

01/21/2003

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

RIGHT NUMBER: 29-2262

NAME AND ADDRESS: FALLS IRRIGATION DIST
310 VALDEZ ST
AMERICAN FALLS ID 83211

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.000 CFS
616.000 AFY

PRIORITY DATE: 01/24/1946

POINT OF DIVERSION:

T07S R31E S1 SWNENW Lot 3 Within POWER County

POINT OF DIVERSION IS LOCATED IN CENTER OF T07S, R31E, S01, NW 1/4.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
2.000 CFS
616.00 AFY

PLACE OF USE:

IRRIGATION Within POWER County

T07S R31E S01 Lot 3 NENW	40.0	T07S R31E S01 Lot 4 NWNW	38.0
T07S R31E S01 SWNW	38.0	T07S R31E S01 SENW	38.0

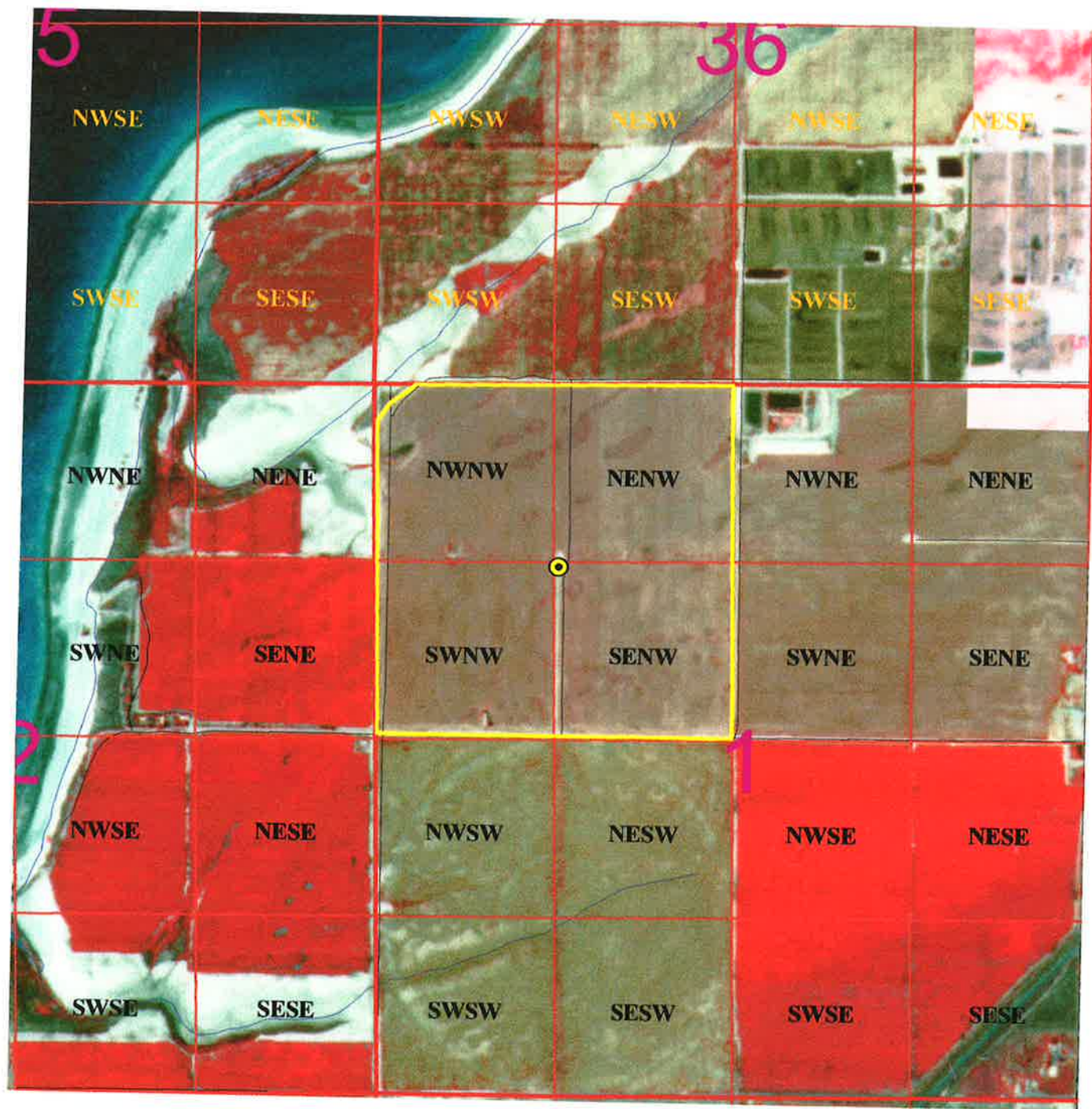
154 ACRES TOTAL

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.

EXPLANATORY MATERIAL: License

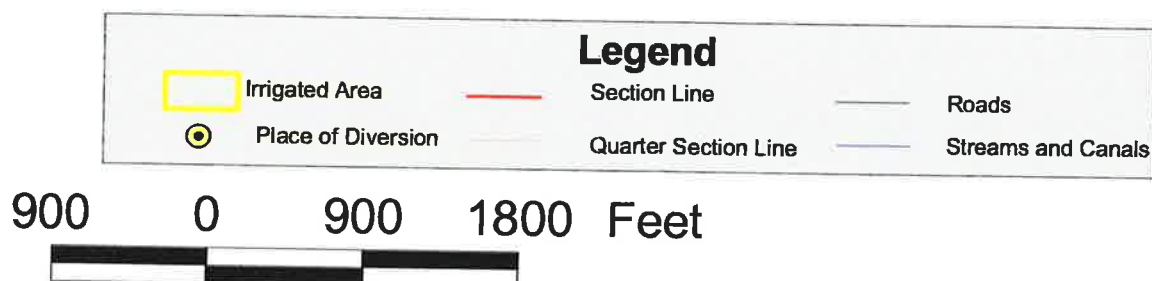
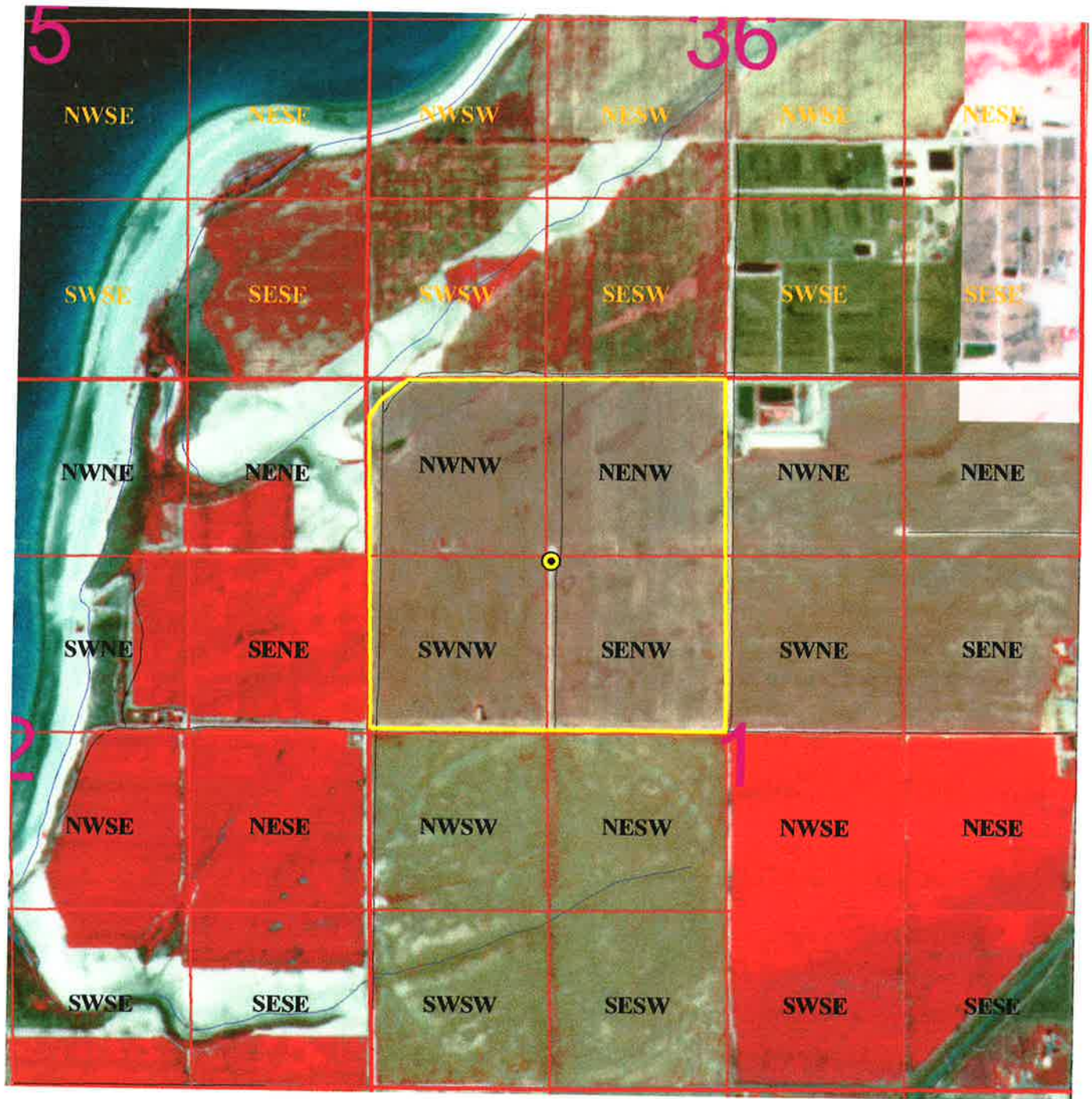
Townships , 6S31E, 7S31E



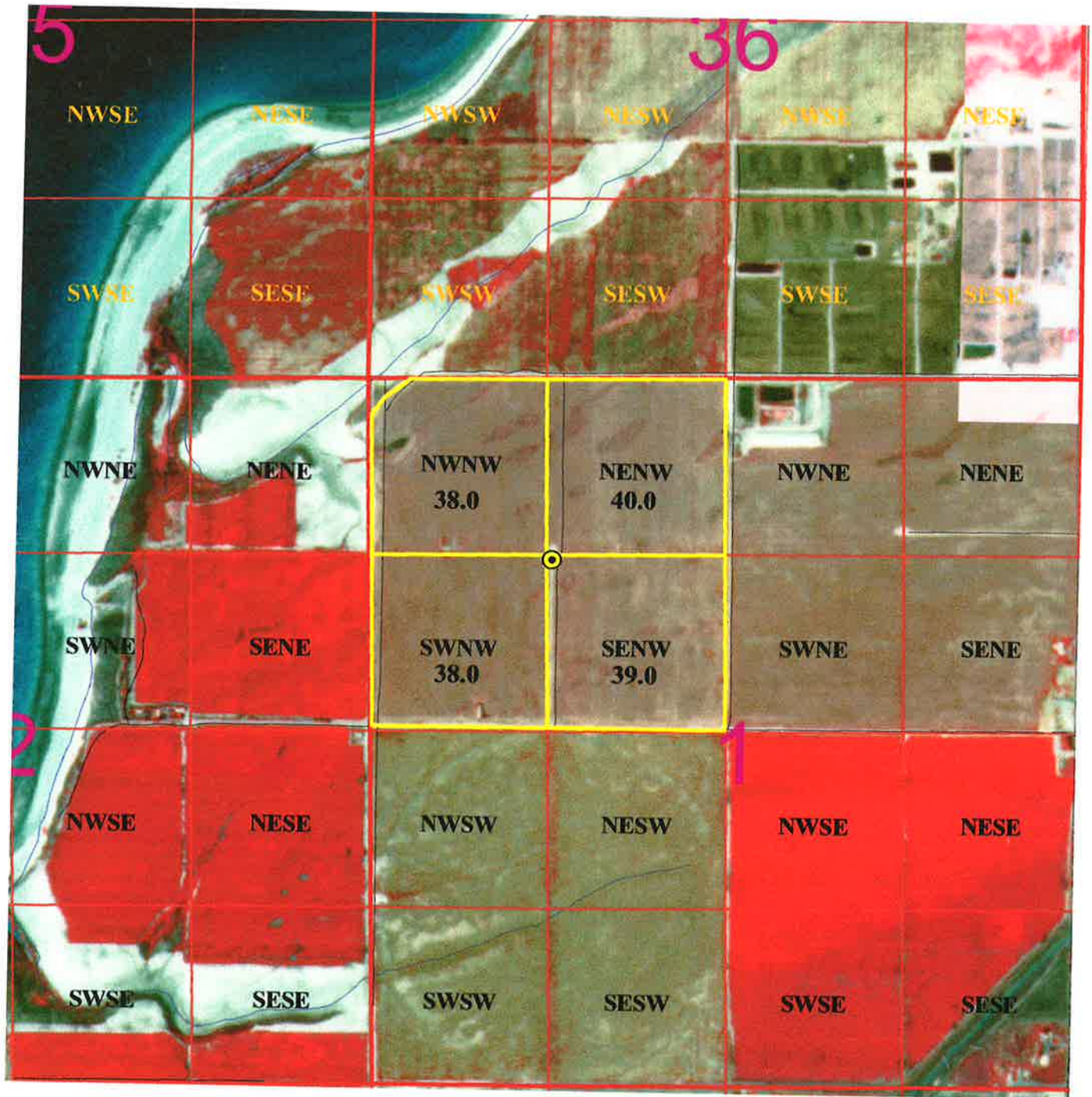
900 0 900 1800 Feet



Townships , 6S31E, 7S31E



Townships , 6S31E, 7S31E



900 0 900 1800 Feet



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2262 V1

WATER RIGHT NUMBER: 29-2262 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CW COON
Attorney	ABERDEEN, ID 83210 LING & ROBINSON C/O ROGER D LING PO BOX 396 RUPERT, ID 83350-0396 (208)436-4717
Original Owner	US DEPT OF INTERIOR BUREAU OF RECLAMATION 1150 N CURTIS RD STE 100 BOISE, ID 83706-5155 (208)378-5085
Present Owner	FALLS IRRIGATION DISTRICT 310 VALDEZ ST AMERICAN FALLS, ID 83211 (208)226-5227
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH REGIONAL DIRECTOR PN REGION BUREAU OF RECLAMATION 1150 N CURTIS RD SUITE 100 BOISE, ID 83706-1234 (208)378-5322

Priority Date: 01/24/1946

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	2.000 CFS	616.00 AF
	<u>Total Diversion:</u>	2.000 CFS	616.00 AF

Location of Point(s) of Diversion

GROUND WATER	L3 (SW1/4NE1/4NW1/4)	Sec. 1,	Twp 07S,	Rge 31E, B.M.
POWER County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	31E	35													X		X	X	
06S	31E	36	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	
							L1		L2										

Adjudication Recommendation Report 29-2262 V1

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2262 V1

07S 31E 28	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07S 31E 29	X	X	X	X	X			X	X	X	X	X	X	X	X	X
07S 31E 30												X L3			X L4	
07S 31E 31	X L1			X L2							X	X	X L3	X	X	
07S 31E 32	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07S 31E 33	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07S 31E 34	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07S 31E 35	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07S 31E 36					X	X			X	X						
07S 32E 5	X L7	X L4	X L3		X L5	X L6		X	X	X	X	X		X L2	X L1	
07S 32E 6	X L1	X L2	X	X	X L3	X L4	X L5	X	X	X L6	X L7	X	X	X	X	X
07S 32E 7	X	X	X	X	X	X L1	X L2	X	X	X L3	X L4	X	X	X	X	X
07S 32E 8		X L1	X L2		X	X	X	X	X	X	X	X		X L3	X L4	
07S 32E 17		X L1	X L2		X	X	X	X	X	X	X	X				
07S 32E 18	X	X	X	X	X	X L1	X L2	X	X	X L3	X L4	X	X	X	X	X
07S 32E 19		X	X		X	X L1	X L2	X	X	X L3	X L4	X		X	X	
07S 32E 20						X										
07S 32E 30					X	X L1										
08S 30E 1												X	X L2	X L3	X	
08S 30E 10																
08S 30E 11								X L3	X L4	X	X	X L1	X L2	X	X	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2262 V1

08S 30E 12	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
					L1		L2									
08S 30E 13	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
08S 30E 14	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
08S 30E 15	X		X	X					X			X	X	X	X	X
	L1		L2						L3			L4				
08S 30E 21														X	X	X
														L2	L1	
08S 30E 22	X	X	X	X					X		X	X	X	X	X	X
									L3		L4					
08S 30E 23	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
08S 30E 24	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
08S 30E 25	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
08S 30E 26	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
08S 30E 27	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
08S 30E 28	X	X	X	X					X	X	X	X	X	X	X	X
									L3		L4					
08S 30E 34		X		X	X								X			
08S 30E 35	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
08S 30E 36	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
08S 31E 2	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	L1	L2			L3	L4										
08S 31E 3	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	L1	L2			L3	L4										
08S 31E 4	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	L1	L2			L3	L4										
08S 31E 5	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	L1	L2			L3	L4										
08S 31E 6	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	L1	L2			L3	L4	L5			L6	L7					
08S 31E 7	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
					L1	L2			L3	L4						

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2262 V1

08S 31E 8	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
08S 31E 9	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
08S 31E 10		X			X	X	X			X	X						
08S 31E 16	X	X															
08S 31E 17	X	X			X	X	X	X	X	X	X	X			X		
08S 31E 18	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
08S 31E 19						X	X			X	X						
08S 31E 30										X	X						
08S 31E 31							X			X							
09S 30E 1	X	X			X	X											
09S 30E 2	X	X			X												

Total Acres: 12621

Conditions of Approval:

- 127 Place of use is within the boundary of Falls Irrigation District pursuant to Section 43-323, Idaho Code.
- C18 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.

Remarks:

- Name/Address** The beneficial use of the water represented hereby is for the landowners within the Falls Irrigation District pursuant to Contract No. 14-06-100-851, dated December 9, 1955 (as may be supplemented or amended) between the United States of America through the U.S. Bureau of Reclamation and the Falls Irrigation District for irrigation and other permitted purposes as authorized by the Act of August 31, 1954, Ch. 1159, 68 Stat. 1026, of the Michaud Flats Project.
- Place of Use - Irrigation** This right is limited to the irrigation of 153.9 acres within the place of use described above.
- Place of Use - Irrigation** The rights listed below are limited to the irrigation of a combined total of 12,621 acres in a single irrigation season. Combined right nos. 01-13, 01-2061, 01-2064, 01-2068, 01-4051, 29-2262, 29-2267, 29-2288, 29-2306, 29-2307, 29-2310, 29-2341, 29-2380, 29-2568, 29-2614, 29-10044, 29-11167, 29-11168, 29-11169, 29-11170, 29-13388, 29-13389, 29-13426, 29-13427.
- Point of Diversion** Point of diversion is located in the center of T07S, R31E, S01, NW 1/4.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2262 V1

Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	6/18/2002 3:34:54 PM	pmeyer			Active
Source	6/18/2002 3:46:04 PM	pmeyer			Active
POU	6/18/2002 4:11:29 PM	pmeyer			Active
Use	6/18/2002 4:11:46 PM	pmeyer			Active
Season	6/18/2002 4:24:21 PM	pmeyer			Active
Quantity	6/18/2002 4:27:31 PM	pmeyer			Active
Summary			06/18/2002	pmeyer	Active
Summary			01/21/2003	pmeyer	Active
POU	5/21/2003 12:14:12 PM	dshaff			Active
Summary			05/21/2003	dshaff	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	1/21/2003 7:25:09 PM	pmeyer	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2262 V1

POU	5/21/2003 10:49:41 AM	dshaff	Edited shape boundary
POU	5/21/2003 11:03:31 AM	dshaff	Edited PLS
POU	5/21/2003 12:14:14 PM	dshaff	(Yes) 1. Is the basis of this claim a Decree or License? (No) 2a. Is the POU required? (Yes) 14. Is a POU remark and/or condition required?
Summary	5/21/2003 12:18:39 PM	dshaff	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?
Priority Date	6/18/2002 3:34:55 PM	pmeyer	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	6/18/2002 3:37:35 PM	pmeyer	Edited point location
POD	6/18/2002 3:37:54 PM	pmeyer	Edited PLS
Source	6/18/2002 3:46:05 PM	pmeyer	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	6/18/2002 3:47:01 PM	pmeyer	Edited shape boundary
POU	6/18/2002 3:47:28 PM	pmeyer	Edited PLS
POU	6/18/2002 4:11:29 PM	pmeyer	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (Yes) 14. Is a POU remark and/or condition required?

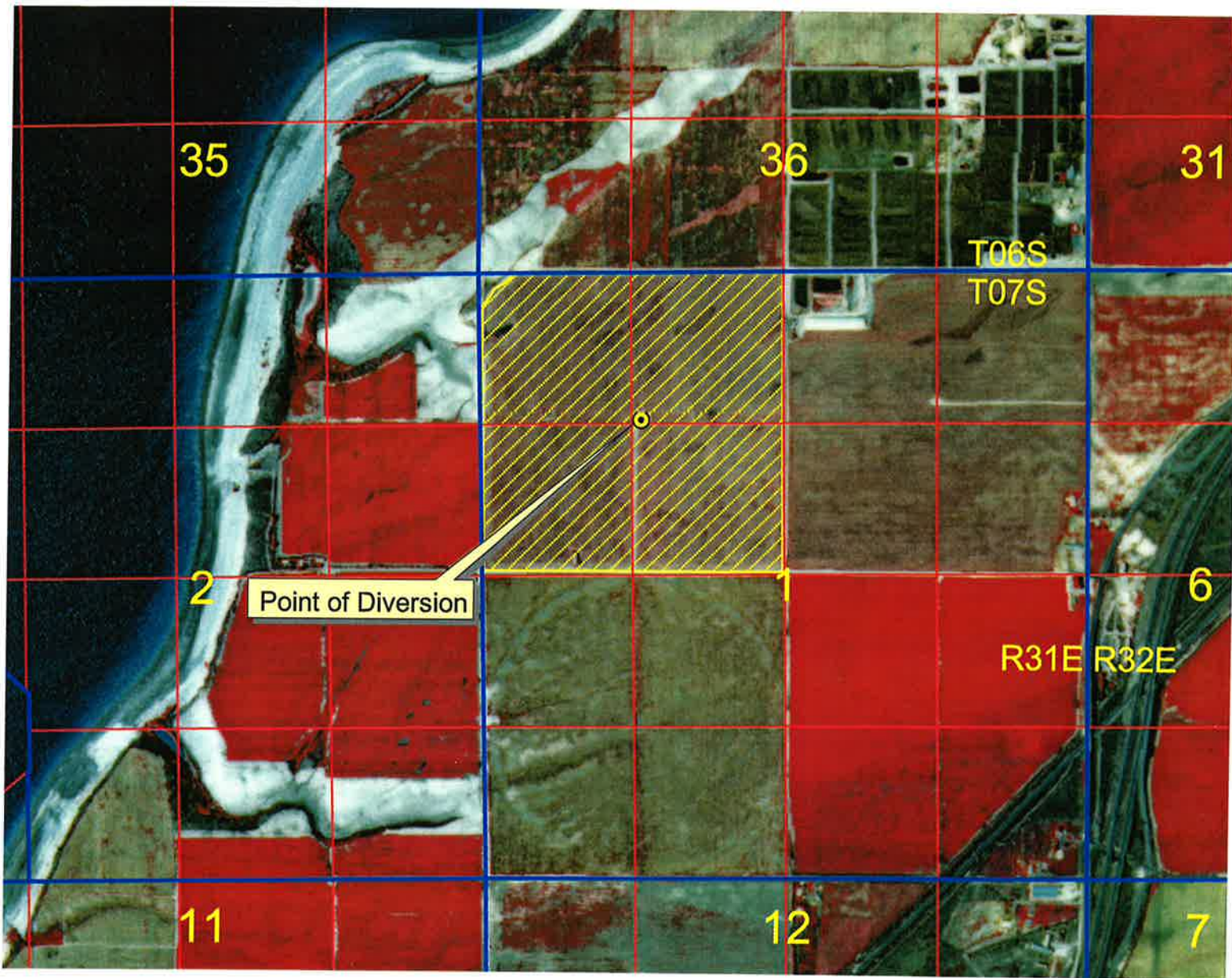
IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2262 V1

Use	6/18/2002 4:11:47 PM	pmeyer	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	6/18/2002 4:24:22 PM	pmeyer	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (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? (No) 18. Is a Period of Use remark and/or condition required?
POD	6/18/2002 4:27:31 PM	pmeyer	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - 154 acres * 4.0 afa = 616.0 afa
Summary	6/18/2002 4:29:00 PM	pmeyer	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?



State of Idaho
Department of Water Resources
Eastern Region
Water Right 29-02262



0.5 0 0.5 1 Miles

1:16000



- Point(s) of Diversion
- ▨ Place of Use
- ▭ Section Lines
- ▭ Quarter Quarter Lines

SCANNED
JAN 12 2006

PROTECTED

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: P. Meyer
Date: January 2003

June 17, 2003

FALLS IRRIGATION DISTRICT
310 VALDEZ ST
AMERICAN FALLS ID 83211

KATHLEEN CARR
US DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR
550 W FORT ST
BOISE ID 83724-0020

RE: Snake River Basin Adjudication (SRBA)
Preliminary Director's Reports – Basin 29
Notices of Claim #29-2262, 29-2288, 29-2267, 29-2306, 29-2307, 29-2310,
29-2341, 29-2380, 29-2568, 29-2614, 29-11167, 29-11168, 29-11169,
29-13388, 29-13389, 29-13426 and 29-13427

Dear Claimants:

The Preliminary Director's Reports for water rights claimed by both BOR and Falls Irrigation District were sent to you under separate cover. Please review these reports and reply before June 30, 2002, to Ernie Carlsen in the Idaho Falls office of IDWR (208/525-7161 or ecarlsen@idwr.state.id.us).

Your prompt reply to Mr. Carlsen will allow the staff to move forward with the task of compiling and publishing the many parts of the Director's Report.

Sincerely,

Donald V. Shaff
Manager
Adjudication Technical Section

DVS:ss:region
cc: Dala Walton, BOR
E. Carlsen, IDWR
R. Ling

PROCESSED

SCANNED
JAN 12 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 23, 2003

✓ Falls Irrigation District
310 Valdez Street
American Falls, Idaho 83211

Kathleen Carr
U.S. Department of Interior
Office of the Solicitor
550 West Fort Street
Boise, Idaho 83724-0020

Re: Snake River Basin Adjudication
Preliminary Report Basin 29
Claims 29-2262, 29-2288, 29-2306, 29-2307, 29-2310, 29-2568, 29-2614

Dear water right claimants,

The U.S. Bureau of Reclamation (BOR) filings appear to claim the same water rights as Falls Irrigation District (Falls). IDWR has begun investigating the BOR claims in relation to the Falls claims. A question has arisen over how each claimant acquired the water rights with a source of ground water and listed below that were formerly developed and held by an individual private party, as evidenced by the water right licenses. The claims filed by neither BOR nor Falls provide any information about what amounts to a chain of title for the water rights.

IDWR plans to re-issue preliminary reports for water rights claims:

	<u>W.R. No.</u>	<u>Diversion Rate (cfs)</u>	<u>License Holder</u>
✓ Well E -	29-2262	2.0	C W Coon
✓ Well G -	29-2288	2.0	Delbert G. Taylor
Well B -	29-2306	2.8	D G Taylor
Well F -	29-2307	2.0	D G Taylor
Well Q -	29-2310	1.6	A William Isaak
✓ Well P -	29-2568	3.1	John P Mehlhaff
(Well 14) Well K -	29-2614	1.52	Paul P Spalding
✓	29-2567	2.75	John L Gaskill
Well C {	29-13426	(split of 29-2567)	
Well 16 {	29-13427	(split of 29-2567)	

RECEIVED

APR 28 2003

FALLS IRRIGATION

The other water rights for which both BOR and Falls have filed claims in Basin 29 that were also listed in my letter dated April 18, 2003, are represented by water right licenses issued to BOR. The holder of the water right license or a successor bears heavily on the name of the claimant represented in the director's report to the Court.

BOR may anticipate filing amendments for one or more of the claims listed above. The substance of my request is not dependent on receiving possible amended claims. I wish you to address how you acquired title to the water rights listed above. Your early reply will allow making a revised preliminary report to you keeping the timeline for a director's report on track. Thank you for your help in this scramble to get a director's report filed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Donald V. Shaff', written over a horizontal line.

Donald V. Shaff
Technical Section Manager

Cc: Roger Ling



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 18, 2003

Falls Irrigation District
310 Valdez Street
American Falls, Idaho 83211

Via FAX

Kathleen Carr
U.S. Department of Interior
Office of the Solicitor
550 West Fort Street
Boise, Idaho 83724-0020

RECEIVED
APR 23 2003
FALLS IRRIGATION

Re: Snake River Basin Adjudication
Preliminary Report Basin 29
Claims 29-2262, 29-2288, 29-2306, 29-2307, 29-2310, 29-2341, 29-2380,
29-2567, 29-2568, 29-2571, 29-10044, 29-10047, 29-2614

Dear water right interests,

Many of the claims filed by the U.S. Bureau of Reclamation (BOR) in 1989 were not considered when IDWR investigated claims in Basin 29. Consequently, the BOR claims were not reported in the preliminary report last month. I wish to thank Ms. Carr and the BOR staff in Burley on April 9, 2003, by assisting IDWR with recovering the BOR claims.

The BOR filings appear to claim the same water rights as Falls Irrigation District (Falls). IDWR has begun investigating the BOR claims in relation to the Falls claims. Judging from talks with BOR staff, I anticipate BOR will amend some of the claims to file on the entire amount of water described in the supporting water right licenses and submit claims for rights that have been split from land use changes after the water right licenses were issued that BOR used for two claims.

Shortly after BOR makes the anticipated amended and additional claims, I plan to issue to each claimant and their counsel revised preliminary reports for the water right claims each entity has filed. If BOR submits claims to IDWR next week, the revised report could be sent by the first of May. IDWR is working diligently to submit a director's report of claims in the basin no later than June of this year.

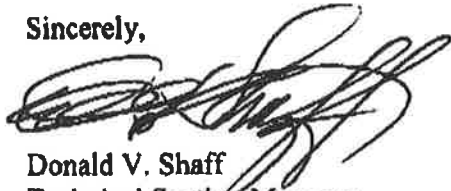
IDWR plans to re-issue preliminary reports for water rights claims:
29-2262 Well E

29-2262
Well E

29-2288	Well G
29-2306	Well B
29-2307	Well F
29-2310	Well Q
29-2341	Well M
29-2380	Several wells (BOR claim)
29-2568	Well P
29-2614	Well K (formerly numbered 35-2302)
29-13388	(split of 29-2571 that was Well H)
29-13389	(split of 29-2571 that was Well H)
29-13426	(split of 29-2567 that was Well C)
29-13427	(split of 29-2567 that was Well C)

I hope this plan meets with your approval. If you have any questions, you may direct them to me. Eastern Region IDWR staff is in charge of investigating the claims in Basin 29, but I stepped into the breach to carry the review of BOR and Falls claims forward. Thank you for your help in this scramble to get a complete director's report.

Sincerely,



Donald V. Shaff
Technical Section Manager

Cc: Roger Ling via FAX

Fax from:

**Falls Irrigation District
310 Valdez St.
American Falls, ID 83211**

DATE SENT:

4-29-03

Fax to:

FOUR

COMPANY NAME:

DEPARTMENT:

ROGER WARNER

FAX #

PHONE #

SENT BY:

Terrell Sommersel

PAGES BEING TRANSMITTED:

5

(Includes cover sheet)

FAX #

1(208)226-2752

PHONE #

1(208)226-5227

REMARKS:



United States Department of the Interior

OFFICE OF THE SOLICITOR
Pacific Northwest Region
Boise Field Office
Federal Building & U.S. Courthouse
MSC 020-550 West Fort Street
Boise, Idaho 83724-0020

RECEIVED

APR 11 2003

Department of Water Resources

April 9, 2003

Via U.S. Mail

Susan Hamlin Nygaard
Deputy Attorney General
State of Idaho
Post Office Box 83720
Boise, ID 83720-0098

David R. Tuthill, Jr. P.E.
Adjudication Bureau Chief
Idaho Department of Water Resources
Post Office Box 83720
Boise, ID 83720-0098

Re: A01-02061, A01-04051, A29-02262, A29-02288, A29-02306,
A29-02307, A29-02310, A29-02341, A29-02567, A29-2568,
A29-02571, A29-10044, A29-10047, A35-02302

Dear Susan and Dave:

This letter is in response to the Director's Notice of Error Report for Basin 29. It has come to our attention that the Bureau of Reclamation's claims for Falls Irrigation District as listed below and as attached were not considered, except for one-- A29-02380. However, these claims were timely filed by the Department of Justice at the same time as the rest of Reclamation's claims that have been reported out (or disallowed) without incident. Further, these claims were lodged by the District Court's deadline for Reclamation of July 7, 1989.

Thus, the Reclamation claims in issue for Falls Irrigation District are:

A01-02061	Pumping Plant	153.00 cfs
A01-04051	Recharge Storage	11,000.00 af
A29-02262	Well E	2.20 cfs

SCANNED

JAN 13 2006

FRONTIER

To Roger
for Paul
To Ernie

4/24/03- TC Don Shoff. He is
sending letter to BOR & Falls Irrig.
District requesting Proof of
Ownership. Also negotiating with
Roger Ling about recommendation.

A29-02288	Well G	2.57 cfs
A29-02306	Well B	2.85 cfs
A29-02307	Well F	2.20 cfs
A29-02310	Well Q	1.25 cfs
A29-02341	Well M	2.61 cfs
[A29-02380	Wells	41.04 cfs]
A29-02567	Well C	2.45 cfs
A29-02568	Well P	3.79 cfs
A29-02571	Well H	2.23 cfs
A29-10044	Well 16	3.57 cfs
A29-10047	Ditchrider's House	0.07 cfs
A35-02302	Well K	1.56 cfs

It is my understanding that the reason for the lack of consideration for these claims is because IDWR's Eastern Office never received the paper copies of the claims from the State Office. This seems odd since, as mentioned, the Notice of Error proposes to recommend A29-02380 for irrigation purposes and it was with these missing claims.¹

Nevertheless, since the claims were timely filed we would like to request that your office correct the Notice of Error for Basin 29 and specifically that portion that deals with Falls Irrigation District and rereport the above referenced claims out (or disallow) with that basin report. Attached for your consideration are the documents that were filed with you and the SRBA Court that support the United States' meeting the July 7, 1989, filing deadline.

If you have any questions, please let Dave Gehlert, our trial attorney with the Department of Justice, or me know. Dave's phone number is 303-312-3752, and mine is 334-1911.

Sincerely,


Kathleen Marion Carr
Attorney

Attachments

cc: David W. Gehlert, Esq.

¹Please note that the Notice of Error also proposes to recommend 29-10045, 29-02614, 29-01046 but these are all domestic claims and were filed later than the above referenced claims. In addition, the Notice of Error did disallow 29-02614A, 29-10044, and 29-10047, but states that these three are recommended out with new numbers and we are unclear at this time what those numbers are and in whose name the rights will be held.

JAN 13 2006

PROFILED

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-2262

FALLS IRRIGATION DIST

310 VALDEZ ST

AMERICAN FALLS ID 83211

Telephone Number: (208)226-5227

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

Increase quantity pumped.

3. Give a brief explanation as to why you disagree with these portions:

Well has always produced more WATER.

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 4/21/03

SIGNATURE:

Terrell Sorensen

Please print your name:

Terrell Sorensen

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROVIDED

SCANNED
JAN 12 2006

RECEIVED

APR 22 2003

Department of Water Resources
Eastern Region

MAY 10 2001

Log for claim A29-02262

Spatial Dynamics AMH

7/10/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s31e	1	NENW	39	40	
07s31e	1	NWNW	38	38	
07s31e	1	SWNW	37	38	
07s31e	1	SEnw	38	39	
Totals:			152	155	

AJ5809NP
No. A29-02262

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/23/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FALLS IRRIGATION DISTRICT 310 VALDEZ ST AMERICAN FALLS ID 83211 (208) 226-5227	01/24/1946	IRRIGATION	04-01 11-01	2.000 CFS	
					TOTAL DIVERSION:	2.000 CFS
					CONSUMPTIVE USE:	461.70 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T07S R31E S01

NWSENW

POWER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07S	31E	1	:																	:	153.9
																				TOTAL ACRES	153.9

POU County: POWER

Non-Irrigation Uses: NONE

Other Rights: 29-02380

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A01-04051

Other Water Rights Listing Overlapping Place(s) of Use:
A29-02380A

Remarks: GEN P/D CENTER OF NW1/4, S1, T7S, R31E.
P/U 153.9 ACRES WITHIN FALLS IRRIGATION DISTRICT
CONSUMPTIVE USE 3.0 ACRE FEET/ACRE
***THIS DIVERSION IS A PART OF THE GENERAL WORKS OF FALLS
IRRIGATION DIST. WHICH PROVIDES WATER TO THE LANDS WITHIN FALLS
IRR. DIST.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Audit: 04/28/89 BOR2 02/24/93 FRAZEE 09/20/93 THOMPSON

State of Idaho

License and Certificate of Water Right

Water License No. 19754

Amount two (2) second feet

Water District No. _____

Priority January 24, 1946

THIS IS TO CERTIFY that C. W. COOK
of American Falls, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 24, 1946; that Permit No. 19754
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
two (2) second feet, was issued thereunder on July 25, 1951, showing that said works
were completed on the 3rd day of July, 1951; and that on the 6th
day of October, 1952,

T. J. VANDERFORD, assignee,
of Aberdeen, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
(subterranean/ flow), tributary of, for the purpose of irrigation and domestic use
under Use Permit No. 19754 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page 5111, on the 4th day of August, 1953;
The right hereby confirmed dates from January 24, 1946;

The Point of Diversion is located in the center of the Northwest Quarter
in the 1/4 1/4 Sec. 1, Tp. 7 S, R. 31 E, B. M. Power County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed two (2) cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 S	31 E	1	NE 1/4 NW 1/4	40	40
			NW 1/4 NW 1/4	20	40
			SW 1/4 NW 1/4	35	40
			SE 1/4 NW 1/4	5	40
			Number of Acres Actually Irrigated- - - - -		

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
4th day of August, 1953.

(SEAL)

SARA R. JELP

State Reclamation Engineer

20 2212

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 19754This proof is for Beneficial use In Water District No. _____1. Name of applicant T. S. Vanderford, Aberdeen, Idaho2. Source of water supply: Well (subterranean flow)3. Location of point of diversion: Is in the Center of NW $\frac{1}{4}$ of Section 1T. 7 S. R. 31 E. County of Power

4. Describe works as they exist, giving dimensions and capacities of same: Well is 296' deep by 18" diameter cased to bottom. Lift is approximately 100'. Aluminum cupboard pump house is 6' x 6' by 7' high, concrete base, 6' by 6'. 75 h.p., U. S. motor, 440 V. 90 amps, 1800 r.p.m., No. 878760. Layne pump No. 23955. Delivery through 8" outlet pipe to the North into a pipe line for sprinkler system. There is 1/4 mile of 8" buried steel pipe and 1/4 mile of buried 6" pipe. Has main line. There are 44 risers on the main. There are five 1/4 mi. lengths of lateral line with 32 sprinklers on each. Rainbird 40 nozzles, 1/8 by 5/32.

5. Water is used for: Irrigation and domestic purposes6. State whether or not water has been turned into works of diversion: Yes

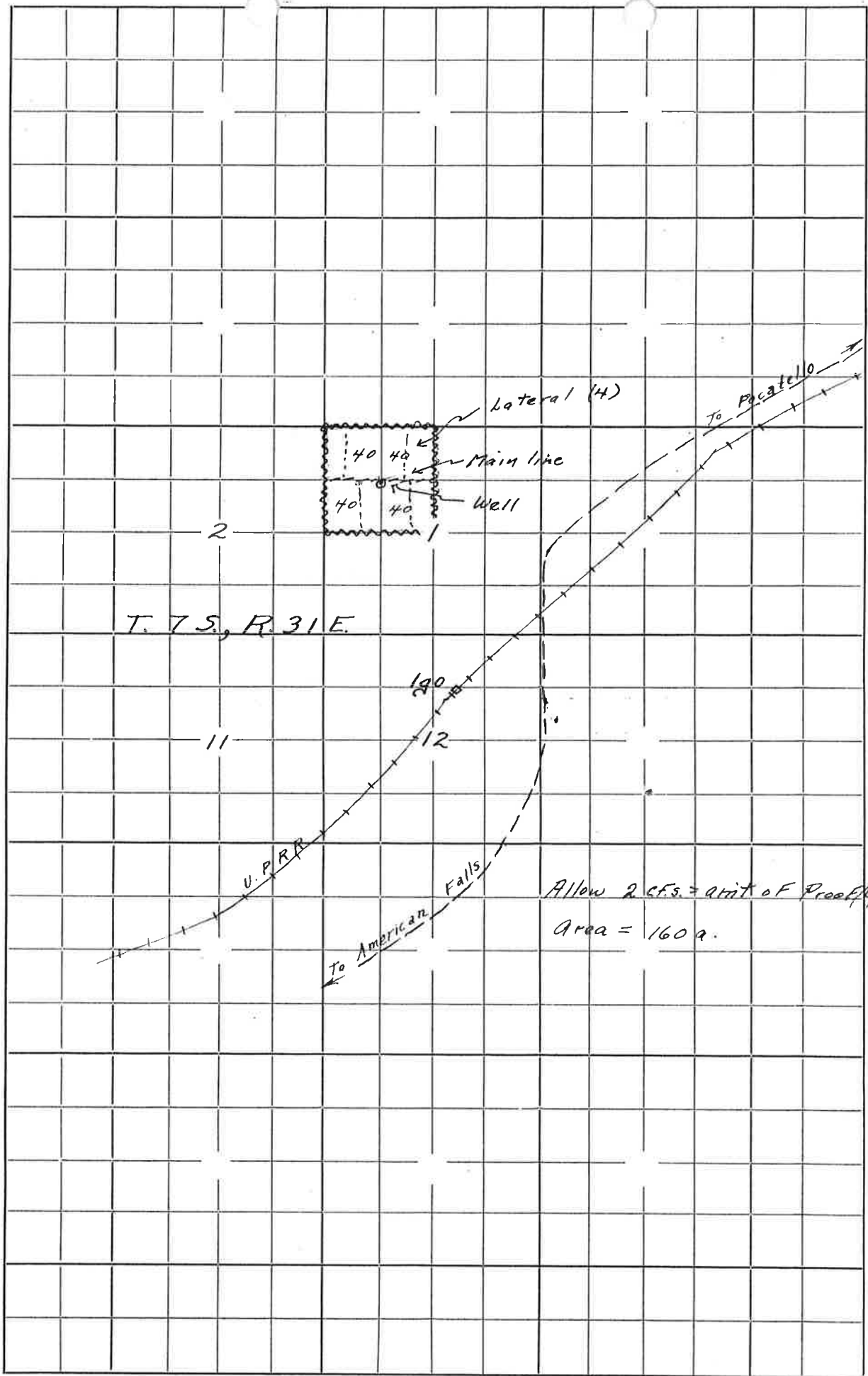
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Northwest Quarter Section 1, Township 7 South, Range 31 East, B. M.See MapSee also Permit No. G-22944 on same well.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: Water was quite carefully checked and Q equals 134 inches. Temp. was 60°F.This examination was made on the 11th day of June, 19 53(Signed) E. N. Humphrey Examiner.19754



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

19754

(Form No. 1)

P. O.

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 24

Permit No. _____

District No. _____

1. Name of applicant: C. W. Coon Jeanette Coon
 Post office address American Falls County Power State Idaho

1. If applicant is a corporation, give:

(a) Date and place of incorporation: _____

(b) Amount of capital stock: \$ _____ (c) Amount paid in: \$ _____

(d) Names and addresses of directors: _____

II. The financial resources of the applicant are: (a) Cash on hand: \$ _____

(b) Treasury stock: _____ (c) Bonds to be issued: _____

(d) Other resources: _____

2. Quantity of water claimed: Two cubic feet per second.3. Source of water supply: Deep well

which is tributary of _____

4. Location of point of diversion: 2000 feet distant from the NW cornerof Section 1 T. 7 R. 31 E B.M., and is in the Center of SW 1/4 of the NW 1/4of Section 1 T. 7 R. 31 E B.M., County of Power5. Water is to be used for: Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: _____ feet distant from _____ corner of Section _____

T. _____ R. _____ B.M., in the _____ of Section _____ T. _____ R. _____ B.M.

(b) Amount of power generated: _____ H.P., under _____ feet head

(c) Water is to be returned to _____ at a point _____ feet

distant from the _____ corner of Section _____ T. _____ R. _____ B.M. in the

_____ of Section _____ T. _____ R. _____ B.M.

7. Estimated cost of works: \$ 20,0008. Kind of works: Sprinkle system & flood irrigation from deep wells
(Reservoir, dam, ditch, flume, pipe, etc.)

9. Height of dam _____ feet; length of dam at top _____ feet; length of dam at bottom _____ feet; material used in dam _____

(If height of dam will exceed 10 feet or will store more than 100 acre feet of water, send to Department of Reclamation for Regulations.)

10. Size of headgate: Width _____ feet; Height _____ feet.

11. Ditch. Width at bottom _____ feet; Width at water line _____ feet; Depth of water _____ feet;

Dimensions of flume _____; Diameter of pipe _____ inches;

Length of conduit _____ miles. Average grade per mile _____ feet.

19754

16. (a) Is reservoir to be used?.....(If so, fill in (b) and (c) below.)

(b) Name of reservoir and number of Storage Permit:

(c) Date of filing of Application for Storage Permit and Name of Applicant.

Remarks:

Bill Coon (Bill) was killed in truck accident last Nov. 11 - 50. These papers have been changed to show present conditions. Additional sprinkling system has been purchased and the well changed over to electricity.

C. J. Coon (Bill) was killed in truck accident last Nov. 11 - 50. These papers have been changed to show present conditions. Additional sprinkling system has been purchased and the well changed over to electricity.

BE IT KNOWN That the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

C. J. Coon *Janette Coon*
Applicant

By Agent

Affidavit of Permission to File on Springs

(Not to be used when spring is situated on lands owned by applicant.)

I, ... of County of State of do hereby certify that I am the owner of the land on which the spring mentioned in the application of is located, to-wit: and that I do hereby grant unto the said permission to file on the said spring as set forth in the foregoing application.

STATE OF IDAHO }
County of } ss.

On this day of 194..... before me, a Notary Public for the State of Idaho, residing at personally appeared known to me to be the person..... whose name..... subscribed to the foregoing certificate, and acknowledged to me that.....he..... executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

Notary Public.

My commission expires

Approval of State Reclamation Engineer

The number of this permit is

Recorded in Book Page Approved

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$..... to be filed before

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before

The whole of said work to be completed on or before

Beneficial use of water appropriated in accordance herewith, to be made on or before

Witness my hand this day of 194.....

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ... Governor of the State of Idaho,

and Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be

herunto affixed, this day of 194.....

Countersigned:

STATE OF IDAHO

By.....
Secretary of State.

By.....
Governor

No.	
PERMIT	
Date of first receipt at office of State Reclamation Engineer	
Returned to applicant for correction	
Corrected application received	
Fees. \$	
FILING FEES FOR USE PERMIT:	
For the first Sec. Ft. \$5.00	
For each additional Sec. Ft. or fraction thereof 25	

19754

No. **19754**

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

Application No. **27289**
Permit No. **19754**
District No.

1. Name of Applicant: **C. W. COON**
American Falls
Postoffice address: **220 Roosevelt St., /** County: **Power** State: **Idaho**
- I. If applicant is a corporation, give:
(a) Date and place of incorporation:
(b) Amount of capital stock:
(c) Amount paid in:
(d) Names and addresses of directors:
- II. The financial resources of the applicant are:
(b) Treasury stock:
(d) Other resources: (a) Cash on hand:
(c) Bonds to be issued:
2. Quantity of water claimed: **3-1/3** cubic feet per second.
3. Source of water supply: **Well (Underground pumped to surface)** which is a tributary of
4. Location of point of diversion: **Approximately 2000** feet distant from the **Northwest** corner of Section **1**, T. **7 S.**, R. **31 E.**, B. M., and is in the **SW 1/4 NW 1/4** of Section **1**, T. **7 S.**, R. **31 E.**, B. M., County of **Power**
5. Water is to be used for **Irrigation and domestic purposes**
6. If for mining, milling, power or manufacturing purposes, give:
(a) Point of use of water: feet distant from corner of Section
T. , R. , B. M., in the of Section , T. , R. , B. M.
(b) Amount of power generated: H. P., under feet head.
(c) Water is to be returned to at a point feet distant from the corner of Section , T. , R. , B. M., in the of Section , T. , R. , B. M.
7. Estimated cost of works: \$ **Approximately \$4,000.00**
8. Kind of works: **Well, pump and ditches**
9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:
10. Size of headgate: Width feet; height feet;
11. Ditch: Width at bottom **2 1/2** feet; width at water line **4** feet; depth of water **1 1/2** feet;
dimensions of flume:
Diameter of pipe inches; length of conduit miles.
Average grade per mile **about 5** feet.
12. The time required for the completion of such work is **Five (5)** years.
13. The time required for the complete application of the water to the proposed use is **Six (6)** additional years.

3. Source of water supply: Well (Underground pumped to surface) which is a tributary of
4. Location of point of diversion: Approximately 2000 feet distant from the Northwest corner of Section 1, T. 7 S., R. 31 E., B. M., and is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1, T. 7 S., R. 31 E., B. M., County of Power
5. Water is to be used for Irrigation and domestic purposes
6. If for mining, milling, power or manufacturing purposes, give:
- (a) Point of use of water: _____ feet distant from _____ corner of Section _____, T. _____, R. _____, B. M., in the _____ of Section _____, T. _____, R. _____, B. M.
- (b) Amount of power generated: _____ H. P., under _____ feet head.
- (c) Water is to be returned to _____ at a point _____ feet distant from the _____ corner of Section _____, T. _____, R. _____, B. M., in the _____ of Section _____, T. _____, R. _____, B. M.
7. Estimated cost of works: \$ Approximately \$4,000.00
8. Kind of works: Well, pump and ditches
9. Height of dam _____ feet; length of dam at top _____ feet; length of dam at bottom _____ feet; material used in dam: _____
10. Size of headgate: Width _____ feet; height _____ feet;
11. Ditch: Width at bottom 2 $\frac{1}{2}$ feet; width at water line 4 feet; depth of water 1 $\frac{1}{2}$ feet; dimensions of flume: _____ Diameter of pipe _____ inches; length of conduit _____ miles. Average grade per mile about 5 feet.
12. The time required for the completion of such work is Five (5) years.
13. The time required for the complete application of the water to the proposed use is Six (6) additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
7 S.	31 E.	1					40	25	35	5								105	
14-A: Existing water rights and/or valid permits appurtenant to the lands to be irrigated are ... None. Adjoining land is not settled or being farmed.																			
STATE OF IDAHO DEPARTMENT OF RECLAMATION																			
In the Matter of the Reinstatement of Permit No. 19754 Under the Provisions of Section 42-311, Idaho Code.) ORDER REINSTATING PERMIT)																			
WHEREAS, Permit No. 19754 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: January 26, 1951; and																			
WHEREAS, On the 20th day of June, 1951, notice to show cause why said permit should not be canceled, under the provisions of Section 5594, Compiled Statutes of Idaho, was duly served on the holder of said permit; and,																			
WHEREAS, On the 25th day of June, 1951, the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; end,																			
WHEREAS, On the 11th day of July, 1951, depositions of the holder and two witnesses were received at the Department of Reclamation showing that the said works of diversion were completed within the time required in the permit; and,																			
WHEREAS, After examination of the said depositions, the State Reclamation Engineer of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. 19754, and that the holder has acted in good faith;																			
IT IS, THEREFORE, Hereby Ordered that said Permit No. 19754 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.																			
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 25th day of July, 1951.																			

Permit No. 19754
 CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that MRS. JEANETTE COON, surviving wife of C. W. Coon, of American Falls, County of Power, and State of Idaho, the holder of Permit No. 19754, issued upon Application No. 27289 bearing date of priority of January 24, 1946, authorizing the diversion of 3-1/3 second feet of the waters of subterranean flow from a well, County of Power, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use Two (2) second feet of the waters of said well; that the point of diversion of said waters is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 1, Township 7 South, Range 31 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Northwest Quarter Section 1, Township 7 South, Range 31 East, B.M.

Witness my hand this 25th day of July, A. D. 1951.

MARK R. KULP
 State Reclamation Engineer

Proof of Completion of Works made July 3, 1951.
 Certificate of Completion of Works issued July 25, 1951.

IN THE PROBATE COURT OF POWER COUNTY, STATE OF IDAHO

In the Matter of the Estate of Charles William Coon, sometimes known as Charles Wm. Coon, Deceased.)
 Order Approving First and Final Account and Decree of Distribution.
 x x x x x x

IT IS, FURTHER, ORDERED, ADJUDGED AND DECREED That the whole of said estate be, and the same is hereby distributed to Jeanette Coon, the surviving spouse of said decedent.
 x x x x x x

Dated this 7th day of September, 1951.

J. W. COLLINGS
 Probate Judge, Power County, State of Idaho.

A S S I G N M E N T

For value received, I hereby assign all my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 19754, to T. S. Vanderford, of Aberdeen, Idaho.

JEANETTE Coon,
 Permit Holder- a widow.

STATE OF IDAHO)
 COUNTY OF POWER) ss.

On this 1st day of August, 1952, before me, a Notary Public for the State of Idaho, residing at American Falls, Idaho, personally appeared Jeanette Coon, known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that she executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

W. C. Loofbourrow
 Notary Public, residing at
 American Falls, Idaho

(SEAL)
 My commission expires Dec. 8, 1953.

Received and filed for record in the Department
 of Reclamation, at Boise, Idaho, August 4, 1952

MARK R. KULP
 State Reclamation Engineer
 A.

APPLICATION FOR AMENDMENT
 TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
 OF THE STATE OF IDAHO, NO. 19754.

Comes now T. S. Vanderford and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 19754.

That the point of diversion is described in said permit as being located Center of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 1, Township 7 South, Range 31 East, B.M.

That he now requests that the point of diversion be changed to a point Center of the NW $\frac{1}{4}$ Section 1, Township 7 South, Range 31 East, B.M.

That his reasons for desiring to make such change are as follows: The well caved in and the casing collapsed as result of sand pumping so old well had to be abandoned. The center of the Quarter Section being the most practical location of the well for a sprinkling system.

(SEAL)
My commission expires Dec. 8, 1953.

W. C. Loofbourrow
Notary Public Residing at
American Falls, Idaho

Received and filed for record in the Department
of Reclamation, at Boise, Idaho, August 4, 1952

MARK R. KULP
State Reclamation Engineer
A.

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 19754.

Comes now T. S. Vanderford and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 19754.

That the point of diversion is described in said permit as being located Center of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 1, Township 7 South, Range 31 East, B.M.

That he now requests that the point of diversion be changed to a point Center of the NW $\frac{1}{4}$ Section 1, Township 7 South, Range 31 East, B.M.

That his reasons for desiring to make such change are as follows: The Well caved in and the casing collapsed as result of sand pumping so old well had to be abandoned. The center of the Quarter Section being the most practical location of the well for a sprinkling system.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Aberdeen, Idaho, this 30th day of August, 1952.

T. S. VANDERFORD

Date of receipt at Department of Reclamation Sept. 6, 1952.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. 19754. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP
State Reclamation Engineer

LICENSE ISSUED FOR 2 SEC. FT.

page 5111

ROGER D. LING
ROBERT M. NIELSEN
BRENT T. ROBINSON
BRENT C. TINGEY

LING, NIELSEN & ROBINSON

ATTORNEYS AT LAW
615 'H' STREET
P. O. BOX 396
RUPERT, IDAHO 83350-0396

AREA CODE 208
TELEPHONE 436-4717
FAX 436-6804

May 19, 1999

RECEIVED

MAY 20 1999

Department of Water Resources
Eastern Region

Adjudication Section
Idaho Department of Water Resources
Eastern Regional Office
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

RE: SRBA Claims Filed by or on Behalf
of Falls Irrigation District;

Claim Nos. 01-02061, 01-02068E, 01-02064C, 01-00013,
✓29-02262, ✓29-02568, ✓29-02571, ✓29-02380, 01-04051,
✓29-02567, ✓29-10044, ✓29-02341, ✓29-02310, 35-02302, ^{RENUMBER} 29-02614
✓29-10047, ✓29-02306, ✓29-02288, ✓29-02307, ✓29-11337,
✓29-11169, ✓29-11168, 29-11170, 29-11167, 29-02267

Dear Gentlemen:

*Domestic
Part of Design
is same*

Each of the above claims filed by either the United States Bureau of Reclamation or Falls Irrigation District relate to the irrigation of lands within Falls Irrigation District. For the purposes of complying with Section 42-1409(1)(h), Idaho Code, I have included a legal description of the area within the irrigation district which the total acres developed are located and within which the location of the licensed acreage can be moved, as provided by Section 42-219(6), Idaho Code. I have also enclosed a map of that area which may be submitted in lieu of the legal description. I assume that it will not be necessary for either Falls Irrigation District or the United States to amend the Claims to show the place of use as provided by the above statutory provisions.

Very truly yours,


Roger D. Ling

RDL:jkb
encs

pc: Dala Walton, BOR
Falls Irrigation District

**GENERAL DESCRIPTION OF SERVICE AREA
OF
FALLS IRRIGATION DISTRICT
-
POWER COUNTY, IDAHO**

The area located within the following boundary, to-wit:

Beginning at a point on the highwater mark of the Southeast bank of the American Falls Reservoir in Section 29, Township 6 South, Range 32 East of the Boise Meridian where the West boundary of the Fort Hall Indian Reservation intersects said highwater mark, which point is approximately 990' North of the Southwest corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 29, which shall be known as the TRUE POINT OF BEGINNING;

Thence South along the West boundary line of said Fort Hall Indian Reservation, being the line along the mid-quarter section line of the East half (E $\frac{1}{2}$) of Sections 29 and 32 in Township 6 South, Range 32 East of the Boise Meridian and Sections 5 and 8 in Township 7 South, Range 32 East of the Boise Meridian, to the Southeast corner of Lot 4 in said Section 8;

Thence West along the South section line of said Section 8 to the South quarter corner of said Section 8, also known as the Southwest corner of Lot 4 in said Section 8;

Thence South along the mid-section line of Section 17 in Township 7 South, Range 32 East of the Boise Meridian to the Southeast corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 17;

Thence West along the South line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 17 to the Southwest corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence South along the mid-line of the West half (W $\frac{1}{2}$) of said Section 17 to the Southeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 17;

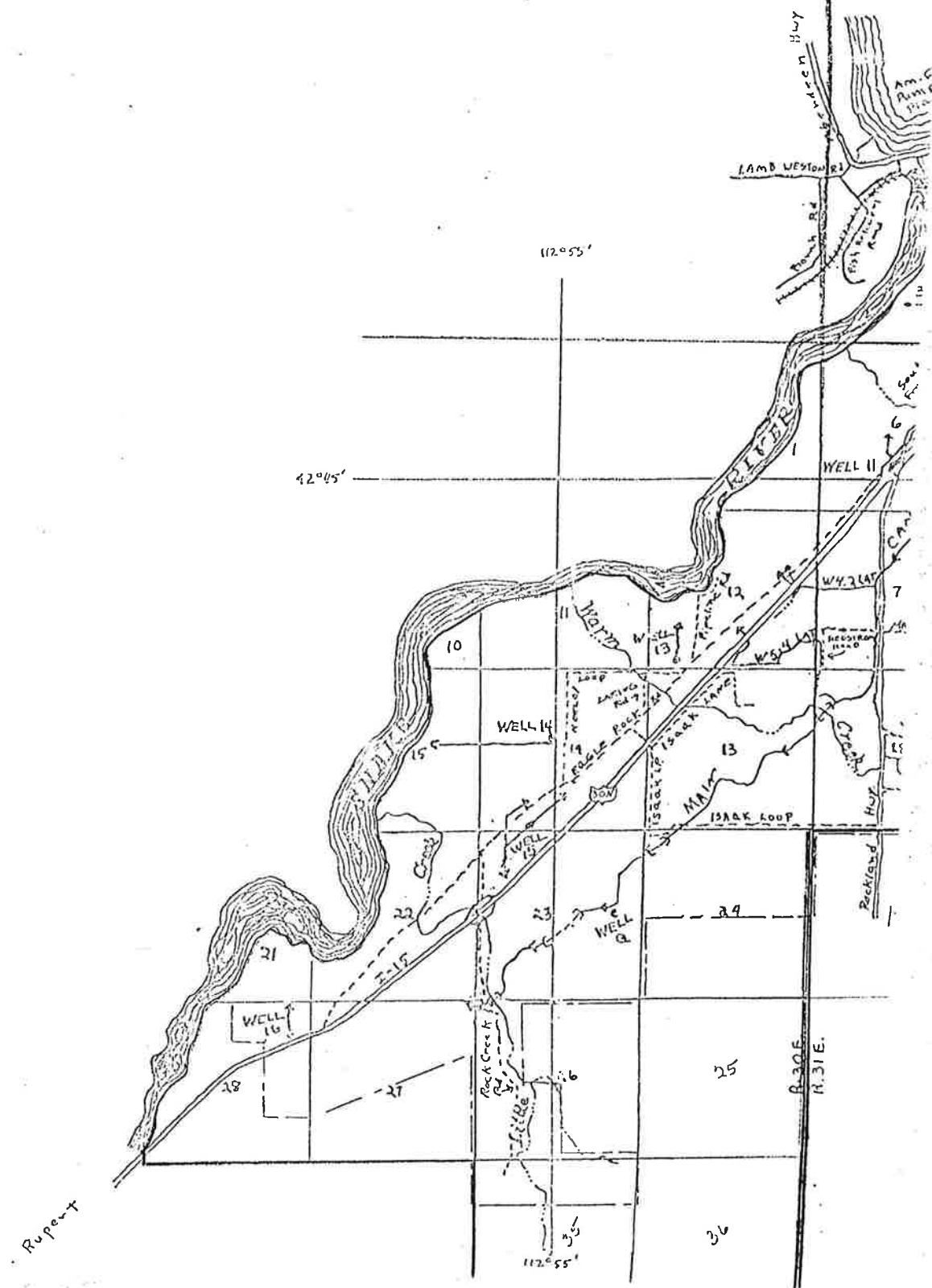
Thence West along the South section lines of Sections 17 and 18 in Township 7 South, Range 32 East of the Boise Meridian to the South quarter corner of said Section 18;

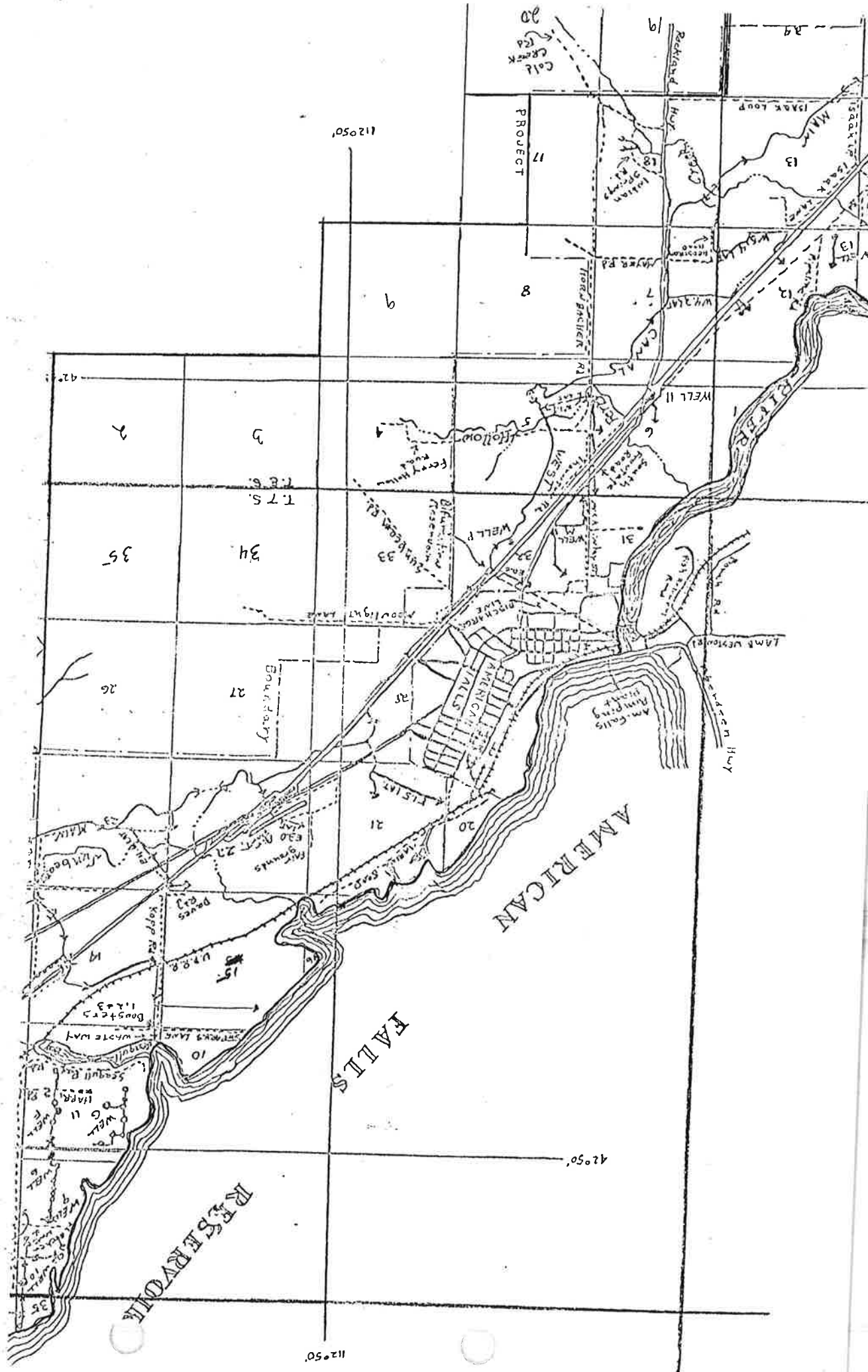
Thence South along the mid-section line of Section 19 in Township 7 South, Range 32 East of the Boise Meridian to the South quarter corner of said Section 19;

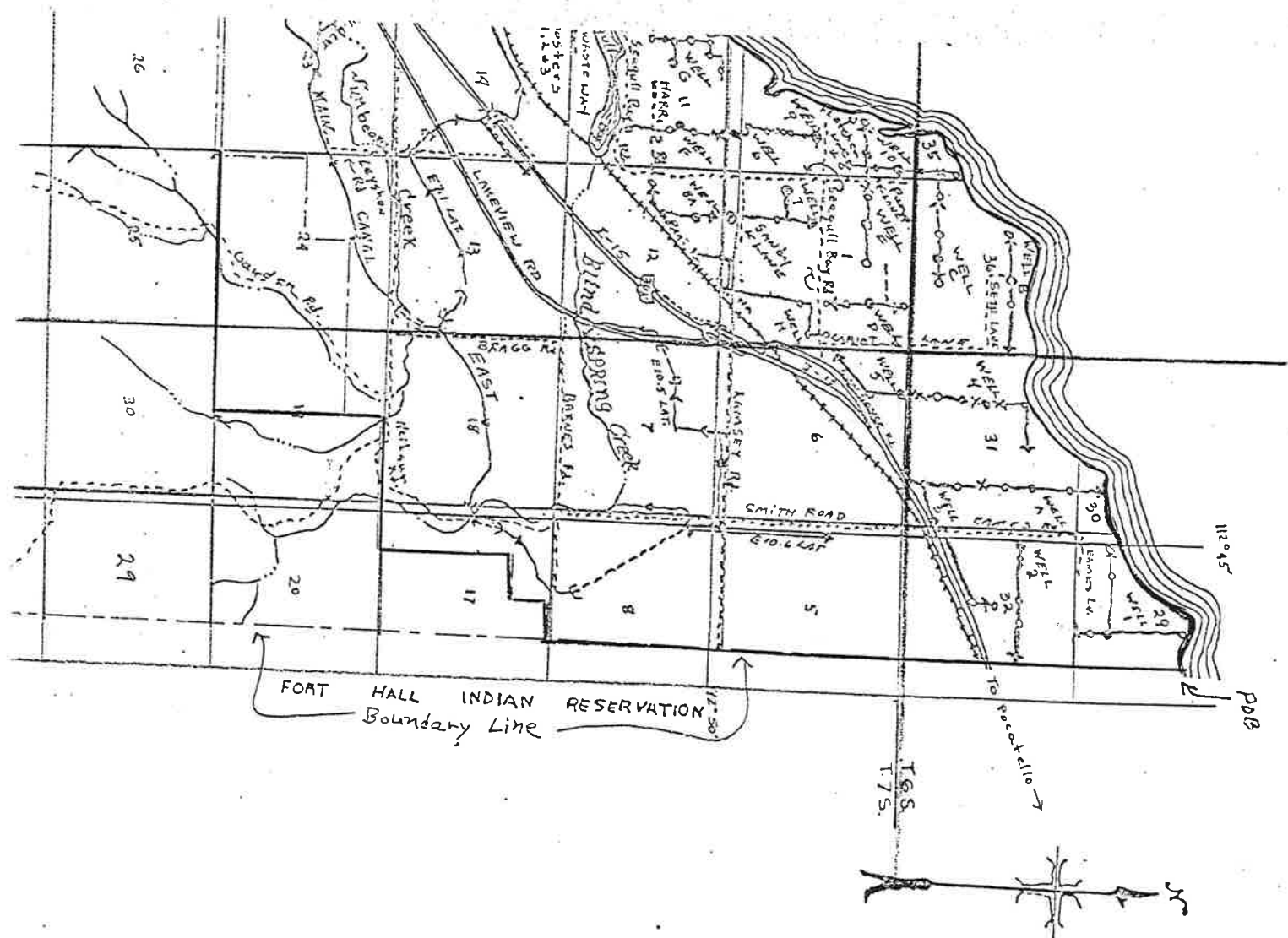
Thence West along the South section line of said Section 19 and the South section line of Section 24 in Township 7 South, Range 31 East of the Boise Meridian to the Southwest corner of said Section 24;

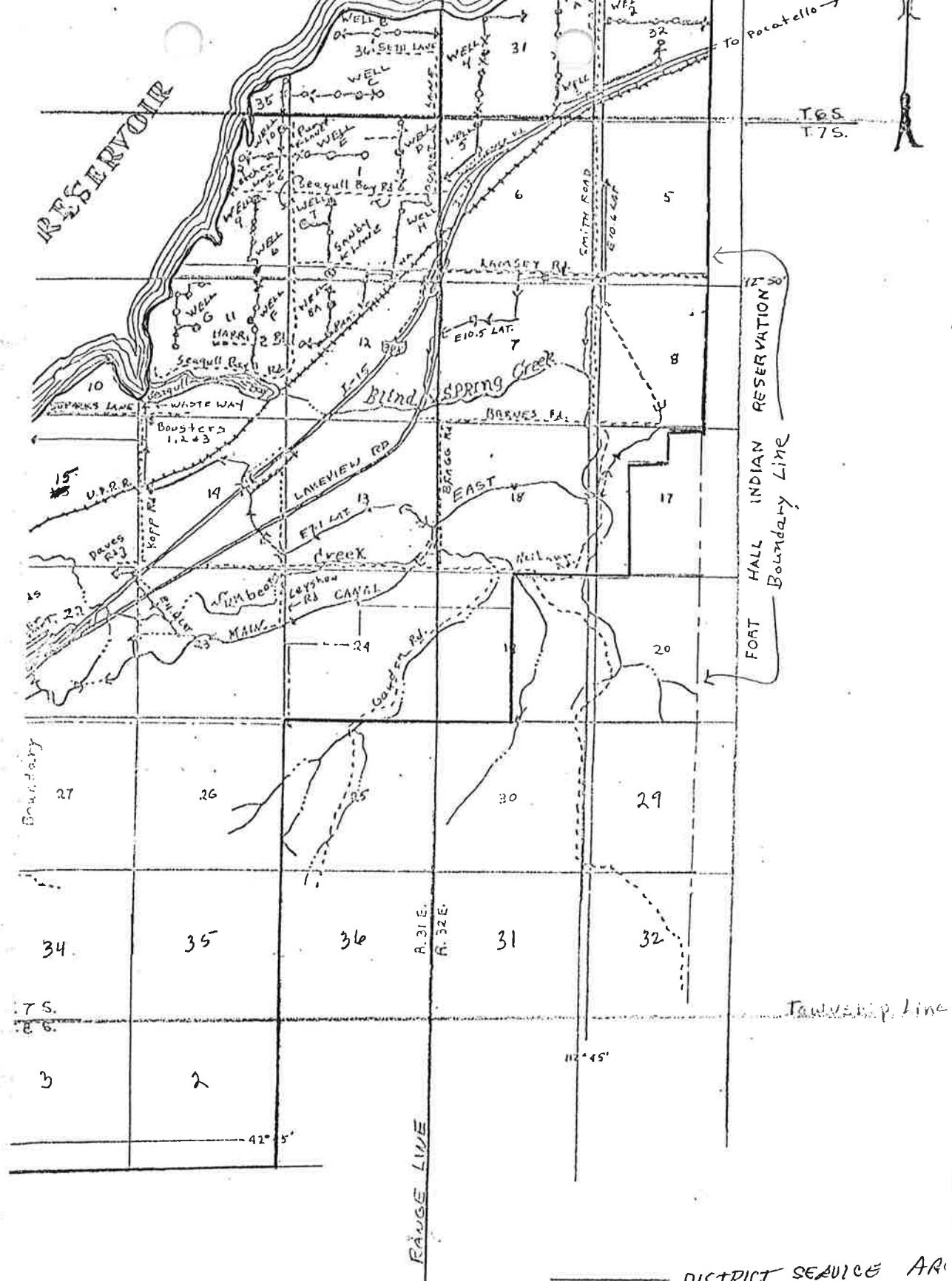
General Description of Service Area - Falls Irrigation District, Power County, Idaho (continued)

- Thence South along the East section line of Sections 26 and 35 in Township 7 South, Range 31 East of the Boise Meridian and the East section line of Section 2 in Township 8 South, Range 31 East of the Boise Meridian to the Southeast corner of said Section 2;
- Thence West along the South section line of Sections 2 and 3 in Township 8 South, Range 31 East of the Boise Meridian to the Southwest corner of said Section 3;
- Thence South along the East section line of Section 9 in Township 8 South, Range 31 East of the Boise Meridian to the Southeast corner of said Section 9;
- Thence West along the South section line of Sections 8 and 9 in Township 8 South, Range 31 East of the Boise Meridian to the South quarter corner of said Section 8;
- Thence South along the mid-section line of Section 17 to the South quarter corner of said Section 17;
- Thence West along the South section line of Sections 17 and 18 in Township 8 South, Range 31 East of the Boise Meridian to the Southwest corner of said Section 18;
- Thence South along the East section line of Sections 24, 25 and 36 in Township 8 South, Range 30 East of the Boise Meridian to the Southeast corner of said Section 36;
- Thence West along the South section line of Sections 35 and 36 in Township 8 South, Range 30 East of the Boise Meridian to the Southwest corner of said Section 35;
- Thence North along the West section line of said Section 35 to the Northwest corner of said Section 35;
- Thence West along the South boundary of Sections 27 and 28 in Township 8 South, Range 30 East of the Boise Meridian to the Southwest corner of said Section 28;
- Thence North a distance of 950', more or less, to the East bank of the Snake River in said Section 28;
- Thence in a northeasterly direction along the meander line of the highwater mark of the Snake River to the American Falls Reservoir, and thence along the meander line of the highwater mark of American Falls Reservoir in a northeasterly direction to the POINT OF BEGINNING.









- GIPSON
- CREEK
- CANAL OR MAINLINE
- ★ DISTRICT OFFICE
- PUMPING WELL
- DRAIN
- x INTERTIE - USABLE
- ⊗ INTERTIE - DISCONNECTED
- Roads

DISTRICT SERVICE AREA
AS OF 4-15-1994

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Falls Irrigation District CLAIM NO. A29-02262

DATE RECEIVED	CK #	AMOUNT \$	YES	NO	Required Info?
1. Is the name and address complete with zip code?			☒	☐	*
2. Is a priority date entered?			☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?			☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.			☒	☐	*
3. (a) Is a source entered?			☒	☐	*
(b) Is a tributary to entered? (if required)		N/A ☒	☒	☐	*
4. Is the legal description of the p.d. sufficient?			☒	☐	*
5. Is there a description of the diverting works?			☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.			☒	☐	*
Is the period of use included?			☒	☐	
Is a quantity claimed for each use?			☒	☐	*
7. Is a total quantity claimed entered?			☒	☐	
8. If required is a consumptive use entered?		N/A	☒	☐	
Is the consumptive use correct?		N/A	☒	☐	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.		N/A ☒	☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?			☒	☐	*
11. Is (are) the county(ies) entered?			☒	☐	
12. Is the ownership of p.u. checked?			☒	☐	
13. Are other water rights listed or "none" indicated?			☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)		N/A	☒	☐	
15. Is the basis of the claim indicated?			☒	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)		N/A ☒	☒	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.			☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?			☒	☐	*
19. Was this claim filed on time, or was an extension granted?			☒	☐	*
20. Is the fee enclosed correct?		Exempt	☐	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?		N/A	☐	☐	
22. Should this claim be data entered?			☐	☐	

Claim checked by: _____ Date: _____

Claim must be returned to claimant: _____ (Yes) _____ (No)

Claimant must be notified of modifications: _____ (Yes) _____ (No)

Receipt Prepared by: _____ Date: _____
Claim data entered by: _____ Date: _____
Sent to claimant by: _____ Date: _____

Checked by: _____ Date: _____

Comments: _____

MICROFILMED
APR 12 1994

SCANNED
MAY 10 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: A29-02262

Date Received: 8/11/1989

Receipt No: E012943

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FALLS IRRIGATION DISTRICT 208-226-5227
Address: 310 VALDEZ ST
AMERICAN FALLS ID 83211

2. Date of Priority: JAN 24, 1946

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	31E	1	NW	SE	NW		POWER

5. Description of diverting works:
WELL E FALLS IRRIGATION DISTRICT; DEEP WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.000		

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

8. Total consumptive use is 461.7 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	31E	1	NE	NW		IRR	39.3
			NW	NW		IRR	38.7
			SW	NW		IRR	37.5
			SE	NW		IRR	38.4

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	153.9
					Total Acres	153.9

11. Place of use in counties: POWER

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
29-02380

14. Remarks:

P/D CENTER OF NW1/4, S1, T7S, R31E.
P/U 153.9 ACRES WITHIN FALLS IRRIGATION DISTRICT
CONSUMPTIVE USE 3.0 ACRE FEET/ACRE
***THIS DIVERSION IS A PART OF THE GENERAL WORKS OF FALLS
IRRIGATION DIST. WHICH PROVIDES WATER TO THE LANDS WITHIN FALLS
IRR. DIST.

15. Basis of Claim: LICENSE

Water Right Number: 19754

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: _____

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For Organizations:

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
_____ acting as attorney at law on behalf of the claimant signing above, and that
all notices required by law to be mailed by the director to the claimant
signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

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: A29-02262
Date Received: Postmark 4-5-90
Receipt No: 6012943
Received By: EV

APR 6 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: Falls Irrigation District Phone: (208) 226-5227
Address: 310 Valdez Street
American Falls, ID 83211

2. Date of Priority: January 24, 1946

3. Source: Groundwater Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
7S	31 EBM	1	Center- NW		Power

5. Description of diversion works:

Well E--Falls Irrigation District--Deep well and pump

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or) A.F.
Irrigation	April 1	Nov. 1	2.	

7. Total Quantity Claimed is:

2. (C.F.S.) (and/or) (Acre Feet)

8. Total consumptive use claimed is:

461.7 Acre Feet Per Annum.

9. Non-irrigation uses:

None



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APR 12 1994

10. Description of place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
7S	31 EBM	1	NE NW			39.3
			NW NW			38.7
			SW NW			37.5
			SE NW			38.4

Total number of acres irrigated. 153.9

11. In which county (ies) are lands listed above as place of use located?

Power

12. Do you own the property listed above as place of use? NO

13. Other water rights used at the same place and for the same purposes as describe above.

G-26603 29-02380

14. Remarks:

This diversion is a part of the general works of Falls Irrigation District which provides water to the lands within Falls Irrigation District.

15. Basis of Claim: License

Water Right Number: ~~G-19754~~ 29-02262

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:

MICROFILMED

APR 12 1994

Last Name Falls Irrigation District

Ident. No. _____

For Organizations:

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

Steve W. Isaak
Signature of Authorized Agent

President-Falls Irrigation Dist.
Title and Organization

April 4, 1990
Date

State of Idaho)
) ss.
County of Power)

Subscribed and sworn (or affirmed) before me this 4th day of
April, 1990.

(SEAL)

Roger D. Ling
Notary Public for Idaho
Residing at: Rupert, Idaho
My Commission Expires: 10/30/94

17. Notice of Appearance:

Notice is hereby given that I, Roger D. Ling, will be acting
as attorney at law on behalf of the claimant signing the
above, and that all notices required by law to be mailed by
the director to the claimant signing above should be mailed
to me at the address listed below.

Signature: Roger D. Ling
Roger D. Ling

Address: P. O. Box 396, Rupert, ID 83350

Date: April 4, 1990

MICROFILMED
APR 12 1994

Last Name Falls Irrigation District

Ident. No. _____