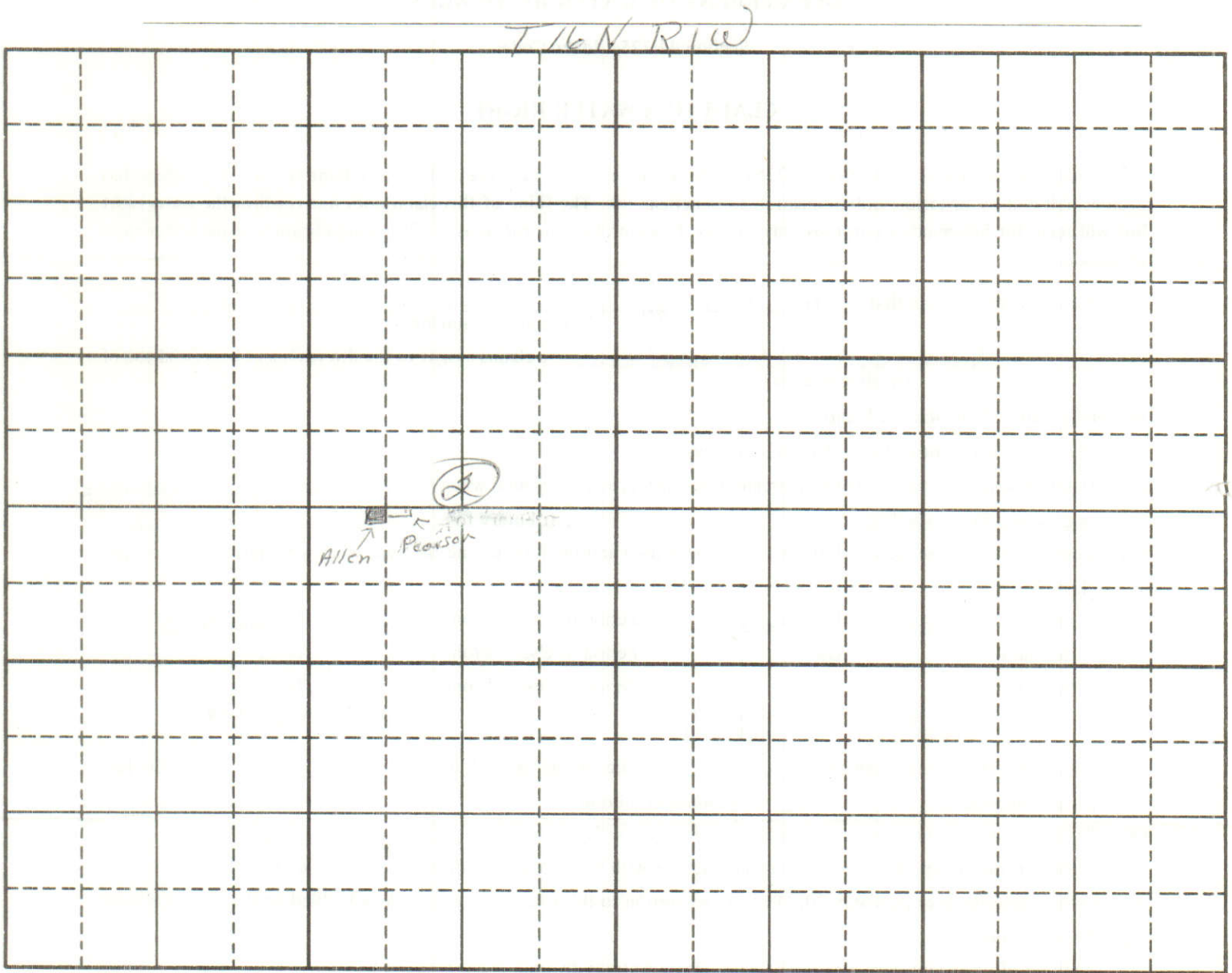


(8) Remarks Runoff is from a pond and drainage from property owned by Lynn Pearson Council Id.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of ADAMS) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 16TH day of June

Blara Allen
(Claimant)

Paul Strawn
Notary Public
Residing at Council Idaho

My commission expires 6-22-76

For Department Use Only

Received by <u>[Signature]</u>	Date <u>7/09/75</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>R.W.H.</u>	Date <u>7-10-75</u>		claimant by:	
\$10.00 fee received by <u>Ca</u>	Date <u>7-10-75 #1216</u>			
Approved for publication by <u>Clk Ok 8/5-75</u>				
Published in <u>Adams County Reader</u>				
Dates <u>July 17 & 24</u>				

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the " Notice of Claim to a Water

No. 67-4134

as per clipping

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two (2) consecutive weeks, the first publication of the

same being made in the issue dated July 17.1975

and the last in the issue dated July 24.1975 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said " Notice " as aforesaid.

Subscribed and sworn to before me this 25TH

day of

July

, 19 75

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIM TO A WATER RIGHT No. 67-4134

Notice is hereby given that CHESTER &/or CLARA ALLEN Council, ID 83612 has filed a claim to a water right established by diversion and application to beneficial use of 3 inches per second of water from drainage and runoff or waste water with the point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2, T. 16 N, R. 1 W, B.M. Adams County.

The water is claimed to be used from April 15 to Sept. 15 for irrigation of 3 acres with a priority of April 1968; the place of use is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2, T. 16 N, R. 1 W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho 83720.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council on July 17, 1975 and July 24, 1975.

OK
CL
8-5-75

RECEIVED

JUL 29 1975
Department of Water Resources

JUL 29 1975

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Chester & Clara Allen
(name of claimant)
of Council Id. 83612, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) drainage & runoff
of waste water, tributary to, _____
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | |
|--------------------------------------|---|--|
| Amount <u>3 inches</u> | Use <u>irrig.</u> | Period of Use: From <u>April 15</u> To <u>Sept. 15</u> |
| Amount _____ | Use _____ | Period of Use: From _____ To _____ |
| Amount _____ | Use _____ | Period of Use: From _____ To _____ |
| <small>(cfs, gpm
or a/f)</small> | <small>(dom., irri.,
stock, etc.)</small> | <small>(both dates inclusive)</small> |
- (3) Total quantity of water claimed: 3 inch cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) X April 1968

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NE 1/4 SW 1/4, Sec. 2 Twp. 16 Rge. 1W B. M. County of Adams
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. ditch

- (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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>16N</u>	<u>1W</u>	<u>2</u>										<u>3</u>							<u>3</u>

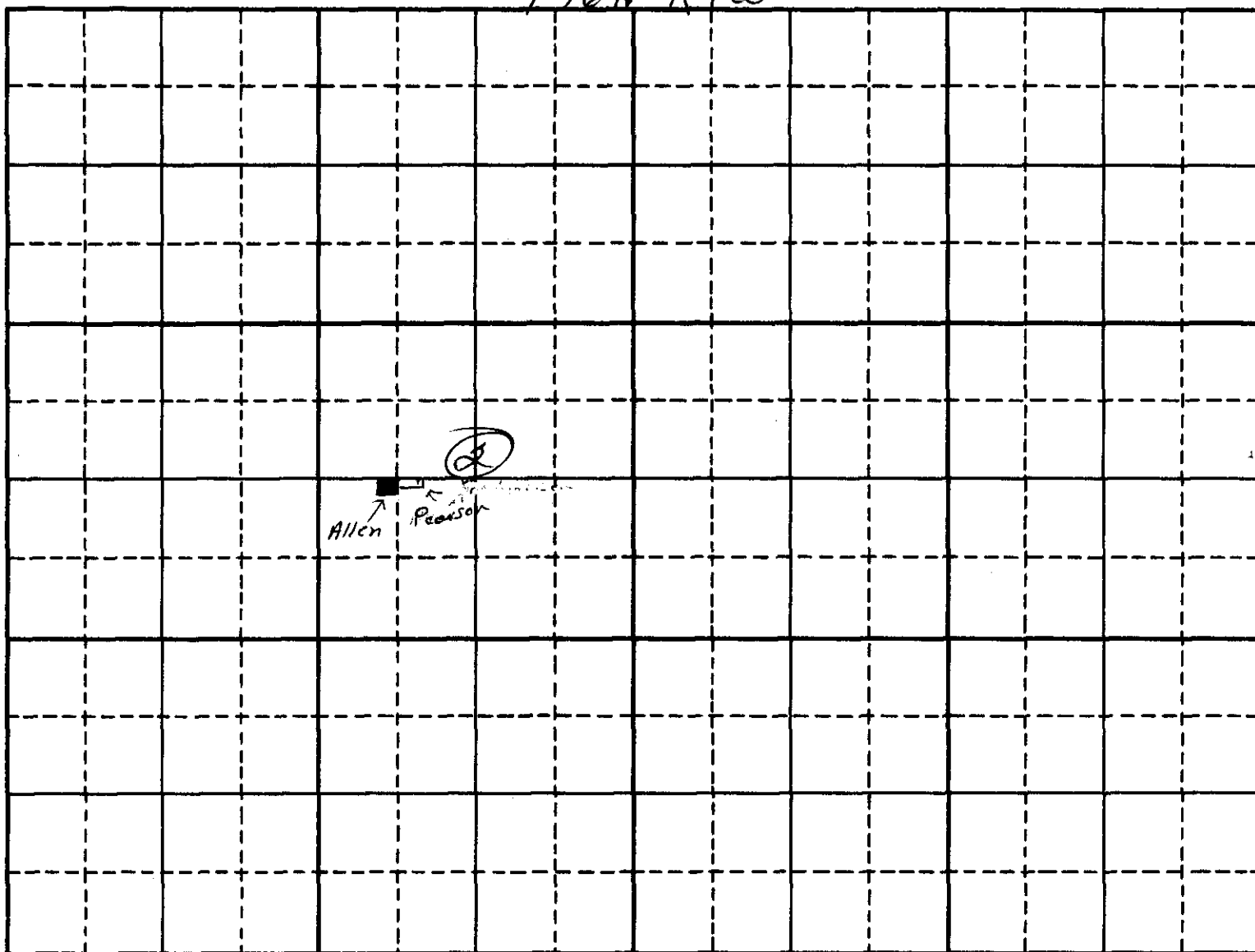
Total No. of acres 3

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks Runoff is from a pond and drainage from property owned by Lynn Pearson Council Id.

T16N R1W



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
County of ADAMS)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Barbara Allen
(Claimant)

Sworn to before me this 16TH day of June, 19 75

Paul Brown
Notary Public
Residing at Council Bluffs

My commission expires 6-22-76

For Department Use Only

Received by <u>[Signature]</u>	Date <u>7/10/75</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>[Signature]</u>	Date <u>7-10-75</u>		claimant by:	
\$10.00 fee received by <u>Cu</u>	Date <u>7-10-75</u>			
Approved for publication by <u>Clas Ok 8-5-75</u>				
Published in <u>Adams County Leader</u>				
Dates <u>July 17 & 24</u>				

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the "Notice of Claim to a Water

No. 67-4134

as per clipping

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

two (2) consecutive weeks, the first publication of the

same being made in the issue dated July 17, 1975

and the last in the issue dated July 24, 1975 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said "Notice" as aforesaid.

Subscribed and sworn to before me this 25TH

day of July, 1975

Paul J. Braun
Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIM TO A WATER RIGHT No. 67-4134

Notice is hereby given that CHESTER &/or CLARA ALLEN Council, ID 83812 has filed a claim to a water right established by diversion and application to beneficial use of 3 inches per second of water from drainage and runoff or waste water with the point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2, T. 16 N, R. 1 W, B.M. Adams County.

The water is claimed to be used from April 15 to Sept. 15 for irrigation of 3 acres with a priority of April 1968; the place of use is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2, T. 16 N, R. 1 W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho 83726.

R. KETH HIGGINSON

Director

Published in the Adams County Leader, Council on July 17, 1975 and July 24, 1975.

OK
CLS
8-5-75

ACT
ION

N OWNER LAST NAME - ALLEN

FIRST NAME - CHESTER

N OWNER LAST NAME - ALLEN

FIRST NAME - CLARA

N ADDRESS LINE 1 - STAR RT.

CITY - COUNCIL

STATE - ID ZIP CODE - 83612

N SOURCE - UNNAMED STREAM

N STAGE - STATRY CLM

PRIORITY - 04-01-1968 COUNTY - ADAMS

TOTAL DIV. RATE - .0600CFS

N DIVERSION POINT - NESW 02 16N 01W

N FROM - 04-01 TO - 09-15 USE - IRRIGATION

USE DIV. RATE - .0600CFS

N USE - IRRIGATION

PLACE OF USE - TWN 16N RNG 01W SEC 02 TRACT NWSW

AC 03

1000

IDENT. NO.

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]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 67-4134
Old No. New No.

Record

1. Original Owner: Chester + Clara Allen

Present Owner: _____

2. Address: Star Rt.

3. City: Council State: ID Zip: 83612

4. A. Source of Water: unnamed stream

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): J

B. Status (D,L,R,C,A,I,F - leave blank if valid): _____

C. Priority Date: 4-1-1968

D. County: 03

E. Total Diversion Rate: .06

F. Total Diversion Volume: _____

G. Transfer/Amendment (P,T of A or blank): _____

H. Water District: _____

I. DLE/Carey Act (D,C or blank): _____

J. Right Basis (for adjudication claims A,B,C only): _____

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NE 1/4</u>	<u>2</u>	<u>16</u>	<u>1W</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

7. Period of Use, Use, Diversion Rate/Volume:

from 4-1 to 9-15 for A purposes. Amount .06
(cfs or AC-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

118 79

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval:

14. Diversion Means (brief narrative):



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

July 29, 1975

Re: Claim to a Water Right No. 67-4134

Chester & Clara Allen
Star Route
Council, ID

Dear Mr. & Ms. Allen:

In reference to the above claim, the enclosed is a copy of an exception filed by Jack L. St. German, in connection with this claim under the provisions of Chapter 2, Section 42-225b of the Idaho Code, which states the following:

"At anytime after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the department of reclamation (renamed department of water administration on July 1, 1970) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of water administration. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be reocrded and numbered by the department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for conformation or final censorship of the described rights.

If we can be of further assistance, please contact us.

Sincerely,

KENNETH H. FOIT, P.E.
Western District Engineer

KHF:jg

Enc.



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

July 29, 1975

Jack L. St. German
Star Route
Council, ID

Re: Claim to a Water Right No. 67-4133, James F. & Iva M. Casner
67-4134, Chester &/or Clara Allen

Dear Mr. St. German:

We are in receipt of your correspondence concerning the above referenced claim to a water right. The following is a quote from the provisions under which this claim has been filed (Section 42-225b of the Idaho Code):

"At anytime after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the department of reclamation (renamed department of water administration on July 1, 1970) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of water administration. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required.

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If we can be of further assistance, please contact us.

Sincerely,

KENNETH H. FOIT, P.E.
Western District Engineer

KHF:jg

Dear Sir.

JUL 23 1975

This is a Protest again the following claims to water rights as, this water feeds in to camp creek. This water has been used on our place for 80 years or more. ~~New~~ New people moving in on land are trying to burn our crops by taking this water from the valley =

Protest against claims to water Right
No-674133-

James F. and or Iva M. Carner
Star route Council Idaho
- Also -

Protest against claim No 674134 =
Chester and or Clara Allen
Council Idaho

Please advise me of Proceeds
to follow

Yours Truly,
Jack L. St Germain
Star route. Council Idaho

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Claim
Application No. 67-4134

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) RB 7-10-75

In form to receipt

(2) N/A

Send Copies to:

☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

(3) N/A

☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant

(4) RB 7-10-75

In form for advertising

(5) _____

Platted on Map No. _____

(6) R.W.H 8-5-75

Located within Water District No. 67

(7) N/A

Critical groundwater area: yes _____ no _____

(8) N/A

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) N/A

Other rights on the same place of use

(10) _____

Comments: _____

(11) CLS 8-5-75

Affidavit of Publication received(date) OK

(12) N/A

Final date for protests _____

Protests received: yes _____ no _____

(13) N/A

All requested information received from agencies or applicant: yes _____ no _____

(14) R.W.H 8-5-75

Action recommended:

☒ Approve _____ Deny

_____ Proposed Priority

_____ Reason for Reduction _____

_____ Measuring device required

_____ See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Western

By R. Hamilton Date 8-5-75



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATE HOUSE BOISE, IDAHO 83720

August 6, 1975

Chester or Clara Allen
Council, ID
83612

Re: Claim to a Water Right No. 67-4134

Dear Mr. or Ms. Allen:

The Department of Water Resources has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of a claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

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

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we may be of further assistance, please feel free to call upon us.

Sincerely,

KENNETH H. FOIT, P.E.
Western District Engineer

CKH:



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

July 29, 1975

Re: Claim to a Water Right No. 67-4134

Chester & Clara Allen
Star Route
Council, ID

Dear Mr. & Ms. Allen:

In reference to the above claim, the enclosed is a copy of an exception filed by Jack L. St. German, in connection with this claim under the provisions of Chapter 2, Section 42-225b of the Idaho Code, which states the following:

"At anytime after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the department of reclamation (renamed department of water administration on July 1, 1970) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of water administration. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be reocrded and numbered by the department the same as the original and for which no additional filing fee shall be required."

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If we can be of further assistance, please contact us.

Sincerely,

KENNETH H. FOIT, P.E.
Western District Engineer

KHF:jg

Enc.



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

July 29, 1975

Jack L. St. German
Star Route
Council, ID

Re: Claim to a Water Right No. 67-4133, James F. & Iva M. Casner
67-4134, Chester &/or Clara Allen

Dear Mr. St. German:

We are in receipt of your correspondence concerning the above referenced claim to a water right. The following is a quote from the provisions under which this claim has been filed (Section 42-225b of the Idaho Code):

"At anytime after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the department of reclamation (renamed department of water administration on July 1, 1970) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of water administration. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required.

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If we can be of further assistance, please contact us.

Sincerely,

KENNETH H. FOIT, P.E.
Western District Engineer

KHF:jg

Dear Sir.

JUL 23 1975

This is a Protest again the following claims to water rights as, this water feeds in to camp creek. This water has been used on our place for 80 years or more. ~~New~~ New people moving in on land are trying to burn our crops by taking this water from the Valley =

Protest against claims to water Right

No-674133-

James F. and or Dora M Carner
Star route Council Idaho

- Also -

Protest against Claim No 676134 =

Chester and or Clara Allen
Council Idaho

Please advise me of Proceeds
to follow

Yours Truly
Jack L St Germain
Star route. Council Idaho



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

July 11, 1975

Adams County Leader
Council, ID
83612

Re: Application for Water Permit No. 67-7254, Chester &/or Elara Allen
67-7253, Richard A. &/or Patricia A. Mackie
Claim to a Water Right No. 67-4134, Chester &/or Clara Allen

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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. In order to receive payment, the following certification must appear in the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(Signature of Claimant)

Sincerely,

Bill submitted
cls 8-5-75

NOTICE OF CLAIM TO A WATER RIGHT

No. 67-4134'

Notice is hereby given that CHESTER &/or CLARA ALLEN
Council, ID 83612
has filed a claim to a water right established by diversion and application
to beneficial use of 3 inches ~~XXXXXXX~~ cubic feet per second ~~XXXXXXX~~ acre feet of water
from drainage and runoff or waste water
with the point of diversion in the NE 1/4, Sec. 2, T. 16 N, R. 1 W, B.M.
Adams County

The water is claimed to be used from April 15 to Sept, 15
for irrigation of 3 acres

with a priority of ~~XXXXXX~~ April 1968;
the place of use is within the NE 1/4, Sec. 2, T. 16 N, R. 1 W, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council
on July 17, 1975 and July 24, 1975



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

July 10, 1975

Chester Allen
Council, ID 83612

Dear Mr. Allen:

Enclosed is your Receipt No. 1216 in the amount of \$ 20.00 for
1 Claim to a Water Right No. 67-4134
1 App. for Permit No. 67-7254 which was received in this office
on July 10, 1975.

Sincerely,

JANE GRIDLEY
Stenographer

JG:jg

Enclosure



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

June 25, 1975

Chester or Clara Allen
Council, ID
83612

Dear Mr. or Ms. Allen:

We are returning your Claim to a Water Right, Permit Application forms and fee check of \$10.00. The descriptions of the point of diversion, place of use and the maps do not correspond on either form.

Each form also requires a \$10.00 fee.

Please make the necessary changes and return each form with the correct fee to this department.

If we can be of any assistance, please do not hesitate to contact this office.

Sincerely,

M. CLAYNE BARRON
Senior Water Resource Agent

MCB:jg

Enclosure