

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: A25-07366
Date Received: 9/07/1989
Receipt No: EO 10224/89
Received By: ED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EAST RIVER ROAD WATER CORP. 208-523-3430
Address: C/O BRIAN SMITH, PRES.
374 W. 81ST. N.
IDAHO FALLS, ID 83401

2. Date of Priority: JUL 12, 1983

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	38E	19	SW	SE	SW		BONNEVILLE

5. Description of diverting works:
169' WELL (130' LIFT) W/ 7.5HP SUB. PUMP. TANKS TO DELIVERY SYS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.090		
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.120		

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

8. Total consumptive use is 10.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC USE FOR 8 HOMES/3 HEAD OF CATTLE & 15 HORSES

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	38E	19	SE		SW		IRR	4.0
			SE		SW		DOMEST	
			SE		SW		STOCK	

Section Acres 4.0

Total Acres 4.0

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:

IDAHO IRR. SUPPLIES WATER FOR IRR. PASTURES AND SOME GARDENS

14. Remarks:

OTHER BOARD MEMBERS:

SECRETARY/TREAS.-KIM AREHART,
BOARD MEMBER -LARRY HARRIS,

15. Basis of Claim: LICENSE

MICROFILMED
NOV 6 7 1964

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: 1 (FIELD EXAM COPY)

For Organizations:

I do solemnly swear or affirm that I am PRESIDENT of EAST RIVER WATER CORP. Title

Organization, that I have signed the foregoing document in the space below as PRESIDENT of

EAST RIVER WATER CORP. Title and that the statements contained in the

Organization foregoing document are true and correct.

Bryan L. Amund
Signature of Authorized Agent

PRESIDENT EAST RIVER WATER
Title and Organization CORP.

9-7-89

Date

State of Idaho)

County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 7 day

of September 19 89

E. Allen
Notary Public

Seal

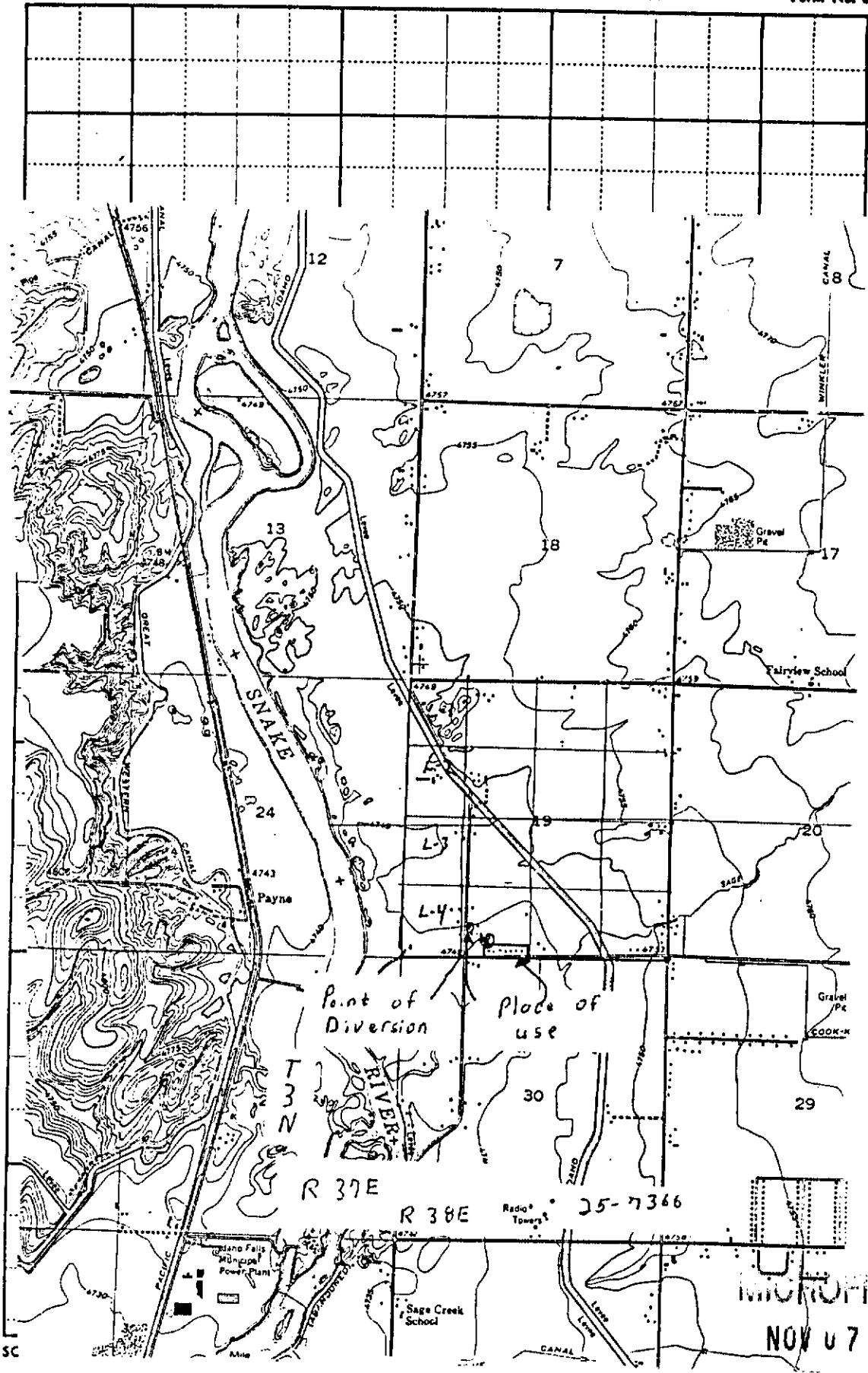
Residing at Idaho Falls, Id.

My Commission Expires 22 Aug 1994

NAME OF APPLICANT E. R. Road Water Co.

25-7366

Form No. 6



Log for claim 25-07366

Spatial Dynamics CAT

12/7/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03n38e	19	SESW	4	4.5	Indiscernible
Totals:			4	4.5	

AJ5809NP
No. A25-07366

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 154

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EAST RIVER ROAD WATER CORP C/O BRIAN SMITH PRES 374 W 81ST N IDAHO FALLS ID 83401 (208) 523-3430	07/12/1983	IRRIGATION STOCKWATER DOMESTIC	04-01 11-01 01-01 12-31 01-01 12-31	0.090 CFS 0.020 CFS 0.120 CFS	
TOTAL DIVERSION:					0.230 CFS	
CONSUMPTIVE USE:						10.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T03N R38E S19 SWSSEW BONNEVILLE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	SUM
03N	38E	19	:	:	:	:	:	:	:	:	:	:	:	:	:	:
TOTAL ACRES															4.0	

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	
03N	38E	19	:	:	:	:	:	:	:	:	:	:	:	:	:	:

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	
03N	38E	19	:	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: BONNEVILLE

Non-Irrigation Uses: DOMESTIC USE FOR 8 HOMES/3 HEAD OF CATTLE & 15 HORSES

Other Rights: IDAHO IRR. SUPPLIES WATER FOR IRR. PASTURES AND SOME GARDENS

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

25-12471 25-12967 25-13011 A25-12471 A25-12967 A25-13011

Other Water Rights Listing Overlapping Place(s) of Use:

A01-0007520 A01-0007620 A01-0031220 A01-0036820 A01-0036920 A01-0037020 A25-0022420

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 01.

AJ5809NP
No. A25-07366

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 155

Remarks: GEN OTHER BOARD MEMBERS:

SECRETARY/TREAS.-KIM AREHART,
BOARD MEMBER -LARRY HARRIS,

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 01 Field Inspection Flag:
Presumption Flag:

Audit: 09/07/89 VERNER 03/29/95 POST-STD

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. [REDACTED] Priority July 12, 1983 (Late Proof) Amount 0.23 cfs
THIS IS TO CERTIFY, that East River Road Water Corp.

of Idaho Falls, Idaho, has complied with the terms and conditions of Permit
No. 25-7366 issued pursuant to Application for Permit dated June 30, 1983,
and has submitted proof to the Department of Water Resources on June 13, 1985,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.33 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>0.09</u> cfs and	<u>14.0</u> acre feet
Stockwater	from <u>January 1</u> to <u>December 31</u>	at <u>0.02</u> cfs and	<u>0.4</u> acre feet
Domestic (7 Units)	from <u>January 1</u> to <u>December 31</u>	at <u>0.12</u> cfs and	<u>4.2</u> acre feet

(both dates inclusive)

Subject, however, to the condition that no more than 0.23 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
18.6 acre feet per year, said waters to be diverted within the SE 1/4 Section 19,
Twp 3N, Rge 38E in the County of Bonneville

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	38E	19												4					4

DEPT

Total number of acres irrigated 4

Department of Water Resources

CONDITIONS OF APPROVAL

- a. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license 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 license 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 license.

Use of water under this license is subject to control by the watermaster of State Water District No. 01, Snake River.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 26TH day of NOVEMBER, 19 86.

MICROFILMED

DEC 15 1986

Department of Water Resources

Attest for the

Director

Norman C. Young

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 East River Road Water Corp. Phone 524-0609

Post office address Rt. 6, Box 98C Idaho Falls, ID 83401

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 19 Township 3N

Range 38E B.M. Bonneville County, additional points of diversion if any: _____

4. Water will be used for the following purposes: Changes as per telecon w/Larry Harris

*0.12

7-22-83 SM

Amount ~~0.28~~ for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02 for Stock purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount* 0.09 for Irrigation purposes from 4-1 to 11-1 (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:

a. 0.23 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well with mainline to 7 homes.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 19 Township 3N

Range 38E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 15 head livestock horses and cattle.

(4) Name of municipality to be served East River Road Water Corp number of families to be supplied with domestic water 7.

(5) If water is to be used for other purposes describe: _____

MICROFILMED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	38E	19												8					8

Total number of acres to be irrigated 8

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

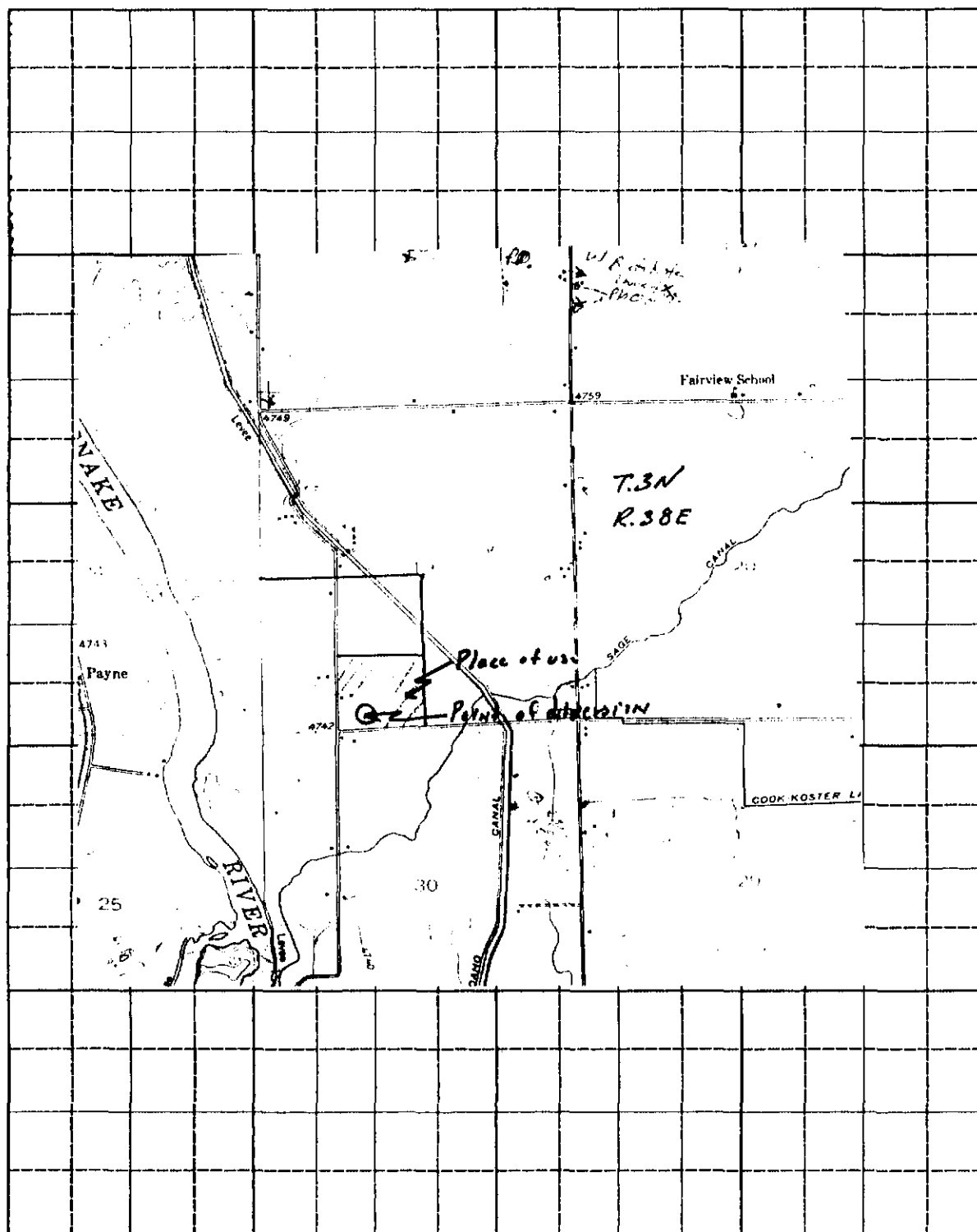
9. a. Who owns the property at the point of diversion Applicant

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks Well is owned by the corporation but the lands
are individually owned by persons within the corporation

11. 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.

Harry M. Davis
(Applicant)

RECORDED

Received by jm Date 6-30-83 Time 8:30 A.
Preliminary check by SM Fee \$ 45⁰⁰
Received by AW Date 6-30-83 # 25716
Publication prepared by MP Date 2-13-85
Published in Post Register
Publication dates 2-21-85 2-28-85
Publication approved AW Date 5-8-85
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by EMC KW

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. 25-7366, 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 June 1, 19 86.
- 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. Other: Use of water under this permit is subject to control by the watermaster of State Water District No. 01, Snake River.

Witness my hand this 15th day of May, 1985.

J. Glen Saxton
Chief, Operations Bureau

14 may

- (late proof)
Priority

East River Road Water Corp.

groundwater ✓

③ DOMESTIC (7 Units) ✓

② Stockwater ✓

① Irrigation ✓

0.23 cfs ✓ 18.6 afa

✓ No Change

SE SW

✓ No Change

1

4

EXAMINATIONS FOR DOMESTIC PURPOSES.

No flow measurement was taken, because the pump would only run 3 to 4 minutes before filling pressure tanks and turning off.

No access was available before pressure tanks
either. R04 (01, Snake River) **MICROFILM**

MICROFILMED

DEC 15 1980

- ☒
- None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other _____

Date 7-8-86

Date 6 Aug 1986

Date 10/22/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES -
LICENSING REPORT

25- 7366

Permit No.

1. Measurement Calculations**a) Field Measurement Calculations (Include theoretical capacities and system capacity)**SEE MEMORANDUM DATED 13 MAY 1981, ON FIELD EXAMINATIONS FOR DOMESTIC PURPOSES. MAXIMUM INSTANTANEOUS WATER REQUIREMENTS FOR 7 HOMES.

$$Hp = 7.5 \quad \text{Efficiency} = 83.5\% \quad \text{Head} = 120 \text{ ft.} \quad \text{PSI} = 20 \text{ psi}$$

$$Q \text{ at } 80\% \text{ eff} = 0.32 \text{ cfs}$$

$$Q = \frac{Hp (8.814) (\text{Eff})}{\text{Head} + (\text{PSI} \times 2.308)} = \frac{(7.5) (8.814) (0.835)}{(120 \text{ ft}) + (20 \text{ psi} \times 2.308)} = 0.33 \text{ CFS}$$

Permit = .12 cfs domestic
 .01 cfs stock
 .09 cfs irrigation
 0.23 cfs

Recommend: .12 cfs domestic
 .02 cfs stock
 (11-15 examiners
 hand Book)

$$.03 \frac{\text{cfs}}{\text{ac}} \times 4 \text{ ac} = .12 \text{ cfs}$$

$$\Sigma 0.26 \text{ cfs}$$

Recommend 0.23 cfs by permit**b) Volume Calculations for Irrigation:**

$$V_{in} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 4 \times 3.5 = 14.0 \checkmark$$

$$V_{dn} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 2.3 \times 214 \times 1.9835 = 97.6$$

$$V = \text{Smaller of } V_{in} \text{ and } V_{dn} = 14.0 \checkmark$$

c) Volume Calculations for Other Uses:

$$V_{dom} = \frac{7}{\# \text{ Units}} \times 0.6 \text{ afa} = 4.2 \text{ afa} \checkmark$$

$$V_{DR} = 0.09 \times 1.9835 \times 214 = 38.2$$

$$V_{stock} = 0.4 \text{ afa} \checkmark \quad (11-15) \text{ Field examiners handbook. (15 head)}$$

2. Overlap Review**a) Other water rights with same place of use:** None**b) Other water rights with same point of diversion:** None**c) Analysis:****MICROFILMED**

DEC 15 1986

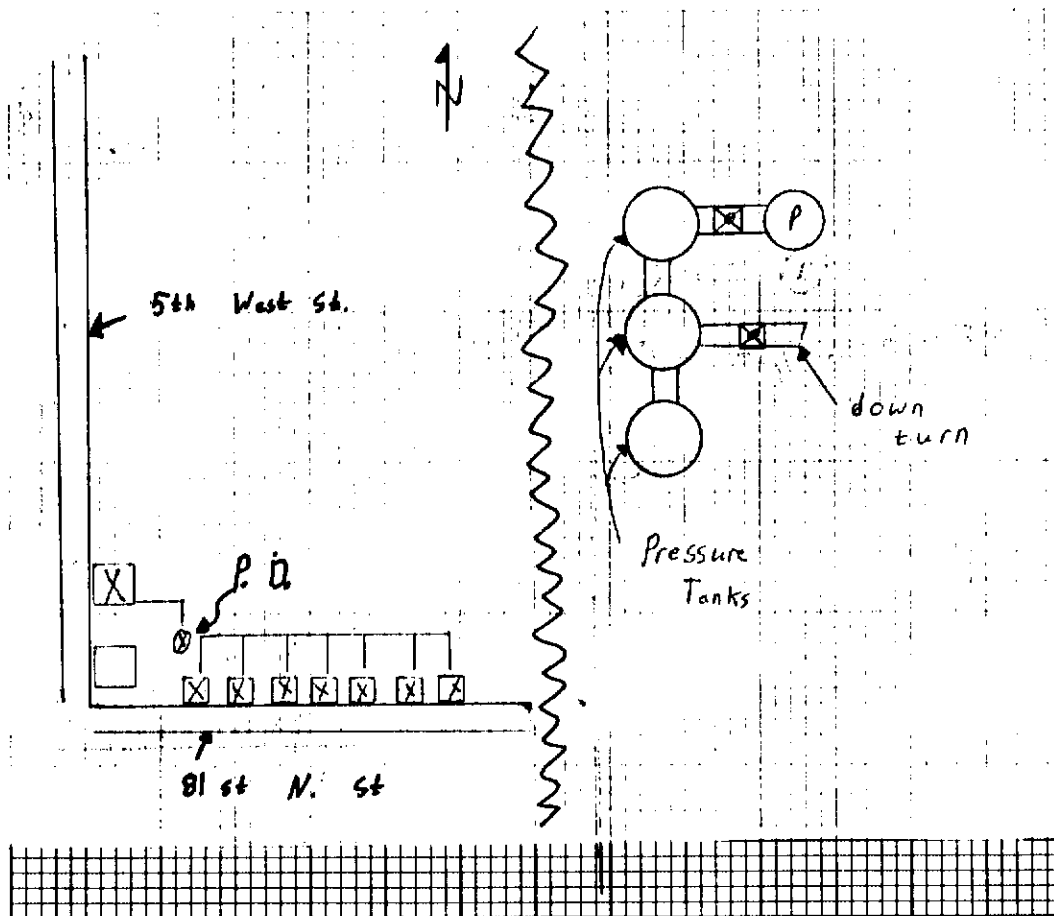
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

[illegible]

10. Other water rights on these lands Share in Idaho Canal Co.
11. Other water right diverted from same p.d. None
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.

Original beneath.



13. ☒ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks Canal water is used only for pastures and gardens.

15. 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

16. Examiner's/Consultant's Signature John W. Crumley

Date 7-8-86

Consultant's License Number _____

IDWR Director's Authorization to Conduct

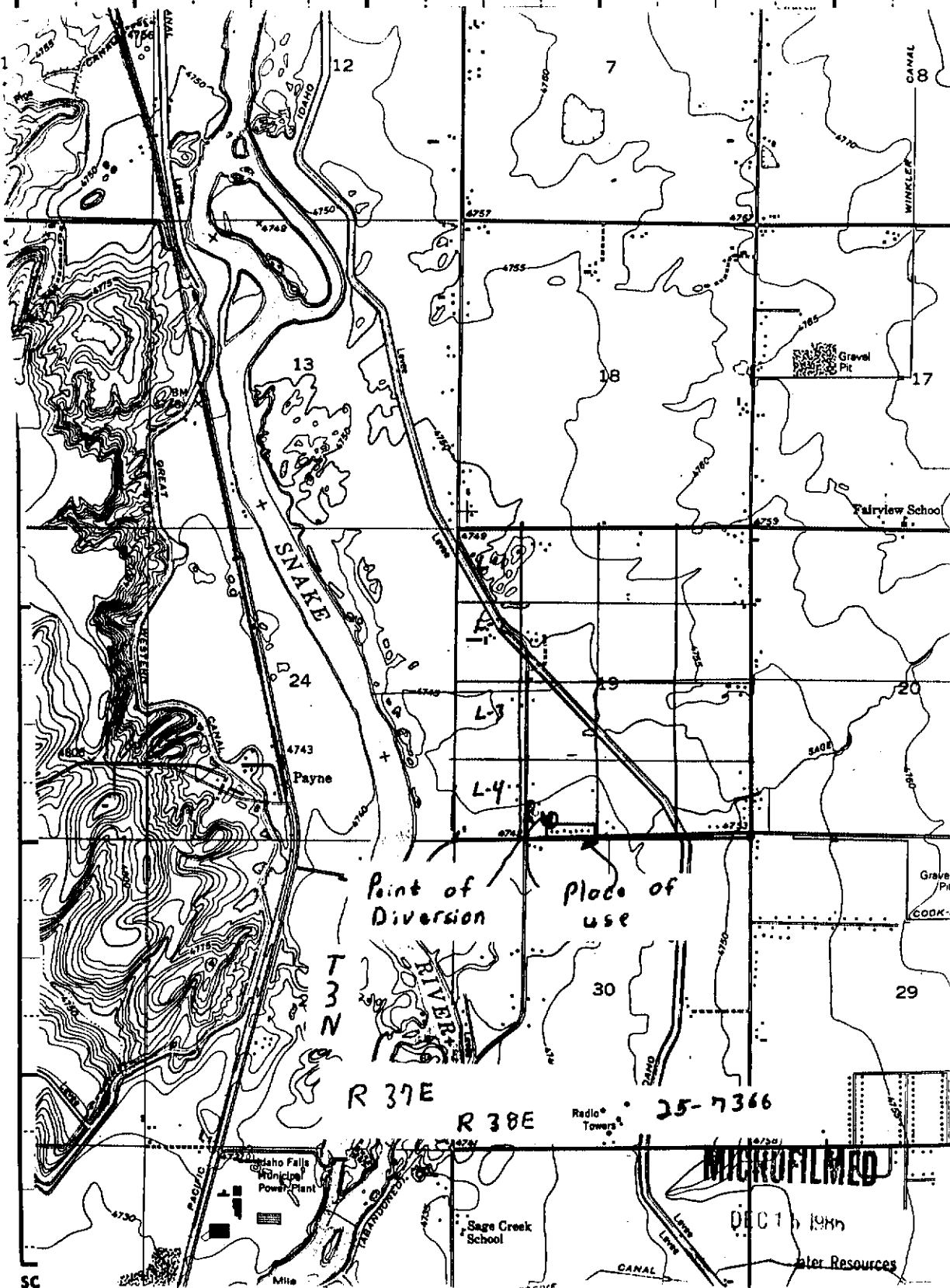
Beneficial Use Examination _____

Date

EXAMINER'S SEAL

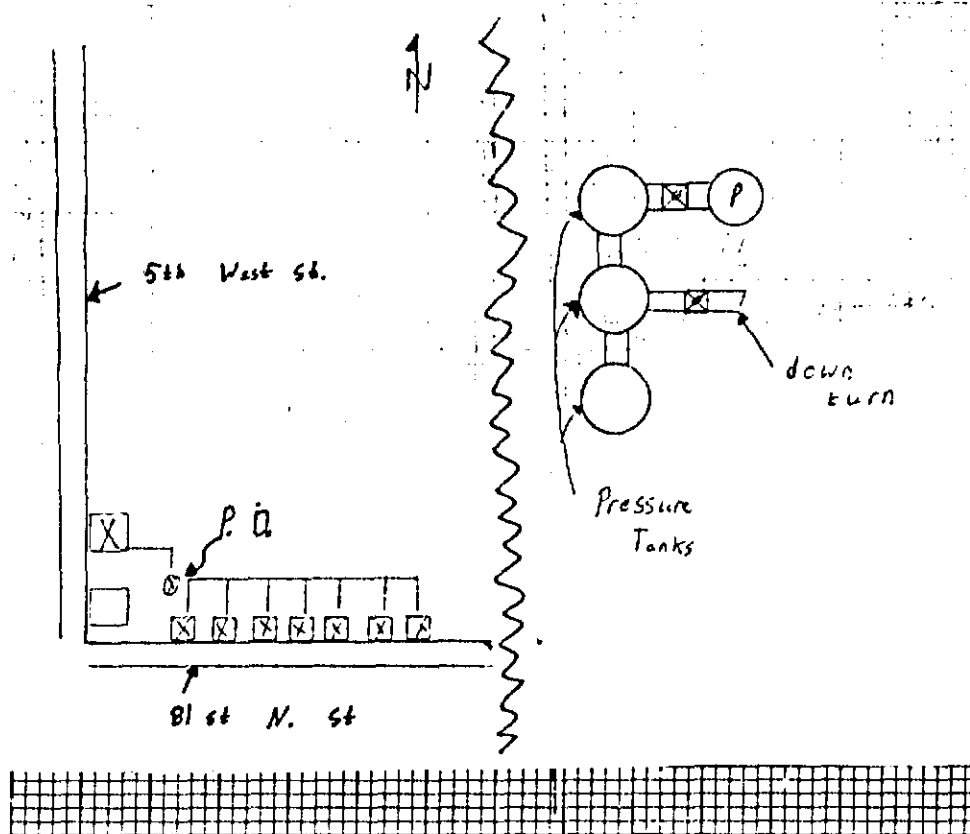
CONSULTANT SEAL

25-7366									



[illegible]

10. Other water rights on these lands Share in Idaho Canal Co.
11. Other water right diverted from same p.d. None
12. Diversion and Delivery System Diagram: Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.
Original beneath.



13. ☒ Photo of Diversion & System Attached ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached
14. Remarks Canal water is used only for pastures and gardens.
15. 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
16. Examiner's/Consultant's Signature John W. Cremonesi Date 7-8-86
 Consultant's License Number _____
 IDWR Director's Authorization to Conduct
 Beneficial Use Examination _____ Date _____

CONSULTANT SEAL

MICROFILMED
 NOV 6 7 1986