

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: A22-07435
Date Received: 8/17/1988
Receipt No: E001350
Received By: Kew

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KEN ANDERSON 208-356-3570
Address: 2908 SOUTH 2000 WEST
REXBURG, ID 83440

2. Date of Priority: MAY 11, 1983

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	39E	1	SE	SW			MADISON

5. Description of diverting works:
WELL PUMP MAINLINE TO 7 HOMES, 1 APPARTMENT, 3 MOBILE HOMES & SHOP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.040		
COMMERCIAL	01/01	12/31	0.090		

7. Total Quantity Appropriated is:
0.090 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
C/7 HOMES, 3 MOBILE HOMES, 1 APPARTMENT, 1 SHOP (RESTROOM)

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	39E	1	SE	SW		COMMER	
			SE	SW		IRR	2.0
						Section Acres	2.0

A22-07435

Page 1

Date: 08/17/88

OCT 29 1992

A2207435

10. Place of Use: Continued

Total Acres 2.0

11. Place of use in counties: MADISON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
COMMERCIAL USE IS FOR SEVEN SINGLE FAMILY DOMESTIC HOMES, ONE
SINGLE FAMILY APPARTMENT, THREE MOBILE HOMES AND A RESTROOM
FACITITY IN A SHOP(ART STUIDO-MAINTANANCE)

15. Basis of Claim: PERMIT

OCT 29 1992

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Ken Anderson Date: 8-17-88

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 17th day
of August 19 88

Betty J. Thompson
Notary Public

Seal



Residing at Idaho Falls
My Commission Expires 6-94

REMBURG

27

2

25

5

T6N

T5N

R39E
T5
N

POINT OF DIVERSION
PLACE OFFICE

3

6

10

12

7

A22-07435

Log for claim 22-07435

Spatial Dynamics LTD

7/12/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05n39e	1	SESW	2	2	
Totals:			2	2	

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07435

Priority: May 11, 1983

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.09 CFS
13.6 AF

This is to certify, that KEN ANDERSON
RT. 4 BOX 131

REXBURG, ID 83440

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 11, 1983; and has submitted Proof of Beneficial Use on January 13, 1986. An examination indicates that the works have a diversion capacity of .090 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	0.04 CFS	7.0 AF
DOMESTIC	01/01 to 12/31	0.09 CFS	6.6 AF
	Totals	0.09 CFS	13.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 1, Township 05N, Range 39E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	39E	1	SESW	2		2

Total number of acres irrigated: 2

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. Domestic use is for 11 homes.

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07435

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 29TH
day of NOVEMBER, 1989.

Acting for

Norman C. Young
R. Keith Higginson, Director

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OCT - 5 1989

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07435

OCT 10 1989

Department of Water Resources

Date of Priority: May 11, 1983

Maximum Diversion Rate: 0.09 CFS
Maximum Diversion Volume: 13.6 AF

Comes now
RT. 4 BOX 131
REXBURG, ID 83440

KEN ANDERSON

and represents to the Director of the

APPROVED

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 22-07435, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	0.04 CFS	7.0 AF
DOMESTIC	01/01 to 12/31	0.09 CFS	6.6 AF
	Totals	0.09 CFS	13.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW, Sec. 1, Township 05N, Range 39E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	39E	1	SESW	2		2

Total number of acres irrigated: 2

PLACE OF USE: DOMESTIC, same as IRRIGATION use

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Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Idaho Falls Idaho, this 5 day of October, 1989.

Ken Anderson
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07435

FOR DEPARTMENT USE ONLY

Preliminary check by KCW Fee = \$20.00

E 010965
Received by KCW Date 5 Oct 1989

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 22-07435 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 11 homes.

Witness my hand this 29TH day of NOVEMBER, 1989.

R. Keith Higginson
Acting for R. Keith Higginson, Director

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511

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Ken Anderson Phone 356-3570
Post office address Rt. 4 Box 131 Rexburg, ID. 83440
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 1 Township 5N
Range 39E B.M. Madison County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .16 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .04 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.16 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well/pump (1 1/2 hp) with
lines to 12 residences

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 7 inches; proposed depth of well is 102 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 1 Township 5N
Range 39E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 12.

(5) If water is to be used for other purposes describe: _____

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b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	39E	1													2				2

Total number of acres to be irrigated 2

c. Describe any other water rights used for the same purposes as described above. None

9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Allan Bessard, David Anderson and Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Verbal agreement among water users

10. Remarks

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

T 5N
R 39E

1

□ → Point of Diversion
Place of Use

Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Ken Anderson
(Applicant)

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Proposed Priority 5/11/83

Received by HUT Date 5-11-83 Time 11:30am

Preliminary check by KW Fee \$ 30.00

Received by BP Date 5/11/83 # 28192

Publication prepared by AW Date 11-28-84

Published in Standard Journal

Publication dates 12-6 & 12-13-84

Publication approved AW Date 1-10-85

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by AW KW

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 22-7435, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 19 86.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 25th day of January, 1985.

J. Glen Saxton
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

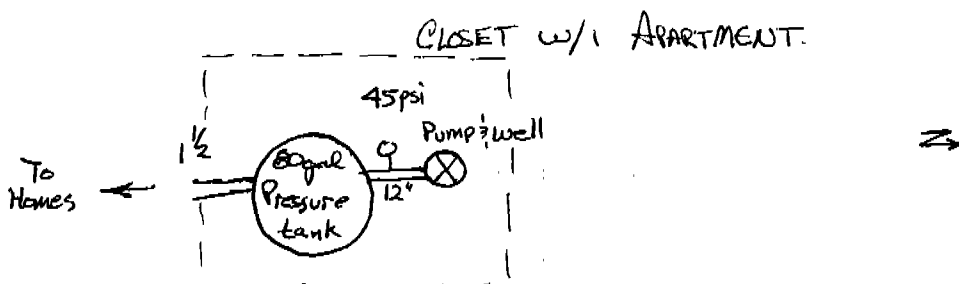
1. Owner: KEN ANDERSON Permit No. 22-7435
 Current Address: RT. 4 Box 131 REXBURG, ID. 83440 Phone No. 355-3570
 2. Accompanied by: SAME EXAM. DATE: 17-July-1987
 Address: _____ Phone No. _____
 Relationship to Permit Holder: LAND OWNER w/ SUBDIVISION - PERMIT OWNER
 3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: N/A
 _____ ☐ Copies Attached
 2. Other water rights with same point of diversion: N/A
 _____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached



(SEE ATTACHED SKETCH OF UNIT LOCATIONS)

Microfilm

Scale: 1" = 165' x 2

DEC 14 1987

2. ☒ Copy of U.S.G.S. Quadrangle Attached
 Showing location(s) of point(s) of diversion and place(s) of use (required). ☒ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

WATER IS SUPPLIED TO 7 SINGLE FAMILY HOMES, ONE SINGLE FAMILY APARTMENT AND 3 MOBILE HOMES. APPLICANT ALSO HAS RESTROOM FACILITIES IN A SHOP.

FMH UNIT WATERS A SMALL (<.5 ACRE) YARD³ OR A YARD OR GARDEN. DUE TO UNAVAILABLE PLAT AND DIFFICULTY IN SURVEYING ~~SEE~~ INDIVIDUAL LAWNS ALLOWS 0.2 ACRE/HOUSE (10 HOUSES) = 2 ACRES.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	WAGNER	1.5	RB707	JACOZI	155M-SA-SOF-1226

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		~~SE~~	~~SE~~	~~SE~~	1	5N	39E	MADISON	USGS/ ON SITE
		SE	SE	SW					

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5N	39E	1												10					
														2					2

Do not use this space

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Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

THEORETICAL - 1.5 HP Pump R @ 45
WATER LEVEL
WELL LOG NOT AVAILABLE - ASSUME WATER LEVEL @ 10' AS
ABSTRACTED FROM SURROUNDING WELLS. (SEE LOGS ATTACHED)

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

THEORETICAL: $\frac{(HP)(8.814)(.8)}{H + P(2.308)} = \frac{(1.5)(8.814)(.8)}{10 + 45(2.308)} = 0.09 \text{ cfs}$ Capacity

2. Alternate Method for Checking Purposes:

Allow 0.09 cfs for irrigation of 2 acres per period.

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) : Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (2.0)(3.5) = 7.0 \text{ AFA}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.04)(214)(1.9835) = 16.98$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 7.0 \text{ AFA}$

2. Volume Calculations for Other Uses:

$(0.6 \text{ AF/Domestic}) \times (11 \text{ units}) = 6.6 \text{ AFA}$

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

APPLICANT HAS CANAL SHARES TO IRRIGATE HIS YARD & BARN.
OTHER IRRIGATION IS ~~ADD~~ ^{0.2} ACRES OR LESS DOMESTIC USE.

RECOMMEND LICENSE FOR 10 DOMESTIC UNITS. ~~NO SEPARATE~~
~~IRRIGATION OVER 0.5 ACRES. ADD 2 ACRES IRRIGATION~~

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
DOMESTIC	1/1	12/31	0.09 cfs	6.6 AFA
IRRIGATION	4/1	11/1	0.04 cfs	7.0 AFA

Totals: 0.09 cfs 13.6 AFA.

2. Recommended Amendments

- ☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name

Signature

Certification Date

Field Report Preparation Date

ERIC S. VERWER

Nov 13, 1987

September 22, 1987

Steve McLeod

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

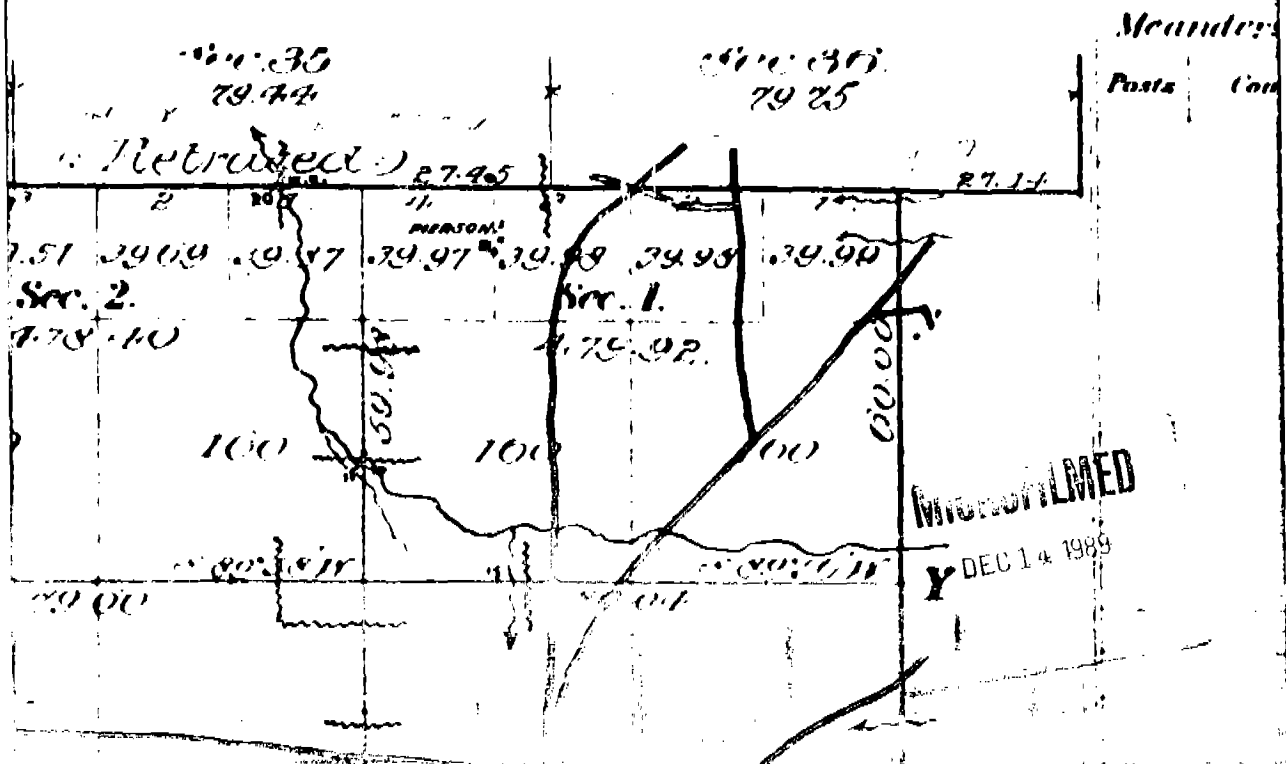
Royanne McElathby

4/21/87

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Prime Meridian



22-7435

22-7435

TEN
TEN

PLACE OF USE

POINT OF DIVERSION

R
37
E

R
40
E

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