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RECEIVED**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

JUN 29 1983

Department of Water Resources
Southern District Office**CLAIM TO A WATER RIGHT**

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right

Notice is hereby given that Preston Allen

(Name of Claimant)

Star Route, Box 63, Declo, Idaho 83323

(Mailing Address)

Telephone No 349-5573

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows

- (1) Date of priority (When was the water first applied to a beneficial use) Jan. 1, 1960

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water (Name of stream, lake, spring, etc., or ground water)

Groundwater tributary to -----

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>.08 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

- (4) .08 cfs TOTAL QUANTITY USED
(cfs, af)

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

NW ¼ NE ¼, Sec 10 Twp 11S Rge 27E B.M., County of Cassia

Additional points of diversion _____

B) Describe means of diversion of water (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities be as specific as possible. Describe any changes in the system and give the date of the change. Drilled well, pump, underground piping system.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11S	27E	10		X															X

No. of acres X

B) If water is used for other than irrigation, fully describe that use, being as specific as possible. Domestic usage for two single family residences.

NOTE Include here the type and number of stock watered

- (7) If you are claiming water as a member of an organization, list name of organization N/A

A hand-drawn map on a grid. The grid is composed of solid lines forming a 10x10 grid of squares, with dashed lines forming a 20x20 grid of smaller squares. The map includes the following labels:

- R 27E**: Located in the upper right quadrant, spanning the 6th and 7th columns from the left and the 3rd and 4th rows from the top.
- T 11 S**: Located in the lower left quadrant, spanning the 2nd and 3rd columns from the left and the 8th and 9th rows from the top.
- P.O.**: A point marked with a circle and the letters "P.O." below it, located at the intersection of the 5th column and the 4th row from the top.
- 10**: A line segment labeled with the number "10", located in the lower left quadrant, spanning the 4th and 5th columns from the left and the 8th and 9th rows from the top.

Received by mealy Date 6/29/83 Exception filed by. _____ Forwarded to _____ Date _____
Prelim. check by ADM Date 7/15/83 claimant by. _____
\$30 00 fee received by mealy Date 7/30/83 # 32802
Published in South. Ill. press _____
Dates 9/8 & 9/15/83 _____

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss

John L. Hurst, being first
duly sworn, deposes and says that he is the

Editor of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for *consecutive* consecutive weeks, commencing with the issue dated *September 3* 19*53*, and ending with the issue dated *September 3* 19*53*.

Subscribed and sworn to before me
this *26* day of *Sept*
19*53*.

W. L. Hurst Notary Public

Cost of Publication *\$1.50*

Notary Fee *\$1.00*

Total Cost *\$2.50*

43-4172

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.,
550 W. FORT ST., BOISE, ID 83724
Source: SMOKEY MOUNTAIN SPRING trib. to SINKS
Priority Date: 06/01/1948
Diversion Pt: SESW Sec 33 T 15S R 24E
Use: STOCKWATER (0.01 CFS)
WILDLIFE (0.01 CFS)
In: SESW Sec 33 T 15S R 24E

43-4173

NICHOLSON, A. E.
805 3RD ST., RUPERT, ID 83350
Source: NORTH CREEK trib. to CIRCLE CREEK
SOUTH CREEK trib. to CIRCLE CREEK
CIRCLE CREEK trib. to RAFT RIVER
Priority Date: 04/30/1879
Diversion Pt: NWNW SWNW NENW SWNE Sec 31 T 15S R 24E
Use: IRRIGATION (5.48 CFS)
STOCKWATER (0.04 CFS)
In: NENE NWNE SWNE SENE NENW NWNW SWNW SENW NESE Sec 31 T 15S R 24E NWNW SWNW Sec 32 T 15S R 24E FOR 273 ACRES

43-4174

GOODMAN, CLYDE L. &/or DAWNIE
BOX 62, ALBION, ID 83311
Source: UNNAMED STREAM trib. to MARSH CREEK
Priority Date: 04/01/1935
Diversion Pt: LOT 01 Sec 06 T 12S R 25E
Use: IRRIGATION (0.20 CFS)
In: LOT 01 (NENE) Sec 06 T 12S R 25E FOR 7 ACRES

43-4175

HOSKINS (ISOM), BOYD
NAF, ID 83345
Source: GROUNDWATER
Priority Date: 01/01/1896
Diversion Pt: NENW Sec 27 T 16S R 27E
Use: IRRIGATION (0.22 CFS)
COMMERCIAL (0.22 CFS)
DOMESTIC (0.06 CFS)
In: NENW Sec 27 T 16S R 27E FOR 10 ACRES

43-4176

ANDERSON, HAL T.
STAR ROUTE, MALTA, ID 83342
Source: MEADOW CREEK trib. to SINKS
Priority Date: 03/01/1960
Diversion Pt: SENE Sec 23 T 13S R 27E
Use: IRRIGATION (10.00 CFS)
In: NWNE SWNE NENW NWNW SWNW SENW NESW NWSW SWSW SESW NWSE SWSE Sec 14 T 13S R 27E
NWNE SWNE NENW NWNW SWNW SENW Sec 23 T 13S R 27E FOR 720 ACRES

83-254

NOTICE OF CLAIMS TO WATER RIGHTS
Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use.

43-4161

L D S. CHURCH, (MALTA WARD)
C/O LEO W. HURST, DECLD, ID 83323
Source: GROUNDWATER
Priority Date: 07/01/1953
Diversion Pt: SWNW Sec 12 T 13S R 26E
Use: IRRIGATION (0.09 CFS)
In: SWNW Sec 12 T 13S R 26E FOR 3 ACRES

43-4162

L D S. CHURCH (MALTA WARD)
C/O LEO W. HURST, DECLD, ID 83323
Source: GROUNDWATER
Priority Date: 03/01/1957
Diversion Pt: SENW Sec 12 T 13S R 26E
Use: IRRIGATION (0.44 CFS)
In: SENW Sec 12 T 13S R 26E FOR 22 ACRES

43-4163

L D S. CHURCH (MALTA WARD)
C/O LEO W. HURST, DECLD, ID 83323
Source: GROUNDWATER
Priority Date: 03/01/1963
Diversion Pt: SWNW Sec 12 T 13S R 26E
Use: DOMESTIC (0.04 CFS)
In: SWNW Sec 12 T 13S R 26E

43-4164

L D S. CHURCH (MALTA WARD)
C/O LEO W. HURST, DECLD, ID 83323
Source: GROUNDWATER
Priority Date: 05/01/1938
Diversion Pt: NWNW Sec 12 T 13S R 26E
Use: IRRIGATION (0.02 CFS)
DOMESTIC (0.20 CFS)
In: NWNW Sec 12 T 13S R 26E FOR 1 ACRES

43-4165

L D S. CHURCH (DECLD STAKE)
C/O LEO W. HURST, DECLD, ID 83323
Source: GROUNDWATER
Priority Date: 01/01/1970
Diversion Pt: SWNW Sec 08 T 14S R 27E
Use: DOMESTIC (0.04 CFS)
In: SWNW Sec 08 T 14S R 27E

43-4166

HARPER, D. JAY
MALTA, ID 83342
Source: GROUNDWATER
Priority Date: 03/15/1959
Diversion Pt: NESE Sec 31 T 13S R 27E
Use: IRRIGATION (0.50 CFS)
In: NENE NWNE Sec 31 T 13S R 27E FOR 25 ACRES

43-4167

BARKER, RUEL
1621 W. 950 N., PROVO, UT 84604
Source: GROUNDWATER
Priority Date: 04/01/1954
Diversion Pt: SESW Sec 32 T 13S R 25E
Use: IRRIGATION (1.50 CFS)
In: NESE SESE Sec 31 T 13S R 25E NESW NWSW SWSW SENW Sec 32 T 13S R 25E FOR 229 ACRES

43-4168

WARD, HAROLD OLEN &/or LORRAYNE B.
7209 KINGSTON DR., BOISE, ID 83704
Source: SPRING trib. to UNNAMED STREAM
Priority Date: 04/01/1943
Diversion Pt: SESW Sec 12 T 16S R 23E
Use: STOCKWATER (0.10 CFS)
In: SESW Sec 12 T 16S R 23E SWSW Sec 07 T 16S R 24E NENE Sec 13 T 16S R 23E

43-4169

MEDDO, ROGER
MALTA, ID 83342
Source: GROUNDWATER
Priority Date: 03/01/1960
Diversion Pt: NWNE Sec 29 T 13S R 27E
Use: IRRIGATION (1.60 CFS)
In: NWNE SWNE NENW SENW Sec 29 T 13S R 27E FOR 160 ACRES

43-4170

WARD, HAROLD OLEN &/or LORRAYNE B.
7209 KINGSTON DR., BOISE, ID 83704
Source: SPRING trib. to UNNAMED STREAM
Priority Date: 04/01/1953
Diversion Pt: SWNW Sec 12 T 16S R 23E
Use: STOCKWATER (0.04 CFS)
In: SWNW Sec 12 T 16S R 23E

43-4171

OSTRUP, WILFORD B.
154 N. 4700 W., OGDEN, UT 84401
Source: GROUNDWATER
Priority Date: 05/20/1960
Diversion Pt: NWNW Sec 33 T 15S R 26E
Use: IRRIGATION (1.79 CFS)
In: NENW NWNW SWNW SENW Sec 33 T 15S R 26E FOR 130 ACRES

43-4178

BUTLER, R. RICHARD &/or DONNA W
278 S. 300 W., KAYSVILLE, UT 84037
Source: GROUNDWATER
Priority Date: 07/01/1959
Diversion Pt: NWNE Sec 12 T 13S R 26E
Use: IRRIGATION (0.70 CFS)
STOCKWATER (0.01 CFS)
In: NENE NWNE Sec 12 T 13S R 26E FOR 35 ACRES

43-4179

PIERCE, JESSE M
MALTA, ID 83342
Source: GROUNDWATER
Priority Date: 09/01/1928
Diversion Pt: SWSE Sec 19 T 13S R 27E
Use: IRRIGATION (0.80 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)
In: SWSE Sec 19 T 13S R 27E FOR 40 ACRES

43-4180

WARD, ROSCOE
EY RANCH, ALMO, ID 83312
Source: GROUNDWATER
Priority Date: 01/01/1940
Diversion Pt: SENW Sec 12 T 16S R 25E
Use: IRRIGATION (0.03 CFS)
DOMESTIC (0.04 CFS)
In: SENW Sec 12 T 16S R 25E FOR 1 ACRES

43-4181

WARD, ROSCOE B.
EY RANCH, ALMO, ID 83312
Source: GROUNDWATER
Priority Date: 03/15/1956
Diversion Pt: SENW Sec 11 T 16S R 25E
Use: IRRIGATION (1.32 CFS)
In: SWNE SENE SENW Sec 11 T 16S R 25E NENE NWNE SWNE NENW SENW Sec 12 T 16S R 25E NENE NWNE SWNE NENW NWNW SWNW SENW Sec 06 T 16S R 26E FOR 360 ACRES

43-4182

MOSS INVESTMENT
RT. 1 BOX 105, DELLO, ID 83323
Source: GROUNDWATER
Priority Date: 04/01/1954
Diversion Pt: SWSW Sec 12 T 12S R 26E SWSW Sec 07 T 12S R 26E
Use: IRRIGATION (2.40 CFS)
In: SENW NESW SESW Sec 12 T 12S R 26E FOR 120 ACRES

43-4183

MOSS INVESTMENT
RT. 1 BOX 105, DECLD, ID 83323
Source: GROUNDWATER
Priority Date: 03/15/1954
Diversion Pt: NESW SESW SENE Sec 34 T 11S R 27E
SENE Sec 02 T 12S R 27E
Use: IRRIGATION (3.20 CFS)
In: NESW NWSW SWSW SESW NESE NWSE SWSE Sec 34 T 11S R 27E FOR 320 ACRES

43-4184

MOSS INVESTMENT
RT. 1 BOX 105, DECLD, ID 83323
Source: GROUNDWATER
Priority Date: 07/01/1959
Diversion Pt: NESW SESW SENE Sec 34 T 11S R 27E
SENE Sec 02 T 12S R 27E
Use: IRRIGATION (9.60 CFS)
In: NENW NWNW SWNW SENW Sec 02 T 12S R 27E
NENE NWNE SWNE SENE NENW NWNW SWNW SENW Sec 03 T 12S R 27E FOR 480 ACRES

43-4185

WARD, J. RICHARD
RT. 1 BOX 8, FIRTH, ID 83236
Source: SPRING trib. to RAFT RIVER
Priority Date: 01/01/1983
Diversion Pt: NESE Sec 15 T 16S R 26E
Use: STOCKWATER (0.02 CFS)
In: NESE Sec 15 T 16S R 26E

43-4186

PRESTON, ALLEN
STAR RT. BOX 63, DECLD, ID 83323
Source: GROUNDWATER
Priority Date: 01/01/1960
Diversion Pt: NWNE Sec 10 T 11S R 27E
Use: DOMESTIC (0.08 CFS)
In: NWNE Sec 10 T 11S R 27E

43-4187

ALLEN, PRESTON
STAR RT. BOX 63, DECLD, ID 83323
Source: GROUNDWATER
Priority Date: 09/02/1948
Diversion Pt: SESE Sec 03 T 11S R 27E NWNW Sec 15 T 11S R 27E
Use: STOCKWATER (0.33 CFS)
In: SESE Sec 03 T 11S R 27E NWNW Sec 15 T 11S R 27E

43-4188

ALLEN, PRESTON
STAR RT. BOX 63, DECLD, ID 83323
Source: GROUNDWATER
Priority Date: 01/01/1960
Diversion Pt: SESE Sec 15 T 11S R 27E SESE Sec 16 T 11S R 27E
Use: STOCKWATER (0.22 CFS)
DOMESTIC (0.08 CFS)
In: SESE Sec 15 T 11S R 27E SESE Sec 16 T 11S R 27E

43-4177

HOSKINS (ISOM), BOYD

NAF, ID 83345

Source: GROUNDWATER

Priority Date: 01/01/1926

Diversion Pt. NENW Sec 27 T 16S R 27E SESW Sec 22 T 16S R 27E

Use: COMMERCIAL (0.28 CFS)

DOMESTIC (0.04 CFS)

In. NENW Sec 27 T 16S R 27E SESW Sec 22 T 16S R 27E

43-4189

ALLEN, PRESTON

STAR RT. BOX 63, DECLO, ID 83323

Source: GROUNDWATER

Priority Date: 01/01/1920

Diversion Pt: NESW Sec 35 T 10S R 27E

Use: DOMESTIC (0.08 CFS)

In: NESW Sec 35 T 10S R 27E

43-4190

WIGHT, BLAINE

MALTA, ID 83342

Source: SPRING trib. to SINKS

Priority Date: 11/01/1930

Diversion Pt: NWNW Sec 13 T 13S R 26E

Use: STOCKWATER (0.25 CFS)

In: NENE NWNE NENW Sec 13 T 13S R 26E

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A KENNETH DUNN, Director

Published in the South Idaho Press on September 8 and 15, 1983.

**THIS
RIGHT HAS BEEN
DECREED IN THE
SRBA**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1011 Elm Lake Blvd. N.
Twin Falls - Idaho 83301
(208) 734-7373

Oct. 5

SEPTEMBER 27, 1997

POOR QUALITY ORIGINAL

1. JIM FREESTON
1722 ST. ANNE ST.
TWIN FALLS

IN 83373

RE Claim No. 43-4135

Dear Claimant,

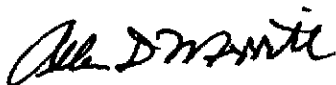
The Department of Water Resources has completed the advertisement of your claim to a water right, and no further action is authorized under Section 43-747 and 43-744, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which are included in your claim.

If, at a later date, you find that you have additional information or corroborative evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions or if this office may be of further assistance, please feel free to contact us.

Yours truly,



ALLEN D. MERRITT
Senior Water Resource Analyst

Enclosure

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

43-4125-

PRESTON, ALLEN

STAR PT. BOX 63, DECLD. ID 83321

Source. GROUNDWATER

Priority Date 01/01/1960

Diversion Pt. NWNE Sec 10 T 11E R 27E

Use: DOMESTIC (0.03 CFS)

In. NWNE Sec 10 T 11E R 27E

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A. KENNETH DUNN

Director

Published 9/8 & 9/15/83.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

SEPTEMBER 1, 1983

South Idaho Press
P.O. Box 190
Burley, Idaho 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before SEPTEMBER 26, 1983.

Yours truly,

Mary A. Newby
Secretary

Encl.

IDENT. NO. 43-4186

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Adm

Right Number 43-4186 Applicant ALLEN, Preston

NOTE. *IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.*

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed None

By Adm Date 10/4/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete

By KW Date 11/1/83