

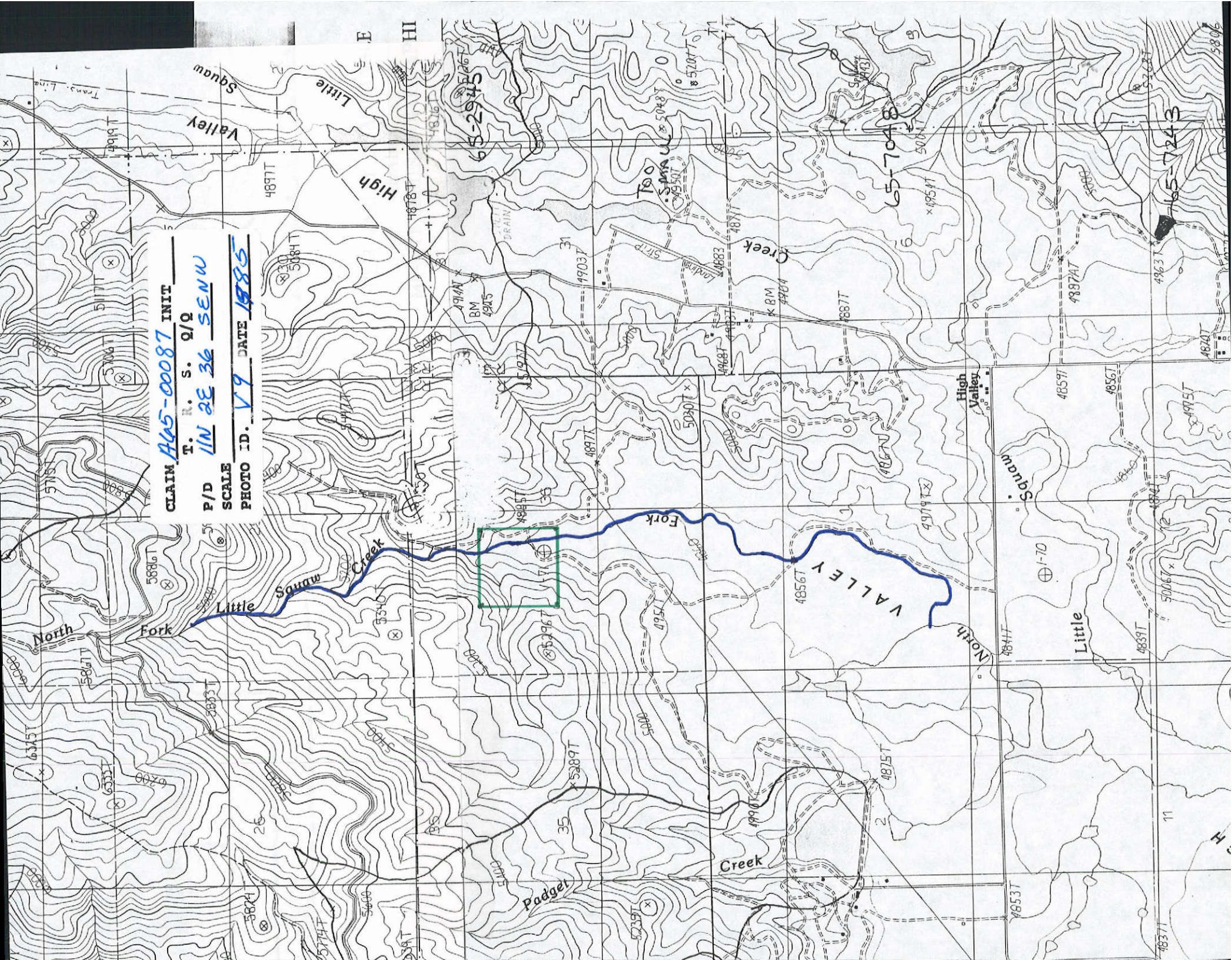
CLAIM 665-00087 INIT

T. R. S. Q/Q

P/D 11N 2E 36 SENW

SCALE

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465-00087

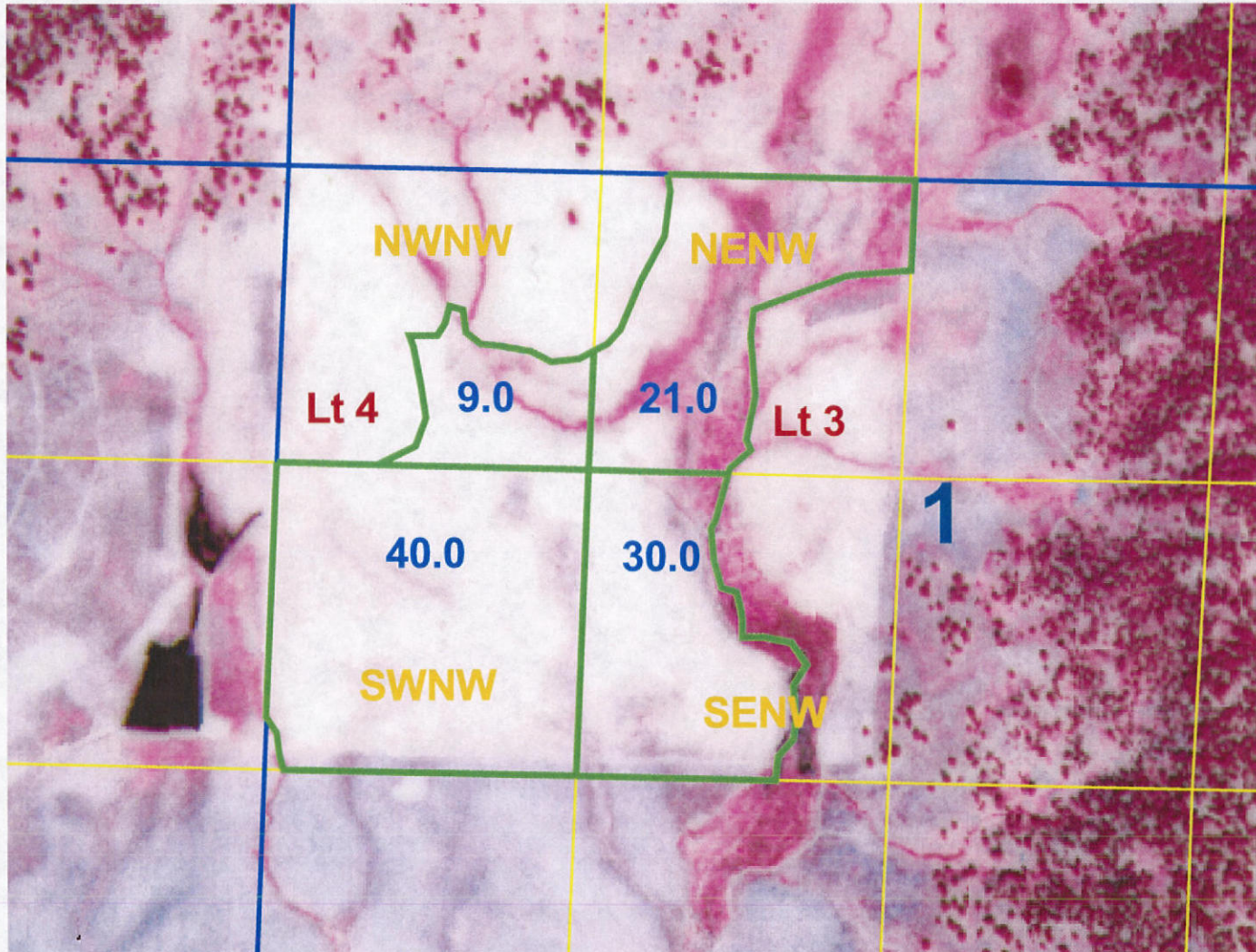
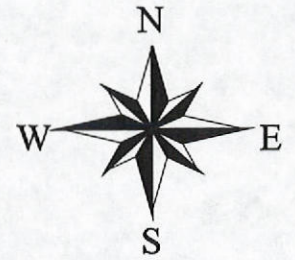
PRBA map

10N, 2E



IDAHO DEPARTMENT OF WATER RESOURCES

T10N, R02E, S01



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-00087

OWNER(S): PRATT, KENNETH

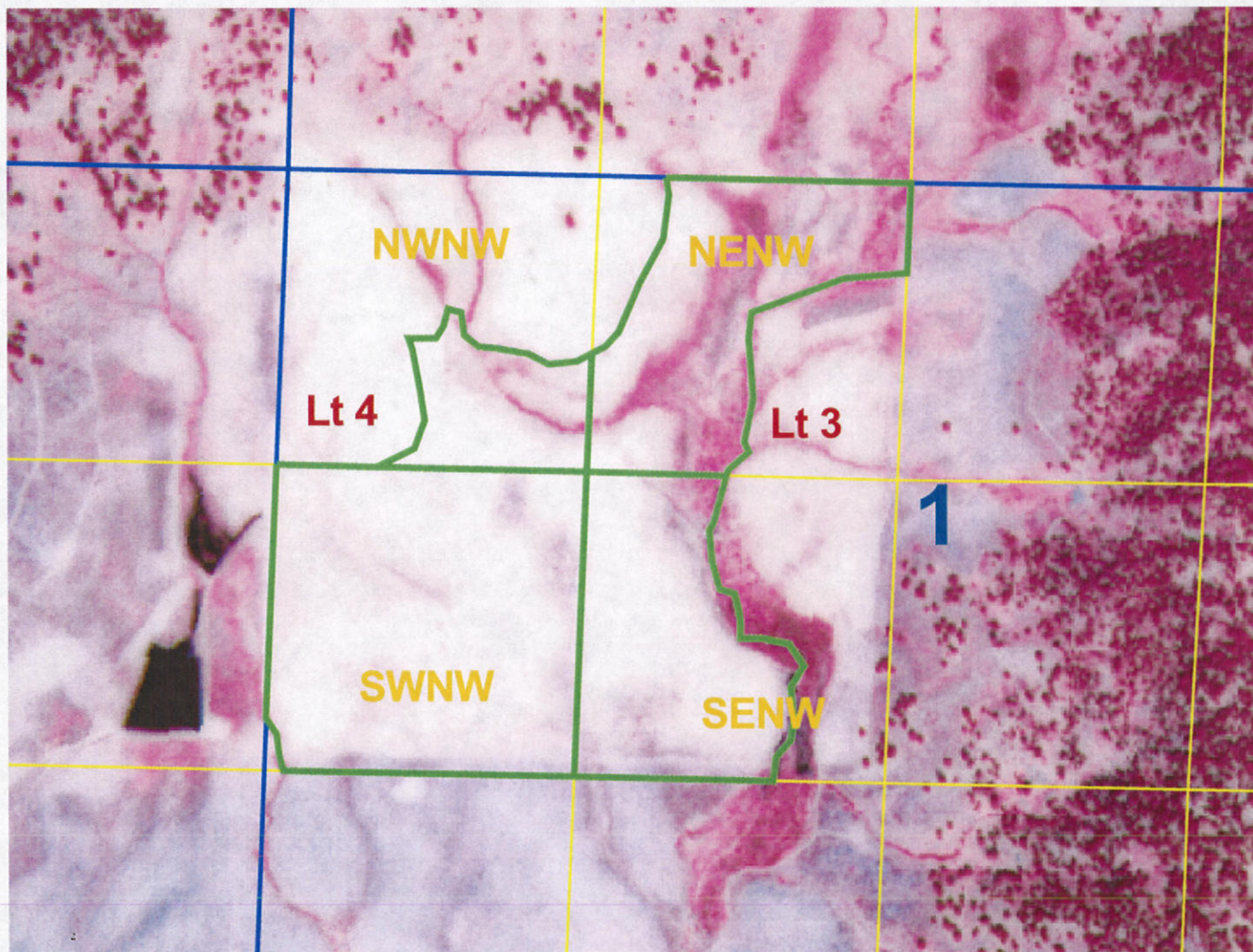
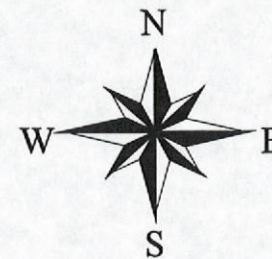
Prepared by Mel Schulte

DATE: JULY 14, 2000

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IDAHO DEPARTMENT OF WATER RESOURCES

T10N, R02E, S01



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-00087

OWNER(S): PRATT, KENNETH

Prepared by Mel Schulte

DATE: JULY 14, 2000

0 0.25 0.5 0.75 1 Miles

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

RECEIVED

NOV 16 1988

IDENT. NUMBER: 65-00087

DATE RECEIVED: 11/26/88

RECEIPT NO: X999999

RECEIVED BY: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. NAME: KENNETH E. PRATT

ADDRESS:

SWEET, ID

83670

2. DATE OF PRIORITY: MAY 01, 1982

3. SOURCE: LITTLE SQUAW CREEK, NORTH F TRIS. TO: LITTLE SQUAW CREEK

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LCT	COUNTY
11N	02E	26	SW	NW			VALLEY

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	04/01	11/01	2.000		

7. TOTAL QUANTITY APPROPRIATED IS:

2.000 C.F.S. (AND/OR)

A.F.A.

8. TOTAL CONSUMPTIVE USE IS

ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LCT	USE	ACRES
10N	02E	1	NE	NW	3	IRR	21.0
			NW	NW	4	IRR	9.0
			SW	NW		IRR	40.0
			SE	NW		IRR	30.0

SECTION ACRES 100.0

65-00087

PAGE 1

DATE: 09/30/88

MICROFILMED

SEP 15 1992

10. PLACE OF USE: CONTINUED

TOTAL ACRES 100.0

11. PLACE OF USE IN COUNTRIES: VALLEY

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

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: DECREE

CASE NUMBER:

COURT

DECREE DATE: 1/21/1986

STATE OF IDAHO

DECREE PLAINTIFF

VS
A & C CORP., ET AL.
DECREE DEFENDANT

65-00087

PAGE

2

DATE: 09/30/88

MICROFILMED

SEP 15 1992

16. SIGNATURE(S)

(A.) BY SIGNING BELOW, I/WE ACKNOWLEDGE THAT I/WE HAVE RECEIVED, READ AND UNDERSTAND THE FORM ENTITLED "HOW YOU WILL RECEIVE NOTICE IN THE SNAKE RIVER BASIN ADJUDICATION." (B.) I/WE DO ☒ DO NOT ☐ WISH TO RECEIVE AND PAY A SMALL ANNUAL FEE FOR MONTHLY COPIES OF THE DOCKET SHEET.

NUMBER OF ATTACHMENTS: 0

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): [Signature] DATE: 10-27-88

DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF

_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION TITLE

DOCUMENT IN THE SPACE BELOW AS _____ OF

TITLE

AND THAT THE STATEMENTS CONTAINED IN THE

ORGANIZATION

FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)

COUNTY OF Ben) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 27 DAY

OF October 19 88

SEAL

RESIDING AT

Emmett, Idaho

65-00087 PAGE 3

MY COMMISSION EXPIRES

DATE: 09/30/88

MICROFILMED

SEP 15 1992

RECEIVED

JAN 24 2002

WATER RESOURCES
WESTERN REGION

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

A. Subcase 65-87
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100
Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234
Daytime Phone: (208) 678-0461 (Dala Walton)

Name & Address of Attorney, if any:
David W. Gehlert (303 312-7352)
Trial Attorney, General Litigation Section
Environment and Natural Resource Division
U.S. Department of Justice
999 18th Street, Suite N 945
Denver, CO 80202

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

Name: Kenneth E. Pratt
Address: PO Box 87, 10900 Liberty Rd.
Sweet, ID 83670

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

- ☒ **General Provision Basin 65 Irrigation & Other Part III (3) Separate Streams**
1. ☐ **Name and Address**
Should be:
 2. ☐ **Source**
Should be:
 3. ☐ **Quantity**
Should be:
 4. ☐ **Priority Date**
Should be:
 5. ☐ **Point(s) of Diversion**
Should be:
 6. ☐ **Instream Flow Description**
Should be:
 7. ☐ **Purpose(s) of Use**
Should be:
 8. ☐ **Period of Year**
Should be:
 9. ☐ **Place of Use**
Should be:
 11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S):

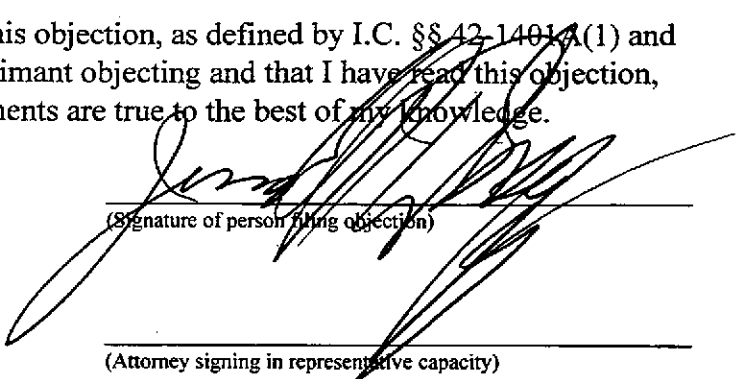
The Bureau of Reclamation objects to the separate stream provision of the Director's Report for Basin 65, Part III. These streams should be administered as part of the Payette River System in order to adequately protect water rights in the Payette River subbasin.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

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

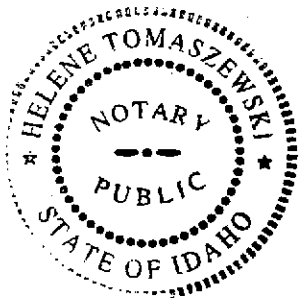
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

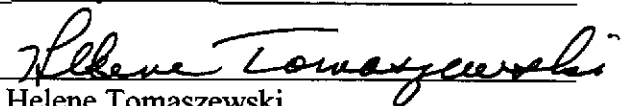

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 9, 2002




Helene Tomaszewski
Notary Public for: Idaho
Residing at: Meridian
My Commission Expires: 01-16-2002

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

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

1. Original to:

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

2. One copy to the claimant of the water right at the following address:

Name: Kenneth E. Pratt

Address: PO Box 87, 10900 Liberty Rd.
Sweet, ID 83670

3. Copies to:

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

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

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


Signature of Objector or attorney mailing on Objector's behalf



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

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

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

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

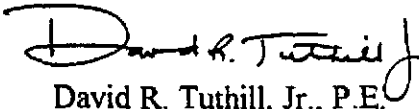
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without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

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

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

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

Sincerely,


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

11/20/2000

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

RIGHT NUMBER: 65-87

NAME AND ADDRESS: KENNETH E PRATT

SWEET, ID 83670

SOURCE: LITTLE SQUAW CREEK, NORTH FORK TRIBUTARY: LITTLE SQUAW CREEK

QUANTITY: 2 CFS

PRIORITY DATE: 05/01/1952

POINT OF DIVERSION: T11N R02E S36 SENW Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 11-01	2.00 CFS

PLACE OF USE:

IRRIGATION Within VALLEY

County

T10N R02E S1	LOT 3	NENW	21	T10N R02E S1	LOT 4	NWNW	9
T10N R02E S1		SWNW	40	T10N R02E S1		SESW	30

100 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

DATE: 07/14/00
PAGE: 1

Audit: 09/24/88 WR-TO-AJ 03/30/95 POST-STD

C18

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

IDENT. NO.

MAP NO

65-0081

Notice is hereby given that

Kenneth E. Platt

Name of Claimant

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) May-1-1952

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

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

450AF
750AF

Use Drainage + Stockwater Period of Use From 11/4/45 To 11/10/45
(Domestic, Irrigation, Stock, etc.) (Mo., Day) (Mo., Day)

Use _____ Period of Use From _____ To _____

Use _____ Period of Use From _____ To _____

- (4) Quantity of water claimed: 2.0 Cubic Feet Per Second, or _____ Acre Feet Per Annum,
and/or _____ Gals. Per Minute.

- (5) A) Point of Diversion: Give location of point where water is diverted from its source *SW*
Sec. *36*, Twp. *11 N*, Rge. *2 E*, B.M.; additional points: *NW*

- 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. The water was diverted by open ditch
one mile long to the land provided below

- (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 100

- 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 ground

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

- (9) Remarks _____

- (10) Basis of claim (Check one): ☒ A) Right based on diversion and beneficial use. 4-28-77
☐ B) Right decreed by court, cite title of case. CWS
☐ C) Right based on application, license, or claim filed with State Reclamation Engineer. Office No.:

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

Individual

April - 21 - 1970
(Date)

Kevin E. Pratt
(Signature of Claimant)

Dorothy M. Pratt
(Signature of Spouse)
Organization

State of Texas ss. Organization Seal

County of Alameda (Signature of Authorized Agent)
On this 21st day of April, in the year 1970, before me,

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 1700 E. 1st St.

My commission expires 2/19 72 11/10/71 X-26-77 BA.

MAR 02, 1979

A65-00087

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 230

INDICATES TOTAL

SOURCE: NORTH FORK, HILL CREEK

TRIBUTARY TO: HILL CREEK

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
65-11004	JOHN A. FRY & SONS HORSESHOE BEND, IDAHO 83629 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-2033X SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	10/ 3/1894	IRRIGATION	4/ 1 11/ 1	--- AFA .78 CFS	NWNE S32 T 8N R 3E	NWNE(1) SWNE(2) NENW(1) SSWN(1) SENE(24) NESW(9) NWSW(1) S32 T 8N R 3E *39*	BENEFICIAL USE

INDICATES TOTAL

SOURCE: NORTH FORK, INDIAN CREEK

TRIBUTARY TO: INDIAN CREEK

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
65-2973	LITTLE WILLOW IRRIGATION DISTRICT 114 NORTH 8TH STREET, PAYETTE, IDAHO 83661 REMARKS: WATER DIVERTED FROM INDIAN CREEK DRAINAGE TO PADDOCK VALLEY RES. WHERE STORAGE OCCURS. POINTS OF RE-DIVERSION & PLACES OF USE WITHIN LANDS OF LITTLE WILLOW IRRIGATION DISTRICT. SEE RIGHT 65-2149.	3/21/1967	DIVERSION TO STORAGE	1/ 1 12/31	--- AFA 100.00 CFS	NWSE S30 TION R 1W SNE S32 TION R 1W	SAME AS OTHER USE	CLICENSE
			IRRIGATION FROM STCR	3/15 11/15	1600.00 AFA --- CFS *1600.00*AFA *100.00*CFS		SAME AS OTHER USE	

INDICATES TOTAL

SOURCE: NORTH FORK, LITTLE SQUAW CREEK TRIBUTARY TO: LITTLE SQUAW CREEK

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
65-0087	PRATT, KENNETH E. SWEET, IDAHO 8367C	5/ 1/1952	IRRIGATION	4/ 1 11/ 1	--- AFA 2.00 CFS	SWNW S36 TION R 2E	SWNW(40) SENW(30) LOT 3(21) LOT 4(9) S 1 TION R 2E *100*	BENEFICIAL USE

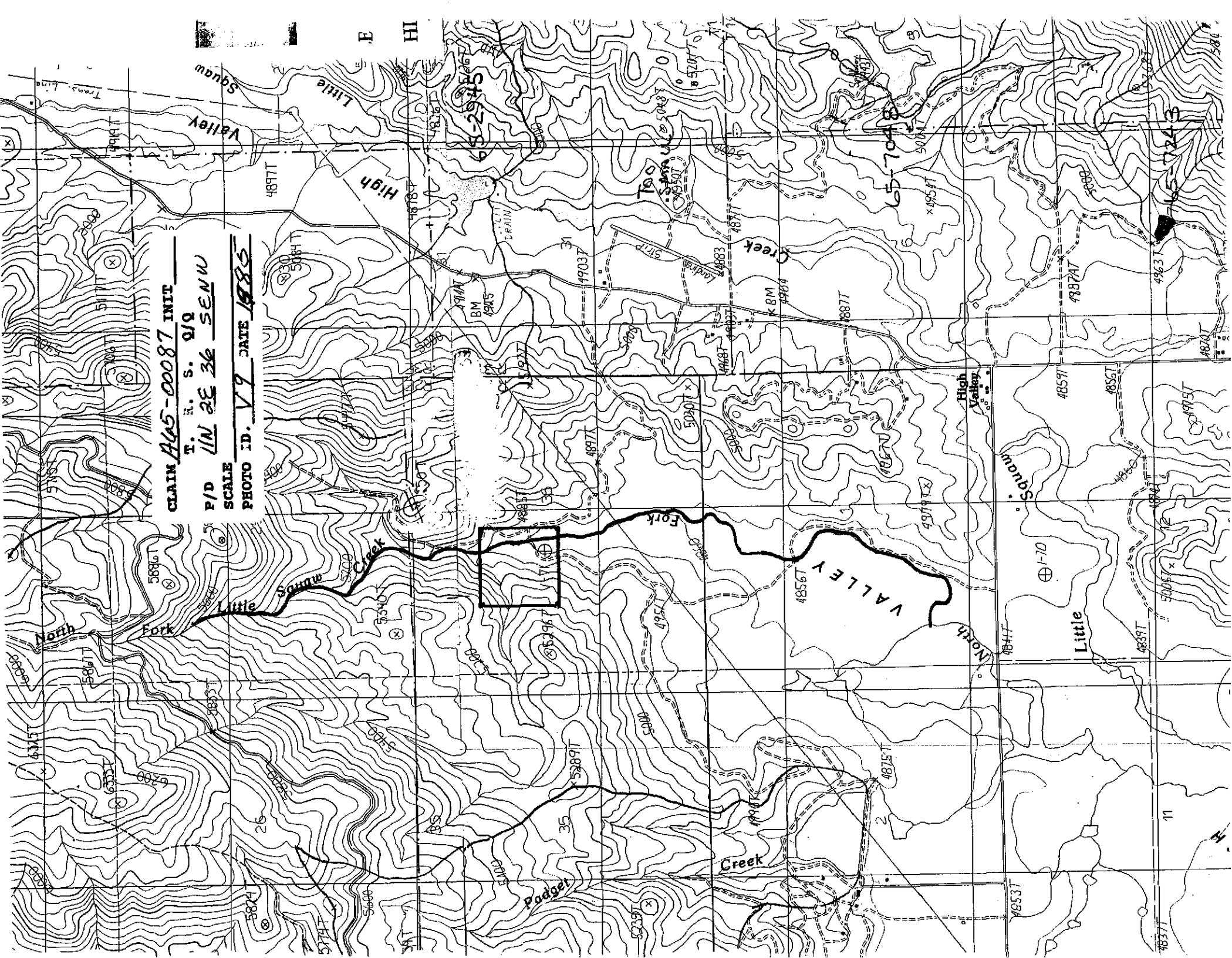
CLAIM 765-0087 INIT

S. I. S. O/S

P/D 11/23 36 SENW

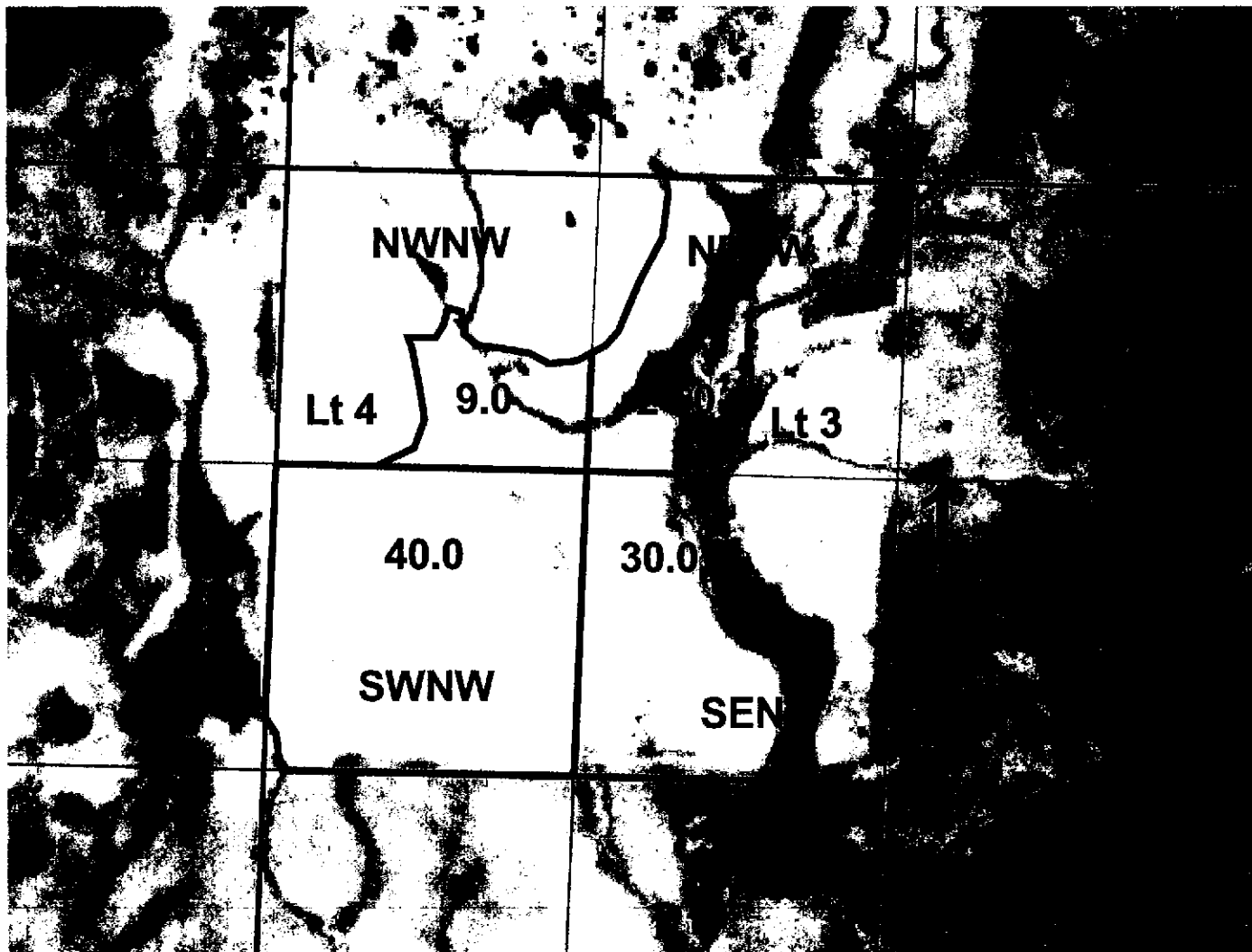
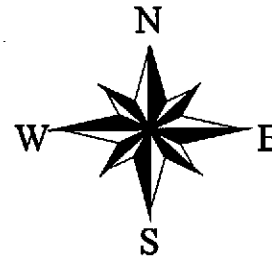
SCALE

PHOTO ID. V9 DATE 1985



IDAHO DEPARTMENT OF WATER RESOURCES

T10N, R02E, S01



1987 NAPP PHOTO

● POINT OF DIVERSION

▬ PLACE OF USE

▬ 1/4 1/4 LINES

▬ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-00087

OWNER(S): PRATT, KENNETH

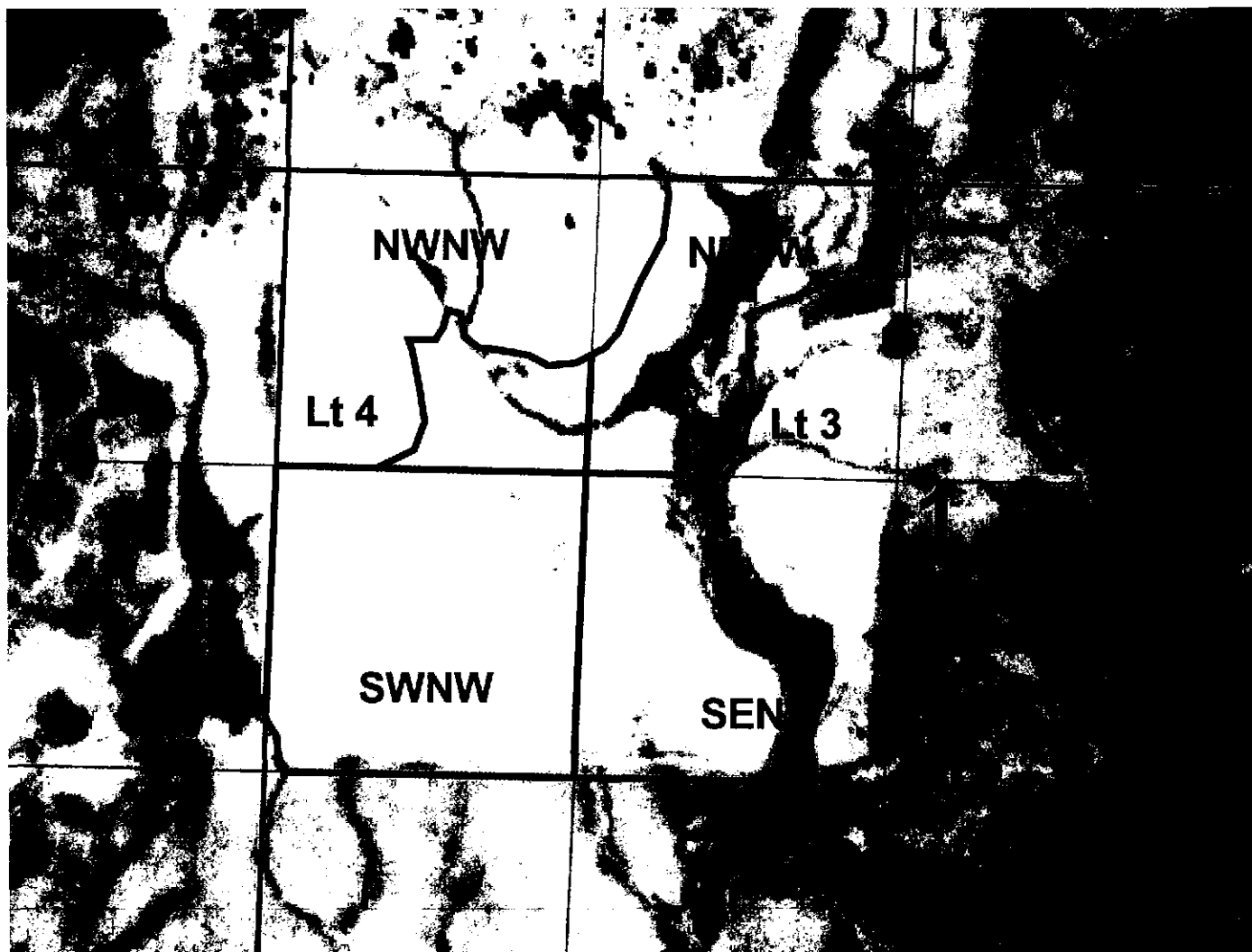
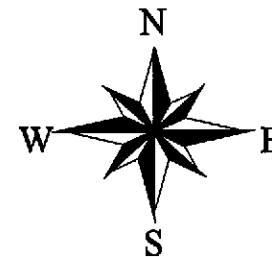
Prepared by Mel Schulte

DATE: JULY 14, 2000

0 0.25 0.5 0.75 1 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

T10N, R02E, S01



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

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CLAIM(S): 65-00087

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Prepared by Mel Schulte

DATE: JULY 14, 2000

0 0.25 0.5 0.75 1 Miles

