

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: April 30, 1997
PAGE: 1

RIGHT NUMBER: 71-04004

NAME AND ADDRESS: WAYNE HOWARD DAVIS
PO BOX 2564
MALIBU CA 90265

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.04 CFS

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

PRIORITY-DATE: 06/01/1966

POINT OF DIVERSION T10N R13E S10 LOT 2 (NENW) Within CUSTER County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within CUSTER County
T10N R13E S10 LOT 2 (NENW)

OTHER MATTERS 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP E00290020030
DOMESTIC INCLUDES USE FOR 1 BUSINESS; FIRE PROTECTION
PLACE OF USE ALSO KNOWN AS LOT 3 BLOCK 2 RIVERVIEW SUBD

RECEIVED
JUN 09 1998
Department of Water Resources
Southern Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

April 30, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

71-04004

WAYNE HOWARD DAVIS
PO BOX 2564
MALIBU CA 90265

RE: Recommended Water Rights Acquired Under State Law
Snake River Basin Adjudication (SRBA)
Domestic and/or Stockwater Rights in Reporting Area 4, Basins 71 and 72

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your domestic and/or stockwater water right(s) in basins 71 or 72 (the Upper Salmon River Drainage Basin). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended domestic and stockwater right(s) in your area. Water rights for irrigation and other purposes in basins 71 and 72 will be recommended in a later process.

Note that you have 120 days in which to file any objection to our recommendation and to review the domestic and stockwater water rights of other claimants, including those of the United States. Information on the other water rights can be found at the Custer County courthouse in Challis, the Blaine County courthouse in Hailey, and all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the Court does not receive an objection from you about our recommendation, and no other party objects to your water right, your water right will be decreed later this year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions that you have about your water right(s) or this adjudication process.

Sincerely,

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

Karl J. Dreher
Director

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

IMPORTANT WATER RIGHT INFORMATION

RECEIVED

JUL 09 1998

Water Resource
ern Region

NOT DELIVERABLE
AS ADDRESSED -
FORWARD

PRESORTED
FIRST CLASS



RECEIVED
MAY 12 1997

Department of Water Resources

DAVIS64 902653007 IN 05/05/97
RETURN TO SENDER ST 12
NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

MAR-14-1997
0005

RIGHT NUMBER: 71-04004

NAME AND ADDRESS: WAYNE HOWARD DAVIS
PO BOX 2564
MALIBU CA 90265

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.04 CFS

PRIORITY DATE: 06/01/1966

POINT OF DIVERSION: T10N R13E S10 LOT 2 (NENW) Within CUSTER County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
DOMESTIC 1 HOME 01-01 12-31 0.04 CFS

PLACE OF USE: DOMESTIC Within CUSTER County
T10N R13E S10 Lot 2 (NENW)

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP E00290020030
DOMESTIC INCLUDES USE FOR 1 BUSINESS; FIRE PROTECTION
PLACE OF USE ALSO KNOWN AS LOT 3 BLOCK 2 RIVERVIEW SUBD

108

Water Right Number - R71-04004

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
DAVIS

WAYNE HOWARD

1 - PO BOX 2564
2 -
3 -
City- MALIBU
Phone - 818-358-4074

State- CA Zip- 90265

Priority Date - 06/01/1966

Region - 17 SOUTHERN

State - J - BENEFICIAL USE

Status -

Source - SALMON RIVER

Tributary - SNAKE RIVER

Tw	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name
10N	13E	10	NE NW	2	(37)	CUSTER		
Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume		
43 - DOMESTIC		01/01	12/31	0.040				
+ - - - - - Total Div. Volume - + - - - - - Total Div. Capacity - + - - - - - Total Consumptive Use - + - - - - - KW Usage - +								
0.040								

Tw	Rng	Sec	Tract	Lot	Acres	Code	Place of Use	Description	County
10N	13E	10	NE NW	2		43	DOMESTIC		(37) CUSTER
+ - - - - - Diversion Means - PUMP & PIPELINE									
+ - - - - - Non-Irrigation Use - DOMESTIC, 1 HOME, 1 BUSINESS; FIREPROTECTION									
+ - - - - - Other Rights for Same Use - NONE									
+ - - - - - Remarks									
+ - - - - - Old Water Right Numbers									
+ - - - - - No Old Water Right Numbers found.									

GEN PARCEL NO. RP E00290020030

Lot 3 BIK 2 Riverview Subd

EXP

Conditions of Approval -

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A

- DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000

- GALLONS PER DAY.

18

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
71-04004	WAYNE HOWARD DAVIS PO BOX 2564 MALIBU CA 90265	06/01/1966	DOMESTIC	01-01 12-31	0.04	CFS BENEFICIAL USE
NON-IRRIGATION USES: <u>DOMESTIC, 1 HOME, 1 BUSINESS, FIREPROTECTION</u> <u>VIA FIRE PROTECTION</u>						
SOURCE: SALMON RIVER POINT OF DIVERSION: LOT 2 (NENW) T10N R13E S10 PLACE OF USE: DOMESTIC T10N R13E S10 Lot 2 (NENW) REMARKS: PARCEL NO. RP E00290020030						
TOTAL QUANTITY:					0.04	CFS

Receipt 0014031

pd \$25.00

claimed irrigation & fire protection
 Data entered as domestic (per original
 243 claim)

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: A71-04004
Date Received: 1/10/1990
Receipt No: C014031
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WAYNE HOWARD DAVIS 818-358-4074
Address: P.O. BOX 2564
MALIBU, CA 90265

2. Date of Priority: JUN 01, 1966

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	13E	10	NE	NW		2	CUSTER

5. Description of diverting works:
PUMP & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
F/1 FIRE PROTECTION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	13E	10	NE	NW	2	DOMEST	

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
D/1 & SMALL BUSINESS

14. Remarks:
P/D & P/U ARE IN LOT 3, BLK. 2, RIVERVIEW SUBDIV.

15. Basis of Claim: STATUTORY CLAIM

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 A71-04004Date Received 1/10/90 1/10/90 B.W.R.Receipt Number 7 C 014031

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JAN 16 1990

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) WAYNE H. DAVIS Phone (818) 358-4074Mailing Address PO BOX 2564 McLibu, Calif Zip 902652. Date of Priority (Only one (1) per claim) JULY 1967 6/1/663. Source of water supply (a) SALMON RIVER
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____,
_____ 1/4 of _____ 1/4 of _____, 1/4, Govt. Lot, _____ B.M., County of CUSTER

Additional points of diversion if any: _____

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. pump with 2" Feed Linein river

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MAR 17 1993

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For irrigation purposes from 3-15 to 11-15 amount .04 or _____

For Fire protection purposes from 1-1 to 12-31 amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .04 (cfs) and/or (b) _____ (acre feet)

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

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

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>10N</u>	<u>13E</u>	<u>10</u>					<u>D</u>	<u>LTZ</u>											

Total number of acres irrigated 1/2 acre

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

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.

Well on Property (domestic with small business) or None ()

14. Remarks: Legal Description of Property:

LOT 3 in BLOCK 2, Riverview subdivision;
Said LOT 3 situate, lying and being in LOT 2,
SECTION 10, township 10 North, range 13 East Boise
Meridian, according to the official plat thereof now on
File in the office of the custer county recorder in
Challis, IDAHO

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MAR 17 1993

Last Name DAVIS Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

MAR 17 1993

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ 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 _____ do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

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

Signature of Claimant (s) Wyn Davis Date 1-10-90
Date _____

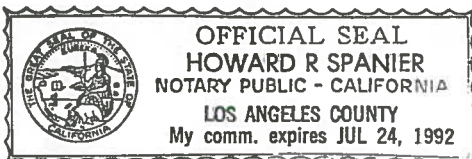
For Organizations: I do solemnly swear or affirm that I am owner Title _____
of Property As described that I have signed the foregoing
Organization _____
document in the space below as owner of property
Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of ~~Idaho~~ CALIFORNIA)
County of LOS ANGELES) SS.

Subscribed and sworn (or affirmed) before me this 10th day of JANUARY 1990

SEAL



Notary Public Howard R Spanier

Residing at 22633 Pacific Coast Hwy, Malibu, CA 90265

My Commission Expires 7/24/92

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

MICROFILMED

MAR 17 1993

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

DRAINS UNBLOCKED



24 Hrs.

7 Days

WAYNE DAVIS
22203 Pacific Coast Hwy
Malibu, CA 90265

(213) 456-1330

FILMED

MAY 17 1993

RETURN RECEIPT
REQUESTED



IDAHO Dept of Water Resources
1301 N. Orchard St,
Boise, ID 83706-2237

Fold at line over top of envelope to the right
of the return address.

CERTIFIED

Water Right Number - 71-04004 Adj. Flag Translation: Standard Water Right Number Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
DAVIS
WAYNE HOWARD
1 -
2 -
3 -
City- STANLEY State- ID Zip- 83278
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1966 17 S - STATUTORY CLAIM
+ - - Source - - - - - + + - - - - Tributary - - - - - +
SALMON RIVER SNAKE RIVER

+ - - - - - - - - - - - - - - - - - Point of Diversion - - - - - - - - - - - - - - - - - +
Twn Rng Sec Tract Lot RFlg County
10N 13E 10 NE NW 2 (37) CUSTER

+ - - - - - - - - - - - - - - - - - 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 - +
0.040

+ - - - - - - - - - - - - - - - - - Place of Use - - - - - - - - - - - - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
10N 13E 10 NE NW 2 43 DOMESTIC (37) CUSTER

Total Acres:

+ - - Diversion Means - PUMP & PIPELINE
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use -

+ - - - - - - - - - - - - - - - - - Remarks - - - - - - - - - - - - - - - - +
P/D & P/U ARE IN LOT 3, BLK. 2, RIVERVIEW SUBDIV.
+ - - - - - - - - - - - - - - - - - Conditions of Approval - - - - - - - - - - - +
No Conditions of Approval found.

+ - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - - +
00/00/0000



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

13-Feb-1990 10:39

WAYNE H. DAVIS
P.O. Box 2564
Malibu, CA 90265

RE: SRBA Claim A71-04004

Dear Mr. Davis:

Please find enclosed two receipts, C014031 for \$25 which has been applied towards filing claim A71-04004 and C014030 for \$25 which will be applied toward payment of your other water claim or application for permit pending your decision. We are returning the claim you filed for use of groundwater to give you the opportunity to withdraw the claim as originally filed. Since March 25, 1963 it has been required by law to apply for a water right permit to establish a water use from groundwater for any water use other than that defined as single household domestic (including irrigation of less than 1/2 acre) and/or stockwater (less than 1000 range cattle) using 13,000 gallons per day or less.

Since we can find no record of a permit or license for the commercial and irrigation use you describe in your claim, the Department, in its final report to the court, would be forced to recommend that your claim be rejected.

At this point please consider the following options:

Return the claim as filed understanding that the Department will recommend the claim be rejected. Upon rejection you can pursue litigation. (Please note that the \$25 submitted is not the correct fee. The base fee for this type of claim is \$50 plus there is a variable fee of \$100 times the cfs rate for commercial use plus \$1 per acre for the irrigation use. Please note that you need to specify the number of acres irrigated. Please find instructions and another claim form for your use.)

Record the use now by filing for an application for permit. (Please find enclosed forms for filing for the application for permit.)

*** In either option the \$25 will be credited for payment of fees due.

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MAR 17 1990

Page 2
2/13/90 Davis

If you choose to file the adjudication claim, you will need to return it with the correct fee balance within 30 days from the date of this letter or the claim will be considered late and subject to an additional late fee which would be \$50.00. In returning the claim please attach a copy of this letter. Please call if you have questions.

Sincerely,



Allen Merritt, P.E.
Water Rights Supervisor

Enclosures:

MICROFILMED

MAR 17 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

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P.O. Box 2564
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MICROFILMED

MAR 17 1993

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2/13/90 Davis

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Sincerely,



Allen Merritt, P.E.
Water Rights Supervisor

Enclosures:

MICROFILMED

MAR 17 1993

WATER RIGHT NUMBER - A71-04004

PREFIX TRANSLATION: ADJUDICATION

OLD (D) NUMBER -

*** C - CURRENT OWNER ***

WAYNE HOWARD

1 - P.O. BOX 2564

2 -
3 -
CITY- MALIBU
PHONE - 818-358-4074

DAVIS

17 SOUTHERN

STATE- CA ZIP- 90265

PRIORITY DATE - - +
06/01/1966

REGION - - - +
17 SOUTHERN

STAGE - - - +
S - STATUTORY CLAIM

STATUS - - - +

SOURCE - - - +
SALMON RIVER

TRIBUTARY - - - +
SNAKE RIVER

STREAM INDEX (BLANK IF NO INDEX CODE)

TWN RNG SEC TRACT LOT RFLG COUNTY

POINT OF DIVERSION - - - +

DIVERSION RATE DIVERSION VOLUME

10N 13E 10 NE NW 2 (37) CUSTER

WATER USE - - - +

TOTAL DIV. VOLUME - + - TOTAL DIV. CAPACITY - + - TOTAL CONSUMPTIVE USE - + - KW USAGE - +

DESCRIPTION PERIOD FROM PERIOD TO

01/01 12/31

0.040

43 - DOMESTIC

0.040

0.040

TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION

PLACE OF USE - - - +

COUNTY

10N

13E

10

NE NW

2

43 DOMESTIC

(37) CUSTER

DIVERSION MEANS - PUMP & PIPELINE

NON-IRRIGATION USE - F/1 FIRE PROTECTION

OTHER RIGHTS FOR SAME USE - D/1 & SMALL BUSINESS

REMARKS - - - +

P/D & P/U ARE IN LOT 3, BLK. 2, RIVERVIEW SUBDIV.

OLD WATER RIGHT NUMBERS - - - +

NO OLD WATER RIGHT NUMBERS FOUND.

CONDITIONS OF APPROVAL - - - +

NO CONDITIONS OF APPROVAL FOUND.

DEGREE PLAINTIFF - - - +

DEGREE DEFENDANT - - - +

DEGREE DATE - - +

00/00/0000

AUDIT FIELDS - 02/12/90 WORSTELL

MICROFILMED
MAR 17 1993

