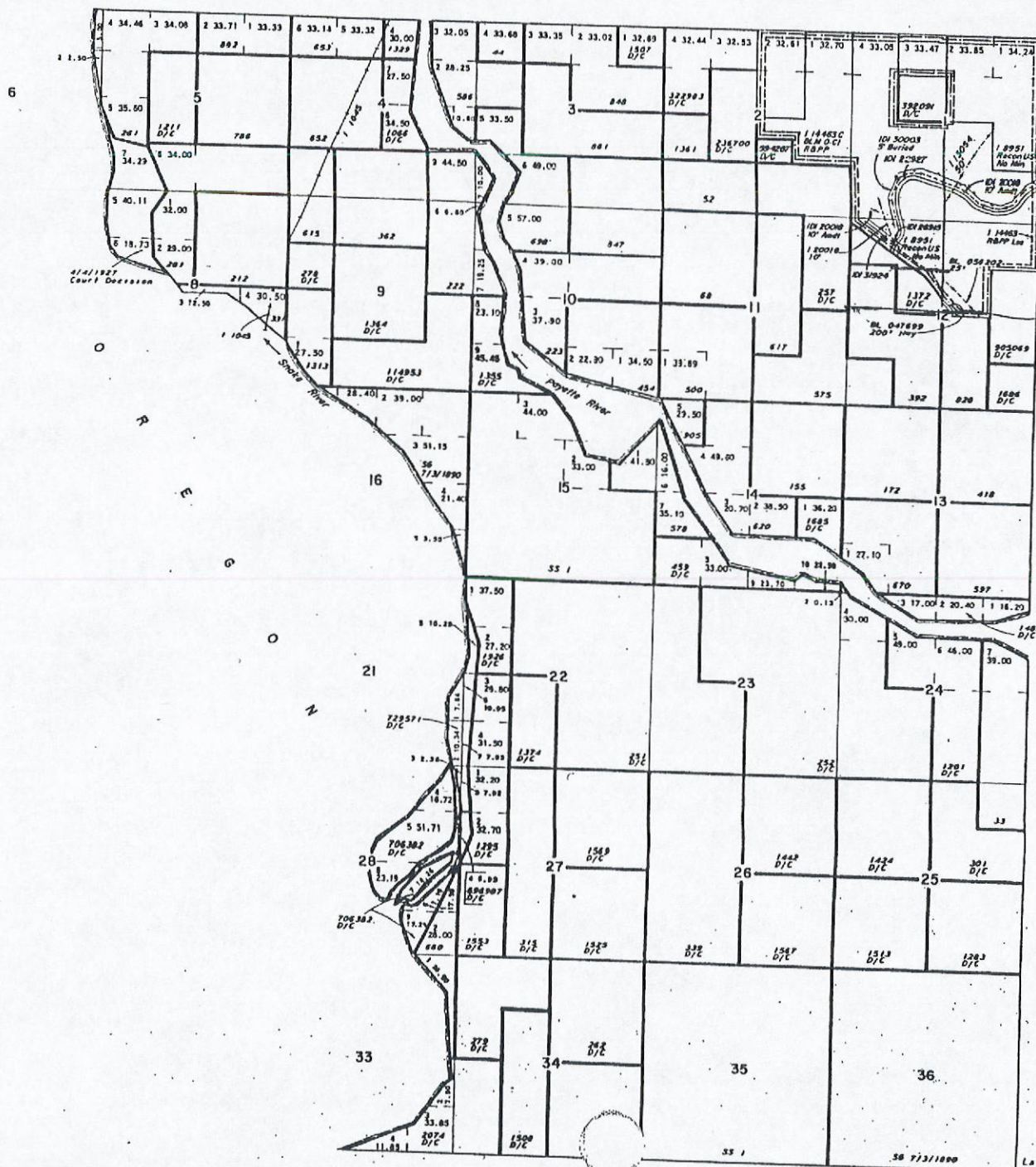


PAYETTE COUNTY 075
BOISE DISTRICT SEC 3

MT PLAT

[illegible]

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

CURRENT TO	CURRENT TO
DEC 21 1999	
USE PLATS:	

Idaho Department of Water Resources

Claims:

65-00165A

65-00165B

65-00165C

65-00165X

65-07425

65-07428

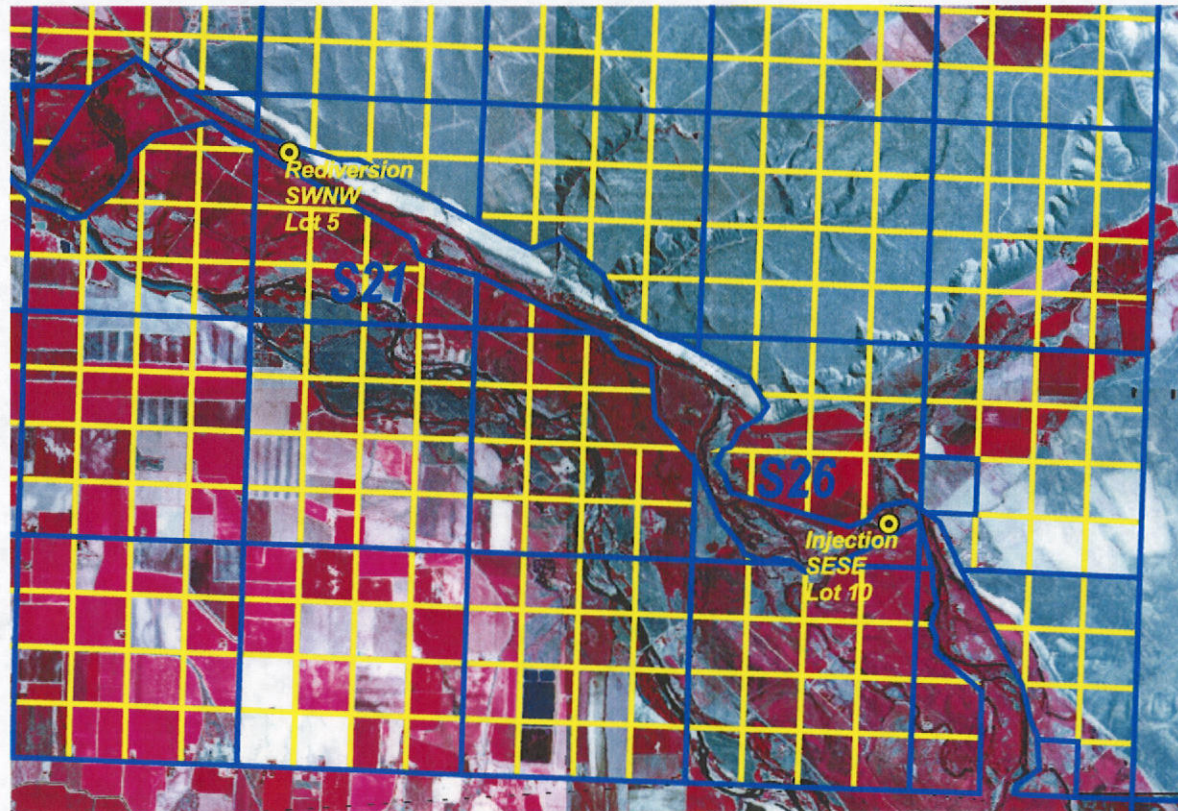
65-07848

Owner : Lower Payette
Ditch Co.

Prepared by:

RON HOWERTON

Date: 12 DEC 00



T08N R04W
S21 & S26

● POD

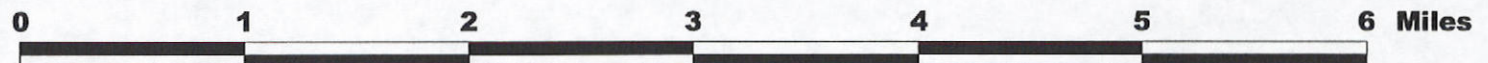
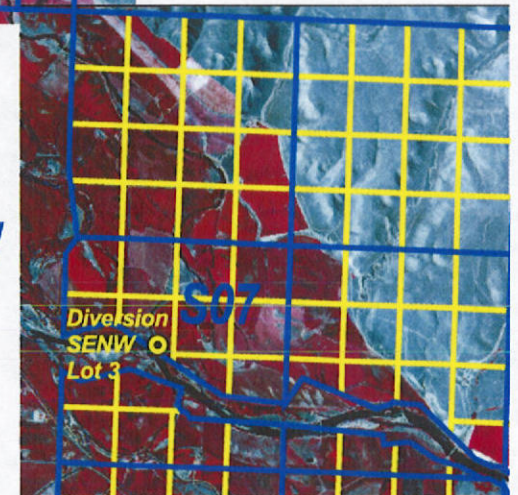
SECTION

1/4 1/4



1987 NAPP

T07N R03W
S07



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: A65-00165B

Date Received: 1/12/70

Receipt No: 1499999

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

83661

2. Date of Priority: JUN 20, 1896

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	37.630		

7. Total Quantity Appropriated is:
37.630 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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A65-00165B

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
			SE	SE		IRR	36.0
08N	04W	6	SE	SW		IRR	40.0
			SW	SE		IRR	40.0
			Section Acres				
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	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 BLM	IRR	1.0
	NE	NW BLM/Pvt	IRR	1.0
	NW	NW BLM/Pvt	IRR	20.0
	SW	NW -	IRR	38.0
	SE	NW BLM/Pvt	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

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Date: 09/27/88

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 st	IRR	19.0
	SE	NE st	IRR	36.0
	NE	NW-	IRR	20.0
	NW	NW-	IRR	20.0
	SE	NW st	IRR	38.0
	NE	SW st	IRR	39.0
	NW	SW st	IRR	10.0
	SW	SW st	IRR	10.0
	SE	SW st	IRR	39.0
	NW	SE st	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	32.0
	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	IRR	1.0
			NE	SE	IRR	35.0
			NW	SE	IRR	34.0
			SW	SE	IRR	36.0
			SE	SE	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	IRR	84.0
			NE	SE	IRR	11.0
			SE	SE	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 <i>ST</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	35.0
			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
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:

65-0165X, 65-0165A, 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

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

A65-00165B

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 Nitch Co. that I have signed the foregoing document in the space below as President of Lower Payette Nitch Co. and that the statements contained in the foregoing document are true and correct.

Cecil Shumett
Signature of Authorized Agent

President, Lower Payette Nitch Co.
Title and Organization

4-9-90
Date

State of Idaho)
County of Butte) SS.

Subscribed and sworn (or affirmed) before me this 09 day
of April 19 90

John L. Linn
Notary Public

Seal

Residing at Payette
My Commission Expires 12/31/94

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

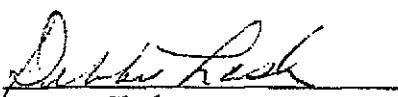
CERTIFICATE OF MAILING

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 65-00165B
(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).

E

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Ada)

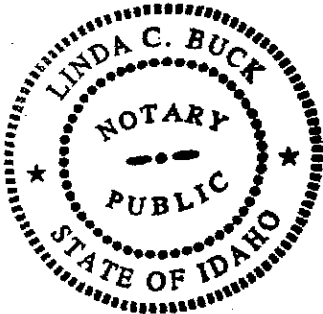
Fredric W. Price, duly sworn, upon oath, deposes and says:
(Name of person filing response)

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.

Fredric W. Price
(Signature of person filing response)
Larry C. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

March 21, 2005
Linda C. Buck
Notary Public for *State of Idaho*
Residing at: *Mountain Home ID*
My Commission Expires: *12-21-05*



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

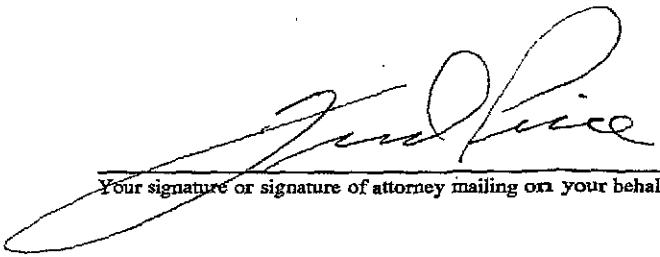
I certify that on 3-21, 2002 mailed the original and copies of this response, including all attachments, to the following persons:

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:

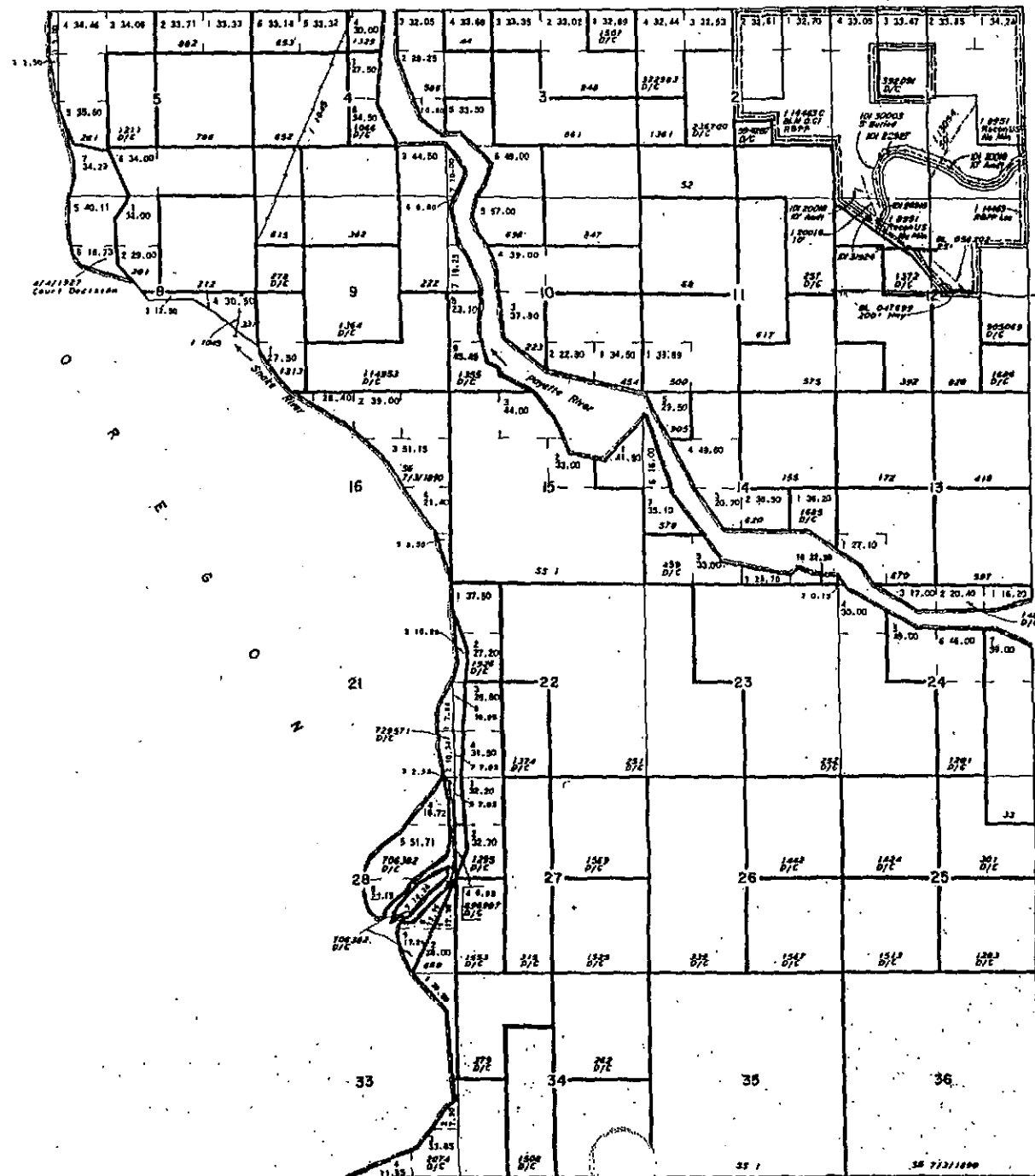
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

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:	

SCALE in Chains

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. 65-00165B

Case No. 39576)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: George E. and Cheryl 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)

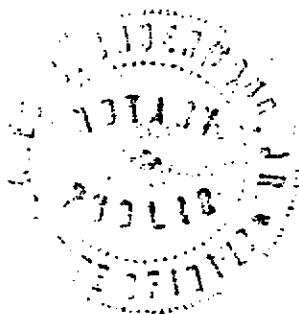
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(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:

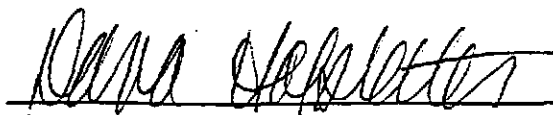
Lower Payette Ditch Co.
102 N Main
Payette, Idaho 83661

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 NOE

TO: COL with Scott Campbell, Tiffiny

Claim/WR # GARRICK BAXTOR & MYSELF - PER PHONE
1:30 PM

Agent: Ron

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 SRBA
because of late proof... LICENSED

65-12279 - should have been filed in SRBA

NO-ADDITIONAL ACRES WERE ADDED

NO 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

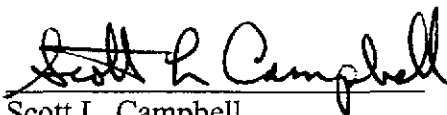
Attorneys for Lower Payette Ditch Company

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 Company, 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:

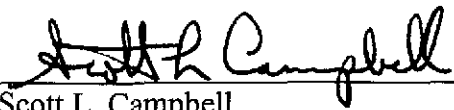
Lower Payette Ditch Company
102 N. Main Street
Payette, ID 83661

☒ 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:

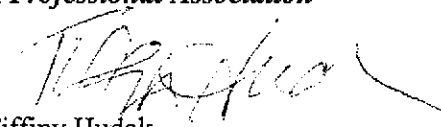
Enclosed for filing please find the original and one copy of our Notice of Appearance as counsel of record for Lower Payette Ditch Company for water right nos. 65-00165A, 65-00165B, 65-00165C, 65-00165X, 65-07425, 65-07428, 65-07848, 65-07882, and 65-11413. Also enclosed is an additional copy of the 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: 65-00165B

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: 65-165B

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

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 37.63 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: 06/20/1896

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	37.63 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:
 $11,008 + 633 + 122 + 107 = \underline{11,870}$

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)

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	Graveyard 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		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.

Idaho Department of Water Resources

Claims:

65-00165A

65-00165B

65-00165C

65-00165X

65-07425

65-07428

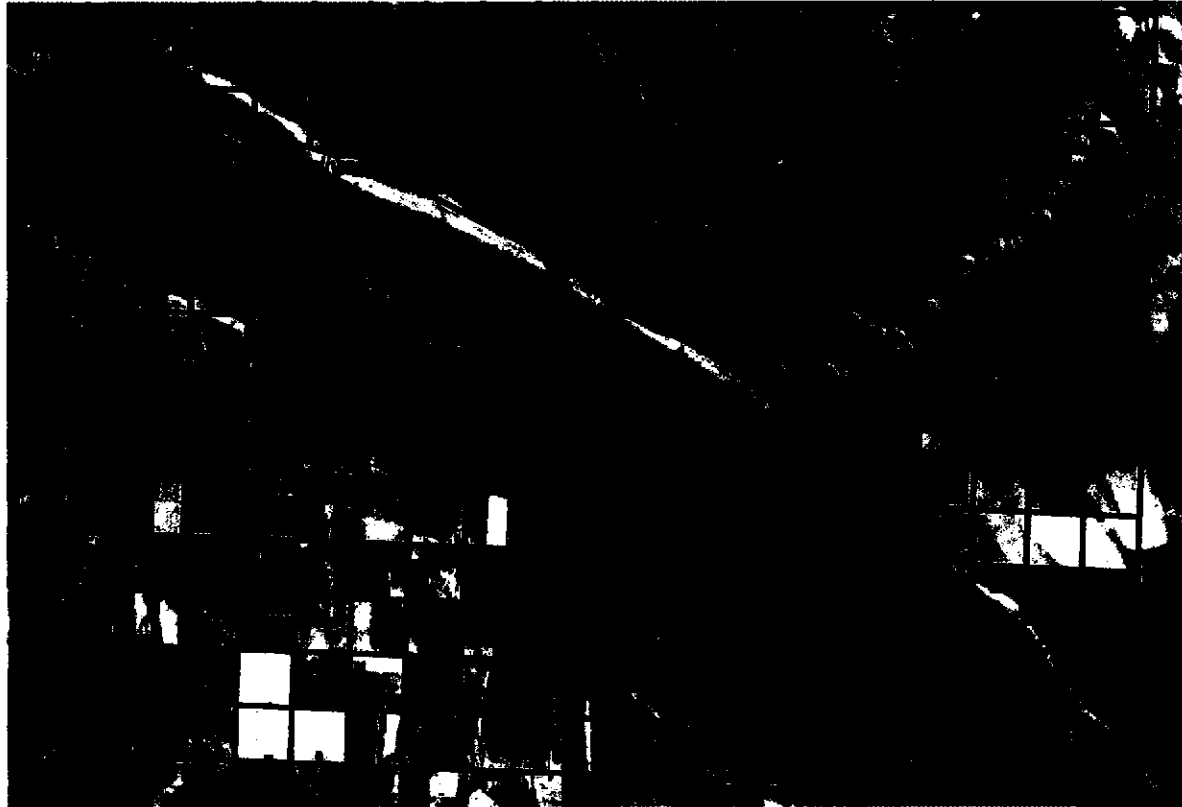
65-07848

Owner : Lower Payette
Ditch Co.

Prepared by:

RON HOWERTON

Date: 12 DEC 00

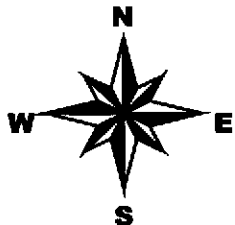


T08N R04W
S21 & S26

● POD

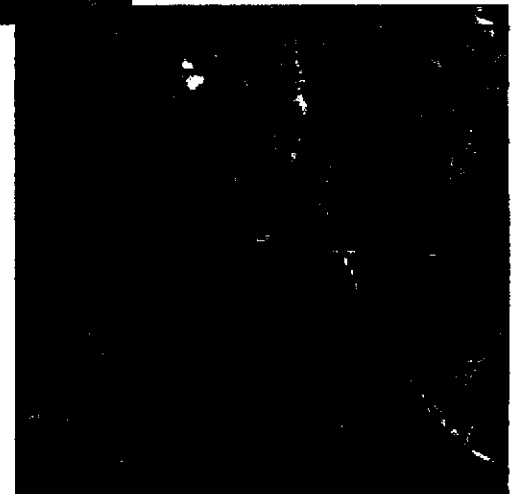
SECTION

1/4 1/4



1987 NAPP

T07N R03W
S07



AJ5809NP
No. A65-00165B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/13/00
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LOWER PAYETTE DITCH CO 114 N 8TH ST PAYETTE ID 83661	06/20/1896	IRRIGATION	03-15 11-15	37.630 CFS	
TOTAL DIVERSION:					37.630 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								SUM					
T	R	S	:	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			:	518.0		
08N	04W	19	:		08						08-06													06-20	07-36	:	14.0		
08N	04W	20	:		07-07																					:	7.0		
08N	04W	21	:								04-03															:	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		08-21				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	36		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

SWNW
(R) T8N R4W S21 Lot 5
SESE LOT 10
PAYETTE County
(I) T8N R4W S26

Place of use Legal Description for: IRRIGATION

NE												NW								SW								SE								SUM
			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				
09N	05W	35					19		36			20		20			38			39		10		10		39				35			266.0			
10N	05W	3																						13									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	05		38	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		33		39		36		24	37	38	477.0					
11N	05W	33																											21		45.0					
TOTAL ACRES																														11008.0						

POU County: PAYETTE

Other Rights: 65-0165X, 65-0165A, 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 3.5 AF PER ACRE CONSUMED.

DELETED
DWT F28
when measured
at
field
headgates

Dates: Exam Made Date: Verified Date: 04/24/1987 Objection Filed Date:
Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

C18
Pou1-K06

SEE TOPO
IN 165A
FOR POD
MAP.
Pou

WR5809NP
No. 65-00165B

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/17/99
PAGE: 6

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LOWER PAYETTE DITCH CO. 114 N. 8TH ST. PAYETTE ID 83661	06/20/1896	IRRIGATION	03/15 11/15	37.630 CFS	
TOTAL DIVERSION:					37.630 CFS	

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:	06/20/1896
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 265

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
65-5079	MOREHOUSE, DEWEY C MOREHOUSE, EARL ROUTE 1, EMMETT, IDAHO 83617	4/ 1/1896	STOCKWATER	1/ 1 12/31	2.70 AFA .05 CFS	NWN S 8 T 6N R 2W	NWN S 8 T 6N R 2W	BENEFICIAL USE
65-0165B	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 SWN, S. 21, T8N, R4W. PLACES OF USE WITHIN LANDS OF LOWER PAYETTE DITCH CO. SEE 65-0165X.	6/20/1896	IRRIGATION	3/15 11/15	--- AFA 37.63 CFS	LOT 3 S 7 T 7N R 3W	*10990*	BENEFICIAL USE
65-4035	BROWN, JOHN C. ROUTE 3, BOX 326, EMMETT, IDAHO 83617 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-1401 & RIGHTS OF EMMETT IRRIGATION DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	4/ 1/1900	IRRIGATION	3/15 11/15	--- AFA 2.42 CFS	LOT 1 S28 T 7N R 1W	NESE(35) NWSE(4) SWSE(23) LOT 1(37) S28 T 7N R 1W LOT 5(5) S33 T 7N R 1W LOT 8(17) S27 T 7N R 1W *121*	BENEFICIAL USE
65-5817	HULLIS, BERRY D. STAR ROUTE, PAYETTE, IDAHO 83661	4/ 1/1901	IRRIGATION	3/15 11/15	--- AFA .54 CFS	LOT 5 S14 T 8N R 5W	LOT 4(4) LOT 5(23) S14 T 8N R 5W *27*	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	.70 AFA .02 CFS *---*AFA 9.54*CFS		SAME AS OTHER USE	

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
(SENW), 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~~ acres for the

^{11,008}

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

Puygette River Diversion were mapped for the Water District in winter 1992-1993.* For pld location, photos, map copies, and data pages, see the water district pld notebook assembled by Tim Luke at S.O.

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

65-02847

- 05755 through 05759

- 00003

- 04982

- 04615

- 11269

- 11212

- 02019

- 00165 A

- " B

- " C

- " X

- 07425

- 07428

- 07848

- 12756

- 05459

- 11258

- 05921

- 08627

- 11261

- 11255

65-03617

- 07461

- 02809

- 00486

- 10505

- 06037

- 04298

- 05817

- 06591

- 12623

- 00072

- 11061

MICROFILMED

AUG 03 1994

- Steve Laster

1/21/93

* From about Gardena to
Fremont/Land stretched of river.

LAND LIST ATTACHMENT

ACREAGE TABULATION FOR LOWER PAYETTE DITCH 6-9-78

Description and location of place of use: SECOND 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		
✓ 10N	5W	3											13					13	✓	
✓		4		1E2			1E3	1E4												
✓				16	15		34	2	37	35	36	35	34	36	8	38	38	36	400	✓
✓		9	38	38	36	37	24	37		15					36	5		12	278	✓
✓		10			3		8	40	10	36	37	35	18	38		25	38	12	300	✓
✓		14							6			1		1			25	4	37	✓
✓		15	26	39	20	38	37	22	1	19									202	✓
✓ 11N	5W	33												24			21		45	✓
✓ 10N	5W	23	32	37		15				6									90	✓
✓		24						5	23			34	8	28					98	✓

BY-LAWS OF THE SECOND EXTENSION DITCH COMPANY,
LIMITED, AS ADOPTED BY STOCKHOLDERS
AT THEIR MEETING IN ASSESSOR'S OFFICE
IN WASHINGTON COUNTY COURT HOUSE ON
JUNE 20th, 1896.

ARTICLE I

The object and purpose of business of this company shall be to construct and maintain a water ditch or canal to convey a portion of the water of the River Payette to be distributed, disposed of and used annually under the direction of this company for irrigating and other purposes, to this end the company shall construct and maintain all necessary dams, headgates, flumes, reservoirs and aqueducts and control, regulate and distribute said water.

ARTICLE II.

The officers shall consist of a President, Vice President, Secretary and Treasurer who shall be chosen by the Directors from among their number.

ARTICLE III.

Section 1. A Board of five Directors shall be elected at the annual meeting of the Stockholders. The Directors elect shall serve for one year from the first Tuesday of June of each year and until their successors are elected and qualified.

Section 2. No stockholder shall be eligible for election as a member of the Board of Directors unless he is a bona fide owner of at least one share of the paid up capital stock of the company at the time of election. (Amended in annual meeting February 20, 1918 change "One share" to read "one-fourth share" as shown on page 123.)

ARTICLE IV.

Section 1. President: The President shall preside at all meetings of the company, Directors or Stockholders, shall supervise the affairs of the company and all the Directors together whenever he deems it expedient. He shall sign as President all contracts and other instruments of writing which have first been approved by the Board of Directors.

Section 2. In the absence of the President, the Vice President shall perform his duties.

ARTICLE 22.

These By-Laws shall always remain in the possession of the Secretary of the Company.

We, the undersigned, Directors of the Second Extension Ditch Company, Ltd. hereby certify that the foregoing Twenty-two (22) Articles have been duly adopted as the By-Laws of the said Corporation.

WITNESS Our hands this 20th day of June, 1896.

August Brockman

F. M. Hubbard

E. M. Barton

August Brockman
Secretary.



Department of State

CORPORATION REINSTATEMENT CERTIFICATE

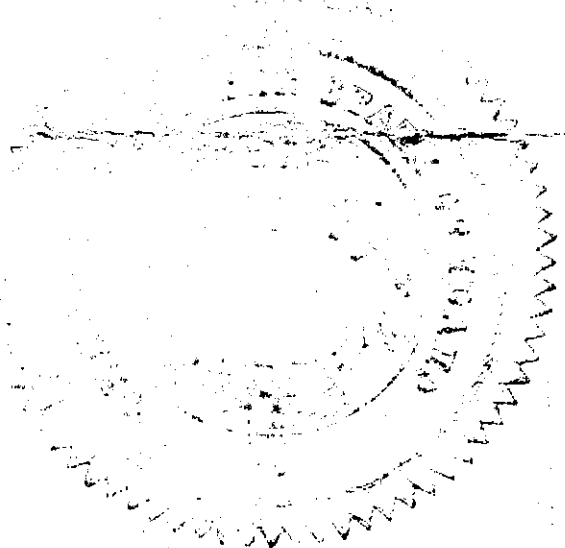
I, J. D. (CY) PRICE, Secretary of State of the State of Idaho, and legal custodian of the corporation records of the State and collector of the annual corporation tax, do hereby certify that

SECOND EXTENSION DITCH COMPANY, LTD.

a corporation organized and existing under and by virtue of the laws of the State of Idaho, with its principal place of business in Idaho located at Weiser, Idaho, forfeited on the first day of December, 1914, its charter or authority to do business in the State of Idaho, because of failure to submit annual statement which was due the State of Idaho for the fiscal year ending June 30th, 1915, as provided by Section 26-607, Idaho Code, Annotated.

AND I FURTHER CERTIFY, That the said corporation has subsequently and on the eighteenth day of June, 1918, submitted required annual statement and paid the required penalties and the said corporation is therefore reinstated on the records of this office, and all the corporate rights which it enjoyed under the Constitution and Laws of the State of Idaho prior to the date of said forfeiture, are hereby restored.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State. Done at Boise City, the Capital of Idaho, this eighteenth day of June, in the year of our Lord one thousand nine hundred forty-eight and of the Independence of the United States of America the One Hundred Seventy-second.



Secretary of State.

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

$$29.26 (1.286) = 37.63 \text{ cfs}$$

$$6583.5 (1.286) = 8466.4 \text{ AFS}$$

LOSS TABLE FOR DELIVERY

MILE	Q (CFS)	LOSS (CFS)	Q DELIVERED (CFS)
1.00	249.50	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

3230

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

(Name of Claimant)

Telephone No. 642-2441

(Mailing Address)

(Zip Code)

~~DATE~~ 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: A65-00165B
Date Received: 4/12/90
Receipt No: 499999
Received By: DAS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOWER PAYETTE DITCH CO.
Address: 114 N. 8TH ST.
PAYETTE, ID 83661
2. Date of Priority: JUN 20, 1896
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	37.630		
7. Total Quantity Appropriated is:
37.630 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

A65-00165B Page 1 Date: 09/27/88

MICROFILMED
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
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
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
						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

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:

65-0165X, 65-0165A, 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

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

A65-00165B

Page

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Date: 09/27/88

MICROFILMED

SEP 15 1992

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am President of _____ Title

Lower Payette Ditch Co., that I have signed the foregoing Organization

document in the space below as President of _____ Title

Lower Payette Ditch Co. and that the statements contained in the Organization

foregoing document are true and correct.

Cecil Shurtliff
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

William L. Davis
Notary Public

Seal

Residing at Payette

My Commission Expires 12/20/94