

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: A29-11688
Date Received: 4/24/1990
Receipt No: E013588
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: SCHOOL DISTRICT NO 25 208-232-3563
Address: BANNOCK COUNTY IDAHO
PO BOX 1390
POCATELLO ID 83204-1390

2. Date of Priority: AUG 10, 1914

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	34E	34	NE	NW	NW		BANNOCK
			NW				BANNOCK

5. Description of diverting works:
WELL, 100' DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.002		
DOMESTIC	08/25	06/10	0.093		
DOMESTIC	06/11	08/24	0.001		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, ELEMENTARY SCHOOL W/800 STUDENTS & STAFF

NOV 14 1990

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	34E	34	NE	NW		IRR	
			NE	NW		DOMEST	
			NW	NW		IRR	
			NW	NW		DOMEST	

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:
FORT HALL IRRIGATION DISTRICT.

14. Remarks:

THE SCHOOL SITE INCLUDES 6.1 IRRIGABLE ACRES; HOWEVER, 6 ACRES ARE IRRIGATED FROM WATER SUPPLIED BY FORT HALL IRRIGATION DISTRICT. WITHOUT A SURVEY, IT IS DIFFICULT TO DESCRIBE WITH CERTAINTY THE LOCATION OF THE WELL OR THE GRASS AREA WHICH IS IRRIGATED BY THE WELL.
ACTUAL AMOUNT OF IRRIGATION CLAIMED IS 1/20 PER QUARTER-QUARTER.

15. Basis of Claim: BENEFICIAL USE

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

For Organizations:

I do solemnly swear or affirm that I am Director of Business Affairs of
School District #25, Pocatello, ID, that I have signed the foregoing
Organization

document in the space below as Director of Business Affairs of
School District #25, Pocatello, ID and that the statements contained in the
Organization
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent
Director of Business Affairs
School District #25, Pocatello, Idaho
Title and Organization

March 30, 1995

Date

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 30 day
of MARCH 19 95

[Signature]
Notary Public

Seal

Residing at POCATELLO IDAHO

My Commission Expires 11/15/1999

CONFIDENTIAL
NOV 14 1998

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

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NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SCHOOL DISTRICT NO. 25 208-232-3563
Address: BANNOCK COUNTY, IDAHO
P.O. BOX 1390
POCATELLO, ID 83204-1390

2. Date of Priority: AUG 10, 1919

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	34E	34	NE	NW			BANNOCK
			NW	NW			BANNOCK

5. Description of diverting works:
WELL, 100' DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.002		
DOMESTIC	08/25	06/10	0.093		
DOMESTIC	06/11	08/24	0.001		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, ELEMENTARY SCHOOL W/800 STUDENTS & STAFF

A29-11688

Page 1

Date: 04/25/90

MICROFILMED
NOV 16 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	34E	34	NE	NW		IRR	
			NE	NW		DOMEST	
			NW	NW		IRR	
			NW	NW		DOMEST	

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:
FORT HALL IRRIGATION DISTRICT.

14. Remarks:
THE SCHOOL SITE INCLUDES 6.1 IRRIGABLE ACRES; HOWEVER, 6 ACRES ARE IRRIGATED FROM WATER SUPPLIED BY FORT HALL IRRIGATION DISTRICT. WITHOUT A SURVEY, IT IS DIFFICULT TO DESCRIBE WITH CERTAINTY THE LOCATION OF THE WELL OR THE GRASS AREA WHICH IS IRRIGATED BY THE WELL.
ACTUAL AMOUNT OF IRRIGATION CLAIMED IS 1/20 PER QUARTER-QUARTER.

15. Basis of Claim: BENEFICIAL USE

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 _____ of

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

Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

17.. Notice of Appearance

Notice is hereby given that I, _____ 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 _____

Date _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

429-11688

Date Received

4-24-90

Receipt Number

E013588Q#21935 59.31

RECEIVED

APR 24 1990

Department of Water Resources
Eastern District OfficeNOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 16 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) School District No. 25, Bannock Phone (208) 232-3563
County, Idaho
Mailing Address P.O. Box 1390, Pocatello, ID Zip 83204-13902. Date of Priority (Only one (1) per claim) August 10, 19193. Source of water supply (a) Well - ground water
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 5 South Range 34 East Section 34,
NE 1/4 of NW 1/4 of 1/4, Govt. Lot, B.M., County of BannockAdditional points of diversion if any: Well may also be located in NW 1/4 of NW 1/4

A291688

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____

1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well, 100 feet deepMICROFILMED
NOV 16 1992

6. Water is claimed for the following purposes:

* except weekends (both dates are inclusive) (cfs) (acre feet)
+ plus weekends all year long
For Irrigation purposes from April 1 to Nov. 1 amount .002 or _____
For Domestic purposes from Aug. 25 to June 10* amount .093 or _____
For Domestic purposes from June 11 to Aug. 24+ amount .001 or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .096 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is .03 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic use in elementary school with approximately 800 students and staff

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5S	34E	34					1/20	1/20											1/10
5S	34E	34					D	D											

Total number of acres irrigated 1/10

11. In which county (ies) are lands listed above as place of use located? Bannock

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
See below or None ()

14. Remarks: The school site includes 6.1 irrigable acres; however, 6 acres are irrigated from water supplied by Fort Hall Irrigation District. Without a survey it is difficult to describe with certainty the location of the well or the grass area which is irrigated by the well water.

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NOV 16 1992

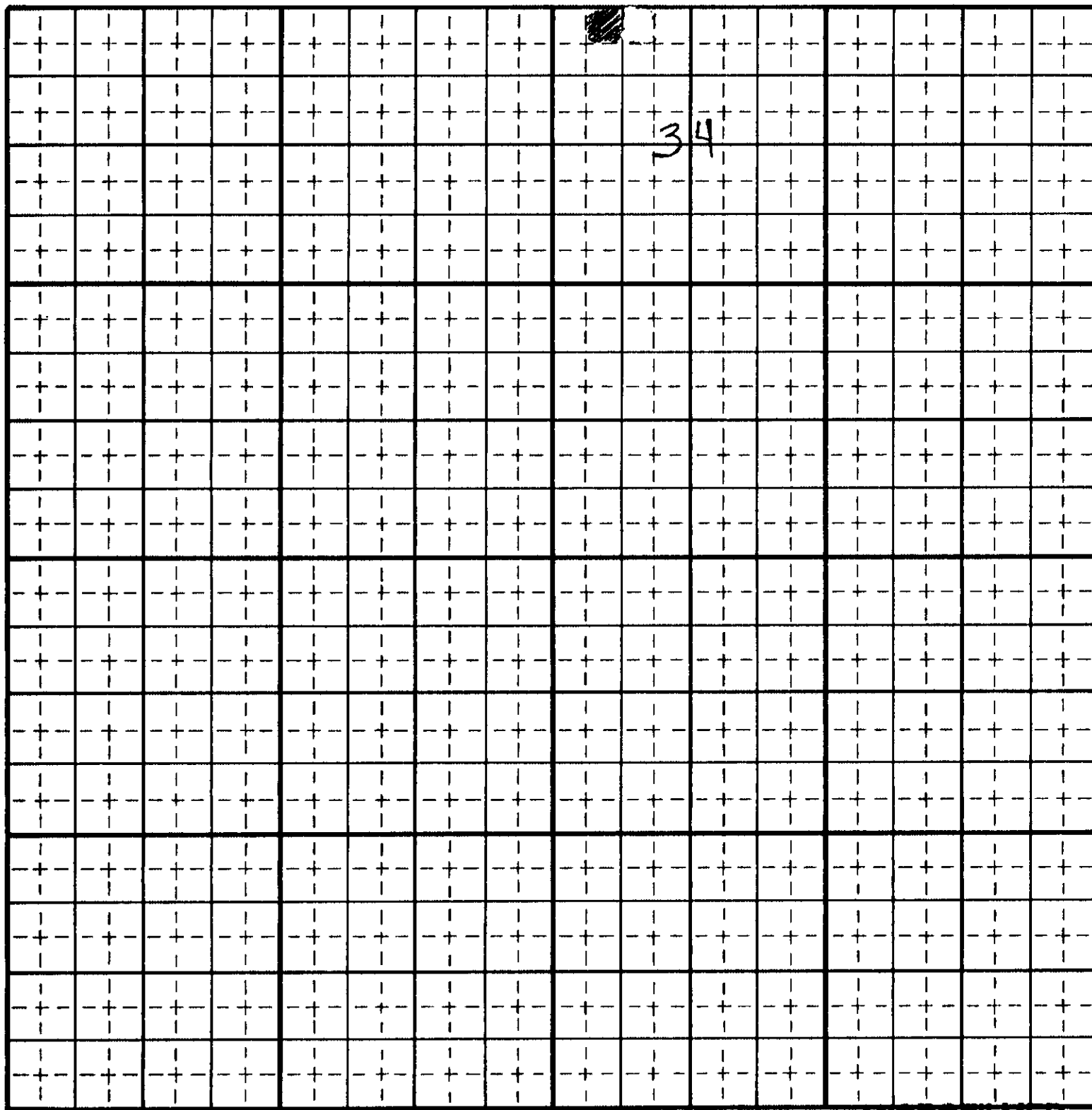
Last Name School Dist. No. 15 Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

Well and place of use are likely located in shaded area
T5S R34E



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NOV 16 1992

Last Name School Dist. No. 25 Ident No. _____

Copies: White-State, Yellow-Claimant

Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
if applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 X do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am the Business Manager

Title

of School District No. 25, Bannock County, Idaho, that I have signed the foregoing

Organization

document in the space below as Business Manager of said School District

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent H. James Brando

Business Manager

Title and Organization School District No. 25, Bannock Date 4/12/90
County, Idaho

State of Idaho/or _____)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 12th day of April 19 90

SEAL

Notary Public Dave Gallafent

Residing at Pocatello

My Commission Expires 7/2/94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Dave Gallafent will be 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 Dave Gallafent

Address PO Box 991, Pocatello, Idaho 83204

Date April 12, 1990

MICROFILMED

NOV 16 1992

Last Name School District #25 Ident. Number _____

Copies White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am the Business Manager

Title

of School District No. 25, Bannock County, Idaho, that I have signed the foregoing

Organization

document in the space below as Business Manager of said School District

Title

Organization

and that the statements contained in the foregoing document are true and correct

Signature of Authorized Agent H. James Brannold

Business Manager

Title and Organization School District No. 25, Bannock Date 4/12/90

County, Idaho

State of Idaho/or _____)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 12th day of April 19 90

SEAL

Notary Public Dave Gallafent

Residing at Pocatello

My Commission Expires 7/2/94

Please Print Name

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Signature _____

Address PO Box 991, Pocatello, Idaho 83204

Date April 12, 1990

Last Name School District #25 Ident. Number _____

Copies White-State, Yellow-Claimant

Log for claim A29-11688

Spatial Dynamics LTD

9/27/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05s34e	34	NENW	0	0.4	
05s34e	34	NWNW	0	3.5	
Totals:			0	3.9	

AJ5809NP
No. A29-11688

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 174

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SCHOOL DISTRICT NO 25 BANNOCK COUNTY IDAHO PO BOX 1390 POCATELLO ID 832041390 (208) 232-3563	08/10/1914	IRRIGATION DOMESTIC DOMESTIC	04-01 11-01 08-25 06-10 06-11 08-24	0.002 CFS 0.093 CFS 0.001 CFS	
TOTAL DIVERSION:					0.096 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T05S R34E S34 NENW NWNW BANNOCK 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
05S	34E	34	:							I	I									

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
05S	34E	34	:							D	D									

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
05S	34E	34	:							D	D									

POU County: BANNOCK

Non-Irrigation Uses: DOMESTIC, ELEMENTARY SCHOOL W/800 STUDENTS & STAFF

Other Rights: FORT HALL IRRIGATION DISTRICT.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-10785 29-11955 A29-10668 A29-10785 A29-10805 A29-11955

Other Water Rights Listing Overlapping Place(s) of Use:
A29-10668

Remarks: GEN THE SCHOOL SITE INCLUDES 6.1 IRRIGABLE ACRES; HOWEVER, 6 ACRES ARE IRRIGATED FROM WATER SUPPLIED BY FORT HALL IRRIGATION DISTRICT. WITHOUT A SURVEY, IT IS DIFFICULT TO DESCRIBE WITH CERTAINTY THE LOCATION OF THE WELL OR THE GRASS AREA WHICH IS IRRIGATED BY THE WELL.

AJ5809NP
No. A29-11688

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 175

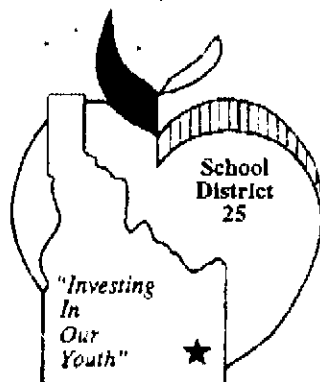
Remarks: ACTUAL AMOUNT OF IRRIGATION CLAIMED IS 1/20 PER QUARTER-QUARTER.

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

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

Audit: 04/25/90 ESRBA 06/12/90 CARLSEN 09/09/94 JTHOMPSO 03/09/95 JTHOMPSO
03/29/95 POST-STD

**SCHOOL DISTRICT NUMBER TWENTY-FIVE****Business Office****3115 Poleline Road****P.O. Box 1390****Pocatello, Idaho 83204-1390****FACSIMILE TRANSMITTAL COVER SHEET****DATE:** March 9, 1995**TIME:** 11:30 a.m.**TOTAL # OF PAGES INCLUDING COVER SHEET:** 4**TO:** Mr. Dave Carlson
State of Idaho
Dept. of Water Resources**FAX NUMBER:** (208) 525-7177**FROM:** Carl Smart**PHONE NUMBER:** (208) 235-3273**FAX NUMBER:** (208) 235-3280**IF YOU FAIL TO RECEIVE ALL PAGES OF THIS DOCUMENT, PLEASE NOTIFY
SENDER.****MICROFILMED****NOV 14 1996**



School District Number Twenty-Five

Bannock County

Education Center
(Administrative Offices)
3115 Poleline Road
P.O. Box 1390
Pocatello, Idaho 83204-1390
(208) 232-3563

March 9, 1995

Mr. Dave Carlson
State of Idaho
Department of Water Resources
900 N Skyline Dr
Idaho Falls ID 83402-1718

Re: Notice of Claim # A29-11688

Dear Mr. Carlson,

While researching our original claim, it became apparent that the submitted Priority Date was incorrect. On the original claim, the Priority Date was determined to be in 1919, the year that the Tyhee School was thought have opened on the property. However, that date is incorrect. The school actually opened in 1914. As evidence, a copy of the Tyhee School History has been attached.

Please send me an amended copy of our adjudication claim. It will be signed and returned to you along with our evidence of priority date.

Sincerely,

Carl Smart
Assistant Director of Business

MICROFILMED
NOV 14 1990

PRINCIPALS OF ELEMENTARY SCHOOLS (CONTINUED)

ROOSEVELT SCHOOL

1916-1920	Kathryn Dawson
1920-1923	Floyd R. Barber
1923-1926	H.E. West
1926-1931	E.W. Harold
1931-1932	George N. Green
1932-1945	J. Alonzo Spriggs
1945-1947	Harry L. Thurston
1957-1951	Arthur Judd
1951-1954	Lewis B. Dunn
1954-1958	Parker Richards
1958-1961	Virgil Allen
1961-1963	Murray Layne, Principal
	Carl Radliff, Asst. Principal
1963-1970	Dorothy Frazier
1970-1977	Merritt Drake
1977-1981	Grant H. Olson
1981-1982	John Leasure
1982-1984	Derold Bates

SYRINGA (Built in 1962)

1962-1970	Beatrice I. Pilon
1970-1972	Hylon T. Plumb
1972-1976	Grant H. Olson
1976-1984	John Redd

TENDRY SCHOOL

1956-1953	Virgil Allen
1953-1964	Murray Layne
1964-1969	James Liday, Principal
	Roger Wheeler, Head Teacher
1969-1975	Roger Wheeler
1975-1982	Marcia Bielby
1982-1984	Barbara Miller

TYHEE SCHOOL

1914-1915	Clara Holmek
1915-1916	E.W. Rice
1916-1918	C.F. Mercer
1918-1920	Charlotte Wilkie
1920-1921	S.A. Dunn (Simmon)
1921-1923	Lillian Dolbeer
1923-1924	Laura Hartman
1924-1925	Glenn S. Wright
1925-1926	J. William Anderson
1926-1930	S.O. Lowe
1930-1932	L.B. Howell

MICROFILMED

NOV 14 1980

The Irving Junior High was of the same floor plan and style as Franklin Junior High and was first used in January of 1925.

It should be noted here that since the railroad tracks divided Pocatello, two communities of the school district evolved and schools serving each had to be constructed.

Also, the Westside School, now Pocatello High School, was rebuilt following the fire of December 16, 1914. Shortly after the fire, the organization of the junior high program in grades 7 and 8 began. It is interesting to note that the pupil grade attendance card now in use in Pocatello was initiated by Mr. Siders. He advocated a school industry plan whereby the student could attend school half-day and work in industry a half-day. But this plan was never adopted because of the opposition of strong labor unions. In regard to finance he said, "When you are handling public money, leave your tracks so clean that anyone can follow them." He thought that all a pupil should bring from home was a pencil and his lunch. Everything else should be furnished by the school.

→ In 1913 the Tyhee School District #63 was created out of the northern part of Independent School District #1 of Pocatello and from the unorganized part of Bannock County to the north. In the year 1914-15, 49 boys and 42 girls entered Tyhee School.

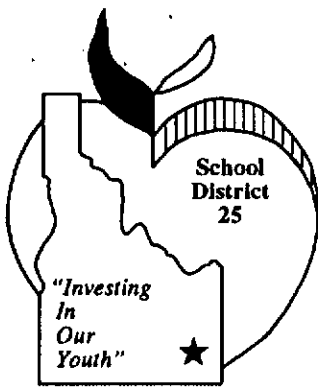
In 1914 the Blackrock School District #65 was created out of the southern part of Independent School District #1 of Pocatello and from the unorganized part of Bannock County to the south.

Mr. Siders left Pocatello in 1927 to take a position with NEA in Washington D.C.

Mr. John M. McDonald served as superintendent 1927-1932 and contributed to the future operation by establishing a single salary schedule for all certified employees which is still used by District #25 in modified form. During his term of office, three bond issues were presented to the voters to build a new high school in three different areas of Pocatello. All were rejected. In 1929 the position of Director of Elementary Education was made and was filled by Eugene Kile. He supervised both elementary and junior high programs. Mr. McDonald left Pocatello in 1932 to take another position in California.

Mr. E. Norman Vaughn, who served as superintendent from 1932-1944, was the first superintendent to be appointed from the ranks. Before becoming Superintendent he had been Principal of Washington Elementary one year, Irving Junior High five years, and Pocatello High School twelve years. Finances were tough because of the depression which resulted in crowding of classrooms and limitation of curriculum. Fortunately, through the Public Works Administration and a one million dollar project between the years 1934-1939, Pocatello High School was remodeled adding north and south wings. A new complex south of the original building housing the auditorium, gym, cafeteria and central administration offices was built.

NOV 14 1950



School District Number Twenty-Five

Bannock County

Education Center
(Administrative Offices)
3115 Poleline Road
P.O. Box 1390
Pocatello, Idaho 83204-1390
(208) 232-3563

March 9, 1995

Mr. Dave Carlson
State of Idaho
Department of Water Resources
900 N Skyline Dr
Idaho Falls ID 83402-1718

Re: Notice of Claim # A29-11688

Dear Mr. Carlson,

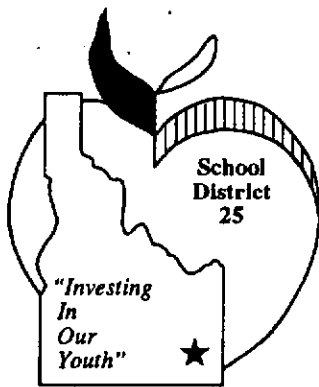
The attached affidavit and exhibits have been sent as proof of the Priority Date on our Notice of Claim. The amended copy of the claim has also been enclosed.

Please call if there are any questions of concerns.

Sincerely,

Carl Smart
Assistant Director of Business
School District No. 25

RECEIVED
MAR 14 1995



School District Number Twenty-Five

Bannock County

Education Center
(Administrative Offices)
3115 Poleline Road
P.O. Box 1390
Pocatello, Idaho 83204-1390
(208) 232-3563

Notice of Claim # A29-11688

To whom it may concern:

This affidavit summarizes the information that has been collected as evidence of the Priority Date submitted on our Notice of Claim number A29-11688. This claim is being made on the parcel of land in northern Bannock County on which Tyhee Elementary School is located. The well located on that parcel is currently used to supply the school with domestic water and to irrigate a small patch of grass in front of the school building.

The existing parcel of land on which the school and surrounding grounds are situated was purchased at various times over the last 80 years. The first parcel was purchased in 1914 (Exhibit 1) and additional land purchases were made in 1934, 1960, 1980 and 1984. The school was built on the parcel bought in 1914 and was completed in time to open its doors to students that same year (Exhibits 2 & 3). A newspaper article from that time period also verifies the fact that the Tyhee School had been in session for 3 months as of December 1914 (Exhibit 4). We know from information obtained from local residents (Exhibit 5) who attended Tyhee Elementary School in the late 1920's and early 1930's, that the school was then using the well for its domestic use. Apparently the pump house was located on the west side of the school and the children were constantly being warned not to climb on it. That fact shows that the well was in place before the second parcel of land was purchased in 1934. I have also found documentation noting that a new well was being considered in 1935 (Exhibit 6). One of the options being considered was installation of a pump on the original well inside the school building which is strong evidence that the well was part of the original building. It also states that the well in place at that time had deteriorated to the point it would not be operational with the new pumps that were being considered. This degradation would have happened over time, again indicating that the well had been in place on the original parcel of land. No one remembers any other source of water (such as a cistern), therefore it is logical to conclude that the well was in place to furnish the school with water when it opened for classes in 1914.

The year and month that we are claiming as a Priority Date is therefore: September, 1914.

State of Idaho)
) S.S.
County of Bannock)

On this 30th day of March, in the year of 1995, before me Bart Reed, a notary public, personally appeared Carl Smart, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Signed this 30th day of March, 1995

Carl Smart
Assistant Director of Business
School District No. 25
Bannock County, Idaho

S
E
A
L

My Commission Expires on

11/15/1999

NOV 14 1995

MERRILL & MERRILL

CHARTERED

COUNSELORS AND ATTORNEYS AT LAW
SPAULDING BUILDING
POCATELLO, IDAHO 83204

A. L. MERRILL (886-1961)
R. D. MERRILL (1893-1972)
W. F. MERRILL
G. T. DANCE
D. R. GALLAFENT
S. S. DUNN
D. R. WIGHT
N. R. SMITH
D. C. NYE
K. L. HAWKINS

P.O. BOX 991

TELEPHONE
208-232-2286
TELECOPIER NO.
208-232-2499

June 8, 1990

RECEIVED

JUN 12 1990

Department of Water Resources
Eastern District Office

Mr. Ernest Carlsen
Adjudication Supervisor
IDAHO DEPT. OF WATER RESOURCES
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401

Re: Notice of Water Rights Claim - School District No. 25

Dear Mr. Carlsen:

Pursuant to your letter of May 24, 1990, I am returning the copy of the last page from the school district's Notice of Appearance. I have signed the document as requested. Thank you for calling our attention to this oversight.

Sincerely yours,

MERRILL & MERRILL, CHARTERED

By 

Dave R. Gallafent

DRG/nj
Enclosure
90-G-M20b

MICROFILMED

NOV 16 1992



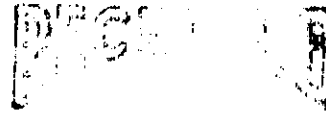
State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
KEITH HIGGINSON
DIRECTOR



APR 21 1990

April 19, 1990

Merrill & Merrill, Chartered
Attn: Dave R. Gallafent
Spaulding Building
Pocatello, Idaho 83204

Department of Water Resources
Eastern District Office

RE: Notice of Claim for School District No. 25.

Dear Mr. Gallafent:

The Idaho Department of Water Resources (IDWR) is returning your Notice(s) of Claim to a Water Right because of insufficient fees. All fees must be submitted before the IDWR can process the Notice(s). In addition to the variable fee for the irrigation portion of the claim, a variable fee is charged for domestic uses in excess of single residence uses. In this case the filing fee for the School District's notice is:

Claim fee	= \$50.00
Variable fee for 1/10 acre irrigation	= \$0.01
Variable fee for domestic (\$100/cfs)	= \$9.30
Total	= \$59.31

Please return the Notice(s) and filing fee(s) to the IDWR within 30 days of the date of this letter to avoid any late filing fees.

If you wish to make an appointment to discuss the corrections, please call the IDWR at (208) 525-7161.

Respectfully submitted,

Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure

MICROFILMED

NOV 16 1992

A. L. MERRILL (1885-1961)
R. D. MERRILL (1893-1972)
W. F. MERRILL
G. T. DANCE
D. R. GALLAFENT
S. S. DUNN
D. R. WIGHT
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D. C. NYE
K. L. HAWKINS

MERRILL & MERRILL
CHARTERED
COUNSELORS AND ATTORNEYS AT LAW
SPAULDING BUILDING
POCATELLO, IDAHO 83204

RECEIVED

APR 18 1990

Department of Water Resources
Eastern District Office

P.O. BOX 991
TELEPHONE
208-232-2286
TELECOPIER NO
208-232-2499

April 12, 1990

RECEIVED

APR 24 1990

Department of Water Resources
Eastern District Office

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401

Re: Notice of Water Rights Claim - School District No. 25

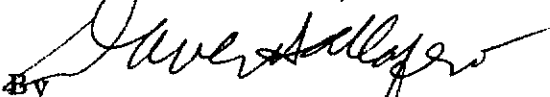
To: Department of Water Resources

Enclosed please find a "Notice of Claim Form to a Water Right", together with a filing fee of \$51.00, both of which are submitted on behalf of School District No. 25, Bannock County.

Please call if there is any question or concern.

Sincerely yours,

MERRILL & MERRILL, CHARTERED

By 
Dave R. Gallafent

DRG/nj
Enclosures
90-G-M20b

cc: Jim Branvold

MICROFILMED
NOV 16 1992

CLAIMANT'S NAME School District No. 25 CLAIM IDENT. NO. A29-11688

DATE RECEIVED 4/24/90 X # AMOUNT \$ 21935 59.31

- | | YES | NO | Required Info? |
|--|-------------------------------------|--------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| 3. Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) N/A ☒ | ☒ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? N/A ☒ | ☒ | ☐ | |
| Is the consumptive use correct? N/A ☒ | ☒ | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☒ | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A ☒ | ☒ | ☐ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? Exempt ☒ | ☒ | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? N/A ☒ | ☒ | ☐ | |
| 22. Should this claim be data entered? | ☒ | ☐ | |

Claim checked by: KAT Date: 4/24/90
Claim must be returned to claimant: (Yes) ☒ (No)
Claimant must be notified of modifications: (Yes) ☒ (No)

Receipt Prepared by: Date:
Claim data entered by: KAT Date: 4/25/90 Checked by: Date: 4/25/90
Sent to claimant by: Date:

Comments: list both in #4 - flag for field exam.
Notice of appearance was not signed; need letter notifying claimant that a notice has not been processed because of this omission.

MICROFILMED
NOV 16 1992

STATE OF IDAHO.

County of Bannock

ss.

On this Twelfth day of March in the year 1914, before me, Robert M. Terrell, a Notary Public in and for said County, personally appeared A.E. Fridenstine known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Robert M. Terrell

Notary Public

Warranty Deed

32465

A.E. Fridenstine

TO

School District No. 63

Dated _____, 19__

STATE OF IDAHO.

County of Bannock } ss.

I hereby certify that this instrument was filed for record at the request of

A.E. Fridenstine

30 minutes past 3 o'clock

day of Mar A.D., 1914

at my office and duly recorded in Book 26 of Deeds at page 18

Ex-Officio Recorder

By Sharing J. Taylor Deputy.

Fee \$ 1.20

W. H. Terrell Notary Public

Box 701 Pocatello

COMPARED

THIS INDENTURE Made the 12th day of March, in the year of our Lord One Thousand Nine Hundred and Fourteen between A.F. Fridenstine,

of Pocatello, County of Bannock State of Idaho the party of the first part, and The School District Number, Sixty-three of County of Bannock State of Idaho, the party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration Dollars,

lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said party of the second part, and to their heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the county of Bannock

and state of Idaho, bounded and more particularly described as follows, to-wit: Commencing at the corner common to Sections 27, 28, 33, and 34 Tp. 58. R. 34, E. B.M., and running thence East on the section line between said sections 27 and 28, 1337.6 feet, more or less, to the place of beginning which is a point four feet east of the point where the outside line of the east foundation wall of the building, now known as Equity Hall, would if projected northward intersect said section line between sections 27 and 34 Tp. 58., R. 34 E.B.M. Thence east on the line between said sections 27 and 34, 249.66 Feet.

Thence at right angles south 295.16 feet; thence at right angles west 249.66 feet; thence at right angles north 295.16 feet to the place of beginning.

Comprising a portion of the N.E. $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 34 Tp. 58. R. 34 E.B.M. and containing 1.72 acres more or less.

This conveyance of the within described land is given and accepted upon the express condition that the lands hereby conveyed shall be used for the purpose of erecting a school house on said lands and using said school house and premises for school purposes, and in the event said lands shall cease to be used for said purposes, the said premises hereby conveyed shall revert to the grantor herein, his heirs or assigns.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereto;

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident, unto the said party of the second part, and to their

heirs and assigns forever, and the said party of the first part, and his heirs, the said premises in the quiet and peaceable possession of the said party of the second part, their heirs and assigns against the said party of the first part, and his heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

A.F. Fridenstine [SEAL]

B.M. Swell

[SEAL]

[SEAL]

Exhibits 2 and 3

Sources:

History of Pocatello Schools - 1885-1983
W. Rowdon Stolworthy, Virgil W. Allen, George Mickelsen
Pocatello, Idaho
1984

The History of the Pocatello Public Schools
W. Rowdon Stolworthy
Salt Lake City, Utah, University of Utah
1951

NOV 14 1986

The Irving Junior High was of the same floor plan and style as Franklin Junior High and was first used in January of 1925.

It should be noted here that since the railroad tracks divided Pocatello, two communities of the school district evolved and schools serving each had to be constructed.

Also, the Westside School, now Pocatello High School, was rebuilt following the fire of December 16, 1914. Shortly after the fire, the organization of the junior high program in grades 7 and 8 began. It is interesting to note that the pupil grade attendance card now in use in Pocatello was initiated by Mr. Siders. He advocated a school industry plan whereby the student could attend school half-day and work in industry a half-day. But this plan was never adopted because of the opposition of strong labor unions. In regard to finance he said, "When you are handling public money, leave your tracks so clean that anyone can follow them." He thought that all a pupil should bring from home was a pencil and his lunch. Everything else should be furnished by the school.

In 1913 the Tyhee School District #63 was created out of the northern part of Independent School District #1 of Pocatello and from the unorganized part of Bannock County to the north. In the year 1914-15, 49 boys and 42 girls entered Tyhee School.

In 1914 the Blackrock School District #65 was created out of the southern part of Independent School District #1 of Pocatello and from the unorganized part of Bannock County to the south.

Mr. Siders left Pocatello in 1927 to take a position with NEA in Washington D.C.

Mr. John M. McDonald served as superintendent 1927-1932 and contributed to the future operation by establishing a single salary schedule for all certified employees which is still used by District #25 in modified form. During his term of office, three bond issues were presented to the voters to build a new high school in three different areas of Pocatello. All were rejected. In 1929 the position of Director of Elementary Education was made and was filled by Eugene Kile. He supervised both elementary and junior high programs. Mr. McDonald left Pocatello in 1932 to take another position in California.

Mr. E. Norman Vaughn, who served as superintendent from 1932-1944, was the first superintendent to be appointed from the ranks. Before becoming Superintendent he had been Principal of Washington Elementary one year, Irving Junior High five years, and Pocatello High School twelve years. Finances were tough because of the depression which resulted in crowding of classrooms and limitation of curriculum. Fortunately, through the Public Works Administration and a one million dollar project between the years 1934-1939, Pocatello High School was remodeled adding north and south wings. A new complex south of the original building housing the auditorium, gym, cafeteria and central administration offices was built.

PRINCIPALS OF ELEMENTARY SCHOOLS (CONTINUED)

ROOSEVELT SCHOOL

1916-1920	Kathryn Dawson
1920-1923	Floyd R. Barber
1923-1926	H.E. West
1926-1931	E.W. Harold
1931-1932	George N. Green
1932-1945	J. Alonzo Spriggs
1945-1947	Harry L. Thurston
1957-1951	Arthur Judd
1951-1954	Lewis B. Dunn
1954-1958	Parker Richards
1958-1961	Virgil Allen
1961-1963	Murray Layne, Principal Carl Radliff, Asst. Principal
1963-1970	Dorothy Frazier
1970-1977	Merritt Drake
1977-1981	Grant H. Olson
1981-1982	John Leasure
1982-1984	Derold Bates

SYRINGA (Built in 1962)

1962-1970	Beatrice I. Pilon
1970-1972	Hylon T. Plumb
1972-1976	Grant H. Olson
1976-1984	John Redd

TENDRY SCHOOL

1956-1958	Virgil Allen
1958-1964	Murray Layne
1964-1969	James Liday, Principal Roger Wheeler, Head Teacher
1969-1975	Roger Wheeler
1975-1982	Marcia Bielby
1982-1984	Barbara Miller

TYHEE SCHOOL

1914-1915	Clara Holmek
1915-1916	E.W. Rice
1916-1918	C.F. Mercer
1918-1920	Charlotte Wilkie
1920-1921	S.A. Dunn (Simmion)
1921-1923	Lillian Dolbeer
1923-1924	Laura Hartman
1924-1925	Glenn G. Wright
1925-1926	J. William Anderson
1926-1930	S.D. Lowe
1930-1932	L.B. Howell

**2
SHOWS
7:15
and
9:00**

only just that the teeth should stand up." "Property of the County." "Everyone at the farm is happy, the inmates like the work is working and the work is their teeth are working." "I always believed in eating hard on the water," said Commissioner. "and I believe the teeth prove an asset to the county and aid us in keeping a good work."

Exhibit 4

Exhibit 5

Local residents who were contacted for information on Tyhee Elementary School

Mr. Rulon Ellis
62 Toponce
Pocatello, ID 83204
208-232-5454

Mr. Robert Kennedy
5114 Hawthorne Road
Chubbuck, ID 83202
208-237-0947

Mr. Ron Lewis
5122 Hawthorne Road
Chubbuck, ID 83202
208-237-5605

RECEIVED
NOV 14 1996

TOM STEPHENSON
ENGINEERING AND CONTRACTING
P. O. BOX 442 121

Burley ~~POCATELLO~~ IDAHO
May-2-35

Exhibit 6

Proposal for Water Supply for the Tyhee School

Independent School District Board
Pocatello, Idaho.

Dear Sirs:

I am herewith submitting to you two proposals for improving the water supply for the Tyhee School Building with a view of increasing the supply as well as increasing the available pressure for fire protection.

PROPOSAL #1 - A NEW WELL AND DEEPWELL TURBINE PUMP WITH A CAPACITY OF 100 Gallons per minute with a maximum of 80 pounds pressure

WELL PROPOSAL- I propose to drill an 8" inside diameter well and furnish heavy 8" casing fully perforated, to a depth of approximately 130 ft. for the sum of \$535.00

PUMP PROPOSAL- I propose to install a 6" Sterling Deepwell pump in this well to a depth of 70 feet capable of delivering 100 gallons per minute against a maximum of 30 pounds pressure fully equipped with pressure control starter switch similar to the present Sterling Pumping Plant at the Irving Junior High School, for the sum of \$675.00. - *50 Gals. per minute with automatic control as above for \$492.40*

PROPOSAL # 2- INSTALLATION OF A 4" Sterling DeepWell Pump in the present well [REDACTED] with a capacity of 40 Gals. per Min.

I propose to install a 4" Sterling Deepwell Pump in the present 5-5/8 inch casing [REDACTED] with a capacity of 40 G.P.M. against a maximum of 80 pounds pressure with pressure control starter switch for the sum of \$678.20

As you will note Proposal #1 contemplates a Pumping Unit on the outside of the School Building where it will be protected from any fire that should start at the building whereas Proposal #2 contemplates the use of the present well inside the building.

I might say that upon inquiring as to the condition of the present well I found that in addition to it being only 5-5/8 inch inside diameter casing the well is crooked at a point about 60 feet from the surface, quite an undesirable condition for the successful operation of a turbine pump.

1260
1000
745.00 314
241-745.00 314

NOV 14 1935

TOM STEPHENSON
ENGINEERING AND CONTRACTING
P. O. BOX ~~142~~ 121
Burley ~~PO BOX 121~~ IDAHO

Page #2- Independent School District Board

If there is further information desired as to these Proposals you can get in touch with me thru the mail at the address given below; I will be glad to meet with your Board at any time to discuss these Proposals,

Yours very truly,

Tom Stephenson
District Salesmanager
Sterling Pump Corporation

Box 121 Burley, Idaho.

11-14-1991

NOV 14 1991