

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: A65-00071C
Date Received: 2/ 9/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEWART DITCH CO 208-278-3806
Address: C/O BRUCE LYSGAARD
2068 COUNTY LINE RD
EMMETT ID 83617

2. Date of Priority: DEC 27, 1880

3. Source: PAYETTE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	03W	1	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.
IRRIGATION	03/15	11/15	8.100		

7. Total Quantity Appropriated is:
8.100 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
07N	03W	18	SW	NE		IRR	11.0
			NE	SE		IRR	12.0
			NW	SE		IRR	33.0
			SE	SE		IRR	37.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	93.0
		19	NE	NE	IRR	39.0
			SW	NE	IRR	39.0
			SE	NE	IRR	39.0
			SE	NW	IRR	17.0
			NE	SE	IRR	36.0
			NW	SE	IRR	24.0
					Section Acres	194.0
		20	NW	SW	IRR	37.0
			SW	SW	IRR	17.0
					Section Acres	54.0
					Total Acres	341.0

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:

STEWART DITCH CO. WATER RIGHT DELIVERED BY NOBLE CANAL.

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

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): 445-00071A, -00071B, RECEIVED
-00071C, -00071X

APR 03 2000

WATER RESOURCES
WESTERN REGION

[] Old Mailing Address: Stewart Ditch Co.
c/o Gary Stott
2001 Little Rock Rd.
Emmett, ID 83617

[] New Mailing Address: Stewart Ditch Co
c/o Bruce Lysgaard
2068 County Line Rd.
Emmett, ID 83617

New Telephone Number: (208) 278-3806

[] Signature of Claimant: X Terry Shippy, President
Date: 3-30-00

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:

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: A65-00071C
Date Received: 2/ 9/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEWART DITCH CO 208-365-6835
Address: C/O GARY STOTT
2001 LITTLE ROCK RD
EMMETT ID 83617

2. Date of Priority: DEC 27, 1880

3. Source: PAYETTE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	03W	1	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.
IRRIGATION	03/15	11/15	8.100		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

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10. Place of Use:

AUG 03 1994

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	03W	18	SW	NE		IRR	11.0
			NE	SE		IRR	12.0
			NW	SE		IRR	33.0
			SE	SE		IRR	37.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	93.0
		19	NE	NE	IRR	39.0
			SW	NE	IRR	39.0
			SE	NE	IRR	39.0
			SE	NW	IRR	17.0
			NE	SE	IRR	36.0
			NW	SE	IRR	24.0
					Section Acres	194.0
		20	NW	SW	IRR	37.0
			SW	SW	IRR	17.0
					Section Acres	54.0
					Total Acres	341.0

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:

STEWART DITCH CO. WATER RIGHT DELIVERED BY NOBLE CANAL.

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

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AUG 03 1994

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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AUG 03 1994

RECEIVED

MAR 22 1993

Department of Water Resources
Western Regional Office

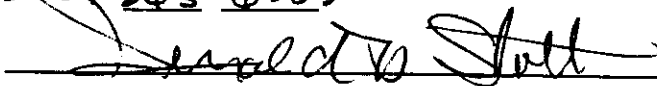
CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): AL65-00071A, 00071B
00071C, 00071X

[] Old Mailing Address: Stewart Ditch Co,
Co Nelda Platz 6550 Dallas Rd
New Plymouth, ID 83655

[] New Mailing Address: Stewart Ditch Co.
40 Gary Stott 2001 Little Rock Rd
Emmett, ID 83617

New Telephone Number: (208) 365-6835

[] Signature of Claimant: 

Date: March 15, 1993

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 3-30-93 By: 

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 3-30-93 By: 

MICROFILMED

AUG 03 1994

Jed.

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: A65-00071C
Date Received: 2/09/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEWART DITCH CO. 208-278-3040
Address: C/O NELDA PLATZ
6550 DALLAS RD.
NEW PLYMOUTH, ID 83655

2. Date of Priority: DEC 27, 1880

3. Source: PAYETTE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	03W	1	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.
IRRIGATION	03/15	11/15	8.100		

7. Total Quantity Appropriated is:
8.100 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
07N	03W	18	SW	NE		IRR	11.0
			NE	SE		IRR	12.0
			NW	SE		IRR	33.0

A65-00071C

Page 1

Date: 04/16/90

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SEP 15 1992

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. No.

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

Please type or print clearly:

Name of Claimant(s) Stewart Ditch Co.
To Nelda Platz - 6550 Dallas Rd
New Plymouth, Id 83655

Mailing Address
(include Zip Code) _____

Phone Number (208) 278 - 3040

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SEP 15 1992

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

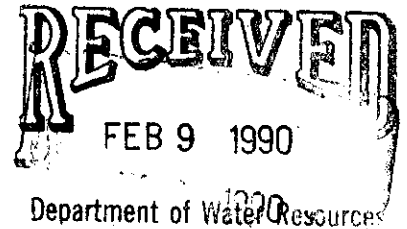
CIVIL CASE NUMBER: 39576

IDENT. NUMBER: 65-00071C
DATE RECEIVED: 2-9-90
RECEIPT NO: X999999
RECEIVED BY: -----

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: STEWART DITCH CO.
ADDRESS: C/O LENARD PLATZ
1215 LITTLE ROCK RD.
EMMETT, ID

83617



2. DATE OF PRIORITY: DEC 27, 1880

3. SOURCE: PAYETTE RIVER

TRIB. TO: SNAKE RIVER

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
06N	03W	1	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.
IRRIGATION	03/15	11/15	8.100		

7. TOTAL QUANTITY APPROPRIATED IS:
8.100 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
07N	03W	18	SW	NE		IRR	11.0'
			NE	SE		IRR	12.0'
			NW	SE		IRR	33.0'

65-00071C

PAGE 1

DATE: 10/28/89

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SEP 15 1992

10. PLACE OF USE: CONTINUED

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
07N	03W	18	SE	SE		IRR	37.0
SECTION ACRES							93.0
		19	NE	NE		IRR	39.0
			SW	NE		IRR	39.0
			SE	NE		IRR	39.0
			SE	NW		IRR	17.0
			NE	SE		IRR	36.0
			NW	SE		IRR	24.0
SECTION ACRES							194.0
		20	NW	SW		IRR	37.0
			SW	SW		IRR	17.0
SECTION ACRES							54.0
TOTAL ACRES							341.0

11. PLACE OF USE IN COUNTIES: GEM, GEM

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

STEWART DITCH CO. WATER RIGHT DELIVERED BY NOBLE CANAL.

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

16. SIGNATURE(S)

(A.) BY SIGNING BELOW, I/WE ACKNOWLEDGE THAT I/WE HAVE RECEIVED, READ AND UNDERSTAND THE FORM ENTITLED "HOW YOU WILL RECEIVE NOTICE IN THE SNAKE RIVER BASIN ADJUDICATION." (B.) I/WE DO ____ DO NOT X WISH TO RECEIVE AND PAY A SMALL ANNUAL FEE FOR MONTHLY COPIES OF THE DOCKET SHEET.

NUMBER OF ATTACHMENTS: _____

FOR INDIVIDUALS:

I/WE DO SOLEMNLY SWEAR OR AFFIRM THAT THE STATEMENTS CONTAINED IN THE FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF CLAIMANT(S): _____ DATE: _____

DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM President OF

TITLE
Letha Irrigation & Water Co., THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS President OF

TITLE
Letha Irrigation & Water Co. AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

Howard P. [Signature]
SIGNATURE OF AUTHORIZED AGENT
President
Letha Irrigation & Water Co.
TITLE AND ORGANIZATION

February 8, 1990
DATE

STATE OF IDAHO)
) SS.
COUNTY OF Payette)

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 8th DAY
OF February 19 90

Cathy M. Myler
NOTARY PUBLIC

SEAL

RESIDING AT New Plymouth

MY COMMISSION EXPIRES 4-22-91
DATE: 10/28/89 137

Water Right Number - 65-00071C

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
STEWART DITCH CO.

1 - C/O LENARD PLATZ
2 - 1215 LITTLE ROCK RD.
3 -
City- EMMETT State- ID Zip- 83617
Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
12/27/1880 14 D - DECREED

+ - - - - - Source - - - - - + + - - - - - Tributary - - - - - +
PAYETTE RIVER SNAKE RIVER

Point of Diversion						Stream Index (Blank if no Index Code)
Twn	Rng	Sec	Tract	Lot	RFlg	County
06N	03W	1	SW NW			(45) GEM

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	8.100	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
8.100

Place of Use							Description	County
Twn	Rng	Sec	Tract	Lot	Acres	Code		
07N	03W	18	SW NE		11.0	01	IRRIGATION	(45) GEM
07N	03W	18	NE SE		12.0	01	IRRIGATION	(45) GEM
07N	03W	18	NW SE		33.0	01	IRRIGATION	(45) GEM
07N	03W	18	SE SE		37.0	01	IRRIGATION	(45) GEM
07N	03W	19	NE NE		39.0	01	IRRIGATION	(45) GEM
07N	03W	19	SW NE		39.0	01	IRRIGATION	(45) GEM
07N	03W	19	SE NE		39.0	01	IRRIGATION	(45) GEM
07N	03W	19	SE NW		17.0	01	IRRIGATION	(45) GEM
07N	03W	19	NE SE		36.0	01	IRRIGATION	(45) GEM
07N	03W	19	NW SE		24.0	01	IRRIGATION	(45) GEM
07N	03W	20	NW SW		37.0	01	IRRIGATION	(45) GEM
07N	03W	20	SW SW		17.0	01	IRRIGATION	(45) GEM

Total Acres: 341.0

+ - - Diversion Means -
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use -

MICROFILMED
SEP 15 1992

Water right number - 65-00071C Adj. flag translation: Standard Water Right Number

+ - - - - Remarks - - - - - +
STEWART DITCH CO. WATER RIGHT DELIVERED BY NOBLE CANAL.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
STATE OF IDAHO A & C CORP., ET AL. 01/21/1986

+ - - Audit Fields - 04/24/87 04/30/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Start Work Date - 00/00/0000	Verified Date - 04/24/1987	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District - 65
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 01/21/1986	Presumption Flag -	Microfilm Roll Number -

MICROFILMED
SEP 15 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Stewart Ditch Co.CLAIM IDENT. NO. NS-000712DATE RECEIVED 2-9-90

CK # _____

AMOUNT \$ exempt

YES NO Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ *
2. Is a priority date entered? ☐ YES ☐ NO ☐ *
Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a permit is required. ☐ *
3. (a) Is a source entered? ☐ YES ☐ NO ☐ *
(b) Is a tributary to entered? (if required) ☐ YES ☐ NO ☐ N/A ☐ *
4. Is the legal description of the p.d. sufficient? ☐ YES ☐ NO ☐ *
5. Is there a description of the diverting works? ☐ YES ☐ NO ☐ *
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 ☐ *
Is the period of use included? ☐ YES ☐ NO ☐ *
Is a quantity claimed for each use? ☐ YES ☐ NO ☐ *
7. Is a total quantity claimed entered? ☐ YES ☐ NO ☐ *
8. If required is a consumptive use entered? ☐ YES ☐ NO ☐ N/A ☐ *
Is the consumptive use correct? ☐ YES ☐ NO ☐ N/A ☐ *
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 ☐ N/A ☐ *
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☐ NO ☐ *
11. Is (are) the county(ies) entered? ☐ YES ☐ NO ☐ *
12. Is the ownership of p.u. checked? ☐ YES ☐ NO ☐ *
13. Are other water rights listed or "none" indicated? ☐ YES ☐ NO ☐ *
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 ☐ N/A ☐ *
15. Is the basis of the claim indicated? ☐ YES ☐ NO ☐ *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ YES ☐ NO ☐ N/A ☐ *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ *
20. Is the fee enclosed correct? ☐ YES ☐ NO ☐ Exempt ☒ *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☐ NO ☐ N/A ☐ *
22. Should this claim be data entered? ☒ YES ☐ NO ☐ *

Claim checked by: ratDate: 4/3/90Claim must be returned to claimant: ☐ (Yes) ☒ (No)Claimant must be notified of modifications: ☐ (Yes) ☒ (No)

Receipt Prepared by: _____
 Claim data entered by: Soddy
 Sent to claimant by: [Signature]

Date: _____

Date: _____

Date: 4/11/90

Checked by: _____

Date: _____

Comments: _____

MICROFILMED

SEP 15 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

(208) 334-2348

November 12, 2002

STEWART DITCH CO
C/O BRUCE LYSGAARD
2221 TANGLEWOOD LN
EMMETT ID 83617-9021

Re: Snake River Basin Adjudication (SRBA)
Water Right No. 65-00071A, 65-00071B, 65-00071C & 65-00071X
Change of Address

Dear Water Right Holder(s):

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation that this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your claim or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to our office. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update or records.

If there has been a change in ownership of any of the properties connected with the water right referenced above, please call this office to obtain a form to make this required change to the water right records.

Sincerely,

Adjudication Section
Western Region

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

Bruce Lysgaard
Signature of water right claimant

365-3338
Telephone number

*All rights are
decreed.*

*forwarded original
to S.O. to process
11-21-02*

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RECEIVED

NOV 20 2002

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

65-00071 A
00071 B
00071 C
00071 X

RECEIVED
JUL 17 2002
WATER RESOURCES
WESTERN REGION

RECEIVED
JUL 16 2002
Department of Water Resources

NAME AND ADDRESS:

STEWART DITCH CO.
C/O BRUCE LYGGAARD
2068 COUNTY LINE RD
EMMETT, ID 83617

LYSGAARD 836172001 1584 05 07/10/02
FORWARD TIME EXP RTN TO SEND
LYSGAARD
2221 TANGLEWOOD LN
EMMETT ID 83617-9021

RETURN TO SENDER

83303-2707-9721

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 65-00071C

NAME AND ADDRESS: STEWART DITCH CO
C/O BRUCE LYSGAARD
2068 COUNTY LINE RD
EMMETT, ID 83617

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 8.10 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 60.12 CFS. COMBINED RIGHT NOS.:
65-00071A, 65-00071B & 65-00071X.^^^

PRIORITY DATE: 12/27/1880

POINT OF DIVERSION: T06N R03W S01 SWNW Within Gem County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	8.10 CFS

PLACE OF USE: THIS RIGHT IS LIMITED TO THE IRRIGATION OF 341 ACRES IN A
SINGLE IRRIGATION SEASON WITH THE BOUNDARY OF THE STEWEART DITCH
COMPANY.^^^

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

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

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

02/05/2001

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

RIGHT NUMBER: 65-71C

NAME AND ADDRESS: STEWART DITCH CO
C/O BRUCE LYSGAARD
2068 COUNTY LINE RD
EMMETT, ID 83617

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 8.1 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 60.12 CFS. COMBINED RIGHT
NOS.: 65-00071A, 65-00071B & 65-00071X

PRIORITY DATE: 12/27/1880

POINT OF DIVERSION: T06N R03W S1 SWNW Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	8.10 CFS

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 341 ACRES IN A
SINGLE IRRIGATION SEASON WITH THE BOUNDARY OF THE STEWEART
DITCH COMPANY

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 65-00080, 65-00403A & 65-00403B

AJ0749NP
No. R65-00071C

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/03/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STEWART DITCH CO C/O BRUCE LYSGAARD 2068 COUNTY LINE RD EMMETT ID 83617 (208) 278-3806	12/27/1880	IRRIGATION	03-15 11-15	8.100 CFS	
TOTAL DIVERSION:					8.100 CFS	

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: DECREEED

Point(s) of Diversion: T06N R03W S01 SWNW

GEM County

POU County:

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 60.12 CFS. COMBINED RIGHT NOS.:
65-00071A, 65-00071B & 65-00071X.

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 341 ACRES IN A
SINGLE IRRIGATION SEASON WITH THE BOUNDARY OF THE STEWEART DITCH
COMPANY.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 65-00080, 65-00403A & 65-00403B.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Comments: Date: 04/03/2000 User-ID: MSCHULTE Subject: DELIVERY LOSS
THE DIVERSION RATE IN EXCESS OF .02 CFS PER ACRE IS FOR DELIVERY
LOSS AS PROVIDED IN THE PAYETTE RIVER BASIN ADJUDICATION.

Date: 04/03/2000 User-ID: MSCHULTE Subject: COPIED FROM REMARKS
STEWART DITCH CO. WATER RIGHT DELIVERED BY NOBLE CANAL.

Audit: 04/03/00 MSCHULTE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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04/03/00
19

PAGE: 19
PROFILE REPORT

CLAIM NUMBER: A65-00071C

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STEWART DITCH CO	12/27/1880	IRRIGATION	03-15 11-15	8.100 CFS	
TOTAL DIVERSION:					8.100 CFS	

Water Source: PAYETTE RIVER Tributary to: SNAKE RIVER Stage: DECREED

Point(s) of Diversion: T06N R03W S01 SWNW 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	:	SUM	
07N	03W	18	:					11										12	33		37	: 93.0
07N	03W	19	:	39				39	39					17				36	24			: 194.0
07N	03W	20	:													37	17					: 54.0
																				TOTAL ACRES	341.0	

POU County: GEM

Remarks: GEN STEWART DITCH CO. WATER RIGHT DELIVERED BY NOBLE CANAL.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag: Presumption Flag:

EXP- ~~FO~~ 6
POU
QNT

WR5809NP
No. 65-00071C

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/30/00
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
P	STEWART DITCH CO. C/O NELDA PLATZ 6550 DALLAS RD. NEW PLYMOUTH ID 83655 (208) 278-3040	12/27/1880	IRRIGATION	03/15 11/15	8.100 CFS	
TOTAL DIVERSION:					8.100 CFS	
C	STEWART DITCH CO. C/O LENARD PLATZ 1215 LITTLE ROCK RD. EMMETT ID 83617					

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T06N R03W S01

SWNW

GEM County

Place of use Legal Description for: IRRIGATION

NE										NW										SW										SE										
T	R	S	NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		SUM					
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac							
07N	03W	18	:					11	:																									93.0						
07N	03W	19	:	39				39	:							17	:									36								194.0						
07N	03W	20	:						:													37		17	:									54.0						
																														TOTAL ACRES	341.0									

Pou County: GEM

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-00080 65-00403A 65-00403X

Other Water Rights Listing Overlapping Place(s) of use:
65-00066 65-00071A 65-00071X 65-00403X 65-13373

Remarks: GEN STEWART DITCH CO. WATER RIGHT DELIVERED BY NOBLE CANAL.

Dates:	App. Received:	Priority Date:	12/27/1880
	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: 04/24/87 04/30/88 CONVERT 08/05/92 NAME-ADD

EXP - ~~65-00071C~~ w - 00080, -00403A, 00403B
QNT
Pou

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:42:33
04/03/00

PAGE: 18
QUICKLOOK INFORMATION

18
CLAIM NUMBER: A65-00071C

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			MS In office 4-3-00	N		MS 4-3-00	MS 4-3-00	
POINT OF DIV				N				
SOURCE				N				
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME				N				
CONSUMPTIVE USE	-			N				
PURPOSES OF USE				N				
PERIOD OF USE				N				
BASIS OF CLAIM	Y			N				
REMARKS	Y			Y				

BARCODE UPDATED
WHOM/DATE

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
(☒) TOPOGRAPHIC	DATE FIELD CHECKED <u>1971 map</u> IDWR ID NO. <u>W5</u>	Y(☒) N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
(☒) OTHER <u>Summary Sheet</u>	DATE _____	Y(☒) N()
(☒) OTHER <u>Clerical Errors</u>	DATE _____ <u>3 pages</u>	Y(☒) N()
(☒) OTHER <u>Page from Dec 2000</u>	DATE <u>3-2-79</u>	Y(☒) N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:42:33
04/03/00

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-00071C

LAST: STEWART DITCH CO
ADDRESS: C/O LENARD PLATZ
1215 LITTLE ROCK RD
CITY: EMMETT
PHONE NUMBER: 208-000-0000
STATE: ID ZIP: 83617

OWNER CODE: 0

LAST: STEWART DITCH CO
ADDRESS: C/O NELDA PLATZ
6550 DALLAS RD
CITY: NEW PLYMOUTH
PHONE NUMBER: 208-278-3040
STATE: ID ZIP: 83655

OWNER CODE: 0

LAST: STEWART DITCH CO
ADDRESS: C/O GARY STOTT
2001 LITTLE ROCK RD
CITY: EMMETT
PHONE NUMBER: 208-365-6835
STATE: ID ZIP: 83617

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN STEWART DITCH CO. WATER RIGHT DELIVERED BY NOBLE CANAL.

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

*In office from 4-3-2000. Recommended as decrease
in the PRBA. See loose leaf map for boundary
of Stewart Ditch Co.*

This right is delivered by the Letha Irrigation & Water Co.

A. AJ CLAIM: # A65-00071C PRIORITY DATE: 12-27-1880 STAGE: D

B. WR RECORD: # 65-00071C PRIORITY DATE: 12-27-1880 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE N/A(☒) Y(☐) N(☐)

LICENSE ISSUED N/A(☒) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED? N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N(☐)

NOTES: Recommended as decreed in the PRBA.

RECOMMENDED PRIORITY DATE:

12-27-1880

REVIEWED BY

McSchulte

DATE

4-3-2000

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-00071C	06N 03W	1		SW	NW			GEM		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A65-00080 R65-00080
A65-00403A
A65-00403X

WR RECORDS IN SAME 40 ACRE TRACT
65-00080
65-00403A
65-00403X

SOURCE: PAYETTE RIVER

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-00071C	06N 03W	1		SW	NW			GEM		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A65-00080 R65-00080
A65-00403A
A65-00403X

65-00080
65-00403A
65-00403X

SOURCE: PAYETTE RIVER

TRIB: SNAKE RIVER

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(☒) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N(☒)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N(☒)

1. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____)

Y() N(5)

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____)

Y() N(5)

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: Recommended as decreed in the PRBA. The POD
& source were verified on topo map, Lethe, Idaho - W5

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY GEM	DIVERSION NAME	DIVERSION NBR
06N	03W	1		SW	NW					
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—

SOURCE: PAYETTE RIVER

TRIB: SNAKE RIVER

REVIEWED BY: Mel Schulte DATE: 4-3-2000

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

Delivered through the Noble Canal.

A. ROOT WATER RIGHT NUMBERS: A65-00071A
A65-00071B
A65-00071C
A65-00071X
R65-00071A
R65-00071X

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	03W	18	SW	NE		STEWART DITCH CO	A65-00071C / 11.0	65-00071C / 11.0	34.0		
			SW	NE		STEWART DITCH CO	A65-00071B / 20.0	- /			
			SW	NE		STEWART DITCH CO	R65-00071X / 1.0	65-00071X / 1.0			
			SW	NE		STEWART DITCH CO	A65-00071X / 1.0	- /			
			SW	NE		STEWART DITCH CO	A65-00071A / 20.0	65-00071A / 20.0			
			SW	NE		ZIEGLER, W. A.		65-05992 /			
07N	03W	18	NE	SE		STEWART DITCH CO	A65-00071C / 12.0	65-00071C / 12.0	39.0		
			NE	SE		STEWART DITCH CO	A65-00071B / 3.0	- /			
			NE	SE		STEWART DITCH CO	R65-00071X / 13.0	65-00071X / 13.0			
			NE	SE		STOREY, JAY E	R65-21560 /	- /			
			NE	SE		STEWART DITCH CO	A65-00071X / 13.0	- /			
			NE	SE		STOREY, JAY E	A65-21560 /	- /			
			NE	SE		STEWART DITCH CO	A65-00071A / 3.0	65-00071A / 3.0			
			NE	SE		BAYES, JAMES L.		65-10570 /			
07N	03W	18	NW	SE		STEWART DITCH CO	A65-00071C / 33.0	65-00071C / 33.0	39.0		
			NW	SE		GASTON, GEORGE M	A65-21592 /	- /			
			NW	SE		GASTON, GEORGE M	65-21592 /	- /			
			NW	SE		HENRY, WALLACE R.		65-04890 /			
07N	03W	18	SE	SE		STEWART DITCH CO	A65-00071C / 37.0	65-00071C / 37.0	37.0		37.0
			SE	SE		LITTLE, MARY K	A65-18760 /	- /			
			SE	SE		LITTLE, MARY K	65-18760 /	- /			
07N	03W	19	NE	NE		STEWART DITCH CO	A65-00071C / 39.0	65-00071C / 39.0	40.0		
07N	03W	19	SW	NE		STEWART DITCH CO	A65-00071C / 39.0	65-00071C / 39.0	10.0		
07N	03W	19	SE	NE		STEWART DITCH CO	A65-00071C / 39.0	65-00071C / 39.0	39.0		39.0
07N	03W	19	SE	NW		STEWART DITCH CO	A65-00071C / 17.0	65-00071C / 17.0	32.0		
			SE	NW		FARMERS COOPERATIVE IRRIGATION	A65-00066 / 20.0	65-00066 / 20.0			
			SE	NW		FARMERS COOPERATIVE IRRIGATION	A65-00067 / 20.0	- /			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SE	NW		FARMERS COOPERATIVE IRRIGATION	A65-02927F / 20.0	- /			
07N	03W	19	NE	SE		STEWART DITCH CO	A65-00071C / 36.0	65-00071C / 36.0	39.0		
			NE	SE		BYRAM, DEAN J	65-05009 /	65-05009 /			
			NE	SE		BYRAM, DEAN J	A65-05009 /	- /			
07N	03W	19	NW	SE		STEWART DITCH CO	A65-00071C / 24.0	65-00071C / 24.0	37.0		
07N	03W	20	NW	SW		STEWART DITCH CO	A65-00071C / 37.0	65-00071C / 37.0	38.0		
			NW	SW		KOFOED, VERA		65-06720 /			
07N	03W	20	SW	SW		STEWART DITCH CO	A65-00071C / 17.0	65-00071C / 17.0	40.0		
			SW	SW		NOBLE DITCH CO LTD	A65-00403X / 20.0	65-00403X / 20.0			
			SW	SW		SCOTT L CAMPBELL, ELAM & BURKE	A65-02927G / 20.0	- /			
			SW	SW		PRITZL, ROBERT A.		65-04441 /			
			SW	SW		NOBLE DITCH CO LTD		65-13373 / 20.0			

ADDITIONAL POU FOUND

TOTAL ACRES	A65-00071C	341.00	341.00	424.00
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POU COUNTY: GEM

341 within the boundary of Stewart

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-00071C	PAYETTE RIVER	STEWART DITCH CO	8.100	0.023		
A65-00066	PAYETTE RIVER	FARMERS COOPERATIVE IRRIGATION	12.220			
A65-00067	PAYETTE RIVER	FARMERS COOPERATIVE IRRIGATION	384.900	0.028		
A65-00071A	PAYETTE RIVER	STEWART DITCH CO	11.660	0.028		
A65-00071B	PAYETTE RIVER	STEWART DITCH CO	2.440	0.005		
A65-00071X	PAYETTE RIVER	STEWART DITCH CO	37.920	0.029		

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
R65-00071X	PAYETTE RIVER	STEWART DITCH CO	37.920	0.029		
A65-00403X	PAYETTE RIVER	NOBLE DITCH CO LTD	49.050	0.005		
A65-02927F	PAYETTE RIVER, NORTH FORK	FARMERS COOPERATIVE IRRIGATION			38700.00	2.91
A65-02927G	PAYETTE RIVER, NORTH FORK	SCOTT L CAMPBELL, ELAM & BURKE			10000.00	1.19

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
R65-21560	DOMESTIC	STOREY, JAY E	FROM 01-01 TO 12-31	0.040 CFS	
R65-21560	STOCKWATER	STOREY, JAY E	FROM 01-01 TO 12-31	0.020 CFS	
A65-21560	DOMESTIC	STOREY, JAY E	FROM 01-01 TO 12-31	0.040 CFS	
A65-21560	STOCKWATER	STOREY, JAY E	FROM 01-01 TO 12-31	0.020 CFS	
A65-21592	DOMESTIC	GASTON, GEORGE M	FROM 01-01 TO 12-31	0.040 CFS	
65-21592	DOMESTIC	GASTON, GEORGE M	FROM 01-01 TO 12-31	0.040 CFS	
A65-18760	DOMESTIC	LITTLE, MARY K	FROM 01-01 TO 12-31	0.040 CFS	
65-18760	DOMESTIC	LITTLE, MARY K	FROM 01-01 TO 12-31	0.040 CFS	
65-05009	DOMESTIC	BYRAM, DEAN J	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-05009	STOCKWATER	BYRAM, DEAN J	FROM 01-01 TO 12-31	0.060 CFS	4.00 AF/A
A65-05009	DOMESTIC	BYRAM, DEAN J	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-05009	STOCKWATER	BYRAM, DEAN J	FROM 01-01 TO 12-31	0.060 CFS	4.00 AF/A

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N(☒)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y(☒) N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(☒)

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;

(☒) NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES: 341 acres within the boundaries of the Stewart Ditch Co.

RECOMMENDATIONS:

TOTAL ACRES: _____ N/A()

REVIEWED BY: Mel Schulte

DATE: 4-3-2000

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-00071C IRRIGATION	FROM 03-15 TO 11-15	8.100 CFS	
TOTAL DIVERSION RATE/VOLUME		8.100 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-00071C IRRIGATION	FROM 03-15 TO 11-15	8.100 CFS	
TOTAL DIVERSION RATE/VOLUME		8.100 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☐) N(☒)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☐) N(☒)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

NOTES:

Recommended as decreed in the PRBA.

AJ CLAIM TOTAL DIVERSION RATE: 8.100 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 8.100 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(☒) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD None, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES: *Recommended as decreed in the PRBA.*

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD FROM TO		REC. DIV RATE CFS		REC. DIV VOL. AF/A		REC. CONS. USE	
			DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
IRRIGATION	03-15	11-15	8.100	_____		_____	0.0	_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			8.100	_____		_____	0.0	_____

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REVIEWED BY: Michael Schulte DATE: 4-3-2000

FLAG: _____
STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE):

EXP - F06
POU 1 34/ acres
QNT

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(✓)	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-00071

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 49.130 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
65-00071A	A65-00071A	11.660	R65-00071A	11.660	65-00071A	7.760
-	A65-00071B	2.440	R65-00071X	37.920	65-00071B	2.440
-	A65-00071C	8.100	-	-	65-00071C	8.100
-	A65-00071X	37.920	-	-	65-00071X	30.830
TOTAL CFS		60.120		49.580		49.130

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE N FIELD EXAMINER Y() N()

NOTES:

=====

AUTHENTICATION:

SIGNATURE:

Mel Schulte

DATE:

4-3-2000

NAME OF FIELD EXAMINER:

TITLE:

=====

1971

N4352.5-W11637.5/7.5

LETHA, IDAHO

QUADRANGLE LOCATION

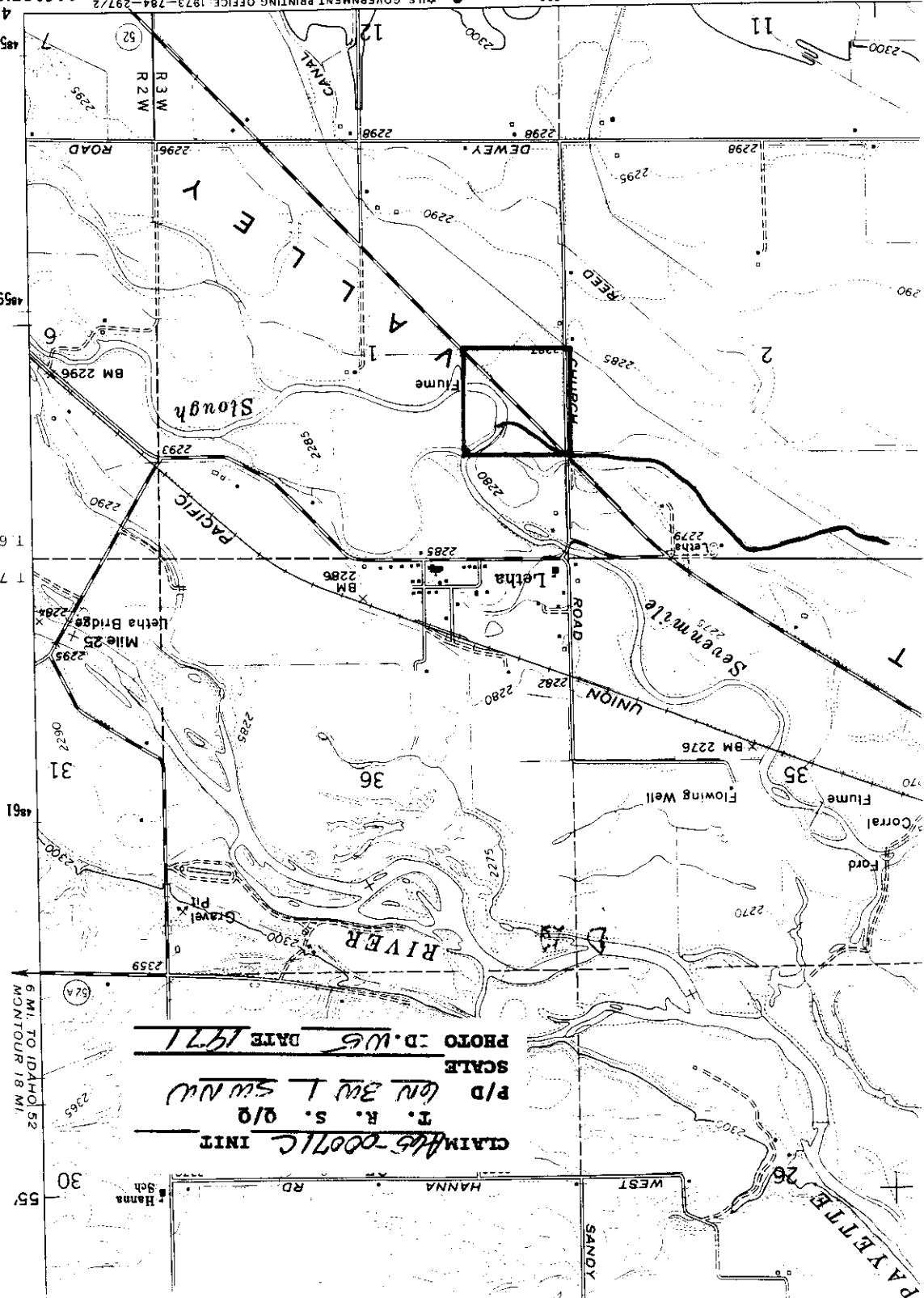


- Primary highway, hard surface
- Secondary highway, hard surface
- Unimproved road
- Light-duty road, hard or improved surface
- U.S. Route
- State Route

ROAD CLASSIFICATION

U.S. GOVERNMENT PRINTING OFFICE: 1973-784-297/2
529000m E. EMMETT 7 MI. BOISE 35 MI.

43° 52' 30" N
116° 37' 30" W



CLAIMS-00071C INIT
I. R. S. 9/9
P/D (N 3W 1 SW NW)
SCALE
PHOTO D.D.W.S. DATE 1971

6 MI. TO IDAHO 52
MONTGOMERY 18 MI.

(SOUTHWEST EMMETT)
2671 I SE

5

RECEIVED

OCT 3 1979

Filed

Sept. 28, 1979

by Thelma R. Kelleher, Clerk
in Debra Barrow, Deputy

1 DAVID H. LEROY
2 Attorney General
3 State of Idaho
4 Statehouse, Room 210
5 Boise, Idaho 83720
6 Telephone: (208) 384-2400

Department of Water Resources

7 W. HUGH O'RIORDAN
8 Deputy Attorney General
9 Chief, Natural Resources Division

10 JOSEPHINE P. BEEMAN
11 Deputy Attorney General
12 Natural Resources Division
13 Telephone: (208) 384-2215

14 IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
15 OF THE STATE OF IDAHO, IN AND FOR
16 THE COUNTY OF GEM

17 IN THE MATTER OF THE GENERAL)	CIVIL NO. 3667
18 DETERMINATION OF THE RIGHT)	
19 TO THE USE OF SURFACE AND)	ORDER CORRECTING CLERICAL
20 GROUNDWATERS OF THE PAYETTE)	OVERSIGHTS IN PROPOSED
21 RIVER DRAINAGE BASIN.)	FINDING OF WATER RIGHTS

22 The motion of the Department of Water Resources for an
23 order correcting certain clerical oversights in the proposed
24 finding of water rights having come before the court for hearing,
25 and the court being fully advised in the premises,

26 IT IS HEREBY ORDERED that the proposed finding of water
27 rights be amended in conformance with Exhibit A which is
28 attached hereto and incorporated herein by reference, provided
29 that Orville Jackson and Floy L. Jackson do not file with the
30 court by or before October 5, 1979, a notice of hearing of the
31 objection filed by them to Water Resources' motion. The
32 objection filed by the Jacksons shall be withdrawn if such notice
is not filed by or before October 5, 1979. If the Jacksons file
a notice of hearing by or before October 5, 1979, this present
order amends the proposed finding of water rights in conformance
with Exhibit A except for certain material appearing at page 11
of Exhibit A where clerical amendments are listed for rights

ORDER CORRECTING CLERICAL OVERSIGHTS - 1

1 held by Orville Jackson and Floy L. Jackson.

2 DATED This 20th day of September, 1979.

3

4

1st Gilbert C. Norris
Gilbert C. Norris
District Judge

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Attorney General
State of Idaho
Statehouse, Room 210
Boise, Idaho 83720
Telephone (208) 384-2400

INDICATES TOTAL*

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-0071C VOL. II P. 248	STEWART DITCH COMPANY C/O LENARD PLATZ, ROUTE 1, BOX 164, EMMETT, IDAHO 83617 REMARKS: STEWART DITCH CO. WATER RIGHT DELIVERED BY NOBLE CANAL.	12/27/1880	SOURCE: PAYETTE RIVER IRRIGATION	3/15 11/15	--- AFA 8.10 CFS	SWNW S 1 T 6N R 3W	NENE(39) SWNE(39) SENE(39) SENW(17) NESE(36) NWSE(24) S19 T 7N R 3W NWSW(37) SWSW(17) S20 T 7N R 3W NESE(12) NWSE(33) SESE(37) SWNE(11) S18 T 7N R 3W *330* *341*	BENEFICIAL USE
65-7118 VOL. II P. 459	TERRACE LAKES RECREATION RANCH, INC. & STATE OF IDAHO DEPARTMENT OF PARKS STATEHOUSE, BOISE, IDAHO 83707 GARDEN VALLEY, IDAHO 83622 REMARKS: PERMIT LAPSED.	1/27/1970	SOURCE: SPRING DOMESTIC	1/ 1 12/31	7.80 AFA .13 CFS	TRIBUTARY TO: NWSW S33 T10N R 4E	WARM SPRINGS CREEK NESE NWSE SWSE SESE S33 T10N R 4E SAME AS OTHER USE	LICENSE
			RECREATION	1/ 1 12/31	--- AFA .29 CFS		SAME AS OTHER USE	
			HEATING	1/ 1 12/31	--- AFA .29 CFS *---*AFA *.29* CFS		SAME AS OTHER USE	
65-5189 VOL. II P. 422	THOMAS, C. W. & THOMAS, JUDY P. O. BOX 506, EMMETT, IDAHO 83617	12/26/1905	SOURCE: SPRING DOMESTIC	1/ 1 12/31	.60 AFA .02 CFS	TRIBUTARY TO: SWSE S11 T 7N R 1W	SAND HOLLOW CREEK <u>SPRING CREEK</u> SWSE S11 T 7N R 1W SAME AS OTHER USE	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	.20 AFA .02 CFS *.80*AFA *.04*CFS			

EXHIBIT 4 PAGE 33

EXHIBIT 4 PAGE 33

Stewart Ditch Co.

Summary of Diversion Ratios & Acres

	<u>DR</u>	<u>Ac</u>
A65-00071A	11.66 cfs	* 416 ac.
-00071B	2.44	* 416
-00071C	8.10	341
-00071X	<u>37.92</u>	<u>1292</u>
	60.12 cfs	2049.

* same place of use.

Points of Diversion overlaps

6N, 3W, S1, SWNW = A65-00071C, -00080, -00403A, -0040
7N, 3W, S17, NENE L+1 = A65-00071X,
, S21, SWSE = A65-00071A, -00071B, -00081
, S35, SWNW = A65-00071X, -00079

[illegible]

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 248

INDICATES TOTAL

SOURCE: PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-1131	FAY, J. G. C/O MRS. VIRGINIA FAY PAYNTER, 4303 CASCADE ROAD, EMMETT, IDAHO 83617	10/ 5/1875	IRRIGATION	3/15 11/15	--- AFA 1.60 CFS	LOT 3 S 7 T 6N R 1W	SWSE(39) SESE(25) LOT 8(4) LOT 7(12) S11 T 6N R 2W *80*	BENEFICIAL USE
65-5558	SMITH, JOHNSON E. & SMITH, LORETTA G. ROUTE 1, BOX 278-A, EMMETT, IDAHO 83617	10/ 5/1875	IRRIGATION	3/15 11/15	--- AFA .10 CFS	LOT 3 S 7 T 6N R 1W	SESE(3) LOT 8(2) S11 T 6N R 2W *5*	BENEFICIAL USE
65-1148	STEINBACH, ROBERT F. 1077 AIRPORT ROAD, EMMETT, IDAHO 83617	10/ 5/1875	IRRIGATION	3/15 11/15	--- AFA .16 CFS	LOT 3 S 7 T 6N R 1W	SESE(8) S11 T 6N R 2W *8*	BENEFICIAL USE
65-0071A	STEWART DITCH COMPANY C/O LENARD PLATZ, ROUTE 1, BOX 164, EMMETT, IDAHO 83617 REMARKS: STEWART WATER DELIVERED BY RASMUSSEN DITCH.	12/27/1880	IRRIGATION	3/15 11/15	--- AFA 7.76 CFS	SESE S21 T 7N R 3W	NW(10) SW(34) NWS(32) S17 T 7N R 3W SESW(31) LOT 6(24) LOT 7(25) LOT 8(22) LOT 9(29) LOT 10(21) S 7 T 7N R 3W NENE(37) NWNE(38) SENE(31) NENW(31) NESE(3) SWNE(31) LOT 11(28) S18 T 7N R 3W *427*	BENEFICIAL USE
65-0071C	STEWART DITCH COMPANY C/O LENARD PLATZ, ROUTE 1, BOX 164, EMMETT, IDAHO 83617 REMARKS: STEWART DITCH CO. WATER RIGHT DELIVERED BY NOBLE CANAL.	12/27/1880	IRRIGATION	3/15 11/15	--- AFA 8.10 CFS	SWNW S 1 T 6N R 3W	NESE(12) NWSE(33) SESE(37) <i>SWNE -11</i> S18 T 7N R 3W NENE(39) SWNE(39) SENE(39) SENW(17) NESE(36) NWSE(24) S19 T 7N R 3W NWSW(37) SWS(17) S20 T 7N R 3W *33C*	BENEFICIAL USE *

per Order correcting error



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