

08/01/2002

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

RIGHT NUMBER: 29-2155
NAME AND ADDRESS: LAURETTA M DAVIS
PO BOX 76
DOWNEY ID 83234

CRIS G DAVIS
PO BOX 76
DOWNEY ID 83234

SOURCE: SOUTH FORK REESE CREEK TRIBUTARY: MARSH CREEK
QUANTITY: 0.58 CFS
PRIORITY DATE: 11/08/1912
POINT OF DIVERSION:

T11S R36E S26 NWNW Within BANNOCK County
T11S R36E S26 NWNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.580 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T11S R36E S26	NENE	37.0	T11S R36E S26	NWNE	39.0
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76 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 163 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 29-2219, 29-2155, 29-13381

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 29 ACRES WITHIN THE PLACE OF USE
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

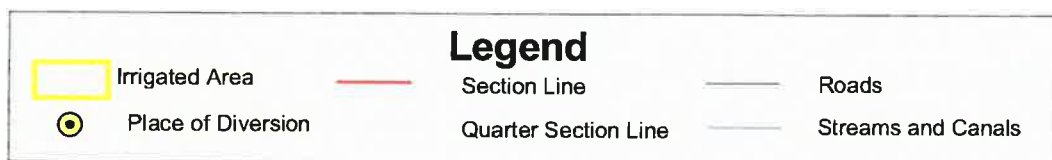
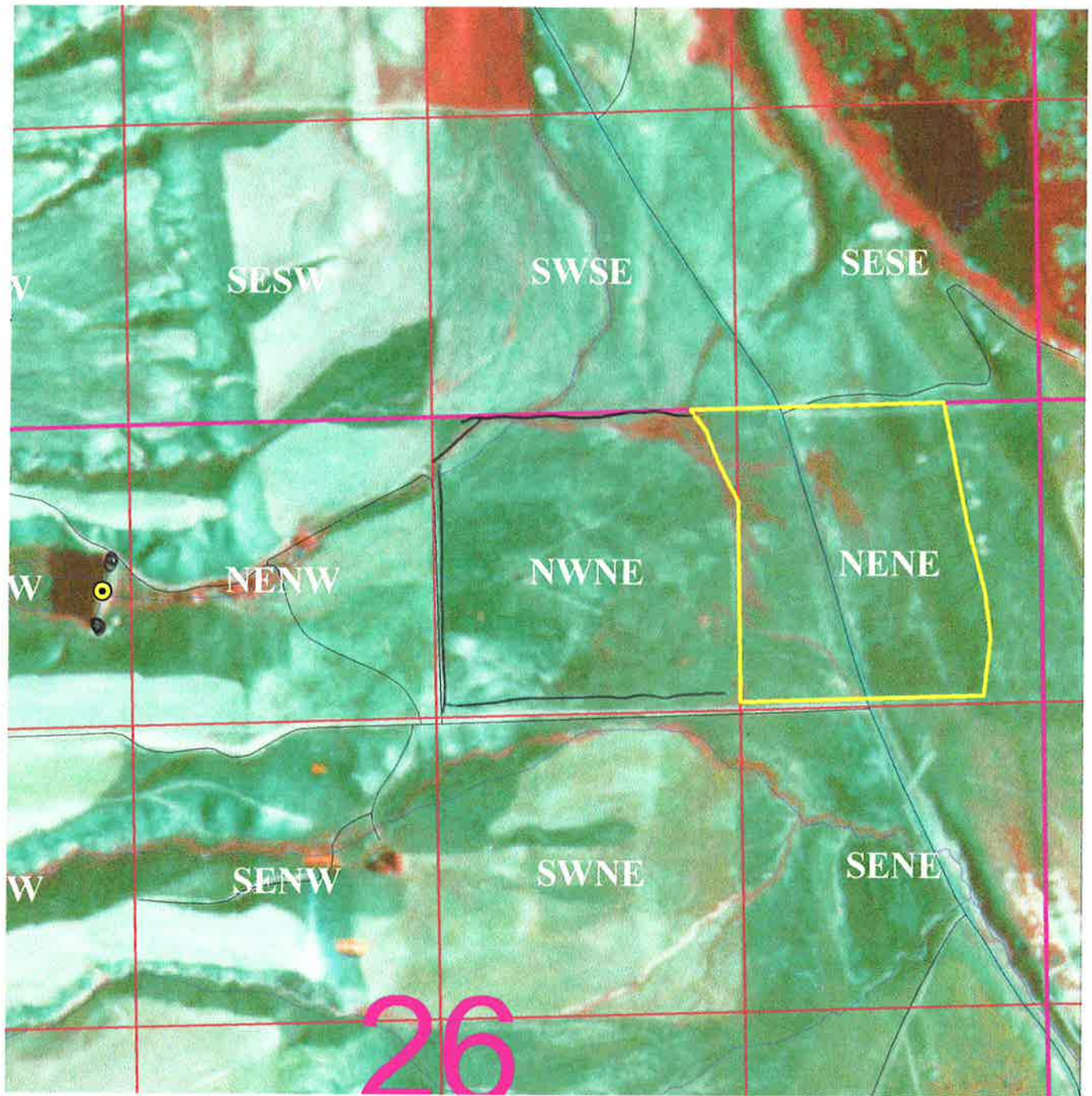
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: License

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

SCANNED
DEC 30 2005

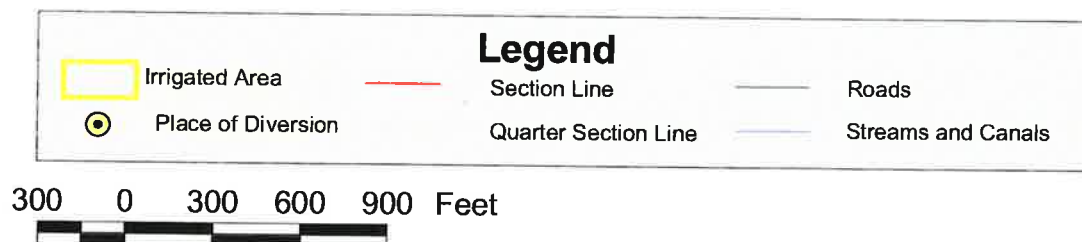
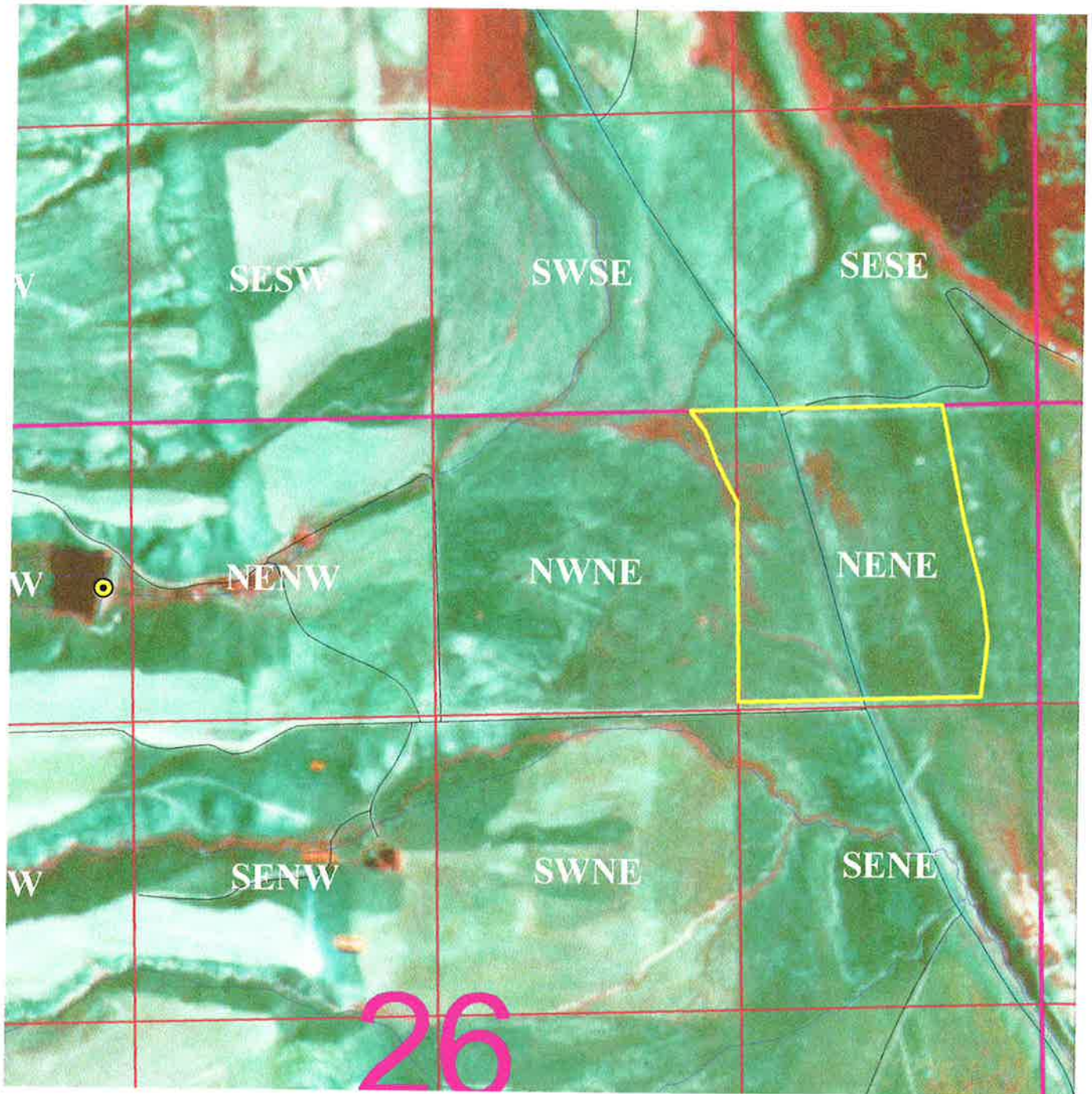
Township , 11S36E



300 0 300 600 900 Feet



Township , 11S36E



02/08/2003

Dave

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: April 21, 2003

Water right number: 29-2155

LAURETTA M DAVIS

PO BOX 76

DOWNEY ID 83234

Telephone Number: (208) 797-5176

(208) 897-5176

corrected
3/28/03
JC

CRIS G DAVIS

PO BOX 76

DOWNEY ID 83234

Telephone Number: (208) 797-5176

(208) 897-5176

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 3-20-03

SIGNATURE:

Cris G. Davis

Please print your name:

Cris G. Davis

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROFILED

SCANNED

DEC 30 2005

RECEIVED

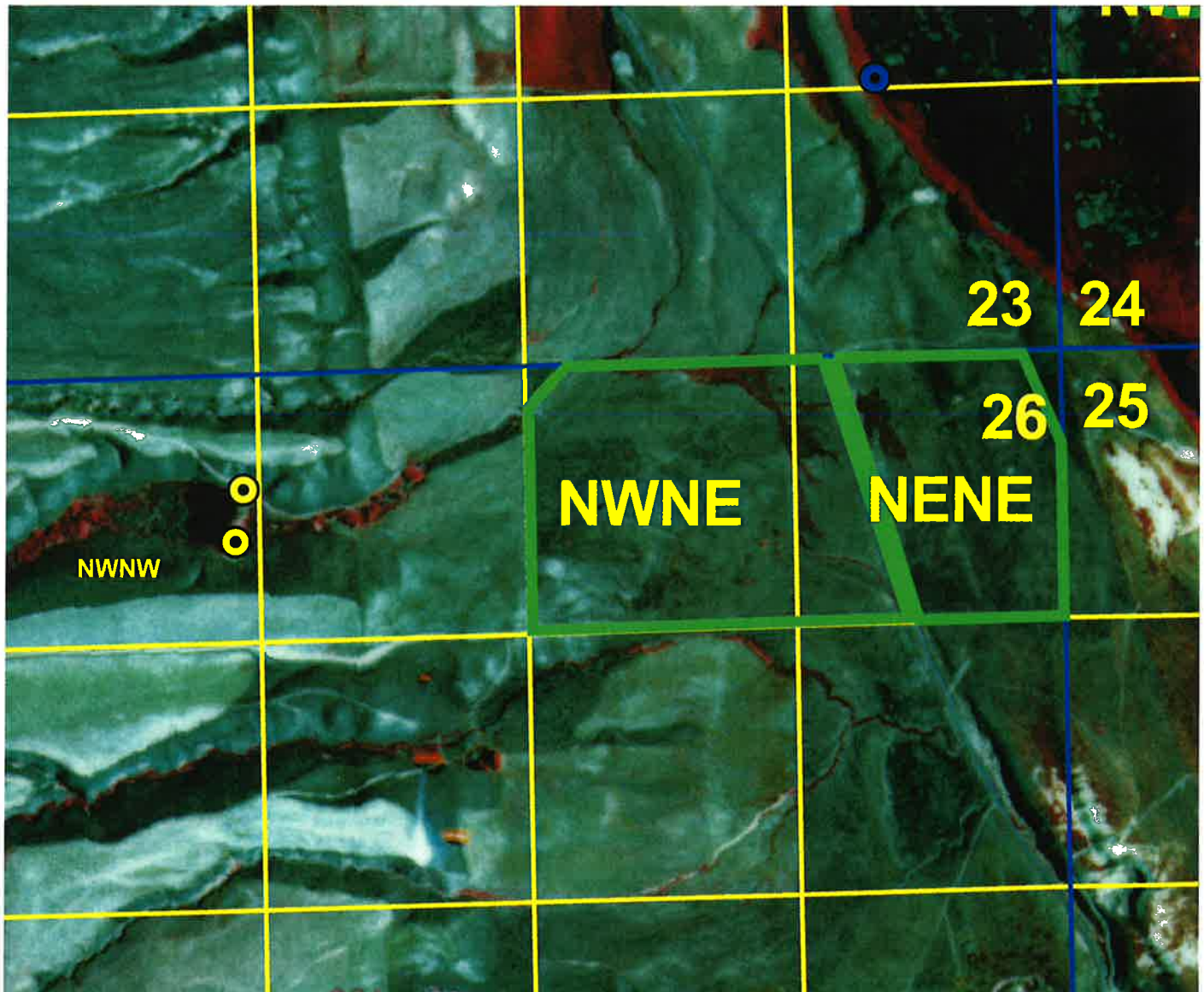
3/28/03

Idaho Falls, ID

IDAHO DEPARTMENT OF WATER RESOURCES

29-2155, 29-13381

T11S, R36E SEC. 26



SCANNED



DEC 30 2005

ACRES IRRIGATED- 29

PROFILED



POINT OF DIVERSION



PLACE OF USE

**GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
DAVE CARLSON**

MAY 31 2001

Log for claim A29-02155

Spatial Dynamics TWB

5/15/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s36e	26	NENE	27	30	
11s36e	26	NWNE	0.9	0.9	
12s38e	17	SWSW	40	2.1	I entered in for acreage
12s38e	20	NENW	40	11	I entered in for acreage
Totals:			107.9	44	

DAM
North N42 26 37.2 4948
W112 13 30.9

POD

Corners:

South side | N42 26 34.7
W112 13 31.5
4947

WATER

POD HWY

4870 N42 26 43.2
W112 12 52.6

Two pods / pipeline
to sprinklers

EAST SIDE
4805 N42 26 30.6
W112 12 36.9

WEST SIDE
N42 26 30.2
W112 13 11.9

4852

WATER

Corner
N42 26 43.1 4844
W112 13 11.9

Stream: S. Fork Reese Cr.
Amount: 29/50 sec. ft.
Use: Irrigation
Priority: Nov. 8, 1912.

STATE OF IDAHO

29-2155

Water License No. 8875

WHEREAS, On the 8th day of November, A. D. 1912, William J. Cottrell, of Arimo, County of Bannock, State of Idaho, duly made application (No. 13380) to me for a permit to use one (1) cubic foot per second of the waters of

SOUTH FORK REESE CREEK

County of Bannock, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 23rd day of November, A. D. 1912, Permit No. 8875 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 23rd day of November, A. D. 1913, and for the application to beneficial use of said water on or before the 23rd day of November, A. D. 1913 and,

WHEREAS, On the 15th day of May, A. D. 1913, William J. Cottrell,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of one (1) cubic foot per second of said waters, as evidenced by my Certificate No. 8875, dated May 24, 1913, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use one (1) cubic foot per second of said water, with date of priority of November 8, 1912, and

WHEREAS, On the 27th day of June, A. D. 1913, William J. Cottrell,

the holder of said permit, duly made proof of the application to beneficial use of 29/50 of 1 cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to

William J. Cottrell

of Arimo, County of Bannock, State of Idaho, the holder and owner of said Permit No. 8875, a perpetual right, dating from Nov. 8, 1912 to the use of 29/50 of 1 cubic foot per second of the waters of South Fork of Reese Creek,

in the County of Bannock and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 36, T. 11 S., R. 36 E. B. M., 26. sec plan map.

and conducted to and upon 29 acres divided as follows: 10 acres in SW $\frac{1}{4}$ of SE $\frac{1}{4}$; Sec. 23, 19 acres in NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 26, T. 11 S., R. 36 E. B. M.

for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 31st day of October, A. D., nineteen hundred and thirteen.

F. P. KING,

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: William J. Cottrell.

Postoffice address: Arimo

County: Bannock

State: Idaho.

I. If applicant is a corporation, give

(a) Date and place of incorporation:

(b) The amount of capital stock:

(d) Names and addresses of directors:

(c) The amount paid in:

II. The financial resources of the applicant are: (a) Cash on hand:

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

2. The quantity of water claimed is 1 cubic feet per second.

3. Source of water supply: South Fork of Reese Creek.

4. Location of point of diversion: NW4 NW4 Sec. 26 Twp. 11 S. R. 36 E. B. M.

County of Bannock.

5. To be used for: Irrigation.

I. Irrigation and domestic use: (a) Amount of land to be irrigated: 80

acres.

(b) In the following legal subdivisions: SW4 SE4 Sec. 23, NW4 of NE4 Sec. 26 Twp. 11 S. R. 36 E. B. M.

II. Mining, milling, power, manufacturing, transportation or other purposes:

[a] At what point:

[b] Amount of power to be generated:

H. P. under

ft. head

[c] Is water to be returned to any stream?
return:

(d) If so, name stream and locate point of

6. Estimated cost of works: \$400.00

7. Description of works for diversion:

I. Kind of works: Reservoir, dam, ditch, flume (See remarks #3)

II. Dimensions of works:

[a] Height of dam 9 feet, length of dam at top 140 feet,

length of dam at bottom 50 feet. Material used in construction: wood and earth.

remarks #2.

[b] Capacity of reservoir see acre feet. [c] Size of headgate, width 1 1/6 feet,

Height 5/6 feet. (d) Conduit ditch width at bottom 2 1/6 feet,

width at water line 2 1/2 feet, depth of water 1/2 feet, diameter of pipe

inches, average grade per mile is 100 feet. Length of conduit is 1/4 miles,

and it crosses the following quarter sections: NW4 NW4, in part and NE4 NW4 Sec. 26 Twp. 11 S. R. 36 E. B. M.

8. The time required for the completion of the construction of such work is 1 years.

9. Time required for the complete application of the water to the proposed use is no additional years.

BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

Wm. J. Cottrell,

Applicant

Date of first receipt at office of State Engineer : 9.00 a.m. November 8, 1912.

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER.

The number of this permit is 8875.

Recorded in Book 29 Page 8875 Approved November 23, 1912.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions.

Bond in the sum of _____ to be filed on or before _____

Work to begin on or before January 22, 1913 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before May 23, 1913.

The whole of said work to be completed on or before November 23, 1913.

Beneficial use of water appropriated in accordance herewith, to be made on or before November 23, 1913.

Witness my hand this 23rd day of November, 1912.

A. E. Robinson,

State Engineer.

Remarks:

1. The reservoir and point of diversion will be located on government land.
2. The same reservoir mentioned would hold 28 acre-feet of water if the dam mentioned was made 20 feet high and I estimate that with the dam 9 feet high it would hold nearly $\frac{1}{3}$ of that amount of water.
3. The only flume used will be a box used to carry the water through under the dam.

Affidavit of holder and fee for proof of completion of works received May 19, 1913.

Certificate of completion of works issued May 24, 1913.

PERMIT NO. 8875.

29-13381

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that William J. Cottrell, of Arimo, County of Bannock, and State of Idaho, the holder of Permit No. 8875, issued upon Application No. 13380 bearing date of priority of November 8, 1912, authorizing the diversion of 1 second foot of the waters of South Fork of Keese Creek, County of Bannock, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1 second foot of the waters of South Fork of Keese Creek, that the point of diversion of said waters is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 26, T. 11 S., R. 36 E. B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 23, and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 26 T. 11 S., R. 36 E. B. M., containing 80 acres.

Witness my hand this 24th day of May, A.D. 1913.

F.P. King,

State Engineer of the State of Idaho

License issued for 2nd second foot

for 1913

Arino, Idaho, Feb. 9, 1918.

For value received I, the undersigned owner and holder of the within Water License, hereby assign and transfer unto James Treasure, of Bannock County, all my rights title and interest in and to the water rights therein mentioned and granted thereby.

William J. Cottrell.

State of Idaho)
) ss.
County of Bannock)

On this 9th day of Feb. 1918, personally appeared before me William J. Cottrell who executed the foregoing instrument and being to me personally known, duly acknowledged to me that he executed the same.

In witness whereof I have hereunto Set my hand and seal the day and year first above written.

Henry J. Nelson,

Notary Public.

Received and filed for record in the office of the State Engineer, at Boise, Idaho, at 9.00 A. M. February 11, 1918.

J. H. Smith,

State Engineer.

(Seal)

REPORT OF ENGINEER

1. State name of applicant and number of permit: Wm. J. Cottrell - Permit 8875
2. State source of water supply: South Fork Reese Creek
3. Location of point of diversion: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 26, T. 11 S., R. 36 E. B.M.

4. State whether or not the works of diversion are *fully* completed and in accordance with terms of permit: Yes

5. Describe works as they exist, giving dimensions of same as follows:

- (a) Width of conduit at bottom: 2.3 ft.
- (b) Width at water line: 2.5 "
- (c) Depth of water: .5 "
- (d) Grade per mile: 100 "
- (e) Capacity of ditch: 1.5 second feet.

6. State whether or not water has been turned into works of diversion and if so, to what extent:

About 15 inches running in ditch at present July 22, 1913.

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 23, 40 acres- 10 acres cultivated

NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 26, 40 " 19 "

All in T. 11 S., R. 36 E. B.M. Total 29 "

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: _____

In the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 23, there are 9 additional acres
plowed and ready for water.

Walter R. Hingle

STATE OF IDAHO,

County of _____ } ss.

_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

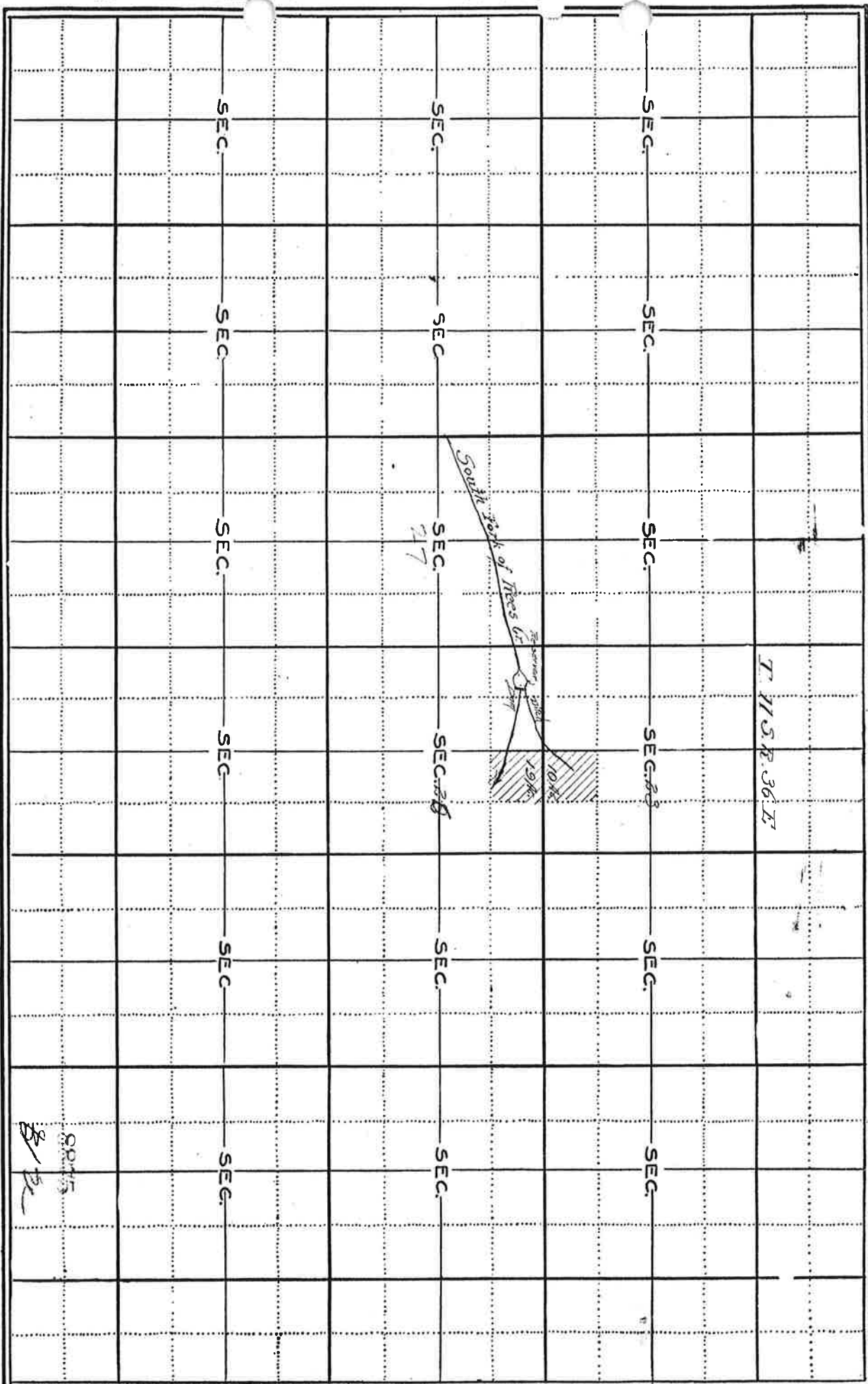
Subscribed and sworn to before me this _____ day of _____ 191____

My Commission Expires _____

8875

Notary Public.

8/2



AJ5809NP
No. A29-02155

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 41

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CRIS G DAVIS	11/08/1912	IRRIGATION	04-01 11-01	0.580 CFS	
C	LAURETTA M DAVIS					
	PO BOX 76					
	DOWNEY ID 83234			TOTAL DIVERSION:	0.580 CFS	
	(208) 897-5176			CONSUMPTIVE USE:		72.50 AFA

Water Source: REESE CREEK, SOUTH FORK

Tributary to: MARSH CREEK

Stage: LICENSE

Point(s) of Diversion:

T11S R36E S26

NWNW

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	: Lt Ac	NENE	NWNE	SWNE	SENE	: NENW	NWNW	SWNW	SENW	: NESW	NWSW	SWSW	SESW	: NESE	NWSE	SWSE	SESE	: SUM	
11S	36E	26	:	02		27		:				:				:				:	29.0
																				TOTAL ACRES	29.0

POU County: BANNOCK

Other Rights: YES

Remarks: GEN CHANGED OWNERSHIP 2/6/95/JT/GJT

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 29H

Field Inspection Flag:

Presumption Flag: C

Audit: 01/04/90 CARLSEN 06/02/94 COX 02/06/95 JTHOMPSO 03/29/95 POST-STD

February 7, 1995

CRIS/LAURETTA DAVIS
PO BOX 76
DOWNEY ID 83234

Re: Changes in Ownership

Dear Lori:

Your request for Change in Ownership of eight Notices of Claim has been processed and enclosed you will find copies of the Notices showing you as the current owner.

In your letter you also requested copies of the original water rights as we have them recorded. The "Profile Reports" I have enclosed are the original rights as recorded before the commencement of the Snake River Basin Adjudication(SRBA). If you reference the "Remarks" section in Notices #A29-10131 and #A29-10133 you will see what decreed rights were combined in in those rights.

Please do not hesitate to contact this office if you have any questions regarding this matter.

Sincerely,

Gregory J. Taylor
Sr. Water Agent, Adjudications

Enclosures: copies of SRBA Claims and Profile Reports.

MICROFILMED

NOV 14 1996

February 3, 1995

Idaho Department Water Resources
Eastern Regional Office
900 N. Skyline Dr.
Idaho Falls, ID 83402-1718

RE: Notice of change of water right ownership

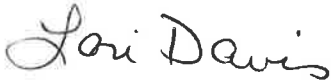
To whom it may concern,

Enclosed is form 42-1409(7) for each of our water rights. Please transfer ownership. A copy of the warranty deed on the property is enclosed.

Could you send a copy of the original water right recorded under each of the numbers listed?

Also, will you please confirm that the transfer of ownership has been recorded?

Sincerely,



Lori Davis

P.O. Box 76
Downey, ID 83234

phone: (208) 897-5176 Home
897-5226 Work

CERTIFIED MAILING

MICROFILMED
NOV 14 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 11-22-93

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 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.
refer to warranty deed attached

☐ 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: A29-02155 priority 11/08/1912

☐ Name and Address of Former Owner/Claimant(s)(Seller): Glade Davis
21128 South Marsh Valley Road
Downey, ID 83234

☐ New Owner/Claimant (Purchaser): Cris G or Lauretta M. Davis

☐ New Mailing Address: P.O. Box 76
Downey, ID 83234

☐ New Telephone Number: (208) 897 - 5176

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X 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: Recorded 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) Cris G. Davis Date 1-31-95

☐ Signature of Former Owner/Claimant(s): _____ 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:

MICROFILMED

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner **NOV 14 1996**

4-1
WARRANTY DEED

93019746

THIS INDENTURE, Made this 22nd day of November, 1993, between Glade H. Davis and Jane I. Davis, husband and wife, as Grantors, and Cris G. Davis and Laurretta M. Davis, as Grantees whose address is P. O. Box 76, Downey, Idaho, 83234.

WITNESSETH: That the Grantors for value received, do by these presents, Grant, Bargain, Sell, and Convey unto Grantees, their heirs and assigns, all those certain lots, pieces, and parcels of land situate, lying, and being in the County of Bannock, State of Idaho, and more particularly described as follows:

Parcel 1 consisting of approximately 321.07 acres, to-wit:

Township 11 South, Range 36 East of the Boise Meridian, Bannock County, Idaho.

Section 14: SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$. 07885 10'31'

Section 23: NE $\frac{1}{4}$,

EXCEPT: Beginning 18 rods East of the Northwest Corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and running thence East 250 feet; thence North 250 feet; thence West 250 feet; thence South 250 feet to PLACE OF BEGINNING; and

ALSO EXCEPT: Beginning 400 feet North of the Northwest Corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and running thence East 300 feet; thence North 300 feet; thence West 300 feet; thence South 300 feet to the PLACE OF BEGINNING.

Section 24: SW $\frac{1}{4}$ NW $\frac{1}{4}$ except the N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$

Parcel 2 consisting of approximately 125 acres, to-wit: Township 11 South, Range 36, East Boise Meridian, BANNOCK COUNTY, IDAHO.

Section 23: S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ except that portion which lies West of Marsh Valley Road; and also excepting the SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 23: N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ except that portion which lies West of Marsh Valley Road.

MICROFILMED

NOV 14 1996

Section 24: $N\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}$; $S\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}$ and $NE\frac{1}{4}SW\frac{1}{4}$ except the $NE\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$ and the $N\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$.

Parcel 3 consisting of approximately 66.78 acres, to-wit:

Township 11 South, Range 36 East Boise Meridian,
BANNOCK COUNTY, IDAHO, Section 26: $NE\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}NE\frac{1}{4}$. 02155

Parcel 4 consisting of approximately 80 acres, to-wit:
Beginning at a point on the East boundary line of the Southeast Quarter of the Northeast Quarter ($SE\frac{1}{4}NE\frac{1}{4}$) of Section Twenty Two (22), in Township Eleven (11) South of Range Thirty Six (36) East of the Boise Meridian, about 400 feet North of the Southeast Corner of said Subdivision whereat is the center cross section of the dam for said reservoir, being the center line of North Reese Creek Canyon, and thence up said canyon in a Westerly direction a distance of sixty (60) rods, and extending on either side of said line to the canyon wall.

Also: 10131

All of the $NE\frac{1}{4}SW\frac{1}{4}$ of Section 23, Township Eleven South, Range 36 East Boise Meridian, containing 40 acres more or less.

Also:

All of the $NW\frac{1}{4}SW\frac{1}{4}$ of Section 23, Township Eleven South, Range 36 East Boise Meridian, BANNOCK COUNTY, IDAHO, excepting however therefrom:

All that portion of said $NW\frac{1}{4}SW\frac{1}{4}$ situated on top of the West Bench more particularly described as follows:
Beginning at the Northwest Corner of the $NW\frac{1}{4}SW\frac{1}{4}$ of Section 23, Township eleven South, Range 36 East Boise Meridian, thence South 80 rods, thence East 80 rods, thence North 15 rods, thence Northwesterly along the crest of the bench to a point 22 rods East of the POINT OF BEGINNING, thence West 22 rods to the POINT OF BEGINNING.

Also: 10131

Beginning at the Southwest Corner of the $NW\frac{1}{4}SE\frac{1}{4}$ of Section 23, Township Eleven South, Range 36 East Boise Meridian, BANNOCK COUNTY, IDAHO, thence North along the Meridional center line of said Section, approximately 855 feet, thence Southeasterly approximately 1235 feet, thence West along the South $1/16$ line of said Section, 665 feet more or less to the POINT OF BEGINNING. Containing 10 acres more or less. Otherwise described as all that portion of said $NW\frac{1}{4}SE\frac{1}{4}$ lying Southwesterly of the Marsh Valley Road.

Parcel 5 consisting of 160 acres, to-wit:

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NOV 14 1996

Township 11 South of Range 36 East Boise Meridian,
BANNOCK COUNTY, IDAHO.

Section 34: $W\frac{1}{2}NE\frac{1}{4}$ and $E\frac{1}{2}NW\frac{1}{4}$ 10,132

Parcel 6 consisting of 80 acres presently owned jointly
by Sellers and Purchasers; Sellers are selling their
undivided one-half ($\frac{1}{2}$) interest in said 80 acres, to-
wit:

Township 11 South, Range 36 East Boise Meridian,
BANNOCK COUNTY, IDAHO.

Section 34: $SW\frac{1}{4}NW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$.

Together with all water and water rights appurtenant to any
and all of the foregoing parcels of real property including
but not limited to all decreed rights and all licenses
issued by the Idaho Department of Water Resources, namely
#A29-02219, #A29-02295C, #A29-10131, #A29-10133, #A29-07355,
#A29-02155, #A29-10132, #A29-10130; together with 10,300
feet of buried mainline and all ditch and ditch rights
appurtenant to the foregoing parcels of real property; and

Together with the US Forest Service, Caribou National Forest
Grazing permit for 51 head of cattle; and

Together with all fixtures and singular the tenements,
hereditaments, and appurtenances in anywise appertaining to
the foregoing parcels of real property.

SUBJECT TO: Three/twenty-fourths ($3/24$) of the taxes
levied and assessed in 1993 and all such taxes and
assessments levied or assessed in subsequent years;

SUBJECT TO: All County, State, and Federal building
and zoning laws, ordinances and regulations and;

SUBJECT TO: All reservations, rights of way,
easements, oil and gas leases, and restrictions
recorded against the premises.

The Grantors do hereby warrant the said premises in the
quiet and peaceable possession of the Grantees, their heirs and
assigns, against all and every person or persons whomsoever,
lawfully claiming or to claim the same.

Glade H. Davis
Glade H. Davis

Jane I. Davis
Jane I. Davis

AKA Jane I. Davis

STATE OF IDAHO)
County of Bannock) ss. 4-4

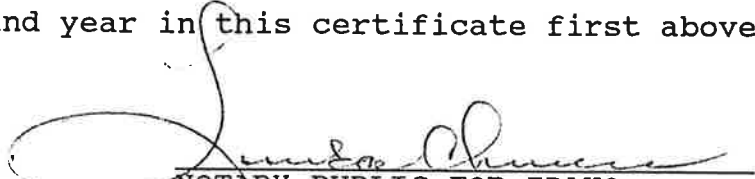
93019746

On this 22nd day of NOVEMBER, 1993, before me, the undersigned, a Notary Public, personally appeared Glade H. Davis and Jane I. Davis^{la} known or identified to me to be the persons also known as Jane Davis whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL)

NOTARY SEAL


NOTARY PUBLIC FOR IDAHO
Residing at Pocatello
My Commission Expires: 2-18-99

93019746

NO.
RECORDED AT REQUEST OF
FIRST AMERICAN TITLE
'93 NOV 22 P4:34

OFFICIAL RECORD BOOK NO. 601
BANNOCK COUNTY IDAHO
LARRY W GHAN RECORDER
FEE. 12.00 DEPUTY 85

MAY 31 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: A29-02155
Date Received: 2/21/1990
Receipt No: E012123
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: CRIS G DAVIS 208-897-5176
Address: PO BOX 76
DOWNEY ID 83234
OR
Name: LAURETTA M DAVIS 208-897-5176
Address: PO BOX 76
DOWNEY ID 83234

2. Date of Priority: NOV 8, 1912

3. Source: REESE CREEK, SOUTH FORK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	36E	26	NW	NW			BANNOCK

5. Description of diverting works:
EARTH DAM WITH GRAVITY FLOW PIPE LINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.580		

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

8. Total consumptive use is 72.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	36E	26	NE	NE		IRR	2.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11S	36E	26	NW NE		IRR	27.0

Section Acres 29.0

Total Acres 29.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
YES

14. Remarks:
CHANGED OWNERSHIP 2/6/95/JT/GJT

15. Basis of Claim: LICENSE

Water Right Number: 8875

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: A29-02155
Date Received: 1/04/1990
Receipt No: 8012123
Received By: ENC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GLADE H. DAVIS 208-897-5500
Address: 21128 SOUTH MARSH CREEK RD.
DOWNEY, ID 83234
OR
Name: JANE DAVIS 208-897-5500
Address: 21128 SOUTH MARSH CREEK RD.
DOWNEY, ID 83234

A2902155



2. Date of Priority: NOV 08, 1912

3. Source: REESE CREEK, SOUTH FORK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	36E	26	NW	NW			BANNOCK

5. Description of diverting works:
EARTH DAM WITH GRAVITY FLOW PIPE LINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.580		

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

8. Total consumptive use is 72.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	36E	26	NE	NE		IRR	2.0
			NW	NE		IRR	27.0
						Section Acres	29.0
						Total Acres	29.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
YES

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 8875

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: _____

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): Glenn H. Harris Date: Feb 21, 1990

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 21 day
of Feb 19 90

Ernest Carlsen
Notary Public



Residing at State College, ID.
My Commission Expires 6-14-1994

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NOV 13 1992

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-02155	11S 36E	26		NW	NW			BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: REESE CREEK, SOUTH FORK

TRIB: MARSH CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
29-02155	11S 36E	26		NW	NW			BANNOCK		

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

SOURCE: REESE CREEK, SOUTH FORK

TRIB: MARSH CREEK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM NAME OF EXAMINER) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
11S	36E	26		NW	NW			BANNOCK		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: REESE CREEK, SOUTH FORK

TRIB: MARSH CREEK

REVIEWED BY: _____ DATE: _____

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___)

A. ROOT WATER RIGHT NUMBERS: A29-02155

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11S	36E	26	NE	NE		DAVIS, CRIS G	A29-02155 / 2.0	- /			
11S	36E	26	NW	NE		DAVIS, CRIS G	A29-02155 / 27.0	29-02155 / 19.0			

ADDITIONAL POU FOUND

TOTAL ACRES

A29-02155

29.00

19.00

POU COUNTY: BANNOCK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: YES

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

Twp 11 S
Rge 36 E

PA

26



Birch

ROAD

HE S PA

Creek

NOV 13 1963

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