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AUG 21 2003

Department of Water Resources

AUG 21 2003

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
AUG 19 2003
By _____ Clerk Deputy Clerk

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

In Re SRBA

Subcase 43-13307

Case No. 39576

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

On May 23, 2003, Claimants Tony and Cindy Allen, filed a *Motion to File Late Notice of Claim*. Hearing was held on the *Motion* August 19, 2003. This *Motion* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to the late Notice of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* to water right 43-13307 is **granted**.

The original Notices of Claim, as well as any attached filing fees, and a copy of this *Order* will be forwarded to the Idaho Department of Water Resources for further action.

IT IS SO ORDERED.

Dated August 19, 2003.



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

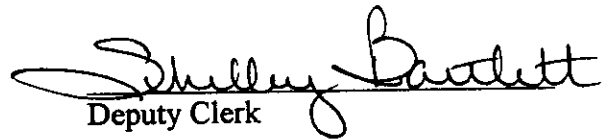
I certify that a true and correct copy of the **ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM** was mailed on August 20, 2003 with sufficient first-class postage to the following:

Tony or Cindy Allen
2595 E. 300 S.
Declo, Idaho 83323

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div.
550 W. Fort St., MSC 033
Boise, Idaho 83724

Chief, Natural Resources Division
Office of Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449


Deputy Clerk

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 43-13307
Date Received: 5/12/2003
Receipt No:
Received By:

AUG 21 2003

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

1. Name of Claimant(s)

CINDY ALLEN
2595 E 300 S
DECLO ID USA 83323

Phone: (208) 349-5599

TONY ALLEN
2595 E 300 S
DECLO ID USA 83323

Phone: (208) 349-5599

2. Date of Priority: 06/01/1978

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
11S	27E	10	NW NE	CASSIA	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	01/01	12/31	0.04	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of homes: 1

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
11S	27E	10	NE NW	DOMESTIC	

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

14. Remarks:

RIGHT NO. 43-4186 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

The quantity of water under this right shall not exceed 13,000 gallons per day.

15. Basis of Claim: Beneficial Use

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Tony Allen Date: 5-23-03

Date: _____

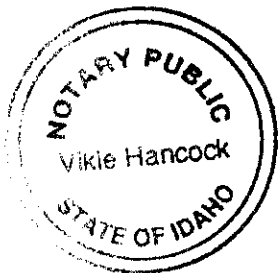
State of Idaho)
County of Turner) SS.

Subscribed and sworn (or affirmed) before me this 23rd day
of May 2003 Vikie Hancock

Notary Public

Residing at Buhl, Idaho

My commission Expires 5-7-2003



THIS
ROUTE

NE NW

well

43-13307

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 43-4186

WATER RIGHT NUMBER: 43-4186

Owner Type Name and Address
Current Owner PRESTON R ALLEN
2601 E 300 S
PO BOX 63
DECLO, ID 83323
(208)349-5573

Tony Allen or Cindy
2595 E 300 S
Declo Id 83323
208(349-5599) *two years*

Priority Date: 01/01/1960 *6/1/1978*
Basis: Decreed
Status: Active

*three
two houses
+ 300 ft road just + water*

Source Tributary
GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.080 CFS	
<u>Total Diversion:</u>		0.080 CFS	

1/2 acre yard

Location of Point(s) of Diversion

GROUND WATER NW1/4NE1/4 Sec. 10, Twp 11S, Rge 27E, B.M.
CASSIA County

Place of Use
DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	27E	10		X			D												

*add
NE NW*

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

1. Explanatory PARCEL NO. RP11S27E100775

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 43-4186

Comments:

1. SSHERMAN 10/23/1997 ADDRESS CHANGE

Comment: ADDRESS CHANGE BY CLAIMANT LETTER.

2. TFAWCETT 4/1/1999 NAME AND/OR ADDRESS CHANGE

Comment: ADDRESS CHANGED PER REQUEST FROM CLAIMANT REC'D 3/31/99.

Dates and Other Information:

Licensed Date:

Decreed Date: 7/24/1998

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number: 39576

Judicial District: FIFTH

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False