

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-543 V1

WATER RIGHT NUMBER: 67-543 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	DAVID J JENSEN 1709 DEER CREEK RD WEISER, ID 83672 (208)549-0086
Original Owner	GEORGE D TARTER 1709 DEER CREEK RD WEISER, ID 83672 (208)549-0086
Current Owner	JAMES M DAVIES BOX 392 KETCHUM, ID 83340 (208)726-3259
Original Owner	NELLIE A TARTER 1709 DEER CREEK RD WEISER, ID 83672 (208)549-0086
Original Owner	J C STEEL 1615 W 49 N IDAHO FALLS, ID 83402 (208)524-2189

Priority Date: 06/01/1884

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MANNS CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	1.150 CFS	
	<u>Total Diversion:</u>	1.150 CFS	

Location of Point(s) of Diversion

MANNS CREEK	SE1/4SE1/4NE1/4	Sec. 11, Twp 12N, Rge 05W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
12N	05W	1				.5										12.0	16.0	23.0	17.0	68.5

Total Acres: 68.5

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Conditions of Approval:

1. 167 This right shall receive 100% of its decreed amount until the natural flow of the waters of Mann Creek shall decrease so that all rights cannot receive 100%, at which time this right and other various decreed rights, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), shall be cut to 70% of the said amounts, beginning with the latest right and proceeding to the earliest right in the order of priority.
2. C18 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. Section 42-1412(6), Idaho Code.
3. 169 This right is a Primary Right, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), and, as such, irrespective of priority, is senior to all Secondary Rights on Mann Creek.

Remarks:Comments:

1. segbert 6/7/2004 POU
Comment: There is 1 acre in the SENE that is not mentioned in the decree
2. segbert 6/7/2004 Quantity
Comment: Can not determine quantity
3. dnarsavage 11/9/2005 Quantity
Comment: 68.5 acres at 0.02 cfs/acre = 1.37cfs. Only 1.15 cfs claimed.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 67
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	6/7/2004 1:47:34 PM	segbert			Active
Priority Date	6/7/2004 1:47:39 PM	segbert			Active
Source	6/7/2004 1:48:01 PM	segbert			Active
POU	6/7/2004 1:49:39 PM	segbert			Active

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Use	6/7/2004 2:00:42 PM	segbert	Active
Season	6/7/2004 2:01:33 PM	segbert	Active
Quantity	6/7/2004 2:02:16 PM	segbert	Active
Quantity	6/7/2004 2:03:07 PM	segbert	Active
POD	6/7/2004 2:04:09 PM	segbert	Active
Season	6/10/2004 9:28:36 AM	segbert	Active
Contacts	11/9/2005 9:38:23 AM	dnarsavage	Active
Priority Date	11/9/2005 9:40:16 AM	dnarsavage	Active
POD	11/9/2005 9:43:39 AM	dnarsavage	Active
Source	11/9/2005 9:43:50 AM	dnarsavage	Active
POU	11/9/2005 9:44:19 AM	dnarsavage	Active
Use	11/9/2005 9:45:39 AM	dnarsavage	Active
Season	11/9/2005 9:46:38 AM	dnarsavage	Active
Season	11/9/2005 9:47:43 AM	dnarsavage	Active
Quantity	11/9/2005 9:49:32 AM	dnarsavage	Active
Summary	11/09/2005	dnarsavage	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Season	6/10/2004 9:28:37 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use?
POU	9/21/2005 9:39:43 AM	dnarsavage	Updated shape for Active POU
POD	8/11/2005 2:09:48 PM	dnarsavage	Correlated PODID 620723 from SpatialDataID 304975 to SpatialDataID 9560
POD	8/11/2005 2:09:48 PM	dnarsavage	Correlated PODID 620723 from SpatialDataID 304975 to SpatialDataID 9560
POD	8/11/2005 2:09:48 PM	dnarsavage	Correlated PODID 620723 from SpatialDataID 304975 to SpatialDataID 9560
POD	8/11/2005 2:09:48 PM	dnarsavage	Correlated PODID 620723 from SpatialDataID 304975 to SpatialDataID 9560
POD	8/11/2005 2:09:48 PM	dnarsavage	Correlated PODID 620723 from SpatialDataID 304975 to SpatialDataID 9560

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POD	11/9/2005 9:43:40 AM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POU	11/9/2005 9:44:19 AM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	11/9/2005 9:45:39 AM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Contacts	11/9/2005 9:38:23 AM	dnarsavage	(No) 1. Do you want to schedule an appointment? Comment for 1: No need
Source	11/9/2005 9:43:51 AM	dnarsavage	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
Quantity	11/9/2005 9:49:33 AM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required?

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Summary	11/9/2005 10:15:22 AM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	6/7/2004 1:59:48 PM	segbert	Edited shape boundary
POU	6/7/2004 1:49:39 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (No) 6. Can the claimed POU be verified using the water right file? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU?
POU	11/9/2005 9:46:55 AM	dnarsavage	Edited Season Of Use
POU	11/9/2005 9:52:31 AM	dnarsavage	Updated PLS for Active POU
Priority Date	6/7/2004 1:47:34 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?
Priority Date	6/7/2004 1:47:39 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly?
Source	6/7/2004 1:48:02 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?

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Use	6/7/2004 2:00:42 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Season	6/7/2004 2:01:33 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (Yes) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use?
Quantity	6/7/2004 2:02:16 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?
Quantity	6/7/2004 2:03:08 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (No) 5. Can the claimed diversion rate and/or volume be verified using the water right file?
POD	6/7/2004 2:04:09 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License?
General	11/9/2005 9:40:16 AM	dnarsavage	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (Yes) 16. Is a Priority Date remark and/or condition required?

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Season	11/9/2005 9:46:39 AM	dnarsavage	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (Yes) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 18. Is a Period of Use remark and/or condition required?
Season	11/9/2005 9:47:43 AM	dnarsavage	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (Yes) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (No) 18. Is a Period of Use remark and/or condition required?

Water Supply Bank:



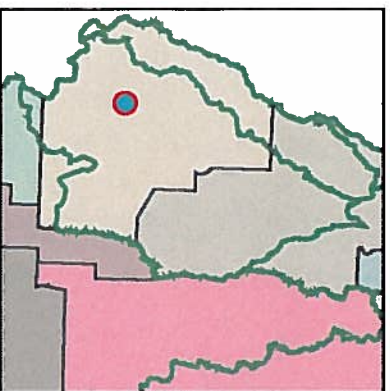
Idaho Department of Water Resources

Adjudication Claim Number: **67-543**

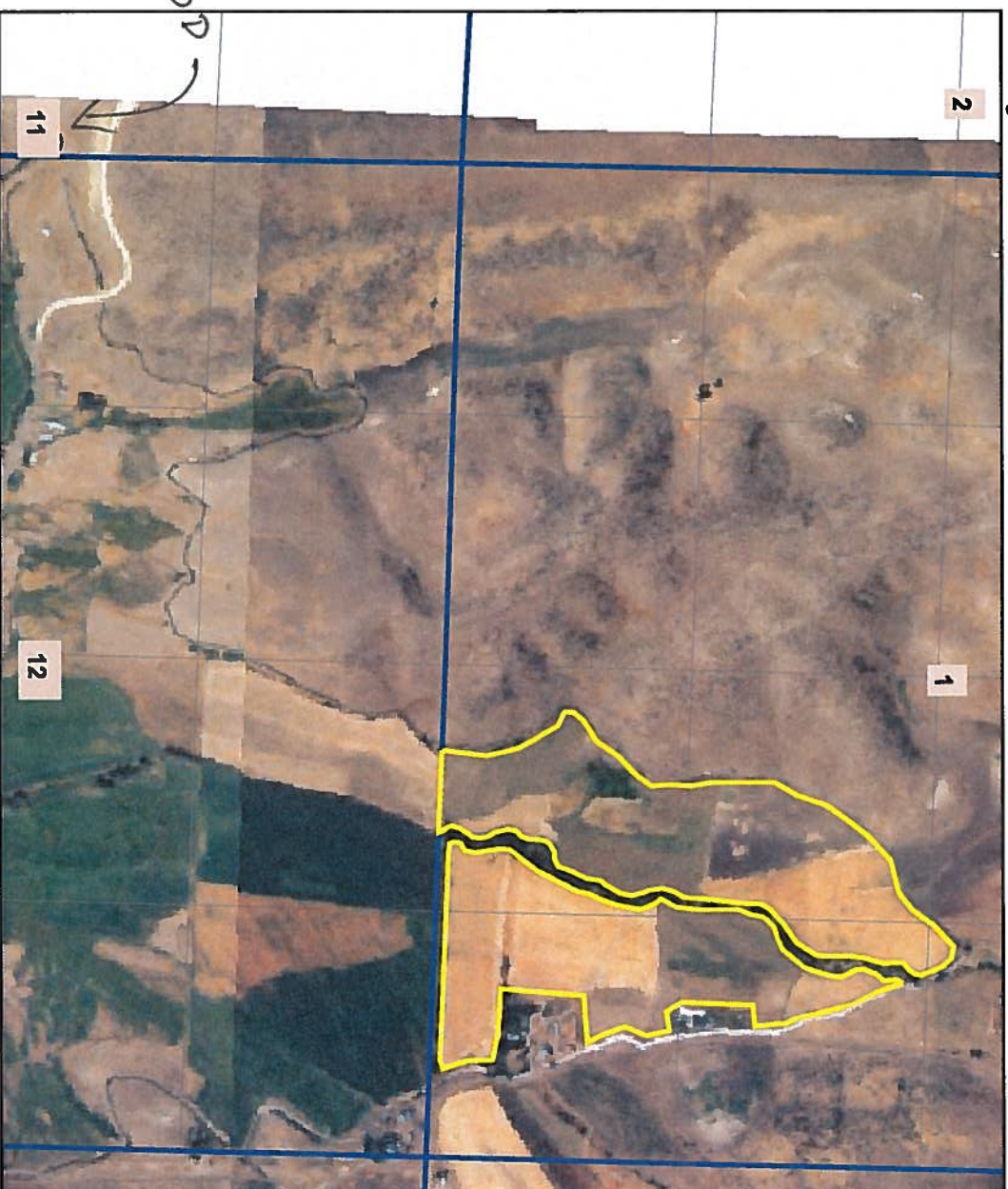
T12N R05W

Legend

- Point of Diversion
- Place of Use
- PLS Sections
- GCDBQuarter Quarters



Washington County
IDWR Basin 67



Prepared by D. Narsavage
On Monday, December 5, 2005
1987/88 Aerial Photography

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 67-543

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☒ No Change ADDRESS
☐ NEW ADDRESS: _____

2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

AS DECREED

3. ☒ No Change — SAME SOURCE AS DECREED
☐ Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION AS DECREED
☐ Point of diversion is different than the claim and/or new P/D's:

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

AS DECREED

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: **A67-00543**
Date Received: 10/12/1989
Receipt No: M004909
Received By: _____

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

1. Name: JAMES M DAVIES 208-726-3259
Address: BOX 392
KETCHUM ID 83340

2. Date of Priority: JUN 1, 1884

3. Source: MANNS CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12N	05W	11	SE	SE	NE		WASHINGTON

5. Description of diverting works:
HEADGATE AND LATERALS FOR FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.150		

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

8. Total consumptive use is 270.0 Acre Feet Per Annum.

9. Non-irrigation uses:
IN-STREAM STOCK WATERING

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	05W	1	SE	NE		IRR	1.0
			NE	SE		IRR	16.0
			NW	SE		IRR	18.0
			SW	SE		IRR	24.0

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AUG 05 1994

SCANNED
APR 06 2004

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	05W	1	SE	SE		IRR	18.0
Section Acres							77.0
Total Acres							77.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE

14. Remarks:

WATER CARRIED IN THE JOSLIN DITCH.
THIS IS PRIMARY RIGHT.
FLOODWATER 1.6457.
LOW WATER 1.15199 CFS.
AC. IRR.=77
*CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 6/29/93.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

E. V. JEFFERSON ET. AL.
Decree Plaintiff

THOMAS HIGGENBOTHAM ET. AL.
vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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AUG 05 1994

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 _____

MICROFILMED
AUG 05 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

MAY 26 1993

Department of Water Resources

DATE OF CLOSING: Jan 15
Feb 1991

LEGAL DESCRIPTION OF PROPERTY: Township 13 N Range 4 W
Section 31, NE NW 1/4 of NW SW 1/4 of SW SW 1/4, Govt. Lot _____, BM. and NW SE
Lot _____, Block _____, Subdivision/Townsite _____
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)
- ☐ Water Right Number(s)
Assigned by IDWR: A67-04053
- ☐ Name and Address of Former Owner/Claimant(s) (Seller): owner of record George D. Tarter + Nellie Tarter who sold
To: David J. Jensen Feb 1990 last known address
1709 Bear Cr. Rd. Weiser, Id. (did not apply for change
of water right ownership)
- ☐ New Owner/Claimant (Purchaser): James M Davies
- ☐ New Mailing Address: Box 392
Ketchum, Id. 83340
- ☐ New Telephone Number: (208) 726-3259
- ☐ 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: Warranty Deed Copy
(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): James M Davies Date 5.24.93

Date _____
- ☐ 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: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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AUG 05 1994

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

(Optional)

Recorded	☐	Platted	☐	Key Punched	☐	To Treasurer	☐
Microfilmed	☐	Deed Card	☐	Master File	☐		☐
Indexed	☐	Compared	☐	Abstracted	☐		

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED

DAVID J. JENSEN and CHERYL JENSEN, husband and wife,
of Fulton County of Sonoma GRANTOR(S)
hereby CONVEYS, GRANTS and WARRANTS TO State of Idaho
California

JAMES M. DAVIES Box 392, Ketchum, Idaho 83340 GRANTEE(S)
whose current address is ~~1709 Deer Creek Road, Weiser, Id. 83672~~
for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE Dollars (\$10.00)
CONSIDERATION

the following described tract(s) of land in Washington County, State of Idaho:

IN WASHINGTON COUNTY, IDAHO:

TOWNSHIP 12 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN:

Section 6: Lots 5 and 6, Lot 7 EXCEPT the following: Beginning at the southwest corner of said Section 6; thence East along the south line to the right of way fence of Highway #95; thence North along said right of way fence 223 feet; thence westerly and south along the south bank of a gulch 716 feet to a point 200 feet north of the south line of said Section 6; thence South 41 feet; thence West 100 feet; thence southwesterly to the point of beginning;

TOWNSHIP 12 NORTH, RANGE 5 WEST OF THE BOISE MERIDIAN:

Section 1: Lots 1, 2, 3, and 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$;

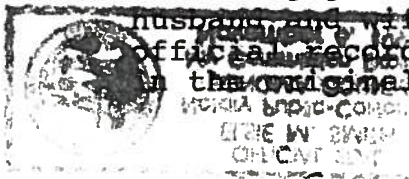
TOWNSHIP 13 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN:

Section 30: SE $\frac{1}{4}$ SE $\frac{1}{4}$ '

Section 31: Lots 1, 2, and 3, N $\frac{1}{2}$ of Lot 4, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;

EXCEPT right of way for Highway #95.

SUBJECT TO that certain Mortgage dated February 13, 1990, wherein the Mortgagor is David J. Jensen and Cheryl Jensen, husband and wife, and the Mortgagee is George Tarter, aka George D. Tarter, and Nellie Tarter, husband and wife, recorded February 15, 1990, as Instrument No. 148770 in the official records of Washington County, Idaho, to secure an indebtedness in the original principal sum of \$130,000.00.



Location of above described property 1709 Deer Creek Road

House No.

MICROFILMED

AUG 05 1994

WITNESS the hand of said Grantors this

POOR ORIGINAL

15th day of January A.D. 1991.

David J. Jensen
David J. Jensen

Cheryl Jensen
Cheryl Jensen

(NOTARY SEAL)

State of ~~MA~~ CALIFORNIA
County of SONOMA } ss.

On the 15th day of January A.D. 1991

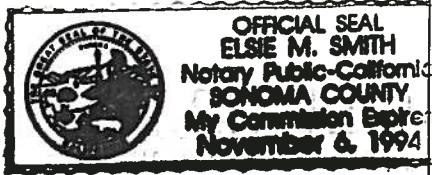
personally appeared before me DAVID J. JENSEN and CHERYL JENSEN,
husband and wife,

the signer(s) of the within instrument, who duly acknowledged to me that the y
executed the same.

Elsie M. Smith
(NOTARY PUBLIC)

Residing at: 100 Wikiup Dr.

My Commission expires: 11-4-94



MAIL DEED TO:

MAIL TAX NOTICE TO:

Name James M. Davies
Box 392
Address ~~1700 Deer Creek Road~~
Ketchum, Idaho 83340
City & State ~~Weiser, Id.~~ Zip ~~83672~~

Cmp. Index
Cmp. Rel.
Film
Comp. Rel.
Card Rel.
Bk. Rel.
Up-date
Return

No. 150977

WARRANTY DEED

-TO-

Dated _____, 19____
STATE OF IDAHO
County of WASHINGTON } ss.

I hereby certify that this instrument was
filed for record at request of
WASHINGTON COUNTY TITLE CO.
at 57 minutes past 1:00
o'clock P. M., this 24TH day
of JANUARY, A.D. 1991
in my office, and duly recorded in
of DEEDS # 150977 at page

MARY KAUTZ
Ex-Officio Recorder.
Carol M. Kautz
Deputy.
Fees \$ 6.00

WASHINGTON COUNTY TITLE CO.
WEISER, IDAHO 83672

MICROFILMED
AUG 05 1994

POOR ORIGINAL

Printed and for sale by Syms-York Company, Boise, Idaho

(Optional)

Recorded ☐
 Microfilmed ☐
 Indexed ☐

Platted ☐
 Deed Card ☐
 Compared ☐

Key Punched ☐
 Master File ☐
 Abstracted ☐

To Treasurer ☐

WARRANTY DEED

GEORGE TARTER, aka GEORGE D. TARTER, and NELLIE TARTER, H&W
 of Weiser County of Washington
 hereby CONVEYS, GRANTS and WARRANTS TO

GRANTOR(S)
 State of Idaho

DAVID J. JENSEN and CHERYL JENSEN, husband and wife,

GRANTEE(S)

whose current address is 1709 Deer Creek Rd., Weiser, Id. 83672

for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION Dollars (\$ 10.00)

the following described tract(s) of land in Washington County, State of Idaho:

IN WASHINGTON COUNTY, IDAHO:

TOWNSHIP 12 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN:

Section 6: Lots 5 and 6, Lot 7 EXCEPT the following: Beginning at the southwest corner of said Section 6; thence East along the south line to the right of way fence of Highway #95; thence North along said right of way fence 223 feet; thence westerly and south along the south bank of a gulch 716 feet to a point 200 feet north of the south line of said Section 6; thence South 41 feet; thence West 100 feet; thence southwesterly to the point of beginning;

TOWNSHIP 12 NORTH, RANGE 5 WEST OF THE BOISE MERIDIAN:

Section 1: Lots 1, 2, 3, and 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$;

TOWNSHIP 13 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN:

Section 30: SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Section 31: Lots 1, 2, and 3, N $\frac{1}{2}$ of Lot 4, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;

EXCEPT right of way for Highway #95.

TOGETHER WITH all appurtenances, hereditaments and tenements hereunto belonging or appertaining thereto.

RECEIVED

MAR 05 1991

Department of Water Resources
 Western Regional Office

Claim A67-00543
 A67-10761
 A67-04053
 A67-10762

Location of above described property 1709 Deer Creek Rd
 House No.

MICROFILMED

AUG 11 1994

WESTERN REAL ESTATE
 Weiser, Idaho 83672
 208/549-2202 or 549-1584 eve.
 Specialty-Farm & Ranch Sales
 Delmer Jones, Broker

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: A67-00543
Date Received: 10/12/1989
Receipt No: 1004909
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEORGE D. TARTER 208-549-0086
Address: 1709 DEER CREEK ROAD
WEISER, ID 83672

OR

Name: NELLIA A. TARTER 208-549-0086
Address: 1709 DEER CREEK ROAD
WEISER, ID 83672

2. Date of Priority: JUN 01, 1884

3. Source: MANNS CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12N	05W	11	SE	SE	NE		WASHINGTON

5. Description of diverting works:
HEADGATE AND LATERALS FOR FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.150		

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

8. Total consumptive use is 270.0 Acre Feet Per Annum.

9. Non-irrigation uses:
IN-STREAM STOCK WATERING

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
12N	05W	1	SE		NE		IRR	1.0
			NE		SE		IRR	16.0
			NW		SE		IRR	18.0
			SW		SE		IRR	24.0
			SE		SE		IRR	18.0
							Section Acres	77.0
							Total Acres	77.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE

14. Remarks:
WATER CARRIED IN THE JOSLIN DITCH.
THIS IS PRIMARY RIGHT.
FLOODWATER 1.6457.
LOW WATER 1.15199 CFS.
AC. IRR.=77

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

E. V. JEFFERSON ET. AL.
Decree Plaintiff

vs

THOMAS HIGGENBOTHAM ET. AL.
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

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): George Tarte Date: 10-12-89

Date: _____

State of Idaho)
County of Washington) SS.

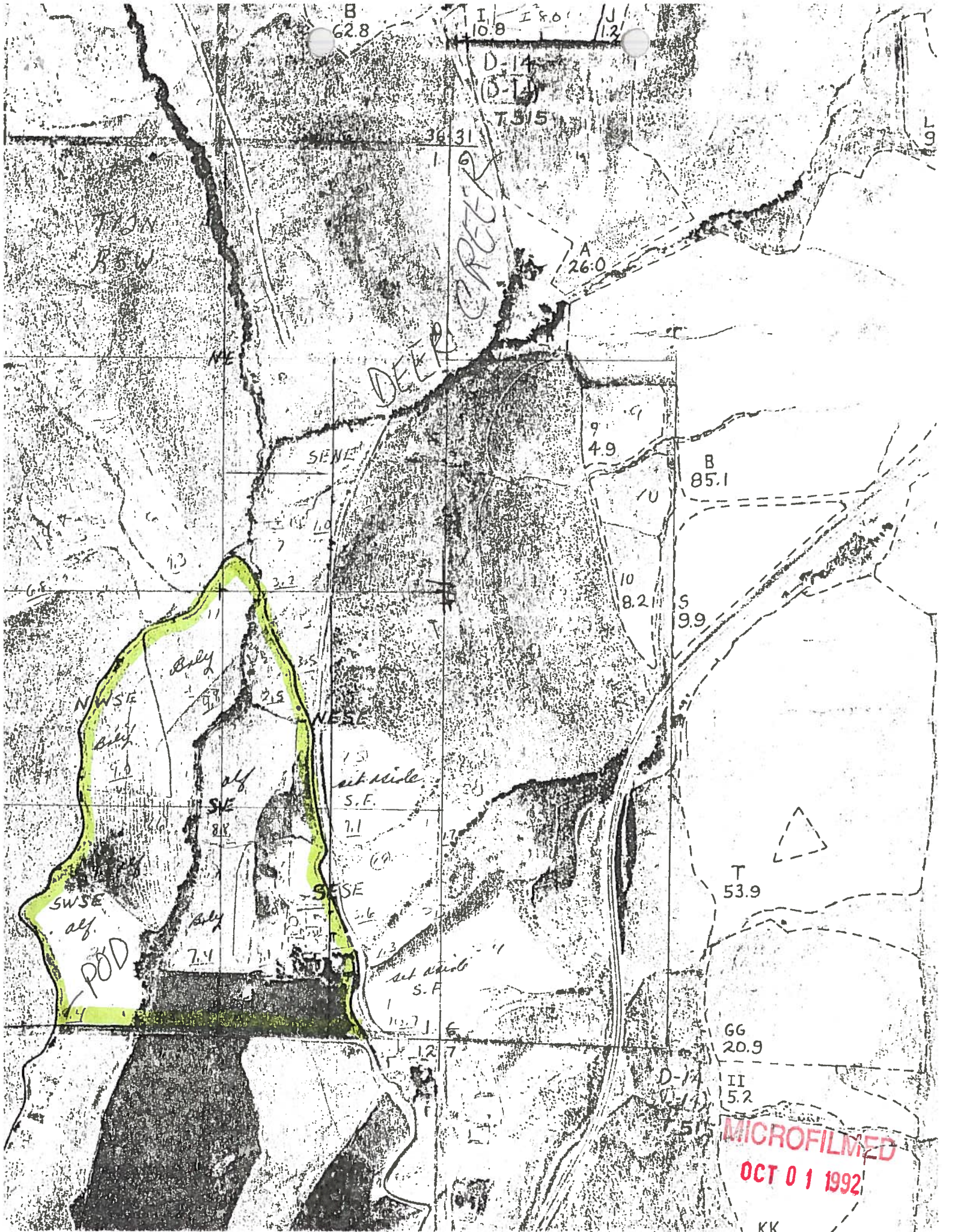
Subscribed and sworn (or affirmed) before me this 12 day

of Oct 19 89

Bruce A. Schulz
Notary Public

Seal

Residing at BRUCE A. SCHULZ, NOTARY PUBLIC
My Commission Expires RESIDING AT BOISE, IDAHO
MY COMMISSION EXPIRES APRIL 11, 1995



MICROFILMED
OCT 01 1992

KK

11/09/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-543

NAME AND ADDRESS: JAMES M DAVIES
BOX 392
KETCHUM ID 83340

SOURCE: MANNS CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 1.150 CFS

This right shall receive 100% of its decreed amount until the natural flow of the waters of Mann Creek shall decrease so that all rights cannot receive 100%, at which time this right and other various decreed rights, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), shall be cut to 70% of the said amounts, beginning with the latest right and proceeding to the earliest right in the order of priority.

PRIORITY DATE: 06/01/1884

This right is a Primary Right, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), and, as such, irrespective of priority, is senior to all Secondary Rights on Mann Creek.

POINT OF DIVERSION:

T12N R05W S11 SESENE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.150 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T12N R05W S01	SENE	0.5	T12N R05W S01	NESE	12.0
T12N R05W S01	NWSE	16.0	T12N R05W S01	SWSE	23.0
T12N R05W S01	SESE	17.0			

68.5 ACRES TOTAL

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

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-543 V1

WATER RIGHT NUMBER: 67-543 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	DAVID J JENSEN 1709 DEER CREEK RD WEISER, ID 83672 (208)549-0086
Original Owner	GEORGE D TARTER 1709 DEER CREEK RD WEISER, ID 83672 (208)549-0086
Current Owner	JAMES M DAVIES BOX 392 KETCHUM, ID 83340 (208)726-3259
Original Owner	NELLIE A TARTER 1709 DEER CREEK RD WEISER, ID 83672 (208)549-0086
Original Owner	J C STEEL 1615 W 49 N IDAHO FALLS, ID 83402 (208)524-2189

Priority Date: 06/01/1884

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MANNS CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	1.150 CFS	
	<u>Total Diversion:</u>	1.150 CFS	

Location of Point(s) of Diversion

MANNS CREEK	SE1/4SE1/4NE1/4	Sec. 11, Twp 12N, Rge 05W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	05W	1				.5									12.0	16.0	23.0	17.0	68.5

Total Acres: 68.5

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-543 V1

Conditions of Approval:

1. 167 This right shall receive 100% of its decreed amount until the natural flow of the waters of Mann Creek shall decrease so that all rights cannot receive 100%, at which time this right and other various decreed rights, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), shall be cut to 70% of the said amounts, beginning with the latest right and proceeding to the earliest right in the order of priority.
2. C18 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. Section 42-1412(6), Idaho Code.
3. 169 This right is a Primary Right, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), and, as such, irrespective of priority, is senior to all Secondary Rights on Mann Creek.

Remarks:Comments:

1. segbert 6/7/2004 POU
Comment: There is 1 acre in the SENE that is not mentioned in the decree
2. segbert 6/7/2004 Quantity
Comment: Can not determine quantity
3. dnarsavage 11/9/2005 Quantity
Comment: 68.5 acres at 0.02 cfs/acre = 1.37cfs. Only 1.15 cfs claimed.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 67
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	6/7/2004 1:47:34 PM	segbert			Active
Priority Date	6/7/2004 1:47:39 PM	segbert			Active
Source	6/7/2004 1:48:01 PM	segbert			Active
POU	6/7/2004 1:49:39 PM	segbert			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-543 V1

Use	6/7/2004 2:00:42 PM	segbert	Active
Season	6/7/2004 2:01:33 PM	segbert	Active
Quantity	6/7/2004 2:02:16 PM	segbert	Active
Quantity	6/7/2004 2:03:07 PM	segbert	Active
POD	6/7/2004 2:04:09 PM	segbert	Active
Season	6/10/2004 9:28:36 AM	segbert	Active
Contacts	11/9/2005 9:38:23 AM	dnarsavage	Active
Priority Date	11/9/2005 9:40:16 AM	dnarsavage	Active
POD	11/9/2005 9:43:39 AM	dnarsavage	Active
Source	11/9/2005 9:43:50 AM	dnarsavage	Active
POU	11/9/2005 9:44:19 AM	dnarsavage	Active
Use	11/9/2005 9:45:39 AM	dnarsavage	Active
Season	11/9/2005 9:46:38 AM	dnarsavage	Active
Season	11/9/2005 9:47:43 AM	dnarsavage	Active
Quantity	11/9/2005 9:49:32 AM	dnarsavage	Active
Summary		11/09/2005 dnarsavage	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Season	6/10/2004 9:28:37 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use?
POU	9/21/2005 9:39:43 AM	dnarsavage	Updated shape for Active POU
POD	8/11/2005 2:09:48 PM	dnarsavage	Correlated PODID 620723 from SpatialDataID 304975 to SpatialDataID 9560
POD	8/11/2005 2:09:48 PM	dnarsavage	Correlated PODID 620723 from SpatialDataID 304975 to SpatialDataID 9560
POD	8/11/2005 2:09:48 PM	dnarsavage	Correlated PODID 620723 from SpatialDataID 304975 to SpatialDataID 9560
POD	8/11/2005 2:09:48 PM	dnarsavage	Correlated PODID 620723 from SpatialDataID 304975 to SpatialDataID 9560
POD	8/11/2005 2:09:48 PM	dnarsavage	Correlated PODID 620723 from SpatialDataID 304975 to SpatialDataID 9560

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-543 V1

POD	11/9/2005 9:43:40 AM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POU	11/9/2005 9:44:19 AM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	11/9/2005 9:45:39 AM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Contacts	11/9/2005 9:38:23 AM	dnarsavage	(No) 1. Do you want to schedule an appointment? Comment for 1: No need
Source	11/9/2005 9:43:51 AM	dnarsavage	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
Quantity	11/9/2005 9:49:33 AM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-543 V1

Summary	11/9/2005 10:15:22 AM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	6/7/2004 1:59:48 PM	segbert	Edited shape boundary
POU	6/7/2004 1:49:39 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (No) 6. Can the claimed POU be verified using the water right file? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU?
POU	11/9/2005 9:46:55 AM	dnarsavage	Edited Season Of Use
POU	11/9/2005 9:52:31 AM	dnarsavage	Updated PLS for Active POU
Priority Date	6/7/2004 1:47:34 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?
Priority Date	6/7/2004 1:47:39 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly?
Source	6/7/2004 1:48:02 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?

IDAHO DEPARTMENT OF WATER RESOURCES

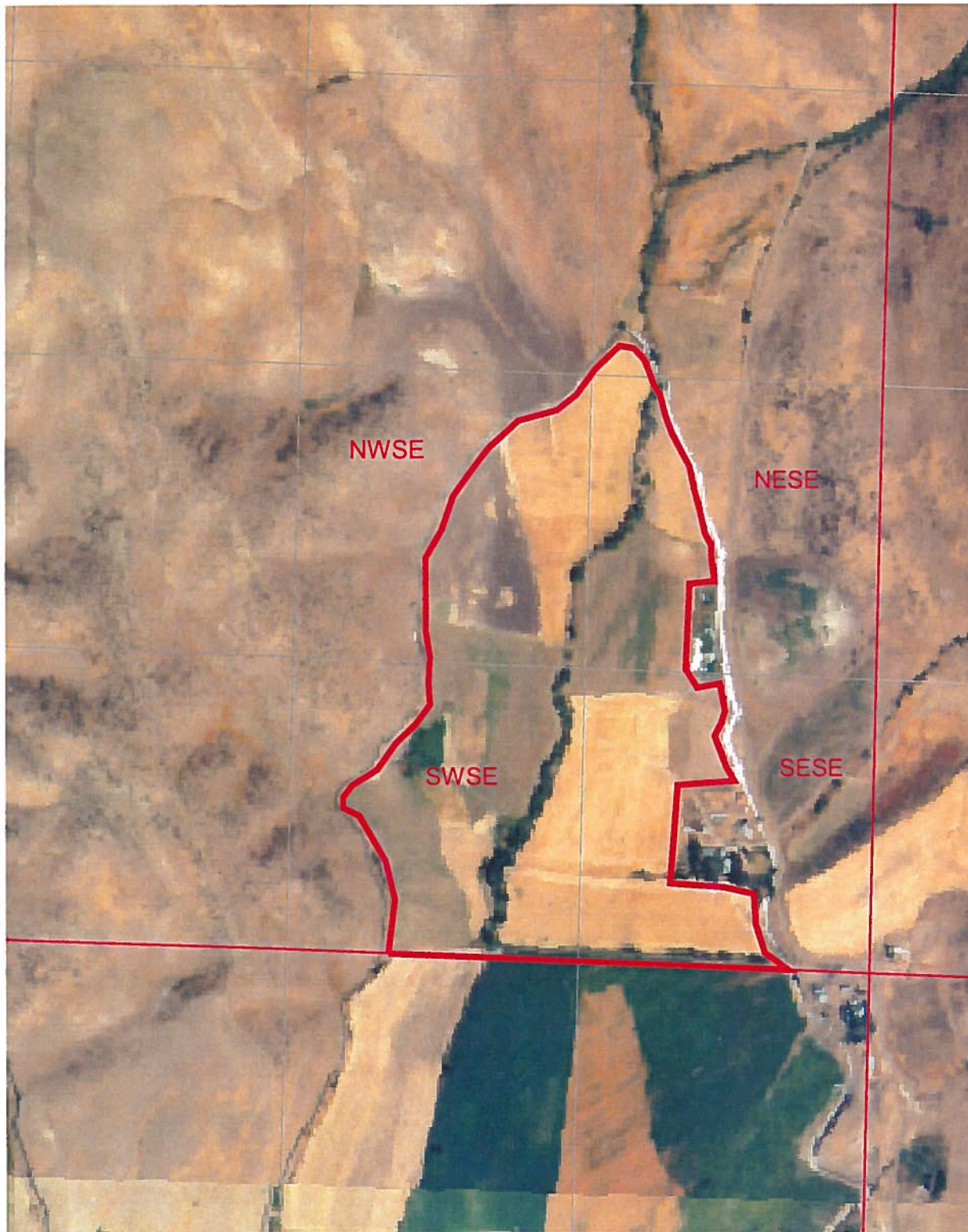
Adjudication Recommendation Report 67-543 V1

Season	11/9/2005 9:46:39 AM	dnarsavage	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (Yes) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 18. Is a Period of Use remark and/or condition required?
Season	11/9/2005 9:47:43 AM	dnarsavage	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (Yes) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (No) 18. Is a Period of Use remark and/or condition required?

Water Supply Bank:

Idaho Department of Water Resources

67-543



T12N R05W S1

400 0 400 800 Feet



Prepared by Sandy Egbert
6-7-04
1987 NAPP Photography

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-543 V1

06/07/2004

Owner Type

Name and Address

Original OwnerOriginal OwnerCurrent OwnerOriginal OwnerOriginal Owner

Priority Date: 06/01/1884

Basis: Decreed

Status:SourceBeneficial UseIRRIGATION

Location of Point(s) of Diversion

WASHINGTON County

SE1/4SE1/4NE1/4

Sec. 11, Twp 12N, Rge 05W, B.M.

Place of UseIRRIGATIONTwp Rge Sec

12N 05W 1

Total Acres: 77

Remarks:Conditions of Approval:Comments:

1. segbert 6/7/2004 POU

Comment: There is 1 acre in the SENE that is not mentioned in the decree

2. ~~segbert 6/7/2004 Saseau~~~~Comment: No water shown on map~~

3. segbert 6/7/2004 Quantity

Comment: Can not determine quantity

Dates and Other Information:

Decreed Date:

Entanglement Use Priority Date:

Entanglement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector: OR

Water District Number: 67

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

DLE Act Number:

Carry Act Number:

Mitigation Plan: False

Combined Use Limits:

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Priority Date	6/7/2004 1:47:34 PM	segbert			
Priority Date	6/7/2004 1:47:39 PM	segbert			
Source	6/7/2004 1:48:01 PM	segbert			
POU	6/7/2004 1:49:39 PM	segbert			
Use	6/7/2004 2:00:42 PM	segbert			
Season	6/7/2004 2:01:33 PM	segbert			
Quantity	6/7/2004 2:02:16 PM	segbert			
Quantity	6/7/2004 2:03:07 PM	segbert			
POD	6/7/2004 2:04:09 PM	segbert			

Verification Log:

Element Date Time Stamp

Reviewer

Log text

06/07/2004

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-543 V1

Quantity	6/7/2004 2:02:16 PM	segment	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?
Quantity	6/7/2004 2:03:08 PM	segment	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (No) 5. Can the claimed diversion rate and/or volume be verified using the water right file?
POD	6/7/2004 2:04:09 PM	segment	(Yes) 1. Is the basis of this claim a Decree or License?



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Date June 29, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

[JAMES M DAVIES]
BOX 392
[KETCHUM ID 83340]

Notice of Claim No.(s) A67-00543, A67-04053

Dear Claimant:

Enclosed is **your** copy(s) of the above referenced claim(s) which reflect the change in ownership of the land and appurtenant water rights covered by this claim(s).

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

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

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure(s)

SCANNED
APR 06 2004

MICROFILMED
AUG 05 1994

POOR ORIGINAL

(Optional)

Recorded ☐
 Microfilmed ☐
 Indexed ☐

Platted ☐
 Deed Card ☐
 Compared ☐

Key Punched ☐
 Master File ☐
 Abstracted ☐

To Treasurer ☐

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED

DAVID J. JENSEN and CHERYL JENSEN, husband and wife,
 of Fulton County of Sonoma
 hereby CONVEYS, GRANTS and WARRANTS TO

GRANTOR(S)
 State of ~~Idaho~~
 California

JAMES M. DAVIES

Box 392, Ketchum, Idaho 83340

GRANTEE(S)

whose current address is ~~1709 Deer Creek Road, Weiser, Idaho 83672~~

for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION Dollars (\$10.00)

the following described tract(s) of land in Washington County, State of Idaho:

IN WASHINGTON COUNTY, IDAHO:

TOWNSHIP 12 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN:

Section 6: Lots 5 and 6, Lot 7 EXCEPT the following: Beginning at the southwest corner of said Section 6; thence East along the south line to the right of way fence of Highway #95; thence North along said right of way fence 223 feet; thence westerly and south along the south bank of a gulch 716 feet to a point 200 feet north of the south line of said Section 6; thence South 41 feet; thence West 100 feet; thence southwesterly to the point of beginning;

TOWNSHIP 12 NORTH, RANGE 5 WEST OF THE BOISE MERIDIAN:

Section 1: Lots 1, 2, 3, and 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$;

TOWNSHIP 13 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN:

Section 30: SE $\frac{1}{4}$ SE $\frac{1}{4}$;Section 31: Lots 1, 2, and 3, N $\frac{1}{2}$ of Lot 4, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;

EXCEPT right of way for Highway #95.

SUBJECT TO that certain Mortgage dated February 13, 1990, wherein the Mortgagor is David J. Jensen and Cheryl Jensen, husband and wife, and the Mortgagee is George Tarter, aka George D. Tarter, and Nellie Tarter, husband and wife, recorded February 15, 1990, as Instrument No. 148770 in the official records of Washington County, Idaho, to secure an indebtedness in the original principal sum of \$130,000.00.

RECEIVED
 MAR 05 1991

Department of Water Resources
 Western Regional Office

Location of above described property 1709 Deer Creek Road

House No.

MICROFILMED
 AUG 05 1994

POOR ORIGINAL

and for sale by Sevin York Company, Boise, Idaho

(Optional)
Recorded ☐
Microfilmed ☐
Indexed ☐

Platted ☐
Deed Card ☐
Compared ☐

Key Punched ☐
Master File ☐
Abstracted ☐

To Treasurer ☐

WARRANTY DEED

GEORGE TARTER, aka GEORGE D. TARTER, and NELLIE TARTER, H&W
of Weiser County of Washington
hereby CONVEYS, GRANTS and WARRANTS TO

GRANTOR(S)
State of Idaho

DAVID J. JENSEN and CHERYL JENSEN, husband and wife,

whose current address is 1709 Deer Creek Rd., Weiser, Id. 83672

GRANTEE(S)

for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE

Dollars (\$ 10.00)

CONSIDERATION

the following described tract(s) of land in

Washington

County, State of Idaho:

IN WASHINGTON COUNTY, IDAHO:

TOWNSHIP 12 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN:
Section 6: Lots 5 and 6, Lot 7 EXCEPT the following: Beginning
at the southwest corner of said Section 6; thence East along the
south line to the right of way fence of Highway #95; thence North
along said right of way fence 223 feet; thence westerly and south
along the south bank of a gulch 716 feet to a point 200 feet
north of the south line of said Section 6; thence South 41 feet;
thence West 100 feet; thence southwesterly to the point of
beginning;

TOWNSHIP 12 NORTH, RANGE 5 WEST OF THE BOISE MERIDIAN:
Section 1: Lots 1, 2, 3, and 4, S½, E½, NE½, SE½;

TOWNSHIP 13 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN:
Section 30: SE½SE½;

Section 31: Lots 1, 2, and 3, N½ of Lot 4, NE½, E½NW½, NE½SW½,
W½SE½;

EXCEPT right of way for Highway #95.

TOGETHER WITH all appurtenances, hereditaments and tenements hereunto
belonging or appertaining thereto.

Claim A67-00543

A67-10761

A67-04053

A67-10762

MAR 03 1991

Department of
Western

Location of above described property

1709 Deer Creek Rd
House No.

WESTERN REAL ESTATE
MICROFILMED
208/546-1211
Special AUG 05 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

[May 25, 1993]
David or Cheryl Jensen
1709 Deer Creek Rd
Weiser ID 83672

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

[Dear Wateruser(s):

This office has reviewed the **Notice of Change of Water Right Ownership** form submitted to our office. However, due to the items checked below, we cannot continue to process this ownership change. We are returning the Notice of Change of Ownership to you to COMPLETE OR RESEARCH ONLY THE FOLLOWING ITEM(S) SHOWING A CHECKMARK IN THE BLANK FOR THAT ITEM(S).

SEE NEXT PAGE.

There is no existing water right in our records either under the former owner's name or for the legal description given. If, after contacting the former owner, you find more information concerning a water right, please contact us.

Legal description of property. Please complete showing the legal description by 1/41/4 (40-acre tract), section, township and range for the property changing ownership. If you only have a subdivision lot & block legal description, please send us a copy of your subdivision plat map.

It appears you receive your water from an irrigation district, ditch company, municipality or community water company. If this is the case, then the water right remains in the name of this entity and you should contact them concerning the ownership change.

Name and address of former owner (seller). This will clarify the original owner of the water right.

Name, address and phone number of new owner (purchaser).

This change in ownership appears to result in a splitting of the water right. A split of the water right occurs when the ownership change affects only a portion of the original right. In order to accurately split this right we must know what portion of the right was sold. The amount of water in CFS, the place of use by 1/4 1/4 with the number of acres in each 1/41/4 (if applicable) and the point of diversion by 1/41/4, Section, Township and Range is needed. If this right is not being split, please submit proof of ownership for the remaining portion. Enclosed is a computer copy of this right for your review.

Proof of ownership is needed. This proof can be a copy of the warranty deed, sales contract or tax assessment in your name which includes a description of this property by 1/41/4, Section, Township and Range.

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signature of new owner (purchaser) is needed on this form.

X other: Please complete the enclosed change in
ownership form for claim numbers AG7-00543,
AG7-04053, AG7-10761 & AG7-10762.

Please complete the above item(s), if required, on the Notice of Change of Water Right Ownership form and return it with the requested information to the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705. If we do not hear from you within 30 days, the claim upon which this form was filed (if one exists), will remain in the original owner's name.

Feel free to contact this office if you have any questions concerning this letter.

Sincerely,

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

LW:1
Enclosures

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