

562 563 12' 30" 564 565 566 10' 567

28

25

36

22 Acres
TOTAL

+ P10 65-2162
NWNE

65-2171
NE



MICROFILMED
SEP 18 1992

65-02162 + -12771

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
735 AIRPORT WAY
BOISE, IDAHO 83705

First Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

fee due 60¢

U.S. POSTAL SERVICE
PS FORM 3547

ADDRESS SERVICE
REQUESTED

First Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

fee due 60¢

U.S. POSTAL SERVICE
PS FORM 3547

ALLE217 836112004 1400 04 02/15/01
FORM 3547

ALLEN
PO BOX 474
CASCADE ID 83611-0474



ALLE 217

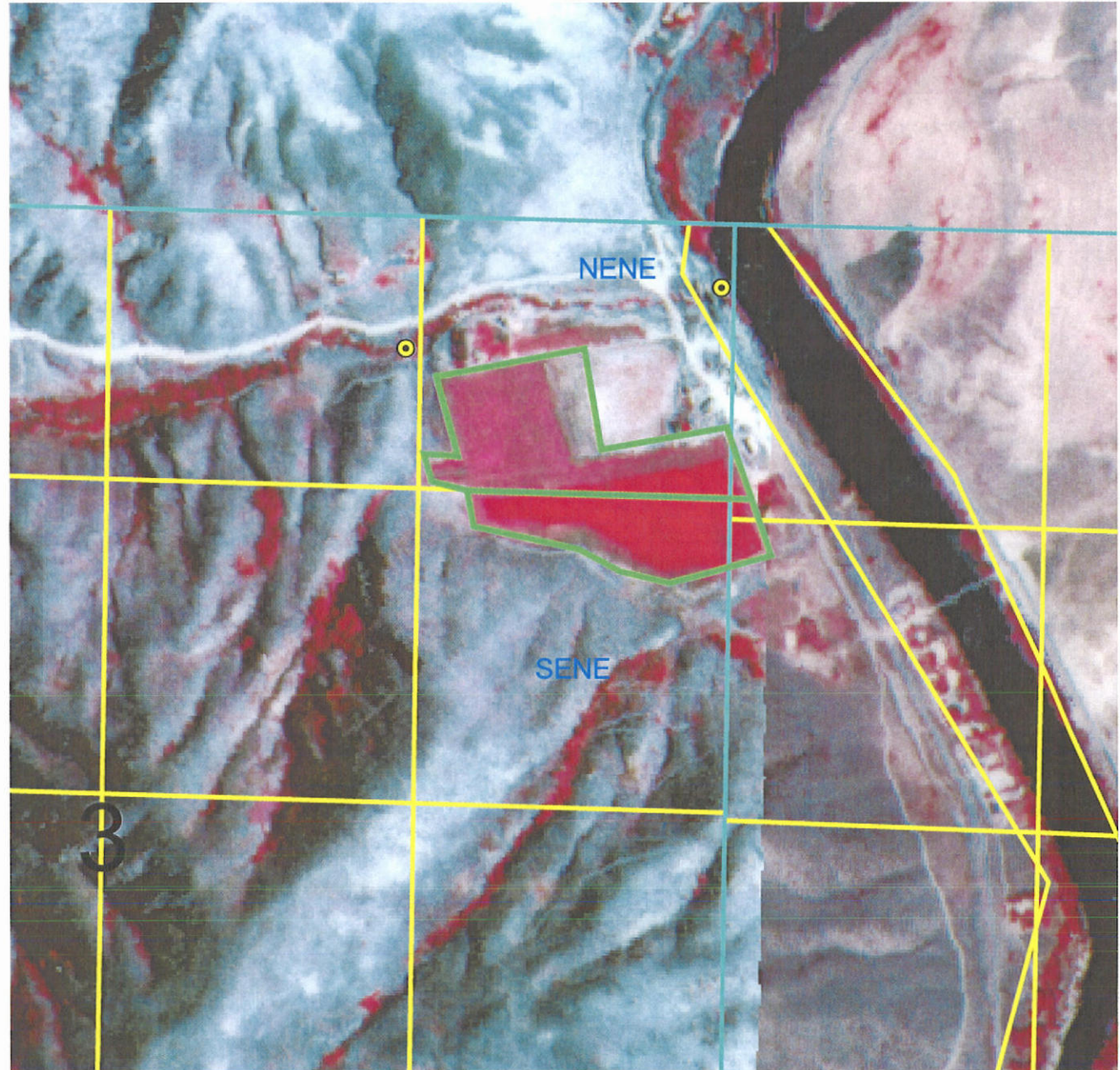
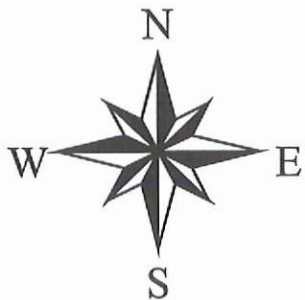
E K ALLEN
HC 71 BOX 2025-
CASCADE ID 83611

RECEIVED
MAR 22 2001
WATER RESOURCES
WESTERN REGION

Idaho Dept. of Water Resources

Claim No(s): 65-02162,
65-12771
T07N, R02E, 2
Created by: Sue Bock
Date: 6/27/2000

-  Place of Use
-  Point of Diversion
-  Section lines
-  1/4 1/4 lines



0 1000 2000 3000 Feet



1987 NAPP Photo

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 65-2162
Date Received: 1/10/90
Receipt No: W007484
Received By:

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

1. Name of Claimant(s)

E K ALLEN Phone: (208)382-4122
PO BOX 474
CASCADE ID USA 83611

2. Date of Priority: 10/29/1913

3. Source: BROWNLEE CREEK Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	02E	3	NW NE	BOISE	

5. Description of diverting works:

PUMP IN CREEK,PIPED TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.44	

7. Total Quantity Appropriated is:
0.44 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
07N	02E	3	NE NE SE NE	1	IRRIGATION IRRIGATION	13 9
Section Acres						22
Total Acres						22

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHT A65-12771 SHALL PROVIDE NO MORE THAN .02
CFS/ACRE
Address changed by DB 6/29/2001

15. Basis of Claim: Decreed

RECEIVED

JUN 28 2001

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number(s): 65-2162
65-12771
65-3105 X
65-11232

[] Claimant Name(s): _____

[] Old Mailing Address: 2025 14th 55

[] New Mailing Address: Box 474

Conrad Lake

Telephone Number: (208) 4122

[] Signature of Claimant(s): Ernest K. Allen

Date: 5/21/01

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: A65-02162
Date Received: 1/10/1990
Receipt No: W007484
Received By: RSh

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: E.K. ALLEN 208-382-4122
Address: HC 71, BOX 2025
CASCADE, ID 83611

2. Date of Priority: OCT 29, 1913

3. Source: BROWNLEE CREEK Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	02E	3	NW	NE			BOISE

5. Description of diverting works:
PUMP IN CREEK, PIPED TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.440		

7. Total Quantity Appropriated is:
0.440 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	02E	3	NE	NE	1	IRR	13.0
			SE	NE		IRR	9.0
Section Acres							22.0

A65-02162

Page 1

Date: 01/10/90

MICROFILMED

SEP 18 1992

10. Place of Use: Continued

Total Acres 22.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
A65-12771

14. Remarks:
THIS RIGHT WHEN COMBINED WITH RIGHT A65-12771 SHALL PROVIDE NO
MORE THAN .02 CFS/ACRE.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

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 X 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): Ernest K Allen Date: 1/10/90
_____ Date: _____

State of Idaho)
County of ADA) ss.

Subscribed and sworn (or affirmed) before me this 10th day
of JAN 19 90 Ron Howerton
Notary Public

Seal

Residing at Ron Howerton
Residing at Boise, Idaho
My Commission Expires December 8, 1994

INTERIOR
BY

R2E

562

563

12' 30"

564

565

566

10'

567

28

27

26

25

23

24

25

26

2670

Gardena

Reservoir

Brown

JERUSALEM

MISSOURI

MISSOURI

PACIFIC RIVER

Cape

MISSOURI

06/29/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-2162

NAME AND ADDRESS: E K ALLEN
PO BOX 474
CASCADE, ID 83611

SOURCE: BROWNLEE CREEK TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.44 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT A65-12771 SHALL
PROVIDE NO MORE THAN .02 CFS/ACRE.

PRIORITY DATE: 10/29/1913

POINT OF DIVERSION: T07N R02E S3 NWNE Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 11-01	0.44 CFS

PLACE OF USE:

<u>IRRIGATION Within BOISE County</u>				
T07N R02E S3	LOT 1	NENE	13	T07N R02E S3
				SENE 9

22 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 29, 2001

E K ALLEN
PO BOX 474
CASCADE ID 83611

Re: Notice of Claim to a Water Right No. 65-2162 & 65-12771

Dear Claimant(s):

Enclosed are copies of the above referenced water rights, which reflect your change in address.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Thank you for your patience and cooperation, as we have had several ownership changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB:db

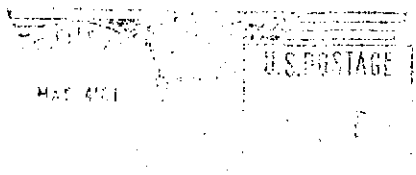
Enclosure

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED

RETURNED
TO
SENDER
**NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD**

POSTAGE
PAID
PERMIT NO. 100
BOISE, IDAHO



Sm

65-2162

E K ALLEN
HC 71 BOX 2025
CASCADE, ID 83611

RECEIVED

MAY 10 2001

WATER RESOURCES
WESTERN REGION

83705/5082



P.O. BOX 774
CASCADE, ID 83611



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

65-02162 + -12771

DEPARTMENT OF WATER RESOURCES
EASTERN REGIONAL OFFICE
725 AIRPORT WAY
HALE, HAWAII 96706

First Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

fee due 600

U.S. POSTAL SERVICE
PS FORM 3547

E K ALLEN
HC11 BOX 2025-
CASCADE ID 83611

ALLEN 217

ALLEN 217 836112004 1400 04 11 26 16 01
ALLEN
PO BOX 474
CASCADE ID 83611-0474

ADDRESS SERVICE
REQUESTED

First Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

fee due 600

U.S. POSTAL SERVICE
PS FORM 3547

WATER RESOURCES
WESTERN REGION

MAY 22 2001

RECEIVED

Idaho Dept. of Water Resources

Claim No(s): 65-02162,
65-12771

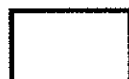
T07N, R02E, 2

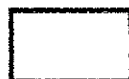
Created by: Sue Bock

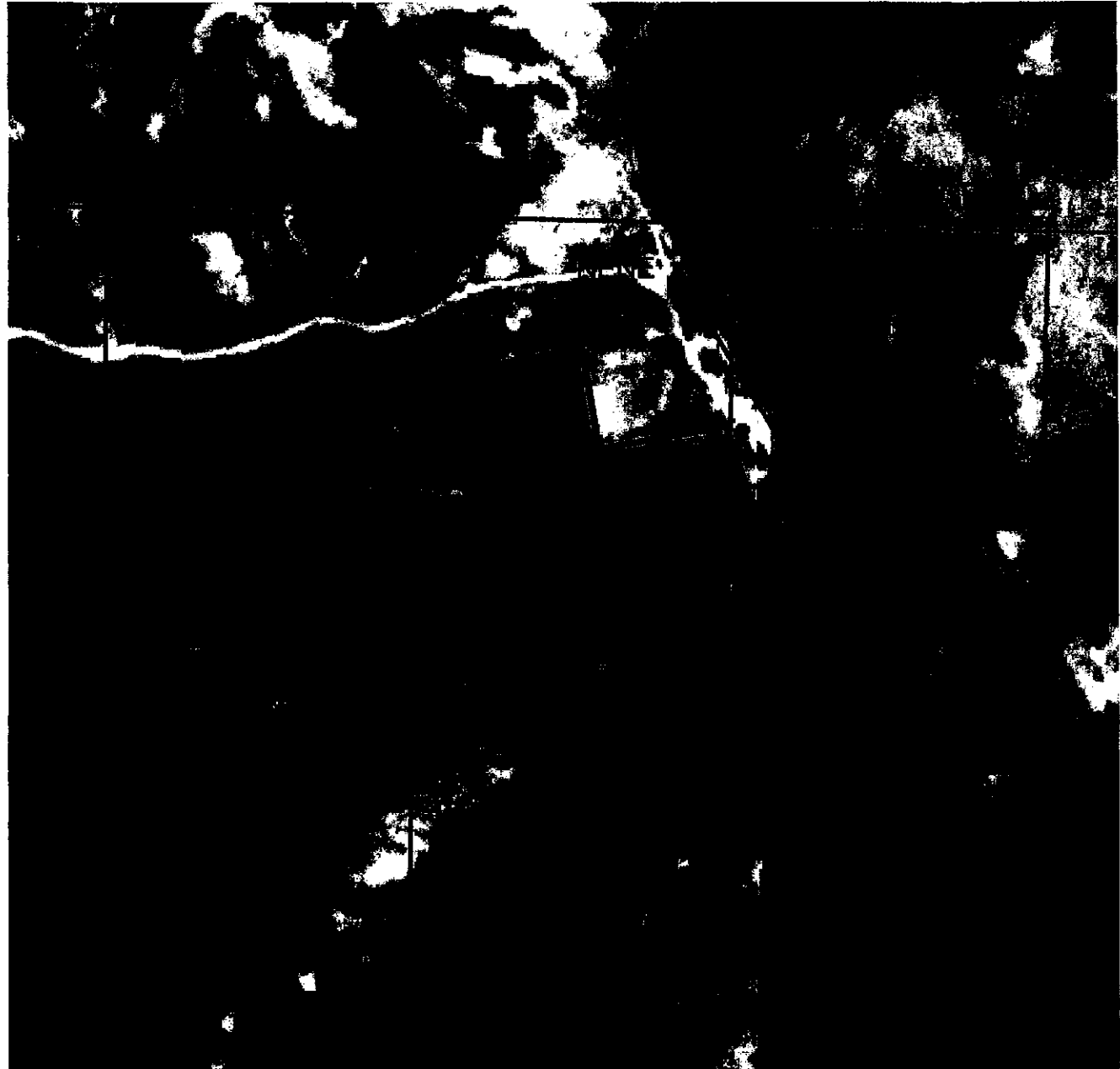
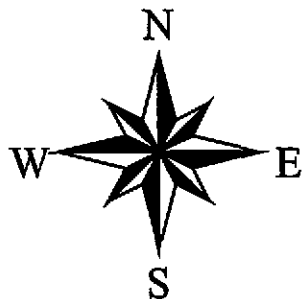
Date: 6/27/2000

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0 1000 2000 3000 Feet



1987 NAPP Photo

AJ0749NP
No. R65-02162

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 06/21/00
PAGE: 1

```
=====
OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          NAME & ADDRESS    DATE    WATER USE    FROM    TO    RATE    VOLUME
-----
C  EK ALLEN    10/29/1913  IRRIGATION    04-01  11-01    0.440 CFS
   HC 71 BOX 2025
   CASCADE ID 83611
   (208) 382-4122
                                     TOTAL DIVERSION:  0.440 CFS

Water Source:  BROWNLEE CREEK    Tributary to:  PAYETTE RIVER    Stage:  DECREED

Point(s) of Diversion:    T07N R02E S03    NWNE    BOISE County

Place of use Legal Description for:  IRRIGATION
                                     NE
      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  Lt Ac  :  SUM
-----
07N 02E 3   : 01-13    09   :                                     :                                     :                                     :                                     :  22.0
                                     :                                     :                                     :                                     :  22.0
                                     TOTAL ACRES
=====
```

POU County: BOISE

Non-Irrigation Uses: NONE

Other Rights: A65-12771

Remarks: QNT THIS RIGHT WHEN COMBINED WITH RIGHT A65-12771 SHALL PROVIDE NO
MORE THAN .02 CFS/ACRE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Comments: Date: 06/21/2000 User-ID: SBOCK Subject: CHANGES
THIS RIGHT RECOMMENED AS CLAIMED. THIS RIGHT WAS FIELD EXAMED
ALONG WITH 65-12771. THE ACRES OVERLAP. RIGHT WAS DECREED
FOR 3 MORE ACRES AND .06 MORE CFS.
CHANGES OCCURED PRIOR TO 1987, ACCOMPLISHED TRANSFER.

Audit: 06/21/00 SBOCK

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:05:17
06/10/00
99

PAGE: 16
PROFILE REPORT

CLAIM NUMBER: A65-02162

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME																																																																																																																																																																							
C	EK ALLEN	10/29/1913	IRRIGATION	04-01 11-01	0.440 CFS	0.440 CFS																																																																																																																																																																							
					TOTAL DIVERSION:	0.440 CFS																																																																																																																																																																							
Water Source: BROWNLEE CREEK		Tributary to: PAYETTE RIVER		Stage: DECREED																																																																																																																																																																									
Point(s) of Diversion: T07N R02E S03		NWNE		BOISE County																																																																																																																																																																									
Place of use Legal Description for: IRRIGATION																																																																																																																																																																													
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POU County: BOISE

Non-Irrigation Uses: NONE

Other Rights: A65-12771

Remarks: GEN ^{QNT} THIS RIGHT WHEN COMBINED WITH RIGHT A65-12771 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag: Presumption Flag:

Comm!

DATE: 06/10/00
PAGE: 6

Misc: Water District Number: 65 Field Exam Fee:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:03:28
06/10/00

PAGE: 1
GENERAL INFORMATION

84
CLAIM NUMBER: A65-02162

LAST: HEROLD
ADDRESS: ROUTE 1
CITY: HORSESHOE BEND
PHONE NUMBER: 208-000-0000

FIRST: WILLIAM G
STATE: ID ZIP: 83629

OWNER CODE: O

LAST: ALLEN
ADDRESS: HC 71 BOX 2025
CITY: CASCADE
PHONE NUMBER: 208-382-4122

FIRST: EK
STATE: ID ZIP: 83611

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE FIELD
Y EXAMINER
Y() N()

CLAIM REMARKS: GEN THIS RIGHT WHEN COMBINED WITH RIGHT A65-12771 SHALL PROVIDE NO
MORE THAN .02 CFS/ACRE.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: () -

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y() N()

TIME: __:__ A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A65-02162 PRIORITY DATE: 10-29-1913 STAGE: D

B. WR RECORD: # 65-02162 PRIORITY DATE: 10-29-1913 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(☒) N()

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y() N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☒) Y() N()

FIELD EXAM COMPLETED

N/A(☒) Y() N()

FIELD EXAM SENT TO STATE OFFICE

N/A(☒) Y() N()

LICENSE ISSUED

N/A(☒) Y() N()

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED? N/A(☒) Y() N()

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N()

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

10-29-1913

REVIEWED BY JB

DATE 6-21-01

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-02162	07N	02E	3		NW	NE			BOISE		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE 65-19665

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: BROWNLEE CREEK

TRIB: PAYETTE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-02162	07N	02E	3		NE	NW			BOISE		
65-02162	07N	03E	3		NE	NW			BOISE		

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

SOURCE: BROWNLEE CREEK

TRIB: PAYETTE RIVER

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(☒) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N(☒)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: ~~addressed~~ Discussed on See 3 NEW claim in
See 3 NUNE Reg'd 65-12771 is diverted into NEW.
Since there was a field exam for that license
and no conflict was found, I am recommending a
change of record before 1987, accomplished
transfer

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ☒

TWP. 07N	RGE. 02E	SEC. 3	1/4	1/4 NW	1/4 NE	LOT	POD FLAG	COUNTY BOISE	DIVERSION NAME	DIVERSION NBR
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
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---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---

SOURCE: BROWNLEE CREEK TRIB: PAYETTE RIVER

REVIEWED BY: Joe B... DATE: 6-21-00

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: A65-02162

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	02E	3	NE	NE	1	ALLEN, EK	A65-02162 / 13.0	65-02162 / 10.0	20.0		
			NE	NE		MORGAN, CHUCK	A65-12276 / 4.0	65-12276 / 4.0			
			NE	NE	1	MORGAN, CHUCK	A65-12536 / 2.7	65-12536 / 2.7			
			NE	NE	1	PEER, WILLIAM O	A65-08148 /	- /			
			NE	NE	1	ALLEN, EK	A65-12771 / 13.0	65-12771 / 13.0			
			NE	NE	1	BOISE COUNTY	65-07996 /	- /			
			NE	NE	1	PEER, FLORENCE G	65-08148 /	- /			
			NE	NE	1	HEROLD, WILLIAM G.		65-12796 / 6.0			13
07N	02E	3	SE	NE		ALLEN, EK	A65-02162 / 9.0	65-02162 / 9.0	2.0		
			SE	NE		ALLEN, EK	A65-12771 / 9.0	65-12771 / 9.0			9

ADDITIONAL POU FOUND

TOTAL ACRES	A65-02162	22.00	19.00	22.00	22
POU COUNTY: BOISE					

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-02162	BROWNLEE CREEK	ALLEN, EK	0.440	0.020		
A65-12276	GROUNDWATER	MORGAN, CHUCK	0.040	0.010	15.20	3.80
A65-12536	BROWNLEE CREEK	MORGAN, CHUCK	0.080	0.029	8.10	3.00
A65-12771	PAYETTE RIVER	ALLEN, EK	0.440	0.020		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-12536	DIVERSION TO STORAGE	MORGAN, CHUCK	FROM 01-01 TO 12-31	0.010 CFS	
A65-12536	RECREATION STORAGE	MORGAN, CHUCK	FROM 01-01 TO 12-31		0.10 AF/A
A65-08148	DOMESTIC	PEER, WILLIAM O	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-07996	DOMESTIC	BOISE COUNTY	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-08148	DOMESTIC	PEER, FLORENCE G	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y(~~X~~) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A65-12771

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(~~X~~) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y(~~X~~) N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N(~~X~~)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(~~X~~)

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;
() NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES: Acres changed same as those licensed under
05-12771. This right was deeded for 25
acres + .50 acs. Current redwood acres +
changed location prior to 1987, accomplished
transfer.

RECOMMENDATIONS:

TOTAL ACRES: 22 N/A()
REVIEWED BY: SB DATE: 6-21-00

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-02162 IRRIGATION	FROM 04-01 TO 11-01	0.440 CFS	
TOTAL DIVERSION RATE/VOLUME		0.440 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-02162 IRRIGATION	FROM 04-01 TO 11-01	0.500 CFS	
TOTAL DIVERSION RATE/VOLUME		0.500 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☐) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☒) Y(☐) N(☐)

PAGE: 9

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CONTINUED

92

CLAIM NUMBER: A65-02162

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.440 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.500 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(☒) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 22 x 0.02 CFS/ACRE = .44 CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

Recommended as denied, reduced acres from
what was denied

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (X)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
IRRIGATION	04-01	11-01	DATABASE 0.440	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 0.0	EXAMINER _____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
TOTAL FOR THIS RIGHT			0.440	_____		_____	0.0	_____

NON-IRRIGATION USES CLAIMED: NONE

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

QNT

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
☒	☐
☐	☐
☐	☐

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-02162

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.500

EXAMINER

CFS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

—

A65-02162

0.440

•

65-02162

0.500

TOTAL CFS

0.440

0.500

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

FIELD
EXAMINER
DATABASE N Y() N()

NOTES:

AUTHENTICATION

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
(X) OTHER <u>GIS Map</u>	DATE <u>6-27-00</u>	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:03:28
06/10/00

PAGE: 15
QUICKLOOK INFORMATION

98
CLAIM NUMBER: A65-02162

*and license exam
for 65-12771*

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE				<i>done</i>		<i>SB 6-21-00</i>		
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM	Y							
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

E. K. ALLEN () 382-4122
Name of Claimant Phone Number
HC 71 Box 2025 CASCADE ID 83611
Mailing Address City State Zip
BOISE MAY 19, 1989
County(s) where place of use is located Date claim originally due
AGS-12771 & AGS-02162
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

RECEIVED NOTICES FOR VALLEY CTY. BUT NOT
FOR BOISE CTY'S PROPERTY. KEPT WAITING FOR
NOTICES AFTER FILING VALLEY COUNTIES THEN
MADE APPOINTMENT FOR CANYON CTY'S & THEN found
out BOISE CTY'S have already paid.

Claimant requests an extension to FEB 10, 19 90
E. K. Allen JAN 10, 19 90
Signature Date of request

Title _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [] granted [] denied for the following reasons:

and if granted the filing deadline is extended to _____, 19 _____

Signed this _____ day of _____, 19 _____

Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

MICROFILMED

SEP 18 1992

NOTICE OF CLAIM TO A WATER RIGHT

BOISE
MAP NO.

William G. Herold

(Name of Claimant)

Route 1 Horseshoe Bend, ID 83629

(Mailing Address)

The extent and nature of said claim is as follows:

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

Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both Dates Inclusive)

Total No. of acres 25

(Date)

Individual

Individual William E. Gerald
(Signature of Claimant)

(Signature of Claimant)

Organization

Organization

(Signature) of Spaw

Seal

(Signature of Authorized Agent)

in the year 1977 before me,

Notary Public residing at _____

Boise, ID

3/16/78

5/18/78 *JS*

3/16/78

MICROFILME

STATE OF IDAHO

Water License No. 9793

WHEREAS, On the 29th day of October, A. D. 1913, Emery Sherard, of Horse Shoe Bend, County of Boise, State of Idaho, duly made application (No. 14583) to me for a permit to use 6/10 of 1 cubic foot per second of the waters of Brownlee Creek, County of Boise, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 28th day of November, A. D. 1913, Permit No. 9793 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 28th day of November, A. D. 1914, and for the application to beneficial use of said water on or before the 28th day of November, A. D. 1915, and,

WHEREAS, On the 27th day of June, A. D. 1914, Emery Sherard, the holder of said permit, duly made proof of the completion of adequate works for the diversion of 6/10 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 9793, dated March 15, 1915, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 6/10 of 1 cubic foot per second of said waters, with date of priority of October 29, 1913, and

WHEREAS, On the 27th day of June, A. D. 1914, Emery Sherard, the holder of said permit, duly made proof of the application to beneficial use of 1/2 of 1 cubic foot per second of said water

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, hereby grant and confirm to

Emery Sherard

of Horse Shoe Bend, County of Boise, State of Idaho, the holder and owner of said Permit No. 9793, a perpetual right, dating from October 29, 1913, to the use of 1/2 of 1 cubic foot per second of the waters of Brownlee Creek

in the County of Boise and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the NE 1/4 of NW 1/4, Sec. 3, T. 7 N., R. 2 E. B. M.,

and conducted to and upon 25 acres, divided as follows: 9 acres in SE 1/4 of NW 1/4, Sec. 5
4 acres in Lot 9 and 12 acres in Lot 10, Sec. 2, T. 7 N., R. 2 E. B. M.,

for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 15th day of March, A. D. nineteen hundred and fifteen.

J. H. Smith,

(Seal)

State Engineer

65. 2162

MICROFILMED

MEMO TO: 68-2162

FROM: F.L. 7/27/78

EXAMINATION OF AERIAL DHU-1EE-58 INDICATES THAT
USE HAS PROBABLY CEASED IN LOT 9. THEREFORE WE ARE RECOMMENDING
THE LAYOUT OF ACRES SHOWN FOR THIS PT. ALL LIE IN SYSTEM
FROM BROWNLEE CR. 

MICROFILMED

SEP 18 1992