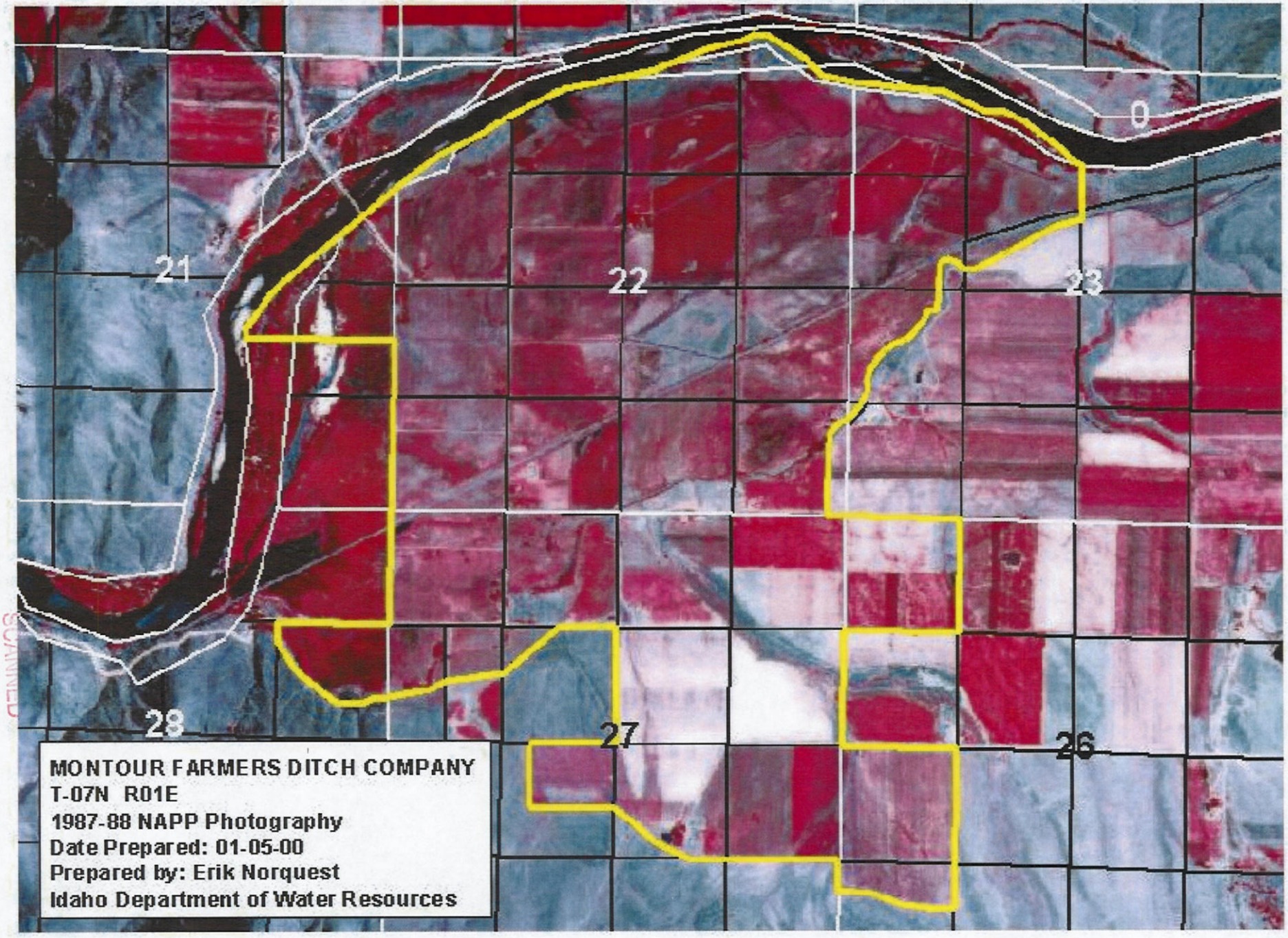
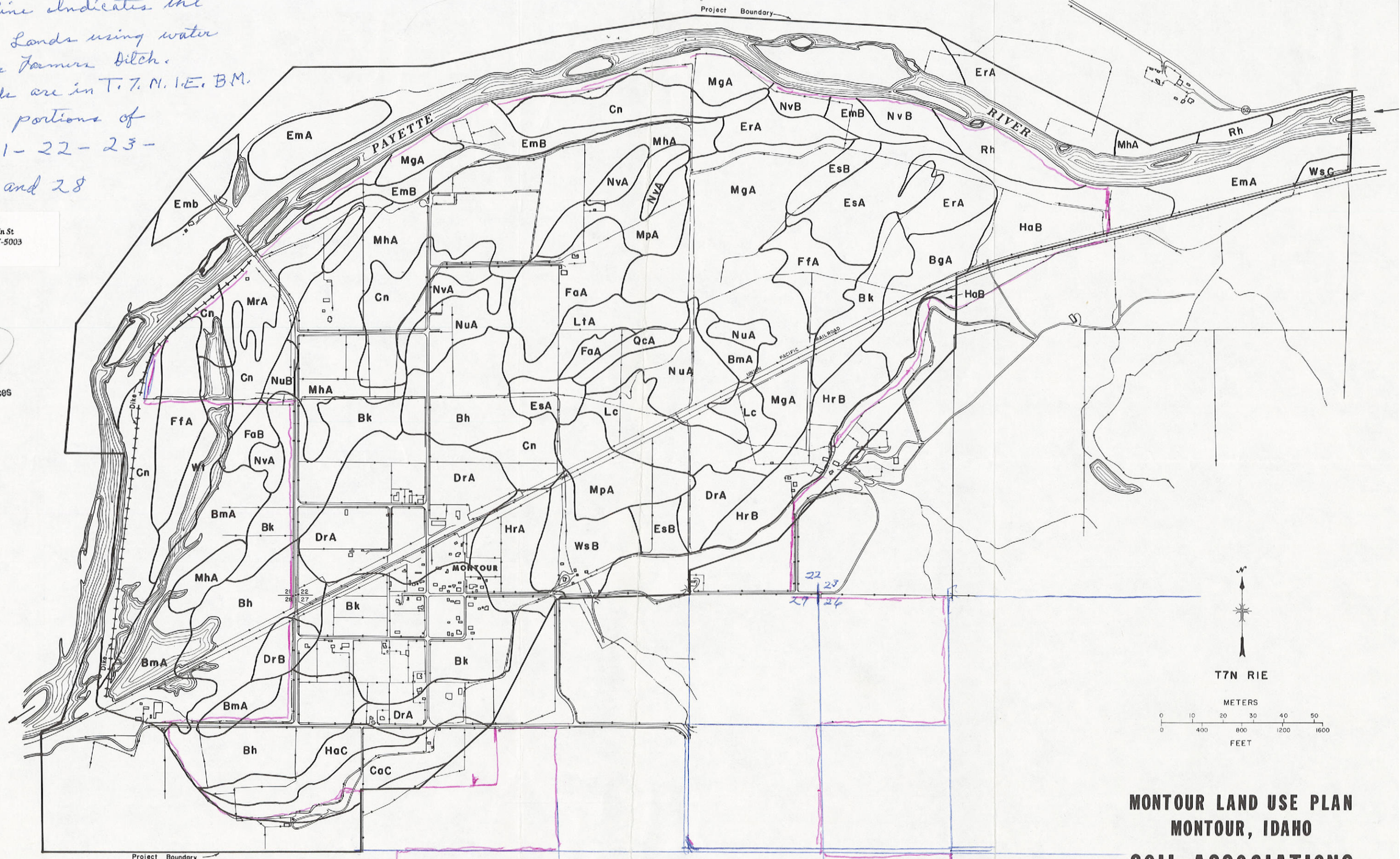


SCANNED
AUG 2 6 2003

The Red Line indicates the Boundry of Lands using water from Montour Farmers Ditch.
There Lands are in T. 7. N. I.E. B.M. and include portions of Sections, 21-22-23-26-27- and 28

Mr. Alva Mcconnel
9807 Montour Main St
Emmett, ID 83617-5003

RECEIVED
NOV 29 1999
Department of Water Resources



MONTOUR LAND USE PLAN
MONTOUR, IDAHO
SOIL ASSOCIATIONS

JANUARY 1979

3-100-457

2-17-1970

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 SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN.	Civil No. 3667 SUMMONS

THE STATE OF IDAHO SENDS GREETINGS TO: Montour Farmers Ditch Company

You are hereby notified that an Order has been entered in the District Court of the Third Judicial District in and for the County of Gem, dated November 12, 1969, directing the State Reclamation Engineer of the State of Idaho to commence an investigation and determination of the various rights to the use of surface and ground waters of the Payette River Drainage Basin, from its confluence with the Snake River to its source, such waters lying or being used within Gem, Valley, Boise, Canyon, Payette and Washington Counties,

And you are hereby notified that unless you appear and file a claim, with the State Reclamation Engineer, Statehouse - Annex 2, 614 W. State Street, Boise, Idaho, within sixty (60) days of the service of this Summons to the ownership of a water right for the use of any surface or ground waters of the Payette River Drainage Basin from its confluence with the Snake River to its source, such waters lying or being used within Gem, Valley, Boise, Canyon, Payette and Washington Counties, that you will be deemed to have forfeited any water right heretofore acquired for the use of the above waters.

DATED this 17th day of February, 1970

Donald A. Woodman
Clerk

Do not microfilm

65 0058

2-20-1970

2-23-70

February 20, 1970

COPY

Montour Farmers Ditch Company:

On October 27, 1969, an action was commenced in the District Court of the Third Judicial District, in and for the County of Gem, to determine rights to the use of the surface and/or ground waters within the Payette River drainage basin.

As a result of this action, the District Court has authorized the State Reclamation Engineer to conduct a study of the Payette River drainage basin and to submit to the court a proposed determination of water rights.

Since it appears that you may have some interest in the waters of the Payette River drainage basin, you are being named a defendant in the action. The enclosed Summons, Motion for Order of Joinder, and Order of Joinder require that you file with the State Reclamation Engineer your claim of water right to the use of waters within the Payette River drainage basin within 60 days from the date this is served upon you. Since all defendants are not joined at one time, due to the large number of people involved, Exhibit A includes only those joined with your group. A complete list of defendants in this action is not included among the enclosures; however, a complete list is available upon request from this department.

In order to hold a water right under Idaho Law, you or your predecessor must have physically diverted and beneficially used water prior to this date. If you have not used the water and do not claim a right, it will not be necessary for you to file a claim with the Department of Reclamation. However, if you are using water and fail to assert a claim within the time stated, you may be forever barred and estopped from claiming a right to the waters within the Payette River drainage basin.

In order to assist you in filing any claim you may have, Department personnel will be available at Gem County Courthouse Emmett on March 19, 1970, at 9:00 a.m. o'clock. The Department will have a preliminary claim prepared when you appear, to minimize the time which it may take to prepare your claim. There will also be a notary available to notarize your claim. It is strongly recommended that you appear at the above time, so that the most efficient use will be made of the personnel, maps,

65 0059

and records which will be available to you. You should bring any information that you may have which will verify your claim and assist you in completing your claim, such as receipts for installation of the diversion facilities, power records indicating when power was installed to pumps and motors, tax notices, etc. In the event that additional claim forms are needed, they will be available at the time of the public meeting or upon request from the Department. Department personnel will also be happy to assist you during regular work hours at Statehouse - Annex #2, 614 West State Street, Boise, Idaho, or by phoning 384-2215.

Very truly yours,

R. KEITH HIGGINSON
State Reclamation Engineer

RKH:rh

Enclosures

COPY

65 0058

SCANNED

AUG 2 6 2003

3-20-1970

March 20, 1970

COPY

Alva B. McConnel
Montour,
Idaho 83646

Dear Mr. McConnel:

Please find enclosed a supply of acreage tabulation sheets for your use in describing irrigated acreages under the Montour Farmers Ditch Company.

Also find enclosed copies of the township plats of Montour for your use in describing lots within the city.

If you have any questions on this adjudication suit, please feel free to contact us at any time.

Very truly yours,

Paul M. Castelin
Chief, Adjudication Section

PMC:mh

Enclosures

65 0058

SCANNED
AUG 26 2003

4-21-1970

Apr. 21, 1970

Moreton Idaho.

RECEIVED
1970
Department of Reclamation

State of Idaho
Department of Reclamation

Gentlemen;

Please find enclosed Notice of Claim to Water Right for Moreton Farmers Ditch Co. along with Item I

Notice of Water Location

Item II

A page from 'All along the River' which gives an account of building our ditch from 1871 to 1881. Page 135

Item III

A record of measurment at point of diversion before we started delivering purchased water for additional lands.

Item IV

A record of measurment about one mile downstream showing loss before we deliver water to users.

Yours Truly, Alva B. McConnell Sec.

Item I

RECEIVED

Mitchell Marsh & Co. : NOTICE OF WATER LOCATION. No. 10

: Dated, May --, 1864.
Recorded, June 23, 1864, 9 A.M.
Book 1 of Water Rights and Mill Sites, Page 392, Boise Co.
Book 1 Mill Sites and Water Rights, Page 9, Gem Co.

We, the undersigned, claim a water right to take a ditch out of the Payette River, claiming 10,000 inches of water for irrigating or other purposes. Said ditch taken out Payette River about one mile below the mouth of Rock Creek and about one-half a mile above a spring of water coming out of the Bank.

Signed: Mitchell Marsh & Co.

65 0058

Ed Marsh drove five yokes of oxen for McKusick of Idaho City and hauled the hay to the Basin, camping by the roadside each night. Indicative of the driver's steadiness and orderly habits, Mrs. Martin, watching, said that Ed never failed to come in sight at a turn in the road within fifteen minutes of the same time, when he returned from each successive seven-day round-trip. Indeed, these short trips to the Basin and return, must have seemed almost like a holiday to Edson Marsh, who had driven three yokes of oxen from Michigan to Oregon in 1852, celebrating his eighteenth birthday in June of that year on the Platte River. Few Idaho pioneers were destined to enjoy as long a life and as rich a heritage of western experiences as Edson Marsh. Born in Onondago County, New York on June 9, 1834, the younger son of Josuah W. and Huldah Fuller Marsh, Edson, when but a baby, was brought by oxteam to Branch County, Michigan, when that country was still wilderness territory. After his father's death and his mother remarriage, the boy Ed, realizing that he must make his own way in the world, in April, 1852 joined a group of relatives and friends in what was to him, The Great Adventure. Across the plains to Oregon, a home in the West, gold, fame, who could tell? His cousin and chum, Obrey Lyons, couldn't go, but walked beside him and the oxen all the first day out, begging him not to go on, but to no avail. Fifty long years passed before they met again.

His eldest sister, Sarah, and her husband, William Leverage, had given him the opportunity of driving one of their oxteams to Oregon, which he considered a great privilege. With them, also, went his fifteen-year old sister, Esther.* They were no highways across northern Indiana and Illinois - just rain, mud, and rough jolting roads. A long string of heavy wagons, oxteams and loose cattle went through Chicago's village streets - "More of those crazy emigrants going west." Out from Chicago the railroad camps were pushing the work trains west, but the emigrants could not wait. They must hurry on across Iowa's rolling plains to the Missouri River, and the last supply point until they would reach Portland. They re-provisioned at Omaha, June 1, 1852. Up the north side of the Platte River, they went to celebrate Edson's 18th birthday; and on until they came to Ft. Laramie, 200 miles west.

* The mother of the late I. B. Leisy of Emmett.

65 0058

Nellie Ireton Mills: ALL ALONG THE RIVER Territorial and Pioneer Days on the Payette., Privately printed for Payette Radio Limited, 730 St. James St., W., Montreal, Canada 1963

Through the Black Hills and up the Sweetwater to South Pass and the summit of the Rockies they continued, until at Pacific Springs the water flowed west, and their hearts were cheered. On to Green River, Bear River and Soda Springs, until they came to Fort Hall, watching like a sentinel beside the Oregon Trail. They used their calked wagon boxes as an improvised ferry at Salmon Falls to cross the Snake, then slowly jolted across the sagebrush plains to the Boise River with its grateful shade of blowing cottonwoods; also, its Indians and more Indians. The party dared not tarry; September's chill was in the air and Portland was still five hundred miles away. Across the Snake again at old Fort Boise and over the mountains to Columbia's leaden stream and drifting sand they went, to learn that snow-blocked roads were ahead. They left their stock* and floated down the Columbia by flat-boat to Portland's dripping, chilly welcome - the promised land at last.

The year 1856 found Edson Marsh learning Chinook and teaching Indians to farm on the Grand Rounde Reservation at South Yamhill, Oregon, while Captain Phil Sheridan and his Company of soldiers manned the Fort.

The determined young man, Edson, in 1862 packed his blankets on his back for five or six hundred miles as he went to the Frazier River gold rush, 1000 miles north of the International Boundary. In 1864 he was back in Portland - Walla Walla in 1865, and on to Boise Basin. He went to work on the Mitchell-Martin ranch on the Payette in 1867 and in 1871, he borrowed $2,500 from Pettingill and Barber of Squaw Creek at 2% per month, bought an interest in the river ranch and settled down, at last. For ten years the place was known as the Mitchell-Marsh ranch. During that time they took up more land and built a fine private irrigation ditch taking water from the river some three miles above the ranch house. Their surveying instruments were their eyes and a carpenter's level, but they did a good job. The ditch they built now serves the little town of Montour and adjoing land. They were kept busy with much fencing, improvements of the house and other buildings, and the planting of many trees. When the mail route from Falk's Store to Placerville was established in 1864, the stages

* Men hired to feed the stock at the Dalles, stole all of them.

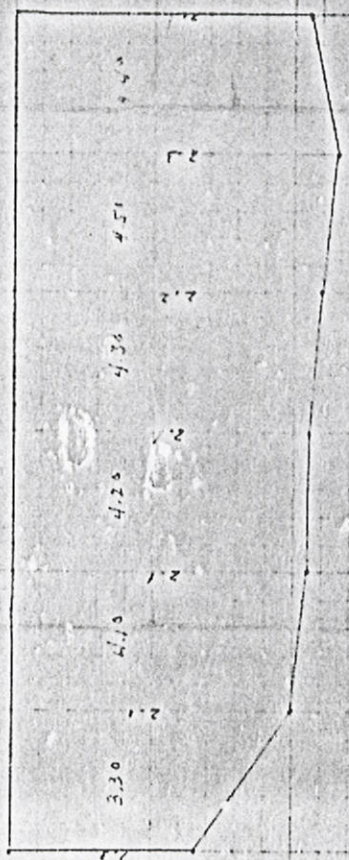
Item III

COMPUTATION SHEET
SCS-523A REV 5-58

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

PROJECT Squaw Crk SCD Montour Irrig Dist-
BY Ress DATE 10-12-64 CHECKED BY DATE JOB NO
SUBJECT Flow in Canal SHEET 1 OF

x-section taken abt 100 ft below control gate at inlet of canal from river



24.8 ft²

v = 1.34

Q = 33.2 cfs

= 1660 miners

measured velocity = 60 ft

3 runs - 100' - 60 sec

100/60 = 1.67 fps

factor 0.8

1.67 x 0.8 = 1.34

v = 1.34 fps

Q = 33.2 cfs = 1660 miners

65 0958

BY , DATE CHECKED BY DATE JOB NO

SUBJECT Flow in Canal SHEET 2 OF

at diversion box #1

b = 6.5 ft. - submerged flow

w.s. above weir = 3.75
board = 5.05
w.s. below weir = 4.65

H_1 = 5.05 - 3.75 = 1.30
H_2 = 5.05 - 4.65 = 0.40

$Q_1 = 3.33(L+2H)H^{3/2}$
$= (3.33)(6.5+.26)1.3^{3/2} = 3.33 \times 6.24 \times 1.48 = 30.7$ cfs

$\frac{H_2}{H_1} = \frac{0.40}{1.30} = 0.306$

$\frac{Q}{Q_1} = 0.92$ from curve 2 from 4.18 Kings

$Q = 0.92 \times 30.7 = 28.2$ cfs
waste - over flow = 0.5 cfs
diversion ditch flow = 0.3
29.0 cfs = 1450 miners

U.S. Department of Agriculture
Soil Conservation Service

Squaw Creek
Modoc Irrig. Dist.
Flow measurement
Canal Lateral
Other
Field No.
Ross
Brannigan
Bullwinkle
Curtis
Chambers
Date 9-3-64

65 0058

Montour Farmers Ditch

Township	Range	Sec	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	1E	23	4.0 1.6	3.0 0.1	4.0 17.2	2	3.2 12.6	24.0 31.1	34.0 37.0	10.0 31.5		14.0 16.5	1.0						153.7
		22	31.0 18.5	38.0 28.0	40.0 29.0	40.0 39.2	32.0 32.5	8.2 8.2	36.0 42.3	30.0 40.0	46.0 32.6	20.0 40.0	32.0 31.5	14.0 20.0	40.0 28.0	24.0 28.6	32.0 21.9	30.0 21.5	522.7
		15															4.1		4.1
		26	24.0 23.1	30		24.1													51.8
		21				7.0 15.2						20.0			40.0 25.3	14.0		32.0 29.3	150.8
		27				26.0	3.0 18.7	7.0	36.0 28.1	4.0									76.9
																Total			884.2

SCANNED
AUG 26 2008

65 0058

4-21-1970

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 TO A WATER RIGHT

IDENT. NO. 105-0058

MAP NO. 7-1-D-E-F

Notice is hereby given that Montour Farmers Ditch Co (Name of Claimant)

Montour Idaho 83646 (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) June 23, 1884
In the Name of Mitchell Marsh Co

(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 + Stock (Domestic, irrigation, stock, etc.) Period of Use From March 1 (Mo., Day) To Dec-1 (Mo., Day)
~~3880~~ 2880.5 AFA

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

Use ~~19.82~~ 19.82 16.46 (Domestic, irrigation, stock, etc.) Period of Use From _____ (Mo., Day) To _____ (Mo., Day)
~~23,053~~ 23,053 3-2 ~~3-2~~

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

(5) A) Point of Diversion: Give location of point where water is diverted from its source ~~SW~~ SW¼ ~~NE~~ NE¼, Sec. 23, Twp. 7 N, Rge. 1 E, 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 From diversion dam at SW¼NE¼ Sec. 23 Twp. 7-N-Rge 1E of B.M. one ditch 16.46 inches of water into a ditch about 3 miles long

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	1E	21				L9 11	19	31	26	11					L25 L18			L22 L17	95
7N	1E	22	L1 31	L2 36	35	40	L3 24	L4 48		40	40	40	32	30	38	24	30	20	510
7N	1E	23	L6 11	L5 7			L4 15	L3 24	37			19	1						114
7N	1E	27					17	31	26	1									75
7N	1E	28	L1 36			23													59

Total No. of acres 823

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

(8) If you are claiming water as a member of an organization, list name of organization. Montour Farmers Ditch Co. — Idaho Company

(9) Remarks Also Carries Purchased water for Don C. White 10 acres, Nelson Baker 20 acres and Alva B. McConnell 120 acres.

(10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use. Plus above Mentioned Filing
☐ 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.

April 21 1970 (Date)

Individual

RETYPED

(Signature of Claimant) 4/6/78 2/15/77

(Signature of Spouse)

Organization Montour Farmers Ditch Co

(Signature of Authorized Agent) Alva B. McConnell - Sec.

State of Idaho
County of Gem } ss.

Organization Seal

On this 21 day of April, in the year 1970, before me, Alva B. McConnell, a notary public, personally appeared _____ known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

Notary Public residing at Anne K. Wall Emmett Ida

My commission expires 2/19/72 4/5/78 1-15-77 BH

JUL 26 2005

8-8-78

08/08/78 F.E.L.

```
**************************************************
* MACALLISTER'S MODIFICATION OF MORITZ           *
* LOSS CALCULATION FOR                           *
* THE MONTOUR FARMER'S DITCH                     *
* WATER RIGHT NO. 65-0058                        *
**************************************************
```

Q DIVERTED: 21.63
Q DELIVERED: 16.46
PERCENTAGE LOSS: 31.4

TYPE OF SOIL: SANDY LOAM
SOIL CONSTANT= 1.50 (FEET/DAY)
LENGTH OF HEAD OF DITCH: 1.50
LENGTH OF DELIVERY SECTION: 3.90

LOSS TABLE FOR HEAD OF DITCH

MILE	Q (CFS)	LOSS (CFS)
1.00	20.45	1.17
1.50	19.88	.57

LOSS TABLE FOR DELIVERY

MILE	Q (CFS)	LOSS (CFS)	Q DELIVERED (CFS)
1.00	14.53	1.13	4.22
2.00	9.33	.98	4.22
3.00	4.30	.80	4.22
3.90	.00	.50	3.80

AFA CALCULATIONS

823 ACRES @ 3.5 AFA/AC. = 2880.5 AFA

2880.5 AFA x 1.314 LOSS FACTOR = 3784.977 = 3785.0 AFA.

RECEIVED
JUL 24 2003

Loss Calculations

from Gen County Soils Survey, Lewis 1958, 33 published 1965

Approp. i used in Worstell formula for seepage
= 5.0

from talking to Alva McConnel, Montour
width of ditch = W = 12'

Seepage loss/mile = .0667 W i = (.0667)(12)(5)
= 4.002 CFS/mile

For 2 mile ditch
Total Loss = (4.002)(2) = 8 cfs

TOTAL CFS = Loss + Irrigation rate
= 8 + 17.66 = 25.7 CFS

823 IRR. Ac. @ .02 = 16.46 CFS
From Graph In Water Users' Hdbk. Peru Soil – Sandy Loam Gives 6.8% Loss Per Mile Ditch. ∴ 3 Mi. Ditch Loss = 20.4%. ∴ 16.46 CFS + 20.4% = ~~19.816~~ CFS.
19.82

12-8-78

Transfer No. 2294

Application No. _____

RECEIVED
JUN 1978
Department of Water Resources
Western Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Montour Farmers Ditch Co. Phone 584-3489

Post office address Montour, ID 83646

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
   a. Decree to _____ (Name)
      in case of _____ vs _____
      dated _____ in _____ (Name of court) county of _____
   b. License No. _____ issued by the Idaho Department of Water Resources
   c. Claim No. 65-0058 on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
3. Source of water Payette River tributary to _____
4. Date of priority 6/23/1884
5. Water is used for the following purposes:
   amount 21.63 for irrigation purposes from 4/01 to 11/01
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____ (month/day – both dates inclusive)
6. Total amount of water under right: a. 21.63 cubic feet per second &/or
   b. 3784.9 acre feet per annum
7. Location of original point of diversion is SW ¼ of NE ¼ of Section 25
   Township 7N Range 1E, B.M., in Gem County
   Additional points of diversion, if any _____
8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	1E	21				L.9 11									L.8 25			L.7 29	65
7N	1E	22	L.1 31	L.2 38	35	40	L.3 24	L.4 48		40	40	40	32	30	38	24	30	20	510
7N	1E	23	L.6 11	L.5 7			L.4 15	L.3 24	37			19	1						114
7N	1E	27					17	31	26	1									75
7N	1E	28	L.1 36			23													59

Total number of acres to be irrigated 823

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second &/or
   b. _____ acre feet per annum

2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
   Range _____, B.M., _____ County
   Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

   a. Amount of water to be diverted 21.63 c.f.s. &/or 3784.9 acre feet

   b. Point(s) of diversion SW ¼ NE ¼, Section 25 Township 7N
      Range 1E, B.M., Gem County
      Additional points _____

   c. Description of diverting works _____

   d. Describe the reasons for applying for a change in the point(s) of diversion
      Black Canyon Dam Is Causing The Original Lands To Flood.

2. Change in place of use

   a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	1E	21				Lt.3 1													1
		22	L.1 31	L.2 38	35	40	L.3 24	L.4 48		40	40	40	32	30	38	24	30	31	521
		23		L.5 7			L.4 15	L.3 24	37			19	1						103
		26						40											40
		27	40	20			17	31	26	1									135
		28				23													23

Total number of acres to be irrigated 823

b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink. R 1 E

3. Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Montana Farmers Ditch Co
Alex Pitsch Pres. & Sec. Treas.
(Signature of applicant)

Subscribed and sworn to before me this 8 day of December, 19 78

David R. Tuthill Jr
(Notary public)

My commission expires Sept 10, 1980

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 65-0058, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:
(1) Approval of this Transfer in no way validates the claim identifying this water right. (2) The issuance of this Transfer in no way grants right-of-way or easement across the land of another.

Witness my hand this 20 day of June, 19 79.

DAVID B. SHAW
Acting Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by DBS Date 11/29/78
Protest filed by _____
Prelim. check by R.W.M. Fee 35.00
Receipted by DBS Date 11/29/78 # 12497
Published in Emmet Messenger
Copies of protest forwarded by _____
Pub. dates 12/28 + 1/4
Readvertised 3/1 + 3/8
Hearing held by _____ Date _____
Watermaster recommendation requested on N.A.
Recommended for (approval) denial
_____ rec'd. _____
by DBS J.J.

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 TO A WATER RIGHT

IDENT. NO. 65 3058

MAP NO.

Notice is hereby given that Montour Farmers Ditch Co.
(Name of Claimant)

Montour Idaho 83646
(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) June 23 1884

(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 of Stock (Domestic, irrigation, stock, etc.) Period of Use From March 1 (Mo., Day) To Dec. 1 (Mo., Day)

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

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

(4) Quantity of water claimed: 3 3.4 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 NW SW ¼ SE NE ¼, Sec. 23, Twp. 7 N, Rge. 1 E, 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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	1E	23	1	3	7	2	5	21	39	10		19	1						116
		22	31			40						20			10			20	191
		21							20				14						5
		23		31	1					10						11			117
		22			30			7	20					17		5	30		104
		21				7						2			10	14		35	136
		23	36	3															39
		21				20			10										30
		27					7		10	4									27

N 1E Town Site of Montour

X 3 31

14 11

1/4

Sec 27

(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

_____ (Date)

_____ (Signature of Claimant)

_____ (Signature of Spouse)

Organization Montour Farmers Ditch Co.

_____ (Signature of Authorized Agent)

State of _____ } ss.
County of _____ }

Organization Seal

On this _____ day of _____, in the year _____, before me, a notary public, personally appeared _____ known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

Notary Public residing at _____

My commission expires 3/10/12

65 3058

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 TO A WATER RIGHT

IDENT. NO. GS 0058

MAP NO.

Notice is hereby given that Montour Farmers Ditch Co.,
(Name of Claimant)
Montour Idaho 83664, claims a right to the diversion
(Mailing Address)
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) June 23, 1884

(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 + Stock (Domestic, irrigation, stock, etc.) Period of Use From March 1 (Mo., Day) To Dec. 1 (Mo., Day)
(Both Dates Inclusive)

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

Use _____ (Domestic, irrigation, stock, etc.) Period of Use From _____ (Mo., Day) To _____ (Mo., Day)

(4) Quantity of water claimed: 33.2 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 NW SW ¼ SE NE ¼, Sec. 23, Twp. 7 N, Rge. 1 E, 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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	1E	23	9	3	4	2	5	24	37	10		19	1						116
"	"	22	21			40			20		20	20			40			20	161
		22								20	20		14						54
																			331

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 _____

(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

_____ (Date)

_____ (Signature of Claimant)

_____ (Signature of Spouse)

Organization Montour Farmers Ditch Co.

_____ (Signature of Authorized Agent)

State of _____ }
County of Gem } ss.

Organization Seal

On this _____ day of _____, in the year _____, before me, a notary public, personally appeared _____ known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

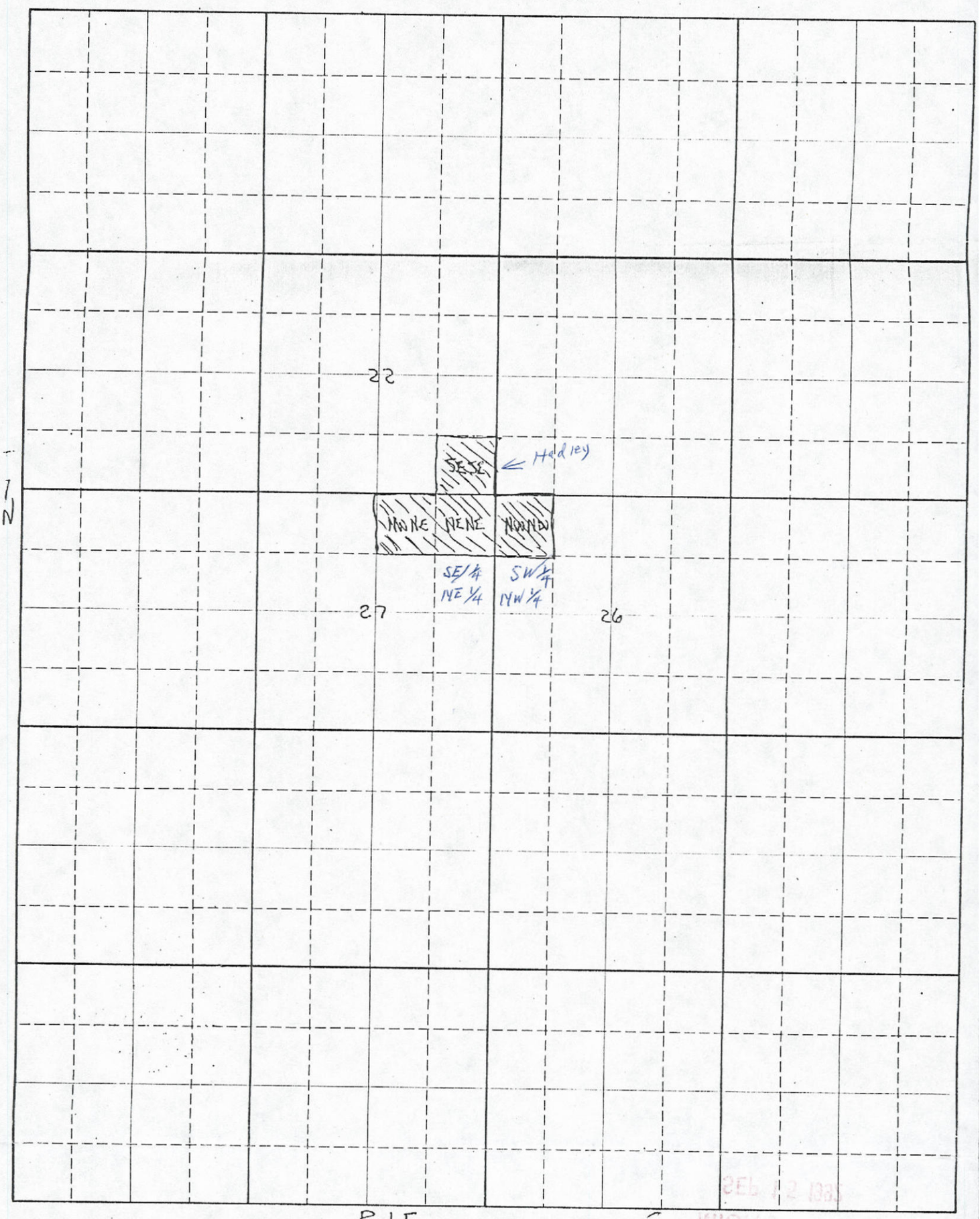
Notary Public residing at _____

My commission expires 7/19/93

GS 0058

3

b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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: **A65-00058**
Date Received: 1/31/1990
Receipt No: X999999
Received By: _____

COPY FOR YOUR FILES | **NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW** | **COPY FOR YOUR FILES**

1. Name: MONTOUR FARMERS DITCH CO 208-584-3398
   Address: ALVA MC CONNEL
   9807 MOUNTOUR MAIN ST
   EMMETT ID 83617-5003

2. Date of Priority: JUN 23, 1884

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
07N	01E	25	SW NE		GEM

5. Description of diverting works:
   SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	21.630		3784.90

7. Total Quantity Appropriated is:
   21.630 C.F.S. (and/or) 3784.90 A.F.A.

8. Total consumptive use is 3784.9 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	01E	21	SE NE	9	IRR	1.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
				Section Acres			1.0
		22	NE	NE	1	IRR	31.0
			NW	NE	2	IRR	38.0
			SW	NE		IRR	35.0
			SE	NE		IRR	40.0
			NE	NW	3	IRR	24.0
			NW	NW	4	IRR	48.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	32.0
			SE	SW		IRR	30.0
			NE	SE		IRR	38.0
			NW	SE		IRR	24.0
			SW	SE		IRR	30.0
			SE	SE		IRR	31.0
				Section Acres			521.0
		23	NW	NE	5	IRR	7.0
			NE	NW	4	IRR	15.0
			NW	NW	3	IRR	24.0
			SW	NW		IRR	37.0
			NW	SW		IRR	19.0
			SW	SW		IRR	1.0
				Section Acres			103.0
		26	NW	NW		IRR	40.0
				Section Acres			40.0
		27	NE	NE		IRR	40.0
			NW	NE		IRR	20.0
			NE	NW		IRR	17.0
			NW	NW		IRR	31.0
			SW	NW		IRR	26.0
			SE	NW		IRR	1.0
				Section Acres			135.0
		28	SE	NE		IRR	23.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	23.0
					Total Acres	823.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:
OTHERS USING THE MONTOUR FARMERS DITCH-BELOW

14. Remarks:
DESCRIP. OF DIVERT. WORKS: THE DIVERSION IS A WING OUT INTO THE RIVER WHICH DIVERTS INTO A DITCH WHERE THERE IS A CEMENT STRUCTURE FOR A SPILLWAY 8' WIDE AND A HEADGATE 8' WIDE.
PURCHASED DEADWOOD WATER USED IN T7N 1E. DON WHITE 600 AFA, SEC. 27 SW1/4 NE1/4-N1/2 SW1/4. SEC. 26 NW1/4 SW1/4.
ALVA MC CONNEL 450 AFA SEC. 27 SE1/4 NE1/4, SEC. 26 SW1/4 NW1/4.
MIKE LOWE 40 AFA SEC. 27 NE1/4 NW1/4.
MONTOUR FARMERS DITCH CO. OWNS THE WATER AND DELIVERS UPON PAYMENT OF MAINTENANCE ASSESSMENT.
215 ACRES WERE MISTAKENLY DELETED FROM THE WATER RIGHTS BASE. 823 ACRES IS THE CORRECT AMOUNT.
***ADDRESS CORRECTION PER CONTACT WITH DITCH CO TO DEFINE BOUNDARY.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STATE OF IDAHO
Decree Plaintiff

vs

A & C CORP., ET AL.
Decree Defendant

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 19, 2000

Alvin McConnel
Montour Farmer's Ditch Company
9807 Montour Main 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

Erik Norquest
Sr. Water Resources Agent
Adjudication Technical Section

EN:ss:region
Enclosures

SCANNED
AUG 2 8 2003

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 3, 1999

Alvin McConnel Montour Ditch Co
9807 Montour Main St.
Emmett, ID 83617

RE: Snake River Basin Adjudication (SRBA)
Water Delivery Service Areas

Thank you for providing me with your water delivery boundary map. I will now enter the boundaries into ARCVIEW, a computer digital photographic mapping program. Once this is complete, I will provide you with a color aerial photo image along with a copy of the map you sent me. You can then compare them and let me know if there are any adjustments you feel need to be made to the boundary.

Should your boundary overlap another water delivery system boundary, I will send you an aerial photo image showing both boundaries and the area of the overlap. You will then need to work with the other entity to resolve the boundary difference.

If you have any questions, please don't hesitate to call me at 208/327-7935.

Sincerely,

Erik Norquest

Erik Norquest
Sr. Water Resources Agent
Adjudication Technical Section

EN:ss:region

SCANNED

AUG 2 8 2003

SUE

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 8, 1999

Montour Farmer's Ditch Company
Montour Star Rt.
Emmett, ID 83617

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

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

Please submit your service area boundary information within 30 days.

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

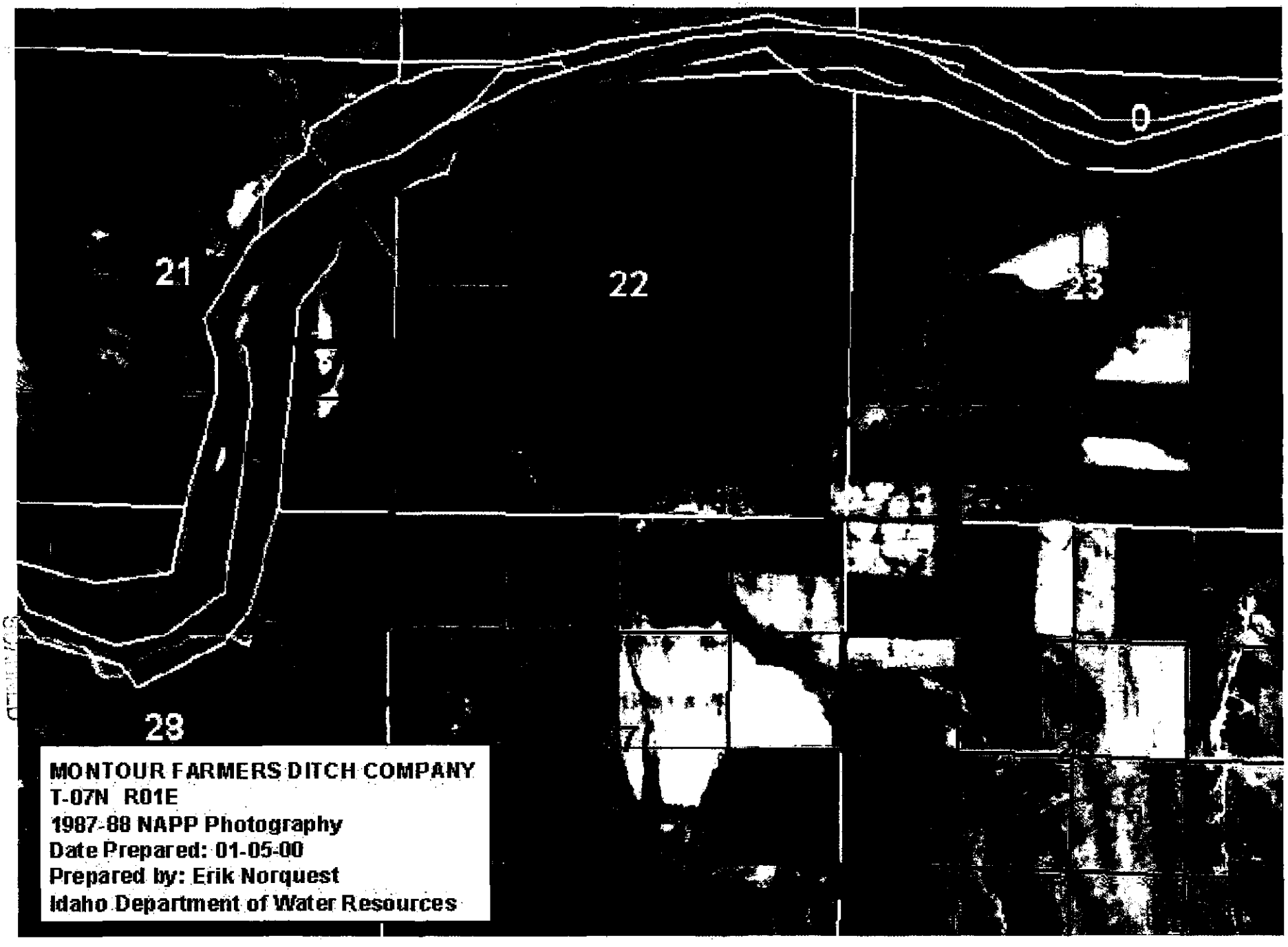
Sincerely,

Erik Norquest

Erik Norquest
Sr. Water Resources Agent
Adjudication Technical Bureau

EN:ss:region

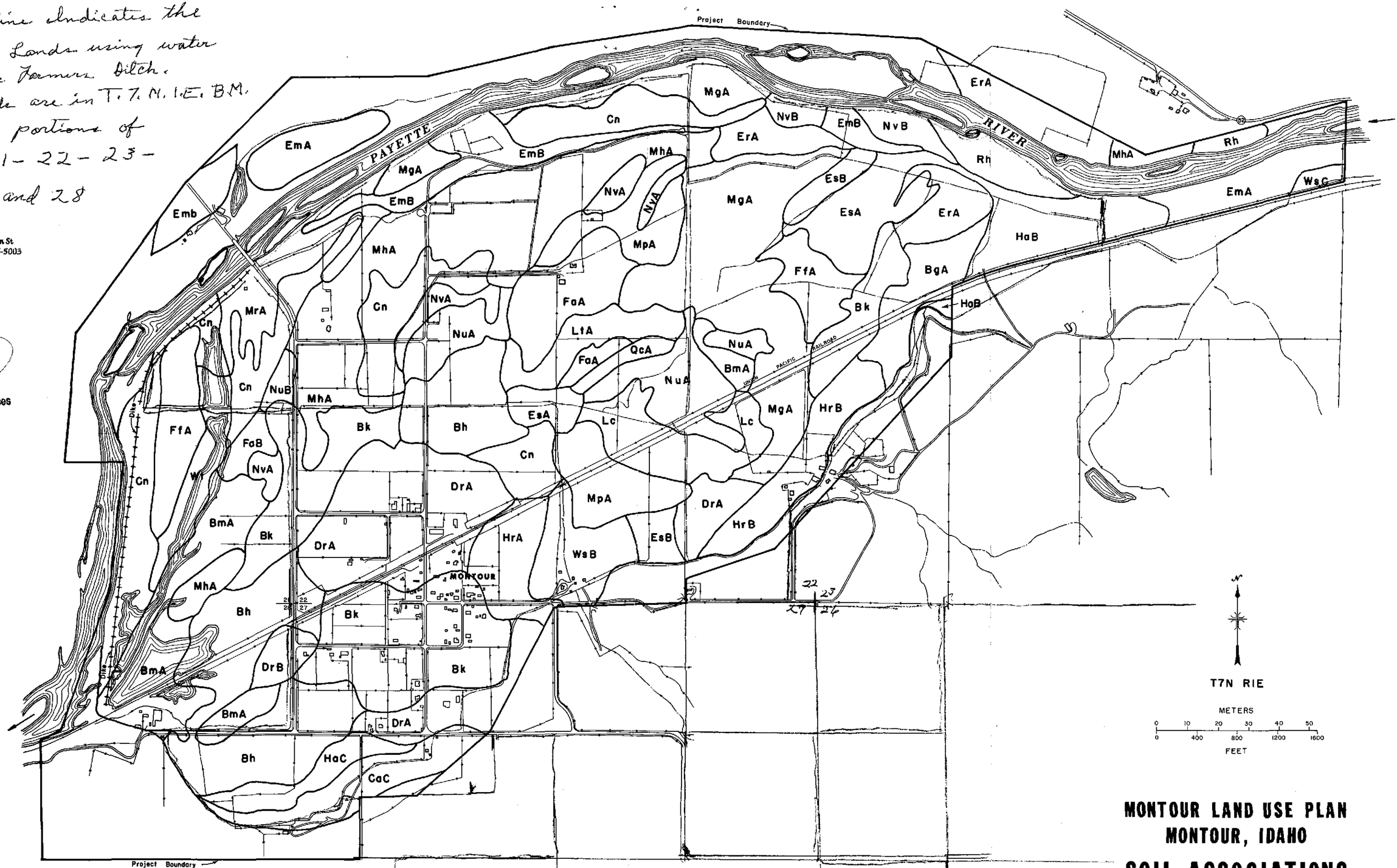
SCANNED
AUG 2 8 2003


21
22
23
28
MONTOUR FARMERS DITCH COMPANY
T-07N R01E
1987-88 NAPP Photography
Date Prepared: 01-05-00
Prepared by: Erik Norquest
Idaho Department of Water Resources

The Red Line indicates the Boundry of Lands using water from Montour Farmers Ditch.
There Lands are in T. 7. N. I.E. B.M. and include portions of Sections, 21 - 22 - 23 - 24 - 27 - and 28

Mr. Alva Mcconnel
9807 Montour Main St
Emmett, ID 83617-5003

RECEIVED
NOV 29 1999
Department of Water Resources



T7N RIE

METERS
0 10 20 30 40 50
0 400 800 1200 1600
FEET

MONTOUR LAND USE PLAN
MONTOUR, IDAHO
SOIL ASSOCIATIONS

JANUARY 1979

3-100-457

05/18/2001

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

RIGHT NUMBER: 65-58

NAME AND ADDRESS: MONTOUR FARMERS DITCH CO
LON MC CONNEL
10040 GATFIELD RD
EMMETT, ID 83617

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 21.63 CFS

PRIORITY DATE: 06/23/1884

POINT OF DIVERSION: T07N R01E S25 SWNE Within GEM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4-01 11-01	21.63 CFS

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 823 ACRES WITHIN THE MONTOUR FARMERS DITCH COMPANY BOUNDARIES IN A SINGLE IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Address change by DB 5/18/2001

AUG 2 8 2003

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	MONTOUR FARMERS DITCH CO ALVA MC CONNEL 9807 MOUNTOUR MAIN ST EMMETT ID 836175003 (208) 584-3398	06/23/1884	IRRIGATION	04-01	11-01	21.630 CFS	
				TOTAL DIVERSION:		21.630 CFS	

Water Source: PAYETTE RIVER Tributary to: SNAKE RIVER Stage: DECREED

Point(s) of Diversion: T07N R01E S25 SWNE GEM County

POU County:

Other Rights: OTHERS USING THE MONTOUR FARMERS DITCH-BELOW

Remarks: POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 823 ACRES WITHIN THE MONTOUR FARMERS DITCH COMPANY BOUNDARIES IN A SINGLE IRRIGATION SEASON.

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

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

Comments: Date: 06/08/2000 User-ID: SBOCK Subject: COPIED FROM REMARKS
DESCRIP. OF DIVERT. WORKS: THE DIVERSION IS A WING OUT INTO THE RIVER WHICH DIVERTS INTO A DITCH WHERE THERE IS A CEMENT STRUCTURE FOR A SPILLWAY 8' WIDE AND A HEADGATE 8' WIDE.
PURCHASED DEADWOOD WATER USED IN T7N 1E. DON WHITE 600 AFA, SEC. 27 SW1/4 NE1/4-N1/2 SW1/4. SEC. 26 NW1/4 SW1/4.
ALVA MC CONNEL 450 AFA SEC. 27 SE1/4 NE1/4, SEC. 26 SW1/4 NW1/4.
MIKE LOWE 40 AFA SEC. 27 NE1/4 NW1/4.

Comments: Date: 06/08/2000 User-ID: SBOCK Subject: COPIED FROM REMARKS
MONTOUR FARMERS DITCH CO. OWNS THE WATER AND DELIVERS UPON
PAYMENT OF MAINTENANCE ASSESSMENT.
215 ACRES WERE MISTAKENLY DELETED FROM THE WATER RIGHTS BASE. 823
ACRES IS THE CORRECT AMOUNT.
***ADDRESS CORRECTION PER CONTACT WITH DITCH CO TO DEFINE
BOUNDARY.

Date: 06/08/2000 User-ID: SBOCK Subject: BOUNDARY
THIS RIGHT IS LIMITED TO 823 ACRES OF IRR., HOWEVER THE BOUNDARY
IS 1,199 ACRES ACCORDING TO DITCH CO. RECORDS AND GIS SHAPEFILE.

Audit: 06/08/00 SBOCK

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	MONTOUR FARMERS DITCH CO	06/23/1884	IRRIGATION	04-01	11-01	21.630 CFS	3784.90 AFA
					TOTAL DIVERSION:	21.630 CFS	3784.90 AFA
					CONSUMPTIVE USE:		3784.90 AFA

Alva McConnell
9807 Montour Main St
Emmett ID 83617-3003

Water Source: PAYETTE RIVER Tributary to: SNAKE RIVER Stage: DECREED

Point(s) of Diversion: T07N R01E S25 SWNE GEM County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
T	R	S	NENE Lt Ac	NWNE Lt Ac	SWNE Lt Ac	SENE Lt Ac	NENW Lt Ac	NWNW Lt Ac	SWNW Lt Ac	SENW Lt Ac	NESW Lt Ac	NWSW Lt Ac	SWSW Lt Ac	SESW Lt Ac	NESE Lt Ac	NWSE Lt Ac	SWSE Lt Ac	SESE Lt Ac	SUM
07N	01E	21				09-01													1.0
07N	01E	22	01-31	02-38	35	40	03-24	04-48		40	40	40	32	30	38	24	30	31	521.0
07N	01E	23		05-07			04-15	03-24	37			19	01						103.0
07N	01E	26						40											40.0
07N	01E	27	40	20			17	31	26	01									135.0
07N	01E	28				23													23.0
																TOTAL ACRES			823.0

POU County: GEM

Other Rights: OTHERS USING THE MONTOUR FARMERS DITCH-BELOW

Remarks: GEN DESCRIP. OF DIVERT. WORKS: THE DIVERSION IS A WING OUT INTO THE RIVER WHICH DIVERTS INTO A DITCH WHERE THERE IS A CEMENT STRUCTURE FOR A SPILLWAY 8' WIDE AND A HEADGATE 8' WIDE.
PURCHASED DEADWOOD WATER USED IN T7N 1E. DON WHITE 600 AFA, SEC. 27 SW1/4 NE1/4-N1/2 SW1/4. SEC. 26 NW1/4 SW1/4.
ALVA MC CONNEL 450 AFA SEC. 27 SE1/4 NE1/4, SEC. 26 SW1/4 NW1/4.
MIKE LOWE 40 AFA SEC. 27 NE1/4 NW1/4.
MONTOUR FARMERS DITCH CO. OWNS THE WATER AND DELIVERS UPON PAYMENT OF MAINTENANCE ASSESSMENT.
215 ACRES WERE MISTAKENLY DELETED FROM THE WATER RIGHTS BASE. 823 ACRES IS THE CORRECT AMOUNT.

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

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

This right is limited to the irrigation of 823 acres within the Montour Farmers Ditch Co Boundaries in a single IRR. season.

POU 1

DIS 1,199 acres

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	MONTOUR FARMERS DITCH CO. MONTOUR STAR RT. EMMETT ID 836170000	06/23/1884	IRRIGATION	04/01	11/01	21.630 CFS TOTAL DIVERSION: 21.630 CFS	

Water Source: PAYETTE RIVER Tributary to: Stage: DECREED

Point(s) of Diversion: T07N R01E S25 SWNE GEM County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
07N	01E	21				09-11									08-25			07-29	65.0
07N	01E	22			35 40					40	40	40	32	30	38	24	30	20	369.0
07N	01E	23			05-07	06-11		03-24	37	04-15		19	01						114.0
07N	01E	27					17	31	26	01									75.0
07N	01E	28	01-36			23													59.0
																TOTAL ACRES			823.0

Lots Without 1/4 1/4 Description: IRRIGATION SUM

07N 01E 22 01-31 02-38 03-24 04-48 141.0

Pou County: GEM

Dates: App. Received: Priority Date: 06/23/1884
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

CANCELLED
83 27 83

GENERAL INFORMATION

CLAIM NUMBER: A65-00058

LAST: MONTOUR FARMERS DITCH CO FIRST:
ADDRESS: MONTOUR STAR RT
CITY: EMMETT STATE: ID ZIP: 83617
PHONE NUMBER: 208-584-3398

OWNER CODE: C

	DATABASE	FIELD EXAMINER
FIELD EXAM REQUIRED?		
VERIFICATION REQUIRED DUE TO REMARKS?	Y	Y(___) N(___)

CLAIM REMARKS: GEN DESCRIP. OF DIVERT. WORKS: THE DIVERSION IS A WING OUT INTO THE RIVER WHICH DIVERTS INTO A DITCH WHERE THERE IS A CEMENT STRUCTURE FOR A SPILLWAY 8' WIDE AND A HEADGATE 8' WIDE.
PURCHASED DEADWOOD WATER USED IN T7N 1E. DON WHITE 600 AFA, SEC. 27 SW1/4 NE1/4-N1/2 SW1/4. SEC. 26 NW1/4 SW1/4.
ALVA MC CONNEL 450 AFA SEC. 27 SE1/4 NE1/4, SEC. 26 SW1/4 NW1/4.
MIKE LOWE 40 AFA SEC. 27 NE1/4 NW1/4.
MONTOUR FARMERS DITCH CO. OWNS THE WATER AND DELIVERS UPON PAYMENT OF MAINTENANCE ASSESSMENT.
215 ACRES WERE MISTAKENLY DELETED FROM THE WATER RIGHTS BASE. 823 ACRES IS THE CORRECT AMOUNT.

CONTACT PERSON: _____ PHONE NUMBER: (____) ____-_____

DATE OF FIELD EXAM: ___/___/___ APPOINTMENT MADE: Y(___) N(___) TIME: ____:____ A(___) P(___)

ACCOMPANIED BY:_____ PHONE NUMBER: (____) ____-_____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

_____

_____

_____

_____

_____

_____

_____

A. AJ CLAIM: # A65-00058 PRIORITY DATE: 06-23-1884 STAGE: D

B. WR RECORD: # 65-00058 PRIORITY DATE: 06-23-1884 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(X) N(___)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y(___) N(X)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW) Y(___) N(X)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED N/A(X) Y(___) N(___)

FIELD EXAM COMPLETED N/A(X) Y(___) N(___)

FIELD EXAM SENT TO STATE OFFICE N/A(X) Y(___) N(___)

LICENSE ISSUED N/A(X) Y(___) N(___)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED? N/A(X) Y(___) N(___)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(X) N(___)

NOTES: AJ decree

RECOMMENDED PRIORITY DATE:

06-23-1884

REVIEWED BY SB DATE 6-8-00

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-00058	07N	01E	25		SW	NE			GEM		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A65-02590	65-00195
A65-02779	
A65-10302	
A65-12760	

WR RECORDS IN SAME 40 ACRE TRACT

65-02590
65-02779
65-10302
65-12760

SOURCE: PAYETTE RIVER TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-00058	07N	01E	25		SW	NE			GEM		

OTHER WR RECORDS WITH SAME WR POD

65-02590
65-02779
65-10302
65-12760

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A65-02590	65-00195
A65-02779	
A65-10302	
A65-12760	

SOURCE: PAYETTE RIVER TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A(___) Y(X) N(___)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A(___) Y(X) N(___)

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y(___) N(X)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(___) Y(X) N(___)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(X) N(___)

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y(___) N(X)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y(___) N(___)

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y(___) N(___)

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: as decreed

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
07N	01E	25		SW	NE			GEM		

SOURCE: Payette R TRIB: Snake R

REVIEWED BY: SB DATE: 6-8-00

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

A. ROOT WATER RIGHT NUMBERS: A65-00058

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	01E	21	SE	NE	9	MONTOUR FARMERS DITCH CO	A65-00058 / 1.0	65-00058 / 11.0	13.0		
			SE	NE		MC CONNEL, ALVA B.		65-00313 /			
			SE	NE	4	US DEPT OF INTERIOR		65-13039 /			
07N	01E	22	NE	NE	1	MONTOUR FARMERS DITCH CO	A65-00058 / 31.0	- /	30.0		
07N	01E	22	NW	NE	2	MONTOUR FARMERS DITCH CO	A65-00058 / 38.0	- /	31.0		
07N	01E	22	SW	NE		MONTOUR FARMERS DITCH CO	A65-00058 / 35.0	65-00058 / 35.0	36.0		
			SW	NE		LEISY, DON		65-00223 /			
07N	01E	22	SE	NE		MONTOUR FARMERS DITCH CO	A65-00058 / 40.0	65-00058 / 40.0	42.0		
07N	01E	22	NE	NW	3	MONTOUR FARMERS DITCH CO	A65-00058 / 24.0	- /	21.0		
			NE	NW	5	US DEPT OF INTERIOR		65-13039 /			
07N	01E	22	NW	NW	4	MONTOUR FARMERS DITCH CO	A65-00058 / 48.0	- /	41.0		
			NW	NW	5	CURTIS, JOHN S	A65-10463B / 5.0	/			
			NW	NW	5	CURTIS, JOHN S.		65-10463 / 5.0			
			NW	NW	5	US DEPT OF INTERIOR		65-13039 /			
07N	01E	22	SE	NW		MONTOUR FARMERS DITCH CO	A65-00058 / 40.0	65-00058 / 40.0	39.0		
			SE	NW		SUPOLSKI, JOSEPH		65-00388 /			
07N	01E	22	NE	SW		MONTOUR FARMERS DITCH CO	A65-00058 / 40.0	65-00058 / 40.0	43.0		
07N	01E	22	NW	SW		MONTOUR FARMERS DITCH CO	A65-00058 / 40.0	65-00058 / 40.0	40.0		40.0
			NW	SW		QUEEN, ROY N.		65-00141 /			
07N	01E	22	SW	SW		MONTOUR FARMERS DITCH CO	A65-00058 / 32.0	65-00058 / 32.0	39.0		
			SW	SW		CLARK, DOROTHY ESTER		65-00102 /			
			SW	SW		COX, L. E.		65-00107 /			
			SW	SW		COX, L. E.		65-00108 /			
			SW	SW		LADIES AIDE OF MONTOUR		65-00318 /			
			SW	SW		ORR, MINNIE B.		65-00327 /			
			SW	SW		WILEY, HARRY J.		65-00380 /			
07N	01E	22	SE	SW		MONTOUR FARMERS DITCH CO	A65-00058 / 30.0	65-00058 / 30.0	37.0		
			SE	SW		HEIKKILA, MARTIN J.		65-00140 /			
			SE	SW		MABEE, NELSON R.		65-00150 /			
			SE	SW		NANEZ, BLANCHE E.		65-00226 /			
			SE	SW		PALMER, DEAN		65-00305 /			
			SE	SW		WILEY, HARRY J.		65-00381 /			
			SE	SW		MAYFIELD, FRANCIS R.		65-05520 /			

Ditch co no longer covers these acres

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES		WR #/ACRES		LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	01E	22	NE	SE		MONTOUR FARMERS DITCH CO	A65-00058	/ 38.0	65-00058	/ 38.0	41.0		
07N	01E	22	NW	SE		MONTOUR FARMERS DITCH CO	A65-00058	/ 24.0	65-00058	/ 24.0	36.0		
07N	01E	22	SW	SE		MONTOUR FARMERS DITCH CO	A65-00058	/ 30.0	65-00058	/ 30.0	35.0		
			SW	SE		MC CONNEL, ALVA B.			65-00315	/			
			SW	SE		MC CONNEL, ALVA B.			65-00316	/			
07N	01E	22	SE	SE		MONTOUR FARMERS DITCH CO	A65-00058	/ 31.0	65-00058	/ 20.0	40.0		
			SE	SE		HADLEY, ALVIN	A65-00104	/	65-00104	/			
			SE	SE		HADLEY, ALVIN	A65-07315	/	65-07315	/			
			SE	SE		CANADAY, MICHAEL	A65-07316	/ 5.0	65-07316	/ 5.0			
			SE	SE		HADLEY, ALVIN	65-07315	/	-	/			
			SE	SE		HADLEY, ALVIN	65-00104	/	-	/			
07N	01E	23	NW	NE	5	MONTOUR FARMERS DITCH CO	A65-00058	/ 7.0	-	/	16.0		
			NW	NE	2	MC DONOUGH, MICHAEL G	A65-02508	/ 24.0	65-02508	/ 24.0			
			NW	NE	2	MC DONOUGH, MICHAEL G	65-00224	/	-	/			
07N	01E	23	NE	NW	4	MONTOUR FARMERS DITCH CO	A65-00058	/ 15.0	-	/	43.0		
			NE	NW	2	MC DONOUGH, MICHAEL G	65-00224	/	-	/			
07N	01E	23	NW	NW	3	MONTOUR FARMERS DITCH CO	A65-00058	/ 24.0	65-00058	/ 24.0	19.0		
07N	01E	23	SW	NW		MONTOUR FARMERS DITCH CO	A65-00058	/ 37.0	65-00058	/ 37.0	35.0		
07N	01E	23	NW	SW		MONTOUR FARMERS DITCH CO	A65-00058	/ 19.0	65-00058	/ 19.0	39.0		
			NW	SW		CANADAY, MICHAEL	A65-07316	/ 15.0	65-07316	/ 15.0			
07N	01E	23	SW	SW		MONTOUR FARMERS DITCH CO	A65-00058	/ 1.0	65-00058	/ 1.0	37.0		
			SW	SW		CANADAY, MICHAEL	A65-07316	/ 35.0	65-07316	/ 35.0			
			SW	SW		CANADAY, MICHAEL	A65-18371	/	-	/			
			SW	SW		CANADAY, MICHAEL R	65-18371	/	-	/			
07N	01E	26	NW	NW		MONTOUR FARMERS DITCH CO	A65-00058	/ 40.0	-	/	35.0		
07N	01E	27	NE	NE		MONTOUR FARMERS DITCH CO	A65-00058	/ 40.0	-	/	43.0		
07N	01E	27	NW	NE		MONTOUR FARMERS DITCH CO	A65-00058	/ 20.0	-	/	39.0		
			NW	NE		MC CONNEL, ALVA B	A65-18351	/	-	/			
			NW	NE		MC CONNEL, ALVA B	A65-18352	/	-	/			
			NW	NE		MC CONNEL, ALVA B	65-18351	/	-	/			
			NW	NE		MC CONNEL, ALVA B	65-18352	/	-	/			
			NW	NE		TUBBS, CARMA Y.			65-00385	/			
07N	01E	27	NE	NW		MONTOUR FARMERS DITCH CO	A65-00058	/ 17.0	65-00058	/ 17.0	39.0		
			NE	NW		SCHOOL DISTRICT NO 221			65-00049	/			
			NE	NW		DAY, GEORGE W.			65-00136	/			

not covered by ditch Co.

not covered by Ditch Co.

not covered

not covered

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NE	NW		FREEMAN, J. R.		65-00151 /			
			NE	NW		GIFFORD, EDNA MAY		65-00240 /			
			NE	NW		JONES, VERNA		65-00246 /			
			NE	NW		LANE, ROY		65-00250 /			
			NE	NW		MONTOUR CHURCH OF NAZARENE		65-00319 /			
			NE	NW		MAYFIELD, WILLARD R.		65-00475 /			
07N	01E	27	NW	NW		MONTOUR FARMERS DITCH CO	A65-00058 / 31.0	65-00058 / 31.0	39.0		
			NW	NW		BIGELOW, LEON		65-00111 /			
			NW	NW		AMES, KATHRYN		65-00113 /			
			NW	NW		CARRELL, HORACE C.		65-00166 /			
			NW	NW		JOINES, JOHN T.		65-00238 /			
			NW	NW		MC ARTHUR, STANLEY R.		65-00248 /			
			NW	NW		RIVERS, CARLOS		65-00324 /			
07N	01E	27	SW	NW		MONTOUR FARMERS DITCH CO	A65-00058 / 26.0	65-00058 / 26.0	34.0		
			SW	NW		YORK, RICHARD A.		65-00112 /			
			SW	NW		WHITE, DONALD C.		65-00227 /			
			SW	NW		KELLAR, MARJORIE E		65-12093 / 7.0			
			SW	NW		KELLAR, KARL A		65-12094 / 7.0			
07N	01E	27	SE	NW		MONTOUR FARMERS DITCH CO	A65-00058 / 1.0	65-00058 / 1.0	14.0		
07N	01E	28	SE	NE		MONTOUR FARMERS DITCH CO	A65-00058 / 23.0	65-00058 / 23.0	31.0		
			SE	NE		YORK, RICHARD A.		65-00114 /			

ADDITIONAL POU FOUND

TOTAL ACRES	A65-00058	823.00	559.00	1027.00

POU COUNTY: GEM

823

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED? Y(X) N(___)

* IF YES, ARE THESE TRACTS LISTED ABOVE (___), OR ARE THEY LISTED ON AN ATTACHED SHEET (___)

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-00058	PAYETTE RIVER	MONTOUR FARMERS DITCH CO	21.630	0.026	3784.90	4.59
A65-02508	PAYETTE RIVER	MC DONOUGH, MICHAEL G	0.680	0.020		
A65-07316	PAYETTE RIVER	CANADAY, MICHAEL	2.660	0.020		
A65-10463B	PAYETTE RIVER	CURTIS, JOHN S	0.730	0.019		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-00104	DOMESTIC	HADLEY, ALVIN	FROM 01-01 TO 12-31	0.040 CFS	
A65-00104	STOCKWATER	HADLEY, ALVIN	FROM 01-01 TO 12-31	0.050 CFS	
A65-07315	DOMESTIC	HADLEY, ALVIN	FROM 01-01 TO 12-31	0.040 CFS	
65-07315	DOMESTIC	HADLEY, ALVIN	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-00104	DOMESTIC	HADLEY, ALVIN	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-00104	STOCKWATER	HADLEY, ALVIN	FROM 01-01 TO 12-31	0.050 CFS	2.70 AF/A
65-00224	DOMESTIC	MC DONOUGH, MICHAEL G	FROM 01-01 TO 12-31	0.020 CFS	0.60 AF/A
A65-18371	DOMESTIC	CANADAY, MICHAEL	FROM 01-01 TO 12-31	0.040 CFS	
A65-18371	STOCKWATER	CANADAY, MICHAEL	FROM 01-01 TO 12-31	0.050 CFS	
65-18371	DOMESTIC	CANADAY, MICHAEL R	FROM 01-01 TO 12-31	0.040 CFS	
65-18371	STOCKWATER	CANADAY, MICHAEL R	FROM 01-01 TO 12-31	0.050 CFS	
A65-18351	STOCKWATER	MC CONNEL, ALVA B	FROM 01-01 TO 12-31	0.060 CFS	
A65-18352	DOMESTIC	MC CONNEL, ALVA B	FROM 01-01 TO 12-31	0.050 CFS	
65-18351	STOCKWATER	MC CONNEL, ALVA B	FROM 01-01 TO 12-31	0.060 CFS	
65-18352	DOMESTIC	MC CONNEL, ALVA B	FROM 01-01 TO 12-31	0.050 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE? Y(X) N(___)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: OTHERS USING THE MONTOUR FARMERS DITCH-BELOW

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(___) Y(___) N(X)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS? N/A(___) Y(X) N(___)

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM? Y(___) N(X)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT? Y(___) N(X)

CHECK DOCUMENTS USED TO VERIFY POU: ( ) ORTHOPHOTOQUAD, IDWR NO. _____; ( ) TOPOGRAPHIC QUAD, IDWR NO. _____;
(X) NAPP, IDWR NO. _____; ( ) ASCS PHOTO; ( ) OTHER _____

NOTES: Decreed for 823 acres. Acres appear to have moved location since the decree. Shape file created using boundary provided by state. Acres comes to 1,199 acres. We no longer list individual acres within the boundary, but limit acres w/i boundary. Changed acreage based on correspondence with Mr. McConnel. There are 2 private rights contained within the boundary 65-02779A + B.

RECOMMENDATIONS:

TOTAL ACRES: 823 N/A(___)

REVIEWED BY: SB DATE: 6-8-00

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CLAIM NUMBER: A65-00058

A. AJ CLAIMED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-00058	IRRIGATION	FROM 04-01 TO 11-01	21.630 CFS	3784.90 AF/A
		TOTAL DIVERSION RATE/VOLUME	21.630 CFS	3784.90 AF/A

B. WR RECORDED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-00058	IRRIGATION	FROM 04-01 TO 11-01	21.630 CFS	
		TOTAL DIVERSION RATE/VOLUME	21.630 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(X) N(___)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(___) Y(X) N(___)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(___) N(X)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(X) N(___)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(___) N(___)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(___) Y(X) N(___)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(___) Y(___) N(X)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(_) Y(___) N(X) not decreed with A/F

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(___) Y(___) N(X)

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 21.630 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 21.630 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(___) Y(X) N(___)

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A(___) Y(X) N(___)

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y(___) N(X)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y(___) N(X)

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 828 x 0.02 CFS/ACRE = 16.56 CFS
(Taken from pou review)

1b. CALCULATIONS

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 3784.90 AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 3784.9 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

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

NOTES:

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS REVIEW SHEET CLAIM NUMBER: A65-00058

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (X)

REC. PURPOSE OF USE	REC. PERIOD FROM	TO	REC. DIV RATE CFS DATABASE	EXAMINER	REC. DIV VOL. AF/A DATABASE	EXAMINER	REC. CONS. USE DATABASE	EXAMINER
IRRIGATION	04-01	11-01	21.630		3784.90		3784.9	
TOTAL FOR THIS RIGHT			21.630		3784.90		3784.9	

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: _____ DATE: _____

FLAG: ____

STANDARD CONDITIONS (CODE):

D001

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP	(X)	( )
FORFEIT/ABANDON	( )	( )
ADDITIONAL DIV. AMOUNT	( )	( )

B. SPLIT WATER RIGHT REVIEW N/A

ROOT WATER RIGHT NUMBER: 65-00058

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 21.630 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-00058	21.630	-		65-00058	21.630
	TOTAL CFS	21.630				21.630

DIVERSION RATE REVIEW

	DATABASE	FIELD EXAMINER
DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)	Y	Y(___) N(___)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW (___) OR SEE ATTACHMENT (___)?		

NOTES:

AUTHENTICATION:

SIGNATURE: Dee Beth DATE: 6-8-00

NAME OF FIELD EXAMINER: _____ TITLE: _____

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
( ) ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y(___) N(___)
( ) TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y(___) N(___)
( ) NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y(___) N(___)
( ) ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y(___) N(___)
( ) ASCS COLOR SLIDE	DATE OF PHOTO _____	Y(___) N(___)
( ) BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y(___) N(___)
( ) TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y(___) N(___)
( ) SCS SOIL SURVEY MAP	DATE ISSUED _____	Y(___) N(___)
( ) SUBDIVISION PLAT MAP	DATE OF MAP _____	Y(___) N(___)
(X) OTHER GIS map	DATE 1/15/00 + 6/9/00	Y(X) N(___)
(X) OTHER map provided by	DATE detach co.	Y(X) N(___)
( ) OTHER _____	DATE _____	Y(___) N(___)

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
( ) LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	___	_____
( ) WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	___	_____
( ) IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	___	_____
( ) SYSTEM DESCRIPTION	DATE DRAWN _____	___	_____
( ) PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	___	_____
( ) SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	___	_____
( ) HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	___	_____
( ) CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	___	_____
( ) FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	___	_____
( ) OTHER _____	DATE _____	___	_____
( ) OTHER _____	DATE _____	___	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:10:01
12/10/99

PAGE: 18
QUICKLOOK INFORMATION

35
CLAIM NUMBER: A65-00058

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE				N		6-8-00		
POINT OF DIV								
SOURCE	Y							
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

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 65-58
Date Received: 1/31/90
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MONTOUR FARMERS DITCH CO
LON MC CONNEL
10040 GATFIELD RD
EMMETT ID USA 83617

Phone: (208) 584-3314

2. Date of Priority: 06/23/1884

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County	Type
07N	01E	25	SW NE		GEM	

5. Description of diverting works:

SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	21.63	3784.9

7. Total Quantity Appropriated is:
21.63 C.F.S. and/or 3784.9 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	01E	21	SE NE	9	IRRIGATION	1
					Section Acres	1
07N	01E	22	SE NW		IRRIGATION	40
			NE SW		IRRIGATION	40
			NW SW		IRRIGATION	40
			SW SW		IRRIGATION	32
			SE SW		IRRIGATION	30
			NW NE	2	IRRIGATION	38
			NE NW	3	IRRIGATION	24
			NW NW	4	IRRIGATION	48
			SW NE		IRRIGATION	35
			SE NE		IRRIGATION	40
			NE SE		IRRIGATION	38
			NW SE		IRRIGATION	24
			SW SE		IRRIGATION	30
			SE SE		IRRIGATION	31
			NE NE	1	IRRIGATION	31
					Section Acres	521
07N	01E	23	NW NE	5	IRRIGATION	7
			NE NW	4	IRRIGATION	15
			NW NW	3	IRRIGATION	24
			SW NW		IRRIGATION	37
			SW SW		IRRIGATION	1
			NW SW		IRRIGATION	19
					Section Acres	103
07N	01E	26	NW NW		IRRIGATION	40
					Section Acres	40
07N	01E	27	NE NE		IRRIGATION	40
			NW NE		IRRIGATION	20
			NE NW		IRRIGATION	17
			NW NW		IRRIGATION	31
			SE NW		IRRIGATION	1
			SW NW		IRRIGATION	26

					Section Acres	135
07N	01E	28	SE	NE	IRRIGATION	23
					Section Acres	23
					Total Acres	823

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

DESCRIP. OF DIVERT. WORKS: THE DIVERSION IS A WING OUT INTO THE RIVER WHICH DIVERTS INTO A DITCH WHERE THERE IS A CEMENT STRUCTURE FOR A SPILLWAY 8' WIDE AND A HEADGATE 8' WIDE
PURCHASED DEADWOOD WATER USED IN T7N 1E. DON WHITE 600 AFA, SEC. 27 SW1/4 NE1/4-N1/2 SW1/4. SEC. 26 NW1/4 SW1/4
ALVA MC CONNEL 450 AFA SEC. 27 SE1/4 NE1/4, SEC. 26 SW1/4 NW1/4. MIKE LOWE 40 AFA SEC. 27 NE1/4 NW1/4
MONTOUR FARMERS DITCH CO. OWNS THE WATER AND DELIVERS UPON PAYMENT OF MAINTENANCE ASSESSMENT
215 ACRES WERE MISTAKENLY DELETED FROM THE WATER RIGHTS BASE. 823 ACRES IS THE CORRECT AMOUNT
***ADDRESS CORRECTION PER CONTACT WITH DITCH CO TO DEFINE BOUNDARY
Address change by DB 5/18/2001

15. Basis of Claim: Decreed

NAME CHANGE - the new Montour Farmers Ditch Co address is:
Montour Farmers Ditch Co
Lon McConnel
10040 Gatfield Road
Emmett, Idaho 83617

03/08/2001

NOTICE OF ERROR REPLY

RECEIVED
APR 13 2001
WATER RESOURCES
WESTERN REGION

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: 65-58

MONTOUR FARMERS DITCH CO
ALVA MC CONNEL
9807 MOUNTOUR MAIN ST
EMMETT ID 836175003
Telephone Number: (208)584-3398

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

Land covered by water right 65-58 as shown on the IDWR map is incorrectly shown on the map.

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

The land outlined in red on the enclosed map, is, located in the SW¼ NE¼ and the NE¼ SW¼ and the N½ SE¼ of S 27 and the W½ SW¼ of S 26 is all irrigated with water delivered by the Montour Farmers Ditch Co ditch but is not water authorized by water right 65-58.

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

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

DATE: 4-11-01 **SIGNATURE:** Lon McConnel

Please print your name: Lon McConnel

208 584-3314

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

4/23 left message

SCANNED
AUG 28 2003

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: **A65-00058**
Date Received: 1/31/1990
Receipt No: X999999
Received By: DE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MONTOUR FARMERS DITCH CO. 208-584-3398
   Address: MONTOUR STAR RT.
   EMMETT, ID 83617

2. Date of Priority: JUN 23, 1884

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
07N	01E	25	SW NE		GEM

5. Description of diverting works:
   SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	21.630		3784.90

7. Total Quantity Appropriated is:
   21.630 C.F.S. (and/or) 3784.90 A.F.A.

8. Total consumptive use is 3784.9 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	01E	21	SE NE	9	IRR	1.0
				Section Acres		1.0
		22	NE NE	1	IRR	31.0

MICROFILMED
SEP 15 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
07N	01E	22	NW	NE	2	IRR	38.0
			SW	NE		IRR	35.0
			SE	NE		IRR	40.0
			NE	NW	3	IRR	24.0
			NW	NW	4	IRR	48.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	32.0
			SE	SW		IRR	30.0
			NE	SE		IRR	38.0
			NW	SE		IRR	24.0
			SW	SE		IRR	30.0
			SE	SE		IRR	31.0
						Section Acres	521.0
		23	NW	NE	5	IRR	7.0
			NE	NW	4	IRR	15.0
			NW	NW	3	IRR	24.0
			SW	NW		IRR	37.0
			NW	SW		IRR	19.0
			SW	SW		IRR	1.0
						Section Acres	103.0
		26	NW	NW		IRR	40.0
						Section Acres	40.0
		27	NE	NE		IRR	40.0
			NW	NE		IRR	20.0
			NE	NW		IRR	17.0
			NW	NW		IRR	31.0
			SW	NW		IRR	26.0
			SE	NW		IRR	1.0
						Section Acres	135.0
		28	SE	NE		IRR	23.0
						Section Acres	23.0
						Total Acres	823.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:
OTHERS USING THE MONTOUR FARMERS DITCH-BELOW

MICROFILMED
SEP 15 1992

14. Remarks:
DESCRIP. OF DIVERT. WORKS: THE DIVERSION IS A WING OUT INTO THE RIVER WHICH DIVERTS INTO A DITCH WHERE THERE IS A CEMENT STRUCTURE FOR A SPILLWAY 8' WIDE AND A HEADGATE 8' WIDE.
PURCHASED DEADWOOD WATER USED IN T7N 1E. DON WHITE 600 AFA, SEC. 27 SW1/4 NE1/4-N1/2 SW1/4. SEC. 26 NW1/4 SW1/4.
ALVA MC CONNEL 450 AFA SEC. 27 SE1/4 NE1/4, SEC. 26 SW1/4 NW1/4.
MIKE LOWE 40 AFA SEC. 27 NE1/4 NW1/4.
MONTOUR FARMERS DITCH CO. OWNS THE WATER AND DELIVERS UPON PAYMENT OF MAINTENANCE ASSESSMENT.
215 ACRES WERE MISTAKENLY DELETED FROM THE WATER RIGHTS BASE. 823 ACRES IS THE CORRECT AMOUNT.

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

STATE OF IDAHO (Decree Plaintiff) vs A & C CORP., ET AL. (Decree 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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
) SS.
County of _____)

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

_____
Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
SEP 15 1992

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

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 A65-00058
Date Received 1-31-90
Receipt Number X9----9

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Montour Farmers Ditch Co. Phone ( ) 584-3398

   Mailing Address Montour Star Rt Emmett, Idaho Zip 83617

2. Date of Priority (Only one (1) per claim) 6/23/1884

3. Source of water supply (a) Payette River
   which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 7N Range 1E Section 25,
   ____ 1/4 of SW 1/4 of NE 1/4, Govt. Lot, ____ B.M., County of Gem

   Additional points of diversion if any: ____

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

   Township 7N Range 1E Section 25, SW 1/4 of NE 1/4 of ____ 1/4,
   Govt. Lot ____ B.M., County of Gem

   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.

   The Diversion is a wing out into the river which diverts into a ditch whare there is a cement structure for a spilway Eight Feet wide, and a head gate Eight Feet wide

SCANNED
AUG 26 2003
MICROFILMED
SEP 15

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

MICROFILMED
SEP 15

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from Apr. 1 to Nov. 1 amount 21.63 or 3784.9

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 21.63 (cfs) and/or (b) 3784.9 (acre feet)

8. Total consumptive use claimed is 3784.9 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	
7N	1E	21				Lt 9 1													1
		22	Lt.1 31	Lt.2 38	35	40	Lt.3 24	Lt.4 48		40	40	40	32	30	38	24	30	31	521
		23		Lt.5 7			Lt 4 15	Lt.3 24	37			19	1						103
		26						40											40
		27	40	20			17	31	26	1									135
		28				23													23

Total number of acres irrigated 823

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

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.
Others using the Monlour Farmers Ditch - below or None ( )

14. Remarks: Purchased Deadwood water used in - T7N 1E
Don White 600 @ Feet - Sec. 27 SW¼ NE¼ - N½ SW¼ Sec. 26 NW¼ SW¼
Alva McConnel 450 @ Feet Sec. 27. SE¼ NE¼ Sec. 26. SW¼ NW¼
Mike Lowe 40 @ Feet Sec. 27. NE¼ NW¼
Montour Farmers Ditch Co. owns the Water and delivers upon payment of Mainlainance assessment

Last Name _____ Ident No. _____

SCANNED
AUG 20 2003
MICROFILMED
Copies: White -State, Yellow-Claimant
SEP 15 1992

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is $7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

MICROFILMED
SEP 15 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date June 2 1975
Plaintiff vs Defendant Payette River Adjudication

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 X do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 2

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 Secretary Treasurer (Title) of Montour Farmers Ditch Co. (Organization), that I have signed the foregoing document in the space below as Alma B. McConnel Sec. (Title) of Montour Farmers Ditch Co. (Organization) and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Alma B. McConnel

Title and Organization Montour Farmers Ditch Co. Date Jan 31 90

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

Subscribed and sworn (or affirmed) before me this 31 day of Jan. 19 90

SEAL

Notary Public Linda Werner

Residing at LINDA WERNER RESIDING AT EAGLE, IDAHO

My Commission Expires MY COMMISSION EXPIRES DEC. 8, 1994

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

Last Name _____ Ident. Number _____

SCANNED AUG 28 2003

MICROFILMED SEP 15 1992

Copies White, State; Yellow, Claimant

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: 65-00058
DATE RECEIVED:
RECEIPT NO:
RECEIVED BY: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: MONTOUR FARMERS DITCH CO.
ADDRESS: MONTOUR STAR RT.
EMMETT, ID 83617-0000

2. DATE OF PRIORITY: JUN 23, 1884

3. SOURCE: PAYETTE RIVER TRIB. TO:

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF 1/4 OF 1/4	LOT	COUNTY
07N	01E	25	SW NE		GEM

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S (OR)	A.F.A.
IRRIGATION	04/01	11/01	21.630	

7. TOTAL QUANTITY APPROPRIATED IS:
21.630 C.F.S. (AND/OR) A.F.A.

8. TOTAL CONSUMPTIVE USE IS ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF 1/4	LOT	USE	ACRES
07N	01E	21	SE NE	9	IRR	11.0
			NE SE	8	IRR	25.0
			SE SE	7	IRR	29.0
				SECTION ACRES		65.0

MICROFILMED
SEP 15 1992

10. PLACE OF USE: CONTINUED

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
07N	01E	22	SW	NE		IRR	35.0
			SE	NE		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	32.0
			SE	SW		IRR	30.0
			NE	SE		IRR	38.0
					SECTION ACRES		295.0
		23	SW	NE	5	IRR	7.0
			SE	NE	6	IRR	11.0
			NW	NW	3	IRR	24.0
			SW	NW		IRR	37.0
			SE	NW	4	IRR	15.0
			NW	SW		IRR	19.0
			SW	SW		IRR	1.0
					SECTION ACRES		114.0
		27	NE	NW		IRR	17.0
			NW	NW		IRR	31.0
			SW	NW		IRR	26.0
			SE	NW		IRR	1.0
					SECTION ACRES		75.0
		28	NE	NE	1	IRR	36.0
			SE	NE		IRR	23.0
					SECTION ACRES		59.0
					TOTAL ACRES		608.0

11. PLACE OF USE IN COUNTIES: GEM, GEM

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: DECREED

SCANNED
AUG 2 6 2003
MICROFILMED
SEP 15 1992

CASE NUMBER:
COURT :
DECREE DATE: 1/21/1986

STATE OF IDAHO
DECREE PLAINTIFF

VS

A & C CORP., ET AL.
DECREE 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/WE 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 _____ OF
TITLE
_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS _____ OF
TITLE
_____ AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

_____
SIGNATURE OF AUTHORIZED AGENT

_____
TITLE AND ORGANIZATION

_____
DATE

SCANNED
MICROFILMED
SEP 15 1992

STATE OF IDAHO)
) SS.
COUNTY OF _____)

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS _____ DAY

OF _____ 19 _____

_____
NOTARY PUBLIC

SEAL

RESIDING AT _____

MY COMMISSION EXPIRES _____

MICROFILMED
SEP 15 1992

2-17-1970

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 SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN.	Civil No. 3667 SUMMONS

THE STATE OF IDAHO SENDS GREETINGS TO: Montour Farmers Ditch Company

You are hereby notified that an Order has been entered in the District Court of the Third Judicial District in and for the County of Gem, dated November 12, 1969, directing the State Reclamation Engineer of the State of Idaho to commence an investigation and determination of the various rights to the use of surface and ground waters of the Payette River Drainage Basin, from its confluence with the Snake River to its source, such waters lying or being used within Gem, Valley, Boise, Canyon, Payette and Washington Counties,

And you are hereby notified that unless you appear and file a claim, with the State Reclamation Engineer, Statehouse - Annex 2, 614 W. State Street, Boise, Idaho, within sixty (60) days of the service of this Summons to the ownership of a water right for the use of any surface or ground waters of the Payette River Drainage Basin from its confluence with the Snake River to its source, such waters lying or being used within Gem, Valley, Boise, Canyon, Payette and Washington Counties, that you will be deemed to have forfeited any water right heretofore acquired for the use of the above waters.

DATED this 17th day of February, 1970

Donald A. Woodman
CLERK

Do not microfilm

65-0058

1 2-20-1970

February 20, 1970

COPY

Montour Farmers Ditch Company:

On October 27, 1969, an action was commenced in the District Court of the Third Judicial District, in and for the County of Gem, to determine rights to the use of the surface and/or ground waters within the Payette River drainage basin.

As a result of this action, the District Court has authorized the State Reclamation Engineer to conduct a study of the Payette River drainage basin and to submit to the court a proposed determination of water rights.

Since it appears that you may have some interest in the waters of the Payette River drainage basin, you are being named a defendant in the action. The enclosed Summons, Motion for Order of Joinder, and Order of Joinder require that you file with the State Reclamation Engineer your claim of water right to the use of waters within the Payette River drainage basin within 60 days from the date this is served upon you. Since all defendants are not joined at one time, due to the large number of people involved, Exhibit A includes only those joined with your group. A complete list of defendants in this action is not included among the enclosures; however, a complete list is available upon request from this department.

In order to hold a water right under Idaho Law, you or your predecessor must have physically diverted and beneficially used water prior to this date. If you have not used the water and do not claim a right, it will not be necessary for you to file a claim with the Department of Reclamation. However, if you are using water and fail to assert a claim within the time stated, you may be forever barred and estopped from claiming a right to the waters within the Payette River drainage basin.

In order to assist you in filing any claim you may have, Department personnel will be available at Gem County Courthouse, Emmett on March 9, 1970, at 9:00 a.m. o'clock. The Department will have a preliminary claim prepared when you appear, to minimize the time which it may take to prepare your claim. There will also be a notary available to notarize your claim. It is strongly recommended that you appear at the above time, so that the most efficient use will be made of the personnel, maps,

65-0058

and records which will be available to you. You should bring any information that you may have which will verify your claim and assist you in completing your claim, such as receipts for installation of the diversion facilities, power records indicating when power was installed to pumps and motors, tax notices, etc. In the event that additional claim forms are needed, they will be available at the time of the public meeting or upon request from the department. Department personnel will also be happy to assist you during regular work hours at Statehouse - Annex #2, 614 West State Street, Boise, Idaho, or by phoning 384-2215.

Very truly yours,

R. KEITH HIGGINSON
State Reclamation Engineer

RKH:rh
Enclosures

COPY

65 0059

ANED

JUL 2 6 2003

March 20, 1970

Alva B. McConnel
Montour,
Idaho 83646

Dear Mr. McConnel:

Please find enclosed a supply of acreage tabulation sheets for your use in describing irrigated acreages under the Montour Farmers Ditch Company.

Also find enclosed copies of the township plats of Montour for your use in describing lots within the city.

If you have any questions on this adjudication suit, please feel free to contact us at any time.

Very truly yours,

Paul M. Castelin
Chief, Adjudication Section

PMC:mh

Enclosures

COPY

65 0058

RECEIVED

3-26-1970

4-21-1970

Apr. 21, 1970

Montour, Idaho

State of Idaho
Department of Reclamation

RECEIVED
APR 23 1970
Department of Reclamation

Gentlemen:

Please find enclosed Notice of Claim to Water Right for Montour Farmers Ditch Co. along with Item I

Notice of Water Location

Item II

A page from "All along the River" which gives an account of building our ditch from 1871 to 1881. Page 135

Item III

A record of measurement at point of diversion before we started delivering purchased water for additional lands.

Item IV

A record of measurement about one mile downstream showing loss before and delivery water to users.

Yours truly, Ellis B. McConnell Sec.

APR 24 1970

Mitchell Marsh & Co.

Mitchell Marsh & Co.

Location No. 10

NOTICE OF WATER APPROPRIATION.

Dated, May --, 1864.
Recorded, June 23, 1864, 9 A.M.
Book 1 of Water Rights and Mill Sites, Page 392, Boise Co.
Book 1 Mill Sites and Water Rights, Page 9, Gem Co.

We, the undersigned, claim a water right We take a ditch out of the Payette River, claiming 10,000 inches of water for irrigating or other purposes. Said ditch taken out Payette River about one mile below the mouth of Rock Creek and about one-half a mile above a spring of water coming out of the Bank.

Signed: Mitchell Marsh & Co.

65 0058

Marsh drove five yokes of oxen for McKusick of Boise City and hauled the hay to the Basin, camping by the roadside each night. Indicative of the driver's steadiness and orderly habits, Mrs. Martin, watching, said that Ed never failed to come in sight at a turn in the road within fifteen minutes of the same time, when he returned from each successive seven-day round-trip. Indeed, these short trips to the Basin and return, must have seemed almost like a holiday to Edson Marsh, who had driven three yokes of oxen from Michigan to Oregon in 1852, celebrating his eighteenth birthday in June of that year on the Platte River. Few Idaho pioneers were destined to enjoy as long a life and as rich a heritage of western experiences as Edson Marsh. Born in Onondago County, New York on June 9, 1834, the younger son of Josuah W. and Huldah Fuller Marsh, Edson, when but a baby, was brought by oxteam to Branch County, Michigan, when that country was still wilderness territory. After his father's death and his mother remarriage, the boy Ed, realizing that he must make his own way in the world, in April, 1852 joined a group of relatives and friends in what was to him, The Great Adventure. Across the plains to Oregon, a home in the West, old, fame, who could tell? His cousin and chum, Obrey Lyons, couldn't go, but walked beside him and the oxen all the first day out, begging him not to go on, but to no avail. Fifty long years passed before they met again.

His eldest sister, Sarah, and her husband, William Everage, had given him the opportunity of driving one of their oxteams to Oregon, which he considered a great privilege. With them, also, went his fifteen-year old sister, Esther. * They were no highways across northern Indiana and Illinois - just rain, mud, and rough jolting roads. A long string of heavy wagons, oxteams and loose cattle went through Chicago's village streets - "More of those crazy emigrants going west." Out from Chicago the railroad camps were pushing the work trains west, but the emigrants could not wait. They must hurry on across Iowa's rolling plains to the Missouri River, and the last supply point until they would reach Portland. They re-provisioned at Omaha, June 1, 1852. Up the north side of the Platte River, they went to celebrate Edson's 18th birthday; and on until they came to Ft. Laramie, 200 miles west.

* The mother of the late I. B. Leisy of Emmett.

65 0058

Nellie Ireton Mills: ALL ALONG THE RIVER - Territorial and Pioneer Days on the Payette., Privately printed for Payette Radio Limited, 730 St. James St., W., Montreal, Canada, 1963.

Through the Black Hills and up the Sweetwater to South Pass and the summit of the Rockies they continued, until at Pacific Springs the water flowed west, and their hearts were cheered. On to Green River, Bear River and Soda Springs, until they came to Fort Hall, watching like a sentinel beside the Oregon Trail. They used their calked wagon boxes as an improvised ferry at Salmon Falls to cross the Snake, then slowly jolted across the sagebrush plains to the Boise River with its grateful shade of blowing cottonwoods; also, its Indians and more Indians. The party dared not tarry; September's chill was in the air and Portland was still five hundred miles away. Across the Snake again at old Fort Boise and over the mountains to Columbia's leaden stream and drifting sand they went, to learn that snow-blocked roads were ahead. They left their stock* and floated down the Columbia by flat-boat to Portland's dripping, chilly welcome - the promised land at last.

The year 1856 found Edson Marsh learning Chinook and teaching Indians to farm on the Grand Rounde Reservation at South Yamhill, Oregon, while Captain Phil Sheridan and his Company of soldiers manned the Fort.

The determined young man, Edson, in 1862 packed his blankets on his back for five or six hundred miles as he went to the Frazier River gold rush, 1000 miles north of the International Boundary. In 1864 he was back in Portland - Walla Walla in 1865, and on to Boise Basin. He went to work on the Mitchell-Martin ranch on the Payette in 1867 and in 1871, he borrowed $2,500 from Pettingill and Barber of Squaw Creek at 2% per month, bought an interest in the river ranch and settled down, at last. For ten years the place was known as the Mitchell-Marsh ranch. During that time they took up more land and built a fine private irrigation ditch taking water from the river some three miles above the ranch house. Their surveying instruments were their eyes and a carpenter's level, but they did a good job. The ditch they built now serves the little town of Montour and adjoing land. They were kept busy with much fencing, improvements of the house and other buildings, and the planting of many trees. When the mail route from Falk's Store to Placerville was established in 1864, the stages

* Men hired to feed the stock at the Dalles, stole all of them.

Item III

COMPUTATION SHEET
SCS-ENG-PHX-64-1

U.S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

PROJECT Squaw Crk SCD Montour Irrig Dist
BY Ross CHECKED BY DATE 10-12-64 JOB NO
SUBJECT Flow in Canal
SHEET 1 OF

Typical section taken at 100' below control gate at inlet of canal from river

3.30
4.25
4.34
3.7
3.30

Measured velocity at both 3 ft and .6 of depth = 1.09 - 0.82

1.09 = 1.67 fps
0.82

factor 0.8

1.67 x 0.8 = 1.34 fps

Use 1.34 fps

24.8 ft²

use 1.34

Q = 33.2 cfs

= 1660 miner.

Q = 33.2 cfs = 1660 miner.

65 0058

BY [illegible] DATE [illegible] CHECKED BY [illegible] DATE [illegible] SUB. NO. [illegible]

SUBJECT Flows in Canal — SHEET NO. 2

Flows at diversion box

b = 6.5 ft

w.s. above weir	=	3.75 ft
bowl	=	5.05
w.s. below weir	=	1.65
H_1 =	5.05 − 3.75	1.30
H_2 =	5.05 − 4.65	0.40

Submerged flow

$Q_1 = 3.33(b+.2H)H^{3/2} \times H_2/H_1$

$= (3.33)(6.5-.26)1.3 =$ $3.33 \times 6.24 \times 1.48 = 30.7$ cfs

$\frac{H_2}{H_1} = \frac{0.40}{1.30} = 0.306$

$\frac{Q}{Q_1} = 0.92$ — from curve 2, from 4-18 Kings

$Q = 0.92 \times 30.7 =$ 28.2 cfs

waste - over flow = 0.5 cfs

Camp, Indian flow = 0.3

29.0 cfs = 1450 miners

U.S. Department of Agriculture
Soil Conservation Service

Sheet No. — Map No. — Other — Field No. — Canal Lateral

Squaw Creek Dist. — Date 9-3-64
Mountain Dist. — Surveyed by Roy Bringhurst
Mountain Dist. — Computed by Bill Wintz
Flow measurements — Checked by Curtis Chartier

65 0058

Township	Range	Sec	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	1E	23	40 1.6	5.8 9.1	40 12.7	3.0	35.2 12.8	24.6 31.1	39.6 32.0	10.5 31.5		14.0 10.5	1.0						15 0.7
		22	31.0 18.6	39.6 18.4	40.0 29.5	40.0 30.2	32.0 12.5	8.4	30.0 20.0	20.0	35.1	20.0	0.20 21.5	14.0 20.0	40.0 22.0	14.0 12.5	35.0 31.0	30.0 21.5	522.7
		15															1.1		1.1
		10	40.0 32.0	3.0		2.0													51.8
		21				10.0						20.0			40.0 27.3	14.0		30.0 24.3	1.5.8
		27				20.0	18.7	2.0	32.0 28.1	4.0									76.9
																Tot. 1			980.2

65 cm

1 2 8 2009

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 TO A WATER RIGHT

IDENT. NO. 105-00558 MAP NO. 7-1 D-E-F

Notice is hereby given that Montour Farmers Ditch Co (Name of Claimant)
Montour Idaho 83646 (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) June 23, 1884
In the name of Mitchell Marsh Co

(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:

Use Irrigation and Stock (Domestic, irrigation, stock, etc.) Period of Use From March 1 (Mo., Day) To Dec 1 (Mo., Day) (Both Dates Inclusive)
2880.5 AFA

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

Use ~~19.82~~ 16.46 (Domestic, irrigation, stock, etc.) Period of Use From _____ (Mo., Day) To _____ (Mo., Day) (Both Dates Inclusive)
~~25,623 3-2~~ REV

(4) Quantity of water claimed ~~19.82~~ Cubic Feet Per Second, or _____ Acre Feet Per Annum, and/or _____ Gallons Per Minute.

(5) A) Point of Diversion: Give location of point where water is diverted from its source ~~SW¼~~ SW¼ ~~NE¼~~ NE¼, Sec. 23, Twp 7 N, Rge 1 E, 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 From diversion dam at SW¼NE¼ Sec. 23 Twp. 7 N. Rge. 1 E of B.M. one take 1660 inches of water into a ditch about 3 miles long

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	1E	21				47	~~19~~	~~31~~	~~26~~	~~4~~				L25 L18				22 L17	85
7N	1E	22	L1 31	L2 36	35	90	L3 25	L4 48		40	40	40	32	30	38	24	30	20	510
			L6 26	L5 11			L4 15	L3 25	37			13	1						114
7N	1E	27					17	31	24	1									75
7N	1E	28	L1 36			23													59

Total No. of acres 823

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

(8) If you are claiming water as a member of an organization, list name of organization. Montour Farmers Ditch Co. — Johns Company also Carmen Purchased title for Don C. White

(9) Remarks Also Reuse Water 20 acres owned Allen B. McConnell 120 acres

(10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use. Also some Municipal Filing
☐ 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.

April 21 1970 (Date)

Individual RETURNED
RD 4/6/78 2/15/72 (Signature of Claimant)

(Signature of Spouse)

Organization Montour Farmers Ditch Co
Allen B. McConnell Sec.
(Signature of Authorized Agent)

State of Idaho
County of Gem } ss.

Organization Seal

On this 21 day of April Allen B. McConnell in the year 1970, before me, a notary public, personally appeared _____ known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

Notary Public residing at Boise Ida

My commission expires 2/19/72
4/5/78

12-5-71 BH 26

3-9-1977 Cole & Franklin

MAR 09, 1977 42 E. Cole Rd

CLAIM ABSTRACT
ARRANGED BY PRIORITY DATE
EXCLUDES DISALLOWED CLAIMS

Curtis P-4

CLAIM NUMBER	NAME	SOURCE OF WATER		AMOUNT CFS	PRIORITY DATE	POINT OF DIVERSION	USE	ACRES
65-0805	BEUTLER, ANNA	PAYETTE RIVER	2.10	2.10	1/ 1/1865	SWSW S 1 T 6N R 2W	IRRIGATION	104
65-8742	LANHAM, REX E. & LANHAM, H. M.	PAYETTE RIVER	3.40	1.30	8/27/1869	SWSW S 6 T 6N R 1W	IRRIGATION	44
65-0066	FARMERS COOPERATIVE IRR. CO.	PAYETTE RIVER	63.40	60.00	9/12/1874	SENE S 5 T 6N R 1W	IRRIGATION	3000
65-0071	STEWART DITCH COMPANY	PAYETTE RIVER	91.92	28.52	12/27/1880	NWNW S35 T 7N R 3W	IRRIGATION	1289
65-0079	NICHOLS DITCH	PAYETTE RIVER	100.62	8.70	4/30/1881	SWNW S35 T 7N R 3W	IRRIGATION	289
65-5459	BAR N RANCH, INC.	PAYETTE RIVER	124.23	23.61	11/ 4/1881	NENE S12 T 7N R 4W	IRRIGATION	908
65-0403	NORLE DITCH COMPANY	PAYETTE RIVER	315.40	191.17	12/ 2/1881	SWNW S 1 T 6N R 3W	IRRIGATION	8627
65-8627	WRIGHT, JR., LEE C.	PAYETTE RIVER	319.80	4.40	4/ 1/1882	SWSE S35 T 8N R 4W	IRRIGATION	114
65-5921	JOHNSON, V. F. & JOHNSON, C. W.	PAYETTE RIVER	323.80	4.00	10/24/1882	SWSE S35 T 8N R 4W	IRRIGATION	200
65-0053	REID DITCH COMPANY	PAYETTE RIVER	365.93	42.13	10/26/1882	SESW S 9 T 6N R 2W	IRRIGATION	1942
65-0070	ENTERPRISE DITCH COMPANY	PAYETTE RIVER	443.64	77.71	11/ 6/1882	NESW S11 T 6N R 2W	IRRIGATION	2989
65-4004	LAMB, LAWRENCE	PAYETTE RIVER	448.94	5.30	11/18/1882	NESW S11 T 6N R 2W	IRRIGATION	239
65-5311	MITCHELL, J. E.	PAYETTE RIVER	449.94	1.00	11/ 2/1883	SWSW S 6 T 6N R 1W	IRRIGATION	50
65-5312	MITCHELL, O. N. & MITCHELL, M. L.	PAYETTE RIVER	450.94	1.00	11/ 2/1883	SWSW S 6 T 6N R 1W	IRRIGATION	50
65-0023	EMMETT IGGIGATION DISTRICT	PAYETTE RIVER	480.94	30.00	11/26/1883	LOT 2 S22 T 7N R 1W	IRRIGATION	22651
65-0054	LAST CHANCE DITCH COMPANY	PAYETTE RIVER	520.94	40.00	11/26/1883	SESW S22 T 7N R 1W	IRRIGATION	1733
65-0165	LOWER PAYETTE DITCH COMPANY	PAYETTE RIVER	864.48	343.54	4/ 1/1884	LOT 3 S 7 T 7N R 3W	IRRIGATION	13213
65-0058	MONTOUR FARMERS DITCH CO.	PAYETTE RIVER	882.14	17.66	6/23/1884	SWNE S25 T 7N R 1E	IRRIGATION	873
65-0085	O'TURLEY DITCH COMPANY	PAYETTE RIVER	894.74	12.60	10/27/1884	SWNE S 8 T 6N R 2W	IRRIGATION	418
65-0067	FARMERS COOPERATIVE IRR. CO.	PAYETTE RIVER	1,178.74	284.00	8/23/1885	SENE S 5 T 6N R 1W	IRRIGATION	11846
65-0072	WASHOE IRR. & POWR COMPANY	PAYETTE RIVER	1,229.49	50.75	10/ 9/1885	NENW S15 T 8N R 5W	IRRIGATION	1952
65-0084	KATY KESGARD DITCH	PAYETTE RIVER	1,239.49	10.00	8/21/1886	NESE S 8 T 6N R 2W	IRRIGATION	331
65-0054A	LAST CHANCE DITCH COMPANY	PAYETTE RIVER	1,289.49	50.00	2/28/1888	SESW S22 T 7N R 1W	IRRIGATION	2166
65-0080	ELIAS-ANDERSON DITCH	PAYETTE RIVER	1,304.19	14.70	3/31/1889	SWNW S 1 T 6N R 3W	IRRIGATION	489

PRELIMINARY DECISION SUBJECT TO REVISION

8-8-78

08/08/78 F.E.L.

```
*****************************************
* MACALLISTER'S MODIFICATION OF MORITZ  *
* LOSS CALCULATION FOR                  *
* THE MONTOUR FARMER'S DITCH            *
* WATER RIGHT NO. 65-0058               *
*****************************************
```

Q DIVERTED: 21.63
Q DELIVERED: 16.46
PERCENTAGE LOSS: 31.4

TYPE OF SOIL: SANDY LOAM
SOIL CONSTANT= 1.50 (FEET/DAY)
LENGTH OF HEAD OF DITCH: 1.50
LENGTH OF DELIVERY SECTION: 3.90

LOSS TABLE FOR HEAD OF DITCH

MILE	Q (CFS)	LOSS (CFS)
1.00	20.45	1.17
1.50	19.88	.57

LOSS TABLE FOR DELIVERY

MILE	Q (CFS)	LOSS (CFS)	Q DELIVERED (CFS)
1.00	14.53	1.13	4.22
2.00	9.33	.98	4.22
3.00	4.30	.80	4.22
3.90	.00	.50	3.80

AFA Calculations

823 Acres @ 3.5 AFA/Ac. = 2880.5 AFA

2880.5 AFA x 1.314 Loss Factor = 3784.977 = 3785.0 AFA.

Z

Loss Calculations

From Gem County Soil Survey, Issued 1958, 33
Published 1965

Applying Lined and Unlined Formula for seepage

$= 5.0$

From talking to Alva McConnel, Thornton

width of ditch $= W = 12'$

Seepage loss/mile $= .0667 W^{.5} = (.0667)(12)^{.5}(5)$

$= 4.002$ CFS/mile

For 2 mile ditch

Total Loss $= (4.002)(2) = 8$ CFS

TOTAL CFS = LOSS + IRRIGATION RATE

$= 8 + 17.66 = 25.7$ CFS

823 IRR. Ac. @ .02 = 16.46 CFS

FROM GRAPH IN WATER USERS' HDBK. PERU SOIL – SANDY LOAM GIVES 6.8% LOSS PER MILE DITCH. ∴ 3 MI. DITCH LOSS = 20.4%. ∴ 16.46 CFS + 20.4% = ~~19.80~~ CFS.

19.82

12-8-78

Transfer No. 2294

Application No.

RECEIVED
JUN

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Department of Water Resources
Western Regional Office

APPROVED

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Montour Farmers Ditch Co. Phone 584-3489

Post office address Montour, ID 83646

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
   a. Decree to _____ (Name)
      in case of _____ vs _____
      dated _____ in _____ (Name of court) county of _____
   b. License No. _____ issued by the Idaho Department of Water Resources
   c. Claim No. 65-0058 on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
3. Source of water Payette River tributary to _____
4. Date of priority 6/23/1884
5. Water is used for the following purposes:
   amount 21.63 for irrigation purposes from 4/01 to 11/01
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   (month/day — both dates inclusive)
6. Total amount of water under right: a. 21.63 cubic feet per second
   &/or
   b. 3784.9 acre feet per annum
7. Location of original point of diversion is SW ¼ of NE ¼ of Section 25
   Township 7N Range 1E B.M. in Gem County
   Additional points of diversion, if any _____
8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	1E	21				L.9 11									L.8 25			L.7 29	65
7N	1E	22	L.1 31	L.2 38	35	40	L.3 24	L.4 48		40	40	40	32	30	38	24	30	20	510.
7N	1E	23	L.6 11	L.5 7			L.4 15	L.3 24	37			19	1						114
7N	1E	27					17	31	26	1									75
7N	1E	28	L.1 36			23													59

Total number of acres to be irrigated 823

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second &/or

b. _____ acre feet per annum

2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____

Range _____, B.M., _____ County

Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

a. Amount of water to be diverted 21.63 c.f.s. &/or 3784.9 acre feet

b. Point(s) of diversion SW ¼ NE ¼, Section 25 Township 7N

Range 1E, B.M., Gem County

Additional points _____

c. Description of diverting works _____

d. Describe the reasons for applying for a change in the point(s) of diversion

Black Canyon Dam Is Causing The Original Lands To Flood.

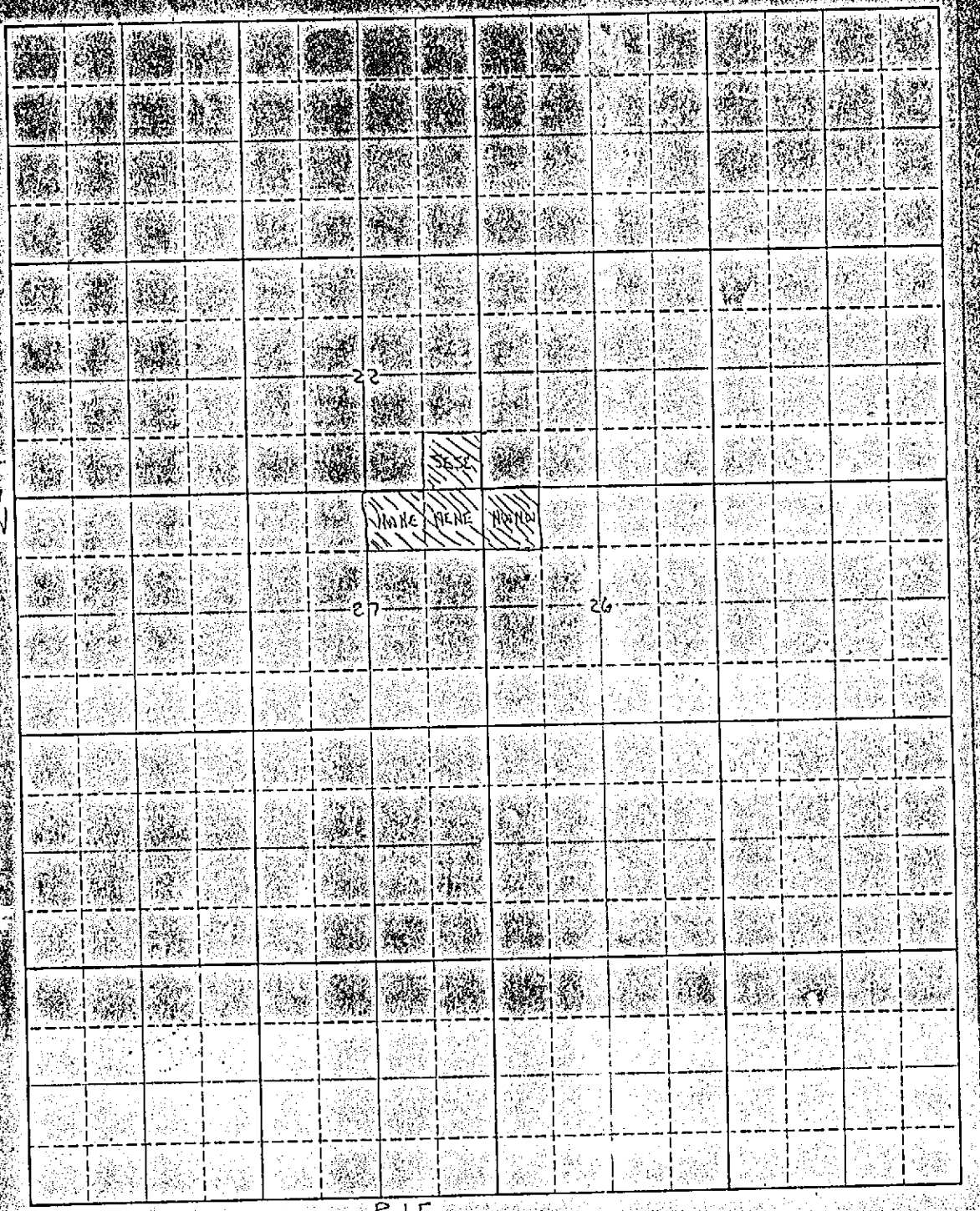
2. Change in place of use

a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	1E	21				Lt 9 1													1
		22	L.1 31	L.2 38	35	40	L.3 24	L.4 48		40	40	40	32	30	38	24	30	31	521
		23		L.5 7			L.4 15	L.3 24	37			19	1						103
		26						40											40
		27	40	20			17	31	26	1									135
		28				23													23

Total number of acres to be irrigated 823

b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink. R1E

13. Remarks:

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Montana Farmers Dist'n Co
(Signature of applicant)

Subscribed and sworn to before me this 28 day of December, 19 78

David R. Tidball Jr
(Notary public)

My commission expires Sept 10, 1980

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 65-0058 and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

(1) Approval of this Transfer in no way validates the claim identifying this water right. (2) The issuance of this Transfer in no way grants right-of-way or easement across the land of another.

Witness my hand this 20 day of June, 19 79.

DAVID B. SHAW
Acting Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by [illegible] Date 11/29/78 Protest filed by

Prelim. check by R.W.M. Fee 35.00

Receipted by [illegible] Date 11/29/78 # 12497

Published in Emmet Messenger Copies of protest forwarded by

Pub. dates 12/28 + 1/4 Hearing held by Date

Readvertised 3/1 + 3/8

Watermaster recommendation requested on N.A. Recommended for (approval) denial

rec'd by DBS J.J.

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 TO A WATER RIGHT

IDENT. NO. 038

MAP NO.

Notice is hereby given that _____ (Name of Claimant)

_____ (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) _____

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

(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 _____ (Domestic, irrigation, stock, etc.) Period of Use From _____ (Mo., Day) To _____ (Mo., Day)

Use _____ (Domestic, irrigation, stock, etc.) Period of Use From _____ (Mo., Day) To _____ (Mo., Day)

Use _____ (Domestic, irrigation, stock, etc.) Period of Use From _____ (Mo., Day) To _____ (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 _____
Sec. _____ Twp. _____ Rge. _____ 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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	1E	23	4	3	4	2	5	20	37	10		14	1						116
"	"	24	20			40			40	40	40	20			40			20	191
"	"	25							20	40	40	20	14						5
"	"	26		13	1	12			40	40	40	20	4			11			117
"	"	27			10		30	7	20					14		5	30		124
"	"	21			7										40	12		35	116
"	"	28	36	3															47
"	"	29				20			10										30
"	"	27					7		10	4	35	20							27
7N	1E	23																	
													16	11					

(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.

_____ (Date)

Individual _____ (Signature of Claimant)

_____ (Signature of Spouse)

Organization _____

_____ (Signature of Authorized Agent)

State of _____ } ss.
County of _____

Organization Seal

On this _____ day of _____, in the year _____, before me, a notary public, personally appeared _____ known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

Notary Public residing at _____

My commission expires _____

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 TO A WATER RIGHT

IDENT. NO. 65-00585

MAP NO.

Notice is hereby given that _____ (Name of Claimant)

_____ (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) _____

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

(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 _____ (Domestic, irrigation, stock, etc.) Period of Use From _____ (Mo., Day) To _____ (Mo., Day)

Use _____ (Domestic, irrigation, stock, etc.) Period of Use From _____ (Mo., Day) To _____ (Mo., Day)

Use _____ (Domestic, irrigation, stock, etc.) Period of Use From _____ (Mo., Day) To _____ (Mo., Day)

(4) Quantity of water claimed: 3 3.2 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 _____ ¼, Sec. 25, Twp. 7 N, Rge. 1 E, 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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	1E	23	9	3	4	2	5	24	37	10		17	1						116
"	"	22	31			40			20		20	20			40			20	141
"	"	22								20	20		14						54
													1						117

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 _____

(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

(Date) (Signature of Claimant)

(Signature of Spouse)

Organization _____

(Signature of Authorized Agent)

State of _____)
) ss.
County of _____)

Organization Seal

On this _____ day of _____, in the year _____, before me, a notary public, personally appeared _____ known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

Notary Public residing at _____

My commission expires _____

65-00585

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Montour Farmers Ditch Co. Phone 584-3489

Post office address Montour, ID 83646

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree to _____ (Name)

   in case of _____ vs _____

   dated _____ in _____ (Name of court) county of _____

   b. License No. _____ issued by the Idaho Department of Water Resources

   c. Claim No. 65-0058 on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water Payette River tributary to _____

4. Date of priority 6/23/1884

5. Water is used for the following purposes:

   amount 21.63 for irrigation purposes from 4/01 to 11/01

   amount _____ for _____ purposes from _____ to _____

   amount _____ for _____ purposes from _____ to _____

   (month/day -- both dates inclusive)

6. Total amount of water under right: a. 21.63 cubic feet per second &/or
   b. 3784.9 acre feet per annum

7. Location of original point of diversion is SW ¼ of NE ¼ of Section 25
   Township 7N Range 1E, B.M., in Gem County
   Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	1E	21				L.9 11									L.8 25			L.7 29	65
7N	1E	22	L.1 31	L.2 38	35	40	L.3 24	L.4 48		40	40	40	32	30	38	24	30	20	510
7N	1E	23	L.6 11	L.5 7			L.4 15	L.3 24	37			19	1						114
7N	1E	27					17	31	26	1									75
7N	1E	28	L.1 36			23													59

Total number of acres to be irrigated 823

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum

2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

a. Amount of water to be diverted 21.63 c.f.s. &/or 3784.9 acre feet

b. Point(s) of diversion SW ¼ NE ¼, Section 25 Township 7N
Range 1E, B.M., Gem County
Additional points _____

c. Description of diverting works _____

d. Describe the reasons for applying for a change in the point(s) of diversion _____
Black Canyon Dam Is Causing The Original Lands To Flood.

2. Change in place of use

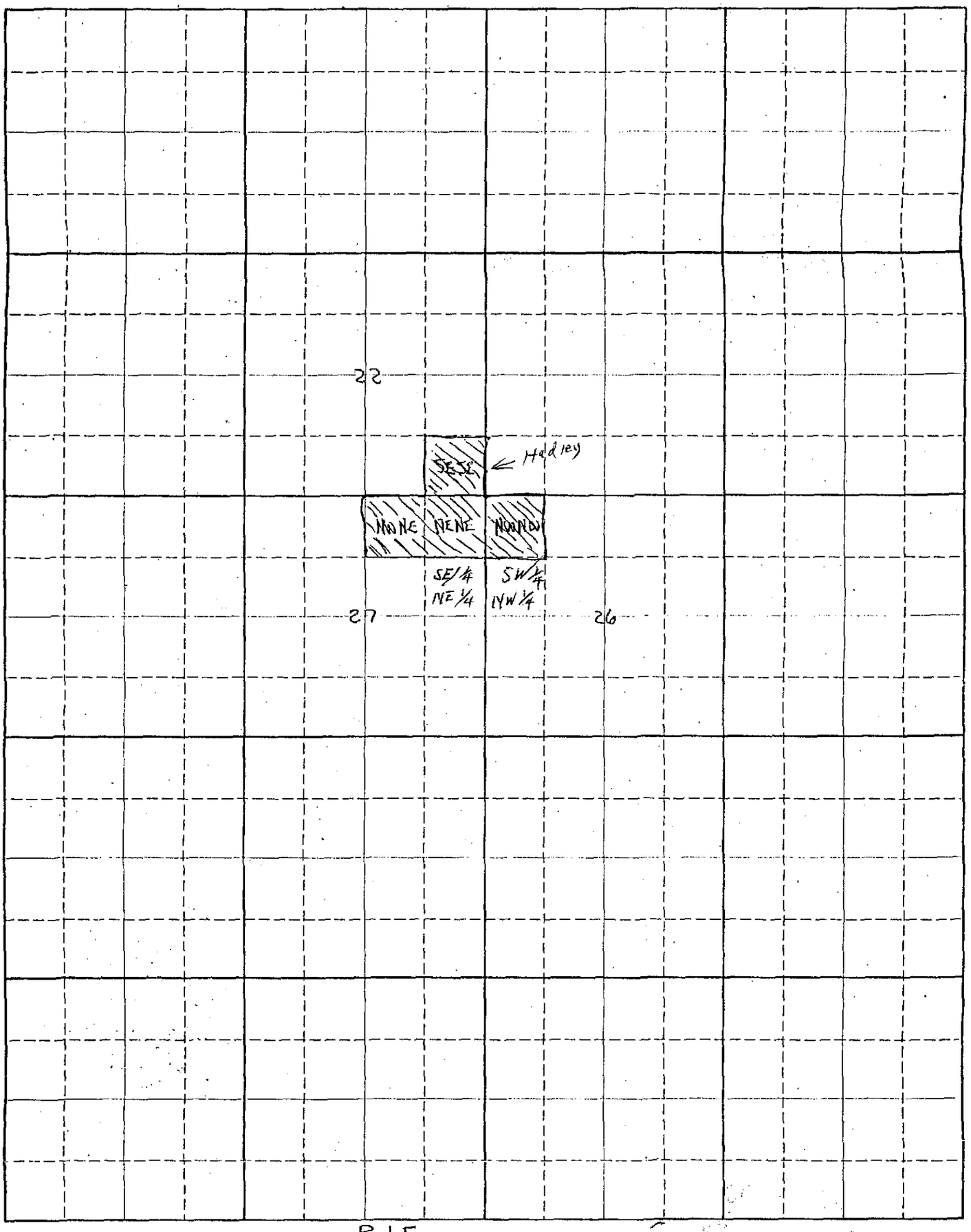
a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	1E	21				Lt.9 1													1
		22	L.1 31	L.2 38	35	40	L.3 24	L.4 48		40	40	40	32	30	38	24	30	31	521
		23		L.5 7			L.4 15	L.3 24	37			19	1						103
		26						40											40
		27	40	20			17	31	26	1									135
		28				23													23

Total number of acres to be irrigated 823

3

b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Monlong Farmers Ditch Co
Allen Smith
(Signature of applicant)

Subscribed and sworn to before me this 8 day of December, 19 78

David R. Tuthill Jr
(Notary public)

My commission expires Sept 10, 1980

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 65-0058, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

(1) Approval of this Transfer in no way validates the claim identifying this water right. (2) The issuance of this Transfer in no way grants right-of-way or easement across the land of another.

Witness my hand this 20 day of June, 19 79

DAVID B. SHAW
Acting Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by [illegible] Date 11/29/78

Prelim. check by R.W.H. Fee 35.00

Receipted by [illegible] Date 11/29/78 #12497

Published in Emmet Messenger

Pub. dates 12/28 + 1/4
Readvertised 3/1 + 3/8

Watermaster recommendation requested on N.A.

rec'd.

Protest filed by

Copies of protest forwarded by

Hearing held by Date

Recommended for (approval) denial

by DBS J.J.

ARTICLES OF INCORPORATION
OF
MONTOUR FARMERS' DITCH CO., INC.

The undersigned, acting as incorporators of a corporation under the Idaho Non-Profit Corporation Act, adopt the following Articles of Incorporation for such corporation:

I

The name of the corporation is MONTOUR FARMERS' DITCH CO., INC.

II

The period of its duration is perpetual.

III

The purpose or purposes for which the corporation is organized are: To operate, manage and control an irrigation project and canal or ditch system for the purpose of furnishing irrigation water to its shareholders or members and not for profit or hire. Also, to continue and preserve water rights and priorities evidenced by previous filings and claims under the name of Montour Farmers' Ditch Co.

IV

The rights and interests of all members shall be equal and no member can have or acquire a greater interest than any other member; membership certificates shall be issued to each member.

V

The general officers of said corporation shall be President, a Vice-President, Secretary and Treasurer. The offices of Secretary and Treasurer may be combined.

The address of the initial registered office of the corporation is Montour Star Route, Emmett, Idaho 83617, and the

MICROFILMED
SEP 15 1992

name of its initial registered agent at such address is Alva B. McConnel, Montour Star Route, Emmett, Idaho 83617.

VI

The number of directors constituting the initial board of directors of the corporation is three, and the names and addresses of the persons who are the incororators of this corporation, and the persons who are to serve as directors until the first annual meeting of members or until their successors are elected and shall quality, are:

NAME	ADDRESS
Alvin Hadley	Montour Star Route, Emmett, Idaho 83617
Alva McConnel	Montour Star Route, Emmett, Idaho 83617
Karl Kellar	Montour Star Route, Emmett, Idaho 83617

DATED this 24th day of ~~February, 1988~~ January 1989

Alvin Hadley
Alvin Hadley

Alva McConnel
Alva McConnel

Karl Kellar
Karl Kellar

MICROFILMED
SEP 15 1992

AUG 28 2003

STATE OF IDAHO,)
) ss.
County of Gem.)

On this 24th day of ~~February, 1988~~ January 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared Alvin Hadley, Alva McConnel, and Karl Kellar, known to me to be the persons whose names are subscribed to the foregoing Articles of Incorporation and acknowledged to me that they executed the same.

Georgia B Hale

Notary Public, State of Idaho;
Residing at ~~Emmett~~ Sweet, Idaho.

MICROFILMED
SEP 15 1992

Original By-Laws of the Montour Farmer's Ditch Co.

Article One Stock

1. Certificate of stock shall be issued to each person of full paid stock, from a stock certificate book, be signed by the president and treasurer, and sealed by the corporate seal.

2. Transfer of stock shall be made only upon the books of the company. and before a new certificate is issued the old certificate must be surrendered.

3. Treasury stock of the company shall consist of stock donated to the company. or acquired bydelinquent assessments, such stock shall have no vote.

Article two Stock Holders

1. Annual meeting of the stockholders shall be held on the second Monday of February at 8:00 P.M. at regular meeting place, but if a legal holiday on the following Monday. Directors may alter time of meeting by written notice to stockholders.

2. Notice of meeting, written for every regular or special meeting of stockholders shall be mailed to last known postoffice address, three days before meeting stating purpose of meeting.

3. A quorum at any meeting of stockholders shall consist of a majority of the voting stock of the company represented in person.

4. At election , stockholders shall be entitled to cast one vote for each share of stock held by him.

MICROFILMED
SEP 15 1992

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

DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

May 4, 2001

Dear Basin 65 water user:

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

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

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

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

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

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

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

Sincerely,

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