

06/10/2003

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-2338
NAME AND ADDRESS: CITY OF POCATELLO
PO BOX 4169
POCATELLO ID 83205

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 9.530 CFS
PRIORITY DATE: 09/01/1953

POINT OF DIVERSION:

T06S R33E S10 NESE Within POWER County
T06S R33E S12 NESE Within POWER County
T06S R33E S15 SWNE Within POWER County
T06S R34E S15 NWSW Within BANNOCK County
T06S R34E S26 NENW Within BANNOCK County
T06S R34E S27 NWSE Within BANNOCK County
T06S R34E S35 SENE Within BANNOCK County
T06S R34E S35 SENE Within BANNOCK County
T06S R34E S35 NWSE Within BANNOCK County
T06S R34E S35 NWSE Within BANNOCK County
T06S R34E S35 NWSE Within BANNOCK County
T06S R34E S35 NWSE Within BANNOCK County
T07S R34E S1 SESE Within BANNOCK County
T07S R35E S16 SWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	01/01 12/31	9.530 CFS

PLACE OF USE:

Place of use is within the service area of the City of Pocatello municipal water supply system as provided for under Idaho Law.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

06/10/2003

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

RECEIVED

APR 25 2003

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, Department of Water Resources
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 29-2338
Date Received:
Receipt No:
Received By:

AMENDED NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CITY OF POCA TELLO Phone: (208)232-4311

PO BOX 4169
POCA TELLO ID USA 83201

2. Date of Priority: September 1 1953

3. Source: GROUND WATER

4. Point of Diversion:

Township Range Section 1/4 of 1/4 of 1/4 Lot County Type

SEE ATTACHMENT A

5. Description of diverting works:

32 WELLS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
MUNICIPAL	1/01	12/31	9.53	

7. Total Quantity Appropriated is:
9.53 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses: MUNICIPAL, CITY OF POCA TELLO

COPY

10. Place of use: WITHIN THE SERVICE AREA OF THE CITY OF POCA TELLO'S MUNICIPAL WATER SUPPLY SYSTEM AS PROVIDED FOR UNDER IDAHO LAW.

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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11. Place of use in counties:

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used: [LIST/ATTACH CITY'S MUNICIPAL WATER RIGHTS]

14. Remarks:

P/U WITHIN CITY OF POCA TELLO & VICINITY.

29-2338: Well #11 (0 cfs; property sold in 1992); well #12 (6.2 cfs); well #13 (2.22 cfs); well #15 (1.11 cfs); Phillips 1 claimed in 1940; Phillips 2 claimed in 1942.

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 the City Attorney of the City of Pocatello, a Municipal Corporation, that I have signed the foregoing document in the space below as the City Attorney of the City of Pocatello and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent: _____
Title and Organization: _____

A. Dean Tranne
City Attorney, City of Pocatello

4-21-03
Date

STATE OF IDAHO)
) ss.
County of Bannock)

Subscribed and sworn to before me this 21st day of April, 2003.



Rayna Valentine
NOTARY PUBLIC
Residing at Pocatello
My commission Expires 4/28/09

Notices of Claim

Tab	Priority Date	Rate of Diversion C.F.S.
1	June 16, 1898	7.000
2	1905	1.34
3	1925	0.96
4	December 31, 1926	9.13
5	August 31, 1931	4.23
6	1936	2.45
7	December 31, 1940	10.34
8	December 31, 1942	1.92
9	June 1, 1943	2.67
10	June 15, 1948	9.69
11	August 1951	4.9
12	September 1, 1953	9.53
13	August 27, 1954	0.28
14	September 15, 1955	3.89
15	October 1, 1955	1.22
16	August 15, 1956	4.44
17	December 21, 1956	3.82
18	October 16, 1958	13.02
19	1961	3.36
20	October 1, 1962	2.67
21	December 10, 1964	4.1
22	November 6, 1972	3.9
23	April 11, 1973	10.01
24	August 22, 1974	1
25	April 25, 1976	17.07
26	February 24, 1977	2.23
27	December 29, 1977	9.28
28	June 13, 1978	3.34
29	July 6, 1979	0.10
30	May 21, 1984	4.46
31	January 18, 1985	7

ATTACHMENT A

Township	Range	Section	¼ of	¼,	County of
7S	34E	1		NE	BANNOCK (well #2)
7S	34E	1		NE	BANNOCK (well #3)
6S	34E	26	NE	NW	BANNOCK (well #10)
6S	34E	35	SE	NE	BANNOCK (well #12)
7S	34E	12	NW	NE	BANNOCK (well #13)
7S	35E	7	NE	SW	BANNOCK (well #14, Cree)
7S	35E	6	NW	SE	BANNOCK (well #15)
6S	34E	26	SW	SE	BANNOCK (well #16)
7S	34E	1	SE	SE	BANNOCK (well #17)
6S	34E	15	NE	NW	BANNOCK (well #18)
6S	34E	7	SE	NE	BANNOCK (well #19)
6S	34E	23	SW	NE	BANNOCK (well #21)
6S	34E	23	SE	NW	BANNOCK (well #22)
6S	34E	23	NW	NE	BANNOCK (well #23)
6S	34E	15	NW	NE	BANNOCK (well #26, PIP)
6S	34E	15	NE	NE	BANNOCK (well #27)
7S	34E	1	NE	SE	BANNOCK (well #28)
6S	34E	23	NE	SW	BANNOCK (well #29)
6S	34E	35	NW	NE	BANNOCK (well #30)
6S	34E	15	NE	SE	BANNOCK (well #31)
6S	34E	16	NE	NE	BANNOCK (well #32)
7S	35E	18	SE	NE	BANNOCK (well #33)
6S	34E	15	NE	SE	BANNOCK (well #34)
6S	33E	10	NE	SE	POWER (well #35, Phillips 3)
6S	33E	15	SW	NE	POWER (well #39, Phillips 1)
6S	33E	10	NE	SE	POWER (well #40, Phillips 2)
6S	33E	9	SW	SW	POWER (well #41, Airport 2)
6S	33E	16	NW	SW	POWER (well #42, Airport 1)
6S	34E	9	SW	SE	BANNOCK (well #43, Ward)
7S	35E	16	SW	SW	BANNOCK (well #44)
6S	33E	12	SE	NE	POWER (WPC plant)
7S	35E	6	NW	NW	BANNOCK (Restlawn)

Priority date	Amount by priority (cfs)	Cumulative amount (cfs)	IDWR Reference	Well #	Explanation showing ground water use development over time
1905	1.34	1.34	29-2324	A 1	Alameda well 1 (replaced by well #29 in 1972)
1925	0.96	2.3	29-2324	A 2	Alameda well 2 (replaced by well #29 in 1972)
1926	9.13	11.43	29-2274	1, 2, 3	Establish capacity and demonstrate use of facilities on Pocatello wells # 1 (2.45 cfs), 2 (2.45 cfs), 3 (4.23 cfs)
Aug. 31 1931	4.23	15.66	29-2274	4	Establish additional capacity: Pocatello well # 4 (4.23 cfs, using pump from # 3 with no intent to abandon well #3). Continue use of Pocatello wells # 1, 2
1934-1936	0	15.66	29-2274	5	No change in capacity: abandon well # 1 and replace with well # 5; using wells # 4 (transfer pump # 1), 5 (transfer pump # 2 with no intent to abandon well # 2); pump 3 sold to Idaho Falls
1936	2.45	18.11	29-2274	6	Establish additional capacity: well # 6 (2.45 cfs with new pump); continue use of wells # 4, 5
1939	0	18.11			No change in capacity: well # 3 reactivated
Dec. 31 1940	10.34	28.45	29-2274 29-2338 29-2324	7, 39 (Ph 1), 22 (A 3)	Establish additional capacity: well # 7 completed (pump capacity of 2000 gpm or 4.46 cfs); well #39 or Phillips 1 (2.2 cfs); well #22 or Alameda well 3 (3.68 cfs)
Dec. 31 1942	1.92	30.37	29-2338	40 (Ph 2)	Establish additional capacity: Well #40 or Phillips 2 (1.92 cfs; Report of Eng for amount; Evidence binder supports priority date)
June 1 1943	2.67	33.04	29-4221	PIP	Establish additional capacity: well PIP (2.67 cfs; Evidence binder supports priority date)
1947	0	33.04			No change in capacity: well # 8 drilled but infrastructure completed and well put into use in 1948
June 15 1948	9.69	42.73	29-2274: 1948 Permit; 1953 Proof of C/W due; 1959 Notice of BU due; 1954 Field Report	2 (add'l cfs) 8 9 10	Establish additional capacity: well # 2 reactivated (additional .67 cfs for total of 3.12 cfs); well # 8 (2.67 cfs; larger pump installed before Notice of Completion of Works due [4/25/53] on 1948 permit; see 1954 field exam); well # 9 drilled in 1948 (450 gpm pump by 1952 = 1 cfs); well # 10 (5.35 cfs pump capacity). Well # 3 redrilled; no change in capacity.
Aug. 1951	4.9	47.63	29-7106	28 (aka 20/Turner)	Well # 28 (also # 20 and Turner well) drilled in August 1951; license 29-7106 (erroneous 1972 priority date) establishes 1951 use.
Sept. 1 1953	9.53	57.16	29-2338	11, 12, 15 13 (Riverside GC)	Well # 11 (0 cfs; well and property sold in 1992); well # 12 (6.2 cfs); well # 13 (Riverside Golf Course, 2.22 cfs); well # 15 (1.11 cfs); Phillips 1 @ 1940; Phillips 2 @ 1942
Aug. 27 1954	0.28	57.44	29-2354	Restlawn	Restlawn Cemetery well
Sept. 15 1955	3.89	61.33	29-4224	21 (A 4)	Well # 21 (Alameda 4) for 3.89 cfs
Oct. 1 1955	1.22	62.55	29-4226	14 /CREE	Well #14 or Cree for 1.22 cfs
Aug. 15 1956	4.44	66.99	29-4225	23 (A 5)	Well # 23 (Alameda 5) for 4.44 cfs
Dec. 21 1956	3.82	70.81	29-2382	17 (Highland GC)	Well # 17 (3.82 cfs; Highland Golf Course; land & well purchased by city in 1973; not to be confused with well #17 at Riverside Golf Course)
Oct. 16 1958	13.02	83.83	29-2401 for 15.63	16, 18, 19 13 (add'l cfs at RGC)	Well # 16 (6.67 cfs); well #17 is actually Riverside Golf Course well # 13 (increased capacity, .89 cfs), well # 18 (4.66 cfs); well # 19 (0.8 cfs); well 3 claimed in 1926
July 1961	3.36	87.19	29-2383 29-2384	A 6 A 7	Alameda 6, 29-2383 (1.70 cfs) and Alameda 7, 29-2384 (1.66 cfs)
Oct. 1 1962	2.67	89.86	29-4223	33	Well # 33 for 2.67 cfs (Evidence binder)
Dec. 10 1964	4.1	93.96	29-2499	27	Well # 27 for 4.1 cfs
Nov. 6 1972	3.9	97.86	29-7106	29	Well # 29 for 3.9 cfs (3.9 cfs: 6.2 cfs less 2.3 cfs for replacement of Alameda 1 and 2 wells; 6.2 cfs: licensed amount 11.1 cfs less 4.9 cfs for well # 28 claimed with 1951 priority date)
Apr. 11 1973	10.01	107.87	29-7118, 29-7119	42, 41 (Airport 1 and 2)	Well #42 or airport 1 (4.01 cfs) and #41 or airport 2 (6 cfs)
Aug. 22 1974	1	108.87	29-7222	43	Well #43 or Ward Park for 1 cfs
Apr. 25 1976	17.07	125.94	29-7322	30, 31, 32	Well # 30 (5.57 cfs); well # 31 (8.02 cfs); well # 32 (3.45 cfs)
Feb. 24 1977	2.23	128.17	29-7375	15 (add'l cfs)	Well #15 redrilled, 2.23 cfs (well capacity is 3.34 cfs, less 1.11 cfs claimed on earlier license, 29-2338)
Dec. 29 1977	9.28	137.45	29-7431		Reuse of municipal water, irrigation season only (9.28 cfs)
June 13 1978	3.34	140.79	29-7450	35 (Ph 3)	Well # 35 or Phillips 3 (3.34 cfs)
July 6 1979	.1	140.89	29-7502	Restlawn	Restlawn Cemetery well (.1 cfs)
May 21 1984	4.46	145.35	29-7770	WPC	Well # WPC: Does Pocatello have evidence of 5.72 cfs?
Jan. 18 1985	7	152.35	29-7782	34	Well #34 (7 cfs)
2001	0	152.35	Transfer 5452	44	POD added to 29-2274, 29-2338, and 29-7375
TOTAL	152.35				

City of Pocatello Claim Summary

Original Claims (4/16/1990)				IDWR Preliminary Recommendations (2/12/2003)				Revised Comprehensive Filing (4/25/2003)			
WR No.	cfs	AFY	Priority Date	WR No.	Proposed cfs	Comments	Priority Date	WR No.		cfs	
29-271	3.22		2/26/1869	29-11339	0	1		1869		3.22	
29-4222	7		6/16/1898		0			1898		7	
29-272	0.56		10/1/1901	29-11343	0	1		1901		0.56	
29-273	1.218		10/1/1917	29-11344	0	1		1905		1.34	
29-2274A	7.11		12/31/1926	29-11348	0	2		1917		1.218	
29-2274B	2.34		12/31/1930	29-2274	21	5	6/15/1948	1925		0.96	
29-11343	2.2		12/31/1940		0			1926		9.13	
29-11344	1.92		12/31/1942		0			1931		4.23	
29-4221	2.67		6/1/1943		0			1936		2.45	
29-2274C	5.04		6/15/1948	29-2324	3		10/22/1952	1940		10.34	
29-11348	5.57		8/31/1951	29-2338	14.76	5	9/1/1953	1942		1.92	
29-11342	1.11		7/24/1952	29-2382	0	3		1943		2.67	
29-2324	3		10/22/1952	29-2401	12.13		10/16/1958	1948		9.69	
29-11339	10.42		9/1/1953	29-2499	4.1		12/10/1964	1951		4.9	
29-4224	3.89		9/15/1955	29-271	3.22		2/26/1869	1953		9.53	
29-4226	1.22		10/1/1955	29-272	0.56		10/1/1901	1954		0.28	
29-4225	4.44		8/15/1956	29-273	1.218		10/1/1917	Sep-55		3.89	
29-2382	3.82		12/21/1956	29-4221	0	4		Oct-55		1.22	
29-2401	12.13		10/16/1958	29-4222	0	4		Aug-56		4.44	
29-4223	2.67		10/1/1962	29-4223	0	4		Dec-56		3.82	
29-2499	4.1		12/10/1964	29-4224	0	4		1958		13.02	
29-7106	5.57		11/6/1972	29-4225	0	4		1961		3.36	
29-7118	4.01	1,114 AFY	4/11/1973	29-4226	0	4		1962		2.67	
29-7119	6	1,200 AFY	4/11/1973	29-7106	5.57		11/6/1972	1964		4.1	
29-7222	1		8/22/1974	29-7118	4.01		4/11/1973	1972		3.9	
29-7322	17.07		4/25/1976	29-7119	6		4/11/1973	1973		10.01	
29-7375	3.34		2/24/1977	29-7222	1		8/22/1974	1974		1	
29-7431	9.28	3,108 AFY	12/29/1977	29-7322	17.07		4/25/1976	1976		17.07	
29-7450	3.34		6/13/1978	29-7375	3.34	5	2/24/1977	Feb-77		2.23	
29-7770	5.72	1,120 AFY	5/21/1984	29-7431	9.28		12/29/1977	Dec-77		9.28	
29-2274	0			29-7450	3.34		6/13/1978	1978		3.34	
29-2338	0			29-7770	4.46		5/21/1984	1979		0.1	
								1984		4.46	
								1985		7	
SUM	140.978				114.058					164.348	

Comments

- 1: Recommended as Right No. 29-2338
- 2: Recommended as Right No. 29-7106
- 3: Forfeited/abandoned due to no irrigation use at claimed POU from 1975-1989
- 4: No lawful appropriate shown
- 5: Instantaneous diversion limit of 39.1 cfs

Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
_____ 1/4 _____ 1/4 _____ 1/4
Lat: : : Long: : :

2. OWNER: WR 29-02274
Name City of Pocatello
Address P.O. Box 4169
City Pocatello State IN Zip 83205

Sketch map location must agree with written location.

N
 W 12 E
 S
 Twp. 7 North ☐ or South ☒
 Rge. 35 East ☒ or West ☐
 Sec. 2 SW 1/4 SW 1/4 1/4
 Gov't Lot 10 acres County Barnack 40 ac. or 160 L.
 Lat. : : Long. : :
 Address of Well Site Highway Po
 City Pocahontas
 Area
 (Give at least name of road - Distance to Road or landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. US\$:

☐ Domestic ☒ Municipal Monitor Irrigation
☐ Thermal ☐ Injection Other

5. TYPE OF WORK check all that apply

(Replacement etc.)

6. DRILL METHOD

☐ Air Rotary ☒ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER		PACK		AMOUNT	METHOD
Material	From	To	Sacks or Pounds		
Bastarite	5'	30'		Starry	

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) _____

Was drive shoe seal tested? ☒ Y ☐ N How? _____

8. CASING/LINER:

[illegible]

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

Perforations	Method
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
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97	97
98	98
99	99
100	100

Screens Screen Type Johnson

From	To	Slot Size	Number	Diameter	Material	Casing	Line
36	66	100				☐	☒
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

23	ft. below ground	Artesian pressure	lb.
----	------------------	-------------------	-----

Depth flow encountered _____ ft. Describe access port or control devices:

11. WELL TESTS:

☒ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
3,000	19'	32'	11 hrs

Water Temp. 15-20°C Bottom hole temp. ✓

Water Quality test or comments:

Depth first Water Encounter

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

[illegible]

Co. 1000 Depth 80 (Measurable)

Date: Started Aug 10 99 Completed Aug 10 99

13. DRILLER'S CERTIFICATION

We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Coltens Well Drilling Firm No. 323

Firm Official Sam H. Hall Date 09/07/94

and

Driller or Operator [Signature] Date 8/2/79 9

Sign once if Firm Official & Oper:

FORWARD WHITE COPY TO WATER RESOURCES

Well 44

TRANSFER NO. 5452 POINTS OF DIVERSION

T06S R33E S10 NESE Within POWER County	Well No. 35 (Phillips 3)
T06S R33E S12 NESE Within POWER County	No well at this location
T06S R33E S15 SWNE Within POWER County	Well No. 39
T06S R34E S15 NWSW Within BANNOCK County	No well at this location
T06S R34E S26 NENW Within BANNOCK County	Well No. 10
T06S R34E S27 NWSE Within BANNOCK County	No well at this location
T06S R34E S35 SENE Within BANNOCK County	Well No. 12
T06S R34E S35 SENE Within BANNOCK County	Only Well No. 12 at this location
T06S R34E S35 NWSE Within BANNOCK County	Well No. 7 (Well No. 7 is not in use)
T06S R34E S35 NWSE Within BANNOCK County	Only Well No. 7 at this location
T06S R34E S35 NWSE Within BANNOCK County	Only Well No. 7 at this location
T07S R34E S1 SESE Within BANNOCK County	Well No. 13 or 17 (Riverside G.C.)
T07S R35E S16 SWSW Within BANNOCK County	Well No. 44

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5452
WATER RIGHT NO(S) . 29-02274/29-02338/29-07375

This is to certify that: CITY OF POCATELLO
PO BOX 4169
POCATELLO ID 83205

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
Right No. 29-02274 :		
MUNICIPAL	01/01 to 12/31	21.00 CFS
Priority: 06/15/1948		
Right No. 29-02338 :		
MUNICIPAL	01/01 to 12/31	14.76 CFS
Priority: 09/01/1953		
Right No. 29-07375 :		
MUNICIPAL	01/01 to 12/31	3.34 CFS
Priority: 02/24/1977		
	TOTAL:	* 39.10 CFS

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

— NESE , Sec. 10, Township 06S, Range 33E
BANNOCK County
— NESE , Sec. 12, Township 06S, Range 33E
POWER County
— SWNE , Sec. 15, Township 06S, Range 33E
— NWSW , Sec. 15, Township 06S, Range 34E
— NENW , Sec. 26, Township 06S, Range 34E
— NWSE , Sec. 27, Township 06S, Range 34E
— SENE , Sec. 35, Township 06S, Range 34E
— SENE , Sec. 35, Township 06S, Range 34E
— NWSE , Sec. 35, Township 06S, Range 34E
— SESE , Sec. 1, Township 07S, Range 34E
— SWSW , Sec. 16, Township 07S, Range 35E
BANNOCK County

SCANNED
APR 30 2001

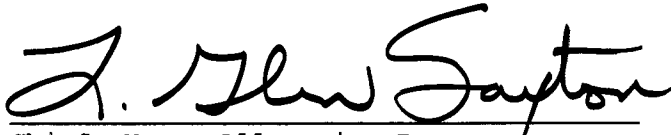
MICROFILMED
AUG 09 1999

TRANSFER NO. 5452
WATER RIGHT NO(S) . 29-02274/29-02338/29-07375

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 8. The total instantaneous diversion of water from all points of diversion under Transfer 5452 shall not exceed 39.10 cfs.
9. The well(s) previously used under these rights shall be abandoned in a manner which complies with Department well abandonment rules.
10. Place of use is located within the City of Pocatello and the surrounding service area.
11. Two (2) points of diversion are located within SENE, and three (3) points of diversion are located within NWSE, of S35, T06S, R34E.

Dated this 28th day of June, 19 99


Chief, Water Allocation Bureau

MICROFILMED

AUG 09 1999

01/07/2003

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-2338

NAME AND ADDRESS: CITY OF POCATELLO
PO BOX 4169
POCATELLO ID 83205

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 14.760 CFS

The total instantaneous diversion of water from all points of diversion shall not exceed 39.10 cfs.

PRIORITY DATE: 09/01/1953

POINT OF DIVERSION:

T06S R33E S10 NESE Within BANNOCK County
T06S R33E S12 NESE Within POWER County
T06S R34E S15 SWNE Within BANNOCK County
T06S R34E S15 NWSW Within BANNOCK County
T06S R34E S26 NENW Within BANNOCK County
T06S R34E S27 NWSE Within BANNOCK County
T06S R34E S35 SENE Within BANNOCK County
T06S R34E S35 SENE Within BANNOCK County
T06S R34E S35 NWSE Within BANNOCK County
T06S R34E S35 NWSE Within BANNOCK County
T06S R34E S35 NWSE Within BANNOCK County
T07S R34E S1 SESE Within BANNOCK County
T07S R35E S16 SWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
1/01 12/31

QUANTITY
14.760 CFS

PLACE OF USE:

Place of use is within the service area of the City of Pocatello municipal water supply system as provided for under Idaho Law.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

01/07/2003

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Saxton, Craig

From: Crabtree, Jennifer
Sent: Thursday, February 28, 2002 2:05 PM
To: Saxton, Craig
Subject: RE: TR 5452

Hi. I just needed to know you had completed data entry on 5452 so I can update my log. Thanks.

We have both files 29-2274 and 29-2338 and Ernie prefers we keep them here. So I will file the recommendation in the claims when you say the word. If you have any paper work that needs to go in it, just send it over.

Work is getting crazy again. And it's only March. See ya! Jen

-----Original Message-----

From: Saxton, Craig
Sent: Thursday, February 28, 2002 1:01 PM
To: Crabtree, Jennifer
Cc: Carlsen, Ernie
Subject: TR 5452

Hey Jen,

How's it going? Got some info/questions for you.

Issue 1:

I went ahead and updated claims 29-02274, 29-02338, and 29-07375 to match approved TR 5452. Do you want me to send you anything.

Issue 2:

I have the file for 29-07375. No problem updating that with the necessary paperwork.

Right 29-02274 was claimed as A, B, and C portions. I do not have original file since it was set as "see Remarks"

Right 29-02238 was claimed as rights 29-11339, 29-11342 (name of Astaris), 29-11343 and 29-11344.

I plan to make my own folder for 29-02274 and 29-02238 (and not have Lori log them). However, we need to figure out something so there aren't two different folders. So this is what I think. Could you check if there is a folder already made for these two claims. If so, it would probably be best if you could Bar Code them to me and ship them over here.

The second option is since TR 5452 was approved in 1999, they will be recommended as transferred (not a lot of paperwork). If Ernie would rather keep the folders over there, I will make my recommendation and just let you know when it's done so you can update the folders with the recommendation.

Waddya think?

Copy of the Transfer will be faxed to you following this message. Please ignore my scribbles.

Craig