

04/15/2005

**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: 27-12031

Dallon Worthington ← *Dallen*

685 West 300 South

Blackfoot, ID 83221

Telephone Number: (208) 785-1984

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

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

delivered through central ditch rather than river-ton ditch

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

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

DATE: 7-5-05 SIGNATURE: Dallon worthington

Please print your name: DALLEN WORTHINGTON

IDWR Regional Office, 900 N Skyline Dr. Ste A, Idaho Falls, ID 83402, (208) 525-7161

SCANNED

MAY 18 2006

PROFILED

RECEIVED

JUL 15 2005

Department of Water Resources
Eastern Region

*KWJ
7/15*



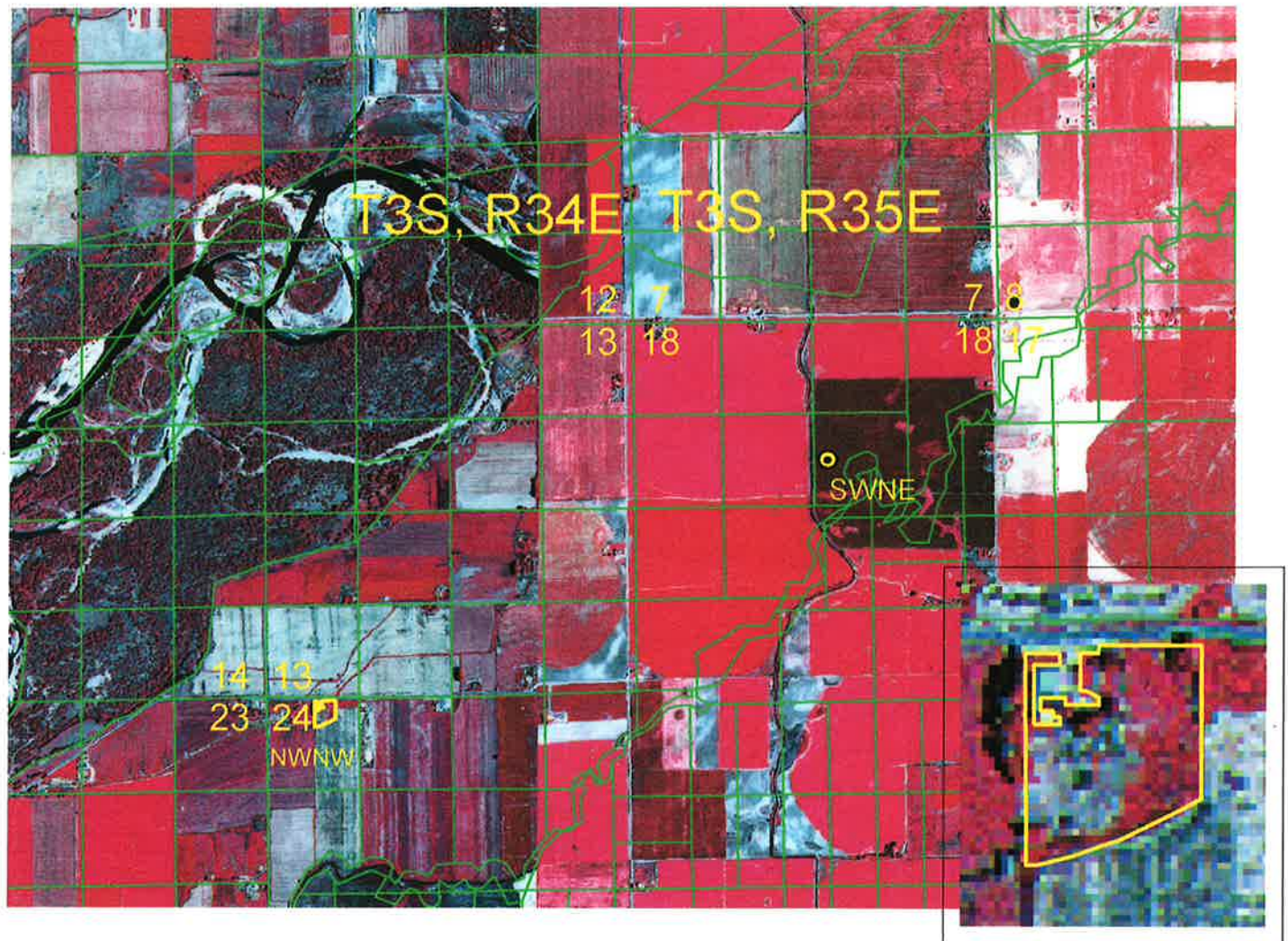
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-12031



3000 0SCANNED 3000 6000 Feet

MAY 18 2006

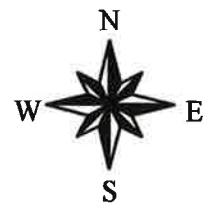
IRRIGATED ACRES 2.0

LEGEND

- ⊙ Point of Diversion
- Place of Use
- Townships
- Sections
- Quarter-Quarters

Place of Use: T3S, R34E:
(part of) Sec. 24, NWNW

Point(s) of Diversion: T3S, R35E:
Sec. 18, SWNE.



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: July 2004

Water Right Claim Number 27-00004R
Township , 3S34E

01/03/2001





Irrigated Area



Section Line



Roads



Place of Diversion



Quarter Section Line



Streams and Canals



Letter head

August 30, 2005

Dallen Worthington
685 West 300 South
Blackfoot, ID 83221

RE: Notice of Error Reply

Dear Dallen,

We have received your Notice of Error Reply. After reviewing your request, we have noticed that the point of diversion which was claimed is located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec 18 of T03S R35E, which is associated with the Riverton Ditch, not the Central Ditch. The point of diversion you are requesting is located in Sec 8, not 18. In order for us to comply with this request, you must sign an amended Notice of Claim in the presence of a notary public and return the claim to our office. Enclosed is a copy of the amended Notice of Claim which needs your signature. After we receive the signed amended claim, we can change the point of diversion to the location of the Central Ditch, as you have requested.

Respectfully yours,

Kristin Moore
GIS Specialist

Notes

10-27-04 Sent letter to claimant in case
of priority. BP

11-2-04 letter returned, wrong address.

11-3/04. resent letter to Dallas with
address corrected.

4-11-05 Checked w/ USPS. Address is good.
Called 785-1984

4-14-05 27-4 decree is not over claimed, do
we go ahead & recommend? PB

INTER-DEPARTMENT MEMO

TO: Barbara

SUBJECT: proof

FROM: Cindy

DATE: 8/2/04

I don't see Wallen Worthington on the list
that was referred to Candice McHugh. There is
not enough info to verify his info. Is the
information elsewhere? If so, why is it not
also in his file.

() For your information

() Response required

CB
signature



Close

From: Ciscell, Michael

To: Payne, Barbara

Cc:

Subject: RE: T3SR35E, Section 18

Sent: 7/22/2004 12:08 PM

Importance: Normal

Barbara,

No gugu stuff this time. Most of the GCDB townships along the Blackfoot are being redone as we speak. They'll be available later this fall. I would go ahead with your shape but enter the PLS manually. We can update some of this but it will get overwritten in a few months.

As for the SENE, this is an example where the BLM did not include the individual QQ breaks within a Lot. If you'll remember my last email (I know, they're forgettable) I was talking about how a Lot may encompass more than one QQ and often the BLM will divide the Lot along the QQ's with both QQ's getting the same Lot number. Didn't happen in this case and a QQ designation (pick one, NENE or SENE) was assigned.

More than you ever wanted to hear... but since its from me you know doubt enjoyed it,

Michael

-----Original Message-----

From: Payne, Barbara

Sent: Tuesday, July 20, 2004 10:57 AM

To: Ciscell, Michael

Cc: Bird, Cindy

Subject: T3SR35E, Section 18

27-4R
27 37 N

Hi Michael,

Well, here I am again with a problem that only you, the master gugu can solve. I am working on a shape in the above referenced location. The QQ for the NENE is labeled SENE. There is a tiny "lot" labeled NENE below the one labeled SESE. Help PLEASE.

Thanks,

Barbara :-}

PS Just for my information, this is in connection with project 27-37H.

References

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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

Status

Claim Number

Version Number

[View Documents](#)

Check List

[Print Form](#)

☒ Priority Date

☒ Contacts

☒ Point of Diversion

☒ Source

☐ Place of Use

☒ Purpose of Use

☒ Period of Use

☒ Quantity

☐ Summary [Yes to All](#)

Contacts

Comments

Author Text

Subj

Date - -

[Add](#)

[Edit](#)

[Remove Selected](#)

[Hide References](#)

[Next Step](#)

[Return to Home](#)

Previous
Steps:

[Select Claim](#)

Screen
ID
384

Claim Summary Worksheet

Claim No. 27- 4R

Completion of claim is dependent on processing the following documents and/or actions.

	Requested	Response date	Received	Completed	Notes
OWNERSHIP					
Ownership Change Form	2/17	3/2	3-2-04		Dallon Worthington? 357-3776
Warranty Deed	2/17	3/2	3-2-04		letter only indicated 27-37H?
Map(s)	2/17	3/2	3-2-04		
Is this a split? Y ☒ N					
AMENDMENT					
Notarized amended claim					
Correction in POD/Source					
Correction in POU					
Change in Priority Date					
Change in Diversion Rate					
ENLARGEMENT					
1. Advised claimant need to file enlargement claim					
2. Receive enlargement claim					
3. Eastern registration process					
4. Notarized claim					Enlargement Claim # -
SPLIT CLAIM	Obtain information from Eastern				Parent Right # - : CFS
Ownership					Children # - ; CFS
					Children # - ; CFS
					Children # - ; CFS
					Children Total: CFS

Children total must agree with parent right.

Notes

11-6-03 A & sent letter to Clacumail PT

12-24-03 Address correction; Jimmy Ellison

P.O. Box 199, Neah Bay, WA 98357 PB.

3/1/04 Owner: Dallan Worthington? ownership chg due 3/2/04 CB. request for ownership change was only sent on 31H? I'm not sure why this right wasn't included because according to the map it's the same map. CB The Central ditch break down lists Ellison with 4 inches of water, 2 from Welch & 2 from Fox & Whitten. CB

3-2-04 Received ownership change, warranty deed & map from Mr. Worthington, but no evidence. PB

4/23/04 claimant Dallan Worthington also claimed 2" of Fox & Whitten 27-04 but that right has not been verified yet. The claim to 2" of Welch water has been verified and recommended for claimant Same POA for both claims. CB.

Fox and Whitten water is no longer overclaimed. Recommending claim but the patent w/r has not been verified yet CB

Contacts Data Entry Form

[illegible]

Current Owner Dallon Worthington

Name connector: and _____, or _____, and/or _____

Current Owner 685 W 300 S

Current Owner Blackfoot, ID 83221

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:

Reviewer: CB

Date: 4/23/04

Contacts Data Entry Form

Priority Date Data Entry FormClaim Number: 27-4R

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:

decreed

Reviewer: CPDate: 6/23/04**Priority Date Data Entry Form**

Priority DateClaim No. 27-4R

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. *decree*
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.

Priority Date

Point of Diversion and Source Data Entry Form

Claim Number: 27-4R

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: _____

X 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: _____

GPS Coordinates: _____

Other rights from this POD? None

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

1987/88 Napp photography
conveyed thru Riverton Ditch (link Riverton ditch)

Transfers Changing POD ND

Reviewer: CB

Date: 6/23/04

Point of Diversion and Source Data Entry Form

Point of Diversion

Claim No. 27-4R

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 ☒

Point of Diversion

Source

Claim No. 27 - 4R

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes (X) 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 Source as shown on the Permit. Go to 11
Yes () No ()
4. Does the parent right have a Source?
If Yes, go to 5
If No, go to 7
Yes (X) No ()
5. Can the claimed Source be verified using the water right file?
If Yes, recommend the Source as shown in the water right file. Go to 11
If No, go to 7
Yes (X) 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 there evidence that there has been a change in the Source?
If Yes, go to 8
If No, go to 10
Yes () No ()
8. Can the change be verified as an accomplished transfer?
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
Yes () No ()
9. Did the claimant file a transfer?
If Yes, recommend the Source as shown in the transfer. Go to 11
If No, go to 10
Yes () No ()
10. Does the file contain all of the necessary information to verify the Source?
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
Yes () No ()
11. Is a Source remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Source review is complete.
If No, Source review is complete.
Yes () No (X)

Source

Purpose of Use Data Entry Form

Claim Number: 27-4R☐ 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:

diere
Fox & Whetter analysis

Transfers Changing Purpose of Use Reviewer: CPDate: 6/23/04

Purpose of Use Data Entry Form

Purpose of Use

Claim No. 27-4R

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: 27-4R☒ 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:

deed
warranty deeds
1987/88 Napp photography
27-37H is also used on the same POU.

Transfers Changing POU noReviewer: CBDate: 6/23/04

Place Of Use Data Entry Form

Place of Use

Claim No. 27-4R

1. Is the basis of claim a Decree or License.
If Yes, go to 2a
If No, go to 2b
- 2a. Is a POU required?
If Yes, go to 5
If No, go to 14
- 2b. Is a POU required?
If Yes, go to 3
If No, go to 14
3. Is the basis of claim a Permit or Application?
If Yes, go to 4
If No, go to 7
4. Has the License been issued?
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?
If Yes, go to 6
If No, go to 7
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
7. Is there evidence that there has been a change in the POU?
If Yes, go to 8
If No, go to 13
8. Can the change be verified as an accomplished transfer?
If Yes, add condition C05, go to 13
If No, go to 9
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
10. Was an enlargement claim filed?
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?
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?
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?
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?
If Yes, enter the appropriate remark and/or condition. POU review is complete.
If No, POU review is complete.

Yes ☒ No ☐

Yes ☒ No ☐

Yes ☐ No ☐

Yes ☐ No ☐

Yes ☐ No ☐

Yes ☐ No ☒

Yes ☐ No ☐

Yes ☐ No ☒

Yes ☐ No ☐

Yes ☐ No ☐

Yes ☐ No ☐

Yes ☐ No ☐

Yes ☐ No ☐

Yes ☒ No ☐

Yes ☐ No ☒

Place of Use

Period of Use and Quantity Data Entry Form

Claim Number: 27-4R☐ 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
Irrigation	4/1	10/31	0.04	N/A

Overall Diversion Rate 0.04 Overall Diversion Volume —

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

since

STD 504

Reviewer: CBDate: 4/23/04

1. Is the basis of claim a Decree or License? Yes (X) 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 (X)
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 (X)
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 (X) 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 (X)
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 (X) 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 (X)
If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.

Period of Use

Quantity

Claim No. 27-4R

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. 27-4/R

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

conveyed thru Reversion Ditch

Split or Combined Right Analysis:

yes

Attached Field Notes or Other Documents:

no

Claim No.:

27-4R

Reviewer

CB

Date

6/23/04



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

27 October 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dallen Worthington
685 West #00 South
Blackfoot, ID 83221

300 11-3-04 CB

RE: Snake River Basin Adjudication (SRBA)
Claim 27-12031 (renumbered from 27-4R)

Subject: EVIDENCE OF PRIORITY

COPY

RESPONSE DATE: 24 NOVEMBER 2004

Dear Claimant:

The Department of Water Resources is currently investigating water right claims in Basin 27. IDWR's information indicates that your water right claim is based on a water right decreed in *Stevens v. Eastern Idaho Water Co.*, Judgment Book 1, pp 106-117 (Bingham County, Idaho August 1, 1891) to Fox & Whitten (27-4). This water right was decreed with a June 1, 1885 priority date.

In order to make a complete and accurate recommendation of your water right, each element of the water right must be proven. The Department needs information that shows you are a successor to the original water right. This could be established through deeds or other conveyance documents that show you own a portion of the original water right. The only documentation we have in the file is a copy of the Warranty Deed from Gayle M. Elison and Jimmy K. Elison to you and your wife. We need documentation dating back to the priority date of June 1, 1885.

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**".

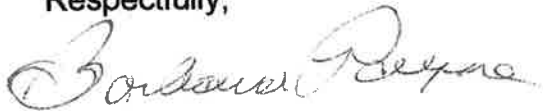
It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible.

.....
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 the above referenced response date 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.

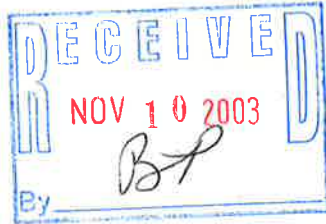
This office must receive your response by the date shown above. If no response is received, then your claim to water will not be recommended. If you have any questions, please feel free to contact me at the Soda Springs Satellite office at 547-3993.

Respectfully,



Barbara Payne

Enclosure: Evidence of Priority Brochure



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

November 6, 2003

Jimmy K. Ellison
685 West 300 South
Blackfoot, ID 83221

Re: Claim No. 27-4R

Dear Mr. Ellison:

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources in Basin 27 in the Snake River Basin Adjudication.

In order to make a complete and accurate recommendation of your water rights, each element of the water right must be proven. At this time, the Department does not have proof of ownership for your claim number referenced above. Please submit deed and proof of your ownership of the water right referenced above to the attention of Vicky Music, IDWR, 1301 N. Orchard, Boise, ID, 83706 Please submit your proof by **November 30, 2003.**

If you have questions regarding this request, please contact Cindy Bird at the Soda Springs Office for the Idaho Department of Water Resources at 208-547-3993 or you can contact me directly at 208-327-7900.

Very truly yours,

SUSAN HAMLIN NYGARD
Deputy Attorney General
Idaho Department of Water Resources

cc: Cindy Bird

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
	27-37	H			
	27-4	R			

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)

Jimmy K. Ellison

685 W 300 S, Blackfoot, ID 83221

4. **New Owner/Claimant(s)**

Dallen Worthington

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

New Mailing Address

685 W. 300 S.

City, State and ZIP Code

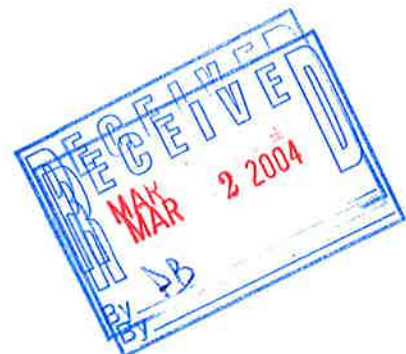
Blackfoot, ID 83221

New Telephone Number

(208) 785-1984

5. **Date you acquired the property**

9/5/2003



6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Dallen Worthington
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

Order No.: 3020304739-Z

FOR VALUE RECEIVED

531665

Gayle M. Ellison and Jimmy K. Ellison, Wife and Husband

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 3- SEP 4

2003 SEP -5 AM 10: 32

RECORDED AT THE REQUEST OF

Stanley Title & Escrow Corp.

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Dallen Worthington and Rachel Worthington, Husband and Wife

whose current address is

685 West 300 South Blackfoot, ID 83221

the grantee(s), the following described premises, in Bingham County, Idaho, TO WIT:

A portion of the E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 3 South, Range 34 East, Boise Meridian, Bingham County, Idaho, described as:

Beginning at the intersection of the West line of said E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ and the South line of Riverton Road, said point being South 89°02' East along the Section line 662 feet and South 0°07' West along said West line 60.15 feet from the NW corner of said Section 24, and running thence South 0°07' West 342.9 feet, thence North 79°32' East 146.7 feet, thence North 67°35' East 168.5 feet, thence North 4°38' West 252.2 feet to the South line of Riverton Road, thence North 89°53' West along said South line 279 feet to the Point of Beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 8.28.03

Gayle M. Ellison

Jimmy K. Ellison

State of ~~Idaho~~ ^{Washington}

County of ~~Blaine~~ ^{Chelan}

On this August 28, 2003, before me, a Notary Public in and for said state, personally appeared GAYLE M. ELLISON + JIMMY K. ELLISON

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.



Notary Public for the State of Washington

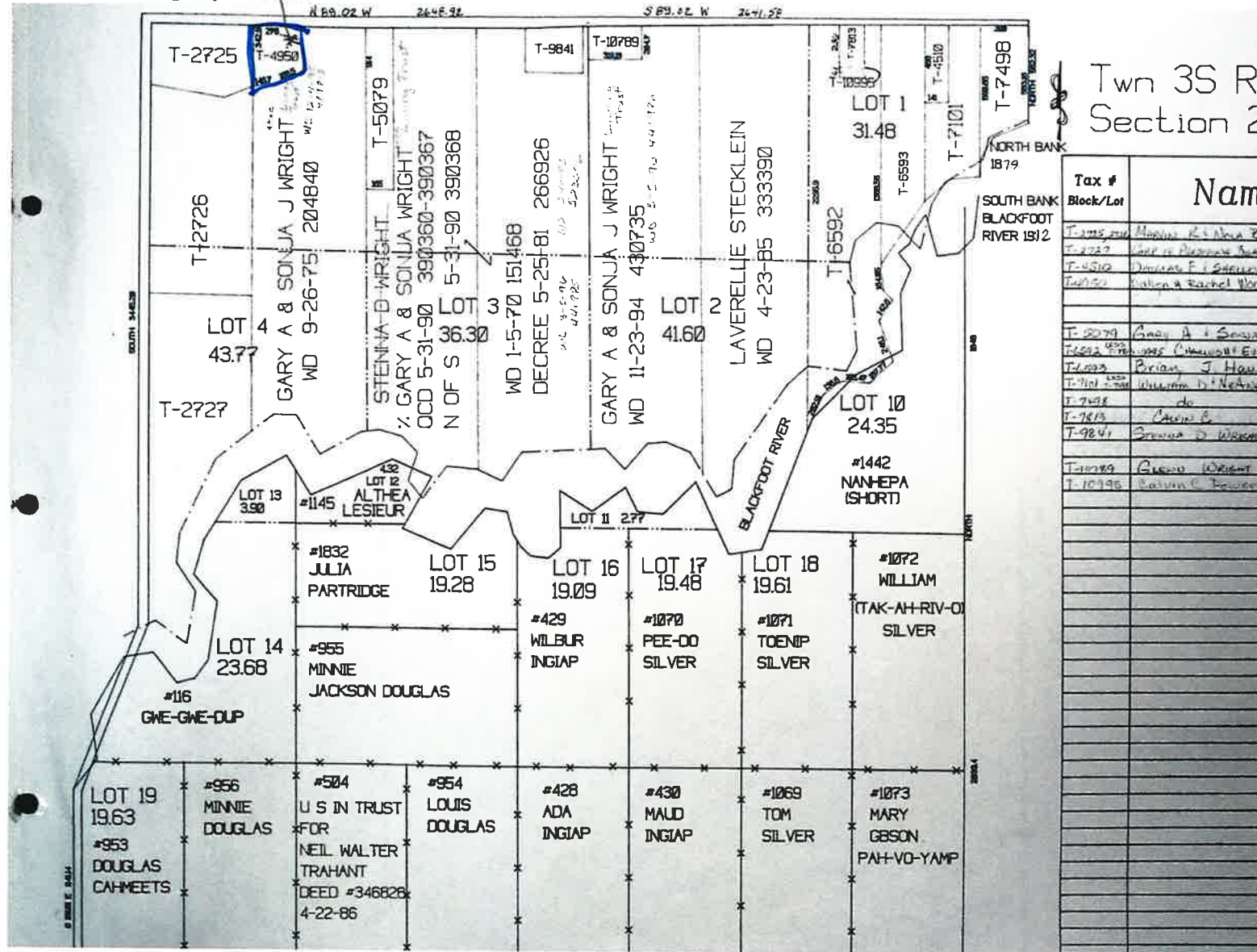
Residing at: New Bry

Commission Expires: 4-02-06

531665

14.5

Worthington Property T-4950



Township 3S Section 24 Range 34 E

SCANNED

Log for claim 27-00004R

JUL 1 2001

Spatial Dynamics LTD

1/3/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03s34e	24	NWNW	2	2.3	
Totals:			2	2.3	

AJ5809NP
No. A27-00004R

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 11

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GAYLE G ELISON	06/01/1885	IRRIGATION	04-01 11-01	0.040 CFS	
C	JIMMY K ELISON					
	685 W 300 S					
	BLACKFOOT ID 83221			TOTAL DIVERSION:	0.040 CFS	
	(208) 785-5553			CONSUMPTIVE USE:		6.00 AFA

Water Source: BLACKFOOT RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T03S R35E S18 SWNE BINGHAM 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	:	Lt Ac Lt Ac Lt Ac Lt Ac	:	Lt Ac Lt Ac Lt Ac Lt Ac	:	Lt Ac Lt Ac Lt Ac Lt Ac	:	Lt Ac Lt Ac Lt Ac Lt Ac	SUM		
03S	34E	24	:	:	02	:	:	:	:	:	:	:	:	2.0		
													TOTAL ACRES	2.0		

POU County: BINGHAM

Non-Irrigation Uses: N/A

Other Rights: A27-00037H

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

27-11513	A27-00004AA	A27-00004AB	A27-00022D	A27-00023F	A27-00025B	A27-00026A	A27-00026C	A27-00026D	A27-00026E
A27-00027B	A27-00027C	A27-00029D	A27-00035D	A27-00037G	A27-00037K	A27-00037N	A27-10116	A27-10357	A27-10358
A27-10362	A27-10370	A27-10552	A27-10555	A27-10557	A27-10844	A27-11513			

Other Water Rights Listing Overlapping Place(s) of Use:

A27-00022D A27-00035D A27-00037H A27-10116 A27-10292

Remarks: GEN PORTION OF ORIGINAL DECREED RIGHT 27-00004 (FOX & WHITTEN)

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

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

Audit: 05/19/89 MEYER 09/27/94 JTHOMPSO 03/29/95 POST-STD

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 27-12031
Date Received: 8/4/2004
Receipt No:
Received By:

AMENDED

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

AMENDED

1. Name of Claimant(s)

DALLEN WORTHINGTON Phone: (208) 785-1984
685 WEST 300 SOUTH
BLACKFOOT ID USA 83221

RECEIVED

OCT 07 2005

Department of Water Resources
Eastern Office

2. Date of Priority: 06/01/1885

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	Type
03S	35E	18	SW NE	BINGHAM	
03S	35E	8	SE NE	BINGHAM	

5. Description of diverting works:

Headgate to ditch to POU for flood irrigation

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.04	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
03S	34E	24	NW NW	IRRIGATION	<u>2.0</u>

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used: 27-37H

14. Remarks: Portion of original decreed right 27-00004 (Fox & Whitten)

15. Basis of Claim: Decreed

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Gallen Worthington Date: 10/5/05

Date:

State of Idaho

County of Bingham) SS.

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

of October 2005

Sandy Gaydusek

Notary Public

Residing at Shelby ID.

My commission Expires 2/22/11



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: A27-00004R

Date Received: 5/19/1989

Receipt No: E007731

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JIMMY K. ELISON 208-785-5553
Address: 685 W. 300 S.
BLACKFOOT, ID 83221

OR

Name: GAYLE G. ELISON 208-785-5553
Address: 685 W. 300 S.
BLACKFOOT, ID 83221

2. Date of Priority: JUN 01, 1885

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
03S	35E	18	SW NE		BINGHAM

5. Description of diverting works:
HEADGATE TO DITCH TO P/U FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.040		

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

8. Total consumptive use is 6.0 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

A27-00004R

Page 1

Date: 05/19/89

MICROFILMED

NOV 12 1992

A2700004R



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S ✓	34E ✓	24 ✓	NW ✓	NW ✓		IRR	2.0
Section Acres							2.0
Total Acres							2.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
A27-00037H

14. Remarks:
PORTION OF ORIGINAL DECREED RIGHT 27-00004 (FOX & WHITTEN)

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

FRED S. STEVENS
Decree Plaintiff

vs

EASTERN IDAHO WATER CO.
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): *Jim & Elsie* Date: 5-19-89

Date: _____

State of Idaho)
County of Bonneville) ss.

Subscribed and sworn (or affirmed) before me this 9 day
of May 19 89
Paul R. Meyer
Notary Public

Residing at TRAMO FALLS
My Commission Expires 9-12-94



