

10/02/2003

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

**RIGHT NUMBER: 27-7258**

NAME AND ADDRESS: BLACKFOOT HARBOR SUBDIVISION  
P O BOX 159  
SODA SPRINGS ID 83276

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.300 CFS  
24.000 AFY

The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.

PRIORITY DATE: 01/24/1981

POINT OF DIVERSION:

T07S R42E S7 NENW Within CARIBOU County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>        |
|-----------------------|----------------------|------------------------|
| DOMESTIC              | 01/01 12/31          | 0.300 CFS<br>24.00 AFY |

Domestic use is for 40 homes. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.

PLACE OF USE: DOMESTIC Within CARIBOU County

|               |      |               |      |
|---------------|------|---------------|------|
| T07S R42E S07 | NENW | T07S R42E S07 | NWNW |
| T07S R42E S07 | SWNW | T07S R42E S07 | SENW |

This water right is appurtenant to the described place of use.

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

This right is subject to all prior water rights and may be forfeited by five years of non-use.

Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

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: License

27-07258

Blackfoot Harbor  
Subdivision

No Layout Needed

Domestic

10/02/2003

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: 27-7258 8

BLACKFOOT HARBOR SUBDIVISION  
P O BOX 159  
SODA SPRINGS ID 83276

221-4082

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):  
*I disagree with the quantity of the water right.*
2. Describe the changes you wish to make in the proposed recommendation:  
*Increase the quantity of the water right to 0.515 cfs (41.2 AFY).*
3. Give a brief explanation as to why you disagree with these portions:  
*The subdivision has grown to 50 homes and is expected to grow to 70 homes in the next few years. The additional water right is needed to supply water to those homes.*

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

DATE: 7-25-05

SIGNATURE:

Please print your name:

Carl Tourpin

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

9-8-05 - Telecon with Carl Tourpin - advised that the subdivision needs to file a new application for ~~permits~~

RECEIVED

AUG 08 2005

Department of Water Resources  
Eastern Region

SCANNED

AUG 04 2005

Kelly  
8/11

## Notes

8/11/03. Verify David H. Clegg as  
president of the Blackfoot Harbor  
Subdivision. Also verify address.  
Carl Toupin is the President of the  
Property Owners Association.

P.O. Box 159, Soda Springs, ID 83276.

Carl Toupin (Home) 281 S 1 E, Soda Springs, ID 83276

Home phone 547-3358

8-12-03 BHP

9-18-03 Name is still under Blackfoot Harbor  
Subdivision

| Owner Type | Full Name | Address | City | State | Zip | Phone |
|------------|-----------|---------|------|-------|-----|-------|
|------------|-----------|---------|------|-------|-----|-------|

Name connector: and \_\_\_\_\_, or \_\_\_\_\_, and/or \_\_\_\_\_

Current Owner \_\_\_\_\_

Current Owner \_\_\_\_\_

Representing Attorney: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Accompanied By: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Relationship to Claimant: \_\_\_\_\_

Date of Field Exam: \_\_\_\_\_ Time: \_\_\_\_\_

Directions to Property (if different from above) and/or update owner information:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears slightly aged or off-white. There is no handwriting or other markings on the page.

Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

**Priority Date Data Entry Form**Claim Number: A 27-07258

Water Right Priority Date: \_\_\_\_\_ Water Right Basis: \_\_\_\_\_

Claimed Priority Date: \_\_\_\_\_ Claimed Basis: \_\_\_\_\_

Recommended Priority Date: \_\_\_\_\_ Recommended Basis: \_\_\_\_\_

☒ 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:

License

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Reviewer: CBDate: 8/11/03

1. Should this water use have been included in a later court decree of the water rights from this source? Yes ( ) No (X)  
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
- a. 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
- b. 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
3. Is the basis of claim a decree or license? Yes (X) No ( )  
If Yes, go to 5  
If No, go to 7
4. Does the decree or license have a Priority Date? Yes (X) No ( )  
If Yes, go to 6  
If No, Consult the attorney assigned to the Basin, go to 15
5. Did the Claimant claim the decreed or licensed Priority Date? Yes (X) 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
6. Is the basis of claim a Permit or Application? Yes ( ) No ( )  
If Yes, go to 10e  
If No, go to 8
7. 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
8. 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
- 0e. 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
1. 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.
2. 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
3. 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
4. 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.
5. Is the basis of claim coded correctly? Yes (X) No ( )  
If Yes, go to 16  
If No, Enter the appropriate basis of claim. *verify license*
6. Is a Priority Date remark and/or condition required? Yes ( ) No (X)  
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 Form**Claim Number: A27 - O 7258

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? \_\_\_\_\_

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

license

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Transfers Changing POD \_\_\_\_\_

Reviewer: CBDate: 8/11/03

## Point of Diversion

Claim No. 27 - 7258

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. 27 - 7258.

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.

**Source**

## Purpose of Use Data Entry Form

Claim Number: A27-D7258☒ 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 |
|-----------|-----------------|-----------------|------------|-----------------|
| Domestic  | 40              |                 |            |                 |
|           |                 |                 |            |                 |
|           |                 |                 |            |                 |

Document how the Purpose of Use was verified:

License

Transfers Changing Purpose of Use \_\_\_\_\_

Reviewer: CBDate: 8/11/03

## Purpose of Use

Claim No. 27-7258

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 Purpose(s) of Use as shown on the Permit. Go to 13  
Yes (☐) No (☐)
4. Does the parent right have a Purpose of Use?  
If Yes, go to 5  
If No, go to 6  
Yes (☒) No (☐)
5. Can the claimed Purpose of Use be verified using the water right file?  
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  
Yes (☒) No (☐)
6. Is there evidence that there has been a change in the Purpose of Use?  
If Yes, go to 7  
If No, go to 11  
Yes (☐) No (☐)
7. Can the change be verified as an accomplished transfer?  
If Yes, add condition C04, go to 11  
If No, go to 8  
Yes (☐) No (☐)
8. Does the change include an enlargement of the Purpose of Use?  
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  
Yes (☐) No (☐)
9. Was an enlargement claim filed?  
If Yes, go to 11  
If No, Notify claimant that an enlargement claim is necessary. Go to 10  
Yes (☐) No (☐)
10. Did the claimant file an enlargement claim?  
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  
Yes (☐) No (☐)
11. Does the file contain all of the necessary information to verify the Water Use?  
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  
Yes (☐) No (☐)
12. Did the claimant file a transfer?  
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  
Yes (☐) No (☐)
13. Is a Purpose of Use remark and/or condition required?  
If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.  
If No, purpose of Use review is complete.  
Yes (☐) No (☒)

Purpose of Use

## Place Of Use Data Entry Form

Claim Number: A27-07258☒ 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:

License

Transfers Changing POU \_\_\_\_\_

Reviewer: CB

Date:

8/11/03

**Place of Use**

Claim No. \_\_\_\_\_

1. Is the basis of claim a Decree or License? Yes ☒ No ☐  
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 ☐ No ☐  
If Yes, go to 3  
If No, go to 14
3. Is the basis of claim a Permit or Application? Yes ☐ No ☐  
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 ☐ 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**

**Period of Use and Quantity Data Entry Form**Claim Number: A27-07258☒ 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:

License

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Reviewer: CBDate: 8/11/03

## Period of Use

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 Period of Use as shown on the Permit. Go to 18  
Yes ☐ No ☐
4. Does the parent right have a Period of Use?  
If Yes, go to 5  
If No, go to 6  
Yes ☒ No ☐
5. Can the claimed Period of Use be verified using the water right file?  
If Yes, go to 14  
If No, go to 6  
Yes ☒ No ☐
6. Is there evidence that there has been a change in the Period of Use?  
If Yes, go to 7  
If No, go to 12  
Yes ☐ No ☐
7. Does the change include an enlargement in the Period of Use?  
If Yes, go to 9  
If No, go to 8  
Yes ☐ No ☐
8. Can the change be recommended as an accomplished transfer?  
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  
Yes ☐ No ☐
9. Was an enlargement claim filed?  
If Yes, go to 12  
If No, notify claimant that an enlargement claim is necessary. Go to 10  
Yes ☐ No ☐
10. Did the claimant file an enlargement claim?  
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  
Yes ☐ No ☐
11. Was a transfer filed?  
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  
Yes ☐ No ☐
12. Does the file contain all of the necessary information to verify the Period of Use?  
If Yes, go to 13  
If No, collect the necessary information. Conduct field exam if necessary. Go to 13  
Yes ☐ No ☐
13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined?  
If Yes, go to 14  
If No, go to 15  
Yes ☐ No ☐
14. Is irrigation claimed as a purpose of use?  
If Yes, go to 16  
If No, recommend the Period of Use of the parent right. Go to 18  
Yes ☐ No ☒
15. Is irrigation claimed as a purpose of use?  
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  
Yes ☐ No ☐
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?  
If Yes, go to 17  
If No, recommend the Period of Use of the parent right. Go to 18  
Yes ☐ No ☐
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?  
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  
Yes ☐ No ☐
18. Is a Period of Use remark and/or condition required?  
If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.  
Yes ☐ No ☒

## Quantity

Claim No. 27-7258

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 Quantity shown on the Permit. Go to 11

Yes (☐) No (☐)

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

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

Yes (☒) No (☐)

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

If Yes, go to 8  
If No, go to 7

Yes (☒) No (☐)

6. Is the basis of claim a posted notice?

If Yes, consult the attorney assigned to the Basin. Go to 7  
If No, go to 7

Yes (☐) No (☐)

7. Is a flow measurement required?

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

Yes (☐) No (☐)

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

If Yes, go to 10  
If No, go to 9

Yes (☒) No (☐)

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

If Yes, go to 10  
If No, go to 11

Yes (☐) No (☐)

10. Is irrigation a purpose of use?

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

Yes (☐) No (☒)

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

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

Yes (☐) No (☐)

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

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

Yes (☐) No (☒)

Quantity

## Summary

Claim No. 27 - 7258

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. Is an additional remark and/or condition required?  
If Yes, enter the appropriate remark and/or condition. Go to 6  
If No, go to 6  
Yes (☒) No (☐)
6. Would you like to view the recommended right?  
If Yes, go to 7  
If No, the review is incomplete. The recommendation must be viewed to complete the review.  
Yes (☒) No (☐)
7. 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 8  
If No, go to 8  
Yes (☐) No (☒)
8. 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 9  
If No, go to 9  
Yes (☐) No (☒)
9. 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

## Summary Data Entry Form

Claim No.: \_\_\_\_\_

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

C18 Gen Cond

903 Gen Cond.

904 Gen Cond.

901 Gen Cond.

902 Gen Cond.

132 Lookin Explanatory remarks for one that says. "Domestic use for 40 homes"

Split or Combined Right Analysis:

None

Attached Field Notes or Other Documents:

Desk Top review

Claim No.:

Reviewer

CB

Date

8/11/03

[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report

04/29/2003

WATER RIGHT NO. 27-7258

| <u>Owner Type</u> | <u>Name and Address</u>                                                                        |
|-------------------|------------------------------------------------------------------------------------------------|
| Current Owner     | BLACKFOOT HARBOR SUBDIVISION<br>C/O DAVID H CLEGG PRES<br>PO BOX 844<br>SODA SPRINGS, ID 83276 |

Priority Date: 01/24/1981

Basis: License

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| Beneficial Use  | From | To    | Diversion Rate | Volume |
|-----------------|------|-------|----------------|--------|
| DOMESTIC        | 1/01 | 12/31 | 0.3 CFS        | 24 AFA |
| Total Diversion |      |       | 0.3 CFS        | 24 AFA |

Location of Point(s) of Diversion:

|              |      |         |              |           |                |
|--------------|------|---------|--------------|-----------|----------------|
| GROUND WATER | NENW | Sec. 07 | Township 07S | Range 42E | CARIBOU County |
|--------------|------|---------|--------------|-----------|----------------|

Licensed Diversion Capacity: 0.3

Place(s) of use:

Place of Use Legal Description: DOMESTIC CARIBOU County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 07S      | 42E   | 7       |     | NENW  |       |     | NWNW  |       |     | SWNW  |       |     | SEnw  |       |

Remarks:

|    |         |                               |
|----|---------|-------------------------------|
| 1. | General | Domestic use is for 40 homes. |
|----|---------|-------------------------------|

Dates:

Licensed Date: 12/21/1990

Decreed Date:

Permit Proof Due Date: 1/1/1986

Permit Proof Made Date: 12/13/1985

Permit Approved Date: 1/22/1981  
Permit Moratorium Expiration Date:  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
Water Supply Bank Enrollment Date Accepted:  
Water Supply Bank Enrollment Date Removed:  
Application Received Date: 11/28/1980  
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

DATE RECEIVED 4-25-90 CK # 327 AMOUNT \$ 130.00

YES NO Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ Required Info? \*
2. Is a priority date entered? ☒ YES ☐ NO ☐ Required Info? \*
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO ☐ Required Info? \*
- See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO ☐ Required Info? \*
3. (a) Is a source entered? ☒ YES ☐ NO ☐ Required Info? \*
- (b) Is a tributary to entered? (if required) ☐ YES ☒ NO ☐ Required Info? \*
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ Required Info? \*
5. Is there a description of the diverting works? ☐ YES ☒ NO ☐ Required Info? \*
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO ☐ Required Info? \*
- Is the period of use included? ☒ YES ☐ NO ☐ Required Info? \*
- Is a quantity claimed for each use? ☒ YES ☐ NO ☐ Required Info? \*
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ Required Info? \*
8. If required is a consumptive use entered? ☐ YES ☒ NO ☐ Required Info? \*
- Is the consumptive use correct? ☐ YES ☒ NO ☐ Required Info? \*
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ YES ☒ NO ☐ Required Info? \*
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ Required Info? \*
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ Required Info? \*
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ Required Info? \*
13. Are other water rights listed or "none" indicated? ☐ YES ☒ NO ☐ Required Info? \*
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ YES ☒ NO ☐ Required Info? \*
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ Required Info? \*
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ YES ☒ NO ☐ Required Info? \*
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ Required Info? \*
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ Required Info? \*
19. Was this claim filed on time, or was an extension granted? ☐ YES ☒ NO ☐ Required Info? \*
20. Is the fee enclosed correct? ☐ YES ☒ NO ☐ Required Info? \*
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☒ NO ☐ Required Info? \*
22. Should this claim be data entered? ☒ YES ☐ NO ☐ Required Info? \*

Claim checked by: BHS Date: 2-26-91

Claim must be returned to claimant: ☐ (Yes) ☐ (No)

Claimant must be notified of modifications: ☐ (Yes) ☐ (No)

Receipt Prepared by: (?) Date: 8/9/90 Checked by:  Date:

Claim data entered by: (?) Date: 8/9/90

Sent to claimant by:  Date:

SD-165

IDAHO DEPARTMENT OF WATER RESOURCES  
DETAIL RECEIPT SUMMARY SCREEN

DATE 09/12/90  
TIME 08:18:28

REC/NO - C016518 AR/NO -  
FROM: BLACKFOOT HARBOR SUB.

RECEIPT TYPE - CK DOC/NO - 81  
REMARKS -

MOST CURRENT RECEIPT

TYPE OF PAYMENT  
ADJUDICATION FEE

| PROGRAM | ACCT | CLASS | FEE   |
|---------|------|-------|-------|
| 410162  | 9337 | 6490  | 80.00 |

TOTAL DUE - 80.00

| WR/NO | WR FEE | WR/NO | WR FEE | WR/NO | WR FEE |
|-------|--------|-------|--------|-------|--------|
|       | 80.00  |       |        |       |        |

(ENTER=CONTINUE)

(GOLD7=SELECTION SCREEN)

(GOLD8=EXIT TO MENU)

MICROFILMED

NOV 12 1992



# State of Idaho

## DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

September 17, 1990

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

**Blackfoot Harbor Subdivision**

240 S. Main

Soda Springs, ID 83276

Re: Snake River Basin Adjudication (SRBA)

**Caribou County** - Claim #A27-07258

Receipt #C016518

Dear Claimants:

We are returning a copy of your Notice of Claim to a Water Right filed for property owned by Blackfoot Harbor Subdivision in Caribou County. We have noted a problem with the claim in regards to the signature of claimants, Item #16, that we would like you to correct.

The original claim was signed by an individual who may or may not be authorized to act on behalf of the organization. The individual signature, as it has been done, does not protect the interest of the organization in submitting this claim. Please have an officer or designated agent sign in the organization block of the new claim form before a notary public.

Please return the documents to this office to the attention of Roxanne McCarthy. If you will make these corrections before October 17, 1990, you will not be assessed a late filing fee. Please do not hesitate to contact this office if you have any questions or concerns.

Your Notice of Claim form referenced above has been received, but postmarked after the filing deadline for Caribou County. This February 15, 1990, deadline was noted on the Commencement Notice you received. The statutes governing the adjudication provide that late fees be assessed to encourage prompt filing of the Notices of Claims. Idaho Code §42-1409(8) sets these fees at \$50.00 or 15% whichever is greater. The late fees applicable to your claim would be \$50.00. As you will note your extension request was denied.

We will suspend for 30 days the processing of your claim until the late fees are paid. The refund of the fees paid under Receipt #C016518, will be started after 30 days and your fees refunded unless late fees are paid as set forth above. You may resubmit another claim within the next two years by submitting \$130.00 (\$80.00 filing fee plus \$50.00 late fee) unless the law relative to late fees is changed.

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**NOV 12 1992**

Blackfoot Harbor Subdivision  
Page 2 - Caribou County  
September 17, 1990

Do not hesitate to contact this office if you have any questions or concerns.

Yours truly,



John D. Carlson  
Adjudication Supervisor

JDC:RM:jt:state:tf

Enclosures:

Denied Request for Extension

D & S Pamphlet

Photo Copy Of Notice Of Claim #A27-07258

Modified Claim With Organizational Block #A27-07258

MICROFILMED

NOV 12 1992

IDAHO DEPARTMENT OF WATER RESOURCES  
RECEIPT SUMMARY QUERYDATE 10/23/90  
TIME 07:59:11

|   | REC/NO  | FROM                 | DATE  | FEE     | AR/NO   | STATUS |
|---|---------|----------------------|-------|---------|---------|--------|
| X | C016518 | BLACKFOOT HARBOR SUB | 42590 | 80.00   |         | W/ /   |
|   | C016519 | LYNCH, LAWREENCE DUA | 42590 | 20.00   |         | / /    |
| - | C016520 | LE MOYNE DEVELOPMENT | 42590 | 1.00    |         | / /    |
| - | C016521 | NELSON,ROSHOLT,ROBER | 42590 | 1.75    |         | / /    |
| - | C016522 | HOLLAND & HART       | 42590 | 41.75   |         | / /    |
| - | C016523 | SCHRODER, GERALD E.  | 42590 | 10.00   |         | / /    |
| - | C016524 | KINDER, KENNETH, IDA | 42590 | 10.00   |         | / /    |
| - | C016525 | SIMPLOT LIVESTOCK CO | 42690 | 996.00  |         | W/ /   |
| - | C016526 | SCHUMACHER, MARK R.  | 42690 | 30.00   |         | / /    |
| - | C016527 | TETON VALLEY LODGE S | 42690 | 100.00  |         | / /    |
| - | C016528 | STEWART TITLE        | 42690 | 101.92  |         | / /    |
| - | C016529 | HOLLAND, THEODORE W. | 42690 | 2.50    |         | / /    |
| - | C016530 | DENNIE ARNOLD FARMS  | 42690 | 859.80  | E000008 | W/ /   |
| - | C016531 | MILLER SNOW MEADOW F | 42690 | 473.07  | S000025 | W/ /O  |
| - | C016531 | MILLER SNOW MEADOW F | 72690 | -473.07 | S000025 | W/ /B  |

(ENTER=CONTINUE)

(GOLD7=SELECTION SCREEN)

(GOLD8=EXIT TO MENU)

MICROFILMED  
NOV 12 1992

SD-165

IDAHO DEPARTMENT OF WATER RESOURCES  
DETAIL RECEIPT SUMMARY SCREEN

DATE 10/23/90  
TIME 08:00:03

REC/NO - C016518 AR/NO -  
FROM: - BLACKFOOT HARBOR SUB.

RECEIPT TYPE - CK DOC/NO - 81  
REMARKS -

MOST CURRENT RECEIPT

| TYPE OF PAYMENT  | PROGRAM | ACCT | CLASS | FEE   |
|------------------|---------|------|-------|-------|
| ADJUDICATION FEE | 410162  | 9337 | 6490  | 80.00 |

TOTAL DUE - 80.00

| WR/NO | WR FEE | WR/NO | WR FEE | WR/NO | WR FEE |
|-------|--------|-------|--------|-------|--------|
|       | 80.00  |       |        |       |        |

(ENTER=CONTINUE)

(GOLD7=SELECTION SCREEN)

(GOLD8=EXIT TO MENU)

MICROFILMED

NOV 12 1992

Caribou Co. MEMO TO BA CLAIM FILE NO. A27 - C 25P

CLAIMANT'S NAME: Dan Elgg 547-2344 DATE: 11/5/90

EMPLOYEE: John C.

RE: Letter sent 70 days ago.

Mr. Elgg needs to sign claim as pres. <sup>plus notes</sup> and submit  
\$50<sup>00</sup> or explanation -

He indicated he will do so.

Roxanne has file checked at JPR

MICROFILMED

NOV 12 1990

RECEIPT NUMBER : C016518

RECEIPT AMT : 80.00

RECEIPT TYPE : CK  
DATE & TIME : 04/25/90 12:02:40  
FROM PAYER : BLACKFOOT HARBOR SUB. \_\_\_\_\_  
USER ID : KEATHLEY \_\_\_\_\_  
ADJUST FLAG : W  
TRANS NUMBER : 901233  
AR NUMBER : \_\_\_\_\_  
RECEIPT REMARKS : \_\_\_\_\_  
UPDATE REMARKS : \_\_\_\_\_  
AMOUNT REFUNDED : \_\_\_\_\_  
REFUND REASON : \_\_\_\_\_  
REFUND NAME : \_\_\_\_\_

CHECK NUMBER: 81 \_\_\_\_\_  
JULIAN DATE : -

REC. GROUP : F  
TRANS YR-MO : 1990-04

REFUND DATE : \_\_/\_\_/\_\_

REFUND CK NO: \_\_\_\_\_

RECEIPTED FEES : \_

WATER RIGHT NUMBERS: \_

(ENTER=CONTINUE)

(GOLD2=UPDATE)

MICROFILMED

NOV 12 1992

SD-170

IDAHO DEPARTMENT OF WATER RESOURCES  
RECEIPT MAINTENANCE II - MAINT. SCREEN 2

DATE: 11/05/90  
TIME: 10:06:40

RECEIPT NUMBER : C016518

RECEIPT AMT : 80.00

| DESCRIPTION      | PROGRAM | ACCT | CLASS | FEE   |
|------------------|---------|------|-------|-------|
| ADJUDICATION FEE | 410162  | 9337 | 6490  | 80.00 |
|                  |         |      |       |       |
|                  |         |      |       |       |
|                  |         |      |       |       |

( ENTER=CONTINUE )      ( GOLD2=UPDATE )

MICROFILMED  
NOV 12 1992

SD-171

IDAHO DEPARTMENT OF WATER RESOURCES  
RECEIPT MAINTENANCE II - MAINT. SCREEN 3

DATE: 11/05/90  
TIME: 10:06:47

RECEIPT NUMBER : C016518

PAGE 1 OF 3

RECEIPT AMT :

80.00

80.00

(ENTER=CONTINUE) (GOLD2=UPDATE) (GOLD4=PREV PG) (GOLD5=NEXT PG)

MICROFILMED  
NOV 12 1992

RECEIPT  
For Monies Paid  
to the  
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: C018802

Date: 11/07/90  
Time: 09:37:19

Received

From: BLACKFOOT HARBOR SUBDIVIS

| Type of Payment  | Program Acct Class | Amount  |
|------------------|--------------------|---------|
| ADJUDICATION FEE | 0410162 9337 6490  | \$50.00 |
| Total            |                    | \$50.00 |

CHECK 327

Idaho Department of Water Resources

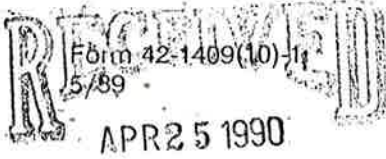
Region: STATE

Signature: [Signature]

RECEIPT # C016518 =  
ADJUDICATION FEE

RECEIPT # C018802 =  
LATE FEE

MICROFILMED  
NOV 12 1992



Date Received \_\_\_\_\_

Department of Water Resources

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.

Blackfoot Harbor Subdivision (208) 547-2344  
Name of Claimant Phone Number

240 S. Main Soda Springs Idaho 83276  
Mailing Address City State Zip

Caribou February 15, 1990  
County(s) where place of use is located Date claim originally due

# A27-07258  
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:

I had been in touch with the Adjudication Office where I had been told there were  
some discrepancies in the permit. As a result, there had to be some time spent  
between here and the Idaho Falls Office while straightening this out before the  
permit could be mailed.

Claimant requests an extension to May 1, 19 90

[Signature] April 24, 19 90  
Signature Date of request

Partner -  
Title

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

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

Claim was prepared 1/23/90 with only change  
being in mailing address.

and if granted the filing deadline is extended to \_\_\_\_\_, 19 \_\_\_\_\_

Signed this 28 day of April, 19 90

[Signature]  
Director or his designated agent

DAVID B. SHAW

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

MICROFILMED

NOV 12 1992

## COVER LETTER MENU

*Blue Foot Harbor*  
Last Name of Claimant

- ☐ 1. Address incomplete
- ☐ 2. Priority date (month/day)
- ☐ 2A. Priority date (missing - D&S groundwater)
- ☐ 2B. Priority date (missing - surface water)
- ☐ 2C. Priority date (missing - permit required: groundwater)
- ☐ 3A. Priority date after November 19, 1987
- ☐ 3B. Priority date after March 25, 1963 (permit required)
- ☐ 3C. Priority date after May 20, 1971 (permit required)
- ☐ 4A. Point of diversion incomplete
- ☐ 4B. Point of diversion incomplete (draft claim)
- ☐ 5. Description of diversion works
- ☐ 6. No water uses claimed (Item 6 blank)
- ☐ 6A. Wrong form
- ☐ 6B. Period of use
- ☐ 6/7 No quantity claimed
- ☐ 8a. Consumptive use inaccurate
- ☐ 8b. Consumptive use not entered
- ☐ 9. Non-irrigation use(s) not listed
- ☐ 10. Insufficient legal description of the place of use.
- ☐ 11. County in which the place of use is located not entered
- ☐ 12. Ownership of the place of use not "checked"
- ☐ 13. Other rights not listed and "None" is not "checked"
- ☐ 14. Required remarks not entered
- ☐ 15. Basis of claim not "checked" or "circled"
- ☐ 16. Multiple signatures required
- ☐ 16A. Notary required
- ☐ 16AA. Notary seal required
- ☐ 16B. Signature doesn't match claimant (individual)
- ☐ 16C. Signature doesn't match claimant (decree)
- ☒ 16D. Organization block information and signature required
- ☐ 16E. No signature
- ☐ 16F. Incorrect or no fee enclosed
- ☒ 16G. Late fee required

Letter from - Donald V. Shaff ( ) John D. Carlson ( ) Reviewer's initials *RM*

*fee submitted: \$80.00*

*late fee required: \$50.00*

State ( ) Northern ( ) Southern ( ) Eastern ( ) Western ( )

MICROFILMED MICROFILM

NOV 12 1992

NOV 12 1992

Water Right Number - 27-07258

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*

BLACKFOOT HARBOR SUBDIVISION

1 - C.O DAVID H. CLEGG, PRES.

2 - P.O. BOX 844

3 -

City- SODA SPRINGS

State- ID Zip- 83276

Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +  
01/24/1981 15 EASTERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +  
GROUNDWATER+ - - - - Point of Diversion - - - - - +  
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

07S 42E 7 NE NW (29) CARIBOU

+ - - - - Water Use - - - - - +  
Code Description Period From Period To Diversion Rate Diversion Volume  
43 - DOMESTIC 01/01 12/31 0.300 24.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +  
0.300 24.00 0.300+ - - - - Place of Use - - - - - +  
TwN Rng Sec Tract Lot Acres Code Description County  
07S 42E 7 NE NW 43 DOMESTIC (29 ) CARIBOU  
07S 42E 7 NW NW 43 DOMESTIC (29 ) CARIBOU  
07S 42E 7 SW NW 43 DOMESTIC (29 ) CARIBOU  
07S 42E 7 SE NW 43 DOMESTIC (29 ) CARIBOU

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +  
Domestic use is for 40 homes.+ - - - - Old Water Right Numbers - - - - - +  
No Old Water Right Numbers found.+ - - - - Conditions of Approval - - - - - +  
No Conditions of Approval found.+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +  
00/00/0000

ED

DO NOT FILM

State of Idaho  
Department of Water Resources

RECEIVED

JAN 03 1991

**WATER RIGHT LICENSE**

Department of Water Resources  
Eastern District Office

WATER RIGHT NO. 27-07258

Priority: January 24, 1981

Maximum Diversion Rate:  
Maximum Diversion Volume:<sup>1</sup>

0.30 CFS  
24.0 AF

This is to certify, that BLACKFOOT HARBOR SUBDIVISION  
C.O DAVID H. CLEGG, PRES.  
P.O. BOX 844  
SODA SPRINGS, ID 83276

has complied with the terms and conditions  
of the permit, issued pursuant to Application for Permit dated November 28, 1980; and  
has submitted Proof of Beneficial Use on December 13, 1985. An examination indicates  
that the works have a diversion capacity of .300 cfs of water from a GROUNDWATER  
source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| DOMESTIC              | 01/01 to 12/31       | 0.30 CFS                 | 24.0 AF              |

LOCATION OF POINT(S) OF DIVERSION:

NENW, Sec. 7, Township 07S, Range 42E  
CARIBOU County

PLACE OF USE: DOMESTIC  
TWN RGE SEC

07S 42E 7

NENW  
SENE

NWNW

SWNW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 40 homes.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.  
Witness the seal and signature of the Director, affixed at Boise, this 20<sup>th</sup>  
day of December, 1990.

Acting for

R. Keith Higginson, Director

State of Idaho  
Department of Water Resources

APPLICATION FOR AMENDMENT  
(For Licensing Purposes)  
WATER RIGHT NO. 27-07258

RECEIVED  
DEC 12 1990  
APPROVED  
Department of Water Resources

Date of Priority: January 24, 1981

Maximum Diversion Rate: 0.30 CFS  
Maximum Diversion Volume: 24.0 AF

Comes now ~~179 S. 1ST E.~~ <sup>Box #844</sup> BLACKFOOT HARBOR SUBDIVISION

SODA SPRINGS, ID 83276

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 27-07258, and requests that the permit be changed as follows:

Source: GROUNDWATER

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| DOMESTIC              | 01/01 to 12/31       | 0.30 CFS                 | 24.0 AF              |

LOCATION OF POINT(S) OF DIVERSION: NENW , Sec. 7, Township 07S, Range 42E  
CARIBOU County

PLACE OF USE: DOMESTIC

TWN RGE SEC

|           |              |      |      |
|-----------|--------------|------|------|
| 07S 42E 7 | NENW<br>SENE | NWNW | SWNW |
|-----------|--------------|------|------|

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at 10:30 A.M., this 20 day of November, 1990.

  
(Signature)  
President  
Blackfoot Harbor Sub.

State of Idaho  
Department of Water Resources

APPLICATION FOR AMENDMENT  
(For Licensing Purposes)  
WATER RIGHT NO. 27-07258

\*\*\*\*\*

FOR DEPARTMENT USE ONLY

Preliminary check by SC Fee = ✓\$20.00

#C019128  
Received by gy Date 12/17/90

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 27-07258 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 40 homes.

Witness my hand this 20<sup>th</sup> day of December, 19 90.

Acting for

R. Keith Higginson  
R. Keith Higginson, Director

JUL 13 2001

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: A27-07258

Date Received: 4-25-90

Receipt No: C016518

Received By: John

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED  
APR 25 1990

1. Name: BLACKFOOT HARBOR SUBDIVISION  
Address: ~~179 S. 1ST E.~~ 240 S. Main  
SODA SPRINGS, ID 83276

2. Date of Priority: JAN 24, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township Range Section 1/4 of 1/4 of 1/4 Lot  
07S 42E 7 NE NW

County  
CARIBOU

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose  | From  | To    | C.F.S. | (or) | A.F.A. |
|----------|-------|-------|--------|------|--------|
| DOMESTIC | 01/01 | 12/31 | 0.300  |      | 24.00  |

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

24.00 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      | 42E   | 7       | NE     | NW     |     | DOMEST  |       |
|          |       |         | NW     | NW     |     | DOMEST  |       |
|          |       |         | SW     | NW     |     | DOMEST  |       |
|          |       |         | SE     | NW     |     | DOMEST  |       |
|          |       |         | W 1/2  | SW 1/4 |     | Domest. |       |

A27-07258

Page 1

Date: 01/23/90

A2707258



MICROFILMED

NOV 12 1992

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:

14. Remarks:

Domestic use is for 40 homes. ✓

15. Basis of Claim: LICENSE ✓

16. Signature(s)

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

Number of attachments: 2

**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): Blackfoot Hartogs Sub. Date: 4-24-90

David H. Clegg Date: 4-24-90

State of Idaho

County of Caribou

} SS.

Subscribed and sworn (or affirmed) before me this 24th day

of April 19 90

Kenneth Moore  
Notary Public

Seal



Residing at Soda Springs, ID 83276

My Commission Expires 11/23/93

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF  
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: 395

Ident. Number: A27-0725  
Date Received: 11/7/90  
Receipt No: 6018802  
Received By: J. J. J.

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: BLACKFOOT HARBOR SUBDIVISION  
Address: 179 S. 1ST E.  
SODA SPRINGS, ID

83276

2. Date of Priority: JAN 24, 1981

3. Source: GROUNDWATER

4. Point of Diversion:

Trib. to:

Township Range Section  
07S 42E 7

1/4 of 1/4 of 1/4 Lot  
NE NW

5. Description of diverting works:

County  
CARIBOU

6. Water is used for the following purposes:

Purpose  
DOMESTIC

From  
01/01

To  
12/31

C.F.S (or)  
0.300

A.F.A.  
24.00

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

24.00 A.F.A.

8. Total consumptive use is

9. Non-irrigation uses:

Acre Feet Per Annum.

10. Place of Use:

Township Range Section  
07S 42E 7

1/4 of 1/4  
NE NW  
NW NW  
SW NW  
SE NW

Lot

Use  
DOMEST  
DOMEST  
DOMEST  
DOMEST

Acres

A27-07258

Page

1

Date: 08/09/90

MICROFILMED  
NOV 12 1992

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:

14. Remarks:

Domestic use is for 40 homes.

15. Basis of Claim: LICENSE

16. Signature(s)

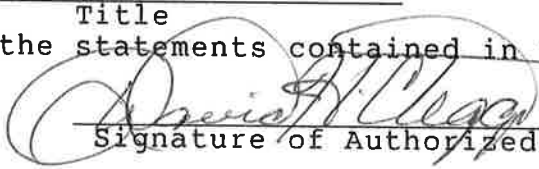
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 3

**For Organizations:**

I do solemnly swear or affirm that I am President of  
Blackfoot Harbor Subdivision Title  
Organization, that I have signed the foregoing

document in the space below as President of  
Blackfoot Harbor Subdivision Title  
Organization and that the statements contained in the  
foregoing document are true and correct.

  
Signature of Authorized Agent

President/ Blackfoot Harbor Subdivision  
Title and Organization

11-5-1990

Date

State of Idaho

County of Caribou ) SS.

Subscribed and sworn (or affirmed) before me this 5 day

of Nov. 19 90

Seal

Adna H. Quilley  
Notary Public

Residing at Soda Springs

My Commission Expires 4-27-93