

08/25/2006

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

RIGHT NUMBER: 27-4106
NAME AND ADDRESS: CITY OF BLACKFOOT
157 N BROADWAY
BLACKFOOT ID 83221
SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 1.840 CFS
1,332.100 AFY
Diversion of water from the well located in SWSW, S30, T2S, R35E shall not exceed 4.00 cfs.
PRIORITY DATE: 02/05/1921
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	<u>1.840 CFS</u> <u>1,332.10 AFY</u>

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

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.

SCANNED

SEP 20 2006

PROF.

05/26/2005

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

RIGHT NUMBER: 27-4106

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.790 CFS

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

PRIORITY DATE: 02/05/1921

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	1.790 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



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.

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

03/18/2005

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

RIGHT NUMBER: 27-4106

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

SOURCE: GROUND WATER

TRIBUTARY:

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

QUANTITY: 1.790 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.

PRIORITY DATE: 02/05/1921

POINT OF DIVERSION:

T02S R35E S30 SESWSW	Within BINGHAM County
T03S R35E S2 SENWNW	Within BINGHAM County
T03S R35E S3 NWSWE	Within BINGHAM County
T03S R35E S3 SWNESE	Within BINGHAM County
T03S R35E S4 SWNWE L-2	Within BINGHAM County
T03S R35E S4 SENESW	Within BINGHAM County
T03S R35E S10 NESWE	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	1.790 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:

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.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

EXPLANATORY MATERIAL: Beneficial Use

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



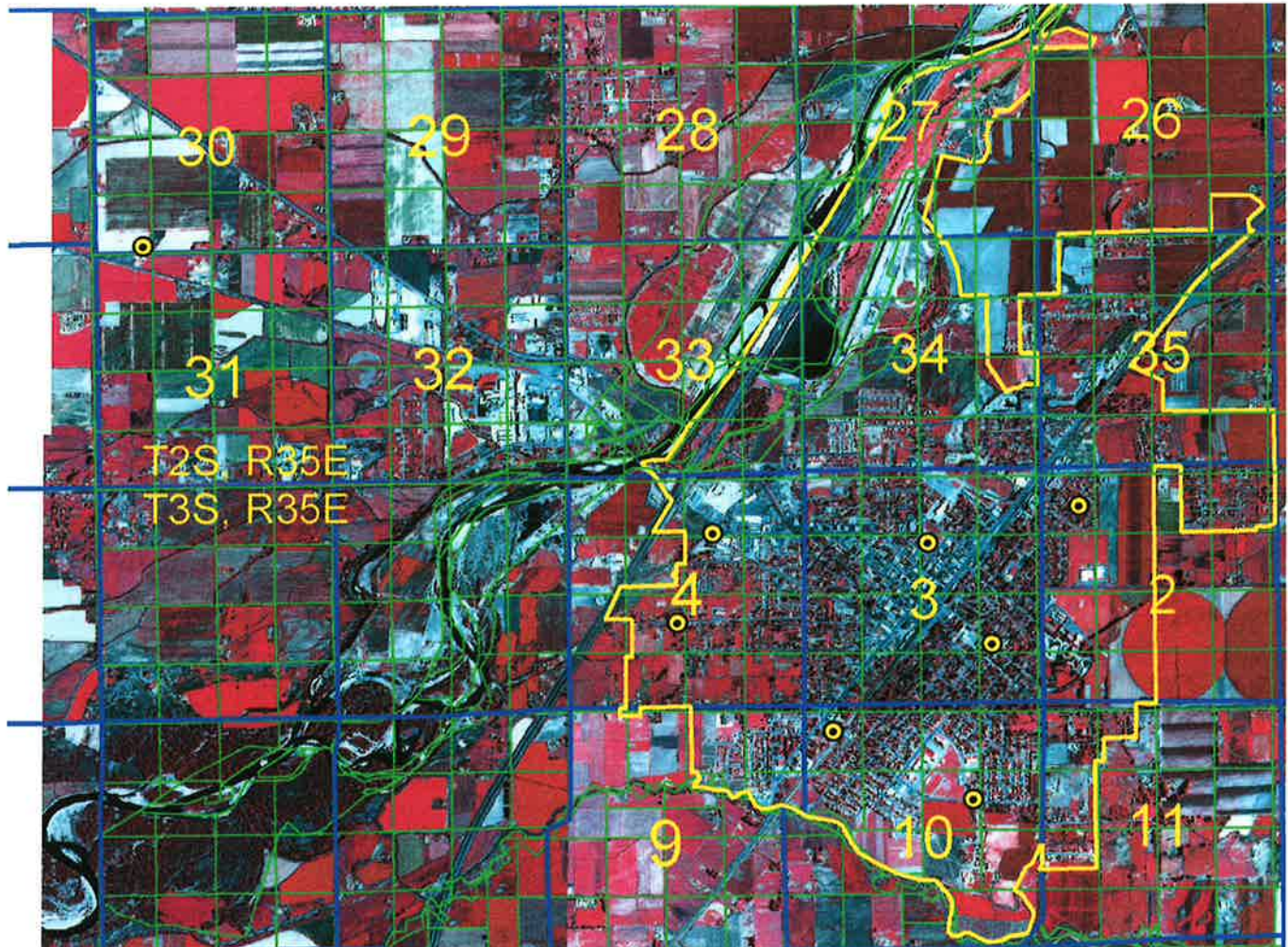
STATE OF IDAHO

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.

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	)	A.	Subcase:	27-04106
	)			(Insert water right number
Case No. 39576	)			From the Objection Form)

STANDARD FORM 2 RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: State of Idaho
Address: 700 W. Jefferson, Room 210
P.O. Box 44449
Boise, Idaho 83711-4449
Phone: Work: (208) 334-2400 Home: N/A

Name and Address of Attorney, if any:
Attorney Name: LAWRENCE G. WASDEN
 Attorney General
 CLIVE J. STRONG
 Deputy Attorney General
 Chief, Natural Resources Division
 DAVID J. BARBER
 Deputy Attorney General
Attorney Address: Office of the Attorney General
 700 W. Jefferson, Room 210
 P.O. Box 44449
 Boise, ID 83711-4449
Attorney Phone No. (208) 334-2400
 Idaho State Bar # 2597

SCANNED
SEP 20 2006

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

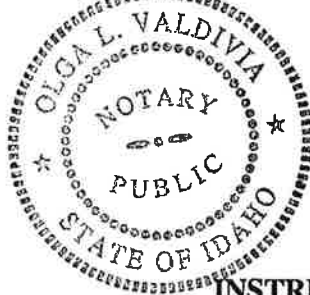
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

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

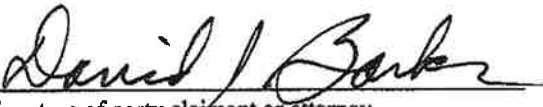
3. One copy to the party who filed the objection at the following address:

 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 27-4106

(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: 2.23 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: 01/01/1900

5. ☒ **Point(s) of Diversion**

Should be:

POD Description	Common name
T3S R35E §4 SENESW	Well #8
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.

The IDWR should not have advanced the priority for this right.

This water right was created by beneficial use of Well #3. Well #3 predates Wells #1 and 2. Well #3 was developed on 01-01-1900 for municipal use as part of the Johnson Water System, and was subsequently acquired by the City.

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: Boise ID
My Commission Expires: 7-10-06

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:

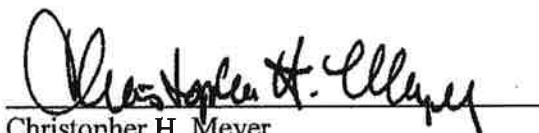
Name: City of Blackfoot
Attention Ron Harwell
Public Works Director
Address: 157 N. Broadway
Blackfoot, ID 83221

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

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.

RECEIVED
APR 14 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

Sub Case No.: 27-4106

NOTICE OF APPEARANCE

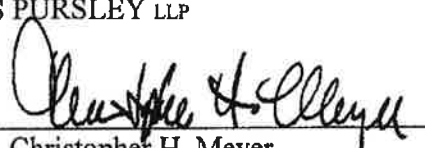
YOU WILL PLEASE take notice that Christopher H. Meyer of the firm Givens Pursley LLP, hereby enters his appearance as attorney of record for claimant City of Blackfoot in the above entitled action.

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

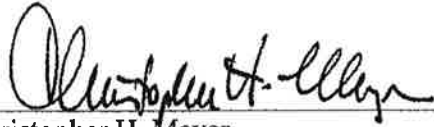
☒ U. S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☐ E-mail

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



Technical Memorandum

TO: City of Blackfoot
Ron Harwell – Public Works Director
Richard Mangum – Water Superintendent
Christopher Meyer – Givens Pursley, LLC

FROM: Keller Associates, Inc.
Jim Mullen, P.E.
Jason Pettyjohn, E.I.T.

DATE: July 21, 2006

SUBJECT: Well Flow Rates



As per the request of the City, Keller Associates has performed flow testing of various main production wells used by the City of Blackfoot. Tests were performed for Wells 3 and 5. A summary of the results are shown in the Table below. Detailed test results for each well are attached for reference.

Well	Pressure (psi)	Flow Rate (cfs)	Flow Rate (gpm)
Well #3	40	1.84	825
Well #5	40	3.76	1685

To determine the flows presented in the above Table, a pump curve for each well has been calculated based on field observations. To construct the pump curve, each well was activated and then flowed against differing discharge pressures. The differing pressures were developed by inducing demands on the system by opening fire hydrants near each well. Opening a fire hydrant does not necessarily simulate a fire event. The purpose of inducing demands for these tests was to simulate possible peak day or peak hour demands. As the discharge pressure decreases, the flow from the well pump increases. It is this observed flow and pressure relationship that have determined a pump curve for each well pump.

For consistency and comparative purposes, each well pump flow rate has been presented in the above Table at 40 psi of delivery pressure. The pressure of 40 psi has been chosen as the reference standard because of current regulations that require the water system to have a minimum pressure of 40 psi during a peak day or peak hour demand minus fire flow demands.

In conclusion, each of the well pump tests performed by Keller Associates has determined that the above flow rates could be supplied at 40 psi of pressure, which could be experienced in a peak day or peak hour demand scenario.

If you have any questions please contact us.

WELL #3 346 E. BRIDGE ST.**MOTOR DATA**

HP	60	Phase	3	Volt	460	Amps	150
Cycles	60	Speed (rpm)	1775	Serv. Factor	1.15		

PUMP CURVE DATA

Flow (gpm)	Pressure (psi)	Amps
750	47	-
835	39	-
900	33	-

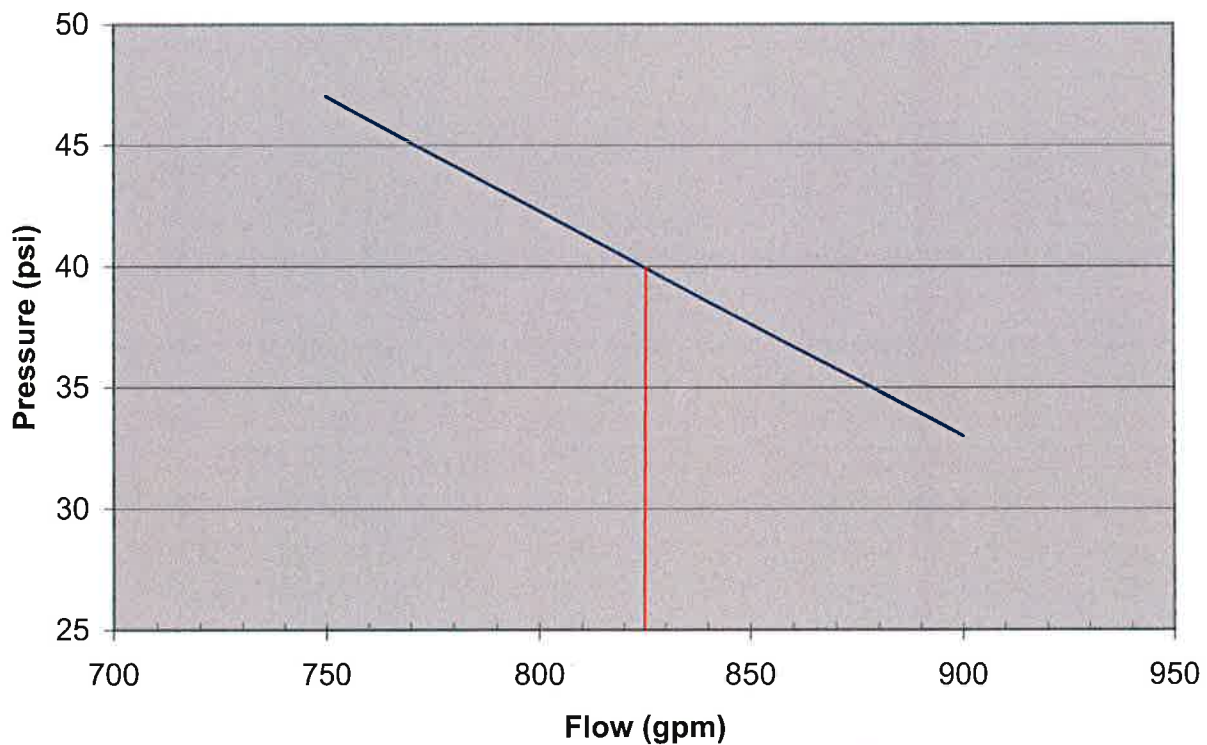
OTHER DATA

Depth to Bowls	80'	Depth of Well	99.5'	Casing Diam.	12"	to 83'
----------------	-----	---------------	-------	--------------	-----	--------

Date Drilled	Unknown
--------------	---------

- At 83' there is a smaller hole; either a smaller casing, the end of the casing, or some undetermined obstruction.

- Single speed motor control. Actuated by system pressure.

Well #3 Calculated Pump Curve

Flow @ 40 psi	825 gpm
---------------	---------



Notes

3/17/05. well #3. 1.79 cfs (800 gpm)

APR 21 2005
PROFILED

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	1/1	12/31	1.79	

Overall Diversion Rate 1.79

Overall Diversion Volume _____

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

3/16/05 800 gpm. per Jack Olney, previous water superintendent for the City of Blackfoot.

Reviewer: 3/17/05Date: CB

Notes

Claim A27-04106 - Well #3

1/ Exam completed 10-21-2003

2/ GPS data - 0634928
0233034

File # 4106

DEQ Tag # E0007309

3/ 60 hp pump

4/ Theoretical: Using Water Measurement Annual
Report data For 2001

$$\text{cfs} = \frac{60 \text{ hp} \times 8.81 \times 70\% \text{ eff}}{52.5 \text{ dynamic} + 2.31 (50 \text{ psi}) \text{ water level}}$$

$$\text{cfs} = \frac{370}{168} = 2.20 \text{ cfs}^*$$

5/ Theoretical supports claim of 2.23 cfs*

6/ See Attached Map of City Service Area

Claim A27-04106 - well #3





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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER MEASUREMENT ANNUAL REPORT

RECEIVED

JAN 22 2002

Department of Water Resources
Southern RegionREPORTING YEAR 2001MEASURING 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	101549
Water Source:	RICHARD MANGUM CITY OF BLACKFOOT Ground Water	
Water Right No:		
Legal Description:	03S 35E 03 NESE E0007309	
Site Tag No:	WELL #3	8
Diversion Name:		

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 208-681-8378 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): 44.6' ft Date 11-06-01Dynamic Water Level (pump on): 52.5 ft Date 12-03-01**SECTION III Rate of flow and volume diverted (REQUIRED DATA)**

Meter information:

Make MCCROMETER Model No. E 7000-000 Serial No. E 98-00841Does the meter totalizer measure in acre-feet or gallons?
(circle one)What is the multiplier? X 1000Does the meter rate of flow indicator show gpm or cfs?
(circle one)What is the multiplier? X 100For 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>)	223144	800	46
February (<u>1</u>)	255216	800	42
March (<u>1</u>)	284300	750	44
April (<u>2</u>)	317700	750	46
May (<u>1</u>)	340970	750	44
June (<u>1</u>)	378321	750	42
July (<u>2</u>)	406769	800	46
August (<u>1</u>)	442885	800	42
September (<u>4</u>)	484141	800	42
October (<u>1</u>)	511669	800	50
November (<u>1</u>)	529683	-0-	45
December (<u>3</u>)	558506	800	46

Does totalizer and flow readings above include meter multipliers? Yes X NoTotal Acre-feet _____ OR Total Gallons 306,539
(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. 27-4106

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

Priority Date: 01/01/1900

Basis: Statutory Claim

Status: Active Transferred

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
MUNICIPAL	1/01	12/31	2.23 CFS	
Total Diversion			2.23 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 POUs 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. 27-4106
As Modified by Transfer No. 68933

In accordance with the approval of Transfer No. 68933, Water Right No. 27-4106 is now described as follows.

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

Priority Date: 01/01/1900

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	2.23 CFS	
			2.23 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 ✓~~ *ant*

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. 27-4106
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 Priority: 04/12/1965	01/01 to 12/31	1.95 CFS	1411.0 AF
Right No. 27-04084 : MUNICIPAL Priority: 09/27/1921	01/01 to 12/31	5.57 CFS	
Right No. 27-04086 : MUNICIPAL Priority: 09/27/1921	01/01 to 12/31	5.57 CFS	
Right No. 27-04087 : MUNICIPAL Priority: 04/01/1954	01/01 to 12/31	2.23 CFS	
Right No. 27-04088 : MUNICIPAL Priority: 03/01/1953	01/01 to 12/31	4.46 CFS	
Right No. 27-04106 : MUNICIPAL Priority: 01/01/1900	01/01 to 12/31	2.23 CFS	
Right No. 27-04165 : MUNICIPAL Priority: 04/25/1960	01/01 to 12/31	4.45 CFS	
Right No. 27-07329 : MUNICIPAL Priority: 10/19/1982	01/01 to 12/31	3.99 CFS	
Right No. 27-11706 : MUNICIPAL Priority: 04/25/1960	01/01 to 12/31	4.45 CFS	

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
NWE , 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

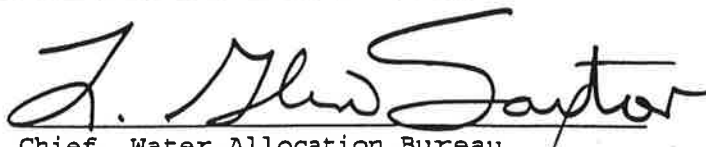
1. Approval of Transfer 5787 does not confirm Claimed Rights 27-04084, 27-04086, 27-04087, 27-04088, 27-04106, 27-04165 and A27-11706.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. The right holder shall measure and annually report diversions of 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.

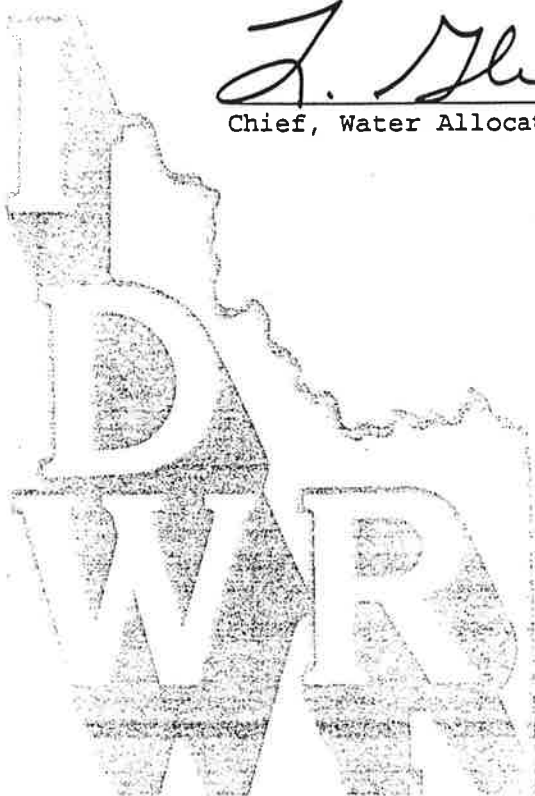
TRANSFER NO. 5787
WATER RIGHT NO(S). 27-02142/27-04084/27-04086/27-04087
27-04088/27-04106/27-04165/27-07329/27-11706

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. A27-04106

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/26/94
PAGE: 23

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	01/01/1900	MUNICIPAL	01-01 12-31	2.23 CFS	
TOTAL DIVERSION:					2.23 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T03S R35E S03

NESE

BINGHAM County

POU County:

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

Other Rights: 27-04084/04086/04087/04088/07329/35-04251

Remarks: MUNICIPAL CORP. WELL #3,
PLACE OF USE IS WITHIN CITY LIMITS OF BLACKFOOT, IDAHO

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

MICROFILMED
NOV 13 1996



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

RECEIVED

MAR 1 - 1990

Department of 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

DBS:alw

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MICROFILMED

NOV 12 1992

TO: Blackfoot Water Department

April 22, 1983

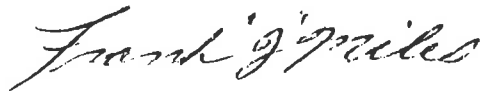
RE: Well #3, East Bridge Street

I, Frank J. Files, would like to confirm for the City of Blackfoot, Idaho, Water Department, the existence of Well #3 prior to 1940. It being the original well for the water system. It was a private water system for the city and was purchased by the city in the early 1900's.

My father, Samuel Files, was water superintendent when I was eight years old. We lived in a city owned house at 272 West Idaho Street.. I accompanied my father many times when he checked the system and the pump and well at pump #3.

By 1940, the pump at Well #3 had been converted from an electrical motor to a big gasoline stand-by emergency engine. We periodically tested the pump and motor to ensure that it would run whenever necessary.

Frank J. Files



East Water Superintendent
Blackfoot, Idaho

MICROFILMED
NOV 13 1996

WARRANTY DEED.

THIS INDENTURE, Made the 5th day of February, in the year of our Lord one thousand nine hundred and twenty-one, between THE BLACKFOOT WATER WORKS, Limited, a corporation of the State of Idaho, having its principal place of business at the City of Blackfoot, in the County of Bingham, State of Idaho, the party of the first part, and the CITY OF BLACKFOOT, a municipal corporation of the State of Idaho, within Bingham County, State of Idaho, the party of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of EIGHTY-TWO THOUSAND (\$82,000.00) DOLLARS, lawful money of the United States of America, to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, and pursuant to a resolution of the stockholders of the said first party, duly passed and approved and adopted at a meeting of said stockholders, regularly called and held at the place of business of said corporation in the said City of Blackfoot on the 29th day of October, 1920, at which meeting all of the issued capital stock of the corporation was represented, and at which meeting the following resolution was passed, approved and adopted by the unanimous vote of all of said stockholders:

"WHEREAS, it appears that the City of Blackfoot, a municipal corporation of the State of Idaho, desires to purchase the water system of the corporation, and, if the purchase cannot be made, intends to construct and operate a water system within the said City, and has offered the said corporation the sum of \$82,000.00 for its works and system, and it appearing that the business in the City of Blackfoot will not support two water systems, and that it is for the best interest of said corporation and the stockholders thereof that the said water system be sold to the said City of Blackfoot for the sum of \$82,000.00,

NOW, THEREFORE, be it resolved by the stockholders of said corporation that it is for the best interests of said corporation and its stockholders that the said water system be sold to the City of Blackfoot for the said sum of \$82,000.00, and it is further resolved that the proper officers of said corporation be hereby authorized and directed to enter into any contract with the City of Blackfoot looking to the sale of said system to the said city for the sum of \$82,

000.00, and in this regard they are hereby empowered to agree upon the terms and conditions of sale, method of payments and all other matters involved in said transaction, and the said stockholders hereby ratify and confirm any and all acts of such officers in the performance of the terms of this resolution."

does by these presents grant, sell, bargain and convey and confirm unto the said party of the second part, and to its successors and assigns forever all the certain lots, pieces and parcels of land, situate, lying and being in the City of Blackfoot, County of Bingham, State of Idaho, and bounded and described as follows, to-wit:

Beginning at a point on the Northerly side of Block Sixty-one (61) of Shilling's Addition to the City of Blackfoot, Bingham County, Idaho, Sixty-seven (67) feet from the Northwest corner of said Block Sixty-one (61); running thence Easterly along the Northerly side of said Block a distance of Fifty-eight (58) feet to a twenty (20) foot alley; thence Southerly and along the West side of said alley a distance of One Hundred Twenty-five (125) feet; thence Westerly at a right angle to said alley a distance of Fifty-eight (58) feet; thence Northerly parallel to said alley a distance of One Hundred Twenty-five (125) feet to the place of beginning. Together with all water works, equipment, tank, plant, tools, distribution system and all other fixtures and property of every kind and nature, and all property rights, easements and franchises belonging or appertaining thereto. Together with the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

Said premises above described being further accurately described as the Easterly Fifty-eight (58) feet of Lots One (1) to Five (5), both inclusive, in Block One (1) of McDonald's Addition to the City of Blackfoot aforesaid, said tract having a frontage of One Hundred Twenty-five (125) feet upon the alley in said Block One (1), and a frontage of Fifty-eight (58) feet upon East Bridge Street.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident, unto the said party of the second part, and to its successors and assigns forever, and the said party of the first part, and its successors, and the said premises in a quiet and peaceable possession of the said party of the second part, its successors and assigns, against the said party of the first part, and its successors, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will warrant and by these

presents forever defend, excepting only an outstanding issue of bonds in the sum of Forty Thousand (\$40,000.00) Dollars, secured by two certain Trust Deeds upon said property, executed to D. W. Standrod and Company, Trustee, which the said party of the second part assumes and agrees to pay as a part of the aforementioned consideration for this conveyance, and subject to one-sixth of the taxes upon said property for the year 1920, to be paid by said second party.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be signed by its President and Secretary and its corporate seal to be hereunto affixed the day and year first above written.

TIDE BLACKFOOT WATER WORKS, Limited,
By J. A. Martin
Its President,

Attest:

Mary A. Johnson
Its Secretary.

State of Idaho,)
County of Bingham.) ss.

I DO HEREBY CERTIFY: That on this 5th day of February, in the year of 1921, before me, John W. Jones, a notary public in and for the State of Idaho, personally appeared J. A. Martin and Mary A. Johnson, known to me to be respectively the President and Secretary of the corporation that executed the foregoing instrument and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Blackfoot, Idaho, the day and year in this certificate first above written.

My commission expires
July 16, 1921.

John W. Jones
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho.

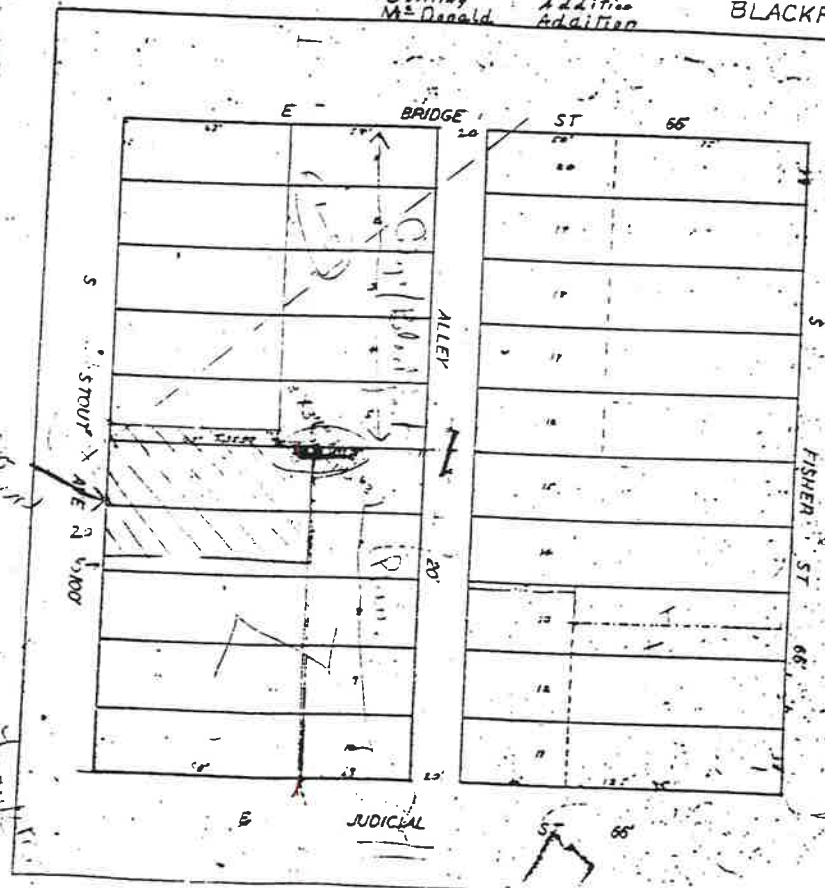
BINGHAM COUNTY, IDAHO

Sec. _____ Twp. _____ Range _____ E. R. ME. Scale 1" = _____ 20'

Shilling Addition
Mr. Donald Addition

BLACKFOOT

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County of Blaine, State of Idaho, the part of the first part and
CITY OF BLACKFOOT, a municipal corporation of the State of Idaho,
of the County of Blaine, and State of Idaho, the part of the second part,
WITNESSETH: That the said party of the first part, for and in consideration of the sum of
One Dollar and other valuable considerations,
lawful money of the United States of America, to her in hand paid by the said party of the second part, the receipt
whereof is hereby acknowledged

do as by these presents grant, sell, bargain and convey and confirm unto the said party of the second part, and to his successors
heirs and assigns forever, all the estate, lot, piece or parcel of land situate, being and being in the
County of Blaine and State of Idaho, and bounded and described as follows, to-wit:

Commencing at a point on the line between Lots Five (5) and
Six (6) in Block One (1) in McDonald's Addition to the City of Blackfoot, Blaine
County, Idaho; thence running to the City of Blackfoot, Blaine
County, Idaho, along the west line of the alley in said Block One (1); and thence
Westerly along said line between said Lots Five (5) and Six (6) a distance of
Nineteen (19) feet and Six (6) inches; thence at a right angle in a Southerly
direction a distance of Three (3) feet; thence at a right angle in a Southerly
direction a distance of Nineteen (19) feet and Six (6) inches; thence at a right
angle and parallel with the line of the said alley in a Southerly direction Three
(3) feet to the place of beginning, being a strip of land Three (3) feet wide ad-
joining the property of the City of Blackfoot and occupied by its stone water
works building.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in any wise appor-
taining, and the rents, issues and profits thereof

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances and privileges thereto
incident, unto the said party of the second part, and to his successors and assigns forever, and the said party of the
first part, her heirs, and the said premises in a quiet and peaceable possession of the said party of the second part, his
heirs, and assigns, against the said party of the first part and her heirs, and against all
second parties, his heirs, and assigns, lawfully claiming or to claim the same, shall and will warrant and by these presents
forever defend.

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and seal -
the day and year first above written.
MAY 1, 1921

John W. Jones

Mary A. Johnson

(REAL)

(REAL)

(REAL)

(REAL)

STATE OF IDAHO

County of Blaine

I DO HEREBY CERTIFY, That on this 5th

day of February, in the year 1921, before me,
in and for said County and State, personally appeared

Mary A. Johnson, a widow,

known to me to be the person - whose name is subscribed in the within and foregoing instrument, and acknowledged
to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Blackfoot, Idaho
the day and year first above written.

John W. Jones, Notary Public
for the State of Idaho, Residing at Blackfoot, Idaho.

My commission expires July 14, 1924.
Recorded at the request of L. J. Chapman, Feb. 18, 1921 at 11:00 A.M.

Subscribed's Post, 4

By John W. Jones

P. M. Fisher,

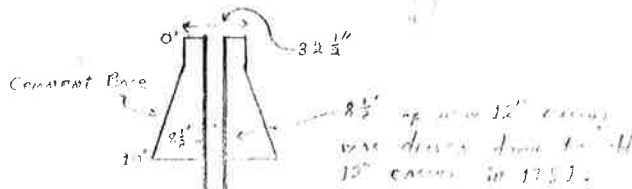
County Recorder

MICROFILMED
APR 13 1996

9 Billing : Addition
M = Donald Addition

1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021	1022	1023	1024	1025	1026	1027	1028	1029	1030	1031	1032	1033	1034	1035	1036	1037	1038	1039	1040	1041	1042	1043	1044	1045	1046	1047	1048	1049	1050	1051	1052	1053	1054	1055	1056	1057	1058	1059	1060	1061	1062	1063	1064	1065	1066	1067	1068	1069	1070	1071	1072	1073	1074	1075	1076	1077	1078	1079	1080	1081	1082	1083	1084	1085	1086	1087	1088	1089	1090	1091	1092	1093	1094	1095	1096	1097	1098	1099	1100	1101	1102	1103	1104	1105	1106	1107	1108	1109	1110	1111	1112	1113	1114	1115	1116	1117	1118	1119	1120	1121	1122	1123	1124	1125	1126	1127	1128	1129	1130	1131	1132	1133	1134	1135	1136	1137	1138	1139	1140	1141	1142	1143	1144	1145	1146	1147	1148	1149	1150	1151	1152	1153	1154	1155	1156	1157	1158	1159	1160	1161	1162	1163	1164	1165	1166	1167	1168	1169	1170	1171	1172	1173	1174	1175	1176	1177	1178	1179	1180	1181	1182	1183	1184	1185	1186	1187	1188	1189	1190	1191	1192	1193	1194	1195	1196	1197	1198	1199	1200	1201	1202	1203	1204	1205	1206	1207	1208	1209	1210	1211	1212	1213	1214	1215	1216	1217	1218	1219	1220	1221	1222	1223	1224	1225	1226	1227	1228	1229	1230	1231	1232	1233	1234	1235	1236	1237	1238	1239	1240	1241	1242	1243	1244	1245	1246	1247	1248	1249	1250	1251	1252	1253	1254	1255	1256	1257	1258	1259	1260	1261	1262	1263	1264	1265	1266	1267	1268	1269	1270	1271	1272	1273	1274	1275	1276	1277	1278	1279	1280	1281	1282	1283	1284	1285	1286	1287	1288	1289	1290	1291	1292	1293	1294	1295	1296	1297	1298	1299	1300	1301	1302	1303	1304	1305	1306	1307	1308	1309	1310	1311	1312	1313	1314	1315	1316	1317	1318	1319	1320	1321	1322	1323	1324	1325	1326	1327	1328	1329	1330	1331	1332	1333	1334	1335	1336	1337	1338	1339	1340	1341	1342	1343	1344	1345	1346	1347	1348	1349	1350	1351	1352	1353	1354	1355	1356	1357	1358	1359	1360	1361	1362	1363	1364	1365	1366	1367	1368	1369	1370	1371	1372	1373	1374	1375	1376	1377	1378	1379	1380	1381	1382	1383	1384	1385	1386	1387	1388	1389	1390	1391	1392	1393	1394	1395	1396	1397	1398	1399	1400	1401	1402	1403	1404	1405	1406	1407	1408	1409	1410	1411	1412	1413	1414	1415	1416	1417	1418	1419	1420	1421	1422	1423	1424	1425	1426	1427	1428	1429	1430	1431	1432	1433	1434	1435	1436	1437	1438	1439	1440	1441	1442	1443	1444	1445	1446	1447	1448	1449	1450	1451	1452	1453	1454	1455	1456	1457	1458	1459	1460	1461	1462	1463	1464	1465	1466	1467	1468	1469	1470	1471	1472	1473	1474	1475	1476	1477	1478	1479	1480	1481	1482	1483	1484	1485	1486	1487	1488	1489	1490	1491	1492	1493	1494	1495	1496	1497	1498	1499	1500	1501	1502	1503	1504	1505	1506	1507	1508	1509	1510	1511	1512	1513	1514	1515	1516	1517	1518	1519	1520	1521	1522	1523	1524	1525	1526	1527	1528	1529	1530	1531	1532	1533	1534	1535	1536	1537	1538	1539	1540	1541	1542	1543	1544	1545	1546	1547	1548	1549	1550	1551	1552	1553	1554	1555	1556	1557	1558	1559	1560	1561	1562	1563	1564	1565	1566	1567	1568	1569	1570	1571	1572	1573	1574	1575	1576	1577	1578	1579	1580	1581	1582	1583	1584	1585	1586	1587	1588	1589	1590	1591	1592	1593	1594	1595	1596	1597	1598	1599	1600	1601	1602	1603	1604	1605	1606	1607	1608	1609	1610	1611	1612	1613	1614	1615	1616	1617	1618	1619	1620	1621	1622	1623	1624	1625	1626	1627	1628	1629	1630	1631	1632	1633	1634	1635	1636	1637	1638	1639	1640	1641	1642	1643	1644	1645	1646	1647	1648	1649	1650	1651	1652	1653	1654	1655	1656	1657	1658	1659	1660	1661	1662	1663	1664	1665	1666	1667	1668	1669	1670	1671	1672	1673	1674	1675	1676	1677	1678	1679	1680	1681	1682	1683	1684	1685	1686	1687	1688	1689	1690	1691	1692	1693	1694	1695	1696	1697	1698	1699	1700	1701	1702	1703	1704	1705	1706	1707	1708	1709	1710	1711	1712	1713	1714	1715	1716	1717	1718	1719	1720	1721	1722	1723	1724	1725	1726	1727	1728	1729	1730	1731	1732	1733	1734	1735	1736	1737	1738	1739	1740	1741	1742	1743	1744	1745	1746	1747	1748	1749	1750	1751	1752	1753	1754	1755	1756	1757	1758	1759	1760	1761	1762	1763	1764	1765	1766	1767	1768	1769	1770	1771	1772	1773	1774	1775	1776	1777	1778	1779	1780	1781	1782	1783	1784	1785	1786	1787	1788	1789	1790	1791	1792	1793	1794	1795	1796	1797	1798	1799	1800	1801	1802	1803	1804	1805	1806	1807	1808	1809	1810	1811	1812	1813	1814	1815	1816	1817	1818	1819	1820	1821	1822	1823	1824	1825	1826	1827	1828	1829	1830	1831	1832	1833	1834	1835	1836	1837	1838	1839	1840	1841	1842	1843	1844	1845	1846	1847	1848	1849	1850	1851	1852	1853	1854	1855	1856	1857	1858	1859	1860	1861	1862	1863	1864	1865	1866	1867	1868	1869	1870	1871	1872	1873	1874	1875	1876	1877	1878	1879	1880	1881	1882	1883	1884	1885	1886	1887	1888	1889	1890	1891	1892	1893	1894	1895	1896	1897	1898	1899	1900	1901	1902	1903	1904	1905	1906	1907	1908	1909	1910	1911	1912	1913	1914	1915	1916	1917	1918	1919	1920	1921	1922	1923	1924	1925	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940	1941	1942	1943	1944	1945	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	2101	2102	2103	2104	2105	2106	2107	2108	2109	2110	2111	2112	2113	2114	2115	2116	2117	2118	2119	2120	2121	2122	2123	2124	2125	2126	2127	2128	2129	2130	2131	2132	2133	2134	2135	2136	2137	2138	2139	2140	2141	2142	2143	2144	2145	2146	2147	2148	2149	2150	2151	2152	2153	2154	2155	2156	2157	2158	2159	2160	2161	2162	2163	2164	2165	2166	2167	2168	2169	2170	2171	2172	2173	2174	2175	2176	2177	2178	2179	2180	2181	2182	2183	2184	2185	2186	2187	2188	2189	2190	2191	2192	2193	2194	2195	2196	2197	2198	2199	2200	2201	2202	2203	2204	2205	2206	2207	2208	2209	2210	2211	2212	2213	2214	2215	2216	2217	2218	2219	2220	2221	2222	2223	2224	2225	2226	2227	2228	2229	2230	2231	2232	2233	2234	2235	2236	223
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EAST WELL No. 3 346 East BRIDGE St.



12" casing

The old Johnson well at 346 East Bridge St. was put back into service in 1952.

The well was dug 77' 6" deep in July of 1951.

Data concerning earth structures drilled though is unknown.

12" casing

83'

At 83' there is a smaller hole - either a smaller casing, the end of the casing, or some undetermined obstruction.

Scale 1" = 10'

99'

MICROFILMED
NOV 13 1996

P. J.

STATE OF IDAHO,
County of Bingham. } ss.

I DO HEREBY CERTIFY: That on this 5th day of February, in the
year of 1921, before me, John W. Jones, a Notary Public in and
for the State of Idaho, personally appeared
Mary A. Johnson, a widow,

known to me to be the person whose name is subscribed to the within and foregoing instru-
ment and acknowledged to me that s/he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at
Blackfoot, Idaho, the day and year first above written.

My Commission Expires July 16, 1921.

John W. Jones
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho.

No. _____

WARRANTY DEED

TO _____

Dated Feb 18, 1921

Recorded at the request of L. J. Chapman

at 52 minutes past 11 o'clock

A.M., in Record of Deeds, Book 41

page 328, Records of the County of

Bingham State of Idaho.

E. M. Fisher.

Recorder.

By Julia Lutton

Deputy Recorder.

Fee \$ 1.20

NOV 13 1936
MICROFILMED

WARRANTY DEED

THIS INDENTURE, made the 5th day of February, in the year of
Our Lord, One Thousand Nine Hundred and twenty-one between
Mary A. Johnson, a widow,

of the County of Bingham, State of Idaho,
the part Y of the first part, and CITY OF BLACKFOOT, a municipal corporation
of the State of Idaho,

of the County of Bingham, State of Idaho,
the part Y of the second part.

WITNESSETH: That the said part Y of the first part, for and in consideration of the
sum of One Dollar and other valuable considerations, ~~Do hereby~~
lawful money of the United States of America, to her in hand paid by the said part Y
of the second part, the receipt whereof is hereby acknowledged, ~~do~~ by these presents grant, sell, bar-
gain and convey and confirm unto the said part Y of the second part, and to its ^{successors} ~~heirs~~
and assigns forever, all the certain lot, piece or parcel of land, situate, lying and being in
the County of Bingham, and State of Idaho, and bounded and described as follows, to wit:

Commencing at a point on the line between Lots Five (5) and
Six (6) in Block One (1) in McDonald's Addition to the City of
Blackfoot, Bingham County, Idaho, according to the recorded plat
thereof, Twenty-nine feet Westerly from the west line of the alley
in said Block One (1); and running thence Westerly along said line
between said lots Five (5) and Six (6) a distance of Nineteen (19)
feet and Six (6) inches; thence at a right angle in a Southerly di-
rection a distance of Three (3) feet; thence at a right angle in an
Easterly direction a distance of Nineteen (19) feet and Six (6) in-
ches; thence at a right angle and parallel with the line of the said
alley in a Northerly direction Three (3) feet to the place of begin-
ning, being a strip of land Three (3) feet wide adjoining the prop-
erty of the City of Blackfoot and occupied by its stone water works
building.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belong-
ing or in any wise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances
and privileges thereto incident, unto the said part Y of the second part, and to its ^{successors}
~~heirs~~ and assigns forever, and the said part Y of the first part and her ~~heirs~~, and the said
premises in a quiet and peaceable possession of the said part Y of the second part, its ^{successors}
~~heirs~~ and assigns, against the said part Y of the first part and her ~~heirs~~, and against all
and every person and persons whomsoever, lawfully claiming or to claim the same shall and will war-
rant and by these presents forever defend.

IN WITNESS WHEREOF, the said part Y of the first part has hereunto set her
hand and seal the day and year first above written.

Signed, Sealed and Delivered in the presence of

John A. Johnson

Mary A. Johnson (SEAL)

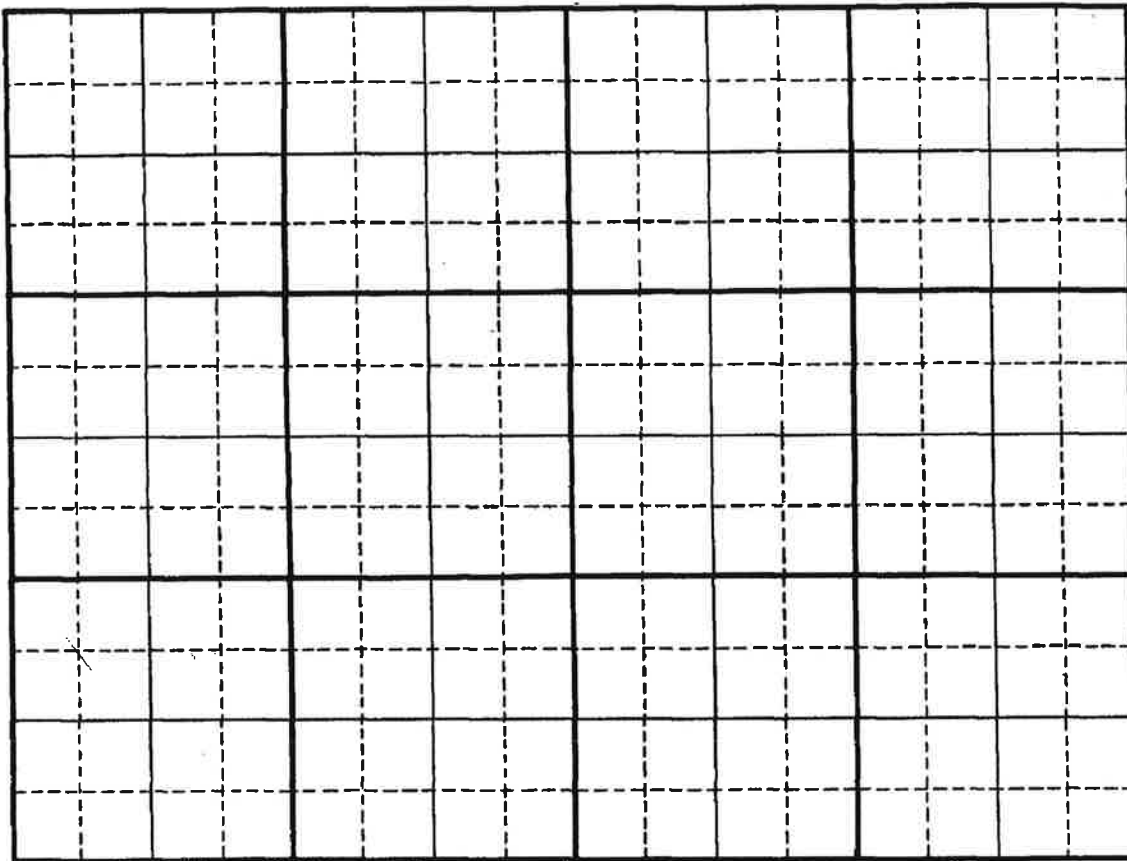
(SEAL)

(SEAL)

(SEAL)

MICROFILMED

(8) Remarks 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 31 day of January, 19 83, of Blackfoot

Reid K. Larsen
Reid K. Larsen (claimant) attorney for City
Thylerne Bauer
Notary Public
Residing at Blackfoot

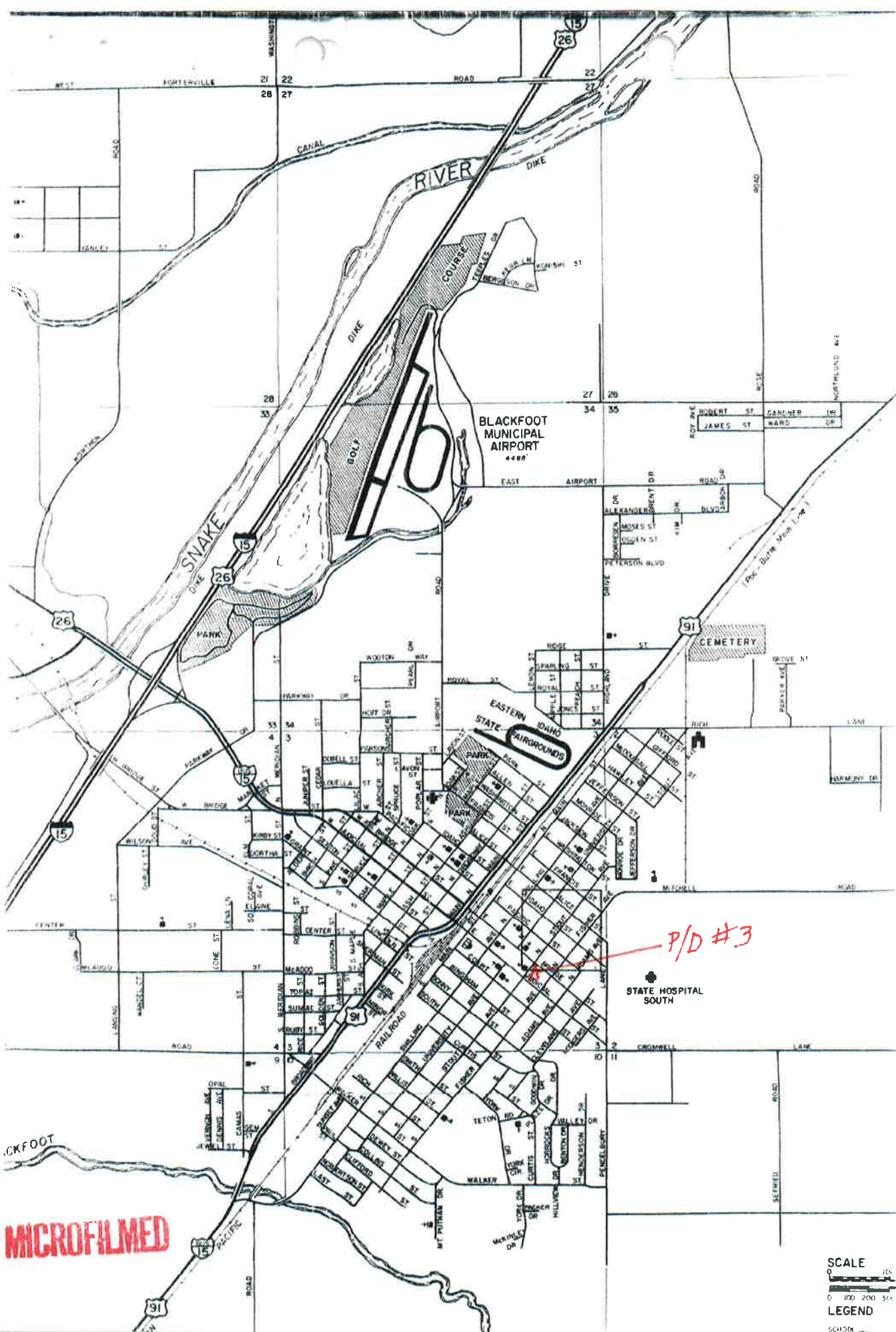
My commission expires life

FOR DEPARTMENT USE ONLY

Received by HWS Date 5-5-83 Exception filed by: _____ Date _____
Prelim. check by SM Date 5-6-83
\$20.00 fee received by HWS Date 5-5-83 28160
Published in Blackfoot News
Dates 5/19 - 5/26/83

30°

MICROFILMED



SCALE
0 100 200 300
LEGEND
SCH 300

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

all

RIGHT NUMBER: 27-4106

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.840 CFS
1,332.10 AFY

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

PRIORITY DATE: 02/05/1921

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 SWNWE 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

*EMC
SM^E ju
D/B*

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
01/01 12/31

QUANTITY
1.840 CFS
1,332.10 AFY

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(5), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

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.

Recommendation

SCANNED

JUL 18 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: A27-04106

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 208-785-8600
Address: 157 N. BROADWAY
BLACKFOOT, ID 83221

2. Date of Priority: JAN 01, 1900

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	NE	SE			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	2.230		

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

8. Total consumptive use is Acre Feet Per Annum.

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

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
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11. Place of use in counties:

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

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Date: 03/31/89

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13. Other Water Rights Used:

27-04084/04086/04087/04088/07329/35-04251

14. Remarks:

MUNICIPAL CORP. WELL #3,
PLACE OF USE IS WITHIN CITY LIMITS OF BLACKFOOT, IDAHO

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 ☒ 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 Supt. of
City of Blackfoot, that I have signed the foregoing
document in the space below as Water Supt. of
City of Blackfoot and that the statements contained in the
foregoing document are true and correct.

Jack A. Olney
Signature of Authorized Agent

Water Supt. 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

Donovan D. Wren
Notary Public

Seal

Residing at Blackfoot

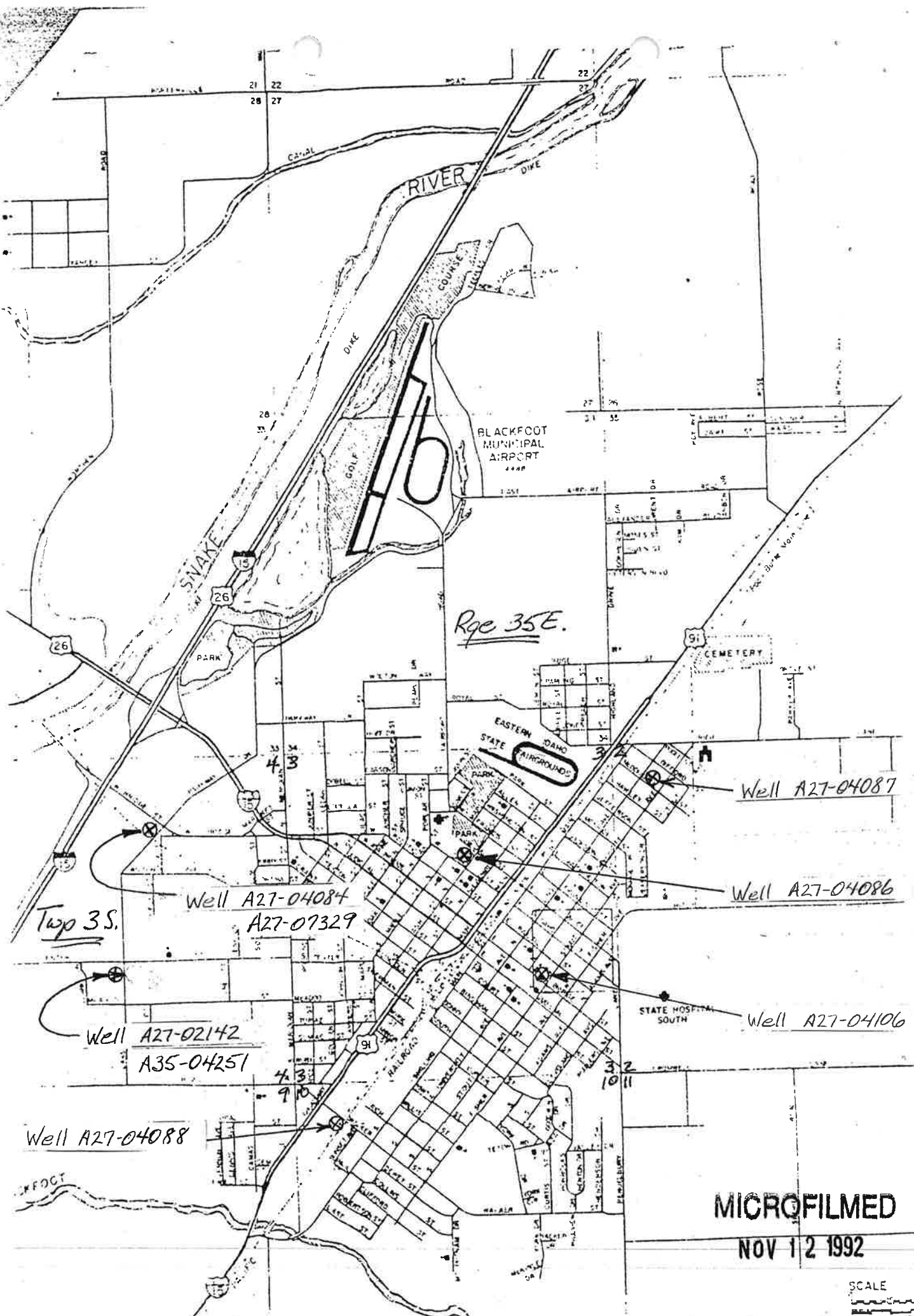
My Commission Expires 4-21-93
Date: 03/31/89

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SCALE
1" = 1/4 MILE