



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

6 January 1999

Bingham County
Attn Mr Errol Covington
Director, Parks and Recreation
501 N. Maple #209
Blackfoot ID 83221

Re: Notice of Error reply, 35-07814

Dear Mr. Covington:

The Department is in receipt of your Notice of Error reply for the water right referenced above. However, I regret to inform you that the deadline for response to IDWR was August 14, 1998. This claim and many others are now before the adjudication court in preparation for the decree process.

You indicate that the acreage should be changed from 4.5 acres to 7.5 acres. This cannot be done since the license was issued for only 5 acres. The additional 2.5 acres referenced by your Notice of Error reply is in violation of the 1963 mandatory permit statute. To include the additional 2.5 acres you must file an enlargement claim pursuant to §42-1426 IC, and, show proof of the priority date claimed. The associated fee for filing the enlargement claim would be \$53.00. An enlargement claim only allows irrigation of additional acres, if developed prior to November 19, 1987, but does not authorize an additional diversion rate to serve any additional acres. If you are interested in filing an enlargement claim you will need to contact the court at (208) 736-3011 to file a Motion to File a Late Claim. You may also file Standard Form 1 Objection (SF-1) to object to the acreage recommended by 35-07814. I am enclosing a SF-1 for your convenience.

Thank you for your response. If this office can be of assistance please feel free to call for an appointment.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

cc: file
Enclosure: SF-1 form
Notice of Error Reply (copy)

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: August 14, 1998

Water right number: 35-07814

COUNTY OF BINGHAM

~~PO BOX 725~~ 501 No. Maple # 209

BLACKFOOT ID 83221

clp

Daytime Telephone Number: (208) 785-8040 Ext. 239

Evening Telephone Number: (208) 684-3351

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

1) Place of use: Irrigation = 4.5 acres

2) Explanatory Material: License "Property also known as Sportsmans Park"

2. Describe the changes you wish to make in the proposed recommendation:

1) From 4.5 acres to 7.5 acres total

2) From "Sportsmans Park" to "Moreland Park" **NOT** DONE 1/6/99
SBR

3. Give a brief explanation as to why you disagree with these portions:

Acreage and names are actual and have been
So since 1978.

 I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12/5/98

SIGNATURE: Errol Covington

Please print your name: Errol Covington

Director, Parks & Recreation

TOO LATE

File SF-1

Your water right number A35-07814 has been modified to reflect the address on the front of this card.

Respectfully submitted,

A handwritten signature in cursive script that reads "Autumn Jones". The signature is written in dark ink and is positioned above the printed name and title.

Autumn Jones
Records Clerk
Idaho Dept. of Water Resources
Adjudication Bureau

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1) From 4.5 acres to 7.5 acres total

2) From "Sportsmans Park" to "Moreland Park"

3. Give a brief explanation as to why you disagree with these portions:

Acreage and names are actual and have been so since 1978.

☐ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12/5/98

SIGNATURE:

Please print your name:

Errol Covington
Director, Parks & Recreation

AR

<u>X</u>	Change of Address
<u> </u>	Substitution of Party
<u> </u>	I.C. 42-222 Transfer

Phone: (208) 785-5005

Claimant's Water Rights: 35-07814

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
11/16/1998

35-07814

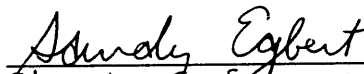
PAGE 1

CERTIFICATE OF MAILING

I certify that on 11-27-98 I mailed the original
and copies of this form to the following persons, postage prepaid
and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Each party in the subcase, or attorney of record:

COUNTY OF BINGHAM
COMMISSIONERS
501 N MAPLE ST #204
BLACKFOOT ID 83221
3. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
4. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

November 5, 1998

KARL J. DREHER
DIRECTOR

COUNTY OF BINGHAM *COMMISSIONERS*
~~BINGHAM COUNTY PLANNING & ZONING BLDG~~
501 N MAPLE ST #~~203~~ 204
BLACKFOOT ID 83221-1700

Re: Snake River Basin Adjudication (SRBA)
Water Right #35-07814
Change of Address

RECEIVED
NOV 12 1998
Department of Water Resources

Dear Claimant:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary **and list any other water rights you may have** before returning this letter by November 20, 1998. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right(s) referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

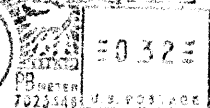
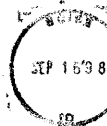
The address is correct as shown above or as otherwise changed.

P. Freeman, Deputy Clerk (208) 785-5005 x 213
Claimant Signature Telephone No.

U.S. POSTAL SERVICE
PS FORM 3547

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-4008

ADDRESS SERVICE
REQUESTED



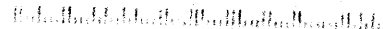
IMPORTANT WATER RIGHT INFORMATION

only w/r

3507814
COUNTY OF BINGHAM
PO BOX 725
BLACKFOOT ID 83221

8706705 500013005 1793 05 07/1998
BINGHAM COUNTY PLANNING FORM 3547
501 N. MAPLE ST #205
BLACKFOOT ID 83221-1700

82211-1725



return

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT

42-1409(10)-1
RECEIVED

Date Received

RECEIVED

MAY 09 1989

MAY 30 1989

State of Idaho
Department of Water Resources

Department of Water Resources
Eastern District Office

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

BINGHAM COUNTY
Name of Claimant

P.O. Box 725
Post Office Address

BLACKFOOT, IDAHO 83221
City, State, Zip Code

BINGHAM
County(s) where Place of Use is located

MAY 89
Date Claim Originally Due

ALL OF Bingham County's
Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

County Personnel NEED ADDITIONAL TIME
TO RESEARCH County WATER USAGE

Claimant requests an extension to MAY, 1990:

[Signature]
Signature

Public Works Director
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby
X granted _____ denied,
and the filing deadline extended to 10/1, 1989.

Signed this 25 day of May, 1989.

[Signature]
Director or his designated agent

David B. Shaw

MICROFILMED
DEC 10 1992

NO. OF CLAIMS IN POLYGON _____

TRANSFER NUMBER _____

CLAIM NUMBERS 35-07814

DATE _____

OBJECTION FILED _____

AGENT _____

TOTAL ACRES FROM RECOMMENDATION 43GEOGRAPHIC INFO SYSTEM 47

RIGHT NO	TNS	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	<u>25</u>	<u>34E</u>	<u>23</u>														<u>45</u>		
GIS																	<u>47</u>		
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

B35-DBPOU.DBF _____

ATTRIBUTES OF B35-POU.SHP (544)

B35-DBPOD.DBF _____

ATTRIBUTES OF B35-POD.SHP ()

COUNTY OF BINGHAMP.O.D. / SOURCE 387 & G.W.PO Box 725725 R34E SEC 23 SWNWSEBlackfoot ID 83221Ph: (208) 785-5005

P/U CONFLICT yes () no ()

P/D CONFLICT yes () no ()

SENT FOR DECREE yes () no ()

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-7814

Priority: August 14, 1978 Amount: .16 CFS 16.4 AFA

This is to certify, that BINGHAM COUNTY

P.O. BOX 607

BLACKFOOT, ID 83221

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated August 14, 1978, and has submitted proof to the Department of Water Resources on January 25, 1980, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .28 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Irrigation	04/01 to 11/01	.14 cfs	15.8 afa
Domestic	01/01 to 12/31	.02 cfs	.6 afa
Totals		.16 CFS	16.4 AFA

LOCATION OF POINT OF DIVERSION(S): NWSE , Sec. 23, Township 2S, Range 34E
Bingham County

PLACE OF USE: Irrigation

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
2S	34E	23	NWSE	5			5

Total number of acres irrigated: 5

PLACE OF USE: Domestic, same as Irrigation use

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Place of use also known as Sportsman Park.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 2nd day of APRIL, 1982.

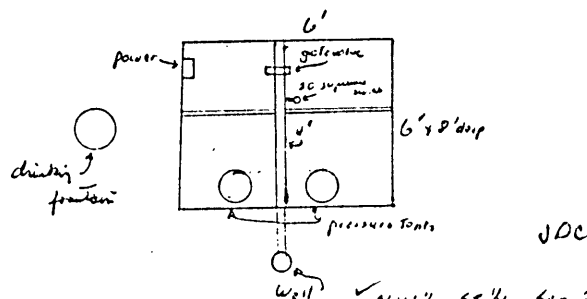
Acting for the Director

Norman C. Young

MICROFILMED
DEC 10 1992

[illegible]

(Include distance from pump to measuring device, if applicable.)



NW 1/4 SE 1/4 Sec 23 T21 R34E BM

[illegible]☐ Other

DEC 10 1992

File 5-19-86

Date 1-26-87

MICROFILMED

35-7814

T25 R34E S22E



NOT TO SCALE

MICROFILMED

DEC 10 1992

For A35-07814

Form 219
12/79

State of Idaho DEPARTMENT OF WATER RESOURCES FIELD REPORT

RECEIVED
MAY 29 1986

35-814
Permit No.
Bingham County

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date June 25, 1980 Accompanied by Terry Monson Total Q measured 0.28 cfs ✓
If source is surface water, estimate total flow of source _____
Methods of measurement pump gage on surface supply Meets Permit requirements? _____

Measurement calculations:

$\frac{66 \text{ psi} \cdot 9.5 \text{ ft}}{2.31} = 26.4 \text{ ft}$
Avg. PSI = 6.8 psi = 6.0 ft
 $6.0 \text{ ft} \times 9 \text{ sq. ft} = 54 \text{ gpm}$

$\frac{70 \text{ psi} \cdot 9.5 \text{ ft}}{2.31} = 28.6 \text{ ft}$
Avg. PSI = 6.7 psi = 5.9 ft
 $5.9 \text{ ft} \times 12 \text{ sq. ft} = 71.52 \text{ gpm}$

$\frac{71.52}{54.1} = 1.32$
 $1.32 \times 21.4 = 28.25 \text{ cfs}$

$0.09 \text{ cfs} \times 1.9835 \times 214 = 38.21 \text{ AF}$
 $4.5 \text{ cfs} \times 3.5 \text{ AF/AF} = 15.75 \text{ AF}$
 $0.14 \times 1.9835 \times 214 = 59.4 \text{ AF}$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	15	submersible	30482 62250					
		3 phase	281028 FH					

System Description Groundwater is pumped by a 15 hp submersible to a 2" well x 2" pump. Total head is 26.4 ft. Located in a 4' x 6' concrete vault with 20-50 pump switch operator pressure in 26 psi. Water flows to 2 hardlines used to irrigate grass and 1 drinking fountain was a spigot in a rockwell park.
*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE
Irrigation ✓
Domestic

Irrigation requirement = 3.5 ✓ AFA/Acre
Q (cfs) V (afa) FROM TO
 $0.14 \text{ cfs} \times 0.9 \text{ cfs} = 15.75 \text{ AF}$ April 1 Nov 1
 $0.02 \text{ cfs} = 0.6 \text{ AF}$ Jan 1 Dec 31

Total 0.16 cfs 16.4 AFA
16.35

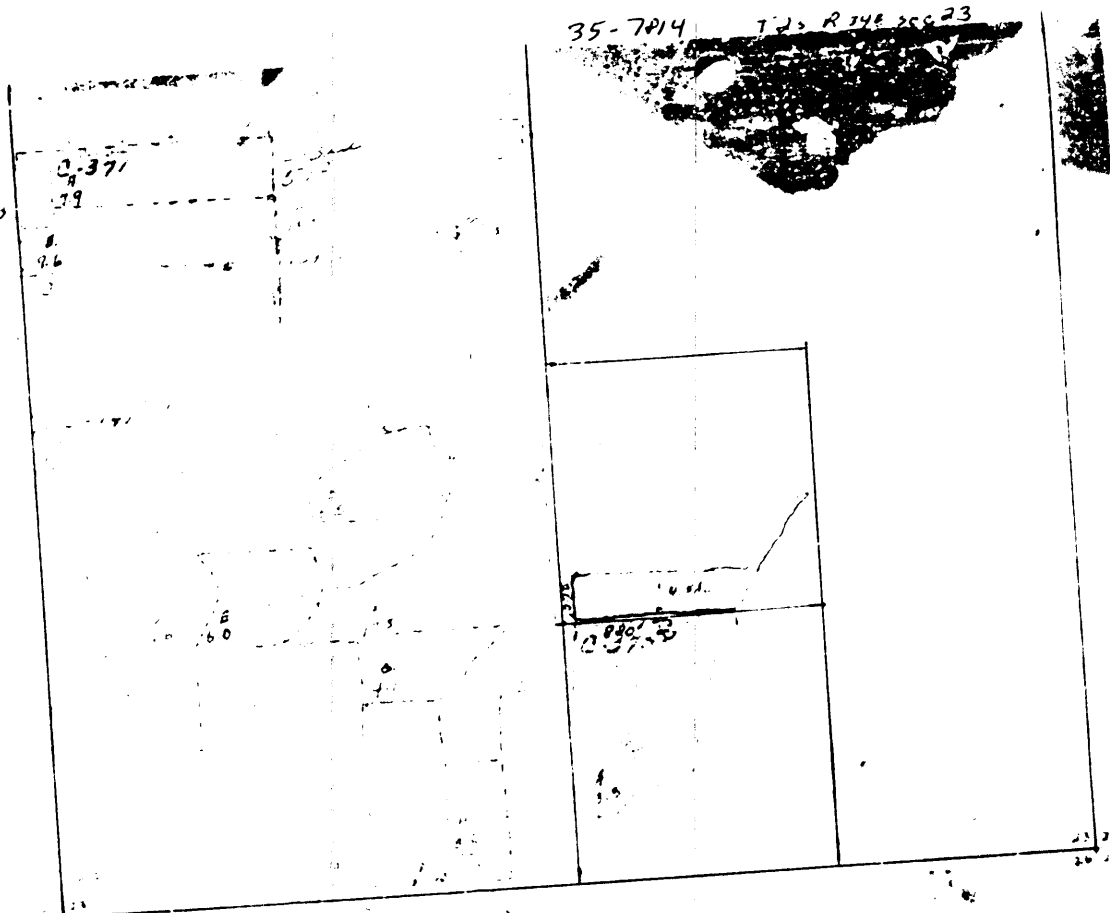
Remarks

No overlap

(4.5)
allow 0.03 cfs/acre = 0.135 ≈ 0.14 cfs -
system can produce this amount.
parks need a large amount of
water due to their watering demands.
can allow 0.03 cfs/acre per
Admin. Memo. #17. kw

35-7814

T 25 R 34E S 20 23



NOT TO SCALE

TS add to cover letter: *10 days*
refund of fee forthcoming

11. Examiner's Signature _____ Date _____
 Checked in Regional Office by _____ Date _____
 Approved in State Office by R. Wacker Date 1-26-87