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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: **A65-01643B**
Date Received: 1/11/1990
Receipt No: X999999
Received By: _____

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

1. Name: DAVID A HOWE 208-365-4750
Address: 1568 N PLAZA ROAD
EMMETT ID 83617
OR
Name: KRISTINE L. HOWE 208-365-4750
Address: 1568 N. PLAZA ROAD
EMMETT ID 83617

2. Date of Priority: MAR 6, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 1.20 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	4	SE	SW		DOMEST	

MICROFILMED
AUG 03 1994

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 PROPERTY WAS DEEDED TO THE PIERCE'S DAUGHTER, KRISTINE HOWE. A PORTION OF MR. PIERCE'S PROPERTY WAS SOLD TO MR. STODDARD; HOWEVER, MR. STODDARD HAS NEVER OWNED THIS PORTION WITH THE MOBILE HOME. I HAVE RESEARCHED THE IDWR FILES AND FIND PROOF THAT THIS WATER RIGHT BELONGS TO MY PROPERTY BASED ON THE DESCRIPTION OF THE RESIDENCE (WHITE MOBILE HOME, ETC.). THE PIERCES FILED THE ORIGINAL CLAIM IN THE PAYETTE DRAINAGE ADJUDICATION AND THE OWNERSHIP OF THIS SPECIFIC PORTION SHOULD NOT HAVE BEEN TRANSFERRED (OR DECREED TO MR. STODDARD). THERE IS A SEPARATE WELL LOCATED ON MR. STODDARD'S PORTION OF THE PIERCE PROPERTY, AND THAT IS A SEPARATE FILING (65-01644). A COPY OF THE QUITCLAIM DEED IS ATTACHED.

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: **MICROFILMED**

AUG 03 1994

01/22/2001

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

RIGHT NUMBER: 65-1643B

NAME AND ADDRESS: DAVID A HOWE
KRISTINE L HOWE
1568 N PLAZA ROAD
EMMETT, ID 83617

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS
1.2 AFY

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

PRIORITY DATE: 03/06/1970

POINT OF DIVERSION: T06N R01W S4 SESW Within GEM County

PURPOSE AND
PERIOD OF USE:

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

PLACE OF USE:

DOMESTIC Within GEM County
T06N R01W S4 SESW

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

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

AJ5809NP
No. A65-016438

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/28/00
PAGE: 58

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DAVID A HOWE	03/06/1970	DOMESTIC	01-01 12-31	0.040 CFS	1.20 AFA
C	KRISTINE L HOWE 1568 N PLAZA ROAD EMMETT ID 83617 (208) 365-4750					
TOTAL DIVERSION:					0.040 CFS	1.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T06N R01W S04 SESW

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	4	:																	:

POU County: GEM

Remarks: GEN THIS PROPERTY WAS DEEDED TO THE PIERCE'S DAUGHTER, KRISTINE HOWE. A PORTION OF MR. PIERCE'S PROPERTY WAS SOLD TO MR. STODDARD; HOWEVER, MR. STODDARD HAS NEVER OWNED THIS PORTION WITH THE MOBILE HOME. I HAVE RESEARCHED THE IDWR FILES AND FIND PROOF THAT THIS WATER RIGHT BELONGS TO MY PROPERTY BASED ON THE DESCRIPTION OF THE RESIDENCE (WHITE MOBILE HOME, ETC.). THE PIERCES FILED THE ORIGINAL CLAIM IN THE PAYETTE DRAINAGE ADJUDICATION AND THE OWNERSHIP OF THIS SPECIFIC PORTION SHOULD NOT HAVE BEEN TRANSFERRED (OR DECREED TO MR. STODDARD). THERE IS A SEPARATE WELL LOCATED ON MR. STODDARD'S PORTION OF THE PIERCE PROPERTY, AND THAT IS A SEPARATE FILING (65-01644). A COPY OF THE QUITCLAIM DEED IS ATTACHED.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Q18
N11
N13

WR5809NP
No. 65-01643

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/29/00
PAGE: 11

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM N. STODDARD	03/06/1970	DOMESTIC	01/01 12/31	0.040 CFS	1.20 AFA
C	ROSIELEE STODDARD 2498 E. LOCUST EMMETT ID 83617					
TOTAL DIVERSION:					0.040 CFS	1.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T06N R01W S04

SESW

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	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
06N	01W	4	:																					:

Pou County: GEM

Dates:	App. Received:	Priority Date:	03/06/1970
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

AJ5809NP
No. A65-01643B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/97
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DAVID A HOWE	03/06/1970	DOMESTIC	01-01 12-31	0.04 CFS	1.20 AFA
C	KRISTINE L HOWE 1568 N PLAZA ROAD EMMETT ID 83617 (208) 365-4750					
TOTAL DIVERSION:					0.04 CFS	1.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T06N R01W S04

SESW

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	Lt	Ac	:
06N	01W	4	:					:					:					:					:	

POU County: GEM

Remarks: GEN THIS PROPERTY WAS DEEDED TO THE PIERCE'S DAUGHTER, KRISTINE HOWE. A PORTION OF MR. PIERCE'S PROPERTY WAS SOLD TO MR. STODDARD; HOWEVER, MR. STODDARD HAS NEVER OWNED THIS PORTION WITH THE MOBILE HOME. I HAVE RESEARCHED THE IDWR FILES AND FIND PROOF THAT THIS WATER RIGHT BELONGS TO MY PROPERTY BASED ON THE DESCRIPTION OF THE RESIDENCE (WHITE MOBILE HOME, ETC.). THE PIERCES FILED THE ORIGINAL CLAIM IN THE PAYETTE DRAINAGE ADJUDICATION AND THE OWNERSHIP OF THIS SPECIFIC PORTION SHOULD NOT HAVE BEEN TRANSFERRED (OR DECREED TO MR. STODDARD). THERE IS A SEPARATE WELL LOCATED ON MR. STODDARD'S PORTION OF THE PIERCE PROPERTY, AND THAT IS A SEPARATE FILING (65-01644). A COPY OF THE QUITCLAIM DEED IS ATTACHED.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag: Presumption Flag:

Audit: 03/08/93 MCCARTHY 03/30/95 POST-STD

currently
See 35WNW

1940 house
RP002922.00

Bought from Hetherington, Herbert
for another claim

10/30/97
DMS

Date Base + Plot maps

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

MAP NO.

WATER RIGHT

65-164

Department of Water Administration

Edward G. and/or Norma S. Pearce

Notice is hereby given that

Mtd. Route, Emmett, Idaho 83617

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: (b)(6) (b)(7)(C) (b)(7)(D) March 6, 1970

- The extent and nature of use as follows:
- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) March 6, 1970
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Groundwater
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: (Both Dates Inclusive)
- Use Domestic Period of Use From 1/1 To 12/31
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- (4) Quantity of water claimed: 0.02 Cubic Feet Per Second, or 1.2 Acre Feet Per Annum,
and/or _____ Gals. Per Minute.
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SE 1/4 SW 1/4
Sec. 4, Twp. 6N, Rge. 1W, B.M.; additional points:
- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)
Give sizes and capacities; be as specific as possible. Pump
- (6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acres

B) If water is used for other than Irrigation, fully describe that use, being as specific as possible: Household lawn and garden irrigation

- (7) Effluent, sewage waste, or return water from this use is discharged into septic tank and seepage
- (8) If you are claiming water as a member of an organization, list name of organization.
- (9) Remarks Lot 29, Map B
- (10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case
☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

11-10-70
(Date)

Individual: Edward L Pearce (Signature of Claimant)
Norma L Pearce (Signature of Spouse)

State of Idaho
County of Jersey } 22

Organization
Seal

Organization

(Signature of Authorized Agent)

On this 16 day of November in the year 1976, before me,
a notary public, personally appeared Edward J. & Norma L. Pearce
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they,
corporation, partnership or _____) executed the same. J. Ellis Chubb

Notary Public residing at Bonnie Idaho

My commission expires

Oct. 8, 1974

ep 10/27/87

ADJUDICATION DIVISION
REPORT OF EXAMINERS

Claim No. 65-1643

1. Name of Applicant: Edward G. Norman, Sr. Pearce
2. Priority: 3-6-1970
3. Source of Water: G. A. W. D. Water
4. Determine Purpose and Quantity of Water Found Used:
(Quantity) (Dom., Irr., Stk. water, etc.) (Mo.-Day) (Mo.-Day)
... A. D. Use Domestic Period of Use From 1-1 To 12-31
..... Use Period of Use From To
..... Use Period of Use From To
5. Location of Point of Diversion: SESW of Section 4
Twp. 6N, Rge. 1W County of Gem
6. Describe Diversion Works: Pump & Dam wall
7. Describe Location of Use:

TWP.	RGE.	SEC.	NE 1/4				NE 1/4				SW 1/4				SE 1/4				TOTALS
			NW	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	1W	4																	

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

8. Purpose Other Than Irrigation: Domestic... 1 house... lawn
9. Remarks: White... mobile home... on mt. St.
Trailer... blue trim
well located... NW corner of house

This examination was made on the 12 day of Jan., 1971.

(Signed) William R. Ballou
Examiner.

INTER-DEPARTMENT MEMO—1

DATE Jan. 31, 1972

FROM Robert G. Haynes *RGH*

TO File # 65-1643

SUBJECT Change of Ownership

Edward T. Pearce and Norma Pearce (Sept. 1, 1970). Deeded to William
Stoddard.

SIGNATURE



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

08-Mar-1993

David A. Howe
1568 N. Plaza Rd.
Emmett, ID 83617

Re: Identification Number Change for a Notice of Claim in the
Snake River Basin Adjudication (SRBA)
Gem County - Claim No. A65-01643B

Dear Mr. Howe,

The identification number of your Notice of Claim to a Water Right has been changed from A65-01643 to A65-01643B. The Idaho Department of Water Resources assigns identification numbers to claims that will allow processing without duplication or confusion; this change does not affect your claim in any other way.

Enclosed is a computer-generated copy of your claim with the new identification number. Refer to this record number in any future inquiries or correspondence. Please do not hesitate to contact this office, if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads 'Roxanne McCarthy'.

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

Enclosures:
copy of Notice of Claim

MICROFILMED

AUG 03 1994