

02/11/2004

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

RIGHT NUMBER: 25-7038

NAME AND ADDRESS: HIGHWAY ESTATES WATER USERS INC
C/O DENNIS L EDDINS PRES
577 E PARRI DR
IDAHO FALLS ID 83401

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.200 CFS
22.800 AFY

PRIORITY DATE: 09/20/1973

POINT OF DIVERSION:

T03N R38E S29 SESWNW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.200 CFS

22.80 AFY

Domestic use is for 19 homes.

PLACE OF USE: DOMESTIC Within BONNEVILLE County

T03N R38E S29

SWNW

T03N R38E S29

SENW

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

Water Right 25-7038

SCANNED

NOV 12 2004

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PROFILED

SCANNED

X

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: A25-07038

Date Received: 6/27/1989

Receipt No: E 009273

Received By: SV

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HIGHWAY ESTATES WATER USERS, INC. 208-522-0683
Address: C/O DENNIS L. EDDINS, PRES.
577 E. PARRI DR.
IDAHO FALLS, ID 83401

2. Date of Priority: SEP 20, 1973

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	29	SE	SW	NW		BONNEVILLE

5. Description of diverting works:
15H SUBMERSIBLE PUMP INTO 1600 GAL. PRESSURE TANK/ DIST. SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.200		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/19 HOMES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	38E	29	SW	NW		DOMEST	
			SE	NW		DOMEST	

A25-07038

Page 1

Date: 06/27/89

A2507038

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HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

11. Place of use in counties: BONNEVILLE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
PROGRESSIVE IRR. CO.

14. Remarks:

PLACE OF USE IS HIGHWAY ESTAES SUBDIVISION. THE WATER USERES ASSOCIATION IS RESPONSIBLE FOR DELIVERING WATER TO HOME OWNERS WITHIN THE SUBDIVISION. HOUSEHOLD ON LOT 2 BLOCK 2 HAS ITS OWN WELL AND IS NOT CONNECTED TO THE SUBDIVISION WATER SYSTEM.

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

For Organizations:

I do solemnly swear or affirm that I am President of

Highway Estates water users Inc that I have signed the foregoing
Organization document in the space below as President of

Highway Estates water users Inc and that the statements contained in the
Organization foregoing document are true and correct.

James L. Ellis
Signature of Authorized Agent

President, Highway Estates water users
Title and Organization

6-27-89
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 27 day

of June 19 89

[Signature]
Notary Public

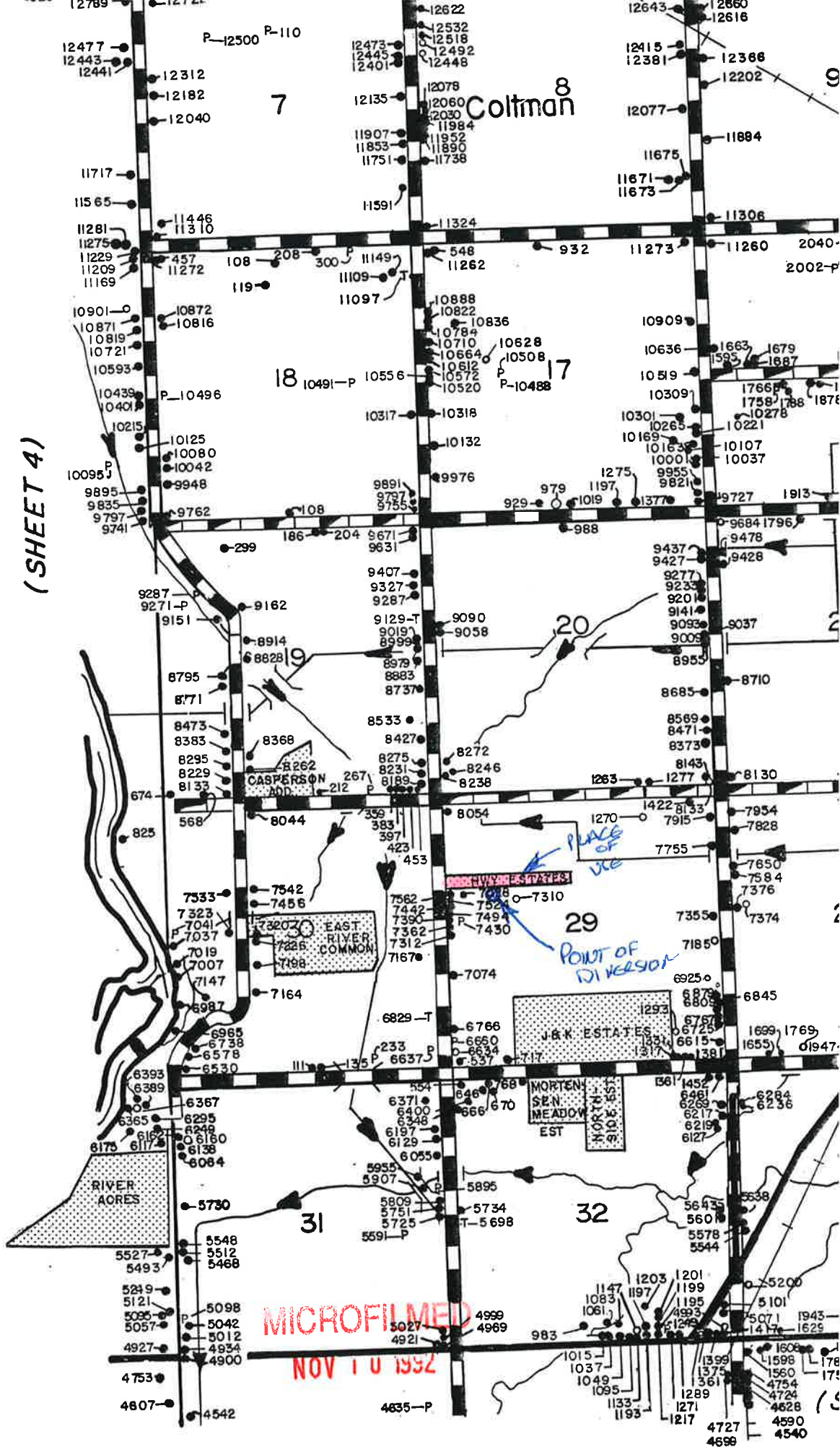
Residing at Idaho Falls, ID

My Commission Expires 22 Aug 1994



T3N
R38E

(SHEET 4)



DATE OF EXAM May 3, 79ACREAGE
Found N/A
Recommended N/AIrrigation Requirement N/A Ac Ft/Ac

USE

Irrigation Q = 20 c.f.s. V = 22.8 AF/Ann. from Jan 1 to Dec 31
 Domestic Q = 20 c.f.s. V = 22.8 AF/Ann. from Jan 1 to Dec 31
 Livestock Q = 20 c.f.s. V = 22.8 AF/Ann. from Jan 1 to Dec 31

Is water co-mingled? yes no X

Name source: N/A
 twp. N/S, Rge E/W, B.M., Sec. 1/4, Sub. 1/4 County 1/4

Exchange? yes no X

Name source exchanged with: N/A
 twp. N/S, Rge E/W, B.M., Sec. 1/4, Sub. 1/4 County 1/4

Point of injection: N/A
 twp. N/S, Rge E/W, B.M., Sec. 1/4, Sub. 1/4 County 1/4

Point of exchange: N/A
 twp. N/S, Rge E/W, B.M., Sec. 1/4, Sub. 1/4 County 1/4

Total Q measured 20 cfs Method of measurement Flow MeterTotal Q recommended 20 cfs Meter No. MP44233 Type Badger Condition StdTotal V recommended 22.8 AF/Ann.

Recommended Amendments:

P.D. SW NW Sec 29 No Amendment needed
 Place of Use Permit identifies the
 Other right track
 None

MEASUREMENT CALCULATION:

0.004 AF/Ann. 88 sec. = 0.11 in 2700 sec = 435.6 ÷ 2350 = 20 cfs capacity
V = Assigned 1.2 AF/Ann. per unit x 19 = 22.8 20 cfs x 1.9275 cfs AF/Ann. x 265 days = 2444 AF/Ann.

SYSTEM DESCRIPTION:

Groundwater is diverted by a 10 hp submersible pump (unknown brand) from a 10" dia well
water is stored and pressurized in a 700 gal red tank, w/pa pressure control of 40-65 lbs. square D
company, class 250A Type 550-1 19" down located into system.

REMARKS:

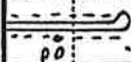
Highway Estates sold to 19 Homes legal distribution contract. 1 Home put
in its own well addition on system
system shown and described by title 9116 sub. 100000

Examiner's Signature John D. Carlson Date 3/24/80Checked by Anthony R. Kozlowski Date 4-7-80Approved by [Signature] Date 6/24/82

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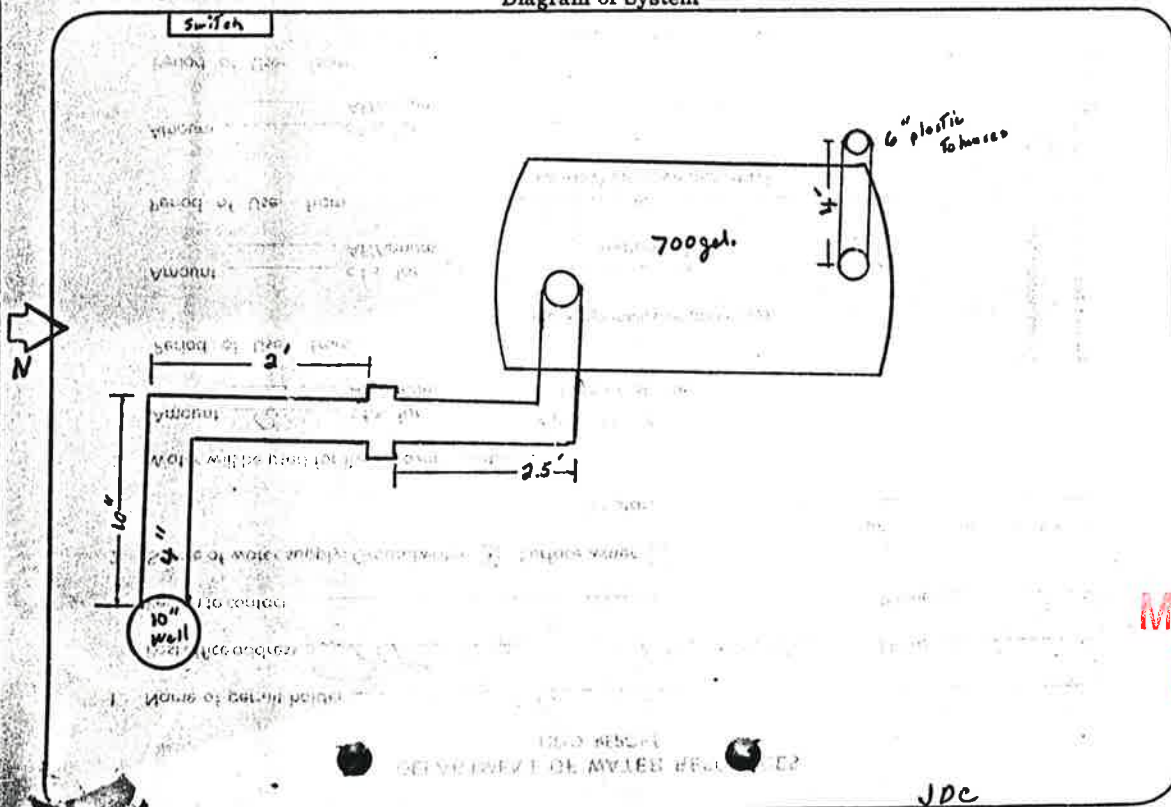
B38E

T
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N



29

Diagram of System

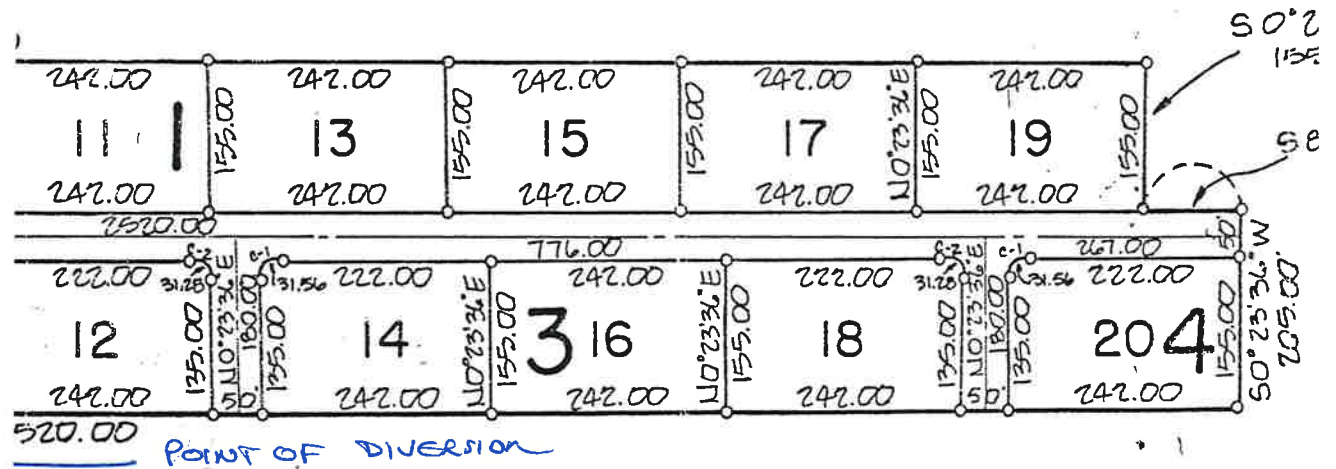


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NOV 10 1992

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Chase
A. Bragg

Carol Calleen Bragg
Lila A Bragg

RM

02/11/2004

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 25-7038

HIGHWAY ESTATES WATER USERS INC

C/O DENNIS L EDDINS PRES

577 E PARRI DR

IDAHO FALLS ID 83401

Telephone Number: (208)522-0683

RECEIVED

OCT 08 2004

Department of Water Resources
Eastern Region

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE:

10/1/2004

SIGNATURE:

Dennis Eddins

Please print your name:

Dennis Eddins

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

SCANNED

OCT 13 2004

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PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.200 CFS 22.80 AFY
Domestic use is for 19 homes.		

PLACE OF USE: DOMESTIC Within BONNEVILLE County

T03N R38E S29	SWNW	T03N R38E S29	SENW
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EXPLANATORY MATERIAL: BASIS OF CLAIM - License

SCANNED

OCT 13 2004

FILED