

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-12525 V1

WATER RIGHT NUMBER: 29-12525 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF DOWNEY PO BOX 204 DOWNEY, ID 83234-0204 (208)897-5342

Priority Date: 07/09/1959

Basis: Beneficial Use

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>
MUNICIPAL	1/01 to 12/31	2.580 CFS	
	<u>Total Diversion:</u>	2.580 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 27, Twp 11S, Rge 37E, B.M.
BANNOCK County		

Place of Use

MUNICIPAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	37E	27			X				X	X	X	X	X	X		X	X		
11S	37E	28													X			X	
11S	37E	34	X	X	X	X	X	X	X	X	X	X			X	X			
11S	37E	35					X	X			X								

Conditions of Approval:

1. 124 Place of use is within the service area of the City of Downey municipal water supply system as provided for under Idaho Law.
2. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-12525 V1

Remarks: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>
Contacts	12/17/2002 10:54:00 AM	rwarnar			Active
Priority Date	12/17/2002 10:56:12 AM	rwarnar			Active
Contacts	12/18/2002 1:06:32 PM	rwarnar			Active
Priority Date	12/18/2002 1:07:51 PM	rwarnar			Active
POD	12/18/2002 1:09:23 PM	rwarnar			Active
Source	12/18/2002 1:09:46 PM	rwarnar			Active
POU	12/18/2002 1:10:25 PM	rwarnar			Active
Use	12/18/2002 1:11:37 PM	rwarnar			Active
Season	12/18/2002 1:12:14 PM	rwarnar			Active
Quantity	12/18/2002 1:14:17 PM	rwarnar			Active
Summary			12/18/2002	rwarnar	Active
Summary			03/18/2003	rwarnar	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	3/18/2003 12:32:40 PM	rwarnar	Edited PLS
Contacts	12/17/2002 10:54:02 AM	rwarnar	(No) 1. Do you want to schedule an appointment?

Comment for 1: desktop review

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-12525 V1

Priority Date	12/17/2002 10:56:14 AM	rwarner	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Quantity	12/18/2002 1:14:18 PM	rwarner	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - flows supported by pump testing well following drilling.
POU	12/18/2002 11:05:38 AM	rwarner	Edited PLS
POD	12/18/2002 11:08:22 AM	rwarner	Edited point location
Contacts	12/18/2002 1:06:33 PM	rwarner	(No) 1. Do you want to schedule an appointment? Comment for 1: desktop review
Priority Date	12/18/2002 1:07:52 PM	rwarner	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Proof of Completion of Works found in adjudication file

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-12525 V1

POD	12/18/2002 1:09:23 PM	rwarner	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 9. Does the file contain all the necessary information to verify the POD? Description for Question 6 - Observed drilling log for well and have included in adjudication file
Source	12/18/2002 1:09:47 PM	rwarner	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required?
POU	12/18/2002 1:10:26 PM	rwarner	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Amended claim
Use	12/18/2002 1:11:37 PM	rwarner	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	12/18/2002 1:12:14 PM	rwarner	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (No) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

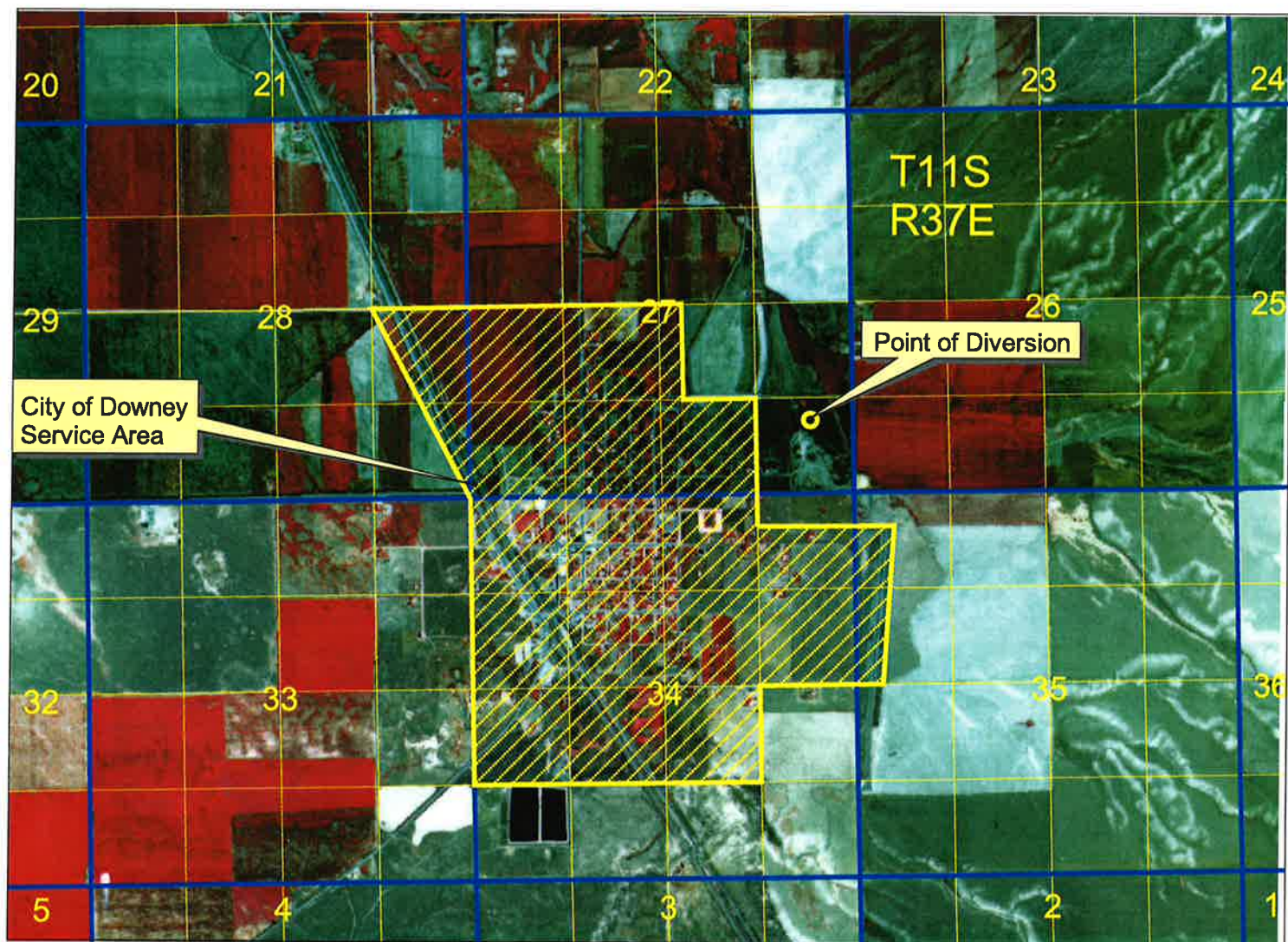
IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-12525 V1

Summary	12/18/2002 1:16:05 PM	rwarner	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (Yes) 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?
POU	3/18/2003 12:31:59 PM	rwarner	Edited shape boundary
Summary	3/18/2003 12:36:55 PM	rwarner	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (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
Claim No.: 29-12525



0.5 0 0.5 1 Miles

MUNICIPAL



-  **Well.shp**
-  **Place of use.shp**
-  **Sections**
-  **QQ**

GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by R. Warner
Date: March, 2003

A29-08145

02/18/2003

Emm

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: 29-12525

CITY OF DOWNEY

PO BOX 204

DOWNEY ID 83234-0204

Telephone Number: (208) 897-5342

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:

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

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

DATE: 2-24-03

SIGNATURE: *Tony Hancock*

Please print your name: Tony Hancock

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

Page 2 of 2[illegible]

Contacts Data Entry Form

29-12525 BY

Owner Type	Full Name	Address	City	State	Zip	Phone
------------	-----------	---------	------	-------	-----	-------

Current Owner	City of Downey					
---------------	----------------	--	--	--	--	--

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

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

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

REPRESENTATIVE?

Reviewer: _____

Date: _____

Priority Date Data Entry Form

Claim Number: 29-12525

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 5/20/1954 Claimed Basis: BURecommended Priority Date: _____ Recommended Basis: BU☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

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

No Affidavits supporting Priority date claimed - Thoms
ARIES: 1 DEPOSITION OF HOLDER, 2 DEPOSITION OF WITNESSES.
DO NOT CONCUR WITH TWO 1954 PRIORITY. OTHER PROBS:
1. DEPOSITION OF HOLDER DISCLOSES July 9, 1959, 2.58 cfs,
PDC@ SEC 4, 8 & 9 11S/38E. FURTHER, WORKS AND NOT
COMPLETE ON JULY 9, 1959 AND DISCLOSES 2.58 cfs BUT WELL
ONLY PRODUCES 310 gpm. 168' DEEP -- 18" CASING.
2. BOTH DEPOSITIONS OF WITNESSES SHOW 2.58 cfs FROM 18 UNNAMED
SPRINGS, IRRIG. IN AND OUT OF TOWN --- 310 gpm from 168'
WELL
Q: SPRINGS OR WELL - FB INDICATED - SOURCE, PDC,
PDC, PRIORITY, 11/55
STAFFING, SHEET DIRECTS SUMS ANSWERS BUT NO REASONS

$$\frac{310}{448} = 0.78 \text{ cfs}$$

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

Claim Number: _____

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

Source: _____ Tributary: _____

Claimed Point of Diversion: T 115, R 37E, Sec. 27,____, NE, SE. County: BooneSource: Well GW Tributary: _____

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

Source: _____ Tributary: _____

☐ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? _____

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

Well or Springs? NOTES indicate this is a Replacement
Well - 75' from Original ≈ 332' deep same Q
Measuring P&M

Transfers Changing POD _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

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

Total Acres _____

Recommended Place of Use

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

Total Acres _____

Document how the POU was verified:

Municipal Use w/ Boundaries of Downey Township⇒ Remark
Jφ3

Transfers Changing POU _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Municipal	01/01	12/31		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

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

Municipal of City of Danvers

Reviewer: _____

Date: _____

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF DOWNEY PO BOX 204 DOWNEY ID 83234 (208) 897-5342	05/20/1954	MUNICIPAL	01-01 12-31	2.58 CFS	
TOTAL DIVERSION:					2.58 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T11S R37E S27

NESE

BANNOCK County

Place of use Legal Description for: MUNICIPAL

				NE					NW					SW					SE
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
11S	37E	27	:																

POU County: BANNOCK

Non-Irrigation Uses: MUNICIPAL USE WITHIN BOUNDARIES OF DOWNEY TOWNSITE

Other Rights: NONE

Remarks: IN 1979-80, THE WATER TABLE DROPPED DURING A DROUGHT YEAR. A SECOND WELL WAS DRILLED 75' SOUTH OF THE FIRST EXISTING WELL TO REPLACE IT. THE FIRST WELL HASN'T PRODUCED ANY WATER SINCE THAT TIME. THE SECOND WELL IS 332' DEEP. THE LEGAL DESC. IS THE SAME AND THE CFS IS THE SAME AS THE ORIGINAL WELL.

Dates: Exam Made Date: Verified Date:

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

SCANNED

MAY 24 2001

NOV 14 1996

MICROFILMED

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME City of Daney CLAS IDENT. NO. 129-12525DATE RECEIVED 7-24-92 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: EMC Date: July 28, 92Claim must be returned to claimant: (Yes) X (No)Claimant must be notified of modifications: (Yes) X (No)
 Receipt Prepared by: _____ Date: _____
 Claim data entered by: _____ Date: _____
 Sent to claimant by: _____ Date: _____
 Checked by: **MICROFILMED** Date: **NOV 18 1992**

 Comments: #2 enter "May 20, 1954"; #5 enter "well, pump & distribution system"
#9 enter "Municipal use for within boundaries of Daney townsite." Item 15 enter "J"

ROBERT E. SMYLLIE
Governor



CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

RECEIVED
OCT 5 1964

September 28, 1964

Department of Reclamation

RE: Permit 28014
Village of Downey

Mary B. Barfuss
Village Clerk
Downey, Idaho

Dear Mrs. Barfuss:

Returned herewith is your Proof of Completion of Works of the above noted permit. Several discrepancies were noted that will require correction before additional action can be taken.

Items to be corrected on the deposition of holder are:

- Question # 4 should read municipal not domestic.
- Question # 6 should include the date completed, and whether or not they comply with the permit.
- Question # 8 should give the description of works and state dimensions and capacity as well as the costs.

Items to be corrected on the deposition of witnesses are:

- Question #2 should state in the blank for purpose municipal instead of irrigation.
- Question #5 both parts of the question to be answered not just the last part.
- Question #6 must be filled in giving the requested information.

When the above corrections are completed, please return to this office.

Very truly yours,

MICROFILMED
NOV 14 1996

PERMIT No. 28014..

RECEIVED
SEP 28 1964
Department of Reclamation

Proof of Completion of Works

DEPOSITION OF WITNESS

In compliance with Sec. 5594, Compiled Statutes of Idaho.

Department of Reclamation

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. S. Le Roy Salvesen

Retired Farmer

Ques. 2. Are you acquainted with The Village of Downey, the

holder of Permit No. 28014, authorizing the diversion of 2.58 second-feet of the waters

of 18 Unnamed Springs, at

for Municipal purposes? How long have you known him, and where does he reside?

Ans. I have been acquainted with the Village since birth.

Ques. 3. Have you read or heard read said Permit No. 28014, and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. The land irrigated includes the Village limits and some areas on the

outskirts.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use? If so, when were they so completed? The works of the diversion are fully completed, and

Ans. July 9, 1964 sufficient to take care of designated amount of water set forth in permit.

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date.

Ans. 310 gallon per minute from 168 foot deep well

(Sign here.)

[Signature]

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Downey, County of

Bannock, State of Idaho, on this 27 day of

Sept. A. D. 1964

My Commission expires 5-10-66

[Signature]

Notary Public.

PERMIT No. 28014...

RECEIVED
SEP 28 1964

Proof of Completion of Works

DEPOSITION OF WITNESS

In compliance with Sec. 5594, Compiled Statutes of Idaho

RECEIVED
OCT 5 1964

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. J. Reed Criddle, Farming, Downey, Idaho

Ques. 2. Are you acquainted with... The Village of Downey... the

holder of Permit No. 28014... authorizing the diversion of 2.58... second-feet of the waters of 18 Unnamed Springs... at

for Municipal purposes? How long have you known him, and where does he reside?

Ans. Born and raised in Downey, Have been in Village all my life

Ques. 3. Have you read or heard read said Permit No. 28014... and are you familiar with its terms and conditions?

Ans. yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. I am acquainted with the area in the Village limits and outside areas... irrigated by this water.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use? If so, when were they so completed?

Ans. The works of the diversion are fully completed, and sufficient to take care of designated amount of water set forth in permit. July 9, 1959

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date.

Ans. 310 gallon per minute from 168 foot deep well

(Sign here.)

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Downey, County of

Blaine, State of Idaho, on this 24 day of Sept. A. D. 1964

My Commission expires 5-10-66

Notary Public.

Department of Reclamation

Proof of Completion of Works

RECEIVED
SEP 28 1964

DEPOSITION OF HOLDER

In compliance with Sec. 5594, Compiled Statutes of Idaho.

Department of Reclamation

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. ... Mary R. Barfuss, ... Village Clerk, Downey, Idaho

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. ... Village of Downey, Downey, Idaho

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. ... 28014 permit number ... July 9, 1959 ... 2.58 Cubic Feet

... point of diversion located Sec. 4, E. 9, Twp. 11 S., Rge. 38, E. B. M.

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you have reclaimed or intend to reclaim.

Ans. ... Domestic Municipal

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. ... Yes ... July 9, 1959

Ques. 6. State whether or not the works of diversion are fully completed, if so on what date, and whether or not they comply in all respects with terms of the permit.

Ans. ... They are completed - July 9 - 1959. They do not comply.

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. Permit calls for 2.58 second feet of water - but well only produces 310 per minute.

Ques. 8. Give description of works and state dimensions and capacity of each part as they existed on ... July ... 1959, and give cost of same.

Ans. Cost about 18,000.00 Capacity 310 gallons per min.

Dimensions on well -- 168 feet deep -- 18 inch casing

(Sign here) Village of Downey

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, in ... Downey

... Blaine, State of Idaho, on this ... 24 ... day of

Sept. A. D. 1964

My Commission expires 5-10-66

Sam. Robinson

Notary Public.

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

APR 12 1995

1. WELL OWNER

Name Downey City Corp.Address 29-94E-07E-400Owner's Permit No. 29-08145

7. WATER LEVEL

Department of Water Resources
Eastern District OfficeStatic water level 51 feet below land surface.Flowing? ☐ Yes ☒ No G.P.M. flow _____

Artesian closed-in pressure _____ p.s.i.

Controlled by: ☐ Valve ☐ Cap ☐ Plug

Temperature _____ of. Quality _____

Describe artesian or temperature zones below.

2. NATURE OF WORK

- ☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

8. WELL TEST DATA

- ☒ Pump ☐ Bailor ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
1200	255	7
1000	227	12
900	217	2
600	193	1

3. PROPOSED USE

- ☐ Domestic ☐ Irrigation ☐ Test ☒ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

- ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
375 inches	22 inches	1 feet	88 feet
375 inches	16 inches	15 feet	587 feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ NoWas a packer or seal used? ☐ Yes ☐ NoPerforated? ☒ Yes ☐ NoHow perforated? ☐ Factory ☒ Knife ☐ TorchSize of perforation 7/16 inches by 3 inches

Number	From	To
_____ perforations	130 feet	146 feet
_____ perforations	152 feet	158 feet
_____ perforations	219 feet	224 feet

Well screen installed? ☐ Yes ☒ No (Continued)

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 90 + Material used in seal: ☒ Cement grout☐ Bentonite ☐ Pudding clay ☐ _____Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing☒ Overbore to seal depthMethod of joining casing: ☐ Threaded ☒ Welded ☐ Solvent☐ Cemented between strataDescribe access port 2" pipe in casing side Threaded

(Continued)

10. Work started 12-27-94 finished 3-3-95

6. LOCATION OF WELL

Sketch map location must agree with written location.

Subdivision Name _____

Lot No. _____ Block No. _____

County Bannock

SE 1/4 SE 1/4 Sec. 27, T. 11 N, R. 37 E

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.Firm Name Wright Drilling Inc. Firm No. 0422

2800 So. Main

Address Nibley, UT 84321 Date 3-19-95Signed by (Firm Official) Ken Wright

and

(Operator) Ken Wright

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

MAY 24 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: **A29-12525**
Date Received: 7/29/1992
Receipt No: C016744
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CITY OF DOWNEY
Address: PO BOX 204
DOWNEY ID 83234
208-897-5342

2. Date of Priority: MAY 20, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	37E	27	NE	SE			BANNOCK

5. Description of diverting works:
WELL, PUMP & DISTRIBUTION SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
MUNICIPAL	01/01	12/31	2.580		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
MUNICIPAL USE WITHIN BOUNDARIES OF DOWNEY TOWNSITE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
11S	37E	27	NE	SE		MUNI	

11. Place of use in counties: BANNOCK

A2912525



MICROFILMED

NOV 16 1992

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

13. Other Water Rights Used:
NONE

14. Remarks:

IN 1979-80, THE WATER TABLE DROPPED DURING A DROUGHT YEAR. A SECOND WELL WAS DRILLED 75' SOUTH OF THE FIRST EXISTING WELL TO REPLACE IT. THE FIRST WELL HASN'T PRODUCED ANY WATER SINCE THAT TIME. THE SECOND WELL IS 332' DEEP. THE LEGAL DESC. IS THE SAME AND THE CFS IS THE SAME AS THE ORIGINAL WELL.

15. Basis of Claim: BENEFICIAL USE

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 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

MICROFILMED
NOV 16 1992

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 _____

MICROFILMED
NOV 16 1992

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 A29-12525
Date Received _____
Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUL 24 1992

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) City of Downey Phone (208) 897-5342
Mailing Address P. O. Box 204 Downey, ID Zip 83234

2. Date of Priority (Only one (1) per claim) Spring 1954

3. Source of water supply (a) subterranean
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 11 S Range 37 E Section 27,
NE 1/4 of Se 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Bannock

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. _____

MICROFILMED

NOV 16 1992

5. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Municipal/Domestic purposes from Jan 1 to Dec 31 amount 2.58 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.58 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
11 S	37 E	27													X				

Total number of acres irrigated 250 homes in Downey Townsite

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

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks: In 1979-80 the water table dropped during a drought year. A second well was drilled 75' south of the first existing well to replace it. The first well hasn't produced any water since that time. The second well is 332' deep. The legal Description is the same and the cfs is the same as the original well.

MICROFILMED
NOV 16 1992

Last Name City of Downey Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

MICHOFILMED

Last Name City of Downey

Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit x

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ President of City Council
Title

of _____ City of Downey _____, that I have signed the foregoing
Organization

document in the space below as _____ President of City Council _____ of _____ City of Downey
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent R. Neal Gibbs

Title and Organization _____ President of City Council _____ Date July 23, 1992

State of Idaho/or Idaho)
County of Boonville) SS.

Subscribed and sworn (or affirmed) before me this 23rd day of July 19 92

SEAL

Notary Public Barbara A. Bybee

Residing at Downey Cal

My Commission Expires 12-22-93

Please Print Name Barbara A. Bybee

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
NOV 16 1992

Last Name City of Downey Ident. Number _____

Copies White-State, Yellow-Claimant

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

Date Received

Receipt Number

5-9-90

00167414

RECEIVED
MAY 09 1990

Department of Water Resources

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

RECEIVED

MAY - 5 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) City of Downey Phone (208) 897-5342
Mailing Address P. O. Box, Downey, Idaho Zip 83234

2. Date of Priority (Only one (1) per claim) August 21, 1964

3. Source of water supply (a) subterranean
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 11 S Range 37 E Section 27 ,
NE 1/4 of SE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Bannock

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____ , _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____ , _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. _____

MICROFILMED

NOV 16 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Municipal Domestic purposes from Jan 1 to Dec 31 amount 2.58 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.58 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
11 S	37E	27									X								

Total number of acres irrigated Downey townsite

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

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
In 1979-80 the water table dropped during a drought year. A second well was or None ()

14. Remarks: drilled 75' south of the first existing well to replace it. The first well cannot produce any water since that time, as the second well is 332' deep. The legal description is the same and the cfs is the same as originally applied for.

MICROFILMED

NOV 16 1992

Last Name City of Downey Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A microfiche card with a grid of 100 frames (10 rows by 10 columns). The frames contain a repeating pattern of a crosshair with a central dot. The card is labeled "MICROFILMED" in red at the bottom right.

MICROFILMED

NOV 16 1992

Last Name City of Downey Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit ☒

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Mayor _____

Title _____

of _____ City of Downey _____, that I have signed the foregoing

Organization _____

document in the space below as _____ Mayor _____ of _____ City of Downey _____

Title _____

Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Downey City Mayor _____ Date _____

State of Idaho/or _____)

County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 3 day of May 19 90

SEAL

Notary Public Louise Barnes

Residing at Downey, Idaho 83234

My Commission Expires 4/21/1992

Please Print Name

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

NOV 16 1992

Last Name City of Downey Ident. Number _____

Copies White-State, Yellow-Claimant