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NOV 03 2000

Form No. 42-1409 (2) b 6/89

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSDepartment of Water Resources  
Eastern RegionIN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A29-13133Date Received 11-24-00Receipt Number E026337NOTICE OF CLAIM  
TO A  
WATER RIGHT

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NOV 24 2000 NOV 15 2000

ACQUIRED UNDER STATE LAW

Department of Water Resources  
Eastern Region

For Domestic and/or Stockwater Purposes

Where Daily Use Is less than 13,000 gallons per day.

Filing Fee \$25

A2913133

Please type or print clearly

1. Name of Claimant (s) COLLEEN ALLEN Phone (208) 233-8940Mailing Address 645 SOUTH 9<sup>TH</sup>, POOMEDIC Zip 832012. Date of Priority (Only one per claim) HEMBSTED 1915 Month/Day/Year3. Source of water supply (Check one) ( ) Groundwater or Other ( ) (a) CINDERGROUND

Name or kind of source

which is tributary to (b) —4. Location of point of diversion is: Township 10 SOUTH Range 35, EAST, BOISE MERIDIANSection 23 NE 1/4 of NE 1/4 of NE 1/4 Govt. Lot — B.M.County of BANNOCK (R4267008701) 9CAdditional points of diversion if any: —

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

PIPELINE TO HOUSE - COLLINERY SPRING WITH  
1" CINDERGROUND PIPE RUNNING TO HOUSE, UNDERGROUND  
5 FT.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For DOMESTIC purposes from JANUARY 1 to DEC 31 amount 0.02For LT LIVESTOCK purposes from JANUARY to DEC 31 amount 0.027. Total quantity claimed 0.04 (cfs)8. Total consumptive use claimed is de minimus

9. Non irrigation uses. Describe fully (Domestic: give number of households served if single ownership. Stock water: and Number of livestock)

4 HORSES  
1 household - 3 people

10. Place of use is: Township: 10 50 Range 35, EAST BOISE, MERIDIAN  
 Section 23, ~~NE 1/4~~ 1/4 of NW 1/4 1/4, Gov. Lot \_\_\_\_\_, B.M.,  
 for (Circle One) Domestic Stock Domestic and Stock  
 Additional places of use, if any \_\_\_\_\_

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

12. Do you own the property listed above as place of use? Yes X No \_\_\_\_\_  
 If your answer is No, describe in Remarks below the authority you have to claim this water right.  
 13. Describe any other water rights used at the same place and for the same purposes as described above.  
(X) None or \_\_\_\_\_

14. Remarks: I WISH TO OWN THE WATER RIGHTS TO TWO  
SPRING ON MY PROPERTY.

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree  
 Court \_\_\_\_\_ Decree Date \_\_\_\_\_ Plaintiff vs Defendant \_\_\_\_\_

If applicable provide IDWR Water Right Number \_\_\_\_\_

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

Number of Attachments 1

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

Signature of Claimant (s) [Signature] Date 10-19-20  
 \_\_\_\_\_ Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am \_\_\_\_\_

of \_\_\_\_\_ Title \_\_\_\_\_  
 \_\_\_\_\_ that I have signed the foregoing  
 Organization  
 document in the space below as \_\_\_\_\_ of \_\_\_\_\_  
 Title Organization  
 and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_ Date \_\_\_\_\_

Title and Organization \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ )

County of Bannack ) SS.

### NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 20<sup>th</sup> 19 day of October 2000

SEAL

Notary Public [Signature]

Residing at Bannack County

My Commission Expires 10/11/02

Last Name \_\_\_\_\_ Ident No. \_\_\_\_\_

Copies: White-State, Yellow-Claimant

PROPERTY  
15192 South Hawkins Rd  
Arimo, ID

RE: Spring Water Rights

This document is signed and notarized to acknowledge the existence of and culinary use of a spring located on this land (R4267008701) of Bannock County, Idaho approximately one hundred yards east of the primary residence on said property.

I was born in 1923 and my parents Clara and Lewis Allen owned this property about 1910 when the main and singular source of water was and is today the spring located as described.

My sisters and brother were raised on said property and those living will testify and concur that the spring is located as described and has always been the single culinary source of water at this homestead.

The spring is vital to the life and value of the property and does not naturally flow beyond the boundary of property description.

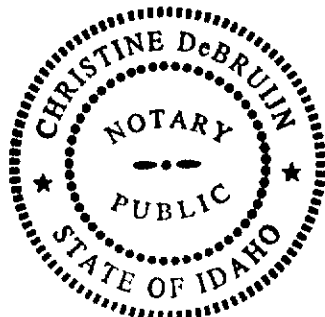
The land is owned by my niece, Colleen Allen, and since my father and mother owned the property, the spring water has been regarded as part of the property.

I acknowledge the truthfulness of this statement and believe the spring to be proprietary to the described land and, thus, to Colleen Allen who should be recorded as having singular ownership and rights to the spring.

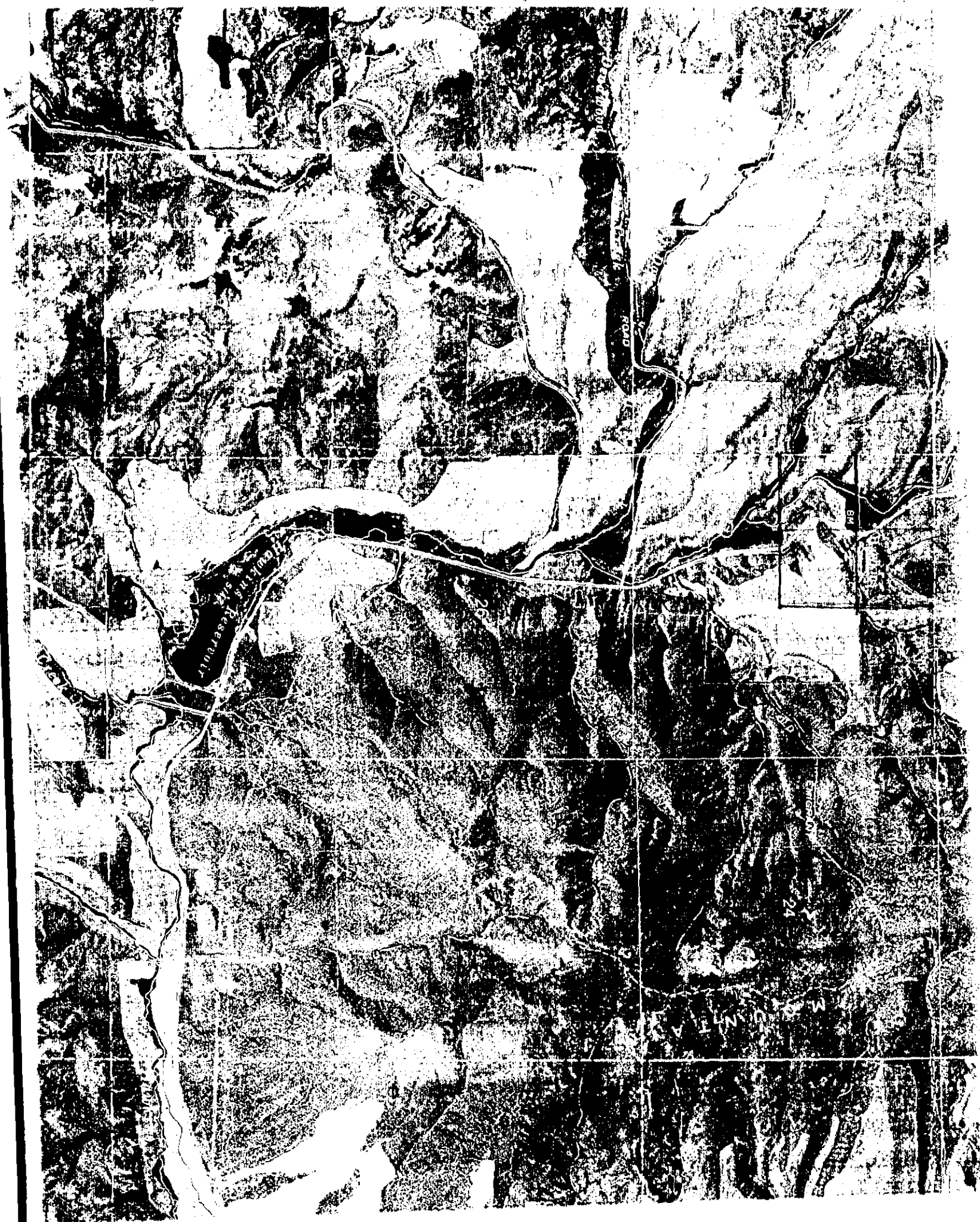
Darrell Allen, 1421 Jensen, Pocatello ID 208 237-1793

Darrell Allen

1/11/2000  
Date



Notary Christine DeBruin  
Com. expires 2/12/2006



LEGAL  
DESCRIPTION  
OFF THE  
WARRANTY  
DEED.

A parcel of land in  $N\frac{1}{2}NW\frac{1}{4}$ . Being all that land East of the Virginia Road in the  $NW\frac{1}{4}NW\frac{1}{4}$  also a portion of  $NE\frac{1}{4}NW\frac{1}{4}$ . Said parcel of land is in Section 23 Township 10 South, Range 35, East, Boise Meridian more particularly described as follows:

Beginning at a point 100 feet West of the North Quarter corner of said section; Said point being the true point of beginning; thence Southwesterly along the Easterly right of way line of a dirt farm road 1050 feet more or less to a curve in the dirt road; thence leaving the dirt road continue Southwesterly to a point on the South line of  $NE\frac{1}{4}NW\frac{1}{4}$  of said Section, said point being 400 feet more or less East of the existing county road, known as the Virginia Road; thence West 400 feet more or less to the Easterly right of way of said county road, known as the Virginia Road; thence Northwesterly along said easterly right of way line to the North line of Section 23, thence East along the North line of Section 23 to the true point of beginning. Being 35 acres more or less.

rerecorded to correct legal description

# Idaho Department of Water Resources Receipt

Receipt ID E026337

Payment Amount  Date Received  Region  Status   
Payment Type  Check Number

Payer   
Comment

## Fee Detail

| Amount  | Description             | Fund | FD    | PCA  | SO |
|---------|-------------------------|------|-------|------|----|
| \$25.00 | ADJUDICATION FILING FEE | 0337 | 43503 | 1155 |    |

  
\_\_\_\_\_  
Signature Line (Dept. Representative)

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 29-13133  
Date Received: 11/27/00  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

COLLEEN ALLEN Phone: (208) 233-8940

645 S 9TH  
POCATELLO ID USA 83201

2. Date of Priority: 01/01/1915

3. Source: UNDERGROUND SPRING Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County  |
|----------|-------|---------|-----------------------|---------|
| 10S      | 35E   | 23      | NE NW                 | BANNOCK |

5. Description of diverting works:

UNDERGROUND PIPELINE TO HOUSE

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| STOCKWATER | 01/01 | 12/31 | 0.02   |            |
| DOMESTIC   | 01/01 | 12/31 | 0.02   |            |

7. Total Quantity Appropriated is:  
0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use        | Acres |
|----------|-------|---------|------------|-----|------------|-------|
| 10S      | 35E   | 23      | NE         | NW  | DOMESTIC   |       |
|          |       |         | NE         | NW  | STOCKWATER |       |

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

PARCEL #R4267008701  
PIPELINE TO HOUSE - CULLINARY SPRING WITH 1" UNDERGROUND PIPE RUNNING TO HOUSE.  
UNDERGROUND 5 FT.  
STOCKWATER - 4 HORSES  
I WISH TO OWN THE WATER RIGHTS TO THE SPRING ON MY PROPERTY.

15. Basis of Claim: Beneficial Use

RIGHT NUMBER: 29-13133  
NAME AND ADDRESS: COLLEEN ALLEN  
645 S 9TH  
POCATELLO ID 83201

SOURCE: SPRING TRIBUTARY:  
QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 01/01/1915

POINT OF DIVERSION:  
T10S R35E S23 NENW Within BANNOCK County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| DOMESTIC              | 01/01 12/31          | 0.020 CFS       |
| STOCKWATER            | 01/01 12/31          | 0.020 CFS       |

PLACE OF USE:

DOMESTIC Within BANNOCK County  
T10S R35E S23 NENW  
STOCKWATER Within BANNOCK County  
T10S R35E S23 NENW

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT  
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY  
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE  
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.  
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use  
STOCKWATER, 4 HORSES'  
RP4267008701