

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

PROFILED

SCANNED

JUL 25 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: A25-10839

Date Received: 11/30/1988

Receipt No: E004780

Received By: _____

RECEIVED

SEP 19 1991

Department of Water Resources
Eastern District Office

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: CITY OF MENAN
Address: P.O. 127
MENAN, ID

208-754-8876

83434

2. Date of Priority: JUN 1, 1905

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	38E	33	SE	SE	NW		JEFFERSON

5. Description of diverting works:
WELL/PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
M/DOMESTIC USE FOR COMMUNITY HALL

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	38E	33	SE	NW		MUNI	

11. Place of use in counties: JEFFERSON

MICROFILMED

NOV 10 1992

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

13. Other Water Rights Used:
NONE

14. Remarks:
USE DOES NOT EXCEED 2500 GPD.

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 ~~X~~ 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): Helen J. Watson, Mayor Date: 9-17-91
_____ Date: _____

State of Idaho)
County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this 17 day
of September 19 91

Larry A. Walker
Notary Public

Seal

Residing at Menon
My Commission Expires June 16, 1992

MICROFILMED
NOV 10 1992

RETURN BY DEC. 17, 1988

20.

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: A25-10839

Date Received: 10/28/1988

Receipt No: E00 478

Received By: _____

NOV 16 1988

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

208-754-8876

1. Name: CITY OF MENAN
Address: P.O. 127
MENAN, ID

83434

2. Date of Priority: JUN 01, 1905

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	38E	33	SE	SE	NW		JEFFERSON

5. Description of diverting works:
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6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MUNICIPAL	01/01	12/31	0.020		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

M/DOMESTIC USE FOR COMMUNITY HALL

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	38E	33	SE	NW		MUNI	

11. Place of use in counties: JEFFERSON

A25-10839

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1

Date: 10/28/88

MICROFILMED
NOV 10 1992

A2510839

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

13. Other Water Rights Used:
NONE

14. Remarks:

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 Mayor of City of Menan, that I have signed the foregoing document in the space below as Mayor of City of Menan and that the statements contained in the foregoing document are true and correct.

Larry E. Lee
Signature of Authorized Agent

Mayor - City of Menan
Title and Organization

10-28-88
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 30th day

of Nov 19 88

Betty J. Thompson
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 6-94
2 Date: 10/28/88

A25-10839

Page

MICROFILMED
NOV 10 1992

April 29, 1991

City of Menan
P.O. 127
Menan, ID 83434

RE: Evidence of Priority

Dear Mr. Larry E. Lee:

The Notice of Claim identified with the number 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.**

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NOV 10 1992

City of Menan

Page 2

Please submit the required evidence supporting the priority date by **May 29, 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

A25-10839
CITY OF MENAN
P.O. 127

MENAN

ID 83434

MICROFILMED
NOV 10 1992

JULY 22, 1991

CITY OF MENAN
MACIE DAVEY
CITY CLERK
PO 127
MENAN ID 83434

RE: EVIDENCE OF PRIORITY LETTER

Dear Ms. Davey:

On April 29, 1991, the Department of Water Resources sent you a letter regarding "Evidence of Priority" on Notice of Claim A25-10839. The letter requested that the City of Menan submit evidence to support the 'priority date'.

After reviewing the Notice of Claim, it has come to my attention that you most likely use less than 2500 gallons per day (gpd) since you are only claiming .02 cfs in Item #6.

I have amended the above Notice to reflect "domestic" use only and added in "remarks" that "use is less than 2500 gpd".

Enclosed are two copies of the amended Notice of Claim. One is marked "state" and one "copy". Please check to make sure that no errors have been made. Then please sign the "state" copy in the presence of a Notary. Return the signed "copy" to my attention by August 15, 1991.

Please disregard the request for "Evidence of Priority". It is no longer necessary that you provide any evidence on this Notice of Claim.

Respectfully submitted,

Eric Verner
Senior Water Rights Agent

EV:jt

Enclosure

MICROFILMED
NOV 10 1992

City of Menan
Box 127
Menan, Idaho
83434

RECEIVED

JUL 19 1991

Department of Water Resources
Eastern District Office

Idaho Department of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402

A25-10839

Dear Sir:

The City of Menan purchased this property from George Francks.

He has paid the \$25.00 fee necessary to obtain the water rights for this property.

Yours truly,

Macie Davey, City Clerk

MICROFILMED
NOV 10 1992

AJ0749NP
No. R25-10839

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/27/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF MENAN PO BOX 127 MENAN ID 83434 (208) 754-8876	06/01/1905	DOMESTIC	01-01 12-31	0.02 CFS	
TOTAL DIVERSION:					0.02 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T05N R38E S33 SESENW

JEFFERSON County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
05N	38E	33	:																

POU County: JEFFERSON

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP DOMESTIC USE FOR COMMUNITY CENTER
PARCEL NO. RP E0222009001B & C
PROPERTY ALSO KNOWN AS 659 N 3550 E

Dates: Exam Made Date: Verified Date: 04/27/1998 Objection Filed Date:

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

Comments: Date: 04/14/1997 User-ID: CORR1 Subject: COPIED FROM REMARKS
USE DOES NOT EXCEED 2500 GPD.

Audit: 04/27/98 DSMITH

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-22-1997
PAGE: A-10

RIGHT NUMBER: 25-10839

NAME & ADDRESS: CITY OF MENAN
PO 127
MENAN ID 83434

SOURCE: GROUNDWATER

QUANTITY: 0.02 CFS

PRIORITY DATE: 06/01/1905

POINT OF DIVERSION: T05N R38E S33 ✓ SESENW

Within JEFFERSON County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC ~~MUNICIPAL~~ ~~DOMESTIC USE FOR COMMUN~~ <i>Custom?</i>	01-01 12-31	0.02 CFS

PLACE OF USE: *2010*
MUNICIPAL Within JEFFERSON County
T05N R38E S33 SENW

Place of use for DOMESTIC is same as MUNICIPAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

~~USE DOES NOT EXCEED 2500 GPD.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP E0222009001B+C

Property also known as 659 N 3550 E

Verified by *D. Smith* Date: *9-24-97*

Verification Source: *Alpha Index*

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

WATER RIGHT NUMBER - A25-10639

-----COMMENTS-----
NO COMMENTS FOUND

-----ADJUDICATION RIGHTS DATES AND FLAGS AREA-----

COURT REPORT FILING	-	00/00/0000	FIELD INSPECTION MADE	-	00/00/0000	CIVIL CASE NUMBER	-	39576
OBJECTION FILED DATE	-	00/00/0000	FIELD INSPECTION FLAG	-		OLD CASE NUMBER	-	
RESPONSE FILED DATE	-	00/00/0000	VERIFIED DATE	-	00/00/0000	OLD JUDICIAL DISTRICT	-	
CLAIM RECEIVED DATE	-	11/30/1988	LAST AMENDED DATE	-	00/00/0000	TEMPORARY RIGHT	-	P
PROOF DUE DATE	-	00/00/0000	PROOF MADE DATE	-	00/00/0000	WATER CISTRICT	-	
LICENSED DATE	-	00/00/0000	RECEIPT NUMBER	-	E004780	FEDERAL/STATE INDICATOR	-	S
CLAIMS TAPE ERROR FLG	-		PDU OWNERSHIP FLAG	-	Y	PRESUMPTION FLAG	-	
FEE EXEMPT FLAG	-		NAME CONNECTOR	-		NOTICE OF ERROR FLAG	-	

No Parcel # Field verified

DATA ENTRY

EX-112ED

CHECKED

Verified By
100014 06/06/2010

for Records
Sales

Remarks:

1998
1999

54-5549

DATA SOURCES

VERIFIED
FEB 09 1994

CERTIFIED
MAY 14 1994
WATER EXAMINER