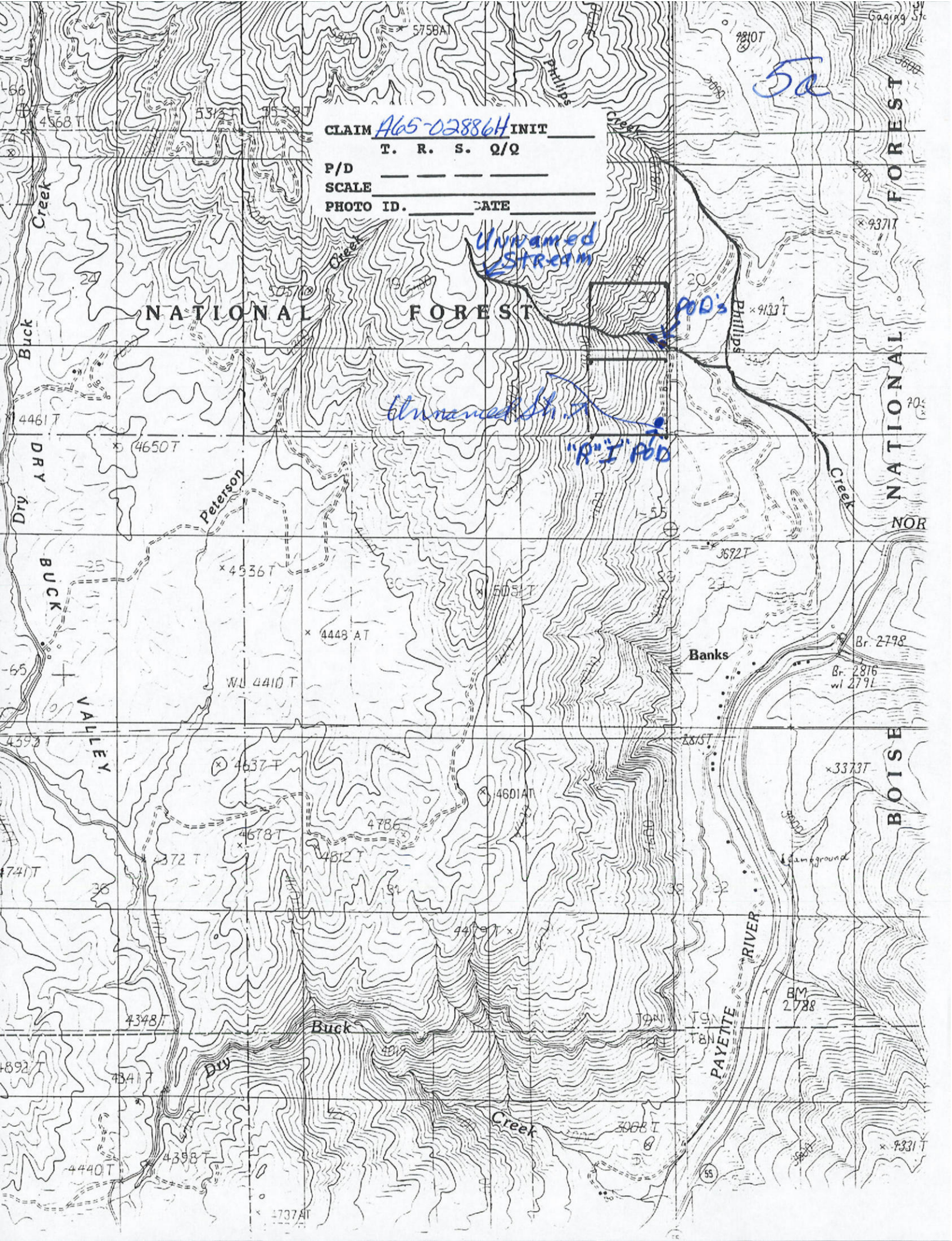




CLAIM AGS-02886H INIT _____
T. R. S. Q/Q _____
P/D _____
SCALE _____
PHOTO ID. _____ DATE _____

5a

Unnamed Stream

POD's

"R.I" POD

NATIONAL FOREST
BOISE

NATIONAL FOREST

Dry Buck Valley

Banks

PAYETTE RIVER

Buck

Creek

BM 2788

Br 2798

Br 2816
wl 2791

x 3373T

campground

3008 T

x 9331 T

55

x 4737 AT

4398 T

4440 T

4341 T

4348 T

4479 T

4512 T

4678 T

x 4637 T

WL 4410 T

x 4448 AT

x 4536 T

x 3672 T

x 5051 T

x 9133 T

x 9371 T

2810 T

5758 AT

4568 T

532 T

7538 T

-66

4461 T

x 4650 T

-65

4593 T

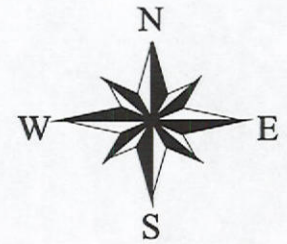
4741 T

4892 T

6d

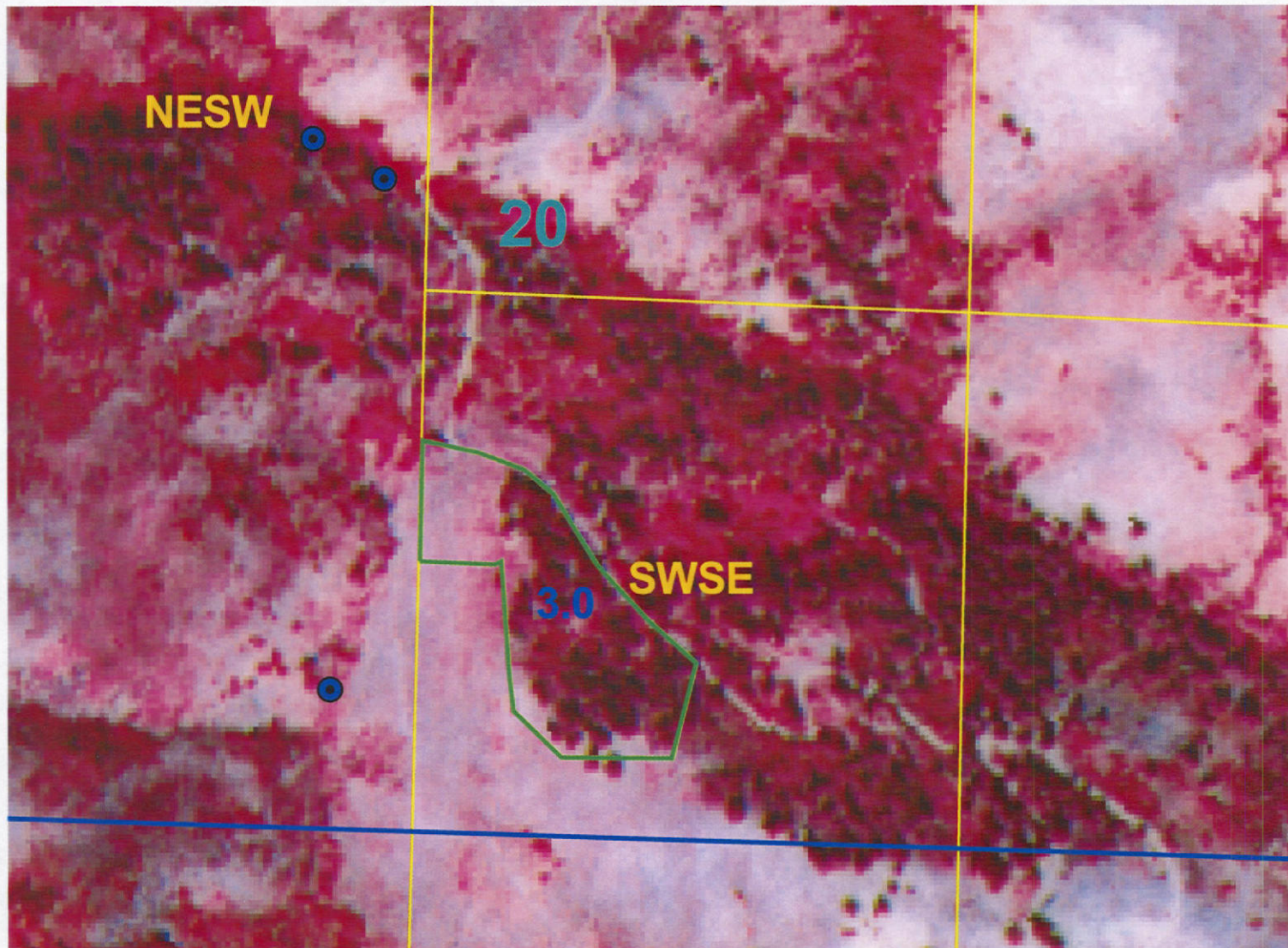
IDAHO DEPARTMENT OF WATER RESOURCES

T09N, R03E, S20



1987 NAPP PHOTO

- POINT OF DIVERSION
- PLACE OF USE
- 1/4 1/4 LINES
- SECTION LINES
- 6 ACRES
- 6 SECTION NUMBERS



0

0.25

0.5 Miles

CLAIM(S): 65-02886H

OWNER(S): SMITH

Prepared by Mel Schulte

DATE: JULY 22, 1999

6c

Jones

70c 1-5

Jones

James H. Jones

75c

Mass:

NE SW

POD'S.

Unnoh
Street

SE SUM

"A"
"B"
POD

POV
Smith

Glybny

PHILLIPS
Caret

20

29128

Wattenmeyer

New York

Large Trust
0.5R
NWNE

Lange

2209

Spring

Dovel 2207

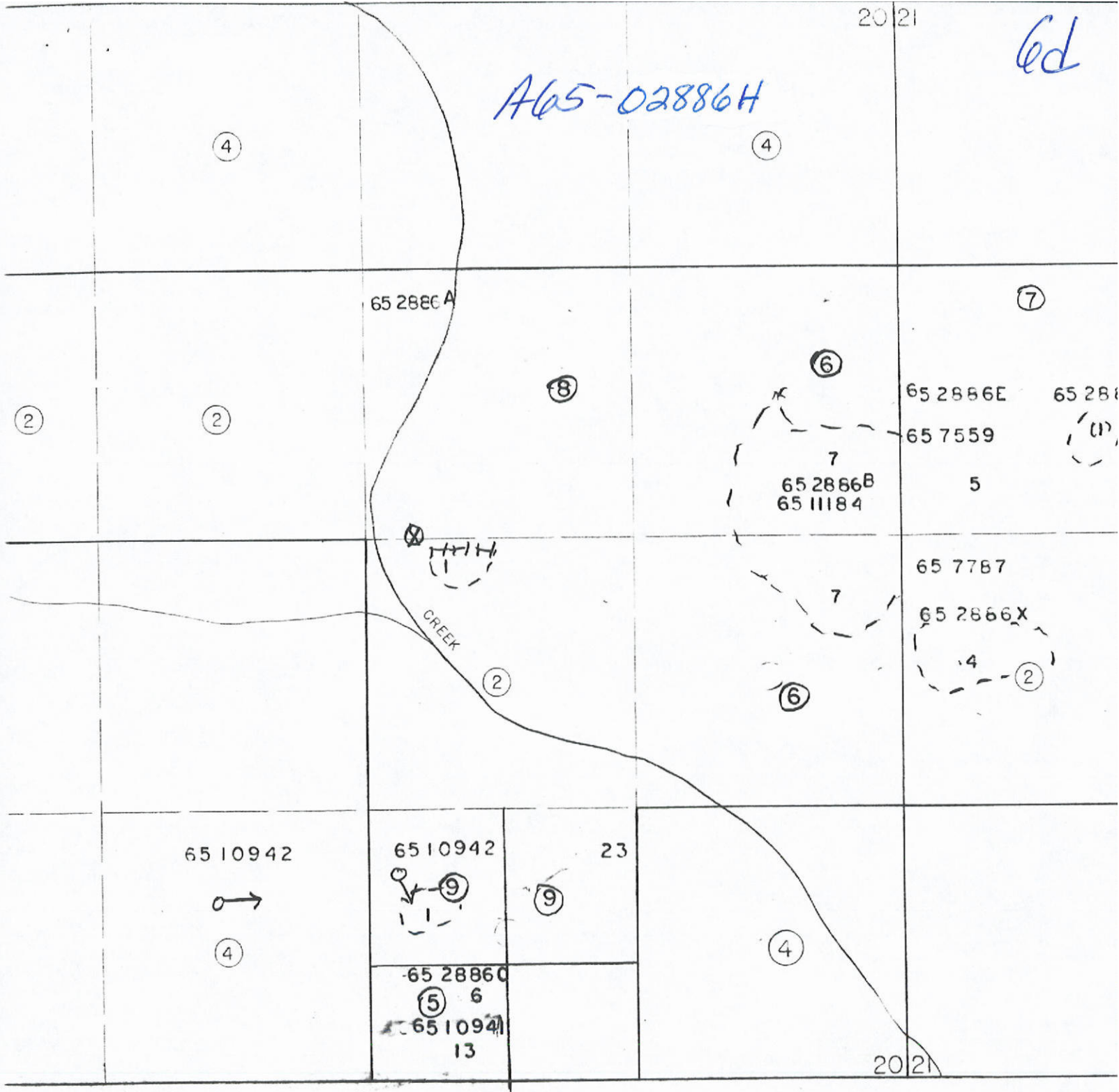
3900

2204-
100-3897

2209:
JUNE

2209.

A65-02886H



- 9N 3E Map C
1. State of Idaho
 2. Vera Morell & Franklin B. Edwards
c/o Clyde E. Shawl
 3. Black Canyon Grazing Ass'n.
c/o Alvin Moses
 4. Public Domain
 5. George W. Dovel
 6. Michael R. Jones
 7. Frank B. Denke

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: A65-02886H
Date Received: 5/19/1989
Receipt No: X999999
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: EMERY SMITH
Address: 1012 BRENTWOOD PLACE
NAMPA ID 83651

AND/OR

Name: MARCIA SMITH
Address: 1012 BRENTWOOD PLACE
NAMPA ID 83651

2. Date of Priority: DEC 16, 1966

3. Source: PHILLIPS CREEK Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09N	03E	20		NE	SW		BOISE
				SE	SW		BOISE

5. Description of diverting works:
METAL DAM & DIVERSION W/POND, SCREEN, VALVES & PVC GRAVITY HEAD.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.055		9.65

7. Total Quantity Appropriated is:
0.055 C.F.S. (and/or) 9.65 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
09N	03E	20	SW	SE		IRR	3.0
Section Acres							3.0
Total Acres							3.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
65-10941

14. Remarks:

OWNERSHIP CHANGED BY KW 4/2/1993.
THIS CLAIM IS A RESULT OF AN OWNERSHIP CHANGE FOR A PORTION OF
A65-02886C, FEE PAID UNDER X999999. MTS 3/6/1998.

15. Basis of Claim: LICENSE

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 _____

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: 65-02886 C
 Adjudication Claim No(s).: A65-02886 C

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Emeryt Marcia Smith
1012 Brentwood Mj Nampa, ID. 83651

4. New Owner/Claimant(s) Scott and Rena Glubay
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
 New Mailing Address Po Box 34
 City, State and ZIP Code Banfts, ID 83602
 New Telephone Number (208) 939-1730 / 208-793-2836

5. Date you acquired the property 2-6-98

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate <u>2 1/4</u>	Number and type of stock <u>2 - Horses</u> <u>4 - Goats</u> <u>6 - chickens</u>	<u>plus surrounding grassland</u> <u>approx. 5-6 acres - Firebreak</u> <u>water yard, garden, trees</u>
Diversion rate in CFS _____	Number of homes <u>1</u>	Other uses <u>Fire protection</u>

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Scott Glubay

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

Split Tree AG5-02886C

AG5-02886C N/O Emery & Marcia Smith
DR: Irrigation - .11 cfs DV: 19.30 AF

POD: 9N, 3E, S20, NESW, SESW

POU: 9N, 3E, S20, SWSE - 6 ac.

AG5-02886.H N/O Smith

DR: Irrigation - .055 cfs DV: 9.65 AF

POD: 9N, 3E, S20, NESW, SESW

POU: 9N, 3E, S20, SWSE - 3 ac.

AG5-02886.J N/O Scott & Rena Glubay

DR: Irrigation .055 cfs DV: 9.65 AF

POD: 9N, 3E, S20, NESW, SESW

POU: 9N, 3E, S20, SWSE, 3 ac

SD-0607-2 Prefix: A Basin: 65 Starting Water Right: 02886 STATE

Water Right No.	Name Last, First	O W N	Priority Date	Stg/ Sts	Source	Use Code Desc
A65-02886A	ROBINSON, BONNIE HAMBLEY, JUDY	C C	02/13/1967	L/	PHILLIPS CREEK	01 IRR
A65-02886B	JONES, MICHAEL JONES, DIANE	C C	12/16/1966	D/	PHILLIPS CREEK	01 IRR
A65-02886C	SMITH, EMERY SMITH, MARCIA	C C	12/16/1966	L/	PHILLIPS CREEK	01 IRR
A65-02886D	DENKE, FRANK D DENKE, IRENE E	C C	12/16/1966	L/	PHILLIPS CREEK	01 IRR
A65-02886E	JONES, MICHAEL JONES, DIANE	C C	12/16/1966	L/	PHILLIPS CREEK	01 IRR
A65-02886F	SHAUL, CLYDE E	C	12/16/1966	L/	PHILLIPS CREEK	01 IRR
A65-02886G	FRIEND, DANNY A	C	12/16/1966	L/	PHILLIPS CREEK	01 IRR
A65-02886X	SPLIT CLAIM,	C	12/16/1966	/Z	PHILLIPS CREEK SPLIT CLAIM	01 IRR
A65-02887	DUPLICATE CLAIM,	C	03/02/1967	/Z	ANDERSON CREEK DUPLICATE CLAIM	01 IRR

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

WARRANTY DEED

FOR VALUE RECEIVED, EMERY B. SMITH and MARCIA RAY SMITH, husband and wife, hereinafter referred to as the Grantors, hereby grant, bargain, sell and convey unto SCOTT GLUBAY and RENA GLUBAY, husband and wife, whose address is P.O. Box 34, Banks, Idaho 83602, hereinafter referred to as the Grantees, the following described premises situated in Boise County, State of Idaho, to-wit:

Legally described on Exhibit A attached hereto and made a part hereof

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the property, as well in law as in equity.

TOGETHER WITH all water rights, including but not limited to, a one-half (1/2) interest in decreed water rights No. 65-10941, No. 65-10942 and No. 65-02886C, and all ditch rights, rights of way, improvements, fixtures and mineral rights thereto belonging or used in connection therewith. In addition, Grantees have installed a domestic water line across such portion of the real property described in Exhibit B hereto that is being retained by Grantors which line was installed with the consent of Grantors. In the event Grantors sell such real property, a provision shall be included in any instrument of conveyance that such water line may remain in place and Grantees cannot be required to move such pipeline and such pipeline cannot be further developed without the permission of Grantees.

TO HAVE AND TO HOLD all and singular the property, together with the appurtenances, unto the Grantees, Grantees' successors and assigns forever.

AND Grantors and Grantors' heirs shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of Grantees, Grantees' successors, heirs and assigns against Grantors and Grantors' successors, heirs and assigns, and against all and every person whomsoever lawfully claiming the same.

IN WITNESS WHEREOF, Grantors have hereunto executed this Deed the 6th day of Feb., 1998.

GRANTORS:

Emery B. Smith
Emery B. Smith

Marcia Ray Smith
Marcia Ray Smith

STATE OF IDAHO)
) ss.
County of County)

On this 6th day of February, 1998, before me, a notary public in and for said state, personally appeared Emery B. Smith, known or identified to me to be the person who executed the within and foregoing instrument, and acknowledged to me that he 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.

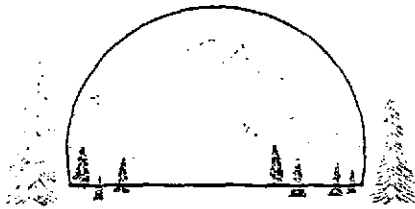
Bruce Logan
Notary Public for Idaho
Residing at Nampa, Idaho
Commission Expires 9-13-2000

STATE OF IDAHO)
) ss.
County of Canyon)

On this 6th day of February, 1998, before me, a notary public in and for said state, personally appeared Marcia Ray Smith, known or identified to me to be the person who executed the within and foregoing instrument, and acknowledged to me that she 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.

Bruce Logan
Notary Public for Idaho
Residing at Nampa, Id
Commission Expires 9-13-2000



LANDMARK SURVEYING
4395 Sandy Ave., Emmett, ID 83617
(208) 365-3801

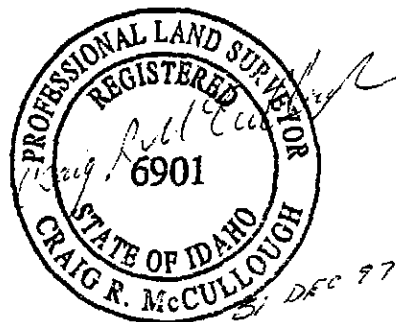
Date: 31 Dec. 1997
Project: 1138ROS
For: Scott Gluebay

5 ACRE PARCEL

A parcel of land situated in a portion of the SW1/4 of the SE1/4 of Section 20, T.9N., R.3E., B.M., Boise County, Idaho and described as follows:

BEGINNING at the SW corner of the said SW1/4 of the SE1/4 a brass cap monument thence N00°24'43"W along the westerly line of said 1/4 a distance of 176.13 feet to a 1/2 inch steel pin;
Thence leaving said westerly line S89°53'36"E a distance of 1148.05 feet to a 1/2 inch steel pin;
Thence S45°20'36"E a distance of 251.05 feet to a brass cap being the SE corner of said 1/4;
Thence N89°53'36"W a distance of 1325.36 feet to the **POINT OF BEGINNING**;

Said Parcel A contains 5.00 acres more or less and is subject to all existing easements and rights-of-way.



PHILLIPS CREEK SEGREGATION PLAT

A TRACT OF LAND SITUATED IN A PORTION OF
THE SW 1/4 OF THE SE 1/4 OF SECTION 20, T.9N., R.3E B.M.,
BOISE COUNTY, IDAHO

1998

NOTES

1. THE DEVELOPER SHALL COMPLY WITH 31-3805, IDAHO CODE RELATING TO:
TRANSFER OF WATER RIGHTS.
2. A TWELVE (12) FOOT WIDE EASEMENT, UNLESS OTHERWISE DIMENSIONED,
SHALL BE RESERVED ADJACENT TO ALL LOT LINES COMMON TO A PUBLIC
RIGHT-OF-WAY OR ADJACENT TO THE SEGREGATION BOUNDARY, AND SHALL BE
RESERVED CENTERED ON ALL INTERIOR LOT LINES, FOR PUBLIC UTILITIES,
DRAINAGE AND IRRIGATION FACILITIES. EASEMENTS WILL BE LOCATED AS SHOWN.
3. BUILDING SETBACKS SHALL BE AT LEAST:
FRONT 10 FEET
REAR 5 FEET
SIDE 5 FEET, PLUS _____ FEET BETWEEN BUILDINGS.
FLANKING STREET _____ FEET.
4. LOTS SHALL NOT BE REDUCED IN SIZE WITHOUT PRIOR APPROVAL OF
APPROPRIATE HEALTH AUTHORITY AND THE COUNTY COMMISSIONERS.
5. WATER SERVICE INDIVIDUAL WELLS
6. SEWER SERVICE INDIVIDUAL SEPTIC SYSTEMS.
7. ALL AREAS SHOWN HEREON ARE FOR TAX PURPOSES ONLY.
8. BOISE COUNTY ASSUMES NO RESPONSIBILITY FOR MAINTENANCE OF
ROADS PLATTED HEREON, SUBJECT TO ORDINANCE.
9. ALL ROADS PLATTED HEREON ARE PRIVATE ROADS AND THEREFORE, NO
COUNTY SERVICES (EXCEPT EMERGENCY IN NATURE) WILL BE PROVIDED.
10. UTILITY, DRAINAGE AND IRRIGATION EASEMENTS ALONG ROADS MAY BE USED
AS A ROAD RIGHT-OF-WAY EASEMENT AND FOR SNOW STORAGE.

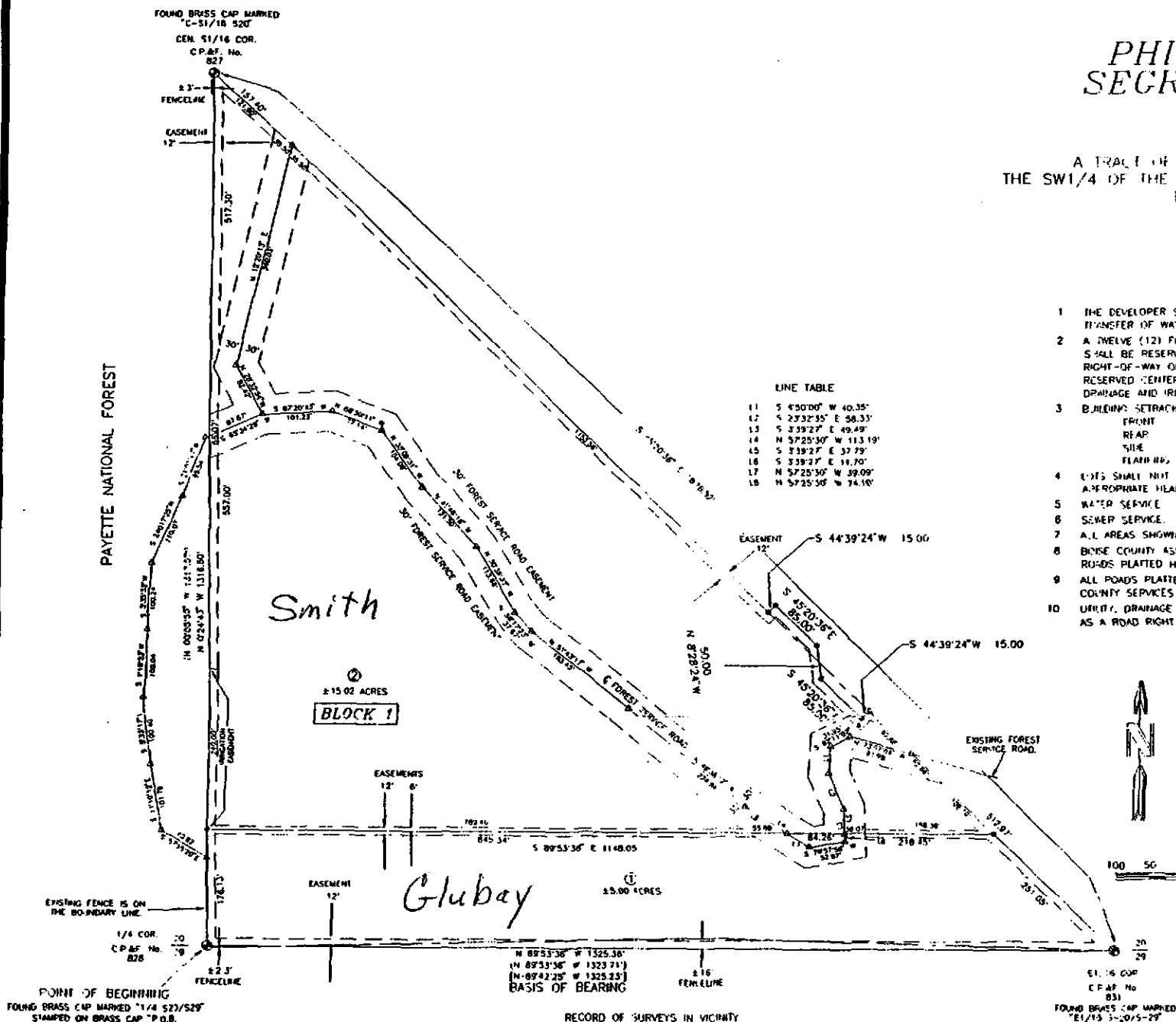
LEGEND

- ② FOUND 3" BRASS CAP MARKED "T9N R3E
LS-828 USFS 1971"
- SET 5/8" STEEL PIN WITH PLASTIC CAP
MARKED "CRM 6901"
- △ CALCULATED POINT
- ① LOT NUMBER
(1320.00) USFS DATA OF RECORD 1971
(1320.00) USFS DATA OF RECORD 1926

100 50 0 100 200 300
SCALE 1" = 100'

LINE TABLE

11	S 45°00'00" W 40.35'
12	S 27°32'35" E 58.33'
13	S 33°27' E 49.49'
14	N 37°25'30" W 113.19'
15	S 33°27' E 37.79'
16	S 33°27' E 11.70'
17	N 37°25'30" W 39.09'
18	N 37°25'30" W 74.10'



RECORD OF SURVEYS IN VICINITY
SEE U.S.D.A. FOREST SERVICE SURVEYS
OF NATIONAL FOREST BOUNDARIES BOISE
NATIONAL FOREST AUGUST, 1972
SHEET 2 AND 3 OF 4
SURVEY DONE BY CLARENCE D. GLENN

SURVEY INDEX No. 331-20-2-3



LANDMARK SURVEYING

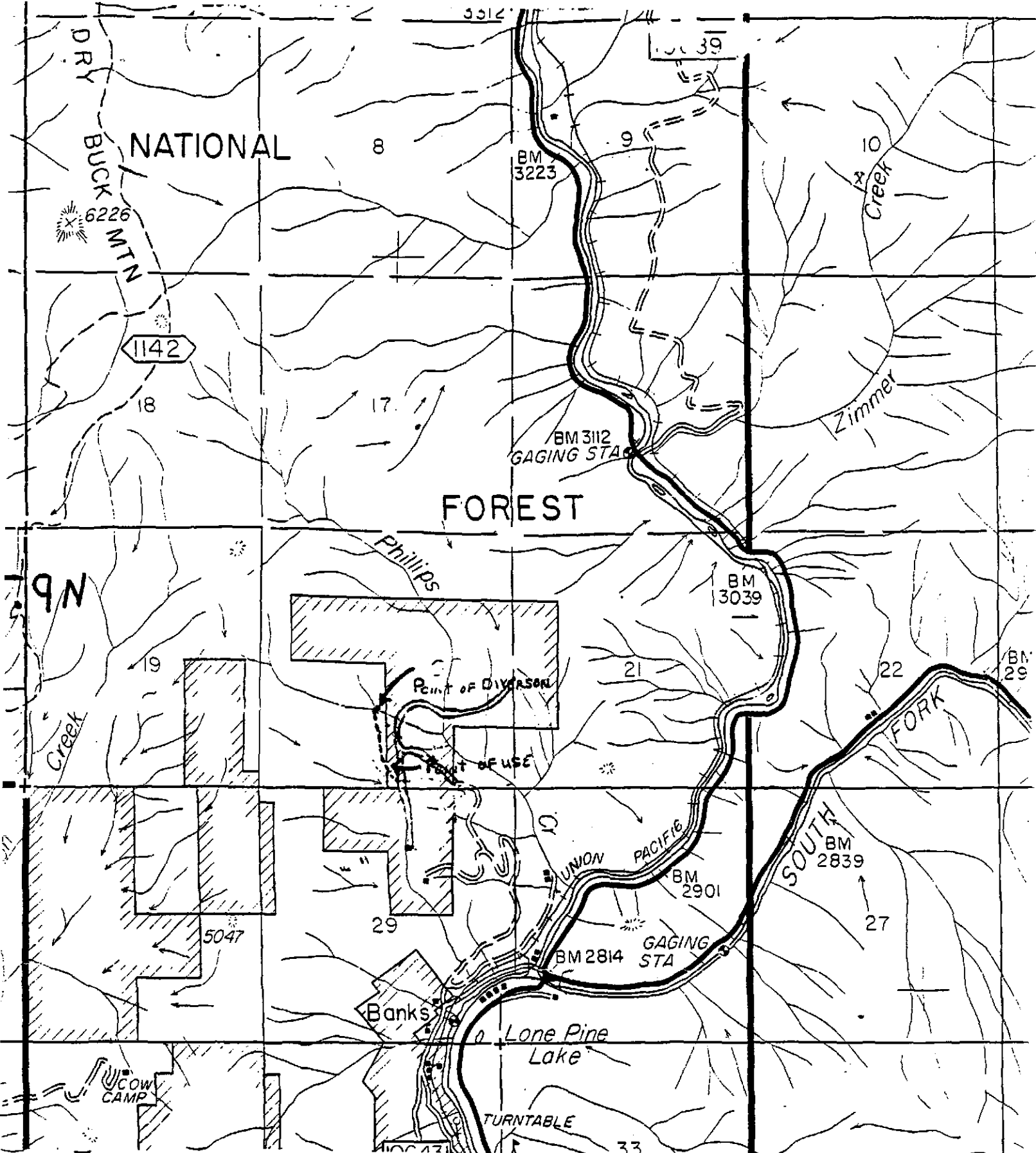
4395 Sandy Ave Emmett, ID 83617 (208) 366 3801

PAGE 1 OF 2

from D.A.C. 10/11

1.11.11 720 1200

1200 02 END LEGAL DESCRIPTIONS



WATER DIVERSION AND TRANSMISSION LINE
 EMERY AND MARCIA SMITH
 SW1/4 Section 20, T.9N., R.3E.

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: **A65-02886C**
Date Received: 5/19/1989
Receipt No: X999999
Received By: _____

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

1. Name: EMERY SMITH 208-459-8252
Address: PO BOX 29
BANKS ID 83602
AND/OR
Name: MARCIA SMITH 208-459-8252
Address: PO BOX 29
BANKS ID 83602

2. Date of Priority: DEC 16, 1966

3. Source: PHILLIPS CREEK Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	03E	20	NE	SW			BOISE
			SE	SW			BOISE

5. Description of diverting works:
METAL DAM & DIVERSION W/POND, SCREEN, VALVES & PVC GRAVITY HEAD.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.110		19.30

7. Total Quantity Appropriated is:
0.110 C.F.S. (and/or) 19.30 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
09N	03E	20	SW	SE		IRR	6.0
Section Acres							6.0
Total Acres							6.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
65-10941

14. Remarks:
OWNERSHIP CHANGED BY KW 4/2/1993.

15. Basis of Claim: LICENSE

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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

AJ0749NP
No. R65-02886H

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

DATE: 11/19/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EMERY SMITH	12/16/1966	IRRIGATION	04-01 11-01	0.055 CFS	9.65 AFA
C	MARCIA SMITH					
	1012 BRENTWOOD PL			TOTAL DIVERSION:	0.055 CFS	9.65 AFA
	NAMPA ID 83651					

Water Source: UNNAMED STREAMS

Tributary to: PHILLIPS CREEK

Stage: LICENSE

Point(s) of Diversion: T09N R03E S20 NESW SESW BOISE 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
09N	03E	20	:																	:	3.0
																			03	:	3.0
																			TOTAL ACRES	:	3.0

POU County: BOISE

Other Rights: 65-10941C

Conditions of Approval:

- 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.

Remarks: QNT THIS RIGHT WHEN COMBINED WITH RIGHT 65-10941C SHALL PROVIDE
NO MORE THAN .02 CFS PER ACRE AT THE FIELD HEADGATE.

POD TWO POINTS OF DIVERSION LOCATED IN T09N, R03E, S20, NESW.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 65-02886J, 65-10941C, 65-10941D AND
65-10941A.

Dates: Exam Made Date: Verified Date: 11/19/1999 Objection Filed Date:

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

Comments: Date: 07/23/1999 User-ID: MSCHULTE Subject: COPIED FROM REMARKS

AJ0749NP
No. R65-02886H

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

DATE: 11/19/99
PAGE: 2

=====

Comments: Date: 07/23/1999 User-ID: MSCHULTE Subject: COPIED FROM REMARKS
OWNERSHIP CHANGED BY KW 4/2/1993.
THIS CLAIM IS A RESULT OF AN OWNERSHIP CHANGE FOR A PORTION OF
A65-02886C, FEE PAID UNDER X999999. MTS 3/6/1998.

Date: 09/24/1999 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Audit: 11/19/99 MSCHULTE

08:23:13
07/12/99
18

CLAIM NUMBER: A65-02886H

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number: 65	Field Inspection Flag:	
		Presumption Flag:	

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 <u>1985 map</u> IDWR ID NO. <u>159260</u>	Y(☒) N() <u>5a</u>
☒ NAPP <u>GIS map</u>	DATE OF PHOTO <u>1987 7-22-99</u> IDWR ID NO. _____	Y(☒) N() <u>6b</u>
☒ ASCS AERIAL PHOTO	DATE OF PHOTO <u>1901</u>	Y(☒) N() <u>6c</u>
() 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()
☒ OTHER <u>GIS Table</u>	DATE <u>7-22-99</u>	Y(☒) N() <u>6a</u>
☒ OTHER <u>PRBA map</u>	DATE _____	Y(☒) N() <u>6d</u>
() 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 <u>4-30-81</u>	<u>1</u>	_____
() 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 <u>Page from decree</u>	DATE <u>3-2-79</u>	<u>1</u>	_____
☒ OTHER <u>PRBA claim</u>	DATE <u>12-29-78</u>	<u>1</u>	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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07/12/99

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QUICKLOOK INFORMATION

17
CLAIM NUMBER: A65-02886H

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	Y		MS 7-23-99 In office	N		MS 7-23-99	MS 7-23-99	
POINT OF DIV	Y			Y				
SOURCE	Y			Y				
PLACE OF USE	Y			N				
DIV. AMOUNT CFS/VOLUME	Y			N				
CONSUMPTIVE USE	-			NA				
PURPOSES OF USE	Y			N				
PERIOD OF USE	Y			N				
BASIS OF CLAIM	Y			N				
REMARKS	Y			Y				

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:22:42
07/12/99

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-02886H

LAST: DOVEL
ADDRESS: RT 1 BOX 61
CITY: HORESESHOE BEND
PHONE NUMBER: 208-793-2768

FIRST: GEORGE W
STATE: ID ZIP: 83629

OWNER CODE: O

LAST: DOVEL
ADDRESS: BOX 3
CITY: BANKS
PHONE NUMBER: 208-000-0000

FIRST: AMY R
STATE: ID ZIP: 83602

OWNER CODE: O

LAST: SMITH
ADDRESS: 1012 BRENTWOOD PLACE
CITY: NAMPA
PHONE NUMBER: 208-000-0000

FIRST: EMERY
STATE: ID ZIP: 83651

OWNER CODE: C

LAST: SMITH
ADDRESS: 1012 BRENTWOOD PLACE
CITY: NAMPA
PHONE NUMBER: 208-000-0000

FIRST: MARCIA
STATE: ID ZIP: 83651

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN OWNERSHIP CHANGED BY KW 4/2/1993.
THIS CLAIM IS A RESULT OF AN OWNERSHIP CHANGE FOR A PORTION OF
A65-02886C, FEE PAID UNDER X999999. MTS 3/6/1998.

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:

In office exam
This claim is a split from 65-02886C as a result of
a change of ownership. See split tree in claim sheet.

A. AJ CLAIM: # A65-02886H PRIORITY DATE: 12-16-1966 STAGE: L

B. WR RECORD: # 65-02886 PRIORITY DATE: - - STAGE:

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: *This right was filed in the PRBA as a permit and
licensed during the adjudication process. This recommendation
is based on the license and split of 65-02886C.*

RECOMMENDED PRIORITY DATE:

12-16-1966

REVIEWED BY Meel Schulte

DATE 7-22-99

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
A65-02886H	09N	03E	20		NE	SW			BOISE		
A65-02886H	09N	03E	20		SE	SW			BOISE		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A65-02886J	65-10942A
A65-10941A	65-10942B
A65-10941C	
A65-10941D	
A65-10942A	
A65-10942B	

WR RECORDS IN SAME 40 ACRE TRACT

65-02886C
65-10941
65-10942

SOURCE: PHILLIPS CREEK

TRIB: PAYETTE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

6502886 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

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 _____)

AJ FIELD EXAM

(DATE OF FIELD EXAM 7-16-99)

NAME OF EXAMINER

Mel Schutte

Y() N(☒)

Y(☒) N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: The POD's & source were described on an ASSS by Amy Dovel on 7-16-99 during a visit at her home near the property. She and her husband developed the base right and she argues the source should be unnamed streams not Phillips Creek. See attached topo map.

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
09N	03E	20		NE	SW			BOISE		
09N	03E	20		SE	SW			BOISE		
		20		SE	SW		I			
		20		SE	SW		R			

SOURCE: Unnamed Streams TRIB: Phillips Creek

REVIEWED BY: Mel Schulte DATE: 7-23-99

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

P/D _____
SCALE _____
PHOTO ID. _____ DATE _____

A. ROOT WATER RIGHT NUMBERS:

A65-02886D
A65-02886A
A65-02886B
A65-02886E
A65-02886H
A65-02886J
A65-02886F
A65-02886G

B. POJ LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09N	03E	20	SW	SE		SMITH, EMERY	A65-02886H /	3.0	-		
			SW	SE		GLUBAY, SCOTT	A65-02886J /	3.0	-		
			SW	SE		SMITH, EMERY	A65-10941C /	6.5	-		
			SW	SE		GLUBAY, SCOTT	A65-10941D /	6.5	-		
			SW	SE		SMITH, MARCIA	A65-10942A /	-	/		
			SW	SE		GLUBAY, SCOTT	A65-10942B /	-	/		
			SW	SE		SMITH, MARCIA	65-10942A /	-	/		
			SW	SE		GLUBAY, SCOTT	65-10942B /	-	/		
			SW	SE		DOVEL, GEORGE W.		65-02886C /	6.0		
			SW	SE		DOVEL, GEORGE W.		65-10941 /	13.0		
			SW	SE		DOVEL, GEORGE W.		65-10942 /			

ADDITIONAL POJ FOUND

TOTAL ACRES A65-02886H

3.00

POJ COUNTY: BOISE

WESTERN REGION

OWNER (S):

Smith

CLAIM NUMBERS:

A65-02886 H

AGENT: MEL SCHULTE

DATE 7-22-99

[illegible]

POLYGON CREATED ON 330

POLYGON # () () () () UPDATED BY MTS

ATTRIBUTES OF B65-POU.SHP (/001) () () () ()

ATTRIBUTES OF B65-POD.SHP (710) (711) (712) () ()
SESW

8-19-89 B65-DBFOU.DBF UPDATED BY MTS

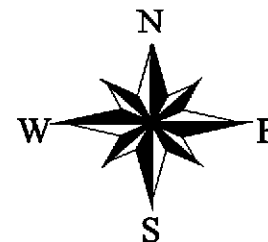
8-19-99 B65-DBPOD.DBF UPDATED BY MTS

NOTES :

6d

IDAHO DEPARTMENT OF WATER RESOURCES

T09N, R03E, S20



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

▭ 1/4 1/4 LINES

▭ SECTION LINES

6 ACRES

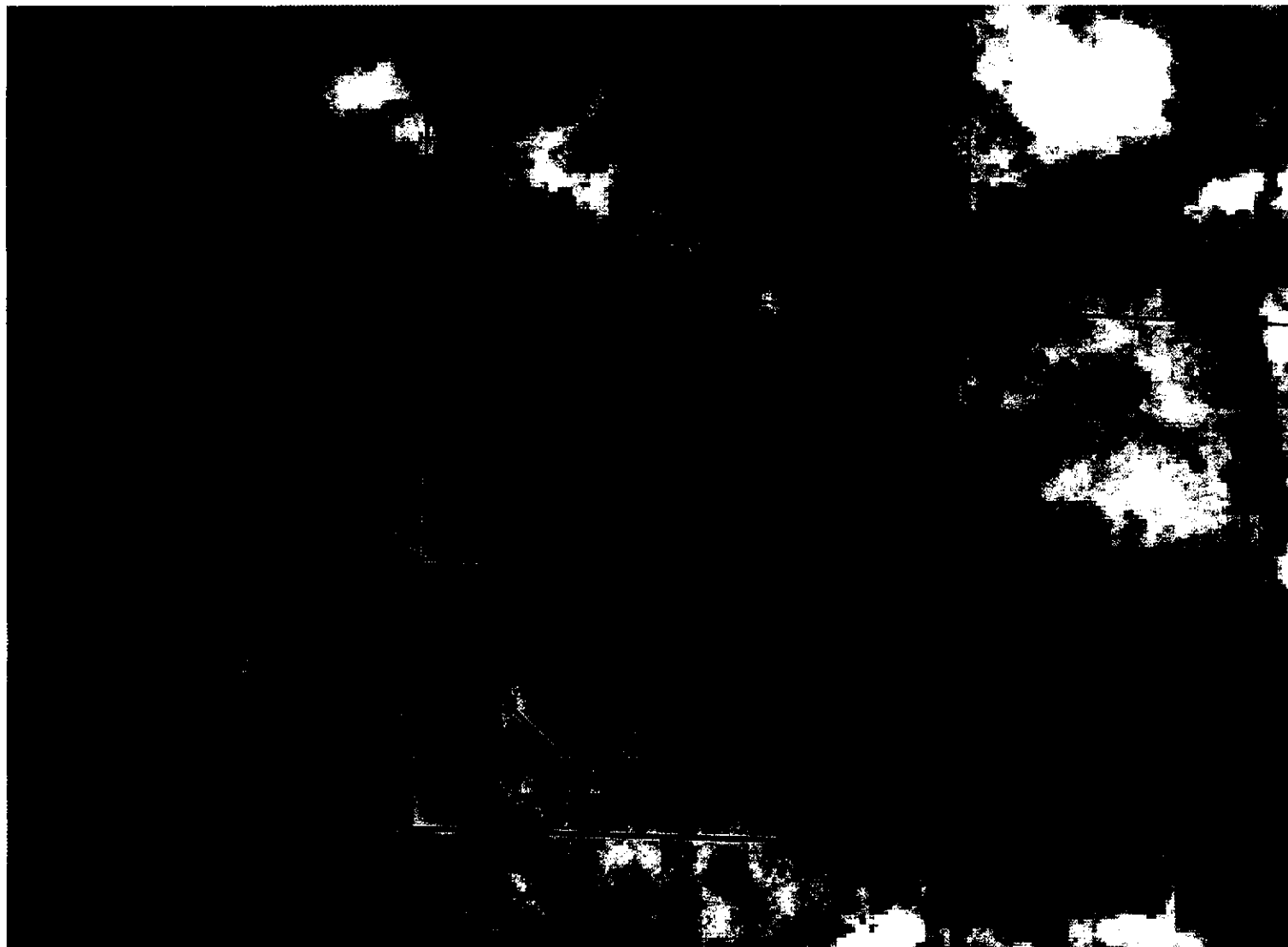
6 SECTION NUMBERS

CLAIM(S): 65-02886H

OWNER(S): SMITH

Prepared by Mel Schulte

DATE: JULY 22, 1999



0

0.25

0.5 Miles



CLAIM 465-02886 HINT 6C
T. R. S. Q/Q
P/D 9N 3E 20 NESW
SCALE SESW
PHOTO ID ASCS DATE 1961

6C

SENE DCN

Gove

Ta

James

John

McC

Wase

NE

PODS Unnamed
Stream

SW

Phillips
Creek

POD

Glubay

Long Trust
0.50
NWNE

Long

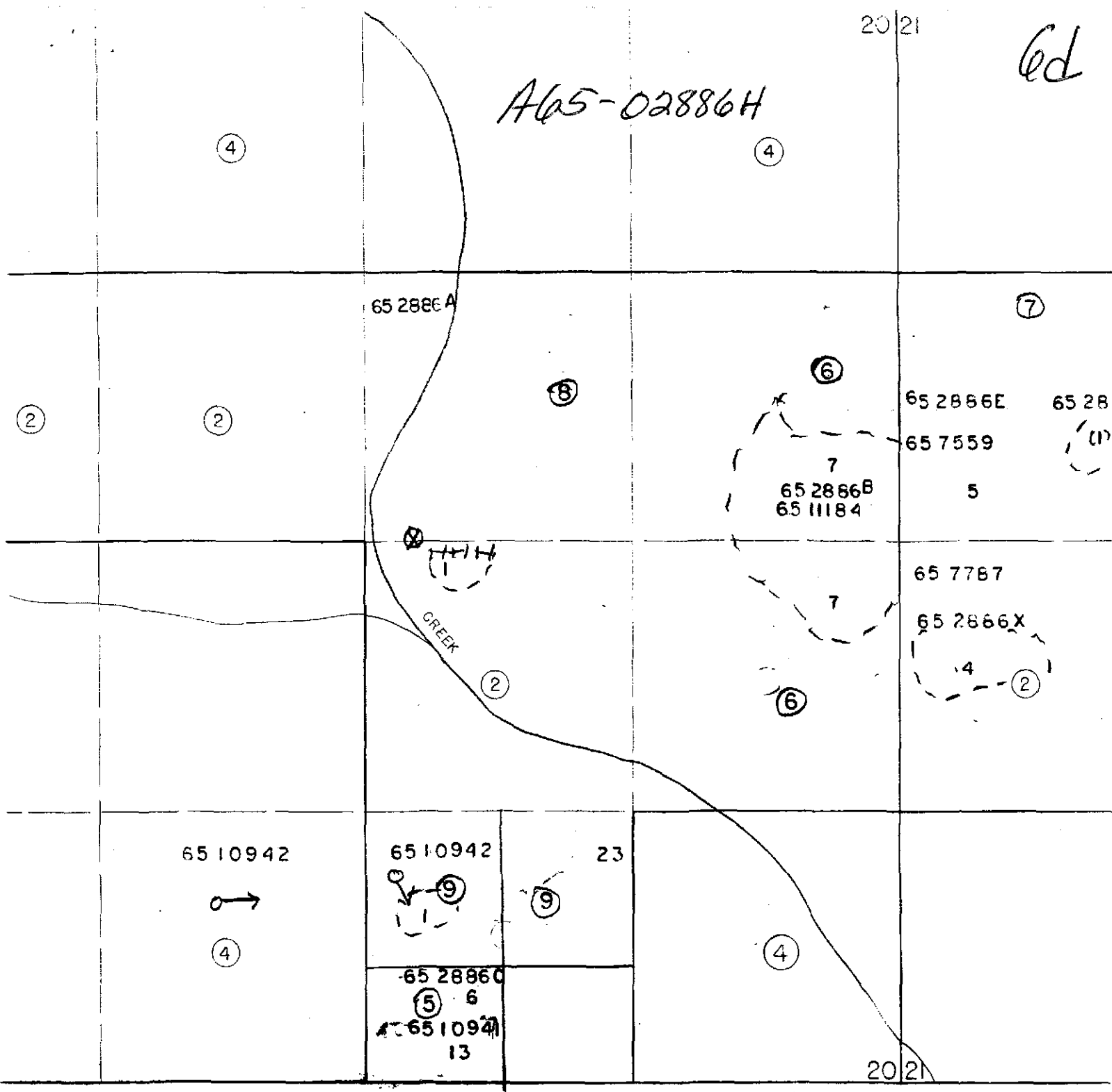
2209

3900
Dovel
3897

2209
JUNE

2209

A65-02886H



9N 3E Map C

1. State of Idaho
2. Vera Morell & Franklin B. Edwards
c/o Clyde E. Shawl
3. Black Canyon Grazing Ass'n.
c/o Alvin Moses
4. Public Domain
5. George W Dovel
6. Michael R JONES
7. F. J. Jones

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
A65-02886H	PHILLIPS CREEK	SMITH, EMERY	0.055	0.018	9.65	3.21
A65-02886J	PHILLIPS CREEK	GLUBAY, SCOTT	0.055	0.018	9.65	3.21
A65-10941C	PHILLIPS CREEK	SMITH, EMERY	0.150	0.023	0.35	0.05
A65-10941D	PHILLIPS CREEK	GLUBAY, SCOTT	0.150	0.023	0.35	0.05

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-10942A	STOCKWATER	SMITH, MARCIA	FROM 01-01 TO 12-31	0.020 CFS	1.40 AF/A
A65-10942B	DOMESTIC	GLUBAY, SCOTT	FROM 01-01 TO 12-31	0.030 CFS	1.20 AF/A
65-10942A	STOCKWATER	SMITH, MARCIA	FROM 01-01 TO 12-31	0.020 CFS	1.40 AF/A
65-10942B	DOMESTIC	GLUBAY, SCOTT	FROM 01-01 TO 12-31	0.030 CFS	1.20 AF/A

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

Y(☒) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 65-10941 C

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(☒)

[illegible]

IONS: _____
TOTAL ACRES: 3 N/A()
REVIEWED BY: Mel Schulte DATE: 7-23-99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-02886H IRRIGATION	FROM 04-01 TO 11-01	0.055 CFS	9.65 AF/A
TOTAL DIVERSION RATE/VOLUME		0.055 CFS	9.65 AF/A

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
TOTAL DIVERSION RATE/VOLUME			

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:

Recommended as licensed but based on the split
of 65-02886 C. See split tree in claim pack.

AJ CLAIM TOTAL DIVERSION RATE: 0.055 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 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 None, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 3 x 0.02 CFS/ACRE = 0.06 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 = 9.65 AF/A

ACRES 3 x DIVERSION VOL. AF/A FOR AREA 3.5 =

TOTAL DIVERSION VOLUME 10.5 AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = NA 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 ()

NOTES:

Recommended as licensee

WR RECORD CONDITIONS/REMARKS:

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	04-01	11-01	DATABASE 0.055	EXAMINER _____	DATABASE 9.65	EXAMINER _____	DATABASE 0.0	EXAMINER _____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
TOTAL FOR THIS RIGHT				_____		_____		_____

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXP - F06.

POB - F02

QNT - E28

SRC - G01

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(<u>✓</u>)	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-02886

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 0.590 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A65-02886X	A65-02886A	0.020	-		65-02886	
-	A65-02886B	0.280	-		65-02886A	0.020
-	A65-02886D	0.020	-		65-02886B	0.280
-	A65-02886E	0.100	-		65-02886C	0.110
-	A65-02886F	0.040	-		65-02886D	0.020
-	A65-02886G	0.020	-		65-02886E	0.100
-	A65-02886H	0.055	-		65-02886X	0.060
-	A65-02886J	0.055	-			
TOTAL CFS		0.590				0.590

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 N FIELD EXAMINER Y(✓)-N()

NOTES:

=====

AUTHENTICATION:

SIGNATURE: Mel Schulte DATE: 7-23-99

NAME OF FIELD EXAMINER: _____ TITLE: _____

=====

MEMORANDUM TO FILES

TO: A65-02886C & A65-10941B AND ALL SPLITS OF THESE CLAIMS.

DATE: 3/6/1998

RE: SOURCE

FROM: MEL SCHULTE *MA*

THE SOURCE FOR THESE CLAIMS MAY BE AN UNNAMED STREAM RATHER THAN PHILLIPS CREEK. SEE COPY OF ATTACHED U.S. FOREST SERVICE MAP THAT SHOWS THE POD TO BE ON AN UNNAMED TRIBUTARY OF PHILLIPS CREEK.

MTS.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

March 6, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MARCI SMITH
EMERY SMITH
1012 BRENTWOOD PL
NAMPA ID 83651

Re: Original Notice of Claim to a Water Right No. A65-02886C

Renumbered to Notice of Claim to a Water Right No. A65-02886H

Dear Mr. & Mrs. Smith:

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by adding alpha suffixes to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new claim number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office.

If you have any questions concerning this ownership change, or the enclosed claim copy, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:d

Enclosure

RECEIVED

State of Idaho
Department of Water Resources
WATER RIGHT LICENSE

License of Water Right No. 65-2886 C Priority December 16, 1966 Amount .11 cfs

THIS IS TO CERTIFY that GEORGE W. DOVEL

of Banks, Idaho

has complied with the terms and conditions of Permit

No. 65-2886 C issued pursuant to Application for Permit dated December 16, 1966

and has submitted proof to the Department of Water Resources on January 11, 1967

that he has applied water to a beneficial use, an examination by the Department indicates that he has a capacity for the diversion of .17 cfs of water from Phillips Creek

tributary to Payette River, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>.11</u> cfs and	<u>19.3</u> acre feet
	from <u> </u> to <u> </u>	at <u> </u> cfs and	<u> </u>
	from <u> </u> to <u> </u>	at <u> </u> cfs and	<u> </u>
	(both dates inclusive)		

Subject, however, to the condition that no more than .11 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 19.3 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20,

Twp. 9N, Rge. 3E, B.M. in the County of Boise

Description and location of place of use:

Twp.	Range	Sec.	NEW				NWN				SWN				SEN				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
9N	3E	20																6	

Total number of acres irrigated 6

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30th day of April, 19 81.

[Signature]
Director

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS -- PAYETTE RIVER DRAINAGE

PAGE 297

INDICATES TOTAL

SOURCE: PHILLIPS CREEK

TRIBUTARY TO: NORTH FORK, PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-10941	DOVEL, GEORGE W. & DOVEL, AMY R. BOX 3, BANKS, IDAHO 83602 REMARKS: TWO POINTS OF DIVERSION IN NESW. SOURCES ARE TWO FORKS OF PHILLIPS CREEK. THIS RIGHT WHEN COMBINED WITH RIGHT 65-2886C SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	2/24/1908	IRRIGATION	4/ 1 11/ 1	--- AFA .41 CFS	NESW S20 T 9N R 3E	SWSE(13) S20 T 9N R 3E NWNE(5) S29 T 9N R 3E *18*	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	.70 AFA .02 CFS *---*AFA *.43*CFS		SAME AS OTHER USE	
65-2886D	DENKE, FRANK ROUTE 6, BOX 6337, NAMPA, IDAHO 83651 REMARKS: THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.	12/16/1966	IRRIGATION	4/ 1 11/ 1	--- AFA .02 CFS	SWNE S20 T 9N R 3E	SWNW(1) S21 T 9N R 3E *1*	PERMIT
65-2886C	DOVEL, GEORGE W. & DOVEL, AMY R. BOX 3, BANKS, IDAHO 83602 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-10941 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE. SOURCES FOR THIS RIGHT ARE PHILLIPS CREEK & SPRING. THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.	12/16/1966	IRRIGATION	4/ 1 11/ 1	--- AFA .11 CFS	NESE S20 T 9N R 3E SESW S20 T 9N R 3E	SWSE(6) S20 T 9N R 3E *6*	PERMIT
65-2886B	JONES, MICHAEL & JONES, DIANE 2608 STEWART AVENUE, BOISE, IDAHO 83702	12/16/1966	IRRIGATION	4/ 1 11/ 1	--- AFA .28 CFS	SWNE S20 T 9N R 3E	SENE(7) NESE(7) S20 T 9N R 3E *14*	LICENSE

