

01/26/2004

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

RIGHT NUMBER: 25-7366

NAME AND ADDRESS: EAST RIVER ROAD WATER CORP
C/O BRIAN SMITH PRES
374 W 81 N
IDAHO FALLS ID 83401

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.230 CFS
18.600 AFY

PRIORITY DATE: 07/12/1983

POINT OF DIVERSION:

T03N R38E S19 SWSESW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.120 CFS 4.20 AFY
IRRIGATION	04/01 11/01	0.090 CFS 14.00 AFY
STOCKWATER	01/01 12/31	0.020 CFS 0.40 AFY

PLACE OF USE: DOMESTIC Within BONNEVILLE County

T03N R38E S19 SESW

IRRIGATION Within BONNEVILLE County

T03N R38E S19 SESW 4.0

STOCKWATER Within BONNEVILLE County

T03N R38E S19 SESW

4 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

Division of Water Resources

Eastern Region

Water Right(s): 25-07366

T 3 North R 38 East

Section 19
SESW

1320 0 1320 Feet

- Point of Diversion
- ▨ 25-07366.shp
- ▭ Section
- ▭ Quarter Quarter

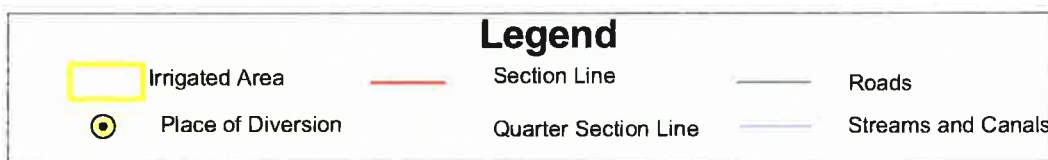
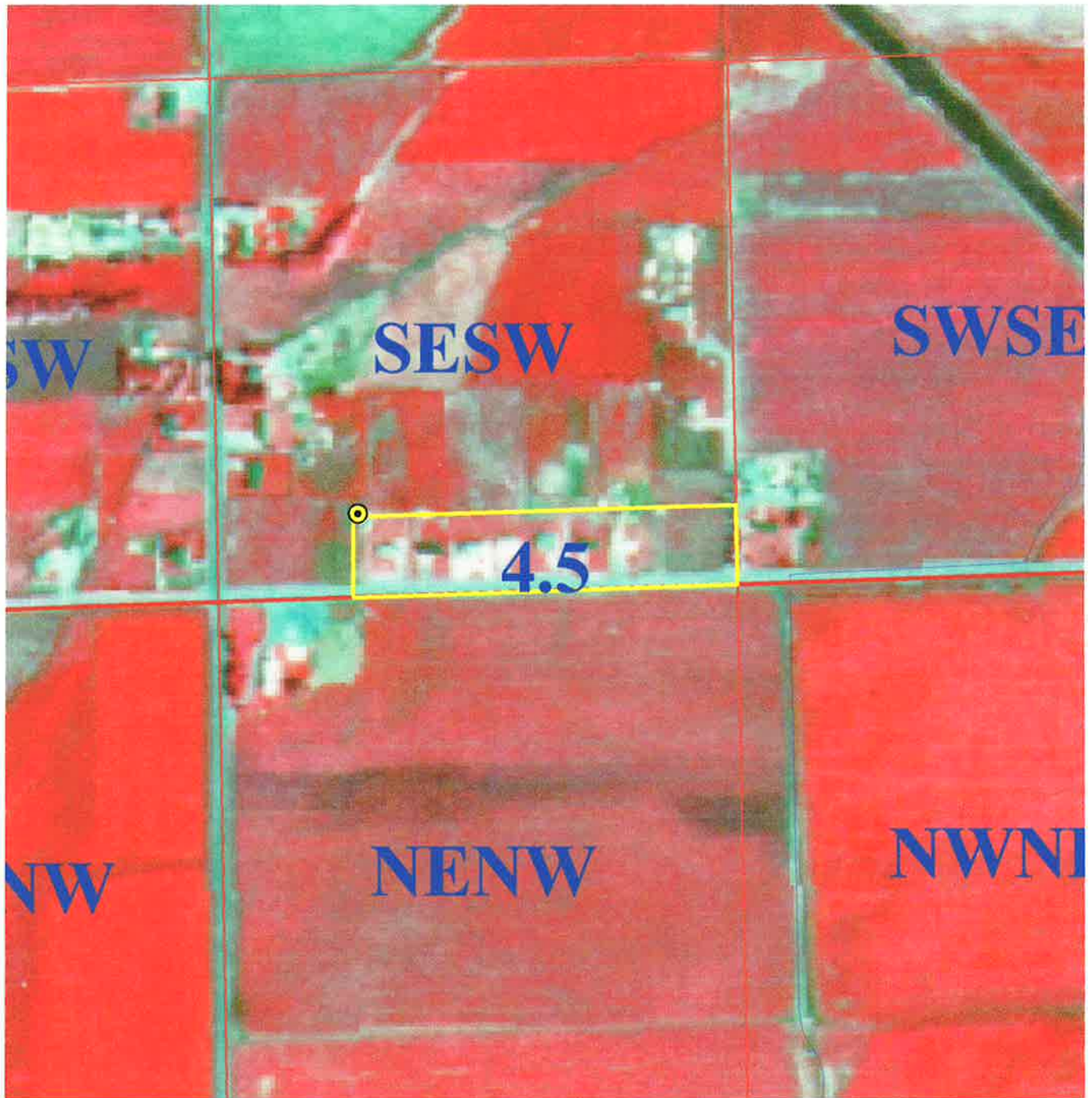
SCANNED
AUG 12 2004



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

Water Right Claim Number 25-07366
Township , 3N38E

12/07/2000



SPATIAL
DYNAMICS



SCANNED

AUG 01 2001

Log for claim 25-07366

Spatial Dynamics CAT

12/7/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03n38e	19	SESW	4	4.5	Indiscernible
Totals:			4	4.5	

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EAST RIVER ROAD WATER CORP	07/12/1983	IRRIGATION	04-01 11-01	0.090 CFS	
	C/O BRIAN SMITH PRES		STOCKWATER	01-01 12-31	0.020 CFS	
	374 W 81ST N		DOMESTIC	01-01 12-31	0.120 CFS	
	IDAHO FALLS ID 83401					
	(208) 523-3430					
TOTAL DIVERSION:					0.230 CFS	
CONSUMPTIVE USE:						10.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T03N R38E S19 SWSSEW BONNEVILLE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		SUM
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
03N	38E	19	:	:	:	:	:	:	:	:	:	:	:	:	:	4.0
TOTAL ACRES															4.0	

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
03N	38E	19	:	:	:	:	:	:	:	:	:	:	:	:	:	

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
03N	38E	19	:	:	:	:	:	:	:	:	:	:	:	:	:	

POU County: BONNEVILLE

Non-Irrigation Uses: DOMESTIC USE FOR 8 HOMES/3 HEAD OF CATTLE & 15 HORSES

Other Rights: IDAHO IRR. SUPPLIES WATER FOR IRR. PASTURES AND SOME GARDENS

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

25-12471 25-12967 25-13011 A25-12471 A25-12967 A25-13011

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

A01-00075Z0 A01-00076Z0 A01-00312Z0 A01-00368Z0 A01-00369Z0 A01-00370Z0 A25-00224Z0

Conditions of Approval:

R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 01.

AJ5809NP
No. A25-07366

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 155

=====

Remarks: GEN OTHER BOARD MEMBERS:

SECRETARY/TREAS.-KIM AREHART,
BOARD MEMBER -LARRY HARRIS,

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

Misc: Water District Number: 01 Field Inspection Flag:
Presumption Flag:

Audit: 09/07/89 VERNER 03/29/95 POST-STD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

Permit No. *F* 25-7366

1. Owner: East River Road Water Corp. Phone No. 524-0609
Current Address: Rt 6 Box 98 D Idaho Falls

2. Accompanied by: Larry Harris EXAM. DATE: 7-8-86
Address: Rt 6 Box 980 I. P. Phone No. 524-0609
Relationship to Permit Holder: President

3. Source: groundwater tributary to N.A.

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Red Jacket	7.5	—	Red Jacket	208795946

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
Well with submersible pump to 3 500 gallon
pressure tanks, serving eight homes, 6 horses,
(usually 3 head of cattle and 15 horses)
Pressure tanks on at 20 off at 40 psi;
Well drilled to 169' lift near 120'

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Theoretical.						

7. Measurements ☐ Additional data/computation sheets attached

None possible, pump fills pressure tanks and shuts off before any measurements could be taken. Each house irrigates less than $\frac{1}{2}$ acre

8. Point(s) of Diversion: Indicate Method of Determination *USGS Tenn*

[illegible]

9.	Place(s) of Use:	Irrigation - give acres served by system at time of exam. Indicate Method of Determination
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[illegible]

RECOMMENDED AMOUNTS

100000

(late proof)

Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
25-7366	7-12-1983	0.23 cfs	6-30-1983	6-13-1986	0.33 cfs

4. Permit Holder: East River Road Water Corp.
 Address: Rt. 6, Box 980, Idaho Falls, ID 83401

5. Source: groundwater ✓ tributary to ✓

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
③ DOMESTIC (7 Units) ✓	1/1 ✓	12/31 ✓	0.12 cfs	4.2 AF
② Stockwater ✓	1-1 ✓	12-31 ✓	0.02 cfs	0.4 AF
① Irrigation ✓	4-1 ✓	11-1 ✓	0.09 cfs	14.0 AF

Allowable Maximums: 0.23 cfs ✓ 18.6 afa ✓

7. Point(s) of Diversion: No Change

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
			SE	SW	19	3N	38E	Bonneville

8. Place(s) of Use No Change

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	
3N	38E	19																4	
															</				

9. Recommended Conditions/Remarks: SEE MEMORANDUM DATED 13 MAY 1981, ON FIELD EXAMINATIONS FOR DOMESTIC PURPOSES.

No flow measurement was taken, because the pump would only run 3 to 4 minutes before filling pressure tanks and turning off.
No access was available before pressure tanks either. R04 (01, Snake River)

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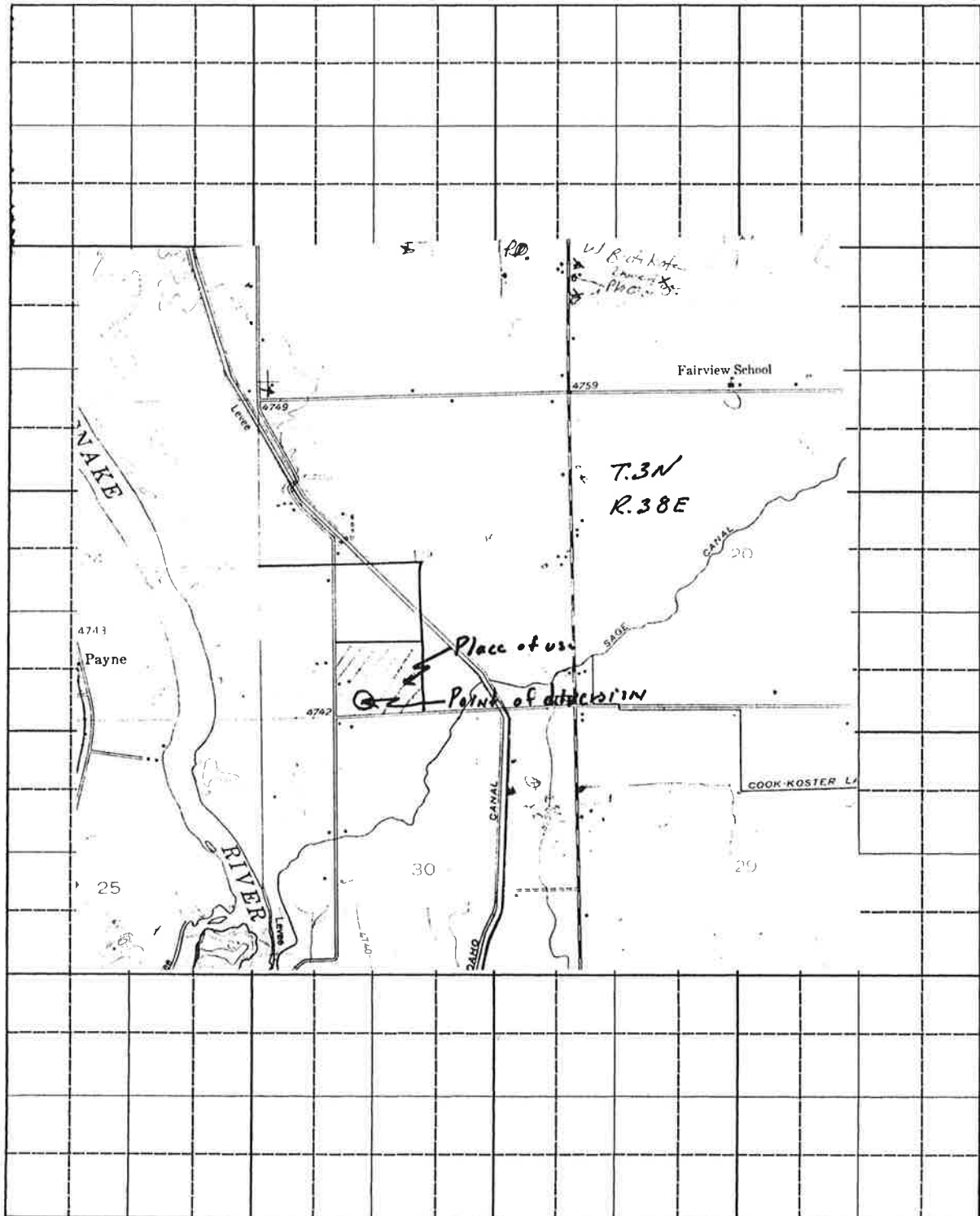
10. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

11. Examiner's Signature John W. Argmann
 Checked in Regional Office by Keith C. Wilson
 Approved in State Office by K. Wilson

DEC 15 1986
 Department of Water Resources
 Date 7-8-86
 Date 6 Aug 1986
 Date 10/22/86

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.

Larry M. Davis
(Applicant)

RECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant East River Road Water Corp. Phone 524-0609

Post office address Rt. 6, Box 98C Idaho Falls, ID 83401

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

3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 19 Township 3N

Range 38E B.M. Bonneville County, additional points of diversion if any: _____

4. Water will be used for the following purposes: Changes as per telecon w/Larry Harris
*0.12 7-22-83 SM

Amount 28 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-foot per annum)

Amount .02 for Stock purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-foot per annum)

Amount .09 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-foot per annum)

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

5. Total quantity to be appropriated:

a. 28 *0.23 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well with mainline to 7 homes.

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 _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 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: SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 19 Township 3N

Range 38E 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 15 head livestock horses and
cattle.

(4) Name of municipality to be served East River Road Water Corp. number of families to be supplied with domestic water 7.

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

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 25-7366 Priority July 12, 1983 ^(Late Proof) Amount 0.23 cfs

THIS IS TO CERTIFY, that East River Road Water Corp.
of Idaho Falls, Idaho, has complied with the terms and conditions of Permit
No. 25-7366 issued pursuant to Application for Permit dated June 30, 1983,
and has submitted proof to the Department of Water Resources on June 13, 1985,
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 0.33 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>14.0</u> acre feet	
Stockwater	from <u>January 1</u> to <u>December 31</u> at <u>0.02</u> cfs and	<u>0.4</u> acre feet	
Domestic (7 Units)	from <u>January 1</u> to <u>December 31</u> at <u>0.12</u> cfs and	<u>4.2</u> acre feet	

(both dates inclusive)

Subject, however, to the condition that no more than 0.23 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
18.6 acre feet per year, said waters to be diverted within the SE1SW1 Section 19,
Twp 3N, Rge 38E in the County of Bonneville

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	38E	19											4						4

DECE 1985

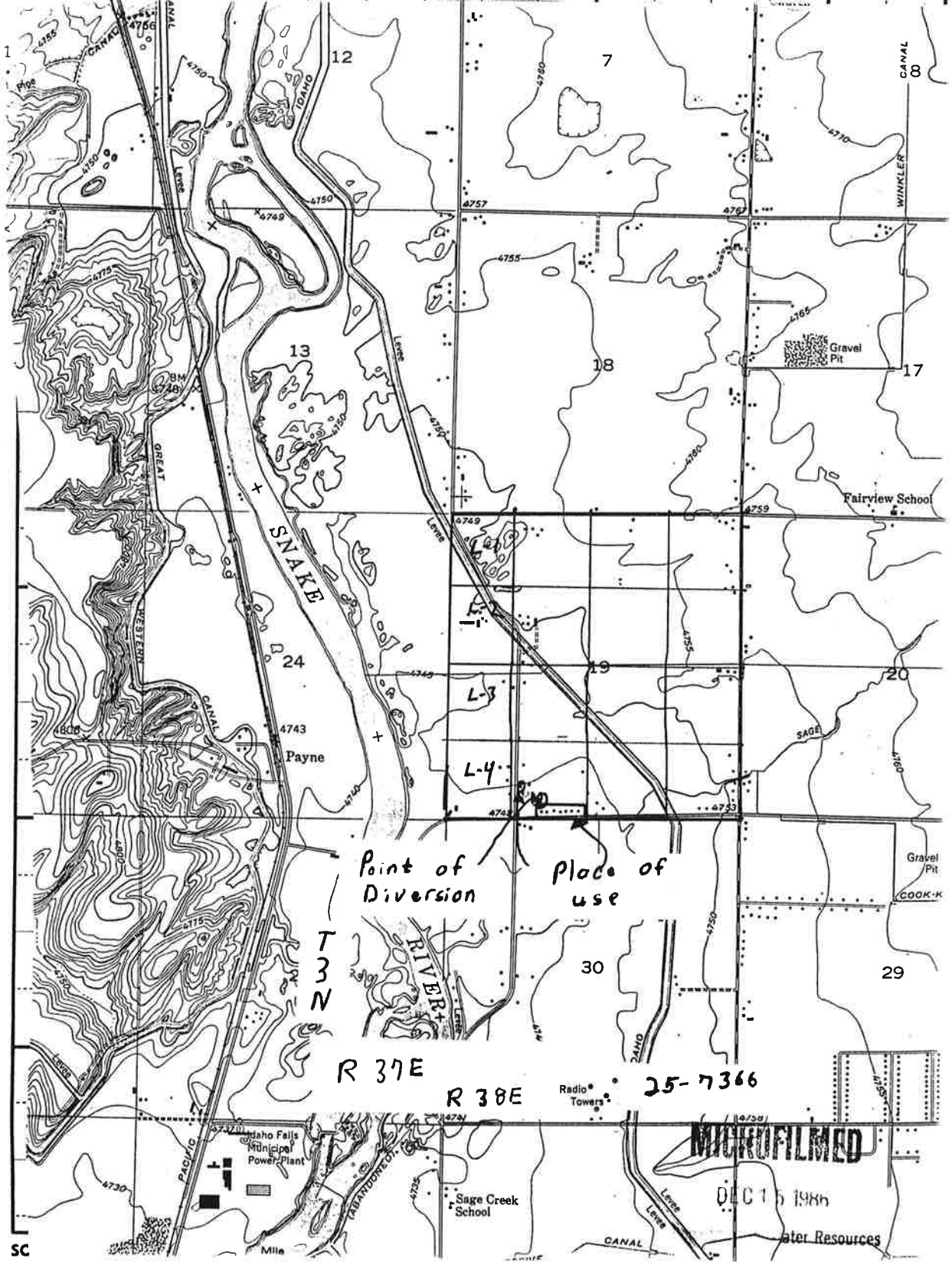
Total number of acres irrigated 4

Department of Water Resources

NAME OF APPLICANT E. R. Road Water Co.

25-7366

Form No. 0



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DEC 15 1986

Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

Permit No. *F* 25-7366

Phone No. 524-0609

1. Owner: East River Road Water Corp. Permit No. 25-1500
Current Address: Rt 6 Box 98 D Idaho Falls Phone No. 524-0609
2. Accompanied by: Larry Harris EXAM. DATE: 7-8-86
Address: Rt 6 Box 98 D I.F. Phone No. 524-0609
Relationship to Permit Holder: President
3. Source: groundwater tributary to N.A.

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Red Jacket	7.5	—	Red Jacket	208795946

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
Well with submersible pump to 3 500 gallon
pressure tanks, serving eight homes, 6 horses,
(usually 3 head of cattle and 15 horses)
Pressure tanks on a $\pm$ 20 off at 40 psi;
Well drilled to 169' lift near 120'

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Theoretical.						

7. Measurements ☐ Additional data/computation sheets attached

None possible, pump fills pressure tanks and shuts off before any measurements could be taken. Each house irrigates less than $\frac{1}{2}$ acre

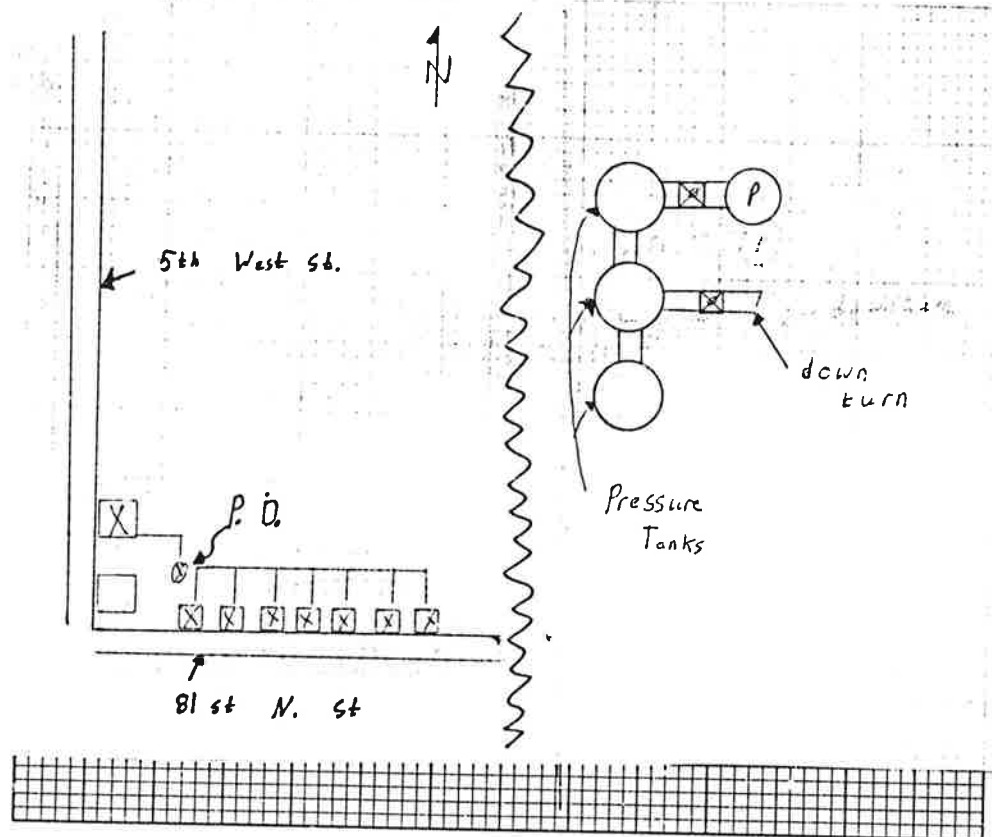
8. Point(s) of Diversion: _____ Indicate Method of Determination USGS T-900

[illegible]

- [illegible]

Total Acres

10. Other water rights on these lands Shares in Idaho Canal Co.
11. Other water right diverted from same p.d. None
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.
Original beneath.



13. ☒ Photo of Diversion & System Attached ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached
14. Remarks Canal water is used only for pastures and gardens.
15. Recommended Amendments
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other
16. Examiner's/Consultant's Signature John W. Gremham Date 7-8-86
 Consultant's License Number _____
 IDWR Director's Authorization to Conduct
 Beneficial Use Examination _____
 Date _____

CONSULTANT SEAL

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 NOV 67 1986

SCANNED

AUG 11 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: A25-07366
Date Received: 9/07/1989
Receipt No: EO 10224/80
Received By: ED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EAST RIVER ROAD WATER CORP. 208-523-3430
Address: C/O BRIAN SMITH, PRES.
374 W. 81ST. N.
IDAHO FALLS, ID 83401

2. Date of Priority: JUL 12, 1983

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	38E	19	SW	SE	SW		BONNEVILLE

5. Description of diverting works:
169' WELL (130' LIFT) W/ 7.5HP SUB. PUMP. TANKS TO DELIVERY SYS.

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		
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.120		

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

8. Total consumptive use is 10.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC USE FOR 8 HOMES/3 HEAD OF CATTLE & 15 HORSES

A2507366



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NOV 17 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	38E	19	SE	SW		IRR	4.0
			SE	SW		DOMEST	
			SE	SW		STOCK	

Section Acres 4.0

Total Acres 4.0

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:

IDAHO IRR. SUPPLIES WATER FOR IRR. PASTURES AND SOME GARDENS

14. Remarks:

OTHER BOARD MEMBERS:

SECRETARY/TREAS.-KIM AREHART,
BOARD MEMBER -LARRY HARRIS,

15. Basis of Claim: LICENSE

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NOV 6 7 1984

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 (Field Exam Copy)

For Organizations:

I do solemnly swear or affirm that I am PRESIDENT of EAST RIVER WATER CORP., that I have signed the foregoing

Organization document in the space below as PRESIDENT of EAST RIVER WATER CORP. and that the statements contained in the

Organization foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

PRESIDENT EAST RIVER WATER CORP.
Title and Organization

9-7-89
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 7 day
of September 19 89

[Signature]
Notary Public

Seal

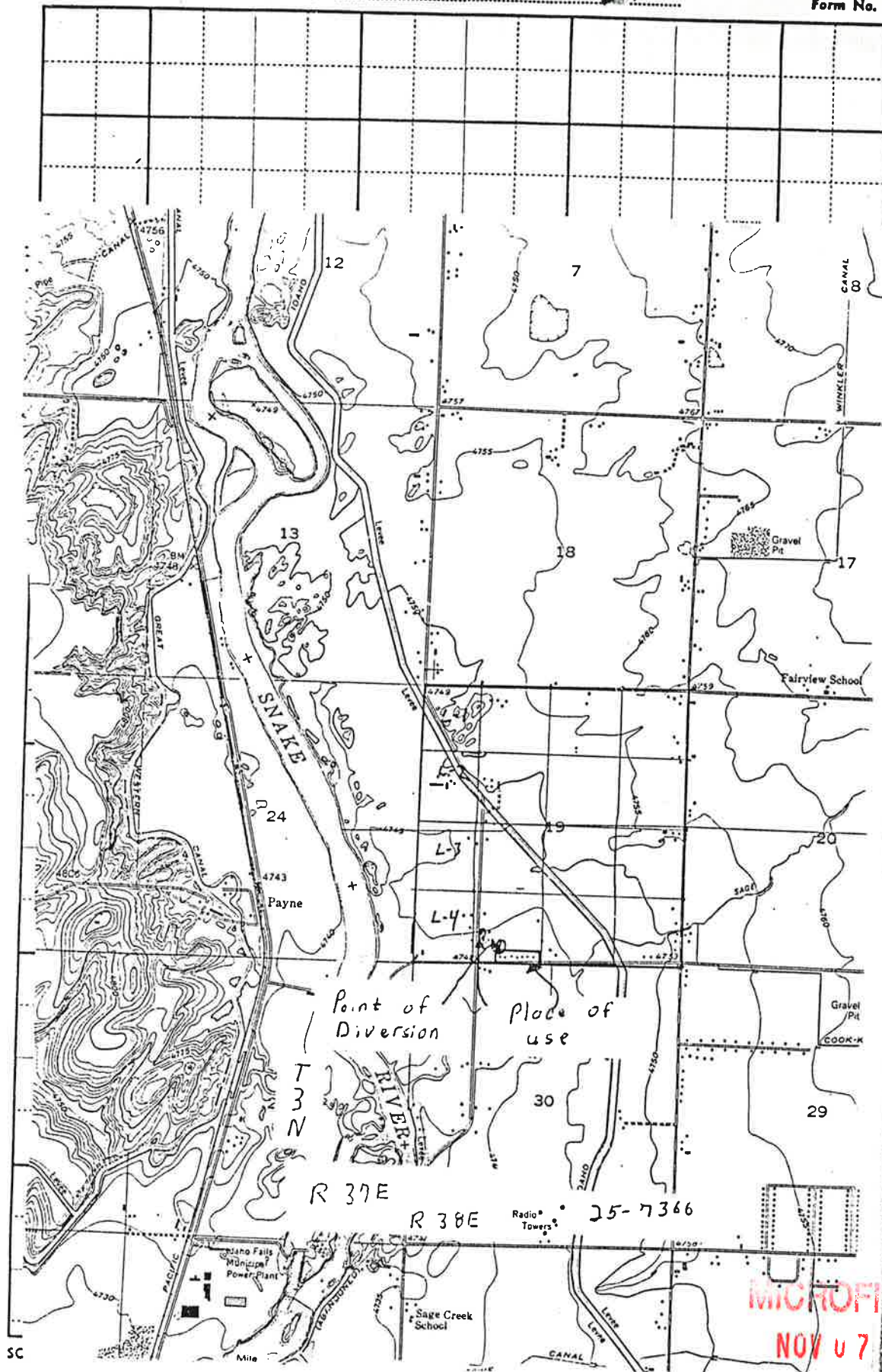
Residing at Idaho Falls, Id.
My Commission Expires 22 Aug 1994

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NOV 6 7 1992

NAME OF APPLICANT E. R. Road Water Co.

25-7366

Form No. 0



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NOV 07 1992