

11/19/2003

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

RIGHT NUMBER: 25-12634

NAME AND ADDRESS: ARNOLD FEED LOT INC
3488 LINCOLN RD
IDAHO FALLS ID 83401

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
2.30 AFY

PRIORITY DATE: 07/01/1930

POINT OF DIVERSION:
T02N R38E S15 NENENE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	01/01 12/31	0.040 CFS 2.30 AFY
Commercial use is for a convenience store and meat shop.		

PLACE OF USE: COMMERCIAL Within BONNEVILLE County
T02N R38E S15 NENE

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 - Beneficial Use

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.

SCANNED
OCT 29 2004
PROFILED



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

October 16, 2007

MAVERICK INC
880 W CENTER ST
SALT LAKE CITY UT 84054

RE: CHANGE IN OWNERSHIP FOR: 25-12634

Dear Claimant:

It has come to our attention that you may have recently purchased a tract of land in Teton County. The property to which I am referring was most recently owned by Arnold Feed Lot Inc. The legal description is as follows:

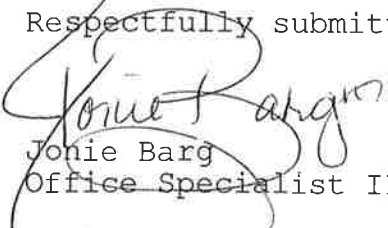
T2N, R38E, Sec 15 NENE

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have questions regarding this matter, please call 525-7161.

Respectfully submitted,


Jonie Barg
Office Specialist II

Enclosure(s)

SCANNED

OCT 16 2007

25-12634

10/1/2003

Met with Van Arndt. Van said the kind used type pump was replaced with a submersible pump in 1967. Both pumps were equipped with 1.5 HP motor.

Van estimated that former owner Alex Rott watered 1000 Rod of Ranier with the well in the early 1960's. Up until 1976, the pump was used for stockwater only.

Pump has been disconnected and water has been supplied by Falls Water Co. for over 10 years. Van says Falls Water charges extra on water use over 20,000 gallons per month. Van says he has never been assessed the additional charge.

$$Q = \frac{1.5 \text{ HP} \times 8.814 \times 0.60}{(50 \times 2.31) + 6.5 + 10} = 0.04 \text{ cfs}$$

SCANNED
OCT 29 2004

It appears that the store was not included in 25-7552.

P/D N 269818 E 664608

$$2000 \text{ GPD} \times 365 = 730,000 \text{ GPD} \\ \frac{730,000 \text{ GPD}}{325,850} = 2.3 \text{ AF}$$

PROFITED

MEMORANDUM

TO: File 25-07552

FROM: Sharla

DATE: April 8, 1998

RE: Commercial Use

Licensing remarks for this right will not include the convenience store in the description of the commercial use. A convenience store was not proposed in the original application.

SCANNED

OCT 29 2004

PROFILE



State of
DEPA
1301 Nor
Phone: (2

April 8, 1998

ARNOLD FEED LOC
3488 LINCOLN RI
IDAHO FALLS ID

RE: WATER RIGHT

Dear Permit Holder:

The Department
referenced above
issuing a license
been established
examiner who ver
of diversion an
other than what
a license can be
your water right

The enclosed Ap
of diversion an
appear on the
amendment form
presented, please
filing fee with

Also, please no
approval and re
review.

If you do not c
information, pl
number is (208)

Sincerely,

Shelley W. Keer

Shelley W. Keer
Water Rights S

THEORETICAL PUMP FLOW CALCULATIONS

SCANNED

OCT 29 2004

PROFILED

Formula: $Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$

SYSTEM: #1 STORE

Hp = Horsepower = 1
Eff = Efficiency = 70% (Usually 70%)
Lift: (Static Level + Assumed Draw down)
Static Water Level = 90 ft.
Assumed Draw down = + 10 ft.
Lift = 100

OR

Measured Dynamic Water Level = ft.

psi = Operating Pressure = 25-55 psi

$$Q_{cfs} = \left[\frac{1}{Hp} \times 8.814 \times \frac{0.7}{Eff} \right] \div \left[\frac{100}{Lift} + \left(\frac{25}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\underline{6.1698} \right] \div \left[\underline{157.7} \right]$$

$$Q_{cfs} = \underline{0.04} \text{ cfs SYSTEM } \underline{\text{Store (\#1)}}$$

SYSTEM: #2 FEED LOT

Hp = Horsepower = 5
Eff = Efficiency = 70% (Usually 70%)

Part E. NARRATIVE/REMARKS/COMMENTS:

PERMIT #25-07552

There are two separate systems covered under this permit.
System #1 (NE¼NEX, Sec 15, T02N, R38E) consists of a well, pump, mainline to a convenience store with offices, and a meat cutting operation. This well is also used to fill tanks (in summer) for stockwater at the feed lot when the feed lot system (#2) is unable to supply the necessary water.
System #2 (NW¼NEX, Sec 15, T02N, R38E) consists of a well, pump, mainline to three domestic homes (3094, 3108, & 3132 E Lincoln Rd), a feed lot shop, feed lot (3500-4000 head range cattle), and a mill. The mill is used to chop the feed and water is added if the feed is too dry.

Currently both wells are temporally disconnected and the water is being supplied by Falls Water Company a public utility. Based on my previous conversations with Falls Water Company & the statement of permit holder the Falls Water Company usually does not supply water to an agricultural operation. The wells on both systems can easily be reattached to the delivery system that is currently being supplied water by Falls Water Company.

The feed lot is located in close proximity to urban development. Mr Van Arnold already recognizes the fact that eventually his operation will have to move. It's not a matter IF they'll move, but WHEN! When they are required to move they will need a water right in order to stay in business.

It is the opinion of this field examiner that a license should be issued. This is based on the following:

1. The area around the feed lot is becoming more urban, and the feed lot will most likely be required to move sometime in the future (based on a prior situation dealing with a feed lot just north of Idaho Falls).
2. Falls Water Company may at any time refuse to deliver water to an agricultural operation
3. The wells and delivery systems as permitted were developed prior to the proof due date.


Keith C. Wilson
Senior Resource Agent

25 Feb 1998
Date

PERMIT #25-07552

SCANNED

OCT 29 2004

PROFILED

SCANNED

ARNOLD FEEDLOT INC.

3488 LINCOLN RD.
IDAHO FALLS, ID. 83401

RECEIVED

PHONE: (208) 522-9450

MAY 30, 1991

MAY 30 1991

Department of Water Resources
Eastern District Office

IDAHO DEPARTMENT OF WATER RESOURCES

SUBJECT: EVIDENCE OF PRIORITY

REFERENCE # A25-12634

EARNEST CARLSEN

I haven't been able to locate any old timers that have seen the well being used. Although some know of it.

Therefore I will give a personal statement.

I am 43 years old, and have lived next to this well property since 1948. Bought the property in 1966. Moved onto the property in 1967. Replaced pump in 1967. I am confident that the well is older than the 1930 date that I have indicated. The reasons for this is,

1. The original pump was of hard wood rod type.
2. Pressure tank in system was rivited seam steel.
Not weld.
3. Even though well maintained, the well house building was decaying very bad in 1966.
4. The previous owner, Alex Robb, had livestock that he watered in the winter. He retired, at about 70 years old, in 1966.



STATE OF IDAHO
COUNTY OF BONNEVILLE

THANKS

Van Arnold
VAN ARNOLD
PRESIDENT

MICROFILMED

NOV 11 1992

On this 30 day of May, 1991, before me personally appeared Van Arnold, known to me to be the person whose name is subscribed to within instrument. I have hereunto set my hand and affixed my official seal, the day and year stated.

My Commission expires: 6-14-1994.

Ernest Carlson
Residing at: Idaho Falls, ID

May 1, 1991

Arnold Feedlot, Inc.
Van Arnold
3488 Lincoln Rd.
Idaho Falls, ID 83401

RE: Evidence of Priority

Dear Mr. Arnold:

The Notice of Claim identified with the numbes shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates the water usage is based on "Beneficial Use" or a "Statutory Claim". 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 Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the 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**".

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel. But, the Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

MICROFILMED

NOV 11 1992

Arnold Feedlot, Inc.
Van Arnold

Page 2

Please submit the required evidence supporting the priority date by **June 3, 1991**, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Ernest Carlsen
Water right Supervisor, Adjudication

EC:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

A25-12634
ARNOLD FEEDLOT, INC.
3488 LINCOLN RD

IDAHO FALLS ID 83401

MICROFILMED

NOV 11 1992

SCANNED

AUG 7 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: A25-12634
Date Received: 8/15/1989
Receipt No: E00 9862
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ARNOLD FEEDLOT, INC.
Address: 3488 LINCOLN RD
IDAHO FALLS, ID

208-522-9450

83401

2. Date of Priority: JUL 01, 1930

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	38E	15	NE	NE	NE		BONNEVILLE

5. Description of diverting works:
WELL, 4" CASING, APPROX. 140' DEEP, 1.5 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.100		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
C/CAFE & MEAT SHOP

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	38E	15	NE	NE		COMMER	

11. Place of use in counties: BONNEVILLE

A25-12634

Page 1

Date: 08/15/89

A2512634



MICROFILMED

NOV 11 1992

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

13. Other Water Rights Used:
NONE

14. Remarks:
WELL ORIGINALLY USED FOR AGRICULTURAL PURPOSES.
PRIORITY DATE IS ESTIMATED.
PURPOSE OF USE CHANGED TO COMMERCIAL IN 1976.

15. Basis of Claim: BENEFICIAL USE

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 Organizations:

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

ARNOLD FeedLot, INC, that I have signed the foregoing
Organization
document in the space below as PRESIDENT of
Title

ARNOLD FEEDLOT, INC and that the statements contained in the
Organization

foregoing document are true and correct.

Van Arnold
Signature of Authorized Agent

PRES. ARNOLD FeedLot, INC
Title and Organization

8-15-89
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 15th day

of August 19 89

Seal

Anthony J. Olenchak
Notary Public

Residing at Idaho Falls

My Commission Expires 9/12/1994