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MAY 19 2005

DEPARTMENT OF 2005 MAY 18 PM 4:30
WATER RESOURCES

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

) Subcase 81-11926

Case No. 39576

)
)
) ORDER GRANTING MOTION TO FILE
) LATE NOTICE OF CLAIM

On February 24, 2005, Claimant Paula Z. Davis filed a *Motion to File Late Notice of Claim*. Hearing was held on the *Motion* on May 16, 2005. This *Motion* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to this late Notice of Claim.

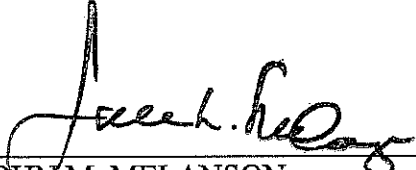
THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for the above water right is **granted**.

The original Notice of Claim, as well as any attached filing fees, and a copy of this *Order* will be forwarded to the Idaho Department of Water Resources for further action.

IT IS SO ORDERED.

Dated

May 18, 2005



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION FOR LATE NOTICE OF CLAIM was mailed on May 18, 2005, with sufficient first-class postage to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

PAULA Z DAVIS
RTE 1 BOX 44C
KOOSKIA, ID 83539
Phone: 208-926-4479

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 81-11926
Date Received 5-19-05
Receipt Number C078003

RECEIVED

MAY 19 2005

DEPARTMENT OF
WATER RESOURCES

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Paula Z Davis or Lora yda Jone Phone (208) 926-2479
Mailing Address Rte 1 Box 44 C. Kooshia ID Zip 83539

2. Date of Priority (Only one (1) per claim) March 15, 1958

3. Source of water supply (a) Clear Creek
which is tributary to (b) Middle Fork

4. a. Location of existing point of diversion is: Township 32N Range 5E Section 31,
1/4 of NE 1/4 of SW 1/4, Govt. Lot, B.M., County of IDAHO

Additional points of diversion if any: T32N R5E Sec. 31 NE SW

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc).
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Portable pump to pipe and sprinklers

Portable pump is placed in one of two places

FILED
DISTRICT COURT - FIFTH
TWIN FALLS, IDAHO
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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3/15 to 11/15 amount .20 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .20 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
32N	5E	31									10								

Total number of acres irrigated 10

11. In which county (ies) are lands listed above as place of use located? Idaho

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (☒)

14. Remarks:

Last Name DAVIS Ident No. 81-11926

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Signature of Claimant (s) Paula Z Davis Date 2-18-05

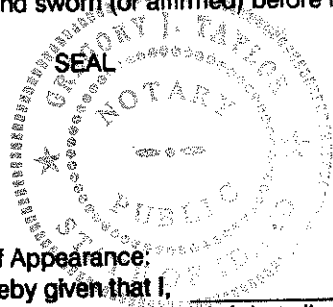
Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or _____)
County of NEZ PERCE) SS.

Subscribed and sworn (or affirmed) before me this 18th day of February 2005



Notary Public Gregory J. Taylor
Residing at Scrimston ID
My Commission Expires 4-28-2010

Please Print Name

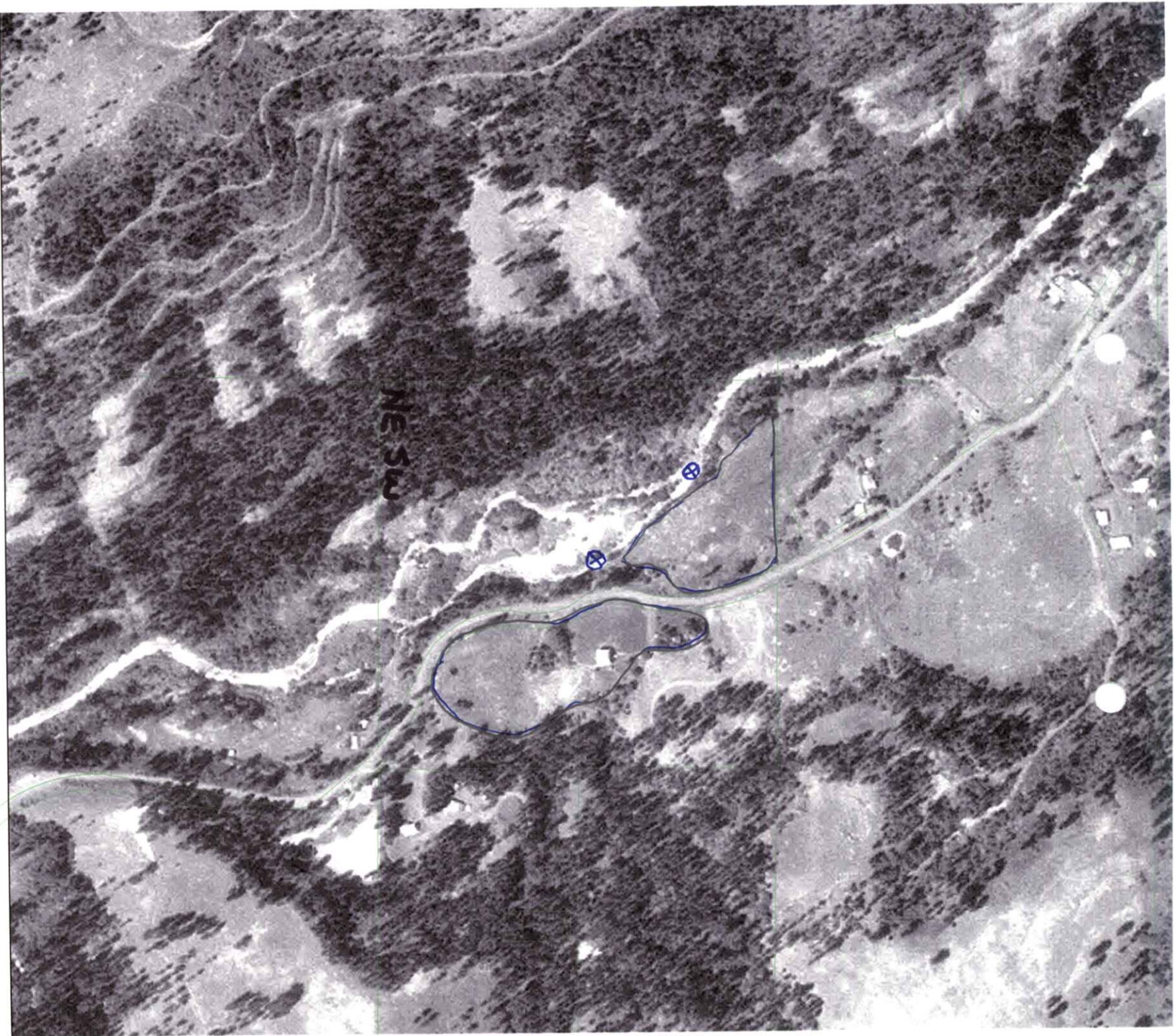
17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name DAVIS Ident. Number 81-11926



NE SW

T32N
R5E

Rollon O Wilson
Route 1 Box 3
Kooskia, ID 83539
(208) 926-4536

February 2, 2005

Greg Taylor
Dept. of Water Resources
118 F Street
Lewiston, ID 83530
(208) 743-0301

Dear Mr. Taylor,

Beginning around 1958 I went to school and buddy around with Everett Martin, son to Ardella and Everett Martin. I was at the Martin place many times and during that time, helped the Martin's irrigate by moving the plastic pipe with sprinklers. They mainly irrigated for hay. In those years the Martin's owned 280-320 acres.

I have known Paula Davis many years and she has a 40-acre piece that is located in the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) in Section 31, Township 32 North, Range 5 East, of Idaho County, part of the Martin place. I have helped Paula move the irrigation system, but she irrigates only about 8 acres on the bottom portion, next to the creek during the summer and it helps with the pasture growth to feed her horses.

My brother bought a ranch just past the Martin place and I have been on Clear Creek many, many times from 1958 and continuing through today. If you have any questions, please call me.

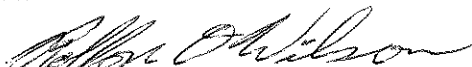
Sincerely,



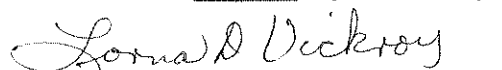
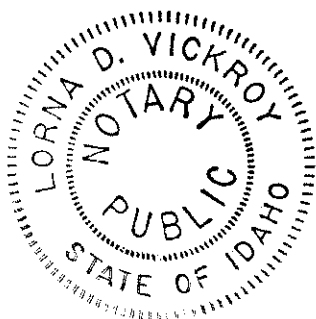
Rollon O Wilson

FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 2nd day of February 2005.


ROLLON O WILSON

SUBSCRIBED AND SWORN to before me this 2nd day of February 2005.


Notary Public in and for the State of Idaho

Residing at Kamiah therein.

My Commission expires: 2/12/2008

**Bob Hendren
Route 1 Box 1
Kooskia, ID 83539
(208) 926-0105**

February 2, 2005

Greg Taylor
Dept. of Water Resources
118 F Street
Lewiston, ID 83530
(208) 743-0301

Dear Mr. Taylor,

I lived on Clear Creek in the early 1960's. My property adjoined Everett and Ardella Martin, now owned by Paula Z Davis. I believe, that the Martin's purchased the place in December of 1960 from the Norton's.

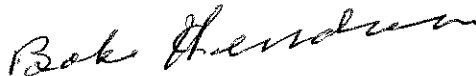
During that time, Everett irrigated the lower pasture and also part of the top portion, that which is divided by the county road. He used Clear Creek for his water source and pumped to the top with plastic pipe and sprinklers were attached. The bottom portion by the creek was irrigated by pipe flooding using the pump in Clear Creek.

The 40-acre property that Paula has is located in the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) in Section 31, Township 32 North, Range 5 East, of Idaho County. When the Norton's and later, Martin's owned the place they had many more acres.

I personally saw his irrigation system going and can testify to his use in the early 1960's. I have also seen the irrigation system going while Paula has owned the place.

Sincerely,

Bob Hendren

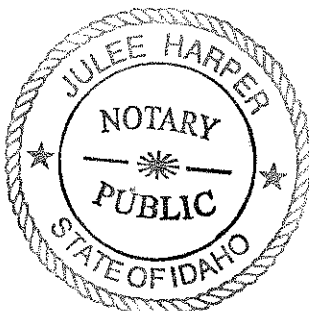


FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 2nd day of February 2005.

BOB HENDREN

SUBSCRIBED AND SWORN to before me this 2nd day of February, 2005.




Notary Public in and for the State of Idaho

Residing at Kamiah therein.

My Commission expires: 4-25-2006