

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4068 V1

Conditions of Approval:

1. P13 No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.
2. P03 No beneficial use found.

Remarks:Comments:

1. dnarsavage 4/12/2005 POU
Comment: Updated Shape

2. mvanbussum 11/13/2006 Priority Date
Comment: No response received to request for evidence of priority. Recommend as disallowed.

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:
Water District Number:
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:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Contacts	11/13/2006 1:55:37 PM	mvanbussum			Disallowed
Summary			11/13/2006	mvanbussum	Disallowed

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
Contacts	11/13/2006 1:55:49 PM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop review.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4068 V1

Summary	11/13/2006 1:56:44 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 4. Is any portion of the claim be recommended? (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?
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Water Supply Bank:

67-4068

Priority date

Well is PD'd but no evidence for surface water

67-11553 Domestic & stock 7-15-1890

67-11572 Domestic 5-1-1926

Affidavit is inconclusive

Needs add'l EOP → letter sent 10/23/2006
respond by 10 Nov 06

POD/Source

Pine Creek

A0014077

78

79

POU

Found 6 ac in Bosco's map for POU

Water Use

60 stock

FE confirmed irrigation

Quantity

Irrig: $6ac \times \frac{0.02 cfs}{ac} = 0.12 cfs$

claim 0.1 cfs for irrigation

Measurement: 50 gpm = 0.11 cfs per Bosco's FE

Stock: 60 stock

claimed 0.03 cfs

IDWR standard: 0.03 cfs

October 23, 2006

LELAND W DAVIS
LOUISE F DAVIS
2971 HIGHWAY 71
CAMBRIDGE ID 83610

**RESPONSE DEADLINE
NOVEMBER 10, 2006**

*NRB
10/23/2006*

67-4068

Re: Evidence of Priority Date

Dear Claimant:

IDWR Contract Field Examiner Bosco Bosler conducted a field exam of the property appurtenant to the claim mentioned above on July 26, 2005. You supplied him with an affidavit at that time. In the affidavit, you state since Water Right 67-11572 has a partial decree of May 1, 1926, 67-4068 should share the same priority date. I can see how this would seem logical. However, 67-11572 is for groundwater for domestic use and 67-4068 is for surface water for irrigation. Also, the priority date for 67-11572 was not verified because it was a domestic claim. Since the two claims are for different sources and water uses, additional evidence of the first date of beneficial use for 67-4068 is needed. As with all Beneficial Use SRBA claims, **the claimant must provide proof supporting the priority date claimed and the historic use of the water.**

Enclosed you will find a computer printout of your claim and a pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: If no evidence is submitted by the date above, IDWR will recommend the SRBA Court decree the claim be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. Send the documents in the enclosed envelope to assure it arrives at the correct location. If you have questions not covered by this letter or the enclosed pamphlet, please contact me at (208) 287-4907.

If you no longer own the property to which the claim is appurtenant, please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property, it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the Adjudication.

Sincerely,

Monica P. Van Bussum
Water Resource Agent/GIS Technician
Adjudication Bureau

Enclosures

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Original Owner	JAMES L MASON	476 E COMMERCIAL	WEISER	ID	83672	
Current Owner	LELAND W DAVIS	44046 CLARK RD	OXBOW	OR	97840-6906	
Current Owner	LOUISE F DAVIS	44046 CLARK RD	OXBOW	OR	97840-6906	

Date of Field Exam: 5/20/05 Time: 09:00

Accompanied By: Claimant Phone Number: (208) 257 3666

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:

Reviewer: Bono Bash

Date: 7/26/05

Priority Date Data Entry Form

Claim Number 67-4068

Claimed Priority Date: 5/1/1926

Claimed Basis: Statutory Claim

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date: 5/1/1926

Water Right Basis: Statutory Claim

Recommended Priority Date Recommended Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

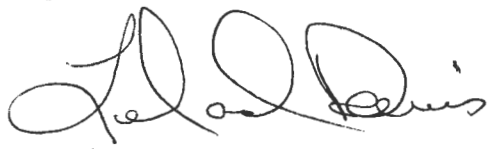
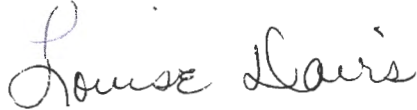
Claimant has affidavit included
I recommend 5/1/1926 because the
well # is partial decree to some date.

Reviewer: Bono BasliDate: 7/26/05

Affidavit
7-26-05

I Leland Davis purchased property and water right 67-4068 on July 16, 1991 from James Mason. My understanding when purchasing the property was that all water rights were current and up to date. James Mason filed first SRBA claim in Oct. of 1989. He built his house in 1933 had a well and apparently irrigated. Since the WR 67-11572 has a partial degree of May 1, 1926. I see no reason for the WR 67-4068 shouldn't have the same priority date. James Mason whom we purchased the property from has deceased. My wife and I have since lived here since we purchased the property in July of 1991.

Signed Leland Davis and Louise Davis

 7-26-05
 7-26-05

Purpose of Use Data Entry Form

Claim Number 67-4068

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			
STOCKWATER			

☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
STOCKWATER			
IRRIGATION			

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Stock		60		
Irrigation			8	

Document how the Purpose of Use was verified:

Reviewer:

Bruce Baker

Date:

7/26/05

Point of Diversion and Source Data Entry Form

Claim Number 67-4068

Claimed Point of Diversion and Source

T14N R03W S5 NESWNE Within WASHINGTON County Source: PINE CREEK WEISER RIVER

☒ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T14N R03W S5 SWNE Within WASHINGTON County

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

_____	_____
_____	_____
_____	_____

Tw	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

Other rights from this POD? _____

Document how the POD and Source were verified:

Tag #A0014077	MPs	2283852	1490209
Tag #A0014078	"	2283631	1490280
Tag #A0014079	"	2283501	1490343

Reviewer:

Bono Bash

Date:

7/26/05

Tag # A00 14 077

WR#⁶⁷ 4068

Davis lower POD



GPS

2283852

1490209

Tag # A0014078

WR# 67-4068

Davis Middle Pond



MPS

2283631

1490280

Tag # A0014079

WR# 67-4068

Davis Upper POD



HPS

2283501

1490343

Place Of Use Data Entry Form

Claim Number 67-4068

Claimed Place Of Use

T14N R03W S05 SWNE 8.0
T14N R03W S05 SWNE

Total Acres 8

☒ Use Claimed POU as Recommended POU

Water Right Place Of Use

T14N R03W S05 NESW 8.0

Total Acres 8

Recommended Place of Use

____ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

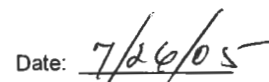
Total Acres ____

Document how the POU was verified:

Reviewer:



Date:



Idaho Department of Water Resources



Adjudication Claim Number: **67-4068**



Legend

 Section Lines
 GCDB14N03W GCDB



0 0.2 0.4 Miles



Prepared by D. Narsavage
On Wednesday, April 13, 2005
1987/88 Adjudication True Color Imagery

Period of Use and Quantity Data Entry Form

Claim Number 67-4068

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	5/01	10/15	0.1	
STOCKWATER	1/01	12/31	0.03	

Overall Diversion Rate 0.13

Overall Diversion Volume

☒ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	5/01	10/15	0.1	
STOCKWATER	1/01	12/31	0.03	

Overall Diversion Rate 0.13

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

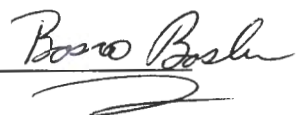
Overall Diversion Rate

Overall Diversion Volume

Document how the Period of Use and/or Diversion Rate were verified:

Measured flow into barrel at 50 gpm = 0.11 cfs

Reviewer:



Date:

7/26/05

Leland Davis

#4068

May 20 9AM.

257 3666

Priority Date Affidavit

POD & POO

~~BB~~

Size of pump & lift distance?
Dimension Rate

Address Change ✓ on 3 water.

Stock Quantity $\frac{40}{60}$

~~1st~~

~~9/18/10~~

THE
**SEVEN
HABITS**
OF HIGHLY
EFFECTIVE
PEOPLE

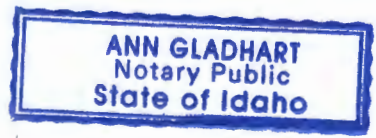
$$\begin{array}{r} 6.5 \\ 9 \\ \hline 59.4 \end{array}$$

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))
67-4068)
_____)
_____)
State of Idaho)
County of _____)

AFFIDAVIT

Leland Davis being first duly sworn,
deposes and says: I understand the question which
may arise for water right 67-4068. However you
need to understand that all persons IF James L Mason
has passed away all witnesses are either very ill or
deceased. I filed my Affidavit 7-26-05, I have removed
all evidence of irrigation and went to pumping. It seems
quite evident for a claim for domestic water, meaning Residence
was being established on a Farm Ranch. That water for
Irrigation on or about the same is not unreasonable
for Proof. This is a late response 11-13-06. I had to
contact ~~some~~ persons related to Mr. Mason to know avail. to
cannot Prove Note its a shame to have privileges revoked
because one cannot physically Prove the Previous Affidavit.

Louise Davis
(Signature)



Subscribed and sworn to before me this
day 17th of November, 19 2006

SEAL

Ann Gladhart
(Notary Public) **SCANNED**

Residing at Cambridge **NOV 20 2006**

My Commission Expires 3-31-16

L.H. Davis

DOUBLE L RANCH

LELAND & LOUISE DAVIS

2971 HWY 71

CAMBRIDGE, ID 83607

BOISE ID 837

17 NOV 2006 PM 1 L



Dept. of Water Resources
Adjudication Bureau
P.O. Box 83720
Boise, Id. 83720-0098

ATTN: Monica Van Bussum

8372000098



12/09/2006

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

RIGHT NUMBER: 67-4068

NAME AND ADDRESS: LELAND W DAVIS
2971 HIGHWAY 71
CAMBRIDGE ID 83610

LOUISE F DAVIS
2971 HIGHWAY 71
CAMBRIDGE ID 83610

SOURCE: PINE CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.130 CFS

PRIORITY DATE: 03/15/1960

POINT OF DIVERSION:

T14N R03W S5 NESWNE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	0.100 CFS
STOCKWATER	01/01 12/31	0.030 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T14N R03W S05 SWNE 8.00

STOCKWATER in WASHINGTON County

T14N R03W S05 SWNE

8 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 - Beneficial Use



Idaho Department of Water Resources

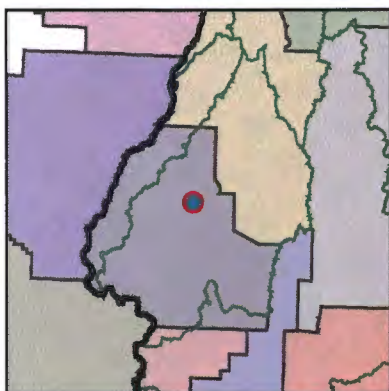
SRBA Recommendation:

67-4068

(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Washington County
IDWR Basin 67



Prepared by IDWR State Office
On Saturday, December 9, 2006
1987/88 Aerial Photography

Adjudication Recommendation Report 67-4068 V1

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-4068 V1

Conditions of Approval:

1. 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.

Remarks:Comments:

1. dnarsavage 4/12/2005 POU
Comment: Updated Shape
2. mvanbussum 11/13/2006 Priority Date
Comment: No response received to request for evidence of priority. Recommend as disallowed.
3. mvanbussum 12/9/2006 NOE priority date
Comment: Per NOE process, claimant provided evidence of priority to 1960. Affidavit in NOE documents.
4. mvanbussum 12/9/2006 Season of Use
Comment: Recommended IDWR standard season of use.

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:
Water District Number:
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>
Contacts	11/13/2006 1:55:37 PM	mvanbussum			Active
Summary			11/13/2006	mvanbussum	Active
Contacts	12/9/2006 4:49:03 PM	mvanbussum			Active
Priority Date	12/9/2006 4:49:28 PM	mvanbussum			Active
POD	12/9/2006 4:50:28 PM	mvanbussum			Active
Source	12/9/2006 4:51:55 PM	mvanbussum			Active
POU	12/9/2006 4:52:23 PM	mvanbussum			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4068 V1

Use	12/9/2006 4:53:06 PM	mvanbussum	Active
Season	12/9/2006 4:53:21 PM	mvanbussum	Active
Quantity	12/9/2006 4:54:56 PM	mvanbussum	Active
Summary	12/09/2006	mvanbussum	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	11/13/2006 1:55:49 PM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop review.
Summary	11/13/2006 1:56:44 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 4. Is any portion of the claim be recommended? (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?
Contacts	12/9/2006 4:48:50 PM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop review.
POD	12/9/2006 4:50:14 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	12/9/2006 4:51:20 PM	mvanbussum	Updated shape
Source	12/9/2006 4:51:41 PM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Imagery.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4068 V1

POU	12/9/2006 4:52:10 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (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? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Imagery.
POU	12/9/2006 4:52:35 PM	mvanbussum	Updated shape for Active POU
Use	12/9/2006 4:52:53 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Imagery.
Season	12/9/2006 4:53:08 PM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (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 administrativly determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
General	12/9/2006 4:49:15 PM	mvanbussum	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Affidavit from Norman Hansen in file provides evidence of priority to 1960.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4068 V1

Quantity	12/9/2006 4:54:42 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (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? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Per Water Management Division Administrator Dave Tuthill, no flow measurement needed if recommended flow is less than 0.2 cfs.
Summary	12/9/2006 4:55:42 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (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?

Water Supply Bank:

11/14/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-4068

LELAND W DAVIS
2971 HIGHWAY 71
CAMBRIDGE ID 83610
Telephone Number: (208) 257-3666

LOUISE F DAVIS
2971 HIGHWAY 71
CAMBRIDGE ID 83610
Telephone Number: (208) 257-3666

RECEIVED

DEC 06 2006

DEPARTMENT OF
WATER RESOURCES

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source): *I disagree w/ priority Date set fourth with water right 67-4068. I know the burden of proof falls upon our shoulders, however w/ the situation an circumstances we can not prove the claim. Because of Deaths.*
2. Describe the changes you wish to make in the proposed recommendation: *we feel that it is prudent and logical that beings there water right 67-11572 has a partial decree May 1, 1926, that 67-4068 should share the same priority Date, even it is for ground water. This shows people were here and useage of surface water was common.*
3. Give a brief explanation as to why you disagree with these portions: *we have no other way or form for proof. It seems quite evident that we should fall back on logical. Thank you for your time*

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: _____ SIGNATURE: _____

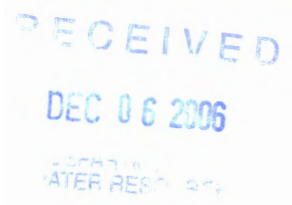
Please print your name: Leland W Davis

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED

DEC 07 2006

Norman Hansen
2982 Hwy 71
Cambridge, ID
83610
12-1-06
(208) 257-3485



I Norman Hansen born 3-15-33 in Cambridge, Idaho, have lived here or been affiliated here all my live. In 1960 I farmed the what is now Leland Davis property with water rights 67-11572 and 67-4068. At this time I know said property was irrigated. Any questions please call Norman Hansen, (208) 257-3485.

Signature: *Norman Hansen*

*Signed before me
December 4, 2006.*

*Ann Gladhart
3-31-2006 Cambridge*



SCANNED
DEC 07 2006

11/14/2006

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

RIGHT NUMBER: 67-4068
NAME AND ADDRESS: LELAND W DAVIS
2971 HIGHWAY 71
CAMBRIDGE ID 83610

LOUISE F DAVIS
2971 HIGHWAY 71
CAMBRIDGE ID 83610

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

No beneficial use found.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

Bosco Bosler conducted a field exam and did witness beneficial use. He was here while I was irrigating & measure the water I was using.

Enclosed is an affidavit from Norman Hansen stating that he formed the property in 1960 and property was irrigated at this time

SCANNED
DEC 07 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

October 23, 2006

LELAND W DAVIS
LOUISE F DAVIS
2971 HIGHWAY 71
CAMBRIDGE ID 83610

**RESPONSE DEADLINE
NOVEMBER 10, 2006**

67-4068

Re: Evidence of Priority Date

Dear Claimant:

IDWR Contract Field Examiner Bosco Bosler conducted a field exam of the property appurtenant to the claim mentioned above on July 26, 2005. You supplied him with an affidavit at that time. In the affidavit, you state since Water Right 67-11572 has a partial decree of May 1, 1926, 67-4068 should share the same priority date. I can see how this would seem logical. However, 67-11572 is for groundwater for domestic use and 67-4068 is for surface water for irrigation. Also, the priority date for 67-11572 was not verified because it was a domestic claim. Since the two claims are for different sources and water uses, additional evidence of the first date of beneficial use for 67-4068 is needed. As with all Beneficial Use SRBA claims, **the claimant must provide proof supporting the priority date claimed and the historic use of the water.**

Enclosed you will find a computer printout of your claim and a pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: If no evidence is submitted by the date above, IDWR will recommend the SRBA Court decree the claim be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. Send the documents in the enclosed envelope to assure it arrives at the correct location. If you have questions not covered by this letter or the enclosed pamphlet, please contact me at (208) 287-4907.

If you no longer own the property to which the claim is appurtenant, please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property, it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the Adjudication.

Sincerely,

Monica P. Van Bussum
Water Resource Agent/GIS Technician
Adjudication Bureau

Enclosures

SCANNED
DEC 07 2006

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 67-4068
Date Received: 10/17/1989
Receipt No: C012255
Received By:

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

1. Name of Claimant(s)

LELAND W DAVIS Phone: (208) 257-3666

2971 HIGHWAY 71
CAMBRIDGE ID USA 83610

LOUISE F DAVIS Phone: (208) 257-3666

2971 HIGHWAY 71
CAMBRIDGE ID USA 83610

2. Date of Priority: 05/01/1926

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
14N	03W	5	NE SW NE	WASHINGTON	

5. Description of diverting works:

PUMP, SPRINKLERS AND FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	5/01	10/15	0.1	
STOCKWATER	1/01	12/31	0.03	

7. Total Quantity Appropriated is:
0.13 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14N	03W	5	SW	NE	IRRIGATION	8
			SW	NE	STOCKWATER	
					Section Acres	8
					Total Acres	8

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:

14. Remarks:

15. Basis of Claim: Statutory Claim

16. Signature(s)

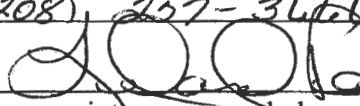
SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM

Water Right Number(s): 67-04068 67-11572 67-11553 p02 p03

Previous Mailing Address: Leland W Davis
HC 69 Box 61
Oxbow, OR

New Mailing Address: Leland W or Louise F Davis
2971 Highway 71
Cambridge Id. 83610

Telephone Number: (208) 257-3666

Signature of all Claimant(s):  Louise F. Davis
Please print your name below your signature.
Leland Davis
Louise F. Davis

Please mail or FAX this completed form to the office nearest you:

Adjudication Bureau
Idaho Dept. of Water Resources
1910 Northwest Blvd., Ste. 210
Coeur d'Alene, ID 83814-2615
Ph. 208/769-1450 or
FAX 208/769-1454

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380
Ph. 208/525-7161 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653
Ph. 208/736-3033 or
FAX 208/525-7177

Adjudication Bureau
Idaho Dept. Of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, Id 83720-0098
Ph 208/287-4800
FAX 208/287-6701

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: A67-04068
Date Received: 10/17/1989
Receipt No: C012255
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: LELAND W DAVIS
Address: HC 69 BOX 61
 OXBOW, OR

97840

AND

Name: LOUISE F DAVIS
Address: HC 69 BOX 61
 OXBOW, OR

97840

2. Date of Priority: MAY 1, 1926

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14N	03W	5	NE	SW	NE		WASHINGTON

5. Description of diverting works:
PUMP, SPRINKLERS AND FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/15	0.100		
STOCKWATER	01/01	12/31	0.030		

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

A.F.A.

8. Total consumptive use is 24.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/60 RANGE

SCANNED
APR 08 2004

A67-04068

Page

1

Date: 08/21/91

MICROFILMED
OCT 02 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14N	03W	5	SW SW	NE NE	IRR STOCK	8.0

Section Acres 8.0

Total Acres 8.0

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:

15. Basis of Claim: STATUTORY CLAIM



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

August 21, 1991

Mr. & Mrs. Leland W. Davis
HC 69 Box 61
Oxbow, OR 97840

RE: Snake River Basin Adjudication (SRBA)
Washington County - Claims #A67-04068,
A67-11553 & A67-11572

Dear Mr. & Mrs. Davis:

Notice of the change in ownership of the above-referenced water rights has been received. The Claim to Water Rights records of the Department have been changed to reflect such notice.

Because you did not describe specific water rights on your change of ownership, the Department changed the names on the rights referenced above which met both the legal and name criteria supplied on your deed. If any rights did not meet both of these requirements, the name was not changed. If you own other water rights which have not been changed, please send the required documentation and they will also be changed to reflect the current owner.

Claims prepared from the Agency's computer are enclosed for your review and records. If you find the address is incorrect, please contact us.

Yours truly,

John D. Carlson
Adjudication Supervisor

JDC:sf:west

Enclosures:

Claims Referenced Above

SCANNED
APR 08 2004

MICROFILMED
OCT 02 1992

BURTON & KROLL

ATTORNEYS AT LAW

P. O. BOX 367

WEISER, IDAHO 83672

IRA T. BURTON
CHARLES R. KROLL

208 549 1652

October 13, 1989

IDAHO DEPT. OF WATER RESOURCES
ATTN: Helen Harrington
1301 N. Orchard
Boise, ID 83706

RECEIVED
OCT 16 1989

Re: Water Rights Claims

Department of Water Resources

Dear Helen:

Enclosed for filing please find Notice of Claim to
A Water Right for the following:

1. James L. Mason (2);
2. Clarence C. Chrestesen (3);
3. Rosemary Wilson (2);
4. Tommy Macomb (2);
5. Blanche A. Beggs (2);
6. Shirley F. Smith (3);
7. L. C. & Myrla Cheney (3); and
8. Myrtle M. Witte & Genevieve L. Witte (1).

If you have any questions concerning these Notices, please
contact me.

Sincerely yours,

BURTON & KROLL
Ira T. Burton

IRA T. BURTON
Attorney at Law

ITB:jas
Enclosure

MICROFILMED
OCT 2 1992



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

JUL 25 1991

DATE OF CLOSING: _____

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township 14 NORTH Range 3 WEST
 Section 5, 1/4 of 1/4 of 1/4, Govt. Lot _____, BM.
 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: _____

☐ Name and Address of Former
Owner/Claimant(s)(Seller): JAMES L. MASON

476 EAST COMMERCIAL
WEISER, ID 83672

☐ New Owner/Claimant
(Purchaser):

LELAND W. & LOUISE F. DAVIS

☐ New Mailing Address:

HCR 69 BOX 61
OXBOW, OR 97840

☐ New Telephone Number: () _____

☐ 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

(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)

Leland W. Davis
Louise F. Davis

Date 7-16-91

Date 7-16-91

☐ Signature of Former
Owner/Claimant(s):

James L. Mason

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: 08-21-91 By: Shayee

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

AG7-04068, 11553, 11572 - DE Person owner signature.
Deed on legal matters as claim. JAE 8/30/91

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

MICROFILMED
OCT 02 1992

RECEIVED
JUL 2 1981

INSTRUCTIONS

Department of Water Resources

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

RECEIVED
OCT 5 1981

WARRANTY DEED

For Value Received

JAMES L. MASON, a married man dealing with his sole and separate property

The grantor, do es hereby grant, bargain, sell and convey unto

LELAND W. DAVIS AND LOUISE F. DAVIS, husband and wife

the grantee s, whose current address is

HCR 69 BOX 61, OXBOW, OR 97840

the following described premises, in

WASHINGTON

County Idaho, to-wit:

IN TOWNSHIP 14 NORTH , RANGE 3 WEST, BOISE MERIDIAN:

SECTION 5: SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

SUBJECT TO County Road right-of-way.

RECEIVED
JUL 25 1991

Department of Water Resources

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s ,
 their heirs and assigns forever. And the said Grantor do es hereby covenant to and
 with the said Grantees , that he the owner in fee simple of said premises; that they are free
 from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: JULY 22 , 1991

JAMES L. MASON

James L. Mason

STATE OF IDAHO, COUNTY OF WASHINGTON

On this 22nd day of JULY , 19 91 ,
 before me, a notary public in and for the said State, personally
 appeared

JAMES L. MASON,

known or identified to me to be the person whose name is
 subscribed to the within instrument, and acknowledged to me
 that he executed the same.

[Signature]
 Notary Public

Residing at Weiser , Idaho
 Comm. Expires 3/26/97

STATE OF IDAHO, COUNTY OF WASHINGTON

I hereby certify that this instrument was filed for record at the
 request of WEISER VALLEY TITLE

at 10 minutes past 2:00 o'clock P M.,
 this 22ND day of JULY
 19 91 , in my office, and duly recorded in ~~BOOK~~
 of Deeds at ~~BOOK~~ #152315

MARY KAUTZ

Ex-Officio Recorder

By *[Signature]*

Fees \$ 3.00

Mail to: WEISER VALLEY TITLE

Deputy. ☒ Cmp. Index
☒ Cmp. Rel.
☒ Film
☒ Compare
☒ Card Rel.
☒ Bk. Rel.
☒ Up-date
☒ Return

INSTRUMENT NO.

TWP	RNG	SECT	TRACT 1\4 1\4	LOT	ACRES	WATER USE CODE	WATER RIGHT NO.	LAST NAME	O C	STG	PRIORITY DATE	WATER SOURCE
14N	03W	5	NW NE		14.0	01	A67-04058	HANSEN HANSEN	C C	S	06/01/1884	PINE CREEK PINE CREEK, WEST FORK
14N	03W	5	NW NE	2	14.0	01	A67-00188	SCHMITZ HANSEN	O C	D	05/01/1884	PINE CREEK
14N	03W	5	NW NE	2	14.0	01	A67-00189	SCHMITZ HANSEN	O C	D	05/01/1904	PINE CREEK
14N	03W	5	NW NE	2	14.0	01	A67-00190	SCHMITZ HANSEN	O C	D	05/01/1884	PINE CREEK
14N	03W	5	SW NE		10.0	01	A67-00204	HOWLAND	C	D	05/01/1891	PINE CREEK
14N	03W	5	SW NE		8.0	01,04	A67-04068	MASON ✓	C	S	05/01/1926	PINE CREEK
14N	03W	5	SW NE			01,04	A67-04068	MASON	C	S	05/01/1926	PINE CREEK
14N	03W	5	SW NE			43,04	A67-11553	MASON	C	J	07/15/1890	GROUNDWATER
14N	03W	5	SW NE			43,04	A67-11553 ✓	MASON	C	J	07/15/1890	GROUNDWATER
14N	03W	5	SW NE			43	A67-11572 ✓	MASON	C	J	05/01/1926	GROUNDWATER
14N	03W	5	SE NE		10.0	01	A67-00187	HOWLAND	C	D	06/05/1884	PINE CREEK
14N	03W	5	NE NW			43,04	A67-10977	HANSEN HANSEN	C C	J	01/01/1880	SPRING
14N	03W	5	NE NW			43,04	A67-10977	HANSEN HANSEN	C C	J	01/01/1880	SPRING
14N	03W	5	NE NW		9.0	01	A67-04058	HANSEN HANSEN	C C	S	06/01/1884	PINE CREEK PINE CREEK, WEST FORK
14N	03W	5	NE NW	3	9.0	01	A67-00188	SCHMITZ HANSEN	O C	D	05/01/1884	PINE CREEK
14N	03W	5	NE NW	3	9.0	01	A67-00189	SCHMITZ HANSEN	O C	D	05/01/1904	PINE CREEK
14N	03W	5	NE NW	3	9.0	01	A67-00190	SCHMITZ HANSEN	O C	D	05/01/1884	PINE CREEK

MICROFILMED
OCT 02 1992

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: A67-04068
Date Received: 10/16/1989
Receipt No: C012255
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES L. MASON
Address: 476 EAST COMMERCIAL
WEISER, ID

83672

2. Date of Priority: MAY 01, 1926

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14N	03W	5	NE	SW	NE		WASHINGTON

5. Description of diverting works:
PUMP, SPRINKLERS AND FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	10/15	0.100		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is 24.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/60 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
14N	03W	5	SW	NE		IRR	8.0
			SW	NE		STOCK	

A67-04068

Page 1

Date: 05/15/90

MICROFILMED
OCT 02 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	8.0
					Total Acres	8.0

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:

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 _____

\$58

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: A67-04068
Date Received: 10-16-89
Receipt No: CP12355
Received By: D. Heathley
RAT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
OCT 16 1989

Department of Water Resources

1. Name: JAMES L. MASON
Address: 476 EAST COMMERCIAL
WEISER, ID

83672

2. Date of Priority: MAY 01, 1926

3. Source: PINE CREEK

Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	03W	5	NE	SW	NE		WASHINGTON

5. Description of diverting works:
PUMP, SPRINKLERS AND FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/15	0.100		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is 24.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/60 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	03W	5	NE SW	SW NE		IRR	8.0
			NE SW	SW NE		STOCK	

Section Acres 8.0

A67-04068

Page 1

Date: 10/11/89

MICROFILMED
OCT 02 1992

10. Place of Use: Continued

Total Acres 8.0

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:

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: (1) MAP

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): James L. Mason Date: Oct 13, 1989
Date:

State of Idaho)
County of WASHINGTON) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of October 19 89 John T. Buxton
Notary Public

Seal

Residing at Weiser

My Commission Expires Sept 27, 1992

Old (D) Number -

State- ID Zip- 83672

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

MICROFILMED
OCT 02 1992

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 01/14/1985	Old Judicial District	-
Claim Received Date	- 10/17/1989	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	- C012255	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-		

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OCT 02 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Mason

CLAIM IDENT. NO.

A67-04068

DATE RECEIVED

10/16/90

CK #

C012255

AMOUNT \$

50⁰⁰

YES

NO

Require Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ *
2. Is a priority date entered? ☒ YES ☐ NO ☐ *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO ☐ *
- See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered? ☒ YES ☐ NO ☐ *
- (b) Is a tributary to entered? (if required) N/A ☒ YES ☐ NO ☐ *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ *
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. ☒ YES ☐ NO ☐ *
- Is the period of use included? ☒ YES ☐ NO ☐ *
- Is a quantity claimed for each use? ☒ YES ☐ NO ☐ *
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ *
8. If required is a consumptive use entered? N/A ☒ YES ☐ NO ☐ *
- Is the consumptive use correct? N/A ☒ YES ☐ NO ☐ *
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 ☒ YES ☐ NO ☐ *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ *
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 ☒ YES ☐ NO ☐ *
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A ☒ YES ☐ NO ☐ *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ *
20. Is the fee enclosed correct? Exempt ☒ YES ☐ NO ☐ *
21. If this claim is based on an existing water right, has the identification number been entered? N/A ☒ YES ☐ NO ☐ *
22. Should this claim be data entered? ☒ YES ☐ NO ☐ *

Claim checked by:

AB

Date:

5/16/90

Claim must be returned to claimant:

(Yes) ☒ (No) ☐

Claimant must be notified of modifications:

(Yes) ☒ (No) ☐

Receipt Prepared by: AB
Claim data entered by: AB
Sent to claimant by: AB

Date:

5/16/90

Checked by:

Date:

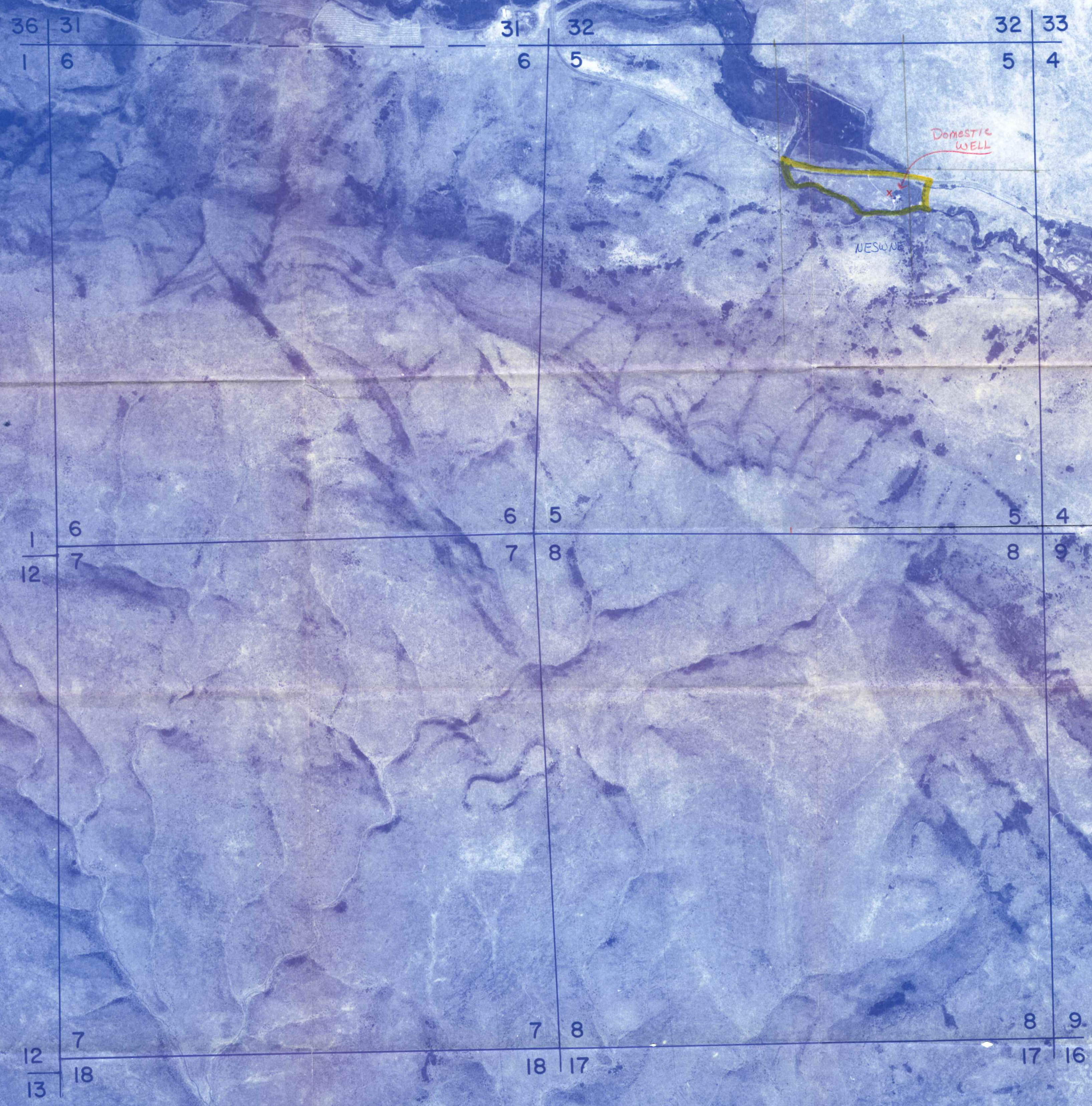
Comments:

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OCT 02 1992

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