

04/19/2002

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

RIGHT NUMBER: 29-7173

NAME AND ADDRESS: CARIBOU ACRES WATER ASSN
1820 N ELK RD
POCATELLO ID 83204

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.17 CFS
33.0 AFY

PRIORITY DATE: 02/22/1974

POINT OF DIVERSION:

T07S R35E S30 NESENE Within BANNOCK County

T07S R35E S30 SESWNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.170 CFS 33.00 AFY

PLACE OF USE: DOMESTIC Within BANNOCK County

T07S R35E S30	NENE	T07S R35E S30	NWNE
T07S R35E S30	SWNE	T07S R35E S30	SENE
T07S R35E S30	NENW	T07S R35E S30	SWNW
T07S R35E S30	SENW		

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: License

DOMESTIC: 55 HOMES

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7173 V1

WATER RIGHT NUMBER: 29-7173 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CARIBOU ACRES WATER ASSN 1820 N ELK RD POCATELLO, ID 83204 (208)234-0189

Priority Date: 02/22/1974

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>
DOMESTIC	01/01 to 12/31	0.170 CFS	33.00 AF
	<u>Total Diversion:</u>	0.170 CFS	33.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4NW1/4	Sec. 30, Twp 07S, Rge 35E, B.M.
BANNOCK County		
GROUND WATER	NE1/4SE1/4NE1/4	Sec. 30, Twp 07S, Rge 35E, B.M.
BANNOCK County		

Place of UseDOMESTIC Within BANNOCK County

T07S R35E S30	NENE	T07S R35E S30	NWNE
T07S R35E S30	SWNE	T07S R35E S30	SENE
T07S R35E S30	NENW	T07S R35E S30	SWNW
T07S R35E S30	SENW		

Conditions of Approval:

1. 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.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

1. Explanatory DOMESTIC: 55 HOMES

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-7173 V1

Comments:

1. csaxton 4/19/2002 Renumbered
Comment: This claim originally numbered as 29-07173B but renumbered to the original licensed number since claimant owns entire right.
2. csaxton 4/19/2002 Recommend
Comment: Recommended as licensed/claimed.

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:
Owner Name Connector: 0
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre: 33
Swan Falls Trust or Nontrust: False
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan:

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>
Summary			04/19/2002	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	4/19/2002 10:59:30 AM	csaxton	(No) 1. Do you want to schedule an appointment?
			Comment for 1: Desktop Review
POD	4/19/2002 11:13:43 AM	csaxton	Edited point location
POD	4/19/2002 11:14:20 AM	csaxton	Edited point location
POD	4/19/2002 11:15:05 AM	csaxton	Edited polygons

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7173 V1

Summary	4/19/2002 11:24:44 AM	csaxton	(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?
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-7173

WATER RIGHT NUMBER: 29-7173

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CARIBOU ACRES WATER CORP C/O MELVIN J ANDERSON RT 1 BOX 88 INKOM, ID 83245

Priority Date: 02/22/1974

Basis:

Status: See Remarks

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.170 CFS	33.00 AF
	<u>Total Diversion:</u>	0.170 CFS	33.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 30, Twp 07S, Rge 35E, B.M.
BANNOCK County		
GROUND WATER	SW1/4NW1/4	Sec. 30, Twp 07S, Rge 35E, B.M.
BANNOCK County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	35E	30	X	X	X	X	X		X										

Conditions of Approval:Remarks:

- General Domestic use is for 55 homes.
*** THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS: - A29-07173A FOR 0.13 CFS TO SLATE MOUNTAIN WATER USERS ASSOC.
ESV 4/11/90 A29-07173B FOR 0.17 CFS CARIBOU ACRES WATER ASSN.

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-7173

Dates and Other Information:

Claim Received Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector: 0
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre: 33
Swan Falls Trust or Nontrust: False
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan:

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 29-7173
Date Received: 4/19/2002
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CARIBOU ACRES WATER ASSN Phone: (208) 234-0189

1820 N ELK RD
POCATELLO ID 83204

2. Date of Priority: 02/22/1974

3. Source: GROUND WATER , GROUND WATER Trib. to: ,

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
07S	35E	30	SE	NE		BANNOCK	
07S	35E	30	SW	NW		BANNOCK	

5. Description of diverting works:

PRIMARY WELL DEPTH - 55 FEET. SECONDARY WELL DEPTH - 200 FEET. DIAGRAM OF SYSTEM IS ATTACHED, IT IS ESSENTIALLY CORRECT EXCEPT THAT RESERVOIR #2 WAS REPLACED WITH A 12,500 GAL TANK IN APPROXIMATELY 1984.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	01/01	12/31	0.17	33

7. Total Quantity Appropriated is:
0.17 C.F.S. and/or 33 A.F.A.

8. Total consumptive use:

FILED
SCANNED
APR 20 2006

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	35E	30	NE	NE	DOMESTIC	
			NW	NE	DOMESTIC	
			SW	NE	DOMESTIC	
			SE	NE	DOMESTIC	
			NE	NW	DOMESTIC	
			SW	NW	DOMESTIC	
			SE	NW	DOMESTIC	

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM GENERATED BECAUSE LICENSE WAS CLAIMED IN A AND B PORTIONS. 29-07173B WAS CLAIMED BY CARIBOU ACRES WATER CORP AND THEY OWN ENTIRE RIGHT. THUS 29-07173B RENUMBERED TO 29-07173. THE STATUS OF THIS CLAIM CHANGED TO VALID. 29-07173A WILL BE WITHDRAWN BY CLAIMANT OR DISALLOWED (CSAXTON 4/19/02).

RECEIPT NO: E013461

Domestic use is for 55 homes.

*** THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS: - A29-07173A FOR 0.13 CFS TO SLATE MOUNTAIN WATER USERS ASSOC.

ESV 4/11/90 A29-07173B FOR 0.17 CFS CARIBOU ACRES WATER ASSN.

15. Basis of Claim: License

16. Signature(s)

SCANNED
APR 20 2006

(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 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 _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

Memorandum

Date: April 19, 2002

From: Craig L. Saxton

Subject: SRBA claims 29-07173 (A & B)

License 29-07173 was claimed as A (Slate Mountain Water Users Assn) and B (Caribou Acres Water Assn) portions.

In a discussion on 4/17/02 with Slate Mountain Water Users Association (Dean Perry) he stated that his evidence was that Slate Mtn Water Assn doesn't actually own a portion of this right. 29-07173A will be disallowed if it isn't withdrawn.

Caribou Acres Water Assn claimed the entire license under 29-07173B. This claim was renumbered to reflect license number.

29-07173B is no longer valid and 29-07173 is now the claim number for Caribou Acres Water Assn.

SCANNED

APR 20 2006

ROUTED

CONVERSATION MEMORANDUM

Date: April 15, 2002

From: Craig L. Saxton

Subject: 29-07173 (A & B)

Received call from Dean Perry (Treasurer of Slate Mountain Water Users Assn) concerning letter I sent him.

Notes:

Well drilled around Nov or Dec of 1978.

Subdivision platted on May 8, 1978

Slate Mountain Water Users services around 7 homes.

Dean is sending me well logs and any information that indicates Slate Mountain owns a portion of 29-07173.

* If no ownership of 29-07173 can be proven, and well was drilled in 1978, can recommend as domestic with 13,000 gpd limitation. Other than that, a permit will need to be applied for.

*no
cannot - must
disallow*

PROFILED

SCANNED
APR 20 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 3, 2002

Claimants of Licensed Right 29-007173 (split portions: A/B)

Re: Request for proof of water right ownership

Dear Claimant:

In reference to the above described water right there have been two claims to portions thereof. At this point the water right for use of ground water for domestic purposes is over-claimed. To conduct an investigation and recommendation of the portions claimed, proof of water right ownership is required.

Please provide a copy of your deed or conveyance instrument to this office by April 19, 2002. **If such proof is not presented a disallowed recommendation could result.**

Thank you for your attention in this important matter. I look forward to your timely response. Please feel free to contact me at the above address/phone number.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau

Cc; SLATE MOUNTAIN WATER USERS ASSN 29-07173A
9727 W BIGHORN DR
POCATELLO ID 83204

CARIBOU ACRES WATER CORP. 29-07173B
1820 N ELK RD
POCATELLO ID 83204

PROFILED

SCANNED

APR 20 2006

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-7173

Priority: February 22, 1974 Amount: .17 CFS 33.0 AFA

This is to certify, that CARIBOU ACRES WATER CORP.

C/O MELVIN J. ANDERSON

RT. 1 BOX 88

INKOM, ID 83245

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated February 22, 1974, and has submitted proof to the Department of Water Resources on March 21, 1975, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .53 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Domestic	01/01 to 12/31	.17 cfs	33.0 afa

LOCATION OF POINT OF DIVERSION(S): SENE, Sec. 30, Township 7S, Range 35E
SWNW, Sec. 30

Bannock County

PLACE OF USE: Domestic

TWN RGE SEC

7S 35E 30

NENE
NENW

NWNE
SWNW

SWNE
SENE

SENE

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for 55 homes.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 29TH day of MAY, 1987.

MICROFILMED

Acting for the Director

JUL 01 1987

State of Idaho
Department of Water Resources

RECEIVED

MAY 13 1987

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 29-7173

Department of Water Resources

Date of Priority: February 22, 1974

Comes now CARIBOU ACRES WATER CORP.
C/O MELVIN J. ANDERSON
RT. 1 BOX 88
INKOM, ID 83245

APPROVED

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 29-7173, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Domestic	01/01 to 12/31	.17 cfs	33.0 af

LOCATION OF POINT OF DIVERSION(S): SENE, Sec. 30, Township 7S, Range 35E
SWNW, Sec. 30
Bannock County

PLACE OF USE: Domestic

TWN RGE SEC

7S 35E 30	NENE NENW	NWNE SWNW	SWNE SESW	SENE
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Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at _____, this 11th day of May, 1987.

MICROFILMED

JUL 01 1987

M. Burr Jambon
(Signature)

President-per correspondence
of 5/4/87 - kw

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 29-7173

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$20.00 Received by QW Date 5B87 #44796

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. Kenneth Dunn, of the Department of Water Resources hereby approve the above
Application for Amendment for Permit No. 29-7173 with the following;

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for 55 homes.

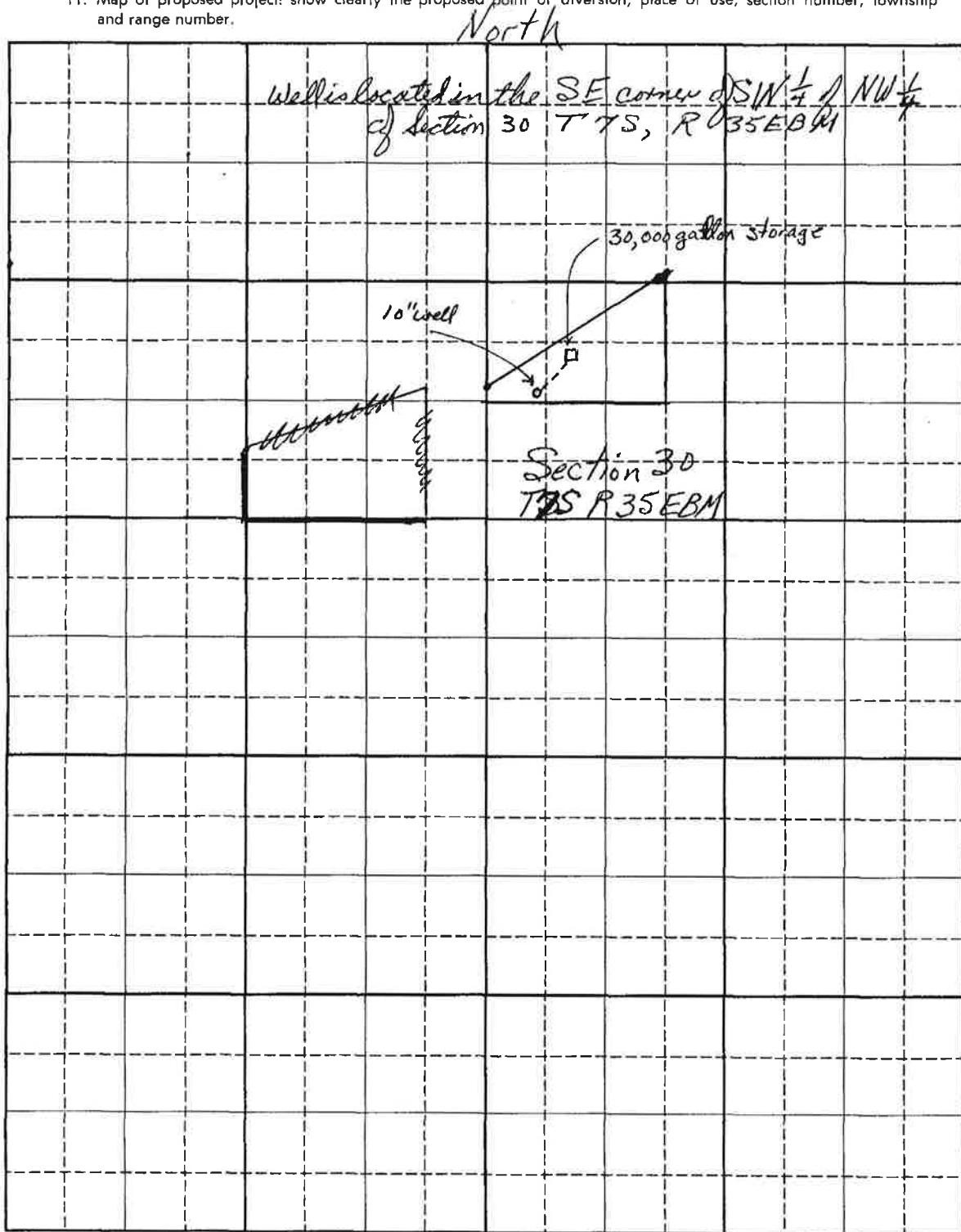
Witness my hand this 29TH day of MAY, 1987.

Norman C Young
Acting for the (Director)

MICROFILMED

JUL 01 1987

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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.

Caribou Acres Water Corp.
Melvin J. Anderson
(Applicant) Vice-President

20 7153

Portuguese
Roger Phillips
233-7127
Richard Browning
233 0279

_____ *See Page*

- 175-3164
RECEIVED
(name spring, stream, etc.)
MAR 25 1976
Department of Water Resources
Eastern District Office

- Tributary to

- MAR 25 1974

Department of Water Resources
Eastern District Office

Permit No. 29-7173
Examination for b/u

RECEIVED
MAY 29 1986

Department of Water Resources

MAY 29 1986

Department of Water Resources

- Max Rate of Diversion .167 cubic feet per second and annual volume _____ AF/Annum.

- Township 7S N/S, Range 35E E/W, B.M., Section 30, Subdivision SW $\frac{1}{4}$ NW $\frac{1}{4}$, Bannock County
- Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____ County
- Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____ County

Description of diverting works: 5 hp sub. pump in a 10" well be 120' deep pumping directly into 30,000 gal. storage tanks & from there into the distribution lines of Caribou Acres Water Sys.

6. Lands to be irrigated or place of use.

MICROFILMED
JUL 01 1987

TOTAL ACREAGE

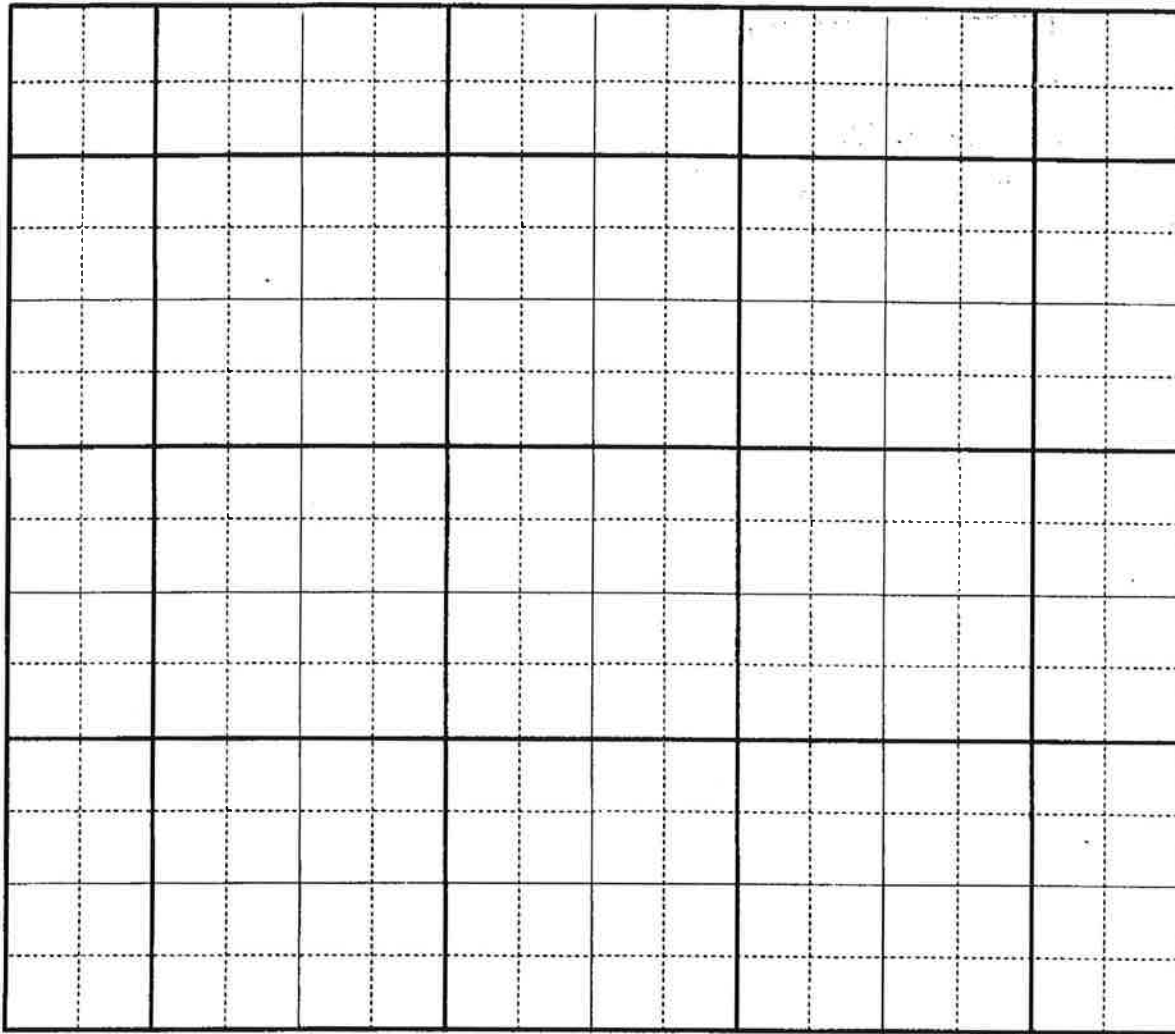
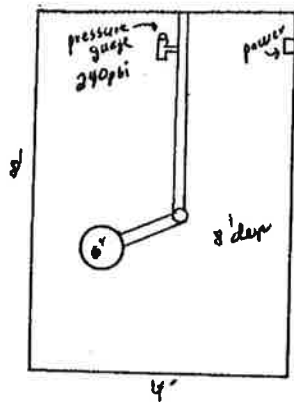


Diagram of System



#1



#2



jpe

JUL 01 1991

DATE OF EXAM June 3, 1980

ACREAGE

Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Domestic Q = .167 c.f.s. V = 66 33 AF/Ann. from Jan 1 to Dec 31
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: N/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no ☒

Name source exchanged with: N/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: N/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: N/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured .53 cfs Method of measurement Theoretical

Total Q recommended .167 Meter No. _____ Type _____ Condition _____

Total V recommended 66 AF/Ann. 33 cfs

Recommended Amendments:

P.D. Add #1 SE 1/4 NE 1/4 Sec 30 T7S R35E
Place of Use Add E 1/2 NE 1/4 Sec 30 T7S R35E
Other _____
None * POU over lgs with 29-2445 from different PD for Domestic use

MEASUREMENT CALCULATION:

#1 well a 15 hp Jacuzzi submersible, pump groundwater from a 6" well static water level 10' under 24 psi of pressure to the top of a diel with a railroad car tank holder 30,000 gals 4' tunnel main line 600' long to tank car. well is in an 8' deep x 8' x 4 concrete vault

(This point only probably is stone tank is 550 feet above well see blueprint that)

SYSTEM DESCRIPTION:

#2 a 5 hp submersible pump model #2P21032201 to 3 railroad tank car side by side.
46 units presently built, 9 empty lots with lookups. Total 55

theoretical, flow meter would only show demand at time of field exam not capacity of system.

REMARKS:

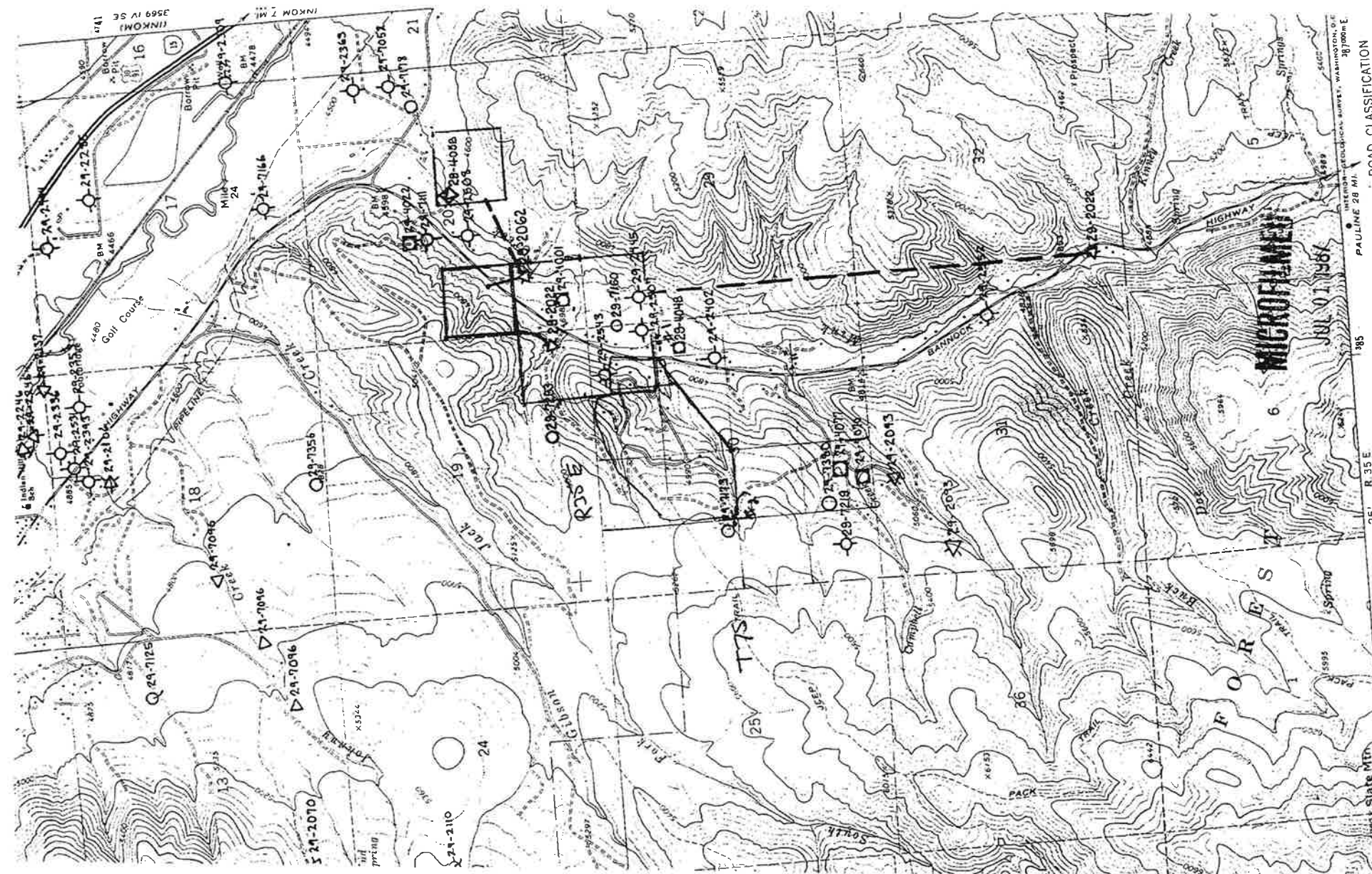
#1 well $(15 \text{ hp})(.814)(.85) = 10 + (250 \times 2.308) = .19 \text{ cfs}$
 $(5 \text{ hp})(.814)(.85) = 18 + (40 \times 2.308) = .34 \text{ cfs}$
.53 cfs
55 units x .2 AF = 11 AF/Ann
0.6 = 33 cfs

Examiner's Signature John Dale Carson Date 5/5/86

Checked by Shelby Jones Date 5-16-86

Approved by Jim John Date 3-5-87

MICROFILMED
JUL 01 1981



SCALE 1:24,000
1 MILE
1000 FEET
JUL 01 1967
PAULINE 28 MI.
ROAD CLASSIFICATION
Light-duty road.
improved surface
Secondary highway.
Unimproved road surface.