

Idaho Department of Water Resources

Claim No: 65-11213B

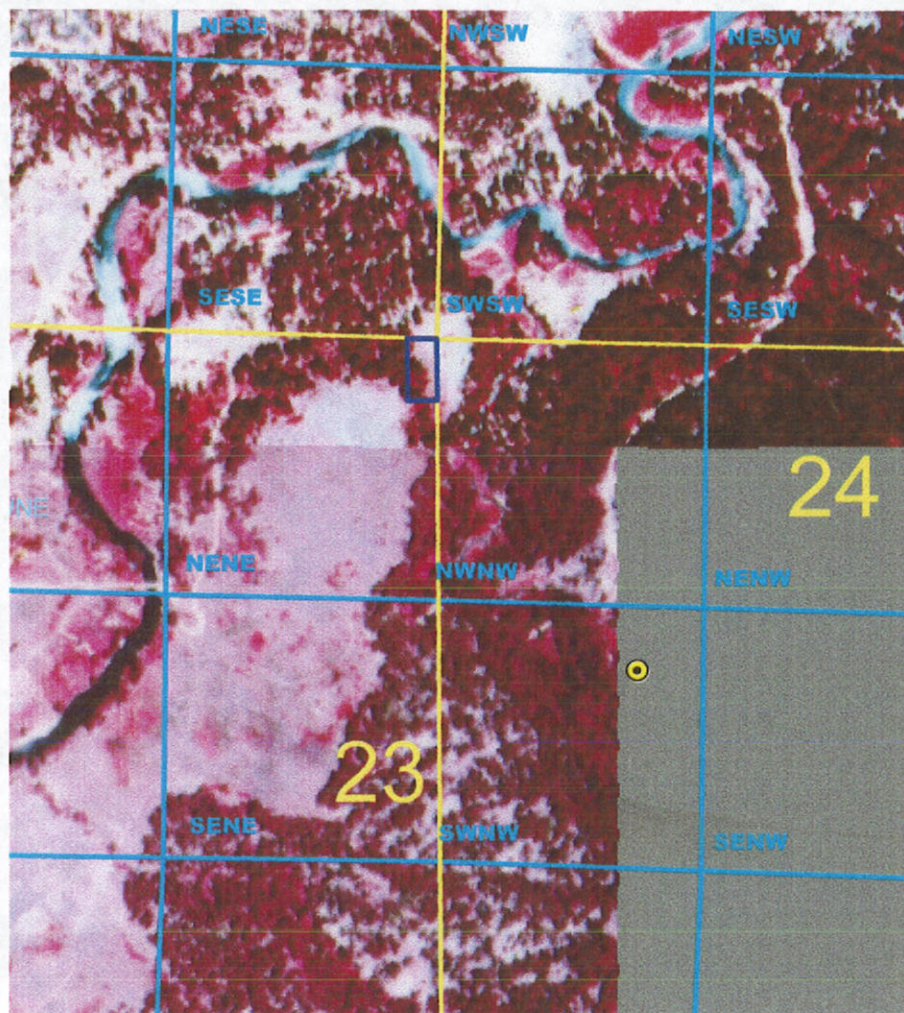
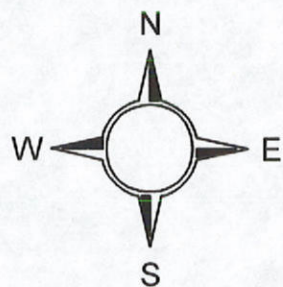
Claimant: McInally

Place of Use: T10N, R04E, S23

Prepared By: Karan Waters

Date: 7/27/99

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



1987 Napp Photo

0 0.25 0.5 Miles



Idaho Department of Water Resources

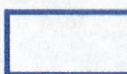
Claim No: 65-11213B

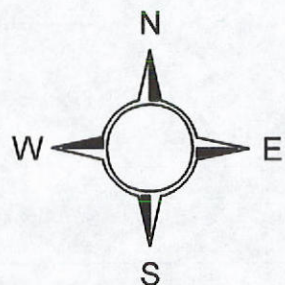
Claimant: McInally

Place of Use: T10N, R04E, S23

Prepared By: Karan Waters

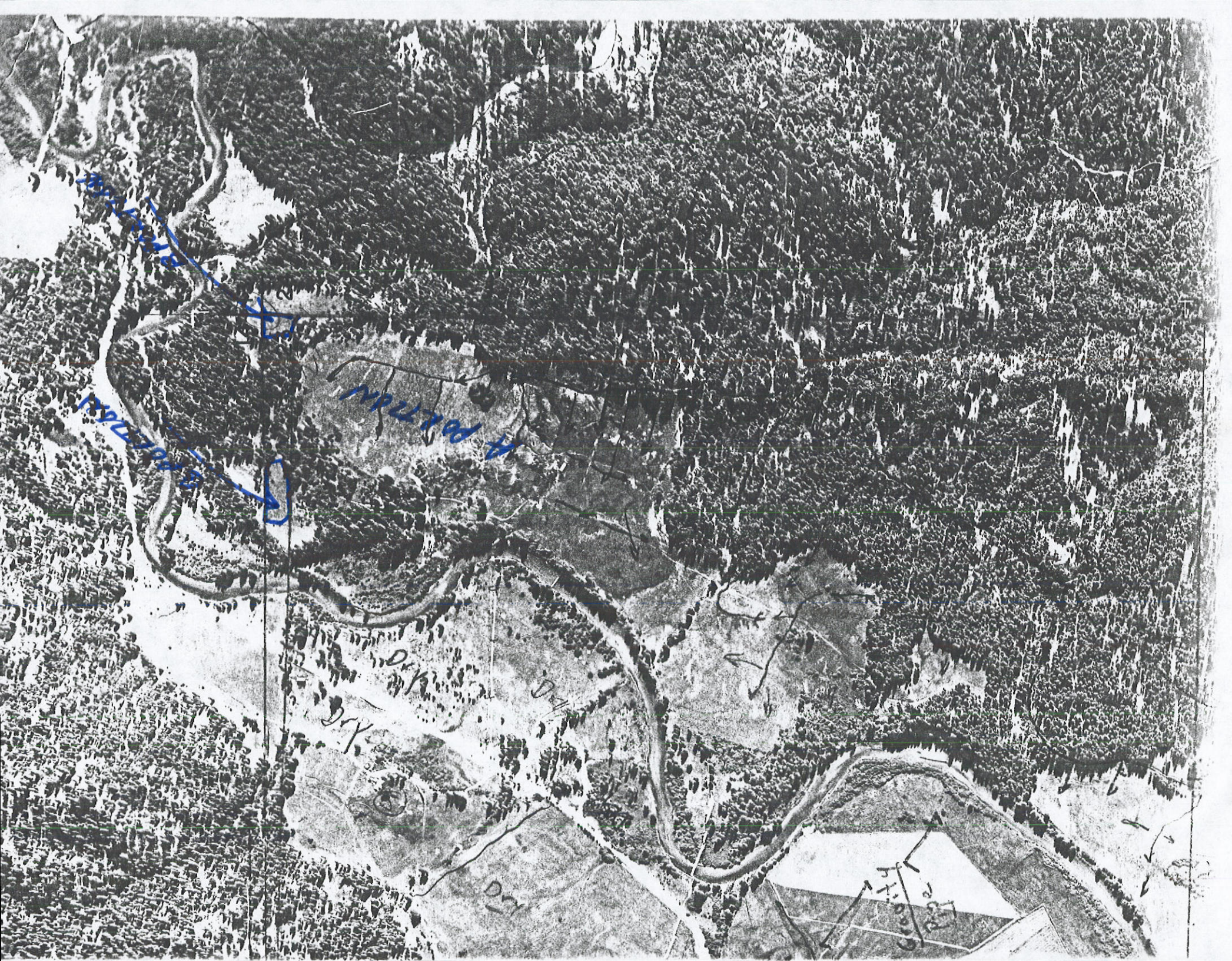
Date: 7/27/99

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



0 0.25 0.5 Miles





65-7042

REFER TO LARGER SCALE MAP

PORTAL B

PORTAL C

0.2 14 13

24

27.4

8

5

A PORTAL IN NEENAH
1.5 ACRES IN NEENAH

SCOTT
MOUNTAIN
SUB.

GARDEN
VALLEY
EST. #1

3.4

DRY

18.7

5.7

10

DRY

12.5

8

8

DRY

7

8

8

7

7

60' LOT

24

BOISF

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: **A65-11213B**
Date Received: 3/ 9/1989
Receipt No: X999999
Received By: _____

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

1. Name: ELIZABETH MC INALLY 208-462-3877
Address: HC 76 BOX 2443
GARDEN VALLEY ID 83622
AND/OR
Name: JAMES T MC INALLY 208-462-3877
Address: HC 76 BOX 2443
GARDEN VALLEY ID 83622
2. Date of Priority: JUN 1, 1887
3. Source: LIGHTENING CREEK Trib. to: PAYETTE RIVER, MIDDLE FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	04E	24	SW	NW			BOISE
5. Description of diverting works:
DITCH FROM CK.-150'TO HEADGATE W/PIPE 2400'TO DITCH W/GRAV. IRRIG
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.050		
7. Total Quantity Appropriated is:
0.050 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	04E	23	NE	NE		IRR	2.0
Section Acres							2.0
Total Acres							2.0

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:

CLAIM NO. A65-07989(LIGHTENING CK.) & A65-10677(WELL).

14. Remarks:

OWNERSHIP CHANGED BY LH 1/7/94.

OWNERSHIP CHANGED BY LH 9/25/96.

ADDRESS CHANGED PER REQUEST RECEIVED 1/27/97.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ____ do not ____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

CHANGE IN ADDRESS OF NOTICE OF CLAIM

RECEIVED

JAN 27 1997

WATER RESOURCES
WESTERN REGION

[] Water Right Number (s): A65-07989

A65-10677

A65-11213B

[] Old Mailing Address: JAMES T. +/or ELIZABETH McINALLY
HC 76 BOX 2566

GARDEN VALLEY, ID 83622

[] New Mailing Address: James T +/or Elizabeth McInally
HC 76 Box 2443

Garden Valley ID 83622

New Telephone Number: 2081462-3877

[] Signature of Claimant: James T. McInally, Elizabeth McInally
Date: 1.15.97

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 2-20-97 By: ZH

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 2.20.97 By: ZH

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: A65-11213B
Date Received: 3/ 9/1989
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES T MC INALLY 208-343-0776
Address: HC 76 BOX 2566
GARDEN VALLEY ID 83622
AND/OR
Name: ELIZABETH MC INALLY 208-343-0776
Address: HC 76 BOX 2566
GARDEN VALLEY ID 83622
2. Date of Priority: JUN 1, 1887
3. Source: LIGHTENING CREEK Trib. to: PAYETTE RIVER, MIDDLE FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	04E	24	SW	NW			BOISE
5. Description of diverting works:
DITCH FROM CK.-150'TO HEADGATE W/PIPE 2400'TO DITCH W/GRAV. IRRIG
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.050		
7. Total Quantity Appropriated is:
0.050 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	04E	23	NE	NE		IRR	2.0
Section Acres							2.0
Total Acres							2.0

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:

CLAIM NO. A65-07989(LIGHTENING CK.) & A65-10677(WELL).

14. Remarks:

OWNERSHIP CHANGED BY LH 1/7/94.

OWNERSHIP CHANGED BY LH 9/25/96.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

SEP 04 1996

WATER RESOURCES
WESTERN REGION

DATE OF CLOSING:

8-1-96

See Exhibit "A"

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, B.M.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

Department of Water Resources

SEP 03 1996

RECEIVED

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

[] Water Right Number(s)
Assigned by IDWR:

WR5809NP 65-10677, 65-07989

[] Name and Address of Former
Owner/Claimant(s)(Seller):

Debra L. Thomson

5706 Cassia

Boise, ID 83705

[] New Owner/Claimant
(Purchaser):

James T. McQuilly

[] New Mailing Address:

HC 76

SAND VALLEY, ID 83622

[] New Telephone Number:

(208) 343-0776

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

[] Attach proof of
ownership, describe
proof attached:

Copy Warranty Deed

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

[] Signature of New
Owner/Claimant(s):

James T. McQuilly

Date

8/26/96

[] Signature of Former
Owner/Claimant(s):

Elizabeth McQuilly

Date

8/26/96

Debra L. Thomson

Date

8-1-96

Date

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 9-25-96 By: ZD

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date: 9-25-96 By: ZD

Claim Numbers of Split, if any:

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

MICROFILMED

OCT 21 1996

POOR ORIGINAL



A Pioneer Company

PIONEER TITLE COMPANY
OF ADA COUNTY

RECEIVED

SEP 03 1996

Department of Water Resources

821 West State Street / Boise, Idaho 83702-5836 / Telephone (208) 336-6700

P-150011 LB

WARRANTY DEED
(INDIVIDUAL)

FOR VALUE RECEIVED DEBRA LYNN THOMSON, who also appears of record as Debbie L. Thomson and Debra L. Thomson, an unmarried person

Grantor , does hereby grant, bargain, sell and convey unto JAMES T. MCINALLY and ELIZABETH M. MCINALLY, husband and wife

the Grantee s , whose current address is: HC 76 Box 2566, Garden Valley, ID 83622
the following described real property in Boise County, State of Idaho, more particularly described as follows, to-wit:

See Attached Exhibit "A" which by this reference becomes a part hereto.

161457

161457
PIONEER TITLE

Digitized by
W.D. 600 CK

MICROFILMED
OCT 21 1996

EXHIBIT "A"

File Number: P150011/B

RECEIVED

SEP 03 1996

Department of Water Resources

PARCEL I

LOT 26, BLOCK 1 OF GARDEN VALLEY ESTATES NO. 2, ACCORDING TO THE PLAT THEREOF, FILED JUNE 9, 1969 AS INSTRUMENT NO. 74261, RECORDS OF BOISE COUNTY, IDAHO.

PARCEL II

A PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 10 NORTH, RANGE 4 EAST, BOISE MERIDIAN, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 23, THE TRUE POINT OF BEGINNING, AND RUNNING THENCE

SOUTH 0 DEGREES 01' EAST A DISTANCE OF 417.42 FEET TO AN IRON PIN, THENCE

SOUTH 89 DEGREES 55' WEST A DISTANCE OF 208.71 FEET, THENCE

NORTH 0 DEGREES 01' WEST A DISTANCE OF 417.42 FEET, THENCE

NORTH 89 DEGREES 55' EAST A DISTANCE OF 208.71 FEET TO THE TRUE POINT OF BEGINNING. (A BRONZE PLAT IN A 2" IRON PIPE)

END OF LEGAL DESCRIPTION

MICROFILMED

OCT 21 1996

OWNERSHIP CHANGE CHECKLIST

____ AJQ1 ADJUDICATION CLAIMS FOUND ☒ Y ____ N
A65-10677, A65-07989, A65-11213B

____ AJQ4 ADJUDICATION CLAIMS FOUND ☒ Y ____ N
A65-07989, A65-11213B, A65-10677

____ WRQ1 WATER RIGHTS FOUND ☒ Y ____ N
65-07989, 65-10677

____ WRQ4 WATER RIGHTS FOUND ☒ Y ____ N
65-10677, 65-07989, 65-11213

CLAIM(S) FILED ☒ Y ____
 ____ N ____

IF NO, CLAIM(S) REQUIRED ____ Y ____ N

IF YES, DATE LETTER REQUESTING CLAIM SENT _____

IF NO, DATE SENT TO S.O. _____

NEW CLAIM RECEIVED ____ Y ____ N

IF NO, DATE SENT TO S.O. _____

COMMENTS _____

MICROFILMED
 OCT 21 1996

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: **A65-11213B**
Date Received: 3/ 9/1989
Receipt No: X999999
Received By: _____

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

1. Name: DEBRA L THOMSON 208-462-3738
Address: HC 76 BOX 2401
GARDEN VALLEY ID 83622
2. Date of Priority: JUN 1, 1887
3. Source: LIGHTENING CREEK Trib. to: PAYETTE RIVER, MIDDLE FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	04E	24		SW	NW		BOISE

5. Description of diverting works:
DITCH FROM CK.-150'TO HEADGATE W/PIPE 2400'TO DITCH W/GRAV. IRRIG

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	04E	23	NE	NE		IRR	2.0

MICROFILMED

AUG 04 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	2.0
					Total Acres	2.0

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:

CLAIM NO. A65-07989(LIGHTENING CK.) & A65-10677(WELL).

14. Remarks:

OWNERSHIP CHANGED BY LH 1/7/94.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

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 04 1994

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 _____

MICROFILMED
AUG 04 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

JAN 06 1994

WATER RESOURCES
WESTERN REGION

DATE OF CLOSING: _____

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

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: AL65-07989, AL65-10677, AL65-11213B
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Eldon Dunn
19 S. Young Lane
Eagle, ID 83616
- ☐ New Owner/Claimant (Purchaser): Debra L. Thomson
- ☐ New Mailing Address: HC76 Box 2401
Garden Valley, ID 83622
- ☐ New Telephone Number: (208) 462-3738
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
- _____
- _____
- _____

- ☐ Attach proof of ownership, describe proof attached: _____
 (proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s) Debra L. Thomson Date 1-5-94
 _____ Date _____
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
 _____ Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 1-7-94 By: JD

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 1-7-94 By: JD

Claim Numbers of Split, if any:

MICROFILMED

AUG 04 1994

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

BOISE COUNTY ASSESSOR
P. O. BOX 127
IDAHO CITY, ID 83631-0127

ADDRESS CORRECTION REQUESTED

IMPORTANT NOTICE - PLEASE READ

PARCEL NO RP 10N04E230049 A

TAX CODE 7-00

LOTS / ACRES

2.000 AC

MARKET VALUE

10,000

3,862

2.000

13,862*

PRESORTED
FIRST CLASS MAIL
U. S. POSTAGE PAID
IDAHO CITY ID 83631
PERMIT NO. 2

POOR ORIGINAL

RECEIVED

JAN 06 1994

WATER RESOURCES
WESTERN DISTRICT

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 14, 1993

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

Mail To
THOMSON, CRAIG T & TERRA L ANN
*
425 HIGHWAY 10
EAGLE, ID 83616

PROPERTY ADDRESS
PREVIOUS NUMBER
T10N R4E SEC 23
TAX 127 IN NENE
INST.#146997

BOISE COUNTY ASSESSOR
P. O. BOX 127
IDAHO CITY, ID 83631-0127

ADDRESS CORRECTION REQUESTED

IMPORTANT NOTICE - PLEASE READ

PARCEL NO RP 024020010260 A

TAX CODE 7-00

LOTS / ACRES

.360 AC

MARKET VALUE

10,700

39,943

19,972

30,671*

PRESORTED
FIRST CLASS MAIL
U. S. POSTAGE PAID
IDAHO CITY ID 83631
PERMIT NO. 2

MICROFILMED

AUG 04 1994

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 14, 1993

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

Mail To
THOMSON, CRAIG T & TERRA L ANN
*
425 HIGHWAY 10
EAGLE, ID 83616

PROPERTY ADDRESS
PREVIOUS NUMBER
T10N R4E GARDEN VALLEY ESTS 2
BLK 1 LOT 26
INST.#146997

Home & property purchased during marriage
Recent divorce resulted in home being in my
name only. Therefore water rights should be
in my name only. See enclosed copy of Quitclaim Deed.

POOR ORIGINAL

149381
QUITCLAIM DEED

BOISE COUNTY 355
REQUEST
Frank W. Stopper
36 OCT 90 PM 3:12

FOR VALUE RECEIVED, CRAIG T. THOMSON does hereby convey, release, remise and forever quitclaim unto DEBBIE L. THOMSON, whose address is 76 HC Bunch Drive, Garden Valley, Boise County, Idaho, all right, title, and interest now owned or hereafter acquired as to the following described premises, located in Boise County, Idaho, more particularly described as follows, to-wit:

PARCEL I

LOT 26, BLOCK 1 OF GARDEN VALLEY ESTATES NO. 2,
ACCORDING TO THE PLAT THEREOF, FILED JUNE 9, 1969 AS
INSTRUMENT NO. 74261, RECORDS OF BOISE COUNTY, IDAHO.

PARCEL II

A PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST
QUARTER OF SECTION 23, TOWNSHIP 10 NORTH, RANGE 4 EAST,
BOISE MERIDIAN, IDAHO, MORE PARTICULARLY DESCRIBED AS
FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 23,
THE TRUE POINT OF BEGINNING AND RUNNING THENCE
SOUTH 0 DEGREES 01' EAST A DISTANCE OF 417.42 FEET TO
AN IRON PIN, THENCE
SOUTH 89 DEGREES 55' WEST A DISTANCE OF 208.71 FEET,
THENCE
NORTH 0 DEGREES 01' WEST A DISTANCE OF 417.42 FEET,
THENCE
NORTH 89 DEGREES 55' EAST A DISTANCE OF 208.71 FEET TO
THE TRUE POINT OF BEGINNING. (A BRONZE PLAT IN A 2"
IRON PIPE)

DATED This 12th day of October, 1993.

Craig T. Thomson
Craig T. Thomson

STATE OF IDAHO)
 : ss.
County of Ada)

On this 12th day of October, in the year of 1993, before
me, Carol Filler, the undersigned, a
Notary Public in Ada County, State of Idaho, personally appeared
CRAIG T. THOMSON, known or identified to me to be the person
whose name is subscribed to the within 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.



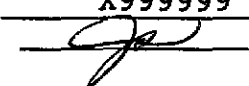
Carol Filler

Notary Public for the State of Idaho
Residing in Ada County, Idaho
My Commission Expires: 5-30-94

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: A65-11213B
Date Received: 3/09/1989
Receipt No: X999999
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ELDON DOWN 208-462-3370
Address: HC 76, BOX 2401
GARDEN VALLEY, ID 83622
2. Date of Priority: JUN 01, 1887
3. Source: LIGHTENING CREEK Trib. to: PAYETTE RIVER, MIDDLE FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	04E	24	SW	NW			BOISE

5. Description of diverting works:
DITCH FROM CK.-150' TO HEADGATE W/PIPE 2400' TO DITCH W/GRAV. IRRIG

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	04E	23	NE	NE		IRR	2.0
Section Acres							2.0

A65-11213B

Page 1

Date: 03/09/89

MICROFILMED
SEP 24 1992

10. Place of Use: Continued

Total Acres 2.0

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:

CLAIM NO. A65-07989(LIGHTENING CK.) & A65-10677(WELL).

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

MICROFILMED
SEP 24 1992

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ~~ED~~ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

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): Elton Down Date: 3-9-89

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of March 19 89 Jan Thutle
Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-14-94

ROY B. DUNDAS

1828 SAN JACINTO STREET

LOS ANGELES, CALIFORNIA 90028

5 January 1989

Dear Eldon,

Your note about the ditch repair being done was received and the info about the road from the gate up to the orchard being left in bad condition was noted also. Yes, I would appreciate it if you would see to it that the contractor fixes it when they come up in the spring to do some work for Evans.

Regarding the costs of the ditch repair. Evans sent you a copy of his letter of December 2 in which he listed the total cost of the repairs and how much would have to be paid by each of us (Evans, Schrader, Dundas). My share of the total cost of \$29,931.00 was 32%, or 9577.92. ASCS paid 75% of this, or 7183.00 and I paid 25% of it, or 2394.92. In addition to this there has been a bill in the amount of \$135.00 for removing some rocks from above the head gate. Evans said he discussed this with you. My share of this is 33.10. Therefore, I have paid a total of 2428.02 (2394.92 plus 33.10) for our share (yours, mine and Sellars) of the costs.

Somewhere (I can't tell you where, since I can't seem to find the information in my files. Perhaps Evans had gotten the info and told me on the phone?) I have the information that our (yours and mine) combined water usage from the Lightning Creek ditch is 1.38 CFS (maximum rate). Of this, 1.35 CFS is mine and .03 is yours (However, I do have a 1978 Listing of Water Rights that states your maximum rate is .04 CFS - which is correct?). .03 is 2.1739% of 1.38. 2.1739% of 2428.02 (the total am't I paid) is \$52.76. Since I've already paid for yours and mine, that is the amount you owe me. Where Sellars figures in on this, I don't know. Does he have any water rights? I certainly didn't give him any along with the land he bought from me - either directly or implicitly - so I'm a little puzzled by your inclusion of him in the deal.

I'm looking forward to seeing the completed work when I get up there this year. Sorry I didn't get there this last fall as I had said I would, but I'll definitely ~~stop there~~ stop there en route to Banff this June and look it over thoroughly. I'll let you know ahead of time when I'm coming.

Sincerely,

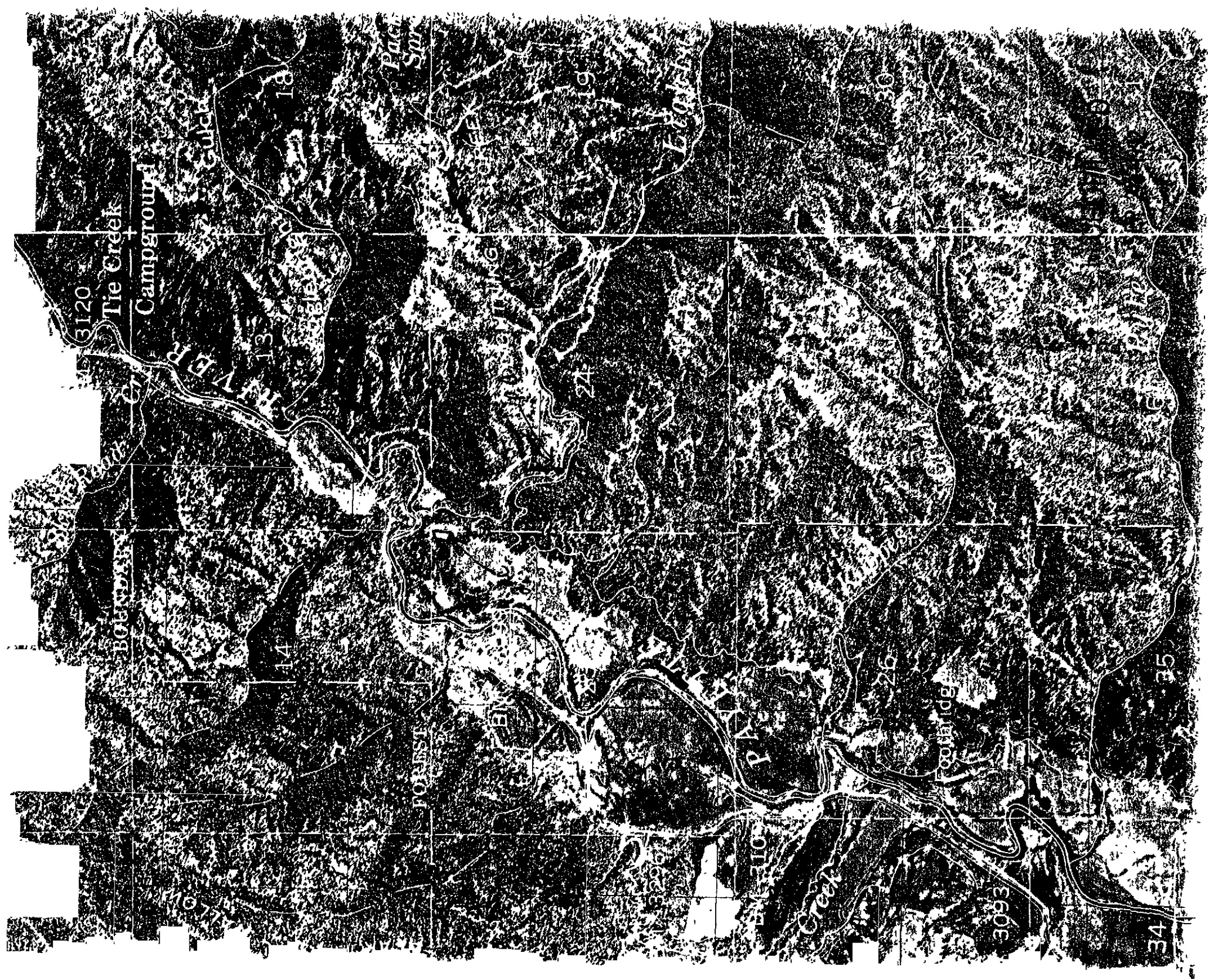
Roy

$$\begin{array}{r} 263 \\ 2 \overline{) 5276} \\ \underline{4} \\ 12 \\ \underline{12} \\ 0 \end{array}$$

*1.35 cfs - orig. orig. rt.
of which 2 acres are
owned by Mr. Dawn
pro-rated = .05 cfs
for 2 acres.*

$$\begin{array}{r} 26.25 \\ 3 \\ \hline 48.75 \end{array}$$

MICROFILMED
SEP 24 1992





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.

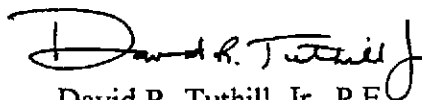
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without 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. R65-11213B

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

DATE: 10/18/99
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ELIZABETH MC INALLY	06/01/1887	IRRIGATION	01-01 12-31	0.050 CFS	
C	JAMES T MC INALLY					
	HC 76 BOX 2443					
	GARDEN VALLEY ID 83622					
	(208) 462-3877					
				TOTAL DIVERSION:	0.050 CFS	

Water Source: LIGHTENING CREEK

Tributary to: PAYETTE RIVER, MIDDLE FORK

Stage: DECREED

Point(s) of Diversion:

T10N R04E S24

SWNW

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
10N	04E	23	:	02																:	2.0
																				TOTAL ACRES	2.0

POU County: BOISE

Other Rights: CLAIM NO. A65-07989(LIGHTENING CK.) & A65-10677(WELL).

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 65-07989 IS LIMITED TO .03
CFS AT FIELD HEADGATE.

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

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

Comments: Date: 10/18/1999 User-ID: SBOCK Subject: COPIED FROM REMARKS
OWNERSHIP CHANGED BY LH 1/7/94.
OWNERSHIP CHANGED BY LH 9/25/96.
ADDRESS CHANGED PER REQUEST RECEIVED 1/27/97.

Audit: 10/18/99 SBOCK

AJ5809NP
No. R65-11213B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/27/99
PAGE: 162

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ELIZABETH MC INALLY	06/01/1887	IRRIGATION	01-01 12-31	0.05 CFS	
C	JAMES T MC INALLY HC 76 BOX 2443 GARDEN VALLEY ID 83622 (208) 462-3877					
TOTAL DIVERSION:					0.05 CFS	

Water Source: LIGHTENING CREEK

Tributary to: PAYETTE RIVER, MIDDLE FORK

Stage: DECREED

Point(s) of Diversion: T10N R04E S24 SNNW

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
10N	04E 23	:	02	:		:		:		:		:		:		:		2.0
TOTAL ACRES																	2.0	

POU County: BOISE

Non-Irrigation Uses: NONE

Other Rights: CLAIM NO. A65-07989(LIGHTENING CK.) & A65-10677(WELL).

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A65-11213A A65-11213B A65-11213C R65-11213A R65-11213C

Other Water Rights Listing Overlapping Place(s) of Use:
A65-07989 A65-11213 A65-11213A A65-11213B A65-11213C R65-07989 R65-11213A R65-11213C

Remarks: GEN OWNERSHIP CHANGED BY LH 1/7/94.
OWNERSHIP CHANGED BY LH 9/25/96.
ADDRESS CHANGED PER REQUEST RECEIVED 1/27/97.

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

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

Audit: 03/26/99 JSHURTE

QNT E27
@headgate

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

21:00:19
06/30/99

PAGE: 1
GENERAL INFORMATION

213
CLAIM NUMBER: A65-112138

LAST: MC INALLY
ADDRESS: HC 76 BOX 2443
CITY: GARDEN VALLEY
PHONE NUMBER: 208-462-3877

FIRST: ELIZABETH
STATE: ID ZIP: 83622

OWNER CODE: C

LAST: THOMSON
ADDRESS: HC 76 BOX 2401
CITY: GARDEN VALLEY
PHONE NUMBER: 208-462-3738

FIRST: DEBRA L
STATE: ID ZIP: 83622

OWNER CODE: O

LAST: MC INALLY
ADDRESS: HC 76 BOX 2443
CITY: GARDEN VALLEY
PHONE NUMBER: 208-462-3877

FIRST: JAMES T
STATE: ID ZIP: 83622

OWNER CODE: C

LAST: DOWN
ADDRESS: HC 76 BOX 2401
CITY: GARDEN VALLEY
PHONE NUMBER: 208-462-3370

FIRST: ELDON
STATE: ID ZIP: 83622

OWNER CODE: O

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN OWNERSHIP CHANGED BY LH 1/7/94.
OWNERSHIP CHANGED BY LH 9/25/96.
ADDRESS CHANGED PER REQUEST RECEIVED 1/27/97.

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A65-11213B PRIORITY DATE: 06-01-1887 STAGE: D

B. WR RECORD: # 65-11213 PRIORITY DATE: 06-01-1887 STAGE: D

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

Y(☒) N(☐)

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

Y(☐) N(☒)

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

Y(☐) N(☒)

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

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED

N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE

N/A(☒) Y(☐) N(☐)

LICENSE ISSUED

N/A(☒) Y(☐) N(☐)

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

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

N/A(☒) Y(☐) N(☐)

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

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(☐) N(☐)

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

06-01-1887

REVIEWED BY JB

DATE 10/18/99

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
A65-11213B	10N	04E	24		SW	NW			BOISE		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A65-11213A R65-11213A
A65-11213C R65-11213C

WR RECORDS IN SAME 40 ACRE TRACT
65-09668A

SOURCE: LIGHTNING CREEK

TRIB: PAYETTE RIVER, MIDDLE FORK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-11213	10N	04E	24		SW	NW			BOISE		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A65-11213A R65-11213A
A65-11213C R65-11213C

65-09668A

SOURCE: LIGHTNING CREEK
SPRINGS

TRIB: PAYETTE RIVER, MIDDLE FORK
SINKS

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

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

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

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

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

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

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

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

I. HOW WAS THE POD AND SOURCE VERIFIED?

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

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

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

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

TWP. 10N	RGE. 04E	SEC. 24	1/4	1/4 SW	1/4 NW	LOT	POD FLAG	COUNTY BOISE	DIVERSION NAME	DIVERSION NBR
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: Lightening Creek TRIB: Pey R Middle Fork

REVIEWED BY: SB DATE: 10/18/99

=====

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

A. ROOT WATER RIGHT NUMBERS: A65-11213B
A65-11213A
A65-11213C
R65-11213A
R65-11213B
R65-11213C

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10N	04E	23	NE	NE		MC INALLY, ELIZABETH	A65-11213B / 2.0	- /			
			NE	NE		SELLARS, WYLIA LEE	A65-11213C / 3.0	- /			
			NE	NE		MC INALLY, JAMES T	A65-07989 / 1.0	65-07989 / 1.0			
			NE	NE		INNOVATIVE LAND MANAGEMENT	A65-11213A / 22.0	- /			
			NE	NE		MC INALLY, JAMES T	R65-07989 / 1.0	- /			
			NE	NE		INNOVATIVE LAND MANAGEMENT	R65-11213A / 22.0	- /			
			NE	NE		MC INALLY, ELIZABETH	R65-11213B / 2.0	- /			
			NE	NE		SELLARS, WYLIA LEE	R65-11213C / 3.0	- /			
			NE	NE		DUNDAS, ROY B.		65-11213 / 27.0			
			NE	NE		SELLARS, DONALD R		65-12827 / 0.8			

ADDITIONAL POU FOUND

TOTAL ACRES A65-11213B

2.00

POU COUNTY: BOISE

2

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
A65-11213B	LIGHTENING CREEK	MC INALLY, ELIZABETH	0.050	0.025		
R65-07989	LIGHTNING CREEK	MC INALLY, JAMES T	0.030	0.030	3.00	3.00
A65-07989	LIGHTNING CREEK	MC INALLY, JAMES T	0.030	0.030	3.00	3.00
R65-11213A	LIGHTNING CREEK	INNOVATIVE LAND MANAGEMENT	1.280	0.027		
A65-11213A	LIGHTNING CREEK	INNOVATIVE LAND MANAGEMENT	1.280	0.027		
R65-11213B	LIGHTENING CREEK	MC INALLY, ELIZABETH	0.050	0.025		
R65-11213C	LIGHTNING CREEK SPRINGS	SELLARS, WYLIA LEE	0.080	0.026		
A65-11213C	LIGHTNING CREEK SPRINGS	SELLARS, WYLIA LEE	0.080	0.026		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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

Y(☒) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: CLAIM NO. A65-07989(LIGHTENING CK.) & A65-10677(WELL).

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

N/A() Y(☒) N()

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

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

N/A() Y(☒) N()

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

Y() N(☒)

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

Y() N(☒)

NOTES: _____

TOTAL ACRES: 2 N/A()

REVIEWED BY: 25

DATE: 10/18/97

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-11213B IRRIGATION	FROM 01-01 TO 12-31	0.050 CFS	
TOTAL DIVERSION RATE/VOLUME		0.050 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-11213 IRRIGATION	FROM 04-01 TO 11-01	1.350 CFS	
65-11213 STOCKWATER	FROM 01-01 TO 12-31	0.060 CFS	3.50 AF/A
65-11213 DOMESTIC	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
TOTAL DIVERSION RATE/VOLUME		1.450 CFS	3.50 AF/A

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

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

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

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

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

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

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

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

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

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

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

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

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

PAGE: 10

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CONTINUED

222

CLAIM NUMBER: A65-112138

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.050 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 1.450 CFS

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

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

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

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

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

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

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 2 x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)

2 x 0.02 = .06

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 = _____ AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

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

NOTES:

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	01-01	12-31	DATABASE 0.050	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 0.0	EXAMINER _____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
TOTAL FOR THIS RIGHT				_____		_____		_____

NON-IRRIGATION USES CLAIMED: NONE

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

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

QNT 227

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-11213

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 1.450	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-11213A	1.280	R65-11213A	1.280	65-11213	1.450
-	A65-11213B	0.050	R65-11213B	0.050	-	
-	A65-11213C	0.080	R65-11213C	0.080	-	
TOTAL CFS		1.410		1.410		1.450

DIVERSION RATE REVIEW

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

DATABASE	FIELD EXAMINER
N	Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: 22B DATE: 10/18/95

NAME OF FIELD EXAMINER: _____ TITLE: _____

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
(X) OTHER <u>GIS map</u>	DATE <u>7/27/99</u>	Y(~~X~~) N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

21:00:19
06/30/99

PAGE: 16
QUICKLOOK INFORMATION

228
CLAIM NUMBER: A65-112138

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					Deer	SB 10-18-99		
POINT OF DIV								
SOURCE	Y							
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

21:12:44
06/30/99
229

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-112138

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME																																																																																																																																																												
C	ELIZABETH MC INALLY	06/01/1887	IRRIGATION	01-01 12-31	0.05 CFS																																																																																																																																																													
C	JAMES T MC INALLY																																																																																																																																																																	
TOTAL DIVERSION:					0.05 CFS																																																																																																																																																													
Water Source: LIGHTENING CREEK		Tributary to: PAYETTE RIVER, MIDDLE FORK			Stage: DECREED																																																																																																																																																													
Point(s) of Diversion: T10N R04E S24		SWNW			BOISE County																																																																																																																																																													
Place of use Legal Description for: IRRIGATION																																																																																																																																																																		
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POU County: BOISE

Non-Irrigation Uses: NONE

Other Rights: CLAIM NO. A65-07989(LIGHTENING CK.) & A65-10677(WELL).

Remarks: GEN OWNERSHIP CHANGED BY LH 1/7/94.
OWNERSHIP CHANGED BY LH 9/25/96.
ADDRESS CHANGED PER REQUEST RECEIVED 1/27/97.

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

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

Idaho Department of Water Resources

Claim No: 65-11213B

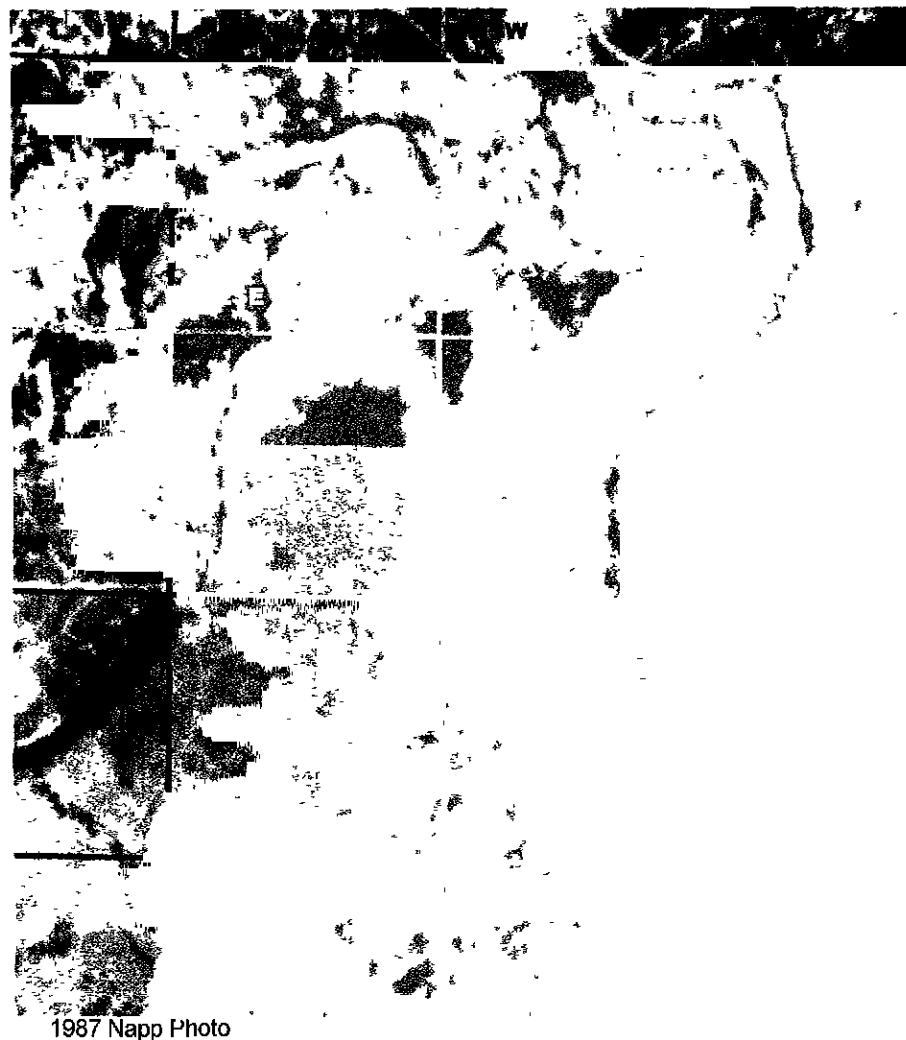
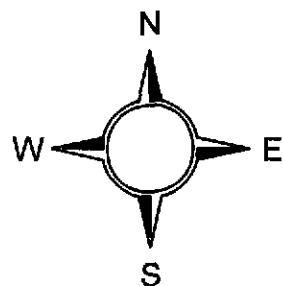
Claimant: McInally

Place of Use: T10N, R04E, S23

Prepared By: Karan Waters

Date: 7/27/99

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



0 0.25 0.5 Miles

A horizontal scale bar with three segments. The first segment is labeled "0", the second "0.25", and the third "0.5 Miles". The bar is black with white outlines.

Idaho Department of Water Resources

Claim No: 65-11213B

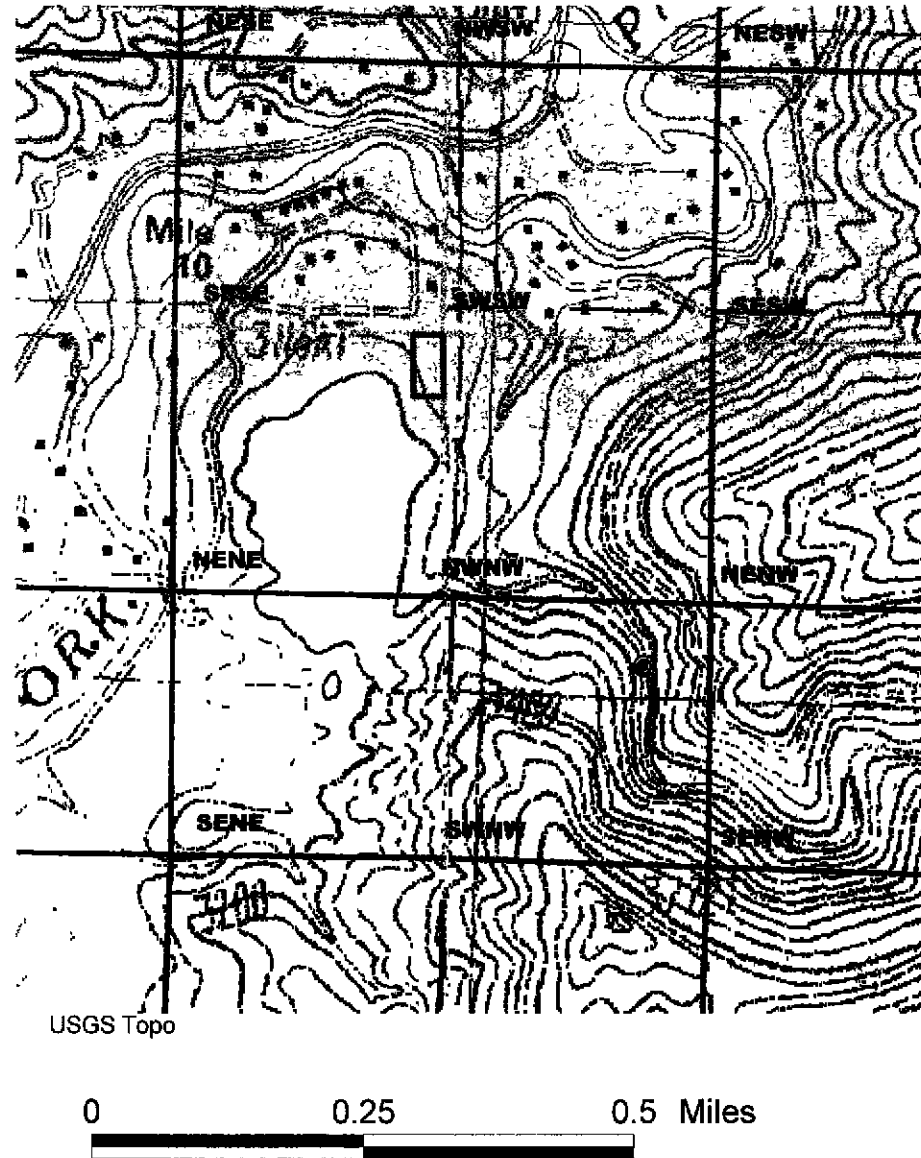
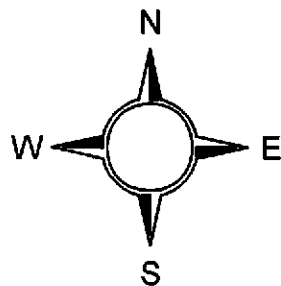
Claimant: McInally

Place of Use: T10N, R04E, S23

Prepared By: Karan Waters

Date: 7/27/99

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



MEMORANDUM

September 17, 1997

TO: CLAIM FILE NOS. A65-11213A, A65-11213B & A65-11213C

FROM: JAN SHURTE

RE: WATER DELIVERY COMPLAINT

On September 11, 1997, I received a phone call from Norene Shapel concerning a letter sent to her dated September 8, 1997, from Elizabeth and James McInally. Since I had spoke with Elizabeth McInally in February, 1997, I did recall some of the situation. This memo is being written to document what I have been told concerning this situation and what I have told those involved in case of future involvement by personnel of the Department.

When Elizabeth McInally first called it was concerning the fact that she did not receive her portion of Water Right No. 65-11213 as claimed under Claim No. A65-11213B. At that time she relayed to me that her understanding was that there had been a ditch from the creek and a pipeline used for irrigation of her property. It appeared to her that when the subdivision was developed about 4 years previously that the delivery system to her property had been covered up or destroyed. In the file for A65-11213B there was a copy of a letter from the previous owner of the subdivision land to the previous owner of McInally's property, Eldon Downs. This letter concerned some ditch repairs of which Eldon was to pay 2.1739% (assumed to be based on his 2 acres). This indicated that the Downs property had some interest in the ditch for the 2 acres which is now owned by McInally's. I advised Ms. McInally that the 5 year forfeiture time period was coming up and the water needed to be used again prior to this to avoid forfeiture or she should file an extension of time to avoid forfeiture. The last letter in the file was from Ms. McInally indicating that a neighbor, Mr. Shapel, was willing to help her get the water to her property.

Then, on September 3, 1997, Maria Minicucci received a call from Elizabeth McInally on her office day. She also sent an extension of time to avoid forfeiture form to her and could not recall what exactly she had told her that day.

On September 11, 1997, Norene Shapel called concerning a letter her son had received from Elizabeth McInally. This letter indicated that Ms. McInally was to receive water by September 15th or she would seek legal council with IDWR. After speaking with Maria and Dave Tuthill (to whom the letter had been cc'd), I told

Mrs. Shapel that the deadline was not a Departmental deadline and that Ms. McNally could speak with our attorneys, however, the Department does not give legal counsel to one wateruser in a water dispute. At that time Mrs. Shapel informed me that her understanding of the water situation is that previously the ditch did come from Lightning Creek and irrigated the plateau upon which the subdivision sits and that seepage water from the irrigation of the plateau flowed underground and downhill to come out of a rock outcropping area just above the McNally's land. At one time a perforated pipe had been put into this outcropped area to collect this seepage water and was used to irrigate the land now owned by Ms. McNally. She stated there never had been a ditch or pipeline from the ditch that actually delivered irrigation water to the McNally's land.

On September 12, 1997, Grant Yearsley, the developer of the subdivision, called to discuss the problem. He reiterated what Mrs. Shapel had told me and added that he felt the McNally's did have a portion of the water right, however, they did not have a vehicle with which to get the water. There was an idea to try and put back in the seepage pipe to get the wastewater to them, however, he was not sure they would now try to complete that idea. He also stated that when the new irrigation system was put in when the subdivision was built, they did not see any indication of a ditch or pipeline from the ditch going to the McNally's property.

Attached to this file is a copy of the field map showing the irrigation system and the blue line map showing the outline of the irrigated property. I cannot tell from these maps whether the lands of the McNally's were included under this right. It is unclear in the drawings, however, according to the letter from Eldon Downs it appears that land was paying part of the ditch costs which would indicate it received water somehow. Whether it was from a ditch via a pipeline or from seepage I cannot tell. This appears to me to be a civil matter on a ditch/pipeline delivery dispute. This memo will be placed in the above files for future use.



Amund

REFER TO LARGER SCALE MAP

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IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BOISE
IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS TO THE USE OF
DRAINAGE BASIN. WATER RIGHT

65-11213
J. D. No. Map No.
Fee Paid Receipt No.

Notice is hereby given that Roy B. Dundas (Name of Claimant)

1728 San Jacinto Street, Los Angeles, California, 90026 (Mailing Address) claims a right to the diversion

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

The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right)

(2) Describe the source of water: (Name of stream, lake, spring, etc., or groundwater) Lightning Creek (1819 to Mid-Fk Fork)

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: for irrigation and stock: springs for drinking water (2 1/2 to 3 1/2)

175.0 AFA TR. 1.35 CFS Use Irrigation Period of Use From 4-1 To 11-1
2.7 AFA TR. (CFS, GPD, AF) Use Domestic, irrigation, stock, etc. (Mo., Day) (Mo., Day)
1.2 AFA TR. 0.6 CFS Use Domestic, irrigation, stock, etc. (Mo., Day) (Mo., Day)
178.3 AFA TR. 0.4 CFS Use Domestic, irrigation, stock, etc. (Mo., Day) (Mo., Day)
182.0 AFA TR. (CFS, GPD, AF) Use Domestic, irrigation, stock, etc. (Mo., Day) (Mo., Day)
2.4 AFA TR. 1.00 CFS Use Domestic, irrigation, stock, etc. (Mo., Day) (Mo., Day)
1.2 AFA TR. 1.95 CFS Use Domestic, irrigation, stock, etc. (Mo., Day) (Mo., Day)
TOTAL QUANTITY CLAIMED: 4.55 CFS

Point of Diversion. Give location of point where water is diverted from its source due East of Iron, about 1/2 mile
Sec. 26, Twp. 27 N., Rge. 4 E., B.M.; additional points:

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
diversion dam and ditch

(6) A) 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

T	R	SEC.	NE 1/4	NW 1/4	SW 1/4	SE 1/4	TOTAL
			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	
		27	8	12			20

Western Regional Office Total No. of acres 20

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

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

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

(9) Remarks: (Source for this right are Lightning Creek & Springs.)

(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, permit, license, or claim filed with the Idaho Department of Water Resources.

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.

(Date)

State of ss. Organization

County of ss. Seal

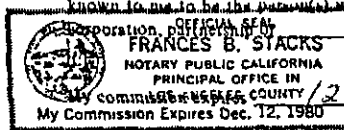
On this 12th day of March, 1979, in the year 1979, before me,

a notary public, personally appeared

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,

) executed the same.

Notary Public residing at Los Angeles, Cal.



12-80 2/15/79 3/15/78

RECEIVED

SEP 09 1997

Department of Water Resources

September 8, 1997

Mark Shapel
13 Apple Blossom Rd
Garden Valley, ID 83622

RECEIVED

SEP 16 1997

WATER RESOURCES
WESTERN REGION

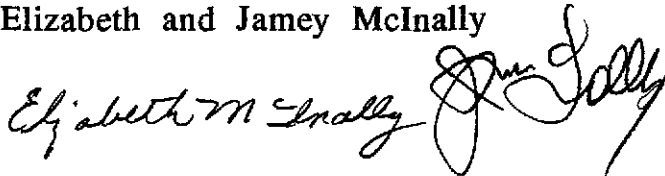
Re: Interruption of water. Ident. Number A65-11213B

Dear Mr. Shapel

We are requesting you turn our water to our property by September 15, 1997. As you know we have been requesting the water to be open all summer. We are now requesting in writing please respond within one week. If necessary we will be seeking legal council with the Idaho Department of Water Resources.

Sincerely,

Elizabeth and Jamey McNally



c.c. Grant Yearsley, Developer
Dave Tuthill, Adjudication Bureau Chief

Water Right #'s AGS-07989

AGS-10677

AGS-11213B

CHANGE IN AP

ght Number (s

Jan - Thank You so much
for your help. I have
talked to a neighbor
Mr. Shapel. He is willing
to help us get the water
to our property. We need
a copy of the compleat
file ~~and~~ including the
letters written by Eldon
Downs.

I'm sorry it took me
so long to get back to
you. Thank you again
for your help.

Elizabeth McNally
208 462 3877

RECEIVED

JAN 27 1997

WATER RESOURCES
WESTERN REGION

ing Address: ☒

ing Address: ☒

hone Number: ☒

of Claimant: ☒

Date: ☒

ONLY: ☒

w and Data-Entry ☒

0-97 By: ☒

: Needed: ☒

: Taken ☒

By: ☒

nd Data-Entry ☒

0-97 By: ☒



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 25, 1996

Re: Notices of Claim to a Water Right Nos. A65-07989, A65-10677,
A65-11213B

JAMES T MC INALLY
ELIZABETH MC INALLY
HC 76 BOX 2566
GARDEN VALLEY ID 83622

Mr. & Mrs. Mc Inally:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

If you have any questions concerning the enclosed claims, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:1

Enclosures

MICROFILMED
OCT 21 1996



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

January 7, 1994

Re: Notices of Claim to a Water Right Nos. A65-07989, A65-10677,
A65-11213B

Debra L. Thomson
HC 76 Box 2401
Garden Valley, ID 83622

Ms. Thomson:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

If you have any questions concerning the enclosed claims, please feel free to contact this office.

Sincerely,

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

LH:l
Enclosure

cc: Eldon Down

MICROFILMED

AUG 04 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

June 29, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Debra L. Thomson
HC 76 Box 2401
Garden Valley ID 83622

Dear Wateruser(s):

This office has reviewed the **Notice of Change of Water Right Ownership** form submitted to our office. However, due to the items checked below, we cannot continue to process this ownership change. We are returning the Notice of Change of Ownership to you to **COMPLETE OR RESEARCH ONLY THE FOLLOWING ITEM(S) SHOWING A CHECKMARK IN THE BLANK FOR THAT ITEM(S).**

_____ **There is no existing water right in our records either under the former owner's name or for the legal description given. If, after contacting the former owner, you find more information concerning a water right, please contact us.**

_____ **Legal description of property.** Please complete showing the legal description by 1/41/4 (40-acre tract), section, township and range for the property changing ownership. If you only have a subdivision lot & block legal description, please send us a copy of your subdivision plat map.

_____ **It appears you receive your water from an irrigation district, ditch company, municipality or community water company. If this is the case, then the water right remains in the name of this entity and you should contact them concerning the ownership change.**

X _____ **Name and address of former owner (seller).** This will clarify the original owner of the water right.

_____ **Name, address and phone number of new owner (purchaser)**

_____ **This change in ownership appears to result in a splitting of the water right. A split of the water right occurs when the ownership change affects only a portion of the original right. In order to accurately split this right we must know what portion of the right was sold. The amount of water in CFS, the place of use by 1/4 1/4 with the number of acres in each 1/41/4 (if applicable) and the point of diversion by 1/41/4, Section, Township and Range is needed. If this right is not being split, please submit proof of ownership for the remaining portion.**
Enclosed is a computer copy of this right for your review.

X _____ **Proof of ownership is needed. This proof can be a copy of the warranty deed, sales contract or tax assessment in your name which includes a description of this property by 1/41/4, Section, Township and Range.**

MICROFILMED

AUG 8 4 1994

X signature of new owner (purchaser) is needed on this form.

other: _____

Please complete the above item(s), if required, on the Notice of Change of Water Right Ownership form and return it with the requested information to the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705. If we do not hear from you within 30 days, the claim upon which this form was filed(if one exists), will remain in the original owner's name.

Feel free to contact this office if you have any questions concerning this letter.

Sincerely,

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

LH:1
Enclosures

MICROFILMED

AUG 04 1994