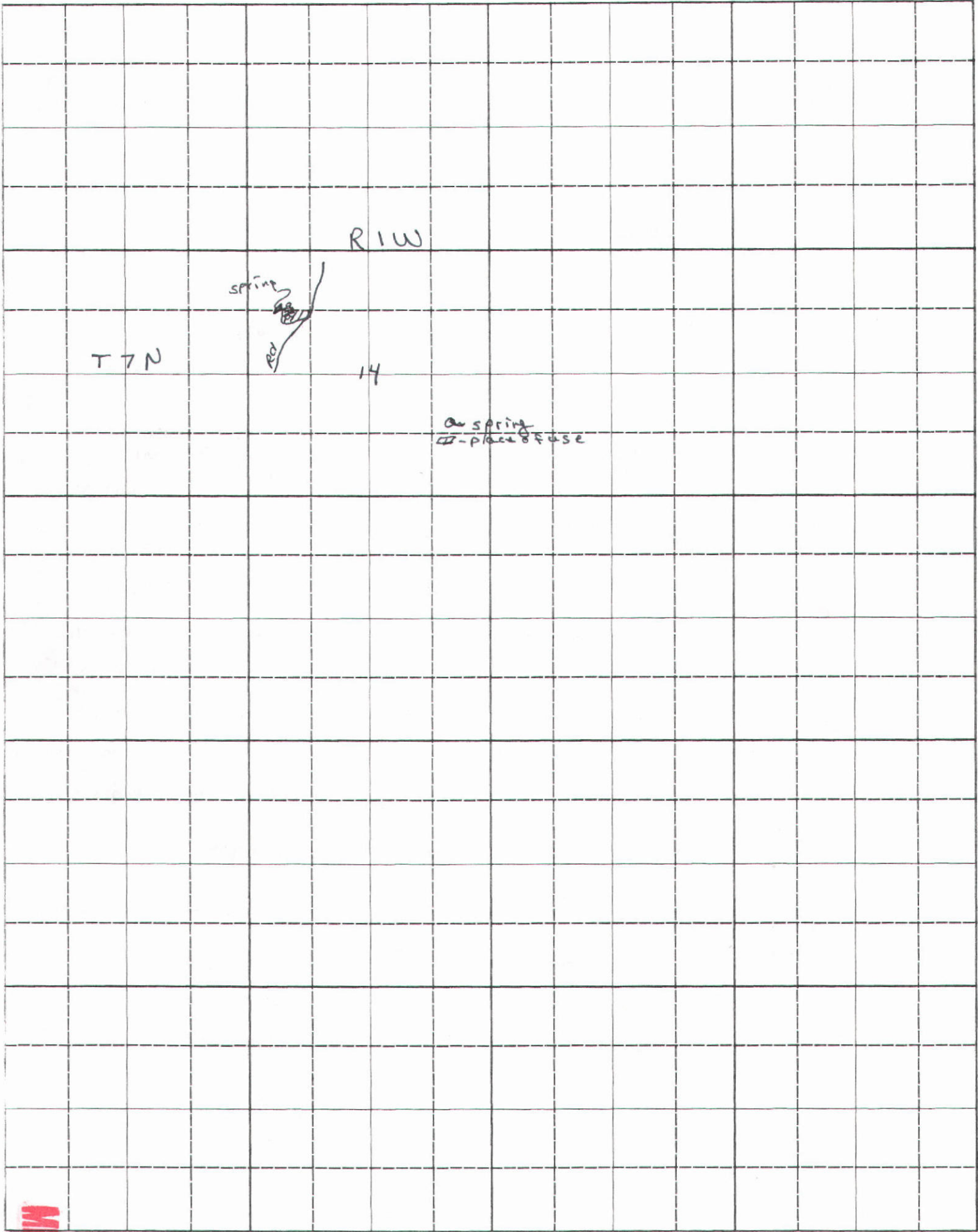


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



MICROFILMED

Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Karen M Davis  
(Applicant)

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

COUNTY OF GEM,

Ante Bales

being first

duly sworn, on his oath deposes and says that he is the printer of Messenger-Index, a legal weekly newspaper published at Emmett, in Gem County, Idaho; that said newspaper is in general circulation in said county and has been published uninterruptedly and continuously for more than 78 weeks prior to the first publication of the annexed document; and that the document notice, process, or advertisement hereunto annexed was published in the regular edition of

Messenger-Index for 2 consecutive weekly issues thereof, be-

ginning with the issue of 7/13,

1983, and ending with the issue of

7/20/83, 1983

Ante Bales

Subscribed and sworn to before me this

20 day of

July, 1983

Ante Louise L. Horton

Notary Public,

Residing at Emmett, Idaho.

## NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

65-12636 ✓ sk  
DAVIS, KAREN V. &/or  
EUGENE E.  
5627 SPRING CREEK RD.,  
EMMETT, ID 83617  
Source: SPRING trib. to SINKS  
Date Filed: 06/28/1983  
Diversion Pt: NWNW SWNW  
Sec 14 T 07N R 01W  
Use: IRRIGATION (0.03 CFS)  
In: SWNW Sec 14 T 07N R 01W  
FOR 1 ACRES

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before AUGUST 1, 1983.

Ken Dunn, Director  
2:7-13,20-1983

RECEIVED

AUG 9 1983

Department of Water Resources  
Western Regional Office

MICROFILMED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

**RECEIVED**  
FEB 19 1991

Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 65-12636

1. Owner: KAREN & OR EUGENE DAVIS Phone No. 365-5764

Current Address: 5627 SPRING CREEK RD EMMETT ID 83617

2. Accompanied by: SAME EXAM. DATE: 6-25-90

Address: \_\_\_\_\_ Phone No. \_\_\_\_\_

Relationship to Permit Holder: OWNER

3. Source: SPRING tributary to SINKS

**B. OVERLAP REVIEW**

1. Other water rights with same place of use: NONE (PER FICHE)

☐ Copies Attached

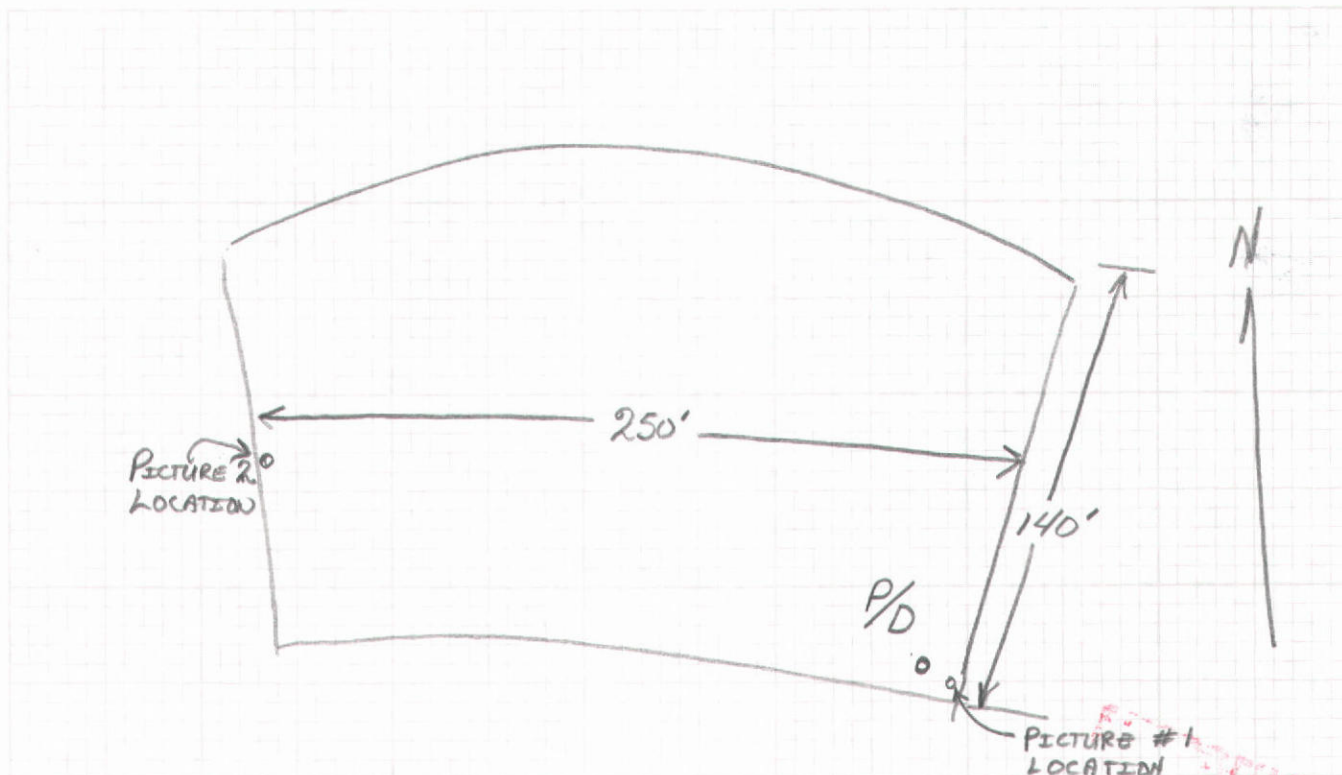
2. Other water rights with same point of diversion: NONE (PER FICHE)

☐ Copies Attached

☐ Copies of Field Exam's Attached

**C. SYSTEM DESCRIPTION**

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = Not to Scale

2. ☒ Copy of U.S.G.S. Quadrangle Attached  
Showing location(s) of point(s) of diversion and  
place(s) of use (required).

☒ Photo of Diversion and System Attached  
(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached  
(required for irrigation of 10 acres or more).

**FILMED**  
APR 15 1991

PERMIT 65-12636 INIT KKC  
T. R. S. Q/Q  
P/D 7N 1W 14 NW/WW  
SCALE  
PHOTO ID. W-7 MONTGOMERY-NW

P/U  
P/D

APR 22 1966

PERMIT 65-12636

PICTURE # 1

This photo is looking west and shows the collection tank, the pump and a portion of the supply line.



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APR 15 1991

BELOW:

This picture is looking east across the P/U and shows a portion of the supply line. This pasture is the P/U.

P/D LOCATION



State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 65-12636

Priority: June 28, 1983

Maximum Diversion Rate: 0.02 CFS  
Maximum Diversion Volume:<sup>1</sup> 3.6 AF

This is to certify, that KAREN V. DAVIS  
EUGENE E. DAVIS

5627 SPRING CREEK RD.  
EMMETT, ID 83617

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 28, 1983; and has submitted Proof of Beneficial Use on August 22, 1989. An examination indicates that the works have a diversion capacity of .020 cfs of water from:

SPRING tributary to SINKS

source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15       | 0.02 CFS                 | 3.6 AF               |

LOCATION OF POINT(S) OF DIVERSION: SENWNW , Sec. 14, Township 07N, Range 01W  
GEM County

PLACE OF USE: IRRIGATION  
TWN RGE SEC

| <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|--------------|--------------|--------------|--------------|
| 07N 01W 14   | NWNW 0.8     |              | 0.8          |

Total number of acres irrigated: 0.8

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

RECORDED

APR 15 1991

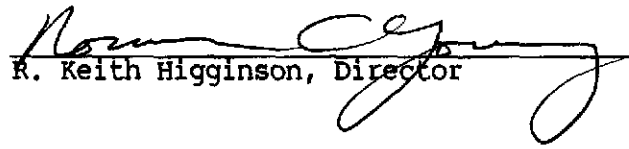
State of Idaho  
Department of Water Resources

**WATER RIGHT LICENSE**

WATER RIGHT NO. 65-12636

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.  
Witness the seal and signature of the Director, affixed at Boise, this 9<sup>th</sup>  
day of April, 1991.

Acting for

  
R. Keith Higginson, Director

RECEIVED  
MAY 1 1991

APR 5 1991

RECEIVED

APR 02 1991

State of Idaho  
Department of Water Resources

APPROVED

Department of Water Resources

APPLICATION FOR AMENDMENT  
(For Licensing Purposes)  
WATER RIGHT NO. 65-12636

Date of Priority: June 28, 1983

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:<sup>1</sup>

3.6 AF

Comes now

KAREN V. DAVIS  
EUGENE E. DAVIS

5627 SPRING CREEK RD.  
EMMETT, ID 83617

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 65-12636, and requests that the permit be changed as follows:

Source: SPRING

tributary to SINKS

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

ANNUAL VOLUME

IRRIGATION

03/15 to 11/15

0.02 CFS

3.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SENNW , Sec. 14, Township 07N, Range 01W  
GEM County

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

07N 01W 14

NWNW 0.8

0.8

Total number of acres irrigated:

0.8

MICROFILMED

APR 15 1991

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Emmett, this 30 day of March, 1991.

Eugene E. Davis  
(Signature)

State of Idaho  
Department of Water Resources

APPLICATION FOR AMENDMENT  
(For Licensing Purposes)  
WATER RIGHT NO. 65-12636

\*\*\*\*\*

FOR DEPARTMENT USE ONLY #C02D104  
Preliminary check by GA Fee \$20.00 Received by GA Date 4-3-91

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 65-12636 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

Witness my hand this 9<sup>TH</sup> day of April, 1991.

Acting for

R. Keith Higginson  
R. Keith Higginson, Direct

APR 15 1991

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

For Office Use Only  
\$15 FEE Received by CP  
Date 8/17/88  
Receipt # C002250

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof  
of beneficial use for a water right permit

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 65-12636

Name(s) of Permit Holder: Davis, Eugene E + Karen V

Post Office Address: 5627 Spring Creek Rd  
Emmett ID 83617 Telephone No. 365-5764 888-6798-5888 work

Date Proof is Due: 9-1-88

Describe what work has been completed toward the development of this water right: All work Completed  
(This must be filled out! If no work has been completed, show "none".)

except putting <sup>holding</sup> tank in ground - Springs developed  
+ flowing as stock water. (Work completed includes  
digging out spring to source, laying pipe & gravel, filling  
trenches in and preparing for tank) Costing \$ 4,000.00

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Employer moved and has refused requests for  
time off to install holding tank this summer  
also pipe broke and flooded area where holding tank is  
to be buried. will be dry enough by mid-September.

Permit holder(s) request an extension to 9-1, 1989.  
(1 yr. minimum)

(Signature)\*

\*IF OTHER THAN PERMIT HOLDER,  
POWER OF ATTORNEY MUST BE SUPPLIED.

FEE: \$15.00

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to September 1, 1989.

Signed this 17<sup>th</sup> day of October, 1988.

Chief, Operations Bureau

DEC 06 1988

J. Glen Saxton

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Karen V. and Eugene E. Davis Phone 365-5764

Post office address 5627 Spring Creek Rd., Emmett ID. 83617

2. Source of water supply Spring which is a tributary of sinks

3. Location of point of diversion is NW  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 14 Township 7N

Range 1W B.M. Gem County, additional points of diversion if any:

SW NW Sec 14 7N 1W

4. Water will be used for the following purposes:

Amount .03 for irrigation purposes from 3/15 to 11/15 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount  for  purposes from  to  (both dates inclusive)  
(cfs or acre-feet per annum)

Amount  for  purposes from  to  (both dates inclusive)  
(cfs or acre-feet per annum)

Amount  for  purposes from  to  (both dates inclusive)  
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .03 cubic feet per second and/or b.  acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pipe in spring- 4" perforated will carry  
water to 1,000 and gal storage tank, will use spring to disperse

b. Height of storage dam none feet, active reservoir capacity N/A acre-feet; total reservoir  
capacity N/A acre-feet, materials used in storage dam: N/A

Period of year when water will be diverted to storage  to  inclusive.  
(Month/Day) (Month/Day)

c. Proposed well diameter is N/A inches; proposed depth of well is  feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial  
use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SW  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 14 Township 7N

Range 1W B.M.

(2) Amount of power to be generated: none horsepower under  feet of head.

(3) List number of each kind of livestock to be watered 8 head livestock

(4) Name of municipality to be served none, or number of families to be  
supplied with domestic water none.

(5) If water is to be used for other purposes describe: Livestock

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

[illegible]

Total number of acres to be irrigated 10

c. Describe any other water rights used for the same purposes as described above.

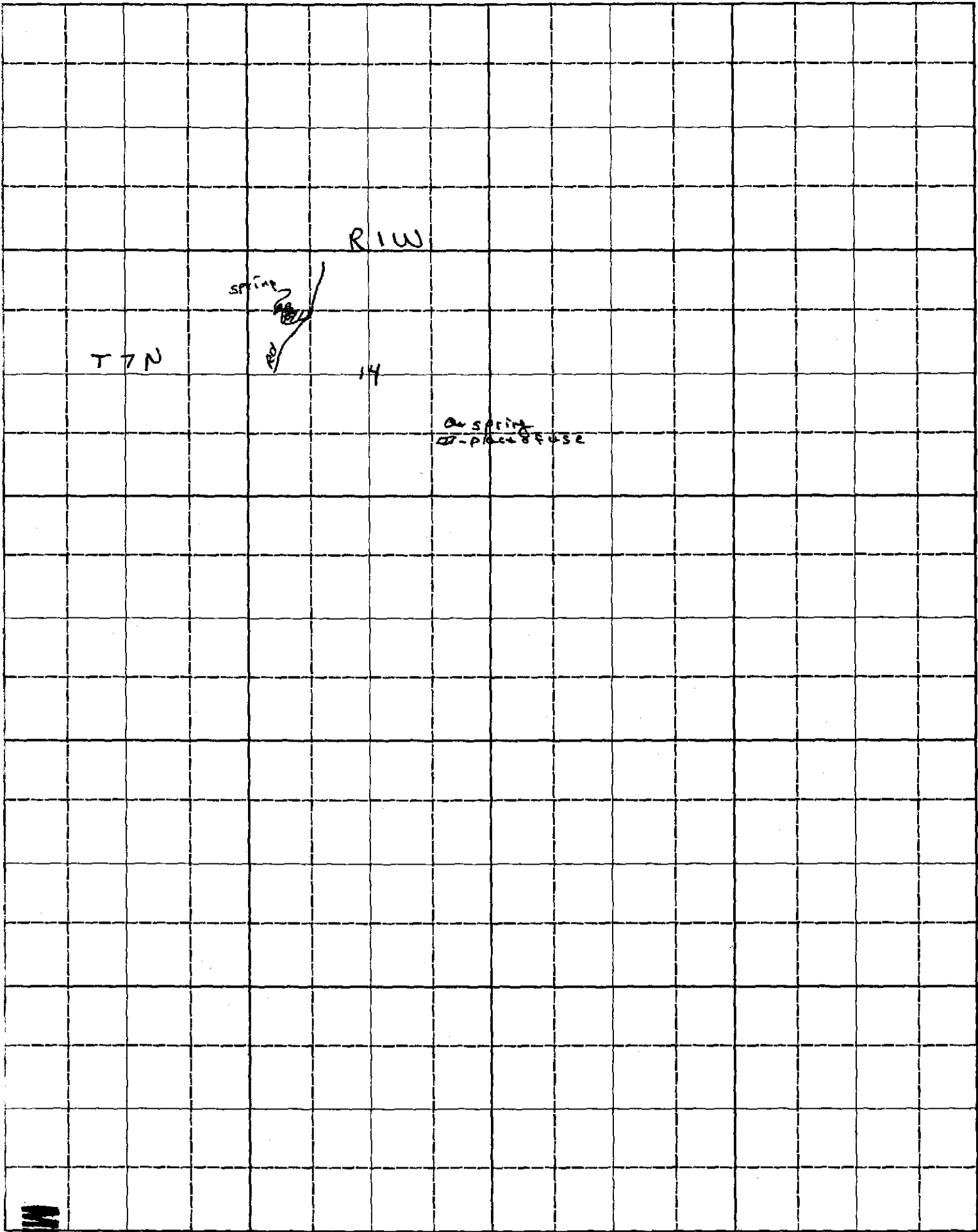
9. a. Who owns the property at the point of diversion Eugene E. and Karen V. Davis

b. Who owns the land to be irrigated or place of use Eugene E. and Karen V. Davis

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks \_\_\_\_\_

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



**MICROFILMED**

Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Karen M Davis  
(Applicant)

6/28/1983

Proposed Priority

Received by CDB Date 28 June 83 Time 1:30 pm

Preliminary check by SP Fee \$ 30.00

Receipted by CDB Date 28 June 83 # 26848

Publication prepared by SP Date 7-7-83

Published in Emmett Messenger-Index

Publication dates 7/4 & 7/21/83

Publication approved SRE Date 8/18/83

Protests filed by: \_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by DBS

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 65-12636, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 19 88.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Witness my hand this 6<sup>th</sup> day of September, 1983.

A. Glen Saxton  
Chief, Operations Bureau

MICROFILMED

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

COUNTY OF GEM,

Antti Bole being first duly sworn, on his oath deposes and says that he is the printer of Messenger-Index, a legal weekly newspaper published at Emmett, in Gem County, Idaho; that said newspaper is in general circulation in said county and has been published uninterruptedly and continuously for more than 78 weeks prior to the first publication of the annexed document; and that the document notice, process, or advertisement hereunto annexed was published in the regular edition of

Messenger-Index for 2 consecutive weekly issues thereof, be-

ginning with the issue of 7/13 1982, and ending with the issue of

7/20/83 1983

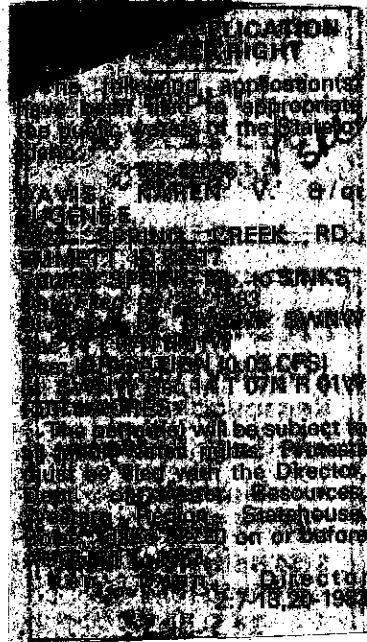
Antti Bole

Subscribed and sworn to before me this

20 day of July 1983

Antti Bole

Notary Public,  
Residing at Emmett, Idaho.



RECEIVED

AUG 9 1983

Department of Water Resources  
Western Regional Office

MICROFILMED



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

July 30, 1991

Mr. & Mrs. Gregory L. Drake  
5627 Spring Creek Road  
Emmett, ID 83617

RE: Snake River Basin Adjudication (SRBA)  
Gem County - Claim #A65-07368

Dear Mr. & Mrs. Drake:

Notice of the change in ownership of the above-referenced water right has been received. The Claim to Water Rights records of the Department have been changed to reflect such notice.

A claim prepared from the Agency's computer is enclosed for your review and records. If you find the address is incorrect, please contact us.

Your other water right, #65-12636, did not require that an adjudication claim be made on it, and we have no record of the former owners doing so. I have forwarded this Notice of Change of Ownership to our Water Allocation Bureau; the information will be put in file #65-12636 and kept on record.

I have enclosed your copy of the Change of Ownership form for both water rights.

~~Yours~~ truly,

*John D. Carlson*  
John D. Carlson  
Adjudication Supervisor

JDC:sf:west  
Enclosures:

Claim #A65-07368

Copy of 65-12636 and A65-07368

Change of Ownership Forms

cc: Water Allocation Bureau w/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: A65-07368  
Date Received: 12/ 6/1989  
Receipt No: X999999  
Received By: \_\_\_\_\_

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

1. Name: GREGORY L. DRAKE  
Address: 5627 SPRING CREEK ROAD  
EMMETT, ID

83617

AND

Name: JACKIE DRAKE  
Address: 5627 SPRING CREEK ROAD  
EMMETT, ID

83617

2. Date of Priority: MAY 22, 1973

3. Source: SPRING

Trib. to: SPRING CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 07N      | 01W   | 11      | SW     | NW     |     |     | GEM    |
|          |       |         | SW     | NW     |     |     | GEM    |

5. Description of diverting works:

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            |      | 1.20            |
| <del>IRRIGATION</del> | <del>01/01</del> | <del>12/31</del> | <del>0.020</del> |      | <del>0.20</del> |

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

1.40 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 07N      | 01W   | 14      | NE     | NW  |     | DOMEST |       |
|          |       |         | NW     | NW  |     | DOMEST |       |

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO  
Decree Plaintiff

A & C CORP., ET AL.  
vs Decree Defendant



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 7-1-91

LEGAL DESCRIPTION OF PROPERTY: Township 7 North Range 1 West  
Section 14, 1/4 of 1/4 of 1/4 Govt. Lot BM.  
Lot       , Block       , Subdivision/Townsite Gem County, Idaho  
If you have additional legal descriptions, please attach separate sheet.

☐ 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: 65-12636

☐ Name and Address of Former Owner/Claimant(s)(Seller): Eugene E. Davis  
1007 S. Hays Avenue  
Emmett, Idaho 83617

☐ New Owner/Claimant (Purchaser): Gregory L. Drake and Jackie Drake  
5627 Spring Creek Road  
Emmett, Idaho 83617

☐ New Mailing Address: \_\_\_\_\_

☐ New Telephone Number: ( ) \_\_\_\_\_

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

☐ Attach proof of ownership, describe Copy of recorded Warranty Deed  
proof attached. (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) Gregory L. Drake Date \_\_\_\_\_

☐ Signature of New Owner/Claimant(s) Jackie Drake Date \_\_\_\_\_

☐ Signature of Former Owner/Claimant(s) Eugene E. Davis Date \_\_\_\_\_

☐ Signature of Former Owner/Claimant(s) \_\_\_\_\_ 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: \_\_\_\_\_ By: \_\_\_\_\_

Further Action Needed

Further Action Taken

Date: \_\_\_\_\_ By: \_\_\_\_\_

Final Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

Claim Numbers of Split, if any:

*Proof of Ownership*

*No claim received as of 7/30/91*

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



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 7-1-91

LEGAL DESCRIPTION OF PROPERTY: Township 7 North Range 1 West, B.M.  
Section 14, 1/4 of 1/4 of 1/4, Govt. Lot       , B.M.  
Lot       , Block       , Subdivision/Townsite Gem County, Idaho  
If you have additional legal descriptions, please attach separate sheet.

☐ 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) 65-7368  
Assigned by IDWR:       

☐ Name and Address of Former Owner/Claimant(s)(Seller): Eugene E. Davis

☐ New Owner/Claimant (Purchaser): GREGORY L. DRAKE and JACKIE DRAKE  
5627 Spring Creek Road, Emmett, Idaho 83617

☐ New Mailing Address:       

☐ 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:       

☐ Attach proof of ownership, describe Copy of recorded Warranty Deed.  
proof attached       

(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) Gregory L. Drake Date       

Jackie Drake Date       

☐ Signature of Former Owner/Claimant(s) Eugene E. Davis 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: 07-30-91 By:       

Further Action Needed:       

Further Action Taken:       

Date:        By:       

Final Review and Data-Entry

Date:        By:       

Claim Numbers of Split, if any:       

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

SECURITY TITLE COMPANY  
OF IDAHO

**RECEIVED**  
JUL 02 1991

Please Reply To: 1022 South Washington Av.  
P.O. Box 622  
Emmett, ID 83617  
208-365-4486

Department of Water Resources

Department of Water Resources  
Statehouse Mail  
Boise, Idaho 83720-9000

Attn: Adjudication Bureau

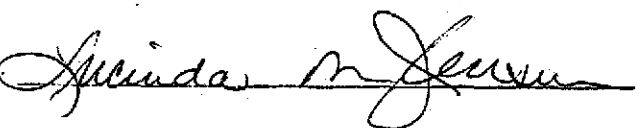
ESCROW NO. 3-16418  
RE: Davis to Drake  
DATE: 6-28-91

In connection with the above numbered Escrow, we enclose the following:

- |                                                      |                  |
|------------------------------------------------------|------------------|
| ( ) Our check #                                      | in the sum of \$ |
| ( ) Deed recorded                                    | Instrument No.   |
| ( ) Deed of Trust recorded                           | Instrument No.   |
| ( ) Note dated                                       | in the sum of \$ |
| ( ) Title Insurance Policy No.                       |                  |
| ( ) Fire Insurance Binder                            |                  |
| ( ) Copy of Closing Statement                        |                  |
| ( ) Copy of Escrow Instructions                      |                  |
| ( ) Assignment of Trust Fund                         |                  |
| ( ) Change of ownership agreement                    |                  |
| ( X ) Two Notices of change of water right ownership |                  |
| ( ) (with attachments)                               |                  |
| ( )                                                  |                  |

Any other documents to which you are entitled will be forwarded as soon as they are available.

Yours very truly,  
Security Title Company of Idaho

By 



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

April 11, 1991

KAREN V. DAVIS  
EUGENE E. DAVIS  
5627 SPRING CREEK RD.  
EMMETT, ID 83617

RE: WATER RIGHT NO. 65-12636

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the typed name.

JIM JOHNSON  
Water Rights Supervisor

JJ:blm

Enclosure

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 65-12636

Priority: June 28, 1983

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:<sup>1</sup>

3.6 AF

This is to certify, that KAREN V. DAVIS  
EUGENE E. DAVIS

5627 SPRING CREEK RD.  
EMMETT, ID 83617

has complied with the terms and conditions  
of the permit, issued pursuant to Application for Permit dated June 28, 1983; and  
has submitted Proof of Beneficial Use on August 22, 1989. An examination indicates  
that the works have a diversion capacity of .020 cfs of water from:

SPRING

tributary to SINKS

source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15       | 0.02 CFS                 | 3.6 AF               |

LOCATION OF POINT(S) OF DIVERSION:

SENWNW , Sec. 14, Township 07N, Range 01W  
GEM County

PLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 07N        | 01W        | 14         | NWNW         | 0.8          |              | 0.8          |

Total number of acres irrigated: 0.8

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

PAGE 2

State of Idaho  
Department of Water Resources

**WATER RIGHT LICENSE**

WATER RIGHT NO. 65-12636

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.  
Witness the seal and signature of the Director, affixed at Boise, this 9<sup>th</sup>  
day of April, 1991.

Acting for *Norm C. Young*  
R. Keith Higginson, Director

RECEIVED

APR 02 1991

State of Idaho  
Department of Water Resources

APPROVED

Department of Water Resources

APPLICATION FOR AMENDMENT  
(For Licensing Purposes)  
WATER RIGHT NO. 65-12636

Date of Priority: June 28, 1983

Maximum Diversion Rate: 0.02 CFS  
Maximum Diversion Volume: 3.6 AF

Comes now

KAREN V. DAVIS  
EUGENE E. DAVIS

5627 SPRING CREEK RD.  
EMMETT, ID 83617

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 65-12636, and requests that the permit be changed as follows:

Source: SPRING

tributary to SINKS

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15       | 0.02 CFS                 | 3.6 AF               |

LOCATION OF POINT(S) OF DIVERSION:

SENNW, Sec. 14, Township 07N, Range 01W  
GEM County

PLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 07N        | 01W        | 14         | NWNW         | 0.8          |              | 0.8          |

Total number of acres irrigated: 0.8

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Emmett, this 30 day of March, 1991.

Eugene E. Davis  
(Signature)

State of Idaho  
Department of Water Resources

APPLICATION FOR AMENDMENT  
(For Licensing Purposes)  
WATER RIGHT NO. 65-12636

\*\*\*\*\*

FOR DEPARTMENT USE ONLY  
Preliminary check by GA Fee \$20.00 Received by [Signature] Date 4-3-91 #C020104

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 65-12636 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

Witness my hand this 9<sup>TH</sup> day of April, 1991.

Acting for

[Signature]  
R. Keith Higginson, Director

**RECEIPT**  
**For Monies Paid**  
**to the**  
**IDAHO DEPARTMENT OF WATER RESOURCES**

**Receipt No:** C020104

**Date:** 4/ 3/1991  
**Time:** 12:50:10

**Received**

**From:** DAVIS, EUGENE E.

| Type of Payment                      | Program Acct Class | Amount         |
|--------------------------------------|--------------------|----------------|
| APPLICATION FOR AMENDMENT (65 12636) | 510199 1238 6390   | 20.00          |
| CHECK 1216                           |                    |                |
|                                      | <b>Total</b>       | <b>\$20.00</b> |

**Region:** STATE

**Signature:** J. Garbrough

# WARRANTY DEED

For Value Received

EUGENE E. DAVIS, a single man

The grantor, do hereby grant, bargain, sell and convey unto

GREGORY L. DRAKE and JACKIE DRAKE, husband and wife,

the grantee s, whose current address is 5627 Spring Creek Road, Emmett, Idaho 83617

the following described premises, in GEM

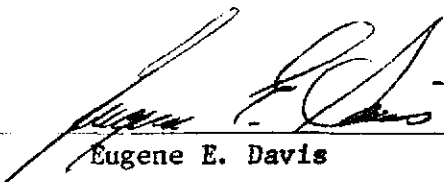
County Idaho, to-wit:

Legal Description Attached as Exhibit "A"

Subject to: Deed of Trust dated August 20, 1974. between Eugene Everett Davis, a divorced man, as Grantor, to WILBUR D. VINCENT, a Member of the Idaho State Bar, as Trustee, for the ADMINISTRATOR OF VETERANS' AFFAIRS, an Officer of the United States of America, whose principal office and post office address is Veterans Administration, Washington, D.C., and his successors in such office, as such, as Beneficiary, to secure the payment of \$21,000.00 together with interest and any other obligations secured thereby; recorded August 20, 1974 as Instrument No. 111497, records of Gem County, Idaho and Assigned to and now held of record by THE LOMAS & NETTLETON COMPANY, by Assignment of Deed of Trust recorded September 18, 1986 as Instrument #155371, records of Gem County, Idaho of which the Grantees agree to assume and pay.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances except: 1991 taxes; Power Line Easement 8-47225 and 103120, records of Gem County, Idaho; covenant to maintain underground pipeline Instrument 107990 and 107996; D.T. 111497 and Assignment 155371; Deed of Trust in favor of The Benj. Franklin Federal Savings and Loan Assn. as Instrument 151755, all records of Gem County, Idaho. and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: June 27, 1991

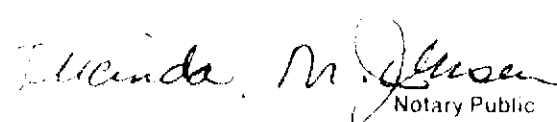
  
Eugene E. Davis

STATE OF IDAHO, COUNTY OF GEM

On this 27th day of June, 19 91, before me, a notary public in and for the said State, personally appeared

Eugene E. Davis

known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

  
Notary Public

Residing at Emmett, Idaho  
Comm. Expires 6-30-94

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of

at minutes past o'clock M.,  
this day of  
19, in my office, and duly recorded in Book  
of Deeds at Page

Ex-Officio Recorder

By

Deputy.

Fees \$  
Mail to: Mr. & Mrs. Gregory L. Drake  
5627 Spring Creek Road  
Emmett, Idaho 83617

April 11, 1991

KAREN V. DAVIS  
EUGENE E. DAVIS  
5627 SPRING CREEK RD.  
EMMETT, ID 83617

RE: WATER RIGHT NO. 65-12636

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:blm

Enclosure

**MICROFILMED**

APR 15 1991

March 28, 1991

KAREN V. DAVIS  
EUGENE E. DAVIS  
5627 SPRING CREEK RD.  
EMMETT, ID 83617

RE: WATER RIGHT NO. 65-12636

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 15 days.

If you do not concur with these findings or if you have any questions, please contact us within the 15-day period.

Sincerely,

SHARLA CURTIS  
Technical Records Specialist

SC:blm

Enclosure

RECEIVED

APR 15 1991

# LICENSE REVIEW CHECKLIST

Permit No. 65-12636

Name/Address change?            ok ☒

Priority date Advance? yes            no ☒

Memo to advance             
Order to reinstate needed? yes            no ☒

Total cfs Limited by fee N/A ☒

Limited by capacity            ☒

Total volume Limited by flow           

Chart checked for AF rate/ac            ☒ 4.5

Capacity Actual measurement checked           

Theoretical checked           

If greater than permit, check for other rts           

Source Changed? yes            no ☒

If so, is memo needed to clarify?           

P/D Verify with map ☒ permit ☒

More than one per 1/4? Remember remark           

Check p/d overlap N/A

Uses Check irrigation period of use w/ chart ☒

P/U Verify with map ☒ permit ☒

> 5 acres irrigated, run overlap N/A *amendment needed*

Remarks More than one p/d in 1/4

Description of non-irrig uses           

Special overlap condition           

## Conditions -

Measuring device             
W.Master control             
Overlap             
Water quality             
Other           

## Dates/Misc. -

Water Dist             
App Rec'd             
Proof Rec'd           

CHECK FOR ADJ. CLAIM Needed according to proof filed           

Filed - needs amended           

Add'l fee required           

Not filed -           

Not needed ☒ *proof* **MICROFILMED**

Comments/Changes to Examiner's Recommendations:

APR 15 1991

License            10-day            30-day ☒

Back of field report signed? ☒

Reviewer S. Carter Date 2/24/91 Review time 6 min.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet  
for  
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form  
☒ Copy of Permit  
☒ Copies of any Amendments/Orders with Conditions of Approval  
☒ Well Inspection Form Needed  
☒ Copy of U.S.G.S. Quad  
☒ Check for Government Lots. If so, make a copy of government plat  
\_\_\_\_ Check of P/D index 6-20-90 KKC (initial & date)  
Overlap ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?  
Type of Overlap? ☐ Add acres or uses to existing system  
☐ Increase rate of flow or volume  
☐ Other: \_\_\_\_\_  
\_\_\_\_ Check of P/U index 6-20-90 KKC (initial & date)  
Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?  
Type of Overlap? ☐ Increase rate of flow or volume  
☐ Add P/D's  
☐ Increase number of acres within tracts  
☐ Other: \_\_\_\_\_  
☒ SRBA Attachment A Submitted to Adjudication Section  
\_\_\_\_ Aerial Photo Required? ☐ yes ☒ no If yes: ☐ copy attached  
☒ Scheduling Letter Sent? 6-15-90 KKC (initial & date)  
☒ Appointment Made and Telephone Conversation Memo Attached  
☒ SRBA Claim Check Received 6-16-90 (initial & date)  
\_\_\_\_ Applicable, See Attachment A ☒ N/A

B. After Conducting the Exam, the File Contains:

- ☒ Fully Completed and Signed Field Report Form  
☒ Photographs of Point of Diversion and Place of Use  
☒ Copy of SRBA Claim Verification Sheet / ☒ Original Returned to Adjudication Section

C. Review and Processing:

- Exam Completed 8-16-90 Kelly K. Christensen (signature of examiner & date)  
Exam Reviewed by Senior Water Resource Agent JFW 1/29/91 (initial & date)  
Exam Reviewed by Manager of Regional Office Dr 2/5/91 (initial & date)  
Exam Date Entered in Computer ☒ (initial & date)  
Exam Sent to State Office 2-15-91 AT (initial & date)

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

**RECEIVED**  
FEB 19 1991

Department of Water Resources

**A. GENERAL INFORMATION**

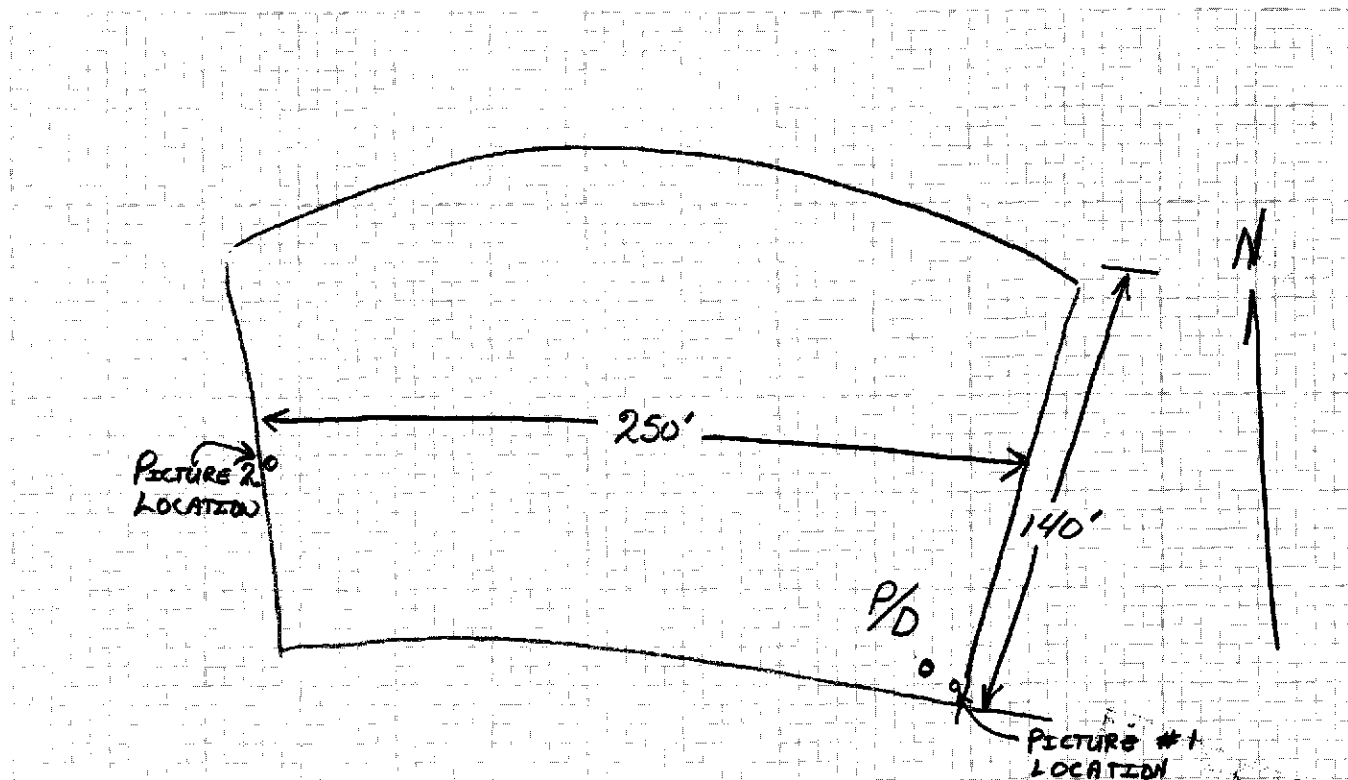
1. Owner: KAREN <sup>6</sup>OR EUGENE DAVIS Permit No. 65-12636  
Current Address: 5627 SPRING CREEK RD EMMETT ID 83617 Phone No. 365-5764  
2. Accompanied by: SAME EXAM. DATE: 6-25-90  
Address: \_\_\_\_\_ Phone No. \_\_\_\_\_  
Relationship to Permit Holder: OWNER  
3. Source: SPRING tributary to SINKS

**B. OVERLAP REVIEW**

1. Other water rights with same place of use: NONE (PER FICHE) ☐ Copies Attached  
2. Other water rights with same point of diversion: NONE (PER FICHE) ☐ Copies Attached ☐ Copies of Field Exam's Attached

**C. SYSTEM DESCRIPTION**

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = Not to Scale

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached (required for irrigation of 10 acres or more).  
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

**FILED**  
APR 15 1991

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

THE SYSTEM IS A 1000 GALLON STORAGE TANK BEING FED BY A 2" MAIN LINE 40' LONG WITH 2 COLLECTION LINES; ONE RUNNING WEST NORTH WEST APPROX 300' AND ONE RUNNING NORTHEAST 300' 140'. ALL OF THE ABOVE IS BURIED. DIVERSION IS VIA A CENTRIFUGAL PUMP DELIVERING WATER TO THE P/U VIA A 2 IN PVC LINE & 4 RAINBIRD SPRINKLERS (BLACK PLASTIC HEADS & TIPS) PSI FOUND: 3 @ 42 PSI & 1 @ 52 PSI. P/U = 140' \* 250' = 35000 = 0.803 Acres

☐ See Remarks on page 4 for continuation

4.

| Well or Diversion Identification No.* | Motor Make | Hp  | MOD<br>Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|-----|-------------------------|-----------|-----------------------------------|
|                                       | GE         | 3/4 | 5 KC39NN3016            | WATER ARC | 1"                                |
|                                       |            |     |                         |           |                                   |
|                                       |            |     |                         |           |                                   |
|                                       |            |     |                         |           |                                   |

\*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

| Ident. No. | Gov't. Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks |
|------------|------------|-----|-----|-----|------|------|------|--------|---------------------------------|
| 1.         |            | SE  | NW  | NW  | 14   | 7N   | 1W   | GEM    | ORTHO PH                        |
|            |            |     |     |     |      |      |      |        |                                 |
|            |            |     |     |     |      |      |      |        |                                 |
|            |            |     |     |     |      |      |      |        |                                 |

6. Place(s) of Use:

Indicate Method of Determination PACING

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 7N   | 1W   | 14   | .8     |        |        |        | .8     |        |        |        |        |        |        |        |        |        |        |        | 0.8 AC |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

MICROFILMED

APR 15 1991

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
| PRESSURE GAUGE        |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

2. Measurements:

RAENBERG  
3 HEADS (BLK PLASTIC W/BLACK TIPS) @ 42 PSI = 2.3 GPM ea x 3 = 6.9 GPM  
1 HEAD ( SAME ) @ 52 PSI = 2.6 GPM ea = 2.6 GPM  
9.5 GPM

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$$\frac{9.5 \text{ GPM}}{448.8} = \underline{\underline{0.021 \text{ cfs}}}$$

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

NIT DONE

Discharge Pressure: \_\_\_\_\_ psi x 2.31 = \_\_\_\_\_ ft (1); Dynamic pumping level: \_\_\_\_\_ ft (2)

Total Head: (1) + (2) = \_\_\_\_\_ (3) ; Flow rate: \_\_\_\_\_ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = \_\_\_\_\_ (5)

Meter Input KW: 3.6 x \_\_\_\_\_ KH x \_\_\_\_\_ CTR or \_\_\_\_\_ MULT x \_\_\_\_\_ PTR x \_\_\_\_\_ N/ \_\_\_\_\_ T = \_\_\_\_\_ (6)

Meter Input HP: (6) x 1.34 = \_\_\_\_\_ (7)

Panel Input KW: \_\_\_\_\_ Ave PF x \_\_\_\_\_ Ave Volts x \_\_\_\_\_ Ave Amps x .001732 = \_\_\_\_\_ (6)

Panel Input HP: (6) x 1.34 = \_\_\_\_\_ (7) Efficiency: (5)/(7) x 100 = \_\_\_\_\_ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = .8 \text{ ac} \times 4.5 \text{ ACF/AC/A} = 3.6 \text{ AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .02 \times 246 \times 1.9835 = 9.76 \text{ AFA}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 3.6 \text{ AFA}$$

2. Volume Calculations for Other Uses:

MICROFILMED  
APR 15 1991

# H. REMARKS AND OVERLAP REVIEW ANALYSIS

NO OVERLAP FOUND

PERMIT IS FOR IRRIGATION 1 ACRE @ 0.03 CFS  
 FEES PAID 0.04 CFS MAX  
 FOUND 0.80 Acre @ 0.021 CFS

## I. RECOMMENDATIONS

### 1. Recommended Amounts

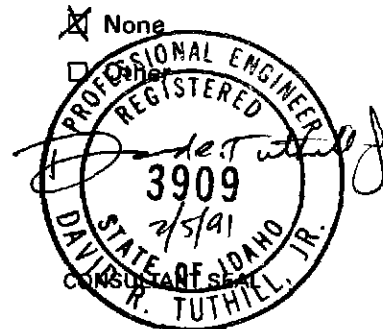
| Beneficial Use | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|---------------|-------|------------------------------|--------------------------|
|                | From          | To    |                              |                          |
| IRRIGATION     | 3-15          | 11-15 | 0.02 cfs                     | 3.6 AFA                  |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
| Totals:        |               |       | 0.02 cfs                     | 3.6 AFA                  |

### 2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above  
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above

## J. AUTHENTICATION

Field Examiner's Name KELLY R. CHRISTENSEN  
 Signature Kelly R. Christensen  
 Certification Date \_\_\_\_\_  
 Field Report Preparation Date 8-16-90



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

SC  
2/24/91

**RECEIVED**

APR 15 1991

PERMIT 65-12636 INIT KKC  
T. R. S. 0/0  
P/D 7N 1W 14 NW/4W  
SCALE  
PHOTO ID. W-7 MONTGOMERY-NW

P/U  
P/D

Spring

52

Form 219-S.A.  
Supplement  
6-90

65-12636  
Permit No. . .

ATTACHMENT A

SRBA CLAIM CHECK PER BENEFICIAL USE EXAM

EXAMINER K Christensen DATE SUBMITTED 6-15-90  
ADJUDICATION AGENT \_\_\_\_\_ RESPONSE DUE DATE 6-25  
COUNTY Gen OWNER'S NAME Eugene Davis

| PERMIT DATA | T         | R         | S         | Q/Q          | T     | R     | S     | Q/Q   |
|-------------|-----------|-----------|-----------|--------------|-------|-------|-------|-------|
| P/D         | <u>7N</u> | <u>1W</u> | <u>14</u> | <u>NW/NW</u> | _____ | _____ | _____ | _____ |
| P/U         | _____     | _____     | _____     | <u>SW/NW</u> | _____ | _____ | _____ | _____ |

ADJUDICATION DATA

Number Index A65-12636 B.A.S. 6/15 (Initial & Date)

Claim required for permit

\_\_\_ yes ☒ no If yes: \_\_\_ copy attached?

Claim files Although Not Required

\_\_\_ yes ☒ no If yes: \_\_\_ copy attached?

Name Index Eugene Davis B.A.S. 6/15/90 (Initial & Date)

Claim(s) filed in permit owner's name?

\_\_\_ yes ☒ no If yes: \_\_\_ copy attached? \_\_\_ N/A \*

Non-Data Entry Claims Found by County and Name None B.A.S. 6/15  
(Initial & Date)

\_\_\_ yes ☒ no If yes: \_\_\_ copy attached? ☒ N/A \*

\* copies included only if pertinent to permit field exam

A65-7308\* doesn't need field verification.

APR 15 1991

This photo is looking west and shows the collection tank, the pump and a portion of the supply line.



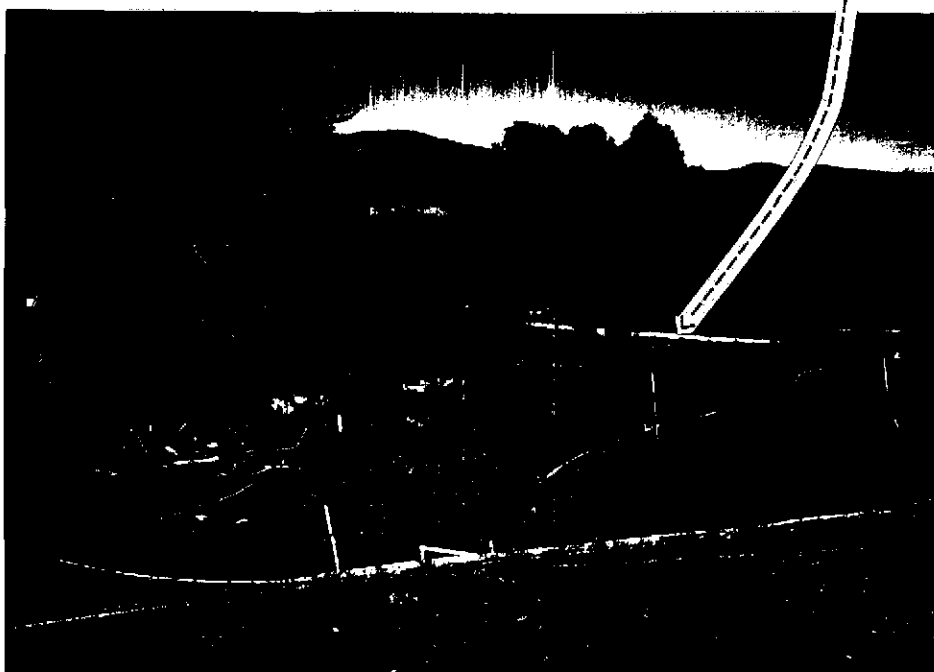
MICROFILMED

APR 15 1991

BELOW:

This picture is looking east across the P/U and shows a portion of the supply line. This pasture is the P/U.

P/D LOCATION



1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 65-12436

Date: 8/25/89

General Considerations:

Y Name same as permit  
OK Signature the same as permit holder  
N Address change If yes, prepare a data entry  
Y Proof received timely  
N Reinstated

Source of Water:

Y Surface water  
Y Groundwater  
1. well log in file  
2. N/A drilling permit  
A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

Y Rate of diversion appropriate for uses  
Y Is rate or volume and fee appropriate?  
Y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

N/A Is a measuring device or access port required?  
N/A Has one been installed?  
N/A Waiver or modification of measuring device requested

Remarks:

*Proof Acceptable*

Priority Calculation:

|                     |       |         |
|---------------------|-------|---------|
| Date proof received | _____ | _____   |
| Date proof due      | _____ | - _____ |
| No. of days late    | _____ | = _____ |
| Priority date       | _____ | + _____ |
| NEW PRIORITY DATE   | _____ | = _____ |

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

RECEIVED

AUG 22 1989

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

*no fee encl.*  
Department of Water Resources

For Office Use Only  
Fee Received \_\_\_\_\_  
Date \_\_\_\_\_  
Receipt # \_\_\_\_\_  
Receipt by \_\_\_\_\_  
Reviewed by \_\_\_\_\_  
Sent to region \_\_\_\_\_

## PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 65-12636

Name(s) of Permit Holder: Karen V or Eugene E Davis

Post Office Address: 5627 Spring Creek Rd

Emmett ID 83617 Telephone No. 208-365 5764

Source of Water: Spring

Extent of Use:

Domestic - 0 - (number of households) Stockwater 3 cows (number and type of stock)

Irrigation 2 (acres) Other/Remark \_\_\_\_\_

Total rate and/or volume for which proof is submitted 4-6 gallons/minute acre-feet

Show the date water was first diverted and beneficially used under this permit: August 15, 1989

Measuring Device: Required? ☐ Yes ☒ No  
Installed? ☐ Yes ☐ No

Fee enclosed \$ \_\_\_\_\_  
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☐ Yes ☒ No  
Installed? ☐ Yes ☐ No

Person to contact to accompany the Department representative during the field examination:

Eugene E Davis W-888-6798 (8-5)  
(Name) (Telephone Number)

5627 Spring Creek Rd  
Emmett ID 83617  
(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

8-18-89 Eugene E Davis **MICROFILMED**  
Date Signature of Permit Holder (and title, if appropriate) SEP 22 1989

138381  
June 30, 1989

KAREN V. DAVIS  
EUGENE E. DAVIS  
5627 SPRING CREEK RD.  
EMMETT, ID 83617

PROOF DUE NOTICE

RE: PERMIT NO. 65-12636

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before September 1, 1989. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck  
Secretary/Records Manager

Enclosures

**MICROFILMED**

SEP 22 1989

October 17, 1988

Eugene E. and Karen V. Davis  
5627 Spring Creek Rd.  
Emmett, ID 83617

Dear Mr. and Mrs. Davis:

Re: Permit No. 65-12636

Enclosed is a copy of the approved request for extension of time. The time within which to submit the proof of beneficial use form is extended to September 1, 1989.

If you have any questions or concerns regarding the permit, please contact this office.

Sincerely,

RITA I. FLECK  
Secretary/Records Manager

Enclosure

**RECEIVED**

DEC 06 1988

## STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 65-1236Reviewed by lgDate 10-14-81

## BASIC INFORMATION

4 Date stamp received  
4 Extension received timely  
(not prior to 6 month before proof due date or after reinstatement period)  
4 Fee received and receipted  
4 Name and signature same as permit  
NA Address change (indicate on coding sheet)

## BASIS FOR EXTENSION REQUEST

4 Has adequate work been completed to demonstrate due diligence?  
4 Has the cost incurred been adequate to demonstrate an intent to complete the project?  
NA Has the permit been involved in litigation?  
a. Swan Falls \_\_\_\_\_ Dismissed from Swan Falls \_\_\_\_\_  
Other \_\_\_\_\_ Identify \_\_\_\_\_  
b. Is supporting documentation needed to complete the file? \_\_\_\_\_  
Requested \_\_\_\_\_  
c. Calculate the period of delay

Date litigation completed \_\_\_\_\_

Date litigation began \_\_\_\_\_

Total period of delay = \_\_\_\_\_

Present proof due date + \_\_\_\_\_

NEW PROOF DUE DATE = \_\_\_\_\_

NA Is delay by a government agency?  
Is supporting documentation needed to complete the file? \_\_\_\_\_  
Requested? \_\_\_\_\_

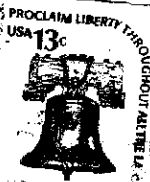
ACTION TAKEN Recommend approval based on due diligence for one year.

Special conditions or remarks:

NA Reinstatement Date extension received \_\_\_\_\_ = \_\_\_\_\_  
Proof due date \_\_\_\_\_ = \_\_\_\_\_  
No. of days late \_\_\_\_\_ = \_\_\_\_\_  
Priority date \_\_\_\_\_ = + \_\_\_\_\_  
ADJUSTED PRIORITY DATE \_\_\_\_\_ = \_\_\_\_\_

1 Prepare coding sheet  
1 Change rolodex cardf

5627 Spr Oak Rd  
Emmett ID 1984 88617



RECEIVED



SEP 18 1984

MAIL DELIVERED

DEC 06 1988

IDAHO DEPARTMENT OF WATER RESOURCES  
Department of Water Resources HOUSE  
BOISE, IDAHO 83720

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
COMMENCEMENT OF WORKS

Permit No. 65-12636  
Name(s) of Permit Holder(s): Karen V + Eugene E Davis  
Post Office Address: 5627 Spring Creek Rd  
Emmett ID 83617 Tel. No. 365-5764

☒ I hereby certify that construction of diversion works for the above referenced permit began on Sept 17, 1984 (date) and I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

DEC 06 1988

☒ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control\*:

Backhoe operator has had previous  
commitments & could not begin until 9-17-84  
9-14-84

\*Note: A financing difficulty is not an acceptable reason.

Date

Signature of Permit Holder

138070  
CERTIFIED MAIL  
June 30, 1988

DAVIS, KAREN V. & EUGENE E.  
5627 SPRING CREEK RD.  
EMMETT, ID 83617

**PROOF DUE NOTICE**

RE: Permit No. 65-12636

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before September 1, 1988. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this Department on or before the above described proof due date, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK  
Secretary/Records Manager

Enclosures

**MAILED**

DEC 06 1988

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440

DAVIS, KAREN V. & EUGENE E.  
5627 SPRING CREEK RD.  
EMMETT, ID 83617

SEPTEMBER 14, 1983

RE: PERMIT NO. 65-12636

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

THE 1982 IDAHO LEGISLATURE ADDED A REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.  
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

State of Idaho  
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: [Signature]

APPLICATION NUMBER: 65-12636

CHECK:

- ☒ Source.  
☒ Point of diversion.  
☒ County.  
☒ Quantity of water and period of use.  
☒ Description of diverting works.  
☒ Time required for beneficial use of water.  
☒ Place of use or acres irrigated.  
☒ Map.  
☒ Signature.  
☒ Fee.

Field check by: \_\_\_\_\_

Date: \_\_\_\_\_

Comments: \_\_\_\_\_

- ☐ Yes ☒ No Field check required.  
☐ Yes ☒ No Critical groundwater area.  
☐ Yes ☒ No Request dam safety information. Sent by: \_\_\_\_\_ Date: \_\_\_\_\_  
☒ Yes ☐ No\* In form to receipt.

\*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: \_\_\_\_\_

SEND COPIES TO:

- ☐ Idaho State Health Department.  
☐ Idaho Fish and Game Department.  
☐ Idaho Department of Lands.  
☐ U.S. Bureau of Land Management.  
☐ U.S. Forest Service.  
☐ Other \_\_\_\_\_

Copies sent by: \_\_\_\_\_ Date: \_\_\_\_\_

PROCESSING:

- ☐ Yes ☐ No Platted by: \_\_\_\_\_ Map No. \_\_\_\_\_  
☐ Yes ☒ No Other rights on same place of use. \_\_\_\_\_

- ☒ Yes ☐ No\* In form for advertising.  
Final date for protests: August 1, 1983  
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 8/9/83  
☒ Application published correctly. If not, record action taken: \_\_\_\_\_  
☒ Fee amount, receipt date & number, recorded on application. 30' 26848  
☒ Publication dates and paper, recorded on application. Emmett messenger Index  
☐ Protests, dates, withdrawal, etc., recorded on application. 7/4 + 7/21/83  
☒ Recommendation & initial, recorded on application.  
☐ Yes ☒ No Measuring device required.  
☐ Yes ☒ No Access port required.  
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? [Signature]  
6/28/83 Date of priority recommended.  
Special conditions of approval or cover letter. I.P. Letter

By: DBS

Date: 8/29/83

STATE OFFICE REVIEW:

L17, 26

- ☐ See attached sheet for more information.

By: [Signature]

Date: 8/30/83

RECEIVED  
AUG 30 1983  
Department of Water Resources

MICROFILMED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Western Region

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Statehouse  
Boise, Idaho 83720  
(208) 334-2190

JULY 7, 1983

Emmett Messenger-Index  
Box 577  
Emmett, ID 83617

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before AUGUST 1, 1983.

Yours truly,

JUDY PENSE  
Secretary

Encl.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before AUGUST 1, 1983.

KEN DUNN, Dir.

Published 07/14 & 07/21/83.

MICROFILMED

65-12636

DAVIS, KAREN V. &/or EUGENE E.

5627 SPRING CREEK RD., EMMETT, ID 83617

Source: SPRING trib. to SINKS

Date Filed: 06/28/1983

Diversion Pt: NWNW SWNW Sec 14 T 07N R 01W

Use: IRRIGATION (0.03 CFS)

In: SWNW Sec 14 T 07N R 01W FOR 1 ACRES

MICROFILMED

