

\$ 88.00

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: A29-07145
Date Received: 3/26/1990 S/3990
Receipt No: E012649
Received By: SK

RECEIVED
MAR 30 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EIGHTY ACRES INC. 208-232-7685
Address: C/O RUFUS A. LYMAN
4037 N. LOWER RD.
POCATELLO, ID 83204

2. Date of Priority: OCT 31, 1983

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	8	SE	SE			BANNOCK

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.290		
DOMESTIC	01/01	12/31	0.200		

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

8. Total consumptive use is 45.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 19 HOMES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	8	SE	SE		IRR	8.0

A29-07145

Page 1

Date: 03/26/90

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	8	SE	SE		DOMEST	
						Section Acres	8.0
		9	SW	SW		IRR	10.0
			SW	SW		DOMEST	
						Section Acres	10.0
						Total Acres	18.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
NONE

14. Remarks:
DOMESTIC USE IS FOR 19 LOTS ALSO KNOWN AS LOTS 1-10, BLOCK 2 &
LOTS 1-9, BLOCK 3, EIGHTY ACRES INC. SUBDIVISION.

15. Basis of Claim: LICENSE

(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.

NOV 13 1992

Log for claim A29-07145

Spatial Dynamics LTD

9/7/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	8	SESE	8	9.3	
07s35e	9	SWSW	10	11	
Totals:			18	20.3	

AJ5809NP
No. A29-07145

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 247

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EIGHTY ACRES INC C/O RUFUS A LYMAN 4037 N LOWER RD POCATELLO ID 83204 (208) 232-7685	10/31/1983	IRRIGATION DOMESTIC	04-01 11-01 01-01 12-31	0.290 CFS 0.200 CFS	
TOTAL DIVERSION:					0.290 CFS	
CONSUMPTIVE USE:						45.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T07S R35E S08 SESE BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	---
07S	35E	8	:					:					:					:					:	8.0
07S	35E	9	:					:					:			10		:					:	10.0
																						TOTAL ACRES		18.0

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
07S	35E	8	:					:					:					:					:	D
07S	35E	9	:					:					:			D		:					:	

POU County: BANNOCK

Non-Irrigation Uses: DOMESTIC, 19 HOMES

Other Rights: NONE

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

29-10295 29-11519 29-12504 A29-10295 A29-11519 A29-12226 A29-12504 A29-13089 R29-12226

Remarks: GEN DOMESTIC USE IS FOR 19 LOTS ALSO KNOWN AS LOTS 1-10, BLOCK 2 &
LOTS 1-9, BLOCK 3, EIGHTY ACRES INC. SUBDIVISION.

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

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

Audit: 04/02/90 THOMPSON 07/25/94 THOMPSON 03/29/95 POST-STD

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07145

Priority: October 31, 1983

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.29 CFS
74.4 AF

This is to certify, that EIGHTY ACRES INC.

C/O R. A. LYMAN

4037 N. LOWER RD.

POCATELLO, ID 83204

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 13, 1973; and has submitted Proof of Beneficial Use on October 31, 1983. An examination indicates that the works have a diversion capacity of .290 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>
IRRIGATION	04/01 to 11/01	0.29 CFS	63.0 AF
DOMESTIC	01/01 to 12/31	0.20 CFS	11.4 AF
	Totals	0.29 CFS	74.4 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 8, Township 07S, Range 35E
BANNOCK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	35E	8	SESE	8		8
		9	SWSW	10		10

Total number of acres irrigated: 18

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The right to use water confirmed by this license is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 19 lots also known as Lot 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19.

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JUL 17 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07145

CONDITIONS/REMARKS:

Lots 1-9, Block 3, Eighty Acres Inc. Subdivision.

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 5th
day of July, 1989.

Acting for *Norman Young*
R. Keith Higginson, Director

MICROFILM

JUL 17 1989

Identification No. 29 7145

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Eighty Acres, Inc. BY R. A. Lyman
post office address Rt. #3, Box 259, Pocatello, Idaho
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is ^(2 points) SE 1/4 of SE 1/4 of Section 8 Township 7S
Range 35E B.M. Bannock County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____ at a point in _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1.0 ^(cfs or acre-feet per annum) for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
Amount 1.0 ^(cfs or acre-feet per annum) for irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
Amount _____ ^(cfs or acre-feet per annum) for _____ purpose from _____ to _____ (both dates inclusive)
5. Total quantity to be appropriated:
a. 1.0 cubic feet per second ~~and/or~~
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Deep wells, turbine pumps, electric motors, 39,000 gal. storage reservoir, distribution system
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
^(Mo. Day) ^(Mo. Day)
- c. Proposed well diameter is 10 inches; proposed depth of well is 175 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 50,000.00.
8. Description of proposed uses: Same as Item 8b
a. If water is not for irrigation:
(1) Give the place of use of water: _____ 1/4 of _____ 1/4 of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____
(4) Name of municipality to be served Eighty Acres, Inc., Subdiv., or number of families to be supplied with domestic water 30.
(5) If water is to be used for other purposes describe: _____

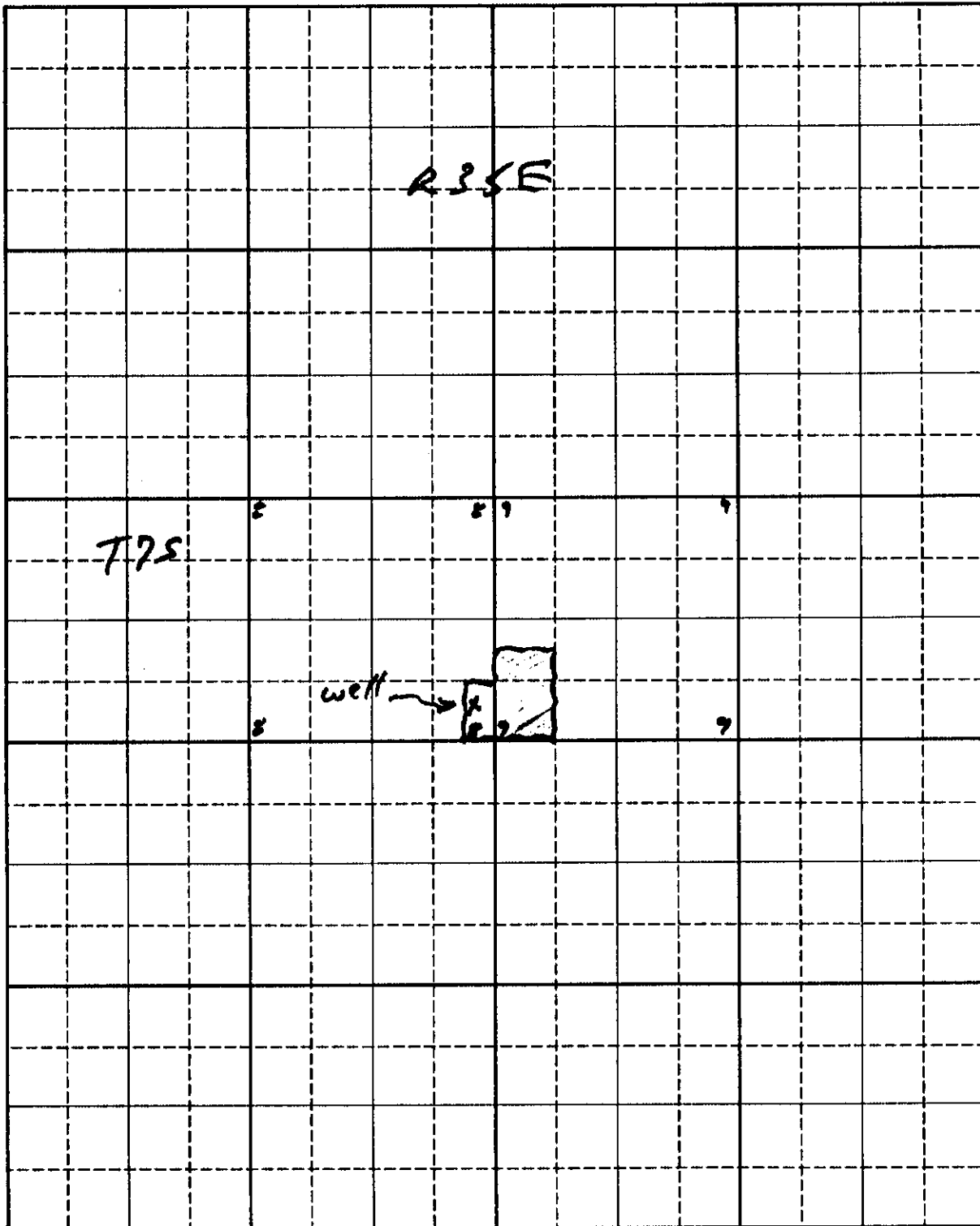
29-7145

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

c. Describe any other water rights used for the same purposes as described above. Claim to a water
Right No. 29- 4023 for same well, different land

10. Remarks

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.

Eighty Acres, Inc.

BY R. A. Lyman
(Applicant)

Secretary, Treasurer

29-7145

Received by mt Date 7-13-73 Time 4:00p
 Preliminary check by AKY Fee \$ 25.00
 Receipted by mt Date 7-13-73 # 10273
 Publication prepared by mt Date 7-18-73
 Published in Idaho State Journal
 Publication dates 7-26 + 8-2-73
 Publication approved RDC Date 8/13/73
 Priority as directed 7-13-73 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RDC

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. 29-7145, 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 August 1, 1978.
- 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 16th day of August, 1973.

R. Keith Higinbotham
 Director

BENEFICIAL USE FIELD REPORT

Department of Water Resources

Permit No. 29-7145

Phone No. 232-7685

1. Owner: Eight Acres Inc / c/o R.A. Lyman Phone No. 232-7685
Current Address: 4037 N. Lower Rd. Pacatella, ID. 83204
2. Accompanied by: R.A. Lyman EXAM. DATE: 8-8-85
Address: _____ Phone No. _____
Relationship to Permit Holder: Secretary of water user group
3. Source: Groundwater tributary to _____

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	NA.	10	NA.	NA.	

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
Ten hp pump in well with line to 39,000 gallon concrete storage res.
(8' x 25' x 25'). Lines go to 8 existing homes. Other lots are
stalled in but Health Dept. has limited this subdivision to 9 lots
because of excessive nitrate in water supply.
Pump set at 160'. No measuring device.

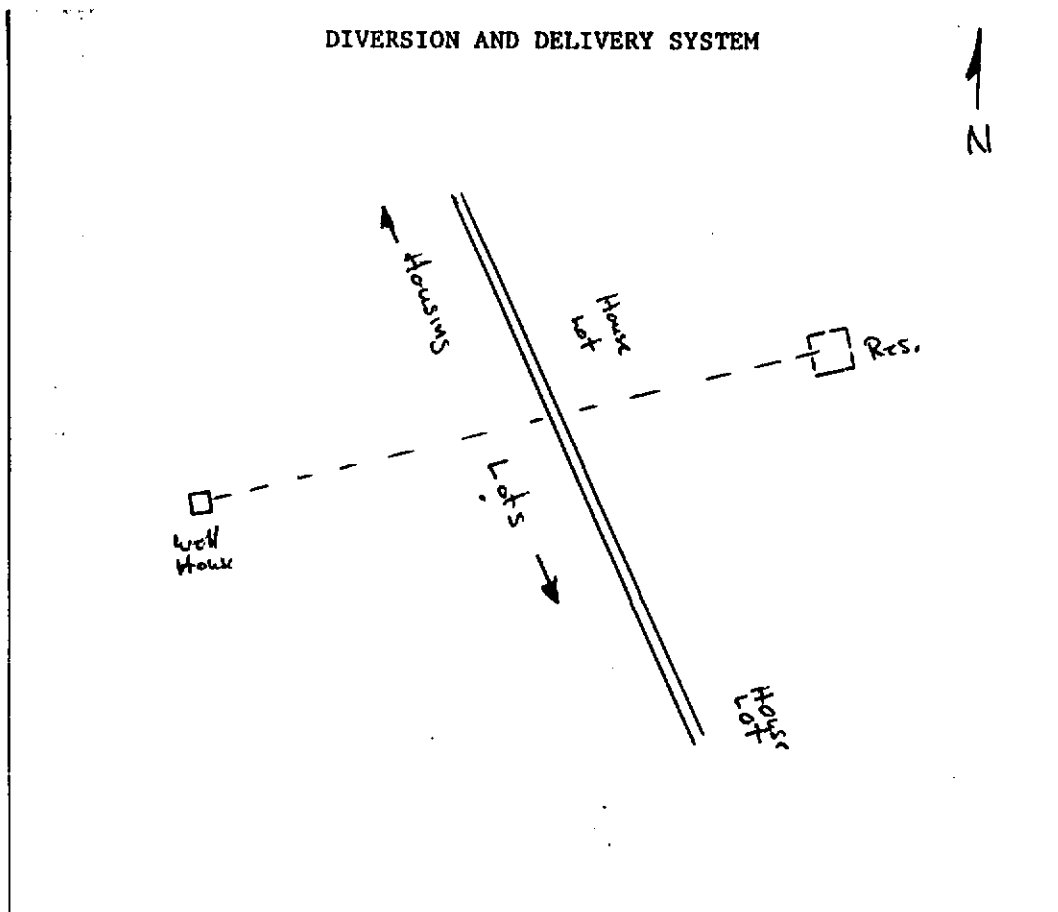
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Therachol						

- 7. Measurements** ☐ Additional data/computation sheets attached

- [illegible]

- [illegible]

10. Other water rights on these lands NA
11. Other water right diverted from same p.d. NA
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.



13. ☒ Photo of Diversion & System Attached ☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks I suggest licensing of lot 1-10 in Block 2 & Lot 1-9 in Block 2 as there are stubbed in (total of 8 houses thus far). I realize the Health Dept has limited this subdivision to 9 homes off this well because of water quality problems but another well source might be tapped in the future which could change this ruling. I also recommend dropping the requirement for a measuring device as these types of systems do not lend themselves to that type of situation.

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 HC Jones Date 1-21-86
 Consultant's License Number _____
 IDWR Director's Authorization to Conduct
 Beneficial Use Examination _____

Date

Notarized
 CONSULTANT SEAL

JUL 17 1989