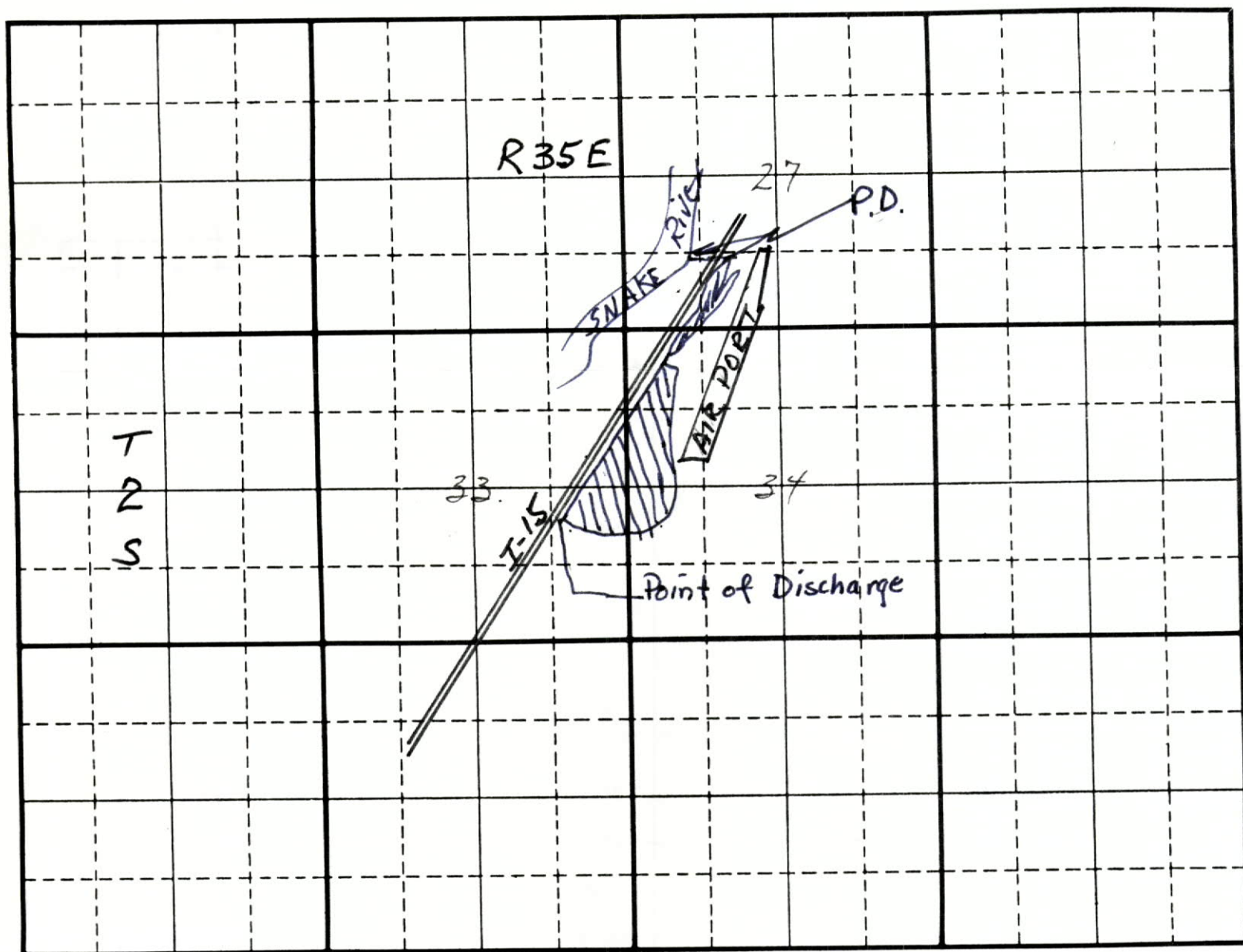


- (8) Remarks The water is discharged from the lake at a point within the NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 33, Twp. 2S, Rge. 35E, B.M.



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 Bingham) 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.

Arthur C. Bergener (Mayor)
(Claimant)

Sworn to before me this 18th day of May, 1979.

Donavan D. Wilson
Notary Public
Residing at Blackfoot, Idaho

My commission expires April 1, 1983

FOR DEPARTMENT USE ONLY

Received by	dh	Date	5-22-79	Exception filed by:		Forwarded to	Date
Prelim. check by	SM	Date	5-22-79			claimant by:	
\$20.00 fee received by	dh	Date	5-22-79	#11896			
Published in	Blackfoot News						
Dates	May 31 & June 7, 1979						

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

01-4007

CITY OF BLACKFOOT
157 NORTH BROADWAY
BLACKFOOT, ID 83221

Source: SNAKE RIVER tributary to
COLUMBIA RIVER
Priority Date: 06/01/1962
Amount: 100.00 CFS 464.0 AC-
FT

Diversion Point: NESW Sec 27 T
02S R 35E NESE Sec 33 T 02S 35E
(REDIVERSI) BINGHAM Co.
Use: RECREATION (100.00
CFS) from 04/01 to 11/01
RECREATION STORAGE (464.0

AC-FT) from 04/01 to 11/01
Place of Use: NWNW SWNW
NWSW Sec 34 T 02S R 35E SENE
NESE Sec 33 T 02S R 35E SWSW
SESW Sec 27 T 02S R 35E

Diversion Means: HEADGATES
Any exception to any claim of water
right may be filed with the Director of
the Idaho Department of Water
Resources, 1515 Lincoln Road, Idaho
Falls, Idaho 83401.

C. STEPHEN ALLRED
Director

(6081)

Pub.: 5/31, 6/7

37

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)
I, David Mark Brown)

solemnly do

swear that I am the Publisher of
The Blackfoot News which is a daily newspaper of
general circulation published each day except Sunday
at Blackfoot, Bingham County, Idaho, said newspaper
having been so published at Blackfoot, aforesaid for
more than one year past; that said newspaper
heretofore complied with all the provisions of Chapter
134 of the Sessions Laws of Idaho of 1933, approved
March 11, 1933, and duly designated, pursuant to law,
a particular day of the week as the day on which legal
notices required by law or by the order of any Court
of competent jurisdiction within the State of Idaho
shall be published to-wit: Thursday of
each week; that the notice attached hereto and which
is a part of this affidavit and part of the proof of

of publication was published in said issue or said
newspaper 2 consecutive weeks

the first publication having been made on the
31st day of May, 1979

and the last publication having been made on the
7th day of June, 1979

that said notice was published in the regular and en-
tire issue of every number of the paper as aforesaid
during the period and time of publication, and that
notice was published in the newspaper and not in a
supplement.

David Mark Brown

Subscribed and sworn to before me this 11th

day of June, 1979

Patricia A. Johnson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1980

RECEIVED

JUN 13 1979

Department of Water Resources
Eastern District Office

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

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 Blackfoot

157 North Broadway, Blackfoot, Idaho 83221

(Mailing Address)

(Name of Claimant)

(Zip Code)

Telephone No. 785-0491

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) June 1, 1962

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)

Snake River tributary to Columbia River

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

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>100 cfs</u>	Use <u>Recreation</u>	Period of Use From <u>4/1</u>	To <u>11/3</u>
Quantity	<u>464 A/F</u>	Use <u>Storage for Recreation</u>	Period of Use From <u>4/1</u>	To <u>11/11</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) 100 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NE ¼ SW ¼, Sec. 27 Twp. 2S Rge. 35E B.M., County of Bingham

Additional points of diversion: Discharged within NE¼SE¼, Sec. 33, T. 2S, R. 35E, B.M.

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. Headworks

- (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.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2S	35E	34						X	X			X							
		33				X									X				
		27											X	X					

No. of acres _____

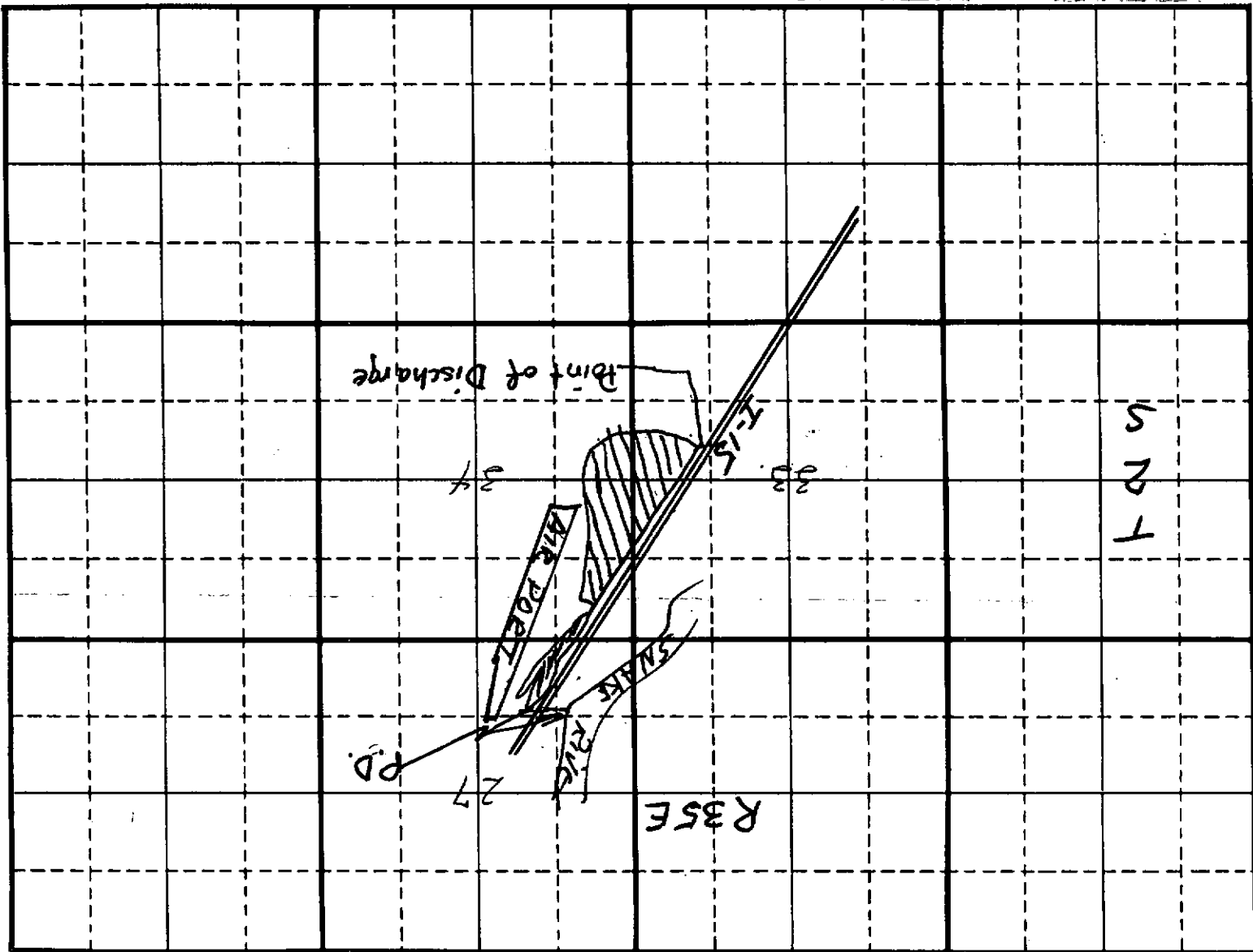
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Recreation uses for Blackfoot Airport Lake

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: _____

MICROFILMED

(8) Remarks The water is discharged from the lake at a point within the NE 1/4 Sec. 33, Twp. 2S, Rge. 35E, B.M.



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.

Scale: 2 inches equal 1 mile.

State of Idaho)
County of Bingham)
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 18th day of May, 1979

Notary Public

Residing at Blackfoot, Idaho

My commission expires April 1, 1983

FOR DEPARTMENT USE ONLY

Received by dh Date 5-22-79 Exception filed by: Forwarded to Date
Prelim. check by SM Date 5-22-79 claimant by:
\$20.00 fee received by dh Date 5-22-79 #11896

Published in Blackfoot News

Dates May 31 & June 7, 1979

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

01-4007

CITY OF BLACKFOOT
157 NORTH BROADWAY
BLACKFOOT, ID 83221

Source: SNAKE RIVER tributary to
COLUMBIA RIVER
Priority Date: 06/01/1962
Amount: 100.00 CFS 464.0 AC-
FT

Diversion Point: NESW Sec 27 T
02S R 35E NESE Sec 33 T 02S 35E
(REDIVERSI) BINGHAM Co.
Use: RECREATION (100.00
CFS) from 04/01 to 11/01
RECREATION STORAGE (464.0

AC-FT) from 04/01 to 11/01
Place of Use: NWNW SWNW
NWSW Sec 34 T 02S R 35E SENE
NESE Sec 33 T 02S R 35E SWSW
SESW Sec 27 T 02S R 35E

Diversion Means: HEADGATES

Any exception to any claim of water
right may be filed with the Director of
the Idaho Department of Water
Resources, 1515 Lincoln Road, Idaho
Falls, Idaho 83401.

C. STEPHEN ALLRED
Director

(6081)

Pub.: 5/31, 6/77

37

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)
I, David Mark Brown)

do
solemnly

swear that I am the Publisher of
The Blackfoot News which is a daily newspaper of
general circulation published each day except Sunday
at Blackfoot, Bingham County, Idaho, said newspaper
having been so published at Blackfoot, aforesaid for
more than one year past; that said newspaper
heretofore complied with all the provisions of Chapter
134 of the Sessions Laws of Idaho of 1933, approved
March 11, 1933, and duly designated, pursuant to law,
a particular day of the week as the day on which legal
notices required by law or by the order of any Court
of competent jurisdiction within the State of Idaho
shall be published to-wit: Thursday of
each week; that the notice attached hereto and which
is a part of this affidavit and part of the proof of

of publication was published in said issue or said
newspaper 2 consecutive weeks

the first publication having been made on the
31st day of May, 19 79

and the last publication having been made on the
7th day of June, 19 79

that said notice was published in the regular and en-
tire issue of every number of the paper as aforesaid
during the period and time of publication, and that
notice was published in the newspaper and not in a
supplement.

David Mark Brown

Subscribed and sworn to before me this 11th

day of June, 19 79

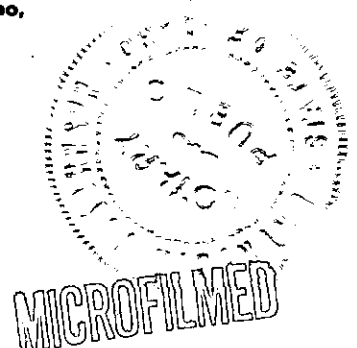
Patricia A. Johnson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1980

RECEIVED

JUN 13 1979

Department of Water Resources
Eastern District Office



ACT
ION

N OWNER LAST NAME - CITY OF BLACKFOOT

N ADDRESS LINE 1 - 157 NORTH BROADWAY

N CITY - BLACKFOOT

STATE - ID ZIP CODE - 83221

N SOURCE - SNAKE RIVER

TRIBUTARY OF - COLUMBIA RIVER

N STAGE - STATUTORY CLAIM

PRIORITY - 06-01-1962 COUNTY - BINGHAM TOTAL DIV. RATE - 100.0000CFS

N TOTAL DIV. VOLUME - 464.00 AFA

WATER DIST. - 01

N DIVERSION POINT - NESW 27 02S 35E

NESE 33 02S 35E REDIV - R

N FROM - 04-01 TO - 11-01 USE - RECREATION

USE DIV. RATE - 100.0000CFS

N FROM - 04-01 TO - 11-01 USE - RECREATION STORAGE

USE DIV. VOLUME - 464.00 AFA

N USE - RECREATION STORAGE

PLACE OF USE - TWN 02S RNG 35E SEC 34 TRACT NWNW

TRACT SNNW

N USE - RECREATION STORAGE PLACE OF USE - TWN 02S RNG 35E SEC 33 TRACT SENE

TRACT NWSW

N USE - RECREATION STORAGE PLACE OF USE - TWN 02S RNG 35E SEC 27 TRACT SWSW

TRACT NESE

N USE - RECREATION STORAGE PLACE OF USE - TWN 02S RNG 35E SEC 27 TRACT SWSW

TRACT SESW

N REMARKS - RECREATIONAL USES FOR BLACKFOOT AIRPORT LAKE

N WATER IS DISCHARGED FROM LAKE WITHIN NESE SEC 33 T 2S R 35E.

N DIVERSION MEANS - HEADGATES

28
11/5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, ID 83401
(208) 523-7186

JUNE 18, 1979

CITY OF BLACKFOOT
157 NORTH BROADWAY
BLACKFOOT

ID 83221

RE: Claim No. 01-4007

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

MICROFILMED

Copy sent to Neil Morgan also

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, ID 83401
(208) 523-7186

MAY 25, 1979

The Blackfoot News
P. O. Box 70
Blackfoot, Idaho 83221

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 billing to this office before JUNE 18, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor

Encl.

MICROFILMED

legal-1,deb

NOTICE OF CLAIMS TO WATER

RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

01-4007

CITY OF BLACKFOOT
157 NORTH BROADWAY,
BLACKFOOT, ID 83221

Source: SNAKE RIVER Tributary to
COLUMBIA RIVER

Priority Date: 06/01/1962

Amount: 100.00 CFS 464.0 AC-
FT

Diversion Point: NESW Sec 27 T
02S R 35E NESE Sec 33 T 02S 35E
(REDIVERSI) BINGHAM Co.

Use: RECREATION (100.00
CFS) from 04/01 to 11/01

RECREATION STORAGE (464.0
AC-FT) from 04/01 to 11/01

Place of Use: NWNW SWNW
NWSW Sec 34 T 02S R 35E SENE
NESE Sec 33 T 02S R 35E SWSW
SESW Sec 27 T 02S R 35E

Diversion Means: HEADGATES

Any exception to any claim of water
right may be filed with the Director of
the Idaho Department of Water
Resources, 1515 Lincoln Road, Idaho
Falls, Idaho 83401.

C. STEPHEN ALLRED
Director

(6081)

Pub.: 5/31, 6/7

87-1

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to

01-4007-

CITY OF BLACKFOOT

157 NORTH BROADWAY, BLACKFOOT, ID 83221

Source: SNAKE RIVER tributary to COLUMBIA RIVER

Priority Date: 06/01/1962

Amount: 100.00 CFS 464.0 AC-FT

Diversion Point: NESW Sec 27 T 02S R 35E NESE Sec 33 T 02S R 35E (REDIVERSI,
BINGHAM Co.

Use: RECREATION (100.00 CFS) from 04/01 to 11/01
RECREATION STORAGE (464.0 AC-FT) from 04/01 to 11/01

Place of Use: NWNW SWNW NWSW Sec 34 T 02S R 35E SENE NESE Sec 33 T 02S R 35E
SWSW SESW Sec 27 T 02S R 35E

Diversion Means: HEADGATES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED

Director

Published 5/31 & 6/7/79.

MICROFILMED

May 22, 1979

Arthur C. Bergener, Mayor
City of Blackfoot
157 North Broadway
Blackfoot, Idaho 83221

Dear Sir:

Re: Claim to Water Right

Attached herewith is Departmental receipt No. 11896 in the amount of \$20.00 for the above referenced claim.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:dh

Attachment

ENCLOSURE

May 15, 1979

D. Neil Morgan
Harper, Morgan and
Associates, Inc.
P. O. Box 441
Blackfoot, Idaho 83221

Dear Mr. Morgan:

Re: Claim to Water Right - City of Blackfoot

Enclosed you will find a typed claim to a water right concerning the Airport Lake which has been completed in this office from information obtained from your letter of September 19, 1979 and our telephone conversation of this day.

Please review the claim carefully to insure it is consistent with your intentions and initial any changes you may make. When you feel it is in proper form, have the mayor sign where indicated in the presence of a notary public and return it to this office, accompanied by the statutory claim fee of \$20.00. We will then be glad to resume processing of this document.

Should you have any questions regarding this matter, please feel free to contact our eastern regional office.

Very truly yours,

DONNA HENRIQUES
Secretary

Enclosure

UNRECORDED

September 25, 1978

Harper, Morgan & Associates
800 West Judicial
P. O. Box 441
Blackfoot, Idaho 83222

Dear Neil:

Enclosed please find a typed Claim to Water Right concerning the Airport Lake.

To complete this claim, have the mayor sign where indicated on the back of the claim and return it to this office, along with a check in the amount of \$20.00 to cover the statutory filing fee.

Very truly yours,

BILL RHOADS
Senior Water Resource Analyst

BR:dh

Enclosures

MICROFILMED

HARPER, MORGAN & ASSOCIATES

Engineering and Surveying

800 W. Judicial • P.O. Box 441 • Ph. (208) 785-2977 • Blackfoot, Idaho 83221

CIVIL — STRUCTURAL — BUILDINGS — SUBDIVISIONS

September 19, 1978

Mr. Bill Rhoads
Senior Resource Analyst
State of Idaho
Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Bill:

The following is the information you requested on the
Blackfoot Airport Lake:

1. Applicant: City of Blackfoot
157 North Broadway
Blackfoot, Idaho 83221
2. Point of Diversion
Diversion No. 1: Existing
NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27, T. 2 S., R 35 E.B.M.
Diversion No. 2: New
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26, T. 2 S., R. 35 E.B.M.
3. Legal Description of lake is in part of the following
described parcels: Section 34 NW $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$;
NW $\frac{1}{4}$ NW $\frac{1}{4}$; Section 33 NE $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; Section 27
SW $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$ All in T. 2 S., R. 35 E.B.M.
4. Maximum rate of diversion: 100 c.f.s.
5. Storage Capacity: 58 acres at 8 foot average
depth, 464 acre feet. *w/24 hr turn on rate*
6. Year of beneficial use: The State Highway records
indicate the project was completed in 1962. *June 1*
7. Point of re-entry: NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, T. 2 S., R.35 E.B.M.

If you require any additional information, please contact us.

Yours truly,

HARPER, MORGAN & ASSOCIATES, INC.



D. Neil Morgan

DNM:ds

RECEIVED

SEP 20 1978

Department of Water Resources
Eastern District Office

MICROFILM

9/78

IDENT. No. 01-4007

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]

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: S.M.

Right Number _____ Applicant CITY OF BLAFT

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.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed. NONE

By Ernest Carlson Date 9/18/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By [Signature] Date 7/12/79

MICROFILMED