

01/21/2005

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

RIGHT NUMBER: 27-4151

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

Disallowed

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.143 CFS

PRIORITY DATE: 07/20/1948

POINT OF DIVERSION:

T02S R35E S34 SENW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

MUNICIPAL

1/01 12/31

0.143 CFS

PLACE OF USE: MUNICIPAL Within BINGHAM County

T02S R35E S34 SENW

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

NO BENEFICIAL USE FOUND: This is included for a claim based on beneficial use that is PROPOSED to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

No beneficial use found.

EXPLANATORY MATERIAL: Statutory Claim

PROFILED

Water Right 27-4151

1

SCANNED

APR 18 2006

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

RIGHT NUMBER: 27-4151

NAME AND ADDRESS:

CITY OF BLACKFOOT
157 N BROADWAY
BLACKFOOT ID 83221

SOURCE:

Source:

Tributary:

GROUND WATER

QUANTITY:

0.070 CFS

~~0.143 CFS~~

50.600 AFY

~~0.000 AFY~~

PRIORITY DATE:

07/20/1948

POINT OF DIVERSION:

T02S R35E S34 SENW
Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

MUNICIPAL

01/01 12/31

0.070 CFS 50.60 AFY

~~0.143 CFS~~

PLACE OF USE:

MUNICIPAL

within BINGHAM County

T02S R35E S34 SENW

ACRES TOTAL

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.

~~No beneficial use found.~~

EXPLANATORY MATERIAL:

BASIS OF CLAIM - Beneficial Use

~~BASIS OF CLAIM - Statutory Claim~~

~~NO BENEFICIAL USE FOUND: This is included for a claim based on beneficial use that is PROPOSED to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.~~

FILED

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.: 27-4151

NOTICE OF APPEARANCE

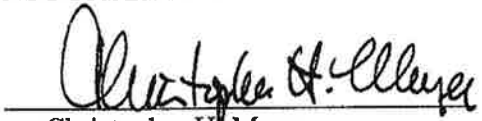
YOU WILL PLEASE take notice that Christopher H. Meyer of the firm Givens Pursley LLP, hereby enters his appearance as attorney of record for claimant City of Blackfoot in the above entitled action.

DATED this 13th day of April 2006.

Respectfully submitted,

GIVENS PURSLEY LLP

By


Christopher H. Meyer

SCANNED

SEP 20 2006

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

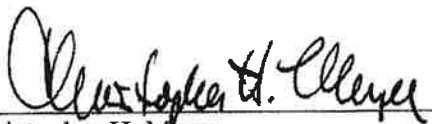
☒ U. S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☐ E-mail

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

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 27-4151

(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

SCANNED
SEP 20 2006

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: 0.14 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: 07/20/1948

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 disallowed this claim.

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. Although the well originally associated with this water right is no longer in use, the water under this right continues to be beneficially used by the City.

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.

This water right was originally developed in association with a well serving the municipal airport, but is now used in conjunction with the City's integrated delivery system pursuant to an accomplished transfer when the well was abandoned.

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: 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:

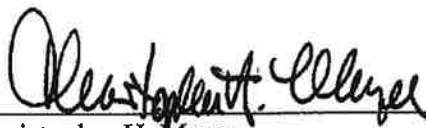
Name: City of Blackfoot
Attention Ron Harwell
Public Works Director
Address: 157 N. Broadway
Blackfoot, ID 83221

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

Notes

12/15/04 Capped - The airport uses City water,
prior to 1980. Byrne Rick's time.

12/16/04 "Disallow" No beneficial use
found us P03 Gen Remark / Cond.

PROFILED

SCANNED

APR 18 2006

Contacts Data Entry Form

[illegible]

Contacts Data Entry Form

Priority Date Data Entry Form

Claim Number: 27-4151.

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Statement from Frank Miles
City Council minutes 1948.

Reviewer: CBDate: 12/18/04

Priority Date Data Entry Form

1. Should this water use have been included in a later court decree of the water rights from this source? Yes () No (X)
If Yes, go to 2
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes () No ()
If Yes, go to 3a
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes () No ()
If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes () No ()
If Yes, go to 11
If No, go to 4
4. Is the basis of claim a decree or license? Yes () No (X)
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes () No ()
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes () No ()
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
7. Is the basis of claim a Permit or Application? Yes () No (X)
If Yes, go to 10e
If No, go to 8
8. Is the basis of claim a posted notice? Yes () No (X)
If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes () No (X)
If Yes, go to 11
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes () No ()
If Yes, recommend the Priority Date shown on the license, go to 15
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit.
Add Condition Code A01 to the Recommendation, go to 15
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes () No ()
If Yes, go to 12
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes (X) No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14
14. Can any portion of the claim be recommended as a valid water right? Yes () No ()
If Yes, go to 15
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? Yes (X) No ()
If Yes, go to 16
If No, Enter the appropriate basis of claim.
16. Is a Priority Date remark and/or condition required? Yes () No (X)
If Yes, Enter the appropriate basis of claim. Priority Date review is complete.
If No, Priority Date review is complete.

Priority Date

Claim No. 27-4151

Point of Diversion and Source Data Entry Form

Claim Number: 27-4151

Water Right Point of Diversion: T____ R____ Sec.____,____,____ County:____

Source:____ Tributary:____

Claimed Point of Diversion: T____ R____ Sec.____,____,____ County:____

Source:____ Tributary:____

Recommended Point of Diversion: T____ R____ Sec.____,____,____ County:____

Source:____ Tributary:____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	OOQ of Q	County	Source
					Bingham.	G.W.
GPS Coordinates:	0634	159			0235353.	
GPS Coordinates:						
GPS Coordinates:						
GPS Coordinates:						
GPS Coordinates:						
GPS Coordinates:						
GPS Coordinates:						

GPS file
#4151

Other rights from this POD? NO.

Document how the POD and Source were verified and/or Pump and Motor data:

GPS file #4151

Well has been capped. Not used since before the 1980's.

Transfers Changing POD NO

Reviewer: CB

Date: 12/16/04

Point of Diversion and Source Data Entry Form

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes () No (X)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes () No (X)

3. Has the License been issued?

If Yes, go to 5
If No, recommend the POD as shown on the Permit. Go to 10

Yes () No ()

4. Does the parent right have a POD?

If Yes, go to 5
If No, go to 6

Yes () No ()

5. Can the claimed POD be verified using the water right file?

If Yes, recommend the POD as shown in the water right file. Go to 10
If No, go to 6

Yes () No ()

6. Is there evidence that there has been a change in the POD?

If Yes, go to 7
If No, go to 9

Yes () No (X)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C03, go to 9
If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8

Yes () No ()

8. Was a transfer filed?

If Yes, recommend the POD as shown on the approved transfer. Go to 10
If No, go to 9

Yes () No ()

9. Does the file contain all of the necessary information to verify the POD?

If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10
If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10

Yes (X) No ()

10. Is a POD remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POD review is complete
If No, POD review is complete.

Yes () No (X)

Point of Diversion

Claim No.

27 - 4151

1. Is the basis of claim a Decree or License?

Yes () No (X)

If Yes, go to 4
If No, go to 2

2. Is the basis of claim a Permit or Application?

Yes () No (X)

If Yes, go to 3
If No, go to 6

3. Has the License been issued?

Yes () No ()

If Yes, go to 5
If No, recommend the Source as shown on the Permit. Go to 11

4. Does the parent right have a Source?

Yes () No ()

If Yes, go to 5
If No, go to 7

5. Can the claimed Source be verified using the water right file?

Yes () No ()

If Yes, recommend the Source as shown in the water right file. Go to 11
If No, go to 7

6. Is the basis of claim a Posted Notice?

Yes () No (X)

If Yes, consult the attorney assigned to the basin. Go to 7
If No, go to 7

7. Is there evidence that there has been a change in the Source?

Yes () No (X)

If Yes, go to 8
If No, go to 10

8. Can the change be verified as an accomplished transfer?

Yes () No ()

If Yes, add condition C02, go to 10
If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9

9. Did the claimant file a transfer?

Yes () No ()

If Yes, recommend the Source as shown in the transfer. Go to 11
If No, go to 10

10. Does the file contain all of the necessary information to verify the Source?

Yes (X) No ()

If Yes, recommend the Source as it existed on 11-19-1987. Go to 11
If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11

11. Is a Source remark and/or condition required?

Yes () No (X)

If Yes, enter the appropriate remark and/or condition. Source review is complete.
If No, Source review is complete.

Source

Claim No. 27 - 4151

Purpose of Use Data Entry Form

Claim Number: 27-4151☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

Transfers Changing Purpose of Use NOReviewer: CBDate: 12/16/04

Purpose of Use Data Entry Form

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes () No (X)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes () No (X)

3. Has the License been issued?

If Yes, go to 5
If No, recommend the Purpose(s) of Use as shown on the Permit. Go to 13

Yes () No ()

4. Does the parent right have a Purpose of Use?

If Yes, go to 5
If No, go to 6

Yes () No ()

5. Can the claimed Purpose of Use be verified using the water right file?

If Yes, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13
If No, go to 6

Yes () No ()

6. Is there evidence that there has been a change in the Purpose of Use?

If Yes, go to 7
If No, go to 11

Yes () No (X)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C04, go to 11
If No, go to 8

Yes () No ()

8. Does the change include an enlargement of the Purpose of Use?

If Yes, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9
If No, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12

Yes () No ()

9. Was an enlargement claim filed?

If Yes, go to 11
If No, Notify claimant that an enlargement claim is necessary. Go to 10

Yes () No ()

10. Did the claimant file an enlargement claim?

If Yes, go to 11
If No, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

11. Does the file contain all of the necessary information to verify the Water Use?

If Yes, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
If No, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes () No (X)

12. Did the claimant file a transfer?

If Yes, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13
If No, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes () No ()

13. Is a Purpose of Use remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.
If No, purpose of Use review is complete.

Yes () No (X)

Purpose of Use

Claim No. 27 - 4151

Place Of Use Data Entry Form

Claim Number: 27-41514 Use Claimed POU as Recommended POU

Claimed Place of Use

Tw	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Tw	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

field exam - well has been cappedTransfers Changing POU noReviewer: CB

Date:

12/16/04

1. Is the basis of claim a Decree or License?

If Yes, go to 2a
If No, go to 2b

Yes () No (X)

2a. Is a POU required?

If Yes, go to 5
If No, go to 14

Yes () No ()

2b. Is a POU required?

If Yes, go to 3
If No, go to 14

Yes () No (X)

3. Is the basis of claim a Permit or Application?

If Yes, go to 4
If No, go to 7

Yes () No ()

4. Has the License been issued?

If Yes, go to 6
If No, recommend the POU as shown on the Permit. Go to 14

Yes () No ()

5. Does the parent right have a POU?

If Yes, go to 6
If No, go to 7

Yes () No ()

6. Can the claimed POU be verified using the water right file?

If Yes, recommend the POU as shown in the water right file. Go to 14
If No, go to 7

Yes () No ()

7. Is there evidence that there has been a change in the POU?

If Yes, go to 8
If No, go to 13

Yes () No ()

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C05, go to 13
If No, go to 9

Yes () No ()

9. Does the change include an enlargement of the POU?

If Yes, describe the evidence that supports that there has been an enlargement in the POU. Go to 10
If No, describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed POU can be recommended. Go to 12

Yes () No ()

10. Was an enlargement claim filed?

If Yes, go to 13
If No, notify claimant that an enlargement claim is necessary. Go to 11

Yes () No ()

11. Did the claimant file an enlargement claim?

If Yes, go to 13
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

12. Was a transfer filed?

If Yes, recommend the POU as shown on the approved transfer. Go to 14
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

13. Does the file contain all of the necessary information to verify the POU?

If Yes, go to 14
If No, collect the necessary information. Conduct field exam if necessary. Go to 14

Yes () No ()

14. Is a POU remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POU review is complete.
If No, POU review is complete.

Yes () No (X)

Place of Use

Claim No. 27 - 4151

Period of Use and Quantity Data Entry Form

Claim Number: 27-4151☒ 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

Overall Diversion Rate _____

Overall Diversion Volume _____

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

Reviewer: CBDate: 12/16/04

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes () No (☒)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes () No (☒)

3. Has the License been issued?

If Yes, go to 5

Yes () No ()

If No, recommend the Period of Use as shown on the Permit. Go to 18

4. Does the parent right have a Period of Use?

If Yes, go to 5
If No, go to 6

Yes () No ()

5. Can the claimed Period of Use be verified using the water right file?

If Yes, go to 14
If No, go to 6

Yes () No ()

6. Is there evidence that there has been a change in the Period of Use?

If Yes, go to 7
If No, go to 12

Yes () No (☒)

7. Does the change include an enlargement in the Period of Use?

If Yes, go to 9
If No, go to 8

Yes () No ()

8. Can the change be recommended as an accomplished transfer?

If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12
If No, notify claimant that a transfer is necessary. Go to 11

Yes () No ()

9. Was an enlargement claim filed?

If Yes, go to 12

Yes () No ()

If No, notify claimant that an enlargement claim is necessary. Go to 10

10. Did the claimant file an enlargement claim?

If Yes, go to 12

Yes () No ()

If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12

11. Was a transfer filed?

If Yes, go to 14

Yes () No ()

If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12

12. Does the file contain all of the necessary information to verify the Period of Use?

If Yes, go to 13

Yes () No (☒)

If No, collect the necessary information. Conduct field exam if necessary. Go to 13

13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined?

If Yes, go to 14
If No, go to 15

Yes () No (☒)

14. Is irrigation claimed as a purpose of use?

If Yes, go to 16

Yes () No ()

If No, recommend the Period of Use of the parent right. Go to 18

15. Is irrigation claimed as a purpose of use?

If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18
If No, the Period of Use is usually recommended as claimed. Go to 18

Yes () No (☒)

16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?

If Yes, go to 17

Yes () No ()

If No, recommend the Period of Use of the parent right. Go to 18

17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use?

If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18

If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18

Yes () No ()

18. Is a Period of Use remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.
If No, Period of Use review is complete.

Yes () No (☒)

Period of Use

Claim No. 27 - 4181

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes () No (X)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes () No (X)

3. Has the License been issued?

If Yes, go to 5
If No, recommend the Quantity shown on the Permit. Go to 11

Yes () No ()

4. Does the parent right have a diversion rate and/or volume?

If Yes, go to 5
If No, go to 7

Yes () No ()

5. Can the claimed diversion rate and/or volume be verified using the water right file?

If Yes, go to 8
If No, go to 7

Yes () No ()

6. Is the basis of claim a posted notice?

If Yes, consult the attorney assigned to the Basin. Go to 7
If No, go to 7

Yes () No (X)

7. Is a flow measurement required?

If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9
If No, describe why a flow measurement is not required. Go to 9

Yes () No (X)

will capped.

8. Does the parent right have an annual diversion volume limit?

If Yes, go to 10
If No, go to 9

Yes () No ()

9. Is the source Ground Water and does the purpose of use require a diversion volume limit?

If Yes, go to 10
If No, go to 11

Yes (X) No ()

10. Is irrigation a purpose of use?

If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

Yes () No (X)

11. Has a diversion volume limit for this water use been established by a decree, license or transfer?

If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, go to 12

Yes () No ()

12. Is a Quantity remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Quantity review is complete.
If No, quantity review is complete.

Yes () No (X)

Quantity

Claim No. 27 - 4151

✓
"DISALLOWED"
add P03 Run/cond.
General. CB

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice?

If Yes, go to 2
If No, go to 3

Yes () No (X)

2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?

If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4
If No, status will be set as Active. Go to 5

Yes () No ()

3. Is the water being used for all of the purposes claimed and to the extent claimed?

If Yes, status will be set as Active. Go to 5
If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4

Yes () No (X)

4. Is any portion of the claim being recommended?

If Yes, status will be set as Active. Go to 5
If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5

Yes () No (X)

5. Does this right have any combined used limits with other rights?

If Yes, go to 6
If No, go to 6

Yes () No (X)

6. Is an additional remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Go to 7
If No, go to 7

Yes (X) No ()

7. Would you like to view the recommended right?

If Yes, go to 8
If No, the review is incomplete. The recommendation must be viewed to complete the review.

Yes (X) No ()

8. Is this a "split" or "combined" right?

If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 9
If No, go to 9

Yes () No (X)

9. Do you have documents you would like to attach or link to the file?

If Yes, go to PowerDOCS and profile the documents. Go to 10
If No, go to 10

Yes () No (X)

10. Would you like to set the verification date?

If Yes, the review is complete.
If No, the review is incomplete. The recommendation must be verified to complete the review.

Yes (X) No ()

Summary

Claim No.

27-4151

Summary Data Entry Form

Claim No.: _____

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

P03 Gen Remark & Cond.

Split or Combined Right Analysis:

Attached Field Notes or Other Documents:

yes

Claim No.:

27-4151

Reviewer

CB

Date

12/16/04

Notes

A27-04151

1/ Exam done 10-21-2003

2/ This well was capped and Airport Terminal & buildings were piped into main Blackfoot City System.

3/ GPS data - 0634159

File # 4151

0235353

Tag # A0002484



Claim A27-04151

Capped Airport well - Not used

Notes

10-21-03

A27-04151 - Airport well was
capped & Airport was
piped into main system

✓ well photo with Airport title

2/ CPS 0634159
0235353

File #4151

Tag # A 0002484

3/ Well on Hwy next to Blackfoot Airport
Terminal on East side



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

A small yellow rectangular button with the word "Close" in black text.

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

04/28/2003

WATER RIGHT NO. 27-4151

<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: 07/20/1948
Basis: Statutory Claim
Status: Active

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

Beneficial Use	From	To	Diversion Rate	Volume
MUNICIPAL	1/01	12/31	0.143 CFS	
Total Diversion			0.143 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SENW	Sec. 34	Township 02S	Range 35E	BINGHAM County
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Place(s) of use:

Place of Use Legal Description: MUNICIPAL BINGHAM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02S	35E	34		SENW										

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:

AJ5809NP
No. A27-04151

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/26/94
PAGE: 37

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	07/20/1948	MUNICIPAL	01-01 12-31	0.14 CFS	
TOTAL DIVERSION:					0.14 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T02S R35E S34 SENW

BINGHAM County

Place of use Legal Description for: MUNICIPAL

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
02S	35E	34	:																				

POU County: BINGHAM

Non-Irrigation Uses: M/ CULINARY WELL FOR MUNICIPAL AIRPORT AT BLACKFOOT.

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

MICROFILMED
NOV 13 1996

SCANNED
JUL 18 2004

City of Blackfoot

R. SCOTT REESE, MAYOR
REID K. LARSEN, CITY ATTORNEY
AUSTIN L. MOSES, CITY CLERK/TREASURER



DEAN PACKHAM, COUNCILMAN
CINDY CAMPBELL, COUNCILWOMAN
STANLEY D. ARNELL, COUNCILMAN
STEVEN BARTON, COUNCILMAN

CITY OFFICES
157 NORTH BROADWAY
PHONE 785-8600

January 16, 1994

To: Dave Carlson
Re: Airport Well

Enclosed are all the materials that we could find on the culinary well at the Blackfoot City Airport.

1. City Council minutes from 1948.
2. A letter of Knowledge from Frank Miles.

We hope this is enough for what you need.

Thank You,

A handwritten signature in blue ink that reads "Frank J. Miles".

Frank J. Miles
Water Superintendant
City of Blackfoot

MICROFILMED
NOV 13 1996

There being no further business it was moved by Councilman Van Atta, seconded by Councilman Noack that the Council now adjourn. Upon roll call the motion carried unanimously and the Council stood adjourned.

ATTEST:

Edgar L. Lipp
City Clerk

Ernest M. Nelson
Mayor

JULY TWENTIETH NINETEEN HUNDRED FORTY-EIGHT

The City Council of the City of Blackfoot, Idaho met in regular session at the City Hall in the said City on the above date at 8 o'clock P.M. The meeting was called to order by Mayor Nelson. Upon roll call the following Councilmen answered present: Councilmen Jeppesen, Noack and Councilman Smith. Absent Councilman Van Atta.

The minutes of July 6, 1948 were read. Councilman Van Atta entered the Council Chambers during the reading of the minutes and took part in the proceedings. It was then moved by Councilman Jeppesen, seconded by Councilman Noack that the minutes be approved as read. Upon roll call the motion carried unanimously.

The Mack Mader matter was continued in Mayor Nelson and H. William Furchner, City Attorney's hands.

Councilman Smith, Chairman of the Finance Committee, reported that Mr. Bowen, City Auditor requested an audit on insurance and that Mr. Parkinson of Kennedy & Company had made the audit and reported on the same. After discussion it was moved by Councilman Noack, seconded by Councilman Van Atta that blanket insurance be purchased. Upon roll call the motion carried unanimously.

Leon J. Chapman, City Treasurer, read his report for the month of June showing a balance of \$62,865.41 in the treasury. Joint reports of the Chief of Police and Police Judge were read. The above reports were ordered filed.

The American Legion made application for 1948 Beer License. It was moved by Councilman Van Atta, seconded by Councilman Smith that the application be granted and license issued. Upon roll call the motion carried unanimously.

Lester Binkley made application for a liquor license. It was then moved by Councilman Van Atta, seconded by Councilman Smith that the application be granted and license issued providing the State of Idaho issue a license. Upon roll call the motion carried unanimously.

Lester Binkley made application for a transfer of Slot Machine location from North Brady to N. W. Main Street. It was then moved by Councilman Van Atta, seconded by Councilman Jeppesen that the application be granted. Upon roll call the motion carried unanimously.

The following applications for building permits were read: George Obershaw to move a

NOV 13 1996
MICROFILMED

270 feet of steel fence at 255 S. Broadway to cost \$500.00. It was then moved by Councilman Jeppesen, seconded by Councilman Smith that the applications be granted. Motion carried and so ordered.

Councilman Noack reported that the Airport application had been approved, also that Mr. Asler had requested streets opened and graveled in the Kennedy Park Addition.

Willard S. Bowen's audit report for the Fiscal Year May 1, 1947 to April 30, 1948 was presented to the Mayor and Council and continued in their hands for study.

There being no further business, it was moved by Councilman Jeppesen, seconded by Councilman Noack that the Council now adjourn. Upon roll call the motion carried unanimously and the Council stood adjourned.

TEST:

Edgar Cozz
City Clerk

Ernest M. Nelson
Mayor

AUGUST THIRD NINETEEN HUNDRED FORTY-EIGHT

The City Council of the City of Blackfoot, Idaho, met in regular session in the said City the City Hall on the above date at 8 o'clock P.M. The meeting was called to order by Mayor Nelson. Upon roll call the following Councilmen answered present: Councilman Jeppesen, Noack, Smith and Councilman Van Atta.

The minutes of July 20th, 1948 were read. It was then moved by Councilman Noack, seconded by Councilman Jeppesen that the minutes be approved as read. Upon roll call the motion carried unanimously.

The Mack Mader matter was continued in Mayor Nelson's and the City Attorney's hands.

Paul J. Pickett made application for a 1948 beer and slot machine license. It was then moved by Councilman Van Atta, seconded by Councilman Smith that the applications be granted. Licenses issued upon approval of the Chief of Police's O.K. on the slot machine license. Upon roll call the motion carried unanimously.

The following building applications were read: R. A. Robbins to construct a brick house on South University to cost \$9,500.00. Donald K. Kier an addition on Lots 20 & 21, Kennedy Park Addition to cost \$1,000.00. Virgil E. Howard to move a steel trailer North of Court Theatre to be used for a hamburger stand and connect with sewer and City water. F. C. Thornton to move location of cabin, install bathroom and connect with sewer to cost \$550.00. F. C. Schrecongost a brick house and garage on North Shilling to cost \$8,000.00. Nelson to move a frame house 26 W 14 from Moreland to South Broadway, Kennedy Park Addition to cost \$1,000.00. It was then moved by Councilman Noack that the applications be granted. Motion carried unanimously.

January 16, 1995

To: Whom It May Concern
Re: The well at the Blackfoot City Airport

In the early 1950's, while my father was the water Superintendent for the city of Blackfoot, I remember riding with him to the Blackfoot City Airport and there was water there. I also worked part-time for the City. I went to the service for two years, and when I came back in late 1955, I went to work, full-time, for the City of Blackfoot Water Department. Occasionally, we went to the Airport. I remember a well being there.

Sincerely,



Frank J. Miles
Water Superintendent
City of Blackfoot

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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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that CITY OF BLACKFOOT (Airport Office)
(Name of Claimant)
157 N. Broadway, Blackfoot, ID. 83221 Telephone No. 785-0491
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) July 20, 1948

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Claimed:		(Both dates inclusive)	
(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity <u>143 cfs</u>	Use <u>Municipal</u>	Period of Use From <u>Jan 1</u>	To <u>Dec. 31</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

- (4) 143 cfs TOTAL QUANTITY USED.
(cfs. gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34 Twp. 2 S, Rge. 35 E, B.M., County of Bingham
 Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Submersible 5 HP pump in 6" well

- (G) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres _____

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Drainage, use, and Restrooms 241 115

for other than irrigation, fully describe that use, being as specific as possible.
municipal Domestic use and Restrooms 240 11-2-83

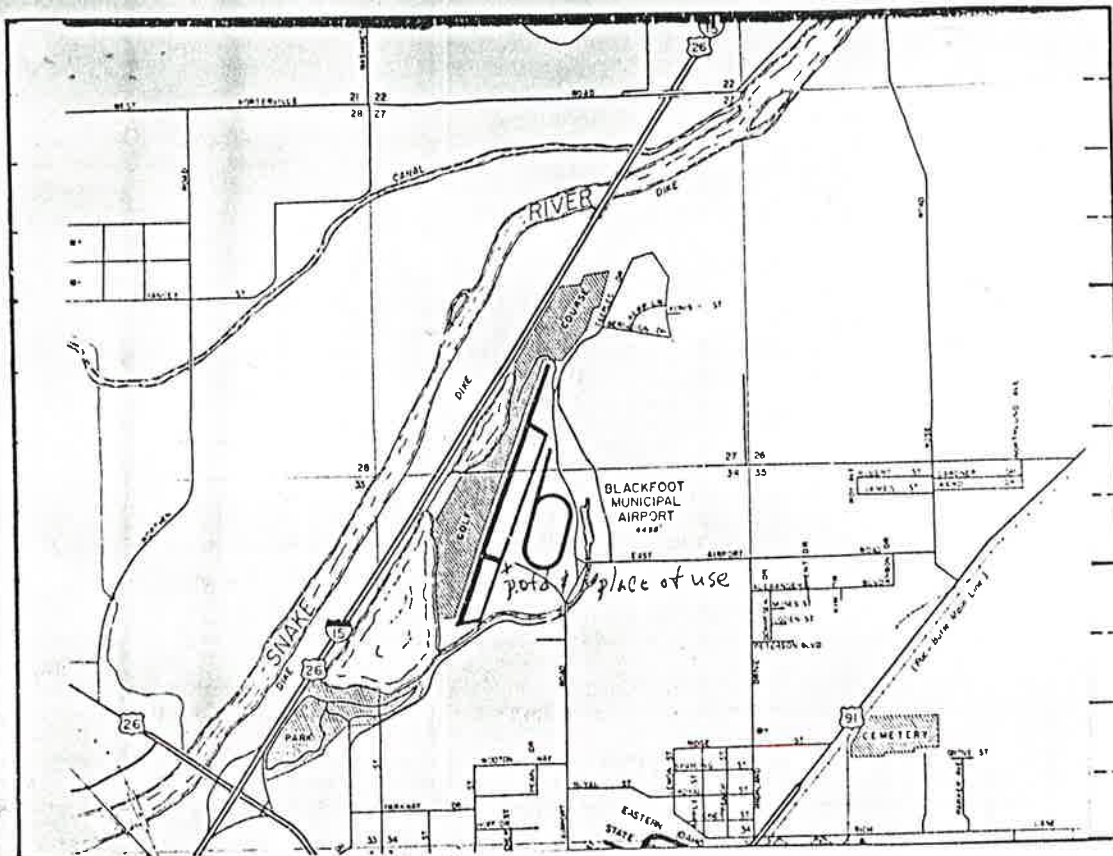
NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:
City of Blackfoot

City of Blackfoot

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(8) Remarks SEE ATTACHED MAP FOR POINT OF DIVERSION AND PLACE OF USE



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 he 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 30th day of May June, 19 83

John A. Chay Water Supt.
(Claimant)
Shawna L. Wren
Notary Public
Residing at Blackfoot

My commission expires life

FOR DEPARTMENT USE ONLY

Received by Chay Date 6-20-83 Exception filed by: _____ Date _____
Prelim. check by Chay Date 11/7/83 Forwarded to claimant by: _____
\$20.00 fee received by Chay Date 6-20-83 _____
Published in Blackfoot News _____
Dates 11/24 & 12/1/83 _____

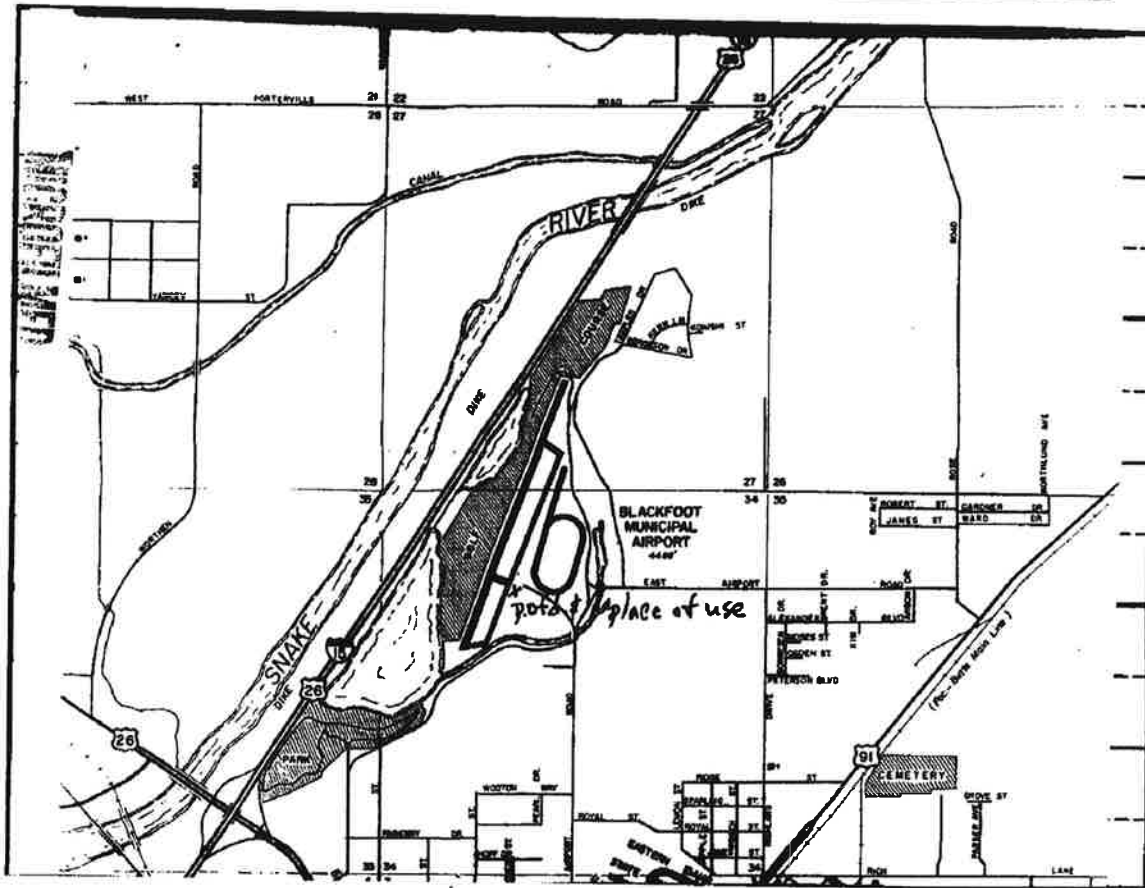
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CLAIM TO A WATER RIGHT

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

City of Blackfoot

(8) Remarks SEE ATTACHED MAP FOR POINT OF DIVERSION AND PLACE OF USE



Scale: 2 inches equal 1 mile.

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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 30th day of May June, 19 83

Jack A. Cherry water right
(Claimant)

Sharon D. Wren
Notary Public

Residing at Blackfoot

My commission expires life

FOR DEPARTMENT USE ONLY

Received by <u>CW</u>	Date <u>6-30-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>Br</u>	Date <u>11/7/83</u>		claimant by:	
\$20.00 fee received by <u>CW</u>	Date <u>6-30-83</u>			
Published in <u>Blackfoot News</u>				
Dates <u>11/24 & 12/1/83</u>				

[illegible]

State of Idaho

County of Bingham

Sworn to before me this 30th day of May June

John A. Chey Water Supt.
(Claimant)
e. 19 83
Shawan D. Wren
Notary Public
Residing at _____
Blackfoot

My commission expires _____ life

Received by OW Date 6-30-83
Prelim. check by OW Date 11/7/83
\$20.00 fee received by OW Date 6-30-83
Published in Blackfoot News
Dates 11/24 & 12/1/83 MS

Exception filed by:

Forwarded to
claimant by:

Date _____

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: A27-04151

Date Received: 3/31/1989

Receipt No: E006680

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 83221 208-785-8600

2. Date of Priority: JUL 20, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	35E	34	SE	NW			BINGHAM

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MUNICIPAL	01/01	12/31	0.143		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
M/ CULINARY WELL FOR MUNICIPAL AIRPORT AT BLACKFOOT.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	35E	34	SE	NW		MUNI	

11. Place of use in counties: BINGHAM

A27-04151

Page 1

Date: 03/31/89

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: 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 Supt. of

Title

City of Blackfoot, that I have signed the foregoing

Organization

document in the space below as Water Supt. of

Title

City of Blackfoot and that the statements contained in the

Organization

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 3 day

of April 19 89

Donovan D. Wren
Notary Public

Seal

Residing at Blackfoot

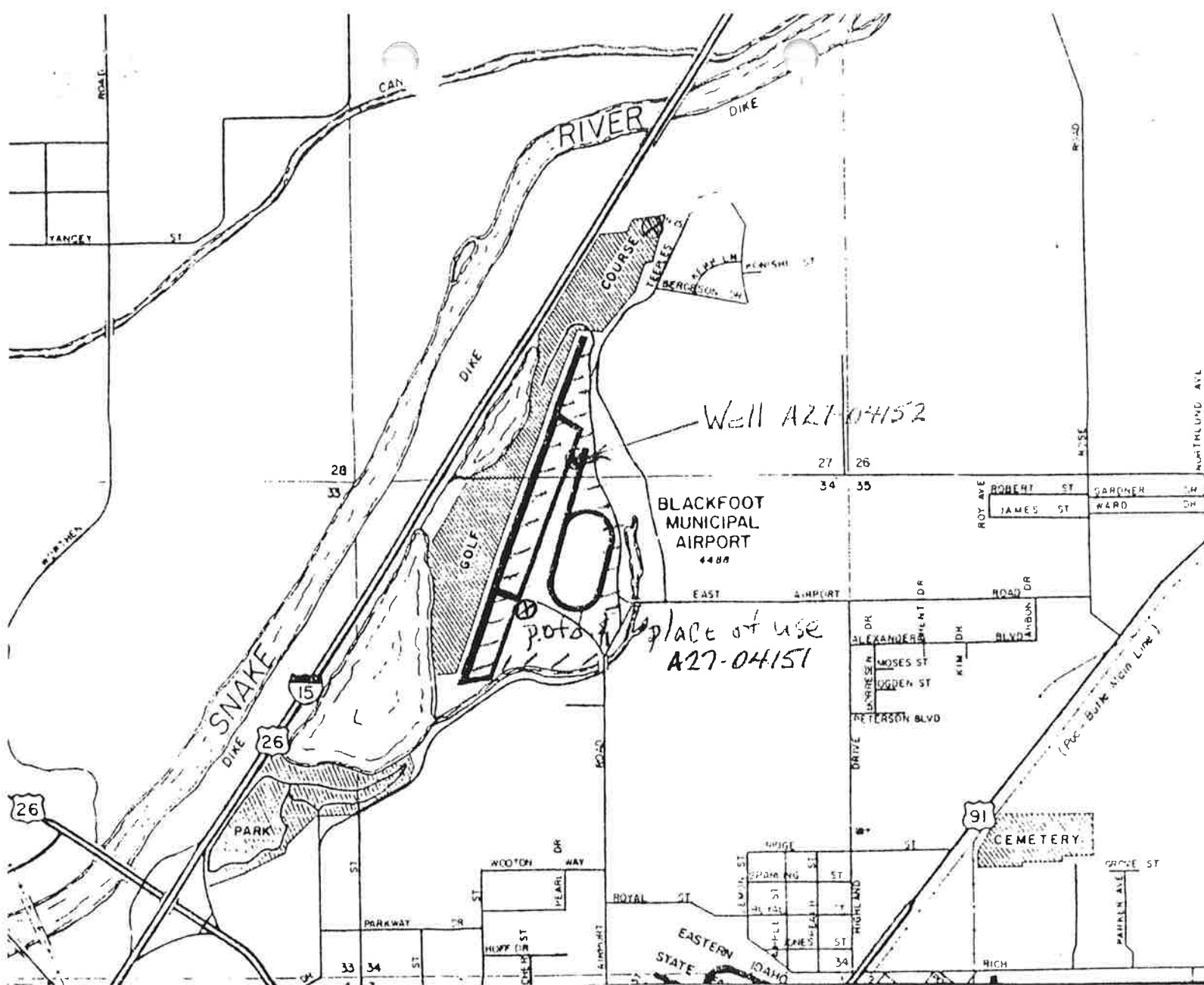
My Commission Expires 4-21-93
Date: 03/31/89

A27-04151

Page

2

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

A27-04151

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NOV 12 1992



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