

10/19/2004

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

**RIGHT NUMBER:** 27-12043

**NAME AND ADDRESS:** BEAR LAKE GRAZING CO  
C/O PAUL KEETCH  
1052 DINGLE RD  
MONTPELIER ID 83254

**SOURCE:** SPRINGS

**TRIBUTARY:** SINKS

**QUANTITY:** 0.020 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

**PRIORITY DATE:** 10/04/1886

**POINT OF DIVERSION:**

T07S R44E S15 NWNWNW End of Stream Flow Within CARIBOU County

T07S R44E S15 SESWNW Begin of Stream Flow Within CARIBOU County

**PURPOSE AND  
PERIOD OF USE:**

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

05/01 11/15

0.020 CFS

**PLACE OF USE:** STOCKWATER Within CARIBOU County

T07S R44E S15

NWNW

T07S R44E S15

SWNW

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

**EXPLANATORY MATERIAL:** Beneficial Use

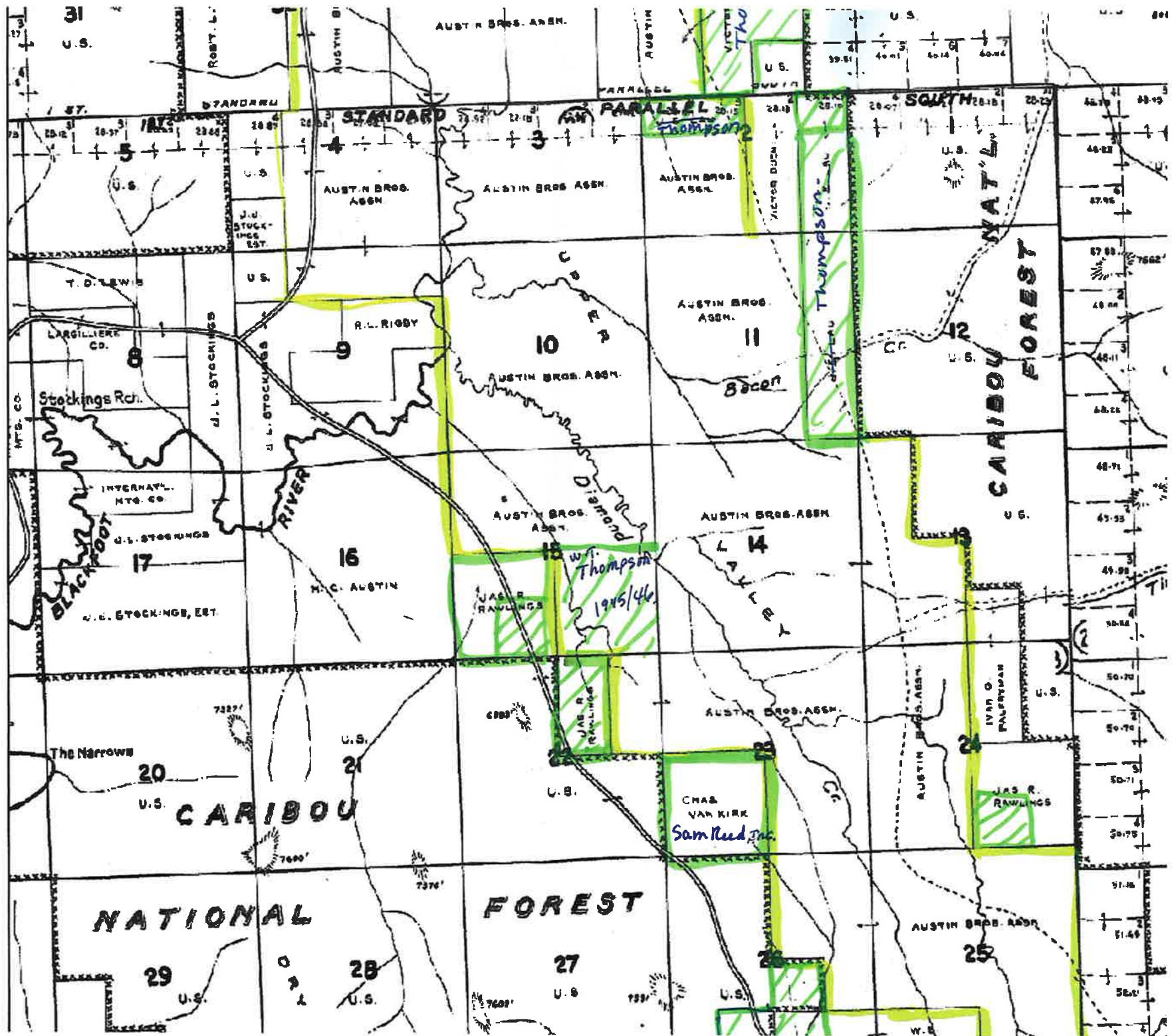
Water Right 27-12043

1

SCANNED  
MAY 10 2006  
PROFILED

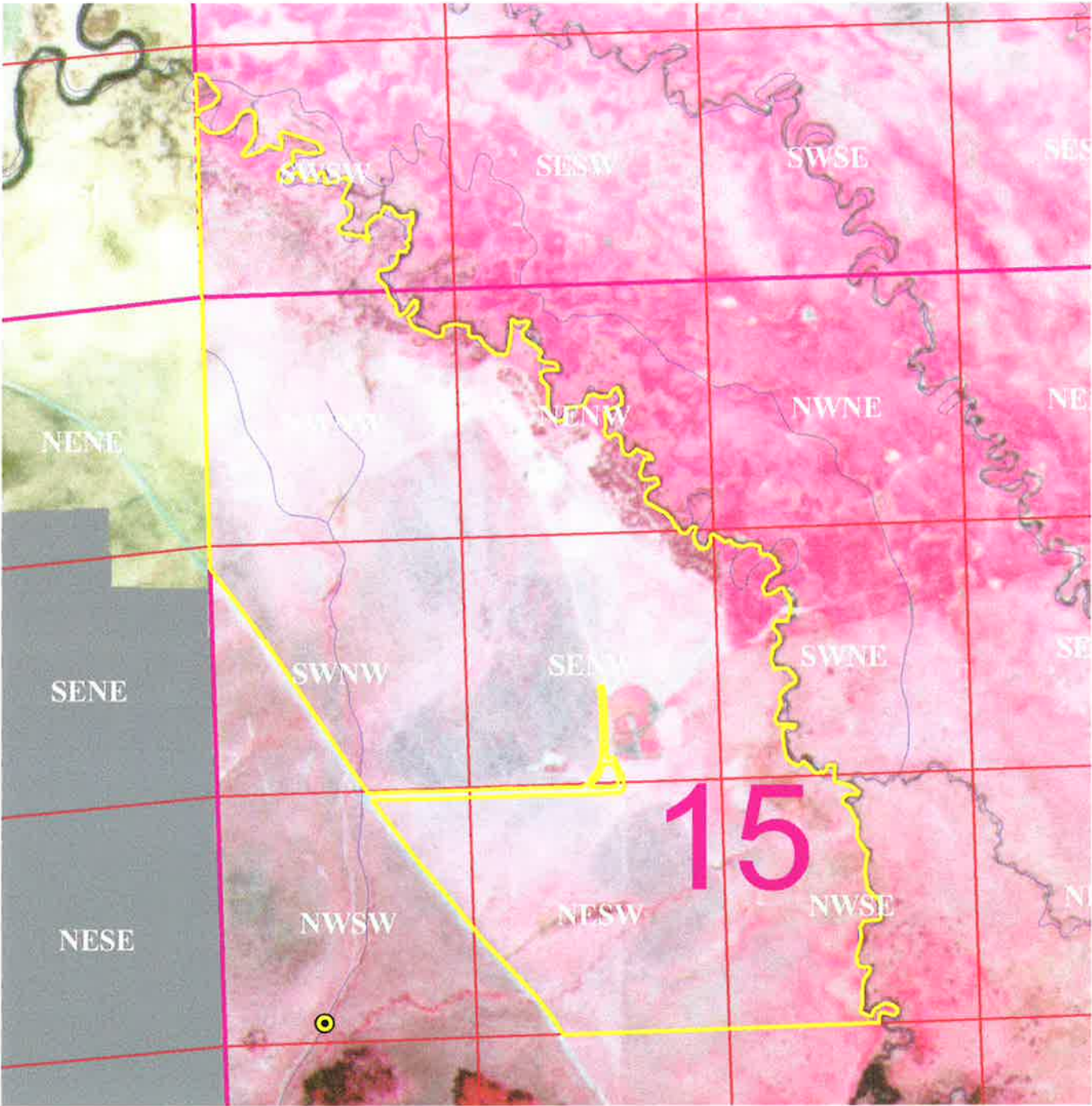


T7S



Water Right Claim Number 27-00042  
Township , 7S44E

11/27/2000



**Legend**

|                                                                                                        |                                                                                                          |                                                                                                          |
|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
|  Irrigated Area     |  Section Line         |  Roads              |
|  Place of Diversion |  Quarter Section Line |  Streams and Canals |



IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED  
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 27-12043

NAME AND ADDRESS:

BEAR LAKE GRAZING CO  
835 ALTON RD  
MONTPELIER ID 83254

SOURCE:

Source:

Tributary:

UNNAMED STREAM

SINKS

SPRINGS

QUANTITY:

0.020 CFS

8.500 AFY

~~36.640 AFY~~

The quantity of water under this right shall not exceed 13,000 gallons per day.

The rights listed below are limited to a total combined annual diversion volume of 39.4 af. Combined Right Nos.: 27-12043, 27-12052, 27-12053, 27-12054, 27-12055, 27-12056, 27-12057, 27-12058, 27-12059, 27-12060, 27-12061, 27-12194, and 27-12195.

~~The rights listed below are limited to a total combined annual diversion volume for stockwater of 36.64 af. Combined Right Nos.: 27-12043, 27-12052, 27-12053, 27-12054, 27-12055, 27-12056, 27-12057, 27-12058, 27-12059, 27-12060 and 27-12061.~~

PRIORITY DATE: 10/04/1886

POINT OF DIVERSION:

T07S R44E S15 NWNWNW End of Stream Flow  
Within CARIBOU County

T07S R44E S15 SESWNW Begin of Stream Flow  
Within CARIBOU County

PURPOSE AND  
PERIOD OF USE:

Purpose of use:

Period of use:

Quantity:

STOCKWATER

05/01 11/30

0.020 CFS 8.50 AFY

~~05/01 11/15~~

~~0.020 CFS 36.64 AFY~~

PLACE OF USE:

STOCKWATER within CARIBOU County

T07S R44E S15 NWNW

T07S R44E S15 SWNW

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

~~The quantity of water decreed for this water right is not a determination of historical beneficial use.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 3000 cow-calf pairs.

15 West Center Street  
Soda Springs, Idaho 83276  
(208) 547-3893  
(208) 547-3939 fax

## Idaho Department of Water Resources

# Fax

To: Candice McHugh From: Cindy B.  
Fax: 1-208-327-5400 Pages: 11  
Phone: 1-208-327-5404 Date: 5-12-04  
Re: Bear Lake Grazing CC:

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

• Comments:

Candice,

Bear Lake Grazing brought in these documents to support their claims. The sources were decreed in the Steven's decree. It doesn't however appear to list these parties in the decree.

Posted Notice? Priority?

Thanks,

Cindy

SCANNED  
MAY 10 2006  
PROFILED

FAXED  
5/12/04 8:33 AM

CB

means of a dam thrown across said Dimond Creek and into said ditch, the point of diversion being where this notice is posted and a monument of wood 4 feet high erected, on the west side of said creek and the waters thereof conducted on the following described tract of land for agricultural and irrigating purposes. The NE<sup>4</sup> and NE<sup>4</sup> of SE<sup>4</sup> Sec. 26 Tp 7 South Range 44 East and SE<sup>4</sup> Sec. 15 SW<sup>4</sup> Sec 14 NW<sup>4</sup> Sec 23 and E<sup>2</sup> of NE<sup>4</sup> Sec. 22 Tp. 7 So. R 44 E. B.M. Dated this 11<sup>th</sup> day of October A. D. 1886. Joseph W. Linford, Mark N. Sutton

TERRITORY OF IDAHO COUNTY OF BEAR LAKE ) SS I hereby certify that I did on the 11<sup>th</sup> day of October A. D. 1886 post up at the point indicated in the foregoing a notice of which the within is a true copy.

J. C. Rich

Recorded at the request of J. W. Linford Oct. 12, 1886 at 5:40 P. M. J. Hasenfratz Co. Recorder By J. W. Stucki, Deputy.

TERRITORY OF IDAHO COUNTY OF BEAR LAKE ) SS I hereby certify that that the foregoing is a full true and correct copy of a Water Appropriation recorded in Book 1 Page of Miscellaneous Records of said County Witness my hand and Official Seal at my office in Paris, Idaho, this 21<sup>st</sup> day of October A. D. 1889 T. L. Montonya Co. Recorder (Seal)

Recorded at request of Jas. H. Hawley, May, 17, 1890, 9:50 A.M. Geo. A. Robethan, Recorder  
Transcribed from Book C Page 161 Records of Bingham County Idaho.  
Transcribed from Bannock County Records, Water Location Record No. 1, page 369

WATER LOCATION OF ALBERT F. BENTLER )

Notice is hereby given that the undersigned a citizen of the United States hereby claims and appropriates so much of the waters of Lane Creek in the upper Blackfoot Valley near Lake or Bingham County Idaho Territory as will flow through a ditch of the following dimensions to-wit: four feet wide in the bottom, six feet wide on the top, two feet deep with a fall of  $\frac{1}{2}$  of an inch to the rod. Said appropriation is made by throwing a dam across said Lane Creek at a point where a notice is posted and a monument of wood 4 feet high erected, being the point of diversion of said stream and the waters conducted therefrom by means of the ditch aforesaid on to the following described tract of land for Agricultural and irrigation purposes to-wit:- The S<sup>2</sup> NW<sup>4</sup> and S<sup>2</sup> NE<sup>4</sup> and lots 1,2,3,4 sec. 3 in Township 7 South of Range 44 East B.M.

Albert F. Bentler

27-96  
decree

Dated this 17<sup>th</sup> day of October A. D. 1886.

TERRITORY OF IDAHO COUNTY OF BEAR LAKE ) SS I hereby certify that I did on the 17<sup>th</sup> day of October 1886 at the point indicated in the foregoing post up a notice of which the within is a copy.

J. C. Rich

Recorded at the request of Albert F. Bentler Nov. 8, 1886 at 9 A.M. J. Hasenfrantz, Co. Recorder By J. N. Stucki, Deputy

TERRITORY OF IDAHO COUNTY OF BEAR LAKE ) SS I hereby certify that foregoing is a full, true and correct copy of a Water Appropriation recorded in Book 1 Page 105 of Miscellaneous Records of Bear Lake County. Witness my hand and official seal at Paris, Idaho, this 21<sup>st</sup> day of October A. D. 1889 (Seal) T. L. Montonya Co. Recorder

Recorded at the request of Jas. N. Hawley May 17<sup>th</sup> 1890, 9:55 A.M. Geo. A. Robethan, Recorder.  
Transcribed from Book C of Water Locations Page 162 Records of Bingham County Idaho  
Transcribed from Bannock County Records, Water Location Record No. 1, page 371

WATER LOCATION OF ROBERT A BIRCH ET AL )

Notice is hereby given that the undersigned a citizen of the United States hereby claims and appropriates so much of the waters of a certain stream known as Lane Creek situated in the Upper Blackfoot Valley, Bear Lake or Bingham County, Idaho Territory, as will flow through a ditch of the following dimensions to-wit: four feet wide in the bottom, eight

RECEIVED  
- 5 2004

it size and capacity to conduct all of the waters of the said Lake -- reservoir to the  
le lands of the Counties of Bingham and Oneida, Idaho wherever the grades of the canal  
carry them. In witness whereof I have hereunto set my hand this Twenty first day  
April 1890 R. E. Johnson (Seal)

Signed in the Presence of E. L. Schaefer B. K. Cowles.

I hereby certify that I posted a duplicate of the foregoing notice in a conspicuous  
place at the point of intended diversion described as above P. P. Parker  
Witness T. F. Scheffeld

Recorded at the request of R. E. Johnson April 26<sup>th</sup> 1890 at 9 A. M. Geo. A. Robethan,  
Recorder  
Transcribed from Book C of Water Location Page 142 Records of Bingham County Idaho  
Transcribed from Bannock County Records, Water Location Record No. 1, page 353.

LOCATION OF H. S. WOOLEY )

Notice is hereby given that the undersigned citizens of the United States hereby claim  
appropriate such of the waters of the Upper Blackfoot River as will flow through two  
holes of the following dimensions, to-wit: six foot wide at the top, four feet wide at  
bottom three feet deep with a fall of three inches to the rod. Said water is diverted  
from the main channel of the upper Blackfoot River at a point at about one and one half  
miles above the mouth of Slug Creek or its confluence with Blackfoot River, in what is  
known as the upper Blackfoot Valley and suppose to be in Bear Lake County, Idaho Territory  
means of a dam thrown across said Blackfoot River at the point where this notice is posted  
and two ditches of the dimensions above stated, are conducted one on the north and the  
other on the south side of said Blackfoot River and the waters conducted through said  
ditches in a northern, southern and easterly direction on to the Desert Entries of the un-  
signed, to be used by us for agricultural and irrigation purposes in the reclamation  
of said lands by converting them into hay and meadow lands and we hereby claim all the rights  
and privileges granted by the laws of the United States and of this territory in the appro-  
priation of the waters aforesaid Witness our hands this 23<sup>rd</sup> day of July A. D. 1885.

H. S. Wooley,  
M. M. Wooley, Emma R. Wooley,  
ITORY OF IDAHO COUNTY OF BEAR LAKE )

This is to certify that H. S. Wooley did on the 23 day of July A. D. 1885 in the upper  
Blackfoot Valley and at the point designated in the above notice, post up a notice of which  
the foregoing is a true copy. As witness my hand this 24 day of July A. D. 1885 J. C. Rich  
Recorded at the request of H. S. Wooley the 28 day of July 1885 at 10 A.M. L. T. Sher-  
Co. Recorder By J. W. Stucki Deputy

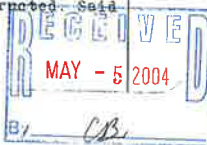
ITORY OF IDAHO COUNTY OF BEAR LAKE ) SS I hereby certify that the foregoing is a full  
and correct copy of a water appropriation recorded in Book 1 page 54 of Miscellaneous  
Records of said County. Witness my hand and official seal at Paris Idaho This 21 day of  
April 1889 T. L. Manbonya, Co. Recorder (Seal)

Recorded at the request of James H. Harley May 17<sup>th</sup> 1890 at 9:15 A.M. Geo. A. Robethan,  
Recorder.  
Transcribed from Book C of Water Locations Pages 152 & 153 Records of Bingham County, Idaho  
Transcribed from Bannock County Records, Water Location Record No. 1, page 355

LOCATION OF CHAS. A. WALLANTINE )

Notice is hereby given that the undersigned a citizen of the United States hereby claims  
appropriates all the waters of a stream situated in Blackfoot Valley, Bear Lake or Bing-  
ham County and known as Rock Creek, said appropriation is made by means of a dam thrown  
across Rock Creek a few rods below the spring and a ditch constructed therefrom of the fol-  
lowing dimensions to-wit: Three feet wide in the bottom, five feet wide on top, two feet  
with a fall of  $\frac{1}{2}$  of an inch to the rod. Said ditches being already constructed. Said

27-90  
decre



Bear Lake Grazing

means of the ditch aforesaid and a dam thrown across Lan Creek, the ditch being on the east side and point of diversion where this notice is posted and a monument of wood 4 feet high erected and the waters of said stream conducted by means of the ditch aforesaid on the following described tracts of land for agricultural and irrigating purposes to-wit: W<sup>2</sup> NW<sup>4</sup> W<sup>2</sup> SW<sup>4</sup> Sec. 28. E<sup>2</sup> NE<sup>4</sup> E<sup>2</sup> SE<sup>4</sup> Sec. 29 Tp. 6 South of Range 44 E NE<sup>4</sup> & E<sup>2</sup> SE<sup>4</sup> Sec. 33 & W<sup>2</sup> Sec. 34, S<sup>2</sup> Sec 3, N<sup>2</sup> Sec. 10 SW<sup>4</sup> Sec 2, NW<sup>4</sup> and W<sup>2</sup> of NE<sup>4</sup> Sec. 11 of Tp. 7 So. of R. 44

East B.M. Dated this 11<sup>th</sup> day of October 1886

Robert A. Birch, Ezra C. Rich  
Amasa M. Rich, Henry B. Rich

TERRITORY OF IDAHO COUNTY OF BEAR LAKE ) SS I hereby certify that the foregoing is a full, true and correct copy of a Water Appropriation recorded on page 9 of Book 1 of Miscellaneous Records of said Bear Lake County Witness my hand and official seal at Paris, Idaho, this 21<sup>st</sup> day of October A. D. 1889 (Seal) T. L. Montonya Co. Recorder

Recorded at the request of Jas. H. Hawley May 17<sup>th</sup> 1890, at 10 A.M. Geo. A. Robethan, Recorder

Transcribed from Book C of Water Locations Page 162 Records of Bingham County Idaho  
Transcribed from Bannock County Records, Water Location Record No. 1, page 373

WATER LOCATION OF SAMUEL HALL ET AL )

Notice is hereby given that the undersigned citizens of the United States hereby claim and appropriate all of the waters of Home Spring Creek situated on the north side of the lower Valley of the Upper Blackfoot in Bear Lake or Bingham County Idaho Territory. Said appropriation is made by means of a ditch of the following dimensions, to-wit: four feet 27-63 wide at the top, three feet wide at the bottom and one foot deep with a fall of one quarter 1/4 of an inch to the rods. The point of diversion of said ditch is about 300 yards east of 1/4 the Ranch House of H. S. Wooley and where a dam is thrown across said Creek and this notice posted and a monument of wood four feet high erected, said ditch running in a westerly direction being already constructed, about 3 miles in length, and the water conducted on the following described lands for agricultural and irrigating purposes, sections 27, 32, 33 and 34 in Township 7 South of Range 43 E.B.M. Dated this 14<sup>th</sup> day of October A. D. 1886

Samuel Hale, E. F. Wooley  
E. R. Wooley Sarah Wooley

TERRITORY OF IDAHO COUNTY OF BEAR LAKE ) SS This is to certify that I did on the 4<sup>th</sup> day of October A. D. 1886 at the point indicated in the foregoing, post up a notice of which the within is a true copy. J. C. Rich.

Recorded at the request of Samuel Hall October 6<sup>th</sup> 1886 9:05 A.M. J. Hasenfratz Co. Recorder  
By J. U. Stucki, Deputy

TERRITORY OF IDAHO COUNTY OF BEAR LAKE ) SS I hereby certify that the foregoing is a full, true and correct copy of a water Location recorded on Page 79 of Book 1 of Miscellaneous Records Witness my hand and official seal at Paris Idaho, this 21<sup>st</sup> day of October A. D. 1889. T. L. Montonya Co. Recorder

Recorded at the request of Jas. H. Hawley May 17<sup>th</sup> 1890 10:05 A.M. Geo. A. Robethan, Recorder.

Transcribed from Book C of Water Locations Page 164 Records of Bingham County Idaho  
Transcribed from Bannock County Records, Water Location Record No. 1, page 375

WATER LOCATION OF GEO. M. PUGMIRE )

Notice is hereby given that the undersigned a citizen of the United States hereby claims and appropriates all the waters of what is known as West Spring Creek in the Upper Blackfoot Valley, Bear Lake or Bingham County, Idaho. Said appropriation is made by means of a dam thrown across said Creek near the mouth of the canon on the south side of said creek and the water conducted therefrom by means of a ditch 4 feet wide in the bottom, 6 feet wide on top, 2 feet deep with a fall of 1/2 of an inch to the rod. The point of diversion is at said dam and where this notice is posted and a monument of wood 4 feet high erected, and said appropriation is made for conducting the waters of said stream on to the following des-

retract of land for Agricultural and irrigation purposes, to-wit: N<sup>2</sup> of NE<sup>4</sup>, NE<sup>4</sup> of NW<sup>4</sup> of sec. 9 and SE<sup>4</sup>, E<sup>2</sup> of SW<sup>4</sup>, S<sup>2</sup> of NE<sup>4</sup>, SE<sup>4</sup> of NW<sup>4</sup> and lots 1, 2 and 3 Sec. 4 Tp. 7 South of Range 44 East. Dated this 17<sup>th</sup> day of October A. D. 1886.

Geo. M. Pugmire  
TERRITORY OF IDAHO COUNTY OF BEAR LAKE ) SS I hereby certify that I did on the 17<sup>th</sup> day of October A. D. 1886 at the point indicated in the foregoing post up a notice of which the within is a true copy  
J. C. Rich.

Recorded at the request of George M. Pugmire, Nov. 8<sup>th</sup> 1886, 9.0 A.M. J. Hasenfratz Co. Recorder, By J. U. Stucki, Deputy.

TERRITORY OF IDAHO COUNTY OF BEAR LAKE ) SS I hereby certify that the foregoing is a full, true and correct copy of a Water appropriation recorded in Book 1 Page 102 of Miscellaneous Records of said county. Witness my hand and official seal at my office in Paris Idaho, this 21<sup>st</sup> day of October 1889 (Seal) T. L. Montonya Co. Recorder

Recorded at the request of Jas. H. Hawley May 17<sup>th</sup> 1890 at 10:10 A.M. Geo. A. Robethan, Recorder.

Transcribed from Book C of Water Locations Page 165 Records of Bingham County, Idaho.  
Transcribed from Bannock County Records, Water Location Record No. 1, page 377

WATER LOCATION OF HENRY B. RICH ET AL ) Notice is hereby given that the undersigned citizen of the United States hereby claim and appropriate all the waters of a certain stream known as Butte Creek situated in Upper Blackfoot Valley Bear Lake or Bingham County, Idaho Territory. Said appropriation made by means of two ditches already constructed, one on the north and one on the south side of said stream of the following dimensions, to-wit: Each four feet wide in the bottom, six feet wide on top, 18 inches deep with a fall of one inch to the rod. The point of diversion is at the dam thrown across said Creek and near the mouth of the Canon and where this notice is posted and a monument of wood 4 feet high erected. Said water being conducted by mean of the ditches aforesaid on the following described tracts of land for agricultural and irrigating purposes, to-wit: SW<sup>4</sup> Sec. 2 NW<sup>4</sup> Sec. 11 and NW<sup>4</sup> Sec. 14, SW<sup>4</sup>, SW<sup>4</sup> & W<sup>2</sup> SE<sup>4</sup> Sec. 11 in Tp. 7 So. R. 44 E.B.M. Dated this 11<sup>th</sup> day of Oct. A.D. 1886. Henry B. Rich, Lorenzo E. Rich

TERRITORY OF IDAHO COUNTY OF BEAR LAKE ) SS I hereby certify that I did on the 11<sup>th</sup> day of October 1886 at the point indicated in the foregoing, post up a notice of which the within is a true copy.  
J. C. Rich

Recorded at the request of Henry B. Rich October 12<sup>th</sup> 1886 at 5:40 P. M. J. Hasenfratz Co. Recorder By J. U. Stucki, Deputy.

TERRITORY OF IDAHO COUNTY OF BEAR LAKE ) SS I hereby certify that the foregoing is a full true and correct copy of a Water Appropriation recorded on page 90 of Book 1 of Miscellaneous Records of said Bear Lake County. As witness my hand and official seal at Paris, Idaho, Oct. 21, 1889. T. L. Montonya Co. Recorder (Seal)

Recorded at the request of Jas. N. Hawley May 17<sup>th</sup> 1890, at 10:15 A.M. Geo. A. Robethan, Recorder.

Transcribed from Book C of Water Locations Page 165 Records of Bingham County Idaho  
Transcribed from Bannock County Records, Water Location Record No. 1, page 379

WATER LOCATION OF SAMUEL J. RICH )

Notice is hereby given that the undersigned citizen of the United States hereby claim and appropriate all the waters of the following named Creeks, situated in the Upper Blackfoot Valley Bear Lake or Bingham County, Idaho Territory by means of ditches of the following dimensions, to-wit: Lake Creek waters diverted at dam across said creek about one mile and half north of Blackfoot River and where this notice is posted and monument of wood 4 ft. high erected, ditches already constructed, one on East and one on West side each of following dimensions, two feet wide at bottom, three feet wide on top, one foot deep with a fall of  $\frac{1}{4}$  of an inch to the rod. Dale Creek water diverted at dam across said Creek

about 160 rods west of Lake Creek dam and where this notice is posted and monument of wood 4 ft. high erected, one ditch already constructed brought out on west side two feet wide in the bottom, three feet wide on top, one foot deep with a fall of  $\frac{1}{2}$  inch to the rod. Pole Creek, water diverted at dam across said creek about 160 rods west of Pole Creek dam and where this notice is posted and monument of wood 4 ft. high erected, on ditch already constructed, two feet wide in the bottom, three feet wide on top and one foot deep with a fall of  $\frac{1}{2}$  of an inch to the rod. Said appropriation are made by means of the ditches and dams aforesaid and the waters conducted on the following described tracts of land for Agricultural and irrigation purposes to-wit: Sec. 12 of Tp. 7 South of R. 44 East B.M. Dated this 11<sup>th</sup> day of October A. D. 1886. Samuel J. Rich

TERRITORY OF IDAHO COUNTY OF BEAR LAKE ) SS I hereby certify that I did on the 11 day of October 1886 at the point indicated in the foregoing post up notices of which the within are true copies. J. C. Rich

Recorded at request of Sameul J. Rich Oct. 12<sup>th</sup> '86 at 5:35 P. M. J. Hasenfratz, Co. Recorder By J. U. Stucki Deputy

TRANSCRIBED FROM BOOK C OF WATER LOCATIONS PAGE 167 Records of Bingham County, Idaho. TERRITORY OF IDAHO COUNTY OF BEAR LAKE ) ss I hereby certify that the foregoing is a full, true and correct copy of a Water Appropriation recorded on Page 85 of Book 1 of Miscellaneous Records of said County. As witness my hand and Official seal at Paris, Idaho, this 21<sup>st</sup> day of October 1889. T. L. Montonya, Co. Recorder (Seal)

Recorded at the request of Jas. H. Hawley May 17<sup>th</sup> 1890 at 10:20 A.M. Geo. A. Robethan, Recorder.

Transcribed from Bannock County Records, Water Location Record No. 1, page 381 WATER LOCATION OF FREDERICK STAUFFER )

Notice is hereby given that the undersigned a citizen of the United States hereby claims and appropriates all the waters of Duck Spring Creek situated on the East side of the Upper Blackfoot Valley in Bear Lake or Bingham County, Idaho Territory. Said appropriation is made by means of a dam and ditch already constructed the point of diversion being about one half mile below the spring and at the dam where this notice is posted and a monument of wood 4 ft high erected. Said ditch is four feet wide on the bottom, six feet wide on the top, two feet deep with a fall of one quarter of an inch to the rod, runs in a north-westerly direction about one and one half miles in length and conducts the water on the following described lands for Agricultural and irrigating purposes, sections 10 and 15 in town ship 7 south of Range 44 East B.M. Dated this 4<sup>th</sup> day of October A. D. 1886.

Frederick Stauffer  
TERRITORY OF IDAHO COUNTY OF BEAR LAKE ) SS. I hereby certify that I did on the 4<sup>th</sup> day of October A. D. 1886 at the place indicated in the foregoing post up a notice of which the within is a true copy J. C. Rich

Recorded at the request of Frederick Stauffer Oct. 6<sup>th</sup> 1886 at 9 A.M. J. Hasenfratz Co. Recorder, By J. U. Stucki, Deputy.

TERRITORY OF IDAHO COUNTY OF BEAR LAKE ) SS. I hereby certify that the foregoing is a full, true and correct copy of a Water Appropriation recorded in Book 1 page 78 of Miscellaneous Records of the said Bear Lake County Witness my hand and Official seal at Paris, Idaho, this 21<sup>st</sup> day of October A. D. 1889. T. L. Montonya Co. Recorder.

Recorded at the request of James H. Hawley May 17 1890, 10:25 A.M. Geo. A. Robethan, Recorder.

Transcribed from Bannock County Records, Water Location Record No. 1, page 383 WATER LOCATION OF HENRY MARGETTS )

Notice is hereby given that the undersigned citizen of the United States hereby claim

and appropriate all the waters of a certain stream, situated in Upper Blackfoot Valley, near Lake or Bingham County, Idaho Territory, known as Canyon View Creek. Said appropriation is made by means of two ditches already constructed, one on the north, one on the south side of said stream of the following dimensions to-wit, East ditch 4 feet wide at the bottom, 6 feet wide at the top and 18 inches deep with a fall of 1/2 inch to the rod. The point of diversion is near the mouth of the Canon at the dam across said Creek and where this notice is posted and a monument of wood 4 ft. high erected, and the waters of said stream conducted by the ditches aforesaid on the following described tracts of land for agricultural and irrigating purposes, to-wit: E<sup>2</sup> Sec. 23, W<sup>2</sup> Sec. 24, E<sup>2</sup> Sec. 14 SW<sup>4</sup> and W<sup>2</sup> of NW<sup>4</sup> Sec. 13 Tp. 7 So. R. 44 E. B.M. Dated this 11<sup>th</sup> day of October A. D. 1886.

Henry Margetts. Hyrum S. Rich

TERRITORY OF IDAHO COUNTY OF BEAR LAKE ) SS. I hereby certify that I did on the 11<sup>th</sup> day of October 1886 at the point indicated in the foregoing post up a notice of which the within is a true copy.

J. C. Rich

Recorded at the request of Henry Margetts October 12<sup>th</sup> 1886 at 5:30 P. M. J. Hasenfratz Co. Recorder By J. U. Stucki, Deputy.

TERRITORY OF IDAHO COUNTY OF BEAR LAKE ) SS. I hereby certify that the foregoing is a full, true and correct copy of a Water Location recorded in Book 1 page 83 of the Miscellaneous Records of the said County. As witness my hand and official seal at Paris, Idaho, this 21<sup>st</sup> day of October 1889. (Seal) J. L. Montonya Co. Recorder

Recorded at the request of James H. Hawley May, 17<sup>th</sup> 1890, at 10:30 A.M. Geo. A. Robethan, Recorder.

Transcribed from Book C of Water Locations Page 170 Records of Bingham County, Idaho  
Transcribed from Bannock County Records, Water Location Record No. 1, page 384

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WATER LOCATION OF ABRAHAM VAN ORMAN ET AL)

Notice is hereby given that the undersigned citizens of the United States hereby claim and appropriate so much of the waters of Blackfoot River as will flow through a ditch of the following dimensions to-wit: Ten feet wide at bottom, 12 ft wide at the top, and 3 ft. deep with a fall of 1/2 of an inch to the rod, said ditches being now completed with a dam thrown across Blackfoot at the point of diversion and where this notice is posted and a monument of wood 4 ft. high erected. Said point of diversion and dam is about one mile above the bridge across Blackfoot in the lower Blackfoot Valley, Bear Lake or Bingham Co. Idaho Said ditch is about 2 miles in length, runs in a northwesterly direction and is conducted on the following described lands for Agricultural and irrigating purposes, Sections 26, 27, 33, 34 and 35 in Tp. 7 south of Range 43 E.B.M. Dated this 4<sup>th</sup> day of October A. D. 1886.

Abraham Van Orman, Samuel Hall H. S. Wooley E. T. Wooley

TERRITORY OF IDAHO COUNTY OF BEAR LAKE ) SS. This is to certify that I did on the 4<sup>th</sup> day of October A. D. 1886 at the point indicated in the within notice post up a notice of which the within is a true copy.

J. C. Rich

Recorded at the request of Abraham Van Orman October 6<sup>th</sup> 1886, at 9:10 A.M. J. Hasenfratz Co. Recorder By J. U. Stucki, Deputy

TERRITORY OF IDAHO COUNTY OF BEAR LAKE ) SS. I hereby certify that the foregoing is a full, true and correct copy of a Water Appropriation recorded in Book 1 Page 82 of Miscellaneous Records of said County. Witness my hand and official seal at Paris, Idaho, Oct. 21, A. D. 1889. (Seal) J. L. Montonya Co. Recorder

Recorded at the request of James H. Hawley May 17, 1890 10:35 A. M. Geo. A. Robethan, Recorder.

Transcribed from Book C of Water locations Page 171 Records of Bingham County Idaho.  
Transcribed from Bannock County Records, Water Location Record No. 1, page 386

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WATER LOCATION OF JOSEPH WATKINS )

## Bird, Cindy

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**From:** Carlsen, Ernie  
**Sent:** Friday, October 15, 2004 8:40 AM  
**To:** Bird, Cindy  
**Subject:** RE: claim 27-42

Good Morning Cindy,

The new number for 27-42 is 27-12043.

Have a swell Friday and grand week-end.

Ernie

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

**From:** Bird, Cindy  
**Sent:** Thursday, October 14, 2004 4:55 PM  
**To:** Carlsen, Ernie  
**Subject:** claim 27-42

good afternoon Ernie,

Claim 27-42 should be a beneficial use claim not a decree. Will you please renumber it to a 10,000 number so I can recommend it as an instream stockwatering claim.

thanks,  
Cindy

1. Rec. n Amend a claim 27- 12043.
2. do eCUR
3. wait to print pul. Report - We are waiting for an address update.

## Notes

Bear Lake grazing.

6/15/04. According to the split between the upper & lower Austin Ranch, Bear Lake grazing should not have filed on 27-42, 27-63 (27-11275), 27-64 (27-11275), 27-65. See analysis sheet for rights. Bear Lake grazing might need to claim. CB

10/14/04. Mills Canyon was not part of the Steven's decree. So the number on this right is incorrect because this is a beneficial use claim not a decree. During the field exam done 10/13/04 with Paul Kutab, Ben & Lee from Bear Lake Grazing. This water is not diverted and used for irrigation. It runs out onto the ground and sub-irrigates some of the meadow. But doesn't reach Diamond Ck. The water is used for stock watering. This right needs to be renumbered and recommended as in stream stock water, NOT 27-42.

10/14/04 Requested Ernie remember to a 10,000 series. CB

10/15/04 Recommend as in-stream stock watering. CB

**ROLAND ALLEN:**

**27-11016**-THIS RIGHT IS BASED ON BLACKFOOT RIVER DECREED WATER

| RIGHTS   | PRIORITY   | INCHES |
|----------|------------|--------|
| 27-00044 | 11-1-1886  | 128    |
| 27-00070 | 10-17-1886 | 114    |
| 27-00085 | 10-11-1886 | 203    |
| 27-00063 | 10-04-1886 | 42     |
| 27-00066 | 10-11-1886 | 42     |
| 27-00032 | 07-03-1885 | 37     |

**PRESTON ALLEN:**

**27-10096**-CLAIM REPRESENTS DECREED BLACKFOOT WATER BASED ON 27-0042, 0043, 0063, 0087, SAME PRIORITY

**BEAR LAKE GRAZING:**

**27-11271**-COMBINES DECREED RIGHTS 27-00066, 00067, 00068, 00069 AND 00070.

**27-11273**-DECREED RIGHT 27-00058 AND 27-00059

**27-11275**-COMBINES RIGHTS 27-00064 AND 27-00063

**27-11269**-COMBINES DECREED RIGHTS 27-00060, 00061 AND 00062

Analysis of decrees for Upper and Lower Austin Ranches  
Division 55% Allen lower and 45 % Upper Ranch kept by Austin Brothers.

| W/R # | NAME                | INCHES | CFS   | PRIORITY   | SOURCE                  | ALLEN SPLIT |        |        |         |            | A.J. CLAIMS |          | BEAR LAKE<br>GRAZING |
|-------|---------------------|--------|-------|------------|-------------------------|-------------|--------|--------|---------|------------|-------------|----------|----------------------|
|       |                     |        |       |            |                         | ALLEN       | AUSTIN | ROLAND | PRESTON | DIFFERENCE | ROLAND      | PRESTON  |                      |
| 27-32 | W. W. RITER         | 560    | 11.2  | 7-23-1885  | BLACKFOOT RIVER         | 560         |        |        |         |            | 27-11016    |          |                      |
| 27-33 | THOMAS G. WEBER     | 480    | 9.6   | 7-23-1885  | BLACKFOOT RIVER         | 480         |        |        |         |            |             |          |                      |
| 27-36 | H. R. & SARAH LEWIS | 160    | 3.2   | 3-1-1886   | BLACKFOOT RIVER         | 160         |        |        |         |            |             |          |                      |
| 27-42 | F. LITTLE           | 240    | 4.8   | 10-4-1886  | BLACKFOOT RIVER         | 240         |        | 1.3    | 1.3     | 2.2        |             | 27-10096 | 27-42                |
| 27-43 | CHARLES S. BURTON   | 240    | 4.8   | 10-4-1886  | BLACKFOOT RIVER         | 240         |        |        | 4.0     | 0.8        |             | 27-10096 |                      |
| 27-44 | JOHN SHARP SR.      | 320    | 6.4   | 11-1-1886  | BLACKFOOT RIVER         | 320         |        |        |         |            | 27-11016    |          |                      |
| 27-45 | F.W. JENNINGS       | 400    | 8     | 11-1-1886  | BLACKFOOT RIVER         | 400         |        | 8.0    |         | 0          | 27-45, 45A  |          |                      |
| 27-18 | H.R. LEWIS          | 100    | 2     | 3-1-1875   | BLACKFOOT RIVER         | 100         |        |        |         |            |             |          |                      |
| 27-59 | W.H. ROWE           | 560    | 11.2  | 10-11-1886 | CANON VIEW CREEK        |             | 560    |        |         |            |             |          | 27-11273             |
| 27-60 | JAMES SHARP         | 560    | 11.2  | 10-4-1886  | DIAMOND CREEK           |             | 560    |        |         |            |             |          | 27-11269             |
| 27-61 | JAMES F. LITTLE     | 560    | 11.2  | 10-11-1886 | DIAMOND CREEK           |             | 560    |        |         |            |             |          | 27-11269             |
| 27-62 | CHARLES S. BURTON   | 200    | 4     | 10-11-1886 | DIAMOND CREEK           |             | 200    |        |         |            |             |          | 27-11269             |
| 27-63 | W. W. RITER         | 320    | 6.4   | 10-4-1886  | HOME SPRING CREEK       | 320         |        | 8      | 3.6     | -5.2       | 27-11016    | 27-10096 | 27-11275             |
| 27-64 | JAMES SHARP         | 320    | 6.4   | 10-17-1886 | HOME SPRING CREEK       | 320         |        |        | 6.4     | 0          |             |          | 27-11275             |
| 27-65 | ELIAS A. SMITH      | 568    | 11.36 | 10-17-1886 | WEST SPRING CREEK       | 568         |        |        |         |            |             |          | 27-65                |
| 27-66 | W. W. RITER         | 320    | 6.4   | 10-11-1886 | LANE CREEK              |             | 320    | 8      | 3.6     |            | 27-11016    | 27-66A   | 27-11271             |
| 27-67 | HENRY DINWOODY      | 400    | 8     | 10-11-1886 | LANE CREEK              |             | 400    |        |         |            |             |          | 27-11271             |
| 27-68 | JOSEPH JENNINGS     | 560    | 11.2  | 10-11-1886 | LANE CREEK              |             | 560    |        |         |            |             |          | 27-11271             |
| 27-69 | HEBER M. WELLS      | 640    | 12.8  | 10-11-1886 | LANE CREEK              |             | 640    |        |         |            |             |          | 27-11271             |
| 27-70 | JOHN SHARP SR.      | 284    | 5.68  | 10-17-1886 | LANE CREEK              |             | 284    | 5.68   |         |            | 27-11016    | 27-70A   | 27-11271             |
| 27-86 | GEORGE ROMENY       | 610    | 12.2  | 10-11-1886 | LAKE, PALE & DALE CREEK | 610         |        |        |         |            |             |          |                      |
|       | W.W. RITER          |        | 0     |            |                         |             |        |        |         |            |             |          |                      |
|       | JOHN SHARP SR.      |        | 0     |            |                         |             |        |        |         |            |             |          |                      |
| 27-88 | JOHN SHARP JR.      | 640    | 12.8  | 10-4-1886  | HIGHLAND CREEK          |             | 640    |        |         |            |             |          | 27-88                |
| 27-87 | F. LITTLE           | 640    | 12.8  | 10-4-1886  | DUCK SPRING CREEK       |             | 640    | 3.5    | 3.5     | 5.8        |             | 27-10096 | 27-87                |
| 27-89 | L.S. HILLS          | 400    | 8     | 10-11-1886 | BUTTE CREEK             |             | 400    |        |         |            |             |          | 27-89                |
| 27-90 | J. T. LITTLE        | 480    | 9.6   | 10-17-1886 | ROCK CREEK              |             | 480    |        |         |            |             |          |                      |
| 27-96 | SAMUEL J. RICH      | 200    | 4     | 10-1-1888  | LOWER SPRINGS           |             | 200    |        |         |            |             |          |                      |
|       | JOHN H. BAGLEY      |        |       |            |                         | 4318        | 6444   |        |         |            |             |          |                      |
|       |                     |        |       |            |                         | 40%         | 60%    |        |         |            |             |          |                      |

6-10-04 THE ACTUAL SPLIT IS 40/60 CB.

27-42 4.8  
27-66A 3.6  
27-70A 6.4

COMBINED RIGHTS

27-10096 12.40  
27-11016 12.08 ALSO 27-85  
27-11271 44.08  
27-11275 12.80  
27-11273 24.00  
27-11269 26.40

DECREE - AUSTIN RANCHES, UPPER AND LOWER  
Divided 55% Allen Lower - 45% Upper

|                                                                 | NAME                  | INCHES        | PRIORITY                     |
|-----------------------------------------------------------------|-----------------------|---------------|------------------------------|
| Blackfoot River<br>Basin<br>6 7/8                               | - W. W. Riter         | 37" 560       | July 23, 1885 27-32          |
|                                                                 | - Thomas G. Weber     | 480           | July 23, 1885 27-33          |
|                                                                 | - H. R. & Sarah Lewis | 160           | March 1, 1886 27-36          |
|                                                                 | - F. Little           | 240           | October 1, 1886 27-42 55/45  |
|                                                                 | - Charles S. Burton   | 240           | October 4, 1886 27-43        |
|                                                                 | - John Sharp, Sr.     | 128" 320      | November 1, 1886 27-44       |
|                                                                 | - F. W. Jennings      | 400           | November 1, 1886 27-45 Rol A |
|                                                                 | - E. R. Lewis         | 100           | March 1, 1875 27-48          |
|                                                                 | - W. H. Rowe          | 560           | October 11, 1886 27-52 upper |
|                                                                 | - James Sharp         | 560           | October 4, 1886 27-60        |
| among<br>CRK                                                    | - James F. Little     | 560           | October 11, 1886 27-61       |
|                                                                 | - Charles Burton      | 200           | October 11, 1886 27-62       |
|                                                                 | - W. W. Riter         | 42" 6.4 320   | October 4, 1886 27-63        |
|                                                                 | - James Sharp         | 6.4 320       | October 17, 1886 27-64       |
|                                                                 | - Elias A. Smith      | 11.36 560     | October 17, 1886 27-65       |
|                                                                 | - W. W. Riter         | 42" 320       | October 11, 1886 27-66       |
|                                                                 | - Henry Dinwoody      | 400           | October 11, 1886 27-67       |
|                                                                 | - Joseph Jennings     | 560           | October 11, 1886 27-68       |
|                                                                 | - Eber M. Wells       | 640           | October 11, 1886 27-69       |
|                                                                 | - John Sharp, Sr.     | 114" 5.68 284 | October 17, 1886 27-70       |
| Lake<br>Dale<br>Pollock<br>among<br>CRK<br>Rock CRK<br>lower SP | - George Romney       | 610           | October 11, 1886 27-71       |
|                                                                 | - W. W. Riter         | 610           | October 11, 1886 27-72       |
|                                                                 | - John Sharp, Sr.     | 610           | October 11, 1886 27-73       |
|                                                                 | - John Sharp, Jr.     | 12.8 640      | October 4, 1886 27-74        |
|                                                                 | - F. Little           | 12.8 640      | October 4, 1886 27-75        |
|                                                                 | - L. S. Hills         | 400           | October 11, 1886 27-76       |
|                                                                 | - J. T. Little        | 480           | October 17, 1886 27-77       |
|                                                                 | - Samuel J. Rich      | 200           | October 1, 1888 27-78        |
|                                                                 | - John H. Bagley      | 200           | October 1, 1888 27-79        |
|                                                                 |                       |               |                              |

12,402

5570 6,821.1 Lower - and  
4570 5580.7 upper - and  
B

James  
*[Signature]*

5538

27-11016 Rolland to Preston filed on

|       |            |      |      |
|-------|------------|------|------|
| 27-44 | 11-1-1886  | 128" | 4076 |
| 27-70 | 10-17-1886 | 114" | 4070 |
| 27-85 | 10-17-1886 | 203" |      |
| 27-63 | 10-4-1886  | 42"  |      |
| 27-66 | 10-11-1886 | 42"  |      |
| 27-32 | 7-3-1885   | 37"  |      |

RECEIVED  
JUN 10 2004  
CB

Basin 27

| Basin No. | Sequence Number | Split Suffix | Name                  | R | D | Basis of a Claim | yyyy-mm-dd Priority Date | File Movement                        | Remarks | Y N/A Layout | Useage     | Other Water Rights Used         | Stevens Decree #     | Total CFS |
|-----------|-----------------|--------------|-----------------------|---|---|------------------|--------------------------|--------------------------------------|---------|--------------|------------|---------------------------------|----------------------|-----------|
| 27        | 42              |              | Bear Lake Grazing Co. |   |   | Decreed          | 1886-10-04               | To Skip 4/29/04.<br>To Cindy 5/6/04. |         |              | irrigation |                                 | 42                   | 4.80      |
| 27        | 65              |              | Bear Lake Grazing Co. |   |   | Decreed          | 1886-10-17               | To Skip 4/29/04.<br>To Cindy 5/6/04. |         |              | irrigation |                                 | 65                   | 11.36     |
| 27        | 87              |              | Bear Lake Grazing Co. |   |   | Decreed          | 1886-10-04               | To Skip 4/29/04.<br>To Cindy 5/6/04. |         |              | irrigation |                                 | 87                   | 12.80     |
| 27        | 88              |              | Bear Lake Grazing Co. |   |   | Decreed          | 1886-10-04               | To Skip 4/29/04.<br>To Cindy 5/6/04. |         |              | irrigation |                                 | 88                   | 12.80     |
| 27        | 89              |              | Bear Lake Grazing Co. |   |   | Decreed          | 1886-10-11               | To Skip 4/29/04.<br>To Cindy 5/6/04. |         |              | irrigation |                                 | 89                   | 8.00      |
| 27        | 11269           |              | Bear Lake Grazing Co. |   |   | Decreed          | 1886-10-11               | To Skip 4/29/04.<br>To Cindy 5/6/04. |         |              | irrigation | Combined 27-60, 61, 62          | 60,61,62             | 26.40     |
| 27        | 11271           |              | Bear Lake Grazing Co. |   |   | Decreed          | 1886-10-17               |                                      |         |              | irrigation | Combines 27-66, 67, 68, 69, 70. | 69,70<br>66,67,68,69 | 44.08     |
| 27        | 11273           |              | Bear Lake Grazing Co. |   |   | Decreed          | 1886-10-11               | To Skip 4/29/04.<br>To Cindy 5/6/04. |         |              | irrigation | Combined 27-58 & 59             | 58,59                | 24.00     |
| 27        | 11275           |              | Bear Lake Grazing Co. |   |   | Decreed          | 1886-10-17               | To Skip 4/29/04.<br>To Cindy 5/6/04. |         |              | irrigation | Combines 27-64.                 | 63,64                | 12.80     |
| 27        | 11278           |              | Bear Lake Grazing Co. |   |   | bu               | 1885-05-01               | To Skip 4/29/04.<br>To Cindy 5/6/04. |         |              | irrigation |                                 |                      | 8.14      |
| 27        | 11280           |              | Bear Lake Grazing Co. |   |   | bu               | 1887-05-01               | To Skip 4/29/04.<br>To Cindy 5/6/04. |         |              | irrigation |                                 |                      | 11.48     |
| 27        | 11281           |              | Bear Lake Grazing Co. |   |   | bu               | 1886-05-01               | To Skip 4/29/04.<br>To Cindy 5/6/04. |         |              | irrigation |                                 |                      | 1.20      |

Basin 27

| Basin No. | Sequence Number | Split Suffix | Name                     | R | D | Basis of a Claim | yyyy-mm-dd Priority Date | File Movement   | Remarks           | Y N/A Layout | Usage            | Other Water Rights Used             | Stevens Decree # | Total CFS |
|-----------|-----------------|--------------|--------------------------|---|---|------------------|--------------------------|-----------------|-------------------|--------------|------------------|-------------------------------------|------------------|-----------|
| 27        | 4               | Q            | Allen & Sons, Preston R. |   |   | Decreed          | 1885-06-01               | To Skip 4/29/04 |                   |              | irrigation       | 27-4141, 4137, 10096, 10097 & 10098 | 4                | 2.00      |
| 27        | 12000           |              | Allen & Sons, Preston R. |   |   | bu               | 1891-08-01               | To Skip 4/29/04 | Parent 27-11018   |              | irrigation/stock |                                     |                  |           |
| 27        | 12003           |              | Allen & Sons, Preston R. |   |   | statutory        | 1931-05-01               | To Skip 4/29/04 | Parent 27-4157    |              | irrigation/stock |                                     |                  |           |
| 27        | 12004           |              | Allen & Sons, Preston R. | R |   | bu               | 1885-04-01               |                 |                   | N/A          | stockwater       |                                     |                  |           |
| 27        | 12005           |              | Allen & Sons, Preston R. | R |   | bu               | 1885-04-01               |                 |                   | N/A          | stockwater       |                                     |                  | 0.02      |
| 27        | 12009           |              | Allen & Sons, Preston R. |   |   | bu               | 1891/08/01               |                 | Parent is 27-4156 | N/A          | stockwater       |                                     |                  |           |

Basin 27

| Basin No. | Sequence Number | Split Suffix | Name                     | R | D | Basis of a Claim | yyyy-mm-dd Priority Date | File Movement   | Remarks           | Y N/A Layout | Useage           | Other Water Rights Used             | Stevens Decree # | Total CFS |
|-----------|-----------------|--------------|--------------------------|---|---|------------------|--------------------------|-----------------|-------------------|--------------|------------------|-------------------------------------|------------------|-----------|
| 27        | 4               | Q            | Allen & Sons, Preston R. |   |   | Decreed          | 1885-06-01               | To Skip 4/29/04 |                   |              | irrigation       | 27-4141, 4137, 10096, 10097 & 10098 | 4                | 2.00      |
| 27        | 12000           |              | Allen & Sons, Preston R. |   |   | bu               | 1891-08-01               | To Skip 4/29/04 | Parent 27-11018   |              | irrigation/stock |                                     |                  |           |
| 27        | 12003           |              | Allen & Sons, Preston R. |   |   | statutory        | 1931-05-01               | To Skip 4/29/04 | Parent 27-4157    |              | irrigation/stock |                                     |                  |           |
| 27        | 12004           |              | Allen & Sons, Preston R. | R |   | bu               | 1885-04-01               |                 |                   | N/A          | stockwater       |                                     |                  |           |
| 27        | 12005           |              | Allen & Sons, Preston R. | R |   | bu               | 1885-04-01               |                 |                   | N/A          | stockwater       |                                     |                  | 0.02      |
| 27        | 12009           |              | Allen & Sons, Preston R. |   |   | bu               | 1891/08/01               |                 | Parent is 27-4156 | N/A          | stockwater       |                                     |                  |           |

Basin 27

| Basin No. | Sequence Number | Split Suffix | Name              | R | D | Basis of a Claim | yyyy-mm-dd Priority Date | File Movement   | Remarks                                     | Y N/A Layout | Useage              | Other Water Rights Used             | Stevens Decree # | Total CFS |
|-----------|-----------------|--------------|-------------------|---|---|------------------|--------------------------|-----------------|---------------------------------------------|--------------|---------------------|-------------------------------------|------------------|-----------|
| 27        | 45              | A            | Allen, Roland L&L |   | D | DISALLOWED       | 1886-11-01               |                 | Has had decree crossed out & changed to BU. | N/A          | irrigation/stock    |                                     | 45               | 0.30      |
| 27        | 45              |              | Allen, Roland L&L |   |   | Decreed          | 1886-11-01               |                 |                                             |              | irrigation/stock    |                                     | 45               | 8.00      |
| 27        | 11016           |              | Allen, Roland L&L |   |   | Decreed          | 1886-11-01               | To Skip 4/29/04 |                                             |              | irrigation/stock    | Based on 27-44, 70, 85, 63, 66, 32. | 32               | 12.08     |
| 27        | 11330           |              | Allen, Roland L&L |   |   | bu               | 1950-04-01               |                 |                                             |              | domestic/irrigation |                                     |                  | 0.30      |
| 27        | 11334           |              | Allen, Roland L&L |   |   | bu               | 1950-04-01               | To Skip 4/29/04 |                                             |              | irrigation          | 27-4157                             |                  | 0.40      |
| 27        | 12010           |              | Allen, Roland L&L |   |   | bu               | 1891/08/01               |                 | Parent is 27-4156                           |              | stockwater          |                                     |                  |           |

Basin 27

| Sequence Number | Split Suffix | Name              | R | D | Basis of a Claim | yyyy-mm-dd Priority Date | File Movement                                       | Remarks                                                  | Y N/A Layout | Useage     | Other Waters Rights Used                          | Stevens Decree # |
|-----------------|--------------|-------------------|---|---|------------------|--------------------------|-----------------------------------------------------|----------------------------------------------------------|--------------|------------|---------------------------------------------------|------------------|
| 66              | A            | Allen, Preston R. |   |   | Decreed          | 1886-10-04               | To Skip 4/29/04                                     |                                                          |              | irrigation |                                                   | 66 3.60          |
| 70              | A            | Allen, Preston R. |   |   | Decreed          | 1886-10-17               | To Skip 4/29/04                                     |                                                          |              | irrigation |                                                   | 70 6.40          |
| 4137            |              | Allen, Preston R. |   |   | bu               | 1941-06-01               | To Skip 4/29/04                                     |                                                          |              | irrigation | 27-10096, 27-10097, 27-10098, 27-4Q & 27-4141     | 2-34             |
| 4141            |              | Allen, Preston R. |   |   | bu               | 1931-06-01               | To Skip 4/29/04                                     |                                                          |              | irrigation | 27-10096, 27-10097, 27-10098, 27-4Q & 27-4137     | 13.22            |
| 10096           |              | Allen, Preston R. |   |   | Decreed          | 1886-10-04               | To Skip 4/29/04                                     |                                                          |              | irrigation | 27-42, 43, 63, 87                                 | 87 12.40         |
| 11951           |              | Allen, Preston R. |   |   | bu               | 1941-04-01               | To IF on 7/16/03. Back on 07/21/03. To Skip 4/29/04 | Ext. SOU, 27-66A & 27-70A                                |              | irrigation | 27-70A, 27-4Q, 27-66A, 27-10096, 27-4141, 27-4137 | 10.0             |
| 11952           |              | Allen, Preston R. |   |   | bu               | 1941-04-01               | To IF on 7/16/03. Back on 07/21/03. To Skip 4/29/04 | Ext. SOU 27-4Q                                           |              | irrigation | 27-70A, 27-4Q, 27-66A, 27-10096, 27-4141, 27-4137 | 2.0              |
| 11953           |              | Allen, Preston R. |   |   | bu               | 1941-04-01               | To IF on 7/16/03. Back on 07/21/03. To Skip 4/29/04 | Ext. SOU. Decrees 27-42, 43, 63 & 87. Combined 27-10096. |              | irrigation | 27-4Q, 27-66A, 27-670A, 27-4141, 27-4137          | 12.40            |

## Notes

4/28/04 Write claimants a letter requesting evidence to support the chg in source.  
POU chg? CB

4/29/04 Priority date. OK.

SOU - OK.

diversion rate : OK

### Issues:

1. When did source chg? Evidence required for change.

2. POU changed- when? Need evidence to support change.

Decreed POU: T75, R43E sec 10.15 & 35.

3. POD change - when? need evidence to support change!

4. Need evidence of ownership also claimed by Preston Allen & Sons.

5/5/04 Paul Keitch came in and brought several posted notices. They don't match sources, and sources claimed don't match decree numbers. He was going to go back to some of the old owners and discuss the matter and get back to me. CB

## Contacts Data Entry Form

27-12043.

Owner Type \_\_\_\_\_ Full Name \_\_\_\_\_ Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_

Current Owner: Bear Lake Grazing

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

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

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

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

Accompanied By: Paul Kutch, Lee, Ben Phone Number: \_\_\_\_\_

Relationship to Claimant: Share holders

Date of Field Exam: 10/13/04 Time: all day

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

10/13/04 I gave Paul Kutch an address update form to update the address in the file.

Reviewer: CB

Date: 10/15/04

Contacts Data Entry Form

Claim Number: 27-12043.

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

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

Recommended Priority Date: 10-4-1886 Recommended Basis B.U.

           Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

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

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: CB

Date: 10/15/04

## Priority Date Data Entry Form

## Priority Date

Claim No. 27-12043

1. Should this water use have been included in a later court decree of the water rights from this source? Yes ☐ No ☒  
If Yes, go to 2  
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes ☐ No ☐  
If Yes, go to 3a  
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes ☐ No ☐  
If Yes, consult the attorney assigned to the Basin. Go to 3b  
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes ☐ No ☐  
If Yes, go to 11  
If No, go to 4
4. Is the basis of claim a decree or license? Yes ☐ No ☒  
If Yes, go to 5  
If No, go to 7
5. Does the decree or license have a Priority Date? Yes ☐ No ☐  
If Yes, go to 6  
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes ☐ No ☐  
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15  
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
7. Is the basis of claim a Permit or Application? Yes ☐ No ☒  
If Yes, go to 10e  
If No, go to 8
8. Is the basis of claim a posted notice? Yes ☐ No ☒  
If Yes, consult the attorney assigned to the Basin, go to 15  
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes ☐ No ☒  
If Yes, go to 11  
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes ☐ No ☐  
If Yes, recommend the Priority Date shown on the license, go to 15  
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit. Add Condition Code A01 to the Recommendation, go to 15
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes ☐ No ☐  
If Yes, go to 12  
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes ☒ No ☐  
If Yes, recommend the date supported by the evidence submitted, go to 15  
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes ☐ No ☐  
If Yes, recommend the date supported by the evidence submitted, go to 15  
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14
14. Can any portion of the claim be recommended as a valid water right? Yes ☐ No ☐  
If Yes, go to 15  
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? Yes ☒ No ☐  
If Yes, go to 16  
If No, Enter the appropriate basis of claim.
16. Is a Priority Date remark and/or condition required? Yes ☐ No ☒  
If Yes, Enter the appropriate basis of claim. Priority Date review is complete  
If No, Priority Date review is complete.

B.U.

Priority Date

# Point of Diversion and Source Data Entry Form

Claim Number: 27-12043.

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 7S, R 44E, Sec. 15, SE, SW, NW. County: Caribou. - Pt of beginning

Source: Wet Spring Tributary: Sinks

\_\_\_\_ Use Claimed POD and Source as Recommended POD and Source 7S, R44E Sect. 15 NW NW NW - Pt of Ending

| Twp                    | Rge   | Sec   | Gov Lot | QQQ of QQ of Q | County | Source |
|------------------------|-------|-------|---------|----------------|--------|--------|
| _____                  | _____ | _____ | _____   | _____          | _____  | _____  |
| 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:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

Reviewer: CB

Date: 10/15/04

## Point of Diversion and Source Data Entry Form

**Point of Diversion**

**Claim No.** 27-12043

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.** 27-12043

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 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 ( ) 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 ( ) 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 (☒)

**Source**

## Purpose of Use Data Entry Form

Claim Number: 27-12043☐ 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 |
|-------------|-----------------|-----------------|------------|-----------------|
| Stockwater. |                 | 3000            |            |                 |
|             |                 |                 |            |                 |
|             |                 |                 |            |                 |

Document how the Purpose of Use was verified:

field exam.  
In stream stockwater

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

Reviewer: CRBDate: 10/15/04

## Purpose of Use

Claim No. 27-12043

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: 27-12043☐ 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 |
|-----|-----|-----|------|---|---------|---------|-------|----------------|
| 7S  | 44E | 15  | NWNW |   | Caribou |         | -     | stockwater     |
|     |     |     | SWNW |   | Caribou |         | -     | Stockwater.    |
|     |     |     |      |   |         |         |       |                |
|     |     |     |      |   |         |         |       |                |
|     |     |     |      |   |         |         |       |                |
|     |     |     |      |   |         |         |       |                |

Total Acres \_\_\_\_\_

Document how the POU was verified:

field exam.

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

Reviewer: CBDate: 10/15/04

Place Of Use Data Entry Form

## Place of Use

Claim No. 27-12043

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

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

Yes ☐ No ☒

2a. Is a POU required?

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

Yes ☐ No ☐

2b. Is a POU required?

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

Yes ☒ No ☐

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

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

Yes ☐ No ☒

4. Has the License been issued?

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

Yes ☐ No ☐

5. Does the parent right have a POU?

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

Yes ☐ No ☐

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

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

Yes ☐ No ☐

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

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

Yes ☐ No ☒

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

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

Yes ☐ No ☐

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

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

Yes ☐ No ☐

10. Was an enlargement claim filed?

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

Yes ☐ No ☐

11. Did the claimant file an enlargement claim?

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

Yes ☐ No ☐

12. Was a transfer filed?

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

Yes ☐ No ☐

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

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

Yes ☒ No ☐

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

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

Yes ☐ No ☒

## Place of Use

## Period of Use and Quantity Data Entry Form

Claim Number: 27-12043☐ 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 |
|------------|-------|-------|------|--------|
| stockwater | 5/1   | 11/15 | 0.02 |        |
|            |       |       |      |        |
|            |       |       |      |        |

Overall Diversion Rate 0.02

Overall Diversion Volume \_\_\_\_\_

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

field exam.~~have standard for stockwater~~

\$ winter weather requires them to move  
the cows out before the snow gets too deep.

Reviewer: CBDate: 10/15/04

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

Yes ( ) No (X)

If Yes, go to 4

If No, go to 2

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

Yes ( ) No (X)

If Yes, go to 3

If No, go to 6

3. Has the License been issued?

Yes ( ) No ( )

If Yes, go to 5

If No, recommend the Period of Use as shown on the Permit. Go to 18

4. Does the parent right have a Period of Use?

Yes ( ) No ( )

If Yes, go to 5

If No, go to 6

5. Can the claimed Period of Use be verified using the water right file?

Yes ( ) No ( )

If Yes, go to 14

If No, go to 6

6. Is there evidence that there has been a change in the Period of Use?

Yes ( ) No (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 ( ) No (X)

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. 27-12043

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

Yes ( ) No (X)

If Yes, go to 4

If No, go to 2

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

Yes ( ) No (X)

If Yes, go to 3

If No, go to 6

3. Has the License been issued?

Yes ( ) No ( )

If Yes, go to 5

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

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

Yes ( ) No ( )

If Yes, go to 5

If No, go to 7

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

Yes ( ) No ( )

If Yes, go to 8

If No, go to 7

6. Is the basis of claim a posted notice?

Yes ( ) No (X)

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

If No, go to 7

7. Is a flow measurement required?

Yes ( ) No (X)

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

*In stream stock watering.*

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

Yes ( ) No ( )

If Yes, go to 10

If No, go to 9

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

Yes ( ) No (X)

If Yes, go to 10

If No, go to 11

10. Is irrigation a purpose of use?

Yes ( ) No ( )

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

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

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

Yes ( ) No (X)

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

If No, go to 12

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

Yes (X) No (X)

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

If No, quantity review is complete.

## Quantity

## Summary

Claim No. 27-12043

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 (X)

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 (X) 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 (X) 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 (X) 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 (X) 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 (X)

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 (X)

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 (X) No ( )

## Summary

**Summary Data Entry Form**

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

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

C18

N13 Qty cond

N11 Gen cond.

**Split or Combined Right Analysis:**

**Attached Field Notes or Other Documents:**

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

Reviewer \_\_\_\_\_ Date \_\_\_\_\_

JUL 13 2001

Log for claim 27-00042

Spatial Dynamics LTD

11/22/00

| TR             | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT |
|----------------|-----|------|------------------|----------------|---------|
| 07s44e         | 10  | SWSW | 22               | 16             |         |
| 07s44e         | 15  | SWNE | 12               | 9.4            |         |
| 07s44e         | 15  | NENW | 22               | 18             |         |
| 07s44e         | 15  | NWNW | 40               | 38             |         |
| 07s44e         | 15  | SWNW | 25               | 29             |         |
| 07s44e         | 15  | SENE | 40               | 39             |         |
| 07s44e         | 15  | NESW | 35               | 36             |         |
| 07s44e         | 15  | NWSW | 5                | 4.3            |         |
| 07s44e         | 15  | NWSE | 25               | 22             |         |
| <b>Totals:</b> |     |      | 226              | 211.7          |         |

AJ5809NP  
No. A27-00042

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/00  
PAGE: 6

| OWNER<br>CODE    | NAME & ADDRESS                                                                                          | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|---------------------------------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | BEAR LAKE GRAZING COMPANY<br>C/O PAUL KEETCH<br>1052 DINGLE RD<br>MONTPELIER ID 83254<br>(208) 847-0128 | 10/04/1886       | IRRIGATION | 04-01 07-01           | 4.800 CFS         |                     |
| TOTAL DIVERSION: |                                                                                                         |                  |            |                       | 4.800 CFS         |                     |
| CONSUMPTIVE USE: |                                                                                                         |                  |            |                       |                   | 565.00 AFA          |

Water Source: MILLS CANYON

Tributary to: BLACKFOOT RIVER

Stage: DECREED

Point(s) of Diversion: T07S R44E S15

SWNWSW

CARIBOU County

Place of use Legal Description for: IRRIGATION

|     |     |    |   | NE   |      |      |      | NW |      |      |      | SW   |    |      |      | SE   |      |    |      |      |      |      |             |    |       |       |
|-----|-----|----|---|------|------|------|------|----|------|------|------|------|----|------|------|------|------|----|------|------|------|------|-------------|----|-------|-------|
|     |     |    |   | NENE | NWNE | SWNE | SENE | :  | NENW | NWNW | SWNW | SENW | :  | NESW | NWSW | SWSW | SESW | :  | NESE | NWSE | SWSE | SESE | :           |    |       |       |
| T   | R   | S  | : | Lt   | Ac   | Lt   | Ac   | Lt | Ac   | Lt   | Ac   | Lt   | Ac | :    | Lt   | Ac   | Lt   | Ac | Lt   | Ac   | Lt   | Ac   | Lt          | Ac | :     | SUM   |
| 07S | 44E | 10 | : |      |      |      |      | :  |      |      |      |      |    | :    |      |      |      |    |      |      |      |      |             |    | :     | 22.0  |
| 07S | 44E | 15 | : |      |      | 12   |      | :  | 22   | 40   | 25   | 40   |    | :    | 35   | 05   |      |    |      | 25   |      |      |             |    | :     | 204.0 |
|     |     |    |   |      |      |      |      |    |      |      |      |      |    |      |      |      |      |    |      |      |      |      | TOTAL ACRES |    | 226.0 |       |

POU County: CARIBOU

Non-Irrigation Uses: INCIDENTAL STOCKWATERING FOR UP TO 3000 HEAD OF RANGE CATTLE

Other Rights: 27-00087

Remarks: GEN P/D NOT GIVEN IN DECREE.

IT APPEARS DECREE ERRORED IN NAMING THE SOURCE AS BLACKFOOT  
RIVER. NOTICE RECORDS SOURCE AS MILLS CREEK AS USGS MAP NAMES  
SOURCE.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 27

Field Inspection Flag:

Presumption Flag: D

Water Right Number - 27-00042

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

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

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

F.

1 -  
2 -  
3 -  
City-  
Phone -

State- Zip-

+ - Priority Date - - +  
10/04/1886+ - - - Region - - - +  
15+ - - - Stage - - - +  
D - DECREED

+ - - - Status - - - +

+ - - - - Source - - - - +  
BLACKFOOT RIVER+ - - - - Tributary - - - - - +  
SNAKE RIVER+ - - - - Rng - - - - - Point of Diversion - - - - - +  
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)+ - - - - Code - - - - - Description - - - - - Water Use - - - - - +  
Period From Period To Diversion Rate Diversion Volume01 - IRRIGATION  
43 - DOMESTIC01/01 07/01  
12/31

4.800

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +  
4.800

| Twn | Rng | Sec | Tract | Lot | Acres | Place of Use Code | Description | County     |
|-----|-----|-----|-------|-----|-------|-------------------|-------------|------------|
| 07S | 44E | 10  | NE SW |     |       | 01                | IRRIGATION  | 11 BINGHAM |
| 07S | 44E | 10  | NW SW |     |       | 01                | IRRIGATION  | 11 BINGHAM |
| 07S | 44E | 10  | SW SW |     |       | 01                | IRRIGATION  | 11 BINGHAM |
| 07S | 44E | 10  | SE SW |     |       | 01                | IRRIGATION  | 11 BINGHAM |
| 07S | 44E | 10  | NE SE |     |       | 01                | IRRIGATION  | 11 BINGHAM |
| 07S | 44E | 10  | NW SE |     |       | 01                | IRRIGATION  | 11 BINGHAM |
| 07S | 44E | 10  | SW SE |     |       | 01                | IRRIGATION  | 11 BINGHAM |
| 07S | 44E | 10  | SE SE |     |       | 01                | IRRIGATION  | 11 BINGHAM |
| 07S | 44E | 15  | NE NE |     |       | 01                | IRRIGATION  | 11 BINGHAM |
| 07S | 44E | 15  | NW NE |     |       | 01                | IRRIGATION  | 11 BINGHAM |
| 07S | 44E | 15  | SW NE |     |       | 01                | IRRIGATION  | 11 BINGHAM |
| 07S | 44E | 15  | SE NE |     |       | 01                | IRRIGATION  | 11 BINGHAM |
| 07S | 44E | 15  | NE NW |     |       | 01                | IRRIGATION  | 11 BINGHAM |
| 07S | 44E | 15  | NW NW |     |       | 01                | IRRIGATION  | 11 BINGHAM |
| 07S | 44E | 15  | SW NW |     |       | 01                | IRRIGATION  | 11 BINGHAM |
| 07S | 44E | 15  | SE NW |     |       | 01                | IRRIGATION  | 11 BINGHAM |

Total Acres:

+ - Diversion Means -

Check on 00087

MICROFILMED  
MAY 12 1997

MICROFILMED



SCANNED

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

*Renumbered  
to 27-12043*

Ident. Number: ~~A27-00042~~

Date Received: 1/18/1990

Receipt No: 6012033

Received By: EA

FEB 14 1990

Department of Water Resources  
Eastern District Office

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

1. Name: BEAR LAKE GRAZING COMPANY  
Address: C/O PAUL KEETCH  
1052 DINGLE ROAD  
MONTPELIER, ID

208-847-0128

83254

2. Date of Priority: OCT 04, 1886

3. Source: MILLS CANYON

Trib. to: BLACKFOOT RIVER

4. Point of Diversion:

|          |       |         |        |        |     |     |         |
|----------|-------|---------|--------|--------|-----|-----|---------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
| 07S      | 44E   | 15      | SW     | NW     | SW  |     | CARIBOU |

5. Description of diverting works:

ROCK DAMS/DIVERSION DITCHES FROM STREAMS TO FLOOD IRRIGATION

6. Water is used for the following purposes:

|            |       |       |       |      |        |
|------------|-------|-------|-------|------|--------|
| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
| IRRIGATION | 04/01 | 07/01 | 4.800 |      |        |

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

A.F.A.

8. Total consumptive use is 565.0 Acre Feet Per Annum.

9. Non-irrigation uses:

INCIDENTAL STOCKWATERING FOR UP TO 3000 HEAD OF RANGE CATTLE

10. Place of Use:

|          |       |         |        |     |     |     |       |
|----------|-------|---------|--------|-----|-----|-----|-------|
| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
| 07S      | 44E   | 10      | SW     | SW  |     | IRR | 22.0  |

Section Acres 22.0

A27-00042

Page 1

Date: 01/18/90

MICROFILMED

NOV 12 1992



*27-12043*

10. Place of Use: Continued

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 07S           | 44E   | 15      | SW     | NE  |     | IRR | 12.0  |
|               |       |         | NE     | NW  |     | IRR | 22.0  |
|               |       |         | NW     | NW  |     | IRR | 40.0  |
|               |       |         | SW     | NW  |     | IRR | 25.0  |
|               |       |         | SE     | NW  |     | IRR | 40.0  |
|               |       |         | NE     | SW  |     | IRR | 35.0  |
|               |       |         | NW     | SW  |     | IRR | 5.0   |
|               |       |         | NW     | SE  |     | IRR | 25.0  |
| Section Acres |       |         |        |     |     |     | 204.0 |
| Total Acres   |       |         |        |     |     |     | 226.0 |

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

~~NONE~~ A27-00042 87

14. Remarks:

P/D NOT GIVEN IN DECREE.

IT APPEARS DECREE ERRORED IN NAMING THE SOURCE AS BLACKFOOT RIVER. NOTICE RECORDS SOURCE AS MILLS CREEK AS USGS MAP NAMES SOURCE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

FRED S. STEVENS ET AL.

Decree Plaintiff

vs

EASTERN IDAHO WATER CO., ET AL

Decree Defendant

16. Signature(s)

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

Number of attachments: 6

For Organizations:

I do solemnly swear or affirm that I am Sec of \_\_\_\_\_ Title

Bear Lake Grazing Co Organization

, that I have signed the foregoing document in the space below as Sec of \_\_\_\_\_ Title

Bear Lake Grazing Co Organization

and that the statements contained in the foregoing document are true and correct.

Paul J. Smith Signature of Authorized Agent

Sec Bear Lake Grazing Co Title and Organization

13 Feb 90 Date

State of Idaho )  
County of Bear Lake ) SS.

Subscribed and sworn (or affirmed) before me this 13 day  
of February 1990

Ronald O. Peterson  
Notary Public

Seal

Residing at Montpelier

My Commission Expires 8/23/91

