

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 29-11343
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 31, 1940

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	10.34	

7. Total Quantity Appropriated is:

10.34 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.

Established additional capacity: well #7 (29-2274, 4.46 cfs); Phillips #1 (29-11343, 2.2 cfs [described in license no. 29-2338/24451 with erroneous priority date]); Alameda well #3 (29-2324, 3.68 cfs)

15. Basis of Claim:

BENEFICIAL USE

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 Tranter

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

01/13/2003

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

RIGHT NUMBER: 29-11343

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

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

RECOMMENDED AS RIGHT NO. 29-2338: This is included for a claim that is PROPOSED to be disallowed because the right claimed is recommended pursuant to another right. The remark indicates the water right number of the OTHER right that is proposed to be recommended. If you are not mailed a notice of the recommendation of the OTHER right, then the OTHER right is recommended in another claimant s name.

RECOMMENDED AS RIGHT NO. 29-2338.

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)

City of Pocatello Ground Water Development Timeline					
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.
29-271	3.22		2/26/1869	29-11339	0	1		1869
29-4222	7		6/16/1898		0			1898
29-272	0.56		10/1/1901	29-11343	0	1		1901
29-273	1.218		10/1/1917	29-11344	0	1		1905
29-2274A	7.11		12/31/1926	29-11348	0	2		1917
29-2274B	2.34		12/31/1930	29-2274	21	5	6/15/1948	1925
29-11343	2.2		12/31/1940		0			1926
29-11344	1.92		12/31/1942		0			1931
29-4221	2.67		6/1/1943		0			1936
29-2274C	5.04		6/15/1948	29-2324	3		10/22/1952	1940
29-11348	5.57		8/31/1951	29-2338	14.76	5	9/1/1953	1942
29-11342	1.11		7/24/1952	29-2382	0	3		1943
29-2324	3		10/22/1952	29-2401	12.13		10/16/1958	1948
29-11339	10.42		9/1/1953	29-2499	4.1		12/10/1964	1951
29-4224	3.89		9/15/1955	29-271	3.22		2/26/1869	1953
29-4226	1.22		10/1/1955	29-272	0.56		10/1/1901	1954
29-4225	4.44		8/15/1956	29-273	1.218		10/1/1917	Sep-55
29-2382	3.82		12/21/1956	29-4221	0	4	Oct-55	1954
29-2401	12.13		10/16/1958	29-4222	0	4	Aug-56	1958
29-4223	2.67		10/1/1962	29-4223	0	4	Dec-56	1961
29-2499	4.1		12/10/1964	29-4224	0	4		1962
29-7106	5.57		11/6/1972	29-4225	0	4		1964
29-7118	4.01	1,114 AFY	4/11/1973	29-4226	5.57	4	11/6/1972	1972
29-7119	6	1,200 AFY	4/11/1973	29-7106	4.01		4/11/1973	1973
29-7222	1		8/22/1974	29-7118	6		8/22/1974	1974
29-7322	17.07		4/25/1976	29-7119	1		4/25/1976	1976
29-7375	3.34		2/24/1977	29-7222	17.07			1977
29-7431	9.28	3,108 AFY	12/29/1977	29-7322	3.34	5	2/24/1977	Feb-77
29-7450	3.34		6/13/1978	29-7375	9.28		12/29/1977	Dec-77
29-7770	5.72	1,120 AFY	5/21/1984	29-7431	3.34		6/13/1978	1978
29-2274	0			29-7450	4.46		5/21/1984	1979
29-2338	0			29-7770				1984
								1985
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

06/27/2003

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

RIGHT NUMBER: 29-13638

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.200 CFS

PRIORITY DATE: 12/31/1940

POINT OF DIVERSION:

T06S R33E S10 NESE Within POWER County

T06S R33E S10 NESE Within POWER County

T06S R33E S15 SWNE Within POWER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

MUNICIPAL

01/01 12/31

2.200 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:

To the extent necessary for administration, water was first appropriated or used from:

Pocatello Well No. 35 located in T06S, R33E, S10, NESE,
on 6/13/1978 in the amount of 3.34 cfs

Pocatello Well No. 39 located in T06S, R33E, S15, SWNE,
on 12/31/1940 in the amount of 2.20 cfs

Pocatello Well No. 40 located in T06S, R33E, S10, NESE,
on 12/31/1942 in the amount of 1.92 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.

EXPLANATORY MATERIAL: Beneficial Use

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

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-11343.

AIRPORT WELLS 1 & 2

ARMY AIRBASE WELLS # 1 & 2

Copy of page 8, Completion report A-2
U S Army Airbase, Pocatello, Idaho

Utilities

- a. Water Supply and Distribution System
Reference Map, Exhibit 5

(1) The source of water supply consists of two wells located within the Base Area. The wells are designated as Well # 1, drilled in 1940 by the previous owner and located near the west gate, and Well # 2 drilled in 1942 by the Army Engineers and located in the SW corner of the intersection of "C" and 10th Streets. The following gives the general features of both wells.

DESCRIPTION	WELL # 1	WELL # 2
Ground Elevation	4461.8'	4433'
Elevation at bottom of well	4258.8'	4219'
Depth	203'	214'
Elevation Bottom of casing	4258.8'	4214.3'
Well terminates in	Gravel	Lava rock (5.3' below casing in rock)
Size of casing	12" I. D.	12" I. D.
Perforations	15' at depth 99'-114'	43.7' at depth 160.0'-208.7'
Flow data	1300 gpm	1300 gpm
Elevation Static Water Level	4402.0'	4401.0'
Drawdown	12'	3.5'
Equipment, pumping	Equipped with Fairbanks Morse deep well pump # 6920, 5 stage, 12" bowls 80' of 8" column, 10' of 8" suction pipe, 8" strainer, and 30' of 1/2" pipe for checking drawdown. Pump is lowered with a Fairbanks Morse HSV induction motor, 75 HP, 1750 rpm, 440V, magnetic starter.	Equipped with a Fairbanks-Morse deep well pump # 6920, 4 stage, 12" bowls, 70' of 8" column, 10' of 8" suction pipe, 8" strainer, and 70' of 1/2" pipe for checking drawdown. Pump powered with a Fairbanks-Morse HSV 75HP induction motor.

From file

29-2338

Evidence of diversion
rate for 29-13638

November 4, 1958

Re: Permit No. G-24451
City of Pocatello, A Municipal Corporation

City of Pocatello
W. B. Webb, City Manager
P. O. Box 1489
Pocatello, Idaho

Dear Mr. Webb:

Our field engineer's report on his inspection of the completion of works and beneficial use of the water under the terms of Permit No. G-24451 shows that wells number 11, 12, 13, 15, 1 and 2 are capable of conveying for domestic use the following amounts of water:

Wells	Points of Diversion	Cubic Feet Per Second
11	NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 12, T6S-R33E	1.11
12	Lot 17, Blk 361 Original Pocatello Townsite	6.20
13	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 1, T7S-R34E	2.22
15	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 6, T7S-R35E	1.11
1	SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 15, T6S-R33E, Phillips Field	2.20
2	NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10, T6S-R33E, Phillips Field	1.92

Upon receipt of the statutory fees, totaling \$11.50, we will issue the Certificate of Completion of Works (for which the fee is six dollars and fifty cents--based at the rate of five dollars for the first ten cubic feet and thirty cents for each additional foot or fraction thereof) and the License and Certificate of Water Right (five dollars) confirming the right with priority of September 1, 1953, to the use of 14.76 second feet of subterranean water from wells 11, 12, 13, 15, 1 and 2, with points of diversion as described above, for domestic use in the City of Pocatello and adjacent property.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls

824451

R7

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 29-13638
Date Received: 4/25/2003
Receipt No:
Received By:

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

1. Name of Claimant(s)

CITY OF POCA TELLO Phone: (208)234-6254

PO BOX 4169
POCA TELLO ID USA 83205

2. Date of Priority: 12/31/1940

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	33E	15	SW NE	POWER	

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	01/01	12/31	2.2	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

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:

14. Remarks:

Established additional capacity: Phillips #1 (29-11343, 2.2 cfs [described in license no. 29-2338/24451 with erroneous priority date])

POU WITHIN CITY OF POCA TELLO AND VICINITY.

15. Basis of Claim: Beneficial Use