

03/02/2007

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

RIGHT NUMBER: 77-10077

NAME AND ADDRESS: ROBERT DODSON
PO BOX 484
NEW PLYMOUTH ID 83655-0484

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 08/01/1983

POINT OF DIVERSION:

T22N R06E S12 SWNW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE: DOMESTIC in IDAHO County

T22N R06E S12 SWNW

The diversion point and place of use for this water right are on Lot 11,
Block 2 of the Virginia Subdivision, part of patented Mineral Survey 1893.

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.

Place of use does not include any federal land.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PARCEL NO. RP004100020110A

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

In Re SRBA

Subcase No. 77-10077

Case No. 39576

Standard Form 5

**STIPULATED ELEMENTS
OF A WATER RIGHT**

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

OBJECTOR:

United States on behalf of the
USDA Forest Service

Robert Dodson

Date

David L. Negri

Date

IDWR CONCURRENCE:

ATTORNEY FOR IDWR:

Kenneth Knoblock

Date

Chris M Bromley

Date

CERTIFICATE OF MAILING

I certify that on March __, 2007, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copy to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, MSC 033
Boise, ID 83724

3. Copies to all parties to the subcase (insert names and addresses here):

Robert Dodson
P.O. Box 484
New Plymouth, ID 83655-0484

Signature of person mailing documents

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

In Re SRBA

Case No. 39576

A. Subcase: 77-10077 _
STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America, Acting through the USDA Forest Service
Address: 550 West Fort Street
MSC 033
Boise, Idaho 83724
Daytime Phone: (208) 334-1936

Name and Address of Attorney, if any:

David L Negri
550 West Fort Street
MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN THE DIRECTOR'S REPORT

Name: Robert Dodson
Address: PO Box 484
New Plymouth, ID 83655-0484

D. I object to the following elements as recommended in the Director's Report.
(Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☒ **Point(s) of Diversion**
Should be: See E below.
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Places of Use**
Should be: See E below.

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

The point of diversion and place of use in the SWNW Section 12, T22N, R6E as shown in the Directors Report recommendation includes National Forest System and private land. It is presumed that this water right is on private land. If the water right is on private land the legal descriptions need to include language that the water right is on part of Mineral Survey 1893, and the applicable lot of the Virginia Subdivision.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

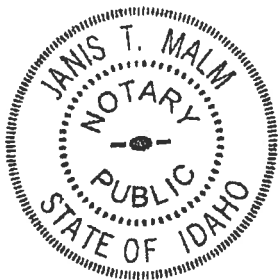
Steve Spencer , duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Steve M. Spencer
(Signature of person filing objections)
David M. [illegible]
(Attorney signing in representative capacity)

Subscribed and sworn before me on: July 26, 2008

Janis T. Malm



Notary Public for:
Residing at: Boise, Idaho
Commission Expires: 09/09/2008

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on JUL 28 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

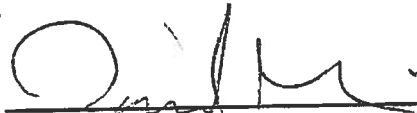
Name: Robert Dodson
Address: PO Box 484
New Plymouth, ID 83655-0484

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resource Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

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

RIGHT NUMBER: 77-10077

NAME AND ADDRESS: ROBERT DODSON
PO BOX 484
NEW PLYMOUTH ID 83655-0484

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 08/01/1983

POINT OF DIVERSION:

T22N R06E S12 SWNW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE: DOMESTIC in IDAHO County
T22N R06E S12 SWNW

The diversion point and place of use for this water right are on Lot 11,
Block 2 of the Virginia Subdivision, part of patented Mineral Survey 1893.

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.

Place of use does not include any federal land.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PARCEL NO. RP004100020110A

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

Right Number: 77-10077

Name and Address: ROBERT DODSON
PO BOX 484
NEW PLYMOUTH, ID 83655-0484

Source: GROUND WATER

Quantity: .04 CFS

RECEIVED
FEB 20 2007
IDWR/North

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

Priority Date: 08-01-1983

Diversion Point: T22N R06E S12 SWNW Within Idaho County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Domestic	01-01 TO 12-31	.04 CFS

Place of Use:	Domestic	Within Idaho County
	T22N R06E S12	SWNW

The diversion point and place of use for this water
Right are on Lot 11, Block 2 of the Virginia
Subdivision, part of patented Mineral Survey 1893.

Other Provisions Necessary for Definition / Administration of this
Water Right:

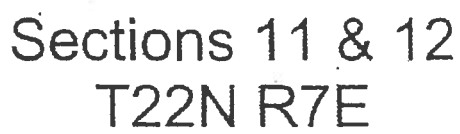
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS
NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

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.

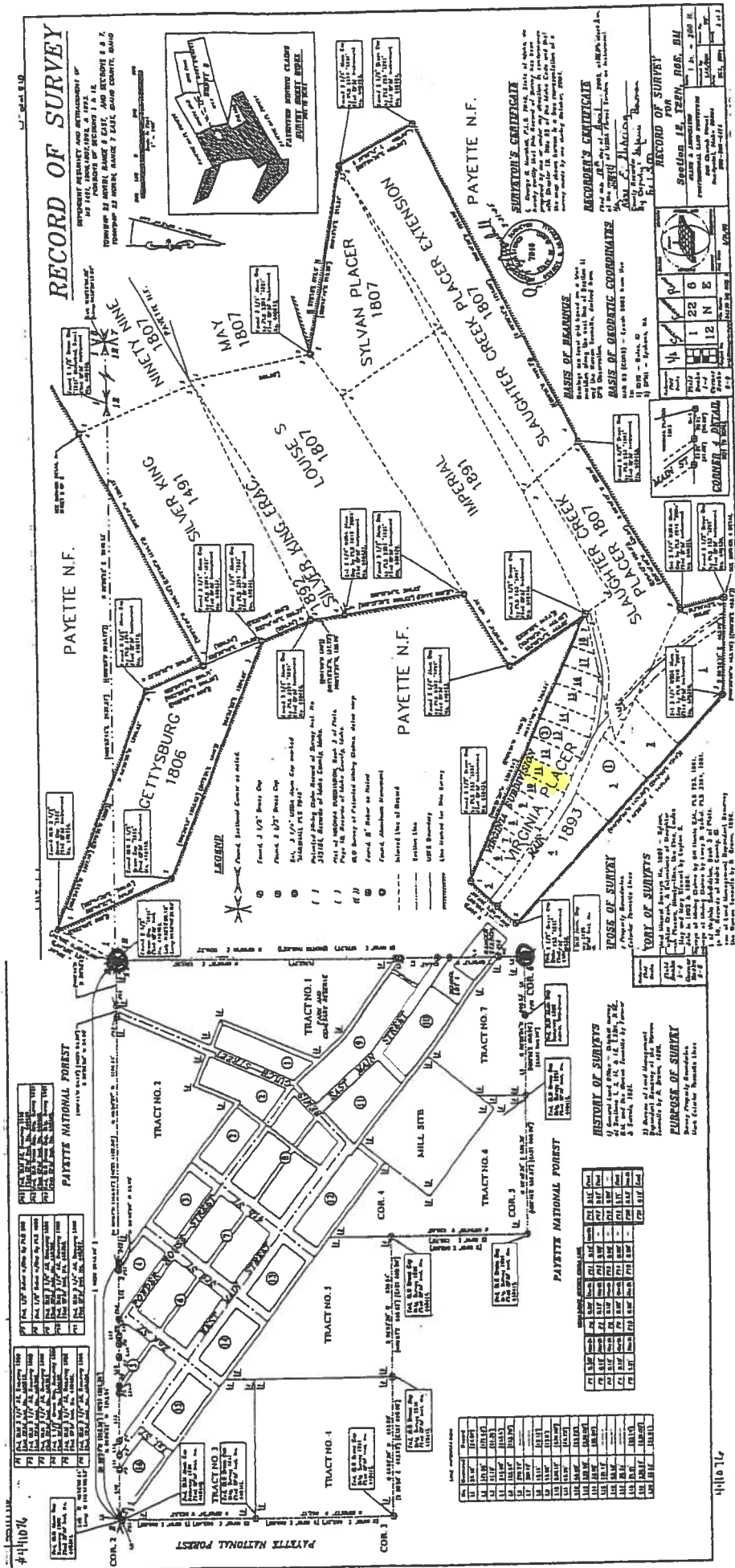
Places of use do not include any federal land.

Explanatory Material: Basis of Claim - Beneficial Use

PARCEL NO. RP004100020110A



Two recent surveys of differing scales reduced/enlarged to connect on common survey points.

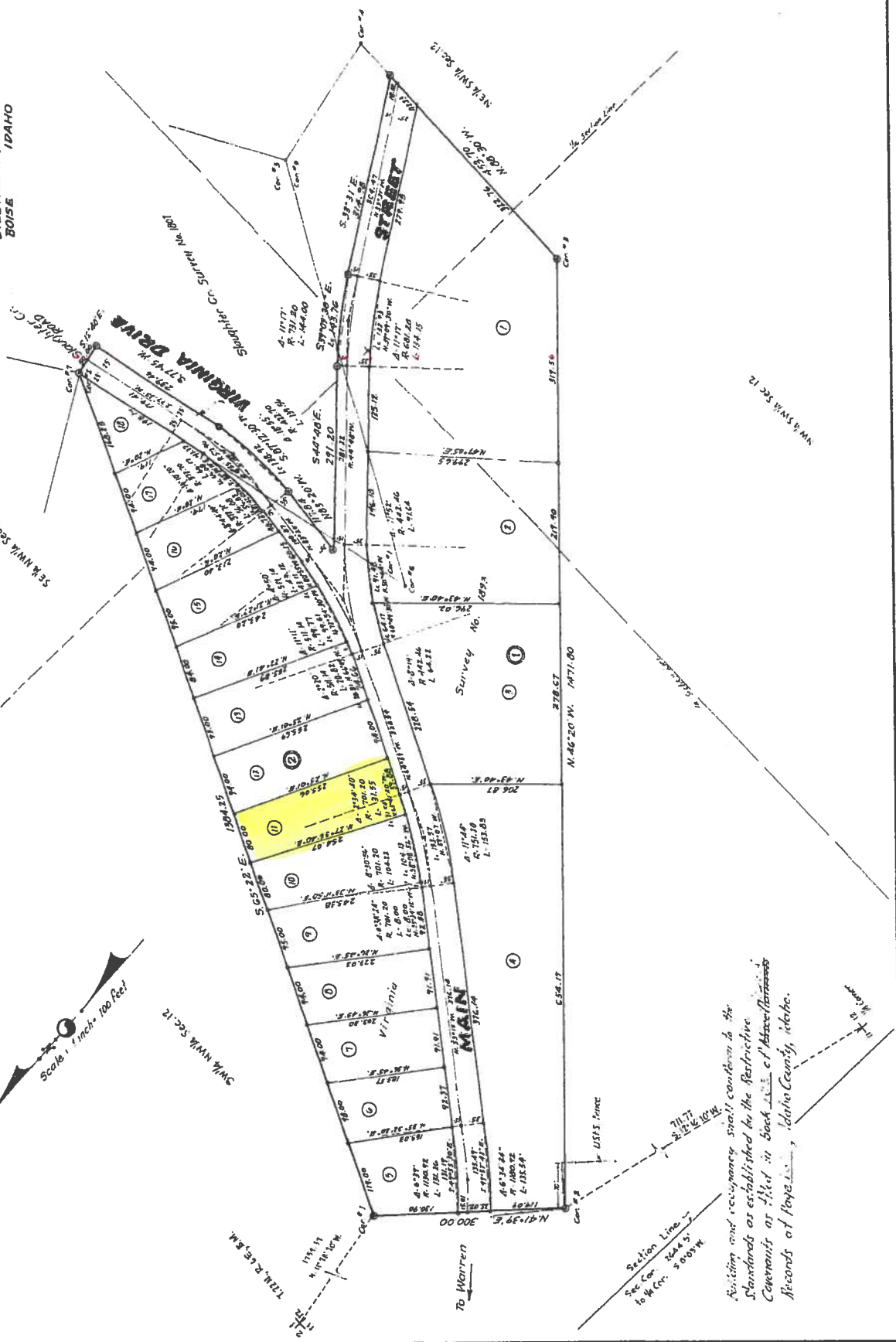
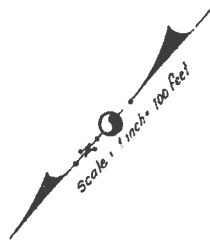


219443

VIRGINIA SUBDIVISION

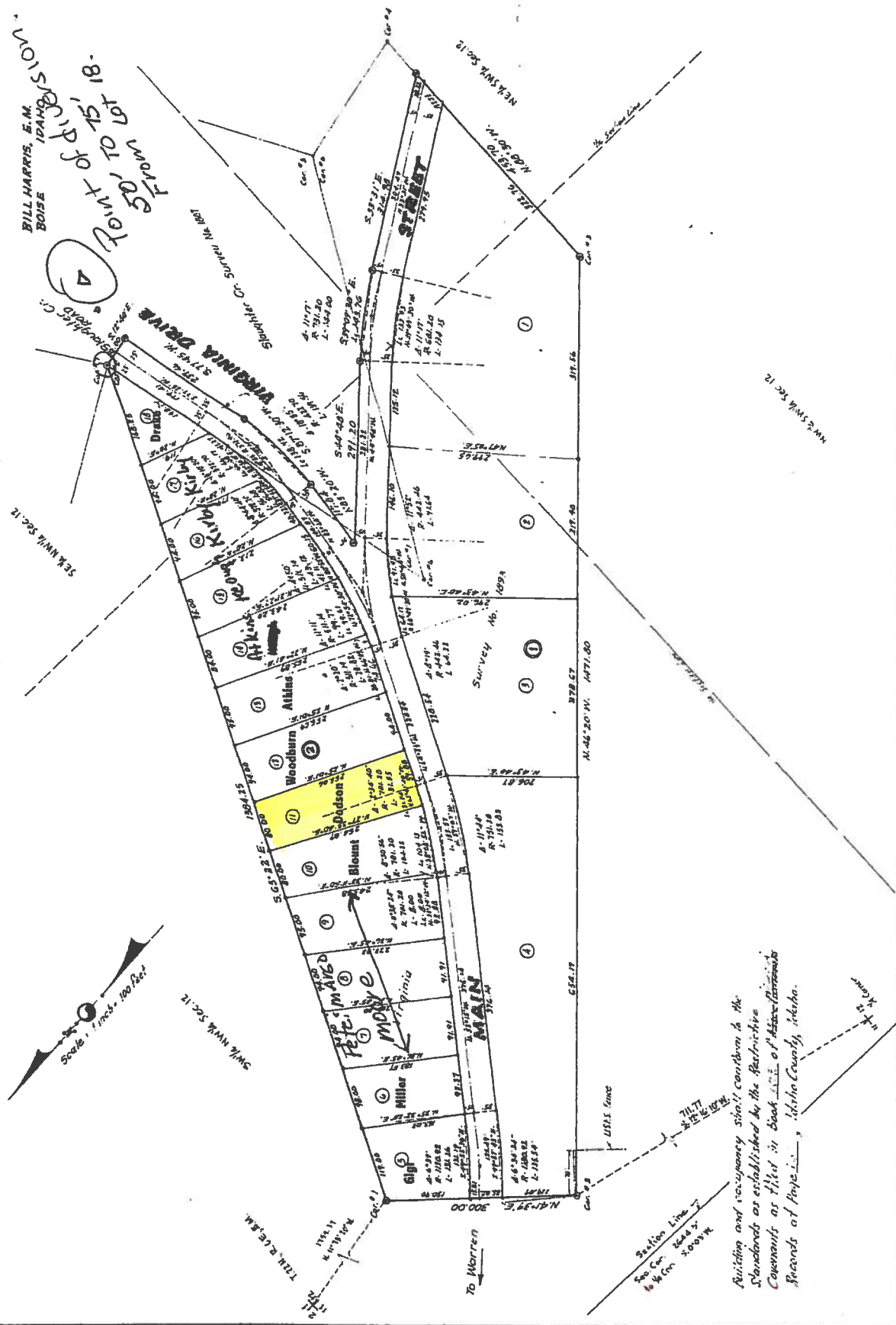
Situate in Section 12, T. 22 N., R. 6 E., B. M., IDAHO COUNTY, IDAHO

BILL HARRIS, E.M.
BOISE IDAHO



Division and occupancy shall conform to the standards as established by the Restrictive Covenants as filed in Book 12 of Abstracts Records of Boise, Idaho County, Idaho.

Situate in Section 12, T.22 N., R.6E, E.M., IDAHO COUNTY, IDAHO



274845

WARRANTY DEED

INDEXED ☒
 RECORDED ☒
 FILED ☒
 ASSESSOR ☒

For Value Received MADGE A. CRAM, a widow,

the grantor , does hereby grant, bargain, sell and convey unto NATHAN DODSON and ELDENE G. DODSON, husband and wife, 121 Hawthorne Avenue, New Plymouth, Idaho, 83655, the grantees , the following described premises, Idaho County Idaho, to wit:

Lot 11, Block 2, Virginia Subdivision, as the same is numbered and designated on the official plat of said subdivision on file in the office of the County Recorder of Idaho County, Idaho;

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining;

Subject to all easements and rights-of-way of record or appearing on the land.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that she is the owner in fee simple of said premises; that said premises are free from all incumbrances except taxes and assessments for the year 1974;

and that she will warrant and defend the same from all lawful claims whatsoever.
 Dated: September 10, 1974

Madge A. Cram
 Madge A. Cram

STATE OF GEORGIA, COUNTY OF Stephens
 On this 10 day of Sept, 1974,
 before me, a notary public in and for said State, personally appeared MADGE A. CRAM, a widow,

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Betty H. Bentley
 Notary Public
 Residing at Accra, Ga. Georgia
 Comm. Expires April 22, 1977
 My commission expires April 22, 1977.

STATE OF IDAHO, COUNTY OF Idaho
 I hereby certify that this instrument was filed for record at the request of Eldene G. Dodson
 at 20 minutes past 10 o'clock a m.,
 this 17 day of aug.,
 19 78, in my office, and duly recorded in Book
 of Deeds at page

BOB J. WAITE
 Ex-Officio Recorder

By Lucille Hawes Deputy.
 Fees \$ 1.00
 Mail to: 121 Hawthorne Ave - Box 484
New Plymouth, Id. 83655

INSTRUMENT NO.

369866

COMPUTER 1 1
INDEXED 1 1
TRACTED 1 1
FILMED 1 1
ASSESSOR 1 1

PERSONAL REPRESENTATIVES DEED

FOR VALUE RECEIVED, ROBERT B. DODSON, as duly appointed, qualified and acting Personal Representative of the Estate of NATHAN YOUNG DODSON and ELDENE GOVE DODSON, husband and wife, Deceased, pursuant to the appointment by the Magistrate Division of the District Court of the Third Judicial District, in and for the County of Payette, State of Idaho, the Grantor herein, does hereby grant bargain, sell and convey unto, ROBERT B. DODSON, a single person, of 121 Hawthorne, New Plymouth, Idaho 83655, the Grantee, all right, title, and interest of the said Estate, in and to the following described premises, located in the County of Idaho, State of Idaho, to-wit:

Lot 11, Block 2, Virginia Subdivision, as the same is numbered and designated on the official plat of said subdivision on file in the office of the County Recorder of Idaho County, Idaho.

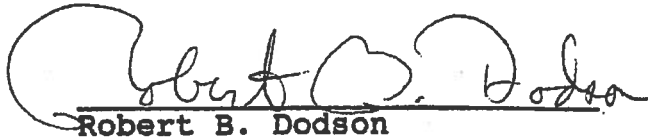
Together with any and all water, water rights, ditches, ditch rights, minerals, mineral leases and any and all irrigation rights appurtenant to said lands or in anywise connected therewith.

Subject to all valid outstanding reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations, mineral conveyances or interests which could be discovered by inspection of the land or are of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the Grantee, their heirs and assigns forever. And Grantor does hereby covenant to and with the Grantees that the property is free from all encumbrances, except as set forth

hereinabove.

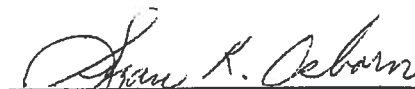
Dated the 17th day of June, 1993


Robert B. Dodson

STATE OF IDAHO)
) ss.
County of Payette)

On this 17th day of June, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared ROBERT B. DODSON, known to me to be the person whose name is subscribed to the foregoing Personal Representative Deed, and acknowledged to me that he executed the same as the Personal Representative of the Estate of NATHAN YOUNG DODSON and ELDENE GOVE DODSON, husband and wife, Deceased, and he executed the same as the Grantor.

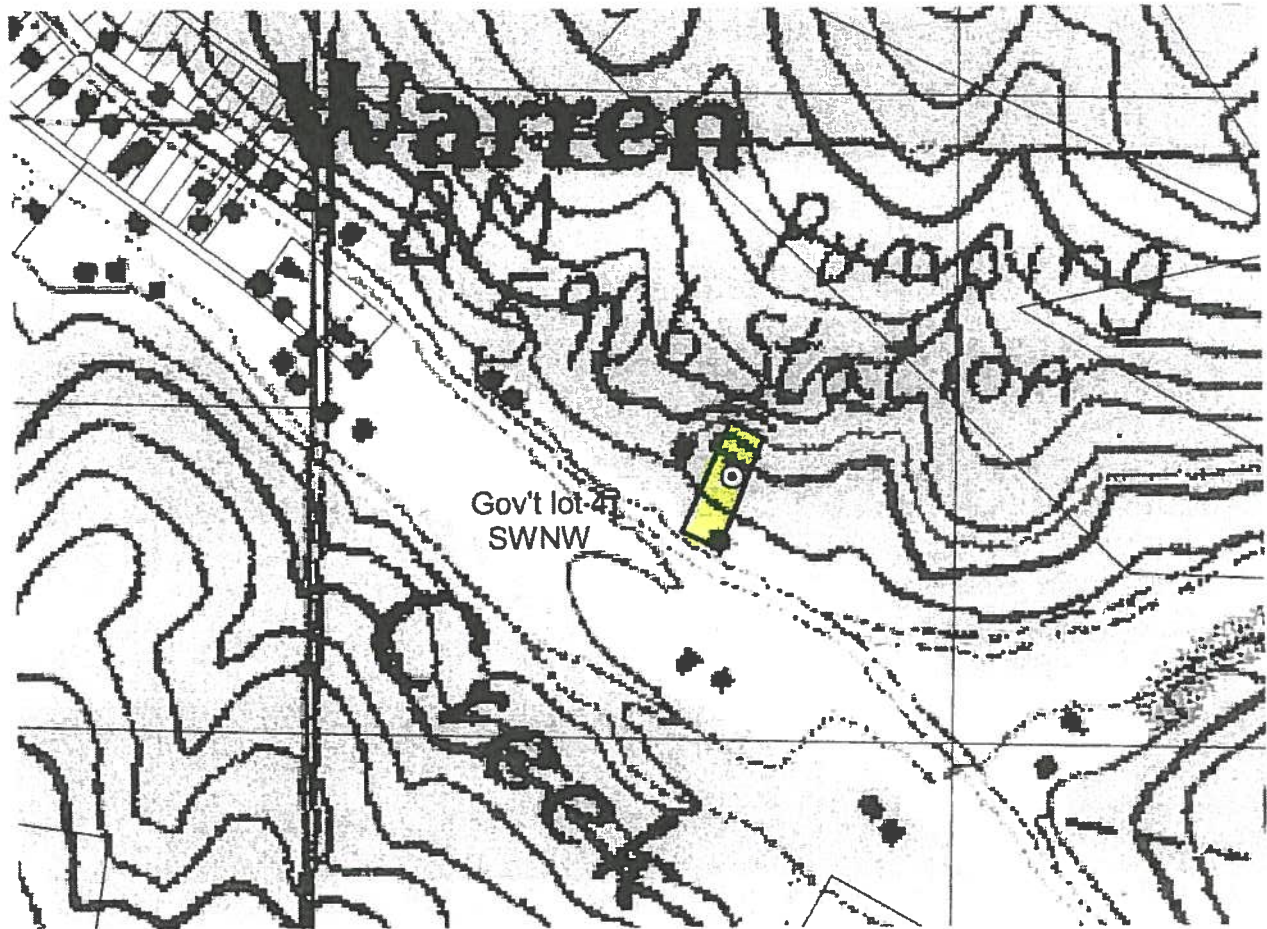
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.


Notary Public for Idaho
Residing at Payette, Idaho
My Comm. Expires 7-18-98

STATE of IDAHO	{ ss
County of Idaho	
Recorded at request of <u>Robert Dodson</u>	
at <u>19</u> minutes past <u>2</u> o'clock <u>P</u> .M.,	
this <u>10</u> day of <u>August</u> , 19 <u>93</u>	
ROSE E. CELINA	Recorder
By <u>[Signature]</u>	Deputy
Fees \$ <u>6.00</u>	

m/p.o. Box 484
New Plymouth, Idaho
83655

77-10077



0 200 400 Feet

Section 12
T22N R6E



⊙ Point of Diversion

□ Place of Use

Map prepared on April 13, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

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

RIGHT NUMBER: 77-10077

NAME AND ADDRESS: ROBERT DODSON
PO BOX 484
NEW PLYMOUTH ID 83655-0484

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

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GALLONS PER DAY.

PRIORITY DATE: 08/01/1983

POINT OF DIVERSION:

T22N R06E S12 SWNW Within IDAHO County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

1/01 12/31

0.040 CFS

PLACE OF USE: DOMESTIC in IDAHO County

T22N R06E S12 SWNW

The diversion point and place of use for this water right are on Lot 11,
Block 2 of the Virginia Subdivision, part of patented Mineral Survey 1893.

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

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later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

Place of use does not include any federal land.

EXPLANATORY MATERIAL: BASIS OF CLAIM -

PARCEL NO. RP004100020110A



Steven M
Spencer/R4/USDAFS
08/09/2006 02:30 PM

To Carter Fritschle, Ken Knoblock
cc Fred Price
bcc
Subject Warren Area

RECEIVED
AUG 11 2006
IDWR/North

I'm working on three specific objections the FS made to private claims is Basin 77 near Warren Townsite. They are 77-02021, 77-10077 and 77-14222. I talked to the FS surveyors in Boise a couple of weeks ago and learned of a new survey done in 2004 for part of Sections 11 and 12 involving the Warren Townsite in Section 11 and the mineral surveys in the north half of Section 12.

A couple of days ago I started digging into this because Dale Bittner of the Warren Townsite was inquiring. To make a long story short, I enlarged some maps and reduced some others to get the new survey information to almost perfectly overlap existing maps. Then using my high tech lighted mapping table (the front office window) I learned that the new survey information differs significantly from what is on the old maps for the north half of section 12. Unfortunately the south half of section 12 has not been done.

It's appearing to me that the three above water right claims should end up being totally on private land. We'll want to add the appropriate mineral survey, Warren Townsite, and in a couple of cases the lot within the Virginia Subdivision and maybe that the water right is not on federal land to more precisely describe these water rights.

I'm sending to each of you the following:

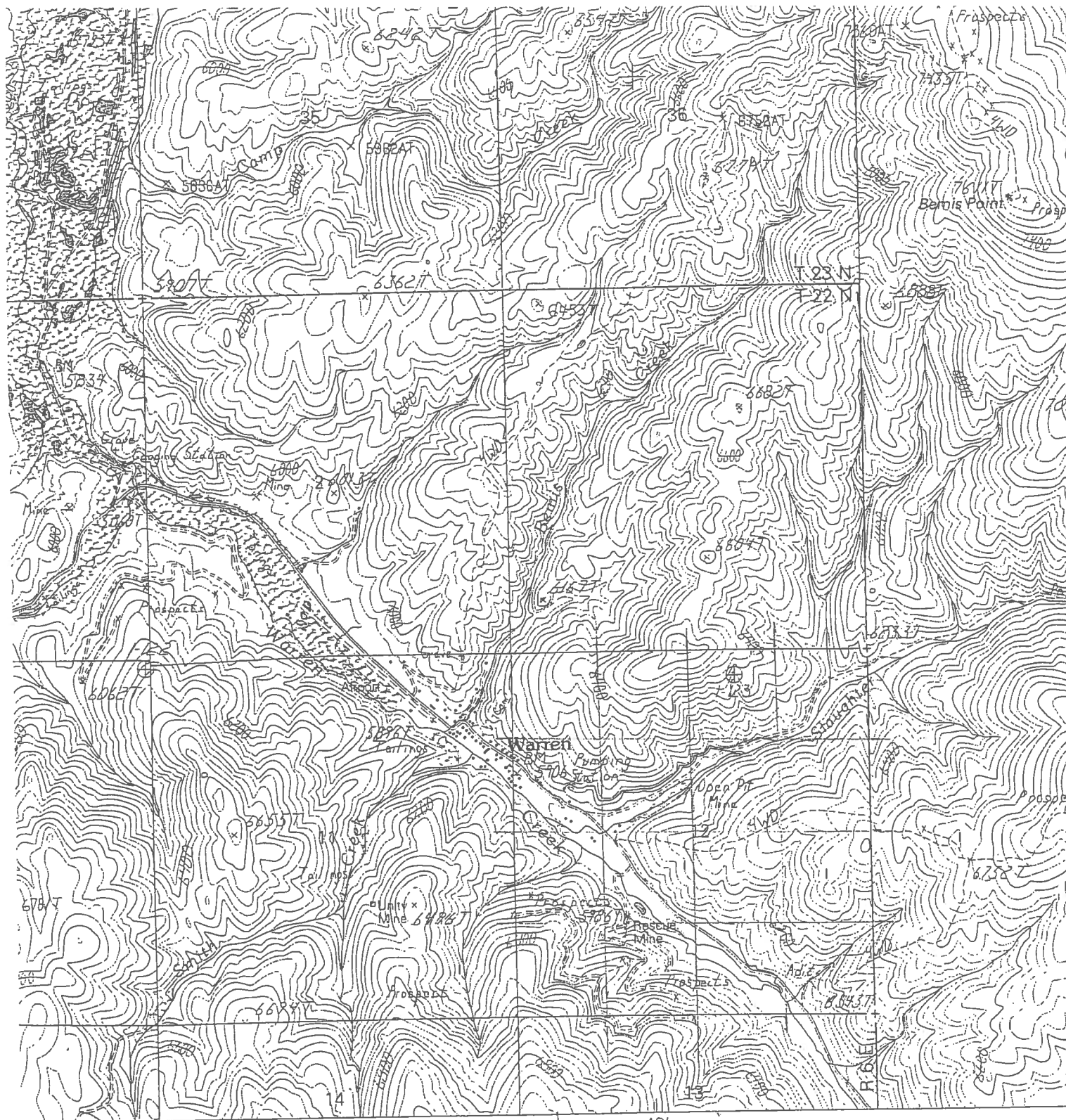
1. Portion of USGS quad with my hand drawn quarter-quarters for Section 12.
2. Portion of the present, existing BLM Master Title Plat (MTP) for Section 12 marked "OLD".
3. The 2004 survey for the approximate NW quarter of Section 12.
4. The 2004 survey for the approximate NE quarter of Section 11.
5. A page of those two surveys (in #3 and 4 above) reduced to scale and taped together to lay over the OLD MTP. You'll see that Section 11 is probably OK but the private patented mineral surveyed properties in Section 12 are about a quarter mile out of place.
6. The BLM MTP marked "NEW" that I created by holding the OLD MTP over the reduced scale survey and drawing in the location of the patented private lands. I also whited out the old mineral survey lines so that they appear as dashed lines.

Using the NEW MTP, it appears to me that the FS objections can be resolved. I want you guys to see this information before I go any further. It will go to Carter and Ken in today's U.S. Mail. Fred, yours will be in the CACI mailing. When you've had a chance to digest the information, let's get together and I'll attempt to explain what I think I've found and what the next step might be. Carter, I'd come over to your office for this. Let me know when you'd like to dig a little deeper into it. And give me a call if you have any questions.

Thank you.

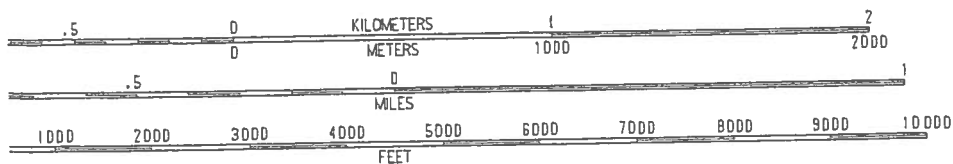
Steve Spencer
Boise Adjudication Team
161 E. Mallard, Suite 110
Boise, ID 83706

(208) 331-5944
(208) 387-0842 FAX
e-mail: sspencer@fs.fed.us



INTERIOR-GEOLOGICAL SURVEY, RESTON, VIRGINIA-1990

SCALE 1:24 000



CONTOUR INTERVAL 40 FEET

To convert feet to meters multiply by .3048
To convert meters to feet multiply by 3.2808

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225
OR RESTON, VIRGINIA 22092



QUADRANGLE LOCATION

1	2	3	1 Johnson Butte
			2 Conontail Point
			3 Mackay Bar
4		5	4 War Eagle Mountain
			5 Burgdorf Summit
			6 Loon Lake
6	7	8	7 Pony Meadows
			8 Pilot Peak

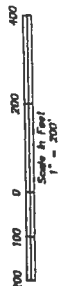
ADJOINING 7.5' QUADRANGLE NAMES

V TOWNS: TE



RECORD OF SURVEY

DEPENDENT RESURVEY AND RETRACEMENT OF
THE WARREN TOWNSITE
A PORTION OF SECTION 11
TOWNSHIP 22 NORTH, RANGE 6 EAST, BOISE MERIDIAN,
IDAHO COUNTY, IDAHO



BASIS OF BEARINGS

Bearings are local grid based on a true
meridian along the east line of Section 11
and the northern townline, derived from
GPS Observation.

BASIS OF GEODETIC COORDINATES

NAD 83 (GCRS) - Epoch 2002 from its
to:
1) IOTD - Boise, ID
2) SPN1 - Spokane, WA

LEGEND

Found, Sectional Corner as noted.

Found, 3 1/4" Brass Cap

Found, 2 1/2" Brass Cap

Found, 1 1/2" Brass Cap

Found, Witness Corner

Bureau of Land Management Dependent Resurvey
of the Warren Townsite by R. Brown, 1986.
GLO Survey of Warren Townsite by Gerald
Sorrells, 1921.

Found, 1/2" Rebar as Noted

Found, Aluminum Monument

Property Line

Section Line

Line Marked for This Survey

SURVEYOR'S CERTIFICATE

I, George G. Marshall, P.L.S. 7046, State of Idaho, do
hereby certify that this Record of Survey has been
prepared by me or under my direction in conformance
with Chapter 15, Title 55 of the Idaho Code and that
the map shown hereon is a true representation of a
survey made by me during October, 2004.

RECORDER'S CERTIFICATE

Filed this 17th day of April, 2005, at 10:00 a.m.
at the request of USDA Forest Service, as instrument
No. 440116
Rec: 5.00
County Recorder: *Angie Bower*

RECORD OF SURVEY

WARREN TOWNSITE

GLASS & ASSOCIATES
PROFESSIONAL LAND SURVEYORS
1420 N. 1st St.
Boise, ID 83724
Phone: 208-333-1111
Fax: 208-333-1112
E-mail: info@glassand.com



Performance	Field	Office	Field	Office
Grade	1/4	1/4	1/4	1/4
Field	11	22	N	F
Books	1-4			

HISTORY OF SURVEYS

1) General Land Office - Original survey
of Sections 1, 2, 11, & 12, 122N, R.6E,
B.M. and the Warren Townsite by Farmer
& Sorrells, 1921.

PURPOSE OF SURVEY

2) Bureau of Land Management
Dependent Resurvey of the Warren
Townsite by R. Brown, 1986.

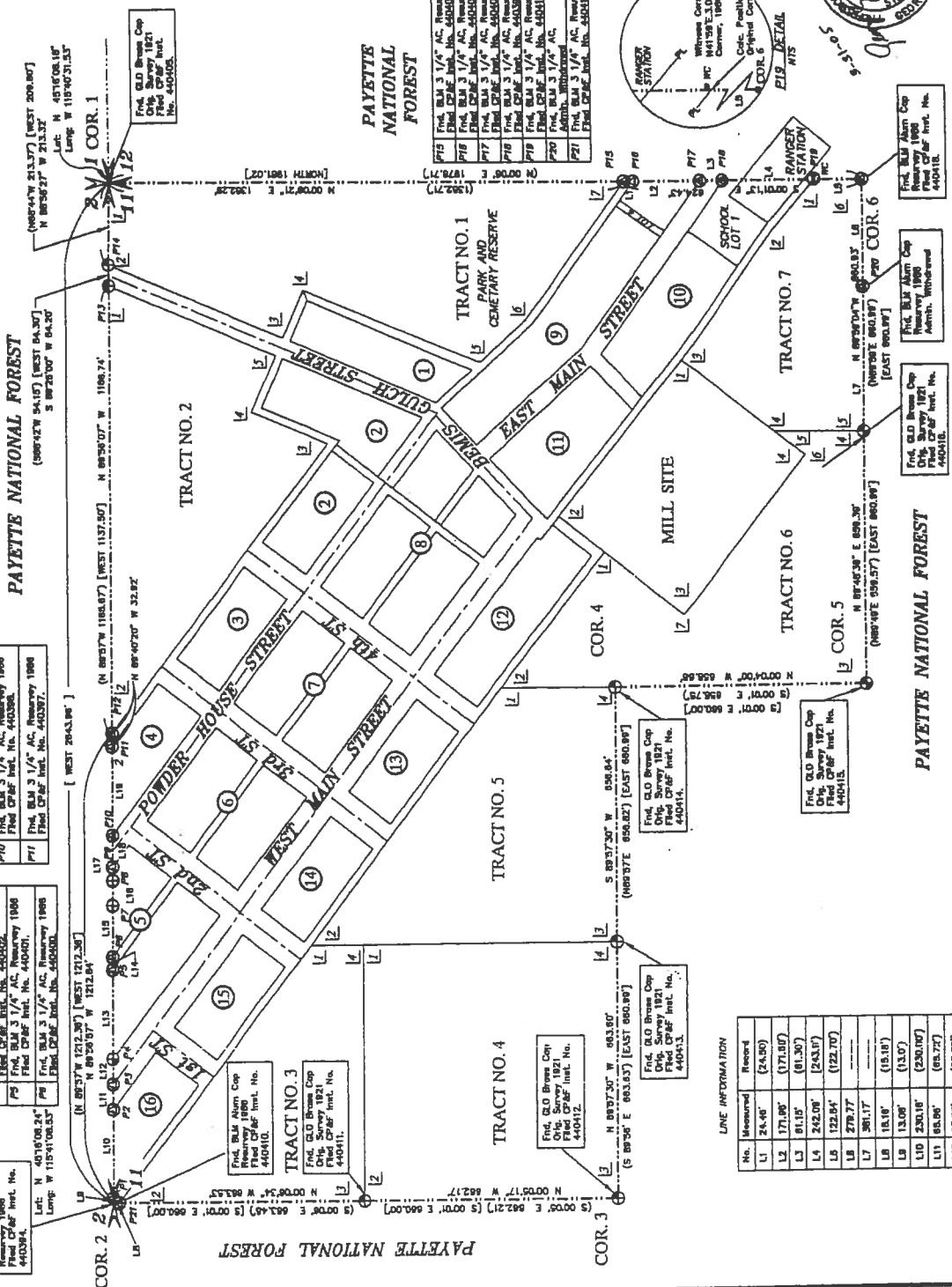
P12	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440409.
P13	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440409.
P14	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440409.
P15	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440409.

P16	Find. 1/2" Rebar w/ Cap By PLS 898	Find. CP&F Int. No. 440410.
P17	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440410.
P18	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440410.
P19	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440410.
P20	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440410.
P21	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440410.

P1	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440412.
P2	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440412.
P3	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440412.
P4	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440412.
P5	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440412.
P6	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440412.
P7	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440412.
P8	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440412.
P9	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440412.
P10	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440412.
P11	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440412.

P1	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440412.
P2	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440412.
P3	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440412.
P4	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440412.
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P6	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440412.
P7	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440412.
P8	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440412.
P9	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440412.
P10	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440412.
P11	Find. BLM 3 1/4" AC. Resurvey 1986	Find. CP&F Int. No. 440412.

#441076



LINE INFORMATION

No.	Measured	Record
L1	24.48'	(24.80)
L2	171.08'	(171.08)
L3	81.18'	(81.30)
L4	242.08'	(243.17)
L5	122.84'	(122.70)
L6	278.77'	
L7	381.17'	
L8	18.18'	(18.18)
L9	13.09'	(13.09)
L10	230.16'	(230.07)
L11	66.96'	(66.77)
L12	66.95'	(66.72)
L13	228.98'	(230.07)
L14	33.92'	(33.87)
L15	131.42'	
L16	33.45'	
L17	33.34'	
L18	81.81'	(82.14)
L19	230.24'	(230.07)
L20	32.92'	(32.91)

MONUMENT OFFSET FROM LINE			
	North	West	East
P16	0.30'	0.18'	0.18'
P17	0.15'	0.15'	0.15'
P18	0.15'	0.15'	0.15'
P19	0.15'	0.15'	0.15'
P20	0.15'	0.15'	0.15'
P21	0.15'	0.15'	0.15'

01/05/2006 RECEIVED

NOTICE OF ERROR
REPLY

MAR 02 2006
DEPARTMENT OF
WATER RESOURCES

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: March 3, 2006

Water right number: 77-10077

ELDENE DODSON
PO BOX 484
121 HAWTHORNE AVE
NEW PLYMOUTH ID 83655-0484
Telephone Number: (208)278-5878

Deceased

NATHAN DODSON
PO BOX 484
121 HAWTHORNE AVE
NEW PLYMOUTH ID 83655-0484
Telephone Number: (208)278-5878

ROBERT DODSON
PO BOX 484
NEW PLYMOUTH ID 83655-0484
Telephone Number: (208)278-5878

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: 2/20/06 SIGNATURE: Robert Dodson
Please print your name: ROBERT DODSON

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 287-4800

RECEIVED
MAR 02 2006

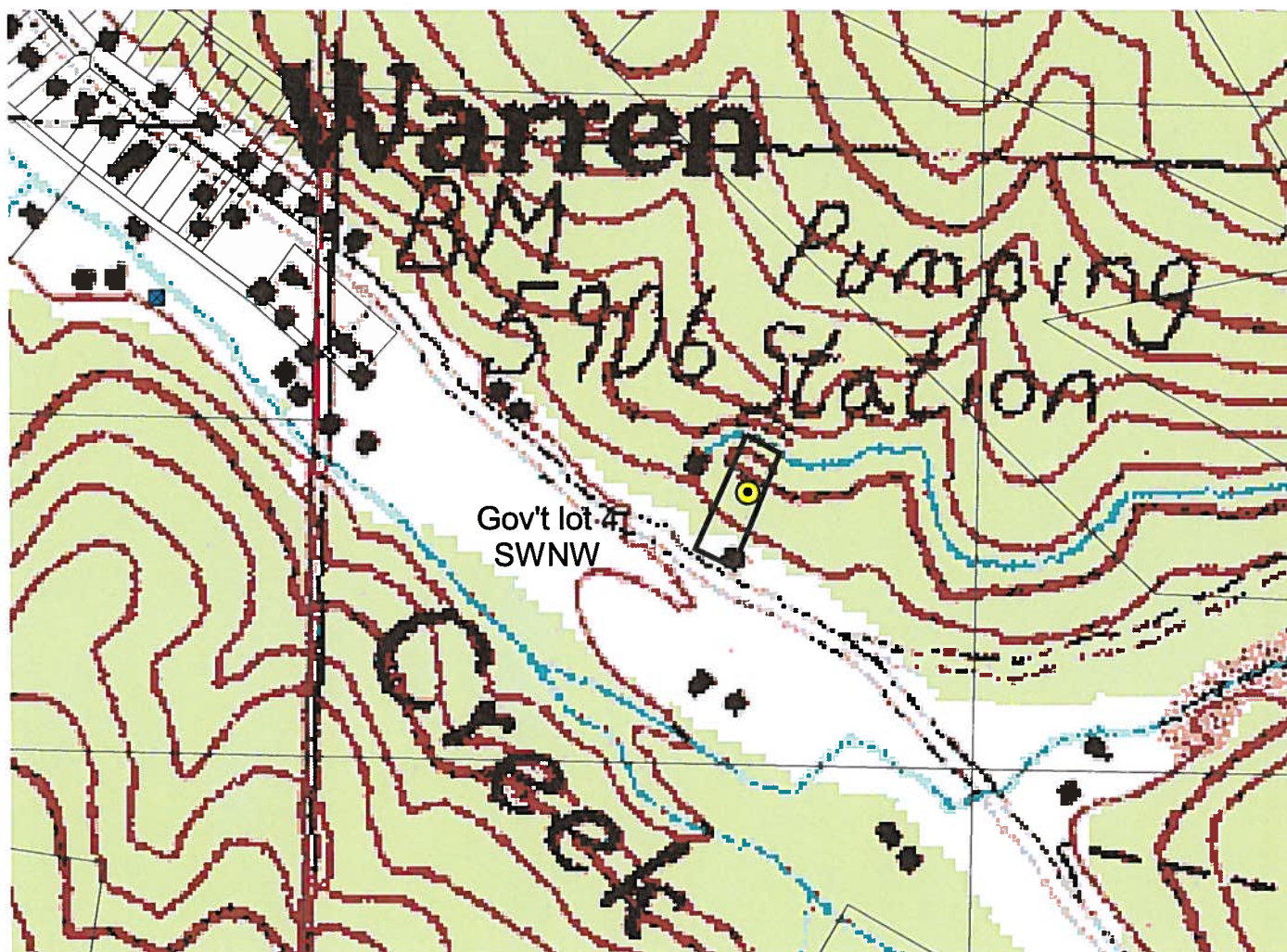
IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

PURPOSE AND PERIOD OF USE:	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	DOMESTIC	1/01 12/31	0.040 CFS
PLACE OF USE:	<u>DOMESTIC Within IDAHO County</u>		
	T22N R06E S12	SWNW	

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

1

77-10077



0 200 400 Feet

Section 12
T22N R6E



● Point of Diversion

□ Place of Use

Map prepared on April 13, 2005
By Kenneth Knoblock
Idaho Department of Water Resources



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2610
(208) 769-1450

Fax (208) 769-1450

DIRK KEMPTHORNI
GOVERNOR

KARL J. DREHER
DIRECTOR

April 13, 2005

Robert Dodson
Box 484
New Plymouth, ID 83655

RE: 77-1007

Dear Mr. Dodson:

We have completed the review of your water right claim for sue of water from the well. The surface water backup cannot be allow because the date of priority is August 1, 1987. When a new diversion of surface water is started after May 20, 1971, an appropriation permit had to be obtained first. In order to develop a right to this surface water an application to appropriate water has to be submitted and approved.

Sincerely,

A handwritten signature in black ink, appearing to read 'Knoblock', written over a horizontal line.

Kenneth Knoblock
Water Resources Agent

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: A77-10077
Date Received: 8/31/1988
Receipt No: W000639
Received By: EJR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NATHAN DODSON 208-278-5878
Address: P.O. BOX 484
121 HAWTHORNE AVE.
NEW PLYMOUTH, ID 83655-0484

OR

Name: ELDENE DODSON 208-278-5878
Address: P.O. BOX 484
121 HAWTHORNE AVE.
NEW PLYMOUTH, ID 83655-0484

OR

Name: ROBERT DODSON 208-278-5878
Address: P.O. BOX 484
NEW PLYMOUTH, ID 83655-0484

2. Date of Priority: AUG 01, 1983

3. Source: GROUNDWATER Trib. to:
WARREN DITCHES WARREN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
22N	06E	12	SW	NW			IDAHO

5. Description of diverting works:
125'WELL W/PUMP & TNK.& PIPELINE;GRAVITY PIPE FROM DITCHES

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		

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

8. Total consumptive use is Acre Feet Per Annum.

A77-10077

Page 1

Date: 08/31/88

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OCT 05 1992

9. Non-irrigation uses:
D/1 HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
22N	06E	12	SW	NW		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:
WATER FROM WARREN DITCHES ARE USED BY PERMISSION FROM OWNER
(VERBAL)

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

Ident. Number A77-10077Date Received 07/20/88Receipt Number W000639

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

Department of Water Resources
Western Regional Office

Please type or print clearly

NATHAN DODSON OR

ELDENE DODSON OR

1. Name of Claimant (s) ROBERT DODSON Phone (208) 278-5878Mailing Address P.O. BOX 484 121 HAWTHORNE AV Zip 83655-0484NEW PLYMOUTH, IDAHO2. Date of Priority (Only one (1) per claim) AUGUST 1, 19833. Source of water supply (a) GROUNDWATER

which is tributary to (b) _____

4. Location of point of diversion is: Township 22N Range 6ESection 12, SE 1/4 of SW 1/4 of NW 1/4, Govt. Lot _____, B.M.,County of IDAHO

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. SINGLE WELL WITH PRESSURE PUMP
AND DELIVERY LINE. ELEVATED TANK TO PROVIDE PRESSURE AND HOLDING
CAPACITY. WELL DEPTH-125 FEET

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 0.04

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.04 (cfs)8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) DOMESTIC-ONE HOUSEHOLD SERVED

MICROFILMED
Copies: White-State, Yellow-Claimant

OCT 05 1992

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
22N	6E	12																
									D									

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

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.
SEE ATTACHED SHEET OF PAPER or None ()

14. Remarks: RE ITEM 4: LOT 11, BLOCK 2 OF THE VIRGINIA SUBDIVISION
ADDITIONAL ALTERNATE USE WATER SOURCE DESCRIBED ON ATTACHED SHEET

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

If applicable provide IDWR Water Right Number

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 X do not
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

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

Signature of Claimant (s) Robert Dodson Date JULY 15, 1988

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)
County of Payette) SS.

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

SEAL

Notary Public Kay M. Genson

Residing at New Plymouth, Idaho

My Commission Expires 11-1-93

Last Name Genson Ident No. A77-10077

Copies White-State, Yellow-Claimant

MICROFILMED

NATHAN DODSON OR
ELDENE DODSON OR
ROBERT DODSON

(208) 278-5878

RECEIVED
JUL 20 1988

Department of Water Resources
Western Regional Office

CLAIM TO WATER RIGHT FOR ALTERNATE WATER SOURCE OTHER THAN THAT
DESCRIBED IN ATTACHED DOCUMENT (SAME DELIVERY SYSTEM)

Due to the availability of limited electrical resources, well pumping is not the singular source for the household water supply described in the attached document. Water is also taken from two water ditches, one which directly crosses the described property (the "Warren Water Ditch") and the other which passes directly along the northeast boundry of the property (the "Warren Power Ditch"). Water from these two additional sources flows into the same delivery system as the source described on the attached document.

The following information applies to the two described alternate water sources.

WATER CLAIMED FOR:

Domestic Use from 1-1 to 12-31

TOTAL QUANTITY CLAIMED:

0.04 cfs (Inclusive of water taken from well
described on attached document)

USE: Domestic-1 Household Use

SOURCE OF SUPPLY: Surface water; "Warren Water Ditch"
"Warren Power Ditch"

WHICH IS TRIBUTARY TO: Bemis Creek

DELIVERY SYSTEM: Same as described on attached document
with exception that gravity feed is used
in lieu of pumping.

POINTS OF DIVERSION: Same as described in attached document
Township 22N Range 6E Sec 12 SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$
County of IDAHO Lot 11 Block 2 of Virginia Subdivision

BASIS OF CLAIM: Beneficial Use

MICROFILMED

OCT 05 1992

WATER RIGHT NUMBER - A77-10077

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.
+ - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.
+ - - - - DECREE PLAINTIFF - - - - + - - - - DECREE DEFENDANT - - - - + - - - - DECREE DATE - +
00/00/0000
+ - - AUDIT FIELDS - 08/31/88 ROUSH 09/26/89 REFUNDML
+ - - - - COMMENTS - - - - - +
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 08/31/1988	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- W000639	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	PDU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- OR	NOTICE OF ERROR FLAG	-

RPO04100020110A

DATA ENTRY

ENTERED 12-1-93

CHECKED 3-31-94

Verified By
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

Virginia Sub
Lot 11 Blk 2

VERIFIED
SEP 14 1992

CERTIFIED
MAR 9 1993
WATER EXAMINER

PROOF
JUN 26 1992

MICROFILMED
OCT 22 1996

AJ5808NP
(UD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

05/24/92 22:15:58
PAGE 1

WATER RIGHT NUMBER - A77-10077

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***

DODSON

ELDENE

1 - P.O. BOX 484
2 - 121 HAWTHORNE AVE.
3 -

CITY- NEW PLYMOUTH STATE- ID ZIP- 836550484

PHONE - 208-278-5878

DODSON

ROBERT

1 - P.O. BOX 484
2 -
3 -

CITY- NEW PLYMOUTH STATE- ID ZIP- 836550484

PHONE - 208-278-5878

DODSON

NATHAN

1 - P.O. BOX 484
2 - 121 HAWTHORNE AVE.
3 -

CITY- NEW PLYMOUTH STATE- ID ZIP- 836550484

PHONE - 208-278-5878

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
08/01/1983 ERROR IN REGION J - BENEFICIAL USE

+ - - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +
GROUNDWATER WARREN DITCHES WARREN CREEK

+ - - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

22N 06E 12 SW NW (49) IDAHO

+ - - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME
43 - DOMESTIC 01/01 12/31 0.040

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.040 0.0

+ - - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY
22N 06E 12 SW NW 43 DOMESTIC (49) IDAHO

+ - - DIVERSION MEANS - 125' WELL W/PUMP & TANK & PIPELINE; GRAVITY PIPE FROM DITCHES

+ - - NON-IRRIGATION USE - D/1 HOUSEHOLD

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - - REMARKS - - - - - +
WATER FROM WARREN DITCHES ARE USED BY PERMISSION FROM OWNER
(VERBAL)

MICROFILMED
OCT 22 1990

