

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 SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A25-04009
Date Received: 10/12/1988
Receipt No: 6003379
Received By: ES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF RIGBY 208-745-8111
Address: 158 W. FREMONT
RIGBY, ID 83442

2. Date of Priority: FEB 01, 1947

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	39E	18	SW	NE	SW		JEFFERSON

5. Description of diverting works:
196' X 16" WELL W/ PUMP CAPACITY OF 2400 GPM. CITY DISTRIBUTION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MUNICIPAL	01/01	12/31	2.800		

7. Total Quantity Appropriated is:
2.800 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
M/700 HOMES & 75 BUSINESSES. MUNICIPAL USE IN CITY OF RIGBY.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
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11. Place of use in counties:

12. Do you own the property listed above as place of use? YES

A25-04009

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Date: 10/12/88

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13. Other Water Rights Used:
25-04010, 04011, & A25-10496.

14. Remarks:
P/U WITHIN CITY LIMITS OF RIGBY WELL #1.
PRIORITY DATE ALSO 3-1-1958 FOR 2.55 CFS., CLAIMED UNDER
A25-10496 ALONG W/ EXPANDED USE OF WELL # 2 (25-04010).

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin 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: 6

For Organizations:

I do solemnly swear or affirm that I am City Clerk of _____

City of Rigby, that I have signed the foregoing
Organization document in the space below as _____ of

City of Rigby and that the statements contained in the
Organization foregoing document are true and correct.

David C. Guiting
Signature of Authorized Agent

City Clerk - City of Rigby
Title and Organization

October 30, 1988
Date

State of Idaho

County of Bonneville) ss.

Subscribed and sworn (or affirmed) before me this 19 day

of October 19 88

Seal

[Signature]
Notary Public

Residing at

Idaho Falls, ID

My Commission Expires

22 Aug 1994

A25-04009
-04010
-04011
-10496

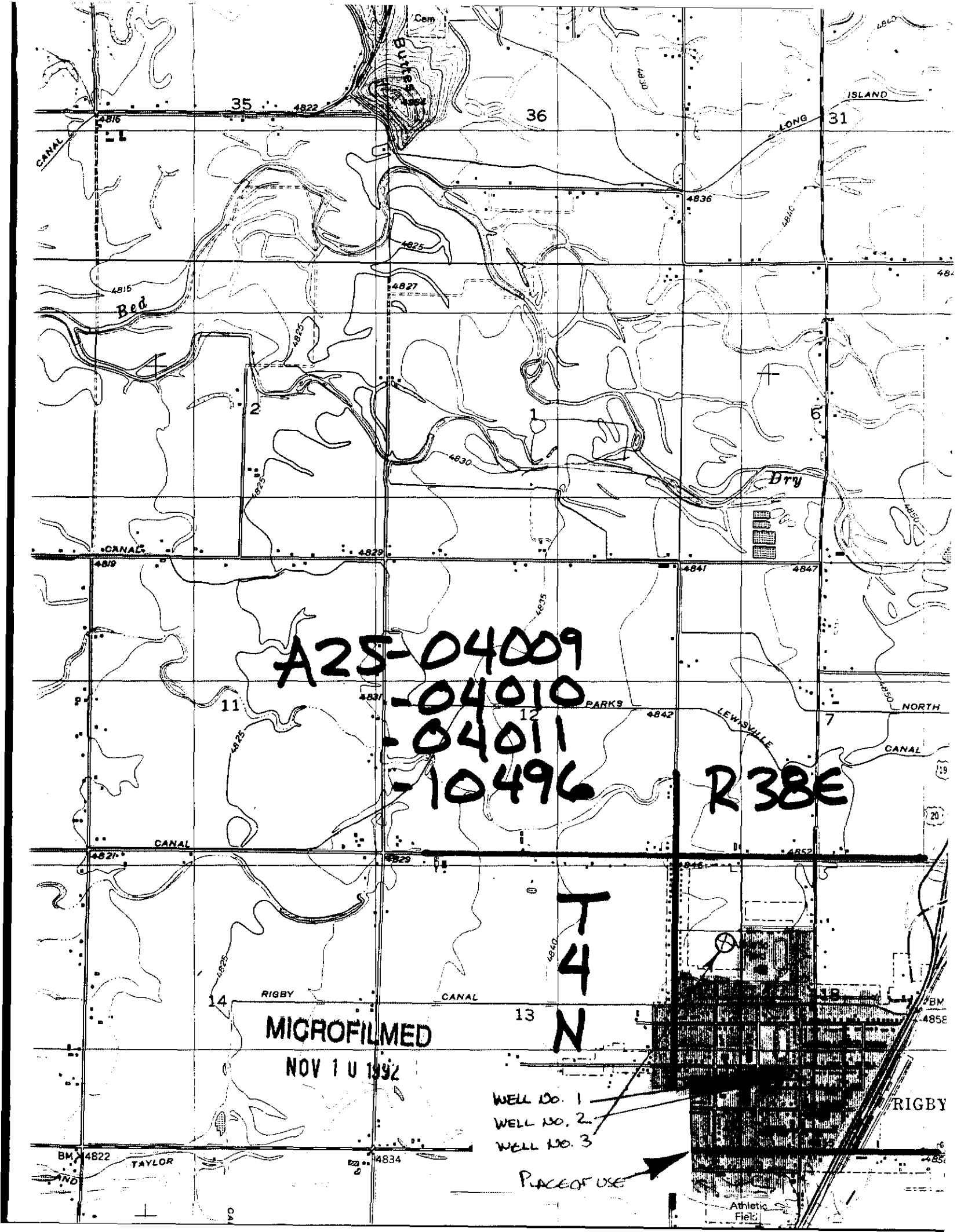
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WELL NO. 1
WELL NO. 2
WELL NO. 3

PLACE OF USE



City of Rigby

158 WEST FREMONT

RIGBY, IDAHO 83442

OFFICE OF THE CITY CLERK
PH. 745-7111

Well No. 1	196 feet deep	16 in. casing	drilled 1947
Well No. 2	175 feet deep	14 in. casing	drilled 1920
Well No. 3	165 feet deep	16 in. casing	drilled 1961

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IN THE MATTER OF:

City of Rigby

AFFIDAVIT

State of Idaho

County of Jefferson

I ARTHUR FUEL CHANDLER

being first duly sworn,

deposes and says: I have lived in Rigby Idaho since June

15, 1901 and have watched the place grow from a real small community to its present size.

In the year of 1921 I was hired by Ira Mangum to help pour the foundation for our present City building. Since the well which is in the present city building is in the basement it would have to have been built before that time.

The well taht was drilled approximently 50ft West of the Rigby City Hall was drilled in the year of 1947.

The well that was drilled on the Delbert Call addition on the North side of the City of Rigby just North of 3rd North was drilled in the year of 1961.

A. R. Chandler
(signature)

Subscribed and sworn to before me this 21st day of April 1972.

James A. Pirie
(notary public)

Residing at Rigby, Idaho.
My commission expires 10-24-72.

IN THE MATTER OF:

CITY OF RIGBY

State of Idaho

County of JEFFERSON

AFFIDAVIT

FRED HUTCHENS

being first duly sworn,

deposes and says: After having searched the records of the City of

Rigby, I have found the city Hall was built in 1921. No 2 well is in the basement of City Hall, so had to be drilled before erection of the building. Through this evidence I put down Jan. 1920 as drilling date.

No. 1 well was drilled in 1947 by Jim Schoonover of Burley, Idaho.

I was a city employee at this time.

No. 3 well was drilled by Paul Vollmer & Sons of Aberdeen, Idaho in 1961. I am enclosing a copy of the Log on this well.

I, Fred Hutchens, was the water Supt. at the time this well was drilled and I still hold the same title at this time.

FRED HUTCHENS

CITY SUPT.

CITY OF RIGBY

Fred Hutchens
(signature)

Subscribed and sworn to before me this 21st day of April 1972.

James A. Davis
(notary public)

Residing at Rigby, Idaho.

My commission expires 10-24-72.

IN THE MATTER OF:

City Of Rigby
State of Idaho
County of Jefferson

AFFIDAVIT

Sheridan S. Evans being first duly sworn,
deposes and says: I Sheridan S. Evans Being 73 years old and a resident
of the city of Rigby since 1917. I have knowledge that the present
City Hall was built in 1921 and well known as no. 2 was drilled prior
to that time.

The well west of City Hall known as well no 1 was drilled in 1947.
The well in the north part of the city was drilled in 1961.

As I was the owner and operator of a plumbing business in the city
of Rigby, my association of the water supply of the city was of great
importance to me.

Sheridan S. Evans
(signature)

Subscribed and sworn to before me this 21st day of April 19 72.

James A. Pirie
(notary public)

Residing at Rigby, Idaho
My commission expires 10-24-72

IN THE MATTER OF:

City of Rigby

State of Idaho

County of Jefferson

AFFIDAVIT

I J. L. Brown

being first duly sworn,

deposes and says: To whom it may concern Re: Wells at Rigby.

I J. L. Brown came to Rigby in April 1903 with my parents. Have resided here since that time, except the time spent in the Army during W.W.I.

I testify that well #1 was drilled about 50 ft. west of the city hall ^{late 1947} Also

in 1920, Well #2 was drilled in the basement just prior to the building of the present City Hall. Not long afterward, I had the privilege of serving on the City Council for two years.

well #3 was drilled in February 1961 on Delbert Call addition.

(signature)

Subscribed and sworn to before me this 21st day of April 19 72.

(notary public)

Residing at Rigby, Idaho.

My commission expires 10-24-72.

April 29, 1991

City of Rigby
158 West Fremont
Rigby, ID 83442

RE: **Evidence of Priority**

Dear Sirs:

The Notice of Claim(s) identified with the number(s) shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicates the water usage are based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice(s) have been or soon will be conducted by Department personnel. But, the Department will not recommend the Notice(s) be decreed by the court if no evidence of a priority date is submitted.

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City of Rigby

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Please submit the required evidence supporting the priority date(s) by May 29, 1991, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Ernest Carlsen
Water right Supervisor, Adjudication

EC:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

A25-10688
CITY OF RIGBY
158 W. FREMONT

RIGBY ID 83442

A25-04011
CITY OF RIGBY
158 W. FREMONT

RIGBY ID 83442

A25-10496
CITY OF RIGBY
158 WEST FREMONT

RIGBY ID 83442

A25-04010
CITY OF RIGBY
158 W. FREMONT

RIGBY ID 83442

A25-04009
CITY OF RIGBY
158 W. FREMONT

RIGBY ID 83442

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RECEIVED

MAR 1 - 1990

Department of Water Resources
Eastern District Office

February 22, 1990

Rigby Water Dept.
158 West Fremont
Rigby, ID 83442

Gentlemen:

Our records show you have filed your adjudication claim(s) in the Snake River Basin Adjudication. Our records do not, however, include a clear map of your service area. Would it be possible for us to get a map of your customer service area for your municipal water system, both to supplement the record of your claim(s) and for use as described below?

In our review and investigation phase of the Snake River Basin Adjudication, the map would be helpful for us to have this information in verifying individual claims to water rights for domestic purposes. We will be happy to discuss with you the most convenient way for you to provide this information to us. I can be reached at 327-7931 or you may contact my assistant, Anita Warntjes at 327-7986.

Your assistance in this matter is greatly appreciated.

Sincerely,

DAVID B. SHAW
Adjudication Bureau Chief

DBS:alw

A25-440
672
04009
04010
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10618

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