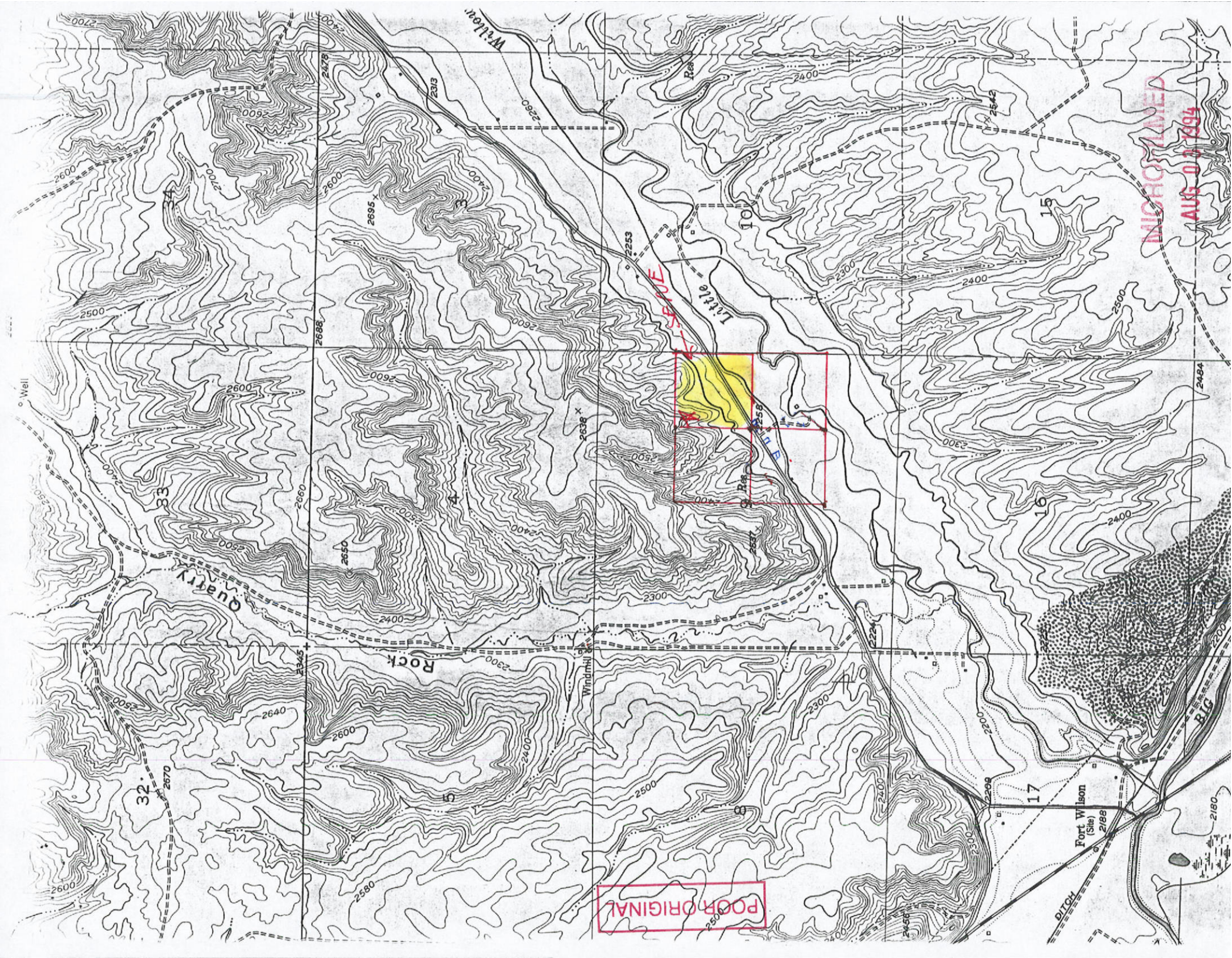
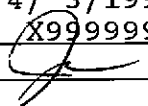




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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: A65-04120
Date Received: 4/ 3/1990
Receipt No: X999999
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD P EVEY 208-642-2329
Address: 4343 LITTLE WILLOW CREEK RD
PAYETTE ID 83661

AND/OR

Name: SUSAN D EVEY 208-642-2329
Address: 4343 LITTLE WILLOW RD
PAYETTE ID 83661

2. Date of Priority: APR 1, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	04W	9	SE	NE			PAYETTE

5. Description of diverting works:
6" WELL, 215' DEEP, SUBMERSIBLE PUMP.

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
STOCKWATER	01/01	12/31	0.040		

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:
DOMESTIC, ONE HOME; STOCKWATER, 15 HEAD STOCK.

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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08N	04W	9	SE NE		DOMEST	

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

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: _____

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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 _____

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AUG 03 1994

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ~~TWIN FALLS~~ PayetteIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A65108120Date Received 4-3-90Receipt Number 2011805**RECEIVED**
NOTICE OF CLAIM
TO A
WATER RIGHT

APR 03 1990

ACQUIRED UNDER STATE LAW

Department of Water Resources
Western Regional Office

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) RICHARD P. & SUSAN D. EVERY Phone (208) 642 2329Mailing Address 4343 Little Willow Creek Rd, Payette, ID Zip 836612. Date of Priority (Only one per claim) 3/5/71 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
Name or kind of source
which is tributary to (b) _____4. Location of point of diversion is: Township 8 North Range 4 West
Section 9 SE 9 1/4 of NE 1/4 of _____ 1/4, Govt. Lot _____, BM.,
County of PAYETTE

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. 6 inch well 215 ft deep submersible pump

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For DOMESTIC purposes from JAN 1 ^{Month/Day} to DEC 31 ^{Month/Day} amount .04 ^(cfs)
(Both dates are inclusive)
For STOCKWATER purposes from 1-1 to 12-31 amount .047. Total quantity claimed .04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) DOMESTIC

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HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10: Place of use is: Township: 8N Range 46E
Section 9, SE 1/4 of NE 1/4, Govt. Lot _____, B.M.,

for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any Irrigate 2 acres

11. In which county (ies) are lands listed above as place of use located? PAYETTE

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
(X) None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number 65-04120

16. Signature (s)
(a) By signing below, I/We acknowledge that I/We have received, read and understood 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Richard Pivney Date 3/20/90
Susan Pivney Date 3/20/90

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
document in the space below as _____ of _____
Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Payette) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 20th day of March 19 90

SEAL

Notary Public Plutarchus

Residing at Mountain

My Commission Expires 4/2/92

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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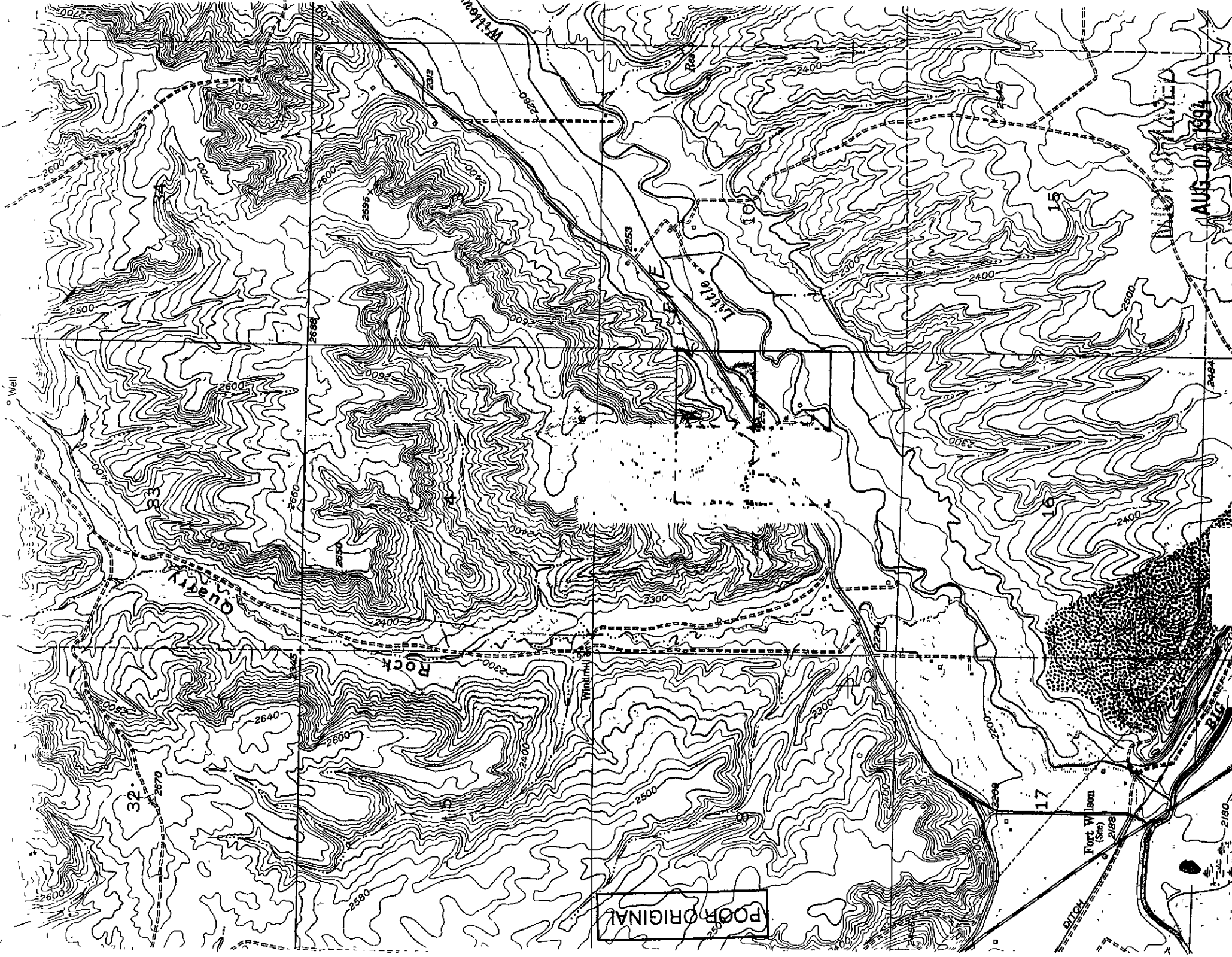
AUG 03 1994

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.



WARRANTY DEED

For Value Received

GEORGE EMIL KAUFMANN and JOANNE Q. KAUFMANN, husband and wife

the grantor s, do hereby grant, bargain, sell and convey unto

RICHARD P. EVEY and SUSAN D. EVEY, husband and wife

the grantee s, whose current address is

4343 Little Willow Creek Road, Payette, Idaho 83661

the following described premises, in

Payette County Idaho, to-wit:

In Twp. 8 N., R. 4 W., B.M., Payette County, Idaho:

In Sec. 9: A tract of land situated in the S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ and in the N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ described as follows:Beginning at the NW corner of said N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$;

thence South 35°45' East 726 feet;

thence Northeasterly and parallel with the County road as the same crosses said lands 300 feet;

thence North 35°45' West 726 feet, more or less, to a point on the Southerly right of way line of said County road;

thence in a Southwesterly direction along said road right of way to the point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees ,
 their heirs and assigns forever. And the said Grantors do hereby covenant to and
 with the said Grantees , that they are the owner s in fee simple of said premises; that they are free
 from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: July 19, 1988

George Emil Kaufmann
 George Emil Kaufmann

Joanne Q. Kaufmann
 JoAnne Q. Kaufmann

STATE OF IDAHO
COUNTY OF Payette

} ss.

On this 19th day of July in the
 year 19 88 , before me, a Notary Public, personally appeared
 GEORGE EMIL KAUFMANN and JOANNE Q. KAUFMANN
 known or identified to me to be the person whose nameS ARE
 subscribed to the within instrument, and acknowledged to me that
 they executed the same.

Anna Michael
 Notary Public
 Residing at Weiser, Idaho
 Commission expires 9/28/88

STATE OF IDAHO, COUNTY OF Payette

I hereby certify that this instrument was filed for record at
the request of FIRST AMERICAN TITLE CO.

at 6 minutes past 12 o'clock P M.,
 this 20 day of July
 19 88, in my office, and duly recorded in Book 48
 of Deeds at Page 223585.

LAURA L. STIGILE

Ex-Officio Recorder

By Patti Frate
 Deputy.

Fees \$ 3.00

Mail to:

CLAIMANT'S NAME

Evey, Richard P & Susan D

CLAIM IDENT. NO.

465-

DATE RECEIVED 04/03/1990 RECEIPT # W011905 FEE PAID \$ 25 FEE REQ'D \$

	YES	NO	Requir Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates? See Adjudication Memos #1 and #4 to determine if a Permit is required.			
	☐	☒	*
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	N/A ☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.	☐	☒	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☐	☒	*
7. Is a total quantity claimed entered?	☐	☒	
8. If required is a consumptive use entered?	N/A ☒	☐	
Is the consumptive use correct?	N/A ☒	☐	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock? If multiple domestic, is single ownership indicated?	☐	☒	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☐	☒	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	N/A ☒	☐	
15. Is the basis of the claim indicated?	☐	☒	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? If yes, compare claim w/existing right and attach proof report noting any differences in comments. If no, was water right no. found?	N/A ☐	☐	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? (If yes, attach a proof report & complete number change) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.	N/A ☐	☐	
18. If the claimant requested a monthly docket sheet, was the fee paid?	N/A ☒	☐	
19. Is the claim signed by the claimant, and is the signature appropriate?	☒	☐	*
20. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
21. Was this claim filed on time? (Check ML3 for date mailed-not all were mailed on the planned date) If no, was an extension of time filed & approved?	☒	☐	*
22. Is the fee enclosed correct?	Exempt	☒	*

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2 acres Irrigation
no

23. Is this claim being rejected and returned to claimant? ☒
24. Can this claim be data entered? ☒
25. Was claim modified? ☒
- If yes, do modifications require notification to claimant? ☒
- Note: Modifications made must be explained in comments stating where the information for any changes was found.

Claim reviewed by: mm Date 05/19/1994

Claim data entered by: [Signature] Date 8-8-94

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: 05/19/1994: No legals for 700, 800: Item 10 mentions
2 acres of irrigation. Priority date puts them in violation
of mandatory permit statutes, as well as Rayette River Decree.
Items 6, 7, 9, 10, 15, 16 incomplete. Appl. for permit sent
w/ rejection letter.
All OK - 2 acres not irrigated - A65-04/20 is
his right - filed on 6-8-94 per office visit -
corrected claim orig. filed & he will file
new app. for permit if he ever decides to
irrigate the 2 acres.

03/07/2001

RECEIVED

APR 05 2001

WATER RESOURCES
WESTERN REGION

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 13, 2001

Water right number: 65-4120

SUSAN D EVEY

4343 LITTLE WILLOW CREEK RD

PAYETTE ID 83661

Telephone Number: (208)642-2329

RICHARD P EVEY

4343 LITTLE WILLOW CREEK RD

PAYETTE ID 83661

Telephone Number: (208)642-2329

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 4/2/01

SIGNATURE: Susan D. Evey

Please print your name: Susan D. Evey

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

AJ0749NP
No. R65-04120

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

DATE: 02/03/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RICHARD P EVEY 4343 LITTLE WILLOW CREEK RD PAYETTE ID 83661 (208) 642-2329	04/01/1971	DOMESTIC	01-01 12-31	0.040 CFS	1.20 AFA
				TOTAL DIVERSION:	0.040 CFS	1.20 AFA
C	SUSAN D EVEY 4343 LITTLE WILLOW RD PAYETTE ID 83661 (208) 642-2329					

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T08N R04W S09

SENE

PAYETTE County

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
08N 04W 9	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: PAYETTE

Non-Irrigation Uses: 1 HOME

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Dates: Exam Made Date:

Verified Date:

02/03/2000

Objection Filed Date:

Misc:

Water District Number: 65

Field Inspection Flag:

Presumption Flag:

Comments: Date: 02/03/2000 User-ID: RHOWERTO Subject: STOCKWATER
STOCKWATER WAS CLAIMED BUT CANNOT BE ADDED AS A NEW USE TO PRIOR
PRBA DECREED RIGHT.

Audit: 02/03/00 RHOWERTO

218

WR5809NP
No. 65-04120

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/03/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN P. ACOITURRA STAR ROUTE PAYETTE ID 83661	04/01/1971	DOMESTIC	01/01 12/31	0.040 CFS	1.20 AFA
TOTAL DIVERSION:					0.040 CFS	1.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T08N R04W S09

SENE

PAYETTE 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	
---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:
Q8N	Q4W	9	:				D	:					:					:					:

Pou County: PAYETTE

Dates:	App. Received:	Priority Date:	04/01/1971
	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
CLAIM VERIFICATION EXAM SHEET

(use in place of the CVR for small Domestic/Stock exams)

1. ☒ No Change NAME
NEW OWNER: _____
☐ No Change ADDRESS
NEW ADDRESS: _____
2. ☒ No Change - DATE OF PRIORITY: Completed - No Field Verification Needed.
☐ Incomplete - Claim shows no priority date, claimant should be asked during the exam when was water first used.
Priority date, per claimant, is _____.
(if the priority date, based on your exam, seems questionable, explain in remarks.)
3. ☒ No Change - SOURCE
Source is different than that claimed:
Source found: _____
4. ☒ No Change - POINT OF DIVERSION
Point of diversion is different than the claim
New P/D: Twp. _____, Rge. _____, Sec. _____, _____ 1/4 _____ 1/4 _____ 1/4
5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
Incomplete desc., complete items missing, IF KNOWN.
Additional comments in remarks.
HP of pump _____ Pump Ser. # _____ Pumping water level _____
Well depth _____ Motor Ser. # _____ Static water level _____
Casing size _____ Method of irr. _____
6. ☒ No Change - WATER USES
Different uses, (list uses found). NO STOCKWATER, PER DECREE.
Use _____ From _____ To _____ Amount _____ cfs _____ af
Use _____ From _____ To _____ Amount _____ cfs _____ af
7. ☒ No Change - TOTAL VOLUME
Incomplete on claim, the total is, -- -- _____ cfs _____ af
Change found, the new total is, -- -- -- _____ cfs _____ af
8. N/A
9. ☐ No Change - NON-IRRIGATION USES: Completed on claim
☐ Incomplete on claim - Exam found:
Domestic - No. of homes _____ Stockwater - No. of head _____
other: NO STOCKWATER DECREE
CANNOT RECOMMEND

10. ☒ No Change - PLACE OF USE: (If changed, list below.)
Use Twp. Rge. Sec. 1/4, 1/4,

Remarks: (Comments pertinent to field examination)

N11 N13

~~DOMESTIC~~ RECOMMENDED, NO STOCKWATER

SEE WR PROFILE

SEE DECREE COPY FROM BLUE BOOK PAGE 590

ATTACHMENTS:

Attached to Attachments are
This Form. in Permit File.

PHOTOS (optional) ☐
MAP ☐
SYSTEM DIAGRAM ☐

☒ SEE CLAIM
FILE
SIDE

☐
☐
☐

☐ Changes found during exam or additional information in the permit file, see permit file.

DATE EXAM CONDUCTED:

IN OFFICE 2/3/00

FIELD EXAMINER:

Ron Howerton

Signature

Sr Water Agent

Ron Howerton

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 590

INDICATES TOTAL

SOURCE: GROUNDWATER

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
			STOCKWATER	1/ 1 12/31	.20 AFA .02 CFS *---*AFA *.38*CFS		SAME AS OTHER USE	
65-4933	DEBBAN, RONNIE J. & DEBBAN, SUSAN F. BOX 423, FRUITLAND, IDAHO 83619	3/25/1971	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NESW S23 T 8N R 5W	NESW S23 T 8N R 5W	BENEFICIAL USE
65-4120	ACUITURRA, JOHN P. STAR ROUTE, PAYETTE, IDAHO 83661	4/ 1/1971	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SENE S 9 T 8N R 4W	SENE S 9 T 8N R 4W	BENEFICIAL USE
65-4438	ALSPACH, DEIMER E. BOX 91, NEW PLYMOUTH, IDAHO 83655 REMARKS: LOT 8, BLOCK 23, NEW PLYMOUTH ORIGINAL.	4/ 1/1971	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SWSE S 4 T 7N R 4W	SWSE S 4 T 7N R 4W	BENEFICIAL USE
65-8392	BURGESS, DEAN C. 920 BALSAM, BOISE, IDAHO 83704 REMARKS: LOT 65, BIG SMOKY SUBDIVISION #2.	4/ 1/1971	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SESW S21 T16N R 3E	SESW S21 T16N R 3E	BENEFICIAL USE
65-0345	CANADAY, NEAL & CANADAY, SHERRY S. ROUTE 3, BOX 396, EMMETT, IDAHO 83617	4/ 1/1971	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SESW S36 T 7N R 2W	SESW S36 T 7N R 2W	BENEFICIAL USE
65-8369	CORDET, MARIE B. P. O. BOX 10553, SOUTH LAKE TAHOE, CALIF. 95731 REMARKS: LOT 22, BLOCK 1, MORNING DAWN SUBDIVISION #3.	4/ 1/1971	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SESW S21 T16N R 3E	SESW S21 T16N R 3E	BENEFICIAL USE
65-4182	FARMAN, OTTO L. H. ROUTE 1, EMMETT, IDAHO 83617	4/ 1/1971	DOMESTIC STOCKWATER	1/ 1 12/31 1/ 1 12/31	1.20 AFA .04 CFS .40 AFA .02 CFS *1.60*AFA *.04*CFS	SENE S33 T 7N R 3W	SENE S33 T 7N R 3W SAME AS OTHER USE	BENEFICIAL USE
65-9006	FREEMAN, IVAL E. & FREEMAN, DELPHIA I. BOX 14, GARCENA, IDAHO 83621	4/ 1/1971	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	LOT10 S 2 T 7N R 2E	LCT10 S 2 T 7N R 2E	BENEFICIAL USE
65-9103	HANSON, BARBARA & HANSON, KENNETH BOX 356, NEW PLYMOUTH, IDAHO 83655	4/ 1/1971	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NWNW S15 T 7N R 4W	NWNW S15 T 7N R 4W	BENEFICIAL USE

RECOMMENDED RIGHT

Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued). Apr 1, 1977

File the source of water: (Name of stream, lake, spring, etc., or ground water). Ground water

Describe the purpose for which the water has been used and the time during the year when you have used the water.

Quantity 10.24 C.F. BULK LBS 672456

Period of Use From 1/1 To 2/1

Continued on page 10

Journal of the American Statistical Association

Quantity: _____ Price: _____

Index of Authors 1

(4) ~~0.04~~ 0.04 C.F.S. — TOTAL QUANTITY CLAIMED:

15) A) Point of Diversion: Give location of point where water is diverted from its source SE 1/2 NE 1/4

Sec. 9 Twp. 35N. R. 4W. 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 on drilled well

Please do not mark or use by listing number of large or terms within each of above trail in appropriate box if use is not for
 brigandage, place an "X" in appropriate box to show answer.

[illegible]

Tj: a. No c? a. v

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: domestic for one house

(7) Effluent, sewage waste, or return water from this use is discharged into

(8) If you are claiming water as a member of an organization, list name of organization:

(2) **Remarks**

(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 the Idaho Department of Water Administration.

DATE OF EXAMINATION: 11/11/2011

FIELD EXAMINER



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

May 19, 1994

RICHARD P EVEY
SUSAN D EVEY
4343 LITTLE WILLOW CREEK RD
PAYETTE ID 83661

Dear Claimant(s):

This office is presently processing the Notice of Claim to a Water Right you submitted during the Snake River Basin Adjudication claims filing in your area. However, due to the problem explained below, we cannot continue to process this claim. We are returning the claim to you along with the receipt for the filing fees previously submitted.

This notice was filed indicating the water use(s) claimed began after the implementation of the groundwater statute requiring that any new use(s) of water from a groundwater source must have an application for permit filed and approved prior to any diversion of the water. On March 25, 1963, this groundwater statute was enacted under Idaho Code, Volume 8, Section 42-229. There are some water uses exempted from this filing requirement, however, the water use you have claimed did require a permit filing and after researching our records, no previously filed permit was found. We will likely recommend this claim to the court for disallowal, based on the groundwater statute and priority date claimed, therefore, you should file an application for permit form in order to insure this water right is covered in the future. Enclosed is an application for permit form with instructions.

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Although the enclosed claim will likely be disallowed, the Department cannot deny you the right to file this claim. If you still wish to file this claim and pursue it with the court later, then simply resubmit the claim form with a note indicating you still wish to file. If you do not wish to file this claim, please complete the enclosed Request for Withdrawal and return it to our office along with the completed application for permit form. The refund of the filing fees paid for the claim can be transferred to the application for permit filing fees or the total amount sent to you. Please indicate which you would prefer on the Request for Withdrawal form. Please note that if the fee for the application for permit is greater than the amount being refunded, the difference must be enclosed with the application for permit form before it is accepted.

5-23-94 Mr. Every called the office re: this letter. Will fill an app. for permit for his orig. use - told him we could assist if he came in to office - kuu

If we do not hear from you within 30 days from the date of this letter, either by receiving the claim form or Request for Withdrawal and Application for Permit form, we will assume you do not wish to pursue either filing and the claim will be rejected and your filing fees refunded. Please feel free to contact this office if you have any questions concerning this letter or completion of the application form.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

Enclosures
SO:s

SPECIAL NOTE: IF YOU NO LONGER OWN THE PROPERTY UPON WHICH THIS CLAIM WAS FILED, PLEASE CONTACT THIS OFFICE IMMEDIATELY. IDAHO STATE LAW REQUIRES THE DEPARTMENT BE NOTIFIED OF A CHANGE OF OWNER OR ADDRESS ON A WATER RIGHT.

You indicated on your claim that you irrigate two acres with the claimed source of water. Since your use started after the mandatory permit statute went into effect, a permit from this Department is required for that use of water.

If you still wish to file this claim and pursue it with the court later, you must complete the claim form. Items 6., 7., 10., 15., and 16. must be completed before this claim is resubmitted to this office.

Again, if you have any questions or need additional information, please contact this office.


MM/m

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AUG 03 1994

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

CIVIL CASE NUMBER: 39576

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

Identification No. A65'Date Received 4-3-90Receipt Number 2011805

RECEIVED NOTICE OF CLAIM TO A WATER RIGHT

APR 03 1990

ACQUIRED UNDER STATE LAW

Department of Water Resources For Domestic and/or Stockwater Purposes
Western Regional Office Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Richard P. & SUSAN D. EVELY Phone (208) 642 2329Mailing Address 4343 Little Willow Creek Rd, Payette Id Zip 836612. Date of Priority (Only one per claim) 3/5/71 Month/Day/Year

3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
Name or kind of source
which is tributary to (b) _____

4. Location of point of diversion is: Township 8 North Range 4 West
Section 9, NW 1/4 of SE 1/4 of _____ 1/4, Govt. Lot _____, BM.,
County of PAYETTE

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. 6 inch WELL 215 ft DEEP Submersible Pump

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only See Instructions.)

For _____ purposes from JAN 1 to DEC 31 amount _____ (cfs)
Month/Day Month/Day
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed _____ (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater. Type and Number of livestock) _____

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AUG 03 1994

10. Place of use is: Township: _____ Range _____
Section _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M.,

for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any Irrigate 2 ACRES

11. In which county (ies) are lands listed above as place of use located? PAYETTE

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
(X) None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct

Signature of Claimant (s) Richard P. Roney Date 3/20/90

Susan Roney Date 3/20/90

For Organizations: I do solemnly swear or affirm that I am _____

_____ Title
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)
County of Payette) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 20th day of March 19 90

SEAL

Notary Public [Signature]

Residing at Boothland

My Commission Expires 4/2/92

Last Name _____ Ident No _____

Copies: White-State, Yellow-Claimant

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AUG 03 1994