

05/26/2005

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

RIGHT NUMBER: 27-4086

NAME AND ADDRESS: CITY OF BLACKFOOT
157 N BROADWAY
BLACKFOOT ID 83221

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.010 CFS

Diversion of water from the well located in SWSW, S30, T2S, R35E shall
not exceed 4.00 cfs.

PRIORITY DATE: 09/27/1921

POINT OF DIVERSION:

T02S R35E S30 SESWSW Within BINGHAM County
T03S R35E S2 SENWNW Within BINGHAM County
T03S R35E S3 NWSWNE Within BINGHAM County
T03S R35E S3 SWNESE Within BINGHAM County
T03S R35E S4 SWNWNE Lot 2 Within BINGHAM County
T03S R35E S4 SENESW Within BINGHAM County
T03S R35E S10 NESWNE Within BINGHAM County
T03S R35E S10 NWNWNW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	01/01 12/31	3.010 CFS

PLACE OF USE:

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

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

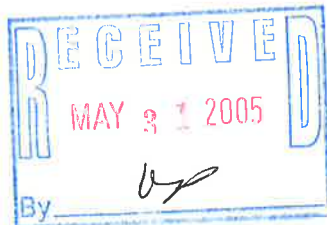
This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right holder shall comply with the drilling permit requirements of Section
42-235, Idaho Code.

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

Right includes accomplished change in point of diversion pursuant to Section
42-1425, Idaho Code.



03/18/2005

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

RIGHT NUMBER: 27-4086

NAME AND ADDRESS: CITY OF BLACKFOOT
157 N BROADWAY
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QUANTITY: 3.010 CFS

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PRIORITY DATE: 09/27/1921

POINT OF DIVERSION:

T02S R35E S30 SESWSW	Within BINGHAM County
T03S R35E S2 SENWNW	Within BINGHAM County
T03S R35E S3 NWSWNE	Within BINGHAM County
T03S R35E S3 SWNESE	Within BINGHAM County
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T03S R35E S10 NESWNE	Within BINGHAM County
T03S R35E S10 NWNWNW	Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	01/01 12/31	3.010 CFS

PLACE OF USE:

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

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

Diversion of water from the well located in SWSW, S30, T2S, R35E shall not exceed 4.00 cfs.

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: Beneficial Use

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.



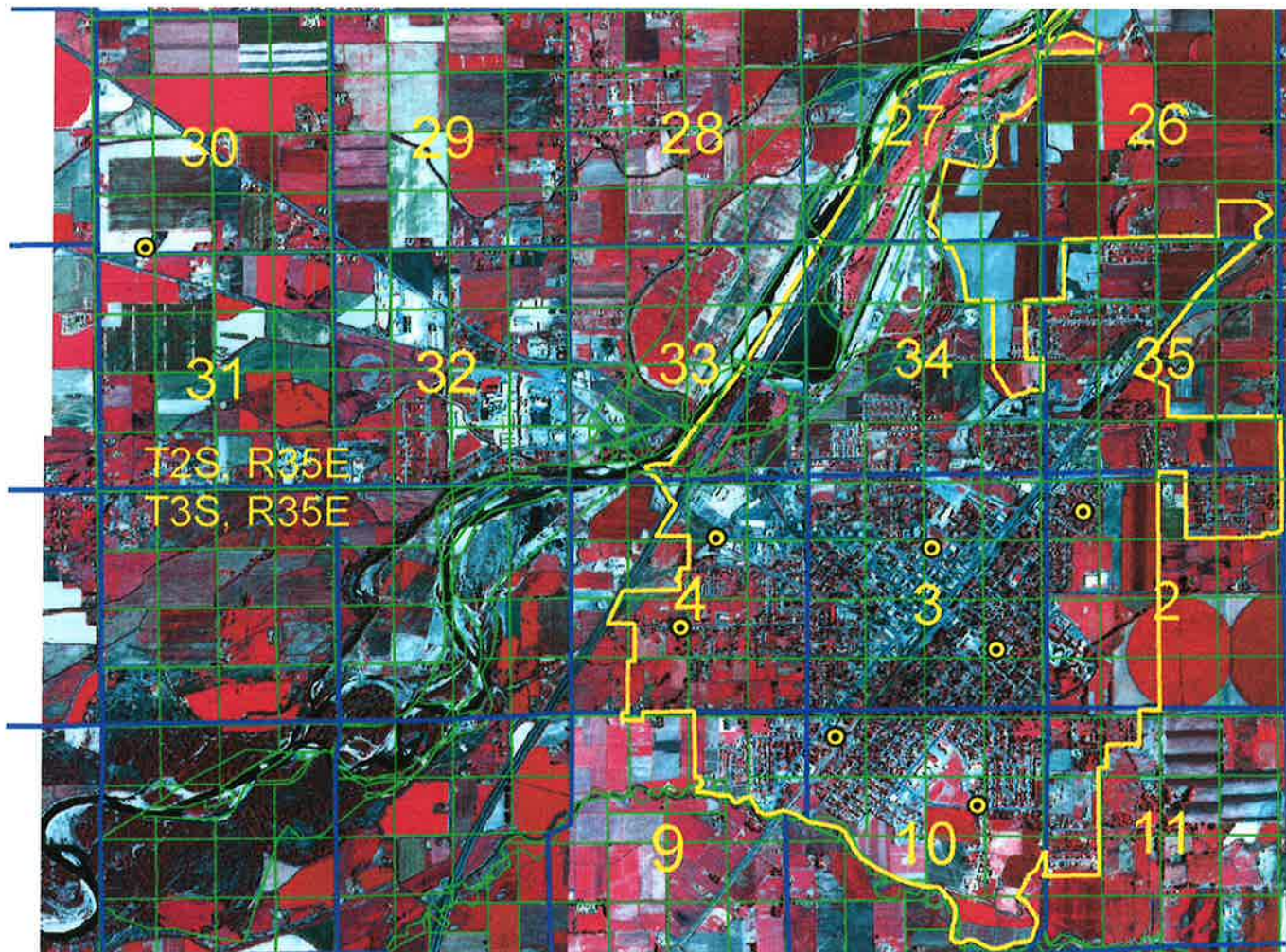
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-4086, 27-4087, 27-4088,
27-4106, 27-4165, 27-7329 & 27-11706



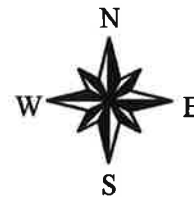
Place of Use: T2S, R35E & T3S, R35E:
City limits of Blackfoot

0.7 0 0.7 1.4 Miles

LEGEND

- ⊙ Point of Diversion
- Place of Use
- Townships
- Sections
- Quarter-Quarters

Point(s) of Diversion:
T2S, R35E:
Sec. 30, SWSW, L 4
T3S, R35E:
Sec. 2, NWNW, L 4
Sec. 3, SWNE, NESE
Sec. 4, NWNE, L 2, NESW
Sec. 10, SWNE, NWNW.



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: March 2005.

PROFILED

08/24/2006

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

RIGHT NUMBER: 27-4086

NAME AND ADDRESS: CITY OF BLACKFOOT
157 N BROADWAY
BLACKFOOT ID 83221

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.010 CFS

2179.1 AFY

Diversion of water from the well located in SWSW, S30, T2S, R35E shall
not exceed 4.00 cfs.

PRIORITY DATE: 09/27/1921

POINT OF

DIVERSION: T02S R35E S30 SESWSW Within BINGHAM County
T03S R35E S2 SENWNW Within BINGHAM County
T03S R35E S3 NWSWNE Within BINGHAM County
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T03S R35E S10 NESWNE Within BINGHAM County
T03S R35E S10 NWNWNW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
01/01 12/31

QUANTITY
3.010 CFS

PLACE OF USE:

2179.1 AFY

Place of use is within the service area of the City of Blackfoot 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
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and/or other pertinent hydrologic and system information as required by
Section 42-701, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section
42-1425, Idaho Code.

SCANNED

SEP 20 2006

PROFILED



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 22, 1990

Blackfoot Water Dept.
C/O Jack Olney
157 N. Broadway
Blackfoot, ID 83221

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



I hope the enclosed map will do what you need.

SCANNED

JAN 10 2014

Sincerely,
Jack A Olney

Department of Water Resources

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

all

RIGHT NUMBER: 27-4086
NAME AND ADDRESS: CITY OF BLACKFOOT
157 N BROADWAY
BLACKFOOT ID 83221

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.010 CFS
2179.1 AFY

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POINT OF
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EMC ju
same
DJB

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
01/01 12/31

QUANTITY
3.010 CFS
2179.1 AFY

PLACE OF USE:

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

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

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Recommendation

C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO WHICH YOU ARE RESPONDING

Name: Shoshone-Bannock Tribes
Address: P.O. Box 306
Fort Hall, ID 83203

Name & Address of Attorney, if any:
Jeanette Wolfley
202 N. Arthur
Pocatello, ID 83204

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

1. ☐ Name and Address
2. ☐ Source
3. ☒ Quantity
4. ☐ Priority Date
5. ☐ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☐ Place of Use
11. **Recommendation**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

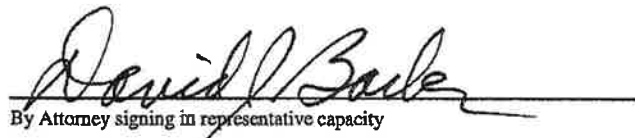
DAVID J. BARBER, Deputy Attorney General, being first duly sworn, upon oath, deposes and says:

That the State of Idaho is the party/claimant filing this response as defined by I.C. §§ 42-1401A(1) and (6), that I am a Deputy Attorney General authorized to represent the State of Idaho and that I have read this response, know its contents and that the statements are true to the best of my knowledge and belief.

LAWRENCE G. WASDEN
Attorney General

CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

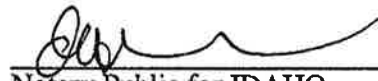
DAVID J. BARBER
Deputy Attorney General


By Attorney signing in representative capacity

Subscribed and sworn to before me on this 21st day of April, 2006

(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 2/8/2012

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on this 21st day of April, 2006, I caused to be served the original and copies of this response to the following persons by the indicated methods:

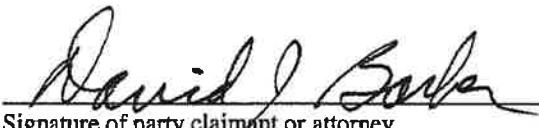
1. Original to: Clerk of the District Court U. S. MAIL
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One copy to the claimant of the water right at the following addresses:

Claimant Name: City of Blackfoot U. S. MAIL
Address: 157 N Broadway
Blackfoot, ID 83221
3. One copy to the party who filed the objection at the following address:

Name: Shoshone-Bannock Tribes U. S. MAIL
Jeanette Wolfley
Address: 202 N. Arthur
Pocatello, ID 83204
4. Copies to: IDWR Document Depository STATEHOUSE
PO Box 83720 MAIL
Boise, ID 83720-0098

United States Department of Justice U. S. MAIL
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

Chief of Natural Resource Division (not applicable)
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449


Signature of party claimant or attorney

RECEIVED

MAR 20 2006

DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

A. Subcase 27-4086

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: City of Blackfoot
Attention Ron Harwell
Public Works Director
Address: 157 N. Broadway
Blackfoot, ID 83221
Daytime Phone: 208-785-8600
Email: ron@cityblackfoot.org

Name & Address of Attorney, if any:

Christopher H. Meyer
Givens Pursley LLP
601 W. Bannock St.
P.O. Box 2720
Boise, ID 83701
Daytime Phone: 208-388-1236
Facsimile: 208-388-1300
Email: chrismeyer@givenspursley.com

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: City of Blackfoot
Address: 157 N. Broadway
Blackfoot, ID 83221

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: City of Blackfoot
157 N. Broadway
Blackfoot, ID 83221

2. ☐ **Source**

Should be: Groundwater

3. ☒ **Quantity**

Should be: 5.57 cfs (no annual volume)
Diversion of water from the well located in SWSW, §30,
T2S, R35E (Well #11) shall not exceed 4.00 cfs.

4. ☐ **Priority Date**

Should be: 09/27/1921

5. ☒ **Point(s) of Diversion**

Should be:

POD Description	Common name
T3S R35E §4 SENESW	Well #6
T3S R35E §4 SWNWNE Lot 2	Well #8
T3S R35E §3 NWSWNE	Well #7
T3S R35E §2 SENWNW	Well #5
T3S R35E §10 NWNWNW	Well #4
T3S R35E §3 SWNESE	Well #3
T2S R35E §35 NENWNE	Well #9
T3S R35E §10 NESWNE	Well #10
T2S R35E §30 SESWSW	Well #11

6. ☐ **Instream Flow Description**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: Municipal

8. ☐ **Period of Year**

Should be: 1/1 to 12/31

9. ☒ **Place of Use**

Should be: Place of use is within the service area of the City of
Blackfoot municipal water supply system, including areas
outside the city limits, as provided for under Idaho law.

11. **I object because:**

- ☐ This water right should not exist.
- ☒ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The IDWR should not have reduced the diversion rate for this right.

This water right was created by beneficial use of Well #1. Wells #1 and 2 were located within the same well house located in T3S R35E, §3 SWNE and were put to beneficial use at the same time (09-27-1921). Wells #1 and 2 were abandoned in 1974 when they began producing sand. Well #7 was constructed on May 30, 1974 to replace Well #1.

The beneficial use rights associated with Well #1 were transferred by accomplished transfer to Well #7.

This is a municipal water right. Under Idaho law, municipal water rights held by municipal providers for reasonably anticipated future needs are deemed to be beneficially used. No annual volume limit should be included for a municipal water right.

To the extent any quantity of water under this right is not currently being diverted, such portion of the original right has been transferred by accomplished transfer to beneficial use for future need purposes.

The City operates an integrated delivery system in which each well serves as an alternative point of diversion for every other well. This is reflected in prior approved Transfer Nos. 5787 and 68933. Accordingly, we have listed each of the PODs associated with those transfers. Those transfers inadvertently listed the Lansing Street Well instead of Well #9. This error has been corrected here. The City also has a pending application to add Well #12 (T2S R35E §35, SESE). If appropriate, that POD should be added as well.

We believe it would be helpful to clarify and expressly put the public on notice that the place of use includes areas outside of the city limits.

Regarding municipal water rights, please note in particular the following guidance documents: Operations Division Administrator's Memorandum from A. Kenneth Dunn to District Engineers dated April 7, 1975; Memorandum from Phil Rassier to Dave Tuthill dated May 7, 1979; Administrator's Memorandum, from Norman Young to Regional Offices and Water Allocation Section dated November 5, 1979; Memorandum from L. Glen Saxton to Water Allocation Bureau, Adjudication Bureau, and Regional Offices dated March 18, 1998; Letter from Karl J. Dreher to Christopher H. Meyer dated June 14, 1999.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Christopher H. Meyer, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Christopher H. Meyer
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: March 16, 2006



Katrina Thomas
Notary Public for Idaho
Residing at: Bose, ID
My Commission Expires: 4-10-06

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on March 16, 2006, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original (via overnight mail) to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

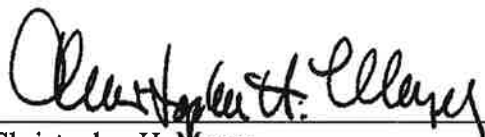
Name: City of Blackfoot
Attention Ron Harwell
Public Works Director
Address: 157 N. Broadway
Blackfoot, ID 83221

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Christopher H. Meyer
Attorney for Objector/Claimant

RECEIVED
APR 11 2006
DEPARTMENT OF
WATER RESOURCES

Christopher H. Meyer [ISB No. 4461]
GIVENS PURSLEY LLP
601 West Bannock Street
P.O. Box 2720
Boise, Idaho 83701-2720
Office: (208) 388-1200
Fax: (208) 388-1300
www.givenspursley.com
Attorneys for the City of Blackfoot.

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

Sub Case No.: 27-4086

NOTICE OF APPEARANCE

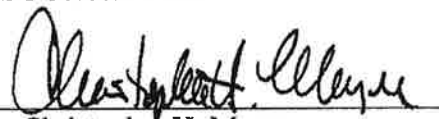
YOU WILL PLEASE take notice that Christopher H. Meyer of the firm Givens Pursley LLP, hereby enters his appearance as attorney of record for claimant City of Blackfoot in the above entitled action.

DATED this 13th day of April 2006.

Respectfully submitted,

GIVENS PURSLEY LLP

By


Christopher H. Meyer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th of April 2006, the foregoing was filed, served, or copied as follows:

ORIGINAL FILED

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

☒ U. S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☐ E-mail

SERVICE

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

☒ U. S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☐ E-mail

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

☒ U. S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☐ E-mail

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

☒ U. S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☐ E-mail

Jeanette Wolfley, Esq.
Tribal Attorney's Office
Shoshone-Bannock Tribes
P.O. Box 306
Fort Hall, ID 83203

☒ U. S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☐ E-mail

David J. Barber, Esq.
Deputy Attorney General
Office of the Attorney General
Natural Resources Division
700 W. Jefferson Street, 210 Statehouse
P.O. Box 83720
Boise, ID 83720-0010

☒ U. S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☐ E-mail


Christopher H. Meyer

Notes

3/17/05 Well #7. ^{1350 gpm} ~~2100 gpm~~ n. ^{3.01 cfs} ~~4.68 cfs~~ 1921 priority.
combined wells #1, #2 & 1960 ~~lansing~~
street well. #2: 27-4084, ~~lansing~~
st. 27-11706, well #1 didn't have
a water right.

priority date recommended: Recommend
wells #1 & 2 under this right with
1921 priority.

Recommend ~~lansing st.~~ to well
#7 with 1960 priority date with
1.67 ~~cfs~~ (750 gpm).

SEARCHED

APR 21 2006

PROFILED

Bird, Cindy

From: Bird, Cindy
Sent: Tuesday, February 22, 2005 5:21 PM
To: 'ron@cityofblackfoot.org'
Subject: Well # 7

hi Ron,

After you left I had another thought. If you can determine what the diversion rate of well # 1, # 2 as well as the 1960/63 Lansing Street well was producing in the early years we might be able to establish an accomplish transfer to well # 7. Then well # 8 would not be considered a replacement well for well # 2 but it would stand on its own with the 1982 priority date and the 3.99 cfs.

I'll see you in March.

Cindy



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 18, 2005

City of Blackfoot
157 N. Broadway
Blackfoot, ID 83221

Attn: Ron Harwell

REF: Snake River Basin Adjudication Claim
A27-4086 (well # 7)

Subject: Diversion rate of Well # 1.

Response Date: February 1, 2005

Dear Ron,

The City of Blackfoot drilled well # 7 after the mandatory permit statute of March 25th, 1963 and didn't register the well through the permitting process like they should have. Although they did later file a Statutory claim to record the new well as a replacement for well # 1. Since this is a replacement well that is being recognized in the SRBA under an accomplished transfer the diversion rate of well # 1 has to be recommended. I realize that wells 1 & 2 were not recorded with the Department but you will need to provide me with evidence to support a diversion rate from that well. The diversion rate for well # 7 isn't a determination of what this well will pump but what the well it replaces was pumping. Without the information this claim to water cannot be recommended to the SRBA court. Please submit the information by the above referenced response date otherwise this claim will be recommended as "DISALLOWED"

If you have any further questions please don't hesitate to call me at 547-3993.

Respectfully,

Cindy Bird
Adjudication Bureau

Notes

Claim A27-04086 - well #7

1/ Exam done Oct 21, 2003.

2/ GPS data - 0634487
0233722

File # 4086

DEQ Tag # E0007311

3/ Well + 150hp pump with Natural Gas backup engine.

4/ Theoretical Flow -

$$\text{cfs} = \frac{150 \text{ hp} \times 8.81 \times 70\% \text{ eff}}{47' \text{ Dynamic} + 2.31 (50 \text{ psi})} = \frac{925}{162.5} = *5.69 \text{ cfs}$$

water level

* 5.69 cfs theoretical supports 5.57 cfs claim

5/ See attached Water Measurement Annual Report
for well #7 for 2001.

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
municipal	7/1	12/31	4.68	

Overall Diversion Rate 4.68

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Combined Wells #1, #2 and Lansing St well.
1# 600 GPM
2# 750 GPM
Lansing 750 GPM
2100 gpm.
per Jack always

Reviewer: CJBDate: 3/17/05

Summary Data Entry Form

Claim No.: _____

Remarks and Conditions (Include Type, Category and Code if applicable):

Remark - well # 7

Split or Combined Right Analysis:

Attached Field Notes or Other Documents:

Claim No.: _____

Reviewer _____

Date _____

A27-04086 well #7





State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

December 9, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

City of Blackfoot
157 N. Broadway
Blackfoot, ID 83221

REF: Snake River Basin Adjudication (SRBA)
Claim 27-4086 (well #7)

Subject: CLAIM DISALLOWED

RESPONSE DATE: DECEMBER 27, 2004

Dear Sir or Madam:

The Notice of Claim identified with the number shown above, has been filed on in the Snake River Basin Adjudication (SRBA). The basis of the above referenced Notice of Claim is a statutory claim. The claimant must document with evidence when a water right was put to beneficial use to establish a priority date. A statutory claim filed under Idaho Code 42-243 is not evidence of priority. In April of 2003 the Department requested evidence to support the 1921 priority date claimed. The information received by the Department does not support that date. In fact, it is about 10 years after the March 25, 1963 mandatory permit statute date. Therefore, the Notice of Claim to a water right in the SRBA is being recommended as "**DISALLOWED**" and the City of Blackfoot must contact the Idaho Falls office to file an Application for Permit to register this well. Please contact the Idaho Falls office for an appointment time at 525-7161.

Respectfully,

Cindy E. Bird
Adjudication Bureau

CC: Roger Warner
IDWR, Idaho Falls



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

City of Blackfoot
157 North Broadway
Blackfoot, Idaho 83221

April 23, 2003

Re: Evidence of Priority

Claim No.(s) A27-04106, A27-04151, A27-04152, A27-04153, A27-04154, A27-04165
A27-04084, A27-04086, A27-04087 & A27-04088

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 27. The Notice(s) of Claim identified with the number shown above, has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". 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. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have enclosed 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 the entire 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 historical water rights within the Snake River Basin as accurately as possible.

.....
The Department cannot recommend the court decree the Notice if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by May 23, 2003, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,



Cindy E. Bird
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
Adjudication Claim Report

WATER RIGHT NO. 27-4088
As Modified by Transfer No. 68933

In accordance with the approval of Transfer No. 68933, Water Right No. 27-4088 is now described as follows.

Right Holder: CITY OF BLACKFOOT
 C/O FRED OSTLER
 157 N BROADWAY
 BLACKFOOT ID 83221

Priority Date: 03/01/1953

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	1/01 to	12/31	4.46 CFS	
			4.46 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSW	Sec. 30 Twp 02S Rge 35E BINGHAM County	<i>new</i>
GROUND WATER	NWNW	Sec. 2 Twp 03S Rge 35E BINGHAM County	<i>#5 4087.</i>
GROUND WATER	SWNE	Sec. 3 Twp 03S Rge 35E BINGHAM County	<i>#7 4086.</i>
GROUND WATER	NESE	Sec. 3 Twp 03S Rge 35E BINGHAM County	<i>#3 4106.</i>
GROUND WATER	NWNE	Sec. 4 Twp 03S Rge 35E BINGHAM County	<i>#8 4084.</i>
GROUND WATER	NESW	Sec. 4 Twp 03S Rge 35E BINGHAM County	<i>#6 2142.</i>
~~GROUND WATER~~	~~NWSE~~	~~Sec. 4 Twp 03S Rge 35E BINGHAM County~~	<i>out.</i>
GROUND WATER	SWNE	Sec. 10 Twp 03S Rge 35E BINGHAM County	<i>75787. #10.</i>
<i>OK.</i> GROUND WATER <i>27-4088.</i>	NWNW	Sec. 10 Twp 03S Rge 35E BINGHAM County	<i>1.78^{#4} 4088</i>

CONDITIONS OF APPROVAL

- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- Diversion of water from the well located in SWSW, S30, T2S, R35E shall not exceed 4.00 cfs.
- The total instantaneous diversion of water from all points of diversion under Transfer 68933 shall not exceed ~~34.90~~ cfs. *18.22 cfs.*
- The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

WATER RIGHT NO. 27-4088
As Modified by Transfer No. 68933

CONDITIONS OF APPROVAL

- 124.
5. Place of use is within the City of Blackfoot and the surrounding service area.
 6. Approval of Transfer 68933 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
 7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
 8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 9. Approval of Transfer 68933 does not confirm Claimed Rights 27-4084, 27-4086, 27-4087, 27-4088, 27-4106, 27-4165 and 27-11706.
 10. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 17th day of October, 2001


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

RECEIVED

OCT 06 2000

Department of Water Resources
Eastern Region

TRANSFER NO. 5787

WATER RIGHT NO(S). 27-02142/27-04084/27-04086/27-04087
27-04088/27-04106/27-04165/27-07329/A27-11706

This is to certify that: CITY OF BLACKFOOT
157 N BROADWAY
BLACKFOOT ID 83221

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
Right No. 27-02142 ✓ <i>Disallow</i> MUNICIPAL Priority: 04/12/1965	<i>recommended as 27-4165</i> 01/01 to 12/31	<i>Disallow</i> ~~1.95 CFS #6~~	<i>Pole Rem/cond. Gen.</i> ~~1411.0 AF~~
Right No. 27-04084 ✓ <i>Disallow</i> MUNICIPAL Priority: 09/27/1921	01/01 to 12/31	<i>Pole recommended as 27-7577, 4086</i> ~~5.57 CFS #8~~ <i>replaced #2</i> <i>well #2</i>	<i>750 gpm</i>
Right No. 27-04086 ✓ <i>LINK POL</i> MUNICIPAL Priority: 09/27/1921	01/01 to 12/31	<i>updated PLS</i> ~~5.57 CFS #7~~ <i>(replaced well #1</i> <i>well #2 & Lansing St. well)</i>	<i>2100 gpm</i>
Right No. 27-04087 ✓ <i>update PLS</i> MUNICIPAL Priority: 04/01/1954	01/01 to 12/31	<i>3.01 cfs</i> ~~2.23 CFS #5~~	<i>800 gpm (1.79 cfs)</i>
Right No. 27-04088 ✓ <i>update PLS</i> MUNICIPAL Priority: 03/01/1953	01/01 to 12/31	<i>1.78</i> ~~4.46 CFS~~ <i>well #4</i>	<i>4.02 cfs (1800 gpm)</i>
Right No. 27-04106 ✓ <i>update PLS</i> MUNICIPAL Priority: 01/01/1900	01/01 to 12/31	~~2.23 CFS #3~~	<i>1.79 cfs (800 gpm)</i>
Right No. 27-04165 ✓ <i>update PLS</i> MUNICIPAL Priority: 04/25/1960	01/01 to 12/31	~~4.45 CFS #6~~ <i>1.95 cfs</i>	<i>1411.0 AF</i>
Right No. 27-07329 ✓ <i>UPDATE PLS</i> MUNICIPAL Priority: 10/19/1982	01/01 to 12/31	~~3.99 CFS #8~~	<i>1790 gpm</i>
Right No. 27-11706 ✓ <i>Disallow</i> MUNICIPAL Priority: 04/25/1960	01/01 to 12/31	<i>1.67 cfs</i> ~~4.45 CFS~~ <i>Lansing St. Well</i>	<i>(750 gpm) (27-7577)</i>
TOTAL:		~~34.90 CFS *~~ <i>18.22</i>	<i>18.22 cfs</i>

(well #7)
well #10

TRANSFER NO. 5787

WATER RIGHT NO(S). 27-02142/27-04084/27-04086/27-04087
27-04088/27-04106/27-04165/27-07329/27-11706SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SE ~~SW~~SW, Sec. 30, Township 02S, Range 35E
 SE OK NWNW, Sec. 2, Township 03S, Range 35E #5. 4087.
 NW OK SWNE, Sec. 3, Township 03S, Range 35E #7. (4086)
 SW OK NESE, Sec. 3, Township 03S, Range 35E #3. 4106
 L-2 SWOKLS (7329) OK NWNE, Sec. 4, Township 03S, Range 35E #8. 4084
 SE OK NESW, Sec. 4, Township 03S, Range 35E #6. (2142)
 out NWSE, Sec. 4, Township 03S, Range 35E larging St well
 link NE SWNE, Sec. 10, Township 03S, Range 35E
 NW OK NWNW, Sec. 10, Township 03S, Range 35E #4. 4088.
 BINGHAM County

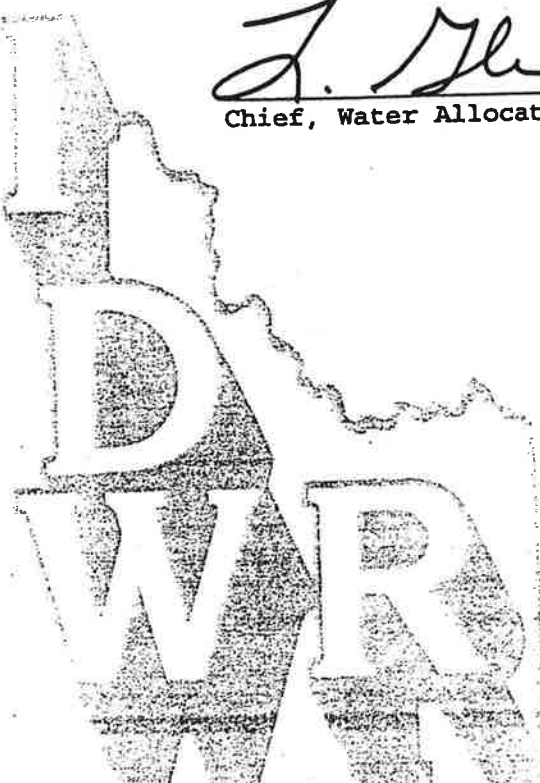
PLACE OF USE: See Remarks **CONDITIONS OF APPROVAL AND REMARKS

1. Approval of Transfer 5787 does not confirm Claimed Rights 27-04084, 27-04086, 27-04087, 27-04088, 27-04106, 27-04165 and A27-11706.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
- * 4. The total instantaneous diversion of water from all points of diversion under Transfer 5787 shall not exceed ~~34.90~~ cfs. 18.22..
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- ** 8. Place of use is within the City of Blackfoot and the surrounding service area.

TRANSFER NO. 5787

WATER RIGHT NO(S). 27-02142/27-04084/27-04086/27-04087
27-04088/27-04106/27-04165/27-07329/27-11706CONDITIONS OF APPROVAL AND REMARKS

9. Approval of Transfer 5787 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
10. Consumptive use of water under Right 27-07329 shall not exceed 2.0 acre feet per day.

Dated this 3rd day of October, 2000.

J. Glen Saylor
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER MEASUREMENT ANNUAL REPORT

RECEIVED**JAN 22 2002****Department of Water Resources**
Southern Region

REPORTING YEAR 2001

MEASURING DEVICE METHOD FOR TOTALIZING FLOW METERS

ATTENTION: Year end data must be submitted to Idaho Department of Water Resources, 1301 N. Orchard St. Boise ID 83706, on or before **January 15** immediately following the reporting year.

A separate reporting form must be submitted for each diversion.

Name:	67	101555
Water Source:	RICHARD MANGUM CITY OF BLACKFOOT	
Water Right No:	Ground Water	
Legal Description:	03S 35E 03 SWNE	
Site Tag No:	E0007311	8
Diversion Name:	WELL #7	

SECTION I Water Right Holder/Operator information

(If there are multiple water right holders on a common ditch or conveyance system, please designate the contact person below)

Current Water Right OwnerPlease check for address correction ☐Name CITY OF BLACKFOOT WATER DEPT.Phone 208-785-8608

Last, First, MI

Address 157 NORTH BROADWAYFax 208-785-8612City BLACKFOOTMobile 208-681-8608State & Zip IDAHO 83221

e-mail _____

Operator or Contact Person (if different from owner)Name MANGUM RICHARD S.Phone 208-785-8608

Last, First, MI

Address 157 NORTH BROADWAYFax 208-785-8612City BLACKFOOTMobile 208-681-8608State & Zip IDAHO 83221

e-mail _____

Original Owner (if sold within last year)

Name _____

Phone _____

Last, First, MI

Address _____

Fax _____

City _____

State & Zip _____

SECTION II Water Level Information (Optional data if available)

Depth to water. Record the date, if the pump was on or off, or if other nearby pumps were on.

Static Water Level (pump off, water level stable): N/A ft Date N/A

Dynamic Water Level (pump on): 47' ft Date 1-12-01

SECTION III Rate of flow and volume diverted (REQUIRED DATA)

Meter information:

Make MCCROMETER Model No. E 7000-000 Serial No. E 9800791

Does the meter totalizer measure in acre-feet or gallons?
 (circle one)

What is the multiplier? x 1000

Does the meter rate of flow indicator show gpm or cfs?
 (circle one)

What is the multiplier? x 100

For meters without rate of flow indicators, check here ☐ and see page 4 for meter information and rate measurement methods.

Reading of the meter totalizer, flow rate and discharge pressure should be taken and recorded once each month on or near the same date. Please provide the *actual totalizer reading* and not the total volume since last reading.

Date (date of reading)	Totalizer Reading	Flow Rate circle: cfs or <u>gpm</u>	Discharge Pressure
January (<u>2</u>)	80573	-0-	45
February (<u>1</u>)	80573	-0-	44
March (<u>1</u>)	80573	-0-	45
April (<u>2</u>)	80573	-0-	45
May (<u>1</u>)	80573	-0-	48
June (<u>1</u>)	101743	-0-	44
July (<u>2</u>)	115406	-0-	50
August (<u>1</u>)	123208	-0-	44
September (<u>4</u>)	129930	-0-	44
October (<u>1</u>)	131948	-0-	49
November (<u>1</u>)	131948	-0-	45
December (<u>3</u>)	131948	-0-	44

Does totalizer and flow readings above include meter multipliers? Yes x No

Total Acre-feet _____ **OR Total Gallons** 51,375
 (there are 325,850 gallons per acre feet)

Calculations or Comments: (If a flowmeter was installed, calibrated, or replaced during this reporting year, please note the date.)

[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

04/28/2003

WATER RIGHT NO. 27-4086

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF BLACKFOOT 157 N BROADWAY BLACKFOOT, ID 83221 (208)785-8688

Priority Date: 09/27/1921

Basis: Statutory Claim

Status: Active Transferred

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
MUNICIPAL	1/01	12/31	5.57 CFS	
Total Diversion			5.57 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SESW	Sec. 30	Township 02S	Range 35E	BINGHAM County
GROUND WATER	NWNW	Sec. 02	Township 03S	Range 35E	BINGHAM County
GROUND WATER	SWNE	Sec. 03	Township 03S	Range 35E	BINGHAM County
GROUND WATER	NESE	Sec. 03	Township 03S	Range 35E	BINGHAM County
GROUND WATER	NWNE	Sec. 04	Township 03S	Range 35E	BINGHAM County
GROUND WATER	NESW	Sec. 04	Township 03S	Range 35E	BINGHAM County
GROUND WATER	NWSE	Sec. 04	Township 03S	Range 35E	BINGHAM County
GROUND WATER	SWNE	Sec. 10	Township 03S	Range 35E	BINGHAM County
GROUND WATER	NWNW	Sec. 10	Township 03S	Range 35E	BINGHAM County

Place(s) of use: No POU's found for this right

Conditions of Approval:

1.	046	Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2.	067	The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3.	T07	The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

5.	T09	Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
----	-----	---

Remarks:

1.	General	Place of use is within the City of Blackfoot and the surrounding service area. Approval of Transfer 5787 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner. Approval of Transfer 5787 does not confirm Claimed Rights 27-04084, 27-04086, 27-04087, 27-04088, 27-04106, 27-04165 and A27-11706. The total instantaneous diversion of water from all points of diversion under Transfer 5787 shall not exceed 34.90 cfs. Consumptive use of water under Right 27-07329 shall not exceed 2.0 acre feet per day.
----	---------	--

Dates:

Licensed Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

WATER RIGHT NO. 27-4086
As Modified by Transfer No. 68933

In accordance with the approval of Transfer No. 68933, Water Right No. 27-4086 is now described as follows.

Right Holder: CITY OF BLACKFOOT
C/O FRED OSTLER
157 N BROADWAY
BLACKFOOT ID 83221

Priority Date: 09/27/1921

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	1/01 to	12/31	5.57 CFS	
			5.57 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSW	Sec. 30 Twp 02S	Rge 35E	BINGHAM County
GROUND WATER	NWNW	Sec. 2 Twp 03S	Rge 35E	BINGHAM County
GROUND WATER	SWNE	Sec. 3 Twp 03S	Rge 35E	BINGHAM County
GROUND WATER	NESE	Sec. 3 Twp 03S	Rge 35E	BINGHAM County
GROUND WATER	NWNE	Sec. 4 Twp 03S	Rge 35E	BINGHAM County
GROUND WATER	NESW	Sec. 4 Twp 03S	Rge 35E	BINGHAM County
GROUND WATER	NWSE	Sec. 4 Twp 03S	Rge 35E	BINGHAM County
GROUND WATER	SWNE	Sec. 10 Twp 03S	Rge 35E	BINGHAM County
GROUND WATER	NWNW	Sec. 10 Twp 03S	Rge 35E	BINGHAM County

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Diversion of water from the well located in SWSW, S30, T2S, R35E shall not exceed 4.00 cfs.
3. The total instantaneous diversion of water from all points of diversion under Transfer 68933 shall not exceed 34.90 cfs.
4. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

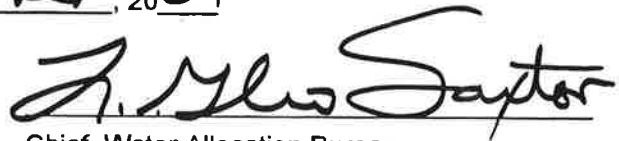
WATER RIGHT NO. 27-4086
As Modified by Transfer No. 68933

CONDITIONS OF APPROVAL

5. Place of use is within the City of Blackfoot and the surrounding service area.
6. Approval of Transfer 68933 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of Transfer 68933 does not confirm Claimed Rights 27-4084, 27-4086, 27-4087, 27-4088, 27-4106, 27-4165 and 27-11706.
10. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 17th day of October, 2001


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

RECEIVED

OCT 06 2000

Department of Water Resources
Eastern Region

TRANSFER NO. 5787

WATER RIGHT NO(S). 27-02142/27-04084/27-04086/27-04087
27-04088/27-04106/27-04165/27-07329/A27-11706

This is to certify that: CITY OF BLACKFOOT
157 N BROADWAY
BLACKFOOT ID 83221

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 27-02142 :			
MUNICIPAL	01/01 to 12/31	1.95 CFS	1411.0 AF
Priority: 04/12/1965			
Right No. 27-04084 :			
MUNICIPAL	01/01 to 12/31	5.57 CFS	
Priority: 09/27/1921			
Right No. 27-04086 :			
MUNICIPAL	01/01 to 12/31	5.57 CFS	
Priority: 09/27/1921			
Right No. 27-04087 :			
MUNICIPAL	01/01 to 12/31	2.23 CFS	
Priority: 04/01/1954			
Right No. 27-04088 :			
MUNICIPAL	01/01 to 12/31	4.46 CFS	
Priority: 03/01/1953			
Right No. 27-04106 :			
MUNICIPAL	01/01 to 12/31	2.23 CFS	
Priority: 01/01/1900			
Right No. 27-04165 :			
MUNICIPAL	01/01 to 12/31	4.45 CFS	
Priority: 04/25/1960			
Right No. 27-07329 :			
MUNICIPAL	01/01 to 12/31	3.99 CFS	
Priority: 10/19/1982			
Right No. 27-11706 :			
MUNICIPAL	01/01 to 12/31	4.45 CFS	
Priority: 04/25/1960			
TOTAL:		34.90 CFS *	

TRANSFER NO. 5787

WATER RIGHT NO(S). 27-02142/27-04084/27-04086/27-04087
27-04088/27-04106/27-04165/27-07329/27-11706

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 30, Township 02S, Range 35E
NWNW , Sec. 2, Township 03S, Range 35E
SWNE , Sec. 3, Township 03S, Range 35E
NESE , Sec. 3, Township 03S, Range 35E
NWNE , Sec. 4, Township 03S, Range 35E
NESW , Sec. 4, Township 03S, Range 35E
NWSE , Sec. 4, Township 03S, Range 35E
SWNE , Sec. 10, Township 03S, Range 35E
NWNW , Sec. 10, Township 03S, Range 35E
BINGHAM County

PLACE OF USE: See Remarks **

CONDITIONS OF APPROVAL AND REMARKS

1. Approval of Transfer 5787 does not confirm Claimed Rights 27-04084, 27-04086, 27-04087, 27-04088, 27-04106, 27-04165 and A27-11706.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
- * 4. The total instantaneous diversion of water from all points of diversion under Transfer 5787 shall not exceed 34.90 cfs.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- ** 8. Place of use is within the City of Blackfoot and the surrounding service area.

TRANSFER NO. 5787

WATER RIGHT NO(S). 27-02142/27-04084/27-04086/27-04087
27-04088/27-04106/27-04165/27-07329/27-11706

CONDITIONS OF APPROVAL AND REMARKS

9. Approval of Transfer 5787 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
10. Consumptive use of water under Right 27-07329 shall not exceed 2.0 acre feet per day.

Dated this 3rd day of October, 2000.


Chief, Water Allocation Bureau



AJ5809NP
No. A27-04086

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/26/94
PAGE: 18

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF BLACKFOOT 157 N BROADWAY BLACKFOOT ID 83221 (208) 785-8600	09/27/1921	MUNICIPAL	01-01 12-31	5.57 CFS	
TOTAL DIVERSION:					5.57 CFS	
Water Source: GROUNDWATER		Tributary to:		Stage: STATUTORY CLAIM		
Point(s) of Diversion:		T03S R35E S03	SWNE	BINGHAM County		

POU County:

Non-Irrigation Uses: M/ MUNICIPAL WELL FOR CITY OF BLACKFOOT.

Other Rights: A27-04106/04084/04087/04088/07329/35-04251

Remarks: MUNICIPAL CORPORATION WELL #7
PLACE OF USE IS WITHIN CITY LIMITS OF BLACKFOOT

Dates: Exam Made Date: Verified Date:

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

was WELL #1.

SEE A27-04084

MICROFILMED
NOV 13 1996

SCANNED

JUL 16 2001

MICROFILMED
NOV 13 1996

WATER RESOURCES

Postoffice Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Well #
priority
water right number
A 27-04086

Water Resources
Eastern District Office

February 22, 1990

Blackfoot Water Dept.
C/O Jack Olney
157 N. Broadway
Blackfoot, ID 83221

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.

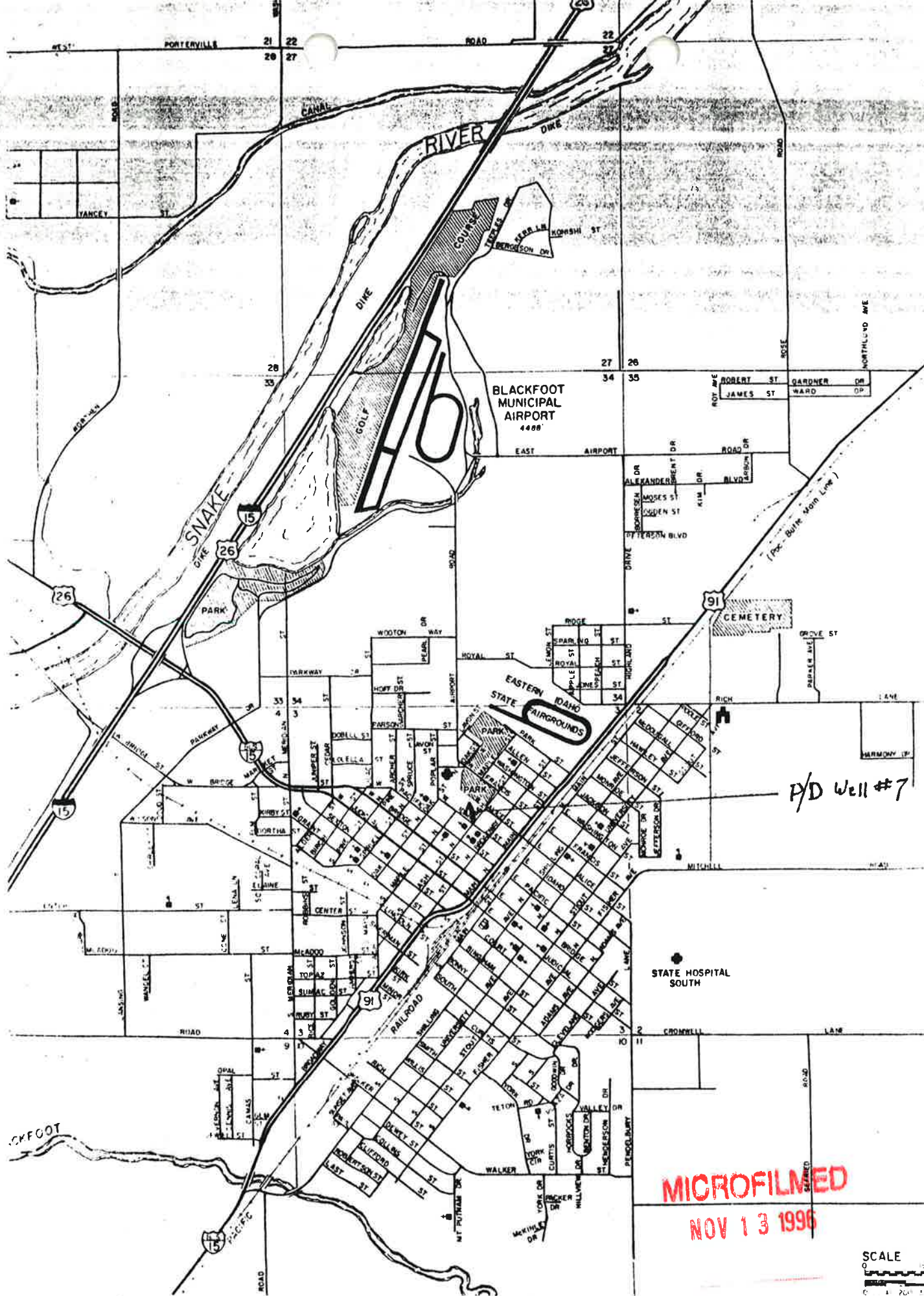
Sincerely,



DAVID B. SHAW
Adjudication Bureau Chief

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NOV 13 1996

SCALE
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MILES



UNITED STATES FIDELITY AND GUARANTY COMPANY

STATUS INQUIRY

OWNER, OBLIGEE OR ORIGINATING CO. & ADDRESS

City of Blackfoot Idaho
Office of City Engineers
Blackfoot, Idaho

DATE

NOV 27 1974

OUR BOND NO.

71-0120-747-73

REINSURER'S NO.

CONTRACTOR	DOUG CUSHMAN DRILLING COMPANY		
ADDRESS	445 Riverton Road, Blackfoot Idaho		
DESCRIPTION OF CONTRACT *	For the drilling of a domestic water Well, (Well No. 77) for the city of Blackfoot, Idaho		
OWNER	City of Blackfoot, Idaho		
CONTRACT PRICE	\$ 18,230.00	BOND(S) \$ same	EFFECTIVE DATE December 26, 1973

WITHOUT PREJUDICING YOUR RIGHT OR AFFECTING OUR LIABILITY UNDER OUR BOND(S) DESCRIBED ABOVE,
WE WOULD APPRECIATE SUCH OF THE FOLLOWING INFORMATION AS IS NOW AVAILABLE.

VERY TRULY YOURS,

*INCLUDE LOCATION AND OWNER'S
CONTRACT NUMBER.

BY

Dianne Cardon
Dianne Cardon

1. IF CONTRACT COMPLETED, PLEASE STATE:

APPROXIMATE DATE OF COMPLETION
OF WORK (OR FINAL DELIVERY).

June 26, 74

APPROXIMATE ACCEPTANCE
DATE

June 26, 74

FINAL CONTRACT PRICE

41,081.00
~~35,973.00~~

2. IF CONTRACT UNCOMPLETED, PLEASE STATE:

APPROXIMATE PERCENTAGE OR DOLLAR AMOUNT
OF CONTRACT COMPLETED OR DELIVERED

3. DO YOU KNOW OF ANY UNPAID BILLS FOR LABOR OR MATERIALS:

☐

YES

☒

NO

4. REMARKS:

PLEASE RETURN ORIGINAL OF THIS INQUIRY
IN ENCLOSED ENVELOPE TO:

NAME:

ADDRESS:

SIGNATURE: [Signature]

MICROFILMED

NOV 13 1996

DATE:

WATER QUALITY REPORT

JUN 7 1974
RECEIVED JUN 21 1974Source of Sample: Blackfoot

STORET No. _____

Sampling Point Location: Well # 7Sample Submitted By: Jack OlneyDate of Collection: May 22 1974
MONTH DAY YEAR

Date Submitted: _____

Field Testing*

STORET
Code

Temperature

°C

°F

Dissolved Oxygen

pH (Field)

Chlorine

Total Residual

Free

Area of Benthic Sample Taken

ft.²

(00010)

(00011)

(00300)

(00400)

(50060)

(50064)

Network Samples*

STORET
Code☐ Check for Network Analysis☐ Sp. Conductance (umhos/cm)☐ Alkalinity (as CaCO₃)☐ Iron (as Fe, total)☐ Manganese (as Mn, total)☐ Sodium (as Na, total)☐ Potassium (as K, total)

(00095)

(00410)

(01045)

(01055)

(00929)

(00937)

Laboratory*

(Check Analysis Desired)

☒ Check for routine analysis
(Minimum sample one liter)☐ Turbidity (J.T.U.)☐ pH (Lab. Test Only)☐ BOD₅☐ Total Solids☐ Ammonia (as N)☐ Nitrate (as NO₃)☐ Nitrite (as N)☐ Ortho Phosphate (as PO₄)

(00070)

(00403)

(00310)

(00500)

(71845)

(71850)

(71855)

(00660)

Waste Samples*

☐ Check for Waste Analysis☐ Sus. Solids☐ Vol. Solids☐ Vol. Sus. Solids☐ Set. Solids (ml/L)☐ T. Kjeldahl Nitrogen (as N)☐ T. Inorganic Phosphate (as PO₄)☐ T. Phosphorus (as P)☐ T. Organic Carbon

(as Org. C, total)

(00515)

(00505)

(00520)

(00545)

(00625)

(00650)

(00665)

(00680)

Special Laboratory*

☐ COD

High level

Low level

☐ Hardness (as CaCO₃)☐ Calcium (as Ca)☐ Magnesium (as Mg)☐ Chloride (as Cl)☐ Sulphate (as SO₄)☐ Silica (as SiO₂)☐ Fluoride (as F, dissolved)☐ H₂S

(00340)

(00335)

(00900)

(00916)

(00927)

(00940)

(00945)

(00956)

(00950)

(71875)

Bacteriological Analysis

☐ Total Coliform /100 ml (MF) _____ (31501)☐ Fecal Coliform /100 ml (MF) _____ (31616)

Other Analyses or remarks: _____

*Results expressed in ppm (mg/l.) unless indicated otherwise.

Copies of Report to: _____

Southeastern District Health DepartmentBingham County Office412 West Pacific - P O Box 829Blackfoot, Idaho 83221Date reported: 6-7-74Chemist: [Signature]MICROFILMED
NOV 13 1996

State law requires that this report be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

NEW OWNER

Name CITY OF BLACKFOOT
Address CITY HALL, BLACKFOOT, IDAHO
Owner's Permit No. _____

NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning)

PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Test
☒ Municipal ☐ Industrial ☐ Stock

METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other

WELL CONSTRUCTION

Diameter of hole 20 inches Total depth 650 feet
Casing schedule: ☐ Steel ☐ Concrete

Thickness	Diameter	From	To
<u>375</u> inches	<u>20</u> inches	<u>1</u> feet	<u>79</u> feet
<u>405</u> inches	<u>16</u> inches	<u>1</u> feet	<u>296</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Has a packer or seal used? ☐ Yes ☐ No
 perforated? ☐ Yes ☐ No
 How perforated? ☐ Factory ☐ Knife ☐ Torch
 Size of perforation _____ inches by _____ inches
 Number From To
 _____ perforations _____ feet _____
 _____ perforations _____ feet _____
 _____ perforations _____ feet _____

Well screen installed? ☐ Yes ☐ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

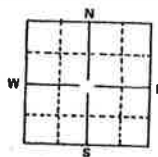
Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No Size of gravel _____
Placed from _____ feet to _____ feet

Surface seal? ☐ Yes ☐ No To what depth _____ feet
Material used in seal ☐ Cement grout ☐ Puddling clay

LOCATION OF WELL

Sketch map location must agree with written location.



County CLATSOP

7. WATER LEVEL

Static water level 115 feet below land surface
Flowing? ☐ Yes ☐ No G.P.M. flow _____
Temperature _____ ° F. Quality _____
Artesian closed-in pressure _____ p.s.i.
Controlled by ☐ Valve ☐ Cap ☐ Plug

B. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Other

Discharge G.P.M.	Draw Down	Hours Pumped
------------------	-----------	--------------

9. LITHOLOGIC LOG

[illegible]

10. v DEC. 27, 1973 MAY 30, 1974
Work started finished

11. DRILLER'S CERTIFICATION

This well was drilled under my supervision and this report is true to the best of my knowledge.

DOUG CUSHMAN DRILLING COMPANY 72
Driller's or Firm's Name

DOUG CUSHMAN DRILLING COMPANY

Driller's or Firm's Name

Number

The South Broadway

016-1-1-1

State of Idaho
Department of Reclamation
WELL DRILLER'S REPORT

USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Resources

WELL DRILLER'S REPORT

Well No. 7

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name CITY OF BLACKFOOT
Address CITY HALL - BLACKFOOT, IDAHO
Owner's Permit No. _____

7. WATER LEVEL

Static water level 46' feet below land surface
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Temperature _____ ° F. Quality _____
Artesian closed-in pressure _____ p.s.i.
Controlled by ☐ Valve ☐ Cap ☐ Plug

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning)

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Other

Discharge G.P.M.	Draw Down	Hours Pumped

3. PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Test ☐ Other (specify type)
☒ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
20"	0	5	CLAY		
	5	12	GRAVEL		
	12	30	GRAVEL AND SAND		
	30	35	GRAVEL AND CLAY		
	35	65	CLAY AND GRAVEL		
	65	66	GRAVEL AND SAND		
	66	71	GRAVEL		
	71	75	CLAY		
	75	93	LAVA		
	93	100	HARD LAVA		
	100	105	LAVA		
	105	109	CLAY, LOOSE LAVA		
	109	110	HARD LAVA		
	110	119	STREAKS OF LAVA		
	119	121	HARD LAVA		
	121	123	CLAY		
	123	125	LAVA (CAVING)		
	125	127	STREAKS OF CLAY AND LAVA		
	127	132	HARD LAVA (CAVING)		
	132	136	CLAY		
	136	138	HARD LAVA CAVING CLAY		

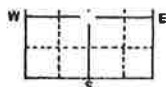
4. METHOD DRILLED

☐ Cable ☒ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 20 inches Total depth 650 feet
Casing schedule: ☐ Steel ☐ Concrete
Thickness 375 inches Diameter 20 inches From 1 feet To 79 feet
405 inches 16 inches 1 feet 206 feet
inches inches feet feet
inches inches feet feet
inches inches feet feet
Was casing drive shoe used? ☒ Yes ☐ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches
Number _____ From _____ To _____
_____ perforations _____ feet _____ feet

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NOV 13 1996

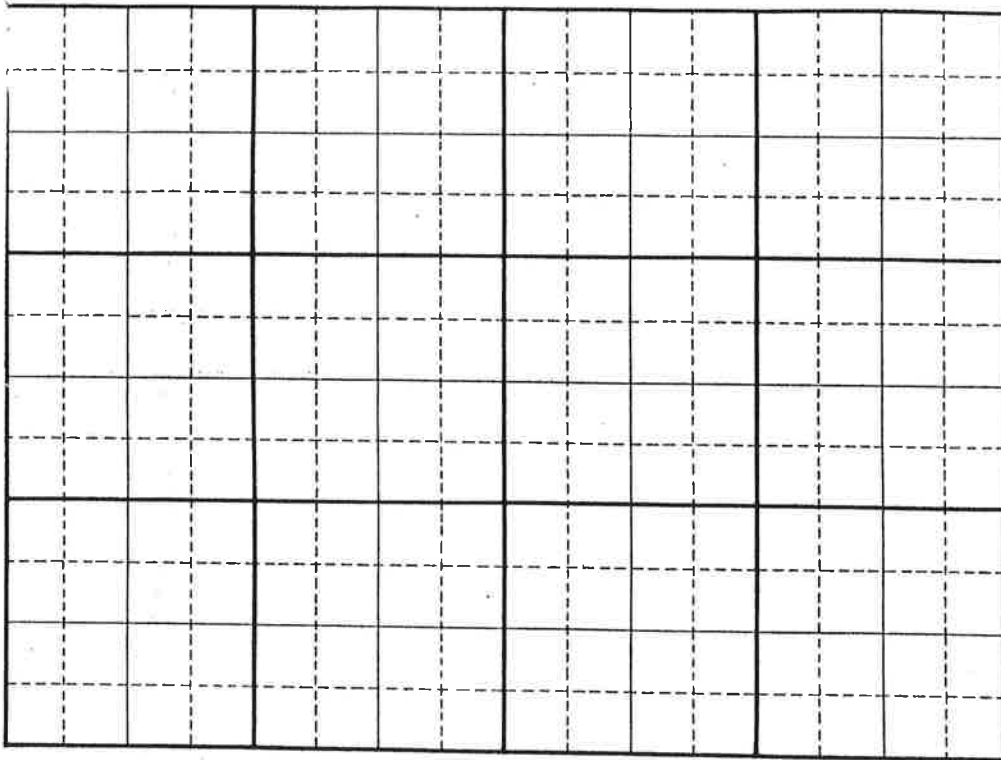


This well was drilled under my supervision and this report is true to the best of my knowledge.

Driller's or Firm's Name _____

Number _____

(8) Remarks well #7 1 places well #1 in the same 1/4, 1/4 section well #1 being abandoned and capped. See attached exhibit for well location.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bingham) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 31st day of January, 1983, City of Blackfoot

Reid K. Larsen
Reid K. Larsen (claimant) Attorney for
Gaylynne Bauer
Notary Public
Residing at Blackfoot

My commission expires life

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by _____ Date _____ claimant by: _____
Published in _____
Dates _____

JUL 16 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: A27-04086
Date Received: 3/31/1989
Receipt No: 8006680
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF BLACKFOOT
Address: 157 N. BROADWAY
BLACKFOOT, ID

208-785-8600

83221

2. Date of Priority: SEP 27, 1921

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	35E	3	SW	NE			BINGHAM

5. Description of diverting works:
WELL, PUMP & TANK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MUNICIPAL	01/01	12/31	5.570		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
M/ MUNICIPAL WELL FOR CITY OF BLACKFOOT.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
----------	-------	---------	--------	-----	-----	-----	-------

11. Place of use in counties:

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

A27-04086

Page 1

Date: 03/31/89

A2704086



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13. Other Water Rights Used:
A27-04106/04084/04087/04088/07329/35-04251

14. Remarks:
MUNICIPAL CORPORATION WELL #7
PLACE OF USE IS WITHIN CITY LIMITS OF BLACKFOOT

15. Basis of Claim: STATUTORY CLAIM

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

For Organizations:

I do solemnly swear or affirm that I am WATER DEPT. of
Title
CITY OF BLACKFOOT that I have signed the foregoing
Organization
document in the space below as WATER DEPT. of
Title
CITY OF BLACKFOOT and that the statements contained in the
Organization
foregoing document are true and correct.

Jack A. Orrey
Signature of Authorized Agent
Water Dept. - City of Blackfoot
Title and Organization
4-3-89
Date

State of Idaho)
County of Bingham) SS.

Subscribed and sworn (or affirmed) before me this 3rd day
of April 19 89

Donavan D. Wren
Notary Public

Seal

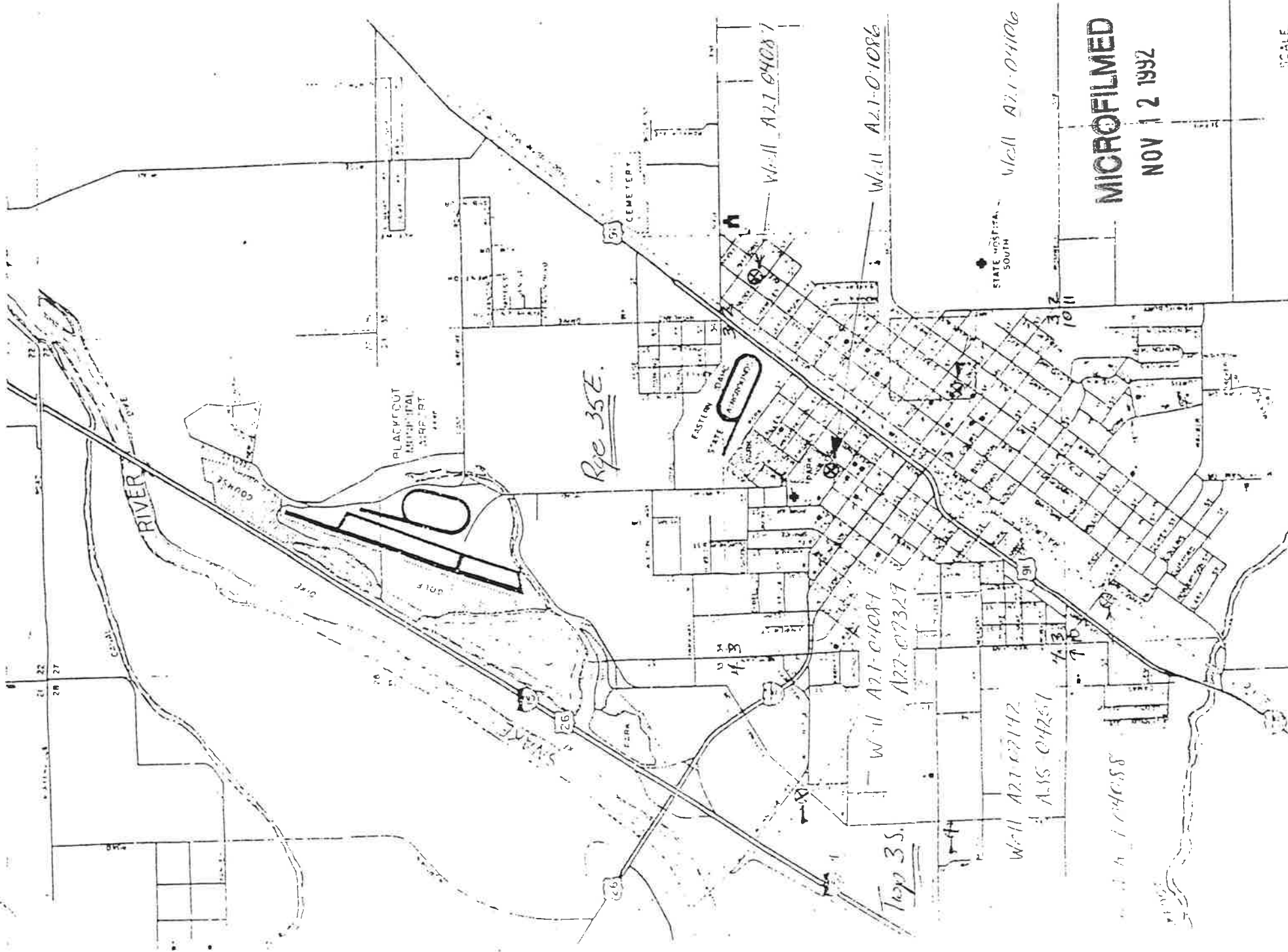
Residing at Donavan D. Wren

My Commission Expires 4-21-93
2 Date: 03/31/89

A27-04086

Page

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NOV 12 1992

SCALE