

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

02/02/2001

RIGHT NUMBER: 65-78

NAME AND ADDRESS: LETHA IRRIGATION & WATER CO INC  
400 COSTON STREET  
BOISE, ID 83712

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 4.92 CFS

A DIVERSION RATE OF .034 CFS PER ACRE AT THE FIELD HEADGATE  
IS INCLUDED IN THE RATE OF DIVERSION FOR THIS RIGHT  
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 109.38 CFS. COMBINED RIGHT  
NOS.: 65-00077, 65-00076, 65-00079, 65-00080, 65-00081, 65-  
00082, 65-00084, 65-00085, 65-02030 & 65-10337

PRIORITY DATE: 10/27/1884

POINT OF DIVERSION: T06N R02W S8 NWNW 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           | 4.92 CFS        |

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 123 ACRES WITHIN  
THE PLACE OF USE BOUNDARY DESCRIBED FOR THE LETHA IRRIGATION  
AND WATER CO

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 - Beneficial Use

RIGHT NO. 65-00082 IS ALSO DIVERTED THROUGH POINT OF  
DIVERSION DESCRIBED ABOVE

AJ0749NP  
No. R65-00078

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

DATE: 04/14/00  
PAGE: 1

=====

| OWNER<br>CODE    | NAME & ADDRESS                                                                           | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|------------------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | LETHA IRRIGATION & WATER CO INC<br>400 COSTON STREET<br>BOISE ID 83712<br>(208) 343-9438 | 10/27/1884       | IRRIGATION | 03-15 11-15           | 4.920 CFS         |                     |
| TOTAL DIVERSION: |                                                                                          |                  |            |                       | 4.920 CFS         |                     |

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion:

T06N R02W S08

NWNW

GEM County

POU County:

Remarks: QNT A DIVERSION RATE OF .034 CFS PER ACRE AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THIS RIGHT.  
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 109.38 CFS. COMBINED RIGHT NOS.: 65-00077, 65-00076, 65-00079, 65-00080, 65-00081, 65-00082, 65-00084, 65-00085, 65-02030 & 65-10337.

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 123 ACRES WITHIN THE PLACE OF USE BOUNDARY DESCRIBED FOR THE LETHA IRRIGATION AND WATER CO.

EXP RIGHT NO. 65-00082 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

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

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

Comments: Date: 04/14/2000 User-ID: MSCHULTE Subject: DELIVERY LOSS  
0.74 CFS OF THIS RIGHT IS FOR DELIVERY LOSS AS STIPULATED IN THE PAYETTE RIVER BASIN ADJUDICATION.

Audit: 04/14/00 MSCHULTE

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

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04/14/00  
16

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PROFILE REPORT

CLAIM NUMBER: A65-00078

| OWNER<br>CODE | NAME & ADDRESS                  | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE           | DIVERSION<br>VOLUME   |
|---------------|---------------------------------|------------------|------------|-----------------------|-----------------------------|-----------------------|
| C             | LETHA IRRIGATION & WATER CO INC | 10/27/1884       | IRRIGATION | 03-15 11-15           | 4.920 CFS                   |                       |
|               |                                 |                  |            |                       | TOTAL DIVERSION:            | 4.920 CFS             |
|               |                                 |                  |            |                       | <del>CONSUMPTIVE USE:</del> | <del>430.50 AFA</del> |

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T06N R02W S08 NWNW

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 | :     | SUM  |
| 06N | 02W | 6 | : |    |    |    |    |    |    |    |    |    |    | 29 | 09-24 | 10-12 | 10 |    |    |    |    |    |    |             |    | :     | 75.0 |
| 06N | 03W | 1 | : |    |    |    |    | 29 |    |    |    |    |    |    |       |       |    |    |    |    |    |    |    |             |    | :     | 48.0 |
|     |     |   |   |    |    |    |    |    |    |    |    |    |    |    |       |       |    |    |    |    |    |    |    | TOTAL ACRES |    | 123.0 |      |

POU County: GEM

Remarks: GEN CLAIM AMENDED PER STIPULATION FROM PRBA. JS 2-20-96  
WATER IS DELIVERED THROUGH JACK WOODS DITCH.  
A DIVERSION RATE OF .034 CFS PER ACRE AT THE FIELD HEADGATE  
IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE  
DESCRIBED ABOVE.  
0.74 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE  
LOSSES IN DELIVERY OF THIS RIGHT.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:  
Presumption Flag:

POU 1  
QNT  
EXP - F05

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

15:18:02  
04/14/00

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QUICKLOOK INFORMATION

15  
CLAIM NUMBER: A65-00078

| WR ELEMENT                | DATA<br>DISCREPANCY<br>Y/N | CORRESPONDENCE<br>SENT/RECEIVED<br>BY WHOM/DATE | FIELD EXAM<br>BY WHOM/DATE | CHANGE<br>CLAIM<br>Y/N | ELEMENT<br>DOCUMENTED<br>WHOM/DATE | COMPLETED<br>REVIEW<br>WHOM/DATE | COMPLETED<br>DATA ENTRY<br>WHOM/DATE | VERIFIED<br>DATE<br>WHOM/DATE |
|---------------------------|----------------------------|-------------------------------------------------|----------------------------|------------------------|------------------------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE             | Y                          |                                                 | MS<br>In office<br>4-14-00 | N                      |                                    | MS<br>4-14-00                    | MS<br>4-14-00                        |                               |
| POINT OF DIV              |                            |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| SOURCE                    | Y                          |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| PLACE OF USE              | Y                          |                                                 |                            | Y                      |                                    |                                  |                                      |                               |
| DIV. AMOUNT<br>CFS/VOLUME | Y                          |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| CONSUMPTIVE USE           | -                          |                                                 |                            | Y                      |                                    |                                  |                                      |                               |
| 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( )                                               |
| ( <input checked="" type="checkbox"/> ) TOPOGRAPHIC              | DATE FIELD CHECKED <u>W6-1971 map</u> IDWR ID NO. <u>W6</u> | Y( <input checked="" type="checkbox"/> ) N( ) <i>4a</i> |
| ( ) 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( )                                               |
| ( <input checked="" type="checkbox"/> ) OTHER <u>Stipulation</u> | DATE <u>1993</u>                                            | Y( <input checked="" type="checkbox"/> ) N( )           |
| ( ) OTHER _____                                                  | DATE _____                                                  | Y( ) N( )                                               |
| ( ) OTHER _____                                                  | DATE _____                                                  | 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

15:18:02  
04/14/00

PAGE: 1  
GENERAL INFORMATION

1  
CLAIM NUMBER: A65-00078

LAST: LETHA IRRIGATION & WATER CO INC FIRST:  
ADDRESS: 400 COSTON STREET  
CITY: BOISE STATE: ID ZIP: 83712  
PHONE NUMBER: 208-343-9438

OWNER CODE: C

FIELD EXAM REQUIRED?  
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE Y FIELD EXAMINER Y( ) N( )

CLAIM REMARKS: GEN CLAIM AMENDED PER STIPULATION FROM PRBA. JS 2-20-96  
WATER IS DELIVERED THROUGH JACK WOODS DITCH.  
A DIVERSION RATE OF .034 CFS PER ACRE AT THE FIELD HEADGATE  
IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE  
DESCRIBED ABOVE.  
0.74 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE  
LOSSES IN DELIVERY OF THIS RIGHT.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Marcia Herr. PHONE NUMBER: ( ) -  
DATE OF FIELD EXAM: 4/14/00 APPOINTMENT MADE: Y( ) N( ) TIME:  :  A( ) P( )  
ACCOMPANIED BY:   PHONE NUMBER: ( ) -  
RELATIONSHIP TO CLAIMANT: President

DIRECTIONS TO PROPERTY / NOTES:

In office review 4-14-2000. This recommendation is  
based on the stipulation entered in the Payette River  
Basin Adjudication. See the loose leaf map that  
describes the boundary of the Letha Irrigation &  
Water Co.

A. AJ CLAIM: # A65-00078 PRIORITY DATE: 10-27-1884 STAGE: J

B. WR RECORD: # 65-00078 PRIORITY DATE: 10-27-1884 STAGE: J

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 stipulated in the PRBA.*

=====

RECOMMENDED PRIORITY DATE:

*10-27-1884*  
REVIEWED BY *Mel Schulte*

DATE *4-14-2000*

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | POD<br>FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|-----------|------|------|------|-----|-----|-----|-----|-------------|--------|----------------|------------------|
| A65-00078 | 06N  | 02W  | 8    |     | NW  | NW  |     |             | GEM    |                |                  |

OTHER AJ CLAIMS WITH SAME AJ POD  
A PREFIX R PREFIX  
A65-00082 65-18386  
A65-18386 R65-00082

WR RECORDS IN SAME 40 ACRE TRACT

65-00082  
65-05079

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<br>FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|----------|------|------|------|-----|-----|-----|-----|-------------|--------|----------------|------------------|
| 65-00078 | 06N  | 02W  | 8    |     | NW  | NW  |     |             | GEM    |                |                  |

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT  
A PREFIX R PREFIX

65-00082  
65-05079

A65-00082 65-18386  
A65-18386 R65-00082

SOURCE: PAYETTE RIVER

TRIB:

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(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM \_\_\_\_\_)

Y( ) N(☒)

AJ FIELD EXAM (DATE OF FIELD EXAM \_\_\_\_\_ NAME OF EXAMINER \_\_\_\_\_) Y( ) N(☒)

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: Recommended as stipulated in the PRBA. The source  
was verified on topo map W6.

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

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | POD<br>FLAG | COUNTY<br>GEM | DIVERSION NAME | DIVERSION NBR |
|------|------|------|-----|-----|-----|-----|-------------|---------------|----------------|---------------|
| 06N  | 02W  | 8    |     | NW  | NW  |     |             |               |                |               |
|      |      |      |     |     |     |     |             |               |                |               |
|      |      |      |     |     |     |     |             |               |                |               |
|      |      |      |     |     |     |     |             |               |                |               |
|      |      |      |     |     |     |     |             |               |                |               |
|      |      |      |     |     |     |     |             |               |                |               |
|      |      |      |     |     |     |     |             |               |                |               |

SOURCE: Payette River TRIB: Snake River

REVIEWED BY: Mike Schulte DATE: 4-14-2000

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

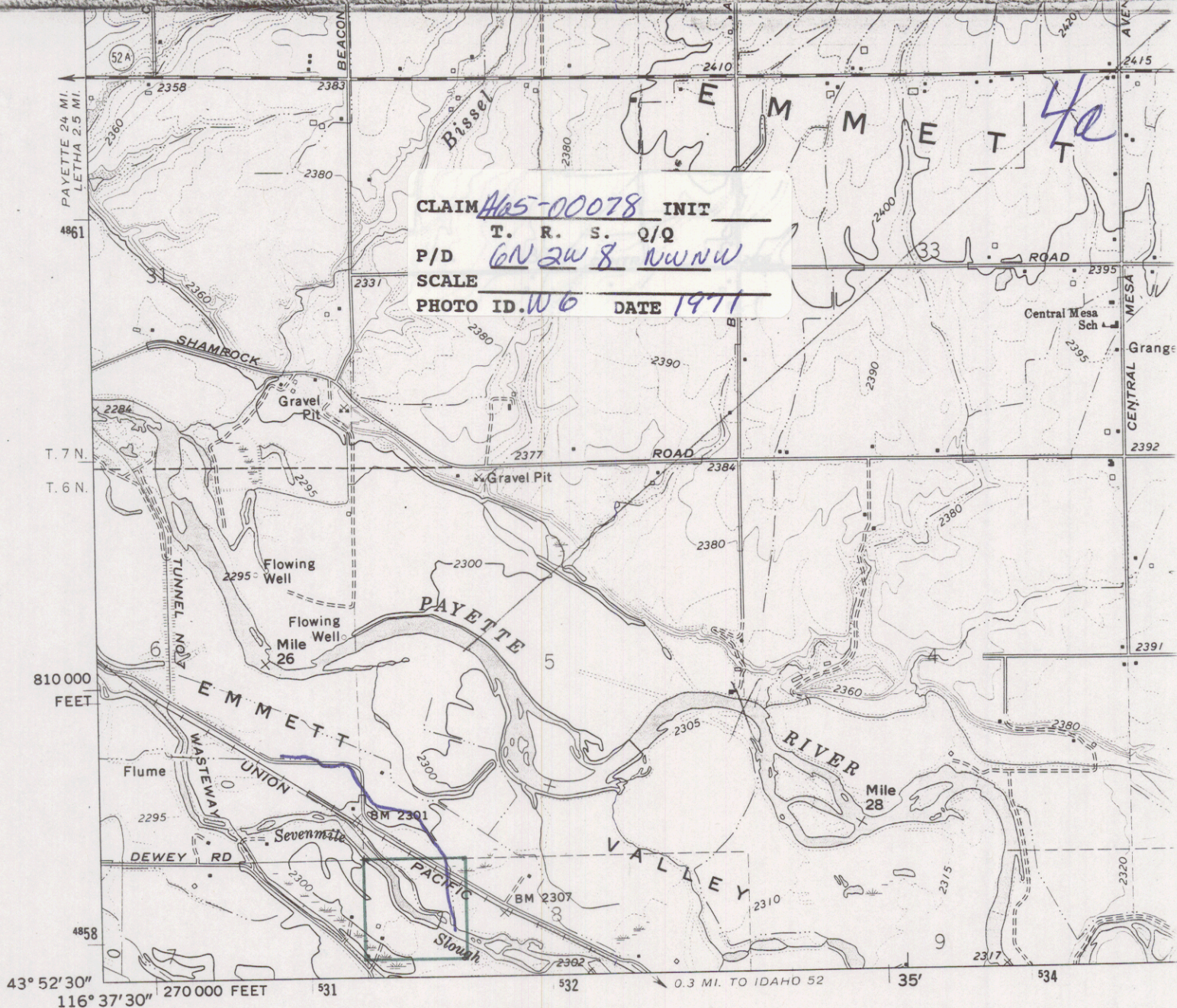
CLAIM 445-00078 INIT

T. R. S. Q/Q

P/D 6N 24 8 NWNW

SCALE

PHOTO ID. W6 DATE 1971



Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

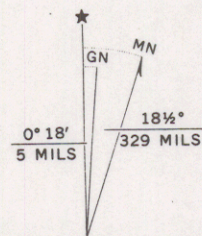
Topography by photogrammetric methods from aerial photographs taken 1969. Field checked 1971

Projection and 10,000-foot grid ticks: Idaho coordinate system, west zone (transverse Mercator)

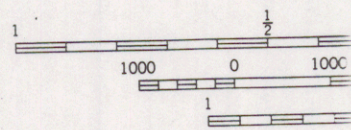
1000-meter Universal Transverse Mercator grid ticks, zone 11, shown in blue. 1927 North American datum

Red tint indicates areas in which only landmark buildings are shown

Fine red dashed lines indicate selected fence lines



UTM GRID AND 1971 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET



DOTTE

THIS MAP COM  
FOR SALE BY U. S. GEOLOGICAL  
A FOLDER DESCRIBING T

(SAND HOLLOW)  
2671 I SW

A. ROOT WATER RIGHT NUMBERS: A65-00078  
R65-00078

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME                        | AJ<br>#/ACRES      | WR<br>#/ACRES   | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|-----------------------------|--------------------|-----------------|-----------------|----------------|------------------|
| 06N | 02W | 6   | NE  | SW  |     | LETHA IRRIGATION & WATER CO | INA65-00078 / 29.0 | 65-00078 / 29.0 | 38.0            |                |                  |
|     |     |     | NE  | SW  |     | LETHA IRRIGATION & WATER CO | INR65-00078 / 29.0 | - /             |                 |                |                  |
|     |     |     | NE  | SW  |     | LETHA IRRIGATION & WATER CO | INR65-00082 / 5.0  | 65-00082 / 5.0  |                 |                |                  |
|     |     |     | NE  | SW  |     | LETHA IRRIGATION & WATER CO | INA65-00082 / 5.0  | - /             |                 |                |                  |
| 06N | 02W | 6   | NW  | SW  | 9   | LETHA IRRIGATION & WATER CO | INA65-00078 / 24.0 | 65-00078 / 24.0 | 35.0            |                |                  |
|     |     |     | NW  | SW  |     | PAULSON, RICHARD A          | A65-18421 /        | - /             |                 |                |                  |
|     |     |     | NW  | SW  | 9   | LETHA IRRIGATION & WATER CO | INR65-00078 / 24.0 | - /             |                 |                |                  |
|     |     |     | NW  | SW  | 9   | LETHA IRRIGATION & WATER CO | INR65-00085 / 8.0  | 65-00085 / 8.0  |                 |                |                  |
|     |     |     | NW  | SW  | 9   | PAULSON, RICHARD            | 65-18421 /         | - /             |                 |                |                  |
|     |     |     | NW  | SW  | 9   | LETHA IRRIGATION & WATER CO | INA65-00085 / 8.0  | - /             |                 |                |                  |
| 06N | 02W | 6   | SW  | SW  | 10  | LETHA IRRIGATION & WATER CO | INA65-00078 / 12.0 | 65-00078 / 12.0 | 37.0            |                |                  |
|     |     |     | SW  | SW  | 10  | LETHA IRRIGATION & WATER CO | INR65-00078 / 12.0 | - /             |                 |                |                  |
|     |     |     | SW  | SW  | 10  | LETHA IRRIGATION & WATER CO | INR65-00085 / 28.0 | 65-00085 / 28.0 |                 |                |                  |
|     |     |     | SW  | SW  | 10  | LETHA IRRIGATION & WATER CO | INA65-00085 / 28.0 | - /             |                 |                |                  |
| 06N | 02W | 6   | SE  | SW  |     | LETHA IRRIGATION & WATER CO | INA65-00078 / 10.0 | 65-00078 / 10.0 | 41.0            |                |                  |
|     |     |     | SE  | SW  |     | LETHA IRRIGATION & WATER CO | INR65-00078 / 10.0 | - /             |                 |                |                  |
|     |     |     | SE  | SW  |     | LETHA IRRIGATION & WATER CO | INR65-00085 / 30.0 | 65-00085 / 30.0 |                 |                |                  |
|     |     |     | SE  | SW  |     | LETHA IRRIGATION & WATER CO | INA65-00085 / 30.0 | - /             |                 |                |                  |
| 06N | 03W | 1   | SE  | NE  |     | LETHA IRRIGATION & WATER CO | INA65-00078 / 29.0 | 65-00078 / 29.0 | 40.0            |                |                  |
|     |     |     | SE  | NE  |     | LETHA IRRIGATION & WATER CO | INR65-00078 / 29.0 | - /             |                 |                |                  |
|     |     |     | SE  | NE  |     | LETHA IRRIGATION & WATER CO | INR65-00082 / 7.0  | 65-00082 / 7.0  |                 |                |                  |
|     |     |     | SE  | NE  |     | LETHA IRRIGATION & WATER CO | INA65-00082 / 7.0  | - /             |                 |                |                  |
| 06N | 03W | 1   | NE  | SE  |     | LETHA IRRIGATION & WATER CO | INA65-00078 / 19.0 | 65-00078 / 19.0 | 40.0            |                |                  |
|     |     |     | NE  | SE  |     | LETHA IRRIGATION & WATER CO | INR65-00078 / 19.0 | - /             |                 |                |                  |
|     |     |     | NE  | SE  |     | LETHA IRRIGATION & WATER CO | INR65-00085 / 14.0 | 65-00085 / 14.0 |                 |                |                  |
|     |     |     | NE  | SE  |     | LETHA IRRIGATION & WATER CO | INA65-00085 / 14.0 | - /             |                 |                |                  |

ADDITIONAL POU FOUND

|             |           |        |        |        |
|-------------|-----------|--------|--------|--------|
| TOTAL ACRES | A65-00078 | 123.00 | 123.00 | 231.00 |
|-------------|-----------|--------|--------|--------|

POU COUNTY: GEM

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 |
|-----------|---------------|--------------------------------|-----------|----------------|-----------|----------------|
| A65-00078 | PAYETTE RIVER | LETHA IRRIGATION & WATER CO IN | 4.920     | 0.040          |           |                |
| R65-00078 | PAYETTE RIVER | LETHA IRRIGATION & WATER CO IN | 4.920     | 0.040          |           |                |
| R65-00082 | PAYETTE RIVER | LETHA IRRIGATION & WATER CO IN | 24.550    | 0.036          |           |                |
| A65-00082 | PAYETTE RIVER | LETHA IRRIGATION & WATER CO IN | 24.550    | 0.036          |           |                |
| R65-00085 | PAYETTE RIVER | LETHA IRRIGATION & WATER CO IN | 11.770    | 0.029          |           |                |
| A65-00085 | PAYETTE RIVER | LETHA IRRIGATION & WATER CO IN | 11.770    | 0.029          |           |                |

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

| CLAIM NO. | PURPOSES   | NAME               | MONTH/DAY           | RATE      | VOLUME |
|-----------|------------|--------------------|---------------------|-----------|--------|
| A65-18421 | DOMESTIC   | PAULSON, RICHARD A | FROM 01-01 TO 12-31 | 0.040 CFS |        |
| A65-18421 | STOCKWATER | PAULSON, RICHARD A | FROM 01-01 TO 12-31 | 0.040 CFS |        |
| 65-18421  | DOMESTIC   | PAULSON, RICHARD   | FROM 01-01 TO 12-31 | 0.040 CFS |        |
| 65-18421  | STOCKWATER | PAULSON, RICHARD   | FROM 01-01 TO 12-31 | 0.040 CFS |        |

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 POI: ( ) ORTHOPHOTOQUAD, IDWR NO. \_\_\_\_\_; ( ) TOPOGRAPHIC QUAD, IDWR NO. \_\_\_\_\_;

( ) NAPP, IDWR NO. \_\_\_\_\_; ( ) ASCS PHOTO; ( ) OTHER \_\_\_\_\_

NOTES: *Recommended as ~~located~~ in the PRBA, 123 acres within the boundaries of Letha Singation & Water Co.*

RECOMMENDATIONS:

TOTAL ACRES: *123 within Letha* N/A ( )

REVIEWED BY: *Mel Schulte*

DATE: *4-14-00*

A. AJ CLAIMED USES:

| PURPOSE OF USE              | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| A65-00078 IRRIGATION        | FROM 03-15 TO 11-15       | 4.920 CFS              |                        |
| TOTAL DIVERSION RATE/VOLUME |                           | 4.920 CFS              |                        |

B. WR RECORDED USES:

| PURPOSE OF USE              | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| 65-00078 IRRIGATION         | FROM 03-15 TO 11-15       | 3.180 CFS              |                        |
| TOTAL DIVERSION RATE/VOLUME |                           | 3.180 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 stipulated in the PRBA.*

AJ CLAIM TOTAL DIVERSION RATE: 4.920 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 3.180 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 123 x 0.02 CFS/ACRE = 2.46 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 = 430.5 AF/A DATA  
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:

The diversion rate is based on .034 cfs/acre  
as formulated in the PRBA plus .74 cfs for  
delivery loss.

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (☒)

| REC.<br>PURPOSE OF USE | REC. PERIOD |       | REC. DIV          |                   | REC. DIV  |                   | REC. CONS.        |                   |
|------------------------|-------------|-------|-------------------|-------------------|-----------|-------------------|-------------------|-------------------|
|                        | FROM        | TO    | RATE CFS          |                   | VOL. AF/A |                   | USE               |                   |
| IRRIGATION             | 03-15       | 11-15 | DATABASE<br>4.920 | EXAMINER<br>_____ | DATABASE  | EXAMINER<br>_____ | DATABASE<br>430.5 | EXAMINER<br>_____ |
| _____                  | _____       | _____ | _____             | _____             | _____     | _____             | _____             | _____             |
| _____                  | _____       | _____ | _____             | _____             | _____     | _____             | _____             | _____             |
| _____                  | _____       | _____ | _____             | _____             | _____     | _____             | _____             | _____             |
| _____                  | _____       | _____ | _____             | _____             | _____     | _____             | _____             | _____             |
| TOTAL FOR THIS RIGHT   |             |       | 4.920             | _____             |           | _____             | 430.5             | _____             |

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: Mel Schulte DATE: 4-14-00

FLAG: \_\_\_\_\_

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

PNT  
POU1  
EXP - FOS with -, 00082.

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

Delivery loss.

A. CHECK ONLY THE FOLLOWING THAT APPLY:

|                              | ACCEPTED<br>AS CLAIMED                  | NEEDS<br>REVIEW |
|------------------------------|-----------------------------------------|-----------------|
| OWNERSHIP _____              | ( <input checked="" type="checkbox"/> ) | ( )             |
| FORFEIT/ABANDON _____        | ( )                                     | ( )             |
| ADDITIONAL DIV. AMOUNT _____ | ( )                                     | ( )             |

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-00078

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE  
3.180

EXAMINER  
\_\_\_\_\_

CFS

SPLITS:

| OLD RIGHT<br>NUMBERS | CURRENT<br>CLAIM NUMBERS | DIVERSION<br>RATE | CURRENT "R"<br>CLAIM NUM. | "R" DIV.<br>RATE | WR RIGHT<br>NUMBERS | DIVERSION<br>RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| -                    | A65-00078                | 4.920             | R65-00078                 | 4.920            | 65-00078            | 3.180             |
| TOTAL CFS            |                          | 4.920             |                           | 4.920            |                     | 3.180             |

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: Meel Schulte DATE: 4-14-2000

NAME OF FIELD EXAMINER: \_\_\_\_\_ TITLE: \_\_\_\_\_

LARRY ECHOHAWK  
Attorney General

DANIEL L. STECKEL  
Deputy Attorney General  
Department of Water Resources  
Statehouse  
Boise, Idaho 83720-9000  
(208) 327-7900

RECEIVED

FEB 10 1993

Department of Water Resources

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

|                              |   |                       |
|------------------------------|---|-----------------------|
| IN THE MATTER OF THE GENERAL | ) |                       |
| DETERMINATION OF THE RIGHT   | ) | CIVIL NO. 3667        |
| TO THE USE OF SURFACE AND    | ) |                       |
| GROUNDWATERS OF THE PAYETTE  | ) | STIPULATION RESOLVING |
| RIVER DRAINAGE BASIN         | ) | OBJECTIONS TO WATER   |
|                              | ) | RIGHT NOS. 65-00078,  |
|                              | ) | 65-00079, 65-00084,   |
|                              | ) | 65-00085, 65-00080,   |
|                              | ) | 65-00081, 65-00082,   |
|                              | ) | 65-00076, 65-02030,   |
|                              | ) | 65-10337, 65-00077    |

The Director of the Idaho Department of Water Resources, R. Keith Higginson, by and through counsel, and Letha Irrigation & Water Co. Inc. stipulate as follows:

1. That water right claim Nos. 65-00078, 65-00079, 65-00085, 65-00080, 65-00084, 65-00081, 65-00082, 65-00076, 65-02030, 65-10337, 65-00077, be accepted and included in the Proposed Finding of Water Rights in the Payette River Drainage as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

2. That Letha Irrigation & Water Co. Inc. withdraw all pending objections, including those based on the objection filed by Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown in July 1982, in the above captioned matter.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 1993.

LARRY ECHOHAWK  
Attorney General

\_\_\_\_\_  
DANIEL L STECKEL  
Deputy Attorney General  
Department of Water Resources

DATED THIS 8 day of Feb, 1993.

Howard Plot Pres.  
AUTHORIZED AGENT, LETHA  
IRRIGATION & WATER CO. INC.

The above stipulation having come before the court, it is  
hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, 1993.

\_\_\_\_\_  
JAMES R. DOOLITTLE  
District Judge



# Letha Irrigation & Water Co.

## Summary of diversion rates and acres claimed

|           | <u>D.R.</u> | <u>Ac.</u>   |
|-----------|-------------|--------------|
| A65-00076 | 7.42 cfs.   | 184 ac.      |
| -00077.   | 2.45        | 72           |
| -00078    | 4.92        | 123          |
| -00079    | 8.10        | 335          |
| -00080    | 14.54       | 469          |
| -00081    | 16.83       | 446          |
| -00082    | 24.55       | 668          |
| -00084    | 11.81       | 307          |
| -00085    | 11.77       | 402          |
| -02030    | 3.20        | 191 *        |
| -10337    | <u>3.79</u> | <u>191 *</u> |
|           | 109.38 cfs. | 3197         |

\* The same acres

$$109.38 \div 3197 = .0342 \text{ cfs/acre.}$$

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: A65-00078  
Date Received: 2/ 9/1990  
Receipt No: X999999  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: LETHA IRRIGATION & WATER CO INC 208-343-9438  
Address: 400 COSTON STREET  
BOISE ID 83712

2. Date of Priority: OCT 27, 1884

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      | 02W   | 8       | NW     | NW     |     |     | GEM    |

5. Description of diverting works:  
HEADGATE AND DITCHES

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 4.920 |      |        |

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

8. Total consumptive use is 430.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 06N      | 02W   | 6       | NE     | SW  |     | IRR | 29.0  |
|          |       |         | NW     | SW  | 9   | IRR | 24.0  |
|          |       |         | SW     | SW  | 10  | IRR | 12.0  |
|          |       |         | SE     | SW  |     | IRR | 10.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 75.0  |
|          | 03W   | 1       | SE         | NE  | IRR           | 29.0  |
|          |       |         | NE         | SE  | IRR           | 19.0  |
|          |       |         |            |     | Section Acres | 48.0  |
|          |       |         |            |     | Total Acres   | 123.0 |

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:

CLAIM AMENDED PER STIPULATION FROM PRBA. JS 2-20-96

WATER IS DELIVERED THROUGH JACK WOODS DITCH.

A DIVERSION RATE OF .034 CFS PER ACRE AT THE FIELD HEADGATE  
IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE  
DESCRIBED ABOVE.

0.74 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE  
LOSSES IN DELIVERY OF THIS RIGHT.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: \_\_\_\_\_

**For Individuals:**

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

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[ ] Water Right Number (s): A65-00076, -00077, -00078,  
-00079, -00080, -00081, -00082,  
-00084, -00085, -02030, -10337

[ ] Old Mailing Address: Letha Irrigation & Water Co.  
6550 Dallas Rd.  
New Plymouth, ID 83655

[✓] New Mailing Address: Letha Irrigation & Water Co.  
400 Coston Street  
Boise, ID 83712.

New Telephone Number: (208) 343 - 9438

[✓] Signature of Claimant: X Marcia J. Herr  
President  
Date: 3-27-2000

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:

RECEIVED

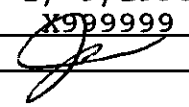
MAR 28 2000

WATER RESOURCES  
WESTERN REGION

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: **A65-00078**  
Date Received: 2/ 9/1990  
Receipt No: X999999  
Received By: 

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: LETHA IRRIGATION & WATER CO INC 208-278-3040  
Address: 6550 DALLAS RD  
NEW PLYMOUTH ID 83655

2. Date of Priority: OCT 27, 1884

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      | 02W   | 8       |        | NW     | NW  |     | GEM    |

5. Description of diverting works:  
HEADGATE AND DITCHES

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 4.920 |      |        |

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

8. Total consumptive use is 430.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 06N      | 02W   | 6       | NE     | SW  |     | IRR | 29.0  |
|          |       |         | NW     | SW  | 9   | IRR | 24.0  |
|          |       |         | SW     | SW  | 10  | IRR | 12.0  |
|          |       |         | SE     | SW  |     | IRR | 10.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 75.0  |
|          | 03W   | 1       | SE         | NE  | IRR           | 29.0  |
|          |       |         | NE         | SE  | IRR           | 19.0  |
|          |       |         |            |     | Section Acres | 48.0  |
|          |       |         |            |     | Total Acres   | 123.0 |

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:

CLAIM AMENDED PER STIPULATION FROM PRBA. JS 2-20-96

WATER IS DELIVERED THROUGH JACK WOODS DITCH.

A DIVERSION RATE OF .034 CFS PER ACRE AT THE FIELD HEADGATE  
IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE  
DESCRIBED ABOVE.

0.74 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE  
LOSSES IN DELIVERY OF THIS RIGHT.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: \_\_\_\_\_

**For Individuals:**

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

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_

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

State of Idaho                    )  
                                  ) SS.  
County of \_\_\_\_\_ )

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

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

LARRY ECHOHAWK  
Attorney General

DANIEL L. STECKEL  
Deputy Attorney General  
Department of Water Resources  
Statehouse  
Boise, Idaho 83720-9000  
(208) 327-7900

RECEIVED

FEB 10 1993

Department of Water Resources

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

IN THE MATTER OF THE GENERAL  
DETERMINATION OF THE RIGHT  
TO THE USE OF SURFACE AND  
GROUNDWATERS OF THE PAYETTE  
RIVER DRAINAGE BASIN

CIVIL NO. 3667

STIPULATION RESOLVING  
OBJECTIONS TO WATER  
RIGHT NOS. 65-00078,  
65-00079, 65-00084,  
65-00085, 65-00080,  
65-00081, 65-00082,  
65-00076, 65-02030,  
65-10337, 65-00077

The Director of the Idaho Department of Water Resources, R. Keith Higginson, by and through counsel, and Letha Irrigation & Water Co. Inc. stipulate as follows:

1. That water right claim Nos. 65-00078, 65-00079, 65-00085, 65-00080, 65-00084, 65-00081, 65-00082, 65-00076, 65-02030, 65-10337, 65-00077, be accepted and included in the Proposed Finding of Water Rights in the Payette River Drainage as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

2. That Letha Irrigation & Water Co. Inc. withdraw all pending objections, including those based on the objection filed by Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown in July 1982, in the above captioned matter.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 1993.

LARRY ECHOHAWK  
Attorney General

\_\_\_\_\_  
DANIEL L STECKEL  
Deputy Attorney General  
Department of Water Resources

DATED THIS 8 day of Feb, 1993.

Howard P. Res.  
AUTHORIZED AGENT, LETHA  
IRRIGATION & WATER CO. INC.

The above stipulation having come before the court, it is  
hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, 1993.

\_\_\_\_\_  
JAMES R. DOOLITTLE  
District Judge

| RIGHT<br>NUMBER       | NAME & ADDRESS                                                                | PRIORITY<br>DATE | PURPOSE OF USE         | PERIOD OF USE<br>FROM TO | MAXIMUM<br>QUANTITY | BASIS OF CLAIM     |
|-----------------------|-------------------------------------------------------------------------------|------------------|------------------------|--------------------------|---------------------|--------------------|
| SOURCE: PAYETTE RIVER |                                                                               |                  | TRIBUTARY: SNAKE RIVER |                          |                     |                    |
| 65-00079              | LETHA IRRIGATION & WATER CO. INC.<br>6550 DALLAS RD.<br>NEW PLYMOUTH ID 83655 | 03/30/1881       | IRRIGATION             | 03-15 11-15              | 8.1                 | CFS BENEFICIAL USE |
|                       |                                                                               |                  |                        | TOTAL QUANTITY:          | 8.1                 | CFS                |
|                       |                                                                               |                  |                        | CONSUMPTIVE USE:         | 1172.5              | AFY                |
|                       | POINT OF DIVERSION:<br>T07N R03W S35                                          | SWNW             |                        |                          |                     |                    |
|                       | PLACE OF USE: IRRIGATION                                                      |                  |                        |                          |                     |                    |
|                       | T07N R03W S22 Lot 5 (NWSW)35.0                                                | SWSW 32.0        | SESW 1.0               |                          |                     |                    |
|                       | S27 Lot 2 (SWNE) 9.0                                                          | NENW 6.0         | NWNW 39.0              |                          |                     | SWNW 39.0          |
|                       | SENE 13.0                                                                     | NESW 36.0        | NWSW 12.0              |                          |                     | SESW 8.0           |
|                       | NESE 11.0                                                                     | NWSE 36.0        | SWSE 20.0              |                          |                     | SESE 38.0          |
|                       | 335.0 ACRES TOTAL                                                             |                  |                        |                          |                     |                    |
|                       | REMARKS: WATER IS DELIVERED THROUGH NICHOLS DITCH.                            |                  |                        |                          |                     |                    |
|                       | A DIVERSION RATE OF .024 CFS PER ACRE AT THE FIELD HEADGATE IS                |                  |                        |                          |                     |                    |
|                       | INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED              |                  |                        |                          |                     |                    |
|                       | ABOVE.                                                                        |                  |                        |                          |                     |                    |
| 65-00078              | LETHA IRRIGATION & WATER CO. INC.<br>6550 DALLAS RD.<br>NEW PLYMOUTH ID 83655 | 10/27/1884       | IRRIGATION             | 03-15 11-15              | 4.92                | CFS BENEFICIAL USE |
|                       |                                                                               |                  |                        | TOTAL QUANTITY:          | 4.92                | CFS                |
|                       |                                                                               |                  |                        | CONSUMPTIVE USE:         | 430.5               | AFY                |
|                       | POINT OF DIVERSION:<br>T06N R02W S08                                          | NWNW             |                        |                          |                     |                    |
|                       | PLACE OF USE: IRRIGATION                                                      |                  |                        |                          |                     |                    |
|                       | T06N R02W S06 NESW 29.0 Lot 9 (NWSW)24.0 Lot 10 (SWSW)12.0                    | SESW 10.0        |                        |                          |                     |                    |
|                       | R03W S01 SENE 29.0 NESE 19.0                                                  |                  |                        |                          |                     |                    |
|                       | 123.0 ACRES TOTAL                                                             |                  |                        |                          |                     |                    |
|                       | REMARKS: WATER IS DELIVERED THROUGH JACK WOODS DITCH.                         |                  |                        |                          |                     |                    |
|                       | A DIVERSION RATE OF .034 CFS PER ACRE AT THE FIELD HEADGATE IS                |                  |                        |                          |                     |                    |
|                       | INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED              |                  |                        |                          |                     |                    |
|                       | ABOVE.                                                                        |                  |                        |                          |                     |                    |
|                       | 0.74 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES                |                  |                        |                          |                     |                    |
|                       | IN DELIVERY OF THIS RIGHT.                                                    |                  |                        |                          |                     |                    |

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: A65-00078  
Date Received: 12/12/1989 2/9/90  
Receipt No: 8999999  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: LETHA IRRIGATION & WATER CO. INC.  
Address: C/O NELDA PLATZ  
6550 DALLAS RD.  
NEW PLYMOUTH, ID 83655

208-278-3040

RECEIVED  
FEB 9 1990

2. Date of Priority: OCT 27, 1884

3. Source: PAYETTE RIVER

Trib. to: SNAKE RIVER

Department of Water Resources

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 06N      | 02W   | 8       | NW     | NW     | NW  |     | GEM    |

5. Description of diverting works:  
HEADGATE AND DITCHES

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 4.920  |      |        |

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

A.F.A.

8. Total consumptive use is 430.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 06N      | 02W   | 6       | NE     | SW  |     | IRR | 29.0  |
|          |       |         | NW     | SW  | 9   | IRR | 24.0  |
|          |       |         | SW     | SW  | 10  | IRR | 12.0  |

A65-00078

Page 1

Date: 02/01/90

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10. Place of Use: Continued

|          |       |         |        |     |     |               |       |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
| 06N      | 02W   | 6       | SE     | SW  |     | IRR           | 10.0  |
|          |       |         |        |     |     |               |       |
|          |       |         |        |     |     | Section Acres | 75.0  |
|          | 03W   | 1       | SE     | NE  |     | IRR           | 29.0  |
|          |       |         | NE     | SE  |     | IRR           | 19.0  |
|          |       |         |        |     |     |               |       |
|          |       |         |        |     |     | Section Acres | 48.0  |
|          |       |         |        |     |     | Total Acres   | 123.0 |

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:

IRRIGATED BY JACK WOODS DITCH.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: \_\_\_\_\_

For Organizations:

I do solemnly swear or affirm that I am \_\_\_\_\_ of  
Title

LETHA IRRIGATION & WATER CO., that I have signed the foregoing  
Organization  
document in the space below as \_\_\_\_\_ 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

FEB. 6, 1990  
Date

State of Idaho )  
County of Payette ) SS.

Subscribed and sworn (or affirmed) before me this 6th day  
of February 19 90

Cathy M. Myler  
Notary Public

Seal

Residing at New Plymouth

My Commission Expires 4-22-91

Water Right Number - 65-00078

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

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

\*\*\* C - CURRENT OWNER \*\*\*

LETHA IRRIGATION & WATER CO. INC.

1 - C/O NELDA PLATZ

2 - RT. 2

3 -

City- NEW PLYMOUTH

State- ID Zip- 83655

Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +  
10/27/1884 14 J - BENEFICIAL USE

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

+ - - - - Point of Diversion - - - - - +  
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

06N 02W 8 NW NW (45) GEM

+ - - - - Water Use - - - - - +  
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 03/15 11/15 3.180

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +  
3.180

+ - - - - Place of Use - - - - - +  
TwN Rng Sec Tract Lot Acres Code Description County

|     |     |   |       |    |      |    |            |           |
|-----|-----|---|-------|----|------|----|------------|-----------|
| 06N | 02W | 6 | NE SW |    | 29.0 | 01 | IRRIGATION | (45 ) GEM |
| 06N | 02W | 6 | NW SW | 9  | 24.0 | 01 | IRRIGATION | (45 ) GEM |
| 06N | 02W | 6 | SW SW | 10 | 12.0 | 01 | IRRIGATION | (45 ) GEM |
| 06N | 02W | 6 | SE SW |    | 10.0 | 01 | IRRIGATION | (45 ) GEM |
| 06N | 03W | 1 | SE NE |    | 29.0 | 01 | IRRIGATION | (45 ) GEM |
| 06N | 03W | 1 | NE SE |    | 19.0 | 01 | IRRIGATION | (45 ) GEM |

Total Acres: 123.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +  
IRRIGATED BY JACK WOODS DITCH.

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

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SEP 15 1992

Water right number - 65-00078 Adj. flag translation: Standard Water Right Number

+ - - - - 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 - 09/05/86 04/30/88 CONVERT 11/01/88 CURTIS

+ - - - - 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 - 00/00/0000   | 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 - |

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SEP 15 1992

4/5/1989

## SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Loma Drug & WaterCLAIM IDENT. NO. A 65-00078DATE RECEIVED 2-9-90CK #       AMOUNT \$ Exempt

YES NO Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ \* Info?
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. ☐ YES ☐ NO ☐ \*
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 ☐ \*  
Is the consumptive use correct? ☐ YES ☐ NO ☐ \*
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: SKADate: 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:         
 Sent to claimant by:       

Date:       Date:       Checked by:       Date:       Comments:       

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SEP 15 1992

## EXHIBIT A

AJ5856NP

AJ5856NP

| RIGHT<br>NUMBER                                                  | NAME & ADDRESS                                                                | PRIORITY<br>DATE            | PURPOSE OF USE | PERIOD OF USE<br>FROM TO | MAXIMUM<br>QUANTITY | BASIS OF CLAIM     |
|------------------------------------------------------------------|-------------------------------------------------------------------------------|-----------------------------|----------------|--------------------------|---------------------|--------------------|
| SOURCE: PAYETTE RIVER                                            |                                                                               | TRIBUTARY: SNAKE RIVER      |                |                          |                     |                    |
| 65-00079                                                         | LETHA IRRIGATION & WATER CO. INC.<br>6550 DALLAS RD.<br>NEW PLYMOUTH ID 83655 | 03/30/1881                  | IRRIGATION     | 03-15 11-15              | 8.1                 | CFS BENEFICIAL USE |
|                                                                  |                                                                               |                             |                | TOTAL QUANTITY:          | 8.1                 | CFS                |
|                                                                  |                                                                               |                             |                | CONSUMPTIVE USE:         | 1172.5              | AFY                |
| POINT OF DIVERSION:<br>T07N R03W S35                             |                                                                               | SWNW                        |                |                          |                     |                    |
| PLACE OF USE: IRRIGATION                                         |                                                                               |                             |                |                          |                     |                    |
| T07N R03W S22 Lot 5 (NWSW) 35.0                                  |                                                                               | SWSW 32.0                   |                | SESW 1.0                 |                     | SWNW 39.0          |
| S27 Lot 2 (SWNE) 9.0                                             |                                                                               | NENW 6.0                    |                | NWNW 39.0                |                     | SESW 8.0           |
|                                                                  |                                                                               | NESW 36.0                   |                | NWSW 12.0                |                     | SESE 38.0          |
|                                                                  |                                                                               | SENW 13.0                   |                | SWSE 20.0                |                     |                    |
|                                                                  |                                                                               | NESE 11.0                   |                |                          |                     |                    |
| REMARKS: 335.0 ACRES TOTAL                                       |                                                                               |                             |                |                          |                     |                    |
| WATER IS DELIVERED THROUGH NICHOLS DITCH.                        |                                                                               |                             |                |                          |                     |                    |
| A DIVERSION RATE OF .024 CFS PER ACRE AT THE FIELD HEADGATE IS   |                                                                               |                             |                |                          |                     |                    |
| INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED |                                                                               |                             |                |                          |                     |                    |
| ABOVE.                                                           |                                                                               |                             |                |                          |                     |                    |
| 65-00078                                                         | LETHA IRRIGATION & WATER CO. INC.<br>6550 DALLAS RD.<br>NEW PLYMOUTH ID 83655 | 10/27/1884                  | IRRIGATION     | 03-15 11-15              | 4.92                | CFS BENEFICIAL USE |
|                                                                  |                                                                               |                             |                | TOTAL QUANTITY:          | 4.92                | CFS                |
|                                                                  |                                                                               |                             |                | CONSUMPTIVE USE:         | 430.5               | AFY                |
| POINT OF DIVERSION:<br>T06N R02W S08                             |                                                                               | NWNW                        |                |                          |                     |                    |
| PLACE OF USE: IRRIGATION                                         |                                                                               |                             |                |                          |                     |                    |
| T06N R02W S06                                                    |                                                                               | NESW 29.0 Lot 9 (NWSW) 24.0 |                | Lot 10 (SWSW) 12.0       |                     | SESW 10.0          |
| R03W S01                                                         |                                                                               | SENE 29.0                   |                | NESE 19.0                |                     |                    |
| REMARKS: 123.0 ACRES TOTAL                                       |                                                                               |                             |                |                          |                     |                    |
| WATER IS DELIVERED THROUGH JACK WOODS DITCH.                     |                                                                               |                             |                |                          |                     |                    |
| A DIVERSION RATE OF .034 CFS PER ACRE AT THE FIELD HEADGATE IS   |                                                                               |                             |                |                          |                     |                    |
| INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED |                                                                               |                             |                |                          |                     |                    |
| ABOVE.                                                           |                                                                               |                             |                |                          |                     |                    |
| 0.74 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES   |                                                                               |                             |                |                          |                     |                    |
| IN DELIVERY OF THIS RIGHT.                                       |                                                                               |                             |                |                          |                     |                    |

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OCT 18 1996