

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: A29-07119
Date Received: 3/28/1990 4/19/90
Receipt No: C016458
Received By: JAR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF POCA TELLO
Address: P.O. BOX 4169
POCA TELLO, ID

83205

2. Date of Priority: APR 11, 1973

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	33E	9	SW	SW			POWER

5. Description of diverting works:
WELL (AIRPORT), PUMP AND PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	6.000		1050.00

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

A.F.A.

8. Total consumptive use is 750.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	33E	9	NE	NW		IRR	2.0
			NW	NW		IRR	2.0
			SW	NW		IRR	40.0
			SE	NW		IRR	34.0

A29-07119

Page 1

Date: 04/16/90

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NOV 13 1992

A2907119



10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	33E	9	NE		SW		IRR	34.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	34.0
							Section Acres	226.0
		16	NE		NW		IRR	34.0
			NW		NW		IRR	40.0
							Section Acres	74.0
							Total Acres	300.0

11. Place of use in counties: POWER

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

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: _____

For Organizations:

I do solemnly swear or affirm that I am MAYOR of _____ Title

CITY OF POCA TELLO , that I have signed the foregoing Organization

document in the space below as MAYOR of _____ Title

CITY OF POCA TELLO and that the statements contained in the Organization
foregoing document are true and correct.

Peter Angstedt
Signature of Authorized Agent

MAYOR / CITY OF POCA TELLO
Title and Organization

4-17-90
Date

State of Idaho)
County of Lannock) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of April 19 90

Connie Lee Blackburn
Notary Public

Seal

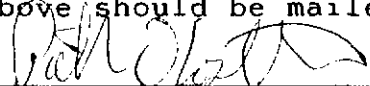
Residing at Pocatello

My Commission Expires 8-18-91

17. Notice of Appearance

Notice is hereby given that I, Patrick D. Costello will be
Print Name

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 

Address

775 N. 8th Boise, ID 83702

Date

4/16/90

REMARKS

The Claimant's water supply system for distribution of all of its ground water and surface water supplies includes various reservoir and tank storage facilities, which are capable of being fully recharged by the quantity of water available in a 24-hour period from all of the city's sources of water. Right to use such storage facilities is therefore claimed as a part of the surface or ground water claim asserted herein.

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Log for claim A29-07119

Spatial Dynamics AMH

7/17/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s33e	9	NENW	2	5.4	Indiscernible
06s33e	9	NWNW	2	7	Indiscernible
06s33e	9	SWNW	40	40	
06s33e	9	SENW	34	33	
06s33e	9	NESW	34	33	
06s33e	9	NWSW	40	40	
06s33e	9	SWSW	40	40	
06s33e	9	SESW	34	33	
06s33e	16	NENW	34	33	
06s33e	16	NWNW	40	40	
Totals:			300	304.4	

AJ5809NP

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/23/00

PAGE: 53

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF POCA TELLO PO BOX 4169 POCA TELLO ID 832054169	04/11/1973	IRRIGATION	04-01 11-01	6.000 CFS	1050.00 AFA
					TOTAL DIVERSION:	6.000 CFS
					CONSUMPTIVE USE:	750.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T06S R33E S09

SWSW

POWER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
06S	33E	9	:					02	02	40	34			34	40	40	34			:	226.0
06S	33E	16	:					34	40											:	74.0
																				TOTAL ACRES	300.0

POU County: POWER

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-11609 A29-12877

Conditions of Approval:

- 001 - A measuring device of a type approved by the Department shall
- be permanently installed and maintained as part of the diverting
- works.

Remarks: GEN NOTICE OF CHANGE OF FIRM AND ADDRESS REC'D 12/21/1993 SAS.
CONFORMED ATTORNEY ADDRESS DMS
NOTICE OF CHANGE OF FIRM AND ADDRESS REC'D 7/7/95 DMS.

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

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

Audit: 04/23/90 HARRINGT 04/16/92 CAN-SHAF 05/26/94 SSHERMAN 07/25/94 THOMPSON
03/29/95 DSMITH 03/29/95 POST-STD 08/01/95 DSMITH 04/12/00 CVANDERM

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7119 Priority April 11, 1973 Amount 6.0 cfs

THIS IS TO CERTIFY, that CITY OF POCA TELLO
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 29-7119 issued pursuant to Application for Permit dated April 11, 1973
and has submitted proof to the Department of Water Resources on May 29, 1974
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 6.0 cfs of water from a ground water 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
<u>Irrigation</u>	from <u>April 1</u> to <u>Nov. 1</u>	at <u>6.0</u> cfs and	<u>1,050</u> acre feet or
	from _____ to _____	_____ cfs and	<u>3.5</u> af per acre
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 6.0 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
1,050 acre feet per year, said waters to be diverted within the SW 1/4 SW 1/4 of Sec. 9,
Twp. 6 S, Rge. 33 E, B. M. in the County of Power

Description and location of place of use:

Twp.	Range	Sec.	NEW				NW 1/4				SW 1/4				SE 1/4				Totals
			NEW	NW 1/4	SW 1/4	SE 1/4	NEW	NW 1/4	SW 1/4	SE 1/4	NEW	NW 1/4	SW 1/4	SE 1/4	NEW	NW 1/4	SW 1/4	SE 1/4	
6 S	33 E	9					2	2	40	34	34	40	40	34					226
		16					34	40											74

Total number of acres irrigated 300

A measuring device of a type approved by the Department shall be permanently
maintained as part of the diverting works.

NOTE: 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.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 9 day of
January, 19 75.

MICROFILMED

Director

APPROVED

LICENSE ISSUED FOR
CLASS PAGE 10

29 7119

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

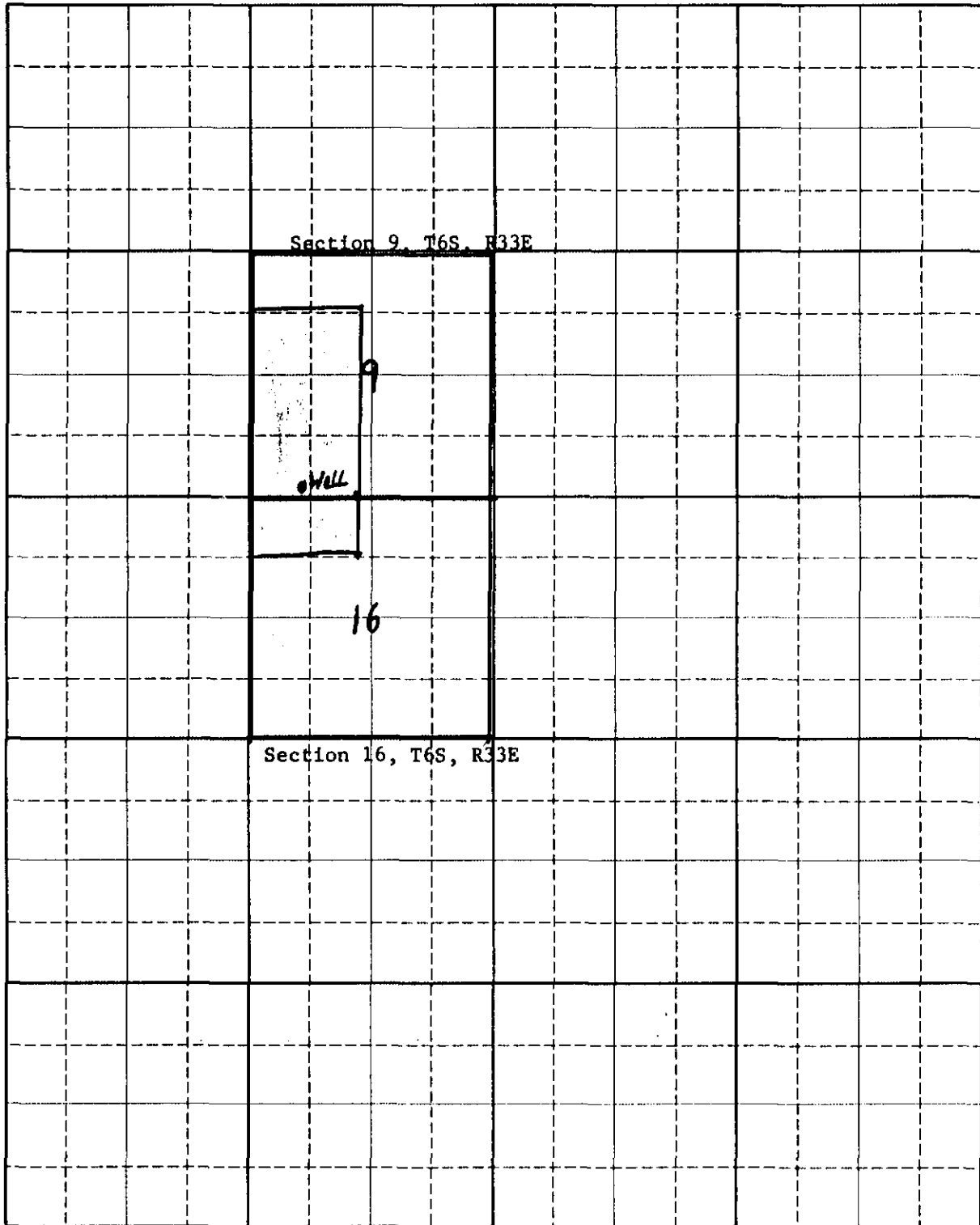
TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	33E	9					2	2	40	34	34	40	40	34					226
6S	33E	16					34	40											74

Total number of acres to be irrigated..... 300

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 City of Pocatello, Idaho
 b. Who owns the land to be irrigated or place of use City of Pocatello, Idaho
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing I am leasing this ground from the City of Pocatello on a long term lease. One of the conditions of the lease is that I develop the groundwater supply and apply for and receive an application for permit from the Department of Water Administration.
10. Remarks This well was dug in 1972 and will be used during the 1973 season.

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.

City of Pocatello
Clinton Smith
(Applicant)

F. W. Roskelley
City of Pocatello, F. W. Roskelley, Mayor

4.11.73

9:30 A

29 7119

Received by ef Date 4-2-73 Time 8:00 APreliminary check by ef Fee \$ 75.00Received by ef Date 4-12-73 Rec'd 10-1-73Publication prepared by ef Date 4/12/73Published in Lander County RecordPublication dates 4/19 + 4/26/1973Publication approved NCY Date 5/1/73Priority reduced to 4/11/73 Reason Sec 91-209(See memo 1-1)

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by NCY

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7119, 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, 1974.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 11 day of May, 1973.

R. Keith Higgins
Director

2	2
40	34
40	34
40	34
40	34

9

PD

16

DATE OF EXAM June 25, 1974

ACREAGE
Found 300
Recommended 300

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 6 c.f.s. V = 1050 AF/Ann. from April 1 to Nov 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: N/A
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 6 CFS Method of measurement McCrometer Meter

Total Q recommended 6 CFS Meter No. 7210388 Type gutter Condition good

Total V recommended 1050 AF/ANN

Recommended Amendments:

P.D. _____
Place of Use _____
Other ☒ _____
None ☐ _____

MEASUREMENT CALCULATION:

Discharged 435.6 cuft in 72.5 sec = 6 CFS
$$V = (300)(3.5) = 1050 < (6)(1.983)(215) = 2558$$

SYSTEM DESCRIPTION:

150 HP U.S. Hollowleaf Motor # CC1010057 with
gearless pump # 226959 10" discharge east to buried main
north & south - well depth 397 feet static water 51 feet

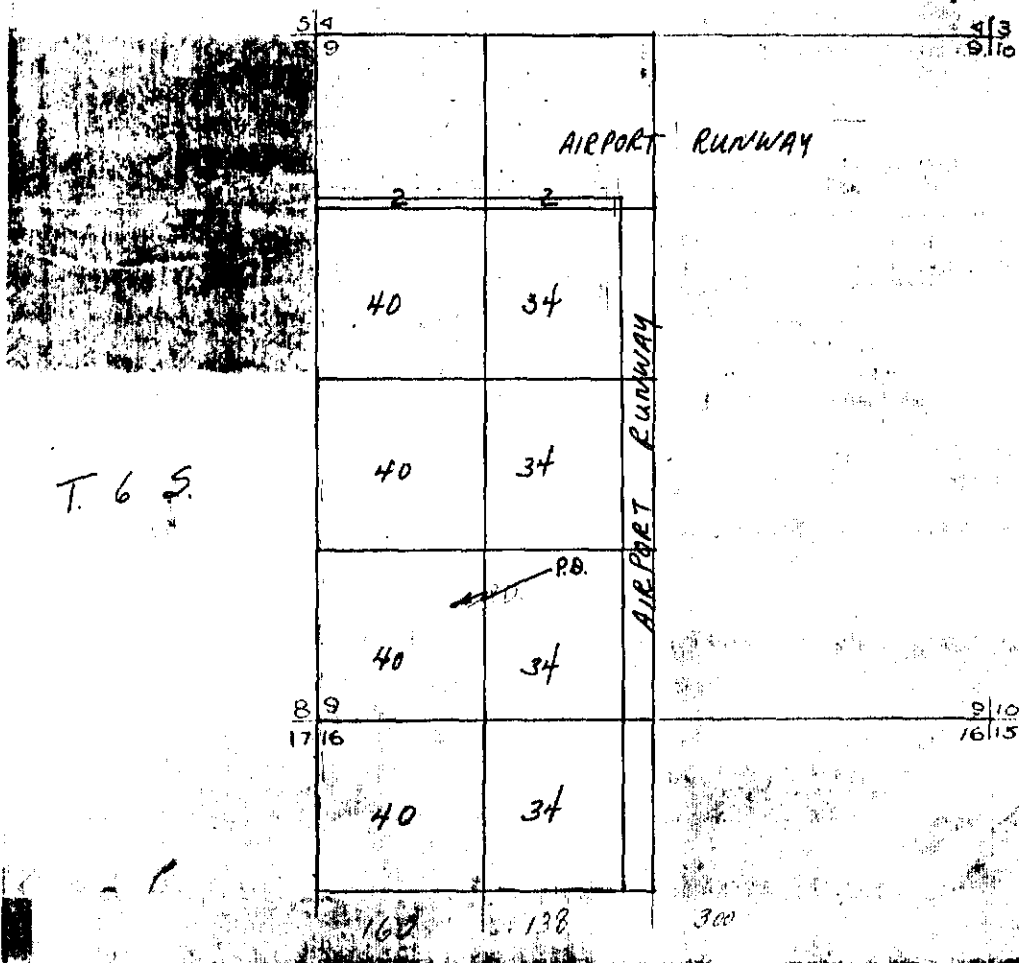
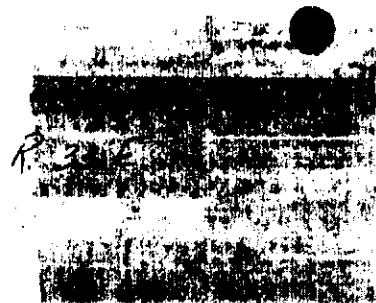
REMARKS:

System shown by Mr. Anton Smith

Examiner's Signature John Ferebauer Date June 25, 1974

Checked by Lauren O. Hulse Date Oct 25, 1974

Approved by _____ Date _____



DILLION
BOSCH
DAW
BOCK
Chartered

Attorneys

Josephine P. Beeman
Les Bock
Allan R. Bosch
C. A. Daw
Lee B. Dillion
Robert Wreggelsworth

Fidelity Building
242 N. 8th St.
Suite 200
Boise, ID 83702

tel (208) 344-8990
fax (208) 344-9140

Internet E-mail to:
dbdb@micron.net

A29-07119

cc: Eastern
Southern

Department of Water Resources
Eastern District Office

AUG 04 1995

July 7, 1995

RECEIVED

JUL 17 1995

OFFICE OF THE
ATTORNEY GENERAL

RECEIVED

JUL 18 1995

Department of Water Resources
Adjudication Bureau

Re: Case No. 39576 and Subcases mailing lists

Dear Diana:

Please revise all court certificates of mailing, labels and service lists which include Josephine P. Beeman to reflect the following address change:

Josephine P. Beeman
Dillion, Bosch, Daw & Bock, Chtd.
Fidelity Building
243 N. 8th St., Suite 200
Boise, ID 83702

records modified by
Danni 8-1-95.

This change reflects a change in the law firm Ms. Beeman is associated with, but she remains legal counsel for all clients previously represented in SRBA matters.

By copy of this letter, I request counsel to similarly modify their service lists and labels.

Sincerely,

Dillion, Bosch, Daw & Bock
Chartered

By:

Debra L. Cline

Debra L. Cline, Administrative Assistant
to Josephine P. Beeman

cc: May 3, 1995 Court Certificate of Mailing for Expedited Hearings

NOV 13 1995

29-07119

RECEIVED

FEB 28 1994

Department of Water Resources

LAW OFFICE

MOFFATT, THOMAS, BARRETT, ROCK & FIELDS
CHARTERED

Eugene C. Thomas
John W. Barrett
R. B. Rock
Richard C. Fields
Robert E. Bakes
Paul S. Street
Larry C. Hunter
Glenna M. Christensen
Mark S. Prusynski
Morgan W. Richards, Jr.
Michael G. McPeck
Stephen R. Thomas
Jon S. Gorski
Gary T. Dance
Gerald T. Husch
Thomas V. Munson
Kirk R. Helvie

Thomas C. Morris
Michael E. Thomas
James C. deGlee
Christine E. Nicholas
Patricia M. Olsson
Grant T. Burgoyne
Stephen J. Olson
Patrick J. Kole
Andrew P. Doman
David S. Jensen
Ray E. Smith
Allen K. Davis
Bradley J. Williams
Mark A. Ellison
James L. Martin
Alan D. Malone
Josephine P. Beeman

FIRST SECURITY BUILDING
911 WEST IDAHO
POST OFFICE BOX 829
BOISE, IDAHO 83701

Telephone (208) 345-2000

Facsimile (208) 385-5384

February 25, 1994

Willis C. Moffatt
(1907-1980)

E. Renn Yorgason
Office Administrator

Gary T. Dance
Partner in Charge
Eastern Idaho Offices

IDAHO FALLS, IDAHO
525 Park Avenue, Suite 2D
Post Office Box 1367
83403

Telephone (208) 522-6700
Facsimile (208) 522-5111

POCATELLO, IDAHO
825 West Center, Suite C
Post Office Box 4941
83201

Telephone (208) 233-2001

Idaho WATS: 1 (800) 422-2889
ABA Net 010

Shelley Keen
Idaho Department of Water Resources
1301 N. Orchard Street
Boise, ID 83706

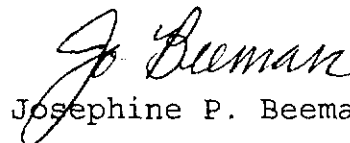
Re: City of Pocatello Reservoir List
MTBR&F File No. 15863.0000

Dear Shelley:

Enclosed is a copy of the City of Pocatello's reservoir list. Carter Fritschle reviewed the City's SRBA claims last summer and requested the reservoir list to confirm that the City's reservoir and tank storage facilities are capable of being fully recharged by the quantity of water available in a 24 hour period from all of the City's sources of water.

If you have any questions, do not hesitate to call.

Yours very truly,



Josephine P. Beeman

JPB/lis
Enclosure
cc: Dean Tranmer
Fred Ostler
Tom Dekker

MICROFILMED

APR 12 1994

DAVIS WRIGHT TREMAINE

LAW OFFICES

702 WEST IDAHO STREET · SUITE 700 · BOISE, IDAHO 83702
(208) 338-8200

JOSEPHINE BEEMAN
(208) 338-8233

October 20, 1993

VIA FACSIMILE

503-231-6791

ATTENTION: Mr. Robert Fenton

Mr. Lynn Collins
Intermountain Regional Solicitor
United States Department of the Interior

Re: City of Pocatello Contracts for Water From the Fort Hall
Irrigation Project

Dear Mr. Collins:

We represent the City of Pocatello in the Snake River Basin Adjudication (SRBA). Earlier this month, the City Attorney for Pocatello forwarded to us letters which describe city acreage to be deleted from the SRBA claim for the Fort Hall Irrigation Project (Project). The letters explain that non-Indian land within the Project must have been irrigated between 1983 and 1987 in order to be included in the state law portion of the Project water right. The City of Pocatello's letters list 102.97 acres currently assessed by the Project. Based on actual irrigation between 1983 and 1987, the acreage would be reduced to 47.68 acres.

As a result of receiving these letters, the City of Pocatello has asked us to determine how many acres the City has under contract with the Fort Hall Irrigation Project and whether the amount of water under those contracts might be preserved for the City's use because of the unique status of municipal water rights under Idaho law. Generally, when a city acquires a water right, it can "grow into" the full amount of the water right and the water right is not subject to forfeiture.

In our efforts to understand the nature of the water right that the City of Pocatello holds within the Project (in direct contracts or assigned contracts), we have examined City records and we have asked for help from the Project (Alan Oliver), the Bureau of Indian Affairs (Robert Fenton), and the Idaho State law library to obtain historical documents regarding Project contracts held by Pocatello. We have also talked with David Shaw at the Idaho Department of Water Resources who directed us to you.

NOV 13 1993

870224M00005.LTR
Boise

FAX: (208) 338-8399

ANCHORAGE, ALASKA · BELLEVUE, WASHINGTON · LOS ANGELES, CALIFORNIA · PORTLAND, OREGON

Mr. Lynn Collins
October 20, 1993
Page 2

The City of Pocatello has records which indicate that some Project contracts were deeded to the City by individuals in exchange for municipal water when structural problems made Project water difficult to deliver within the City. The City has always understood that it would have a right to use the Project water, particularly since its own municipal supplies were used as a replacement for Project water.

We also have in our possession a 1936 contract between the City of Pocatello and the project engineer for the Fort Hall Irrigation Project which identifies 602.42 Project acres within the corporate limits of the City of Pocatello. The contract is a supplemental repayment contract and identifies earlier repayment contracts from 1907 and 1922 for the same land. We have obtained copies of the 1907 and 1922 Acts of Congress, but have not been able to obtain any of the rules, regulations, or contracts under those earlier Acts. The 1907 Act does state, "any town or city embraced within the project may acquire water rights sufficient for its needs on such terms and condition as the Secretary of the Interior may impose." Senator Dubois of Idaho provided a letter (to the Senate Committee on Indian Affairs) to accompany the 1907 bill which states that "the city of Pocatello, with a population now of 8,000, will be supplied with water at a price to be fixed by the Secretary of the Interior." The letter also explains that the City's price is different from the price for water to supply the agricultural lands of the Project.

We do not know if the 102.97 acres in the recent Project letters represent all of the Pocatello contracts, or whether the 1936 contract, which describes 602.42 acres may be one of a series of contracts representing assignments to the City when individual users switched from Project water to City water. Mr. Oliver is checking Project billing records to determine current Project acreage for Pocatello and to determine past assignment of contract rights to or from the City.

Pocatello would use the Project water within the city limits for existing and future needs, just as the City uses its other municipal water rights. The Project water is particularly suited for uses which do not require potable water.

I understand that you will arrive in Boise this evening for meetings Thursday and Friday related to the Fort Hall reserved right and the Fort Hall state-based water right. Due to your travel schedule, Mr. Fenton offered to deliver this fax to you.

Mr. Lynn Collins
October 20, 1993
Page 3

The City of Pocatello would like me to discuss their contract rights with you. I would welcome the opportunity to meet with you and can meet at your convenience. My office is across the street from the Attorney General's office and I can be reached at 338-8233.

Sincerely yours,

DAVIS WRIGHT TREMAINE

Josephine Beeman
Josephine P. Beeman

JPB:ma

cc: Dean Tranmer, Esq., City Attorney for Pocatello
Jack Hockberger, Esq.
Mr. Alan Oliver
Clive Strong, Esq.
Mr. David Shaw
Mr. Jeff Peppersack
Mr. Brent Spronk

MICROFILMED

NOV 13 1990

RECEIVED
FEB 28 1994
Department of Water Resources

CITY OF POCA TELLO
WATER STORAGE CAPACITY

Date: 8-30-93

The following is a summary of storage reservoirs:

NO.	LOCATION	DATE	CAPACITY (GAL)	STATUS
# 1	Reservoir Yard (NE $\frac{1}{4}$ SW $\frac{1}{4}$, 2-7S-34E)	1891	1,500,000	Abandoned
# 2	Reservoir Yard (NE $\frac{1}{4}$ NW $\frac{1}{4}$, 2-7S-34E)	1892	865,000	Abandoned
# 3	Reservoir Yard (NE $\frac{1}{4}$ NW $\frac{1}{4}$, 2-7S-34E)	1905	2,000,000	Abandoned
# 4	Reservoir Yard (NW $\frac{1}{4}$ NE $\frac{1}{4}$, 2-7S-34E)	1935	11,500,000	Abandoned
# 5	S End Valleyview (SE $\frac{1}{4}$ NE $\frac{1}{4}$, 33-6S-34E)	1950	300,000	In Use
# 6	Center & I-15 (SE $\frac{1}{4}$ SW $\frac{1}{4}$, 24-6S-34E)	1953	300,000	In Use
# 7	End E Cedar (SW $\frac{1}{4}$ NE $\frac{1}{4}$, 24-6S-34E)	1955	500,000	In Use
# 8	Reservoir Yard (SE $\frac{1}{4}$ SW $\frac{1}{4}$, 35-6S-34E)	1961	2,000,000	In Use
# 9	S End Valleyview (SE $\frac{1}{4}$ NE $\frac{1}{4}$, 33-6S-34E)	1964	20,000	In Use
#10	Satterfield & Terrace (SW $\frac{1}{4}$ SE $\frac{1}{4}$, 7-6S-35E)	1964	1,000,000	In Use
#11	Center & Apex (SW $\frac{1}{4}$ SE $\frac{1}{4}$, 19-6S-35E)	1973	2,000,000	In Use
#12	Birdie & Silverwood (SE $\frac{1}{4}$ NW $\frac{1}{4}$, 30-6S-35E)	1973	3,000,000	In Use
#13	Reservoir Yard (NE $\frac{1}{4}$ NW $\frac{1}{4}$, 2-7S-34E)	1975	5,000,000	In Use
#14	W End Juniper Hill (NW $\frac{1}{4}$ NE $\frac{1}{4}$, 13-7S-34E)	1978	500,000	In Use
#15	S End City Creek (NE $\frac{1}{4}$, 3-7S-34E)	1978	3,000,000	In Use
#16	Satterfield & Terrace (SW $\frac{1}{4}$ SE $\frac{1}{4}$, 7-6S-35E)	1985	3,000,000	In Use
#17	Airport - 10th Ave. & "B" St.	1969	150,000	In Use

MICROFILMED
APR 12 1994

DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NAME INDEX

DATE: 08/16/88
PAGE: 1

NAME	O C	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	SOURCE OF WATER	TRIBUTARY TO
CITY OF POCATELLO	C	29-00262	D/	06/03/1907	SOUTH SPRINGS	
CITY OF POCATELLO	C	29-00271	D/	02/26/1869	MINK CREEK	PORTNEUF RIVER
CITY OF POCATELLO	C	29-00272	D/	10/01/1901	MINK CREEK	PORTNEUF RIVER
CITY OF POCATELLO	C	29-00273	D/	10/01/1917	MINK CREEK	PORTNEUF RIVER
CITY OF POCATELLO	C	29-02274	L/	06/15/1948	GROUNDWATER	
CITY OF POCATELLO	C	29-02338	L/	09/01/1953	GROUNDWATER	
CITY OF POCATELLO	C	29-02401	L/	10/16/1958	GROUNDWATER	
CITY OF POCATELLO	C	29-02499	L/	12/10/1964	GROUNDWATER	
CITY OF POCATELLO	C	29-04221	S/	06/01/1943	GROUNDWATER	
CITY OF POCATELLO	C	29-04222	S/	06/16/1898	GIBSON JACK CREEK, SOUTH FORK GIBSON JACK CREEK	GIBSON JACK CREEK PORTNEUF RIVER
CITY OF POCATELLO	C	29-04223	S/	10/01/1962	GROUNDWATER	
CITY OF POCATELLO	C	29-04224	S/	09/15/1955	GROUNDWATER	
CITY OF POCATELLO	C	29-04225	S/	08/15/1956	GROUNDWATER	
CITY OF POCATELLO	C	29-04226	S/	10/01/1955	GROUNDWATER	
CITY OF POCATELLO	C	29-07106	L/	11/06/1972	GROUNDWATER	
CITY OF POCATELLO	C	29-07118	L/	04/11/1973	GROUNDWATER	
CITY OF POCATELLO	C	29-07119	L/	04/11/1973	GROUNDWATER	
CITY OF POCATELLO	C	29-07322	L/	04/25/1976	GROUNDWATER	
CITY OF POCATELLO	C	29-07375	L/	02/24/1977	GROUNDWATER	
CITY OF POCATELLO	C	29-07431	L/	12/29/1977	WASTE WATER	PORTNEUF RIVER
CITY OF POCATELLO	C	29-07450	L/	06/13/1978	GROUNDWATER	
CITY OF POCATELLO	C	29-07700	A/	04/27/1983	GROUNDWATER	
CITY OF POCATELLO	C	29-07770	A/	05/21/1984	GROUNDWATER	
CITY OF POCATELLO	C	29-07782	P/	01/18/1985	GROUNDWATER	

RECEIVED

DATE 8-18-88

SIGNED [Signature]
POCATELLO WATER DEPT.

DO NOT FILM

3

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7119 Priority April 11, 1973 Amount 6.0 cfsTHIS IS TO CERTIFY, that CITY OF POCA TELLO

of Pocatello, Idaho, has complied with the terms and conditions of Permit No. 29-7119 issued pursuant to Application for Permit dated April 11, 1973, and has submitted proof to the Department of Water Resources on May 29, 1974, 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 6.0 cfs of water from a ground water 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
<u>Irrigation</u>	from <u>April 1</u> to <u>Nov. 1</u>	at <u>6.0</u> cfs and	<u>1,050 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.5 af per acre</u>
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 6.0 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 1,050 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 9, Twp. 6 S, Rge. 33 E, B.M. in the County of Power

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6 S	33 E	9					2	2	40	34	34	40	40	34					226
		16					34	40											74

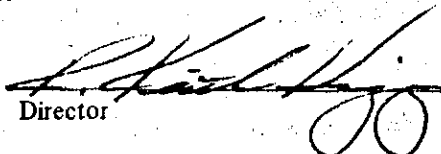
Total number of acres irrigated 300

A measuring device of a type approved by the Department shall be permanently maintained as part of the diverting works.

NOTE: 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.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 9 day of January, 19 75.


Director