

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

02/02/2001

RIGHT NUMBER: 65-10337

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

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 3.79 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, 65-00081, 65-  
00080, 65-00084, 65-00085, 65-00082 & 65-02030

A DIVERSION RATE OF .034 CFS PER ACRE FOR 127 ACRES, .029  
CFS PER ACRE FOR 31 ACRES AND .02 CFS PER ACRE FOR 33 ACRES 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 6.99 CFS. COMBINED RIGHT  
NOS.: 65-02030

PRIORITY DATE: 04/01/1913

POINT OF DIVERSION: T06N R03W S1 SENE 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           | 3.79 CFS        |

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 191 ACRES WITHIN  
THE PLACE OF USE BOUNDARY DESCRIBED FOR THE LETHA IRRIGATION  
AND WATER CO

USE OF THIS RIGHT WITH RIGHT NO. 65-02030 IS LIMITED TO  
THE IRRIGATION OF A COMBINED TOTAL OF 191 ACRES IN A SINGLE  
IRRIGATION SEASON WITHIN THE BOUNDARY OF 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. 65-02030 IS ALSO DIVERTED THROUGH THE POINT OF  
DIVERSION DESCRIBED ABOVE

AJ0749NP  
No. R65-10337

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

DATE: 04/24/00  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                                           | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|------------------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | LETHA IRRIGATION & WATER CO INC<br>400 COSTON STREET<br>BOISE ID 83712<br>(208) 343-9438 | 04/01/1913       | IRRIGATION | 03-15 11-15           | 3.790 CFS         |                     |
| TOTAL DIVERSION: |                                                                                          |                  |            |                       | 3.790 CFS         |                     |

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion:

T06N R03W S01

SENE

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, 65-00081, 65-00080,  
65-00084, 65-00085, 65-00082 & 65-02030.

A DIVERSION RATE OF .034 CFS PER ACRE FOR 127 ACRES, .029 CFS  
PER ACRE FOR 31 ACRES AND .02 CFS PER ACRE FOR 33 ACRES 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 6.99 CFS. COMBINED RIGHT NOS.:  
65-02030.

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 191 ACRES WITHIN  
THE PLACE OF USE BOUNDARY DESCRIBED FOR THE LETHA IRRIGATION AND  
WATER CO.

USE OF THIS RIGHT WITH RIGHT NO. 65-02030 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 191 ACRES IN A SINGLE  
IRRIGATION SEASON WITHIN THE BOUNDARY OF THE LETHA IRRIGATION AND  
WATER CO.

EXP RIGHT NO. 65-02030 IS ALSO DIVERTED THROUGH THE POINT OF  
DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:  
Presumption Flag:

Comments: Date: 04/24/2000 User-ID: MSCHULTE Subject: COPIED FROM REMARKS

AJ0749NP  
No. R65-10337

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

DATE: 04/24/00  
PAGE: 2

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Comments: Date: 04/24/2000 User-ID: MSCHULTE Subject: COPIED FROM REMARKS  
WATER IS DELIVERED THROUGH BOISE-RIGGS DITCH.  
1.11 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES  
IN DELIVERY OF THIS RIGHT.  
CLAIM AMENDED PER STIPULATION FROM PRBA. JS 2-21-96.

Audit: 04/24/00 MSCHULTE

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

08:55:03  
04/24/00  
18

PAGE: 18  
PROFILE REPORT

CLAIM NUMBER: A65-10337

| OWNER<br>CODE    | NAME & ADDRESS                  | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|---------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | LETHA IRRIGATION & WATER CO INC | 04/01/1913       | IRRIGATION | 03-15 11-15           | 3.790 CFS         |                     |
| TOTAL DIVERSION: |                                 |                  |            |                       | 3.790 CFS         |                     |

Water Source: PAYETTE RIVER      Tributary to: SNAKE RIVER      Stage: BENEFICIAL USE  
Point(s) of Diversion: T06N R03W S01      SENE      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 | 35 | : | 01-25 | 02-37 | 36 | 32 | :  |    |       |    |    |    |    |    |    |    |    |    | :     | 130.0 |
| 07N         | 03W | 36 | : |       |       |    | 04 | :  |    | 06-29 |    |    |    | 28 |    |    |    |    |    | :     | 61.0  |
| TOTAL ACRES |     |    |   |       |       |    |    |    |    |       |    |    |    |    |    |    |    |    | :  | 191.0 |       |

POU County: GEM

Remarks: GEN CLAIM AMENDED PER STIPULATION FROM PRBA. JS 2-21-96.  
WATER IS DELIVERED THROUGH BOISE-RIGGS DITCH.  
USE OF THIS RIGHT WITH RIGHT NO. 65-02030 IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 6.99 CFS, A TOTAL COMBINED  
ANNUAL CONSUMPTIVE USE VOLUME OF 668.5 AF, AND TO THE IRRIGATION  
OF A COMBINED TOTAL OF 191 ACRES IN A SINGLE IRRIGATION SEASON.  
FOR RIGHT NOS. 65-02030 AND 65-10337 A DIVERSION RATE OF .034  
CFS PER ACRE FOR 127 ACRES, .029 CFS PER ACRE FOR 31 ACRES AND  
.02 CFS PER ACRE FOR 33 ACRES AT THE FIELD HEADGATE IS INCLUDED  
IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.  
1.11 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES  
IN DELIVERY OF THIS RIGHT.  
RIGHT NO. 65-02030 IS ALSO DIVERTED THROUGH POINT OF DIVERSION  
DESCRIBED ABOVE.

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

POU  
QNT  
EXP  
delivery loss

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

08:54:03  
04/24/00

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QUICKLOOK INFORMATION

17  
CLAIM NUMBER: A65-10337

| WR ELEMENT                | DATA<br>DISCREPANCY<br>Y/N | CORRESPONDENCE<br>SENT/RECEIVED<br>BY WHOM/DATE | FIELD EXAM<br>BY WHOM/DATE | CHANGE<br>CLAIM<br>Y/N | ELEMENT<br>DOCUMENTED<br>WHOM/DATE | COMPLETED<br>REVIEW<br>WHOM/DATE | COMPLETED<br>DATA ENTRY<br>WHOM/DATE | VERIFIED<br>DATE<br>WHOM/DATE |
|---------------------------|----------------------------|-------------------------------------------------|----------------------------|------------------------|------------------------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE             | Y                          |                                                 | MS<br>by Office<br>4-24-00 | N                      |                                    | MS<br>4-24-00                    | MS<br>4-24-00                        |                               |
| POINT OF DIV              |                            |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| SOURCE                    | Y                          |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| PLACE OF USE              | Y                          |                                                 |                            | Y                      |                                    |                                  |                                      |                               |
| DIV. AMOUNT<br>CFS/VOLUME | Y                          |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| CONSUMPTIVE USE           | -                          |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| PURPOSES OF USE           |                            |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| PERIOD OF USE             |                            |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| BASIS OF CLAIM            | Y                          |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| REMARKS                   | Y                          |                                                 |                            | Y                      |                                    |                                  |                                      |                               |

BARCODE UPDATED  
WHOM/DATE

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

| TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)                       | IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION   | COPY INCLUDED<br>IN FILE?                               |
|-----------------------------------------------------------------|----------------------------------------------------------|---------------------------------------------------------|
| ( ) ORTHOPHOTOQUAD                                              | DATE OF PHOTO _____ IDWR ID NO. _____                    | Y( ) N( )                                               |
| ( <input checked="" type="checkbox"/> ) TOPOGRAPHIC             | DATE FIELD CHECKED <u>1971 map</u> IDWR ID NO. <u>W5</u> | Y( <input checked="" type="checkbox"/> ) N( ) <u>5a</u> |
| ( ) NAPP                                                        | DATE OF PHOTO _____ IDWR ID NO. _____                    | Y( ) N( )                                               |
| ( ) ASCS AERIAL PHOTO                                           | DATE OF PHOTO _____                                      | Y( ) N( )                                               |
| ( ) ASCS COLOR SLIDE                                            | DATE OF PHOTO _____                                      | Y( ) N( )                                               |
| ( ) BLM OR USFS AERIAL PHOTO                                    | DATE OF PHOTO _____                                      | Y( ) N( )                                               |
| ( ) TOWNSHIP SURVEY (GOVERNMENT PLAT)                           | DATE OF SURVEY _____                                     | Y( ) N( )                                               |
| ( ) SCS SOIL SURVEY MAP                                         | DATE ISSUED _____                                        | Y( ) N( )                                               |
| ( ) SUBDIVISION PLAT MAP                                        | DATE OF MAP _____                                        | Y( ) N( )                                               |
| ( <input checked="" type="checkbox"/> ) OTHER <u>Supulation</u> | DATE <u>1993</u>                                         | Y( <input checked="" type="checkbox"/> ) N( )           |
| ( ) OTHER _____                                                 | DATE _____                                               | Y( ) N( )                                               |
| ( ) OTHER _____                                                 | DATE _____                                               | Y( ) N( )                                               |

| LIST OF ATTACHMENTS (CHECK IF ATTACHED) | IF ATTACHED, SUPPLY APPROPRIATE INFORMATION | NO. OF<br>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

08:54:03  
04/24/00

PAGE: 1  
GENERAL INFORMATION

1  
CLAIM NUMBER: A65-10337

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 BOISE-RIGGS DITCH.  
USE OF THIS RIGHT WITH RIGHT NO. 65-02030 IS LIMITED TO A  
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ANNUAL CONSUMPTIVE USE VOLUME OF 668.5 AF, AND TO THE IRRIGATION  
OF A COMBINED TOTAL OF 191 ACRES IN A SINGLE IRRIGATION SEASON.  
FOR RIGHT NOS. 65-02030 AND 65-10337 A DIVERSION RATE OF .034  
CFS PER ACRE FOR 127 ACRES, .029 CFS PER ACRE FOR 31 ACRES AND  
.02 CFS PER ACRE FOR 33 ACRES AT THE FIELD HEADGATE IS INCLUDED  
IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.  
1.11 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES  
IN DELIVERY OF THIS RIGHT.  
RIGHT NO. 65-02030 IS ALSO DIVERTED THROUGH POINT OF DIVERSION  
DESCRIBED ABOVE.

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:

An office exam 4-24-2000. This recommendation is  
based on the stipulation entered in the Payette  
River Basin Adjudication. See the loose leaf map  
that describes the boundary for Letha Durlington.

A. AJ CLAIM: # A65-10337 PRIORITY DATE: 04-01-1913 STAGE: J

B. WR RECORD: # 65-10337 PRIORITY DATE: 04-01-1913 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:

4-1-1913  
REVIEWED BY me Schulte

DATE 4-24-00

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | POD<br>FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|-----------|------|------|------|-----|-----|-----|-----|-------------|--------|----------------|------------------|
| A65-10337 | 06N  | 03W  | 1    |     | SE  | NE  |     |             | GEM    |                |                  |

OTHER AJ CLAIMS WITH SAME AJ POD  
A PREFIX R PREFIX  
A65-02030 R65-02030

WR RECORDS IN SAME 40 ACRE TRACT  
65-02030

SOURCE: PAYETTE RIVER

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT    | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | POD<br>FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|----------|------|------|------|-----|-----|-----|-----|-------------|--------|----------------|------------------|
| 65-10337 | 06N  | 03W  | 1    |     | SE  | NE  |     |             | GEM    |                |                  |

OTHER WR RECORDS WITH SAME WR POD  
65-02030

AJ CLAIMS IN SAME 40 ACRE TRACT  
A PREFIX R PREFIX  
A65-02030 R65-02030

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 and  
verified on topo map W5.

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

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | POD<br>FLAG | COUNTY<br>GEM | DIVERSION NAME | DIVERSION NBR |
|------|------|------|-----|-----|-----|-----|-------------|---------------|----------------|---------------|
| 06N  | 03W  | 1    |     | SE  | NE  |     |             |               |                |               |
|      |      |      |     |     |     |     |             |               |                |               |
|      |      |      |     |     |     |     |             |               |                |               |
|      |      |      |     |     |     |     |             |               |                |               |
|      |      |      |     |     |     |     |             |               |                |               |
|      |      |      |     |     |     |     |             |               |                |               |
|      |      |      |     |     |     |     |             |               |                |               |

SOURCE: Poyette R. TRIB: Snake R.

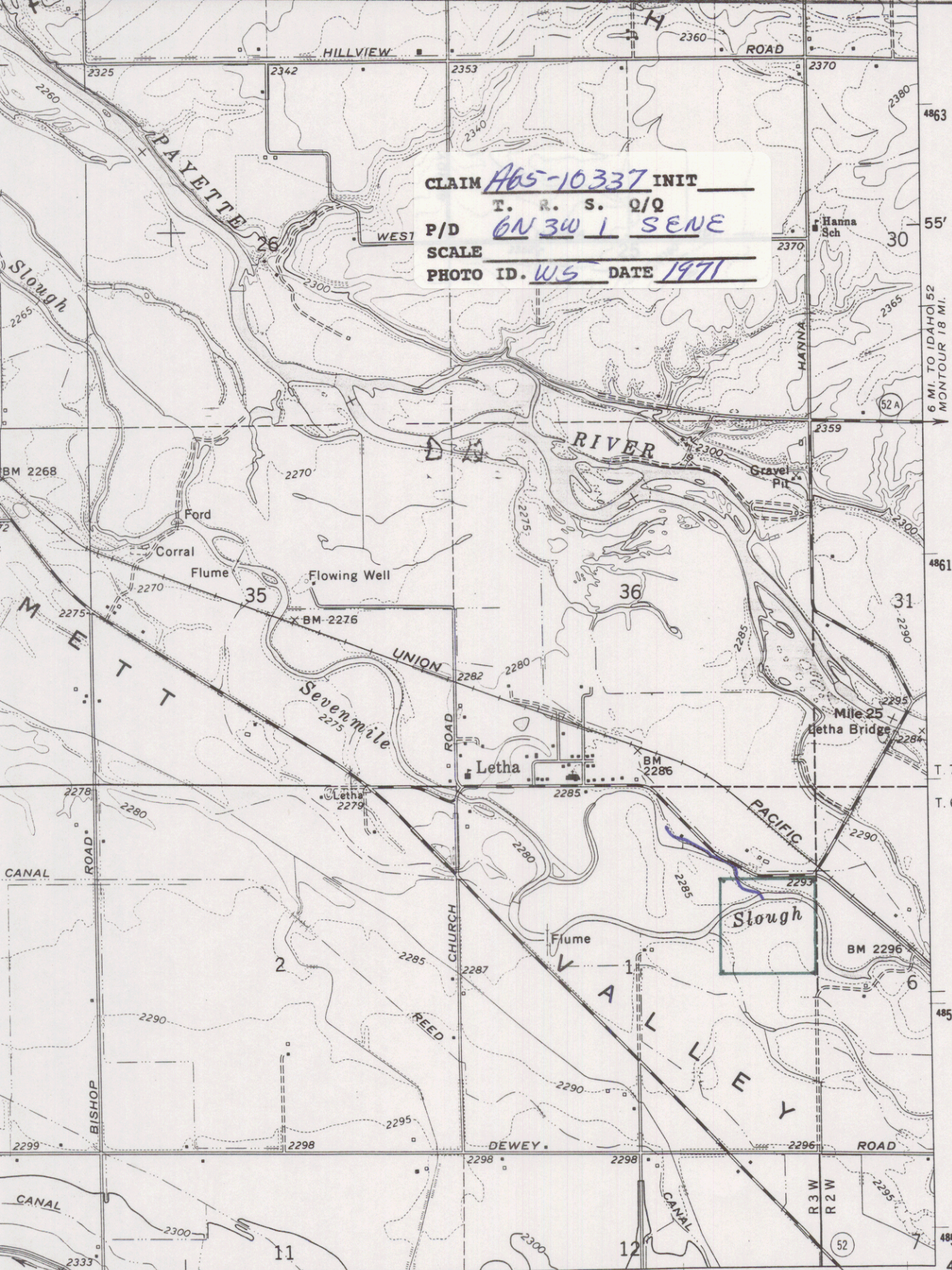
REVIEWED BY: Mel Schulte DATE: 4-24-2000

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

Delivered through the Boise - Reggs ditch

5a

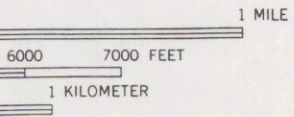
CLAIM AGS-10337 INIT  
T. R. S. Q/Q  
P/D 6N 3W 1 SENE  
SCALE  
PHOTO ID. WS DATE 1971



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

ROAD CLASSIFICATION

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



(SOUTHWEST EMMETT)  
2671 1 SE

A. ROOT WATER RIGHT NUMBERS: A65-10337  
R65-10337

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME                        | AJ<br>#/ACRES      | WR<br>#/ACRES   | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|-----------------------------|--------------------|-----------------|-----------------|----------------|------------------|
| 07N | 03W | 35  | NE  | NE  | 1   | LETHA IRRIGATION & WATER CO | INA65-10337 / 25.0 | - /             |                 |                | 24.0             |
|     |     |     | NE  | NE  | 1   | LETHA IRRIGATION & WATER CO | R65-02030 / 25.0   | 65-02030 / 25.0 |                 |                |                  |
|     |     |     | NE  | NE  | 1   | LETHA IRRIGATION & WATER CO | INR65-10337 / 25.0 | - /             |                 |                |                  |
|     |     |     | NE  | NE  | 1   | LETHA IRRIGATION & WATER CO | A65-02030 / 25.0   | - /             |                 |                |                  |
| 07N | 03W | 35  | NW  | NE  | 2   | LETHA IRRIGATION & WATER CO | INA65-10337 / 37.0 | - /             |                 |                | 35.0             |
|     |     |     | NW  | NE  | 2   | LETHA IRRIGATION & WATER CO | R65-02030 / 37.0   | 65-02030 / 37.0 |                 |                |                  |
|     |     |     | NW  | NE  | 2   | LETHA IRRIGATION & WATER CO | INR65-10337 / 37.0 | - /             |                 |                |                  |
|     |     |     | NW  | NE  | 2   | LETHA IRRIGATION & WATER CO | A65-02030 / 37.0   | - /             |                 |                |                  |
| 07N | 03W | 35  | SW  | NE  |     | LETHA IRRIGATION & WATER CO | INA65-10337 / 36.0 | - /             |                 |                | 41.0             |
|     |     |     | SW  | NE  |     | LETHA IRRIGATION & WATER CO | R65-02030 / 36.0   | 65-02030 / 36.0 |                 |                |                  |
|     |     |     | SW  | NE  |     | LETHA IRRIGATION & WATER CO | INR65-10337 / 36.0 | - /             |                 |                |                  |
|     |     |     | SW  | NE  |     | HERR, RODNEY H              | A65-03371 /        | 65-03371 /      |                 |                |                  |
|     |     |     | SW  | NE  |     | HERR, MARCIA H              | 65-03371 /         | - /             |                 |                |                  |
|     |     |     | SW  | NE  |     | LETHA IRRIGATION & WATER CO | A65-02030 / 36.0   | - /             |                 |                |                  |
| 07N | 03W | 35  | SE  | NE  |     | LETHA IRRIGATION & WATER CO | INA65-10337 / 32.0 | - /             |                 |                | 36.0             |
|     |     |     | SE  | NE  |     | LETHA IRRIGATION & WATER CO | R65-02030 / 32.0   | 65-02030 / 32.0 |                 |                |                  |
|     |     |     | SE  | NE  |     | LETHA IRRIGATION & WATER CO | INR65-10337 / 32.0 | - /             |                 |                |                  |
|     |     |     | SE  | NE  |     | MC SPADDEN, LYLE J          | A65-01153 /        | 65-01153 /      |                 |                |                  |
|     |     |     | SE  | NE  |     | MC SPADDEN, LYLE J          | 65-01153 /         | - /             |                 |                |                  |
|     |     |     | SE  | NE  |     | LETHA IRRIGATION & WATER CO | A65-02030 / 32.0   | - /             |                 |                |                  |
| 07N | 03W | 36  | SE  | NE  |     | LETHA IRRIGATION & WATER CO | INA65-10337 / 4.0  | 65-10337 / 4.0  |                 |                |                  |
|     |     |     | SE  | NE  |     | LETHA IRRIGATION & WATER CO | R65-02030 / 4.0    | - /             |                 |                |                  |
|     |     |     | SE  | NE  |     | LETHA IRRIGATION & WATER CO | INR65-10337 / 4.0  | - /             |                 |                |                  |
|     |     |     | SE  | NE  |     | LETHA IRRIGATION & WATER CO | A65-02030 / 4.0    | - /             |                 |                |                  |
|     |     |     | SE  | NE  | 1   | SOULEN LIVESTOCK CO         | R65-05545 /        | - /             |                 |                |                  |
|     |     |     | SE  | NE  | 9   | LETHA IRRIGATION & WATER CO | INA65-00082 / 13.0 | 65-00082 / 13.0 |                 |                |                  |
| 07N | 03W | 36  | SW  | NW  | 6   | LETHA IRRIGATION & WATER CO | INA65-10337 / 29.0 | - /             |                 |                | 34.0             |
|     |     |     | SW  | NW  | 6   | LETHA IRRIGATION & WATER CO | R65-02030 / 29.0   | 65-02030 / 29.0 |                 |                |                  |
|     |     |     | SW  | NW  | 6   | LETHA IRRIGATION & WATER CO | INR65-10337 / 29.0 | - /             |                 |                |                  |
|     |     |     | SW  | NW  | 6   | LETHA IRRIGATION & WATER CO | A65-02030 / 29.0   | - /             |                 |                |                  |
| 07N | 03W | 36  | NW  | SW  |     | LETHA IRRIGATION & WATER CO | INA65-10337 / 28.0 | 65-10337 / 28.0 |                 |                | 36.0             |
|     |     |     | NW  | SW  |     | MACHDANZ, JOANNE L          | A65-21823 /        | - /             |                 |                |                  |
|     |     |     | NW  | SW  |     | LETHA IRRIGATION & WATER CO | R65-02030 / 28.0   | - /             |                 |                |                  |
|     |     |     | NW  | SW  |     | LETHA IRRIGATION & WATER CO | INR65-10337 / 28.0 | - /             |                 |                |                  |
|     |     |     | NW  | SW  |     | WADE, DONNA                 | A65-00061 /        | 65-00061 /      |                 |                |                  |
|     |     |     | NW  | SW  |     | MACHDANZ, JOANNE            | A65-21701 /        | - /             |                 |                |                  |

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME                        | AJ<br>#/ACRES | WR<br>#/ACRES | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|-----------------------------|---------------|---------------|-----------------|----------------|------------------|
|     |     |     | NW  | SW  |     | MACHDANZ, JOANNE L          | 65-21823      | /             | -               | /              |                  |
|     |     |     | NW  | SW  |     | MACHDANZ, JOANNE            | 65-21701      | /             | -               | /              |                  |
|     |     |     | NW  | SW  |     | WADE, DONNA                 | 65-00061      | /             | -               | /              |                  |
|     |     |     | NW  | SW  |     | LETHA IRRIGATION & WATER CO | INA65-00082   | / 9.0         | 65-00082        | / 9.0          |                  |
|     |     |     | NW  | SW  |     | LETHA IRRIGATION & WATER CO | A65-02030     | / 28.0        | -               | /              |                  |

ADDITIONAL POU FOUND

|                 |           |        |       |        |
|-----------------|-----------|--------|-------|--------|
| TOTAL ACRES     | A65-10337 | 191.00 | 32.00 | 206.00 |
| POU COUNTY: GEM |           |        |       |        |

*191 within Letha Riv.*

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 |
|-----------|---------------|--------------------------------|-----------|----------------|-----------|----------------|
| A65-10337 | PAYETTE RIVER | LETHA IRRIGATION & WATER CO IN | 3.790     | 0.019          |           |                |
| A65-00082 | PAYETTE RIVER | LETHA IRRIGATION & WATER CO IN | 24.550    | 0.036          |           |                |
| A65-02030 | PAYETTE RIVER | LETHA IRRIGATION & WATER CO    | 3.200     | 0.016          |           |                |
| R65-02030 | PAYETTE RIVER | LETHA IRRIGATION & WATER CO    | 3.200     | 0.016          |           |                |
| R65-10337 | PAYETTE RIVER | LETHA IRRIGATION & WATER CO IN | 3.790     | 0.019          |           |                |

*overlap*

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

| CLAIM NO. | PURPOSES   | NAME                | MONTH/DAY           | RATE      | VOLUME     |
|-----------|------------|---------------------|---------------------|-----------|------------|
| A65-03371 | DOMESTIC   | HERR, RODNEY H      | FROM 01-01 TO 12-31 | 0.040 CFS | 1.20 AF/A  |
| 65-03371  | DOMESTIC   | HERR, MARCIA H      | FROM 01-01 TO 12-31 | 0.040 CFS | 1.20 AF/A  |
| A65-01153 | STOCKWATER | MC SPADDEN, LYLE J  | FROM 01-01 TO 12-31 | 0.020 CFS |            |
| 65-01153  | STOCKWATER | MC SPADDEN, LYLE J  | FROM 01-01 TO 12-31 | 0.020 CFS | 1.40 AF/A  |
| R65-05545 | STOCKWATER | SOULEN LIVESTOCK CO | FROM 01-01 TO 12-31 | 0.040 CFS | 28.00 AF/A |
| A65-21823 | DOMESTIC   | MACHDANZ, JOANNE L  | FROM 01-01 TO 12-31 | 0.080 CFS |            |
| A65-00061 | DOMESTIC   | WADE, DONNA         | FROM 01-01 TO 12-31 | 0.040 CFS | 1.20 AF/A  |

| CLAIM NO. | PURPOSES | NAME               | MONTH/DAY           | RATE      | VOLUME    |
|-----------|----------|--------------------|---------------------|-----------|-----------|
| A65-21701 | DOMESTIC | MACHDANZ, JOANNE   | FROM 01-01 TO 12-31 | 0.050 CFS |           |
| 65-21823  | DOMESTIC | MACHDANZ, JOANNE L | FROM 01-01 TO 12-31 | 0.080 CFS |           |
| 65-21701  | DOMESTIC | MACHDANZ, JOANNE   | FROM 01-01 TO 12-31 | 0.050 CFS |           |
| 65-00061  | DOMESTIC | WADE, DONNA        | 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:

05-02030 overlaps this right

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. \_\_\_\_\_;

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

NOTES: *Recommended as stipulated in the PRBA. 191*  
*acres within the boundary of Tetra Inc. Co.*

RECOMMENDATIONS:

TOTAL ACRES: *See above* N/A ( )

REVIEWED BY: *Michael Schutte*

DATE: *4-24-2000*

A. AJ CLAIMED USES:

| PURPOSE OF USE              | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| A65-10337 IRRIGATION        | FROM 03-15 TO 11-15       | 3.790 CFS              |                        |
| TOTAL DIVERSION RATE/VOLUME |                           | 3.790 CFS              |                        |

B. WR RECORDED USES:

| PURPOSE OF USE              | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| 65-10337 IRRIGATION         | FROM 03-15 TO 11-15       | 1.470 CFS              |                        |
| TOTAL DIVERSION RATE/VOLUME |                           | 1.470 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: 3.790 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 1.470 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 191 x 0.02 CFS/ACRE = 3.82 CFS  
(Taken from pou review)

1b. CALCULATIONS

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES \_\_\_\_\_ x DIVERSION VOL. AF/A FOR AREA \_\_\_\_\_ =

TOTAL DIVERSION VOLUME \_\_\_\_\_ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES \_\_\_\_\_ x CONSUMPTIVE VOL. AF/A FOR AREA \_\_\_\_\_ =

TOTAL CONSUMPTIVE USE \_\_\_\_\_ AF/A

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

NOTES:

The diversion rate for this right when combined with 65-02030 is based on the formula developed in the PRBA and includes 1.11 cfs for delivery loss.

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (✓)

| REC.<br>PURPOSE OF USE | REC. PERIOD |       | REC. DIV          |                   | REC. DIV |                   | REC. CONS.      |                   |
|------------------------|-------------|-------|-------------------|-------------------|----------|-------------------|-----------------|-------------------|
|                        | FROM        | TO    | RATE              | CFS               | VOL.     | AF/A              | USE             |                   |
| IRRIGATION             | 03-15       | 11-15 | DATABASE<br>3.790 | EXAMINER<br>_____ | DATABASE | EXAMINER<br>_____ | DATABASE<br>0.0 | EXAMINER<br>_____ |
| _____                  | _____       | _____ | _____             | _____             | _____    | _____             | _____           | _____             |
| _____                  | _____       | _____ | _____             | _____             | _____    | _____             | _____           | _____             |
| _____                  | _____       | _____ | _____             | _____             | _____    | _____             | _____           | _____             |
| _____                  | _____       | _____ | _____             | _____             | _____    | _____             | _____           | _____             |
| TOTAL FOR THIS RIGHT   |             |       | 3.790             | _____             |          | _____             | 0.0             | _____             |

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: Michael Schulte

DATE: 4-24-00

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

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

QNT  
POU  
EXP

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

Delivery loss

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

NA

ROOT WATER RIGHT NUMBER: 65-10337

|                                   | DATABASE | EXAMINER | CFS |
|-----------------------------------|----------|----------|-----|
| TOTAL DIVERSION RATE OF WR SPLITS | 1.470    |          |     |

SPLITS:

| OLD RIGHT<br>NUMBERS | CURRENT<br>CLAIM NUMBERS | DIVERSION<br>RATE | CURRENT "R"<br>CLAIM NUM. | "R" DIV.<br>RATE | WR RIGHT<br>NUMBERS | DIVERSION<br>RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| -                    | A65-10337                | 3.790             | R65-10337                 | 3.790            | 65-10337            | 1.470             |
| TOTAL CFS            |                          | 3.790             |                           | 3.790            |                     | 1.470             |

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 | FIELD<br>EXAMINER |
|----------|-------------------|
| N        | Y( ) N( )         |

NOTES:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

AUTHENTICATION:

SIGNATURE: Michael Schulte DATE: 4-24-2000

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

LARRY ECHOHAWK  
Attorney General

RECEIVED

FEB 10 1993

Department of Water Resources

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

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<br>NUMBER                                                                                                                     | NAME & ADDRESS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | PRIORITY<br>DATE       | PURPOSE OF USE | PERIOD OF USE<br>FROM TO | MAXIMUM<br>QUANTITY | BASIS OF CLAIM     |
|-------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|----------------|--------------------------|---------------------|--------------------|
| SOURCE: PAYETTE RIVER                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | TRIBUTARY: SNAKE RIVER |                |                          |                     |                    |
| 65-10337                                                                                                                            | LETHA IRRIGATION & WATER CO. INC.<br>6550 DALLAS RD<br>NEW PLYMOUTH ID 83655                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 04/01/1913             | IRRIGATION     | 03-15 11-15              | 3.79                | CFS BENEFICIAL USE |
| TOTAL QUANTITY:                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                        |                |                          | 3.79                | CFS                |
| POINT OF DIVERSION:<br>T06N R03W S01 SENE                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                        |                |                          |                     |                    |
| PLACE OF USE: IRRIGATION                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                        |                |                          |                     |                    |
| T07N R03W S35 Lot 1 (NENE)25.0 Lot 2 (NWNE)37.0 SWNE 36.0 SENE 32.0<br>S36 SENE 4.0 Lot 6 (SWNW)29.0 NWSW 28.0<br>191.0 ACRES TOTAL |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                        |                |                          |                     |                    |
| REMARKS:                                                                                                                            | WATER IS DELIVERED THROUGH BOISE-RIGGS DITCH.<br>1.11 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES<br>IN DELIVERY OF THIS RIGHT.<br>RIGHT NO. 65-02030 IS ALSO DIVERTED THROUGH POINT OF DIVERSION<br>DESCRIBED ABOVE.<br>USE OF THIS RIGHT WITH RIGHT NO. 65-02030 IS LIMITED TO A<br>TOTAL COMBINED DIVERSION RATE OF 6.99 CFS, A TOTAL COMBINED<br>ANNUAL CONSUMPTIVE USE VOLUME OF 668.5 AF, AND TO THE IRRIGATION<br>OF A COMBINED TOTAL OF 191 ACRES IN A SINGLE IRRIGATION SEASON.<br>FOR RIGHT NOS. 65-02030 AND 65-10337 A DIVERSION RATE OF .034<br>CFS PER ACRE FOR 127 ACRES, .029 CFS PER ACRE FOR 31 ACRES &<br>.02 CFS PER ACRE 33 ACRES AT THE FIELD HEADGATE IS INCLUDED<br>IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE. |                        |                |                          |                     |                    |

# 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

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

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: A65-10337  
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: APR 1, 1913

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

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 06N      | 03W   | 1       | SE     | NE     |     |     | 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 | 3.790 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 07N      | 03W   | 35      | NE     | NE  | 1   | IRR | 25.0  |
|          |       |         | NW     | NE  | 2   | IRR | 37.0  |
|          |       |         | SW     | NE  |     | IRR | 36.0  |
|          |       |         | SE     | NE  |     | IRR | 32.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 130.0 |
|          |       | 36      | SE         | NE  | IRR           | 4.0   |
|          |       |         | SW         | NW  | 6 IRR         | 29.0  |
|          |       |         | NW         | SW  | IRR           | 28.0  |
|          |       |         |            |     | Section Acres | 61.0  |
|          |       |         |            |     | Total Acres   | 191.0 |

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 BOISE-RIGGS DITCH.

USE OF THIS RIGHT WITH RIGHT NO. 65-02030 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.99 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 668.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 191 ACRES IN A SINGLE IRRIGATION SEASON.

FOR RIGHT NOS. 65-02030 AND 65-10337 A DIVERSION RATE OF .034 CFS PER ACRE FOR 127 ACRES, .029 CFS PER ACRE FOR 31 ACRES AND .02 CFS PER ACRE FOR 33 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.

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

RIGHT NO. 65-02030 IS ALSO DIVERTED THROUGH POINT OF DIVERSION 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

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

New Telephone Number: (208) 343 - 9438

[x] Signature of Claimant: *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

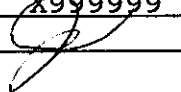
MAR 28 2000

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: A65-10337  
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: APR 1, 1913

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

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 06N      | 03W   | 1       | SE     | NE     |     |     | 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 | 3.790 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 07N      | 03W   | 35      | NE     | NE  | 1   | IRR | 25.0  |
|          |       |         | NW     | NE  | 2   | IRR | 37.0  |
|          |       |         | SW     | NE  |     | IRR | 36.0  |
|          |       |         | SE     | NE  |     | IRR | 32.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 130.0 |
|          |       | 36      | SE         | NE  | IRR           | 4.0   |
|          |       |         | SW         | NW  | 6 IRR         | 29.0  |
|          |       |         | NW         | SW  | IRR           | 28.0  |
|          |       |         |            |     | Section Acres | 61.0  |
|          |       |         |            |     | Total Acres   | 191.0 |

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 BOISE-RIGGS DITCH.

USE OF THIS RIGHT WITH RIGHT NO. 65-02030 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.99 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 668.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 191 ACRES IN A SINGLE IRRIGATION SEASON.

FOR RIGHT NOS. 65-02030 AND 65-10337 A DIVERSION RATE OF .034 CFS PER ACRE FOR 127 ACRES, .029 CFS PER ACRE FOR 31 ACRES AND .02 CFS PER ACRE FOR 33 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.

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

RIGHT NO. 65-02030 IS ALSO DIVERTED THROUGH POINT OF DIVERSION 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

RECEIVED

FEB 10 1993

Department of Water Resources

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

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 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

Jodi

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: A65-10337  
Date Received: 2/09/1990  
Receipt No: X999999  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: APR 01, 1913

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

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 06N      | 03W   | 1       | SE     | NE     |     |     | 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 | 1.470  |      |        |

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

8. Total consumptive use is 112.0 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   | 36      | SE     | NE  |     | IRR | 4.0   |
|          |       |         | NW     | SW  |     | IRR | 28.0  |

Section Acres 32.0

A65-10337

Page 1

Date: 04/16/90

MICROFILMED  
SEP 24 1992

| RIGHT<br>NUMBER                      | NAME & ADDRESS                                                                                                                                                                                                                                         | PRIORITY<br>DATE          | PURPOSE OF USE | PERIOD OF USE<br>FROM TO | MAXIMUM<br>QUANTITY | BASIS OF CLAIM |
|--------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|----------------|--------------------------|---------------------|----------------|
| SOURCE: PAYETTE RIVER                |                                                                                                                                                                                                                                                        | TRIBUTARY: SNAKE RIVER    |                |                          |                     |                |
| 65-10337                             | LETHA IRRIGATION & WATER CO. INC.<br>6550 DALLAS RD<br>NEW PLYMOUTH ID 83655                                                                                                                                                                           | 04/01/1913                | IRRIGATION     | 03-15 11-15              | 3.79 CFS            | BENEFICIAL USE |
|                                      |                                                                                                                                                                                                                                                        |                           |                |                          | TOTAL QUANTITY:     | 3.79 CFS       |
| POINT OF DIVERSION:<br>T06N R03W S01 |                                                                                                                                                                                                                                                        | SENE                      |                |                          |                     |                |
| PLACE OF USE: IRRIGATION             |                                                                                                                                                                                                                                                        |                           |                |                          |                     |                |
| T07N R03W S35 Lot 1 (NENE)25.0       |                                                                                                                                                                                                                                                        | Lot 2 (NWNE)37.0          |                | SWNE 36.0                |                     | SENE 32.0      |
| S36                                  |                                                                                                                                                                                                                                                        | SENE 4.0 Lot 6 (SWNW)29.0 |                | NWSW 28.0                |                     |                |
| 191.0 ACRES TOTAL                    |                                                                                                                                                                                                                                                        |                           |                |                          |                     |                |
| REMARKS:                             | WATER IS DELIVERED THROUGH BOISE-RIGGS DITCH.                                                                                                                                                                                                          |                           |                |                          |                     |                |
|                                      | 1.11 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.                                                                                                                                                              |                           |                |                          |                     |                |
|                                      | RIGHT NO. 65-02030 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.                                                                                                                                                                        |                           |                |                          |                     |                |
|                                      | USE OF THIS RIGHT WITH RIGHT NO. 65-02030 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.99 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 668.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 191 ACRES IN A SINGLE IRRIGATION SEASON. |                           |                |                          |                     |                |
|                                      | FOR RIGHT NOS. 65-02030 AND 65-10337 A DIVERSION RATE OF .034 CFS PER ACRE FOR 127 ACRES, .029 CFS PER ACRE FOR 31 ACRES & .02 CFS PER ACRE 33 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.  |                           |                |                          |                     |                |

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: A65-10337  
Date Received: ~~12/12/1989~~ 2/1/90  
Receipt No: X999999  
Received By: \_\_\_\_\_

**RECORDED**  
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: APR 01, 1913

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

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 06N      | 03W   | 1       | SE     | NE     |     |     | 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 | 1.470  |      |        |

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

8. Total consumptive use is 112.0 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   | 36      | SE     | NE  |     | IRR | 4.0   |
|          |       |         | NW     | SW  |     | IRR | 28.0  |

Section Acres 32.0

A65-10337

Page 1

Date: 02/01/90

MICROFILMED

SEP 24 1992

10. Place of Use: Continued

Total Acres 32.0

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 BOISE RIGGS DITCH.

15. Basis of Claim: BENEFICIAL USE

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SEP 24 1992

(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.

I do solemnly swear or affirm that I am \_\_\_\_\_ President \_\_\_\_\_ of \_\_\_\_\_ Title \_\_\_\_\_  
LETHA IRRIGATION AND WATER CO. \_\_\_\_\_, that I have signed the foregoing  
Organization \_\_\_\_\_  
document in the space below as \_\_\_\_\_ President \_\_\_\_\_ of \_\_\_\_\_ Title \_\_\_\_\_  
LETHA IRRIGATION AND WATER CO. \_\_\_\_\_ and that the statements contained in the  
Organization \_\_\_\_\_  
foregoing document are true and correct. \_\_\_\_\_ Edward O. Plett

SEP 24 1992

Water Right Number - 65-10337

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

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

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

LETHA IRRIGATION &amp; 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 - - - - +  
04/01/1913 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 03W 1 SE NE (45) GEM

+ - - - - - Water Use - - - - - +  
Code Description Period From Period To Diversion Rate Diversion Volume  
01 - IRRIGATION 03/15 11/15 1.470+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +  
1.470+ - - - - - Place of Use - - - - - +  
TwN Rng Sec Tract Lot Acres Code Description County  
07N 03W 36 SE NE 4.0 01 IRRIGATION (45) GEM  
07N 03W 36 NW SW 28.0 01 IRRIGATION (45) GEM

Total Acres: 32.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +  
IRRIGATED BY BOISE RIGGS DITCH.+ - - - - - Old Water Right Numbers - - - - - +  
No Old Water Right Numbers found.+ - - - - - Conditions of Approval - - - - - +  
No Conditions of Approval found.MICROFILMED  
SEP 24 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 24 1992**

4/5/1989

## SRDA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Letta Wing Water CLAIM IDENT. NO. ALS-10337DATE RECEIVED 2-9-90 CK # 0 AMOUNT \$ exempt

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

Claim checked by: LSWDate: 4/3/90Claim must be returned to claimant: (Yes) / (No)Claimant must be notified of modifications: (Yes) / (No)
 Receipt Prepared by: LSW  
 Claim data entered by: LSW  
 Sent to claimant by: LSW
Date: 4/19/90Date: 4/19/90Checked by: LSWDate: 4/19/90

Comments: \_\_\_\_\_

MICROFILMED

SEP 24 1992