

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

CLAIM TO A WATER RIGHT AMENDED

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 Roland G. Allen (Name of Claimant)
Downey, Idaho 83234 (Mailing Address) Telephone No. (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) Apr. 1, 1946

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)
Big Spring tributary to Marsh Creek

(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, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	3.90	Use Irrigation	Period of Use From Apr. 1	To Nov. 1
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)	3.90	TOTAL QUANTITY USED.		

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SE ¼, Sec. 11 Twp. 12S Rge. 37E B.M., County of Bannock
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.
150' feeder channel from spring to pump pipe discharge into open 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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12S	37E	11		12	40	15	12	17	18	38	6				32	25			215
		10	20																20

No. of acres 235

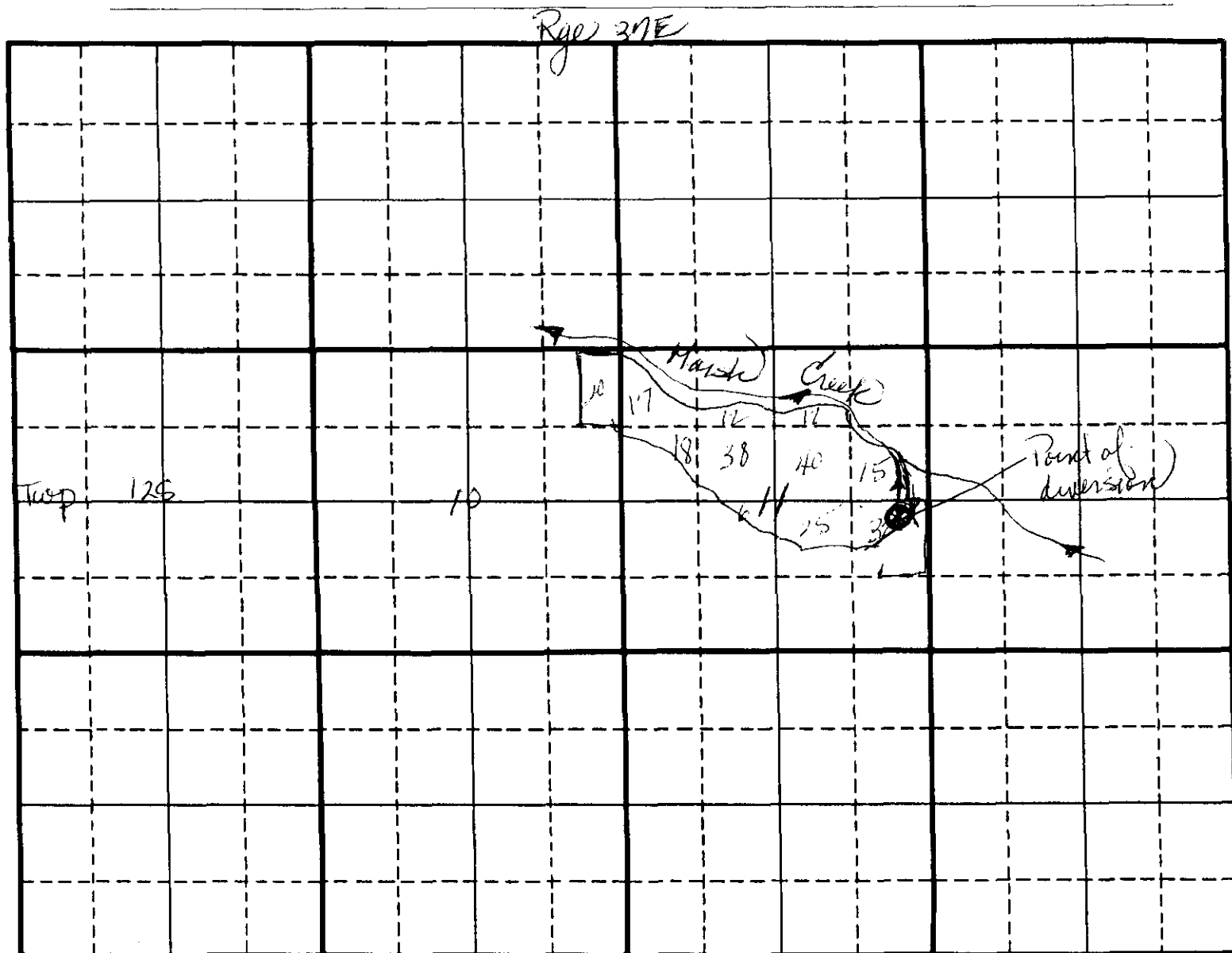
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

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:

MICROFILMED

(8) Remarks _____



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 Bannock) 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 affiant's knowledge.

Sworn to before me this 19th day of March

[Signature]
(Claimant)

19 79

[Signature]
Notary Public
Residing at Idaho Falls, Idaho

My commission expires 6/15/81

FOR DEPARTMENT USE ONLY

Received by	cw	Date	3-19-79	Exception filed by:	Forwarded to	Date
Prelim. check by	ARK	Date	3/19/79		claimant by:	
\$20.00 fee received by	N.A.	Date	3-19-79			
Published in	Idaho State Journal, Pocatello, ID					
Dates	April 12 & 19, 1979					

STATE OF IDAHO
County of Bannock

Patricia Beck

the meaning of the laws of Idaho.

By _____
Notary Public, State of _____

RECEIVED

Department of Water Resources
Eastern District Office

ALCOHOL

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

LEGAL ADVERTISEMENT

NOTICE OF AMENDED CLAIM TO A WATER RIGHT NO. 29-4074

Notice is hereby given that Roland G. Allen filed a claim to a water right established by diversion and application to beneficial use of 3.90 c.f.s. of water from Big Spring tributary to Marsh Creek with point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11 T. 12S, R. 37E, B.M., Bannock County. The water was claimed to be used from April 1 to Nov. 1 for the irrigation of 215 acres, with a priority of April 1, 1946; the place of use is within the W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 11, T. 12S, R. 37E, B.M.

The claimant now proposes to amend the place of use under Claim No. 29-4074 for the irrigation of 235 acres within the W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 11, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T. 12S, R. 37E, B.M.

Any exception to this amended claim to a water right may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

C. STEPHEN ALLRED

Director

April 12, 19, 1979

No. 278

Patricia Dech

being first duly sworn on oath deposes and says: That she was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

April	12	1979	19
April	19	1979	19
		19	19
		19	19
		19	19

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Patricia Dech

Subscribed and sworn to before me this 1st day of MAY, 1979

[Signature]

Notary Public, State of Idaho

Residence: Pocatello, Idaho

RECEIVED

MAY 7 1979

Department of Water Resources
Idaho Falls, Idaho

24-7

CLAIM TO A WATER RIGHT

Notice is hereby given that Roland G. Allen PH: 897-5737
(name of claimant)

the public water of the State of Idaho

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Big Spring
 _____, tributary to, Marsh Creek

Amount	<u>3.90</u>	Use	<u>Irrigation</u>	Period of Use:	From	<u>Apr. 1</u>	To	<u>Nov. 1</u>
Amount	_____	Use	_____	Period of Use:	From	_____	To	_____
Amount	_____	Use	_____	Period of Use:	From	_____	To	_____
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)					(both dates inclusive)

(4) Priority claimed: (the date water was first applied to beneficial use) April 1, 1946

(5) A) Point of diversion: (give location of point where water is diverted from its source)
NE ¼ SE ¼, Sec. 11 Twp. 12S Rge. 37E B. M. County of Bannock
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. 150' feeder channel from spring to pump pipe discharge into open ditch

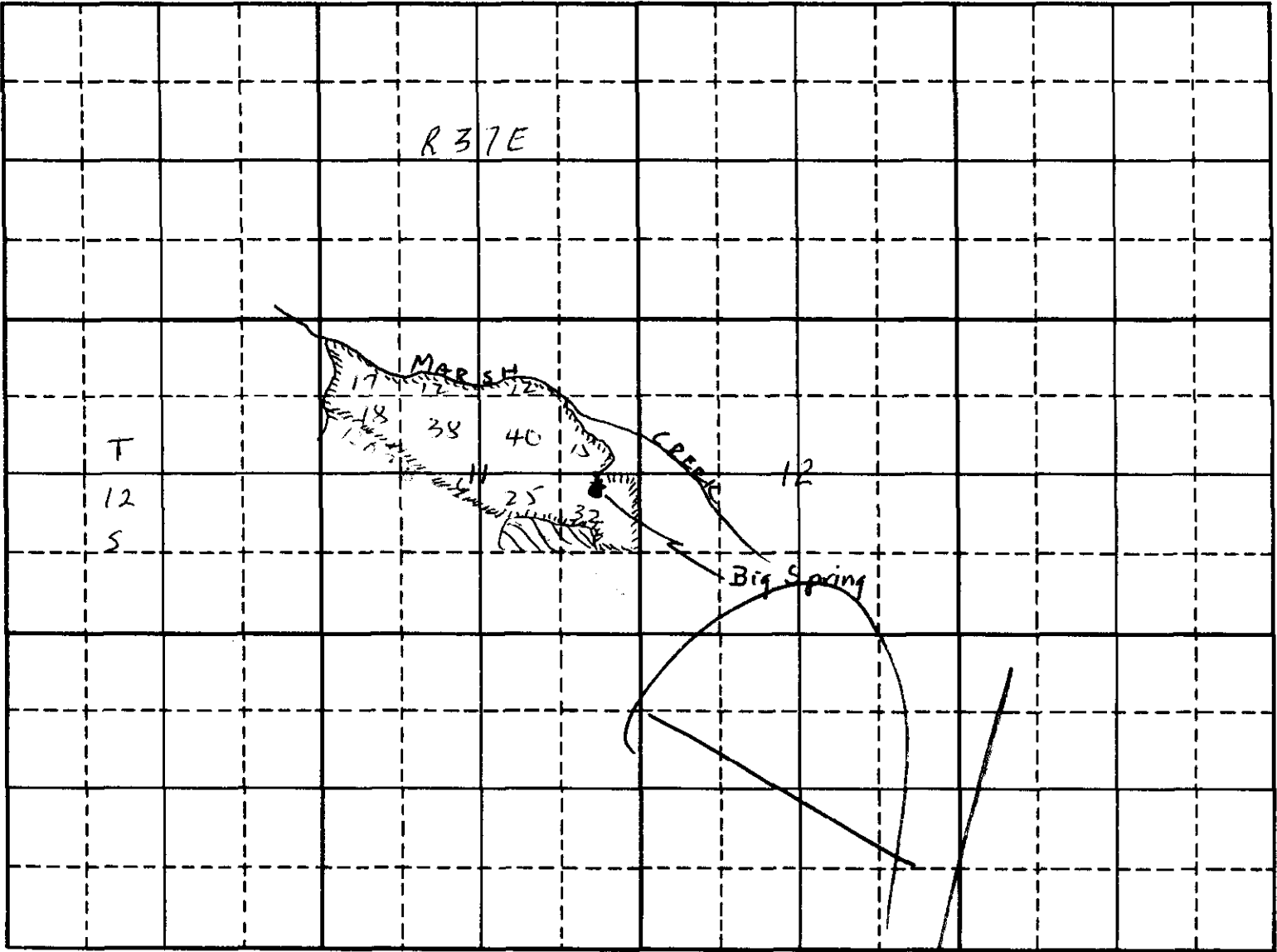
[illegible]

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:

REPROFILING

(8) Remarks _____



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 Bannock) 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 11th day of January, 1977.

[Signature]
(Claimant)

[Signature]
Notary Public
Residing at Arden, Ida

My commission expires May 4, 1978

For Department Use Only

Received by <u>OW</u>	Date <u>1-12-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>OW</u>	Date <u>1-12-77</u>		claimant by:	
\$10.00 fee received by <u>OW</u>	Date <u>1-12-77</u>			
Approved for publication by <u>PRE 1-31-77 #4493</u>				
Published in <u>Snake State Journal</u>				
Dates <u>Jan 20 & 27, 1977</u>				

IN THE MATTER OF:

AFFIDAVIT

ROLAND C. ALLEN

State of Idaho

County of BANNOCK

I DAN SENSEN being first duly sworn,

deposes and says: On or about 1942 my
FATHER W.H. SENSEN, ~~was~~ purchased
THE RANCH KNOWN AS THE HOT SPRINGS
RANCH. APPROX 1946 DEVELOPMENT
OF THE SO CALLED BIG SPRINGS WAS
UNDERTAKEN. AN 1800 GPM GAS DRIVEN
PUMP WAS INSTALLED. IN 1947
THIS SYSTEM WAS UPDATED TO AN
ELECTRICAL DRIVE. THE LAND WE
IRRIGATED WAS THE SAME AS IS
PRESENTLY BEING UTILIZED. TO MY
KNOWLEDGE THIS SYSTEM HAS BEEN
IN CONTINUOUS OPERATION SINCE THE
ORIGINAL INSTALLATION.

Dan Jensen
(signature)

Subscribed and sworn to before me this 11th day of January 1977.

Russell J. Wyder
(notary public)

Residing at Downey, Illa.
My commission expires May 4, 1978.

MICROFILMED

IN THE MATTER OF:
Rolland G. Allen

AFFIDAVIT

State of Idaho
County of Bannock

John B. Bowen

being first duly sworn,

deposes and says: That on or about March 1966 myself, my brother, and my
father purchased a ranch at the time was known as the Hot Springs Ranch located
three miles south of Downey, Idaho. At the time we purchased the ranch, the
water from the big spring was being used for irrigation purposes; and we used
these waters for the same purpose. We sold the ranch in the spring of 1970
to another party.

John Bowen
(signature)

John Bowen

Subscribed and sworn to before me this 19 day of Nov. 19 76

John Bowen
(notary public)

Residing at Downey, Idaho
My commission expires May 4, 1978

MICROFILMED

PROOF OF PUBLICATION

JAN 31 1977

STATE OF IDAHO
County of Bannock

ss.

Department of Water Resources
Eastern District Office

LEGAL ADVERTISEMENTS

NOTICE OF CLAIM TO A WATER RIGHT NO. 29-4074

Notice is hereby given that Roland G. Allen, Downey, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 3.90 cubic feet per second of water from Big Spring tributary to Marsh Creek with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 12S, R. 37E, B.M., Bannock County.

The water is claimed to be used from Apr. 1 to Nov. 1 for the irrigation of 215 acres with a priority of Apr. 1, 1946 the place of use is within the W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 11, T. 12S, R. 37E, B.M.

Any exception to this claim of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

January 20, 27, 1977
No. 34.

Patricia Peck

being first duly sworn on oath deposes and says: That SHE was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

JANUARY 20, 1977
JANUARY 27, 1977
_____, 19____
_____, 19____
_____, 19____
_____, 19____
_____, 19____
_____, 19____

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Patricia C Peck

Subscribed and sworn to before me this 27th
day of JANUARY, 1977

Dyanne Roberts

Notary Public, State of Idaho
Residence: Pocatello, Idaho

MICROFILMED

PROOF OF PUBLICATION

JAN 31 1977

STATE OF IDAHO
County of Bannock

ss.

Department of Water Resources
Eastern District Office

LEGAL ADVERTISEMENTS

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Director

January 20, 27, 1977
No. 34.

Patricia Peck

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Patricia C Peck

Subscribed and sworn to before me this

27th

day of JANUARY, 1977

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

May 21, 1979

**Roland G. Allen
Downey, Idaho 83234**

Dear Mr. Allen:

Re: Amended Claim No. 29-4074

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, 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 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 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 can be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Regional Supervisor

Enclosure

MICROFILMED

April 6, 1979

RE: Amended Claim to a Water Right No. 29-4074 ALLEN

Idaho State Journal
Box 431
Pocatello, Idaho 83201

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 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.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 5-09-79 by CW

RDC:CW

Enc: Legal Notice (1)

MICROFILMED

1
2 NOTICE OF AMENDED CLAIM
3 TO A WATER RIGHT
4 NO. 29-4074

5 Notice is hereby given that Ro-
6 land G. Allen filed a claim to a
7 water right established by diver-
8 sion and application to beneficial
9 use of 3.90 c.f.s. of water from
10 Big Spring tributary to Marsh
11 Creek with point of diversion in

12 the NW1/4SE1/4, Sec. 11 T. 12S, R.

13 37E, B.M., Bannock County. The
14 water was claimed to be used
15 from April 1 to Nov. 1 for the ir-
16 rigation of 215 acres, with a
17 priority of April 1, 1946; the
18 place of use is within the
19 W1/2NE1/4, SE1/4NE1/4, NW1/4,
20 NE1/4SW1/4, N1/2SE1/4, Sec. 11, T.
21 12S, R. 37E, B.M.

22 The claimant now proposes to
23 amend the place of use under
24 Claim No. 29-4074 for the irriga-
25 tion of 235 acres within the
26 W1/2NE1/4, SE1/4NE1/4, NW1/4,
27 NE1/4SW1/4, N1/2SE1/4, Sec. 11,
28 NE1/4NE1/4, Sec. 10, T. 12S, R.
29 37E, B.M.

30 Any exception to this amended
31 claim to a water right may be
32 filed with the Idaho Department
33 of Water Resources, 1515 Lincoln
34 Road, Idaho Falls, Idaho, 83401.

35 C. STEPHEN ALLRED
36 Director
37 April 12, 1979
38 No. 278
39 @I@I@I

NE SE ->
let go
as is
etc

27 - L

NOTICE OF AMENDED CLAIM TO A WATER RIGHT

NO. 29-4074

Notice is hereby given that Roland G. Allen filed a claim to a water right established by diversion and application to beneficial use of 3.90 c.f.s of water from Big Spring tributary to Marsh Creek with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 12S, R. 37E, B.M., Bannock County. The water was claimed to be used from Apr. 1 to Nov. 1 for the irrigation of 215 acres, with a priority of Apr. 1, 1946; the place of use is within the W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 11, T. 12S, R. 37E, B.M.

The claimant now proposes to amend the place of use under Claim No. 29-4074 for the irrigation of 235 acres within the W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 11, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T. 12S, R. 37E, B.M.

Any exception to this amended claim to a water right may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

C. STEPHEN ALLRED

Director

Published in the Idaho State Journal, Pocatello, Idaho, on April 12 and 19, 1979.

J. A.

1979 APR 19 10:00 AM
IDAHO DEPARTMENT OF WATER RESOURCES
BOISE, IDAHO

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JEV

Right Number _____ Applicant _____

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.

By Ermest Carlson Date 5/15/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jmi Date 6/1/79

RECEIVED
MAY 20 1979

February 7, 1977

RE: Claim to a Water Right No. 29-4074

Roland G. Allen
Downey,
Idaho 83234

Dear Mr. Allen:

The Department of Water Resources has completed the processing of your claim to a water right and no further action is authorized under Sections 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 your 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 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 can be of further assistance, please feel free to call upon us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enc: Copy of Claim

MICROFILMED

January 13, 1977

RE: Claim to a Water Right No. 29-4074 ALLEN
Application for Permit No. 29-7359 W.H.W. MANAGEMENT
" " " No. 29-7360 PHILLIPS
" " " No. 29-7361 POMPLIN

Idaho State Journal
Box 431
Pocatello, Idaho 83201

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 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.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 1-31-77 by cd

RDC: CW

Enc: Legal Notice (4)

MICROFILMED

NOTICE OF CLAIM TO A WATER RIGHT

NO. 29-4074

Notice is hereby given that Roland G. Allen,

Downey, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 3.90 cubic feet per second ~~XXXXXX XXXXXX~~

of water from Big Spring tributary to Marsh Creek

with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 12S, R. 37E, B.M.,

Bannock County

The water is claimed to be used from Apr. 1 to Nov. 1 for the
irrigation of 215 acres

with a priority of Apr. 1, 1946;

the place of use is within the W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 11, T. 12S, R. 37E, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON

Director

Published in the Idaho State Journal, Pocatello, Idaho

on January 20 and January 27, 1977

MICROFILMED

44-2-8
44-2-8