

07/12/2004

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

RIGHT NUMBER: 25-7191
NAME AND ADDRESS: FALLS WATER CO INC
1770 SABIN DR
IDAHO FALLS ID 83406
SOURCE: GROUND WATER
QUANTITY: 3.000 CFS
1,578.000 AFY
PRIORITY DATE: 04/18/1980
POINT OF DIVERSION:

T02N R38E S11 SWSWNW Within BONNEVILLE County
T02N R38E S14 SENESW Within BONNEVILLE County
T02N R38E S14 SENESW Within BONNEVILLE County
T02N R38E S14 SWSWSW Within BONNEVILLE County
T02N R38E S15 SENESE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	01/01 12/31	3.000 CFS 1,578.00 AFY

PLACE OF USE:

Place of use is within the service area of Falls Water Company as provided for under Idaho law. The place of use is generally located within T2N R38E Sections 10, 11, 13, 14, 15, 16, 22, 23.

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.

To the extent necessary for administration between points of diversion for ground water; and between points of diversion for ground water and hydraulically connected surface sources, water was first appropriated or used from:

Well No. 1 located in T2N R38E S14 SWSWSW on 6/10/1958 in the amount of 0.59 cfs.
Well No. 2 located in T2N R38E S14 SENESW on 12/31/1962 in the amount of 1.16 cfs.
Well No. 3 located in T2N R38E S15 SENESE on 11/11/1974 in the amount of 0.29 cfs.
Well No. 4 located in T2N R38E S14 SENESW on 4/18/1980 in the amount of 3.00 cfs.
Well No. 5 located in T2N R38E S11 SWSWNW on 3/13/1978 in the amount of 1.89 cfs.

EXPLANATORY MATERIAL: License

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 MANAGER of
Title
Falls Water Company, Inc., that I have signed the foregoing
Organization
document in the space below as MANAGER of
Title
Falls Water Company, Inc. and that the statements contained in the
Organization
foregoing document are true and correct. K. Scott Bruce
Signature of Authorized Agent
Manager, Falls Water Company, Inc.
Title and Organization
4-16-2004
Date

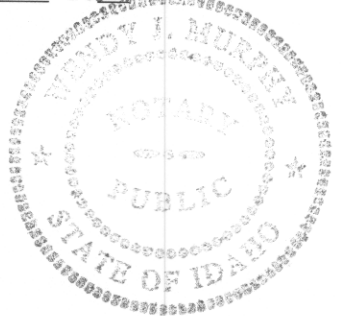
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 16th
of April 2004

Wendy J. Murphy
Notary Public

Residing at Idaho Falls

My commission Expires 6/23/06



07/12/2004

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

This right originally established for Well #4, located at T2N R38E S14
SENESEW.

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

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

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINTS OF DIVERSION
DESCRIBED ABOVE: 25-14035, 25-14055, 25-7191, 25-7148, AND 25-7418.

Municipal use is for 1315 homes.

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	38E	11	NE	SW	MUNICIPAL	
			NW	SW	MUNICIPAL	
			SW	SW	MUNICIPAL	
02N	38E	14	NE	NW	MUNICIPAL	
			NW	NW	MUNICIPAL	
			SW	SW	MUNICIPAL	
			SE	SW	MUNICIPAL	
			NW	SE	MUNICIPAL	
			SW	SE	MUNICIPAL	
			SE	SE	MUNICIPAL	
			SW	NW	MUNICIPAL	
			SW	NE	MUNICIPAL	
			NE	SW	MUNICIPAL	
			NW	SW	MUNICIPAL	
			NE	SE	MUNICIPAL	
02N	38E	15	NE	SE	MUNICIPAL	
			NW	SE	MUNICIPAL	
			SE	SE	MUNICIPAL	
02N	38E	22	NE	NE	MUNICIPAL	
			SW	NE	MUNICIPAL	
			NW	NE	MUNICIPAL	
02N	38E	23	NW	SW	MUNICIPAL	
			NW	NE	MUNICIPAL	
			NW	NW	MUNICIPAL	
			SW	NW	MUNICIPAL	

11. Place of use in counties: BONNEVILLE

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

AMENDED CLAIM TO CHANGE NATURE OF USE TO MUNICIPAL.

The issuance of this right does not grant any right-of-way or easement across the land of another.

A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

12 - IDAHO PUBLIC UTILITIES COMMISSION CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY #236. WATER UTILITY SUPPLYING DOMESTIC AND FIRE PROTECTION WATER. IRRIGATION USE LIMITED TO LAWN SPRINKLING.

15. Basis of Claim: License

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 25-7191
Date Received: 9/29/1989
Receipt No: E010920
Received By: MWH

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

1. Name of Claimant(s)

FALLS WATER CO INC Phone: (208)522-1300
1770 SABIN DR
IDAHO FALLS ID USA 83406

2. Date of Priority: 04/18/1980

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	38E	15	SE SE	BONNEVILLE	
02N	38E	14	NE SW	BONNEVILLE	
02N	38E	14	SW SW	BONNEVILLE	
02N	38E	11	NW SW	BONNEVILLE	

5. Description of diverting works:

WELL, PUMP & PIPELINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
MUNICIPAL	01/01	12/31	3	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use: