

09/21/2011

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

RIGHT NUMBER: 22-7324

NAME AND ADDRESS: MADISON SCHOOL DISTRICT # 321
PO BOX 830
REXBURG ID 83440-1520

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.090 CFS
10.500 AFY

PRIORITY DATE: 03/25/1980

POINT OF DIVERSION:

T06N R39E S10 NENESE Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.090 CFS 10.50 AFY

PLACE OF USE: IRRIGATION in MADISON County

T06N R39E S10 NESE 3.00

3 ACRES TOTAL

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 place of use pursuant to Section 42-1425, Idaho Code.~~

Right No. 22-13522 is also diverted through point of diversion described above.

Right No. 22-13522 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.



Idaho Department of Water Resources

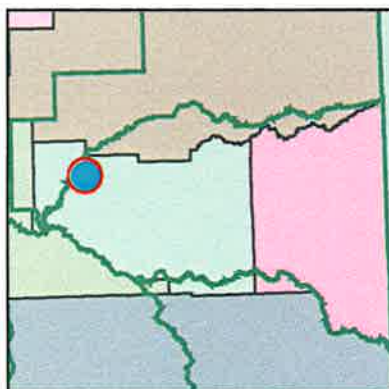
SRBA Recommendation:

22-7324

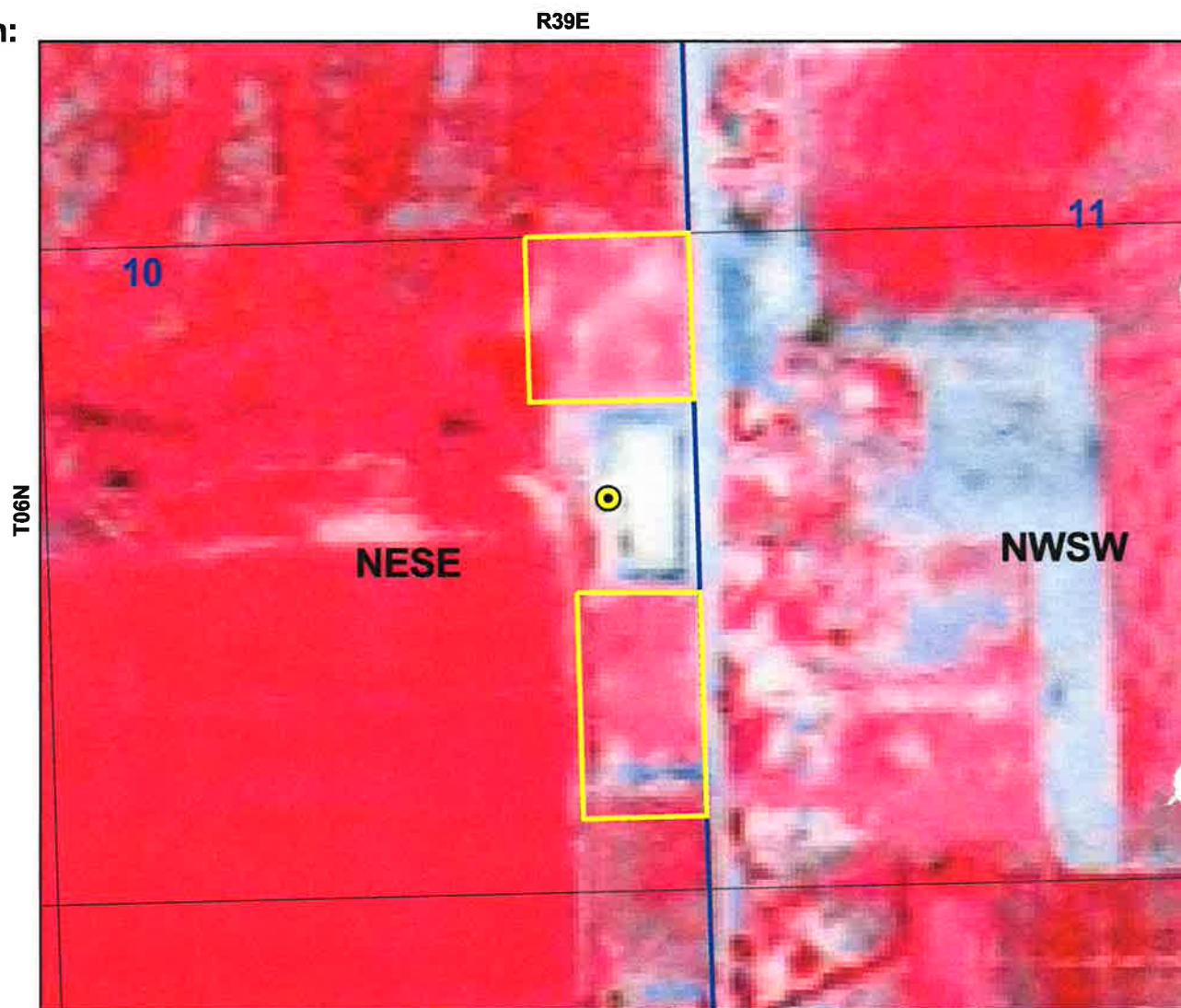
22-13522
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Madison County
IDWR Basin 22



0 0.1 0.2 Miles

Prepared by T. Galbraith
On Wednesday, September 27, 2006
1987/88 Aerial Photography



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
22-7324

T06N R39E Sec. 10

NESE



PROTECTED

SCANNED
JUL 18 2006

Point(s) of Diversion:
T06N R39E
Sec. 10 NENESE

Place of Use (parts of):
T06N R39E
Sec. 10 NESE

LEGEND

- ⊙ Point of Diversion
- Place of Use
- Section
- Quarter-Quarter



200 0 200 400 600 800 1000 1200 Feet

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: S. Porter
Date: April 2005

/ 8-16-06

- Initial hearing -

- Issue is P.O.U. - met with Jerry Rigby.
he has personal knowledge of irrigation system.
He says land south of school was historically
flood irrigated with surface water.

06/09/2005

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:

Water right number: 22-7324

MADISON SCHOOL DISTRICT # 321

PO BOX 830

REXBURG ID 83440-1520

Telephone Number: (208) 359-3300

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

Acres is insufficient & CFS is too low.

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

Acres should be
CFS should be 0.18 CFS

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

See attached County plat & diagram of building & feeding w/
Calculation of Acres & affidavit of the owner = 5.71 Acres
Our pump pumps 80 gallons/minute = 0.18 CFS

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

DATE:

1/12/2006

SIGNATURE:

Dee Snedaker, Business Manager

Please print your name:

Vaiv Snedaker

IDWR Regional Office,

PROFILED

SCANNED

JUL 18 2006

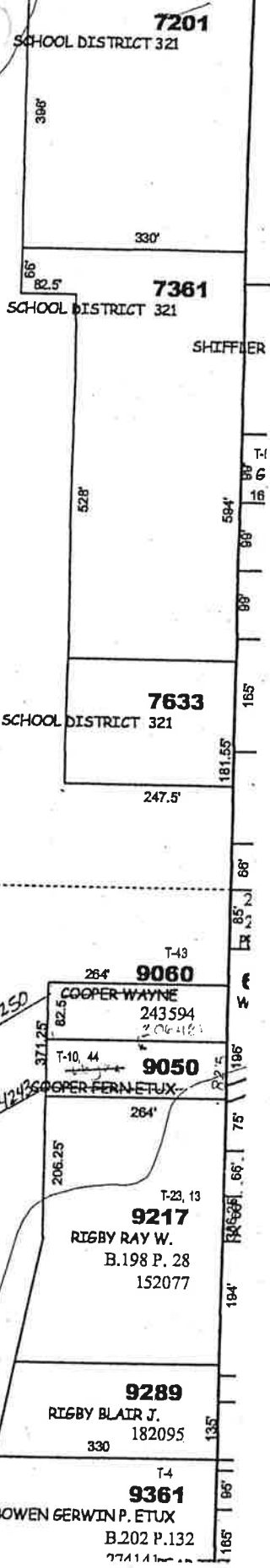
RECEIVED

JAN 17 2006

Department of Water Resources
Eastern Region

230

T-24
7208 7207
RIGBY LYNN A. ETAL
ATTN: RIGBY ARDEN L.
201890
309051



06N 39E 10

Jacob W. d. etux 324250
David A. d. etux 324242

0.*
181.55+
528.+
709.55*
709.55x
247.5=
175,613.625*
396.+
66.+
462.*
462.x
330.=
152,460.*
152,460.+
175,614.+
328,074.*
328,074.÷
43,560.=
7.53154269972*
7.53154269972+
less bldg & PKs 1.82-
5.71154269972*

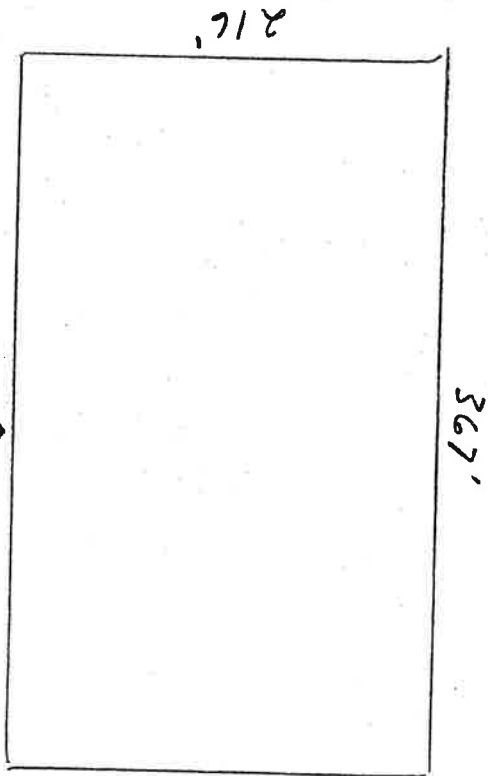
To Acres
less bldg & PKs

N↗

Hilbard

Area of building + parking lots

↘ center of Road



$$= \frac{1.82 \text{ acres}}{}$$

AFFIDAVIT OF IRRIGATION USAGE

Madison School District #321

I Mel Dickerson, certify that I was an employee of Madison School District from 1977 through 1995. I started installing sprinkler systems for Madison School District in 1979. I installed the sprinkler systems for all schools in the district by the end of the summer of 1985.

I have discussed this with the Madison School District Maintenance Department who have verified that major renovation was done at Archer Elementary during the summer of 1982. I am certain that the Archer Elementary School sprinkler system was installed during that same summer.

The North end of Hibbard Elementary school had been sprinkled from well water with movable pipe before I came to work for the school district. After the Hibbard roof collapsed during the winter of 1983-1984 the Hibbard Elementary School was rebuilt. The new building was completed during 1984 and the underground sprinkler system on the entire playground (North, West, and South) was installed by the end of summer 1985.



Mel Dickerson

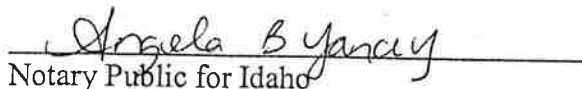
Retired Employee, Madison School District

9 Jan 06
Date Signed

STATE OF IDAHO)
County of Madison)

On this 9th day of January 2006, before me Angela Yancey, a Notary Public in and for said State, personally appeared Mel Dickerson, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year in this certificate first above written.



Notary Public for Idaho

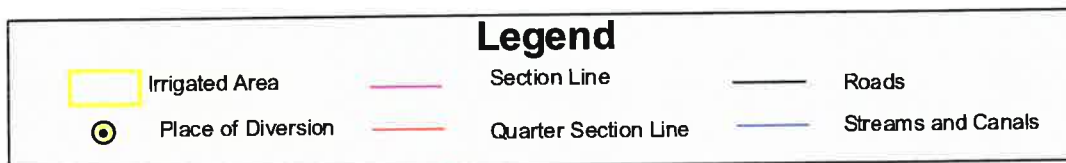
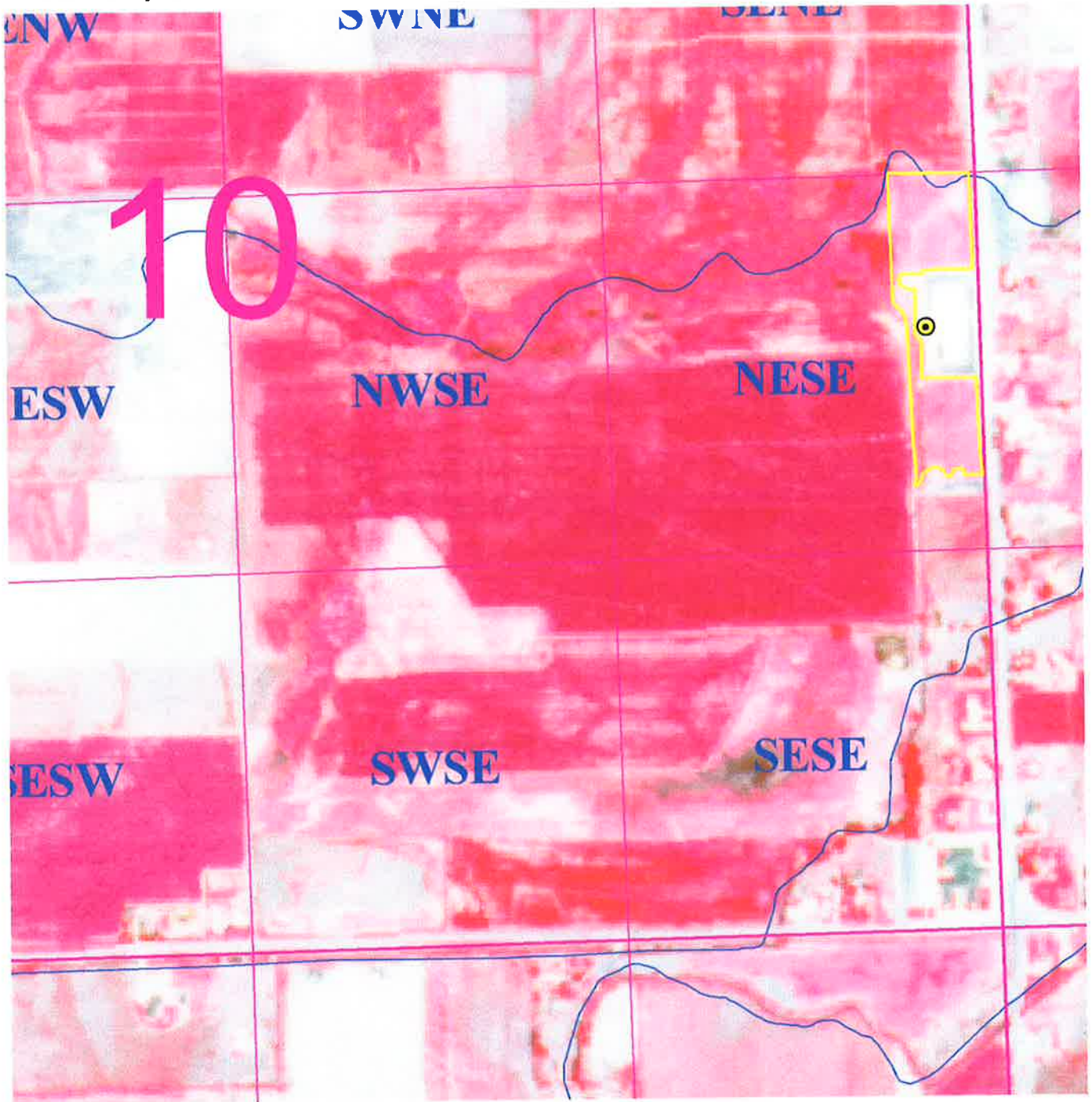
Residing at: Rexburg

My Commission Expires: 4/27/2011



Water Right Claim Number 22-07324
Township , 6N39E

07/11/2001



PROFILE

SPATIAL DYNAMICS

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-7324 Priority March 25, 1980 Amount 0.09 cfs

THIS IS TO CERTIFY, that Madison School District #321
of Rexburg, Idaho, has complied with the terms and conditions of Permit
No. 22-7324 issued pursuant to Application for Permit dated March 25, 1980
and has submitted proof to the Department of Water Resources on April 12, 1982
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.23 cfs of water from a groundwater source,
tributary to _____, 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
Irrigation	from <u>April 1</u> to <u>November 1</u> at <u>0.09</u> cfs and <u>10.5</u> acre feet		

from _____ to _____ at _____ cfs and _____
from _____ to _____ at _____ cfs and _____

(both dates inclusive)

Subject, however, to the condition that no more than 0.09 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
10.5 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10,

Twp 6N, Rge 39E in the County of Madison

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 $\frac{1}{4}$	
6N	39E	10													3				3

Total number of acres irrigated 3

Use is for Hibbard School.

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, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 7TH day of September, 19 84.

MICROFILMED

Acting for the Director

Norman C. Young

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

(for Hibbard School)

1. Name of applicant Madison School District #321 Phone 356-5423

Post office address 30 North First West, Rexburg, ID 83440

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 10 Township 6N

Range 39E B.M. Madison County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .12 for irrigation purposes from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .12 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pump - submersible 7½ HP, 110 GPM

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 8 inches; proposed depth of well is 85 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 2 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

MICROFILMED

[illegible]

c. Describe any other water rights used for the same purposes as described above.

b. Who owns the land to be irrigated or place of use Madison School District No. 321

10. Remarks _____

no overlap review conducted.

PERMIT NO. 22-7324

Madison School Det 321

(Name)

EXAMINATION: DATE: 16 July 1972 ACCOMPANIED BY: Mc
Dickerson

Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No.
		Submersible Well Pump		

Measuring Device Type: Pit tube

Meter # _____ Annubar # _____ Size # _____

Remarks: Hibbard School

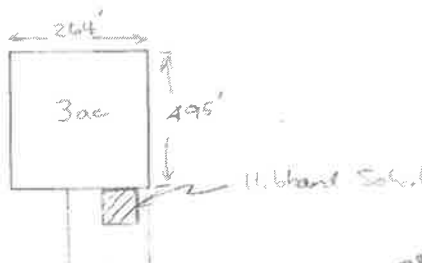
Sprinkler Measurement calculations:

87 $\left\{ \begin{array}{l} 3/8" \text{ nozzle} \\ 1/4" \text{ nozzle} \end{array} \right.$ Output according to STANDARD TABLE @ 78 psi = 50.3 gpm
75 psi = 49.2 gpm
80 psi = 51.0 gpm 78 psi = 50.3 gpm

81 $\left\{ \begin{array}{l} 3/4" \text{ Nozzle} \\ 7/32" \text{ Nozzle} \end{array} \right.$ Output according to Standard table = 102 gpm
@ 78 psi 51.7 gpm
75 psi = 50.7 78 psi = 51.7 gpm = 0.23 cfs
80 psi = 52.4

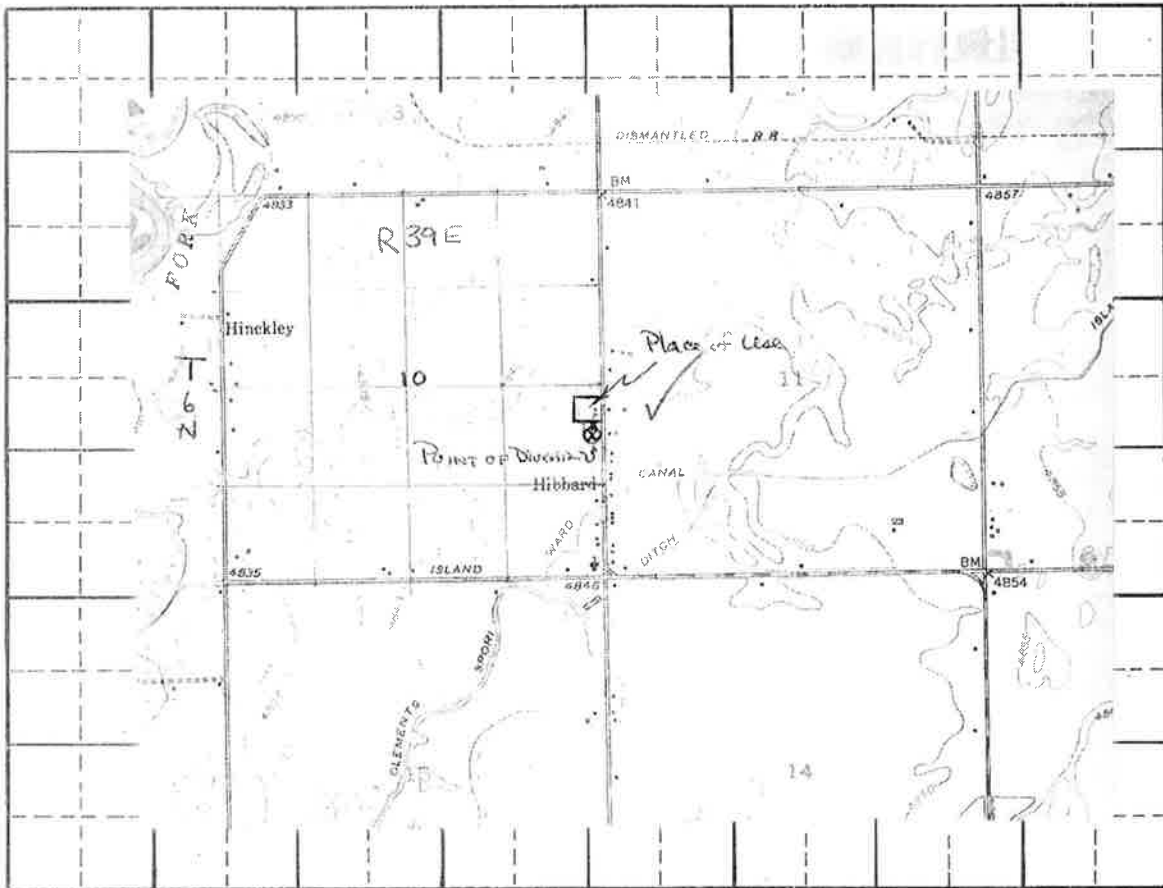
SCHEMATIC DIAGRAM OF SYSTEM

Mainline Dia. _____ Length _____

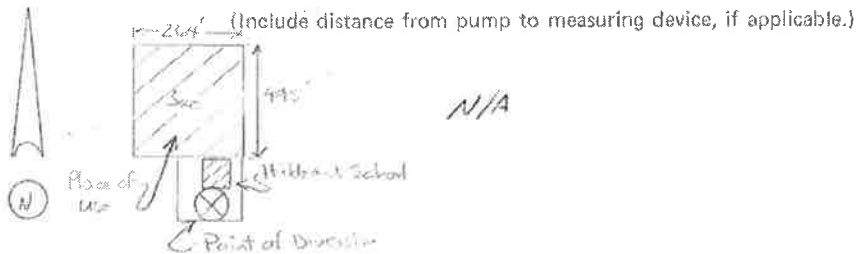


MICROFILMED

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM



Point(s) of diversion: NE 1/4 SE 1/4 SEC 10, T6N, R39E

Place(s) of Use: add acreage

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			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	
G.N.	39E	10													3				3

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

Examiner Signature

Checked

Approved by

Keith C. Wilson
7/10/83
Ray Walker

Date 2 Dec 1983

Date 12-06-1983

Date 8-3-84

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 22-7324

Date Received:

Receipt Nos:

Received By:

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

Name of Claimant MADISON SCHOOL DISTRICT # 321
PO BOX 830
REXBURG, ID 83440-1520
(208)359-3300

Priority Date: 01/23/1901

Basis: Decreed/License

Status: Active

<u>Source</u>	<u>Tributary</u>				
Ground Water					
Teton River	Snake River				
<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	
IRRIGATION	04/01	11/01	0.09 CFS	10.5 AFA	
Total Diversion			0.09 CFS		

Location of Point(s) of Diversion:

GROUND WATER NENESE Sec. 10 Township 06N Range 39E MADISON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION MADISON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06N	39E	10		NESE 5.1										

Total Acres: 5.1

Remarks: This water right includes the right to divert water which is recovered ground water resulting from recharge for irrigation and/or water resulting from irrigation under the Island Ward Canal Company irrigation works for use on lands within said irrigation entity's authorized place of use. Diversion of this right for the purpose of irrigation is authorized for a maximum acreage equivalent to the authorized place of use for this right. This right includes an accomplished change in place of use pursuant to Section 42-1425, Idaho Code. § I.C. 42-1425 and/or I.C. 42-228. This right includes an accomplished change in point of diversion pursuant to Sections 42-1425 and/or 42-228, Idaho Code. In the event recharge or recovered water is not available, the priority date shall revert to the previously licensed priority date.

1. 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.

2. E51 Right Nos. 22-7324 and 22-13522 are limited to a total combined diversion rate of .09 cfs.

3. K06 This right is limited to the irrigation of 3 acres within the place of use described above in a single irrigation season.

4. E55 Right Nos. 22-7324 and 22-13522 are limited to the irrigation of a combined total of 5.1 acres in a single irrigation season.

5. K01 Right No. 22-13522 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

6. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Describe any other water rights used at the same place and for the same purposes as describe above: Those water rights recommended as of the date of this amended claim.

Basis of Claim: Decreed/License

Signature(s)

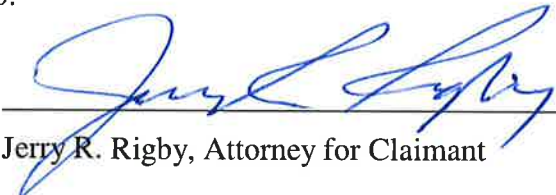
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: Previously submitted and on file with IDWR

For Individuals/Organizations:

I do solemnly swear or affirm under penalty of perjury that I am the attorney for the above individual or organization, that I have signed the foregoing document in the space below as attorney for the individual or organization and that the statements contained in the forgoing document are true and correct.

DATED this 17th day of August, 2010.



Jerry R. Rigby, Attorney for Claimant

STATE OF IDAHO,)

ss.

County of Madison.)

On this 17th day of August, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Jerry R. Rigby, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Mandy Davis
Notary Public for Idaho

Residing at: St. Anthony

My Commission Expires: 6/24/2011

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: A22-07324
Date Received: 6/29/1988
Receipt No: E000579
Received By: H. J.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MADISON SCHOOL DISTRICT 321 208-359-3335
Address: P.O. BOX 830
REXBURG, ID 83440

2. Date of Priority: MAR 25, 1980

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	39E	10	NE	SE			MADISON

5. Description of diverting works:
WELL & PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.090		

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

8. Total consumptive use is 7.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	39E	10	NE	SE		IRR	3.0
Section Acres							3.0
Total Acres							3.0



11. Place of use in counties: MADISON

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

13. Other Water Rights Used:
NONE

14. Remarks:
USE IS FOR HIBBARD SCHOOL.

15. Basis of Claim: LICENSE
Water Right Number: 227324

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: _____

For Organizations:

I do solemnly swear or affirm that I am _____ Superintendent _____ of
_____ Title
_____ Madison School District #321 _____, that I have signed the foregoing
_____ Organization
document in the space below as _____ Superintendent _____ of
_____ Title
_____ Madison School District #321 _____ and that the statements contained in the
_____ Organization
foregoing document are true and correct.

Edward G. Hest

Signature of Authorized Agent

Superintendent, Madison School District #321

Title and Organization

7-11-88

Date
Date: 06/29/88

State of Idaho)
County of Madison) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of July 19 88 Shelley Butler
Notary Public

Seal

Residing at Rexburg
My Commission Expires 1/1/92

A 22-07324



OCT 29 1962

RECORDED