

02/02/2001

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

RIGHT NUMBER: 65-79

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

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 8.1 CFS

A DIVERSION RATE OF .024 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, 65-00078, 65-00076, 65-00080, 65-00081, 65-
00082, 65-00084, 65-00085, 65-02030 & 65-10337

PRIORITY DATE: 03/30/1881

POINT OF DIVERSION: T07N R03W S35 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 335 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. 65-00071X IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE
THIS RIGHT IS DELIVERED THROUGH THE NICHOLS DITCH

AJ0749NP
No. R65-00079

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

DATE: 04/20/00
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OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LETHA IRRIGATION & WATER CO INC 400 COSTON STREET BOISE ID 83712 (208) 343-9438	03/30/1881	IRRIGATION	03-15 11-15	8.100 CFS	
					TOTAL DIVERSION:	8.100 CFS

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion:

T07N R03W S35

SWNW

GEM County

POU County:

Remarks: QNT A DIVERSION RATE OF .024 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, 65-00078, 65-00076, 65-00080, 65-00081, 65-00082, 65-00084, 65-00085, 65-02030 & 65-10337.

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 335 ACRES WITHIN THE PLACE OF USE BOUNDARY DESCRIBED FOR THE LETHA IRRIGATION AND WATER CO.

EXP RIGHT NO. 65-00071X IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
THIS RIGHT IS DELIVERED THROUGH THE NICHOLS DITCH.

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

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

Audit: 04/20/00 MSCHULTE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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PROFILE REPORT

CLAIM NUMBER: A65-00079

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LETHA IRRIGATION & WATER CO INC	03/30/1881	IRRIGATION	03-15 11-15	8.100 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					8.100 CFS	1172.50 AFA

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion:

T07N R03W S35

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	22	:											05-35	32	01				:	68.0	
07N	03W	27	:			02-09				06	39	39	13	36	12	08	11	36	20	38	:	267.0
																			TOTAL ACRES	:	335.0	

POU County: GEM

Remarks: GEN CLAIM AMENDED PER STIPULATION FROM PRBA. JS 2-21-96.
WATER IS DELIVERED THROUGH NICHOLS DITCH.
A DIVERSION RATE OR .024 CFS PER ACRE AT THE FIELD HEADGATE IS
INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED
ABOVE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:
Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

EXP FOS w -00071X
QNT
POU1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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QUICKLOOK INFORMATION

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CLAIM NUMBER: A65-00079

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	Y		MS 4-20-00 In office	N		MS 4-20-00	MS 4-20-00	
POINT OF DIV				N				
SOURCE	Y			N				
PLACE OF USE	Y			Y				
DIV. AMOUNT 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()
(☒) 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>Stipulation</u>	DATE <u>1993</u>	Y(☒) N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

4a

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

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04/19/00

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GENERAL INFORMATION

1
CLAIM NUMBER: A65-00079

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 2-21-96.
WATER IS DELIVERED THROUGH NICHOLS DITCH.
A DIVERSION RATE OR .024 CFS PER ACRE AT THE FIELD HEADGATE IS
INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED
ABOVE.

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

Marcia Hen

PHONE NUMBER: () -

DATE OF FIELD EXAM: / /

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY:

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT:

President

DIRECTIONS TO PROPERTY / NOTES:

*In office exam 4-20-2000. This recommendation
is based on the stipulation entered in the PRBA.
See the loose map that describes the Letha
Irrigation Co. boundaries.*

A. AJ CLAIM: # A65-00079 PRIORITY DATE: 03-30-1881 STAGE: J

B. WR RECORD: # 65-00079 PRIORITY DATE: 03-30-1881 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 PRPA.

RECOMMENDED PRIORITY DATE:

3-30-1881
REVIEWED BY Meel Schulte

DATE 4-20-2000

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
A65-00079	07N 03W	35		SW	NW			GEM		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A65-00071X 65-21811
A65-21811 R65-00071X

WR RECORDS IN SAME 40 ACRE TRACT
65-00071X
65-03372

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
65-00079	07N 03W	35		SW	NW			GEM		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A65-00071X 65-21811
A65-21811 R65-00071X

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.

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

TWP. 07N	RGE. 03W	SEC. 35	1/4	1/4 SW	1/4 NW	LOT	POD FLAG	COUNTY GEN	DIVERSION NAME	DIVERSION NBR

SOURCE: Payette R. TRIB: Snake River.

REVIEWED BY: Mel Schulte DATE: 4-20-2000

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

Delivered through the Nichols Ditch.

4e

ROAD CLASSIFICA

A. ROOT WATER RIGHT NUMBERS: A65-00079
R65-00079

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	03W	22	NW	SW	5	LETHA IRRIGATION & WATER CO	INA65-00079 / 35.0	65-00079 / 35.0	40.0		
			NW	SW	5	LETHA IRRIGATION & WATER CO	INR65-00079 / 35.0	- /			
07N	03W	22	SW	SW		LETHA IRRIGATION & WATER CO	INA65-00079 / 32.0	65-00079 / 32.0	38.0		
			SW	SW		HERR, RODNEY H	A65-22166 /	- /			
			SW	SW		LETHA IRRIGATION & WATER CO	INR65-00079 / 32.0	- /			
			SW	SW		HERR, MARCIA H	R65-22166 /	- /			
07N	03W	22	SE	SW		LETHA IRRIGATION & WATER CO	INA65-00079 / 1.0	65-00079 / 1.0	37.0		
			SE	SW		LETHA IRRIGATION & WATER CO	INR65-00079 / 1.0	- /			
			SE	SW		HERR, MARCIA H	A65-00451 /	65-00451 /			
			SE	SW		HERR, MARCIA H	65-00451 /	- /			
			SE	SW		LETHA IRRIGATION & WATER CO	INA65-00076 / 33.0	- /			
			SE	SW		LETHA IRRIGATION & WATER CO. I		65-00076X / 33.0			
07N	03W	27	SW	NE	2	LETHA IRRIGATION & WATER CO	INA65-00079 / 9.0	- /	37.0		
			SW	NE	2	LETHA IRRIGATION & WATER CO	INR65-00079 / 9.0	- /			
			SW	NE	2	LETHA IRRIGATION & WATER CO	INA65-00076 / 21.0	- /			
			SW	NE	2	LETHA IRRIGATION & WATER CO. I		65-00076X / 21.0			
			SW	NE	2	NAEGLE, LEONARD		65-05453 / 2.0			
07N	03W	27	NE	NW		LETHA IRRIGATION & WATER CO	INA65-00079 / 6.0	65-00079 / 6.0	37.0		
			NE	NW		LETHA IRRIGATION & WATER CO	INR65-00079 / 6.0	- /			
			NE	NW		LETHA IRRIGATION & WATER CO	INA65-00076 / 30.0	- /			
			NE	NW		LETHA IRRIGATION & WATER CO. I		65-00076A / 19.0			
			NE	NW		LETHA IRRIGATION & WATER CO. I		65-00076X / 11.0			
07N	03W	27	NW	NW		LETHA IRRIGATION & WATER CO	INA65-00079 / 39.0	65-00079 / 39.0	40.0		
			NW	NW		LETHA IRRIGATION & WATER CO	INR65-00079 / 39.0	- /			
07N	03W	27	SW	NW		LETHA IRRIGATION & WATER CO	INA65-00079 / 39.0	65-00079 / 39.0	41.0		
			SW	NW		LETHA IRRIGATION & WATER CO	INR65-00079 / 39.0	- /			
07N	03W	27	SE	NW		LETHA IRRIGATION & WATER CO	INA65-00079 / 13.0	65-00079 / 13.0	40.0		
			SE	NW		HERR, RODNEY H	A65-22167 /	- /			
			SE	NW		HERR, RODNEY H	A65-01275 /	65-01275 /			
			SE	NW		LETHA IRRIGATION & WATER CO	INR65-00079 / 13.0	- /			
			SE	NW		HERR, RODNEY H	65-01275 /	- /			
			SE	NW		LETHA IRRIGATION & WATER CO	INA65-00076 / 21.0	- /			
			SE	NW		HERR, MARCIA H	R65-22167 /	- /			
			SE	NW		LETHA IRRIGATION & WATER CO. I		65-00076A / 21.0			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	03W	27	NE	SW		LETHA IRRIGATION & WATER CO	INA65-00079 / 36.0	65-00079 / 36.0	36.0		36.0
			NE	SW		LETHA IRRIGATION & WATER CO	INR65-00079 / 36.0	- /			
07N	03W	27	NW	SW		LETHA IRRIGATION & WATER CO	INA65-00079 / 12.0	65-00079 / 12.0	39.0		
			NW	SW		LETHA IRRIGATION & WATER CO	INR65-00079 / 12.0	- /			
			NW	SW		REED DITCH CO	A65-00053A / 20.0	- /			
			NW	SW		REED DITCH CO	A65-00053X / 20.0	65-00053X / 20.0			
			NW	SW		VALLEY CHRISTIAN ASSEMBLY CHUR		65-12875 /			
07N	03W	27	SE	SW		LETHA IRRIGATION & WATER CO	INA65-00079 / 8.0	65-00079 / 8.0	34.0		
			SE	SW		LETHA IRRIGATION & WATER CO	INR65-00079 / 8.0	- /			
			SE	SW		REED DITCH CO	A65-00053A / 17.0	- /			
			SE	SW		SWANSON, GARY A	A65-22113 /	- /			
			SE	SW		SWANSON, GARY A	65-22113 /	- /			
			SE	SW		REED DITCH CO	A65-00053X / 17.0	65-00053X / 17.0			
07N	03W	27	NE	SE		LETHA IRRIGATION & WATER CO	INA65-00079 / 11.0	65-00079 / 11.0	37.0		
			NE	SE		LETHA IRRIGATION & WATER CO	INR65-00079 / 11.0	- /			
			NE	SE		LETHA IRRIGATION & WATER CO	INA65-00076 / 20.0	- /			
			NE	SE		LETHA IRRIGATION & WATER CO	INA65-00077 / 4.0	65-00077 / 4.0			
			NE	SE		LETHA IRRIGATION & WATER CO. I		65-00076X / 20.0			
07N	03W	27	NW	SE		LETHA IRRIGATION & WATER CO	INA65-00079 / 36.0	65-00079 / 36.0	40.0		
			NW	SE		LETHA IRRIGATION & WATER CO	INR65-00079 / 36.0	- /			
			NW	SE		SMITH, RAYMOND C.		65-05543 /			
07N	03W	27	SW	SE		LETHA IRRIGATION & WATER CO	INA65-00079 / 20.0	65-00079 / 20.0	35.0		
			SW	SE		LETHA IRRIGATION & WATER CO	INR65-00079 / 20.0	- /			
			SW	SE		LETHA IRRIGATION & WATER CO	INR65-00080 / 18.0	65-00080 / 18.0			
			SW	SE		LETHA IRRIGATION & WATER CO	INA65-00080 / 18.0	- /			
07N	03W	27	SE	SE		LETHA IRRIGATION & WATER CO	INA65-00079 / 38.0	65-00079 / 38.0	42.0		
			SE	SE		HERR, RODNEY H	A65-03688 /	65-03688 /			
			SE	SE		HERR, RODNEY H	A65-03689 /	65-03689 /			
			SE	SE		LETHA IRRIGATION & WATER CO	INR65-00079 / 38.0	- /			
			SE	SE		HERR, RODNEY H	R65-03688 /	- /			
			SE	SE		HERR, RODNEY H	R65-03689 /	- /			

ADDITIONAL POU FOUND

TOTAL ACRES	A65-00079	335.00	326.00	573.00
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335 within the
Letha boundaries

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
A65-00079	PAYETTE RIVER	LETHA IRRIGATION & WATER CO IN	8.100	0.024		
A65-00053A	PAYETTE RIVER	REED DITCH CO	36.120	0.018		
A65-00053X	PAYETTE RIVER	REED DITCH CO	10.010	0.005		
A65-00076	PAYETTE RIVER	LETHA IRRIGATION & WATER CO IN	7.420	0.040		
A65-00077	PAYETTE RIVER	LETHA IRRIGATION & WATER CO IN	2.450	0.034		
R65-00079	PAYETTE RIVER	LETHA IRRIGATION & WATER CO IN	8.100	0.024		
R65-00080	PAYETTE RIVER	LETHA IRRIGATION & WATER CO IN	14.540	0.031		
A65-00080	PAYETTE RIVER	LETHA IRRIGATION & WATER CO IN	14.540	0.031		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-22166	DOMESTIC	HERR, RODNEY H	FROM 01-01 TO 12-31	0.040 CFS	
A65-22166	STOCKWATER	HERR, RODNEY H	FROM 01-01 TO 12-31	0.050 CFS	
R65-22166	DOMESTIC	HERR, MARCIA H	FROM 01-01 TO 12-31	0.040 CFS	
R65-22166	STOCKWATER	HERR, MARCIA H	FROM 01-01 TO 12-31	0.050 CFS	
A65-00451	DOMESTIC	HERR, MARCIA H	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-00451	STOCKWATER	HERR, MARCIA H	FROM 01-01 TO 12-31	0.010 CFS	1.40 AF/A
65-00451	DOMESTIC	HERR, MARCIA H	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-00451	STOCKWATER	HERR, MARCIA H	FROM 01-01 TO 12-31	0.010 CFS	1.40 AF/A
A65-22167	STOCKWATER	HERR, RODNEY H	FROM 01-01 TO 12-31	0.050 CFS	
A65-01275	DOMESTIC	HERR, RODNEY H	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-01275	STOCKWATER	HERR, RODNEY H	FROM 01-01 TO 12-31	0.020 CFS	1.00 AF/A
65-01275	DOMESTIC	HERR, RODNEY H	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-01275	STOCKWATER	HERR, RODNEY H	FROM 01-01 TO 12-31	0.020 CFS	1.00 AF/A
R65-22167	STOCKWATER	HERR, MARCIA H	FROM 01-01 TO 12-31	0.050 CFS	
A65-22113	DOMESTIC	SWANSON, GARY A	FROM 01-01 TO 12-31	0.090 CFS	
65-22113	DOMESTIC	SWANSON, GARY A	FROM 01-01 TO 12-31	0.090 CFS	
A65-03688	STOCKWATER	HERR, RODNEY H	FROM 01-01 TO 12-31	0.120 CFS	6.70 AF/A
A65-03689	DOMESTIC	HERR, RODNEY H	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
R65-03688	STOCKWATER	HERR, RODNEY H	FROM 01-01 TO 12-31	0.120 CFS	6.70 AF/A
R65-03689	DOMESTIC	HERR, RODNEY H	FROM 01-01 TO 12-31	0.040 CFS	1.20 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. _____;

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

NOTES:

RECOMMENDATIONS:

335- with you Letta Inc
N/A(C)

N/A(

Mel Schulte

DATE:

4-20-9000

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-00079 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
65-00079 IRRIGATION	FROM 03-15 TO 11-15	8.320 CFS	
TOTAL DIVERSION RATE/VOLUME		8.320 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: 8.100 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 8.320 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 335 x 0.02 CFS/ACRE = 6.70 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 = 1172.5 AF/A N/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: The diversion rate is based on the formula used
in the PRBA to resolve the objection filed therein.
(See the stipulation dated 1993)

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				1172.5	
TOTAL FOR THIS RIGHT			8.100				1172.5	

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: Meel Schulte DATE: 4-20-2000

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

QNT
POU
EXP

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: 65-00079

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
8.320

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-00079	8.100	R65-00079	8.100	65-00079	8.320
TOTAL CFS		8.100		8.100		8.320

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: 4-20-2000

NAME OF FIELD EXAMINER: _____ TITLE: _____

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

$$109.83 \div 3197 = .0342 \text{ cfs/acre.}$$

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 Plat 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 NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
	SOURCE: PAYETTE RIVER		TRIBUTARY: SNAKE RIVER			
65-00079	LETHA IRRIGATION & WATER CO. INC. 6550 DALLAS RD. NEW PLYMOUTH ID 83655	03/30/1881	IRRIGATION	03-15 11-15	8.1	CFS
						BENEFICIAL USE
	POINT OF DIVERSION: T07N R03W S35					
	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		
			SESW 13.0	NWSW 12.0		
			NESE 11.0	SWSE 20.0		
	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. 6550 DALLAS RD. NEW PLYMOUTH ID 83655	10/27/1884	IRRIGATION	03-15 11-15	4.92	CFS
						BENEFICIAL USE
	POINT OF DIVERSION: T06N R02W S08					
	PLACE OF USE: IRRIGATION					
	T06N R02W S06 Lot 9 (NWSW)24.0		Lot 10 (SWSW)12.0			
	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: A65-00079
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: MAR 30, 1881

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
07N	03W	35	SW	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	8.100		

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

8. Total consumptive use is 1172.5 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	22	NW	SW	5	IRR	35.0
			SW	SW		IRR	32.0
			SE	SW		IRR	1.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
					Section Acres	68.0	
		27	SW	NE	2	IRR	9.0
			NE	NW		IRR	6.0
			NW	NW		IRR	39.0
			SW	NW		IRR	39.0
			SE	NW		IRR	13.0
			NE	SW		IRR	36.0
			NW	SW		IRR	12.0
			SE	SW		IRR	8.0
			NE	SE		IRR	11.0
			NW	SE		IRR	36.0
			SW	SE		IRR	20.0
			SE	SE		IRR	38.0
					Section Acres	267.0	
					Total Acres	335.0	

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 2-21-96.

WATER IS DELIVERED THROUGH NICHOLS DITCH.

A DIVERSION RATE OR .024 CFS PER ACRE AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.

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: _____

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

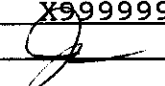
MAR 28 2000

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: **A65-00079**
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: MAR 30, 1881

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
07N	03W	35	SW	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	8.100		

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

8. Total consumptive use is 1172.5 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	22	NW	SW	5	IRR	35.0
			SW	SW		IRR	32.0
			SE	SW		IRR	1.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
					Section Acres	68.0	
		27	SW	NE	2	IRR	9.0
			NE	NW		IRR	6.0
			NW	NW		IRR	39.0
			SW	NW		IRR	39.0
			SE	NW		IRR	13.0
			NE	SW		IRR	36.0
			NW	SW		IRR	12.0
			SE	SW		IRR	8.0
			NE	SE		IRR	11.0
			NW	SE		IRR	36.0
			SW	SE		IRR	20.0
			SE	SE		IRR	38.0
					Section Acres	267.0	
					Total Acres	335.0	

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 2-21-96.

WATER IS DELIVERED THROUGH NICHOLS DITCH.

A DIVERSION RATE OR .024 CFS PER ACRE AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.

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)
County of _____) SS.

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 Plat 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

EXHIBIT A

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
	SOURCE: PAYETTE RIVER		TRIBUTARY: SNAKE RIVER			
65-00079	LETHA IRRIGATION & WATER CO. INC. 6550 DALLAS RD. NEW PLYMOUTH ID 83655	03/30/1881	IRRIGATION	03-15 11-15	8.1	CFS
	POINT OF DIVERSION: 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
			SENE 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. 6550 DALLAS RD. NEW PLYMOUTH ID 83655	10/27/1884	IRRIGATION	03-15 11-15	4.92	CFS
	POINT OF DIVERSION: T06N R02W S08		NWNW			
	PLACE OF USE: IRRIGATION					
	T06N R02W S06 Lot 9 (NWSW) 24.0 Lot 10 (SWSW) 12.0		NESW 29.0			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.					

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: A65-00079
Date Received: 12/12/1989 2/9/90
Receipt No: X999999
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: MAR 30, 1881

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
07N	03W	35	SW	SW	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	13.400		

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

A.F.A.

8. Total consumptive use is 1172.5 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	22	NW	SW	5	IRR	35.0
			SW	SW		IRR	32.0
			SE	SW		IRR	1.0

Section Acres 68.0

A65-00079

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Date: 02/01/90

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	03W	27			2	IRR	9.0
			NE	NW		IRR	6.0
			NW	NW		IRR	39.0
			SW	NW		IRR	39.0
			SE	NW		IRR	13.0
			NE	SW		IRR	36.0
			NW	SW		IRR	12.0
			SE	SW		IRR	8.0
			NE	SE		IRR	11.0
			NW	SE		IRR	36.0
			SW	SE		IRR	20.0
			SE	SE		IRR	38.0

Section Acres 267.0

Total Acres 335.0

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 NICHOLS 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 _____ 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.

Kawana P. [Signature]
Signature of Authorized Agent
President
Letha Irrigation & Water Co.
Title and Organization

February 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. Myers
Notary Public

Seal

Residing at New Plymouth

My Commission Expires 4-22-91

Water Right Number - 65-00079

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 - - - - +
03/30/1881 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)
07N 03W 35 SW NW (45) GEM+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 8.320+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
8.320+ - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
07N 03W 22 NW SW 5 35.0 01 IRRIGATION (45) GEM
07N 03W 22 SW SW 32.0 01 IRRIGATION (45) GEM
07N 03W 22 SE SW 1.0 01 IRRIGATION (45) GEM
07N 03W 27 2 9.0 01 IRRIGATION (45) GEM
07N 03W 27 NE NW 6.0 01 IRRIGATION (45) GEM
07N 03W 27 NW NW 39.0 01 IRRIGATION (45) GEM
07N 03W 27 SW NW 39.0 01 IRRIGATION (45) GEM
07N 03W 27 SE NW 13.0 01 IRRIGATION (45) GEM
07N 03W 27 NE SW 36.0 01 IRRIGATION (45) GEM
07N 03W 27 NW SW 12.0 01 IRRIGATION (45) GEM
07N 03W 27 SE SW 8.0 01 IRRIGATION (45) GEM
07N 03W 27 NE SE 11.0 01 IRRIGATION (45) GEM
07N 03W 27 NW SE 36.0 01 IRRIGATION (45) GEM
07N 03W 27 SW SE 20.0 01 IRRIGATION (45) GEM
07N 03W 27 SE SE 38.0 01 IRRIGATION (45) GEM

Total Acres: 335.0

- - Diversion Means -

- - Non-Irrigation Use -

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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	-

SEP 15 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Letha Mrig & WaterCLAIM IDENT. NO. AUS-00079DATE RECEIVED 2-9-90CK # AMOUNT \$ Exempt

YES NO Required Info?

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

Claim checked by: LatDate: 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:
 Date:

Checked by: Date: Comments:

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