

Cy From Mr. Dan Narsavage His map attached.

RECEIVED

OCT 12 2005

Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

James M Davies
Box 392
Ketchum, ID 83340

Re: Irrigated land outside active SRBA claims

Dear Mr Davies:

Dear Dan:
Thank you for this map, your
map is attached.
I just received notification that
a former owner's application was
made for the wrong township. I can
understand this as he was 84 years
old taking full time care of his
wife. Now I have to try to be
clear headed enough to avoid it.
Enclosed are cys of the IDWR
explaining this to me.

In my review of Snake River Basin Adjudication (SRBA) claims, I have reviewed your claim numbered 67-543 for 68.4 acres of irrigation along Deer Creek north of Weiser, Idaho. This acreage is outlined in light blue on the map included with this letter. This claim appears to me to be satisfactory, and no action on your part is warranted at this time unless you find an error.

During my review, however, I found some land in our aerial photography that appears to be irrigated but falls outside of the land claimed by 67-543. This appears in red on the map included with this letter. Assuming that it is in fact irrigated and that it has been irrigated since 1987 or earlier, I will require a separate SRBA claim from you in order to recommend this water use to the SRBA court to be decreed a water right.

I have included the "Notice of Claim to a Water Right" form for the SRBA as well as instructions for its completion. Along with completing this form, please outline to the best of your abilities the extents of this water use on the blank map provided. I have zoomed this map out to cover more ground in case there is more irrigated land that you wish to claim. I understand that you will most likely have some questions when completing the form, so please don't hesitate to contact me if you get stuck.

If the land outlined in red is in fact irrigated and you wish to claim it in the SRBA, please return the completed claim form no later than October 28, 2005. I look forward to hearing from you.

Sincerely,



Dan Narsavage
GIS Specialist
Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098
Ph. 208-287-4885
E-mail: dan.narsavage@idwr.idaho.gov

Enclosures:

- Map: "Davies Irrigation" (1p)
- Form: "Notice of Claim to a Water Right" (4p)
- Map: "Davies Irrigation" - blank (1p)
- Document: "Instructions for Filing a Claim to a Water Right..." (16p)
- Pamphlet: "Evidence of Priority"

① crosshatched // is
Tockh Ditch water

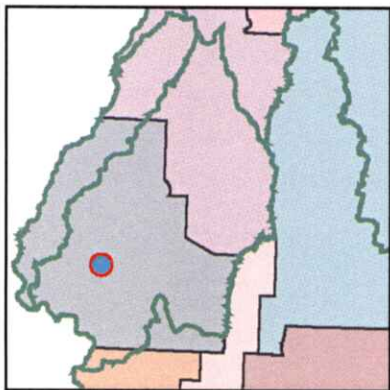
② Tarter claims on Deer Creek for irrigation and stock water.
③ The outlines in Red are farmed dry lands never been irrigated.

Davies Irrigation

Davies Irrigation

Legend

-  Section Lines
 Mann Creek Claims
 Not Ready
 Ready for Recommendation
 Recommended

Washington County
IDWR Basin 67

0 0.3 0.6 Miles

**Prepared by D. Narsavage
On Friday, September 30, 2005
Digital Orthophoto Quarter Quads**

(4) approx 2 acres in here can be sprinkled or 1 application in April from springs which dry up by mid July. I don't think it worth the trouble to apply.



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

12 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Cys For Dan Harsavage

October 3, 2005

DAVIES FAMILY LTD PARTNERSHIP
PO BOX 2235
KETCHUM ID 83340

RE: Notice in Change of Water Right Ownership for Snake River Basin Adjudication
(SRBA) claim 67-10761

Dear Sir or Madam,

The Idaho Dept of Water Resources is currently in the process of reviewing SRBA claims in your area. Initial review indicates that you may now own the property that I think claim 67-10761 is applicable to.

Claim 67-10761 was filed by George and Nellie Tarter in 1989. 67-10761 claims stockwater and irrigation of 7 acres from Deer Creek in:

T13N R5W Sec 1 SENE
NESE

My analysis shows that Deer Creek does not flow through T13N, R5W, Sec 1. The map submitted with the claim indicates that the place of use is located in **T12N, R5W, Sec 1**. It appears that you own the property in T12N, R5W, Sec 1.

yes, correct

I have enclosed a copy of the original claim filed along with the map that was submitted. Please look over the information. If you feel that my analysis is correct, then we need to file an amended claim that will not only correct the legal description on the claim, but correct the ownership of the claim.

I am enclosing an amended claim form. Please fill in the name as it should read, initial any changes you wish to make, and sign it in front of a notary. Then return the claim to me **along with evidence supporting the claimed priority date of June 1, 1923.**

The priority date is the day that the water was first put to beneficial use to the extent claimed. I am enclosing and evidence of priority pamphlet that describes what can and cannot be used as evidence of priority.

Please feel free to contact me with any questions.

CY

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

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

Ident. Number 67-10761
Date Received: 10/12/1989
Receipt No: M004909
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

Name: James M. Davis original { Geo. D. Tarter } Phone: 208 726 3259
For Fam. Lte. Rtr. WGA NPIC A Tarter
Address: Box 392 Ketchum, Id. 83340

Name: _____ Phone: _____
Address: _____

2. Date of Priority: 06/01/1923

3. Source: DEER CREEK Trib. to: MANN CREEK

4. Point of Diversion:

Township Range Section 1/4 of 1/4 of 1/4 Lot County Type
12N 05W 1 SW SE NE WASHINGTON

5. Description of diverting works:

DAM AND FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	5/30	0.14	
STOCKWATER	1/01	12/31	0.05	

7. Total Quantity Appropriated is:
0.19 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

note to Dan on
Second page.

C4

10. Place of use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
12N	05W	1	NE	SE		STOCKWATER	
			SE	NE		STOCKWATER	
			SE	NE		IRRIGATION	4.2
			NE	SE		IRRIGATION	2.8
Section Acres							7
Total Acres							7

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used: *Jodya Ditch, claim # 67-543, according to GIS Specialist in Dept of resources*

14. Remarks:

AC. IRR.=7.0.

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.

Dan Norsoyge:

I will have to look through a men/mass. of files to see if I can support this priority of 1923. A way take some time.

But these attachments are only to notify you that there is an additional claim.

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: A67-10761

Date Received: 10/12/1989

Receipt No: *1004909*

Received By: _____

*Original
claim*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEORGE D. TARTER
Address: 1709 DEER CREEK ROAD
WEISER, ID 208-549-0086
83672

OR

Name: NELLIE A. TARTER
Address: 1709 DEER CREEK ROAD
WEISER, ID 208-549-0086
83672

2. Date of Priority: JUN 01, 1923

3. Source: DEER CREEK Trib. to: MANN CREEK

4. Point of Diversion:

Township Range Section 1/4 of 1/4 of 1/4 Lot County
13N 05W 1 SW SE NE WASHINGTON

5. Description of diverting works:
DAM AND FLOOD IRR.

arrange, ugh!

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	05/30	0.140		
STOCKWATER	01/01	12/31	0.050		

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

A.F.A.

8. Total consumptive use is 24.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 RANGE.

A67-10761

Page

1

Date: 10/12/89

MICROFILMED
OCT 05 1992
SCANNED
APR 09 2004

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	05W	1	SE	NE		STOCK	
			SE	NE		IRR	4.2
			NE	SE		STOCK	
			NE	SE		IRR	2.8
						Section Acres	7.0
						Total Acres	7.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE

14. Remarks:
AC. IRR.=7.0.

15. Basis of Claim: BENEFICIAL USE