

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

NAME AND ADDRESS: JANIE S. AND TINDAL LEE DAVIS LIVING TRUST
9446 S MARSH CREEK ROAD
MC CAMMON ID 83250

POINT OF DIVERSION:

T09S R36E S22 SENW Lot 8 Within BANNOCK County

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.090 CFS

PLACE OF USE:	<u>IRRIGATION Within BANNOCK County</u>					
	T09S R36E S22	SWNW	1.4	T09S R36E S22	SENW	3.0

4.4 ACRES TOTAL

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

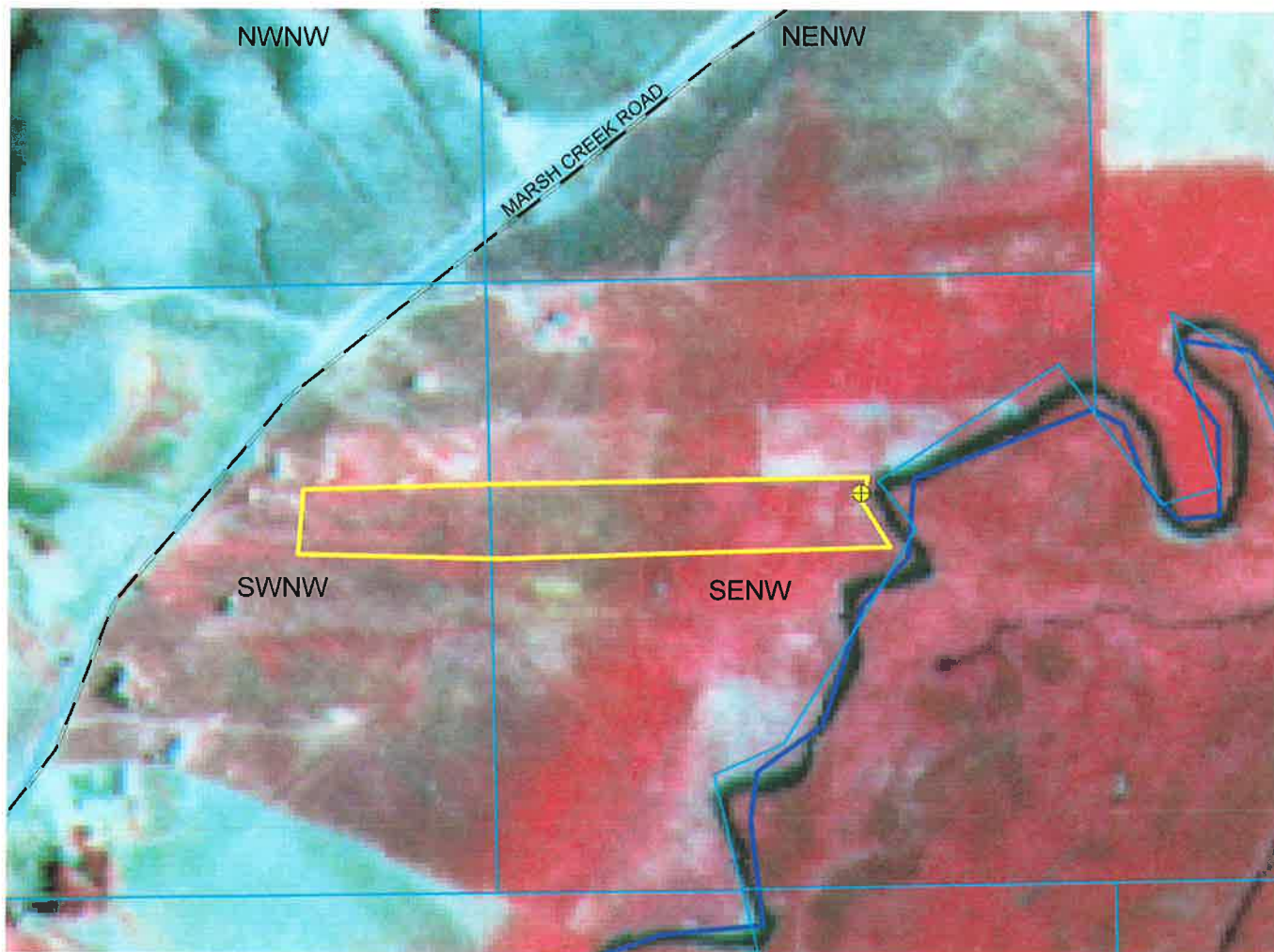
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right 29-2269F



0.1 0 0.1 0.2 Miles

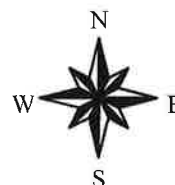
IRRIGATED ACRES 4.4

LEGEND

- Point of Diversion
- Place of Use
- STREETS
- SECTIONS
- QUATER-QUATERS
- STREAMS

Place of Use: T9S, R36E,
(part of) Sections 22

Points of Diversion: T9S, R36E
Sec. 22 SENW -Gov. LOT 8



GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by C. Bird
Date: October, 2002

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DEC 30 2005

02/18/2003

Cindy

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: 29-2269F

JANIE S AND TINDAL LEE DAVIS LIVING TRUST
9446 S MARSH CREEK RD
MC CAMMON ID 83250

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: 4-14-3 SIGNATURE: Tindal Lee Davis
Please print your name: TINDAL LEE DAVIS

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

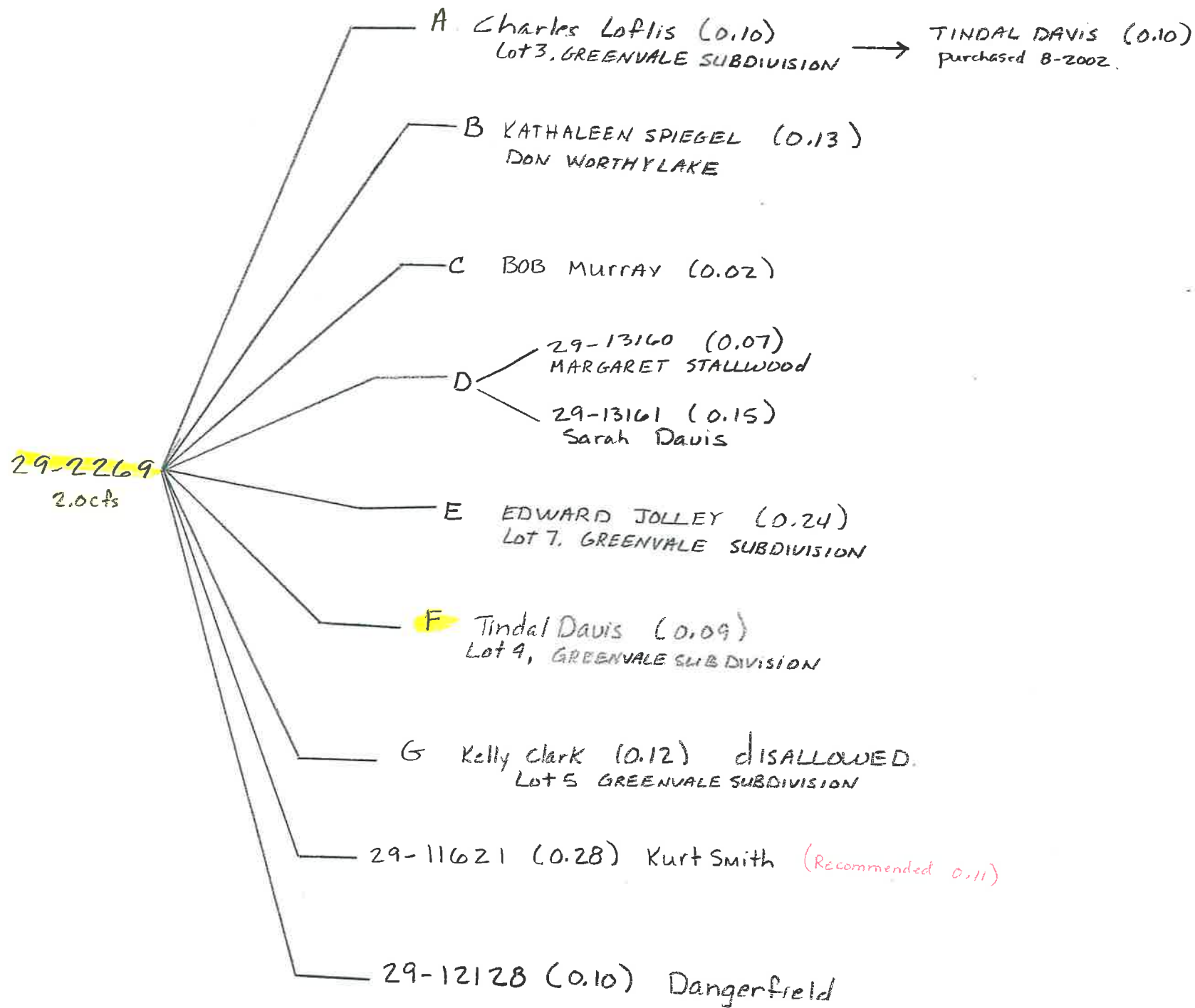
RECEIVED

APR 23 2003

Department of Water Resources
Eastern District Office

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DEC 30 2005

PROTECTED

OCT 28-2002
PREPARED BY: CBIRD

PLACE OF USE OVERLAP REVIEW

CLAIM NO.	TWN	RNG	SEC	NE				NW				SW				SE				TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
29-2269	9S	36E	22							20										
										2.9	L-8 25									
										L-9 35					L-9					
										L-10 20										100
2269A x	9S	36E	22							3.5										
13160 x	9S	36E	22																	
2269E x	9S	36E	22							5.5	L-8 5.5			1.0	L-9					
13161 x	9S	36E	22											9.0	L-9					
12128 x	9S	36E	22							0.1	L-8 3.9									
2269B x	9S	36E	22											1.9	L-9 4.4					
2269C x	9S	36E	22											1.0						
11621 x	9S	36E	22							14.0										
										23.1	9.4			18.9	4.4					55.8

100
SCAN
lot
DEL: 30:00

~~Charles Loftis~~ Tindal Davis

Rec. 0.10 cfs

(D.C.) A Charles & Dawn Loftis
0.13 Lot 3

B Kathleen Speer
0.32 Below Greenville Subdivision (0.13 cfs rec.)

C Bob Murray
1.5 Below subdivision (0.02) (rec. 1 ac.)

D 0.6
13160 (stallwood) (0.24) (0.01)
13161 (0.36) (0.15)
Davis (0.24)

E Edward Jolley
(D.C.) 0.24 (Lot 7)

F 0.08
Lot 4

Robert Munne - Can't find a file - Tindal Davis 0.09
Claimed by Tindal Davis (New owner)

G Kelly & Sherry Clark
0.12 cfs (Lot 5) Disallowed

29-11621
0.28 cfs - Kurt Smith

29-12128 (0.10) (D.C.)

29-2269
2.0 cfs

(Scott Jensen Lot 6)
No claim filed

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3.29

Overclaimed

who owns the Sasser
property?

SWNW-20 ACRES LICENSED

MARY O'RIORDAN

lot 8-25 acres licensed
25.4 acres

M. CRAIG DANGERFIELD

ROBERT MUMME

KELLY CLARK

SCOTT JENSEN

EDWARD JOLLEY

KURTIS SMITH

lot 9-35 acres licensed
41.9 acres

MARGARET STALLWOOD

SARAH DAVIS

BOB MURRAY

DON WORTHYLAKE

K. SPIEGEL

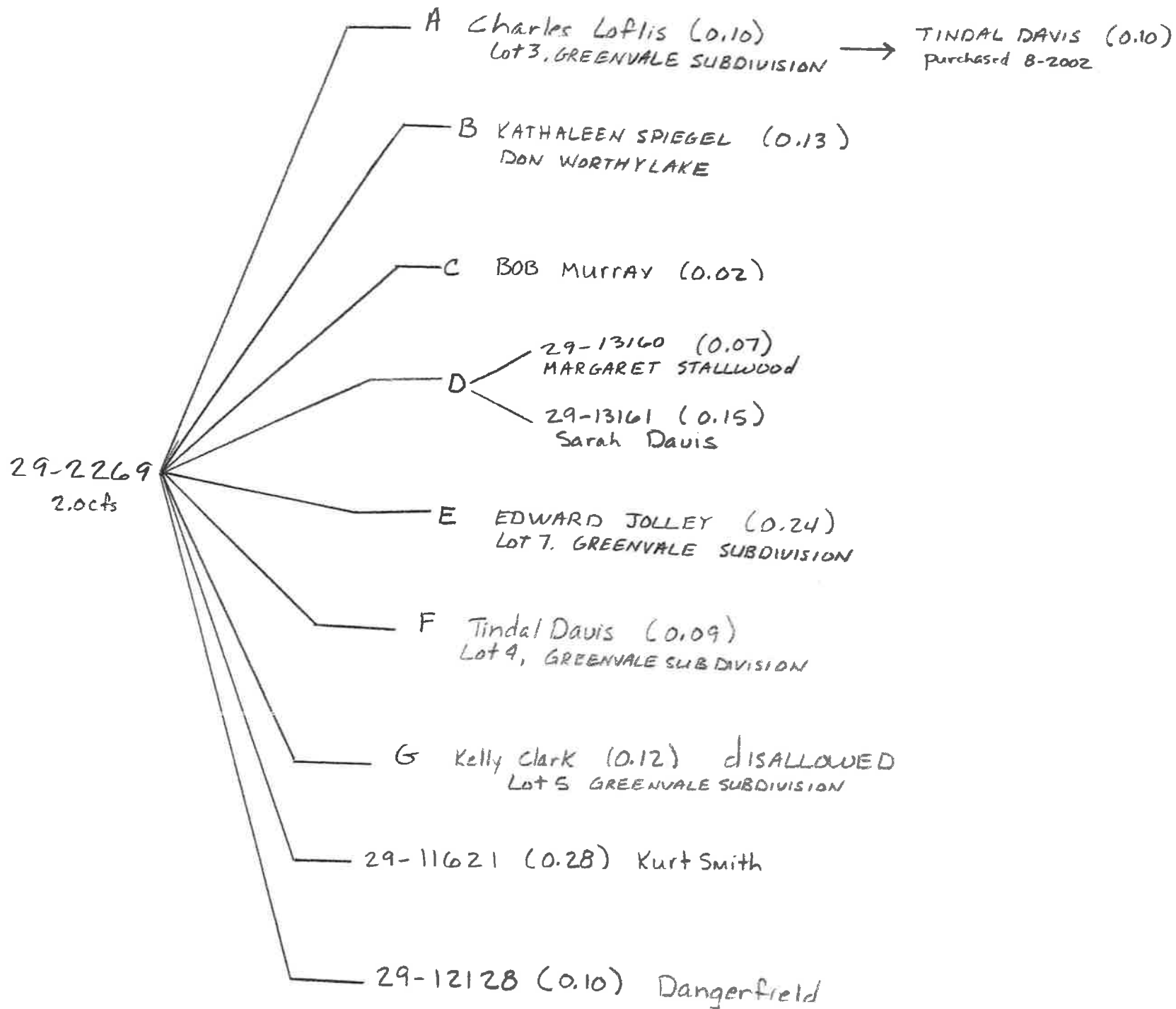
DON WORTHYLAKE

TIM JOHNSON

lot 10-20 acres licensed
33.35 acres

Cottonwood Creek

DEC 30 2005



Oct 28-2002
PREPARED BY: C BIRD

WARRANTY DEED

For Value Received MICHELLE E. MUMME and ROBERT K. MUMME, wife and husband

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

TINDAL LEE DAVIS and JANIE SUE DAVIS, TRUSTEES of the TINDAL L & JANIE S DAVIS FAMILY TRUST as Amended and Restated in 2000

whose address is: 42362 Round Hill Drive, Lancaster, CA 93535

Hereinafter called the Grantee, the following described premises situated in Bannock County, Idaho, to-wit:

TRACT 1: LOT 3, GREEN VALE, BANNOCK COUNTY, IDAHO, AS THE SAME APPEARS ON THE OFFICIAL PLAT THEREOF, RECORDED MAY 17, 1979, AS INSTRUMENT NUMBER 824857.

TRACT 2: LOT 4, GREEN VALE, BANNOCK COUNTY, IDAHO, AS THE SAME APPEARS ON THE OFFICIAL PLAT THEREOF, RECORDED MAY 17, 1979, AS INSTRUMENT NUMBER 824857.

This is to certify that this
is a true and correct copy of
the original document recorded

FIRST AMERICAN TITLE COMPANY

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current year taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: September 11, 2002

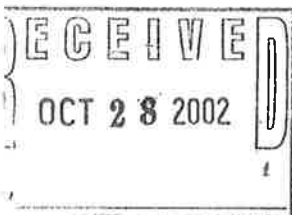
Robert K. Mumme
ROBERT K. MUMME

Michelle E. Mumme
MICHELLE E. MUMME

STATE OF Arizona
COUNTY OF Maricopa

On this 11 day of September, 2002, before me, Maria Fragala, personally appeared ROBERT K. MUMME and MICHELLE E. MUMME, HUSBAND AND WIFE, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

Maria Fragala
Notary Public
Residing at Phoenix, AZ
Commission Expires: July 5, 2005



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Contacts Data Entry Form

[illegible]

Current Owner: Tindal Davis Living Trust

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

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: Tindal Lee Davis Phone Number: cell 1-661-547-4203

Relationship to Claimant: self.

Date of Field Exam: 10/15/02 Time: 4:45pm

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

9446 S. Marsh Ck Rd, old Robert
Mumme place

- Tindal will be sending a copy of his warranty deed.

Reviewer: 10/16/02

Date: CB

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Priority Date Data Entry Form

Claim Number: 29-2269FWater Right Priority Date: 4-24-1947 Water Right Basis: licenseClaimed Priority Date: 4-24-1947 Claimed Basis: license.

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:

license 29-2269

Reviewer: CBDate: 10/16/02

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Point of Diversion and Source Data Entry Form

Claim Number: 29-2269FWater Right Point of Diversion: T 9S, R 36E, Sec. 22, NW, SW, County: Bannock.Source: Marsh Ck Tributary: Portneuf River.Claimed Point of Diversion: T 9S, R 36E, Sec. 22, SE, NW, County: Bannock.Source: Marsh Ck Tributary: Portneuf River.

Recommended Point of Diversion: T _____, R _____, Sec. _____, _____, _____, County: _____.

Source: _____ Tributary: _____.

☒ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
<u>9S</u>	<u>36E</u>	<u>22</u>	<u>8</u>	<u>SE NW</u>	<u>Bannock</u>	<u>Marsh Ck</u>

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

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:

- field exam, portable pump. 20R Toyota Motor.
1987/88 NAPP Photography.

- add CO3 Remark - Charge Occurred
prior to 1987.

Transfers Changing POD X/0Reviewer: CBDate: 10/16/02

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Place Of Use Data Entry Form

Claim Number: 29-2269F.☐ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
9S	36E	22	SE	NW	Bannock	8	6.3	Irrigation
"	"	"	SW	NW	"		1.5	"
Total Acres							7.8	

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
9S	36E	22	SE	NW	Bannock		~~6.3~~	Irr. } lot 4
			SW	NW	Bannock		1.4	Irr. } only
Total Acres							~~2.8~~ 4.4	

Greendale Subdivision
lots, Not gov
lots.* lot 3
recommended
under
29-2269A.

CB

Document how the POU was verified:

- 1987/88 NAEP Photography.
- field exam.

Bannock Co. tax lot info: This recommendation is only for lot 4, Parcel No. RRGVR000400, because Dave Carlson made a recommendation for lot 3, parcel No. RRGVR000300, in the name of Charles Loftis, The Bannock Co. Info. shows Robert Mumme as the current owner, which is whom Tindal Davis purchased the property from.

Transfers Changing POU NOReviewer: CBDate: 10/10/02

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Purpose of Use Data Entry Form

Claim Number: 29-2269 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
Irrigation			100	

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation			7.8	

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation			7.8 4.4	

Document how the Purpose of Use was verified:

License 29-2269
1987/88 NAPP Photography

Transfers Changing Purpose of Use Reviewer: CBDate: 01/16/02SCANNED
DEC 30 2005

Period of Use and Quantity Data Entry Form

Claim Number: 29-2269.☐ 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.			2.0	

Overall Diversion Rate 2.0 Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	10/31	0.16	

Overall Diversion Rate 0.16 Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	10/31	0.09	

Overall Diversion Rate 0.09 Overall Diversion Volume _____

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

- Current Adm. Std.Reviewer: CBDate: 10/14/02

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Summary Data Entry Form

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

C18.

C03 - Charge in POD

Split or Combined Right Analysis:

29-2269.

Attached Field Notes or Other Documents:

see attached photo and field notes

Claim No.:

Reviewer

Cindy Bail

Date

10/16/02

Notes

- ownership change. Janie & Tindal Davis purchased the property Sept/Oct 2002. They are currently living in California and plan to move here by the Spring of 2003

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10/28/02 Tindal Davis, cell phone 1-661-547-4203.
Will fax a copy of the warranty deed to the
office tonight when he gets home from
work.

deeded right 29-10711 (D/s) Charles Loftis.
Lot 3, Greenvale Subdivision, Parcel No. RRGPV000300.
I believe is owned by Tindal Davis and needs to
have an ownership change done.
Verify, when Tindal sends in a copy of the
warranty deed.

Tindal Davis purchased both lots 3 & 4 from
Robert & Michelle Mumme. Bannock Co tax
lot information still lists lots 3 & 4 in Mumme's
name.

Dave Carlsen recommended 29-2269A in
Charles Loftis's name. Tindal Davis filed
on 29-2269F for both lots 3 & 4. Robert Mumme
started the process to file on 29-2269F but
didn't finish it. (Pay the fees).

Tindal Davis is sending me a copy of his warranty
deed.

Will probably need an ownership change for
29-10711 & 29-2269A. Recommend the F portion
on Lot 4, Parcel No. RRGPV000400.

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address in California:

Tindal Davis

42362 Round Hill Dr.
Lancaster, CA 93536

Robert & Michelle Mumme

Phoenix, AZ

1-602-485-3499

Recommendation:

Do an ownership change on 29-2269A TO Tindal Davis,

Recommend the F Portion on lot 4. only.

Have Tindal Davis do an ownership change on the O/S decree 29-10711.

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A29-2269F

Janie S. and Tindal Lee Davis Living Trust
Photos taken October 15, 2002
October 16, 2002



Photo 1. Looking northeasterly at portable pump.



Photo 2. Close-up of the engine for the portable pump.

PROTECTED



Photo 3. Looking east at the back-up pump. Same 20R engine.



Photo 4. Looking north at the aluminum pipe stacked on the north fence.



Photo 5. Taken looking southeasterly at the aluminum irrigation pipe stacked on the north side of the barn.

Tindal Davis

10/15/02 4:45pm

1992 Ford 4cylinder

20R Toyota Motor 2000 CC
Portable pump

Trailer available to move pump.

Berkley EB-KTL20S

Eng 11411-38010

2nd Pump

Berkley

S/L # 749 1364

Model B3TOKLS

No hp on mfg tag

Motor 11411-38010

Pipe laying on N. side of the pasture
5 1/2" O.D. alum pipe
6"

Sprinkler laying next to the barn.
3" alum pipe. Butner 180

~ 25 pipes.

Can't read the lead size 9/64 lead.

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DEC 30 2005

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 29-2269F

Date Received: 8/9/2001

Receipt No: ~~10-24-02~~

Received By: E028256
JC

- AMENDED -

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JANIE S. AND TINDAL LEE DAVIS LIVING TRUST Phone:

9446 S MARSH CREEK ROAD
MC CAMMON ID USA 83250

2. Date of Priority: 04/24/1947

3. Source: MARSH CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
09S	36E	22	SE NW	BANNOCK	

5. Description of diverting works:

PUMP AND SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.16	

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

8. Total consumptive use:

9. Non-irrigation uses:

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OCT 17 2002

Department of Water Resources
Eastern Region

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	36E	22	SE	NW	IRRIGATION	6.3
			SW	NW	IRRIGATION	1.5
Section Acres						7.8
Total Acres						7.8

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:

14. Remarks:

LOTS 3 & 4 GREEN VALE SUB

15. Basis of Claim: License

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.

SCANNED

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am TRUSTEE of
JANIE S. AND TINDAL LEE Title
DAVIS LIVING TRUSTING that I have signed the foregoing
Organization
document in the space below as TRUSTEE of
JANIE S. AND TINDAL LEE Title
DAVIS LIVING TRUSTING and that the statements contained in the
Organization
foregoing document are true and correct.

Tindal Lee
Signature of Authorized Agent
JANIE S. AND TINDAL LEE
DAVIS LIVING TRUST
Title and Organization

15 Oct 2002
Date

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this
of October 2002

15th day

Cindy E Bird

Notary Public

Residing at Sava Hot Springs

My commission Expires May 1, 2007



ARSH

N 41° 33' 00" E - 479.33

Lot 4 - 5.25 Ac.

Lot 5 - 5.57 Ac.

Lot 3 -

umme
NAME H/W

me H/W

Δ 9648
916114.53
612712

1356

DEC 25

Langer field

94017616
624657

Δ 9648
916001979
703730

1.2 H/W

1659.85

1684.26

815403

D-7155

SCANNED

DEC 30 2005

4

5

6

7

8

9

60.40
76.29

8522

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 29-2269F
Date Received: 8/9/2001
Receipt No:
Received By:

- AMENDED. -

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6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.16	

7. Total Quantity Appropriated is:
0.16 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
09S	36E	22	SE	NW		IRRIGATION	6.3
			SW	NW		IRRIGATION	1.5
Section Acres							7.8
Total Acres							7.8

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:

14. Remarks:

LOTS 3 & 4 GREEN VALE SUB

15. Basis of Claim: License

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Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am TRUSTEE of
JANIE S. AND TINDAL LEE Title
DAVIS LIVING TRUST that I have signed the foregoing
Organization
document in the space below as TRUSTEE of
JANIE S. AND TINDAL LEE Title
DAVIS LIVING TRUST and that the statements contained in the
Organization
foregoing document are true and correct.

Tindal Lee
Signature of Authorized Agent

JANIE S. AND TINDAL LEE

DAVIS LIVING TRUST

Title and Organization

15 Oct 2002

Date

State of Idaho)

County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 15TH day

of October 2002

Cindy E Bird

Notary Public

Residing at Sava Hot Springs

My commission Expires May 1, 2007

