

12/19/2000

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

RIGHT NUMBER: 31-7011

NAME AND ADDRESS: CITY OF DUBOIS
PO BOX 27
DUBOIS, ID 83423

SOURCE: GROUND WATER

QUANTITY: 1.35 CFS
977.4 AFY

PRIORITY DATE: 05/29/1968

POINT OF DIVERSION: T10N R36E S21 SWNESW Within CLARK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
01-01 12-31

QUANTITY
1.35 CFS
977.40 AFY

PLACE OF USE:

PLACE OF USE IS WITHIN THE SERVICE AREA INCLUDING THE CITY
LIMITS OF THE CITY OF DUBOIS.

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: BASIS OF CLAIM - License

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

12/19/2000

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-7011

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF DUBOIS PO BOX 27 DUBOIS, ID 83423 (208)374-5241

Priority Date: 05/29/1968
Basis: License
Status: Valid

<u>Source</u>	<u>Tributary to</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
MUNICIPAL	01/01	12/31	1.35 CFS	977.4 AFA	
Total Diversion			1.35 CFS	977.4 AFA	

Location of Point(s) of Diversion:

GROUND WATER SWNESW Lt Sec. 21 Township 10N Range 36E CLARK County

Place(s) of use: No POU's found for this right

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 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.

Remarks:

1. Place of Use PLACE OF USE IS WITHIN THE SERVICE AREA INCLUDING THE CITY LIMITS OF THE CITY OF DUBOIS.

Dates:

Licensed Date: 04/17/1979
Claim Received Date: 06/30/1988
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Review Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	12/19/00 12:05:46 PM	csaxton			In Process
POD	12/19/00 12:12:10 PM	csaxton			In Process
	12/19/00 12:11:37 PM	csaxton			In Process

POU	12/19/00 12:13:57 PM	csaxton		In Process
Priority Date	12/19/00 12:06:51 PM	csaxton		In Process
Quantity	12/19/00 12:17:26 PM	csaxton		In Process
Season	12/19/00 12:15:26 PM	csaxton		In Process
Source	12/19/00 12:13:29 PM	csaxton		In Process
Summary	12/19/00 12:25:59 PM		12/19/00 12:25:59 PM csaxton	Complete
Use	12/19/00 12:14:39 PM	csaxton		In Process

Other Information:

Receipt Number(s):
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Overall Max Diversion Rate: 1.35
 Overall Max Diversion Volume: 977.4
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:C
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>
Contacts	12/19/00 12:05:36 PM	csaxton
POD	12/19/00 12:13:22 PM	csaxton
POD	12/19/00 12:12:08 PM	csaxton
POD	12/19/00 12:11:35 PM	csaxton
POU	12/19/00 12:13:56 PM	csaxton
Priority Date	12/19/00 12:06:49 PM	csaxton

Log Text

1. Appointment has not been scheduled.
 Comment for 1: See comments in file 31-10001
 Edited point location
 1. (NO) The basis is not beneficial use.
 2. (YES) Parent right has a Point of Diversion.
 3. (NO) The claimed Point of Diversion can not be verified using the water right file.
 4. (YES) There is evidence that there has been a change in the Point of Diversion.
 5. (YES) The change can be verified as an accomplished transfer.
 6. (YES) The file contains all the necessary information to verify the POD.
 Comment for 6: NWMD GPS data and field exam by Ernie Carlsen.
 8. (NO) Point of Diversion remark was not required.
 9. (YES) Point of Diversion condition was required.
 1. (NO) The basis is not beneficial use.
 2. (YES) Parent right has a Point of Diversion.
 3. (NO) The claimed Point of Diversion can not be verified using the water right file.
 4. (YES) There is evidence that there has been a change in the Point of Diversion.
 5. (YES) The change can be verified as an accomplished transfer.
 6. (YES) The file contains all the necessary information to verify the POD.
 8. (NO) Point of Diversion remark was not required.
 9. (YES) Point of Diversion condition was required.
 1. (YES) The POU is required.
 2. (NO) The basis of claim is not beneficial use.
 3. (YES) The Parent Right has a POU.
 4. (YES) The claimed POU can be verified using the water right file.
 12. (NO) POU remark was not required.
 13. (NO) POU condition was not required.
 1. (NO) There has not been a later court decree of the water right(s) from the water source.
 4. (NO) The basis of claim is not beneficial use.
 5. (NO) The basis of claim is not a posted notice.
 6. (YES) Parent right has a priority date.
 7. (NO) The basis of claim is not an application or permit.
 12. (YES) The claim is recommended.

Priority Date 12/19/00 12:06:08 PM csaxton

Quantity 12/19/00 12:17:24 PM csaxton

Season 12/19/00 12:15:24 PM csaxton

Source 12/19/00 12:13:27 PM csaxton

Summary 12/19/00 12:25:58 PM csaxton

Use 12/19/00 12:14:37 PM csaxton

13. (YES) The claim is coded correctly.

14. (NO) Priority remark was not required.

15. (NO) Priority condition was not required.

1. (NO) There has not been a later court decree of the water right(s) from the water source.

4. (NO) The basis of claim is not beneficial use.

5. (NO) The basis of claim is not a posted notice.

6. (YES) Parent right has a priority date.

7. (NO) The basis of claim is not an application or permit.

12. (YES) The claim is recommended.

13. (YES) The claim is coded correctly.

14. (NO) Priority remark was not required.

15. (NO) Priority condition was not required.

1. (NO) The basis of claim is not beneficial use.

2. (NO) The basis of claim is not a posted notice.

3. (YES) The parent right has a diversion rate and/or diversion volume.

4. (YES) The claimed diversion rate and/or volume can be verified using the water right file.

6. (YES) The source is ground water and the purpose of use requires a diversion volume limit.

7. (NO) The parent right does not have an annual diversion volume limit.

8. (NO) Irrigation is not a purpose of use.

Comment for 8: Diversion Volume x 1.9835 x 365 days.

9. (NO) Quantity remark was not required.

10. (NO) Quantity condition was not required.

1. (NO) The basis of claim is not beneficial use.

2. (YES) The parent right has a period of use.

3. (YES) The claimed Period of Use can be verified using the water right file.

12. (NO) Irrigation is not the purposed use.

Comment for 12: License

15. (NO) Period of Use remark was not required.

16. (NO) Period of Use condition was not required.

1. (NO) The basis is not beneficial use.

2. (YES) Parent right has a source.

3. (YES) The claimed source can be verified using the water right file.

8. (NO) The source is not surface water.

10. (NO) Source remark was not required.

11. (NO) Source condition was not required.

1. (NO) The basis of the claim is not beneficial use.

3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture.

5. (NO) General remark was not required.

6. (NO) Explanatory remark was not required.

7. (YES) Additional condition was required.

8. (YES) Wanted to view the recommended right.

9. (NO) This is not a split right.

10. (NO) This is not a combined right.

11. (NO) Documents were not linked or attached to this file.

12. (YES) Set the verification date.

1. (NO) The basis of claim is not beneficial use.

2. (YES) The parent right has a purpose of use.

3. (YES) The claimed purpose of Use can be verified using the water right file.

11. (NO) Purpose of Use remark was not required.

12. (NO) Purpose of Use condition was not required.

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: A31-07011
Date Received: 4/25/1988
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF DUBOIS 208-374-5241
Address: P.O. BOX 27
DUBOIS, ID 83423

2. Date of Priority: MAY 29, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	36E	20	NE	SE			CLARK

5. Description of diverting works:
WELL, PUMP, MAINLINE TO MUNICIPAL WATER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MUNICIPAL	01/01	12/31	1.350		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
MUNICIPAL WATER FOR DUBOIS, ID.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	36E	20				MUNI	
		21				MUNI	
		28				MUNI	

A31-07011

Page 1

Date: 06/11/88

MICROFILMED
NOV 17 1992



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10N	36E	29			MUNI	
		33			MUNI	

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:
A31-10001/A31-10002

14. Remarks:
P/D AKA WEST WELL SUPPLING MUNICIPAL WATER TO DUBOIS, ID.
P/U WITHIN THE CITY LIMITS OF DUBOIS, ID.

15. Basis of Claim: LICENSE
Water Right Number:

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 _____ Mayor _____ of _____ Title _____

_____ The City of Dubois _____, that I have signed the foregoing _____ Organization _____ document in the space below as _____ Mayor _____ of _____ Title _____

_____ The City of Dubois _____ and that the statements contained in the _____ Organization _____ foregoing document are true and correct.

Mae Wagoner
Signature of Authorized Agent

_____ MAYOR of City of Dubois _____
Title and Organization

_____ June 17, 1988 _____
Date

State of Idaho _____)
County of *Clark* _____) SS.

Subscribed and sworn (or affirmed) before me this *17th* day

of *June* 19 *88*

William A. Lawrence
Notary Public

Seal

Residing at *Dubois, Idaho*

My Commission Expires *9-30-91*

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. **31-7011** Priority **May 29, 1968** Amount **1.35 cfs**

THIS IS TO CERTIFY, that **CITY OF DUBOIS**

of **Dubois, Idaho** has complied with the terms and conditions of Permit

No. **31-7011** issued pursuant to Application for Permit dated **May 29, 1968**

and has submitted proof to the Department of Water Resources on **April 10, 1974**

that he has applied water to a beneficial use. Examination by the Department indicates that the works have a capacity for the diversion of **1.35 cfs** of water from **a ground water source**

tributary and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Municipal	from Jan. 1 to Dec. 31	at 1.35 cfs and	n/a
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than **1.35 cfs** of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed

n/a acre feet per year, said waters to be diverted within the **NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 20,**

Twp. 10 N, Rge. 36 E, B. M. in the County of **Clark**

Description and location of place of use:

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 $\frac{1}{4}$	
10 N	36 E	20													X	X	X	X	
		21								X	X	X	X						
		28				X	X	X	X	X									

Total number of acres irrigated _____

A measuring device of a type approved by this Department shall be permanently maintained as part of the diverting works.

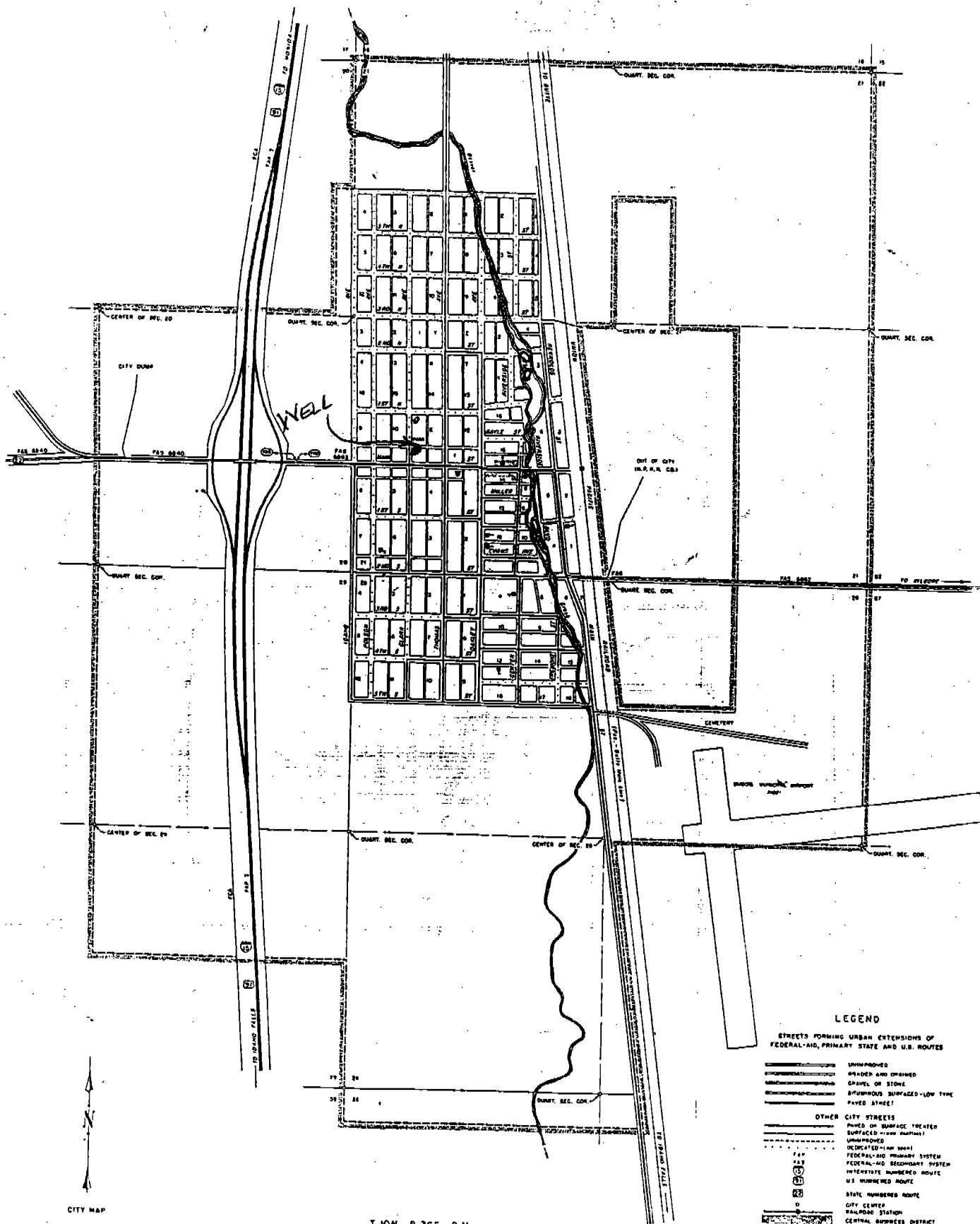
NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 **10** day of **February**, 19 **75**.

Director

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LEGEND

STREETS FORMING URBAN EXTENSIONS OF
FEDERAL-AID, PRIMARY STATE AND U.S. ROUTES

- UNIMPROVED
- GRAVEL AND GRAVEL
- GRAVEL OR STONE
- BITUMINOUS SURFACE-LOW TYPE
- PAVED STREET

OTHER CITY STREETS

- PAVED OR SURFACE TREATED
- SURFACE (LOW GRADE)
- UNIMPROVED

DEDICATED (LOW GRADE)

FEDERAL-AID PRIMARY SYSTEM

FEDERAL-AID SECONDARY SYSTEM

INTERSTATE NUMBERED ROUTE

U.S. NUMBERED ROUTE

STATE NUMBERED ROUTE

CITY CENTER

RAILROAD STATION

CENTRAL BUSINESS DISTRICT

COMMUNITY BOUNDARY LINE

END OF HARVEST ROUTE

END OF FURNISHING SYSTEM

SCHOOL

CHURCH

POST OFFICE

CITY HALL

COUNTY HOUSE

HIGHWAY BARRELS (10-11-12)

DIVIDED HIGHWAY

FCA

HIGHWAY WITH FULL CONTROL OF ACCESS

CITY MAP

DUBOIS
CLARK COUNTY
IDAHO

SCALE

1968 POP 447

1968

T. 10N. R. 36E. B.M.

DATE OF EXAM *July 9, 1974*

ACREAGE
Found *20±*
Recommended *0*

Irrigation Requirement *N/A* Ac Ft/Ac

USE
Irrigation Q= c.f.s. V= AF/Ann. from to
Domestic Q= *1.35* c.f.s. V= *—* AF/Ann. from *Jan 1* to *Dec 31*
Livestock Q= c.f.s. V= AF/Ann. from to

Is water co-mingled? yes no ☒

Name source:
Twp. *N/S, Rge* E/W, B.M., Sec. Sub. *1/4* *1/4* County

Exchange? yes no ☒

Name source exchanged with:
Twp. *N/S, Rge* E/W, B.M. Sec. *N/A* Sub. *1/4* *1/4* County

Point of injection:
Twp. *N/S, Rge* E/W, B.M. Sec. Sub. *1/4* *1/4* County

Point of exchange:
Twp. *N/S, Rge* E/W, B.M., Sec. Sub. *1/4* *1/4* County

Total Q measured *1.35 CFS* Method of measurement *Sparling meter*

Total Q recommended *1.35 CFS* Meter No. *79529* Type *In line* Condition *good*

Total V recommended *0*

Recommended Amendments.

P.D.
Place of Use ☒
Other
None

MEASUREMENT CALCULATION:

Discharged 1000 gal in 1 min 39 seconds = 606 gal/min
 $\pm 448.8 \pm 1.35$ CFS
Verified per memo of 5/8/73 from Water Rights Division

SYSTEM DESCRIPTION:

100 HP 1/2" Nollshaft Motor # HC102.8144 with Layne & Bowler pump # 022117 18" discharge south through meter

REMARKS: *see also back page of exam*

System shown by Mr. Warner P. Hooper, City Superintendent
System serves approximately 1000 people (domestic)
Excess water from municipal park
Excess water from livestock, pickup & feed cart to
Jefferson & Clark Co Stockpans Area from loading pipe
near well - also sprinkler state rest area & cloverleaf on I-15
Examiner's Signature *John F. Giesbauer* Date *July 9, 1974*

Checked by *John F. Giesbauer* Date *Dec 10, 1974*

Approved by _____ Date _____

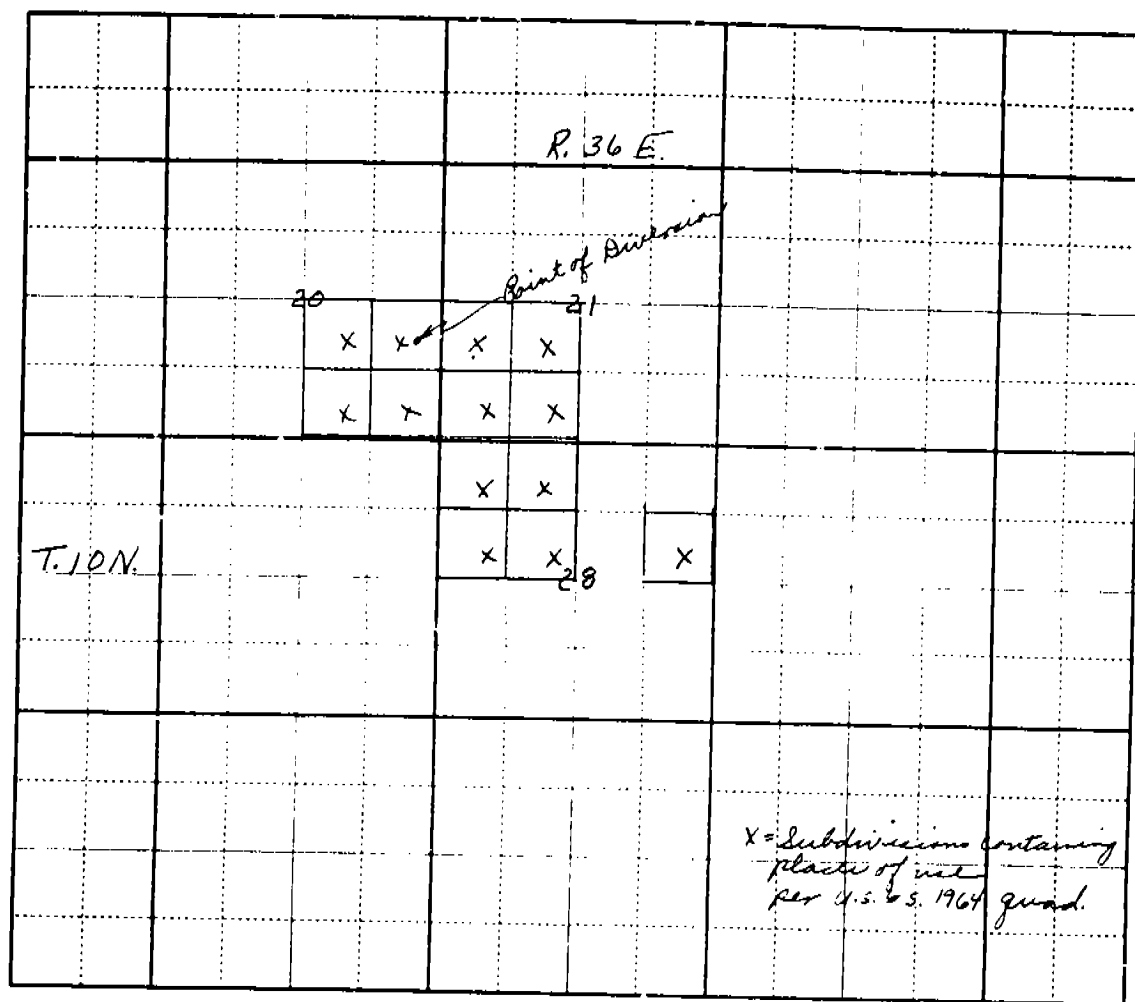
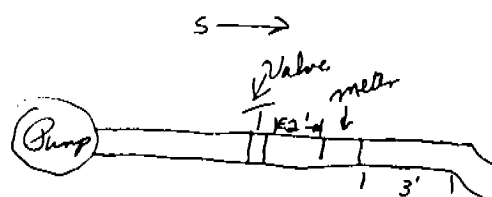


Diagram of System





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RECEIVED

MAR 1 - 1990

Department of Water Resources
Eastern District Office

February 22, 1990

Dubois Water Dept.
P. O. Box 27, Main St.
Dubois, ID 83423

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

731-10001
731-10002
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