

Cindy -

Your guidance was to disallow 27-11262.
However it was recommended as an active right.
This likely will not be problem since the claim
needs to be amended to show a different P.O.U.

Priority - change to 6-1-1927 based on written statement
from Clyde Twitchell.

STANDARD

22-122 100 sheets

15 West Center Street
Soda Springs, Idaho 83276
(208) 547-3993
(208) 547-3939 FAX

**Idaho Department of
Water Resources**

Fax

To: Jennifer From: Pauline
Fax: 525-7177 Pages: 6
Phone: Date: 8-03-05
Re: # 27-11262 CC:

This claim for Chesterfield L+L is

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

to be disallowed.

thanks

Notes

8/3/05 Please fax data sheets to I.F. for data entry.

Claim disallowed Please include that on the PDR. Send claimants the PDR + NOE. CB.

Contacts Data Entry Form

[illegible]

Contacts Data Entry Form

Priority Date Data Entry Form

Claim Number: A27-112-62

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: 8-1-1927 Recommended Basis: B.U.☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

affidavit from Clyde Fritchell

Reviewer: CBDate: 2/5/04

Priority Date

Claim No. _____

1. Should this water use have been included in a later court decree of the water rights from this source?

If Yes, go to 2
If No, go to 4

Yes () No (X)

2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree?

If Yes, go to 3a
If No, go to 4

Yes () No ()

3a. Is the date the decree was entered after the date a permit is required for the source and the water use?

If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4

Yes () No ()

3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion?

If Yes, go to 11
If No, go to 4

Yes () No ()

4. Is the basis of claim a decree or license?

If Yes, go to 5
If No, go to 7

Yes () No (X)

5. Does the decree or license have a Priority Date?

If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15

Yes () No ()

6. Did the Claimant claim the decreed or licensed Priority Date?

If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15

Yes () No ()

7. Is the basis of claim a Permit or Application?

If Yes, go to 10e
If No, go to 8

Yes () No (X)

8. Is the basis of claim a posted notice?

If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9

Yes () No (X)

9. Is the Priority Date claimed after the date a permit is required for the source and the water use?

If Yes, go to 11
If No, go to 12

Yes () No (X)

10e. Will the license be issued prior to filing the Director's Report?

If Yes, recommend the Priority Date shown on the license, go to 15

If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit. Add Condition Code A01 to the Recommendation, go to 15

Yes () No ()

11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426?

If Yes, go to 12
If No, disallow with condition P01.

Yes () No ()

12. Does the claim file contain sufficient evidence of Priority Date?

If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13

Yes (X) No ()

13. Has additional evidence of priority date been submitted?

If Yes, recommend the date supported by the evidence submitted, go to 15

If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14

Yes () No ()

14. Can any portion of the claim be recommended as a valid water right?

If Yes, go to 15
If No, disallow with condition P01.

Yes () No ()

15. Is the basis of claim coded correctly?

If Yes, go to 16
If No, Enter the appropriate basis of claim.

Yes (X) No ()

6. Is a Priority Date remark and/or condition required?

If Yes, Enter the appropriate basis of claim. Priority Date review is complete
If No, Priority Date review is complete.

Yes () No (X)

B-4

Priority Date

"Disallowed"

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice?

If Yes, go to 2
If No, go to 3

Yes ☐ No ☒

2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?

If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4
If No, status will be set as Active. Go to 5

Yes ☒ No ☐

3. Is the water being used for all of the purposes claimed and to the extent claimed?

If Yes, status will be set as Active. Go to 5
If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4

Yes ☐ No ☐

4. Is any portion of the claim being recommended?

If Yes, status will be set as Active. Go to 5
If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5

Yes ☐ No ☒

5. Does this right have any combined used limits with other rights?

If Yes, go to 6
If No, go to 6

Yes ☐ No ☒

6. Is an additional remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Go to 7
If No, go to 7

Yes ☒ No ☐

7. Would you like to view the recommended right?

If Yes, go to 8
If No, the review is incomplete. The recommendation must be viewed to complete the review.

Yes ☒ No ☐

8. Is this a "split" or "combined" right?

If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 9
If No, go to 9

Yes ☒ No ☒

9. Do you have documents you would like to attach or link to the file?

If Yes, go to PowerDOCS and profile the documents. Go to 10
If No, go to 10

Yes ☐ No ☒

10. Would you like to set the verification date?

If Yes, the review is complete.
If No, the review is incomplete. The recommendation must be verified to complete the review.

Yes ☒ No ☐

Summary

Claim No. 27 - 11262

Summary Data Entry Form

Claim No.: _____

Remarks and Conditions (Include Type, Category and Code if applicable):

P03

P13

Split or Combined Right Analysis:

Attached Field Notes or Other Documents:

Claim No.:

Reviewer

CB

Date

8/2/05

27-11262

All State
Land Leases

4-590 B.

Township No. 6 South Range No. 40 E.

Archie.
Bonman.

Pat.
10-23-05.

William.
H. Dotten

Pat.
10-19-05

Lee. K. Olson.
Pat. 8-29-29

James

Denmark.
Jensen.

Pat.
5-6-96.

Parker
Pat. 5-18-9

Robt G.
Parker.

Pat.
10-18-90.

David
H.

Thompson
Pat.
6-26-94.

Assn

Grading

Idaho. City

Butterfield

11-16-32

Notes

1/22/04 Layne Hamilton Came in and said Dean Smith is working on this claim and 27-11261.

No evidence has been submitted.

2/5/04 1927 affidavit from Clyde Jewell
The land in the NE1/4 & part of SE1/4 is a swamp. I don't think they actively irrigate that piece.

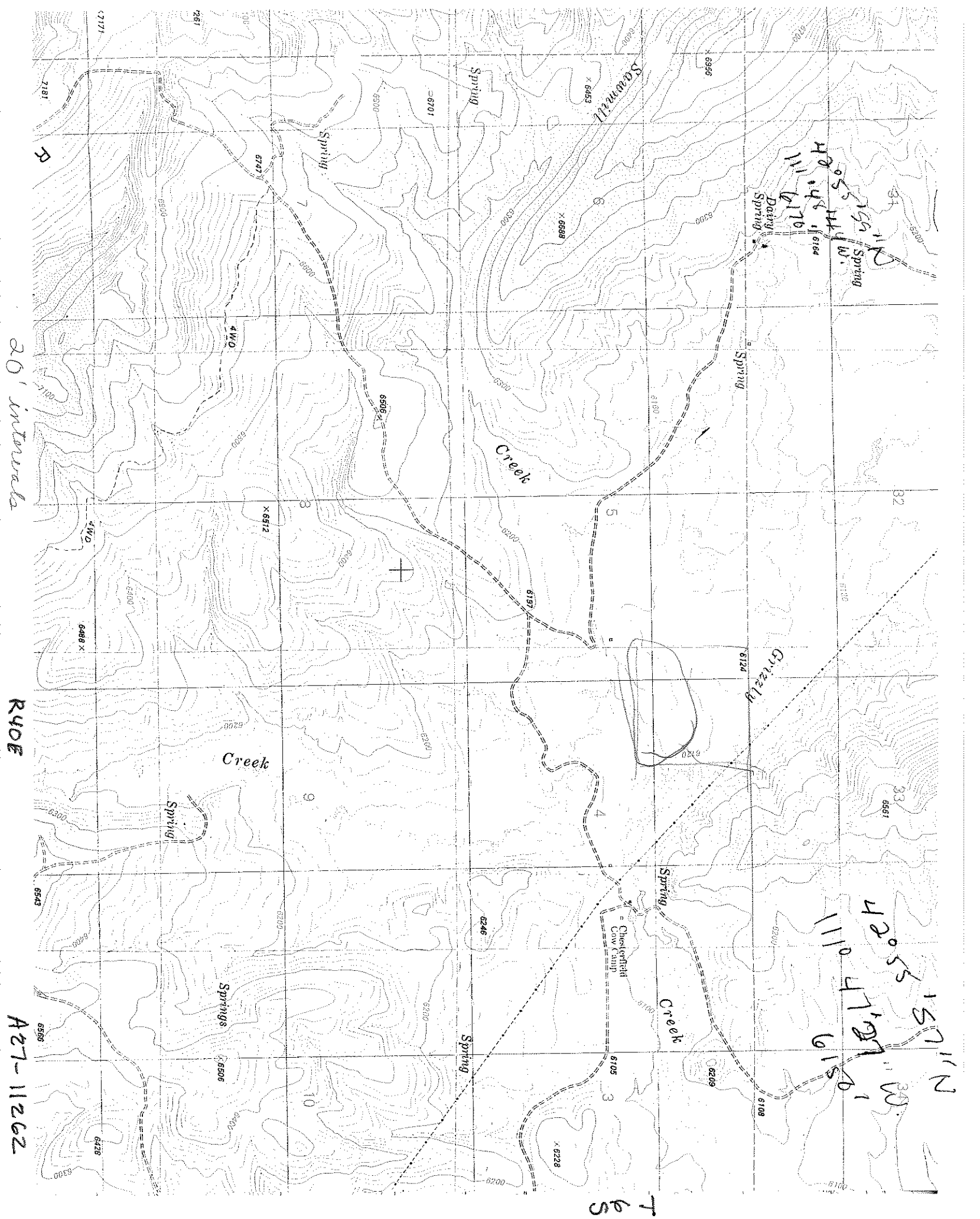
2/11/04 Layne Hamilton Came in to amend 27-4016 & 27-11245. Said they are having a meeting tonight and he will bring up these two claims needs more information CB.

9/29/04 Oct 7, 2004 field exam scheduled. Add Maps, TOPO & Ortho (1945 Metsker Map)

6/3/05 I called Dean Smith's house and left a message with his wife about the public meeting @ 1:30pm, Senior Ctr, Soda. CB

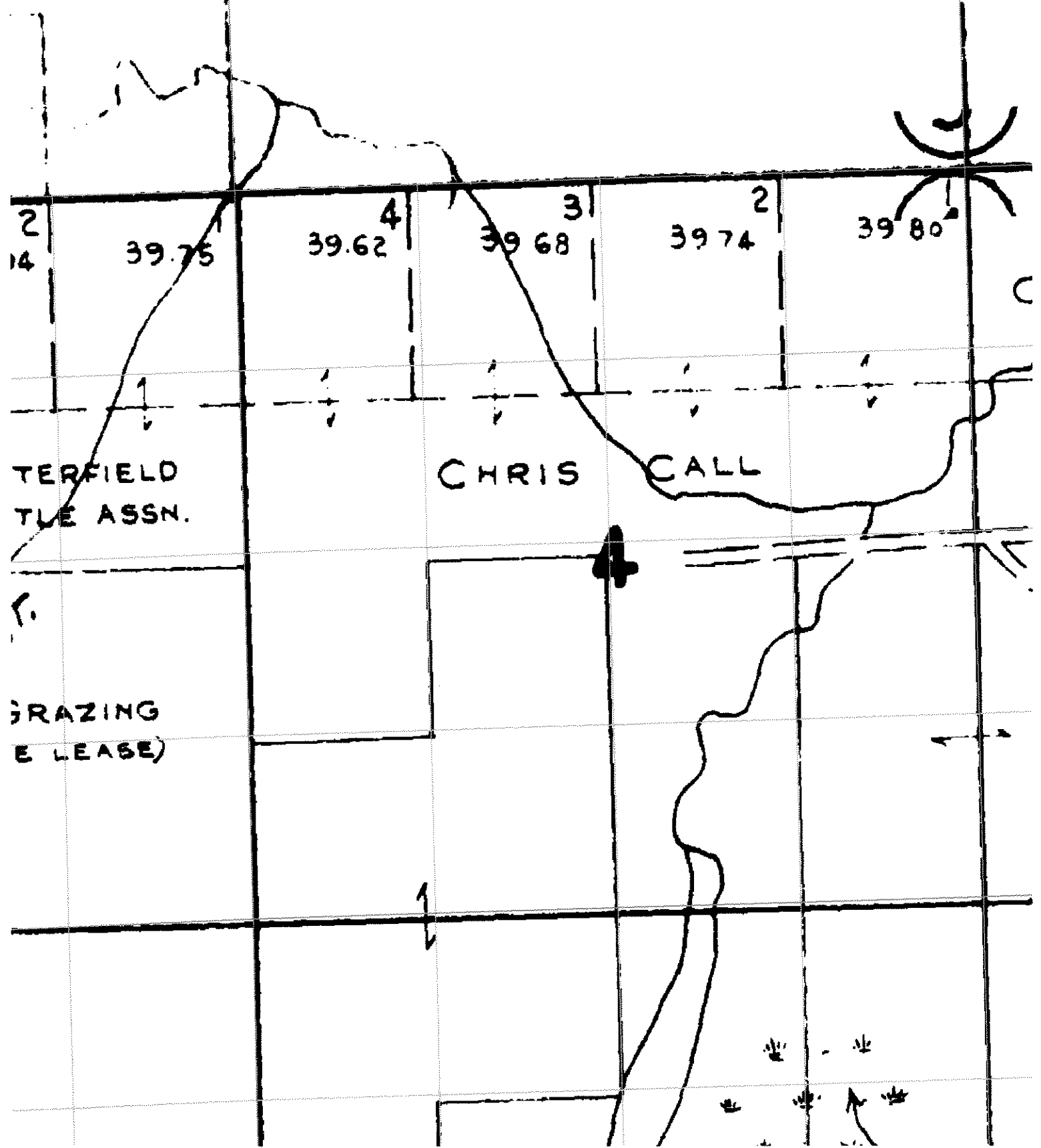
7/22/05 GPS POD found during field exam doesn't correspond with claimed POB. Rondo Perkins was notified and asked to make an apt to discuss amending claim.

8/2/05 Disallowing claim at this time until further information can be obtained from claimants. CB



27-11262

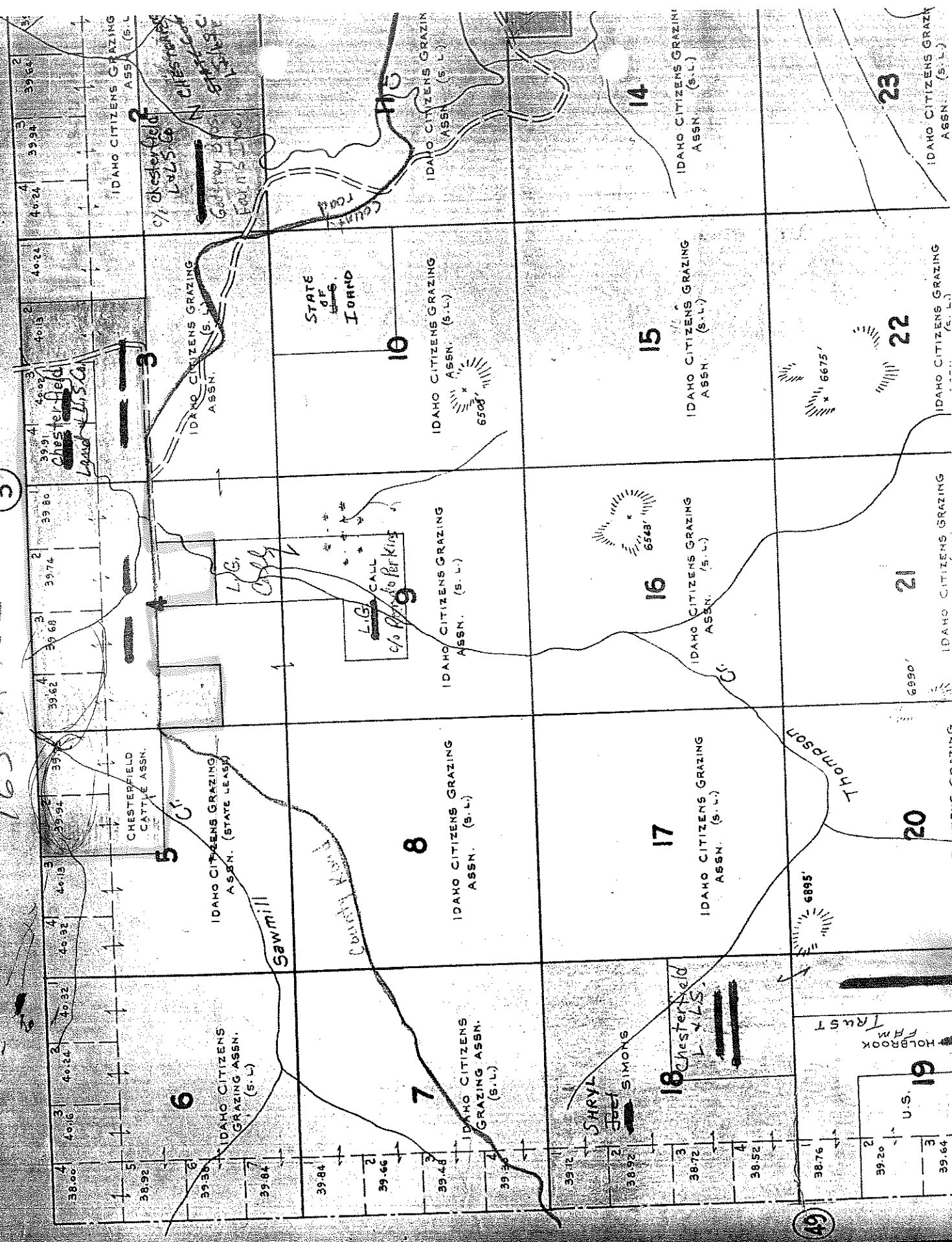




Contacts Data Entry Form

[illegible]

765 R 40E



Point of Diversion and Source Data Entry Form

Claim Number: A27-11262

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____, County:_____

Source:_____ Tributary:_____

Claimed Point of Diversion: T____, R____, Sec.____,____,____,____, County:_____

Source:_____ Tributary:_____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____, County:_____

Source:_____ Tributary:_____

☐ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
6S	40E	5		NE NW SE	Caribou	Sawmill Crk
GPS Coordinates: 42.9263467				-111.7926479		
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						

"SAWMILL"

Other rights from this POD? NO.

Document how the POD and Source were verified and/or Pump and Motor data:

GPS'd the above POD. The above GPS'd point
can't irrigate the claimed POD. The ditch
goes north from source. Claimants were
called and asked to make an appointment
to discuss discrepancies, no apt was made.

Transfers Changing POD noReviewer: CBDate: 8/2/05

Place Of Use Data Entry Form

Claim Number: A27-11262☐ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

The pod GPS'd during the field exam done
on 10-6-04 can't irrigate claimed POU.

Transfers Changing POU noReviewer: CB

Date:

8/2/05

Place of Use

Claim No. 27-11988

1. Is the basis of claim a Decree or License?

Yes () No (X)

If Yes, go to 2a
If No, go to 2b

2a. Is a POU required?

Yes () No ()

If Yes, go to 5
If No, go to 14

2b. Is a POU required?

Yes (X) No ()

If Yes, go to 3
If No, go to 14

3. Is the basis of claim a Permit or Application?

Yes () No (X)

If Yes, go to 4
If No, go to 7

4. Has the License been issued?

Yes () No ()

If Yes, go to 6
If No, recommend the POU as shown on the Permit. Go to 14

5. Does the parent right have a POU?

Yes () No ()

If Yes, go to 6
If No, go to 7

6. Can the claimed POU be verified using the water right file?

Yes () No ()

If Yes, recommend the POU as shown in the water right file. Go to 14
If No, go to 7

7. Is there evidence that there has been a change in the POU?

Yes (X) No ()

If Yes, go to 8
If No, go to 13

8. Can the change be verified as an accomplished transfer?

Yes () No ()

If Yes, add condition C05, go to 13
If No, go to 9

9. Does the change include an enlargement of the POU?

Yes () No ()

If Yes, describe the evidence that supports that there has been an enlargement in the POU. Go to 10
If No, describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed POU can be recommended. Go to 12

10. Was an enlargement claim filed?

Yes () No ()

If Yes, go to 13
If No, notify claimant that an enlargement claim is necessary. Go to 11

11. Did the claimant file an enlargement claim?

Yes () No ()

If Yes, go to 13
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

12. Was a transfer filed?

Yes () No ()

If Yes, recommend the POU as shown on the approved transfer. Go to 14
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

13. Does the file contain all of the necessary information to verify the POU?

Yes () No ()

If Yes, go to 14
If No, collect the necessary information. Conduct field exam if necessary. Go to 14

14. Is a POU remark and/or condition required?

Yes () No ()

If Yes, enter the appropriate remark and/or condition. POU review is complete.
If No, POU review is complete.

Place of Use