

02/01/2006

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

RIGHT NUMBER: 22-7617
NAME AND ADDRESS: CITY OF REXBURG
PO BOX 280
REXBURG ID 83440

DISALLOWED

SOURCE: GROUND WATER
QUANTITY: 2.200 CFS
PRIORITY DATE: 12/28/1988

TRIBUTARY:

POINT OF DIVERSION:

T06N R40E S30 NESENW Within MADISON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
1/01 12/31

QUANTITY
2.200 CFS

PLACE OF USE:

Place of use is within the service area of the City of Rexburg municipal water supply system as provided for under Idaho Law.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

No lawful appropriation shown.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Application

No lawful appropriation shown: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is proposed to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is proposed to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.

01/30/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-7617
NAME AND ADDRESS: CITY OF REXBURG
PO BOX 280
REXBURG ID 83440

Disallowed

SOURCE: GROUND WATER
QUANTITY: 2.200 CFS
PRIORITY DATE: 12/28/1988

TRIBUTARY:

POINT OF
DIVERSION: T06N R40E S30 NESENW Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	1/01 12/31	2.200 CFS

PLACE OF USE:

Place of use is within the service area of the City of Rexburg municipal water supply system as provided for under Idaho Law.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

No lawful appropriation shown.

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.

Delete

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Check this out carefully - Look at license.

Not licensed yet. Only an application for permit which has not been approved. Only change needed is to delete C18.

01/03/2006

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

RIGHT NUMBER: 22-7617
NAME AND ADDRESS: CITY OF REXBURG
PO BOX 280
REXBURG ID 83440

DISALLOWED

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.200 CFS

PRIORITY DATE: 12/28/1988

POINT OF DIVERSION:

T06N R40E S30 NESENW Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	1/01 12/31	2.200 CFS

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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: **A22-07617**
Date Received: 3/31/2000
Receipt No: E025687
Received By: _____

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

1. Name: CITY OF REXBURG 208-359-3020
Address: ~~12 N CENTER ST~~ *PO Box 280*
REXBURG ID 83440

2. Date of Priority: JUN 1, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	40E	30	SE	NE	NW		MADISON

5. Description of diverting works:
WELL AT PORTER PARK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MUNICIPAL	01/01	12/31	2.200		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
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11. Place of use in counties:

12. Do you own the property listed above as place of use? YES

A2207617



13. Other Water Rights Used:

14. Remarks:

PLACE OF USE IS WITHIN CITY LIMITS OF REXBURG_.

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 20 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

22-07617

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: 39356

Ident. Number

A22-07617

Date Received

Receipt Number

RECEIVED

JUL 18 1997

Department of Water Resources
Eastern Region

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

SEP 23 1988

Department of Water Resources
Eastern District Office

Please type or print clearly

- Name of Claimant (s) City of Rexburg Phone (208) 359-3020
Mailing Address 12 North Center, Rexburg, Idaho Zip 83440
- Date of Priority (Only one (1) per claim) 6-1-1978
- Source of water supply (a) ground water
which is tributary to (b) _____
- a. Location of existing point of diversion is: Township 6N Range 40E Section 30,
SE 1/4 of NE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Madison
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 _____
- 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. _____

Well and 125 hp. pump, buried mainline distribution system

Porter Park

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 2.2 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.2 (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.) _____

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.

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? Madison municipality

12. Do you own the property listed above as place of use? Yes _____ 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.
Some of the water claimed in Water Right Nos. 22-00203 and 22-2040 may also be used in connection with this right. or None ()

14. Remarks:

Last Name Rexburg, City of Ident No. 39356

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ 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 1

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 City of Rexburg, Idaho, _____, that I have signed the foregoing
Organization
document in the space below as Mayor _____ of City of Rexburg, Idaho,
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Nile L. Boyle

Title and Organization Mayor, City of Rexburg Date 7/2/97

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

Subscribed and sworn (or affirmed) before me this 2nd day of JULY 19 97

SEAL

Notary Public Stephen Zolige

Residing at Rexburg, Idaho

My Commission Expires 12/13/97

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Ray W. Leiby 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 Ray W. Leiby

Address PO Box 250 REXBURG ID 83440

Date 7-17-97

Last Name Rexburg, City of Ident. Number 39356

Copies White-State, Yellow-Claimant