

06/27/2003

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

RIGHT NUMBER: 29-4225

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 4.440 CFS

PRIORITY DATE: 08/15/1956

POINT OF DIVERSION:

T06S R34E S14 NWNW Within BANNOCK County
T06S R34E S15 NWNE Within BANNOCK County
T06S R34E S15 NENW Within BANNOCK County
T06S R34E S15 NESE Within BANNOCK County
T06S R34E S15 NESE Within BANNOCK County
T06S R34E S16 NENE Within BANNOCK County
T06S R34E S23 NWNE Within BANNOCK County
T06S R34E S23 SWNE Within BANNOCK County
T06S R34E S23 SENW Within BANNOCK County
T06S R34E S23 NESW Within BANNOCK County
T06S R34E S26 NENW Within BANNOCK County
T06S R34E S26 SWSE Within BANNOCK County
T06S R34E S35 NWNE Within BANNOCK County
T06S R34E S35 SENE Within BANNOCK County
T06S R34E S35 NWSE Within BANNOCK County
T07S R34E S1 NWNE Lot 2 Within BANNOCK County
T07S R34E S1 SWNE Within BANNOCK County
T07S R34E S1 NESE Within BANNOCK County
T07S R34E S1 SESE Within BANNOCK County
T07S R35E S6 NWSE Within BANNOCK County
T07S R35E S7 NESW Within BANNOCK County
T07S R35E S18 SENE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
1/01 12/31

QUANTITY
4.440 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:

IDAHO DEPARTMENT OF WATER RESOURCES
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To the extent necessary for administration, water was first appropriated or used from:

Pocatello Well No. 2 located in T07S, R34E, S01, NWNE,
on 12/31/1926 in the amount of 3.12 cfs

Pocatello Well No. 3 located in T07S, R34E, S01, SWNE,
on 12/31/1926 in the amount of 4.23 cfs.

Pocatello Well No. 7 located in T06S, R34E, S35, NWNE,
on 12/31/1940 in the amount of 4.46 cfs.

Pocatello Well No. 10 located in T06S, R34E, S26, NENW,
on 6/15/1948 in the amount of 5.35 cfs.

Pocatello Well No. 12 located in T06S, R34E, S35, SENE,
on 9/1/1953 in the amount of 6.20 cfs.

Pocatello Well No. 13 located in T07S, R34E, S01, SESE,
on 9/1/1953 in the amount of 2.22 cfs, and on 10/16/1958 for an additional amount of 0.89 cfs.

Pocatello Well No. 14 located in T07S, R35E, S07, NESW,
on 12/31/1955 in the amount of 0.22 cfs.

Pocatello Well No. 15 located in T07S, R35E, S06, NWSE,
on 9/1/1953 in the amount of 1.11 cfs, and on 2/24/1977 for an additional amount of 2.23 cfs.

Pocatello Well No. 16 located in T06S, R34E, S26, SWSE,
on 10/16/1958 in the amount of 6.67 cfs.

Pocatello Well No. 18 located in T06S, R34E, S15, NENW,
on 10/16/1958 in the amount of 4.66 cfs.

Pocatello Well No. 21 located in T06S, R34E, S23, SWNE,
on 9/15/1955 in the amount of 3.89 cfs.

Pocatello Well No. 22 located in T06S, R34E, S23, SENW,
on 10/22/1952 in the amount of 3.68 cfs.

Pocatello Well No. 23 located in T06S, R34E, S23, NWNE,
on 8/15/1956 in the amount of 4.44 cfs.

Pocatello Well No. 26 located in T06S, R34E, S15, NWNE,
on 6/1/1945 in the amount of 2.67 cfs.

Pocatello Well No. 27 located in T06S, R34E, S14, NWNW,
on 12/10/1964 in the amount of 4.10 cfs.

Pocatello Well No. 28 located in T07S, R34E, S01, NESE,
on 8/31/1951 in the amount of 4.90 cfs.

Pocatello Well No. 29 located in T06S, R34E, S23, NESW,
on 11/6/1972 in the amount of 6.20 cfs.

Pocatello Well No. 30 located in T06S, R34E, S35, NWNE,
on 4/25/1976 in the amount of 5.57 cfs.

Pocatello Well No. 31 located in T06S, R34E, S15, NESE,
on 4/25/1976 in the amount of 8.02 cfs.

Pocatello Well No. 32 located in T06S, R34E, S16, NENE,
on 4/25/1976 in the amount of 3.45 cfs.

Pocatello Well No. 33 located in T07S, R35E, S18, SENE,
on 10/1/1962 in the amount of 0.21 cfs.

Pocatello Well No. 34 located in T06S, R34E, S15, NESE,
on 2/18/1985 in the amount of 7.00 cfs.

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.

06/27/2003

IDAHO DEPARTMENT OF WATER RESOURCES
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EXPLANATORY MATERIAL: Beneficial Use

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
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 29-4225
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: August 15 1956

3. Source: GROUND WATER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
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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	4.44	

7. Total Quantity Appropriated is:
4.44 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.

29-4225 (well #23 aka Alameda 5)

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					
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

Regular Council Meeting
March 7, 1956

The Alameda City Council met in regular session at the City Hall at 456 Walnut Street at 8:00 P. M. on Wednesday, March 7, 1956, with the following present:

Mayor C. F. Henderson
Councilman E. L. Davidson
Councilman V. Milo Hansen
Councilman H. F. Parkin
Councilman Kenneth Vaughn
City Attorney Callis A. Caldwell
City Engineer Robert M. Nelson
City Clerk Floyd R. Barber
Public Service Superintendent John E. Marshall
Public Safety Superintendent Howard L. Sortor

The meeting was called to order by Mayor Henderson and the minutes of February 15, 1956 and February 29, 1956 were read and approved on motion of Councilman Parkin and second by Councilman Hansen.

As the first order of business, Councilman E. L. Davidson introduced Ordinance 316 and moved that the ~~ordinance~~ rules be suspended, that the ordinance be read twice by title and once in full and that said ordinance be adopted under suspension of rules. The motion was seconded by Councilman Kenneth Vaughn and Mayor Henderson called for the readings as moved, Ordinance No. 316 being as herein made a part of these minutes; as ~~affixed~~ follows:

ORDINANCE NO. 316

AN ORDINANCE OF THE CITY OF ALAMEDA, BANNOCK COUNTY, IDAHO, ANNEXING THE FOLLOWING DESCRIBED LAND, TO-WIT:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 24 TOWNSHIP 6 SOUTH, RANGE 34 EAST OF THE BOISE PRINCIPAL MERIDIAN, THENCE SOUTH 1320 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF THE NW $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ OF SAID SECTION 24; THENCE EAST 1320 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF THE NW $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ OF SAID SECTION 24; THENCE SOUTH 1320 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF THE SE $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ OF SAID SECTION 24; THENCE EAST 1320 FEET MORE OR LESS TO CENTER OF SAID SECTION 24; THENCE SOUTH 2840 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF THE SW $\frac{1}{4}$ OF SAID SECTION 24; THENCE EAST 1320 FEET TO THE SOUTHEAST CORNER OF THE SW $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SAID SECTION 24; THENCE NORTH 3960 FEET MORE OR LESS TO THE NORTHEAST CORNER OF THE SW $\frac{1}{4}$ OF THE NE $\frac{1}{4}$ OF SAID SECTION 24; THENCE WEST 1320 FEET MORE OR LESS TO THE NORTHWEST CORNER OF THE SW $\frac{1}{4}$ OF THE NE $\frac{1}{4}$ OF SAID SECTION 24; THENCE NORTH 3960 FEET MORE OR LESS TO THE CENTER OF SECTION 13, TOWNSHIP 6 SOUTH, RANGE 34, E. B. M.; THENCE WEST 3960 FEET MORE OR LESS TO THE

NW $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SECTION 14, TOWNSHIP 6 SOUTH, RANGE 34, E. B. M.; THENCE NORTH 1320 FEET MORE OR LESS TO THE NORTHEAST CORNER OF THE SW $\frac{1}{4}$ OF THE NE $\frac{1}{4}$ OF SAID SECTION 14; THENCE WEST ALONG THE NORTH LINE OF THE SW $\frac{1}{4}$ OF THE NE $\frac{1}{4}$ OF SAID SECTION 14 TO A POINT ON THE WEST SIDE OF THE RIGHT-OF-WAY OF THE HIGH LINE ROAD; THENCE NORTH-WESTERLY ALONG THE WEST BOUNDARY LINE OF HIGH LINE ROAD TO A POINT ON THE NORTH BOUNDARY LINE OF THE S $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ OF SECTION 11, TOWNSHIP 6 SOUTH, RANGE 34, E. B. M.; THENCE WESTERLY ALONG THE NORTH LINE OF THE S $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ OF SAID SECTION 11 TO A POINT ON THE NORTH BOUNDARY LINE OF S $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SECTION 10, TOWNSHIP 6 SOUTH, RANGE 34, E. B. M. WHICH POINT IS ALSO ON THE EAST-ERLY BOUNDARY OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY; THENCE SOUTHEASTERLY ALONG THE EAST BOUNDARY OF THE RIGHT-OF-WAY OF THE UNION PACIFIC RAILROAD TO THE SOUTH BOUNDARY OF SAID SECTION 10; THENCE EASTERLY ALONG THE SOUTH BOUNDARY LINE OF SAID SECTIONS 10 AND 11, TO THE SOUTHEAST CORNER OF THE

A letter was read from Norma Morris presenting a claim against the city for \$180 for alleged damage done to lawn and premises at 354 East Pine Street, the claim being that damage resulted from work done by the Service Department in repairing and replacing a leaking water line. Service Superintendent Marshall gave an oral report on the matter, recommending that the claim not be allowed. Mayor Henderson stated that he had already viewed the premises and recommended that the council members visit to see for themselves what damage if any had been done and if the city was, in their opinion, at fault. The claim was then tabled for further consideration.

Mayor Henderson reported on his progress in forming a planning commission but stated that he still had some interviews to hold before he could make a definite recommendation.

It was suggested by Councilman Davidson that since some residents of the city were paying only \$1 for sewer permits and that probably such charge should be \$35 instead that the matter of granting sewer permits and the fees to be charged should be investigated by the City Clerk to see what changes, if any, should be made in the ordinance governing this matter, the Clerk to report to the next meeting of the City Council after the ordinance had been studied.

Mr. Guy McMillen, 403 Alameda Road, asked that the minutes show that the City would provide engineering services without cost to residents on extending streets in the area between Cedar Street and Alameda Road and that the city also a satisfactory subbase of 6 to 8 inches without cost to the residents; that the city will do the work of putting a black top of standard specifications on such streets, and that resident property benefitted by such construction be required to pay only the costs of the gravel and oil required in completing the streets. The matter was ~~tabled~~ tabled for further consideration, as some protests have been made orally by contractors and others interested in constructing new buildings on the ground that such action by the city would be discrimination against them unless areas they propose to develop receive similar consideration.

City Attorney Caldwell reported on the claim of Bryan and Company for additional premium of general liability policy formerly held by them, and gave it as his opinion that the city is rightfully indebted for the amount, said policy being an Audit Policy on which premium is paid on equipment belonging to the city. The claim had been previously rejected on the advice of the attorney and Bryan & Company had presented further proof regarding the type of policy, but has not yet resubmitted ~~their~~ their claim.

City Attorney Caldwell gave a brief report of the present status of the natural gas coop for which a franchise has been granted by the city.

City Engineer Nelson recommended that the city purchase for the new City Well No. 5 a pump and fittings that will give the well a capacity of 2,000 gallons a minute and the construction of a suitable pump house to protect the pump and equipment; he also recommended the laying of a 12" water main on Washington Avenue from Cedar Street to Alameda Road. He was instructed to prepare specifications for calling bids on the necessary pump, valves, and other necessary equipment and supplies for installing the pump.

Engineer Nelson reported that the State Health Department will defer for the time being the construction of a sewer outfall line awaiting the outcome of plans now under consideration for the formation of a metropolitan type sewer district to serve the needs of the greater Pocatello area,

In order to facilitate the installation of a pump on the new city well, it was moved by Councilman Davidson that bids be called for a pump

REGULAR COUNCIL MEETING
April 18, 1956

The Alameda City Council met in regular session at the City Hall, 456 Walnut Street, April 18, 1956, with the following present:

Mayor F. C. Henderson
Councilman V. Milo Hansen
Councilman H. F. Parkin.
Councilman Kenneth Vaughn
City Attorney Callis A. Caldwell
City Engineer Robert M. Nelson
City Clerk Floyd R. Barber

The meeting was called to order at 8:00 P. M. by Mayor Henderson, and after roll call the minutes of the meetings of April 4th and 5th, 1956, were read and after correcting the minutes of April 5 to show that Councilman Vaughn instead of Councilman Hansen made the motion to purchase two Fords for the Police Department, the minutes were approved, ~~and the motion of Councilman~~

City Clerk Barber presented the following bills for consideration:

Alameda Petty Cash	\$ 7.05	8753
Bangs Stationers	112.85	8754
Bannock Courty Commissioners	6.00	8755
Bannock Lumber & Coal Co.	18.70	8756
Bargain Barn Hardware	7.22	8757
Briggs Nursery	142.24	8758
Coleman Builders Supply Inc.	28.05	8759
R. W. Dickman	3.45	8756
Electric Service Company	10.92	8757
Elle Construction Company	45.00	8758
~~First Security Bank~~	~~180.00~~	~~8759~~
Farmers Feed & Seed Co.	112.96	8759
First Security Bank	180.00	8760
Flaherty Mfg. Co.	60.74	8761
C. Ed Flandro	27	8762
J. E. Foxall	4.00	8763
Fred's OK Rubber Welders	339.91	8764
Idaho Glass & Paint Co.	13.03	8765
Idaho Income Tax Division	133.24	8765
Idaho Power Company	1179.00	8766
Idaho Typewriter Exchange, Inc.	37.76	8767
Intermountain Equipment Co.	6.05	8768
Mendenhall's of Pocatello	2.48	8769
Mt. States Tel. & Tel. Co.	54.25	8770
Murray Press	24.00	8771
Carl E. Nelson Construction Co.	1500.00	8772
Newell Packer	2000.00	8773
Pocatello Electric Co.	29.15	8774
Pocatello Lumber Co.	8.11	8775
Pocatello Police Department	2.50	8776
Police & Sheriffs Association	5.00	8777
Rocky Mountain Gas Co.	37.99	8778
Salt Lake Stamp Co.	32.54	8779
Sheehans	22.12	8780
S-R Equipment Rental	7.00	8781
Rupert A. Sorenson	50.00	8782
Texas Company	357.71	8783

Utah Oil Refining Company	\$ 86.82	8784
U. S. Collector of Internal Revenue	1332.40	8785
Whitmore Oxygen Company	1.80	8786
Tom Wilson Radio Repairing	5.78	8787
World Insurance Company	31.50	8788
Albert R. Holman	33.12	IBT-35

Councilman Vaughn moved that the bills be allowed and that the city treasurer be authorized to draw cash warrants in payment. The motion was seconded by Councilman Hansen and was then approved.

The city clerk read two letters from the Idaho Municipal League and one from the Sterling Codifiers, the latter regarding the workbook of the Code ~~being prepared by them~~ of city ordinances being prepared by them. After the letter on the code was read, it was moved by Councilman Hansen that the workbook copy of the code be turned over to the City Attorney for study and recommendation. The motion was ~~unanimously~~ approved after a second by Councilman Vaughn.

City Engineer Nelson presented the list of specification for calling bids ~~and City Well No. 5~~ for a pump for City Well No. 5 and information for bidders. It was moved by Councilman Hansen and seconded by Councilman Parkin that bids be called and that the clerk be instructed to advertise the call for bids to be presented at the next regular meeting of the City Council May 2, 1956. Mayor Henderson instructed the clerk to poll the councilman, the result being:

V. Milo Hansen	Yes
H. F. Parkin	Yes
Kenneth Vaughn	Yes

Thereupon Mayor Henderson declared the motion approved and instructed the clerk to proceed as directed.

Engineer Nelson reported that the preparation of an ordinance creating Local Sewer Improvement District No. 21 still awaits signatures on a few easements yet to be secured. He also reported that in the matter of the southward extension of Packard Avenue the turn-round plan is not looked on favorably by the FHA because of the unusually long street extending to the turn-around. He was instructed to confer with Mr. Fred Wynn on this matter and report later to the Council.

Attorney Caldwell reported on the progress of plans for condemnation proceedings against the few remaining holdouts on rights of way so all can be handled at the same time. He stated that the matter could probably be handled in about twenty days.

Mr. Arthur Hall, representing the Associated Developers (Arthur Hall, Rex Eaton, Clifford Miller and Sterling Sigman) presented a tentative engineer's plat for Lakeview Heights Addition on the property secured from Ray Infanger and subdivided for the sale of lots. After considerable study and on the recommendation of Engineer Nelson, it was moved by Councilman Parkin that the tentative plat be approved as submitted except for a supplemental condition that the center line of Poplar Street as existing between Franklin and Hyde avenues be continued to the east. The motion was seconded by Councilman Hansen and carried unanimously. The question of water lines and sewers for the addition was discussed briefly but no action was decided upon.

At the request of James Bagwell, it was moved by Councilman Vaughn that the city blade a twelve foot strip around the baselines and infield of the ball ground in City Park and bring in sufficient amount of proper soil to level off the grounds, any other work to be done by the sponsoring group. The motion was unanimously approved.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



MICROFILMED

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

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

Notice is hereby given that CITY OF POCA TELLO

POST OFFICE BOX 4169

(Name of Claimant)

83201

Telephone No. 232-4311

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) AUGUST 15, 1956

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) GROUND WATER tributary to _____

(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) 4.44 TOTAL QUANTITY USED.
(cfs. and AFA)

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

NW ¼ NE ¼ Sec. 23 Twp. 6S Rge. 34E 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.

(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

8) If water is used for other than irrigation, fully describe that use.

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

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

18) Remarks

T. 6 S.

R. 34 E.

16 15 14 13

21 22 23 24

28 27 26 25

Well Location

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 Bernoch) 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

CITY OF POCA TELLO BY C.W. MOSS

Charles

(Claimant)

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

Joan Sutton
Notary Public
Residing at Pocatello, Idaho

My commission expires April 15, 1982

Received by aw 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 aw Date 2-15-82
 Published in: N. State Journal # 20091
 Dates: 2-15 & 3-4-82

01/13/2003

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

RIGHT NUMBER: 29-4225
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.