

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

Ident. Number: A29-11650
Date Received: 4/23/1990
Receipt No: E013525
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THOMAS DALE DAVIS TRUST 208-766-4597
Address: RFD. ROUTE 1, BOX 168
MALAD, ID 83252

2. Date of Priority: JUN 09, 1904

3. Source: BIRCH CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	36E	36	NE	NW	NW		BANNOCK

5. Description of diverting works:
HEADGATE TO DITCH TO PLACE OF USE FOR IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.400		

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

8. Total consumptive use is 300.0 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
11S	36E	25	SW	SW		IRR	4.0
			SE	SW		IRR	18.0

Section Acres 22.0

A29-11650

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Date: 04/23/90

MICROFILMED
NOV 16 1992



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	36E	36	NE	NE		IRR	9.0
			NW	NE		IRR	25.0
			SW	NE		IRR	5.0
			SE	NE		IRR	36.0
			NE	NW		IRR	20.0
			NW	NW		IRR	3.0

Section Acres 98.0

Total Acres 120.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
N/A

14. Remarks:

THIS CLAIM SEEMS TO BE A PORTION OF 29-00319.
CLAIM WILL BE AMENDED AS INFORMATION IS GATHERED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

HENRY WAKLEY ET. AL.

Decree Plaintiff

vs

GEORGE WAKLEY

Decree Defendant

(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 wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear or affirm that I am Executive of
Title
Thomas Dale Davis Trust, that I have signed the foregoing
Organization
document in the space below as Executive of
Title
Thomas Dale Davis Trust and that the statements contained in the
Organization
foregoing document are true and correct. Samuel H. Davis

4-23-80
Date

Subscribed and sworn (or affirmed) before me this 23 day
of April 1990

Residing at 1040 1/2 S
My Commission Expires 9-12-94

A29-11650

F11S
Q36E

MICROFILM
NOV 16 1992

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-11650	11S 36E	36	NE	NW	NW			BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX
A29-00322 29-04166

A29-04166

A29-11697

A29-11698

A29-11699

A29-11700

WR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: BIRCH CREEK

TRIB: MARSH CREEK

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
11S	36E	36	NE	NW	NW			BANNOCK		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: _____ TRIB: _____

REVIEWED BY: _____ DATE: _____

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___)

A. ROOT WATER RIGHT NUMBERS: A29-11650

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11S	36E	25	SW	SW		DAVIS TRUST, THOMAS DALE	A29-11650 / 4.0	- /			41.0
			SW	SW		WARD, WILLIAM D	A29-11697 / 21.0	- /			
			SW	SW		WARD, WILLIAM D	A29-11699 / 21.0	- /			
			SW	SW		TREASURE, DAVE	A29-00321 / 12.0	- /			
			SW	SW		TREASURE, DAVE	A29-00317A / 12.0	- /			
			SW	SW		TREASURE, DAVE	A29-00320 / 12.0	- /			
			SW	SW		TREASURE, DAVE	A29-00322 / 12.0	- /			
			SW	SW		WARD, DIXIE J	A29-11698 / 21.0	- /			
			SW	SW		WARD, WILLIAM D	A29-11700 / 21.0	- /			
			SW	SW		DAVIS, AFTON		29-04166 / 7.0			
11S	36E	25	SE	SW		DAVIS TRUST, THOMAS DALE	A29-11650 / 18.0	- /			42.0
			SE	SW		TREASURE, DAVE	A29-00321 / 27.0	- /			
			SE	SW		TREASURE, DAVE	A29-00317A / 27.0	- /			
			SE	SW		TREASURE, DAVE	A29-00320 / 27.0	- /			
			SE	SW		TREASURE, DAVE	A29-00322 / 27.0	- /			
			SE	SW		WOODLAND, EST. OF ELLEN		29-00323 /			
			SE	SW		WOODLAND, EST. OF ELLEN		29-00324 /			
			SE	SW		WOODLAND, EST. OF ELLEN		29-00325 /			
			SE	SW		DAVIS, AFTON		29-04166 / 11.0			
11S	36E	36	NE	NE		DAVIS TRUST, THOMAS DALE	A29-11650 / 9.0	- /			33.0
			NE	NE		WARD, WILLIAM D	A29-11697 / 19.0	- /			
			NE	NE		WARD, DIXIE J	A29-11698 / 19.0	- /			
			NE	NE		TREASURE, DAVE	A29-00321 / 15.0	- /			
			NE	NE		TREASURE, DAVE	A29-00320 / 15.0	- /			
			NE	NE		TREASURE, DAVE	A29-00322 / 15.0	- /			
			NE	NE		TREASURE, DAVE	A29-00317A / 15.0	- /			
			NE	NE		WARD, WILLIAM D	A29-11699 / 19.0	- /			
			NE	NE		WARD, WILLIAM D	A29-11700 / 19.0	- /			
			NE	NE		DAVIS, AFTON		29-04166 / 6.0			
11S	36E	36	NW	NE		DAVIS TRUST, THOMAS DALE	A29-11650 / 25.0	- /			42.0
			NW	NE		WARD, WILLIAM D	A29-11697 / 3.0	- /			
			NW	NE		WARD, WILLIAM D	A29-11700 / 3.0	- /			
			NW	NE		TREASURE, DAVE	A29-00321 / 8.0	- /			
			NW	NE		TREASURE, DAVE	A29-00320 / 8.0	- /			
			NW	NE		TREASURE, DAVE	A29-00317A / 8.0	- /			
			NW	NE		TREASURE, DAVE	A29-00322 / 8.0	- /			
			NW	NE		WARD, DIXIE J	A29-11698 / 3.0	- /			
			NW	NE		WARD, WILLIAM D	A29-11699 / 3.0	- /			
			NW	NE		DAVIS, AFTON		29-04166 / 28.0			
11S	36E	36	SW	NE		DAVIS TRUST, THOMAS DALE	A29-11650 / 5.0	- /			40.0

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SW	NE		WARD, WILLIAM D	A29-11697 / 18.0	- /			
			SW	NE		WARD, WILLIAM D	A29-11699 / 18.0	- /			
			SW	NE		WARD, WILLIAM D	A29-11700 / 18.0	- /			
			SW	NE		LAZY VZ TRUST LAND & WATER	A29-04206 / 15.0	29-04206 / 15.0			
			SW	NE		LAZY VZ TRUST LAND & WATER	A29-10461 / 15.0	- /			
			SW	NE		LAZY VZ TRUST LAND & WATER	A29-10462 / 15.0	- /			
			SW	NE		WARD, DIXIE J	A29-11698 / 18.0	- /			
			SW	NE		BLOXHAM, LOUIS		29-00318 / 15.0			
			SW	NE		BLOXHAM, LOUIS		29-00331 / 15.0			
			SW	NE		DAVIS, AFTON		29-04166 / 4.0			
			SW	NE		LAZY VZ TRUST LAND & WATER		29-08053 / 15.0			
11S	36E	36	SE	NE		DAVIS TRUST, THOMAS DALE	A29-11650 / 36.0	- /	35.0		
11S	36E	36	NE	NW		DAVIS TRUST, THOMAS DALE	A29-11650 / 20.0	- /	42.0		
			NE	NW		WARD, WILLIAM D	A29-11697 / 18.0	- /			
			NE	NW		WARD, DIXIE J	A29-11698 / 18.0	- /			
			NE	NW		WARD, WILLIAM D	A29-11699 / 18.0	- /			
			NE	NW		LAZY VZ TRUST LAND & WATER	A29-04206 / 2.0	29-04206 / 2.0			
			NE	NW		LAZY VZ TRUST LAND & WATER	A29-10461 / 2.0	- /			
			NE	NW		LAZY VZ TRUST LAND & WATER	A29-10462 / 2.0	- /			
			NE	NW		WARD, WILLIAM D	A29-11700 / 18.0	- /			
			NE	NW		BLOXHAM, LOUIS		29-00318 / 2.0			
			NE	NW		BLOXHAM, LOUIS		29-00331 / 2.0			
			NE	NW		DAVIS, AFTON		29-04166 / 20.0			
			NE	NW		LAZY VZ TRUST LAND & WATER		29-08053 / 2.0			
11S	36E	36	NW	NW		DAVIS TRUST, THOMAS DALE	A29-11650 / 3.0	- /	44.0		
			NW	NW		WARD, WILLIAM D	A29-11697 / 24.0	- /			
			NW	NW		WARD, DIXIE J	A29-11698 / 24.0	- /			
			NW	NW		WARD, WILLIAM D	A29-11699 / 24.0	- /			
			NW	NW		LAZY VZ TRUST LAND & WATER	A29-04206 / 28.0	29-04206 / 28.0			
			NW	NW		DAVIS TRUST, THOMAS DALE	A29-04166 /	29-04166 / 2.0			
			NW	NW		LAZY VZ TRUST LAND & WATER	A29-10461 / 28.0	- /			
			NW	NW		LAZY VZ TRUST LAND & WATER	A29-10462 / 28.0	- /			
			NW	NW		DAVIS TRUST, THOMAS DALE	29-04166 /	- /			
			NW	NW		WARD, WILLIAM D	A29-11700 / 24.0	- /			
			NW	NW		BLOXHAM, LOUIS		29-00317 / 5.0			
			NW	NW		BLOXHAM, LOUIS		29-00318 / 28.0			
			NW	NW		BLOXHAM, LOUIS		29-00330C / 5.0			
			NW	NW		BLOXHAM, LOUIS		29-00331 / 28.0			
			NW	NW		LAZY VZ TRUST LAND & WATER		29-08053 / 28.0			

ADDITIONAL POU FOUND

TOTAL ACRES	A29-11650	120.00	319.00
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POU COUNTY: BANNOCK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-11650	BIRCH CREEK	DAVIS TRUST, THOMAS DALE	2.400	0.020		
A29-00317A	MAPLE CREEK	TREASURE, DAVE	6.070	0.020		
	MINES CANYON					
A29-00320	DRY HOLLOW	TREASURE, DAVE	6.070	0.020		
	MAPLE CREEK					
	BIG CREEK					
	MINES CANYON					
A29-00321	STATION CREEK	TREASURE, DAVE	6.070	0.020		
A29-00322	BIRCH CREEK	TREASURE, DAVE	6.070	0.020		
A29-04206	POND	LAZY VZ TRUST LAND & WATER	1.500	0.006		
A29-10461	STATION CREEK	LAZY VZ TRUST LAND & WATER	4.500	0.020		
A29-10462	MINES CANYON	LAZY VZ TRUST LAND & WATER	4.500	0.020		
	BIG CREEK					
A29-11697	BIRCH CREEK	WARD, WILLIAM D	6.840	0.020		
A29-11698	BIG CREEK	WARD, DIXIE J	6.840	0.020		
	DRY HOLLOW					
	MAPLE CREEK					
A29-11699	STATION CREEK	WARD, WILLIAM D	6.840	0.020		
A29-11700	UNNAMED CREEK	WARD, WILLIAM D	6.840	0.020		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A29-04166	STOCKWATER	DAVIS TRUST, THOMAS DALE	FROM 01-01 TO 12-31	0.090 CFS	
29-04166	STOCKWATER	DAVIS TRUST, THOMAS DALE	FROM 01-01 TO 12-31	0.090 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: N/A

Log for claim A29-11650

Spatial Dynamics TWB

6/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s36e	25	SWSW	4	3.1	
11s36e	25	SESW	18	12	
11s36e	36	NENE	9	7.5	
11s36e	36	NWNE	25	29	
11s36e	36	SWNE	5	3.1	
11s36e	36	SENE	36	39	
11s36e	36	NENW	20	19	
11s36e	36	NWNW	3	1.5	
Totals:			120	114.2	

AJ5809NP
No. A29-11650

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 181

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THOMAS DALE DAVIS TRUST RFD ROUTE 1 BOX 168 MALAD ID 83252 (208) 766-4597	06/09/1904	IRRIGATION	03-15 11-15	2.400 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	2.400 CFS 300.00 AFA

Water Source: BIRCH CREEK

Tributary to: MARSH CREEK

Stage: DECREED

Point(s) of Diversion:

T11S R36E S36

NENWNW

BANNOCK County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
11S	36E 25	:																22.0
11S	36E 36	:	09	25	05	36	:	20	03	:								98.0
																	TOTAL ACRES	120.0

POU County: BANNOCK

Non-Irrigation Uses: N/A

Other Rights: N/A

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-04166 A29-00322 A29-04166 A29-11697 A29-11698 A29-11699 A29-11700

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00317 A29-00317A A29-00318 A29-00320 A29-00321 A29-00322 A29-00330C A29-00331 A29-04206 A29-10461
A29-10462 A29-11697 A29-11698 A29-11699 A29-11700

Remarks: GEN THIS CLAIM SEEMS TO BE A PORTION OF 29-00319.
CLAIM WILL BE AMENDED AS INFORMATION IS GATHERED.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 04/23/90 MEYER 09/09/94 JTHOMPSON 03/29/95 POST-STD 01/11/96 ENORQUES