

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 29-02413

Date Received 1-11-02

Receipt Number EC27371

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Amesbury

RECEIVED

DEC 13 2001

Department of Water Resources
Eastern Region

Please type or print clearly

1. Name of Claimant (s) City of Chubbuck Phone (208) 237-2430

Mailing Address PO Box 5604/5160 Yellowstone, Chubbuck, ID Zip 83202

2. Date of Priority (Only one (1) per claim) June 25, 1959

3. Source of water supply (a) groundwater

which is tributary to (b)

4. a. Location of existing point of diversion is: Township 6 S. Range 34 E. Section 3,
NW 1/4 of SW 1/4 of 1/4, Govt. Lot, B.M., County of Bannock

Additional points of diversion if any:

b. If instream flow, beginning point of claimed instream flow is:

Township Range Section, 1/4 of 1/4 of 1/4,

Govt. Lot B.M., County of

ending point is: Township Range Section, 1/4 of 1/4 of

1/4, Govt. Lot B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. vertical lineshaft, turbine pump
and motor diverting water directly into the distribution system.

Well No. 2

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For municipal purposes from Jan. 1 to Dec. 31 amount 1.13 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.13 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) municipal-domestic - 2806 households

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

- WITHIN THE CITY LIMITS OF THE CITY OF CHUBBUCK

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Bannock

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
29-2385, 29-2469, 29-7624, 29-08188 or None ()

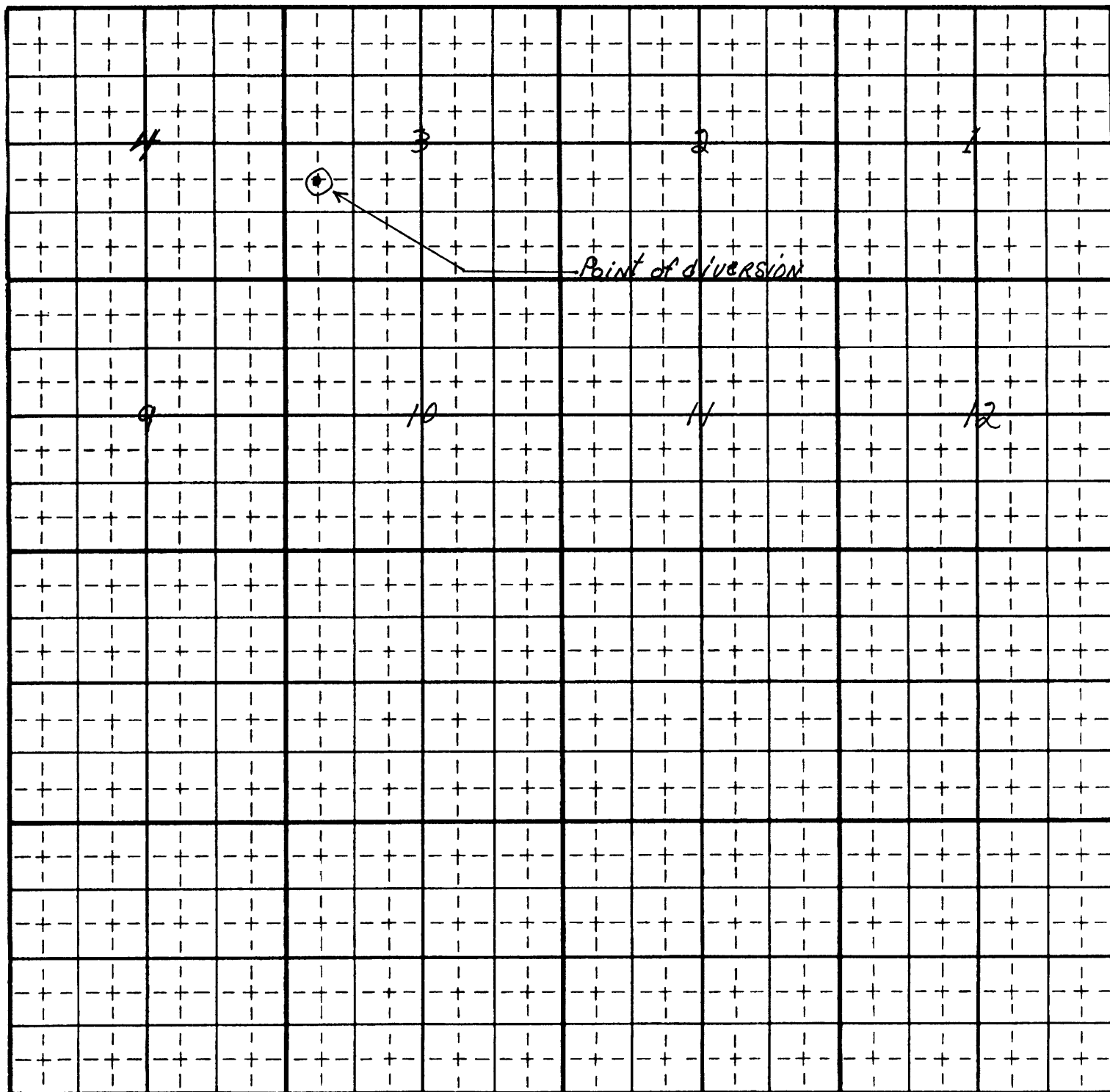
14. Remarks: The purpose of this requested "Beneficial Use" is to bring
the licensed rate of 1.10 cfs up to the claimed rate of 2.23 cfs
of water right #29-2413 or an INCREASE of 1.13 cfs as an additional
diversion rate over the original license. (see attachments for
evidence of priority)

Last Name _____ Ident No. _____

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

Scale: 2 inches equals 1 mile

T .6 South, R. 34 East, BM



Last Name _____ Ident No. _____

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Mayor _____ Title _____

of _____ The City of Chubbuck _____, that I have signed the foregoing
Organization

document in the space below as _____ Mayor _____ of _____ City of Chubbuck _____
Title Organization

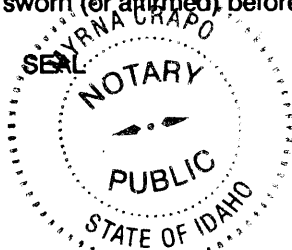
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Mayor, City of Chubbuck _____ Date Nov. 15, 2001

State of Idaho/or _____)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 15 day of November 19 2001



Notary Public Myrna Crapo

Residing at Pocatello

My Commission Expires 3/23/2005

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, Thomas J. Holmes will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address P.O. Box 967, Pocatello, ID 83204

Date 11-29-01

Last Name _____ Ident. Number _____

IRRIGATION WELLS
INDUSTRIAL WELLS

PHONE 430-J

CUSHMAN & JOHNSON
DRILLING CONTRACTORS

BLACKFOOT, IDAHO
December 6, 1957.

TEST HOLES
6 TO 36 INCHES

PHONE 490-W

*Well #20
Stuart Park*

LOG OF WELLS OF CHUBBUCK 12" WELL.
STARTED DRILLING OCT. 31 1957. COMPLETED WELL DEC. 1 1957.

0	to	3	clay	
3	to	6	boulders	
6	to	45	clay & gravel	
45	to	49	clay, gravel & some sand	
49	to	91	clay & gravel	Lat. water at 65 feet.
91	to	102	clay & sand	
102	to	112	boulders	
112	to	116	sand & gravel	
116	to	147	clay, sand & gravel	
147	to	154	gravel & sandy clay.	
154	to	174	hard black lava	set 154 feet of 12" pipe.
174	to	183	hard black lava	
183	to	187	red clay	
187	to	200	brown clay	
200	to	215	yellow clay	
215	to	216	black lava	
216	to	255	black & red cinders	and. water. no cuttings

~~the hole to bottom clear.~~

REMARKS; Water stands at 65' Test pumped 1350 GPM from 7'

There is 154 feet of 12" casing from top of hole.

There is 150' 3" of 10" casing from 110' down to 250' 3".

There is a coupling on the top of the 10" pipe, and a lead packer wedged between the coupling and the 12" pipe. This packer can be removed, if ever needed, with a 10" casing spear.

Water temperature was 148° . There is 210 perforations from 210' to 249'

Minutes of the regular meeting of the Board of Trustees of the Village of Chubbuck, held in the Municipal Building of the Village on February 14, 1961.

Present- Davis, Ward, Hillman and Frasure.

Absent- Mitchell and McDevitt, out of town.

Called to order 8:03 P.M.

Minutes of the last regular meeting then read and approved as read.

Bills for the month presented to Board. Motion to approve payment made by Ward, seconded by Frasure. All in favor. Bills as follows: C. Hensley-403.02, G. Valenty-114.28, R. Halverson-14.50, Idaho Power-286.01, Brennan's-2.39, Vangas-12.74, Crane Co.-116.81, A.J. Brennan-34.00, B&D Excavating-50.00, H. McDevitt-40.00, L. Ballif-40.00, Utah Oil-459.00, Clark Tank Co.-198.20, Well No 2 - 1,531.60, County Comm.-40.50, Chubbuck Service-102.95, Water Dept-25.50, Phone Cp.-52.06,

Financial report for month presented to Board.

Review of progress of Village in the past year presented to Board in detail by Davis.

Sewer System- Letter from Ballif read in full by Clerk. Letter is on file. Discussion followed. The question of whether the Federal Government will give a grant for this survey was brought out by Ward. Decision will be reached later, after further study.

Park- Hillman suggested that the Board turn over the care of the Park to the Lion's Club. He stated that they are looking for a project for this year. Decision on this matter will be made later.

Well and Water situation- Water level is down in both wells. After discussion it was the decision of all the Board members to pull Well No 1, check and see what the trouble is, and also to pull Well No 2 and add 20 feet of pipe to it. Well No 2 is to be fixed first, then it can be turned on while Well No 1 is being fixed. Motion to authorize Brennan to proceed with fixing the wells was made by Ward, seconded by Frasure. All in favor.

Pump Insurance- Ward stated that he is in favor of getting fire, theft, lightening and storm insurance on the pumps now, and all the Board agreed with him. Then they want to talk to Dyke's Electric and see if he will carry a service insurance on the pumps.

Hart Property on East Bench- Ward stated that Harry Hart wants 80 acres taken out of the Village. Board all agreed that it could be done, and all gave their consent so that it will be less expensive this way. The Attorney is to take care of this matter.

Terteling & Co of Boise- Letter from Terteling was read in full by Clerk. Letter was in reference to water and sewer for developing tract on East Bench. Letter is to be referred to Engineer Ballif.

Street Signs- Requests for street signs for Neider Addition and for Aften street were presented to Board. Also requests for house numbers for the Neider Addition were presented. Board all agreed that this matter should be taken care of now. Clerk is to notify Ballif to number the houses and Clerk and Police Officer will see about the Street signs. East Chubbuck Road is to be included in the house numbering. During this discussion it was brought out that Chubbuck is included in the Pocatello City Directory this year.

Trailer House on Briscoe Lane- Clinton Leer the owner of the property where the Trailer house is parked was present and explained to the Board that he was paying a double flat rate for water ever since the Trailer House has been parked there, but that he did not

feel like paying for a separate hook-up for this Trailer House as it was moving out in the next few days and he was not letting anyone else move in there and he owned all the property and he has already paid for his own hook-up. After a discussion the Board all agreed that he would not have to pay for another hook-up providing the Trailer House moved out in the next few days.

New Sub-division- Don Hammond was present and stated that his Real Estate Co. is interested in developing a sub-division of 80 acres directly west of the Neider Addition. He wanted to know if the Village could provide water for this sub-division. The Board all agreed that water could be provided for this. He also asked if Gravel road would be permissible, and the Board stated that they have accepted gravel roads. Discussion followed, in which it was brought out that in putting in the water line it should form a circle rather than run to a dead end.

Mingo Sub-division- Letter from Mingo again read in full by the Clerk. After discussion it was decided that we would settle this matter at another meeting to be called as soon as the Attorney returns to town.

Leland Stuart asked if he could move a Trailer House on to some property he is buying just north of the City Park, and could he live in the Trailer House while he is building a home. Davis answered that Ordinance # 54 will not allow this to be done.

Sanitation- Frazier of the Health Department explained the duties of sanitarians in the State. This service would be available for Chukbuck on a .12¢ per capita basis or about \$200.00 per year. They would meet with the Board and work out any problems. The question was asked about how much authority do they have? Frazier answered that they have to work through proper channels and with the Village Attorney. Some problems do not have an immediate solution, and those that can be solved have to be worked through local ordinances or through State Law. It is a matter of the Attorney's interpretation of the Law. Tueller explained legal procedure in dealing with problems of sanitation. Board will give a decision when their Attorney is present.

Meeting recessed at 9:50 P.M. till further notice if necessary.

Larry S. Davis
Chairman of Board

Geneva W. Valenty
Village Clerk