

12/19/2002

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

RIGHT NUMBER: 29-13379

NAME AND ADDRESS: KAREN B DAVIS
2047 INKOM RD
INKOM ID 83245

ARNOLD L DAVIS
2047 INKOM RD
INKOM ID 83245

SOURCE: JACKSON CREEK

TRIBUTARY: RAPID CREEK

QUANTITY: 0.060 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-00294G IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.60 CFS.

PRIORITY DATE: 04/02/1947

POINT OF DIVERSION:

T07S R36E S22 SWSENE 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	0.060 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R36E S22 SESE 2.0

2 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-00294G IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 2.0 ACRES 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.

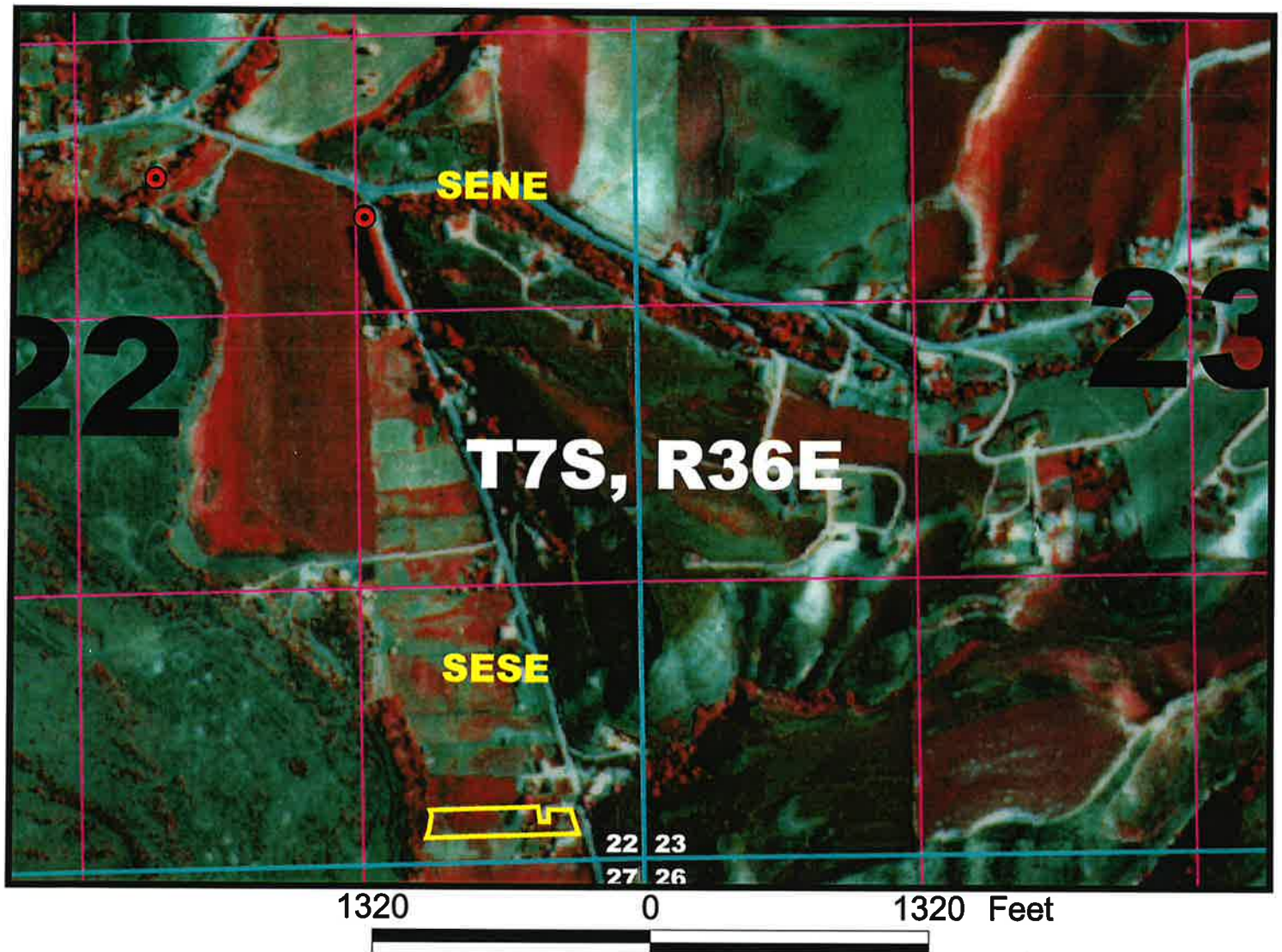
EXPLANATORY MATERIAL: Beneficial Use



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-13379



Total Irrigated Acres: 2.0

-  Point(s) of Diversion
-  Place of Use
-  Quarter Quarter Lines
-  Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: December 2002

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-13379 V1

WATER RIGHT NUMBER: 29-13379 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KAREN B DAVIS 2047 INKOM RD INKOM, ID 83245 (208)775-3609
Current Owner	ARNOLD L DAVIS 2047 INKOM RD INKOM, ID 83245 (208)775-3609

Priority Date: 04/02/1947
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
JACKSON CREEK	RAPID CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.060 CFS	
	<u>Total Diversion:</u>	0.060 CFS	

Location of Point(s) of Diversion

JACKSON CREEK	SW1/4SE1/4NE1/4	Sec. 22, Twp 07S, Rge 36E, B.M.
BANNOCK County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	36E	22																2.0	2.0

Total Acres: 2

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:

1. Quantity USE OF THIS RIGHT WITH RIGHT NO. 29-00294G IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.60 CFS.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 29-00294G IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2.0 ACRES IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-13379 V1

Comments:

1. csaxton 12/19/2002 Priority Date
Comment: Priority date 4/2/1947. Norris M Murdock has WR 1 day SR to Murdock Sub rights form Jackson Ck.
2. csaxton 12/19/2002 Diversion rate.
Comment: Diversion rate recommended at 1.5 inches per acre.

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:
Owner Name Connector: OR
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

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	12/19/2002 2:23:08 PM	csaxton			Active
Priority Date	12/19/2002 2:23:54 PM	csaxton			Active
POD	12/19/2002 2:24:04 PM	csaxton			Active
Source	12/19/2002 2:28:22 PM	csaxton			Active
POU	12/19/2002 2:28:58 PM	csaxton			Active
Use	12/19/2002 2:29:51 PM	csaxton			Active
Season	12/19/2002 2:30:30 PM	csaxton			Active
Quantity	12/19/2002 2:32:14 PM	csaxton			Active
Summary			12/19/2002	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	12/19/2002 2:23:07 PM	csaxton	(No) 1. Do you want to schedule an appointment?

Comment for 1: Field exam 7/16/02

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13379 V1

POD	12/19/2002 2:24:03 PM	csaxton	(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? (No) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Priority Date	12/19/2002 2:23:53 PM	csaxton	(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 claimed 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 - Statement from original owner of Murdock Subdivision, Norris M. Murdock.
POD	12/19/2002 2:24:36 PM	csaxton	Edited point location
POD	12/19/2002 2:24:53 PM	csaxton	Edited PLS
Source	12/19/2002 2:28:21 PM	csaxton	(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 - FE 7/16/02
POU	12/19/2002 2:28:57 PM	csaxton	(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 - FE 7/16/02 and NAPP photography
POU	12/19/2002 2:29:14 PM	csaxton	Edited shape boundary
POU	12/19/2002 2:29:30 PM	csaxton	Edited PLS

IDAHO DEPARTMENT OF WATER RESOURCES

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Use	12/19/2002 2:29:50 PM	csaxton	(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 - FE 7/16/02
Season	12/19/2002 2:30:29 PM	csaxton	(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 administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	12/19/2002 2:32:13 PM	csaxton	(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? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - Per David Tuthill, claims for 0.20 cfs or less do not require measurement.
Summary	12/19/2002 2:34:50 PM	csaxton	(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? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?

12-16-02: 4-2-1947, Norris M. Murdock has WR 1 day
SR to Murdock sub Rights from Jackson Co.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 29-13379

WATER RIGHT NUMBER: 29-13379

<u>Owner Type</u>	<u>Name and Address</u>
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Current Owner	KAREN B DAVIS ✓ 2047 INKOM RD INKOM, ID 83245 (208)775-3609
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Current Owner	ARNOLD L DAVIS ✓ 2047 INKOM RD INKOM, ID 83245 (208)775-3609
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Priority Date: ~~06/01/1885~~ 4/2/1947

Basis: Beneficial Use ✓

Status: Active ✓

Source

JACKSON CREEK ✓

Tributary

RAPID CREEK ✓

Beneficial Use

IRRIGATION ✓

From To

03/15 to 11/15
4/1 10/31Diversion Rate

0.060 CFS ✓

Annual Volume

N/A

Total Diversion:

0.060 CFS ✓

Location of Point(s) of Diversion

JACKSON CREEK ✓

BANNOCK County ✓

NE 1/4 NE 1/4 NE 1/4

SW SE NE

Sec. 22, Twp 07S, Rge 36E, B.M.

Place of Use

IRRIGATION ✓

Twp	Rge	Sec	NE				NW				SW				SE				Totals
07S	36E	22	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
																		3.0	3.0
																		2.0	2.0

Conditions of Approval:Remarks:

This right with 29-002946 limited to 2 ac
0.06 cfs

Comments:Dates and Other Information:

Claim Received Date: 7/22/2002
Owner Name Connector: OR
Mitigation Plan: False

RECEIVED

JUN 28 2002

WATER RESOURCE
WESTERN REGION

I Norris M. Murdock purchased in the fall of 1947, this 80 acres, which is a tract of land in Section 22 township 7 South Range 36 East Boise Meridian which is currently the Murdock Subdivision. I purchased this property from Roy Cardon, who at the time was using water from Rapid Creek and tributaries, which has an old Indian Decree water right. We would divert Jackson Creek, which runs through the place to Rapid Creek until such creek would become low of water. Then we would divert water from Rapid Creek. This has been happening before I purchased the property to the present time, June 26, 2002. As far as I know, this water has been used this way since the Indian water rights was put in place.

I declare this statement to be true.

Norris M. Murdock
NORRIS M. MURDOCK

STATE OF IDAHO
County of Bannock

On the 26th day of June, in the year 2002, before me, a Notary Public in and for said State personally appeared Norris M. Murdock, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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)

Charmaine Murdock
Notary Public

My commission expires 9-15-03

Residing at Intown, Id 83245

29-002946 + 29-13379

July 16, 2002

FE



Irrigation ditch system

Chaston 7-22-02

29-002946 + 29-13379

July 16, 2002

FE



Arnold Davis showing me Irrigation ditch that carries water



Looking SE. ditch runs along Base of Wire Fence line.

C. Saxton

29-002946 + 29-13377

July 16, 2002

FE



Culvert that leads to Chavers place



Irrigation + Orchard system

<Clinton 7-22-02>

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 29-13379
Date Received: 7/16/02
Receipt No: W039484
Received By: CS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KAREN B DAVIS Phone: (208) 775-3609

2047 INKOM RD
INKOM ID USA 83245

ARNOLD L DAVIS Phone: (208) 775-3609

2047 INKOM RD
INKOM ID USA 83245

2. Date of Priority: 06/01/1885

3. Source: JACKSON CREEK Trib. to: RAPID ~~RIVER~~

ALD
Creek

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	36E	22	NE NE NE	BANNOCK	

5. Description of diverting works:

HEADGATE/ DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.06	

7. Total Quantity Appropriated is:
0.06 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
07S	36E	22	SE	SE	IRRIGATION	3
					Section Acres	3
					Total Acres	3

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:

15. Basis of Claim: BENEFICIAL USE

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): Arnold L. Davis Date: 7-16-02
Sharon L. Davis Date: 7-16-02

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 16th
of July 2002 Craig L. Saxton

Notary Public

Residing at Borise Idaho

My commission Expires 8/14/07



Idaho Department of Water Resources Receipt

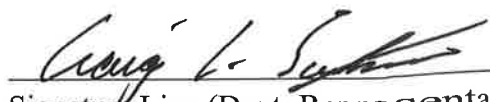
Receipt ID W029484

Payment Amount Date Received Region Status
Payment Type Check Number

Payer
Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$50.00	ADJUDICATION FILING FEE	0337	42503	1155	


Signature Line (Dept. Representative)