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Documents

In File

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.

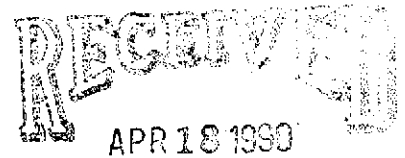
CIVIL CASE NUMBER: 39576

IDENT. NUMBER: 65-05630
DATE RECEIVED: 4-18-90
RECEIPT NO: 6016372 X999999
RECEIVED BY: -----

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: CITY OF PAYETTE
ADDRESS: CITY SERVICES CENTER
700 CENTER AVENUE
PAYETTE, ID

83661



2. DATE OF PRIORITY: APR 13, 1945

Department of Water Resources

3. SOURCE: GROUNDWATER

TRIB. TO:

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
09N	05W	27	SE	SW			PAYETTE
		28	SE	SE			PAYETTE
		34	SE	NE			PAYETTE
			NW	SE			PAYETTE
		35	NW	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.
MUNICIPAL	01/01	12/31	0.780		

7. TOTAL QUANTITY APPROPRIATED IS:
0.780 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

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:

PLACE OF USE WITHIN CITY LIMITS OF PAYETTE.

TWO POINTS OF DIVERSION IN NWSE & SENE, S.34, T.9N, R.5W.

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

SEP 22 1992

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 Mayor OF

City of Payette _____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS Mayor OF

City of Payette _____ AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

Joseph L. Meyer
SIGNATURE OF AUTHORIZED AGENT
Mayor, City of Payette
TITLE AND ORGANIZATION
April 17, 1990
DATE

STATE OF IDAHO)
COUNTY OF Payette) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 17 DAY
OF April 19 90

John P. Harbo
NOTARY PUBLIC

SEAL

RESIDING AT Payette, ID

MY COMMISSION EXPIRES 11-92
DATE: 01/23/90

65-05630

PAGE

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MICROFILMED

SEP 22 1992

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

01/05/2001

RIGHT NUMBER: 65-5630

NAME AND ADDRESS: CITY OF PAYETTE
CITY SERVICES CENTER
700 CENTER AVENUE
PAYETTE, ID 83661

SOURCE: GROUND WATER

QUANTITY: 0.78 CFS

PRIORITY DATE: 04/13/1945

POINT OF DIVERSION:	T09N R05W S27	SESW	Within PAYETTE County
	T09N R05W S28	SESE	Within PAYETTE County
	T09N R05W S34	SENE	Within PAYETTE County
	T09N R05W S34	NWSE	Within PAYETTE County
	T09N R05W S35	NWSW	Within PAYETTE County

2 POINTS OF DIVERSION LOCATED IN T09N, R05W, S34, NWSE &
SENE.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	1-01 12-31	0.78 CFS

PLACE OF USE:

PLACE OF USE IS WITHIN CITY LIMITS OF PAYETTE.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

AJ0749NP
No. R65-05630

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

DATE: 06/01/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF PAYETTE CITY SERVICES CENTER 700 CENTER AVENUE PAYETTE ID 83661	04/13/1945	MUNICIPAL	01-01 12-31	0.780 CFS	
TOTAL DIVERSION:					0.780 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T09N R05W S27
S28
S34
S35

SESW
SESE
SENE
NWSW

NWSE

PAYETTE County
PAYETTE County
PAYETTE County
PAYETTE County

POU County:

Conditions of Approval:

- C18 - 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.

Remarks: *POW* GEN PLACE OF USE WITHIN CITY LIMITS OF PAYETTE. *503*

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

POD F02

*534 NWSE
SENE*

WR0749NP
No. 65-05630

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/01/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF PAYETTE CITY SERVICES CENTER 700 CENTER AVENUE PAYETTE ID 83661	04/13/1945	MUNICIPAL	01/01 12/31	0.780 CFS	
TOTAL DIVERSION:					0.780 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:	T09N R05W S27	SESW		PAYETTE County
	S28	SESE		PAYETTE County
	S34	SENE	NWSE	PAYETTE County
	S35	NWSW		PAYETTE County

Pou County:

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

65-00006	65-00065	65-00068	65-02785	65-03910	65-04134	65-04179	65-04327	65-04426	65-04432
65-04848	65-04882	65-04883	65-04965	65-04996	65-05007	65-05016	65-05456	65-05641	65-05725
65-05736	65-05862	65-05867	65-05872	65-05937	65-06056	65-06057	65-06111	65-06122	65-06133
65-06201	65-06400	65-06466	65-06490	65-06528	65-06566	65-06567	65-06604	65-06734	65-06745
65-06746	65-06762	65-06781	65-07001	65-09182	65-09242	65-09281	65-09298	65-09299	65-09303
65-09355	65-09399	65-09455	65-09955	65-11093	65-12954	65-13228	65-13651		

Remarks: GEN PLACE OF USE WITHIN CITY LIMITS OF PAYETTE.
TWO POINTS OF DIVERSION IN NWSE & SENE, S.34, T.9N, R.5W.

Dates:	App. Received:	Priority Date:	04/13/1945
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

RECEIVED

OCT 3 1979

Filed

Sept. 22, 1979

1st Thelma R. Ketchum, Clerk
1st Debbie Bacon, Deputy

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Department of Water Resources

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Chief, Natural Resources Division

JOSEPHINE P. BEEMAN
Deputy Attorney General
Natural Resources Division
Telephone: (208) 384-2215

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)	CIVIL NO. 3667
DETERMINATION OF THE RIGHT)	
TO THE USE OF SURFACE AND)	ORDER CORRECTING CLERICAL
GROUNDWATERS OF THE PAYETTE)	OVERSIGHTS IN PROPOSED
RIVER DRAINAGE BASIN.)	FINDING OF WATER RIGHTS

The motion of the Department of Water Resources for an order correcting certain clerical oversights in the proposed finding of water rights having come before the court for hearing, and the court being fully advised in the premises,

IT IS HEREBY ORDERED that the proposed finding of water rights be amended in conformance with Exhibit A which is attached hereto and incorporated herein by reference, provided that Orville Jackson and Floy L. Jackson do not file with the court by or before October 5, 1979, a notice of hearing of the objection filed by them to Water Resources' motion. The objection filed by the Jacksons shall be withdrawn if such notice is not filed by or before October 5, 1979. If the Jacksons file a notice of hearing by or before October 5, 1979, this present order amends the proposed finding of water rights in conformance with Exhibit A except for certain material appearing at page 11 of Exhibit A where clerical amendments are listed for rights

ORDER CORRECTING CLERICAL OVERSIGHTS - 1

1 held by Orville Jackson and Floy L. Jackson.

2 DATED This 20th day of September, 1979.

3
4 1st Gilbert C. Norris
5 Gilbert C. Norris
6 District Judge
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Attorney General
State of Idaho
Statehouse Room 210
Bose Idaho 83720
Telephone (208) 384-2400

INDICATES TOTAL

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
65-2729 EXHIBIT A RESPONSE TO OBJECTION OF BROWN	BROWN, WARREN H. BOX 791, MC CALL, IDAHO 83638 REMARKS: <u>THIS RIGHT WHEN</u> <u>COMBINED WITH RIGHTS OF LAKE</u> <u>IRRIGATION DISTRICT SHALL</u> <u>PROVIDE NO MORE THAN .02</u> <u>CFS/ACRE.</u>	4/15/1963	SOURCE: LAKE FORK CREEK IRRIGATION	4/15 10/15	--- AFA 4.50 CFS	NWSW S13 T18N R 3E	SESW(35) S21 T18N R 3E NWNE(40) NENW(35) NWNW(17) SWNW(37) NESW(39) NWSE(26) S28 T18N R 3E *229*	LICENSE
65-0065 VOL. III P. 111	CITY OF PAYETTE CITY SERVICES CENTER, 700 CENTER AVENUE, PAYETTE, IDAHO 83661 REMARKS: PLACE OF USE WITHIN CITY LIMITS OF PAYETTE. TWO POINTS OF DIVERSION IN NWSE & SENE, S. 34, T9N, R5W.	6/ 1/1918	SOURCE: GROUNDWATER MUNICIPAL 1/ 1 12/31		--- AFA 2.00 CFS	NWSE S 34 T 9N R 5W SENE S 34 T 9N R 5W SESE S 28 T 9N R 5W SESE-S-33 T-9N-R-5W SESW S 27 T 9N R 5W NWSW S 35 T 9N R 5W		BENEFICIAL USE
65-5630 VOL. III P. 288	CITY OF PAYETTE CITY SERVICES CENTER, 700 CENTER AVENUE, PAYETTE, IDAHO 83661 REMARKS: PLACE OF USE WITHIN CITY LIMITS OF PAYETTE. TWO POINTS OF DIVERSION IN NWSE & SENE, S. 34, T 9N, R 5W.	4/13/1945	SOURCE: GROUNDWATER MUNICIPAL 1/ 1 12/31		--- AFA .78 CFS	SESE S 28 T 9N R 5W NWSE S 34 T 9N R 5W SENE S 34 T 9N R 5W SESE-S-33 T-9N-R-5W NWSW S 35 T 9N R 5W SESW S 27 T 9N R 5W		BENEFICIAL USE

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME City of Bayette CLAIM IDENT. NO. AGS-05630DATE RECEIVED 4-18-90 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) | ☐ | ☐ | |
| 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: pat Date: 5-8-90Claim must be returned to claimant: ☐ (Yes) ☒ (No)Claimant must be notified of modifications: ☐ (Yes) ☒ (No)
 Receipt Prepared by: _____
 Claim data entered by: Kagg JDC
 Sent to claimant by: pat

 Date: _____
 Date: _____
 Date: _____
Checked by: pat Date: 6/14/90

Comments: _____

MICROFILMED

SEP 22 1992