

2003 JUL 18 AM 9:53

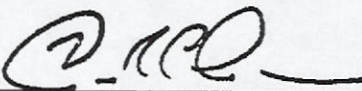
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	Subcases 65-00165A, 65-00165B, 65-00165C,
	)	65-00165X, 65-07425, 65-07428, 65-07848,
Case No. 39576	)	65-07882, 65-07885, 65-11413 and 65-12279
	)	
	)	ORDER VACATING TRIAL SCHEDULE and
	)	ORDER DISMISSING OBJECTIONS

Trial is currently scheduled in the above listed subcases for November 20, 2003, at the Gem County Courthouse. On July 3, 2003, the objectors, George and Cheryl Colwell filed a *Notice of Voluntary Dismissal of Objections*.

Therefore, based on the filed and record herein, IT IS ORDERED that the Trial set for November 20, 2003, and the corresponding Deadlines are vacated. IT IS FURTHER ORDERED that the objections filed by the Colwells are dismissed with prejudice.

Dated July 18, 2003.


THOMAS R. CUSHMAN
Special Master
Snake River Basin Adjudication

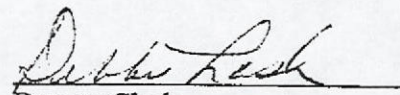
CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER VACATING TRIAL SCHEDULE and ORDER DISMISSING OBJECTIONS was mailed July 18, 2003, with sufficient first-class postage to the following:

Director of IDWR
P O Box 83720
Boise, Idaho 83720-0098

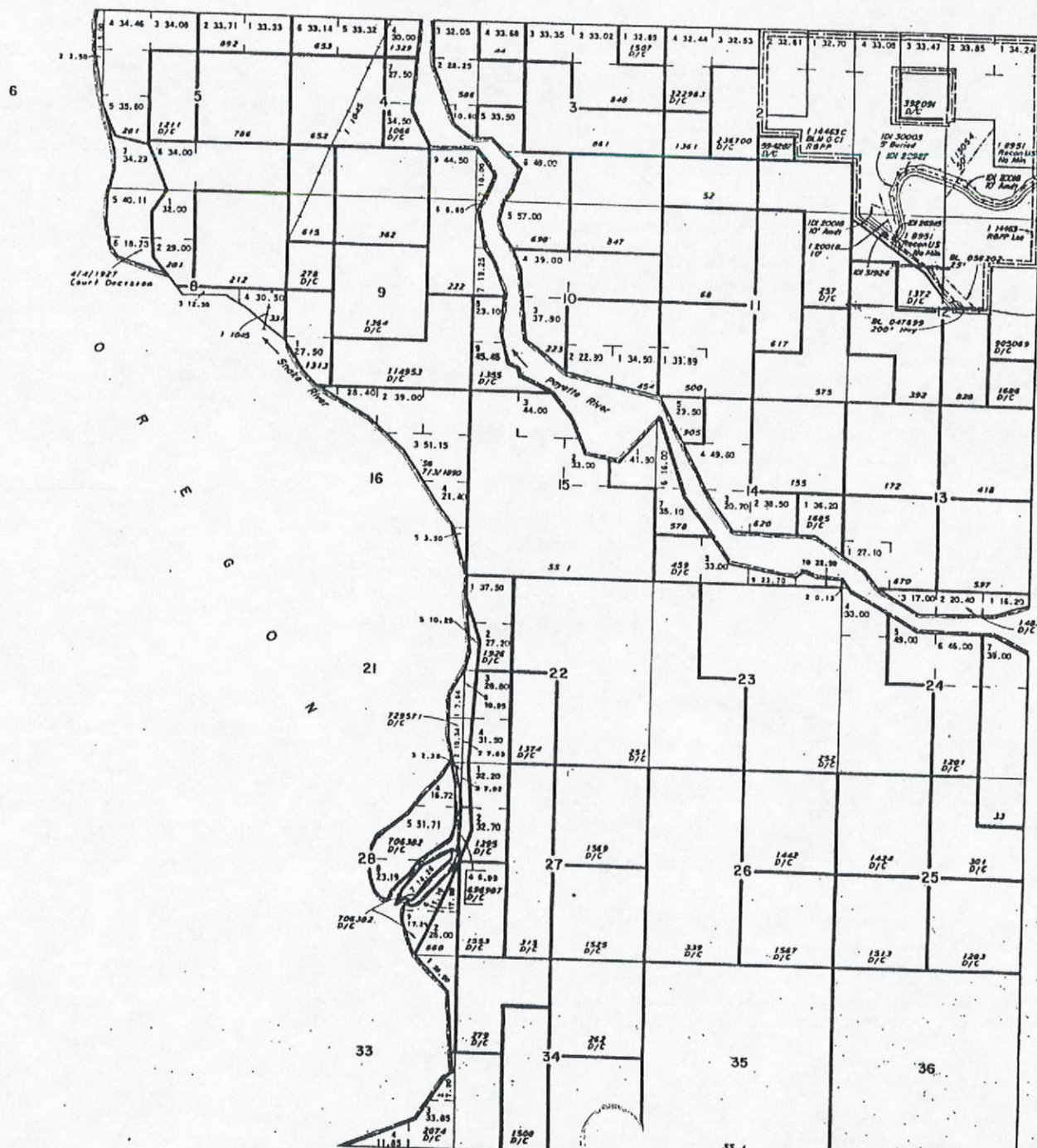
Dana Hofstetter
608 West Franklin Street
Boise, Idaho 83702

Scott Campbell
P O Box 829
Boise, Idaho 83701-0829


Deputy Clerk

PAYETTE COUNTY 075
BOISE DISTRICT SEC 3

MT PLAT

[illegible]

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
DEC 21 1998	
USE PLATS:	

Idaho Department of Water Resources

Claims:

65-00165A

65-00165B

65-00165C

65-00165X

65-07425

65-07428

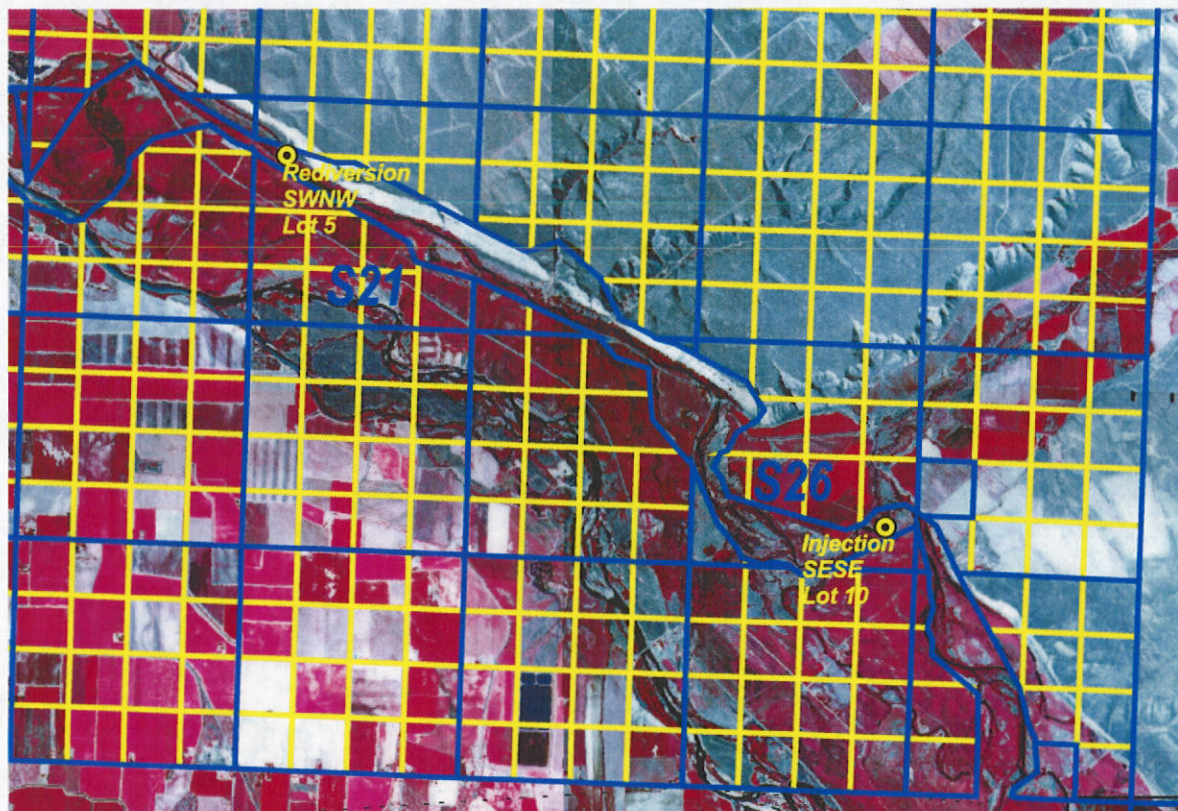
65-07848

Owner : Lower Payette
Ditch Co.

Prepared by:

RON HOWERTON

Date: 12 DEC 00



T08N R04W
S21 & S26

● POD

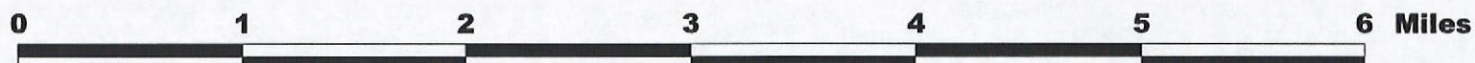
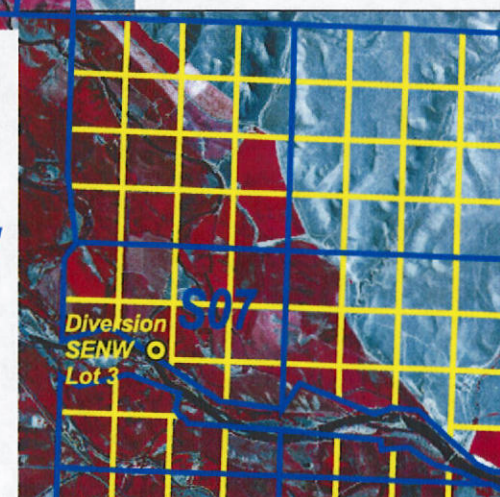
SECTION

1/4 1/4



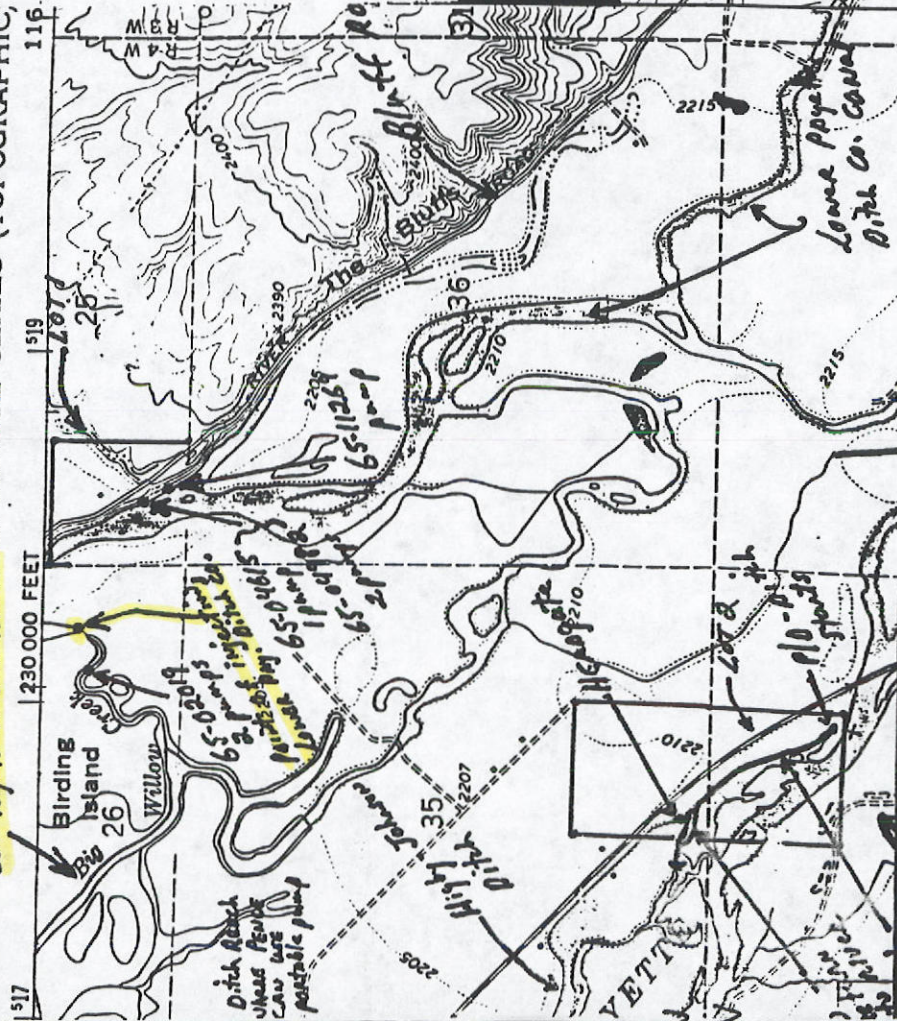
1987 NAPP

T07N R03W
S07



NEW PLYMOUTH QUADRANGLE
IDAHO - PAYETTE CO.

creek is conveyance
for Lower Payette Ditch
Co. Rights in this Reel 7.5



Lower Payette
Ditch Co.
canal

Flume across
canal

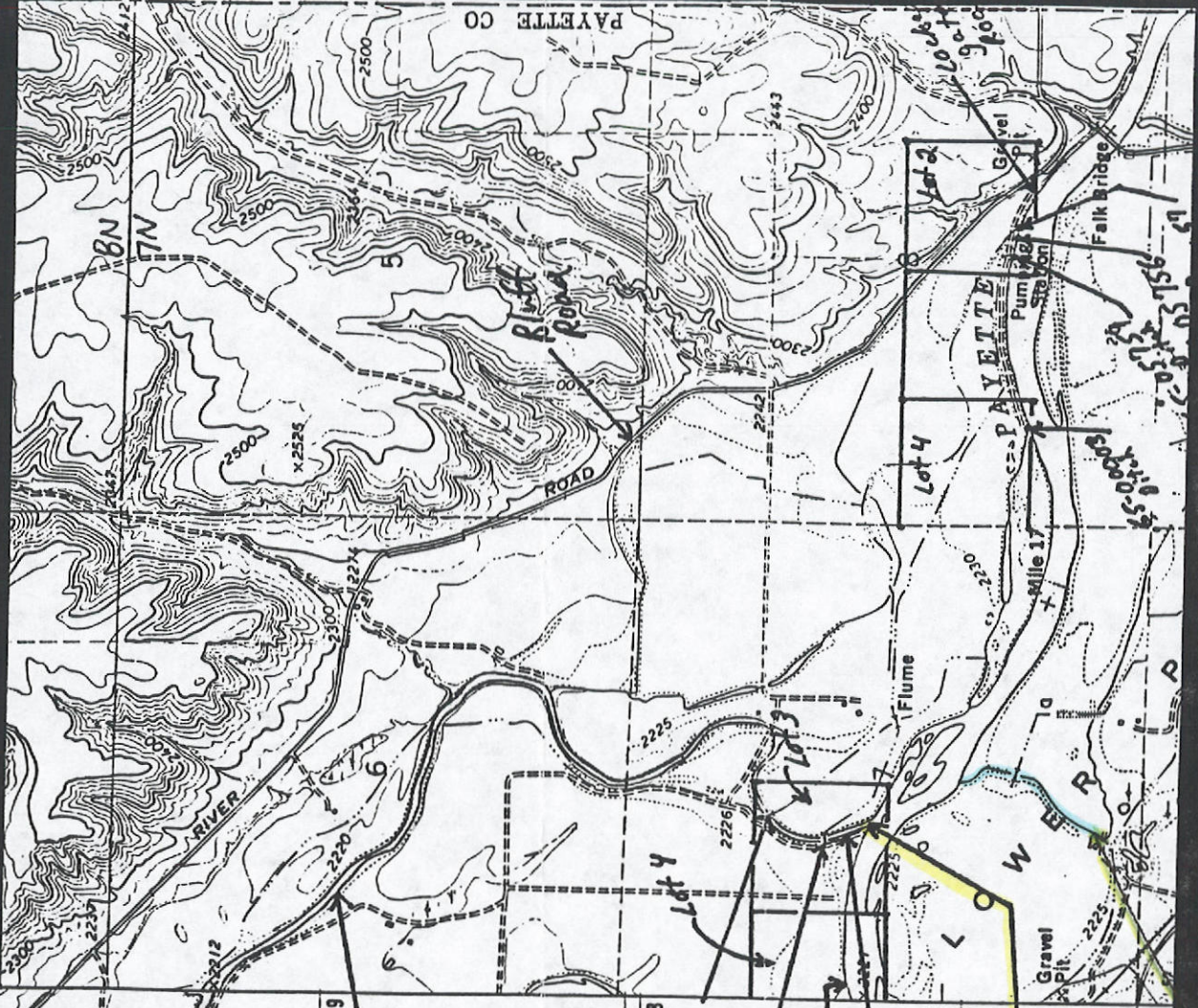
65-05459
and
65-11258

Pipeline across
canal

measuring point

Lower Payette
Ditch Co.
canal

Graveyard Gulch
Wickman
Diversion works



PLD: Lot 3 SESENN: S.7 T.7N. R.3W.

Plot of injection into Big Willow Cr.

SESE: S.26 T.8N. R.4W.

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: A65-00165A
Date Received: 4/13/90
Receipt No: 499999
Received By: B.S.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOWER PAYETTE DITCH CO.
Address: 114 N. 8TH
PAYETTE, ID 83661

2. Date of Priority: MAR 22, 1884

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	03W	7	SE	NW		3 ✓	PAYETTE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	63.320		

7. Total Quantity Appropriated is:
63.320 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	5	SW	SW ✓		IRR	3.0

Section Acres 3.0

6	SW	NE ✓	IRR	12.0
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A65-00165A

Page 1

Date: 09/27/88

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	03W	6	SE NE ✓		IRR	2.0
			NE SE ✓		IRR	30.0
			NW SE ✓		IRR	8.0
			SW SE ✓		IRR	27.0
08N	04W	6	SE SE ✓		IRR	36.0
			SE SW ✓		IRR	40.0
			SW SE ✓		IRR	40.0

Section Acres 195.0

7	NE NE ✓		IRR	40.0
	NW NE ✓		IRR	40.0
	SW NE ✓		IRR	40.0
	SW SW ✓		IRR	16.0
	SE SW ✓		IRR	1.0

Section Acres 137.0

17 ✓	SW NW ✓		IRR	16.0
	SE NW ✓		IRR	13.0
	NE SW ✓		IRR	39.0
	NW SW ✓		IRR	38.0
	SW SW ✓		IRR	28.0
	SE SW ✓	2	IRR	9.0
	SW SE ✓	1	IRR	3.0

Section Acres 146.0

18	NE NE ✓		IRR	20.0
	NW NE ✓		IRR	38.0
	SW NE ✓		IRR	40.0
	SE NE ✓		IRR	38.0
	NE NW ✓		IRR	36.0
	NW NW ✓	1	IRR	37.0
	SW NW ✓	2	IRR	39.0
	SE NW ✓		IRR	19.0
	NE SW ✓		IRR	24.0
	NW SW ✓	3	IRR	38.0
	SW SW ✓	4	IRR	34.0
	SE SW ✓	5	IRR	27.0
	NE SE ✓		IRR	34.0
	NW SE ✓		IRR	38.0
	SW SE ✓	6	IRR	20.0
	SE SE ✓	7	IRR	36.0

Section Acres 518.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	04W	19	NE	NE	✓ 8	IRR	8.0
			NE	NW	✓ 8	IRR	6.0
			Section Acres				14.0
		20	NE	NE	✓ 7	IRR	7.0
			Section Acres				7.0
		21	NW	NW	✓ 4	IRR	3.0
			Section Acres				3.0
	05W	2	NE	SW	✓	IRR	6.0
			NW	SW	✓	IRR	28.0
			SW	SW	✓	IRR	39.0
			SE	SW	✓	IRR	36.0
			SW	SE	✓	IRR	37.0
			SE	SE	✓	IRR	16.0
			Section Acres				162.0
		3	NE	NE	✓ 1	IRR	15.0
			NW	NE	✓ 2	IRR	25.0
			SW	NE	✓	IRR	38.0
			SE	NE	✓	IRR	11.0
			NE	NW	✓ 3	IRR	28.0
			NW	NW	✓ 4	IRR	16.0
			SW	NW	✓	IRR	29.0
			SE	NW	✓	IRR	33.0
			NE	SW	✓	IRR	18.0
			NW	SW	✓ 5	IRR	13.0
			SW	SW	✓ 6	IRR	48.0
			NE	SE	✓	IRR	33.0
			NW	SE	✓	IRR	36.0
			SW	SE	✓	IRR	39.0
			SE	SE	✓	IRR	37.0
			Section Acres				419.0
		4	NE	NE	✓ 3	IRR	12.0
			SE	NE	✓ 2	IRR	15.0
			NE	SE	✓ 1	IRR	6.0
			Section Acres				33.0

A65-00165A

Page

3

Date: 09/27/88

25x10

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08N	05W	10	NE	NE ✓	IRR	38.0
			NW	NE ✓	IRR	40.0
			SW	NE ✓	IRR	40.0
			SE	NE ✓	IRR	37.0
			NE	NW ✓	IRR	43.0
			SW	NW ✓	IRR	33.0
			NE	SW ✓	IRR	21.0
			NE	SE ✓	IRR	28.0
			NW	SE ✓	IRR	40.0
			SW	SE ✓	IRR	18.0
			SE	SE ✓	IRR	26.0

Section Acres 364.0

11	NE	NE ✓	IRR	36.0
	NW	NE ✓	IRR	37.0
	SW	NE ✓	IRR	34.0
	SE	NE ✓	IRR	38.0
	NE	NW ✓	IRR	39.0
	NW	NW ✓	IRR	38.0
	SW	NW ✓	IRR	37.0
	SE	NW ✓	IRR	37.0
	NE	SW ✓	IRR	38.0
	NW	SW ✓	IRR	34.0
	SW	SW ✓	IRR	39.0
	SE	SW ✓	IRR	38.0
	NE	SE ✓	IRR	35.0
	NW	SE ✓	IRR	37.0
	SW	SE ✓	IRR	36.0
	SE	SE ✓	IRR	36.0

Section Acres 589.0

12	SW	NE BLM	IRR	1.0
	NE	NW BLM/PU	IRR	1.0
	NW	NW BLM/PU	IRR	20.0
	SW	NW ✓	IRR	38.0
	SE	NW BLM/PU	IRR	29.0
	NE	SW ✓	IRR	38.0
	NW	SW ✓	IRR	38.0
	SW	SW ✓	IRR	38.0
	SE	SW ✓	IRR	37.0
	NE	SE ✓	IRR	2.0
	NW	SE ✓	IRR	28.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	05W	12	SW	SE		IRR	38.0
			SE	SE		IRR	30.0
Section Acres							338.0
		13	NE	NE		IRR	39.0
			NW	NE		IRR	38.0
			SW	NE		IRR	39.0
			SE	NE		IRR	40.0
			NE	NW		IRR	15.0
			NW	NW		IRR	37.0
			SW	NW		IRR	40.0
			SE	NW		IRR	32.0
			NE	SE		IRR	40.0
			NW	SE		IRR	39.0
			SW	SE		IRR	37.0
			SE	SE		IRR	40.0
Section Acres							436.0
		14	NE	NE		IRR	37.0
			NW	NE		IRR	17.0
			SW	NE		IRR	18.0
			SE	NE		IRR	40.0
Section Acres							112.0
		24	NE	NE	1	IRR	27.0
			NW	NE	2	IRR	16.0
			NE	NW	3	IRR	10.0
Section Acres							53.0
09N	04W	6	NW	NW		IRR	2.0
Section Acres							2.0
	05W	1	NE	NE		IRR	31.0
			NW	NE		IRR	34.0
			SW	NE		IRR	26.0
			SE	NE		IRR	1.0
			NE	NW	3	IRR	32.0
			NW	NW	4	IRR	31.0
			SW	NW		IRR	1.0
			SE	NW		IRR	37.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	05W	1	NE	SW ✓		IRR	39.0
			NW	SW ✓		IRR	26.0
			SW	SW ✓		IRR	28.0
			SE	SW ✓		IRR	37.0
			NW	SE ✓		IRR	24.0
			SW	SE ✓		IRR	26.0
Section Acres							373.0
		2	NE	NE ✓	1	IRR	6.0
			SW	SE ✓		IRR	9.0
			SE	SE ✓		IRR	31.0
Section Acres							46.0
		11	NE	NE ✓		IRR	34.0
			NW	NE ✓		IRR	28.0
			SW	NE ✓		IRR	36.0
			SE	NE ✓		IRR	37.0
			NE	SW ✓		IRR	27.0
			SE	SW ✓		IRR	27.0
			NE	SE ✓		IRR	36.0
			NW	SE ✓		IRR	38.0
			SW	SE ✓		IRR	36.0
			SE	SE ✓		IRR	36.0
Section Acres							335.0
		12	NE	NE ✓		IRR	3.0
			NW	NE ✓		IRR	36.0
			SW	NE ✓		IRR	34.0
			SE	NE ✓		IRR	6.0
			NE	NW ✓		IRR	28.0
			NW	NW ✓		IRR	38.0
			SW	NW ✓		IRR	30.0
			SE	NW ✓		IRR	37.0
			NE	SW ✓		IRR	38.0
			NW	SW ✓		IRR	38.0
			SW	SW ✓		IRR	34.0
			SE	SW ✓		IRR	28.0
			NW	SE ✓		IRR	25.0
			SW	SE ✓		IRR	10.0
Section Acres							385.0
		13	NE	NW ✓		IRR	32.0

A65-00165A

Page 6

Date: 09/27/88

25X10

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09N	05W	13	NW	NW	IRR	31.0
			SW	NW	IRR	40.0
			SE	NW	IRR	18.0
			NE	SW	IRR	4.0
			NW	SW	IRR	39.0
			SW	SW	IRR	39.0

Section Acres 203.0

14	NE	NE	IRR	36.0
	NW	NE	IRR	33.0
	SW	NE	IRR	39.0
	SE	NE	IRR	32.0
	NE	NW	IRR	31.0
	NW	NW	IRR	9.0
	SW	NW	IRR	24.0
	SE	NW	IRR	39.0
	NE	SW	IRR	40.0
	NW	SW	IRR	35.0
	SW	SW	IRR	38.0
	SE	SW	IRR	36.0
	NE	SE	IRR	37.0
	NW	SE	IRR	40.0
	SW	SE	IRR	37.0
	SE	SE	IRR	38.0

Section Acres 544.0

15	SE	NE	2	IRR	11.0
	NE	SE	3	IRR	34.0
	SE	SE	4	IRR	17.0

Section Acres 62.0

22	NE	NE	1	IRR	25.0
	SW	NE	2	IRR	6.0
	SE	NE		IRR	30.0
	NE	SW	3	IRR	27.0
	SW	SW	4	IRR	26.0
	SE	SW		IRR	32.0
	NE	SE		IRR	36.0
	NW	SE		IRR	19.0
	SW	SE		IRR	35.0
	SE	SE		IRR	36.0

Section Acres 272.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres			
09N	05W	23	NE	NE ✓	IRR	30.0			
			NW	NE ✓	IRR	39.0			
			SW	NE ✓	IRR	39.0			
			SE	NE ✓	IRR	40.0			
			NE	NW ✓	IRR	37.0			
			NW	NW ✓	IRR	39.0			
			SW	NW ✓	IRR	39.0			
			SE	NW ✓	IRR	36.0			
			NE	SW ✓	IRR	37.0			
			NW	SW ✓	IRR	38.0			
			SW	SW ✓	IRR	35.0			
			SE	SW ✓	IRR	37.0			
			NE	SE ✓	IRR	40.0			
			NW	SE ✓	IRR	36.0			
			SW	SE ✓	IRR	38.0			
			SE	SE ✓	IRR	40.0			
			Section Acres						600.0
			24	NW	NW ✓	IRR	15.0		
SW	NW ✓	IRR		30.0					
NW	SW ✓	IRR		40.0					
SW	SW ✓	IRR		38.0					
Section Acres						123.0			
25	NE	NW ✓	IRR	40.0					
	NW	NW ✓	IRR	39.0					
	SW	NW ✓	IRR	36.0					
	SE	NW ✓	IRR	35.0					
Section Acres						150.0			
26	NW	NE ✓	IRR	38.0					
	SW	NE ✓	IRR	20.0					
	NE	NW ✓	IRR	28.0					
	NW	NW ✓	IRR	19.0					
	SW	SW ✓	IRR	25.0					
Section Acres						130.0			
27	NE	NE ✓	IRR	36.0					
	NW	NE ✓	IRR	33.0					
	SW	NE ✓	IRR	35.0					

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	05W	27	SE	NE		IRR	35.0
			NE	NW		IRR	31.0
			NW	NW		IRR	32.0
			SW	NW		IRR	30.0
			SE	NW		IRR	32.0
			NE	SW		IRR	37.0
			NW	SW		IRR	25.0
			SW	SW		IRR	25.0
			SE	SW		IRR	30.0
			NE	SE		IRR	26.0
			NW	SE		IRR	28.0
			SW	SE		IRR	35.0
			SE	SE		IRR	24.0
Section Acres							494.0
		28	NW	NE	1	IRR	10.0
			SW	NE	2	IRR	25.0
			SE	NE		IRR	26.0
			NE	SW	3	IRR	27.0
			SW	SW	4	IRR	30.0
			NE	SE		IRR	30.0
			NW	SE		IRR	28.0
			SW	SE		IRR	25.0
			SE	SE		IRR	25.0
Section Acres							226.0
		33	NE	NE		IRR	20.0
			NW	NE		IRR	20.0
			SW	NE		IRR	20.0
			SE	NE		IRR	10.0
			NE	NW	5	IRR	19.0
			SE	NW	4	IRR	7.0
			NE	SE		IRR	15.0
			NW	SE	2	IRR	10.0
			SE	SE	1	IRR	10.0
Section Acres							131.0
		34	NE	NE		IRR	27.0
			NW	NE		IRR	29.0
			SW	NE		IRR	34.0
			SE	NE		IRR	20.0
			NE	NW		IRR	29.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	05W	34	NW	NW		IRR	25.0
			SW	NW		IRR	25.0
			SE	NW		IRR	20.0
			NE	SW		IRR	25.0
			NW	SW		IRR	25.0
			SW	SW		IRR	25.0
			SE	SW		IRR	30.0
			NE	SE		IRR	30.0
			NW	SE		IRR	25.0
			SW	SE		IRR	33.0
			SE	SE		IRR	27.0

Section Acres 429.0

35	SW	NE	+	IRR	19.0
	SE	NE	+	IRR	36.0
	NE	NW		IRR	20.0
	NW	NW		IRR	20.0
	SE	NW	+	IRR	38.0
	NE	SW	+	IRR	39.0
	NW	SW	+	IRR	10.0
	SW	SW	+	IRR	10.0
	SE	SW	+	IRR	39.0
	NW	SE	+	IRR	35.0

Section Acres 266.0

10N	05W	3	SW	SW	IRR	13.0
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Section Acres 13.0

4	NW	NE	2	IRR	36.0
	SW	NE		IRR	20.0
	NE	NW	3	IRR	34.0
	NW	NW	4	IRR	2.0
	SW	NW		IRR	37.0
	SE	NW		IRR	35.0
	NE	SW		IRR	36.0
	NW	SW		IRR	35.0
	SW	SW		IRR	34.0
	SE	SW		IRR	36.0
	NE	SE		IRR	19.0
	NW	SE		IRR	38.0
	SW	SE		IRR	38.0
	SE	SE		IRR	38.0

Section Acres 438.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10N	05W	9	NE	NE	IRR	38.0
			NW	NE	IRR	38.0
			SW	NE	IRR	36.0
			SE	NE	IRR	37.0
			NE	NW	IRR	24.0
			NW	NW	IRR	37.0
			SE	NW	IRR	15.0
			NE	SE	IRR	36.0
			NW	SE	IRR	5.0
			SE	SE	IRR	12.0

Section Acres 278.0

10	SW	NE	IRR	6.0
	NE	NW	IRR	24.0
	NW	NW	IRR	40.0
	SW	NW	IRR	10.0
	SE	NW	IRR	38.0
	NE	SW	IRR	37.0
	NW	SW	IRR	35.0
	SW	SW	IRR	18.0
	SE	SW	IRR	38.0
	NW	SE	IRR	30.0
	SW	SE	IRR	38.0
	SE	SE	IRR	17.0

Section Acres 331.0

14	SW	NW	IRR	6.0
	NW	SW	IRR	1.0
	SE	SW	IRR	1.0
	SW	SE	IRR	25.0
	SE	SE	IRR	4.0

Section Acres 37.0

15	NE	NE	IRR	36.0
	NW	NE	IRR	39.0
	SW	NE	IRR	20.0
	SE	NE	IRR	39.0
	NE	NW	IRR	37.0
	NW	NW	IRR	22.0
	SW	NW	IRR	1.0
	SE	NW	IRR	19.0

Section Acres 213.0

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
10N	05W	23	NE	NE		IRR	32.0
			NW	NE		IRR	37.0
			SE	NE		IRR	15.0
			SE	NW		IRR	6.0
			NE	SW	3	IRR	1.0
			NE	SE		IRR	35.0
			NW	SE		IRR	34.0
			SW	SE	2	IRR	36.0
			SE	SE	1	IRR	36.0
Section Acres							232.0
		24	NW	NW		IRR	5.0
			SW	NW		IRR	23.0
			NW	SW		IRR	36.0
			SW	SW		IRR	39.0
			SE	SW		IRR	30.0
Section Acres							133.0
		25	NW	NE		IRR	7.0
			SW	NE		IRR	25.0
			NE	NW		IRR	39.0
			NW	NW		IRR	37.0
			SW	NW		IRR	35.0
			SE	NW		IRR	34.0
			NE	SW		IRR	40.0
			NW	SW		IRR	35.0
			SW	SW		IRR	31.0
			SE	SW		IRR	37.0
			NE	SE		IRR	2.0
			NW	SE		IRR	37.0
			SW	SE		IRR	36.0
			SE	SE		IRR	8.0
Section Acres							403.0
		26	NE	NE	3	IRR	84.0
			NE	SE	2	IRR	11.0
			SE	SE	1	IRR	9.0
Section Acres							104.0
		35	SE	SE		IRR	4.0
Section Acres							4.0

A65-00165A

Page 12

Date: 09/27/88

25x1

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	05W	36 <i>SA</i>	NE	NE		IRR	6.0
			NW	NE		IRR	37.0
			SW	NE		IRR	37.0
			SE	NE		IRR	25.0
			NE	NW		IRR	38.0
			NW	NW		IRR	27.0
			SW	NW		IRR	30.0
			SE	NW		IRR	34.0
			NE	SW		IRR	36.0
			NW	SW		IRR	33.0
			SW	SW		IRR	39.0
			SE	SW		IRR	36.0
			NE	SE		IRR	24.0
			NW	SE		IRR	37.0
			SW	SE		IRR	38.0
Section Acres							477.0
11N	05W	33	SE	SW		IRR	24.0
			SW	SE		IRR	21.0
Section Acres							45.0
Total Acres							11008.0

11. Place of use in counties: PAYETTE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
65-0165A, 65-0165B, 65-0165C, 65-11413, 65-2376, 65-7882.

14. Remarks:
POINT OF INJECTION IN BIG WILLOW CREEK IN SESE, S. 26, T8N, R4W.
POINT OF RE-DIVERSION IN SWNW, S. 21, T8N, R4W.
THIS RIGHT WHEN COMBINED WITH OTHER RIGHTS SHALL NOT EXCEED .02
CFS PER ACRE DIVERTED NOR 3.5 AF PER ACRE CONSUMED.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

STATE OF IDAHO		A & C CORP., ET AL.
Decree Plaintiff	vs	Decree Defendant
A65-00165A	Page 13	Date: 09/27/88

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
Lower Payette Ditch Co., that I have signed the foregoing
Organization
document in the space below as President of
Lower Payette Ditch Co. and that the statements contained in the
Organization
foregoing document are true and correct. Cecil J. Huntley
Signature of Authorized Agent
President, Lower Payette Ditch Co.
Title and Organization
4-9-90
Date

State of Idaho)
County of Payette) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of April 19 90
Allen L. Livins
Notary Public

Seal

Residing at Payette
My Commission Expires 12/30/94

Pg. 10 of claim is

Missing. Missing

when file came

back from S.O. on

2/22/2002.

A handwritten signature or set of initials, possibly 'D' or 'G', written in dark ink.

2003 JUL 18 AM 9:53

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

In Re SRBA	)	Subcases ~~65-00165A~~ , 65-00165B, 65-00165C,
	)	65-00165X, 65-07425, 65-07428, 65-07848,
Case No. 39576	)	65-07882, 65-07885, 65-11413 and 65-12279
	)	
	)	ORDER VACATING TRIAL SCHEDULE and
	)	ORDER DISMISSING OBJECTIONS

Trial is currently scheduled in the above listed subcases for November 20, 2003, at the Gem County Courthouse. On July 3, 2003, the objectors, George and Cheryl Colwell filed a *Notice of Voluntary Dismissal of Objections*.

Therefore, based on the filed and record herein, IT IS ORDERED that the Trial set for November 20, 2003, and the corresponding Deadlines are vacated. IT IS FURTHER ORDERED that the objections filed by the Colwells are dismissed with prejudice.

Dated July 18, 2003.


THOMAS R. CUSHMAN
Special Master
Snake River Basin Adjudication

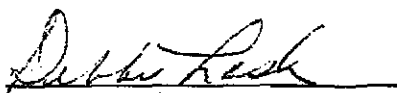
CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER VACATING TRIAL SCHEDULE and ORDER DISMISSING OBJECTIONS was mailed July 18, 2003, with sufficient first-class postage to the following:

Director of IDWR
P O Box 83720
Boise, Idaho 83720-0098

Dana Hofstetter
608 West Franklin Street
Boise, Idaho 83702

Scott Campbell
P O Box 829
Boise, Idaho 83701-0829


Deputy Clerk

RECEIVED

MAR 25 2002

Department of Water Resources

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

In Re SRBA

Case No. 39576

A Subcase 65-00165A
(Insert water right number from the Objection Form)

**STANDARD FORM 2
RESPONSE TO OBJECTION**

Please print or type the following information:

B NAME AND ADDRESS OF PERSON RESPONDING

Name: United States of America, Acting Through
U.S.D.I., Bureau of Land Management
Idaho State Office
Address: 1387 S. Vinnell Way
Boise, Idaho 83709-1657
Daytime Phone: (208) 373-3831

Name & Address of Attorney, if any:

Larry A. Brown, Special Attorney
United States Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 W. Fort St., MSC 033
Boise, Idaho 83724
Ph.: (202) 305-0435
FAX: (202) 305-0274

RECEIVED

MAR 27 2002

WATER RESOURCES
WESTERN REGION

C NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO WHICH YOU ARE RESPONDING

Name: George E. and Cheryl F. Colwell

Address: 3990 Highway 52
Payette, Idaho 83661

D I am responding to the objections to the following elements. (Please check the appropriate box(es)).

1. ☐ Name and Address
2. ☐ Source
3. ☐ Quantity
4. ☐ Priority Date
5. ☐ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☒ Place of Use

11. Recommendation

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

The United States is responding to that portion of the objection which seeks to recognize places of use describing federal public land that were claimed but not recommended by the Idaho Department of Water Resources (IDWR).

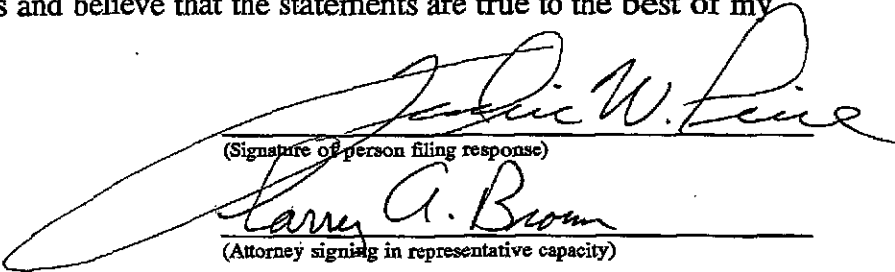


VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Ada)

Fredric W. Price, duly sworn, upon oath, deposes and says:
(Name of person filing response)

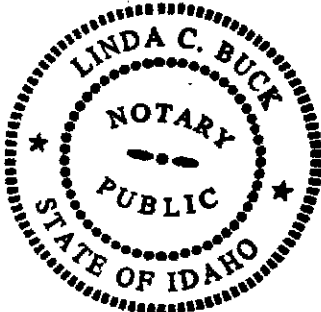
That I am the party/claimant filing this response as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing response)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

March 21, 2002
Linda C. Buck
Notary Public for State of Idaho
Residing at: Mountain Home, ID
My Commission Expires: 12/31/05



INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.



CERTIFICATE OF MAILING

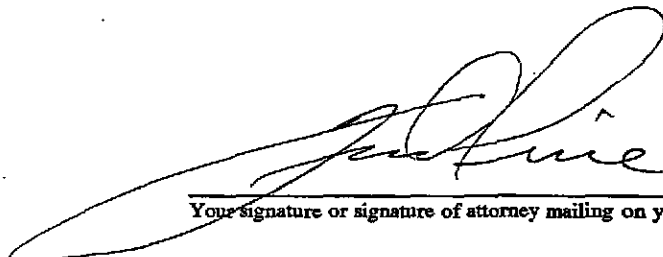
I certify that on 3-21, 2002 mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707
2. One copy to the claimant of the water right at the following address:
Lower Payette Ditch Co.
102 N. Main
Payette, Idaho 83661
3. One copy to the party who filed the objection at the following address:
George E. and Cheryl F. Colwell
3990 Highway 52
Payette, Idaho 83661
4. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

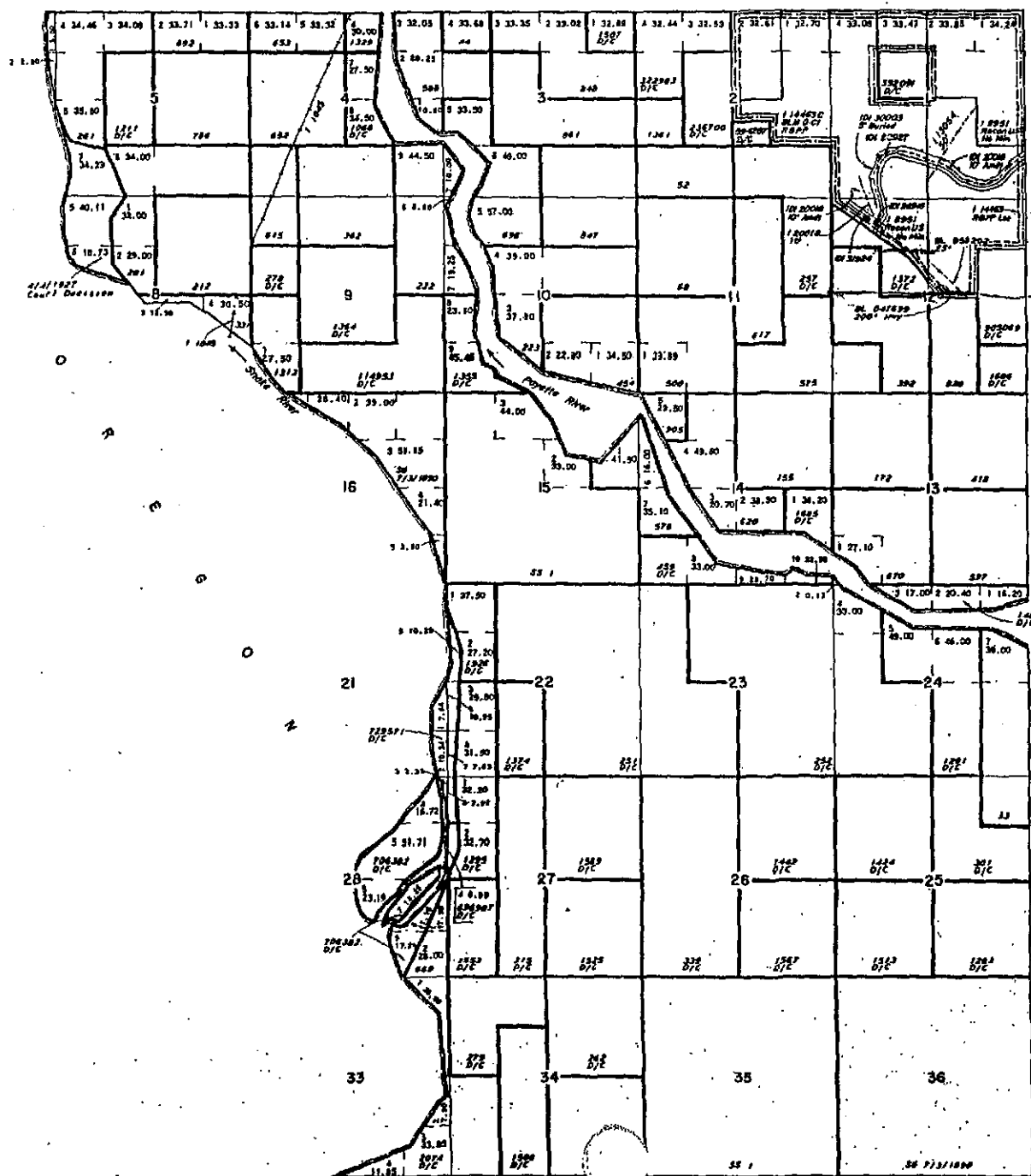


Your signature or signature of attorney mailing on your behalf

[Illegible text]

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

BOISE DISTRICT SEC 3

[illegible]

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
DEC 21 1998	
USE PLATE:	

Lat. 43°59' N
Long. 116°52'

SCALE in China

RECEIVED

JAN 24 2002

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 SRBA	)	A. Subcase No. 65-00165A
	)	
Case No. 39576	)	
	)	STANDARD FORM 1
	)	OBJECTION
_____	)	

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: George E. and Cheryi F. Colwell
Address: 3990 Highway 52
Payette, Idaho 83661
Daytime Phone: 208-278-3448

Name & Address of Attorney, if any:

Dana L. Hofstetter
Hofstetter Law Office, LLC
608 West Franklin Street
Boise, Idaho 83702
(208) 424-7800

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Lower Payette Ditch Co.
Address: 102 N Main
Payette, Idaho 83661

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ Name and Address
Should be: _____
2. ☐ Source
Should be: _____
3. ☐ Quantity
Should be: _____
4. ☐ Priority Date
Should be: _____
5. ☒ Point(s) of Diversion
Should be: The Colwells' points of diversion should be included.
6. ☐ Instream Flow Description
Should be: _____
7. ☐ Purpose(s) of Use
Should be: _____
8. ☐ Period of Year
Should be: _____
9. ☒ Place of Use
Should be: Place of use for all the Colwells' shares should be included.

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): IDWR's Lower Pavette Ditch Company
service area map dated April 9, 2001 omits portions of the place of use for the Colwells' shares.
Points of diversion for the Colwells' shares are omitted.

F.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Ada)

Dana L. Hofstetter, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Dana Hofstetter
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 18, 2002

[Signature]
Notary Public for the State of Idaho

Residing at: BOISE, ID

My Commission Expires: 2-13-03

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 18, 2002, I filed the original with the SRBA Court and mailed copies of this Objection, including all attachments, to the following:

1. Original to:

Clerk of the District Court (*via Hand Delivery*)
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

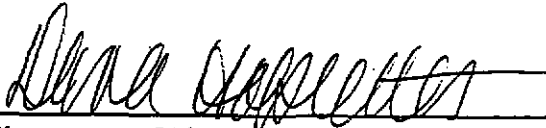
Lower Payette Ditch Co.
102 N Main
Payette, Idaho 83661

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

CONVERSATION MEMORANDUM



SUBJECT LOWER PAYETTE DITCH CO NDC

TO: COLN with Scott Campbell, Tiffiny

Claim/WR # GARRICK BAXTOR & MYSELF - PER PHONE

Agent: Ron

1:30 PM

Date: 6-20-01

• Scott says they agree on most issues now however, still have problem with the total number of acres in the boundaries, they are still determining whether they have more acres than we recommended.

• ON 65-7428 they agree on CFS

• ON 65-7848 they agree on CFS

• They are filing 2 new claims

65-7885 - wasn't required to be filed in SPRBA because of late proof... LICENSED

65-12279 - should have been filed in SPRBA

NO-ADDITIONAL ACRES WERE ADDED

OKg DN FEES -

(NO LATE FEES AT THIS TIME SINCE OTHER CLAIMS WERE FILED)

65-7885 same acres as (65-7425 receipt # x999999 \$50 because permit was included in PRBA - NO FEES REQUIRED) EXCEPT FLAT FEE

65-12279 - NO ACRES WERE LICENSED ONLY CFS

Thus Fee is: \$50.00 FLAT FEE

\$100 TOTAL for Both



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

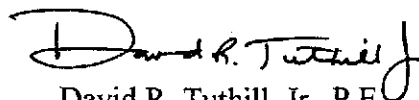
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,


David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

RECEIVED
APR 13 2001
WATER RESOURCES
WESTERN REGION

Scott L. Campbell - ISB #2251
Angela D. Schaer - ISB #5436
ELAM & BURKE, P.A.
Key Financial Center, 10th Floor
702 West Idaho Street
P.O. Box 1539
Boise, Idaho 83701
Telephone: (208) 343-5454
Facsimile: (208) 384-5844

Attorneys for Lower Payette Ditch Company

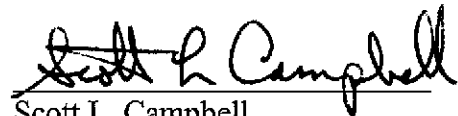
BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF WATER RIGHT)	NOTICE OF APPEARANCE
NOS. 65-00165A, 65-00165B, 65-00165C,)	
65-00165X, 65-07425, 65-07428,)	
65-07848, 65-07882, and 65-11413.)	
)	
IN THE NAME OF LOWER PAYETTE)	
DITCH COMPANY.)	
_____)	

PLEASE TAKE NOTICE that Scott L. Campbell, a shareholder of the firm of Elam & Burke, P.A., 702 West Idaho, Post Office Box 1539, Boise, Idaho, 83701, hereby enters an appearance as Attorney of Record for Lower Payette Ditch Comapny, in the above-referenced water rights matters.

Respectfully submitted this 13th day of April, 2001.

ELAM & BURKE, P.A.


Scott L. Campbell

CERTIFICATE OF MAILING

I HEREBY CERTIFY that a true and correct copy of the foregoing NOTICE OF APPEARANCE was mailed on this 13th day of April, 2001, with sufficient first-class postage to the following:

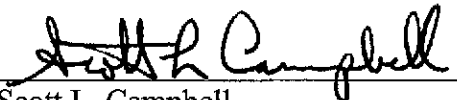
Lower Payette Ditch Company
102 N. Main Street
Payette, ID 83661

☒ U.S. Mail (postage prepaid)
☐ Hand Delivery
☐ Federal Express

and the original and one copy to:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-502

☐ U.S. Mail (postage prepaid)
☒ Hand Delivery
☐ Federal Express



Scott L. Campbell

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

April 13, 2001

VIA HAND-DELIVERY

Ms. Lori Harris
Idaho Department of Water Resources
Western Region Office
2735 Airport Way
Boise, ID 83705

RECEIVED
APR 13 2001
WATER RESOURCES
WESTERN REGION

Re: Lower Payette Ditch Company
E&B No.: 6687-9004

Dear Lori:

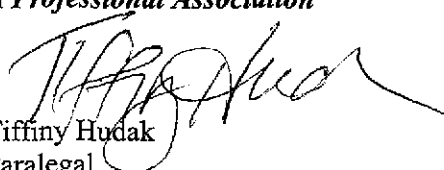
Enclosed for filing please find the original and one copy of our Notice of Appearance as counsel of record for Lower Payette Ditch Company for water right nos. 65-00165A, 65-00165B, 65-00165C, 65-00165X, 65-07425, 65-07428, 65-07848, 65-07882, and 65-11413. Also enclosed is an additional copy of the Notice of Appearance. Please receive-stamp the copy and return it to this office in the enclosed self-addressed, stamped envelope.

Also enclosed for filing please find the original and one copy of the Notice of Error forms concerning water right nos. 65-00165A, 65-00165B, 65-00165C, 65-00165X, 65-07425, 65-07428, 65-07848, 65-07882, and 65-11413. We have also enclosed an additional copy of each of the Notice of Error forms. Please receive-stamp the additional copies and return them to this office in the enclosed self-addressed, stamped envelope.

Thank you for your assistance in this matter. If you have any questions, please do not hesitate to contact me or Scott Campbell.

Very truly yours,

ELAM & BURKE
A Professional Association


Tiffany Hudak
Paralegal

th:drj
Encl.
cc: Client (w/encl.)

03/08/2001

**Notice of Error
Reply**

RECEIVED

APR 13 2001

**WATER RESOURCES
WESTERN REGION**

Please type or print clearly, fill out this completely and mail.

Return this reply to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 13, 2001

Water right number: 65-00165A

LOWER PAYETTE DITCH CO
102 N MAIN
PAYETTE, ID 83661
Telephone Number: (208) 642-9424

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Place of use, point of diversion, quantity

2. Describe the changes you wish to make in the proposed recommendation:

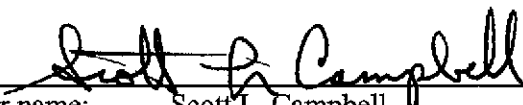
Changes must be provided in personal conference in order to fully explain

3. Give a brief explanation as to why you disagree with these portions:

Because the preliminary recommendations are incorrect

 I AGREE with this proposed recommendation; no changes need to be made.

DATE: April 12, 2001

SIGNATURE: 

Please print your name: Scott L. Campbell

Attorneys for: Lower Payette Ditch Company

IDWR Western Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

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

12/14/2000

RIGHT NUMBER: 65-165A

NAME AND ADDRESS: LOWER PAYETTE DITCH CO
102 N MAIN
PAYETTE, ID 83661

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 63.32 CFS

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL
PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN MEASURED AT THE
FIELD HEADGATE.

PRIORITY DATE: 03/22/1884

POINT OF DIVERSION:	T07N R03W S7	LOT 3	SENW		Within PAYETTE County
	T08N R04W S21	LOT 5	SWNW	Rediversion	Within PAYETTE County
	T08N R04W S26	LOT 10	SESE	Injection	Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	63.32 CFS

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 11,870 ACRES
WHEN COMBINED WITH ALL OTHER RIGHTS OF THE LOWER PAYETTE DITCH
COMPANY AND USED WITHIN THE DITCH COMPANY'S BOUNDARIES IN A
SINGLE IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

original Recomm.

LOWER PAYETTE DITCH COMPANY RIGHTS

ACRE ANALYSIS BY: RON HOWERTON
DATE: 12/14/00

The total SRBA recommendations for acres within the Lower Payette Ditch Company Rights boundary are:
11,008 + 633+122+107= **11,870**

New licensed right 65-07885 was not filed or included in the SRBA because of late proof and date of priority was advanced. The acres are accounted for and are the same acres as 65-07425. (Per remarks found in 65-07425) *FILED 6-27-01*

Licensed right 65-12279 was not filed in the SRBA. Should be filed. No additional acres were added.

Licensed right 65-12756 was withdrawn per the request of secretary per decision of the board of directors 17 April 1990.

- * Amended total acres by stipulation dated 21 April 1987.
- ** Acres within the boundaries of the Lower Payette Ditch Company
- *** Post PRBA licensed rights

Total acres & CFS of the Lower Payette Ditch Company Rights is as follows:

WATER RIGHT	SOURCE	ACRES	COMMENTS	Payette River CFS	Grave-yard CFS
65-00165A *	Payette River	11,008	Per stipulation	63.32	
65-00165B *	Payette River	11,008	Per stipulation	37.63	
65-00165C *	Payette River	11,008	Per stipulation	59.23	
65-00165X *	Payette River	11,008	Per stipulation	122.12	
65-07425 ***	Payette River	633 additional	Licensed 24 Aug 2000	12.54	
65-07428 ***	Payette River	122 additional	Licensed 20 Sep 1990	2.44	
65-07848 ***	Payette River	107 additional	Licensed 24 Mar 1990	2.14	
65-07882 **	Graveyard Gulch Wasteway	Not specified	Licensed 20 Dec 1990		30.0
65-11413 *	Graveyard Gulch Wasteway	11,008	Inclusion Per stipulation		60.0
65-12279 ***	Graveyard Gulch Wasteway	Not specified	Not Claimed <i>FILED 6-27-01</i>		3.02
TOTAL CFS				299.42	93.02

RIGHTS CONTAIN DELIVERY LOSS, PAYETTE RIVER BASIN ADJUDICATION ALLOWED AN ADDITION TO A RATE OF AN INCH PER ACRE TO COMPENSATE FOR DELIVERY LOSSES.

DRAFT

LOWER PAYETTE DITCH COMPANY RIGHTS

ACRE ANALYSIS BY: RON HOWERTON

DATE: 10/27/00

Licensed right 65-12756 was withdrawn per the request of secretary per decision of the board of directors 17 April 1990.

Licensed right 65-12279 was not filed in the SRBA. No additional acres were added.

New licensed right 65-07885 was not filed or included in the SRBA because of late proof and date of priority was advanced. The acres are accounted for and are the same acres as 65-07425. (Per remarks found in 65-07425)

The points of diversion and source of 65-07885 are the same as 65-11413.

Total SRBA acres filed by the Lower Payette Ditch Company Rights is as follows:

* Amended total acres by stipulation dated 21 April 1987.

** Acres within the boundaries of the Lower Payette Ditch Company

*** Post PRBA licensed rights

WATER RIGHT	SOURCE	ACRES	COMMENTS
65-00165A *	Payette River	11,008	Per stipulation
65-00165B *	Payette River	11,008	Per stipulation
65-00165C *	Payette River	11,008	Per stipulation
65-00165X *	Payette River	11,008	Per stipulation
65-07425 ***	Payette River	633 additional	Licensed 24 Aug 2000
65-07428 ***	Payette River	122 additional	Licensed 20 Sep 1990
65-07848 ***	Payette River	107 additional	Licensed 24 Mar 1990
65-07882 **	Graveyard Gulch Wasteway	Not specified	Licensed 20 Dec 1990 Added Rediversion
65-11413 *	Graveyard Gulch Wasteway	11,008	Inclusion Per stipulation

The total SRBA recommendations for acres within the Lower Payette Ditch Company Rights boundary are:

$$11,008 + 633 + 122 + 107 = \underline{\underline{11,870}}$$

Idaho Department of Water Resources

Claims:

65-00165A

65-00165B

65-00165C

65-00165X

65-07425

65-07428

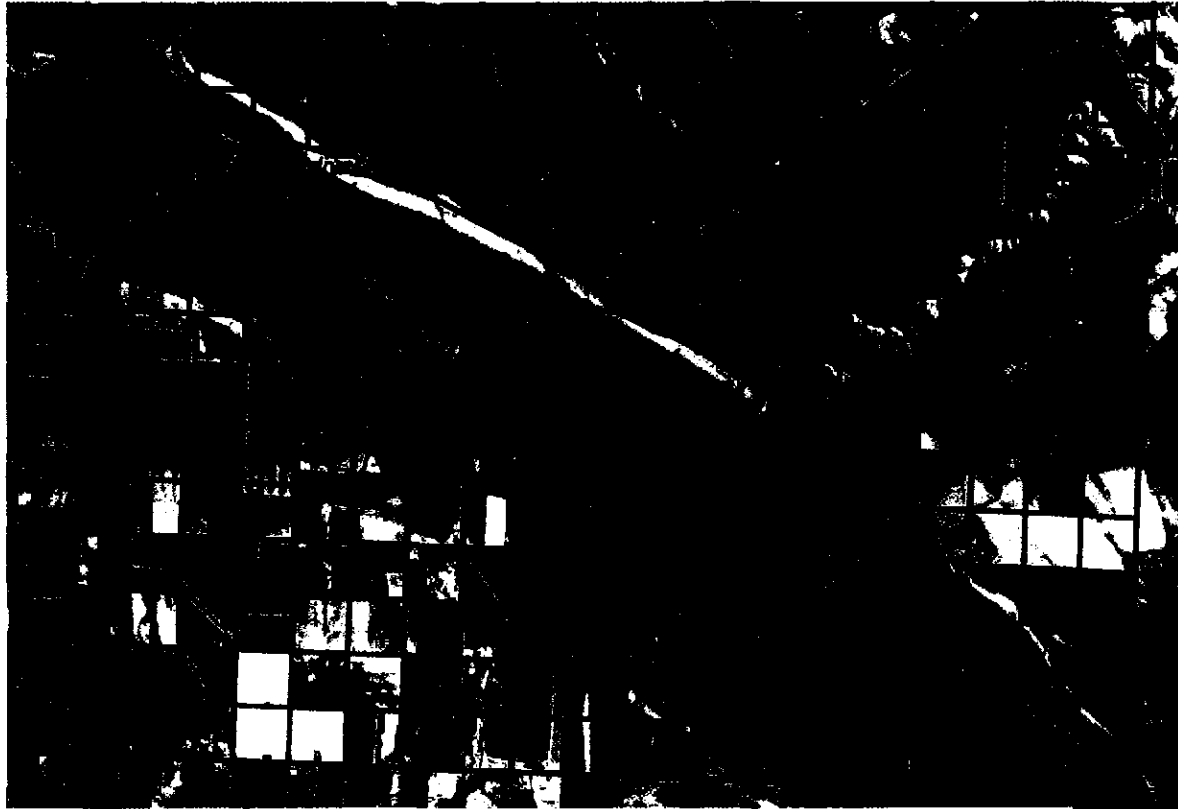
65-07848

Owner : Lower Payette
Ditch Co.

Prepared by:

RON HOWERTON

Date: 12 DEC 00

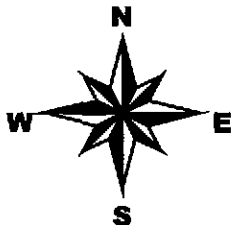


T08N R04W
S21 & S26

● POD

SECTION

1/4 1/4



1987 NAPP

T07N R03W
S07



MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 258

INDICATES TOTAL

SOURCE: PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-0165A	LOWER PAYETTE DITCH COMPANY 114 NORTH 8TH STREET, PAYETTE, IDAHO 83661 REMARKS: POINT OF INJECTION IN BIG WILLOW CREEK IN SESE, S. 26, T8N, R4W. POINT OF RE-DIVERSION IN SWNW, S. 21, T8N, R4W. PLACES OF USE WITHIN LANDS OF LOWER PAYETTE DITCH CO. SEE 65-0165X.	3/22/1884	IRRIGATION	3/15 11/15	--- AFA 63.32 CFS	LOT 3 S 7 T 7N R 3W	*10990*	BENEFICIAL USE
65-0058	MONTOUR FARMERS DITCH COMPANY MONTOUR, IDAHO 83646	6/23/1884	IRRIGATION	4/ 1 11/ 1	--- AFA 21.63 CFS	SWNE S25 T 7N R 1E	SWNE(35) SENE(40) SENE(40) NESW(40) NWSW(40) SWSW(32) SESW(30) NESE(38) NWSE(24) SWSE(30) SESE(20) LOT 1(31) LOT 2(38) LOT 3(24) LOT 4(48) S22 T 7N R 1E SWNW(37) NWSW(19) SWSW(1) LOT 6(11) LOT 5(7) LOT 4(15) LOT 3(24) S23 T 7N R 1E NENW(17) NWNW(31) SWNW(26) SENW(1) S27 T 7N R 1E SENE(23) LOT 1(36) S28 T 7N R 1E LOT 9(11) LOT 8(25) LOT 7(29) S21 T 7N R 1E *823*	BENEFICIAL USE
65-0078	LETHA IRRIGATION & WATER COMPANY, INC. C/O MELBA PLATZ, ROUTE 2, NEW PLYMOUTH, IDAHO 83655 REMARKS: IRRIGATED BY JACK WOODS DITCH.	10/27/1884	IRRIGATION	3/15 11/15	--- AFA 3.18 CFS	NWNW S 8 T 6N R 2W	NESW(29) SESW(10) LOT 9(24) LOT 10(12) S 6 T 6N R 2W SENE(29) NESE(19) S 1 T 6N R 3W *123*	BENEFICIAL USE

AJ5809NP
No. A65-00165A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/13/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LOWER PAYETTE DITCH CO 114 N 8TH PAYETTE ID 83661	03/22/1884	IRRIGATION	03-15 11-15	63.320 CFS	✓
TOTAL DIVERSION:					63.320 CFS	✓

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T07N R03W S07 Lot03(SENW)

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				LOT 70							
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				
07N	03W	5	:					:					:			03		:						:	3.0		
07N	03W	6	:				12	02	:				:					:	30	08	27	36	:	:	115.0		
08N	04W	6	:						:				:				40	:			40			:	80.0		
08N	04W	7	:		40	40	40		:				:				16	01	:					:	137.0		
08N	04W	17	:						:			16	13	:	39	38	28	02-09	:			01-03		:	146.0		
08N	04W	18	:		20	38	40	38	:		36	01-37	02-39	19	:	24	03-38	04-34	05-27	:	34	38	06-20	07-36	:	518.0	
08N	04W	19	:		08				:		08-06				:					:					:	14.0	
08N	04W	20	:		07-07				:						:					:					:	7.0	
08N	04W	21	:						:						:					:					:	3.0	
08N	05W	2	:						:						:	06	28	39	36	:			37	16	:	162.0	
08N	05W	3	:		01-15	02-25	38	11	:		03-28	04-16	29	33	:	18	05-13	06-48		:	33	36	39	37	:	419.0	
08N	05W	4	:		03-12			02-15	:						:					:	01-06					:	33.0
08N	05W	10	:		38	40	40	37	:		05-43	04-33			:	03-21				:	28	40	02-18	01-26	:	364.0	
08N	05W	11	:		36	37	34	38	:		39	38	37	37	:	38	34	39	38	:	35	37	36	36	:	589.0	
08N	05W	12	:				01		:		01	20	38	29	:	38	38	38	37	:	02	28	38	30	:	338.0	
08N	05W	13	:		39	38	39	40	:		15	37	40	32	:					:	40	39	37	40	:	436.0	
08N	05W	14	:		37	17	18	40	:						:					:					:	112.0	
08N	05W	24	:		01-27	02-16			:		03-10				:					:					:	53.0	
09N	04W	6	:						:			02			:					:					:	2.0	
09N	05W	1	:		31	34	26	01	:		03-32	04-31	01	37	:	39	26	28	37	:		24	26		:	373.0	
09N	05W	2	:		01-06				:						:					:		09	31		:	46.0	
09N	05W	11	:		34	28	36	37	:						:	27			27	:	36	38	36	36	:	335.0	
09N	05W	12	:		03	36	34	06	:		28	38	30	37	:	38	38	34	28	:		25	10		:	385.0	
09N	05W	13	:						:		32	31	40	18	:	04	39	39		:					:	203.0	
09N	05W	14	:		36	33	39	32	:		31	09	24	39	:	40	35	38	36	:	37	40	37	38	:	544.0	
09N	05W	15	:					02-11	:						:					:	03-34			04-17	:	62.0	
09N	05W	22	:		01-25		02-06	30	:						:	03-27		04-26	32	:	36	19	35	36	:	272.0	
09N	05W	23	:		30	39	39	40	:		37	39	39	38	:	37	38	35	37	:	40	36	38	40	:	600.0	
09N	05W	24	:						:			15	30		:		40	38		:					:	123.0	
09N	05W	25	:						:		40	39	36	35	:					:					:	150.0	
09N	05W	26	:			38	20		:		28	19			:			25		:					:	130.0	
09N	05W	27	:		36	33	35	35	:		31	32	30	32	:	37	25	25	30	:	26	28	35	24	:	494.0	
09N	05W	28	:			01-10	02-25	26	:						:	03-27		04-30		:	30	28	25	25	:	226.0	
09N	05W	33	:		20	20	20	10	:		05-19		04-07		:					:	15	02-10		01-10	:	131.0	
09N	05W	34	:		27	29	34	20	:		29	25	25	20	:	25	25	25	30	:	30	25	33	27	:	429.0	

(R) T8N R4W S21 (I) T8N R4W S26, SESE
Lot 5 Lot 10

AJ5809NP
No. A65-00165A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/13/00
PAGE: 2

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE																				
			NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM		
09N	05W	35					19	36			20	20					38			39	10	10	39						35				266.0		
10N	05W	3																															13.0		
10N	05W	4					02-36	20			03-34	04-02	37	35			36	35		34	36					19	38	38	38			438.0			
10N	05W	9		38		38	36	37			24	37		15			36					36				36		05		12			278.0		
10N	05W	10					06				24	40	10	38			37	35	18	38						30	38	17				331.0			
10N	05W	14											06					01		01								25	04			37.0			
10N	05W	15		36		39	20	39			37	22	01	19																		213.0			
10N	05W	23		32		37		15						06	03-01											35	34	02-36	01-36			232.0			
10N	05W	24										05	23				36	39	30													133.0			
10N	05W	25				07	25				39	37	35	34			40	35	31	37					02	37	36	08			403.0				
10N	05W	26		03-84																						02-11			01-09			104.0			
10N	05W	35																											04			4.0			
10N	05W	36		06		37	37	25			38	27	30	34			36	35	39	36					24	37	38				477.0				
11N	05W	33																											21			45.0			
TOTAL ACRES																												11008.0							

POU County: PAYETTE

Other Rights: 65-0165A, 65-0165B, 65-0165C, 65-11413, 65-2376, 65-7882.

Remarks: GEN POINT OF INJECTION IN BIG WILLOW CREEK IN SESE, S. 26, T8N, R4W.
POINT OF RE-DIVERSION IN SWNW, S. 21, T8N, R4W.
THIS RIGHT WHEN COMBINED WITH OTHER RIGHTS SHALL NOT EXCEED .02
CFS PER ACRE DIVERTED NOR 5.5 AF PER ACRE CONSUMED.

Dates: Exam Made Date:

Verified Date:

04/24/1987

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Put in PUD FIELD - NOT
REMARKS

GNT E29

when measured
AT FIELD HEADGATE

C18

Pond K06

WR5809NP
No. 65-00165A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/17/99
PAGE: 5

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
P	LOWER PAYETTE DITCH CO. 114 N. 8TH PAYETTE ID 83661	03/22/1884	IRRIGATION	03/15 11/15	63.320 CFS	
				TOTAL DIVERSION:	63.320 CFS	
C	LOWER PAYETTE DITCH CO. 114 N. 8TH ST. PAYETTE ID 83661					

Water Source: PAYETTE RIVER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T07N R03W S07 Lot 03()

PAYETTE County

Pou County:

Remarks: GEN POINT OF INJECTION IN BIG WILLOW CREEK IN SESE, S. 26, T8N, R4W.
POINT OF RE-DIVERSION IN SWNW, S. 21, T8N, R4W.
PLACES OF USE WITHIN LANDS OF LOWER PAYETTE DITCH CO.
SEE 65-0165X.

Dates:	App. Received:	Priority Date:	03/22/1884
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way, Boise, Idaho 83705

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.state.id.us/idwr/idwrhome.htm

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 10-27-00

TO: PEGGY MURPHY Sec.
FAX 642-1042
Ph 642-3866
Lower Payette Ditch Co.

FROM: RON HOWERTON

DRAFT

DOCUMENT DESCRIPTION: • ACRES BY SRRA CLAIMS ANALYSIS
• PROFILE REPORT 65-12279 NOT CLAIMED - should be claimed
• PROOF REPORT 65-12756 withdrawn

TOTAL PAGES SENT: 3 + COVER SHEET

CONTACT: RON HOWERTON
SR, WATER RIGHT AGENT
ADJUDICATION BUREAU
334-2190

WR SIDE

Basin	Nun	Sequence	Split	Suffi	Basis	Status	Priority	Date	Diversion	Source	List	Water Use	List	Owner	List
65	165	A	/		Decreed	Valid	1884-03-22		63.32	PAYETTE RIVER		IRRIGATION		LOWER PAYETTE DITCH CO (Current Owner)	
65	165	B	/		Decreed	Valid	1896-06-20		37.63	PAYETTE RIVER		IRRIGATION		LOWER PAYETTE DITCH CO (Current Owner)	
65	165	C	/		Decreed	Valid	4/1/17		59.23	PAYETTE RIVER		IRRIGATION		LOWER PAYETTE DITCH CO (Current Owner)	
65	165	X	/		Decreed	Valid	1882-06-01		122.12	PAYETTE RIVER		IRRIGATION		LOWER PAYETTE DITCH CO (Current Owner)	
~~65~~	~~325~~				~~Closed~~		1/1/00		0					LOWER PAYETTE DITCH CO (Current Owner)	
~~65~~	~~325~~				~~Disallowed~~		1/1/00		0					LOWER PAYETTE DITCH CO (Current Owner)	
65	7425	/			Valid		10/11/73		39	PAYETTE RIVER		IRRIGATION		LOWER PAYETTE DITCH CO (Current Owner)	
~~65~~	~~7428~~				~~Closed~~		10/25/73		2.44	PAYETTE RIVER		IRRIGATION		LOWER PAYETTE DITCH CO (Current Owner)	
65	7428	/			License	Valid	10/25/73		2.44	PAYETTE RIVER		IRRIGATION		LOWER PAYETTE DITCH CO (Current Owner)	
~~65~~	~~7848~~				~~Closed~~		4/15/77		2.14	PAYETTE RIVER		IRRIGATION		LOWER PAYETTE DITCH CO (Current Owner)	
65	7848	/			License	Valid	4/15/77		2.14	PAYETTE RIVER		IRRIGATION		LOWER PAYETTE DITCH CO (Current Owner)	
~~65~~	~~7882~~				~~Closed~~		5/13/77		30	GRAVEYARD GULCH WA		IRRIGATION		LOWER PAYETTE DITCH CO (Current Owner)	
65	7882	/			License	Valid	5/13/77		30	GRAVEYARD GULCH WA		IRRIGATION		LOWER PAYETTE DITCH CO (Current Owner)	
65	7885	/			Valid		7/16/77		30	GRAVEYARD GULCH WA		IRRIGATION		LOWER PAYETTE DITCH CO (Current Owner)	
65	11413	/			Beneficial	Valid	5/7/45		60	GRAVEYARD GULCH WA		IRRIGATION		LOWER PAYETTE DITCH CO (Current Owner)	
65	12279	/			License	Valid	4/7/80		3.02	GRAVEYARD GULCH WA		IRRIGATION		LOWER PAYETTE DITCH CO (Current Owner)	
~~65~~	~~12279~~				~~no + change~~	~~Closed~~	4/7/80		3.02	GRAVEYARD GULCH WA		IRRIGATION		LOWER PAYETTE DITCH CO (Current Owner)	
65	12756	/			License	Valid	12/6/85		1.38	PAYETTE RIVER		IRRIGATION		LOWER PAYETTE DITCH CO (Current Owner)	
~~65~~	~~12756~~				~~Closed~~		12/6/85		1.38	PAYETTE RIVER		IRRIGATION		LOWER PAYETTE DITCH CO (Current Owner)	
65	7425	/			License	Valid	10/11/73		12.54	PAYETTE RIVER		IRRIGATION		LOWER PAYETTE DITCH CO (Current Owner)	
65	7885	/			License	Valid	7/16/77		12.54	GRAVEYARD GULCH WA		IRRIGATION		LOWER PAYETTE DITCH CO (Current Owner)	

with down in SPSA

RECEIVED

JUN 29 1987

Department of Water Resources

FILED

O'CLOCK

JUN 15 1987

Thelma R. Kolodziej CLERK
Lori Rambour DEPUTY

JIM JONES
Attorney General

PHILLIP J. RASSIER
JOSEPHINE P. BEEMAN
Deputy Attorneys General
Department of Water Resources
Statehouse
Boise, Idaho 83720
Telephone: (208) 334-4448

RECEIVED

MAR 28 1990

Department of Water Resources
Western Regional Office

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

IN THE MATTER OF THE GENERAL	)	Civil No. 3667
DETERMINATION OF THE RIGHTS TO	)	
THE USE OF SURFACE AND GROUND	)	STIPULATION RESOLVING
WATER OF THE PAYETTE RIVER	)	OBJECTION OF LOWER PAYETTE
DRAINAGE.	)	DITCH COMPANY
	)	

A. Kenneth Dunn, Director of the Idaho Department of Water Resources (Director), the Lower Payette Ditch Company and Lake Reservoir Company stipulate to the inclusion in the Payette Adjudication of a water right (65-11413) not previously listed for the Lower Payette Ditch Company and the uncontested clerical correction of three other rights held by the Lower Payette Ditch Company (65-0165A, 65-0165B, 65-0165C) and one right held by Lake Reservoir Company (65-2376).

Those changes appear as follows:

1. 65-11413:

OWNER: Lower Payette Ditch Company
114 N. Eighth
Payette, Idaho 83661

MICROFILMED

SEP 15 1992

SOURCE: Graveyard Gulch Wasteway tributary to Main Drain,
District Number 1

POINT OF DIVERSION: SESW S7 T7N R3W

PLACE OF USE: Same as 65-0165X (~~11,088~~ ^{11,008} *actually* acres)

PERIOD OF USE: 3/15 to 11/15

DIVERSION RATE: 60 cfs

PRIORITY DATE: 5/7/1945

OTHER RIGHTS: 65-0165X, 65-0165A, 65-0165B, 65-0165C, and
65-2376

BASIS OF RIGHT: Beneficial use

REMARKS: Pt. of injection into Payette River: Lot 7 (NESW),
S7, T7N, R3W

Pt. of redirection from Payette River: Lot 3
(SENE), S7, T7N, R3W

Pt. of injection into Big Willow Creek: SESE, S26,
T8N, R4W

Pt. of redirection from Big Willow Creek: SWNW,
S21, T8N, R4W

This right when combined with Right No. 65-2376
shall not exceed 60 cfs.

2. 65-2376:

Under remarks, the following language is to be added:

"Point of injection into Big Willow Creek: SESE, S26 T8N
R4W. Point of redirection is SWNW, S21 T8N R4W."

An additional point of diversion is listed as the NWSE S19
T7N R3W.

Source is changed from Graveyard Gulch Wasteway tributary
to Payette River to unnamed stream tributary to Payette
River and Main Drain, District Number One, tributary to
Payette River.

3. 65-0165A: The place of use for this right is the same as
65-0165X. However, although 65-0165X shows ~~11,088~~ ^{11,008} acres for the

place of use, 65-0165A erroneously listed 10,980 acres. That figure should be changed to ^{11,008}~~11,088~~ acres.

4. 65-0165B: Same as 65-0165A regarding change in the total irrigated acreage.

5. 65-0165C: Same as 65-0165A and B regarding listing of irrigated acreage as ^{11,008}~~11,088~~ rather than 10,980.

Water right numbers 65-0165A, 65-0165B, and 65-0165C were determined by the Partial Decree (decree) signed by this court December 20, 1985. The decree incorporated by reference the description of these water rights as set forth in the Proposed Finding of Water Rights in the Payette River Drainage Basin (report) filed by the Director April 26, 1979.

As explained above, the report incorrectly lists the total of irrigated acreage for water right numbers 65-0165A, 65-0165B, and 65-0165C. The report and the decree should be amended to show the correct total of irrigated acreage.

This stipulation resolves the objection of the Lower Payette Ditch Company which was allowed to be filed in the Payette Adjudication by order of the court in July 1985.

DATED this 21st day of April, 1987.

JIM JONES
Attorney General

Josephine P. Beeman

JOSEPHINE P. BEEMAN
Deputy Attorney General
Idaho Department of
Water Resources

DATED this _____ day of _____, 1987.

LAKE RESERVOIR COMPANY

By: _____
LOUIE GORRONO
Counsel for Lake Reservoir
Company

DATED this _____ day of _____, 1987.

LOWER PAYETTE DITCH COMPANY

By: /s/ BERT L. OSBORN

BERT OSBORN
Counsel for Lower Payette
Ditch Company

The above stipulation having come before the court, it is
hereby approved this _____ day of _____, 1987.

JIM R. DOOLITTLE
District Judge

REMARKS
65-07425 & 65-07885

The Payette River P/D for 65-07425 is located in Lt 3, SESENW, Sec 7, T7N R3W. The Graveyard Gulch Wasteway P/D is located in the SESW, Sec 7, T7N R3W. Water from the wasteway is injected into the Payette River in the NESW, Sec 7, and ~ 1300' downstream, re-diverted from the same Payette River diversion as 65-07425. The wasteway water is used as a supplemental source at the same P/U as 65-07425. The water for both rts is mixed and routed through a Lower Payette Ditch Co. (LPDC) canal, then injected into Big Willow Creek in SESE, Sec 26, T8N R4W, which then is diverted into Little Payette Ditch in NWNW, Sec 21, T8N R4W. For these two rts, the water is finally diverted from Lower Payette Ditch with a pump station located in the NENE, Sec 18, T8N R4W.

2320 acres were originally applied for, 824 acres of that were actually developed. 191 acres within the 824 acres have been included and are fully appropriated from both sources on rts 65-00165A,B,C,X and 65-11413. The later is a beneficial use claim filed by LPDC, which IDWR has acknowledged as valid and does not foresee this right being contested in the future (per Don Shaff). Although these 191 acres were not developed until 1974, they have been included on the earlier LPDC rts because the original applicant for 65-07885, Jim Bivens, of Bivens Livestock, purchased additional shares from LPDC, which had the earlier priority dates from rts 65-00165A,B,C,X and 65-11413. 217 acres within the undeveloped 2320 acres were selected at random and included in the LPDC service area for later use to cover the shares purchased. Of this 217 acres randomly selected, 191 were actually developed (SRBA files have been noted). These 191 acres have not been included on 65-07425 and 65-07885, since they have been accounted for in the Payette River decree. The other 633 acres, not decreed, have been recommended on these two later rights.

Currently the 824 acres are enrolled in CRP. When farmed, the system utilized three 300 hp pumps, a 26" mainline, 6"-12" pvc and steel lateral lines, one center pivot, 20 wheel lines, and various handlines. Pressure at the pump station was 200 psi and 60 psi on top of the mesa. The total lift, with friction and pressure accounted for, was 520'-540', and 380' otherwise. On top of the mesa, booster pumps were used throughout the system (Info supplied by Jim Bivens and Layne Pump Co.).

65-07885 was filed on Graveyard Gulch Wasteway water. In 1984, the system capacity for the wasteway was measured by IDWR at 93 cfs. Lake Reservoir Co. (Big Payette Lake) has 60 cfs (65-02376) decreed water from the wasteway and LPDC has 60 cfs (same 60 cfs as Lake Reservoir Co, which they can use when Lake Reservoir Co. elects not to) plus 30 cfs (65-07882) plus 3.02 cfs (65-12279) licensed water from the wasteway. All this adds up to a fully appropriated Graveyard Gulch Wasteway. The reason that 65-07885 can still be recommended is because Graveyard Gulch Wasteway water and Payette River water are mixed in the LPDC canal system. Since 65-07425 has

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a late 1977 priority date for Payette River water, it can possibly be shut off during the irrigation season. The mesa acres could then be supplemented with 65-07885, Graveyard Gulch Wasteway water, if Lake Reservoir Co. or LPDC were not exercising their rights from the wasteway.

65-07885 was originally filed by Bivens Cattle Co. and is currently owned by Conneticut General Life Insurance Co. The SRBA claim is not required since proof was received late 01/26/1988, which advanced the priority date to 07/16/1977. An SRBA claim was not required for 65-07425 either, but A65-07425 was filed anyway.

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

Rox

October 15, 1999

DIRK KEMPTHORNE
GOVERNOR

Lower Payette Ditch Company
102 N. Main St.
Payette, ID 83661

KARL J. DREHER
DIRECTOR

RE: Snake River Basin Adjudication (SRBA)
Water Delivery System Boundaries and/or Service Area

The purpose of this letter is to ask for your assistance in helping IDWR identify the boundaries and/or the service area of your water delivery system. This is the initial phase for identifying water delivery systems for the Snake River Basin Adjudication. Any information you can provide us showing your boundaries and/or service area will be appreciated. The preferable method for presenting this information would be to draw outlines of the boundary and service on some form of a chart or map.

Please submit your service area boundary information within 30 days.

Thank you for your assistance. If you have any questions or concerns, please contact me at 1/800-451-4129.

Sincerely,

Erik Norquest
Sr. Water Resources Agent
Adjudication Technical Bureau

EN:ss:region

A65-00165A
00165B
00165C
00165X
07425
07428
07848
07882

For the River Divisions were mapped for the water
District is with 1992-1993. * For pld location, photos,
map copies, and data pages, see the water district pld
notebook compiled by Tim Lake at S.O.

I mapped the following rights. Information about them
is available on master maps (SL) or in notebook (Tim Lake):

65-03617

65-02847

- 05755 thru 05759

- 07461

- 00003

- 02809

- 04982

- 00486

- 04615

- 10505

- 11269

- 06037

- 11212

- 04298

- 02019

- 05817

- 00165 A

- 06591

- " B

- 12623

- " C

- 00072

- " X

- 11061

- 07425

- 07428

- 07848

- 12756

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- 05459

AUG 22 1994

- 11258

- Steve Lantz

- 05921

- 08627

1/21/93

- 11261

* From Saint Johnstone to
Frontland, stretch of river.

- 11255

NEW PLYMOUTH QUADRANGLE
IDAHO - PAYETTE CO.

Crack is convergence
on Lower Payette Dist.
Co. Right is this Road 7.5 MINUTE SERIES (TOPOGRAPHIC)



Lower Payette
Dist. Co.
canal

Flume across
canal

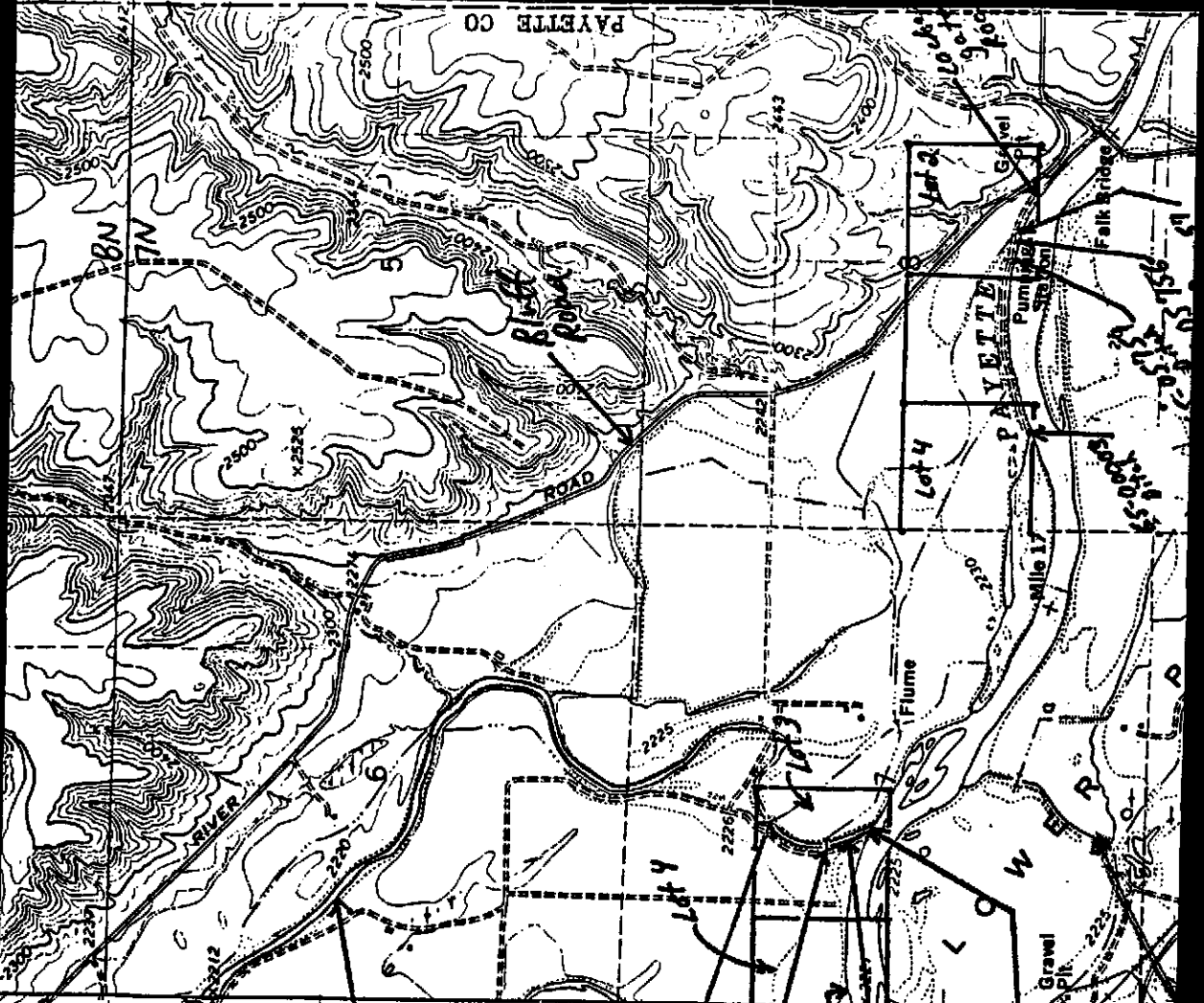
65-05459
and
65-11258

Pipeline across
canal

measuring point

Lower Payette
Dist. Co.
canal

~~Lower Payette Dist. Co. canal~~
~~Lower Payette Dist. Co. canal~~
~~Lower Payette Dist. Co. canal~~



PLO: LOTS SESENN: 5.7 T7N: RAW
Plot: Injunctive into 65-05459
SESE: 5.26 T7N: R 4M

LAND LIST ATTACHMENT

ACREAGE TABULATION FOR LOWER PAYETTE DITCH CONT.

Description and location of place of use: FIRST EXTENSION

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
✓ 9N	5W	1			9		1t3 31	1t4 31	1	37	39	26	28	37		17	17		273 ✓
✓		2	1t1 6													9	31		46 ✓
✓		11	34	28	36	37					27			27	36	38	36	36	335 ✓
✓		12		21	24		28	38	30	37	38	38	34	23		9	1		321 ✓
✓		13					1	11											12 ✓
✓		14	36	33	39	9	31	9	24	39	40	35	38	36	9	40	18	1	437 ✓
✓		15				1t2 11									1t3 34		1t4 17		62 ✓
✓ 10N	5W	23									1t3 1				35	34	1t2 36	1t1 36	142 ✓
✓		24										2	31	2					35 ✓
✓		25		7	15		39	37	35	34	40	35	31	37		29	26		365 ✓
✓		26	1t3 84												1t2 11			1t1 9	104 ✓
✓		35																4	4 ✓
✓		36		32	23		38	27	30	34	36	33	39	28		16			336 ✓
→ CONSIDER THESE LANDS AS HAVING 6-20-896 PRIORITY (SEE MEMO 1-25-79 DRT) (976 ACRES)																			

Total number of acres irrigated 2462

2462

2472

9/19/78

13th EXTENSION

CERTIFICATE OF FILING

STATUTES OF INCORPORATION

United

States of America.

State

Idaho, Secretary's Office.

I, ISAAC W. C. HART, Secretary of the State of Idaho, do hereby certify that a copy of the Article of Incorporation of the

EXTENSION DITCH COMPANY

certified by the of Washington County as a copy of such Article filed in this office on the 26th day of

November

A. D. 1895, and recorded in Book "C"

page

Incorporations, Records of the State of Idaho, which Articles

contained the

statement of facts, to wit:

FIRST, I am the Corporation as aforesaid; SECOND, the purpose for which it is first, the place where its principal business is to be transacted; FOURTH, the number of its directors or its trustees, the residences and term of office of those who are appointed for the first time; FIFTH, the amount of its capital stock and the number of shares into which it is divided; SIXTH, the amount of its capital stock actually subscribed and paid in.

In Testimony

whereof, I have hereunto set my hand and affixed the Great

Seal of the

State of Idaho, at Boise City, the Capital of Idaho, this 28th day

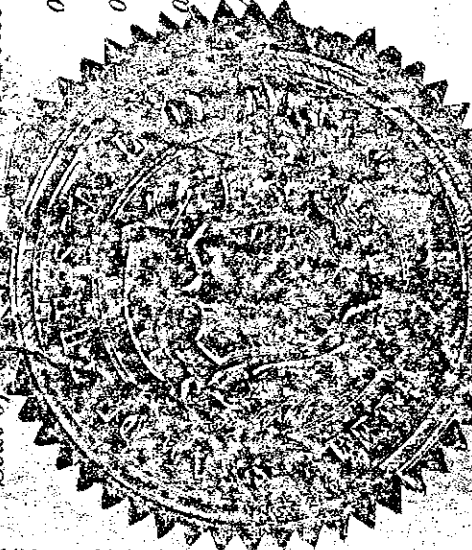
of November

in the year of our Lord

one thousand eight hundred and ninety-five

and of the Independence of the United States of

America the one hundred and twentieth.



Secretary of State.

ST. EXTENSION

CAPITAL STOCK, \$25,000, 250 SHARES, \$100 EACH.

No. 11

7 Shares.

Extension Ditch Company.

Incorporated Under the Laws of Idaho.

Idaho. Aug 17th 1896

This Certifies That J. B. Darrham

is entitled to One Shares of the Capital Stock
of the Extension Ditch Company, transferable on the books of the
Company by endorsement hereon and surrender of this Certificate.

A. P. Dawson

SECRETARY.

E. M. Barton

PRESIDENT.

CAPITAL STOCK, \$25,000, 250 SHARES, \$100 EACH.

No. 16

4 Shares.

Extension Ditch Company.

Incorporated Under the Laws of Idaho.

Idaho. Sept 19th 1896

This Certifies That E. F. Nesbit

is entitled to Four Shares of the Capital Stock
of the Extension Ditch Company, transferable on the books of the
Company by endorsement hereon and surrender of this Certificate.

A. P. Dawson

SECRETARY.

E. M. Barton

PRESIDENT.

FOR VALUE RECEIVED, do hereby sell and

assign unto _____

Shares

of the Capital Stock of the within Company, standing in

name on its books; and constitute and appoint

_____ lawful attorney, irrevocable, for _____ and in

name and stead, to transfer the above number of Shares, and to
sign and execute all necessary papers to that end, with the power of
substitution, hereby confirming and ratifying all lawful acts of

said attorney, and his substitute, done by virtue hereof.

Witness _____ hand, this _____

day of _____ A. D. 189 _____

Witness: _____

FOR VALUE RECEIVED, do hereby sell and

assign unto Minnie Bright

Shares

of the Capital Stock of the within Company, standing in

name on its books; and constitute and appoint

_____ lawful attorney, irrevocable, for _____ and in

name and stead, to transfer the above number of Shares, and to
sign and execute all necessary papers to that end, with the power of
substitution, hereby confirming and ratifying all lawful acts of

said attorney, and his substitute, done by virtue hereof.

Witness _____ hand, this _____

day of _____ A. D. 189 _____

Witness: _____

1978 D.R.T.

 * MACALLISTER'S MODIFICATION OF MORITZ *
 * LOSS CALCULATION FOR *
 * THE LOWER PAYETTE DITCH *
 * WATER RIGHT NO. 0165X, ABC *

Q DIVERTED: 283.09
 Q DELIVERED: 220.08
 PERCENTAGE LOSS: 28.6

TYPE OF SOIL: SANDY LOAM
 SOIL CONSTANT= 1.50 (FEET/DAY)
 LENGTH OF HEAD OF DITCH: 8.40
 LENGTH OF DELIVERY SECTION: 20.40

LOSS TABLE FOR HEAD OF DITCH

MILE	Q (CFS)	LOSS (CFS)
1.00	280.54	2.55
2.00	278.00	2.54
3.00	275.46	2.54
4.00	272.92	2.54
5.00	270.39	2.53
6.00	267.86	2.53
7.00	265.33	2.53
8.00	262.81	2.52
8.40	261.81	1.01

$$49.24 \text{ CFS } (1.286) = 63.32 \text{ CFS}$$

$$11079 \text{ AFA } (1.286) = 14247.6 \text{ AFA}$$

LOSS TABLE FOR DELIVERY

MILE	Q (CFS)	LOSS (CFS)	Q DELIVERED (CFS)
1.00	248.50	2.52	10.79
2.00	235.22	2.49	10.79
3.00	221.96	2.47	10.79
4.00	208.72	2.45	10.79
5.00	195.52	2.42	10.79
6.00	182.34	2.39	10.79
7.00	169.19	2.36	10.79
8.00	156.09	2.32	10.79
9.00	143.02	2.28	10.79
10.00	130.00	2.23	10.79
11.00	117.03	2.18	10.79
12.00	104.12	2.13	10.79
13.00	91.27	2.06	10.79
14.00	78.50	1.99	10.79
15.00	65.81	1.90	10.79
16.00	53.23	1.79	10.79
17.00	40.77	1.67	10.79
18.00	28.47	1.51	10.79
19.00	16.37	1.31	10.79
20.00	4.54	1.04	10.79
20.40	.00	.23	4.32

IN THE DISTRICT COURT OF THE NINTH JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF Gem

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF _____
Payette River

DRAINAGE BASIN.

NOTICE OF CLAIM TO A WATER RIGHT

65-0165A ✓	
I.D. No.	Map No.
\$	
Fee Paid	Receipt No.

Notice is hereby given that Lower Payette Ditch Co.
(Name of Claimant)

114 N. 8th St. Payette, ID

(Name of Claimant)

Telephone No. 642-2441

(Mailing Address)

{Zip Code}

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 3-22-1984 (SEE 1-25-PRMND) 11/26/1995 PER ATTACHED ARTICLES OF THE

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Paget River
tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
 Quantity 49.24 Use irrigation Period of Use From 4-1 To 10-31-15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

11079 AFA

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 49.24 TOTAL QUANTITY CLAIMED:
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SE $\frac{1}{4}$ NW $\frac{1}{4}$
Sec. 7, Twp. 7N, Rge. 3W, B.M., _____ County _____

Additional Points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. diversion dam and canals

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total no. of acres ~~13,212.9~~

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization: Pt of Injection in Big Willow Creek in SESE Sec 26 T8N R4W; pt of redirection SWNW Sec 21, T8N R4W. Place of use within lands of Lower Payette Ditch Co. (see 65-0165X) This claim extracted from 65-0165

(8) Remarks: no signature necessary. This right was developed as "First Extension"

(9) Basis of claim (check one) ☒ (A) Right based on diversion and beneficial use.

(9) Basis of claim (Check one)

☒ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case. _____

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

Individual

(Signature of Claimant)

(Signature of Spouse)

Organization

(Signature of Authorized Agent)

On this _____ day of _____, in the year _____, before me
a notary public, personally appeared _____

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

My commission expires

Notary Public residing at

DRT 9/19/78

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: A65-00165A
Date Received: 4/13/88
Receipt No: 4999999
Received By: BJS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOWER PAYETTE DITCH CO.
Address: 114 N. 8TH
PAYETTE, ID 83661

2. Date of Priority: MAR 22, 1884

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	03W	7	SE	NW		3	PAYETTE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	63.320		

7. Total Quantity Appropriated is:
63.320 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 of	Lot	Use	Acres
07N	03W	5	SW	SW		IRR	3.0

Section Acres 3.0

6	SW	NE	IRR	12.0
---	----	----	-----	------

A65-00165A

Page 1

Date: 09/27/88

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SEP 15 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07N	03W	6	SE		NE		IRR	2.0
			NE		SE		IRR	30.0
			NW		SE		IRR	8.0
			SW		SE		IRR	27.0
			SE		SE		IRR	36.0
08N	04W	6	SE		SW		IRR	40.0
			SW		SE		IRR	40.0
			Section Acres					195.0
		7	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SW		SW		IRR	16.0
			SE		SW		IRR	1.0
			Section Acres					137.0
		17	SW		NW		IRR	16.0
			SE		NW		IRR	13.0
			NE		SW		IRR	39.0
			NW		SW		IRR	38.0
			SW		SW		IRR	28.0
			SE		SW	2	IRR	9.0
			SW		SE	1	IRR	3.0
			Section Acres					146.0
		18	NE		NE		IRR	20.0
			NW		NE		IRR	38.0
			SW		NE		IRR	40.0
			SE		NE		IRR	38.0
			NE		NW		IRR	36.0
			NW		NW	1	IRR	37.0
			SW		NW	2	IRR	39.0
			SE		NW		IRR	19.0
			NE		SW		IRR	24.0
			NW		SW	3	IRR	38.0
			SW		SW	4	IRR	34.0
			SE		SW	5	IRR	27.0
			NE		SE		IRR	34.0
			NW		SE		IRR	38.0
			SW		SE	6	IRR	20.0
			SE		SE	7	IRR	36.0
			Section Acres					518.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
08N	04W	19	NE	NE		IRR	8.0	
			NE	NW	8	IRR	6.0	
							Section Acres	14.0
		20	NE	NE	7	IRR	7.0	
						Section Acres	7.0	
		21	NW	NW	4	IRR	3.0	
						Section Acres	3.0	
		05W	2	NE	SW		IRR	6.0
				NW	SW		IRR	28.0
				SW	SW		IRR	39.0
				SE	SW		IRR	36.0
				SW	SE		IRR	37.0
				SE	SE		IRR	16.0
						Section Acres	162.0	
			3	NE	NE	1	IRR	15.0
				NW	NE	2	IRR	25.0
				SW	NE		IRR	38.0
				SE	NE		IRR	11.0
				NE	NW	3	IRR	28.0
NW	NW			4	IRR	16.0		
SW	NW			IRR	29.0			
SE	NW			IRR	33.0			
NE	SW			IRR	18.0			
NW	SW	5		IRR	13.0			
SW	SW	6		IRR	48.0			
NE	SE			IRR	33.0			
NW	SE			IRR	36.0			
SW	SE			IRR	39.0			
SE	SE			IRR	37.0			
				Section Acres	419.0			
4	NE	NE		3	IRR	12.0		
	SE	NE	2	IRR	15.0			
	NE	SE	1	IRR	6.0			
			Section Acres	33.0				

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08N	05W	10	NE		NE		IRR	38.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	37.0
			NE		NW	5	IRR	43.0
			SW		NW	4	IRR	33.0
			NE		SW	3	IRR	21.0
			NE		SE		IRR	28.0
			NW		SE		IRR	40.0
			SW		SE	2	IRR	18.0
			SE		SE	1	IRR	26.0

Section Acres 364.0

11	NE	NE	IRR	36.0
	NW	NE	IRR	37.0
	SW	NE	IRR	34.0
	SE	NE	IRR	38.0
	NE	NW	IRR	39.0
	NW	NW	IRR	38.0
	SW	NW	IRR	37.0
	SE	NW	IRR	37.0
	NE	SW	IRR	38.0
	NW	SW	IRR	34.0
	SW	SW	IRR	39.0
	SE	SW	IRR	38.0
	NE	SE	IRR	35.0
	NW	SE	IRR	37.0
	SW	SE	IRR	36.0
	SE	SE	IRR	36.0

Section Acres 589.0

12	SW	NE	IRR	1.0
	NE	NW	IRR	1.0
	NW	NW	IRR	20.0
	SW	NW	IRR	38.0
	SE	NW	IRR	29.0
	NE	SW	IRR	38.0
	NW	SW	IRR	38.0
	SW	SW	IRR	38.0
	SE	SW	IRR	37.0
	NE	SE	IRR	2.0
	NW	SE	IRR	28.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
08N	05W	12	SW	SE		IRR	38.0	
			SE	SE		IRR	30.0	
		Section Acres						338.0
		13	NE	NE		IRR	39.0	
			NW	NE		IRR	38.0	
			SW	NE		IRR	39.0	
			SE	NE		IRR	40.0	
			NE	NW		IRR	15.0	
			NW	NW		IRR	37.0	
			SW	NW		IRR	40.0	
SE	NW			IRR	32.0			
NE	SE			IRR	40.0			
NW	SE			IRR	39.0			
SW	SE			IRR	37.0			
SE	SE			IRR	40.0			
Section Acres						436.0		
14	NE	NE		IRR	37.0			
	NW	NE		IRR	17.0			
	SW	NE		IRR	18.0			
	SE	NE		IRR	40.0			
Section Acres						112.0		
24	NE	NE	1	IRR	27.0			
	NW	NE	2	IRR	16.0			
	NE	NW	3	IRR	10.0			
Section Acres						53.0		
09N	04W	6	NW	NW		IRR	2.0	
	Section Acres						2.0	
	05W	1	NE	NE		IRR	31.0	
			NW	NE		IRR	34.0	
			SW	NE		IRR	26.0	
			SE	NE		IRR	1.0	
			NE	NW	3	IRR	32.0	
			NW	NW	4	IRR	31.0	
			SW	NW		IRR	1.0	
			SE	NW		IRR	37.0	

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09N	05W	1	NE		SW		IRR	39.0
			NW		SW		IRR	26.0
			SW		SW		IRR	28.0
			SE		SW		IRR	37.0
			NW		SE		IRR	24.0
			SW		SE		IRR	26.0
			Section Acres					373.0
		2	NE		NE	1	IRR	6.0
			SW		SE		IRR	9.0
			SE		SE		IRR	31.0
			Section Acres					46.0
		11	NE		NE		IRR	34.0
			NW		NE		IRR	28.0
			SW		NE		IRR	36.0
			SE		NE		IRR	37.0
			NE		SW		IRR	27.0
			SE		SW		IRR	27.0
			NE		SE		IRR	36.0
			NW		SE		IRR	38.0
			SW		SE		IRR	36.0
			SE		SE		IRR	36.0
			Section Acres					335.0
		12	NE		NE		IRR	3.0
			NW		NE		IRR	36.0
			SW		NE		IRR	34.0
			SE		NE		IRR	6.0
			NE		NW		IRR	28.0
			NW		NW		IRR	38.0
			SW		NW		IRR	30.0
			SE		NW		IRR	37.0
			NE		SW		IRR	38.0
			NW		SW		IRR	38.0
			SW		SW		IRR	34.0
			SE		SW		IRR	28.0
			NW		SE		IRR	25.0
			SW		SE		IRR	10.0
			Section Acres					385.0
		13	NE		NW		IRR	32.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	05W	13	NW	NW		IRR	31.0
			SW	NW		IRR	40.0
			SE	NW		IRR	18.0
			NE	SW		IRR	4.0
			NW	SW		IRR	39.0
			SW	SW		IRR	39.0

Section Acres 203.0

14	NE	NE		IRR	36.0
	NW	NE		IRR	33.0
	SW	NE		IRR	39.0
	SE	NE		IRR	32.0
	NE	NW		IRR	31.0
	NW	NW		IRR	9.0
	SW	NW		IRR	24.0
	SE	NW		IRR	39.0
	NE	SW		IRR	40.0
	NW	SW		IRR	35.0
	SW	SW		IRR	38.0
	SE	SW		IRR	36.0
	NE	SE		IRR	37.0
	NW	SE		IRR	40.0
	SW	SE		IRR	37.0
	SE	SE		IRR	38.0

Section Acres 544.0

15	SE	NE	2	IRR	11.0
	NE	SE	3	IRR	34.0
	SE	SE	4	IRR	17.0

Section Acres 62.0

22	NE	NE	1	IRR	25.0
	SW	NE	2	IRR	6.0
	SE	NE		IRR	30.0
	NE	SW	3	IRR	27.0
	SW	SW	4	IRR	26.0
	SE	SW		IRR	32.0
	NE	SE		IRR	36.0
	NW	SE		IRR	19.0
	SW	SE		IRR	35.0
	SE	SE		IRR	36.0

Section Acres 272.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09N	05W	23	NE		NE		IRR	30.0
			NW		NE		IRR	39.0
			SW		NE		IRR	39.0
			SE		NE		IRR	40.0
			NE		NW		IRR	37.0
			NW		NW		IRR	39.0
			SW		NW		IRR	39.0
			SE		NW		IRR	36.0
			NE		SW		IRR	37.0
			NW		SW		IRR	38.0
			SW		SW		IRR	35.0
			SE		SW		IRR	37.0
			NE		SE		IRR	40.0
			NW		SE		IRR	36.0
			SW		SE		IRR	38.0
			SE		SE		IRR	40.0
							Section Acres	600.0
		24	NW		NW		IRR	15.0
			SW		NW		IRR	30.0
			NW		SW		IRR	40.0
			SW		SW		IRR	38.0
							Section Acres	123.0
		25	NE		NW		IRR	40.0
			NW		NW		IRR	39.0
			SW		NW		IRR	36.0
			SE		NW		IRR	35.0
							Section Acres	150.0
		26	NW		NE		IRR	38.0
			SW		NE		IRR	20.0
			NE		NW		IRR	28.0
			NW		NW		IRR	19.0
			SW		SW		IRR	25.0
							Section Acres	130.0
		27	NE		NE		IRR	36.0
			NW		NE		IRR	33.0
			SW		NE		IRR	35.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09N	05W	27	SE NE		IRR	35.0
			NE NW		IRR	31.0
			NW NW		IRR	32.0
			SW NW		IRR	30.0
			SE NW		IRR	32.0
			NE SW		IRR	37.0
			NW SW		IRR	25.0
			SW SW		IRR	25.0
			SE SW		IRR	30.0
			NE SE		IRR	26.0
			NW SE		IRR	28.0
			SW SE		IRR	35.0
			SE SE		IRR	24.0
					Section Acres	494.0
		28	NW NE	1	IRR	10.0
			SW NE	2	IRR	25.0
			SE NE		IRR	26.0
			NE SW	3	IRR	27.0
			SW SW	4	IRR	30.0
			NE SE		IRR	30.0
			NW SE		IRR	28.0
			SW SE		IRR	25.0
			SE SE		IRR	25.0
					Section Acres	226.0
		33	NE NE		IRR	20.0
			NW NE		IRR	20.0
			SW NE		IRR	20.0
			SE NE		IRR	10.0
			NE NW	5	IRR	19.0
			SE NW	4	IRR	7.0
			NE SE		IRR	15.0
			NW SE	2	IRR	10.0
			SE SE	1	IRR	10.0
					Section Acres	131.0
		34	NE NE		IRR	27.0
			NW NE		IRR	29.0
			SW NE		IRR	34.0
			SE NE		IRR	20.0
			NE NW		IRR	29.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10N	05W	9	NE		NE		IRR	38.0
			NW		NE		IRR	38.0
			SW		NE		IRR	36.0
			SE		NE		IRR	37.0
			NE		NW		IRR	24.0
			NW		NW		IRR	37.0
			SE		NW		IRR	15.0
			NE		SE		IRR	36.0
			NW		SE		IRR	5.0
			SE		SE		IRR	12.0

Section Acres 278.0

10	SW	NE	IRR	6.0
	NE	NW	IRR	24.0
	NW	NW	IRR	40.0
	SW	NW	IRR	10.0
	SE	NW	IRR	38.0
	NE	SW	IRR	37.0
	NW	SW	IRR	35.0
	SW	SW	IRR	18.0
	SE	SW	IRR	38.0
	NW	SE	IRR	30.0
	SW	SE	IRR	38.0
	SE	SE	IRR	17.0

Section Acres 331.0

14	SW	NW	IRR	6.0
	NW	SW	IRR	1.0
	SE	SW	IRR	1.0
	SW	SE	IRR	25.0
	SE	SE	IRR	4.0

Section Acres 37.0

15	NE	NE	IRR	36.0
	NW	NE	IRR	39.0
	SW	NE	IRR	20.0
	SE	NE	IRR	39.0
	NE	NW	IRR	37.0
	NW	NW	IRR	22.0
	SW	NW	IRR	1.0
	SE	NW	IRR	19.0

Section Acres 213.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	05W	23	NE	NE		IRR	32.0
			NW	NE		IRR	37.0
			SE	NE		IRR	15.0
			SE	NW		IRR	6.0
			NE	SW	3	IRR	1.0
			NE	SE		IRR	35.0
			NW	SE		IRR	34.0
			SW	SE	2	IRR	36.0
			SE	SE	1	IRR	36.0
			Section Acres				232.0
		24	NW	NW		IRR	5.0
			SW	NW		IRR	23.0
			NW	SW		IRR	36.0
			SW	SW		IRR	39.0
			SE	SW		IRR	30.0
			Section Acres				133.0
		25	NW	NE		IRR	7.0
			SW	NE		IRR	25.0
			NE	NW		IRR	39.0
			NW	NW		IRR	37.0
			SW	NW		IRR	35.0
			SE	NW		IRR	34.0
			NE	SW		IRR	40.0
			NW	SW		IRR	35.0
			SW	SW		IRR	31.0
			SE	SW		IRR	37.0
			NE	SE		IRR	2.0
			NW	SE		IRR	37.0
			SW	SE		IRR	36.0
			SE	SE		IRR	8.0
			Section Acres				403.0
		26	NE	NE	3	IRR	84.0
			NE	SE	2	IRR	11.0
			SE	SE	1	IRR	9.0
			Section Acres				104.0
		35	SE	SE		IRR	4.0
			Section Acres				4.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10N	05W	36	NE		NE		IRR	6.0
			NW		NE		IRR	37.0
			SW		NE		IRR	37.0
			SE		NE		IRR	25.0
			NE		NW		IRR	38.0
			NW		NW		IRR	27.0
			SW		NW		IRR	30.0
			SE		NW		IRR	34.0
			NE		SW		IRR	36.0
			NW		SW		IRR	33.0
			SW		SW		IRR	39.0
			SE		SW		IRR	36.0
			NE		SE		IRR	24.0
			NW		SE		IRR	37.0
			SW		SE		IRR	38.0
Section Acres								477.0
11N	05W	33	SE		SW		IRR	24.0
			SW		SE		IRR	21.0
Section Acres								45.0
Total Acres								11008.0

11. Place of use in counties: PAYETTE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

65-0165A, 65-0165B, 65-0165C, 65-11413, 65-2376, 65-7882.

14. Remarks:

POINT OF INJECTION IN BIG WILLOW CREEK IN SESE, S. 26, T8N, R4W.

POINT OF RE-DIVERSION IN SWNW, S. 21, T8N, R4W.

THIS RIGHT WHEN COMBINED WITH OTHER RIGHTS SHALL NOT EXCEED .02

CFS PER ACRE DIVERTED NOR 3.5 AF PER ACRE CONSUMED.

15. Basis of Claim: DECREEED

Case Number:

Court :

Decree date:

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

A65-00165A

Page

13

Date: 09/27/88

MICROFILMED

SEP 15 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.

SEP 15 1992