



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 19, 2006

KATHLEEN DOUGHERTY
2191 N RIVER RD
PAYETTE ID 83661

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #3-7010

Dear Claimants:

Thank you for providing the chain of title for your property. Using the chain of title we were able to identify the correct location for this water right.

We have processed the change in ownership of the Notice of Claim to a Water Right referenced above for your property in Payette County.

Enclosed is a copy of this water right claim. Please retain this copy for your file, and refer to this record number in any future inquiries or correspondence.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your claim.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Dean". The signature is written in dark ink and is positioned above the printed name and title.

Jennifer Dean
Engineer in Training
Adjudication Bureau

Enclosure:

Copy of Notice of Claim Referenced Above

Idaho Dept. of Water Resources
322 E. Front St. Boise, ID
May 19, 2006

To: 3-7010 Claim Files
From: Jennifer Dean
Subject: Ownership

The previous memo in the file (FEL 5/21/90) suggests that careful review of this claim is necessary as there is some confusion as to the ownership and place of use of this water right. When I began my review of this claim Kathleen Dougherty had just filed a change of ownership for this water right. When preparing to process the change of ownership, I discovered the confusion about the place of use for this right. In order to correctly identify the place of use for this claim and right, I requested a chain of title from Kathleen Dougherty back to the time of application when Maynard Mathews owned the property.

The chain of title shows that the property owned by Kathleen Dougherty was previously owned by John and Ellen Kennedy (who filed the SRBA claim for the property) and also previously owned by Maynard Mathews who filed the application for the water right. This indicates that the description for the place of use and point of diversion was correctly changed during the licensing process.

The chain of title also shows that John and Linda Ramos did not own any portion of the land that was developed under this right. They correctly filed for a new water right to cover their property, which is 2 acres to the NE of the place of use covered by 3-7010.

Idaho Department of Water Resources

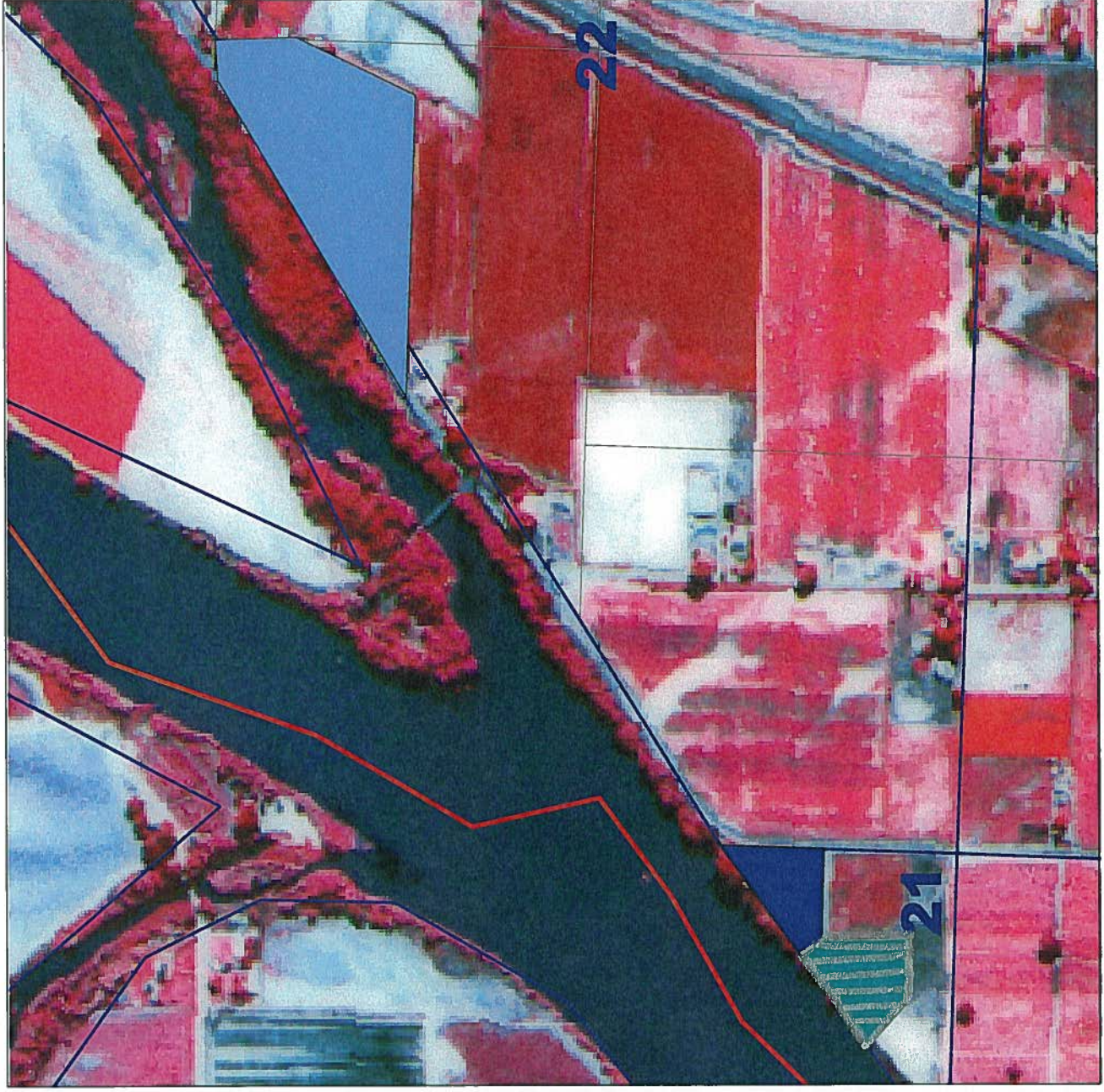
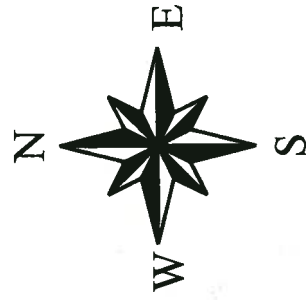
Claim Number:

03-07010

-  03_07010_ramos_pou.shp
-  03_07010_dougherty_pou.shp
-  03_07010_mathews_pou.shp
-  Sections
-  GCDB09N05W GCDB
-  Administrative BasinsAdminbas.shp

Legal: T09N, R05W, S21 & 22

 Correct place of use for
3-7010



1987 NAAP Photo



State of Idaho

DEPARTMENT OF WATER RESOURCES

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Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 26, 2006

KATHLEEN DOUGHERTY
2191 N RIVER RD
PAYETTE ID 83661

RESPONSE DEADLINE
MAY 10, 2006

3-7010

Re: Chain of Title

Dear Claimant:

We received the change of ownership form you submitted, however we are unable to confirm that the parcel of property you purchased is the same parcel that is described in Snake River Basin Adjudication (SRBA) claim 3-7010. In order to verify that 3-7010 is applicable to your property; please submit the chain of title from yourself to Maynard Mathews, the original license holder. He owned this property sometime around 1974.

I am returning the change of ownership packet you submitted. Please re-submit the change of ownership packet along with the deed chain requested by the deadline above. This will assure that we will have adequate time to review your claim in the Snake River Basin Adjudication (SRBA).

If you should decide to return the materials in anything other than the enclosed mailer, please include the notation "ATTN SRBA Claim Number 3-7010" on the front of the mailer. If you have any additional questions, please contact this office. If you wish to call, our toll free number is 1-800-451-4129. You may reach me directly at (208) 287-4918.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Dean".

Jennifer Dean
Engineer in Training
Adjudication Bureau

Enclosures

WESTERN

A03-07010

MEMO TO FILES

FROM: FEL

DATE: 5/21/90

APPLICANT: MATHEWS, MAYNARD E.

CLAIM NO: A03-07010

SUBJECT: POSSIBLE MIS-LOCATION OF LICENSED P.D. & P.V.

CAREFUL SCRUTINY SHOULD BE GIVEN TO THE P.D. & P.V. FOR THIS CLAIM. JOHN & LINDA RAMOS, 2215 N. RIVER ROAD, PAYETTE, ID 83661 - PH. 208-642-4760 ARE THE PRESENT OWNERS OF 2 AC. IN LOT 1, SESESE, SEC 21, T09N, R05W. ALL THEIR NEIGHBORS TELL THEM MAYNARD MATHEWS THE LICENSEE OF 03-07010 NEVER OWNED LIVED ON, OR IRRIGATED ANY OF THE RAMOS PROPERTY.

THE ORIGINAL MATHEWS APP. APPEARS TO INDICATE A P.D. & P.V. APPROX. $\frac{3}{8}$ OF A MILE NORTH & EAST OF THE RAMOS'S LAND. THIS SPOT IS ON THE EAST SHORE OF THE RIVER ACROSS FROM THE SOUTHERN TIP OF POOL ISLAND. THE SOUTHERN TIP OF POOL ISLAND IS CONSIDERABLY NORTH OF LOT 1, WHERE THE RAMOS'S PROPERTY IS. ALTHOUGH CERTAINLY POSSIBLE, IT SEEMS UNLIKELY THAT MATHEWS WOULD HAVE FILED AN APP. WITH THIS MUCH DIFFERENCE IN THE RELATIONSHIP BETWEEN THE ISLAND & HIS PROPERTY.

THERE IS NO EVIDENCE OF OWNER ACCOMPANIMENT ON THE EXAMINER'S REPORT, SUGGESTING A SCENARIO, WHEN THE OTHER POINTS ARE CONSIDERED, THAT THE EXAMINER VISITED THE WRONG PROPERTY, FOUND A SYSTEM SIMILAR TO THAT APPLIED FOR, & RECOMMENDED AN AMENDMENT FOR CHANGE OF P.D. & P.V. THE APPLICANT, MATHEWS, RECEIVING THE RECOMMENDED CHANGE IN THE P.D. & P.V., WHICH HAD ONLY AN ASTERISK ON THE MAP PAGE, ASSUMED THAT IT WAS CORRECT, SIGNED & RETURNED IT, WITH THE RESULTING LICENSE THAT MIGHT BE A PURTENANT TO THE WRONG LAND. THIS SCENARIO IS SOMEWHAT REASONABLE IN THE LIGHT OF THE INFORMATION GIVEN TO THE RAMOS'S BY OTHER OWNERS.

ANOTHER CONFUSING PIECE TO THE PUZZLE IS THAT THE RECEIPT, C016359, FOR FILING ADJ CLM. A03-07010, IS IN THE NAME OF JOHN & ELLEN KENNEDY, WHICH MAY INDICATE THAT MAYBE THE RAMOS'S NEIGHBORS DID NOT KNOW ALL THE DETAILS OF RIGHTS IN THE RAMOS'S VICINITY.

THE RAMOS'S ARE FILING AN APP FOR IRRIGATION OF 2 ACRES IN LOT 1, COVERING THE IRRIGATION SYSTEM WHICH EXISTED ON THEIR PROPERTY PRIOR TO THEIR ACQUIRING THE LAND. IF THE INITIAL LICENSING WAS CORRECT THEN THE RAMOS'S APP. IS REDUNDANT. THE RAMOS'S HAVE ALSO FILED A GROUNDWATER DOMESTIC ADJUDICATION ON THIS LOCATION.

JL

MICROFILMED

AUG 10 1992

WRITE: MEMO TO: (POSSIBLE FUTURE CLAIM) FILE A03-07010
FROM: FEL DATE: 4/12/90

IF A CLAIM SHOWS UP ON THIS RT., CAREFUL SCRUTINY SHOULD BE GIVEN TO THE P.D. & P.U. JOHN & LINDA RAMOS, 2215 N. RIVER RD., PAYETTE, ID 83661. PH 208/642/4760 ARE THE PRESENT OWNERS OF 2 AC. IN LOT, SESESE, SEC 21, T9N, R5W. ALL THEIR NEIGHBORS TELL THEM MAYNARD MATHEWS, THE LICENSEE OF 03-07010, NEVER, OWNED, LIVED ON, OR IRRIGATED ANY OF THE RAMOS PROPERTY.

THE ORIGINAL MATHEWS APP. INDICATES A P.D. & P.U. APPROX. $\frac{3}{8}$ MILE NORTH & EAST OF THE RAMOS LAND. THIS SPOT IS ON THE EAST SHORE OF THE RIVER ACROSS FROM THE SOUTHERN PART OF POOL ISLAND. THE SOUTHERN TIP OF POOL ISLAND IS CONSIDERABLY NORTH OF LOT 1, WHERE THE RAMOS' PROPERTY IS. IT APPEARS UNLIKELY THAT MATHEWS WOULD HAVE SIGNED AN APP. WITH ~~THAT~~ THAT MUCH DIFFERENCE IN THE RELATIONSHIP BETWEEN THE ISLAND & HIS PROPERTY, ALTHOUGH CERTAINLY POSSIBLE.

THERE IS NO EVIDENCE OF OWNER ACCOMPANIMENT ON THE EXAMINER'S REPORT WHICH SUGGESTS, ~~WHEN~~ CONSIDERING THE OTHER POINTS, THAT AN ALTERNATE POSSIBILITY EXISTS. THE EXAMINER MAY HAVE VISITED THE WRONG PROPERTY, FOUND A SYSTEM SIMILAR TO THAT APPLIED FOR, & RECOMMENDED AN AMENDMENT FOR CHANGE OF P.D. & P.U. THE APPLICANT, MATHEWS, RECEIVING THE RECOMMENDED CHANGE IN P.D. & P.U., WHICH HAD ONLY AN ASTERISK ON THE MAP PAGE, ASSUMED THAT IT WAS CORRECT, SIGNED IT & RETURNED IT, WITH THE RESULT OF A LICENSE THAT IS POSSIBLY APPURTENANT TO THE WRONG LAND. CERTAINLY THIS SCENARIO IS NOT IMPOSSIBLE CONSIDERING THE INFORMATION SUPPLIED TO THE RAMOS' BY THEIR NEIGHBORS.

THE RAMOS' ARE FILING AN APP FOR IRRIGATION OF 2 ACRES IN LOT 1, COVERING THE IRRIGATION SYSTEM WHICH EXISTED ON THEIR PROPERTY PRIOR TO THEIR ACQUIRING THE LAND. IF THE INITIAL LICENSING WAS CORRECT

MICROFILMED

AUG 10 1992

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: A03-07010
Date Received: 4/18/1990
Receipt No: C016359
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: JOHN C. KENNEDY
Address: 901 PENNSYLVANIA AVE.
FRUITLAND, ID

83619

208-452-5446

AND/OR

Name: ELLEN M. KENNEDY
Address: 901 PENNSYLVANIA AVE.
FRUITLAND, ID

83619

208-452-5446

2. Date of Priority: FEB 26, 1974

3. Source: SNAKE RIVER

Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	05W	21	SE	SE		1	PAYETTE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	09/30	0.060		9.00

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

9.00 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	05W	21	SE	SE	1	IRR	2.0
Section Acres							2.0
Total Acres							2.0

11. Place of use in counties: PAYETTE

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: LICENSE

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. No. *A03-07010*

ATTACHMENT TO
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly:

Name of Claimant(s)

John C Kennedy
Ellen M Kennedy

Mailing Address
(include Zip Code)

961 Pennsylvania Ave
Fruitland Ida

Phone Number (208) *452-5446*

MICROFILMED
AUG 10 1992

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: A03-07010

Date Received:

Receipt No: C016359

Received By: Wong

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
APR 18 1990

1. Name: MAYNARD E. MATHEWS
Address: RT. 1, BOX 6
PAYETTE, ID

83661

Department of Water Resources

2. Date of Priority: FEB 26, 1974

3. Source: SNAKE RIVER

Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09N	05W	21	SE	SE	SE	1	PAYETTE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose irrigation From To C.F.S (or) A.F.A.

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

9.00 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses: none

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09N	05W	21	SE	SE	1	IRR	2.0

Section Acres 2.0

Total Acres 2.0

A03-07010

Page 1

Date: 04/17/90

MICROFILMED
AUG 10 1992

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE

Decree Plaintiff

vs

Decree 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: 1

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):

John W. Kennedy
Ellen M. Kennedy

Date: 4-18-90

Date: 4-18-90

State of Idaho)

County of ADA)

SS.

Subscribed and sworn (or affirmed) before me this 18th day

of April 19 90

Sally Frazee
Notary Public

Seal

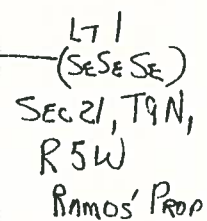
SALLY FRAZEE, Notary Public

Residing at

Residing at Boise, Idaho

My Commission Expires

My Commission Expires November 14, 1992



JOHN &
LINDA
RAMOS

2215 N. RIVER RD.
PAYETTE, ID 83661
PH. 208/642/4760

MICROFILMED

AUG 10 1992

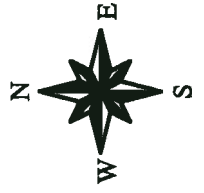
Idaho Department of Water Resources

Claim Number: 03-07010
Legal: T09N, R05W, S21
Reviewed By:

1987 Napp Photo



- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 03-07010

Date: 11-21-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	9N	5W	21																-1	
GIS																			2	2
																			1.7	1.7
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1 (Lot 1)

Total Claimed Acres: 2

Overlapping POU Claim #'s:

Total GIS Acres: 1.7

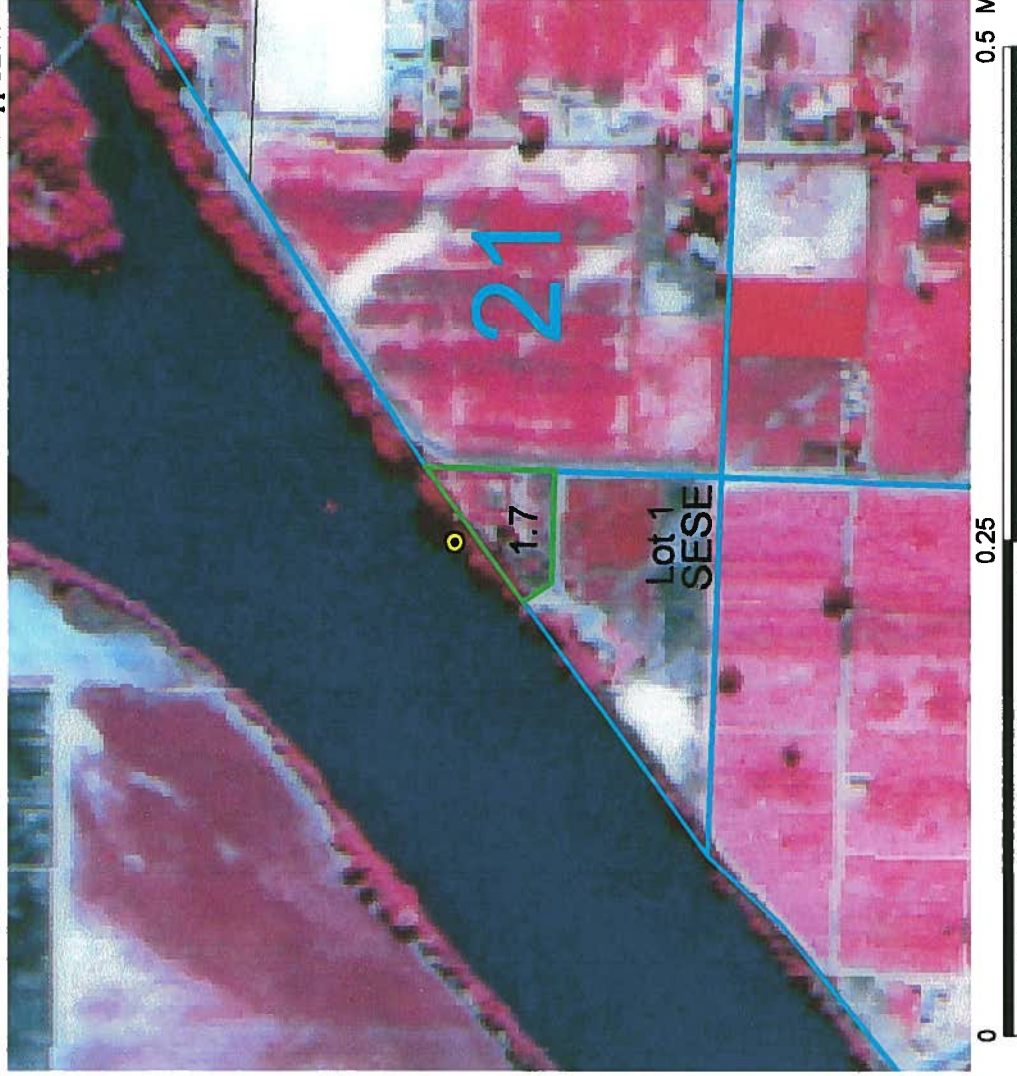
COMMENTS:

Per claim map & county boundaries. POD estimated.
Property is owned by Ramos.

Idaho Department of Water Resources

Claim Number: 03-07010
Legal: T09N, R05W, S21
Reviewed By:

1987 Napp Photo



-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

