



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

RECEIVED

SEP 4 2005

Idaho Department of Water Resources

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 30, 2005

67-4017

John B & Jeanine A Duvall

1398 COOPER RD

WEISER, ID 83672

RESPONSE DEADLINE
SEPTEMBER 16, 2005

Re: Evidence of Priority Date

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number(s) shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic 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. **Proof must be provided by the claimant supporting the priority date claimed and the historic use of the water.**

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. A map of the general area stated in your claim is also enclosed. If you irrigate, please outline the location of lands irrigated based on your claim, as well as the location of any points of diversion, if possible. If you have a claim other than irrigation, please outline the location of your place of use (i.e. house) and note the location of wells or other points of diversion. Please submit the completed map along with your evidence of priority. This will assist me in making a more accurate recommendation of your claim(s).

PLEASE NOTE: If no evidence is submitted, IDWR will recommend the SRBA Court decree the claim be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. Send the documents in the enclosed envelope to assure it arrives at the correct location. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. You can contact the Basin 67 team via e-mail at B67questions@IDWR.idaho.gov. If you wish to call, our toll free number is 1-800-451-4129.

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 Idaho Department of Water Resources (IDWR). 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 IDWR in order to receive future mailings and to participate in the Adjudication.

Sincerely,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Enclosures



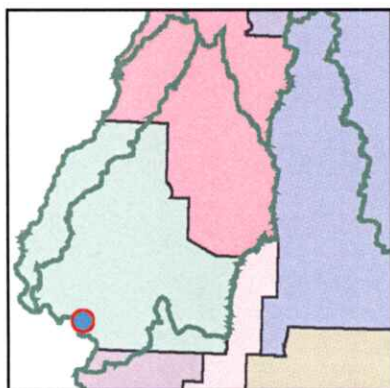
Idaho Department of Water Resources

Adjudication Claim Number: **67-4017**

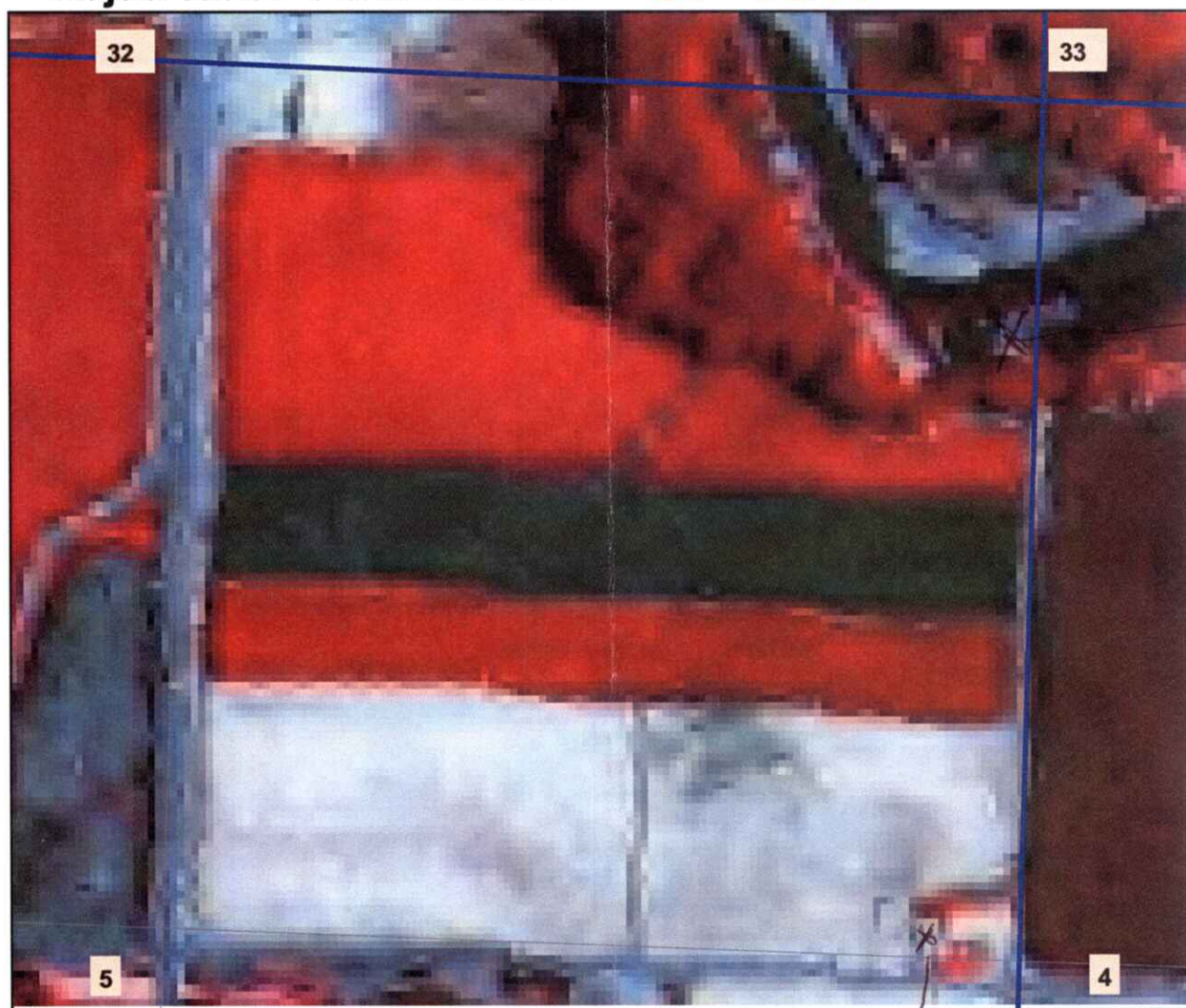
T10N R05W

Legend

- PLS Sections
- GCDBQuarter Quarters



Washington County
IDWR Basin 67



0 0.1 0.2 Miles

Prepared by M. Van Bussum
On Wednesday, August 31, 2005
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-4017

WATER RIGHT NUMBER: 67-4017

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	REX FORD SMITH RT 3 WEISER, ID 83672
Current Owner	JOHN B DUVAL 1398 COOPER RD WEISER, ID 83672 (208)549-2353
Current Owner	JEANINE A DUVAL 1398 COOPER RD WEISER, ID 83672 (208)549-2353

Priority Date: 10/21/1953

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
WEISER RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	0.800 CFS	
	<u>Total Diversion:</u>	0.800 CFS	

Location of Point(s) of Diversion

WEISER RIVER	NE1/4NE1/4	Sec. 5, Twp 10N, Rge 05W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION Within WASHINGTON County

T10N R05W S05 NENE 30.0

Total Acres: 30

Conditions of Approval:

1. CLAIM WAS ORIGINALLY WITHDRAWN, NEW OWNER REFILED THE CLAIM.
3-25-94 RDH.

Remarks:

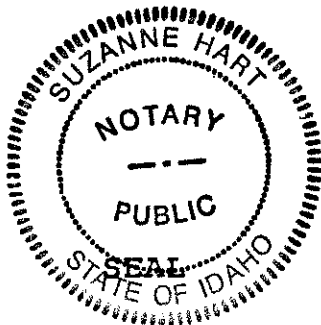
IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
67-4017)
)
)
State of Idaho)
County of Washington)

AFFIDAVIT

John B. Duvall

being first duly sworn,

deposes and says: my wife, Jeanine A. Duvall, and I bought this
property in May 1993 from Mr. Rex Ford Smith. In 1994, I was sent a
letter from Department of Water Resources and filed claim to water on
this property. This was a family farm in Washington County for over
100 years. I have no knowledge of dates filed, only the letter sent
to me by Department of Water Resouces and my filing. This is still
farmed and the water is taken out of the Weiser River by two pumps
at the Northeast part of the property. Row crops are still grown on
the farm. There is one well and 2 pumps that are used for water and
irrigation for our home.



John B Duvall
(Signature)

Subscribed and sworn to before me this
day 12 of September, 19 2005.

Suzanne Hart
(Notary Public)

Residing at Weiser, ID.

My Commission Expires 8-1-06.