

Idaho Department of Water Resources

T09N R01W

Claims: 65-02043

Prepared by:

RON HOWERTON

Date: 2 AUG 00

 **Place of use**

 **POD**

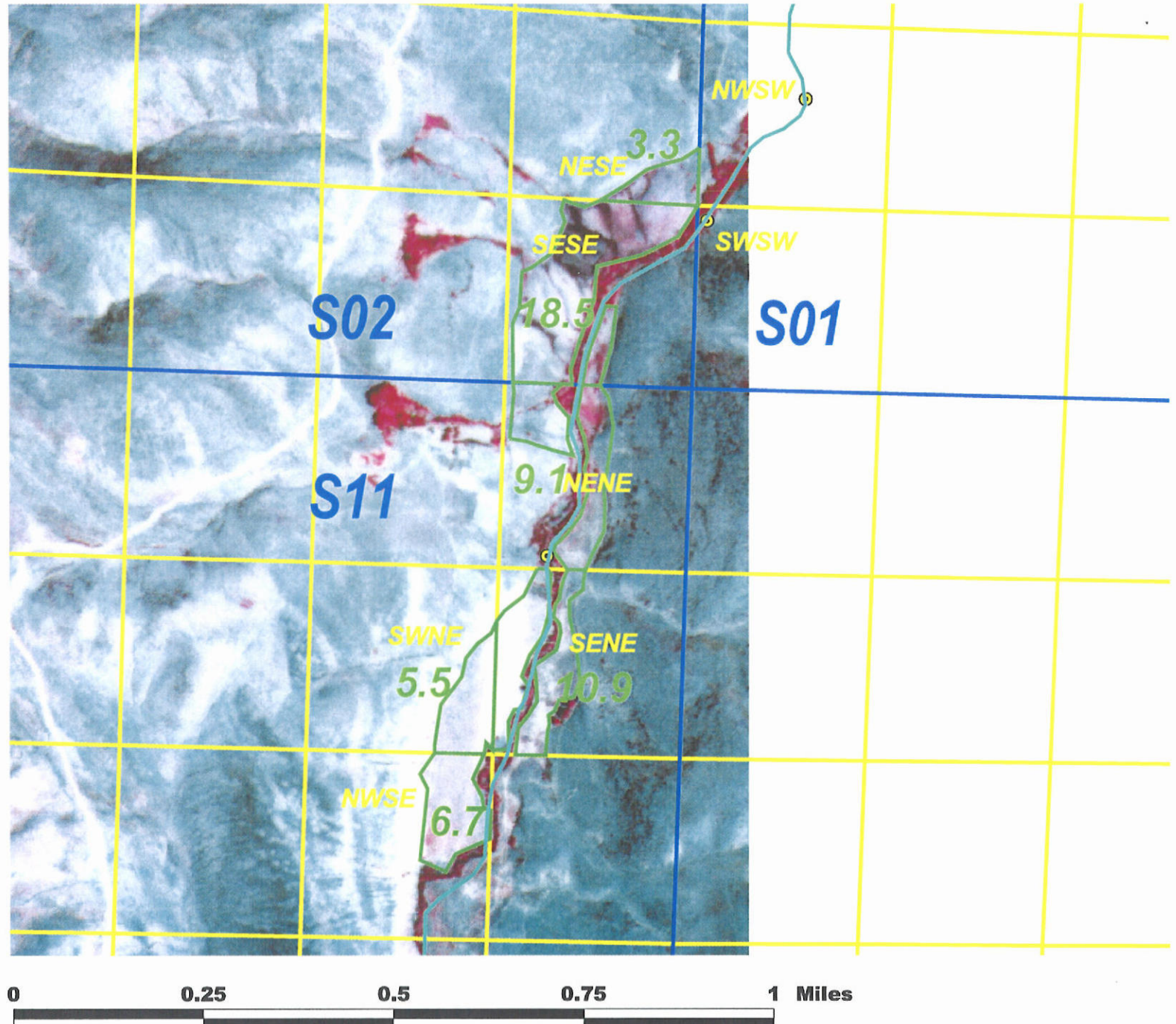
 **SECTION**

 **1/4 1/4**

54 Acres



1987 NAPP



Idaho Department of Water Resources

T09N R01W

Claims: 65-02043

Prepared by:

RON HOWERTON

Date: 2 AUG 00

 **Place of use**

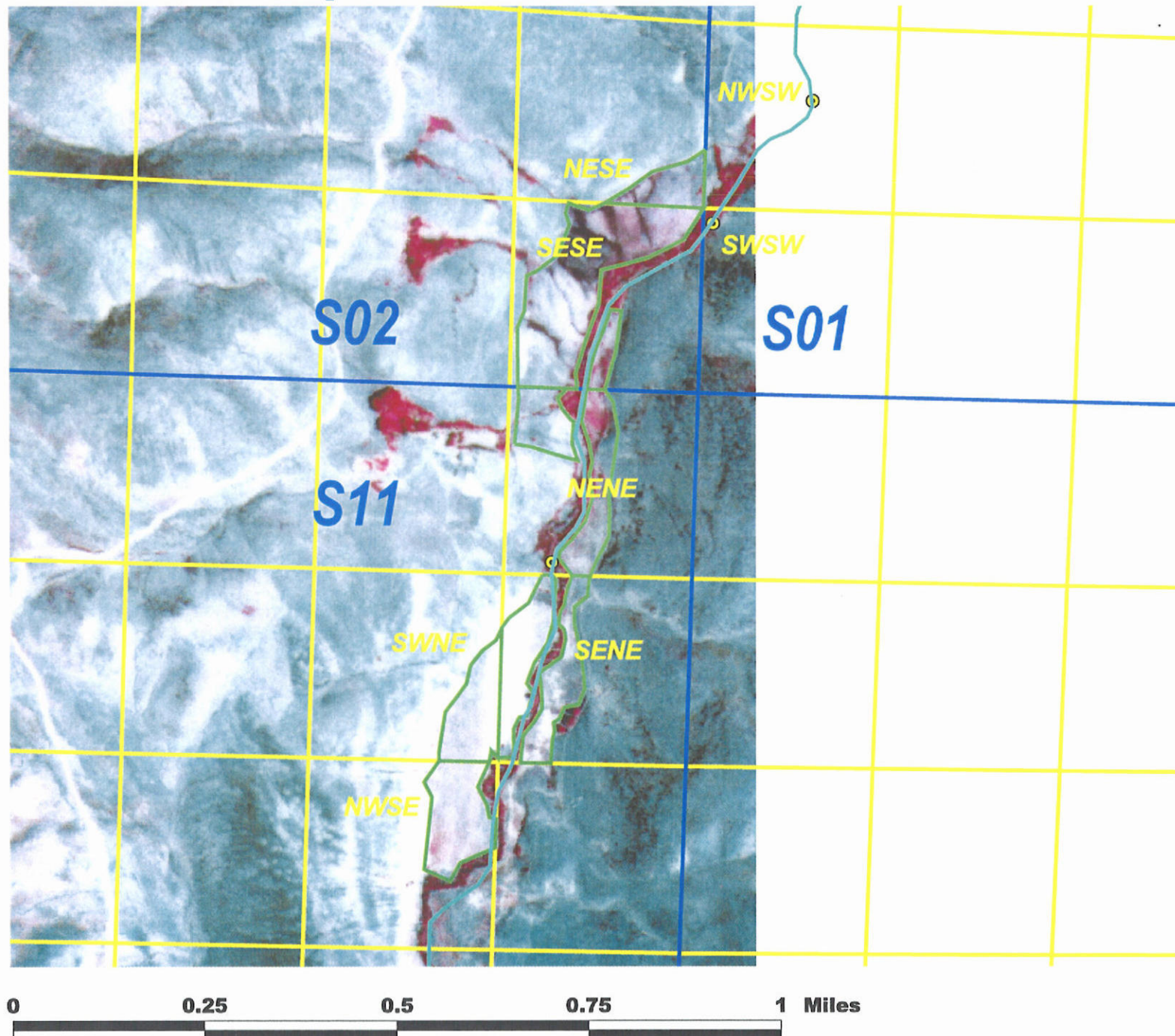
 **POD**

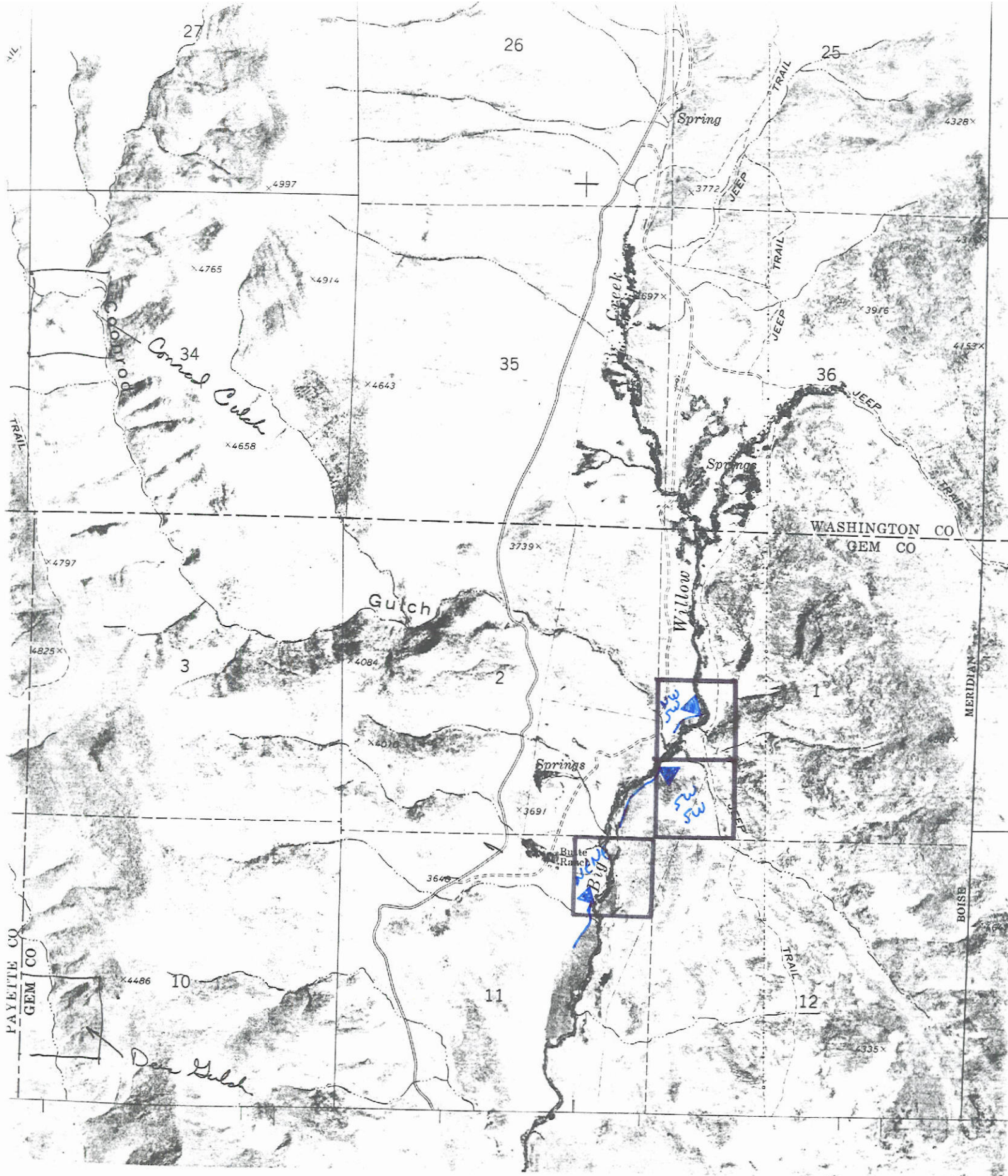
 **SECTION**

 **1/4 1/4**

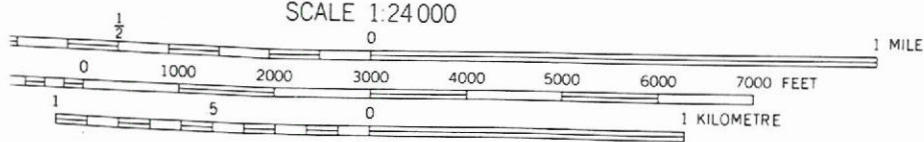


1987 NAPP





SCALE 1:24 000



TAN, RIW
501 NWSW
SW SW
S11 NENE

65-02043

ORTHO
U-7
1974

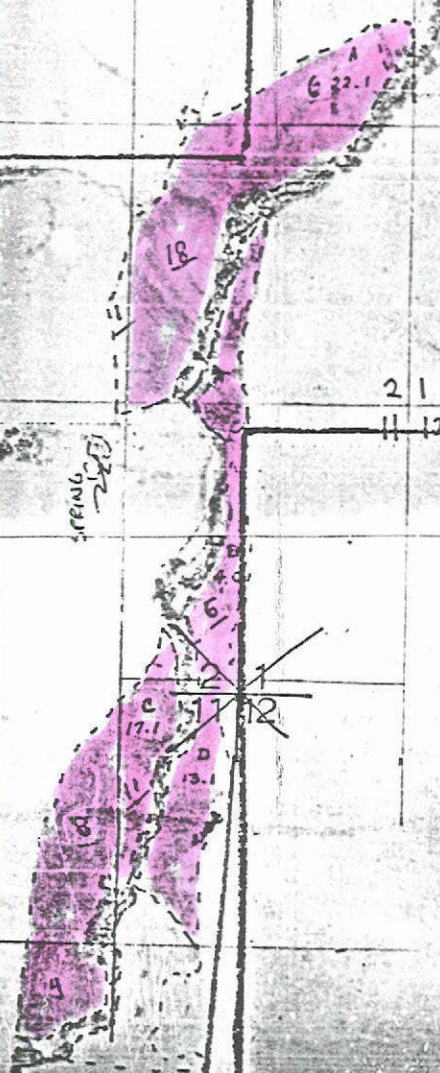
Gem Co.

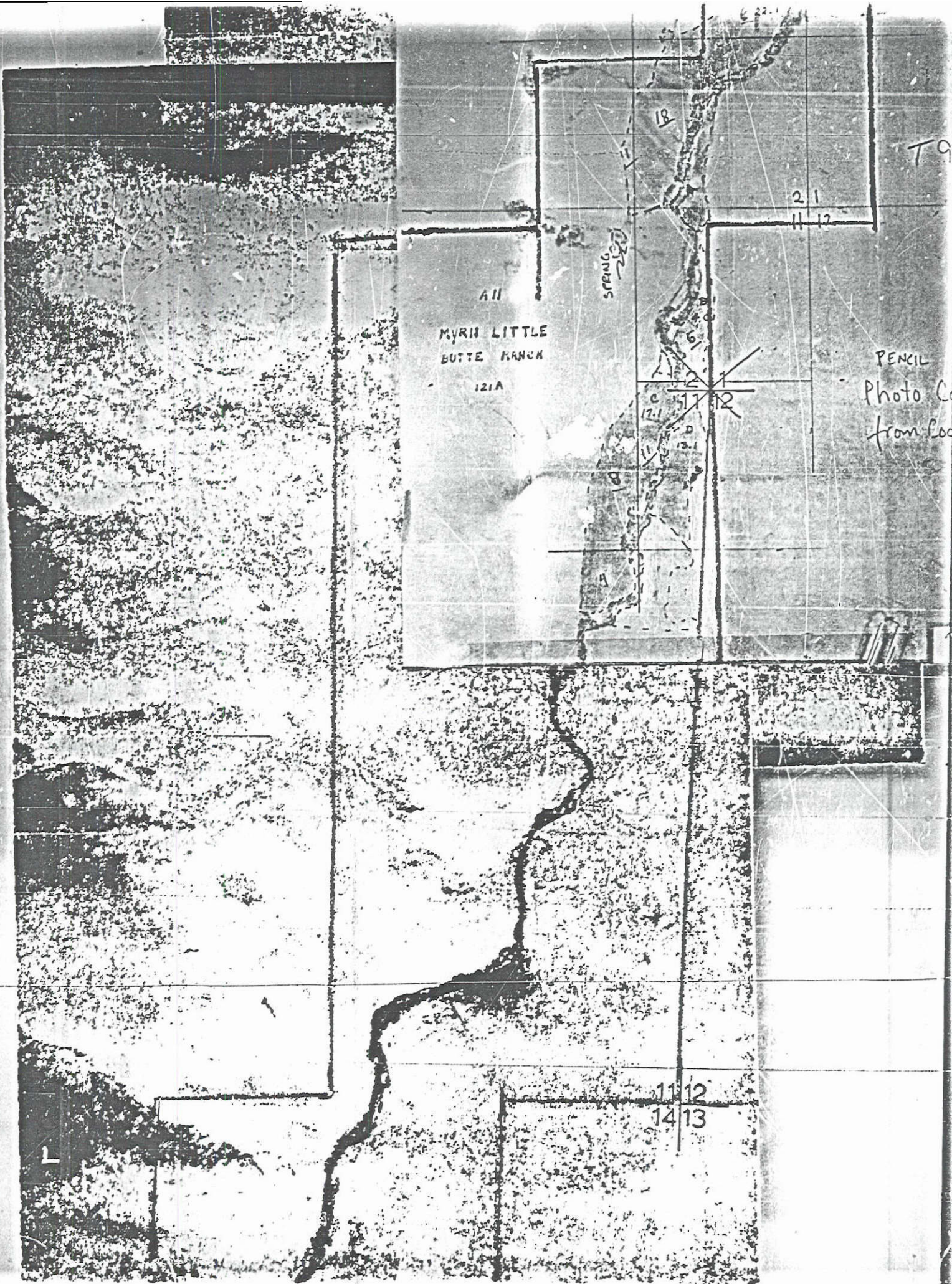
T9N21W

MURKIN LITTLE
BUTTE RANCH

121A

PENCIL
Photo Control taken
from Coonrod Gulch Topo





MYRIE LITTLE
BUTTE RANCH

121A

SPRING

PENCIL
Photo C
from Loc

11 12
14 13

IN THE DISTRICT COURT OF THE Third
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF

JUDICIAL DISTRICT ATTACHED.

IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS TO THE USE OF Surface water TO A
of the Payette River DRAINAGE BASIN. WATER RIGHT

IDENT. NO.

MAP NO.

65-2043 Amended

Notice is hereby given that A. L. Cattle, Inc.

(Name of Claimant)

c/o Myrn H. Little, Route 3, Box 151, Emmett, Idaho 83617, claims a right to the diversion

(Mailing Address)

and beneficial use of the surface or groundwater, of or tributary to The Payette River;

The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) February 23, 1906

(2) Describe the source of water: (Name of stream, lake, spring, etc., or groundwater) Big Willow Creek

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

Quantity 2.4 CFS Use Irrigation Period of Use From 3/15 To 11/15
(CFS, GPD, AF.) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)

Quantity 1.62 Use Irrigation Period of Use From 3/15 To 11/15
(CFS, GPD, AF.) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)

Quantity 1.62 Use Irrigation Period of Use From 3/15 To 11/15
(CFS, GPD, AF.) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)

(4) 2.4 CFS TOTAL QUANTITY CLAIMED.

(5) A) Point of Diversion: Give location of point where water is diverted from its source Sec. 1, T9N, R1W, B.M. NE 1/4, Sec. 11, T9N, R1W, B.M.

Sec. 1, Twp. 9N, Rge. 1W, B.M.; additional points: NE 1/4, Sec. 11, T9N, R1W, B.M.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) SW SW SEC 1, 9N 1W

Give sizes and capacities; be as specific as possible. Diversion dams in creek, one dam at each of

the three points of diversion (3 dams total). Dams divert water from Big Willow

Creek into ditches which deliver water to lands irrigated.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for

irrigation, place an "X" in appropriate box to show location.

T	R	SEC	NE 1/4	NE 1/4	NE 1/4	NW 1/4	NW 1/4	NW 1/4	SW 1/4	SW 1/4	SW 1/4	SE 1/4	SE 1/4	TOTAL
9N	1W	2										6	1	25
		11	6		8	11						4		29

SEE ATTACHED PHOTO

TOTAL NO. OF ACRES 54

(7) Effluent, sewage waste, or return water from this use is discharged into Big Willow Creek

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

(9) Remarks See attached sheet No. 1

(10) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case.

☒ C) Right based on application, permit, license, or claim filed with the Idaho Department of Water Administration. Water License No. 1834 (65-2043)

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

September 25, 1975

(Date)

State of Idaho

Organization

County of Ada

ss.

Seal

by Myrn H. Little, Pres.

(Signature of Authorized Agent)

(Signature of Authorizing Agent)

(Signature of Spouse)

A. L. CATTLE, INC.

On this 25th day of September, in the year 1975, before me, a notary public, personally appeared Myrn H. Little, Pres. of A.L. Cattle, Inc., an Idaho Corp. known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or The Corporation) executed the same.

NOT 6-28-78

My commission expires 7/25/78

AD 51078

Boise, Idaho

11-30-78

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: A65-02043
Date Received: 1/17/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: A. L. CATTLE, INC.
Address: P.O. BOX 608
EMMETT, ID 83617

2. Date of Priority: FEB 23, 1906

3. Source: BIG WILLOW CREEK Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	01W	1		NW	NW		PAYETTE
				SW	SW		PAYETTE
		2		NE	SE		PAYETTE
		11		NE	NE		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	1.620		

7. Total Quantity Appropriated is:
1.620 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
09N	01W	2	NE	SE		IRR	6.0

A65-02043

Page 1

Date: 01/18/90

MICROFILMED

SEP 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	01W	2	SW	SE		IRR	1.0
			SE	SE		IRR	18.0
			Section Acres				25.0
		11	NE	NE		IRR	6.0
			SW	NE		IRR	8.0
			SE	NE		IRR	11.0
			NW	SE		IRR	4.0
			Section Acres				29.0
			Total Acres				54.0

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:

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A65-02043

Date Received: 1/17/1990

Receipt No: X999999

Received By: hws

RECEIVED
JAN 17 1990
Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: A.L. CATTLE INC.
Address: ~~G/O AGNES BRAILSFORD~~
~~P.O. BOX 180~~ *P.O. Box 608*
HAGERMAN, ID *Emmett* 83338-0000

2. Date of Priority: FEB 23, 1906

3. Source: BIG WILLOW CREEK Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09N	01W	1	NW	NW	NW		PAYETTE
			SW	SW	SW		PAYETTE
		2	NE	SE	SE		PAYETTE
		11	NE	NE	NE		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	1.620		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A65-02043

Page 1

Date: 01/17/90

MICROFILMED

SEP 18 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09N	01W	2	NE		SE		IRR	6.0
			SW		SE		IRR	1.0
			SE		SE		IRR	18.0
							Section Acres	25.0
		11	NE		NE		IRR	6.0
			SW		NE		IRR	8.0
			SE		NE		IRR	11.0
			NW		SE		IRR	4.0
							Section Acres	29.0
							Total Acres	54.0

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:

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): _____ Date: _____
_____ Date: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
Title

A L Cattle, Inc, that I have signed the foregoing
Organization

document in the space below as _____ of
Title

A L Cattle, Inc and that the statements contained in the
Organization
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

President A L Cattle Inc
Title and Organization

January 17, 1990
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 17th day

of January 19 90

[Signature]
Notary Public

Seal

Residing at Helen Harrington, Notary Public

Residing at Boise, Idaho

My Commission Expires December 1, 1994

A65-02043

Page

3

Date: 01/17/90

MICROFILMED

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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

2004 APR 14 PM 3 27

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 65-02043

NAME AND ADDRESS: A L CATTLE INC
PO BOX 608
EMMETT, ID 83617

SOURCE: BIG WILLOW CREEK TRIBUTARY: PAYETTE RIVER

QUANTITY: 1.62 CFS

THIS RIGHT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN
MEASURED AT THE FIELD HEADGATE.

PRIORITY DATE: 02/23/1906

POINT OF DIVERSION: T09N R01W S01 NNSW Within Payette County
S11 SWSW
NENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.62 CFS

PLACE OF USE:	Irrigation		Within Gem County
	T09N R01W S02	NESE 3.3	SESE 18.5
	S11	NENE 9.1	SWNE 5.5
		SENE 10.9	NWSE 6.7
	54.0 Acres Total		

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

Basin 65 General Provisions No. 3, the Separate Streams
General Provision, does not apply to appropriations of water
after October 18, 1977.

This water right shall be administered as being from a
separate source pursuant to Basin 65 General Provision No. 3.
If the holder of this right seeks to change the right pursuant
to Idaho Code Section 42-222 or successor statute, nothing in
this general provision shall preclude any other person or entity
from demonstrating that such change in use would cause injury to
its water right or from receiving any relief provided by law in
the event of injury.

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. I.C. SECTION 42-1412(6).

RECOMMENDATION

APR 14 2004


SPECIAL MASTER

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)

A. Subcase 65-2043

(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100

Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234

Daytime Phone: (208) 678-0461 (Dala Walton)

Name & Address of Attorney, if any:

David W. Gehlert (303 312-7352)

Trial Attorney, General Litigation Section

Environment and Natural Resource Division

U.S. Department of Justice

999 18th Street, Suite N 945

Denver, CO 80202

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

Name: A L Cattle Inc.

Address: PO Box 608

Emmett, ID 83617

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

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

E. REASONS SUPPORTING EACH OBJECTION(S):

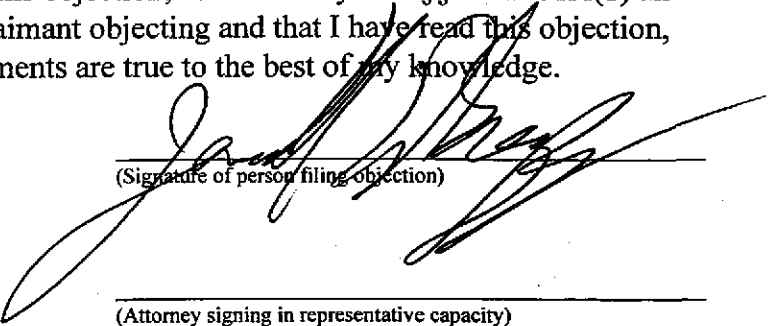
The Bureau of Reclamation objects to the separate stream provision of the Director's Report for Basin 65, Part III. These streams should be administered as part of the Payette River System in order to adequately protect water rights in the Payette River subbasin.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

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

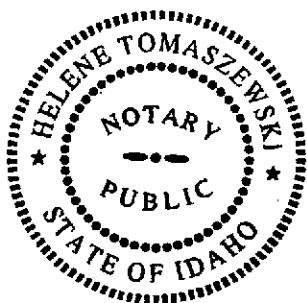
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

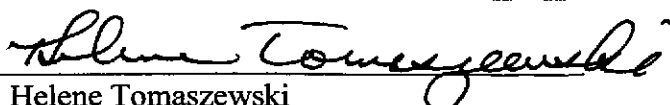

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 9, 2002




Helene Tomaszewski

Notary Public for: Idaho

Residing at: Meridian

My Commission Expires: 01-16-2002

INSTRUCTIONS FOR MAILING

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

G. CERTIFICATE OF MAILING

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

1. Original to:

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

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

Name:

A L Cattle Inc.

Address: PO Box 608
Emmett, ID 83617

3. Copies to:

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

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

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



Signature of Objector or attorney mailing on Objector's behalf

03/07/2001

RECEIVED

APR 11 2001

NOTICE OF ERROR
REPLY

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

WATER RESOURCES
WESTERN REGION

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

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

Water right number: 65-2043

A L CATTLE INC
PO BOX 608
EMMETT ID 83617

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

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

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

✓ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 4.11.01

SIGNATURE: Al. Castle, Inc

Please print your name: by Agnes W. Brailsford

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

12/19/2000

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

RIGHT NUMBER: 65-2043

NAME AND ADDRESS: A L CATTLE INC
PO BOX 608
EMMETT, ID 83617

SOURCE: BIG WILLOW CREEK TRIBUTARY: PAYETTE RIVER

QUANTITY: 1.62 CFS

THIS RIGHT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN
MEASURED AT THE FIELD HEADGATE.

PRIORITY DATE: 02/23/1906

POINT OF DIVERSION:	T09N R01W S1	NWSW	Within PAYETTE County
	T09N R01W S1	SWSW	Within PAYETTE County
	T09N R01W S11	NENE	Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	1.62 CFS

PLACE OF USE:

<u>IRRIGATION Within GEM County</u>					
T09N R01W S11	NENE	9.1	T09N R01W S11	SWNE	5.5
T09N R01W S11	SENE	10.9	T09N R01W S11	NWSE	6.7
T09N R01W S2	NESE	3.3	T09N R01W S2	SESE	18.5

54 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

WR5809NP
No. 65-02043

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	A.L. CATTLE INC. C/O AGNES BRAILSFORD P.O. BOX 180 HAGERMAN ID 833380000	02/23/1906	IRRIGATION	03/15 11/15	1.620 CFS	
TOTAL DIVERSION:					1.620 CFS	

Water Source: BIG WILLOW CREEK

Point(s) of Diversion: T09N R01W S01
S02
S11

nwsW (SEE LIC map) &
Tributary to: PAYETTE RIVER
~~NW~~ ~~NESE~~ ~~NESE~~ ~~NESE~~
NENE OK

Stage: DECREED

PAYETTE County
PAYETTE County
PAYETTE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
09N	01W	2	:					:						:					:						:	
09N	01W	11	:	06				:	08			11	:					:	06						:	25.8
				9.1					5.5											04						29.0
																										54.0

Pou County: PAYETTE

Dates: App. Received: 02/23/1906
Proof Due Date:
Exam Made Date:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

06 08 11 06 04 01 18 25.8 29.0 54.0
3.3 04 01 18 25.8 29.0 54.0
TOTAL ACRES 18.5
DELETE NO ACRES
6.7
OK

PD & POW VERIFIED BY LIC. MAPS & 1987 MAPP.
NO-OVERCAPS

218

ADD
DUEY
LOSS
COMMENT

E23 QNT
when measured at
Field headgate

Idaho Department of Water Resources

T09N R01W

Claims: 65-02043

Prepared by:

RON HOWERTON

Date: 2 AUG 00

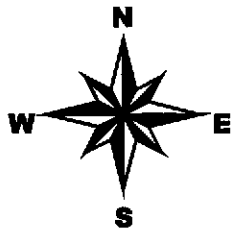
 **Place of use**

 **POD**

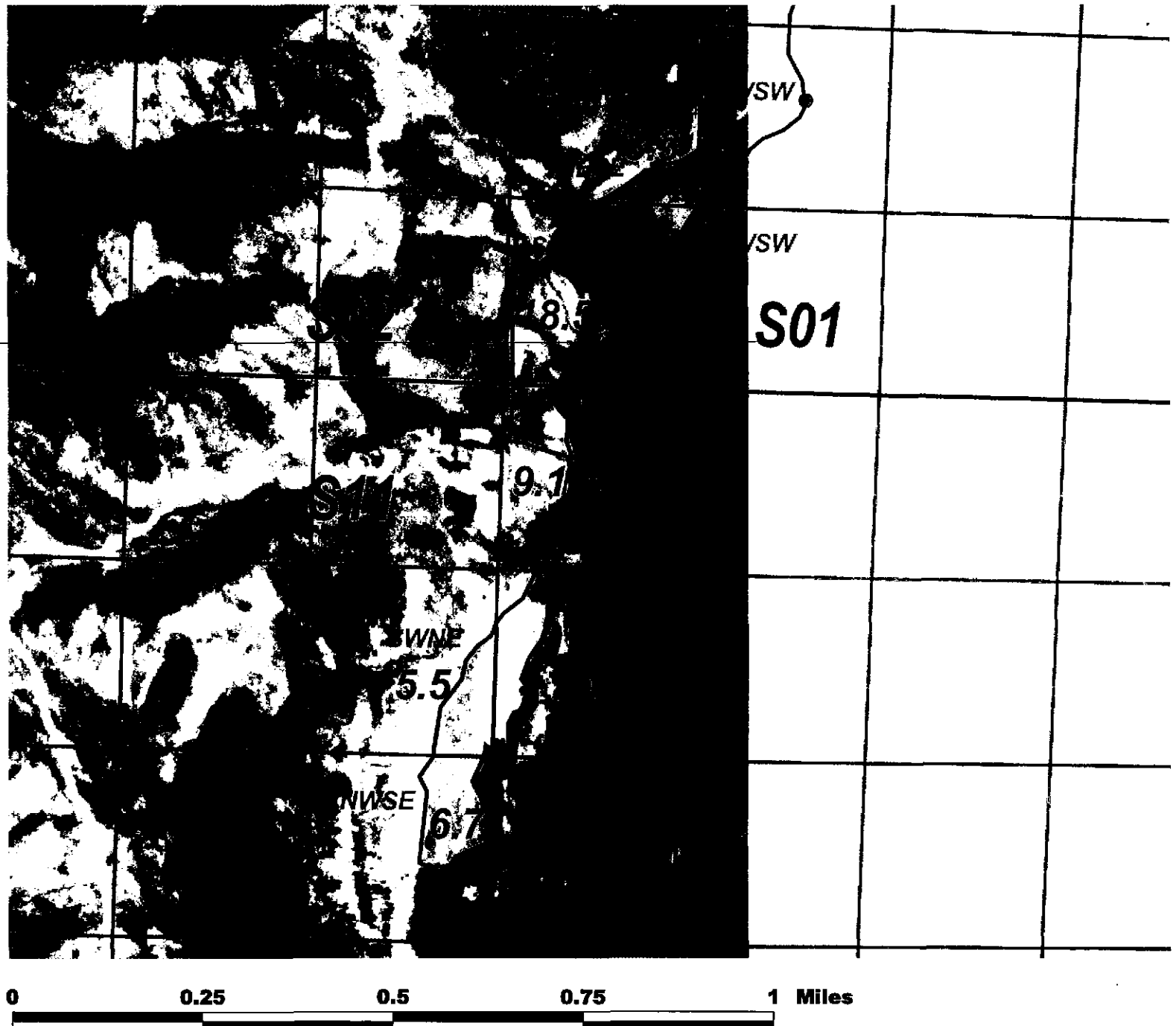
 **SECTION**

 **1/4 1/4**

54 Acres



1987 NAPP



Idaho Department of Water Resources

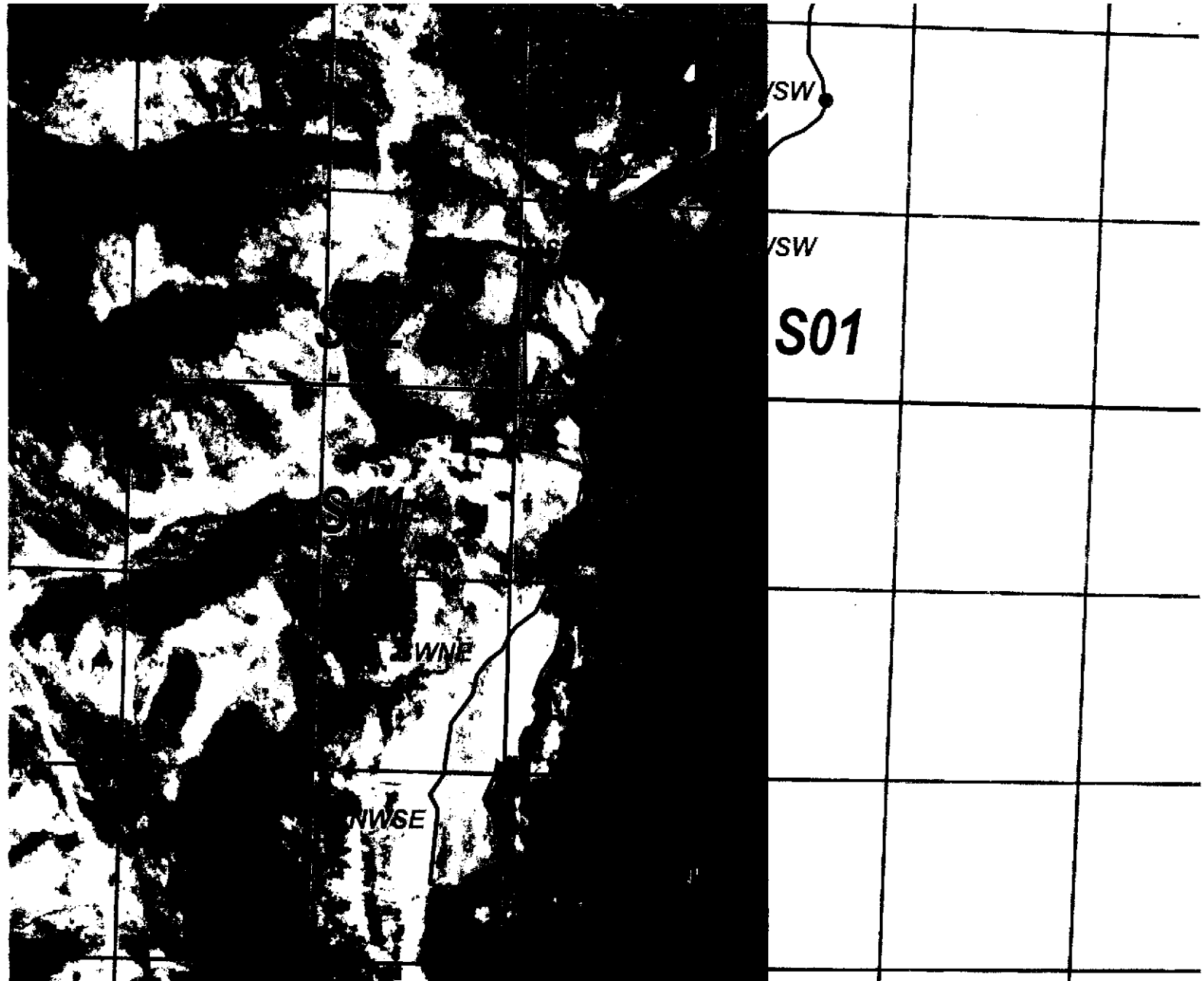
T09N R01W

Claims: 65-02043

Prepared by:

RON HOWERTON

Date: 2 AUG 00

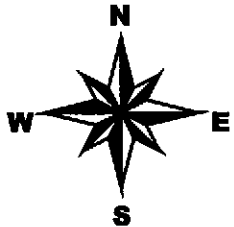


Place of use

POD

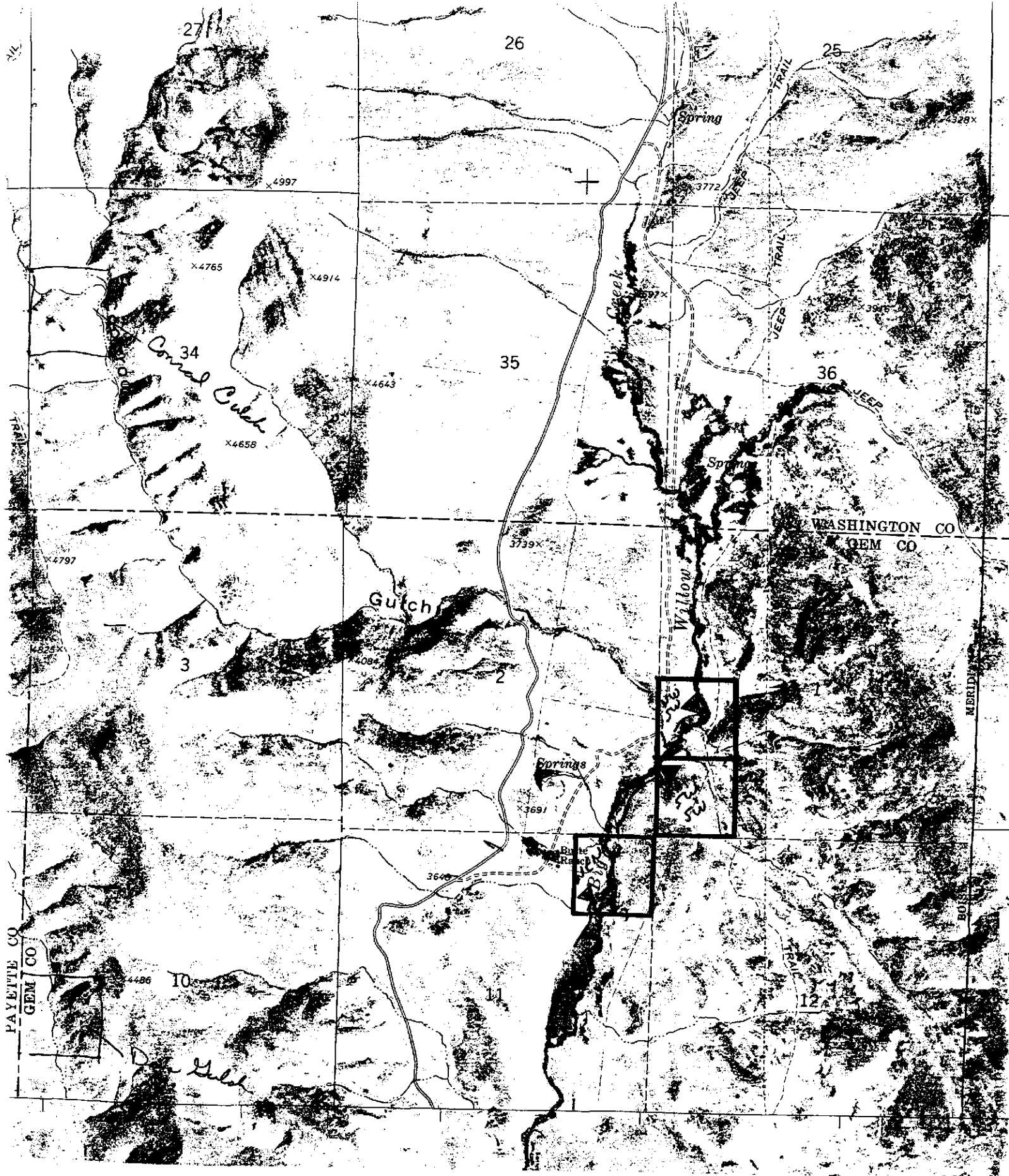
SECTION

1/4 1/4

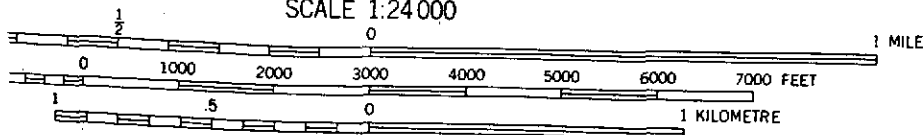


1987 NAPP

0 0.25 0.5 0.75 1 Miles



SCALE 1:24000



T9N, R1W
 501 NWSW
 SW SW
 S11 NENE

ORTHO
 U-7
 1974

65-02043

SECTION

Gem Co.

TOWNSHIP

TOWNSHIP

21

121A

MIN. LITTLE
BUTTE RANGE

121A

PENCIL
Photo Control taken
from Coonrod Gulch Topo

211

MYRIE LITTLE
BUTTE RANCH
IZIA

PENG-
Photo C
from dls

1112

1413

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

IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS TO THE USE OF Surface water TO A
of the Payette River DRAINAGE BASIN WATER RIGHT

IDENT. NO. MAP NO.

Notice is hereby given that A. L. Cattle, Inc.

(Name of Claimant)
c/o Myrn E. Little, Route 3, Box 151, Emmett, Idaho 83617, claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to The Payette River

The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued)

February 23, 1906

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

Big Willow Creek

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

Quantity 2.4 cfs. Use Irrigation Period of Use From 3/15 To 11/15
(CFS, GPD, AF.) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

Quantity 1.2 Use Irrigation Period of Use From 3/15 To 11/15
(CFS, GPD, AF.) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

Quantity 1.2 Use Irrigation Period of Use From 3/15 To 11/15
(CFS, GPD, AF.) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

(4) 2.4 cfs. TOTAL QUANTITY CLAIMED.

(5) A) Point of Diversion: Give location of point where water is diverted from its source

Sec. 1, Twp. 9N, Rge. 1W, B.M.; additional points: Sec. 2

T9N, R1W, B.M. Sec. 11, T9N, R1W, B.M.

B) Describe means of diversion: Diversion dams in creek, one dam at each of

the three points of diversion Dams divert water from Big Willow Creek into ditches which deliver water to lands irrigated.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC	NE 1/4	NE 1/4	NE 1/4	NW 1/4	NW 1/4	NW 1/4	SW 1/4	SW 1/4	SW 1/4	SE 1/4	SE 1/4	TOTAL
9N	1W	2										6	1	25
		11	6		8	11						4		29

SEE ATTACHED PHOTO

TOTAL NO. OF ACRES 54

(7) Effluent, sewage waste, or return water from this use is discharged into Big Willow Creek

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

(9) Remarks See attached sheet No. 1

(10) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case.

☒ C) Right based on application, permit, license, or claim filed with the Idaho Department of Water Administration. Water License No. 1834 (65-2043)

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

September 25, 1975
(Date)

State of Idaho Organization

County of Ada Seal

(Signature of Authorizing Agent)

(Signature of Spouse)

A. L. CATTLE, INC.

by Myrn H. Little, Pres.

(Signature of Authorized Agent)

in the year 1975

On this 25th day of September, before me, a notary public, personally appeared Myrn H. Little, Pres. of A.L. Cattle, Inc., an Idaho Corp. known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or The Corporation) executed the same.

DR 6-28-78

My commission expires 7/25/78

AD 51

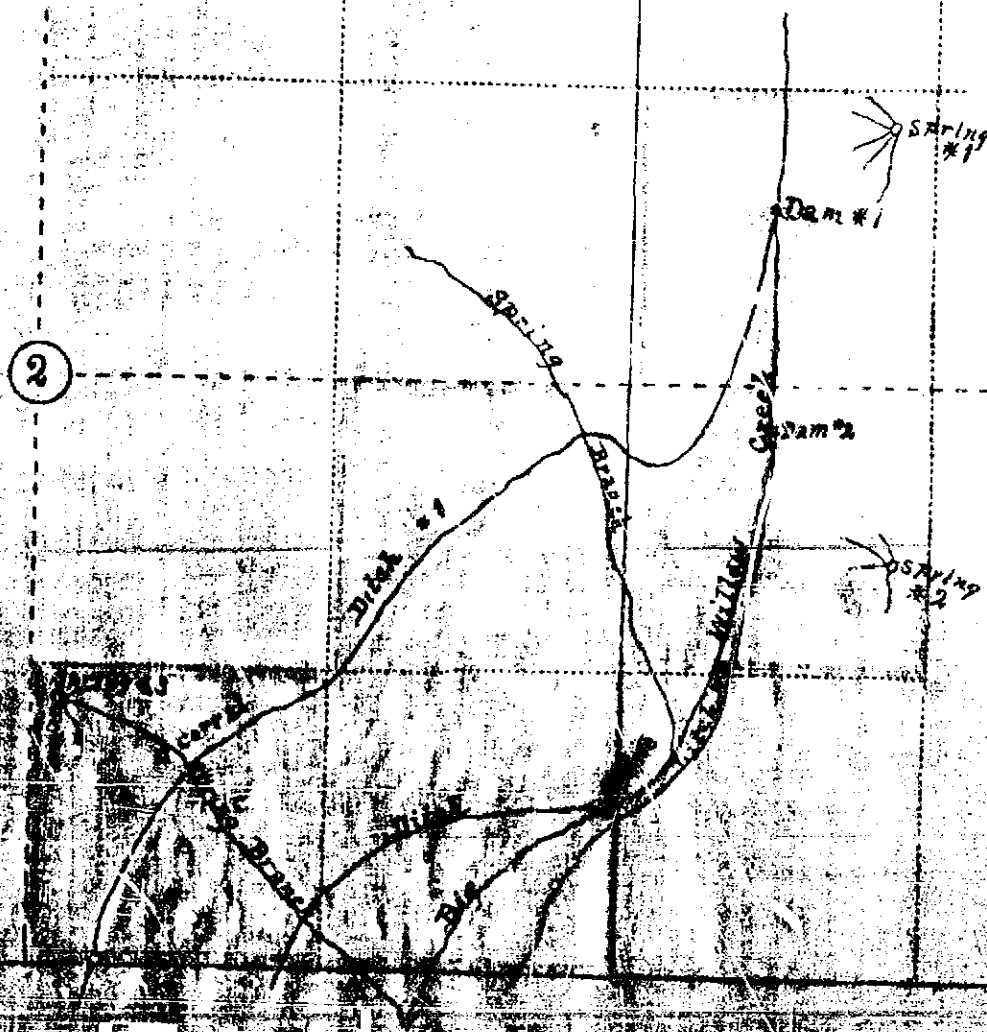
Notary Public residing at Boise, Idaho

Does not flow through this tract

T.9.N. R.1.W

2

1



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM #: 65-02043 Date: 3-9-00

Overlapping POU Claim #'s: _____

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	9N	1W	2													6		1	18	25
GIS																3		2	20	25
																3.3		0	18.5	
Claim	9N	1W	11	6		8	11										4			29
GIS				14		6	8										4			29
				9.1		5.5	10.9										6.7			
Claim																				
GIS																				
Claim																				
GIS																				

POU_ID #(s): 315, 316

POD_ID #(s): 253, 254, 255

Total Claimed Acres: 54

Total GIS Acres: 54 ok Rch 8-2-00

COMMENTS:

~~I don't know about this one~~ ALL CORRECTED PER LK MAP & MAPP
 POD - Big Willow Creek doesn't flow into SEC. 2 NESE (CORRECT)



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