

05/18/2005

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

RIGHT NUMBER: 27-4165

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.950 CFS
1,411.000 AFY

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

PRIORITY DATE: 04/25/1960

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 SWNWNW 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:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

MUNICIPAL

01/01 12/31

1.950 CFS
1,411.00 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(6), Idaho Code.

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

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

03/23/2005

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

RIGHT NUMBER: 27-4165

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.

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1,411.000 AFY

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PRIORITY DATE: 04/25/1960

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	1.950 CFS 1,411.00 AFY

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.

EXPLANATORY MATERIAL: Beneficial Use

03/23/2005

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

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



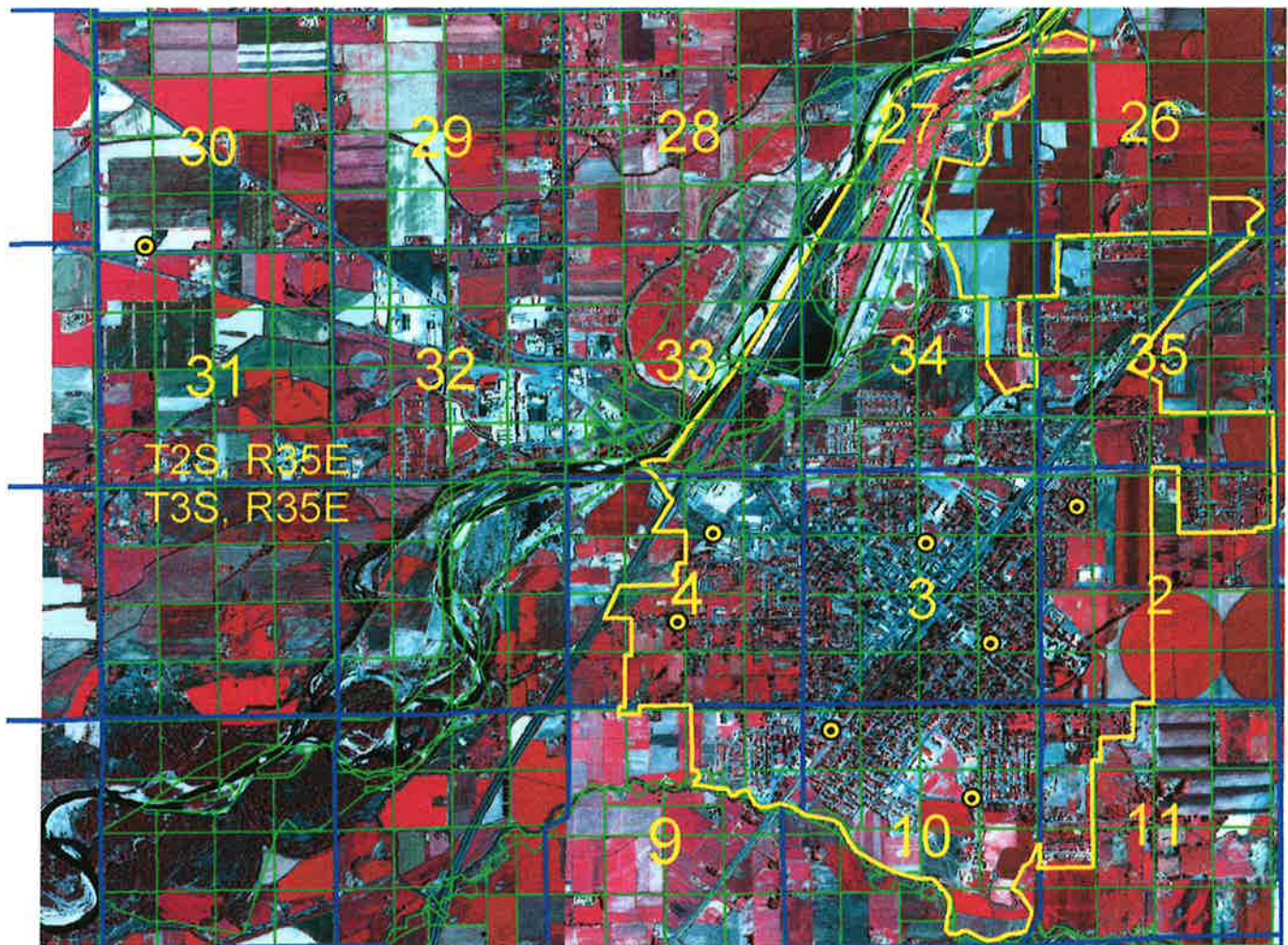
STATE OF IDAHO

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

PROFILED

LEGEND

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

SCANNED

Point(s) of Diversion:

T2S, R35E:

Sec. 30, SWSW, L 4

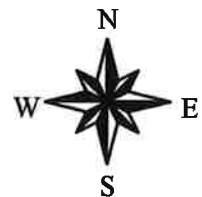
T3S, R35E:

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.

APR 18 2006

09/01/2006

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

RIGHT NUMBER: 27-4165

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.950 CFS
1,411.00 AFY

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

PRIORITY DATE: 04/25/1960

POINT OF

DIVERSION: T02S R35E S30 SESWSW Within BINGHAM County
T03S R35E S2 SENWNW Within BINGHAM County
T03S R35E S3 NWSWNE Within BINGHAM County
T03S R35E S3 SWNESE Within BINGHAM County
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T03S R35E 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	1.950 CFS 1,411.00 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(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 holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

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

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

RIGHT NUMBER: 27-4165

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BLACKFOOT ID 83221

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TRIBUTARY:

QUANTITY: 1.950 CFS
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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 SWSWE Within BINGHAM County
T03S R35E S4 SWSWE Lot 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:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
01/01 12/31

QUANTITY
1.950 CFS
1,411.00 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(6), Idaho Code.

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

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

RECEIVED
MAY 31 2006
DEPARTMENT OF
WATER RESOURCES

In Re SRBA) A. Subcase: 27-04165
)
) (Insert water right number
Case No. 39576) From the Objection Form)
)
)
)
)
)

**STANDARD FOR
RESPONSE TO OBJECTION**

Please print or type the following information:

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

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)

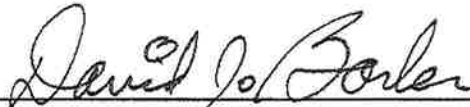
DAVID J. BARBER, Deputy Attorney General, being first duly sworn, upon oath, deposes and says:

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 28th 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 28th day of April, 2006, I caused to be served the original and copies of this response to the following persons by the indicated methods:

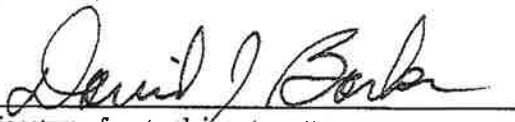
1. Original to: Clerk of the District Court U. S. MAIL
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One copy to the claimant of the water right at the following addresses:

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 27-4165
(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: 4.45 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: 04/25/1960

5. ☒ **Point(s) of Diversion**

Should be:

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

6. ☐ **Instream Flow Description**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: Municipal

8. ☐ **Period of Year**

Should be: 1/1 to 12/31

9. ☒ **Place of Use**

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

11. **I object because:**

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

E. REASONS SUPPORTING OBJECTION(S):

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

The IDWR should not have included an annual volume limitation. This particular volume limitation does not limit the use of the right, because it is quantified based on "24-7-365" use, but its inclusion is contrary to the nature of a municipal water right and tends to be confusing.

Water Right Nos. 27-2142 and 27-4165 are located within the same quarter-quarter, but are different water rights based on different wells. Water Right No. 27-4165 was developed as a beneficial use right on 4-25-1960 (the old Lansing Street Well) and is supported by a statutory claim filed in 1983. That well was subsequently abandoned and replaced by another well (Well #6) in the same quarter-quarter for which licensed right 27-2142 was obtained. However, the water rights were not transferred from one well to another. Rather, both rights are independent municipal water rights held 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.

The City is aware of potential overlap in the claims for water right numbers 27-4165 and 27-11706.

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)

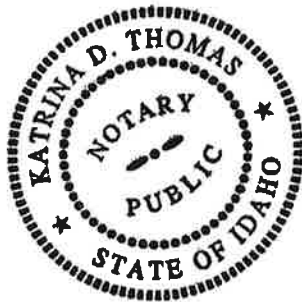
That I am the party/claimant filing this objection as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(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:

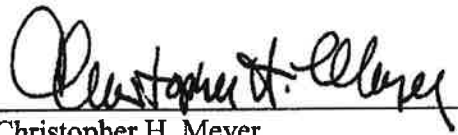
Name: City of Blackfoot
Attention Ron Harwell
Public Works Director
Address: 157 N. Broadway
Blackfoot, ID 83221

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

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.: 27-4165

NOTICE OF APPEARANCE

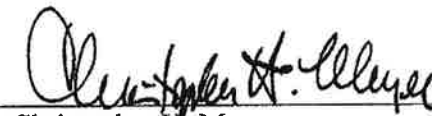
YOU WILL PLEASE take notice that Christopher H. Meyer of the firm Givens Pursley LLP, hereby enters his appearance as attorney of record for claimant City of Blackfoot in the above entitled action.

DATED this 13th day of April 2006.

Respectfully submitted,

GIVENS PURSLEY LLP

By


Christopher H. Meyer

CERTIFICATE OF SERVICE

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

ORIGINAL FILED

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

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

SERVICE

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

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

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

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

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

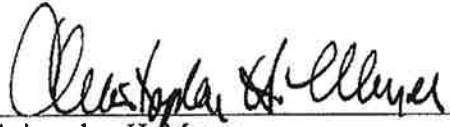
☒ U. S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☐ E-mail

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

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

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

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


Christopher H. Meyer

Notes

Claims A27-04165

1/ See data in File A27-11706,

4/19/05: 27-2142 and 27-4165 are the same well. There is a well log located in the file for this original well with a note on it that it was transferred to center st. 1 block north which is 27-2142. The well log has a 1960 date of it, So, I'm going to do the same thing with these 2 rights. Recommend this right with the 1960 priority date, but with the measured diversion rate measured under 27-2142. Then Disallow 27-2142 because it has a 5 year later priority date. Note in file 27-2142 that it is being recommended as 27-4165.

PROFILER

SCANNED

APR 18 2006

Contacts Data Entry Form

[illegible]

Current Owner See claim.

Name connector: and _____, or _____, and/or _____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: 10/21/03 Time: _____

Directions to Property (If different from above) and/or update owner information:

This image shows a single page of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or printed text on the page.

Reviewer: CB

Date: 1/20/05

Contacts Data Entry Form

Priority Date Data Entry Form

Claim Number: 27-4165

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:

will log.

Reviewer: CBDate: 1/20/05

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. 27-4165

Point of Diversion and Source Data Entry Form

Claim Number: 27-4165

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	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

Other rights from this POD? 27-2142

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

field examNOTE: link all POD's under transfer that are being recommended.removed: NWSE Sec. 4 T3S, R35ETransfers Changing POD 5287 ; 68933Reviewer: CBDate: 1/25/05

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. 27-4165

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 Source as shown on the Permit. Go to 11

Yes () No ()

4. Does the parent right have a Source?

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

Yes () No ()

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

If Yes, recommend the Source as shown in the water right file. Go to 11
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 there evidence that there has been a change in the Source?

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

Yes () No (X)

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

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

Yes () No ()

9. Did the claimant file a transfer?

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

Yes () No ()

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

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

Yes (X) No ()

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

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

Yes () No (X)

Source

Claim No. 27-4165

Purpose of Use Data Entry Form

Claim Number: 27-4165

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:

field exam
license 27-2142

Transfers Changing Purpose of Use NoReviewer: CBDate: 1/20/05

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 (X) No ()

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 - 4165

Place Of Use Data Entry Form

Claim Number: 27-4165☐ Use Claimed POU as Recommended POU

Claimed Place of Use

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

Total Acres 1

Recommended Place of Use

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

Total Acres city of Blackfoot boundary.

Document how the POU was verified:

field exam.Transfers Changing POU NOReviewer: CBDate: 1/20/05

Place Of Use Data Entry Form

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 (X) No (X)

Place of Use

Claim No. 27-4165

Period of Use and Quantity Data Entry Form

Claim Number: 27-4165☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
municipal	7/1	12/31	1.95	1411

Overall Diversion Rate 1.95Overall Diversion Volume 1411

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

license 27-2142.
field exam.Reviewer: CBDate: 6/20/05

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 Period of Use as shown on the Permit. Go to 18
4. Does the parent right have a Period of Use? Yes () No ()
If Yes, go to 5
If No, go to 6
5. Can the claimed Period of Use be verified using the water right file? Yes () No ()
If Yes, go to 14
If No, go to 6
6. Is there evidence that there has been a change in the Period of Use? Yes () No (X)
If Yes, go to 7
If No, go to 12
7. Does the change include an enlargement in the Period of Use? Yes () No ()
If Yes, go to 9
If No, go to 8
8. Can the change be recommended as an accomplished transfer? Yes () No ()
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
9. Was an enlargement claim filed? Yes () No ()
If Yes, go to 12
If No, notify claimant that an enlargement claim is necessary. Go to 10
10. Did the claimant file an enlargement claim? Yes () No ()
If Yes, go to 12
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? Yes () No ()
If Yes, go to 14
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? Yes (X) No ()
If Yes, go to 13
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? Yes () No (X)
If Yes, go to 14
If No, go to 15
14. Is irrigation claimed as a purpose of use? Yes () No ()
If Yes, go to 16
If No, recommend the Period of Use of the parent right. Go to 18
15. Is irrigation claimed as a purpose of use? Yes () No (X)
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
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? Yes () No ()
If Yes, go to 17
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? Yes () No ()
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
18. Is a Period of Use remark and/or condition required? Yes () No (X)
If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.
If No, Period of Use review is complete.

Period of Use

Claim No. 27-4165

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)

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, quantity review is complete.

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 (X) No ()

Quantity

Claim No. 27 - 4165

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 (X) No ()

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 ()

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

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

Yes (X) No ()

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. 27-4165

Claim No.: _____

Summary Data Entry Form

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

C18

124

Gen Cond

Pol

City of Blackfoot

Qty Rem

(Combined limit)

Remark

Well #6

Split or Combined Right Analysis:

No

Attached Field Notes or Other Documents:

Claim No.:

27-4165

Reviewer

CB

Date

1/20/05



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".

This appears to be the
Lawson St. well which is
now used for
Irr. in various blocks

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

[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

04/28/2003

WATER RIGHT NO. 27-4165

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

Priority Date: 04/25/1960

Basis: Statutory Claim

Status: Active Transferred

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
MUNICIPAL	1/01	12/31	4.45 CFS	
Total Diversion			4.45 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.
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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.
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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:

WATER RIGHT NO. 27-4165
As Modified by Transfer No. 68933

In accordance with the approval of Transfer No. 68933, Water Right No. 27-4165 is now described as follows.

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

Priority Date: 04/25/1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	1/01	12/31	4.45 CFS	
			4.45 CFS	

LOCATION OF POINT(S) OF DIVERSION:

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

CONDITIONS OF APPROVAL

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

WATER RIGHT NO. 27-4165
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
NWNE , Sec. 4, Township 03S, Range 35E
NESW , Sec. 4, Township 03S, Range 35E
NWSE , Sec. 4, Township 03S, Range 35E
SWNE , Sec. 10, Township 03S, Range 35E
NWNW , Sec. 10, Township 03S, Range 35E
BINGHAM County

PLACE OF USE: See Remarks **

CONDITIONS OF APPROVAL AND REMARKS

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

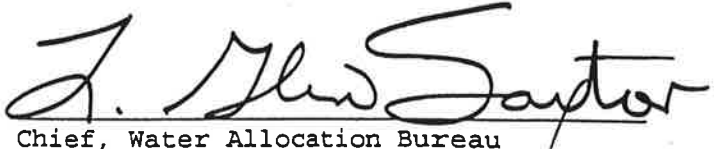
TRANSFER NO. 5787

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

CONDITIONS OF APPROVAL AND REMARKS

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

Dated this 3rd day of October, 2000.


Chief, Water Allocation Bureau



SCANNED

JUL 18 2001

Well # 6
license

MICROFILMED
NOV 13 1996

OCTOBER 26, 1992

CITY OF BLACKFOOT
157 N BROADWAY
BLACKFOOT ID 832

water Right number
A 27-04165

RE: RENUMBERED NOTICE

Dear Sir:

The Department has changed the identification number for Notice of Claim #A35-04251. The new number is #A27-04165. We have also modified receipts #E006681/E006680 to reflect the new number.

A copy of the receipt and the Notice of Claim is enclosed for your records.

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor, Adjudications

EC:sc

Enclosure

MICROFILMED
DEC 09 1996

4/ 4/1989

CITY OF BLACKFOOT

ADJUDICATION FEE (RECEIPT 1 OF 2)

410162

9337

6490

3,883.90

CHECK

3011

\$3,883.90

Water Right Numbers

A27-04151	A27-04152	A27-07384	A27-04153	A27-04154
A01-04007	A27-04084	A27-04086	A27-04087	A27-04088
A27-04106	A27-02142	A27-07329	A27-04165	-

Region: EASTERN

Signature: _____

10/26/92

Renumbered from A35-04251

MICROFILMED

DEC 09 1992

E006680

4/ 4/1989

CITY OF BLACKFOOT

ADJUDICATION FEE (RECEIPT 2 OF 2)

410162

9337

6490

325.00

CHECK

3005

\$325.00

Region: EASTERN

Signature:

Janet Cox
10/26/92

MICROFILMED

DEC 09 1992

17-Jun-1991

CITY OF BLACKFOOT
157 N BROADWAY
BLACKFOOT ID 83221

RE: **Evidence of Priority**
NO. A35-04251

Dear Claimant:

The Notice of Claim identified with the number shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates the water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel. But, the Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date by JULY 15, 1991, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

MICROFILMED
DEC 09 1992

CITY OF BLACKFOOT
A35-04251

page 2

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. Every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Eric Verner
Senior Water Agent

EV:rb

Enc. Brochure on "Evidence of Priority"
Proof Report



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

101-04007
27-02142+
4084+
4086+
4087+
4088+
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4090+
4091+
4092+
4093+
4094+
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4200+

MICROFILMED
DEC 09 1992

Amount 1.95 c/s

THIS IS TO CERTIFY, that, the City of Blackfoot

of Blackfoot, Idaho, has complied with the terms and conditions of Permit

No. 32312/27-2143 Issued pursuant to Application for Permit dated April 12, 1985

and has submitted proof to the Department of Water Administration on February 18, 1970.

that he has applied water to a beneficial use; an examination by the Department indicates that the

works have a capacity of 1.35 cfs and that the water has in fact been applied to a

beneficial use; a right to the use of water from a ground water source

tributary of _____
_____ is hereby conferred and in the following amounts:

Amount 1.95 cfs for minuteman from Jan. 1, 1961 to Dec. 31 (both dates inclusive)

Amount _____ for _____ from _____ (month dates inclusive)

Amount for from to month dates inclusive

Subject, however, to the condition that no more than 1.95 cfs

any one time, and water to be diverted within the

NELSWORTH Sec. 4, Twp. 3 S. Rgo. 35 E. B. M. (well #1)

In the county of Blugiam

right is entitled and confirmed is for the purpose aforesaid and is limited to the amount subject to

actually be beneficially used and shall not exceed

WATERBURY

Description and location of place of use: City of Blackfoot, Idaho

[illegible]

Total number of acres irrigated

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this _____ day of
February 19 72

Director

10

27.01.22

MICROFILMED
DEC 09 1992

Lab. No. 6
Source Blackfoot
Well # 6
(New Well)
Date Sampled SEP 17 1965
Report to Frank Miles
Address City of Bft,
Bft, Ida.
Submitted by HLB
Received by RC
Date Received SEP 21 1965
Date reported SEP 22 1965
SEP 23 1965 L. W. H. Dr. P. P.

STATE OF IDAHO
DEPARTMENT OF HEALTH
LABORATORIES - BOISE

CHEMICAL ANALYSIS OF WATER

pH	7.5		
Total Solids	265	PPM	
Alkalinity Carbonate	0	PPM	
(as CaCO ₃) Bicarbonate	200	PPM	
Hardness (as CaCO ₃)	263	PPM	
Calcium	67	PPM Ca	Fluoride 0.70 PPM F
Magnesium	24	PPM Mg	Chloride 20 PPM Cl
Iron	0.3	PPM Fe	Sulfate 44 PPM SO ₄
Manganese	<0.01	PPM Mn	Nitrate 1.0 PPM (as N)
Aluminum		PPM Al	Phosphate PPM PO ₄
Ammonia		PPM as N	Silica PPM SiO ₂
Sodium		PPM Na	

BERKELEY
PHONE 858-M

PHONE 4032

PUMPS
PHONE 1109-W

FINDLAY'S

Well Drilling - Trench Digging - Pumps & Service
BLACKFOOT, IDAHO

BLACKFOOT CITY PUMP ON LANCING ST.

Pump #40 to now is pump #4
One Deepwell Turbin Consisting of

12 k 5 h -3 Stages Bowl Assembly

Ser no 6008718

5' 10" Type L Suction With Galv,
Strainer

80' 10" x 1 1/16" Standard Column And Shaft

1 Model 8C Discharg Head With 10"
Standard Discharg

1 100 H P 1750 Rpm 440 3Ø 60cy,
vhs GE Motor With non Rererse Ratchet

1 116 Penn Switch

1 100 HP 4Ø0 V 3Ø Pumping panel
W/ 350Amp Fuses W/ Fusetron
W/ 3rd Leg Protection

1 Time Delay Mounted in Panel

1 Phase Failure Relay in Panel

Invoice No 182928 Date Shipped 6/16&20/60

SO, # 202126 202127

Well #6

MICROFILMED

DEC 09 1992

Well Log Form 1
3M-3/63

WELL LOG AND REPORT TO THE STATE RECLAMATION ENGINEER OF IDAHO

SUBMIT WITHIN 30 DAYS AFTER COMPLETION OF WELL: SEE IDAHO STATUTES 42-238

Permit No. _____ Well No. 6 County Bingham
Owner Blackfoot City Water Well
Address Blackfoot, Idaho
Driller Cushman and Johnson Drilling Center
Address 215 So. Birch St.
Well location Center Street 1/4 Sec. _____, T. _____ N/S, R. _____ E/W
Size of drilled hole 18 inch
Total depth of well 293

Locate well in section

NW 1/4	NE 1/4
Sec. _____	
SW 1/4	SE 1/4

Give depth to standing water from the ground 667 Water temp. 60 °Fahr.
Test delivery was 1400 g.p.m. or _____ s.f.s. Drawdown was 35' to 90' feet. Pump? _____ Bail? _____
Size of pump and motor used to make test 12 inch Bowl, 10 inch Celm
Length of time of test 1 1/2 hours _____ minutes.
If flowing well, give flow not s.f.s. or _____ g.p.m. and of shut off pressure _____
If flowing well, described control works not
Water will be used for Blackfoot City use (TYPE AND SIZE OF VALVE, ETC.)
Thickness of casing 5/16 Casing material Steel Weight of casing per lineal foot 60
Diameter, length and location of casing 18", 50' 5 1/2" top down, 16", 292' 4 1/4" top down, 12", 370' top down. (STEEL, CONCRETE, WOOD, ETC.)
(CASING 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER; CASING OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER)

CASING RECORD

Diam. Casing	From Foot	To Foot	Length	Remarks—seals, grouting, etc.
18"	0	to	50' 5 1/2"	
16"	6	to	292' 4 1/4"	
12"	227	to	370' 1 1/4"	

Number and size of perforations none located _____ feet to _____ feet from ground

Date of commencement of well April 18, 1964 Date of completion of well Sept. 16, 1964

Well Owner City of Blackfoot

Well Location Lansing Street

[illegible]

WELL LOG

From Foot	To Foot	Type of Material	Water-bearing Formation Ann. Test No.	Casing Perforated Ann. Test No.
0	21	Clay and gravel		
21	38	Gravel, little sand		
38	46	Clay, Gravel		
46	49	Gravel, clay and sand		
49	50	Grey lava		
50	54	Soft lava		
54	60	Hard lava		
60	65	Soft lava		
65	68	Cinders, very little water.		
68	173	Soft and hard lava (small water)		
173	177	Loose rock		
177	181	Clay		
181	207	Lava		
207	220	Black cinder rock and sandstone		
220	280	Sticky blue clay rock and clay		
280	364	Shale and clay		
364	382	Soft lava, loose rocks		
If more space is required use Sheet No. 2				

WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is complete, true and correct to the best of my knowledge and belief.

Signed Cush and Johnson Driller contra.

By _____

Dated 1961 10, 11 65, 19____

License No. 16

Well Driller's Helper _____

WELL LOG AND REPORT OF THE STATE RECLAMATION ENGINEER OF IDAHO

Permit No. _____ Well No. 6 County Bingham
 Owner City of Blackfoot
 Address McAdams - Lansing
 Driller Baldwin & Threlkeld
 Address 210 N. Pioneer Blackfoot

Locate well in section

NW 1/4	NE 1/4
SW 1/4	SE 1/4

Well location _____ 1/4 _____ 1/4 Sec. _____, T. _____ N/S, R. _____ E/W
 Size of drilled hole 18"
 Total depth of well 160'

Give depth to standing water from the ground 59' Water temp. _____ °Fahr.
 On "Pumping Test" delivery was _____ g.p.m. or _____ c.f.s. Drawdown was 4 feet.

Size of pump and motor used to make test _____

Length of time of test _____ hours _____ minutes.

If flowing well, give flow _____ c.f.s. or _____ g.p.m. and of shut off pressure _____

If flowing well, described control works _____

(TYPE AND SIZE OF VALVE, ETC.)

Water will be used for _____ Weight of casing per lineal foot 59 21-

Thickness of casing 5 1/4" Casing material steel
 (STEEL, CONCRETE, WOOD, ETC.)

Diameter, length and location of casing _____

(CASING 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER;
CASING OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER)

CASING RECORD

Diam. Casing	From Feet	To Feet	Length	Remarks—seals, grouting, etc.
18"	0	54	54'	None

Number and size of perforations None located _____ feet to _____ feet from ground

Date of commencement of well _____ Date of completion of well 5/16/60

WELL LOG

If more space is required use Sheet No. 2

WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is true and correct to the best of my knowledge and belief.

Signed _____

By _____

Dated _____ 19__

License No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

27-04165

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 (Lansing Street)
(Name of Claimant)
157 N. Broadway, Blackfoot, Idaho 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) April 25, 1960

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

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	4.45cfs	Use	municipal	Period of Use From Jan 1	To Dec. 31
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) 4.45 cfs. TOTAL QUANTITY USED.
(cfs, gpd, AFA)
- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 SE 1/4, Sec. 4 Twp. 2 So. Rge. 35 E.B.M., County of Bingham
Additional points of diversion:

8) 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. 18" well, Deep well pump and electric motor

- (6) 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]

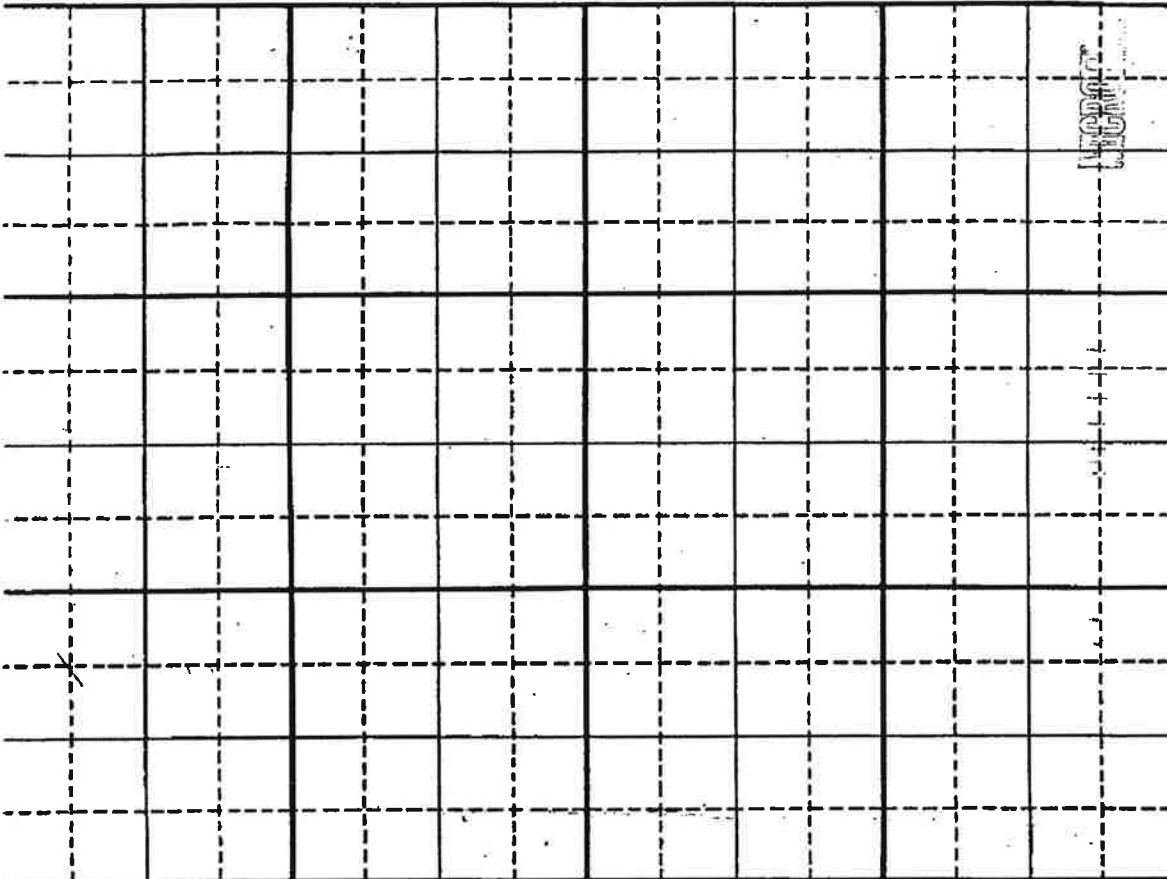
No. of acres

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: municipal water

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

(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 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.

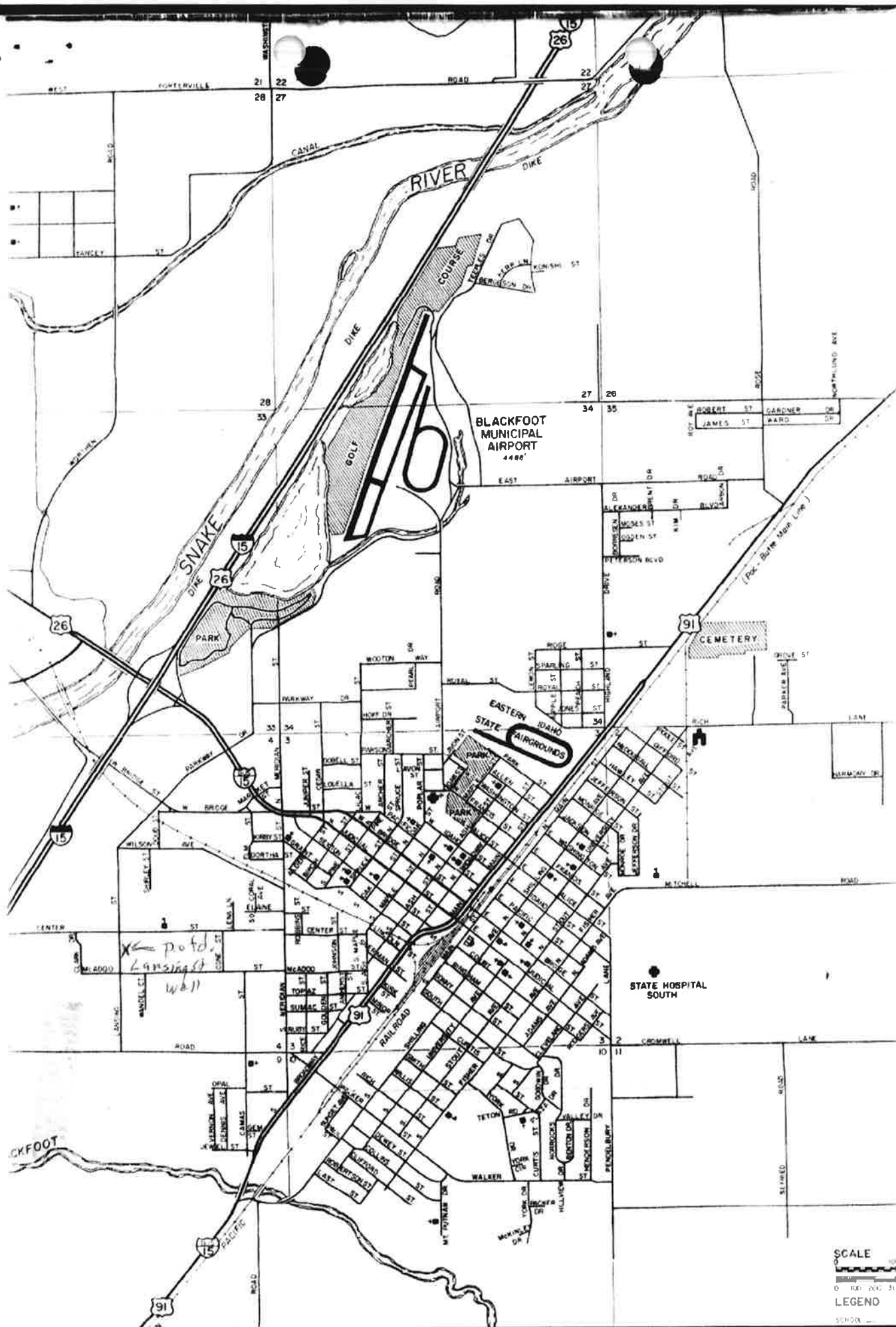
Sworn to before me this 30TH day of May June, 19 83

Julius Owen Winter
(Claimant)
Sharon D. Wren
Notary Public
Residing at Blackfoot

My commission expires life

FOR DEPARTMENT USE ONLY

Received by CW Date 6-30-83 Exception filed by: _____ Date _____
Prelim. check by CW Date 11/7/83 Forwarded to claimant by: _____
\$20.00 fee received by CW Date 6-30-83 _____
Published in Blackfoot News #25225 _____
Dates 11/24 & 12/1/83 _____



SCALE
0 100 200 300
LEGEND
SCHOOL

MEMORANDUM

TO: FILE 27-04165

FROM: PAM SKAGGS/*PS* STATE OFFICE

SUBJECT: RIGHT RENUMBERED

DATE: October 2, 2000

This right was originally numbered 35-04251. Review of this right found that the diversion actually is located within Basin 27. Right 35-04251 has been **renumbered to 27-04165.**

MICROFILMED

OCT 23 2000

35-4251

CITY OF BLACKFOOT

157 N. BROADWAY, BLACKFOOT, ID 83221

Source: GROUNDWATER

Priority Date: 04/25/1960

Diversion Pt: NWSE Sec 04 T 02S R 35E

Use: MUNICIPAL (4.45 CFS)

Place of Use is within the city limits of Blackfoot

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: **A27-04165**

Date Received: 4/ 4/1989

Receipt No: E006680

Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CITY OF BLACKFOOT 208-785-8600
Address: 157 N BROADWAY
BLACKFOOT ID 83221

2. Date of Priority: APR 25, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
03S	35E	4	NE SW		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	4.450		

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

8. Total consumptive use is Acre Feet Per Annum.

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

10. Place of Use:

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

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

13. Other Water Rights Used:

27-04106/04084/04086/04087/04088/07329

14. Remarks:

PLACE OF USE IS WITHIN CITY LIMITS OF BLACKFOOT, IDAHO
WELL #6.

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: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Frank Miles Date: 2-11-97
Blackfoot City Water Sup. Date: 2-11-97

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

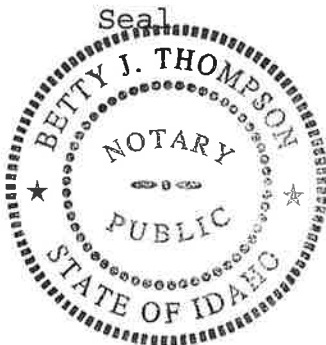
Title and Organization

Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of February 19 97

Betty J. Thompson
Notary Public



Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
My Commission Expires MT COMMISSION EXPIRES: 7-05-2000

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

Renumbered: A27-04165
Ident. Number: ~~A35-04251~~
Date Received: 3/31/1989 10/26/92
Receipt No: E006681 / E006680
Received By: EAC

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: APR 25, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

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Purpose	From	To	C.F.S.	(or)	A.F.A.
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Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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12. Do you own the property listed above as place of use? YES

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Date: 03/31/89

MICROFILMED
DEC 09 1992

13. Other Water Rights Used:

27-04106/04084/04086/04087/04088/07329

14. Remarks:

PLACE OF USE IS WITHIN CITY LIMITS OF BLACKFOOT, IDAHO
WELL #6.

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
City of Blackfoot organization
document in the space below as Water Supt. of
City of Blackfoot Title
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 3 day
of April 19 89

Donovan D. Wren
Notary Public

Seal

Residing at Blackfoot

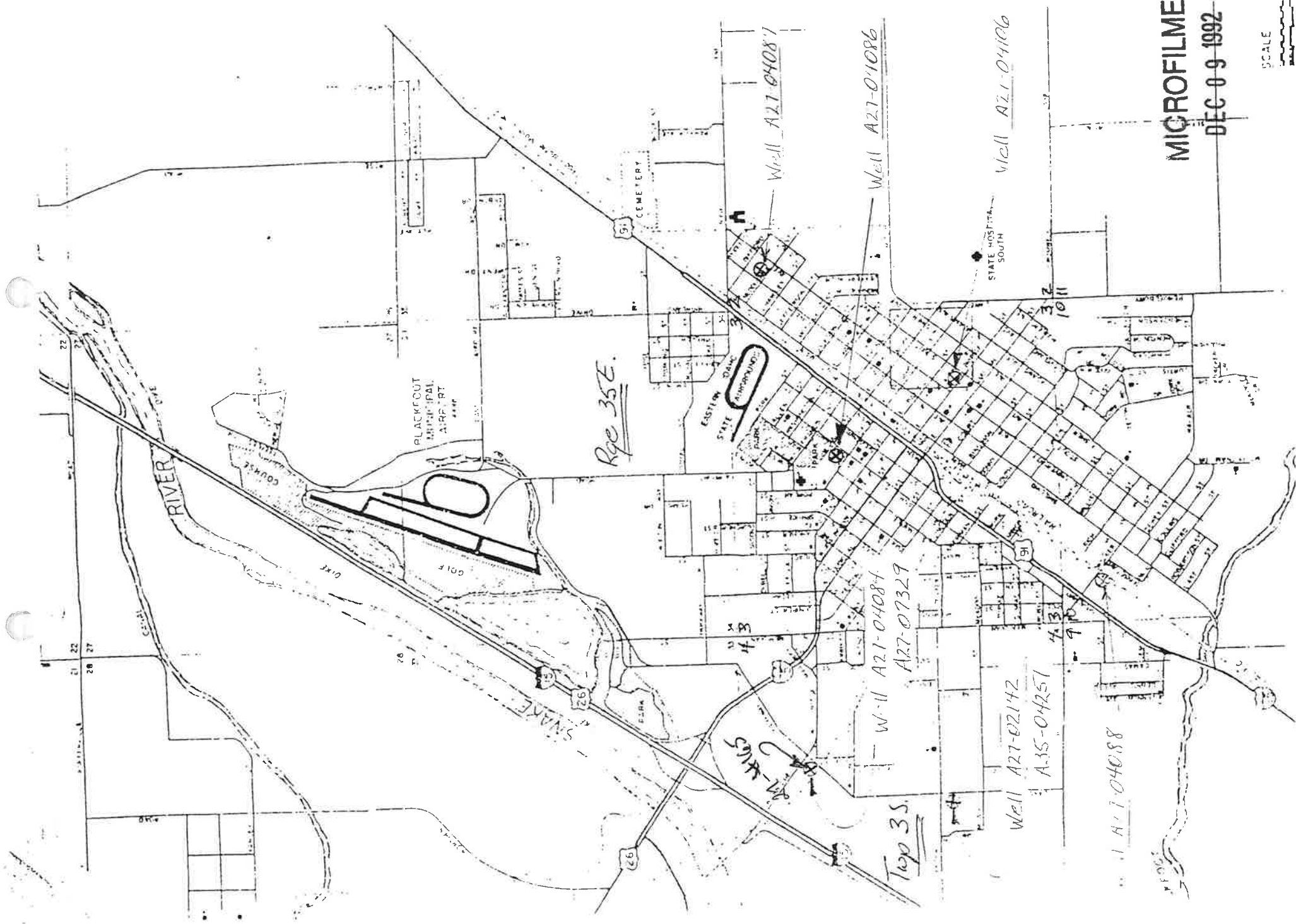
A35-04251

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

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DEC 09 1992



MICROFILMED

DEC 09 1992

SCALE

AJ5809NP
No. A27-04165

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/04/95
PAGE: 1

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	04/25/1960	MUNICIPAL	01-01 12-31	4.45 CFS	
TOTAL DIVERSION:					4.45 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T02S R35E S04

NWSE

BINGHAM County

POU County:

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

Other Rights: 27-04106/04084/04086/04087/04088/07329

Remarks: PLACE OF USE IS WITHIN CITY LIMITS OF BLACKFOOT, IDAHO
WELL #6.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

MICROFILMED
NOV 13 1996