

01/20/2003

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

RIGHT NUMBER: 29-74

NAME AND ADDRESS: EVA L DAVIDS
PO BOX 176
BANCROFT ID 83217

JOEL WILLARD DAVIDS
PO BOX 176
BANCROFT ID 83217

SOURCE: SPRING
TWENTYFOUR MILE CREEK

TRIBUTARY: TWENTYFOUR MILE CREEK
TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.800 CFS

The quantity of water described above consists of the entire flow of the spring plus an additional amount from Twentyfour Mile Creek to equal 0.80 cfs.

PRIORITY DATE: 04/30/1881

POINT OF DIVERSION:

T06S R39E S32 SESESE Within CARIBOU County
T06S R39E S33 NWNESW Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/15 9/15	0.800 CFS

PLACE OF USE: IRRIGATION Within CARIBOU County

T06S R39E S32 SESE 36.0

36 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: Decreed

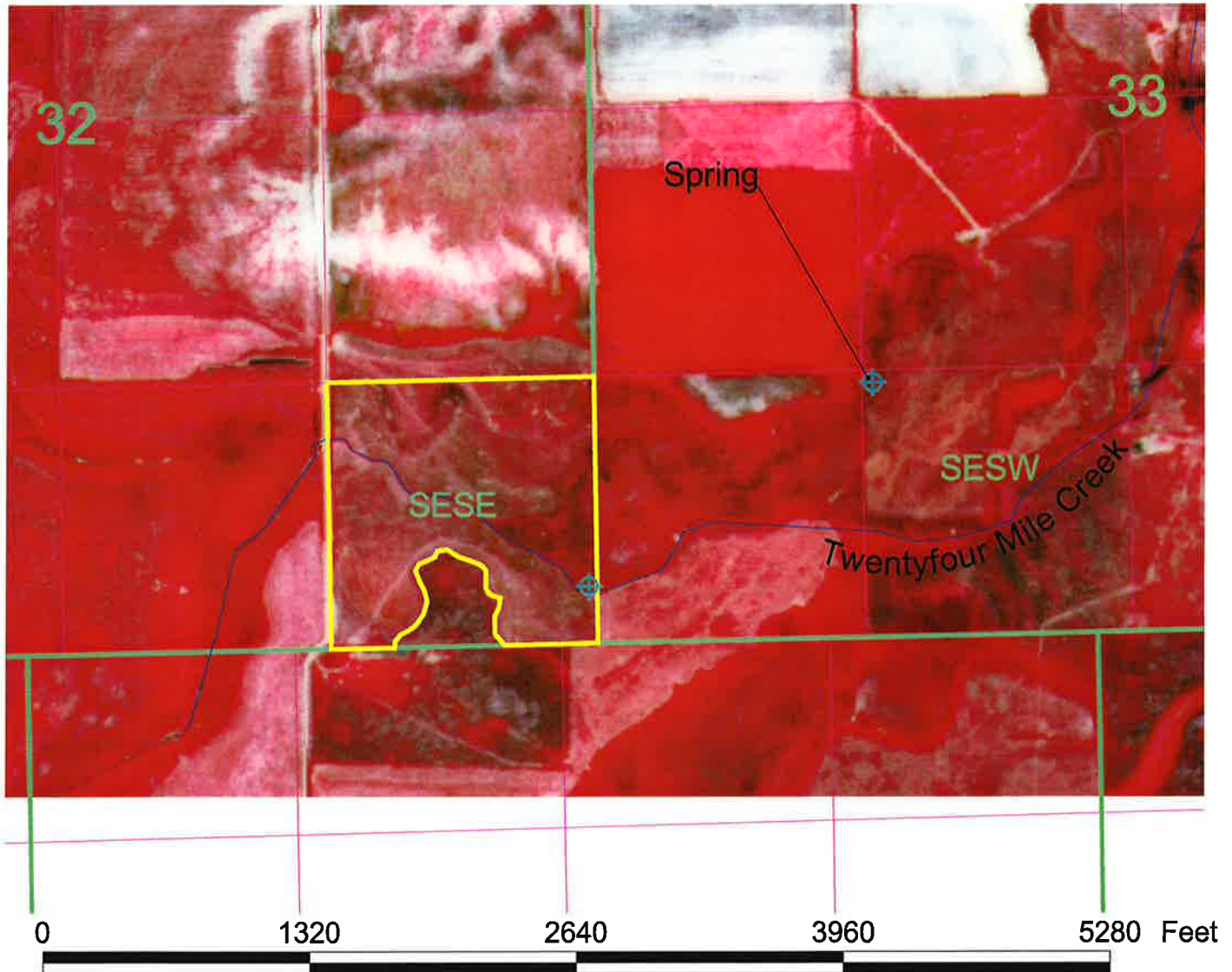
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.



Department of Water Resources

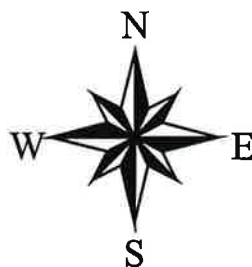
Claim No.: 29-74

Twp 06S, Rge 39E



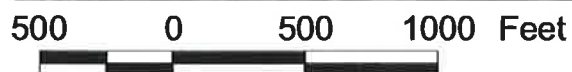
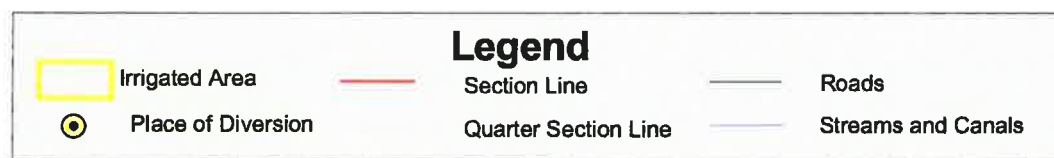
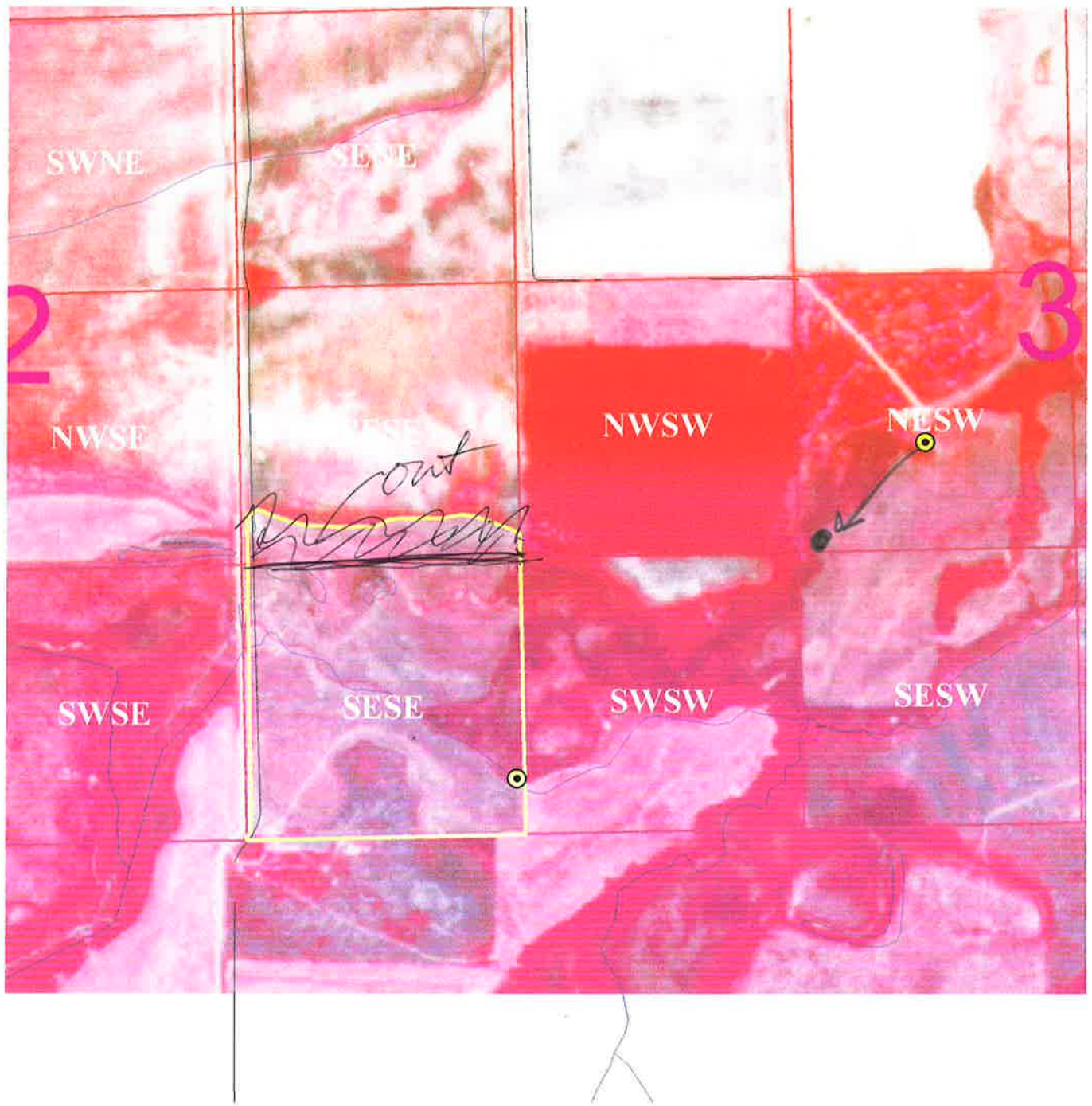
Irrigated Acres = 36

-  Diversion.shp
-  Place of use.shp
-  Stream.shp
-  Sections
-  QQ

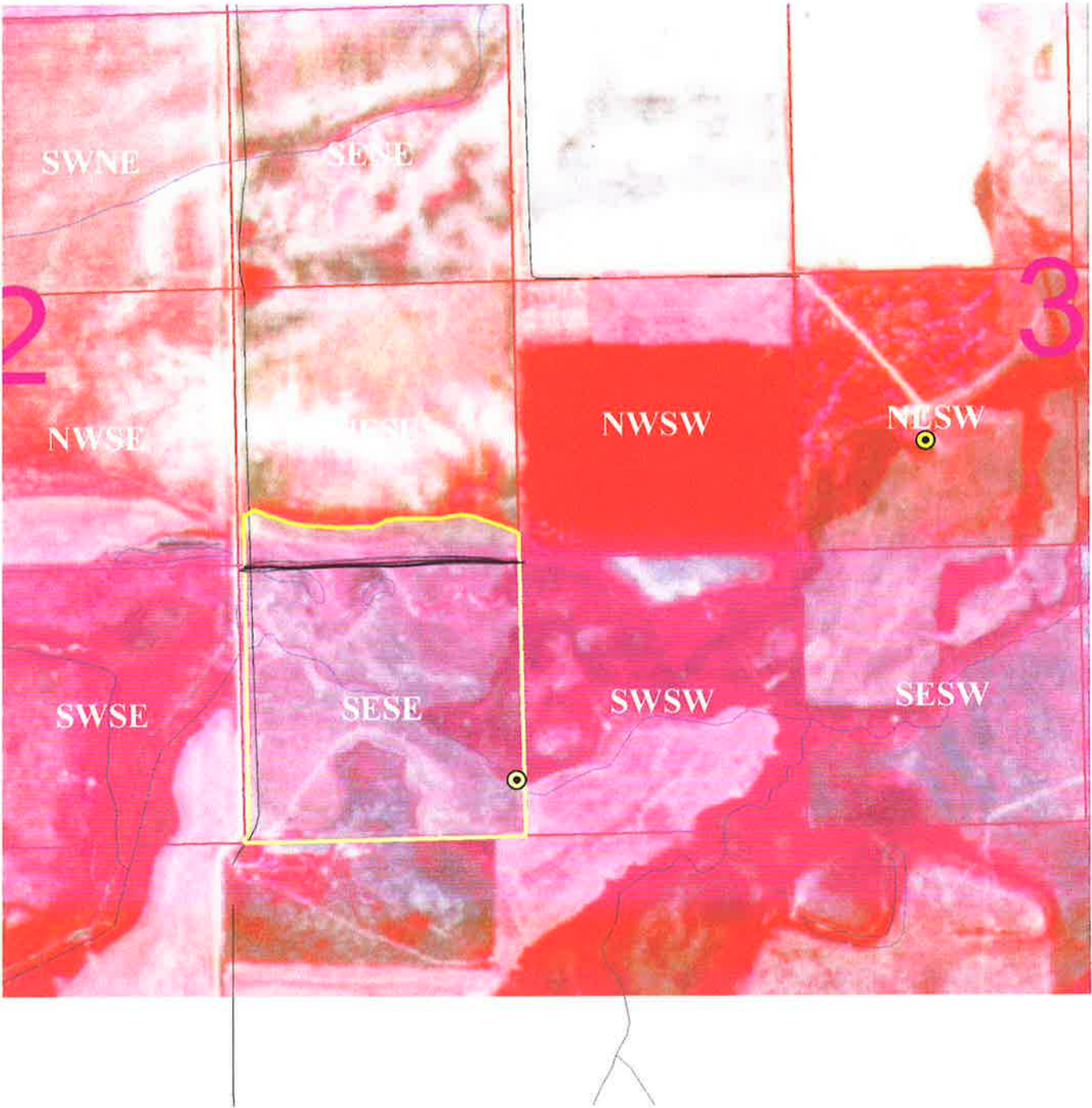


GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: January 2003

Township , 6S39E



Township , 6S39E



 Irrigated Area

 Section Line

 Roads

 Place of Diversion

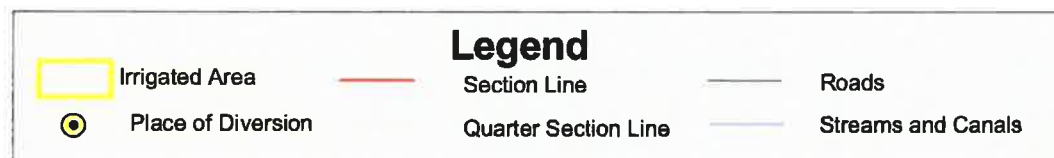
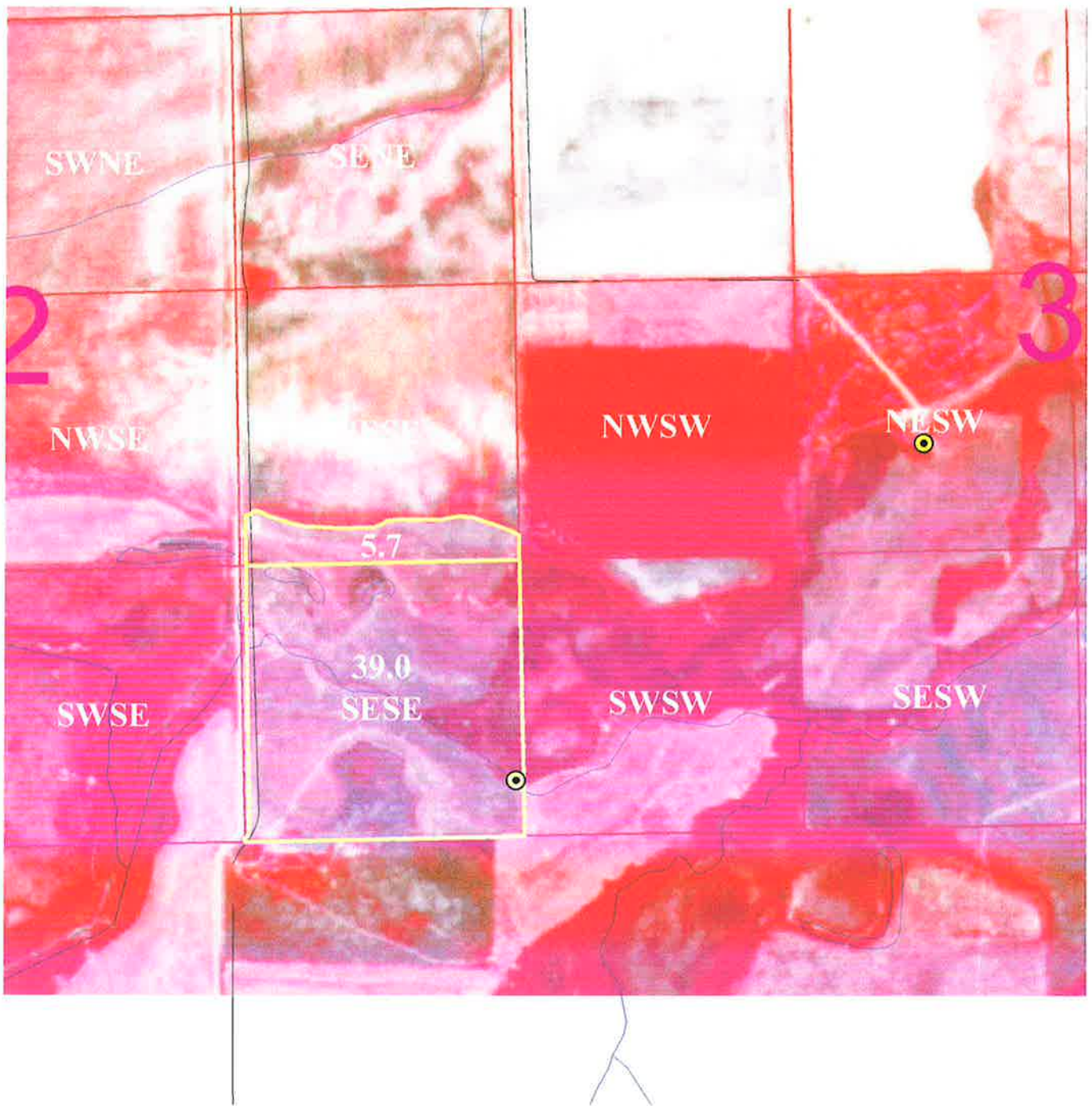
 Quarter Section Line

 Streams and Canals

Legend



Township , 6S39E



500 0 500 1000 Feet



Notes

10/15/02 Conversation with Sue Davids, daughter,
to Joel Davids. They only irrigate
40 acres. The rest is in CRP.
recommend only 40 acres.

POD: According to Sue: Davids the POD for
24 mi has always been in Sec 32.
SESESE.

leased by Val Davids and operated
by Troy Davids 648-7625

Contacts Data Entry Form

Owner Type Full Name Address City State Zip Phone

Current Owner _____ OK ✓

Name connector: and _____, or _____, and/or _____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

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

10/15/02 Sue Davids came into the office.
They irrigate 40 acres. The rest is in
CRP. She will check with Tray and get back
to me. Prior to 1987 it irrigated 40 acres in
the SESE of Sec. 32. 68, 39E.

Reviewer: CB

Date: 4/12/03

Priority Date Data Entry Form

Claim Number: 29-74

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

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

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

Reviewer: CBDate: 7/12/03

Point of Diversion and Source Data Entry Form

Claim Number: 29-74.Water Right Point of Diversion: T , R , Sec. , , , . County: Source: Tributary: Claimed Point of Diversion: T , R , Sec. , , , . County: Source: Tributary: Recommended Point of Diversion: T 6S, R 39E, Sec. 32, SE, SE, SE. County: CaribouSource: 24-mi Ck Tributary: PortneufSee 33 SWNE SW (see Spatial Dynamics imagery for location)
Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
<u>6S</u>	<u>39E</u>	<u>33</u>	<u>33</u>	<u>SWNE SW</u>		<u>SPRING trib to 24 mile.</u>

GPS Coordinates:

<u>6S</u>	<u>39</u>	<u>33</u>	<u>32</u>	<u>SESESE</u>		<u>24 mile.</u>
-----------	-----------	-----------	-----------	---------------	--	-----------------

GPS Coordinates: GPS Coordinates: GPS Coordinates: GPS Coordinates: GPS Coordinates: GPS Coordinates: Other rights from this POD?

Document how the POD and Source were verified and/or Pump and Motor data:

Per Sue Davids conversation 10/15/02. POD
for 24-mi is in Sec. 32,Transfers Changing POD Reviewer: CBDate: 1/12/03.

Place Of Use Data Entry Form

Claim Number: 29-74☐ Use Claimed POU as Recommended POU

Claimed Place of Use

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

Total Acres _____

Recommended Place of Use

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

Total Acres _____

Document how the POU was verified:

See spatial dynamics imagery for
acreage

only SESE Sec 32, T16S, R39E (40 acres)
The rest of Joel Davids property
is in CRP.

Transfers Changing POU _____

Reviewer: CBDate: 4/12/03

Purpose of Use Data Entry Form

Claim Number: 29-74☐ 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	Number of Other

Claimed Purpose of Use

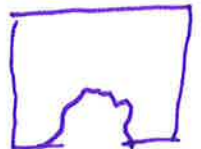
Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation			40?	

Document how the Purpose of Use was verified:

UG & I. decree -
approximately 5 acres in S $\frac{1}{2}$ out.



Transfers Changing Purpose of Use _____

Reviewer: CPBDate: 1/12/03

Period of Use and Quantity Data Entry Form

Claim Number: 29-74☒ 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

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ 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:

- Entire flow of spring plus an additional amount
from channel of 24 mile to equal 0.80 cfs.
statement taken from Jacee, U.G. & E. v. McCannan Ditch

Reviewer: CSDate: 1/12/03

Claim No.: _____

Summary Data Entry Form

Remarks and Conditions (Include Type, Category and Code if applicable):

C. 18
C03

Split or Combined Right Analysis:

None

Attached Field Notes or Other Documents:

None

Claim No.:

29-74

Reviewer

CB

Date

1/12/03

11-0-01

Joel Davids 6S 39E Sec. 32.
29-74

POD decreed: SESW Sec. 33. (ditch location)
Claimed different POD.

PO4: decreed 40 ac. sec. 32 E $\frac{1}{2}$ SE.

Claimed 45 ac. sec 32 E $\frac{1}{2}$ SE.

Increased irrigated acres.

29-2423

Didn't claim both POD's?

Imagery found more than 5 Acres? Imagery
messed-up.

Call for Apt 648- 7425.

Eva Davids

11/5/01 Troy Davids - is operating the place.

4:53pm. Eva will call Troy and have him call me
or she will talk to her husband (he's in
what is Paky).

1/12/03 Troy didn't call me.

283
29 ✓ 0073 6. MUIR, M. V. and S. 2.0 c.f.s.
May 1 1881

William Treasure 29-73c 0-80cfs

Said water to be diverted from Twenty-four Mile Creek, a tributary of the Portneuf River, by means of the Muir Dams, three in number. Dam No. 1 is located across the channel of Twenty-four Mile Creek, in the Northwest quarter of the Southeast quarter, Section 33, about 250 yards South of the North line of said quarter section; Dam No. 2 is located in the Northwest quarter of the Southeast quarter of Section 33, 330 yards below the North line of said quarter section; Dam No. 3 is located in the Southeast quarter of the Southwest quarter, Section 33, all in Township 6 South, Range 39 East; 16 rods west of the East line of the Southeast quarter of the Southwest quarter, Section 33, above Township and Range, for the Irrigation of 100 acres of land in the West half of the Northwest quarter, the West half of the Southeast, the East half of the Southwest quarter, Section 33, Township 6 South, Range 39 East.

DAVIDS DITCH, is located in the Southeast quarter of the Southwest quarter, Section 33, Township 6 South, Range 39 East. From the South quarter corner of Section 33, said Township and Range, the point of diversion bears North 69 degrees and 15 minutes 1265 feet.

UNNAMED SPRING arises in the Northwest corner of the Southeast quarter of the Southwest quarter, Section 33, Township 6 South, Range 39 East.

62. DAVIDS, A. C., Administrator
of the Estate of J. A. DAVIDS
Deceased

29 ✓ 0074 1881 Apr. 30 .80 c.f.s.

Joel Davids 29-74 080

For the irrigation of 40 acres of land in the EAST half of the Southeast quarter, Section 32, Township 6 South, Range 39 East. The said amount of water to be made up of the entire flow of the above named spring, plus an addition amount from the channel of Twenty Four Mile Creek to equal the said .80 cubic feet per second of time, but in no case to exceed one (1) inch to the acre for the said 40 acres from both sources.

29 ✓ 0075 63. GOOCH, JOHN O. Jr.
1881 May. .40 c.f.s

For the irrigation of 20 acres of land in the Southwest quarter of the Southeast quarter and the Southeast quarter of the Southwest quarter, Section 32, Township 6 South, Range 39 East.

29 ✓ 0076 64. GOOCH, JOHN O. Jr. .40 c.f.s.
1918 May 1st.

For the irrigation of 20 acres of land in the Southwest quarter of the Southeast quarter, Section 5, Township 7 South, Range 39 East.

29 ✓ 0077 65. KNOLLIN A. J. 1.24 c.f.s.
1881. July 1

For the irrigation of 62 acres of land in the Southwest quarter of the Southwest quarter, Section 33, Township 6 South, Range 39 East, and the Northeast quarter of the Southeast quarter, Sec-

MAY 15 1996

WR5809NP
No. 29-00074

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/23/01
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EST. OF J. A. DAVIDS	04/30/1881	IRRIGATION	04/15 09/15	0.800 CFS	
TOTAL DIVERSION:					0.800 CFS	

Water Source: SPRING
TWENTY-FOUR MILE CREEK

Tributary to:
PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion: T06S R39E S33

SESW

CARIBOU County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
06S	39E	32	:					:					:					:					:	

Pou County: CARIBOU

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

29-00073 29-00075 29-00076 29-00077

Remarks: GEN P/U INCOMPLETE - ACRES IRR. 40.

Dates:	App. Received:	Priority Date:	04/30/1881
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 29 Field Exam Fee:

Audit: 06/18/85 05/22/88 CONVERT 07/10/89 CURTIS



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 27, 2001

A29-74, A29-2423

Eva Davids

P.O. Box 176

Bancroft, ID 83217

REF: Snake River Basin Adjudication (SRBA)

SUBJECT: CRP Contract

Dear Claimant(s);

The Idaho Department of Water Resources has recently begun its water right review in Basin 29. The Notice(s) of Claim identified with the number shown **above in the "address" label** has been filed in the Snake River Basin Adjudication (SRBA).

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. A field examination to verify items in the Notice will be conducted by Department personnel as soon as the weather permits. I was able to visit some of you this year before the snow arrived. While waiting for the weather to cooperate again I would like to collect some of the necessary documentation needed to recommend your claim to the SRBA court. The statute (42-104) requires the water be put to beneficial use to have a valid water right. One exception to the statute is if the land has been put into CRP. But evidence must be submitted to the Department of Water Resources to retain the water right otherwise the water right will not be recommended to the SRBA court.

If you have previously irrigated land that has been put into CRP, I would appreciate it if you could send me a copy of the contract when the land was put into CRP for my records, **by March 1, 2002. If you do not have any land in CRP please disregard this notice.** With no response from you, we will assume that you do not have any land in CRP. You may contact either the Farm Service Agency (FSA) or Natural Resource Conservation Service (NRCS) in Soda Springs at 547-4396 for a copy of the contract.

Please feel free to contact me in Soda at (208) 547-3993 if you have any additional questions. Have a safe and happy holiday.

Sincerely;

A handwritten signature in cursive script that reads "Cindy E. Bird".

Cindy E. Bird
Adjudication Bureau

SCANNED

MAY 4 2001

Log for claim A29-00074

Spatial Dynamics LTD

6/2/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s39e	32	NESE	5	5.7	
06s39e	32	SESE	40	39	
Totals:			45	44.7	

AJ5809NP
No. A29-00074

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 9

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EVA L DAVIDS	04/30/1881	IRRIGATION	04-15 09-15	0.800 CFS	
C	JOEL WILLARD DAVIDS					
	PO BOX 176			TOTAL DIVERSION:	0.800 CFS	
	BANCROFT ID 83217					
	(208) 648-7625					

Water Source: SPRING
TWENTY-FOUR MILE CREEK

Tributary to: SINKS
PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion: T06S R39E S32 SESESE
S33 SWNESW

CARIBOU County
CARIBOU County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE				
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: SUM	
06S	39E	32	:								:								:	05			:	45.0
TOTAL ACRES																						45.0		

POU County: CARIBOU

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-02538

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00071 A29-02558

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 29 Field Inspection Flag:
Presumption Flag:

Audit: 08/23/89 CARLSEN 04/04/94 THOMPSON 03/29/95 POST-STD

MAY 4 2001

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: A29-00074
Date Received: 8/23/1989
Receipt No: E009950
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOEL WILLARD DAVIDS *rehab.* 208-648-7625
Address: P.O. BOX 176
BANCROFT, ID 83217
OR
Name: EVA L. DAVIDS 208-648-7625
Address: P.O. BOX 176
BANCROFT, ID 83217

2. Date of Priority: APR 30, 1881

3. Source: SPRING TWENTY-FOUR MILE CREEK Trib. to: SINKS PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	39E	32	SE	SE	SE		CARIBOU
		33	SW	NE	SW		CARIBOU

24 mi. always used
SS42

5. Description of diverting works:
HEADGATES, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	09/15	0.800		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A29-00074

Page 1

Date: 08/23/89

MICROFILMED
NOV 13 1992



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	39E	32	NE	SE		IRR	5.0
			SE	SE		IRR	40.0

out
40 acres

Section Acres 45.0

Total Acres 45.0

11. Place of use in counties: CARIBOU

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: DECREED
Case Number:
Court :
Decree date:

UNION GRAIN & ELEVATOR CO.
Decree Plaintiff

vs

MCCAMMON DITCH CO. 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 x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Joel W. Davis Date: 8-23-89

Date: _____

State of Idaho)
County of Bonawille) SS.

Subscribed and sworn (or affirmed) before me this 23 day
of Aug 19 89 Ernest Carlsen
Notary Public



Residing at Shoshone Falls, ID
My Commission Expires 6-14-1994

392

CRP

Spring:

Headquarters

20090114

NOV 13 1992

NOV 13 1992