

Idaho Dept. of Water Resources

Claim No(s): 65-2016,
65-2025, 65-2498,
65-2499, 65-2953,
65-7061, 65-12382
T8N, R1W, S 19, 30, 31, 32
T8N, R2W, S 25, 35, 36
T7N, R2W, S 2

Prepared by: Sue Bock

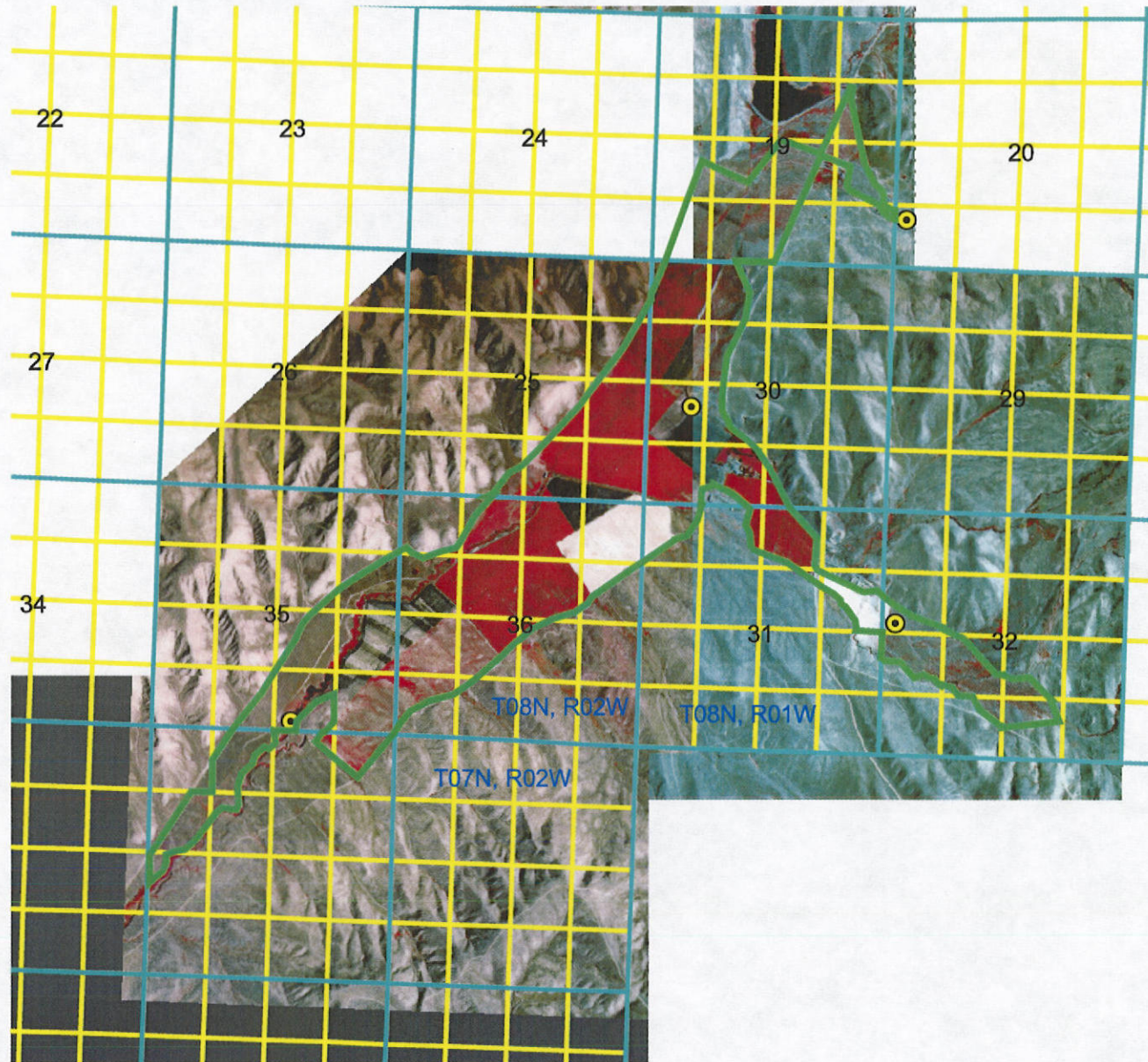
Date: 6/11/2002

*per SF5

-  Place of Use
-  Point of Diversion
-  Section lines
-  1/4 1/4 lines



0.7 0 0.7 1.4 2.1 Miles



1987 NAPP Photo

Bock, Susan

From: Baxter, Garrick
Sent: Tuesday, June 11, 2002 2:49 PM
To: Bock, Susan
Subject: FW: Basin 65

-----Original Message-----

From: Steve Schuster [mailto:sschuster@idl.state.id.us]
Sent: Tuesday, June 11, 2002 2:43 PM
To: 'Baxter, Garrick'
Subject: RE: Basin 65

Little Details: (1) For 65-7061, 2016, 2025, 12382, 2498, 2499, 2953, should say: "The use of water on 8N 1W S 31 SWNE and Lot 1 NWNW is on State public school endowment land pursuant to State Grazing Lease No. 6448; the use of water on 8N 1W S31 NESE and 7N2W S2 Lot 1NENE pursuant to State Grazing Lease No. 6739."

Explanation (as I understand it): (1) SWNE corrects our erroneous recitation of SENE, correcting our error in objection; (2) Note that of four total parcels of State, two different grazing leases involved, as shown; (3) G-6739 is actually to "V. Dot Cattle Company" c/o Jim Little. I do not think that the name of the entity holding the lease needs to be the same as that holding the water right because there is authorization to use the State land. Let me know what you think about that if there is a problem. (4) G-6448 is to David Little Farms, Inc. as on the water right.

BONUS TRACKS:

(1) 65-7110, Haw Creek Ranch (Little's daughter, lease info sent c/o David Little); Use on State land pursuant to G-6726 for T7N R1W S8 SENW;

(2) 65-533, Little Land and Cattle Co. Can be resolved with comment as above, " Use on T9N R 1E S27NWSW. . . . pursuant to State Grazing Lease No. 6446."

Does this help? Let me know.

Thanks.

-----Original Message-----

From: Baxter, Garrick [mailto:gbaxter@idwr.state.id.us]
Sent: Tuesday, June 11, 2002 9:00 AM
To: 'Steve Schuster'
Subject: RE: Basin 65

Hi Steve,

I do think it is safe to start the SF5. If you get me the land lease numbers, I'll have the agent start working on it. So to recap the what the SF5 will do:

1. Remove the BLM acres
2. Remove the 4.4 acres in 8N 1W S31 NESE 1304
3. Add comment: "THE USE OF WATER ON 8N 1W S31 SWNE, 7N 2W S2 LOT 1 NENE, 8N 1W S31 LOT 1 NWNW IS ON STATE PUBLIC SCHOOL ENDOWMENT LAND PURSUANT TO LEASE NOS. ***.

6/11/2002

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 65-2016
Date Received: 1/24/1990
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DAVID LITTLE FARMS INC Phone: (208)365-2220
PO BOX 68
EMMETT ID 83617

2. Date of Priority: 11/16/1904

3. Source: BISSEL CREEK Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08N	01W	30	NW NW	GEM	
08N	01W	20	SW SW	GEM	

5. Description of diverting works:

EARTH & ROCK DIV.DAM INTO UNLINED DITCH 1/4 MI.LENGTH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	2.85	
STOCKWATER	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
2.85 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
08N	01W	30	NW NW	IRRIGATION	28

			SW	NW	IRRIGATION	17
			NW	SW	IRRIGATION	30
					Section Acres	75
08N	02W	25	SE	NE	IRRIGATION	16
			NE	SE	IRRIGATION	35
			SE	SE	IRRIGATION	16
					Section Acres	67
					Total Acres	142

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 RIGHT 65-2498 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE

STOCKWATER ADDED AT CLAIMANT'S REQUEST, PER IDWR STOCKWATER LETTER.

15. Basis of Claim: Decreed

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 Organizations:

I do solemnly swear or affirm that I am Vice President of
Title
David Little Farms Inc., that I have signed the foregoing
Organization
document in the space below as Vice President of
Title
David Little Farms Inc. and that the statements contained in the
Organization
foregoing document are true and correct. [Signature]
Signature of Authorized Agent

Title and Organization

Date

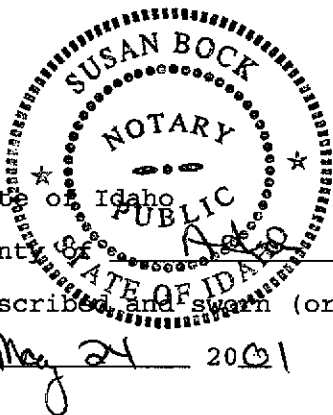
State of Idaho)
County of) SS.
Subscribed and sworn (or affirmed) before me this

of May 24 2001

[Signature]
Notary Public

Residing at Malibu

My commission Expires 10/23/2004



04/07/2003

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

RIGHT NUMBER: 65-2016

NAME AND ADDRESS: VAN DEUSEN RANCH INC
PO BOX 68
EMMETT ID 83617

SOURCE: BISSEL CREEK

TRIBUTARY: PAYETTE RIVER

QUANTITY: 2.850 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED
FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE
DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.

PRIORITY DATE: 11/16/1904

POINT OF DIVERSION:

T08N R01W S20 SWSW Within GEM County Source: BISSEL CREEK

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	03/15 11/15	2.850 CFS

PLACE OF USE: IRRIGATION Within GEM County

T07N R02W S02 Lot 1 NENE	17.0	T07N R02W S02 Lot 2 NWNE	3.3
T07N R02W S02 Lot 3 NENW	25.0	T07N R02W S02 SWNW	20.0
T07N R02W S02 SENW	5.3	T07N R02W S02 NWSW	4.0
T08N R01W S19 SWNE	1.3	T08N R01W S19 SENE	8.4
T08N R01W S19 NESW	20.0	T08N R01W S19 Lot 3 NWSW	7.0
T08N R01W S19 Lot 4 SWSW	23.0	T08N R01W S19 SESW	40.0
T08N R01W S19 NESE	15.0	T08N R01W S19 NWSE	25.0
T08N R01W S19 SWSE	9.9	T08N R01W S19 SESE	1.3
T08N R01W S30 NENW	24.0	T08N R01W S30 Lot 1 NWNW	35.0
T08N R01W S30 Lot 2 SWNW	38.0	T08N R01W S30 SENW	16.0
T08N R01W S30 NESW	16.0	T08N R01W S30 Lot 3 NWSW	38.0
T08N R01W S30 Lot 4 SWSW	38.0	T08N R01W S30 SESW	32.0
T08N R01W S30 SWSE	7.0	T08N R01W S31 NWNE	28.0
T08N R01W S31 SWNE	2.4	T08N R01W S31 SENE	19.0
T08N R01W S31 NENW	6.3	T08N R01W S31 Lot 1 NWNW	24.0
T08N R01W S31 NESE	4.4	T08N R01W S32 SWNW	12.0
T08N R01W S32 SENW	0.3	T08N R01W S32 NESW	28.0
T08N R01W S32 NWSW	24.0	T08N R01W S32 SESW	5.6
T08N R01W S32 NWSE	8.0	T08N R01W S32 SWSE	15.0
T08N R02W S25 NENE	1.2	T08N R02W S25 SENE	19.0
T08N R02W S25 SESW	7.0	T08N R02W S25 NESE	38.0
T08N R02W S25 NWSE	8.4	T08N R02W S25 SWSE	36.0

T08N R02W S25	SESE	39.0	T08N R02W S35	SWNE	2.4
T08N R02W S35	SENE	27.0	T08N R02W S35	SESW	12.0
T08N R02W S35	NESE	39.0	T08N R02W S35	NWSE	27.0
T08N R02W S35	SWSE	29.0	T08N R02W S35	SESE	39.0
T08N R02W S36	NENE	39.0	T08N R02W S36	NWNE	39.0
T08N R02W S36	SWNE	37.0	T08N R02W S36	SENE	14.0
T08N R02W S36	NENW	33.0	T08N R02W S36	NWNW	2.1
T08N R02W S36	SWNW	39.0	T08N R02W S36	SENW	39.0
T08N R02W S36	NESW	30.0	T08N R02W S36	NWSW	39.0
T08N R02W S36	SWSW	19.0	T08N R02W S36	SESW	1.7
T08N R02W S36	NWSE	2.9			

STOCKWATER same as IRRIGATION

1305.2 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1305.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-02953, 65-12382, 65-02498, 65-02025, 65-02499, 65-07061.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 142 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Decreed

THE USE OF WATER ON 8N 1W S 31 SWNE AND LOT 1 NWNW IS ON STATE PUBLIC SCHOOL ENDOWMENT LAND PURSUANT TO STATE GRAZING LEASE NO. 6448; THE USE OF WATER ON 8N 1W S 31 NESE AND 7N 2W S 2 LOT 1 NENE IS ON STATE PUBLIC SCHOOL ENDOWMENT LAND PURSUANT TO STATE GRAZING LEASE NO. 6739.

**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

Water Rights: 65-2016, 65-2025,
65-2498, 65-2499, 65-2953, 65-7061,
65-12382 & 65-18364

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

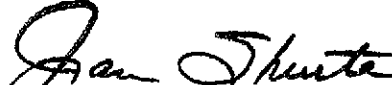
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party – *Corporation Name Change*
- ☐ IC § 42-222 transfer
- ☐ Point of diversion ☐ Place of use
- ☐ Period of use ☐ Nature of use
- ☐ Split of water right ☐ Change in ownership
- ☐ Other
- ☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: April 4, 2003



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 4, 2003, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

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

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Office of the Attorney General
Statehouse Mail
Boise, ID 83720-0010

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

David Little Farms Inc *(Former Name)*
PO Box 68
Emmett ID 83617

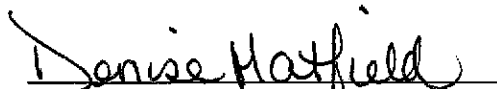
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Van Deusen Ranch Inc *(Current Name)*
PO Box 68
Emmett ID 83617

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

John K Simpson *(Attorney)*
205 N 10th St, Ste 520
PO Box 2139
Boise ID 83701-2139

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile


Signature of person mailing this document

Should questions arise during the processing of this application please contact:
David Shaw - ERO Resources Corp. (208) 373-7983

RECEIVED

APR 03 2003

WATER RESOURCES
WESTERN REGION

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
65-521 \$25 -	_____	_____	65-2025	_____	_____
65-522 \$25 -	_____	_____	65-2498	_____	_____
65-523 \$25 -	_____	_____	65-2499	_____	_____
65-524 \$25 -	_____	_____	65-2953	_____	_____
65-525 \$25 -	_____	_____	65-7061	_____	_____
65-526 \$25 -	_____	_____	65-12382	_____	_____
65-527 \$25 -	_____	_____	65-18364	_____	_____
65-2016	_____	_____			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): **PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) David Little Farms, Inc.
P.O. Box 68
Emmett, Idaho 83617
4. New Owner/Claimant(s) Van Deusen Ranch, Inc.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 68
City, State and ZIP Code Emmett, Idaho 83617
- New Telephone Number (208) 365-2220
5. Date you acquired the property 2/20/2003

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

James P. Leach
President

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by DH Date 4.3.03 Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____



ARTICLES OF AMENDMENT (General Business)

To the Secretary of State of the State of Idaho
Pursuant to Title 30, Chapter 1, Idaho Code, the undersigned
corporation amends its articles of incorporation as follows:

FILED EFFECTIVE

03 FEB 12 PM 1:47

SECRETARY OF STATE
STATE OF IDAHO

1. The name of the corporation is: David Little Farms Inc.

2. The text of each amendment is as follows:

To change the name of the Corporation to:

Van Deusen Ranch Inc. effective February 20, 2003

3. The date of adoption of the amendment(s) was: February 12, 2003

4. Manner of adoption (check one):

☐ The amendment consists exclusively of matters which do not require shareholder action pursuant to section 30-1-1002, Idaho Code, and was, therefore, adopted by the board of directors.

☐ None of the corporation's shares have been issued and was, therefore, adopted by the
☐ incorporator ☐ board of directors.

☒ The number of shares outstanding and entitled to vote was 2800

The number of shares cast for and against each amendment was:

Amended article	Shares for	Shares against
	2800	0

Customer Acct #:

(If using pre-paid account)

Secretary of State use only

Dated: February 12, 2003

Signed: *Gretchen J. Hyde*

Typed Name: Gretchen J. Hyde

Capacity Secretary

g:\corpforms\articles of amendment general business.p65 Revised 1/2001

IDAHO SECRETARY OF STATE
02/12/2003 05:00
CK: 2867 CT: 138036 BH: 662535
1 @ 38.00 = 38.00 AMEND PROF # 2

C26660

[Return to SRBA Home Page](#)

HTML12



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 4, 2003

VAN DEUSEN RANCH INC
PO BOX 68
EMMETT ID 83617

RE: Water Right No. 65-2016, 65-2025, 65-2498, 65-2499, 65-2953, 65-7061, 65-12382
& 65-18364

Dear Property Owner(s):

Enclosed is a copy of the above referenced water right(s), which reflects the change in the Corporation name, for the land and appurtenant water rights, covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region

DH: dh

Enclosures

cc: David Little Farms Inc
John K Simpson, Attorney at Law

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 27 2002	
By _____	Clerk
_____	Deputy Clerk

**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	)	Subcase No. 65-2016
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/RESPONDENT:

David Little Farms, Inc.

 6/27/02
 John Simpson Date
 Attorney for claimant/respondent

OBJECTOR(s):

State of Idaho - Department of Lands

 6/24/02
 Steven J. Schuster Date
 Deputy Attorney General
 Idaho Department of Lands

OBJECTOR:

United States of America – Dept. of Interior
BLM

Larry G. Brown 6/25/02
Larry Brown FWP Date
U.S. Dept. of Justice
Attorney for objector

IDWR Concurrence:

Royanne Brown 6/27/02
Agent Date

Garrick L. Baxter 8/27/02
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

06/12/2002

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

RIGHT NUMBER: 65-2016

NAME AND ADDRESS: DAVID LITTLE FARMS INC
PO BOX 68
EMMETT ID 83617

SOURCE: BISSEL CREEK

TRIBUTARY: PAYETTE RIVER

QUANTITY: 2.85 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.

PRIORITY DATE: 11/18/1904

POINT OF DIVERSION:

T08N R01W S20 SWSW Within GEM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	0.02 CFS
IRRIGATION	03/15 11/15	2.85 CFS

PLACE OF USE:

IRRIGATION Within GEM County

T07N R02W S02 Lot 1 NENE	17.0	T07N R02W S02 Lot 2 NENE	3.3
T07N R02W S02 Lot 3 NENE	25.0	T07N R02W S02 Lot 4 NENE	3.3
T07N R02W S02 SWNW	20.0	T07N R02W S02 SENW	5.3
T07N R02W S02 NWSW	4.0	T08N R01W S19 SENE	1.3
T08N R01W S19 SENE	8.4	T08N R01W S19 NENE	20.0
T08N R01W S19 Lot 3 NWSW	7.0	T08N R01W S19 Lot 4 SWSW	23.0
T08N R01W S19 SESE	40.0	T08N R01W S19 NESE	15.0
T08N R01W S19 NWSE	25.0	T08N R01W S19 SWSW	3.9
T08N R01W S19 SESE	1.3	T08N R01W S30 NENE	24.0
T08N R01W S30 Lot 1 NWNW	35.0	T08N R01W S30 Lot 2 SWSW	38.0
T08N R01W S30 SENW	16.0	T08N R01W S30 NENE	16.0
T08N R01W S30 Lot 3 NWSW	38.0	T08N R01W S30 Lot 4 SWSW	38.0
T08N R01W S30 SESE	32.0	T08N R01W S30 SENE	7.0
T08N R01W S31 NENE	28.0	T08N R01W S31 SENE	2.4
T08N R01W S31 SENE	19.0	T08N R01W S31 NENE	6.3
T08N R01W S31 Lot 1 NWNW	24.0	T08N R01W S32 SWSW	12.0
T08N R01W S32 SENW	0.3	T08N R01W S32 NENE	28.0
T08N R01W S32 NWSW	24.0	T08N R01W S32 SESE	5.6
T08N R01W S32 NWSE	8.0	T08N R01W S32 SWSW	15.0
T08N R02W S25 NENE	1.2	T08N R02W S25 SENE	19.0
T08N R02W S25 SESE	7.0	T08N R02W S25 NENE	38.0
T08N R02W S25 NWSE	8.4	T08N R02W S25 SWSW	36.0
T08N R02W S25 SESE	39.0	T08N R02W S35 SENE	2.4
T08N R02W S35 SENE	27.0	T08N R02W S35 SESE	12.0
T08N R02W S35 NESE	39.0	T08N R02W S35 NWSE	27.0
T08N R02W S35 SWSW	29.0	T08N R02W S35 SESE	39.0
T08N R02W S36 NENE	39.0	T08N R02W S36 NENE	39.0
T08N R02W S36 SENE	37.0	T08N R02W S36 SENE	14.0
T08N R02W S36 NENE	33.0	T08N R02W S36 NWNW	2.1
T08N R02W S36 SWSW	39.0	T08N R02W S36 SENW	39.0
T08N R02W S36 NENE	30.0	T08N R02W S36 NWSW	39.0
T08N R02W S36 SWSW	19.0	T08N R02W S36 SESE	1.7
T08N R02W S36 NWSE	2.9	T08N R01W S31 NESE	4.4

STOCKWATER same as IRRIGATION

1305.2 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1305.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-02953, 65-12982, 65-02498, 65-02025, 65-02499, 65-07061.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 142 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THE USE OF WATER ON 8N 1W S 31 SWNE AND LOT 1 NNNW IS ON STATE PUBLIC SCHOOL ENDOWMENT LAND PURSUANT TO STATE GRAZING LEASE NO. 6448; THE USE OF WATER ON 8N 1W S 31 NESE AND 7N 2W S 2 LOT 1 NENE IS ON STATE PUBLIC SCHOOL ENDOWMENT LAND PURSUANT TO STATE GRAZING LEASE NO. 6739.

CERTIFICATE OF MAILING

I certify that on 6-27, 2002, I mailed the original and copies of this form, 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, Idaho 83303-2707

hand delivered

2. Copies to:

Office of the Attorney General
Natural Resource Division
Idaho Department of Lands
P.O. Box 83720
Boise, ID 83720-0050
Attn: Steven J. Schuster

David L. Negri
United States Department of Justice
Environment & Natural Resources Division
General Litigation Section
550 W. Fort St., MSC 033
Boise, ID 83724

hand delivered

David W. Gehlert
Trial Attorney, General Litigation Section
Environment & Natural Resources Division
U.S. Dept. of Justice
999 18th Street, Suite N945
Denver, CO 80202

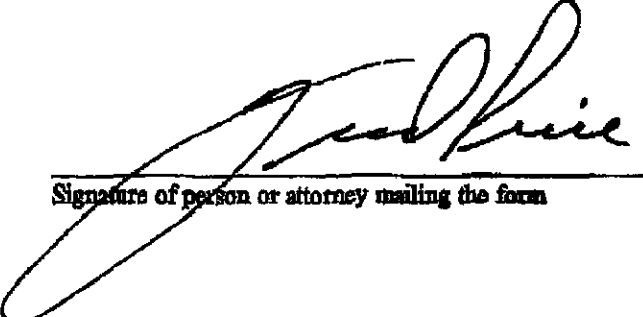
John K. Simpson
P.O. Box 2139
Boise, ID 83701-2139

hand delivered

USDI - BLM
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

IDWR Repository
P.O. Box 83720
Boise, ID 83720

hand delivered



Signature of person or attorney mailing the form

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

RIGHT NUMBER: 65-2016

NAME AND ADDRESS: DAVID LITTLE FARMS INC
PO BOX 68
EMMETT ID 83617

SOURCE: BISSEL CREEK

TRIBUTARY: PAYETTE RIVER

QUANTITY: 2.85 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.

PRIORITY DATE: 11/16/1904

POINT OF DIVERSION:

T08N R01W S20 SWSW Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	03/15 11/15	2.850 CFS

PLACE OF USE: IRRIGATION Within GEM County

T07N R02W S02 Lot 1 NENE	17.0	T07N R02W S02 Lot 2 NWNE	3.3
T07N R02W S02 Lot 3 NENW	25.0	T07N R02W S02	SWNW 20.0
T07N R02W S02	SENW 5.3	T07N R02W S02	NWSW 4.0
T08N R01W S19	SWNE 1.3	T08N R01W S19	SENE 8.4
T08N R01W S19	NESW 20.0	T08N R01W S19 Lot 3	NWSW 7.0
T08N R01W S19 Lot 4	SWSW 23.0	T08N R01W S19	SESW 40.0
T08N R01W S19	NESE 15.0	T08N R01W S19	NWSE 25.0
T08N R01W S19	SWSE 9.9	T08N R01W S19	SESE 1.3
T08N R01W S30	NENW 24.0	T08N R01W S30 Lot 1	NWNW 35.0
T08N R01W S30 Lot 2	SWNW 38.0	T08N R01W S30	SENW 16.0
T08N R01W S30	NESW 16.0	T08N R01W S30 Lot 3	NWSW 38.0
T08N R01W S30 Lot 4	SWSW 38.0	T08N R01W S30	SESW 32.0
T08N R01W S30	SWSE 7.0	T08N R01W S31	NWNE 28.0
T08N R01W S31	SWNE 2.4	T08N R01W S31	SENE 19.0
T08N R01W S31	NENW 6.3	T08N R01W S31 Lot 1	NWNW 24.0
T08N R01W S32	SWNW 12.0	T08N R01W S32	SENW 0.3
T08N R01W S32	NESW 28.0	T08N R01W S32	NWSW 24.0
T08N R01W S32	SESW 5.6	T08N R01W S32	NWSE 8.0
T08N R01W S32	SWSE 15.0	T08N R02W S25	NENE 1.2
T08N R02W S25	SENE 19.0	T08N R02W S25	SESW 7.0
T08N R02W S25	NESE 38.0	T08N R02W S25	NWSE 8.4
T08N R02W S25	SWSE 36.0	T08N R02W S25	SESE 39.0
T08N R02W S35	SWNE 2.4	T08N R02W S35	SENE 27.0
T08N R02W S35	SESW 12.0	T08N R02W S35	NESE 39.0
T08N R02W S35	NWSE 27.0	T08N R02W S35	SWSE 29.0
T08N R02W S35	SESE 39.0	T08N R02W S36	NENE 39.0
T08N R02W S36	NWNE 39.0	T08N R02W S36	SWNE 37.0
T08N R02W S36	SENE 14.0	T08N R02W S36	NENW 33.0
T08N R02W S36	NWNW 2.1	T08N R02W S36	SWNW 39.0
T08N R02W S36	SENW 39.0	T08N R02W S36	NESW 30.0
T08N R02W S36	NWSW 39.0	T08N R02W S36	SWSW 19.0

06/14/2002

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

T08N R02W S36	NWSW	39.0	T08N R02W S36	SWSW	19.0
T08N R02W S36	SESW	1.7	T08N R02W S36	NWSE	2.9

STOCKWATER same as IRRIGATION

1300.8 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1300.8 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-02953, 65-12382, 65-02498, 65-02025, 65-02499, 65-07061.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 142 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Decreed

THE USE OF WATER ON 8N 1W S 31 SWNE AND LOT 1 NWNW IS ON STATE PUBLIC SCHOOL ENDOWMENT LAND PURSUANT TO STATE GRAZING LEASE NO. 6448; THE USE OF WATER ON 8N 1W S 31 NESE AND 7N 2W S 2 LOT 1 NENE IS ON STATE PUBLIC SCHOOL ENDOWMENT LAND PURSUANT TO STATE GRAZING LEASE NO. 6739.

Idaho Dept. of Water Resources

Claim No(s): 65-2016,
65-2025, 65-2498,
65-2499, 65-2953,
65-7061, 65-12382
T8N, R1W, S 19, 30, 31, 32
T8N, R2W, S 25, 35, 36
T7N, R2W, S 2

Prepared by: Sue Bock

Date: 6/11/2002

*per SF5

-  Place of Use
-  Point of Diversion
-  Section lines
-  1/4 1/4 lines



0.7 0 0.7 1.4 2.1 Miles



1987 NAPP Photo

Bock, Susan

From: Baxter, Garrick
Sent: Tuesday, June 11, 2002 2:49 PM
To: Bock, Susan
Subject: FW: Basin 65

-----Original Message-----

From: Steve Schuster [mailto:sschuster@idl.state.id.us]
Sent: Tuesday, June 11, 2002 2:43 PM
To: 'Baxter, Garrick'
Subject: RE: Basin 65

Little Details: (1) For 65-7061, 2016, 2025, 12382, 2498, 2499, 2953, should say: ~~Use of water on 8N 1W S 31 SWNE and Lot 1 NWNE~~ State public school endowment land pursuant to State Grazing Lease No. 6446. ~~Use of water on 8N 1W S31 NESE and 7N2W S2 Lot 1 NENE~~ . . . pursuant to State Grazing Lease No. 6446.

Explanation (as I understand it): (1) SWNE corrects our erroneous recitation of SENE, correcting our error in objection; (2) Note that of four total parcels of State, two different grazing leases involved, as shown; (3) G-6739 is actually to "V. Dot Cattle Company" c/o Jim Little. I do not think that the name of the entity holding the lease needs to be the same as that holding the water right because there is authorization to use the State land. Let me know what you think about that if there is a problem. (4) G-6448 is to David Little Farms, Inc. as on the water right.

BONUS TRACKS:

- (1) 65-7110, Haw Creek Ranch (Little's daughter, lease info sent c/o David Little); Use on State land pursuant to G-6726 for T7N R1W S8 SENW;
- (2) 65-533, Little Land and Cattle Co. Can be resolved with comment as above, " Use on T9N R 1E S27NWSW. . . . pursuant to State Grazing Lease No. 6446."

Does this help? Let me know.

Thanks.

-----Original Message-----

From: Baxter, Garrick [mailto:gbaxter@idwr.state.id.us]
Sent: Tuesday, June 11, 2002 9:00 AM
To: 'Steve Schuster'
Subject: RE: Basin 65

Hi Steve,

I do think it is safe to start the SF5. If you get me the land lease numbers, I'll have the agent start working on it. So to recap the what the SF5 will do:

1. Remove the BLM acres
2. Remove the 4.4 acres in 8N 1W S31 NESE ¹³⁰⁴
3. Add comment: "THE USE OF WATER ON 8N 1W S31 SWNE, 7N 2W S2 LOT 1 NENE, 8N 1W S31 LOT 1 NWNW IS ON STATE PUBLIC SCHOOL ENDOWMENT LAND PURSUANT TO LEASE NOS. ***.

6/11/2002

4. Reduce total acres to 1,300.8

-----Original Message-----

From: Steve Schuster [mailto:sschuster@idl.state.id.us]

Sent: Monday, June 10, 2002 1:21 PM

To: Garrick Baxter (gbaxter@idwr.state.id.us)

Subject: Basin 65

Well, I called the court about the hearing notices for Basin 65, and they said they sent them to Clive Strong, i.e. they sent them to the repository and they thought that was enough since his name was also on the Objection. They had sent me notices in Basin 31, but for 65, they changed their minds (different clerks?). They also said they would give me a copy of Cushman's docket sheet so I had all the notices in one place, but that is not here yet. I'll try to get the notices from Central.

I left a message for John Simpson Friday -- he is gone until Thurs., but will be calling in. Do you think its safe to go ahead and start the SF-5's for these? All can be resolved with the "Use on State land pursuant to . . ." comment on amended Director's report, once we get the legal for the objection corrected in the SF-5. But I hate to do the work until I hear from John.

6/11/2002

RECEIVED

MAR 25 2002

Department of Water Resources

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 39576

Subcase 65-2016

(Insert the Subcase number from the
Objection to which you are responding)

STANDARD FORM 2

RESPONSE TO OBJECTION

INSTRUCTIONS

This form must be used to file a response to any objection filed against a water right recommended in a Director's Report. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number listed as the "Subcase" on the objection you are responding to must be inserted above as the "Subcase." You may respond to all objections filed against one water right using one response form. But you must use a **separate form for each different water right**. If you choose to file one form to respond to all objections filed against the same water right, your response should cover every issue raised in all the objections.

You must file your response by the deadline shown in the notice that IDWR mailed to you. The response must be received by the court on or before the deadline specified. Instructions for mailing this response are found at Page 5 and must be strictly followed.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

Any party physically filing 25 or more responses must contact the Clerk of the SRBA Court no later than 14 days before the filing deadline and arrange an appointment to file multiple responses.

By filing a response form, you are certifying that the response is well-grounded in fact; that it is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needlessly increase in the cost of litigation.

RECEIVED

MAR 27 2002

WATER RESOURCES
WESTERN REGION

I. GENERAL INFORMATION

Please fill in the following information:

1. *Party/Claimant responding:*

Name: David Little Farms, Inc.

Address: P.O. Box 68

Emmett, Idaho 83617

Phone: Work: (208) 365-2220 Home: _____

Briefly describe your interest in this water right:

Claimant

If this response is filed by an attorney:

Attorney Name: John K. Simpson

Attorney Address: Barker, Rosholt & Simpson

P.O. Box 2139, Boise, Idaho 83701-2139

Attorney Phone No.: (208) 336-0700

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

2.. *Party/Claimant who filed objection:*

Name: United States of America acting through the Department of Interior
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Name: Idaho Department of Lands
Address: 954 West Jefferson Street
P.O. Box 83720
Boise, Idaho 83720-0050

II. STATEMENT OF THE RESPONSE

Please check each box which identifies your response.

1. ☒ **Name and Address:** I respond to the objection concerning the name and/or address of the owner of the water right.
2. ☐ **Source:** I respond to the objection concerning the source of water.
3. **Quantity:** I respond to the objection concerning:
 - ☐ a. the total quantity of water used in cubic feet per second; or
 - ☐ b. the total quantity of water stored in acre feet per year; or
 - ☐ c. the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ **Priority Date:** I respond to the objection concerning the priority date.
5. ☐ **Point(s) of Diversion:** I respond to the objection concerning the legal description of the point(s) of diversion.
6. ☐ **Instream Flow:** I respond to the objection concerning the legal description of the beginning and ending points of the instream flow.
7. ☐ **Purpose(s) of Use:** I respond to the objection concerning the purpose(s) of use.
8. ☐ **Period of Year:** I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
9. **Place of Use:** I respond to the objection concerning:
 - ☒ a. the legal description of the place of use; or
 - ☐ b. the number of irrigated acres within each 40-acre subdivision.
10. ☐ **Consumptive Use:** I respond to the objection concerning the annual volume of consumptive use.
11. **Water Right Recommendation:** I respond to the objection concerning:
 - ☐ a. this water right being recommended at all; or
 - ☒ b. this water right not being recommended.

12. ☐ **Description of Reservation:** I respond to the objection concerning the legal description of the reservation.
13. ☐ **Other:** I respond to the objection concerning:

REASONS SUPPORTING EACH BOX CHECKED

You **must** state the reason(s), by number, for each box checked. You may use additional pages if necessary.

1. Claimant is the lessee of certain lands owned by the State of Idaho which claimant wishes to continue to irrigate. Claimant no longer plans to irrigate 4.4 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 31, T8N, R1W, B.M. and those 4.4 acres should be removed from claimant's water right. Claimant denies the State of Idaho owns the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec 31, T8N, R1W, B.M. and the water right associated with that place of use should remain in claimant's name.
- 9.a. The place of use for this water right inadvertently included 3.2 acres of land owned by the United States. The place of use for this water right should be modified to exclude the 3.2 acres of land owned by the United States in Gov't Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec 2, T7N, R2W, B.M. and those lands will no longer be irrigated.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

The 4.4 acres of irrigation in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 31, T8N R1W, B.M. and the 3.2 acres of irrigation in Gov't Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec 2 T7N R2W, B.M. should be removed from the description of this water right and the total irrigated acres should be reduced to 1,300.8 acres.

Note: You should attach copies of documents which support your response. Note on each document the box number it supports.

- ☐ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary.

VERIFICATION (Must be Completed)

State of Idaho

County of Ada

John K. Simpson, duly sworn, upon oath, deposes and says:
(Name of person filing response)

That I am the party/claimant filing this response (as listed on Page 2, Section 1, "Party/Claimant responding"), that I am a water claimant or party in this proceeding as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant responding, and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

Signature of person filing response

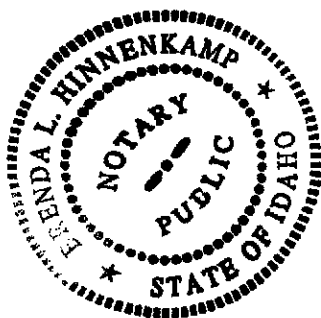
[Signature]

Attorney signing in representative capacity

Subscribed and sworn to before me on: March 21, 2002

Brenda L. Hinnenkamp

Notary Public for Idaho
Residing at: Boise
My Commission expires: 9/2004



INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, 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.

CERTIFICATE OF MAILING

I certify that on March 21, 2002, I mailed the original and copies of this response, 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
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the party who filed the objection, or if represented by an attorney, to their attorney at the following address:

Name: Larry A. Brown
Address: United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, ID 83724

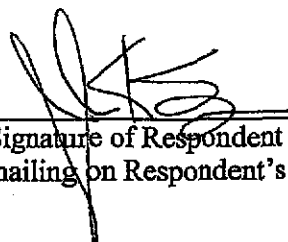
Name: Steven J. Schuster, Deputy Attorney General
Address: Idaho Department of Lands
954 West Jefferson Street
P.O. Box 83720
Boise, ID 83720-0050

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MCS 033
Boise, ID 83724



Signature of Respondent or attorney
mailing on Respondent's behalf

RECEIVED

FEB 14 2002

Department of Water Resources

**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)

A. Subcase No. 65-02016

Case No. 39576)

STANDARD FORM 2

RESPONSE TO OBJECTION

RECEIVED

FEB 19 2002

**WATER RESOURCES
WESTERN REGION**

B. NAME AND ADDRESS OF PERSON RESPONDING:

Name: United States of America, acting through the USDA Forest Service
Address: 550 W. Fort St. MSC 033
Boise, ID 83724

Name and Address of Attorney:

Attorney Name: David L. Negri
Attorney Address: United States Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 W. Fort St. MSC 033
Boise, ID 83724
Attorney Phone: (208) 331-5943

**C. NAME AND ADDRESS OF PERSON WHO FILED OBJECTION TO WHICH YOU
ARE RESPONDING:**

Name: Idaho Department of Lands
Address: 954 West Jefferson Street
P.O. Box 83720
Boise, ID 83720-0050

D. I am responding to the objection(s) to the following elements:

1. ☒ Name and Address

2. ☐ Source

3. ☐ Quantity

4. ☐ Priority Date

5. ☐ Point(s) of Diversion

6. ☐ Instream Flow Description

7. ☐ Purpose(s) of Use

8. ☐ Period of Year

9. ☐ Place of Use

11. Recommendation:

☐ This water right should not exist

☐ This water right was not recommended, but should be recommended with the elements described above.

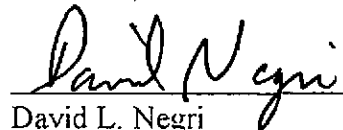
VERIFICATION

State of Idaho)
) ss.
County of Ada)

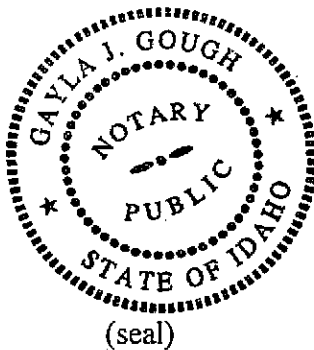
MICHAEL COLLETTE, duly sworn, upon oath, deposes and says:

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


Michael Collette


David L. Negri
United States Department of Justice

Subscribed and sworn to before me on: February 12, 2001




Gayla J. Gough
Notary Public for: Idaho
Residing at: Kuna, Idaho
My Commission Expires: 11-17-2004

CERTIFICATE OF MAILING

I certify that on February 12, 2002, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original by U.S. Mail to:

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

2. One copy by U.S. Mail to the claimant of the water right at the following address:

David Little Farms Inc.
P.O. Box 68
Emmett, Idaho 83617

3. One copy by U.S. Mail to the party who filed the objection at the following address:

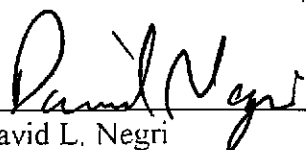
Steven J. Shuster
Deputy Attorney General
Idaho Department of Lands
954 West Jefferson Street
P.O. Box 83720
Boise, Idaho 83720-0050

4. Copies by U.S. Mail to:

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

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

United States Department of Justice
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724



David L. Negri

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 65-02016

(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
Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax

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

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

Name: David Little Farms, Inc.

Address: P.O. Box 68; Emmett, ID. 83617

Name:

Address:;

Name:

Address:;

Name:

Address:;

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

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: See attached

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

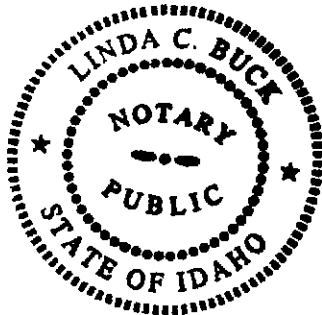
That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Carly C. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

~~Signature~~ 01-16-2002
Linda C. Buck



Linda C. Buck

Notary Public for Idaho

Residing at: Mountain Home

My Commission Expires: 12-21-2005

08/31/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-2016

NAME AND ADDRESS: DAVID LITTLE FARMS INC
PO BOX 68
EMMETT ID 83617

SOURCE: BISSEL CREEK

TRIBUTARY: PAYETTE RIVER

QUANTITY: 2.850 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT
EXCEED 13,000 GALLONS PER DAY.
THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR
STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY
DITCH ENTERS THE PLACE OF USE DESCRIBED.

PRIORITY DATE: 11/16/1904

POINT OF
DIVERSION:

T08N R01W S20 SWSW Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	03/15 11/15	2.850 CFS

08/31/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

PLACE OF USE: IRRIGATION Within GEM County

T07N R02W S02	SWNW	20.0	T07N R02W S02	SENW	5.3
T07N R02W S02	NWSW	4.0	T07N R02W S02 Lot 1	NENE	17.0
T07N R02W S02 Lot 2	NWNE	3.3	T07N R02W S02 Lot 3	NENW	25.0
<u>T07N R02W S02 Lot 4</u>	<u>NWNW</u>	<u>3.2</u>	T08N R01W S19	SWNE	1.3
T08N R01W S19	SENE	8.4	T08N R01W S19	NESW	20.0
T08N R01W S19	NWSE	25.0	T08N R01W S19	NESE	15.0
T08N R01W S19	SESW	40.0	T08N R01W S19	SWSE	9.9
T08N R01W S19	SESE	1.3	T08N R01W S19 Lot 3	NWSW	7.0
T08N R01W S19 Lot 4	SWSW	23.0	T08N R01W S30	NENW	24.0
T08N R01W S30	SENW	16.0	T08N R01W S30	NESW	16.0
T08N R01W S30	SESW	32.0	T08N R01W S30	SWSE	7.0
T08N R01W S30 Lot 1	NWNW	35.0	T08N R01W S30 Lot 2	SWNW	38.0
T08N R01W S30 Lot 3	NWSW	38.0	T08N R01W S30 Lot 4	SWSW	38.0
T08N R01W S31	NENW	6.3	T08N R01W S31	NWNE	28.0
T08N R01W S31	SWNE	2.4	T08N R01W S31	SENE	19.0
T08N R01W S31	NESE	4.4	T08N R01W S31 Lot 1	NWNW	24.0
T08N R01W S32	SWNW	12.0	T08N R01W S32	SENW	0.3
T08N R01W S32	NWSW	24.0	T08N R01W S32	NESW	28.0
T08N R01W S32	NWSE	8.0	T08N R01W S32	SESW	5.6
T08N R01W S32	SWSE	15.0	T08N R02W S25	NENE	1.2
T08N R02W S25	SENE	19.0	T08N R02W S25	NWSE	8.4
T08N R02W S25	NESE	38.0	T08N R02W S25	SESW	7.0
T08N R02W S25	SWSE	36.0	T08N R02W S25	SESE	39.0
T08N R02W S35	SWNE	2.4	T08N R02W S35	SENE	27.0
T08N R02W S35	NWSE	27.0	T08N R02W S35	NESE	39.0
T08N R02W S35	SESW	12.0	T08N R02W S35	SWSE	29.0
T08N R02W S35	SESE	39.0	T08N R02W S36	NENE	39.0
T08N R02W S36	SWNW	39.0	T08N R02W S36	SENW	39.0
T08N R02W S36	SWNE	37.0	T08N R02W S36	SENE	14.0
T08N R02W S36	NWSW	39.0	T08N R02W S36	NESW	30.0
T08N R02W S36	NWSE	2.9	T08N R02W S36	SWSW	19.0
T08N R02W S36	SESW	1.7	T08N R02W S36	NWNW	2.1
T08N R02W S36	NENW	33.0	T08N R02W S36	NWNE	39.0

STOCKWATER same as IRRIGATION

1308.4 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 142 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1308.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-02953, 65-12382, 65-02498, 65-02025, 65-02499, 65-07061.

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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 18, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons:

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: David Little Farms, Inc.
Address: P.O. Box 68; Emmett, ID. 83617

Name:
Address:;

Name:
Address:;

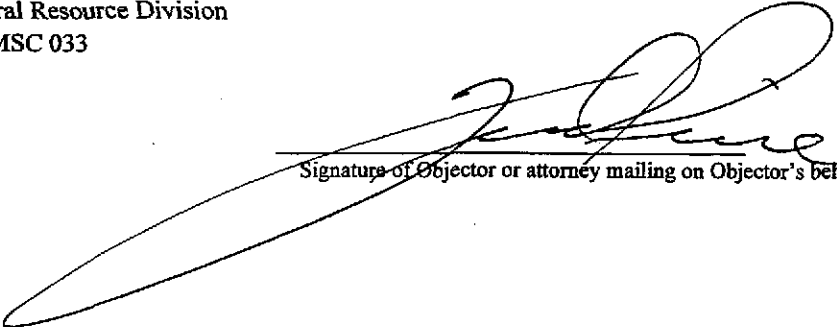
Name:
Address:;

3. Copies to:

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

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Signature of Objector or attorney mailing on Objector's behalf

JAN 16 2002

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

Subcase 65-2016

STANDARD FORM 1 OBJECTION

JAN 18 2002

NAME AND ADDRESS OF PERSON OBJECTING

Name: Idaho Department of Lands
Address: 954 West Jefferson Street
PO Box 83720
Boise, Idaho 83720-0050

Daytime Phone: (208) 334-0200

Name & Address of Attorney, if any:

Attorney Name: ALAN G. LANCE
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
STEVEN J. SCHUSTER
Deputy Attorney General
Idaho Department of Lands
Attorney Address: 954 West Jefferson Street
PO Box 83720
Boise, Idaho 83720-0050
Attorney Phone No. (208) 334-0200
Idaho State Bar # 3453

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: David Little Farms Inc.
Address: PO Box 68
Emmett, Idaho 83617

I object to the following elements as recommended in the Director's Report.

1. ☒ **Name and Address**
Should be: Idaho Department of Lands
954 West Jefferson Street
PO Box 83720
Boise, Idaho 83720-0050
2. ☐ **Source**
Should be: As claimed
3. ☐ **Quantity**
Should be: As claimed
4. ☐ **Priority Date**
Should be: As claimed
5. ☐ **Point(s) of Diversion**
Should be: As claimed
6. ☐ **Instream Flow Description**
Should be: As claimed
7. ☐ **Purpose(s) of Use**
Should be: As claimed
8. ☐ **Period of Year**
Should be: As claimed
9. ☐ **Place of Use**
Should be: As claimed
10. **I object because:**
 - ☐ This water right should not exist.
 - ☒ This water right was not recommended, but should be recommended with the elements described above.

REASONS SUPPORTING OBJECTION(S):

The State of Idaho, through the Idaho Department of Lands, is the owner of a portion of the land upon which use is claimed. This land is State Public School endowment land. This land is more particularly described as the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2, Township 7 North, Range 2 West, Boise Meridian, and the SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, Township 8 North, Range 1 West, Boise Meridian. The claimant does not have a valid water right for use on the endowment land because a private claim cannot be made on such lands.

VERIFICATION

State of Idaho)
) ss.
County of Ada)

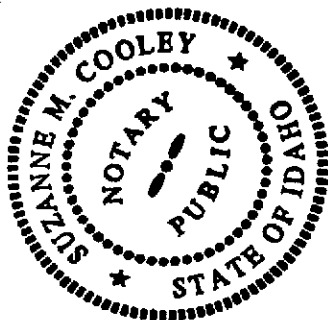
Steven J. Schuster, duly sworn, upon oath, deposes and says:

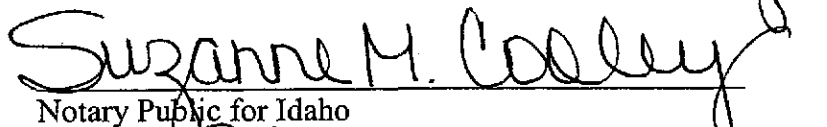
That the State of Idaho, Department of Lands, in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, Department of Lands which is a party/claimant in this proceeding as defined by I.C. § 42-1401A (1) and (6), and I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

ALAN G. LANCE
Attorney General
CLIVE J. STRONG
Deputy Attorney General
STEVEN J. SCHUSTER
Deputy Attorney General
Idaho Department of Lands


STEVEN J. SCHUSTER
Deputy Attorney General
Idaho Department of Lands

Subscribed and sworn to before me on this 15th day of January, 2002.




Notary Public for Idaho
Residing at: BOISE, ID
My Commission expires: 7-22-2002

CERTIFICATE OF MAILING

I certify that on this 15th day of January, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, Idaho 83303-2707

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

Name: David Little Farms Inc.
Address: PO Box 68
Emmett, Idaho 83617

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, Idaho 83720-0098

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

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


STEVEN J. SCHUSTER
Deputy Attorney General
Idaho Department of Lands



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

RIGHT NUMBER: 65-2016

NAME AND ADDRESS: DAVID LITTLE FARMS INC
PO BOX 68
EMMETT ID 83617

SOURCE: BISSEL CREEK

TRIBUTARY: PAYETTE RIVER

QUANTITY: 2.85 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.

PRIORITY DATE: 11/16/1904

POINT OF DIVERSION:

T08N R01W S20 SWSW Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	03/15 11/15	2.850 CFS

PLACE OF USE:

IRRIGATION Within GEM County

T07N R02W S02	SWNW	20.0	T07N R02W S02	SENW	5.3
T07N R02W S02	NWSW	4.0	T07N R02W S02 Lot 1	NENE	17.0
T07N R02W S02 Lot 2	NWNE	3.3	T07N R02W S02 Lot 3	NENW	25.0
T07N R02W S02 Lot 4	NWNW	3.2	T08N R01W S19	SWNE	1.3
T08N R01W S19	SENE	8.4	T08N R01W S19	NESW	20.0
T08N R01W S19	NWSE	25.0	T08N R01W S19	NESE	15.0
T08N R01W S19	SESW	40.0	T08N R01W S19	SWSE	9.9
T08N R01W S19	SESE	1.3	T08N R01W S19 Lot 3	NWSW	7.0
T08N R01W S19 Lot 4	SWSW	23.0	T08N R01W S30	NENW	24.0
T08N R01W S30	SENW	16.0	T08N R01W S30	NESW	16.0
T08N R01W S30	SESW	32.0	T08N R01W S30	SWSE	7.0
T08N R01W S30 Lot 1	NWNW	35.0	T08N R01W S30 Lot 2	SWNW	38.0
T08N R01W S30 Lot 3	NWSW	38.0	T08N R01W S30 Lot 4	SWSW	38.0
T08N R01W S31	NENW	6.3	T08N R01W S31	NWNE	28.0
T08N R01W S31	SWNE	2.4	T08N R01W S31	SENE	19.0
T08N R01W S31	NESE	4.4	T08N R01W S31 Lot 1	NWNW	24.0
T08N R01W S32	SWNW	12.0	T08N R01W S32	SENW	0.3
T08N R01W S32	NWSW	24.0	T08N R01W S32	NESW	28.0
T08N R01W S32	NWSE	8.0	T08N R01W S32	SESW	5.6
T08N R01W S32	SWSE	15.0	T08N R02W S25	NENE	1.2
T08N R02W S25	SENE	19.0	T08N R02W S25	NWSE	8.4
T08N R02W S25	NESE	38.0	T08N R02W S25	SESW	7.0
T08N R02W S25	SWSE	36.0	T08N R02W S25	SESE	39.0
T08N R02W S35	SWNE	2.4	T08N R02W S35	SENE	27.0
T08N R02W S35	NWSE	27.0	T08N R02W S35	NESE	39.0
T08N R02W S35	SESW	12.0	T08N R02W S35	SWSE	29.0
T08N R02W S35	SESE	39.0	T08N R02W S36	NENE	39.0
T08N R02W S36	SWNW	39.0	T08N R02W S36	SENW	39.0
T08N R02W S36	SWNE	37.0	T08N R02W S36	SENE	14.0
T08N R02W S36	NWSW	39.0	T08N R02W S36	NESW	30.0
T08N R02W S36	NWSE	2.9	T08N R02W S36	SWSW	19.0
T08N R02W S36	SESW	1.7	T08N R02W S36	NWNW	2.1
T08N R02W S36	NENW	33.0	T08N R02W S36	NWNE	39.0

STOCKWATER same as IRRIGATION

1308.4 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 142 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1308.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-02953, 65-12382, 65-02498, 65-02025, 65-02499, 65-07061.

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. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Decreed

10/10/2000

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

RIGHT NUMBER: 65-2016

NAME AND ADDRESS: DAVID LITTLE FARMS INC
PO BOX 68
EMMETT, ID 83617

SOURCE: BISSEL CREEK TRIBUTARY: Payette River

QUANTITY: 2.85 CFS

PRIORITY DATE: 11/16/1904

POINT OF DIVERSION: T08N R01W S20 SWSW Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	2.85 CFS

PLACE OF USE:

IRRIGATION Within GEM County

T07N R02W S2		SWNW	20	T07N R02W S2		SENW	5.3
T07N R02W S2		NWSW	4	T07N R02W S2	LOT 1	NENE	17
T07N R02W S2	LOT 2	NWNE	3.3	T07N R02W S2	LOT 3	NENW	25
T07N R02W S2	LOT 4	NWNW	3.2	T08N R01W S19		SWNE	1.3
T08N R01W S19		SENE	8.4	T08N R01W S19		NESW	20
T08N R01W S19		NWSE	25	T08N R01W S19		NESE	15
T08N R01W S19		SESW	40	T08N R01W S19		SWSE	9.9
T08N R01W S19		SESE	1.3	T08N R01W S19	LOT 3	NWSW	7
T08N R01W S19	LOT 4	SWSW	23	T08N R01W S30		NESW	16
T08N R01W S30		SESW	32	T08N R01W S30		SWSE	7
T08N R01W S30		NENW	24	T08N R01W S30		SENW	16
T08N R01W S30	LOT 1	NWNW	35	T08N R01W S30	LOT 2	SWNW	38
T08N R01W S30	LOT 3	NWSW	38	T08N R01W S30	LOT 4	SWSW	38
T08N R01W S31		NENW	6.3	T08N R01W S31		NWNE	28
T08N R01W S31		SWNE	2.4	T08N R01W S31		SENE	19
T08N R01W S31		NESE	4.4	T08N R01W S31	LOT 1	NWNW	24
T08N R01W S32		SWNW	12	T08N R01W S32		SENW	0.3
T08N R01W S32		NWSW	24	T08N R01W S32		NESW	28
T08N R01W S32		NWSE	8	T08N R01W S32		SESW	5.6
T08N R01W S32		SWSE	15	T08N R02W S25		NESE	38
T08N R02W S25		SESW	7	T08N R02W S25		SWSE	36
T08N R02W S25		SESE	39	T08N R02W S25		NENE	1.2
T08N R02W S25		SENE	19	T08N R02W S25		NWSE	8.4
T08N R02W S35		SWNE	2.4	T08N R02W S35		SENE	27
T08N R02W S35		NWSE	27	T08N R02W S35		NESE	39
T08N R02W S35		SESW	12	T08N R02W S35		SWSE	29
T08N R02W S35		SESE	39	T08N R02W S36		NWNW	2.1

T08N R02W S36	NENW	33	T08N R02W S36	NENE	39
T08N R02W S36	SWNW	39	T08N R02W S36	SENW	39
T08N R02W S36	SWNE	37	T08N R02W S36	SENE	14
T08N R02W S36	NWSW	39	T08N R02W S36	NESW	30
T08N R02W S36	NWSE	2.9	T08N R02W S36	SWSW	19
T08N R02W S36	SESW	1.7	T08N R02W S36	NWNE	39

1308.4 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 142 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1308.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-02953, 65-12382, 65-02498, 65-02025, 65-02499, 65-07061.

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

10/9/00

Acres Review analysis sheet

Little Farms

Based on a ppu for claim nos.:65-12382, 65-02016, 65-02498, 65-02025, 65-02499, 65-07061,65-02953

[illegible]

WR5809NP
No. 65-02016

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/02/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DAVID LITTLE FARMS INC. P.O. BOX 68 EMMETT ID 83617	11/16/1904	IRRIGATION	03/15 11/15	2.850 CFS	
TOTAL DIVERSION:					2.850 CFS	

Water Source: BISSEL CREEK

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion: T08N R01W S20
S30

SWSW
NWNW

GEM County
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
08N	01W	30	:							28	17			30						:	75.0
08N	02W	25	:					16										35	16	:	67.0
TOTAL ACRES																				142.0	

Pou County: GEM

Other Water Rights Listing Overlapping Place(s) of use:
65-02498

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHT 65-2498 SHALL PROVIDE NO
MORE THAN .02 CFS/ACRE.

Dates:	App. Received:	Priority Date:	11/16/1904
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Acres Review analysis sheet

Little Farms

Claim #

	T	R	S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
65-02953	7N	2W	2					26		14	8		7							55
65-02953	7N	2W	30					17	34	37	8	6	35	31	13					181
65-02025	8N	01W	19										8	24						32
65-07061	8N	01W	19			3	7					18	10	22	39	12	22	8		141
65-02953	8N	01W	19			3	5					26	6	21	35	14	18	3	3	134
65-02016	8N	01W	30						28	17			30							75
65-02498	8N	01W	30										30	26	24					80
65-07061	8N	01W	30					21	35	38	12	5	35	38	6					190
65-02499	8N	01W	31			2	21	9												32
65-02953	8N	01W	31		14	11	24	13	11							21	3			97
65-02499	8N	01W	32							8		8	31							47
65-02953	8N	01W	32							4			7							11
65-02953	8N	2W	25	5			23								9	36	14	35	38	160
65-02016	8N	2W	25				16									35			16	67
65-02498	8N	2W	25													25				25
65-07061	8N	2W	25	2			21									38	8	17	30	116
65-02953	8N	2W	35	1		4	26								10	30	25	29	37	162
65-02953	8N	2W	36	39	38	36	12	30	3	32	40	22	36	15			2			305

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: 65-02016
DATE RECEIVED: 1/24/1990
RECEIPT NO: K999999
RECEIVED BY:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: DAVID LITTLE FARMS INC.
ADDRESS: P.O. BOX 68
EMMETT, ID 83617

2. DATE OF PRIORITY: NOV 16, 1904

3. SOURCE: BISSEL CREEK

TRIB. TO: PAYETTE RIVER

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
08N	01W	20	SW	SW			GEM
		30	NW	NW			GEM

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	03/15	11/15	2.850		

7. TOTAL QUANTITY APPROPRIATED IS:

2.850 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
08N	01W	30	NW	NW		IRR	28.0
			SW	NW		IRR	17.0
			NW	SW		IRR	30.0

SECTION ACRES 75.0

10. PLACE OF USE: CONTINUED

TOWNSHIP	RANGE	SECTION	1/4	OF	1/4	LOT	USE	ACRES
08N	02W	25	SE		NE		IRR	16.0
			NE		SE		IRR	35.0
			SE		SE		IRR	16.0
SECTION ACRES								67.0
TOTAL ACRES								142.0

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 RIGHT 65-2498 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

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

16. SIGNATURE(S)

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

NUMBER OF ATTACHMENTS: _____

FOR INDIVIDUALS:

I/WE DO SOLEMNLY SWEAR OR AFFIRM THAT THE STATEMENTS CONTAINED IN THE FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF CLAIMANT(S): _____ DATE: _____

DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM Vice President OF

TITLE

David Little Farms Inc., THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION.

DOCUMENT IN THE SPACE BELOW AS Vice-President OF

TITLE

David Little Farms Inc. AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION

FOREGOING DOCUMENT ARE TRUE AND CORRECT.

James O. Lital
SIGNATURE OF AUTHORIZED AGENT

Vice Pres. David Little Farms Inc.
TITLE AND ORGANIZATION

1/24/90
DATE

STATE OF IDAHO)
COUNTY OF Boa) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 24th DAY

OF JANUARY 1990

James O. Lital
NOTARY PUBLIC

SEAL

RESIDING AT BOISE, ID

MY COMMISSION EXPIRES 11/08/1994

MICROFILMED

SEP 18 1992

MICROFILMED

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME DAVID LITTLE FARMS INC.CLAIM IDENT. NO. A65-02016DATE RECEIVED 1/24/1990CK # NONE RCPT. X999999AMOUNT \$

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

Claim checked by: BRDate: 6/19/90

Claim must be returned to claimant:

(Yes) ☒ (No)

Claimant must be notified of modifications:

(Yes) ☒ (No)Receipt Prepared by: Date: Claim data entered by: BRDate: 6/19/90Sent to claimant by: Date: Checked by: BRDate: 6/19/90Comments:

MICROFILMED

SEP 18 1992