

02/04/2004

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

RIGHT NUMBER: 25-7095

NAME AND ADDRESS: MISKIN SCRAPER WORKS INC
PO BOX 218
UCON ID 83454

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.550 CFS
20.600 AFY

PRIORITY DATE: 07/23/1976

POINT OF DIVERSION:

T03N R38E S15 SWNWSE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FIRE PROTECTION	01/01 12/31	0.500 CFS
IRRIGATION	04/01 11/01	0.140 CFS 17.50 AFY
COMMERCIAL	01/01 12/31	0.050 CFS 3.10 AFY

PLACE OF USE: FIRE PROTECTION Within BONNEVILLE County

T03N R38E S15 NWSE

IRRIGATION Within BONNEVILLE County

T03N R38E S15 NWSE 5.0

COMMERCIAL same as FIRE PROTECTION

5 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: License

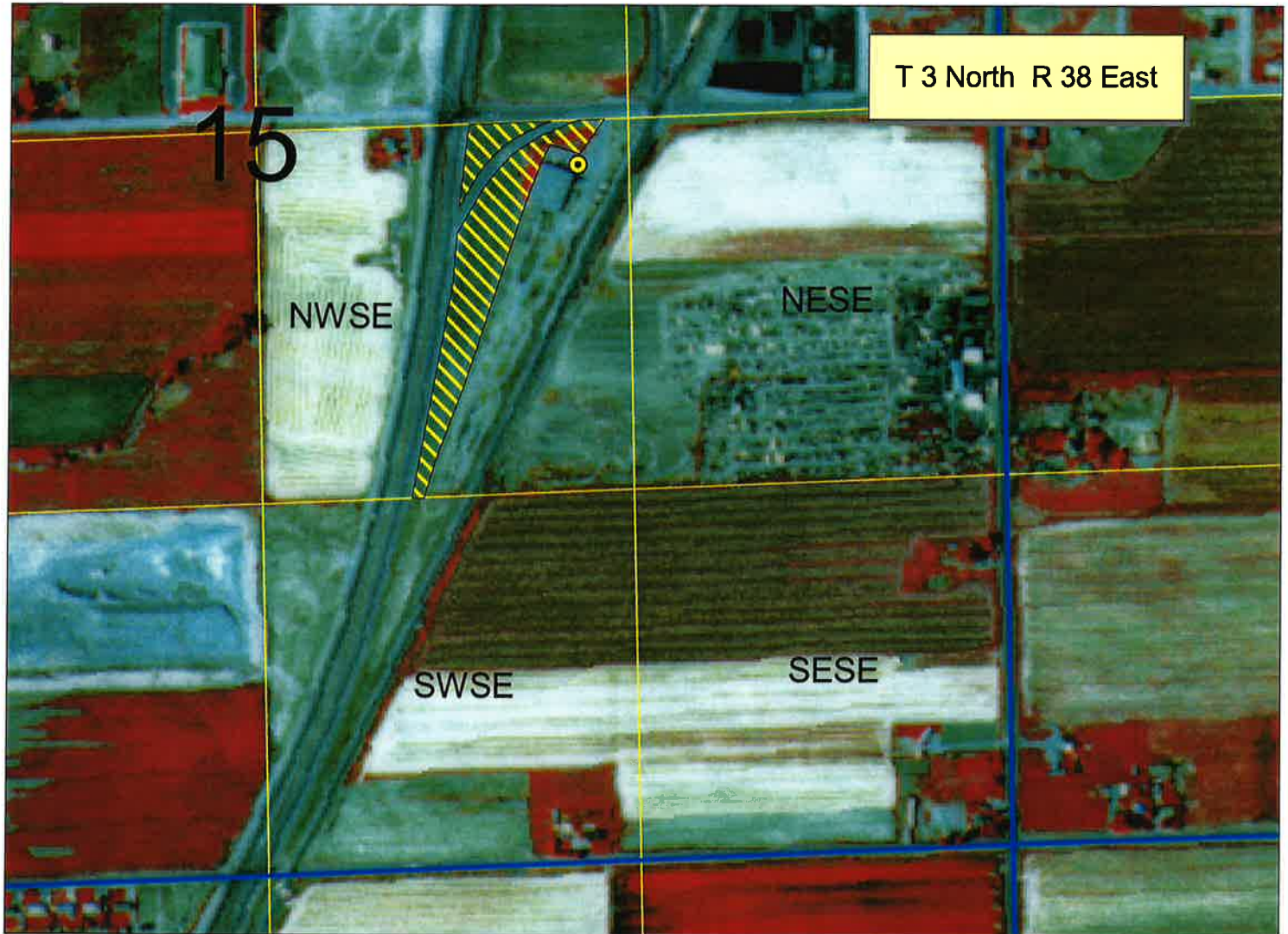


State of Idaho

Department of Water Resources

Eastern Region

Water Right(s): 25-07095



1320 0 1320 Feet

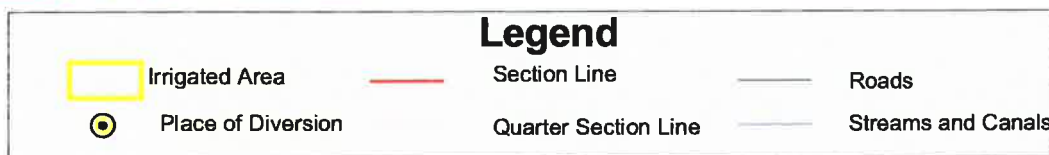
- Place of Use
- Point of Diversion
- Section
- Quarter Quarter



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell
Date: February 2004

Water Right Claim Number 25-07095
Township , 3N38E

12/05/2000



 SPATIAL
DYNAMICS



SCANNED

AUG 01 2001

Log for claim 25-07095

Spatial Dynamics CAT

12/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03n38e	15	NWSE	5	5.3	POD placement?/Indiscernible
Totals:			5	5.3	

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MISKIN SCRAPER WORKS INC	07/23/1976	IRRIGATION	04-01 11-01	0.140 CFS	
	PO BOX 218		COMMERCIAL	01-01 12-31	0.050 CFS	
	UCON ID 83454		FIRE PROTECTION	01-01 12-31	0.500 CFS	
	(208) 522-2139					
TOTAL DIVERSION:					0.550 CFS	
CONSUMPTIVE USE:						12.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T03N R38E S15 SWNWSE BONNEVILLE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE						
NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE						
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
03N	38E	15	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	5.0
																	TOTAL ACRES	5.0

Place of use location for COMMERCIAL is the same location as described for: IRRIGATION

Place of use Legal Description for: FIRE PROTECTION

NE				NW				SW				SE						
NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE						
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
03N	38E	15	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	F

POU County: BONNEVILLE

Non-Irrigation Uses: D/EMPLOYEES OF MANUFACTURING PLANT.

Other Rights: SHARES IN CANAL CO.

Other Water Rights Listing Overlapping Place(s) of Use:

A01-00069 A01-00070 A01-00109B A01-00110B A01-00111B A01-00112B A01-00113B A01-00115B A01-00262 A01-00309
A01-10156 A01-10157 A01-10158 A01-10159 A01-10160

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 06/08/89 ESRBA 09/18/90 THOMPSON 03/29/95 POST-STD

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 25-7095 Priority July 23, 1976 Amount 0.55 cfs

THIS IS TO CERTIFY, that Miskin Scraper Works, Inc.
of Ucon, Idaho, has complied with the terms and conditions of Permit
No. 25-7095 issued pursuant to Application for Permit dated July 23, 1976,
and has submitted proof to the Department of Water Resources on June 8, 1981,
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 0.57 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>0.14</u> cfs and	<u>17.5</u> acre feet
Fire Protection	from <u>January 1</u> to <u>December 31</u>	at <u>0.50</u> cfs and	<u>n/a</u>
Domestic	from <u>January 1</u> to <u>December 31</u>	at <u>0.05</u> cfs and	<u>3.1</u> acre feet

(both dates inclusive)

Subject, however, to the condition that no more than 0.55 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
20.6 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15,
Twp 3N, Rge 38E in the County of Bonneville

Description and location of place of use:

Twp.	Range	Sec.	NEW				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 $\frac{1}{4}$	
3N	38E	15																	5

Total number of acres irrigated 5

Domestic use is for employees of manufacturing plant.

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
FIELD REPORT

25-7095

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 6 Aug 1982 Accompanied by Richard Miskin Total Q measured 0.57 cfs ^{Theoretical} ✓
If source is surface water, estimate total flow of source _____
Methods of measurement Theoretical Meets Permit requirements? _____

Measurement calculations: $Q = \frac{hp(8.814)(eff)}{head + (PSI \times 2.308)}$ $= \frac{20(8.814)(0.70)}{100 + (50 \times 2.308)} = 0.57 cfs$	$25 \text{ Acres irrigated} \times 0.03 cfs/acre = 0.15 cfs$ allow 0.14 cfs as per Permit ✓ IRIGATION $V = 5 \times 3.5 cfs = 17.5$ ✓ $V = 0.14 \times 1.9835 \times 214 = 59.40 cfs$ ✓	Domestic Volume 52 weeks $\times$ 5 days/week = 260 Assume 260 days operation - 8 holidays $= 252 \text{ days}$ 3 hr delivery each day @ 0.05 cfs $V = 0.05 \times 1.9835 \times [252 \text{ days} \times \frac{24 \text{ hr}}{1 \text{ day}}]$ $= 31.20 cfs$ ✓
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WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	20	Submersible Pump		and motor				

System Description Well submersible pump and motor to 10000 gal pressure tank to mainline with distribution system to plant

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

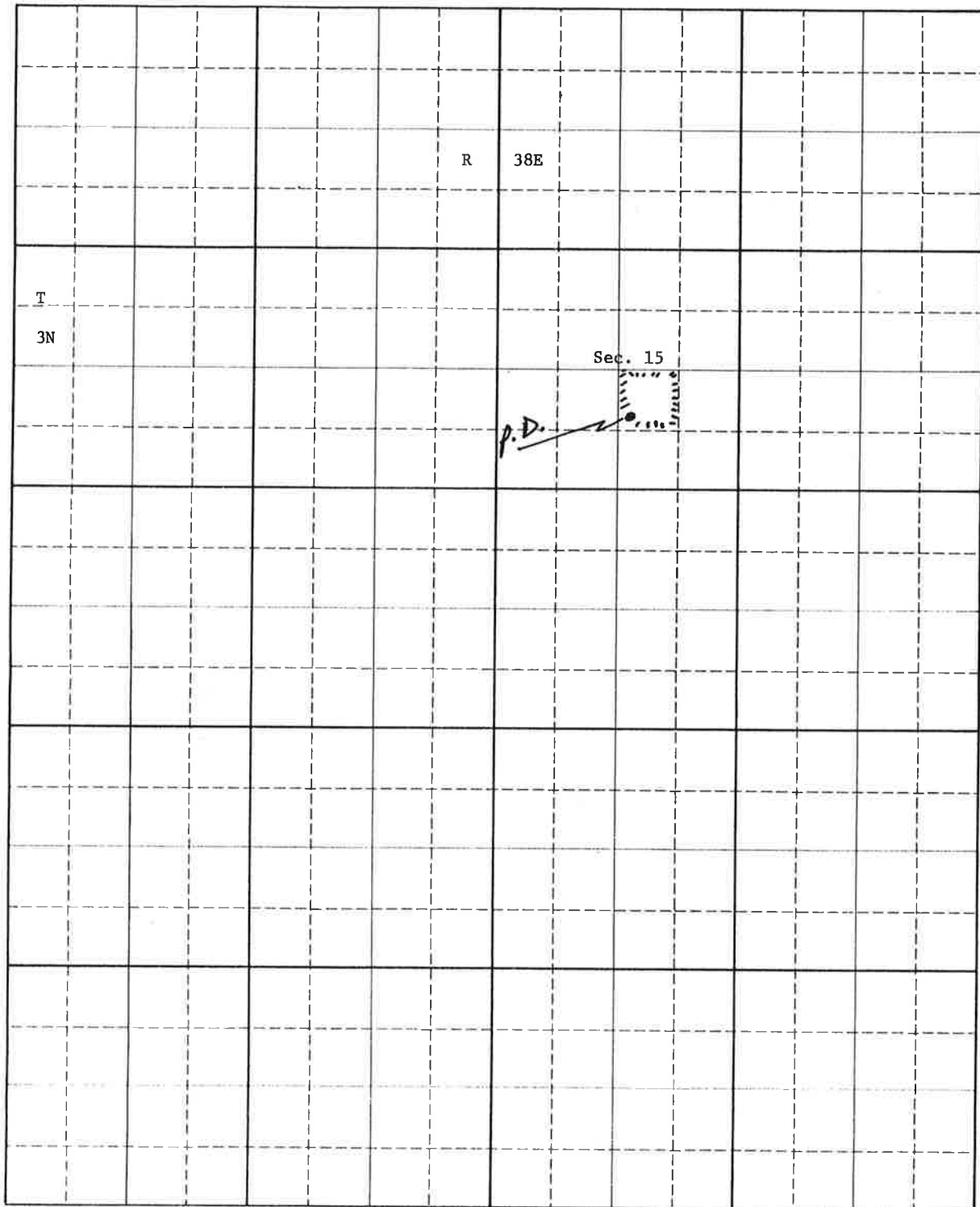
USE	Irrigation requirement =	AFA/Acre	FROM	TO
Irrigation ✓	Q (cfs) 0.14 cfs ✓	3.5 ✓	4/1 ✓	11/1 ✓
Fire Protection ✓	0.50 cfs ✓	N/A ✓	1/1 ✓	12/11 ✓
Domestic use ✓	0.05 cfs ✓	3.125 ✓	1/1 ✓	12/31 ✓
		3.1		
Total	0.55 ✓	20.6 ✓		

Remarks Storage Pressure tank underground.

MICROFILMED

no overlap review conducted-

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



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MISTKIN SCRAPER WORKS, INC
- Richard B. Mistkin - MANAGER
(Applicant)

25 7095

Identification No. _____

Application No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Miskin Scraper Works, Inc. Phone: 522-2139
post office address P.O. Box 218, Ucon, Idaho 83454
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15 Township 3N
Range 38E B.M. Bonneville County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.05 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.14 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.50 for Fire Protection purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.55 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump, 1,000 gal. pressure tank,
5 hydrants, toilet facilities

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 10 inches; proposed depth of well is 220 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 10,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15 Township 3N
Range 38E B.M.
(2) Amount of power to be generated: _____ hp 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 to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: Domestic use for 30 employees and
fire protection for manufacturing plant.



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

September 18, 1990

Miskin Scraper Works, Inc.
P.O. Box 218
Ucon, ID 83454

RECEIVED

OCT 16 1990

RE: Notice of Claim A25-07095

Department of Water Resources
Eastern District Office

Dear Claimant:

Enclosed please find an amended copy of A25-07095 in which the Department has made some changes regarding the filing of your Notice.

The Notice you submitted on June 8, 1989, indicates you may be filing on a commercial or industrial use. You have used the correct form but indicated one of the uses was for domestic purposes. Where an excess of 2500 gallons per day is used, commercial use must be indicated on the Notice.

The Department has amended your Notice to reflect commercial use in Item #6. The fees already paid remain the same, therefore, no other fees are necessary. However, any time a Notice is amended, it is necessary for the claimant to sign the Notice in the presence of a Notary Public. After you have signed the Notice, return it to this office by October 18, 1990.

Please do not hesitate to contact this office if you have any questions regarding this matter.

Respectfully submitted,

Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure: Notice of Claim A25-07095

File: TIC

MICROFILMED

NOV 10 1992

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - 25-07095

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
MISKIN SCRAPER WORKS INC.

1 - P.O. BOX 218

2 -

3 -

City- UCON

State- ID Zip- 83454

Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
07/23/1976 15 L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
03N 38E 15 NW SE (19) BONNEVILLE+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.140 17.50
43 - DOMESTIC 01/01 12/31 0.050 3.10
49 - FIRE PROTECTION 01/01 12/31 0.500+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.550 20.60+ - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
03N 38E 15 NW SE 5.0 01 IRRIGATION (19) BONNEVILLE

Total Acres: 5.0

+ - - Diversion Means - WELL, PUMP & TANK.

+ - - Non-Irrigation Use - D/EMPLOYEES OF MANUFACTURING PLANT.

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +
No Remarks found.+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

DO NOT FILM

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number - 25-07095

Adj. flag translation: Standard Water Right Number

+ - - Audit Fields -

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 08/01/1981	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 08/30/1976	Protested Date	- 00/00/0000	Swan Falls	- Z
Proof Made Date	- 01/01/1900	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 09/11/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 09/03/1985	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

DO NOT FILM

AUG 01 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: A25-07095
Date Received: 6/08/1989
Receipt No: E009097
Received By:

OCT 16 1990

Department of Water Resources
Eastern District Office

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: MISKIN SCRAPER WORKS INC. 208-522-2139
Address: P.O. BOX 218
UCON, ID 83454

2. Date of Priority: JUL 23, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	38E	15	SW	NW	SE		BONNEVILLE

5. Description of diverting works:
10" CASING 187' DEEP 20 HP. SUB. PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.140		
COMMERCIAL	01/01	12/31	0.050		
FIRE PROTECTION	01/01	12/31	0.500		

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

8. Total consumptive use is 12.5 Acre Feet Per Annum.

9. Non-irrigation uses:
D/EMPLOYEES OF MANUFACTURING PLANT.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	38E	15	NW	SE		IRR	5.0
			NW	SE		DOMEST	

A25-07095

Page 1

Date: 09/18/90

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NOV 10 1992



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	38E	15	NW SE		FIRE	
Section Acres						5.0
Total Acres						5.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
SHARES IN CANAL CO.

14. Remarks:

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

Number of attachments: 3 PAGES TOTAL

For Organizations:

I do solemnly swear or affirm that I am PRESIDENT of _____
Title

MISKIN SCRAPER WORKS INC that I have signed the foregoing
Organization

document in the space below as PRESIDENT of _____
Title

MISKIN SCRAPER WORKS INC and that the statements contained in the
Organization

foregoing document are true and correct.

Richard B Muskin
Signature of Authorized Agent
PRESIDENT OF
MISKIN SCRAPER WORKS, INC
Title and Organization

10-11-90
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 11 day

of Oct. 19 90

Julia Muller
Notary Public

Seal

Residing at Ucon, Idaho

My Commission Expires 5/15/96

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: A25-07095
Date Received: 6/08/1989
Receipt No: EDD09097
Received By: _____

RECEIVED

JUN 14 1989

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Eastern District Office

1. Name: MISKIN SCRAPER WORKS INC.
Address: P.O. BOX 218
UCON, ID

208-522-2139

83454

2. Date of Priority: JUL 23, 1976

3. Source: GROUNDWATER

Trib. to:

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Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
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Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.140		
DOMESTIC	01/01	12/31	0.050		
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7. Total Quantity Appropriated is:
0.550 C.F.S. (and/or)

A.F.A.

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D/EMPLOYEES OF MANUFACTURING PLANT.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	38E	15	NW	SE		IRR	5.0

A25-07095

Page 1

Date: 06/08/89

MICROFILMED
NOV 10 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	38E	15	NW	SE		DOMEST	
			NW	SE		FIRE	
					Section Acres		5.0
					Total Acres		5.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
SHARES IN CANAL CO.

14. Remarks:

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: _____

For Organizations:

I do solemnly swear or affirm that I am BUYER (Karen Young) of
Title
MISKIN SCRAPER WORKS INC., that I have signed the foregoing
Organization
document in the space below as BUYER of
Title
MISKIN SCRAPER WORKS INC. and that the statements contained in the
Organization
foregoing document are true and correct.

Karen Young
Signature of Authorized Agent

Buyer Misikin Scaperworks inc.
Title and Organization

6-8-89

Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 8 day

of Jun 19 89

Seal

John Dale Carben
Notary Public

Residing at Bonneville

My Commission Expires
3

Date: 06/08/89

A25-07095

Page

MICROFILMED
NOV 10 1992

