

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: A25-04297
Date Received: 6/06/1989
Receipt No: 5010256/91
Received By: Ed

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF AMMON
Address: 3270 MOLEN
AMMON, ID

208-529-4211

83406

2. Date of Priority: DEC 01, 1946

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	38E	27	NW	SE	SE		BONNEVILLE

5. Description of diverting works:
6"X244' WELL W/ 25HP TURBINE PUMP PIPED INTO CITY DELIVERY SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MUNICIPAL	01/01	12/31	0.780		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
MUNICIPAL USE WITHIN THE CITY LIMITS OF AMMON

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	38E	22				MUNI	
		26				MUNI	
		27				MUNI	

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	38E	34			MUNI	
		35			MUNI	

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
25-07023, 07168, 04294 & 04295

14. Remarks:
PLACE OF USE IS WITHIN CITY LIMITS OF AMMON, IDAHO
WELL KNOWN LOCALLY AS NO. 1

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am the CITY ENGINEER of the CITY OF AMMON, that I have signed the foregoing
Title
Organization
document in the space below as the CITY ENGINEER of
Title
the CITY OF AMMON and that the statements contained in the
Organization
foregoing document are true and correct.

David E. Benton
Signature of Authorized Agent
CITY ENGINEER
CITY OF AMMON
Title and Organization
Sept 11 1989
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 11TH day
of September 19 89

Ray W. McCarty
Notary Public

Seal

Residing at Idaho Falls, Id.

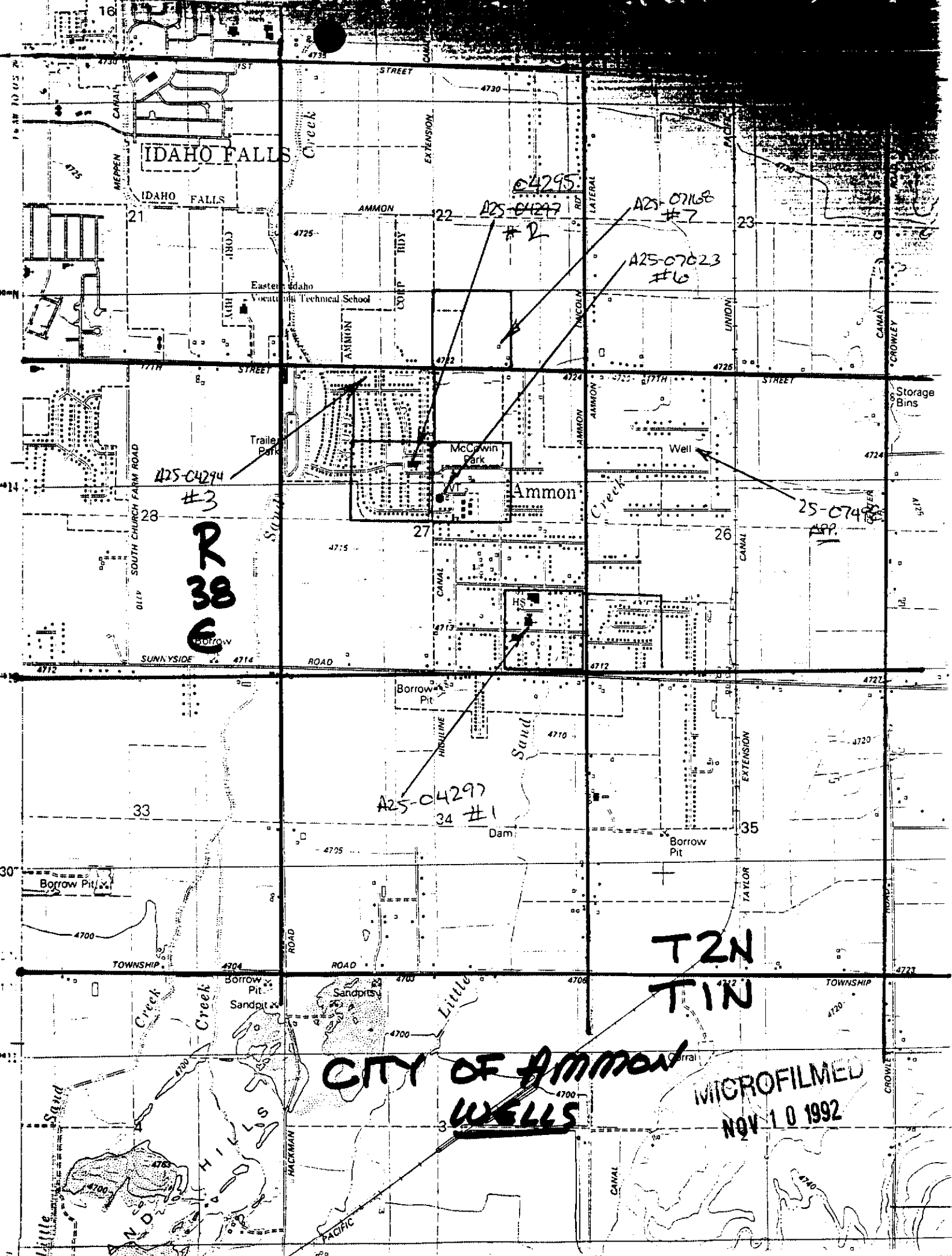
My Commission Expires 8/10/93

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POINT OF
DIVERSION

T2N
T1N

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IDAHO FALLS

IDAHO FALLS

Eastern Idaho Vocational Technical School

McCawin Park

Ammon

Storage Bins

R
38
E

T2N
T1N

CITY OF AMMON
WELLS

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NOV 10 1992

May 31, 1991

RECEIVED

4 1991

Ernest Carlsen
Water Right Supervisor, Adjudication
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83402

Department of Water Resources
Eastern District Office

Re: Evidence of Priority

Dear Sir:

We are herewith submitting evidence of priority of use for Well No. 1 (25-0427), Well No. 2 (25-04295), and Well No. 3 (25-4294).

Well No. 1 (25-04297) Priority Date: December, 1946

1. Copy of "Claim to a Water Right" filed 11-3-83
2. Excerpt of Village of Ammon minutes, page 112 entitled "Bond Fund" showing payment for well drilling on 6-22-46
3. Excerpt of Village of Ammon minutes, page 117 dated 10-15-46 authorizing payment for pump house. Also, minutes of 1-15-47 pertaining to operation of the village well.
4. History of Ammon as part of Bonneville County, page 2, paragraph 4. Apparently water was supplied to residents of the Ammon area from various wells beginning in 1889.

Well No. 2 (25-04295) Priority date: August 1952

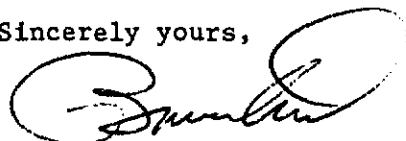
1. Copy of "Claim to a Water Right" filed 11-3-83
2. Copy of drilling report by Cope Drilling and Pump Company

Well No. 3 (25-04294) Priority Date: January 3, 1957

1. Copy of "Claim to a Water Right" filed 11-3-83
2. Copy of drilling report by Cope Drilling and Pump Company

Please advise if the enclosed information is adequate to establish use.

Sincerely yours,



Bruce Ard, Mayor

Enclosures 8

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that City of Ammon (Name of Claimant)
3270 Molen Street - Ammon, ID 83401 Telephone No. 529-4211
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) December 1946

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Groundwater tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs. af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>0.78cfs</u>	Use	<u>Municipal</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____

(4) 0.78cfs TOTAL QUANTITY USED.
(cfs. of)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ SE ¼, Sec. 27 Twp. 2N Rge. 38E B.M., County of Bonneville
 Additional points of diversion: _____

See other claims filed by city.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 25 hp. pump installed in well 244' deep, 6" casing to 97Ft.
Well # 1

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Municipal use. This well connected with 6 other city wells.

Item	Unit	Quantity	Unit Price	Amount	Remarks
1. Material					
1.1. Cement	kg	100	1.20	120.00	
1.2. Sand	m ³	1.0	100.00	100.00	
1.3. Aggregate	m ³	1.0	100.00	100.00	
1.4. Steel	kg	100	1.20	120.00	
1.5. Formwork	m ²	100	1.20	120.00	
1.6. Labor	hr	100	1.20	120.00	
1.7. Transport	km	100	1.20	120.00	
1.8. Insurance	%	100	1.20	120.00	
1.9. Profit	%	100	1.20	120.00	
1.10. Total				1000.00	
2. Labor					
2.1. Carpenter	hr	100	1.20	120.00	
2.2. Mason	hr	100	1.20	120.00	
2.3. Painter	hr	100	1.20	120.00	
2.4. Scaffolding	hr	100	1.20	120.00	
2.5. Total				480.00	
3. Transport					
3.1. Truck	km	100	1.20	120.00	
3.2. Total				120.00	
4. Insurance					
4.1. Life	%	100	1.20	120.00	
4.2. Fire	%	100	1.20	120.00	
4.3. Total				240.00	
5. Profit					
5.1. Material	%	100	1.20	120.00	
5.2. Labor	%	100	1.20	120.00	
5.3. Transport	%	100	1.20	120.00	
5.4. Insurance	%	100	1.20	120.00	
5.5. Total				480.00	
6. Total				1960.00	

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization: _____

Bond Fund

Bonds having been sold to Irvin Nielsen April 16, 1946 for \$20,000.00 Bonds were made up to be sold Jan. 1, 1946 but were not disposed of until April 16, 1946. Coupons number 1 were clipped and paid until July 1, 1946. Difference in interest was paid back to Village by Irvin Nielsen the sum of \$208.88

May 1, 1946	Balance		\$ 20,208.88
June 22	paid J. G. Andrews drilling well	\$1106.14	check 1037
" 28	" Otto McEntee attorney fees	\$ 700.00	check 1034
" 20	" Wm Howard maps	80.00	" 1038
July 1, 1946	Balance		\$18402.74
" 1	paid Irvin Nielsen interest on bond 1042	check	\$400.00
" 30	Balance		\$1832.274
Aug 10	paid Garrett Transfer freight	1046	check \$3.17
" 31	Balance		\$18319.57
Sept 7/46	paid Waterworks Equipment Co	1053	check 239.64
" 31	Balance		17679.93
Nielsen check was not cashed until Sept 22.			
Oct 1, /46	paid Garrett Transfer	1054	check \$3.18
" 4	paid Waterworks Equipment Co	1055	" \$111.38
" 31	Balance		\$17565.37
" 18	paid Arrington Construction Co	1058	check \$1977.54
Nov 5	paid Reed Hardware Co	1059	check \$1546.03
Nov 31.	Balance		\$14041.80
Dec. 1.	paid Almon Brown wiring well house	check 1062	\$70.65
" 15	" Union Pacific freight meter setters	" 1069	\$12.12
" 15	" Clark Construction Co. meter boxes	" 1070	\$50.00
" 20	" Reed Hardware invoi - 3158 + 30114	" 1073	\$77.80
" "	" Waterworks Equipment Co	" 1074	417.92

minutes of meeting of the village board of Ammon held Oct. 15, 1946. All members present except Dan Harris. The invoice of the Arrington Construction Co for the pump house together with material and labor was submitted to the board. After some discussion a motion by Lewis Empey, seconded by Fenton Woolf, that the full amount of \$1972.54 be paid to the Arrington Construction Co. There was further discussion concerning pipe and other details. Meeting adjourned.
G. Wallace Wadsworth Secretary

Special meeting of village board of Ammon Jan. 15, 1947. Members attending were Roy Southwick, Lewis Empey and Fenton Woolf. Business pertaining to operation of the village well was discussed. It was decided at the meeting to charge a flat rate of \$2.50 per month per family for water, until meters could be installed. The clerk was authorized to pay bills to date. Minutes were taken by Roy Southwick, Chairman of the village board. Meeting adjourned.

G. Wallace Wadsworth Secretary

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HISTORY OF AMMON AS PART OF BONNEVILLE COUNTY

Compiled by Vera Lee (1966)

Ammon was incorporated as a Village on Oct. 10, 1905. It was first called South Iona and was a part of Bingham County. (The original county was Oneida which was created in 1865.) Ammon is now located in the County of Bonneville which was created Feb. 7, 1911, and was named after Captain Bonneville who was in this region as early as 1832.

Settled by Latter Day Saints, a branch of the church was first organized Nov. 26, 1887, with Arthur M. Rawson as presiding Elder. In Feb., 1893, he was named as Ammon's first Bishop. Ammon was then chosen as the village name, honoring the son of Mosiah of Book of Mormon history.

Ammon history actually began about 1883, when Joseph Empey filed on 160 acres. Churches, schools, ditches, and roads were the first concern of the hearty pioneers of the area. Sage brush was so high and thick one could ride for miles on horseback without being seen. This was cleared and the ground made ready for planting the much-needed crops. Sage brush was burned for stove fuel and to make a light at night. Cottonwood, silver maple and the old poplars with their ants and bugs were planted in straight rows along fence lines, driveways, and homes for wind breaks. There were always Indians hanging around the foothills, especially when they were on the war path.

At first, church and school were held in Bishop Rawson's home and in the homes of other saints. Dances were held in the homes, too, where they would dance all night, waiting for the sun to light the way home as there were only trails to follow. Should they tire of dancing, they would tell stories and sing. Plain quadrills were danced to the tune of "Turkey in the Straw" and the "Irish Washer Woman". Albert Owen played the violin with John Denning assisting. Sometimes Rosa Owen would play the harmonica. Later the old brass band played for the celebrations and dances. Joseph Lee and Nels Lee were the promoters. Nels Lee was the Ammon Chorister for many years.

Rosa Owen, with her father Samuel Ellingford, came here in 1886. A truly great pioneer, she spent many days with the sick without pay. A midwife, she assisted in the birth of 126 babies, many without the help of a doctor. Their first year here, the jack rabbits devoured nearly all their grain. Sage hens were plentiful, but there was no ammunition. There were many failures. It was a hard life for them, and a favorite saying was, "It was a tough old log."

The first well was dug in 1889 by Bishop Rawson. At this time, the only water available was Little Sand Creek, which would go dry making it necessary to haul water from Snake River or find puddles on Big Sand Creek. In winter time, snow was melted to water the stock and for home use—a large barrel was kept behind the stove.

F. A. Owen, Daniel Owen, Joseph Owen, and Nathaniel Owen moved here in about 1883. James C. Owen, father of these boys, donated the ground for the Ammon townsite, which was dedicated Jan. 23, 1899. E. S. Empey, Joseph Empey, John Bert Center, Charles Hays, Hiatts, Joseph Richardson, Southwicks, Christian Anderson, and Dennings were a few of the early pioneers of Ammon. These pioneers hauled logs to erect the first church and school. A monument which was built by the Daughters of the Utah Pioneers later marked the site of that first log church and school.

About 1898, a large frame building used for church and recreation with a stage and an open furnace was built. In it the curtains were drawn for classrooms, and one room was finished in the basement to be used for Relief Society. The first Ammon Seminary was held here with Lucius Clark as instructor.

Christian Anderson was sustained as second Bishop on Sept. 25, 1899. MICROFILMED Under his supervision that a \$15,000 brick church was constructed and dedicated in 1918, the pride of the whole valley. This building was razed in 1965 to make room for a beautiful new white brick chapel, which was dedicated on Feb. 13, 1966. The Bishop at the time of the building of this new church was Keith M. Hansen, the grandson of Bishop Christian Anderson.

A petition was filed to incorporate the Village of Ammon on Oct. 10, 1905. Trustees appointed were C. W. Peterson, Joseph Anderson, A. F. Zigging, Nels Lee, and W. F. Owen Jr., and the first Village Board Meeting was held on Oct. 24, 1905, in the Ammon Merc. Co. store. The townsite was comprised of 160 acres divided into 16 blocks with the large blocks having 8 lots each.

In 1912 an electric line was run from Idaho Falls to Ammon. This not only furnished light and power to the homes of the village, but also the homes along the lines. The coming of electricity provided a means for many homes to have plumbing facilities.

A long looked for and happy event was made possible by the coming of the railroad on March 10, 1918. A celebration was held in the meeting house and was attended by officials of the Oregon Short Line, officials of the Utah-Idaho Sugar Co., and others.

A great step forward, a village well was dug in 1946. It was 160 feet deep and provided pure drinking water. Roy Southwick was chairman of the board at this time; later Wallace Wadsworth was chairman with Lewis Empey, Fenton Woolf, and Dan Harris members of the Village Board. In March, 1954, a new postal sub-station was added to Kelly's Market, and in 1956 telephones were converted to the dial system.

When the log and frame buildings used for school became inadequate, a three-story red brick building was built north of where the building used as a hot lunch room stood. This building, too, became inadequate, so in 1935 a two-story red brick building was built. The new building with a gymnasium was the pride and joy of children as well as parents. No sooner had it been completed, when the entire building, together with the old brick building was destroyed by fire. The stucco building, which had recently been moved from Ozone District, was saved. School continued, classes being held in the basement of the church with every room available utilized. The school building was rapidly rebuilt with two stories and gymnasium. It was completed in three years, and was used as a complete school system from first grade through high school for the Ammon area and later as a Junior High School for consolidated District No. 93. The first school year at Hillview Elementary School was 1962-63 with additional buildings being built later.

The village grew from a population of 447 in 1950 to 1,450 in 1959. Ammon became a second-class city in March, 1961, and had a population of 2,468 in 1965. Adding this new growth to Ammon was the building of Hillview Addition north and west of the Ammon townsite which was annexed by divisions from 1952 to 1960, and Peterson Park Addition west of the townsite which was annexed in 1959.

The first Mayor of Ammon after it became a City in 1961 was Reed Molen, and the first City Councilmen were Roland T. Romrell, Devon E. Hammer, Darrel G. Long, Harold Loveland, with Lynn Sanders as City Clerk, and LaVern Williams as Marshall and Maintenance Supervisor. New officials elected in 1965 were Mayor Melvin Richardson, and Councilmen George Wehmann, Keith Brown, Roy Southwick Jr., and Leo Heer, with Dermont Ricks as City Clerk and LaVern Williams as Maintenance Supervisor.

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NOV 10 1992

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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

25-4297

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

May 6, 1991

CITY OF AMMON
3270 MOLEN
AMMON ID 83401

RE: **Evidence of Priority**

Dear Sir:

The Notices of Claim identified with the numbers shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notices 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 Notices 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 Notices have been or soon will be conducted by Department personnel. But, the Department will not recommend the Notices be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority dates by **June 6, 1991**, referencing all documents with the corresponding Notices number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

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NOV 10 1992

City of Ammon

Page 2

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

A25-04294
CITY OF AMMON
3270 MOLEN

AMMON ID 83401

A25-04295
CITY OF AMMON
3270 MOLEN

AMMON ID 83401

A25-04297
CITY OF AMMON
3270 MOLEN

AMMON ID 83406

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NOV 10 1992



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

Ammon Water Dept.
3270 Molen Street
Ammon, ID 83401

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

ASS. Dir. 04/23/90
07023

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

DECEMBER 12, 1983

CITY OF AMMON
2270 MOLEN ST.
AMMON

ID 83401

RE: Claim No. 25-4297

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Sincerely,

DONALD D. CARLSON
Eastern Region Supervisor

Enclosure

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