

RECEIVED

APR 30 2003

03/10/2003

Department of Water Resources
Eastern Region

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

RIGHT NUMBER: 29-2286
NAME AND ADDRESS: MITT W CAMPBELL
PO BOX 601
LAVA HOT SPRINGS ID 83246

MIXED OWNERSHIP

**-THE PLACE OF USE IDENTIFIED BELOW
CONTAINS BOTH PRIVATE AND PUBLIC LANDS.
-CLARIFY THE POU SUCH THAT IT IS CLEAR
THAT ONLY PRIVATE LAND IS INTENDED.**

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS

PRIORITY DATE: 09/27/1949

POINT OF
DIVERSION: T09S R38E S21 SWSE Lot 2 Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
HEATING	1/01 12/31	0.060 CFS
DOMESTIC	1/01 12/31	0.060 CFS

PLACE OF USE: HEATING Within BANNOCK County
T09S R38E S21 SESE
DOMESTIC Within BANNOCK County
T09S R38E S21 SESE

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 - License

**THE FOLLOWING LANGUAGE INSERTED UNDER POU WOULD RESOLVE ANY
POTENTIAL OBJECTION BY THE BLM**

**"THE USE OF WATER UNDER THIS RIGHT WITHIN THE SESE, S21, T09S,
R38E, IS LIMITED TO LOTS DESCRIBING THAT PLACE OF USE."**

**IN ALTERNATIVE TO THE ABOVE LANGUAGE, THE FOLLOWING REMARK
INSERTED UNDER PLACE OF USE WOULD RESOLVE BLM'S OBJECTION**

**"THE USE OF WATER UNDER THIS RIGHT DOES NOT INCLUDE A USE ON
FEDERAL PUBLIC LAND."**

SCANNED

JAN 13 2006

1 012104
PL 167
EO 8130
Wdl Caribou NF

1 7292 USFS

BLM = 
PVT = 

SEC 16
Lot 1 20.30
SG 9/1/1896

T09S
R38E

SG 12/4/1901

101 33427 12.5
1141637
D/C R/#
All Min
NOE

Act of Cong
6/13/1902

1 13 2006

PROHIBITED

T9S, R38E

Lot 5

Lot 4

Lot 6

Lot 7

Lot 8

SWSW

Lot 3

Lot 2

Lot 1

City of Lava Hot Springs

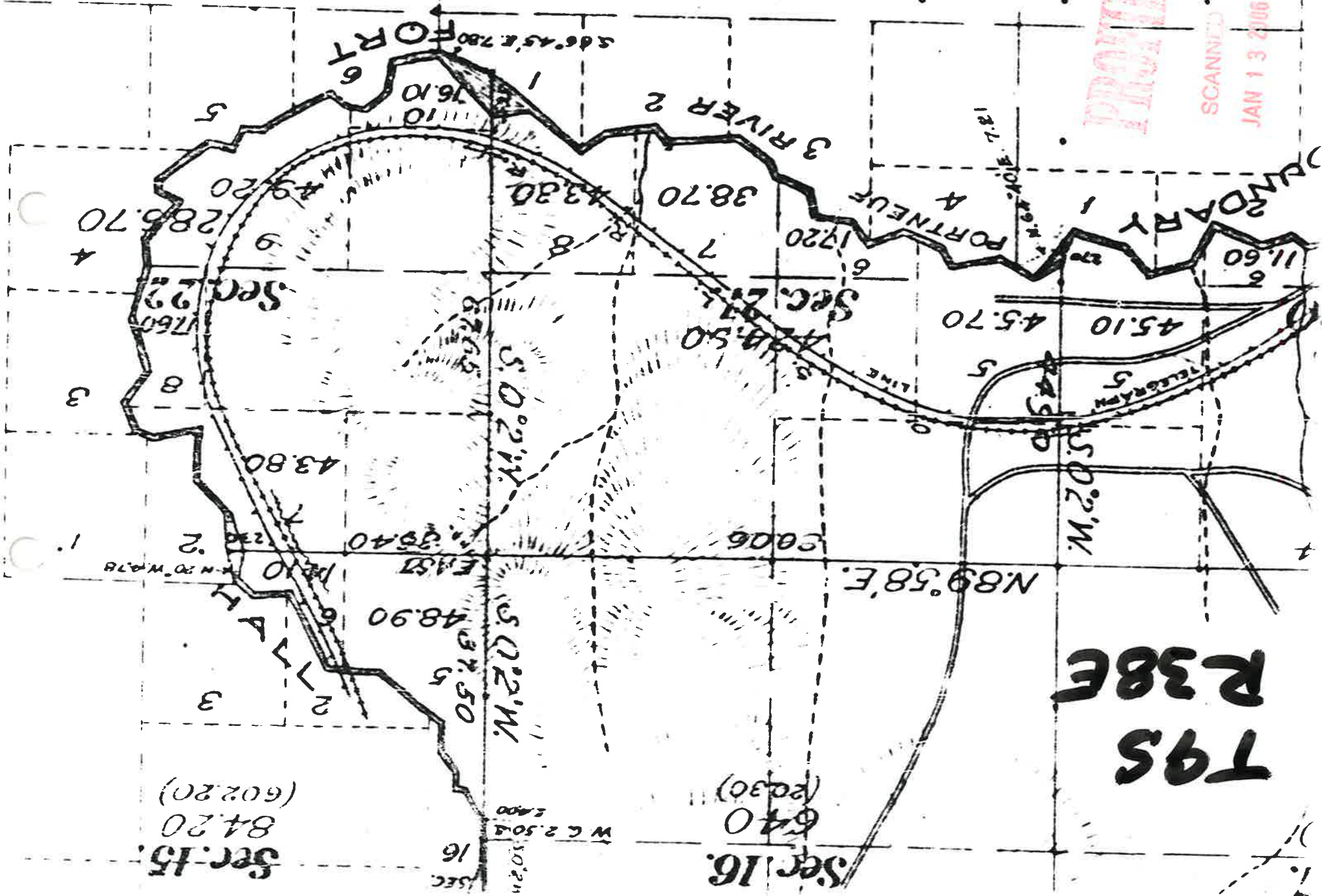
Portment

river

**20 21
29 28**

**21 22
28 27**

JAN 13 2006



JUN 06 2001

29-2286

CLAIMED (Pretty much) AS LICENSURE w/ EXCEPTIONS:

I. CLAIMS 2 PODS (LIC w/ 1 @ Lot 2 (SWSE))

SEC 21 a.) NSESESE

b.) NWSSESE 2 (SESE is Lot 1)

1.) CHANGE TO POD LEGAL - when ??2.) ADD SECOND POD - when ??

DID NOT FIND (OR SHOW) 2ND WOU.

II. NO PERIOD OF USE DETERMINED. HOWEVER, IT SEEMS LOGICAL THAT DOMESTIC USE IS YEAR ROUND, AS CLAIMED.

1/1 TO 12/31

III. Q: HEATING - IN-HOME HEAT, SHOWERS, DOMESTIC HOT WATER?
YES, SEE LICENSURE - NO IRRIGATION. NOT CLAIMED.IV. PLACES OF USE LICENSURE AS: "GREEN AND WHITE CABINS, ...
Lot 2, SEC. 21, T9S, R38E."Q: Lot 2; City Lot OR ENCLAVE SURVEY Lot due to ROWN?* V. LICENSURE AS 0.056 cts, CLAIMED AS 0.06. USE LIC. Q.
NO AFA ON THIS YEAR ROUND USE,

WR5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

03/26/01 13:14:35

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Water Right Number - 29-02286

Prefix Translation: WATER RIGHT

Old (D) Number - 21270

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

CAMPBELL

R. W.

1 -
2 -
3 -

City- LAVA HOT SPRINGS

State- ID Zip- 83246

Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
09/27/1949 15 EASTERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

09S 38E 21 SW SE 2 (5) BANNOCK CLAIMS 2 wells: Sec.21 N1/2SE1/4
N1/2SE1/4 Lot 2

+ - - - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC

22 - HEATING

0.060

LICENS000@0.056 cfs
CLAIM 0.06

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.060 0.0

+ - - - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

09S 38E 21 SW SE 2 43 DOMESTIC (5) BANNOCK

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - - - - - Remarks - - - - - +
No Remarks found.

+ - - - - - - - - - - - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - - - - - - - - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

03/26/01 13:14:35
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Prefix Translation: WATER RIGHT

| | | | | | | | | |
|-------------------|---|------------|-----------------|---|------------|--------------------|---|---|
| Proof Due Date | - | 00/00/0000 | Field Exam Made | - | 00/00/0000 | Field Exam Fee | - | |
| Approved/Denied | - | 00/00/0000 | Protested Date | - | 00/00/0000 | Swan Falls | - | |
| Proof Made Date | - | 00/00/0000 | Hearing Date | - | 00/00/0000 | Temporary Right | - | P |
| Exam to S.O. Date | - | 00/00/0000 | Verified Date | - | 03/26/1985 | DLE/Carey Act | - | |
| Order Show Cause | - | 00/00/0000 | Receipt Number | - | | Water District | - | |
| Licensed Date | - | 08/14/1979 | Appl Received | - | 00/00/0000 | Transfer/Amended | - | |
| Presumption Flag | - | | Name Connector | - | | POU Ownership Flag | - | |
| SRBA Decreed Flag | - | | | | | | | |

License and Certificate of Water Right

Water License No. 2127

Amount.....0.056 second too

Water District No.

Priority September 27, 1949

THIS IS TO CERTIFY THAT R. W. CAMPBELL

of L. V. Hot Springs, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 27, 1946. Said Permit No. 51290 was issued under said application that Certificate of Completion of works with a carrying capacity of 9.55 second feet, was filed thereunder on August 31, 1950, showing that said works were completed on the 27th day of August, 1950 (and that on the 23rd day of September, 1950).

R. Y. CAMPBELL

of Lava Hot Springs, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho of the right to use the waters of said hot water

well (xxx) but any of (subterranean flow) for the purpose of bathing, heating and household

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 4868, on the 3rd day of December, 1951.

The right hereby confirmed dates from September 27 1949

The Point of Oliver, Va is located in Lot 2.

XXXXXX Sec. 9 Twp. 9 S. R. 38 E. B. M. Sannock County

That the amount of water to which such right is entitled and hereby confirmed for the purposes
foreaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.055 cubic feet per second.

Description and location of use.

| Twp. | Range | Sec. | Forty-acre Tract | No. Acres
Described in Permit | No. Acres
Actually Irrigated |
|-----------------------|------------------|------|-------------------------------------|----------------------------------|---------------------------------|
| Green and White Oxbow | located in Lot 2 | | Section 21, Township 9 South, Range | | |

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
3rd day of December, 1951

(SEAL)

MARK R. KULP
State Reclamation Engineer

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

Permit No. 21270

- This proof is for Beneficial use In Water District No. _____
1. Name of applicant: Green and White Cabins, Lava Hot Springs, Idaho
2. Source of water supply: A hot water well (subterranean)
3. Location of point of diversion: Is in the Lot 2 of Section 21
T. 9 S., R. 38 E., County of Bannock
4. Describe works as they exist, giving dimensions and capacities of same. Well is 80' deep, 8" diameter at the top, 5" diameter bottom portion of the well, cased 40 feet down to rock. Water rises practically to the surface of the ground. Temperature of the water is 98° F. after five minutes running and is reported to be 105° F. when running continuously. The top of the well and pump are located in a small concrete pit, 24" by 20" by 30" deep inside measurements. Concrete is 9" thick. The Pit is covered with a board lid.
5. Water is used for: Bathing and household use
6. 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):
Green and White Cabins, in Lot 2, Section 21, Twp. 9 S., Range 38 E., B.M.,
Lava Hot Springs, Idaho.
Small plot on which cabins are located, less than one acre in extent.

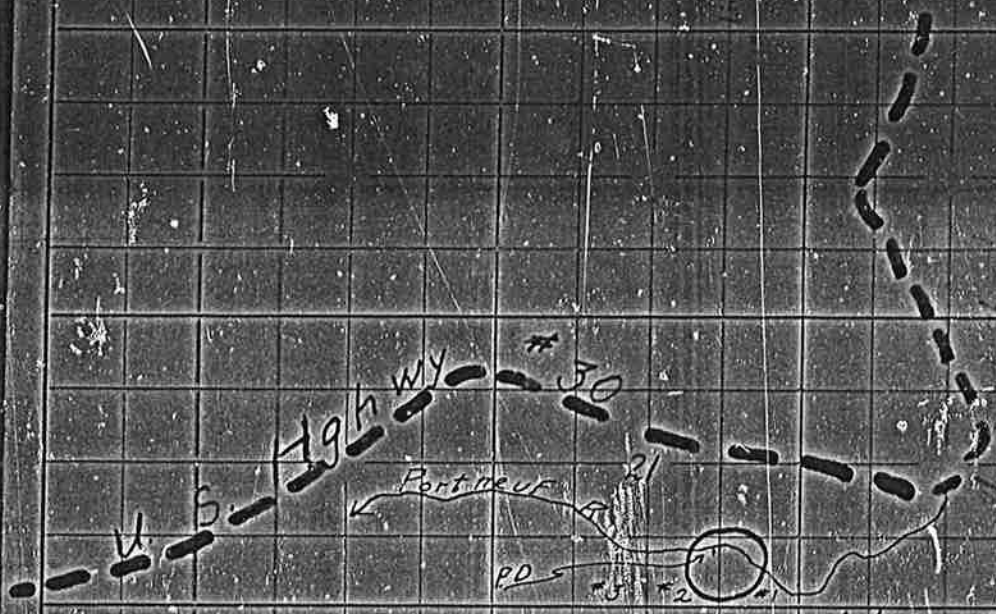
(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?
- Remarks: The pump is a Fairbanks Morse Model 1005 D.P. The pipe for the pump down into the well is 1 1/2" diameter and 40' long. Motor is a Fairbanks Morse, 1 h.p., 230 V., 52 amps, 3450 r.p.m. The well is located approximately 100 yds. West of the edge of the bridge on the highway leading into lava from the East and is 15 yds. South of the South bank of the Portneuf River. It can further be located as follows: 30 yards from the well to the edge of the street on the West, which street is First Street Avenue East and 42' North of the edge of Portneuf Street, which street is South of the well and extends East and West. The quantity of water is 5 gallons in 12 seconds or 1.77 inches. The water is used for a small swimming pool 12' x 14' x 40" deep, and for irrigating the grounds around the cabins.
- This examination was made on the 12th day of July, 1951.

(Signed) [Signature]

Examiner

Temp 95° N 38° E



Lava Hot Springs

Q = 2.77 inches

T = 98° F

PD = 1 in Lot #2

JUN 06 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: A29-02286

Date Received: 3/29/1990

Receipt No: 1006432

Received By: J.P.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MITT W. CAMPBELL 208-776-5209
Address: P.O. BOX 601
LAVA HOT SPRINGS, ID 83246

2. Date of Priority: SEP 27, 1949

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 09S | 38E | 21 | NE | SE | SE | 2 | BANNOCK |
| | | | NW | SE | SE | | BANNOCK |

5. Description of diverting works:

TWO WELLS ONE IS PUMPED AND THE OTHER IS ARTESIAN FLOWING TO POU

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S. | (or) | A.F.A. |
|----------|-------|-------|--------|------|--------|
| DOMESTIC | 01/01 | 12/31 | 0.060 | | |
| HEATING | 01/01 | 12/31 | 0.060 | | |

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D&G/BATHHOUSE & CABINS.

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|------|-------|
| 09S | 38E | 21 | SE | SE | | HEAT | |

A29-02286

Page 1

Date: 03/29/90

MICROFILMED

NOV 13 1992

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 09S | 38E | 21 | SE | SE | | DOMEST | |

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 21270

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): *Keith Campbell* Date: March/29/90
Date:

State of Idaho)
County of Bannock) ss.

Subscribed and sworn (or affirmed) before me this 29 day
of March 19 90

John Del. Calton
Notary Public

Seal

Residing at PO Box 16

My Commission Expires 6/2/94

02/11/2002

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

RIGHT NUMBER: 29-2286

NAME AND ADDRESS: MITT W CAMPBELL
PO BOX 601
LAVA HOT SPRINGS ID 83246

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.06 CFS

PRIORITY DATE: 09/27/1949

POINT OF DIVERSION:

T09S R38E S21 SWSE Lot 2 Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| HEATING | 1/01 12/31 | 0.060 CFS |
| DOMESTIC | 1/01 12/31 | 0.060 CFS |

PLACE OF USE: HEATING Within BANNOCK County

T09S R38E S21 SESE

DOMESTIC Within BANNOCK County

T09S R38E S21 SESE

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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

Scan

A 29-02286

BB9

E R38E

LAVA HOT SPRINGS QUADRANGLE
IDAHO
7.5 MINUTE SERIES (ORTHO PHOTOQUAD)

