

12/23/2004

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

RIGHT NUMBER: 79-7160

NAME AND ADDRESS: NEAL DE WITT
PO BOX 217
WHITE BIRD ID 83554

EVELYN DE WITT
PO BOX 217
WHITE BIRD ID 83554

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
1.200 AFY

PRIORITY DATE: 06/04/1985

POINT OF DIVERSION:

T28N R01E S27 SENW Lot 4 Within IDAHO County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

1.20 AFY

PLACE OF USE: DOMESTIC Within IDAHO County

T28N R01E S27

SENW

T28N R01E S27 Lot 4 SENW

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: License



State of Idaho
DEPARTMENT OF WATER RESOURCES

1118 F. St, Lewiston, Idaho 83501

Phone: (208) 743-0301 FAX: (208) 743-0415 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 23, 2004

DJS PROPERTIES LP
PO BOX 27
BOISE ID 83707

Re: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right # 79-7159 & 79-7160

Dear Sirs:

Idaho County tax lot information shows that you are the current owner of the property and water right referenced above. I have enclosed, for your information, a copy of the Licenses filed by a previous owner and an aerial photo with the irrigation place of use outlined in yellow. If you are in-fact the current owner of this property, you are required to submit the enclosed "Notice of Change of Water Right Ownership" form before we can change our records. This will allow the department and the SRBA Court to send important information and the partial decree for this water right to the current owner.

Because this claim is still pending in the SRBA, there is no fee to change the ownership at this time. Please send the form and proof of ownership to;

IDWR
PO BOX 83720
BOISE ID 83720-0098

If you have any questions regarding this matter, please do not hesitate to contact me at (208)743-0301.

Sincerely,

Gregory J. Taylor
Sr. Water Agent

Enc: Copy of license #79-7159 & 79-7160; form 42-248/42-1409(6);

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: A79-07160
Date Received: 7/26/1988
Receipt No: W000670
Received By: ERR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NEAL DE WITT 208-839-2245
Address: P.O. BOX 217
WHITE BIRD, ID 83554

OR

Name: EVELYN DE WITT 208-839-2245
Address: P.O. BOX 217
WHITE BIRD, ID 83554

2. Date of Priority: JUN 04, 1985

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
28N	01E	27	SE	NW		4	IDAHO

5. Description of diverting works:
420' APPROX. WELL W/6" CASING

6. Water is used for the following purposes:

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

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME W/YARD IRRIG.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
28N	01E	27	SE	NW	4	DOMEST	

11. Place of use in counties: IDAHO

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: PERMIT

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

Ident. Number A79-07160Date Received 7-26-88 RWReceipt Number 48868 Hand Rept.W000670

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. Filing fee \$25

Please type or print clearly

1. Name of Claimant (s) Neale, Evelyn DeWitt Phone (208) 839-2240Mailing Address Box 217, White Bird, Id Zip 835542. Date of Priority (Only one (1) per claim) 6-4-853. Source of water supply (a) Well - ground water
which is tributary to (b) _____4. Location of point of diversion is: Township 28 N Range 1 East
Section 27 1/4 of SE 1/4 of SE 1/4, Govt. Lot 4, B.M.,
County of Id.

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. 6 in dia. cast well
app. 420 ft.

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

(Both dates are inclusive) (cfs)
For Domestic purposes from 1-1- to 12-31- amount 1.05
For _____ purposes from _____ to _____ amount _____7. Total quantity claimed 1.05 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) Domestic and yard

MINICOPOLYMER
Copies: White-State, Yellow-Claimant
OCT 6 1988

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
28N	14W	27																

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

12. Do you own the property listed above as place of use? Yes L 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.
_____ or None (4)

14. Remarks: claim on permit # 79-7160

15. Basis of Claim (check one) Beneficial Use Posted Notice License L Permit
Decree

If applicable provide IDWR Water Right Number 79-7160

Court Case Number Decree Date

Plaintiff vs Defendant

16. Signature (s)

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

Number of attachments

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

Signature of Claimant (s) Eugen DeWitt Date 7-26-88

Date

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

of Title
Organization , that I have signed the foregoing

document in the space below as of
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization Date

State of Idaho/or Id)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 26 day of July 19 88

SEAL

Notary Public John Dale Carlson

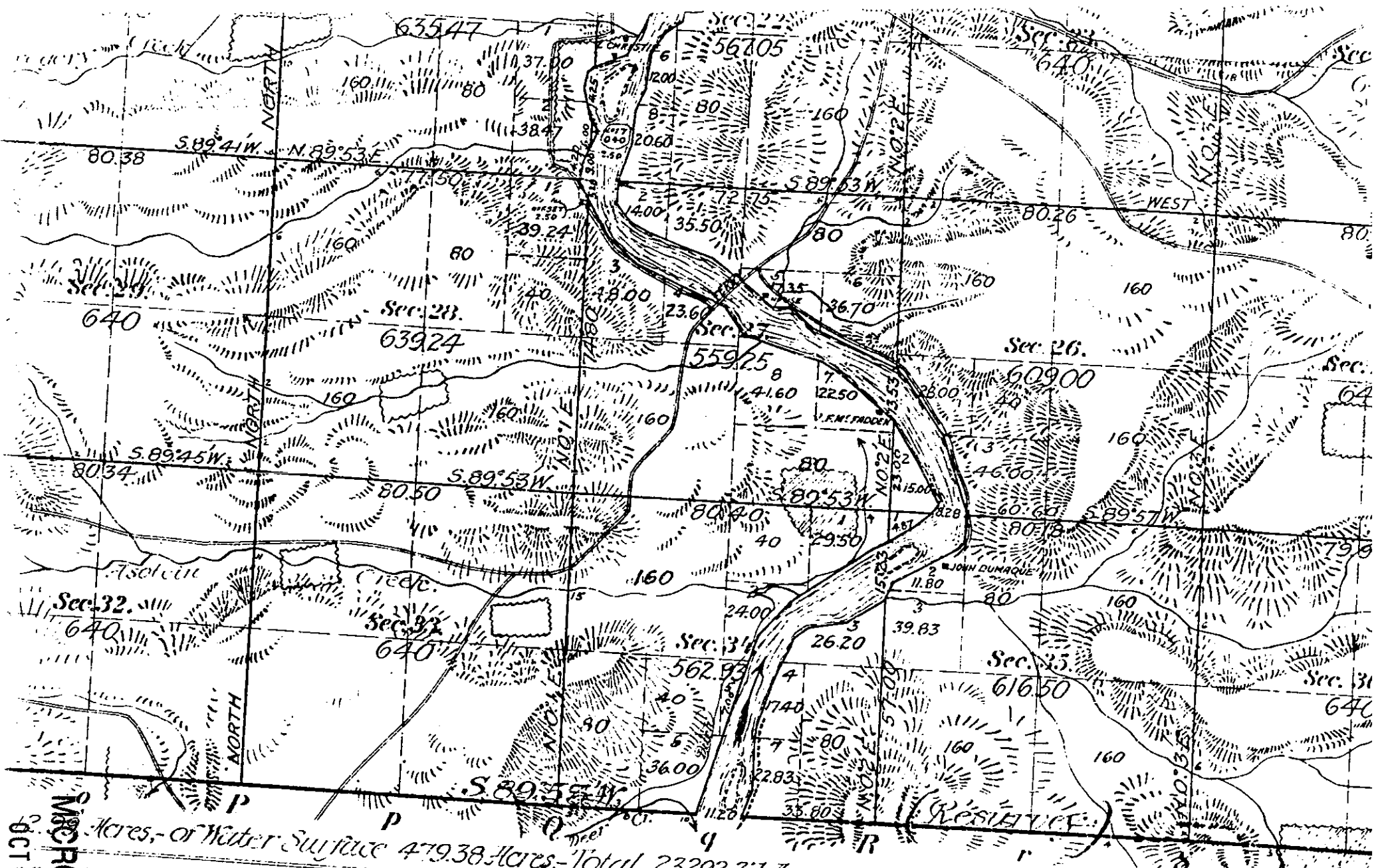
Residing at Bain Id

My Commission Expires 6/2/94

Last Name De Witt Ident No. A79-07160

6/2/94
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Copyright 1992 State of Idaho

OCT 06 1992



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 OCT 16 1992

Acres, - or Water Surface 479.38 Acres - Total 23292.37 Acres.

Amount of Surveys			When Surveyed	Magnet Declination
M.	Ch.	Lk.		
12	04	60	May 23-30-1893	20° 10' E.
60	21	41	June 7-July 3-1893	
12	05	37	May 16-23-1893	
14	52	15	June 12-27-1892	

10 20 30 40 50
 Scale 40 Chain

The above Map of Township 1.0
 Boise Meridian, & other
 notes of the survey thereof on file in

CONVERSATION MEMORANDUM

DATE 08/10/88

FILE _____

NAME OF PARTY DeWitt, Neal or EvelynEMPLOYEE Eldon L. RoughRE: Notice of Claim - Domestic

Claim lacked proper legal description of P.O.D. & P.O.U. Phoned claimant this date & was told to change $1/4, 1/4$ to SE, NW, for P.O.D. & P.O.U. Claimant also told this agent that the R.V. Park water use listed in App'ls. for Permit & License is not to be included in claim (Notice of). This agent informed claimant that if R.V. Park use is not included in claim, it would not be a part of the decreed water right. Claimant stated he understood.

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OCT 06 1992