

04/29/2003

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

RIGHT NUMBER: 29-4222

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

SOURCE: GIBSON JACK CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 5.000 CFS

PRIORITY DATE: 06/16/1898

POINT OF DIVERSION:

T07S R34E S24 NESESW Within BANNOCK County Source: GIBSON JACK CREEK

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
01/01 12/31

QUANTITY
5.000 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: Beneficial Use

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 29-4222
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: June 16, 1898

3. Source: Gibson Jack Creek Tributary: Portneuf River
South Fork Gibson Jack Creek Tributary: Gibson Jack Creek

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
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T07S R34E S24 SESW within BANNOCK County
32 WELLS (Attachment A)

5. Description of diverting works:
DIVERSION DAM & PIPELINE TO RESERVOIR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
MUNICIPAL	1/01	12/31	7.0	

7. Total Quantity Appropriated is:

7.000 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.

29-4222

15. Basis of Claim: STATUTORY CLAIM

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: _____
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

THIS INDENTURE Made this the 7th day of May, 1901, by and between The Pocatello Water Company, limited, a corporation existing under the laws of the State of Idaho, with its principal place of Business at Pocatello, Idaho, party of the first part, and James A. Murray of Butte, State of Montana, party of the second part;

WITNESSETH: That whereas the party of the first part is a corporation duly incorporated under the laws of the State of Idaho, and in pursuance to the statutes in such cases made and provided, has acquired and is the owner of a certain water-system by which the City of Pocatello and the inhabitants thereof is furnished with water for public and private uses, and whereas the Board of Directors of said corporation, duly assembled, duly passed the following resolution, to-wit:

"WHEREAS, The stockholders of The Pocatello Water Company, limited, a corporation existing under the laws of the State of Idaho, at a stockholders meeting of said corporation, heretofore held on this day, at which all the issued and outstanding stock of said corporation was present in person or by proxy in writing, passed and adopted a resolution authorizing and directing a sale of all the property of whatever kind and nature, and the privileges, rights and franchises belonging to said corporation, to James A. Murray; and it appearing from said resolution that it was the unanimous desire of all the stock of said corporation that such sale be made, reference to said resolution being here made as a part hereof;

Now therefore be it resolved by the Board of Directors, of The Pocatello Water Company, limited, that in pursuance to the resolution of the stockholders heretofore mentioned, and it being for the best interests of said corporation to sell and transfer all its property of whatever kind or nature, and its rights, privileges and franchises, to James A. Murray, for a sum equal to the par value of all the issued or outstanding stock of said corporation; and James A. Murray being the President of said corporation, being also the person to whom said sale is being made, and being absent from this meeting, and from the State of Idaho, A. F. Caldwell the duly elected Vice-President of said corporation and George Winter, Secretary of said corporation, are hereby authorized and directed to make, execute and deliver for and on behalf of said The Pocatello Water Company, limited, and as its act and deed, to James A. Murray, a conveyance of said property, as follows: All and every of the pipes, mains, hydrants, conduits, ditches, reservoirs, dams, water-rights, rights of way, franchises, contracts, offices, barns, tools, implements, storage grounds, material on hand, all rights and property of whatsoever kind or nature on hand or in use, in action or in being, at law or in equity, the said Company stepping out and the said James A. Murray stepping in, and taking the place and stead of said Company; Said property being within or adjacent to the City of Pocatello, and within Bannock County, State of Idaho; and to affix to said conveyance the corporate name and seal of said corporation."

NOW THEREFORE in pursuance of said resolution aforesaid, and in consideration of the sum of Four Hundred

Statement of
C.M. Rainey dated
9-13-1920 states
that first reservoir was
constructed in 1891, and
six miles of 12 inch pipe
was laid from Gibson
Jack Creek to the res.

_____, lawful money, paid by the
party of the second part, the receipt whereof is hereby acknowl-
edged, and other valuable considerations, the said party of the
first part doth by these presents, grant bargain sell and convey,
and confirm, unto the party of the second part, and to his heirs
and assigns forever, the following described property, to-wit:
The water-right and location of 5000 inches of the waters of Mink
Creek, made on the 29th day of October, 1891, by F. D. Toms and
J. C. Cusick, record of which was made in Bingham County November
6th, 1891 in Book D. of Water Locations, page 2, and afterwards
transcribed to the records of Bannock County; Also a certain water
right in the waters of Gibson Jack Creek, made by location on the
29th day of October 1891, for 5000 inches of said water, and re-
corded in Book D. Water Locations of Bingham County, page 3, and
afterwards transcribed to the records of Bannock County; Also
100 inches of the Water of Buck Creek, recording in Book D. of said
records of Bingham County, page 37 and transcribed to the records
of Bannock County; Also 100 inches of the waters of Tom Doctor
Creek recorded in Book D of said records of Bingham County, at
page 38 and afterwards transcribed to the records of Bannock County;
said streams and said water rights being located on the Fort Hall
Indian Reservation, adjacent to the City of Pocatello, and within
Bannock County, State of Idaho, being the waters from which the
supply furnished to the City of Pocatello for public and private
use, is taken and furnished by the present water-system in use in
the said City of Pocatello; together with all and every of the
mains, pipes, hydrants, conduits, ditches, reservoirs, dams,
water-rights, rights of way, franchises, contracts, offices, barns,
tools, implements, storage grounds, material on hand, and all
rights, property and privileges of whatever kind and nature, used
in about or in connection with the operation and management of
said water-system, all of said property being and situate within
Bannock County, and within, near or adjacent to the City of Poca-
tello, and the books of accounts and contracts belonging to said
party of the first part in the conduct of said business.

From report
dated 10-5-1925

14" pipe
Mink Creek
35 to 5
cfs

Gibson Jack
Creek

2 cfs +
12" pipe

Cusick Creek
0.5 cfs
12" pipe
No claim

Decreed from
Mink Creek to
City of Pocatello
161 inches
2-26-1869
28 inches
10-1-1901
61 inches
10-1-1917
(1925)

Total 250 "
5 cfs

Together with all tenements, hereditaments and appurtenances, belonging to said water system, or in anywise appertaining thereto, and the rents issues and profits thereof:

To have and to hold unto the party of the second part and to his heirs and assigns forever

In witness whereof the said party of the first part, by resolution of its Board of Directors, hath caused these presents to be subscribed by its Vice-President (President being absent and an interested party) and Secretary, and its corporate name and seal to be hereunto affixed on the day and year first above written.

THE POCATELLO WATER COMPANY, LIMITED.

By.

A. F. Caldwell

Vice President.

Attest,

Geo. Winter

Secretary.



State of Idaho,

Bannock County.

On this the 7th day of May, 1901, personally appeared before me Thos. F. Terrell, a Notary Public in and for said County and State, A. F. Caldwell, personally known to me to be the Vice President, and George Winter, known to me to be the Secretary, of the corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

In witness whereof I have hereunto set my hand and affixed my official seal on the day and year first above written.

Thos. F. Terrell

Notary Public.

Tributary to _____

Water District _____ County Bannock

County Bannock

Source Gibson Jack Creek (So Fork) 1

Subdivision _____ Section _____ Twp. _____ Rang _____

Section _____ Twp. _____ Rang _____

Twp. _____ Rang _____

Ran:

[illegible]

LOCATION NOTICES

SCANNED

CLAIM TO A WATER RIGHT MAY 31 2001

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

(Name of Claimant)

Value of
83201

Telephone No. 232-4311

(Mailing Address)

(Zip Code)

Location notice 190 & 191

JUNE 16, 1898

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

GIBSON JACK CREEK & SOUTH FORK SAME tributary to PORTNEUF RIVER

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: **MUNICIPAL USE JANUARY 1-DECEMBER 31**

(cfs, gpd, AFA)

(Domestic, Irrigation, Stock, Etc.)

(Both dates inclusive)
(Mo., Day) (Mo., Day)

Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

(4) 7 CFS TOTAL QUANTITY USED.

(lcfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

SE 1/4 SW 1/4, Sec. 24 Twp. 7S Rge. 34 E B.M., County of BANNOCK

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

LIMITS ON SOUTHWEST BENCH.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres

8) If water is used for other than irrigation, fully describe that use, being as specific as possible:

FOR MUNICIPAL USE BY THE CITY OF POCA TELLO

NOTE: Include here the type and number of stock watered:

If you are claiming water as a member of an organization, list name of organization: **CITY OF POCA TELLO**

		T.7S.		R.34E	
16		15		14	13
21		22		23	24
					Point of Diversion
28		27		26	25

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40 acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Benewah) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

CITY OF POCA TELLO BY C.W. MOSS

C.W. Moss
(Claimant)

Sworn to before me this 2nd day of February, 1982.

James Patton
Notary Public
Residing at Pocatello Idaho

My commission expires April 15, 1982

FOR DEPARTMENT USE ONLY
Received by Ann Date 2-8-82 Exception filed by: Forwarded to Date
Prelim check by HWT Date 2-12-82 claimant by:
\$30.00 fee received by Ann Date 2-12-82
Published in Idaho State Journal
Dates 2-25 and 3-4-82

Posted Notice 190 5 cts 2 miles above mouth of
Gibson Jack Creek

Posted Notice 191 2 cts where ditch intersects
S. Fork of Gibson Jack Creek

01/13/2003

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

RIGHT NUMBER: 29-4222
NAME AND ADDRESS: CITY OF POCATELLO
PO BOX 4169
POCATELLO ID 83205

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

NO LAWFUL APPROPRIATION SHOWN: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is PROPOSED to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is PROPOSED to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.

NO LAWFUL APPROPRIATION SHOWN.