

07/14/2005

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

RIGHT NUMBER: 27-4137

NAME AND ADDRESS: PRESTON R ALLEN & SONS PARTNERSHIP
2601 E 300 S
DECLO ID 83323

SOURCE: BLACKFOOT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.340 CFS

PRIORITY DATE: 06/01/1941

POINT OF DIVERSION:

T07S R43E S26 NESE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

2.340 CFS

PLACE OF USE:

IRRIGATION Within CARIBOU County

T07S R43E S27	SWNE	20.0	T07S R43E S27	SENE	10.0
T07S R43E S34	NWSE	20.0	T07S R43E S34	SWSE	16.0
T08S R43E S02	NWNW	39.0	T08S R43E S03	NENE	12.0

117 ACRES TOTAL

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

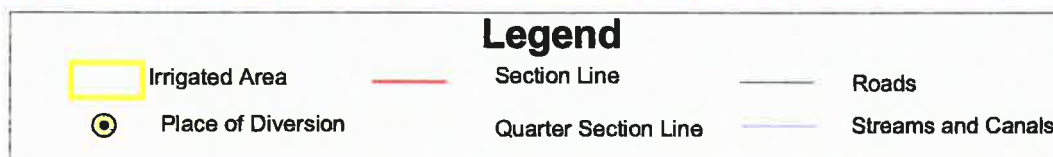
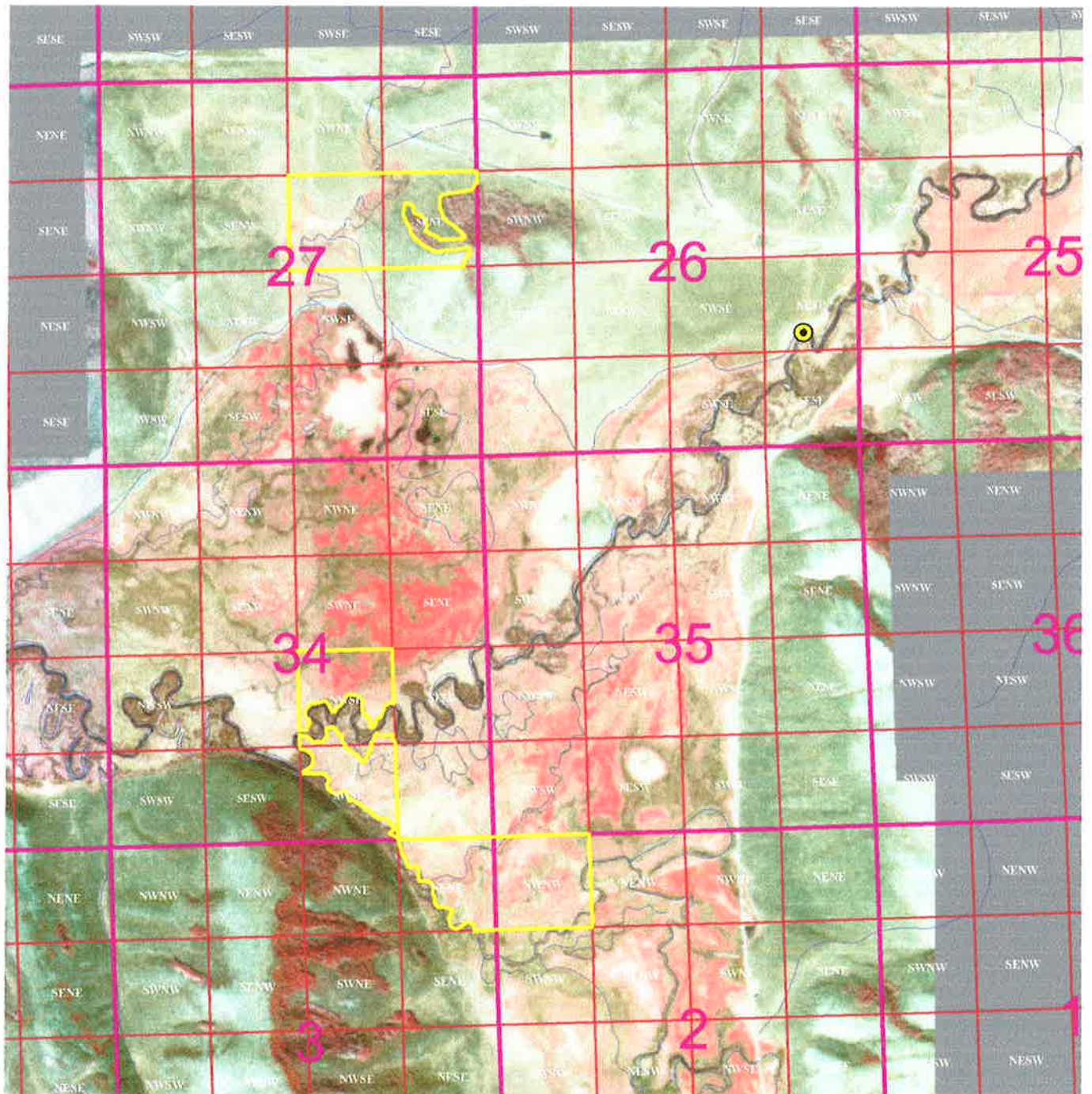
No beneficial use found.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

Water Right Claim Number 27-04137
Townships , 7S43E, 8S43E

12/07/2000



12/07/2000

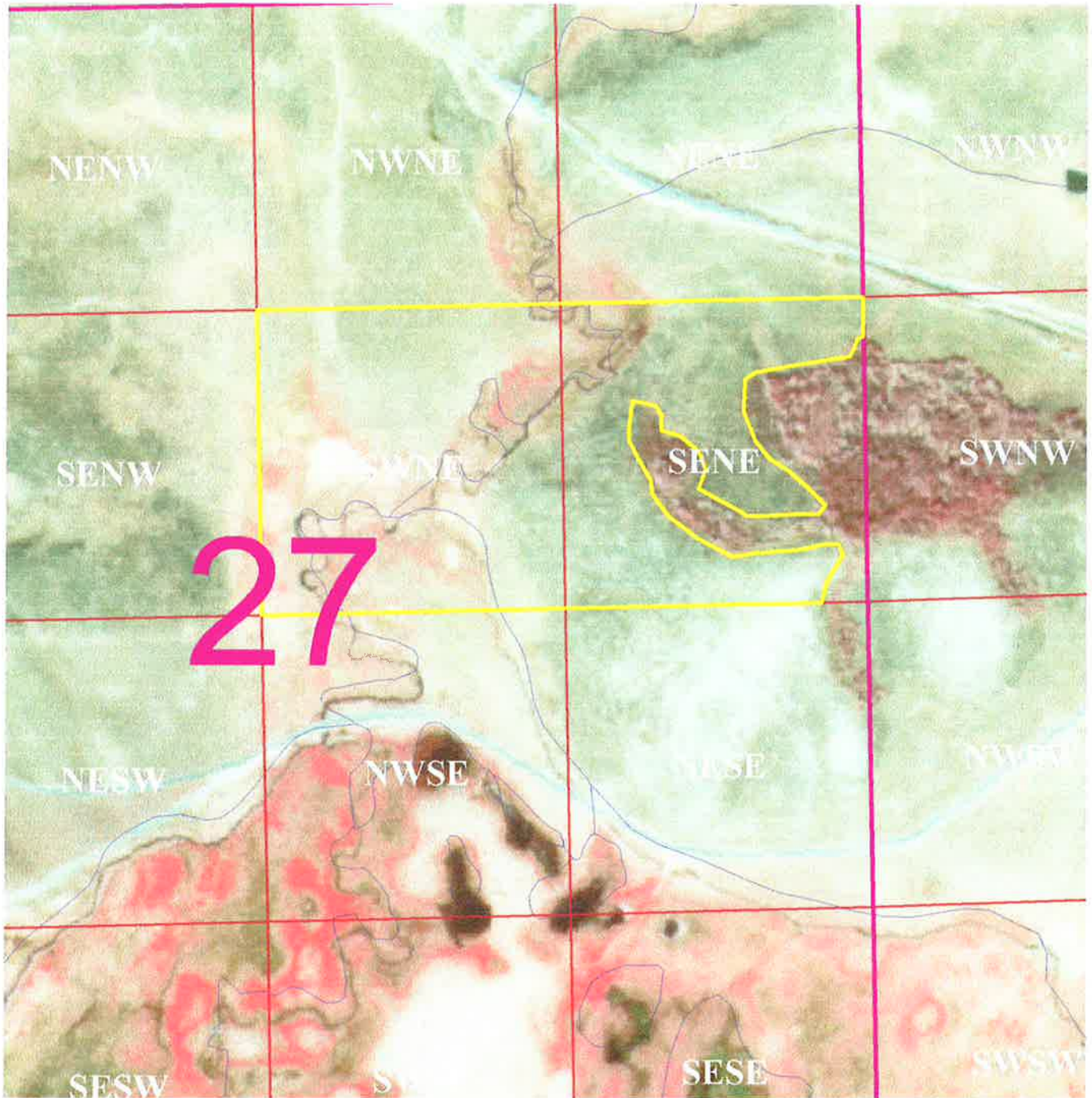


400 0 400 800 Feet



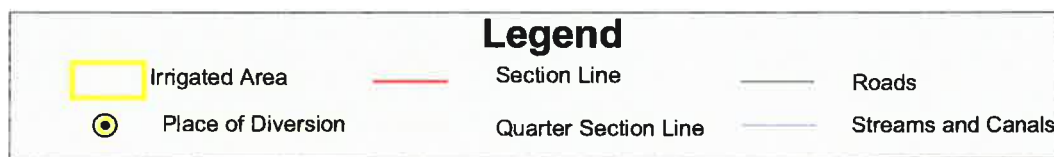
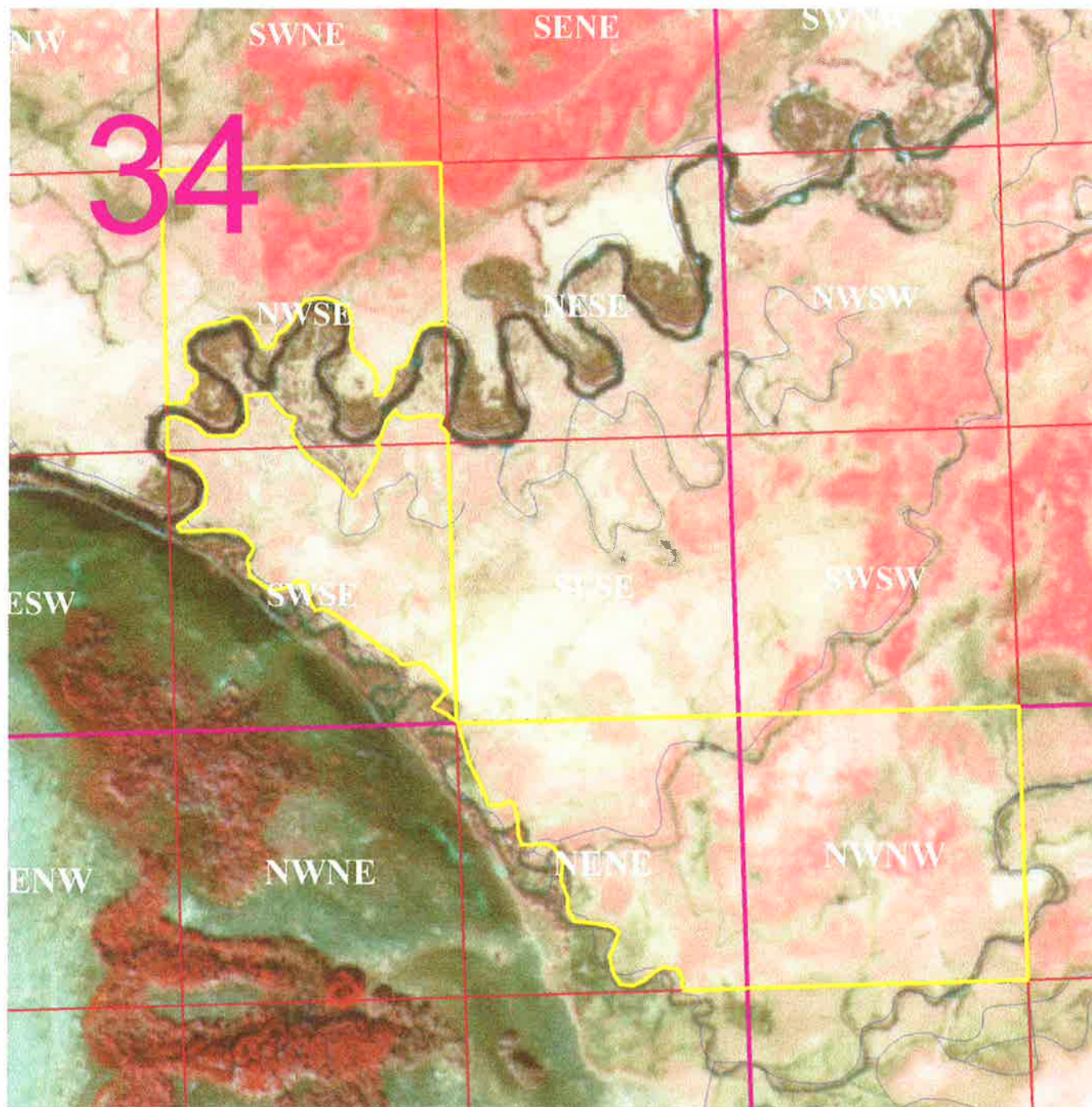
Water Right Claim Number 27-04137
Townships , 7S43E, 8S43E

12/07/2000



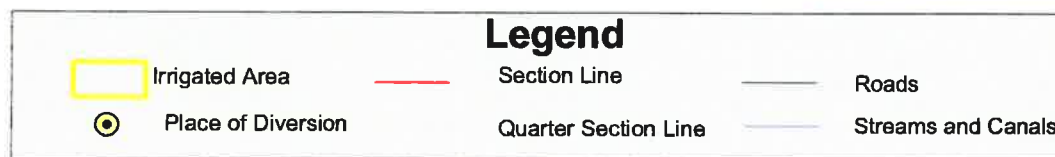
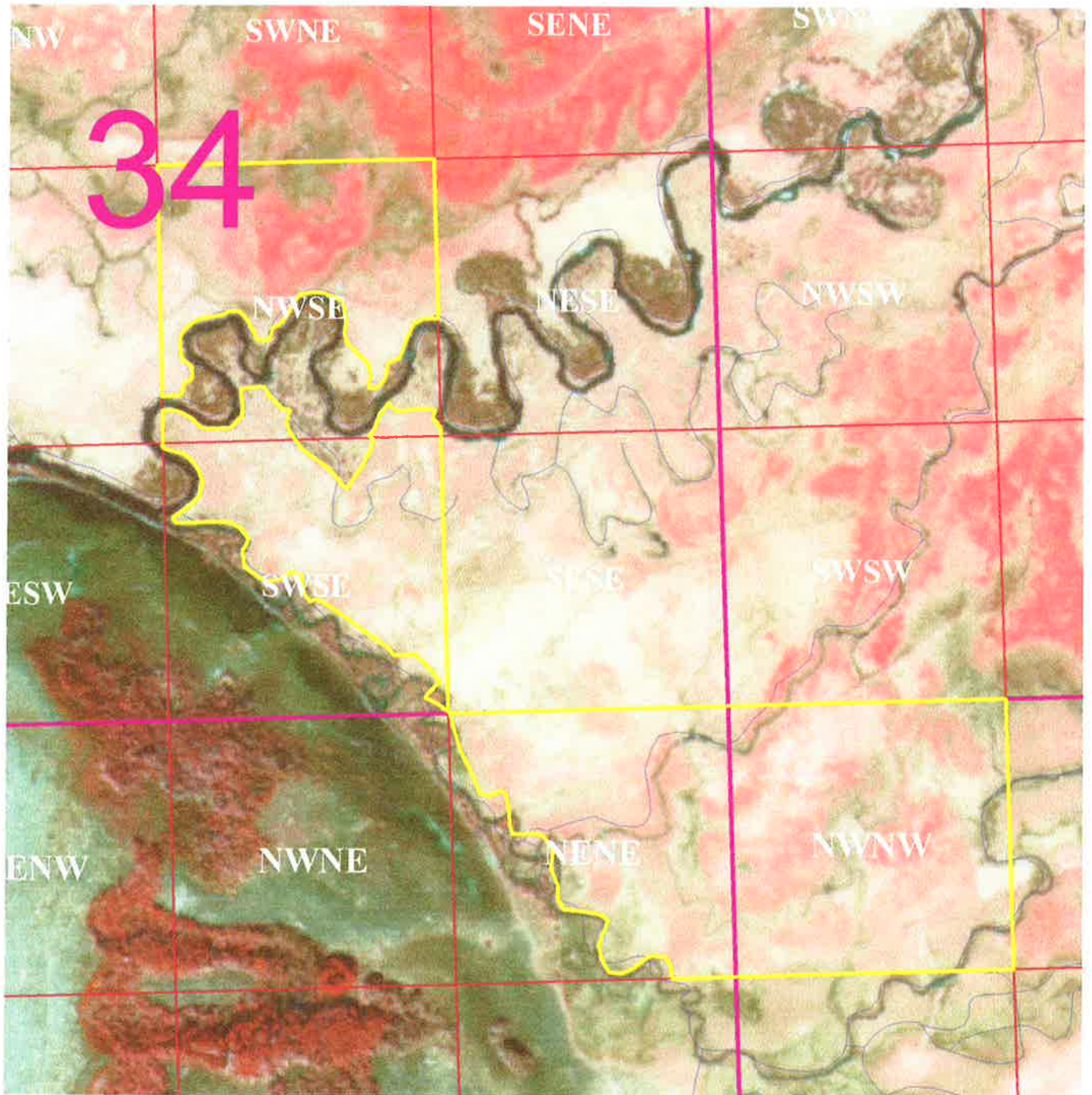
Water Right Claim Number 27-04137
Townships , 7S43E, 8S43E

12/07/2000



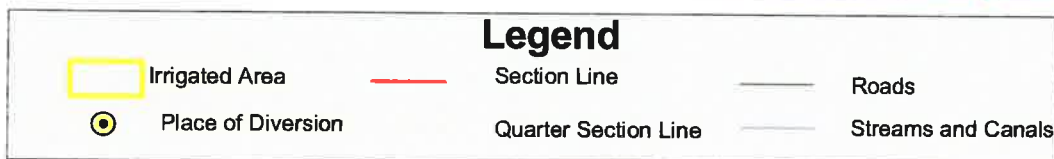
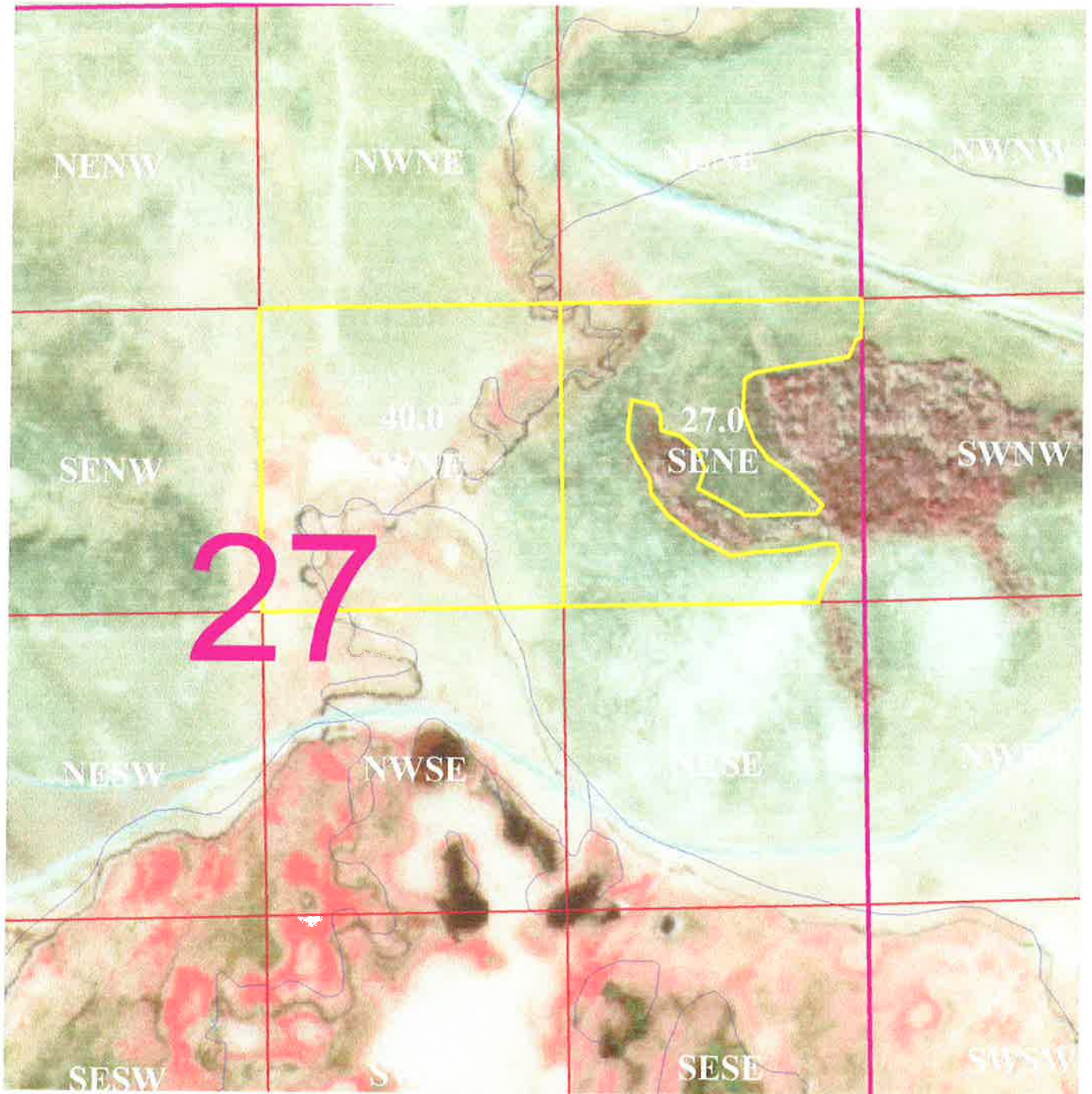
Water Right Claim Number 27-04137
Townships , 7S43E, 8S43E

12/07/2000



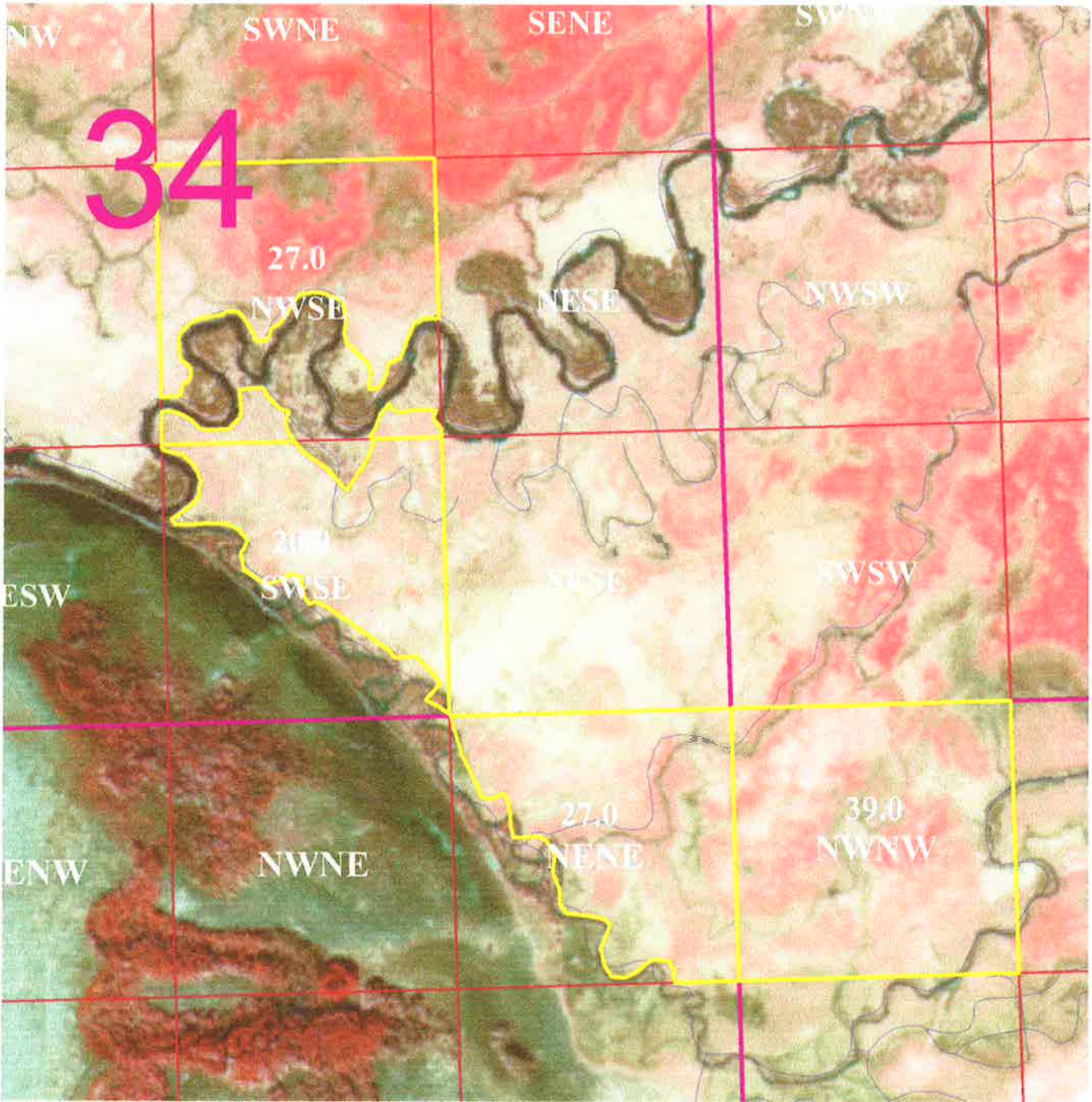
Water Right Claim Number 27-04137
Townships , 7S43E, 8S43E

12/07/2000



Water Right Claim Number 27-04137
Townships , 7S43E, 8S43E

12/07/2000



Irrigated Area

Place of Diversion

Section Line

Quarter Section Line

Roads

Streams and Canals

Legend



07/14/2005

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 27-4137

PRESTON R ALLEN & SONS PARTNERSHIP
2601 E 300 S
DECLO ID 83323
Telephone Number: (208) 349-5599

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

I disagree it is not being recommended

2. Describe the changes you wish to make in the proposed recommendation:

I propose it should be recommended

3. Give a brief explanation as to why you disagree with these portions:

Water was used on stated property after 7/1 for 50% or more of the time property was owned.

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

9-21-05

SIGNATURE:

Kent G. Allen

Please print your name:

Kent G. Allen

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

FAXED
9-21-05
IF *bat*



Notes

6/2/05 Combine this with 27-11016 as an enlargement to the decreed rights. Include KOL, Qty remark

SOU 7/1 only; this right couldn't be delivered after 7/1 because decrees are being shut off.

Same Pou as 27-11016, Same Qty as 27-11016,

POD is the weir in section 26. 27-pAllen pod. shp.

CONVERT 9 - PPLS for the Blackfoot River.

renamed on dill data/cindy/basin1/basin27/shape

(Copy) 27-4137-12027.shp.

6/3/05 I called and spoke with Kent's wife in Soda. They were getting ready to leave and will have Kent call me in Soda Springs on Monday. I told her about the public meeting Soda, Tuesday @ 1:30 Senior Center,

I need to talk to Kent about the W/2 of Section 34, was not claimed, so it irrigated. Using 27-4137 as an enlargement claim.

6/23/05 My discussion with Emie about using this as an enlargement claim, according to Emie, we may not need right at all. Because between Preston & Roland they claimed 1051 acres, Shape is only 1025 ac.

References

Remedy

Launch
ArcView

Administrative Rules

Query Tools

Data Entry Standards

Show Help

Screen ID
384

Process:
Claim
Verification
Record

Step: Update Information

Quick Look	Contacts	Priority Date	POD	Source	POU	Water Use
Review/Verify Log						
Claim Number 27 4137			Status Active		Version Number 1	
View Documents						
Check List		Print Form		Contacts		
☒ Priority Date		No				
☒ Contacts		No				
☐ Point of Diversion						
☒ Source		No				
☐ Place of Use						
☒ Purpose of Use		No				
☐ Period of Use						
☒ Quantity		No				
☐ Summary		Yes to All				
Comments						
Author CBIRD		Text				
Subj						
Date 05 - 04 - 2005		Add Edit Remove Selected				

Hide References

Next Step

[Return to Home](#)

Previous Steps:

Select Claim

Screen ID 384

Notes

7/13/03 see file 27-4141 for evidence
of priority.

8-7-03 Topo maps added to file. BGP

Priority Date Data Entry FormClaim Number: 27-4137

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ 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:

Reviewer: _____

Date: _____

Priority Date**Claim No.** _____

1. Should this water use have been included in a later court decree of the water rights from this source? Yes () No ()
If Yes, go to 2
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes () No ()
If Yes, go to 3a
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes () No ()
If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes () No ()
If Yes, go to 11
If No, go to 4
4. Is the basis of claim a decree or license? Yes () No ()
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes () No ()
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes () No ()
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
7. Is the basis of claim a Permit or Application? Yes () No ()
If Yes, go to 10e
If No, go to 8
8. Is the basis of claim a posted notice? Yes () No ()
If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes () No ()
If Yes, go to 11
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes () No ()
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
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes () No ()
If Yes, go to 12
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes () No ()
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
14. Can any portion of the claim be recommended as a valid water right? Yes () No ()
If Yes, go to 15
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? Yes () No ()
If Yes, go to 16
If No, Enter the appropriate basis of claim.
16. Is a Priority Date remark and/or condition required? Yes () No ()
If Yes, Enter the appropriate basis of claim. Priority Date review is complete
If No, Priority Date review is complete.

Point of Diversion and Source Data Entry FormClaim Number: 27-4137

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
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? 27-11016, 27-12027, 27-11330.

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

field exam

Transfers Changing POD NOReviewer: CBDate: 6/2/05

Point of Diversion

Claim No. _____

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes () No ()
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes () No ()
3. Has the License been issued?
If Yes, go to 5
If No, recommend the POD as shown on the Permit. Go to 10
Yes () No ()
4. Does the parent right have a POD?
If Yes, go to 5
If No, go to 6
Yes () No ()
5. Can the claimed POD be verified using the water right file?
If Yes, recommend the POD as shown in the water right file. Go to 10
If No, go to 6
Yes () No ()
6. Is there evidence that there has been a change in the POD?
If Yes, go to 7
If No, go to 9
Yes () No ()
7. Can the change be verified as an accomplished transfer?
If Yes, add condition C03, go to 9
If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8
Yes () No ()
8. Was a transfer filed?
If Yes, recommend the POD as shown on the approved transfer. Go to 10
If No, go to 9
Yes () No ()
9. Does the file contain all of the necessary information to verify the POD?
If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10
If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10
Yes () No ()
10. Is a POD remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. POD review is complete
If No, POD review is complete.
Yes () No ()

Source**Claim No.** _____

1. Is the basis of claim a Decree or License? Yes () No ()
If Yes, go to 4
If No, go to 2
2. Is the basis of claim a Permit or Application? Yes () No ()
If Yes, go to 3
If No, go to 6
3. Has the License been issued? Yes () No ()
If Yes, go to 5
If No, recommend the Source as shown on the Permit. Go to 11
4. Does the parent right have a Source? Yes () No ()
If Yes, go to 5
If No, go to 7
5. Can the claimed Source be verified using the water right file? Yes () No ()
If Yes, recommend the Source as shown in the water right file. Go to 11
If No, go to 7
6. Is the basis of claim a Posted Notice? Yes () No ()
If Yes, consult the attorney assigned to the basin. Go to 7
If No, go to 7
7. Is there evidence that there has been a change in the Source? Yes () No ()
If Yes, go to 8
If No, go to 10
8. Can the change be verified as an accomplished transfer? Yes () No ()
If Yes, add condition C02, go to 10
If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9
9. Did the claimant file a transfer? Yes () No ()
If Yes, recommend the Source as shown in the transfer. Go to 11
If No, go to 10
10. Does the file contain all of the necessary information to verify the Source? Yes () No ()
If Yes, recommend the Source as it existed on 11-19-1987. Go to 11
If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11
11. Is a Source remark and/or condition required? Yes () No ()
If Yes, enter the appropriate remark and/or condition. Source review is complete.
If No, Source review is complete.

Purpose of Use Data Entry Form

Claim Number: _____

_____ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Document how the Purpose of Use was verified:

Transfers Changing Purpose of Use _____

Reviewer: _____

Date: _____

Purpose of Use

Claim No. _____ - _____

1. Is the basis of claim a Decree or License? Yes () No ()
If Yes, go to 4
If No, go to 2
2. Is the basis of claim a Permit or Application? Yes () No ()
If Yes, go to 3
If No, go to 6
3. Has the License been issued? Yes () No ()
If Yes, go to 5
If No, recommend the Purpose(s) of Use as shown on the Permit. Go to 13
4. Does the parent right have a Purpose of Use? Yes () No ()
If Yes, go to 5
If No, go to 6
5. Can the claimed Purpose of Use be verified using the water right file? Yes () No ()
If Yes, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13
If No, go to 6
6. Is there evidence that there has been a change in the Purpose of Use? Yes () No ()
If Yes, go to 7
If No, go to 11
7. Can the change be verified as an accomplished transfer? Yes () No ()
If Yes, add condition C04, go to 11
If No, go to 8
8. Does the change include an enlargement of the Purpose of Use? Yes () No ()
If Yes, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9
If No, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12
9. Was an enlargement claim filed? Yes () No ()
If Yes, go to 11
If No, Notify claimant that an enlargement claim is necessary. Go to 10
10. Did the claimant file an enlargement claim? Yes () No ()
If Yes, go to 11
If No, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13
11. Does the file contain all of the necessary information to verify the Water Use? Yes () No ()
If Yes, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
If No, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
12. Did the claimant file a transfer? Yes () No ()
If Yes, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13
If No, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13
13. Is a Purpose of Use remark and/or condition required? Yes () No ()
If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.
If No, purpose of Use review is complete.

Place Of Use Data Entry Form

Claim Number: _____

_____ 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:

Transfers Changing POU _____

Reviewer: _____

Date: _____

Place of Use

Claim No. _____

1. Is the basis of claim a Decree or License?
If Yes, go to 2a
If No, go to 2b
Yes () No ()
- 2a. Is a POU required?
If Yes, go to 5
If No, go to 14
Yes () No ()
- 2b. Is a POU required?
If Yes, go to 3
If No, go to 14
Yes () No ()
3. Is the basis of claim a Permit or Application?
If Yes, go to 4
If No, go to 7
Yes () No ()
4. Has the License been issued?
If Yes, go to 6
If No, recommend the POU as shown on the Permit. Go to 14
Yes () No ()
5. Does the parent right have a POU?
If Yes, go to 6
If No, go to 7
Yes () No ()
6. Can the claimed POU be verified using the water right file?
If Yes, recommend the POU as shown in the water right file. Go to 14
If No, go to 7
Yes () No ()
7. Is there evidence that there has been a change in the POU?
If Yes, go to 8
If No, go to 13
Yes () No ()
8. Can the change be verified as an accomplished transfer?
If Yes, add condition C05, go to 13
If No, go to 9
Yes () No ()
9. Does the change include an enlargement of the POU?
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
Yes () No ()
10. Was an enlargement claim filed?
If Yes, go to 13
If No, notify claimant that an enlargement claim is necessary. Go to 11
Yes () No ()
11. Did the claimant file an enlargement claim?
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
Yes () No ()
12. Was a transfer filed?
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
Yes () No ()
13. Does the file contain all of the necessary information to verify the POU?
If Yes, go to 14
If No, collect the necessary information. Conduct field exam if necessary. Go to 14
Yes () No ()
14. Is a POU remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. POU review is complete.
If No, POU review is complete.
Yes () No ()

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity**Water Right Period of Use and Diversion Rate**

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Reviewer: _____

Date: _____

Period of Use

Claim No. _____

1. Is the basis of claim a Decree or License? Yes () No ()
If Yes, go to 4
If No, go to 2
2. Is the basis of claim a Permit or Application? Yes () No ()
If Yes, go to 3
If No, go to 6
3. Has the License been issued? Yes () No ()
If Yes, go to 5
If No, recommend the Period of Use as shown on the Permit. Go to 18
4. Does the parent right have a Period of Use? Yes () No ()
If Yes, go to 5
If No, go to 6
5. Can the claimed Period of Use be verified using the water right file? Yes () No ()
If Yes, go to 14
If No, go to 6
6. Is there evidence that there has been a change in the Period of Use? Yes () No ()
If Yes, go to 7
If No, go to 12
7. Does the change include an enlargement in the Period of Use? Yes () No ()
If Yes, go to 9
If No, go to 8
8. Can the change be recommended as an accomplished transfer? Yes () No ()
If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12
If No, notify claimant that a transfer is necessary. Go to 11
9. Was an enlargement claim filed? Yes () No ()
If Yes, go to 12
If No, notify claimant that an enlargement claim is necessary. Go to 10
10. Did the claimant file an enlargement claim? Yes () No ()
If Yes, go to 12
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
11. Was a transfer filed? Yes () No ()
If Yes, go to 14
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
12. Does the file contain all of the necessary information to verify the Period of Use? Yes () No ()
If Yes, go to 13
If No, collect the necessary information. Conduct field exam if necessary. Go to 13
13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined? Yes () No ()
If Yes, go to 14
If No, go to 15
14. Is irrigation claimed as a purpose of use? Yes () No ()
If Yes, go to 16
If No, recommend the Period of Use of the parent right. Go to 18
15. Is irrigation claimed as a purpose of use? Yes () No ()
If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18
If No, the Period of Use is usually recommended as claimed. Go to 18
16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? Yes () No ()
If Yes, go to 17
If No, recommend the Period of Use of the parent right. Go to 18
17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use? Yes () No ()
If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18
If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18
18. Is a Period of Use remark and/or condition required? Yes () No ()
If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.

Quantity

Claim No. _____

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

Yes () No ()

If Yes, go to 4

If No, go to 2

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

Yes () No ()

If Yes, go to 3

If No, go to 6

3. Has the License been issued?

Yes () No ()

If Yes, go to 5

If No, recommend the Quantity shown on the Permit. Go to 11

4. Does the parent right have a diversion rate and/or volume?

Yes () No ()

If Yes, go to 5

If No, go to 7

5. Can the claimed diversion rate and/or volume be verified using the water right file?

Yes () No ()

If Yes, go to 8

If No, go to 7

6. Is the basis of claim a posted notice?

Yes () No ()

If Yes, consult the attorney assigned to the Basin. Go to 7

If No, go to 7

7. Is a flow measurement required?

Yes () No ()

If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9

If No, describe why a flow measurement is not required. Go to 9

8. Does the parent right have an annual diversion volume limit?

Yes () No ()

If Yes, go to 10

If No, go to 9

9. Is the source Ground Water and does the purpose of use require a diversion volume limit?

Yes () No ()

If Yes, go to 10

If No, go to 11

10. Is irrigation a purpose of use?

Yes () No ()

If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

11. Has a diversion volume limit for this water use been established by a decree, license or transfer?

Yes () No ()

If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

If No, go to 12

12. Is a Quantity remark and/or condition required?

Yes () No ()

If Yes, enter the appropriate remark and/or condition. Quantity review is complete.

If No, quantity review is complete.

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. _____

Claim No.: _____

This image shows a single sheet of white paper with horizontal black ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Claim No.: _____ Reviewer _____ Date _____

15 West Center
Soda Springs, ID 83276
Phone (208) 547-3993
FAX (208) 547-3939

Idaho Department of Water Resources

Fax

To: Katy Jackson	From: Barbara Payne
Fax: 525-7177	Pages: 13
Phone:	Date: 9/21/2005
Re: Basin 27 NOEs	CC:

Hi Katy,

This FAX contains a copy of the NOEs from a claimant that came into the office today. Since we have the files, I will file the original in each claim file.

27-4137	Preston R. Allen & Sons, Partnership
27-4141	Preston R. Allen & Sons, Partnership
27-10096	Preston R. Allen & Sons, Partnership
27-11016	Preston R. Allen & Sons, Partnership
27-11334	Preston R. Allen
27-11952	Preston R. Allen & Sons, Partnership
27-11953	Preston R. Allen
27-12000	Preston R. Allen & Sons, Partnership (NOE dated 5/26/2005. Irrigation)
27-12000	Preston R. Allen & Sons, Partnership (NOE dated 7/15/2005. Stockwater)
27-12003	Preston R. Allen & Sons, Partnership
27-12009	Preston R. Allen
27-12027	Preston Allen & Sons

Thanks.

Barbara





State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Preston R. Allen
Star Rt., Box 63
Declo, Idaho 83323

April 23, 2003

Re: Evidence of Priority

Claim No.(s) A27-04137 & A27-04141

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 27. The Notice(s) of Claim identified with the number shown above, has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have enclosed the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible.

.....
The Department cannot recommend the court decree the Notice if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by May 23, 2003, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
 Adjudication Claim Report

[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

04/28/2003

WATER RIGHT NO. 27-4137

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

Priority Date: 06/01/1941

Basis: Statutory Claim

Status: Active

Source	Tributary
BLACKFOOT RIVER	SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	2.34 CFS	
Total Diversion			2.34 CFS	

Location of Point(s) of Diversion:

BLACKFOOT RIVER	NESE	Sec. 26	Township 07S	Range 43E	CARIBOU County
-----------------	------	---------	--------------	-----------	----------------

Place(s) of use:

[.../RightReportAJ.asp?BasinNumber=27&SequenceNumber=4137&SplitSuffix=&TypewrWaterR4/28/03](#)

Place of Use Legal Description: IRRIGATION CARIBOU County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
07S	43E	27		SWNE	20		SENE	10						
		34		NWSE	20		SWSE	16						
08S		2		NWNW	39									
		3		NENE	12									

Total Acres: 117

Dates:

Licensed Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
_____	<u>27-66A</u>	_____	_____	<u>27-11951</u>	_____
_____	<u>27-70A</u>	_____	_____	<u>27-11952</u>	_____
_____	<u>27-4137</u>	_____	_____	<u>27-11953</u>	_____
_____	<u>27-4141</u>	_____	_____	_____	_____
_____	<u>27-10096</u>	_____	_____	_____	_____

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

Preston R Allen
2601 E 300 S. P.O. Box 63

4. New Owner/Claimant(s)

Preston R Allen & Sons

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

2601 E 300 S.

City, State and ZIP Code

Declo, ID 83323

New Telephone Number

(208) 349-5714

5. Date you acquired the property

FAXED

9:39am

6/23/05 CB

SCANNED

JUL 18 2001

Log for claim 27-04137

Spatial Dynamics LTD

12/7/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s43e	27	SWNE	20	40	Indiscernible
07s43e	27	SENE	10	27	Indiscernible
07s43e	34	NWSE	20	27	
07s43e	34	SWSE	16	20	
08s43e	2	NWNW	39	39	
08s43e	3	NENE	12	27	Indiscernible
Totals:			117	180	

AJ5809NP
No. A27-04137

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/00
PAGE: 91

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PRESTON R ALLEN 2601 E 300 S BOX 63 DECLO ID 83323 (208) 349-5573	06/01/1941	IRRIGATION	04-01 11-01	2.340 CFS	
TOTAL DIVERSION:					2.340 CFS	

Water Source: BLACKFOOT RIVER

Tributary to: SNAKE RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: T07S R43E S26 NESE CARIBOU County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
07S	43E	27	:			20		10	:					:											:	30.0
07S	43E	34	:						:					:					20		16				:	36.0
08S	43E	2	:						:		39			:											:	39.0
08S	43E	3	:	12					:					:											:	12.0
																							TOTAL ACRES		117.0	

POU County: CARIBOU

Other Rights: A27-10096, 10097, 10098, 00004Q, 04141

Remarks: GEN 24.4 CFS DECREED BLACKFOOT WATER ALSO USED ON ACRES.
ADDRESS CHANGE BY CLAIMANT LETTER.

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

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

Should questions arise during
the processing of this applica-
tion please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

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 Preston Allen

(Name of Claimant)

Star Route Box 63, Declo, ID 83323

(Mailing Address)

Telephone No. 349-5573

(Zip Code)

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, 1941

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) (cud)

Blackfoot River tributary to SNAKE 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:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>2.34 cfs</u>		Use <u>Irrigation</u>		Period of Use From <u>4/1</u>	To <u>11/1</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

- (4) 2.34 cfs TOTAL QUANTITY USED.
(cfs, af)

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

NE 1/4 SE 1/4, Sec. 26 Twp. 7S Rge. 43E B.M., County of Caribou

Additional points of diversion: _____

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. Headgate and canal diversion

- (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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	43E	27			20	10													30
7S	43E	34													20	16			36
8S	43E	3	12																12
8S	43E	2					39												39

No. of acres 117

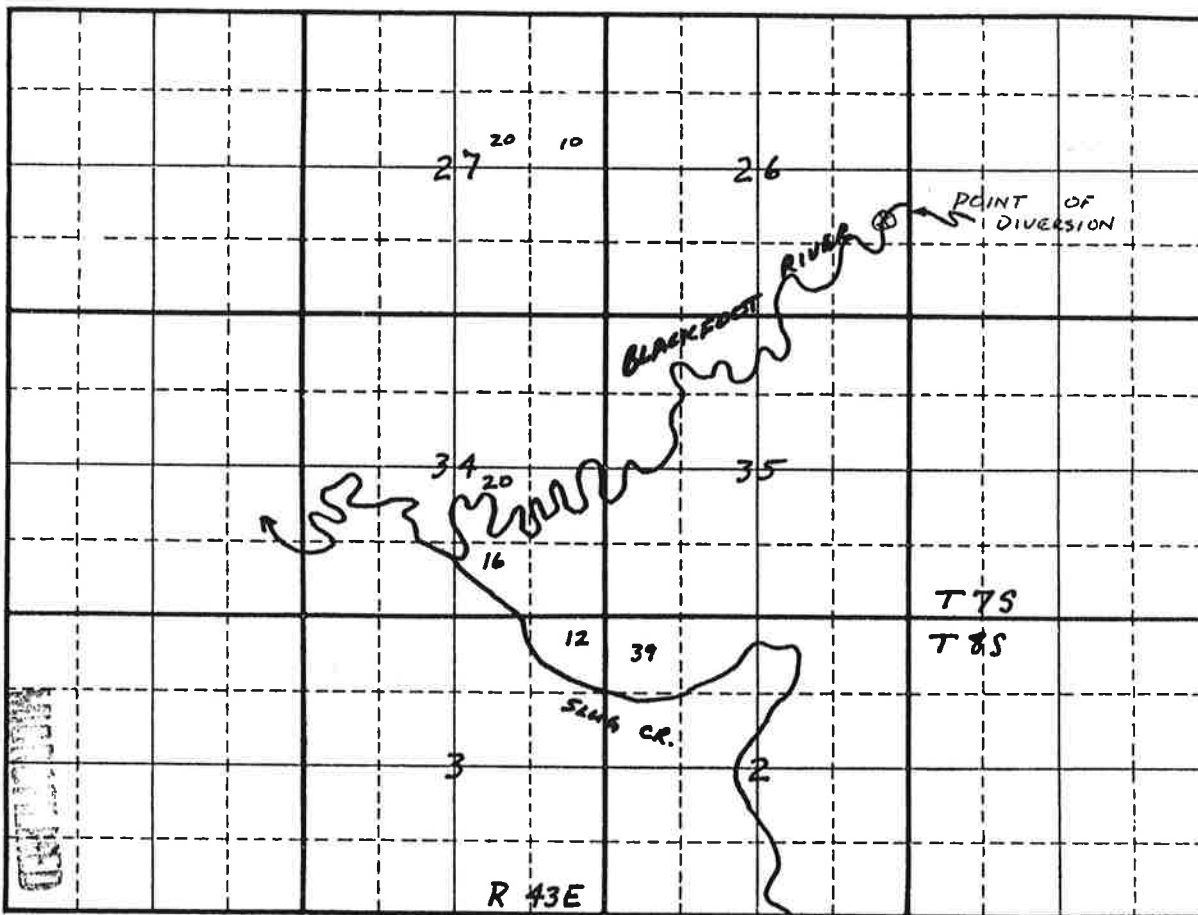
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

2,000 head cattle

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: N/A

(8) Remarks _____



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 Cassia) 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 20th day of June, 1983.

Preston Allen
(Claimant)

Wm. Walker
Notary Public
Residing at Burley

My commission expires 2-1-86

Received by SLC Date 6-24-83 FOR DEPARTMENT USE ONLY
Prelim. check by KG Date 6/22/83 Exception filed by: _____ Forwarded to _____ Date _____
\$30.00 fee received by OW Date 6-27-83 claimant by: _____
Published in Caribou County Sun #30260
Dates 10/6 - 10/13/83



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098
 Phone: (208) 327-7900 FAX: (208) 327-7866

October 7, 1997

PRESTON R ALLEN
 2601 E 300 S
 DECLO ID 83323

cy to E.O., B.27
orig. to S.O., B.43
 RECEIVED
 OCT 16 1997

PHILIP E. BATT
 GOVERNOR

KARL J. DREHER
 DIRECTOR

Department of Water Resources

Re: Snake River Basin Adjudication (SRBA)
 Water Right No. A27-00004Q, A27-00066A, A27-00070A, A27-04132, A27-04137,
 A27-04141, A27-10075, A27-10096, A27-10097, A27-10098, A43-02321B,
 A43-02574B, A43-02576B, A43-04012B, A43-04012C, A43-04012D, A43-04013B,
 A43-04015B, A43-04186, A43-04187, A43-04189, & A43-10027

Change of Address

all records modified 10-23-97.

Dear Water Right Holder:

IDWR has been notified the address presently on our records is incorrect. Although we have reached you at the address above we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your claim or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office postmarked by October 22, 1997. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

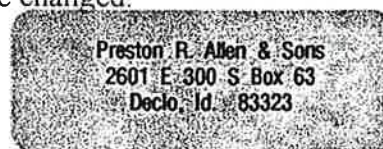
If there has been a change in ownership of any of the properties connected with the water right referenced above, please call this office toll-free at 1-800-451-4129 to obtain a form to make this required change to the water right records.

Yours truly,

 Danni M. Smith
 SRBA Sr. Secretary

The address is correct as shown above or as otherwise changed.

Signature of water right claimant



JUL 18 2001

#167

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: A27-04137
Date Received: 3/06/1989
Receipt No: 5007713
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PRESTON R. ALLEN
Address: STAR RT, BOX 63
DECLO, ID

208-349-5573

83323

2. Date of Priority: JUN 01, 1941

3. Source: BLACKFOOT RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	43E	26	NE	SE			CARIBOU

5. Description of diverting works:
HEADGATE & CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.340		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	43E	27	SW	NE		IRR	20.0
			SE	NE		IRR	10.0
Section Acres							30.0

A27-04137

Page 1

Date: 03/20/89

MICROFILMED

NOV 12 1992

A2704137



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	43E	34	NW	SE		IRR	20.0
			SW	SE		IRR	16.0
					Section Acres		36.0
08S	43E	2	NW	NW		IRR	39.0
					Section Acres		39.0
		3	NE	NE		IRR	12.0
					Section Acres		12.0
					Total Acres		117.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:
A27-10096, 10097, 10098, 00004Q, 04141

14. Remarks:
24.4 CFS DECREED BLACKFOOT WATER ALSO USED ON ACRES.

15. Basis of Claim: STATUTORY CLAIM

(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.

MICROFILMED
NOV 12 1992

AJ0749NP
No. A27-04137

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

DATE: 10/23/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PRESTON R ALLEN 2601 E 300 S BOX 63 DECLO ID 83323 (208) 349-5573	06/01/1941	IRRIGATION	04-01 11-01	2.34 CFS	
TOTAL DIVERSION:					2.34 CFS	

Water Source: BLACKFOOT RIVER

Tributary to: SNAKE RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T07S R43E S26

NESE

CARIBOU County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07S	43E	27	:					20		10										:	30.0
07S	43E	34	:															20	16	:	36.0
08S	43E	2	:									39								:	39.0
08S	43E	3	:	12																:	12.0
TOTAL ACRES																				:	117.0

POU County: CARIBOU

Other Rights: A27-10096, 10097, 10098, 00004Q, 04141

Remarks: GEN 24.4 CFS DECREED BLACKFOOT WATER ALSO USED ON ACRES.
ADDRESS CHANGE BY CLAIMANT LETTER.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

DO NOT FILE

NOV 12 1992