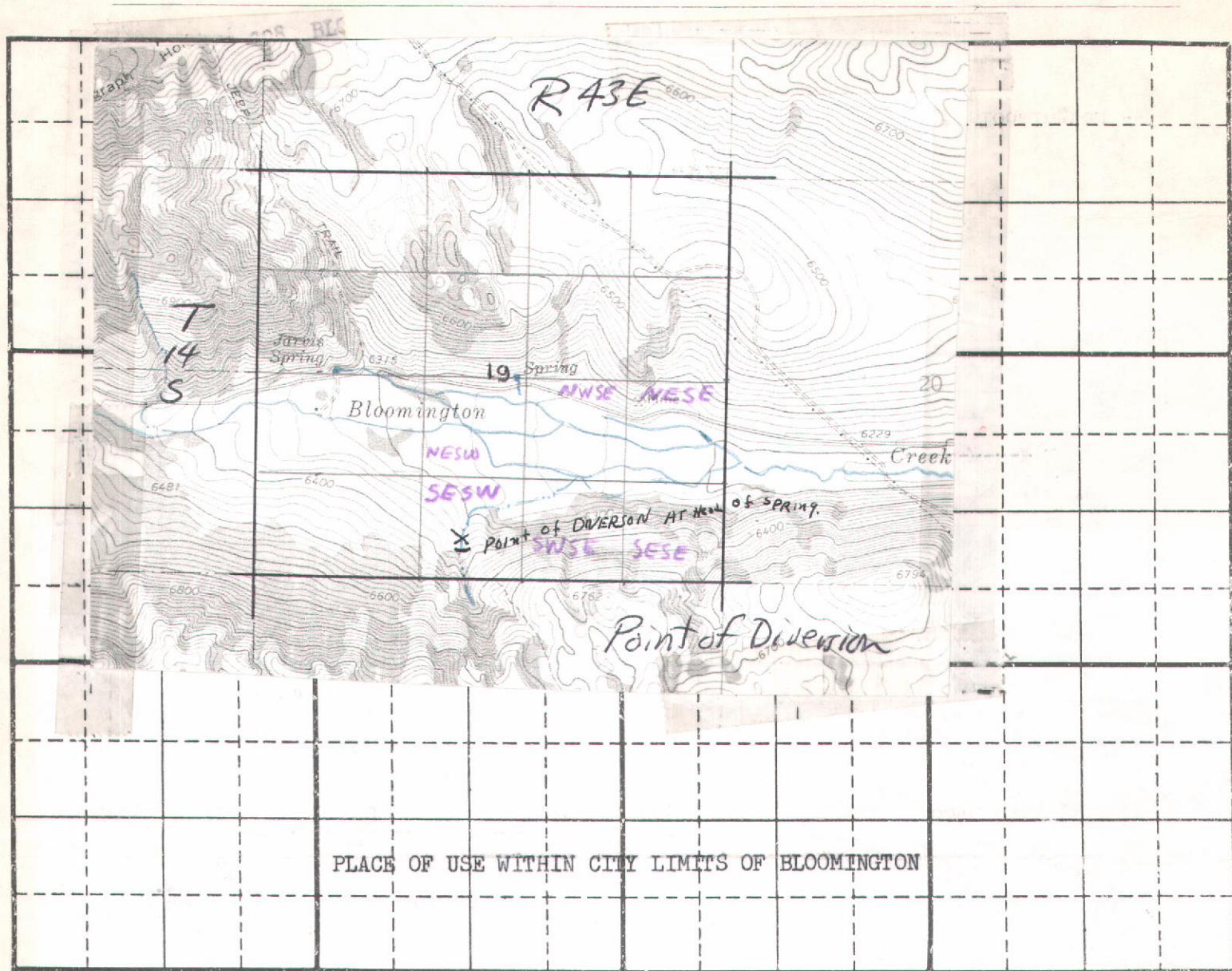


(8) Remarks Spring known as FRED'S SPRING



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of BEAR LAKE) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

John H. Findlay Mayor.
CITY OF BLOOMINGTON

(Claimant)

Sworn to before me this 15 day of Jan, 1983.

Madame Jean Thomas
Notary Public
Residing at Bloomington, Id.

My commission expires Life

RECEIVED
FOR DEPARTMENT USE ONLY
Received by CW Date 1-17-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by KW Date 2-11-83
\$30.00 fee received by CW Date 2-11-83
Published in News Examiner #2338
Dates 2/24 & 3/3/83

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that CITY OF BLOOMINGTON
(Name of Claimant)
P. O. BOX 208, BLOOMINGTON, IDAHO 83223 Telephone No. 945-2530
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) JULY 1, 1934

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
FRED'S SPRING tributary to **BLOOMINGTON CREEK**

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

				(Both dates inclusive)	
(cfs, ~~ft~~)		(Domestic, Irrigation, Stock, Etc.)		(Mo., Day)	(Mo., Day)
Quantity	<u>5.25 cfs</u>	Use	<u>MUNICIPAL</u>	Period of Use From <u>JAN. 1</u>	To <u>DEC. 31</u>
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____

(4) 5.25 TOTAL QUANTITY USED.
(cfs. ~~1~~)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE $\frac{1}{4}$ $\frac{1}{4}$ SW $\frac{1}{4}$ $\frac{1}{4}$, Sec. 19 Twp. 14S Rge. 43E B.M., County of BEAR LAKE
 Additional points of diversion: NONE

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

ONE 4" MAINLINE OF PIPE

ONE 6" MAINLINE OF PIPE

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

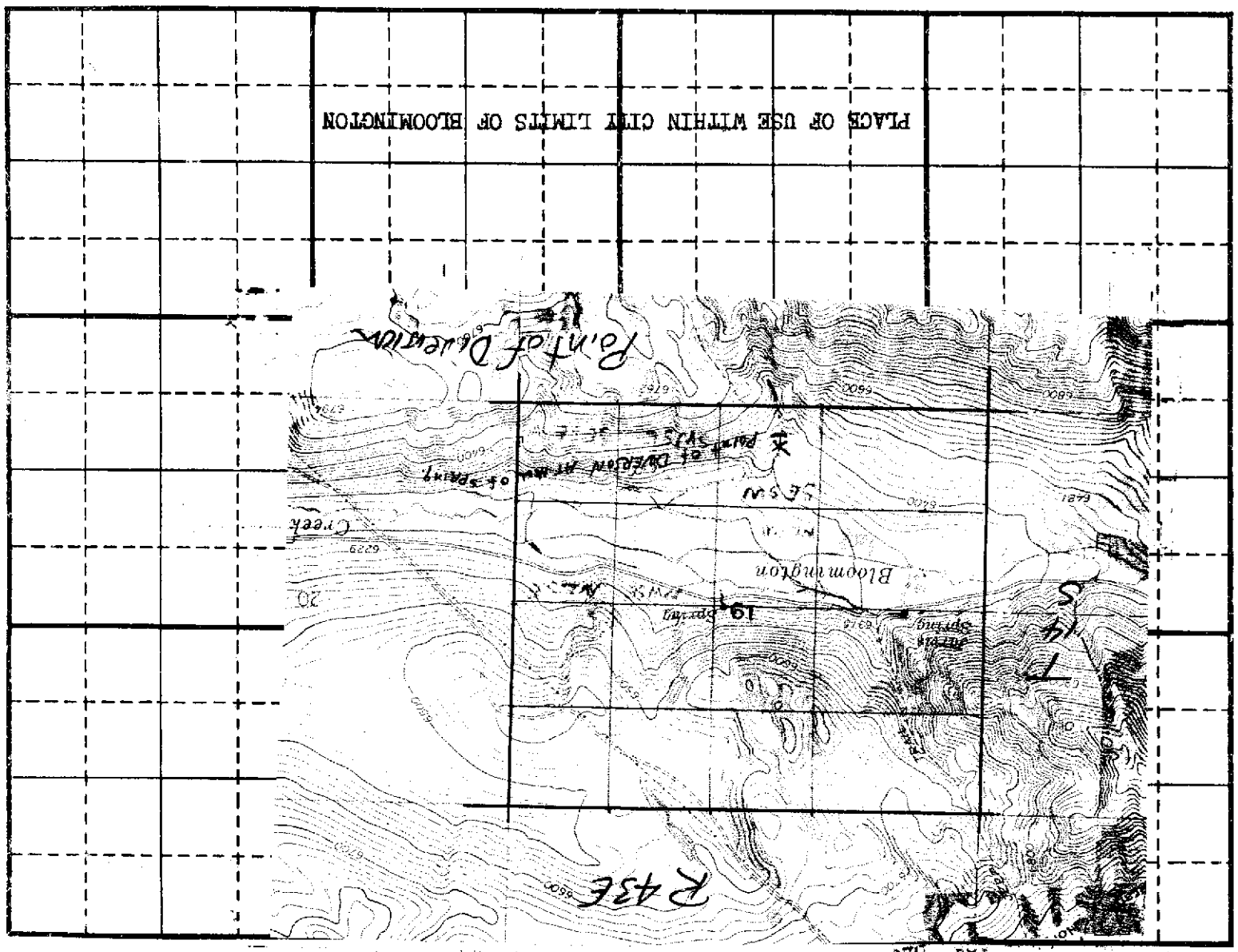
No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

Water is used for the Municipal water system for the City of Bloomington --
105 Hookups and 1 Fire Hydrant

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of BEAR LAKE)
ss.)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 15 day of Jan 1983
(Claimant)

John H. Findley Mayor
CITY OF BLOOMINGTON
Notary Public
Residing at Bloomington, Id.

My commission expires [Signature]

FOR DEPARTMENT USE ONLY
Received by (u) Date 1-17-83
Prelim. check by (u) Date 2-11-83
\$30.00 fee received by (u) Date 2-11-83
Published in News Examiner #23358
Dates 2/24 & 3/3/83

Forwarded to
claimant by:
Date

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Bear Lake

ss.

Maire B. Nye

being duly sworn,

deposes and says:

That he is the Publisher of THE NEWS-EXAMINER, a weekly newspaper published at Montpelier, in the County of Bear Lake and State of Idaho; and said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Montpelier; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

February 24, 1983, and ending with the issue of March 3, 1983.

Fees, 123

Subscribed and sworn to before me this 3rd day of March, 1983.

Notary Public, Residing at Montpelier, Idaho

My Commission Expires November, 1985.

LEGAL NO. 2221

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

11-4223

CITY OF BLOOMINGTON
P.O. BOX 208, BLOOMINGTON, ID 83223
Source: SPRING trib. to BLOOMINGTON CREEK

Priority Date: 07/01/1934
Diversion Pt: SESW Sec 19 T 14S R 43E
Use: MUNICIPAL (5.25 CFS)
Place of Use is within City limits of Bloomington.

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

2-24, 3-3-83
22 LINES

RECEIVED

MAR 7 1983

Department of Water Resources
Eastern District Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 28, 1991

Mayor Mary Bateman
Bloomington, ID 83223

RE: Possible Conflict between Bloomington Irrigation Company and
the City of Bloomington

Dear Mayor Bateman:

Lotwick Reese has spoken to me about a possible controversy between the Bloomington Irrigation Company and the City of Bloomington. As I understand the conflict, the City of Bloomington uses water from a spring which is tributary to Bloomington Creek. The spring was originally appropriated by some of Lotwick Reese's ancestors. Lotwick represents that the irrigation use from the spring was abandoned. The City of Bloomington filed claim to water right no. 11-4223, and alleged a municipal use of 5.25 cubic feet per second (cfs), with a claimed date of priority of July 1, 1934.

Bloomington Irrigation Company owns several old irrigation water rights from Bloomington Creek. These water rights have priority dates of 1864, 1866 and 1877. These priority dates predate the claim priority for claim no. 11-4223.

Strict interpretation of the law of prior appropriation would require, in times of shortage, that all water flowing in a creek, including its tributaries, be delivered to the right holders with rights of the earliest date of priority. This rule of law does not prefer domestic or municipal uses to other uses. If the spring claimed by the City of Bloomington is tributary to Bloomington Creek, strict administration would require that all water from the spring remain in its channel and flow into Bloomington Creek for diversion by the Bloomington Irrigation Company.

The Idaho Constitution does provide the opportunity for municipal and domestic users to condemn an irrigation right. The condemnation process requires, however, that just compensation be paid for any property condemned.

Mayor Mary Bateman
March 27, 1991
Page - 2

There may be other theories of law which would establish the water right of the city as having preference over the older rights of Bloomington Irrigation Company. These theories of law probably need to be explored with an attorney.

Respectfully,

A handwritten signature in cursive script that reads "Gary Spackman".

GARY SPACKMAN, Manager
Water Right Permits Section

cc: Eastern Region
Lotwick Reese



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

September 17, 1990

John N. Findlay
P.O. Box 216
Bloomington, ID 83223

RE: CLAIM TO A WATER RIGHT NO. 11-4223 - CITY OF BLOOMINGTON

Dear Mr. Findlay:

I have reviewed your letter dated September 10, 1990 which raises numerous water right related questions. I will attempt to answer the questions in the general order asked.

The above referenced water right is not "decreed" to the city of Bloomington as stated in your letter. The use is represented by a "Claim to a Water Right" submitted by the city of Bloomington. The claim has not been confirmed by the court system and consequently is not decreed. The city claims the use of 5.25 cubic feet per second (cfs) of water for municipal purposes within the city limits of Bloomington. The source of water claimed is a Spring tributary to Bloomington Creek and the priority of use claimed is July 1, 1934.

Municipal use is essentially a catch-all term to generally describe the uses of water which would be made by a city. The term includes domestic and culinary uses, irrigation, stockwater, fire protection, recreation, commercial, industrial and any other use incidental to the functioning of a city. Municipal use is a little different than other uses since most municipal uses are quantified only by rate of flow which generally is the capacity of the diverting works, a limiting volume of water is not associated with the right and the place of use can be described as within the city limits.

The amount of water represented by 5.25 cfs is equivalent to 262.5 miner's inches of water or 2,362.5 gallons per minute. I can not speculate on whether the city's conveyance works will convey this much water.

A water right is as good as its priority. A specific use of water such as domestic or municipal does not by virtue of the use being made of the water have priority over irrigation use, stockwater use or vice versa. The municipal use of the city does not have priority or preference of use over irrigation uses which have an earlier priority. This of course assumes the source of the uses is common.

September 17, 1990

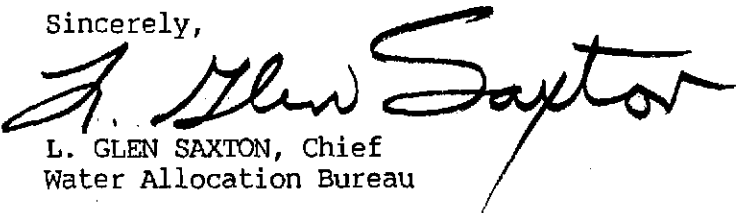
If the city of Bloomington needs additional water, a possibility is to purchase an earlier irrigation water right on Bloomington Creek and to change the nature of use of the water to municipal use. The city could also apply to appropriate water from other surface water sources or from ground water to be diverted from wells.

Generally, new uses of water from Bloomington Creek constitute new water rights which would date from the time of appropriation and use. Older rights or portions thereof, however, may possibly be changed to provide water for the new uses.

With respect to providing water outside the city limits, the city could annex the areas and eliminate any potential problem. The place of use of water rights can be changed by filing a transfer of water right with the department. Transfers can be approved by the department if there is no injury to other users, there is no expansion of use and the change is in the local public interest.

I'm not sure what authority the city or City Council has with respect to enacting and enforcing ordinances. I suggest you inquire of the city or the City Council.

Sincerely,



L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - E. Region
Mary Bateman - Mayor

10 Sept 1990

L. Glen Saxton, Chief
Water Allocation Bureau
Dept. of Water Resources
1301 N Orchard St, Statehouse Mail
Boise, Idaho 83720

RECEIVED
SEP 14 1990

Department of Water Resources

Dear Mr. Saxton,

Because of some of the confusion that seems to exist in the City of Bloomington, I feel as President of the Bloomington Irrigation Co and a shareholder in Bloomington Creek, I should obtain from you some answers to questions I have. In the City of Bloomington most of us have one acre lots which we have for our homes, lawn, gardens, small pastures, hay or grain. Some have large lawns and large gardens where some, because of various reasons, have small lawns and gardens with the rest in pasture. Some even have a small patch of hay or grain. In a letter sent to some citizens in Bloomington from your office, it was stated that the water decreed to the City of Bloomington in 1934 was for municipal use.

What is municipal use? Is it different from culinary use? Does a garden or lawn have priority over small pasture?

Which has priority, municipal use or irrigation of cropland? Let me explain exactly what I would like addressed. As you are aware, the water of Bloomington Creek was decreed to users of the waters of the Creek by Honorable O.R. Baum, Judge of the District Court of the Fifth Judicial District of the State of Idaho in 1923 AD. The priority dates on the decree runs from the year 1864 to the year 1908 and in years such as this we understand that water should be distributed by these priority dates. Now the question is really, has the City of Bloomington, with a priority date of 1934, priority over any or all of the decreed water users of Bloomington Creek with their higher priority dates? If we as water users have to restrict irrigation, can the city still run their full 5.25 CFS?

How much water is 5.25 CFS? The City has an eight inch line coming down the canyon. Will it handle that much water? Or will that much water fill the pipe or a smaller pipe? They also have the old four inch line still running so that makes an eight inch and a four inch coming into the tank at Little Canyon with an eight inch going on to town. The overflow at Little Canyon empties into Bloomington Creek below some water users but above the Bloomington Irrigation outlets.

As I also have decreed water above this overflow with a priority date 1890 and 1902, what are my rights? Can the City demand enough water to where I am left without any to irrigate with?

Nearly all the ground in town was originally decreed water from the Bloomington Creek under the Bloomington Irrigation Company so does a citizen have the right to water even larger pastures, etc., with city water or using city delivery lines as long as said pastures, etc., are under the original decree of 1864 and 1877?

If the City of Bloomington feels they need more water, can the said city take water from another spring in Bloomington Canyon, thus decreasing the amount of water available for watering cropland that already has water decreed to it or should they drill a well or seek another source?

If we have future building of homes, especially summer homes, does the City of Bloomington have the right or do individuals have the right to take water out of any source of Bloomington Creek and thus take away water from the original irrigation decree?

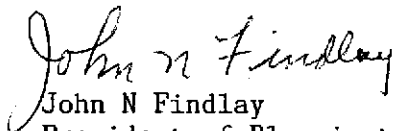
Now the issue of taking water outside of the city. As of now, the city is allowing water to service two homes which are built outside the city limits and on property that does not fall under the Bloomington Creek decree. I am not interested in taking away their water but from a legal viewpoint, should this be allowed and what should the City do about future requests for water under similar conditions?

Finally, does the City Council have the right to pass what regulations they deem necessary for equal distribution of the water with the only priority to ensure water in every home?

My position is one of gathering all the facts that are necessary so I can make a sound judgement when needed, If you need more information about the City of Bloomington I would suggest you talk to Mr. Lotwick Reese, who, I believe, works in your department. Also please tell Mr. Reese hello for me.

The reason for many of the people watering from city water lines is to prevent subbing of water into the neighbor's basement.

Sincerely,



John N Findlay

President of Bloomington Irrigation Company,
a user of decreed water from Bloomington Creek
and a citizen of the City of Bloomington.

PO Box 216

Bloomington ID 83223

JOHN N FINDLAY
PO BOX 216
BLOOMINGTON ID 83223



L GLEN SAXTON, CHIEF
WATER ALLOCATION BUREAU
DEPT OF WATER RESOURCES
1301 N ORCHARD ST, STATEHOUSE MAIL
BOISE IDAHO 83720



FROM

Glen

DATE

Aug 20, 1990

TO

File 11-4223

~~SUBJECT~~

- on this date major Mary Bateman (945-2476) called & requested clarification of my Aug 17, 1990 ltr.

- She also requested a copy of the Aug 11, 1990 letter from A. L. Jones.



SIGNATURE



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 17, 1990

City of Bloomington
P.O. Box 208
Bloomington, ID 83223

RE: CLAIM TO A WATER RIGHT NO. 11-4223 (CITY OF BLOOMINGTON)

Gentlemen:

The department has recently received correspondence from some citizens of Bloomington who are concerned with the use of city water for purposes other than "municipal" which is the described use on the above referenced claim to a water right.

A review of the claim shows that 5.25 cfs of the water of a spring has been claimed for municipal purposes with a date of priority of July 1, 1934 for use within the city limits of Bloomington. While the right claimed is is not an adjudicated water right, the city should be aware that the validity of the right could be jeopardized if the water is used for purposes other than municipal and/or is used outside the city limits of Bloomington.

Please feel free to contact this office or our office in Idaho Falls (phone 525-7161) if the department can further clarify the use of the right claimed from the spring.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - E. Region
A.J. Jones

There were only 12
who would not sign
the petition - they were
using the water on
pastures - SEXTON -

(124)

Aug. 11, 1990

RECEIVED
AUG 15 1990

Department of Water Rights
State Engineers Office
Boise, Idaho 83720

Department of Water Resources

Dear Mr. Keith Higgenson:

Reference is made to the enclosure, prepared with some assistance from a Department of Water Rights and respectfully submitted to Mayor Mary Bateman and council, Bloomington, Idaho, discussed at a meeting on Aug. 8, 1990. Their discussion; rejected, because the majority of the board and related families want to water pastures and hay fields at the expense of elderly people having to drag hoses on an every other day council public notice.

This enclosure petition signed by a vast majority of the town, has been discussed extensively since the signing date of July 16, 1990. Therefore, we the undersigned respectfully request the Department of Water Rights to intercede in this dispute. Our neighboring town councils have repeatedly ask no watering of pastures, hay or grain-restricting to home garden and lawn use during this low water crisis.

The over flow from the spring into our reservoir is run into Bloomington Canyon Creek, at the disposal of all the town in irrigation water rights and should be used accordingly for pastures and hay.

Your earliest attention to this request will be greatly appreciated by all the signers of the enclosure.

Respectfully,

A. L. Jones - Bloomington Idaho 83223
Sharon Moore - Bloomington, Idaho Box 185 83223
Brenda Taylor Bloomington, Idaho Box 234 83223
Shirley White Bloomington Idaho Box 207 83223
Mafine W. White Bloomington Idaho Box 207 83223

CC: Mayor Mary Bateman
Bloomington, Idaho 83223

Mayor Mary Bateman and City Council:

We, the undersigned City Water users request that the city council withdraw the odd and even watering days and apply the "1973 clean water act" as enacted. The matching funds in form of grants to reconstruct water mains and reservoirs was for culinary water, garden and lawns and not to be used for irrigation purposes such as pastures, hay, or grain. (Lifestock not to be excluded from water).

Marvin & Sharon Moore	- July 16, 90
A. L. Jones -	July 16, 90
Lorraine Christensen	July 16, '90
Ronald Payne	July 16, 1990
Randall & Randa Payne	July 16, 1990
Bruce Thornock	July 16 1990
Julian & LePaul Thornock	" " "
Donald White	
Majane W. White	July 16, 1990
Mark Wilson	July 16, 1990
Marcia Wilson	July 16, 1990
Rhea Ward	July 16, 1990
W E Brocken	July 16, 1990
Dallas & Darlene Painter	July 16, 1990
Doug & Brenda TAYLOR	July 16, 90.
Delores Church	July 16, 90

Hulme Greenford	July 16, 1990
Kelly Payne	July 16, 1990
Gillian Payne	July 16, 1990
Russell St. Payne	7-18-90
~~Russell St. Payne~~	July 16, 1990
Alcega Payne	7-18-90
Ruben & Shirley Hansen	July 16, 1990
Ira T. Haddock	July 16, 1990
Helen Jean Thomas	July 16, 1990
Ruby Taylor	July 16, 1990
Jay Taylor	" " "
Verdona Bunderson	July 16, 1990
Vaden Bunderson	July 16, 1990
Marlene Payne	July 16, 1990
Alfred Hart	July 17, 1990
Alaire Hart	July 17, 1990
Merlin Skedd	July 17, 1990
Lorna Haddock	July 17, 1990
Reed Haddock	July 17, 1990
Mala Haddock	July 17, 1990
Lark Bateman	July 17, 1990
Eugene A. Hart	July 18, 1990
Mildred Y. Hart	July 18, 1990
Blanche & Cecil Dunn	July 17, 1990
Harold & Fern Reese	July 17, 1990
Charles Hulme	" "
Connie Hulme	
Eileen Pappas	
Jay B. Pappas	

Kathy Stoker
Richard Stoker

July 18, 1990
July 18, 1990

Lars Peterson

7/18/90

Dean Peterson

7/18/90

Merinda Duzend

7/18/90

Viola Melan

7/18/1990

Valerie & Robert Joyla

7/18/1990

Grant & Wilma Bateman

7/18/1990

Leona Payne

7/18/1990

Kara Dunford 7/19/90

Jamie Payne 7/19/90

LaRue Piggott 7/19/90

Thomas T. Piggott

Thomas Painter 19-90

Margaret Painter 7/19/90

The ones who didn't sign

Jay Tharnock

Bill Bee

Dorcas Smith

Inna Reese

Roy Bunderson

Rodney Bee

Phillips Ward

John Lindley

Duncan Ward

~~Jay Bunderson~~

Wayne Lloyd

Jay Nelson

A. K. Jones
P. Box 184
Bloomington Idaho
83223



Department of Water Rights
State Engineers office
Boise, Idaho -

attention :
Mr. Keith Higgens -

83720

01 WATER RIGHT NUMBER - 11-4223 02 OLD (O) NUMBER -

03001 - CITY OF BLOOMINGTON LAST NAME FIRST NAME ORIG. OWNER 04001 - 05001 - C

06 ADD LINE 1 - P.O. BOX 209 07 ADD LINE 2 -

08 ADD LINE 3 - 09 CITY - BLOOMINGTON 10 STATE - ID 11 ZIP - 83223

12 STAGE - S STATUTORY CLAIM 13 STATUS -

14001 - SPRING SOURCE TRIBUTARY OF 15001 - BLOOMINGTON CREEK

16 DIVERSION MEANS - MAINLINES & PIPES 17 COUNTY - 07 BEAR LAKE

18 DIVERSION CAPACITY - .000 19 TOTAL DIVERSION RATE - 5.250 20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT SEC TWN RNG LOT DIVERSION POINTS STR E A M I N D E X F I E L D S

22001 - SESE 23001 - 19 24001 - 14S 25001 - 43E 26001 - 27001 - 23001 - 0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

29 NON-IRRIGATION USE -

USE CODE / USE TWN RNG PLACE OF USE SEC TRACT ACRES LOT

30001 - 31001 - 32001 - 33001 - 34001 - 35001 - 36001 - TOTAL ACRES: 0

PERIOD FROM PERIOD TO USE CODE / USE WATER USE DIVERSION RATE DIVERSION VOLUME

37001 - 0101 38001 - 1231 39001 - 40 MUNICIPAL 40001 - 5.250 41001 - 0.00

42 DECREE PLAINTIFF NAME - 43 DECREE DEFENDANT NAME -

REMARKS 44001 - PLACE OF USE IS WITHIN THE CITY LIMITS OF BLOOMINGTON

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

47 PRIORITY - 0 A T E S - 1-JUL-1934 55 LICENSE - 63 TRANSFER/AMENDED -
48 PROOF DUE - 56 APPL RECEIVED - 64 DLE/CAREY ACT -
49 PROOF MADE - 57 FIELD EXAM MADE - 65 FLAG_1 -
50 APPROVE/DENIED - 58 DECREE - 66 FLAG_2 -
51 PROTESTED - 59 START WORK - 67 FLAG_3 -
52 HEARING - 60 ORDER SHOW CAUSE -
53 VERIFIED - 61 DATE_1 -
54 LAST UPDATE - 28-MAR-1983 62 DATE_2 -

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

MARCH 14, 1983

CITY OF BLOOMINGTON
P.O. BOX 208
BLOOMINGTON

ID 83223

RE: Claim No. 11-4223

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

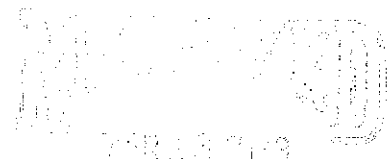
If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure



Department of Water Resources

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

Keith C. Wilson

Right Number

11 4223

Applicant

City of Bloomington

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

March 14, 1983

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By

Ernest Carlson

Date

March 15, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

KW

Date

3/17/83

IDENT. NO. 11 4243

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

January 20, 1983

City of Bloomington
P.O. Box 208
Bloomington, ID 83223

ATTN: Mayor Findley

Dear Mayor Findley:

Enclosed is a claim to a water right and check #92-286 for \$30.00 that were received by this office. Due to the nature of a claim it must be returned to the claimant if there are any problems.

In describing the source of water item #2, the stream is unnamed on the USGS map and, therefore, should be described as stream in item #, and in item 8 Remarks, note that spring is known as Fred's spring.

Item #3 and 4 must have the amount and rate (units) of water used.

A legal description gives township (North and South) and range (East or West) with both the point of diversion item 5a and place of use item 6a.

To facilitate completing the map, enclosed is a copy of the USGS map that covers the point of diversion. Please indicate on the USGS map the location of the diversion point and tape to the map grid. To indicate the place of use write on the grid, "Place of use is within the city limits of Bloomington."

Upon receipt of the completed claim form and \$30.00 filing fee, processing will begin.

Please feel free to contact this office for any additional assistance that may be needed.

Sincerely,

KEITH C. WILSON
Sr. Resource Analyst

KCW:bp

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 16, 1983

The News-Examiner
P. O. Box 278
Montpelier, Idaho 83254

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before MARCH 14, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

Published 2/24 & 3/3/83.

11-4223_

CITY OF BLOOMINGTON

P.O. BOX 208, BLOOMINGTON, ID 83223

Source: SPRING trib. to BLOOMINGTON CREEK

Priority Date: 07/01/1934

Diversion Pt: SESW Sec 19 T 14S R 43E

Use: MUNICIPAL (5.25 CFS)

IN. The City Limits of Bloomington