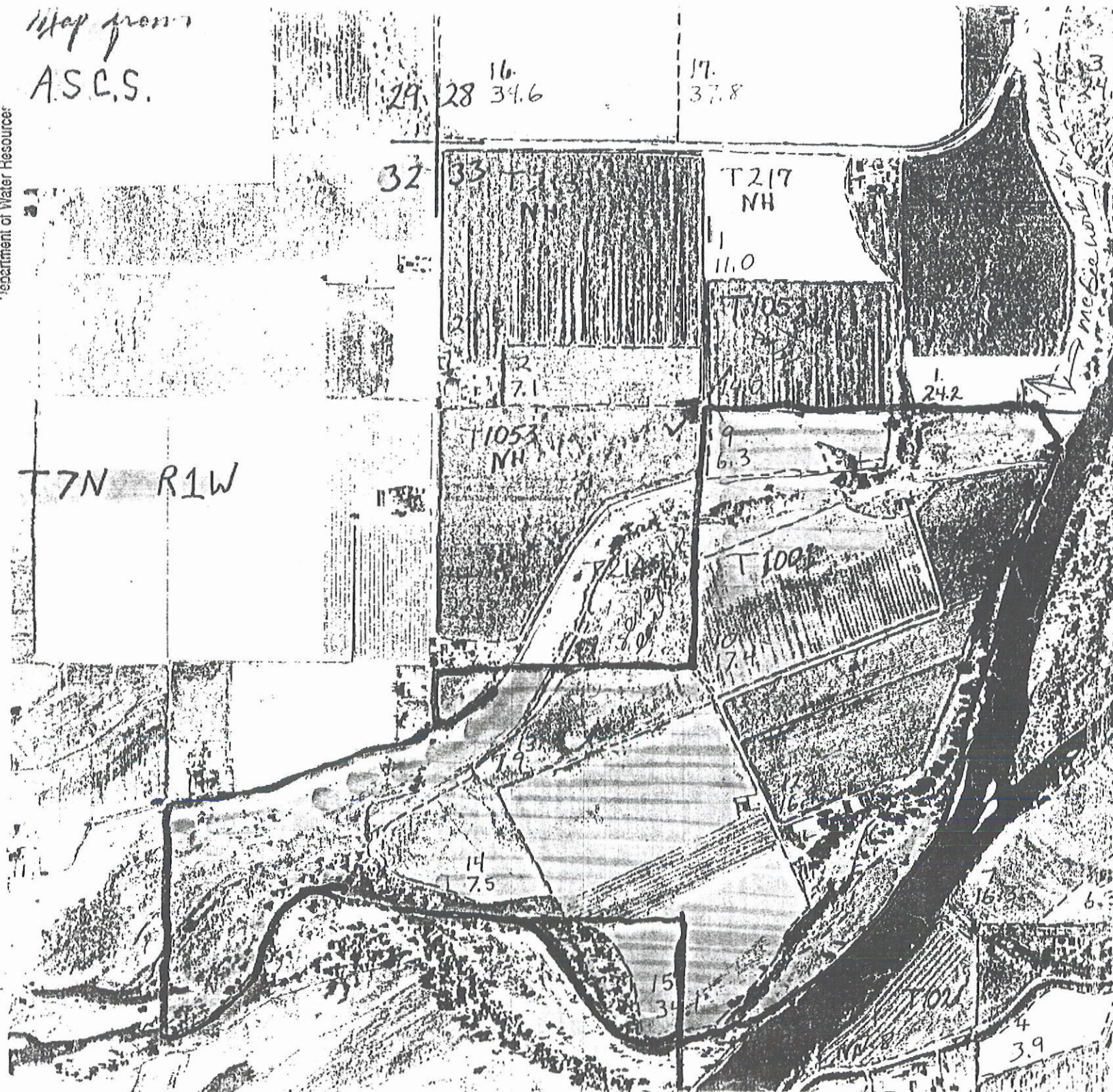


RECEIVED

MAY 11 1935

Department of Water Resources

Map from
A.S.C.S.



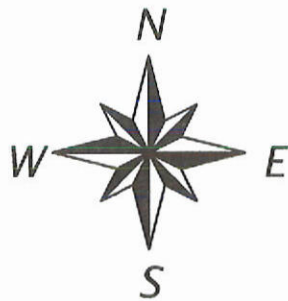
Idaho Department of Water Resources

Claim Number: 65-01404

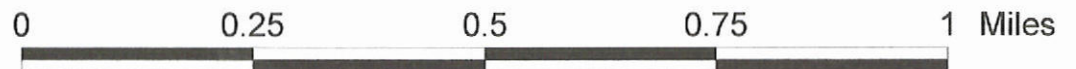
Legal: T07N, R01W, S32 & 33

Reviewed By: *SB*

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



1987 Napp Photo



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: A65-01404
Date Received: 2/20/1990
Receipt No: X999999
Received By: _____

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

1. Name: GARY O SMITH
Address: 1250 STEGERMAN CT
MERIDIAN ID 83642

AND

Name: CATHY L SMITH
Address: 1250 STEGERMAN CT
MERIDIAN ID 83642

2. Date of Priority: JUN 1, 1950

3. Source: SPRING Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
07N	01W	33		8	GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.160		
STOCKWATER	01/01	12/31	0.140		4.10

7. Total Quantity Appropriated is:
0.160 C.F.S. (and/or) 4.10 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
07N	01W	32	NE	SE		IRR	2.0
						Section Acres	2.0
		33	NW	SW	8	IRR	6.0
						Section Acres	6.0
						Total Acres	8.0

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:

THIS RIGHT WHEN COMBINED WITH RIGHTS 65-4009 & 65-1399 SHALL
PROVIDE NO MORE THAN .02 CFS/ACRE.
OWNERSHIP CHANGED BY RDH ON 5/24/95.

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

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): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

MAY 11 1995

DATE OF CLOSING: 5/4/95

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____ Department of Water Resources
Section See Attached 1/4 of 1/4 of 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

RECEIVED

MAY 12 1995

WATER RESOURCES
WESTERN REGION

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☒ Water Right Number(s)
Assigned by IDWR: A65-04009, A-65-01404, A-65-01399, A65-01397 and A-65-01395
A-65-01396

☒ Name and Address of Former Owner/Claimant(s)(Seller): John Coy Brown and Mary Lou Brown

☒ New Owner/Claimant (Purchaser): Garv O. Smith and Cathy L. Smith

☐ New Mailing Address: _____

☐ New Telephone Number: () _____

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes x no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of ownership, describe proof attached: Recorded Memorandum of Contract on Sale - Map

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s) Garv O. Smith Date 5-9-95
Cathy L. Smith Date 5-9-95
☒ Signature of Former Owner/Claimant(s) John Coy Brown Date 5-9-95
Mary Lou Brown Date 5-9-95

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

RECEIVED

MAY 11 1995

Department of Water Resources

MEMORANDUM OF CONTRACT

NOTICE IS HEREBY GIVEN THAT JOHN COY BROWN and MARY LOU BROWN, husband and wife, agreed to sell the following described real property and entered into an Agreement to Sell Real Estate, as sellers, wherein Meridian, Id. 83642

GARY O. SMITH and CATHY L. SMITH, husband and wife, whose address is: 1250 Stegerman Ct., as buyers, agreed to buy the said real property, situate in the County of Gem, State of Idaho, to-wit:

That property described in Exhibit A, attached hereto and incorporated herein in full, by reference.

Including the irrigation water delivery system located at said premises.

Including all water and ditch rights appurtenant thereto or used in connection therewith, and including any easements or rights of ways appurtenant to or used for the benefit of said described premises. Subject to easements, rights of ways, reservations and exceptions, if any.

Pursuant to the terms of said contract, title has been reserved in said seller until the buyer fully performs the covenants thereof, at which time, a warranty deed from said seller to said buyer shall be delivered to said buyer, to be recorded by the buyer, his heirs, successors, agents, or assigns.

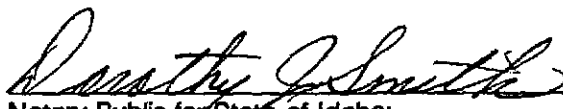
DATED this 9th day of May, 1995.

x Gary O. Smith x John Coy Brown
x Cathy L. Smith x Mary Lou Brown

STATE OF IDAHO,)
) ss.
County of Gem.)

On this 9th day of May, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared JOHN COY BROWN and MARY LOU BROWN, husband and wife, and GARY O. SMITH and CATHY L. SMITH, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.


Notary Public for State of Idaho;
Residing at Emmett, Idaho.
My Commission Expires: 7/13/2000

RECEIVED

MAY 12 1995

WATER RECORDS
WESTERN REGION

RECEIVED

MAY 11 1995

Department of Water Resources

Lot 1 of Section 32, Twp. 7 N., R. 1 W., B.M., Gem County, Idaho

EXCEPT therefrom, the following described portion thereof:

Beginning at the Northwest corner of said Lot 1, Section 32, Twp. 7 N., R. 1 W., B.M., run thence

South on the West line of said Lot 1, a distance of 761 feet; thence

Northeasterly to a point on the East line of said Lot 1, which is 405 feet South of the Northeast corner thereof; thence

North on said line 405 feet, to said Northeast corner; thence

West on the North line of said Lot, to the Northwest corner thereof and Point of Beginning.

AND

Lots 6, 7 and 8, and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 33, Twp. 7 N., R. 1 W., B.M., Gem County, Idaho, EXCEPTING THEREFROM, A tract of land situated in a portion of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and a portion of Government Lot 6, all in Section 33, Twp. 7 N., R. 1 W., B.M., Gem County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 33, Twp. 7 N., R. 1 W., B.M.; thence

S.00°33'43"E., 380.21 feet to a set 1/2" iron pin with plastic cap stamped PLS 6552 on the bluff line; thence along the bluff line the following courses and distances:

N.76°40'00"E., 191.31 feet; N.86°46'04"E., 145.87 feet to a set 1/2" iron pin with plastic cap stamped PLS 6552; N.75°27'15"E. 65.54 feet; N.81°10'00"E. 64.00 feet; S.81°00'00"E., 90.00 feet; N.81°51'00"E., 120.00 feet to a set 1/2" iron pin with plastic cap stamped PLS 6552; N.73°03'00"E. 135.00 feet; N.77°17'00"E. 130.00 feet to a set 1/2" iron pin with plastic cap stamped PLS 6552; N.72°10'00"E., 200.00 feet to a set 1/2" iron pin with plastic cap stamped PLS 6552; S.88°42'00"E. 140.00 feet; N.77°35'00"E., 200 feet; N.68°00'00"E., 50.00 feet; N.88°15'00"E., 60.00 feet; N.65°51'00"E., 102.00 feet to a set 1/2" iron pin with plastic cap stamped PLS 6552; N.58°37'59"E., 144.41 feet to a point on the north line of Government Lot 6 of said Section 33 marked by a found 5/8" iron pin; thence

S.89°21'14"W., 443.42 feet (Record S.89°26'47"W., 443.29') along the north line of said Government Lot 6 to a found 5/8" iron pin at the northwest corner of said Government Lot 6; thence

S.89°52'33"W., 1330.82 feet (Record S.89°57'31"W.) along the north line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ to the True Point of Beginning. (Containing a calculated area of 9.33 acres, more or less.

RECEIVED

MAY 12 1995

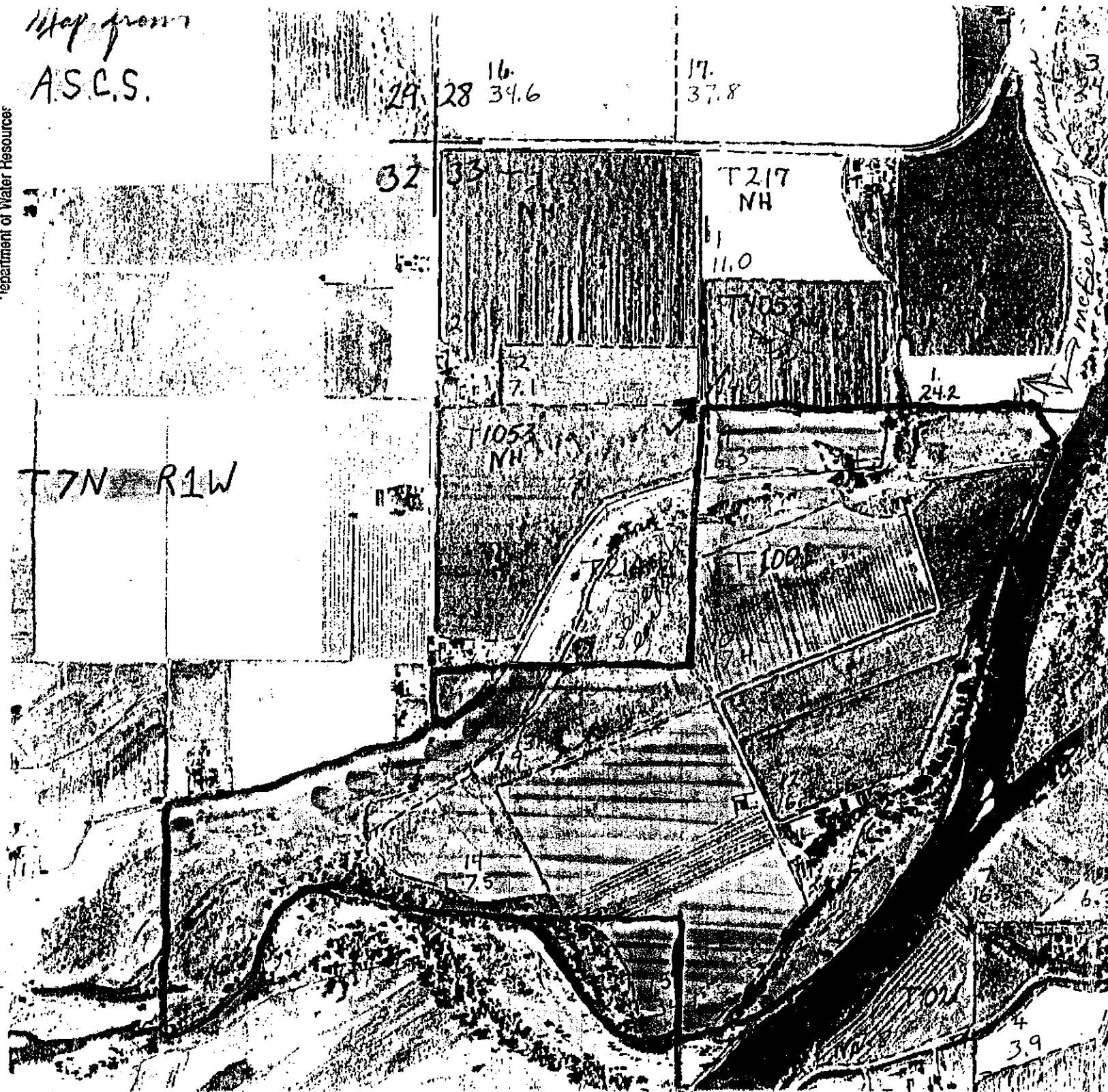
WATER RESOURCES
WESTERN REGION

Recorded
5-9-95
184728
Gem County
Records

MAY 1 1963

Department of Water Resources

Reply from
A.S.C.S.



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: **A65-01404**
Date Received: 2/20/1990
Receipt No: X999999
Received By: _____

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

1. Name: JOHN C BROWN 208-365-4982
Address: 1111 E IDAHO BLVD
EMMETT ID 83617

OR

Name: MARY L BROWN 208-365-4982
Address: 1111 E IDAHO BLVD
EMMETT ID 83617

2. Date of Priority: JUN 1, 1950

3. Source: SPRING Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
07N	01W	33		8	GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.160		
STOCKWATER	01/01	12/31	0.140		4.10

7. Total Quantity Appropriated is:
0.160 C.F.S. (and/or) 4.10 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
07N	01W	32	NE	SE		IRR	2.0
						Section Acres	2.0
		33	NW	SW	8	IRR	6.0
						Section Acres	6.0
						Total Acres	8.0

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:

THIS RIGHT WHEN COMBINED WITH RIGHTS 65-4009 & 65-1399 SHALL
PROVIDE NO MORE THAN .02 CFS/ACRE.

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

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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: 65-01404
DATE RECEIVED: 2-20-90
RECEIPT NO: X999999
RECEIVED BY: -----

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
FEB 20 1990

1. NAME: JOHN C. BROWN
ADDRESS: 1111 E. IDAHO BLVD.
EMMETT, ID

83617

Department of Water Resources

2. DATE OF PRIORITY: JUN 01, 1950

3. SOURCE: SPRING

TRIB. TO: PAYETTE RIVER

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF 1/4 OF 1/4	LOT	COUNTY
07N	01W	33		8	GEM

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	03/15	11/15	0.160		
STOCKWATER	01/01	12/31	0.140		4.10

7. TOTAL QUANTITY APPROPRIATED IS:
0.160 C.F.S. (AND/OR)

4.10 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
07N	01W	32	NE SE		IRR	2.0
SECTION ACRES						2.0

10. PLACE OF USE: CONTINUED

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
07N	01W	33	NW	SW	8	IRR	6.0
SECTION ACRES							6.0
TOTAL ACRES							8.0

11. PLACE OF USE IN COUNTIES: GEM, GEM

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

THIS RIGHT WHEN COMBINED WITH RIGHTS 65-4009 & 65-1399 SHALL
PROVIDE NO MORE THAN .02 CFS/ACRE.

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. No.

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

Please type or print clearly:

Name of Claimant(s) John C Brown
Mary L. Brown

Mailing Address 1111 E. Idaho 83617
(include Zip Code) Emmett, Idaho 83617

Phone Number (208) 365-4982
208 253-6018
805 646-6525

MICROFILMED

SEP 18 1992

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: N/A

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): Mary L. Brown DATE: 2-15-90
John C Brown DATE: 2-16-90

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF
_____, TITLE
_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS _____ OF
_____, TITLE
_____ AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

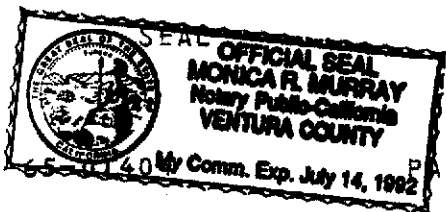
SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

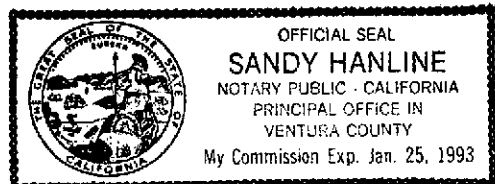
STATE OF California)
COUNTY OF Ventura) SS.
Personally appeared)
SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 15th DAY
OF February 19 90

Mary L. Brown
Monica R. Murray
NOTARY PUBLIC



RESIDING AT Ojai, CA
MY COMMISSION EXPIRES 7/14/92
DATE: 10/28/89 2966

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 16 DAY OF February 19 90
Sandy Hanline
NOTARY PUBLIC





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RECEIVED

JUL 18 2002

WATER RESOURCES
WESTERN REGION

July 11, 2002

CATHY L SMITH
GARY O SMITH
1101 E IDAHO BLVD
EMMETT ID 83617

Re: Snake River Basin Adjudication (SRBA)
Water Right No. 65-1399 & 65-1404
Change of Address

Dear Water Right Holder(s):

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation that this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your claim or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to our office. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of any of the properties connected with the water right referenced above, please call this office to obtain a form to make this required change to the water right records.

Sincerely,

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region

The address is correct as shown above or as otherwise changed.

Signature of water right claimant

208 365-0732
Telephone number

Recommendation
not changed -
Sent to Kenlynn
To process.

SRBA

SUBCASE SUMMARY REPORT 65-01404

[Return to SRBA Home Page](#)

SRBA
07-19-2002

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 65-01404 FILE#: 00000
CLAIMANT: SMITH, CATHY L
 1250 STEGERMAN CT

 MERIDIAN ID 83642
STATUS: PD UNDELIVERED SPECIAL MASTER:
WATER SOURCE: SPRING, PAYETTE RIVER

**** PARTIES INVOLVED ****

CATHY L SMITH C PRO SE
GARY O SMITH C PRO SE

**** ROA ENTRIES ****

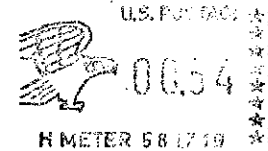
06-28-2002 PARTIAL DECREE FILED
07-08-2002 PARTIAL DECREE RETURNED UNDELIVERABLE

06-28-2002
07-08-2002

[Return to SRBA Home Page](#)

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

1101 E. Idaho Blvd
Emmett, Id 83617



Return to Sender
**NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FORWARD**

*Moved!
No longer
at this
address*

RECEIVED

JUL - 9 2002

Department of Water Resources

NAME AND ADDRESS:

CATHY L SMITH
GARY O SMITH
1250 STEGERMAN CT
MERIDIAN, ID 83642

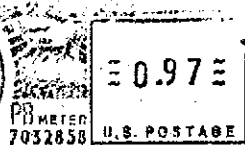
65-1404

83303-2707

Address chg letter sent 7-11-02

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

ADDRESS SERVICE
REQUESTED



RECEIVED
APR 13 2001

WATER RESOURCES
WESTERN REGION

65-01404

-01399

-04009

*

1101 E. Idaho Blvd
Emmett 83617

CATHY L SMITH

GARY O SMITH
1250 STEGERMAN CT
MERIDIAN ID 83642

ATTEMPTED
NOT DELIVERED
Return
Not at this address

sent again 4-16-01

Sue -

I went ahead & sent
this back out even though
the N.O.E. deadline was
Friday. Looks like

-04009 was sent w/ the
other 2, and also separately.
I combined them when I
re-sent it 4-16-01.

AB

DATE: 06/12/00
PAGE: 1

Audit: 06/12/00 SBOCK

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:38:25
05/25/00
149

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-01404

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GARY O SMITH	06/01/1950	IRRIGATION	03-15 11-15	0.160 CFS	
C	CATHY L SMITH		STOCKWATER	01-01 12-31	0.140 CFS	4.10 AFA
TOTAL DIVERSION:					0.160 CFS	~~4.10 AFA~~

Water Source: SPRING

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion:

T07N R01W S33 Lot08(NW SW)

GEM County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
07N	01W 32	:		:		:		:		:		:		:		:		2.0
07N	01W 33	:		:		:		:		:		:	08-06	:		:		6.0
TOTAL ACRES																	8.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: GEM

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHTS 65-4009 & 65-1399 SHALL
PROVIDE NO MORE THAN .02 CFS/ACRE.
OWNERSHIP CHANGED BY RDH ON 5/24/95.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

N05
N08

WR5809NP
No. 65-01404

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/30/00
PAGE: 20

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN C. BROWN 1111 E. IDAHO BLVD. EMMETT ID 83617	06/01/1950	IRRIGATION STOCKWATER	03/15 11/15 01/01 12/31	0.160 CFS 0.140 CFS	4.10 AFA
TOTAL DIVERSION:					0.160 CFS	4.10 AFA

Water Source: SPRING

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion: T07N R01W S33 Lot 08()

GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07N	01W	32	:																	:	2.0
07N	01W	33	:																	:	6.0
																				TOTAL ACRES	8.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Pou County: GEM

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHTS 65-4009 & 65-1399 SHALL
PROVIDE NO MORE THAN .02 CFS/ACRE.

Dates:	App. Received:	Priority Date:	06/01/1950
	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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:35:21
05/25/00

PAGE: 1
GENERAL INFORMATION

133
CLAIM NUMBER: A65-01404

LAST: BROWN
ADDRESS: 1111 E IDAHO BLVD
CITY: EMMETT
PHONE NUMBER: 208-365-4982

FIRST: JOHN C
STATE: ID ZIP: 83617

OWNER CODE: O

LAST: SMITH
ADDRESS: 1250 STEGERMAN CT
CITY: MERIDIAN
PHONE NUMBER: 208-000-0000

FIRST: GARY O
STATE: ID ZIP: 83642

OWNER CODE: C

LAST: BROWN
ADDRESS: 1111 E IDAHO BLVD
CITY: EMMETT
PHONE NUMBER: 208-365-4982

FIRST: MARY L
STATE: ID ZIP: 83617

OWNER CODE: O

LAST: SMITH
ADDRESS: 1250 STEGERMAN CT
CITY: MERIDIAN
PHONE NUMBER: 208-000-0000

FIRST: CATHY L
STATE: ID ZIP: 83642

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN THIS RIGHT WHEN COMBINED WITH RIGHTS 65-4009 & 65-1399 SHALL
PROVIDE NO MORE THAN .02 CFS/ACRE.
OWNERSHIP CHANGED BY RDH ON 5/24/95.

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A65-01404 PRIORITY DATE: 06-01-1950 STAGE: D

B. WR RECORD: # 65-01404 PRIORITY DATE: 06-01-1950 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW)

Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☐) Y(☐) N(☐)

FIELD EXAM COMPLETED

N/A(☐) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE

N/A(☐) Y(☐) N(☐)

LICENSE ISSUED

N/A(☐) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?

N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(☒) N(☐)

NOTES: AD denied

=====

RECOMMENDED PRIORITY DATE:

06-01-1950

REVIEWED BY SB

DATE 6-12-00

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-01404	07N 01W	33				8		GEM		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: SPRING

TRIB: PAYETTE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-01404	07N 01W	33				8		GEM		

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

SOURCE: SPRING

TRIB: PAYETTE RIVER

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(☒) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N(☒)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

ad covered

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (X)

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY GEM	DIVERSION NAME	DIVERSION NBR
07N	01W	33				8				

SOURCE: SPRING

TRIB: PAYETTE RIVER

REVIEWED BY:

SB

DATE:

6-12-00

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: A65-01404

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	01W	32	NE	SE		SMITH, GARY O	A65-01404 / 2.0	65-01404 / 2.0			
			NE	SE		BURLILE, ROBERT L	A65-00862 /	65-00862 /			
			NE	SE		BURLILE, ROBERT L	65-00862 /	- /			
			NE	SE		SMITH, GARY O	A65-01399 / 2.0	65-01399 / 2.0			
			NE	SE		SMITH, GARY O	A65-04009 / 2.0	65-04009 / 2.0			
			NE	SE		SMITH, GARY O	R65-04009 / 2.0	- /			2
07N	01W	33	NW	SW	8	SMITH, GARY O	A65-01404 / 6.0	65-01404 / 6.0	34.0		
			NW	SW	8	SMITH, GARY O	A65-01399 / 29.0	65-01399 / 29.0			6
			NW	SW	8	SMITH, GARY O	A65-04009 / 36.0	65-04009 / 36.0			
			NW	SW	8	SMITH, GARY O	R65-04009 / 36.0	- /			

ADDITIONAL POU FOUND

TOTAL ACRES A65-01404 8.00 8.00 34.00

POU COUNTY: GEM

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-01404	SPRING	SMITH, GARY O	0.160	0.020	4.10	0.51
A65-01399	WASTE WATER	SMITH, GARY O	1.800	0.020		
A65-04009	PAYETTE RIVER	SMITH, GARY O	3.640	0.034		
R65-04009	PAYETTE RIVER	SMITH, GARY O	3.640	0.034		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-01404	STOCKWATER	SMITH, GARY O	FROM 01-01 TO 12-31	0.140 CFS	
A65-00862	DOMESTIC	BURLILE, ROBERT L	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-00862	STOCKWATER	BURLILE, ROBERT L	FROM 01-01 TO 12-31	0.020 CFS	0.40 AF/A
65-00862	DOMESTIC	BURLILE, ROBERT L	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-00862	STOCKWATER	BURLILE, ROBERT L	FROM 01-01 TO 12-31	0.020 CFS	0.40 AF/A

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y(☒) N(☐)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

65-01404 & 65-01399

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A(☐) Y(☒) N(☐)

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y(☐) N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y(☐) N(☒)

NOTES: all done

TOTAL ACRES: 8 N/A()
REVIEWED BY: SB DATE: 6-12-00

A. AJ CLAIMED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-01404	IRRIGATION	FROM 03-15 TO 11-15	0.160 CFS	
A65-01404	STOCKWATER	FROM 01-01 TO 12-31	0.140 CFS	4.10 AF/A
	TOTAL DIVERSION RATE/VOLUME		0.160 CFS	4.10 AF/A

B. WR RECORDED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-01404	IRRIGATION	FROM 03-15 TO 11-15	0.160 CFS	
65-01404	STOCKWATER	FROM 01-01 TO 12-31	0.140 CFS	4.10 AF/A
	TOTAL DIVERSION RATE/VOLUME		0.160 CFS	4.10 AF/A

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☐) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

NOTES: _____

AJ CLAIM TOTAL DIVERSION RATE: 0.160 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.160 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(☒) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 8 x 0.02 CFS/ACRE = 0.16 CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N(☒)

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 4.10 AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

AD decreased

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ☒

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE CFS		VOL. AF/A		USE	
IRRIGATION STOCKWATER	03-15	11-15	DATABASE 0.160	EXAMINER	DATABASE	EXAMINER	DATABASE 0.0	EXAMINER
	01-01	12-31	0.140		4.10		0.0	
TOTAL FOR THIS RIGHT			0.160		4.10		0.0	

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

N05, N08
QNT

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(X)	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-01404

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 0.160 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-01404	0.160	-		65-01404	0.160
TOTAL CFS		0.160				0.160

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE FIELD
Y EXAMINER
Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: Dee Burr DATE: 6-12-00

NAME OF FIELD EXAMINER: _____ TITLE: _____

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
(x) ASCS AERIAL PHOTO	DATE OF PHOTO <u>in claim</u>	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
(x) OTHER <u>ColS maps</u>	DATE <u>6-12-00</u>	Y(2) N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:35:21
05/25/00

PAGE: 16
QUICKLOOK INFORMATION

148
CLAIM NUMBER: A65-01404

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE					Dec 1	SB 6-12-00		
POINT OF DIV								
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	.							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

Idaho Department of Water Resources

Claim Number: 65-01404

Legal: T07N, R01W, S32 & 33

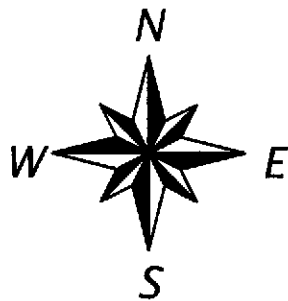
Reviewed By: SB.

⊙ Point of Diversion

▭ Place of Use

▭ Section Lines

▭ Quarter Quarter Lines



1987 Napp Photo





State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 24, 1995

Gary O Smith &
Cathy L Smith
1250 Stegerman Ct
Meridian ID 83642

NOTICE OF CLAIM NO.(S)
A65-01395, A65-01396, A65-01397, A65-01399, A65-01404 & A65-04009:

Dear Gary & Cathy,

1. Enclosed is a copy(s) of the above referenced claim(s) which reflects the **CHANGE IN OWNERSHIP** of the lands and appurtenant water rights covered by this claim(s).
2. The Department will contact you in the future concerning any requirements that may be needed in order to process this claim(s) for final court decree.
3. If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Ron Howerton
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

Attachment(s)

Claim copies:

Copy of Stipulation: (This amended the original SRBA claim A65-04009 for more water).

COMMUNICATION DOCUMENTATION

Claim No. See list below:

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Ron Howerton

DATE

April 27, 1995

CUSTOMER

GARY SMITH & CATHY SMITH

SUBJECT: POTENTIAL BUYER(S) A65-01395, A65-01396, A65-01397, A65-01399, A65-01404 & A65-04009.

1. Gary & Cathy brought in legal descriptions & maps of potential sale of this property owned by Brown.
2. I made proof copies of the above claims and reviewed the maps they brought for other possible rights.
3. I found that A65-04009 was on the original PRBA list of contested claims. I checked for an "R" file, one was already made. This indicated to me that a stipulation may have been made on this claim that amends it.
4. I called Don Shaff to confirm this. Gary Smith said he would be willing to pick-up the copy at the Orchard office. Don said he would make a copy of this and leave it with the front desk.
5. I gave the Smith's 2-ownership change forms with verbal instructions on how to fill-out the form and mail it back to my attention.

RECEIVED

OCT 29 1990

Attention: David ^{Department of Water Resources} Oct 22, 90

Re: letter dated Sept 17, 90

Enclosed is check for late
filing fee for our ranch in
Gem County, address in

1111 E. Idaho Blvd.

Emmett Idaho 83617

We can be reached at our
ranch in Council, Idaho

208-2536018

HC 67 Box 2395

Council, Idaho 83612

Please send receipt to above
address. Paid in full.

Thank you

Mrs. Johnnie Brown

65-01395, 01396, 01397, 01401, 01402, 01403,

01404, 01399, 04035.

10/30/90

to correct on tax

MICROFILMED

SEP 18 1992

Request for extension:

Sept 12, 90

65-01395, 01396, 01397, 01401, 01402, 01403, 01404, 01398, 04035
We stopped by the Idaho Dept of Water
Resources, State office in Oakland, Oct 27, 88
to file our Water Right Claims on our
Ranch in Council, Ida (Weissen River Drain)

We were told at that time, they
were too busy to help us. To go to the
Western Regional Office. They would
help us. We did and Linda Werner
helped us. We were there about 3 hrs
and filled out all our claims. As we were
on our way out of state that day, we
asked about our Gem County Ranch water
rights claims, Linda told us we would
receive the papers in the mail, sign &
return we didn't receive them in time
to meet the deadline. As we were in Calif
When we received them in Feb 1990 we
signed them had them notarized and you
received them Feb 20, 90. As you see we were
gone until we came in again Sept 12, 90 to
try and get an extension of time to file.
As we did file we were just late.
We feel it is unfair to penalize us.

MICROFILMED

SEP 18 1992

Mr John C Brown
Mrs Mary L Brown
1467 Box 2395

Council Idaho 83612
208-253 6618

Memo

9/11/90

John C + Mary L. Brown.

John Carson -

The Browns were in the office this date looking for information on why their extension request was denied and having to pay late fee. Iu letter 6/19/90.

I informed them that the ten Co filing period was 10/27/89 to 2/14/90.

They indicated they do a lot of traveling. When they arrived home during that period there was did not give them the Payette claims.

They were in Webster's office in Dec. To file claim for their Adams Co claim brings form. They were on their way out of town and the individual who assisted them indicated that the ten Co claims would be mailed to them and all they had to do was sign, return and return to I.D.W.S.

The claim was forwarded to them in Calif. and they had then signed & notarized 2/15, 16/90 and returned to S.O. on 2/20/90. 6 day after signing.

He said he felt he in being ripped off. and will let his attorney handle it if this extension is denied.

It sounds like their son needs to pay close attention to paper work on form although John C has not turned this part over to him.

Held claim in S.O. for settlement.

MICROFILMED
SEP 18 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

June 19, 1990

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

John C. Brown
1111 E. Idaho Blvd.
Emmett, ID. 83617

Re: Snake River Basin Adjudication - Gem County
#65-01403, #65-01404, #65-01399, #65-01402, #65-01401,
#65-04035, #65-01396, #65-01397, #65-01395

Dear Mr. Brown:

Your Notice of Claim forms referenced above have been received, but postmarked after the filing deadline for Gem County. This February 14, 1990, deadline was noted on the Commencement Notice you received. The statutes governing the adjudication provide that late fees be assessed to encourage prompt filing of the Notices of Claims. Idaho Code §42-1409(8) sets these fees at \$50.00 or 15% whichever is greater. The late fees applicable to your claims would be \$450.00. If you feel you have a compelling reason for not complying with this deadline you may request an extension of time and waiver of the fees. I have enclosed a form for your possible use in this matter.

We will suspend for 30 days the processing of your claims until the late fees are paid or waived. The claims will be returned after 30 days unless an extension is filed or late fees are paid as set forth above.

Do not hesitate to contact this office if you have any questions or concerns.

Sincerely,

John D. Carlson
John D. Carlson
Adjudication Supervisor

JDC:RMC/lk/+f
Enclosures:
Request for Extension

MICROFILMED

SEP 18 1992

RECEIVED
SEP 17 1990

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

805-646-6525
253-6018
208-365-4982
Phone Number

John C. Brown, Mary L. Brown
Name of Claimant

1111 E. Idaho Blvd. Emmett, Idaho 83617
Mailing Address City State Zip

Gem 2-14-90
County(s) where place of use is located Date claim originally due

65-01395, 01396, 01397, 01401, 01402, 01403, 01404, 01399, 04035
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

Explanation attached. You received our claim
Feb 20, 1990 signed & notarized. We were out of
state traveling Oct 27, 1989 until July 1990.

Claimant requests an extension to _____, 19____

John C. Brown Sept 12, 1990
Signature Date of request
Mary L. Brown
owner
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [] granted [X] denied for the following reasons:

Proper notice was given and completed claim forms were mailed. Late
fees are to cover the additional cost of late filed claims and may be
waived or partially waived for good cause. Pursuant to section 42-1409(8)
and if granted the filing deadline is extended to 19____
\$350.00 of the \$450.00 late fee is hereby waived if the fee is paid by
Signed this 22 day of September, 1990 11/1/90

Director or his designated agent

DAVID B. SHAW

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

MICROFILMED
SEP 18 1992

RECEIVED
JUL 17 1990

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME

Re: letter 6-19-1990 TO FILE ADJUDICATION CLAIM(S) Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

John C. Brown
Name of Claimant
Brown
1111 E Idaho Blvd
Mailing Address
Emmett
City
Ida
State
805-365-4782
(208) 253-6018
Phone Number
805-246-1525
2-11-90
Date claim originally due
Ida
County(s) where place of use is located

65-01403, 65-01404, 65-01399, 65-01402, 65-01401, 65-04035,
Identify water right(s) for which extension is requested

65-01396, 65-01397, 65-01395

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

We have already filed in 1972. Again in 1990, we were late due to being out of state on vacation. We just received letter 7-16-90. We aren't filing on new water rights. We want to keep our old water rights. We filed already so what extension is needed? Please look up our file for details as I don't have copy with me. We're still traveling.

Claimant requests an extension to 1990

John C. Brown
Signature
Mary E. Brown
owner
Title
July 16, 1990
Date of request

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [] granted [X] denied for the following reasons:

A notice of the adjudication, including the filing deadline, was mailed to this address 10/27/89. Claim forms ready to be signed and notarized were mailed shortly after 10/27/90, and if granted the filing deadline is extended to 1990

Signed this 11 day of August, 1990

Director or his designated agent

DAVID B. SHAW

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

MICROFILMED

SEP 18 1992