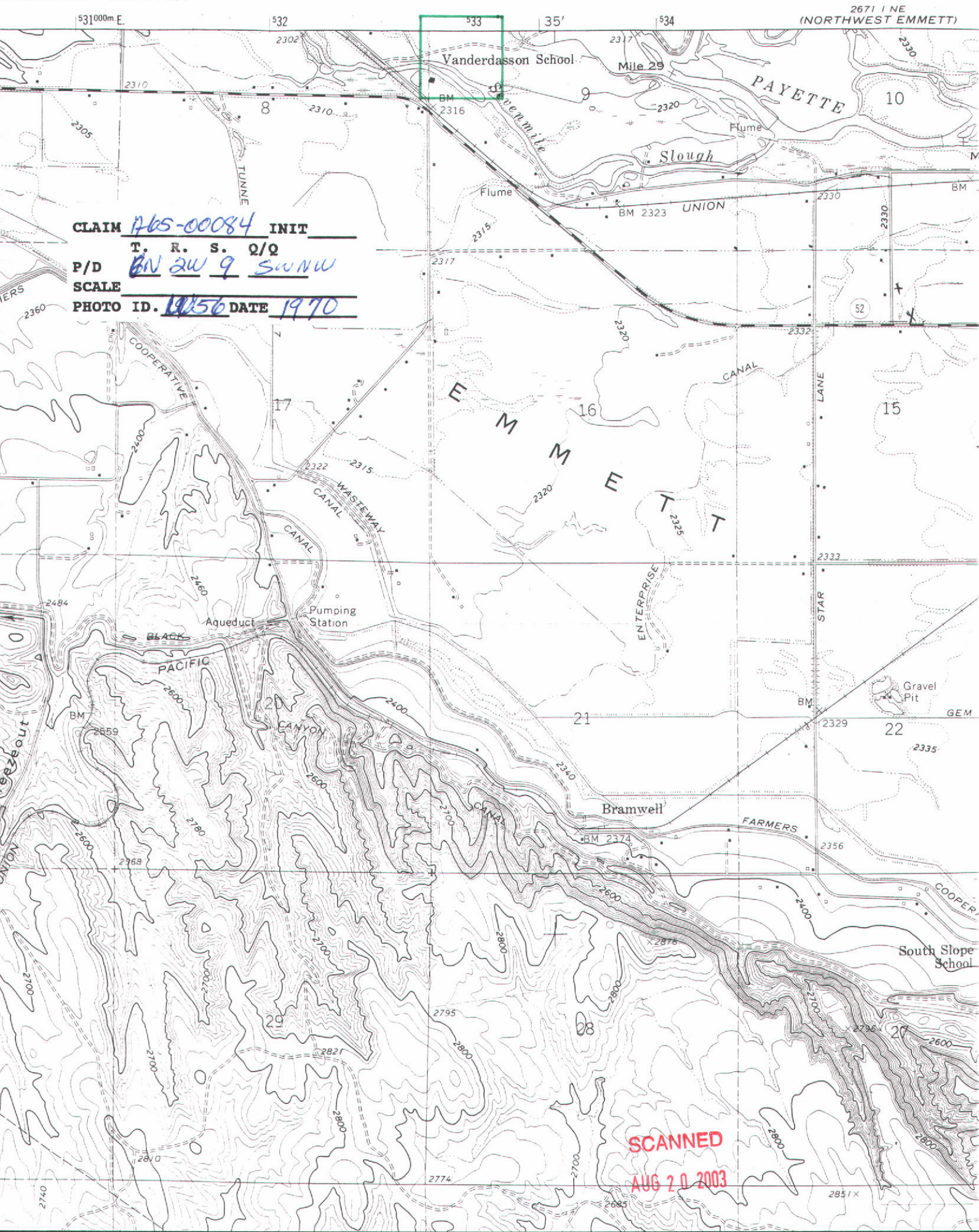


4a



LARRY ECHOHAWK
Attorney General

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

RECEIVED

FEB 10 1993

Department of Water Resources

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

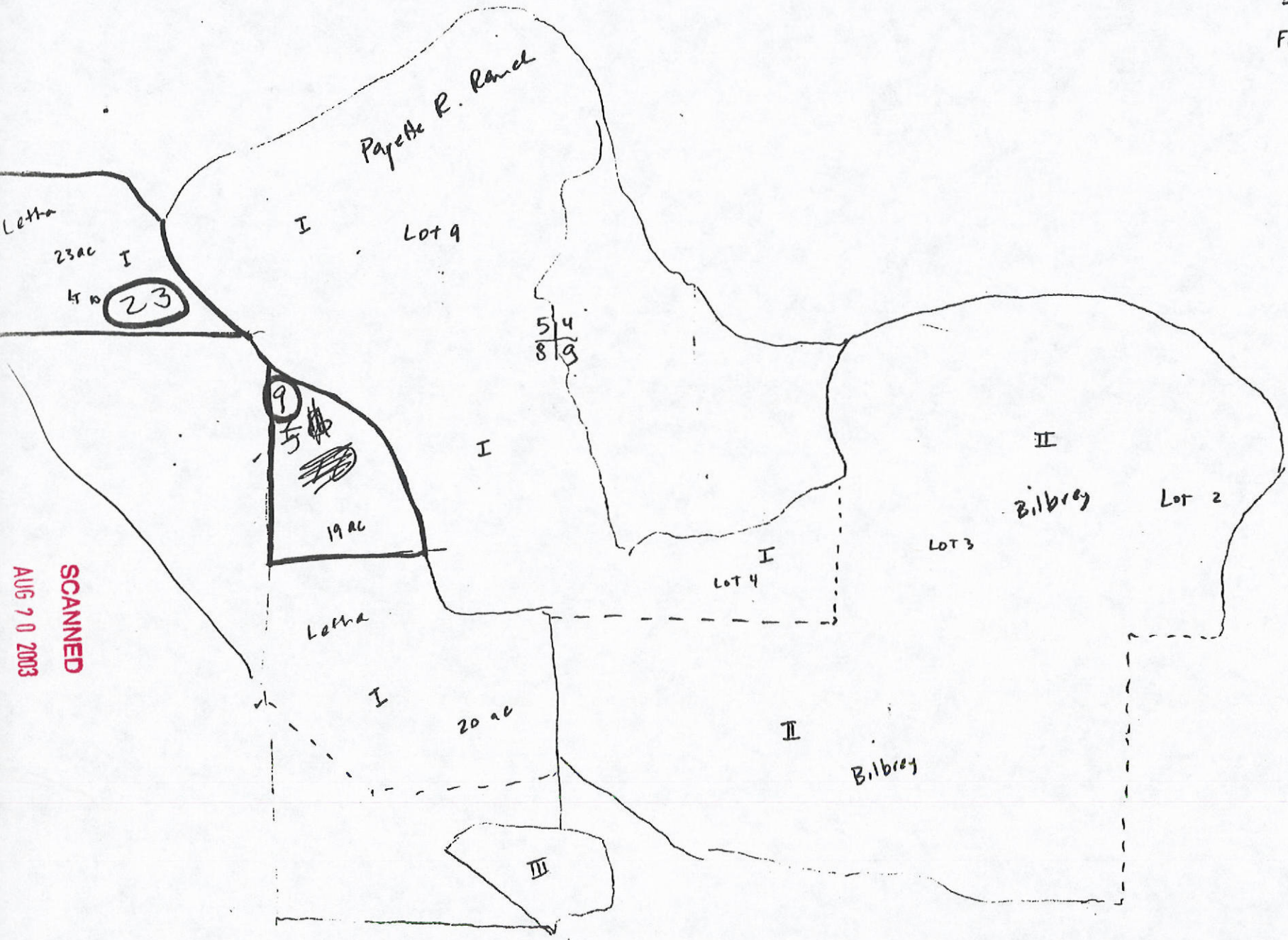
IN THE MATTER OF THE GENERAL	)	
DETERMINATION OF THE RIGHT	)	CIVIL NO. 3667
TO THE USE OF SURFACE AND	)	
GROUNDWATERS OF THE PAYETTE	)	STIPULATION RESOLVING
RIVER DRAINAGE BASIN	)	OBJECTIONS TO WATER
	)	RIGHT NOS. 65-00078,
	)	65-00079, 65-00084,
	)	65-00085, 65-00080,
	)	65-00081, 65-00082,
	)	65-00076, 65-02030,
	)	65-10337, 65-00077

The Director of the Idaho Department of Water Resources, R. Keith Higginson, by and through counsel, and Letha Irrigation & Water Co. Inc. stipulate as follows:

1. That water right claim Nos. 65-00078, 65-00079, 65-00085, 65-00080, 65-00084, 65-00081, 65-00082, 65-00076, 65-02030, 65-10337, 65-00077, be accepted and included in the Proposed Finding of Water Rights in the Payette River Drainage as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

2. That Letha Irrigation & Water Co. Inc. withdraw all pending objections, including those based on the objection filed by Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown in July 1982, in the above captioned matter.

Poyette River Ranch Transfer.



SCANNED
AUG 7 0 2003

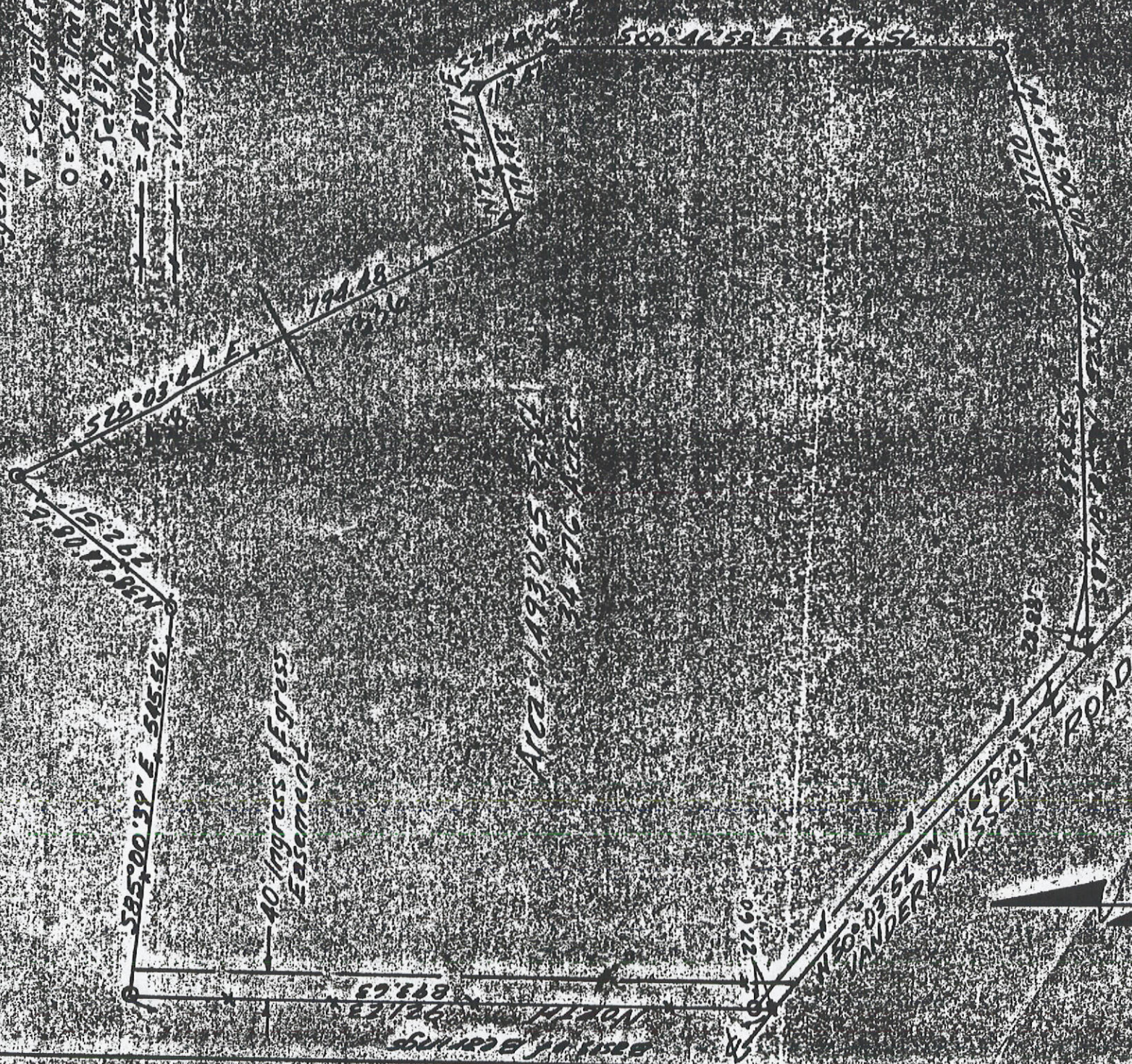
Payette River Ranch.
Transfer.

MAP TO ACCOMPANY LEGAL DESCRIPTION

Survey of a portion of the Don and Vern Heckman ranch, Gem County, Idaho July 1, 1978

Legend:

- ▽ = Set nail in
- = Set 1/2" Iron Pipe
- = Set 3/4" Iron Pipe
- = A Wire Fence
- = Wood Fence



SCANNED

AUG 20 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: A65-00084
Date Received: 2/ 9/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LETHA IRRIGATION & WATER CO INC 208-343-9438
Address: 400 COSTON STREET
BOISE ID 83712

2. Date of Priority: AUG 21, 1886

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	02W	9		SW	NW		GEM

5. Description of diverting works:
HEADGATE & DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	11.810		

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

8. Total consumptive use is 1074.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	02W	5	NW	SW	12	IRR	34.0
			SW	SW		IRR	21.0
			SE	SW	11	IRR	41.0
			SW	SE	10	IRR	23.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	119.0
		6	NE	SE	8 IRR	32.0
			NW	SE	IRR	34.0
			SW	SE	IRR	14.0
			SE	SE	IRR	10.0
					Section Acres	90.0
		8	NE	NE	IRR	19.0
			NW	NE	IRR	30.0
			SW	NE	IRR	2.0
			SE	NE	IRR	20.0
			NE	NW	IRR	24.0
			NW	NW	IRR	3.0
					Section Acres	98.0
					Total Acres	307.0

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:

CLAIM AMENDED PER STIPULATION FROM PRBA. JS 2-21-96.

WATER IS DELIVERED THROUGH KATY KESGARD DITCH.

A DIVERSION RATE OF .034 CFS PER ACRE FOR 277 ACRES AND .029 CFS FOR 30 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.

1.52 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ 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 _____ 20 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

02/02/2001

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

RIGHT NUMBER: 65-84

NAME AND ADDRESS: LETHA IRRIGATION & WATER CO INC
400 COSTON STREET
BOISE, ID 83712

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 11.81 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 109.38 CFS. COMBINED RIGHT
NOS.: 65-00077, 65-00076, 65-00079, 65-00078, 65-00080, 65-
00082, 65-00081, 65-00085, 65-02030 & 65-10337

A DIVERSION RATE OF .034 CFS PER ACRE FOR 277 ACRES, .029
CFS PER ACRE FOR 30 ACRES AT THE FIELD HEADGATE IS INCLUDED
IN THE RATE OF DIVERSION FOR THIS RIGHT

PRIORITY DATE: 08/21/1886

POINT OF DIVERSION: T06N R02W S9 SWNW Within GEM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	3-15 11-15	11.81 CFS

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 307 ACRES WITHIN
THE PLACE OF USE BOUNDARY DESCRIBED FOR THE LETHA IRRIGATION
AND WATER CO

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 - Beneficial Use

AJ0749NP
No. R65-00084

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

DATE: 04/21/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LETHA IRRIGATION & WATER CO INC 400 COSTON STREET BOISE ID 83712 (208) 343-9438	08/21/1886	IRRIGATION	03-15 11-15	11.810 CFS	
TOTAL DIVERSION:					11.810 CFS	

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T06N R02W S09 SWNW

GEM County

POU County:

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 109.38 CFS. COMBINED RIGHT NOS.:
65-00077, 65-00076, 65-00079, 65-00078, 65-00080, 65-00082,
65-00081, 65-00085, 65-02030 & 65-10337.
A DIVERSION RATE OF .034 CFS PER ACRE FOR 277 ACRES, .029 CFS
PER ACRE FOR 30 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE
RATE OF DIVERSION FOR THIS RIGHT.

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 307 ACRES WITHIN
THE PLACE OF USE BOUNDARY DESCRIBED FOR THE LETHA IRRIGATION AND
WATER CO.

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

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

Comments: Date: 04/21/2000 User-ID: MSCHULTE Subject: COPIED FROM REMARKS
WATER IS DELIVERED THROUGH KATY KESGARD DITCH.
1.52 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT.

Audit: 04/21/00 MSCHULTE

SCANNED
AUG 20 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:07:06
04/21/00
18

PAGE: 18
PROFILE REPORT

CLAIM NUMBER: A65-00084

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LETHA IRRIGATION & WATER CO INC	08/21/1886	IRRIGATION	03-15 11-15	11.810 CFS	
TOTAL DIVERSION: ~~CONSUMPTIVE USE:~~					11.810 CFS	~~1074.50 AFA~~

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T06N R02W S09 SNNW

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
06N	02W	5	:											12-34	21	11-41					119.0
06N	02W	6	:														08-32	34	14	10	90.0
06N	02W	8	:	19		30		02		20		24		03							98.0
TOTAL ACRES																				307.0	

POU County: GEM

Remarks: GEN CLAIM AMENDED PER STIPULATION FROM PRBA. JS 2-21-96.
WATER IS DELIVERED THROUGH KATY KESGARD DITCH.
A DIVERSION RATE OF .034 CFS PER ACRE FOR 277 ACRES AND .029
CFS FOR 30 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF
DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.
1.52 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT.

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

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

QNT
Pou

SCANNED
AUG 20 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:05:36
04/21/00

PAGE: 17
QUICKLOOK INFORMATION

17
CLAIM NUMBER: A65-00084

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	Y		MS 4-21-00 In office	N		MS 4-21-00	MS 4-21-00	
POINT OF DIV				N				
SOURCE	Y			N				
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME	Y			N				
CONSUMPTIVE USE	-			X				
PURPOSES OF USE				N				
PERIOD OF USE				N				
BASIS OF CLAIM	Y			N				
REMARKS	Y			Y				

BARCODE UPDATED
WHOM/DATE

SCANNED
AUG 20 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>1970</u> IDWR ID NO. <u>W56</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>Stipulation</u>	DATE <u>1993</u>	Y(☒) N()
() OTHER _____	DATE _____	Y() 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 _____	_____	_____

SCANNED
AUG 20 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:05:36
04/21/00

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-00084

LAST: LETHA IRRIGATION & WATER CO INC
ADDRESS: 400 COSTON STREET
CITY: BOISE
PHONE NUMBER: 208-343-9438
STATE: ID ZIP: 83712

FIRST:

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN CLAIM AMENDED PER STIPULATION FROM PRBA. JS 2-21-96.
WATER IS DELIVERED THROUGH KATY KESGARD DITCH.
A DIVERSION RATE OF .034 CFS PER ACRE FOR 277 ACRES AND .029
CFS FOR 30 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF
DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.
1.52 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT.

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

Marcia Herr

PHONE NUMBER: () -

DATE OF FIELD EXAM: / /

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY:

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT:

President

DIRECTIONS TO PROPERTY / NOTES:

*As office review 4-21-2000. This recommendation is
based on the stipulation entered in the PRBA. See
the loose leaf map that describes the Letha Irr.
Co. boundary.*

SCANNED
AUG 20 2003

A. AJ CLAIM: # A65-00084 PRIORITY DATE: 08-21-1886 STAGE: J

B. WR RECORD: # 65-00084 PRIORITY DATE: 08-21-1886 STAGE: J

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 stipulated in the PRBA.

RECOMMENDED PRIORITY DATE:

8-21-1886
REVIEWED BY Mel Schulte

DATE 4-21-2000

SCANNED
AUG 20 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
A65-00084	06N	02W	9		SW	NW			GEM		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

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
65-00084	06N	02W	9		SW	NW			GEM		

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

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() 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()

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)

SCANNED
AUG 20 2003

NOTES: Recommended as stipulated in the PRBA.

=====										
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	02W	9		SW	NW			GEM		
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SOURCE: Bayette R. TRIB: Snake R.

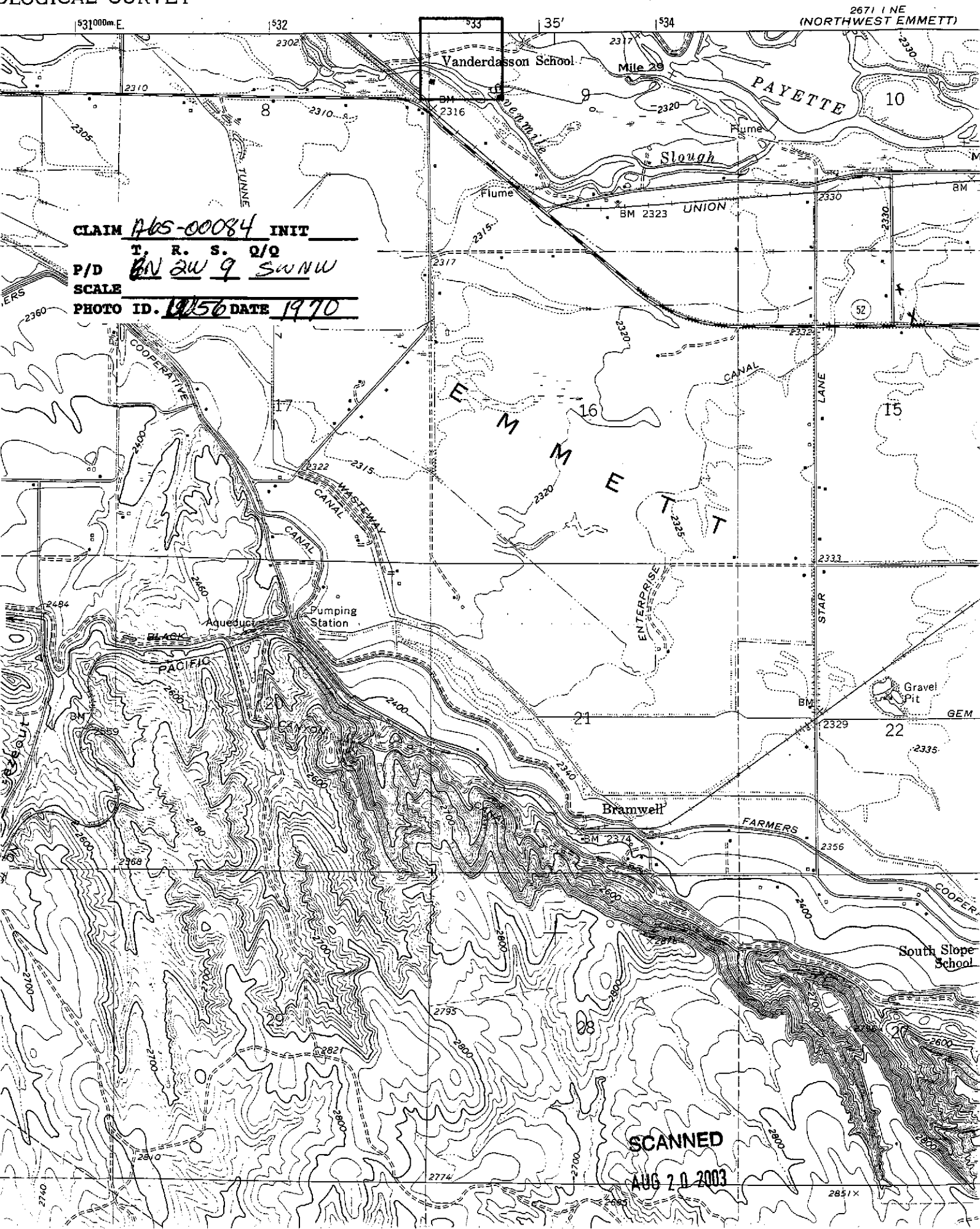
REVIEWED BY: McSchulte DATE: 4-21-00

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()
Delivered through the Katy Nesgaard ditch

SCANNED
AUG 20 2003

UNITED STATES
DEPARTMENT OF THE INTERIOR,
BIOLOGICAL SURVEY

4a



A. ROOT WATER RIGHT NUMBERS: A65-00084
R65-00084

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
06N	02W	5	NW	SW	12	LETHA IRRIGATION & WATER CO	INA65-00084 / 34.0	65-00084 / 34.0	31.0		
			NW	SW		PAYETTE RIVER RANCH	65-01786 /	65-01786 /			
			NW	SW		PAYETTE RIVER RANCH	A65-01786 /	- /			
			NW	SW	12	LETHA IRRIGATION & WATER CO	INR65-00084 / 34.0	- /			
06N	02W	5	SW	SW		LETHA IRRIGATION & WATER CO	INA65-00084 / 21.0	65-00084 / 21.0	37.0		
			SW	SW		LETHA IRRIGATION & WATER CO	INR65-00084 / 21.0	- /			
			SW	SW		ARBAUGH, WILLIAM E	65-21746 /	- /			
			SW	SW		ARBAUGH, WILLIAM E	A65-21746 /	- /			
			SW	SW		PAYETTE RIVER RANCH	65-01786 /	65-01786 /			
			SW	SW		PAYETTE RIVER RANCH	A65-01786 /	- /			
06N	02W	5	SE	SW	11	LETHA IRRIGATION & WATER CO	INA65-00084 / 41.0	65-00084 / 41.0	47.0		
			SE	SW	11	LETHA IRRIGATION & WATER CO	INR65-00084 / 41.0	- /			
06N	02W	5	SW	SE	10	LETHA IRRIGATION & WATER CO	INA65-00084 / 23.0	65-00084 / 23.0	25.0		
			SW	SE		FISCHER, SHIRLEY	A65-18318 /	- /			
			SW	SE		FISCHER, SHIRLEY	65-18318 /	- /			
			SW	SE	10	PAYETTE RIVER RANCH	A65-10723 / 8.0	65-10723 / 8.0			
			SW	SE	10	LETHA IRRIGATION & WATER CO	INR65-00084 / 23.0	- /			
06N	02W	6	NE	SE	8	LETHA IRRIGATION & WATER CO	INA65-00084 / 32.0	65-00084 / 32.0	39.0		
			NE	SE	8	LETHA IRRIGATION & WATER CO	INR65-00084 / 32.0	- /			
06N	02W	6	NW	SE		LETHA IRRIGATION & WATER CO	INA65-00084 / 34.0	65-00084 / 34.0	39.0		
			NW	SE		LETHA IRRIGATION & WATER CO	INR65-00084 / 34.0	- /			
06N	02W	6	SW	SE		LETHA IRRIGATION & WATER CO	INA65-00084 / 14.0	65-00084 / 14.0	37.0		
			SW	SE		CORR, HAROLD V	65-05325 /	65-05325 /			
			SW	SE		CORR, HAROLD V	A65-05325 /	- /			
			SW	SE		LETHA IRRIGATION & WATER CO	INR65-00084 / 14.0	- /			
			SW	SE		LETHA IRRIGATION & WATER CO	INR65-00085 / 13.0	65-00085 / 13.0			
			SW	SE		LETHA IRRIGATION & WATER CO	INA65-00085 / 13.0	- /			
06N	02W	6	SE	SE		LETHA IRRIGATION & WATER CO	INA65-00084 / 10.0	65-00084 / 10.0	38.0		
			SE	SE		LETHA IRRIGATION & WATER CO	INR65-00084 / 10.0	- /			
			SE	SE		LETHA IRRIGATION & WATER CO	INR65-00085 / 12.0	65-00085 / 12.0			
			SE	SE		LETHA IRRIGATION & WATER CO	INA65-00085 / 12.0	- /			
			SE	SE		FISHER, GALE		65-05270 /			
06N	02W	8	NE	NE		LETHA IRRIGATION & WATER CO	INA65-00084 / 19.0	65-00084 / 19.0	40.0		
			NE	NE		PAYETTE RIVER RANCH	A65-10723 / 21.0	65-10723 / 21.0			

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AUG 20 2003

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NE	NE		LETHA IRRIGATION & WATER CO	INR65-00084 / 19.0	- /			
			NE	NE		HECKMAN, DON		65-03692 /			
06N	02W	8	NW	NE		LETHA IRRIGATION & WATER CO	INA65-00084 / 30.0	65-00084 / 30.0	39.0		
			NW	NE		LETHA IRRIGATION & WATER CO	INR65-00084 / 30.0	- /			
06N	02W	8	SW	NE		LETHA IRRIGATION & WATER CO	INA65-00084 / 2.0	65-00084 / 2.0	33.0		
			SW	NE		GRANT, DARREL	65-05082 /	65-05082 /			
			SW	NE		BOREN, RONALD KENT	A65-03614 /	65-03614 /			
			SW	NE		GRANT, DARREL	A65-05082 /	- /			
			SW	NE		JERMANN, LILLIAN I	A65-03741 /	65-03741 /			
			SW	NE		BILBREY DITCH CO LTD	A65-00034A / 15.0	- /			
			SW	NE		BILBREY DITCH CO LTD	A65-00034X / 15.0	65-00034X / 15.0			
			SW	NE		BILBREY DITCH CO LTD	R65-00034A / 15.0	- /			
			SW	NE		BILBREY DITCH CO LTD	R65-00034X / 15.0	- /			
			SW	NE		LETHA IRRIGATION & WATER CO	INR65-00084 / 2.0	- /			
			SW	NE		JERMANN, ORLENE M	65-21657 /	- /			
			SW	NE		JERMANN, ORLENE M	A65-21657 /	- /			
			SW	NE		BOREN, VICKY LYNN	65-03614 /	- /			
			SW	NE		BURNS, ROBERT B	65-03741 /	- /			
			SW	NE		BILBREY DITCH CO. LTD.		65-13205 / 23.0			
06N	02W	8	SE	NE		LETHA IRRIGATION & WATER CO	INA65-00084 / 20.0	65-00084 / 20.0	36.0		
			SE	NE		PAYETTE RIVER RANCH	A65-10723 / 2.0	65-10723 / 2.0			
			SE	NE		HECKMAN, DON	A65-03690 /	65-03690 /			
			SE	NE		BILBREY DITCH CO LTD	A65-00034A / 3.0	- /			
			SE	NE		BILBREY DITCH CO LTD	R65-00034A / 3.0	- /			
			SE	NE		BILBREY DITCH CO LTD	R65-00034X / 3.0	65-00034X / 3.0			
			SE	NE		LETHA IRRIGATION & WATER CO	INR65-00084 / 20.0	- /			
			SE	NE		HECKMAN, DON	65-03690 /	- /			
			SE	NE		HECKMAN, DON	A65-03691 /	65-03691 /			
			SE	NE		HECKMAN, DON	R65-03691 /	- /			
			SE	NE		BILBREY DITCH CO LTD	A65-00034X / 3.0	- /			
			SE	NE		GABIOLA, KAY		65-12061 / 0.5			
06N	02W	8	NE	NW		LETHA IRRIGATION & WATER CO	INA65-00084 / 24.0	65-00084 / 24.0	38.0		
			NE	NW		UPSON, ROBERT W	65-05362 /	65-05362 /			
			NE	NW		UPSON, ROBERT W	A65-05362 /	- /			
			NE	NW		LETHA IRRIGATION & WATER CO	INR65-00084 / 24.0	- /			
06N	02W	8	NW	NW		LETHA IRRIGATION & WATER CO	INA65-00084 / 3.0	65-00084 / 3.0	31.0		
			NW	NW		TOUCHSTONE, SHARON R	A65-18386 /	- /			
			NW	NW		TOUCHSTONE, SHARON R	65-18386 /	- /			
			NW	NW		LETHA IRRIGATION & WATER CO	INR65-00084 / 3.0	- /			
			NW	NW		LETHA IRRIGATION & WATER CO	INR65-00085 / 15.0	65-00085 / 15.0			
			NW	NW		LETHA IRRIGATION & WATER CO	INA65-00085 / 15.0	- /			
			NW	NW		MOREHOUSE, DEWEY		65-05079 /			

ADDITIONAL POU FOUND

SCANNED
AUG 7 0 2003

TOTAL ACRES

A65-00084

307.00

307.00

510.00

*307 within
the Letha
boundary*

SCANNED

AUG 20 2003

POU COUNTY: GEM

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
A65-00084	PAYETTE RIVER	LETHA IRRIGATION & WATER CO IN	11.810	0.038		
R65-00034A	PAYETTE RIVER	BILBREY DITCH CO LTD	0.520			
A65-00034A	PAYETTE RIVER	BILBREY DITCH CO LTD	0.520			
R65-00034X	PAYETTE RIVER	BILBREY DITCH CO LTD	19.210	0.026		
A65-00034X	PAYETTE RIVER	BILBREY DITCH CO LTD	19.210	0.026		
R65-00084	PAYETTE RIVER	LETHA IRRIGATION & WATER CO IN	11.810	0.038		
R65-00085	PAYETTE RIVER	LETHA IRRIGATION & WATER CO IN	11.770	0.029		
A65-00085	PAYETTE RIVER	LETHA IRRIGATION & WATER CO IN	11.770	0.029		
A65-10723	PAYETTE RIVER	PAYETTE RIVER RANCH	2.100	0.023		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
65-01786	DOMESTIC	PAYETTE RIVER RANCH	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-01786	STOCKWATER	PAYETTE RIVER RANCH	FROM 01-01 TO 12-31	0.020 CFS	2.70 AF/A
A65-01786	DOMESTIC	PAYETTE RIVER RANCH	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-01786	STOCKWATER	PAYETTE RIVER RANCH	FROM 01-01 TO 12-31	0.020 CFS	2.70 AF/A
65-21746	DOMESTIC	ARBAUGH, WILLIAM E	FROM 01-01 TO 12-31	0.055 CFS	
A65-21746	DOMESTIC	ARBAUGH, WILLIAM E	FROM 01-01 TO 12-31	0.055 CFS	
A65-18318	DOMESTIC	FISCHER, SHIRLEY	FROM 01-01 TO 12-31	0.040 CFS	
A65-18318	STOCKWATER	FISCHER, SHIRLEY	FROM 01-01 TO 12-31	0.040 CFS	
65-18318	DOMESTIC	FISCHER, SHIRLEY	FROM 01-01 TO 12-31	0.040 CFS	
65-18318	STOCKWATER	FISCHER, SHIRLEY	FROM 01-01 TO 12-31	0.040 CFS	
65-05325	DOMESTIC	CORR, HAROLD V	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-05325	DOMESTIC	CORR, HAROLD V	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-05082	DOMESTIC	GRANT, DARREL	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-03614	DOMESTIC	BORN, RONALD KENT	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-05082	DOMESTIC	GRANT, DARREL	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-03741	DOMESTIC	JERMANN, LILLIAN I	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-03741	STOCKWATER	JERMANN, LILLIAN I	FROM 01-01 TO 12-31	0.020 CFS	0.40 AF/A
65-21657	DOMESTIC	JERMANN, ORLENE M	FROM 01-01 TO 12-31	0.040 CFS	
A65-21657	DOMESTIC	JERMANN, ORLENE M	FROM 01-01 TO 12-31	0.040 CFS	
65-03614	DOMESTIC	BORN, VICKY LYNN	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-03741	DOMESTIC	BURNS, ROBERT B	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-03741	STOCKWATER	BURNS, ROBERT B	FROM 01-01 TO 12-31	0.020 CFS	0.40 AF/A
A65-03690	DOMESTIC	HECKMAN, DON	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A

SCANNED

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
65-03690	DOMESTIC	HECKMAN, DON	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-03691	DOMESTIC	HECKMAN, DON	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-03691	STOCKWATER	HECKMAN, DON	FROM 01-01 TO 12-31	0.160 CFS	29.50 AF/A
R65-03691	DOMESTIC	HECKMAN, DON	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
R65-03691	STOCKWATER	HECKMAN, DON	FROM 01-01 TO 12-31	0.160 CFS	29.50 AF/A
65-05362	DOMESTIC	UPSON, ROBERT W	FROM 01-01 TO 12-31	0.040 CFS	2.40 AF/A
65-05362	STOCKWATER	UPSON, ROBERT W	FROM 01-01 TO 12-31	0.040 CFS	1.40 AF/A
A65-05362	DOMESTIC	UPSON, ROBERT W	FROM 01-01 TO 12-31	0.040 CFS	2.40 AF/A
A65-05362	STOCKWATER	UPSON, ROBERT W	FROM 01-01 TO 12-31	0.040 CFS	1.40 AF/A
A65-18386	DOMESTIC	TOUCHSTONE, SHARON R	FROM 01-01 TO 12-31	0.040 CFS	
A65-18386	STOCKWATER	TOUCHSTONE, SHARON R	FROM 01-01 TO 12-31	0.020 CFS	
65-18386	DOMESTIC	TOUCHSTONE, SHARON R	FROM 01-01 TO 12-31	0.040 CFS	
65-18386	STOCKWATER	TOUCHSTONE, SHARON R	FROM 01-01 TO 12-31	0.020 CFS	

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

AUG 20 2003
AUG 20 2003

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

(☒) NAPP, IDWR NO. _____;

() ASCS PHOTO; () OTHER _____

NOTES:

307 acres within the Letha Inc. Co. boundaries

RECOMMENDATIONS:

TOTAL ACRES:

See above

N/A ()

REVIEWED BY:

Mel Schulte

DATE:

4-21-00

SCANNED

AUG 20 2003

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-00084 IRRIGATION	FROM 03-15 TO 11-15	11.810 CFS	
TOTAL DIVERSION RATE/VOLUME		11.810 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-00084 IRRIGATION	FROM 03-15 TO 11-15	7.160 CFS	
TOTAL DIVERSION RATE/VOLUME		7.160 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
AUG 20 2003

NOTES:

Recommended as stipulated in the PRBA. The diversion rate is based on a formula developed in the PRBA.

SCANNED

AUG 20 2003

AJ CLAIM TOTAL DIVERSION RATE: 11.810 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 7.160 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 307 x 0.02 CFS/ACRE = 6.14 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 = 1074.5 AF/A N/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
AUG 7 0 2003

NOTES:

WR RECORD CONDITIONS/REMARKS:

SCANNED
AUG 20 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	
			DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
IRRIGATION	03-15	11-15	11.810				1074.5	
TOTAL FOR THIS RIGHT			11.810				1074.5	

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: Me Schulte

DATE: 4-21-00

FLAG: _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE):

PNT
POU
E

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

Delivery loss

SCANNED

AUG 20 2003

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-00084

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
7.160

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-00084	11.810	R65-00084	11.810	65-00084	7.160
TOTAL CFS		11.810		11.810		7.160

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
N

FIELD
EXAMINER
Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: Meel Schulte DATE: 4-21-00

NAME OF FIELD EXAMINER: _____ TITLE: _____

SCANNED

AUG 7 0 2003

LARRY ECHOHAWK
Attorney General

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

RECEIVED

FEB 10 1993

Department of Water Resources

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

IN THE MATTER OF THE GENERAL	)	
DETERMINATION OF THE RIGHT	)	CIVIL NO. 3667
TO THE USE OF SURFACE AND	)	
GROUNDWATERS OF THE PAYETTE	)	STIPULATION RESOLVING
RIVER DRAINAGE BASIN	)	OBJECTIONS TO WATER
	)	RIGHT NOS. 65-00078,
	)	65-00079, 65-00084,
	)	65-00085, 65-00080,
	)	65-00081, 65-00082,
	)	65-00076, 65-02030,
	)	65-10337, 65-00077

The Director of the Idaho Department of Water Resources, R. Keith Higginson, by and through counsel, and Letha Irrigation & Water Co. Inc. stipulate as follows:

1. That water right claim Nos. 65-00078, 65-00079, 65-00085, 65-00080, 65-00084, 65-00081, 65-00082, 65-00076, 65-02030, 65-10337, 65-00077, be accepted and included in the Proposed Finding of Water Rights in the Payette River Drainage as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

2. That Letha Irrigation & Water Co. Inc. withdraw all pending objections, including those based on the objection filed by Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown in July 1982, in the above captioned matter.

DATED this _____ day of _____, 1993.

LARRY ECHOHAWK
Attorney General

DANIEL L STECKEL
Deputy Attorney General
Department of Water Resources

DATED THIS 8 day of Feb, 1993.

Howard Plat Pres.
AUTHORIZED AGENT, LETHA
IRRIGATION & WATER CO. INC.

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

JAMES R. DOOLITTLE
District Judge

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: PAYETTE RIVER		TRIBUTARY: SNAKE RIVER				
65-00084	LETHA IRRIGATION & WATER CO. INC. 6550 DALLAS RD. NEW PLYMOUTH ID 83655	08/21/1886	IRRIGATION	03-15 11-15	11.81	CFS BENEFICIAL USE
					TOTAL QUANTITY:	11.81 CFS
					CONSUMPTIVE USE:	1074.5 AFY
POINT OF DIVERSION:						
T06N R02W S09		SWNW				
PLACE OF USE: IRRIGATION						
T06N R02W S05		Lot 12 (NWSW)	34.0	SWSW 21.0	Lot 11 (SESW)	41.0
S06		Lot 8 (NESE)	32.0	NWSE 34.0	SWSE 14.0	SESE 10.0
S08		NENE	19.0	NWNE 30.0	SWNE 2.0	SENE 20.0
		NENW	24.0	NWNW 3.0		
307.0 ACRES TOTAL						
REMARKS: WATER IS DELIVERED THROUGH KATY KESGARD DITCH.						
A DIVERSION RATE OF .034 CFS PER ACRE FOR 277 ACRES AND .029						
CFS FOR 30 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF						
DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.						
1.52 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE						
LOSSES IN DELIVERY OF THIS RIGHT.						

Letha Irrigation & Water Co.

Summary of diversion rates and acres claimed

	<u>D.R.</u>	<u>Ac.</u>
765-00076	7.42 cfs.	184 ac.
-00077	2.45	72
-00078	4.92	123
-00079	8.10	335
-00080	14.54	469
-00081	16.83	446
-00082	24.55	668
-00084	11.81	307
-00085	11.77	402
-02030	3.20	191 *
-10337	3.79	191 *
	<u>109.38 cfs.</u>	<u>3197</u>

* The same acres

$$109.83 \div 3197 = .0342 \text{ cfs/acre.}$$

SCANNED

AUG 20 2003

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4638

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Payette River Ranch Phone 208-365-4897Post Office address 1114 VANDER DASSON RD, Emmett 83617A. PURPOSE OF TRANSFER for Applicant's share only

1. ☒ Change point of diversion Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes _____
Change conveyance and P/O to the Tschudy ditch for ranch P/u.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>65-0084B</u>	<u>8/21/1886</u>	<u>.75 CFS</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u>A65-0084B</u>				to _____
				to _____
				to _____

2. Total amount of water being transferred .75 CFS cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Payette River tributary to Snake River

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>02</u>	<u>SE</u>	<u>SW</u>	<u>NE</u>	<u>9</u>	<u>6N</u>	<u>2W</u>	<u>Gem.</u>	<u>Tschudy ditch diversion</u>

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>6N</u>	<u>2W</u>	<u>8</u>	<u>9</u>														<u>2</u>		<u>9</u>
<u>6N</u>	<u>2W</u>	<u>5</u>															<u>23</u>		<u>23</u>

SCANNED

2003

Total acres 32

PART 1

6. General Information:

a. Description of diversion system diverted through the Tschudy ditch with gravity
irrigation system.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

None.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED *See attached Summary.*

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 65-00084 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed *pgs 12-15 of Appl.* ☐ Other _____

3. Source of water Poyette River tributary to Snake River

4. Date or priority 8/21/1986

5. Water is used for the following purpose:

amount 7.16 for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 7.16 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	09	6N	2W	Gem	Katy Kesgard Ditch

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals.
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	2W	5										34	21	41					119.0
		6													32	34	14	10	90.0
		8	19	30	02	20	24	03											98.0

Total acres 307.0

9. Describe any other water rights used for the same purpose as described above

SCANNED

AUG 20 2003

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED *See PART B. Part #1*
 (If the entire right is to be changed by the applicant, omit part B and C.)

1. amount .75 for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: *this should be same as item C2 below - per 6/6/95*
per IDWR Standards

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW	NE	9	6N	2W	Gem	Tschudy Ditch diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	2W	8	9																9
6N	2W	5															23 Lot D		23

Total acres 32

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 6.41 for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	9	6N	2W	Gem.	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	2W	5										34 Lot 12	21	41 Lot 11					96
6N	2W	8	10	30	02	20	24	03											89
6N	2W	6													32	34	14	10	90

Total acres 275

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

See Attached Maps / Sketches.

SCANNED

AUG 20 2003

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

No change.

3. Describe effects on other water uses resulting from the proposed change:

None

I hereby assert that no one will be injured by such change and that 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.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Payette River Ranch by Shirley Tucker owner
(Signature of Applicant) Partners

Subscribed and sworn to before me this 11 day of May, 19 95.

Lori Harris

(Notary Public)

My commission expires 12-8-2000

Receipt No W019150**FOR DEPARTMENT USE ONLY**

Transfer contains 15 pages and 8 attachments

Received by JFW Date 5/11/95 Protest filed by _____

Prelim. check by SL Fee 100.00 _____

Receipted by JFW Date 5/11/95 _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

Pg 7 of 15

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
P	LETHA IRRIGATION & WATER CO. INC. C/O NELDA PLATZ 6550 DALLAS RD. NEW PLYMOUTH ID 83655 (208) 278-3040	08/21/1886	IRRIGATION	03-15 11-15	7.160 CFS	
				TOTAL DIVERSION:	7.160 CFS	
C	LETHA IRRIGATION & WATER CO. INC. C/O NELDA PLATZ RT. 2 NEW PLYMOUTH ID 83655					

Comment letter address

Stage: BENEFICIAL USE

Point(s) of Diversion: T06N R02W S09 SWNW GEM County

Place of use Legal Description for: IRRIGATION

				NE								NW								SW								SE								
				NENE		NNWE		SWNE		SENE		NENW		NNWN		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	:	SUM	
06N	02W	5	:																																	
06N	02W	6	:																																	
06N	02W	8	:			19		30		02		20				24		03																		
																												TOTAL ACRES					307.0			

Pos: County: GEM

Water Rights Listing Overlapping Place(s) of use:

65-00034X 65-00085 65-10723 65-12061 65-13205

Remarks: IRRIGATED BY KATY KESGARD DITCH.

Dates: App. Received: Priority Date: 08/21/1886
 Proof Due Date: Proof Made Date:
 Exam Made Date: Exam Sent to S.O.:
 Licensed Date:

Misc: **Water District Number:** 65 **Field Exam Fee:**

* ~~NOT~~ DECREASED
IN PRBA

SCANNED

AUG 7 0 2003

Water Right

1 Aug 11-
River Ranch Transfer.

Pg 8 of 15

AJ0749NP
No. A65-00084

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

DATE: 05/24/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME																																																																																																																											
C	LETHA IRRIGATION & WATER CO INC 6550 DALLAS RD NEW PLYMOUTH ID 83655 (208) 278-3040	08/21/1886	IRRIGATION	03-15 11-15	12.28 CFS																																																																																																																												
TOTAL DIVERSION: CONSUMPTIVE USE:					12.28 CFS	1074.50 AFA																																																																																																																											
Water Source: PAYETTE RIVER		Tributary to: SNAKE RIVER		Stage: BENEFICIAL USE																																																																																																																													
Point(s) of Diversion:		T06N R02W S09 SWNW		GEM County																																																																																																																													
Place of use Legal Description for: IRRIGATION																																																																																																																																	
<table border="1"><thead><tr><th colspan="4">NE</th><th colspan="4">NW</th><th colspan="4">SW</th><th colspan="4">SE</th><th></th></tr><tr><th>T</th><th>R</th><th>S</th><th></th><th>NENE</th><th>NWNE</th><th>SWNE</th><th>SENE</th><th>NENW</th><th>NWNW</th><th>SWNW</th><th>SENW</th><th>NESW</th><th>NWSW</th><th>SWSW</th><th>SESW</th><th>NESE</th><th>NWSE</th><th>SWSE</th><th>SESE</th><th>SUM</th></tr></thead><tbody><tr><td>06N</td><td>02W</td><td>5</td><td>:</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>12-34</td><td>21</td><td>11-41</td><td></td><td>10-23</td><td></td><td></td><td>119.0</td></tr><tr><td>06N</td><td>02W</td><td>6</td><td>:</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>08-32</td><td>34</td><td>14</td><td>10</td><td>90.0</td></tr><tr><td>06N</td><td>02W</td><td>8</td><td>:</td><td>19</td><td>30</td><td>02</td><td>20</td><td>24</td><td>03</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>98.0</td></tr><tr><td colspan="20"></td><td>TOTAL ACRES</td><td>307.0</td></tr></tbody></table>							NE				NW				SW				SE					T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM	06N	02W	5	:										12-34	21	11-41		10-23			119.0	06N	02W	6	:													08-32	34	14	10	90.0	06N	02W	8	:	19	30	02	20	24	03											98.0																					TOTAL ACRES	307.0
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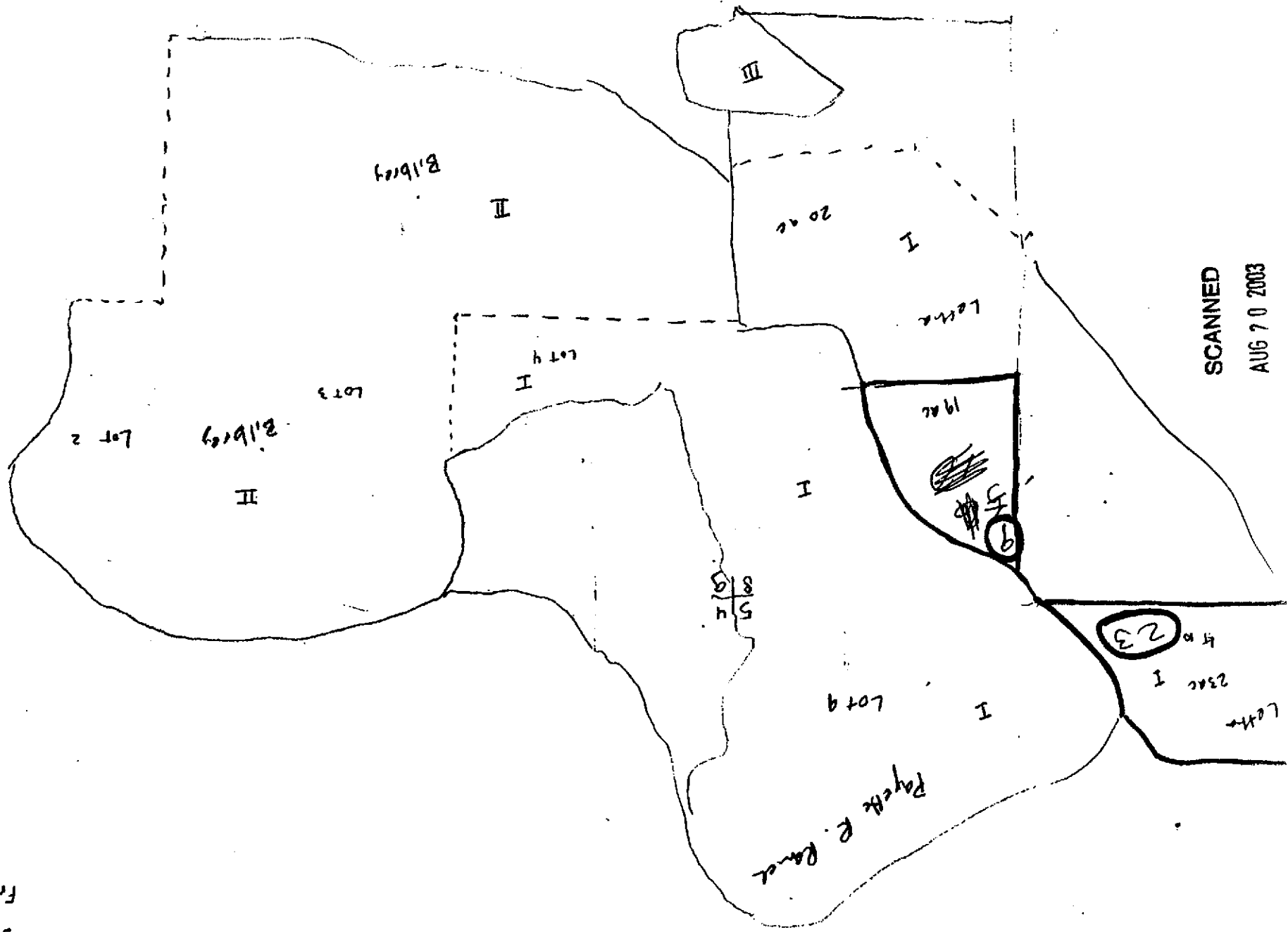
POU County: GEM

Remarks: IRRIGATED BY KATY KESGARD DITCH.
Dates: Exam Made Date: Verified Date:
Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Claim same as water right except flow claimed
(12.28 cfs) exceeds ~~the~~ right (7.16 cfs)
b.u.

SCANNED
AUG 20 2003

SRBA CLAIM



Payette River Canal Transfer.



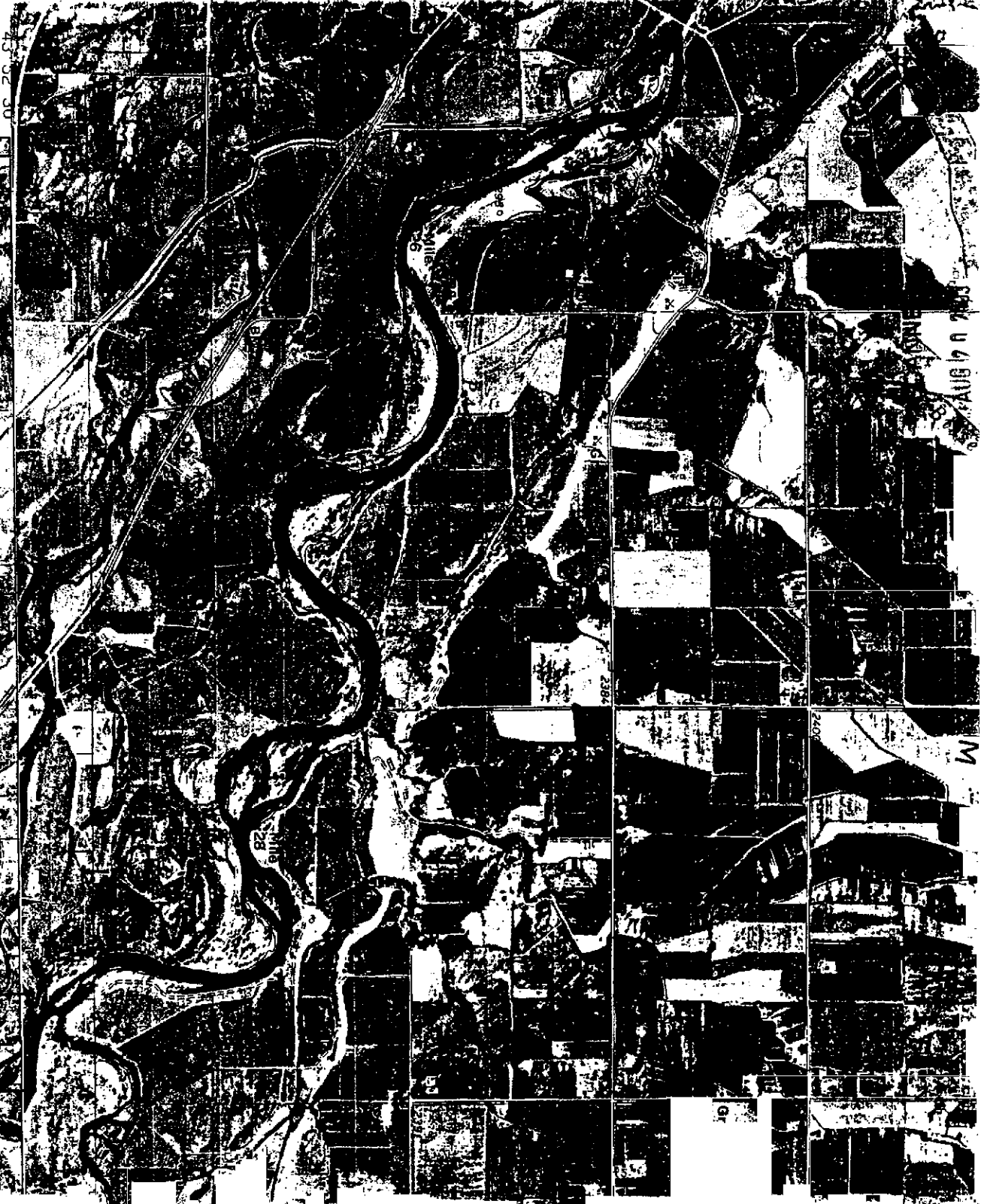
AUG 7 0 2003

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PAVING

M

10



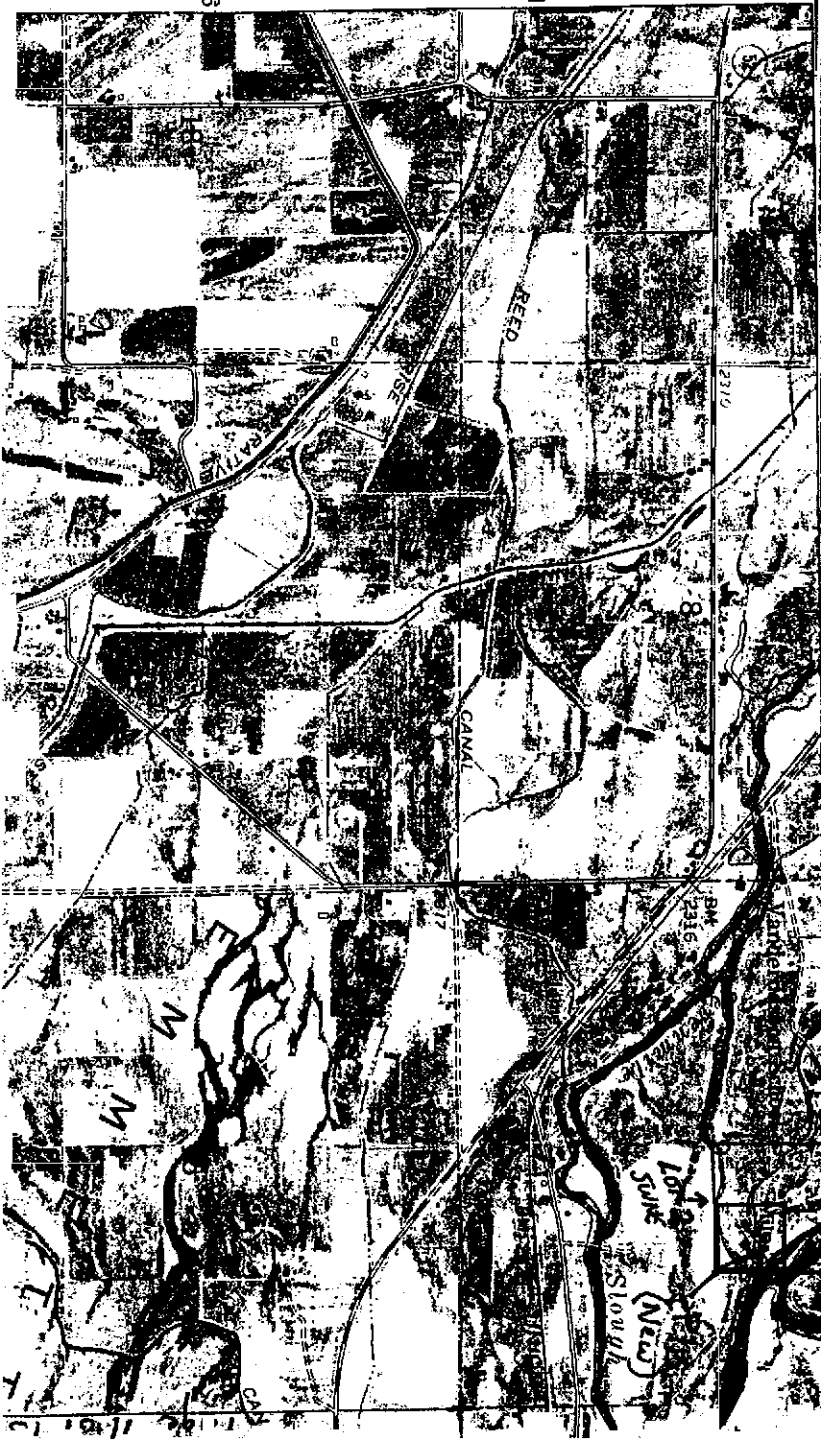
2384

28

43 52 30

4556

Payette River Ranch.
Transfer.



REED

CANAL

Lot 1
Suite
(New)
Slough

1000

Attach

WARRANTY DEED

For Value Received DON HECKMAN and KATIE HECKMAN, husband and wife;
and VERN HECKMAN, a single man,

the grantor s do hereby grant, bargain, sell and convey unto

STEPHEN V. FISCHER, JR., and SHIRLEY ANN FISCHER, husband and wife,
the grantees , whose current address is: 1114 Vanderdasson Rd., Emmett, Id
the following described premises, situate in Gem County, Idaho, to-wit:

That property described in Exhibit A, attached hereto and
incorporated herein in full, by reference.

*replacement
deed*

Including all water and ditch rights appurtenant thereto or used in connection
therewith, and including any easements or rights of ways appurtenant to or used
for the benefit of said described premises. Subject to easements, rights of ways,
reservations and exceptions, if any.

Said property is conveyed "as is" under existing boundary fences, if any, after
reasonable inspection by the grantee and grantor does not make any representations
or warranties as to the qualifications or suitability of said land or premises for
water or electrical power, or as to said land or improvements meeting any Federal,
State or local laws, rules or regulations pertaining to zoning, building, subdivi-
ding, platting, surveys, planning and use, health, ecology, drainage, irrigation,
water quality, sewage or disposal systems. Grantor makes no warranties as to sur-
veys, boundaries or any matter mentioned in this paragraph. There are no warranties
express or implied, as to merchantability, in a general sense or for a particular
purpose, except as herein contained in writing, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said
Grantees their heirs and assigns forever. And the said Grantors do hereby
covenant to and with the said Grantee s, that the y are the owner s in fee sim-
ple of said premises; that they are free from all encumbrances, except as may be
otherwise stated herein, and the y will warrant and defend the same from all
lawful claims whatsoever.

DATED: June 22 1982

Don Heckman

Vern Heckman

Katie Heckman

STATE OF IDAHO,)
County of Gem) ss.

On this 22 day of June 1982, before me, a Notary Public in and
for said State, personally appeared DON HECKMAN and KATIE HECKMAN, husband
and wife; and VERN HECKMAN, a single man,

known to me to be the person s whose names are subscribed to the within instru-
ment, and acknowledged to me that the y executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal,
the day and year in this certificate first above written.

James Howard
Notary Public for State of Idaho;
Residing at Emmett Idaho.

SECTION 8: EXCEPTING FROM RECORDS OF GEM COUNTY, IDAHO, as described in BOOK 3 OF DEEDS, at page 380
 SECTION 9: FOR & EXCEPTING FROM RECORDS OF GEM COUNTY, IDAHO, as described in BOOK 3 OF DEEDS, at page 380
 SECTION 2: FOR & EXCEPTING FROM RECORDS OF GEM COUNTY, IDAHO, as described in BOOK 3 OF DEEDS, at page 380
 VII. BEING IN TWP. 6 N., R. 2 W., B.M., GEM COUNTY, IDAHO:
 TRACT I:
 BEING situated in GEM COUNTY, IDAHO:

(Ex. A, Tract I, Cont.)

N.1°18'05"W., a distance of 315.88 feet; thence
 N.82°54'00"E. a distance of 111.95 feet; thence
 S.76°05'20"E. a distance of 25.19 feet to a point on the
 section line common to said Sections 8 and 9; thence
 continuing
 S.76°05'20"E. a distance of 70.77 feet; thence
 S.55°03'35"E. a distance of 196.46 feet; thence
 S.0°46'55"E. a distance of 273.10 feet; thence
 S.89°16'00"W. a distance of 224.76 feet to the true point
 of beginning.

TRACT II:

Being in Twp. 6 N., R. 2 W., B.M., Gem County, Idaho

Section 9: Lots 2 and 3; and the S½NW¼.

EXCEPTING FROM THE ABOVE-DESCRIBED TRACT I AND TRACT II, the following described Tract of land:
 Commencing at the section corner common to Sections 8, 9, 16 and 17, Twp. 6 N., R. 2 W., B.M., as said corner is shown on that certain Record of Survey on file as Instrument No. 137417, records of Gem County, Idaho, and being marked by a found brass cap monument C.E. 878; thence N.00°06'52"E. along the section line common to Sections 8 and 9, 2614.42 feet to the quarter corner of Sections 8 and 9, marked by a found 1/2 inch iron pin; thence leaving last said section line N.53°22'10"W. 990.52 feet to a point on the centerline of Vanderdasson Road marked by a PK nail and washer; said point being the Southernmost corner of that certain 34.276 acre tract of land excepted out from the legal description of that certain contract of sale between Heckman and Fischer, dated August 10, 1978, said point also being the real point of beginning; thence along the Southeast and Northeast boundary of the above-mentioned exception the following courses and distances:
 N.87°07'31"E. (called N.87°18'45"E. in the above-mentioned exception) 28.88 feet to an iron pipe marking a fence intersection;
 N.87°07'31"E. along fence line 494.25 feet to an iron pipe marking an angle point in said fence;
 N.69°55'20"E. along the fence line 337.70 feet to an iron pipe marking an angle point in the fence, said point also being the Southeast corner of the aforementioned exception;
 N.00°58'12"W. along said fence 646.56 feet to an iron pipe at the angle point in said fence;
 N.29°59'14"W. along the fence line 119.47 feet to an iron pipe marking an angle point in the fence; thence leaving last said fence line and that certain 34.276 acre tract of land
 N.70°20'24"E. 200.00 feet to a point; thence
 N.87°42'22"E. 760.52 feet to a point; thence
 S.76°29'42"E. 1447.38 feet to a point; thence
 S.15°30'40"W. 488.00 feet to a point; thence
 N.75°14'58"W. 551.33 feet to a point; thence
 S.36°40'00"W. 190.49 feet to a point; thence
 S.22°06'50"W. 612.07 feet to a point; thence
 N.82°04'00"W. 715.78 feet to a point; thence
 N.54°11'14"W. 380.00 feet to a point; thence
 N.49°54'40"W. 282.25 feet to a point; thence
 S.69°55'20"W., and parallel to the Southerly line of the aforementioned 34.276 acre tract, 373.93 feet to a point; thence
 S.87°07'31"W. and parallel to said Southerly line of said 34.276 acre tract 476.36 feet to the centerline of Vanderdasson Road; thence along the center of Vanderdasson Road
 N.50°15'06"W. 73.84 feet to the point of beginning.

Being situate in Gem County, Idaho:

TRACT I:

All being in Twp. 6 N., R. 2 W., B.M., Gem County, Idaho:

Section 5: Lots 9 and 10.

Section 9: Lot 4, EXCEPT lands accretional to said Lot 4, as described in Book 3 of Deeds, at Page 290, records of Gem County, Idaho.

Section 8: E $\frac{1}{2}$ NE $\frac{1}{4}$, EXCEPTING THEREFROM the following described tract of land, situated in the NE $\frac{1}{4}$ of Section 8, T. 6 N., R. 2 W., B.M., Gem County, Idaho, more particularly described as follows: Beginning at a point in the center of Vanderdasson Road as said road exists on July 1, 1978, said point being on the production of the fence line marking the Westerly boundary of this hereindescribed tract of land; thence from said point of beginning, along an existing fence, North 921.23 feet; thence South 82°00'39" East 545.56 feet; thence leaving said fence line N.38°44'08"E., 292.51 feet, to a point in an existing fence; thence along said existing fence the following courses and distances: S.28°03'44"E. 794.48 feet; N.72°27'17"E. 194.43 feet; S.29°48'E. 119.47 feet; S.0°46'58"E. 646.56 feet; S.70°06'34"W. 337.70 feet; thence S.87°18'45"W. 494.25 feet, to an angle point in said fence; thence along the production of said fence, S.87°18'45"W. 28.88 feet to the centerline of Vanderdasson Road; thence along said centerline of Vanderdasson Road N.50°03'52"W. 670.03 feet, to the point of beginning.

ALSO EXCEPTING the following described tract: That part of the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 8, T. 6 N., R. 2 W., B.M., in Gem County, Idaho, lying South of the 7 Mile Slough and the Railroad rights of way and lying North of the existing State Highway right of way as described in the right of way Deed recorded January 8, 1932 in Book 21 of Deeds, at Page 155, Gem County records. Except all road and ditch rights-of-way. Subject to all existing rights-of-way and easements.

ALSO EXCEPTING the following described tract: That part of the E $\frac{1}{2}$ NE $\frac{1}{4}$, Section 8, T. 6 N., R. 2 W., B.M., Gem County, Idaho, lying South of the existing Union Pacific Railroad Right of way and lying North of the existing North bank of the Seven Mile Slough.

LESS railroad right of way as described in Deed recorded in Book 9 of Deeds, at Page 345, records of Gem County, Idaho.

LESS right of way for highway granted to State of Idaho by Deed recorded January 8, 1932, in Book 22 of Deeds, at Page 155, records of Gem County, Idaho.

ALSO EXCEPTING THE FOLLOWING DESCRIBED TRACT:

A parcel situated in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 9, both in Township 6 N., R. 2 W., B.M., and is more particularly described as follows:

Commencing at the SE corner of said SE $\frac{1}{4}$ NE $\frac{1}{4}$; thence N.1°14'00"W. along the East boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$, a distance of 3.24 feet to the true point of beginning; thence

N.59°08'50"W., a distance of 159.69 feet; thence

thence along the centerline of Vanderdasson Road

N.50°03'52"W. 73.84 feet to the point of beginning.

MAP TO ACCOMPANY LEGAL DESCRIPTION

Survey of a portion of the Don and Vern Heckman ranch, Gem County, Idaho July 1, 1978

Legend:

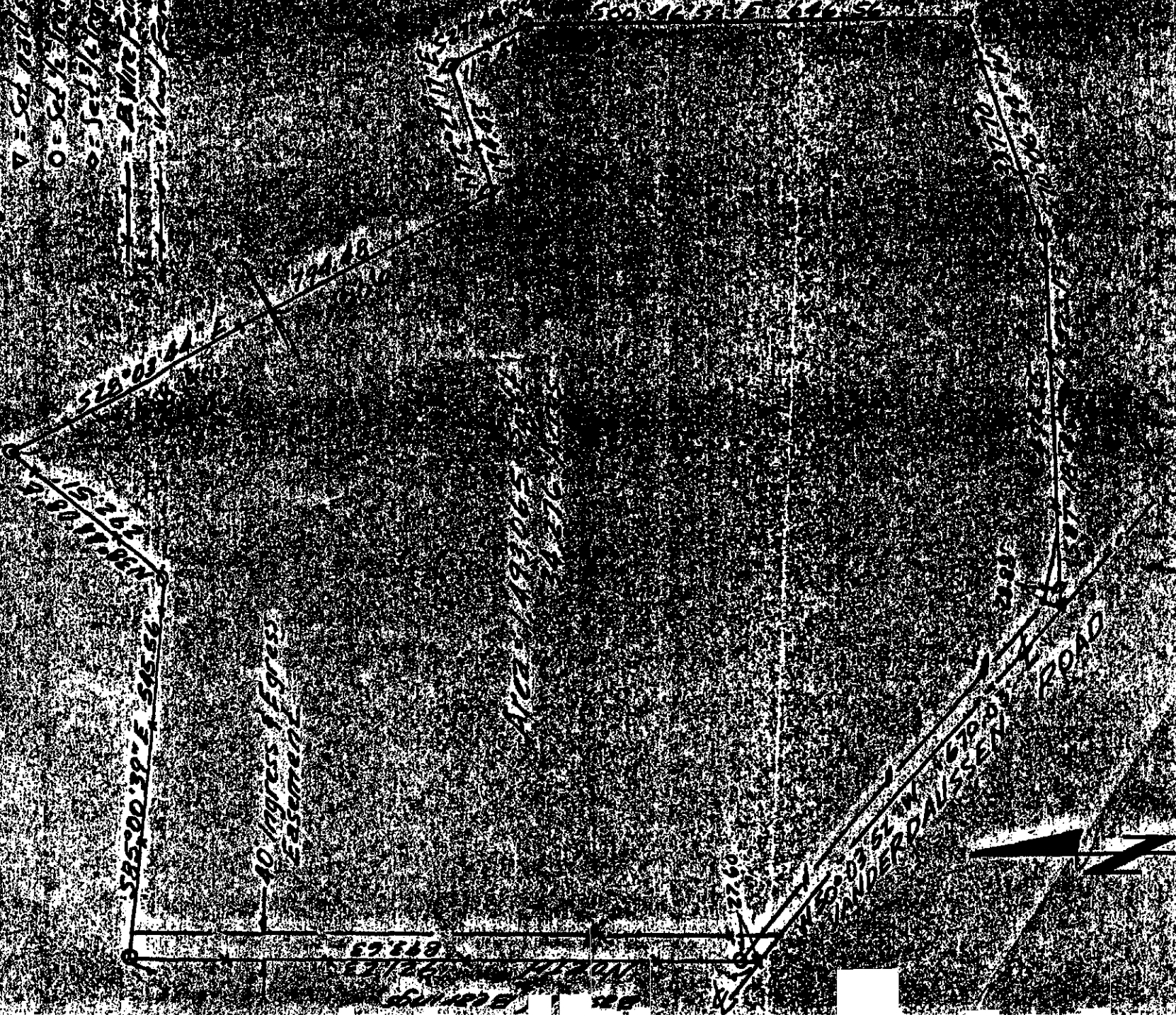
△ = Set nail in

○ = Set 1/2" nail

○ = Set 3/4" nail

— = A wire fence

— = Iron fence



SCANNED

AUG 20 2003

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): A65-00076, -00077, -00078,
-00079, -00080, -00081, -00082,
-00084, -00085, -02030, -10337

[] Old Mailing Address: Letha Irrigation & Water Co.
6550 Dallas Rd.
New Plymouth, ID 83655

[x] New Mailing Address: Letha Irrigation & Water Co.
400 Coston Street
Boise, ID 83712.

New Telephone Number: (208) 343-9438

[x] Signature of Claimant: X Marcia J. Herr
President

Date: 3-27-2000

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:

RECEIVED

MAR 28 2000

WATER RESOURCES
WESTERN REGION

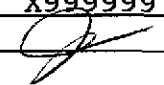
SCANNED

AUG 20 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: **A65-00084**
Date Received: 2/ 9/1990
Receipt No: X999999
Received By: 

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: LETHA IRRIGATION & WATER CO INC 208-278-3040
Address: 6550 DALLAS RD
NEW PLYMOUTH ID 83655

2. Date of Priority: AUG 21, 1886

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	02W	9	SW	NW			GEM

5. Description of diverting works:
HEADGATE & DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	11.810		

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

8. Total consumptive use is 1074.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	02W	5	NW	SW	12	IRR	34.0
			SW	SW		IRR	21.0
			SE	SW	11	IRR	41.0
			SW	SE	10	IRR	23.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	119.0
		6	NE	SE	8 IRR	32.0
			NW	SE	IRR	34.0
			SW	SE	IRR	14.0
			SE	SE	IRR	10.0
					Section Acres	90.0
		8	NE	NE	IRR	19.0
			NW	NE	IRR	30.0
			SW	NE	IRR	2.0
			SE	NE	IRR	20.0
			NE	NW	IRR	24.0
			NW	NW	IRR	3.0
					Section Acres	98.0
					Total Acres	307.0

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:

CLAIM AMENDED PER STIPULATION FROM PRBA. JS 2-21-96.

WATER IS DELIVERED THROUGH KATY KESGARD DITCH.

A DIVERSION RATE OF .034 CFS PER ACRE FOR 277 ACRES AND .029 CFS FOR 30 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.

1.52 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ 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 _____

LARRY ECHOHAWK
Attorney General

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

RECEIVED
FEB 10 1993

Department of Water Resources

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

IN THE MATTER OF THE GENERAL	)	
DETERMINATION OF THE RIGHT	)	CIVIL NO. 3667
TO THE USE OF SURFACE AND	)	
GROUNDWATERS OF THE PAYETTE	)	STIPULATION RESOLVING
RIVER DRAINAGE BASIN	)	OBJECTIONS TO WATER
	)	RIGHT NOS. 65-00078,
	)	65-00079, 65-00084,
	)	65-00085, 65-00080,
	)	65-00081, 65-00082,
	)	65-00076, 65-02030,
	)	65-10337, 65-00077

The Director of the Idaho Department of Water Resources, R. Keith Higginson, by and through counsel, and Letha Irrigation & Water Co. Inc. stipulate as follows:

1. That water right claim Nos. 65-00078, 65-00079, 65-00085, 65-00080, 65-00084, 65-00081, 65-00082, 65-00076, 65-02030, 65-10337, 65-00077, be accepted and included in the Proposed Finding of Water Rights in the Payette River Drainage as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

2. That Letha Irrigation & Water Co. Inc. withdraw all pending objections, including those based on the objection filed by Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown in July 1982, in the above captioned matter.

DATED this _____ day of _____, 1993.

LARRY ECHOHAWK
Attorney General

DANIEL L STECKEL
Deputy Attorney General
Department of Water Resources

DATED THIS 8 day of Feb, 1993.

Howard Plat Res.
AUTHORIZED AGENT, LETHA
IRRIGATION & WATER CO. INC.

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

JAMES R. DOOLITTLE
District Judge

SCANNED

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: PAYETTE RIVER		TRIBUTARY: SNAKE RIVER				
65-00084	LETHA IRRIGATION & WATER CO. INC. 6550 DALLAS RD. NEW PLYMOUTH ID 83655	08/21/1886	IRRIGATION	03-15 11-15	11.81 CFS	BENEFICIAL USE
					TOTAL QUANTITY: 11.81 CFS	
					CONSUMPTIVE USE: 1074.5 APY	
POINT OF DIVERSION: T06N R02W S09 SWNW						
PLACE OF USE: IRRIGATION						
T06N R02W S05 Lot 12 (NWSW) 34.0 — SWSW 21.0 — Lot 11 (SESW) 41.0 — Lot 10 (SWSE) 23.0 — S06 Lot 8 (NESE) 32.0 — NWSE 34.0 — SWSE 14.0 — SESE 10.0 — S08 NENE 19.0 — NWNE 30.0 — SWNE 2.0 — SENE 20.0 — NENW 24.0 — NWNW 3.0 —						
307.0 ACRES TOTAL						
REMARKS: WATER IS DELIVERED THROUGH KATY KESGARD DITCH.						
A DIVERSION RATE OF .034 CFS PER ACRE FOR 277 ACRES AND .029						
CFS FOR 30 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF						
DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.						
1.52 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE						
LOSSES IN DELIVERY OF THIS RIGHT.						

SCANNED

AUG 20 2003

MEMORANDUM

April 6, 1995

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

RE: RECOMMENDATIONS/STIPULATION

I. CONVERSATION WITH DON SHAFF:

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

II. CONVERSATION WITH JEFF PEPPERSACK

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

III. CONVERSATION WITH DAN STECKEL

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

IV. CONVERSATION WITH DON SHAFF

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

May 23, 1995

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

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

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: A65-00084
Date Received: ~~12/12/1989~~ 2/9/90
Receipt No: X999999
Received By: _____

RECEIVED
FEB 9 1990

Department of Water Resources

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

1. Name: LETHA IRRIGATION & WATER CO. INC. 208-278-3040
Address: C/O NELDA PLATZ
6550 DALLAS RD.
NEW PLYMOUTH, ID 83655

2. Date of Priority: AUG 21, 1886

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	02W	9	SW	NW			GEM

5. Description of diverting works:
HEADGATE & DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	12.280		

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

8. Total consumptive use is 1074.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	02W	5	NW	SW	12	IRR	34.0
			SW	SW		IRR	21.0
			SE	SW	11	IRR	41.0

A65-00084

Page 1

Date: 02/01/90

SCANNED

AUG 20 2003

MICROFILMED

SEP 15 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	02W	5	SW	SE	10	IRR	23.0
			Section Acres				119.0
		6	NE	SE	8	IRR	32.0
			NW	SE		IRR	34.0
			SW	SE		IRR	14.0
			SE	SE		IRR	10.0
			Section Acres				90.0
		8	NE	NE		IRR	19.0
			NW	NE		IRR	30.0
			SW	NE		IRR	2.0
			SE	NE		IRR	20.0
			NE	NW		IRR	24.0
			NW	NW		IRR	3.0
			Section Acres				98.0
			Total Acres				307.0

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:

IRRIGATED BY KATY KESGARD DITCH.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am 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.

Harold Stutz
Signature of Authorized Agent
President
LETHA IRRIGATION & WATER CO.
Title and Organization

Date

State of Idaho)
County of Payette) SS.

Subscribed and sworn (or affirmed) before me this 6th day
of February 19 90

Cathy M. Meyer
Notary Public

Seal

Residing at New Plymouth

My Commission Expires 4-22-91

Water Right Number - 65-00084

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

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

*** C - CURRENT OWNER ***
LETHA IRRIGATION & WATER CO. INC.

1 - C/O NELDA PLATZ
2 - RT. 2
3 -
City- NEW PLYMOUTH State- ID zip- 83655
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
08/21/1886 14 J - BENEFICIAL USE

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

06N 02W 9 SW NW (45) GEM

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 03/15 11/15 7.160

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
7.160

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

06N	02W	5	NW SW	12	34.0	01	IRRIGATION	(45) GEM
06N	02W	5	SW SW		21.0	01	IRRIGATION	(45) GEM
06N	02W	5	SE SW	11	41.0	01	IRRIGATION	(45) GEM
06N	02W	5	SW SE	10	23.0	01	IRRIGATION	(45) GEM
06N	02W	6	NE SE	8	32.0	01	IRRIGATION	(45) GEM
06N	02W	6	NW SE		34.0	01	IRRIGATION	(45) GEM
06N	02W	6	SW SE		14.0	01	IRRIGATION	(45) GEM
06N	02W	6	SE SE		10.0	01	IRRIGATION	(45) GEM
06N	02W	8	NE NE		19.0	01	IRRIGATION	(45) GEM
06N	02W	8	NW NE		30.0	01	IRRIGATION	(45) GEM
06N	02W	8	SW NE		2.0	01	IRRIGATION	(45) GEM
06N	02W	8	SE NE		20.0	01	IRRIGATION	(45) GEM
06N	02W	8	NE NW		24.0	01	IRRIGATION	(45) GEM
06N	02W	8	NW NW		3.0	01	IRRIGATION	(45) GEM

Total Acres: 307.0

- - Diversion Means -

- - Non-Irrigation Use -

SCANNED

AUG 20 2003

SEP 15 1992
MICROFILMED

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	- 00/00/0000	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	

SCANNED
AUG 20 2003

MICROFILMED
SEP 15 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Letha Inig Water

CLAIM IDENT. NO.

A65-00084

DATE RECEIVED

2-9-90

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?
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 owner-
ship 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:

Rat

Date:

4/3/90

Claim must be returned to claimant:

(Yes)

(No)

Claimant must be notified of modifications:

(Yes)

(No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

Comments:

SCANNED

MICROFILMED

AUG 20 2003

SEP 15 1992

11/22/78 D.V.S.

 * MACALLISTER'S MODIFICATION OF MORITZ *
 * LOSS CALCULATION FOR *
 * THE KATH KESGARD DITCH *
 * WATER RIGHT NO. 65-0084 *

Q DIVERTED: 7.16 **CFS** TYPE OF SOIL: SANDY LOAM
 Q DELIVERED: 6.10 SOIL CONSTANT= 1.50 (FEET/DAY)
 PERCENTAGE LOSS: 17.4 % LENGTH OF HEAD OF DITCH: .18
1611.30 AFA LENGTH OF DELIVERY SECTION: 1.55

LOSS TABLE FOR HEAD OF DITCH

MILE	Q	LOSS
1 (CFS)	1 (CFS)	
1	1	
.18	7.03	.13

LOSS TABLE FOR DELIVERY

MILE	Q	LOSS	Q DELIVERED
1 (CFS)	1 (CFS)	1 (CFS)	
1	1	1	
1.00	2.39	.70	3.94
1.55	.00	.23	2.16

 * MRCALLISTER'S MODIFICATION OF MORITZ *

* LOSS CALCULATION FOR *
 * THE KATY KESGARD DITCH *
 * WATER RIGHT NO. 65-0084 *

Q. DIVERTED: 6.68 cfs TYPE OF SOIL: SANDY LOAM
 Q. DELIVERED: ~~5.68~~ 6.10 SOIL CONSTANT= 1.50 (FEET/DRY)
 PERCENTAGE LOSS: 18.1% LENGTH OF HEAD OF DITCH: .18
 LENGTH OF DELIVERY SECTION: 1.55
 1,504.9 AFA

LOSS TABLE FOR HEAD OF DITCH

MILE	Q	LOSS
1	(CFS)	1
.18	6.56	.12

LOSS TABLE FOR DELIVERY

MILE	Q	LOSS	Q DELIVERED
1	(CFS)	1	(CFS)
1.00	2.23	.68	3.65
1.55	.00	.22	2.01

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

MAP NO.

~~c/o Edna Upson R# 1 Box 240, Emmett, Idaho 83617~~
(Mailing Address)

The extent and nature of said claim is as follows:

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

- Use ~~for~~ Irrigation AF Period of Use From 3/1/51 To 11/15/51
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)

Use 7.5 hrs (Domestic, irrigation, stock, etc.) Period of Use From _____ To _____
(Mo., Day) (Both Dates Inclusive) (Mo., Day)

Use 2 AEA (Domestic, irrigation, stock, etc.) 566 Period of Use From _____ To _____
(Mo., Day) (Mo., Day)

- (5) A) Point of Diversion: Give location of point where water is diverted from its source. SS SE 1/4 NE NE 1/4
Sec. 9, Twp. 6N, Rge. 2W, B.M.; additional points To be taken out of a big

slough on the south side of the Payette River but north of Seven Mile Slough

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. Gravity Ditch - 1000 inches of water - Ditch to be 6 ft wide & 2 ft. deep (measured under 4 in. pressure) 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.

[illegible]

Total No. of acres 283 30

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 Payette River, Saltz ditch, and Seven Mile Slough.

- (8) If you are claiming water as a member of an organization, list name of organization. Letha Irrigation & Water Co., Inc.

- (9) Remarks Irrigates North of Seven Mile Slough in Sec. 8, 9, 6 (Probably 1 1/2 miles in
length - Father got water co. yrs. ago. Administered water to
the Seven Mile Slough) (Katy Kesgard Ditch)

- (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

KEYPUNCHED

(Date)

(Signature of Claimant)

(Signature of Spouse)

State of ~~Ohio~~

222

Organization
Seal

County of San Diego

On this 12 day of May, in the year 1970, before me,

a notary public, personally appeared Edna Upson
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 Emmett, Idaho

My commission expires October 5, 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

IDENT. NO.

MAP NO.

TO A

WATER RIGHT

65-0089

Notice is hereby given that Katy Kesgard Ditch - Letha Irrigation & Water Co., Inc.

c/o Edna Upson R# 1 Box 260, Emmett, Idaho 83617, 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) Aug. 21, 1886
Recorded - Book 1, Page 135 of Water Rights Canyon 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 Period of Use From 3/15/77 To 11/15/77
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
Use 7.5 cfs Period of Use From 3/15/77 To 11/15/77
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6N	2E	8	17	30.1	2.1	19.8	27	157											120.7 106
		5	1				1	1											229.2 119
		6	19				24	12											101.3 96

Total No. of acres 371.2 321

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 Payette River, Seitz ditch, and Seven Mile Slough
- (8) If you are claiming water as a member of an organization, list name of organization Letha Irrigation & Water Co., Inc.
- (9) Remarks Irrigator North of Seven Mile Slough in Sec. 8, 5, 6 (Probably 1 1/2 miles in length - Father of Edna Upson Co. Inc. administrator in the Seven Mile Slough) (Katy Kesgard Ditch)
- (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

KEYPUNCHED

(Date)

(Signature of Claimant)

(Signature of Spouse)

State of Idaho

County of Gem

Organization Seal

Organization

Letha Irrigation & Water Co., Inc.
Edna Upson, Sec.

(Signature of Authorized Agent)

On this 12 day of May, in the year 1970, before me,

a notary public, personally appeared Edna Upson 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 Emmett Idaho

My commission expires October 5, 1972

8/25/78

B, P 257 30 min past 9 A.M.
Compared

C. S. McConnell Recorder

Mrs. Katy Kesgard,
Locator
Payeth River

Notice.

Notice is hereby given
that I claim 1000 inches of water, measured under a
four inch pressure, to be taken out of a big slough on
the South side of the Payeth River, to be taken out at this
point, which is located in the N. E. 1/4 of S. E. 1/4 of Sec. 8
Township Six N. Range 2 W, to be conducted to and used
upon the lands lying on the line of said ditch, for irrigating
purposes. Said ditch to be about six feet wide and two
feet deep.

Located this 21st day of August 1886.

Mrs. Katy Kesgard

W.R.
B, P 257 Recorded Aug 23^d 1886.

C. S. McConnell, Recorder

State of Idaho
County of Cassia
I hereby certify that the foregoing instrument is a true and correct copy of the original as the same appears to this office.
DATE

Compared

Book 1 Page 135
of Water rights

65 0076

April 13, 1970
Vernon E. Smith, Clerk of the District Court
and Ex Officio Recorder.
By Edna Durnil
Deputy

LARRY ECHOHAWK
Attorney General

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

RECEIVED

FEB 10 1993

Department of Water Resources

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

IN THE MATTER OF THE GENERAL	)	
DETERMINATION OF THE RIGHT	)	CIVIL NO. 3667
TO THE USE OF SURFACE AND	)	
GROUNDWATERS OF THE PAYETTE	)	STIPULATION RESOLVING
RIVER DRAINAGE BASIN	)	OBJECTIONS TO WATER
	)	RIGHT NOS. 65-00078,
	)	65-00079, 65-00084,
	)	65-00085, 65-00080,
	)	65-00081, 65-00082,
	)	65-00076, 65-02030,
	)	65-10337, 65-00077

The Director of the Idaho Department of Water Resources, R. Keith Higginson, by and through counsel, and Letha Irrigation & Water Co. Inc. stipulate as follows:

1. That water right claim Nos. 65-00078, 65-00079, 65-00085, 65-00080, 65-00084, 65-00081, 65-00082, 65-00076, 65-02030, 65-10337, 65-00077, be accepted and included in the Proposed Finding of Water Rights in the Payette River Drainage as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

2. That Letha Irrigation & Water Co. Inc. withdraw all pending objections, including those based on the objection filed by Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown in July 1982, in the above captioned matter.

DATED this _____ day of _____, 1993.

LARRY ECHOHAWK
Attorney General

DANIEL L STECKEL
Deputy Attorney General
Department of Water Resources

DATED THIS 8 day of Feb, 1993.

Howard R. Platz Pres.
AUTHORIZED AGENT, LETHA
IRRIGATION & WATER CO. INC.

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

JAMES R. DOOLITTLE
District Judge

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM																																				
SOURCE: PAYETTE RIVER		TRIBUTARY: SNAKE RIVER																																								
65-00084	LETHA IRRIGATION & WATER CO. INC. 6550 DALLAS RD. NEW PLYMOUTH ID 83655	08/21/1886	IRRIGATION	03-15 11-15	11.81	CFS BENEFICIAL USE																																				
					TOTAL QUANTITY:	11.81 CFS																																				
					CONSUMPTIVE USE:	1074.5 AFY																																				
POINT OF DIVERSION:																																										
T06N R02W S09		SWNW																																								
PLACE OF USE: IRRIGATION																																										
<table border="0"> <tr> <td>T06N R02W S05</td> <td>Lot 12 (NWSW)</td> <td>34.0</td> <td>SWSW</td> <td>21.0</td> <td>Lot 11 (SESW)</td> <td>41.0</td> <td>Lot 10 (SWSE)</td> <td>23.0</td> </tr> <tr> <td>S06</td> <td>Lot 8 (NESE)</td> <td>32.0</td> <td>NWSE</td> <td>34.0</td> <td>SWSE</td> <td>14.0</td> <td>SESE</td> <td>10.0</td> </tr> <tr> <td>S08</td> <td>NENE</td> <td>19.0</td> <td>NWNE</td> <td>30.0</td> <td>SWNE</td> <td>2.0</td> <td>SENE</td> <td>20.0</td> </tr> <tr> <td colspan="2"></td> <td>NENW</td> <td>24.0</td> <td>NWNW</td> <td colspan="2">3.0</td> <td colspan="2"></td> </tr> </table>							T06N R02W S05	Lot 12 (NWSW)	34.0	SWSW	21.0	Lot 11 (SESW)	41.0	Lot 10 (SWSE)	23.0	S06	Lot 8 (NESE)	32.0	NWSE	34.0	SWSE	14.0	SESE	10.0	S08	NENE	19.0	NWNE	30.0	SWNE	2.0	SENE	20.0			NENW	24.0	NWNW	3.0			
T06N R02W S05	Lot 12 (NWSW)	34.0	SWSW	21.0	Lot 11 (SESW)	41.0	Lot 10 (SWSE)	23.0																																		
S06	Lot 8 (NESE)	32.0	NWSE	34.0	SWSE	14.0	SESE	10.0																																		
S08	NENE	19.0	NWNE	30.0	SWNE	2.0	SENE	20.0																																		
		NENW	24.0	NWNW	3.0																																					
307.0 ACRES TOTAL																																										
REMARKS: WATER IS DELIVERED THROUGH KATY KESGARD DITCH.																																										
A DIVERSION RATE OF .034 CFS PER ACRE FOR 277 ACRES AND .029																																										
CFS FOR 30 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF																																										
DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.																																										
1.52 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE																																										
LOSSES IN DELIVERY OF THIS RIGHT.																																										

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LETHA IRRIGATION & WATER CO. INC. 6550 DALLAS RD. NEW PLYMOUTH ID 83655 (208) 278-3040	08/21/1886	IRRIGATION	03-15 11-15	11.81 CFS	
					TOTAL DIVERSION:	11.81 CFS
					CONSUMPTIVE USE:	1074.5 AFA

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion:

T06N R02W S09

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	
06N	02W 5	:		:		:		:		:	12-34	21	11-41	:		10-23	:	119.0
06N	02W 6	:		:		:		:		:				:	08-32	34	14	10
06N	02W 8	:	19	:	30	:	02	:	20	:	24	03	:					98.0
																	TOTAL ACRES	307.0

POU County: GEM

Remarks: WATER IS DELIVERED THROUGH KATY KESGARD DITCH.
A DIVERSION RATE OF .034 CFS PER ACRE FOR 277 ACRES AND .029
CFS FOR 30 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF
DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.
1.52 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

TO: 65-00084

FROM: D. Shaff 

DATE: January 12, 1993

RE: POINT OF DIVERSION

Talks with Tim Luke, IDWR who is working on water district matters, raised a question about the point of diversion for this water right. Physically, two ditches (Tschudy and Tschudy-Upson) begin virtually at the same spot in the SESENE, S08, T06N, R02W at the end of a branch of a slough off the Seven Mile Slough. Besides maps, Tim and I used the June 1975 IDWR publication of Miscellaneous Measurements and the supporting notebook of map sketches for the measurement points. Additionally I talked with Don Craig at Letha, who is familiar with Letha Irrigation operations, about the Kesgard diversion. Craig related the point off Seven Mile slough in the SWNW, S08, T06N, R02W is often used to "regulate" the flow of water into the branch slough although no permanent structure or measuring point exists at that point. My conclusion is to retain the section 9 description for the point of diversion.



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

April 29, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Robert Foust
President
Letha Irrigation & Water Co Inc
5307 Freemont
New Plymouth, Idaho 83655

Re: Civil Case No. 3667 - Frasier, et al Objection 65-00084

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 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.

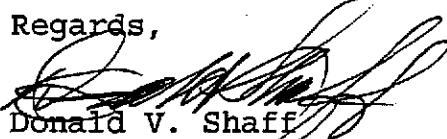
This group of water rights are among the last water rights remaining for decree in the Payette River Basin Adjudication. Most of the water rights were decreed on January 21, 1986 and in subsequent partial decrees.

Your water right referenced above was listed in the Proposed Finding with a diversion rate of 7.16 cubic feet per second (cfs). Having reviewed the data submitted by the parties and data and evidence obtained by the Department, the Department recommends a diversion rate of 11.81 cfs. If the amount of water is not proposed to change, data and/or evidence indicated a change was not justified.

The Department has made an effort to determine a fair and accurate diversion rate for each of the parties. If you disagree with the proposal above, please contact us by May 15, 1992. We hope to resolve any disputes that may exist before going to the court asking for a decree of your water right through a Motion for Summary Judgment.

A summary judgment allows the judge to make a decision without the time or expense of a trial when the facts are not disputed. Notice of this motion and the accompanying hearing will be provided to you 28 days before the hearing.

Regards,


Donald V. Shaff
Manager, Adjudication Section

DIVERSION RATE CALCULATIONS

Water Right No. 65-00084

Date 4/15/92

Initials JP

Soils	Acres		Rate (cfs/ac)		Rate (cfs)
Moulton	<u>277</u>	x	0.034	=	<u>9.42</u>
Letha	<u>30</u>	x	0.029	=	<u>.87</u>
Other	<u>-</u>	x	0.02	=	<u>-</u>
Total	<u>307</u>				<u>10.29</u>

Conveyance Loss (see attached) = 1.52

TOTAL DIVERSION RATE = 11.81

Comments:

65-00084

4/15/92 JP

CONVEYANCE LOSS - MORITZ

REACH	LENGTH (FT)	AVE VELOCITY (FT/SEC)	SEEPAGE (FT/DAY)	MORITZ LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	950	1.75	2.00	0.19	0.00	10.29	0.0181	0.00	11.81
2	5280	1.75	2.00	1.01	6.64	10.29	0.0980	0.77	11.62
3	2904	1.75	2.00	0.32	3.65	3.65	0.0890	0.75	3.97
4	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
5	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
6	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
7	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
8	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
9	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
10	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
11	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
12	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
13	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
14	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
15	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
16	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
17	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
18	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
19	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
20	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
TOTALS	9134			1.52	10.29			1.52	

REACH = SECTION OF CHANNEL

LENGTH = LENGTH OF REACH, THE CHANNEL CAN DIVIDED INTO EQUAL LENGTH REACHES

OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS

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

SEEPAGE = SOIL SEEPAGE RATE OF REACH

MORITZ LOSS = CONVEYANCE LOSS IN REACH BASED ON MORITZ METHOD

DELIVERY = TOTAL DELIVERIES IN REACH

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

LOSS FACTOR = MORITZ LOSS/DELIVERY LEFT

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

FLOW = TOTAL FLOW AT BEGINNING OF EACH REACH

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 259

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
65-0085	LETHA IRRIGATION & WATER COMPANY, INC. C/O NELDA PLATZ, ROUTE 2, NEW PLYMOUTH, IDAHO 83655 REMARKS: IRRIGATED BY D TURLEY (MAXFIELD) DITCH.	10/27/1884	IRRIGATION	3/15 11/15	--- AFA 9.80 CFS	SWNE S 8 T 6N R 2W	SESW(30) SWSE(13) SESE(12) LOT 9(8) LOT10(28) S 6 T 6N R 2W NENE(32) NWNE(34) SWNE(39) SENW(34) SENE(22) NENW(30) LOT 1(39) LOT 2(19) S 7 T 6N R 2W NWNW(15) SWNW(17) S 8 T 6N R 2W SWNE(8) NESE(14) S 1 T 6N R 3W *402*	BENEFICIAL USE
65-0084	LETHA IRRIGATION & WATER COMPANY, INC. C/O NELDA PLATZ, ROUTE 2, NEW PLYMOUTH, IDAHO 83655 REMARKS: IRRIGATED BY KATY KESGARD DITCH.	8/21/1886	IRRIGATION	3/15 11/15	--- AFA 7.16 CFS	SWNW S 9 T 6N R 2W	SWSW(21) LOT12(34) LOT11(41) LOT10(23) S 5 T 6N R 2W NWSE(34) SWSE(14) SESE(10) LOT 8(32) S 6 T 6N R 2W NENE(19) NWNE(30) SENE(20) NENW(24) NWNW(3) SWNE(2) S 8 T 6N R 2W *307*	BENEFICIAL USE
65-0054A	LAST CHANCE DITCH COMPANY C/O W. L. CHARTERS, 1525 JORDAN LANE, EMMETT, IDAHO 83617 REMARKS: PLACE OF USE WITHIN LANDS OF LAST CHANCE DITCH COMPANY. SEE RIGHT 65-0054X.	2/28/1888	IRRIGATION	3/15 11/15	--- AFA 50.56 CFS	LOT 7 S22 T 7N R 1W	*2145*	BENEFICIAL USE

July 22, 1991

Donald V. Shaff
Manager, Adjudication Section
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9009

Re: Keskard 65-00084 8/21/1886 7.16 c.f.s.

Dear Mr. Shaff,

Upon reviewing the flow rate questionnaire with appropriate information and applying the water requirements table furnished by the Soil Conservation Service, Letha Irrigation and Water Co. Inc. objects to the proposed finding of 7.16 c.f.s. listed for this water right.

According to the information supplied, a flow rate of 13.20 c.f.s. is required. Therefore, Letha Irrigation and Water Co. Inc. respectfully requests that the original diversion rate of 12.28 c.f.s. filed for dated 2/1/1990 be adhered to. We feel that this rate is not excessive and is necessary for the types of soil irrigated.

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

Howard Flatz
Howard Flatz, 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

IRRIGATION FLOW RATE QUESTIONNAIRE

THIS INFORMATION IS REQUIRED FOR ANY ADJUDICATION CLAIM(S) FOR WHICH THE IRRIGATION FLOW RATE CLAIMED IS MORE THAN 0.02 CFS PER ACRE (ONE EXCEPTION IS THAT 0.03 CFS PER ACRE MAY BE ALLOWED FOR IRRIGATION OF UP TO 5 ACRES).

CLAIM NO (S). 65-00084 Priority Date 8/21/1886 c.f.s. 7.16
 NAME Letha Irrigation and Water Co. Inc. Kesgard ditch
 ADDRESS 5307 Freemont New Plymouth, Idaho 83655
 PHONE 208-278-3118

1. TOTAL IRRIGATED ACRES SHOWN ON CLAIM(S) REFERENCED ABOVE 307 ACRES.

2. TYPICAL CROPS GROWN

CROP	PERCENT OF TOTAL ACRES	CROP	PERCENT OF TOTAL ACRES
Alfalfa	5%	Pasture	90%
Alfalfa Seed		Peas/Lentils	
Beans		Melons	
Field Corn		Potatoes	
Silage	5%	Sugar Beets	
Sweet Corn		Tomatoes	
Spring Grain		Lettuce/Radishes	
Winter Wheat		Cabbage/Broccoli	
Hops		Carrots/Turnips	
Orchard		Other ()	

3. IRRIGATION SYSTEM TYPE

TYPE	PERCENT OF TOTAL ACRES	
Graded Border	15%	PLEASE COMPLETE ITEM 4.
Level Border		PLEASE COMPLETE ITEM 4.
Furrow	15%	PLEASE COMPLETE ITEM 5.
Corrugation	70%	PLEASE COMPLETE ITEM 6.
Sprinkler		PLEASE COMPLETE ITEM 7.
Contour Ditch		PLEASE COMPLETE ITEM 8.
Trickle or Drip		
Sub-Irrigation		

4. BORDER (COMPLETE BELOW BASED ON PEAK USE)

varies to farm	50 feet	725-1000 feet
inflow (cfs)	width (feet)	average length (feet)
.4%	24 hours	2-5
slope (%)	set time (hours)	number of borders per set
7-14 days		
frequency (days)		

5. FURROW (COMPLETE BELOW BASED ON PEAK USE)

varies to farm	30 inches	1000-1340 feet
inflow (gallons per minute)	spacing (inches)	average length (feet)
	24 hours	25
slope (%)	set time (hours)	number of furrows per set
7-10 days		
frequency (days)		

6.

CORRUGATION (COMPLETE BELOW BASED ON PEAK USE)

varies to farm

30-36 inches

570-1000 feet

inflow (gallons per minute)

spacing (inches)

average length (feet)

12 hours

70-80

slope (%)

set time (hours)

number of corrugations per set

frequency (days)

7.

SPRINKLER (COMPLETE BELOW BASED ON PEAK USE)

TYPE center pivot ☐ solid set ☐
lateral move ☐ gun/boom ☐

average nozzle flow (gallons per minute)

nozzle spacing (feet)

average lateral length (feet)

lateral spacing (feet)

Number of laterals

circle length (feet)

Number of impact heads

number of spray heads

set time (hours)

frequency (days)

8.

CONTOUR DITCH (COMPLETE BELOW BASED ON PEAK USE)

inflow (cfs)

field slope (%)

ditch length (feet)

distance between ditches (feet)

application depth (inches)

set time (hours)

frequency (days)

9.

CONVEYANCE FROM SOURCE TO FARM

UNLINED DITCH

varies to location of farm

24-48 inches

30-60 inches

length (feet)

average depth (inches)

average width (inches)

LINED DITCH

length (feet)

average depth (inches)

average width (inches)

PIPELINE

length (feet)

diameter (inches)

10.

ON-FARM DISTRIBUTION

UNLINED DITCH

varies to farm

18-24 inches

24-36 inches

length (feet)

average depth (inches)

average width (inches)

LINED DITCH

length (feet)

average depth (inches)

average width (inches)

PIPELINE

length (feet)

diameter (inches)

11. HAVE YOU CHANGED YOUR IRRIGATION SYSTEM FROM THE ONE HISTORICALLY USED? (FOR EXAMPLE, LAND LEVELING, CHANGING LENGTH OF RUNS, CHANGE FROM FURROW TO SPRINKLER, ETC.)
IF YES, PLEASE DESCRIBE _____

12. HAVE YOU HAD ANY IRRIGATION SYSTEM DESIGN/EVALUATIONS OR FARM SOIL SURVEYS COMPLETED BY THE SOIL CONSERVATION SERVICE, PRIVATE CONSULTANTS, OR IRRIGATION EQUIPMENT DEALERS?
IF YES, PLEASE DESCRIBE OR ATTACH COPIES _____



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

Nelda Platz
Letha Irrigation & Water Co. Inc.
6550 Dallas Road
New Plymouth, ID 83655

RECEIVED
JUL 25 1991

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Re: Civil Case No. 3667
Frasier, et al Objection 65-00084 Department of Water Resources

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 7.16 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

IRRIGATION FLOW RATE QUESTIONNAIRE

RECEIVED

JUL 5 1991

THIS INFORMATION IS REQUIRED FOR ANY ADJUDICATION CLAIM(S) FOR WHICH THE IRRIGATION FLOW RATE CLAIMED IS MORE THAN 0.02 CFS PER ACRE (ONE EXCEPTION IS THAT 0.03 CFS PER ACRE MAY BE ALLOWED FOR IRRIGATION OF UP TO 5 ACRES).

Department of Water Resources
Western Regional Office

CLAIM NO (S). Leitha Irrigation (Krugard Ditch)
NAME Don Heckman
ADDRESS 1138 Vandendasson Rd Emmett ID 83617
PHONE 365-2642

1. TOTAL IRRIGATED ACRES SHOWN ON CLAIM(S) REFERENCED ABOVE 25 ACRES.

2. TYPICAL CROPS GROWN

CROP	PERCENT OF TOTAL ACRES	CROP	PERCENT OF TOTAL ACRES
Alfalfa		Pasture	100
Alfalfa Seed		Peas/Lentils	
Beans		Melons	
Field Corn		Potatoes	
Silage		Sugar Beets	
Sweet Corn		Tomatoes	
Spring Grain		Lettuce/Radishes	
Winter Wheat		Cabbage/Broccoli	
Hops		Carrots/Turnips	
Orchard		Other ()	

3. IRRIGATION SYSTEM TYPE

TYPE	PERCENT OF TOTAL ACRES	
Graded Border	100	PLEASE COMPLETE ITEM 4.
Level Border		PLEASE COMPLETE ITEM 4.
Furrow		PLEASE COMPLETE ITEM 5.
Corrugation		PLEASE COMPLETE ITEM 6.
Sprinkler		PLEASE COMPLETE ITEM 7.
Contour Ditch		PLEASE COMPLETE ITEM 8.
Trickle or Drip		
Sub-Irrigation		

4. BORDER (COMPLETE BELOW BASED ON PEAK USE)

1.
inflow (cfs) 0.2 width (feet) 50 average length (feet) 1000
slope (%) 10 set time (hours) 24 hr number of borders per set 2
frequency (days) 10

5. FURROW (COMPLETE BELOW BASED ON PEAK USE)

inflow (gallons per minute) spacing (inches) average length (feet)
slope (%) set time (hours) number of furrows per set
frequency (days)

6.

CORRUGATION (COMPLETE BELOW BASED ON PEAK USE)

inflow (gallons per minute)	spacing (inches)	average length (feet)
slope (%)	set time (hours)	number of corrugations per set
frequency (days)		

7.

SPRINKLER (COMPLETE BELOW BASED ON PEAK USE)

 TYPE center pivot ☐ solid set ☐
 lateral move ☐ gun/boom ☐

average nozzle flow (gallons per minute)	nozzle spacing (feet)
average lateral length (feet)	lateral spacing (feet)
Number of laterals	circle length (feet)
Number of impact heads	number of spray heads
set time (hours)	frequency (days)

8.

CONTOUR DITCH (COMPLETE BELOW BASED ON PEAK USE)

inflow (cfs)	field slope (%)
ditch length (feet)	distance between ditches (feet)
application depth (inches)	set time (hours)
frequency (days)	

9.

CONVEYANCE FROM SOURCE TO FARM

UNLINED DITCH

length (feet)	average depth (inches)	average width (inches)
---------------	------------------------	------------------------

LINED DITCH

length (feet)	average depth (inches)	average width (inches)
---------------	------------------------	------------------------

PIPELINE

length (feet)	diameter (inches)
---------------	-------------------

10.

ON-FARM DISTRIBUTION

UNLINED DITCH

length (feet)	average depth (inches)	average width (inches)
---------------	------------------------	------------------------

LINED DITCH

length (feet)	average depth (inches)	average width (inches)
---------------	------------------------	------------------------

PIPELINE

length (feet)	diameter (inches)
---------------	-------------------

 11. HAVE YOU CHANGED YOUR IRRIGATION SYSTEM FROM THE ONE HISTORICALLY USED? (FOR EXAMPLE, LAND LEVELING, CHANGING LENGTH OF RUNS, CHANGE FROM FURROW TO SPRINKLER, ETC.)
 IF YES, PLEASE DESCRIBE _____

 12. HAVE YOU HAD ANY IRRIGATION SYSTEM DESIGN/EVALUATIONS OR FARM SOIL SURVEYS COMPLETED BY THE SOIL CONSERVATION SERVICE, PRIVATE CONSULTANTS, OR IRRIGATION EQUIPMENT DEALERS?
 IF YES, PLEASE DESCRIBE OR ATTACH COPIES _____

IRRIGATION FLOW RATE QUESTIONNAIRE

JUN 24 1991

THIS INFORMATION IS REQUIRED FOR ANY ADJUDICATION CLAIM(S) FOR WHICH THE IRRIGATION FLOW RATE CLAIMED IS MORE THAN 0.02 CFS PER ACRE (ONE EXCEPTION IS THAT 0.03 CFS PER ACRE MAY BE ALLOWED FOR IRRIGATION OF UP TO 5 ACRES).

CLAIM NO (S) LETHA IRR-KESGUARD Claim # 65-00084
 NAME Yvette Rieck Ranch
 ADDRESS 1714 Vanderhasson Rd. Emmet, SD. 57627
 PHONE (208) 365-4897

1. TOTAL IRRIGATED ACRES SHOWN ON CLAIM(S) REFERENCED ABOVE 157.5 ACRES.

2. TYPICAL CROPS GROWN

CROP	PERCENT OF TOTAL ACRES	CROP	PERCENT OF TOTAL ACRES
Alfalfa		Pasture	100
Alfalfa Seed		Peas/Lentils	
Beans		Melons	
Field Corn		Potatoes	
Silage		Sugar Beets	
Sweet Corn		Tomatoes	
Spring Grain		Lettuce/Radishes	
Winter Wheat		Cabbage/Broccoli	
Hops		Carrots/Turnips	
Orchard		Other ()	

3. IRRIGATION SYSTEM TYPE

TYPE	PERCENT OF TOTAL ACRES	
Graded Border	100	PLEASE COMPLETE ITEM 4.
Level Border		PLEASE COMPLETE ITEM 4.
Furrow		PLEASE COMPLETE ITEM 5.
Corrugation		PLEASE COMPLETE ITEM 6.
Sprinkler		PLEASE COMPLETE ITEM 7.
Contour Ditch		PLEASE COMPLETE ITEM 8.
Trickle or Drip		
Sub-irrigation		

4. BORDER (COMPLETE BELOW BASED ON PEAK USE)

inflow (cfs) 1.7 width (feet) 50 average length (feet) 725
 slope (%) 0.2 set time (hours) 24 number of borders per set 2
 frequency (days) 14

5. FURROW (COMPLETE BELOW BASED ON PEAK USE)

inflow (gallons per minute) spacing (inches) average length (feet)
 slope (%) set time (hours) number of furrows per set
 frequency (days)

6.

CORRUGATION (COMPLETE BELOW BASED ON PEAK USE)

inflow (gallons per minute)	spacing (inches)	average length (feet)
slope (%)	set time (hours)	number of corrugations per set
frequency (days)		

7.

SPRINKLER (COMPLETE BELOW BASED ON PEAK USE)

 TYPE center pivot ☐ solid set ☐
 lateral move ☐ gun/boom ☐

average nozzle flow (gallons per minute)	nozzle spacing (feet)
average lateral length (feet)	lateral spacing (feet)
Number of laterals	circle length (feet)
Number of impact heads	number of spray heads
set time (hours)	frequency (days)

8.

CONTOUR DITCH (COMPLETE BELOW BASED ON PEAK USE)

inflow (cfs)	field slope (%)
ditch length (feet)	distance between ditches (feet)
application depth (inches)	set time (hours)
frequency (days)	

9.

CONVEYANCE FROM SOURCE TO FARM

UNLINED DITCH

(3850) (1300')	24" (18")	60" (30")
length (feet)	average depth (inches)	average width (inches)

LINED DITCH

length (feet)	average depth (inches)	average width (inches)
---------------	------------------------	------------------------

PIPELINE

length (feet)	diameter (inches)
---------------	-------------------

10.

ON-FARM DISTRIBUTION

UNLINED DITCH

15050'	18"	30"
length (feet)	average depth (inches)	average width (inches)

LINED DITCH

length (feet)	average depth (inches)	average width (inches)
---------------	------------------------	------------------------

PIPELINE

length (feet)	diameter (inches)
---------------	-------------------

 11. HAVE YOU CHANGED YOUR IRRIGATION SYSTEM FROM THE ONE HISTORICALLY USED? (FOR EXAMPLE, LAND LEVELING, CHANGING LENGTH OF RUNS, CHANGE FROM FURROW TO SPRINKLER, ETC.)
 IF YES, PLEASE DESCRIBE _____

 12. HAVE YOU HAD ANY IRRIGATION SYSTEM DESIGN/EVALUATIONS OR FARM SOIL SURVEYS COMPLETED BY THE SOIL CONSERVATION SERVICE, PRIVATE CONSULTANTS, OR IRRIGATION EQUIPMENT DEALERS?
 IF YES, PLEASE DESCRIBE OR ATTACH COPIES _____

See Frazier ET AL Objection

Case NO 3667

[SCS Analysis, as Exhibit to Frazier Obj, attached to this form]

WRs above were
decreed in 1986

RECEIVED

IRRIGATION FLOW RATE QUESTIONNAIRE

THIS INFORMATION IS REQUIRED FOR ANY ADJUDICATION CLAIM(S) FOR WHICH THE IRRIGATION FLOW RATE CLAIMED IS MORE THAN 0.02 CFS PER ACRE (ONE EXCEPTION IS THAT 0.03 CFS PER ACRE MAY BE ALLOWED FOR IRRIGATION OF UP TO 5 ACRES).

Department of Water Resources

CLAIM NO (S): 465-10723, 465-10724, "TOSHNDY DITCH"
 NAME: Page 42 Ranch
 ADDRESS: 1114 Vandusen Rd. Emmett, Id. 83617
 PHONE: (208) 365-4897

1. TOTAL IRRIGATED ACRES SHOWN ON CLAIM(S) REFERENCED ABOVE 105.9 ACRES.

2. TYPICAL CROPS GROWN

CROP	PERCENT OF TOTAL ACRES	CROP	PERCENT OF TOTAL ACRES
Alfalfa		Pasture	80
Alfalfa Seed		Peas/Lentils	
Beans		Melons	
Field Corn		Potatoes	
Silage	10	Sugar Beets	
Sweet Corn		Tomatoes	
Spring Grain	10	Lettuce/Radishes	
Winter Wheat		Cabbage/Broccoli	
Hops		Carrots/Turnips	
Orchard		Other ()	

3. IRRIGATION SYSTEM TYPE

TYPE	PERCENT OF TOTAL ACRES	
Graded Border	80	PLEASE COMPLETE ITEM 4.
Level Border		PLEASE COMPLETE ITEM 4.
Furrow	10	PLEASE COMPLETE ITEM 5.
Corrugation	10	PLEASE COMPLETE ITEM 6.
Sprinkler		PLEASE COMPLETE ITEM 7.
Contour Ditch		PLEASE COMPLETE ITEM 8.
Trickle or Drip		
Sub-irrigation		

4. 1.5
 inflow (cfs)
0.3
 slope (%)
14
 frequency (days)

BORDER (COMPLETE BELOW BASED ON PEAK USE)
50
 width (feet)
24
 set time (hours)

1000
 average length (feet)
2
 number of borders per set

5. 45
 inflow (gallons per minute)
0.3
 slope (%)
10
 frequency (days)

FURROW (COMPLETE BELOW BASED ON PEAK USE)
60
 spacing (inches)
24
 set time (hours)

1000
 average length (feet)
28
 number of furrows per set

6.

CORROGATION (COMPLETE BELOW BASED ON PEAK USE)

inflow (gallons per minute) 45 spacing (inches) 60 average length (feet) 1800
 slope (%) 0.3 set time (hours) 24 number of corrugations per set 28
 frequency (days) 20

7.

SPRINKLER (COMPLETE BELOW BASED ON PEAK USE)

TYPE center pivot ☐ solid set ☐
 lateral move ☐ gun/boom ☐

average nozzle flow (gallons per minute) _____ nozzle spacing (feet) _____
 average lateral length (feet) _____ lateral spacing (feet) _____
 Number of laterals _____ circle length (feet) _____
 Number of impact heads _____ number of spray heads _____
 set time (hours) _____ frequency (days) _____

8.

CONTOUR DITCH (COMPLETE BELOW BASED ON PEAK USE)

inflow (cfs) _____ field slope (%) _____
 ditch length (feet) _____ distance between ditches (feet) _____
 application depth (inches) _____ set time (hours) _____
 frequency (days) _____

9.

CONVEYANCE FROM SOURCE TO FARM - *River gravel*

UNLINED DITCH

length (feet) 2200 average depth (inches) 18" average width (inches) 96"

LINED DITCH

length (feet) _____ average depth (inches) _____ average width (inches) _____

PIPELINE

length (feet) _____ diameter (inches) _____

10.

ON-FARM DISTRIBUTION

UNLINED DITCH

length (feet) (2800) & (3850) average depth (inches) (18") (18") average width (inches) (72") & (48")

LINED DITCH

length (feet) 1270 average depth (inches) 17" average width (inches) 48"

PIPELINE

length (feet) _____ diameter (inches) _____

11. HAVE YOU CHANGED YOUR IRRIGATION SYSTEM FROM THE ONE HISTORICALLY USED? (FOR EXAMPLE, LAND LEVELING, CHANGING LENGTH OF RUNS, CHANGE FROM FURROW TO SPRINKLER, ETC.)
 IF YES, PLEASE DESCRIBE _____

12. HAVE YOU HAD ANY IRRIGATION SYSTEM DESIGN/EVALUATIONS OR FARM SOIL SURVEYS COMPLETED BY THE SOIL CONSERVATION SERVICE, PRIVATE CONSULTANTS, OR IRRIGATION EQUIPMENT DEALERS?
 IF YES, PLEASE DESCRIBE OR ATTACH COPIES _____

See Frazier objection, Civil Case No 3667
 c SCS Analysis as Exhibit to Frazier Obj. attached to this form
 but not left attached Super DVS 06-24-91 *sf*

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
65-10723	PAYETTE RIVER RANCH 1586 VANDERDASSON ROAD EMMETT ID 83617	08/12/1889	IRRIGATION STOCKWATER	03-15 11-15 01-01 12-31	1.76 CFS 0.23 CFS	DECREED
					1.99 CFS TOTAL 0.00 AFA TOTAL	

SOURCE: PAYETTE RIVER
OTHER RIGHTS:
CONDITIONS OF APPROVAL:

TRIBUTARY: SNAKE RIVER

REMARKS:

POINT OF DIVERSION:
T06N R02W S09 SWNE

PLACE OF USE: IRRIGATION
T06N R02W S04 SWSW 3.0
S05 Lot 10 (SWSE) 8.0 Lot 9 (SESE) 36.0
S08 NENE 21.0 SENE 2.0
S09 Lot 4 (NWNW) 19.0
89.0 ACRES TOTAL

PLACE OF USE: STOCKWATER
SAME AS OTHER USE

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
65-10724	PAYETTE RIVER RANCH 1586 VANDERDASSON ROAD EMMETT ID 83617	06/01/1963	IRRIGATION	03-15 11-15	0.38 CFS	DECREED

0.38 CFS TOTAL
0.00 AFA TOTAL

SOURCE: PAYETTE RIVER
OTHER RIGHTS:
CONDITIONS OF APPROVAL:

TRIBUTARY: SNAKE RIVER

REMARKS:

POINT OF DIVERSION:
T06N R02W S09 SWNE

PLACE OF USE: IRRIGATION
T06N R02W S04 SWSW 6.0
S05 Lot 9 (SESE) 1.0
S09 Lot 4 (NWNW) 12.0
19.0 ACRES TOTAL



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 15, 1991

Nelda Platz
6550 Dallas Road
New Plymouth, ID 83655

RE: Civil Case No. 3667
Frasier, et al Objection

Dear Nelda,

I have enclosed several letters addressed to Letha Irrigation and Stewart Ditch Company, each of which shows a different water right with the accompanying cfs amount. The following list should help connect which letter goes to which ditch.

LETHA DITCHES.

<u>Name</u>	<u>Water Right No.</u>	<u>Priority Date</u>	<u>Amount</u>
Anderson	65-00080	05/31/1889	11.26
Kesgard	65-00084	08/21/1886	7.16
Nichols	65-00079	03/30/1881	8.32
Riggs	65-02030	06/12/1905	3.20
	65-10337	04/01/1913	1.47
Rasmussen	65-00081	12/30/1889	10.65
O'Turley	65-00085	10/27/1884	9.80
Seitz	65-00082	08/28/1901	15.93
Pulley	65-00077	04/01/1927	1.44
	65-00076	07/01/1904	7.36
Woods	65-00078	12/27/1884	3.18

Although I can be of little help with the data solicited by the forms (I only need one form for each ditch), I would be happy to discuss the objectives of the form after you and/or the Board have reviewed them a bit.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:state
Enclosures:

Letha & Stewart Ditches
Letters Referenced Above



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 15, 1991

Nelda Platz
Letha Irrigation & Water Co. Inc.
6550 Dallas Road
New Plymouth, ID 83655

Re: Civil Case No. 3667
Frasier, et al Objection 65-00084

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 7.16 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

65-0084

307 Total

SB SENE 18 (15)
SUNE 2 (21)
NUNE 2 (15)
NUNE 20 (21)
NENE 10 (15)
NENE 19 (21)
5546 AL 209

30 (15)
277 (21)



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

April 24, 1986

RE: Water District 57-R

Dear Reynolds Creek Basin Water User:

The director of the Department of Water Resources has set a budget and selected a watermaster for Water District 57-R for the 1986 irrigation season. You should have received the director's order dated April 9th that established Water District 57-R to replace water districts 57-A and 57-J.

Kenneth Downing of Homedale has been selected to serve as watermaster with a budget of \$5,525 to operate for about 65 days. The budget compensates Mr. Downing at \$40 per day plus 20.5 cents per mile. Included in the budget is pay and mileage expenses to hire Connie Brandau as an assistant watermaster if such a position would be advantageous to the water district.

The budget has been sent to the Owyhee County auditor's office for collection through the county offices. If you have questions about the budget or the water district in general, please feel free to call me.

Before the director can instruct the watermaster to begin delivering water, he must receive a letter signed by at least three water users who believe the watermaster's services are required. As that time quickly approaches, I solicit your cooperation and patience in this first year of Water District 57-R.

Regards,

DON SHAFF

Water Rights Supervisor

DS:alw

Letha Irrigation & Water Co.
Route 2
New Plymouth, Idaho 83655
October 20, 1978

Dept. of Water Resources
State of Idaho
Boise, Idaho 83705

Gentlemen:

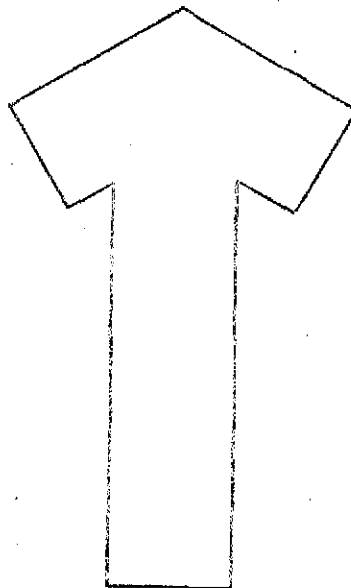
Could you please explain how and where the figure of 4.5 Acre Feet Annually was obtained?

We protest that this is insufficient AFA to irrigate the gravelly ground with the sandy overlay that predominates in this Irrigation District.

Sincerely yours,

Harold Platz
President
Letha Irrigation & Water Co.

INSERT
THIS
EDGE



$$4.5(1.98)215 = 1916$$

$$321(9.5) = 3049.5$$

$$\frac{321}{.02} = 16050$$

$$\text{Loss/mi} = (.0667) W$$

$$= (.0667)(10)(1.876) = 1.04 \text{ cfs/mi}$$

$$\text{Total Loss} = (2)(1.04) = 2.08 \text{ cfs}$$

corresponds to 104 Ac. irrigated

Total Vol.

$$\text{Loss} = (104)(4.5) = 468$$

$$\frac{6.42}{2.08} = 3.08$$

$$\frac{1465}{468} = 3.13$$

Let's see