

11/27/2006

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: December 8, 2006

Water right number: 67-12315

SHELLY MANN

11330 PAYETTE HEIGHTS RD

PAYETTE ID 83661

Telephone Number: (208) 642-3031

RONALD M MANN

11330 PAYETTE HEIGHTS RD

PAYETTE ID 83661

Telephone Number: (208) 642-3031

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: _____ SIGNATURE: _____

Please print your name: _____

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

11/27/2006

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

RIGHT NUMBER: 67-12315

NAME AND ADDRESS: SHELLY MANN
11330 PAYETTE HEIGHTS RD
PAYETTE ID 83661

RONALD M MANN
11330 PAYETTE HEIGHTS RD
PAYETTE ID 83661

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 10/31/1958

POINT OF DIVERSION:
T09N R05W S13 NWSWSW Within PAYETTE 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
PLACE OF USE:	<u>DOMESTIC in PAYETTE County</u>		
	T09N R05W S13	SWSW	

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

The quantity of water decreed for this water right 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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-12315 V1

WATER RIGHT NUMBER: 67-12315 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SHELLY MANN 11330 PAYETTE HEIGHTS RD PAYETTE, ID 83661 (208)642-3031
Current Owner	RONALD M MANN 11330 PAYETTE HEIGHTS RD PAYETTE, ID 83661 (208)642-3031

Priority Date: 10/31/1958

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
---------------	------------------

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4SW1/4	Sec. 13, Twp 09N, Rge 05W, B.M.
PAYETTE County		

Place of Use

DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N 05W 13												X					

Conditions of Approval:

1. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
2. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. 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:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-12315 V1

Comments:

1. jdean 11/21/2006 Domestic

Comment: This is recommended as a deminimus domestic claim because no evidence of priority was provided.

2. jdean 11/21/2006 Commercial Use

Comment: The commercial use for this claim is fertilizer spray for the orchard. From the information obtained from the claimant about 0.03 afy are used for the commercial use. This use may be recommended if evidence of priority is submitted.

3. jdean 11/27/2006 From Claim

Comment: Original owner paid \$25 with receipt # W012063. New owner paid additional \$27 to cover the commercial use with receipt # W014341. See letter dated Feb. 20, 1992. RDH. Ownership changed by RDH, March 23, 1992.

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>
Summary			11/27/2006	jdean	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	11/13/2006 2:13:42 PM	cfritsch	Bulk Copy
POD	11/27/2006 10:09:11 AM	jdean	Updated shape
POD	11/27/2006 10:09:28 AM	jdean	Updated PLS
POU	11/27/2006 10:12:14 AM	jdean	Updated shape for Active POU
POU	11/27/2006 10:12:22 AM	jdean	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-12315 V1

Summary	11/27/2006 10:21:11 AM	jdean	(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? (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?
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Water Supply Bank:



Idaho Department of Water Resources

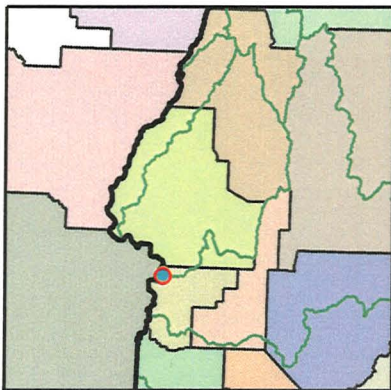
SRBA Recommendation:

67-12315

(Domestic)

Legend

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



Payette County
IDWR Basin 67



0 0.1 0.2 Miles



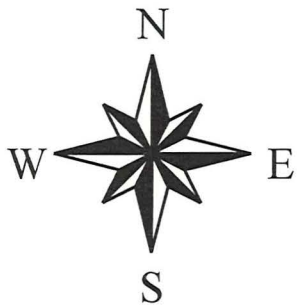
Prepared by J. Dean
On Monday, November 27, 2006
1987/88 Aerial Photography

Idaho Department of Water Resources

Claim Number:

67-12315

-  Payette taxlots
-  GCDB09N05W GCDB
-  Roger all pts (1).shp
-  Sections
-  Administrative BasinsAdminbas.shp

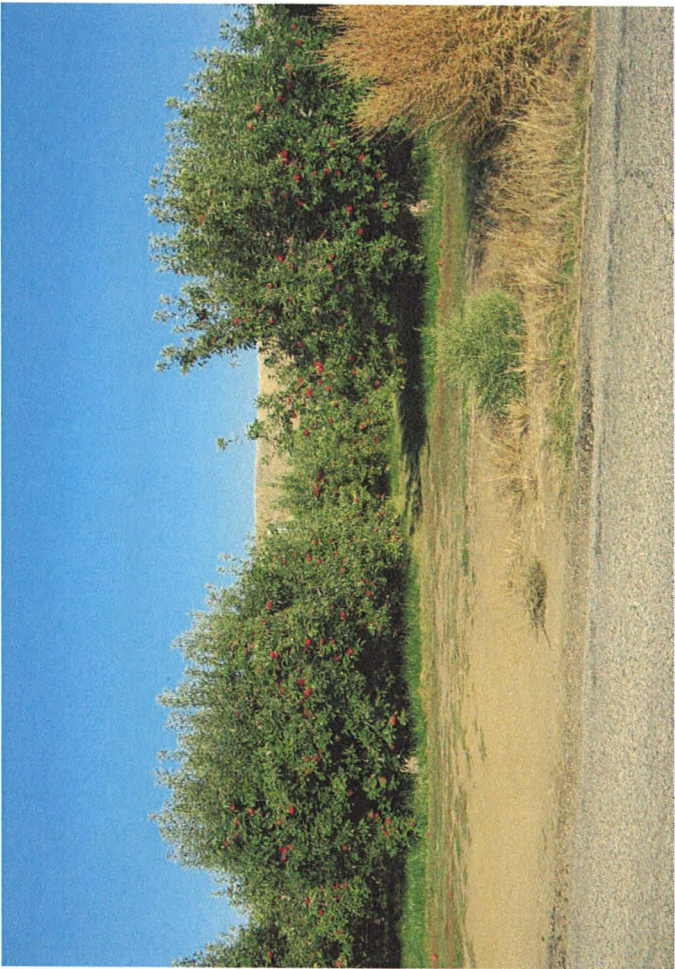


2004 NAIP Photo



0.1 0 0.1 0.2 0.3 Miles



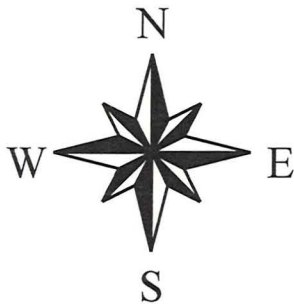


Idaho Department of Water Resources

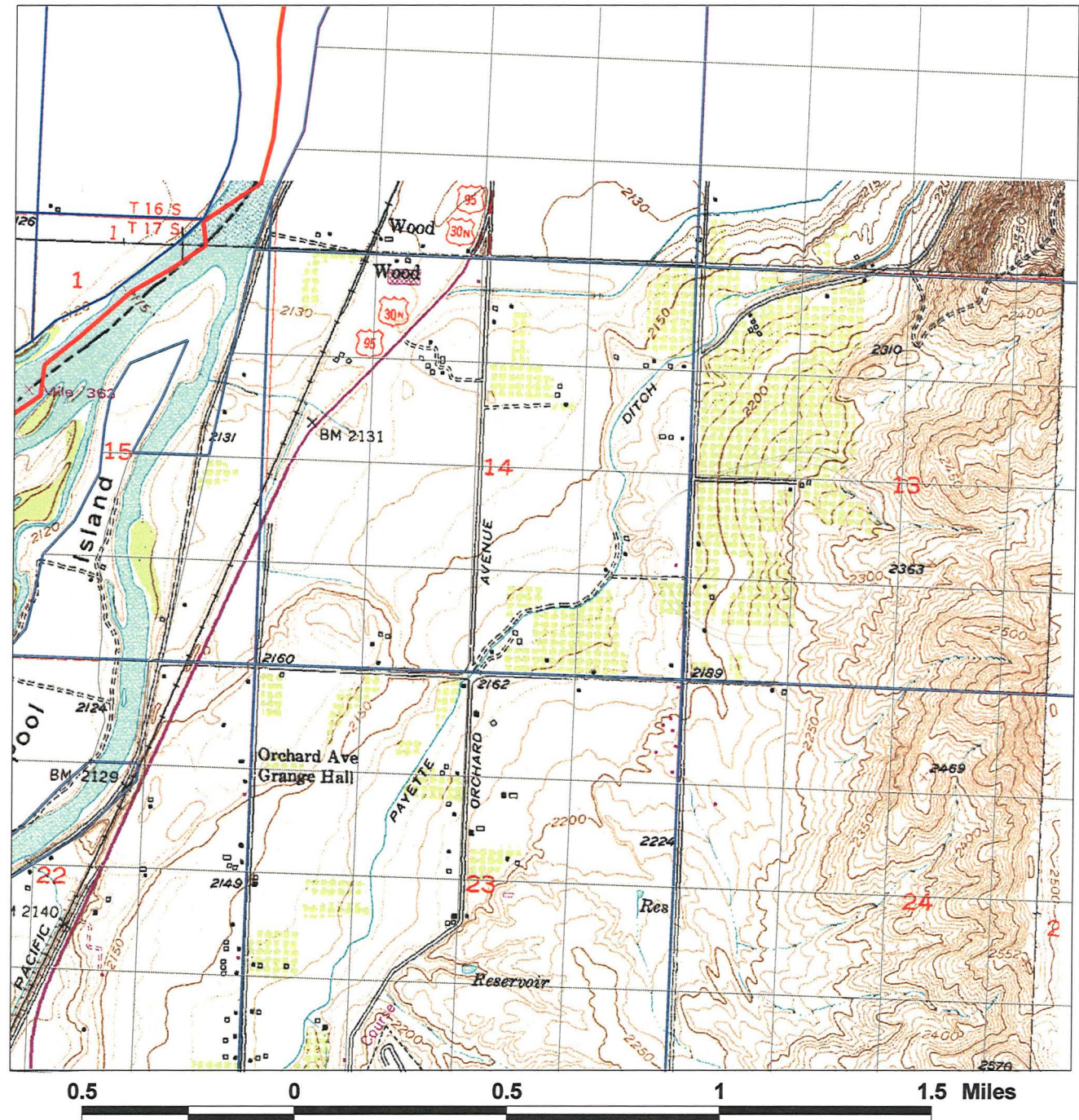
Claim Number:

67-12315

-  GCDB09N05W GCDB
-  Roger all pts (1).shp
-  Sections
-  Administrative BasinsAdminbas.shp



2004 NAIP Photo





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.

JAMES E. RISCH
Governor

KARL J. DREHER
Director

September 26, 2006

RONALD M MANN
SHELLEY MANN
11330 PAYETTE HEIGHTS
PAYETTE ID 83661

RESPONSE DEADLINE
OCTOBER 10, 2006

67-12315

Re: Evidence of Priority Date

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates 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 claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit. A form is provided for your convenience. A map of the general area stated in your claim is also enclosed. Please outline the place of use (i.e. irrigated lands) based on your claim, as well as mark the location where you divert water. Please submit the completed map 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 without any commercial use. It will be to your advantage to provide clear and convincing evidence.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. Send the documents in the enclosed envelope to assure it arrives at the correct location. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. If you wish to call, our toll free number is 1-800-451-4129.

If you no longer own the property to which the claim is appurtenant, please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property, it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the Adjudication.

Sincerely,

Jennifer Dean
Engineer in Training
Adjudication Bureau

Enclosures

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: **A67-12315**
Date Received: 4/16/1990
Receipt No: W012063
Received By: _____

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

1. Name: RONALD M MANN 208-642-3031
Address: 11330 PAYETTE HEIGHTS
PAYETTE ID 83661
OR
Name: SHELLY MANN 208-642-3031
Address: 11330 PAYETTE HEIGHTS
PAYETTE ID 83661

2. Date of Priority: OCT 31, 1958

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township Range Section 1/4 of 1/4 of 1/4 L. - /
09N 05W 13 NW SW SW

5. Description of diverting works:
SUBMERSIBLE PUMP & PRESSURE SYSTEM, 3/4 IN. DIS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
COMMERCIAL	03/15	04/15	0.020		

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

8. Total consumptive use is Acre Feet Per Annum

9. Non-irrigation uses:
DOMESTIC, 1 HOME; COMMERCIAL USE IS SPRAY TREES

MICROFILMED
OCT 05 1992

Need
↓

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	05W	13	NW	SW		DOMEST	
			NW	SW		COMMER	

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:
NONE

14. Remarks:

ORIGINAL OWNER PAID 25 DOLLARS WITH RECEIPT # W012063.
NEW OWNER PAID ADDITIONAL 27 DOLLARS TO COVER THE COMMERCIAL USE
WITH RECEIPT # W014341. SEE LTR. DTD FEB. 20, 1992. RDH.
OWNERSHIP CHANGED BY RDH, MARCH 23, 1992.

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: _____

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OCT 05 1992

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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OCT 05 1992



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 12/14/91

****SEE ATTACHED WARRANTY DEED****

LEGAL DESCRIPTION OF PROPERTY: Township 9N Range 5W Section 23, 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
DEC 20 1991

☐ Served Only by a Public Service Water Supply (all water is received from a city or company that maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: _____

☐ Name and Address of Former Owner/Claimant(s)(Seller): Wallace V. Davis and Lois G. Davis

11330 Payette Heights

☐ New Owner/Claimant (Purchaser): Payette, Idaho 83661
Ronald M. Mann and Shelly Mann

☐ New Mailing Address: 11330 Payette Heights
Payette, Idaho 83661

☐ New Telephone Number: () _____ - _____

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes xxno
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: Warranty Deed from Davis to Mann

(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): Shelly Mann

Date 12-14-91

Date 12-14-91

☐ Signature of Former Owner/Claimant(s): Wallace V. Davis
Lois G. Davis

Date 12/18/91

Date 12/18/91

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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OCT 05 1992

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

Parcel I:

In Twp. 9 N., R. 5 W., B.M., Payette County, Idaho:

In Sec. 23: The following portion of the N1/2NW1/4;
Commencing at a point 50 feet South of the NW corner of
said Sec. 23;
thence South 1246.5 feet to the SW corner of said
N1/2NW1/4;
thence East 804.5 feet;
thence North 25 degrees 53' East 1384 to a point 50 feet
South of the North line of said Sec. 23 and 1409
feet East of the place of beginning;
thence West 1409 feet to the place of beginning;
SAVE AND EXCEPTING THEREFROM that portion conveyed to
the State of Idaho for highway purposes by deeds
recorded July 27, 1936, fee Nos. 38458 and 38459, in
Book 14, Pages 9 and 10, Deed Records of said County;
AND FURTHER EXCEPTING the following portion thereof;
Beginning at a point 50 feet South of the Northwest
corner of said Sec. 23;
thence S. 89 degrees 45' 35" E. 333.45 feet;
thence South 541.67 feet;
thence S. 87 degrees 37' 25" W. 333.73 feet;
thence North 556.90 feet to the point of beginning.

Also two lateral ditch rights of way, one extending from the NE
corner of the above described tract to the Lower Payette Ditch,
and the other one extending from the SE corner of the above
described tract, East to the said Lower Payette Ditch, also the
right of use to the waste water coming from the land lying East of
the above described tract and West of said Lower Payette Ditch.

Parcel II

That portion of the W1/2 of the SW1/4 of Section 13, Township 9
North, Range 5 West of the Boise Meridian, particularly described
as follows:

Beginning on the West side line of aforesaid W1/2 of the SW1/4 at
a point 690 feet North of the SW corner of said W1/2 of the SW1/4;
run thence North following the West side line of said W1/2 of the
SW1/4 a distance of 875 feet; thence East in a straight line to
the East side line of said W1/2 of the SW1/4 at a point 1026 feet
South of the NE corner of said W1/2 of the SW1/4; thence South
following said East side line 875 feet, more or less, to a point
due East of the point of beginning; thence West in a straight line
to the point of beginning.

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OCT 05 1992

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 A 67-12315Date Received APRIL 16, 1990Receipt Number W012063 & W014341

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Ronald M. Mann or Shelly Mann Phone (208) 642-3031
Mailing Address 11330 Payette Heights, Payette Idaho Zip 83661

2. Date of Priority (Only one (1) per claim) October 31, 1958

3. Source of water supply (a) Groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 9N Range 5W Section 13,
NW 1/4 of SW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of PAYETTE

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Submersible pump & pressure system.
3/4 inch distribution system.

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OCT 05 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For DOMESTIC purposes from 01/01 to 12/31 amount 0.04 or _____

For Commercial purposes from 03/15 to 04/15 amount 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.06 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic 1 Home, Commercial Use is Spray Trees

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
9N	5W	13										D&C							

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Payette

12. Do you own the property listed above as place of use? Yes x No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (X)

14. Remarks:

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OCT 05 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

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OCT 05 1992

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

☒ Signature of Claimant (s) Shelly K. Mann Date 3-11-92
Shelly K. Mann Date 3-11-92

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

☒ State of Idaho/or PA)
County of Chester) SS.

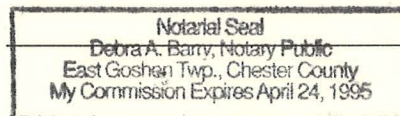
Subscribed and sworn (or affirmed) before me this 11 day of March 1992

SEAL

☒ Notary Public Debra A. Barry
Residing at 1301 West Chester Pike, W.C., PA

My Commission Expires _____

Please Print Name _____



17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

MICROFILMED
OCT 05 1992

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

Identification No. _____

Date Received 4-16-90

Receipt Number _____

RECEIVED

APR 16 1990

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

MAR 19 1992

Department of Water Resources
Western Regional Office

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Department of Water Resources
Western Regional Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) WALLACE V. &/or LOIS G. DAVIS Phone (208) 642-3031
Mailing Address 11330 PAYETTE HTS., PAYETTE, IDAHO Zip 83661

2. Date of Priority (Only one per claim) October, 1958 Month/Day/Year

3. Source of water supply (Check one) (x) Groundwater or Other () (a) _____
which is tributary to (b) _____ Name or kind of source

4. Location of point of diversion is: Township 9 N Range 5 W
Section 13, NW 1/4 of SW 1/4 of SW 1/4, Govt. Lot _____, BM.,
County of PAYETTE

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Pump & pressure system (Submersible), 3/4" distribution system.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

	Month/Day	Month/Day	(cfs)
For <u>Domestic</u> purposes from <u>Jan. 1</u> to <u>Dec. 31</u> amount <u>.04</u>			
(Both dates are inclusive)			
For <u>Spray Trees</u> purposes from <u>March 15</u> to <u>April 15</u> amount <u>.02</u>			

7. Total quantity claimed .06 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Domestic, 1 home; Dormant spraying of fruit trees.

MICROFILMED
OCT 05 1992

10. Place of use is: Township: 9 N Range 5 W
Section 13, NW 1/4 of SW 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? PAYETTE

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
() None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Louis G. Davis Date 4/14/90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of PAYETTE) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 14TH day of APRIL 19 90

SEAL

Notary Public Patricia L. Stone

Residing at PAYETTE IDAHO 83661

My Commission Expires 6-1-93

Last Name DAVIS Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED
OCT 05 1992

RECORD NO.: 99104040
 SITE ID: 440649116532701 LAB ID NO.: 2610054 PROJECT:
 STATION NAME: 09N 05W 13CCB1 STATE: 16
 BEGIN DATE: 09-12-1991 AT 0820 END DATE: - - AT COUNTY: 075
 GEOLOGIC UNIT: DATA TYPES:
 STATUS: A SOURCE: 9 HYD. CONDITION: A TYPE: 9 HYD. EVENT: 9
 MEDIUM: 6 REMARKS TO LAB:
 SAMPLE COST: \$251.56 REMARKS FROM LAB:
 SCHEDULES USED: 42 1066
 NO. PARAMETERS: 33 PROCESSING STATUS: R

CODE	PARAMETER NAME	UNITS	VALJE	R E M	M A	S T G
00010	WATER TEMPERATURE	(DEGREES)	15.5			3
00020	AIR TEMPERATURE	DEGREES	13.5			3
00027	COLLECTING AGENCY	(CODE NUMBER)	1028			5
UPDATE 00028	ANALYZING AGENCY	(CODE NUMBER)	30020			5
00095	SPECIFIC CONDUCTANCE	US/CM @ 25C	645			3
00400	PH	(STANDARD UNITS)	7.5			3
NEW--> 00403	PH LABORATORY	(UNITS)	7.8		A	2
00410	ALKALINITY,WH,FET,F	(MG/L AS CAC03)	269			3
00440	BICARBONATE,WH,FET,F	(MG/L AS HCO3)	330			3
00445	CARBONATE,WH,FET,F	(MG/L AS CO3)	J			3
NEW--> 00665	PHOSPHORUS TOTAL	(MG/L AS P)	0.041		B	3
NEW--> 00723	CYANIDE DISSOLVED	(MG/L AS CN)	0.01	1	H	2
COMPUTED 00900	HARDNESS TOTAL	(MG/L AS CA03)	180			
COMPUTED 00902	NONCARBONATE HARD. F	(MG/L AS CAC03)	0			
NEW--> 00915	CALCIUM DISSOLVED	(MG/L AS CA)	51		H	2
NEW--> 00925	MAGNESIUM DISSOLVED	(MG/L AS MG)	13		C	2
NEW--> 00930	SODIUM DISSOLVED	(MG/L AS NA)	83		C	2
COMPUTED 00931	SODIUM ADSORPTION R.	(RATIO)	3			
COMPUTED 00932	SODIUM, PERCENT	PERCENT	49			
NEW--> 00935	POTASSIUM DISSOLVED	(MG/L AS K)	2.7		B	2
NEW--> 00940	CHLORIDE DISSOLVED	(MG/L AS CL)	14		J	2
NEW--> 00945	SULFATE DISSOLVED	(MG/L AS SO4)	64		G	2
NEW--> 00950	FLUORIDE DISSOLVED	(MG/L AS F)	0.20		E	2
NEW--> 00955	SILICA DISSOLVED	(MG/L AS SiO2)	34		C	2
NEW--> 01000	ARSENIC DISSOLVED	(UG/L AS AS)	6		B	1
NEW--> 01025	CADMIUM DISSOLVED	(UG/L AS CD)	1.0	1	F	2
NEW--> 01030	CHROMIUM DISSOLVED	(UG/L AS CR)	1	1	F	1
NEW--> 01040	COPPER DISSOLVED	(UG/L AS CU)	4		F	1
NEW--> 01046	IRON DISSOLVED	(UG/L AS FE)	50		D	2
NEW--> 01049	LEAD DISSOLVED	(UG/L AS PB)	1	1	F	1
NEW--> 01056	MANGANESE DISSOLVED	(UG/L AS MN)	14		C	2
NEW--> 01090	ZINC DISSOLVED	(UG/L AS ZN)	19		B	2
NEW--> 01145	SELENIUM DISSOLVED	(UG/L AS SE)	1	1	A	1
31625	COLIFORM FECAL 0.7	COLS./100 ML	1	1	I	3
COMPUTED 70301	DISSOLVED SOLIDS SUM	MG/L	421			
NEW--> 71890	MERCURY DISSOLVED	UG/L AS HG	J.1	1	B	1
NEW--> 90095	SPECIFIC CONDUCTANCE	MICROSIEMENS/CM	655		A	3
NEW--> 90410	ALKALINITY	MG/L AS CAC03	281		A	3



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DATE: MARCH 23, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RONALD M MANN or
SHELLY MANN
AKA DAVIS ORCHARDS
11330 Payette Heights
Payette, Id. 83661

NOTICE OF CLAIM NO. (S)
A67-12315

Dear Ronald and Shelly,

Enclosed is a copy(s) of the above referenced claim(s) which reflects the **CHANGE IN OWNERSHIP** of the lands and appurtenant water rights covered by this claim(s).

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim(s) for final court decree.

If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Ron Howerton
Ron Howerton
Senior Water Agent
Adjudication Bureau

cc: File(s)
A67-12315

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OCT 05 1992
APR 16 2004
SCANNED



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

Feb. 20, 1992

LOIS G DAVIS
11330 PAYETTE HTS
PAYETTE, ID 83661

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Ref: Change of Ownership &
Corrected Claim with
Additional Fee \$27

Dear Lois,

This office has received the Notice of Claim to a Water Right for the use of water within the Snake River Drainage Basin. However, due to the Items below, we cannot process this claim. As per our telephone conversation Feb. 19, 1992. We are returning the original claim with the change of ownership form and a "new" modified claim form to be completed. Receipt No. **W012063** in the amount of \$25 for the filing fee previously submitted is also enclosed.

Item 1. "Spray Trees" is a Commercial Use, and doesn't fit the short form.

Item 2. The fee received is inadequate for the claimed use. Please enclose a check for the additional fee of \$27 to IDWR.

Item 3. Check over the modified (correct form for this use) claim for completeness. The check marks on the claim form indicate what the new owners must complete or have the items marked completed. The white copies are to be mailed in and the yellow copies are for the new owners to keep.

After completing the above items, return the original claim, the new claim and the change of ownership form, with the requested fee, to our office within 30 days from the date of this letter. If the claim or fee requested, is not received within this 30-day period, the claim will be rejected and your fee paid previously, will be refunded. Please contact me either in writing or by phone, to let us know if there is a problem returning the claim, change of ownership form or fee, in order to keep this claim valid. Please mail the above requested items to my attention.

Sincerely,

Ron Howerton
Senior Water Agent

Enclosures:
Original Claim
New Correct Claim Form
Chg. of Ownership Form

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OCT 05 1992

CONVERSATION MEMORANDUM

DATE Feb 19, 1992

FILE Receipt #
W012063

NAME OF PARTY LOIS G. DAVIS (FORMER CLAIMANT)

EMPLOYEE RON HOWERTON

RE: CHG OF OWNERSHIP AND INCORRECT FORM AND FEES,

TRIED TO CONTACT "NEW OWNERS" BUT GOT ORIGINAL
OWNER (LOIS DAVIS). LOIS SAID THAT THE NEW
OWNER HAD NOT MOVED IN YET.

I ASKED HER TO DEFINE THE "SPRAY TREES",
"IT IS USED FOR THEIR ORCHARD TREES".

I SAID TO HER THAT TO PROPERLY FILE THIS CLAIM
THE USE "SPRAY TREES" SHOULD PROPERLY BE "COMMERCIAL".
ALSO, AN ADDITIONAL AMOUNT OF \$27 DOLLARS
WOULD NEED TO BE REMITTED.

SHE SAID OK, THEN I SAID I WOULD SEND THE PAPERWORK
BACK FOR THE NEW OWNERS TO COMPLETE AND TO
SIGN THE AMENDED CLAIM.

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 18, 1991

Mr. Wallace Davis
11330 Payette Heights
Payette, ID 83661

Dear Mr. Davis:

Thank you for your patience. As I was writing this letter, I received a call from USGS personnel and the nutrient values were returned this morning. The values are as follows:

Nitrogen as Ammonia, dissolved:	0.08 mg/L
Nitrogen as N02 + N03:	0.77 mg/L *
Nitrogen as Nitrite	0.04 mg/L
Total Phosphorus:	0.03 mg/L

* The nitrate value you were looking for. The difference between the zero your other lab returned to you and this is the detection limit of the method used. A value of 0.77 mg/L falls within the range of natural occurrence and does not indicate impact by man's activities.

I have included a copy of the information that has been returned so far. Please note that a '1' in the remarks column indicates that the test was unable to find the constituent within the detection limit. Rather than being reported as "zero", the result is then written as *less than X*, where 'X' is the detection limit. For those constituents, the value in the "values" column is actually the detection limit of the method used.

In addition to the attached analyses, we ran a screen for pesticides Atrazine, Aldicarb, Alachlor and 2,4-D, none of which were detected in your well water. Volatile organic compound analyses (VOC) are in quality review and are not available for release at this time.

If you have any questions about the analyses, please call me at 327-7845 or Mr. Ken Neely at 327-7855.

Sincerely,

Janet K. Crockett

Senior Ground Water Quality Analyst
Ground Water Monitoring Section

enclosure

MICROFILMED
OCT 05 1992