

WATER LICENSE

Water License No. G-30415/29-2460 Priority October 25, 1962 Amount 4.68 c.f.s.
(late proof)

THIS IS TO CERTIFY, that CITY OF AMERICAN FALLS

of American Falls, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 15, 1962; that Permit G-30415/29-2460 was issued pursuant to said application; that the proposed works were completed on or about March 15, 1962, with a storage/or carrying capacity of 4.68 c.f.s., said works consisting of 3 wells, pumps, and motors; and that on October 30, 1967,

proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 703 acre feet per season, with a maximum rate of diversion of 4.68 cubic feet per second of the waters of ground-water, tributary of _____,

for the purpose of Municipal from January 1 to December 31;

and for _____ from _____ to _____; and for

_____ from _____ to _____; and that the use

of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is (1 well) located in NW 1/4 SE 1/4, Sec. 29, T. 7 S., R. 31 E., B.M., and

other additional points (2 wells) NE 1/4 SE 1/4 Sec. 29, T. 7 S., R. 31 E., B.M., in the County of

Power; and that the amount of water to which such right is

entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 703 acre feet per year.

Description and location of place of use: City of American Falls

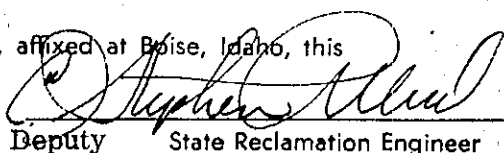
TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres irrigated _____

The right to the use of the water 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

12th day of February, 19 70.


Deputy State Reclamation Engineer

30415
29-2460

APPLICATION FOR PERMIT 29-2460

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 38481
Permit No. G- 30415
District No.

1. Name of Applicant: City of American Falls
Postoffice address: American Falls County: Power State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 5.0 or Idaho
Miners' inches or gallons per minute 2250
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
2 wells - NE $\frac{1}{4}$ SE $\frac{1}{4}$
4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 29
Twp. 7 S , Rge. 31 E , B.M., County of Power
5. Water is to be used for: Municipal purposes
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the City of American Falls & vicinity
/ $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to Snake River
at a point in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 31 , Twp. 7 S , Rge. 31 E , B.M.
7. Kind of works: Municipal water works
8. Estimated cost of works: \$
9. (a) Is reservoir to be used? Yes
(b) Capacity of reservoir: 2,000,000 gal.
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:

Village of American Falls - July 30, 1906
Malad, Oneida County, Idaho
City of American Falls - May 1, 1917

 - I. (a) Date and place of incorporation: American Falls, Idaho
 - (b) Amount of capital stock: \$ (c) Amount paid in: \$
 - (d) Names and addresses of directors: Roland T. Kramer, Mayor; Thomas V. Tibor, Robert Ewing, R. M. Wheeler, Jr., L. A. Ringe, Bert Payne and Grant Cleverley, Councilmen.
W. C. Loofbourrow, City Attorney, and James F. Nixon, City Clerk
 - II. The financial resources of the applicant are (a) Cash onhand: \$
 - (b) Treasury stock: (c) Bonds to be issued:
 - (d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
 - (a) 5.0 (cubic feet per second, ~~inches or gallons per minute~~) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

By s/ Roland T. Kramer Agent.
Mayor

Corrected application received:

Countersigned: _____

(SEAL) _____

By s/ ARNOLD WILLIAMS _____

Secretary of State.

STATE OF IDAHO

By s/ ROBERT E. SMYLLIE _____

Governor

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	

LICENSE ISSUED FOR 4.68 SEC. FT.
 LICENSE PAGE NO.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68831

This is to certify that: CITY OF AMERICAN FALLS
550 N OREGON TRAIL
AMERICAN FALLS ID 83211
(208)226-2569

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document. The right holder shall accomplish the authorized change within one (1) year of the date of this approval. Failure of the right holder to comply with the conditions of approval for each water right affected by this transfer is cause for the Director to rescind approval of all or part of the transfer.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
29-2460	AJC/License	10/25/1962	4.68 cfs	703.0 af			Ground Water
29-2510	AJC/License	08/25/1965	2.42 cfs	590.7 af			Ground Water
29-4421	AJC/Statutory Claim	06/02/1936	2.00 cfs				Ground Water
							Sunbeam Springs
29-7821	AJC/License	01/28/1987	3.12 cfs				Ground Water
29-7822	AJC/License	01/28/1987	0.81 cfs				Ground Water

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
29-2460	NO	NO	NO	YES	NO	NO
29-2510	NO	NO	NO	YES	NO	NO
29-4421	NO	NO	NO	YES	NO	NO
29-7821	NO	NO	NO	YES	NO	NO
29-7822	NO	NO	NO	YES	NO	NO

Summary of Water Rights After the Approved Change

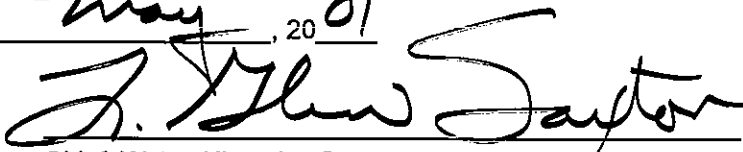
<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
29-2460	29-2460	4.68 cfs	703.0 af	N/A	N/A		N/A	N/A	N/A	N/A
29-2510	29-2510	2.42 cfs	590.7 af	N/A	N/A		N/A	N/A	N/A	N/A
29-4421	29-4421	2.00 cfs		N/A	N/A		N/A	N/A	N/A	N/A
29-7821	29-7821	3.12 cfs		N/A	N/A		N/A	N/A	N/A	N/A
29-7822	29-7822	0.81 cfs		N/A	N/A		N/A	N/A	N/A	N/A
TOTALS		13.03 cfs		N/A	N/A		N/A	N/A	N/A	N/A

MICROFILMED
JUN 01 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68831

Detailed Water Right Description(s) attached

Dated this 18th day of May, 2001


Chief, Water Allocation Bureau

MICROFILMED
JUN 01 2001

WATER RIGHT NO. 29-2460
As Modified by Transfer No. 68831

In accordance with the approval of Transfer No. 68831, Water Right No. 29-2460 is now described as follows.

Right Holder: CITY OF AMERICAN FALLS
550 N OREGON TRAIL
AMERICAN FALLS ID 83211

Priority Date: 10/25/1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01 to	12/31	4.68 CFS	703.0 AF
			4.68 CFS	703.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSESW Sec. 21 Twp 07S	Rge 31E	POWER County
GROUND WATER	NENESE Sec. 29 Twp 07S	Rge 31E	POWER County
GROUND WATER	SENESE Sec. 29 Twp 07S	Rge 31E	POWER County
GROUND WATER	NWNWSE Sec. 29 Twp 07S	Rge 31E	POWER County
GROUND WATER	NWSWSE Sec. 29 Twp 07S	Rge 31E	POWER County
GROUND WATER	NWSW Sec. 32 Twp 07S	Rge 31E	POWER County
GROUND WATER	SWSWNW Sec. 13 Twp 08S	Rge 31E	POWER County

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under Transfer 68831 shall not exceed 13.03 cfs.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. The place of use is located within the City of American Falls and the surrounding service area.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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JUN 01 2001

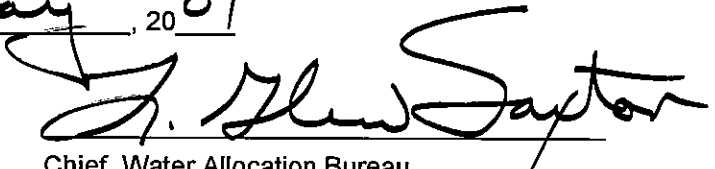
WATER RIGHT NO. 29-2460
As Modified by Transfer No. 68831

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18th day of May, 2001


Chief, Water Allocation Bureau

MICROFILMED
JUN 01 2001

WATER RIGHT NO. 29-2510
As Modified by Transfer No. 68831

In accordance with the approval of Transfer No. 68831, Water Right No. 29-2510 is now described as follows.

Right Holder: CITY OF AMERICAN FALLS
550 N OREGON TRAIL
AMERICAN FALLS ID 83211

Priority Date: 08/25/1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01	to 12/31	2.42 CFS	590.7 AF
			2.42 CFS	590.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSESW Sec. 21 Twp 07S	Rge 31E	POWER County
GROUND WATER	NENESE Sec. 29 Twp 07S	Rge 31E	POWER County
GROUND WATER	SENESE Sec. 29 Twp 07S	Rge 31E	POWER County
GROUND WATER	NWNWSE Sec. 29 Twp 07S	Rge 31E	POWER County
GROUND WATER	NWSWSE Sec. 29 Twp 07S	Rge 31E	POWER County
GROUND WATER	NWSW Sec. 32 Twp 07S	Rge 31E	POWER County
GROUND WATER	SWSWNW Sec. 13 Twp 08S	Rge 31E	POWER County

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under Transfer 68831 shall not exceed 13.03 cfs.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. The place of use is located within the City of American Falls and the surrounding service area.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

MICROFILMED
JUN 01 2001

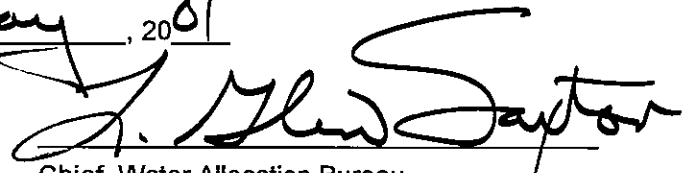
WATER RIGHT NO. 29-2510
As Modified by Transfer No. 68831

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18th day of May, 2001


Chief, Water Allocation Bureau

MICROFILMED
JUN 01 2001

WATER RIGHT NO. 29-4421
As Modified by Transfer No. 68831

In accordance with the approval of Transfer No. 68831, Water Right No. 29-4421 is now described as follows.

Right Holder: CITY OF AMERICAN FALLS
550 N OREGON TRAIL
AMERICAN FALLS ID 83211

Priority Date: 06/02/1936

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01	to 12/31	2.00 CFS	
			2.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSESW Sec. 21 Twp 07S	Rge 31E	POWER County
GROUND WATER	NENESE Sec. 29 Twp 07S	Rge 31E	POWER County
GROUND WATER	SENESE Sec. 29 Twp 07S	Rge 31E	POWER County
GROUND WATER	NWNWSE Sec. 29 Twp 07S	Rge 31E	POWER County
GROUND WATER	NWSWSE Sec. 29 Twp 07S	Rge 31E	POWER County
GROUND WATER	NWSW Sec. 32 Twp 07S	Rge 31E	POWER County
GROUND WATER	SWSWNW Sec. 13 Twp 08S	Rge 31E	POWER County

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under Transfer 68831 shall not exceed 13.03 cfs.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. The place of use is located within the City of American Falls and the surrounding service area.
5. Approval of Transfer 68831 does not confirm Claimed Right 29-4421.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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JUN 01 2001

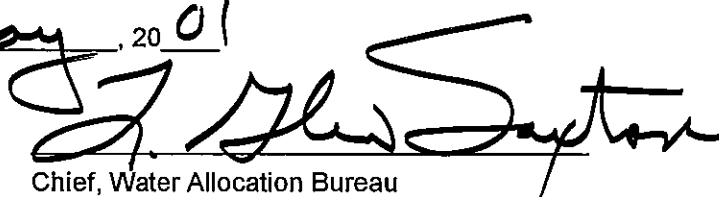
WATER RIGHT NO. 29-4421
As Modified by Transfer No. 68831

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18th day of May, 2001


Chief, Water Allocation Bureau

MICROFILMED
JUN 01 2001

WATER RIGHT NO. 29-7821
As Modified by Transfer No. 68831

In accordance with the approval of Transfer No. 68831, Water Right No. 29-7821 is now described as follows.

Right Holder: CITY OF AMERICAN FALLS
550 N OREGON TRAIL
AMERICAN FALLS ID 83211

Priority Date: 01/28/1987

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	1/01	12/31	3.12 CFS	
			3.12 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSESW Sec. 21 Twp 07S	Rge 31E	POWER County
GROUND WATER	NENESE Sec. 29 Twp 07S	Rge 31E	POWER County
GROUND WATER	SENESE Sec. 29 Twp 07S	Rge 31E	POWER County
GROUND WATER	NWNWSE Sec. 29 Twp 07S	Rge 31E	POWER County
GROUND WATER	NWSWSE Sec. 29 Twp 07S	Rge 31E	POWER County
GROUND WATER	NWSW Sec. 32 Twp 07S	Rge 31E	POWER County
GROUND WATER	SWSWNW Sec. 13 Twp 08S	Rge 31E	POWER County

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under Transfer 68831 shall not exceed 13.03 cfs.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. The place of use is located within the City of American Falls and the surrounding service area.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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JUN 01 2001

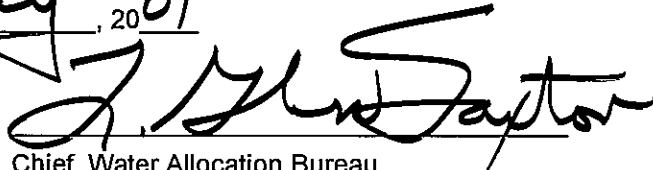
WATER RIGHT NO. 29-7821
As Modified by Transfer No. 68831

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18th day of May, 2001


Chief, Water Allocation Bureau

MICROFILMED
JUN 01 2001

WATER RIGHT NO. 29-7822
As Modified by Transfer No. 68831

In accordance with the approval of Transfer No. 68831, Water Right No. 29-7822 is now described as follows.

Right Holder: CITY OF AMERICAN FALLS
550 N OREGON TRAIL
AMERICAN FALLS ID 83211

Priority Date: 01/28/1987

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01 to	12/31	0.81 CFS	
			0.81 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSESW Sec. 21 Twp 07S	Rge 31E	POWER County
GROUND WATER	NENESE Sec. 29 Twp 07S	Rge 31E	POWER County
GROUND WATER	SENESE Sec. 29 Twp 07S	Rge 31E	POWER County
GROUND WATER	NWNWSE Sec. 29 Twp 07S	Rge 31E	POWER County
GROUND WATER	NWSWSE Sec. 29 Twp 07S	Rge 31E	POWER County
GROUND WATER	NWSW Sec. 32 Twp 07S	Rge 31E	POWER County
GROUND WATER	SWSWNW Sec. 13 Twp 08S	Rge 31E	POWER County

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under Transfer 68831 shall not exceed 13.03 cfs.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. The place of use is located within the City of American Falls and the surrounding service area.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

MICROFILMED

JUN 01 2001

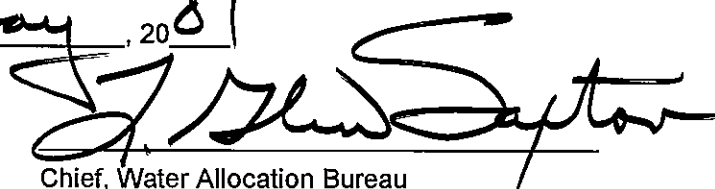
WATER RIGHT NO. 29-7822
As Modified by Transfer No. 68831

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18th day of May, 2001


Chief, Water Allocation Bureau

MICROFILMED
JUN 01 2001

DEPARTMENT OF WATER RESOURCES

Transfer No. 68831

RECEIVED APPLICATION FOR TRANSFER OF WATER RIGHT
MAR 6 1964 PART 1

Name of Applicant City of American Falls Phone 208-226-2569
 Department of Water Resources
 Department of Water Resources
 Post Office address 350 North Oregon Trail American Falls, ID 83402

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Consolidate points of diversion
2. Describe the reason for the proposed changes Initially we are adding a point of diversion. Also since we have a unified system we want to make all the points of diversion common to all the rights. Also the source of 243 claim 29-04421 is really 3 artesian wells + this will be changed via this transfer.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
- _____ to _____
_____ to _____
_____ to _____
_____ to _____
2. Total amount of water being transferred 13.03 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion: See attached sheet

[illegible]

5. Lands irrigated or place of use:

[illegible]

JUN 01 2001

Total Acres

T#68831

6. General Information:

a. Description of diversion system There are presently five deep wells pumping water directly into the city's distribution system. Also we have artesian wells flowing into one pipe which discharges into the same distribution system

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
NA Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NA.

d. Remarks:

If this transfer is approved applicants will withdraw application #29-08236.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

For the Director

MICROFILMED

JUN 01 2001

B1. List of Rights

#29-04421	06/02/1936	2.00 cfs	Minicipal	01/01 to 12/31
#29-02460	10/25/1962	4.68 cfs	Municipal	01/01 to 12/31
#29-02510	08/25/1965	2.42 cfs	Municipal	01/01 to 12/31
#29-07821	01/28/1987	3.12 cfs	Municipal	01/01 to 12/31
#29-07822	01/28/1987	0.81 cfs	Municipal	01/01 to 12/31

B4. Points of Diversion

~~NWSESW~~
#10 ~~SWNESE~~ Sec 21 T7S R31E
#5 NENESE Sec 29 " "
#1 SENESE Sec 29 " "
#3 NWNWSE Sec 29 " "
#4 NWSWSE Sec 29 " "
#7 NWSW Sec 32 " " New Well
SWSWNW Sec 13 T8S R31E

MICROFILMED

JUN 01 2001

Tr #68831

Page 3 of 11

PART 2

TRANS NO. 68831

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 29-04421

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
MUNICIPAL	01/01 to 12/31	2.00 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SUNBEAM SPRINGS	SUNBEAM CREEK, EAST FORK

Priority: 06/02/1936

LOCATION OF POINT(S) OF DIVERSION: SESW , Sec. 12, Township 08S, Range 31E
POWER County

PLACE OF USE:

MUNICIPAL

				NE				NW				SW				SE																				
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SENW					NESW	NWSW	SWSW	SESW					NESE	NWSE	SWSE	SESE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac
07S	31E	20	:	M		M		M		M		:	M		M		M		M		:	M		M		M		M		:	M		M		M	
07S	31E	21	:	M		M		M		M		:	M		M		M		M		:	M		M		M		M		:	M		M		M	
07S	31E	22	:	M		M		M		M		:	M		M		M		M		:	M		M		M		M		:	M		M		M	
07S	31E	28	:	M		M		M		M		:	M		M		M		M		:	M		M		M		M		:	M		M		M	
07S	31E	29	:	M		M		M		M		:	M		M		M		M		:	M		M		M		M		:	M		M		M	
07S	31E	31	:	M		M		M		M		:	M		M		M		M		:	M		M		M		M		:	M		M		M	
07S	31E	32	:	M		M		M		M		:	M		M		M		M		:	M		M		M		M		:	M		M		M	
07S	31E	33	:	M		M		M		M		:	M		M		M		M		:	M		M		M		M		:	M		M		M	

CONDITIONS/REMARKS:

Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? NO If yes, describe:MICROFILMED
JUN 01 2001

PART 2

TRANS NO. 68831

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 29-02460

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
MUNICIPAL	01/01 to 12/31	4.68 CFS	703.0 AF

SOURCE

GROUNDWATER

Priority: 10/25/1962

LOCATION OF POINT(S) OF DIVERSION:NESE , Sec. 29, Township 07S, Range 31E
NWSE , Sec. 29, Township 07S, Range 31E
POWER CountyPLACE OF USE: See RemarksCONDITIONS/REMARKS:

1. 2 P/D IN NESE, S29, T7S, R31E.
2. P/U IN CITY OF AMERICAN FALLS.

Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? No If yes, describe:

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____MICROFILMED
JUN 01 2001

PART 2

TRANS NO. 68831

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 29-02510

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
MUNICIPAL	01/01 to 12/31	2.42 CFS	590.7 AF

SOURCE

GROUNDWATER

Priority: 08/25/1965

LOCATION OF POINT(S) OF DIVERSION:SWSE , Sec. 29, Township 07S, Range 31E
POWER CountyPLACE OF USE: See RemarksCONDITIONS/REMARKS:

1. P/U WITHIN CITY LIMITS OF AMERICAN FALLS.

Describe any other water rights used for the same purpose as described above:

_____To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? No If yes, describe:

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____MICROFILMED
JUN 01 2001

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 29-07821

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
MUNICIPAL	01/01 to 12/31	3.12 CFS

SOURCE

GROUNDWATER

Priority: 01/28/1987

LOCATION OF POINT(S) OF DIVERSION:NESE , Sec. 29, Township 07S, Range 31E
POWER CountyPLACE OF USE: See RemarksCONDITIONS/REMARKS:

1. Place of use is within the city limits of American Falls.

Describe any other water rights used for the same purpose as described above:

_____To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? no If yes, describe:

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

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JUN 01 2001

PART 2

TRANS NO. 68831

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 29-07822

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
MUNICIPAL	01/01 to 12/31	0.81 CFS

SOURCE

GROUNDWATER

Priority: 01/28/1987

LOCATION OF POINT(S) OF DIVERSION:SESW , Sec. 21, Township 07S, Range 31E
POWER CountyPLACE OF USE: See RemarksCONDITIONS/REMARKS:

1. Place of use within the city limits of American Falls.

Describe any other water rights used for the same purpose as described above:

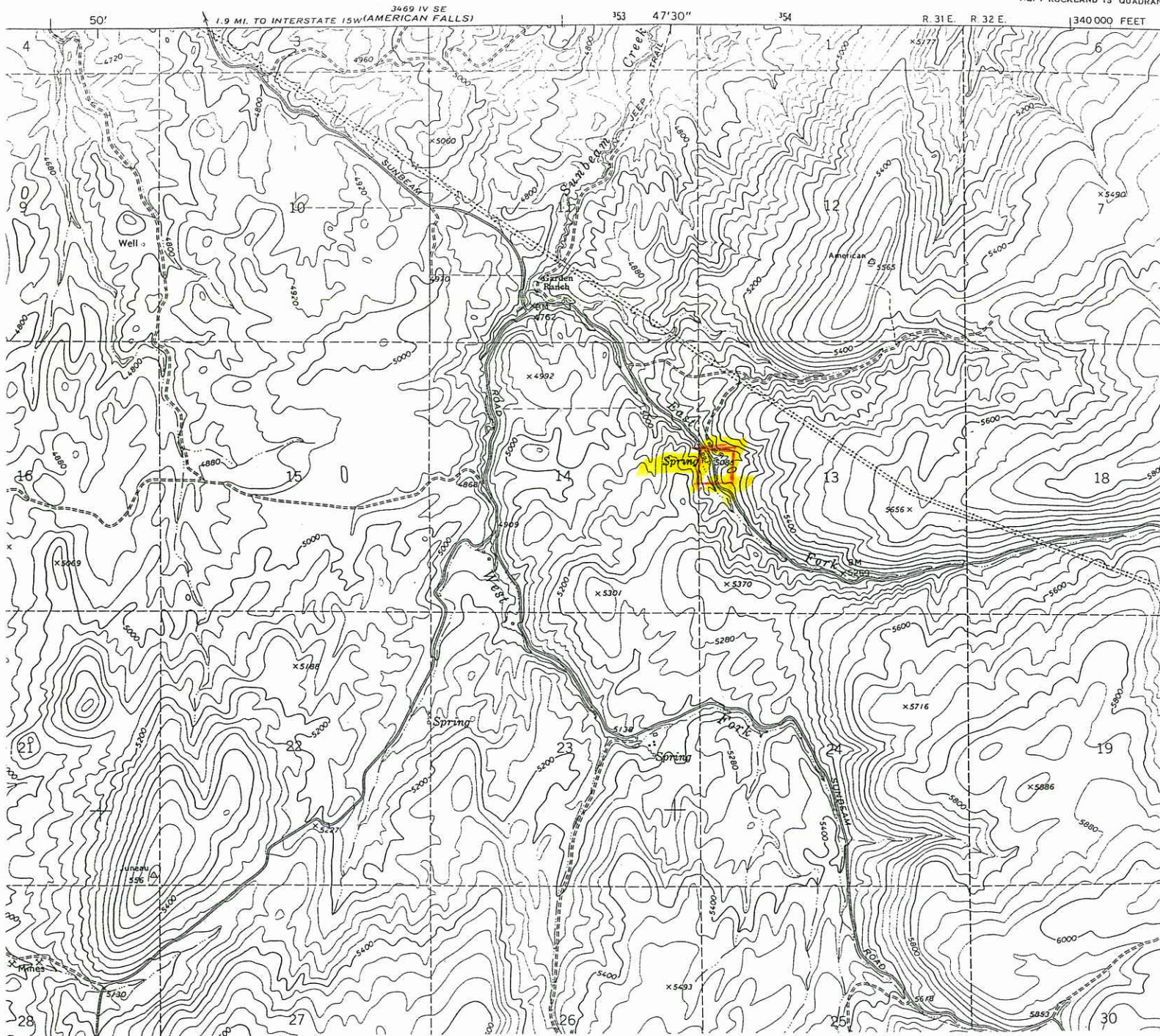
_____To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? No If yes, describe:

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

MICROFILMED

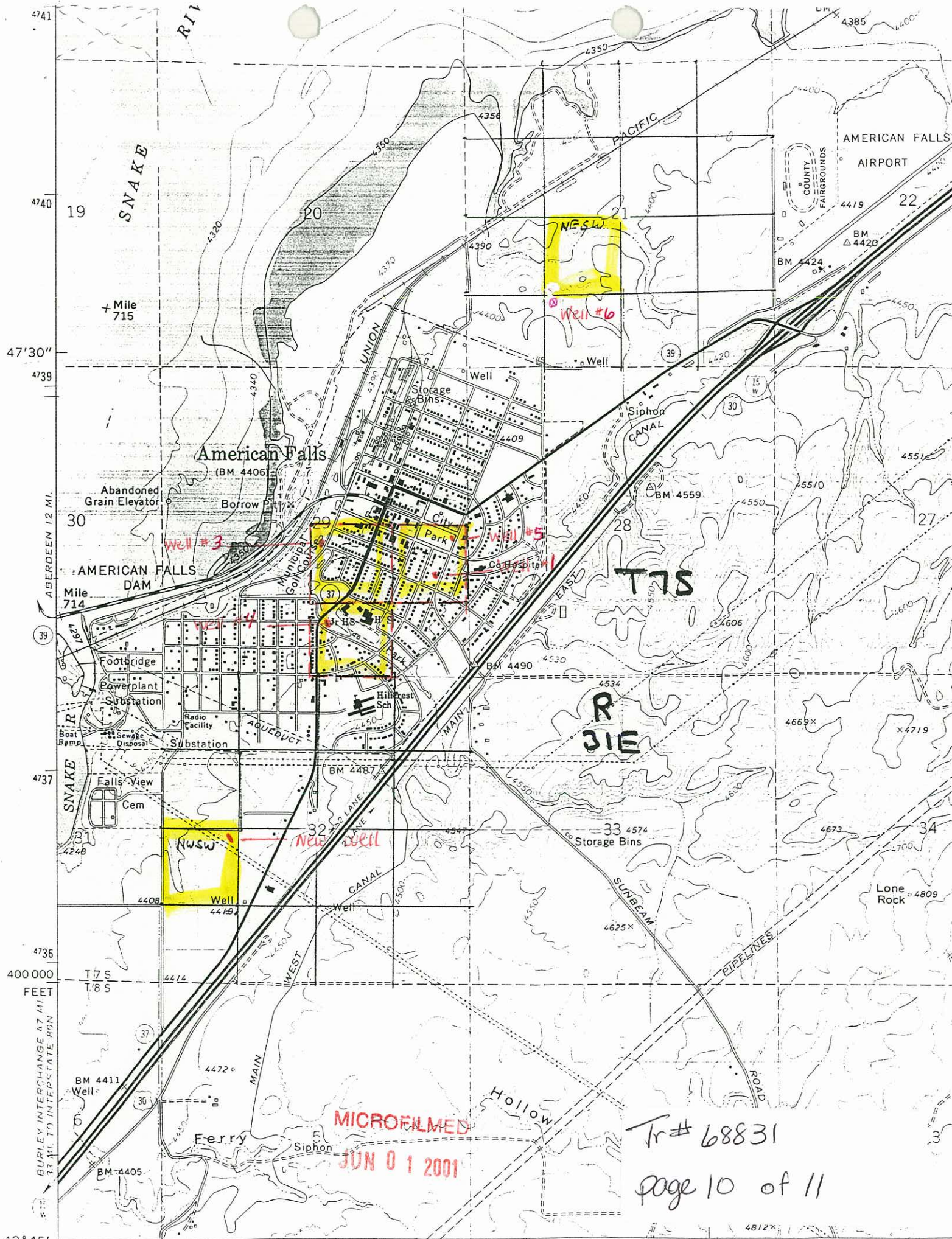
JUN 01 2001



SWSWNW Sec. 13 T8S R31E SUNBEAM SPRING:

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JUN 01 2001

Tr # 68831
page 9 of 11



Tr# 68831

page 10 of 11

PART 3

B. CHANGES IN NATURE OF USE

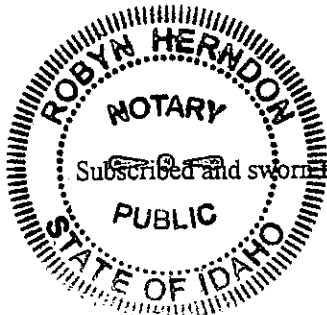
1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



[Signature]
 (Signature of Applicant) + Title Mayor

Subscribed and sworn to before me this 8th day of December, 2000.

[Signature]
 (Notary Public)

My commission expires 10/14/2004

FOR DEPARTMENT USE ONLY

Transfer contains 11 pages and 19 attachments

Received by HWT Date 12-14-00 Protest filed by _____

Prelim. Check by KCW 12-15-00 Fee 770⁰⁰

Receipted by HWT #EO 26375 Date 12-14-00 #EO 26376

Published in Power Co. Press, IL Statesman, Lewiston Trib, Times News, Post Register Copies of protest forwarded by _____

Pub. Dates 1/24 & 1/31/01 and 1/25 & 2/1/01 Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☒ approval ☐ denial

_____ received _____ by RDC

Copy of transfer sent to lien holder MICROFILMED

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Idaho Department of Water Resources Receipt

Receipt ID E026375

Payment Amount Date Received Region Status ☒
Payment Type ☒ Check Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$670.00	TRANSFERS	0229	21	63105	1155



Signature Line (Dept. Representative)

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JUN 01 2001

Idaho Department of Water Resources Receipt

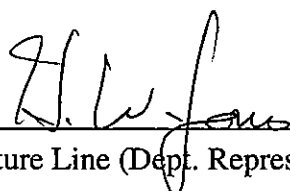
Receipt ID E026376

Payment Amount Date Received Region Status
Payment Type Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$100.00	TRANSFERS	0229	21	63105	1155


Signature Line (Dept. Representative)

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JUN 01 2001

CITY OF AMERICAN FALLS

550 North Oregon Trail
American Falls, Idaho 83211

(208) 226-2569
(208) 226-2548 (FAX)

December 12, 2000



Mr. Harold Jones
Idaho Dept. of Water Resources
900 N. Skyline Dr.
Idaho Falls, ID 83402

Subject: Application for Transfer of Water Right

Dear Harold,

Please find enclosed our Application for Transfer of Water Right. Also, please find enclosed two checks totaling \$770 for processing fee.

I have located the various diversion points on the maps you enclosed. I have also corrected the legal description for number six well as you will notice.

I have included exhibits 1 & 2 in an attempt to provide evidence of a priority date on claim A29-04421. Exhibit #1 shows purchase of the water system (Sunbeam Springs) owned by Alice E. Sparks who had filed on those waters on November 8, 1884. Exhibit "A" is a copy of the filing from Oneida County Records. Exhibit #2 shows that those waters were already being diverted into the city's water system when the city purchased them on June 2, 1936.

You had suggested that it would be helpful if we could find someone that would be able to sign an affidavit regarding the above information concerning sunbeam springs. I have spoken with individuals that are in their eighties and they are not able to help. Right now we cannot think of anyone else that could help. Hopefully the enclosures will be sufficient.

Please let me know if more information is needed. I can be reached at 226-2569.

Thank you very much for all your help.

Sincerely,

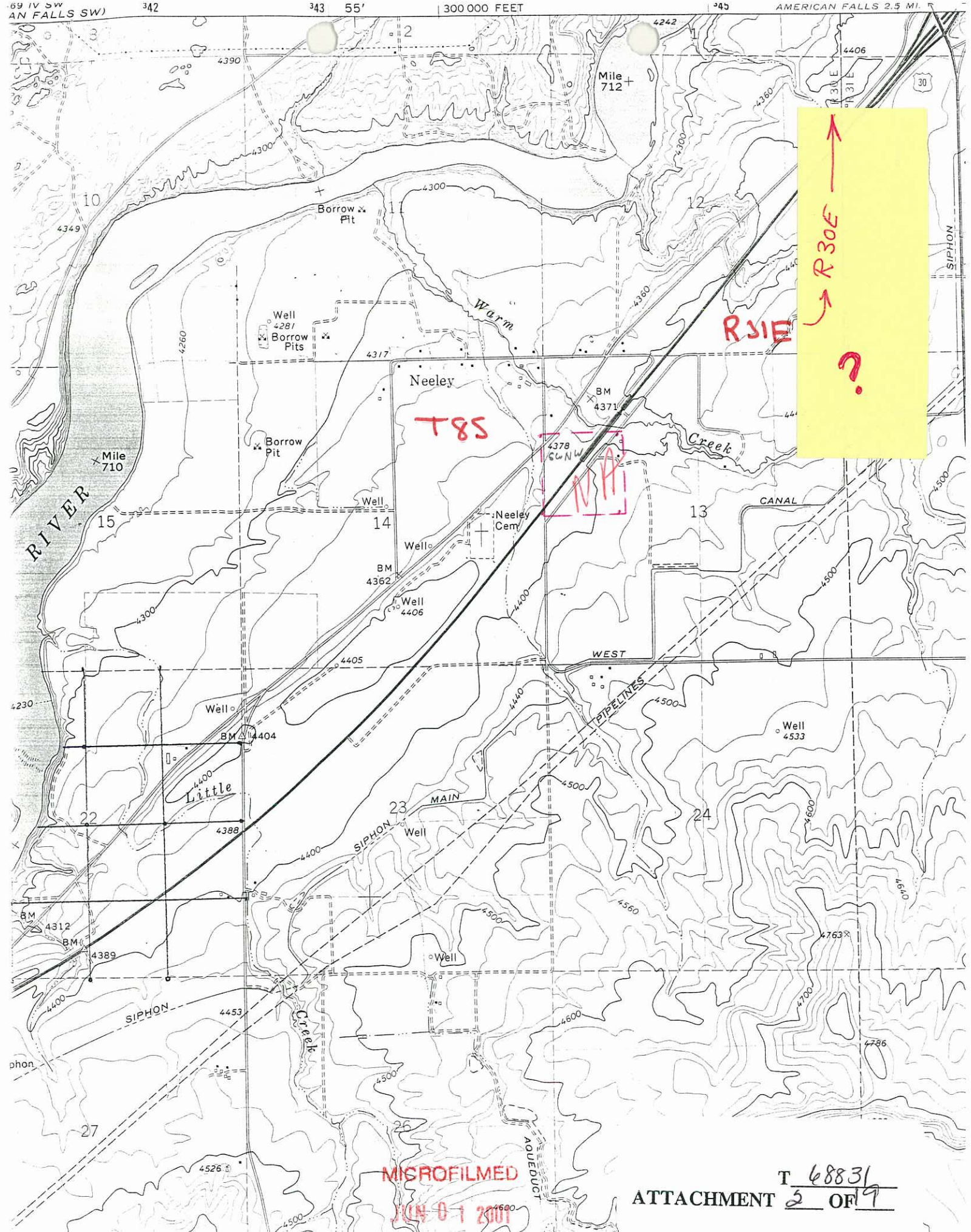
Gerald Giesbrecht
Water/Wastewater Supt.

Enclosures:

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ATTACHMENT T 68831
1 OF 19



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JUN 0 1 2001

ATTACHMENT 2 OF 9

T 68831

124

124

Water Location	} Smead Creek
Alice C. Sparks	

Bureau of Water Location
 American Indian School
 November 8th, 1884

Justice is hereby given that I the undersigned
 claim the water of Sauerbrey Creek East of Fort
 Stock in order to deliver to irrigate my
 Desert Land claim on Sauerbrey Creek viz
 the S² N² W² and S² E² N² E² and N² E² S² W² &
 S² E² S² W² and S² E² - 11 - Area N² E² N² W² & N² E²
 14 - T² & S² R² No 31 Each containing 640 Acres
 The water will be taken out at the
 springs of both Forks and be conducted
 by two ditches each 2 feet wide at the
 bottom and one foot deep on my land

Grace E. Sparks

Copy of this notice has been posted on
Sawbuck Creek this 8th day of November
1884

Received at the request of A. E. Hewitt
L. E. Hewitt
By Mr. E. W. S. S. S.

Station Location $\frac{1}{2}$ Goose Lake

O. B. Hansen { Notice is hereby given that
 I the undersigned have this day appropriated,
 and as by these presents appropriate 100 inches
 of water in ----- or inch measure of that certain
 Lake and to
 O. Jensen
 Sollen Office
 appropriation of the fall
 10 ft or
 said water
 Grove Lake
 said claim
 run in a
 reach in
 miles and -----
 domestic purposes, and further that a true
 and correct copy of the foregoing Notice was
 posted at the outlet of Grove Lake on the

Attn: 226-2548

Lake in said
 leading from
 water will be
 of a length
 at 2 ft deep
 inch to the end
 of the outlet of
 side thereof
 and will
 to the same bill
 ure of about 2
 structure and

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JUN 01 2001

ATTACHMENT 3 OF 19 T 68831

10-2001

Skip.

In the review of the City of American Falls Transfer Water right 29-02322 came up. 29-2322 is not part of the transfer, but I checked & it is not filed in the SRBA.

Attached is Mr. Giestrecht's reply & a copy of a letter that I faxed to the Shoshone Bannock Tribe.

You may want to include this information in the transfer. If not just toss it.

Keith

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JUN 01 2001

Sincerely,

Keith C. Wilson
Senior Resource Agent

American Falls, I came across an irrigation water right in Falls, that has not been filed in the Snake River based proof report for 29-02322, and the aerial

of the place of use needs to file an application. The enclosed is an adjudication form to file on a claim please feel free to contact someone

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JUN 01 2001

ATTACHMENT T 68831
4 OF 19

December 19,2000

Gerald Giesbrecht
C/O City of American Falls
550 North Oregon Trail
American Falls, ID 83211

RE: Adjudication claim for water right 29-02322

Dear Mr. Giesbrecht:

In review of the transfer submitted by the City of American Falls, I came across an irrigation water right, #29-02322, in the name of the City of American Falls, that has not been filed in the Snake River Adjudication. You may wish to review the enclosed proof report for 29-02322, and the aerial photo outlining the place of use.

If this water right is still being used the current owner of the place of use needs to file an adjudication claim on 29-02322. For your convenience enclosed is an adjudication form to file on the water right. For assistance in filling the adjudication claim please feel free to contact someone in the adjudication staff in this office.

Sincerely,

Keith C. Wilson
Senior Resource Agent

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JUN 01 2001

ATTACHMENT T 68831
4 OF 19

CITY OF AMERICAN FALLS

550 North Oregon Trail
American Falls, Idaho 83211

(208) 226-2569
(208) 226-2548 (FAX)



RECEIVED

DEC 28 2000

Department of Water Resources
Eastern Region

December 27, 2000

Mr. Keith C. Wilson
State of Idaho
Department of Water Resources
900 N. Skyline Dr.
Suite A
Idaho Falls, ID 83402

RE: Adjudication claim for water Right 29-02322

Dear Mr. Wilson,

I am in receipt of your letter dated December 19, 2000 regarding the above-mentioned claim.

In April of 1981 the City of American Falls sold the property, which this irrigation water right was for, to the Shoshone Bannock Tribes. All water rights were transferred in the Warranty Deed along with their appurtenances.

I spoke with a representative of the Tribe yesterday making them aware of their need to file this transfer with your office. Hopefully they have been in contact with someone there.

Thank you for making us aware of this water right issue.

Sincerely,

A handwritten signature in cursive script that reads "Gerald Giesbrecht".

Gerald Giesbrecht
Water/Wastewater Supt.

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JUN 01 2001

"Where the sun shines in every window"

T 68831
ATTACHMENT 5 OF 19



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 10, 2001

Shoshone Bannock Tribes
Fort Hall, ID

Dear Shoshone Bannock Tribe:

In a review of a transfer of water rights for the City of American Falls, I came across irrigation water right 29-02322, in the name of the City of American Falls, that does not appear to have been filed in the Snake River Basin Adjudication.

According to Gerald Giesbrecht, Water/Wastewater Supt., the City of American Falls sold the property in April of 1981 to the Shoshone Bannock Tribe. In a letter dated December 27, 2000, Mr. Giesbrecht indicated that he had spoken to a representative of the Tribe.

I am sending this correspondence to the Tribe to insure that this water right is correctly filed in the Snake River Basin Adjudication. If the water right is still being used the current owner needs to make sure that 29-02322 has been filed in the Snake River Adjudication. To assist you enclosed is a copy of a USGS Map indicating the place of use, and a copy of the water right.

Sincerely,

Keith C. Wilson
Senior Resource Agent

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JUN 01 2001

T 68831
ATTACHMENT 6 OF 19

Exhibit #2

AGREEMENT

THIS AGREEMENT, made and entered into this 2nd day of June, 1936, by and between the American Falls Realty and Waterworks Company, Limited, a corporation, hereinafter designated and known as the party of the first part, and the City of American Falls, Idaho, a municipal corporation, hereinafter designated and known as the party of the second part; witnesseth:

WHEREAS, the said party of the first part is the owner of, and in control of, and in possession of, those certain properties, all as more particularly described on that certain statement attached hereto marked Exhibit "A", and made a part hereof as fully and completely as if herein copied at length, such properties being certain springs of Sunbeam Creek, the land immediately surrounding such springs, the pipe line from such springs to the reservoir, and from the reservoir to the distributing system of said first party, rights of way, a certain forty-acre tract of ground, certain lots, franchises, the same including all of the source of water, the distributing system, rights of way, etc., of said first party that are utilized by said first party in furnishing to, and distributing water for culinary and domestic purposes to the inhabitants of the original townsite of American Falls, Idaho, and,

WHEREAS, the party of the first part has or will procure the necessary and proper authorization from its stockholders for the entering into of this contract whereby the said properties of said first party are disposed of, all as in this contract stated; and

WHEREAS, the said party of the second part has at a regular meeting passed a requisite and required resolution authorizing the execution of this contract wherein and whereby said second party agrees to buy of said first party the said property aforementioned; and

WHEREAS, the said second party is now furnishing through its municipal system water for culinary and domestic purposes to the inhabitants of the said city residing in said Reclamation Addition to the said City of American Falls, Idaho; and

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JUN 01 2001

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T 68831
ATTACHMENT 7 OF 19

O. R. BAUM
LAWYER

1 WHEREAS, said second party is the owner of said distributive
2 system last herein mentioned, and it is the desire of the said inhabitants
3 of said City of American Falls, Idaho, and the said authorities of said City
4 of American Falls, Idaho, that the said water distributing systems and each
5 of them be under the complete control and ownership of said second part, all
6 to the end that the said second party shall operate municipally owned systems
7 and that the delivery of water to its various inhabitants will be facilitated;
8 and

9 WHEREAS, said second party has heretofore appointed a committee
10 for the inspection of the said properties of said first party, and considera-
11 tion has been given at an open mass meeting as to the purchase of such prop-
12 erties; and

13 WHEREAS, it is the desire of said first party to dispose of
14 said properties to the said second party, and it is the desire of said second
15 party to purchase the same from said first party; now, therefore,

16 IT IS UNDERSTOOD AND AGREED by and between the parties hereto
17 that in consideration of the sum of Fifteen Thousand (\$15,000.00) Dollars,
18 which said sum includes interest providing said payments are made as herein-
19 after set forth, the said party of the first part hereby agrees to and does
20 sell to said party of the second part all of those certain properties, real
21 and personal, as is described on Exhibit "A" attached hereto and made a part
22 hereof as fully and completely as if copied herein at length; and said party
23 of the second part agrees to buy of and does buy of said first party the
24 said property above referred to, under the following terms, covenants and
25 conditions, to-wit:

26 1. That said party of the first part agrees to accept as the
27 purchase price for such property the said sum of Fifteen Thousand (\$15,000.00)
28 Dollars, which said sum shall include interest, under the following schedule
29 of payments:

30 (a) The sum of One Hundred Twenty-five (\$125.00) Dollars

31
32
33 MICROFILMED

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JUN 01 2001

T 68831
ATTACHMENT 8 OF 19

cash upon the signing of this contract, the receipt whereof is hereby acknowledged, and a like sum of One Hundred Twenty-five (\$125.00) Dollars on the 15 day of July, 1956, and a like sum on the 15 day of each and every month thereafter until the said sum of Fifteen Thousand (\$15,000.00) Dollars has been liquidated and discharged, such period of payments being one hundred twenty (120) consecutive months.

2. That said party of the second part agrees to pay to said party of the first part for such property the said sum and under the terms as are set out in Paragraph (a) aforementioned.

3. That immediate possession of the said personal property enumerated on Exhibit "A" shall be given to said second party at the time of the execution of this contract.

4. That the control of, and operation of, and the right to control and operate the remaining properties referred to on Exhibit "A" shall be given to said second part for operative purposes only at the time of the execution of this contract, and the property that possession is given to said second party for operative purposes is as described in Exhibit "B" hereof, and made a part hereof as fully and completely as if set out herein at length, it being expressly understood and agreed that title to all of the said properties, including all betterments, additions, substitutions, etc., is retained by said first party until full and final payment has been made in accordance with the terms of this contract, and until the full amount enumerated herein has been paid.

IT IS FURTHER UNDERSTOOD AND AGREED by and between the parties hereto that said party of the second part shall forthwith take possession of, for operative purposes, the said property enumerated in Exhibit "B" heretofore referred to, and shall maintain the said head works, reservoir, pipe lines and said distributive system, and the whole thereof, in a good husbandry-like manner, and, as the needs require, rehabilitate said system, said pipe lines, reservoir, all to the said distributive system, and the incidentals thereto, shall remain in full and complete operation, and shall serve the purposes for which said system was constructed, and for which it is being used.

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O. R. BAUM
LAWYER

Said second parties likewise agree to do all things necessary and requisite for the full protection of said water rights and development of said water rights referred to herein.

IT IS FURTHER UNDERSTOOD AND AGREED that said second party shall have the privilege to pay the aforementioned monthly payments on or before the due date, and shall have the privilege of paying the full purchase price at any time in cash.

IT IS FURTHER UNDERSTOOD AND AGREED by and between the parties hereto that a good and sufficient deed to the said real estate described in this contract, together with the appropriate and necessary bill of sale shall be executed and placed in escrow with the State Bank Bank in Pocatello, Idaho, together with a copy of this agreement, and that after and when such payments, and all of such payments herein referred to, have been paid, and the full amount of this contract has been paid, that said escrowee be and he shall be authorized to deliver to the said second party said instruments transferring a good and marketable title to said properties to said second party.

IT IS FURTHER UNDERSTOOD AND AGREED BY AND BETWEEN THE parties hereto that the said party of the second part shall maintain a requisite and proper set of books to the end that the total receipts of said system shall at all times be ascertainable, and that the said receipts of said system shall be placed into a fund, monthly, to be known and referred to as the City of American Falls Original Townsite Waterworks Fund, and that all of the receipts received from the operation of said system shall be placed monthly in such fund, and that all of such receipts and such fund, as aforementioned, shall be and are hereby pledged by said second party to said first party to secure the payment of said monthly amounts and amounts due hereunder provided, however, that after and when each monthly payment is made, and after each monthly payment has been made, the moneys then in such fund after the deduction of such monthly payment may be withdrawn by said party of the second part, that is to say, that hereto that in the event said payments are not made as herein provided, then

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O. R. BAUM
LAWYER

O. R. BAUM
LAWYER

IT IS FURTHER UNDERSTOOD AND AGREED by and between the parties hereto that by pledging of the receipts it is understood and taken to mean that the total receipts for each current month shall be pledged for the payment of the payment next falling due, and that after and when such payment is made the said pledge on the excess amount of such monthly receipts equal to the amount of next installment shall cease; provided further, however, that such pledge shall be deemed to be a continuing one, and that all future receipts for the purpose of carrying out the provisions of this contract shall be and are hereby pledged to secure said amounts due hereunder, and as referred to in this contract, and as and when the same become due, and only after and when such payments have been made as herein provided shall the said second party be permitted to withdraw from such fund the excess amount over and above the amount of the next monthly payment; provided, further, however, that after and when said fund has accumulated such an amount as shall take care of the amount due for the said current month and the amount of the next monthly payment, then said second party shall then be permitted and shall have the authority and is hereby privileged to withdraw such excess amount.

IT IS FURTHER UNDERSTOOD AND AGREED by and between the parties hereto that said second party shall pay the 1938 taxes upon the said property so purchased, and, in addition thereto, shall assume the payments of the said taxes upon the said lots as is set forth and described on Exhibit "C" hereto attached, which said exhibit is made a part hereto as fully and completely as if herein copied at length; and the said second party agrees to pay all future taxes levied against said property as is described on Exhibits "A" and "B", deducting, however, the property described on Exhibit "C", it being optional with said second party to make payment of said taxes on such property.

IT IS FURTHER UNDERSTOOD AND AGREED by and between the parties hereto that in the event said payments are not made as herein provided, or in

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JUN 01 2001

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5 MONTHLY PAYMENTS OF \$100.00 TO EXCEED \$100.00 ON WEEK
1 IN THE NEXT MONTH FROM THE DATE THIS AGREEMENT IS SIGNED ON THE WEEK

1 the event that the said taxes are not paid as herein provided, or in the event
2 that said system is not maintained as herein provided, and the said head works
3 and water rights are not protected, or the said system is not rehabilitated
4 as herein provided, or in the event said second party fails to maintain said
5 fund hereinbefore referred to, or in the event said second party fails to
6 do any one or all of the things mentioned in this agreement, then said first
7 party shall be privileged to, upon a ^{thirty} day notice, declare this contract
8 forfeited and to enter into possession of said property, and each and all and
9 every part thereof, including all new equipment, new supplies, new piping, etc.,
10 that is then in the possession of said second party that may have been purchased
11 for or used in the operation of said properties herein described, and the said
12 moneys so paid hereunder shall be deemed to be liquidated damages and shall be
13 retained by said first party as liquidated damages for the violation of the
14 terms of this agreement, provided, however, that in the event of default of any
15 or all of the things hereinbefore mentioned, said first party shall give notice
16 of such default or breach, and said second party shall have ten days thereafter
17 to cure or remedy such default or breach, and then if the same is not cured or
18 remedied all the provisions of this contract in reference to forfeiture shall
19 be in full force and effect.

21 IT IS FURTHER STIPULATED AND AGREED by and between the parties
22 hereto that the title to the said properties, and each and all and every part
23 thereof, is hereby retained in said first party, and that in the event said
24 first party declares a forfeiture as in this contract provided, then in that
25 event all of said properties as aforementioned, and as referred to in said
26 exhibits hereto attached, and in the preceding paragraph, shall be and remain
27 as property of the party of the first part without an equity thereto being
28 vested in said second party.

29 IT IS FURTHER STIPULATED AND AGREED by and between the parties
30 hereto that time is the essence of this agreement.

31 IT IS FURTHER STIPULATED AND AGREED by and between the parties
32 hereto that this agreement shall inure to the benefit of the executors and
33 assigns and successors of each of the parties hereto.

MICROFILMED

JUN 01 2001

T 68831
ATTACHMENT 12 OF 19

O. R. BAUM
LAWYER

IT IS FURTHER STIPULATED AND AGREED by and between the parties hereto that said first party shall within forty (40) days from the date of this contract file with said second party, and the same shall become a part of this contract, a duly certified copy of its stockholders' minutes of said first party directing and authorizing the said directors of said first party to enter into this said contract; and ~~IT IS FURTHER STIPULATED AND AGREED by and between the parties hereto that said second party shall attach hereto a duly certified copy of the resolution of the said City Council of said City of American Falls, Idaho, authorizing the execution of this agreement.~~

IN WITNESS WHEREOF, said parties have hereunto set their hands and caused the said official seals to be hereunto affixed on this 2nd day of June, 1938.

AMERICAN FALLS REALTY AND WATERWORKS
COMPANY, LIMITED.

BY: Fred G. Caldwell
(Fred G. Caldwell) President

Attest: J. Paul Evans
(J. Paul Evans) Secretary

Party of the First Part

CITY OF AMERICAN FALLS, IDAHO, a
municipal corporation.

BY: Vard W. Meadows
(Vard W. Meadows) Mayor

Attest: T. C. Sparks
(T. C. Sparks) Clerk

Party of the Second Part

MICROFILMED

JUN 01 2001

T 68831
ATTACHMENT 13 OF 19

STATE OF IDAHO)
County of Bannock) ss.

Before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared FRED G. CALDWELL and J. PAUL EVANS, known to me to be the president and secretary, respectively, of the American Falls Realty and Waterworks Company, Limited, and acknowledged to me that they executed the above and foregoing instrument as such president and secretary, respectively, of the American Falls Realty and Waterworks Company, Limited, a corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 7th day of June, 1956.

(Seal)

NOTARY PUBLIC IN AND FOR IDAHO
COUNTY RECORDER AND CLERK OF
Residence THE DISTRICT COURT

STATE OF IDAHO)
County of Bannock) ss.

Before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Ward N. Meadows and T. C. Sparks, known to me to be the Mayor and Clerk, respectively, of the City of American Falls, Idaho, a municipal corporation, and acknowledged to me that they executed the above and foregoing instrument as such mayor and clerk, respectively, of the City of American Falls, Idaho, a municipal corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 7th day of June, 1956. Lots 1-7-8-9-10-11-12-13-14-15-16-17-18-19-20-21 Block 40; Lots 14-15-16 Block 41; Lots 22-23-24-25-26-27-28-29-30-31 Block 42; Lots 32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098-1099-1100-1101-1102-1103-1104-1105-1106-1107-1108-1109-1110-1111-1112-1113-1114-1115-1116-1117-1118-1119-1120-1121-1122-1123-1124-1125-1126-1127-1128-1129-1130-1131-1132-1133-1134-1135-1136-1137-1138-1139-1140-1141-1142-1143-1144-1145-1146-1147-1148-1149-1150-1151-1152-1153-1154-1155-1156-1157-1158-1159-1160-1161-1162-1163-1164-1165-1166-1167-1168-1169-1170-1171-1172-1173-1174-1175-1176-1177-1178-1179-1180-1181-1182-1183-1184-1185-1186-1187-1188-1189-1190-1191-1192-1193-1194-1195-1196-1197-1198-1199-1200-1201-1202-1203-1204-1205-1206-1207-1208-1209-1210-1211-1212-1213-1214-1215-1216-1217-1218-1219-1220-1221-1222-1223-1224-1225-1226-1227-1228-1229-1230-1231-1232-1233-1234-1235-1236-1237-1238-1239-1240-1241-1242-1243-1244-1245-1246-1247-1248-1249-1250-1251-1252-1253-1254-1255-1256-1257-1258-1259-1260-1261-1262-1263-1264-1265-1266-1267-1268-1269-1270-1271-1272-1273-1274-1275-1276-1277-1278-1279-1280-1281-1282-1283-1284-1285-1286-1287-1288-1289-1290-1291-1292-1293-1294-1295-1296-1297-1298-1299-1300-1301-1302-1303-1304-1305-1306-1307-1308-1309-1310-1311-1312-1313-1314-1315-1316-1317-1318-1319-1320-1321-1322-1323-1324-1325-1326-1327-1328-1329-1330-1331-1332-1333-1334-1335-1336-1337-1338-1339-1340-1341-1342-1343-1344-1345-1346-1347-1348-1349-1350-1351-1352-1353-1354-1355-1356-1357-1358-1359-1360-1361-1362-1363-1364-1365-1366-1367-1368-1369-1370-1371-1372-1373-1374-1375-1376-1377-1378-1379-1380-1381-1382-1383-1384-1385-1386-1387-1388-1389-1390-1391-1392-1393-1394-1395-1396-1397-1398-1399-1400-1401-1402-1403-1404-1405-1406-1407-1408-1409-1410-1411-1412-1413-1414-1415-1416-1417-1418-1419-1420-1421-1422-1423-1424-1425-1426-1427-1428-1429-1430-1431-1432-1433-1434-1435-1436-1437-1438-1439-1440-1441-1442-1443-1444-1445-1446-1447-1448-1449-1450-1451-1452-1453-1454-1455-1456-1457-1458-1459-1460-1461-1462-1463-1464-1465-1466-1467-1468-1469-1470-1471-1472-1473-1474-1475-1476-1477-1478-1479-1480-1481-1482-1483-1484-1485-1486-1487-1488-1489-1490-1491-1492-1493-1494-1495-1496-1497-1498-1499-1500-1501-1502-1503-1504-1505-1506-1507-1508-1509-1510-1511-1512-1513-1514-1515-1516-1517-1518-1519-1520-1521-1522-1523-1524-1525-1526-1527-1528-1529-1530-1531-1532-1533-1534-1535-1536-1537-1538-1539-1540-1541-1542-1543-1544-1545-1546-1547-1548-1549-1550-1551-1552-1553-1554-1555-1556-1557-1558-1559-1560-1561-1562-1563-1564-1565-1566-1567-1568-1569-1570-1571-1572-1573-1574-1575-1576-1577-1578-1579-1580-1581-1582-1583-1584-1585-1586-1587-1588-1589-1590-1591-1592-1593-1594-1595-1596-1597-1598-1599-1600-1601-1602-1603-1604-1605-1606-1607-1608-1609-1610-1611-1612-1613-1614-1615-1616-1617-1618-1619-1620-1621-1622-1623-1624-1625-1626-1627-1628-1629-1630-1631-1632-1633-1634-1635-1636-1637-1638-1639-1640-1641-1642-1643-1644-1645-1646-1647-1648-1649-1650-1651-1652-1653-1654-1655-1656-1657-1658-1659-1660-1661-1662-1663-1664-1665-1666-1667-1668-1669-1670-1671-1672-1673-1674-1675-1676-1677-1678-1679-1680-1681-1682-1683-1684-1685-1686-1687-1688-1689-1690-1691-1692-1693-1694-1695-1696-1697-1698-1699-1700-1701-1702-1703-1704-1705-1706-1707-1708-1709-1710-1711-1712-1713-1714-1715-1716-1717-1718-1719-1720-1721-1722-1723-1724-1725-1726-1727-1728-1729-1730-1731-1732-1733-1734-1735-1736-1737-1738-1739-1740-1741-1742-1743-1744-1745-1746-1747-1748-1749-1750-1751-1752-1753-1754-1755-1756-1757-1758-1759-1760-1761-1762-1763-1764-1765-1766-1767-1768-1769-1770-1771-1772-1773-1774-1775-1776-1777-1778-1779-1780-1781-1782-1783-1784-1785-1786-1787-1788-1789-1790-1791-1792-1793-1794-1795-1796-1797-1798-1799-1800-1801-1802-1803-1804-1805-1806-1807-1808-1809-1810-1811-1812-1813-1814-1815-1816-1817-1818-1819-1820-1821-1822-1823-1824-1825-1826-1827-1828-1829-1830-1831-1832-1833-1834-1835-1836-1837-1838-1839-1840-1841-1842-1843-1844-1845-1846-1847-1848-1849-1850-1851-1852-1853-1854-1855-1856-1857-1858-1859-1860-1861-1862-1863-1864-1865-1866-1867-1868-1869-1870-1871-1872-1873-1874-1875-1876-1877-1878-1879-1880-1881-1882-1883-1884-1885-1886-1887-1888-1889-1890-1891-1892-1893-1894-1895-1896-1897-1898-1899-1900-1901-1902-1903-1904-1905-1906-1907-1908-1909-1910-1911-1912-1913-1914-1915-1916-1917-1918-1919-1920-1921-1922-1923-1924-1925-1926-1927-1928-1929-1930-1931-1932-1933-1934-1935-1936-1937-1938-1939-1940-1941-1942-1943-1944-1945-1946-1947-1948-1949-1950-1951-1952-1953-1954-1955-1956-1957-1958-1959-1960-1961-1962-1963-1964-1965-1966-1967-1968-1969-1970-1971-1972-1973-1974-1975-1976-1977-1978-1979-1980-1981-1982-1983-1984-1985-1986-1987-1988-1989-1990-1991-1992-1993-1994-1995-1996-1997-1998-1999-2000-2001-2002-2003-2004-2005-2006-2007-2008-2009-2010-2011-2012-2013-2014-2015-2016-2017-2018-2019-2020-2021-2022-2023-2024-2025-2026-2027-2028-2029-2030-2031-2032-2033-2034-2035-2036-2037-2038-2039-2040-2041-2042-2043-2044-2045-2046-2047-2048-2049-2050-2051-2052-2053-2054-2055-2056-2057-2058-2059-2060-2061-2062-2063-2064-2065-2066-2067-2068-2069-2070-2071-2072-2073-2074-2075-2076-2077-2078-2079-2080-2081-2082-2083-2084-2085-2086-2087-2088-2089-2090-2091-2092-2093-2094-2095-2096-2097-2098-2099-2100-2101-2102-2103-2104-2105-2106-2107-2108-2109-2110-2111-2112-2113-2114-2115-2116-2117-2118-2119-2120-2121-2122-2123-2124-2125-2126-2127-2128-2129-2130-2131-2132-2133-2134-2135-2136-2137-2138-2139-2140-2141-2142-2143-2144-2145-2146-2147-2148-2149-2150-2151-2152-2153-2154-2155-2156-2157-2158-2159-2160-2161-2162-2163-2164-2165-2166-2167-2168-2169-2170-2171-2172-2173-2174-2175-2176-2177-2178-2179-2180-2181-2182-2183-2184-2185-2186-2187-2188-2189-2190-2191-2192-2193-2194-2195-2196-2197-2198-2199-2200-2201-2202-2203-2204-2205-2206-2207-2208-2209-2210-2211-2212-2213-2214-2215-2216-2217-2218-2219-2220-2221-2222-2223-2224-2225-2226-2227-2228-2229-2230-2231-2232-2233-2234-2235-2236-2237-2238-2239-2240-2241-2242-2243-2244-2245-2246-2247-2248-2249-2250-2251-2252-2253-2254-2255-2256-2257-2258-2259-2260-2261-2262-2263-2264-2265-2266-2267-2268-2269-2270-2271-2272-2273-2274-2275-2276-2277-2278-2279-2280-2281-2282-2283-2284-2285-2286-2287-2288-2289-2290-2291-2292-2293-2294-2295-2296-2297-2298-2299-2300-2301-2302-2303-2304-2305-2306-2307-2308-2309-2310-2311-2312-2313-2314-2315-2316-2317-2318-2319-2320-2321-2322-2323-2324-2325-2326-2327-2328-2329-2330-2331-2332-2333-2334-2335-2336-2337-2338-2339-2340-2341-2342-2343-2344-2345-2346-2347-2348-2349-2350-2351-2352-2353-2354-2355-2356-2357-2358-2359-2360-2361-2362-2363-2364-2365-2366-2367-2368-2369-2370-2371-2372-2373-2374-2375-2376-2377-2378-2379-2380-2381-2382-2383-2384-2385-2386-2387-2388-2389-2390-2391-2392-2393-2394-2395-2396-2397-2398-2399-2400-2401-2402-2403-2404-2405-2406-2407-2408-2409-2410-2411-2412-2413-2414-2415-2416-2417-2418-2419-2420-2421-2422-2423-2424-2425-2426-2427-2428-2429-2430-2431-2432-2433-2434-2435-2436-2437-2438-2439-2440-2441-2442-2443-2444-2445-2446-2447-2448-2449-2450-2451-2452-2453-2454-2455-2456-2457-2458-2459-2460-2461-2462-2463-2464-2465-2466-2467-2468-2469-2470-2471-2472-2473-2474-2475-2476-2477-2478-2479-2480-2481-2482-2483-2484-2485-2486-2487-2488-2489-2490-2491-2492-2493-2494-2495-2496-2497-2498-2499-2500-2501-2502-2503-2504-2505-2506-2507-2508-2509-2510-2511-2512-2513-2514-2515-2516-2517-2518-2519-2520-2521-2522-2523-2524-2525-2526-2527-2528-2529-2530-2531-2532-2533-2534-2535-2536-2537-2538-2539-2540-2541-2542-2543-2544-2545-2546-2547-2548-2549-2550-2551-2552-2553-2554-2555-2556-2557-2558-2559-2560-2561-2562-2563-2564-2565-2566-2567-2568-2

EXHIBIT

the southeast quarter of the southwest quarter of Section twelve in Township eight south of range thirty-one, East of the Boise Meridian, State of Idaho, and known as the Springs which create and form what is known as the East Fork of Sunbeam Creek, a stream arising on the land of George H. and Margaret H. and about one half mile or more to the east of the place where what is known as Sunbeam Creek said stream being situated about 5 miles S.W. of American Falls, in said County and State. The purpose of this conveyance being to confirm unto the said

The purpose of this conveyance being to sell and convey and confirm unto the said party of the second part, all the waters arising in the Springs aforesaid, and running in and through the East Fork of said Sunbeam Creek; together with all the privileges, franchises and appurtenances belonging or appertaining to, said waters and a perpetual right thereto.

Said waters having filed upon, located and diverted by Alice E. Sparks on the 3th day of Nov., 1884, as the same appears of record in the office of the Co. Clerk of said County, Idaho, under

Said waters having filed upon, located and diverted by Alice E. Sparks on the 3th day of Nov., 1884, as the same appears of record in the office of the County Recorder of Oneida Co., State of Idaho, recorded on the 11th day of Nov., 1884, in Book No. 1 of Water Locations, at page 124, of the records of said County, and the same having been used by the said Alice E. Sparks and her successors in interest since the date of said location, and following description:

Recorded on the 11th day of November, 1934, in Book 13 of the same having been used by the said Alice M. Sparks and her successors in interest since the date of said filing, upon the following described lands, to wit: The SE¹ of the NW¹ and the SE¹ of the NE¹ and the NE¹ of the SW¹ and the SE¹ of the SW¹ and the SE¹ of Sec. 11, and the NE¹ of the NW¹ and the NE¹ of Sec. 14 in Tp. 33, S. 4 N., E. 31 N., B. 1 W., and other lands adjacent to said water, for the irrigation thereof and for domestic purposes."

of the NW¹ and the NE¹ of Sec. 14 in Tp. 3, S. 31 N., E. 31 W., B.M., and other lands adjacent to said water, for the irrigation thereof and for domestic purposes, together also, with a right of way and easement for the laying a pipe line, and for the conveyance of said water, the following described land, to-wit:

ing a pipe line, and for the conveyance of said waters, across the following described land, to-wit: of way and easement for the

The NE of the SE¹ and the SE of the NE¹ and the SE of the NW¹ of Sec. 11, in Tp. 8, S.R. 31, E.B.M.; and the right to at all times when necessary enter upon said lands for the purpose of constructing, repairing and maintaining said pipe line, with such equipment as may be necessary in said construction, repairing and maintaining said pipe line.

constructing, repairing and maintaining said pipe line, with such equipment as may be necessary in said construction, repairing and maintaining said pipe line.

NE 1/4 of Sec. 32, Tp. 7 S.R. 31 E.B.M. less 1.02 acres deeded to U.S.A. by warranty deed dated May 17, 1924 and recorded May 22, 1924 in Book 46 of Deeds at page 497, Records of Blaine County, Idaho.

Approximately 5,000 feet of 4-6 and 8 inch wood pipe and all tools equipment used in maintaining the system.

Lots 21-22, Block 26; Lots 21-22-23-24, Block 48; Lots 32-33-34-35-36-37-38-39-40-41, Block 55; Lots 6-7-8-9-10-11-12-13-14, Block 55; Lots 42-43-44-45 Block 55; Lots 4-5 Block 56; Lots 20-21 Block 60; Lots 14-15-16, Block 61; Lots 28-29-30-31, Block 61; Lots 55-56-57-58-59-, Block 75; All in the Original Townsite of American Falls, Idaho.

Block 61; Lots 55-56-57-58-59-60; Block 60; Lots 14-15-16, Block 61; Lots 28-29-30-31, D
Townsite of American Falls, Idaho.

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EXHIBIT NO.

O. R. BAUM
LAWYER

Lots 21-22, Block 56;
Lots 21-22-23-24, Block 48;
Lots 32-33-34-35-36-37-38-39-40-41, Block 53;
Lots 6-7-8-9-10-11-12-13-14, Block 58;
Lots 42-43-44-45, Block 55;
Lots 4-5, Block 58;
Lots 20-21, Block 60;
Lots 14-15-16-, Block 61;
Lots 28-29-30-31, Block 61;
Lots 35, 36, 37, 38, 39, Block 75;
All in the Original Townsite of American Falls, Idaho/

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T 68831
ATTACHMENT 17 OF 19

Exhibit #1

It moved by Hautzinger, seconded by Bowler, that the Mayor appoint a committee of three residents of Original Townsite, to meet with the Water Committee of the City Council and work out, if possible, a contract with the American Falls Realty & Water Works Company, and to submit the same to the June regular meeting of the City Council. All members present voted for this motion and none against it, and the Mayor declared the same to be carried.

The Mayor appointed the following committee: Citizens,- H.C. Allen, Arthur West and O. Ratschkowsky,- Council: Bowler, Chairman, Watts and Adolf.

Whereupon it was moved by H.C. Allen, seconded by Bert Blackburn, that this mass meeting go of record to ask the City Council to enter into a contract for the purchase of the Original Townsite Water System, etc., at a price of \$12,000.00, payable \$125.00 per month for 120 months. Upon a "Yea" and "Nay" vote being taken, the Mayor declared the motion carried.

Adjournment upon motion, there being no further business to come before this meeting.

W. Sparks

Clerk.

Harold W. Meadows

Mayor.

REGULAR MEETING, JUNE 2nd, 1936.

A Regular Meeting of the City Council of the City of American Falls, Idaho, was held on Tuesday, June 2nd, 1936, at 8:00 P.M., at the Power County Court House.

Mayor Meadows called the meeting to order.

PRESENT: Mayor Meadows, Councilmen Hautzinger, Evans, Adolf, Bowler, Bath, Clerk Sparks, Attorney Baum and Fred G. Caldwell.

ABSENT: Councilman Watts.

The minutes of the last regular meeting, and the recessed regular meetings of May 11th and May 14th, were read and approved.

REPORTS: The regular May reports of the Clerk, Police Judge and Treasurer, and the quarterly report of the Treasurer, were read by the Clerk. Whereupon it was moved by Hautzinger, seconded by Adolf, that the reports be accepted and filed. Upon vote being taken, all members present voted for the motion, and none against. The Mayor declared the motion carried.

CONTRACT FOR PURCHASE OF ORIGINAL TOWNSITE WATER SYSTEM:

Attorney O.R. Baum reported on the proposed Contract between the American Falls Realty & Water Works Company, Ltd., and the City, whereby the City would purchase the property and water works of the latter named company. Attorney Baum stated that the City could not be held liable in any manner if the system failed to pay itself out. He requested that the Clerk read the proposed contract aloud to the meeting, which was done.

After considerable discussion of the terms and provisions of the contract, Councilman Hautzinger moved, and Councilman Adolf seconded his motion, that the following Resolution be adopted by the City Council, to-wit:

"BE IT RESOLVED, That the City of American Falls, Idaho, purchase those certain properties, described as follows, to-wit:

"All the waters arising in those certain Springs situated on the southeast quarter of the southwest quarter of Section twelve in Township eight south of range thirty-one, East of the Boise Meridian, State of Idaho, and known as the Springs which create and form what is known as the East Fork of Sunbeam Creek, a stream arising on the land aforesaid and running northwest for about one half mile or more to where it forms a junction with what is known as Sunbeam Creek, said stream being situated about 5 miles S.W. of American Falls, in said County and State.

"The purpose of this conveyance being to sell and convey and confirm unto the said party of the second part, all the waters arising in the Springs aforesaid, and running in and through the East Fork of said Sunbeam Creek; together with all the privileges, franchises and appurtenances belonging or appertaining to, said waters and a perpetual right thereto.

T 68831
ATTACHMENT 18 OF 19

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"Said waters having been filed upon, located and ascertained by Alice E. Sparks on the 8th day of Nov. 1884, as the same appears of record in the office of the Co. Recorder of Oneida Co. State of Idaho, recorded on the 11th day of Nov. 1884, in Book "A", of Water Locations, at page 124, of the records of said County, and the same having been used by the said Alice E. Sparks, and her successors in interest since the date of said filing, upon the following described lands, to-wit:

"The $S\frac{1}{2}$ of the NW $\frac{1}{4}$ and the $S\frac{1}{2}$ of the NE $\frac{1}{4}$ and the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 11, and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of Sec. 14 in Tp. 8, S.R. 31 E.B.M.; and other lands adjacent to said water; for the irrigation thereof and for domestic purposes.

"Together also, with a right of way and easement for the laying a pipe line; and for the conveyance of said waters, across the following described land, to-wit:

"The E $\frac{1}{2}$ of the SE $\frac{1}{4}$ and the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ and the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Sec. 11, in Tp. 8, S.R. 31, E.B.M.; and the right to at all times when necessary enter upon said lands for the purpose of constructing, repairing and maintaining said pipe line, with such equipment as may be necessary in said construction, repairing and maintaining said pipe line.

"NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 32, Tp. 7 S.R. 31 E.B.M. less 1.02 acres deeded to U.S.A. by Warranty Deed dated May 17, 1924 and recorded May 22, 1924 in Book 46 of Deeds at page 497, Records of Power County, Idaho.

"Approximately 5,000 feet of 4-6 and 8 inch wood pipe and all tools, equipment used in maintaining the system.

"Lots 21-22, Block 36; Lots 21-22-23-24, Block 48; Lots 32-33-34-35-36-37-38-39-40-41, Block 53; Lots 6-7-8-9-10-11-12-13-14, Block 55; Lots 42-43-44-45 Block 55; Lots 4-5 Block 58; Lots 20-21 Block 60; Lots 14-15-16, Block 61; Lots 28-29-30-31, Block 61; Lots 36-36-37-38-39, Block 75; All in the Original Townsite of American Falls, Idaho."

from the American Falls Realty & Water Works Company, Ltd., for the sum of \$12,000.00, the same to bear interest at the rate of 5 per cent per annum, payable as follows: The sum of \$125.00 per month for 120 consecutive months, and Be It Further

RESOLVED; That the Mayor and Clerk be and they are hereby authorized on behalf of such city to enter into and sign that certain Contract tendered by American Falls Realty & Water Works Company, Ltd, dated June 2nd, 1936, and Be It Further

RESOLVED; That such officers be and they are hereby authorized to make such payments of \$125.00 required in such Contract."

Upon vote being taken, all members present voted for the motion, and none voted against it, whereupon the Mayor declared the motion duly carried.

BAND: Mark Hart appeared before the Council requesting that he be paid \$200.00 salary for 2 $\frac{1}{2}$ months of work during the summer in organizing a beginners' band, working with it three times a week, working with the present Junior Band three times a week, and working with the Senior High School Band three times a week. No action was taken on this request.

Upon motion duly passed, this Regular Meeting Recessed to meet Wednesday, June 10th, 1936, at 8:00 P.M.

W. Sparks
Clerk.

Frank W. Meadows
Mayor.

RECESSED REGULAR MEETING, JUNE 10th, 1936.

Recessed Regular Meeting of the City Council of the City of American Falls, Idaho, was held on Wednesday, June 10th, 1936, at 8:00 P.M., at the Power County Court House.

Mayor Meadows called the meeting to order.

PRESENT: Mayor Meadows, Councilmen Adolf, Watts, Bath, Hautzinger and Evans, and Clerk Sparks.

ABSENT: Councilman Bowler.

It was moved by Watts, seconded by Bath, that Chief Porter and either Paul Evans or Jack Barker make a canvas of the Original Townsite for information as to water consumption at each and every water service, such information to be submitted to a Special Meeting to

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ATTACHMENT 19 OF 17

HELL'S CANYON

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nyon Dam

throw the
company's
reactiv 1-32

The road ends at Hells Canyon Dam.
From there on down you take a boat--if
you dare.

TO REACH THE sites for constructin
the dam, Idaho Power Company had to build
an excellent road that now will be open
to public travel

Hell's Canyon, with 10,000 foot mountains
bunched on both sides, is rugged and beau-
tiful. A drive into the canyon will make
an always-remembered tour.

THE 1.1 MILLION kilowatts of power
the Hells Canyon, Brownlee and Ox bow
te, monumental as it might be,
the biggest contribution Idaho
any has made to this country.
is the story it tells, the facts
still being compiled.
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the dams over the almighty
federal power people.
now it has successfully proved

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Published in The Power County
Press Sept. 21, 28, Oct. 5 and
12, 1967

NOTICE OF PROOF OF COM- PLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on
the 30th day of October, 1967,
at American Falls, County of
Power, State of Idaho before
W. C. Loofbourrow, Notary
Public, at 216 Idaho St., American
Falls, Idaho, proof will be sub-
mitted of the completion of works
for the diversion of 5.0 cubic
feet per second of underground
water from a well, and of the
application to beneficial use
of said water, in accordance with
the terms and conditions of
Permit No. G-30415, heretofore
issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice
address of the person or cor-
poration holding said permit is
City of American Falls, Idaho,
American Falls, Idaho.

2. Said works of diversion
will be fully completed on the
date for such completion, and the
amount of water which said works
are capable of conveying to the
place of use is 5.0 cubic feet per
second.

3. The use to which said
water has been applied is munici-
pal purposes, purposes and the
amount applied to beneficial use
is 5.0 cubic feet per second.

4. The point of diversion of
said water is NE1/4SE1/4, NW
1/4SE1/4, Sec. 29, T. 7 S., R.
31 E., B. M., Power County.

5. The place where said water
is used is City of American Falls
and Vicinity.

6. The date of priority which
said user is prepared to estab-
lish is March 15, 1962.

R. KEITH HIGGINSON *RKH*
State Reclamation Engineer



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

May 21, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF AMERICAN FALLS
550 N OREGON TRAIL
AMERICAN FALLS ID 83211

RE: Transfer No.: 68831 - Water Rights 29-4421, 29-2460, 29-2510, 29-7821,
29-7822 - Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7940.
Sincerely,

Camela S. Skaggs
for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt
Enclosure(s)

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JUN 01 2001

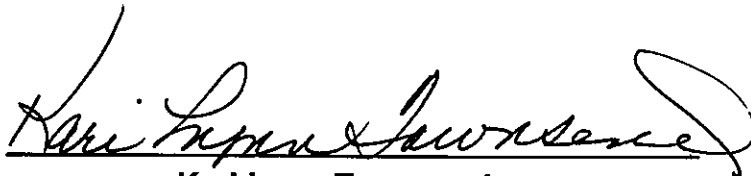
CERTIFICATE OF MAILING

I hereby certify that on May 21, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 68831

WATER RIGHTS 29-4421 29-2460 29-2510 29-7821 29-7822

**CITY OF AMERICAN FALLS
550 N OREGON TRAIL
AMERICAN FALLS ID 83211**

A handwritten signature in black ink, reading "Kari Lynn Townsend", is written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**MICROFILMED
JUN 01 2001**

EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

TRANSFER REVIEW SHEET

(05-01)

TRANSFER # 68831

DATE REVIEWED 5-18-01 28

SPLIT POD ADD POD POU PERIOD or NATURE of USE

ALL OF RIGHT(S) W=Water Right C=SRBA Claim R=SRBA Recommendation

No Activity

<u>C/29-2460</u> ✓	<u>C/29-7822</u> ✓	<u>/</u>	<u>/</u>	<u>9</u>
<u>C/29-2510</u> ✓	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
<u>C/29-4421</u> ✓	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
<u>C/29-7821</u> ✓	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>

PART OF RIGHTS(S)

(Unchanged)

(Changed)

<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
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Standard Season NA to

Standard Volume Municipal /

(1) ✓ Priority (2) ✓ Use (3) ✓ Season/W61 (4) ✓ Rate 5 Volume
per Licenses

6 Source 7 P/D 8 P/U (9) ✓ Proof/Owner 10 ✓ Map
Municipal

(11) NA Water District (12) No Pertinent Conditions (13) No Expansion
A-AF GW Dist. w/VOL. Limits

- 5 Retain Vol. limits on 29-2460 & 29-2510 per Licenses
- 6 Remove Spring source from 29-4421
- 7 Correct legal to P/D in Ser. 21 & Add new well (existing?) to system
- 8 City of American Falls & service area.

Aberdeen-American Falls GW District

Conditions/Remarks 046, 067, WB4(05), T07, T08, T09
29-4421) Nonconfirmation Claim W58

WRS for Update Comments Same as Transfer ✓

Database Updated to Reflect Final Action 5-18-01 28

RECEIVED

MAR 01 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

12-14-00
68831

Department of Water Resources

INITIAL REVIEW BY:

KCW

29-04421/2460/2510

1. Right number 29-07821/7822

Applicant

City of American Falls

2. Type of right: ☐ Decree ☒ License ☒ Claim ☐ SRBA Recommendation

3. Purpose of transfer: ☐ Change point of diversion ☒ Add diversion point(s)

☐ Change place of use ☒ Other consolidate P/D on all water rights

NEEDS AMOUNT 13.03 cfs; Source added to Transfer

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☐ Period of use

b. ☒ Description of original point of diversion.

c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. Map for remainder of right? ☐ Yes ☐ No N/A

d. ☒ Check description of point(s) of diversion.

e. ☒ Check description of place of use

f. ☒ Check map (shows p.d. and p.u. after transfer).

g. ☒ Check for correct signature, notarization, and fee.

h. ☒ Check proof of ownership of right &/or land from which water is transferred.

i. ☒ Check for expansion in use of right. Comments NONE

j. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s)

k. ☒ Is use within a Watermaster District? ☐ Yes ☐ No

If yes, what district?

FINAL PROCESSING REVIEW BY:

1. Watermaster recommendation requested on _____ Received on _____

2. Reviewed by Adjudication Staff? ☐ Yes ☐ No

3. Is transfer published correctly? ☒ Yes ☐ No

4. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* _____

1. By

RDC

Date

2/20/01

*All uses within Watermaster District require special conditions

68831

RECEIVED

FEB 14 2001

Department of Water Resources
Eastern Region

Proof of Publication

The Post Register

State of Idaho
County of Bonneville

I, ~~S. Bob Bright~~ Robert Park, first being duly sworn, depose and say: That I am the ~~Production Supervisor~~ or Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for 2 consecutive (days) weeks, first publication having been made on the 25TH day of JANUARY, 2001, last publication having been made on the 1ST day FEBRUARY, 2001 at the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement 10,

Robert Park
.....

Subscribed and sworn to before me, this 7TH day of FEBRUARY, 2001

Ivy Berry
.....
Notary Public

My commission expires January 10, 2003



IVY BERRY
NOTARY PUBLIC - IDAHO
My Commission Expires
January 10, 2003

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JUN 01 2001

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
TRANSFER NO. 68831**

CITY OF AMERICAN FALLS, c/o Jerry Giesbrecht, 550 N Oregon Trail, American Falls, ID 83211, has filed Application No. 68831 to add a point of diversion and to consolidate points of diversion to the following water rights within POWER County:

Right No 29-4421

Priority 6/2/36
Source Sunbeam Springs, East Fork
Amount 2 CFS
Use (Acres) MUNICIPAL
Point(s) of Diversion SESW S12 T08S
R31E

Right No 29-2460

Priority 10/25/1962
Source GROUND WATER
Amount 4.68 CFS
Point(s) of Diversion NESE SEC 29
T07S R31E and NWSE SEC 29 T07S
R31E

Right No 29-2510

Priority 08/25/65
Source GROUND WATER
Amount 2.42 CFS
Point(s) of Diversion SWSE S29 T07S
R31E

Right No 29-7821

Priority 01/28/87
Source GROUND WATER
Amount 3.12 CFS
Point(s) of Diversion NESE S29 T07S
R31E

Right No 29-7822

Priority 01/28/87
Source GROUND WATER
Amount .81 CFS
Point(s) of Diversion SESW S21 T07S
R31E

Place of Use within the city limits of
American Falls

The purpose of the transfer is to change a portion of the above rights as follows: The applicant have a unified system so are consolidating their points of diversion. In addition they are adding a point of diversion in the NWSW SEC 29 T07S R31E to better distribute water to the City.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern, 900 N Skyline Dr, Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 on or before February 12, 2001 to be considered by the Department in its decision to grant or deny any part of the application. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER,
Director

Published: Jan 25, Feb 1, 2001

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JUN 01 2001

Affidavit of Publication

State of Idaho

County of Power

Brett Crompton being first duly sworn on oath, states:

That he is the publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 24th day of January 2001 and the date of the last publication being the 31st day of January 2001.

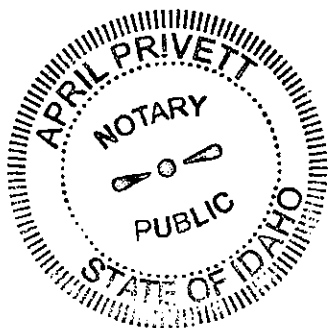
Signed

Brett Crompton

State of Idaho

County of Power

On this 31st day of January in the year of 2001, before me, a Notary Public, personally appeared Brett Crompton, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



[Signature]
Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires: August 3, 2006

City of A.F. requests water right changes

Published in The Power County Press
Jan. 24, 31, 2001.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 68831

CITY OF AMERICAN FALLS, c/o

Jerry Giesbrecht, 550 N. Oregon Trail,
American Falls, ID 83211, has filed
Application No. 68831 to add a point of
diversion and to consolidate points of
diversion to the following water rights
within POWER County:

Right No 29-4421

Priority 6/2/36

Source Sunbeam Springs, East Fork

Amount 2 CFS

Use (Acres) MUNICIPAL

Point(s) of Diversion SESW S12
T08S R31E

Right No 29-2460

Priority 10/25/1962

Source GROUND WATER

Amount 4.68 CFS

Point(s) of Diversion NESE SEC 29
T07S R31E and NWSE SEC 29 T07S
R31E

Right No 29-2510

Priority 08/25/65

Source GROUND WATER

Amount 2.42 CFS

Point(s) of Diversion SWSE S29
T07S R31E

Right No 29-7821

Priority 01/28/87

Source GROUND WATER

Amount 3.12 CFS

Point(s) of Diversion NESE S29
T07S R31E

Right No 29-7822

Priority 01/28/87

Source GROUND WATER

Amount .81 CFS

Point(s) of Diversion SESW S12
T07S R31E

Place of Use within the city limits of
American Falls.

The purpose of the transfer is to
change a portion of the above rights as
follows:

The applicant have a unified system
so are consolidating their points of di-
version. In addition they are adding a
point of diversion in the NWSW SEC 29
T07S R31E to better distribute water to
the City.

Any protest against the proposed
change must be filed with the Depart-
ment of Water Resources, Eastern, 900
N Skyline Dr, Ste A, Idaho Falls ID
83402 together with a protest fee of
\$25.00 on or before February 12, 2001

RECEIVED

FEB 06 2001

Department of Water Resources
Eastern Region

MICROFILMED

JUN 01 2001

R31E
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rity 10/25/1962
rce GROUND WATER
ount 4.68 CFS
it(s) of Diversion NESE SEC 29
R31E and NWSE SEC 29 T07S

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rity 08/25/65
rce GROUND WATER
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together with a protest fee of

on or before February 12, 2001
considered by the Department in its
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a copy of the protest to the appli

MICROFILMED

JUN 01 2001

KARL J DREHER, Director

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

LEGAL ADVERTISING INVOICE

SOLD TO: IDAHO DEPT. OF WATER RESOURCES
900 N. SKYLINE
IDAHO FALL ID 83402

Date 02/01/2001 INVOICE NO. 251803
Account No. 446600
Description 251803NOTICE OF PROPOS
Times 2 Lines 68

RECEIVED Tab. Lines _____

FEB 05 2001

\$ 101.66

Department of Water Resources
Eastern Region

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 68831

CITY OF AMERICAN FALLS, c/o Jerry Giesbrecht, 550 N Oregon Trail, American Falls, ID 83211, has filed Application o. 68831 to add a point of diversion and to consolidate points of diversion to the following water rights within POWER County:

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Source GROUND WATER

Amount 2.42 CFS

Point(s) of Diversion SWSE S29 T07S

R31E

Right No 29-7821

Priority 01/28/87

Source GROUND WATER

Amount 3.12 CFS

Point(s) of Diversion NESE S29 T07S

R31E

Right No 29-7822

Priority 01/28/87

Source GROUND WATER

Amount .81 CFS

Point(s) of Diversion SESW S21 T07S

R31E

Place of Use within the city limits of American Falls

The purpose of the transfer is to change a portion of the above rights as follows:

The applicant have a unified system so are consolidating their points of diversion. In addition they are adding a point of diversion in the NWSW SEC 29 T07S R31E to better distribute water to the City.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern, 900 N Skyline Dr, Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 on or before February 12, 2001 to be considered by the Department in its decision to grant or deny any part

Karen Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 251803NOTICE OF attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 01/25, or once a WEEK for 2 consecutive WEEKS the first publication thereof being on the 01/25/2001 and the last publication thereof being on the 02/01/2001 and said 251803NOTICE OF was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Karen J Lewis

State of Idaho

S.S.

County of Nez Perce

On this 1st day of February in the year of 2001, before me, a Notary Public, personally appeared Karen J Lewis, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

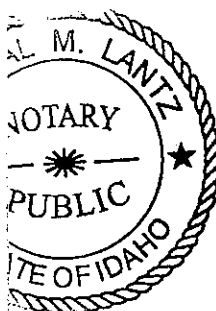
Sheryl M. Lantz

Notary Public in and for the State of Idaho,
residing at Lewiston, therein

Commission Expires June 4, 03

MICROFILMED

JUN 01 2001



TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune
505 C St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

**LEGAL ADVERTISING
INVOICE**

SOLD TO: IDAHO DEPT. OF WATER RESOURCES
900 N. SKYLINE
IDAHO FALL ID 83402

Date 02/01/2001INVOICE NO. 251803Account No. 446600Description 251803NOTICE OF PROPOSTimes 2Lines 68

RECEIVED Tab. Lines

FEB 05 2001

\$ 101.66

Department of Water Resources
Eastern Region

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

251803
NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 68831

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Source: GROUND WATER

Amount 4.68 CFS

Point(s) of Diversion NESE SEC 29

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R31E

Right No 29-2510

Priority 08/25/65

Source GROUND WATER

Amount 2.42 CFS

Point(s) of Diversion SWSE S29 T07S

R31E

Right No 29-7821

Priority 01/28/87

Source GROUND WATER

Amount 3.12 CFS

Point(s) of Diversion NESE S29 T07S

R31E

Right No 29-7822

Priority 01/28/87

Source GROUND WATER

Amount .81 CFS

Point(s) of Diversion SESW S21 T07S

R31E

Place of Use within the city limits of

American Falls

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applicant.

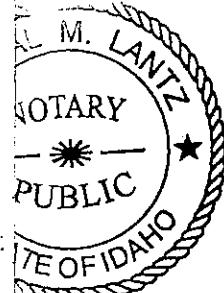
KARL J DREHER,

Director

Published on January 25 and Febru-
ary 1, 2001

MICROFILMED

JUN 01 2001

**AFFIDAVIT OF PUBLICATION**

Karen Lewis, being duly sworn, deposes an
says, I am the Legal Clerk of the Tribune
Publishing Company, a corporation organized and existing
under and by virtue of the laws of the State of Idaho,
publishers of the LEWISTON MORNING TRIBUNE, a news
paper of general circulation published at Lewiston, Nez Per
County, Idaho; That the said Lewiston Morning Tribune is
an established newspaper and has been published regularly
and issued regularly at least once a day for more than 21
consecutive years next immediately preceding the first
publication of this notice, and has been so published
uninterrupted for said period; that the 251803NOTICE OF
attached hereto and which is made a part of this affidavit
was published in the said Lewiston Morning Tribune,
2 time(s). Publication being on
01/25, or once a WEEK
for 2 consecutive WEEK
the first publication thereof being on the 01/25/2001
and the last publication thereof being on the 02/01/2001
and said 251803NOTICE OF was so published in the
regular and entire issue of said newspaper and was not in a
supplement thereof and was so published in every issue and
number of the said paper, during the period and times of
publication as set forth above.

Karen J Lewis

State of Idaho

S.S.

County of Nez Perce

On this 1st day of February in the year
of 2001, before me, a Notary Public, personally
appeared Karen J Lewis, known or identifie
to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn,
declared that the statements therein are true, and
acknowledged to me that he executed the same.

Sheryl M Lantz

Notary Public in and for the State of Idaho,
residing at Lewiston, therein

Commission Expires June 4, 03

RECEIVED

FEB 05 2001

Department of Water Resources
Eastern Region

No 33342

NOTICE OF PROPOSED CHANGE OF A WATER
RIGHT TRANSFER NO. 68831CITY OF AMERICAN FALLS, c/o Jerry Giesbrecht, 550
N Oregon Trail, American Falls, ID 83211, has filed Ap-
plication No. 68831 to add a point of diversion and to
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Source Sunbeam Springs, East Fork

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Use (Acre's) MUNICIPAL

Point(s) of Diversion SESW S12 T08S R31E

Right No. 29-2460

Priority 10/25/1962

Source GROUND WATER

Amount 4.68 CFS

Point(s) of Diversion NESE SEC 29 T07S R31E and
NWSE SEC 29 T07S R31E

Right No. 29-2510

Priority 08/25/65

Source GROUND WATER

Amount 2.42 CFS

Point(s) of Diversion SWSE S29 T07S R31E

Right No. 29-7821

Priority 01/28/87

Source GROUND WATER

Amount 3.12 CFS

Point(s) of Diversion NESE S29 T07S R31E

Right No. 29-7822

Priority 01/28/87

Source GROUND WATER

Amount .81 CFS

Point(s) of Diversion SESW S21 T07S R31E

Place of Use within the city limits of American Falls

The purpose of the transfer is to change a portion of the
above rights as follows:The applicants have a unified system so are consoli-
dating their points of diversion. In addition they are adding
a point of diversion in the NWSW SEC 29 T07S R31E to
better distribute water to the City.Any protest against the proposed change must be filed
with the Department of Water Resources, Eastern, 900 N
Skyline Dr., Ste. A, Idaho Falls, ID 83402, together with a
protest fee of \$25.00 on or before February 12, 2001 to
be considered by the Department in its decision to grant
or deny any part of the application. The protestant must
also send a copy of the protest to the applicant.
KARL J. DREHER, Director

PUBLISH: January 25 and February 1, 2001

of Publication

IDAHO
OF TWIN FALLS } SS.I, Ruby Augdenhaide being first duly sworn upon oath, depose
I am principal clerk of the TIMES-NEWS, published daily at,
Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping
is published in the regular and entire issue of said newspaper, and not in any supplementtwo consecutive weeks,
beginning with the issue dated Jan 25, 2001,
and ending with the issue dated Feb 1, 2001.I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho
Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily
except Sunday, both of which newspapers prior to consolidation had been published under said names in said city and
county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
NEWS, such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at
which time said newspaper began daily publication under said name in said city and county continuously and unin-I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
as the day for legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to
be given, Thursday is announced as the day on which said legal notices will be published.IDAHO
OF TWIN FALLSI, 1st day of February in the year 2001, before me,
Ruby Augdenhaide,
Notary Public, personally appeared Nevea Feltman,
identified to me to be the person whose name subscribed to the within instrument, and being by me first
declared that the statements therein are true, and acknowledged to me that he executed the same.

MICROFILMED

Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires: 5/16/06

JUN 01 2001

The Idaho Statesman

P.O. Box 40, Boise, Idaho 83707-0040

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification		Amount:
100564	392126	PROPOSED CHANGE OF WATER RIGHT		\$115.32
Ordered by:		P.O. #	Rate	Run Dates
SHARLA COX			NT	JAN. 25, FEB. 1, 2001
IDAHO DEPARTMENT OF WATER RESOURCES, EAST 900 N. SKYLINE DRIVE IDAHO FALLS, IDAHO 83402				Number of Lines 72
				Affidavit 1
				Legal # 9391

LEGAL NOTICE NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 68831

CITY OF AMERICAN FALLS, c/o Jerry Giesbrecht, 550 N Oregon Trail, American Falls, ID 83211, has filed Application No. 68831 to add a point of diversion and to consolidate points of diversion to the following water rights within POWER County:

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Use (Acres) MUNICIPAL
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Amount .81 CFS
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Place of Use within the city limits of American Falls

The purpose of the transfer is to change a portion of the above rights as follows:

The applicant have a unified system so are consolidating their points of diversion. In addition they are adding a point of diversion in the NWSW SEC 29 T07S R31E to better distribute water to the City.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern, 900 N Skyline Dr, Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 on or before February 12, 2001 to be considered by the Department in its decision to grant or deny any part of the application. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER,
Director

PUB. Jan. 25, Feb. 1, 2001

9391

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman*, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in *The Idaho Statesman*, in conformity with Section 60-108, Idaho Code, as amended for: TWO

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

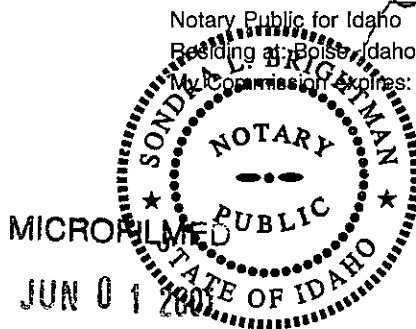
beginning with the issue of: JANUARY 25, 2001
and ending with the issue of: FEBRUARY 1, 2001

Janice Hildreth

STATE OF IDAHO)
) ss
COUNTY OF ADA)

On this 1 day of FEBRUARY in the year of 2001
before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Notary Public for Idaho
Residing at Boise, Idaho
My Commission Expires: 6/20/06



RECEIVED
FEB 05 2001

Department of Water Resources
Eastern Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

January 25, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF AMERICAN FALLS
550 NORTH OREGON TRAIL
AMERICAN FALLS ID 83211

RE: Application for Transfer #68831

Dear Applicant:

This office is currently in the process of advertising the application in the Power County Press on January 24 and 31, 2001, and in the Idaho Statesman, the Lewiston Morning Tribune, the Post Register and the Times News on January 25, 2001, and February 1, 2001. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ::sc

MICROFILMED

JUN 01 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

January 17, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

POWER COUNTY PRESS

PO BOX 547

AMERICAN FALLS ID 83211

RE: Transfer No 68831

Water Right No(s) 29-4421 29-2460 29-2510 29-7821 29-7822

Dear Legal Notice Department:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before February 12, 2001. Your cooperation is appreciated.

Sincerely,

Sharla Cox
Administrative Assistant



MICROFILMED

JUN 01 2001

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 68831

CITY OF AMERICAN FALLS, c/o Jerry Giesbrecht, 550 N Oregon Trail, American Falls, ID 83211, has filed Application No. 68831 to add a point of diversion and to consolidate points of diversion to the following water rights within POWER County:

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Priority 6/2/36
Source Sunbeam Springs, East Fork
Amount 2 CFS
Use (Acres) MUNICIPAL
Point(s) of Diversion SESW S12 T08S R31E

Right 29-2460
Priority 10/25/1962
Source GROUND WATER
Amount 4.68 CFS
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Right No 29-7821
Priority 01/28/87
Source GROUND WATER
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Right No 29-7822
Priority 01/28/87
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Place of Use within the city limits of American Falls

The purpose of the transfer is to change a portion of the above rights as follows:
The applicant have a unified system so are consolidating their points of diversion. In addition they are adding a point of diversion in the NWSW SEC 29 T07S R31E to better distribute water to the City.

Any protest against the proposed change must be filed with the Department of Water Resources,

MICROFILMED

JUN 01 2001

Eastern, 900 N Skyline Dr, Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 on or before February 12, 2001 to be considered by the Department in its decision to grant or deny any part of the application. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER,
Director

Published on January 24 and January 31, 2001

MICROFILMED

JUN 01 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION
January 17, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Transfer No 68831

Water Right No(s) 29-4421 29-2460 29-2510 29-7821 29-7822

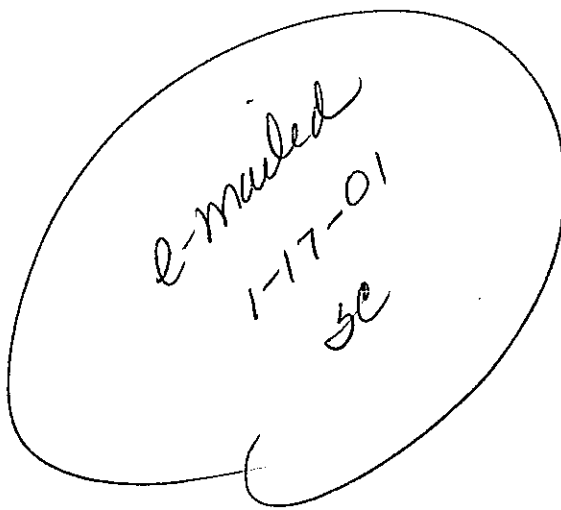
Dear Janice Hildreth:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated-(once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before February 12, 2001. Your cooperation is appreciated.

Sincerely,

Sharla Cox
Administrative Assistant



MICROFILMED

JUN 01 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 17, 2001

LEWISTON MORNING TRIBUNE

505 C ST PO BOX 957

LEWISTON ID 83501

RE: Transfer No 68831

Water Right No(s) 29-4421 29-2460 29-2510 29-7821 29-7822

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Sincerely,

Sharla Cox
Administrative Assistant

MICROFILMED

JUN 01 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION
January 17, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

POST-REGISTER

PO BOX 1800

IDAHO FALLS ID 83402

RE: Transfer No 68831

Water Right No(s) 29-4421 29-2460 29-2510 29-7821 29-7822

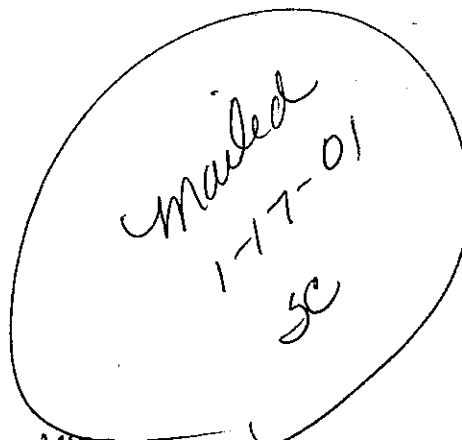
Dear Cathy Von Borstel:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before February 12, 2001. Your cooperation is appreciated.

Sincerely,

Sharla Cox
Administrative Assistant



MICROFILMED

JUN 01 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION
January 17, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

TIMES NEWS

PO BOX 548

TWIN FALLS ID 83303

RE: Transfer No 68831

Water Right No(s) 29-4421 29-2460 29-2510 29-7821 29-7822

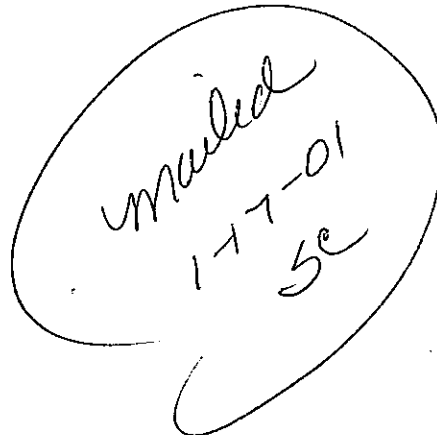
Dear Legal Notice-Department:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before February 12, 2001. Your cooperation is appreciated.

Sincerely,

Sharla-Cox
Administrative Assistant



MICROFILMED
JUN 01 2001

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 68831

CITY OF AMERICAN FALLS, c/o Jerry Giesbrecht, 550 N Oregon Trail, American Falls, ID 83211, has filed Application No. 68831 to add a point of diversion and to consolidate points of diversion to the following water rights within POWER County:

Right No 29-4421
Priority 6/2/36
Source Sunbeam Springs, East Fork
Amount 2 CFS
Use (Acres) MUNICIPAL
Point(s) of Diversion SESW S12 T08S R31E

Right 29-2460
Priority 10/25/1962
Source GROUND WATER
Amount 4.68 CFS
Point(s) of Diversion NESE SEC 29 T07S R31E and NWSE SEC 29 T07S R31E

Right No 29-2510
Priority 08/25/65
Source GROUND WATER
Amount 2.42 CFS
Point(s) of Diversion SWSE S29 T07S R31E

Right No 29-7821
Priority 01/28/87
Source GROUND WATER
Amount 3.12 CFS
Point(s) of Diversion NESE S29 T07S R31E

Right No 29-7822
Priority 01/28/87
Source GROUND WATER
Amount .81 CFS
Point(s) of Diversion SESW S21 T07S R31E
Place of Use within the city limits of American Falls

The purpose of the transfer is to change a portion of the above rights as follows:
The applicant have a unified system so are consolidating their points of diversion. In addition they are adding a point of diversion in the NWSW SEC 29 T07S R31E to better distribute water to the City.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern, 900 N Skyline Dr, Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 on or before February 12, 2001 to be considered by the Department in its decision to grant or deny

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JUN 01 2001

any part of the application. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER,
Director

Published on January 25 and February 1, 2001

MICROFILMED
JUN 01 2001

February 12, 1970

Re: Permit Nos. 29-2460 (G-30415)
29-2510 (G-32498)

City of American Falls
American Falls,
Idaho 83211

Dear Sirs:

Enclosed herewith are your Water Licenses issued on the above
numbered permits.

Also enclosed is departmental receipt No. 4195 in the amount of
\$10 covering the licensing fees.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:kh

Enclosures

29-2460
30415

January 22, 1970

Re: Permit No. G-30415/29-2460

City of American Falls
American Falls,
Idaho 83211

Dear Sirs:

A representative of this department has made an examination of the works covered by your Permit 29-2460 and has found the following:

Quantity of water diverted: 4.68 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 4.68 c.f.s.

The maximum quantity diverted shall not exceed 703 acre feet per season.

Beneficial Use: Municipal purposes for the City of American Falls

The priority date established is: October 25, 1962 (late proof)

A fee totaling \$ 5.00 must be received within 30 days from the date of this letter in order that we can issue you the Water License as described above.

Very truly yours,

Dorian Clay
Field Examiner

DC:kh

29-2460
30415

Form 23

2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-30415

REPORT ON PROOF OF Completion of Works and Beneficial Use

R-31E

T-75

29
#5 well 2. ① PD ② PD
#1 & 2 wells

City of American Falls

Allow - 5.0 cfs

Vol. of 30415 & 32498 combined not to
exceed 7500 AFY.

1-3-69 R.P.

MUNICIPAL

ALLOW Q - 4.68 cfs
~~5.0 cfs~~

max Vol - 703 AC-FT / YEAR

PRIORITY - October 25, 1962
(late proc)

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

Permit No. G-30415

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant City of American Falls, Idaho

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the 2 wells NE 1/4 SE 1/4 Lot 11 31.48
1 well NW 1/4 SE 1/4 of Section 29

T. 7 S. R. 31 E. County of Power County

4. Describe works as they exist, giving dimensions and capacities of same:

#1 Westinghouse 30 H.P. 1400-2-6 Pomona Turbine K672
6" Dio. 57# at pump #2 Westinghouse 40 H.P. 3A 799738
Jacuzzi 8HS-A10 WMA340T241 55# at pump 6" Dio. & Gate Valve
#3 U.S. Hollow shaft 125 H.P. 1246886 - Berkeley 610 8767
125# at pump 10" Dio. Gate Valve

5. Water is used for: municipal purposes

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):

City of American Falls

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

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

Remarks: _____

$Q_1 = 600 \text{ gpm} = 1.34 \text{ cfs}$
 $Q_2 = 600 \text{ gpm} = 1.34 \text{ cfs}$
 $Q_3 = 900 \text{ gpm} = 2.0 \text{ cfs}$
 $Q = 4.68 \text{ cfs}$

Quantity not marked

This examination was made on the _____ day of June, 1968

(Signed)

Don Reynolds

Examiner.

25
Plat 1
H.H.

Priority: October 25, 1962
(late proof)

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

WELL LOG AND REPORT TO THE
STATE RECLAMATION ENGINEER OF IDAHO

*Received
10-20-61
Permit of Reclamation*

Log No. _____
Rec. 10-20-61, 19____
Well No. _____
Permit No. 930415
(Do not fill in)

Owner City of American Falls Address American Falls, Idaho
Driller Sigman Drilling & Pump Co. Address 2550 South Fifth Lic. No. 50
Stirling Sigman Pocatello, Idaho Cont. Lic. 23
Location of well NW 1/4 SE 1/4 Sec. 29 T 7S N/S. R 31E E/W Powe County,
and _____ feet N/S, and _____ feet E/W from _____ Corner of 1/4 1/4 Sec. _____
Size of Drilling Hole Twenty Inch Total depth of Well 351 1/2 feet
Give depth of standing water from surface 79 ft. Water Temp. _____ Faren.
On pumping test delivery was 1800 gpm or _____ cfs Drawdown was 6 feet
Size of pump and motor used to make the test 10 inch column 330 HRF Diesel
Length of time pumped during check was continuous hr., _____ minutes
If flowing well, give flow in cfs _____ or gpm _____ & shut in pres. _____
If flowing well, describe control works _____ type & size of valve, etc. _____
Water will be used for Municipality Weight of Casing per lin. ft. 51lb. per
Thickness of casing 5/16 Inch wall Casing material steel
Diameter, length & location of casing twenty inch from surface to 351 ft
Number & size of perforations Approx. 500 4x5 located 295 Ft. to 351 1/2 feet
from surface of ground. 4x5/8"
Other perforations _____
Date of commencement of well Feb. 28, 1961 Date of completion of well April 8,
1961
Type of well rig. "71" Star Cable tool

WELL LOG

From feet	To feet	TYPE OF MATERIAL	Drilling Time		Water Bearing Formation	Casing Perforated
			Hrs.	Min.		
0	35	Brown Clay			no	no
35	68	Sandstone			no	no
68	72	Gravel & Cinder			yes	no
72	100	Porous Lava			yes	no
100	230	Sandstone			no	no
230	295	Cement Sand & Gravel			?	no
295	312	Volcanic Sand & Gravel			yes	yes
312	351 1/2	Fine River Gravel			yes	yes

Signed Stirling Sigman
Date April 13, 1961
License No. 50

57228
36

S. 29 T2S R31E
m

930415

Margaret

December 14, 1967

Re: Permit No. G-30415

City of American Falls
American Falls, Idaho

Gentlemen:

We acknowledge receipt of the depositions and affidavit of publication in the
Power County Press submitted as proof of completion of works and beneficial use on Permit G-30415.

Before a certificate and license of water right can be issued, a field examination must be made by a representative from this department. We cannot tell just when this examination will be made, but our field examiner will try to contact you at the time he makes the examination so that you may show him the system.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

30415

Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF POWER. } ss.

Phyllis Ringe being first duly sworn
oath, states:

That she is the principal clerk of the printer
the Power County Press, a newspaper of general circulation
Power County, Idaho, published weekly at American Falls
said County; that said newspaper has been published in said
county uninterruptedly and continuously for over seventy-
five consecutive weeks, prior to the first publication of the
annexed notice or advertisement:

That the annexed notice or advertisement was published as
clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for 2
consecutive weekly issues thereof, the date of the first publica-

tion being the 9th day of November, 1967

the date of last publication being the

16th day of November, 1967

(Signed) *Phyllis Ringe*

scribed and sworn to before me this

17 day of November, 1967

Notary Public
Notary Public, residing at American Falls,
Idaho.

My Commission expires the

27 day of October, 1971

RECEIVED

NOV 20 1967

Department of Reclamation

Published in The Power County
Press Nov. 9 and 16, 1967.

NOTICE OF CORRECTION OF
LEGAL NOTICE PUBLISHED
UNDER THE PROVISIONS OF
SECTIONS 42-214, 42-217, IDAHO
CODE

Notice is hereby given that the
legal notice printed in the Pow-
er County Press on September
21, 28, October 5, and 12, 1967,
showing that the City of American
Falls was to make proof of com-
pletion of works and application
of water to beneficial use Oct-
ober 30, 1967, on Permit No.
G. 30415 was in error as to the
number of wells. The correct
points of diversion are 2 wells
in the NE1/4SE1/4 and 1 well in
the NW1/4SE1/4, Sec. 29, T. 7
S, R. 31 E, B.M. Power County.

That any protests against the
approval of the depositions made
October 30, 1967, must be filed
in the Department of Reclamation
at Boise, Idaho, within forty (40)
days from the date of this notice,
and such protest shall state the
name and address of the prot-
estant and shall clearly set forth
his objection to the approval of
said proof of completion of works
and beneficial use of water.

Dated this 3rd day of Novem-
ber, 1967.

R. KEITH HIGGINSON
State Reclamation Engineer

Date of First Publication, Nov.
9, 1967.

Date of Last Publication, Nov.
16.

Last Date for Protest, Decem-

30415

November 3, 1967

Re: Permit No. G-30415
City of American Falls

C
Power County Press
American Falls, Idaho 83211

O
Gentlemen:

Enclosed is a legal notice which is to be published once a week for two consecutive weeks. Insert the dates of first and last publication in one copy and return to us along with a galley proof for proofing.

P
The cost of the publication is to be paid by the Department of Reclamation. Please send the bill and the affidavit of publication to us.

Very truly yours,

Y
Donald W. McEldowney
Water Rights Clerk

DWM:dj

Enc: Legal Notice (two copies)

cc: City of American Falls

Made

30415

W. C. LOOFBOURROW
LAWYER
American Falls, Idaho

RECEIVED
OCT 31 1967
Department of Reclamation

October 30, 1967

State of Idaho
Department of Reclamation
State House
Boise, Idaho

Sirs:

Re: Permit No. G-30415 City of American Falls, Idaho.

Enclosed form 16 - 2M and
two forms 17A - 4M And affidavit of publication.

Yours truly,

W. C. Loofbourrow
W. C. Loofbourrow

L
enc's 7 4

30415

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-30415

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works
DEPOSITION OF HOLDER

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

City of American Falls, Idaho, by Ralph M. Wheeler, Mayor of said City, whose residence and post office address is American Falls, Idaho, and occupation pharmacist

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:

City of American Falls, Power County, Idaho, American Falls, Idaho.

Ques. 3. State number, approval date of permit, and date of priority: _____

Permit G 30415, March 20th, 1962 date of approval, March 15, 1962

Ques. 4. State source of water supply: 2 wells in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29, T. 7 So. R. 31
1 well in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29, T. 7 So., R. 31
Give location of point of diversion, showing subdivision, section, township and range

2 wells side by side in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29, T. 7, So., R. 31, EBM., and one well in
NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29, T. 7 So., R. 31, EBM

Ques. 5. Describe your works of diversion: the two wells pumped into main on Polk St.,
the other well pumped into main on Polk St.,

_____ ; state amount of water they are capable of conveying from point of diversion to place of use: 5. cubic feet ; Give name of canal or ditch

or other works by which water is conducted to such place of use: pipe in city water system
of the two wells, the southerly well 141' cased all the way

_____ ; if a well, state depth of well _____ ; depth and size of southerly well cased all way, depth to water 98'; 12.5 inch casing.
casing _____ ; depth to water _____ ; if pump is used,

southerly well 375 gal per minute, measured by weir box
state discharge of pump: _____ ; tell how it was measured or determined _____

northerly well pipe in city water system, depth 149' cased all way 12.5 inch
weir box measurement. 450 g.p.m. ; if sprinkler irrigation, give number and size
Well in NW $\frac{1}{4}$ SE $\frac{1}{4}$, depth 350' cased all way 16", depth to water 78'; 1200 gallons per minute
of nozzles and operating pressure: _____ checked with meter.

Ques. 6. State for what purpose water is used: _____

(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

All American Falls residents for culinary, household ~~for~~ and watering yards.

no log

30415

State nature of all improvements which have been made as a direct result of said use:
piped to main

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled
Southerly well in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ~~George Wilson~~ George Wilson, American Falls, Idaho,
the well: Northerly well in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Ben Cotant, American Falls, Idaho
well in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sterling Sigman, Pocatello, Idaho.

Ques. 7. If for other than irrigation purposes, show full legal description of place
of use and state purpose for which water is used:
All residents of American Falls use the water for culintary, household, and
lawn sprinkling.

Ques. 8: If you are not the person or representative of the corporation to whom above
mentioned permit was originally issued, please state how ownership was acquired by
present holder:

Quest. 9: State when and in what amount the water diverted under above mentioned permit
has been first used: _____ - Time used since first use:
used
Time first ~~used~~ March 15, 1962, in NW $\frac{1}{4}$ SE $\frac{1}{4}$, and continuously since. 1200 gal. per minute.
Wells in NE $\frac{1}{4}$ SE $\frac{1}{4}$ first used March 1st, 1955:
Northerly well 450 gal per minute all have been used continuously
Southerly well 375 gal. per minute. since first used.

Ques. 10: Describe all other water rights appurtenant to same place of use: _____
one other well, and springs about five miles up in the hills.

(sign)

Edith M. Wheeler
Mayor, City of American Falls

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

American Falls _____, County of Power _____

State of Idaho, on this 30th day of October, A. D. 19 67.

My commission expires: Jan. 3, 1971.

McBooBourrou
Notary Public, Residing at
American Falls, Idaho.

30415

OCT 31 1967
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-30415

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

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

Philip Rathka, 40, American Falls, Idaho, employee of City water system

Post Office, American Falls, Idaho

Ques. 2 Are you acquainted with City of American Falls, Idaho, yes, the holder of

Permit No. G-30415? How long have you known him and where does he reside?

known American Falls all my life

Ques. 3. Have you read or heard said Permit No. G-30415 read, and are you familiar

with its provisions and conditions: Yes yes No.

Ques. 4. State source of water supply: three wells

Give location of place of diversion, showing subdivision, section, township and range
2 wells in NE SE 1/2 Sec. 29, T. 7 S., R. 31 EBM; and one well in NW SE 1/2 Sec. 29, T 7 S., R. 31

Describe works for conveying water to place of use: pumped in pipe to city water mains

Ques. 5. How many second feet of water do you estimate said works will safely conduct

to place of use: 5. cubic feet per second How much water have you seen being so

conveyed? 2025 gallons per minutes

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving

full legal description:

pumped into city water system of American Falls, Idaho

30415

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

All of the city of American Falls. Residents of whole city use it for culinary and household purposes and to water lawns

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.
some of water used to sprinkle lots or laws all over the city

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?
If so, in what way and to what extent? no

Ques. 10. When did you first see this water used? March 1st, 1933, on 2 wells in NE $\frac{1}{4}$ SE $\frac{1}{4}$

March 15, 1962, well in NW $\frac{1}{4}$ SE $\frac{1}{4}$
Other times you have seen such use: I work for city water department and see them practically every day.

(Signed):

Philip Rathke

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

American Falls, County of Power, State of Idaho, on
this 30th day of October, A. D. 19 67.

McLoughbourrow

Notary Public for the State of Idaho
Residing At American Falls, Idaho.

My commission expires Jan. 3, 1971.

30415

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

OCT 31 1967

Permit No. G - 30415

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

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

Daniel Rast, 57 years of age, American Falls, Idaho, occupation water works employee,
post office address American Falls, Idaho

Ques. 2 Are you acquainted with City of American Falls, Idaho, the holder of
Permit No. G-30415? How long have you known him and where does he reside?

all my life

Ques. 3. Have you read or heard said Permit No. G-30415 read, and are you familiar
with its provisions and conditions: Yes yes No.

Ques. 4. State source of water supply: three wells

Give location of place of diversion, showing subdivision, section, township and range
2 wells in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29, T. 7 So., R. 31, EBM; and one well in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 29-7-31 E

Describe works for conveying water to place of use: pumped in pipe to city water mains

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 5. cubic second feet How much water have you seen being so

conveyed? 2025 gallons per minute

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

pumped into city water system of American Falls, Idaho, used all over city

30415

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Residents of the whole city of American Falls use it for culinary, household use and for watering lawns

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

wome water used to sprinkle lawns all over city

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? no

Ques. 10. When did you first see this water used? March 1, 1933, on 2 wells in NE $\frac{1}{4}$ SE $\frac{1}{4}$ March 15, 1962 well in NW $\frac{1}{4}$ SE $\frac{1}{4}$

Other times you have seen such use: I work for city water department see them nearly every day.

(Signed):

Daniel Dax

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

American Falls, County of Power, State of Idaho, on this 30th day of October, A. D. 1967.

McLoughlin

Notary Public for the State of Idaho

Residing at American Falls, Idaho

My commission expires Jan. 3, 1971.

30415

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300



POSTMARK OF
DELIVERING OFFICE

INSTRUCTIONS: Show name and address below and
complete instructions on other side, where applicable.
Moisten gummed ends, attach and hold firmly to back
of article. Print on front of article **RETURN**
RECEIPT REQUESTED.

← **RETURN
TO**

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX

Room 1071 Statehouse

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83701

30415

POD Form 3811, Apr. 1967 35-16-71648-10

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and address where delivered ☐ Deliver ONLY to addressee
(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.	SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)
CERTIFIED NO. 19454	① <i>[Signature]</i>
INSURED NO.	② SIGNATURE OF ADDRESSEE'S AGENT, IF ANY <i>[Signature]</i>
DATE DELIVERED 8-28-67	③ SHOW WHERE DELIVERED (only if requested) 30415

Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF POWER. } ss.

Phyllis Ringe being first duly sworn

on oath, states:

That she is the principal clerk of the printer

of the Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said County; that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for

successive weekly issues thereof, the date of the first publica-

tion being the 21st day of September, 1967

the date of last publication being the

2th day of October, 1967.

(Signed) *Phyllis Ringe*

Subscribed and sworn to before me this

27th day of October, 1967.

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

My Commission expires the

3d day of Jan., 1971.

EAL)

Depart.

30415

Published in The Power County Press Sept. 21, 28, Oct. 5 and 12, 1967

NOTICE OF PROOF OF COMPLETION OF WORKS

and

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 30th day of October, 1967, at American Falls, County of Power, State of Idaho before W. C. Loofbourrow, Notary Public, at 216 Idaho St., American Falls, Idaho, proof will be submitted of the completion of works for the diversion of 5.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-30415, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is City of American Falls, Idaho, American Falls, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 5.0 cubic feet per second.

3. The use to which said water has been applied is municipal purposes, purposes and the amount applied to beneficial use is 5.0 cubic feet per second.

4. The point of diversion of said water is NE1/4SE1/4, NW1/4SE1/4, Sec. 29, T. 7 S., R. 31 E., B. M., Power County.

5. The place where said water is used is City of American Falls and Vicinity.

6. The date of priority which said user is prepared to establish is March 15, 1962.

September 20, 1967

Re: Permit G-30415
City of American Falls

W. C. Loofbourrow, Lawyer
American Falls, Idaho

Dear Mr. Loofbourrow:

We are in receipt of your letter of September 16, 1967.

The legal notice submitted with your letter of September 13 for permit G-30415 was correct according to our records. Consequently, that notice is currently being published in the Power County Press.

The legal notice submitted with your letter of September 15, 1967 for permit G-30415 is in agreement with the legal notice currently being published; therefore, we are returning the second legal notice submitted for permit G-30415.

Please contact us if we can be of further assistance.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:nw

Enclosure: Forms 36 & 11

30415

September 19, 1967

RE: Permit G-30415

W. C. Loofbourrow
Attorney at Law
American Falls, Idaho 83211

Dear Mr. Loofbourrow:

Enclosed is Departmental receipt No. 33991 in the amount of \$1.00. This amount covers the fee for a copy of the above referenced permit mailed to you at an earlier date.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Enc1: Receipt

30415

W. C. LOOFBOURROW
LAWYER
American Falls, Idaho

RECEIVED
SEP 18 1967

Department of Reclamation

September 16, 1967

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

Sirs:

Re: Permit G-30415

Yours of 15th received.

September 15th, I wrote you enclosing Form 36 and 11, after I had received copy of the application. You had sent me form partially filled out which differed slightly from the one I had sent you to which yours of the 15th refers.

The city clerk could not find any record of this Permit G-30415, which accounts for my uncertainty.

If you agree with me that the forms sent you by me in my letter of the 15th should be used, I would thank you to call me early Monday on the phone, reversing the charges, so that I can stop the publication next week. Or perhaps you had better phone the Power County Press, and bill me for phone charges, as they might not want to stop publication with your instructions.

Yours truly,

W. C. Loofbourrow
W. C. Loofbourrow

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30415

W. C. LOOFBOURROW
LAWYER
American Falls, Idaho

SEP 18 1967

September 15, 1967

Department of Reclamation

Department of Reclamation
Room 107, State House
Boise, Idaho 83701

Sirs:

Re: City of American Falls - Permit No. G-30415

There is enclosed Form 36 and 11. 11 is signed by City of
American Falls, by Polly Gossett, Clerk.

Please disregard my letter of 13th instant, enclosing these forms.

Yours truly,

W. C. Loofbourrow
W. C. Loofbourrow

L
enc's 3

*This permit is
currently being advertised
per our letter of 9-15-67*

30415

NOTICE OF CORRECTION OF LEGAL NOTICE PUBLISHED UNDER THE
PROVISIONS OF SECTIONS 42-214, 42-217, IDAHO CODE

Notice is hereby given that the legal notice printed in the Power County Press on September 21, 28, October 5, and 12, 1967, showing that the City of American Falls was to make proof of completion of works and application of water to beneficial use October 30, 1967, on Permit No. G-30415 was in error as to the number of wells. The correct points of diversion are 2 wells in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 1 well in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, T. 7 S, R. 31 E, B.M., Power County.

That any protests against the approval of the depositions made October 30, 1967, must be filed in the Department of Reclamation at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant and shall clearly set forth his objection to the approval of said proof of completion of works and beneficial use of water.

Dated this 3rd day of November, 1967.

R. KEITH HIGGINSON
State Reclamation Engineer

Date of First Publication _____
Date of Last Publication _____
Last Date for Protest December 13, 1967

30415

(4)

Published in The Power County
Press Nov. 9 and 16, 1967.
NOTICE OF CORRECTION OF
LEGAL NOTICE PUBLISHED
UNDER THE PROVISIONS OF
SECTIONS 42-214, 42-217, IDAHO
CODE

Notice is hereby given that the
legal notice printed in the Pow-
er County Press on September
21, 28, October 5, and 12, 1967,
showing that the City of American
Falls was to make proof of com-
pletion of works and application
of water to beneficial use Oct-
ober 30, 1967, on Permit No.
G-30415 was in error as to the
number of wells. The correct
points of diversion are 2 wells
in the NE1/4SE1/4 and 1 well in
the NW1/4SE1/4, Sec. 29, T. 7
S, R. 31 E, B.M. Power County.

That any protests against the
approval of the depositions made
October 30, 1967, must be filed
in the Department of Reclamation
at Boise, Idaho, within forty (40)
days from the date of this notice,
and such protest shall state the
name and address of the prot-
estant and shall clearly set forth
his objection to the approval of
said proof of completion of works
and beneficial use of water.

Dated this 3rd day of Novem-
ber, 1967.

R. KEITH HIGGINSON
State Reclamation Engineer

Date of First Publication, Nov.
9, 1967.

Date of Last Publication, Nov.
16.

Last Date for Protest, Decem-
ber 13, 1967.

-30-

30415

September 15, 1967

Re: Permit No. G-30415
City of American Falls

W. C. Loofbourrow
Attorney At Law
American Falls, Idaho 83211

Dear Mr. Loofbourrow:

This acknowledges receipt of the notice of intent to make proof of completion of works and application of water to beneficial use for permit G-30455.

We have mailed the notice to the Power County Press to be published once a week for four consecutive weeks prior to October 30, 1967, which is the hearing date when the permit holder City of American Falls and two disinterested witnesses must appear before W. C. Loofbourrow, notary public, to complete the enclosed depositions. The witnesses must be familiar with the works and permit.

After the hearing, the depositions and an affidavit of publication must be submitted to this office. The affidavit may be obtained from the newspaper when the advertising bill is paid by City Clerk, American Falls, Idaho. Be sure all the forms have the notary's seal and are signed.

Please feel free to contact us if we may be of any assistance.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

Enc: Depositions

cc: Applicant

P. S. There will be no need for you to appear here on October 4, 1967, as you have shown cause why the permit should not be cancelled.

30415

234

September 15, 1967

Re: Permit No. G-30415
City of American Falls

Power County Press
American Falls, Idaho 83211

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to October 30, 1967. The expense of the publication is to paid by City Clerk, City of American Falls, American Falls, Idaho,

to whom you should furnish the affidavit of publication on or before the above date. Please acknowledge receipt of this notice by furnishing this office with a tear sheet for checking prior to the first publication.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

30415

Original
number of copies
11-2-6
R.J.

1/65

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that ~~xxxxxx~~, on the 30th day of October
19 67, at American Falls, County of Power, State of Idaho
before W. C. Loofbourrow, Notary Public, at ~~(address)~~
216 Idaho St., American Falls, Idaho,, proof will be submitted of the completion
of works for the diversion of 5.0 cubic feet per second of underground water from a
well, and of the application to beneficial use of said water, in accordance with the
terms and conditions of Permit No. G-30415, heretofore issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is City of American Falls, Idaho, American Falls, Idaho,

2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of
use is 5.0 cubic feet per second.

3. The use to which said water has been applied is municipal purposes,
, purposes and the amount applied to beneficial use is
5.0 cubic feet per second.

4. The point of diversion of said water is NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, T. 7, S., R. 31,
E., B. M., Power County.

5. The place where said water is used is XXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXX
City of American Falls and Vicinity,

6. The date of priority which said user is prepared to establish is March 15, 1962.
September 1st, 1962.

R. KEITH HIGGINSON

State Reclamation Engineer

30415

07

RECEIVED
SEP 13 1917

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the ~~City of American Falls~~ Power County Press of American Falls, Idaho, _____; published in the county in which the works are situated.

(Seal)

City of American Falls, Idaho,
By [Signature]
(signature) City Clerk

American Falls, Idaho.
(address)

(date)

In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer when proof is for completion of works.

I hereby certify that the facts set forth in the attached notice are true.

Engineer

30415

September 14, 1967

Re: Permit G-30415

W. C. Loofbourrow
Attorney at Law
American Falls, Idaho

Dear Mr. Loofbourrow:

Pursuant to your request, we are forwarding a notice of publication form for permit G-32498 and G-30415. Also enclosed is a copy of permit G-30415 for which there is a \$1.00 fee.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:ks

Enclosures: form 36 (2)
copy of G-30415

30415

W. C. LOOFBOURROW
LAWYER
American Falls, Idaho

September 13, 1967

Department of Reclamation
Room 107, State House
Boise, Idaho 83701

Sirs:

Re: City of American Falls - Permit No. G-30415

Enclosed is form 11, signed City of American Falls, Idaho, by Polly Gossett, City Clerk, with seal of City attached and form No. 36 for publication.

As I understand your of August 29, 1967, it will not be necessary for the city to make an appearance October 4, 1967, as mentioned in your of August 25, 1967.

Yours truly,

W. C. Loofbourrow
W. C. Loofbourrow

L
enc's 2

RECEIVED
SEP 14 1967

Department of Reclamation

*This is being
advertised*

30415

W. C. LOOFBOURROW
LAWYER
American Falls, Idaho

August 30, 1967

RECEIVED
AUG 31 1967
Department of Reclamation

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

Sirs:

Re: Permit No. G-30415 City of American Falls

Referring yours of 25th and 29th instant.

I went over to the city clerk and she handed me Permit No. G-32498 and I filled out Form 36 sent me in yours of the 29th from G-32498, before I got conscious of what I was doing.

Will you please send me another form 36 and a copy of Permit No. G-30415, as the clerk is unable to find the said permit in City files. *copy*

Also please send me forms 11 and 36 as the work has been completed under permit G-32498, and as soon as I get the forms will start final proof on that.

Yours truly,

W. C. Loofbourrow
W. C. Loofbourrow

L

P. S. Assume there will be a charge for the copy of G-30415. Advise me and I shall remit.

W. C. Loofbourrow

30415

August 29, 1967

Re: Permit G-30415
City of American Falls

W. C. Loofbourrow
City Attorney
American Falls, Idaho 83211

Dear Mr. Loofbourrow:

Thank you for your letter of August 27, 1967. The letter received by the City of American Falls dated August 25, 1967, was a notice of intent to cancel the permit G-30415 for failure to submit proof of completion of works and application of the water to beneficial use.

The Department of Reclamation would accept as sufficient reason for not cancelling the above referenced permit, forms 36 and 11 of the Department of Reclamation completed by the city which in effect is the intent of the City of American Falls to submit proof of beneficial use of the water.

If we would receive these intent to make proof forms prior to October 4, 1967, we would consider the intent and most probably not cancel the permit. Enclosed you will find a set of instructions and Forms 36 and 11 of the Department of Reclamation.

Please contact us if we can be of further assistance.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:nw

Enclosure: Forms 36 & 11 & inst.

30415

W. C. LOOFBOURROW

LAWYER

American Falls, Idaho

83 211

August 27, 1967

RECEIVED
AUG 29 1967
Department of Reclamation

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

Sirs:

Re: Permit No. G-30415

Your form letter to City of American Falls, Idaho, dated August 25, 1967, has been handed me by city clerk.

Permit was received by your office according to stamp on it August 25, 1965, 8:00 A. M., and approved by the Governor and Deputy State Reclamation Engineer August 26, 1965.

The clerk tells me that the drilling on this well was started June 11, 1965 and was completed June 23, 1965.

Understand your department has a printed form of affidavit of completion of works and application to beneficial use. If so, would the filing of such an affidavit cure its default so that it would not be necessary to appear before the State engineer on October 4, 1967.

Yours truly,

W. C. Loofbourrow
W. C. Loofbourrow
City Attorney

L

30415

August 25, 1967

Re: Permit No. G-30415

City of American Falls
American Falls, Idaho 83211

Gentlemen:

It appearing to the State Reclamation Engineer that the terms and conditions of Permit G-30415 to appropriate the public waters of the State of Idaho, have not been complied with as to failure to submit proof of completion of works and beneficial use due March 20, 1967, you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the State Reclamation Engineer on or before October 4, 1967 why said permit should not be cancelled.

Permit G-30415 claims the use of 5.0 cubic feet per second of water. The point of diversion was to be located NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, T. 7 S, R. 31 E, B.M. Power Co., and the permit was approved March 20, 1962.

State Reclamation Engineer

30415

March 29, 1962

Re: Permit No. G-30415

Roland T. Kramer, Mayor,
City of American Falls,
American Falls, Idaho.

Dear Mayor Kramer:

We enclose Permit No. G-30415 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-6864 which was issued covering payment in the amount of \$6.00 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

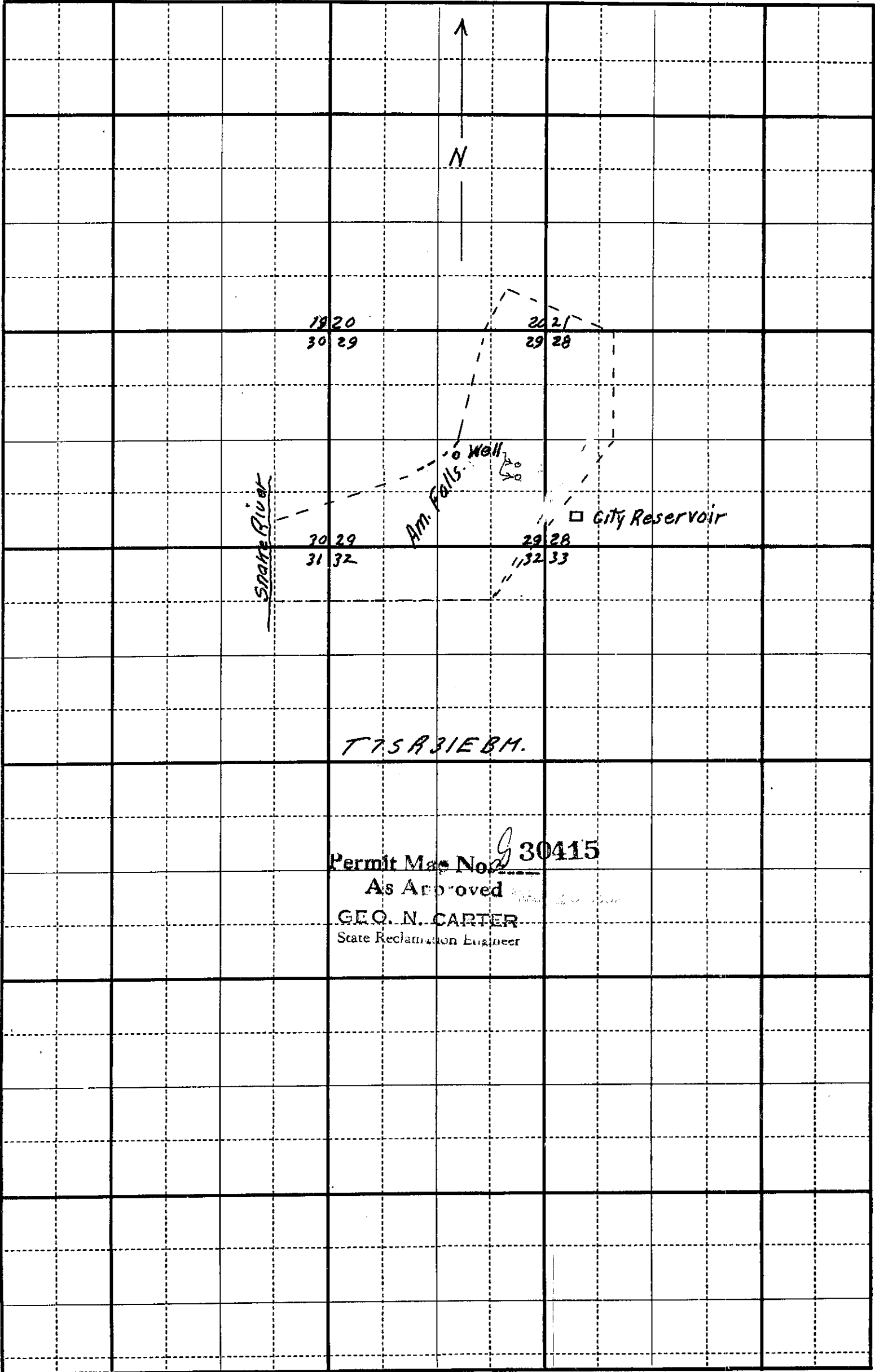
(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

30415

NAME OF APPLICANT City of American Falls, Idaho

Form No. 0



Permit Map No. 30415
As Approved
GEO. N. CARTER
State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

30415

30415

March 15, 1962

Roland T. Tramer, Mayor
City of American Falls
American Falls, Idaho

Dear Mr. Tramer:

You sent two applications for permit with a fee of \$6.00,
which is the correct fee for one application claiming 5.0
cubic feet per second.

One of your applications is being returned and the three
wells are shown on one application.

I trust this will be satisfactory.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Deputy State Reclamation Engineer

RWT:mr

Enc. application

30415

CITY OF
American Falls, Idaho

Office of City Clerk
Mar. 13, 1962

MAR 15 1962
Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Re: Application for permit.

Dear Mr. Carter:

Your letter of march 9, in connection with application for permit to divert subterranean water for fees and slight changes. Believe these changes have now been made and trust they are to your satisfaction.

In addition to application being returned we are also submitting application for two old wells as mentioned in my letter of March 1, 1962.

With applications for the three wells you will also find enclosed a check for \$6.00 to cover fee.

Very truly yours,

Robert D. Krummer
mayor

30415

CITY OF
American Falls, Idaho

Office of City Clerk
Mar. 15, 1962

MAR 15 1962
Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Re: Application for permit.

Dear Mr. Carter:

Your letter of march 9, in connection with application for permit to divert subterranean water for fees and slight changes. Believe these changes have now been made and trust they are to your satisfaction.

In addition to application being returned we are also submitting application for two old wells as mentioned in my letter of March 1, 1962.

With applications for the three wells you will also find enclosed a check for \$6.00 to cover fee.

Very truly yours,

Alan S. Krummer
mayor

30415

March 9, 1962

Re: Application for Permit

Roland T. Kramer, Mayor
City of American Falls
American Falls, Idaho

Dear Mr. Kramer:

Returned herewith is your application for permit to divert subterranean water for fees and slight changes.

There are suggested additions or changes noted in pencil under Nos. 2, 5, 10 and 13.

The amount of water claimed, 1500 gallons per minute, is equivalent to approximately 3.34 cubic feet per second.

The use of water is suggested to be municipal as that covers street washing, fire fighting and commercial, etc. uses which do not come under domestic use.

The place of use of the water is suggested as City of American Falls and vicinity instead of the legal description of the land to cover any expansion in the future.

There must be some time shown to complete the necessary proofs of completion of works and beneficial use of the water. Five years is the maximum allowable, however you may request the forms at any prior time and they will be sent to you.

Kindly complete No. 11

Our records do not show any wells in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, T. 7 S., R. 31 E., B. M. and one form for application is enclosed

30415

CITY OF
American Falls, Idaho

RECEIVED

MAR 9 1962

Office of City Clerk
March 1, 1962

Department of Reclamation

no fee

State of Idaho
Department of Reclamation
Boise, Idaho

Dear Sirs:

Enclosed please find an application for permit to appropriate the subterranean waters of the State of Idaho.

This is to cover a well drilled in 1961, for the city of American Falls, for domestic use.

If the city of American Falls has not made application for water rights for two wells drilled about 1930, located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29, T 7S, R 31 E.B.M., will you notify us? If not it will be appreciated is you will forward necessary blanks?

Very truly yours,

Roland Kramer

mayor

encl.

G-23074

30415