

MAR-04-1997
0008

VERIFIED BY J. 3/5/97 1

RIGHT NUMBER: 71-10194

NAME AND ADDRESS:

FRED HUMPHREYS
ERNEST DAY
1919 S PHILLIP
BOISE ID 83705

SOURCE:

SPRING

TRIBUTARY: SINKS

QUANTITY:

$\frac{0.02 \text{ CFS}}{0.07 \text{ CFS}}$

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

PRIORITY DATE:

09/30/1967

POINT OF DIVERSION:

T09N R14E S33

SWNWSE (E) Within CUSTER County

SWNWSE (B)

PURPOSE AND

PERIOD OF USE:

STOCKWATER

PERIOD OF USE
01-01 12-31

QUANTITY
 $\frac{0.02 \text{ CFS}}{0.07 \text{ CFS}}$

STOCKWATER 180 PAIR BEEF CATTLE, 0

PLACE OF USE:

STOCKWATER
T09N R14E S33

Within CUSTER County
NWSE

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. RP09N14E333602
STOCKWATER, 180 PAIR BEEF CATTLE

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IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

AJ5808NP
(00-26)

Prefix Translation: RESEARCH

Water right number - R71-10194

+ - - - - Old Water Right Numbers - - - - - +
+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - 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.

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

+ - - - - Audit Fields - 07/17/92 SMITH 11/14/92 POST-STD 03/30/95 POST-STD 01/13/97 D&S-DSHA

+ - - - - Date: 07/17/1992 User Id: SMITH Subject: COPIED FROM REMARKS
APPROX. 180 PAIR OF STOCK COWS SUMMER ON THIS PARCEL.

+ - - - - 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 - - - - -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District - -
Claim Received Date - 01/10/1990 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 - C013908 Federal/State Indicator - S
POU Ownership Flag - Y Presumption Flag - -
Name Connector - AND Notice of Error Flag - -

OK

JUN-28-1995
0347

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
71-10194	FRED HUMPHREYS ERNEST DAY 1919 S PHILLIPI BOISE ID 83705	09/30/1967	STOCKWATER	01-01 12-31	0.07 CFS <i>.22</i>	CFS BENEFICIAL USE
NON-IRRIGATION USES: <i>EXP</i> STOCKWATER, 180 PAIR BEEF CATTLE <i>180 PAIR BEEF CATTLE, ONE OF FOUR SPRINGS USED</i> TRIBUTARY: SINKS						
SOURCE: SPRING						
POINT OF DIVERSION: SWNWSE						
T09N R14E S33						
PLACE OF USE: STOCKWATER						
T09N R14E S33						
REMARKS: PARCEL NO. RP09N14E333602 <i>EXP</i>						

TOTAL QUANTITY:

0.07 ~~CFS~~ *.22*

Save parcel no. as 71-07000

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: A71-10194
Date Received: 1/10/1990
Receipt No: C013908
Received By: _____

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

1. Name: FRED HUMPHREYS 208-375-6940
Address: 1919 S PHILLIPI
BOISE, ID 83705

AND

Name: ERNEST DAY 208-375-6490
Address: 1919 S PHILLIPI
BOISE, ID 83705

2. Date of Priority: SEP 30, 1967

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09N	14E	33	SW	NW	SE		CUSTER

5. Description of diverting works:
NONE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.070		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
180 PAIR BEEF CATTLE, ONE OF FOUR SPRINGS USED.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	14E	33	NW	SE		STOCK	

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:
NONE

14. Remarks:
APPROX. 180 PAIR OF STOCK COWS SUMMER ON THIS PARCEL.

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 _____

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Humphreys/DayCLAIM IDENT. NO. A71-10194DATE RECEIVED 1-10-90CK # C013908

AMOUNT \$ _____

- | | 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? | ☒ | ☐ | * |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | |
| 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? | ☒ | ☐ | * |
| From POU # 10 | ☒ | ☐ | |
| 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. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ | ☐ | |
| N/A | ☒ | ☐ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 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 data entered? | ☒ | ☐ | |

Claim checked by: ASDate: 1-10-91

Claim must be returned to claimant:

(Yes) ☒ (No) ☐

Claimant must be notified of modifications:

(Yes) ☒ (No) ☐Receipt Prepared by: _____
Claim data entered by: AS
Sent to claimant by: _____

Date: _____

Date: 1-10-91

Checked by: _____

Date: _____

Comments: _____

MICROFILMED

MAR 17 1993

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. 471-10194Date Received 1-10-90 *RF*Receipt Number CO13908

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

Please type or print clearly

- Name of Claimant (s) FRED HUMPHREY / ERNEST DAY Phone (208) 375-6940
Mailing Address 1919 S. PHILLIPS, BONE, ID Zip 83705
- Date of Priority (Only one per claim) 9/67 Month/Day/Year
- Source of water supply (Check one) () Groundwater or Other (X) (a) SPRING
which is tributary to (b) SINKS Name or kind of source
- Location of point of diversion is: Township 9N Range 14E
Section 33, SW 1/4 of NW 1/4 of 1/4, Govt. Lot , BM.,
County of CUSTER
Additional points of diversion if any: N/A
- 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. N/A
- Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For STOCK WATER purposes from 1/1 Month/Day to 12/31 Month/Day amount .07 (cfs)
(Both dates are inclusive)
For purposes from to amount
- Total quantity claimed .07 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) ONE OF FOUR SPRINGS - SUPPLYING STOCKWATER FOR 180 PAIR (STOCK COWS W/ CALVES).

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MAR 17 1993

10. Place of use is: Township: 9N Range 14E
Section 33, 4W 1/4 of SE 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any N/A

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

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.
(X) None or N/A

14. Remarks: APPROX. 180 PAIR OF STOCK COWS SUMMER ON THIS
PARCEL.

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 _____

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 _____ 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) X Jack E. Humphreys Date 12-5-89
Barney Day Date _____

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

Signature of Authorized Agent _____ Date _____
Title and Organization _____

State of Idaho/or _____)
County of ADA) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 9th day of JANUARY 19 90

SEAL

Notary Public Margie D. Emery
Residing at BOISE, IDAHO
My Commission Expires 2-22-91

Last Name HUMPHREYS/DAY Ident No. _____

Copies: White-State, Yellow-Claimant
MICROFILMED
MAR 17 1993

1/09/91

C013908

\$ 917

#	\$ Humphreys/Day	Acres
71-00028	\$ 260	210 78
71-00029	50	113 Same as 260
71-00035	107	150
71-00033B	50	45
71-00034C	125	75
71-00036B	50	120
71-02085	50	57 same as 260
71-10191	\$ 25 -	Ranch 5.32*33 2674. Whitecloud 75
71-10192	25 -	Total Ac. \$ 342 Flat-Irr. \$ 400 D&S : \$ 175 <u>\$ 917</u>
471-10193	25 -	
4	25 -	
5	25 -	
6	25 -	
71-07000	25 -	
471-10197	50	
	<u>\$ 917</u>	

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LAND LIST ATTACHMENT

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8N	14E	4					000340											15	15
		9														5	20	15	20
9N	14E	33					00035	31	20	37	24			18	20				150
9N	14E	33					0003613					31	20	40			18		120
9N	14E	32				10	00028												10
		33						37	24	31	40	10	40				18		200
9N	14E	33					00029		24	31	20		20				18		113
9N	14E	32				10	0003313												10
		33										20	10	5					35
9N	14E	32	36		7		0208523								11				54
		33						3											3
9N	14E	33					10197			5	10					5			20
8N	14E	4																15	15
																5	20	15	20



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 11, 1991

Mark W. Richey
207 W. Washington
Boise, ID 83702-5992

RE: Snake River Basin Adjudication (SRBA)
Custer County - #A71-00028, -00029, -00033B
-00034C, -00035, -00036B, -02085B, -07000,
and -10191 through -10197
Humphrey-Day Claims

Dear Mark,

With an embarrassed apology for the time delay, I have enclosed the copies of the claims submitted by your clients for the properties near the Salmon River. The claims will be held until the investigation of claims in the sub-basin commences.

Using one of the maps submitted with the claims, I have attached a revised map depicting the difference between the claim map and the legal descriptions in Item #10 of the claims. You will see in Section 32, the NE1/4 NE1/4 is described in Item #10, while the NW1/4 SE1/4 is excluded. On the map, the cross-hatchings do not reflect approximate acreage within the tract; merely the tract is covered. Mark, I've pointed this out simply to inform you of the matter. The claims will be investigated and the problem resolved at that time.

Thank you for your patience and assistance in the filing of these claims. If I can be of further help to you in this or other matters, please feel free to contact me.

Regards,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:state:southern
Enclosures:

Yellow Copies of Above Claims
Copy of Revised Map

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MAR 17 1993

Project: show clearly the point of diversion, place of use, section number, township, and range number.

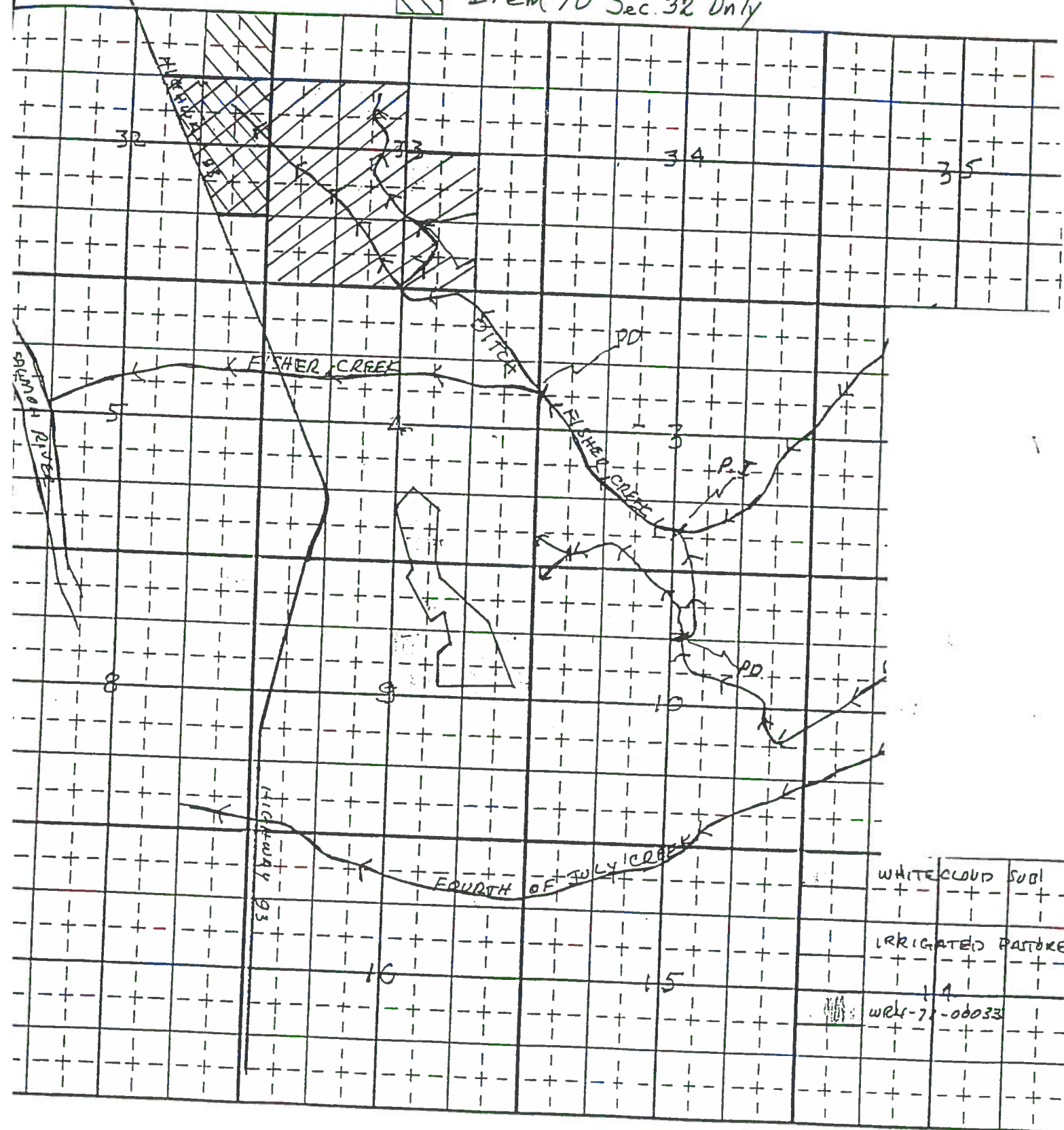
Scale 2 inches equals 1 mile



Map



Item 10 Sec. 32 Only



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MAR 17 1993

Copies of this map, taken from Claimant

ast Name HUMPHREYS

Ident No.

WATER EXAMINER



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

February 13, 1996

KARL J. DREHER
DIRECTOR

MARK W RICHEY MAI
207 W WASHINGTON
BOISE ID 83702-5992

A71-10194

RECEIVED

FEB 15 1996

Re: Snake River Basin Adjudication (SRBA)
Notices of Claim - List Attached
Fred C. Humphreys - Change of Address

Department of Water Resources
Southern Region

Dear Mr. Richey:

As I explained on the telephone Tuesday morning, IDWR has been notified the address presently in our claim records for Fred Humphreys is incorrect. The Post Office gave his new address as 10495 Stone Quarry Rd., Payette, ID 83661-5134. We need him to confirm this is his correct mailing address. Future notices related to Mr. Humphreys' SRBA claims can be sent only to the address on his claims or as otherwise changed by him. The staff of this agency must avoid relying upon the word of others about his mailing address.

If the Payette address above is correct, please have Mr. Humphreys sign his name at the bottom of this letter, and return it to this office. Otherwise, please ask Mr. Humphreys to make the proper corrections, sign, and return this letter. Thank you for your help. We hope to assure that Mr. Humphreys receives future notices about SRBA matters.

If the ownership of the property to which the water rights referenced on the attached list has changed, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

Adjudication Bureau Staff

SO:ss:southern:western

Enclosure:

Water Right Listing

#####

The address is correct as shown above or as otherwise changed.

Claimant

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

In Re Snake River Basin Adjudication Case)
No. 39576)

Notice of Filing Director's Report and Supplemental
Director's Report Part II & III, United States' and Tribal
Non-consumptive Claims.

TO: ALL CLAIMANTS OF RIGHTS TO THE USE OF WATER IN THE SNAKE RIVER BASIN
YOU ARE HEREBY NOTIFIED OF THE FOLLOWING:

THE DIRECTOR'S REPORT PART II & III FOR THE UNITED STATES' AND TRIBAL NON-CONSUMPTIVE CLAIMS HAS BEEN FILED WITH THE DISTRICT COURT. A SUPPLEMENTAL DIRECTOR'S REPORT PART II & III HAS ALSO BEEN FILED WITH THE DISTRICT COURT. THIS NOTICE CONTAINS IMPORTANT INFORMATION ABOUT THE DIRECTOR'S REPORTS, AND DEADLINES AND FURTHER PROCEEDINGS ON THESE WATER RIGHT CLAIMS.

IMPORTANT NOTICE REGARDING YOUR WATER RIGHT

**THIS CONTAINS YOUR LEGAL NOTICE OF THE DIRECTOR'S REPORTS OF U.S. AND
TRIBAL NON-CONSUMPTIVE CLAIMS IN THE SNAKE RIVER BASIN ADJUDICATION
THESE CLAIMS COULD AFFECT YOUR WATER RIGHT**

63336
Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720

Presorted
First Class Mail
U.S. Postage Paid
Boise, Idaho
Permit No. 1

HUMPHREYS 837052221 1994 04/18/95
FORWARDING TIME EXPIRED
HUMPHREYS/FRED C
10495 STONE QUARRY RD
PAYETTE ID 83661-5134
RETURN TO SENDER
|||||

FRED HUMPHREYS
ERNEST JAY
1919 S PHILLIPI
BOISE ID 83705

RECEIVED

APR 20 1995

Department of Water Resources