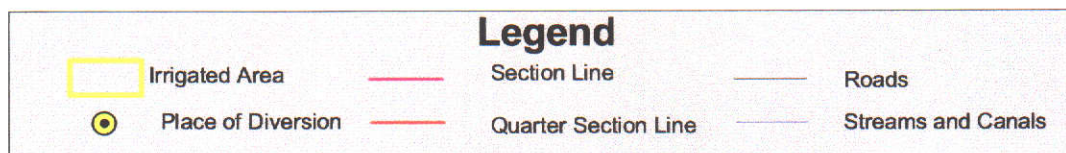


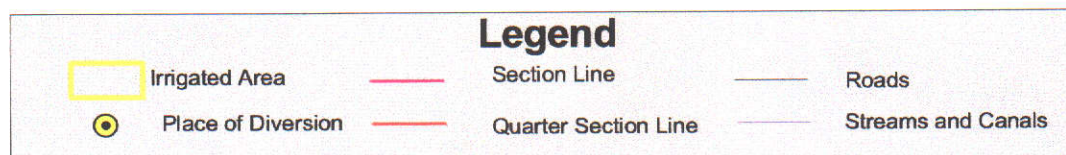
Water Right Claim Number 47-12786
Township , 10S14E

03/28/2001



Water Right Claim Number 47-12786
Township , 10S14E

03/28/2001



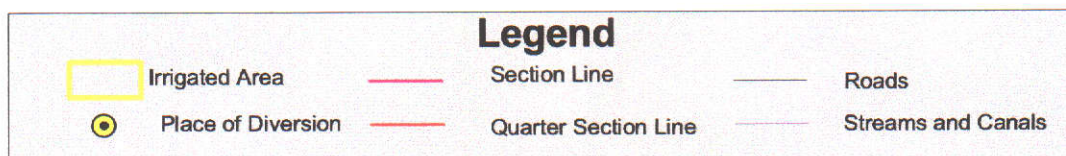
400 0 400 800 Feet



 SPATIAL
DYNAMICS

Water Right Claim Number 47-12786
Township , 10S14E

03/28/2001



400 0 400 800 Feet



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: A47-12786
Date Received: 12/21/1988
Receipt No: S004850
Received By: ETC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: D. MONTE DAVIS 208-543-4927
Address: RT. 2 BOX 195
BUHL, ID 83316

OR
Name: CARALEE H. DAVIS 208-543-4927
Address: RT. 2 BOX 195
BUHL, ID 83316

2. Date of Priority: JAN 01, 1915

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	14E	1	SW	SW	NE		TWIN FALLS

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
IRRIGATION	03/15	11/15	0.060		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 6.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE S/12 BEEF

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	14E	1	SW	NE		DOMEST	
			SW	NE		STOCK	
			SW	NE		IRR	1.5
						Section Acres	1.5
						Total Acres	1.5

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(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.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): D. Monica Davis Date: 12/21/88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 21st day
of December 19 88

Steve C. Allen
Notary Public

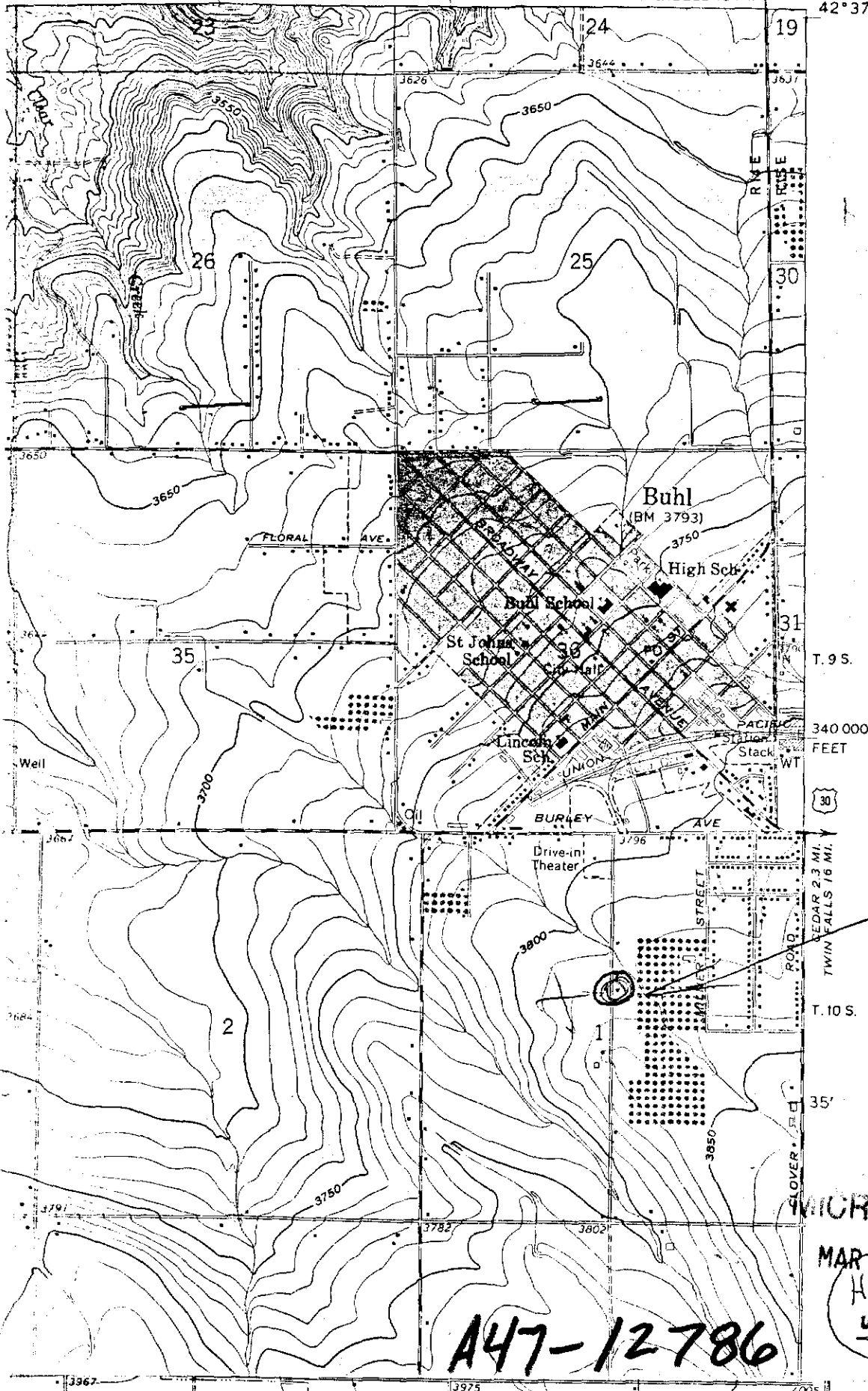
Residing at Twin Falls
My Commission Expires Dec 7, 1994

(NIAGARA SPRINGS)

JEROME 26 MI
WENDELL 18 MI

11 290 000 FEET

114°45'
42°37'30"



SW 1/4 NE 1/4
Section 1
Township 10 S.
Range 14 E
BM
Twin Falls County

~~MICROFILMED~~

MAR 14 1915
House built with
WELL 1/1/1915

A47-12786

RECEIVED

March 14, 1995

State of Idaho
Dept. of Water Resources
Southern Region
222 Shoshone St. East
Twin Falls, Idaho 83301

MAR 15 1995

Department of Water Resources
Southern Region

Re: Notice of Claim #A47-12786
D. Monte Davis
Caralee H. Davis
Rt 2, Box 195
4060 N. 1450 E. (Moon Glo Rd.)
Buhl, ID 83316
(208) 543-4927 / (208) 543-6550

EVIDENCE OF BENEFICIAL USE
HISTORICAL USE OF WATER

Mrs. Muriel Christofferson who lives at the corner of 4000 N. 1450 E. (½ mile south of us) was born in 1915 very near to her present home. It is difficult for her to converse but she told me on 3/10/95 that she can remember a house located at our site a least as early as 1920 owned by the Priest family.

Faye Bagley Parrott the grand-daughter of Mr. & Mrs. Willis H. Priest (her mother's parents) was told by her mother that the family moved to Buhl from the Roseworth tract about 1908. Mrs. Bagley (Faye's mother) and her sister were a little late in age for starting school. Mrs Bagley was born in 1900. Her father (Mr. Priest) acquired this property simultaneously with Mr. Shields, who acquired the surrounding property, in some kind of business arrangement between the two.

From papers filed with the Idaho Dept. of Water Resources on 12/21/88, we have in our file record of information received from the Twin Falls County Assessor's office on 11/21/88 at 4:45 p.m., that the original house on our site was built as of 1/1/1915. Physical evidence would indicate that the well was in place at that time. Mrs. Parrott said in conversation with John M. Barker this last week-end (3/11-12/95) that he stated the old Shields orchard, adjoining our east property boundry, was planted in 1917.

In August, 1966, we acquired and moved to this property. We extensively remodeled the original wood frame house in late 1971 and early 1972. Removing siding and interior lath and plaster down to the bare wall studs and framing throughout. Evidence of the original foundation walls is still available in our basement. There is an old cistern still being used as a pump house under the southeast corner of our house. Within about 15 inches of the outside east wall of the cistern is an old approximately 4 inch iron well casing which has been cut into from the inside wall at the bottom of the cistern. A black plastic pipe (approximately 1½ inch) is inserted into this cut in the well casing and attached to a jet pump which provides all of our water. We have estimated the well to be about 20 feet deep.

It is very apparent that this well and the cistern have been in place at least as long as the house foundation.

DEC 10 1996

(continued to page 2)

March 14, 1995

State of Idaho
Dept. of Water Resources
Southern Region
222 Shoshone St. East
Twin Falls, Idaho 83301

Re: Notice of Claim #A47-12786
D. Monte and Caralee H. Davis
Rt 2, Box 195, Buhl, ID 83316

Mrs. Parrott states that old livestock out-buildings were at the back of the property east of the house, all through her school years and until they moved in her junior year of high school (in late 1950 or early 1951). These have long since been torn down. This barn yard site was used to feed, water, and house livestock year around apparently from the time the Priests moved there. Faye can remember at least two cows being milked in addition to other livestock they kept.

A small milk barn (4-5 staunchions) was built in March, 1951, according to the date scratched into the cement pad at the entry. An under-ground water-line extends from the pump house to the barn and to the water trough site in the former corral. Water in the milk barn and for the water trough was provided year around from the well at the house.

When we moved here (1966) 3 extremely old apple trees (possibly 40-50 years old then) were in the grass area east of the house between the house and the corrals. As were also a very old Italian Plum tree, a winter pear tree, and a 1,600 sq. ft. garden area.

Although those who could witness as to actual use of the well water for livestock, lawn, garden area, and fruit trees are long since deceased, there is ample evidence that the well water was put to this use from the very earliest years.

Under-ground water seepage has always been a problem in our vicinity. Twin Falls Canal Company encouraged wells in this area to relieve the severe seepage problems. A nearby neighbor says she has seven wells on her property. Our well is only about twenty feet deep. The point being that this water has been put to the beneficial use claimed, for many years, extending back to at least 1915 when Mr. & Mrs. Willis H. Priest built the house.

Since we moved here in August, 1966, we have watered as many as 30 hd. of cattle at a time during months canal water was not running. Since 1966 we have used this well to water not only livestock and for domestic use (we have raised 6 sons here) but for a large yard of approximately 33,000 sq. ft. of lawn, 13 mature trees that were well established in 1966, 7 newer trees, plus 1,600 sq. ft. of garden area. We also water to a lesser extent an adjoining area from this well, that we have used as large additional garden area of 9,000 sq. ft. that includes or included 1,800 sq. ft. of raspberries, 12 fruit trees, and 3 ornamental trees.

Our well pump is used about 16 hours per day from April to late fall (when the ground freezes) to water our lawn, shrubs, trees, garden and livestock, besides domestic use.

For several years we watered livestock through the winter. As did 1986 early owners (from about 1915 at least) including Mr. & Mrs. Willis H. Priest and all other owners previous to us, who had assorted livestock and milk cows.

Michelle Behting
Notary Public
Expires 3-10-99

ATTEST:

MICROFILMED
D. Monte Davis
Caralee H. Davis



Governor PHILIP E. BATT

R. KEITH HIGGINSON
Director

January 10, 1995

A47-12786
D. MONTE DAVIS
CARALEE H. DAVIS
RT. 2 BOX 195
BUHL

ID 83316

RE: Evidence of Priority

Dear Claimant:

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided by the claimant supporting the priority date claimed.**

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

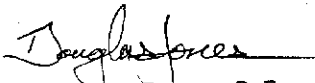
SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

January 10, 1995
page 2

notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,


Douglas Jones, P.E.
Water Rights Supervisor

Enc.

MICROFILMED

DEC 10 1996

Log for claim 47-12786

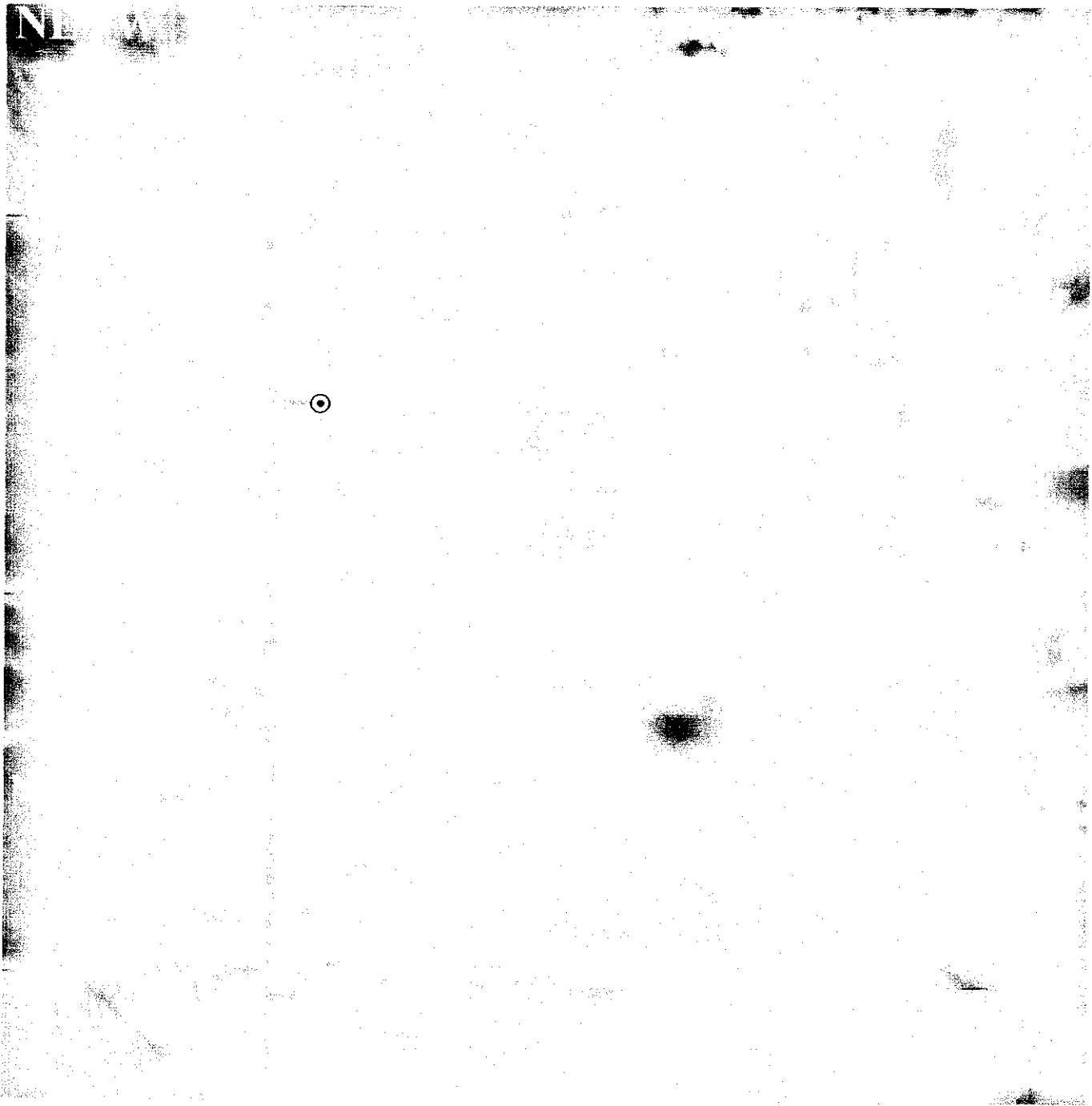
Spatial Dynamics BTD

3/28/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s14e	1	SWNE	1.5	1.6	
Totals:			1.5	1.6	

Water Right Claim Number 47-12786
Township , 10S14E

03/28/2001



Legend			
Irrigated Area	_____	Section Line	_____
Place of Diversion	⊙	Quarter Section Line	_____
		Roads	_____
		Streams and Canals	_____

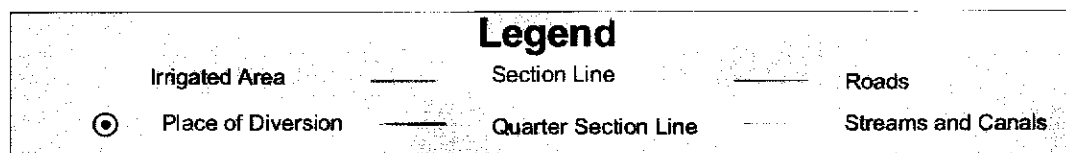
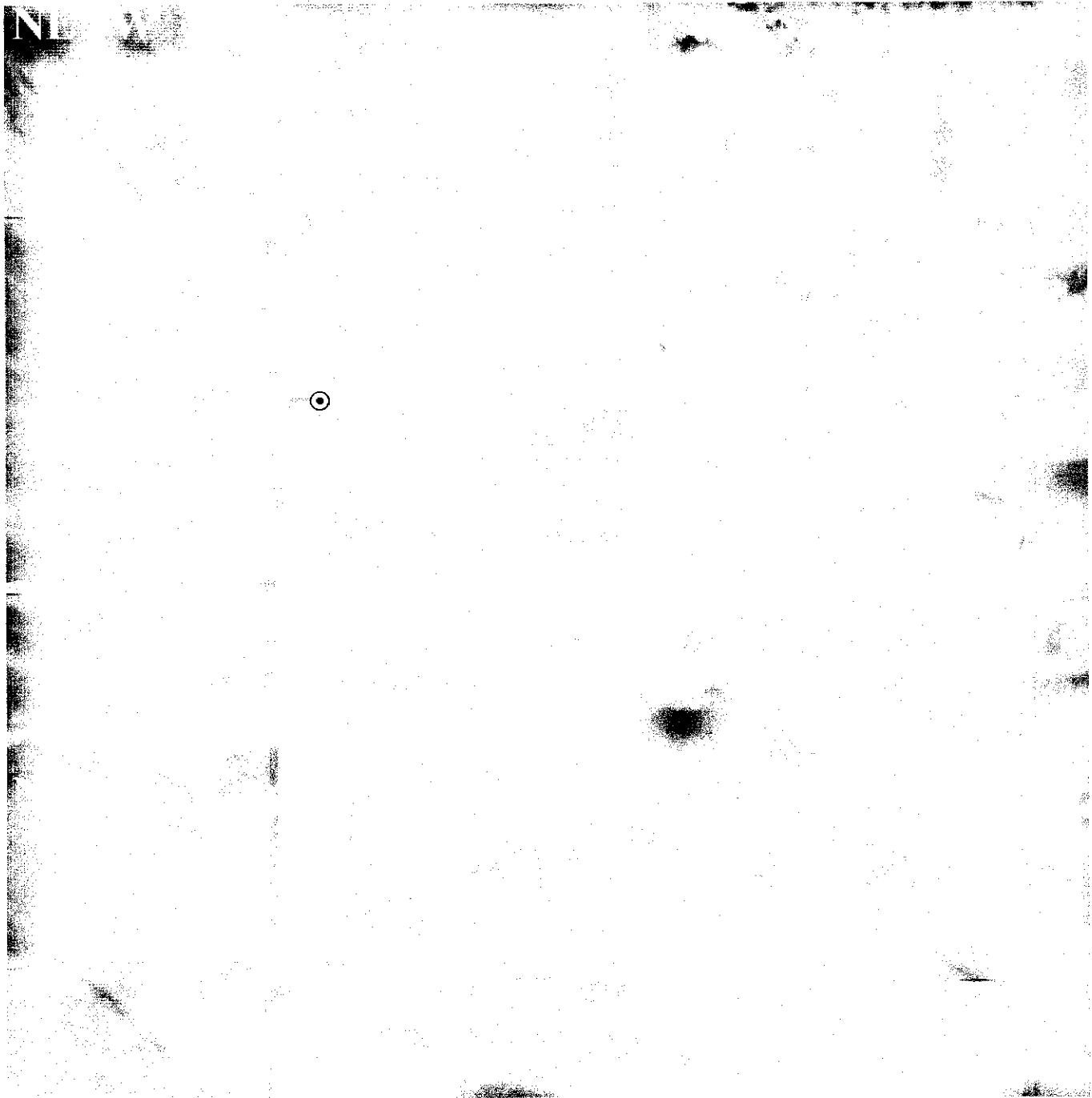
400 0 400 800 Feet



**SPATIAL
DYNAMICS**

Water Right Claim Number 47-12786
Township , 10S14E

03/28/2001



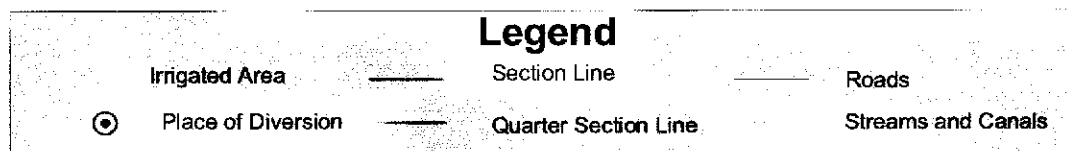
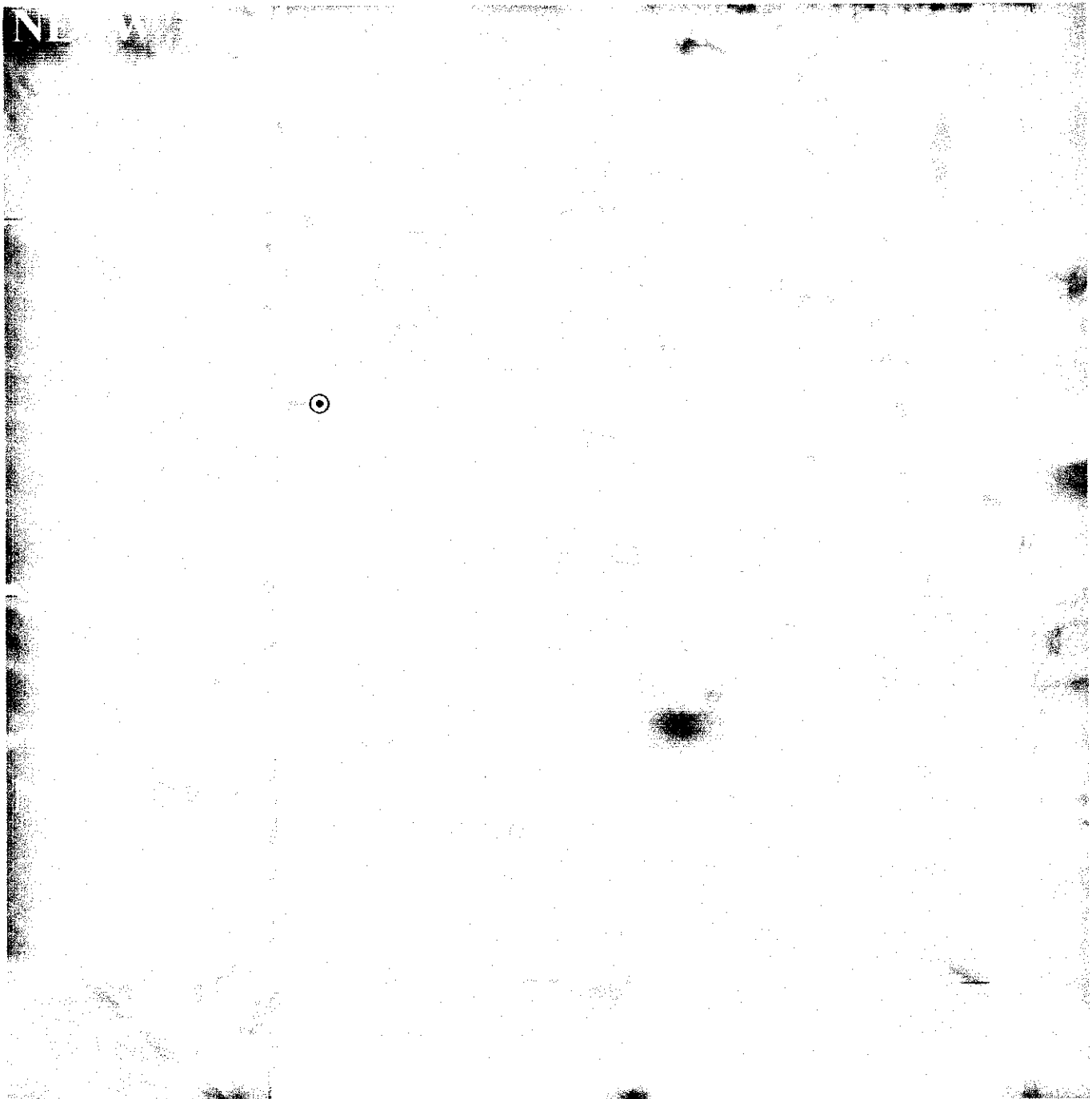
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 SPATIAL
DYNAMICS

Water Right Claim Number 47-12786
Township , 10S14E

03/28/2001



400 0 400 800 Feet



 SPATIAL
DYNAMICS

AJ5809NP
No. A47-12786

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/12/01
PAGE: 208

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	D MONTE DAVIS	01/01/1915	IRRIGATION	03-15 11-15	0.060 CFS	
C	CARALEE H DAVIS		STOCKWATER	01-01 12-31	0.020 CFS	
	RT 2 BOX 195		DOMESTIC	01-01 12-31	0.040 CFS	
	BUHL ID 83316					
	(208) 543-4927					
TOTAL DIVERSION:					0.060 CFS	
CONSUMPTIVE USE:						6.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T10S R14E S01 SWSWNE

TWIN FALLS County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
10S	14E	1	:			01		:					:					:					:	1.5
																							TOTAL ACRES	1.5

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
				Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
10S	14E	1	:			S		:					:					:					:	

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
				Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
10S	14E	1	:			D		:					:					:					:	

POU County: TWIN FALLS

Non-Irrigation Uses: D/1 HOUSE S/12 BEEF

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
47-13258 A47-13258

Other Water Rights Listing Overlapping Place(s) of Use:
A01-0020921

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag:

AJ5809NP
No. A47-12786

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/12/01
PAGE: 209

Audit: 12/21/88 CLELLAND 03/30/95 POST-STD