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In File

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: 65-00068  
DATE RECEIVED: 4-18-90  
RECEIPT NO: 2016372 X999999  
RECEIVED BY: -----

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. NAME: CITY OF PAYETTE  
ADDRESS: CITY SERVICES CENTER  
700 CENTER AVENUE  
PAYETTE, ID

83661

**RECEIVED**  
APR 18 1990

2. DATE OF PRIORITY: JUN 01, 1948

Department of Water Resources

3. SOURCE: GROUNDWATER

TRIB. TO:

4. POINT OF DIVERSION:

| TOWNSHIP | RANGE | SECTION | 1/4 OF | 1/4 OF | 1/4 | LOT | COUNTY  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 09N      | 05W   | 27      | SE     | SW     |     |     | PAYETTE |
|          |       | 28      | SE     | SE     |     |     | PAYETTE |
|          |       | 34      | SE     | NE     |     |     | PAYETTE |
|          |       |         | NW     | SE     |     |     | PAYETTE |
|          |       | 35      | NW     | SW     |     |     | PAYETTE |

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

| PURPOSE   | FROM  | TO    | C.F.S. | (OR) | A.F.A. |
|-----------|-------|-------|--------|------|--------|
| MUNICIPAL | 01/01 | 12/31 | 0.560  |      |        |

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

A.F.A.

8. TOTAL CONSUMPTIVE USE IS

ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

**MICROFILMED**  
SEP 15 1992

10. PLACE OF USE:

TOWNSHIP      RANGE      SECTION      1/4 OF 1/4      LOT      USE      ACRES

11. PLACE OF USE IN COUNTIES: PAYETTE, PAYETTE

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

13. OTHER WATER RIGHTS USED:

14. REMARKS:

PLACE OF USE WITHIN CITY LIMITS OF PAYETTE.

TWO POINTS OF DIVERSION IN NWSE & SENE, S. 34, T9N, R5W.

15. BASIS OF CLAIM: DECREEED

CASE NUMBER:

COURT :

DECREE DATE: 1/21/1986

STATE OF IDAHO

DECREE PLAINTIFF

A & C CORP., ET AL.

VS

DECREE DEFENDANT

MICROFILMED  
SEP 15 1992

16. SIGNATURE(S)

(A.) BY SIGNING BELOW, I/WE ACKNOWLEDGE THAT I/WE HAVE RECEIVED, READ AND UNDERSTAND THE FORM ENTITLED "HOW YOU WILL RECEIVE NOTICE IN THE SNAKE RIVER BASIN ADJUDICATION." (B.) I/WE DO \_\_\_\_ DO NOT \_\_\_\_ 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 \_\_\_\_\_ Mayor \_\_\_\_\_ OF \_\_\_\_\_ TITLE \_\_\_\_\_

City of Payette \_\_\_\_\_, THAT I HAVE SIGNED THE FOREGOING ORGANIZATION DOCUMENT IN THE SPACE BELOW AS \_\_\_\_\_ Mayor \_\_\_\_\_ OF \_\_\_\_\_ TITLE \_\_\_\_\_

City of Payette \_\_\_\_\_ AND THAT THE STATEMENTS CONTAINED IN THE ORGANIZATION FOREGOING DOCUMENT ARE TRUE AND CORRECT.

Lloyd L. May  
SIGNATURE OF AUTHORIZED AGENT

Mayor, City of Payette  
TITLE AND ORGANIZATION

April 17, 1990  
DATE

STATE OF IDAHO )  
COUNTY OF Payette ) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 17 DAY

OF April 19 90

John P. Franks  
NOTARY PUBLIC

SEAL

RESIDING AT Payette, ID

MY COMMISSION EXPIRES 11-92  
DATE: 01/23/90

MICROFILMED

SEP 15 1992

4/11/1989

## SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

City of Payette

CLAIM IDENT. NO.

AGS-00068

DATE RECEIVED

4-18-90

CK #

AMOUNT \$

exempt

YES

NO

Required  
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ Required Info? \*
2. Is a priority date entered? ☒ YES ☐ NO ☐ Required Info? \*
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO ☐ Required Info? \*
- See Adjudication Memos #1 and #4 to determine if a Permit is required. ☐ YES ☐ NO ☐ Required Info? \*
3. (a) Is a source entered? ☐ YES ☐ NO ☐ Required Info? \*
- (b) Is a tributary to entered? (if required) ☐ YES ☐ NO ☐ Required Info? \*
4. Is the legal description of the p.d. sufficient? ☐ YES ☐ NO ☐ Required Info? \*
5. Is there a description of the diverting works? ☐ YES ☐ NO ☐ Required Info? \*
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☐ YES ☐ NO ☐ Required Info? \*
- Is the period of use included? ☐ YES ☐ NO ☐ Required Info? \*
- Is a quantity claimed for each use? ☐ YES ☐ NO ☐ Required Info? \*
7. Is a total quantity claimed entered? ☐ YES ☐ NO ☐ Required Info? \*
8. If required is a consumptive use entered? ☐ YES ☐ NO ☐ Required Info? \*
- Is the consumptive use correct? ☐ YES ☐ NO ☐ Required Info? \*
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ YES ☐ NO ☐ Required Info? \*
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☐ NO ☐ Required Info? \*
11. Is (are) the county(ies) entered? ☐ YES ☐ NO ☐ Required Info? \*
12. Is the ownership of p.u. checked? ☐ YES ☐ NO ☐ Required Info? \*
13. Are other water rights listed or "none" indicated? ☐ YES ☐ NO ☐ Required Info? \*
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ YES ☐ NO ☐ Required Info? \*
15. Is the basis of the claim indicated? ☐ YES ☐ NO ☐ Required Info? \*
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ YES ☐ NO ☐ Required Info? \*
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ Required Info? \*
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ Required Info? \*
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ Required Info? \*
20. Is the fee enclosed correct? ☒ YES ☐ NO ☐ Required Info? \*
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☐ NO ☐ Required Info? \*
22. Should this claim be data entered? ☐ YES ☐ NO ☐ Required Info? \*

Claim checked by: RAJDate: 5/8/90

Claim must be returned to claimant:

(Yes)

(No)

Claimant must be notified of modifications:

(Yes)

(No)

Receipt Prepared by:

Claim data entered by: XXXX JDCSent to claimant by: JDC

Date:

Date:

Date:

Checked by: RAJDate: 6/14/90

Comments:

MICROFILMED

SEP 15 1992

01/05/2001

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

RIGHT NUMBER: 65-68

NAME AND ADDRESS: CITY OF PAYETTE  
CITY SERVICES CENTER  
700 CENTER AVENUE  
PAYETTE, ID 83661

SOURCE: GROUND WATER

QUANTITY: 0.56 CFS

PRIORITY DATE: 06/01/1948

|                     |               |      |                       |
|---------------------|---------------|------|-----------------------|
| POINT OF DIVERSION: | T09N R05W S27 | SESW | Within PAYETTE County |
|                     | T09N R05W S28 | SESE | Within PAYETTE County |
|                     | T09N R05W S34 | SENE | Within PAYETTE County |
|                     | T09N R05W S34 | NWSE | Within PAYETTE County |
|                     | T09N R05W S35 | NWSW | Within PAYETTE County |

2 POINTS OF DIVERSION LOCATED IN T09N, R05W, S34, NWSE & SENE.

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| MUNICIPAL             | 1-01 12-31           | 0.56 CFS        |

PLACE OF USE:

PLACE OF USE IS WITHIN CITY LIMITS OF PAYETTE.

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

AJ0749NP  
No. R65-00068

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

DATE: 06/01/00  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                                   | PRIORITY<br>DATE | WATER USE | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|----------------------------------------------------------------------------------|------------------|-----------|-----------------------|-------------------|---------------------|
| C                | CITY OF PAYETTE<br>CITY SERVICES CENTER<br>700 CENTER AVENUE<br>PAYETTE ID 83661 | 06/01/1948       | MUNICIPAL | 01-01 12-31           | 0.560 CFS         |                     |
| TOTAL DIVERSION: |                                                                                  |                  |           |                       | 0.560 CFS         |                     |

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T09N R05W S27  
S28  
S34  
S35

SESW  
SESE  
SENE  
NWSW

NWSE

PAYETTE County  
PAYETTE County  
PAYETTE County  
PAYETTE County

POU County:

Conditions of Approval:

- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
  - ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
  - DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
  - ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks: <sup>POU</sup> ~~GEN~~ PLACE OF USE WITHIN CITY LIMITS OF PAYETTE. J03

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

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

POD F02  
NWSE & SESE  
S34

WR0749NP  
No. 65-00068

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 06/01/00  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                                   | PRIORITY<br>DATE | WATER USE | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|----------------------------------------------------------------------------------|------------------|-----------|-----------------------|-------------------|---------------------|
| C                | CITY OF PAYETTE<br>CITY SERVICES CENTER<br>700 CENTER AVENUE<br>PAYETTE ID 83661 | 06/01/1948       | MUNICIPAL | 01/01 12/31           | 0.560 CFS         |                     |
| TOTAL DIVERSION: |                                                                                  |                  |           |                       | 0.560 CFS         |                     |

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

|                        |               |      |      |                |
|------------------------|---------------|------|------|----------------|
| Point(s) of Diversion: | T09N R05W S27 | SESW |      | PAYETTE County |
|                        | S28           | SESE |      | PAYETTE County |
|                        | S34           | SENE | NWSE | PAYETTE County |
|                        | S35           | NWSW |      | PAYETTE County |

Pou County:

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

|          |          |          |          |          |          |          |          |          |          |
|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| 65-00006 | 65-00065 | 65-02785 | 65-03910 | 65-04134 | 65-04179 | 65-04327 | 65-04426 | 65-04432 | 65-04848 |
| 65-04882 | 65-04883 | 65-04965 | 65-04996 | 65-05007 | 65-05016 | 65-05456 | 65-05630 | 65-05641 | 65-05725 |
| 65-05736 | 65-05862 | 65-05867 | 65-05872 | 65-05937 | 65-06056 | 65-06057 | 65-06111 | 65-06122 | 65-06133 |
| 65-06201 | 65-06400 | 65-06466 | 65-06490 | 65-06528 | 65-06566 | 65-06567 | 65-06604 | 65-06734 | 65-06745 |
| 65-06746 | 65-06762 | 65-06781 | 65-07001 | 65-09182 | 65-09242 | 65-09281 | 65-09298 | 65-09299 | 65-09303 |
| 65-09355 | 65-09399 | 65-09455 | 65-09955 | 65-11093 | 65-12954 | 65-13228 | 65-13651 |          |          |

Remarks: GEN PLACE OF USE WITHIN CITY LIMITS OF PAYETTE.  
TWO POINTS OF DIVERSION IN NWSE & SENE, S. 34, T9N, R5W.

|        |                 |                    |            |
|--------|-----------------|--------------------|------------|
| Dates: | App. Received:  | Priority Date:     | 06/01/1948 |
|        | Proof Due Date: | Proof Made Date:   |            |
|        | Exam Made Date: | Exam Sent to S.O.: |            |
|        | Licensed Date:  |                    |            |

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

RECEIVED

OCT 3 1979

Filed

Sept. 28, 1979

1st Thelma R. Ketchum, Clerk  
1st Debbie Bacon, Deputy

DAVID H. LEROY  
Attorney General  
State of Idaho  
Statehouse, Room 210  
Boise, Idaho 83720  
Telephone: (208) 384-2400

Department of Water Resources

W. HUGH O'RIORDAN  
Deputy Attorney General  
Chief, Natural Resources Division

JOSEPHINE P. BEEMAN  
Deputy Attorney General  
Natural Resources Division  
Telephone: (208) 384-2215

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 ) | CIVIL NO. 3667            |
| DETERMINATION OF THE RIGHT )   |                           |
| TO THE USE OF SURFACE AND )    | ORDER CORRECTING CLERICAL |
| GROUNDWATERS OF THE PAYETTE )  | OVERSIGHTS IN PROPOSED    |
| RIVER DRAINAGE BASIN. )        | FINDING OF WATER RIGHTS   |

The motion of the Department of Water Resources for an order correcting certain clerical oversights in the proposed finding of water rights having come before the court for hearing, and the court being fully advised in the premises,

IT IS HEREBY ORDERED that the proposed finding of water rights be amended in conformance with Exhibit A which is attached hereto and incorporated herein by reference, provided that Orville Jackson and Floy L. Jackson do not file with the court by or before October 5, 1979, a notice of hearing of the objection filed by them to Water Resources' motion. The objection filed by the Jacksons shall be withdrawn if such notice is not filed by or before October 5, 1979. If the Jacksons file a notice of hearing by or before October 5, 1979, this present order amends the proposed finding of water rights in conformance with Exhibit A except for certain material appearing at page 11 of Exhibit A where clerical amendments are listed for rights

ORDER CORRECTING CLERICAL OVERSIGHTS - 1

Attorney General  
State of Idaho  
Statehouse, Room 210  
Boise, Idaho 83720  
Telephone (208) 384-2400

1 held by Orville Jackson and Floy L. Jackson.

2 DATED This 20<sup>th</sup> day of September, 1979.

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1st Gilbert C. Norris  
Gilbert C. Norris  
District Judge

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ORDER CORRECTING CLERICAL OVERSIGHTS - 2

| RIGHT<br>NUMBER               | NAME AND<br>ADDRESS                                                                                                                                                                                                         | PRIORITY<br>DATE | USE                              | USE PERIOD<br>FROM TO | MAX AMOUNT<br>MAX RATE | DIVERSION<br>POINT                                                                                                                                         | PLACE OF USE<br>AND ACREAGE | BASIS FOR<br>RIGHT |
|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|----------------------------------|-----------------------|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|--------------------|
| 65-0068<br>VOL. III<br>P. 324 | CITY OF PAYETTE<br>CITY SERVICES CENTER, 700<br>CENTER AVENUE, PAYETTE, IDAHO<br>83661<br>REMARKS: PLACE OF USE WITHIN<br>CITY LIMITS OF PAYETTE. TWO<br>POINTS OF DIVERSION IN NWSE &<br>SENE, S. 34, T 9N, R 5W.          | 6/ 1/1948        | SOURCE: GROUNDWATER<br>MUNICIPAL | 1/ 1 12/31            | — AFA<br>.56 CFS       | SESE S 28<br>T 9N R 5W<br>SENE S 34<br>T 9N R 5W<br>SESE-S-33<br>T-9N-R-5W<br>NWSE S 34<br>T 9N R 5W<br>NWSW S 35<br>T 9N R 5W<br>SESW S 27<br>T 9N R 5W   |                             | BENEFICIAL<br>USE  |
| 65-2785<br>VOL. III<br>P. 493 | CITY OF PAYETTE<br>CITY SERVICES CENTER, 700<br>CENTER AVENUE, PAYETTE, IDAHO<br>83661<br>REMARKS: PLACES OF USE WITHIN<br>CITY LIMITS OF PAYETTE. TWO<br>POINTS OF DIVERSION IN THE<br>SENE & NWSE, S. 34, T 9N, R 5W.     | 7/15/1964        | SOURCE: GROUNDWATER<br>MUNICIPAL | 1/ 1 12/31            | --- AFA<br>1.02 CFS    | SESE S 28<br>T 9N R 5W<br>SESE-S-33-<br>T-9N-R-5W-<br>NWSE S 34<br>T 9N R 5W<br>NWSW S 35<br>T 9N R 5W<br>SWSW S 27<br>T 9N R 5W<br>SENE S 34<br>T 9N R 5W |                             | LICENSE            |
| 55-7001<br>VOL. III<br>P. 533 | CITY OF PAYETTE<br>CITY SERVICES CENTER, 700<br>CENTER AVENUE, PAYETTE, IDAHO<br>83661<br>REMARKS: PLACE OF USE WITHIN<br>CITY LIMITS OF PAYETTE. TWO<br>POINTS OF DIVERSION IN THE<br>NWSE & SENE, S. 34, T 9N, &<br>R 5W. | 6/ 8/1967        | SOURCE: GROUNDWATER<br>MUNICIPAL | 1/ 1 12/31            | --- AFA<br>1.45 CFS    | SESE S 28<br>T 9N R 5W<br>NWSE S 34<br>T 9N R 5W<br>SENE S 34<br>T 9N R 5W<br>SESE-S-33<br>T-9N-R-5W<br>SESW S 27<br>T 9N R 5W<br>NWSW S 35<br>T 9N R 5W   |                             | LICENSE            |