

02/02/2001

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

RIGHT NUMBER: 65-84

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

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 11.81 CFS

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, 65-00078, 65-00080, 65-
00082, 65-00081, 65-00085, 65-02030 & 65-10337

A DIVERSION RATE OF .034 CFS PER ACRE FOR 277 ACRES, .029
CFS PER ACRE FOR 30 ACRES AT THE FIELD HEADGATE IS INCLUDED
IN THE RATE OF DIVERSION FOR THIS RIGHT

PRIORITY DATE: 08/21/1886

POINT OF DIVERSION: T06N R02W S9 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	11.81 CFS

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 307 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

AJ0749NP
No. R65-00084

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

DATE: 04/21/00
PAGE: 1

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	08/21/1886	IRRIGATION	03-15 11-15	11.810 CFS	
TOTAL DIVERSION:					11.810 CFS	

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion:

T06N R02W S09

SWNW

GEM County

POU County:

Remarks: QNT 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, 65-00078, 65-00080, 65-00082,
65-00081, 65-00085, 65-02030 & 65-10337.
A DIVERSION RATE OF .034 CFS PER ACRE FOR 277 ACRES, .029 CFS
PER ACRE FOR 30 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE
RATE OF DIVERSION FOR THIS RIGHT.

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 307 ACRES WITHIN
THE PLACE OF USE BOUNDARY DESCRIBED FOR THE LETHA IRRIGATION AND
WATER CO.

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

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

Comments: Date: 04/21/2000 User-ID: MSCHULTE Subject: COPIED FROM REMARKS
WATER IS DELIVERED THROUGH KATY KESGARD DITCH.
1.52 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT.

Audit: 04/21/00 MSCHULTE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:07:06
04/21/00
18

PAGE: 18
PROFILE REPORT

CLAIM NUMBER: A65-00084

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LETHA IRRIGATION & WATER CO INC	08/21/1886	IRRIGATION	03-15 11-15	11.810 CFS	
TOTAL DIVERSION:					11.810 CFS	
~~CONSUMPTIVE USE:~~						~~1074.50 AFA~~

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T06N R02W S09 SWNW

GEM County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE																					
T	R	S	NENE		NWNE		SWNE		SENE		:	NENW		NWNW		SWNW		SENW		:	NESW		NWSW		SWSW		SESW		:	NESE		NWSE		SWSE		SESE		:	SUM		
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:					
06N	02W	5									:									:									:							:	119.0				
06N	02W	6									:									:									:							:	90.0				
06N	02W	8		19		30		02		20	:		24		03											:									:					:	98.0
											:									:									:							:	TOTAL ACRES				
											:									:									:							:	307.0				

POU County: GEM

Remarks: GEN CLAIM AMENDED PER STIPULATION FROM PRBA. JS 2-21-96.
WATER IS DELIVERED THROUGH KATY KESGARD DITCH.
A DIVERSION RATE OF .034 CFS PER ACRE FOR 277 ACRES AND .029
CFS FOR 30 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF
DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.
1.52 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:

QNT
POU1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:05:36
04/21/00

PAGE: 17
QUICKLOOK INFORMATION

17
CLAIM NUMBER: A65-00084

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 4-21-00 In office	N		MS 4-21-00	MS 4-21-00	
POINT OF DIV				N				
SOURCE	Y			N				
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME	Y			N				
CONSUMPTIVE USE	-			X				
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>1970</u> IDWR ID NO. <u>W56</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()

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

13:05:36
04/21/00

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-00084

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 KATY KESGARD DITCH.
A DIVERSION RATE OF .034 CFS PER ACRE FOR 277 ACRES AND .029
CFS FOR 30 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF
DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.
1.52 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: ___/___/___ APPOINTMENT MADE: Y() N() TIME: ___:___ A() P()

ACCOMPANIED BY: _____ PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: President

DIRECTIONS TO PROPERTY / NOTES:

As office review 4-21-2000. This recommendation is
based on the stipulation entered in the PRBA. See
the loose leaf map that describes the Letha Irr.
Co. boundary.

A. AJ CLAIM: # A65-00084 PRIORITY DATE: 08-21-1886 STAGE: J

B. WR RECORD: # 65-00084 PRIORITY DATE: 08-21-1886 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:

8-21-1886
REVIEWED BY *Mel Schulte*

DATE *4-21-2000*

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
A65-00084	06N 02W	9		SW	NW			GEM		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

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
65-00084	06N 02W	9		SW	NW			GEM		

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

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.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY GEM	DIVERSION NAME	DIVERSION NBR
06N	02W	9		SW	NW					

SOURCE: Payette R. TRIB: Snake R.

REVIEWED BY: Mer Schulte DATE: 4-21-00

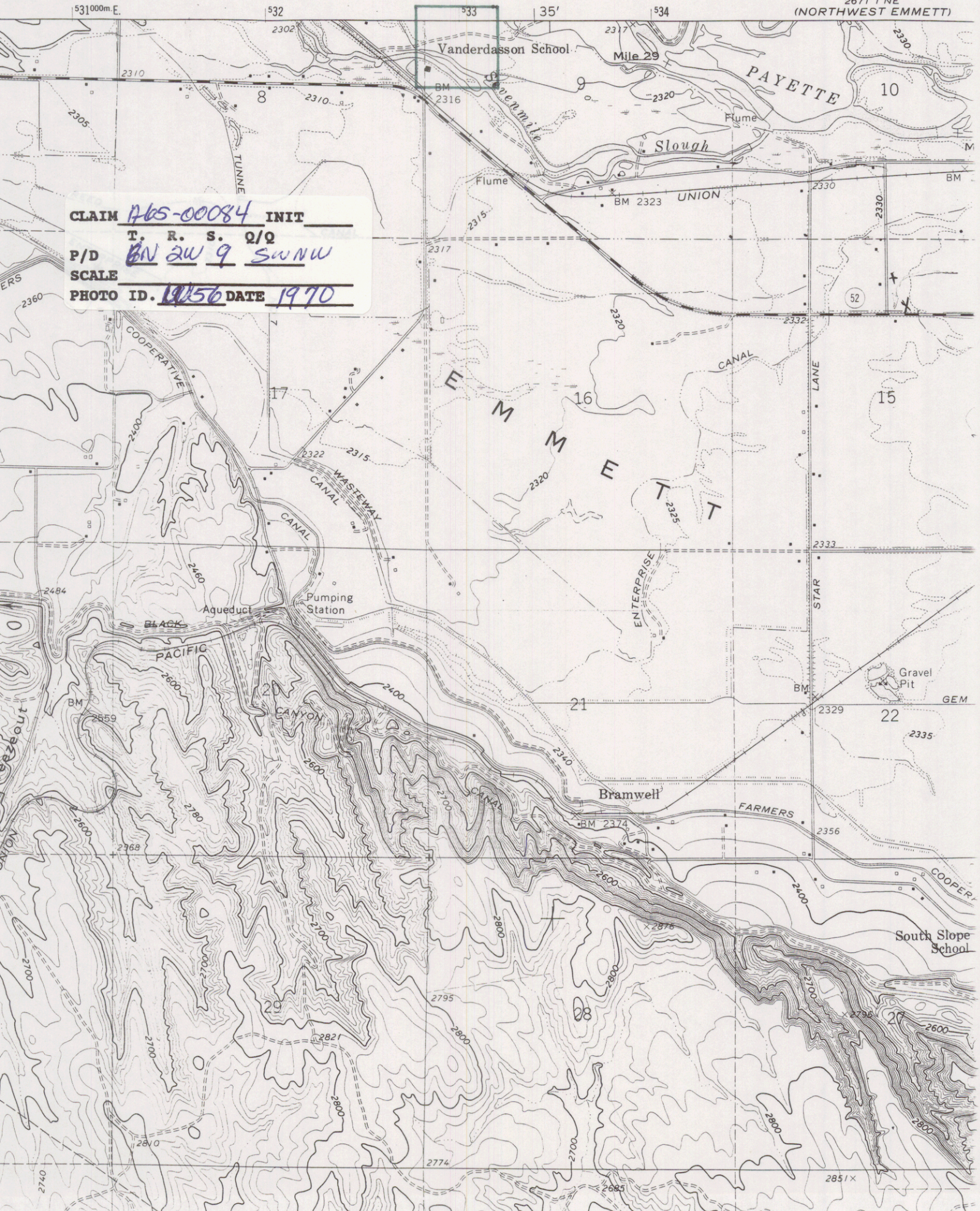
SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

Delivered through the Katy Nesgaard ditch

4a

531000m.E. 532 533 35' 534 26711 NE (NORTHWEST EMMETT)

CLAIM 165-00084 INIT
T. R. S. Q/Q
P/D BN 2W 9 S 11W
SCALE
PHOTO ID. 1956 DATE 1970



A. ROOT WATER RIGHT NUMBERS: A65-00084
R65-00084

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
06N	02W	5	NW	SW	12	LETHA IRRIGATION & WATER CO	INA65-00084 / 34.0	65-00084 / 34.0	31.0		
			NW	SW		PAYETTE RIVER RANCH	65-01786 /	65-01786 /			
			NW	SW		PAYETTE RIVER RANCH	A65-01786 /	- /			
			NW	SW	12	LETHA IRRIGATION & WATER CO	INR65-00084 / 34.0	- /			
06N	02W	5	SW	SW		LETHA IRRIGATION & WATER CO	INA65-00084 / 21.0	65-00084 / 21.0	37.0		
			SW	SW		LETHA IRRIGATION & WATER CO	INR65-00084 / 21.0	- /			
			SW	SW		ARBAUGH, WILLIAM E	65-21746 /	- /			
			SW	SW		ARBAUGH, WILLIAM E	A65-21746 /	- /			
			SW	SW		PAYETTE RIVER RANCH	65-01786 /	65-01786 /			
			SW	SW		PAYETTE RIVER RANCH	A65-01786 /	- /			
06N	02W	5	SE	SW	11	LETHA IRRIGATION & WATER CO	INA65-00084 / 41.0	65-00084 / 41.0	47.0		
			SE	SW	11	LETHA IRRIGATION & WATER CO	INR65-00084 / 41.0	- /			
06N	02W	5	SW	SE	10	LETHA IRRIGATION & WATER CO	INA65-00084 / 23.0	65-00084 / 23.0	25.0		
			SW	SE		FISCHER, SHIRLEY	A65-18318 /	- /			
			SW	SE		FISCHER, SHIRLEY	65-18318 /	- /			
			SW	SE	10	PAYETTE RIVER RANCH	A65-10723 / 8.0	65-10723 / 8.0			
			SW	SE	10	LETHA IRRIGATION & WATER CO	INR65-00084 / 23.0	- /			
06N	02W	6	NE	SE	8	LETHA IRRIGATION & WATER CO	INA65-00084 / 32.0	65-00084 / 32.0	39.0		
			NE	SE	8	LETHA IRRIGATION & WATER CO	INR65-00084 / 32.0	- /			
06N	02W	6	NW	SE		LETHA IRRIGATION & WATER CO	INA65-00084 / 34.0	65-00084 / 34.0	39.0		
			NW	SE		LETHA IRRIGATION & WATER CO	INR65-00084 / 34.0	- /			
06N	02W	6	SW	SE		LETHA IRRIGATION & WATER CO	INA65-00084 / 14.0	65-00084 / 14.0	37.0		
			SW	SE		CORR, HAROLD V	65-05325 /	65-05325 /			
			SW	SE		CORR, HAROLD V	A65-05325 /	- /			
			SW	SE		LETHA IRRIGATION & WATER CO	INR65-00084 / 14.0	- /			
			SW	SE		LETHA IRRIGATION & WATER CO	INR65-00085 / 13.0	65-00085 / 13.0			
			SW	SE		LETHA IRRIGATION & WATER CO	INA65-00085 / 13.0	- /			
06N	02W	6	SE	SE		LETHA IRRIGATION & WATER CO	INA65-00084 / 10.0	65-00084 / 10.0	38.0		
			SE	SE		LETHA IRRIGATION & WATER CO	INR65-00084 / 10.0	- /			
			SE	SE		LETHA IRRIGATION & WATER CO	INR65-00085 / 12.0	65-00085 / 12.0			
			SE	SE		LETHA IRRIGATION & WATER CO	INA65-00085 / 12.0	- /			
			SE	SE		FISHER, GALE		65-05270 /			
06N	02W	8	NE	NE		LETHA IRRIGATION & WATER CO	INA65-00084 / 19.0	65-00084 / 19.0	40.0		
			NE	NE		PAYETTE RIVER RANCH	A65-10723 / 21.0	65-10723 / 21.0			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NE	NE		LETHA IRRIGATION & WATER CO	INR65-00084 / 19.0	- /			
			NE	NE		HECKMAN, DON		65-03692 /			
06N	02W	8	NW	NE		LETHA IRRIGATION & WATER CO	INA65-00084 / 30.0	65-00084 / 30.0	39.0		
			NW	NE		LETHA IRRIGATION & WATER CO	INR65-00084 / 30.0	- /			
06N	02W	8	SW	NE		LETHA IRRIGATION & WATER CO	INA65-00084 / 2.0	65-00084 / 2.0	33.0		
			SW	NE		GRANT, DARREL	65-05082 /	65-05082 /			
			SW	NE		BOREN, RONALD KENT	A65-03614 /	65-03614 /			
			SW	NE		GRANT, DARREL	A65-05082 /	- /			
			SW	NE		JERMANN, LILLIAN I	A65-03741 /	65-03741 /			
			SW	NE		BILBREY DITCH CO LTD	A65-00034A / 15.0	- /			
			SW	NE		BILBREY DITCH CO LTD	A65-00034X / 15.0	65-00034X / 15.0			
			SW	NE		BILBREY DITCH CO LTD	R65-00034A / 15.0	- /			
			SW	NE		BILBREY DITCH CO LTD	R65-00034X / 15.0	- /			
			SW	NE		LETHA IRRIGATION & WATER CO	INR65-00084 / 2.0	- /			
			SW	NE		JERMANN, ORLENE M	65-21657 /	- /			
			SW	NE		JERMANN, ORLENE M	A65-21657 /	- /			
			SW	NE		BOREN, VICKY LYNN	65-03614 /	- /			
			SW	NE		BURNS, ROBERT B	65-03741 /	- /			
			SW	NE		BILBREY DITCH CO. LTD.		65-13205 / 23.0			
06N	02W	8	SE	NE		LETHA IRRIGATION & WATER CO	INA65-00084 / 20.0	65-00084 / 20.0	36.0		
			SE	NE		PAYETTE RIVER RANCH	A65-10723 / 2.0	65-10723 / 2.0			
			SE	NE		HECKMAN, DON	A65-03690 /	65-03690 /			
			SE	NE		BILBREY DITCH CO LTD	A65-00034A / 3.0	- /			
			SE	NE		BILBREY DITCH CO LTD	R65-00034A / 3.0	- /			
			SE	NE		BILBREY DITCH CO LTD	R65-00034X / 3.0	65-00034X / 3.0			
			SE	NE		LETHA IRRIGATION & WATER CO	INR65-00084 / 20.0	- /			
			SE	NE		HECKMAN, DON	65-03690 /	- /			
			SE	NE		HECKMAN, DON	A65-03691 /	65-03691 /			
			SE	NE		HECKMAN, DON	R65-03691 /	- /			
			SE	NE		BILBREY DITCH CO LTD	A65-00034X / 3.0	- /			
			SE	NE		GABIOLA, KAY		65-12061 / 0.5			
06N	02W	8	NE	NW		LETHA IRRIGATION & WATER CO	INA65-00084 / 24.0	65-00084 / 24.0	38.0		
			NE	NW		UPSON, ROBERT W	65-05362 /	65-05362 /			
			NE	NW		UPSON, ROBERT W	A65-05362 /	- /			
			NE	NW		LETHA IRRIGATION & WATER CO	INR65-00084 / 24.0	- /			
06N	02W	8	NW	NW		LETHA IRRIGATION & WATER CO	INA65-00084 / 3.0	65-00084 / 3.0	31.0		
			NW	NW		TOUCHSTONE, SHARON R	A65-18386 /	- /			
			NW	NW		TOUCHSTONE, SHARON R	65-18386 /	- /			
			NW	NW		LETHA IRRIGATION & WATER CO	INR65-00084 / 3.0	- /			
			NW	NW		LETHA IRRIGATION & WATER CO	INR65-00085 / 15.0	65-00085 / 15.0			
			NW	NW		LETHA IRRIGATION & WATER CO	INA65-00085 / 15.0	- /			
			NW	NW		MOREHOUSE, DEWEY		65-05079 /			

ADDITIONAL POU FOUND

TOTAL ACRES

A65-00084

307.00

307.00

510.00

307 within
the Letha
boundary

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
A65-00084	PAYETTE RIVER	LETHA IRRIGATION & WATER CO IN	11.810	0.038		
R65-00034A	PAYETTE RIVER	BILBREY DITCH CO LTD	0.520			
A65-00034A	PAYETTE RIVER	BILBREY DITCH CO LTD	0.520			
R65-00034X	PAYETTE RIVER	BILBREY DITCH CO LTD	19.210	0.026		
A65-00034X	PAYETTE RIVER	BILBREY DITCH CO LTD	19.210	0.026		
R65-00084	PAYETTE RIVER	LETHA IRRIGATION & WATER CO IN	11.810	0.038		
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		
A65-10723	PAYETTE RIVER	PAYETTE RIVER RANCH	2.100	0.023		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
65-01786	DOMESTIC	PAYETTE RIVER RANCH	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-01786	STOCKWATER	PAYETTE RIVER RANCH	FROM 01-01 TO 12-31	0.020 CFS	2.70 AF/A
A65-01786	DOMESTIC	PAYETTE RIVER RANCH	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-01786	STOCKWATER	PAYETTE RIVER RANCH	FROM 01-01 TO 12-31	0.020 CFS	2.70 AF/A
65-21746	DOMESTIC	ARBAUGH, WILLIAM E	FROM 01-01 TO 12-31	0.055 CFS	
A65-21746	DOMESTIC	ARBAUGH, WILLIAM E	FROM 01-01 TO 12-31	0.055 CFS	
A65-18318	DOMESTIC	FISCHER, SHIRLEY	FROM 01-01 TO 12-31	0.040 CFS	
A65-18318	STOCKWATER	FISCHER, SHIRLEY	FROM 01-01 TO 12-31	0.040 CFS	
65-18318	DOMESTIC	FISCHER, SHIRLEY	FROM 01-01 TO 12-31	0.040 CFS	
65-18318	STOCKWATER	FISCHER, SHIRLEY	FROM 01-01 TO 12-31	0.040 CFS	
65-05325	DOMESTIC	CORR, HAROLD V	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-05325	DOMESTIC	CORR, HAROLD V	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-05082	DOMESTIC	GRANT, DARREL	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-03614	DOMESTIC	BOREN, RONALD KENT	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-05082	DOMESTIC	GRANT, DARREL	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-03741	DOMESTIC	JERMANN, LILLIAN I	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-03741	STOCKWATER	JERMANN, LILLIAN I	FROM 01-01 TO 12-31	0.020 CFS	0.40 AF/A
65-21657	DOMESTIC	JERMANN, ORLENE M	FROM 01-01 TO 12-31	0.040 CFS	
A65-21657	DOMESTIC	JERMANN, ORLENE M	FROM 01-01 TO 12-31	0.040 CFS	
65-03614	DOMESTIC	BOREN, VICKY LYNN	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-03741	DOMESTIC	BURNS, ROBERT B	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-03741	STOCKWATER	BURNS, ROBERT B	FROM 01-01 TO 12-31	0.020 CFS	0.40 AF/A
A65-03690	DOMESTIC	HECKMAN, DON	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
65-03690	DOMESTIC	HECKMAN, DON	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-03691	DOMESTIC	HECKMAN, DON	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-03691	STOCKWATER	HECKMAN, DON	FROM 01-01 TO 12-31	0.160 CFS	29.50 AF/A
R65-03691	DOMESTIC	HECKMAN, DON	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
R65-03691	STOCKWATER	HECKMAN, DON	FROM 01-01 TO 12-31	0.160 CFS	29.50 AF/A
65-05362	DOMESTIC	UPSON, ROBERT W	FROM 01-01 TO 12-31	0.040 CFS	2.40 AF/A
65-05362	STOCKWATER	UPSON, ROBERT W	FROM 01-01 TO 12-31	0.040 CFS	1.40 AF/A
A65-05362	DOMESTIC	UPSON, ROBERT W	FROM 01-01 TO 12-31	0.040 CFS	2.40 AF/A
A65-05362	STOCKWATER	UPSON, ROBERT W	FROM 01-01 TO 12-31	0.040 CFS	1.40 AF/A
A65-18386	DOMESTIC	TOUCHSTONE, SHARON R	FROM 01-01 TO 12-31	0.040 CFS	
A65-18386	STOCKWATER	TOUCHSTONE, SHARON R	FROM 01-01 TO 12-31	0.020 CFS	
65-18386	DOMESTIC	TOUCHSTONE, SHARON R	FROM 01-01 TO 12-31	0.040 CFS	
65-18386	STOCKWATER	TOUCHSTONE, SHARON R	FROM 01-01 TO 12-31	0.020 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 POB: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;

(☒) NAPP, IDWR NO. _____;

() ASCS PHOTO; () OTHER _____

NOTES:

307 acres within the Letke Air Co. boundaries

RECOMMENDATIONS:

TOTAL ACRES:

See above

N/A()

REVIEWED BY:

Mel Schulte

DATE:

4-21-00

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-00084 IRRIGATION	FROM 03-15 TO 11-15	11.810 CFS	
TOTAL DIVERSION RATE/VOLUME		11.810 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-00084 IRRIGATION	FROM 03-15 TO 11-15	7.160 CFS	
TOTAL DIVERSION RATE/VOLUME		7.160 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. The diversion rate is based on a formula developed in the PRBA.

AJ CLAIM TOTAL DIVERSION RATE: 11.810 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 7.160 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 307 x 0.02 CFS/ACRE = 6.14 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 = 1074.5 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: _____

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	11.810				1074.5	
TOTAL FOR THIS RIGHT			11.810				1074.5	

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY:

Mel Schulte

DATE:

4-21-00

FLAG:

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

*PNT
POU
E*

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

Delivery loss

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: 65-00084

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
7.160

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-00084	11.810	R65-00084	11.810	65-00084	7.160
TOTAL CFS		11.810		11.810		7.160

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: 4-21-00

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	)	CIVIL NO. 3667
DETERMINATION OF THE RIGHT	)	
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 Platt 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

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																																			
65-00084	LETHA IRRIGATION & WATER CO. INC. 6550 DALLAS RD. NEW PLYMOUTH ID 83655	08/21/1886	IRRIGATION	03-15 11-15	11.81	CFS BENEFICIAL USE																																
					TOTAL QUANTITY:	11.81 CFS																																
					CONSUMPTIVE USE:	1074.5 AFY																																
POINT OF DIVERSION:																																						
T06N R02W S09 SWNW																																						
PLACE OF USE: IRRIGATION																																						
<table border="0"> <tr> <td>T06N R02W S05</td> <td>Lot 12 (NWSW)</td> <td>34.0</td> <td>SWSW 21.0</td> <td>Lot 11 (SESW)</td> <td>41.0</td> <td>Lot 10 (SWSE)</td> <td>23.0</td> </tr> <tr> <td>S06</td> <td>Lot 8 (NESE)</td> <td>32.0</td> <td>NWSE 34.0</td> <td>SWSE</td> <td>14.0</td> <td>SESE</td> <td>10.0</td> </tr> <tr> <td>S08</td> <td>NENE</td> <td>19.0</td> <td>NWNE 30.0</td> <td>SWNE</td> <td>2.0</td> <td>SENE</td> <td>20.0</td> </tr> <tr> <td></td> <td>NENW</td> <td>24.0</td> <td>NWNW</td> <td>3.0</td> <td></td> <td></td> <td></td> </tr> </table>							T06N R02W S05	Lot 12 (NWSW)	34.0	SWSW 21.0	Lot 11 (SESW)	41.0	Lot 10 (SWSE)	23.0	S06	Lot 8 (NESE)	32.0	NWSE 34.0	SWSE	14.0	SESE	10.0	S08	NENE	19.0	NWNE 30.0	SWNE	2.0	SENE	20.0		NENW	24.0	NWNW	3.0			
T06N R02W S05	Lot 12 (NWSW)	34.0	SWSW 21.0	Lot 11 (SESW)	41.0	Lot 10 (SWSE)	23.0																															
S06	Lot 8 (NESE)	32.0	NWSE 34.0	SWSE	14.0	SESE	10.0																															
S08	NENE	19.0	NWNE 30.0	SWNE	2.0	SENE	20.0																															
	NENW	24.0	NWNW	3.0																																		
307.0 ACRES TOTAL																																						
REMARKS: WATER IS DELIVERED THROUGH KATY KESGARD DITCH.																																						
A DIVERSION RATE OF .034 CFS PER ACRE FOR 277 ACRES AND .029																																						
CFS FOR 30 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF																																						
DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.																																						
1.52 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE																																						
LOSSES IN DELIVERY OF THIS RIGHT.																																						

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4638APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Payette River Ranch Phone 208-365-4897Post Office address 1114 VANDER DASSON RD, Emmett 83617A. PURPOSE OF TRANSFER for applicant's share only

1. ☒ Change point of diversion Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes _____
Change conveyance and P/D to the Tschudy ditch for ranch P/u.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>65-0084B</u>	<u>8/21/1886</u>	<u>.75 CFS</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u>A65-0084B</u>				to _____
				to _____
				to _____

2. Total amount of water being transferred .75 CFS cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Payette River tributary to Snake River

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
<u>02</u>	<u>SE</u>	<u>SW</u>	<u>NE</u>	<u>9</u>	<u>6N</u>	<u>2W</u>	<u>Gem.</u>	<u>Tschudy ditch diversion</u>

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
<u>6N</u>	<u>2W</u>	<u>8</u>	<u>9</u>																<u>9</u>
<u>6N</u>	<u>2W</u>	<u>5</u>															<u>23</u> <u>630</u>		<u>23</u>

Withdrawn.Total acres 32

PART 1

6. General Information:

a. Description of diversion system diverted through the Tschudy ditch with gravity
irrigation system.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

None.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED *See attached Summary.*

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 65-00084 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water Poyette River tributary to Snake River

4. Date or priority 8/21/1886

5. Water is used for the following purpose:

amount 7.16 for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 7.16 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	09	6N	2W	Gem	Katy Kesgard Ditch

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	2W	5										34 Lot 12	21	41 Lot 11					119.0
		6													32 Lot 8	34	14	10	90.0
		8	19	30	02	20	24	03											98.0

Total acres 307.0

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED *See PART B. Part #1*

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount .75 for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

*this should be same as item C2 below - per 6/6/95
 per Iowa Standards*

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW	NE	9	6N	2W	Gem	Tschudy Ditch diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	2W	8	9																9
6N	2W	5															23 Lot B		23

Total acres 32

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 6.41 for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	9	6N	2W	Gem.	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	2W	5									34	21	41						96
6N	2W	8	10	30	02	20	24	03											89
6N	2W	6												32	34	14	10		90

Total acres 275

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

See Attached Maps / Sketches.

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

No change.

3. Describe effects on other water uses resulting from the proposed change:

None

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Payette River Ranch by Sherley Ischer owner
(Signature of Applicant) Partners

Subscribed and sworn to before me this 11 day of May, 19 95.

Lori Harris

(Notary Public)

My commission expires 12-8-2000

Receipt No W019150**FOR DEPARTMENT USE ONLY**

Transfer contains 15 pages and 0 attachments

Received by JFW Date 5/11/95 Protest filed by _____

Prelim. check by SL Fee 100.00 _____

Receipted by JFW Date 5/11/95 _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

Payette
River Ranch Transfer.

Pg 7 of 15

WR0749NP
No. 65-00084

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/24/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
P	LETHA IRRIGATION & WATER CO. INC. C/O NELDA PLATZ 6550 DALLAS RD. NEW PLYMOUTH ID 83655 (208) 278-3040	08/21/1886	IRRIGATION	03-15 11-15	7.160 CFS	
				TOTAL DIVERSION:	7.160 CFS	
C	LETHA IRRIGATION & WATER CO. INC. C/O NELDA PLATZ RT. 2 NEW PLYMOUTH ID 83655					

Comment letter address

Water Source: PAYETTE RIVER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T06N R02W S09

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
06N	02W	5	:											12-34	21	11-41			10-23	119.0
06N	02W	6	:															08-32	34	90.0
06N	02W	8	:	19		30		02		20		24		03					14	98.0
																			TOTAL ACRES	307.0

Post County: GEM

Water Rights Listing Overlapping Place(s) of use:
65-00034X 65-00085 65-10723 65-12061 65-13205

Remarks: IRRIGATED BY KATY KESGARD DITCH.

Dates: App. Received: Priority Date: 08/21/1886
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

*Not
* decreed
in PRBA*

Water Right

PAYETTE
River Ranch Transfer.

Pg 8 of 15

AJ0749NP
No. A65-00084

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

DATE: 05/24/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME																																																																																																																																																
C	LETHA IRRIGATION & WATER CO INC 6550 DALLAS RD NEW PLYMOUTH ID 83655 (208) 278-3040	08/21/1886	IRRIGATION	03-15 11-15	12.28 CFS																																																																																																																																																	
TOTAL DIVERSION: CONSUMPTIVE USE:					12.28 CFS	1074.50 AFA																																																																																																																																																
Water Source: PAYETTE RIVER		Tributary to: SNAKE RIVER			Stage: BENEFICIAL USE																																																																																																																																																	
Point(s) of Diversion:		T06N R02W S09 SWNW			GEM County																																																																																																																																																	
Place of use Legal Description for: IRRIGATION																																																																																																																																																						
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POU County: GEM

Remarks: IRRIGATED BY KATY KESGARD DITCH.

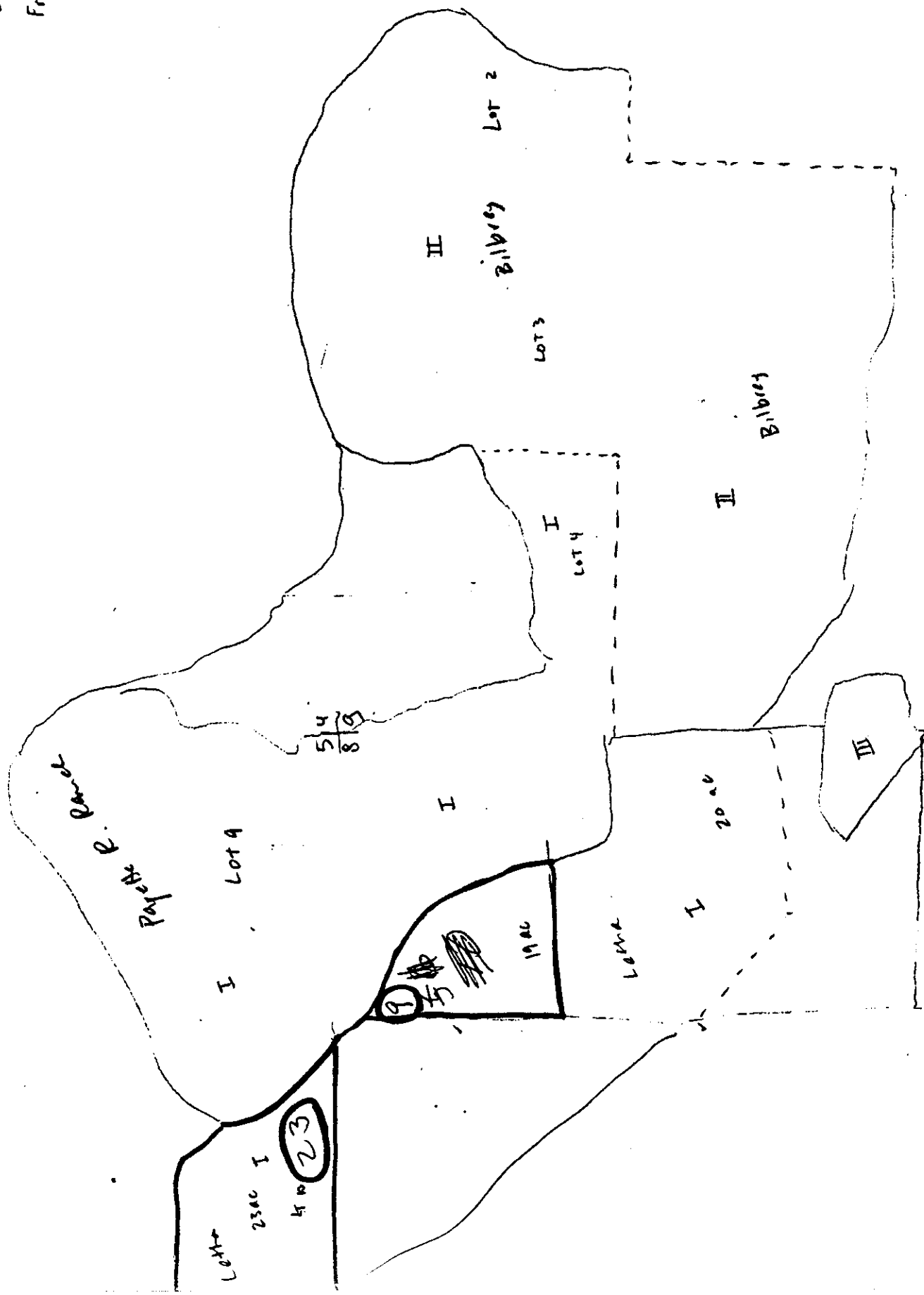
Dates: Exam Made Date: Verified Date:

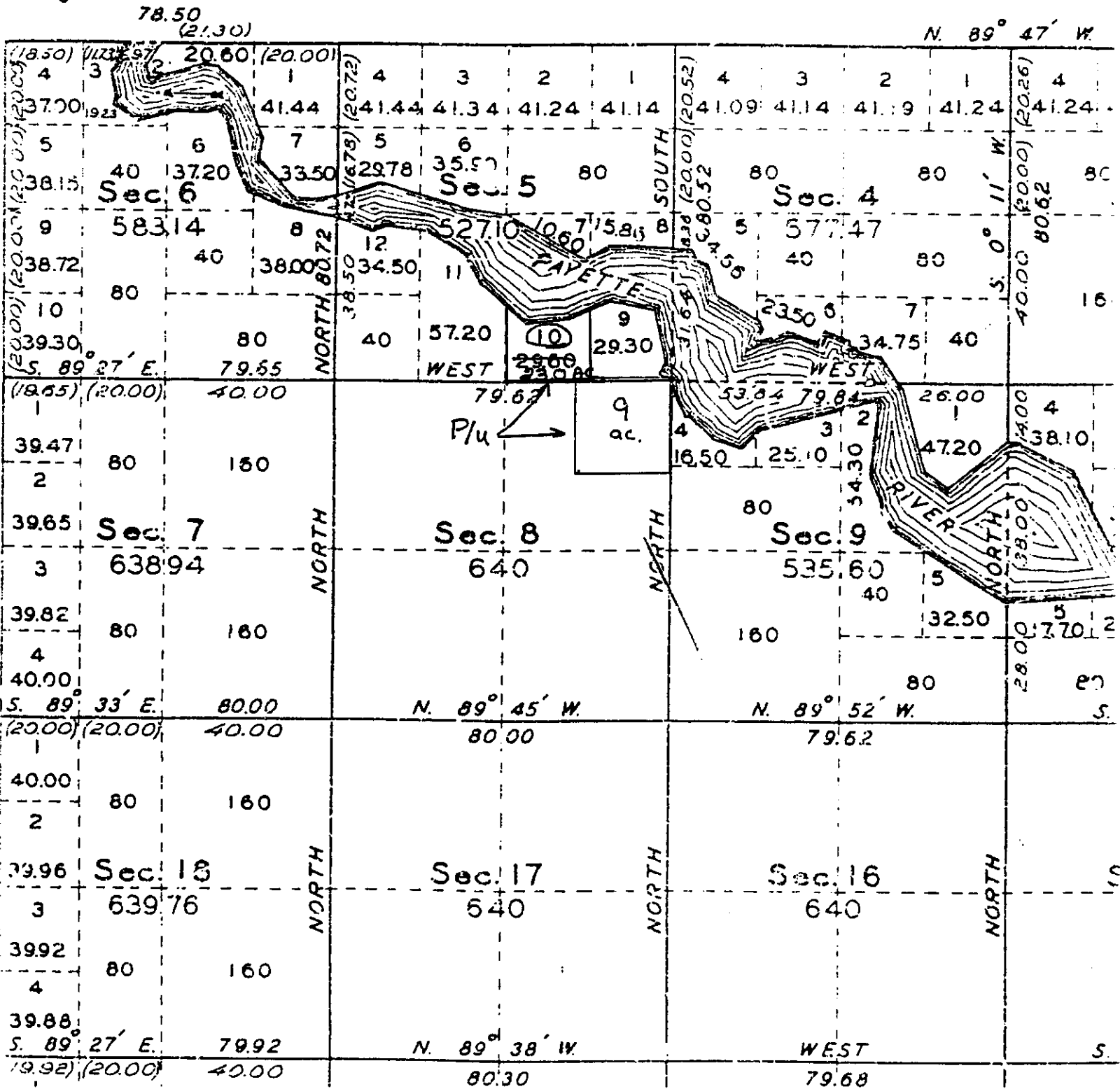
Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

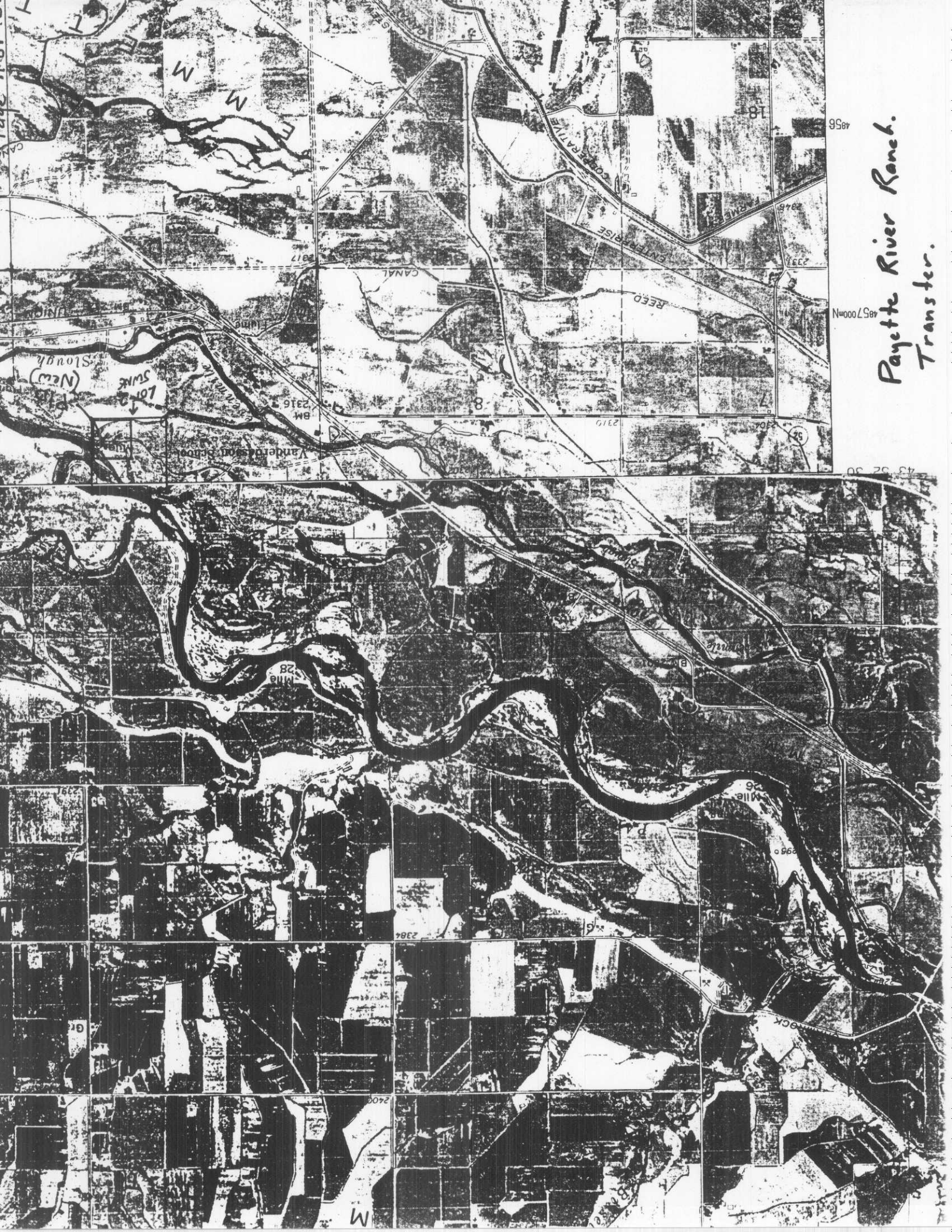
Claim same as water right except flow claimed
(12.28 cfs) exceeds ~~water~~ right (7.16 cfs)
b.u.

SRBA claim

Poyette River Land Transfer.







Payette River Ranch.
Transfer.

Attach

WARRANTY DEED

For Value Received DON HECKMAN and KATIE HECKMAN, husband and wife;
and VERN HECKMAN, a single man,

the grantor s do hereby grant, bargain, sell and convey unto

STEPHEN V. FISCHER, JR., and SHIRLEY ANN FISCHER, husband and wife,
the grantees , whose current address is: 1114 Vanderdasson Rd., Emmett, Id

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

That property described in Exhibit A, attached hereto and
incorporated herein in full, by reference.

replacement
deed

Including all water and ditch rights appurtenant thereto or used in connection
therewith, and including any easements or rights of ways appurtenant to or used
for the benefit of said described premises. Subject to easements, rights of ways,
reservations and exceptions, if any.

Said property is conveyed "as is" under existing boundary fences, if any, after
reasonable inspection by the grantee and grantor does not make any representations
or warranties as to the qualifications or suitability of said land or premises for
water or electrical power, or as to said land or improvements meeting any Federal,
State or local laws, rules or regulations pertaining to zoning, building, subdivi-
ding, platting, surveys, planning and use, health, ecology, drainage, irrigation,
water quality, sewage or disposal systems. Grantor makes no warranties as to sur-
veys, boundaries or any matter mentioned in this paragraph. There are no warranties
express or implied, as to merchantability, in a general sense or for a particular
purpose, except as herein contained in writing, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said
Grantees their heirs and assigns forever. And the said Grantors do hereby
covenant to and with the said Grantee s, that the y are the owners in fee sim-
ple of said premises; that they are free from all encumbrances, except as may be
otherwise stated herein, and the y will warrant and defend the same from all
lawful claims whatsoever.

DATED: June 22 1982

Don Heckman

Vern Heckman

Katie Heckman

STATE OF IDAHO,)
County of Gem) ss.

On this 22 day of June 1982, before me, a Notary Public in and
for said State, personally appeared DON HECKMAN and KATIE HECKMAN, husband
and wife; and VERN HECKMAN, a single man,

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal,
the day and year in this certificate first above written.

[Signature]
Notary Public for State of Idaho;
Residing at Emmett Idaho.

• Being strange in Gen Council' I suppose:

(Ex. A, Tract I, Cont.)

N.1°18'05"W., a distance of 315.88 feet; thence
N.82°54'00"E. a distance of 111.95 feet; thence
S.76°05'20"E. a distance of 25.19 feet to a point on the
section line common to said Sections 8 and 9; thence
continuing
S.76°05'20"E. a distance of 70.77 feet; thence
S.55°03'35"E. a distance of 196.46 feet; thence
S.0°46'55"E. a distance of 273.10 feet; thence
S.89°16'00"W. a distance of 224.76 feet to the true point
of beginning.

TRACT II:

Being in Twp. 6 N., R. 2 W., B.M., Gem County, Idaho

Section 9: Lots 2 and 3; and the S $\frac{1}{2}$ NW $\frac{1}{4}$.

EXCEPTING FROM THE ABOVE-DESCRIBED TRACT I AND TRACT II, the following described Tract of land:
Commencing at the section corner common to Sections 8, 9, 16 and 17, Twp. 6 N., R. 2 W., B.M., as said corner is shown on that certain Record of Survey on file as Instrument No. 137417, records of Gem County, Idaho, and being marked by a found brass cap monument C.E. 878; thence N.00°06'52"E. along the section line common to Sections 8 and 9, 2614.42 feet to the quarter corner of Sections 8 and 9, marked by a found 1/2 inch iron pin; thence leaving last said section line N.53°22'10"W. 990.52 feet to a point on the centerline of Vanderdasson Road marked by a PK nail and washer, said point being the Southernmost corner of that certain 34.276 acre tract of land excepted out from the legal description of that certain contract of sale between Heckman and Fischer, dated August 10, 1978, said point also being the real point of beginning; thence along the Southeast and Northeast boundary of the above-mentioned exception the following courses and distances:

N.87°07'31"E. (called N.87°18'45"E. in the above-mentioned excep-
 tion) 28.88 feet to an iron pipe marking a fence intersection;
 N.87°07'31"E. along fence line 494.25 feet to an iron pipe
 marking an angle point in said fence;
 N.69°55'20"E. along the fence line 337.70 feet to an iron
 pipe marking an angle point in the fence, said point also
 being the Southeast corner of the aforementioned exception;
 N.00°58'12"W. along said fence 646.56 feet to an iron pipe at the
 angle point in said fence;
 N.29°59'14"W. along the fence line 119.47 feet to an iron pipe
 marking an angle point in the fence; thence leaving last said
 fence line and that certain 34.276 acre tract of land
 N.70°20'24"E. 200.00 feet to a point; thence
 N.87°42'22"E. 760.52 feet to a point; thence
 S.76°29'42"E. 1447.38 feet to a point; thence
 S.15°30'40"W. 488.00 feet to a point; thence
 N.75°14'58"W. 551.33 feet to a point; thence
 S.36°40'00"W. 190.49 feet to a point; thence
 S.22°06'50"W. 612.07 feet to a point; thence
 N.82°04'00"W. 715.78 feet to a point; thence
 N.54°11'14"W. 380.00 feet to a point; thence
 N.49°54'40"W. 282.25 feet to a point; thence
 S.69°55'20"W., and parallel to the Southerly line of the afore-
 mentioned 34.276 acre tract, 373.93 feet to a point; thence
 S.87°07'31"W. and parallel to said Southerly line of said 34.276
 acre tract 476.36 feet to the centerline of Vanderdasson
 Road; thence along the center of Vanderdasson Road
 N.50°15'06"W. 73.84 feet to the point of beginning.

Being situate in Gem County, Idaho:

TRACT I:

All being in Twp. 6 N., R. 2 W., B.M., Gem County, Idaho:

Section 5: Lots 9 and 10.

Section 9: Lot 4, EXCEPT lands accretional to said Lot 4, as described in Book 3 of Deeds, at Page 290, records of Gem County, Idaho.

Section 8: E½NE½, EXCEPTING THEREFROM the following described tract of land, situated in the NE¼ of Section 8, T. 6 N., R. 2 W., B.M., Gem County, Idaho, more particularly described as follows: Beginning at a point in the center of Vanderdasson Road as said road exists on July 1, 1978, said point being on the production of the fence line marking the Westerly boundary of this hereindescribed tract of land; thence from said point of beginning, along an existing fence, North 921.23 feet; thence South 82°00'39" East 545.56 feet; thence leaving said fence line N.38°44'08"E., 292.51 feet, to a point in an existing fence; thence along said existing fence the following courses and distances: S.28°03'44"E. 794.48 feet; N.72°27'17"E. 194.43 feet; S.29°48'E. 119.47 feet; S.0°46'58"E. 646.56 feet; S.70°06'34"W. 337.70 feet; thence S.87°18'45"W. 494.25 feet, to an angle point in said fence; thence along the production of said fence, S.87°18'45"W. 28.88 feet to the centerline of Vanderdasson Road; thence along said centerline of Vanderdasson Road N.50°03'52"W. 670.03 feet, to the point of beginning.

ALSO EXCEPTING the following described tract: That part of the E½NE½ of Section 8, T. 6 N., R. 2 W., B.M., in Gem County, Idaho, lying South of the 7 Mile Slough and the Railroad rights of way and lying North of the existing State Highway right of way as described in the right of way Deed recorded January 8, 1932 in Book 21 of Deeds, at Page 155, Gem County records. Except all road and ditch rights-of-way. Subject to all existing rights-of-way and easements.

ALSO EXCEPTING the following described tract: That part of the E½NE½, Section 8, T. 6 N., R. 2 W., B.M., Gem County, Idaho, lying South of the existing Union Pacific Railroad Right of way and lying North of the existing North bank of the Seven Mile Slough.

LESS railroad right of way as described in Deed recorded in Book 9 of Deeds, at Page 345, records of Gem County, Idaho.

LESS right of way for highway granted to State of Idaho by Deed recorded January 8, 1932, in Book 22 of Deeds, at Page 155, records of Gem County, Idaho.

ALSO EXCEPTING THE FOLLOWING DESCRIBED TRACT:

A parcel situated in the SE½NE½ of Section 8, and the SW½NW½ of Section 9, both in Township 6 N., R. 2 W., B.M., and is more particularly described as follows:

Commencing at the SE corner of said SE½NE½; thence N.1°14'00"W. along the East boundary of said SE½NE½, a distance of 3.24 feet to the true point of beginning; thence N.59°08'50"W. a distance of 159.69 feet; thence

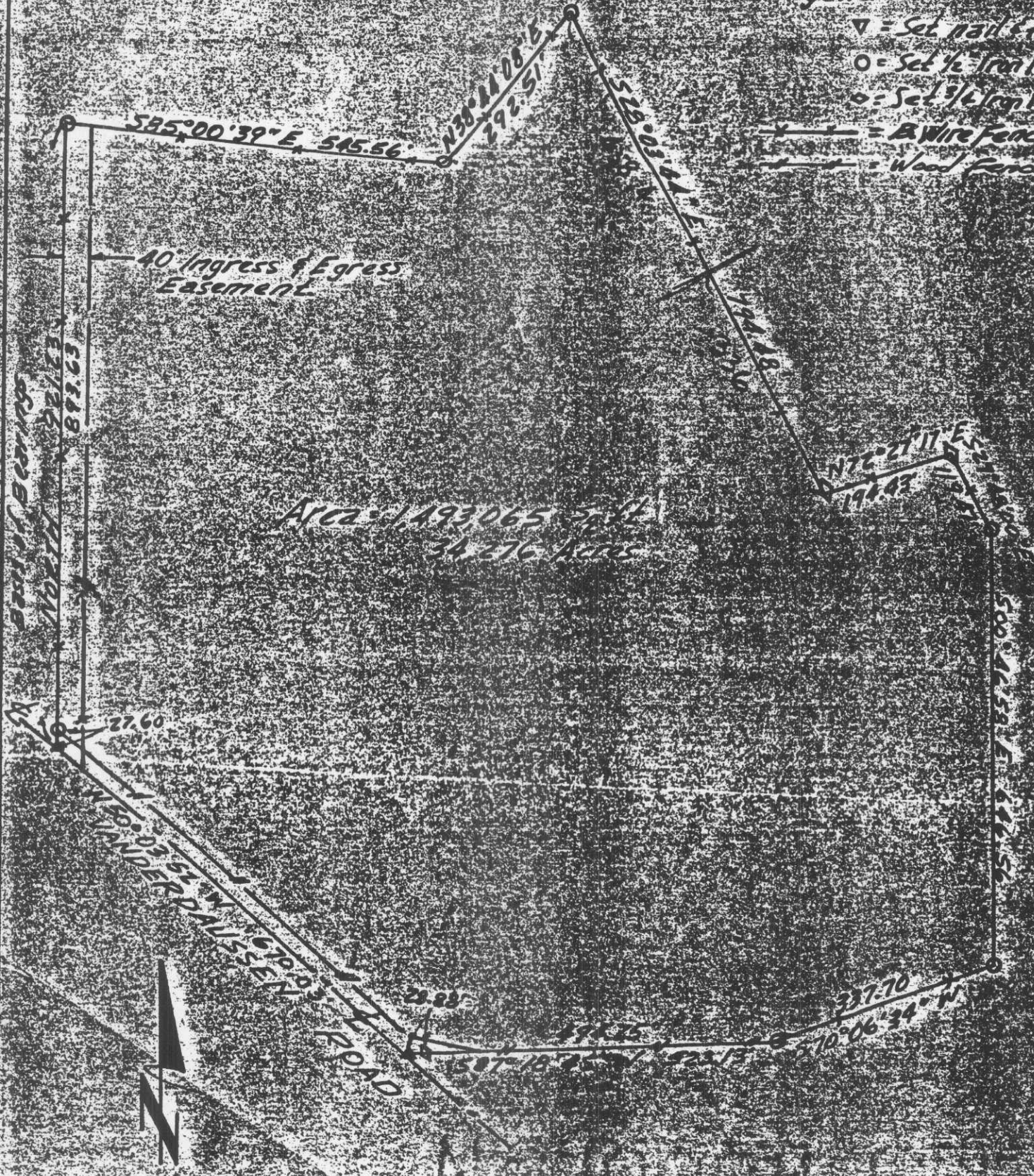
thence along the center of Vanderdasson Road N.50°03'52"W. 73.84 feet to the point of beginning.

MAP TO ACCOMPANY LEGAL DESCRIPTION

Survey of a portion of the Don and Vern Heckman ranch. Gem County, Idaho July 1, 1978

Legend:

- ▽ = Set nail & tin
- = Set 1/2 Iron Pipe
- = Set 3/4 Iron Pipe
- +—+— = B Wire Fence
- x—x— = Wood Fence



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: A65-00084
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: AUG 21, 1886

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	9	SW	NW			GEM

5. Description of diverting works:
HEADGATE & DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	11.810		

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

8. Total consumptive use is 1074.5 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	5	NW	SW	12	IRR	34.0
			SW	SW		IRR	21.0
			SE	SW	11	IRR	41.0
			SW	SE	10	IRR	23.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	119.0
		6	NE	SE	8 IRR	32.0
			NW	SE	IRR	34.0
			SW	SE	IRR	14.0
			SE	SE	IRR	10.0
					Section Acres	90.0
		8	NE	NE	IRR	19.0
			NW	NE	IRR	30.0
			SW	NE	IRR	2.0
			SE	NE	IRR	20.0
			NE	NW	IRR	24.0
			NW	NW	IRR	3.0
					Section Acres	98.0
					Total Acres	307.0

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 KATY KESGARD DITCH.

A DIVERSION RATE OF .034 CFS PER ACRE FOR 277 ACRES AND .029 CFS FOR 30 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.

1.52 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)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 20 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

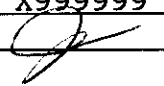
MAR 28 2000

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: **A65-00084**
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: AUG 21, 1886

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	9	SW	NW			GEM

5. Description of diverting works:
HEADGATE & DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	11.810		

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

8. Total consumptive use is 1074.5 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	5	NW	SW	12	IRR	34.0
			SW	SW		IRR	21.0
			SE	SW	11	IRR	41.0
			SW	SE	10	IRR	23.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	119.0
		6	NE	SE	8 IRR	32.0
			NW	SE	IRR	34.0
			SW	SE	IRR	14.0
			SE	SE	IRR	10.0
					Section Acres	90.0
		8	NE	NE	IRR	19.0
			NW	NE	IRR	30.0
			SW	NE	IRR	2.0
			SE	NE	IRR	20.0
			NE	NW	IRR	24.0
			NW	NW	IRR	3.0
					Section Acres	98.0
					Total Acres	307.0

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 KATY KESGARD DITCH.

A DIVERSION RATE OF .034 CFS PER ACRE FOR 277 ACRES AND .029 CFS FOR 30 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.

1.52 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)
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 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

EXHIBIT A

AJ5856NP

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			
65-00084	LETHA IRRIGATION & WATER CO. INC. 6550 DALLAS RD. NEW PLYMOUTH ID 83655	08/21/1886	IRRIGATION	03-15 11-15	11.81	CFS
					11.81	CFS
					1074.5	AFY

POINT OF DIVERSION:
T06N R02W S09
PLACE OF USE: IRRIGATION

SWNW

T06N R02W S05 Lot 12 (NWSW) 34.0
S06 Lot 8 (NESE) 32.0
S08 NENE 19.0
NENW 24.0

SWSW 21.0 Lot 11 (SESW) 41.0 Lot 10 (SWSE) 23.0
NWSE 34.0 SWSE 14.0 SESE 10.0
NENE 30.0 SWNE 2.0 SENE 20.0
NWNW 3.0

REMARKS: 307.0 ACRES TOTAL
WATER IS DELIVERED THROUGH KATY KESGARD DITCH.
A DIVERSION RATE OF .034 CFS PER ACRE FOR 277 ACRES AND .029
CFS FOR 30 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF
DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.
1.52 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: A65-00084
Date Received: 12/12/1989 2/9/90
Receipt No: X999999
Received By: _____

RECEIVED
FEB 9 1990

Department of Water Resources

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

1. Name: LETHA IRRIGATION & WATER CO. INC. 208-278-3040
Address: C/O NELDA PLATZ
6550 DALLAS RD.
NEW PLYMOUTH, ID 83655

2. Date of Priority: AUG 21, 1886

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	9	SW	NW			GEM

5. Description of diverting works:
HEADGATE & DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	12.280		

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

8. Total consumptive use is 1074.5 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	5	NW	SW	12	IRR	34.0
			SW	SW		IRR	21.0
			SE	SW	11	IRR	41.0

A65-00084

Page 1

Date: 02/01/90

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SEP 15 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	02W	5	SW	SE	10	IRR	23.0
						Section Acres	119.0
		6	NE	SE	8	IRR	32.0
			NW	SE		IRR	34.0
			SW	SE		IRR	14.0
			SE	SE		IRR	10.0
						Section Acres	90.0
		8	NE	NE		IRR	19.0
			NW	NE		IRR	30.0
			SW	NE		IRR	2.0
			SE	NE		IRR	20.0
			NE	NW		IRR	24.0
			NW	NW		IRR	3.0
						Section Acres	98.0
						Total Acres	307.0

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 KATY KESGARD 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
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.

Harold Stutz
Signature of Authorized Agent
President
LETHA IRRIGATION & WATER CO.
Title and Organization

Date

State of Idaho)
County of Payette) SS.

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

Cathy M. Meyer
Notary Public

Seal

Residing at New Plymouth

My Commission Expires 4-22-91

Water Right Number - 65-00084

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 - - - - +
08/21/1886 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 9 SW NW (45) GEM

+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 7.160+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
7.160+ - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
06N 02W 5 NW SW 12 34.0 01 IRRIGATION (45) GEM
06N 02W 5 SW SW 21.0 01 IRRIGATION (45) GEM
06N 02W 5 SE SW 11 41.0 01 IRRIGATION (45) GEM
06N 02W 5 SW SE 10 23.0 01 IRRIGATION (45) GEM
06N 02W 6 NE SE 8 32.0 01 IRRIGATION (45) GEM
06N 02W 6 NW SE 34.0 01 IRRIGATION (45) GEM
06N 02W 6 SW SE 14.0 01 IRRIGATION (45) GEM
06N 02W 6 SE SE 10.0 01 IRRIGATION (45) GEM
06N 02W 8 NE NE 19.0 01 IRRIGATION (45) GEM
06N 02W 8 NW NE 30.0 01 IRRIGATION (45) GEM
06N 02W 8 SW NE 2.0 01 IRRIGATION (45) GEM
06N 02W 8 SE NE 20.0 01 IRRIGATION (45) GEM
06N 02W 8 NE NW 24.0 01 IRRIGATION (45) GEM
06N 02W 8 NW NW 3.0 01 IRRIGATION (45) GEM

Total Acres: 307.0

- - Diversion Means -

- - Non-Irrigation Use -

MICHAEL MED
SEP 15 1992

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 Letta Inig Water CLAIM IDENT. NO. AL5-00084

DATE RECEIVED 2-7-90 CK 1 AMOUNT \$ exempt

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

Claim checked by: RAA Date: 4/3/90

Claim must be returned to claimant: (Yes) (No)

Claimant must be notified of modifications: (Yes) (No)

Receipt Prepared by: sdg Date: 4/3/90
Claim data entered by: sdg Date: 4/3/90
Sent to claimant by: sdg Date: 4/3/90 Checked by: sdg Date: 4/3/90

Comments:

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SEP 15 1992