

01/26/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 65-54B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LAST CHANCE DITCH CO C/O W L CHARTERS 1525 JORDAN LN EMMETT, ID 83617

Priority Date: 04/01/1894
Basis: Decreed
Status:

<u>Source</u>	<u>Tributary to</u>
PAYETTE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	41.2 CFS		
Total Diversion			41.2 CFS		

Location of Point(s) of Diversion:

PAYETTE RIVER	SWNE Lt 7	Sec. 22	Township 07N	Range 01W	GEM County
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IRRIGATION Use:
Acre Limit: 1744

Place(s) of use: No POU's found for this right

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1,744 ACRES WITHIN THE BOUNDARIES OF THE LAST CHANCE DITCH COMPANY IN A SINGLE IRRIGATION SEASON.

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
sbock	1/26/01	TRANSFER	Transfer No. 2662 was filed on this right and never entered in the w.r. data base. Mr. Harold Williams sought to transfer .3 cfs and 15 acres from last chance to Farmers Co-op. The pou did not change. It appears that the transfer should have been filed on 54X, as 54B, did not cover these lands. However, in an effort to reduce further confusion, I am showing the transfer as it was approved. This will be reduced to 41.2 cfs and reduced to 1,744 acres. This right was decreed in the Payette for 1,759 acres and the boundary that was created by IDWR and claimant came to 8,254 acres.

Dates:
Licensed Date:

Claim Received Date: 02/08/1990
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date: 01/21/1986
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

Element	Last Review Date	Reviewer	Last Verified Date	Verifier	Status
Contacts	1/26/01 10:09:27 AM	sbock			In Process
POD	1/26/01 10:12:56 AM	sbock			In Process
POU	1/26/01 10:18:08 AM	sbock			In Process
Priority Date	1/26/01 10:10:36 AM	sbock			In Process
Quantity	1/26/01 10:19:02 AM	sbock			In Process
Season	1/26/01 10:18:44 AM	sbock			In Process
Source	1/26/01 10:13:15 AM	sbock			In Process
Summary	1/26/01 10:22:09 AM		1/26/01 10:22:09 AM	sbock	Complete
Use	1/26/01 10:18:24 AM	sbock			In Process

Other Information:

Receipt Number(s): X999999
 State or Federal: S
 Owner Name Connector:
 Water District Number: 65
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

Verification Log:

Element	Date Time Stamp	Reviewer	Log Text
Contacts	1/26/01 10:09:24 AM	sbock	1. Appointment has not been scheduled.
POD	1/26/01 10:12:53 AM	sbock	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a Point of Diversion. 3. (YES) The claimed Point of Diversion can be verified using the water right file. 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required.
POU	1/26/01 10:18:06 AM	sbock	1. (YES) The POU is required. 2. (NO) The basis of claim is not beneficial use. 3. (YES) The Parent Right has a POU. 4. (YES) The claimed POU can be verified using the water right file. 12. (NO) POU remark was not required. 13. (NO) POU condition was not required.
Priority Date	1/26/01 10:10:34 AM	sbock	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (NO) The basis of claim is not beneficial use. 5. (NO) The basis of claim is not a posted notice. 6. (YES) Parent right has a priority date. 7. (NO) The basis of claim is not an application or permit. 12. (YES) The claim is recommended. 13. (YES) The claim is coded correctly. 14. (NO) Priority remark was not required. 15. (NO) Priority condition was not required.
Quantity	1/26/01 10:19:00 AM	sbock	1. (NO) The basis of claim is not beneficial use. 2. (YES) The basis of claim is a posted notice.

Season 1/26/01 10:18:42 AM sbock

- 6. (NO) The source is not ground water and the purpose of use does not require a diversion volume limit.
- 7. (NO) The parent right does not have an annual diversion volume limit.
- 9. (NO) Quantity remark was not required.
- 10. (NO) Quantity condition was not required.
- 1. (NO) The basis of claim is not beneficial use.
- 2. (YES) The parent right has a period of use.
- 3. (YES) The claimed Period of Use can be verified using the water right file.
- 12. (YES) Irrigation is the purposed use.
- 14. (NO) The period of use on the decree, license or transfer is not shorter on either the start or end date than allowable under IDWR's current standard.
- 15. (NO) Period of Use remark was not required.
- 16. (NO) Period of Use condition was not required.

Source 1/26/01 10:13:13 AM sbock

- 1. (NO) The basis is not beneficial use.
- 2. (YES) Parent right has a source.
- 3. (YES) The claimed source can be verified using the water right file.
- 8. (YES) The source is surface water.
- 9. (YES) The source is a standard source.
- 10. (NO) Source remark was not required.
- 11. (NO) Source condition was not required.

Summary 1/26/01 10:22:07 AM sbock

- 1. (NO) The basis of the claim is not beneficial use.
- 3. (YES) There is indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture.
- 5. (YES) General remark was required.
- 6. (NO) Explanatory remark was not required.
- 7. (NO) Additional condition was not required.
- 8. (YES) Wanted to view the recommended right.
- 9. (NO) This is not a split right.
- 10. (NO) This is not a combined right.
- 11. (NO) Documents were not linked or attached to this file.
- 12. (YES) Set the verification date.

Use 1/26/01 10:18:22 AM sbock

- 1. (NO) The basis of claim is not beneficial use.
- 2. (YES) The parent right has a purpose of use.
- 3. (YES) The claimed purpose of Use can be verified using the water right file.
- 11. (NO) Purpose of Use remark was not required.
- 12. (NO) Purpose of Use condition was not required.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/14/00
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME	
C	LAST CHANCE DITCH CO C/O W L CHARTERS 1525 JORDAN LN EMMETT ID 83617	04/01/1894	IRRIGATION	03-15 11-15	41.500 CFS		
					TOTAL DIVERSION:	41.500 CFS	
Water Source: PAYETTE RIVER		Tributary to Snake R			Stage: DECREED		
Point(s) of Diversion:		T07N R01W S22 Lot07			GEM County		
Place of use Legal Description for: IRRIGATION							
NE NW SW SE							
T R S		Lt Ac Lt Ac Lt Ac Lt Ac		: Lt Ac Lt Ac Lt Ac Lt Ac		: Lt Ac Lt Ac Lt Ac Lt Ac	
06N 01W 4		:		:		03 36 35 31	
06N 01W 5		:		:		37 32 31	
06N 01W 7		20 20		:		22 10 09 21	
06N 01W 8		37 29 34 35		25 03		35 18 27 37	
06N 01W 9		:		22 35 38 38		36 34 37 38	
06N 01W 17		30 16		37 37 36 36		38 38 38 38	
06N 01W 18		34 26 35 25		29 17		32 16	
06N 01W 19		32 39 35 36		38 39		24 23 31 02	
06N 01W 20		27 20		37 38 39		10 20	
06N 02W 10		:		:		28	
06N 02W 11		:		:		38	
06N 02W 13		37 36 37		37 38 37 34		36 37 38 36	
06N 02W 14		37 39 37 35		34 39 39 39		34 40 34 38	
06N 02W 15		39 39 24 39		38 38		39 31 18 36	
06N 02W 16		09		:		11	
06N 02W 22		34 27 38 38		25		:	
06N 02W 23		27 39 39 39		:		:	
06N 02W 24		38 38 40 39		33 39		20 38 40 40 38	
06N 02W 25		26 37 01		02 10 03 05		:	
06N 02W 26		23 02 09		02 07		:	
07N 01W 33		36		:		39 37 37	
07N 01W 34		:		02		:	
					TOTAL ACRES	5624.0	

Lots Without 1/4 1/4 Description: IRRIGATION										SUM
06N	01W	4	01-14	02-38	03-38	04-17	05-24			131.0
06N	01W	5	01-29	02-33	03-44	04-45	09-35	10-35		221.0
06N	01W	6	13-06							6.0
06N	01W	18	01-38	02-37	03-35					110.0
06N	01W	19	01-34	02-38	03-39	04-32				143.0
06N	02W	10	06-12	07-08	08-09					29.0
06N	02W	11	05-11	06-15						26.0
07N	01W	27	10-07							7.0
07N	01W	32	04-37							37.0
07N	01W	33	01-17	02-29	03-09	04-09	09-14			78.0

AJ5809NP
No. A65-00054B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/14/00
PAGE: 4

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Lots Without 1/4 1/4 Descriptions: IRRIGATION
07N 01W 34 01-25

SUM
25.0

POU County: GEM

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A65-00054A A65-00054X A65-01633 A65-02433 A65-02433C A65-09487 A65-09488

Other Water Rights Listing Overlapping Place(s) of Use:

A65-00034A	A65-00034X	A65-00038	A65-00041	A65-00054A	A65-00054X	A65-00066	A65-00067	A65-00074	A65-00075
A65-00560	A65-01007	A65-01305	A65-01358	A65-01649	A65-01976	A65-01977	A65-02626	A65-02645	A65-02646
A65-02646B	A65-02651A	A65-02651X	A65-02652	A65-02687	A65-02770X	A65-04993	A65-05011	A65-07026	A65-07377
A65-07484	A65-07660	A65-07660A	A65-07660B	A65-07846	A65-08803	A65-10555	A65-11077	A65-12184	A65-12217
A65-12585	A65-18319	A65-18338	A65-22107	R65-00034A	R65-00034X				

Remarks: GEN LANDS IRRIGATED BY LAST CHANCE DITCH COMPANY.
SEE RIGHT 65-0054X.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Audit: 02/08/90 HARRINGT 12/10/90 SMITH 03/30/95 POST-STD

WR5809NP
No. 65-00054B

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/30/00
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LAST CHANCE DITCH CO. C/O W. L. CHARTERS 1525 JORDAN LN. EMMETT ID 83617	04/01/1894	IRRIGATION	03/15 11/15	41.500 CFS	41.500 CFS
TOTAL DIVERSION:					41.500 CFS	

Water Source: PAYETTE RIVER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T07N R01W S22 Lot 07C

GEM County

Pou County:

Remarks: GEN LANDS IRRIGATED BY LAST CHANCE DITCH COMPANY.
SEE RIGHT 65-0054X.

Dates:	App. Received:	Priority Date:	04/01/1894
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 09/05/86 04/30/88 CONVERT

1759 Acres

Bock, Susan

From: Walker, Kay
Sent: Monday, September 25, 2000 11:27 AM
To: Bock, Susan
Subject: Last Chance Ditch Co.

Hi, SueBee!! I looked at file 65-00054B trying to find out about Transfer No. 2662 for you and came up with nothing that will help. The transfer was approved on May 26, 1982 but was never data entered. It appears to me that Mr. Williams transferred 15 acres of water to the Farmers Coop canal with no change in place of use. However, when I search the place of use he transferred his 15 acres to it only shows Right 65-00054X as being used in those 40's. By the time I spend hours trying to figure this transfer out and update the data base you could probably have contacted the canal companies and have it all straightened out. I am sorry but this one is not going to get updated in the data base. I can send you a copy of the approved transfer if you don't already have one.

Our file shows Right 65-00054B was split into C & D per the approved transfer. I wonder why they split "B" when it appears that it should have been "X" but I have no answer for that... The canal companies agreed to this transfer way back when so maybe they have an idea how the transfer worked. Let me know if you need a copy of the approved transfer. Kay

65-18347

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Harold Williams Phone 365-4790

Post Office address 2455 South Slope Rd., Emmett, ID 83617

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)

in case of _____ vs _____

dated in _____ in _____ county of _____
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources
and as described in Proposed Finding of Payette River Drainage Basin W. R.

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water Payette River tributary to Snake River

4. Date of priority 4/01/1894

5. Water is used for the following purposes:

amount 41.50 for irrigation purposes from 3/15 to 11/15

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 41.50 cubic feet per second
&/or
b. _____ acre feet per annum

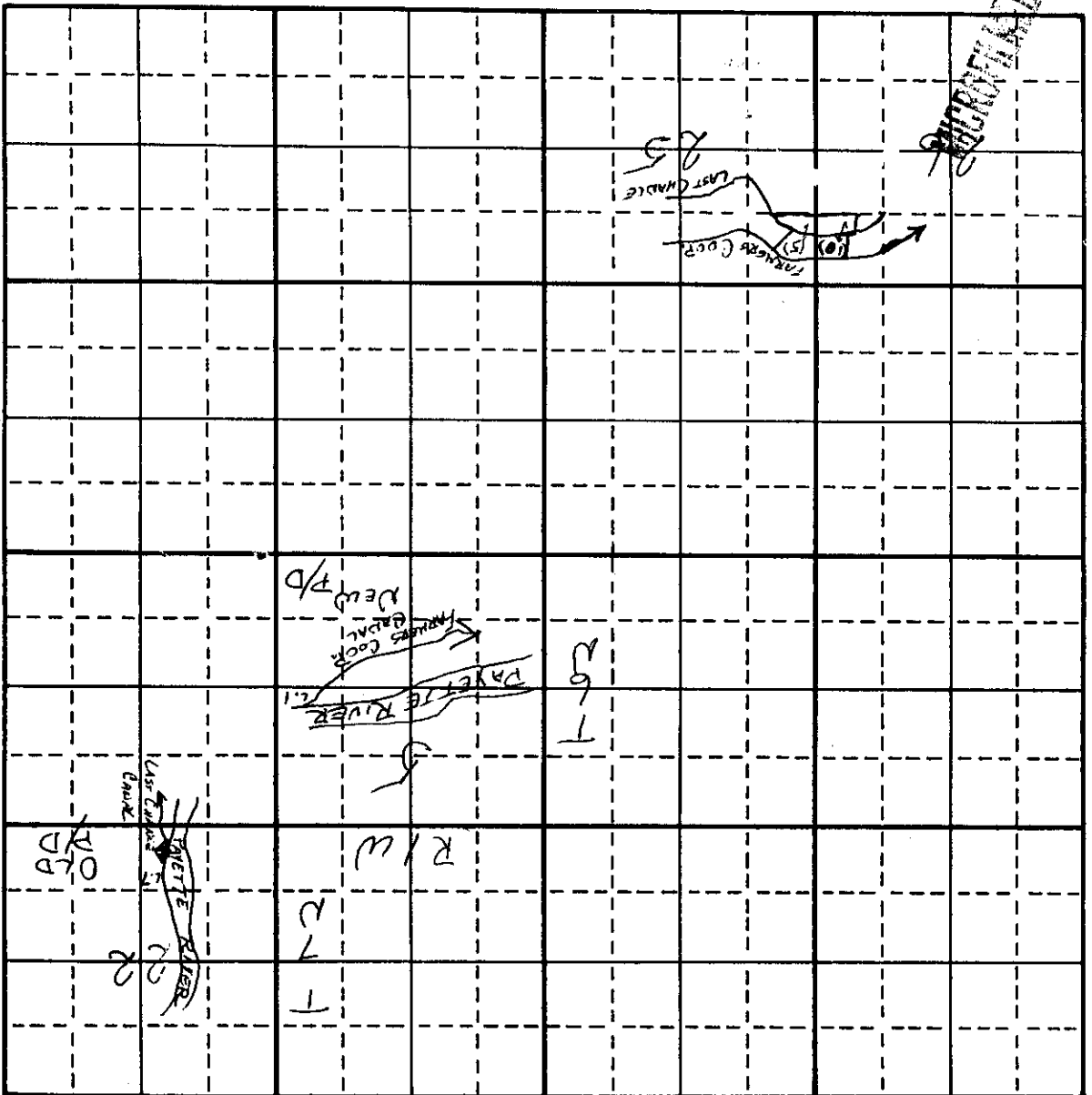
7. Location of original point of diversion is Lot 7 % of _____ % of Section 22
Township 7N Range 1W, B.M., in Gem County

Additional points of diversion, if any _____

8. Lands irrigated or place of use: (See attached)

NESW(3) NWSW(36)	NENE(34) NWNE(26)	NWNE(37) SWNE(36)	
SWSW(35) SESW(31)	SWNE(35) SENE(25)	SENE(37) NENE(37)	TALS
LCT 1(14)	NENW(29) SENW(17)	NWNE(38) SWNW(37)	
LCT 2(38)	NESW(32) SESW(16)	SENE(34) NESW(36)	
LCT 3(38)	NESE(38) NWSE(39)	NWSW(37) SWSW(30)	NENE(23) NWNE(1)
LCT 4(17)	SWSE(38) SESE(37)	SESW(36) NESE(19)	SWNE(9) SENW(7)
LCT 5(24)	LCT 1(38)	NHSE(24) SWSE(28)	SWNW(2)
S 4 T 6N R 1W	LCT 2(37)	SESE(38)	S26 T 6N R 2W
NESE(37) SWSE(32)	LCT 3(35)	S13 T 6N R 2W	LCT 10(7)
SESE(31)	S18 T 6N R 1W	NENE(37) NWNE(39)	S27 T 7N R 1W
LCT 10(35)	NENE(32) NWNE(39)	SWNE(37) SENE(35)	LCT 4(37)
LCT 9(35)	SWNE(35) SENE(36)	NENW(34) NWNE(39)	S32 T 7N R 1W
LCT 1(29)	NENW(38) SENW(39)	SENE(39) NESW(34)	*5624*
LCT 4(45)	SESW(24) NESE(23)	NHSE(40) SWSW(34)	
LCT 3(44)	NHSE(31) SWSE(2)	SESW(38) NESE(16)	
LCT 2(33)	LCT 1(34)	NHSE(28) SWNE(39)	
S 5 T 6N R 1W	LCT 2(38)	S14 T 6N R 2W	
LCT 1(6)	LCT 3(39)	NENE(39) NWNE(39)	Last Chance Ditch Co.
S 6 T 6N R 1W	LCT 4(32)	SWNE(24) SENE(39)	Land List
NENE(20) SENE(20)	S19 T 6N R 1W	NENW(38) SENW(38)	
NESL(22) NWSE(10)	NWNE(27) SWNE(20)	NESW(39) NWSW(31)	
SWSE(9) SESE(21)	NENW(37) NWNE(38)	SWSW(18) SESW(36)	
S 7 T 6N R 1W	SWNW(39) SENW(39)	NESW(40) NWSE(40)	
NENE(37) NWNE(29)	NESW(10) NWSW(20)	SWSE(39) SESE(35)	
SWNE(34) SENE(35)	S20 T 6N R 1W	S15 T 6N R 2W	
NENW(25) NWNE(3)	SENE(36) NESE(39)	SENE(9) NESE(11)	
NESW(35) NWSW(18)	SWSE(37) SESE(37)	S16 T 6N R 2W	
SWSW(27) SESW(37)	LCT 4(9)	NENE(34) NWNE(27)	
NESE(36) NWSE(34)	LCT 3(9)	SWNE(38) SENE(38)	3 years
SWSE(37) SESE(38)	LCT 9(14)	NENW(25)	
S 8 T 6N R 1W	LCT 1(17)	S22 T 6N R 2W	
NENW(22) NWNE(35)	LCT 2(29)	NENE(27) NWNE(39)	
SWNW(30) SENW(38)	S33 T 7N R 1W	SWNE(39) SENE(39)	
NHSE(4)	SWNW(2)	S23 T 6N R 2W	
S 9 T 6N R 1W	LCT 1(25)	NENW(38) SWNE(40)	
NWNE(30) SWNE(16)	S34 T 7N R 1W	SENE(39) NENW(33)	
NENW(37) NWNE(3)	SESW(28) SWSE(22)	SENE(39) NESW(20)	
SWNW(36) SENW(36)	SESE(38)	NESE(38) NWSE(40)	
NESW(38) NWSW(38)	LCT 6(12)	SWSE(40) SESE(38)	
SWSW(38) SESW(38)	LCT 8(9)	NWNE(38)	
NWSE(37) SWSE(37)	LCT 7(11)	S24 T 6N R 2W	
S17 T 6N R 1W	S10 T 6N R 2W	NENE(26) NWNE(37)	
	SWSW(38)	SWNE(1) NENW(2)	
	LCT 5(11)	NWNE(10) SWNW(3)	
	LCT 6(15)	SENE(5)	

RECEIVED



$R(u)$

land involved by section, township and range number.

4. Describe any other water rights used for the same purpose as described above. _____
- No
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the _____

Total number of acres to be irrigated

[illegible]

- c. Describe the land, place of use to which the right will be transferred;

TRANSFER NO.	NAME	AMOUNT	C.F.S.	BALANCE	RIGHT NO.
--------------	------	--------	--------	---------	-----------

2662	Williams, Harold	0.30	65-0054 C		
	Last Chance Canal Co.	40.55	65-0054 B*		
	Last Chance Canal Co.	41.20	65-0054 D		

*Note: 65-0054X and 65-0054A were assigned different dates of priority by the Payette River Adjudication, so they are not included in this file but rather are treated as unique water rights.

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NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 65-0054B

Notice is hereby given that Harold Williams
Emmett, Id.
of 2455 South Slope Rd. has applied to the Department of Water
Resources for a change of the point of diversion
of the water of the Payette River
The right sought to be changed is evidenced by Claim No. 65-0054B

and is recorded as follows:

Amount: 41.50 cfs. Priority 04/01/1894
Point(s) of Diversion: Lot 7 Sec 22 T7N R1W Gem Co. (Last Chance Ditch Co. Canal)
The water is used for Irrigation purposes from 3/15 to
11/15 and used upon lands under the Last Chance Ditch Company irrigation system.

TO BE CHANGED AS FOLLOWS

Amount: .30 cfs
Point(s) of Diversion Lot 1 Sec 5 T6N R1W Gem Co. (Farmers Coop Canal)
The water will be used for Irrigation purposes from
3/15 to 11/15 for the irrigation of 15 acres within the NWNW Sec 25 and NENE
Sec 26 T6N R2W

Any protest against approval of the proposed change of water right appli-
cation must be filed with the Department of Water Resources, 92 S. Cole Road,
Boise, Idaho 83709 on or before March 29, 1982

A. KENNETH DUNN
Director

Published in the Emmett Messenger-Index
on 3/11 and 3/18/82

MICROFILMED

WARRANTY DEED

For Value Received BRYCE WALKER and JANE F. WALKER, husband and wife
of 2343 South Slope Road, Emmett, Idaho 83617,

the grantor s, do hereby grant, bargain, sell and convey unto HAROLD WILLIAMS and
JACALEEN WILLIAMS, husband and wife

the grantee s, whose current address is Box 409, Cascade, Idaho 83617

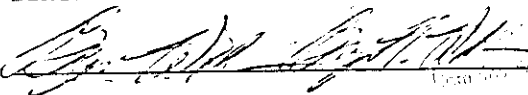
the following described premises, in Gem County Idaho, to-wit:

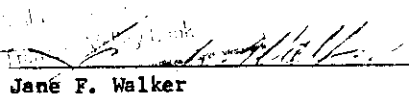
See attached "Exhibit A".

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees ,
their heirs and assigns forever. And the said Grantor s do hereby covenant to and
with the said Grantee s, that they are the owner s in fee simple of said premises; that they are free
from all incumbrances

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

Dated: October 16, 1979

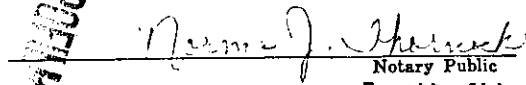

Bryce Walker


Jane F. Walker

STATE OF IDAHO, COUNTY OF

On this 16th day of October, 1979,
before me, a notary public in and for the said State, personally appeared

known to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.


Notary Public
Emmett, Idaho

Residing at
Comm. Expires 11/1/82

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:

INSTRUMENT NO.

Tract 1: That portion of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 26 and NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25, Township 6 North, Range 2 West of the Boise Meridian, in Gem County, Idaho, lying South of the Farmer's Cooperative Canal Right of Way;

EXCEPT THEREFROM the following described tract of land:

Beginning at the Southwest corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 26, Township 6 North, Range 2 West of the Boise Meridian; run East on the $\frac{1}{2}$ $\frac{1}{2}$ section line 337 feet; thence North parallel to the $\frac{1}{2}$ $\frac{1}{2}$ section line 566 feet, more or less, to the right of way of the Farmer's Cooperative Ditch; thence in a Southwesterly direction along the right of way of the said Farmer's Cooperative Ditch Company 370 feet, to a point on the $\frac{1}{2}$ $\frac{1}{2}$ section line which is 400 feet North of the Southwest corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 26; thence South 400 feet to the said Point of Beginning;

ALSO EXCEPT THEREFROM the following described tract of land:

Beginning at the Southwest corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 26, Township 6 North, Range 2 West of the Boise Meridian; run thence East 336 feet, to a point; thence North 278 feet to an iron pin, the True Point of Beginning, said point being on the North right of way line of the Last Chance Ditch; thence North 60°31' East along the North right of way line of the Last Chance Ditch, a distance of 105 feet, to an iron pin; thence North a distance of 242 feet, more or less, to the South right of way line of the Farmer's Cooperative Canal; thence Westerly along the said right of way line of the Farmer's Cooperative Canal, a distance of 100 feet, to an iron pin; thence South and parallel to the West boundary of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 26, a distance of 278 feet, to the said Point of Beginning;

ALSO EXCEPT

Beginning at the Southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, Township 6 North, Range 2 West, Boise Meridian; run thence North 89°51' West 4189.61 feet to the Real Point of Beginning; thence continuing North 89°51' West 480.60 feet to a point; thence North 78 feet, more or less, to the centerline of the Last Chance Ditch Extension Lateral; thence along said centerline North 66°21'12" West 144.06 feet; thence North 82°29'24" West 215.61 feet; thence North 3°21'07" West 335.54 feet to a pin in the South Bank of the Farmer's Cooperative Canal; thence along said Canal bank South 87°40'03" East 224.28 feet; thence South 68°25'58" East 199.32 feet; thence South 46°14'10" East 604.38 feet to the Real Point of Beginning; EXCEPTING therefrom that portion lying within the Farmer's Cooperative Canal right of way;

ALSO EXCEPT

Beginning at the Southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, Township 6 North, Range 2 West, Boise Meridian; run thence North 89°51' West 4189.61 feet to a point; thence

MICROFILMED

North 89°51' West 480.60 feet to a point; thence
North 78 feet, more or less, to the centerline of the Last Chance Ditch
Extension Lateral; thence along said centerline
North 66°21'12" West 144.06 feet; thence
North 82°29'24" West 215.61 feet to the Real Point of Beginning; thence
North 3°21'07" West 175 feet; thence
Southwesterly 150 feet, more or less, to a point on the centerline of the
Last Chance Ditch Extension which bears North 61°53'51" West 102 feet from the
Real Point of Beginning; thence
South 61°53'51" East 102 feet to the Real Point of Beginning.

ALSO EXCEPTING a 60 feet wide strip of land from South Slope Road to
property of Bryce and Jane Walker which is North of the Farmer's
Cooperative Canal Right of Way, to wit;

The East 60 feet of the $\frac{1}{2}$ of the $\frac{1}{2}$ of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 26
from South Slope Road to the Last Chance Ditch Extension Lateral
and connecting 60 feet wide strip running from the Last Chance
Ditch Extension Lateral Northeasterly to the Land of Bryce and
Jane Walker lying North of the Farmer's Cooperative Canal right
of way.

AND ALSO EXCEPT all ditch, canal and road rights of way.

Tract 2: All of the $\frac{1}{2}$ of the $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of
Section 26, Township 6 North, Range 2 West of the Boise
Meridian, in Gem County, Idaho
AND That portion of the $\frac{1}{2}$ of the $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$
and the $\frac{1}{2}$ of the $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$
of Section 26, Township 6 North, Range 2 West of the Boise
Meridian, in Gem County, Idaho, lying North and below the
right of way of the U.S. Bureau of Reclamation Canal, as
described in Book 3 of Bonds and Agreements, at Page 219,
records of Gem County, Idaho;

EXCEPT all ditch, canal and road rights of way;

AND ALSO EXCEPT all coal in the lands as reserved by the United
States in the Patent recorded June 22, 1912 in Book 1 of
Patents. at Page 263, records of Gem County.

Tract 3:

Beginning at the Southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, Township 6 North,
Range 2 West, Boise Meridian; run thence
North 89°51' West 4189.61 feet; thence continuing
North 89°51' West 480.60 feet to a point; thence
North 78 feet, more or less, to the centerline of the Last Chance Ditch Extension
Lateral; thence along said centerline
North 66°21'12" West 144.06 feet; thence
North 82°29'24" West 215.61 feet; thence
North 3°21'07" West 175 feet to the Real Point of Beginning; thence continuing
North 3°21'07" West 150.34 feet to a pin in the South bank of the Farmer's
Cooperative Canal; thence along said canal bank,
South 40°03" East 109.36 feet; thence
Southwesterly to the Real Point of Beginning;

EXCEPT therefrom that portion lying within the Farmer's Cooperative Canal
right of way.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

COUNTY OF GEM,

Arnte Boe being first
duly sworn, on his oath deposes and
says that he is the printer of Messenger-
Index, a legal weekly newspaper pub-
lished at Emmett, in Gem County, Idaho;
that said newspaper is in general circu-
lation in said county and has been pub-
lished 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 Mar 11

1982 and ending with the issue of

March 18, 1982
Arnte Boe

Subscribed and sworn to before me this

18th day of

March, 1982
Arnte Boe

Notary Public,

Residing at Emmett, Idaho.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT No. 65-0054B

Notice is hereby given that
Harold Williams of 2455 South
Slope Rd., Emmett, Idaho has
applied to the Department of
Water Resources for a change of
the point of diversion of the
water of the Payette River.

The right sought to be
changed is evidenced by Claim
No. 65-0054B and is recorded as
follows:

Amount: 41.50 cfs

Priority: 04 / 01 / 1894

Point(s) of Diversion: Lot 7 Sec.
22 T7N R1W Gem. Co. (Last
Chance Ditch Co. Canal)

The water is used for irrigation
purposes from 3 / 15 to 11 / 15
and used upon lands under the
Last Chance Ditch Company
irrigation system.

TO BE CHANGED AS

FOLLOWS

Amount: .30 cfs

Point(s) of Diversion: Lot 1 Sec.
5 T6N R1W Gem Co. (Farmers
Coop Canal)

The water will be used for
irrigation purposes from 3 / 15 to
11 / 15 for the irrigation of 15
acres within the NWNW Sec. 25
and NENE Sec. 26 T6N R2W.

Any protest against approval
of the proposed change of water
right application must be filed
with the Department of Water
Resources, 92 S.Cole Road,
Boise Idaho 83709 on or before
March 29, 1982.

A. Kenneth Dunn
Director

Publish: 3-11, 18-82

RECEIVED

MAR 22 1982

Department of Water Resources
Western Regional Office

MICROFILMED

STATE OF IDAHO
Department of Water Resources

FIELD INSPECTION REPORT

(western complaints
file)

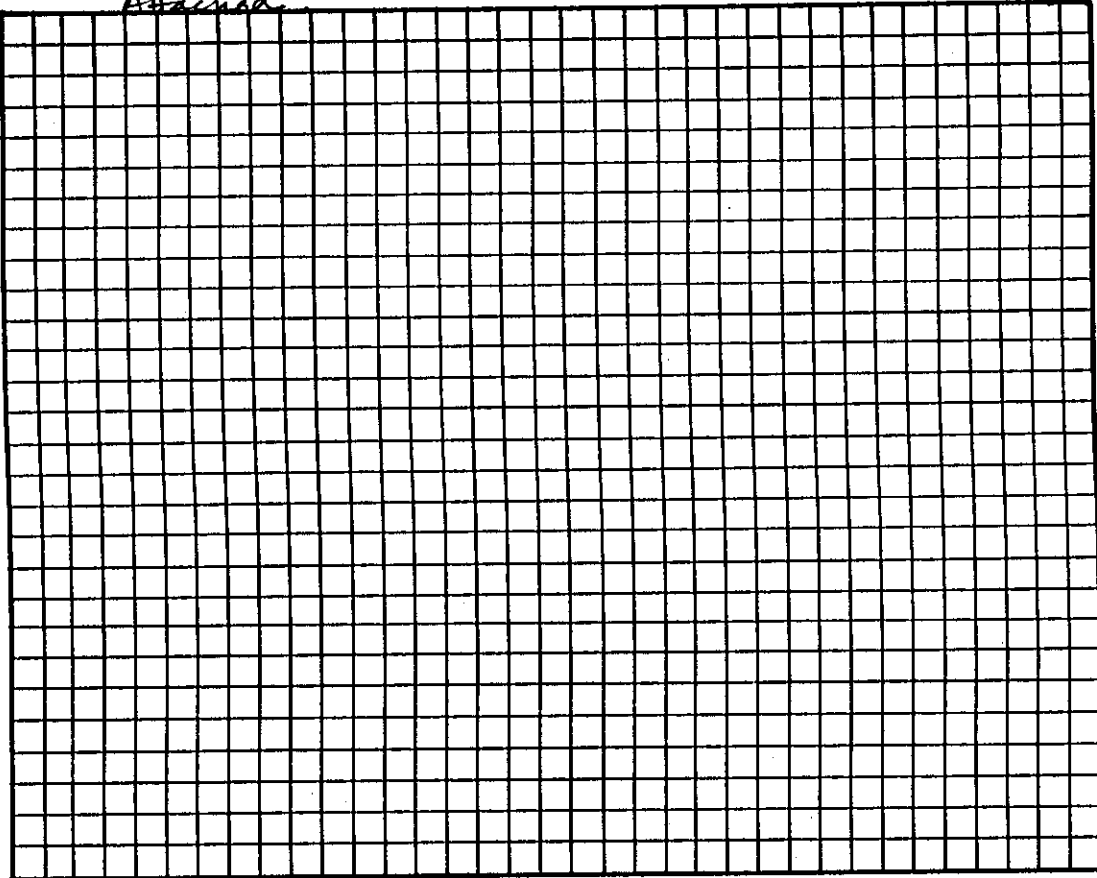
1. Date: 7/8/94 Time: 13:30 Photos: ☒ Yes ☐ No
2. Inspection Involves: ☒ Water Rights ☐ Dam Safety ☐ Well Construction or Driller
☐ Waste Well ☐ Stream Channel Alteration ☒ Water Distribution
☒ Other Water Damage
3. Reason for inspection: To assess damages, verify deliveries
4. Stream name: Last Chance Ditch
5. Stream characteristics: _____
6. Stream width: _____ Depth: _____ Gradient: _____ Q: _____ est. _____
meas. _____
7. Location: _____ 1/4 _____ 1/4, Sec. 13, Twp. 6N, Rge. 2W, County GEM
Landmark: _____
8. Person(s) contacted: Don Fellom, Helen Ranstrom, Ron VanHook
9. Dam name: _____ Spilling: ☐ No ☐ Yes ☐ Q _____
Outlet open: ☐ No ☐ Yes ☐ Q _____ Spillway open: ☐ Yes ☐ Fibrd ☐ Gate open
Freeboard: Spillway ☐ Crest ☐ Res. stage: ☐ Rising ☐ Falling ☐ Rate
10. Area characteristics: _____
11. Weather conditions: Hot
12. Describe activity/conditions inspected: Ranstrom, Fellom, VanHook
(Siebert)
properties, Vaughn Pasture.
13. Are all requirements being met? ☐ Yes
If not, check type violated: ☒ Statutory ☐ Rules & Regs ☐ Permit
14. Describe impact on others: Flooding, property damage, Sewage
backing up, vegetation dying due to boggy conditions,
animals standing in water, water in basements
15. Describe alternatives: More reasonable use of water, more &
proper drainage.

16. Remarks Valid water right, not illegal diversion. Dept
has no jurisdiction.

17. Followup Necessary: ☒ Yes ☐ No Describe: letter to complainants,
Steve's Signature.

18. Sketch: Include direction, important dimensions, photo locations, landmark or reference point

Attached.



19. Action taken at time of inspection: NONE

20. Signed: Cylodges

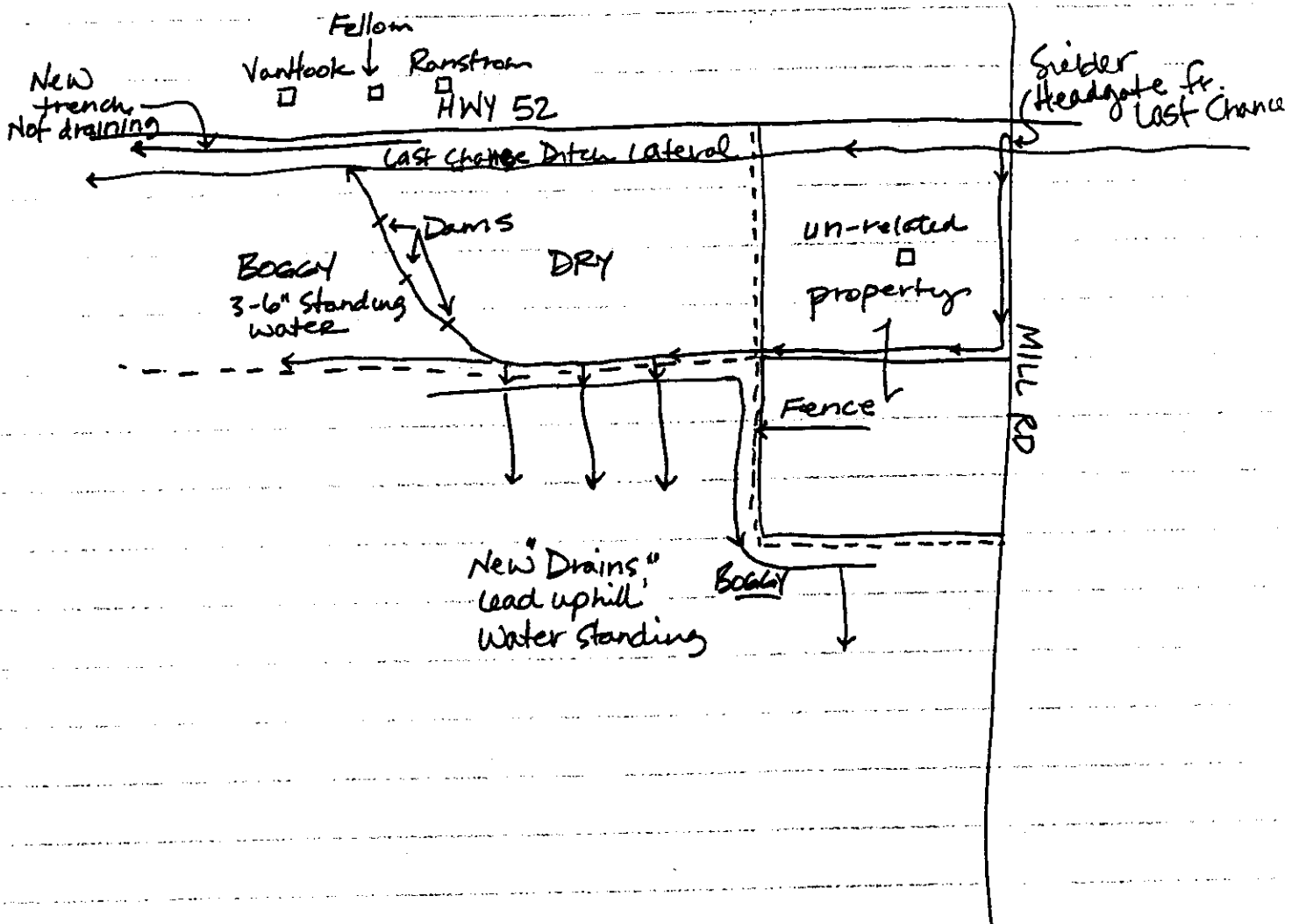
21. Follow up action: Date: 7/18/94 Additional Memo Prepared: ☒ Yes ☐ No

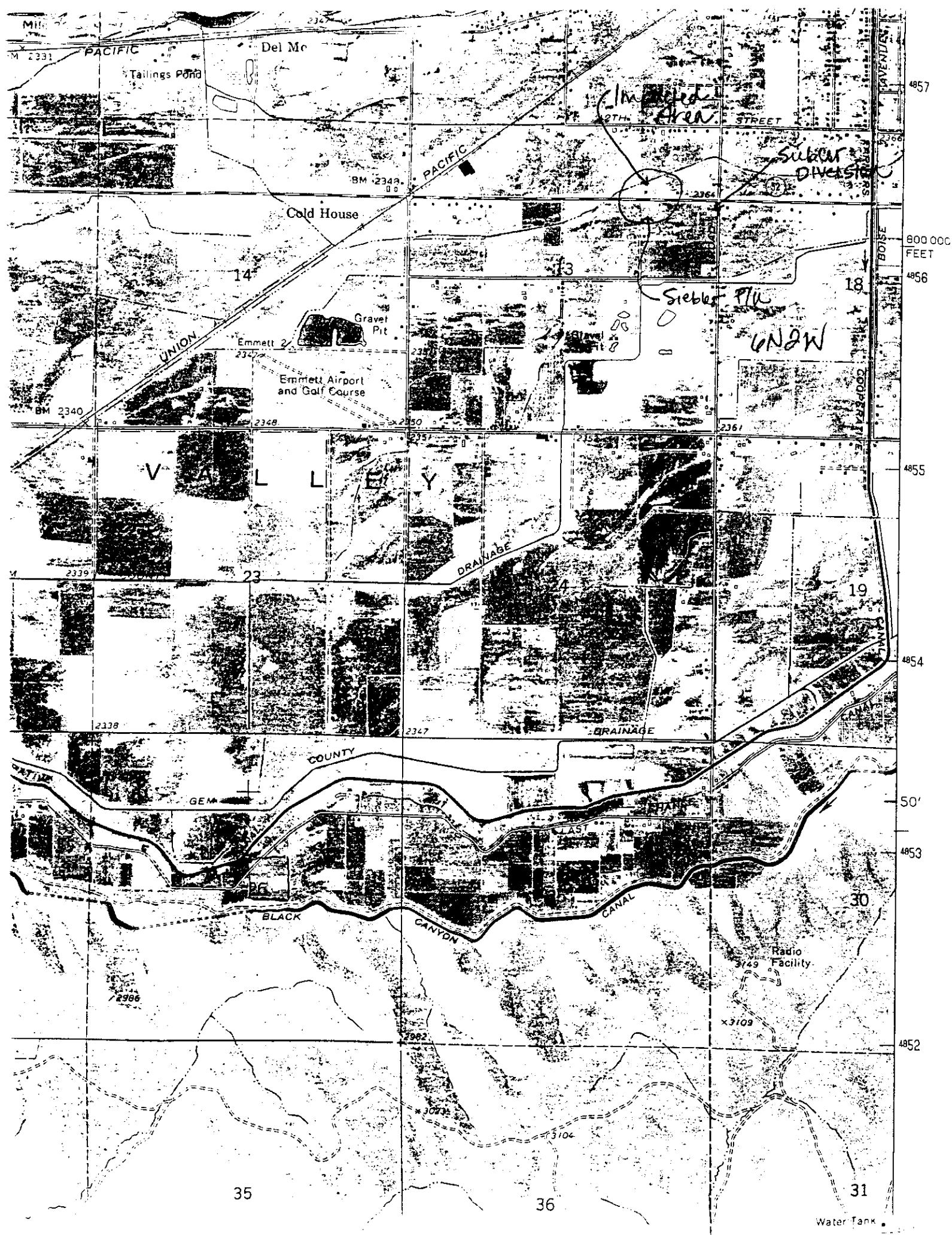
Describe: letter for Steve's signature sent to 3 complainants
and copied to Siebler, mailed 7/18. (copy attached.)

22. Signed: Cylodges

61 - W Sec 13

7 / 94 Cyt





CONVERSATION MEMORANDUM

DATE 6/23/94

FILE Vaughn/Siebler
Complaint by
Fellon et al

NAME OF PARTY Robert Siebler
EMPLOYEE Team Leader

RE: update

Called to tell me:

Purchased land from father-in-law D. Vaughn
a few years ago. Then put in # of drain
ditches & no problems after that, as far as he
knows.

Said recent problem was result of something
else: blow-out on water delivery ditch str.
his land & highway. Said ditch rider John
Mason has fixed that & problem is correcting
itself. So his info is that neighbors were
mis-informed & what caused recent problem.

Said I DNR staff welcome to drop by anytime
& inspect situation. His drain ditches work well
& improve the irrigation of his field & don't
cause problems as far as he can tell.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 10, 1994

Mr. David Vaughn &/or Mr. Robert Siebler
2745 Mill Road
Emmett, ID 83617

RE: Alleged Mis-use of Water Rights

Dear Sirs:

This letter is in response to two complaints received today regarding your irrigation and/or stock water uses on land in SE 1/4 NE 1/4, Section 13, T6N, R2W. The complaints essentially reiterate complaints received by this office in 1989. Then, and now, the allegations stated that your land is excessively flooded with water provided through Last Chance Ditch Company. The complaints state the result of your water use practices is to raise the water table on property on the north side of Hwy 52, thereby causing damage to neighboring land.

Enclosed are copies of my 1989 letters addressing this situation. By way of this letter and previous ones, I am not indicating that I know all of the facts of the situation. However, if the complaintants are correct in their conclusions, you may be liable for such damages in a civil action initiated by some party other than this agency.

You should be aware that the rights serving your property provide .87 cfs (about 390 gpm) to irrigate 37 acres and provide incidental stock use. As with any water right, the user must remain within the limits of the right and must apply the water to a beneficial use. Waste of water is not sanctioned by water rights, nor is damage to other property. It is difficult to imagine that standing water in a field for a significant period is a beneficial use of water.

If conditions at your property and the neighboring land are those indicated by the complaintants, I recommend that you take steps to correct the problems to prevent further complications that could occur under Idaho statutes. A field visit will be made by Department staff within the next two weeks to check on the situation. It is particularly important to be aware of good water use practices during drought years such as this year.

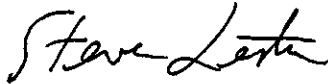
Mr. D. Vaughn &/or Mr. R. Siebler

June 10, 1994

Page 2

Meanwhile, if you have additional information that you would like to provide or if you just want to discuss this problem, please feel free to contact me or the Regional Manager at this office.

Sincerely,

A handwritten signature in cursive script that reads "Steve Lester".

Steve Lester

Water Rights Supervisor

c: D. & L. Fellom

H. Ranstrom

IDWR Complaint File

June 10, 1944

Dept of Water Resources
 Alton E. Gentry, Senior Water Resources Agent
 Western Region
 2735 Airport Way.
 Reno, Idaho 83705

Dear Sir:

This letter is a formal complaint in regard to the irrigation practices of Mrs. Dave Baugh & Robert Squibler - Emmett, Idaho.

We property-owners on Highway 52, are are experiencing all kinds of problems from a wasteful and wanton use by the above mentioned gentlemen.

At present, we have $1\frac{1}{2}$ ft of stagnant water sitting in the borrow pit in front of our home, water running down a trench to our back yard - water beneath our home, and most importantly, water standing in and around our well ring - Most of the water is full of scum & algae - the mosquito abatement department has stopped and sprayed insecticide on our "pool" and we are very afraid of contaminants seeping

We have watched ducks banking in the fields
where these improper irrigation practices are
being conducted - wondering if it will soon
become a wetlands foul preserve.

Neighbors have told us that Vaughn-Sickler
has had water on their fields for over 30 days.
They water their livestock with it.

This is extreme use of irrigation privileges.
(Also extreme abuse to us property owners).

With the statement on television, that southern
Idaho is experiencing a draught condition - this
is really a disgusting and completely brazen
situation. We all feel that severe reprimand
should result. (I wonder what the media would
think of this one!)

Please throw out a life preserver - we're
sinking!

Sincerely,
Don & Garna Eldon
1286 Highway 52
Emmett, Idaho 83617

Southwest Health District - Ken Hoodwin -
Bob Siebler - water problem, all to no
avail.

Now we turn to you - Any help will
be greatly appreciated as we are drowning
in excess/wasted water, that could be
used for much better purposes than
causing us all property damage.

I have enclosed copies of our
previous correspondence.

Thank You
Mrs Helen Raxstrom

Per W. L. Van Gork

CONVERSATION MEMORANDUM

DATE 6/9/94FILE ComplaintNAME OF PARTY Mrs. Fellom 365-375365-00054XEMPLOYEE Steve LesterRE: Glen Foster relayed info from call from Donald
Fellom of 6/8.

Repeat of 1989 problem with Vaughn property
re 65-00054X. Fellom's neighbors have standing
water in yards etc. - lots problems.

Told her I needed a complaint letter to
pursue this. gave her address + fax # if
want to expedite in person or by fax.

Limited to work role per Gary Spahr's
1989 memo. Check with Glen before respond.

WR	37 ac	e	.27 cfs	total	(derived 1 ditch w. wa)
DJ	37	c.	.87 "	"	(claimed 3 ditch co. claiming here)

Can we take action to determine rate on
these acres & limit user to that? ^{used}

If so, looks like .27 is the limit? But
that's the only WR on the tract & is not
enough to provide needed volume 37 ac with
only .27 cfs.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

*Vault copy, 65-00054X
Continuation of 1989 complaint
of same nature.*

July 18, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

TO: Don and Lorna Fellom, Helen Ranstrom, Ron VanHook (addresses attached)

RE: Complaint Regarding Irrigation Practices of Robert Siebler

Dear Interested Party:

On Friday, July 8, 1994, Cindy Hodges of our office conducted a field check of the situation you have described in your June 10, 1994, correspondences to the Department. She verified and documented your accounts of water damage in and around your homes. She also verified that irrigation was occurring in the Siebler pasture and that water was standing in the west end of the field.

Because the Siebler irrigation diversion is occurring under a valid water right which is held and delivered by Last Chance Ditch Co. (65-00054X), the Department of Water Resources has little to no jurisdiction over this unfortunate misuse of water. Rather, delivery of flows to Mr. Siebler is under the authority of the Ditch Company and/or their appointed ditch rider. I would strongly recommend that you make your concerns regarding wasteful irrigation practices known to the Board of Directors of the Last Chance Ditch Company. Ms. Hodges was informed during her visit that water users under Last Chance are limited to 12-hour irrigation sets. If a violation of this policy is occurring, the ditch rider should be the policing authority and should be informed immediately.

As I expressed in my June 10 letter to Mr. Siebler, (copied previously to Mrs. Ranstrom and Mr. Fellom), the damage caused to your properties because of the raised water table is a civil matter, with remedies available under civil law. If you choose to pursue a civil action, all documentation on file which has resulted from our investigations is considered public information, and we will gladly release copies to you or your counsel upon request.

Further action will not be taken by this Department regarding this matter unless actual illegal diversion by Mr. Siebler may be substantiated. If you have additional questions, please feel free to contact me or the Regional Manager at this office.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosures to Mr. VanHook, as requested

cc: Robert Siebler

DISTRIBUTION LIST, R SIEBLER COMPLAINT

DON AND LORNA FELLOW
1226 HWY 52
EMMETT ID 83617

HELEN RANSTROM
1214 HWY 52
EMMETT ID 83617

RON VAN HOOK
1238 HWY 52
EMMETT ID 83617

ROBERT SIEBLER
2745 MILL RD
EMMETT ID 83617

INTER-DEPARTMENT MEMO — 1

FROM *Dave*

DATE 5/17/82

TO Glen

SUBJECT 65-0654 B T 2662

This change in Point of diversion from last Klauer Canal Co to Farmers Co-op Irr Co has been approved by reps from both companies, per documentation in the file. Reconcured approve.

Dave

SIGNATURE

RECEIVED
JUN 1 1982
WATER RIGHTS SECTION

June 1, 1982

RE: Water Right No. 65-0054B

Harold Williams
2455 South Slope Rd.
Emmett, ID 83617

Dear Mr. Williams:

Enclosed herewith is a copy of your approved application for transfer of the above referenced water right (Transfer No. 2662). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:kw
Enclosure



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 1, 1991

Jerry Pulley
Emmett, ID 83617

RE: Water Rights Nos. 65-0054A, 65-0054B and 65-0054X in the
Name of Last Chance Canal Company

Dear Mr. Pulley:

You have inquired why the Last Chance Canal Company's water rights exceed the statutory limitation of 0.02 cfs per acre irrigated. The combined rights authorize diversion of 132.61 cfs for the irrigation of 5624 acres.

The Department records show that, when the Last Chance rights were decreed, an additional flow rate was added to each of the rights to account for delivery ditch loss. I have enclosed copies of the calculation sheets for your reference. I cannot, however, trace exact calculations of the 132.61 cfs, nor can I trace how the Court determined that 5624 acres were irrigated.

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

GARY SPACKMAN, Manager
Water Right Permit Section

GS:js

Enclosure

cc: Western Region
Last Chance Canal Co.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: 665

1. Right number 65-005413 Applicant Harold Williams
2. Type of right: ☐ Decree ☐ License ☒ Claim Payette R. ADJUDICATION
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Other _____

4. Check:

(a) ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

(b) ☒ Description of original point of diversion.

(c) ☒ Description of original place of use.

$$\frac{41.50 \text{ cfs}}{5624} = .007$$

5. Amount of land &/or water transferred:

a. ☐ All of right.

$$\frac{.3}{15} = .02$$

(b) ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

(c) ☒ Check description of point(s) of diversion.

N/A d. ☒ Check description of place of use.

(e) ☒ Check map (shows p.d. and p.u. after transfer).

(f) ☒ Check for correct signature, notarization, and fee.

(g) ☒ Check proof of ownership of right &/or land from which water is transferred.

(h) ☒ Check for expansion in use of right. Comments No apparent expansion

(i) ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) None

(j) ☒ Is use within a Watermaster District? ☒ Yes ☐ No when adjudication is finalized

If yes, what district? 65

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No Emmett Messenger-Index
3/11/82 3/18/82
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* The approval of this transfer does not confirm the validity of the water right claim presently pending in the case of State of Idaho vs. Payette R. Corp et al

4. By DBS Date 4/1/82

Apr 4-21-82 05/65, Payette R. use above condition
*uses within Watermaster Districts require special conditions.

APR 03 1982
Department of Water Resources

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: A65-00054B
Date Received: 2-8-90
Receipt No: X999999
Received By: RAF

RECEIVED
FEB 8 1990

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. Name: LAST CHANCE DITCH CO.
Address: C/O W. L. CHARTERS
1525 JORDAN LN.
EMMETT, ID

83617

2. Date of Priority: APR 01, 1894

3. Source: PAYETTE RIVER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
07N	01W	22		7	GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	41.500		

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

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
06N	01W	4		1	IRR	14.0
				2	IRR	38.0
				3	IRR	38.0

A65-00054B

Page 1

Date: 01/12/90

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SEP 15 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	01W	4			4	IRR	17.0
					5	IRR	24.0
			NE	SW		IRR	3.0
			NW	SW		IRR	36.0
			SW	SW		IRR	35.0
			SE	SW		IRR	31.0
					Section Acres		236.0
		5			1	IRR	29.0
					2	IRR	33.0
					3	IRR	44.0
					4	IRR	45.0
					9	IRR	35.0
					10	IRR	35.0
			NE	SE		IRR	37.0
			SW	SE		IRR	32.0
			SE	SE		IRR	31.0
					Section Acres		321.0
		6			13	IRR	6.0
					Section Acres		6.0
		7	NE	NE		IRR	20.0
			SE	NE		IRR	20.0
			NE	SE		IRR	22.0
			NW	SE		IRR	10.0
			SW	SE		IRR	9.0
			SE	SE		IRR	21.0
					Section Acres		102.0
		8	NE	NE		IRR	37.0
			NW	NE		IRR	29.0
			SW	NE		IRR	34.0
			SE	NE		IRR	35.0
			NE	NW		IRR	25.0
			NW	NW		IRR	3.0
			NE	SW		IRR	35.0
			NW	SW		IRR	18.0
			SW	SW		IRR	27.0
			SE	SW		IRR	37.0
			NE	SE		IRR	36.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	01W	8	NW	SE		IRR	34.0
			SW	SE		IRR	37.0
			SE	SE		IRR	38.0
					Section Acres		425.0
		9	NE	NW		IRR	22.0
			NW	NW		IRR	35.0
			SW	NW		IRR	38.0
			SE	NW		IRR	38.0
			NW	SW		IRR	4.0
					Section Acres		137.0
		17	NW	NE		IRR	30.0
			SW	NE		IRR	16.0
			NE	NW		IRR	37.0
			NW	NW		IRR	37.0
			SW	NW		IRR	36.0
			SE	NW		IRR	36.0
			NE	SW		IRR	38.0
			NW	SW		IRR	38.0
			SW	SW		IRR	38.0
			SE	SW		IRR	38.0
			NW	SE		IRR	37.0
			SW	SE		IRR	37.0
					Section Acres		418.0
		18			1	IRR	38.0
					2	IRR	37.0
					3	IRR	35.0
			NE	NE		IRR	34.0
			NW	NE		IRR	26.0
			SW	NE		IRR	35.0
			SE	NE		IRR	25.0
			NE	NW		IRR	29.0
			SE	NW		IRR	17.0
			NE	SW		IRR	32.0
			SE	SW		IRR	16.0
			NE	SE		IRR	38.0
			NW	SE		IRR	39.0
			SW	SE		IRR	38.0
			SE	SE		IRR	37.0
					Section Acres		476.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres			
06N	01W	19		1	IRR	34.0			
				2	IRR	38.0			
				3	IRR	39.0			
				4	IRR	32.0			
			NE	NE	IRR	32.0			
			NW	NE	IRR	39.0			
			SW	NE	IRR	35.0			
			SE	NE	IRR	36.0			
			NE	NW	IRR	38.0			
			SE	NW	IRR	39.0			
			SE	SW	IRR	24.0			
			NE	SE	IRR	23.0			
			NW	SE	IRR	31.0			
			SW	SE	IRR	2.0			
			Section Acres					442.0	
			02W	10	20	NW	NE	IRR	27.0
						SW	NE	IRR	20.0
						NE	NW	IRR	37.0
						NW	NW	IRR	38.0
SW	NW	IRR				39.0			
SE	NW	IRR				39.0			
NE	SW	IRR				10.0			
NW	SW	IRR				20.0			
Section Acres						230.0			
02W	10					6	IRR	12.0	
						7	IRR	8.0	
						8	IRR	9.0	
						SE	SW	IRR	28.0
			SW	SE	IRR	22.0			
			SE	SE	IRR	38.0			
Section Acres					117.0				
02W	11		5	IRR	11.0				
			6	IRR	15.0				
			SW	SW	IRR	38.0			
Section Acres					64.0				
02W	13		NW	NE	IRR	37.0			

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	02W	13	SW		NE		IRR	36.0
			SE		NE		IRR	37.0
			NE		NW		IRR	37.0
			NW		NW		IRR	38.0
			SW		NW		IRR	37.0
			SE		NW		IRR	34.0
			NE		SW		IRR	36.0
			NW		SW		IRR	37.0
			SW		SW		IRR	38.0
			SE		SW		IRR	36.0
			NE		SE		IRR	19.0
			NW		SE		IRR	24.0
			SW		SE		IRR	28.0
			SE		SE		IRR	38.0
							Section Acres	512.0
		14	NE		NE		IRR	37.0
			NW		NE		IRR	39.0
			SW		NE		IRR	37.0
			SE		NE		IRR	35.0
			NE		NW		IRR	34.0
			NW		NW		IRR	39.0
			SW		NW		IRR	39.0
			SE		NW		IRR	39.0
			NE		SW		IRR	34.0
			NW		SW		IRR	40.0
			SW		SW		IRR	34.0
			SE		SW		IRR	38.0
			NE		SE		IRR	16.0
			NW		SE		IRR	28.0
							Section Acres	489.0
		15	NE		NE		IRR	39.0
			NW		NE		IRR	39.0
			SW		NE		IRR	24.0
			SE		NE		IRR	39.0
			NE		NW		IRR	38.0
			SE		NW		IRR	38.0
			NE		SW		IRR	39.0
			NW		SW		IRR	31.0
			SW		SW		IRR	18.0
			SE		SW		IRR	36.0
			NE		SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	02W	15	NW		SE		IRR	40.0
			SW		SE		IRR	39.0
			SE		SE		IRR	35.0
			Section Acres					495.0
		16	SE		NE		IRR	9.0
			NE		SE		IRR	11.0
			Section Acres					20.0
		22	NE		NE		IRR	34.0
			NW		NE		IRR	27.0
			SW		NE		IRR	38.0
			SE		NE		IRR	38.0
			NE		NW		IRR	25.0
			Section Acres					162.0
		23	NE		NE		IRR	27.0
			NW		NE		IRR	39.0
			SW		NE		IRR	39.0
			SE		NE		IRR	39.0
			Section Acres					144.0
		24	NE		NE		IRR	38.0
			NW		NE		IRR	38.0
			SW		NE		IRR	40.0
			SE		NE		IRR	39.0
			NE		NW		IRR	33.0
			SE		NW		IRR	39.0
			NE		SW		IRR	20.0
			NE		SE		IRR	38.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	38.0
			Section Acres					403.0
		25	NE		NE		IRR	26.0
			NW		NE		IRR	37.0
			SW		NE		IRR	1.0
			NE		NW		IRR	2.0
			NW		NW		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
06N	02W	25	SW	NW		IRR	3.0	
			SE	NW		IRR	5.0	
							Section Acres	84.0
		26	NE	NE		IRR	23.0	
			NW	NE		IRR	2.0	
			SW	NE		IRR	9.0	
			SW	NW		IRR	2.0	
			SE	NW		IRR	7.0	
							Section Acres	43.0
		07N	01W	27			10	IRR
								Section Acres
32					4	IRR	37.0	
								Section Acres
33					1	IRR	17.0	
			2	IRR	29.0			
			3	IRR	9.0			
			4	IRR	9.0			
			9	IRR	14.0			
	SE	NE		IRR	36.0			
	NE	SE		IRR	39.0			
	SW	SE		IRR	37.0			
	SE	SE		IRR	37.0			
						Section Acres	227.0	
34			1	IRR	25.0			
	SW	NW		IRR	2.0			
					Section Acres	27.0		
					Total Acres	5624.0		

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:

LANDS IRRIGATED BY LAST CHANCE DITCH COMPANY.
SEE RIGHT 65-0054X.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree 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: 3

For Organizations:

I do solemnly swear or affirm that I am Last of
Title

Last Chance Ditch Co., that I have signed the foregoing
Organization

document in the space below as of
Title

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

W. L. Chambers
Signature of Authorized Agent

Last Chance Ditch Co.
Title and Organization

2/7/90
Date

State of Idaho)
County of Gar) SS.

Subscribed and sworn (or affirmed) before me this 7 day
of February 19 90

[Signature]
Notary Public

Seal

Residing at *Edna*

My Commission Expires 3-16-90

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME West Chance Ditch Co.CLAIM IDENT. NO. AGS-00054XDATE RECEIVED 2/8/90

CK # _____

AMOUNT \$ exempt

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ Required Info? *
2. Is a priority date entered? ☐ YES ☐ NO ☐ Required Info? *
- Is the priority date acceptable in view of mandatory filing dates? ☐ YES ☐ NO ☐ Required Info? *
- See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered? ☐ YES ☐ NO ☐ Required Info? *
- (b) Is a tributary to entered? (If required) ☐ YES ☐ NO ☐ Required Info? *
4. Is the legal description of the p.d. sufficient? ☐ YES ☐ NO ☐ Required Info? *
5. Is there a description of the diverting works? ☐ YES ☐ NO ☐ Required Info? *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☐ YES ☐ NO ☐ Required Info? *
- Is the period of use included? ☐ YES ☐ NO ☐ Required Info? *
- Is a quantity claimed for each use? ☐ YES ☐ NO ☐ Required Info? *
7. Is a total quantity claimed entered? ☐ YES ☐ NO ☐ Required Info? *
8. If required is a consumptive use entered? ☐ YES ☐ NO ☐ Required Info? *
- Is the consumptive use correct? ☐ YES ☐ NO ☐ Required Info? *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ YES ☐ NO ☐ Required Info? *
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☐ NO ☐ Required Info? *
11. Is (are) the county(ies) entered? ☐ YES ☐ NO ☐ Required Info? *
12. Is the ownership of p.u. checked? ☐ YES ☐ NO ☐ Required Info? *
13. Are other water rights listed or "none" indicated? ☐ YES ☐ NO ☐ Required Info? *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ YES ☐ NO ☐ Required Info? *
15. Is the basis of the claim indicated? ☐ YES ☐ NO ☐ Required Info? *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ YES ☐ NO ☐ Required Info? *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ Required Info? *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ Required Info? *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ Required Info? *
20. Is the fee enclosed correct? ☒ YES ☐ NO ☐ Required Info? *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☐ NO ☐ Required Info? *
22. Should this claim be data entered? ☐ YES ☐ NO ☐ Required Info? *

Claim checked by: RRKDate: 2/8/90Claim must be returned to claimant: ☐ (Yes) ☒ (No)Claimant must be notified of modifications: ☐ (Yes) ☒ (No)

Receipt Prepared by: _____
 Claim data entered by: RRK
 Sent to claimant by: _____

Date: _____

Date: _____

Checked by: RRKDate: 2/8/90

Comments: _____

MICROFILMED

SEP 15 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief