

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 63-32122
Date Received: 5/3/2005
Receipt No: W032923
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

L G DAVISON & SONS INC Phone: (208)868-3243
1969 PRAIRIE RD
PRAIRIE ID USA 83647-8435

2. Date of Priority: 09/30/1965

3. Source: UNNAMED SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
02N	08E	22	NW	NE		ELMORE	

5. Description of diverting works:

Springbox, pipeline, trough.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.05	
WILDLIFE	01/01	12/31	0.05	

7. Total Quantity Appropriated is:
0.05 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	08E	15	SW	SE	STOCKWATER	
			SW	SE	WILDLIFE	

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
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CIVIL CASE NUMBER: 39576

Identification No. ALB-32122Date Received 5-3-05Receipt Number W032920

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

MAY 03 2005

WATER RESOURCES
WESTERN REGION

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) L.G. DAVISON & SONS, INC. Phone (208) 868-3243Mailing Address 1969 Prairie Rd. Prairie, Id 83647-8435 Zip 83647-84352. Date of Priority (Only one per claim) Sept. 30, 1965 Month/Day/Year3. Source of water supply (Check one) (X) Groundwater or Other () (a) UNNAMED spring
Name or kind of sourcewhich is tributary to (b) SINKS4. Location of point of diversion is: Township 2N Range 8ESection 22, NW 1/4 of NE 1/4 of 1/4, Govt. Lot , BM.,County of ElmoreAdditional points of diversion if any: 5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Spring box, pipeline, Trough

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

For Stockwater purposes from 1-1 Month/Day to 12-31 Month/Day amount .05 (cfs)For Wildlife purposes from 1-1 Month/Day to 12-31 Month/Day amount .05 (cfs)
(Both dates are inclusive)7. Total quantity claimed .05 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Water for cattle and wildlife

10. Place of use is: Township: 2N Range 8E
Section 15, SW 1/4 of SE 1/4, Govt. Lot _____, B.M., _____
County of Elmore 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? Elmore

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.

14. Remarks: Existing use dating from the early 1960's.

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

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

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

Number of Attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am President
of L.G. Davison & Sons, Inc. that I have signed the foregoing
document in the space below as president of L.G. Davison & Sons, Inc.
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent R. E. Harrison Date 5-24-05

Title and Organization President of L.G. Davison & Sons, Inc.

State of Idaho/or Idaho }
County of Canyon } SS.

Subscribed and sworn (or affirmed) before me this 24 day of May 2005

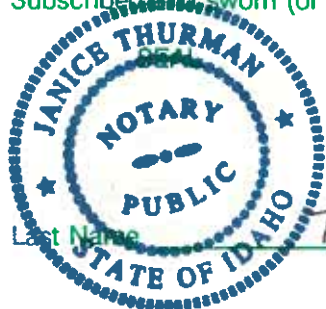
Notary Public Janice Thurman

Residing at Caldwell

My Commission Expires 05/06

Last Name Thurman Ident No. _____

Copies: White-State, Yellow-Claimant



05/26/2006

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

RIGHT NUMBER: 63-32122

NAME AND ADDRESS: L G DAVISON & SONS INC
1969 PRAIRIE RD
PRAIRIE ID 83647-8435

SOURCE: SPRINGS

TRIBUTARY: *Long Gulch*

QUANTITY: 0.050 CFS

PRIORITY DATE: 09/30/1965

POINT OF DIVERSION:

T02N R08E S22 NWNE Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.050 CFS

PLACE OF USE: STOCKWATER Within ELMORE County

T02N R08E S15 SWSE

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

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32122 V1

WATER RIGHT NUMBER: 63-32122 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	L G DAVISON & SONS INC 1969 PRAIRIE RD PRAIRIE, ID 83647-8435 (208)868-3243

Priority Date: 09/30/1965
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.050 CFS	
	<u>Total Diversion:</u>	0.050 CFS	

Location of Point(s) of Diversion

SPRINGS	NW1/4NE1/4	Sec. 22, Twp 02N, Rge 08E, B.M.
ELMORE County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	08E	15																X	

Conditions of Approval:

1. 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:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-32122 V1

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	4/19/2006 2:14:57 PM	segbert			Active
POD	4/19/2006 2:15:26 PM	segbert			Active
Source	4/19/2006 2:19:48 PM	segbert			Active
POU	4/19/2006 2:20:05 PM	segbert			Active
Use	4/19/2006 2:21:27 PM	segbert			Active
Season	4/19/2006 2:22:16 PM	segbert			Active
Quantity	4/19/2006 2:23:00 PM	segbert			Active
Summary			04/19/2006	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	4/19/2006 2:15:37 PM	segbert	Updated shape from PLS
POU	4/19/2006 2:21:01 PM	segbert	Updated shape from PLS
General	4/19/2006 2:14:56 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - affidavit in file

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32122 V1

POD	4/19/2006 2:15:25 PM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Source	4/19/2006 2:19:47 PM	segbert	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required?
POU	4/19/2006 2:20:03 PM	segbert	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required?
POU	4/19/2006 2:20:29 PM	segbert	Updated shape from PLS
Use	4/19/2006 2:21:26 PM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	4/19/2006 2:22:15 PM	segbert	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (No) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32122 V1

Quantity	4/19/2006 2:22:59 PM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - under .2 cfs
Summary	4/19/2006 2:24:37 PM	segbert	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-32122

WATER RIGHT NUMBER: 63-32122

Owner Type

Current Owner

Name and Address

L G DAVISON & SONS INC
1969 PRAIRIE RD
PRAIRIE, ID 83647-8435
(208)868-3243

*c/o Prairie Stage
Mtn Home, ID
83647*

*from tax
lot data*

Priority Date: 09/30/1965

941-8114-cell

Basis: Beneficial Use

Status: Active

Source

UNNAMED SPRING

Tributary

SINKS

Beneficial Use

STOCKWATER

From To

01/01 to 12/31

Diversion Rate

0.050 CFS ✓

Annual Volume

WILDLIFE

01/01 to 12/31

0.050 CFS

Total Diversion:

0.050 CFS

Location of Point(s) of Diversion

UNNAMED SPRING

NW1/4NE1/4

Sec. 22, Twp 02N, Rge 08E, B.M.

ELMORE County

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	08E	15																X	

WILDLIFE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	08E	15																X	

Conditions of Approval:*no overlaps*Remarks:*no '87 photography for 2N 8E S15*

Talked to claimant in office on 4-19-06. He says there is an actual diversion and wildlife drink from it as well as his stock

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
63-32122)
)
)
State of Idaho)
County of _____)

AFFIDAVIT

R. E. Davison

deposes and says: Spring # 63-32122 . This
Spring was developed by The Aguirre Bros.
For stockwater in 1965. This includes a
spring box and pipeline to the water Trough.
We have used this for stockwater since
we purchased the ranch.

R. E. Davison
(Signature)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

12/1/2005

L G DAVISON & SONS INC
1969 PRAIRIE RD
PRAIRIE ID 83647-8435

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): 63-32122 & 63-32163

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated printout of the claim(s) for your reference only, it is not necessary to return this printout or re-file it. You indicated, when these claims were filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. This claim(s) has not been confirmed by a previous filing with the Idaho Department of Water Resources (IDWR) since there is no decree, license, or permit on file to verify the use of this water. For this reason, IDWR is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled **"Evidence of Priority"** which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date."**

If no evidence of this priority date is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future. The required evidence supporting the priority date(s) requested needs to be submitted by December 30, 2005.

Please let me know if you have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

Sincerely,

Sandy Egbert
GIS Specialist

Enclosures