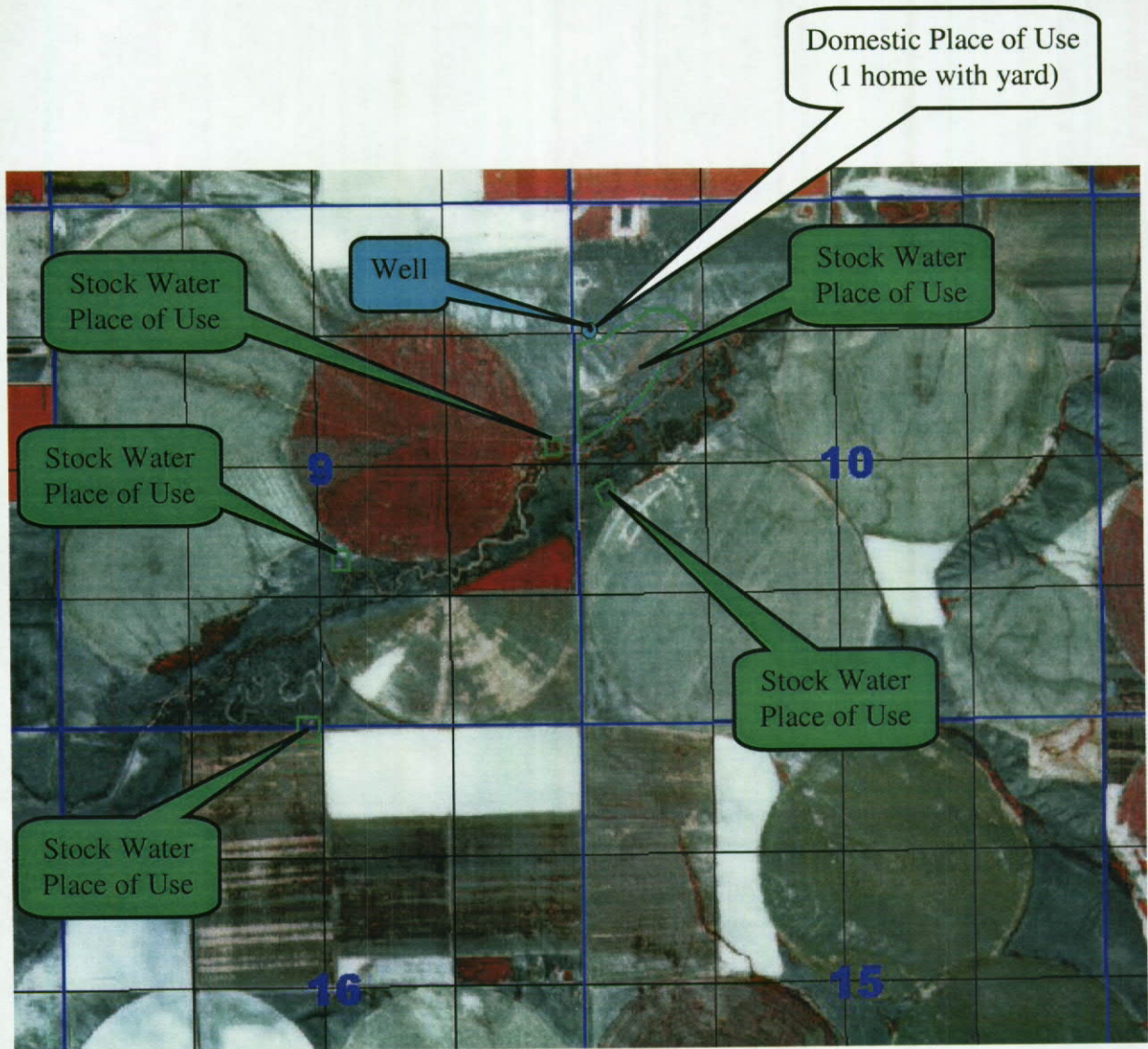


**Transfer #70575 Map
Preston R Allen & Sons**



Township 11 South, Range 27 East

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~~STORED
SCANNED~~

JUL 02 2003

A012

1998 JUL 24 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 43-10027

NAME AND ADDRESS: PRESTON R ALLEN
2601 E 300 S BOX 63
DECLO, ID 83323

SOURCE: GROUNDWATER

QUANTITY: 0.12 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1984

POINT OF DIVERSION: T11S R27E S10 NWNW Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS
	Stockwater	01-01 TO 12-31	0.12 CFS

PLACE OF USE:	Stockwater		Within Cassia County
	T11S R27E S10	NWNW	
	Domestic		Within Cassia County
	T11S R27E S10	NWNW	

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication

Conditions:

GROUNDWATER:

DRILLING PERMIT - 046
DP upgrade req'd Y N (contact GW)

WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

WMD

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or 01Q

SURFACE WATER:

WD - R05
≤ 0.20 cfs/others - R02, 01P or No MD
> 0.20 cfs - R43
WD, SPRINGS/SINK, INACTIVE WD & REST OF STATE
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or 01Q

STANDARD SEASON _____ to _____ (use X61 if extended season)

STANDARD VOLUME _____ af/ac

CONSUMPTIVE USE VOLUME _____ af/ac

**SUPPLEMENTAL
SUPPLEMENTAL
WITHIN ESPA**

- 065-104 (where irrigation is the only use)
- 100-105 (where there are other uses besides irrigation)
 - 113-114-116 (mitigation)
 - 115 (meas. Device for non-irrig uses or new irrig systems)
 - 131 (existing irrig systems)

USES:

STORAGE - 18C-R02-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
Volume only - R58/R59/R60/R61
STOCKWATER - R37 (all BLM/USFS)
MINING- 054-106
FISH PROP - 029 (70's basins only)-007-122-106
HEAT/COOL - R07 (injection well)
FIRE PROT. - 077
DAIRY - 082 (zoning if a concern)-106-WD8

USES:

POWER - 17H-17K (+uses)-025-106
MUNICIPAL
Restricted area - 022-075 RAFN - 007-109-X64
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
- 27A (Payette River)
>1 in restricted area - 070-071-075 (no parks/common areas, etc)
Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop
T08 - comply or rescind
T17 - >1 pd, measure all (use w/ WB4)
T18 - Special T17 & R43 combined - multiple pds in WD

Protested - 020-X19
Water Quality - 106-R07

X27 - Number of acres/season in ppu
X35 - Combined totals of multiple rts
083 - replaces C11 (enlargement rights)

X49 - measure p/d's (source chg'd to orig trib)
X51 - 2+ yrs to develop
X53 - Use ltd to orig. source availability
X54 - forfeited ac/rate (used rarely)
X55 - (transfer shrinks total water to less ac)
004 - no right-of-way
X58 - pending claim (statutory or AJ b/u claim)
X61 - extended irr season
X62 - replaces N11 and N13
X63 - replaces C12
WB4 - + p/ds, cfs & afa (used with T17)
WD8 - land application of waste water
01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01M)

**Apply one to chg'd & unchg'd
rts that are subject to SRBA:**

T09 - on-going SRBA (no Dir Rpt yet)
T19 - replaces C18 (if at Directors Report or Partial Decree stage)
T20 - use only on unchg'd rts not subject to SRBA

OTHER CONDITIONS/REMARKS:

X36

Initial Allocation Review by _____

SRBA Review Completed by _____

Regional Manager Review by _____

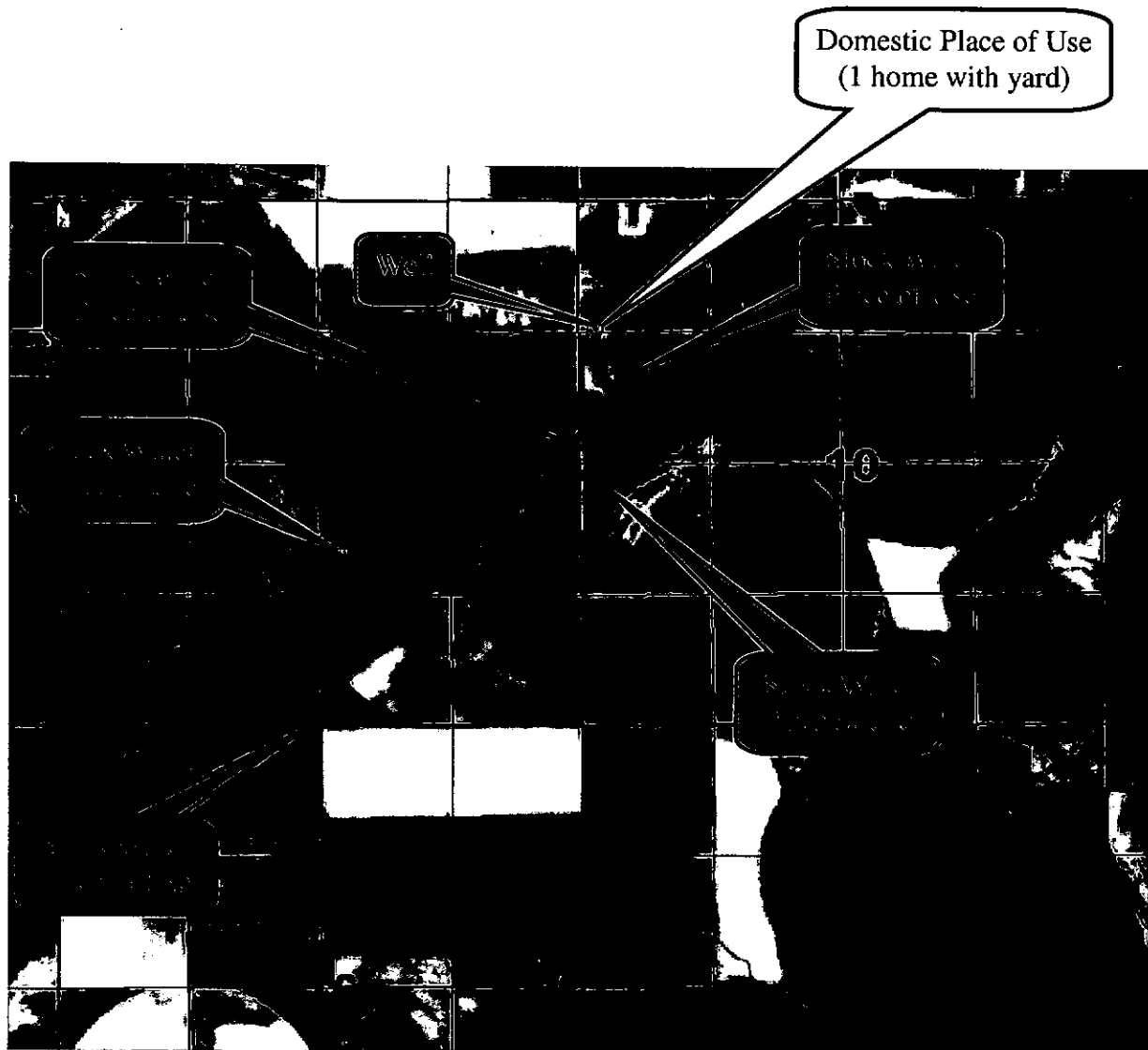
Date 6/19/2003

Date _____

Date 1/16/04

Comments:

Transfer #70575 Map
Preston R Allen & Sons



Township 11 South, Range 27 East

3 pgs not scanned

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JUL 02 2003

AC12

MEMORANDUM

Date: June 19, 2003
To: Transfer 70575 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes modifying right 43-10027 and portions of rights 43-13167, 43-13169, and 43-13171 to provide water for a system used to supply water for one home, a feedlot operation, and stock water on surrounding lands. The proposed water system consists of one existing well that is not intended to be modified (no need for condition 046). Rights 43-13167, 43-13169, and 43-13171 were moved to the property last year via transfer 69406. Transfer 70575 proposes changing 3.6 acres of these rights from irrigation use to stock water use. The applicant provided crop history information at the farm where these rights were used prior to transfer 69406. These rights were used on various parts of the original farm that grew different crops. Examination of the crop reports for the original farm reveals that a 7% portion of the rights could be given credit for wheat (2.49 afa @ Malta), a 31% portion of the rights could be given credit for pasture (2.68 afa @ Malta), and a 62% portion of the rights could be given credit for alfalfa (2.58 afa @ Malta). The weighted average of the different crop allowances would allow a consumptive use allowance for these rights of 2.6047 acre/feet per acre. Therefore, based on the 3.6-acre portion of the rights being transferred, 9.3 acre-feet would be available for stock water use for the transferred portions of these three rights. The untransferred portions of rights 43-13167, 43-13169, and 43-13171 are subject to pending companion transfers 70574 and 70598.

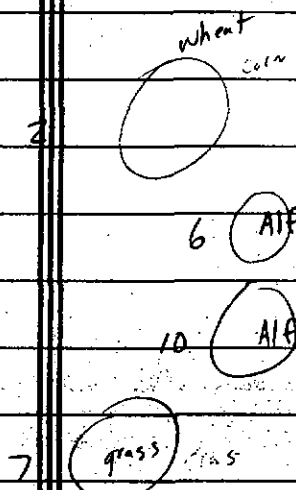
- **Authority to File:**
Applicant has provided documents in the file to show that they own the rights and land involved with the transfer application.
- **Water Right Validity:**
Rights involved with this transfer were recently decreed in the SRBA.
- **Injury to Other Water Rights:**
None anticipated. Rights to be used in same general area as currently authorized.
- **Enlargement of Use:**
None apparent
- **Local Public Interest:**
No negative impacts anticipated. Comments have been solicited from Cassia County Planning & Zoning and Idaho Department of Agriculture.
- **Beneficial Use/Conservation of Water Resources:**
Proposed uses of water are recognized as beneficial uses of water.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

STORED
SCANNED

JUL 02 2003

A012



Section	CU	Plot #
33	7 acres	2 wheat
4	19 acres	pasture pasture
9	7 acres	7 pasture
10	5 acres	7 pasture
3	62 acres	6 alf
100 acres → 86 acres		

7% @ wheat 2.49
 31% @ pasture 2.68
 62% @ alfalfa 2.58

224 acre-feet C.U. for 86 acres

2.6 afa/acre