

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE BEAR RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 79576

Claim ID: 13-7453

Date Received: 11/12/21

Receipt No: P001553

Claim Fee: 1250 By: mB

RECEIVED

NOV 12 2024

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

IDWR/Preston

Please type or print clearly

1. Name of claimant(s) City of Weston Phone (208) 897-8206
Mailing address PO Box 68 Weston ID Zip 83286
Street or Box City State
Email address (optional) weston.clerk1@gmail.com
2. Date of priority: (Only one per claim) 7-11-1988 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water ☒ or Other () (a) _____
which is tributary to (b) _____
4. a. Location of point of diversion is: Township 16 S, Range 38 E, Section 8,
SW 1/4 of NE 1/4, Govt. Lot _____, BM, County of Franklin
Parcel no. _____
Additional points of diversion, if any: See Attachment
If available, GPS Coordinates _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
Ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
5. Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, etc.),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.
2 well Piped to Storage tank distributed by
pipeline to Township

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD)

(cfs)

(acre-feet)

For Municipal purposes from 01/01 to 12/31 amount 2 or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2 (cfs) and/or (b) _____ (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) City Water for City of Weston

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 use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
165	38E	11									m	m	m	m	m	m	m	m	8
		12									m	m	m	m					4
		14	m	m	m	m	m	m	m	m	m	m	m	m	m	m	m	m	16
		13					m	m	m	m	m	m	m	m					8
		10													m	m	m	m	4
		15	m	m	m	m									m	m	m	m	8

Parcel no(s). _____ Total number of acres irrigated _____

10. In which county(ies) are lands listed above as place of use located? Franklin

11. Do you own the property listed above as place of use? Yes () No (✓)

If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

13-4070 or None ()

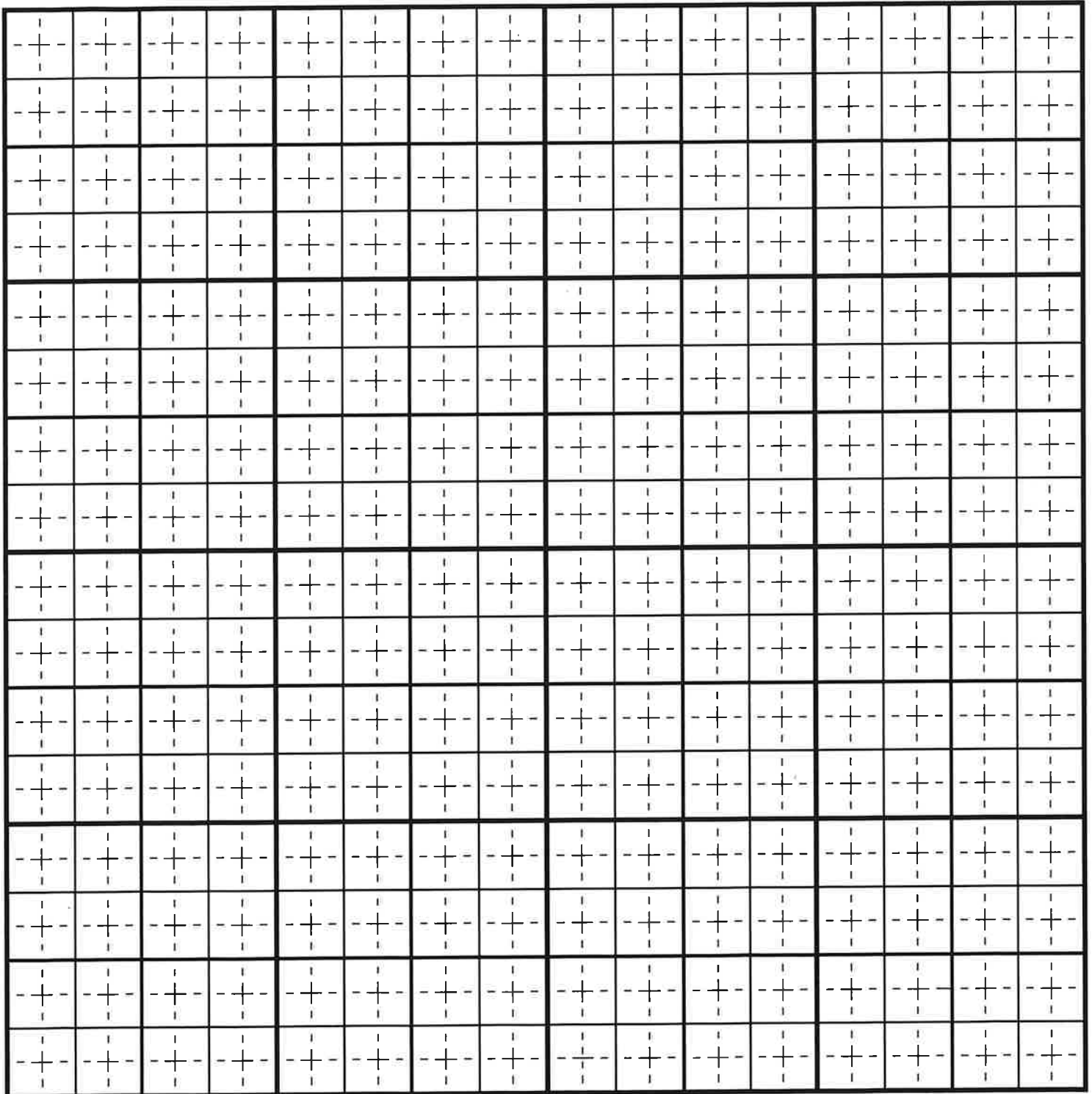
13. Remarks (Include an explanation of the priority date selected):

Priority Date is given on the License and
is based on provided historical records submitted with
the statutory claim filing.

Name of claimant(s) _____ Claim ID _____

Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 inches equals 1 mile



Name of claimant(s) _____

Claim ID _____

14. Basis of claim (Check one) Beneficial Use () Posted Notice () License (X) Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 13-7453

15. **Signature(s)**

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Bear River Basin Water System Adjudication."

(b.) I/We do () do not () wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

Counsel Member

Agent's title (Please print)

of

Weston City

Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Vaughan Daley Date 11-7-24

Printed Name of Authorized Agent ~~Vaughan Daley~~ Vaughan Daley

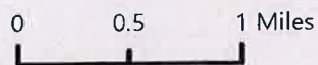
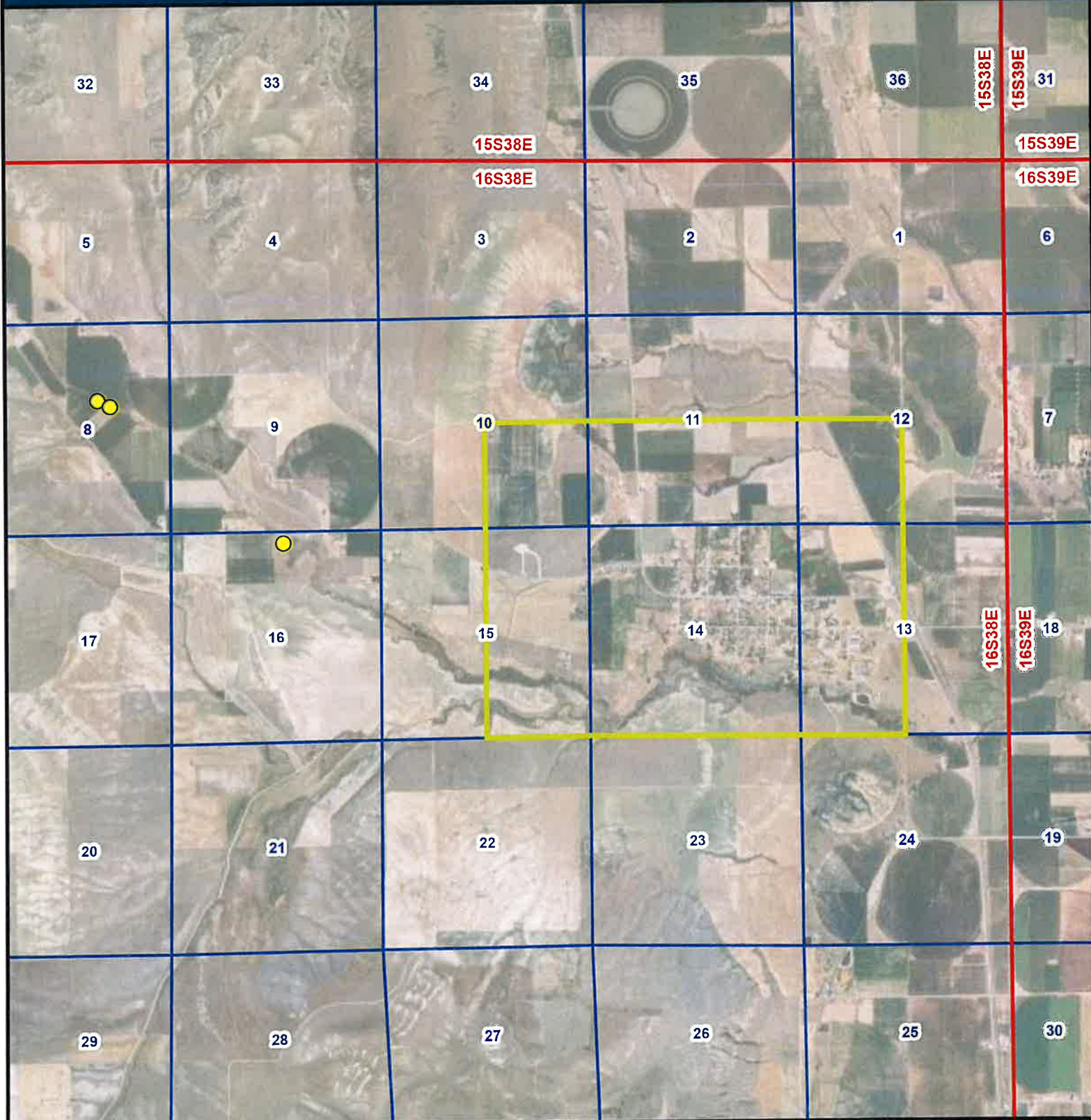
16. **Notice of Appearance:**

Notice is hereby given that I, (please print) _____, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Name of claimant(s) _____ Claim ID _____



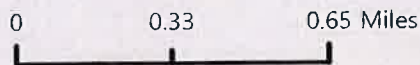
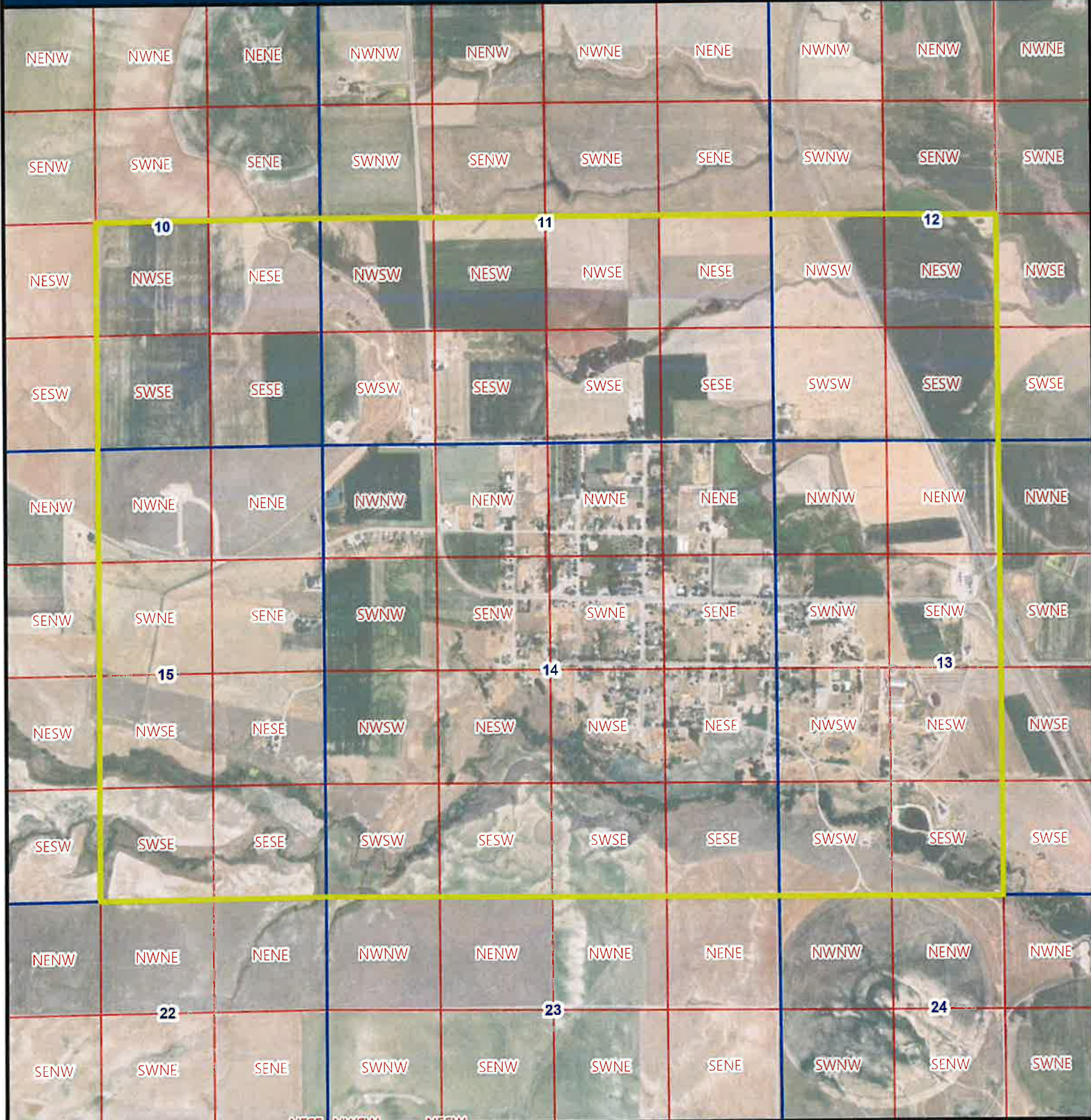
Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- Sections



SUNRISE
ENGINEERING

*Creating solutions that
work and relationships
that last.*



Legend

-  Place of Use Boundary
-  Sections
-  Quarter Quarters



SUNRISE
ENGINEERING

*Creating solutions that
work and relationships
that last.*

Water Right Report : 13-7453(License/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	CITY OF WESTON	293 S 2ND E PO BOX 68	WESTON	ID	83286

Water Right Status

Priority Date : 7/11/1988
Basis : License
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQ	QQ	Q	County	Diversion Type
GROUND WATER	16S	38E	8	0		SW	NE	FRANKLIN	
GROUND WATER	16S	38E	8	0		SW	NE	FRANKLIN	
GROUND WATER	16S	38E	10	0		NE	SW	FRANKLIN	
GROUND WATER	16S	38E	16	0		NW	NE	FRANKLIN	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
MUNICIPAL	01/01	12/31	2.00 CFS	
TOTAL			2.00 CFS	

Places of Use

This water right has a [Large Place Of Use](#) 

Conditions

Code Conditions

- 124 Place of use is within the service area of the City of Weston municipal water supply system as provided for under Idaho Law.
- 180 A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- 046 Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
- 102 The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
- 004 This right does not grant any right-of-way or easement across the land of another.

- 01M 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.
- 165 To prevent injury to prior water rights appropriating water from the underlying shallow aquifer, the new well authorized by Transfer 82613, located in NWNE, Sec. 16, T16S, R38E, shall be constructed and maintained with unperforated casing and sealed into the first significant confining layer located 100 feet or more below ground surface.

Dates

Licensed Date : 4/27/1998
Decreed Date :
Permit Proof Due Date : 12/1/1989
Permit Proof Made Date : 1/8/1990
Permit Approved Date : 11/28/1988
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date: 6/3/1988
Protest Deadline Date:

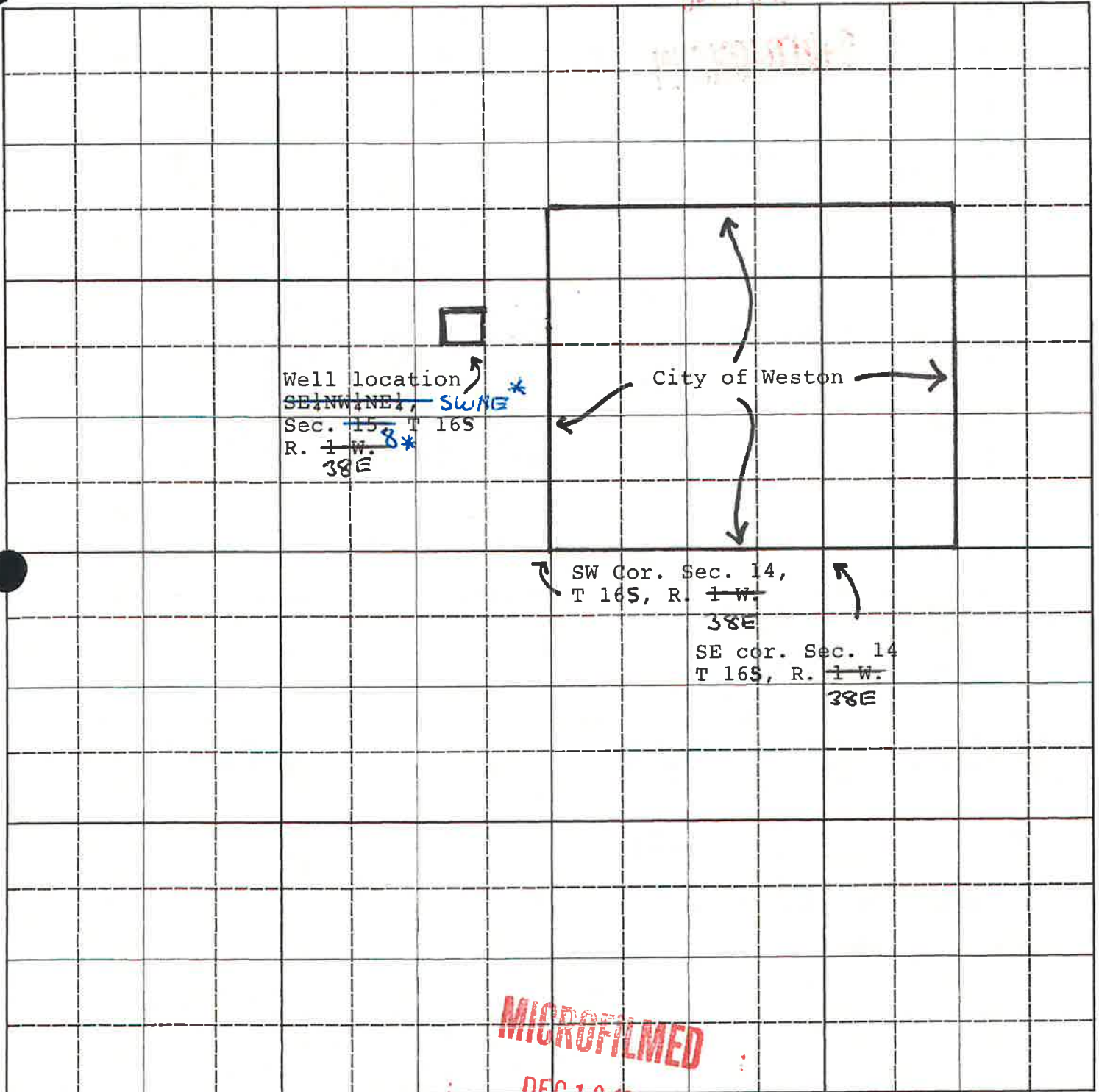
Other Information

State or Federal :
Water District Number : 11
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

9/8/2023

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



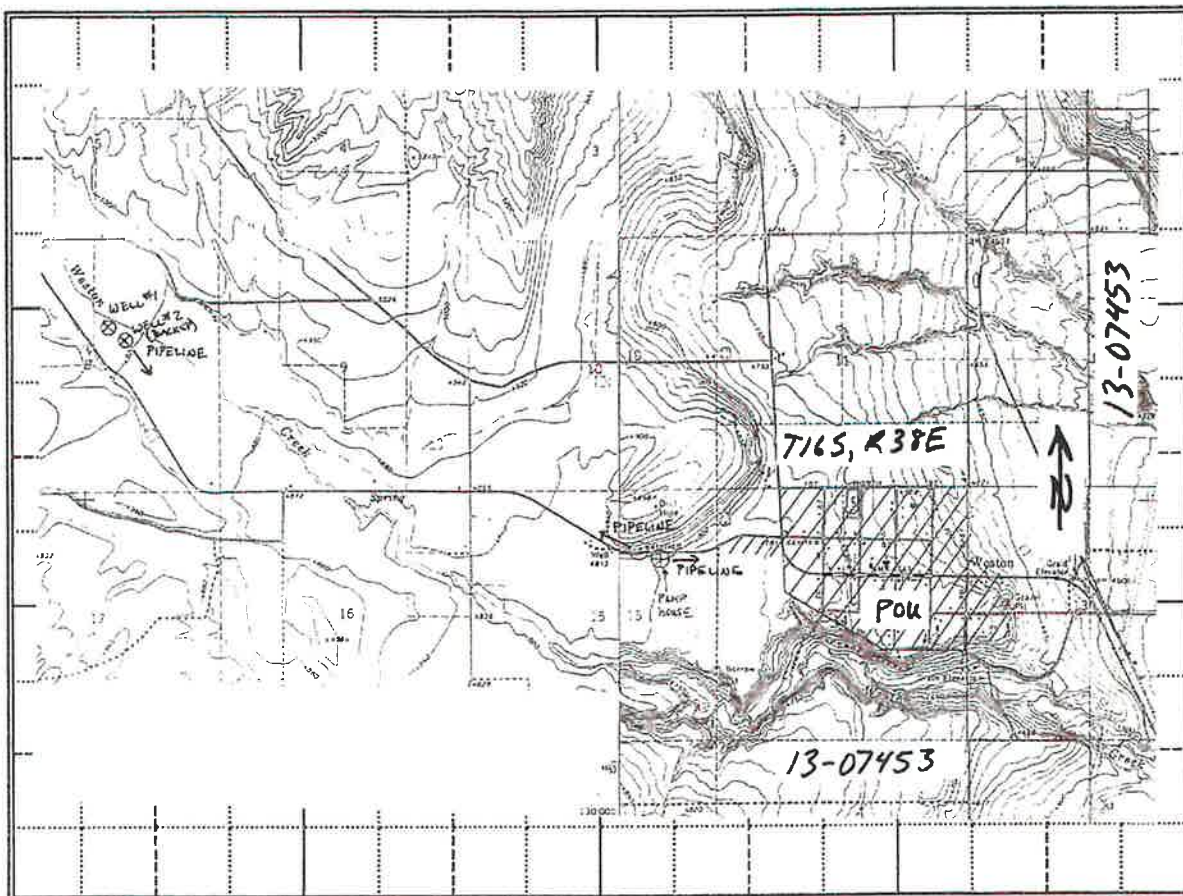
Scale: 2 inches equal 1 mile.

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.

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

*per drilling permit - kw 1/21/88

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

MICROFILMED

MAY 07 1998

Agricultural Land

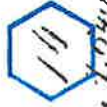
12
1.640

11
1.640

10
1.640

9
1.640

Station



13
1.640

15
1.640

16
1.640

24
1.640

23
1.640

22
1.640

21
1.640

13-07453

MICROFILMED
MAY 07 1998

25

26

27

28

CITY OF WESTON
MUNICIPAL

1 of 2

VIEW OF
POINTS OF
DIVERSION
(2)



2 STORAGE
TANKS
PUMP HOUSE
ON LEFT



MICROFILMED
MAY 07 1998

13-07453

ILN

MUNICIPAL

2 of 2



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



PUMP HOUSE
ON RIGHT
PLACE OF
USE IN
BACKGROUND

MICROFILMED
MAY 07 1998

13-07453

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	

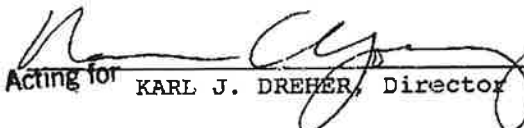
LOCATION OF POINT(S) OF DIVERSION: SWNE , Sec. 8, Township 16S, Range 38E
FRANKLIN County

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 27TH day of APRIL, 1998.

Acting for  KARL J. DREHER, Director

MICROFILMED

MAY 07 1998

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
Comes now
293 S 2ND E
WESTON ID 83286

Maximum Diversion Rate: 2.00 CFS

CITY OF WESTON

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

<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: 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.

MICROFILMED
MAY 07 1998

Xeo R. Walby-Mayor
(Signature)

REC
08/89

JAN 8 1990

For Office Use Only
 Amt. of Fee \$ 125.00
 Date 1/9/90
 Receipt No. 6013886
 Received by J. Davison

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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. 747-3473

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

Post Office Address: 293 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 completed and I relinquish any undeveloped portion of the permit to the state of Idaho.

MAR 26 1990

1-3-90
 Date

Clint D. Butters
 Signature (and title if on behalf of a company or organization)

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 Received 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

MICROFILMED

MAY 07 1998

REC-1
JAN 8 1990

For Office Use Only
Amt. of Fee \$ 125.00
Date 1/9/90
Receipt No. CO13486
Received by J. J. J. J.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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. 747-3473

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

Post Office Address: 293 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 cfs 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.

MAR 26 1990

1-3-90
Date

Clint D. Butters
Signature (and title if on behalf of a company or organization)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

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 $\frac{1}{4}$, Govt. 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 beneficial use is
1 years (minimum 1 year).

DEC 19 1988

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.

MICROFILMED

MAR 26 1990

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

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 $\frac{1}{4}$, Govt. 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 beneficial use is
1 years (minimum 1 year).

MICROFILMED

DEC 19 1988

- 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.

[illegible]

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

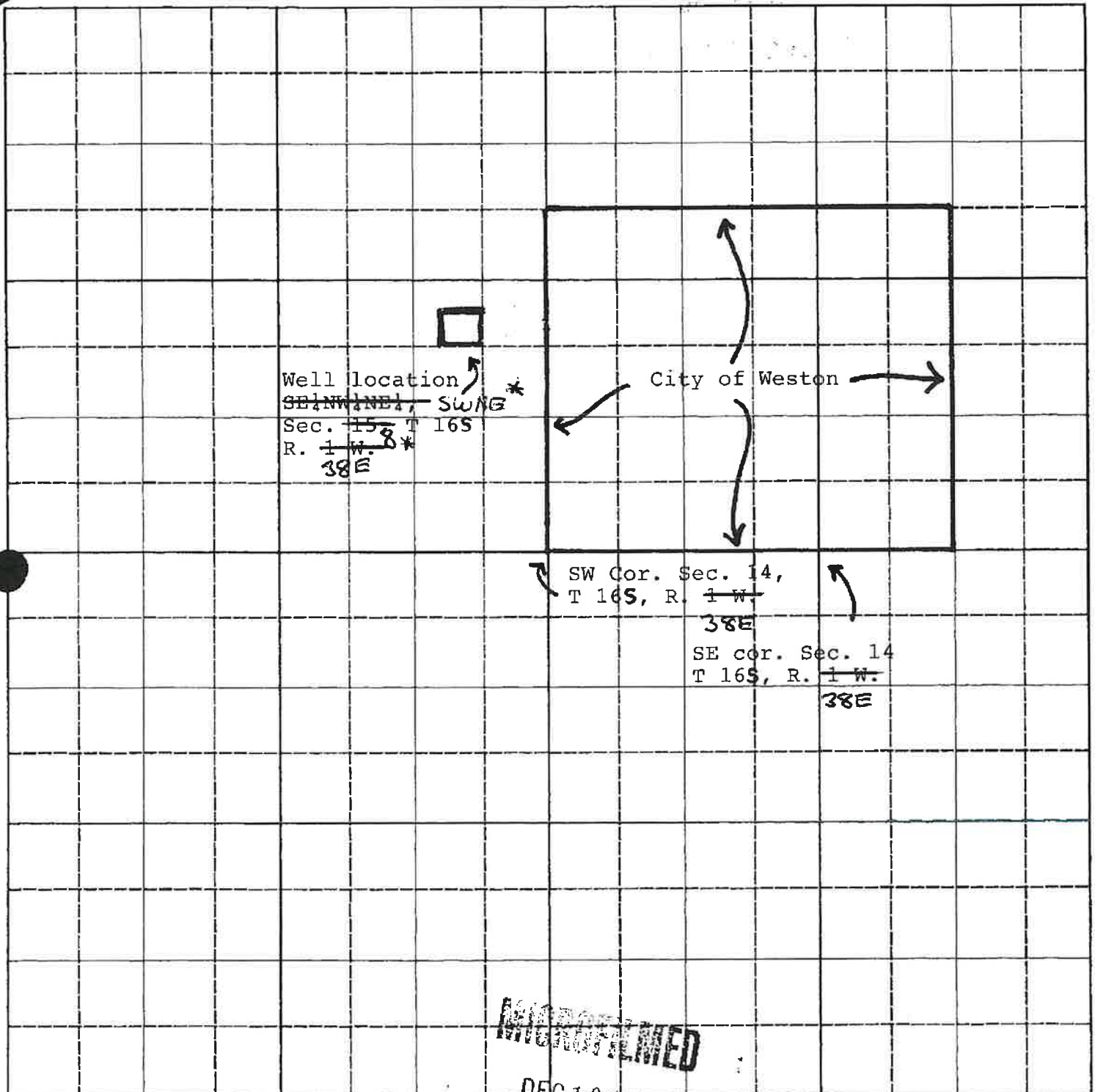
b. Who owns the land to be irrigated or place of use? Residents of Weston, Idaho

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: _____

DEC 19 1968

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.

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

*per drilling permit - kw 11/21/88

Proposed Priority 6/3/88

Received by AW Date 6-03-88 Time 1:00 Preliminary check by AW
Fee \$ 65⁰⁰ Receipted by AW # E000464 Date 6-21-88
Publication prepared by AW Date 6-29-88 Published in Preston Citizen
Publication approved AW 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, 1989.
- 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

MICROFILMED

DEC 19 1988

No 2625

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

J. W. Aiken 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

K. D. All

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 $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, 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 $\frac{1}{4}$ NE $\frac{1}{4}$,

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.

OCT 5 1988

Department of Water Resources
Eastern District Office

#75

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 \$ 85.25

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
NESWSW Sec 4 T 16S 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 (SENEW) Sec 5 T 16S R 39E
Use: STOCKWATER (.500 CFS)
Priority Date: 4/1/1877
In: T16S R39E S05 Lot 3 (SENEW)

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: SESWSW 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
220.0 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.

MICROFILMED

DEC 19 1988



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.

MICROFILMED

1 MAY 07 1998

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.

MICROFILMED

MAY 07 1993

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,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

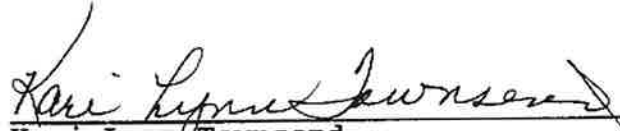
MAY 07 1998

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

MICROFILMED

MAY 07 1998



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,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

MAY 07 1998



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

MICROFILMED
MAY 07 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 13-07453

DATE 7/16/96

REVIEWER: S H A R L A

NAME Change OK Address Change yes
 SOURCE Change OK Is change clarification of originally intended source? yes
 If not, prepare Notice of Intent to Void no
 POINT OF DIV add pda Amendment required NO yes
 PLACE OF USE city limits Amendment required NO
 Does map agree with written description? ✓ yes no

OVERLAPS P/D P/U

RATE OF DIV

Permitted Rate 2.0 cfs
 Fee limit 2.0 cfs \$125⁰⁰
 Measured 2.16 cfs
 Theoretical 2.16 cfs

Recommended Total Div Rate 2.0 cfs

ANNUAL VOLUME/ NATURE OF USES

✓ Use Municipal Volume Calculation NO VOLUME af
TO BE af
LISTED af
 SUBTOTAL af

Flow rate N/A days X 1.9835 = af
 Total volume recommended af
 (SUBTOTAL or Flow Rate, whichever is less)

REMARKS

Within city limits
of Weston.

CONDITIONS

Watermaster Control WD#
GW Measurement/Measuring Device
Overlap
Use-specific conditions

Advancement of Priority Date Required yes no

SRBA Claim Filed N/A
 Adjustment Memo N/A

1st Amend Letter N/A 39, 138
 2nd Amend Letter N/A 42

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

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:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	SW	NE	8	16S	38E	FRANKLIN	U.S.G.S. TOPO MAP

2. Place(s) of Use: MUNICIPAL

Indicate Method of Determination ON SITE INSPECTION

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

MICROFILMED

22 07 1998

Topographic map showing contour lines, a grid, and various labels. Handwritten annotations include "T16S, R38E" and "POK" in a shaded area, and "13-07453" in two locations. Printed labels include "Water Well #1", "PIPELINE", "TANK HOUSE", and "Weston". A north arrow is present.

Photo of Diversion and System Attached

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1		10			
#2		7½			

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: *NONE*

MAY 07 1998

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

MICROFILMED

MAY 07 1998

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. AUTHENTICATION

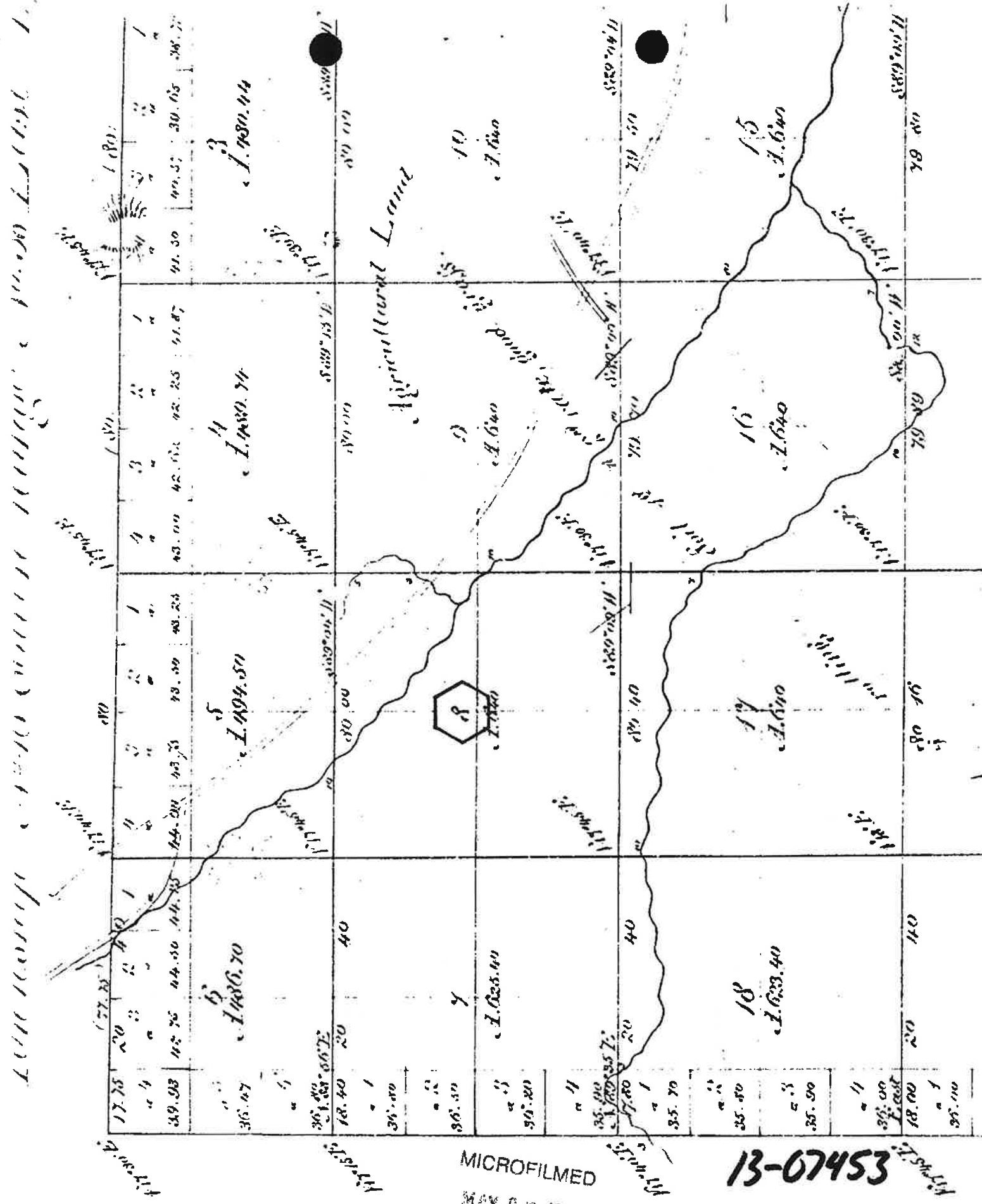
Field Examiner's Name SIMPSON Date 1/11/96

Reviewer [Signature] Date 1-12-96

SEAL

MICROFILMED

MAY 07 1998



5.

THEORETICAL PUMP FLOW CALCULATIONS

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

SYSTEM: WELL #1

$$\begin{aligned}\text{Hp} &= \text{Horsepower} = \underline{10} \\ \text{Eff} &= \text{Efficiency} = \underline{.7} \quad (\text{Usually } 70\%) \\ \text{Lift: } &(\text{Static Level} + \text{Assumed Draw down}) \\ &\text{Static Water Level} = \underline{30} \text{ ft.} \\ &\text{Assumed Draw down} = + \underline{20} \text{ ft.} \\ &\text{Lift} = \underline{50}\end{aligned}$$

OR

$$\text{Measured Dynamic Water Level} = \underline{\hspace{2cm}} \text{ ft.}$$

$$\text{psi} = \text{Operating Pressure} = \underline{0} \text{ psi}$$

OPEN DISCHARGE DOWN HILL TO STORAGE TANKS

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

$$Q_{\text{cfs}} = [\underline{61.698}] \div [\underline{50}]$$

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

SYSTEM: WELL #2

$$\begin{aligned}\text{Hp} &= \text{Horsepower} = \underline{7.5} \\ \text{Eff} &= \text{Efficiency} = \underline{.7} \quad (\text{Usually } 70\%) \\ \text{Lift: } &(\text{Static Level} + \text{Assumed Draw down}) \\ &\text{Static Water Level} = \underline{30} \text{ ft.} \\ &\text{Assumed Draw down} = + \underline{20} \text{ ft.} \\ &\text{Lift} = \underline{50}\end{aligned}$$

OR

$$\text{Measured Dynamic Water Level} = \underline{\hspace{2cm}} \text{ ft.}$$

$$\text{psi} = \text{Operating Pressure} = \underline{0} \text{ psi}$$

OPEN DISCHARGE TO STORAGE TANKS

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

$$Q_{\text{cfs}} = [\underline{46.273}] \div [\underline{50}]$$

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

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

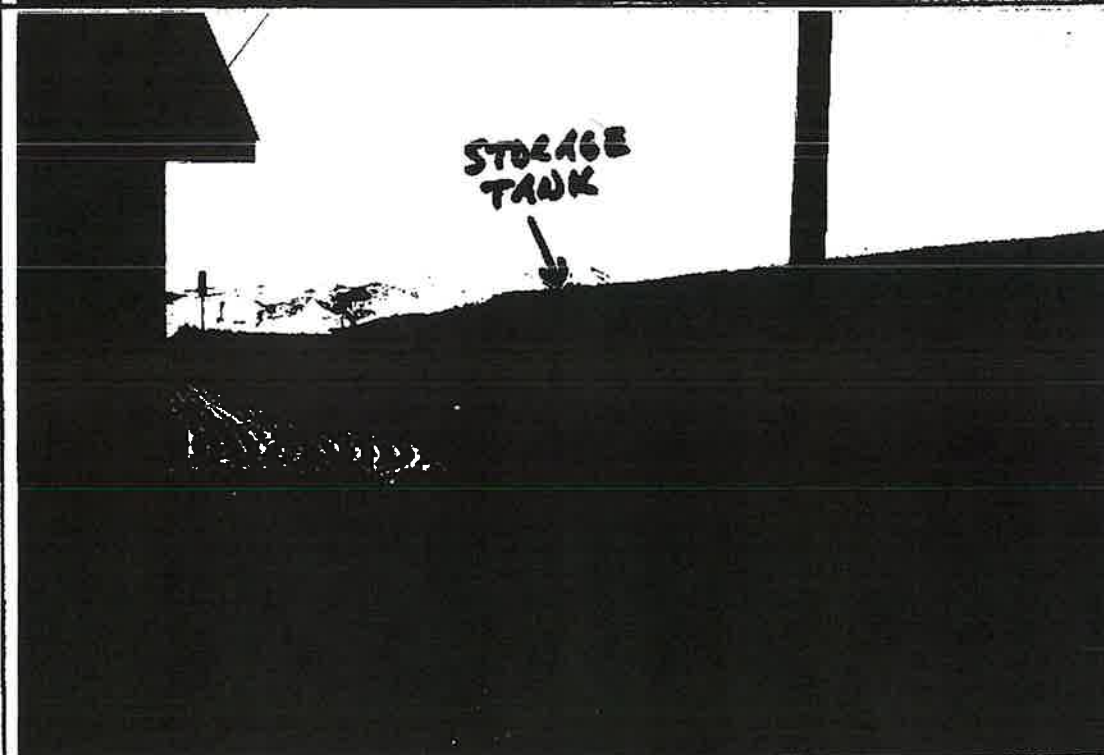
MICROFILMED
MAY 07 1993

PERMIT NO. 13-07453

CITY OF WESTON
MUNICIPAL

1 of 2

VIEW OF
POINTS OF
DIVERSION
(2)



2 STORAGE
TANKS

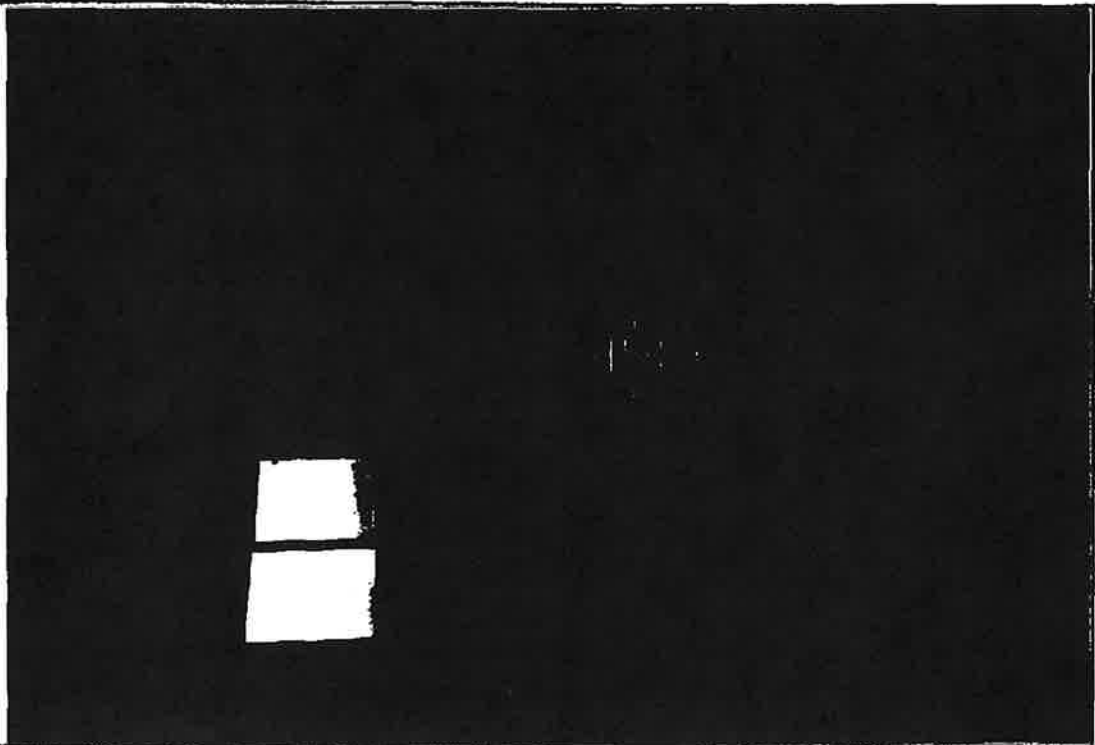
PUMP HOUSE
ON LEFT

MICROFILMED
MAY 07 1998

13-07453

MUNICIPAL

202



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



PUMP HOUSE
ON RIGHT
PLACE OF
USE IN
BACKGROUND

MICROFILMED

MAY 07 1998

13-07453

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

MICROFILMED

MAR 26 1990

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.

MICROFILMED

MAR 26 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 13-7453

Date: 2-27-90

General Considerations:

y Name same as permit
y Signature the same as permit holder
y Address change _____ If yes, prepare a data entry
Sam Proof received timely
_____ Reinstated

Source of Water:

y Surface water
y Groundwater
_____ 1. well log in file
y 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

y Rate of diversion appropriate for uses
y Is rate or volume and fee appropriate?
y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

y Is a measuring device or access port required?
y Has one been installed?
NA Waiver or modification of measuring device requested

Remarks: - Search for drilling permit ✓ well log

<u>y</u> Priority Calculation:		365
Date proof received	<u>Jan 8</u>	<u>373</u>
Date proof due	<u>Dec. 1</u>	<u>-335</u>
No. of days late		<u>= 38</u>
Priority date	<u>June 3, 88</u>	<u>+ 154</u>
NEW PRIORITY DATE	<u>July 11, 88</u>	<u>= 192</u>

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

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

MICROFILMED

MAR 26 1990

CERTIFICATION OF MAILING

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

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

September 30, 1989

138640

PROOF DUE NOTICE

RE: PERMIT NO. 13-07453

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

MICROFILMED

MAR 26 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

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

PERMIT APPROVAL NOTICE

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

MICROFILMED

DEC 19 1988

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

MICROFILMED

DEC 19 1988

Form 235-1
4/88

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

RECEIVED

JUN 3 1988

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources

DRILLING PERMIT

(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. 38 E, 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 **MICROFILMED**
Date _____ DEC 19 1988

* 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:

MICROFILMED

DEC 19 1988

Dated this 28th day of November, 1988

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

Received by dg Fee \$100⁰⁰ Date 6-21-88

Receipt No. E000464 Construction start extension to _____

Extension approved by _____

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY ESV DATE 6/7/88 APPLICATION NUMBER 13~7453
City of Weston

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☐ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☐ Time required for beneficial use of water
☒ Place of use or acres irrigated
☐ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
☐ Overlapping point of diversion
☐ Yes ☒ No Field check required
Field check by _____
☐ Yes ☒ No Field report attached
☐ Yes ☒ No Critical groundwater area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send dam safety information
☐ Yes ☒ No Send power requirement letter
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit
☐ Yes ☒ No Power efficiency form
☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
☐ Yes ☐ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
☒ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

RECEIVED
OCT 24 1988

Department of Water Resources

PROCESSING

☒ Yes ☐ No form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

dog 7-18-88
☒ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 7-25-88 9-19-88 Amended
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☐ No Recommendations attached
☒ Yes ☒ No Measuring device required
☒ Yes ☐ No Access port required
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. _____
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

☐ See below for additional information
Date of priority recommended 6-03-1988
By HWT Date 10-20-1988

STATE OFFICE REVIEW

P03, P23, P99, P16 46 016
Process drilling Permit
By KW ☐ See below for additional information
Date 11/21/88

ADDITIONAL INFORMATION

Conditions - 016



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

MICROFILMED

DEC 19 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

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

MICROFILMED

DEC 19 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

MICROFILMED

DEC 19 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

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

RECEIVED

DEC 19 1988

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

MICROFILMED

DEC 19 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

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

RECEIVED

DEC 19 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

MICROFILMED

DEC 19 1988

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.

MICROFILMED
DEC 19 1988

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED
DEC 19 1988

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

RECORDED

DEC 19 1988

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

RECEIVED

DEC 19 1988

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,

MICROFILMED

DEC 19 1988

COPY TO Idaho Dept. of Health & Welfare

SIGNED: *Butte*

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

MICROFILMED

DEC 19 1988