

No Color
Documents
In File

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 65-1368
Date Received: 1/8/90
Receipt No: X999999
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

MICHAEL GILBERG
5932 N ALDER POINT
BOISE ID USA 83703

Phone: (208) 853-2349

LEANN GILBERG
5932 N ALDER POINT
BOISE ID USA 83703

Phone: (208) 853-2349

2. Date of Priority: 10/08/1962

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	01W	9	SE SE	GEM	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
COMMERCIAL	1/01	12/31	0.03	5.4
DOMESTIC	1/01	12/31	0.04	1.2

7. Total Quantity Appropriated is:
0.04 C.F.S. and/or 6.6 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	01W	9	SE SE		DOMESTIC	

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DB 5/22/2001

15. Basis of Claim: Decreed

RECEIVED

APR 16 2001

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
65-1368					

RECEIVED

APR 30 2001

WATER RESOURCES
WESTERN REGION

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Don & Lavonne Humphrey
1100 S. Plaza Road Emmett, ID 83617

4. New Owner/Claimant(s)

Michael or Leann Gilbert

Name Connector (Check one): ☐ and, ☒ or, ☐ and/or

New Mailing Address

5932 N. Alder Point

City, State and ZIP Code

Boise, ID 83703

New Telephone Number

(208) 853-2349

5. Date you acquired the property

4-9-99

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

ALLIANCE TITLE AND ESCROW
1022 SOUTH WASHINGTON AV.
P.O. BOX 622
EMMETT, IDAHO 83617
(208)365-4486
FAX (208)365-4541

RECEIVED

APR 16 2001

**WATER RESOURCES
WESTERN REGION**

TITLE TRANSMITTAL

TO: Mr. and Mrs. Michael Gilberg
5932 N. Alder Point
Boise, Idaho 83703

Date: 04/09/99
Order No.: 3-21861
RE: Michael J. Gilberg
Title Officer: Sandie
Escrow Officer: Shirley Holbrook

ATTN:

ENCLOSURES:

COMMITMENT

GUARANTEE

DATE DOWN

X TITLE POLICY 13 0046 106 00000877

ENDORSEMENT(S)

BILL

X PLAT(S) TO BE USED WITH ABOVE ORDER

COPY(S) OF COVENANTS, CONDITIONS AND RESTRICTIONS

OTHER

CC:

WE APPRECIATE THIS OPPORTUNITY TO SERVE YOU

AMERICAN LAND TITLE ASSOCIATION
OWNER'S POLICY
(10-17-92)

13 0046 106 00000877

CHICAGO TITLE INSURANCE COMPANY

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, CHICAGO TITLE INSURANCE COMPANY, a Missouri corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

In Witness Whereof, CHICAGO TITLE INSURANCE COMPANY has caused this policy to be signed and sealed as of Date of Policy shown in Schedule A, the policy to become valid when countersigned by an authorized signatory.

CHICAGO TITLE INSURANCE COMPANY

By:

Issued by:

ALLIANCE TITLE AND
ESCROW CORPORATION
1022 SOUTH WASHINGTON AVENUE
EMMETT, ID 83617
(208) 365-4486

John R. ...
President

By:

Thomas J. Adams
Secretary



OWNERS POLICY

SCHEDULE A

File No.: 3-21861

Amount of Insurance: \$102,000.00

Policy Number: 130046106000877

Premium Amount: \$561.00

Date of Policy: April 1, 1999 at 4:11 P.M.

1. Name of Insured:

MICHAEL GILBERG and LEANN R. GILBERG

2. The estate or interest in the land which is covered by this Policy is:

Fee Simple as to Tract I

Easement as to Tract II

3. Title to the estate or interest in the land is vested in:

Michael Gilberg, also shown of record as Michael J. Gilberg and Leann R. Gilberg,
husband and wife

4. The land referred to in this Policy is described as follows:

(Continued)

This Policy valid only if Schedule B is attached.

OWNERS POLICY

SCHEDULE A (Continued)

File No.: 3-21861

Policy Number: 130046106000877

Legal Description (Continued)

TRACT I

That portion of the SE 1/4 of the SE 1/4 of Section 9, Township 6 North, Range 1 West, B.M., Gem County, Idaho, described as follows:

COMMENCING at the Northwest corner of the SE 1/4 of the SE 1/4 of Section 9, T. 6 N., R. 1 W., B.M., Gem County, Idaho; thence
South 00°42'09" West, 812.16 feet, along the West line of said SE 1/4 of the SE 1/4, marked by a set 1/2" iron pin with plastic cap PLS 6552 and being the REAL POINT OF BEGINNING; thence
South 89°54'51" East, 608.29 feet to a set PK nail with washer stamped PLS 6552; thence
South 00°12'24" East, 299.73 feet to the right-of-way line of the Black Canyon Canal; thence
South 48°51'43" West, 54.97 feet along said right-of-way; thence
South 47°19'13" West, 117.69 feet along said right-of-way line; thence
South 20°29'23" West, 95.59 feet, along said right-of-way line to the South line of said SE 1/4 of the SE 1/4; thence
North 89°38'11" West, 450.45 feet, along said South line, to the Southwest corner of said SE 1/4 of the SE 1/4 marked by a found 5/8" iron pin; thence
North 00°42'09" East, 506.60 feet, along the West line of said SE 1/4 of the SE 1/4, to the REAL POINT OF BEGINNING.

TRACT II

TOGETHER WITH an ingress, egress and utility easement under, over and across a strip of land lying 40.00 feet West of and adjacent to the following described line:

COMMENCING at the Northwest corner of the SE 1/4 of the SE 1/4 of Section 9, Township 6 North, Range 1 West, B.M., Gem County, Idaho; thence
South 89°54'51" East, 595.40 feet, along the North line of said SE 1/4 of the SE 1/4 to the REAL POINT OF BEGINNING; thence
South 00°12'24" East, 812.13 feet to the point of terminus of this easement.

**OWNERS POLICY
SCHEDULE B
(Standard Coverage)**

File No.: 3-21861

Policy No.: 130046106000877

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

General Exceptions:

- (1) Rights or claims of parties in possession not shown by the public records.
- (2) Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
- (3) Easements, or claims of easements, not shown by the public records.
- (4) Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
- (5) (a) Unpatented mining claims; (b) reservations or exceptions in patents or in acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
- (6) Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown on the records of such agency or by the public records.

Special Exceptions:

1. General taxes as extended on the regular tax roll for the year 1999 which are a lien not yet due or payable.
2. Liens and assessments of the Emmett Irrigation District, and the rights and powers of said district as by law provided. Paid Current.

PHONE (208) 365-4582

3. Rights of way for irrigation and drainage ditches, canals and roads.
4. Water rights, claims or title to water.
5. Underground power line easement as granted by DONALD HUMPHREY and LAVONNE HUMPHREY to Idaho Power Company, a corporation by instrument recorded December 14, 1994 as Instrument No. 183029 of Official Records.

(Continued)

OWNERS POLICY
SCHEDULE B

File No.: 3-21861

Policy No. 130046106000877

EXCEPTIONS FROM COVERAGE (Continued)

Special Exceptions (Continued)

6. Irrigation and Maintenance Agreement executed by and between the parties herein named upon the terms, conditions and provisions therein provided.
Between: JOHN BROWN and LAURA BROWN and DONALD D. HUMPHREY and INA LAVONNE HUMPHREY
Recorded: September 26, 1997
Instrument No.: 196798 of Official Records
Providing: irrigation system and maintenance, etc.
7. A Manufactured Home deed of trust to secure an indebtedness in the amount shown below, and any other obligations secured thereby
Amount: \$81,000.00
Dated: March 31, 1999
Trustor/Grantor: MICHAEL J. GILBERG & LEANN R. GILBERG, husband and wife
Trustee: FIRST AMERICAN TITLE CO.
Beneficiary: WASHINGTON MUTUAL BANK FSB
Recorded: April 1, 1999
Instrument No.: 205171 of Official Records
(Includes personal property)
8. Irrigation Agreement executed by and between the parties herein named upon the terms, conditions and provisions therein provided.
Between: DAN R. GOEHRING, JANIS K. BORK, MICHAEL J. GILBERG, LEANN R. GILBERG, DONALD D. HUMPHREY, INA LAVONNE HUMPHREY
Recorded: April 1, 1999
Instrument No.: 205172 of Official Records
Providing: maintenance, improvements and operation costs of irrigation system

END OF SCHEDULE B

LOT LINE ADJUSTMENT RECORD OF SURVEY

OF A PORTION OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF
SECTION 9, TOWNSHIP 6 NORTH, RANGE 3E 1 WEST, BOISE MERIDIAN,
GEM COUNTY, IDAHO

CP&F No.
174597

1/4 COR

9 10

1284.14'
N01°19'34"E

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE
EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 9,
TOWNSHIP 6 NORTH, RANGE 3 WEST, BOISE MERIDIAN,
GEM COUNTY, IDAHO, i.e. N01°19'34"E.

LEGEND:

- FOUND BRASS CAP MONUMENT
- FOUND 5/8" IRON PIN
- FOUND 1/2" IRON PIN
- FOUND 1/2" IRON PIN AT 40.00' OFFSET
- SET 1/2" IRON PIN W/PLASTIC CAP PLS 6552
- SET PK NAIL W/WASHER STAMPED PLS 6552
- DITCH

NOTE:

TRI COUNTY SURVEYING, INC. ASSUMES NO LIABILITY FOR
PRESENT OR FUTURE COMPLIANCE OR NON-COMPLIANCE WITH
COUNTY PLANNING AND ZONING ORDINANCE RESTRICTIONS AS
THEY PERTAIN TO BUILDING PERMITS AND THE ISSUANCE THEREOF.

SURVEY FOR:

LARRY D. SAWYER
1120 S. PLAZA ROAD
EMMETT, ID 83617
(208) 365-3784

TRI COUNTY SURVEYING, INC.

PROFESSIONAL LAND SURVEYORS

P.O. Box 974

703 No. WASHINGTON AVE.

Emmett, Idaho 83617

Phone: (208) 365-7470



GRAPHIC SCALE

Instr. No.: _____

STATE OF IDAHO } ss.
COUNTY OF GEM }

Recorded at the request of
Tri County Surveying, Inc.

Time: _____

Date: _____

Instr. No.: _____

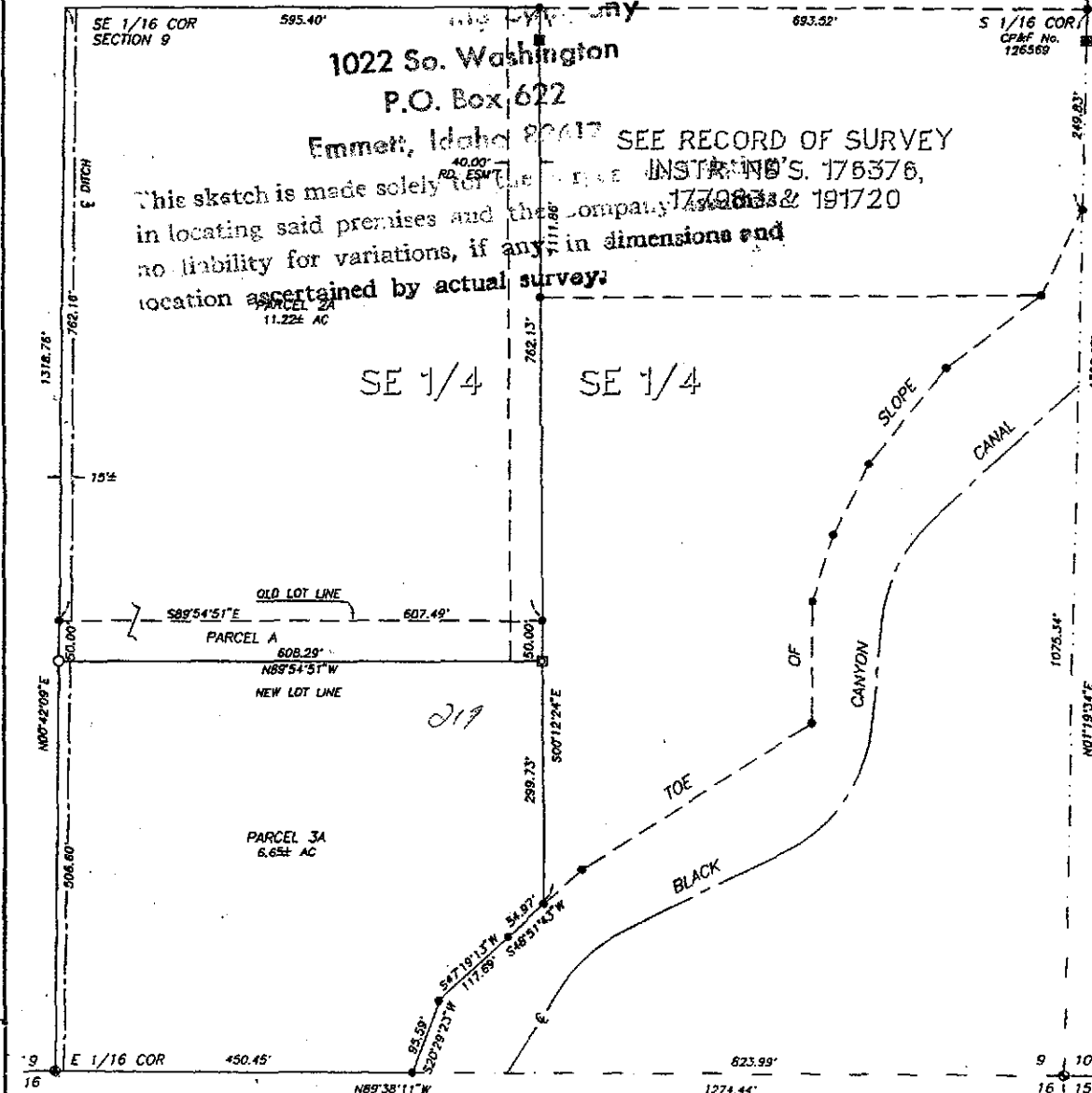
Recorded as a Survey

Thelma R. Kolodziej, Clerk
Ex-officio Recorder

Fee: \$5.00 Deputy

INDEX No. 614-09-02--

DECEMBER, 1998
JOB No. 96080



9 10
16 15
CP&F No.
103179

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: A65-01368
Date Received: 1/ 8/1990
Receipt No: X999999
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: DONALD D HUMPHREY 208-365-7289
Address: 1100 S PLAZA RD
EMMETT ID 83617
AND/OR
Name: INA L HUMPHREY 208-365-7289
Address: 1100 S PLAZA RD
EMMETT ID 83617
2. Date of Priority: OCT 8, 1962
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 06N | 01W | 9 | SE | SE | | | GEM |
5. Description of diverting works:
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 | | 1.20 |
| COMMERCIAL | 01/01 | 12/31 | 0.030 | | 5.40 |
7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 6.60 A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	01W	9	SE SE		DOMEST	

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.
vs Decree Defendant

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: A65-01368

Date Received:

Receipt No:

Received By:

JAN 08 1990

Department of Water Resources

Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DONALD D. HUMPHREY 208-365-7289
Address: 1100 S. PLAZA RD.
EMMETT, ID 83617

AND/OR

Name: INA L. HUMPHREY 208-365-7289
Address: 1100 S. PLAZA RD.
EMMETT, ID 83617

2. Date of Priority: OCT 08, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	01W	9	SE	SE			GEM

5. Description of diverting works:

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		1.20
COMMERCIAL	01/01	12/31	0.030		5.40

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 6.60 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A65-01368

Page 1

Date: 12/22/89

MICROFILMED

AUG 03 1994

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	01W	9	SE SE		DOMEST	

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

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

Signature of Claimant(s): Donald D Humphrey Date: 1/2/90
Ma Lawrence Humphrey Date: 1/2/90

State of Idaho)
County of Gen) SS.

Subscribed and sworn (or affirmed) before me this 2 day

of January 19 90

Ernest Hawley
Notary Public

Seal

Residing at Emmett, Idaho
My Commission Expires 4-12-95

05/22/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-1368

NAME AND ADDRESS: LEANN GILBERG
MICHAEL GILBERG
5932 N ALDER POINT
BOISE, ID 83703

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS
6.6 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR
DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 10/08/1962

POINT OF DIVERSION: T06N R01W S9 SESE Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	1-01 12-31	0.03 CFS 5.40 AFY
DOMESTIC	1-01 12-31	0.04 CFS 1.20 AFY

PLACE OF USE:

COMMERCIAL Use same as DOMESTIC
DOMESTIC Within GEM County
T06N R01W S9 SESE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

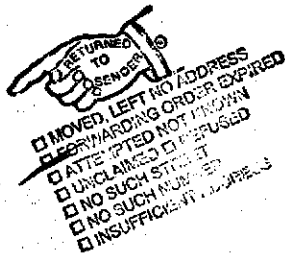
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED



65-01368

INA L HUMPHREY

DONALD D HUMPHREY
1100 S PLAZA RD
EMMETT ID 83617

RECEIVED

MAR 16 2001

WATER RESOURCES
WESTERN REGION

(Same as our records)

Gem City Assessor →

Sold to : Michael Gilberg
1110 S. Plaza Rd
Emmett 83617

Sent again →

3/29/01

AJ0749NP
No. R65-01368

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 06/12/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DONALD D HUMPHREY	10/08/1962	COMMERCIAL	01-01 12-31	0.030 CFS	5.40 AFA
C	INA L HUMPHREY		DOMESTIC	01-01 12-31	0.040 CFS	1.20 AFA
	1100 S PLAZA RD					
	EMMETT ID 83617					
	(208) 365-7289					
				TOTAL DIVERSION:	0.040 CFS	6.60 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T06N R01W S09

SESE

GEM County

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
T R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
06N 01W 9	:		:		:		:		:		:		:		:	

Place of use location for COMMERCIAL is the same location as described for: DOMESTIC

POU County: GEM

Conditions of Approval:

- N10 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N12 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL
- NOT EXCEED 13,000 GALLONS PER DAY.
- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
- ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Dates:

Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number: 65

Field Inspection Flag:

Presumption Flag:

WR0749NP
No. 65-01368

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/12/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HERBERT G. HETHERINGTON P.O. BOX 740 EMMETT ID 83617	10/08/1962	COMMERCIAL DOMESTIC	01/01 12/31 01/01 12/31	0.030 CFS 0.040 CFS	5.40 AFA 1.20 AFA
TOTAL DIVERSION:					0.040 CFS	6.60 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T06N R01W S09 SESE GEM County

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	
06N	01W	9	:					:					:					:					:

Place of use location for COMMERCIAL is the same location as described for: DOMESTIC

Pou County: GEM

Dates:	App. Received:	Priority Date:	10/08/1962
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM
TO A
WATER RIGHT

IDENT. NO. 65-1368 MAP NO. 1970

SEP 22 1970

Notice is hereby given that Herbert G. Heatherington

(Name of Claimant)

Department of Water Conservation

Route 3 Box 16 Emmett, Idaho 83617

(Mailing Address)

claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows: it is applied to a beneficial use, or date that permit, as shown, (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100) (101) (102) (103) (104) (105) (106) (107) (108) (109) (110) (111) (112) (113) (114) (115) (116) (117) (118) (119) (120) (121) (122) (123) (124) (125) (126) (127) (128) (129) (130) (131) (132) (133) (134) (135) (136) (137) (138) (139) (140) (141) (142) (143) (144) (145) (146) (147) (148) (149) (150) (151) (152) (153) (154) (155) (156) (157) (158) (159) (160) (161) (162) (163) (164) (165) 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REPORT OF EXAMINERS

1. Name of Applicant: Herbert G. Hetherington

2. Priority... 10-8-79 62

3. Source of Water: Groundwater

4. Determine Purpose and Quantity of Water Found Used:

(Quantity)	(Com., Irr., Stk. water, etc.)	(Mo. & Day)	(Mo. & Day)
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Use Domestic Period of Use From 1-1-51 To 12-31-51

Use Spraying Period of Use From 2-10 To 5-1

Use 8 Period of Use From 1/1/68 To 12/31/68

5. Location of Point of Diversion: S. 1/4 S. 1/4 E. 1/4 of Section 9

Twp. 6N, Rge. 1W, County of Gem

6. Describe Diversion Works. Well with R.H.P.

7.3 Describe Location of Use:

[illegible]

TWP. 6N RGE. 1W COUNTY Gem SCALE: 1" = 1 MILE

一	二	三	四	五	六	七	八	九	十	十一	十二	十三	十四	十五	十六	十七	十八	十九	二十	二十一	二十二	二十三	二十四	二十五	二十六	二十七	二十八	二十九	三十	三十一	三十二	三十三	三十四	三十五	三十六	三十七	三十八	三十九	四十	四十一	四十二	四十三	四十四	四十五	四十六	四十七	四十八	四十九	五十	五十一	五十二	五十三	五十四	五十五	五十六	五十七	五十八	五十九	六十	六十一	六十二	六十三	六十四	六十五	六十六	六十七	六十八	六十九	七十	七十一	七十二	七十三	七十四	七十五	七十六	七十七	七十八	七十九	八十	八十一	八十二	八十三	八十四	八十五	八十六	八十七	八十八	八十九	九十	九十一	九十二	九十三	九十四	九十五	九十六	九十七	九十八	九十九	一百
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8. Purpose Other Than Irrigation: *Domestic - Bathrooms will be.....*

installed for workers spraying

2. Remarks: Well located on south end of Shear

This examination was made on the 24 day of January, 1971

(Signed) William E. Jawron Examiner.