

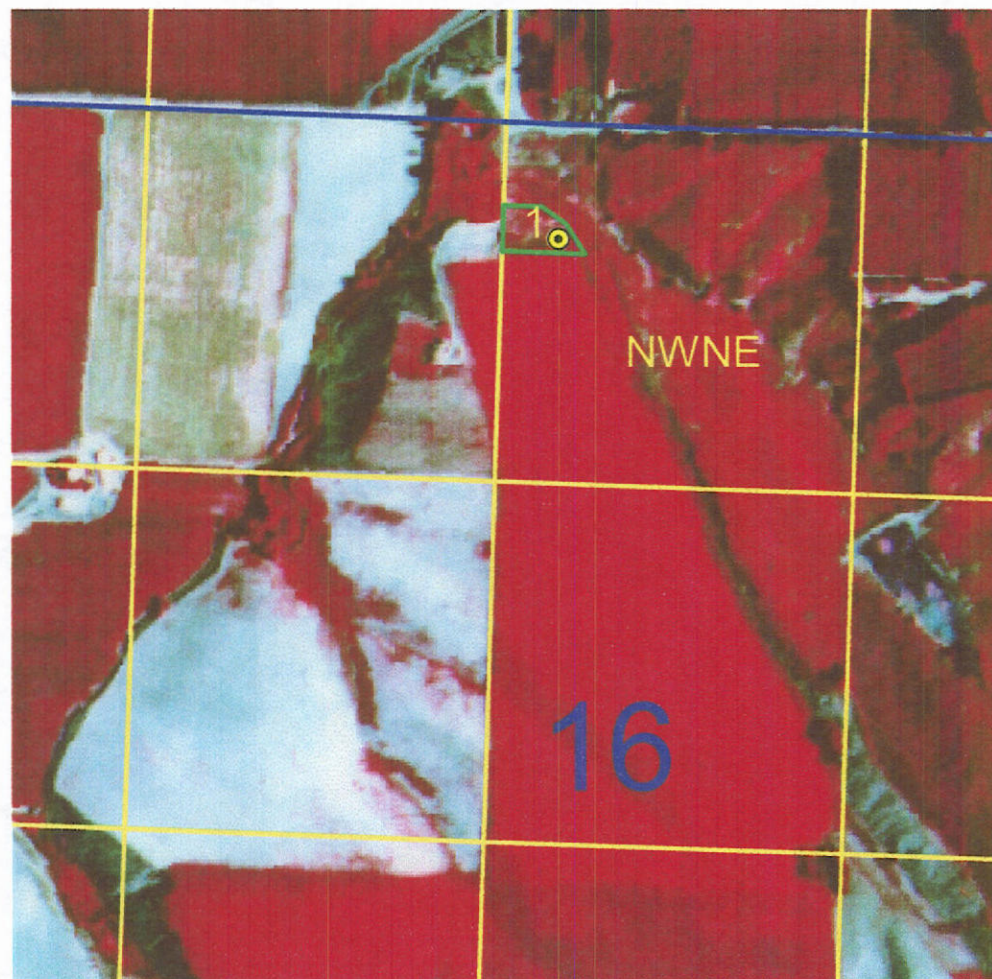
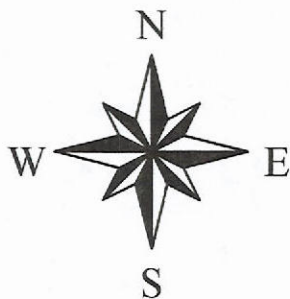
Idaho Department of Water Resources

Claim Number: 65-02581A

Legal: T07N, R05W, S16

Reviewed By:

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



1987 Napp Photo

0 0.25 0.5 Miles



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 65-2581A
Date Received: 3/5/90
Receipt No:
Received By:

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

1. Name of Claimant(s): DALTON J SURMEIER
1610 SW 2ND AVE
FRUITLAND ID USA 83619

Phone: (208)452-4294

2. Date of Priority: 07/08/1953

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
07N	05W	16	NW 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	3/15	11/15	0.02	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	05W	16	NW NE		IRRIGATION	1
						Section Acres 1
						Total Acres 1

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 CLAIM IS A RESULT OF APPROVED TRANSFER NO. 4141 WHICH WAS FILED TO CHANGE THE POINT OF DIVERSION UNDER A PORTION OF RIGHT NO. 65-02581, SPLITTING THE RIGHT INTO PARTS A & B. THE NEW PT OF DIVERSION UNDER PART B WAS NEEDED DUE TO EASEMENT AND ACCESS PROBLEMS TO THE ORIGINAL POINT OF DIVERSION
THIS RIGHT WHEN COMBINED WITH RIGHTS OF BLACK CANYON IRRIGATION DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE
Ownership changed by DB 1/16/2001.

15. Basis of Claim: Decreed

To : Susan Beck

Dept. of Water Resources

Date: Aug. 23, 2000

From: D.J. Surmeier
1610 SW 2nd Ave
Brentland, Id. 83619

Re: Ownership of Property as per
Conversation Aug. 22, 2000

238782

P-20617, 1600/88; 400, 700, 800 &
900/94 & 100/96GRANT DEED

FOR VALUE RECEIVED, FIRST INTERSTATE BANK OF OREGON, N.A., (hereinafter GRANTOR) does by these presents grant and convey unto ^{DS}DALTON J. SURMEIER, SR. & ^{DS}DONNA J. SURMEIER, Husband & Wife 1610 S.W. 2nd Ave., Fruitland, ID 83619 (hereinafter GRANTEEES) the real property situated in the COUNTY OF PAYETTE, STATE OF IDAHO, as more particularly described on Exhibit "A" attached hereto and by this reference incorporated herein.

TOGETHER WITH any and all tenements, hereditaments, and appurtenances thereto belonging or in any way appertaining to the property,

SUBJECT TO any and all easements, rights-of-way or restrictions of record or which would be apparent upon inspection of the property, and the exceptions, provisions and reservations contained in patents or deeds from the United States of America, or the State of Idaho, or in other deeds of record.

TO HAVE AND TO HOLD the same unto the GRANTEEES and to their successors and assigns forever.

GRANTOR does hereby covenant that GRANTOR has not conveyed title to the property to anyone other than GRANTEE and that the property is free from encumbrances done, made or suffered by GRANTOR or any persons claiming under it. Provided, however, that neither this express covenant nor any implied covenant applies to any water rights or water wells located on or appurtenant to the property.

238782

The current address of the GRANTEES is: 1610 S.W. 2nd Ave., Fruitland, Idaho 83619.

PROVIDED, HOWEVER, THAT GRANTOR SELLS THE PROPERTY REFERENCED IN THIS DEED AND ANY IMPROVEMENTS ON THE PROPERTY IN 'AS IS' CONDITION. BY ACCEPTING THIS DEED, GRANTEES ACKNOWLEDGE THAT GRANTOR HAS MADE NO REPRESENTATIONS OR WARRANTIES CONCERNING THE PROPERTY EXCEPT THE LIMITED WARRANTY OF TITLE IMPLIED BY USE OF THE TERM "GRANT" ABOVE, THAT GRANTEES HAVE BEEN ADVISED BY GRANTOR TO HAVE THE PROPERTY INSPECTED BY PROFESSIONAL INSPECTORS, THAT GRANTEES HAVE CONDUCTED EVERY INSPECTION OF THE PROPERTY THAT GRANTEES DESIRE TO MAKE, AND THAT GRANTEES ACCEPT THE PROPERTY WITH EVERY DEFECT, EVEN IF THE DEFECT IS LATENT AND/OR MATERIAL.

IN WITNESS WHEREOF, this Grant Deed has been duly executed by and on behalf of GRANTOR this 30 day of ^{April} ~~May~~, 1992.

FIRST INTERSTATE BANK OF OREGON,
N.A.

By [Signature]
Its EXECUTIVE VICE PRESIDENT
By [Signature]
Its [Signature]

238782

CONTINUATION OF EXHIBIT ATITLE "E":

Land in Twp. 7 N. R. 5 W., B.M., Payette County, Idaho:

In Sec. 15: The NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and the S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, EXCEPTING THEREFROM the following:Beginning at a point in the South line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, which point bears N. 89°45' E. 670.6 feet from the West Quarter corner of said Sec. 15;

thence N. 0°01' W. 661.48 feet;

thence N. 89°40' E. 670.6 feet, more or less, to a point in the East line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;thence S. 0°01' E. along said East line a distance of 662.45 feet, more or less, to the Southeast corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;

thence S. 89°45' W. 670.6 feet, more or less, to the Point of Beginning.

TITLE "F":Parcel I:

Land in Twp. 7 N. R. 5 W., B.M., Payette County, Idaho:

In Sec. 16: The NW $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPTING THEREFROM the following described parcel of land:Beginning at a point 578 feet West of the Southeast corner of said NW $\frac{1}{4}$ NE $\frac{1}{4}$;thence Northwesterly in a straight line to a point 472 feet South and 400 feet East of the Northwest corner of said NW $\frac{1}{4}$ NE $\frac{1}{4}$;thence West 400 feet to the West line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ at a point 472 feet South of the Northwest corner thereof;thence South to the Southwest corner of said NW $\frac{1}{4}$ NE $\frac{1}{4}$;

thence East to the Point of Beginning.

ALSO,The N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPTING THEREFROM the following described parcel of land:Commencing at the Northwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$;thence South along the West side line of said N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ 300 feet to the TRUE POINT OF BEGINNING;

thence South along said West side line 360 feet;

thence East and parallel to the North side line of said N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ 530 feet;

thence in a Northwesterly direction in a straight line 640.7 feet, more or less, to the Point of Beginning.

Parcel II:

Land in Twp. 7 N. R. 5 W., B.M., Payette County, Idaho:

In Sec. 16: A parcel of land in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:Beginning at a point 220 feet North of the Southeast corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$;thence in a Northwesterly direction in a straight line to a point on the North side line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$, said point being 578 feet West of the Northeast corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$;thence East to the Northeast corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$;thence South along the East side line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ to the Point of Beginning.

(CONTINUED)

238782

CONTINUATION OF EXHIBIT AALSO,

A parcel of land in the S½SE¼NE¼, more particularly described as follows:

Commencing at the Southeast corner of said SE¼NE¼; thence North along the East side line of said SE¼NE¼

100 feet to the TRUE POINT OF BEGINNING;

thence continue North along said East side line 560 feet;

thence West and parallel to the North side line of said SE¼NE¼ 790 feet;

thence Southeasterly in a straight line 968.4 feet, more or less, to the Point of Beginning.

ALSO,

The NE¼NE¼.

* * * *

238782

State of Idaho, County of Poyette

I certify that this instrument was filed for record at the request of Land Title Insurance Company

May 5, 1992 10:30 A.M. in book 48 reads @ 29238782

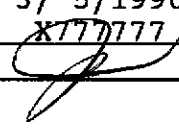
Laura L. Stigile, Ex-Officio Recorder by Artie Pharis, Deputy

Fee: \$21.00

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: A65-02581A
Date Received: 3/ 5/1990
Receipt No: X777777
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: POMME TERRE INC
Address: ROUTE 1 BOX 163
FRUITLAND ID

83619

2. Date of Priority: JUL 8, 1953

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05W	16	NW	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	0.020		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	05W	16	NW	NE		IRR	1.0

Section Acres 1.0

10. Place of Use: Continued

Total Acres 1.0

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:
BLACK CANYON IRRIGATION DISTRICT.

14. Remarks:

THIS CLAIM IS A RESULT OF APPROVED TRANSFER NO. 4141 WHICH WAS FILED TO CHANGE THE POINT OF DIVERSION UNDER A PORTION OF RIGHT NO. 65-02581, SPLITTING THE RIGHT INTO PARTS A & B. THE NEW PT OF DIVERSION UNDER PART B WAS NEEDED DUE TO EASEMENT AND ACCESS PROBLEMS TO THE ORIGINAL POINT OF DIVERSION.

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

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

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): _____ 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 _____

WR5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

08/02/95 09:55:18
Page 1

Water Right Number - 65-02581A

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
POMME TERRE INC

1 - ROUTE 1 BOX 163
2 -
3 -
City- FRUITLAND
Phone - 208-000-0000

State- ID Zip- 83619

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
07/08/1953 14 WESTERN D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

07N 05W 16 NW NE (75) PAYETTE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.020

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07N 05W 16 NW NE 1.0 01 IRRIGATION (75) PAYETTE

Total Acres: 1.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
This right when combined with rights of Black Canyon Irrigation
District shall provide no more than .02 cfs/acre.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +

STATE OF IDAHO

A & C CORP., ET AL.

01/21/1986

COPY OF WATER RIGHTS DATA ENTRY

MICROFILMED
OCT 18 1996

Prefix Translation: WATER RIGHT

+ - - Audit Fields - 05/25/94 SKAGGS

+ Water Rights Dates and Flags Area +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	- W016029	Water District	- 65
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- B
Decree Date	- 01/21/1986	Name Connector	-	POU Ownership Flag	- Y
Presumption Flag	-				

OCT 18 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4141
WATER RIGHT NO. 65-02581B

This is to certify that: SYME FAMILY TRUST
1300 SW 3RD AVE
FRUITLAND ID 83609

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.88 CFS	198.0 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.2 AF
	Totals	0.90 CFS	198.2 AF

SOURCE

GROUNDWATER

Priority: 07/08/1953

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 9, Township 07N, Range 05W
PAYETTE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	05W	9	SWSE 14	SESE 30		44
Total number of acres irrigated:						44

PLACE OF USE: STOCKWATER, same as IRRIGATION use

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

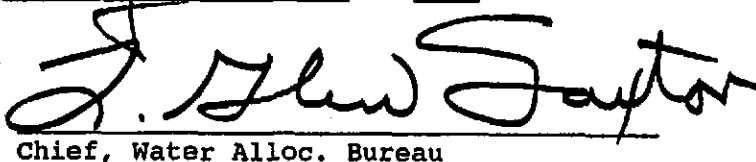
MICROFILMED
OCT 18 1996

TRANSFER NO. 4141
WATER RIGHT NO. 65-02581B

CONDITIONS/REMARKS:

4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. The use of the well located just to the north of SW 3rd Avenue which was drilled by Doty Drilling shall be limited to domestic purposes for the Syme residence.
6. Irrigation and stockwater flows with a maximum rate of 0.90 cfs shall be diverted from the well drilled by Cope Drilling, located south of the Syme residence.
7. Stockwater use is for 15 range cattle.

Dated this 27th day of May, 1994.


Chief, Water Alloc. Bureau

MICROFILMED
OCT 18 1996

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: A65-02581
Date Received: 3/05/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JUNE SYME 208-452-4666
Address: 1300 S.W. 3RD AVE.
FRUITLAND, ID 83619

2. Date of Priority: JUL 08, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05W	16	NW	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	0.900		
STOCKWATER	01/01	12/31	0.020		0.20

7. Total Quantity Appropriated is:
0.920 C.F.S. (and/or) 0.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	05W	9	SW	SE		IRR	14.0
			SE	SE		IRR	30.0

A65-02581

Page 1

Date: 05/25/90

MICROFILMED

OCT 18 1996

~~MICROFILMED~~

~~SEP 18 1997~~

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: 3956
Ident. No. *A65-02581*

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

Please type or print clearly:

Name of claimant(s) JUNE SYME

Mailing Address
(including zip code) 1300 S. W. 3rd. Ave.

FRUITLAND, IDAHO 83619

Phone Number (208) 452 - 4666

MICROFILMED

OCT 18 1996

~~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: 65-02581
DATE RECEIVED: 3-5-90
RECEIPT NO: X999949
RECEIVED BY: -----

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: POMME TERRE INC. *June Lyne*
ADDRESS: ROUTE 1, BOX 163
FRUITLAND, ID 83619

RECEIVED
MAR 05 1990

2. DATE OF PRIORITY: JUL 08, 1953

3. SOURCE: GROUNDWATER

TRIB. TO: Department of Water Resources

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LCT	COUNTY
07N	05W	16		NW	NE		PAYETTE

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(COR)	A.F.A.
IRRIGATION	03/15	11/15	0.900		
STOCKWATER	01/01	12/31	0.020		0.20

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

0.20 A.F.A.

8. TOTAL CONSUMPTIVE USE IS

ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
07N	05W	9	SW	SE		IRR	14.0
			SE	SE		IRR	30.0

SECTION ACRES 44.0

10. PLACE OF USE: CONTINUED

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LGT	USE	ACRES
07N	05W	16	NW	NE		IRR	1.0
SECTION ACRES							1.0
TOTAL ACRES							45.0

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 BLACK CANYON IRRIGATION DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

15. BASIS OF CLAIM: DECREE

CASE NUMBER:

COURT :

DECREE DATE: 1/21/1986

STATE OF IDAHO

DECREE PLAINTIFF

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

MICROFILMED

OCT 18 1996

~~MICROFILMED~~

SEP 13 1997

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: 1

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): June Lyne DATE: February 26, 1990

DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF

TITLE
_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS _____ OF

TITLE
_____ AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)
COUNTY OF Conrad) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 26th DAY
OF February 19 90

Alvina Costa
NOTARY PUBLIC

SEAL

RESIDING AT Nampa

MY COMMISSION EXPIRES 9-20-91

4/5/1989

SRHA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Syme CLAIM IDENT. NO. AGS-02581

DATE RECEIVED 3-5-90 CK # _____ AMOUNT \$ exempt

	YES	NO	Required 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)	☐	☐	N/A
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?	☐	☐	N/A
Is the consumptive use correct?	☐	☐	N/A
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
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.)	☐	☐	N/A
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.)	☐	☐	N/A
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?	☒	☐	Exempt
21. If this claim is based on an existing water right, has the identification number been entered?	☒	☐	N/A
22. Should this claim be data entered?	☐	☐	

Claim checked by: latDate: 5-11-90

Claim must be returned to claimant:

(Yes)

(No)

Claimant must be notified of modifications:

(Yes)

(No)

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

Date: _____

Date: 5/29/90

Date: _____

Checked by: latDate: 5/29

Comments: _____

MICROFILMED ~~MICROFILMED~~

OCT 18 1996

SEP 10 1992

01/22/2001

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

RIGHT NUMBER: 65-2581A

NAME AND ADDRESS: DALTON J SURMEIER
1610 SW 2ND AVE
FRUITLAND, ID 83619

SOURCE: GROUND WATER

QUANTITY: 0.02 CFS

PRIORITY DATE: 07/08/1953

POINT OF DIVERSION: T07N R05W S16 NWNE 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	0.02 CFS

PLACE OF USE:

IRRIGATION Within PAYETTE County
T07N R05W S16 NWNE 1

1 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 BLACK CANYON
IRRIGATION DISTRICT.

DATE: 08/08/00
PAGE: 2

Stage: DECREASE

PAYETTE County

TOTAL ACRES	1.0
-------------	-----

W14
C18

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

WR5809NP
No. 65-02581A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/04/00
PAGE: 6

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	POMME TERRE INC ROUTE 1 BOX 163 FRUITLAND ID 83619	07/08/1953	IRRIGATION	03/15 11/15	0.020 CFS	
TOTAL DIVERSION:					0.020 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T07N R05W S16

NWNE

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	:	---
07N	05W	16	:			01		:					:					:					:	1.0
TOTAL ACRES																							1.0	

Pou County: PAYETTE

Other Water Rights Listing Overlapping Place(s) of use:
65-13449

Remarks: GEN This right when combined with rights of Black Canyon Irrigation
District shall provide no more than .02 cfs/acre.

Dates:	App. Received:	Priority Date:	07/08/1953
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

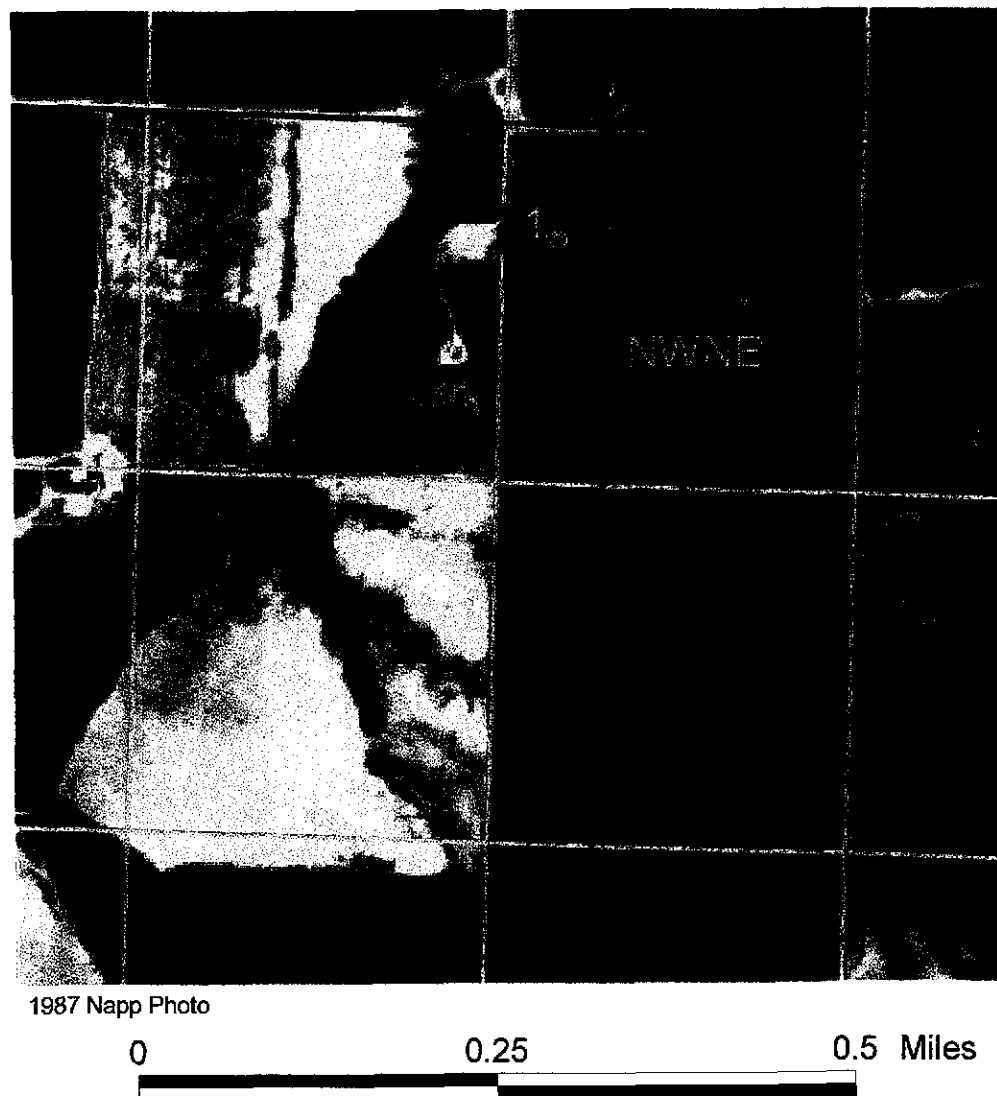
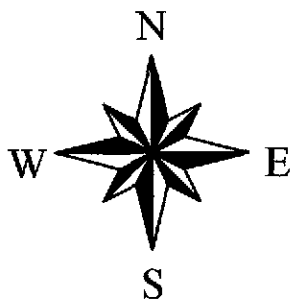
Idaho Department of Water Resources

Claim Number: 65-02581A

Legal: T07N, R05W, S16

Reviewed By:

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





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

January 15, 1999

DIRK KEMPTHORNE
GOVERNOR

DALTON J. SURMEIER, SR
1610 SW 2ND AVE
FRUITLAND ID 83619

KARL J. DREHER
DIRECTOR

REF: CLAIM A65-02581A

Dear Dalton,

We received your letter stating the property in section 16, previously owned by Symes, was purchased by yourself in 1992.

In order for us to change the ownership to your name please complete the enclosed Notice of Change of Ownership Form.

Return the completed form, with the proof of ownership in the pre-addressed envelope.

Sincerely,

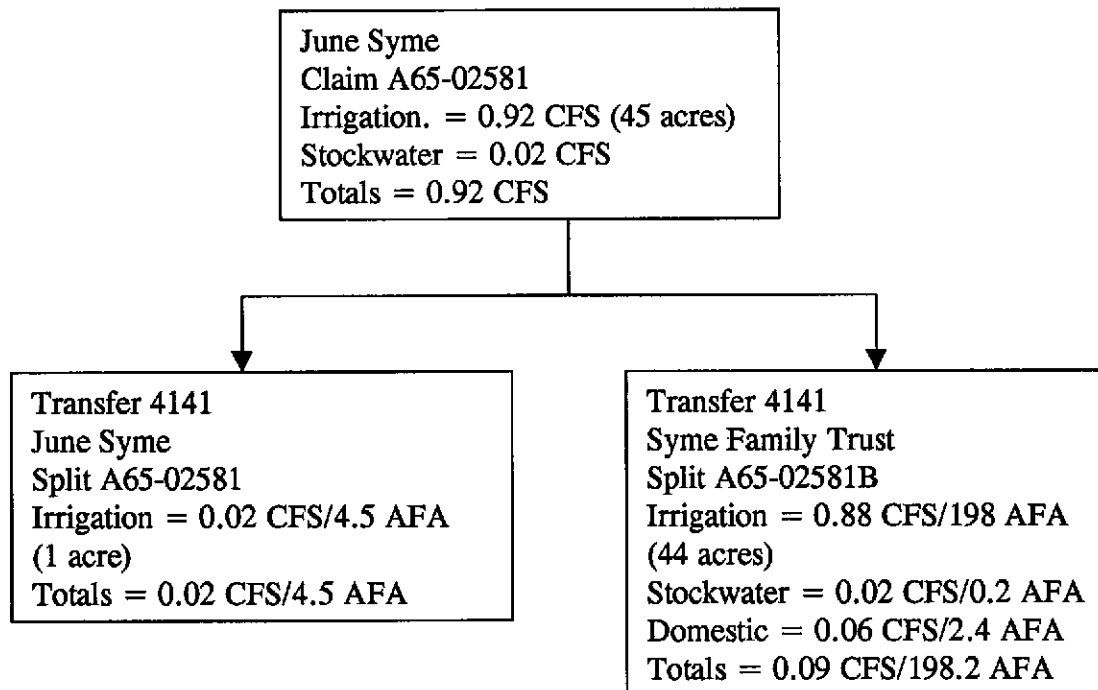
A handwritten signature in cursive script, appearing to read 'Ron Howerton'.

Ron Howerton
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

Split Analysis for Claim A65-02581
By: Ron Howerton
January 15, 1999

Problem: Letter received 12/9/98 questioned ownership of A65-02581A.

Solution: Appears that "A" split was incorrectly shown as Pomme Terre Inc., should have been June Syme as shown below.



CONVERSATION MEMORANDUM



CUSTOMER: Judy

PHONE: 208-452-4294 (Home) 452-4547 (WAREHOUSE)

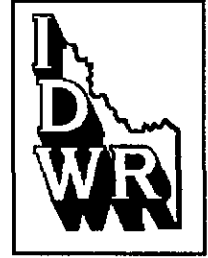
Claim/WR # A65-02581A

Agent: Don Houghton

Date: 1/15/99 11AM

- CALLED DARTON'S Phone, got message to call warehouse talked to Judy daughter-in-law. HER Father-in-law is gone on vac for a couple of months. DAN her husband is taking care of things while he is gone.
- I'm mailing an ownership change form to ADDRESS shown on CTR, she said her husband Dan could take care of it.

CONVERSATION MEMORANDUM



CUSTOMER: DORIS - PAYETTE CITY ASSESSOR

PHONE: 208-642-6012

Claim/WR # A65-02581A

Agent: RON HOWERTON

Date: 1/15/99 (10 AM)

- TALKED TO DORIS ABOUT CHAIN OF TITLE, SHE
AGREED TO LOOK FOR THE CHAIN AND CALL ME
BACK ASAP.

(She gave me a brief idea that the parcel does
belong to Dalton Summer.)

RECEIVED
DEC 09 1998
WATER RESOURCES
WESTERN REGION

DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE, ID 83705

ATT: JAN

DEAR JAN,

WE WISH TO PROTEST SYME FAMILY TRUST'S FILING #A65-02581 A ON THE GROUNDS
THAT THEY DO NOT OWN ANY LAND IN SECTION 16, PAYETTE COUNTY. INCLOSED,
PLEASE FIND A LETTER FROM PAYETTE COUNTY ASSESSOR IN VERIFICATION.

THE PROPERTY IN SECTION 16, PREVIOUSLY OWNED BY SYMES, WAS PURCHASED BY
D. J. SURMEIER, SR. IN 1992.

RESPECTFULLY,

A handwritten signature in cursive script, reading "Dalton J. Surmeier, Sr.", with a small "DJS" monogram below it.

DALTON J. SURMEIER, SR
1610 SW 2ND AVE.
FRUITLAND, ID 83619

OFFICE OF THE ASSESSOR
PAYETTE COUNTY

ROBERT MACKENZIE, ASSESSOR
1130 THIRD AVENUE NORTH

PHONE (208) 642-6012

DORIS MANKER, SENIOR DEPUTY
PAYETTE, IDAHO 83661

December 3, 1998

TO WHOM IT MAY CONCERN:

Currently the Payette County Assessment Records and Tax Records do not list any Real Property belonging to Kenneth Syme or to Pomme Terre, Inc. in Section 16 Township 7 N. Range 5 W., B.M.

Donald D. Martin

Donald D. Martin
Deputy Assessor

April 28, 1977

Re: #65-2581

Pomme Terre, Inc.
Kenneth Syme, President
Route 1, Box 163
Fruitland, Idaho 83619

Dear Mr. Syme:

In reviewing your Claim to a Water Right (65-2581), I found it did not correspond to the original license (C-24286/65-2581).

Please find enclosed a copy of the claim you filed. You will note the changes in red that are taken from the license on which you based the claim. For this particular claim, only the amounts stated on the license can be recommended to the court.

Also enclosed is a blank claim form. If you have expanded the original right or developed another right, you may want to claim that amount of water under another right.

Thank you for your cooperation in this matter. If we can be of any assistance to you in filing your claims, please feel free to contact us.

Sincerely,

DONALD V. SHAFF
Water Resource Agent

DVS:lp

Enclosure

No response by 5/22/78

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

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

**NOTICE OF CLAIM
TO A
WATER RIGHT**

IDENT. NO.

MAP NO.

65-2581
165-4727

373

Notice is hereby given that Pomme Terre, Inc.

(Name of Claimant)

Route 1, Box 163, Fruitland, Idaho 83619

(Mailing Address)

claims a right to the diversion

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

The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) July 8, 1953

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

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: (Both Dates Inclusive)

202.5 Use Irrigation 90 Period of Use From April 1 To Oct. 1
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

.2 Use Stock 02 Period of Use From April 1 To Oct. 1
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

202.7 Use Stock 02 Period of Use From April 1 To Oct. 1
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

(4) Quantity of water claimed: 92 Cubic Feet Per Second, or 500 Gals. Per Minute.

(5) A) Point of Diversion: Give location of point where water is diverted from its source NE 1/4 16 7 N 5 W B.M.; additional points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)
Give sizes and capacities; be as specific as possible. Pump and pipeline

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

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>7N</u>	<u>5W</u>	<u>16</u>	<u>1</u>				<u>40</u>	<u>40</u>		<u>20</u>			<u>20</u>	<u>20</u>			<u>20</u>	<u>20</u>	<u>160</u>
		<u>9</u>															<u>20</u>	<u>20</u>	<u>60</u>

1

Total No. of acres 160.45

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

(7) Effluent, sewage waste, or return water from this use is discharged into CHP 9-2-78

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

(9) Remarks This is at which combined with Black Canyon Irrigation District water rights shall provide no more than .02 cfs per acre 42 AFA per acre

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

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

☒ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.:

License G-24286/65-2581

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

Individual

October 15 1973
(Date)

Pomme Terre, Inc.
(Signature of Claimant)

[Signature]
(Signature of Spouse)

Organization

(Signature of Authorized Agent)

State of Idaho

County of Ada

ss.

Organization
Seal

On this 25 day of October, in the year 1973, before me,

a notary public, personally appeared

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

Notary Public residing at [Address]

My commission expires June 15 1977

5/22/78