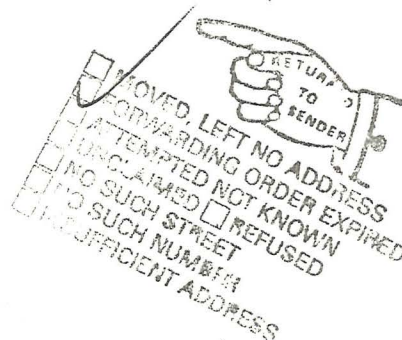




ADDRESS SERVICE
REQUESTED

NOV 21 2003

RETURN REQUESTED



Tom & Julie Harvey
1036 Hwy 95
Indian Valley ID 83632
Comment in QuickLook
mub 6/11/2007

JOAN E LAKEY

WILLIAM DON LAKEY
3024 GOODRICH RD SP 19
CAMBRIDGE ID 83610

NOVE
WR # 67-10747



SCANNED

FEB 27 2007

ADDRESS SERVICE
REQUESTED

FIRST CLASS



MOVED, LEFT
REMOVED, ADDING OR CHANGING
PROPERTY NOT KNOWN
STREET
CITY, STATE, ZIP
CITY ADDRESS

RECEIVED
NOV 28 2006
DEPARTMENT OF
WATER RESOURCES

~~Joan E Lakay
William Don Lakay
3024 Goodrich Rd SP 19
Cambridge ID 83610~~

ITF

David Yost
PO Box 254
Council ID 83612

NDE
WR # 67-7513A
parent right
c/o completed
mub
6/11/2007

06/15/2006

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

RIGHT NUMBER: 67-10747

NAME AND ADDRESS: WILLIAM DON LAKEY
3024 GOODRICH RD SP 19
CAMBRIDGE ID 83610

JOAN E LAKEY
3024 GOODRICH RD SP 19
CAMBRIDGE ID 83610

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 2,500 gallons per day.

PRIORITY DATE: 07/04/1950

POINT OF DIVERSION:

T15N R01W S32 NWSWNE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
COMMERCIAL	01/01 12/31	0.040 CFS

Domestic use is for 1 home and 1 restaurant known as Lakeys Cafe.

PLACE OF USE: COMMERCIAL Within ADAMS County

T15N R01W S32 SWNE

DOMESTIC Within ADAMS County

T15N R01W S32 SWNE

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.

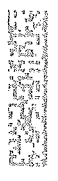
The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Parcel No. RP15N01W324501A

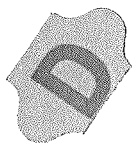
Property is also known as Lakeys Cafe.

0004389596 JAN 19 2007
MAILED FROM ZIP CODE 02139



EE

Director's Report
WR # 67-10747



RECEIVED
JAN 23 2007
DEPARTMENT OF
WATER RESOURCES

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES
NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES
NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

JOAN E LAKEY
WILLIAM DON LAKEY
3024 GOODRICH RD SP 19
CAMBRIDGE ID 83610

WTT

98 IL 83720-0098

SCANNED

MAR 13 2007



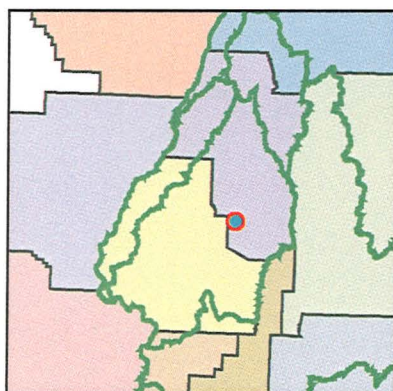
Idaho Department of Water Resources

SRBA Recommendation:

67-10747

Legend

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



Adams County
IDWR Basin 67



0 0.1 0.2 Miles



Prepared by M. Van Bussum
On Thursday, June 15, 2006
1987/88 Aerial Photography

Adjudication Recommendation Report 67-10747 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WILLIAM DON LAKEY 3024 GOODRICH RD SP 19 CAMBRIDGE, ID 83610 (208)256-4384
Current Owner	JOAN E LAKEY 3024 GOODRICH RD SP 19 CAMBRIDGE, ID 83610 (208)256-4384

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Location of Point(s) of Diversion</u>		
GROUND WATER	NW1/4SW1/4NE1/4	Sec. 32, Twp 15N, Rge 01W, B.M.
ADAMS County		

[illegible][illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-10747 V1

Conditions of Approval:

1. X01 Domestic use is for 1 home and 1 restaurant known as Lakeys Cafe.
2. Parcel No. RP15N01W324501A
3. N06 The quantity of water under this right shall not exceed 2,500 gallons per day.
4. J01 Property is also known as Lakeys Cafe.
5. 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.
6. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.

Remarks:Comments:

1. mvanbussum 6/15/2006 Purpose of Use and Quantity
Comment: Have sent multiple letters requesting evidence of priority. I sent the last letter in October 2005 and have received no evidence of priority. In the letter of 10/2005, I notified claimants if they did not send in evidence of priority, the claim would be recommended under Idaho Code 42-111 for domestic, commercial and heating use. Recommend as domestic, commercial and heating and limit diversion rate to 0.04 cfs and maximum diversion volume of 2500 gpd.
2. mvanbussum 6/15/2006 copied from remarks
Comment: ADDRESS CHANGE BY CLAIMANT LETTER.
3. mvanbussum 6/15/2006 POU
Comment: POU generated from taxlot.

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: 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

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	6/15/2006 11:42:34 AM	mvanbussum			Active
Priority Date	6/15/2006 11:44:40 AM	mvanbussum			Active
POD	6/15/2006 11:45:39 AM	mvanbussum			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10747 V1

Source	6/15/2006 11:47:42 AM	mvanbussum	Active
POU	6/15/2006 11:48:27 AM	mvanbussum	Active
Use	6/15/2006 11:49:55 AM	mvanbussum	Active
Season	6/15/2006 11:50:32 AM	mvanbussum	Active
Quantity	6/15/2006 12:31:53 PM	mvanbussum	Active
Quantity	6/15/2006 12:44:52 PM	mvanbussum	Active
Summary	06/15/2006	mvanbussum	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Quantity	6/15/2006 12:44:55 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? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - Per Dave Tuthill, no measurement needed if claimed diversion rate is below 0.2 cfs. Description for Question 10 - Right limited to 2500 gpd, 3.069 ac-ft per 1 million gallons and 365 days per year = 2.8 AFA
Summary	6/15/2006 12:45:50 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?
POD	6/15/2006 11:45:42 AM	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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10747 V1

Contacts	6/15/2006 11:42:37 AM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop review.
General	6/15/2006 11:44:42 AM	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? (Yes) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Recommend under Idaho Code 42-111, domestic definition B. No EOP needed.
POD	6/15/2006 11:46:47 AM	mvanbussum	Updated shape
POU	6/15/2006 11:49:05 AM	mvanbussum	Updated shape for Active POU
POU	6/15/2006 11:49:20 AM	mvanbussum	Updated shape for Active POU
Source	6/15/2006 11:47:44 AM	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 verifies source.
POU	6/15/2006 11:48:30 AM	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 and visitation of Lakeys Cafe verify use.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10747 V1

Use	6/15/2006 11:49:57 AM	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 and visitation of Lakeys Cafe verify purpose of use.
Season	6/15/2006 11:50:35 AM	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 administratively determined? (No) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required? Description for Question 15 - Recommended IDWR standard period of use for commercial and domestic.
Quantity	6/15/2006 12:31:56 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? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - Per Dave Tuthill, no measurement needed if claimed diversion rate is below 0.2 cfs. Description for Question 10 - Right limited to 2500 gpd, 3.069 ac-ft per 1 million gallons and 365 days per year = 2.8 AFA

Water Supply Bank:

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 67-10747
Date Received: 10/11/1989
Receipt No: M004901
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

WILLIAM DON LAKEY Phone: (208)256-4384

3024 GOODRICH RD SP 19
CAMBRIDGE ID USA 83610

JOAN E LAKEY Phone: (208)256-4384

3024 GOODRICH RD SP 19
CAMBRIDGE ID USA 83610

2. Date of Priority: 07/04/1950

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15N	01W	32	NW SW NE	ADAMS	

5. Description of diverting works:

WELL REPLACED IN 1988 100' DEEP, 6" CASING, 1HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
COMMERCIAL	1/01	12/31	0.04	
DOMESTIC	1/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.08 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
15N	01W	32	SW	NE	DOMESTIC	
			SW	NE	COMMERCIAL	

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

ADDRESS CHANGE BY CLAIMANT LETTER.

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): _____ Date: _____

Date:

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

RECEIVED

SEP 12 1996

WATER RESOURCES
WESTERN REGION

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: **A67-10747**

Date Received: 10/11/1989

Receipt No: M004901

Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: WILLIAM DON LAKEY 208-256-4384
Address: 3024 GOODRICH RD SP 19
CAMBRIDGE ID 83610

OR

Name: JOAN E LAKEY 208-256-4384
Address: 3024 GOODRICH RD SP 19
CAMBRIDGE ID 83610

2. Date of Priority: JUL 4, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	01W	32	NW	SW	NE		ADAMS

5. Description of diverting works:
WELL REPLACED IN 1988 100' DEEP, 6" CASING, 1HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.040		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE OHUSEHOLD; C/ RESTAURANT - LAKEY'S CAFE.

SCANNED
APR 09 2004

MICROFILMED
OCT 22 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	01W	32	SW	NE		COMMER	
			SW	NE		DOMEST	

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

NONE

14. Remarks:

ADDRESS CHANGE BY CLAIMANT LETTER.

15. Basis of Claim: BENEFICIAL USE

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: A67-10747
Date Received: 10/11/1989
Receipt No: 1004901
Received By: AB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM DON LAKEY 208-256-4384
Address: HC 68 BOX 2240
CAMBRIDGE, ID 83610

OR

Name: JOAN E. LAKEY 208-256-4384
Address: HC 68 BOX 2240
CAMBRIDGE, ID 83610

2. Date of Priority: JUL 04, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	01W	32	NW	SW	NE		ADAMS

5. Description of diverting works:
WELL REPLACED IN 1988 100' DEEP, 6" CASING, 1HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.040		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE OHUSEHOLD; C/ RESTAURANT - LAKEY'S CAFE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	01W	32	SW	NE		COMMER	
			SW	NE		DOMEST	

11. Place of use in counties: ADAMS

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: 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: 0

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): William Don Luky Date: 10-11-89

Date: _____

State of Idaho)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of October 19 89

Anna Baunhoff
Notary Public

Seal

Residing at Anna Baunhoff, Notary Public
Residing at Boise, Idaho
My Commission Expires December 7, 1994

MICROFILMED
OCT 05 1992



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

RECEIVED

SEP 11 1996

Department of Water Resources

PHILIP E. BATT
 GOVERNOR

September 5, 1996

KARL J. BREHER
 DIRECTOR

RECEIVED
 SEP 12 1996

WATER RESOURCES
 WESTERN REGION

WILLIAM DON OR JOAN LAKEY
 3024 GOODRICH RD SP 19
 CAMBRIDGE ID 83610

Re: Snake River Basin Adjudication (SRBA)
 Notices of Claim No. A67-00035A, A67-04027, A67-07513 &
 A67-10747
Change of Address

*A'lews changed. SRBA records
 ss 9-11-96*

Dear Claimants,

IDWR has been notified the address presently in our claim records is incorrect. Although we have reached you at the address above, we need you to confirm this is your correct mailing address. Future notices related to your SRBA claims can be sent only to the address on your claim or as otherwise changed by you. The staff of this agency must avoid relying upon the word of others about your mailing address.

If the address above is correct, please sign your name at the bottom of this letter, and return it to this office. Otherwise, please make the proper corrections, sign, and return this letter. Thank you for your help. We hope to assure that you receive future notices about SRBA matters.

If the ownership of the property to which the water right referenced above apply has changed, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

Adjudication Bureau Staff

SO:ss:region

#####

The address is correct as shown above or as otherwise changed.

Joan Lakey
 Claimant Signature

SCANNED

APR 09 2004

MICROFILMED

OCT 22 1996

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF TWIN FALLS**

In Re Snake River Basin Adjudication Case)
No. 39576)

Notice of Filing Director's Report and Supplemental
Director's Report Part II & III, United States' and Tribal
Non-consumptive Claims.

TO: ALL CLAIMANTS OF RIGHTS TO THE USE OF WATER IN THE SNAKE RIVER BASIN
YOU ARE HEREBY NOTIFIED OF THE FOLLOWING:

THE DIRECTOR'S REPORT PART II & III FOR THE UNITED STATES' AND TRIBAL NON-CONSUMPTIVE CLAIMS HAS BEEN FILED WITH THE DISTRICT COURT. A SUPPLEMENTAL DIRECTOR'S REPORT PART II & III HAS ALSO BEEN FILED WITH THE DISTRICT COURT. THIS NOTICE CONTAINS IMPORTANT INFORMATION ABOUT THE DIRECTOR'S REPORTS, AND DEADLINES AND FURTHER PROCEEDINGS ON THESE WATER RIGHT CLAIMS.

IMPORTANT NOTICE REGARDING YOUR WATER RIGHT

**THIS CONTAINS YOUR LEGAL NOTICE OF THE DIRECTOR'S REPORTS OF U.S. AND
TRIBAL NON-CONSUMPTIVE CLAIMS IN THE SNAKE RIVER BASIN ADJUDICATION
THESE CLAIMS COULD AFFECT YOUR WATER RIGHT**

42742
Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720

Presorted
First Class Mail
U.S. Postage Paid
Boise, Idaho
Permit No. 1

AG7-0035A ✓
✓ - 04027 ✓
✓ - 07513 ✓
✓ - 10747 ✓


☐ MOVED, LEFT NO ADDRESS
☒ FORWARDING ORDER EXPIRED
☐ ATTEMPTED ORDER NOT KNOWN
☐ UNCLAIMED ☐ REFUSED
☐ NO SUCH STREET
☐ NO SUCH NUMBER
☐ INSUFFICIENT ADDRESS

**RECEIVED
APR 19 1995**

Department of Water Resources

~~WILLIAM DON LAKEY
JOAN LAKEY
HC 68 BOX 2240
CAMBRIDGE ID 83610~~

Correction
3024 Goodrich Rd, Sp 19
Cambridge, Id 83610

**MICROFILMED
OCT 22 1996**

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF TWIN FALLS

In Re Snake River Basin Adjudication Case
No. 39576

Notice of Filing Director's Report and Supplemental
Director's Report Part II & III, United States' and Tribal
Non-consumptive Claims.

TO: ALL CLAIMANTS OF RIGHTS TO THE USE OF WATER IN THE SNAKE RIVER BASIN
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TRIBAL NON-CONSUMPTIVE CLAIMS IN THE SNAKE RIVER BASIN ADJUDICATION
THESE CLAIMS COULD AFFECT YOUR WATER RIGHT

42803
Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720

Presorted
First Class Mail
U.S. Postage Paid
Boise, Idaho
Permit No. 1

RETURNED
TO
SENDER
☒ MOVED, LEFT NO ADDRESS
☒ FORWARDING ORDER EXPIRED
☐ UNCLAIMED NOT KNOWN
☐ NO SUCH STREET
☐ NO SUCH NUMBER
☐ INSUFFICIENT ADDRESS

RECEIVED
APR 19 1995

Department of Water Resources

WILLIAM DON LAKEY
JOAN E LAKEY
HC 68 BOX 2240
CAMBRIDGE ID 83610

Correction
3024 Goodrich Rd, Sp 19
Cambridge, Id 83610

> A67-0035A ✓ c owner
A67-00055B-0 owner
> r-04027 ✓
> r-07073 ✓ owner
> r-07513 ✓
> r-10747 ✓

MICROFILMED
OCT 22 1996



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

*Sent
10/18 MVR*

October 18, 2005

THOMAS & JULIE HARVEY
1036 HWY 95
INDIAN VALLEY ID 83632

67-4027, 67-10747

Re: Evidence of Priority Date and Ownership

Dear Claimants:

The Notices of Claim to a Water Right (claim) identified with the numbers shown have been filed in the Snake River Basin Adjudication (SRBA). The claims indicate your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed. **Proof must be provided by the claimant supporting the priority date claimed and the historic use of the water.**

Enclosed you will find a computer printout of your claims and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. A map of the general area stated in your claims is also enclosed. Please outline the location of your place of use (i.e. house) and note the location of wells or other points of diversion. Please submit the completed maps along with your evidence of priority. This will assist me in making a more accurate recommendation of your claim(s).

PLEASE NOTE: If no evidence is submitted, 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, referencing all documents with the corresponding claim number. Send the documents in the enclosed envelope to assure it arrives at the correct location.

This letter addresses multiple, specific issues with the above-mentioned claims. They are listed below.

1. Evidence of Priority for 67-10747

- a. In my last communication of August 24, 2005, in regards to claim 67-10747 I mentioned I had been unable to find a driller's report for the first well on your property. I suggested that you contact the title company and have them trace the deeds back to see if the property in 67-10747 was deemed commercial. If it was, you can use that as evidence of priority.
- b. Also in my communication of August 24, I asked you to send me an affidavit from someone who has been in the area for a while and knows firsthand there have always been two homes on the property, I would have enough information to complete the recommendation for 67-10747. I also mentioned that, if the second home is new and an affidavit is out of the question, you can file a new claim for the second household at a cost of \$25, or you can choose not to file a claim at all as small domestic use rights do not have to be claimed in the SRBA.



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2. I am including a change of ownership form for these claims since I understand from our phone conversation you are purchasing the property from William and Joan Lakey. Please fill it out, sign it and return it to me in the enclosed envelope.
3. Also, on the enclosed Notice of Claim for 67-10747, please ensure the legal description of the place of use is correct as: T15N R01W S32 SW1/4 NE1/4.
 - a. If it is not, please correct it, sign the corrected Notice of Claim, have it notarized and return it to me at this office.
 - b. If it is correct, you do not need to do anything with the Notice of Claim.
4. Claim 67-4027 is also in the Lakeys' names. Please either contact me or send in the change of ownership as soon as possible so I can determine if 67-4027 should be changed to your name. I will need evidence of a priority date for 67-4027.

If I do not receive correspondence from you by **November 4, 2005**, I will set both of the above mentioned water rights to be recommended under Idaho Code 42-111 which will allow for domestic, commercial and heating use, but limits diversion rate to 0.04 cfs and a maximum diversion volume of 2500 gallons per day.

I realize this is a lot of information to process all at once, so please call me at (208) 287-4907 with any questions.

Sincerely,

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

Enclosures



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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

sent
08/24

August 24, 2005

RE: Snake River Basin Adjudication (SRBA) claim 67-10747

Dear Claimants,

During my conversation with Julie today, I offered to look for more information regarding drilling of the first well on your property. I have been unable to find a well driller's report in our records. However, you do have an option other than the driller's report. If you can contact the title company and have them trace the deeds back and, if the property was deeded as commercial, we can use that as evidence of priority.

We also discussed there being two households on the property. If there have always been two homes on the property, we do not need to amend the claim. If you can send me a notarized affidavit that says there have always been two homes, that will be fine to complete the recommendation. If the second home is new, there are a couple of options. First, if it is new and you want it to be included in the SRBA, you will have to file a new claim at a cost of \$25. The second option if it is new is to not claim it at all. Small domestic use rights do not have to be claimed in the SRBA and, therefore, you do not have to claim the second household.

If you have any questions, please call me at (208) 287-4907.

Respectfully submitted,

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



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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

*Sent 08/17
MVB*

August 17, 2005

RE: Snake River Basin Adjudication (SRBA) claim 67-10747

Dear Claimants,

The Idaho Department of Water Resources is currently in the process of reviewing SRBA claims filed in basin 67. In my review, it appears that you are the current owners of Lakey's Café. We have an SRBA claim for commercial use for Lakey's Café and domestic use for one household. I need you to confirm this is still a valid claim. Please look over the enclosed Notice of Claim and contact me at (208) 287-4907 to discuss the claim.

Without the requested information, the recommendation of the court for the above mentioned claim could result in disallowal.

Respectfully submitted,

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

Enclosure(s)

*Thomas + Julie Harvey
1036 Hwy 95
Indian Valley
83632*

from taxlots



State of Idaho

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 11, 2005

WILLIAM DON LAKEY
JOAN E LAKEY
3024 GOODRICH RD SP 19
CAMBRIDGE ID 83610

RE: Snake River Basin Adjudication (SRBA) claim 67-10747

Dear Claimants:

The Idaho Department of Water Resources is currently in the process of reviewing SRBA claims filed in basin 67. In my review of your claim, I am having trouble locating your place of business and domestic use. The legal description is:

T15N R01W S32 SW1/4NE1/4

According to the Adams County taxlot data, you do not own any property matching this legal description. It would be very helpful if you can provide additional information on your place of business, Lakey's Café, and the domestic use. Such information can be in the form of a deed or parcel number for the property. If we have the incorrect legal description on your claim, please just send back notice of the correct information.

For your convenience I have enclosed a copy of your SRBA claim 67-10747.

Respectfully submitted,

Monica Van Bussum
Water Resource Agent/GIS Technician
Adjudication Bureau

Enclosure