

Ran

ADDRESS SERVICE
REQUESTED



65-926

2437

6722

6723

RECEIVED

SEP 21 2001

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES

1301 North Orchard St

P.O. Box 83720

Boise, ID 83720-0098

(208) 327-7900

TO

CHARLES C HERETH

ROSINA C HERETH

3333 W CENTRAL RD

EMMETT ID

RETURNED TO
SENDER
☒ MOVED, LEFT NO ADDRESS
☒ FORWARDING ORDER EXPIRED
☐ UNCLAIMED NOT KNOWN
☐ NO SUCH STREET
☐ NO SUCH NUMBER
☐ INSUFFICIENT ADDRESS

Sent Again
10.5.01

1469 Butte Shadow St.

Emmett 83617

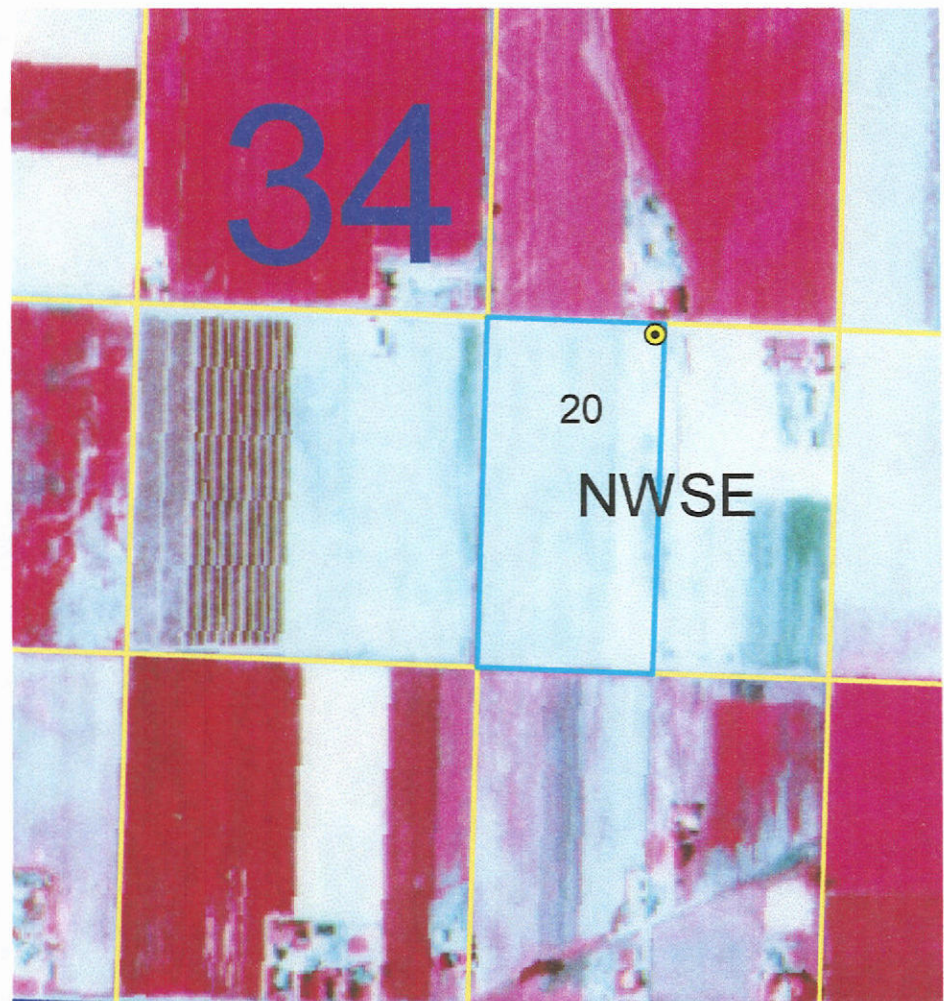
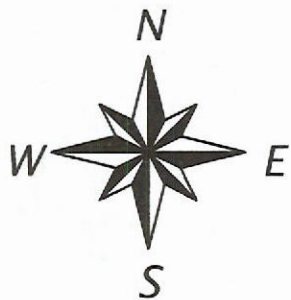
Idaho Department of Water Resources

Claim Number: 65-00926

Legal: T07N, R02W, S34

Reviewed By:

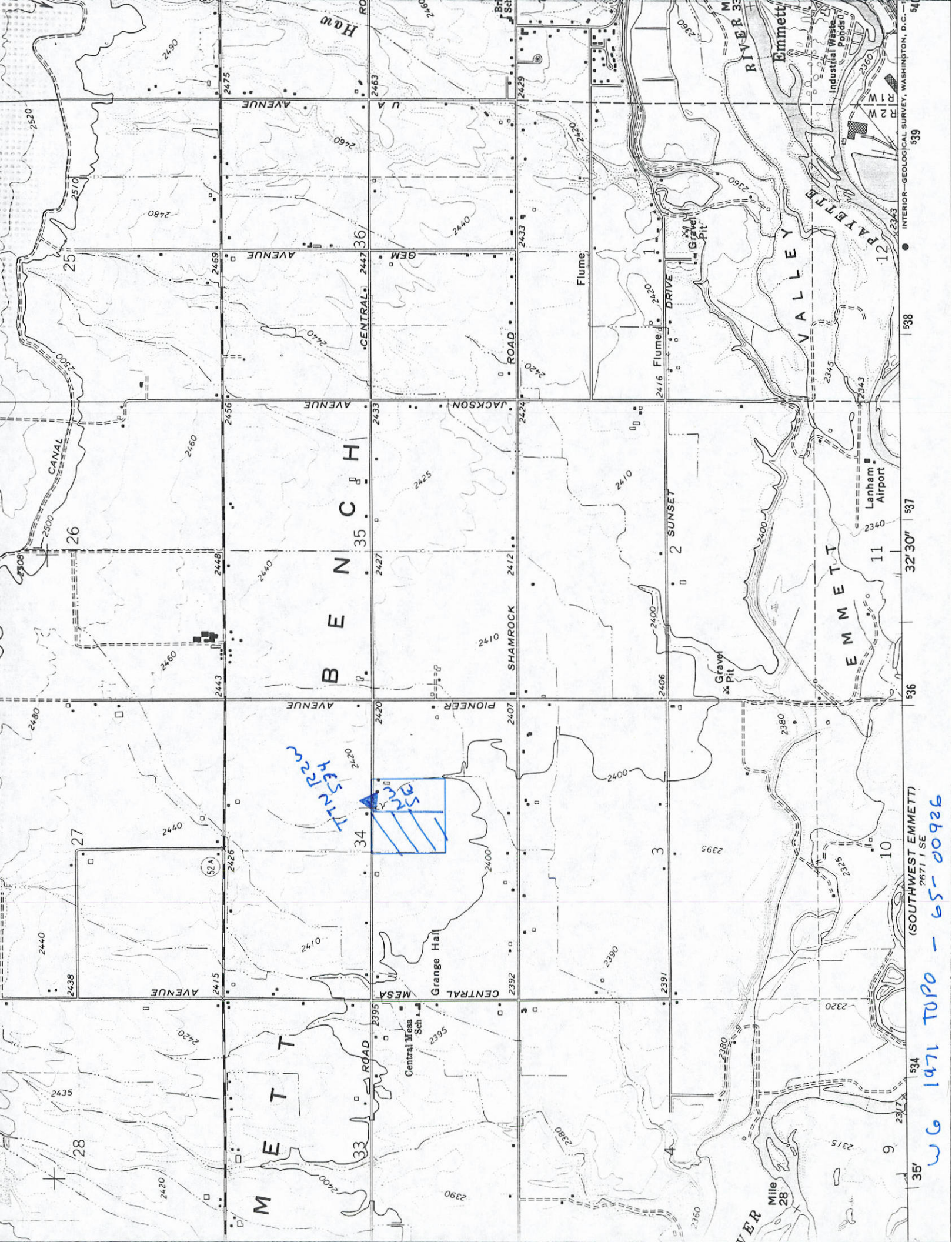
-  *Point of Diversion*
-  *Place of Use*
-  *Section Lines*
-  *Quarter Quarter Lines*



1987 Napp Photo

0 0.25 0.5 Miles





(SOUTHWEST EMMETT)
2671 1 SE

WG 1971 TOPO - 65-00926

534

35

32' 30" | 537

536

538

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54

INTERIOR - GEOLOGICAL SURVEY, WASHINGTON, D.C. -

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: A65-00926
Date Received: 12/27/1989
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES HERETH
Address: 101 E. 2ND AVE.
EMMETT, ID 83617
OR
Name: ROSINA C. HERETH 208-365-4959
Address: 3333 W. CENTRAL RD.
EMMETT, ID 83617

2. Date of Priority: APR 01, 1915

3. Source: WASTE WATER Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	02W	34	NW	SE			GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.400		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A65-00926

Page 1

Date: 01/11/90

MICROFILMED

SEP 15 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	02W	34	NW SE		IRR	20.0
Section Acres						20.0
Total Acres						20.0

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:

THIS RIGHT WHEN COMBINED WITH RIGHTS OF EMMETT IRRIGATION
DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

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 _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. No. 65-00924

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

Please type or print clearly:

Name of Claimant(s) Charles, C. or Rosina, C. Hereth

Mailing Address
(include Zip Code)

3333 W. Central Rd
Emmett, Id

83617

Phone Number (208) 365-4959

MICROFILMED

SEP 15 1992

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

IDENT. NUMBER: 65-00926

DATE RECEIVED: 12/27/1989

RECEIPT NO: K999999

RECEIVED BY: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: JOHN M. HERETH
ADDRESS: 101 E. 2ND AVE.
EMMETT, ID

83617

NAME: CHARLES HERETH
ADDRESS: 101 E. 2ND AVE.
EMMETT, ID

83617

RECEIVED
DEC 27 1989

Department of Water Resources

2. DATE OF PRIORITY: APR 01, 1915

3. SOURCE: WASTE WATER

TRIB. TO: PAYETTE RIVER

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
07N	02W	34		NW	SE		GEM

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	03/15	11/15	0.400		

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

A.F.A.

8. TOTAL CONSUMPTIVE USE IS

ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF 1/4	LOT	USE	ACRES
07N	02W	34	NW SE		IRR	20.0
SECTION ACRES						20.0
TOTAL ACRES						20.0

11. PLACE OF USE IN COUNTIES: GEM, GEM

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

13. OTHER WATER RIGHTS USED:

14. REMARKS:

THIS RIGHT WHEN COMBINED WITH RIGHTS OF EMMETT IRRIGATION
DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

15. BASIS OF CLAIM: DECREE

CASE NUMBER:

COURT :

DECREE DATE: 1/21/1986

STATE OF IDAHO
DECREE PLAINTIFF

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

16. SIGNATURE(S)

(A.) BY SIGNING BELOW, I/WE ACKNOWLEDGE THAT I/WE HAVE RECEIVED, READ AND UNDERSTAND THE FORM ENTITLED "HOW YOU WILL RECEIVE NOTICE IN THE SNAKE RIVER BASIN ADJUDICATION." (B.) I/WE DO _____ DO NOT / 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): Charles C. Heath DATE: 18 Dec. 89
Rosina Heath DATE: 12-18-89

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF
_____, TITLE
_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS _____ OF
_____, TITLE
_____ AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

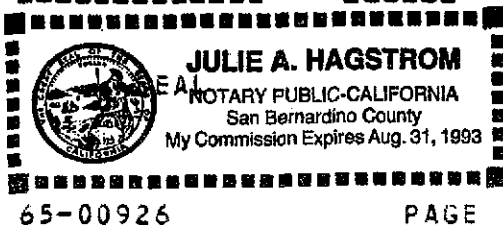
DATE

STATE OF ~~XXXXX~~ CALIFORNIA)
) SS.
COUNTY OF San Bernardino)

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 18th DAY

OF DECEMBER 19 89

Julie A. Hagstrom
NOTARY PUBLIC



RESIDING AT 1019 Broadway Needles, CA 92363

MY COMMISSION EXPIRES August 31, 1993
DATE: 10/28/89 1715

MICROFILMED

SEP 15 1992

4/5/1989.

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME _____

CLAIM IDENT. NO. ALAS-00926

DATE RECEIVED _____

CK # _____

AMOUNT \$ _____

YES

NO

Required
Info?

1. Is the name and address complete with zip code? _____ ☐ YES ☐ NO ☐ * Required Info?
2. Is a priority date entered? _____ ☐ YES ☐ NO ☐ *
Is the priority date acceptable in view of mandatory filing dates? _____ ☐ YES ☐ NO ☐ *
See Adjudication Memos #1 and #4 to determine if a Permit is required. _____ ☐ YES ☐ NO ☐ *
3. (a) Is a source entered? _____ ☐ YES ☐ NO ☐ *
(b) Is a tributary to entered? (if required) _____ 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? _____ N/A _____ ☐ YES ☐ NO ☐ *
Is the consumptive use correct? _____ N/A _____ ☐ YES ☐ NO ☐ *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. _____ 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.) _____ 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.) _____ 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? _____ Exempt _____ ☐ YES ☐ NO ☐ *
21. If this claim is based on an existing water right, has the identification number been entered? _____ N/A _____ ☐ YES ☐ NO ☐ *
22. Should this claim be data entered? _____ ☐ YES ☐ NO ☐ *

Claim checked by: RAH

Date: _____

Claim must be returned to claimant: _____

(Yes) ☐ (No) ☐

Claimant must be notified of modifications: _____

(Yes) ☐ (No) ☐

Receipt Prepared by: _____
 Claim data entered by: RAH
 Sent to claimant by: _____

Date: _____

Date: 1/10/90Date: 1/11/90Checked by: RAHDate: 1/16/90

Comments: _____

MICROFILMED

SEP 15 1992

fan

ADDRESS SERVICE
REQUESTED



65-926
2437
6722
6723

RECEIVED

SEP 21 2001

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES

1301 North Orchard St

P.O. Box 83720

Boise, ID 83720-0098

(208) 327-7900

TO

CHARLES C HERETH

ROSINA C HERETH

3333 W CENTRAL RD

EMMETT ID

RETURNED
TO
SENDER
☐ MOVED, LEFT NO ADDRESS
☒ FORWARDING ORDER EXPIRED
☐ ATTEMPTED NOT KNOWN
☐ UNCLAIMED ☐ REFUSED
☐ NO SUCH STREET
☐ NO SUCH NUMBER
☐ INSUFFICIENT ADDRESS

Sent Again
10.5.01

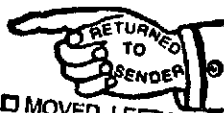
1469 Butte Shadow St.

Emmett 83617

IDAHO DEPARTMENT OF WATER RESOURCES

WESTERN REGION

2735 Airport Way
Boise, Idaho 83705-5082



RETURN SERVICE REQUESTED ☐ MOVED, LEFT NO ADDRESS
☒ FORWARDING ORDER EXPIRED
☐ ATTEMPTED NOT KNOWN
☐ UNCLAIMED ☐ REFUSED
☐ NO SUCH STREET
☐ NO SUCH NUMBER
☐ INSUFFICIENT ADDRESS

CHARLES C HERETH

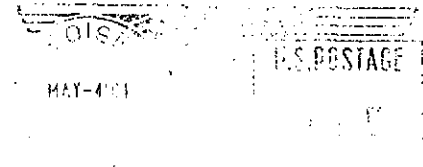
ROSINA C HERETH

3333 W CENTRAL RD

EMMETT, ID 83617

65-926

65-926



RECEIVED

MAY 10 2001

WATER RESOURCES
WESTERN REGION

[REDACTED] 5082





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.

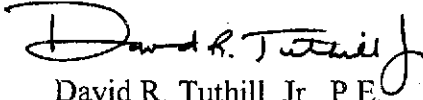
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without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

03/08/2001

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 13, 2001

Water right number: 65-926

ROSINA C HERETH
3333 W CENTRAL RD
EMMETT ID 83617
Telephone Number: (208)365-4959

CHARLES C HERETH
3333 W CENTRAL RD
EMMETT ID 83617
Telephone Number: (208)365-4959

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

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

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

X I AGREE with this proposed recommendation; no changes need to be made.

DATE: 3-22-01 SIGNATURE: Rosina Hereth
Please print your name: ROSINA HERETH

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED



 RETURNED
TO
SENDER

☐ MOVED, LEFT NO ADDRESS
☒ FORWARDING ORDER EXPIRED
☐ ATTEMPTED NOT KNOWN
☐ UNCLAIMED ☐ REFUSED
☐ NO SUCH STREET
☐ NO SUCH NUMBER
☐ INSUFFICIENT ADDRESS

RECEIVED

MAR 16 2001

WATER RESOURCES
WESTERN REGION

ROSINA C HERETH

CHARLES C HERETH
3333 W CENTRAL RD
EMMETT ID 83617

1469 Butte Shadow St.
Emmett 83617

65-00926

-02437

-06722

-06723

Sent again

3-19-01

12/20/2000

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

RIGHT NUMBER: 65-926

NAME AND ADDRESS: CHARLES C HERETH
ROSINA C HERETH
3333 W CENTRAL RD
EMMETT, ID 83617

SOURCE: WASTEWATER TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.4 CFS

THIS RIGHT WHEN COMBINED WITH RIGHTS OF EMMETT IRRIGATION
DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 04/01/1915

POINT OF DIVERSION: T07N R02W S34 NWSE Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	0.40 CFS

PLACE OF USE:

IRRIGATION Within GEM County
T07N R02W S34 NWSE 20

20 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

USE OF THIS RIGHT IS COMBINED WITH WATER FROM EMMETT
IRRIGATION DISTRICT.

AJ5809NP
No. A65-00926

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/14/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHARLES HERETH ~~104 E 2ND AVE~~ EMMETT ID 83617	04/01/1915	IRRIGATION	03-15 11-15	0.400 CFS	
				TOTAL DIVERSION:	0.400 CFS	

C ROSINA C HERETH
3333 W CENTRAL RD
EMMETT ID 83617
(208) 365-4959

Water Source: WASTE WATER

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion: T07N R02W S34 NWSE

GEM County

Place of use Legal Description for: IRRIGATION

	NE				NW				SW				SE				
T R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
07N 02W 34	:		:		:		:		:		:		:		:		20.0
																	20.0

POU County: GEM

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-00923 A65-00923

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHTS OF EMMETT IRRIGATION
DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Audit: 01/10/90 SRBA 01/11/90 SRBA 03/30/95 POST-STD

C18

QNT
E28 1 W16

WR5809NP
No. 65-00926

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/18/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN M. HERETH	04/01/1915	IRRIGATION	03/15 11/15	0.400 CFS	
C	CHARLES HERETH 101 E. 2ND AVE. EMMETT ID 83617					
TOTAL DIVERSION:					0.400 CFS	

Water Source: WASTE WATER

Tributary to: PAYETTE RIVER

Stage: DECREEED

Point(s) of Diversion: T07N R02W S34

NWSE

GEM County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	: Lt	Ac	SUM
07N	02W 34	:		:		:		:		:		:		:		:		
																	20	
																	TOTAL ACRES	20.0

Pou County: GEM

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-00923

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHTS OF EMMETT IRRIGATION
DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

Dates: App. Received: Priority Date: 04/01/1915
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

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

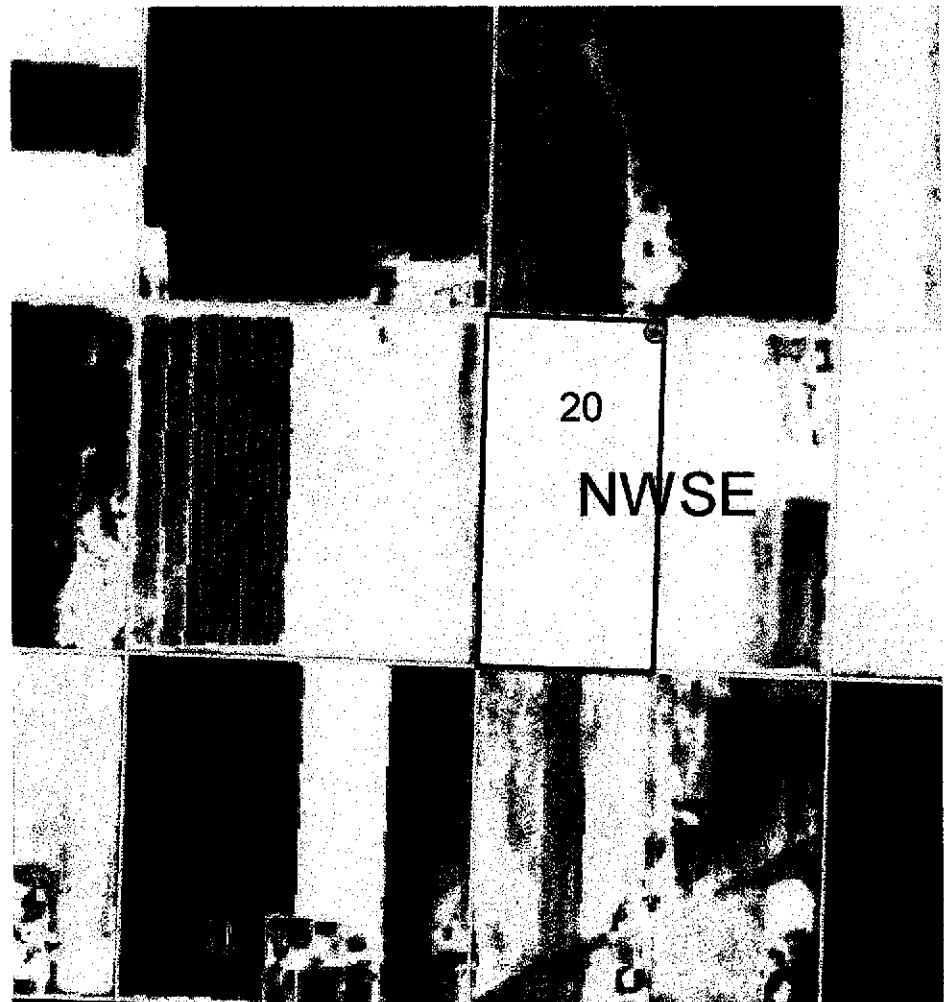
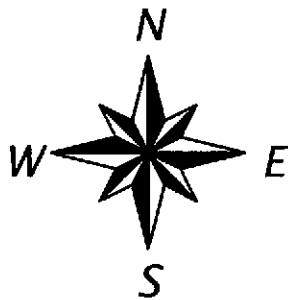
Idaho Department of Water Resources

Claim Number: 65-00926

Legal: T07N, R02W, S34

Reviewed By:

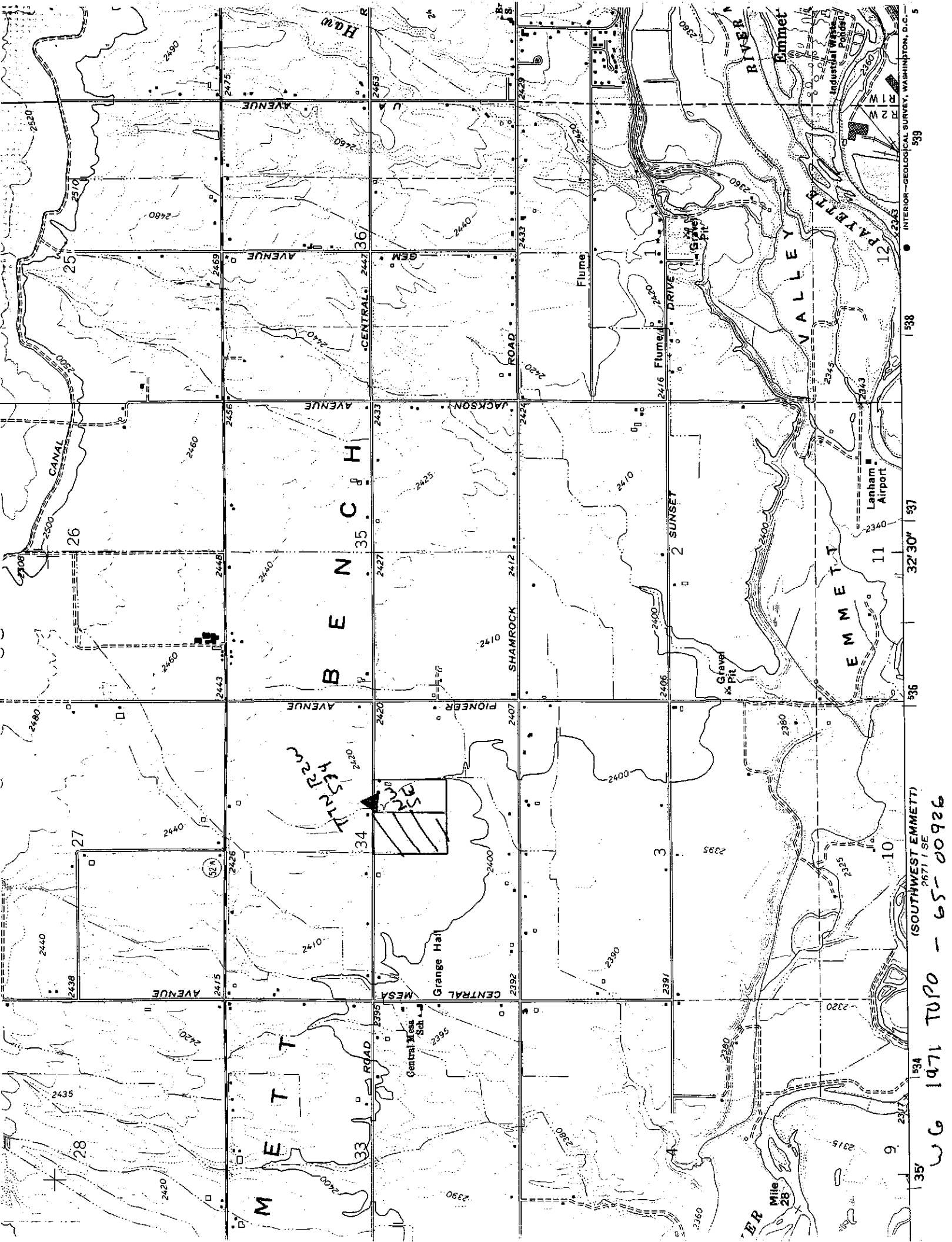
- ⊙ *Point of Diversion*
-  *Place of Use*
-  *Section Lines*
-  *Quarter Quarter Lines*



1987 Napp Photo

0 0.25 0.5 Miles





35° 19' 19" W 147° 10' 00" E
1:50,000 (SOUTHWEST EMMETT)
2671 1 SE

539

538

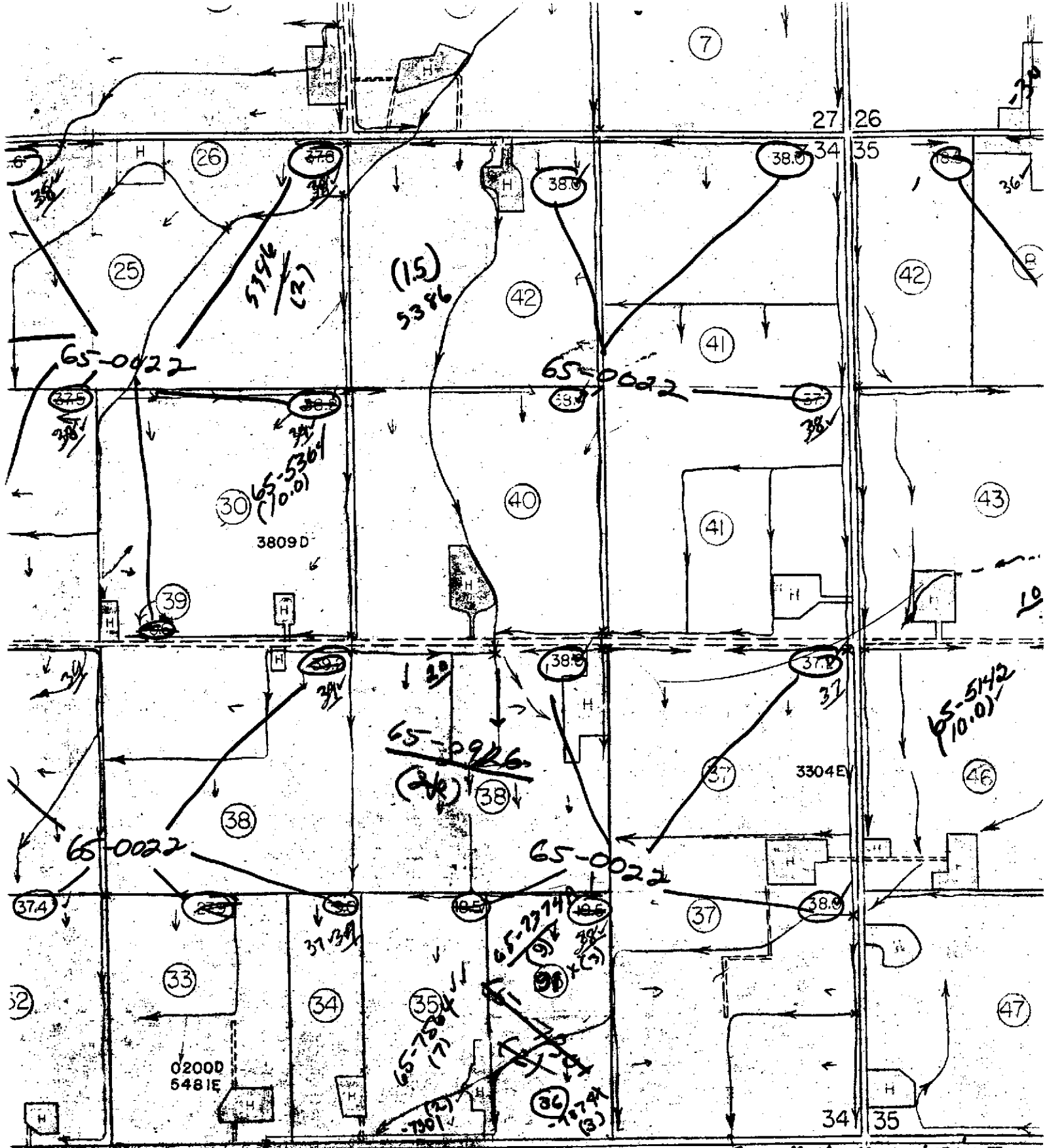
537

536

534

535

53



Claim
Number

Claimant

1. Soulen, Harry

PRBA BLUELINE
T7N R2W MAP E
S34 NWSE

18. Pressley, John J. Frank H. Kolodziej
19. Carroll, Donald H. 5356D
20. Carroll, Charles O.
21. Carroll, R. J. 5358E
22. Baker, H. L. 5331E
23. Johannessen, Erling
24. Maher, Albert & Emily
25. Davidson, Willis 1291E
26. Bohiken, Darl & Doris 5386E
27. Orank, Marguerite
28. Wood, J. W.

23. Athee, Ha

5202E

1351E

1572E

5209E

1843E/1844E

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

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM
TO A
WATER RIGHT

IDENT. NO.

65-0926

MAP NO.

Notice is hereby given that JOHN M. and/or CHARLES HERBETH

(Name of Claimant)

101 E. 2nd St., Emmett, Idaho

(Mailing Address)

claims a right to the diversion and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) April 1, 1915
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) waste ditch into pond for waste water
- (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 .40 Irrigation Period of Use From April 1 To October 31
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)
Use 90 AF Period of Use From 3/15 To 11/15
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)
Use 90 Period of Use From 90 To 90
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)
- (4) Quantity of water claimed: .40 Cubic Feet Per Second, or 90.0 Acre Feet Per Annum, and/or 90.0 Gals. Per Minute.
- (5) A) Point of Diversion: Give location of point where water is diverted from its source NW 1/4 Sec. 34 Twp. 7 N Rge. 2 W, B.M.; additional points:
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)
Give sizes and capacities; be as specific as possible waste ditch into pond then gravity flow ditch
- (6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
	7N	2W	34													20			20.0

Total No. of acres 20.0

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 subs into ground
- (8) If you are claiming water as a member of an organization, list name of organization of Emmett Irr. Dist
- (9) Remarks This right when combined with right to water shall not exceed .02 CFS/ft nor more than 4.5 AF/yr
- (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

August 14, 1970
(Date)

John M. Herbeth
(Signature of Claimant)

State of Idaho

Organization

County of Gem

(Signature of Spouse)

On this 14th day of August, in the year 1970, before me, a notary public, personally appeared JOHN M. HERBETH 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.

(Signature of Authorized Agent)

Notary Public residing at Boise, Idaho

My commission expires May 16, 1974

SKN ORS 7-25-78

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM #: 65-00926 Date: 5-1-00

Overlapping POU Claim #'s: _____

				NE				NW				SW				SE				Sum
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	7N	2W	34										14				20			20
GIS																	20			20
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

POU_ID #(s): 453

POD_ID #(s): 350

Total Claimed Acres: 20

Total GIS Acres: 20

COMMENTS:

per PRBA blue line