

04/27/2004

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

RIGHT NUMBER: 25-7398

NAME AND ADDRESS: CITY OF IDAHO FALLS
C/O HOLDEN KIDWELL HAHN CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.550 CFS

PRIORITY DATE: 01/11/1985

POINT OF DIVERSION:

T02N R38E S28 NWNWSE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
1/01 12/31

QUANTITY
1.550 CFS

PLACE OF USE:

Place of use is within the service area of the City of Idaho Falls municipal water supply system as provided for under Idaho Law.

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

Point of diversion known locally as Well No. 15.

The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

RIGHT NO. 25-7298 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

The right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Water Right 25-7398

SCANNED

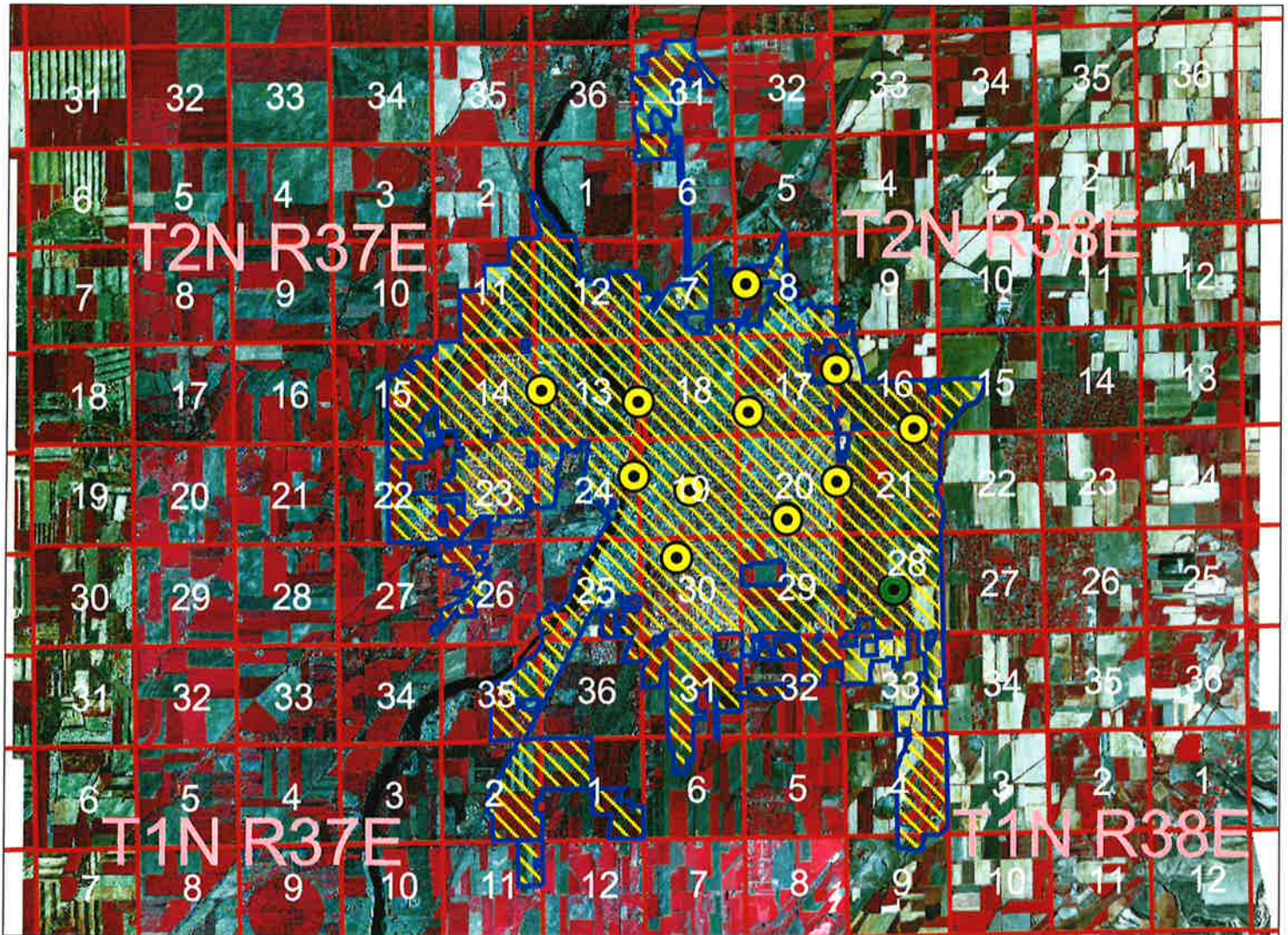
SEP 24 2004

FILED



Department of Water Resources

Claim No.: 25-07398



0 1 2 3 4 5 6 7 8 9 10 Miles



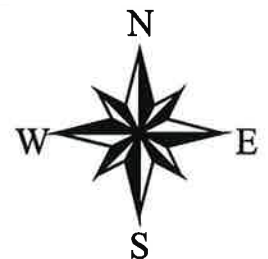
PROFILE

SCANNED

SEP 24 2004

● Point of Diversion

 Place of Use
 Sections



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by M. Holliday
Date: April 2004

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 25-07398

Priority: January 11, 1985

Maximum Diversion Rate:

1.55 CFS

This is to certify, that CITY OF IDAHO FALLS
PO BOX 50220

IDAHO FALLS ID 83405 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 14, 1984; and has submitted Proof of Beneficial Use on March 2, 1990. An examination indicates that the works have a diversion capacity of 4.900 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
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MUNICIPAL ✓	01/01 to 12/31 ✓	1.55 CFS ✓	
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LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 28, Township 02N, Range 38E
BONNEVILLE County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the right and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
6. Place of use is located within the city limits of Idaho Falls.
7. Consumptive use under this right shall not exceed two (2) acre-feet per day.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 5TH day of FEBRUARY, 1993.

Acting for. Keith Higginson, Director

MICROFILMED

FEB 17 1993

PROFILED

SCANNED

SEP 24 2004

Please see paper file A25-02095 for field notes regarding City of Idaho Falls water rights.

SCANNED

SEP 24 2004

PROFILE



State of Idaho

SCANNED

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

Idaho Falls Water Dept.
P. O. Box 220
308 C Street
Idaho Falls, ID 83401

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

A01-00042
04003
01-00041
01398
A25-01398
35-12568
01-00360
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02049
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NOV 07 1992

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: A25-07398
Date Received: 9/27/1989
Receipt No: E010426
Received By: Cordell E. S.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF IDAHO FALLS
Address: %HOLDEN, KIDWELL, HAHN & CRAPO
P.O. BOX 50130
IDAHO FALLS, ID 83405

208-523-0620

A2507398

2. Date of Priority: DEC 14, 1984

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	38E	29		NW	SE		BONNEVILLE

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MUNICIPAL	01/01	12/31	1.550		

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

8. Total consumptive use is 976.0 Acre Feet Per Annum.

9. Non-irrigation uses:
PART OF MUNICIPALE WATER SUPPLY FOR CITY OF IDAHO FALLS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	37E	11				MUNI	
		12				MUNI	

A25-07398

Page 1

Date: 09/27/89

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NOV 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	37E	13			MUNI	
		14			MUNI	
		15			MUNI	
		23			MUNI	
		24			MUNI	
		25			MUNI	
	38E	7			MUNI	
		8			MUNI	
		16			MUNI	
		17			MUNI	
		18			MUNI	
		19			MUNI	
		20			MUNI	
		29			MUNI	
		30			MUNI	

Added Sec 15, 21, 28

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:
SEE REMARKS

14. Remarks:

P/U WITHIN CITY LIMITS OF IDAHO FALLS
ITEM 13 - 25-2095, 25-2142/35-3020, 35-2143, 35-7001, 25-7058,
25-7022/35-7207, 35-7841 & 25-7298.

15. Basis of Claim: PERMIT

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 25-7398

Date Received

Receipt Number 6010426

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAWRECEIVED
SEP 13 1989Department of Water Resources
Eastern District Office

1. Name of Claimant(s) City of Idaho Falls Phone (208) 523-0620
Mailing Address % Holden, Kidwell, Hahn & Crapo
P.O. Box 50130, Idaho Falls, Idaho Zip 83405
2. Date of Priority (Only (1) per claim) December 14, 1984
3. Source of water supply (a) Groundwater
which is tributary to (b) _____
- 4.a. Location of existing
point of diversion is: Township 2N. Range 38E. Section 29 ,
1/4 of NW 1/4 of SE, Govt. Lot, _____ B.M., County of Bonneville
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 and pump.

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6. Water is claimed for the following purposes:

(Both dates are inclusive) (cfs) (acre feet)

For Municipal purposes from 01/01 to 12/31 amount 1.55 or _____

For _____ purposes from _____ to _____ amount _____ or

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or

7. Total quantity claimed (a) 1.55 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 976 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.)
Part of municipal water supply for City of Idaho Falls.

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 instruction for standard symbols.

[illegible]

Total number of acres irrigated N/A

11. In which county(ies) are lands listed above as place of use located?
Bonneville

12. Do you own the property listed above as place of use? Yes X No ____
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.

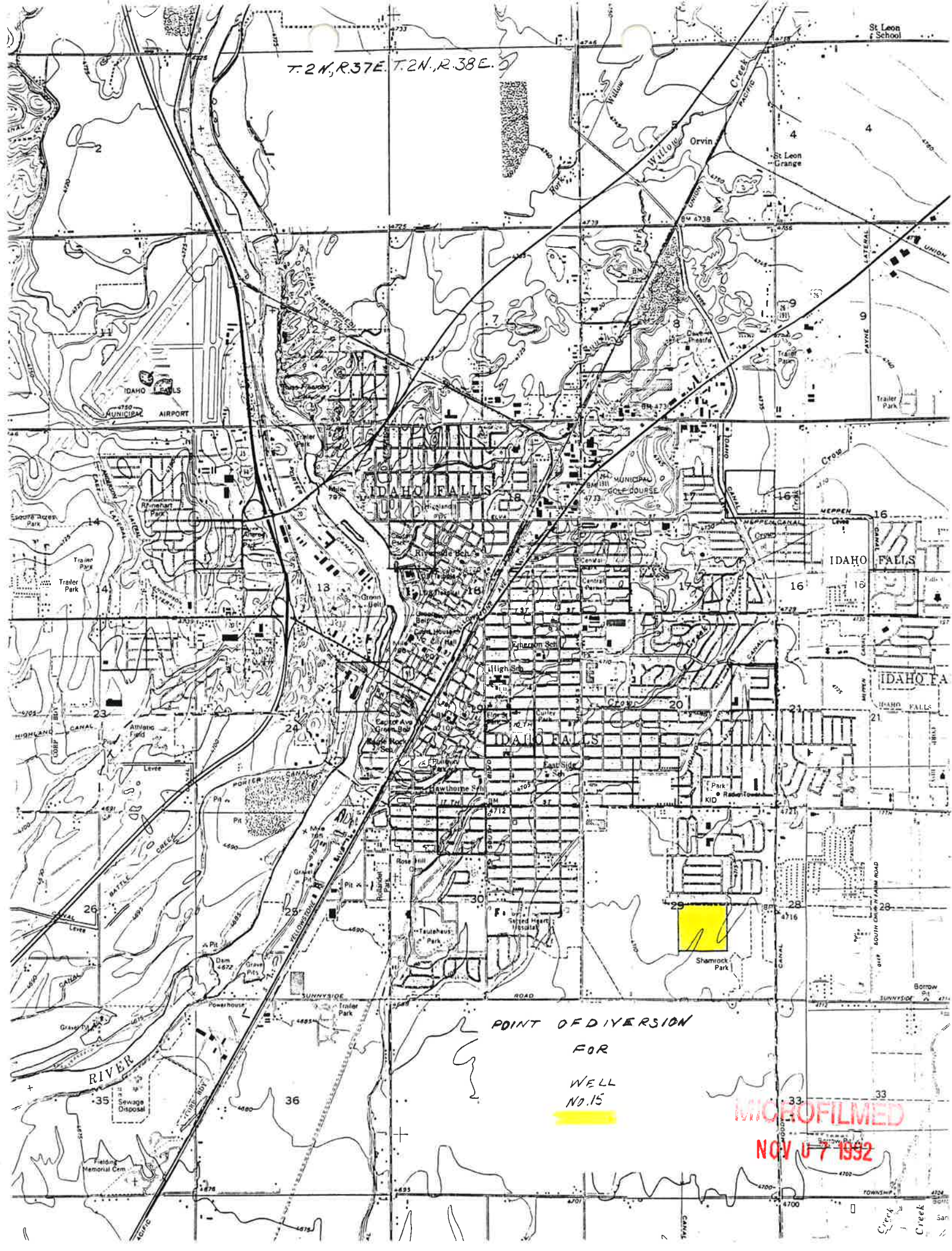
25-2095, 25-2142/35-3020, 35-2143, 35-7001, 25-7022/35-7207, 25-7058,
35-7841 & 25-7298 or None ()

14. Remarks:

Last Name City of Idaho Falls Ident No. 25-7398

NOV 07 1992

T.2N.,R.37E. T.2N.,R.38E.



POINT OF DIVERSION
FOR
WELL
NO. 15

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NOV 07 1992

15. Basis of Claim (Check one) Beneficial Use ☐ Posted Notice ☐
Permit ☒ Decree ☐ License ☐

If applicable provide IDWR Water Right Number 25-7398
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 2

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 of City of Idaho Falls, that I have signed the Title Organization

foregoing document in the space below as Mayor Title
of City of Idaho Falls and that the statements contained in the Organization

foregoing document are true and correct.

Signature of Authorized Agent Thomas Campbell
Title and Organization Mayor, City of Idaho Falls Date 09/12/89

State of Idaho/or _____)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 12th day of September, 1989.

Notary Public [Signature]
Residing at Idaho Falls, Idaho
My Commission Expires 11/10/92

17. Notice of Appearance:

Notice is hereby given that I, Kent W. Foster 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 [Signature]
Address P.O. Box 50130, Idaho Falls, Idaho 83405
Date 09/12/89

Last Name City of Idaho Falls Ident. Number 25-7398

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