

Idaho Department of Water Resources

**T08N, R04W
S24, S25 &
S26**

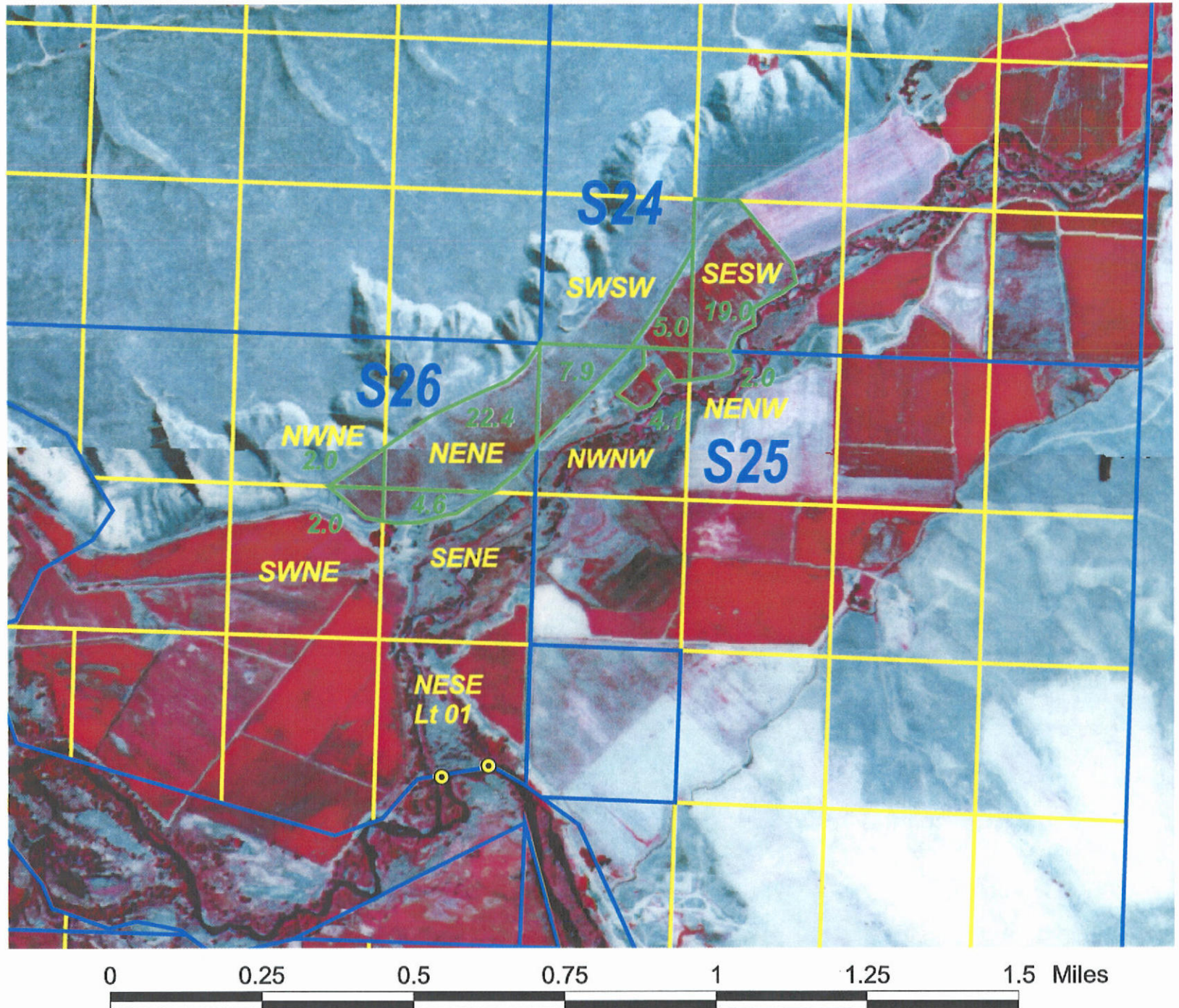
Claim(s) 65-02019
Owner(s) Pence
Prepared by:
Ron Howerton
Date: 04/11/00

-  Place of use
-  POD
-  SECTION LINES
-  1/4 1/4

69 Acres



1987 NAPP

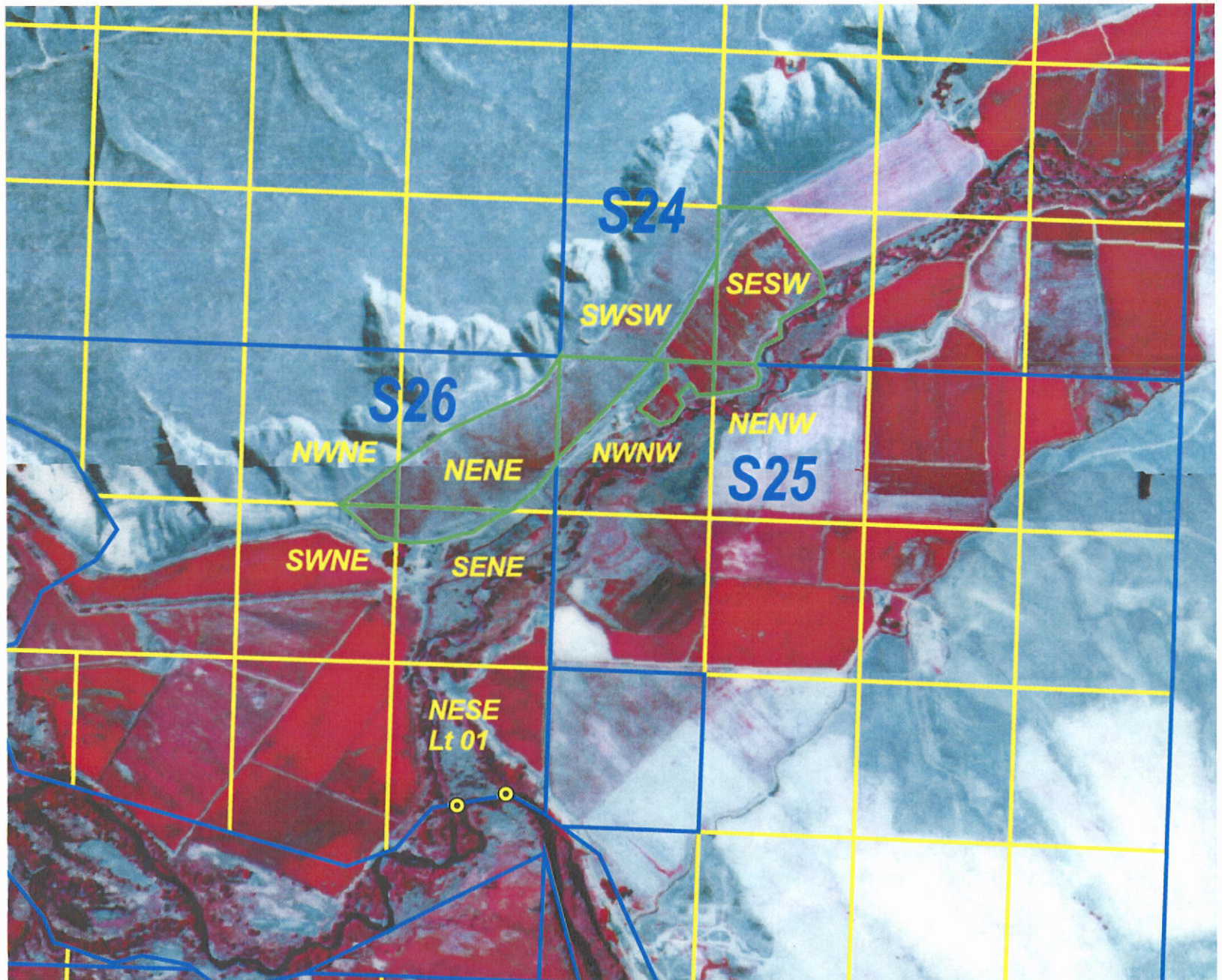
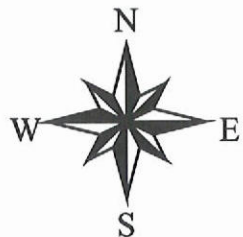


Idaho Department of Water Resources

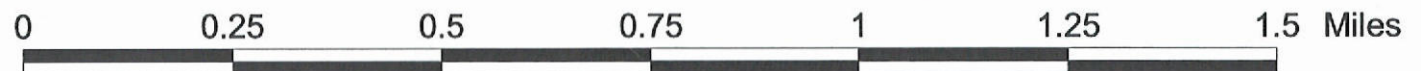
**T08N, R04W
S24, S25 &
S26**

Claim(s) 65-02019
Owner(s) Pence
Prepared by:
Ron Howerton
Date: 04/11/00

-  Place of use
-  POD
-  SECTION LINES
-  1/4 1/4



1987 NAPP

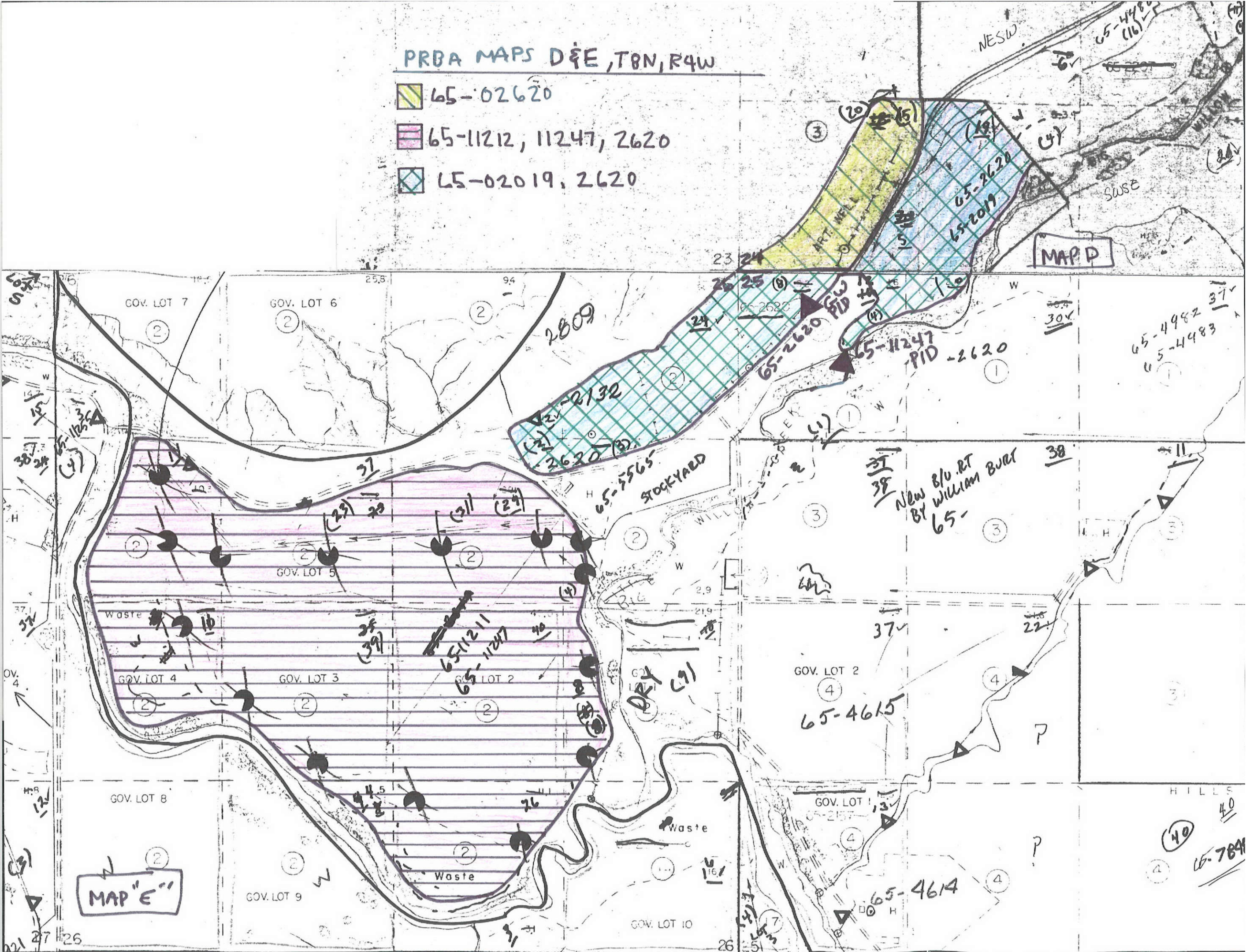


PRBA MAPS D&E, T8N, R4W

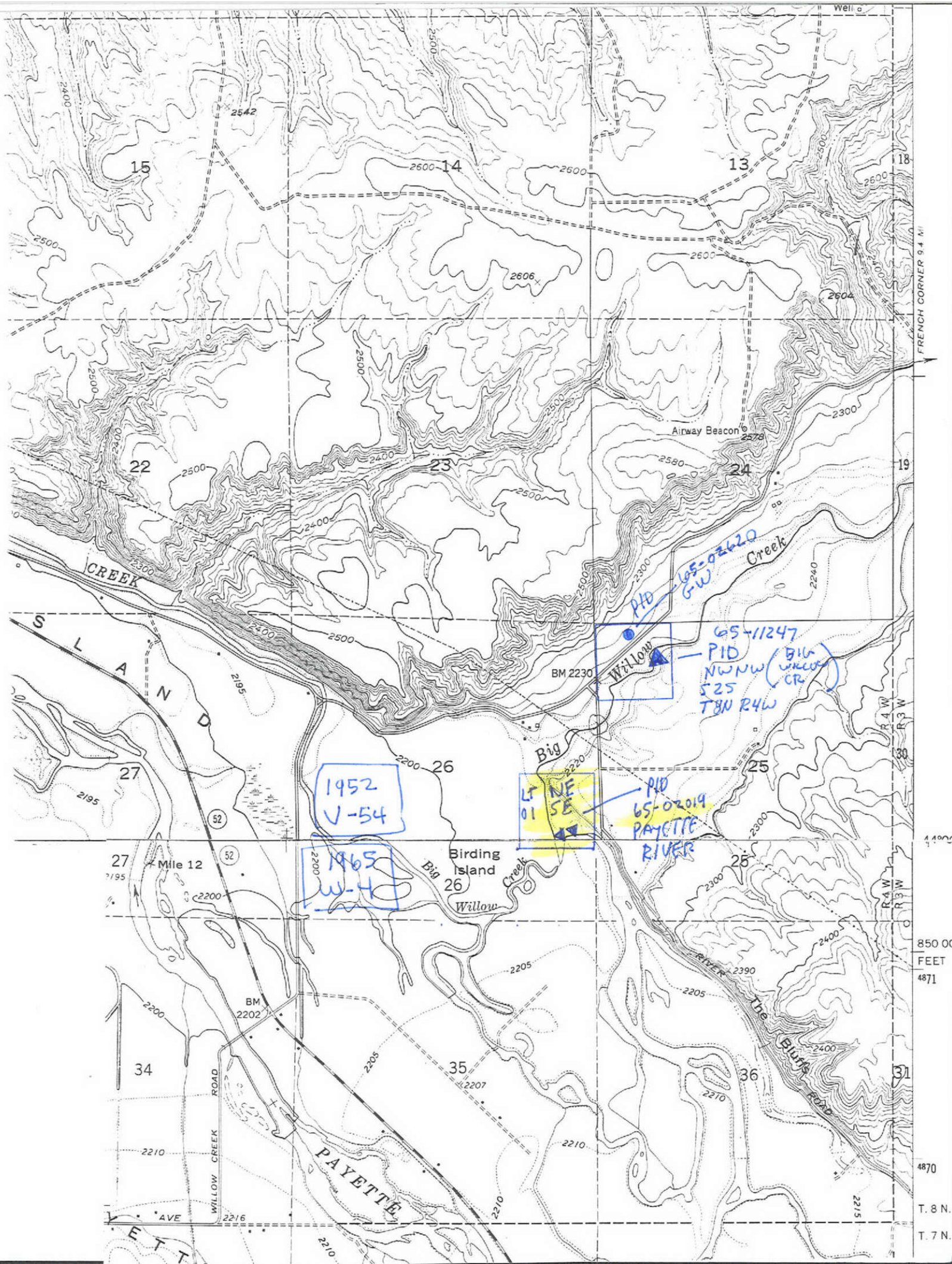
65-02620

65-11212, 11247, 2620

65-02019, 2620



MAP "E"



850 00
FEET
4871

4870

T. 8 N.

T. 7 N.

ID #4434

65-02620

ID #4250

65-02019

65-02620

ID #4252

65-02019

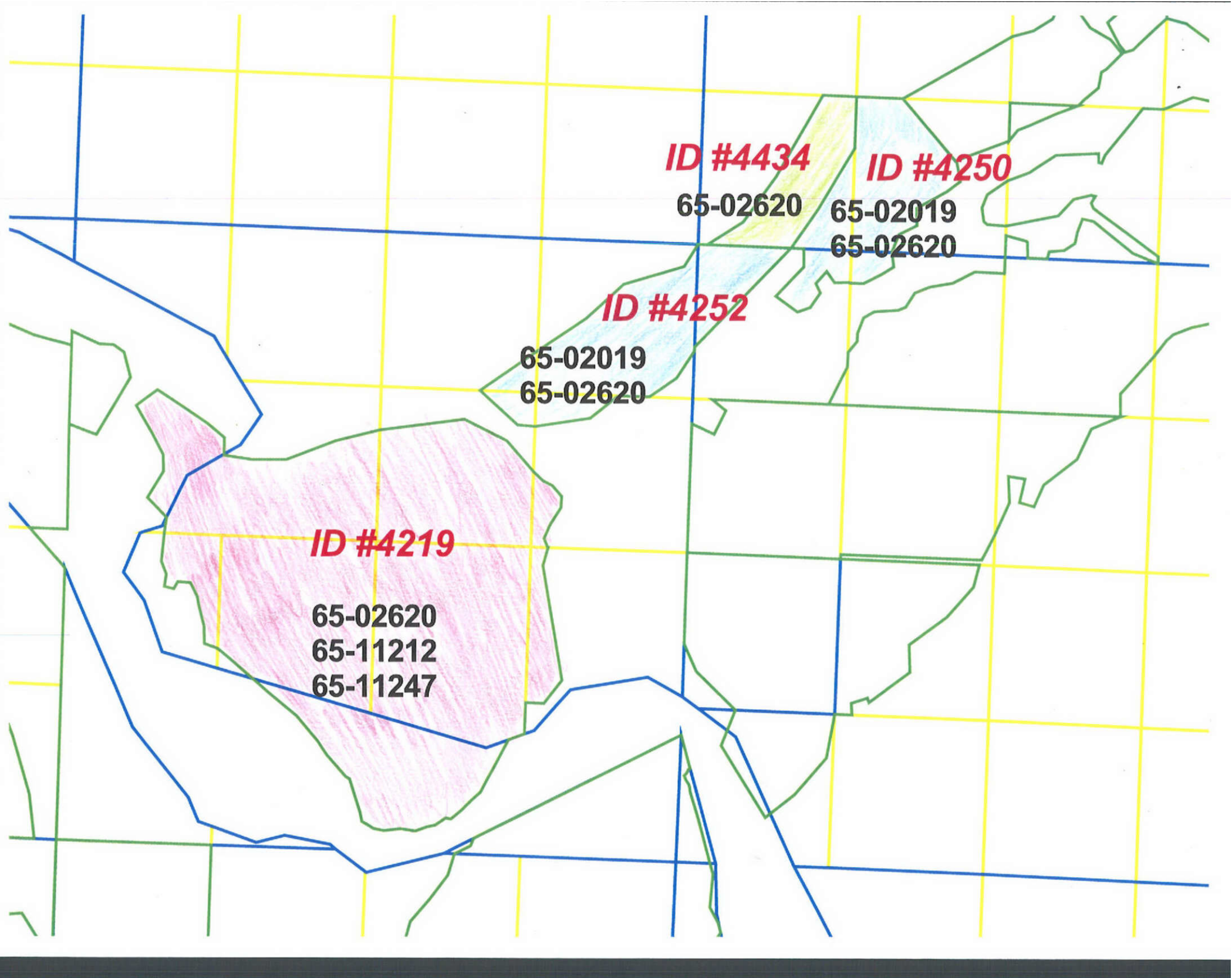
65-02620

ID #4219

65-02620

65-11212

65-11247



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: A65-02019
Date Received: 4/13/1990
Receipt No: X999999
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THOMAS F. PENCE, JR. 208-278-5472
Address: 5433 BIG WILLOW RD.
PAYETTE, ID 83661

2. Date of Priority: FEB 14, 1916

3. Source: PAYETTE RIVER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	04W	26				1	PAYETTE
			NE	SW		1	PAYETTE

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	1.380		

7. Total Quantity Appropriated is:
1.380 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	04W	24	SW	SW		IRR	5.0
			SE	SW		IRR	19.0
						Section Acres	24.0

A65-02019

Page 1

Date: 04/13/90

MICROFILMED
SEP 18 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	04W	25	NE	NW		IRR	2.0
			NW	NW		IRR	12.0
						Section Acres	14.0
		26	NE	NE		IRR	24.0
			NW	NE		IRR	2.0
			SW	NE		IRR	2.0
			SE	NE		IRR	3.0
						Section Acres	31.0
						Total Acres	69.0

11. Place of use in counties: PAYETTE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

TWO POINTS OF DIVERSION IN LOT 1, S. 26, T8N, R4W.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

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): Thomas F. Penner Jr Date: 04-13-90

Date: _____

State of Idaho)
County of Payette) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of April 19 90 Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994
My Commission _____



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

01/11/2001

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

RIGHT NUMBER: 65-2019

NAME AND ADDRESS: THOMAS F PENCE JR
5433 BIG WILLOW RD
PAYETTE, ID 83661

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 1.38 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 65-02620, 65-11212
& 65-11247 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN
MEASURED AT THE FIELD HEADGATE

PRIORITY DATE: 02/14/1916

POINT OF DIVERSION: T08N R04W S26 LOT 1 NESE Within PAYETTE County
T08N R04W S26 LOT 1 NESE Within PAYETTE County

2 POINTS OF DIVERSION LOCATED IN T08N, R04W, S26, NESE, LOT
1.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	3-15 11-15	1.38 CFS

PLACE OF USE:

<u>IRRIGATION Within PAYETTE County</u>					
T08N R04W S24	SWSW	5	T08N R04W S24	SESW	19
T08N R04W S25	NENW	2	T08N R04W S25	NWNW	12
T08N R04W S26	NENE	22.4	T08N R04W S26	NWNE	2
T08N R04W S26	SWNE	2	T08N R04W S26	SENE	4.6

69 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 279.0 ACRES IN A
SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-02620, 65-
11212 & 65-11247

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

AJ0749NP
No. R65-02019

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

DATE: 04/11/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THOMAS F PENCE JR 5433 BIG WILLOW RD PAYETTE ID 83661 (208) 278-5472	02/14/1916	IRRIGATION	03-15 11-15	1.380 CFS	
TOTAL DIVERSION:					1.380 CFS	

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T08N R04W S26 Lot01(NESE)

PAYETTE 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	04W	24	:													05	19			:	24.0
08N	04W	25	:							02	12									:	14.0
08N	04W	26	:	22		02		02		04										:	31.0
TOTAL ACRES																				69.0	

POU County: PAYETTE

Conditions of Approval:

- W28 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- LOWER PAYETTE DITCH CO.

put Sand

Remarks: QNT THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 65-02620, 65-11212 & 65-11247 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN MEASURED AT THE FIELD HEADGATE.

POD 2 POINTS OF DIVERSION LOCATED IN T08N, R04W, S26, NESE, LOT 1.

POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 279.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-02620, 65-11212 & 65-11247.

Dates: Exam Made Date: Verified Date: 04/11/2000 Objection Filed Date:

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

Audit: 04/11/00 RHOWERTO

C18

WR5809NP
No. 65-02019

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/17/99
PAGE: 17

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
P	THOMAS F. PENCE, JR. 5433 BIG WILLOW RD. PAYETTE ID 83661 (208) 278-5472	02/14/1916	IRRIGATION	03/15 11/15	1.380 CFS	
TOTAL DIVERSION:					1.380 CFS	
C	THOMAS F. PENCE STAR ROUTE PAYETTE ID 83661					

Water Source: PAYETTE RIVER

Tributary to:

S.R. NESE (only siting one)

Stage: DECREED

Point(s) of Diversion:

T08N R04W S26 Lot 01(NESE) Lot 01(NESE)

PAYETTE 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	Lt	Ac	:	SUM	
08N	04W	24	:													05	19					:	24.0	
08N	04W	25	:							02	12											:	14.0	
08N	04W	26	:	24	02	02	03															:	31.0	
																					TOTAL ACRES		:	69.0

Pou County: PAYETTE

Remarks: GEN TWO POINTS OF DIVERSION IN LOT 1, S. 26, T8N, R4W. * ADD REMARKS

Dates:	App. Received:	Priority Date:	02/14/1916
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Idaho Department of Water Resources

**T08N, R04W
S24, S25 &
S26**

Claim(s) 65-02019
Owner(s) Pence
Prepared by:
Ron Howerton
Date: 04/11/00

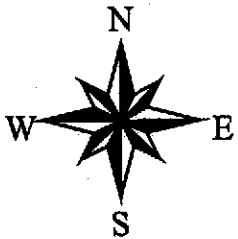
 Place of use

 POD

 SECTION LINES

 1/4 1/4

69 Acres



1987 NAPP



0 0.25 0.5 0.75 1 1.25 1.5 Miles



Idaho Department of Water Resources

**T08N, R04W
S24, S25 &
S26**

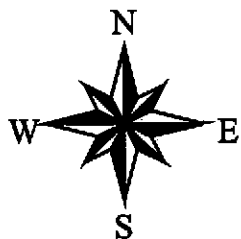
Claim(s) 65-02019
Owner(s) Pence
Prepared by:
Ron Howerton
Date: 04/11/00

 Place of use

 POD

 SECTION LINES

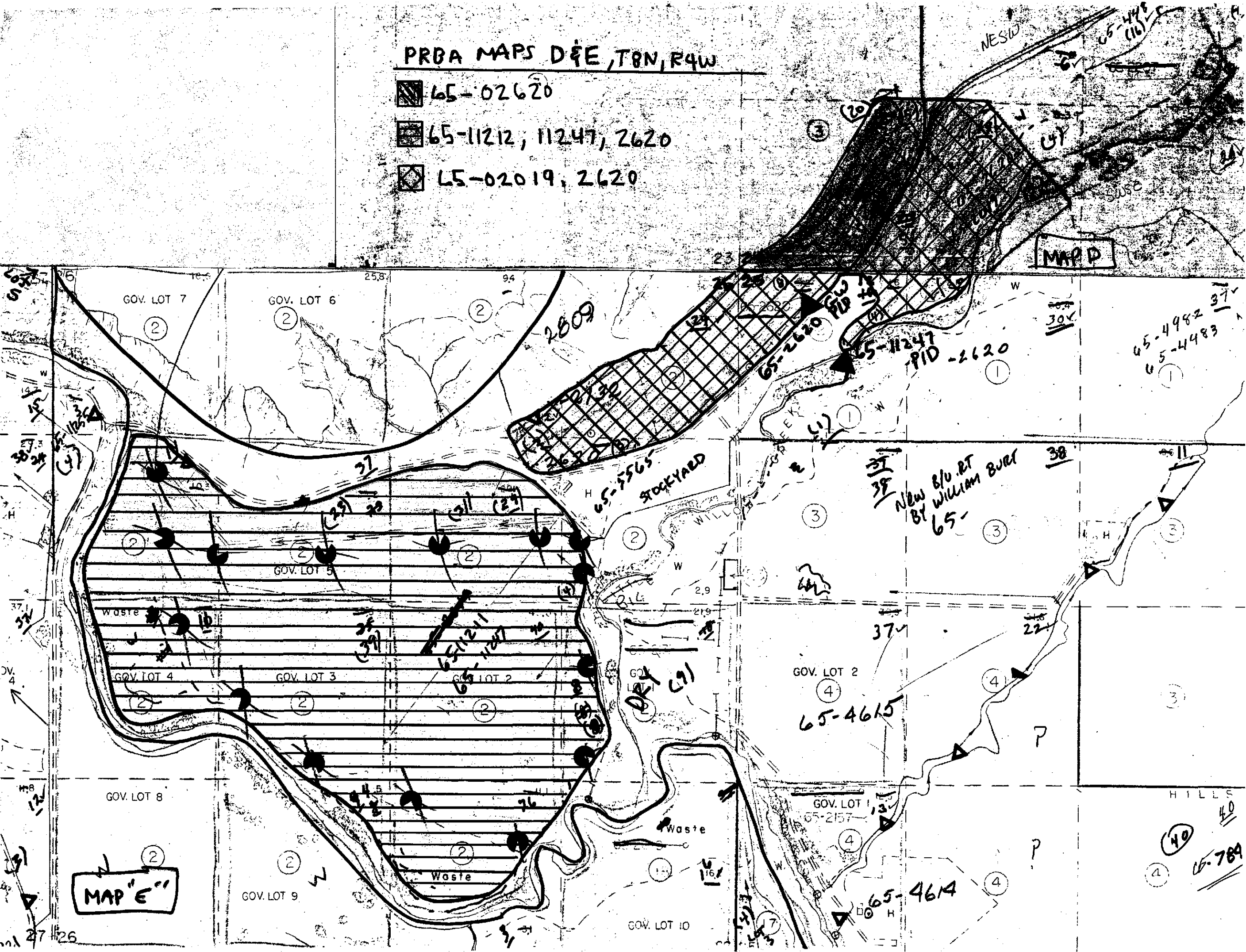
 1/4 1/4

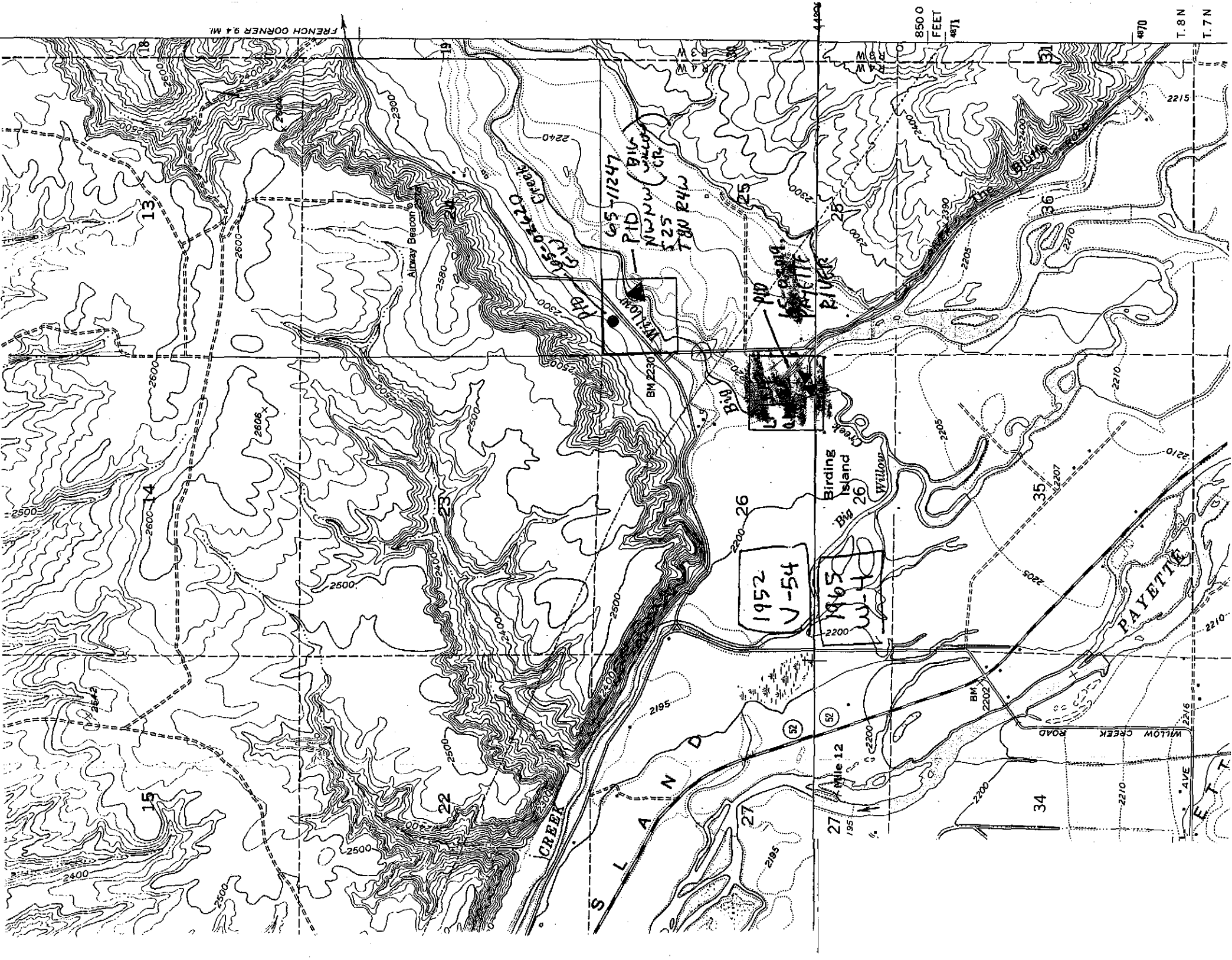


1987 NAPP



☒ 65-02019, 2620





OVERLAP REVIEW SHEET FOR THE FOLLOWING WR #'s: 65- 2019 65 - 2620

AGENT RON DATE 4-11-00 65 - 11212 65 - 11247

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
PAYETTE R.	2019	8N	4W	24											5	19					24	
				25					2	12											14	
				26	22.4	2	2	4.6													31	69

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
G-ROUNDAWATER	2620	8N	4W	24											20	19					39	
				25					2	12											14	
				26	22.4	2	3	7			14	23	38	6.7	8.9	6	40	27			226	279
											15	15	13	14	13	11	12	12				

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
PAYETTE R.	11212	8N	4W	26			2.9	2.4			14	23	38	6.7	8.9	6	40	27			195	195
											15	15	13	14	13	11	12	12				

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
PIL-WELOW CR	11247	8N	4W	26			2.9	2.4			14	23	38	6.7	8.9	6	40	27			195	195
				24											20	19					39	
				25					2	12											14	
TOTAL OVERLAP				26	22.4	2	3	7			14	23	38	6.7	8.9	6	40	27			226	279
											15	15	13	14	13	11	12	12				

W28 LOWER PAYETTE
Ditch Co.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:02:10
04/07/00

PAGE: 15
QUICKLOOK INFORMATION

15
CLAIM NUMBER: A65-02019

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			Rdh 4-11-00					Rdh 4-11-00
POINT OF DIV								
SOURCE			IP OFFICE					
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:02:10
04/07/00

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-02019

LAST: PENCE JR
ADDRESS: 5433 BIG WILLOW RD
CITY: PAYETTE
PHONE NUMBER: 208-278-5472

FIRST: THOMAS F
STATE: ID ZIP: 83661

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N(/)

CLAIM REMARKS: GEN TWO POINTS OF DIVERSION IN LOT 1, S. 26, T8N, R4W.

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

IN OFFICE

PHONE NUMBER: () -

DATE OF FIELD EXAM:

4/11/00

APPOINTMENT MADE: Y() N(/)

TIME: : A() P()

ACCOMPANIED BY:

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / NOTES:

SEE MAP IN FILE

A. AJ CLAIM: # A65-02019 PRIORITY DATE: 02-14-1916 STAGE: D

B. WR RECORD: # 65-02019 PRIORITY DATE: 02-14-1916 STAGE: D

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

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

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

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

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED

N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE

N/A(☒) Y(☐) N(☐)

LICENSE ISSUED

N/A(☒) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED? N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N(☐)

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

02-14-1916

REVIEWED BY Rch

DATE 4-11-00

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-02019	08N	04W	26				1		PAYETTE		
A65-02019	08N	04W	26		NE	SW	1		PAYETTE		

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

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: PAYETTE RIVER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-02019	08N	04W	26				1		PAYETTE		
65-02019	08N	04W	26		NE	SW	1		PAYETTE		

OTHER WR RECORDS WITH SAME WR POD

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

SOURCE: PAYETTE RIVER

TRIB:

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

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(☒) N()

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

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

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☒) N()

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

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N()

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

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: PID VERIFIED BY PRBA, SEE 1987 NAPP PHOTO & ATTACHED
TOPO.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
08N	04W	26		NE	SE	1		PAYETTE		
				NE	SW					

SOURCE: PAYETTE RIVER

TRIB: SNAKE RIVER

REVIEWED BY: Rch

DATE: 4-11-00

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

GRAVITY IRRIG.

A. ROOT WATER RIGHT NUMBERS: A65-02019

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08N	04W	24	SW	SW		PENCE JR, THOMAS F	A65-02019 / 5.0	65-02019 / 5.0	26.0		5
			SW	SW		PENCE JR, THOMAS F	A65-02620 / 20.0	65-02620 / 20.0			
08N	04W	24	SE	SW		PENCE JR, THOMAS F	A65-02019 / 19.0	65-02019 / 19.0	36.0		
			SE	SW		BARKER & SON INC	A65-044868 / 4.0	- /			19
			SE	SW		PENCE JR, THOMAS F	A65-02620 / 19.0	65-02620 / 19.0			
			SE	SW		BARKER & SONS INC	R65-04982 / 1.4	- /			
			SE	SW		BARKER & SON INC	R65-044868 / 7.1	- /			
			SE	SW		BARKER & SON INC.		65-04486 / 4.0			
08N	04W	25	NE	NW		PENCE JR, THOMAS F	A65-02019 / 2.0	65-02019 / 2.0	39.0		2
			NE	NW		PENCE JR, THOMAS F	A65-02620 / 2.0	65-02620 / 2.0			
			NE	NW		BARKER & SONS INC	A65-04982 / 30.0	65-04982 / 30.0			
			NE	NW		BARKER & SONS INC	R65-04982 / 29.0	- /			
08N	04W	25	NW	NW		PENCE JR, THOMAS F	A65-02019 / 12.0	65-02019 / 12.0	33.0		12
			NW	NW		PENCE JR, THOMAS F	A65-02620 / 12.0	65-02620 / 12.0			
			NW	NW		BARKER & SONS INC	A65-04982 / 1.0	65-04982 / 1.0			
			NW	NW		BARKER & SONS INC	R65-04982 / 0.5	- /			
08N	04W	26	NE	NE		PENCE JR, THOMAS F	A65-02019 / 24.0	65-02019 / 24.0	27.0		22.4
			NE	NE		PENCE JR, THOMAS F	A65-02620 / 24.0	65-02620 / 24.0			
08N	04W	26	NW	NE		PENCE JR, THOMAS F	A65-02019 / 2.0	65-02019 / 2.0	2.0		2.0
			NW	NE		PENCE JR, THOMAS F	A65-02620 / 2.0	65-02620 / 2.0			2
08N	04W	26	SW	NE		PENCE JR, THOMAS F	A65-02019 / 2.0	65-02019 / 2.0	31.0		2
			SW	NE		PENCE JR, THOMAS F	A65-02620 / 31.0	65-02620 / 31.0			
			SW	NE		PENCE JR, THOMAS F	A65-11212 / 29.0	65-11212 / 29.0			
			SW	NE		PENCE JR, THOMAS F	A65-11247 / 29.0	65-11247 / 29.0			
			SW	NE		PENCE JR, THOMAS F	R65-11212 / 29.0	- /			
08N	04W	26	SE	NE		PENCE JR, THOMAS F	A65-02019 / 3.0	65-02019 / 3.0	38.0		4.6
			SE	NE		PENCE JR, THOMAS F	A65-02620 / 7.0	65-02620 / 7.0			
			SE	NE		PENCE JR, THOMAS F	A65-05564 /	65-05564 /			
			SE	NE		PENCE JR, THOMAS F	A65-05565 /	65-05565 /			
			SE	NE		PENCE JR, THOMAS F	A65-11212 / 4.0	65-11212 / 4.0			
			SE	NE		PENCE JR, THOMAS F	A65-11247 / 4.0	65-11247 / 4.0			
			SE	NE		PENCE JR, THOMAS F	R65-11212 / 4.0	- /			
			SE	NE		PENCE JR, THOMAS F	R65-05564 /	- /			
			SE	NE		PENCE JR, THOMAS F	R65-05565 /	- /			

ADDITIONAL POU FOUND

TOTAL ACRES A65-02019 69.00 69.00 232.00

69

POU COUNTY: PAYETTE

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

Y() N(☒)

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-02019	PAYETTE RIVER	PENCE JR, THOMAS F	1.380	0.020		
A65-02620	GROUNDWATER	PENCE JR, THOMAS F	3.000	0.010		
A65-04486B	BIG WILLOW CREEK	BARKER & SON INC	0.660	0.020		
R65-04486B	BIG WILLOW CREEK	BARKER & SON INC	0.620	0.020		
A65-04982	PAYETTE RIVER	BARKER & SONS INC	4.180	0.020		
R65-04982	PAYETTE RIVER	BARKER & SONS INC	4.180	0.020		
R65-11212	PAYETTE RIVER	PENCE JR, THOMAS F	3.900	0.020	21.00	0.10
A65-11212	PAYETTE RIVER	PENCE JR, THOMAS F	3.900	0.020	21.00	0.10
A65-11247	BIG WILLOW CREEK	PENCE JR, THOMAS F	4.600	0.023		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-05564	DOMESTIC	PENCE JR, THOMAS F	FROM 01-01 TO 12-31	0.040 CFS	
A65-05564	STOCKWATER	PENCE JR, THOMAS F	FROM 01-01 TO 12-31	0.230 CFS	
A65-05565	DOMESTIC	PENCE JR, THOMAS F	FROM 01-01 TO 12-31	0.040 CFS	
A65-05565	STOCKWATER	PENCE JR, THOMAS F	FROM 01-01 TO 12-31	0.230 CFS	
R65-05564	DOMESTIC	PENCE JR, THOMAS F	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
R65-05564	STOCKWATER	PENCE JR, THOMAS F	FROM 01-01 TO 12-31	0.230 CFS	14.00 AF/A
R65-05565	DOMESTIC	PENCE JR, THOMAS F	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
R65-05565	STOCKWATER	PENCE JR, THOMAS F	FROM 01-01 TO 12-31	0.230 CFS	14.00 AF/A

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

Y(☒) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: (W28) SEE OVERLAP REVIEW

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

N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y(☒) N()

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

Y() N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(☒)

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

NOTES: SEE PRBA ☒ NAPP, IDWR NO. 1997; () ASCS PHOTO; ☒ OTHER MAPS D&E

RECOMMENDATIONS:

TOTAL ACRES: 69 N/A()

REVIEWED BY: Rdh

DATE: 4/11/00

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-02019 IRRIGATION	FROM 03-15 TO 11-15	1.380 CFS	
TOTAL DIVERSION RATE/VOLUME		1.380 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-02019 IRRIGATION	FROM 03-15 TO 11-15	1.380 CFS	
TOTAL DIVERSION RATE/VOLUME		1.380 CFS	

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

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

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

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

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☒) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

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

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

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

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☒) Y(☐) N(☐)

PAGE: 9

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CONTINUED

CLAIM NUMBER: A65-02019

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 1.380 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 1.380 CFS

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

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

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD NA, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 69 x 0.02 CFS/ACRE = 1.38 CFS
(Taken from pou review)

1b. CALCULATIONS

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

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

2. IRRIGATION DIVERSION VOLUME

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

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A
ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =
TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

WR RECORD CONDITIONS/REMARKS:

2 PIDS IN LEGAL

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ☒

REC. PURPOSE OF USE	REC. PERIOD FROM TO		REC. DIV RATE CFS		REC. DIV VOL. AF/A		REC. CONS. USE	
			DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
IRRIGATION	03-15	11-15	1.380	_____		_____	0.0	_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			1.380	_____		_____	0.0	_____

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: TRW DATE: 4/11/00

FLAG: _____

STANDARD CONDITIONS (CODE):

W28

STANDARD REMARKS (CODE):

POD-F02
QNT-E28
POW1-E14

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-02019

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 1.380 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-02019	1.380	-		65-02019	1.380
TOTAL CFS		1.380				1.380

DIVERSION RATE REVIEW

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

DATABASE Y FIELD EXAMINER Y() N() NO-SPLITS

NOTES:

AUTHENTICATION:

SIGNATURE: Ron Howerton DATE: 4/11/00

NAME OF FIELD EXAMINER: Ron Howerton TITLE: _____

Sr Water Agent

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
☒ TOPOGRAPHIC	DATE FIELD CHECKED <u>1952 / 1965</u> IDWR ID NO. <u>V-54/W-4</u>	Y() N()
☒ NAPP	DATE OF PHOTO <u>1987</u> IDWR ID-NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
☒ OTHER <u>MAPS D&E</u>	DATE <u>PRRA MAPS</u>	Y() N()
☒ OTHER <u>REVIEW</u>	DATE <u>4-11-00</u> <u>OVERLAP REVIEW</u>	Y() N()
☒ OTHER <u>PROFILE</u>	DATE <u>WR RECORD</u>	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:02:49
04/07/00
16

PAGE: 16
PROFILE REPORT

CLAIM NUMBER: A65-02019

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THOMAS F PENCE JR	02/14/1916	IRRIGATION	03-15 11-15	1.380 CFS	
					TOTAL DIVERSION:	1.380 CFS

Water Source: PAYETTE RIVER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T08N R04W S26 Lot01() Lot01(NESW)

PAYETTE 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	Lt	Ac	: Lt	Ac	Lt	Ac	: SUM	
08N	04W 24	:								:						:				:				:	24.0
08N	04W 25	:								:	02	12				:				:				:	14.0
08N	04W 26	:	24		02		02		03	:						:				:				:	31.0
																						TOTAL ACRES	69.0		

POU County: PAYETTE

Remarks: GEN TWO POINTS OF DIVERSION IN LOT 1, S. 26, T8N, R4W.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Puygette River Diversions were mapped for the Water District in winter 1992-1993.* For p/d location, photos, map copies, and data pages, see the water district p/d notebook assembled by Tim Luke at S.O.

I mapped the following rights. Information about these is available on master maps (SL) or in notebook (Tim Luke):

65-02847

- 05755 through 05759

- 00003

- 04982

- 04615

- 11269

- 11212

- 02019

- 00165 A

- " B

- " C

- " X

- 07425

- 07428

- 07848

- 12756

- 05459

- 11258

- 05921

- 08627

- 11261

- 11255

65-03617

- 07461

- 02809

- 00486

- 10505

- 66037

- 04298

- 05817

- 06591

- 12623

- 00072

- 11061

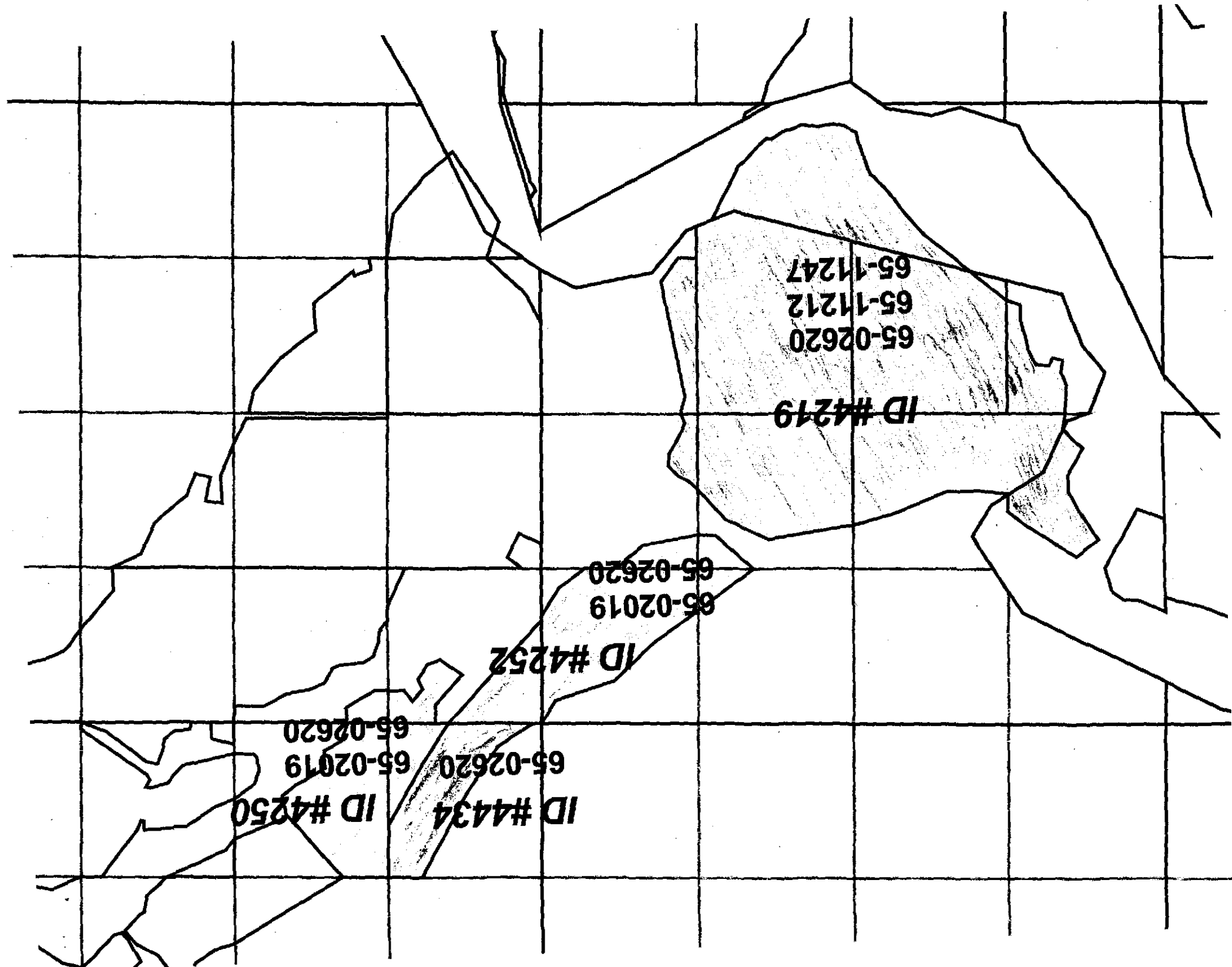
MICROFILMED

AUG 03 1994

— Steve Lester

1/21/93

* From about Gardena to
Fruitland stretch of river.



65-11247
65-11212
65-02620
ID #4219

65-02019
65-02620

ID #4252

65-02620
65-02019

65-02620

ID #4434
ID #4250

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM #: 65-02019

CLAIMANT: Pence, Thomas

Overlap Claim Numbers: 65-02626

Date: 11-2-99

				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	8N	4W	24											5	19					24
GIS														5	19					24
Claim	8N	4W	25	~~00~~	~~00~~			2	12											14
GIS								2	12											14
Claim	8N	4W	26	24	2	2	3													31
GIS				24	2	2	3													31
				22.4			4.6													
Claim																				
GIS																				

POU_ID #(s): 36, 40

POD_ID #(s): 17, 18 2070 & 2071

Total Claimed Acres: 69

Total GIS Acres: 69 OK Rch

2071 2070

COMMENTS:

2 POD's - Lot 1, Sec 26