

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 02-07195

RECEIVED

MAR 17 2000

Department of Water Resources

NAME AND ADDRESS: CINDY L PERCIFIELD HOWARTH
ROBERT B HOWARTH
RT 1 BOX 842
MARSING, ID 83639

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.03 CFS
1.30 AFY

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

PRIORITY DATE: 05/13/1975

POINT OF DIVERSION: T02N R04W S03 LOT 03 (NWNE) Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	03-15 TO 11-15	0.03 CFS
			1.30 AFY

PLACE OF USE: Domestic Within Owyhee County
T02N R04W S03 LOT 03 (NWNE)

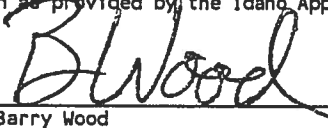
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

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: **A02-07195**
Date Received: 2/ 2/1989
Receipt No: W002151
Received By: _____

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

1. Name: ROBERT B HOWARTH 208-896-4207
Address: RT 1 BOX 842
MARSING ID 83639
AND
Name: CINDY L PERCIFIELD HOWARTH 208-896-4207
Address: RT 1 BOX 842
MARSING ID 83639

2. Date of Priority: MAY 13, 1975

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
02N	04W	3	NW	NE		3	OWYHEE

5. Description of diverting works:
PUMP AND PLATFORM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	04/04	10/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	04W	3	NW	NE	3	IRR	1.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	1.0
					Total Acres	1.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

14. Remarks:

IRR. AC. = .25.

15. Basis of Claim: LICENSE

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: _____

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State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

JUN 2 2 1993

Department of Water Resources
Western Regional Office

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 02N Range 04W
Section 03, — 1/4 of NW 1/4 of NE 1/4, Govt. Lot 03, BM.
Lot 5, Block, 1, Subdivision/Townsite VALLOTTON SUB.
If you have additional legal descriptions, please attach separate sheet.

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [x] Water Right Number(s) Assigned by IDWR: A02-07195
- [] Name and Address of Former Owner/Claimant(s)(Seller): CARL B. DAVIS AND FLORENCE E. DAVIS
RT. 1 RIVER VIEW DR.
MARSING, ID. 83639
- [] New Owner/Claimant (Purchaser): ROBERT B. HOWARTH AND CINDY L. HOWARTH
(PERCIFIED)
- [] New Mailing Address: RT. 1 BOX 842
MARSING, ID. 83639
- [] New Telephone Number: (208) 896-4207
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes ~~no~~
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe proof attached: _____
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- [] Signature of New Owner/Claimant(s): Robert B. Howarth Date 6/17/93
Cindy L. Percified Howarth Date 6/17/93
- [] Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 6-23-93 By: JKL

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 6-23-93 By: JKL

Claim Numbers of Split, if any:

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Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

AUG 16 1994

RECEIVED
JUN 22 1993

Department of Water Resources
Western Regional Office

WARRANTY DEED

FOR VALUE RECEIVED,
FLORENCE ELIZABETH DAVIS, a single person,

the Grantor, does hereby grant, bargain, sell and convey
unto

CINDY L. PERCIFIELD, a single person,

the Grantee, whose current address is P. O. Box 908
Marsing, ID 83639

the following described real property, located in Owyhee
County, Idaho, to-wit:

Lot 5 of Block 1 of VALLOTTON SUBDIVISION, Marsing,
Owyhee County, Idaho, according to the official plat thereof
on file and of record in the office of the Recorder for
Owyhee County, Idaho.

Together with all and singular the tenements, hereditaments
and appurtenances thereunto belonging or in anywise
appertaining, including all water and ditch rights and
rights of way for water and ditches.

TO HAVE AND TO HOLD the said premises, with their
appurtenances unto said Grantee, his heirs and assigns
forever. And the said Grantor does hereby covenant to and
with the said Grantee, that he is the owner in fee simple of
said premises; that said premises are free from all
encumbrances except:

Subject to such rights, easements, covenants, restrictions
and zoning regulations as appear of record or by use upon
the premises.

Taxes and assessments of all taxing units not yet due and
payable.

MICROFILMED

AUG 16 1994

FILED - RECORDED

205629

'91 AUG 15 AM 9 10

BARBARA JAYO

OWYHEE COUNTY RECORDER

BY *C. Shadwick*

DEPUTY

REQUEST OF

Walter J. H. & E. E. E. E.

FEE 0.00

INDEXED

RECORDED

RECEIVED
JUN 22 1993

Department of Water Resources
Western Regional Office

Reservations in patents or state grants or in acts authorizing the issuance thereof.

All repayment contracts between any irrigation district within which the premises are situated and any government or agency.

The bonded debt of all taxing units within which said premises are located.

Restrictions imposed by law, ordinance, or regulation imposed by any governmental entity, department or agency.

Restrictions contained in any covenants of record affecting the premises.

All rights of way or easements affecting the premises regardless of how evidenced or acquired and whether the same appear of record or not.

DATED: August 14, 1991.

Florence E. Davis

Florence Elizabeth Davis

STATE OF IDAHO, COUNTY OF OWYHEE, ss.

On this 14th day of August, 1991, before me, a Notary Public, in and for the State, personally appeared Florence Elizabeth Davis, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

Nicholas K. Shli
Notary Public for Idaho
Residing at Maryland, Idaho
Commission Expires: 11/3/94

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AUG 16 1994

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: A02-07195
Date Received: 11/08/1988
Receipt No: W002151
Received By: DE VA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CARL B. DAVIS 208-896-4688
Address: RT. 1, RIVERVIEW DR.
MARSING, ID 83639

OR

Name: FLORENCE E. DAVIS 208-896-4688
Address: RT. 1, RIVERVIEW DR.
MARSING, ID 83639

2. Date of Priority: MAY 13, 1975

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
02N	04W	3	NW	NE		3	OWYHEE

5. Description of diverting works:
PUMP AND PLATFORM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	04/04	10/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	04W	3	NW	NE	3	IRR	1.0
Section Acres							1.0
Total Acres							1.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

14. Remarks:

IRR. AC. = .25.

15. Basis of Claim: LICENSE

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

Identification No. A02-07195
Date Received 11/08/88
Receipt Number W002151

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

NOV 8 1988

Department of Water Resources
Western Regional Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Mrs Carl B. Davis (FLORENCE F. DAVIS) Phone (208) 896-4688

Mailing Address Rt. 1, Riverview Dr. Marsing, Id. Zip 83639

2. Date of Priority (Only one per claim) May 13, 1975 Month/Day/Year

3. Source of water supply (Check one) () Groundwater or Other (X) (a) Snake River
Name or kind of source

which is tributary to (b) Columbia

4. Location of point of diversion is: Township 2N Range 4W

Section 3 , NW 1/4 of NE 1/4 of 1/4, Govt. Lot 3 , BM.,

County of Owyhee

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. 2 1/2 hp pump and platform

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

For Irrigation purposes from April 4 ^{Month/Day} to October 31 ^{Month/Day} amount 0.03 ^(cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.03 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) _____

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10. Place of use is: Township: 2N Range 4W

Section 3, NW 1/4 of NE 1/4, Govt. Lot 3, B.M.,

County of Owyhee 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? Owyhee

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: _____

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 02-7195

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 X 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) Florence E Davis Date Nov 3, 1988

Date _____

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

of _____, that I have signed the foregoing

document in the space below as _____ of _____

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Conzon) SS.

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

SEAL

Notary Public Ray W. Beets

Residing at Donipha,

My Commission Expires 12-16-93

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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AUG 10 1992

Water Right Number - 02-07195

Adj.	Flag Translation:	Standard	Water Right Number	Old (D) Number -
------	-------------------	----------	--------------------	------------------

[illegible]

*** C - CURRENT OWNER ***

DAVIS

CARL B.

1 - RT. 1 RIVERVIEW DR.

21

21

21

State- ID Zip- 83639

City- MARSING

City- M

```

+ - - Priority Date - - +      + - - - Region - - - +      + - - - Stage - - - +      + - - - Status - - - +
                                05/13/1975
                                L - LICENSE

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+ - - - - Source - - - - - +
- - - - - SNAKE RIVER
+ - - - - Tributary - - - - - +
- - - - - COLUMBIA RIVER

```

	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	
--	-----	-----	-------	-----	------	--------	--------------------	--

002N	04W	3	NW NE	(73)	OWYHEE
------	-----	---	-------	------	--------

Code	Description	Period From	Water Use Period To	Diversion Rate	Diversion Volume
------	-------------	-------------	------------------------	----------------	------------------

01 - IRRIGATION
43 - DOMESTIC

03/15	11/15
01/01	12/31

0.030

1.30

+ - Total Div. Rate	- +	+ - Total Div. Volume	- +	+ - Total Div. Capacity	- +
	0.030		1.30		

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
-----	-----	-----	-------	-----	-------	--------------	-------------	--------

02N	3	NW	NE	3	1.0	01	IRRIGATION
04W	3						

(73) OWYHEE

Total Acres: 1.0

- - - Diversion Means - pump.

- - - Non-Irrigation Use -

- - - Other Rights for Same Use -

	Remarks
AC. IRR. = .25.	

- - - - - Conditions of Approval - - - - - +
- - - - - No Conditions of Approval found.

[illegible]

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AUG 10 1992

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

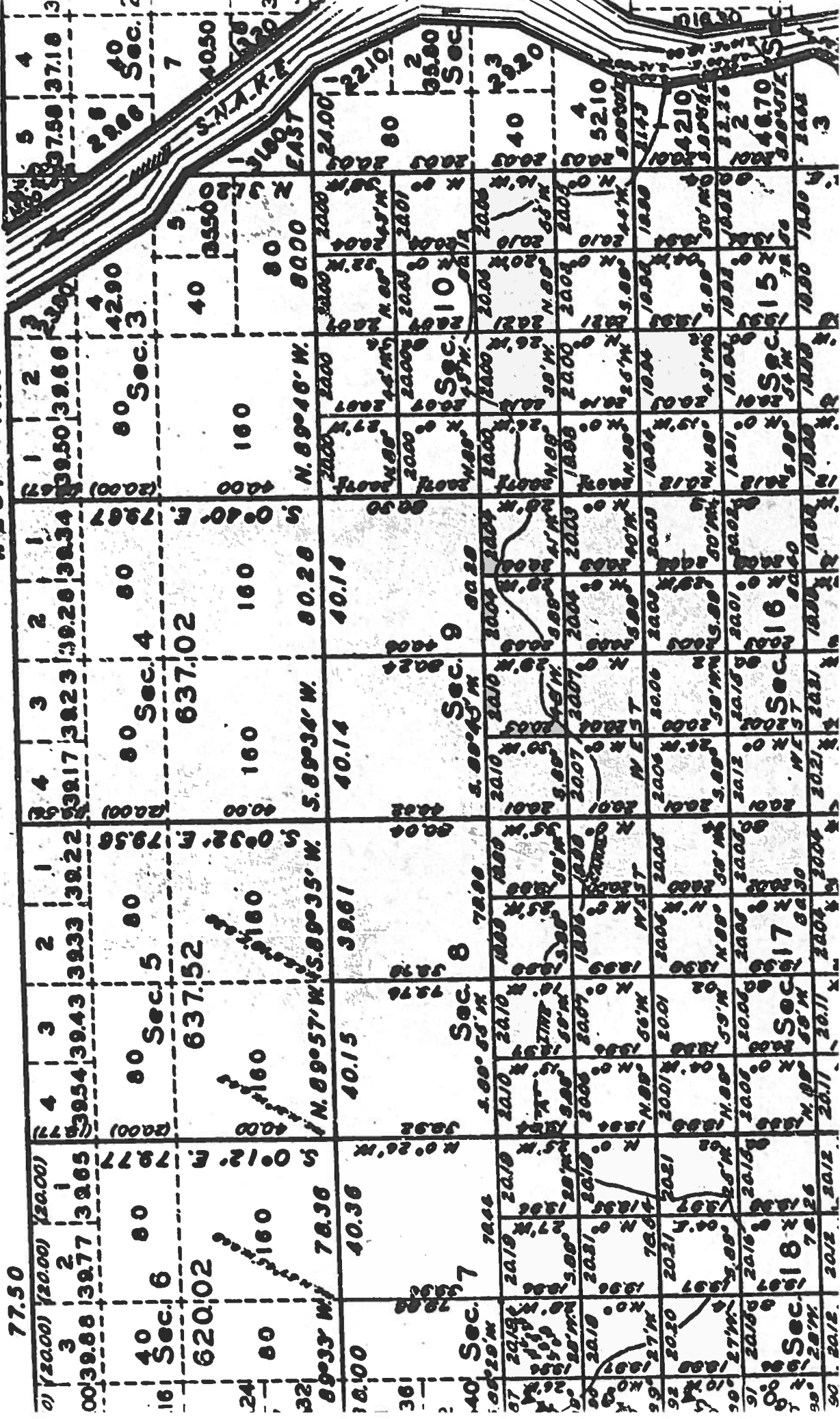
Water right number -	02-07195	Adj. flag translation:	Standard Water Right Number	
+ - - Audit Fields -				
+ - - - - -	- - - - -	- Water Rights Dates and Flags Area -	- - - - -	- - - - -
Proof Due Date	- 06/01/1980	Field Exam Made	- 00/00/0000	Field Exam Fee -
Approved/Denied	- 06/11/1975	Protested Date	- 00/00/0000	Swan Falls -
Proof Made Date	- 01/01/1900	Hearing Date	- 00/00/0000	Temporary Right - P
Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act -
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District -
Licensed Date	- 12/20/1982	Appl Received	- 00/00/0000	Transfer/Amended -
Decree Date	- 00/00/0000			

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AUG 10 1992

DATE: 02/09/99
PAGE: 1

Audit: 02/09/99 KWALKER

WE 57 46.50 20.27/175



WATER RIGHT NUMBER - A02-07195 PREFIX TRANSLATION: ADJUDICATION CLAIM OLD (D) NUMBER -

LAST NAME - FIRST NAME - ADDRESS -

*** C - CURRENT OWNER ***
DAVIS CARL B.
1 - RT. 1, RIVERVIEW DR.
2 -
3 -

STATE- ID ZIP- 83639

DAVIS FLORENCE E.
1 - RT. 1, RIVERVIEW DR.
2 -
3 -

STATE- ID ZIP- 83639
CITY- MARSING
PHONE - 208-896-4688
PHONE - 208-896-4688

PRIORITY DATE - REGION - STAGE - STATUS -
05/13/1975 ERROR IN REGION L - LICENSE

SOURCE - TRIBUTARY -
SNAKE RIVER COLUMBIA RIVER

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

02N 04W 3 NW NE 6 (73) DWYHEE

CODE DESCRIPTION PERIOD FROM PERIOD TO WATER USE DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC 04/04 10/31 0.030

TOTAL DIV. RATE - TOTAL DIV. VOLUME - TOTAL DIV. CAPACITY - TOTAL CONSUMPTIVE USE - KW USAGE -
0.030 0.030 0.0

TWN RNG SEC TRACT LOT ACRES CODE PLACE OF USE DESCRIPTION COUNTY

02N 04W 3 NW NE 6 1.0 01 IRRIGATION (73) DWYHEE

TOTAL ACRES: 1.0

- - - DIVERSION MEANS - PUMP AND PLATFORM

- - - NON-IRRIGATION USE -

- - - OTHER RIGHTS FOR SAME USE -

IRR. AC. = .25.

REMARKS

NO OLD WATER RIGHT NUMBERS
NO OLD WATER RIGHT NUMBERS FOUND.

WATER RIGHT NUMBER - A02-07195

PREFIX TRANSLATION: ADJUDICATION CLAIM

NO CONDITIONS OF APPROVAL FOUND.

DEGREE PLAINTIFF - DEGREE DEFENDANT - DEGREE DATE -

AUDIT FIELDS - 08/15/89 HILL 10/24/89 REFUNDML

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	02/02/1989	LAST AMENDED DATE	00/00/0000	TEMPORARY RIGHT	P
PROOF DUE DATE	00/00/0000	PROOF MADE DATE	00/00/0000	WATER DISTRICT	02
LICENSED DATE	00/00/0000	RECEIPT NUMBER	W002151	FEDERAL/STATE INDICATOR	S
CLAIMS TAPE ERROR FLG		PCU OWNERSHIP FLAG	Y	PRESUMPTION FLAG	
FEE EXEMPT FLAG		NAME CONNECTOR	DR	NOTICE OF ERROR FLAG	

0307260

DATA ENTRY

ENTERED
CHECKED

Verified By
Topo Map/Ortho-PQ
Aerial Map
Minister Records
Photos
Remarks
Comments
Notes
Filing Records
Water Records

VERIFIED
FEB 09 1994

CERTIFIED
FEB 18 1994
WATER EXAMINER



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 23, 1993

Re: Notice of Claim to a Water Right No. A02-07195

Robert B. Howarth
Cindy L. Howarth
Rt. 1 Box 842
Marsing, ID 83639

Mr. & Mrs. Howarth:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:1
Enclosure

cc: Carl & Florence Davis

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SEP 19 1996

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APR 23 1981

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
SNAKE RIVER FROM BASE OF MILNER
DAM TO OREGON ORADOGA BASH.
BORDER.

NOTICE OF CLAIM TO A WATER RIGHT

02-7195
Department of Water Resources
0.2-7195 Western Regional Office
I.D. No. MARSING Map No.
\$ 10 Fee Paid 5.38 Receipt No. 18878

Notice is hereby given that Carl B Davis

(Name of Claimant)

Rt 1, Riverview Dr, Maerung Id 83639 Telephone No. 896-4688
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) May 13, 1975
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River tributary to COLUMBIA RIVER
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 04.03 Use ADAM-IRR Period of Use From Apr 7 To Oct 31
(CFS, GPD, AF) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates Inclusive)
Quantity Use Period of Use From 3/15 To 11/15
(CFS, GPD, AF) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates Inclusive)
Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates Inclusive)
Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates Inclusive)
- (4) 04.03 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source NW Lot 3
Sec. 3, Twp. 2N, Rge. 4W, B.M., Owyhee-73 County
Additional Points: SCI: 2720(1) 424.3
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
2 1/2" pump, platform 9' x 14' (not in river)
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>2N</u>	<u>4W</u>	<u>3</u>	<u>05</u>																<u>05</u>
			<u>1.3</u>																

Total no. of acres 1

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:
- (8) Remarks (IRR. = 0.25 ACRES) Snake River flow limited
- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.
☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho

KEYPUNCHED

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. SHAFFDate 6/24/81Right No. 02-7195Claimant DAVISRecommendation differs from claim:
(Document any differences)☒ Yes☐ No☐ Disallow

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.☒ License☐ Previous Statutory Claim. Number if different than above _____☐ Permits, valid or lapsed. Number(s) if different than above _____☐ Decree. Name & date _____☐ Conveyance Loss Calculations. See printout included.☐ Title abstract. ☐ In file. Or, Name & location _____☐ County records. ☐ In file. Or, Name & location _____☐ Affidavits. ☐ In file.☐ Posted Notices, Water Locations Notices. ☐ In File. Or, Name &
location _____☐ Deed Records. ☐ In file. Or, Name & location _____☐ Patent Records. ☐ In file. Or, Name & location _____☐ Metzker Maps. Identify _____☐ A.S.C.S. Records. Year & Photograph No. _____☐ Irrigation Company/District Records. ☐ In File. Or Name &
location _____☐ Historical Books. Name(s) & location _____☐ Interview(s). Attach conversation memorandum.☐ Other _____☐ _____

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 02-7195 Priority May 13, 1975 Amount 0.03 cfs

THIS IS TO CERTIFY, that Carl B. Davis
of Marsing, Idaho, has complied with the terms and conditions of Permit
No. 02-7195 issued pursuant to Application for Permit dated May 13, 1975,
and has submitted proof to the Department of Water Resources on April 7, 1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.15 cfs of water from Snake River,
tributary to Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>0.03</u> cfs and	<u>1.3</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.03 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.3 acre feet per year, said waters to be diverted within the Government Lot 3 (NW $\frac{1}{4}$ NE $\frac{1}{4}$),
Section 3, Twp. 2N, Rge. 4W in the County of Owyhee

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2N	4W	3		GL3 1															1

Total number of acres irrigated 1

Acres actually irrigated = 0.25.

IN THE DISTRICT COURT OF THE _____ JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF _____

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF _____

Snake River from Base of Hillier
Dam to Oregon
Border
DRAINAGE BASIN.

NOTICE OF CLAIM TO A WATER RIGHT

02-7195 I.D. No. \$ 10 - Fee Paid	Map No. 539 10870 Receipt No.
--	--

Notice is hereby given that Carl B Davis

(Name of Claimant)

(Mailing Address)

(Zip Code)

Telephone No. 896-4658

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) May 13, 1915

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River

tributary to COLUMBIA RIVER

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity 1.04 Use Dom. - IR Period of Use From May 13, 1915 To May 13, 1915
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 1.04 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source NW $\frac{1}{4}$ NE $\frac{1}{4}$
Sec. 3, Twp. 2N, Rge. 4W, B.M., Downy County

Additional Points: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
2 1/2" pump, platform 9' x 14' (not on record)

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>2N</u>	<u>4W</u>	<u>3</u>																	<u>1.05</u>

Total no. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____

(9) Basis of claim (Check one)

- ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

[Florence E. Davis]
[Rt 1 Riverview Dr.]
[Marsing, Id.]
[83639]

Dear Claimant(s):

We have received your Notice(s) of Claim to a Water Right filed in the Snake River Basin Adjudication.

In the initial review of this claim(s) we found it necessary to complete some of the items on the claim form(s). A copy of your original claim(s) with these changes marked, along with the computer generated copy, and Receipt No. _____ are enclosed. The following items have been added and/or changed on the claim(s) enclosed:

_____ Item #2 - Only a portion of your priority date was listed. This item requires a month, day and year. We have added in the required information based on the Department's rules for dates of priority.

_____ Item #4 - The point of diversion appears to be incorrectly described or not described at all. Based on other information provided which included your legal description, we have added in the quarter-quarter, section, township and range. If you had listed the Lot, Block and Subdivision name, enclosed is a copy of the subdivision map from which we computed the quarter-quarter legal description.

_____ Item #5 - No description of diverting works was listed. Because the source was described as a groundwater source, we have completed this item with well, pump and pipeline. If your groundwater source is not a well, please notify us.

_____ Item #6 - The period of use is not listed for the use(s) claimed. The Department has recommended periods of use for certain uses. The recommended period of use has been added to your claim.

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AUG 10 1992

- Item #7 - The total quantity claimed was not completed.
The use(s) claimed have been added together and
this amount added to your claim.
- Item #9 - The number of homes was not listed on your claim.
It appears to be filed for one domestic home and
this information has been added to your claim.
- Item #10- The place of use appears to be incorrectly
described, or not described at all. Based on
other information submitted we have added in the
quarter-quarter, section, township and range.
If you had listed the Lot, Block and Subdivision
name, we have enclosed a copy of the subdivision
map from which we computed the quarter-quarter
legal description. Or, if you have listed a
quarter-quarter legal description under Item No.
4, we have listed this same quarter-quarter,
section township and range on this item.
- Item #12- The ownership of the place of use has not been
marked. We have assumed you own the place of use
and this information has been added to your
claim.
- Item #15- Basis of Claim was not completed. No previously
recorded water rights were found, therefore, we
have marked beneficial use of the water as the
basis for filing this claim.
- X Other item #6 data entered as domestic irrigation
as stated in conversation memorandum.

If you have any problems or questions concerning these additions and/or changes, please feel free to change the copy of your claim form(s) and return it to this office. The new changes can then be made and a computer generated copy showing these changes sent to you. If we do not hear from you, we will assume these changes meet with your approval and the claim(s) will remain as shown on the enclosed copies.

Sincerely,



ELDON L. ROUSH
SR. WATER RESOURCE AGENT

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12/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Florence E Davis CLAIM IDENT. NO. A02-07195

DATE RECEIVED 11/2/88 CK # 5169 AMOUNT \$ 25.00

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☒	☐	*
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒ N/A	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☐	☒	
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒ N/A	☐	
Is the consumptive use correct?	☒ N/A	☐	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	☒ N/A	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☐	☒	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒ N/A	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. Has the claimant requested a monthly docket sheet? (If yes, describe payment status in "Comments" below.)	☐	☒	
17. Is the claim signed by the claimant, and is the signature appropriate?	☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
19. Was this claim filed on time, or was an extension granted?	☒	☐	*
20. Is the fee enclosed correct?	☒ Exempt	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	☒ N/A	☐	
22. Should this claim be receipted and data entered?	☒	☐	

Claim checked by: ER Date: 02/02/89Claim must be returned to claimant: ~~Yes~~ (Yes) ☒ (No)Claimant must be sent a copy of amended claim for approval: ☐ (Yes) ☒ (No)Receipt Prepared by: ER Date: 02/02/89Claim data entered by: ER Date: 02/02/89Sent to claimant by: ER Date: 02/02/89Checked by: ER Date: 02/02/89Comments: See conversation memo.

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CONVERSATION MEMORANDUM

DATE 08/14/89FILE A02-07195NAME OF PARTY Florence E. DavisEMPLOYEE Eldon L. RoushRE: SRBA claim # A02-07195

Contacted claimant by telephone this date to confirm domestic filing since license listed 1 acre of irrigation & claim was filed as domestic claim farm.

Claimant stated that she only irrigates 50' x 120' (of less than 1/2 acre). Claimant asked that item #6 represent domestic irrigation of 1/2 acre or less.

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