

FEB-14-1997
0009

RIGHT NUMBER: 72-10320

NAME AND ADDRESS:

JUNE DAVIDSON
DAVID R DAVIDSON JR
1176 E MURRAY HOLLADEY RD
SALT LAKE CITY UT 84117

SOURCE:

GROUNDWATER

QUANTITY:

0.04 CFS

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

PRIORITY DATE:

11/11/1889

POINT OF DIVERSION:

T08N R17E S09

SESENW

Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC 1 HOME

PERIOD OF USE
01-01 12-31

QUANTITY
0.04 CFS

PLACE OF USE:

DOMESTIC
T08N R17E S09

Within CUSTER County
SENW

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. RP08N17E091201A

DATE: 01/17/97
PAGE: 12

DIVERSION VOLUME

Ac :-

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.

Audit:	07/07/93	SMITH	03/30/95	POST-STD	01/14/97	DS1-PROD
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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: A72-10320
Date Received: 12/19/1989
Receipt No: S010724
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID R. DAVIDSON, JR. 801-265-9092
Address: 1176 E. MURRAY HOLLADEY RD.
SALT LAKE CITY, UT 84117

AND/OR

Name: JUNE DAVIDSON 801-265-9092
Address: 1176 E. MURRAY HOLLADEY RD.
SALT LAKE CITY, UT 84117

2. Date of Priority: NOV 11, 1889

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	17E	9	SE	SE	NW		CUSTER

5. Description of diverting works:
6" X 40' WELL, 3/8 HP PUMP. NEW WELL IN 1965

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:
D/1 HOUSE

A72-10320

Page 1

Date: 12/19/89

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MAR 19 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08N	17E	9	SE NW		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:
NONE

14. Remarks:

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 _____

\$ 25⁰⁰IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A72-10320Date Received 12-18-1989Receipt Number SD10724NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

DEC 19 1989

Department of Water Resources
Southern Region Office

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 Jane Davidson and/or1. Name of Claimant (s) David R Davidson Jr Phone (801) 265 9092Mailing Address 1176 E Murray Holladay Rd Zip 841172. Date of Priority (Only one per claim) 11/11 1889 SE 1/2 Lake City Utah
Month/Day/Year3. Source of water supply (Check one) (X) Groundwater or Other () (a) _____

which is tributary to (b) _____ Name or kind of source

4. Location of point of diversion is: Township 8N Range 17ESection 9, SE 1/4 of SE 1/4 of NW 1/4, Govt. Lot _____, BM.,County of CUSTER

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. NEW WELL IN 1965, 40' deep, 6" casing, 3/8 hp. pump.

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

For DOMESTIC purposes from 1/1 Month/Day to 12/31 Month/Day amount 0.04 (cfs)(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____7. Total quantity claimed 0.04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) D/I HOUSE

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10. Place of use is: Township: 8N Range 17E
Section 9, SE 1/4 of NW 1/4, Govt. Lot _____, B.M.,

County of CUSTER 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? 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.
NONE

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 _____

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) X [Signature] Date Nov 13, 1989
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 Custer) SS.

Subscribed and sworn (or affirmed) before me this 13th day of November 1989

SEAL

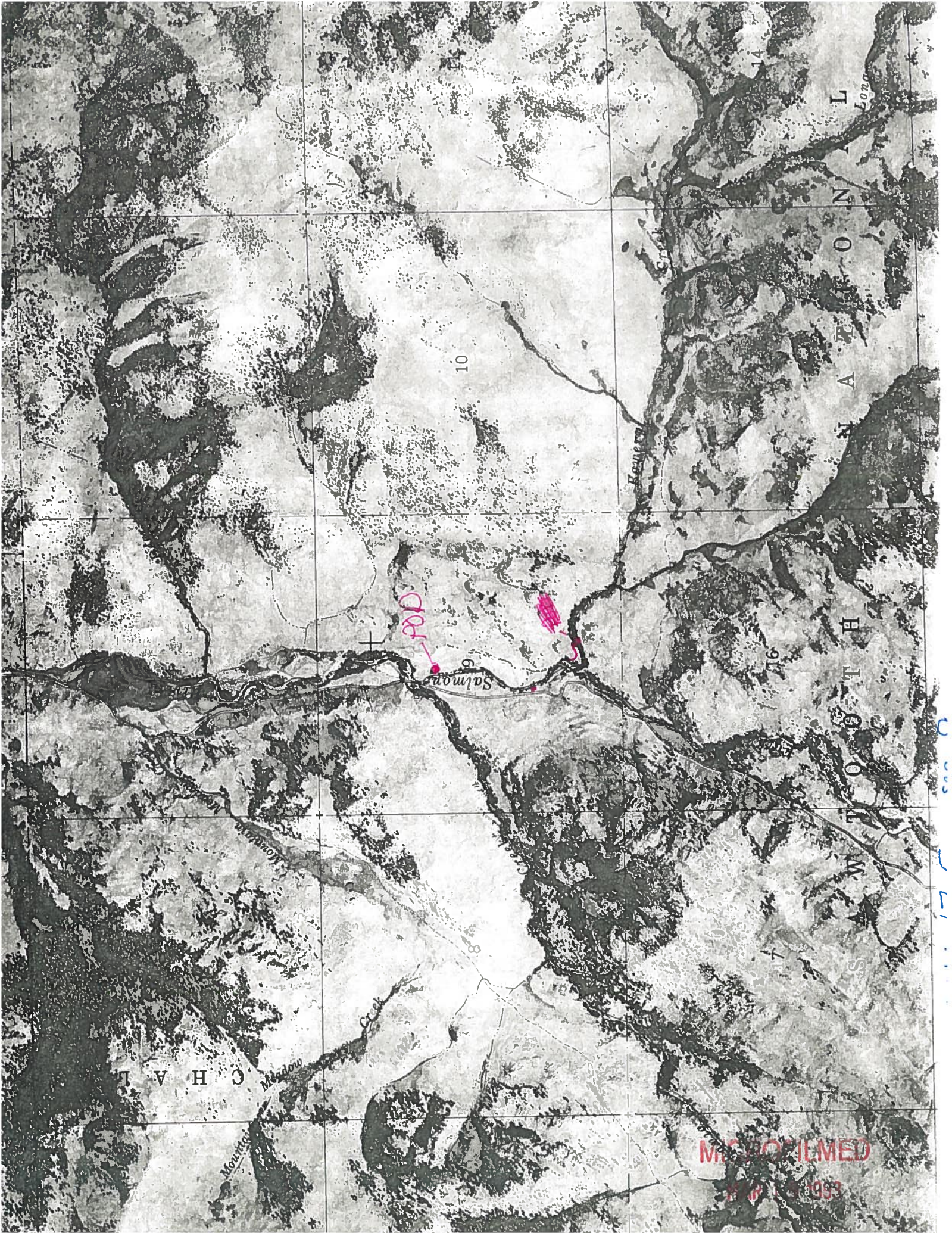
Notary Public [Signature]

Residing at Boise Idaho

My Commission Expires 12/7 1994

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Chief
MAR 19 1993



MICROFILMED
MAR 14 1983



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

Dec. 22, 1989

Re: A72-10320
A72-00216
A72-00217

DAVID R DAVIDSON JR
1176 E MURRAY HOLLADEY RD
SALT LAKE CITY UT 84117

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

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MAR 19 1993

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-00216, -00217.

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Frank Hitchcock

September 2, 1997 9:43am

NAME:
NICK SPENCER, DEPUTY AG, S.O.
08-27-1997; TT AT 9:53

RE:
DAVIDSON CLAIMS-A72-00216,
-00217 AND A72-10320

MSG LEFT TO CALL ME. CALLED AGAIN AT 3:07-TCW-HE COULDN'T GET THROUGH TO ME-LINES FULL.

REVIEWED THE DAVIDSON DISALLOWED CLAIMS WITH HIM WHICH HE REMEMBERED FROM OUR DISCUSSIONS DURING THE FIELD SEASON OF 1993.

HE FELT THAT MY SUGGESTION TO HOWELL'S (UNKNOWN PARTNER OF DAVIDSON TILL NOW) ATTORNEY IS GOOD THAT HE REQUEST A FIELD EXAM OF THE PROPERTY OWNED IN PART BY HIS CLIENT. NICK FEELS THAT THIS WOULD BE A GOOD WAY TO AVOID HAVING TO DO SO DURING NOE PERIOD.

I WILL FORWARD TO HIM WHATEVER FORM OF THE REQUEST I RECIEVE THAT IS ALONG THE LINES OF WHAT I SUGGESTED TO THE LAWYER.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-00216, -00217

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Frank Hitchcock

September 2, 1997 9:34am

NAME:

RE:

DAVIDSON, DAVID-JUNE
00216, -00217, AND *-10320 (Davidson)*
72

PARTNERSHIP WITH JERRY A72-
HOWELLS-ATTORNEY JOHN
ANDERSON SLC, UT FOR
HOWELLS. TCW.

ERROR IN WP FILING LOST THE WP RECORD IN JOURNAL. SEE WP FILES-FH
AT JOURNAL-DAVIDSON-TCW 08-26-1997.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-00216 ET AL

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Frank Hitchcock

September 2, 1997 9:08am

NAME:

JOHN ANDERSON, ESQ
PRUITT ET AL, SLC, UT
TF AT 1:55 08-26-1997

RE:

DAVID/JUNE DAVIDSON CLAIMS
REPRESENTS PARTNER IN THE
PROPERTY OWNERSHIP.

TCW-REPRESENTS ANOTHER PARTY WHO ALLEGEDLY HAS A 1/2 INTEREST IN THE REAL PROPERTY REPRESENTED BY CLAIMS FOR SALMON RIVER, EAST FORK WATER A72-00216, A72-00217 AND A72-10320. HIS CLIENT IS JERRY HOWELLS (SP?).

AFTER HE DESCRIBED WHY HE WAS CALLING ME I TOLD HIM THAT BOTH OF THE CONSUMPTIVE USE CLAIMS (-00216 AND -00217) WERE CODED FOR DISALLOWAL DUE TO DAVIDSON'S CONTINUED REFUSAL TO ALLOW A FIELD EXAM AND HIS SUBSEQUENT POSITION THAT I HADN'T KEPT AN APPOINTMENT WITH HIM LATE IN THE SEASON TO FINALLY DO THE REVIEW. (SEE COPIES OF ALL CORRESPONDENCE AND FILE ENTRIES REGARDING PHONE CONVERSATIONS WITH DAVIDSON DURING THE FIELD SEASON.)

HE WAS UNAWARE OF ANY PROBLEM(S) AND I ASKED HIM WHAT HE HAD FOR HIS FILE REGARDING THE STATUS OF THE WATER RIGHTS PER REQUESTS FROM ME FOR ACCESS. HE STATED THAT HE DIDN'T HAVE FULL COPIES OF THE WATER RIGHT CLAIMS OR THE CORRESPONDENCE.

I SUGGESTED THAT HE SHOULD HAVE THE FILES AND THE CORRESPONDENCE THAT DOCUMENTED MY ATTEMPTS TO GET PERMISSION FROM DAVIDSON TO SEE THE USAGES. HE AGREED AND I TOLD HIM THAT I WOULD SEND HIM THE COPIES OF THE CLAIMS FIRST AND THAT HE WAS WELCOME TO ANY OF THE DOCUMENTATION REGARDING CONTACTS WITH DAVIDSON. HE FELT THAT THE CLAIMS WOULD BE MOST IMPORTANT FOR NOW.

HE ASKED HOW THE RECOMMENDATION COULD BE DEALT WITH AND I SUGGESTED THAT HE WRITE A LETTER TO MY ATTENTION OUTLINING HIS REPRESENTATION

OF HOWELLS AND THE LACK OF INFORMATION FOR HIS CLIENT REGARDING THE STATUS OF THE WATER RIGHTS AND DAVIDSON'S CONTACTS WITH THIS AGENCY.

I TOLD HIM THAT I WOULD FORWARD HIS REQUEST TO SUPERVISION/ADMINISTRATION AND LET HIM KNOW THE OUTCOME AS SOON AS I COULD GET DIRECTION. I ALSO TOLD HIM THAT A MEASUREMENT THIS LATE IN THE SEASON FOR -00216 (BOWERY CREEK) PROBABLY WOULDN'T BE REPRESENTATIVE OF THE DIVERSION CAPACITY AS CLAIMED.

I ALSO TOLD HIM THAT MY FIELD GLASSING THE REACH OF THE RIVER WHERE THE DIVERSION IS CLAIMED FOR -00217 DIDN'T SHOW ANY WORKS AS DESCRIBED IN THE CLAIM. I SAID THAT I VIEWED THE BANK FROM THE ROAD AND MAY HAVE MISSED SOMETHING.

BOTH CLAIM COPIES WERE MAILED TO HIM 08-26-1997 WITH COPIES OF THE IDAHO WATER PRIMER AND OWNERSHIP BROCHURES.

WATER RIGHT NUMBER - A72-10320

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

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

*** C - CURRENT OWNER ***
DAVIDSON, JR.

DAVID R.

1 - 1176 E. MURRAY HOLLADAY RD.

2 -

3 -

CITY- SALT LAKE CITY STATE- UT ZIP- 84117

PHONE - 801-265-9092

JUNE

1 - 1176 E. MURRAY HOLLADAY RD.

2 -

3 -

CITY- SALT LAKE CITY STATE- UT ZIP- 84117

PHONE - 801-265-9092

+ - - - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
11/11/1889 17 SOUTHERN J - BENEFICIAL USE

+ - - - - SOURCE - - - - + + - +
GROUNDWATER -

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

08N 17E 9 SE SE NW (37) CUSTER

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

43 - DOMESTIC

01/01

12/31

0.040

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

+ - +
TWN RNG SEC TRACT LOT ACRES PLACE OF USE - COUNTY

08N 17E 9 SE NW

43 DOMESTIC

(37) CUSTER

+ - - - - DIVERSION MEANS - 6" X 40' WELL, 3/8 HP PUMP. NEW WELL IN 1965

+ - - - - NON-IRRIGATION USE - D/I HOUSE

+ - - - - OTHER RIGHTS FOR SAME USE - NONE

+ - +
REMARKS - - - - - NO REMARKS FOUND.

+ - +
OLD WATER RIGHT NUMBERS - - - - - NO OLD WATER RIGHT NUMBERS FOUND.

+ - +
CONDITIONS OF APPROVAL - - - - - NO CONDITIONS OF APPROVAL FOUND.

MICROFILMED

NOV 01 1994

