

JUL 29 2003

SCANNED

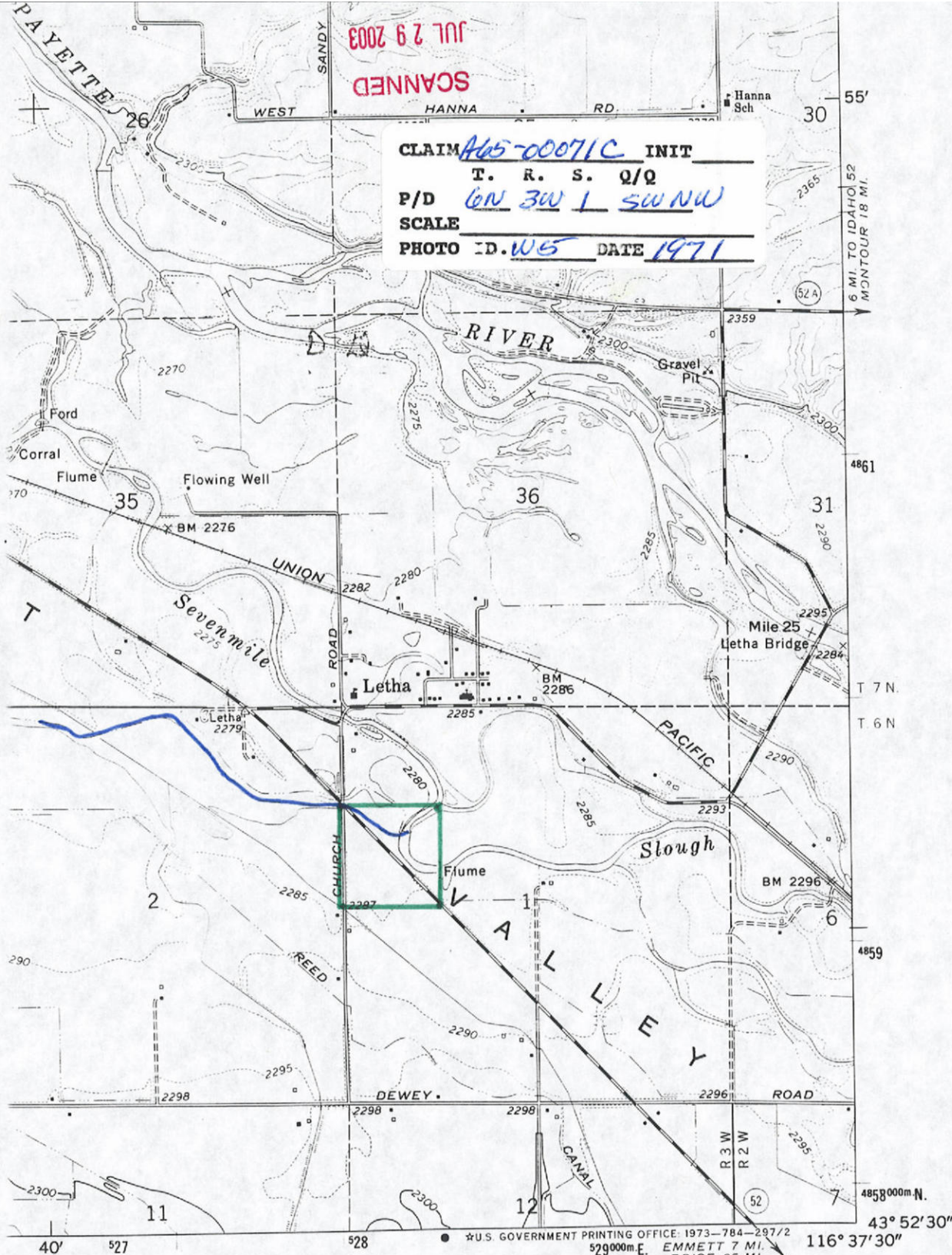
CLAIM H45-00071C INIT

T. R. S. Q/Q

P/D 6N 3W 1 SW NW

SCALE

PHOTO ID. W5 DATE 1971



Primary highway, hard surface _____ Light-duty road, hard or improved surface _____
 Secondary highway, hard surface _____ Unimproved road _____

○ Interstate Route ○ U. S. Route ○ State Route



LETHA, IDAHO
 N4352.5-W11637.5/7.5

1971

AMS 2671 I NW-SERIES V893

20242

5

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: A65-00071C
Date Received: 2/ 9/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEWART DITCH CO 208-278-3806
Address: C/O BRUCE LYGGAARD
2068 COUNTY LINE RD
EMMETT ID 83617

2. Date of Priority: DEC 27, 1880

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
06N	03W	1	SW	NW			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	03/15	11/15	8.100		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	03W	18	SW	NE		IRR	11.0
			NE	SE		IRR	12.0
			NW	SE		IRR	33.0
			SE	SE		IRR	37.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	93.0
		19	NE	NE	IRR	39.0
			SW	NE	IRR	39.0
			SE	NE	IRR	39.0
			SE	NW	IRR	17.0
			NE	SE	IRR	36.0
			NW	SE	IRR	24.0
					Section Acres	194.0
		20	NW	SW	IRR	37.0
			SW	SW	IRR	17.0
					Section Acres	54.0
					Total Acres	341.0

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:

14. Remarks:

STEWART DITCH CO. WATER RIGHT DELIVERED BY NOBLE CANAL.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs

Decree Defendant

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): 465-00071A, -00071B, RECEIVED
-00071C, -00071X

APR 03 2000

WATER RESOURCES
WESTERN REGION

[] Old Mailing Address: Stewart Ditch Co.
C/O Gary Stott
2001 Little Rock Rd.
Emmett, ID 83617

[] New Mailing Address: Stewart Ditch Co
C/O Bruce Lysgaard
2068 County Line Rd.
Emmett, ID 83617

New Telephone Number: (208) 278-3806

[] Signature of Claimant: X Terry Shipper, President
Date: 3-30-00

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

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JUL 29 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: **A65-00071C**
Date Received: 2/ 9/1990
Receipt No: X999999
Received By: _____

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

1. Name: STEWART DITCH CO 208-365-6835
Address: C/O GARY STOTT
2001 LITTLE ROCK RD
EMMETT ID 83617

2. Date of Priority: DEC 27, 1880

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
06N	03W	1	SW	NW			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	03/15	11/15	8.100		

7. Total Quantity Appropriated is:
8.100 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:

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AUG 03 1994

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	03W	18	SW	NE		IRR	11.0
			NE	SE		IRR	12.0
			NW	SE		IRR	33.0
			SE	SE		IRR	37.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	93.0
		19	NE	NE	IRR	39.0
			SW	NE	IRR	39.0
			SE	NE	IRR	39.0
			SE	NW	IRR	17.0
			NE	SE	IRR	36.0
			NW	SE	IRR	24.0
					Section Acres	194.0
		20	NW	SW	IRR	37.0
			SW	SW	IRR	17.0
					Section Acres	54.0
					Total Acres	341.0

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:

14. Remarks:

STEWART DITCH CO. WATER RIGHT DELIVERED BY NOBLE CANAL.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs

Decree Defendant

MICROFILMED

AUG 03 1994

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)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

AUG 03 1994

RECEIVED

MAR 22 1993

Department of Water Resources
Western Regional Office

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): AGS-00071A, 00071B
00071C, 00071X

[] Old Mailing Address: Stewart Ditch Co,
40 Nelda Platz 6550 Dallas Rd
New Plymouth, ID 83655

[] New Mailing Address: Stewart Ditch Co.
40 Gary Stott 2001 Little Rock Rd
Emmett, ID 83617

New Telephone Number: (208) 365-6835

[] Signature of Claimant: *Gary Stott*

Date: March 15, 1993

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 3-30-93

By: *AD*

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date: 3-30-93

By: *AD*

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AUG 03 1994

SCANNED

JUL 29 2003

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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: A65-00071C
Date Received: 2/09/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEWART DITCH CO. 208-278-3040
Address: C/O NELDA PLATZ
6550 DALLAS RD.
NEW PLYMOUTH, ID 83655

2. Date of Priority: DEC 27, 1880

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
06N	03W	1	SW	NW			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	03/15	11/15	8.100		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	03W	18	SW	NE		IRR	11.0
			NE	SE		IRR	12.0
			NW	SE		IRR	33.0

A65-00071C

Page 1

Date: 04/16/90

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JUL 29 2003

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SEP 15 1992

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. No.

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

Please type or print clearly:

Name of Claimant(s) Stewart Ditch Co.
To Nelda Platz - 6550 Dallas Rd
New Plymouth, Id 83655

Mailing Address
(include Zip Code)

Phone Number (208) 278 - 3040

SCANNED
JUL 29 2003

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SEP 15 1992

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: 65-00071C
DATE RECEIVED: 2-9-90
RECEIPT NO: X999999
RECEIVED BY: -----

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: STEWART DITCH CO.
ADDRESS: C/O LENARD PLATZ
1215 LITTLE ROCK RD.
EMMETT, ID

83617

2. DATE OF PRIORITY: DEC 27, 1880

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
06N	03W	1	SW	NW			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	03/15	11/15	8.100		

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

A.F.A.

8. TOTAL CONSUMPTIVE USE IS ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
07N	03W	18	SW	NE		IRR	11.0
			NE	SE		IRR	12.0
			NW	SE		IRR	33.0

65-00071C

PAGE 1

DATE: 10/28/89

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SEP 15 1992

10. PLACE OF USE: CONTINUED

TOWNSHIP	RANGE	SECTION	1/4	OF	1/4	LOT	USE	ACRES
07N	03W	18	SE		SE		IRR	37.0
SECTION ACRES								93.0
		19	NE		NE		IRR	39.0
			SW		NE		IRR	39.0
			SE		NE		IRR	39.0
			SE		NW		IRR	17.0
			NE		SE		IRR	36.0
			NW		SE		IRR	24.0
SECTION ACRES								194.0
		20	NW		SW		IRR	37.0
			SW		SW		IRR	17.0
SECTION ACRES								54.0
TOTAL ACRES								341.0

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:

STEWART DITCH CO. WATER RIGHT DELIVERED BY NOBLE CANAL.

15. BASIS OF CLAIM: DECREE

CASE NUMBER:

COURT :

DECREE DATE: 1/21/1986

STATE OF IDAHO
DECREE PLAINTIFF

A & C CORP., ET AL.
VS 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 X 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 President OF

Letha Irrigation & Water Co. _____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS President OF

Letha Irrigation & Water Co. _____ AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

Shirley R. Ritz
SIGNATURE OF AUTHORIZED AGENT
President
Letha Irrigation & Water Co.
TITLE AND ORGANIZATION

February 8, 1990
DATE

STATE OF IDAHO)
COUNTY OF Payette) SS.
_____)

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 8th DAY
OF February 19 90

Cathy M. Myers
NOTARY PUBLIC

SEAL

RESIDING AT New Plymouth

MY COMMISSION EXPIRES 4-22-91
DATE: 10/28/89

65-00071C

PAGE

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JUL 29 2003

MICROFILMED

SEP 15 1992

Water Right Number - 65-00071C Adj. Flag Translation: Standard Water Right Number Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
STEWART DITCH CO.

1 - C/O LENARD PLATZ
2 - 1215 LITTLE ROCK RD.
3 -
City- EMMETT State- ID Zip- 83617
Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
12/27/1880 14 D - DECREED

+ - - - - - Source - - - - - + + - - - - - Tributary - - - - - +
PAYETTE RIVER SNAKE RIVER

+ - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
06N 03W 1 SW NW (45) GEM

+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 8.100

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
8.100

+ - - - - - Place of Use - - - - - +						
Twn	Rng	Sec	Tract	Lot	Acres	Code
07N	03W	18	SW NE		11.0	01 IRRIGATION
07N	03W	18	NE SE		12.0	01 IRRIGATION
07N	03W	18	NW SE		33.0	01 IRRIGATION
07N	03W	18	SE SE		37.0	01 IRRIGATION
07N	03W	19	NE NE		39.0	01 IRRIGATION
07N	03W	19	SW NE		39.0	01 IRRIGATION
07N	03W	19	SE NE		39.0	01 IRRIGATION
07N	03W	19	SE NW		17.0	01 IRRIGATION
07N	03W	19	NE SE		36.0	01 IRRIGATION
07N	03W	19	NW SE		24.0	01 IRRIGATION
07N	03W	20	NW SW		37.0	01 IRRIGATION
07N	03W	20	SW SW		17.0	01 IRRIGATION

Total Acres: 341.0

+ - - Diversion Means -
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use -

JUL 29 2003

SCANNED

SEP 15 1994

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Water right number - 65-00071C Adj. flag translation: Standard Water Right Number

+ - - - - - Remarks - - - - - +
STEWART DITCH CO. WATER RIGHT DELIVERED BY NOBLE CANAL.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
STATE OF IDAHO A & C CORP., ET AL. 01/21/1986

+ - - Audit Fields - 04/24/87 04/30/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Start Work Date - 00/00/0000	Verified Date - 04/24/1987	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District - 65
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 01/21/1986	Presumption Flag -	
		Microfilm Roll Number -

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JUL 29 2003

MICROFILMED

SEP 15 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Stewart Ditch Co.CLAIM IDENT. NO. YES-00071cDATE RECEIVED 7-9-90

CK # _____

AMOUNT \$ exempt

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☐ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates? ☐ YES ☐ NO *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. ☐ YES ☐ NO *
3. (a) Is a source entered? ☐ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☐ YES ☐ NO N/A ☐ YES ☐ NO *
4. Is the legal description of the p.d. sufficient? ☐ YES ☐ NO *
5. Is there a description of the diverting works? ☐ YES ☐ NO *
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 *
- Is the period of use included? ☐ YES ☐ NO *
- Is a quantity claimed for each use? ☐ YES ☐ NO *
7. Is a total quantity claimed entered? ☐ YES ☐ NO *
8. If required is a consumptive use entered? ☐ YES ☐ NO N/A ☐ YES ☐ NO *
- Is the consumptive use correct? ☐ YES ☐ NO N/A ☐ YES ☐ NO *
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 N/A ☐ YES ☐ NO *
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☐ NO *
11. Is (are) the county(ies) entered? ☐ YES ☐ NO *
12. Is the ownership of p.u. checked? ☐ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☐ YES ☐ NO *
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 N/A ☐ YES ☐ NO *
15. Is the basis of the claim indicated? ☐ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ YES ☐ NO N/A ☐ YES ☐ NO *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☐ YES ☐ NO Exempt ☒ YES ☐ NO *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☐ NO N/A ☒ YES ☐ NO *
22. Should this claim be data entered? ☐ YES ☐ NO *

Claim checked by: RATDate: 4/3/90Claim must be returned to claimant: ☐ (Yes) ☒ (No)Claimant must be notified of modifications: ☐ (Yes) ☒ (No)

Receipt Prepared by: _____
 Claim data entered by: Soddy
 Sent to claimant by: [Signature]

Date: _____

Date: 4/10/90

Checked by: _____

Date: _____

Comments: _____

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JUL 29 2003

SEP 15 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
(208) 334-2348

November 12, 2002

STEWART DITCH CO
C/O BRUCE LYSGAARD
2221 TANGLEWOOD LN
EMMETT ID 83617-9021

Re: Snake River Basin Adjudication (SRBA)
Water Right No. 65-00071A, 65-00071B, 65-00071C & 65-00071X
Change of Address

Dear Water Right Holder(s):

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation that this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your claim or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to our office. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of any of the properties connected with the water right referenced above, please call this office to obtain a form to make this required change to the water right records.

Sincerely,

Adjudication Section
Western Region

The address is correct as shown above or as otherwise changed.

Bruce Lysgaard
Signature of water right claimant

365-3338
Telephone number

SCANNED

JUL 29 2003

All rights are
decreed.

forwarded original
to S.O. to process
11-21-02

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RECEIVED

NOV 20 2002

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

RECEIVED
JUL 17 2002
WATER RESOURCES
WESTERN REGION



HEAVENLY BODIES

65-00071 A
00071 B
00071 C
00071 X

RECEIVED
JUL 16 2002

Department of Water Resources

NAME AND ADDRESS:

STEWART DITCH CO
C/O BRUCE LYSGAARD
2068 COUNTY LINE RD
EMMETT, ID 83617

LYSGAARD 83617-9021 15 05 07/10/02
FORWARD TIME EXP RTN TO SEND
LYSGAARD
20681 TANGLEWOOD LN
EMMETT ID 83617-9021

RETURN TO SENDER

83203-2707*9721



JUL 29 2003

SCANNED

PAGE 1
Jun-26-2002

02/05/2001

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

RIGHT NUMBER: 65-71C

NAME AND ADDRESS: STEWART DITCH CO
C/O BRUCE LYSGAARD
2068 COUNTY LINE RD
EMMETT, ID 83617

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 8.1 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 60.12 CFS. COMBINED RIGHT
NOS.: 65-00071A, 65-00071B & 65-00071X

PRIORITY DATE: 12/27/1880

POINT OF DIVERSION: T06N R03W S1 SWNW Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	8.10 CFS

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 341 ACRES IN A
SINGLE IRRIGATION SEASON WITH THE BOUNDARY OF THE STEWEART
DITCH COMPANY

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 65-00080, 65-00403A & 65-00403B

AJ0749NP
No. R65-00071C

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

DATE: 04/03/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STEWART DITCH CO C/O BRUCE LYSGAARD 2068 COUNTY LINE RD EMMETT ID 83617 (208) 278-3806	12/27/1880	IRRIGATION	03-15 11-15	8.100 CFS	
TOTAL DIVERSION:					8.100 CFS	

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T06N R03W S01 SWNW

GEM County

POU County:

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 60.12 CFS. COMBINED RIGHT NOS.:
65-00071A, 65-00071B & 65-00071X.

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 341 ACRES IN A
SINGLE IRRIGATION SEASON WITH THE BOUNDARY OF THE STEWEART DITCH
COMPANY.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 65-00080, 65-00403A & 65-00403B.

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

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

Comments: Date: 04/03/2000 User-ID: MSCHULTE Subject: DELIVERY LOSS
THE DIVERSION RATE IN EXCESS OF .02 CFS PER ACRE IS FOR DELIVERY
LOSS AS PROVIDED IN THE PAYETTE RIVER BASIN ADJUDICATION.

Date: 04/03/2000 User-ID: MSCHULTE Subject: COPIED FROM REMARKS
STEWART DITCH CO. WATER RIGHT DELIVERED BY NOBLE CANAL.

Audit: 04/03/00 MSCHULTE

SCANNED
JUL 29 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:43:47
04/03/00
19

PAGE: 19
PROFILE REPORT

CLAIM NUMBER: A65-00071C

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STEWART DITCH CO	12/27/1880	IRRIGATION	03-15 11-15	8.100 CFS	
TOTAL DIVERSION:					8.100 CFS	

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T06N R03W S01

SWNW

GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
07N	03W	18	:				11	:					:					:	12	33		37	:	93.0		
07N	03W	19	:	39			39	:				17	:					:	36	24			:	194.0		
07N	03W	20	:					:					:			37	17	:					:	54.0		
																							TOTAL ACRES	341.0		

POU County: GEM

Remarks: GEN STEWART DITCH CO. WATER RIGHT DELIVERED BY NOBLE CANAL.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:

Presumption Flag:

SCANNED
JUL 29 2003

EXP- ~~FO~~ 6
POU
QNT

WR5809NP
No. 65-00071C

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/30/00
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
P	STEWART DITCH CO. C/O NELDA PLATZ 6550 DALLAS RD. NEW PLYMOUTH ID 83655 (208) 278-3040	12/27/1880	IRRIGATION	03/15 11/15	8.100 CFS	
TOTAL DIVERSION:					8.100 CFS	
C	STEWART DITCH CO. C/O LENARD PLATZ 1215 LITTLE ROCK RD. EMMETT ID 83617					

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: DECREEED

Point(s) of Diversion: T06N R03W S01

SWNW

GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
07N	03W	18	:					11										12	33		37	: 93.0
07N	03W	19	:	39				39	39					17				36	24			: 194.0
07N	03W	20	:													37	17					: 54.0
TOTAL ACRES																				341.0		

Pou County: GEM

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

65-00080 65-00403A 65-00403X

Other Water Rights Listing Overlapping Place(s) of use:

65-00066 65-00071A 65-00071X 65-00403X 65-13373

Remarks: GEN STEWART DITCH CO. WATER RIGHT DELIVERED BY NOBLE CANAL.

Dates: App. Received: Priority Date: 12/27/1880
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: 04/24/87 04/30/88 CONVERT 08/05/92 NAME-ADD

EXP - ~~FOG~~ w - 00080, -00403A, 00403B
QNT
Pou

SCANNED
JUL 29 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:42:33
04/03/00

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QUICKLOOK INFORMATION

18
CLAIM NUMBER: A65-00071C

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			MS choffice 4-3-00	N		MS 4-3-00	MS 4-3-00	
POINT OF DIV				N				
SOURCE				N				
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME				N				
CONSUMPTIVE USE				N				
PURPOSES OF USE				N				
PERIOD OF USE				N				
BASIS OF CLAIM	Y			N				
REMARKS	Y			Y				

BARCODE UPDATED
WHOM/DATE

SCANNED

JUL 29 2003

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 <u>1971 map</u> IDWR ID NO. <u>W5</u>	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()
(☒) OTHER <u>Summary Sheet</u>	DATE _____	Y(☒) N()
(☒) OTHER <u>Order Correcting Clerical Errors</u>	DATE _____ <u>3 pages</u>	Y(☒) N()
(☒) OTHER <u>Page from Dec 1971</u>	DATE <u>3-2-79</u>	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 _____	_____	_____

SCANNED

JUL 29 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:42:33
04/03/00

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-00071C

LAST: STEWART DITCH CO
ADDRESS: C/O LENARD PLATZ
1215 LITTLE ROCK RD
CITY: EMMETT
PHONE NUMBER: 208-000-0000
STATE: ID ZIP: 83617

OWNER CODE: 0

LAST: STEWART DITCH CO
ADDRESS: C/O MELDA PLATZ
6550 DALLAS RD
CITY: NEW PLYMOUTH
PHONE NUMBER: 208-278-3040
STATE: ID ZIP: 83655

OWNER CODE: 0

LAST: STEWART DITCH CO
ADDRESS: C/O GARY STOTT
2001 LITTLE ROCK RD
CITY: EMMETT
PHONE NUMBER: 208-365-6835
STATE: ID ZIP: 83617

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN STEWART DITCH CO. WATER RIGHT DELIVERED BY NOBLE CANAL.

SCANNED
JUL 29 2003

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:

*In office from 4-3-2000. Recommended as located
in the PRBA. See loose leaf map for boundary
of Stewart Ditch Co.*

This right is delivered by the Letha Irrigation & Water Co.

SCANNED

JUL 29 2003

A. AJ CLAIM: # A65-00071C PRIORITY DATE: 12-27-1880 STAGE: D

B. WR RECORD: # 65-00071C PRIORITY DATE: 12-27-1880 STAGE: D

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

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

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

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

PROOF OF BENEFICIAL USE SUBMITTED N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE N/A(☒) Y(☐) N(☐)

LICENSE ISSUED N/A(☒) 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(☒) 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(☒) N(☐)

NOTES: Recommended as decreed in the PRBA.

RECOMMENDED PRIORITY DATE:

12-27-1880

REVIEWED BY Mike Schulte

DATE 4-3-2000

SCANNED

JUL 29 2003

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
A65-00071C	06N	03W	1		SW	NW			GEM		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A65-00080 R65-00080
A65-00403A
A65-00403X

WR RECORDS IN SAME 40 ACRE TRACT
65-00080
65-00403A
65-00403X

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
65-00071C	06N	03W	1		SW	NW			GEM		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A65-00080 R65-00080
A65-00403A
A65-00403X

65-00080
65-00403A
65-00403X

SOURCE: PAYETTE RIVER

TRIB: SNAKE RIVER

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

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

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

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

SCANNED
JUL 29 2003

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____)

Y() N(5)

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____)

Y() N(5)

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: Recommended as decreed in the PRBA. The POD
& source were verified on topo map, Tethe, Idaho - W5

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
06N	03W	1		SW	NW			GEM		
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—

SOURCE: PAYETTE RIVER

TRIB: SNAKE RIVER

REVIEWED BY: Mike Schulte DATE: 4-3-2000

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

Delivered through the Noble Canal.

SCANNED

JUL 29 2003

A. ROOT WATER RIGHT NUMBERS: A65-00071A
A65-00071B
A65-00071C
A65-00071X
R65-00071A
R65-00071X

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	03W	18	SW	NE		STEWART DITCH CO	A65-00071C / 11.0	65-00071C / 11.0	34.0		
			SW	NE		STEWART DITCH CO	A65-00071B / 20.0	- /			
			SW	NE		STEWART DITCH CO	R65-00071X / 1.0	65-00071X / 1.0			
			SW	NE		STEWART DITCH CO	A65-00071X / 1.0	- /			
			SW	NE		STEWART DITCH CO	A65-00071A / 20.0	65-00071A / 20.0			
			SW	NE		ZIEGLER, W. A.		65-05992 /			
07N	03W	18	NE	SE		STEWART DITCH CO	A65-00071C / 12.0	65-00071C / 12.0	39.0		
			NE	SE		STEWART DITCH CO	A65-00071B / 3.0	- /			
			NE	SE		STEWART DITCH CO	R65-00071X / 13.0	65-00071X / 13.0			
			NE	SE		STOREY, JAY E	R65-21560 /	- /			
			NE	SE		STEWART DITCH CO	A65-00071X / 13.0	- /			
			NE	SE		STOREY, JAY E	A65-21560 /	- /			
			NE	SE		STEWART DITCH CO	A65-00071A / 3.0	65-00071A / 3.0			
			NE	SE		BAYES, JAMES L.		65-10570 /			
07N	03W	18	NW	SE		STEWART DITCH CO	A65-00071C / 33.0	65-00071C / 33.0	39.0		
			NW	SE		GASTON, GEORGE M	A65-21592 /	- /			
			NW	SE		GASTON, GEORGE M	65-21592 /	- /			
			NW	SE		HENRY, WALLACE R.		65-04890 /			
07N	03W	18	SE	SE		STEWART DITCH CO	A65-00071C / 37.0	65-00071C / 37.0	37.0		37.0
			SE	SE		LITTLE, MARY K	A65-18760 /	- /			
			SE	SE		LITTLE, MARY K	65-18760 /	- /			
07N	03W	19	NE	NE		STEWART DITCH CO	A65-00071C / 39.0	65-00071C / 39.0	40.0		
07N	03W	19	SW	NE		STEWART DITCH CO	A65-00071C / 39.0	65-00071C / 39.0	10.0		
07N	03W	19	SE	NE		STEWART DITCH CO	A65-00071C / 39.0	65-00071C / 39.0	39.0		39.0
07N	03W	19	SE	NW		STEWART DITCH CO	A65-00071C / 17.0	65-00071C / 17.0	32.0		
			SE	NW		FARMERS COOPERATIVE IRRIGATION	A65-00066 / 20.0	65-00066 / 20.0			
			SE	NW		FARMERS COOPERATIVE IRRIGATION	A65-00067 / 20.0	- /			

SCANNED
JUL 29 2003

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SE	NW		FARMERS COOPERATIVE IRRIGATION	A65-02927F / 20.0	- /			
07N	03W	19	NE	SE		STEWART DITCH CO	A65-00071C / 36.0	65-00071C / 36.0	39.0		
			NE	SE		BYRAM, DEAN J	65-05009 /	65-05009 /			
			NE	SE		BYRAM, DEAN J	A65-05009 /	- /			
07N	03W	19	NW	SE		STEWART DITCH CO	A65-00071C / 24.0	65-00071C / 24.0	37.0		
07N	03W	20	NW	SW		STEWART DITCH CO	A65-00071C / 37.0	65-00071C / 37.0	38.0		
			NW	SW		KOFOED, VERA		65-06720 /			
07N	03W	20	SW	SW		STEWART DITCH CO	A65-00071C / 17.0	65-00071C / 17.0	40.0		
			SW	SW		NOBLE DITCH CO LTD	A65-00403X / 20.0	65-00403X / 20.0			
			SW	SW		SCOTT L CAMPBELL, ELAM & BURKE	A65-02927G / 20.0	- /			
			SW	SW		PRITZL, ROBERT A.		65-04441 /			
			SW	SW		NOBLE DITCH CO LTD		65-13373 / 20.0			

ADDITIONAL POU FOUND

TOTAL ACRES A65-00071C 341.00 341.00 424.00

POU COUNTY: GEM

341 within the boundary of Stewart

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() 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
A65-00071C	PAYETTE RIVER	STEWART DITCH CO	8.100	0.023		
A65-00066	PAYETTE RIVER	FARMERS COOPERATIVE IRRIGATION	12.220			
A65-00067	PAYETTE RIVER	FARMERS COOPERATIVE IRRIGATION	384.900	0.028		
A65-00071A	PAYETTE RIVER	STEWART DITCH CO	11.660	0.028		
A65-00071B	PAYETTE RIVER	STEWART DITCH CO	2.440	0.005		
A65-00071X	PAYETTE RIVER	STEWART DITCH CO	37.920	0.029		

SCANNED
JUL 29 2003

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
R65-00071X	PAYETTE RIVER	STEWART DITCH CO	37.920	0.029		
A65-00403X	PAYETTE RIVER	NOBLE DITCH CO LTD	49.050	0.005		
A65-02927F	PAYETTE RIVER, NORTH FORK	FARMERS COOPERATIVE IRRIGATION			38700.00	2.91
A65-02927G	PAYETTE RIVER, NORTH FORK	SCOTT L CAMPBELL, ELAM & BURKE			10000.00	1.19

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
R65-21560	DOMESTIC	STOREY, JAY E	FROM 01-01 TO 12-31	0.040 CFS	
R65-21560	STOCKWATER	STOREY, JAY E	FROM 01-01 TO 12-31	0.020 CFS	
A65-21560	DOMESTIC	STOREY, JAY E	FROM 01-01 TO 12-31	0.040 CFS	
A65-21560	STOCKWATER	STOREY, JAY E	FROM 01-01 TO 12-31	0.020 CFS	
A65-21592	DOMESTIC	GASTON, GEORGE M	FROM 01-01 TO 12-31	0.040 CFS	
65-21592	DOMESTIC	GASTON, GEORGE M	FROM 01-01 TO 12-31	0.040 CFS	
A65-18760	DOMESTIC	LITTLE, MARY K	FROM 01-01 TO 12-31	0.040 CFS	
65-18760	DOMESTIC	LITTLE, MARY K	FROM 01-01 TO 12-31	0.040 CFS	
65-05009	DOMESTIC	BYRAM, DEAN J	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-05009	STOCKWATER	BYRAM, DEAN J	FROM 01-01 TO 12-31	0.060 CFS	4.00 AF/A
A65-05009	DOMESTIC	BYRAM, DEAN J	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-05009	STOCKWATER	BYRAM, DEAN J	FROM 01-01 TO 12-31	0.060 CFS	4.00 AF/A

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N(☒)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

* 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(☒) N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N(☒)

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(☒)

SCANNED
JUL 29 2003

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;

(☒) WAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES: 341 acres within the boundaries of the Stewart Ditch Co.

RECOMMENDATIONS:

TOTAL ACRES: _____ N/A ()

REVIEWED BY: Mel Schutte

DATE: 4-3-2000

SCANNED

JUL 29 2003

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-00071C IRRIGATION	FROM 03-15 TO 11-15	8.100 CFS	
TOTAL DIVERSION RATE/VOLUME		8.100 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-00071C IRRIGATION	FROM 03-15 TO 11-15	8.100 CFS	
TOTAL DIVERSION RATE/VOLUME		8.100 CFS	

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

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

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☐) 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(☒) 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(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

* 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(☒)

SCANNED

JUL 29 2003

NOTES: *Recommended as decreed in the PRBA.*

SCANNED

JUL 29 2003

AJ CLAIM TOTAL DIVERSION RATE: 8.100 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 8.100 CFS

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

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

* 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(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD None, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

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

1b. CALCULATIONS

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ 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 ()

SCANNED

JUL 29 2003

NOTES:

Recommended as decreed in The PRBA.

WR RECORD CONDITIONS/REMARKS:

SCANNED

JUL 29 2003

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE CFS		VOL. AF/A		USE	
IRRIGATION	03-15	11-15	DATABASE 8.100	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 0.0	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			8.100	_____		_____	0.0	_____

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: Meel Schulte DATE: 4-3-2000

FLAG: _____
STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE):

EXP- F06
POU1 341 acres
QNT

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

SCANNED
JUL 29 2003

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(<u>✓</u>)	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-00071

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 49.130 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
65-00071A	A65-00071A	11.660	R65-00071A	11.660	65-00071A	7.760
-	A65-00071B	2.440	R65-00071X	37.920	65-00071B	2.440
-	A65-00071C	8.100	-	-	65-00071C	8.100
-	A65-00071X	37.920	-	-	65-00071X	30.830
TOTAL CFS		60.120	49.580		49.130	

DIVERSION RATE REVIEW

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

DATABASE FIELD
N EXAMINER
Y() N()

NOTES:

SCANNED
JUL 29 2003

AUTHENTICATION:

SIGNATURE:

Mel Schulte

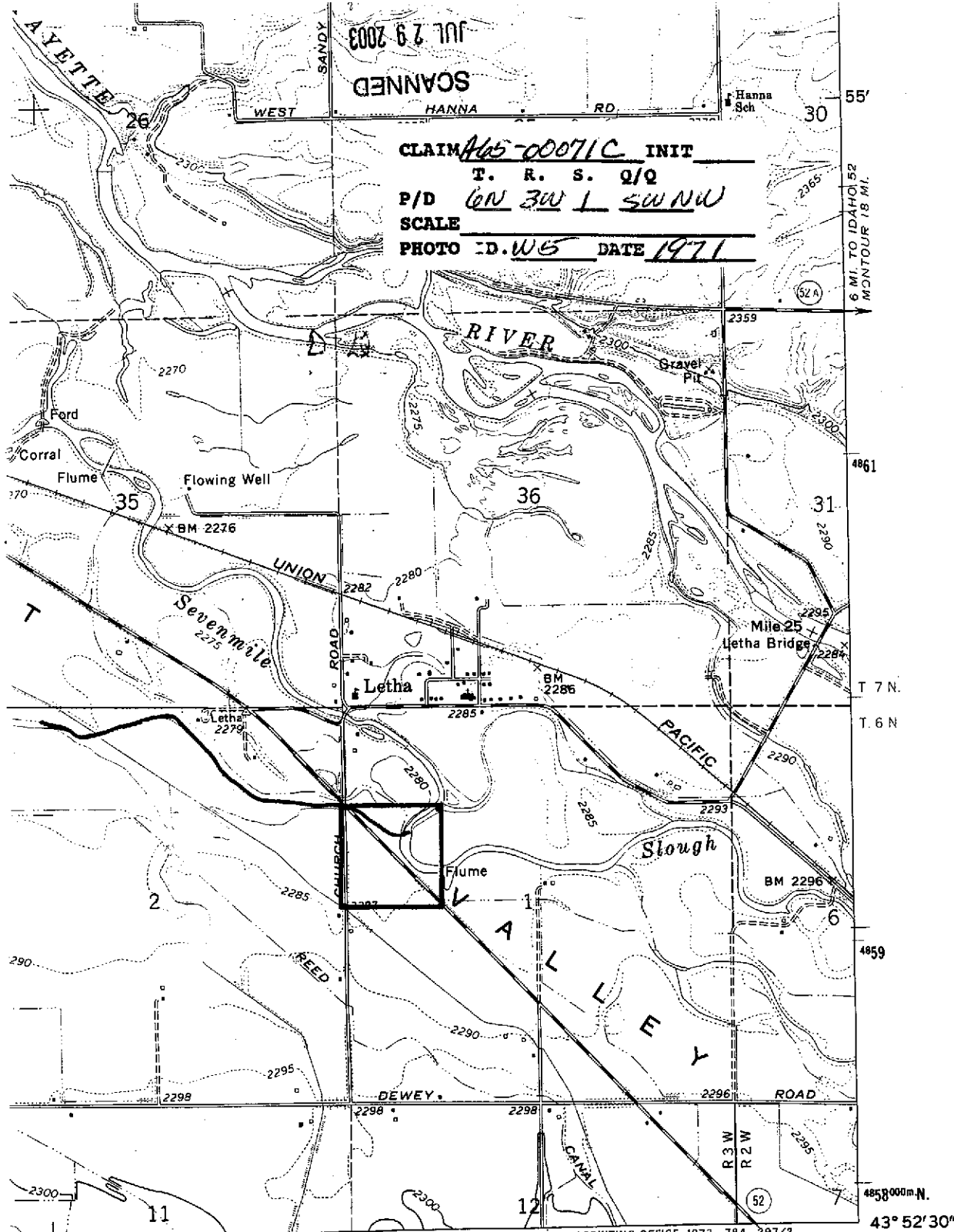
DATE:

4-3-2000

NAME OF FIELD EXAMINER:

TITLE:

SCANNED
JUL 29 2003



SCANNED
JUL 29 2003

CLAIM 445-00071C INIT
T. R. S. Q/Q
P/D Q/N 3W 1 SW NW
SCALE
PHOTO D.W.G DATE 1971

6 MI. TO IDAHO 52
MCNTOUR 18 MI.

1 MILE



QUADRANGLE LOCATION

ROAD CLASSIFICATION

- | | |
|------------------------------------|--|
| Primary highway,
hard surface | Light-duty road, hard or
improved surface |
| Secondary highway,
hard surface | Unimproved road |
| Interstate Route | U. S. Route |
| | State Route |

LETHA, IDAHO
N4352.5-W11637.5/7.5

(SOUTHWEST EMMETT)
2671 1 SE

5

RECEIVED

OCT 3 1979

Filed

Sept. 28, 1979

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

Department of Water Resources

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

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

SCANNED

JUL 29 2003

1 held by Orville Jackson and Floy L. Jackson.

2 DATED This 20th day of September, 1979.

3
4 1st Gilbert C. Norris
5 Gilbert C. Norris
6 District Judge
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.....
Attorney General
State of Idaho
Statehouse, Room 210
Boise, Idaho 83720
Telephone (208) 384-2400

ORDER CORRECTING CLERICAL OVERSIGHTS - 2

SCANNED

JUL 20 2003

INDICATES TOTAL*

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
SOURCE: PAYETTE RIVER								
65-0071C VOL. II P. 248	STEWART DITCH COMPOANY C/O LENARD PLATZ, ROUTE 1, BOX 164, EMMETT, IDAHO 83617 REMARKS: STEWART DITCH CO. WATER RIGHT DELIVERED BY NOBLE CANAL.	12/27/1880	IRRIGATION	3/15 11/15	--- AFA 8.10 CFS	SWNW S 1 T 6N R 3W	NENE(39) SWNE(39) SENE(39) SENW(17) NESE(36) NWSE(24) S19 T 7N R 3W NWSW(37) SWSW(17) S20 T 7N R 3W NESE(12) NWSE(33) SESE(37) <u>SWNE(11)</u> S18 T 7N R 3W *336* *341*	BENEFICIAL USE
SOURCE: SPRING								
65-7118 VOL. II P. 459	TERRACE LAKES RECREATION RANCH, INC. & STATE OF IDAHO DEPARTMENT OF PARKS STATEHOUSE, BOISE, IDAHO 83707 GARDEN VALLEY, IDAHO 83622 REMARKS: PERMIT LAPSED.	1/27/1970	DOMESTIC	1/ 1 12/31	7.80 AFA .13 CFS	TRIBUTARY TO: WARM SPRINGS CREEK NWSW S33 T10N R 4E	NESE NWSE SWSE SESE S33 T10N R 4E SAME AS OTHER USE SAME AS OTHER USE	LICENSE
SOURCE: SPRING								
65-5189 VOL. II P. 422	THOMAS, C. W. & THOMAS, JUDY P. O. BOX 506, EMMETT, IDAHO 83617	12/26/1905	DOMESTIC	1/ 1 12/31	.60 AFA .02 CFS	SWSE S11 T 7N R 1W	SWSE S11 T 7N R 1W SAME AS OTHER USE	BENEFICIAL USE
STOCKWATER								
1/ 1 12/31								
.20 AFA .02 CFS *.80*AFA *.04*CFS								

SCANNED

2003 JUL 29 10:00 AM

Stewart Ditch Co.

Summary of Diversion Rates & Acres

	<u>DR</u>	<u>Ac</u>
A65-00071A	11.66 cfs	* 4 1/6 ac.
-00071B	2.44	* 4 1/6
-00071C	8.10	341
-00071X	<u>37.92</u>	<u>1292</u>
	60.12 cfs	2049.

* same place of use.

Points of Diversion overlaps

6N, 3W, S1, SWNW = A65-00071C, -00080, -00403A, -0040

7N, 3W, S17, NENE L+1 = A65-00071X,

, S21, SWSE = A65-00071A, -00071B, -00081

, S35, SWNW = A65-00071X, -00079

JUL 29 2003

SCANNED

SD-0605-2 Township: 06N Range: 03W Section: 1 Tract: SWNW Lot:
 S L R STATE O S Max # Records 28
 E O D Water Name W T Priority Total
 L Tract T V Right No. Last, First N G Date Source Diversion

 SWNW A65-00403X NOBLE DITCH CO O D 12/02/1881 PAYETTE RIV 49.05
 NOBLE DITCH CO C
 SWNW A65-00403A NOBLE DITCH CO C D 06/01/1893 PAYETTE RIV 156.44
 SWNW R65-00080 LETHA IRRIGATI C J 05/31/1889 PAYETTE RIV 14.54
 SWNW A65-00071C STEWART DITCH O D 12/27/1880 PAYETTE RIV 8.10
 STEWART DITCH O
 STEWART DITCH C
 SWNW A65-00080 LETHA IRRIGATI C J 05/31/1889 PAYETTE RIV 14.54

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 248

INDICATES TOTAL

SOURCE: PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-1131	FAY, J. G. C/O MRS. VIRGINIA FAY PAYNTER, 4303 CASCADE ROAD, EMMETT, IDAHO 83617	10/ 5/1875	IRRIGATION	3/15 11/15	--- AFA 1.60 CFS	LOT 3 S 7 T 6N R 1W	SWSE(39) SESE(25) LOT 8(4) LOT 7(12) S11 T 6N R 2W *80*	BENEFICIAL USE
65-5558	SMITH, JOHNSON E. & SMITH, LORETTA G. ROUTE 1, BOX 278-A, EMMETT, IDAHO 83617	10/ 5/1875	IRRIGATION	3/15 11/15	--- AFA .10 CFS	LOT 3 S 7 T 6N R 1W	SESE(3) LOT 8(2) S11 T 6N R 2W *5*	BENEFICIAL USE
65-1148	STEINERBACH, ROBERT F. 1077 AIRPORT ROAD, EMMETT, IDAHO 83617	10/ 5/1875	IRRIGATION	3/15 11/15	--- AFA .16 CFS	LOT 3 S 7 T 6N R 1W	SESE(8) S11 T 6N R 2W *8*	BENEFICIAL USE
65-0071A	STEWART DITCH COMPANY C/O LENARD PLATZ, ROUTE 1, BOX 164, EMMETT, IDAHO 83617 REMARKS: STEWART WATER DELIVERED BY RASMUSSEN DITCH.	12/27/1880	IRRIGATION	3/15 11/15	--- AFA 7.76 CFS	SESE S21 T 7N R 3W	NWNH(10) SWNW(34) NWSH(32) S17 T 7N R 3W SESH(31) LCT 6(24) LCT 7(25) LCT 8(22) LCT 9(29) LCT10(21) S 7 T 7N R 3W NENE(37) NWNE(38) SENE(31) NENH(31) NESE(3) SWNE(31) LOT 1(28) S18 T 7N R 3W *427*	BENEFICIAL USE
65-0071C	STEWART DITCH COMPANY C/O LENARD PLATZ, ROUTE 1, BOX 164, EMMETT, IDAHO 83617 REMARKS: STEWART DITCH CO. WATER RIGHT DELIVERED BY NOBLE CANAL.	12/27/1880	IRRIGATION	3/15 11/15	--- AFA 8.10 CFS	SWNW S 1 T 6N R 3W	NESE(12) NWSE(33) SESE(37) <i>SWNE-11</i> S18 T 7N R 3W NENE(39) SWNE(39) SENE(39) SENH(17) NESE(36) NWSE(24) S19 T 7N R 3W NNSH(37) SWSH(17) S20 T 7N R 3W *33C*	BENEFICIAL USE *

per Order correcting error

SCANNED

JUL 29 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

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

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

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

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

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

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

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

Sincerely,

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

INDICATES TOTAL*

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-0071C VOL. II P. 248	STEWART DITCH COMPOANY C/O LENARD PLATZ, ROUTE 1, BOX 164, EMMETT, IDAHO 83617 REMARKS: STEWART DITCH CO. WATER RIGHT DELIVERED BY NOBLE CANAL.	12/27/1880	SOURCE: PAYETTE RIVER IRRIGATION	3/15 11/15	--- AFA 8.10 CFS	SWNW S 1 T 6N R 3W	NENE(39) SWNE(39) SENE(39) SENW(17) NESE(36) NWSE(24) S19 T 7N R 3W NWSW(37) SWSW(17) S20 T 7N R 3W NESE(12) NWSE(33) SESE(37) SWNE(11) S18 T 7N R 3W *330* *341*	BENEFICIAL USE
65-7118 VOL. II P. 459	TERRACE LAKES RECREATION RANCH, INC. & STATE OF IDAHO DEPARTMENT OF PARKS STATEHOUSE, BOISE, IDAHO 83707 GARDEN VALLEY, IDAHO 83622 REMARKS: PERMIT LAPSED.	1/27/1970	SOURCE: SPRING DOMESTIC	1/ 1 12/31	7.80 AFA .13 CFS	TRIBUTARY TO: NWSW S33 T10N R 4E	WARM SPRINGS CREEK NESE NWSE SWSE SESE S33 T10N R 4E SAME AS OTHER USE	LICENSE
			RECREATION	1/ 1 12/31	--- AFA .29 CFS			
			HEATING	1/ 1 12/31	--- AFA .29 CFS *---*AFA *.29* CFS		SAME AS OTHER USE	
65-5189 VOL. II P. 422	THOMAS, C. W. & THOMAS, JUDY P. O. BOX 506, EMMETT, IDAHO 83617	12/26/1905	SOURCE: SPRING DOMESTIC	1/ 1 12/31	.60 AFA .02 CFS	TRIBUTARY TO: SWSE S11 T 7N R 1W	SAND HOLLOW CREEK <u>SPRING CREEK</u> SWSE S11 T 7N R 1W SAME AS OTHER USE	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	.20 AFA .02 CFS *.80*AFA *.04*CFS			

Noble
10
4903
15644
20542

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 DETER-
MINATION OF RIGHTS TO THE USE OF
Payette River
DRAINAGE BASIN.

NOTICE OF CLAIM
TO A
WATER RIGHT

65-0071 C	
I.D. No.	Map No.
\$	
Fee Paid	Receipt No.

Notice is hereby given that Stewart Ditch Company
(Name of Claimant)
c/o Lenard Platz, Route 1, Box 164, Emmett, ID 83617 Telephone No. _____
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:
(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 12/27/1880

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Payette River
tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 8.10 Use Irrigation Period of Use From 4/15 To 11/15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 8.10 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SW 1/4 NW 1/4
Sec. 1, Twp. 6N, Rge. 3W, B.M., GEM County

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. Describe any changes in the system and give the date of the change.
Noble Canal See 65-0403X for loss calculation.

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

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	3W	18													12	33		37	82
		19	39		39	39				17					36	24			194
		20									37	17							54

Total no. of acres 330

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

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

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks (Stewart Ditch Co. water right delivered by Noble canal.) This right was originally included as a portion of 65-0071. No signature necessary DVS 1/31/79

(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____

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

State of _____ Organization _____

County of _____ Seal _____

(Signature of Spouse)

(Signature of Authorized Agent)

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.

My commission expires _____ Notary Public residing at _____

July 22, 1991

Donald V. Shaff
Manager, Adjudication Section
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Re: Stewart Ditch 65-00071C 8.10 c.f.s.

Dear Mr. Shaff,

Upon reviewing the proposed finding flow rate of 8.10 c.f.s. listed for this water right, Letha Irrigation and Water Co. Inc. agrees with the proposed finding.

Sincerely,
Board of Directors
Letha Irrigation and Water Co. Inc.

Robert Foust
Robert Foust, President
5307 Freemont
New Plymouth, Idaho 83655

Wayne Conger
Wayne Conger, Director
4965 Freemont
New Plymouth, Idaho 83655

Marcia H. Herr
Marcia Herr, Director
400 Coston St.
Boise, Idaho 83712

Howard Platz
Howard Platz, Director
6550 Dallas Rd.
New Plymouth, Idaho 83655

John Bonfiglio
John Bonfiglio, Director
4800 Freemont
New Plymouth, Idaho 83655

Virginia Foust
Virginia Foust, Secretary
5307 Freemont
New Plymouth, Idaho 83655



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

*This has been decreed
in 1986 - 34 cfs + 50 to protect*

May 15, 1991

Stewart Ditch Company
c/o Nelda Platz
6550 Dallas Road
Emmett, ID 83617

RECEIVED
JUL 25 1991

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Department of Water Resources

Re: Civil Case No. 3667
Frasier, et al Objection 65-00071C

Dear Payette River Water User,

In July 1982, Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown on behalf of themselves and others in the same class filed an Objection to the Proposed Findings with the Third Judicial District Court in the Payette River Basin Adjudication. The parties maintained the diversion rate recommended for their water rights and others from the Payette River were not correct for the "bottom lands" irrigated by those water rights.

This group of water rights are among the last water rights remaining for decree in the Payette River Basin Adjudication, most of which were decreed on January 21, 1986. The water rights decreed in the Payette adjudication will be incorporated into the eventual decree in the larger Snake River Basin Adjudication (SRBA) now proceeding in the Fifth Judicial District, provided new claims have been filed in the SRBA. Otherwise the achievement of a decree in the Payette adjudication could be voided.

Your water right referenced above was listed in the Proposed Finding with a diversion rate of 8.10 cubic feet per second (cfs). You will find enclosed a two-page form that when completed by you will describe your water delivery system and irrigation methods. The information you supply is essential in order for the staff of the Department to evaluate your irrigation water requirements. Much of the information required is technical, and you may wish to contact the Soil Conservation Service or other professionals for assistance with the form.

To expedite the process to resolve the Frasier objection, please return the enclosed form within 45 days. Without the completed form, the Department will assume you agree with the water right described in the Proposed Finding with the diversion rate shown above.

Please contact me if you have questions about the matters set out above. Thank you for your patience in this process.

Regards,

Donald V. Shaff
Manager, Adjudication Section



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

May 15, 1991

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R. KEITH HIGGINSON
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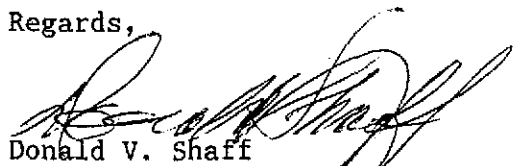
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Regards,



Donald V. Shaff
Manager, Adjudication Section

01 WATER RIGHT NUMBER - 65-0071C 02 OLD (D) NUMBER -

03001 - STEWART DITCH COMPANY 04001 - FIRST NAME ORIG. OWNER 05001 - C

06 ADD LINE 1 - C/O LENARD PLATZ 07 ADD LINE 2 - 1215 LITTLE ROCK RD.

08 ADD LINE 3 - 09 CITY - EMMETT 10 STATE - ID 11 ZIP - 83617

12 STAGE - D DECREE 13 STATUS -

14001 - SOURCE PAYETTE RIVER 15001 - TRIBUTARY OF SNAKE RIVER

16 DIVERSION MEANS - 17 COUNTY - 45 GEM

18 DIVERSION CAPACITY - 1.000 19 TOTAL DIVERSION RATE - 8.100 20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT - 65

----- DIVERSION POINTS -----

TRACT	SEC	TWN	RNG	LOT	RFLG	STREAM	INDEX	FIELDS
22001 - SWNW	23001 - 01	24001 - 06N	25001 - 03W	26001 - 27001 -				
			28001 - 0	0.0	0.0	0.0	0.0	0.0

29 NON-IRRIGATION USE -

----- PLACE OF USE -----

USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT
30001 - 01 IRRIGATION	31001 - 07N	32001 - 03W	33001 - 18	34001 - NESE	35001 - 12	36001 -
30002 - 01 IRRIGATION	31002 - 07N	32002 - 03W	33002 - 18	34002 - NWSE	35002 - 33	36002 -
30003 - 01 IRRIGATION	31003 - 07N	32003 - 03W	33003 - 18	34003 - SESE	35003 - 37	36003 -
30004 - 01 IRRIGATION	31004 - 07N	32004 - 03W	33004 - 18	34004 - SWNE	35004 - 11	36004 -
30005 - 01 IRRIGATION	31005 - 07N	32005 - 03W	33005 - 19	34005 - NENE	35005 - 39	36005 -
30006 - 01 IRRIGATION	31006 - 07N	32006 - 03W	33006 - 19	34006 - SWNE	35006 - 39	36006 -
30007 - 01 IRRIGATION	31007 - 07N	32007 - 03W	33007 - 19	34007 - SENE	35007 - 39	36007 -
30008 - 01 IRRIGATION	31008 - 07N	32008 - 03W	33008 - 19	34008 - SENW	35008 - 17	36008 -
30009 - 01 IRRIGATION	31009 - 07N	32009 - 03W	33009 - 19	34009 - NESE	35009 - 36	36009 -
30010 - 01 IRRIGATION	31010 - 07N	32010 - 03W	33010 - 19	34010 - NWSE	35010 - 24	36010 -
30011 - 01 IRRIGATION	31011 - 07N	32011 - 03W	33011 - 20	34011 - NWSW	35011 - 37	36011 -
30012 - 01 IRRIGATION	31012 - 07N	32012 - 03W	33012 - 20	34012 - SWSW	35012 - 17	36012 -

TOTAL ACRES: 341

----- WATER USE -----

PERIOD FROM	PERIOD TO	USE CODE / USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0315	38001 - 1115	39001 - 01 IRRIGATION	40001 - 8.100	41001 - 0.00

42 DECREE PLAINTIFF NAME - STATE OF IDAHO 43 DECREE DEFENDANT NAME - A & C CORP., ET AL.

REMARKS
44001 - STEWART DITCH CO. WATER RIGHT DELIVERED BY NOBLE CANAL.

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

D A T E S		D A T E S		F L A G S	
47	PRIORITY - 27-DEC-1980	55	LICENSE -	63	TRANSFER/AMENDED -
48	PROOF DUE -	56	APPL RECEIVED -	64	DLE/CAREY ACT -
49	PROOF MADE -	57	FIELD EXAM MADE -	65	FLAG_1 -
50	APPROVE/DENIED -	58	DECREE - 21-JAN-1986	66	FLAG_2 -
51	PROTESTED -	59	START WORK -	67	FLAG_3 -
52	HEARING -	60	ORDER SHOW CAUSE -		
53	VERIFIED -	61	DATE_1 -		
54	LAST UPDATE - 13-AUG-1986	62	DATE_2 -		

98/82/8
Verified

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

IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS TO THE USE OF _____

NOTICE OF CLAIM TO A WATER RIGHT

<u>65-0071C</u>	
I.D. No.	Map No.
\$	
Fee Paid	Receipt No.

Notice is hereby given that Stewart Ditch Co. (Name of Claimant)
% Lenard Platz, Rt. 1, Box 164, Emmett, ID 83617 (Mailing Address) Telephone No. _____
(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 12/27/1880
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Payette River tributary to _____
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 7.40 Use Irrigation Period of Use From 4/15 To 11/15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity 810 Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity 1605 Use _____ Period of Use From _____ To _____
1666 AFA (CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
- (4) 204 810 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SW $\frac{1}{4}$ NW $\frac{1}{4}$
Sec. 1, Twp. 6N, Rge. 3W, B.M., _____ County
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. Describe any changes in the system and give the date of the change.
Noble Canal See 65-0403X For loss calculation.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location. 22%

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>7N</u>	<u>3W</u>	<u>18</u>				<u>11</u>			<u>40</u>	<u>36</u>	<u>38</u>	<u>38</u>			<u>12</u>	<u>33</u>		<u>37</u>	<u>93</u>
		<u>19</u>	<u>39</u>		<u>39</u>	<u>39</u>				<u>17</u>					<u>36</u>	<u>24</u>			<u>155</u>
		<u>20</u>			<u>11</u>							<u>37</u>	<u>17</u>						<u>54</u>

Total no. of acres 302
291 330
341

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

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

- (7) If you are claiming water as a member of an organization, list name of organization: _____
- (8) Remarks (Stewart Ditch Co. water right delivered by Noble Canal.)
- (9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give 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) _____
State of _____ Organization _____
County of _____ Seal _____
(Signature of Claimant)
(Signature of Spouse)
(Signature of Authorized Agent)

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.

My commission expires _____ Notary Public residing at 5/5/3/79

KEYPUNCHED
11-29-78 CIA