

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 79-14179 V1

WATER RIGHT NUMBER: 79-14179 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LOWELL L GENTRY 12830 65TH AVE SOUTH SEATTLE, WA 98178 (206)501-5248
Current Owner	MARY F ENNEKING 541 GRAVES CREEK RD COTTOWOOD, ID 83522 (208)962-7738
Current Owner	DAVID G ENNEKING 541 GRAVES CREEK RD COTTONWOOD, ID 83522 (208)962-7738

Priority Date: 06/30/1950

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	GRAVE CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.010 CFS	
<u>Total Diversion:</u>		0.010 CFS	

Location of Point(s) of Diversion

SPRING	SW1/4NE1/4SW1/4	Sec. 18, Twp 30N, Rge 01E, B.M.
IDAHO County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
30N	01E	18									X								

Conditions of Approval:

1. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
2. 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.
3. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

RECEIVED
SEP 27 2006
 IDWR/North

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
79-14179					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) LOWELL L GENTRY
12830 65TH AVE SOUTH, SEATTLE, WA 98178
4. New Owner/Claimant(s) DAVID G. ENNEKING, MARY F. ENNEKING
 Name Connector (Check one): ☐ and, ☒ or, ☐ and/or
- New Mailing Address 541 GRAVES CREEK ROAD
- City, State and ZIP Code COTTONWOOD, ID 83522
- New Telephone Number (208) 962-7738
5. Date you acquired the property MARCH 8, 2006

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Paul G. Gentry
Mary Enright

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

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

T30N R01E S18 NESW

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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 79-14179
Date Received: 4/3/2006
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LOWELL L GENTRY
12830 65TH AVE SOUTH
SEATTLE WA USA 98178

Phone: (206)501-5248

2. Date of Priority: 06/30/1950

3. Source: SPRING Trib. to: GRAVE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
30N	01E	18	SW	NE	SW	IDAHO	

5. Description of diverting works:

1 INCH PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	01/01	12/31	0.01	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of homes: 1

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
30N	01E	18	NE	SW	DOMESTIC	

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:

14. Remarks:

15. Basis of Claim: Beneficial Use

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSRECEIVED
FEB 06 2006
IDWR/NorthIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

Date Received

Receipt Number

79-14179
1/19/06
N017339NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAWRECEIVED
JAN 19 2006
IDWR/North

Please type or print clearly

1. Name of Claimant (s) LOWELL L. GENTRY Phone 208 501-5248
Mailing Address 12830 65TH AV SOUTH SEATTLE WA Zip 981782. Date of Priority (Only one (1) per claim) JUNE 19503. Source of water supply (a) SPRING (UNNAMED)
which is tributary to (b) GRAVES CREEK4. a. Location of existing point of diversion is: Township 30N Range 1E Section 18,
S 1/2 of NW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of IDAHOAdditional points of diversion if any: NONE

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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.1 INCH PIPELINE

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For DOMESTIC USE purposes from 1/1 to 12/31 amount .004 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .004 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) DOMESTIC - 1 HOUSEHOLD

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
30N	1E	18								20 D									20
30N	1E	18													1.4 D				1.4
30N	1E	18			8.1 D														8.1

Total number of acres irrigated 29.5

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

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

14. Remarks:

Last Name GENTRY Ident No. _____

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☒ Permit ☐
Decree _____
If applicable provide IDWR Water Right Number 79-2082
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 (3) + CHECK

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

Signature of Claimant (s) Lowell L. Gentry Date 12/31/05

Date _____

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

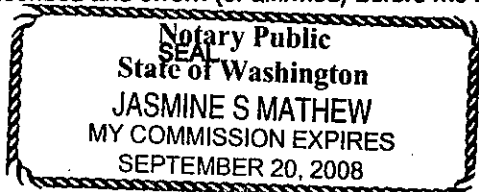
Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or WASHINGTON)
County of KING) SS.

Subscribed and sworn (or affirmed) before me this

27th day of January 2006



Notary Public [Signature]

Residing at Seattle, WA

My Commission Expires September 20, 2008

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name GENTRY Ident. Number _____

JIM BECKMAN
IDAHO COUNTY ASSESSOR
320 W MAIN RM # 1
GRANGEVILLE ID 83530-1993

2005

ASSESSMENT NOTICE

& ESTIMATE OF TAX

THIS IS NOT A BILL.
DO NOT PAY.

RECEIVED
FEB 06 2006
IDWR/North

PARCEL DESCRIPTION:

T30N R1E SEC 18 8.107 AC
S2NE4SW4 E OF ROAD

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208) 983-2742

PARCEL ADDRESS:

GENTRY LOWELL L ETAL
*
12830 65TH AVE S
SEATTLE WA 98178

Appeals of your property value must be filed in
writing, on a form provided by the County, by:

JUNE 27, 2005

Tax Code Area: 20-0000

Parcel Number: RP 30N01E185260 A

ASSESSED VALUE OF YOUR PROPERTY

CURRENT CATEGORY AND DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
5 DRY GRAZING	5.000 AC	120	120
5 DRY GRAZING	3.107 AC	56	56
SUBTOTAL:	8.107	176	176
LESS HOMEOWNERS EXEMPTION:			
NET TAXABLE PROPERTY VALUE:		176	176

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

ESTIMATED PROPERTY TAXES

TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S ESTIMATED TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
STATE				NO RESPONSE
COUNTY	.46		983-2751	09/06/2005
SCHOOL #242	.96		962-3971	06/20/2005
COUNTY R & B			983-2751	09/06/2005
G*VILLE CEM	.06		983-0317	06/09/2005
SUBTOTAL:	1.48			
FEES:				
TOTAL PROPERTY TAXES & FEES:	1.48			

THIS IS NOT A BILL. DO NOT PAY.

See the back of this Notice for details.

JIM BECKMAN
IDAHO COUNTY ASSESSOR
320 W MAIN RM # 1
GRANGEVILLE ID 83530-1993

2005

ASSESSMENT NOTICE

& ESTIMATE OF TAX

THIS IS NOT A BILL.
DO NOT PAY.

RECEIVED
FEB 06 2006
IDWR/North

PARCEL DESCRIPTION:

T30N R1E SEC 18 20.00 AC
S2NW4SE4

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208) 983-2742

PARCEL ADDRESS:

GENTRY LOWELL L ETAL
*
12830 65TH AVE S
SEATTLE WA 98178

Appeals of your property value must be filed in
writing, on a form provided by the County, by:

JUNE 27, 2005

Tax Code Area: 20-0000

Parcel Number: RP 30N01E188110 A

ASSESSED VALUE OF YOUR PROPERTY

CURRENT CATEGORY AND DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
5 DRY GRAZING	20.000 AC	260	260
SUBTOTAL: LESS HOMEOWNERS EXEMPTION: NET TAXABLE PROPERTY VALUE:	20.000	260 260	260 260

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

ESTIMATED PROPERTY TAXES

TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S ESTIMATED TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
STATE COUNTY SCHOOL #242 COUNTY R & B G*VILLE CEM	.68 1.42 .08		983-2751 962-3971 983-2751 983-0317	NO RESPONSE 09/06/2005 06/20/2005 09/06/2005 06/09/2005
SUBTOTAL: FEES: TOTAL PROPERTY TAXES & FEES:	2.18 2.18			

THIS IS NOT A BILL. DO NOT PAY.

See the back of this Notice for details.

JIM BECKMAN
IDAHO COUNTY ASSESSOR
320 W MAIN RM # 1
GRANGEVILLE ID 83530-1993

2005

ASSESSMENT NOTICE

& ESTIMATE OF TAX

THIS IS NOT A BILL.
DO NOT PAY

RECEIVED
FEB 06 2006
IDWR/North

PARCEL DESCRIPTION:

T30N R1E SEC 18 1.414 AC
SE4NE4SW4 NO OF RD

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208) 983-2742

PARCEL ADDRESS:

GENTRY LOWELL L ETAL
*
12830 65TH AVE S
SEATTLE WA 98178

Appeals of your property value must be filed in
writing, on a form provided by the County, by:

JUNE 27, 2005

Tax Code Area: 19-0000

Parcel Number: RP 30N01E185255 A

ASSESSED VALUE OF YOUR PROPERTY

CURRENT CATEGORY AND DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
18 OTHER LAND	1.414 AC	8,484	8,484
SUBTOTAL: LESS HOMEOWNERS EXEMPTION: NET TAXABLE PROPERTY VALUE:	1.414	8,484 8,484	8,484 8,484

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

ESTIMATED PROPERTY TAXES

TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S ESTIMATED TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
STATE COUNTY SCHOOL #242 K*TVILLE HWY C*WOOD CEM	22.62 46.40 5.72 2.02		983-2751 962-3971 962-5525 962-3910	NO RESPONSE 09/06/2005 06/20/2005 08/09/2005 06/10/2005
SUBTOTAL: FEES: TOTAL PROPERTY TAXES & FEES:	76.76 76.76			

THIS IS NOT A BILL. DO NOT PAY.

See the back of this Notice for details.

Gentry

T30N R1E Section 18

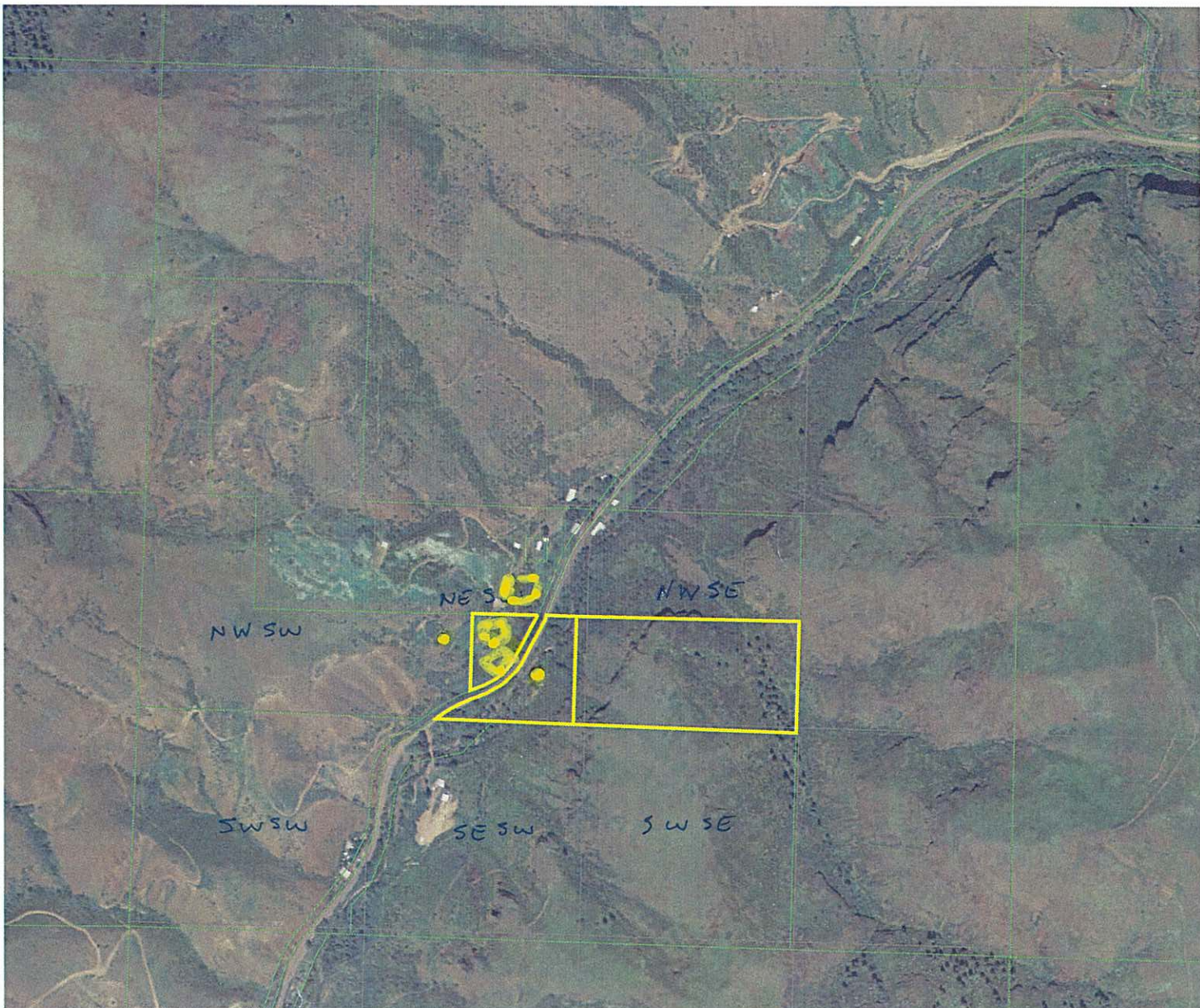
RECEIVED
FEB 06 2006
IDWR/North



Place of Use



Point of Diversion



January 29, 2006

Mr. Gregory J. Taylor
Sr. Water Resource Agent
Idaho Dept. of Water Resources
Suite 210
1910 Northwest Blvd.
Coeur d' Alene ID 83814

RECEIVED
FEB 06 2006
IDWR/North

Dear Mr. Taylor,

First, please find enclosed two notices of claim, for myself and my mother, that I am re-submitting with notarized signatures and initialed changes as per your request.

Second let me try to shed some light on the details of these two claims:

- My 82 year old mother owns no property in Idaho. She does apparently still own a water right (27660079-2082), granted in 1958 to provide water for property she and my father owned at that time, but subsequently sold.
- I own property with my cousin's that adjoins the property my parents once owned. (We are in the process of selling this property to Mr. David Enneking who owns adjoining property in the SW ¼ of the SW ¼ .)
- My mother's water right provided water for both the property and home she and my father once owned, as well as water for a portion (orchard) of the property now owned by myself and my cousins. See item #8 on her attached original application for permit from 1958.
- The spring for my mother's water right is located on land owned by the Clarence Lightfield family heirs. See remarks section on my mother's attached original application for permit from 1958.
- Based on the coordinates from the aerial photograph, the spring location is incorrectly listed on the application from 1958! (As you'll notice from the cross-out on my mother's current notice of claim, I had my doubts too, but figured I had better stick with what was listed from 1958.)
- For the spring on the property owned by myself and my cousin's, I don't think a claim for water right was ever filed. (All of the property covered by these two claims was originally homesteaded by my grandparents in 1910, so I'm familiar with the history.)

I hope this makes sense, please feel free to call me directly at (206) 501-5248 if you have any questions.

Sincerely,

Lowell L. Gentry

Lowell L. Gentry
12830 65th Ave S
Seattle WA 98178
(206) 501-5248



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 19, 2006

LOWELL L GENTRY
12830 65TH AVE SOUTH
SEATTLE WA 98178

RECEIVED
FEB 06 2006
IDWR/North

Re: Notices of Claim to a Water Right in the Snake River Basin Adjudication (SRBA)

Dear Mr. Gentry:

Please find enclosed two Notices of Claim that you submitted for your mother and yourself. We are returning the Claims because your signatures must be Notarized before the Notices can be accepted.

I have also enclosed an aerial photo that shows the property that is owned by you/Lola Gentry according to Idaho County records. These lots are outlined in yellow. Would you please mark and label the aerial photo where water is diverted from the spring by you and your mother? Please also mark and label where each house is located. The quarter-quarter tracts are already labeled on the map and can be used to confirm Items 4 & 10 are correct on the forms.

I have also added the water right number for your mother's water right in item 15. This is the number that the department has on record because it has been licensed.

I have also changed the amounts in items 6 & 7 to match what Mrs. Gentry has the right to divert according to our records. If you would please initial these changes and any other changes you wish to make, sign in the presence of a Notary Public and return them to this office with the aerial photo, we will be able to review these rights in the SRBA.

Please keep the two receipts for your records and if you have any questions, do not hesitate to contact me.

Sincerely,

Gregory J. Taylor
Sr. Water Resource Agent