

Notice is hereby given that

Emmett Irrigation District

(Name of Claimant)

P.O.Box 515, Emmett, Idaho

(Mailing Address)

claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) Nov. 26th, 1883
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Payette River
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: (Both Dates Inclusive)
- Use Irrigation Period of Use From April 1, To October 31.
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
- Use Period of Use From To
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
- Use Period of Use From To
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
- (4) Quantity of water claimed: Cubic Feet Per Second, or Acre Feet Per Annum,
and/or Gals. Per Minute.
- (5) A) Point of Diversion: Give location of point where water is diverted from its source through Lot 2
Sec. 22, Twp. T 7 N., Rge. R. 1 W., B.M.; additional points:
- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)
Give sizes and capacities; be as specific as possible.
- (6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
7 N.	2 W.	31					-	-	37.3	14.5	38.6	25.8	-	-	-	30.1	17.2	26.6	180.5
7 N.	3 W.	25												10.0					10.0
7 N.	3 W.	36																	17.4
6 N.	2 W.	5																	198.7
6 N.	2 W.	6																	72.3

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

- (7) Effluent, sewage waste, or return water from this use is discharged into: Fraser Conrad Deeded " " Brain Total No. of acres 478.9
- (8) If you are claiming water as a member of an organization, list name of organization:
- (9) Remarks Water was originally diverted by posted notice from the Payette River in Lot 8, Sec. 6, T. 6 N., R. 2 W. B.M., by Thomas Elliott, then to Riverside Ditch Company, then to Emmett Irrigation District.
- (10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case
☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.:

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

Individual

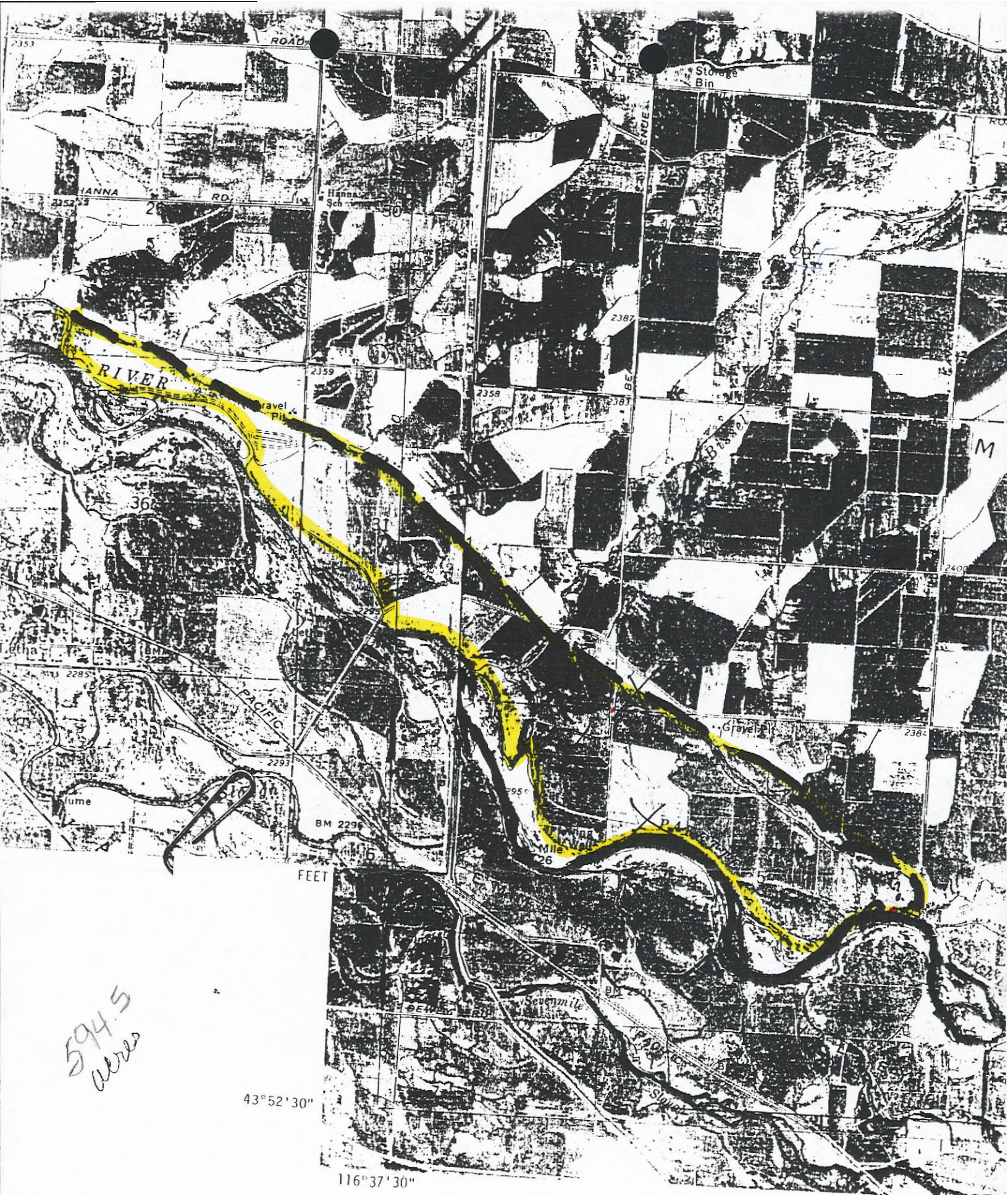
April 8, 1970

(Date)

(Signature of Claimant)

(Signature of Spouse)

Organization



594.5
acres

43°52'30"

116°37'30"

Produced by the Geological Survey

Orthophotograph prepared from 1:76,000-scale
aerial photographs taken August 4, 1971

280 000 FEET

DRT 10-25-77

3. That in consideration of the foregoing, Emmett Irrigation district, a municipal corporation, party of the second part, does hereby release and relinquish to Riverside Irrigation Ditch Company, and corporation, for its use, and the use of its stockholders, and for the use and benefit of all lands lying south of the limits of said district, and benefit of all lands lying south of the limits of said district, and between the North and South $\frac{1}{4}$ Section line in Section 4, Twp. 6 N. R. 2 W. S. M., and the West line of Section 25, Twp. 7 N. R. 2 W. S. M., all waste and excess irrigation waters escaping from the limits of said District towards the Payette River between said lines; and said Emmett Irrigation District does hereby promise, contract and covenant with said Riverside Irrigation Ditch Company, and with its stockholders, and with their successors in title and interest in and to said lands lying south of the limits of said district, that said district will not hereafter attempt to prevent the flow of said excess or waste waters towards said Payette River, but will permit the same to continue to flow and escape undisturbed and uninterrupted towards the said river to the end that it may be captured, appropriated, and used by said Riverside Irrigation Ditch Company, and its stockholders, and the owners of said lands, and by them used for irrigation and domestic purposes.

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: A65-00023
Date Received: 1/19/1990
Receipt No: X999999
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: EMMETT IRRIGATION DISTRICT
Address: 222 E PARK ST
EMMETT ID 83617

2. Date of Priority: NOV 26, 1883

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	01W	22	SE	NE		1	GEM
			NE	SE		6	GEM

5. Description of diverting works:
DIVERSION DAM, PUMP, CANAL, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	18.500		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER ASSOCIATED WITH IRRIGATION SYSTEM

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
----------	-------	---------	--------	-----	-----	-----	-------

11. Place of use in counties:

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
EMMETT IRR. DIST. RIGHTS

14. Remarks:
PLACES OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT.
IRRIGATED ACRES = 21,452.
CLAIM AMENDED PER STIPULATION FROM PAYETTE RIVER BASIN
ADJUDICATION. 03/01/1996 MM.

15. Basis of Claim: POSTED NOTICE

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 65-00023

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAR 24 2004	
By _____	
	Clerk
	Deputy Clerk

NAME AND ADDRESS: EMMETT IRRIGATION DISTRICT
222 E PARK ST
EMMETT, ID 83617

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 18.50 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 523.12 CFS.
COMBINED RIGHT NOS.: 65-02080, 65-02004, 65-07832, AND 65-10491.

PRIORITY DATE: 11/26/1983

POINT OF DIVERSION: T07N R01W S22 LOT 6 (NESE) Within Gem County
LOT 1 (SENE)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	18.50 CFS

PLACE OF USE:

PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 23,106.28 ACRES WITHIN THE
BOUNDARIES OF THE EMMETT IRRIGATION DISTRICT IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-02080, 65-02004,
65-07832, 65-10491 and 65-12194.
The boundary encompassing the place of use for this water right
is described with a digital boundary as defined by I.C. Section
42-202B(2)(2003) and authorized pursuant to I.C. Section 42-1411
(2)(h)(2003). The data comprising the digital boundary are
incorporated herein by reference and are stored on a cd-rom disk
issued in duplicate originals on file with the SRBA District
Court and the Idaho Department of Water Resources. A map
depicting the place of use is attached hereto to illustrate the
place of use described by the digital boundary.

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. I.C. SECTION 42-1412(6).

02/13/2004

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

RIGHT NUMBER: 65-23

NAME AND ADDRESS: EMMETT IRRIGATION DIST
222 E PARK ST
EMMETT ID 83617

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 18.500 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 523.12 CFS. COMBINED RIGHT NOS.:
65-02080, 65-02004, 65-07832, AND 65-10491.

PRIORITY DATE: 11/26/1883

POINT OF DIVERSION:

T07N R01W S22 SENE Lot 1 Within GEM County
T07N R01W S22 NESE Lot 6 Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	18.500 CFS

PLACE OF USE:

PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 23,106.28 ACRES WITHIN THE
BOUNDARIES OF THE EMMETT IRRIGATION DISTRICT IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-02080, 65-02004,
65-07832, 65-10491 AND 65-12194.

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: Beneficial Use

88.08 CFS OF RIGHT NO. 65-10491 IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF RIGHT NOS. 65-00023, 65-02004, 65-02080 AND
65-10491.

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

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06N 01W 10						X	X	X			X								
06N 01W 16	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
06N 01W 17	X				X									X					
06N 01W 19											X L4	X	X			X	X		
06N 01W 20	X				X					X	X	X	X	X	X	X	X		
06N 01W 21		X				X	X	X											
06N 01W 29							X												
06N 01W 30	X	X				X	X L1	X L2	X										
06N 02W 1	X L1	X L2	X	X	X L3	X L4	X	X	X	X					X				
06N 02W 2	X L1	X L2	X	X	X L3	X L4	X	X	X	X	X	X	X	X	X	X	X	X	X
06N 02W 3	X L1	X L2	X	X	X L3	X L4	X	X	X	X	X	X	X	X	X	X	X	X	X
06N 02W 4	X L1	X L2	X	X	X L3	X L4	X	X	X						X	X	X L7	X	X
06N 02W 5	X L1	X L2	X	X	X L3			X L6											
06N 02W 17						X	X	X	X	X	X	X	X			X	X	X	X
06N 02W 18	X	X	X	X	X		X L2	X	X	X L3	X L4	X	X	X	X	X	X	X	X
06N 02W 19	X	X			X	X L1													
06N 02W 20	X	X	X	X	X	X		X							X				
06N 02W 21							X	X	X	X	X	X	X			X	X	X	X
06N 02W 22											X	X							
06N 02W 25	X	X	X	X		X	X	X	X	X									
06N 02W 26	X	X	X	X		X	X	X	X	X					X	X			

IDAHO DEPARTMENT OF WATER RESOURCES

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06N 02W 27		X	X	X	X		X	X	X	X							X				
06N 02W 28		X	X		X		X														
06N 03W 4								X _{L 4}	X	X		X	X	X	X		X	X	X	X	
06N 03W 5		X _{L 1}	X _{L 2}		X _{L 5}												X _{L 8}				
06N 03W 9		X _{L 1}	X _{L 2}		X _{L 10}																
06N 03W 10				X	X		X	X	X	X		X					X	X			
06N 03W 11									X	X		X	X	X	X			X	X	X	
06N 03W 13				X	X		X	X	X	X		X					X	X		X	
06N 03W 14		X _{L 1}	X _{L 2}																		
07N 01W 19													X _{L 4}	X					X		
07N 01W 21																				X	
07N 01W 22													X	X _{L 8}					X _{L 7}	X	
07N 01W 26								X	X			X	X	X	X						
07N 01W 27		X	X _{L 1}	X _{L 4}	X		X _{L 2}	X	X				X _{L 7}		X _{L 9}		X	X	X	X	
07N 01W 28		X	X	X	X		X		X	X		X	X	X	X		X	X	X	X _{L 1}	
07N 01W 29				X	X		X	X	X	X		X	X	X	X		X	X	X	X	
07N 01W 30		X	X	X	X		X	X _{L 1}	X _{L 2}	X		X	X _{L 3}	X _{L 4}	X		X	X	X	X	
07N 01W 31		X	X	X	X		X	X _{L 1}	X _{L 2}	X		X	X _{L 3}	X _{L 4}	X		X	X	X	X	
07N 01W 32		X	X	X	X		X	X	X	X		X	X	X	X _{L 3}		X _{L 1}	X _{L 2}			
07N 01W 33		X _{L 4}	X _{L 5}	X _{L 6}	X		X	X	X	X		X _{L 7}	X _{L 8}				X		X	X	
07N 01W 34		X	X	X	X		X	X _{L 1}	X	X		X	X	X	X		X	X	X	X	

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[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

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07N 02W 35		X	X	X	X		X	X	X	X		X	X	X	X		X	X	X	X	
07N 02W 36		X	X	X	X		X	X	X	X		X	X	X	X		X	X	X	X	
07N 03W 1														X					X	X	
07N 03W 8					X												X			X	
																				L 1	
07N 03W 9				X	X				X	X		X	X	X	X		X	X	X	X	
														L 1							
07N 03W 10												X	X	X	X				X	X	
07N 03W 11		X	X	X	X												X		X	X	
07N 03W 12		X	X	X			X	X	X	X		X	X	X	X						
07N 03W 13							X	X	X			X	X	X	X		X	X	X	X	
07N 03W 14		X	X	X	X		X	X	X	X		X	X	X	X		X	X	X	X	
07N 03W 15		X	X	X	X		X	X	X	X		X	X	X	X		X	X	X	X	
07N 03W 16		X	X	X	X		X			X		X			X		X	X	X	X	
							L 4			L 3		L 2			L 1						
07N 03W 21		X																			
		L 1																			
07N 03W 22		X	X	X	X		X	X		X		X					X	X		X	
							L 4			L 3		L 6					L 2			L 1	
07N 03W 23		X	X	X	X		X	X	X	X		X	X	X	X		X	X	X	X	
07N 03W 24		X	X	X	X		X	X	X	X		X	X	X	X		X	X	X	X	
07N 03W 25		X	X	X	X		X	X	X	X		X	X	X	X		X	X	X	X	
													L 2	L 3	L 1						
07N 03W 26		X	X	X	X		X	X		X							X	X			
							L 4			L 3							L 1	L 2			
07N 03W 32																	X	X	X	X	
07N 03W 36		X	X																		
		L 2	L 3																		

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 65-23 V2

Conditions of Approval:

1. C18 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.

Remarks:

1. Place of Use - Irrigation PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 21,757.1 ACRES WITHIN THE BOUNDARIES OF THE EMMETT IRRIGATION DISTRICT IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-02080, 65-02004, 65-07832, AND 65-10491.
2. Explanatory 88.08 CFS OF RIGHT NO. 65-10491 IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 65-00023, 65-02004, 65-02080 AND 65-10491.
3. Quantity USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 523.12 CFS. COMBINED RIGHT NOS.: 65-02080, 65-02004, 65-07832, AND 65-10491.

Comments:

1. jshurte 12/18/2002 Comb Cons Af Amnt Removed
Comment: The consumptive acre foot amount portion of the combined quantity condition was removed. This total combined annual consumptive use was 76,150 AF in the original rec. Due to the objection and approval from Dave Tuthill this was removed for the Amended Directors Report filed with the Court in November, 2002. The total acres recommended were not changed.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number: 65
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
POU	12/18/2002 12:58:27 PM	jshurte			Active
POU	12/18/2002 1:00:09 PM	jshurte			Active
Summary			12/18/2002	jshurte	Active
POU	12/18/2002 1:48:52 PM	jshurte			Active
Summary			12/18/2002	jshurte	Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 65-23 V2

Summary 12/18/2002 jshurte Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	12/18/2002 1:00:11 PM	jshurte	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
POU	12/18/2002 12:58:29 PM	jshurte	(Yes) 1. Is the basis of this claim a Decree or License? (No) 2a. Is the POU required?
POU	12/18/2002 1:00:10 PM	jshurte	(Yes) 1. Is the basis of this claim a Decree or License? (No) 2a. Is the POU required?
POU	12/18/2002 1:48:54 PM	jshurte	(Yes) 1. Is the basis of this claim a Decree or License? (No) 2a. Is the POU required?
Summary	12/18/2002 3:10:32 PM	jshurte	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?
Summary	12/18/2002 3:15:54 PM	jshurte	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?

AMENDED DIRECTOR'S REPORT

Subcase No. 65-23

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources

Karl J. Dreher, Director

David R. Tuthill, Jr., Adjudication Bureau Chief

November 15, 2002

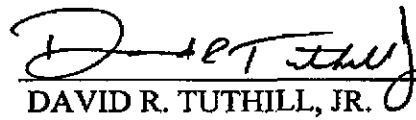
DESCRIPTIVE SUMMARY

This is an Amended Director's Report submitted by the Director of the Idaho Department of Water Resources.

DISCUSSION

Pursuant to the *Motion to File Amended Notice of Claim* filed on January 18, 2002, and the *Order Granting Motion to File Amended Notice of Claim; Requesting Amended Director's Report; and Setting Objection and Response Deadlines* issued by Special Master Cushman on August 20, 2002, the Director submits for filing with the Court, an Amended Director's Report for the aforementioned subcase (see attached print-out).

Respectfully submitted this 15th day of November, 2002.



DAVID R. TUTHILL, JR.
Adjudication Bureau Chief

CERTIFICATE OF SERVICE

I certify that on Nov. 15, 2002, I served the original and/or copies of this form, including all attachments, to the following persons by delivering the original and/or copies, as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

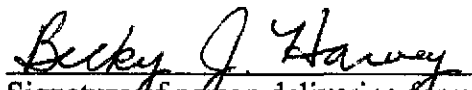
2. Copies to:

U.S. Dept. of Justice
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

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

Scott L. Campbell
101 S. Capitol Boulevard, 10th Floor
P.O. Box 829
Boise, ID 83701-0829

Gem County Courthouse
415 E. Main
Emmett, ID 83617


Signature of person delivering form

Amended Director's Report Right No. 65-23

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

RIGHT NUMBER: 65-23

NAME AND ADDRESS: EMMETT IRRIGATION DIST
222 E PARK ST
EMMETT ID 83617

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 18.500 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 523.12 CFS.
COMBINED RIGHT NOS.: 65-2004, 65-2080, 65-7832, AND 65-10491.

PRIORITY DATE: 11/26/1883

POINT OF DIVERSION:

T07N R01W S22 SENE Lot 1 Within GEM County
T07N R01W S22 NESE Lot 6 Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	18.500 CFS

PLACE OF USE:

PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 21,757.1 ACRES WITHIN THE
BOUNDARIES OF THE EMMETT IRRIGATION DISTRICT IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-2004, 65-2080,
65-7832, AND 65-10491.

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: Beneficial Use

88.08 CFS OF RIGHT NO. 65-10491 IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF RIGHT NOS. 65-23, 65-2004, 65-2080 AND
65-10491.

Amended Director's Report Right No. 65-23

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

RIGHT NUMBER: 65-23

NAME AND ADDRESS: EMMETT IRRIGATION DIST
222 E PARK ST
EMMETT ID 83617

SOURCE: PAYETTE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 18.500 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 523.12 CFS AND A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 76,150 AF. COMBINED RIGHT NOS.: 65-2004,
65-2080, 65-7832, AND 65-10491.

PRIORITY DATE: 11/26/1883

POINT OF DIVERSION:

T07N R01W S22 SENE Lot 1 Within GEM County

T07N R01W S22 NESE Lot 6 Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	18.500 CFS

PLACE OF USE:

PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 21,757.1 ACRES WITHIN THE
BOUNDARIES OF THE EMMETT IRRIGATION DISTRICT IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-2004, 65-2080,
65-7832, AND 65-10491.

*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: Beneficial Use

88.08 CFS OF RIGHT NO. 65-10491 IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF RIGHT NOS. 65-23, 65-2004, 65-2080 AND
65-10491.

RECEIVED

JAN 18 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 65-00023

(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Emmett Irrigation District

Address: 222 E. Park Street

Emmett, ID 83617

Daytime Phone: (208) 365-4582

Name & Address of Attorney, if any:

Scott L. Campbell

Moffatt Thomas Barrett Rock & Fields, Chtd.

P.O. Box 829

Boise, ID 83701-0829

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

Name: Emmett Irrigation District

Address: 222 W. Park Street

Emmett, ID 83617

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: Quantity element should omit any reference to annual volume for
consumptive use. That is not an element of a water right under I.C.
§ 42-1411(2)(c).
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
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: 23,106.28 acres within boundaries of Emmett Irrigation District

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):** The Director's Report does not reflect
the actual number of irrigated acres within the boundaries of Emmett Irrigation District.

F.

VERIFICATION (Must be Completed)

State of IDAHO)
)ss.
County of ADA)

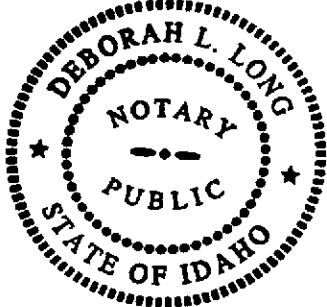
_____, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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)

Scott L Campbell
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:



1/17/08
Deborah Long

Notary Public for Idaho

Residing at: Boise, ID

My Commission Expires: 10/10/07

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 01/17, 2002, I mailed the original and copies of this objection, 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:

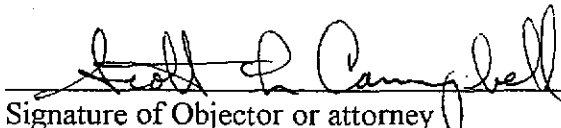
Emmett Irrigation District
222 E. Park Street
Emmett, ID 83617

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
PO 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

RECEIVED

JAN 24 2002

WATER RESOURCES
WESTERN REGION

RECEIVED

JAN 18 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)

A. Subcase 65-00023

(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation Attn: 3100

Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234

Daytime Phone: (208) 678-0461 Dala S. Walton

Name & Address of Attorney, if any:

David W. Gehlert (303) 312-7352

Trial Attorney, General Litigation Section

Environment and Natural Resource Division

U.S. Department of Justice

999 18th Street, Suite N945

Denver CO, 80202

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

Name: Emmett Irrigation District

Address: 222 E Park St.

Emmett ID 83617

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: A clarifying remark stating T07N R01W S22 NESE Lot 6 diversion is rate limited not to exceed 120 cfs as defined in the 1955 contract number 14-06-100-827 between Emmett Irrigation District and the Bureau of Reclamation.

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:

11. **I object because:**

☐ This water right should not exist.

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

E. **REASONS SUPPORTING EACH OBJECTION(S):**

Emmett Irrigation District diversion rate at T07N R01W S22 NESE Lot 6 is rate limited not to

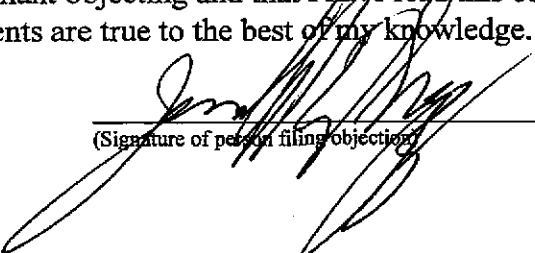
Emmett Irrigation District diversion rate at T07N R01W S22 NESE Lot 6 is rate limited not to exceed 120 cfs as defined in the 1955 contract number 14-06-100-827 between Emmett Irrigation District and the Bureau of Reclamation.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

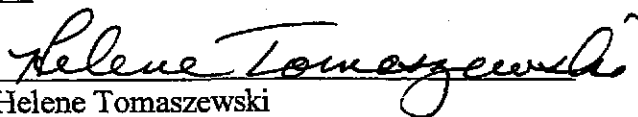
Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

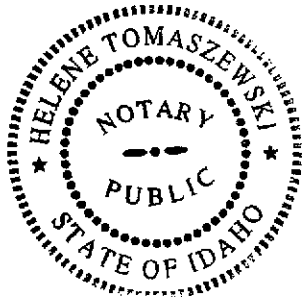
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 9, 2002


Helene Tomaszewski
Notary Public for: Idaho
Residing at: Meridian
My Commission Expires: 01-16-02



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 17, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
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:

Name: Emmett Irrigation District
Address: 222 E Park St.
Emmett ID 83617

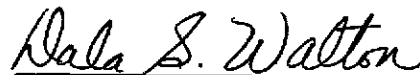
Scott L. Campbell
Moffatt Thomas Barrett Rock & Fields, Chtd.
P.O. Box 829
Boise, ID 83701-0829

3. Copies to:

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

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Objector or attorney mailing on Objector's behalf

AJ0749NP
No. R65-00023

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

DATE: 06/19/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EMMETT IRRIGATION DISTRICT 222 E PARK ST EMMETT ID 83617	11/26/1883	IRRIGATION	03-15 11-15	18.500 CFS	
TOTAL DIVERSION:					18.500 CFS	

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: POSTED NOTICE

Point(s) of Diversion: T07N R01W S22 Lot01(SENE) Lot06(NESE)

GEM County

POU County:

Other Rights: EMMETT IRR. DIST. RIGHTS

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 523.12 CFS AND A TOTAL COMBINED
ANNUAL CONSUMPTIVE USE VOLUME OF 76,150 AF. COMBINED RIGHT NOS.:
65-02080, 65-02004, 65-07832, AND 65-10491.

POU1 PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 21,757.1 ACRES WITHIN THE
BOUNDARIES OF THE EMMETT IRRIGATION DISTRICT IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-02080, 65-02004,
65-07832, AND 65-10491.

EXP 88.08 CFS OF RIGHT NO. 65-10491 IS LIMITED TO USE FOR
CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 65-00023, 65-02004,
65-02080 AND 65-10491.

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

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

Comments: Date: 04/01/1996 User-ID: MMINICUC Subject: STIPULATION
THIS RECORD RELECTS THE PAYETTE RIVER BASIN ADJUDICATION
STIPULATION. NO ADDITIONAL FIELD EXAM OR CVR REQUIRED.

Date: 06/19/2000 User-ID: SBOCK Subject: DIVERSION
RATE AS STIPULATED IS 18.5 CFS. THEY WERE LOOKING AT 17.17 CFS,
BUT CHANGED THE AMOUNT AS PER THE STIPULATION.

Audit: 06/19/00 SBOCK

03/07/2001

RECEIVED

APR 11 2001

WATER RESOURCES
WESTERN REGION

NOTICE OF ERROR
REPLY

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

Return this reply form 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: 65-23
EMMETT IRRIGATION DISTRICT
222 E PARK ST
EMMETT ID 83617

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

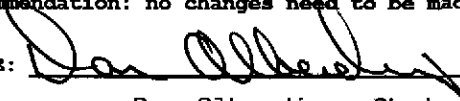
2. Describe the changes you wish to make in the proposed recommendation:

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

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

DATE: 05 Apr 2001

SIGNATURE:



Please print your name:

Dar Olberding, Chairman

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

LARRY ECHOHAWK
Attorney General

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

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

IN THE MATTER OF THE GENERAL	)	
DETERMINATION OF THE RIGHT	)	CIVIL NO. 3667
TO THE USE OF SURFACE AND	)	
GROUNDWATERS OF THE PAYETTE	)	STIPULATION RESOLVING
RIVER DRAINAGE BASIN	)	OBJECTIONS OF EMMETT
	)	IRRIGATION DISTRICT
	)	

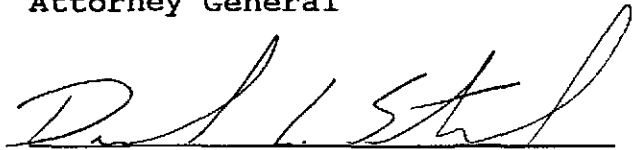
The Director of the Idaho Department of Water Resources, R. Keith Higginson and the Emmett Irrigation Company, by and through counsel, stipulate as follows:

1. That water right claim Nos. 65-00023, 65-02004, 65-02080, 65-10491, and 65-07832 be accepted and included in the Proposed Finding of Water Rights in the Payette River Drainage as set forth in Exhibit A, attached hereto and incorporated herein by this reference.
2. That the Emmett Irrigation District withdraws all pending objections in the above captioned matter.

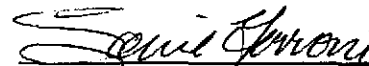
3. That this stipulation is for the purpose of equitably and efficiently resolving disputed factual issues short of trial and that no offers and/or compromises made in the course of this agreement shall be construed as admissions against interest or be used in any legal proceeding.

DATED this 14th day of April, 1993.

LARRY ECHOHAWK
Attorney General


DANIEL L. STECKEL
Deputy Attorney General
Department of Water Resources

DATED THIS 9th day of April, 1993.


LOUIE GORRONO
Attorney for
Emmett Irrigation District

The above stipulation having come before the court, it is hereby approved this _____ day of _____, 1993.

JAMES R. DOOLITTLE
District Judge

EXHIBIT A
STIPULATION OF IDWR AND EMMETT IRRIGATION DISTRICT

PAGE: A-1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: PAYETTE RIVER		TRIBUTARY: SNAKE RIVER				
65-00023	EMMETT IRRIGATION DISTRICT 222 E. PARK ST. EMMETT ID 83617	11/26/1883	IRRIGATION	03-15 11-15	18.50 CFS	POSTED NOTICE
	POINT OF DIVERSION: T07N R01W S22 LOT 1 (SENE) LOT 6 (NESE)			TOTAL QUANTITY:	18.50 CFS	
	PLACE OF USE: IRRIGATION SAME AS OTHER USE					
	REMARKS: PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT. USE OF THIS RIGHT WITH RIGHT NO. 65-02004, 65-02080, 65-10491 AND 65-07832 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 523.12 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 76,150 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 21,757.1 ACRES IN A SINGLE IRRIGATION SEASON. 88.08 CFS OF RIGHT NO. 65-10491 IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 65-00023, 65-02004, 65-02080 AND 65-10491.					
65-02004	EMMETT IRRIGATION DISTRICT P. O. BOX 515 EMMETT ID 83617	05/26/1903	IRRIGATION	03-15 11-15	169.39 CFS	LICENSE
	POINT OF DIVERSION: T07N R01W S22 LOT 1 (SENE) LOT 6 (NESE)			TOTAL QUANTITY:	169.39 CFS	
	PLACE OF USE: IRRIGATION SAME AS OTHER USE					
	REMARKS: PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT. USE OF THIS RIGHT WITH RIGHT NO. 65-00023, 65-02080, 65-10491 AND 65-07832 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 523.12 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 76,150 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 21,757.1 ACRES IN A SINGLE IRRIGATION SEASON. 88.08 CFS OF RIGHT NO. 65-10491 IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 65-00023, 65-02004, 65-02080 AND 65-10491.					

MEMORANDUM

April 6, 1995

TO: Any PRBA Claim with a Stipulation
FROM: RON HOWERTON

RE: RECOMMENDATIONS/STIPULATION

I. CONVERSATION WITH DON SHAFF:

1. Met with Don 4/5/95 at S.O. on how to proceed with "R" file recommendations.
2. Don re-confirmed that the stipulation amends the "A" claim, thus for the split ownership of this right both the "A" and "R" files can be completed.
3. He said that because of the stipulation no field exam is needed, nor do I need to print a CVR. In place of the CVR I'm to print out a profile report with comments pertaining to the stipulation.
4. I asked him if the copy of the stipulation he gave me had enough signatures on it to make the recommendation? He said yes.

II. CONVERSATION WITH JEFF PEPPERSACK

1. Met with Jeff 4/5/95 at S.O. asked if he had any paperwork pertaining to how much water was recommended for this right. He said that he thought Dan Steckel had all of it.

III. CONVERSATION WITH DAN STECKEL

1. Called Dan at S.O. 4/6/95 asked if he had the paperwork that showed how much water was to be recommended for this right. He said Don had it in his Boyd Jackson's file.

IV. CONVERSATION WITH DON SHAFF

1. Called Don at S.O. 4/6/95 asked him if he had the paperwork for the amount of water recommended? He said yes he did. He said that eventually that file would come over to Western. I asked if I needed to put the paperwork showing how much water was to be recommended in that file? He said yes, but it may be several months before he would send that file to us. So I asked was it necessary for me to have it to make the "R" file recommendation? He said no, proceed with the recommendations.

May 23, 1995

SPRING MEETING WITH DAVE SHAW & HIS ATTORNEYS:
Ref: OWNERSHIP CHANGES

1. Dan Steckel said that after an ownership change has been made, he needs a copy of the Ownership Change when completed. He doesn't need a copy of the claim.
2. During our conversation with Dave Shaw and Don Shaff, the Attorney's were in agreement that the stipulation's we have copies of now can be used to amend the "A" claim the same way as a Transfer would.
3. A recently licensed permit can also be used to amend the claim with an ownership change with an added requirement. A letter must accompany the ownership changed claim, stating that the claimed permit was licensed since this claim was filed, the claim has been revised to correspond to the licensing. If they have any difficulty with this clarification, they need to contact our office within 30 days of the letter. (The "A" claim is given a "T" status for the 30 day period.

MICROFILMED

OCT 18 1996

AJ0749NP
No. R65-00023

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

DATE: 04/01/96
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EMMETT IRRIGATION DISTRICT 222 E PARK ST EMMETT ID 83617	11/26/1883	IRRIGATION	03-15 11-15	17.17 CFS	18.5
TOTAL DIVERSION:					17.17 CFS	18.5

Water Source: PAYETTE RIVER Tributary to: SNAKE RIVER Stage: POSTED NOTICE

Point(s) of Diversion: T07N R01W S22 Lot01(SENE) Lot06(NESE) GEM County

POU County:

Other Rights: EMMETT IRR. DIST. RIGHTS

Remarks: GEN PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT.
USE OF THIS RIGHT WITH RIGHT NO. 65-02004, 65-02080, 65-10491
AND 65-07832 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
523.12 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF
76,150 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 21,757.1
ACRES IN A SINGLE IRRIGATION SEASON.
88.08 CFS OF RIGHT NO. 65-10491 IS LIMITED TO USE FOR
CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 65-00023, 65-02004,
65-02080 AND 65-10491.

Dates: Exam Made Date: Verified Date:

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

Comments: Date: 04/01/1996 User-ID: MMINICUC Subject: STIPULATION
THIS RECORD RELECTS THE PAYETTE RIVER BASIN ADJUDICATION
STIPULATION. NO ADDITIONAL FIELD EXAM OR CVR REQUIRED.

Audit: 04/01/96 MMINICUC

MICROFILMED
OCT 18 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

January 19, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Roy Maxwell
Emmett Irrigation District
222 E. Park St.
Emmett, ID 83617

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

Enclosed please find the boundary and/or service area IDWR has on file for your water delivery system. This is the initial phase for identifying water delivery systems for the Snake River Basin Adjudication. Any additional information you can provide us showing your boundaries and/or service area will be appreciated. The preferable method for presenting this information would be to modify the outlines of the boundary and/or service area we have enclosed, and return a copy to us.

Please return your modified boundary and/or service area information within 30 days.

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

Sincerely,

Erik Norquest
Sr. Water Resources Agent
Adjudication Technical Section

EN:ss:region
Enclosures

A65-00023
10491
02004
02080
07832

MEMORANDUM

DATE: February 19, 1993
TO: File 65-00023 (Emmett Irrigation District)
FROM: Don Shaff
RE: Review

At the Emmett Irrigation District (EID) Board meeting on February 2, 1993, the Board approved a motion accepting the proposed stipulation for this and other water rights of the District provided this water right had thirty-three percent (33%) added to the field irrigation requirement to compensate for the conveyance loss as opposed to the proposed figure. At the meeting, Keith Standley asserted he has been on the Riverside land and cleaned ditches for those property owners. He maintained the factors there justified a higher conveyance loss.

Subsequently, a review has been made of other ditches both from the river and other sources in the vicinity of the previous riverside diversion to gain some information about the velocities that may have existed in this ditch as well as seepage rates. As a result the following positions have been taken with respect to the ditch for this water right:

In the delivery section of the ditch a normal velocity (1.75 cfs) is presumed passing over soils near the river that would have a higher component of gravels; in the next reach, the velocities would begin to slow and the gravel component diminishes during the last half of the ditch.

This approach matches the thirty-three percent (33%) additional water required beyond the field irrigation requirement asserted by the EID Board. A stipulation has been prepared to make this water right with a diversion rate of 18.5 cfs. Given the maximum total of the four rights at 517.12, water right 65-10491 must then be 205.23 cfs.

65-00023

March 3, 1993

EMMETT IRRIGATION DISTRICT
"RIVERSIDE DITCH CO." RECOMMENDATION HISTORY

November 26, 1883

Thomas Elliott filed Posted Notice for 10,000 inches for his land and adjoining lands.

April 16, 1902

"Tom Elliott Irrigating Ditch" and Posted Notice conveyed to Riverside Ditch Co. by James Bingham

August 4, 1925

Emmett Irrigation District acquired Riverside Ditch Co. by agreement in exchange for consideration and all waste and excess irrigation water from EID.

April 1979

IDWR issued proposed finding: 11.34 cfs
479 acres X .02 cfs/acre + 18.4 % added for loss

June 1979

EID filed objection

Late 1992

IDWR proposed to stipulate to 17.17 cfs
281 acres X .034 cfs/acre = 9.55
44 X .029 = 1.28
154 X .02 = 3.08
Loss (adds 23.4 %) 3.26
1.75 ft/sec velocity and C = 2.0 with Moritz

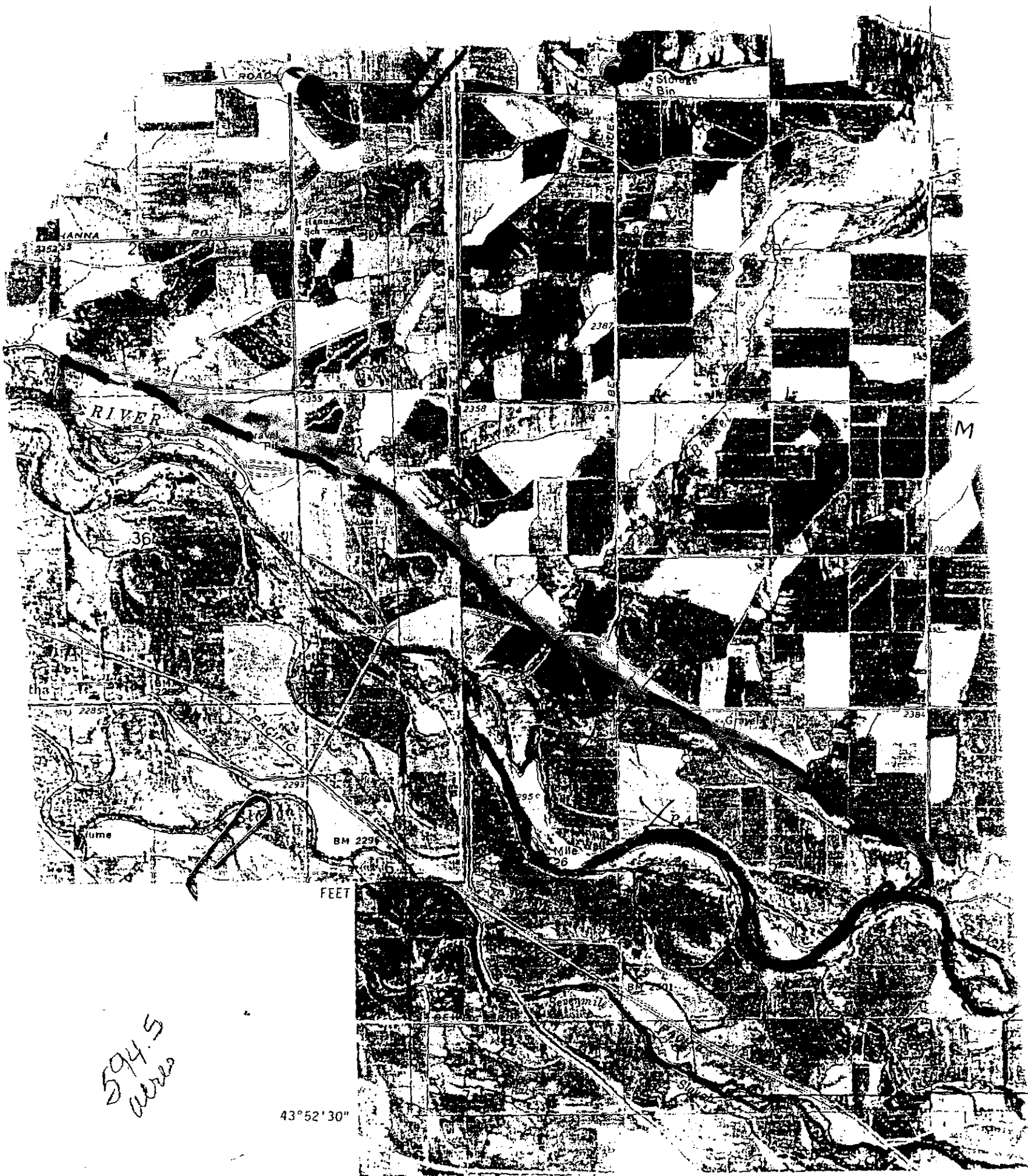
February 2, 1993

EID meeting at which Board accepted stipulation provided loss for Riverside is 33 per cent or 18.50 cfs.

February 18, 1993

Second proposal

1.75 ft/sec in first 2,112 ft with C = 3.0
1.40 for 5,280 ft. with C = 2.5
1.0 for 5,280 ft. with C = 2.0
1.0 for 4,752 ft. with C = 2.0



116°37'30"

280 000 FEET

Produced by the Geological Survey

Orthophotograph prepared from 1:76,000-scale
aerial photographs taken August 1, 1971

by [illegible]

TO: 65-10491

FROM: D. Shaff *DS*

DATE: 12-17-92

RE: RECOMMENDATION CHANGES

A review of the method to calculate additional water requirements for water right 65-00023 was made using the techniques adopted by IDWR after the SRBA commencement. The calculated amount showed the water right developed on the presumed lands covered by the Riverside Irrigating Co. was 17.17 cfs. Those calculations made 5-22-92 are in file 65-00023.

As to the total diversion for the first five water rights of EID, my conclusions are basically no different than Tuthill's shown in the 9/20/78 memo in this file other than the sum of the amounts of water where 21,452 acres X .02 cfs/acre = 429.04 cfs rather than 429.24 cfs. This water right covers the land (21,452 - 17,326 = 4,126 acres) not previously described in water rights licenses 65-02004 (8,469 acres) and 65-02080 (8,857 acres) at .02 cfs/acre (82.52 cfs). In addition this water right is described to cover the full miners inch (.02 cfs/acre) not provided by those licenses for a total amount of water before conveyance loss of 126.07 cfs.

WATER RIGHT	CFS BEFORE LOSS	CFS WITH LOSS
65-00023	9.58	17.17
65-02004	169.39	(LICENSE) 169.39
65-02080	124.00	(LICENSE) 124.00
65-10491	126.07	206.56
	<u>429.04</u>	<u>517.12</u>

Adding 5.83 to the amount shown in the Proposed Finding for 65-00023 correspondingly required subtracting the same amount from this water right as shown in Tuthill's calculations. The revised recommended amount is then 206.56 cfs. This amount for all four water rights above thus allows 88.08 cfs for conveyance loss.

Other than the Remarks to describe the combined nature of the EID water rights and the amount of water above, the recommendation is essentially unchanged from the Proposed Finding report in 1979.

AJ0749NP
No. R65-00023

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

DATE: 12/17/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EMMETT IRRIGATION DISTRICT 222 E. PARK ST. EMMETT ID 83617	11/26/1883	IRRIGATION	03-15 11-15	17.17 CFS	
TOTAL DIVERSION:					17.17 CFS	

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: POSTED NOTICE

Point(s) of Diversion: T07N R01W S22 Lot01(SENE) Lot06(NESE)

GEM County

POU County:

Other Rights: EMMETT IRR. DIST. RIGHTS

Remarks: PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT.
USE OF THIS RIGHT WITH RIGHT NO. 65-02004, 65-02080, 65-10491
AND 65-07832 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
523.12 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF
76,150 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 21,757.1
ACRES IN A SINGLE IRRIGATION SEASON.
88.08 CFS OF RIGHT NO. 65-10491 IS LIMITED TO USE FOR
CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 65-00023, 65-02004,
65-02080 AND 65-10491.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

TO: 65-00023

FROM: D. Shaff

DATE: 12-17-92

RE: RECOMMENDATION CHANGES

A review of the method to calculate additional water requirements for this water right was made using the techniques adopted by IDWR after the SRBA commencement. The calculated amount showed the water right developed on the presumed lands covered by the Riverside Irrigating Co. was 17.17 cfs. Those calculations made 5-22-92 are in the file.

Due to the transfer of this water right with the purchase by EID, the details of the additional water requirement including conveyance loss were not made a part of the recommendation. In case of a subsequent change of this water right, those details are contained in the file.

Other than the Remarks to describe the combined nature of the EID water rights and the amount of water above, the recommendation is essentially unchanged from the Proposed Finding report in 1979.

07N01W

06 LT04	06 LT03	06 LT02	06 LT01	05 LT04	05 LT03	05 LT02	05 LT01	04 LT04	04 LT03	04 LT02	04 LT01	03 LT04	03 LT03	03 LT02	03 LT01	02 LT04	02 LT03	02 LT02	02 LT01	01 LT04	01 LT03	01 LT02	01 LT01
06 LT03	06 SEHW	06 SWNE	06 SEHE	05 SWNW	05 SEHW	05 SWNE	05 SEHE	04 SWNW	04 SEHW	04 SWNE	04 SEHE	03 SWNW	03 SEHW	03 SWNE	03 SEHE	02 SWNW	02 SEHW	02 SWNE	02 SEHE	01 LT03	01 SEHW	01 SWNE	01 SEHE
06 LT02	06 NESW	06 NWSE	06 NESE	05 NWSW	05 NESW	05 NWSE	05 NESE	04 NWSW	04 NESW	04 NWSE	04 NESE	03 NWSW	03 NESW	03 NWSE	03 NESE	02 NWSW	02 NESW	02 NWSE	02 NESE	01 LT02	01 NESW	01 NWSE	01 NESE
06 LT01	06 SEHW	06 SWNE	06 SEHE	05 SWNW	05 SEHW	05 SWNE	05 SEHE	04 SWNW	04 SEHW	04 SWNE	04 SEHE	03 SWNW	03 SEHW	03 SWNE	03 SEHE	02 SWNW	02 SEHW	02 SWNE	02 SEHE	01 LT01	01 SEHW	01 SWNE	01 SEHE
07 LT01	07 NEHW	07 NWNE	07 NEHE	06 NWNW	06 NEHW	06 NWNE	06 NEHE	05 NWNW	05 NEHW	05 NWNE	05 NEHE	04 NWNW	04 NEHW	04 NWNE	04 NEHE	03 NWNW	03 NEHW	03 NWNE	03 NEHE	02 LT01	02 NEHW	02 NWNE	02 NEHE
07 LT02	07 SEHW	07 SWNE	07 SEHE	06 SWNW	06 SEHW	06 SWNE	06 SEHE	05 SWNW	05 SEHW	05 SWNE	05 SEHE	04 SWNW	04 SEHW	04 SWNE	04 SEHE	03 SWNW	03 SEHW	03 SWNE	03 SEHE	02 LT02	02 SEHW	02 SWNE	02 SEHE
07 LT03	07 NESW	07 NWSE	07 NESE	06 NWSW	06 NESW	06 NWSE	06 NESE	05 NWSW	05 NESW	05 NWSE	05 NESE	04 NWSW	04 NESW	04 NWSE	04 NESE	03 NWSW	03 NESW	03 NWSE	03 NESE	02 LT03	02 NESW	02 NWSE	02 NESE
07 LT04	07 SEHW	07 SWNE	07 SEHE	06 SWNW	06 SEHW	06 SWNE	06 SEHE	05 SWNW	05 SEHW	05 SWNE	05 SEHE	04 SWNW	04 SEHW	04 SWNE	04 SEHE	03 SWNW	03 SEHW	03 SWNE	03 SEHE	02 LT04	02 SEHW	02 SWNE	02 SEHE
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18 LT02	18 SEHW	18 SWNE	18 SEHE	17 SWNW	17 SEHW	17 SWNE	17 SEHE	16 SWNW	16 SEHW	16 SWNE	16 SEHE	15 SWNW	15 SEHW	15 SWNE	15 SEHE	14 SWNW	14 SEHW	14 SWNE	14 SEHE	13 LT02	13 SEHW	13 SWNE	13 SEHE
18 LT03	18 NESW	18 NWSE	18 NESE	17 NWSW	17 NESW	17 NWSE	17 NESE	16 NWSW	16 NESW	16 NWSE	16 NESE	15 NWSW	15 NESW	15 NWSE	15 NESE	14 NWSW	14 NESW	14 NWSE	14 NESE	13 LT03	13 NESW	13 NWSE	13 NESE
18 LT04	18 SEHW	18 SWNE	18 SEHE	17 SWNW	17 SEHW	17 SWNE	17 SEHE	16 SWNW	16 SEHW	16 SWNE	16 SEHE	15 SWNW	15 SEHW	15 SWNE	15 SEHE	14 SWNW	14 SEHW	14 SWNE	14 SEHE	13 LT04	13 SEHW	13 SWNE	13 SEHE
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20 LT02	20 SEHW	20 SWNE	20 SEHE	21 SWNW	21 SEHW	21 SWNE	21 SEHE	22 SWNW	22 SEHW	22 SWNE	22 SEHE	23 SWNW	23 SEHW	23 SWNE	23 SEHE	24 LT02	24 LT03	24 LT02	24 NWNW	24 NEHW	24 NWNE	24 NEHE	
20 LT03	20 NESW	20 NWSE	20 NESE	21 NWSW	21 NESW	21 NWSE	21 NESE	22 NWSW	22 NESW	22 NWSE	22 NESE	23 NWSW	23 NESW	23 NWSE	23 NESE	24 LT03	24 LT04	24 LT03	24 NWSW	24 NESW	24 NWSE	24 NESE	
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21 LT01	21 NEHW	21 NWNE	21 NEHE	22 NWNW	22 NEHW	22 NWNE	22 NEHE	23 NWNW	23 NEHW	23 NWNE	23 NEHE	24 NWNW	24 NEHW	24 NWNE	24 NEHE	25 LT01	25 LT02	25 LT01	25 NWNW	25 NEHW	25 NWNE	25 NEHE	
21 LT02	21 SEHW	21 SWNE	21 SEHE	22 SWNW	22 SEHW	22 SWNE	22 SEHE	23 SWNW	23 SEHW	23 SWNE	23 SEHE	24 SWNW	24 SEHW	24 SWNE	24 SEHE	25 LT02	25 LT03	25 LT02	25 NWNW	25 NEHW	25 NWNE	25 NEHE	
21 LT03	21 NESW	21 NWSE	21 NESE	22 NWSW	22 NESW	22 NWSE	22 NESE	23 NWSW	23 NESW	23 NWSE	23 NESE	24 NWSW	24 NESW	24 NWSE	24 NESE	25 LT03	25 LT04	25 LT03	25 NWSW	25 NESW	25 NWSE	25 NESE	
21 LT04	21 SEHW	21 SWNE	21 SEHE	22 SWNW	22 SEHW	22 SWNE	22 SEHE	23 SWNW	23 SEHW	23 SWNE	23 SEHE	24 SWNW	24 SEHW	24 SWNE	24 SEHE	25 LT04	25 LT01	25 LT04	25 NWSW	25 NESW	25 NWSE	25 NESE	

65-00023

DIVERSION RATE CALCULATIONS

Water Right No. 65-00023

Date 5-22-92

Initials AS

Soils	Acres	Rate (cfs/ac)	Rate (cfs)
Moulton	<u>281</u>	x 0.034	= <u>9.55</u>
Letha	<u>44</u>	x 0.029	= <u>1.28</u>
Other	<u>154</u>	x 0.02	= <u>3.08</u>
Total	<u>479</u>		<u>13.91</u>
Conveyance Loss (see attached)			= <u>3.26</u>
TOTAL DIVERSION RATE			= <u>17.17</u>

Comments:

For Conveyance Loss, Like Tuthill in 1978, the head of the ditch (non-delivery section) was set at 0.4 miles. The delivery length, however, was calculated to the section line between sec. 31 & 36 just east of the road or 2.2 miles.

05/22/92

CONVEYANCE LOSS - MORITZ

CLAIM NO. A65-00023

CLAIMANT EMMETT IRR. DIST.

REACH	LENGTH (FT)	AVE VELOCITY (FT/SEC)	SEEPAGE (FT/DAY)	MORITZ LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	2112	1.75	2.00	0.50	0.00	13.91	0.0358	0.00	17.17
2	5280	1.75	2.00	1.21	4.80	13.91	0.0871	0.59	16.67
3	5280	1.75	2.00	0.96	4.80	9.11	0.1059	1.10	10.66
4	4752	1.75	2.00	0.58	4.31	4.31	0.1354	1.57	4.89
5	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
6	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
7	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
8	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
9	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
10	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
11	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
12	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
13	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
14	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
15	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
16	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
17	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
18	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
19	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
20	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00

TOTALS	17424			3.26	13.91			3.26	
--------	-------	--	--	------	-------	--	--	------	--

REACH = SECTION OF CHANNEL

 LENGTH = LENGTH OF REACH, THE CHANNEL CAN DIVIDED INTO EQUAL LENGTH REACHES
 OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS

 AVE VELOCITY = AVERAGE VELOCITY IN REACH, USE 1.75 FT/SEC FOR EARTH CHANNELS IF
 IF ACTUAL VELOCITY IS UNKNOWN

SEEPAGE = SOIL SEEPAGE RATE OF REACH

MORITZ LOSS = CONVEYANCE LOSS IN REACH BASED ON MORITZ METHOD

DELIVERY = TOTAL DELIVERIES IN REACH

DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)

LOSS FACTOR = MORITZ LOSS/DELIVERY LEFT

 DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY,
 REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH

FLOW = TOTAL FLOW AT BEGINNING OF EACH REACH

65-0023

Notice is hereby given that

Emmett Irrigation District

(Name of Claimant)

P.O. Box 515, Emmett, Idaho

(Mailing Address)

claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued)

Nov. 26th, 1883

- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean)

Payette River

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(Both Dates Inclusive)

Use

Irrigation

Period of Use From April 1, To October 31.

(Domestic, irrigation, stock, etc.)

(Mo., Day)

(Mo., Day)

(Both Dates Inclusive)

Use

(Domestic, irrigation, stock, etc.)

Period of Use From To

(Mo., Day)

(Mo., Day)

(Both Dates Inclusive)

Use

(Domestic, irrigation, stock, etc.)

Period of Use From To

(Mo., Day)

(Mo., Day)

(Both Dates Inclusive)

- (4) Quantity of water claimed: Cubic Feet Per Second, or Acre Feet Per Annum, and/or Gals. Per Minute.

- (5) A) Point of Diversion: Give location of point where water is diverted from its source through Lot 2, Sec. 22, Twp. T 7 N., Rge. R. 1 W., B.M.; additional points:

- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible.

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

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
7 N.	2 W.	31																	180.5
7 N.	3 W.	25																	10.0
7 N.	3 W.	36																	17.4
6 N.	2 W.	5																	198.7
6 N.	2 W.	6																	72.3

Total No. of acres 478.9

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

- (7) Effluent, sewage waste, or return water from this use is discharged into

- (8) If you are claiming water as a member of an organization, list name of organization

- (9) Remarks Water was originally diverted by posted notice from the Payette River in Lot 8, Sec. 5, T. 6 N., R. 2 W. B.M., by Thomas Elliott, then to Riverside Ditch Company, then to Emmett Irrigation District.

- (10) Basis of claim (Check one)
- ☒
- A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.:

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

Individual

April 8, 1970

(Date)

(Signature of Claimant)

(Signature of Spouse)

EMMETT IRRIGATION DISTRICT

222 East Park Street
Emmett, Idaho 83617

365-4582

- 2617 - Shop

RECEIVED
DEC 12 1990

December 11, 1990

Department of Water Resources

Idaho Water Resource Board
1301 North Orchard
Boise, Idaho 83706-2237

Attn: Don Shaff

Dear Don:

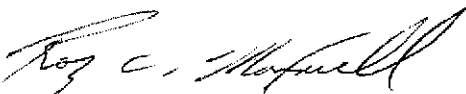
I hate to ride a dead horse, but here is some information we have comprised from the map we acquired from you on November 9th.

The SCS office, here in Emmett, has determined that there is 594.5 acres enclosed in the area mapped out. Also, they were able to help out in the information needed to obtain a loss figure for the lands in question.

I am enclosing a copy of this information which should be very helpful in the computation of loss.

I would like to set up a time to meet with you so that possibly this problem can finally be resolved.

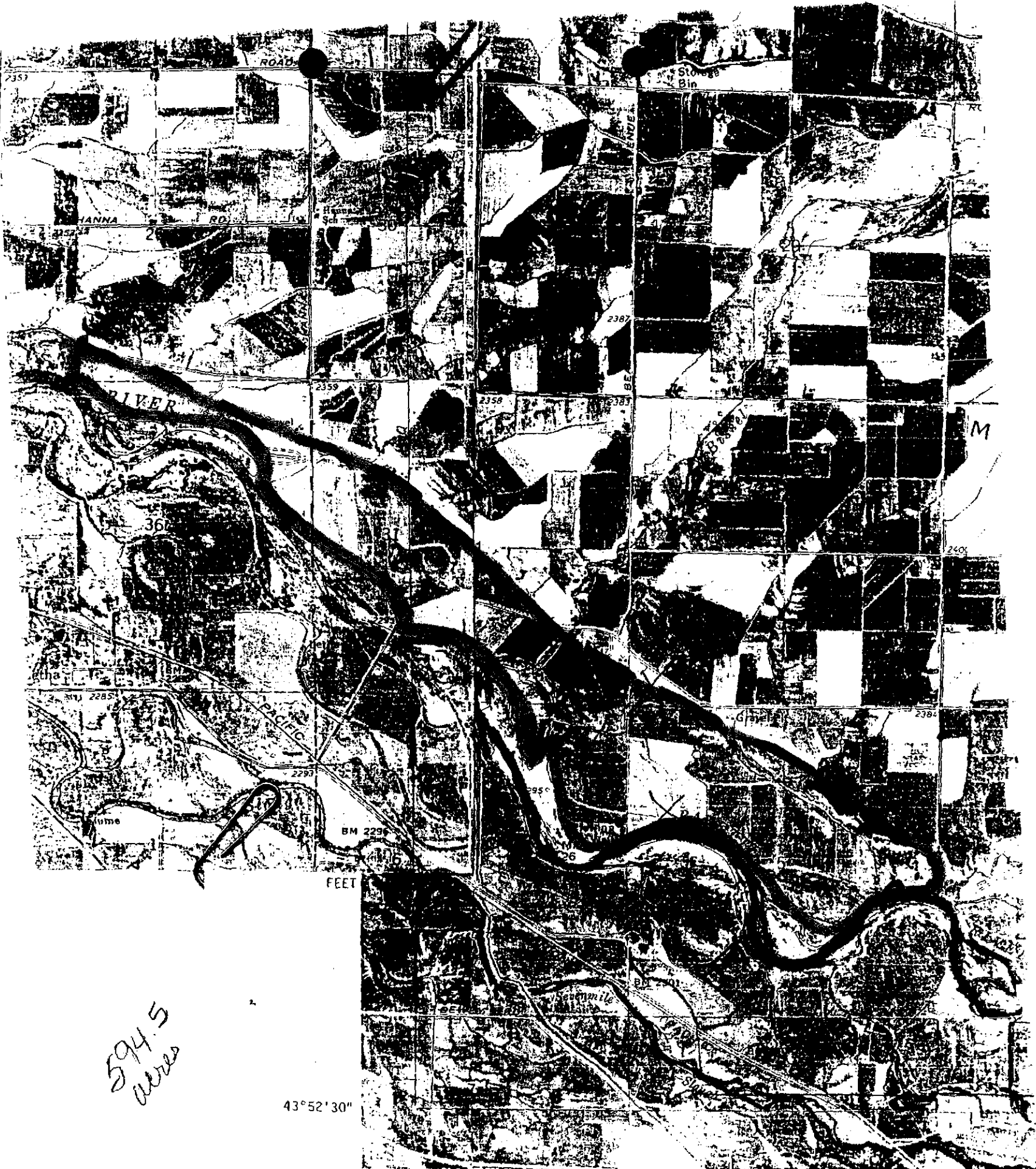
Thank you for your help,



Roy C. Maxwell
Water Manager

RCM/wj

Enclosure



594.5
acres

43°52'30"

116°37'30"

280 000 FEET

Produced by the Geological Survey

Orthophotograph prepared from 1:76,000-scale
aerial photographs taken August 1, 1971

Page 1 of 1

File: R. A. W.
Frazier

AN ANALYSIS OF
IRRIGATION REQUIREMENTS
ON RIVER BOTTOM SOILS
ALONG THE PAYETTE RIVER

The Soil Conservation Service was requested by Richard Frazier to study his irrigation system to determine possible efficiency improvements and to suggest an amount of water that would be needed to adequately irrigate his farm. Mr. Frazier's farm is located NW of Emmett along the Payette River - S $\frac{1}{2}$ and NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Sec. 5, T6N, R2W.

The soils in the fields evaluated are Moulton fine sandy loam. This soil is underlain by gravel at a depth of 20-55 inches. A seasonal water table occurs in this gravel layer if drainage has not been applied. This is the dominant soil of the Payette River flood plain.

Our irrigation trials on corn showed an in-field irrigation efficiency of 27%. The field had 1200 foot lengths of runs with a furrow intake rate of 1.1 gallons per minute per 100 feet. This data though not official correlates well with other studies done in Payette and Canyon County on similar soils, showing an efficiency range of 25-30% on better managed systems.

Mr. Frazier has 81 acres of this soil type with a cropping rotation of corn, grain and pasture. An evaluation of this rotation's weighted consumptive use requirements (.25"/day) and the water holding capacity of the fine sandy loam soil (1.5@ 50% field capacity) shows an irrigation return time of 6 days is necessary during July. The net water to be replaced during each irrigation would be about 1.5 inches.

Figuring an overall system requirement for the 81 acres using the in-field efficiency factor of 27% calculates out to 170 miner's inches or 2.1 miner's inches per acre. (See attached ID-ENG-40) Though

delivery system losses were not measured, I would estimate a 35% loss is incurred where open ditch systems are used.

There are some management practices that can be done both in-field and in the delivery system to minimize water losses. Concrete ditches, pipelines and gated pipes will cut delivery losses. Cutting irrigation lengths of runs, closer adjustment of water and length of time per irrigation set can cut field loss. Installation of sprinkler systems improve irrigation efficiencies dramatically. These are all realistic possibilities and any one of these could possibly be used to gain some water use efficiency. Of course, the limiting factor is capital investment and/or additional labor time. The in-field efficiencies we found on Mr. Frazier's and Mr. Jay Sisler's places were probably above average for these soil conditions.

On farm delivery system losses could be reduced to 15%. In-field irrigation efficiencies in this case do not appear possible to improve upon without conversion to a sprinkler system or by drastic reorganization of irrigation methods which would require a high labor input, (i.e., 400 foot runs and 4 hours set time). An on-farm delivery of 2.5 miner's inches per acre would appear adequate to irrigate this type of soil, and still leave the burden of improvement of on-farm delivery systems to the landowners.

This analysis does not consider the economics of making these suggested improvements on any operator's farm. These figures are based upon the SCS's Idaho Irrigation Guide, our field office staff's experience and

knowledge of local soils, crops, current farm operation and management methods.

This soil and closely associated soil types occur on about 4500 acres adjacent to the Payette River in Gem County. This analysis could reasonably be extended to include them.

Russel E. Manwaring
Russel E. Manwaring
District Conservationist
Emmett

c.c: Richard Frazier
Bill Conrad
Don Craig
Jay Sisler
Stan Brown
Dave Shaw

Dan-

Riverside acreage?

700 acres Nothing

40% water loss.

For this side canal only

Keith
Standley
1500 acres

TO	Dave	DATE	6/25	TIME	1:20	AM	PM
FROM	Keith Standley	AREA CODE					
OF		NO.	365-4972				
		EXT.					
MESSAGE							
Please Call							
PHONED	☐	CALL BACK	☒	RETURNED CALL	☐	WANTS TO SEE YOU	☐
				WILL CALL AGAIN	☐	WAS IN	☐
						URGENT	☐
SIGNED <i>Mail</i>							

11-09-90

Meeting with K. Standley, Dist. mgr. # two others
re: above.

Conveyed to them the evidence to refute
or overcome.

Supplied OG maps with 479 ac. apparently
regarded as irrigated under Riverside right
roughly delineated by a dashed line and
showing approximately the possible P/D.
They also took copies of Posted Notice
and 1970 claim of EID for Riverside right.

L. GORRONO

ATTORNEY AT LAW
105 NORTH HAYES
P.O. Box 637
EMMETT, IDAHO 83617
(208) 365-2421

January 4, 1980

Emmett Irrigation District
Emmett, Idaho

Gentlemen:

After our recent board meeting with Bob Brown of the United States Bureau of Reclamation, I telephoned Donald V. Shaff of the Idaho Department of Water Resources, and related the District's irrigation problem, as presented by Mr. Brown.

I informed Mr. Shaff that Mr. Brown had informed us he would recheck his information and materials and present them in more specific form to the State of Idaho Department of Water Resources. I made the further suggestion of a meeting with the Emmett Irrigation Board, a representative of the State of Idaho Department of Water Resources, and Mr. Brown, to discuss the water and irrigation problems of the Emmett Irrigation District, in relation to the pending adjudication. All parties seemed to be in accord with a meeting to discuss the problem without any commitments at this time.

I am merely writing this letter to coordinate the attempt to have Mr. Brown contact the State of Idaho Department of Water Resources and Mr. Shaff, to further discuss this problem and to inform us when materials are ready and when we could hold a joint meeting, to further discuss the problems.

I appreciate your cooperation.

Very truly yours,


L. Gorrono

LG:klb

cc: Donald V. Shaff
Bob Brown

RECEIVED
JAN 8 1980

Department of Water Resources
Western Regional Office

MEMO

TO: EMMETT ERR DIST FILES

FROM: DET 9/20/78

RE: DITCH LOSSES

TWO DITCH LOSS CALCULATIONS WERE MADE ON THE EID SYSTEM, AS SHOWN ON THE ATTACHED SHEETS. THE FLOW DELIVERED WAS BASED ON 1" ACRE. NOTE THAT LOSSES WERE 40.2% FOR THE SOUTH SIDE AND 14.2% FOR THE NORTH SIDE, WHEN FLOWING AT THIS CAPACITY. THE LOSS FOR 65-0023 (THE OLD RIVERSIDE DITCH) WAS CALCULATED SEPARATELY BASED ON LENGTH MEASUREMENTS FOR THE OLD SYSTEM. THIS LOSS WAS COMPUTED TO BE 18.4%.

BASED ON THESE CALCS., THE FOLLOWING RIGHTS ARE SUMMED FOR EID

RT NO	DATE OF P	(CFS) AMT CLAIMED	CFS REC. AMT BEFORE LOSS	CFS AFTER LOSS ADDED	ACA WITH NO LOSS	ACA WITH LOSS ADDED
65-0022	REC AS 65-2004					
65-0023	11/26/1883	30 CFS	9.58	11.34	2155.1	2552.1
65-0323	REC AS 65-2080					
65-2004	5/26/1903	169.39 CFS	169.39	(LICENSE) 169.39	38112.8 ~~368862.7~~	38112.8
65-2080	7/29/1908	124 CFS NEW DEVELOP.	124	(LICENSE) 124	27900	27900
65-7832	3/25/1977	6 CFS	6	6	2700	SAME
65-10491	4/1/1919	172 CFS 441.39 435.39	126.27 CFS 429.24 (DO NOT COUNT NEW DEVELOP)	212.39 517.12	28410.1 96578	47787.8 116352

OVER

BASED ON DEPT ADVISEMENT @ 1" ACRE

SINCE THESE RIGHTS CAN BE USED ON EITHER SIDE OF THE RIVER (AS AN IRRIGATION DISTRICT), USE ALL RIGHTS TO TOTAL AFA & CFS FOR ALL LANDS

$$\begin{aligned}
 Q \text{ DELIVERED @ } .02 \text{ cfs/acre} &= \overset{N}{325.60} + \overset{S}{103.64} \\
 &= 429.24 \text{ cfs} \\
 \overset{N}{\cancel{145}} \text{ W/LOSSES Q DIVERTED} &= \overset{N}{145.27} + \overset{S}{371.85} \\
 &= 517.12 \text{ cfs}
 \end{aligned}$$

⇒ MAKE 10491 FOR ~~211.39~~ 212.39

$$\text{FINAL AFA} = 517.12 (50)(4.5) = 116,352.$$

$$\begin{aligned}
 \text{LOSS RATIO FOR AFA CALCS} &= \frac{505.78 \text{ cfs} \times}{113800 \text{ AFA}} \quad \left(\text{ADD LOSS AFA TO} \right. \\
 &\quad \left. \text{LICENSES AS WELL AS} \right) \quad \text{B/U} \\
 &\Rightarrow \text{NO ADDITION SINCE} \\
 &\quad \text{RT 10491 TAKES ALL LOSS}
 \end{aligned}$$

03\19\78 D.R.T

MACALLISTER'S MODIFICATION OF MORITZ

* LOSS CALCULATION FOR

* THE ENNETT NORTH SIDE

* WATER RIGHT NO. SEVERAL

Q DIVERTED: 371.85

Q DELIVERED: 325.60

PERCENTAGE LOSS: 14.2

TYPE OF SOIL: SANDY LOAM

SOIL CONSTANT= 1.50 (FEET/DAY)

LENGTH OF HEAD OF DITCH: .00

LENGTH OF DELIVERY SECTION: 20.80

LOSS TABLE FOR DELIVERY

MILE	Q (CFS)	LOSS (CFS)	Q DELIVERED (CFS)
1.00	353.54	2.65	15.65
2.00	335.26	2.63	15.65
3.00	316.99	2.61	15.65
4.00	298.75	2.59	15.65
5.00	280.52	2.57	15.65
6.00	262.32	2.54	15.65
7.00	244.15	2.52	15.65
8.00	226.01	2.49	15.65
9.00	207.90	2.45	15.65
10.00	189.83	2.42	15.65
11.00	171.80	2.37	15.65
12.00	153.82	2.33	15.65
13.00	135.89	2.27	15.65
14.00	118.03	2.21	15.65
15.00	100.25	2.13	15.65
16.00	82.56	2.04	15.65
17.00	64.97	1.93	15.65
18.00	47.53	1.79	15.65
19.00	30.28	1.60	15.65
20.00	13.27	1.35	15.65
20.80	-.01	.76	12.52

09/19/78 D.R.T.

 * MACALLISTER'S MODIFICATION OF MORITZ *
 * LOSS CALCULATION FOR *
 * THE EMMETT SOUTH SIDE *
 * WATER RIGHT NO. SEVERAL *

Q DIVERTED: 145.27 TYPE OF SOIL: SANDY LOAM
 Q DELIVERED: 103.64 SOIL CONSTANT= 1.50 (FEET/DAY)
 PERCENTAGE LOSS: 40.2 LENGTH OF HEAD OF DITCH: 1.00
 LENGTH OF DELIVERY SECTION: 23.10

LOSS TABLE FOR HEAD OF DITCH

MILE	Q	LOSS
	(CFS)	(CFS)
1.00	143.03	2.24

LOSS TABLE FOR DELIVERY

MILE	Q	LOSS	Q DELIVERED
	(CFS)	(CFS)	(CFS)
1.00	136.31	2.23	4.49
2.00	129.62	2.21	4.49
3.00	122.95	2.18	4.49
4.00	116.31	2.15	4.49
5.00	109.70	2.12	4.49
6.00	103.13	2.09	4.49
7.00	96.59	2.05	4.49
8.00	90.08	2.02	4.49
9.00	83.62	1.98	4.49
10.00	77.20	1.93	4.49
11.00	70.82	1.89	4.49
12.00	64.50	1.84	4.49
13.00	58.23	1.78	4.49
14.00	52.02	1.72	4.49
15.00	45.88	1.66	4.49
16.00	39.81	1.58	4.49
17.00	33.83	1.50	4.49
18.00	27.93	1.41	4.49
19.00	22.14	1.30	4.49
20.00	16.47	1.18	4.49
21.00	10.94	1.04	4.49
22.00	5.59	.87	4.49
23.00	.47	.63	4.49
23.10	.01	.02	.45

L. GORRONO

ATTORNEY AT LAW
105 NORTH HAYES
P.O. Box 637
EMMETT, IDAHO 83617
(208) 365-2421

April 25, 1978

RECEIVED

APR 26 1978

Department of Water Resources

RECEIVED

APR 27 1978

Department of Water Resources
Western Regional Office

State of Idaho
Department of Water Resources
373 W. Franklin
Boise, Idaho 83700

Re: Emmett Irrigation District

Gentlemen:

There appears to be considerable confusion within the Emmett Irrigation District as to the District water permits, filings, and priorities. The next meeting of the Emmett Irrigation District Board is May 2, 1978, at the Emmett Irrigation District office. Would you please have a representative of your department meet with our irrigation board to review water licenses, permits, and priorities, in connection with Emmett Irrigation District? Your cooperation shall be appreciated.

Very truly yours,

L. Gorrono
L. Gorrono *du*

LG/dar

CC: Emmett Irrigation District

Show attended

FILE

MEMO

TO: 65-0023

FROM: DRT 10-24-77

FROM THE CRUDE MAP (IN THIS FILE) OF THE LOCATION OF THE RIVERSIDE DITCH COMPANY I CANNOT SEE HOW 1500 ACRES WERE IRRIGATED BY THIS SYSTEM. RATHER, IT LOOKS LIKE THE 479 ACRES DESCRIBED IN 65-0023 (ORIGINAL) ARE THE ACRES IRRIGATED BY THIS SYSTEM. ALLOWING A GENEROUS 20% FOR LOSSES, THIS RT WOULD HAVE CONSISTED OF $.02 (1.2) 479 = \boxed{11.5 \text{ cfs}}$

$$\underline{479 (4.5) = 2155.5 \text{ AFA}}$$

FIELD EXAM

2-23-78 DRT

ON THIS DAY I EXAMINED THE LANDS BELOW WHAT USED TO BE "RIVERSIDE" DITCH, AS SHOWN IN THE OLD MAP IN THIS FILE. THE 479 ACRES DESCRIBED IN THIS FILE AMPLY COVER THE LANDS ONCE IRRIGATED BY THIS DITCH. THE DITCH ENDS IN SEWS. 25 T 7N 23W, AND NEVER COULD EXTEND BEYOND THIS POINT SINCE HERE THE RIVER ABUTS A STEEP NORTH BANK, THE BENCH. THEREFORE, THE ABOVE CALC. APPEARS TO PROVIDE ADEQUATE WATER FOR THIS RIGHT. DRT.

NOTE: A MORE ACCURATE LOSS CALC HAS YIELDED THAT THE FLOW SHOULD BE 11.34 CFS FOR THE 479 ACRES

$$\text{AFA} = 479 (4.5) 1.184 =$$

EVENTS LEADING TO EMMETT IRRIGATION DISTRICT'S FILING
OF AMENDED CLAIM NO. 65-0023

February 1977

Initial contact was made with Emmett Irrigation District. Keith Standley was called and notified that there appeared to be duplicate filings made for licensed rights #65-2004 and #65-2080, the duplicate filings being #65-0323 and #65-0022 respectively. Also, filing #65-0023 required some additional information for our review. The initial contact was responded to by my being asked to be present at a meeting of the district board on about February 23, 1977. The topics above were discussed and it was decided that Eldon Durk would provide us with necessary information we would require for our review of Emmett Irrigation District's claims.

March 4, 1977

Eldon Durk met with me to discuss claims the district had submitted and how they were most likely to be recommended by us. I informed him that Claims #65-0022 and #65-0323 were essentially duplicate filings of Claims #65-2004 and #65-2080 and were to be disallowed, any information from the disallowed claims that had a bearing on our recommending Claims #65-2004 and #65-2080 to be transferred to them. It was then pointed out that Claim #65-0023, which was based on a posted notice, did not include consistent information in that a diversion rate of 200 cfs was claimed with a far less number of acres than would be irrigated by 200 cfs of water, appearing to be irrigated during the claim's priority date of November 26, 1883. Eldon was informed during the meeting that the department bases its recommendations of claims on best information available at the time a recommendation is made. That one primary reason for claim review is to locate errors and discrepancies in claims and take appropriate measures to correct the problem(s). In their case it was obvious that if a rate of 200 cfs were to be recommended, there would later be objections filed, since (1) in 1883 the only property that could be irrigated under this right would have lain below the bluff north of Emmett, and (2) the right, being purchased from Riverside Canal Company, would have furnished water only to acreage described in the company's records, this

acreage appearing to be below the bluffs. He was explicitly informed that the district was not required to conform to claim recommendations that we would make and that the district would have the opportunity to make an objection to our recommendations if it desired to, but would be required by the courts to provide information that would substantiate the information they had provided on their claim. It was agreed that the district would work with the department to determine the acreage irrigated in 1883 and the corresponding rate of diversion. On March 7, I was notified by Eldon that to the best of his knowledge from research, approximately 1500 acres were irrigated by Riverside Canal Company in 1883. Based on our current schedule of rates of diversion, this would correspond to the diversion of 30 cfs for irrigation. A letter was subsequently written to Eldon on March 8 to notify the district of our understanding of their water rights.

March 26, 1977

Eldon Durk and Keith Standley came into the office to amend Claim #65-0023 to 30 cfs for 1500 acres, and to file a new claim, #65-10491, for 172 cfs to provide a rate of diversion of 0.02 cfs per acre for acreage described within the irrigation district boundaries. It was reiterated that we were not forcing them to amend or file claims, but we rather were attempting to provide them help relative to the adjudication and to inform them of problems and alternatives to these problems so they could make decisions which would best serve the irrigation district.

During the times I met with Emmett Irrigation District's representatives, they were very amiable to work with the department to have claims that would not be contested.

RH:lp

A handwritten signature in dark ink, appearing to read "R. Howard", is located at the bottom right of the page.

January 24, 1977

Re: Adjudication Claim No. 65-0022

Eldon Durk, Manager
Emmett Irrigation District
Route 3, Box 304
Emmett, Idaho 83617

Dear Eldon:

It appears the following lands are still outside the Irrigation District boundary. Please check your records and if you cannot find that they have been annexed, I would suggest the directors do so.

In T. 6N., R. 2W., B.M., Sec. 18, NE $\frac{1}{4}$ NE $\frac{1}{4}$, 15 acres; NW $\frac{1}{4}$ NE $\frac{1}{4}$, 13 acres. In T. 6N., R. 3W., B.M., Sec. 9, NE $\frac{1}{4}$ NW $\frac{1}{4}$, 2 acres; Sec. 11, SW $\frac{1}{4}$ SW $\frac{1}{4}$, 4 acres; Sec. 13, SE $\frac{1}{4}$ NE $\frac{1}{4}$, 4 acres; NW $\frac{1}{4}$ NW $\frac{1}{4}$, 7 acres. In T. 7N., R. 1W., B.M., Sec. 27, SE $\frac{1}{4}$ SW $\frac{1}{4}$, 33 acres.

I feel a claim should be submitted showing the addition of the new pump in 1976.

Sincerely,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:lp

7-11
12

Line	Run	Sec	114				NW				SW				SE				TOTALS
			NW	NE	SE	SW	NW	NE	SE	SW	NW	NE	SE	SW	NW	NE	SE	SW	
6N	1W	3	23.6	38.4	7.3		33.9	36.8	32.8	35.0	35.9	33.5	59.1	34.7		16.3	22.0		329.3
		4	24.3		17.8	33.3					36.5				33.7	37.1	37.7	32.5	253.0
		5					28.6	36.5	8.3	1.0									74.4
		6	22.6	21.4	10.9	13.0	34.1	34.6	12.2	11.7									170.5
		9	35.2	30.7	37.0	37.5					38.4	38.2	38.7	39.0	38.6	38.7	39.0	27.4	438.4
		10					33.2	35.5	33.8	20.0	2.8	23.8	1.1						150.2
		16	18.6	38.6	31.1	1.2	38.0	38.0	36.4	33.5	36.4	38.0	39.0	32.0	14.0	29.8	13.5		438.1
		17	28.9	3.9	21.9	34.5													89.2
		19											0.6	13.7	11.2	1.0	38.1	8.8	73.4
		20	37.7	11.1	16.5	37.5					21.2		23.7	15.7	4.1	27.5			205.0
		21					9.3	38.4	16.5										64.2
		30	15.6	15.6			15.4	36.7	16.1										99.4
		29						2.6											2.6
6N	2W	1	36.7	37.5	37.4	19.8	38.0	37.2	36.6	37.0	16.6	38.6							335.4
		2	39.0	38.4	40.0	36.3	39.9	36.4	36.2	36.7	36.7	36.1	12.2		32.0	39.0	14.9	12.5	497.3
		3	39.8	35.6	36.7	38.0	37.9	37.9	37.5	38.4	38.2	37.7	5.7	13.8	36.3	39.0	16.5	25.3	513.9
		4	34.6	39.9	37.6	38.4	36.1	38.6	38.5	37.3	1.6	1.7			26.1	23.7			354.1
		5	38.9	21.4	6.2	26.9	8.9												107.9
		10	1.6																1.6
		17							20.2		5.0	23.0	12.8	14.3			10.1		85.4
		18	15.5	12.8	38.4	39.6			22.6	33.1	38.3	39.3	28.7	39.4	36.6	34.3	38.2	20.4	447.2
		19	6.2	23.2			12.5												41.9
		20		6.5		25.2	22.0	13.1							2.5				69.3
		21									8.0	17.7					8.3	21.2	55.2
		22											20.0	2.2					22.2
		25	19.3	1.1	36.4	31.8			35.1	26.7	6.4	11.9				3.9			167.6

Town- ship	Ran- ge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS	
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4		
6N	2W	26	4.6		27.4	39.7			15.6	0.7	6.2	6.0			5.0	7.2			112.4	
		27		17.8	18.1	26.7	21.6	36.3		17.5									147.0	
		28	18.1																18.1	
6N	3W	4							33.7	7.9	25.5	11.6			14.2	0.4	8.5	39.4	29.1	170.3
		5	12.7	4.4																17.1
		9	37.2	35.1	0.3	11.5	2.3													86.4
		10			35.3	24.2		19.7	28.0	37.8	5.0				39.7	32.5	4.6			236.8
		11							0.4		6.0	30.0	25.3	37.2			16.1	2.3		117.3
		13			31.3	17.9	7.2	33.2	21.1	38.3	1.5				39.2	23.4		1.7		214.8
		14	38.0	16.2		1.2	4.6													60.0
7N	1W	22							6.6	2.2		1.0	20.2						30.0	
		26											2.0						2.0	
		27	2.4	4.2	10.5	8.5	21.1	6.0	34.7	3.7	6.8	2.0		32.5	26.1	40.0	40.0	36.5	275.3	
		28			23.6	20.1			12.3	25.4	40.0	36.2	38.0	37.9	33.9	32.8	27.2	17.3	344.7	
		29	8.4	12.5	40.0	38.2	26.0	22.4	38.0	37.2	38.5	38.6	55.7	38.0	34.7	37.3	35.4	58.0	578.9	
		30	12.0		27.3	35.7	7.9		24.7	20.4	36.2	39.2	58.3	37.8	38.5	58.5	37.3	36.3	434.1	
		31	38.0	38.1	20.8	37.4	38.2	37.6	35.8	37.3	38.0	38.0	35.2	29.3	36.4	20.1	36.4	38.5	549.0	
		32	37.5	34.3	40.0	38.0	36.5	32.5	35.2	38.4	40.0	35.4	28.1	37.2	16.3	33.3	5.3		493.5	
		33		17.1	1.0		36.5	58.0	20.1	9.6		2.8							134.6	
		34	36.0	22.1	38.0	38.8	37.0		27.0	36.0	40.0	37.2	25.3	31.5	37.1	36.0	36.4	31.5	522.0	
		35						16.0	27.9			27.5	6.2						77.9	
7N	2W	19	11.7	4.1	40.0	51.2	14.8	35.1	38.0	40.0	37.8	37.8	37.2	37.4	38.6	40.0	37.4	37.9	521.0	
		20							8.0	24.2	39.1	37.2	39.0	39.0	2.0	21.1	38.0	37.5	200.2	

65 0023

Own- ship	Range	Sec	NE 1/4				NW 1/4				SE 1/4				SW 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	
7N	3W	22	34.2	29.7	40.0	39.0	28.5	36.4	3.5	29.7	3.1	-			37.4	22.3		18.0	321.9
		23	37.2	37.4	40.0	39.0	36.0	36.8	39.0	10.0	39.6	32.6	37.5	36.2	38.0	40.0	37.8	36.6	603.1
		24	36.5	39.0	39.6	37.8	38.0	37.6	37.5	39.4	40.0	39.0	36.5	36.2	38.0	40.0	35.1	35.4	605.6
		25	32.8	39.0	39.0	37.0	38.0	39.0	37.8	38.0	38.4	38.9	4.2	19.5	38.0	39.0	15.0	27.2	520.3
		26	37.0	38.0	33.2	38.0	37.0	22.5	0.7	16.2					32.9	9.5			265.0
		27	2.2																2.2
		32															7.9	14.3	22.2
		36	20.6	2.6															23.2
																			21656.1

09\19\78 D.R.T.

* MACALLISTER'S MODIFICATION OF MORITZ *
* LOSS CALCULATION FOR *
* THE OLD RIVERSIDE DITCH *
* WATER RIGHT NO. 65-0023 *

Q DIVERTED: 11.34 TYPE OF SOIL: SANDY LOAM
Q DELIVERED: 9.58 SOIL CONSTANT= 1.50 (FEET/DAY)
PERCENTAGE LOSS: 18.4 LENGTH OF HEAD OF DITCH: .40
LENGTH OF DELIVERY SECTION: 1.90

LOSS TABLE FOR HEAD OF DITCH

MILE	Q	LOSS
	(CFS)	(CFS)
.40	10.99	.35

LOSS TABLE FOR DELIVERY

MILE	Q	LOSS	Q DELIVERED
	(CFS)	(CFS)	(CFS)
1.00	5.08	.87	5.04
1.90	.00	.54	4.54

$2155.5 (1.184) = 2552.1 \text{ AFA}$

NOTICE OF CLAIM TO A WATER RIGHT

IDENT. NO. MAP NO.

65-0023

amended.

Notice is hereby given that Emmett Irrigation District

(Name of Claimant)

P. O. Box 515 Emmett, Idaho 83617

(Mailing Address)

and beneficial use of the surface or groundwater, of or tributary to Payette River

The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right)
November 26, 1983

(2) Describe the source of water: (Name of stream, lake, spring, etc., or groundwater) Pavette River Department of Water Resources
Western Regional Office

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity 30.0 cfs ✓ Use irrigation Period of Use From 3-15 11-15
 (CFS, GPD, AF.) (Domestic, irrigation, stock, etc.) Apr. 1 To Oct. 31
 (Mo., Day) (Mo., Day)
 (Both Dates Inclusive)

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

Quantity 9.58 Use (CFS. GPD. AF.) Period of Use From (Mo., Day) To (Mo., Day)
(CFS. GPD. AF.) (Domestic, irrigation, stock, etc.) (Both Dates Inclusive)

(4) ~~11.5~~ ~~30.0~~ TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF.)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SE $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 22, Twp. 7N, Rge. 1E 1W, B.M.; additional points: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible.

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

[illegible]

Total No. of acres 21,462

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

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

(7) Effluent, sewage waste, or return water from this use is discharged into

(8) If you are claiming water as a member of an organization, list name of organization.

↓ (Place of use within ~~boundaries~~^{limits} of Emmett Ler DIST (see 65-2004))

(9) Remarks Based on Posted Notice by Elliott Thomas of Riverside Ditch Company, November 26, 1883. Water right subsequently acquired by Emmett Irrigation District.

THE RIGHT WHEN COMBINED WITH RIGHTS 63, 1049, 2404, 2018 STATED

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

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

☐ C) Right based on application, permit, license, or claim filed with the Idaho Department of Water Resources.

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

Individual

8-10-78

(Signature of Claimant)

State of Illinois

Organization

Organization

(Signature of Spouse)

County of Ada

33.

Seal

(Signature of Authorized Agent)

On this 25th day of March, in the year 1977, before me,

a notary public, personally appeared Rochelle Stanley
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they,
corporation, partnership or _____), executed the same.

Notary Public residing at

My commission expires

5-19-77 R4 DRT 10-25-77

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

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM

IDENT. NO.

MAP NO.

TO A

WATER RIGHT

65-0023

Notice is hereby given that

Emmett Irrigation District

(Name of Claimant)

P.O.Box 515, Emmett, Idaho

(Mailing Address)

claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) Nov. 26th, 1883
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Payette River
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: (Both Dates Inclusive)
- Use Irrigation Period of Use From April 1, To October 31.
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- (4) Quantity of water claimed: _____ Cubic Feet Per Second, or _____ Acre Feet Per Annum, and/or _____ Gals. Per Minute.
- (5) A) Point of Diversion: Give location of point where water is diverted from its source through Lot 2 1/4, Sec. 22, Twp. T 7 N., Rge. R. 1 W., B.M.; additional points: _____
- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. _____
- (6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
7 N.	2 W.	31					-	-	37.9	14.5	38.6	25.8	-	-	-	20.1	17.2	26.6	180.5
7 N.	3 W.	25												10.0					10.0
7 N.	3 W.	36																	17.4
6 N.	2 W.	5																	198.7
6 N.	2 W.	16																	72.3

Total No. of acres 478.9

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

- (7) Effluent, sewage waste, or return water from this use is discharged into _____
- (8) If you are claiming water as a member of an organization, list name of organization: _____
- (9) Remarks Water was originally diverted by posted notice from the Payette River in Lot 8, Sec. 6, T. 6 N., R. 2 W. B.M., by Thomas Elliott, then to Riverside Ditch Company, then to Emmett Irrigation District.
- (10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case _____
☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.: _____

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

Individual

April 8, 1970

(Date)

[Signature]
(Signature of Claimant)

(Signature of Spouse)

State of Idaho

County of Gem

SS.

Organization
Seal

Organization

Emmett Irrigation District

[Signature]
(Signature of Authorized Agent)

On this 9th day of April, in the year 1970, before me,

a notary public, personally appeared C. W. PARKS,
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they,
corporation, partnership or said District) executed the same.

Notary Public residing at Emmett, Idaho;

My commission expires July 20, 1973

Thomas Elliott
Locater

Notice of Wick Location

Dated, Nov 26 1883

To Filed Nov 26 1883 1 pm

Cayote River

Not Recd. S. W. L. page 86 L. C. R.

" " " " " 165 L. C. R.

Notice is hereby given, that I Thomas Elliott claim
10000 inches of the unappropriated water of the Cayote
River under a four inch per acre for irrigating
purposes.

To be taken out on ~~Traces~~ ^{North} thingbrooks land
about five miles below Emmettville on the east
side of said River and running thence in a
Northerly direction about one mile to my land

to wit: - Lots 2 & 7 Sec 6 Twp 6. N. R. 74.

Lots 1 & 18 of SE 1/4 Sec 31 Twp 7. N. R. 74.

And water to be used for irrigating said land
and adjoining lands, to be conveyed through a ditch
already partly constructed which is of the following
dimensions to wit: - 10 feet wide at the top, 3 feet
wide on the bottom and 7 1/2 feet deep.

Thomas Elliott.

Copy of Thomas Elliott
Notice of Water Location
for 10,000 inches of the
water of Payette River.

Aug 22, 1960
Filed for record in the
Office of the Department
of Reclamation at the
Statehouse, Boise, Idaho.

Aug 22, 1960

Geo. H. Carter
State Reclamation
Engineer

Recorded, Book of Water
Location Notices Index,
Department of Reclamation
Office.

MAP LOCATION Riverside Ditch Company.

Original of this map. On file
in Emmett Irrigation District
Office.

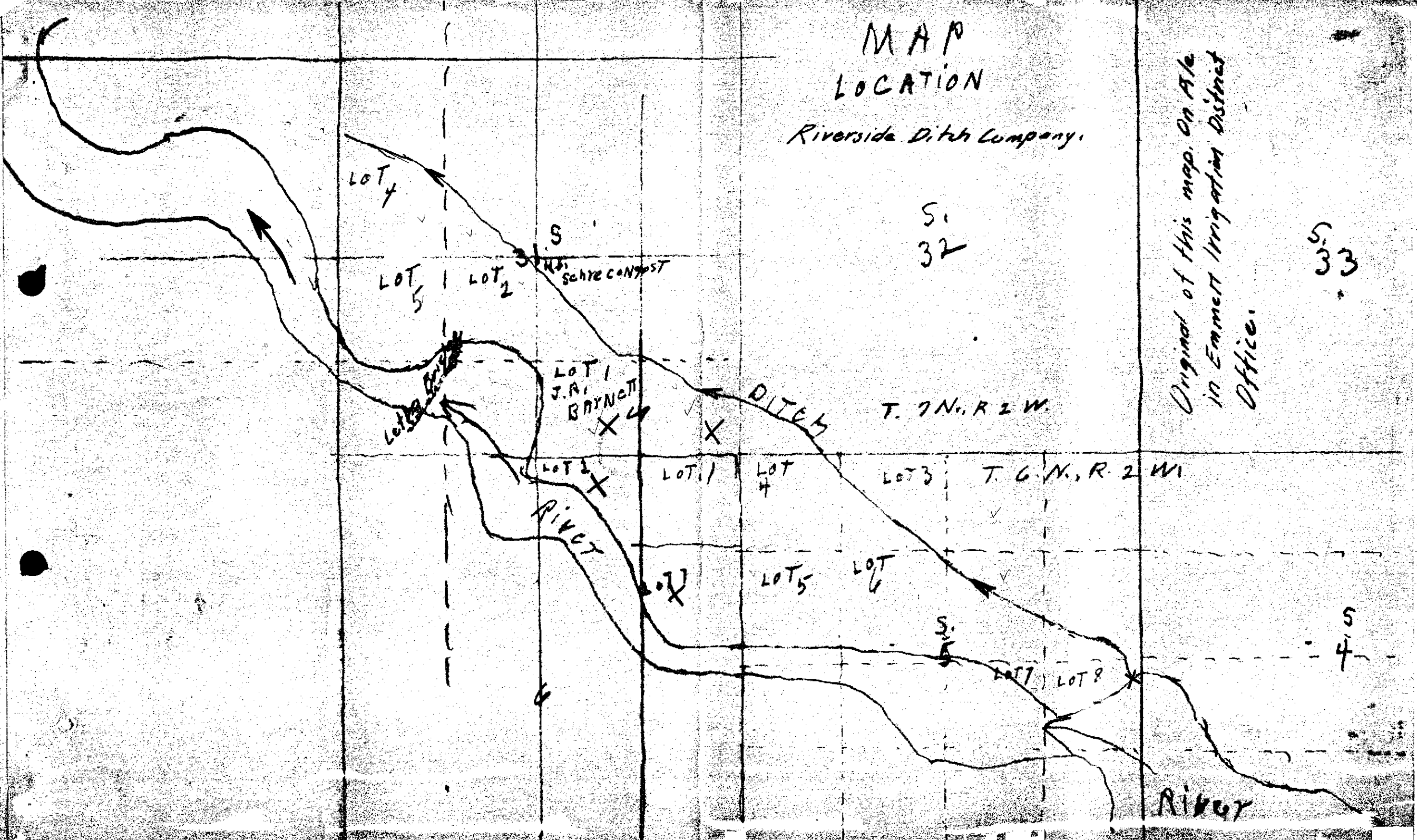
S.
32

S.
33

T. 7 N., R. 2 W.

T. 6 N., R. 2 W.

S.
4



Riverside Irrigation Ditch Company, a corporation, duly authorized thereunto by a resolution passed by its stockholders on the 10th day of July, 1925, and by resolution of its Board of Directors,

with

Emmett Irrigation District, a municipal corporation, by and through its board of directors.

AGREEMENT. Inst. #20197

Dated August 4, 1925.
Recorded November 8, 1927, 3:25 PM
Book 2 Bonds & Agreements,
page 325.

Signed: Riverside Irrigation Ditch Company, By J. R. Barnett, Its President.
Attest: H. E. Schrecongost, Its Secretary. (Corporate Seal)

Signed: Emmett Irrigation District, By A. Shorten, Its President.
Attest: H. Haylor, Its Secretary. (Corporate Seal)

Acknowledged October 14, 1927, by H. E. Schrecongost, Secretary and J. R. Barnett, President of Riverside Irrigation Ditch Company, before H. M. Haag, Notary Public, Gem County, Idaho. (Seal) And acknowledged that they executed the same.

Acknowledged November 8, 1927, by A. Shorten who is President and H. Haylor, who is Secretary of the Emmett Irrigation District, and acknowledged that they executed the same, before H. M. Haag, Notary Public, Gem County, Idaho, residing at Emmett, Idaho. (Seal)

Witnesseth: 1. That said party of the first part, Riverside Irrigation Ditch Company, a corporation, does hereby sell, convey, assign, transfer, and release to said party of the second part, Emmett Irrigation District, a municipal corporation, all its water rights in the Payette River, described as follows,

That certain water right in said river coming into existence by that certain notice of ditch location, by Thomas Elliott, locator, to Payette River, dated the 26th day of November, 1883, filed the 26th day of November, 1883, in Record Book 1 of Water Locations, at page 86, Canyon County Records, and in Record Book 1 of Water Locations, at page 165, Ada County Records, in the State of Idaho, claiming 10,000 inches of the then unappropriated waters of the Payette River, under a 4 inch pressure, for irrigating purposes, to be taken out on the Francis Klingback land about 5 miles below Emmettville (now Emmett, Gem County, Idaho) on the NE side of said river, and running thence in a Northerly direction about 1 mile to the land of said locator, to-wit: Lots 2 and 7, Section 6, Twp. 6 N. R. 2 W. B. M., and Lot 1 and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 31, Twp. 7 N. R. 2 W. B. M., said water to be used in irrigation said and adjoining lands, which said water right hereby sold being also mentioned and referred to in that certain deed of conveyance dated the 16th day of April, 1902, and recorded May 1st, 1902, in the office of the County Recorder of Canyon County, Idaho, in Book 25 of Deeds, at page 271 thereof; and it is expressly understood by the parties hereto that the said party of the first part is hereby conveying to said party of the second part all its right, title, and interest in and to said 10,000 miner's inches of irrigation water out of the Payette River referred to in said instrument.

2. It is further understood and agreed that said Emmett Irrigation District shall have the sole right henceforth to said water right in said river, and that said Emmett Irrigation District may take said water from said river for the use of the lands within said district, and may divert said water at any point from said river than the point mentioned in said location notice, subject to the approval of the department of reclamation, or other department or officers having supervision of such matters in the state of Idaho.

65 0022

3. That in consideration of the foregoing, Hammett Irrigation District, a municipal corporation, party of the second part, does hereby release and relinquish to Riverside Irrigation Ditch Company, and corporation, for its use, and the use of its stockholders, and for the use and benefit of all lands lying south of the limits of said district, and benefit of all lands lying south of the limits of said district, and between the North and South $\frac{1}{4}$ Section line in Section 4, Twp. 6 N. R. 2 E. S. 12., and the West line of Section 25, Twp. 7 N. R. 2 N. S. 14., all waste and excess irrigation waters existing from the limits of said district towards the Payette River between said lines; and said Hammett Irrigation District does hereby promise, covenant and covenant with said Riverside Irrigation Ditch Company, and with its stockholders, and with their successors in title and interest in and to said lands lying south of the limits of said district, that said district will not hereafter attempt to prevent the flow of said excess or waste waters towards said Payette River, but shall permit the same to continue to flow and escape undisturbed and uninterrupted towards the said river to the end that it may be captured, appropriated, and used by said Riverside Irrigation Ditch Company, and its stockholders, and the owners of said lands, and by them used for irrigation and domestic purposes.

A G R E E M E N T

THIS AGREEMENT, made and entered into by and between Riverside Irrigation Ditch Company, a corporation, duly authorized thereto by a resolution passed by its stockholders on the 10th day of July, 1925, and by resolution of its board of directors, party of the first part, and Emmett Irrigation District, a municipal corporation, by and through its board of directors, party of the second part, WITNESSETH:

I.

That said party of the first part, Riverside Irrigation Ditch Company, a corporation, does hereby sell, convey, assign, transfer, and release to said party of the second part, Emmett Irrigation District, a municipal corporation, all its water rights in the Payette River, described as follows, to-wit:

That certain water right in said river coming into existence by that certain notice of ditch location, by Thomas Elliott, locator, to Payette River, dated the 26th day of November 1883, filed the 26th day of November, 1883, in Record Book 1, of Water Locations, at page 86, Canyon County Records, and in Record Book 1, of Water Locations, at page 165, Ada County Records, in the State of Idaho, claiming 10,000 inches of the then unappropriated waters of the Payette River, under a four inch pressure, for irrigating purposes, to be taken out on the Francis Klingback land about five miles below Emmettville (now Emmett, Gem County, Idaho) on the north-east side of said river, and running thence in a northerly direction about one mile to the land of said locator, to-wit: Lots 2 and 7, section 6, Township 6 North, Range 2 W.B.M., and Lot 1 and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 31, Township 7 North, Range 2 W. B.M., said water to be used in irrigating said and

adjoining lands, which said water right hereby sold being also mentioned and referred to in that certain deed of conveyance dated the 16th day of April, 1902, and recorded the 1st day of May, 1902, in the office of the County Recorder of Canyon County, Idaho, in Book 25 of Deeds, at page 271 thereof: and it is expressly understood by the parties hereto that said party of the first part is hereby conveying to said party of the second part all its right, title, and interest in and to said 10,000 minor's inches of irrigation water out of the Payette River referred to in said instruments.

II.

It is further understood and agreed that said Emmett Irrigation District shall have the sole right henceforth to said water right in said river, and that said Emmett Irrigation District may take said water from said river for the use of the lands within said district, and may divert said water at any point from said river than the point mentioned in said location notice, subject to the approval of the department of reclamation, or other department or officers having supervision of such matters in the State of Idaho.

III.

That in consideration of the foregoing, Emmett Irrigation District, a municipal corporation, party of the second part, does hereby release and relinquish to Riverside Irrigation Ditch Company, and corporation, for its use, and the use of its stockholders, and for the use and benefit of all lands lying south of the limits of said district, and between the north and south $\frac{1}{2}$ section line in Section 4, Township 6 North, Range 2 W.B.M., and the west line of Section 25, Township 7 North, Range 3 W.B.M., all waste and excess irrigation waters escaping from the limits of said district towards the Payette River, between said lines: and said Emmett Irrigation District does hereby promise, contract, and

covenant with said Riverside Irrigation Ditch Company, and with its stockholders, and with their successors in title and interest in and to said lands lying south of the limits of said district, that said district will not hereafter attempt to prevent the flow of said excess or waste waters toward said Payette River, but will permit the same to continue to flow and escape undisturbed and uninterrupted towards the said river to the end that it may be captured, appropriated, and used by said Riverside Irrigation Ditch Company, and its stockholders, and the owners of said lands, and by them used for irrigation and domestic purposes.

IN WITNESS WHEREOF, the said parties have hereunto set their corporate names and seals by their proper officers this 4th day of August, 1925.

RIVERSIDE IRRIGATION DITCH COMPANY

By /s/ J R Burnett
Its President.

Attest: /s/ H.E. Schrecongost
Its Secretary

EMMETT IRRIGATION DISTRICT

By /s/ A. Shorten
Its President

Attest: /s/ N. Naylor
Its Secretary

*****BY--LAWS*****

of

*****THE RIVERSIDE IRRIGATION DITCH COMPANY*****

Article 1.

Officers

Sec. 1 The executive Board of this Company shall consist of Five

Directors, and all of the officers, except the Secretary, shall be elected from the said Board, provided, that this section shall not be construed to mean that the secretary shall not be elected from said Board.

Sec. 2. All stock-holders of the company shall be eligible to the office of director who owns an interest of one share XX or more in the Corporation.

Article 2.

Duties of Officers.

It shall be the duty of the President of the XX XXX Board of Directors (or of the Vice-President in his absence) to preside at all meetings of the directors or company and enforce an observance of the by-laws of the company.

He shall decide all questions of order, act as judge of elections, and decide all ballots.

To sign all orders drawn on the Treasurer for the payment of such sums of money as may from time to time be voted by the directors or the company.

He may call special meetings in accordance with Article 13. of these by-laws.

Secretary.

Sec. 1. It shall be the duty of the Secretary:

1st. To keep an accurate record of the proceedings of all meetings of the Directors or of the Company in a book provided for that purpose.

2nd. To write all communications, warrants and notices when so ordered by the President.

3rd. To attest all orders drawn on the treasurer for money, and state in all orders the purpose for which the amount was drawn.

4th. He shall perform such other duties which may be prescribed by the by-laws, and shall receive as compensation the sum

for each meeting of the directors or of the company, and fifty cents for recording each transfer of stock, to be paid by the stock-holder making the transfer.

5th. He shall deliver to his successor all books, papers and other property pertaining to his office.

6th. He shall have sole charge of the seal of the Corporation, and shall affix it to all papers emanating from his office.

7th. He shall receive all money's due the corporation and shall pay the same over to the treasurer within one week after the receipt thereof.

He shall give a bond in the sum of \$100.00 Dollars for the faithful performance of his duties, with two surities to be approved by the directors.

Treasurer.

1st. It shall be the duty of the Treasurer to receive all money of the Company from the Secretary, and keep an accurate account of the same.

2nd. To pay all orders drawn upon the funds in his hands when signed by the President and attested by the Secretary and bearing the Corporation XXXXXXXXXXXXXXXXXXXX seal.

3rd. To give a full report of his official acts at the expiration of his term of office, or sooner if required by the directors.

4th. To have his books, papers and accounts ready for settlement at the end of his term.

5th. To deliver to his successor in office, or upon his resignation or removal from office, to the President, all money's remaining in his hands, and all books, papers and other property of the company.

6th. To give a bond for the faithful performance of his duties, in the sum of 100.00 Dollars, with two sureties to be approved by the directors.

Article 3.

Meetings.

All meetings of the Directors or of the Company shall be held
Cook & John ranch
at the Seheel-Hesse of School District No. 29 in Canyon County,

Idaho. The Annual meeting of the company shall be held on the third Saturday in March of each year at one O'clock P.M.. and due notice thereof shall be given as required by law.

No meetings of the company or directors other than the annual meeting shall be held except by special call.

Special meetings of the Company or of the Directors, may be called by the President or Secretary when requested in writing by three or more stock-holders, which said meeting shall be held in not less than three days, and not to exceed five days from the delivery of such request. Notice of said meeting shall be given by the President or Secretary, by posting written notices in three conspicuous places as follows: one at the door of the aforesaid Cook & John Ranch -Seheel-hesse and the other two at public places within one half mile of the said seheel-hesse, provided, that in lieu of said posted notices, personal notice may be given to the stockholders or directors respectively, with the same effect.

Article 4.

No transfer of stock shall be made upon the books of the company until all indebtedness to the company of the person in whose name the stock stands, whether for assessments, calls or otherwise is paid.

Article 5.

Any Stock-holder or Director may act as proxy for another by first filing with the secretary the written consent of the absent stock-holder. XXXXXXXX

Article 6.

The Directors, in addition to their other powers and duties, shall try dilligently to equitably adjust all differences arising between stockholders with reference to the priority of using water taken from the ditch or ditches of the company, and shall regulate the distribution of water, and generally supervise and direct all matters connected with the water-rights of the corporation.

Article 7.

The Directors shall be entitled to a reasonable compensation for all services performed by them in the interest of the company.

Article 8.

All resignation of office shall be submitted to the secretary in writing and no resignation shall take effect in less than thirty days after such resignation is received.

Article 9.

Any Officer or Director of this company/^{who}shall violate any of these by-laws shall be fined in any sum not exceeding One Hundred Dollars for any one offense. And further:- any director who shall willfully neglect to attend any regular or called meeting of the Board of Directors, or who shall without reasonable excuse neglect or refuse to assist, when notified by the President and Secretary or the majority of the Board, in the transaction of any business along the line of the Ditch, shall be fined in any sum not exceeding One Hundred Dollars for any one offense.

Article 10.

A majority of the Directors or of the Stock-holders, shall constitute a quorum for the transaction of business.

Article 11.

These By-Laws may be altered or amended at any annual meeting by a vote of two thirds of the stock of the company---or at a special meeting called for that purpose--by the same vote.

We, the undersigned, stock-holders, hereby adopt the foregoing as the By-Laws of the Riverside Irrigation Ditch Company.

No. of Shares

Adopted this 12th day of April, 1902.

/s/ R. L. Moler	3
/s/ J. M. Bigham	3
/s/ A. H. Smoke	3
/s/ William C. Langroise	3

I HEREBY CERTIFY that at a meeting of the Stock-holders of the Riverside Irrigation Ditch Company, called and held on the 25th day of January, 1916, ARTICLE three (3) of the By-Laws of the Company was amended to read that the Annual Meeting of the Company shall be held on the SECOND (2nd) Tuesday of January of each; thereafter.

/s/ H. E. Schrecongost
Secretary.

THIS INDENTURE, made this 16th day of April, in the year 1902,
Between James M. Bigham, of the town of Emmett, County of Canyon, State
of Idaho, the party of the first part, and the RIVERSIDE IRRIGATION DITCH
COMPANY, a Corporation, incorporated under the laws of the State of Idaho,
and whose principal place of business is at the School-House of District
number 29, near Emmett, Idaho, the party of the second part,

Witnesseth: That the said party of the first part, for and in con-
sideration of the sum of Three Hundred Dollars, lawful money of the
United States of America, to him in hand paid by the said party of the
second part, the receipt whereof is hereby acknowledged, does by these
presents grant, bargain, sell, convey, XXXXXXXXXX remise, release, and
forever quit claim, XXXXXXXXXX unto the said party of the second party,
and to their assigns, all the right, title, interest, estate, claim, and
demand, both at law and in equity, and as well in possession as in
expectancy, of the said party of the first part, of, in, and to all that
certain ditch and water-right located in the Payette Valley, Canyon County,
Idaho, particularly described as follows, to wit: A ditch known as the
"Tom Elliott Irrigating Ditch" constructed for the purpose diverting water
of the Payette River at a point Twenty-nine and one half rods West of
point of intersection of the North bank of the Payette River and the section
line between sections four and five of Township Six North, Range Two West,
Boise Meridian and designed to convey water to XXX Lots 1 & South East one
fourth of South East one fourth of South East one fourth Section 31, Town-
ship 7, North Range 2 West. Lots 2 & 7 Section 6, Township 6, North Range
2 West. Said water-right consists of a location made by XXXXXXXXXX^{one}
Thomas Elliott on the 26th, day of November, 1883, and recorded in the
office of the County Recorder of Canyon County, Idaho, in Book 1 of Water
Locations at page 86.

Together with all and singular the tenements, hereditaments, and
appurtenances thereunto belonging, or in anywise appertaining, and the
rents, issues, and profits thereof;

To have and to hold, all and singular the said premises, together
with the appurtenances, unto the said party of the second part, and their
assigns forever.

In witness whereof, the said party of the first part, has hereunto set his hand and seal, the day and year first above written.

/s/ James M. Bigham SEAL.

Signed, sealed and delivered
in the presence of

/s/ Finley Monroe

STATE OF IDAHO, :
COUNTY OF CANYON.: SS.

On this 16th day of April, in the year 1902, before me, Finley Monroe, a Notary Public in and for the County of Canyon, personally appeared James M. Bigham (widower) known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

In witness whereof I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

/s/ Finley Monroe

Notary Public.

RECEIVED

JAN 18 2012

Form No. 42-1409 (2) a 1/88 (Internet)

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE ^{Department of Water Resources}
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 65-00023

Date Received

Receipt Number

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

RECEIVED

AUG 23 2002

WATER RESOURCES
WESTERN REGION

Please type or print clearly

1. Name of Claimant (s) Emmett Irrigation District Phone (208) 365-4582Mailing Address 222 E. Park Street, Emmett, ID Zip 836172. Date of Priority (Only one (1) per claim) 11/26/18833. Source of water supply (a) Payette Riverwhich is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 07N Range 01W Section 22, B.M.,
1/4 of NE 1/4 of SE 1/4, Govt. Lot, 6 B.M., County of Gem

Additional points of diversion if any: L1 SE1/4 NE1/4 Sec. 22, Twp. 07N, Rge. 01W, B.M.

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Black Canyon Dam pumps to canals and laterals

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 18,500 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
23,106.28 acres within boundaries of Emmett Irrigation District																			

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Gem

12. Do you own the property listed above as place of use? Yes ☐ No ☒

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (☐)

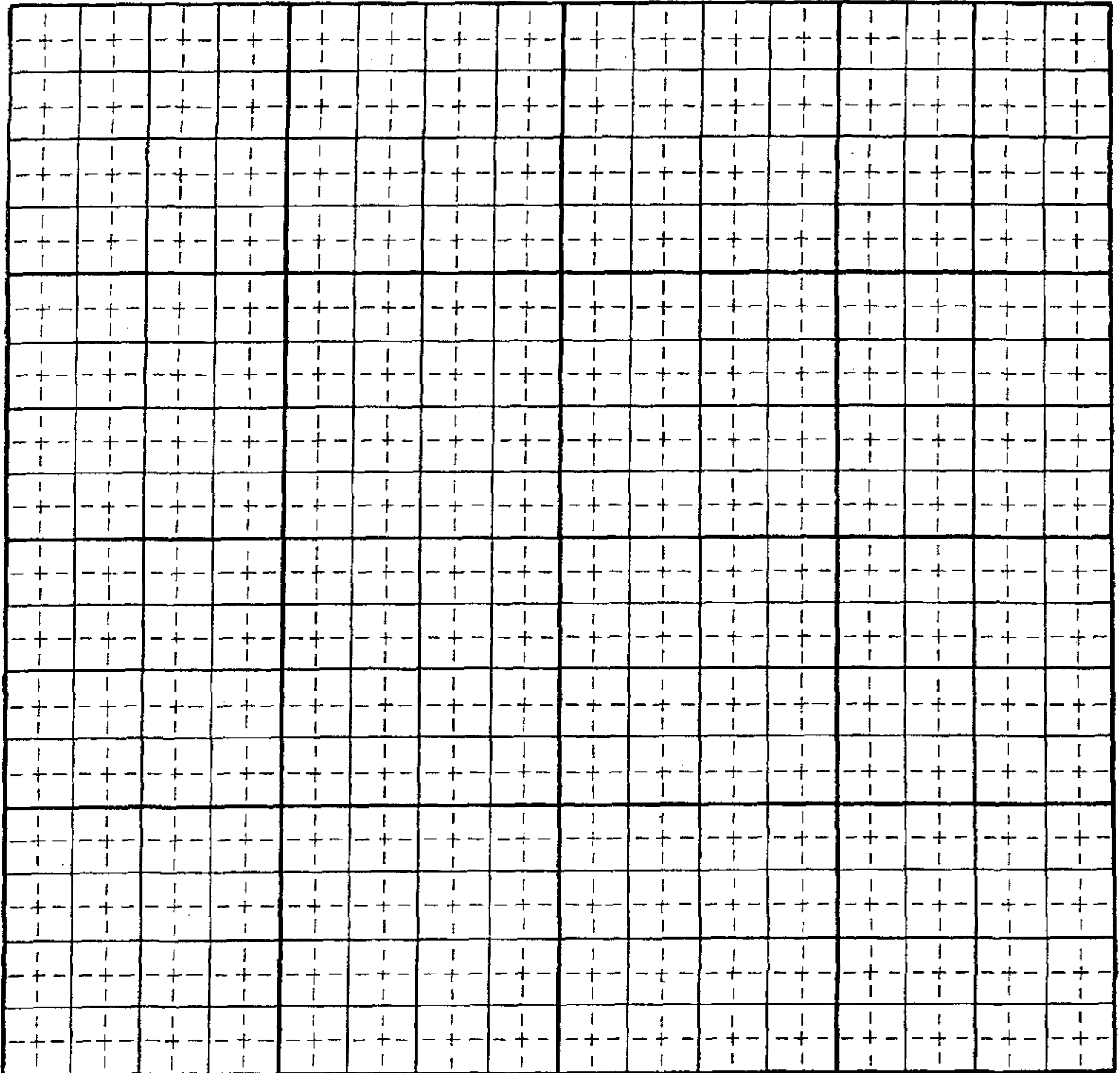
14. Remarks:

Emmett Irrigation District distributes water to the lands within its boundaries, but it does not own the land.

Last Name Emmett Irrigation District Ident No. 65-00023

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name Emmett Irrigation District

Ident No. 65-00023

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 65-00023
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Counsel for _____
Title _____
of Emmett Irrigation district _____, that I have signed the foregoing
Organization _____
document in the space below as _____ Counsel for _____ of Emmett Irrigation district
Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Scott L. Campbell
Title and Organization _____ Date 01/17/02

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this

17th day of January 2002
Notary Public Deborah L. Long
Residing at Boise, ID
My Commission Expires 10/10/07
Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Scott L. Campbell will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature Scott L. Campbell
Address P.O. Box 829, Boise, ID 83701-0829
Date 01/17/02

Last Name Emmett Irrigation District Ident. Number 65-00023

LARRY ECHOHAWK
Attorney General

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

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

IN THE MATTER OF THE GENERAL	)	
DETERMINATION OF THE RIGHT	)	CIVIL NO. 3667
TO THE USE OF SURFACE AND	)	
GROUNDWATERS OF THE PAYETTE	)	STIPULATION RESOLVING
RIVER DRAINAGE BASIN	)	OBJECTIONS OF EMMETT
	)	IRRIGATION DISTRICT
	)	

The Director of the Idaho Department of Water Resources, R. Keith Higginson and the Emmett Irrigation Company, by and through counsel, stipulate as follows:

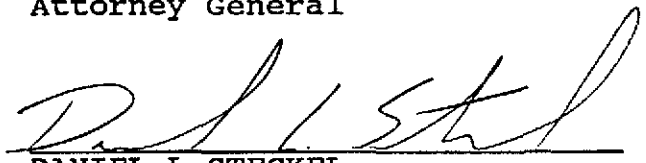
1. That water right claim Nos. 65-00023, 65-02004, 65-02080, 65-10491, and 65-07832 be accepted and included in the Proposed Finding of Water Rights in the Payette River Drainage as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

2. That the Emmett Irrigation District withdraws all pending objections in the above captioned matter.

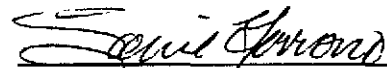
3. That this stipulation is for the purpose of equitably and efficiently resolving disputed factual issues short of trial and that no offers and/or compromises made in the course of this agreement shall be construed as admissions against interest or be used in any legal proceeding.

DATED this 14th day of April, 1993.

LARRY ECHOHAWK
Attorney General


DANIEL L. STECKEL
Deputy Attorney General
Department of Water Resources

DATED THIS 9th day of April, 1993.


LOUIE GORRANO
Attorney for
Emmett Irrigation District

The above stipulation having come before the court, it is hereby approved this _____ day of _____, 1993.

JAMES R. DOOLITTLE
District Judge

EXHIBIT A
STIPULATION OF IDWR AND EMMETT IRRIGATION DISTRICT

PAGE: A-1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: PAYETTE RIVER		TRIBUTARY: SNAKE RIVER				
65-00023	EMMETT IRRIGATION DISTRICT 222 E. PARK ST. EMMETT ID 83617	11/26/1883	IRRIGATION	03-15 11-15	18.50 CFS	POSTED NOTICE
				TOTAL QUANTITY:	18.50 CFS	
	POINT OF DIVERSION: T07N R01W S22	LOT 1 (SENE) LOT 6 (NESE)				
	PLACE OF USE: IRRIGATION SAME AS OTHER USE					
	REMARKS: PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT. USE OF THIS RIGHT WITH RIGHT NO. 65-02004, 65-02080, 65-10491 AND 65-07832 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 523.12 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 76,150 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 21,757.1 ACRES IN A SINGLE IRRIGATION SEASON. 88.08 CFS OF RIGHT NO. 65-10491 IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 65-00023, 65-02004, 65-02080 AND 65-10491.					
65-02004	EMMETT IRRIGATION DISTRICT P. O. BOX 515 EMMETT ID 83617	05/26/1903	IRRIGATION	03-15 11-15	169.39 CFS	LICENSE
				TOTAL QUANTITY:	169.39 CFS	
	POINT OF DIVERSION: T07N R01W S22	LOT 1 (SENE) LOT 6 (NESE)				
	PLACE OF USE: IRRIGATION SAME AS OTHER USE					
	REMARKS: PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT. USE OF THIS RIGHT WITH RIGHT NO. 65-00023, 65-02080, 65-10491 AND 65-07832 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 523.12 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 76,150 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 21,757.1 ACRES IN A SINGLE IRRIGATION SEASON. 88.08 CFS OF RIGHT NO. 65-10491 IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 65-00023, 65-02004, 65-02080 AND 65-10491.					

MICROFILMED
OCT 18 1996

EXHIBIT A
STIPULATION OF IDWR AND EMMETT IRRIGATION DISTRICT

PAGE: A-2

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: PAYETTE RIVER			TRIBUTARY: SNAKE RIVER			
65-02080	EMMETT IRRIGATION DISTRICT P. O. BOX 515 EMMETT ID 83617	07/29/1908	IRRIGATION	03-15 11-15	124.00	CFS LICENSE
				TOTAL QUANTITY:	124.00	CFS
	POINT OF DIVERSION: T07N R01W S22 LOT 1 (SENE) LOT 6 (NESE)					
	PLACE OF USE: IRRIGATION SAME AS OTHER USE					
	REMARKS: PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT. USE OF THIS RIGHT WITH RIGHT NO. 65-00023, 65-02004, 65-10491 AND 65-07832 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 523.12 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 76,150 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 21,757.1 ACRES IN A SINGLE IRRIGATION SEASON. 88.08 CFS OF RIGHT NO. 65-10491 IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 65-00023, 65-02004, 65-02080 AND 65-10491.					
65-10491	EMMETT IRRIGATION DISTRICT P. O. BOX 515 EMMETT ID 83617	04/01/1919	IRRIGATION	03-15 11-15	205.23	CFS BENEFICIAL USE
				TOTAL QUANTITY:	205.23	CFS
	POINT OF DIVERSION: T07N R01E S22 LOT 1 (SENE) R01W S22 LOT 6 (NESE)					
	PLACE OF USE: IRRIGATION SAME AS OTHER USE					
	REMARKS: PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT. USE OF THIS RIGHT WITH RIGHT NO. 65-00023, 65-02080, 65-02004 AND 65-07832 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 523.12 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 76,150 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 21,757.1 ACRES IN A SINGLE IRRIGATION SEASON. 88.08 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 65-00023, 65-02004, 65-02080 AND 65-10491.					

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OCT 18 1995

EXHIBIT A
STIPULATION OF IDWR AND EMMETT IRRIGATION DISTRICT

PAGE: A-3

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: PAYETTE RIVER		TRIBUTARY: SNAKE RIVER				
65-07832	EMMETT IRRIGATION DISTRICT 222 E. PARK ST. EMMETT ID 83617	04/02/1977	IRRIGATION	03-15 11-15	6.00 1373.0	CFS AFY LICENSE
TOTAL QUANTITY:					6.00 1373.0	CFS AFY
POINT OF DIVERSION: T07N R01W S22 LOT 1 (SENE)						
PLACE OF USE: IRRIGATION SAME AS OTHER USE						
REMARKS: PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT. USE OF THIS RIGHT WITH RIGHT NO. 65-00023, 65-02080, 65-02004 AND 65-10491 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 523.12 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 76,150 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 21,757.1 ACRES IN A SINGLE IRRIGATION SEASON. 88.08 CFS OF RIGHT NO. 65-10491 IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 65-00023, 65-02004, 65-02080 AND 65-10491.						

MICROFILMED
OCT 18 1996

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: A65-00023
Date Received: 1/19/1990
Receipt No: X9999999
Received By: *[Signature]*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EMMETT IRRIGATION DISTRICT
Address: 222 E. PARK ST.
EMMETT, ID 83617

2. Date of Priority: NOV 26, 1883

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	01W	22		1	GEM
				6	GEM

5. Description of diverting works:
DIVERSION DAM, PUMP, CANAL, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	30.000		

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

8. Total consumptive use is 75082.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER ASSOCIATED WITH IRRIGATION SYSTEM

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
----------	-------	---------	------------	-----	-----	-------

11. Place of use in counties:

A65-00023

Page 1

Date: 01/19/90

MICROFILMED
SEP 15 1992

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
EMMETT IRR. DIST. RIGHTS

14. Remarks:
PLACES OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT.
IRRIGATED ACRES = 21,452.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Chairman of the Board of
Emmett Irrigation District, that I have signed the foregoing
Emmett Irrigation District Organization
document in the space below as Chairman of the Board of
Emmett Irrigation District Title
and that the statements contained in the
foregoing document are true and correct.

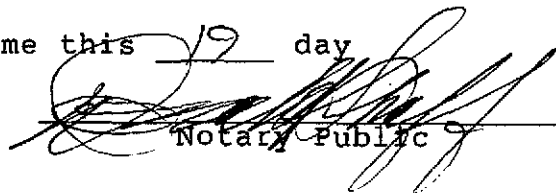
Kurt Standley
Signature of Authorized Agent
Chairman of the Board for
Emmett Irrigation District
Title and Organization

1/19/90
Date

State of Idaho)
County of Ada) SS.

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

Seal


Notary Public

Residing at Boise, ID
My Commission Expires June 10, 1994