

11/07/2006

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

RIGHT NUMBER: 67-11300

NAME AND ADDRESS: DAVID WAYNE WEAVER
1405 MILL ST
ELY NV 89301

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.050 CFS

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/10/1918

POINT OF DIVERSION:

T16N R01W S26 NWNE 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	0.020 CFS
STOCKWATER	01/01 12/31	0.030 CFS

Domestic use is for 1 home.

PLACE OF USE: STOCKWATER in ADAMS County

T16N R01W S26 SWNE T16N R01W S26 SENE

DOMESTIC in ADAMS County

T16N R01W S26 SENE

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

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

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: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 100 range cattle.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11300 V1

WATER RIGHT NUMBER: 67-11300 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ILENE M SHAFFER PO BOX 336 COUNCIL, ID 83612-0336 (208)253-4860
Original Owner	DUANE C SHAFFER PO BOX 336 COUNCIL, ID 83612-0336 (208)253-4860
Current Owner	DAVID WAYNE WEAVER 1405 MILL ST ELY, NV 89301

Priority Date: 05/10/1918

Basis: Beneficial Use

Status: Disallowed

<u>Source</u>	<u>Tributary</u>
SPRING	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.020 CFS	
STOCKWATER	01/01 to 12/31	0.030 CFS	
	<u>Total Diversion:</u>	0.050 CFS	

Location of Point(s) of Diversion

SPRING	NW1/4NE1/4	Sec. 26, Twp 16N, Rge 01W, B.M.
ADAMS County		

Place of UseDOMESTIC Within ADAMS County

T16N R01W S26 SENE

STOCKWATER Within ADAMS County

T16N R01W S26 SWNE T16N R01W S26 SENE

Conditions of Approval:

1. N14 The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.
2. X01 Domestic use is for 1 home.
3. N09 The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11300 V1

4. 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.
5. X02 Stockwater use is for 100 range cattle.

Remarks:Comments:

1. Vmusic 11/7/2006 PRIORITY
Comment: CURRENT OWNER FILED AFFIDAVIT THAT DATES USE BACK TO 1995. 1890 CLAIMED.
2. Vmusic 11/7/2006 POU OVERLAP
Comment: POU TOTALLY OVERLAPS WITH 67-320.
3. Vmusic 11/7/2006 POD
Comment: GUESSED AT LOCATION. CLAIM MAP NOT CLEAR. NOT DECREED IN 67-320
4. Vmusic 11/7/2006 BASIS FOR RECOMMENDATION
Comment: NO EVIDENCE OF PRIORITY SO DELETED IRRIGATION USE. NEED FIELD EXAM TO CALCULATE FLOW.. NEED POD

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>
Summary			11/07/2006	Vmusic	Disallowed
Contacts	11/7/2006 3:58:37 PM	Vmusic			Disallowed
Use	11/7/2006 4:02:59 PM	Vmusic			Disallowed
Summary			11/07/2006	Vmusic	Disallowed
Priority Date	11/7/2006 4:07:28 PM	Vmusic			Disallowed
POD	11/7/2006 4:07:42 PM	Vmusic			Disallowed
POU	11/7/2006 4:08:10 PM	Vmusic			Disallowed
Use	11/7/2006 4:08:37 PM	Vmusic			Disallowed
Quantity	11/7/2006 4:08:54 PM	Vmusic			Disallowed

Wm
11-15-06
Wm

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	11/7/2006 3:47:59 PM	Vmusic	Updated shape for Active POU
POU	11/7/2006 3:47:06 PM	Vmusic	Updated shape for Active POU
POU	11/7/2006 3:50:00 PM	Vmusic	Updated shape for Active POU
POD	11/7/2006 3:31:21 PM	Vmusic	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11300 V1

Summary	11/7/2006 3:58:21 PM	Vmusic	(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. Does this right have any combined use limits with other rights? (Yes) 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?
Contacts	11/7/2006 3:58:37 PM	Vmusic	(No) 1. Do you want to schedule an appointment?
Use	11/7/2006 4:02:59 PM	Vmusic	Comment for 1: DESKTOP REVIEW (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? (No) 11. Does the file contain all the necessary information to verify the Water Use? (Yes) 13. Is a Purpose of Use remark and/or condition required?
Summary	11/7/2006 4:06:21 PM	Vmusic	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 4. Is any portion of the claim be recommended? (Yes) 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11300 V1

General	11/7/2006 4:07:28 PM	Vmusic	(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? (No) 12. Does the claim file contain sufficient evidence of Priority Date? (No) 13. Has additional evidence of priority date been submitted? (Yes) 14. Can any portion of the claim be recommended as a valid water right? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	11/7/2006 4:07:42 PM	Vmusic	(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?
POU	11/7/2006 4:08:10 PM	Vmusic	(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? (No) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required?
Use	11/7/2006 4:08:37 PM	Vmusic	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit?
Quantity	11/7/2006 4:08:54 PM	Vmusic	(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? (Yes) 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?

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 67-11300

11/07/2006

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
67-13667	Claim	16N	01W	26	NW	NE		SPRING	
67-13854	Claim	16N	01W	26	NW	NE		SPRING	
67-11300	Claim	16N	01W	26	NW	NE		SPRING SINKS	DAVID WAYNE WEAVER
67-7823	Water Right	16N	01W	26	NW	NE		LESTER CREEK WEISER RIVER	ILENE M SHAFFER

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 67-11300

11/07/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
-320	Claim	16N	01W	26	NE	NE		IRRIGATION	0.5/29	DAVID WAYNE WEAVER
11300	Claim	16N	01W	26	NE	NE		IRRIGATION	0.5/7	DAVID WAYNE WEAVER
-320	Water Right	16N	01W	26	NE	NE		IRRIGATION		MARY E HOUSTON
-320	Claim	16N	01W	26	NW	NE		IRRIGATION	2/29	DAVID WAYNE WEAVER
11300	Claim	16N	01W	26	NW	NE		IRRIGATION	2/7	DAVID WAYNE WEAVER
7823	Water Right	16N	01W	26	NW	NE		IRRIGATION	10/35	ILENE M SHAFFER
-320	Claim	16N	01W	26	SW	NE		IRRIGATION	18.5/29	DAVID WAYNE WEAVER
11300	Claim	16N	01W	26	SW	NE		IRRIGATION	4.5/7	DAVID WAYNE WEAVER
-320	Water Right	16N	01W	26	SW	NE		IRRIGATION		MARY E HOUSTON
7823	Water Right	16N	01W	26	SW	NE		IRRIGATION	5/35	ILENE M SHAFFER
-320	Claim	16N	01W	26	SE	NE		IRRIGATION	8/29	DAVID WAYNE WEAVER
11416	Claim	16N	01W	26	SE	NE		IRRIGATION	40/2054	EAST FORK DITCH CO LTD
-320	Water Right	16N	01W	26	SE	NE		IRRIGATION		MARY E HOUSTON

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

67-11300)

State of Idaho)
County of Adams)

AFFIDAVIT

RECEIVED

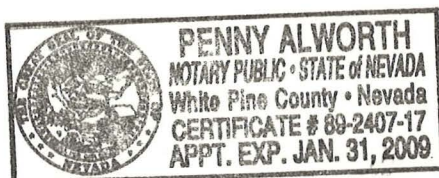
SEP 20 2005
DEPARTMENT OF
WATER RESOURCES

SEP 20 2005
DEPARTMENT OF
WATER RESOURCES

being first duly sworn,

deposes and says:

I use This water Right
every year I Have used This water
Right Every year since I Bought This
Property in 1995 The pond is used
for stock water and To irrigate The
Hay field located Below The pond
The spring is used To water The lawn
and Fruit Trees The over flow runs into
The pond Below The house and is used for
stock water and To irrigate the Hay field
Below The house The well is used for
The home and the front lawn fish
also live in the ponds



SEAL

SCANNED
SEP 20 2005

David Munn
(Signature)

Subscribed and sworn to before me this
day 16th of September, 192005.

Penny Alworth
(Notary Public)

Residing at Elk Nv 89301
My Commission Expires 1/31/09

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-11300

WATER RIGHT NUMBER: 67-11300

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ILENE M SHAFFER PO BOX 336 COUNCIL, ID 83612-0336 (208)253-4860
Original Owner	DUANE C SHAFFER PO BOX 336 COUNCIL, ID 83612-0336 (208)253-4860
Current Owner	DAVID WAYNE WEAVER 1405 MILL ST ELY, NV 89301

Priority Date: 12/31/1890

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SINKS

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.020 CFS	
IRRIGATION	3/15 to 11/15	0.140 CFS	
STOCKWATER	1/01 to 12/31	0.030 CFS	
<u>Total Diversion:</u>		0.190 CFS	

Location of Point(s) of Diversion

SPRING

ADAMS County

SW1/4NW1/4NE1/4

Sec. 26, Twp 16N, Rge 01W, B.M.

Place of UseDOMESTIC Within ADAMS County

T16N R01W S26 SENE

IRRIGATION Within ADAMS County

T16N R01W S26 NENE 0.5 T16N R01W S26 NWNE 2.0

T16N R01W S26 SWNE 4.5

Total Acres: 7

STOCKWATER Within ADAMS County

T16N R01W S26 SWNE T16N R01W S26 SENE

limited to 29 acres w/ 63-320
limited to 58 cfs w/ 63-320

is PDD
from pond
or spring?

direct overlap w/ 63-310

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 67-11300

Conditions of Approval:

1. POND PROBABLY BEEN THEIR SINCE PRIORITY DATE, BUT HAS BEEN ENLARGED SINCE.
DOMESTIC LAWN AND GARDEN SPRINKLING.
POND IS FROM OVERFLOW OF SPRING. SIZE OF POND MAX IS APPROX 50' DIA MAX DEPTH 3
OR 4' DEEP.
DOMESTIC DRINKING IS FROM WELL NOW, BUT ORIGINAL INSIDE USE PROBABLY WAS
FROM THIS SPRING.
OWNERSHIP CHANGED BY LH 9/18/95.

Remarks:Comments: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>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank:

- ① no eop submitted - affidavit of current owner goes back to 1995. Advance p. date to 1 day > deeper or 5/10/1918 for p/s.
- ② Overlap of same acres. Combined use limit 10/63-320. limited to 20 acres irrigation
- ③ Quantity combined use for irr w/ 63-320. limited to ~~50~~ cfs for irrigation w/ 63-320
- ④ no info re pump size, etc.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 18, 1995

Re: Notices of Claim to a Water Right Nos. A67-00320, A67-11299,
A67-11300

David Wayne Weaver
1405 Mill Street
Ely, NV 89301

Mr. Weaver:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

Claims have not been filed on 67-07972 and 67-07823 in the Snake River Adjudication and are not required to be filed. We have forwarded the ownership change information to our central office for their records on these two water rights.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

If you have any questions concerning the enclosed claims, please feel free to contact this office.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:1
Enclosures

CC: Duane & Ilene Shaffer

MICROFILMED
OCT 23 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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A67-11300**
Date Received: 12/12/1989
Receipt No: W007087
Received By: _____

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

1. Name: DAVID WAYNE WEAVER
Address: 1405 MILL STREET
ELY NV

89301

2. Date of Priority: DEC 31, 1890

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	01W	26	SW	NW	NE		ADAMS

5. Description of diverting works:
PUMPED FROM SPRING TO LAWN & GARDEN, OVERFLOW TO POND

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		
STOCKWATER	01/01	12/31	0.030		
IRRIGATION	03/15	11/15	0.140		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, LAWN SPRINKLING; STOCKWATER, UP TO 100 HEAD BEEF

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	01W	26	NE	NE		IRR	0.5
			NW	NE		IRR	2.0

SCANNED
APR 12 2004

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16N	01W	26	SW	NE	IRR	4.5
			SW	NE	STOCK	
			SE	NE	DOMEST	
			SE	NE	STOCK	
					Section Acres	7.0
					Total Acres	7.0

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:
A67-00320, A67-11299

14. Remarks:

POND PROBABLY BEEN THEIR SINCE PRIORITY DATE,BUT HAS BEEN
ENLARGED SINCE.
DOMESTIC LAWN AND GARDEN SPRINKLING.
POND IS FROM OVERFLOW OF SPRING.SIZE OF POND MAX IS APPROX 50'DIA
MAX DEPTH 3 OR 4' DEEP.
DOMESTIC DRINKING IS FROM WELL NOW, BUT ORIGINAL INSIDE
USE PROBABLY WAS FROM THIS SPRING.
OWNERSHIP CHANGED BY LH 9/18/95.

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 _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

RECEIVED

SEP 14 1995

Department of Water Resources

DATE OF CLOSING: 8/18/95

LEGAL DESCRIPTION OF PROPERTY: Township 16 N Range 01 W
 Section 23 & 24 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.

RECEIVED

SEP 15 1995

WATER RESOURCES
WESTERN REGION

☐ 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:

A67-11299, A67-11300, A67-00320
A67-07972 & A67-07823

☐ Name and Address of Former
Owner/Claimant(s)(Seller):

Duane C Shaffer +/or Ilene M. Shaffer
P.O. Box 336

☐ New Owner/Claimant
(Purchaser):

Council, ID 83612

David Wayne Weaver

☐ New Mailing Address:

1405 Mill Street

Ely, NV 89301

☐ New Telephone Number: () _____ - _____

☐ 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:

POOR ORIGINAL

☐ Attach proof of
ownership, describe
proof attached:

Copy of 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)

X David Wayne Weaver

Date 8/18/95

Date

☐ Signature of Former
Owner/Claimant(s):

Date

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: 9-18-95 By: JD

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 9-18-95 By: JD

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
 Copies to Former Owner and New Owner

MICROFILMED

OCT 23 1996

INSTRUMENT NO. **88519**
WARRANTY DEED

POOR ORIGINAL

For Value Received DUANE CHARLES SHAFFER, aka DUANE C. SHAFFER, and ILENE MARIE SHAFFER, aka ILENE M. SHAFFER, husband and wife

the grantors , do hereby grant, bargain, sell and convey unto
DAVID WAYNE WEAVER, a single man

RECEIVED

SEP 14 1995

the grantee, whose current address is, 1405 Mill Street, Ely, NV 89301 Department of Water Resources

the following described premises, in Adams County, Idaho, to-wit:

RECEIVED

SEE ATTACHED EXHIBIT "A" MADE A PART HEREOF.

SEP 15 1995

WATER RESOURCES
WESTERN REGION

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantee his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee , that they are the owners in fee simple of said premises; that they are free from all incumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title.

and that they will warranty and defend the same from all lawful claims whatsoever.

Date: August 4, 1995

Duane C. Shaffer
Duane Charles Shaffer, aka Duane C. Shaffer

Ilene M. Shaffer
Ilene Marie Shaffer, aka Ilene M. Shaffer

STATE OF Idaho)
) ss
COUNTY OF Adams)

STATE OF IDAHO. COUNTY OF ADAMS
I hereby certify that this instrument was filed for record
at the request of Timberline Title & Escrow

On this 18th day of Aug. in the year of 1995. before me
a Notary Public, personally appeared DUANE CHARLES
SHAFFER, aka DUANE C. SHAFFER, & ILENE MARIE
SHAFFER, aka ILENE M. SHAFFER
known or identified to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to me
that they executed the same

at 56 minutes past 4 o'clock PM.
this 18th day of August, 1995, in my
office, and duly recorded in Book

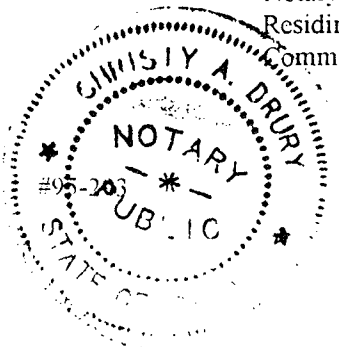
of Deeds at page

Christy A. Drury
Notary Public
Residing at Franklin, Idaho
Commission expires: 8/4/98

MICHAEL FISK
Ex-Officio Recorder

By: Peggy Linkal
Deputy

Fees \$6.00
Mail to: Timberline Title & Escrow



MICROFILMED
OCT 23 1995

PARCEL 1

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho

Section 26: N1/2NE1/4NE1/4

RECEIVED
SEP 14 1995

PARCEL 2

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho

Department of Water Resources

Section 26: E1/2NW1/4, W1/2NE1/4, SE1/4NE1/4, S1/2NE1/4NE1/4

Section 23: SE1/4SW1/4, SW1/4SE1/4

EXCEPTING THEREFROM a parcel in the SW1/4SE1/4 of Section 23 in Township 16 North, Range 1 West more particularly described as follows:

Beginning at the NW corner of said SW1/4SE1/4;

Thence North 89 degrees 44'00" East along the Northerly boundary of said SW1/4SE1/4 a distance of 1317.88 feet to the NE corner of said SW1/4SE1/4;

Thence South 00 degrees 13'47" East along the Easterly boundary of said SW1/4SE1/4 a distance of 1303.87 feet to the SE corner of said SW1/4SE1/4;

Thence South 89 degrees 39'38" West along the Southerly boundary of said SW1/4SE1/4 a distance of 858.13 feet to the centerline of an existing gravel road;

Thence traversing said centerline as follows:

North 13 degrees 40'01" West a distance of 419.51 feet;

Northwesterly 169.43 feet along a curve to the left having a central angle of 47 degrees 48'22", a radius of 203.07 feet and a long chord which bears North 37 degrees 34'13" West a distance of 164.56 feet;

North 61 degrees 28'24" West a distance of 201.35 feet;

Northwesterly 44.68 feet along a curve to the left having a central angle of 15 degrees 54'36", a radius of 160.89 feet and a long chord which bears North 69 degrees 25'42" West a distance of 44.53 feet;

Thence leaving said centerline and bearing North 04 degrees 06'35" West along an existing fenceline a distance of 654.62 feet to the POINT OF BEGINNING.

TOGETHER WITH any and all water rights appurtenant to the property.

SUBJECT TO THE FOLLOWING:

MICROFILMED

OCT 28 1996

test 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: A67-11300
Date Received: 12/12/1989
Receipt No: W007087
Received By: RLH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DUANE C. SHAFFER 208-253-4860
Address: P.O. BOX 336
COUNCIL, ID 83612

OR
Name: ILENE M. SHAFFER 208-253-4860
Address: P.O. BOX 336
COUNCIL, ID 83612

2. Date of Priority: DEC 31, 1890

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	01W	26	SW	NW	NE		ADAMS

5. Description of diverting works:
PUMPED FROM SPRING TO LAWN & GARDEN, OVERFLOW TO POND

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		
STOCKWATER	01/01	12/31	0.030		
IRRIGATION	03/15	11/15	0.140		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC LAWN SPRINKLING, STOCK UP TO 100HD, BEEF

A67-11300

Page 1

Date: 12/12/89

MICROFILMED
OCT 05 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	01W	26	NE	NE		IRR	0.5
			NW	NE		IRR	2.0
			SW	NE		IRR	4.5
			SW	NE		STOCK	
			SE	NE		DOMEST	
			SE	NE		STOCK	
						Section Acres	7.0
						Total Acres	7.0

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:
A67-00320,A67-11299

14. Remarks:

POND PROBABLY BEEN THEIR SINCE PRIORITY DATE,BUT HAS BEEN ENLARGED SINCE.
DOMESTIC LAWN AND GARDEN SPRINKLING.
POND IS FROM OVERFLOW OF SPRING.SIZE OF POND MAX IS APPROX 50'DIA
MAX DEPTH 3 OR 4' DEEP.
DOMESTIC DRINKING IS FROM WELL NOW, BUT ORIGINAL INSIDE
USE PROBABLY WAS FROM THIS SPRING.

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 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): Duane C. Shaffer Date: 12/12/89

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of Dec 19 89

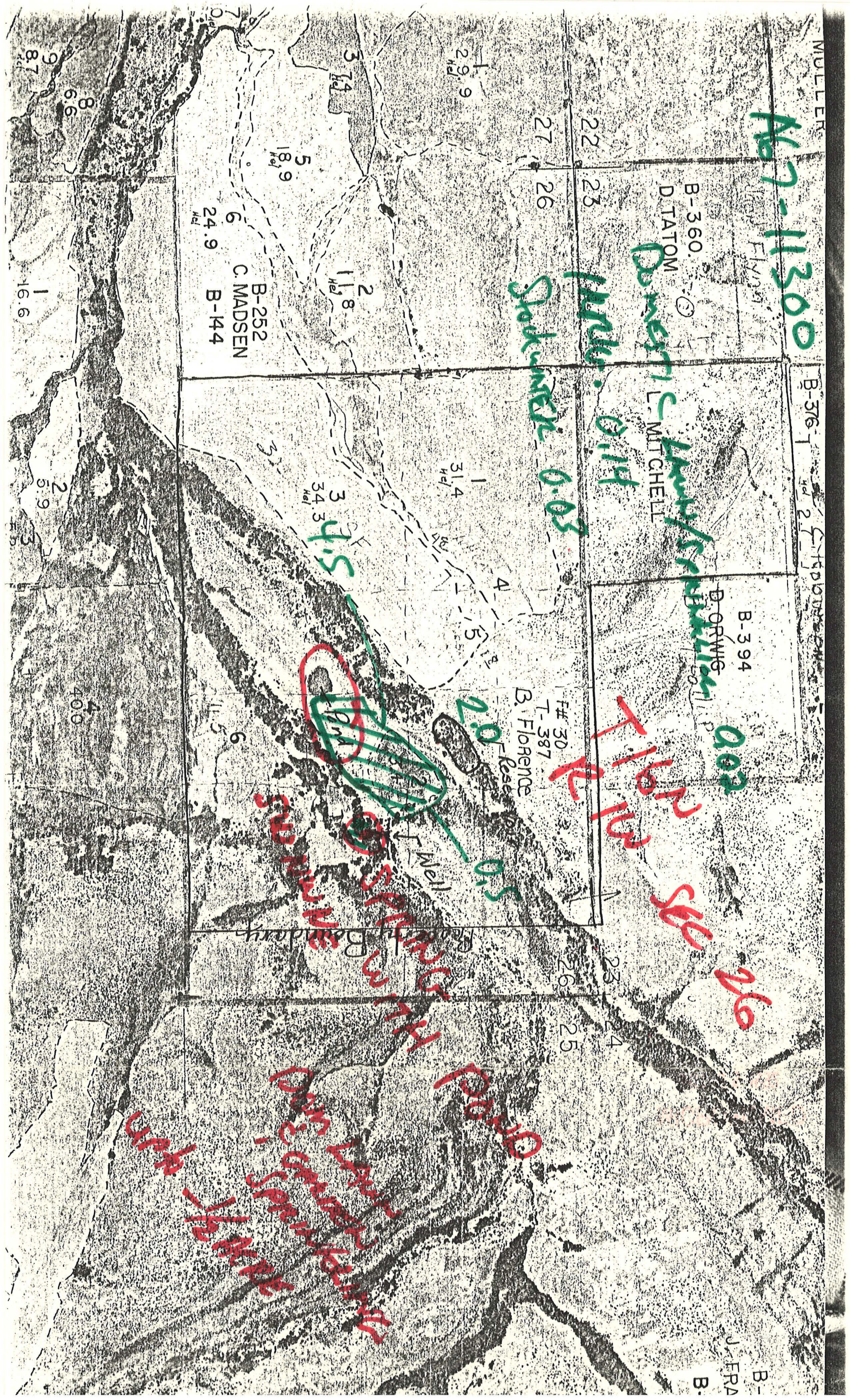
Ron Howerton
Notary Public

Seal

Residing at Ron Howerton
Residing at Boise, Idaho
My Commission Expires December 8, 1994

29

2
 1

[illegible]

Receipt Details for ID W007087

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
12/12/1989 12:57:00 PM	12/12/1989	Western	\$154.00	Check
Payer		SHAFFER, DUANE C.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
622			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$154.00	ADJUDICATION FEE	410162	9337	00	0	6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
67	320		\$79.00	Claim
67	11300		\$50.00	Claim
67	11299		\$25.00	Claim

Print Report