

03/14/2006

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

RIGHT NUMBER: 1-4007

NAME AND ADDRESS: CITY OF BLACKFOOT
157 N BROADWAY
BLACKFOOT ID 83221

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2.800 CFS
464.000 AFY

PRIORITY DATE: 06/01/1962

POINT OF DIVERSION:

T02S R35E S27 NESW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DIVERSION TO STORAGE	04/01 10/31	2.800 CFS
RECREATION STORAGE	04/01 10/31	464.00 AFY

PLACE OF USE: RECREATION STORAGE Within BINGHAM County

T02S R35E S27	SWSW	T02S R35E S27 Lot 15 SWSW
T02S R35E S27	SESW	T02S R35E S27 Lot 15 SESW
T02S R35E S27 Lot 18	SESW	T02S R35E S33 SENE
T02S R35E S33	NESE	T02S R35E S33 Lot 10 NESE
T02S R35E S34	NWNW	T02S R35E S34 Lot 6 NWNW
T02S R35E S34 Lot 11	NWNW	T02S R35E S34 SWNW
T02S R35E S34 Lot 7	SWNW	T02S R35E S34 Lot 11 SWNW
T02S R35E S34	NWSW	T02S R35E S34 Lot 7 NWSW

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 - Beneficial Use

February 8, 2005

CITY OF BLACKFOOT
157 N BROADWAY
BLACKFOOT ID 83221

RE: WATER RIGHT 01-04007

Dear Claimant (s):

The Notice(s) of Claim to a water right identified in the attached proof report(s) has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based upon "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting your claimed priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, enclosed is a printout of your Notice of Claim to Water Right and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents may fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or are currently being conducted by Department personnel.

.....
The Department will not recommend the Notice of Claim be decreed by the court if evidence of a priority date is not submitted. The Notice of Claim will be disallowed.
.....

SCANNED

PROFILED

FEB 16 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 41-743 Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given, that City of Blackfoot

157 North Broadway, Blackfoot, Idaho 83222

(Name of Claimant)

(Mailing Address)

(Zip Code)

Telephone No. 785-0491

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) June 1, 1962
A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Snake River tributary to Columbia River
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day)	
Quantity	<u>100 cfs</u>	Us. <u>Recreation</u>	Period of Use from <u>4/1</u>	To <u>11/1</u>
Quantity	<u>464 A/F</u>	Us. <u>Storage for Recreation</u>	Period of Use from <u>4/1</u>	To <u>11/11</u>
Quantity		Us. _____	Period of Use from _____	To _____
Quantity		Us. _____	Period of Use from _____	To _____
Quantity		Us. _____	Period of Use from _____	To _____

- (4) 100 cfs TOTAL QUANTITY USED

(cfs, gpd, AFA)

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

NE 1/4 SW 1/4 Sec. 33 Twp. 2S Rge. 35E B.M., County of Bingham

Additional points of diversion Discharged within NE 1/4 Sec. 33, T. 2S, R. 35E, B.M.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities as specific as possible. Describe any changes in the system and give the date of the change. Headworks

- (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.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
2S	35E	34					X	X											
		33														X			
		27										X	X						

No. of acres _____

- B) If water is used for other than irrigation, fully describe that use being as specific as possible: Recreation uses for Blackfoot Airport

NOTE: Include here the type and number of stock watered _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____

MICROFILMED

A hand-drawn map on a grid background. The map features a river labeled "SNAKE RIVER" flowing from the top right towards the bottom left. A line labeled "P.D." (Point of Discharge) runs parallel to the river. A shaded area is labeled "Point of Discharge". Other labels include "R35E" at the top, "T-15" near the river, and "33" and "34" on the left side. The letters "T", "2", and "S" are written vertically on the far left.

Received by dh Date 5-22-79 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by SM Date 5-22-79 claimant by: _____
\$20.00 fee received by dh Date 5-22-79 #11896
Published in Blackfoot News
Dates May 31 & June 7, 1979

HARPER, MORGAN & ASSOCIATES

Engineering and Surveying

800 W. Judicial • P.O. Box 441 • Ph. (208) 785-2977 • Blackfoot, Idaho 83221

CIVIL — STRUCTURAL — BUILDINGS — SUBDIVISIONS

September 19, 1978

Mr. Bill Rhoads
Senior Resource Analyst
State of Idaho
Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Bill:

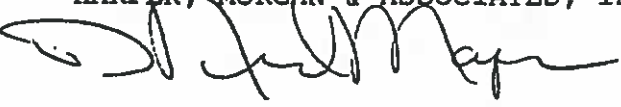
The following is the information you requested on the
Blackfoot Airport Lake:

1. Applicant: City of Blackfoot
157 North Broadway
Blackfoot, Idaho 83221
2. Point of Diversion
Diversion No. 1: Existing
NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27, T. 2 S., R 35 E.B.M.
Diversion No. 2: New
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26, T. 2 S., R. 35 E.B.M.
3. Legal Description of lake is in part of the following
described parcels: Section 34 NW $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$;
NW $\frac{1}{4}$ NW $\frac{1}{4}$; Section 33 NE $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; Section 27
SW $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$ All in T. 2 S., R. 35 E.B.M.
4. Maximum rate of diversion: 100 c.f.s.
5. Storage Capacity: 58 acres at 8 foot average
depth, 464 acre feet. *w/24m turn-out*
6. Year of beneficial use: The State Highway records
indicate the project was completed in 1962. *June 1*
7. Point of re-entry: NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, T. 2 S., R.35 E.B.M.

If you require any additional information, please contact us.

Yours truly,

HARPER, MORGAN & ASSOCIATES, INC.


D. Neil Morgan

DNM:ds

RECEIVED

SEP 20 1978

Department of Water Resources
Eastern District Office

MICROFILM

Notes

A01-04007

- 1/ Exam done on 5-6-04 with Water Superintendent,
Richard Mangum.
- 2/ GPS Data 2634100 File name A014007
USR 1336180 GPS Tag # A0012283

3/ This is the main POD listed above. Headgate + overflow
culvert on Snake River. Headgate appears to have a 36"
culvert to direct flow under Interstate 15.

4/ Water also comes to Jensen Grove via
the Blackfoot Irrigation Canal System from a POD
further North on the Snake River near Firth, ID.

5/ Exam done by Water Rights Contracting Services
c/o Harold G. Jones.

SCANNED

NOV 22 2004

PROFILED

A01-4007



Headgate on Snake River

PROFILE
SCANNED

NOV 22 2004

A01-4007

Overflow
culvert



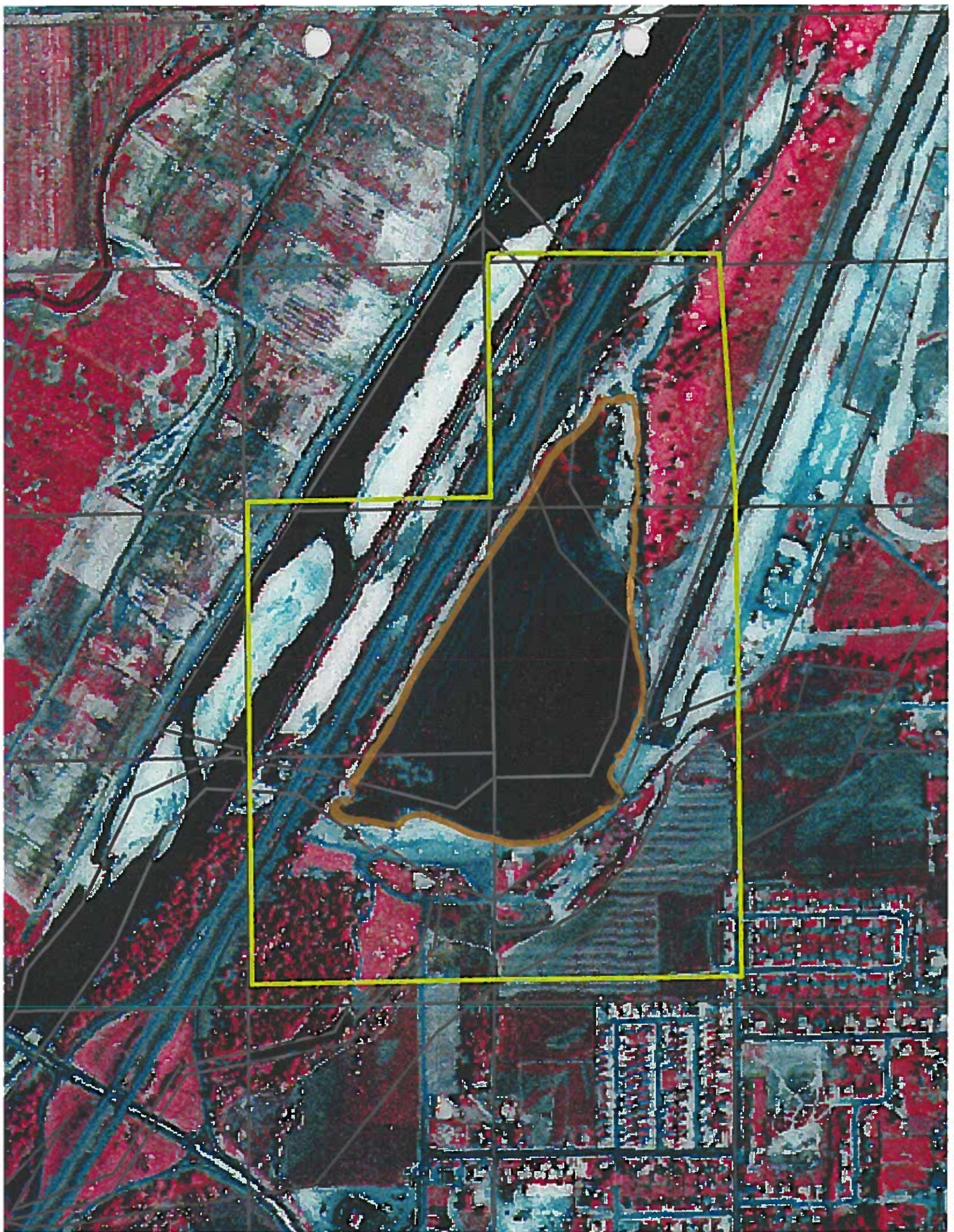
GPS Tag

Headgate + overflow culvert

PROFILED

SCANNED

NOV 22 2004



SCANNED



State of Idaho

AUG 24 2001

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

Blackfoot Water Dept.
C/O Jack Olney
157 N. Broadway
Blackfoot, ID 83221

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

Handwritten notes and file numbers:

- A01-04007
- 27-02142+
- 04084+
- 04086+
- 04087+
- 04088+
- 04106+
- 04151+
- 04152+
- 27-04153+
- 04154+
- 07329+
- 07384+
- 35-04251+

MICROFILMED

OCT 20 1992

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 1-4007
Date Received: 4/4/1989
Receipt No: E006679
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CITY OF BLACKFOOT Phone: (208)785-8688

157 N BROADWAY
BLACKFOOT ID USA 83221

2. Date of Priority: 06/01/1962

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02S	35E	27	SE SW SW 18	BINGHAM	

5. Description of diverting works:

36" CULVERT TO RECREATIONAL POND W/ DISCHARGE BACK TO SNAKE RIVER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
GROUND WATER RECHARGE STORAGE 1200			01/01 12/31	
RECREATION STORAGE 1200			01/01 12/31	
AESTHETIC STORAGE 1200			01/01 12/31	
DIVERSION TO STORAGE			01/01 12/31 2.8	

7. Total Quantity Appropriated is:
2.8 C.F.S. and/or 1200 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02S	35E	33	SE	NE	9	RECREATION STORAGE
			NE	SE	9	RECREATION STORAGE
02S	35E	34	NW	NW	6	RECREATION STORAGE
			SW	NW	7	RECREATION STORAGE
			NW	SW	7	RECREATION STORAGE

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

14. Remarks:

AFTER INITIAL FILLING OF POND, WATER WILL BE DIVERTED FROM SNAKE RIVER TO THE POND AND ALLOWED TO RETURN TO THE RIVER.

15. Basis of Claim: Statutory Claim

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 Treasurer of
Title
City of Blackfoot, that I have signed the foregoing
Organization
document in the space below as Treasurer of
Title
City of Blackfoot and that the statements contained in the
Organization
foregoing document are true and correct. Kenneth C Manning
Signature of Authorized Agent
Treasurer
Title and Organization
3-13-06
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this
of March 2006

Dave Carl

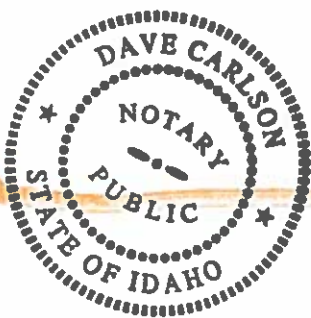
Notary Public

Residing at

Rigby, Id

My commission Expires

2/26/2008



11/08/2005

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

RIGHT NUMBER: 1-4007

NAME AND ADDRESS: CITY OF BLACKFOOT
157 N BROADWAY
BLACKFOOT ID 83221

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2.800 CFS
280.000 AFY

PRIORITY DATE: 06/01/1962

POINT OF DIVERSION:

T02S R35E S27 NESW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DIVERSION TO STORAGE	4/15 10/01	2.800 CFS
RECREATION STORAGE	4/15 10/01	280.00 AFY

PLACE OF USE: RECREATION STORAGE Within BINGHAM County

T02S R35E S27	SWSW	T02S R35E S27 Lot 15 SWSW
T02S R35E S27	SESW	T02S R35E S27 Lot 15 SESW
T02S R35E S27 Lot 18	SESW	T02S R35E S33 SENE
T02S R35E S33	NESE	T02S R35E S33 Lot 10 NESE
T02S R35E S34	NWNW	T02S R35E S34 Lot 6 NWNW
T02S R35E S34 Lot 11	NWNW	T02S R35E S34 SWNW
T02S R35E S34 Lot 7	SWNW	T02S R35E S34 Lot 11 SWNW
T02S R35E S34	NWSW	T02S R35E S34 Lot 7 NWSW

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 - Beneficial Use

SCANNED

AUG 24 2001

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: A01-04007
Date Received: 3/31/1989
Receipt No: 2006680
Received By: ENC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF BLACKFOOT 208-785-8600
Address: 157 N. BROADWAY
BLACKFOOT, ID 83221

2. Date of Priority: JUN 01, 1962

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	35E	27	SE	SW	SW	18	BINGHAM

5. Description of diverting works:

36" CULVERT TO RECREATIONAL POND W/ DISCHARGE BACK TO SNAKE RIVER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DIVERSION TO STORAGE	04/15	10/01	2.800		
RECREATION STORAGE	04/15	10/01			280.00

7. Total Quantity Appropriated is:

2.800 C.F.S. (and/or) 280.00 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

R/ WATER FOR POND AT JENSEN GROVER RECREATION AREA.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	35E	33	SE	NE	9	REC S	
			NE	SE	9	REC S	

A01-04007

Page 1

Date: 03/31/89

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OCT 20 1992

A0104007

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	35E	34	NW	NW	6	REC S	
			SW	NW	7	REC S	
			NW	SW	7	REC S	

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
PERMIT 01-07092

14. Remarks:

DIVERSION IS FOR NON-CONSUMPTIVE USE. AFTER INITIAL FILLING OF POND, WATER WILL BE DIVERTED FROM SNAKE RIVER TO THE POND AND ALLOWED TO RETURN TO THE RIVER.

15. Basis of Claim: STATUTORY CLAIM

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am Water Supt. of
Title
City of Blackfoot, that I have signed the foregoing
Organization
document in the space below as Water Supt. of
Title
City of Blackfoot and that the statements contained in the
Organization
foregoing document are true and correct.

Jack A. Olney
Signature of Authorized Agent
Water Supt. City of Blackfoot
Title and Organization
4-3-89
Date

State of Idaho)
County of Bingham) SS.

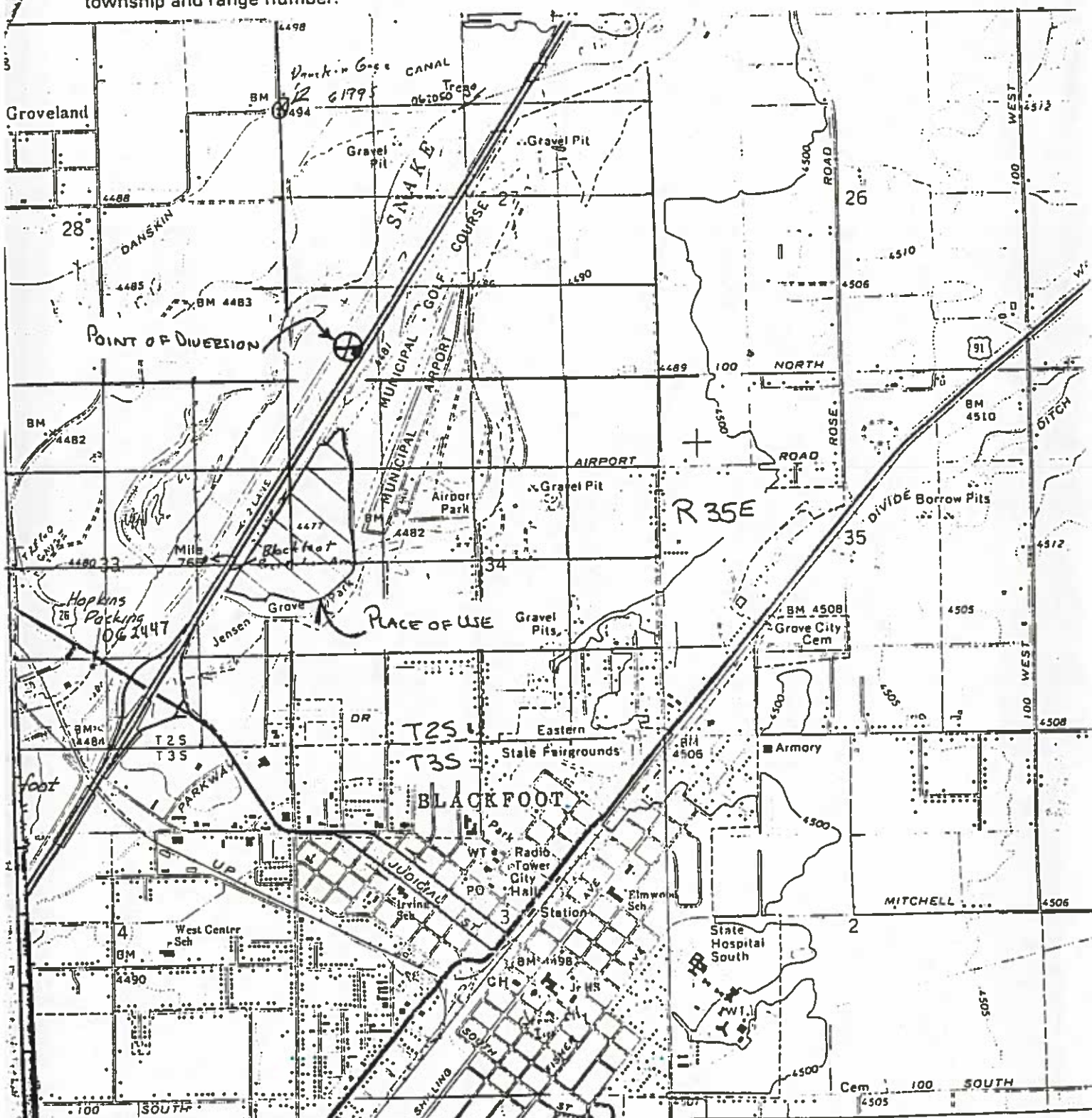
Subscribed and sworn (or affirmed) before me this 3 day
of April 19 89

Donna D. Wren
Notary Public

Seal

Residing at Blackfoot
My Commission Expires 4-21-93

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



Jensen
Grove
Lake

signed hereby makes application for permit to appropriate the public waters of
et forth.

Dean Hill
(Applicant)

C. Dean Hill, Mayor

MICROFILMED