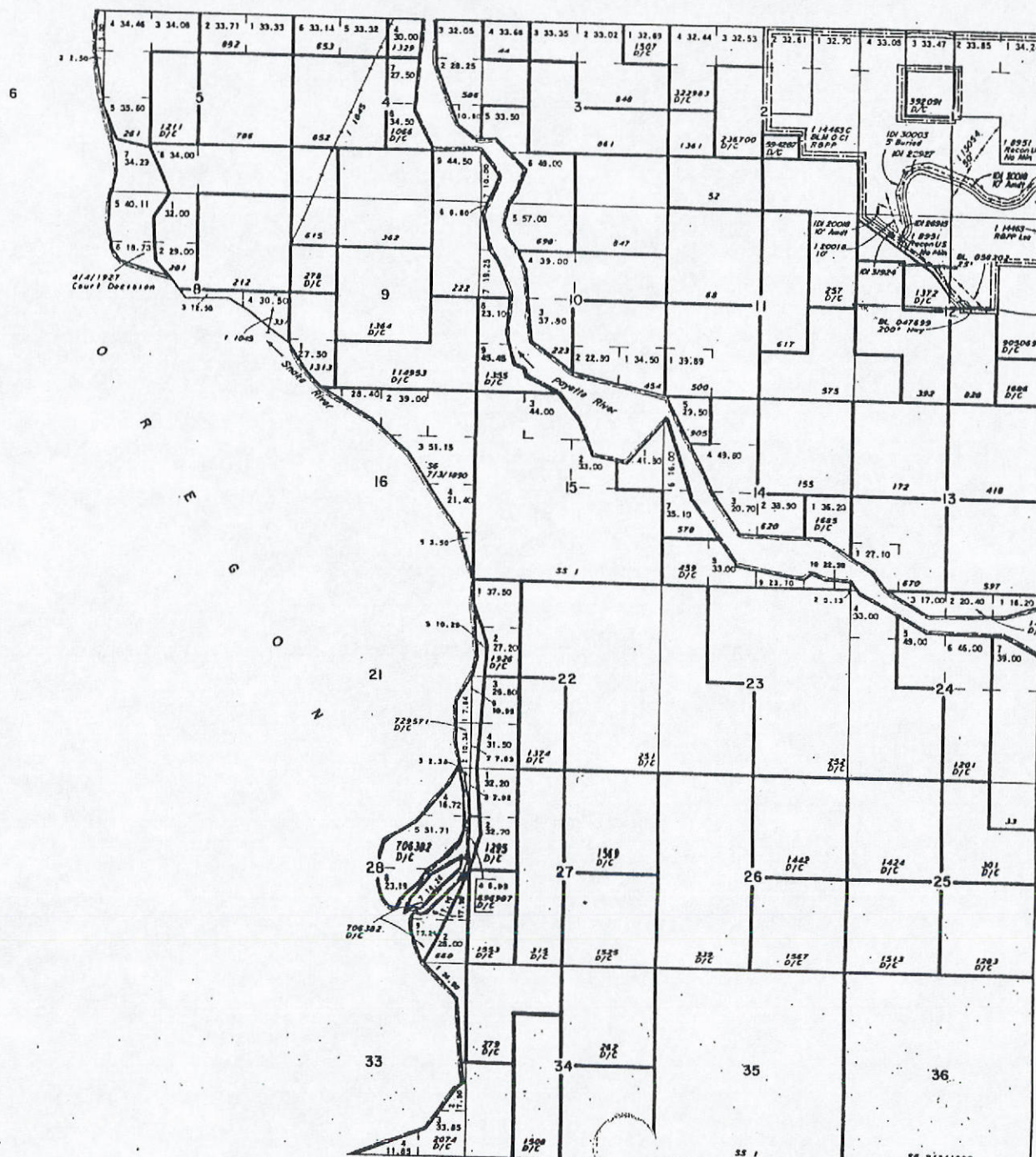


BOISE DISTRICT SEC 3

MT PLAT

[illegible]

SCALE in Chords

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

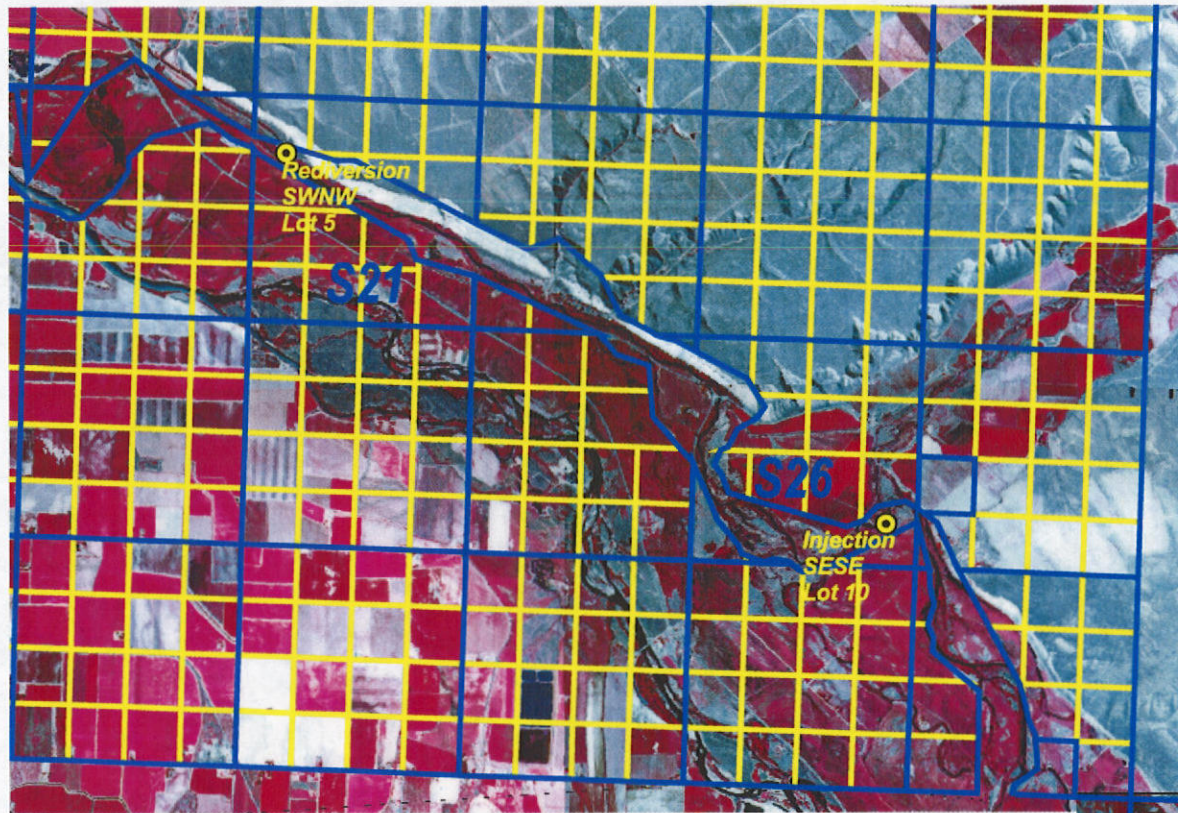
Date: 12 DEC 00

● POD
SECTION

1/4 1/4

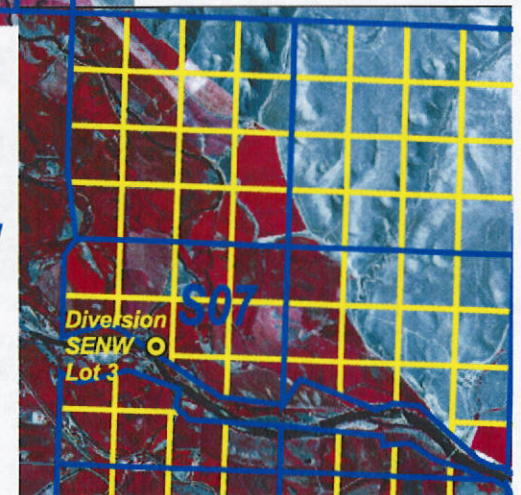


1987 NAPP



T08N R04W
S21 & S26

T07N R03W
S07



Payette Heights Water Company

Payette Idaho

November 2, 1915.

Mr. E. J. Paris,
Commissioner of Reclamation,
 Boise, Idaho.

RECEIVED

NOV 4 1915

Department of Reclamation

Dear Sir:

We wish to make application for proof of beneficial use on application 7308 Payette Heights Irrigation Company, but before doing so would like to have some information so that it will be correct.

We enclose a map of the land that has been irrigated, will the description given be in sufficient detail? To divide it up into smaller tracts and give the names of land owners would make the advertisement very expensive.

This final proof should have been made long ago, it was however overlooked and we are now doubtful as to what date we should use for the priority we wish to establish, could you give us the date we can establish as other filings made later may have taken precedence.

We also notice that our proof of completion of works claims 40 second feet which was not correct as the pumps only threw 22 second feet which is the amount we wish to make proof on.

We first made full use of the water in 1917.

The original filing was made in the name of the Payette Heights Irrigation Company, this was transferred to the Payette Heights Irrigation District, and then transferred by it to the Payette Heights Water Company in whose name it now stands, and in its name we wish to make the final proof.

Any information you can give us that will save any further delay in completing the application will be appreciated.

We have the necessary forms.

Very truly yours
PAYETTE HEIGHTS WATER COMPANY

J. W. Williams
President.

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: A65-00165C
Date Received: 4/16/86
Receipt No: 1999599
Received By: B.A.

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: APR 01, 1917

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	59.230		

7. Total Quantity Appropriated is:
59.230 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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Date: 09/28/86

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	15.0
			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
			SW	NW	4	IRR
			NE	SW	3	IRR
			NE	SE		IRR
			NW	SE		IRR
			SW	SE	2	IRR
			SE	SE	1	IRR

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	36.0
	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 <i>BLA</i>	IRR	1.0
	NE	NW <i>BLA/PVT</i>	IRR	1.0
	NW	NW <i>BLA/PVT</i>	IRR	20.0
	SW	NW	IRR	38.0
	SE	NW <i>BLA/PVT</i>	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

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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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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

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25X10

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	05W	27	SE	NE	1	IRR	35.0
			NE	NW	2	IRR	31.0
			NW	NW	3	IRR	32.0
			SW	NW	4	IRR	30.0
			SE	NW	5	IRR	32.0
			NE	SW	6	IRR	37.0
			NW	SW	7	IRR	25.0
			SW	SW	8	IRR	25.0
			SE	SW	9	IRR	30.0
			NE	SE	10	IRR	26.0
			NW	SE	11	IRR	28.0
			SW	SE	12	IRR	35.0
			SE	SE	13	IRR	24.0

Section Acres 494.0

28	NW	NE	1	IRR	10.7
	SW	NE	2	IRR	25.0
	SE	NE	3	IRR	26.0
	NE	SW	4	IRR	27.0
	SW	SW	5	IRR	30.0
	NE	SE	6	IRR	30.0
	NW	SE	7	IRR	28.0
	SW	SE	8	IRR	25.0
	SE	SE	9	IRR	25.0

Section Acres 226.0

33	NE	NE	1	IRR	20.0
	NW	NE	2	IRR	20.0
	SW	NE	3	IRR	20.0
	SE	NE	4	IRR	10.0
	NE	NW	5	IRR	19.0
	SE	NW	6	IRR	7.0
	NE	SE	7	IRR	15.0
	NW	SE	8	IRR	10.0
	SE	SE	9	IRR	10.0

Section Acres 131.0

34	NE	NE	1	IRR	27.0
	NW	NE	2	IRR	29.0
	SW	NE	3	IRR	34.0
	SE	NE	4	IRR	20.0
	NE	NW	5	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

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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 St	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	20.0
	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

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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	35.0	
			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 <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	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				
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, 65-0165B, 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

A65-00165C

Page

13

Date: 09/28/88

25X11

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am President of Lower Payette Ditch Co., that I have signed the foregoing document in the space below as President of Lower Payette Ditch Co. and that the statements contained in the foregoing document are true and correct.

Cecil J. Lundberg
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. Levine
Notary Public

Seal

Residing at Payette

My Commission Expires 12/31/99

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 TWEN 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

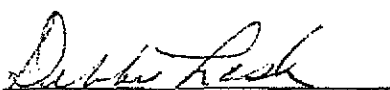
CERTIFICATE OF MAILING

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 65-00165C
(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

DEPARTMENT OF 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)

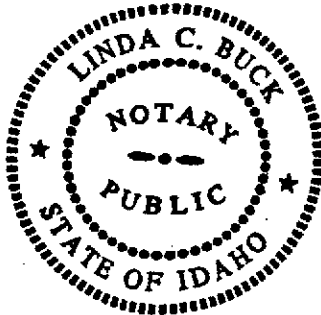
That I am the party/claimant filing this response as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing response)

Larry A. 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.

F

CERTIFICATE OF MAILING

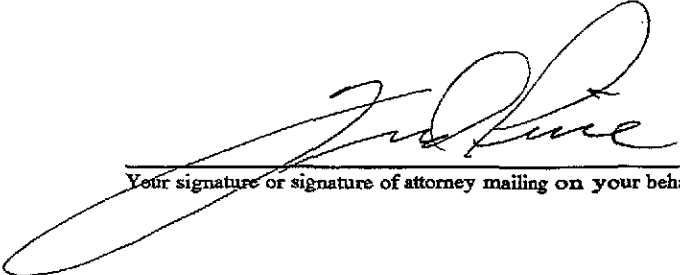
I certify that on 3-21, 2002 mailed the original and copies of this response, including all attachments, to the following persons:

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:

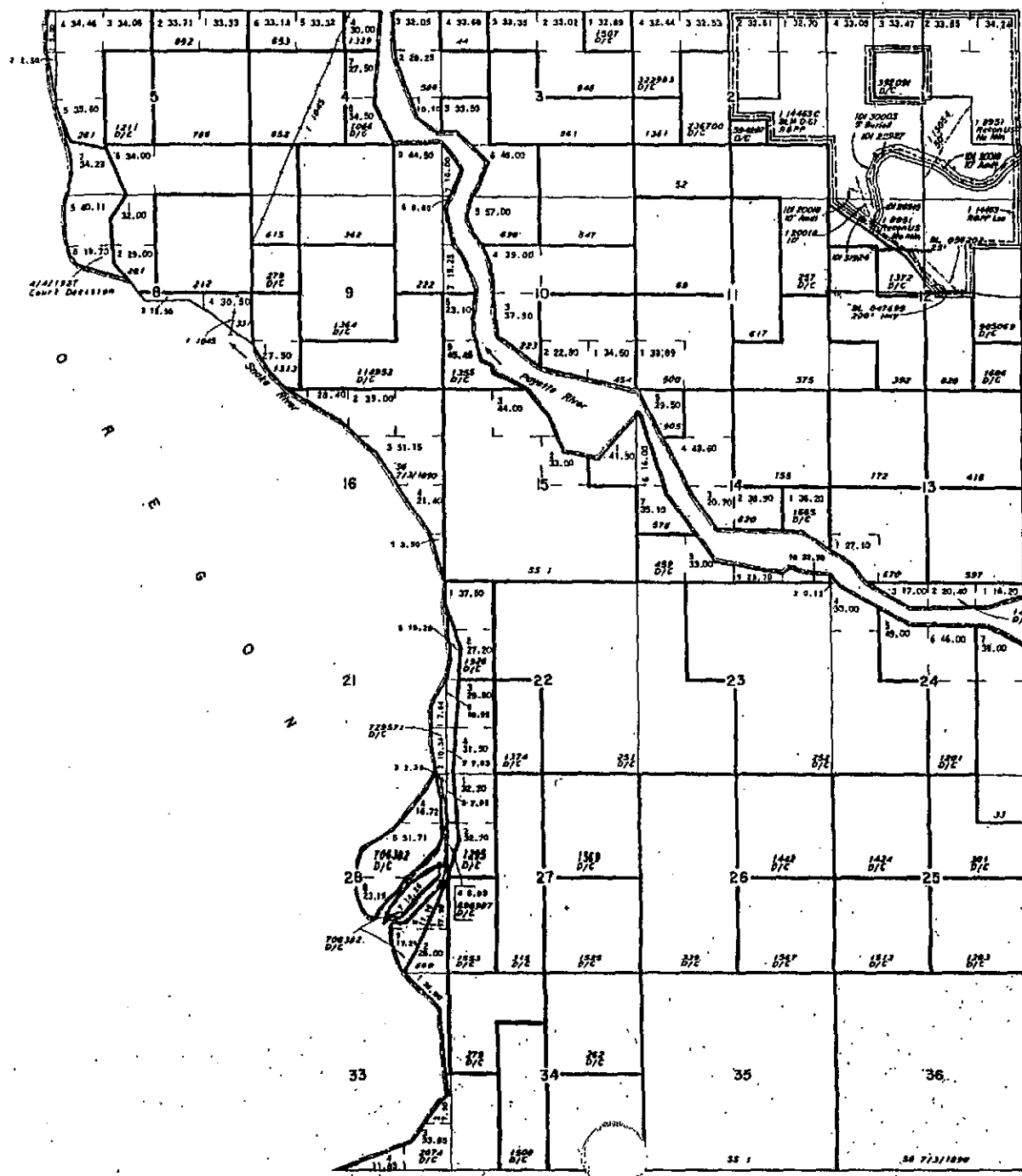
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

BOISE DISTRICT SEC 3

MT PLAT

SCALE in Chains

[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:	

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. 65-00165C

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:

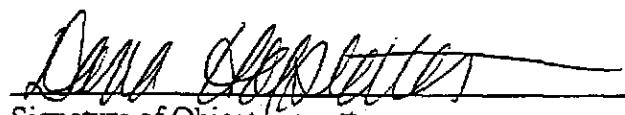
Lower Payette Ditch Co.
102 N Main
Payette, Idaho 83661

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 COWR PAYETTE DITCH CO NOC

TO: COW 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
OKg ON 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.

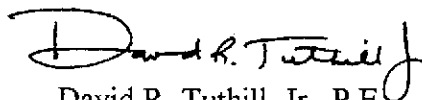
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without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

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:

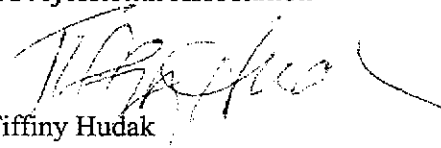
Enclosed for filing please find the original and one copy of our Notice of Appearance as counsel of record for Lower Payette Ditch Company for water right nos. 65-00165A, 65-00165B, 65-00165C, 65-00165X, 65-07425, 65-07428, 65-07848, 65-07882, and 65-11413. Also enclosed is an additional copy of the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

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

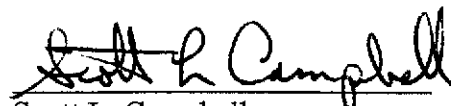
BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

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

**Notice of Error
Reply**

03/08/2001
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: 65-00165C

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

12/14/2000

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

RIGHT NUMBER: 65-165C

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

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 59.23 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: 04/01/1917

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	59.23 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 Recommendation

Claims:

65-00165A

65-00165B

65-00165C

65-00165X

65-07425

65-07428

65-07848

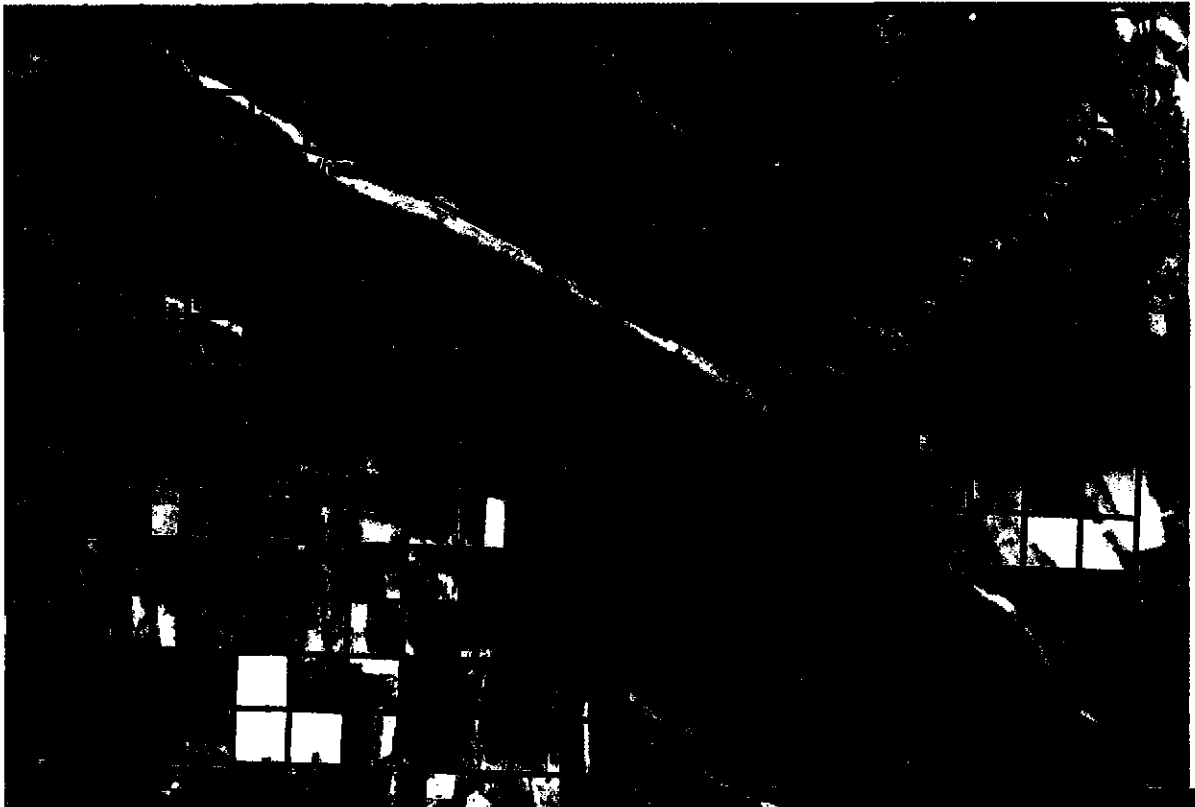
**Owner : Lower Payette
Ditch Co.**

Prepared by:

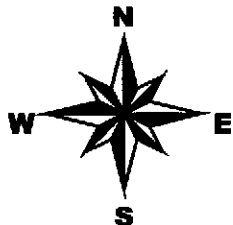
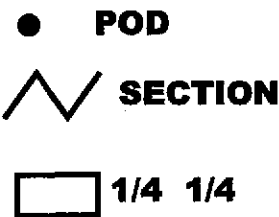
RON HOWERTON

Date: 12 DEC 00

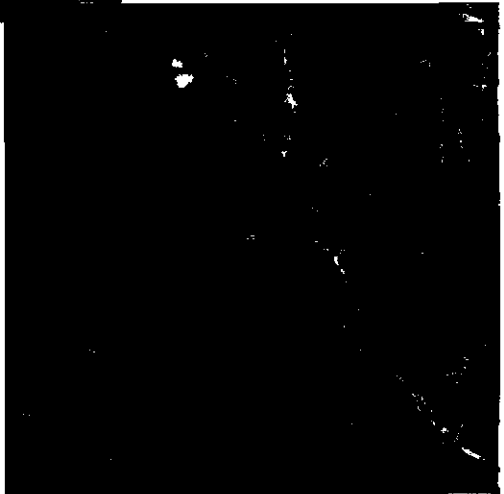
Idaho Department of Water Resources



**T08N R04W
S21 & S26**



**T07N R03W
S07**



1987 NAPP



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	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 <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.

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 268

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
65-2019	PENCE, THOMAS F. STAR ROUTE, PAYETTE, IDAHO 83661 REMARKS: TWO POINTS OF DIVERSION IN LOT 1, S. 26, T8N, R4W.	2/14/1916	IRRIGATION	3/15 11/15	--- AFA 1.38 CFS	LOT 1 S26 T 8N R 4W	SWSW(5) SESE(19) S24 T 8N R 4W NENW(2) NNW(12) S25 T 8N R 4W NENE(24) NWNE(2) SWNE(2) SESE(3) S26 T 8N R 4W *69*	LICENSE
65-0587	BOISE CASCADE CORP. TIMBER & WOOD PRODUCTS DIV., 1010 JEFFERSON STREET, BOISE, IDAHO 83702	6/ 1/1916	INDUSTRIAL	1/ 1 12/31	11912.00 AFA 19.04 CFS	LOT 3 S 7 T 6N R 1W	NENE NWNE SWNE SENE SENW S12 T 6N R 2W	BENEFICIAL USE
65-0165C	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.	4/ 1/1917	IRRIGATION	3/15 11/15	--- AFA 59.23 CFS	LOT 3 S 7 T 7N R 3W	*10990*	BENEFICIAL USE
65-10491	EMMETT IRRIGATION DISTRICT P. O. BOX 515, EMMETT, IDAHO 83617 REMARKS: PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT.	4/ 1/1919	IRRIGATION	3/15 11/15	--- AFA 172.00 CFS	LOT 1 S22 T 7N R 1E LOT 6 S22 T 7N R 1W	*21452*	BENEFICIAL USE
65-0071B	STEWART DITCH COMPANY C/O LENARD PLATZ, ROUTE 1, BOX 164, EMMETT, IDAHO 83617 REMARKS: SEE 65-0071A. STEWART WATER DELIVERED BY RASMUSSEN DITCH.	4/ 1/1919	IRRIGATION	3/15 11/15	--- AFA 2.44 CFS	SWSE S21 T 7N R 3W	*102*	BENEFICIAL USE
65-8742	LANHAM, REX E. & LANHAM, H. M. ROUTE 2 BOX 242, EMMETT, IDAHO 83617 REMARKS: POINT OF RE-DIVERSION FROM GILL SLOUGH SWSE, S1, T6N, R2W.	6/ 1/1919	IRRIGATION	3/15 11/15	--- AFA .56 CFS	SWSW S 6 T 6N R 1W	NENE(22) NWNE(6) S11 T 6N R 2W *28*	BENEFICIAL USE
65-5759	ACCORD, O. THAYNE 1900 WEST 3500 SOUTH, SALT LAKE CITY, UTAH 84119	6/ 1/1920	IRRIGATION	3/15 11/15	--- AFA .28 CFS	LOT 2 S 7 T 7N R 3W	SWNE(9) LOT 2(5) S 7 T 7N R 3W *14*	BENEFICIAL USE

DATE: 12/13/00
PAGE: 5

Stage: DECREED

PAYETTE County

PAYETTE County
(F) T8N R4W S26
SE SESE Lot 10

				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	Lt	Ac	SUM	
07N	03W	5	:																																	3.0	
07N	03W	6	:					12		02																			30		08		27		36	115.0	
08N	04W	6	:																																	80.0	
08N	04W	7	:			40		40		40																										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	:													04-03																				3.0	
08N	05W	2	:																			06		28		39										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		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		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

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE																				
T	R	S	NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		SUM
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac			
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								34	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						08	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	24	37	38			477.0				
11N	05W	33																											21			45.0			
																																	TOTAL ACRES	11008.0	

POU County: PAYETTE

Other Rights: 65-0165X, 65-0165A, 65-0165B, 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.

DELETE

Dates: Exam Made Date: Verified Date: 04/24/1987 Objection Filed Date: *at field headgate*
Misc: Water District Number: 65 Field Inspection Flag: *QUT E28*
Presumption Flag: *when measured*

218

Point KOB

*SEE TOPO IN 165A
POU MAP*

WR5809NP
No. 65-00165C

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/17/99
PAGE: 7

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	04/01/1917	IRRIGATION	03/15 11/15	59.230 CFS	
TOTAL DIVERSION:					59.230 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:	04/01/1917
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

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 GORRANO
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 Diversions 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 them 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

- 66037

- 04298

- 05817

- 06591

- 12623

- 00072

- 11061

MICROFILMED

AUG 03 1994

- Steve Latta

1/21/93

* From about Gardena to
Frontland stretch of river.

NOTE: Jim Bivens of Bivens Livestock stated that some 200 acres of his lands receive lower payette water. These lands were selected at random from that ranch.

LAND LIST ATTACHMENT

Description and location of place of use: Payette Heights Extension

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
✓ 8N	4W	6												40			40		80
✓ 8N	4W	7	40	40	40														120
✓ 9N	5W	1	31	34	17	1	1									7	9		100
✓		12	3	15	10	6								5		16	9		64
✓		13					31	20	40	18	4	39	39						191
✓		14				23									28		19	37	107
✓		23	30	39	39	40	9			26	34	2	16	37	40	36	38	40	426
✓		24					15	15	30	30			40	38					123
✓		25					40	39	36	35									150
✓		26		38	20		28	18					25						129
✓		27	10			32									25		6	24	97
✓		34	27	20	23	20									30	17	25	27	189
✓		35			19	36	20	20		38	39	10	10	39		35			266
✓ 9N	4W	6						2											2
✓ 10N	5W	4		20	5										11			2	38
✓		10			3		16			2						5		5	31
✓		15	10			1													11
✓		25			10										2	8	10	8	38
✓		36	6	5	14	25								8	24	21	38		141

Total number of acres irrigated 2303

NOTE: The only land currently irrigated from the Payette Heights point of diversion is 78 acres in E $\frac{1}{2}$ SW $\frac{1}{4}$ S35 T 9N R5W, owned by Harry Sloan. However, the 1917 date of priority attributed to this right applies to all of the lands in this land list.

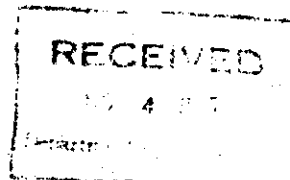
9/19/78

Payette Heights Water Company

Payette Idaho

March 1, 1917.

Mr. J. J. Paris,
Comptroller of Reclamation,
Boise, Idaho.



Dear Sir:

We wish to make a final proof of beneficial use on application 7304 Payette Heights Irrigation Company, but before doing so would like to have some information so that it will be correct.

We enclose a map of the land that has been irrigated, will the description given be in sufficient detail? To divide it up into smaller tracts and give the names of land owners would make the advertisement very expensive.

This final proof should have been made long ago, it was however overlooked and we are now doubtful as to what date we should use for the priority we wish to establish, could you give us the date we can establish as other filings were later may have taken precedence.

We also notice that our proof of completion of works claims 40 second feet which was not correct as the works only threw 22 second feet which is the amount we wish to make proof on.

We first made full use of the water in 1917.

The original filing was made in the name of the Payette Heights Irrigation Company, this was transferred to the Payette Heights Irrigation District, and then transferred by it to the Payette Heights Water Company in whose name it now stands, and in its name we wish to make the final proof.

Any information you can give us that will save any further delay in completing the application will be appreciated.

We have the necessary forms.

Very truly yours,
PAYETTE HEIGHTS WATER COMPANY

J. H. [Signature]
President.

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

$$46.06 (1.286) = 59.23 \text{ CFS}$$

$$10363.5 (1.286) = 13327.5 \text{ AFA}$$

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

65-01650	
I.D. No.	Map No.
\$	
Fee Paid	Receipt No.

DRF 9/19/18

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: A65-00165C
Date Received: 4/16/90
Receipt No: +999999
Received By: BA

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: APR 01, 1917
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	59.230		
7. Total Quantity Appropriated is:
59.230 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

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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		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
			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
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

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, 65-0165B, 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

A65-00165C

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Date: 09/28/88

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
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 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. Levine
Notary Public

Seal

Residing at Payette
My Commission Expires 12/30/94