

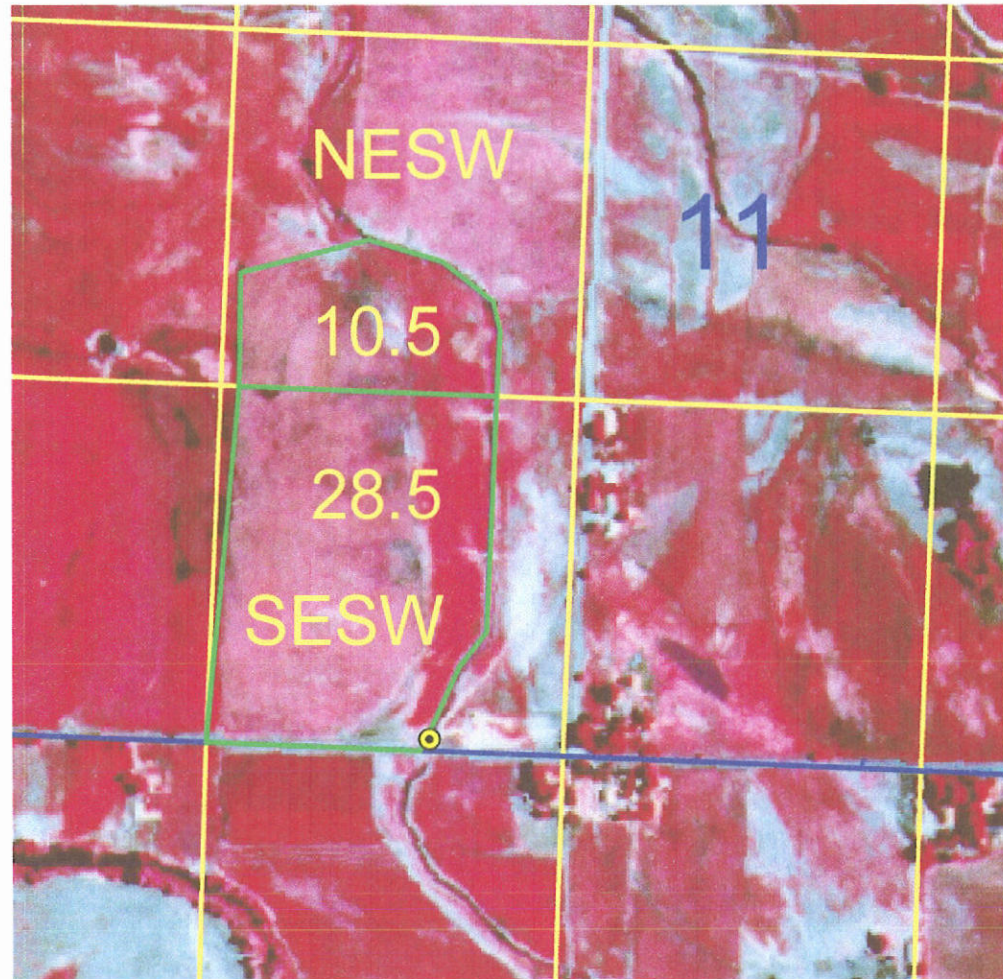
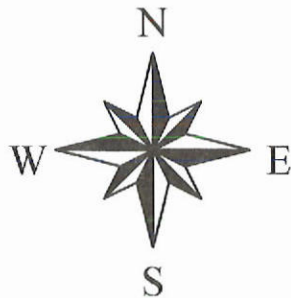
Idaho Department of Water Resources

Claim Number: 65-02133

Legal: T08N, R05W, S11

Reviewed By:

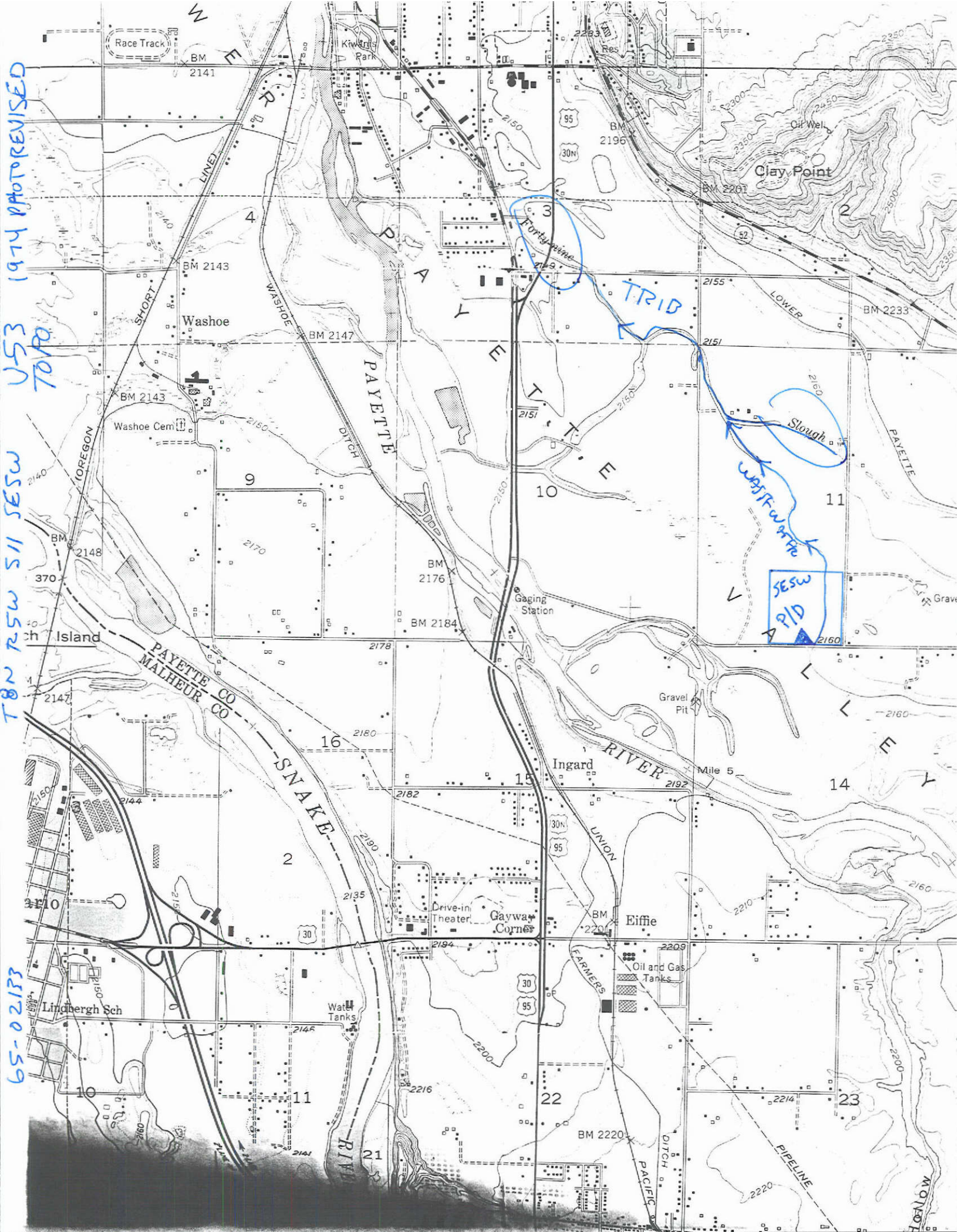
-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



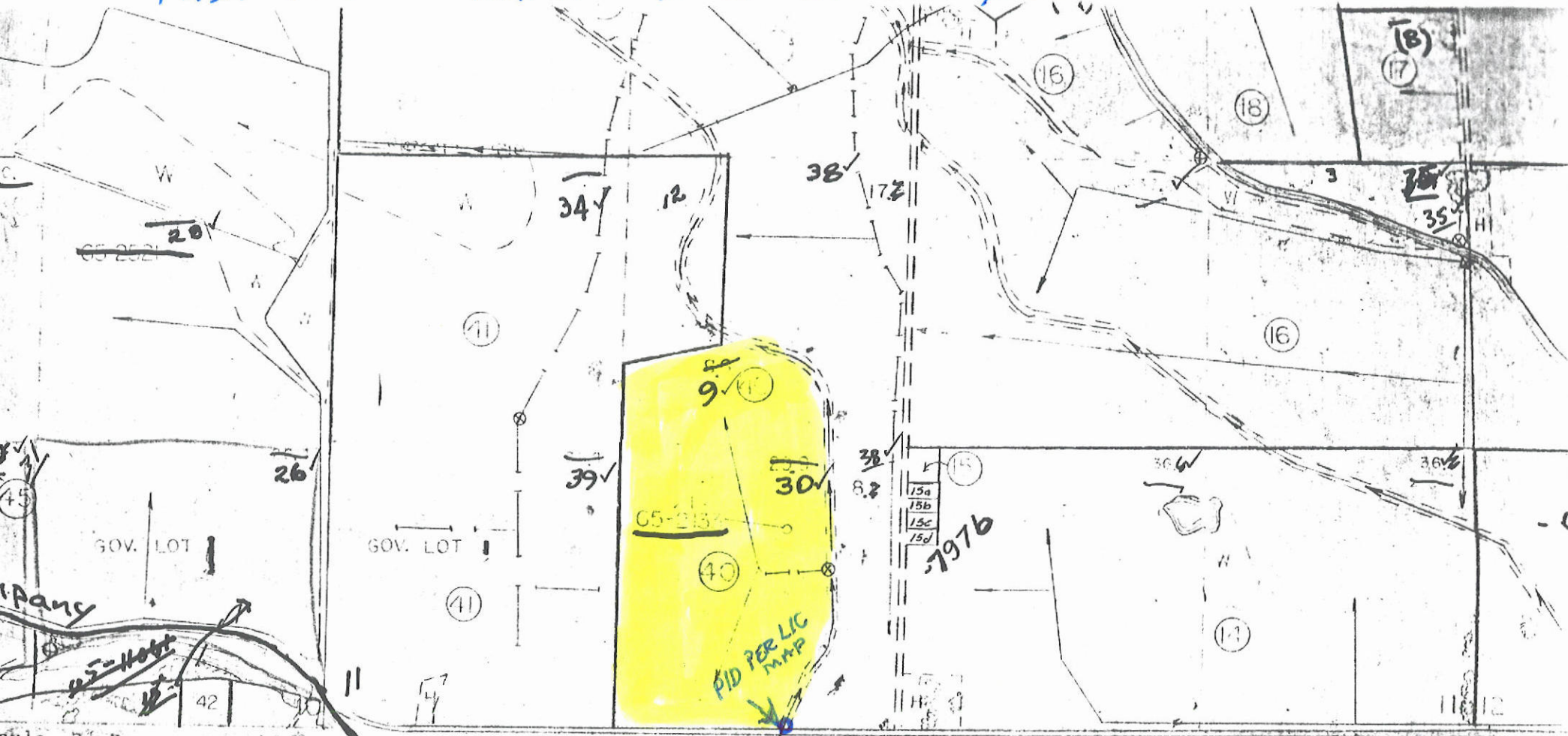
1987 Napp Photo

0 0.25 0.5 Miles





PRBA BLUELINE MAP A T8N R5W S11 NESW, R5W



able, R. D.
ehrke, Ed
ayette County Labor Ass'n.
annigen
elhr
rays
errell, D. A.
lling, J. R.
rinkwine, W. H.
ldwell, R. S.
roud, F.
alligo
ardin
inkwine
ordan, R. W.
omine, E. J.
Romine, E. J.
Romine, E. J.
Romine, E. J.

Goff, V. A.

Michael, R. E.
Romine, C. O.
Color, C. L.

- 108 Marty, E. C.
- 109 Olsen, Don
- 110 Ringlow, H. D.
- 111 Wells, F. C.
- 112 Calhoun, R. C.
- 113 South, Wayne
- 114 Konesan, Joe
- 115 Northrup, R. C.

RED HILLS

Block 1

- 1 McGary H. E.
- 2 Hatch, H. E.
- 3 Becker, R. G.
- 4 Cushman, R. D.

Block 2

- 1 Kelpin, A. J.
- 2 Oster, A. E.
- 3 Cary, O. D.
- 4 Doons, H. W.

Block 3

- 1 Graves, R. W. & Fee, E. R.
- 2 Whitney, L. E.
- 3 Diener, H. J.
- 4 Wilson, L. E.

WHITLEY HEIGHT

Block 1

- 1 Bigsby, C. L.
- 2 McClure, J. A.
- 3 McClure, J. A.
- 4 Celmer, L. E.
- 5 Anderson, M. G.
- 6 Anderson, M. G.
- 7 Anderson, M. G.
- 8 Blackaby, W. B.
- 9 Blackaby, W. B.
- 10 McClure, M. G.
- 11 Blackaby, W. B.
- 12 Neece, P. C.

DEWITT'S ISL

Block 3 & 4 Davies Block 5

- 1 Wumer, Frances
- 2 Baringa, J. A.
- 3 Akers, A. H.
- 4 Tams, F. H.
- 5 Uerich, T. A.
- 6 Allison, Levi
- 7 Drinkwine, Gladys
- 8 Olson, R. R.

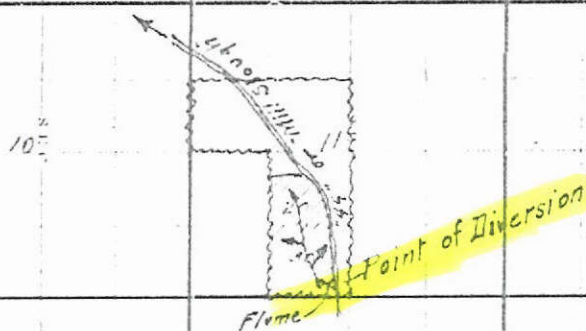
Block 6

Gehrke, E. D.

Block 10

- 1 Williams, John
- 2 Ratcliff, E. R.
- 3 Brock, C. C.
- 4 McIntosh, O. B.
- 5 Giles, Robert

NAME OF APPLICANT *Henry H. Bartenhagen* B.U. # *8205* (10/29/23)
#



8205

B/H

MS

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: A65-02133
Date Received: 3/26/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LETTUNICH & SONS 208-642-4295
Address: 8800 HIGHWAY 95
PAYETTE, ID 83661

2. Date of Priority: APR 08, 1912

3. Source: WASTE WATER Trib. to: FORTY NINE SLOUGH

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	05W	11	SE	SE	SW		PAYETTE
			SE		SW		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	1.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	05W	11	NE	SW		IRR	9.0
			SE	SW		IRR	30.0

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

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

CIVIL CASE NUMBER: 39576
Ident. No. 65-2133

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

Please type or print clearly:

Name of Claimant(s) Lettunich + Sows

Mailing Address
(include Zip Code) 8800 Highway 95
Payette, Idaho 83661

Phone Number (208) 642-4295 or 3429

MICROFILMED
SEP 18 1992

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A65-02133

Date Received: 4/18/90

Receipt No: X99999

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
APR 19 1990

1. Name: LETTUNICH & SONS
Address: RT. 1 BOX 222A
PAYETTE, ID

83661

2. Date of Priority: APR 08, 1912

Department of Water Resources

3. Source: WASTE WATER

Trib. to: FORTY NINE SLOUGH

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	05W	11	SE	SE	SW		PAYETTE
			SE		SW		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	1.000		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	05W	11	NE	SW		IRR	9.0
			SE	SW		IRR	30.0
						Section Acres	39.0

A65-02133

Page 1

Date: 04/12/90

MICROFILMED
SEP 18 1992

10. Place of Use: Continued

Total Acres 39.0

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:

THIS RIGHT WHEN COMBINED WITH RIGHTS OF LOWER PAYETTE DITCH CO.
SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

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

Number of attachments:

For Organizations:

I do solemnly swear or affirm that I am Partner of
Lettwich & Sons, that I have signed the foregoing
Organization Title
document in the space below as Partner of
Title
Lettwich & Sons and that the statements contained in the
Organization
foregoing document are true and correct.
Edward M. Lettwich
Signature of Authorized Agent
Partner Lettwich & Sons
Title and Organization
4-18-90
Date

State of Idaho)
County of Payette) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of April 19 90 Roberta A. Rosh
Notary Public

Seal

Residing at Payette
My Commission Expires 7-8-92

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: 65-02133

DATE RECEIVED: 3/26/90

RECEIPT NO: X99999

RECEIVED BY: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: LETTUNICH & SONS
ADDRESS: ~~RT. 1 BOX 222A~~ 8800 Highway 95
PAYETTE, ID 83661

2. DATE OF PRIORITY: APR 08, 1912

3. SOURCE: WASTE WATER TRIB. TO: FORTY NINE SLOUGH

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
08N	05W	11		SE	SW		PAYETTE
				SE	SW		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	1.000		

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

8. TOTAL CONSUMPTIVE USE IS ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
08N	05W	11	NE	SW		IRR	9.0
			SE	SW		IRR	30.0
SECTION ACRES							39.0

10. PLACE OF USE: CONTINUED

TOTAL ACRES 39.0

11. PLACE OF USE IN COUNTIES: PAYETTE, PAYETTE

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

13. OTHER WATER RIGHTS USED:

14. REMARKS:

THIS RIGHT WHEN COMBINED WITH RIGHTS OF LOWER PAYETTE DITCH CO.
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 ☒ 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): Michael P. Lettunich DATE: 3/22/90
Edward M. Lettunich DATE: 3/22/90

FOR ORGANIZATIONS:

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

Edward M. Lettunich
SIGNATURE OF AUTHORIZED AGENT
Partner
TITLE AND ORGANIZATION
3-22-90
DATE

STATE OF IDAHO)
COUNTY OF Payette) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 22nd DAY
OF March 19 90

[Signature]
NOTARY PUBLIC

SEAL

RESIDING AT Payette

MY COMMISSION EXPIRES 12-01-90
DATE: 01/23/90

4/5/1989.

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Letunich CLAIM IDENT. NO. A65-02133

DATE RECEIVED 3/26/90 CK # AMOUNT \$ 0 -

	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: AME Date: 5/14/90

Claim must be returned to claimant: (Yes) ☒ (No)

Claimant must be notified of modifications: (Yes) ☒ (No)

Receipt Prepared by: Date:
Claim data entered by: Date: Checked by: Date: 6/1/90
Sent to claimant by: Date:

Comments: identical claims submitted - data enter earlier claim

MICROFILMED

SEP 18 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME LeHunich CLAIM IDENT. NO. A65-02133DATE RECEIVED 4/18/90 CK # _____ AMOUNT \$ 0 YES NO Require Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ Require Info? *
2. Is a priority date entered? ☐ YES ☐ NO ☐ Require Info? *
- Is the priority date acceptable in view of mandatory filing dates? ☐ YES ☐ NO ☐ Require Info? *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. ☐ YES ☐ NO ☐ Require Info? *
3. (a) Is a source entered? ☐ YES ☐ NO ☐ Require Info? *
- (b) Is a tributary to entered? (if required) N/A ☐ YES ☐ NO ☐ Require Info? *
4. Is the legal description of the p.d. sufficient? ☐ YES ☐ NO ☐ Require Info? *
5. Is there a description of the diverting works? ☐ YES ☐ NO ☐ Require Info? *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☐ YES ☐ NO ☐ Require Info? *
- Is the period of use included? ☐ YES ☐ NO ☐ Require Info? *
- Is a quantity claimed for each use? ☐ YES ☐ NO ☐ Require Info? *
7. Is a total quantity claimed entered? ☐ YES ☐ NO ☐ Require Info? *
8. If required is a consumptive use entered? N/A ☐ YES ☐ NO ☐ Require Info? *
- Is the consumptive use correct? N/A ☐ YES ☐ NO ☐ Require Info? *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A ☐ YES ☐ NO ☐ Require Info? *
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☐ NO ☐ Require Info? *
11. Is (are) the county(ies) entered? ☐ YES ☐ NO ☐ Require Info? *
12. Is the ownership of p.u. checked? ☐ YES ☐ NO ☐ Require Info? *
13. Are other water rights listed or "none" indicated? ☐ YES ☐ NO ☐ Require Info? *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☐ YES ☐ NO ☐ Require Info? *
15. Is the basis of the claim indicated? ☐ YES ☐ NO ☐ Require Info? *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A ☐ YES ☐ NO ☐ Require Info? *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ Require Info? *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ Require Info? *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ Require Info? *
20. Is the fee enclosed correct? Exempt ☒ YES ☐ NO ☐ Require Info? *
21. If this claim is based on an existing water right, has the identification number been entered? N/A ☒ YES ☐ NO ☐ Require Info? *
22. Should this claim be data entered? ☒ YES ☐ NO ☐ Require Info? *

Claim checked by: RME Date: 5/14/90Claim must be returned to claimant: ☐ (Yes) ☒ (No)Claimant must be notified of modifications: ☐ (Yes) ☒ (No)

Receipt Prepared by: _____ Date: _____
 Claim data entered by: _____ Date: _____
 Sent to claimant by: _____ Date: _____
 Checked by: _____ Date: _____

Comments: _____

MICROFILMED

SEP 18 1992



12
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

July 11, 2002

LETTUNICH & SONS
PO BOX 608
PAYETTE ID 83661-0608

Re: Snake River Basin Adjudication (SRBA)
Water Right No. 65-2133, 65-6069 & 65-6070
Change of Address

Dear Water Right Holder(s):

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation that this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your claim or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to our office. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update or records.

If there has been a change in ownership of any of the properties connected with the water right referenced above, please call this office to obtain a form to make this required change to the water right records.

Sincerely,

Denise Hatfield

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region

The address is correct as shown above or as otherwise changed.

Signature of water right claimant

Telephone number

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707



U.S. POSTAGE
00.34
H METER 581715

65-02133

NAME AND ADDRESS:

LETTUNICH & SONS
8800 HWY 95
PAYETTE, ID 83661

LETTUNICH & SONS
FORWARD TIME EXP RTN TO SEND
PO BOX 608
PAYETTE ID 83661-0608

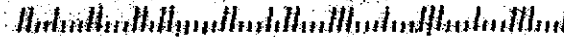
RETURN TO SENDER

RECEIVED

JUL - 9 2002

Department of Water Resources

53661-0608



Address chg letter
Sent 7-10-02

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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Case No. 39576)
Water Right 65-02133

NAME AND ADDRESS: LETTUNICH & SONS
8800 HWY 95
PAYETTE, ID 83661

SOURCE: WASTE WATER TRIBUTARY: FORTY-NINE SLOUGH
QUANTITY: 1.00 CFS

THIS RIGHT WHEN COMBINED WITH RIGHTS OF LOWER PAYETTE DITCH
CO. SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN MEASURED AT
THE FIELD HEADGATE.

PRIORITY DATE: 04/08/1912

POINT OF DIVERSION: T08N R05W S11 SESW Within Payette County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 03-15 TO 11-15 1.00 CFS

PLACE OF USE: Irrigation Within Payette County
T08N R05W S11 NESW 10.5 SESW 28.5
39.0 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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

JUL 10 2002

WATER RESOURCES
WESTERN REGION
PAGE 1
2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

September 28, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LETTUNICH & SONS
PO BOX 608
PAYETTE ID 83661-0608

*8 copies
11-13-01
JP*

Re: Snake River Basin Adjudication (SRBA)
Water Rights #65-2133, 6025, 65-6069, 65-6071 and 65-6072
Change of Address *Ren*

RECEIVED

NOV 19 2001

WATER RESOURCES
WESTERN REGION

Dear Water Right Holders:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by October 12, 2001. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

Telephone No.

RECEIVED
SEP 26 2001

65-2135
65-6069
65-6071
65-6072

IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard St
PO Box 83720
Boise, ID 83720-0098
(208) 327-7900

TO

LETTUNICH & SONS
8800 HWY 95
PAYETTE ID 83661

LETT800* 836612001 1401 07 09/22/01
FORM 3547

LETTUNICH & SONS
PO BOX 608
PAYETTE ID 83661-0608



First Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

fee due 60¢

U.S. POSTAL SERVICE
PS FORM 3547

IDAHO DEPARTMENT OF WATER RESOURCES

WESTERN REGION

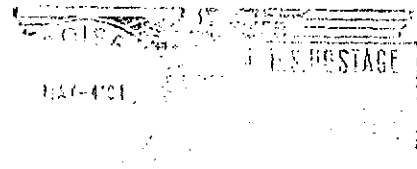
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED

RECEIVED

MAY 09 2001

WATER RESOURCES
WESTERN REGION



65-2133

LETTUNICH & SONS
8800 HWY 95
PAYETTE, ID 83661

Ren

LETTUNICH & SONS 83661-0608 1401 06 05/07/01
RETURN TO SENDER
LETTUNICH & SONS
PO BOX 608
PAYETTE ID 83661-0608
RETURN TO SENDER

AL 83661-0608 06





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

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

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

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

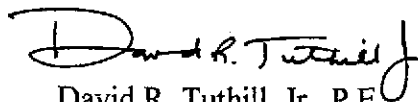
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without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

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

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

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

Sincerely,


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

11/22/2000

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

RIGHT NUMBER: 65-2133

NAME AND ADDRESS: LETTUNICH & SONS
8800 HIGHWAY 95
PAYETTE, ID 83661

SOURCE: WASTEWATER TRIBUTARY: FORTY-NINE SLOUGH

QUANTITY: 1 CFS

THIS RIGHT WHEN COMBINED WITH RIGHTS OF LOWER PAYETTE DITCH
CO. SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN MEASURED
AT THE FIELD HEADGATE.

PRIORITY DATE: 04/08/1912

POINT OF DIVERSION: T08N R05W S11 SESW 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	1.00 CFS

PLACE OF USE:

<u>IRRIGATION Within PAYETTE County</u>					
T08N R05W S11	NESW	10.5	T08N R05W S11	SESW	28.5

39 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

DATE: 01/04/00
PAGE: 2

PID VERIFIED BY LIC MAP
E NAPP PHOTO

10:04:42
05/26/00
16

CLAIM NUMBER: A65-02133

PQU County: PAYETTE

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number: 65	Field Inspection Flag:	
		Presumption Flag:	

218
Ditch Loss Comment

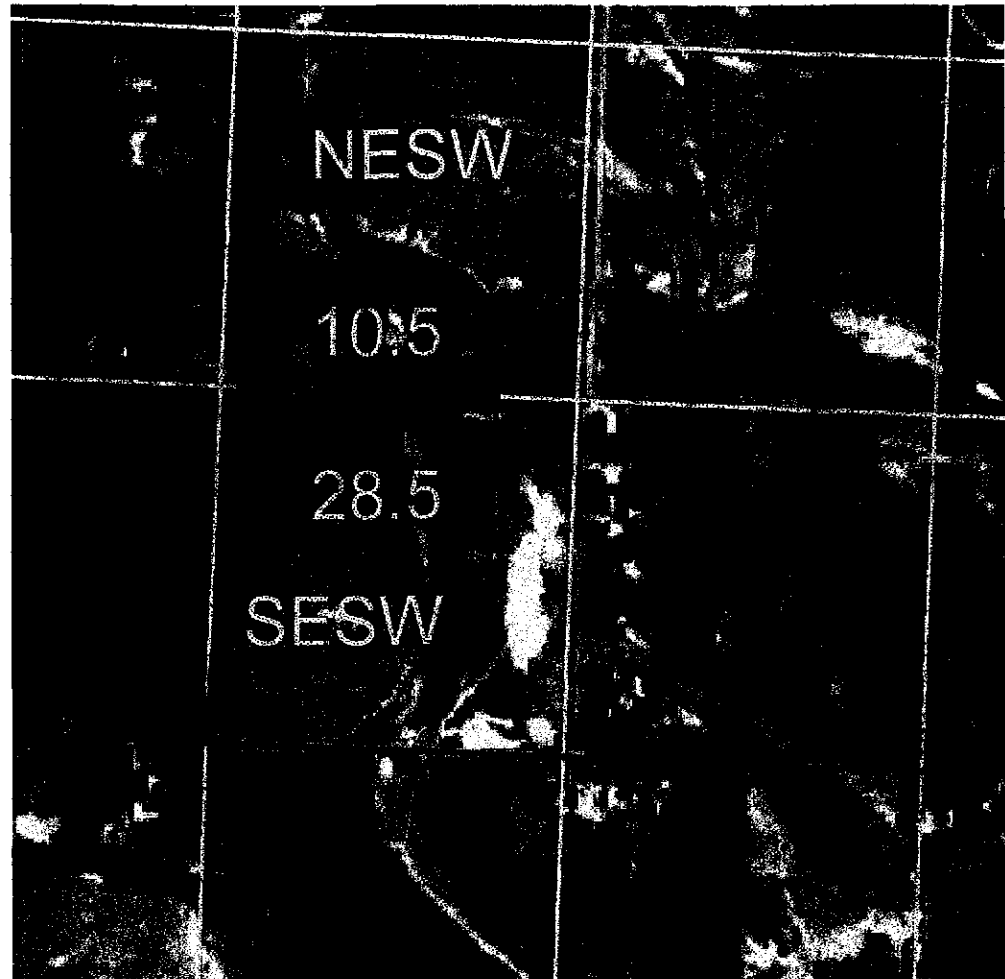
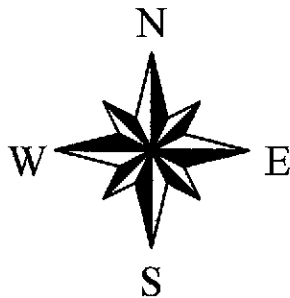
Idaho Department of Water Resources

Claim Number: 65-02133

Legal: T08N, R05W, S11

Reviewed By:

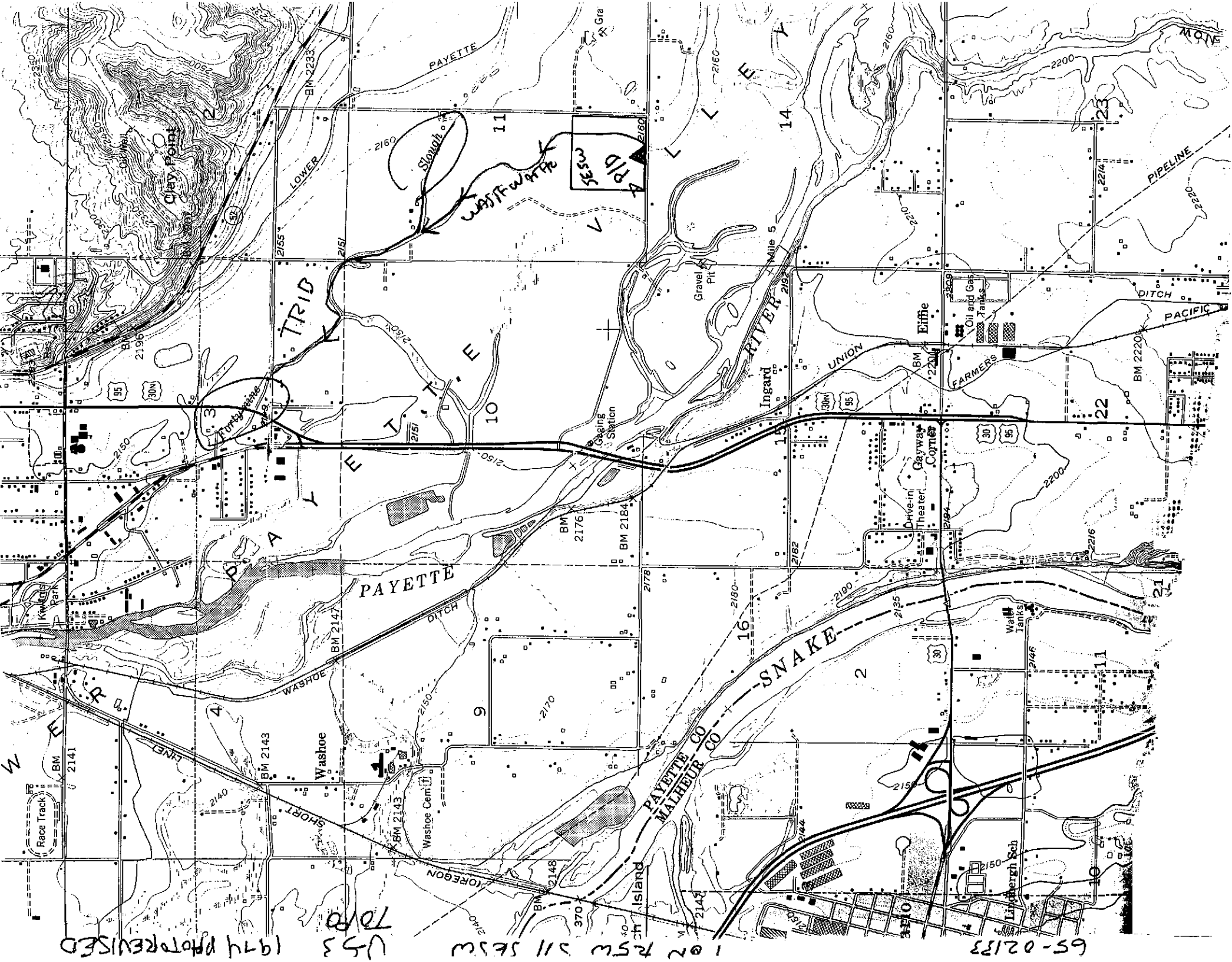
- ⊙ Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



1987 Napp Photo

0 0.25 0.5 Miles





1974 PHOTO REVISSED
US 3
70/80

1 02 75W 211 SE 3W

65-02133

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 622

INDICATES TOTAL

SOURCE: WASTE WATER

TRIBUTARY TO: FORTY NINE SLOUGH

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-2133	LEITONICH & SONS ROUTE 1, BOX 222A, PAYETTE, IDAHO 83661 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF LOWER PAYETTE DITCH CO. SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	4/ 8/1912	IRRIGATION	3/15 11/15	--- AFA 1.00 CFS	SESW S11 T 8N R 5W	NESW(9) SESW(30) S11 T 8N R 5W #39*	LICENSE
65-9326	VAN LITH, JOE & VAN LITH, LRS STAR ROUTE, PAYETTE, IDAHO 83661 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF LOWER PAYETTE DITCH CO. SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	4/ 1/1920	IRRIGATION	3/15 11/15	--- AFA .70 CFS	NWNE S14 T 8N R 5W	NWNE(17) SWNE(18) S14 T 8N R 5W #35*	BENEFICIAL USE
65-2396	DIEDERICHSEN, HENRY STAR ROUTE, PAYETTE, IDAHO 83661 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF LOWER PAYETTE DITCH CO. SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	6/ 1/1936	IRRIGATION	3/15 11/15	--- AFA 1.00 CFS	SENEW S13 T 8N R 5W	NESEW(2) SESEW(32) S13 T 8N R 5W #34*	LICENSE

A. ROOT WATER RIGHT NUMBERS: A65-02133

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08N	05W	11	NE	SW		LETTUNICH & SONS	A65-02133 / 9.0	65-02133 / 9.0	43.0		
			NE	SW		LOWER PAYETTE DITCH CO	A65-07882 / 38.0	- /			
			NE	SW		LOWER PAYETTE DITCH CO	A65-00165A / 38.0	- /			
			NE	SW		LOWER PAYETTE DITCH CO	A65-00165B / 38.0	- /			
			NE	SW		LOWER PAYETTE DITCH CO	A65-00165C / 38.0	- /			
			NE	SW		LOWER PAYETTE DITCH CO	A65-00165X / 38.0	65-00165X / 38.0			
			NE	SW		LOWER PAYETTE DITCH CO	A65-11413 / 38.0	65-11413 / 38.0			
			NE	SW		LOWER PAYETTE DITCH CO	R65-00165A / 38.0	- /			
			NE	SW		LOWER PAYETTE DITCH CO	R65-00165B / 38.0	- /			
			NE	SW		LOWER PAYETTE DITCH CO	R65-00165C / 38.0	- /			
			NE	SW		LOWER PAYETTE DITCH CO	R65-00165X / 38.0	- /			
			NE	SW		LOWER PAYETTE DITCH COMPANY	A65-02927H / 38.0	- /			
08N	05W	11	SE	SW		LETTUNICH & SONS	A65-02133 / 30.0	65-02133 / 30.0	41.0		
			SE	SW		LOWER PAYETTE DITCH CO	A65-07882 / 38.0	- /			
			SE	SW		LOWER PAYETTE DITCH CO	A65-00165A / 38.0	- /			
			SE	SW		LOWER PAYETTE DITCH CO	A65-00165B / 38.0	- /			
			SE	SW		LOWER PAYETTE DITCH CO	A65-00165C / 38.0	- /			
			SE	SW		LOWER PAYETTE DITCH CO	A65-00165X / 38.0	65-00165X / 38.0			
			SE	SW		LOWER PAYETTE DITCH CO	A65-11413 / 38.0	65-11413 / 38.0			
			SE	SW		LOWER PAYETTE DITCH CO	R65-00165A / 38.0	- /			
			SE	SW		LOWER PAYETTE DITCH CO	R65-00165C / 38.0	- /			
			SE	SW		LOWER PAYETTE DITCH CO	R65-00165X / 38.0	- /			
			SE	SW		LOWER PAYETTE DITCH COMPANY	A65-02927H / 38.0	- /			
			SE	SW		LOWER PAYETTE DITCH CO	R65-00165B / 38.0	- /			

ADDITIONAL POU FOUND

TOTAL ACRES	A65-02133	39.00	39.00	84.00
-------------	-----------	-------	-------	-------

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
A65-02133	WASTE WATER	LETTUNICH & SONS	1.000	0.025		
R65-00165A	PAYETTE RIVER	LOWER PAYETTE DITCH CO	63.320	0.005		
A65-00165A	PAYETTE RIVER	LOWER PAYETTE DITCH CO	63.320	0.005		
A65-00165B	PAYETTE RIVER	LOWER PAYETTE DITCH CO	37.630	0.003		
R65-00165B	PAYETTE RIVER	LOWER PAYETTE DITCH CO	37.630	0.003		
R65-00165C	PAYETTE RIVER	LOWER PAYETTE DITCH CO	59.230	0.005		
A65-00165C	PAYETTE RIVER	LOWER PAYETTE DITCH CO	59.230	0.005		
A65-00165X	PAYETTE RIVER	LOWER PAYETTE DITCH CO	122.120	0.011		
R65-00165X	PAYETTE RIVER	LOWER PAYETTE DITCH CO	122.120	0.011		
A65-02927H	PAYETTE RIVER, NORTH FORK	LOWER PAYETTE DITCH COMPANY			10000.00	0.90
A65-07882	GRAVEYARD GULCH WASTEWAY	LOWER PAYETTE DITCH CO	30.000	0.002		
A65-11413	GRAVEYARD GULCH WASTEWAY	LOWER PAYETTE DITCH CO	60.000	0.005		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

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()

State of Idaho License and Certificate of Water Right

Water License No. 8205
Water District No. 20-A

Amount 1 second foot
Priority Apr. 8, 1912.

THIS IS TO CERTIFY that Henry D. Bartenhagen of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated April 8, 1912; that Permit No. 8205 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.8 second feet, was issued thereunder on January 8, 1924, showing that said works were completed on the 18th day of September, 1912; and that on the 18th day of September, 1912,

Henry D. Bartenhagen

of Payette, State of Idaho, made proof to the satisfaction of the State Engineer of Idaho, of the right to use the waters of an unnamed slough, a tributary of Payette River, for the purpose of irrigation & domestic use under Use Permit No. 8205 of the State Engineer and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 3117, on the 8th day of January, 1924;

The right hereby confirmed dates from April 8, 1912;

The Point of Diversion is located in the SE 1/4 SW 1/4 Sec. 11, Tp. 8 N., R. 5 W., B. M. County of Payette.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed one cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 N.	5 W.	11	SE 1/4 SW 1/4 NE 1/4 SW 1/4	40 40	30 20

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 8th day of January, 1924.

W. G. SWENDSEN
Commissioner of Reclamation.

(SEAL)

REPORT OF ENGINEER

This proof is for **Beneficial Use**

In Water District No. **20-A**

1. State name of applicant and number of permit: **Henry D. Bartenhagen, Permit 8205**
2. State source of water supply: **Slough from Fayette river**
3. Location of point of diversion: **In SE corner of SE $\frac{1}{4}$ Sec. 11, Twp. 8 N., R. 5 W., B.M.**
4. Describe works as they exist, giving dimensions and capacities of same: *Comprise by **Comley Engine & Sump**. Lifts water 8 ft. to **flume 2 ft wide & 1 ft deep**, x **15 ft long**. **Comply house 8' x 14'** **Ditches 1.5 ft wide & 1 ft deep**. **Slough is known as '79 or "Mill Slough"***

5. State whether or not water has been turned into works of diversion: *yes*

6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): **S $\frac{1}{2}$ NW $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 11, Twp. 8 N., R. 5 W., B.M.**

*S E $\frac{1}{2}$ S W $\frac{1}{4}$ 30. Acres
N. E $\frac{1}{2}$ " 20. "
50*

7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system?
9. Give names and amount of each right:
10. What large stream would water here appropriated finally reach? *Fayette River*
11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:

Remarks: *Am. & Co. claims paid for paid & with receipt long ago but that papers were lost.*

This examination was made on the **29th** day of **Oct**

1923

(Signed)

Arvid J. Holman

Examiner.

8205

B. J.

OVER

APPROVAL OF STATE ENGINEER.

The number of this permit is 8205.

Date of first receipt at office of State Engineer: 10.45 a.m. April 8, 1912.

Returned to applicant for correction: April 9, 1912.

Corrected application received: April 15, 1912.

Recorded in Book 26 Page 8205 Approved April 22, 1912.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby approve the same, subject to the following limitations and conditions:

Work to begin on or before June 21, 1912, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before July 22, 1912.

The whole of said work to be completed on or before October 22, 1912.

Beneficial use of water appropriated in accordance herewith, to be made on or before October 22, 1912.

Witness my hand this twenty-second day of April, 1912.

A. E. Robinson,

State Engineer.

Proof of Completion of Work made September 18, 1912.

Certificate of Completion of Works issued January 8, 1924.

Permit No. 8205

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that Henry D. Bartenhagen of Boise, County of Ada, and State of Idaho, the holder of Permit No. 8205, issued upon Application No. 12237, bearing date of priority of April 8, 1912, authorizing the diversion of 1.8 second feet of the waters of unnamed slough, County of Payette, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.8 second feet of the waters of unnamed slough; that the point of diversion of said waters is in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 11, Township 8 North, Range 5 West, Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 11, Twp. 8 N., Range 5 West, B. M.

Witness my hand this 8th day of January, A. D. 1924.

W. G. SWENDSEN,
Commissioner of Reclamation

By: Geo. H. Carter,
Assistant.

Name of Applicant *James H. Borden*

PR 2951A 514

SEC.

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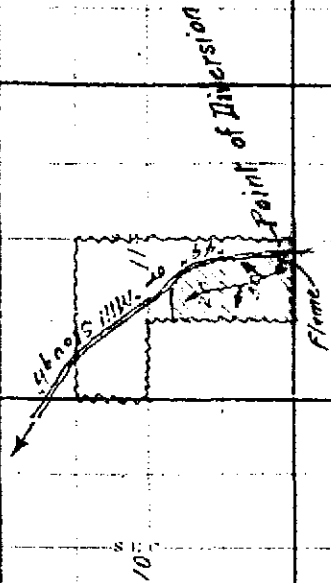
SEC.

**Reference hand to be bright*

**First position*

8205

NAME OF APPLICANT *Henry H. Bartenhagen* B.U. 8205 (10/29/23)



8205

SCALE: 2 INCHES EQUALS 1 MILE. DRAW PLAN IN INK.

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM #: 65-02133 Date: 2-14-00

Overlapping POU Claim #'s: _____

				NE				NW				SW				SE				Sum
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	8N	5W	11									9			30					39
GIS												105			285					39
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

POU_ID #(s): 241

POD_ID #(s): 185

Total Claimed Acres: 39

Total GIS Acres: 39

COMMENTS:

per license map, County Tax Plate and PRBA blueprints