

05/23/2003

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

RIGHT NUMBER: 29-2382

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.820 CFS
450.000 AFY

PRIORITY DATE: 12/21/1956

POINT OF DIVERSION:

T06S R34E S12 NWSE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
04/01 10/31

QUANTITY
3.820 CFS
450.00 AFY

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. This right is used for the irrigation of the Highland Golf Course.

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

APR 25 2003

Department of Water Resources

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 29-2382
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: December 21 1956

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	3.82	

7. Total Quantity Appropriated is:
3.82 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.

29-2382 (WELL #17)

15. Basis of Claim:

LICENSE

COPY

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: A. Dean Tranne
Title and Organization: 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

COPY

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)

Pocatello Ground Water Development History					
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

RECEIVED

JUL 11 1973

City of Pocatello

POCATELLO, IDAHO 83201

MUNICIPAL BUILDING
P. O. BOX 4169

Department of
OFFICE OF
City Attorney

July 10, 1973

Department of Water Administration
State of Idaho
Western District Office
614 West State
Boise, Idaho 83700

Re: City of Pocatello

Gentlemen:

Please be advised that the City of Pocatello, a municipal corporation of Idaho, has entered into an agreement for the acquisition of certain real property within the corporate boundaries of this City upon which is located a well developed by Pocatello Creek Development, Inc.

This well is identified by License No. G-26676, issued on December 21, 1956, in the amount of 3.82 C.F.S. Certificate of Completion was issued June, 1962 and recorded October 11, 1962 in Book 12 of Licenses at page 7488.

In taking title to the real property upon which said well is located, I request information as to proper assignment of the rights of the developer to the City of Pocatello in order that these rights may be protected when incorporated into the municipal water system. If you have such assignment forms acceptable by your Department, would you please forward copies to this office for completion, execution and return. Your assistance in this matter will be sincerely appreciated.

Very sincerely,


Gerald W. Olson

GWO:sf

29 2382

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JAN 21 1962
Department of Reclamation

Permit No. G-26676

Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. H.S. Satterfield, Real Estate and Insurance
Box 271 436 North Main Pocatello, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. POCATELLO CREEK DEVELOPMENT COMPANY, Inc. 436 No. Main Pocatello, Idaho
I am President of Corporation.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. G-26676 Date 1/9/57 Priority Dec. 21, 1957

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Underground - location of diversion is Northerly central portion of
NW 1/4 Sec. 12, T6S Range 34 EEM.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Well is 765' deep and has 20" casing from 0 to 282' - 18' casing from
282' to 450' depth. Pump discharge is 2100 gpm. Measured by test
Mal Brown and Co. Sprinkler uses 250 HP pump from average of 400' depth
with 150 HP booster covering some 320 acres.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water used for irrigation - cultivated in potatoes and wheat with
sprinkler system covering 320 acres in NE 1/4 Sec. 12, T6S, Range 34, EEM.
and Lots 1 and 2 and East 1/2 of NW 1/4 Sec. 7, T6S, Range 35, EEM.

Ques. 6-a If this is a ground water permit, give name and address of person that drilled the well.

Ans. Glenn Hopkins Rexburg, Idaho

26676

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. _____

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. _____

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. Originally in name of A.Y. Satterfield, L.T. Dahl and E.H. Barrett.
Subsequently Incorporated as Poc. Creek Development Co. and transferred by above.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Water has been pumped during 1960 and 1961 into sprinkler and 250
more or less acres of potatoes and wheat watered also used in
connection with start of inter-state hiway interchange program.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. None

(Sign) *E.H. Barrett*

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Pocatello, County of Bannock, State of Idaho, on this 18th day of June, A. D. 1962.

E.H. Barrett
Notary Public
Pocatello, Idaho

My commission expires March 20, 1963

20674