

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 45-2659
Date Received: 4/28/2004
Receipt No:
Received By:

RECEIVED

MAY 28 2004

Department of Water Resources
Southern Region

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CITY OF OAKLEY Phone: (208)862-3313

200 W MAIN
PO BOX 266
OAKLEY ID USA 83346

2. Date of Priority: 06/23/1961

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
14S	22E	9	NW SE	CASSIA	

5. Description of diverting works:

WELL AND 30 HP PUMP DELIVERING TO PIPELINE NETWORK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
~~STOCKWATER~~ DOMESTIC UN	01/01	12/31	0.2	
STOCKWATER	01/01	12/31	0.07	
MUNICIPAL	01/01	12/31	0.56	405.5

7. Total Quantity Appropriated is:

0.56 C.F.S. and/or 405.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

SEE REMARKS

10. Place of use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
13S	22E	27	NW	SW		STOCKWATER	
			SW	SW		STOCKWATER	
			NW	SW		DOMESTIC	
			SW	SW		DOMESTIC	
13S	22E	28	SE	NW		DOMESTIC	
			NE	SW		DOMESTIC	
			SW	SW		DOMESTIC	
			SE	SW		DOMESTIC	
			SW	SE		DOMESTIC	
			SE	SE		DOMESTIC	
			NE	SW		STOCKWATER	
			SW	SW		STOCKWATER	
			SW	SE		STOCKWATER	
			SE	SE		STOCKWATER	
13S	22E	29	NE	SE		STOCKWATER	
			SE	SE		STOCKWATER	
			NE	SE		DOMESTIC	
			SE	SE		DOMESTIC	
13S	22E	31	SW	SW		STOCKWATER	
			SE	SW		STOCKWATER	
			SW	SE		STOCKWATER	
			SE	SE		STOCKWATER	
13S	22E	32	NE	NE		MUNICIPAL	
			NW	NE		MUNICIPAL	
			SW	NE		MUNICIPAL	
			SE	NE		MUNICIPAL	
			SE	SW		MUNICIPAL	
			NE	SE		MUNICIPAL	
			NW	SE		MUNICIPAL	
			SW	SE		MUNICIPAL	
13S	22E	33	SE	SE		MUNICIPAL	
			NE	NE		MUNICIPAL	
			NW	NE		MUNICIPAL	
			SW	NE		MUNICIPAL	
			SE	NE		MUNICIPAL	
			NE	NW		MUNICIPAL	
			NW	NW		MUNICIPAL	
			SW	NW		MUNICIPAL	
			SE	NW		MUNICIPAL	
			NE	SW		MUNICIPAL	
			NW	SW		MUNICIPAL	
			SW	SW		MUNICIPAL	
			SE	SW		MUNICIPAL	
			NE	SE		MUNICIPAL	
			NW	SE		MUNICIPAL	
			SW	SE		MUNICIPAL	
			SE	SE		MUNICIPAL	
13S	22E	34	NE	NW		MUNICIPAL	
			NW	NW		MUNICIPAL	
			SW	NW		MUNICIPAL	
			SE	NW		MUNICIPAL	
			NE	SW		MUNICIPAL	
			NW	SW		MUNICIPAL	
			SW	SW		MUNICIPAL	

			SE	SW		MUNICIPAL
14S	22E	3	NE	NW	3	MUNICIPAL
			NW	NW	4	MUNICIPAL
			SW	NW		MUNICIPAL
			SE	NW		MUNICIPAL
			NE	SW		MUNICIPAL
			NW	SW		MUNICIPAL
			SW	SW		MUNICIPAL
			SE	SW		MUNICIPAL
			NW	NE	2	STOCKWATER
			NW	NE	2	DOMESTIC
14S	22E	4	NE	NE	1	MUNICIPAL
			NW	NE	2	MUNICIPAL
			SW	NE		MUNICIPAL
			SE	NE		MUNICIPAL
			NE	NW	3	MUNICIPAL
			NW	NW	4	MUNICIPAL
			SW	NW		MUNICIPAL
			SE	NW		MUNICIPAL
			NE	SW		MUNICIPAL
			NW	SW		MUNICIPAL
			SW	SW		MUNICIPAL
			SE	SW		MUNICIPAL
			NE	SE		MUNICIPAL
			NW	SE		MUNICIPAL
			SW	SE		MUNICIPAL
			SE	SE		MUNICIPAL
14S	22E	5	NE	NE	1	MUNICIPAL
			NW	NE	2	MUNICIPAL
			SW	NE		MUNICIPAL
			SE	NE		MUNICIPAL
			NE	SE		MUNICIPAL
			NW	SE		MUNICIPAL
			SW	SE		MUNICIPAL
			SE	SE		MUNICIPAL
			SE	SW		DOMESTIC
			SE	SW		STOCKWATER
14S	22E	6	NE	NE		STOCKWATER
			NW	NE		STOCKWATER
			NE	NW		STOCKWATER
			NW	NW		STOCKWATER
14S	22E	8	NE	NE		STOCKWATER
			NW	NE		STOCKWATER
			SE	NE		STOCKWATER
			NE	NW		STOCKWATER
			NW	NW		STOCKWATER
			NE	SE		STOCKWATER
			SE	SE		STOCKWATER
			NE	NE		DOMESTIC
			NW	NE		DOMESTIC
			SE	NE		DOMESTIC
			NE	SE		DOMESTIC
			SE	SE		DOMESTIC
14S	22E	9	NW	NE		STOCKWATER
			SW	NE		STOCKWATER
			NE	NW		STOCKWATER
			NW	NW		STOCKWATER
			NW	SW		STOCKWATER

15S 22E 22 NW SE DOMESTIC

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

14. Remarks:

COPIED FROM ORIGINAL REMARKS:

NON IRRIGATION USES: DOMESTIC = 20 HOMES; STOCKWATER = 300 RANGE CATTLE; MUNICIPAL IN CITY OF OAKLEY.

THIS CLAIM IS FOR THE GROUND WATER WELL WHICH SERVES THE CITY OF OAKLEY AND A FEW DWELLINGS AND STOCK DIVERSIONS OUTSIDE OF THE CITY LIMITS OF THE CITY OF OAKLEY. THE PLACE OF USE LISTED UNDER THIS CLAIM IS THAT PORTION OF THE SYSTEM SERVED BY THE WELL UNDER GRAVITY FLOW.

BENEFICIAL USE RIGHTS 45-10802, 45-10803 & 45-10804 ARE FOR THE SPRINGS THAT ALSO SUPPLY THE SYSTEM AND ALSO CONTRIBUTE WATER TO SUPPLY THE NEEDS TO THIS SAME IDENTIFIED PLACE OF USE AS WELL AS OTHER AREAS ABOVE THE WELL WHICH THE WELL DOES NOT SERVE.

8-31-1999: CLAIM AMENDED TO DELETE THREE 40 ACRE TRACTS ALL WITHIN 14S 22E SEC 9 FOR STOCKWATER USE. BLM INDICATED THAT NO STOCKWATER TANKS ACTUALLY EXIST WITHIN THOSE TRACTS. -KKC

4-28-2004: THIS RIGHT WAS ORIGINALLY CLAIMED IN THE SRBA AS 45-4184A AND BASED ON STATUTORY CLAIM 45-4184 FILED IN 1983. PLACE OF USE WAS COPIED FROM CLAIM 45-4184A. DOMESTIC AND STOCK WATER USES AND CLAIMED QUANTITIES WERE COPIED FROM CLAIM 45-4184A. OTHER ELEMENTS INCLUDING TOTAL DIVERSION AMOUNTS ARE AS LICENSED UNDER 45-2659 ISSUED IN 1972. - VH

15. Basis of Claim: License

For Organizations:

I do solemnly swear or affirm that I am Attorney for of
Title

City of Oakley, that I have signed the foregoing
Organization

document in the space below as Attorney of
Title

City of Oakley and that the statements contained in the
Organization

foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Attorney
Title and Organization

5-26-04
Date

State of Idaho)
County of Gooding) SS.

Subscribed and sworn (or affirmed) before me this 26th day of May 2004



[Signature]
Notary Public for Idaho

Residing at [Signature]
My commission Expires 8-28-07

Arkoosh Law Offices
Chartered

POST OFFICE BOX 32
301 MAIN STREET
GOODING, IDAHO 83330

C. TOM ARKOOSH, Esq.
THEODORE R. BOOTH, Esq.

RECEIVED

MAY 28 2004

Department of Water Resources
Southern Region

TELEPHONE: (208) 934-8872
FACSIMILE: (208) 934-8873
E-MAIL: alo@cableone.net

May 26, 2004

Vikie Hancock
Senior Water Resource Agent
Southern Adjudication Unit, Twin Falls
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

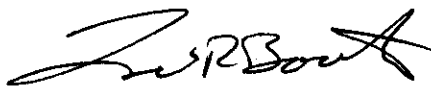
Re: Snake River Basin Adjudication (SRBA)
City of Oakley
Claim Nos.: 45-4184A/45-2659
ALO 618-01

Dear Ms. Hancock:

In response to your correspondence dated April 29, 2004, enclosed is a completed and signed *Notice of Claim* for Water Right License No. 45-2659. Your assistance in this matter is greatly appreciated.

Sincerely,

ARKOOSH LAW OFFICES, CHTD.



Theodore R. Booth

TRB/kc
Enclosure
cc: Client

Arkoosh Law Offices
Chartered

POST OFFICE BOX 32
301 MAIN STREET
GOODING, IDAHO 83330

THEODORE R. BOOTH, ESQ.

TELEPHONE: (208) 934-8872
FACSIMILE: (208) 934-8873
E-MAIL: alo@cableone.net

April 29, 2004

Vickie Hancock
IDWR
Southern Regional Office
1341 Filmore Street, Suite 200
Twin Falls, ID 83301-3380

Re: City of Oakley
ALO File No. 648-02

Dear Vickie:

This letter will serve as a notice of appearance for the water right claims filed by the City of Oakley. Accordingly, all notices required by law to be mailed by the director to the claimant should be mailed to me at the address set forth above. The claim numbers are:

City of Oakley: 45-04184A, 45-10802, 45-10803, 45-10804, 452323B, and 45-2659

Sincerely,

ARKOOSH LAW OFFICES, CHTD.



Theodore R. Booth

TRB/kc
Enclosure
cc: Wes Hawkes

RECEIVED
APR 30 2004
Department of Water Resources
Southern Region

COPY

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: A45-04184A
Date Received: 5/24/1989
Receipt No: M003691
Received By: _____

AMENDED

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

AMENDED

1. Name: CITY OF OAKLEY
Address: CITY HALL
OAKLEY ID 83346
208-862-3313

2. Date of Priority: JUN 23, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	22E	9	SE	NW	SE		CASSIA

5. Description of diverting works:
WELL & 30 H.P. PUMP DELIVERING TO PIPELINE NETWORK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
MUNICIPAL	01/01	12/31	0.440		
DOMESTIC	01/01	12/31	0.200		
STOCKWATER	01/01	12/31	0.070		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC/ 20 HOMES, STOCKWATER/ 300 RANGE, MUNICIPAL/ OAKLEY

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
13S	22E	27	NW	SW		STOCK	
			NW	SW		DOMEST	

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	22E	27	SW		SW		STOCK	
			SW		SW		DOMEST	
		28	SE		NW		DOMEST	
			NE		SW		STOCK	
			NE		SW		DOMEST	
			SW		SW		STOCK	
			SW		SW		DOMEST	
			SE		SW		DOMEST	
			SW		SE		STOCK	
			SW		SE		DOMEST	
			SE		SE		STOCK	
			SE		SE		DOMEST	
		29	NE		SE		STOCK	
			NE		SE		DOMEST	
			SE		SE		STOCK	
			SE		SE		DOMEST	
		31	SW		SW		STOCK	
			SE		SW		STOCK	
			SW		SE		STOCK	
			SE		SE		STOCK	
		32	NE		NE		MUNI	
			NW		NE		MUNI	
			SW		NE		MUNI	
			SE		NE		MUNI	
			SE		SW		MUNI	
			NE		SE		MUNI	
			NW		SE		MUNI	
			SW		SE		MUNI	
			SE		SE		MUNI	
		33	NE		NE		MUNI	
			NW		NE		MUNI	
			SW		NE		MUNI	
			SE		NE		MUNI	
			NE		NW		MUNI	
			NW		NW		MUNI	
			SW		NW		MUNI	
			SE		NW		MUNI	
			NE		SW		MUNI	
			NW		SW		MUNI	
			SW		SW		MUNI	
			SE		SW		MUNI	
			NE		SE		MUNI	
			NW		SE		MUNI	
			SW		SE		MUNI	
		34	SE		SE		MUNI	
			NE		NW		MUNI	
			NW		NW		MUNI	

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	22E	34	SW		NW		MUNI	
			SE		NW		MUNI	
			NE		SW		MUNI	
			NW		SW		MUNI	
			SW		SW		MUNI	
			SE		SW		MUNI	
14S	22E	3	NW		NE	2	STOCK	
			NW		NE	2	DOMEST	
			NE		NW	3	MUNI	
			NW		NW	4	MUNI	
			SW		NW		MUNI	
			SE		NW		MUNI	
			NE		SW		MUNI	
			NW		SW		MUNI	
			SW		SW		MUNI	
			SE		SW		MUNI	
		4	NE		NE	1	MUNI	
			NW		NE	2	MUNI	
			SW		NE		MUNI	
			SE		NE		MUNI	
			NE		NW	3	MUNI	
			NW		NW	4	MUNI	
			SW		NW		MUNI	
			SE		NW		MUNI	
			NE		SW		MUNI	
			NW		SW		MUNI	
			SW		SW		MUNI	
			SE		SW		MUNI	
			NE		SE		MUNI	
			NW		SE		MUNI	
			SW		SE		MUNI	
			SE		SE		MUNI	
		5	NE		NE	1	MUNI	
			NW		NE	2	MUNI	
			SW		NE		MUNI	
			SE		NE		MUNI	
			SE		SW		STOCK	
			SE		SW		DOMEST	
			NE		SE		MUNI	
			NW		SE		MUNI	
			SW		SE		MUNI	
			SE		SE		MUNI	
		6	NE		NE		STOCK	
			NW		NE		STOCK	
			NE		NW		STOCK	
			NW		NW		STOCK	
		8	NE		NE		STOCK	

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres	
14S	22E	8	NE		NE		DOMEST		
			NW		NE		DOMEST		
			NW		NE		STOCK		
			SE		NE		STOCK		
			SE		NE		DOMEST		
			NE		NW		STOCK		
			NW		NW		STOCK		
			NE		SE		STOCK		
			NE		SE		DOMEST		
			SE		SE		STOCK		
			SE		SE		DOMEST		
			9	NW		NE		STOCK	
				SW		NE		STOCK	
				NE		NW		STOCK	
				NW		NW		STOCK	
NW		SW			STOCK				
15S	22E	22	NW		SE		DOMEST		

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A45-10802 , A45-10803 , A45-10804

14. Remarks:

THIS CLAIM IS FOR THE GROUNDWATER WELL WHICH SERVICES THE CITY OF OAKLEY AND A FEW DWELLINGS AND STOCK DIVERSIONS OUTSIDE OF THE CITY LIMITS OF THE CITY OF OAKLEY. THE PLACE OF USE LISTED UNDER THIS CLAIM IS THAT PORTION OF THE SYSTEM SERVED BY THE WELL UNDER GRAVITY FLOW.

BENEFICIAL USE RIGHTS A45-10802, A45-10803, A45-10804 ARE FOR THE SPRINGS THAT ALSO SUPPLY THE SYSTEM AND ALSO CONTRIBUTE WATER TO SUPPLY THE NEEDS TO THIS SAME IDENTIFIED PLACE OF USE AS WELL AS OTHER AREAS ABOVE THE WELL WHICH THE WELL DOES NOT SERVE.

CLAIM AMENDED TO DELETE THREE 40 ACRE TRACTS ALL WITHIN 14S 22E SEC 9 (STOCKWATER USE) BLM INDICATED THAT NO STOCKWATER TANKS ACTUALLY EXIST WITHIN THOSE TRACTS. KKC 8-31-99

15. Basis of Claim: 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 Foreman of

Title
City of Oakley, that I have signed the foregoing
Organization
document in the space below as Foreman of

Title
City of Oakley and that the statements contained in the
Organization
foregoing document are true and correct.

David N. Ballitt
Signature of Authorized Agent

Foreman / City of Oakley
Title and Organization
8/31/99
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 31st day
of Aug 19 99

Kelly L. Christensen
Notary Public

Seal

Residing at Twin Falls, ID
My Commission Expires 3-11-04

COPY

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-4184

WATER RIGHT NUMBER: 45-4184

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF OAKLEY 200 W MAIN PO BOX 266 OAKLEY, ID 83346 (208)862-3313

Priority Date: 01/01/1930

Basis: Statutory Claim

Status: Active

SourceGROUND WATER
SPRINGTributary

SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	1/01 to 12/31	2.000 CFS	
	<u>Total Diversion:</u>	2.000 CFS	

Location of Point(s) of Diversion

SPRING	SE1/4NW1/4	Sec. 10, Twp 15S, Rge 22E, B.M.
CASSIA County		
SPRING	SW1/4SE1/4	Sec. 9, Twp 14S, Rge 22E, B.M.
CASSIA County		
SPRING	NE1/4NE1/4	Sec. 4, Twp 15S, Rge 22E, B.M.
CASSIA County		
SPRING	SE1/4NE1/4	Sec. 33, Twp 14S, Rge 22E, B.M.
CASSIA County		
SPRING	SE1/4SE1/4	Sec. 4, Twp 15S, Rge 22E, B.M.
CASSIA County		
SPRING	NE1/4SW1/4	Sec. 3, Twp 15S, Rge 22E, B.M.
CASSIA County		
SPRING	SW1/4NE1/4	Sec. 3, Twp 15S, Rge 22E, B.M.
CASSIA County		
GROUND WATER	SW1/4SE1/4	Sec. 9, Twp 14S, Rge 22E, B.M.
CASSIA County		
SPRING	SW1/4SE1/4	Sec. 3, Twp 15S, Rge 22E, B.M.
CASSIA County		
SPRING	NW1/4NW1/4	Sec. 14, Twp 15S, Rge 22E, B.M.
CASSIA County		
SPRING	SE1/4SE1/4	Sec. 33, Twp 14S, Rge 22E, B.M.
CASSIA County		

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-4184

SPRING	NE1/4SE1/4	Sec. 10, Twp 15S, Rge 22E, B.M.
CASSIA County		
SPRING	NW1/4SE1/4	Sec. 3, Twp 15S, Rge 22E, B.M.
CASSIA County		
SPRING	SW1/4NE1/4	Sec. 10, Twp 15S, Rge 22E, B.M.
CASSIA County		
SPRING	NE1/4NE1/4	Sec. 15, Twp 15S, Rge 22E, B.M.
CASSIA County		
SPRING	SW1/4SW1/4	Sec. 3, Twp 15S, Rge 22E, B.M.
CASSIA County		

Place of Use

Conditions of Approval:

Remarks:

1. General P/U = CITY OF OAKLEY

Comments:

1. MILLER 7/15/1991 TRANSFER NO. 3819

Comment: SEPARATE SNAKE RIVER BASIN ADJUDICATION CLAIMS HAVE BEEN FILED ON THE SPRINGS AND GROUNDWATER SOURCES IDENTIFIED ON THIS CLAIM. THREE SRBA CLAIMS FILED ON THE SPRINGS HAVE BEEN FILED AS BENEFICIAL USE CLAIMS FOR A TOTAL OF 1.56 CFS. TRANSFER NO. 3819 ADDS A POINT OF DIVERSION/GROUNDWATER WELL TO THESE THREE SRBA BENEFICIAL USE CLAIMS (A45-10802, A45-10803 & A45-10804). WATER DIVERTED FROM THE NEW WELL WILL HAVE A 1991 PRIORITY DATE AND WILL REPLACE ANY WATER THAT CAN NOT BE DIVERTED FROM THE SPRINGS. THE ORIGINAL WELL UNDER THIS STATUTORY CLAIM AND SRBA CLAIM A45-4184A WILL SUPPLY 0.44 CFS TO THE OVERALL MUNICIPAL SYSTEM.

05/28/2004

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

RIGHT NUMBER: 45-2659

NAME AND ADDRESS: CITY OF OAKLEY
200 W MAIN
PO BOX 266
OAKLEY ID 83346

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.560 CFS
405.500 AFY

PRIORITY DATE: 06/23/1961

POINT OF DIVERSION:

T14S R22E S9 SENWSE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
01/01 12/31

QUANTITY
0.560 CFS
405.50 AFY

PLACE OF USE:

Place of use is within the service area of the City of Oakley 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: License



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 28, 2004

Theodore R. Booth
Arkoosh Law Offices, Chtd.
PO Box 32
Gooding, Idaho 83330

RE: Snake River Basin Adjudication (SRBA)
Claim No.: 45-2659 – City of Oakley

Dear Ted,

Enclosed please find a copy of my Preliminary Recommendation for the City of Oakley's claim number 45-2659 along with a Notice of Error response form. Please review my recommendation and let me know if you or your client have any corrections or concerns that can be resolved before the actual Director's Report is mailed to the SRBA Court.

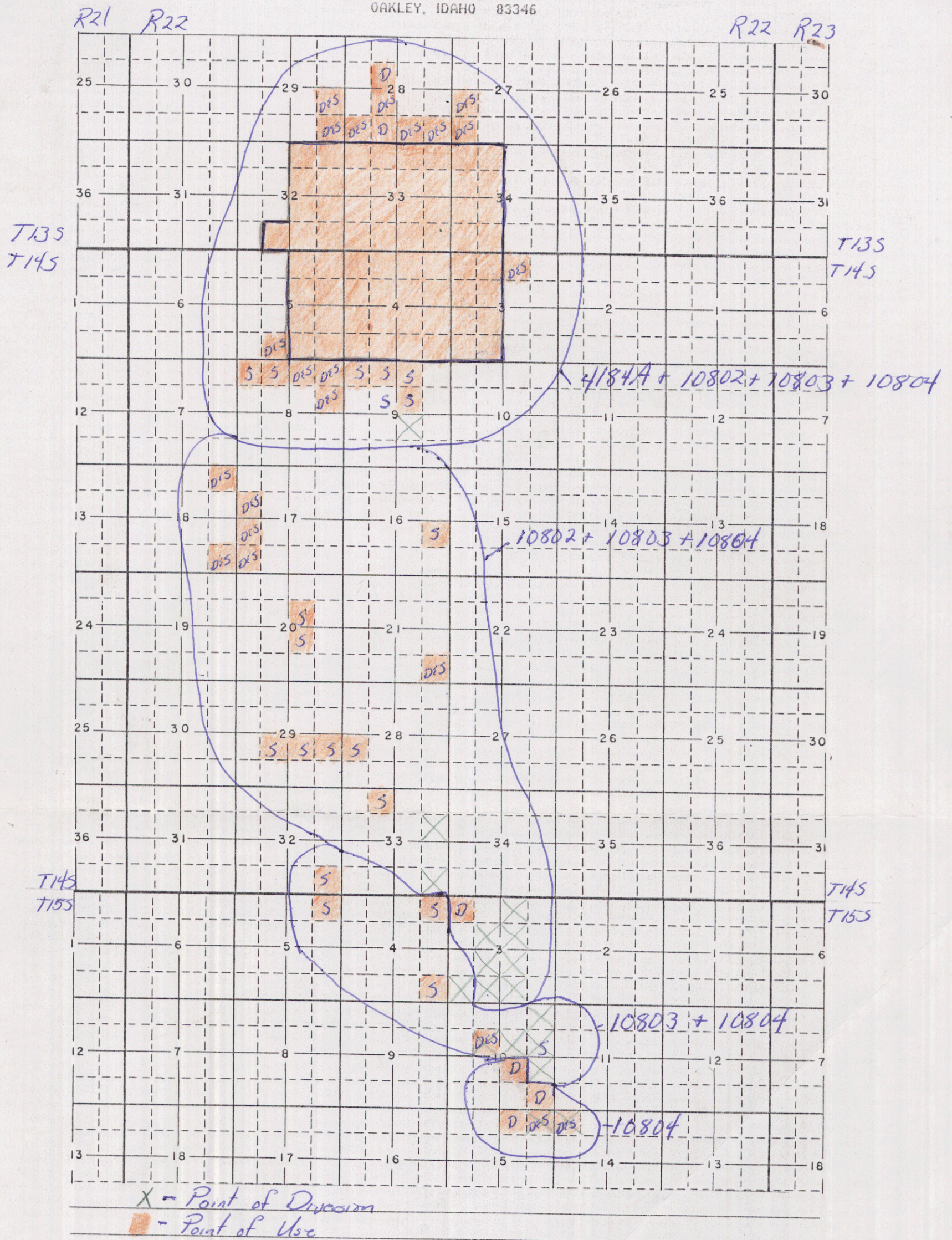
Thank you for your attention to this matter.

Sincerely,

Vikie Hancock
Sr. Water Resource Agent
Southern Adjudication Unit, Twin Falls
email: vhancock@idwr.state.id.us

CITY OF OAKLEY

P.O. BOX 266
OAKLEY, IDAHO 83346



* SCALE: 1 INCH = 1 MILE

☆ U.S. Government Printing Office—1979-678-578/369



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 12, 2004

Ted Booth
Arkoosh Law Offices
PO Box 32
Gooding, Idaho 83330

RE: Snake River Basin Adjudication (SRBA)
Claims for City of Oakley
Nos: 45-2323B, 45-10802, 45-10803, 45-10804,
45-4184A & 45-2659

Dear Ted,

Enclosed please find copies of my Preliminary Recommendations for the following rights in the name of City of Oakley. Please review these proposed recommendations and let me know of any concerns or corrections you may have.

Recommendations for claims 45-10802, 45-10803 & 45-10804 are based upon Transfer No. 5592, approved by IDWR June 29, 2000. A copy of the transfer is included for your convenience.

45-2323B, a ground water right purchased by the City of Oakley from North Oakley Water Company in 1999, requires a transfer pursuant to IC 42-222 to change the place of use from the service area of the *North Oakley Water Company* to the *City of Oakley*.

I received your Notice of Appearance but have not yet received a signed Notice of Claim for 45-2659 based upon a license, which we determined would replace 45-4184A based upon a statutory claim. If you have questions regarding the elements as they appear on the claim, or require another copy of the Notice of Claim, please let me know. I appreciate your attention to this matter.

Sincerely,

Vikie Hancock
Sr. Water Resource Agent
Southern Adjudication Unit, Twin Falls
email: vhancock@idwr.state.id.us



State of Idaho

DEPARTMENT OF WATER RESOURCES

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SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 29, 2004

COPY

Ted Booth
Arkoosh Law Offices
PO Box 32
Gooding, Idaho 83330

RE: Snake River Basin Adjudication (SRBA)
City of Oakley
Claim Nos.: 45-4184A/45-2659

Dear Mr. Booth,

As we discussed by phone yesterday afternoon, here is a prepared *Notice of Claim* representing water right license 45-2659 which has not yet been claimed in the SRBA. It appears to me that the groundwater use developed under 1961 license 45-2659 was included in error under 1983 statutory claim 45-4184, and this error was perpetuated when SRBA claims were filed by the City of Oakley in 1989.

I have enclosed a copy of claim 45-4184A, as it was last amended, for your comparison with the license and new SRBA claim 45-2659. As you can see, the licensed diversion rate is greater than was claimed on 45-4184A. Also, I have included uses for domestic and stock that appeared on 45-4184A but were not included in the license, however I anticipate recommending this right for municipal use only, as I believe that domestic and stockwater would be included within the definition of municipal use within the Village of Oakley and Vicinity, as described on the license.

If you have any concerns regarding the enclosed Notice of Claim, please let me know as soon as possible. Otherwise, please have the claim signed and notarized and returned to me so that I can complete the recommendations for the City's claims in time for the upcoming Director's Report to the SRBA Court.

Sincerely,

Vikie Hancock
Sr. Water Resource Agent
Southern Adjudication Unit, Twin Falls
email: vhancock@idwr.state.id.us

COMMUNICATION DOCUMENTATION

From: Vikie Hancock

April 28, 2004

Regarding:

Customer:

45-2323B and other claims

City of Oakley

Today I called Wes Hawkes at the City of Oakley 208-562-3313 in order to obtain information about the current use of 45-2323B. This right was purchased by the City of Oakley, along with the well and equipment, from North Oakley Water Co (now merged with Marrion Pipeline into the Oakley Valley Water Co). In IDWR records, the right remains appurtenant to the North Oakley Water Co service area, although ownership has been changed to City of Oakley in our records.

Mr Hawkes informed me that the City was in the process of refurbishing the well and that currently it was out of commission. He said the plans were to use the water right within the City of Oakley for it's municipal water users, possibly within the next few months. He said that according to an agreement the well would still be available as a back-up emergency well for Oakley Valley Water Company.

I told Mr. Hawkes that I was about to complete my recommendation of the City's rights and that they would have to reflect the rights as they existed in 1987, or as transferred. Since the place of use of this right had not been transferred to the city boundary, the recommendation sent to the court would identify the North Oakley place of use as it was originally claimed in the SRBA. I explained that after the decree was finalized they should file a transfer so that they could use the right within the City.

Mr. Hawkes told me that the City of Oakley had hired an attorney in Gooding to handle their water issues as well as other legal matters. He requested that I contact him and discuss the rights. His name is Ted Booth, with the Arkoosh law firm, 934-8872. I told him I would be in touch with Mr. Booth.

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 29855/45-2659 Priority June 23, 1961 Amount 0.56 cfs
(grip)

THIS IS TO CERTIFY, that the Village of Oakley
of Oakley, Idaho, has complied with the terms and conditions of Permit
No. 29855/45-2659 issued pursuant to Application for Permit dated June 23, 1961,
and has submitted proof to the Department of Water Administration on June 20, 1966,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.56 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary to _____, is hereby confirmed in the following amounts:

Amount 0.56 cfs for municipal from Jan. 1 to Dec. 31 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 0.56 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW 1/4 Sec. 9, Twp. 14 S, Rge. 22 E, B. M.

in the county of Cassia; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 405.5 acre feet per year ~~xx~~

~~XXXXXXXXXXXX~~

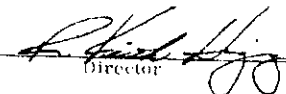
Description and location of place of use: Village of Oakley and vicinity.

TWP	RANGE	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	

Total number of acres irrigated _____

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 11 day of
January, 19 72.


Director

45 2659

DO NOT FILM

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF EXAMINER

Permit No. G-29855 - PART (see assignment to North Oakley Water Co.)

This proof is for Completion of Works & Beneficial Use in Water District No. _____

1. Name of applicant Arthur C. Bergener Mayor, Village of Oakley
2. Source of water supply: 3 wells
3. Location of point of diversion: Is in the ~~NE 1/4~~, ~~S 1/4~~, NW 1/4 of Section 9
T. 14 S. R. 22 E. B. Mc County of Cassia
4. Describe works as they exist, giving dimensions and capacities of same: 30 HP 1/3 Hollowhoff Motor #3140436, Layne & Bowker Pump #28787 (8CL) (270 GPM @ 400' @ 1760 RPM.), 6" discharge 150' into a 195,000 gallon storage tank
5. Water is used for: Municipal use
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
Municipal use in Village of Oakley and Vicinity

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

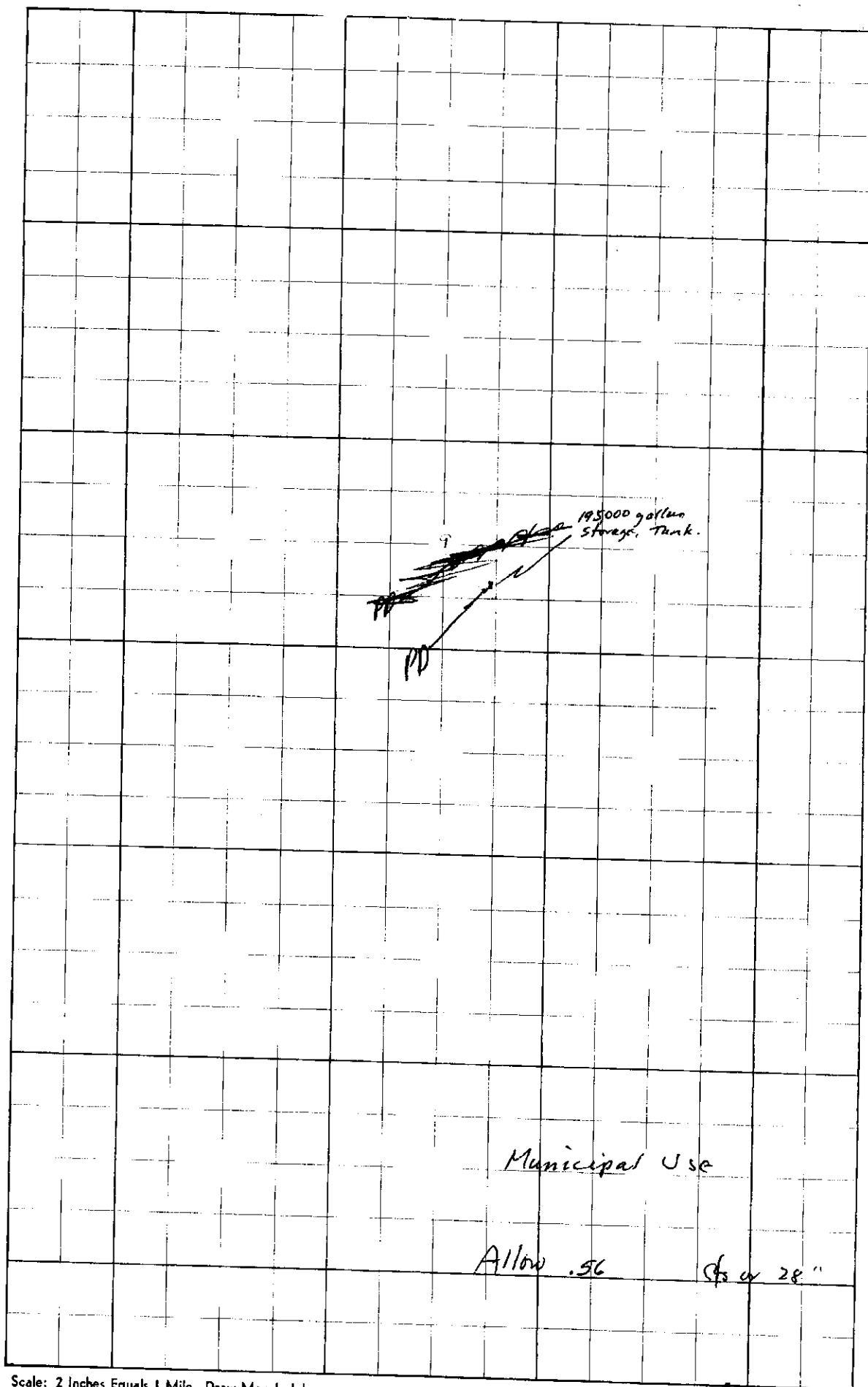
Remarks: M. R. G. Harper, City Engineer along

(Part was assigned to North Oakley Water Co. 2nd Part to be provided later)

Measured over 1' c/cp. Wain = .30' = .56 cfs.

This examination was made on the 15 day of September, 1966

(Signed) Lyn Johnson & Jack Bennett
Examiner.



Municipal Use

Allow .56

for 28"

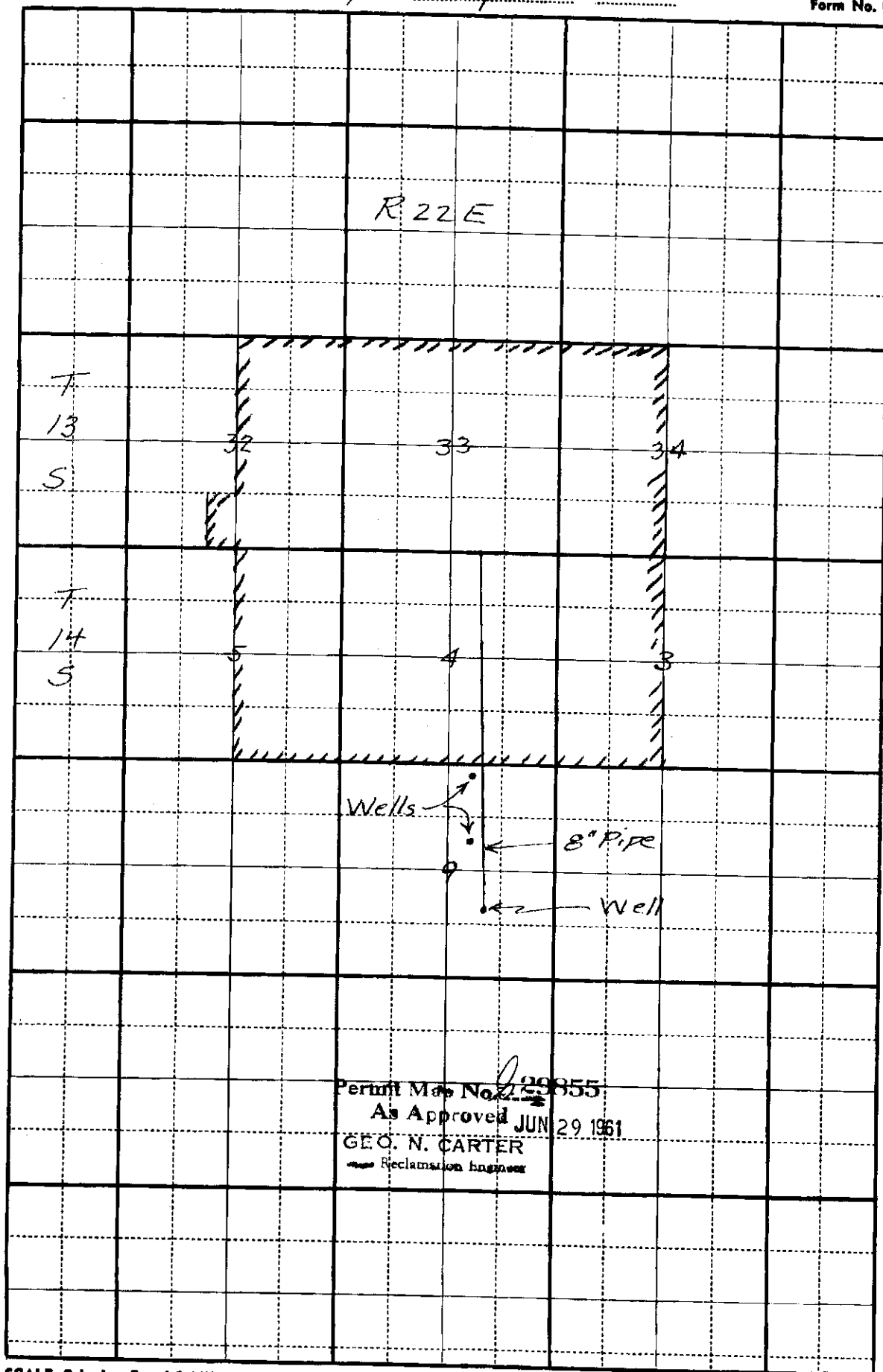
Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

45 2656

DO NOT FILM

NAME OF APPLICANT Village of Oakley

Form No. 0



Permit Map No. 29855
As Approved JUN 29 1961
GEO. N. CARTER
Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

DO NOT FILM

29855

APPLICATION FOR PERMIT

45-2659

To Appropriate the Subterranean Waters of The State of Idaho

Partial Assignment:
North Oakley Water Co. - 1 c.f.s.
CANCELLED on Jan. 29, 1971

Application No. G- 37869
Permit No. G- 29855
District No.

Partial Assignment
Village of Oakley 3.0
North Oakley Water Co.
Partial Assignment 1.0
Cancelled 6/26/67

1. Name of Applicant: Village of Oakley
Postoffice address: Oakley County: Cassia State: Idaho
2. Quantity of water claimed: 4.0 cubic feet per second
 - (a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: subterranean
4. Location of point of diversion or well is in the NW 1/4, SW 1/4, NW 1/4 of the SE 1/4 of Section 9
Twp. 14 S , Rge. 22 E , B.M., County of Cassia
5. Water is to be used for: Municipal Use
6. If for municipal, industrial or recreational purposes, give:
Village of Oakley and Vicinity
 - (a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Wells, pumps and pipe
8. Estimated cost of works: \$ 12,000
9. (a) Is reservoir to be used? yes
(b) Capacity of reservoir: 100,000 gallons
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
Various Rights on water from springs
 - (a) 4.0 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

DO NOT FILM

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

Applicant,

Agent.

Date of first receipt at Department of Reclamation: 9:45 A.M. June 23, 1961

Returned to applicant for correction:

Corrected application received:

The number of this permit is G—29855

Recorded in Book 105 Page 29855 Approved June 29, 1961

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before

and to continue diligently and uninterruptedly to completion, unless

temporarily interrupted by circumstances over which the permit holder has no control. One-fifth of the work above specified to be completed

One-fifth of the work above specified to be completed on or before **December 29, 1963**

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before June 29, 1966

Witness my hand this 29th day of June, 1961

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, WM. E. DREVLOW, Acting STATE RECLAMATION ENGINEER,
and ARNOLD WILLIAMS, Governor of the State of Idaho,
Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 29th
day of June, 19 61.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ W. E. DREVLON

Secretary of State.

Acting Governor

12.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	

DO NOT FILM

A S S I G N M E N T

For Portion of Water Permit

FOR VALUE RECEIVED, the VILLAGE OF OAKLEY, a municipal corporation, situated in Cassia County, Idaho, hereinafter called the Assignor and in consideration of the drought conditions existing, does hereby assign to the North Oakley Water Company, Inc., of Oakley, Cassia County, Idaho, its successors and assigns, hereinafter called the Assignee:

ONE SECOND FOOT of water applied for by the Assignor under and by the provisions of Permit No. G-29855 with the understanding that the said Assignee will be permitted to file upon and make proof of beneficial use of the water of One Second Foot included in said Permit.

The Assignor does hereby relinquish all its interest in and to One Second Foot of water of said Permit.

Authority for this assignment was given by the unanimous resolution of the Village of Oakley Board at a special meeting lawfully held on August 11, 1966.

IN WITNESS WHEREOF, the Chairman of the Board and the Clerk of the Board of the Village of Oakley of Cassia County, Idaho, have hereby set their hands and the seal of the Village of Oakley this 14th day of September, 1966.

VILLAGE OF OAKLEY, A municipal corporation

By /s/ ARTHUR C. BERGENER

Attest:

/s/ WALLACE A. HALE, Clerk

State of Idaho)
) ss
County of Cassia)

On this 14th day of September, 1966, before me, the undersigned, a Notary Public in and for said State, personally appeared Arthur Burgener and Wallace A. Hale, known to me to be the Chairman and Clerk respectively of the Village Board of the Village of Oakley, Cassia County, Idaho, a political subdivision of the State of Idaho, that executed the foregoing instrument and acknowledged to me that such Village of Oakley executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

/s/ A.H. NIELSON
Attorney at Law
Notary Public in and for Idaho
Residing at: Burley, Idaho

My commission expires: February 20, 1970

AMENDMENT TO POINT OF DIVERSION

Comes now North Oakley Water Company and represents to the State Reclamation Engineer of the State of Idaho: That it is the owner (partial) and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-29855. That the points of diversion is described in said Permit as being located: NW 1/4, SW 1/4, NW 1/4, Sec. 9, T 14 S., R 22 E., B.M. That it now requests that the points of diversion be changed to a points located: The same as listed above plus SW 1/4, Section 2, T 14 S., R 22 E., B.M. That the reason for desiring to make such change is as follows: The Village of Oakley ~~Village of Oakley~~ Cassia county, Idaho has assigned to the North Oakley Water Co., 1 c.f.s. of the permit and the North Oakley Water Company desires to drill its own well. That no one will be injured by such change and that such change will be made at Permit Holder's own risk. Signed at Burley, Idaho this 27th day of September, 1966.

NORTH OAKLEY WATER COMPANY
/s/ BY RAYMOND DAHLQUIST, President

Date of Receipt at Department of Reclamation: 9-28-66.

APPROVAL OF STATE RECLAMATION ENGINEER OF THE STATE OF IDAHO.

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-29855. This approval constitutes a new permit and is issued as an amendment to the original permit to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ R. KEITH HIGGINSON
/s/ STATE RECLAMATION ENGINEER

Recorded in book 105 of permits at page G-29855, September 29, 1966.

DO NOT FILM

AMENDMENT TO LAND LIST

Comes now North Oakley Water Company, and represents to the State Reclamation Engineer of the State of Idaho That it is the partial owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-29855, and requests that the list of lands to be irrigated as described in said permit, be changed to read as follows: Municipal type use for the owners and users of the North Oakley Water Company under its distribution system. Water for the municipal system is used for culinary purposes to households located within the following described property: Section 2, T 14 S., R 22 E., B.M., T 13 S., R 22 E., B.M., Sections 34, 35, 27, 28, 21, 16, and 9, T 12 S., R 22, Section 27, 33, 34. The village of Oakley has heretofore assigned to the North Oakley Water Company a portion of its above mentioned permit and the North Oakley Water Company wishes to drill its own well and use water in its own system and make its own proof as soon as the water has been put to beneficial use. That an additional amount of water is not asked for and that the rights of others will not be adversely affected by such change.

Signed at Burley, Idaho, this 27th day of September, 1966.

/s/ NORTH OAKLEY WATER COMPANY
By Raymond Dahlquist, President

Date of Receipt at Department of Reclamations: September 28, 1966.

APPROVAL OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for permit to appropriate the Public Waters of the State of Idaho, No. G-29855. This approval constitutes a new permit and is issued as an amendment to the original permit to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ R. KEITH HIGGINSON
State Reclamation Engineer

Recorded: September 29, 1966.

LICENSE ISSUED FOR 452 SEC. FT.
LICENSE PUG NO.

DO NOT FILM

January 5, 1972

Village of Oakley
Oakley,
Idaho 83346

Gentlemen:

A representative of this department has made an examination of the works covered by your Permit No. 39856/45-2659 and has found the following:

(part)
Quantity of water diverted: 0.56 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 0.56 c.f.s.

The maximum quantity of water diverted shall not exceed 405.5 acre feet per season.

Beneficial Use: Municipal purposes within the Village of Oakley and vicinity.

Point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, Twp. 14S, Rgn. 23E.B.M.

The priority date established is : June 23, 1961

A fee totaling \$ 5.00 must be received within 30 days from the date of this letter in order that we can issue you a Water License as set forth in this letter.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

45 2659

April 25, 1967

Re: Permit No. G-29855

C
North Oakley Water Co.
Raymond Dahlquist, Pres.
Oakley, Idaho

Gentlemen:

O
Reference is made to Permit No. G-29855 of which 1 c.f.s. was assigned to the North Oakley Water Company from the Village of Oakley in September, 1966. It was pointed out to you at that time that we had forwarded to the Village of Oakley notice that the proof of completion and beneficial use of water was due and also that the Village of Oakley had made proof on that portion of the total 4 c.f.s. which it had developed.

P
Y
By a letter, dated January 10, 1967, you were notified that your portion of Permit No. G-29855 was held for cancellation because you had not made proof. You were given 60 days in which to show cause why such cancellation should not be made. Since we received no notice of intent to make proof or any other information within the 60 day period, we have no choice but to cancel the 1 c.f.s. which was assigned to you. Some other arrangement must now be made by the North Oakley Water Company to cover diversion and use of water from the new well.

If we can be of any assistance to you in this matter please let us know.

Very truly yours,

R. KEITH HIGGINSON
State Reclamation Engineer

RKH:ew

cc Nielson & Nielson
Attorneys at Law
Burley, Idaho

29855

Christensen, Kelly

Subject: CITY OF OAKLEY A45-10802, 10803, 10804, AND 04184A
Entry Type: Meeting
Contact: DAVID BABBITT
Company: CITY OF OAKLEY

Start: Tue 8/31/99 12:00 AM
End: Tue 8/31/99 12:00 AM
Duration: 0 hours

He met first with Allen Merritt and myself where we discussed the physical operation of the City system, the North Oakley system, and the Marrian system. After much discussion it appears that the most viable option would be for the three organizations to merge into one entity and then file a transfer creating a ppu of the three systems. This would appear to give them the best option for system flexibility. He is going to pursue this option before filing any transfers to add the 40 acre tracts that have been identified as currently part of the system but not part of any claims.

We then moved to my office where I generated amended claims to delete 3 40 acres tracts for stockwater from 14s 22e sec 9. All 4 claims were amended.

Nick Spencer stopped by and we discussed the system again and Nick offered a legal perspective concerning the City rights.

We anticipate meeting again this fall to further discuss the rights after he has an opportunity to meet with the principals of the three organizations.

Points of usage to remove from all four filings:

A45-10802, A45-10803, A45-10804, A45-04184A

TOWNSHIP	RANGE	SECTION	1/4	of	1/4	USE
14S	22 E	9	SW		NW	STOCK
			SE		NW	STOCK
			SW		SW	STOCK

*P/u entries deleted
8-31-99
K KC*

Points to add to filings A45-10803, A45-10804

TOWNSHIP	RANGE	SECTION	1/4	of	1/4	USE
14S	22 E	9	NW		NE	STOCK add COMMERCIAL
		31	SW		SE	Stock
			SE		NE	Stock
	22E	9	SW		NW	~~Stock~~
		8	SW		SW	Stock
		9	(ALL)			Stock
		7	NW		NE	Stock
		6	NW		NE	Stock

*P/u identified as being
Part of system but
not on claim.
Anticipate that a
transfer would be the
proper tool to add these P/u's
to the right to - claimant is going
to present the possibility of a transfer
to the city & other entities
Rita is acting on this & la
K KC 8-31-99*

@95

Points to add to filing A45-10804

TOWNSHIP	RANGE	SECTION	1/4	of	1/4	USE
15S	22 E	15	NW		NE	Domestic
		22	NW		NE	Domestic
		23	NE		NW	Domestic

@93

FROM: Allen Merritt

DATE: October 19, 1994

TO: File A45-10802, A45-10803, A45-10804, A45-04184A

SUBJECT: Response to letter from City of Oakley and discussions regarding future plans.

On 10/17/94 we received the attached letter. On 10/18/94 I phoned Mr. Babbitt and we discussed what his letter was all about. Apparently the City of Oakley for health reasons is being required to modify the spring boxes which divert water into their pipeline network. I believe for economic reasons they are proposing only to treat two of the spring diversions and propose to continue diverting water from the upstream springs yet before the pipeline reaches the lower two springs they propose the discharge the pipeline on to the ground where it will sink and thru natural filtration be cleaned and then they will pick this same water up in the lower springs.

Mr. Babbitt indicated that the pipeline was operated in this manner in 1988 when the upper springs were contaminated. Mr. Babbitt faxed a copy of a quad showing the location of the springs and also I noted on this map where the pipe will be cut and where the lower springs are located. Mr. Babbitt indicated that the map locations for the springs were determined using a GPS.

In response to the city's letter I wrote my 10/18/94 letter which i mailed & faxed 10/19/94.

DEC 03 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 18, 1994

David Babbitt
CWP-City of Oakley
PO Box 266
Oakley, ID 83346

RE: City of Oakley Water Rights
A45-10802, A45-10803, A45-10804 & A45-04184A

Dear Mr. Babbitt:

In response to your October 12, 1994 letter and our subsequent phone conversations this day I offer the following comments regarding the City of Oakley's water rights and proposal.

Our records indicate that you have filed four (4) claims in the Snake River Basin Adjudication (SRBA) which have been numbered as referenced above. These claims are subject to review of the validity of these uses in the ongoing SRBA. Additionally our records indicate that three of these rights (the 10000 series numbers) were included on approved transfer 3819 which allowed for the addition of a well to these water rights which were originally developed from numerous springs diverted south of the city. The approved transfer did not increase the historical diversion rate to the city nor did it provide for the addition of new uses but it did allow the city the flexibility of providing the historically used water from a well instead of the old springs. One note worth mentioning is that the amount diverted from the new well has a priority date of January 23, 1991 instead of the historical priority date. (Please review the conditions of approval of transfer 3819)

As you know the City of Oakley is located in the Oakley-Kenyon Critical Groundwater Area initially established January 19, 1962. As such the department cannot issue new water right permits for development of additional consumptive use water rights from groundwater in this area. Additionally the City of Oakley is also within the Eastern Snake River Plain Moratorium Area initially established May 15, 1992. As such the department cannot process new water right permits for development of additional consumptive use water rights from surface waters within this area until the moratorium is lifted. The department will; however, consider applications for transfer of existing rights pursuant to § 42-222 of the Idaho Code for both groundwater and surface water rights in this area or may consider applications for permit or applications for transfer consistent with § 42-105 or § 42-4201A of the Idaho

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Page 2
10/18/94
Letter to City of Oakley

Code.

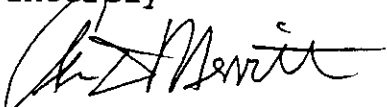
In review of your proposal to change the way you divert and use the springs it appears to me that you need to file with the department an application for either a transfer or permit which is consistent with the previously described statutes of the Idaho Code. Since I cannot give you legal advice I leave this up to you and your attorney as to which process would be best to initiate. To do nothing and merely make the change I believe puts your water rights in jeopardy.

If the city requires more water for their existing and future uses it appears the only alternative is to purchase an existing water right from someone and modify the right pursuant to § 42-222 of the Idaho Code to suit the city's needs.

To specifically address your question about abandonment or sale of your water right consider the following. If the right is abandoned the water is left in the natural source and goes to fill the next right in priority. If you sell your water right (I don't know why you would do this) it would then belong to someone else for them to either use as recorded, be modified pursuant to § 42-222 or to be lost by them through forfeiture or abandonment.

I hope this letter addresses your concerns. If you need further explanation please feel free to contact our office.

Sincerely



Allen Merritt
Acting Southern Region Manager

DEC 03 1996

CITY OF OAKLEY

201 Blaine
Oakley, ID 83346
Phone (208) 862-3313

October 12, 1994

State of Idaho
Dept. of Water Resources
222 Shoshone St. East
Twin Falls ID 83301

5 0 1 5 1 1

OCT 17 1994

Department of Water Resources
Southern Region Office

Dear Mr. Holmes,

The City of Oakley needs to insure their water rights and alter the present method of collection to be in compliance with the Surface Treatment Ruling of the Clean Drinking Water Act. We have been working with EHM Engineers and the DEQ to come to a solution to our dilemma. The Surface Treatment Water Ruling affects many of the springs we are currently using. Over the last few years we have been doing some testing on the springs and their relationships with each other. Our findings on the testing over the last two years show the springs in Range 20 E, Township 14 S, Section 33 to be under less influence from surface water than the remaining springs in our water rights.

We have a well as an additional point of diversion to each of our spring water rights. The springs are directly related to each other, and the number of springs and the total volume of water coming off the total water right are indirectly related to each other. Because the water from the lower springs and water from the wells are the same water as the springs higher on the mountain, the majority of the water comes from the two springs in section 33. We want the balance of the spring water to percolate back into the aquifer on the hill above the two springs located in section 33.

Idaho code 42-105 allows the use of natural channels to convey water. We need to do the paper work that will allow the surface influenced springs to use the natural channel or the aquifer to convey the water to the lower points of diversion.

Currently the City of Oakley's water rights are tied together between the springs and the well. We may have already established the conveyance path and no further paper work needs to be done. However, we do not want any party or organization to assume we have abandoned the spring or springs by allowing them to percolate into the aquifer and be conveyed to other points of diversion.

DEC 03 1996

CITY OF OAKLEY

201 Blaine
Oakley, ID 83346
Phone (208) 862-3313

We are going to be applying for a Community development Block Grant through the Department of Commerce to help pay for the changes necessary to comply with the regulations. Please let us know what steps, if any, are needed to make sure the water that is percolated back into the ground is protected under our current water rights. Following are a few additional questions we would like to have answered in a letter. I know we have discussed them in person, but would you please answer them in writing.

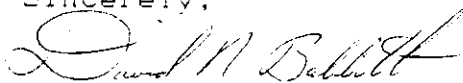
What would happen to our water rights if we abandon our water, or sold it?

Would obtaining another well permit and water right be a possibility here in Oakley? Would drilling another well be a better option as far as the water rights are concerned?

Would you make recommendations and help us find the solution to our problem as described on the first page of this letter?

We need a response to this letter by the October 21, 1994, in order to have time to finish our application. Thank you very much for your time and consideration in this matter.

Sincerely,



David N. Babbitt
PWD-City of Oakley

DEC 03 1996

STATE OF IDAHO

AFFIDAVIT

STATE OF IDAHO)
 ss.
County of Cassia)

David N. Babbitt, being first duly sworn on oath,
deposes and states:

I have talked to individuals who have worked on the water system as it was being installed for the City of Oakley. I have also seen evidence of the work preformed by the Work Project Act (WPA) in the 1930's and early 1940's for the City of Oakley. The City of Oakley and the Village of Oakley are the same municipality, the name being changed in 1968.

The WPA improved the springs the City of Oakley purchased. This water was used for beneficial use by the previous owners. This water was put to beneficial use in the late 1800's and the early 1900's, as the valley was first settled. The Village enclosed the springs and piped the water into Oakley for the municipality. The water has been used by the city since that time.

The Lite-Air Water Company, composed of a few individuals, piped the warm springs water into Oakley with the intentions of making a hot pool in the third block on N. Blaine St. The water was ice cold when the water finally reached Oakley, so the pool was abandoned. The same few individuals decided they would plumb this water into their homes. Others bought into this wonderful idea. The Light Air Water Company became known or was purchased by the Warm Springs Water Company. Until this time everyone had their own backyard well from a purged water table. Some of these wells went dry on dryer years.

Water was not sampled during this period of time. The Warm Springs water was extremely high in fluoride, causing most of the people who drank the water to have discolored teeth. (this was similar to nicotine stains) The Warm Springs Water Company was purchased by the Village of Oakley on the 15th of May 1925 #77153 in the county records. The Village council realized the warm springs water would be insufficient to supply the needs of the whole village. The Village purchased the water from Columbus M. Carpenter on the 13 of November 1925. This is recorded in the county records #180059 or #80059. These springs were piped into the system. Included in the papers is an affidavit making the purchase date of November 22, 1909 when the springs were deeded. Beneficial use was previous to that point. Also included is a copy of decree #78608 giving Columbus M. Carpenter full ownership of this water. This group of springs is known by Department of Water Resources as file number A45-10802.

As the springs were developed in Section 33, Township 14 S. Range 22 E., the Springs in Section 28 dried up. The springs in Section 3, T 14 S., R 22 E. were developed adding some more water to the three lower Carpenter Springs. The two upper springs are close enough together that they are normally referred to as one spring. The middle one has flowed very little water after the springs have been developed in section 3.

The rest of the water filings for the Village of Oakley come from the springs that used to make the Wild Cat and the Choke Cherry Creek. These two groupings of springs were combined in ownership because William Severe bought this water from Leonora Severe and H. H. Severe November 27 1925. Record #78966 in county records.

Before the water was sold to the Village of Oakley on the 17th of March 1941. #139969 of the county records, William Severe was issued a decree on the water rights on the 13th of February 1941. This is #137904 in the county records. These water rights are #A45-10803 and #A45-10804 with the Department of Water Resources for the City of Oakley.

The last filing for the City of Oakley with the Department of Water Resources # A45-10804 was challenged in court in 1938 on the 11th of July. A Decree #129737 was given to the Village of Oakley for the full water right with a priority date of 1 April 1895.

The WPA helped to install these springs in the 1940's. As the Village was installing the pipes, the water rights were challenged in court. And a judgement and a decree was made in favor of the Village of Oakley giving all water rights to the Village.

Each of the canyons, where the springs are, had old homesteads at the base of the mountain. All of the springs were put to beneficial use between 1980 and 1990. All original owners have sold their water rights to the Village of Oakley.

Some of the springs that come to the surface on the mountain, in the City of Oakley's water fillings, are surface impacted and are not suitable to drink. Consequently, the water is left to percolate back into the ground. The water is a contributory to another spring lower on the mountain where the water comes to a point of diversion after the water has been cleaned being purified through the gravel.

The WPA developed all the springs of significant quantity in Section 33, T 14 S., R 22 EBM., and sections 3, 10, 14, and 15. Township 15 S., Range 22 EBM. Other springs that were dependant on these springs dried up. As the number of springs were eventually increased in the system, the total volume of the water did not improve in time on the macro level. The springs are in a direct relationship to each other, one spring feeds the next spring in succession on the mountain.

The number of springs and the amount of water produced have an indirect relationship with each other. The upper springs will feed the springs lower on the mountain. Eg. If the springs higher on the hill are developed and put into a pipe, the lower springs, being feed by them, will reduce in volume in relationship to the amount of water the upper springs use to feed to them. The lower springs will also increase in volume if the upper springs are again allowed to return to the surface of the ground and allowed to percolate.

I started working for the City of Oakley in 1980. We have just been through the worst drought and the wettest years on record. I have witnessed what the people have told me who installed the original pipes.

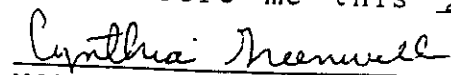
Over the years on the mountain, everyone except Pickett Ranch and Sheep Company has acknowledged the city's right to the water. Each has been sent a bill and everyone has paid the bills as the bills have come due. Pickett Ranch and Sheep Company claims mutual ownership in some of the city's springs. These claims are recorded.

The Village councils of the past had a gentleman's agreement with Picketts not to bill them for the water. The agreement was worked in an agreement in 1982 and filed with in the court house. This could be a debatable issue because Severes deeded to Picketts "any water that did not flow into the pipeline of the Oakley Canal Company." This I believe should have read "of the Village of Oakley", since the city not the canal company had a pipe line. For this reason along with others mentioned in the agreement, the Village Fathers for many years have felt that to have an agreement where both win is much better than to have a battle. The agreement, which is also included, has worked out well for both parties.

DATED this 26 day of February 1993.


DAVID N. BABBITT

SUBSCRIBED AND SWORN to and before me this 26 day of February, 1993.


NOTARY PUBLIC FOR IDAHO
Residing at: 119 S Day - Oakley, Idaho
My Commission Expires: Sept. 1, 1998

ALFRED E. BARRUS

Attorney at Law
1918 Overland Avenue
P.O. Box 487
Burley, Idaho 83318
Telephone (208) 678-1155
FAX (208) 678-1166

RECEIVED

SEP 13 1993

Department of Water Resources

September 10, 1993

Norm Young
State of Idaho
Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

RE: Water Right of the City of Oakley

Dear Norm:

This letter is to confirm our telephone conversation of September 9, 1993. As you are aware the City of Oakley has water rights to springs south of the City of Oakley. These springs were developed in the late 1800s and put to beneficial use. The City of Oakley received the rights to the springs by various assignments over the years. For many years the springs were the only source of water for the City of Oakley.

In 1961, a well was drilled between the springs and the City of Oakley to supplement the City of Oakley's water supply. In 1983, an earthquake decreased the volume of the springs dramatically. In 1991, a permit was received from the Department of Water Resources allowing the City of Oakley to add an additional point of diversion from each of the spring's water rights to a well located near the 1961 well. At that time it was recognized that the aquifer from which the water was being pumped was the same aquifer from which the spring water was flowing. The new well was drilled in 1991 and is now the main supply of water for the City of Oakley.

When new regulations on surface water go into effect in the near future it will make it cost prohibitive to use the water from the springs in the City of Oakley water system. The estimated cost of a filtration plant in 1993 would be approximately 1.4 million dollars with an annual expense to the City of Oakley of approximately \$113,000.00. Before the spring water can be used in the city system, it has to be treated and a treatment plant would cost much more than the City of Oakley could afford.

The City of Oakley is considering pumping the water from

Norm Young
September 10, 1993
Page -2-

the springs to a location within 1,000 feet of the well where the water would percolate back into the aquifer. The water would be naturally filtered as it returned to the aquifer. The aquifer would serve as a natural storage facility. This would alleviate the necessity of building and maintaining a filtration and storage system.

The purpose of this letter is to determine whether or not the Department of Water Resources agrees with the City of Oakley that in allowing the water to percolate into the aquifer and pumping it out of the well amounts to proper use of the water and not an abandonment of the springs. I would certainly appreciate your evaluation of this matter and your response.

I'll be looking forward to hearing from you.

Very truly,



Alfred E. Barrus

AEB/rr
cc: City of Oakley

City of Oakley

A45-04184A

- 10802 SCHEDULE A

10803
10804

Total Diversion-
Priority Date:

Owner/Claimant:

1. Matthews Bros., Inc. 1.309 CFS
(WR# A45-00077D) 03/01/1875

This record of ^{claimed} water
rights in City of
Oakley was brought in
on 2/3/94 + I copied it
It may help in reviewing
this complex area RVW.

Matthews Bros., Inc. 3.30 CFS
(WR# A45-00078D) 04/01/1881

Ditto Rider Records?
RVW 2/3/94

Place of Use-
Total Acres:

See page 10
#33

T13S R22E S26
SWNW SENW NESW NWSW SWSW
SESW (240.0 acres)

+ Page 6

T13S R22E S27
NENE (20 acres)
SENE (20 acres)
NESE SESE (80.0 acres)

#13

T13S R22E S35
NWNE SWNE NENW NWNW
(160.0 acres)

T14S R22E S02
NESW NWSW SESW
(120.0 acres)
SWSW (35.0 acres)

T14S R22E S03
NENE NWNE (80.0 acres)

T14S R22E S11
NESW (20.0 acres)
NESE NWSE SWSE SESE
(160.0 acres)

T14S R22E S14
NENE (40.0 acres)
NWSE (30.0 acres)

T13S R22E S26
SWNW SENW NESW NWSW SWSW
SESW (240.0 acres)

T13S R22E S27
NENE (20.0 acres)
SENE (20.0 acres)
NESE SESE (80.0 acres)

T13S R22E S35
NWNE SWNE NENW NWNW
(160.0 acres)

T14S R22E S02
NESW NWSW NESW
(120.0 acres)
SWSW (35.0 acres)

<u>Owner/Claimant:</u>	<u>Total Diversion- Priority Date:</u>	<u>Place of Use- Total Acres:</u>
		T14S R22E S03 NENE NWNE (80.0 acres)
		T14S R22E S11 NESW (20.0 acres) NESE NWSE SWSE SESE (160.0 acres)
		T14S R22E S14 NENE (40.0 acres) NWSE (30.0 acres)
Matthews Bros., Inc. (WR# A45-00079D)	0.972 CFS 12/05/1882	T13S R22E S26 SWNW SENW NESW NWSW SWSW SESW (240.0 acres)
		T13S R22E S27 NENE (20.0 acres) SENE (20.0 acres) NESE SESE (80.0 acres)
		T13S R22E S35 NWNE SWNE NENW NWNW (160.0 acres)
		T14S R22E S02 NESW NWSW SESW (120.0 acres) SWSW (35.0 acres)
		T14S R22E S03 NENE NWNE (80.0 acres)
		T14S R22E S11 NESW (20.0 acres) NESE NWSE SWSE SESE (160.0 acres)
		T14S R22E S14 NENE (40.0 acres) NWSE (30.0 acres)
Matthews Bros., Inc. (WR# A45-00085)	1.40 CFS 12/05/1882	T14S R22E S02 NESW NWSW SESW (120.0 acres) SWSW (35.0 acres)
		T14S R22E S03 NENE NWNE (80.0 acres)

<u>Owner/Claimant:</u>	<u>Total Diversion- Priority Date:</u>	<u>Place of Use- Total Acres:</u>
		T14S R22E S11 NESW (20.0 acres) NESE NWSE SWSE SESE (160.0 acres)
		T14S R22E S14 NENE (40.0 acres) NWSE (30.0 acres)
Matthews Bros., Inc. (WR# A45-00089C)	0.80 CFS 06/01/1882	T13S R22 ES34 SWSE SESE (80.0 acres)
		T14S R22E S02 NESW NWSW SESW (120.0 acres) SWSW (35.0 acres)
		T14S R22E S03 NENE NWNE (80.0 acres)
		T14S R22E S11 NESW (20.0 acres) NESE NWSE SWSE SESE (160.0 acres)
		T14S R22E S14 NENE (40.0 acres) NWSE (30.0 acres)
Matthews Bros., Inc. (WR# A45-00090)	1.00 CFS 12/01/1882	T13S R22 ES34 SWSE SESE (80.0 acres)
		T14S R22E S02 NESW NWSW SESW (120.0 acres) SWSW (35.0 acres)
		T14S R22E S03 NENE NWNE (80.0 acres)
		T14S R22E S11 NESW (20.0 acres) NESE NWSE SWSE SESE (160.0 acres)
		T14S R22E S14 NENE (40.0 acres) NWSE (30.0 acres)

<u>Owner/Claimant:</u>	<u>Total Diversion- Priority Date:</u>	<u>Place of Use- Total Acres:</u>
Matthews Bros., Inc. (Purchased from Millers) (WR# A45-10630)	0.44 CFS 04/01/1881	T14S R22E S03 NWNW (20.0 acres) NENW (20.0 acres) NWNW (20.0 acres)
Matthews Bros., Inc. (Purchased from Stringhams.) (WR# A45-00077Y)	0.02 CFS 03/01/1875	T14S R22E S04 NENE (4.6 acres)
2. J.H. Callahan (WR# A45-10598)	0.49 CFS 03/01/1875	T14S R22E S03 SWNW (34.0 acres) SESW NESW NWSW SESW (160.0 acres)
J.H. Callahan (WR# A45-00078U)	0.15 CFS 04/01/1881	T14S R22E S03 SWNW (34.0 acres) SESW NESW NWSW SESW (160.0 acres)
J.H. Callahan (WR# A45-00092B)	2.00 CFS 05/04/1881	T14S R22E S03 SWNW (34.0 acres) SESW NESW NWSW SESW (160.0 acres)
J.H. Callahan (WR# A45-00079U)	0.25 CFS 12/05/1882	T14S R22E S03 SWNW (34.0 acres) SESW NESW NWSW SESW (160.0 acres)
J.H. Callahan (WR# A45-00088)	1.50 CFS 04/15/1882	T14S R22E S03 SESW NESW NWSW SESW (160.0 acres)
J.H. Callahan (WR# A45-00089B)	0.20 CFS 06/01/1882	T14S R22e S03 SWNW (34.0 acres) SESW NESW NWSW SESW (160.0 acres)
3. Charles M. Payton Elizabeth Payton (WR# A45-00080G)	0.40 CFS 03/01/1875	T13S R22E S33 SWNW (37.0 acres) NWSW (2.0 acres)
Charles M. Payton Elizabeth Payton (WR# A45-00081G)	0.15 CFS 04/01/1881	T13S R22E S33 SWNW (37.0 acres) NWSW (2.0 acres)
Charles M. Payton Elizabeth Payton (WR# A45-00082G)	0.25 CFS 12/05/1882	T13S R22E S33 SWNW (37.0 acres) NWSW (2.0 acres)

<u>Owner/Claimant:</u>	<u>Total Diversion- Priority Date:</u>	<u>Place of Use- Total Acres:</u>
Charles M. Payton Elizabeth Payton (WR# A45-00092A)	2.00 CFS 05/04/1881	T13S R22E S33 SWNW (37.0 acres) NWSW (2.0 acres)
4. Tim Payton Kathy Payton (WR# A45-00080H)	0.40 CFS 03/01/1875	T13S R22E S33 SWNW (1.0 acres) NWSW (39.0 acres)
Tim Payton Kathy Payton (WR# A45-00081H)	0.15 CFS 04/01/1881	T13S R22E S33 SWNW (1.0 acres) NWSW (39.0 acres)
Tim Payton Kathy Payton (WR# A45-00082H)	0.25 12/05/1882	T13S R22E S33 SWNW (1.0 acres) NWSW (39.0 acres)
5. James C. McBride (WR# A45-10765)	0.003 CFS 03/01/1875	T13S R22E S33 SESW (1.0 acres)
James C. McBride (WR# A45-10766)	0.005 CFS 04/01/1881	T13S R22E S33 NESW (1.0 acres)
James C. McBride (WR# A45-10767)	0.005 CFS 12/05/1882	T13S R22E S33 SESW (1.0 acres)
6. Ilia Randell (WR# A45-10006)	0.01 CFS 03/01/1875	T13S R22E S33 SESW
Ilia Randell (WR# A45-10007)	0.01 CFS 04/01/1881	T13S R22E S33 SESW
Ilia Randell (WR# A45-10008)	0.01 CFS 12/05/1882	T13S R22E S33 SESW
7. Meriel B. Peterson Jonae B. Christensen (WR# A45-00077Q)	0.006 CFS 03/01/1875	T13S R22E S33 SWSW
8. Meriel B. Peterson (WR# A45-00077Z)	0.007 CFS 03/01/1875	T14S R22E S04 NENE (1.3 acres)
Meriel B. Peterson Jonae B. Christensen (WR# A45-00078H)	0.006 CFS 04/01/1881	T13S R22E S33 SWSW
Meriel B. Peterson (WR# A45-00078T)	0.022 CFS 04/01/1881	T14S R22E S04 NENE (2.7 acres)
Meriel B. Peterson (WR# A45-00079T)	0.0005 CFS 12/05/1882	T14S R22E S04 NENE (1.3 acres)

<u>Owner/Claimant:</u>	<u>Total Diversion- Priority Date:</u>	<u>Place of Use- Total Acres:</u>
9. Arnold Harper Darlene Harper (WR# A45-00077R)	0.016 CFS 03/01/1875	T13S R22E S33 NWSW (1.0 acres)
Arnold K. Harper Darlene Harper (WR# A45-00078J)	0.006 CFS 04/01/1881	T13S R22E S33 NWSW (1.0 acres)
Arnold K. Harper Darlene Harper (WR# A45-00079K)	0.01 CFS 12/05/1882	T13S R22E S33 NWSW (1.0 acres)
10. Utauna A. Hale Jimmy L. Hale (WR# A45-00077P)	0.066 CFS 03/01/1875	T13S R22E S33 SWSW (2.0 acres)
Jimmy L. Hale Utauna A. Hale (WR# A45-00078G)	0.025 CFS 04/01/1881	T13S R22E S33 SWSW (2.0 acres)
Utauna A. Hale Jimmy L. Hale (WR# A45-00079J)	0.013 CFS 12/05/1882	T13S R22E S33 SWSW (2.0 acres)
11. Golden R. Burch (WR# A45-11495)	0.02 CFS 03/01/1875	T13S R22E S33 SWSW
12. Clifford Bell (WR# A45-00077M)	0.016 CFS 03/01/1875	T13S R22E S33 SWSE (2.0 acres)
Clifford Bell (WR# A45-00078Q)	0.006 CFS 04/01/1881	T13S R22E S33 SWSE (2.0 acres)
Clifford Bell (WR# A45-00079R)	0.01 CFS 12/15/1882	T13S R22E S33 SWSE (2.0 acres)
13. David Judd (WR# A45-00080J)	0.003 CFS 03/01/1875	T13S R22E S33 SWSW
David Judd (WR# A45-00081J)	0.001 CFS 04/01/1881	T13S R22E S33 SWSW
David Judd (WR# A45-00082J)	0.002 CFS 12/05/1882	T13S R22E S33 SWSW
14. Tim McKnight (WR# A45-00080K)	0.02 CFS 03/01/1875	T13S R22E S33 SWSW
Tim McKnight (WR# A45-00081K)	0.02 CFS 04/01/1881	T13S R22E S33 SWSW

<u>Owner/Claimant:</u>	<u>Total Diversion- Priority Date:</u>	<u>Place of Use- Total Acres:</u>
Tim McKnight (WR# A45-00082K)	0.02 CFS 12/05/1882	T13S R22e S33 SWSW
15. Max Cooper (WR# A45-11004)	0.03 CFS 03/01/1875	T13S R22E S33 SESW (1.0 acre)
16. Gary Mullard (WR# A45-00077AA)	0.04 CFS 03/01/1875	T13S R22E S33 SESW (2.0 acres)
17. Ernest Adams (WR# A45-00087E)	0.05 CFS 04/01/1881	T13S R22E S33 NESE (2.5 acres)
18. LaVerda V. Gee (WR# A45-10788)	0.02 CFS 03/01/1875	T14S R22E S04 Lot 1 (NENE) (2.0 acres)
19. Steven Mitton (Purchased from parents.) (WR# A45-10754)	0.03 CFS 12/05/1882	T14S R22E S04 NWNE
20. Sharon Papp-Okelberry (WR# A45-10891)	0.03 CFS 12/05/1882	T13S R22E S33 SESW
21. Emma H. Taylor (WR# A45-10688)	0.005 CFS 03/01/1875	T13S R22E S33 NESW
Emma H. Taylor (WR# A45-10689)	0.003 CFS 04/01/1881	T13S R22E S33 NESW
Emma H. Taylor (WR# A45-10690)	0.005 CFS 12/05/1882	T13S R22E S33 NESW
22. Lorraine Gorringe (WR# A45-00077X)	0.017 CFS 03/01/1875	T13S R22E S33 SWSW (1.0 acres)
Lorraine Gorringe (WR# A45-00078R)	0.006 CFS 04/01/1881	T13S R22E S33 SESW (1.0 acres)
Lorraine Gorringe (WR# A45-00079S)	0.008 CFS 12/05/1882	T13S R22E S33 SESW (1.0 acres)
23. Freeman Bates (WR# A45-00077N)	0.016 CFS 03/01/1875	T13S R22E S33 SWSE (2.0 acres)
Freeman Bates (WR# A45-00078A)	0.006 CFS 04/01/1881	T13S R22E S33 SWSE (2.0 acres)
Freeman Bates (WR# A45-00079A)	0.01 CFS 12/05/1882	T13S R22E S33 SWSE (2.0 acres)

<u>Owner/Claimant:</u>	<u>Total Diversion- Priority Date:</u>	<u>Place of Use- Total Acres:</u>
24. Joseph R. Whiteley Mary J. Whiteley (WR# A45-00077S)	0.005 CFS 03/01/1875	T13S R22E S33 SWSE (1.0 acres)
Joseph R. Whiteley Mary J. Whiteley (WR# A45-00078K)	0.002 CFS 04/01/1881	T13S R22E S33 SWSE (1.0 acres)
Joseph R. Whiteley Mary J. Whiteley (WR# A45-00079L)	0.003 CFS 12/05/1882	T13S R22E S33 SWSE (1.0 acres)
25. Joyce W. Jacobsen Blanche W. Sheffield (WR# A45-00077T)	0.008 CFS 03/01/1875	T13S R22E S33 SWSE
Joyce W. Jacobsen Blanche W. Sheffield (WR# A45-00077U)	0.008 CFS 03/01/1875	T13S R22E S33 SWSE
Joyce W. Jacobsen Blanche W. Sheffield (WR# A45-00078L)	0.003 CFS 04/01/1881	T13S R22E S33 SWSE
Joyce W. Jacobsen Blanche W. Sheffield (WR# A45-00078M)	0.003 CFS 04/01/1881	T13S R22E S33 SWSE
Joyce W. Jacobsen Blanche W. Sheffield (WR# A45-00079M)	0.005 CFS 12/05/1882	T13S R22E S33 SWSE
Joyce W. Jacobsen Blanche W. Sheffield (WR# A45-00079N)	0.005 CFS 12/05/1882	T13S R22E S33 SWSE
26. W.B. Whiteley (WR# A45-00077W)	0.016 CFS 03/01/1875	T13S R22E S33 SESW
W.B. Whiteley (WR# A45-00078P)	0.006 CFS 04/01/1881	T13S R22E S33 SESW
W.B. Whiteley (WR# A45-00079Q)	0.01 CFS 12/05/1882	T13S R22E S33 SESW
27. Ralph W. Hunter (WR# A45-10249)	0.02 CFS 12/05/1882	T13S R22E S33 SWSW
28. Ruth S. Sagers (WR# A45-00080A)	0.02 CFS 03/01/1875	T13S R22E S33 SWSW

<u>Owner/Claimant:</u>	<u>Total Diversion- Priority Date:</u>	<u>Place of Use- Total Acres:</u>
Ruth S. Sagers (WR# A4500081A)	0.01 CFS 04/01/1881	T13S R22E S33 SWSW
Ruth S. Sagers (WR# A45-00082A)	0.01 CFS 12/05/1882	T13S R22E S33 SWSW
29. Robert N. Sagers (WR# A45-00080C)	0.01 CFS 02/01/1875	T13S R22E S32 SESE
Robert N. Sagers (WR# A45-00081C)	0.005 CFS 04/01/1881	T13S R22E S33 SESE
Robert N. Sagers (WR# A45-00082C)	0.005 CFS 12/05/1882	T13S R22E S32 SESE
30. Kendall Dayley (WR# A45-00077L)	0.05 CFS 03/01/1875	T13S R22E S33 SESW (2.0 acres)
31. Glenn Rose Marca Rose (WR# A45-00077V)	0.003 CFS 03/01/1875	T13S R22E S33 SWSW
Glenn Rose Marca Rose (WR# A45-00078N)	0.001 CFS 04/01/1881	T13S R22E S33 SWSW
Glen Rose Marca Rose (WR# A45-00079P)	0.001 CFS 12/05/1882	T13S R22E S33 SWSW
32. Clyde Bell (WR# A45-00078S)	0.027 CFS 04/01/1881	T13S R22E S33 SWSE (2.0 acres)
33. Royce G. Buckley Patricia J. Buckley (WR# A45-00086B)	0.31 CFS 04/01/1881	T14S R22E S03 Lot 3 (NENW) (9.0 acres) Lot 4 (NWNW) (9.0 acres)
34. Gail Ambler (WR# A45-00086C)	0.15 CFS 04/01/1881	T14S R22E S03 Lot 4 (NWNW) (3.0 acres)
35. Winecup, Inc. (WR# A45-10410)	0.006 CFS 03/01/1875	T13S R22E S33 SWSE NESW
35. Winecup, Inc. (WR# A45-10411)	0.006 CFS 03/01/1875	T13S R22E S33 SWSE NESW
36. J.O. Garrard Edna Rachel Gerard (WR# A45-10557)	0.01 CFS 03/01/1875	T13S R22E S33 SESW



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

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MAR 1 1990

Department of Water Resources
Southern Region Office

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 22, 1990

City of Oakley
C/O David Babbitt
P. O. Box 266
Oakley, ID 83346

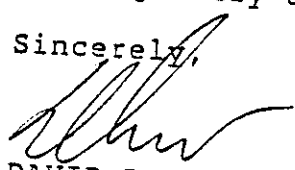
Gentlemen:

Our records show you have filed your adjudication claim(s) in the Snake River Basin Adjudication. Our records do not, however, include a clear map of your service area. Would it be possible for us to get a map of your customer service area for your municipal water system, both to supplement the record of your claim(s) and for use as described below?

In our review and investigation phase of the Snake River Basin Adjudication, the map would be helpful for us to have this information in verifying individual claims to water rights for domestic purposes. We will be happy to discuss with you the most convenient way for you to provide this information to us. I can be reached at 327-7931 or you may contact my assistant, Anita Warntjes at 327-7986.

Your assistance in this matter is greatly appreciated.

Sincerely,


DAVID B. SHAW
Adjudication Bureau Chief

DBS:alw

A45-04184B

04184

04184C

04184D

10802

10803

10804

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MAR 18 1990

Page 1 of 8

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Transfer No. 3819

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

**HT
APPROVED**

Name of applicant City of Oakley Phone 826-3313/862-9225
Post Office address Attn: David Babbitt, P.O. Box 266, Oakley, ID, 83346

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Add point of diversion from groundwater to spring water
2. Describe the reason for the proposed changes claims

The springs which supply water to the City of Oakley have significantly decreased in flow due to drought conditions of recent years. It is the intent of this transfer to allow the drilling of a new well to replenish the historically enjoyed flow rate from the springs.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ae-ft)	Nature of Use	Period of Use
A45-10802	03/10/1917	0.67	Municipal/Dom/Stock	1/1 to 12/31
A45-10803	01/01/1930	0.45	"	" to "
A45-10804	03/17/1925	0.44	"	" to "
				to

2. Total amount of water being transferred 1.56 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water AND Springs tributary to Sinks

4. Point(s) of Diversion: Groundwater

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NW	SE	9	14S	22E	Cassia	(Proposed Well)
								Plus numerous springs as claimed with no change
								in these locations. (See Original Proof Report Attached)

5. Lands irrigated or place of use: _____

5. Lands irrigated or place of use: (No Change)

[illegible]

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Total acres _____

PART 1

6. General Information:

- a. Description of diversion system Existing pipeline network connected to numerous springs and one well (A45-04184A) delivers water to City of Oakley and some houses & stock outside city limits. Approval of this transfer would allow the addition of another well without an increase in the
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
N/A
- d. Remarks:
Proposed well is between 700' to 2200' in elevation below the springs supplying water to these rights. The well would be drilled into the same aquifer basin in which the springs are located.

historical use rate.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. A45-10802/10803/10804
Statutory Claim No. 45-4184
And said application is hereby APPROVED, subject to the following limitations and conditions:
See attached sheet for conditions of approval.

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JUL 15 1991

Witness my hand this

4th day of

June

19 91

J. Blum Saxton
Chief, Water Allocation Bureau

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CONDITIONS OF APPROVAL

Transfer of Water Right Nos. A45-10802/10803/10804
on
Statutory Claim No. 45-4184
Transfer No. 3819

1. This transfer allows an alternative source of supply to replace water usually available to the city from springs which have been affected by a series of low runoff years. No additional use development is authorized by this transfer and the combined rate of diversion from the well and springs shall not exceed a total of 1.56 cfs of water with as much water as available being first diverted from the springs.
2. The priority date for any portion of the claimed rights in which groundwater is diverted from the new well shall be advanced to January 23, 1991. Any portion of the claimed rights filled by diversion of water from the springs shall retain the original claimed dates or the priority dates affixed by the court in the Snake River Basin Adjudication.
3. The Director of IDWR retains jurisdiction of the claimed rights to require reconstruction of the well or other action needed to protect other groundwater rights.
4. The City of Oakley shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
6. Approval of this transfer in no way confirms the right(s) claimed.
7. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.
8. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
9. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 4th day of June, 1991.

L. Glen Saxton
L. GLEN SAXTON
Chief, Water Allocation Bureau
JUL 15 1991

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESA45-10802
A45-10803
A45-10804

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ In _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purpose:

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

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	

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JUL 15 19919. Describe any other water rights used for the same purpose as described above A45-04184A 15
connected to the same system. This is from a well with limited

Total acres

PART 2

Transfer No. 3819

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

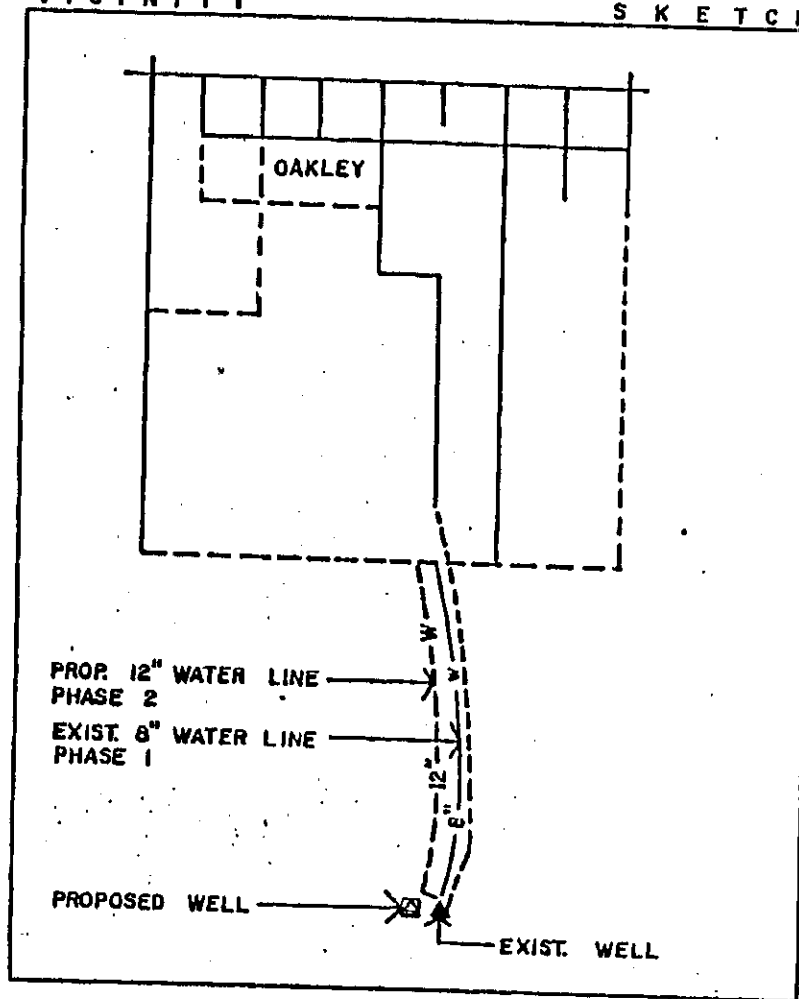
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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N.T.S.

ENCLOSURE

FEB 15 1991

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FEB - 4 1991

Department of Water Resources
Southern Region Office

445-10802, 10803, 10804

T#

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 15 day of January, 19 91.

George F. Tomblin
(Signature of Applicant)

Harold Robinson
(Notary Public)

My commission expires May 9 - 1992

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 1 attachments

Received by SL Date 1/23/91 Protest filed by _____

Prelim. check by _____ Fee 50.00

Received by SL Date 1/23/91 5012272

Published in South Idaho Press Copies of protest forwarded by _____

Pub. dates 3/22 + 3/29/91 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by SL 6-3-91

Copy of transfer sent to lien holder _____

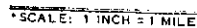
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JUL 15 1991

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P.O. BOX 266
GARLEY, IDAHO 83346

R22 R23:



IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 45-4184A

WATER RIGHT NUMBER: 45-4184A

Owner Type Name and Address
Current Owner CITY OF OAKLEY
 200 W MAIN
 PO BOX 266
 OAKLEY, ID 83346
 (208)862-3313

Priority Date: 06/23/1961

Basis: License

Status: Active

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	1/01 to 12/31	0.440 CFS	
STOCKWATER	1/01 to 12/31	0.070 CFS	
DOMESTIC	1/01 to 12/31	0.200 CFS	
	<u>Total Diversion:</u>	0.440 CFS	

Location of Point(s) of Diversion

GROUND WATER

CASSIA County

SE1/4NW1/4SE1/4

Sec. 9, Twp 14S, Rge 22E, B.M.

Place of Use

MUNICIPAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	22E	32	X	X	X	X					X				X	X	X	X	
13S	22E	33	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
13S	22E	34					X	X	X	X	X	X	X	X					
14S	22E	3					X	X	X	X	X	X	X	X					
							L3	L4											
14S	22E	4	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
			L1	L2			L3	L4											
14S	22E	5	X	X	X	X									X	X	X	X	
			L1	L2															

STOCKWATER

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IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 45-4184A

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S 22E 27										X	X						
13S 22E 28									X		X				X	X	
13S 22E 29													X			X	
13S 22E 31										X	X				X	X	
14S 22E 3		X															
		L 2															
14S 22E 5											X						
14S 22E 6	X	X			X	X											
14S 22E 8	X	X		X	X	X							X			X	
14S 22E 9		X	X		X	X			X								

DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S 22E 27										X	X						
13S 22E 28							X	X		X	X				X	X	
13S 22E 29													X			X	
14S 22E 3		X															
		L 2															
14S 22E 5											X						
14S 22E 8	X	X		X									X			X	
15S 22E 22														X			

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IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 45-4184A

Conditions of Approval:

Remarks:

1. General

THIS CLAIM IS FOR THE GROUNDWATER WELL WHICH SERVICES THE CITY OF OAKLEY AND A FEW DWELLINGS AND STOCK DIVERSIONS OUTSIDE OF THE CITY LIMITS OF THE CITY OF OAKLEY. THE PLACE OF USE LISTED UNDER THIS CLAIM IS THAT PORTION OF THE SYSTEM SERVED BY THE WELL UNDER GRAVITY FLOW. BENEFICIAL USE RIGHTS A45-10802, A45-10803, A45-10804 ARE FOR THE SPRINGS THAT ALSO SUPPLY THE SYSTEM AND ALSO CONTRIBUTE WATER TO SUPPLY THE NEEDS TO THIS SAME IDENTIFIED PLACE OF USE AS WELL AS OTHER AREAS ABOVE THE WELL WHICH THE WELL DOES NOT SERVE.

***** CLAIM AMENDED TO DELETE THREE 40 ACRE TRACTS ALL WITHIN 14S 22E SEC 9 (STOCKWATER USE) BLM INDICATED THAT NO STOCKWATER TANKS ACTUALLY EXIST WITHIN THOSE TRACTS. KKC 8-31-99 *****

Comments:

Renum

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Southern District Office

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)

(Mailing Address)

Telephone No. 862-3313

(1) Date of priority: (When was the water first applied to a beneficial use) 1930

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

(cfs, gpd, AFA)

(Domestic, Irrigation, Stock, Etc.)

(Mo., Day)

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

Quantity	Use	Period of Use From	To
Quantity <u>entire flow</u>	Use <u>city water supply</u>	Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</u>
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 _____
entire water flow	Use _____	Period of Use From _____	To _____

(4) entire water flow * TOTAL QUANTITY USED. Period of Use From _____ To _____
 lcs, gpd, AFA) * RS for Conversation with Howard Smyser Attorney for City of Oakley. 7685-6-13

(5) A) Point of discussion

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

Additional points of diversion: See attached map showing 30 spring locations as well as the city well.

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. Gravity flow pipeline. The pipeline's size is 4", increasing to 6", and then back to 4". See attached map.

(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. Use is throughout the city of Oakley.

[illegible]

No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: The claimed water constitutes the city's water supply for city, business and residential needs.

NOTE: Include here the type and number of stock watered:
If none, state "None".

(7) If you are claiming water as a member of an organization, list name of organization: Cassia County, Idaho. City of Oakley.

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