

10/06/2005

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

RIGHT NUMBER: 22-13021

NAME AND ADDRESS: CITY OF REXBURG
PO BOX 280
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS
0.60 AFY

The quantity of water under this right shall not exceed 2,500 gallons per day.

PRIORITY DATE: 08/01/1963

POINT OF DIVERSION:
T06N R39E S24 SWSWSE Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS 0.60 AFY

PLACE OF USE: DOMESTIC Within MADISON County
T06N R39E S24 SWSE

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is used for domestic purposes for the golf course club house.

Claim No. 22-13021

Document Checklist

☐ Copy License/Decree

☐ Copy Transfer

☐ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

☒ Generate, mail and file "Evidence of Priority" letter

☐ Generate Arcview Map

large POU / can't do map

10-10-05

Recommend as claimed. Domestic - Exnie said evidence of priority is not very important for small claims like this. Not sure about combined use w/ 22-2041 and 22-203, which are migration rights. Don't think they have combined use w/ this right.
KM

Claim no. A22-13021

Claimant Contact Log

Agent initials

Remarks

Date _____

Date	Remarks
10/1/04	Field inspection w/ Kp of City of Rexburg. met w/ city engineer John Miller. BAC 10/11/04

Contacts Data Entry Form

Claim Number: A22-13021

Owner Type	Full Name	Address	City	State	Zip
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Current Owner:				Phone No.:	
Current Owner:				Phone No.:	
Current Owner:				Phone No.:	
Name connector: and _____, or _____, and/or _____.					

Representing Attorney:		Phone No.:	
Accompanied By:		Phone No.:	
Relationship to Claimant:		Date of Field Exam:	

Discussion of right origin and split history. Questions and problems.

Please see correspondence in A22-203. This is a beneficial use claim w/ priority after the mandatory statute date. It should still qualify as a deminimus non-residential domestic w/ 2500 gallon/day limitation. Ray Rigby letter indicates understanding of 2500 gallon limitation. John Millan told me they are working on evidence of priority for all claims, if this evidence comes in before April '63 then an amended claim may be needed. Bac 10/11/04

Reviewer: _____ Date: _____

Priority Date Data Entry Form

Claim Number: A22-13021

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

John Millan says city is (or has) providing evidence
directly to IDWR. BAC 10/11/24

Reviewer: _____

Date: _____

Water Right No(s). A22-13021



GPS DATA:

Tag # ~~A0012224~~ Location: On wall of well pit
A0012231 Bac 10/11/04

Diversion Data:

Source: _____ Trib to: _____

MOTOR

Make: _____ Model: _____ Hp: _____
SN: _____

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

Field Exam Date: _____ Agent: _____

Point of Diversion and Source Data Entry Form

Claim Number: A22-13021Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Tw	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Recommended Point(s) of Diversion and Source.

Tw	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

~~GPS Waypoint 9, 2676546E 1405622N IDTM 83~~
 6N 39E 24 SW SW SE Bac 10/4/04
 GPS Waypoint 1 2676271E 1405160N IDTM 83

Reviewer: _____ Date: _____

Place Of Use Data Entry Form

Claim Number: A22-13021

Claimed Place Of Use					County	Lot Num	Acres	Purpose of Use
Twp	Rge	Sec	QQ	Q				

Total acres _____

Recommended Place of Use					County	Lot Num	Acres	Purpose of Use
Twp	Rge	Sec	QQ	Q				

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

POU is golf course clubhouse 6N 39 E 24 SW SE. Doc 10/11/04

Reviewer: _____ Date: _____

Season of Use and Quantity Data Entry Form

Claim Number: A22-13021Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Claimed period is 1/1 - 12/31. Golf probably does not extend year round but building may be used for other purpose? BAC 10/11/04

This claim reflects water use as of 1987. In the last 2 or 3 years the clubhouse has been hooked to the city system. The claimed use has continued, so this is in effect an accomplished APOD. Kip understands the need to file a formal transfer to reflect this change. BAC 10/11/04

Date: _____

Reviewer: _____

June 7, 2004

**CITY OF REXBURG
PO BOX 280
REXBURG ID 83440**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-13021

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 22, the Teton River drainage. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "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 the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim, as referenced above, claims a Priority Date of AUG 1 1963, from GROUNDWATER.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to 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.

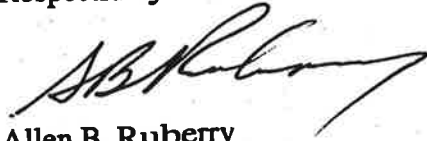
For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence which are acceptable and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, 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**". **PLEASE READ THE ENCLOSED PAMPHLET.**

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 soon will be 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.

Please submit documentation supporting the priority date within 30 days of the date of this letter, referencing all documents with the corresponding claim number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact this office.

Respectfully submitted,



Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

cc: File

Enclosure: Brochure on "Evidence of Priority"

22-07617

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

RECEIVED

JUL 18 1997

CIVIL CASE NUMBER: 39356

Ident. Number

A22-13021

Date Received

Receipt Number

JUDICATION

F WATER FROM

WATER SYSTEM

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

1. Name of Claimant (s) City of Rexburg, Idaho Phone (208) 359-3020Mailing Address PO Box 280 12 North Center, Rexburg, Idaho Zip 834402. Date of Priority (Only one (1) per claim) Aug. 1, 19633. Source of water supply (a) ground water
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township XXX 6N Range 39E Section 24,
_____ 1/4 of SW 1/4 of SE 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 _____

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.Well, 3/4 hp. pump, club house - golf course - domestic purpose

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For municipal Domestic purposes from Jan. 1 to Dec. 31 amount 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.02 (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

12. Do you own the property listed above as place of use? Yes _____ No _____ municipality
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 22-204C may or None ()
also be used in connection with this right.

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 Bolliger

Residing at Rexburg, Idaho

My Commission Expires 12/13/99

Please Print Name

17. Notice of Appearance:

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

Address P.O.B. 250, Rexburg, Id 83440

Date 7-17-97

Last Name Rexburg, City of Ident. Number 39356

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 _____
Date Received _____
Receipt Number _____

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

Please type or print clearly

1. Name of Claimant (s) City of Rexburg, Idaho Phone (203) 359-3020

Mailing Address 12 North Center, Rexburg, Idaho Zip 83440

2. Date of Priority (Only one (1) per claim) Aug. 1, 1963

3. Source of water supply (a) ground water
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township XXI 6N Range 39E Section 24,
_____ 1/4 of SW 1/4 of SE 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 _____

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. _____

Well, 3/4 hp. pump, club house - golf course - domestic purpose

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 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.02 (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.) _____

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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

12. Do you own the property listed above as place of use? Yes _____ No _____ municipality
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.
_____ or None ()

14. Remarks:

Last Name Rexburg, City of Ident No. 39356

Copies: White -State, Yellow-Claimant

14 15 16 17 18 19 20 21
23 24
TETON LAKES CLUB HOUSE WELL (MADISON COUNTY)

CHLORINATION
PLANT WELL

AIRPORT
WELL

GOLF COURSE
IRRIGATION WELL

GOLF COURSE
CLUB HOUSE
WELL

SEWER
PUMP STATION WELL

SMITH PARK WELL
SMITH PARK
IRRIGATION WELL

PORTER PARK WELL

WELL No. 6
WELL No. 1

DAVIS
WELL

WELL No. 5

CITY OF
REXBURG
MADISON COUNTY, IDAHO

BASE MAP BY:
FORSGREN - PERKINS
ENGINEERING, P.A.

● CITY WELLS

NOTE:
ALL STREETS HAVE A
P/W 90 FEET WIDE, EXCEPT
W. WEST - 90' 5"
N. WEST - 132'
OTHERS AS NOTED

SCALE: 1" = 800'

