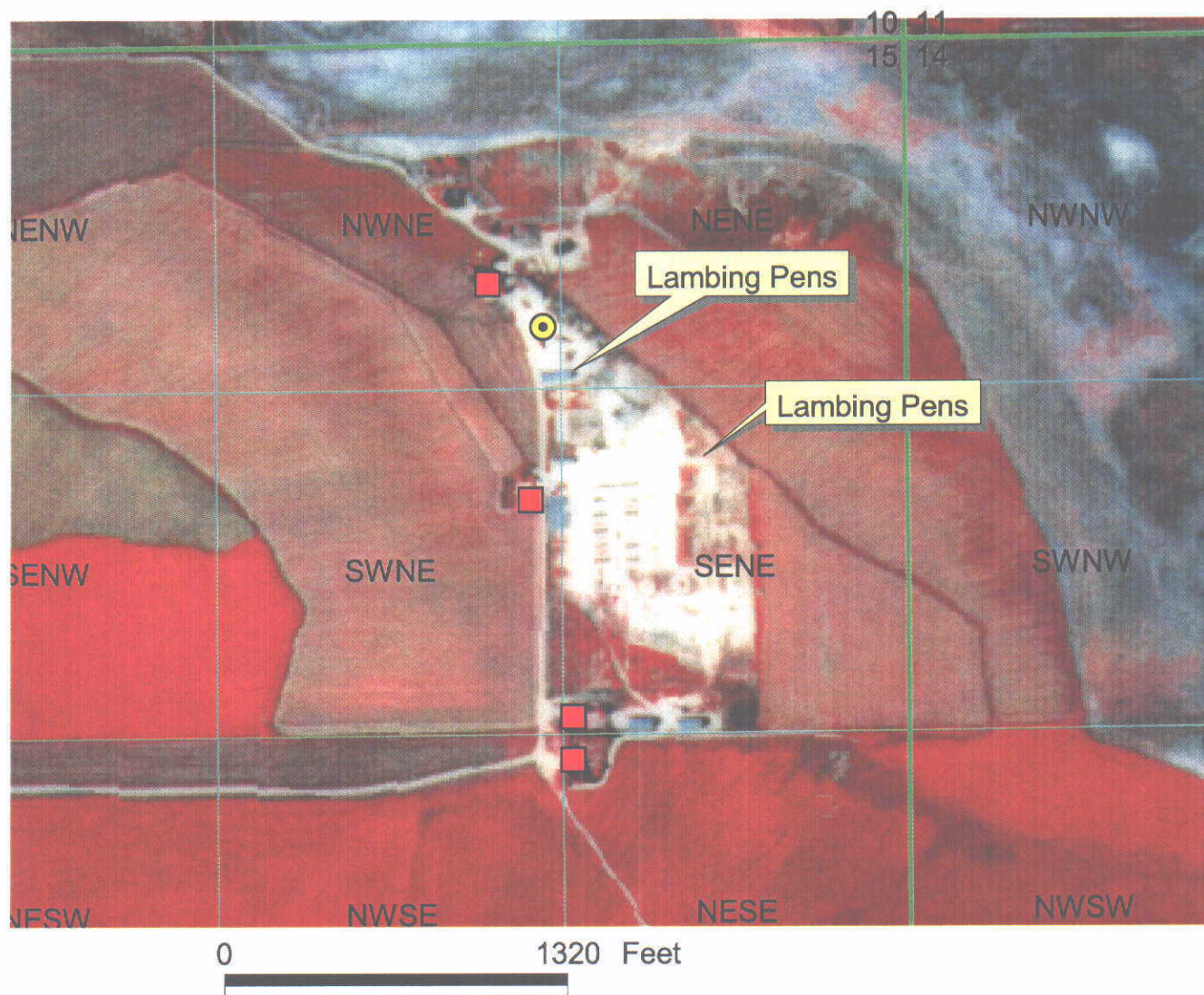


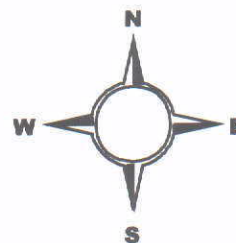
# Idaho Department of Water Resources

## Water Right 33-10080



Township 5 North Range 29 East  
Section 15

-  Well
-  Homes
-  Section Lines
-  Quarter-Quarter Sections



GIS Place of Use Illustration  
1987/1988 NAPP Photography  
Prepared by Bryce A. Contor  
November, 1999

For general information  
Pertaining to all Mays  
Land and Livestock claims  
See A33-00017A

November 23, 1999

**NOTICE OF ERROR  
REPLY**

RECEIVED

JAN 07 2000

Department of Water Resources  
Eastern Region

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: December 10, 1999**

Water right number: 33-10080

MAYS LAND AND LIVESTOCK INC  
PO BOX 1  
HOWE ID 83244

Daytime Telephone Number:

Evening Telephone Number:

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:

1/07/00

SIGNATURE:

Please print your name:

James G. Mays

A33-10080  
MAYS LAND AND LIVESTOCK INC  
PO BOX 1  
HOWE

ID 83244

(K)

NEEDS:

- ☒ PROOF OF PRIORITY
- ☐ How MANY HOMES OFF THIS WELL?
- ☐ Photo or Well
- ☐ Δ P.O.U. TO SENE



A3310080

D/S (10,000 Sheep)

To: File A33-10080  
From: Bryce A. Contor  
Date: 11/13/1999

*Bryce A. Contor*

Re: Diversion Rate

In 1997 I measured this well for water measurement district purposes. I got a poor reading of about 60 - 65 gpm = approx 0.14 cfs. Theoretical calculation based on motor horsepower, estimated discharge pressure, and user-reported PWL is:

$$\text{GPM} = \text{Water HP} * 3960 / (\text{Total Dynamic Head})$$

Assume:

Water HP = Motor HP \* 50% efficiency for small motors

Friction = 20 feet

Discharge pressure = 40 psi

$$\text{GPM} = \frac{7 * 50\% * 3960}{(600 + 20 + 40 * 2.31)} = 19.5$$

Even though the measurement was very poor, I give the user the benefit of the doubt and recommend the higher, measured diversion rate of 0.14 cfs.

To: File A33-10080  
Fr: Bryce A. Contor  
Date: 11/13/1999  
  
Re: POU, number of homes

In 1997 I visited the Mays farmstead in connection with Water Measurement District business, and again in 1999 I visited in connection with Adjudication.

The attached GIS illustration shows the approximate locations of the features of place of use. The recommendation reflects these uses and locations.

VALUATION SUMMARY SHEET

TIME: 10:01:03

PARCEL NUMBER: RP 05N29E150100 A PROPERTY ADDRESS:

EFFECTIVE DATE: 01/01/1997  
EXPIRATION DATE: 00/00/0000

TAX CODE AREA: 01000

NAME: MAYS LAND & LIVESTOCK

LEGAL: N2  
N2SW4  
SE4SW4  
SE4  
SEC 15

ADDRESS: P.O. BOX 1

COMMENT 1:  
COMMENT 2:

HOME ID 83244

OLD PARCEL #: RP05N29E150100A

CAT SHI BY QUANTITY UN MARKET VALUE NO VALUE NO EXEMPT CB VALUE OTHER EXEMP

|             |      |         |    |         |        |        |  |
|-------------|------|---------|----|---------|--------|--------|--|
| 116.08      | 1996 | 562.200 | AC | 219,258 |        |        |  |
| 5 dry       | 1996 | 32.800  | AC | 1,017   |        |        |  |
| 10 homesite | 1996 | 5.000   | AC | 7,000   |        |        |  |
| 31 house    | 1996 |         |    | 181,060 | 96,390 | 48,195 |  |
| 32 other    | 1996 |         |    | 66,340  |        |        |  |

TOTALS: 600.000 474,675 96,390 48,195

DEED REFERENCES: RELATED PARCELS: SUB-SYSTEMS: HOMEOWNERS: YES  
DATE: 00/00/0000 MH000000000290A ZONING: PHOTO NUMBER:  
MAP NUMBER: INSP YEAR: 1996  
SW UNITS: SW TYPES: PARCEL TYPE: LOCATION CODE: 0000

TAX SPECIALS:  
993

|                              |          |         |              |            |    |
|------------------------------|----------|---------|--------------|------------|----|
| NATURE SAVER™ FAX MEMO 01516 |          | Date    | 8-21         | # of pages | 16 |
| To                           | IDWK     | From    | Laurie       |            |    |
| Co./Dept.                    |          | Co.     | Butte County |            |    |
| Phone #                      | 327-7866 | Phone # | 527-8288     |            |    |
| Fax #                        | 327-5400 | Fax #   |              |            |    |

Mays Land & Livestock, Inc.

P.O. Box 1  
Howe, Idaho 83244  
(208) 767-3405

RECEIVED

APR 12 1993

Department of Water Resources  
Eastern District Office

James G. Mays, President  
Donna K. Mays, Sec.-Treas.

April 8, 1993

Mr. Eric Verner  
State of Idaho  
DEPARTMENT OF WATER RESOURCES  
900 N. Skyline Dr.  
Idaho Falls, Idaho 83402-1718

RE: EVIDENCE OF PRIORITY \*\*\*A33-10080\*\*\*

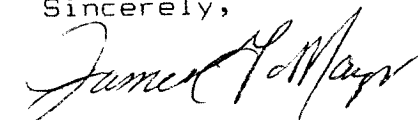
Dear Mr. Verner:

The above referenced claim (A33-10080) is for Domestic and Stock water use. My father, who passed away in 1991 was the one who listed 1900 as the priority date. In talking with his brother Carl Mays of The Dalles, Oregon, a date that he can distinctly remember considering the well was in 1927 when the existing well went dry and they had to deepen the well to 450 feet in order to have sufficient stock and domestic water.

Our neighbor, Mr. Robert R. Mays states that he can remember that time in 1927 also, because my father had to herd the livestock to his place in order to drink until the well was deepened. Therefore, I presume that it would be better at this time to change the date of Priority to 1927. Enclosed find affidavit from our neighbor Robert R. Mays.

Please advise of procedure now to change date of priority.

Sincerely,



James G. Mays

MICROFILMED  
APR 15 1994

Mays Land & Livestock, Inc.

P.O. Box 1  
Howe, Idaho 83244  
(208) 767-3405

RECEIVED

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DEPARTMENT OF WATER RESOURCES  
900 N. Skyline Dr.  
Idaho Falls, Idaho 83402-1718

RE: EVIDENCE OF PRIORITY \*\*\*A33-10080\*\*\* \*\*\* AFFIDAVIT \*\*\*

Dear Mr. Verner:

The above referenced claim (A33-10080) is for Domestic and Stock water use as claimed by Mays Land & Livestock, Inc. The date of priority that can best be documented was when the well went dry in 1927 and had to be deepened.

\*\* AFFIDAVIT \*\*

Our neighbor, Mr. Robert R. Mays states that he can remember the time in 1927, because my father had to herd the livestock to his place in order to drink until the well was deepened. Enclosed find Robert R. Mays, notarized signature confirming the deepening of the existing well in 1927.

IN WITNESS WHEREOF, Mr. Robert R. Mays to the best of his knowledge confirms the above priority date of 1927.

*Robert R. Mays*

Robert R. Mays

STATE OF IDAHO )  
: SS  
COUNTY OF BUTTE )

On this 8th day of April, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared ROBERT R. MAYS, known to me to be the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that they 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 J. West*  
NOTARY PUBLIC FOR IDAHO  
Residing at Howe, Idaho  
My Commission expires at 1-4-96

APR 15 1993

# Mays Land & Livestock, Inc.

P.O. Box 1  
Howe, Idaho 83244  
(208) 767-3405

RECEIVED

APR 12 1993

Department of Water Resources  
Eastern District Office

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Donna K. Mays, Sec.-Treas.

April 8, 1993

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State of Idaho  
DEPARTMENT OF WATER RESOURCES  
900 N. Skyline Dr.  
Idaho Falls, Idaho 83402-1718

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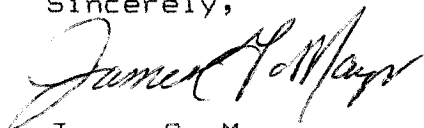
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Please advise of procedure now to change date of priority.

Sincerely,

  
James G. Mays

MICROFILMED  
APR 15 1994

Mays Land & Livestock, Inc.

P.O. Box 1  
Howe, Idaho 83244  
(208) 767-3405

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April 8, 1993

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State of Idaho  
DEPARTMENT OF WATER RESOURCES  
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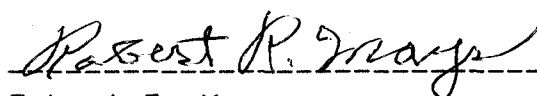
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The above referenced claim (A33-10080) is for Domestic and Stock water use as claimed by Mays Land & Livestock, Inc. The date of priority that can best be documented was when the well went dry in 1927 and had to be deepened.

\*\* AFFIDAVIT \*\*

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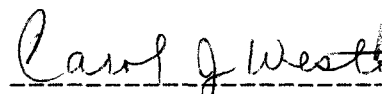
IN WITNESS WHEREOF, Mr. Robert R. Mays to the best of his acknowledge confirms the above priority date of 1927.

  
Robert R. Mays

STATE OF IDAHO )  
: SS  
COUNTY OF BUTTE )

On this 8th day of April, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared ROBERT R. MAYS, known to me to be the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that they 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.

  
NOTARY PUBLIC FOR IDAHO  
Residing at Howe, Idaho  
My Commission expires at APR 15 1994

MICROFILMED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

09:15:49  
05/05/93

PAGE: 1  
GENERAL INFORMATION

CLAIM NUMBER: A33-10080

LAST: MAYS LAND AND LIVESTOCK INC  
ADDRESS: PO BOX 1  
CITY: HOME  
PHONE NUMBER: 208-767-3405

FIRST:

STATE: ID ZIP: 83244

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE  
Y

FIELD  
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: THE WELL SERVES THE HOME, SHOPS, BARN AND SHEDS ON THE RANCH.  
IT ALSO SERVES AS THE SOURCE OF WATER FOR 10,000 SHEEP.

*cc: Comments*

FIELD EXAMINATION INFORMATION

CONTACT PERSON: *Ar Rumbey*

PHONE NUMBER: ( ) - -

DATE OF FIELD EXAM: *6/19/96*

TIME: *9:30* A(✓) P( )

ACCOMPANIED BY: *James Mays*

PHONE NUMBER: ( ) - -

RELATIONSHIP TO CLAIMANT: *Owner*

DIRECTIONS TO PROPERTY / NOTES:

*Met with James, as appointed, discussed irrigation systems, lands served, and  
communities on waters. Also discussed this claim and number of sheep intended  
from this source.*

A. AJ CLAIM: # A33-10080 PRIORITY DATE: 06-01-1900 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED?  
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) Y  
FIELD EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y( ) N( )

NOTES: EVIDENCE OF PRIORITY REQUESTS CHANGING PRIORITY DATE FROM 1900 TO 1927.  
SINCE NO SPECIFIC DATE IS REQUESTED OR ENDORSED FOR 1927, DOCUMENT 31  
WILL BE USED PER DEPT POLICY. SEE PAGE OF PRIORITY EVIDENCE, 2 PAGES,  
ATTACHED.

RECOMMENDED PRIORITY DATE:

12-01-1927

REVIEWED BY

*[Signature]*

DATE

31 June 96

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. | RGE. | SEC. | 1/4 | 1/4 | LOT | CNTY  |
|-----------|------|------|------|-----|-----|-----|-------|
| A33-10080 | 05N  | 29E  | 15   | SW  | NE  | NE  | BUTTE |

| OTHER AJ CLAIMS WITH SAME AJ POD | WR RECORDS IN SAME 40 ACRE TRACT |
|----------------------------------|----------------------------------|
| A PREFIX                         |                                  |
| NONE                             | NONE                             |
| R PREFIX                         |                                  |
| NONE                             | NONE                             |

**SOURCE: GROUNDWATER**

**TRIB:**

**B. WR POINT OF DIVERSION AND SOURCE:**

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

**SOURCE: NO SOURCE FOR RECORD**

TRIB: NO TRIBUTARY FOR RECORD

### C. FIELD EXAM REQUIRED?

|                            |       |                |
|----------------------------|-------|----------------|
| DUE TO POD DISCREPANCY?    | (Y/N) |                |
| DUE TO SOURCE DISCREPANCY? | (Y/N) |                |
| DATABASE                   | Y     | EXAMINER _____ |
|                            | Y     |                |

**NOTES:**

## RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

[illegible]

SOURCE: GROUNDWATER TRIB: —

REVIEWED BY: ABE LINN DATE: 21 JUN 96

SYSTEM DESCRIPTION:

A. ROOT WATER RIGHT NUMBERS: A33-10080

B. POU LISTING

TWP RNG SEC 1/4 1/4 LOT NAME

| 05N 29E 15 | NE | NE                          | MAYS LAND AND LIVESTOCK INC | AJ<br>#/ACRES | WR<br>#/ACRES | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|------------|----|-----------------------------|-----------------------------|---------------|---------------|-----------------|----------------|------------------|
| NE         | NE | MAYS LAND AND LIVESTOCK INC | A33-10080                   | /             | 33-00017A     | /               |                |                  |
| NE         | NE | MAYS LAND AND LIVESTOCK INC | A33-00017A                  | /27.0         | 33-00018A     | /               |                |                  |
| NE         | NE | MAYS LAND AND LIVESTOCK INC | A33-00018A                  | /27.0         | 33-00019A     | /               |                |                  |
| NE         | NE | MAYS LAND AND LIVESTOCK INC | A33-00019A                  | /27.0         | 33-00020A     | /               |                |                  |
| NE         | NE | MAYS LAND AND LIVESTOCK INC | A33-00020A                  | /27.0         | 33-00021A     | /               |                |                  |
| NE         | NE | MAYS LAND AND LIVESTOCK INC | A33-00021A                  | /27.0         | 33-00022A     | /               |                |                  |
| NE         | NE | MAYS LAND AND LIVESTOCK INC | A33-00022A                  | /27.0         | -             | /               |                |                  |
| NE         | NE | MAYS LAND AND LIVESTOCK INC | A33-00031H                  | /27.0         | -             | /               |                |                  |
| NE         | NE | MAYS LAND AND LIVESTOCK INC | A33-00090D                  | /27.0         | -             | /               |                |                  |
| NE         | NE | MAYS LAND AND LIVESTOCK INC | A33-00091C                  | /27.0         | -             | /               |                |                  |
| NE         | NE | MAYS LAND AND LIVESTOCK INC | A33-10073                   | /27.0         | -             | /               |                |                  |
| NE         | NE | MAYS LAND AND LIVESTOCK INC | A33-10074                   | /27.0         | -             | /               |                |                  |
| NE         | NE | MAYS LAND AND LIVESTOCK INC | A33-00031D                  | /27.0         | 33-00023A     | /               |                |                  |
| NE         | NE | MAYS, ROBERT R.             |                             |               |               |                 |                |                  |
| 05N 29E 15 | NE | MAYS LAND AND LIVESTOCK INC | A33-10080                   | /             | 33-00017A     | /               |                |                  |
| NE         | NE | MAYS LAND AND LIVESTOCK INC | A33-00017A                  | /27.0         | 33-00018A     | /               |                |                  |
| NE         | NE | MAYS LAND AND LIVESTOCK INC | A33-00018A                  | /27.0         | 33-00019A     | /               |                |                  |
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| NE         | NE | MAYS LAND AND LIVESTOCK INC | A33-00022A                  | /27.0         | -             | /               |                |                  |
| NE         | NE | MAYS LAND AND LIVESTOCK INC | A33-00031H                  | /27.0         | -             | /               |                |                  |
| NE         | NE | MAYS LAND AND LIVESTOCK INC | A33-00090D                  | /27.0         | -             | /               |                |                  |
| NE         | NE | MAYS LAND AND LIVESTOCK INC | A33-00091C                  | /27.0         | -             | /               |                |                  |
| NE         | NE | MAYS LAND AND LIVESTOCK INC | A33-10073                   | /27.0         | -             | /               |                |                  |
| NE         | NE | MAYS LAND AND LIVESTOCK INC | A33-10074                   | /27.0         | -             | /               |                |                  |
| NE         | NE | MAYS LAND AND LIVESTOCK INC | A33-00031D                  | /27.0         | 33-00023A     | /               |                |                  |
| NE         | NE | MAYS, ROBERT R.             |                             |               |               |                 |                |                  |

TOTAL ACRES A33-10080 78.00

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y( ) N( )  
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED? POU COUNTY: BUTTE

FIELD EXAMINER

DATABASE Y

DUE TO POU DISCREPANCY? (Y/N)

## PRESUMPTION FLAG:

## NOTES:

P.O.U. claims is the location of Home(s) and livestock concerns (P.O.U.).  
No irrigation from this source.

## RECOMMENDATIONS:

TOTAL ACRES: 0REVIEWED BY: ABLDATE: 24 June 96

A. AJ CLAIMED USES:

| PURPOSES                            | MONTH/DAY           | DIVERSION QUANTITY |
|-------------------------------------|---------------------|--------------------|
| A33-10080 STOCKWATER                | FROM 01-01 TO 12-31 | .400 CFS           |
| A33-10080 DOMESTIC                  | FROM 01-01 TO 12-31 | .040 CFS           |
| TOTAL DIVERSION RATE/VOLUME CLAIMED |                     | .440 CFS           |

B. WR RECORDED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|----------|-----------|--------------------|
|----------|-----------|--------------------|

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

|                                          | DATABASE | FIELD EXAMINER |
|------------------------------------------|----------|----------------|
| DUE TO WATER-USE DISCREPANCY? (Y/N)      | Y        |                |
| DUE TO DIVERSION RATE DISCREPANCY? (Y/N) | Y        |                |
| DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N) | Y        |                |

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N(☐)

Explain in notes, below.

NOTES:

*PERIOD OF USE RECOMMENDED AS CLAIMED FOR DUCT STD.*

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y( OK ) N( )

AJ TOTAL CLAIMED DIVERSION RATE: 0.440 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

\*\*\* IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. \*\*\*

\*\* If an amount smaller than the original diversion rate is \*\*

\*\* claimed and an exam is NOT required, explain in notes. \*\*

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y

FIELD DATABASE EXAMINER

B.

MEASUREMENT METHOD N/A, SEE ATTACHED CALCULATIONS.

FLOW MEASUREMENT

C. ARE OTHER WATER RIGHTS USED? Y( ) N( ) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM NO.  | SOURCE            | NAME                        | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|------------|-------------------|-----------------------------|-----------|----------------|-----------|----------------|
| A33-00017A | LITTLE LOST RIVER | MAYS LAND AND LIVESTOCK INC | 1.900     | 0.001          |           |                |
| A33-00018A | LITTLE LOST RIVER | MAYS LAND AND LIVESTOCK INC | 1.900     | 0.001          |           |                |
| A33-00019A | LITTLE LOST RIVER | MAYS LAND AND LIVESTOCK INC | 0.360     |                |           |                |
| A33-00020A | LITTLE LOST RIVER | MAYS LAND AND LIVESTOCK INC | 1.900     | 0.001          |           |                |
| A33-00021A | LITTLE LOST RIVER | MAYS LAND AND LIVESTOCK INC | 0.240     |                |           |                |
| A33-00022A | LITTLE LOST RIVER | MAYS LAND AND LIVESTOCK INC | 3.120     | 0.002          |           |                |
| A33-00031D | LITTLE LOST RIVER | MAYS LAND AND LIVESTOCK INC | 1.400     | 0.001          |           |                |
| A33-00031H | LITTLE LOST RIVER | MAYS LAND AND LIVESTOCK INC | 1.440     | 0.001          |           |                |
| A33-00090D | LITTLE LOST RIVER | MAYS LAND AND LIVESTOCK INC | 0.400     |                |           |                |
| A33-00091C | LITTLE LOST RIVER | MAYS LAND AND LIVESTOCK INC | 0.700     |                |           |                |
| A33-10073  | SAWMILL CREEK     | MAYS LAND AND LIVESTOCK INC | 1.100     |                |           |                |
| A33-10074  | DRY CREEK         | MAYS LAND AND LIVESTOCK INC | 4.850     | 0.003          |           |                |

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE ACRES \_\_\_\_\_ x 0.02 CFS/ACRE = \_\_\_\_\_ CFS (Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y( ) N( )

\*\*\* IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y( ) N( ) \*\*\*

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = \_\_\_\_\_ AF/A

ACRES \_\_\_\_\_ x CONSUMPTIVE VOL. AF/A FOR AREA \_\_\_\_\_ =

TOTAL CONSUMPTIVE USE \_\_\_\_\_ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = \_\_\_\_\_ AF/A

ACRES \_\_\_\_\_ x DIVERSION VOL. AF/A FOR AREA \_\_\_\_\_ =

TOTAL DIVERSION VOLUME \_\_\_\_\_ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y( ) N( )

NOTES: (Include limitations on CONSUMPTIVE USE for combined rights.)

No irrigation from  
this source - Spoken for  
Dennis he was  
only

RECOMMENDATIONS:

| REC. PURPOSES        | REC. PERIOD FROM TO | DATABASE EXAMINER | REC. DIV RATE CFS | DATABASE EXAMINER | REC. DIV VOL. AF/A | DATABASE EXAMINER | REC. CONS. USE |
|----------------------|---------------------|-------------------|-------------------|-------------------|--------------------|-------------------|----------------|
| <u>DOMESTIC</u>      | <u>01-01 12-31</u>  |                   | <u>0.04</u>       |                   |                    |                   |                |
| <u>Stockwater</u>    | <u>01-01 12-31</u>  |                   | <u>0.37</u>       |                   |                    |                   |                |
| TOTAL FOR THIS RIGHT |                     |                   | <u>0.41</u>       |                   |                    |                   |                |

REVIEWED BY: Abdulaziz DATE: 21 June 96

SEE ATTACHED TABLE 1. FOR FORMULA CALCULATING WATER CONSUMPTION BY  
10,000 HOGS OR SHEEP. AS:  $10,000 \times 0.000037 = 0.37 \text{ cfs}$

TABLE 1. RECOMMENDED DIVERSION RATES FOR STOCKWATER  
In cubic feet per second (cfs).

| No. of head | Dairy cows | Other cattle, horses & mules | Hogs | Sheep & goats |
|-------------|------------|------------------------------|------|---------------|
| 0 - 25      | 0.02       | 0.02                         | 0.02 | 0.02          |
| 26 - 50     | 0.04       | 0.02                         | 0.02 | 0.02          |
| 51 - 100    | 0.07       | 0.03                         | 0.02 | 0.02          |
| 101 - 200   | 0.13       | 0.05                         | 0.02 | 0.02          |
| 201 - 300   | 0.20       | 0.07                         | 0.02 | 0.02          |
| 301 - 400   | 0.24*      | 0.09                         | 0.03 | 0.02          |
| 401 - 500   |            | 0.12                         | 0.04 | 0.02          |
| 501 - 600   |            | 0.14                         | 0.05 | 0.03          |
| 601 - 700   |            | 0.16                         | 0.05 | 0.03          |
| 701 - 800   |            | 0.19                         | 0.06 | 0.03          |
| 801 - 900   |            | 0.20                         | 0.07 | 0.04          |
| 901 - 1000  |            | 0.23*                        | 0.08 | 0.04          |

For chickens, round to the next highest 100 and multiply this number by 0.0000018.  
For turkeys, round to the next highest 100 and multiply this number by 0.0000033.

\*If you have more than: 370 head of dairy cows, or 1000 head of other cattle, horses, or mules, or 3250 head of hogs, or 6500 head of sheep and/or goats, or 130,000 chickens, or 72,200 turkeys you probably use more than 13,000 gallons of water per day. Form No. 42-1409(2)a is used for claims when the amount of water diverted exceeds 13,000 gallons per day.  
If you have more than 1000 head of hogs, sheep, or goats, round the number to the next highest 100, and multiply this number by one of the following factors: For hogs, multiply by 0.000074  
For sheep or goats, multiply by 0.000037

Round the amount you calculate to the nearest 0.01 cfs and enter this amount in the appropriate space on your claim. You may claim 0.01 cfs even if your calculated amount is less than 0.01 cfs.

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP \_\_\_\_\_  
FORFEIT/ABANDON \_\_\_\_\_  
ADDITIONAL DIV. AMOUNT \_\_\_\_\_

ACCEPTED AS CLAIMED ( )  
NEEDS REVIEW ( )  
( )  
( )

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 33-10080

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

| OLD RIGHT NUMBERS | CURRENT CLAIM NUMBERS | DIVERSION RATE | CURRENT "R" CLAIM NUM. | "R" DIV. RATE | WR RIGHT NUMBERS | DIVERSION RATE |
|-------------------|-----------------------|----------------|------------------------|---------------|------------------|----------------|
| -                 | A33-10080             | 0.440          | -                      | -             | -                | -              |

TOTAL CFS ~~0.440~~ 0.41

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 sheet attached? (Y/N)

DATABASE N  
FIELD EXAMINER \_\_\_\_\_

NOTES:

Total cfs is rounded to 0.41 based on calculations of number of livestock waters from this source - see Page 10 and Table 1.

AUTHENTICATION:

SIGNATURE: [Signature] DATE: 21 June 96

NAME OF FIELD EXAMINER: Angelo B. Rosenberg TITLE: Geologist

09:15:49  
05/05/93

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 12  
QUICKLOOK INFORMATION

12  
CLAIM NUMBER: A33-10080

| WR ELEMENT                | FIELD EXAM<br>Y/N | CORRESPONDENCE<br>SENT/RECEIVED<br>BY WHOM/DATE | FIELD EXAM<br>BY WHOM/DATE | CHANGE<br>CLAIM<br>Y/N | VERIFIED BY<br>CODE | COMPLETED<br>REVIEW<br>WHOM/DATE | COMPLETED<br>DATA ENTRY<br>WHOM/DATE | VERIFIED<br>DATE<br>WHOM/DATE |
|---------------------------|-------------------|-------------------------------------------------|----------------------------|------------------------|---------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE             | Y                 |                                                 | ABR<br>19 June 96          | Y                      |                     |                                  |                                      |                               |
| POINT OF DIV              | Y                 |                                                 |                            | N                      |                     |                                  |                                      |                               |
| SOURCE                    | Y                 |                                                 |                            | N                      |                     |                                  |                                      |                               |
| PLACE OF USE              | Y                 |                                                 |                            | Y                      |                     |                                  |                                      |                               |
| DIV. AMOUNT<br>CFS/VOLUME | Y                 |                                                 |                            | Y                      |                     |                                  |                                      |                               |
| CONSUMPTIVE USE           | -                 |                                                 |                            |                        |                     |                                  |                                      |                               |
| PURPOSES                  | Y                 |                                                 |                            | N                      |                     |                                  |                                      |                               |
| PERIOD OF USE             | Y                 |                                                 |                            | N                      |                     |                                  |                                      |                               |
| BASIS OF CLAIM            | Y                 |                                                 |                            | N                      |                     |                                  |                                      |                               |
| REMARKS                   | Y                 |                                                 |                            |                        |                     |                                  |                                      |                               |

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1  
ASCS MAP = 2  
WATERMASTER RECORDS = 3  
NAPP PHOTOS = 4  
FIELD EXAM = 5  
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION  
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

09:16:40  
05/05/93  
13

PAGE: 13  
PROFILE REPORT

CLAIM NUMBER: A33-10080

OWNER CODE: C  
NAME & ADDRESS: MAYS LAND AND LIVESTOCK INC  
PO BOX 1  
HOME ID 83244  
(208) 767-3405  
PRIORITY DATE: 06/04/1900  
WATER USE: STOCKWATER  
DOMESTIC  
USE PERIOD FROM TO: 01-01 12-31  
DIVERSION RATE: 0.10 CFS  
DIVERSION VOLUME: 0.37  
TOTAL DIVERSION: 0.41

Water Source: GROUNDWATER  
Point(s) of Diversion: T05N R29E S15  
Place of use Legal Description for: STOCKWATER  
NE  
NENE NWNE SWNE SENE : NENW NWNW SWNW SENW : NESW NWSW SWSW SESW : NESE NWSE SWSE SESE :  
T R S : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac :  
05N 29E 15 : S :  
Place of use Legal Description for: DOMESTIC  
NE  
NENE NWNE SWNE SENE : NENW NWNW SWNW SENW : NESW NWSW SWSW SESW : NESE NWSE SWSE SESE :  
T R S : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac :  
05N 29E 15 : D :  
POU County: BUTTE

Tributary to: SWNE

Stage: BENEFICIAL USE  
BUTTE County

NO RELOCATION

Non-Irrigation Uses: DOMESTIC, 1 HOUSEHOLD; STOCKWATER, 10,000 SHEEP X 0.000037 = 0.37

Other Rights: NONE

Remarks: THE WELL SERVES THE HOME, SHOPS, BARN AND SHEDS ON THE RANCH  
IT ALSO SERVES AS THE SOURCE OF WATER FOR 10,000 SHEEP. *See comments*

Dates: Exam Made Date: 19 Aug 96 Verified Date: 12/09/1985

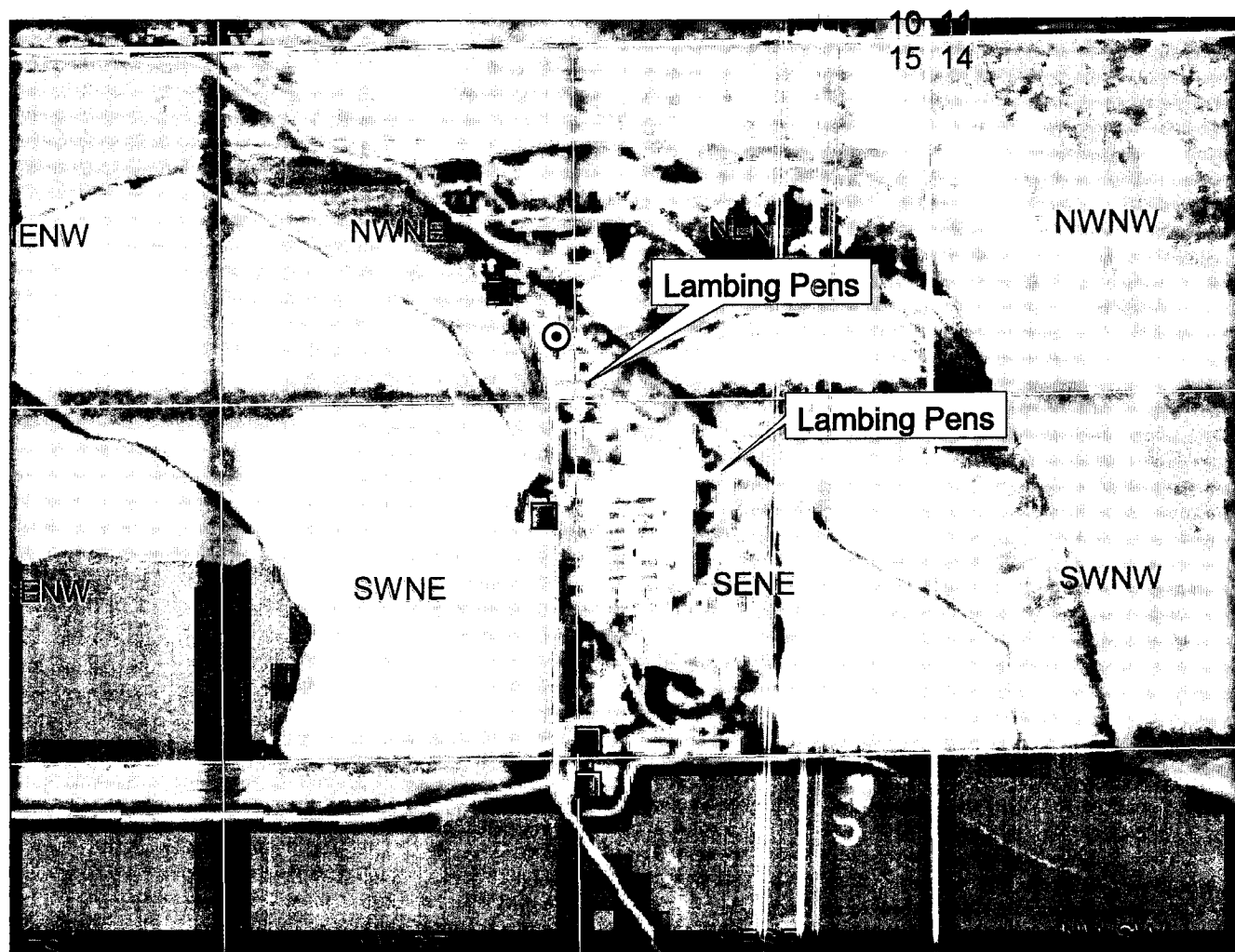
Misc: Water District Number: 33 Field Inspection Flag: Presumption Flag:

\* *Evidence of Priority supports only 1929.*  
*Also Priority per comments request to*  
*12-01-1929.*

\* *PLACES OF USE CLAIMS IS NOT WHERE THE*  
*STOCK PENS ARE LOCATED. ACTUALLY*  
*LOCATED IN SE 1/4. See photo map.*

# Idaho Department of Water Resources

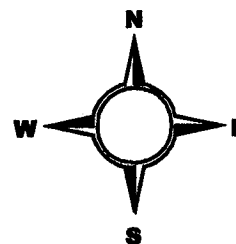
## Water Right 33-10080



0 1320 Feet

Township 5 North Range 29 East  
Section 15

- ⊙ Well
- Homes
- ▬ Section Lines
- ▬ Quarter-Quarter Sections



GIS Place of Use Illustration  
1987/1988 NAPP Photography  
Prepared by Bryce A. Contor  
November, 1999

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

DATE: 11/13/99  
PAGE: 1

NAME &amp; ADDRESS

## WATER USE

USE PERIOD  
FROM TO

DIVERSION  
VOLUME

**C MAYS LAND AND LIVESTOCK INC**

12/31/1927 STOCKWATER DOMESTIC

|       |       |           |
|-------|-------|-----------|
| 01-01 | 12-31 | 0.140 CFS |
| 01-01 | 12-31 | 0.040 CFS |

TOTAL DIVERSION: 0.140 CFS

**Water Source:** GROUNDWATER

**Tributary to:**

**Stage: BENEFICIAL USE**

Point(s) of Diversion:

T05N R29E S15 SWNE

**BUTTE County**

Place of use Legal Description for: STOCKWATER

| Place of use Legal Description for: |      |      |       |       |       | STOCKWATER |       |       |       |       |       |       |       |       |       |       |       |
|-------------------------------------|------|------|-------|-------|-------|------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
|                                     |      |      |       |       |       | NW         |       |       |       | SW    |       |       |       | SE    |       |       |       |
|                                     | NENE | NUNE | SUNE  | SENE  |       | NENW       | NNNW  | SNW   | SENW  | NESW  | NWSW  | SWSW  | SESW  | NESE  | NUSE  | SWSE  | SESE  |
| T                                   | R    | S    | Lt Ac | Lt Ac | Lt Ac | Lt Ac      | Lt Ac | Lt Ac | Lt Ac | Lt Ac | Lt Ac | Lt Ac | Lt Ac | Lt Ac | Lt Ac | Lt Ac | Lt Ac |
| 05N                                 | 29E  | 15   | S     | S     |       |            |       |       |       |       |       |       |       |       |       |       |       |

Place of use Legal Description for: DOMESTIC

[illegible]

**POU County: BUTTE**

**Non-Irrigation Uses: DOMESTIC, 4 HOMES**

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.

**Dates:**                      **Exam Made Date:**

**Verified Date:**

**Objection Filed Date:**

Misc: Water District Number: 33

Field Inspection Flag:  
Presumption Flag:

**Comments:** Date: 12/16/1997 User-ID: SSHERMAN Subject: DATA ENTRY  
ADDED PARCEL NO., CHANGED REMARKS TYPE FROM GEN TO EXP

**Date: 02/05/1998 User-ID: SSHERMAN Subject: DATA ENTRY  
CORRECTED NON-IRRIGATION**

**Date:** 11/13/1999      **User-ID:** BCONTOR      **Subject:** COPIED FROM REMARKS

AJ0749NP  
No. R33-10080

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

DATE: 11/13/99  
PAGE: 2

Comments:

Date: 11/13/1999 User-ID: BCONTOR Subject: COPIED FROM REMARKS  
THE WELL SERVES THE HOME, SHOPS, BARN AND SHEDS ON THE RANCH.  
IT ALSO SERVES AS THE SOURCE OF WATER FOR 10,000 SHEEP.  
PARCEL NO. RPT05NR29E150100A

Date: 11/13/1999 User-ID: BCONTOR Subject: SITE INSPECTION  
NUMBER OF HOMES, DIVERSION RATE, POU, ADJUSTED PER SITE  
INSPECTION 1997 AND 1999, 1987 GIS COVERAGE.

Audit:

11/13/99 BCONTOR

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: **A33-10080**  
Date Received: 1/ 5/1990  
Receipt No: E011491  
Received By: \_\_\_\_\_

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: MAYS LAND AND LIVESTOCK INC 208-767-3405  
Address: PO BOX 1  
HOWE ID 83244

2. Date of Priority: JUN 1, 1900

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 05N      | 29E   | 15      | SW     | NE     | NE  |     | BUTTE  |

5. Description of diverting works:  
WELL AND PUMP TO HOME/FILLS WATER TRUCK THAT DELIVERS TO STOCK

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| STOCKWATER | 01/01 | 12/31 | 0.100 |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.040 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
DOMESTIC, 1 HOUSEHOLD; STOCKWATER, 10,000 SHEEP

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 05N      | 29E   | 15      | NE     | NE  |     | DOMEST |       |
|          |       |         | NE     | NE  |     | STOCK  |       |

11. Place of use in counties: BUTTE

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

13. Other Water Rights Used:  
NONE

14. Remarks:  
THE WELL SERVES THE HOME, SHOPS, BARNs AND SHEDS ON THE RANCH.  
IT ALSO SERVES AS THE SOURCE OF WATER FOR 10,000 SHEEP.

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 Organizations:**

I do solemnly swear or affirm that I am President of  
Title  
MAYS LAND & Livestock, INC. that I have signed the foregoing  
Organization  
document in the space below as President of  
Title  
MAYS LAND & Livestock, INC. and that the statements contained in the  
Organization  
foregoing document are true and correct.

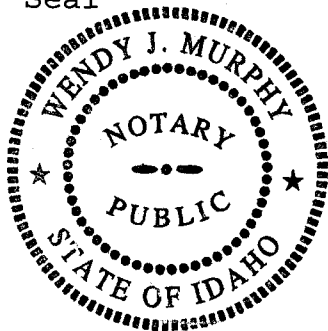
[Signature]  
Signature of Authorized Agent  
President  
MAYS LAND & Livestock, INC.  
Title and Organization  
4/7/98  
Date

State of Idaho )  
County of Bonnerville ) SS.

Subscribed and sworn (or affirmed) before me this 7<sup>th</sup> day  
of April 19 98

Wendy J. Murphy  
Notary Public

Seal



Residing at Idaho Falls

My Commission Expires 6/23/00



AJ0749NP  
No. R33-10080

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

DATE: 02/05/98  
PAGE: 2

Comments: Date: 12/16/1997 User-ID: SSHERMAN Subject: DATA ENTRY  
ADDED PARCEL NO., CHANGED REMARKS TYPE FROM GEN TO EXP  
Date: 02/05/1998 User-ID: SSHERMAN Subject: DATA ENTRY  
CORRECTED NON-IRRIGATION

Audit: 02/05/98 SSHERMAN

8-21-97 Laurie Gamett, Assoc. ~~Assoc.~~ FAX me their files.

AJ5856NP

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

DATE: AUG-19-1997  
PAGE: A-71

Not E011491  
#90.

RIGHT NUMBER: 33-10080

NAME & ADDRESS: MAYS LAND AND LIVESTOCK INC  
✓ PO BOX 1  
HOWE ID 83244

SOURCE: GROUNDWATER

QUANTITY: 0.44 CFS

PRIORITY DATE: 06/01/1900

POINT OF DIVERSION: T05N R29E S15 ✓ SWNE ✓ Within BUTTE County

PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE                       | PERIOD OF USE | QUANTITY |
|----------------|--------------------------------------|---------------|----------|
|                | STOCKWATER                           | 01-01 12-31   | 0.4 CFS  |
|                | DOMESTIC DOMESTIC, 1 HOUSEHOLD; ST ✓ | 01-01 12-31   | 0.04 CFS |

PLACE OF USE: STOCKWATER Within BUTTE County  
T05N R29E S15 ✓ NENE ✓

DOMESTIC Within BUTTE County  
T05N R29E S15 NENE ✓

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

THE WELL SERVES THE HOME, SHOPS, BARNs AND SHEDS ON THE RANCH. } exp  
IT ALSO SERVES AS THE SOURCE OF WATER FOR 10,000 SHEEP.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP #5N29E15#100A

see attached.

N10  
#N12

90<sup>00</sup> X

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: A33-10080

Date Received: 1/02/1990

Receipt No: E011491

Received By: DmD

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: MAYS LAND AND LIVESTOCK INC 208-767-3405  
Address: PO BOX 1  
HOWE, ID 83244

2. Date of Priority: JUN 01, 1900

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 05N      | 29E   | 15      | SW     | NE     | NE  |     | BUTTE  |

5. Description of diverting works:

WELL AND PUMP TO HOME/FILLS WATER TRUCK THAT DELIVERS TO STOCK

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| STOCKWATER | 01/01 | 12/31 | 0.400  |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.040  |      |        |

7. Total Quantity Appropriated is:

0.440 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC, 1 HOUSEHOLD; STOCKWATER, 10,000 SHEEP

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 05N      | 29E   | 15      | NE     | NE  |     | DOMEST |       |
|          |       |         | NE     | NE  |     | STOCK  |       |

A33-10080

Page 1

Date: 01/05/90

MICROFILMED

NOV 18 1992

A3310080



11. Place of use in counties: BUTTE

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

13. Other Water Rights Used:  
NONE

14. Remarks:

THE WELL SERVES THE HOME, SHOPS, BARNs AND SHEDS ON THE RANCH.  
IT ALSO SERVES AS THE SOURCE OF WATER FOR 10,000 SHEEP.

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 Organizations:**

I do solemnly swear or affirm that I am Secretary-Treasurer of \_\_\_\_\_  
Title

Mays Land & Livestock, Inc., that I have signed the foregoing  
Organization

document in the space below as Secretary-Treasurer of \_\_\_\_\_  
Title

Mays Land & Livestock, Inc. and that the statements contained in the  
Organization

foregoing document are true and correct.

James A. Mays  
Signature of Authorized Agent

Sec. Treas., Mays Land & Livestock, Inc.  
Title and Organization

05 Jan 90  
Date

State of Idaho )  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 5<sup>th</sup> day

of Jan 19 90

Seal

Betty J. Thompson  
Notary Public

Residing at BETTY J. THOMPSON, NOTARY PUBLIC  
RESIDING AT IDAHO FALLS, IDAHO  
My Commission Expires COMMISSION EXPIRES: 6-30-94

~~A23-100800~~  
A 33-10080



T5M  
R29E

pu

RE

NOV 18 1992

MICROFILMED

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BOUNDARY