

No Color

Documents

In File

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A65-21769
Date Received: 8/23/1994
Receipt No: W017971
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JERRY W ABSHIRE 208-642-3662
Address: 10382 RAILROAD LANE
PAYETTE ID 83661
AND/OR
Name: DONNA L SILVA 208-642-3662
Address: 10382 RAILROAD LANE
PAYETTE ID 83661

2. Date of Priority: DEC 31, 1920

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	05W	27	SE	NW			PAYETTE

5. Description of diverting works:
WELL, 6" CASING, 3/4 HP ABOVE GROUND 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		
STOCKWATER	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 3 HORSES, 20 SHEEP

MICROFILMED
OCT 22 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	05W	27	SE	NW		DOMEST	
			SE	NW		STOCK	

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:

NONE

14. Remarks:

OWNERSHIP CHANGED BY LH 6/19/95.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type

(see instructions on back of page)

JUN 15 1995

WATER RESOURCES
WESTERN REGIONDATE OF CLOSING: 9-12-94

LEGAL DESCRIPTION OF PROPERTY: Township 9N Range 5W
 Section 27, 1/4 of SE 1/4 of NW 1/4, Govt. Lot _____, BM.
 Lot _____, Block, 28, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

see attached

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

☐ Water Right Number(s)

Assigned by IDWR: A65-21769

☐ Name and Address of Former

Owner/Claimant(s)(Seller): _____

☐ New Owner/Claimant

(Purchaser): _____

Jerry W Abshire & Donna L. Silva

☐ New Mailing Address:

10382 Railroad LanePayette ID 83661

☐ New Telephone Number:

(208) 642 - 3662

☐ 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)

Jerry W. Abshire
Donna L. Silva

Date 6-14-95Date 6-14-95

☐ 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: 6-19-95 By: JA

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 6-19-95 By: JA

Claim Numbers of Split, if any:

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

OCT 22 1996

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

WARRANTY DEED

For Value Received

TERRY L. BOWERS and CINDY L. BOWERS, husband and wife,

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

JERRY W. ABSHIRE and DONNA L. SILVA, husband and wife,

the grantee s, whose current address is 10382 Railroad Lane, Payette, ID 83661

the following described premises, in Payette County Idaho, to-wit:

Land in the County of Payette, Idaho, as follows:
 In ASSESSOR'S PLAT OF NORTH PAYETTE, as per Plat in Book 1, Page 23,
 Plat Records, Payette County, Idaho:

Block 28 SAVE AND EXCEPTING the South 100 feet thereof, said tract
 of land being situate in the SE¼NW¼ of Sec. 27, Twp. 9 N. R. 5 W.,
 B.M.

TOGETHER WITH all water and water rights, ditches and ditch rights,
 tenements and hereditaments, appurtenances and fixtures, and permits
 and licenses belonging thereto or in anywise appertaining, including
 three (3) shares in the Lower-Payette Ditch Company.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s,
 their heirs and assigns forever. And the said Grantor s do hereby covenant to and
 with the said Grantee s, that they are the owner s in fee simple of said premises; that they are free
 from all incumbrances excepting reservations, easements, incumbrances,
 restrictions and rights of way appearing of record and/or existing,

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

Dated: Sept. 8, 1994

Terry L. Bowers
 TERRY L. BOWERS

Cindy L. Bowers
 CINDY L. BOWERS

STATE OF IDAHO, COUNTY OF Payette
 On this 8th day of Sept., 1994,
 before me, a notary public in and for the said State, per-
 sonally appeared

Terry L. Bowers and Cindy L. Bowers

known to me to be the person s whose name s are
 subscribed to the within instrument, and acknowledged to
 me that they executed the same

Deborah L. Heston
 Notary Public
 Residing at Payette, Idaho
 Comm. Expires 12-1-98

STATE OF IDAHO, COUNTY OF Payette
 I hereby certify that this instrument was filed for record at
 the request of Land Title Insurance Company

at 40 minutes past 10:00 o'clock A.M.
 this 12 day of Sept 1994, in my office, and duly recorded in Book 48
 of Deeds at Page 251879

LAURA L. STIGILE
 Ex-Officio Recorder

By Deborah L. Heston Deputy

Fees \$ 3.00
 Mail to

INSTRUMENT NO.

251879

RECEIVED

JUN 09 1995

WATER RESOURCES
WESTERN REGION

RECEIVED

JUN 15 1995

WATER RESOURCES
WESTERN REGION

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OCT 22 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: A65-21769
Date Received: 8/23/1994
Receipt No: W017971
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TERRY L BOWERS 208-642-9582
Address: 10382 RAILROAD LN
PAYETTE ID 83661
AND/OR
Name: CINDY L BOWERS 208-642-9582
Address: 10382 RAILROAD LN
PAYETTE ID 83661

2. Date of Priority: DEC 31, 1920

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	05W	27	SE	NW			PAYETTE

5. Description of diverting works:
WELL, 6" CASING, 3/4 HP ABOVE GROUND 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		
STOCKWATER	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 3 HORSES, 20 SHEEP

MICROFILMED
OCT 22 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	05W	27	SE	NW		DOMEST	
			SE	NW		STOCK	

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:

NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Identification No. AL5-21769
Date Received 8-23-94
Receipt Number 2017971

**NOTICE OF CLAIM
TO A
WATER RIGHT**
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

RECEIVED

AUG 23 1994

WATER RESOURCES
WESTERN REGION

Filing Fee \$25

Please type or print clearly

- Name of Claimant (s) Terry L. & Cindy L. Bowers Phone (208) 642-9582
Mailing Address 10382 Railroad Ln, Payette ID Zip 83661
- Date of Priority (Only one per claim) 1920 Month/Day/Year
- Source of water supply (Check one) (X) Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source
- Location of point of diversion is: Township 9 North Range 5 West
Section ~~27~~ 27, ~~1/4~~ 1/4 of SE 1/4 of NW 1/4, Govt. Lot _____, BM., Blk 28
County of Payette
Additional points of diversion if any: _____
- 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. Well, 6" casing, depth unknown, 3/4 h.p. above ground pump
- Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For domestic purposes from 1-1 to 12-31 amount 0.04 (cfs)
(Both dates are inclusive)
For stockwater purposes from 1-1 to 12-31 amount 0.04
- Total quantity claimed 0.04 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served if single owner; stockwater: give number and Number of livestock) Domestic: 1 Stockwater: Horses - 3, Sheep - 20 head

MICROFILMED
OCT 22 1996

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: 9 N. Range 5 W
Section 27, SE 1/4 of NW 1/4, Govt. Lot _____, B.M., Blk. 28
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

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 none

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 X 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) Cindy L Bowers Date 8-22-94
_____ Date _____

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

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 22 day of August 1994

SEAL

Notary Public Donna M. Jones

Residing at Payette

My Commission Expires 8/13/2000

Last Name Jones Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

OCT 22 1996

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.

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: 65-21769

DONNA L SILVA
10382 RAILROAD LN
PAYETTE ID 83661
Telephone Number: (208)642-3662

JERRY W ABSHIRE
10382 RAILROAD LN
PAYETTE ID 83661
Telephone Number: (208)642-3662

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: 4-5-01 SIGNATURE: Jerry W. Abshire
Please print your name: JERRY W. ABSHIRE

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

01/10/2001

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

RIGHT NUMBER: 65-21769

NAME AND ADDRESS: JERRY W ABSHIRE
DONNA L SILVA
10382 RAILROAD LN
PAYETTE, ID 83661

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 10/19/1977

POINT OF DIVERSION: T09N R05W S27 SENW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

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

PLACE OF USE:

STOCKWATER Within PAYETTE County
T09N R05W S27 SENW
DOMESTIC Within PAYETTE County
T09N R05W S27 SENW

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

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

STOCKWATER, 3 HORSES, 20 SHEEP
PARCEL NO. RP 01520028000

AJ0749NP
No. R65-21769

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

DATE: 04/24/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JERRY W ABSHIRE	10/19/1977	STOCKWATER	01-01 12-31	0.040 CFS	1.2
C	DONNA L SILVA 10382 RAILROAD LN PAYETTE ID 83661 (208) 642-3662		DOMESTIC	01-01 12-31	0.040 CFS	1.2
TOTAL DIVERSION:					0.040 CFS	2.4

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T09N R05W S27

SENW

PAYETTE County

Place of use Legal Description for: STOCKWATER

	NE				NW				SW				SE			
T R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
09N 05W 27	:		:		:		:		:		:		:		:	

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
T R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
09N 05W 27	:		:		:		:		:		:		:		:	

POU County: PAYETTE

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

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.
- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks: EXP STOCKWATER, 3 HORSES, 20 SHEEP

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Parcel #
RP 01520028000

AJ0749NP
No. R65-21769

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

DATE: 03/05/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JERRY W ABSHIRE	10/19/1977	STOCKWATER	01-01 12-31	0.04 CFS	
C	DONNA L SILVA		DOMESTIC	01-01 12-31	0.04 CFS	
	10382 RAILROAD LN					
	PAYETTE ID 83661					
	(208) 642-3662			TOTAL DIVERSION:	0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T09N R05W S27

SENW

PAYETTE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
09N	05W	27	:																	:

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
09N	05W	27	:																	:

POU County: PAYETTE

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

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.

Remarks: EXP STOCKWATER, 3 HORSES, 20 SHEEP
PARCEL NO. RP 01520028000

Dates: Exam Made Date: Verified Date: 03/05/1998 Objection Filed Date:

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

AJ0749NP
No. R65-21769

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

DATE: 03/05/98
PAGE: 2

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Comments: Date: 02/23/1998 User-ID: SEGBERT Subject: COPIED FROM REMARKS
OWNERSHIP CHANGED BY LH 6/19/95.

Audit: 03/05/98 DBUFFING

AJ0749NP
No. R65-21769

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

DATE: 02/23/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JERRY W ABSHIRE	10/19/1977	STOCKWATER	01-01 12-31	0.04 CFS	
C	DONNA L SILVA 10382 RAILROAD LANE PAYETTE ID 83661 (208) 642-3662		DOMESTIC	01-01 12-31	0.04 CFS	
				TOTAL DIVERSION:	0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T09N R05W S27 SENW

PAYETTE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
09N	05W	27	:																

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
09N	05W	27	:																

POU County: PAYETTE

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

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.

Remarks: EXP STOCKWATER, 3 HORSES, 20 SHEEP
PARCEL NO. RP 01520028000

Dates: Exam Made Date: Verified Date: 02/23/1998 Objection Filed Date:

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

AJ0749NP
No. R65-21769

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

DATE: 02/23/98
PAGE: 2

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Comments: Date: 02/23/1998 User-ID: SEGBERT Subject: COPIED FROM REMARKS
OWNERSHIP CHANGED BY LH 6/19/95.

Audit: 02/23/98 SEGBERT

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-26-1997

PAGE: A-574

RIGHT NUMBER: 65-21769

NAME & ADDRESS: JERRY W ABSHIRE
DONNA L SILVA
10382 RAILROAD LANE ✓
PAYETTE ID 83661

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 12/31/1920

POINT OF DIVERSION: T09N R05W S27 SENW ✓ Within PAYETTE County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.04 CFS
	DOMESTIC DOMESTIC, 1 HOME; STOCKWA	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within PAYETTE County
T09N R05W S27 SENW ✓

DOMESTIC Within PAYETTE County
T09N R05W S27 SENW ✓

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

OWNERSHIP CHANGED BY LH 6/19/95.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP 01520028000

Verified by

Duf

Date: 12-22-97

Verification Source:

Cly Alpha



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

June 19, 1995

Re: Notice of Claim to a Water Right No. A65-21769

Jerry W. Abshire
Donna L. Silva
10382 Railroad Lane
Payette, ID 83661

Mr. Abshire & Ms. Silva:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

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

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

Sincerely,

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

LH:1
Enclosure

MICROFILMED

OCT 22 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

JUNE 12, 1995

JERRY W ABSHIRE
DONNA L SILVA
10382 RAILROAD LANE
PAYETTE ID 83661

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

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.

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

X _____ 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.

_____ 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.

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

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OCT 22 1996

WARRANTY DEED

For Value Received

TERRY L. BOWERS and CINDY L. BOWERS, husband and wife,

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

JERRY W. ABSHIRE and DONNA L. SILVA, husband and wife,

the grantee s, whose current address is 10382 Railroad Lane, Payette, ID 83661

the following described premises, in Payette County Idaho, to-wit:

Land in the County of Payette, Idaho, as follows:

In ASSESSOR'S PLAT OF NORTH PAYETTE, as per Plat in Book 1, Page 23, Plat Records, Payette County, Idaho:

Block 28 SAVE AND EXCEPTING the South 100 feet thereof, said tract of land being situate in the SE1/4 of Sec. 27, Twp. 9 N. R. 5 W., B.M.

TOGETHER WITH all water and water rights, ditches and ditch rights, tenements and hereditaments, appurtenances and fixtures, and permits and licenses belonging thereto or in anywise appertaining, including three (3) shares in the Lower-Payette Ditch Company.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the said Grantor s do hereby covenant to and warrant that the Grantee s, that they are the owner s in fee simple of said premises; that they are free from all encumbrances excepting reservations, easements, incumbrances, restrictions and rights of way appearing of record and/or existing,

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

Dated. Sept. 8, 1994

Terry L. Bowers
TERRY L. BOWERS

Cindy L. Bowers
CINDY L. BOWERS

STATE OF IDAHO, COUNTY OF Payette
On this 8th day of Sept. 1994,
before me, a notary public in and for the said State, personally appeared

Terry L. Bowers and Cindy L. Bowers

known to me to be the person s whose name s are subscribed to the within instrument, and acknowledged to me that they executed the same.

Deborah J. Stigile
Notary Public
Residing at Payette, Idaho
Comm. Expires 12-1-98

STATE OF IDAHO, COUNTY OF Payette
I hereby certify that this instrument was filed for record at the request of Land Title Insurance Company

at 40 minutes past 10:00 o'clock A.M.,
this 12 day of Sept 1994, in my office, and duly recorded in Book 48 of Deeds at Page 251879

LAURA L. STIGILE
Ex-Officio Recorder

By *Deborah J. Stigile* Deputy.

Fees \$ 300
Mail to:

INSTRUMENT No.

251879

RECEIVED
JUN 09 1995
WATER RESOURCES
WESTERN REGION

MICROFILMED
OCT 22 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

FEBRUARY 8, 1995

TERRY L BOWERS
CINDY L BOWERS
10382 RAILROAD LN
PAYETTE ID 83661

Dear Claimant(s):

We have processed your Notice(s) of Claim to a Water Right filed in the Snake River Basin Adjudication.

In the initial review of this claim(s) we found it necessary to either complete or change an item or items on your claim form(s). A copy of the computer generated copy with these changes and the receipt for the filing fee previously submitted are enclosed. **ONLY THE ITEM(S) SHOWN BELOW WITH A CHECKMARK HAVE BEEN EITHER CHANGED OR ADDED TO YOUR CLAIM(S). IF AN ITEM IS NOT CHECKMARKED, IT IS NOT PERTINENT TO THIS CLAIM(S).**

X Item #2 - Only a portion of your priority date was listed. This item requires a month, day and year. We have added in the required information based on the Department's rules for dates of priority.

Item #4 - The point of diversion appears to be incorrectly described or not described at all. Based on other information provided which included your legal description, we have added in the quarter-quarter, section, township and range. If you had listed the Lot, Block and Subdivision name, enclosed is a copy of the subdivision map from which we computed the quarter-quarter legal description.

Item #5 - No description of diverting works was listed. Because the source was described as a groundwater source, we have completed this item with well, pump and pipeline. If your groundwater source is not a well, please notify us.

Item #6 - The period of use is not listed for the use(s) claimed. The Department has recommended periods of use for certain uses. The recommended period of use has been added to your claim. MICROFILMED

OCT 22 1990

_____ Item #7 - The total quantity claimed was not completed.
The use(s) claimed have been added together and
this amount added to your claim.

_____ Item #9 - The number of homes was not listed on your claim.
It appears to be filed for one domestic home and
this information has been added to your claim.

_____ Item #10- The place of use appears to be incorrectly
described, or not described at all. Based on
other information submitted we have added in the
quarter-quarter, section, township and range.
If you had listed the Lot, Block and Subdivision
name, we have enclosed a copy of the subdivision
map from which we computed the quarter-quarter
legal description. Or, if you have listed a
quarter-quarter legal description under Item No.
4, we have listed this same quarter-quarter,
section township and range on this item.

_____ Item #12- The ownership of the place of use has not been
marked. We have assumed you own the place of use
and this information has been added to your
claim.

_____ Item #15- Basis of Claim was not completed. No previously
recorded water rights were found, therefore, we
have marked beneficial use of the water as the
basis for filing this claim.

_____ Other _____

If you have any problems or questions concerning these additions
and/or changes, please contact this office within 30 days from the
date of this letter. If we do not hear from you within this time, we
will assume you agree with these changes, and your claim will remain
on file as shown on the enclosed data entered copy.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office

Enclosures

**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.**

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OCT 22 1996