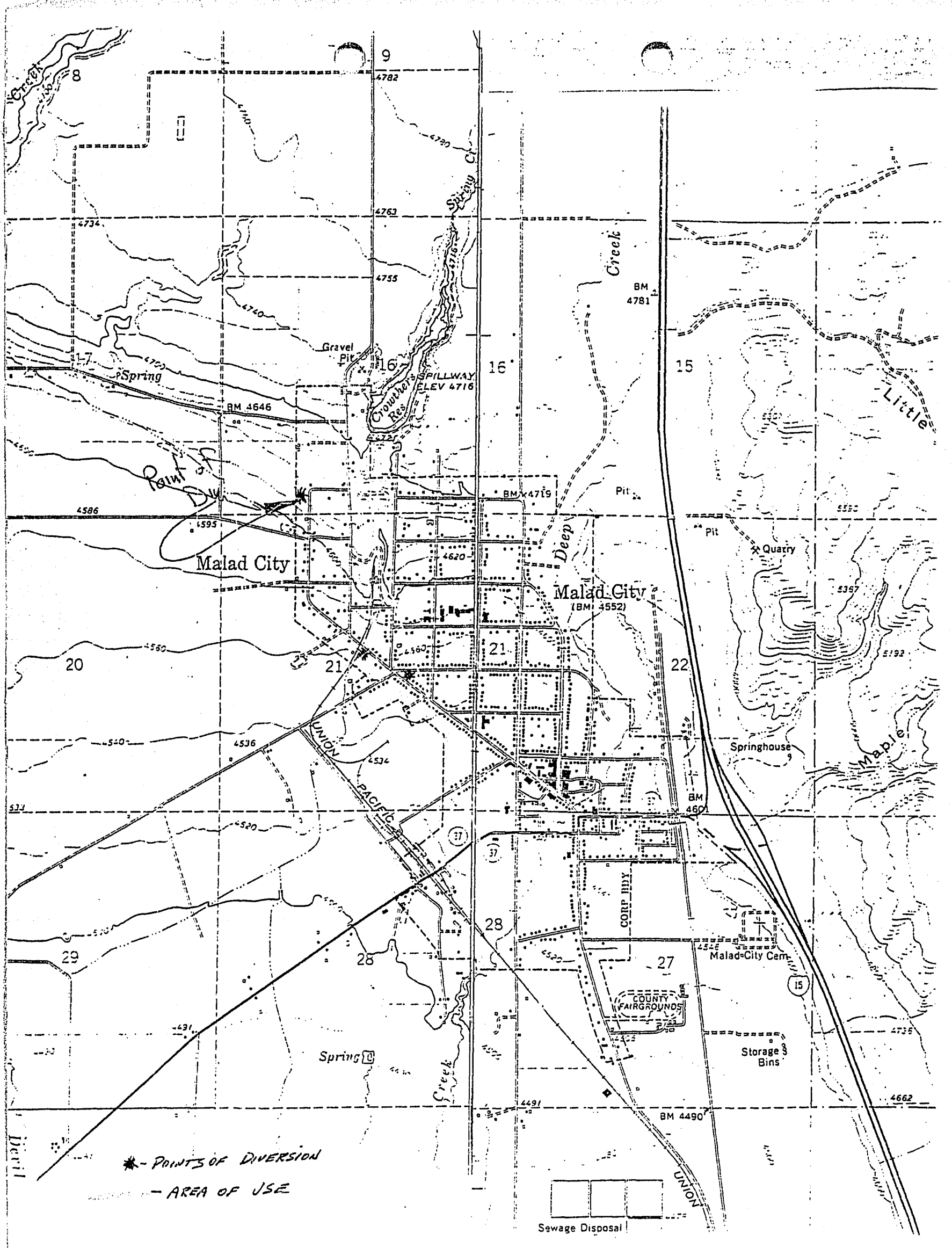
b. Who owns the land to be irrigated or place of use? _____

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. CITY OF MALAD AND FIVE M. CALDWELL HAVE SIGNED AN OPTION

AGREEMENT DATED 5/27/93 ALLOWING THE CITY TO PURCHASE PROPERTY FOLLOWING THE SUCCESSFUL COMPLETION

OF A TEST WELL. (AGREEMENT ATTACHED)

12. Remarks: THE CITY PROPOSES TO DRILL A NEW GROUND WATER WELL TO AUGMENT THE
EXISTING WATER SUPPLY PROVIDED BY TWO PREVIOUSLY ACQUIRED GROUND WATER
WELLS KNOWN AS MVT WELL AND FIVE POINTS WELL. MVT WELL WAS DRILLED
AND PUT INTO BENEFICIAL USE IN 1930. FIVE POINTS WELL WAS DRILLED
AND PUT INTO BENEFICIAL USE IN 1960.



SEE ATTACHED

This image shows a full page of blank graph paper. The grid consists of 20 columns and 20 rows of squares, formed by thin black lines. There are no markings, text, or drawings on the paper.

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.

(Applicant)

Received by HWT Date _____ Time _____ Preliminary check by _____
Fee \$ 140.00 Receipted by HWT # E020862 Date 4-7-95
Publication prepared by RB Date 5-4-95 Published in Idaho Enterprise
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:

OPTION AGREEMENT

OPTION AGREEMENT made this 27th day of May, 1993, by and between FAYE W. CALDWELL, a single woman, of 575 N. 600 W., Malad City, Idaho, hereinafter referred to as the "OPTIONOR" and CITY OF MALAD CITY, an incorporated city and a political subdivision of the State of Idaho, whose address is 59 Bannock St., Malad City, Idaho, hereinafter referred to as "OPTIONEE".

R E C I T A L S

WHEREAS, the Optionee is in need of purchasing land suitable to drill a culinary well upon; and

WHEREAS, the Optionor owns the property described in Exhibit "A" attached hereto which appears to be suitable as a site for such a well; and

WHEREAS, the Optionor needs the right to enter upon the premises to drill a test well and thereafter if water is found purchase said premises.

NOW THEREFORE, for a good and valuable consideration, the parties agree as follows:

1. Grant of Option. In consideration of the sum of \$750.00 paid by the Optionee to the Optionor, receipt whereof is hereby acknowledged, the Optionor grants to the Optionee the exclusive option to purchase the premises described in Exhibit "A" annexed hereto and incorporated by reference.

2. Expiration Date. This option shall expire at 12:00 noon on November 30, 1993.

3. Notice of Exercise. This option may only be exercised by

giving written notice prior to the expiration date, to the Optionor at her address set forth above.

4. Purchase Price. The total purchase price shall be \$7,500.00 to be paid by the Optionee, if this option is exercised. The sum paid for this option shall be credited on account of the cash payment to be made on the closing of title leaving a balance due on the purchase price the sum of \$6,750.00.

5. Failure to Exercise Option. If the Optionee does not exercise this option, the sum of \$750.00 paid by the Optionee shall be retained by the Optionor, free of all claims of the Optionee, and neither party shall have any further rights or claims against the other.

6. Right of Entry. As part of this Option Agreement, Optionor hereby grants to the Optionee their agents, third party contractors, and employees and assigns the right to enter upon the premises and drill the test wells necessary for the Optionee to determine the availability of suitable culinary water that may be located beneath the surface of the premises. If suitable water is not located and this option is not exercised at the conclusion of the drilling and water exploration, Optionee agrees to clean up and restore the premises to its original condition and state and properly seal any test holes or wells which will have been drilled.

7. Exercise of Option. If the Optionee finds suitable water and exercises the option, the purchase price shall be paid in full on the date set for closing which shall be no more than 30 days from the date of exercising the option. The Optionor warrants

title to be free from defects or encumbrances and shall cause that title insurance shall be issued insuring the title thereto at the Optionor's cost. Conveyance of the premises shall be made by the Optionor to the Optionee by a good and sufficient Warranty Deed. The Optionee agrees to pay the closing costs except for the title insurance.

IN WITNESS WHEREOF, the parties have executed this agreement on the day and year first above written.

OPTIONOR:

Faye W. Caldwell
FAYE W. CALDWELL

OPTIONEE:

MALAD CITY:

By: Terrill A. Schwartz
TERRILL SCHWARTZ
Mayor

ATTEST:

Susan A. Wittman
SUSAN WITTMAN
Clerk

STATE OF IDAHO)
 : ss.
County of Oneida)

On this 27th day of May, 1993, before me a notary public in and for said State, personally appeared TERRILL SCHWARTZ, known to me to be the Mayor of the City of Malad City, and SUSAN WITTMAN, known to me to be the Clerk of said City, and acknowledged to me that the within and foregoing instrument was signed in behalf of said Malad City by authority of a resolution of the entire City Council and said TERRILL SCHWARTZ and SUSAN WITTMAN, each duly acknowledged to me that they had authority to execute the same and that the seal affixed is the seal of said Malad City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


Notary Public for Idaho
Residing at Malad City
My Commission expires: 6/26/99

STATE OF IDAHO)
 : ss.
County of Oneida)

On this 27th day of May, 1993, before me, a notary public in and for said State, personally appeared FAYE W. CALDWELL, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


Notary Public for Idaho
Residing at Malad City
My Commission expires: 6/26/99

EXHIBIT "A"

Commencing at a point 65.5 rods West and 10 rods North of the Southeast Corner of the Southwest Quarter of Section 16, Township 14 South, Range 36 East, Boise Meridian, thence running West 24.48 rods, thence North 10 rods, thence East 24.48 rods, thence South 10 rods, to point of beginning.

EXHIBIT "A"

Commencing at a point 65.5 rods West and 10 rods North of the Southeast Corner of the Southwest Quarter of Section 16, Township 14 South, Range 36 East, Boise Meridian, thence running West 24.48 rods, thence North 10 rods, thence East 24.48 rods, thence South 10 rods, to point of beginning.

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 15-07151

Proposed Priority: April 7, 1995

Maximum Diversion Rate:

2.23 CFS

This is to certify, that CITY OF MALAD
59 BANNOCK ST
MALAD ID 83252

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	2.23 CFS

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 16, Township 14S, Range 36E
ONEIDA 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 July 1, 2000.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. 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 the city limits of Malad.

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

26th day of June, 1995.

Karl J. Dreher
for Karl J. Dreher, Director

235-1

Drilling Permit No. _____
 Water Right Perm. No. _____
 Injection Permit No. _____

Receipt #E019193 9/29/93

15-93-E-0018-000

15-1151

State of Idaho
 Department of Water Resources

APPLICATION FOR DRILLING PERMIT

RECEIVED
 JUN 20 1995

Department of Water Resources
 ns

Applicant (please print) CITY OF MALAD
 Mailing Address 59 BANNOCK STREET
 City & State MALAD, IDAHO Zip Code 83252 Telephone (208) 766-4160
☒ Well Owner () Well Operator () Other, specify _____
 Proposed well location SE 1/4 SW 1/4, or Gov't Lot No. _____
 Sec. 16, Twp. 14S, Rge. 36E, County ONEIDA
 Street Address of Well Site 655 N. 600 W., MALAD, IDAHO 83252
 Lot, block and subdivision N/A

Proposed use of well:

- () Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial, or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

- () Non-Domestic: Any beneficial use not included within the definition of domestic.

- () Injection

- () Monitoring - A well bore schematic and map is required for each well.
 No. of proposed wells: _____

- ☒ Other TEST WELL - To be completed to Production Well Standards
 (Describe)

Well construction information:

- ☒ New well () Deepen () Enlarge () Replace - See Condition 9

Proposed Surface Diameter 20" (USED 18") Proposed Maximum Depth 500 feet

Anticipated bottom hole temperature:

- ☒ 85°F or less (Cold water well)
 () 85°F to 212°F (Low temp. geothermal well)
 () 212° or more (Geothermal well)

Construction Start Date OCTOBER, 1993

Anticipated Well Driller Thomas Drilling, Allen, Wyoming

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

Applicant's signature Wynn Sheple Date Sept 27, 1993

By Shepherd Engineering, Inc., Consultant for City of Malad
 (Owner, Firm Representative, Other)

WD5805NP
(00-5805)

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLING PERMIT/LOG INDEX

DATE: 06/22/95
PAGE: 1

15-93-E-0018-000 0 CITY OF MALAD

14S 36E 16 SE SW

ONEIDA

Subdivision Well Site Location and Description:

Subdivision Name:
Well Site Address: 655 N 600 W
City, State: MALAD, ID

Lot(s):
Block(s):

Geographic Location:

GPS Site ID:
Lat: : : N
Long: : : W
Accuracy Code:

Proposed Use of Well: Municipal

Proposed Casing Diameter: 20 In.
Anticipated Bottom Temp: 85F or less

Proposed Depth: 500 Ft.

Well Use Comments:

Driller License No: 0390

Firm Name: THOMAS DRILLING INC
Official: ANDREW VAUGHN THOMAS

Permit Status: Permit

Verbal Issued Date:
Verbal Issued Time:
Received Date: 09/29/1993
Approved Date: 09/29/1993
Proposed Start Date: 10/01/1993
Extension Date:
Extension Expiration:

Receipt No.	Receipt Date	Fee
E019193	09/29/1993	\$ 200.00

Specific Conditions:

Permit Remarks:

Conditions of Approval: This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.

This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank.

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.

Approval of this drilling permit does not authorize trespass on the land of another party.

This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

This drilling permit does not represent a right to divert and use the water of the State of Idaho.

If the bottom hole temperature of 85 Degrees F (29.44 oC) or greater is

WD5805NP
(OD-5805)

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLING PERMIT/LOG INDEX

DATE: 06/22/95
PAGE: 2

WELL DRILLING PERMIT/LOG INDEX: Permit No. 15-93-E-0018-000 (cont'd)

Conditions of Approval: encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

Comments:

----- WELL DRILLER'S LOG REPORT -----

Drilling Permit No: 15-93-E-0018-000

Water Right No:
Injection Permit No:

Nature of Work: REPLACE

Construction Method: ROTARY

Casing Diameter: 18 In.
Depth of Casing: 389 Ft.
Total Depth: 410 Ft.
Screen Installed? Yes

Static Water Level: 148 Ft.
Temperature: F.
Production Rate: 675.00 GPM

Actual Start Date: 10/01/1993
Well Finish Date: 11/11/1993
Log Received Date: 04/18/1994
Certification Date: 02/03/1994

Field Inspection Date:

Inspector:

Well Log Remarks: CASING: STEEL .375 18" FROM +1 TO 23 FT.
.375 16" FROM +3 TO 256 FT.
.375 10" FROM 222 TO 252 FT.
.375 10" FROM 377 TO 389 FT.
SCREEN USED TYPE-SS 10" SLOT .060 FROM 337 TO 377 FT.
10" SLOT .060 FROM 252 TO 292 FT.
ACTUAL STATIC WATER LEVEL 148.35
SURFACE SEAL 23 FT. CEMENT GROUT USED, OVERBORE METHOD.
THERE ARE 2 PAGES TO THIS WELL REPORT.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

May 2, 1995

CITY OF MALAD
59 BANNOCK ST
MALAD ID 83252

RE: Application for Permit No.: 15-07151

Dear Applicant:

The Department of Water Resources acknowledges receipt of your water right application. This office is currently in the process of advertising the application in the Idaho Enterprise on May 4 & 11, 1995. 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 applications 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
Harold W. Jones
Water Right Supervisor

HWJ/rb



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

APRIL 26, 1995

THE IDAHO ENTERPRISE
P.O. BOX 205
MALAD CITY, ID 83252

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 MAY 22, 1995.

Yours truly,

Rita Bodell
Secretary

Encl.

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 MAY 22, 1995.

R. KEITH HIGGINSON, Director

Published: 5/ 4/1995 & 5/11/1995

15-07151

CITY OF MALAD
59 BANNOCK STREET
MALAD, ID 83252

Source: GROUNDWATER

Diversion Pt: SESW Sec 16 T 14S R 36E in ONEIDA County.

Use:

Total Diversion: (2.230 CFS)

Date Filed: 4/ 7/1995

00

Nº 2079

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }

ss.

County of Oneida

Ronna Schesen

being duly sworn,

deposes and says: That she is the Secretary of THE IDAHO ENTERPRISE, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Malad; 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

May 4, 1995, and ending
with the issue of May 11, 1995

Ronna Schesen

Subscribed and sworn to before me this 30 day

of May, 1995.

Susan J. Wittman

Notary Public, Residing at Malad, Idaho

My Commission Expires 29, 192000

NOTICE OF APPLICATION FOR WATER RIGHT

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

15-07151

CITY OF MALAD
59 BANNOCK STREET
MALAD, ID 83252

15-07151

Source: GROUNDWATER

Diversion Pt: SESW Sec 16 T 14S

R 36E in ONEIDA County.

Use:

Total Diversion: (2.230 CFS)

Dated Filed: 4/7/1995

00

The permit(s) will be subject to
all prior water rights. Protests must
be filed with the applicant and the
Director, Dept. of Water Re-
sources, along with a \$25.00 filing
fee, Eastern Region, 900 N Sky-
line, Idaho Falls, Idaho 83402 on
or before MAY 22, 1995.

R. Keith Higginson, Director.

Published: 5/4/1995 & 5/11/1995
#2079

RECEIVED

JUN 12 1995

Department of Water Resources
Eastern District Office



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

June 26, 1995

CITY OF MALAD
59 BANNOCK ST
MALAD ID 83252

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 15-07151

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 cursive script that reads 'Shelley W. Keen'.

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

FOR OFFICE USE ONLY
Amt. of Fee \$: 125.00
Receipt No. 6047428
Receipt By: B. Kooch
Date Received: 6-14-00

STATE OF IDAHO
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.

1. Permit No. 15-07151 Telephone No. (208) 766-4160

2. Name of Permit Holder(s): CITY OF MALAD

3. Mailing Address: 59 BANNOCK STREET

City MALAD State ID Zip 83252

4. Source of Water: GROUNDWATER If GROUNDWATER (well), Date Drilled: mo. OCT / yr. 1993

a. Well Driller: THOMAS DRILLING Drilling Permit Number: 15-93-E-018

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 800 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 1.78 cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes X or No _____
Has the measuring device been installed? Yes X or No _____

8. Fee Enclosed: \$ \$125.00 (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: WAYNE SHEPHERD Telephone Number: (208) 233-9793

Address: 203 S. GARFIELD, POCAHELLO, ID, 83204

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Wayne Shepherd, CITY ENGINEER Date: June 9, 2000
(include your title, if on behalf of company or organization)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSE EXAMINATION FEE SCHEDULE

(C.F.S. = cubic feet per second AF = acre feet)

<u>CFS</u>	<u>AF</u>	<u>FEE</u>
0 - 0.20	0 - 20	\$50.00*
.21 - 1.00	21 - 100	100.00
1.01 - 2.00	101 - 200	125.00
2.01 - 3.00	201 - 300	150.00
3.01 - 4.00	301 - 400	175.00
4.01 - 5.00	401 - 500	200.00
5.01 - 6.00	501 - 600	225.00
6.01 - 7.00	601 - 700	250.00
7.01 - 8.00	701 - 800	275.00
8.01 - 9.00	801 - 900	300.00
9.01 - 10.00	901 - 1000	325.00
10.01 - 11.00	1001 - 1100	350.00
11.01 - 12.00	1101 - 1200	375.00
12.01 - 13.00	1201 - 1300	400.00
13.01 - 14.00	1301 - 1400	425.00
14.01 - 15.00	1401 - 1500	450.00
15.01 - 16.00	1501 - 1600	475.00
16.01 - 17.00	1601 - 1700	500.00
17.01 - 18.00	1701 - 1800	525.00
18.01 - 19.00	1801 - 1900	550.00
19.01 - 20.00	1901 - 2000	575.00
20.01 - over	2001 - over	600.00

*Checks should be made payable to the

Idaho Department of Water Resources (IDWR.)

A license examination fee is not required in connection with
permits which use a ground water source AND have a total rate of
diversion of 0.04 cfs or less or where the total volume stored is 4.0 AF per annum or less.

A license exam fee is required for ANY permit which uses surface water

April 30, 2000

CITY OF MALAD
59 BANNOCK ST
MALAD ID 83252

PROOF DUE NOTICE

RE: PERMIT NO. 15-07151

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 July 1, 2000.

(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.

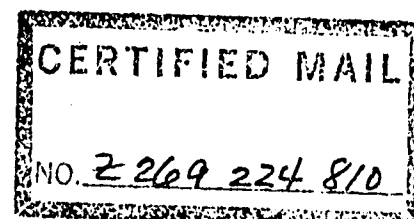
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

DEBORAH DREW-ELLIS
Administrative Assistant

Enclosures



INTER-DEPARTMENT MEMO--1

FROM

Glen

DATE

5-4-00

TO

SUBJECT

*- Plz FAX a copy of permit no.
15-07151 to Kirsten of Shepherd
Engineering in Pocatello.*

FAX NO (208) 233-9806

Thank

WJ

SIGNATURE



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

FAX TRANSMITTAL COVER SHEET

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DATE: 5.5.00

TO: Kiersten
208-233-9806

FROM: Glen Layton
IDWR

DOCUMENT
DESCRIPTION: Permit 15-07151

COMMENTS: _____

COVER SHEET + 1 PAGES

PLEASE CONTACT Kari Pappe IF YOU DON'T RECEIVE THIS
ENTIRE DOCUMENT 327-7941

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*****
*                                     P. 01 *
*                                     *
*          TRANSACTION REPORT          *
*                                     *
*                                     MAY-05-00 FRI 10:39 AM *
*                                     *
*   DATE  START  RECEIVER      TX TIME PAGES TYPE      NOTE      M# *
*   ----- *
*   MAY-05 10:38 AM 912082339806--80935 1'06"  2  SEND      OK      *
*   ----- *
*****

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RECEIVED

JUN 14 2000

Department of Water Resources



SHEPHERD ENGINEERING INC.

Civil/Municipal, Transportation, Industrial
Recreation & Land Development Services

203 South Garfield
Pocatello, Idaho 83204
(208) 233-9793
Fax (208) 233-9806
E-mail: sei@nicoh.com

RECEIVED

JUN 14 2000

Department of Water Resources

60 E. Center, Suite 209
P. O. Box 3246
Logan, Utah 84323-3246
(435) 755-6530
E-mail: shepeng@cache.net

June 9, 2000

DEBORAH DREW-ELLIS, Administrative Assistant
State of Idaho, DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

RE: Submittal of Proof Of Beneficial Use for Permit No. 15-07151
City of Malad Groundwater Well

Dear Deborah Drew-Ellis:

Attached is the Proof of Beneficial Use for the municipal well (Permit # 15-07151) mentioned in your April 30, 2000 letter to the City of Malad. The City requested that I respond by completing the necessary forms and submitting them to IDWR for your review and approval. I will also arrange any field visits which you may want to conduct and provide any followup information as necessary.

The original well was drilled in October & November of 1993 by Thomas Drilling (Drilling Permit # 15-93-E-018) under emergency drought conditions. The combination of weather conditions which eased the drought and delays in financing of improvements to the water system which allowed the well to be fully utilized, delayed the connection and utilization of the new well until the summer of 1995. The well has been the primary source of water for the City since, pumping about 800 gallons per minute (1.78 cfs) directly into a 500 gallon storage tank which controls the operation of the well pump. A meter was installed at the time the well was placed in service and has provided continuous flow records since that time.

Please review the form and associated information and contact me if you have questions or need further information. Attached in a check in the amount of \$125.00 examination fee associated with the 1.78 cfs which is being diverted. Thank you in advance for your assistance in this matter.

Sincerely,

L. Wayne Shepherd, P.E.
Malad City Engineer

cc City of Malad w/ attachments

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: C049478

Date:
Time: 6/14/2000
09:52:49

Received
From: SHEPHERD ENGINEERING INC

Type of Payment	Program Acct	Amount
PROOF OF BENEFICIAL USE	56104 229 21 1155	125.00
CHECK 3584		
	Total \$	125.00

Region: STATE

Signature: Ap. Kood



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

June 15, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF MALAD
59 BANNOCK STREET
MALAD ID 83252

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 15-07151

Dear Permit Holder:

The department acknowledges receipt of the proofs of beneficial use forms submitted for the above referenced permits. 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 meets the permitted beneficial use.

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

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

Sincerely,

Deborah Drew-Ellis
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office