

NOTICE OF ERROR
REPLY

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

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: 65-5755

WILLIAM T ACORD
923 EXECUTIVE PARK DR STE G
SALT LAKE CITY UT 84117

1021 W 4800 S. # F130 - all
MURRAY, UT 84123

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: 5/11/01

SIGNATURE:

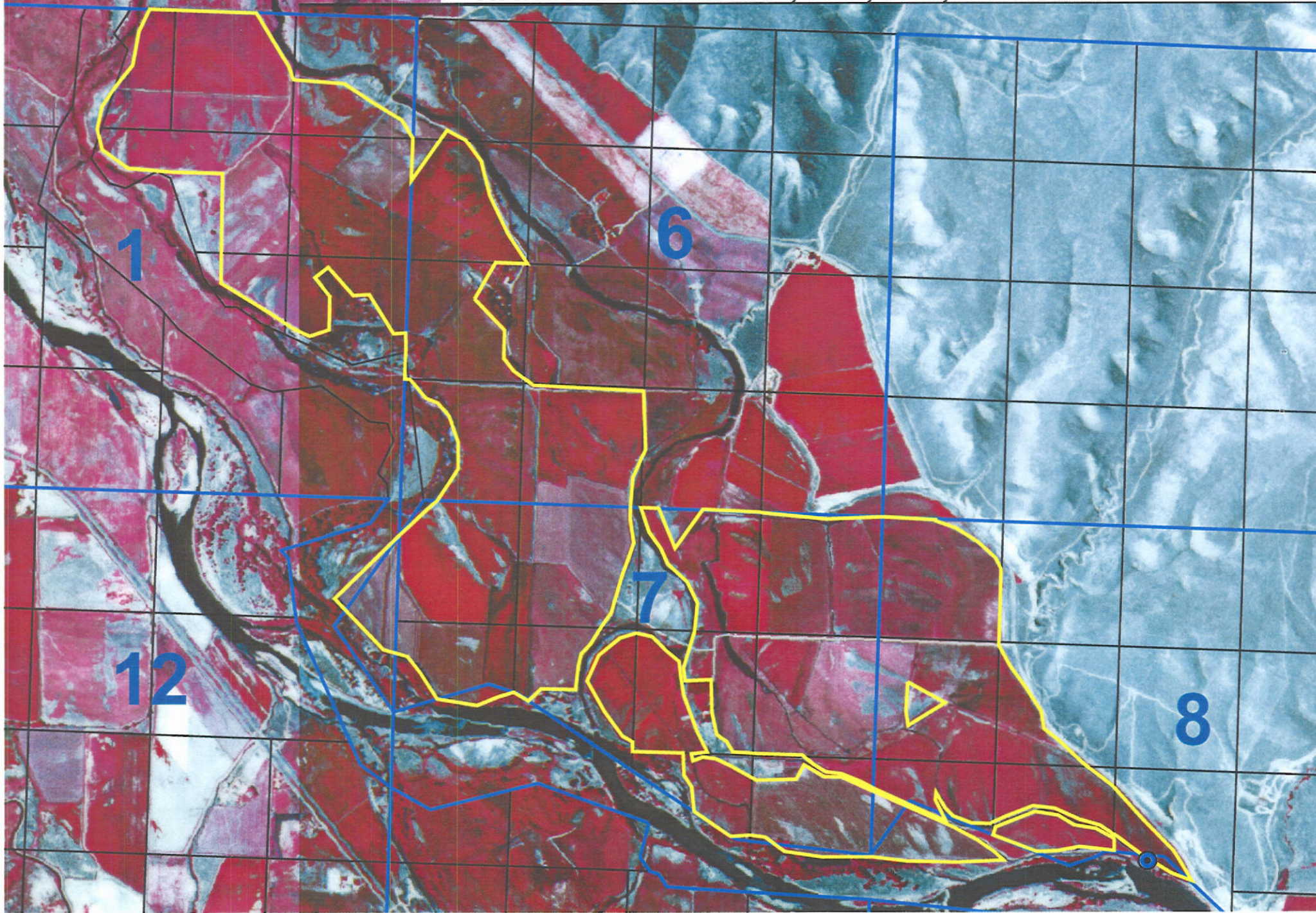
Johnny R Brown

Please print your name:

Johnny R Brown

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

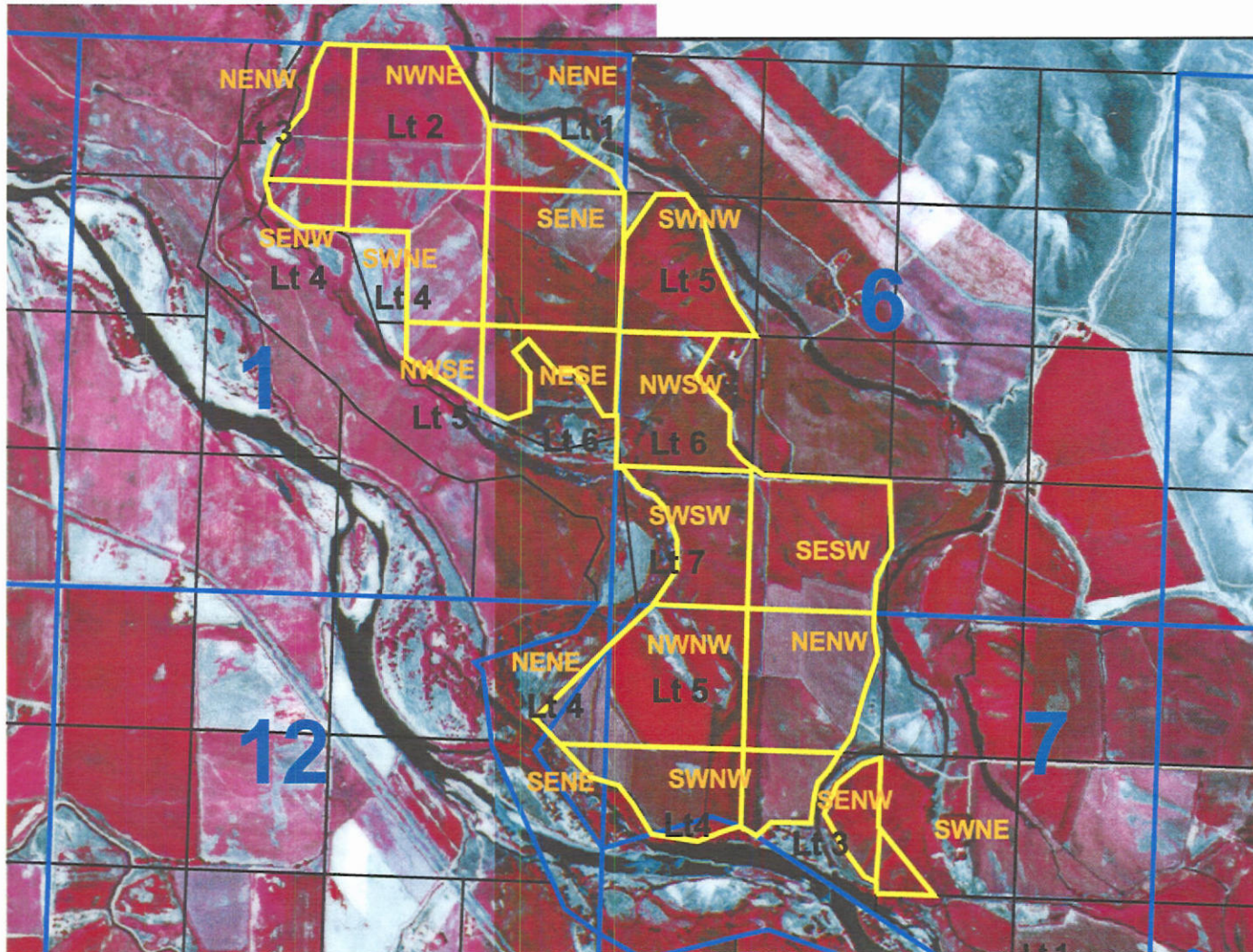
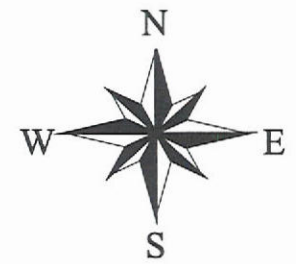
**ACORD CHAROLAIS RANCH
IRRIGATION BOUNDARY MAP
WATER RIGHTS 65-5755, 5756, 5757, 5758 & 5759**



IDAHO DEPARTMENT OF WATER RESOURCES

T07N, R03W, S6 & S7

T07N, R04W, S1 & S12



1987 NAPP PHOTO

- POINT OF DIVERSION
- PLACE OF USE
- 1/4 1/4 LINES
- SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-05755

OWNER (S): ACORD, WILLIAM

DATE: MAY 15, 2001

By: Mel Schulte

0 0.25 0.5 0.75 1 1.25 1.5 1.75 2 Miles

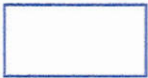
7d

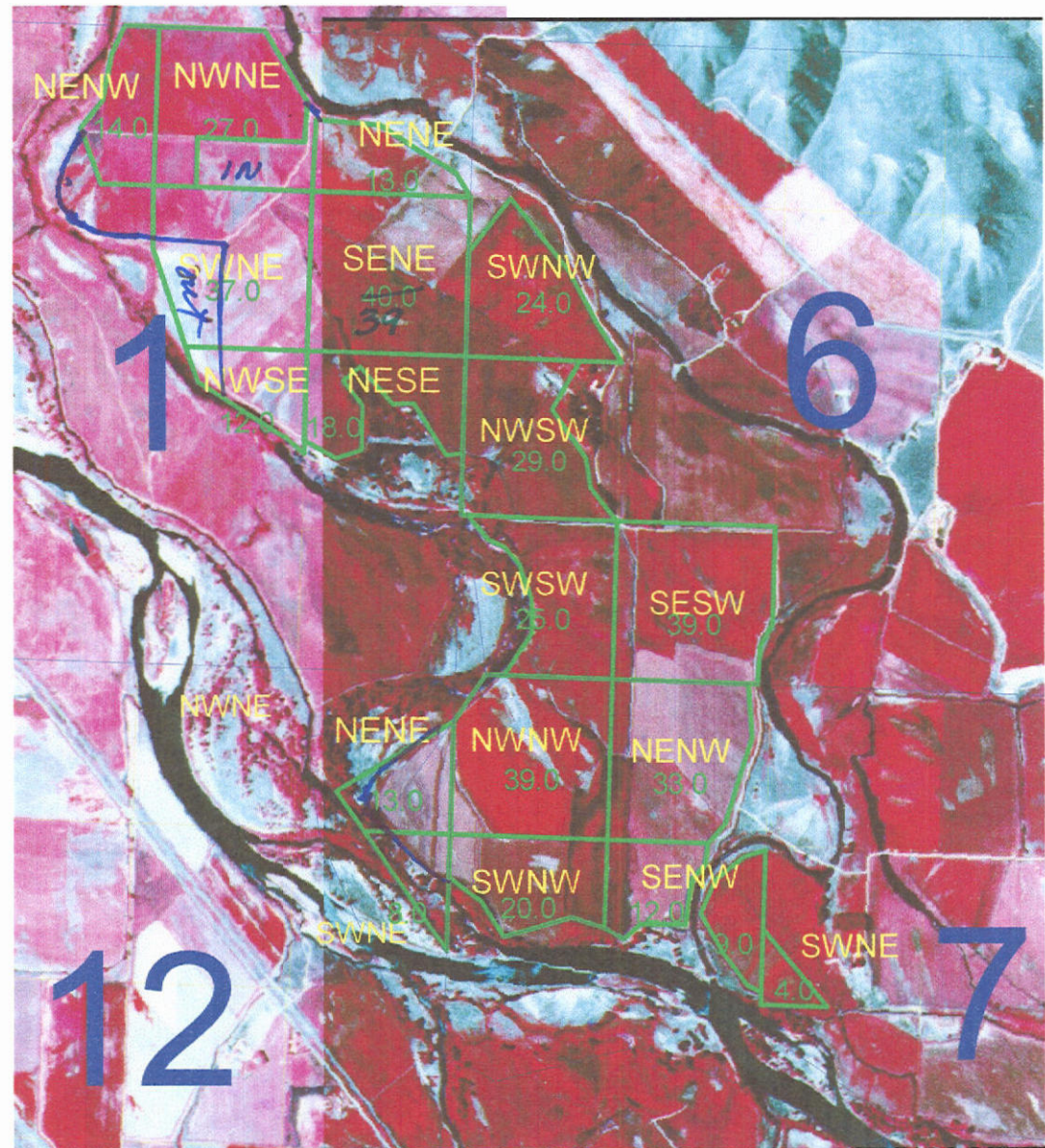
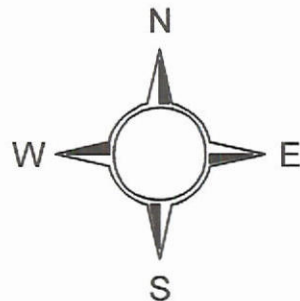
Idaho Department of Water Resources

Claim Number: 65-05755

Legal: T07N, R03W, S6 & 7,
T07N, R04W, S1 & 12

Reviewed By:

-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



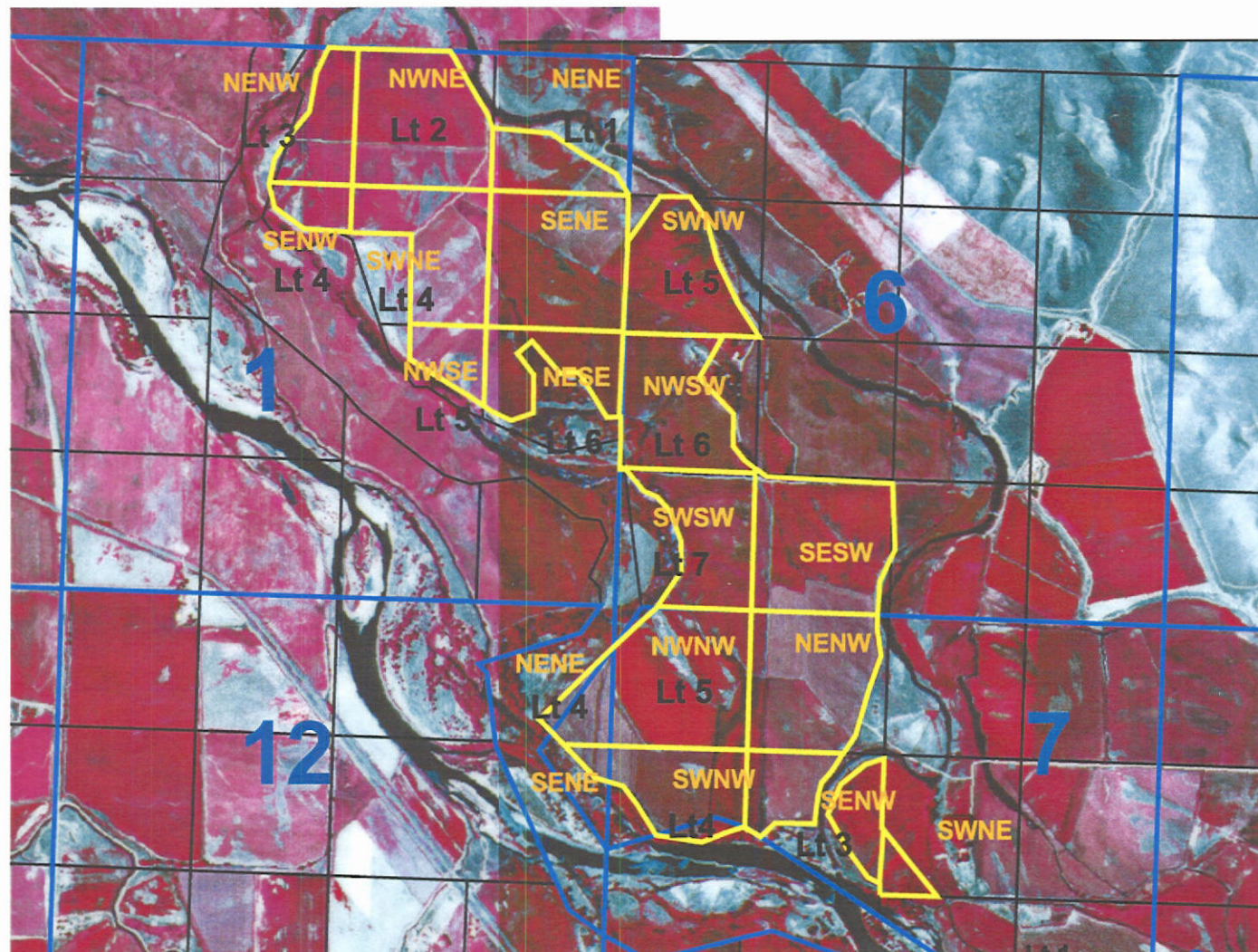
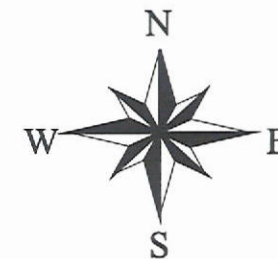
1987 Napp Photo

0 0.25 0.5 0.75 1 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

T07N, R03W, S6 & S7

T07N, R04W, S1 & S12



1987 NAPP PHOTO

- POINT OF DIVERSION
- PLACE OF USE
- 1/4 1/4 LINES
- SECTION LINES

6 ACRES

6 SECTION NUMBERS

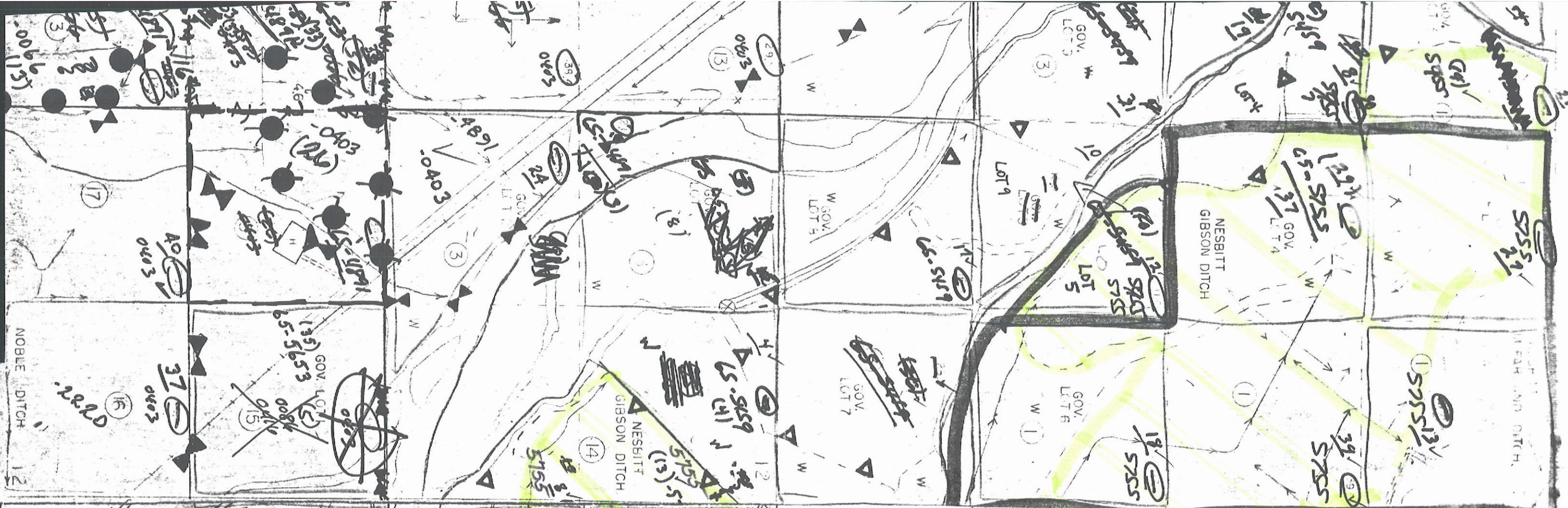
CLAIM(S): 65-05755

OWNER (S): ACORD, WILLIAM

DATE: MAY 15, 2001

By: Mel Schulte

0 0.25 0.5 0.75 1 1.25 1.5 1.75 2 Miles



CLAIM 445-05755 INIT
T. S. S. 1/0
P/D 7/13/8 RWSE
SCALE
PHOTO I.D. PRBH

CLAIM A65-05753 INIT

T. R. S. Q/Q

P/D 7N 3W 8 NWSE

SCALE

PHOTO ID. W5 DATE 1971

4871 000m N.

4870

T. 8 N.

T. 7 N.

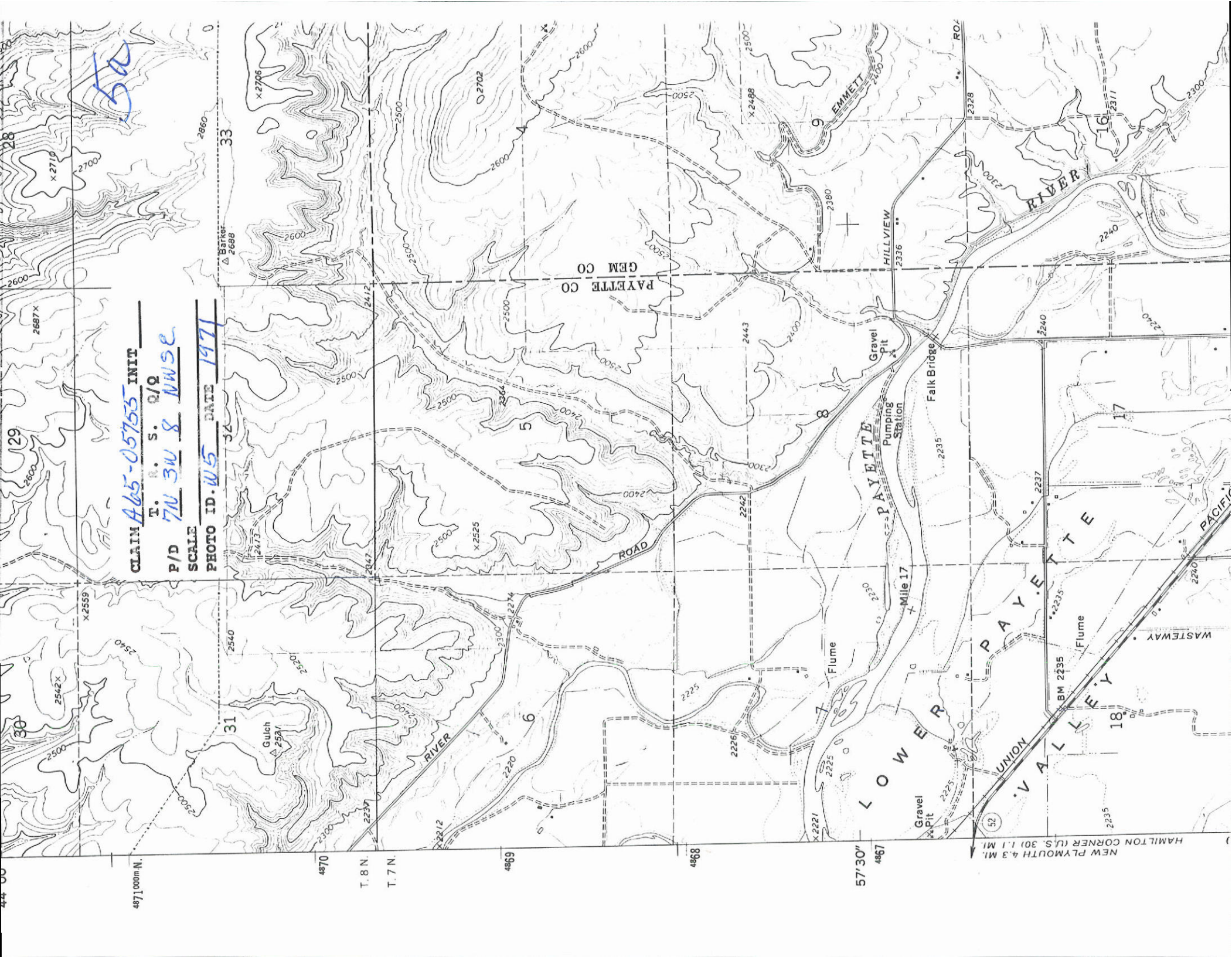
4869

4868

57°30'

4867

NEW PLYMOUTH 4.3 MI.
HAMILTON CORNER (U.S. 30) 1.1 MI.



7b

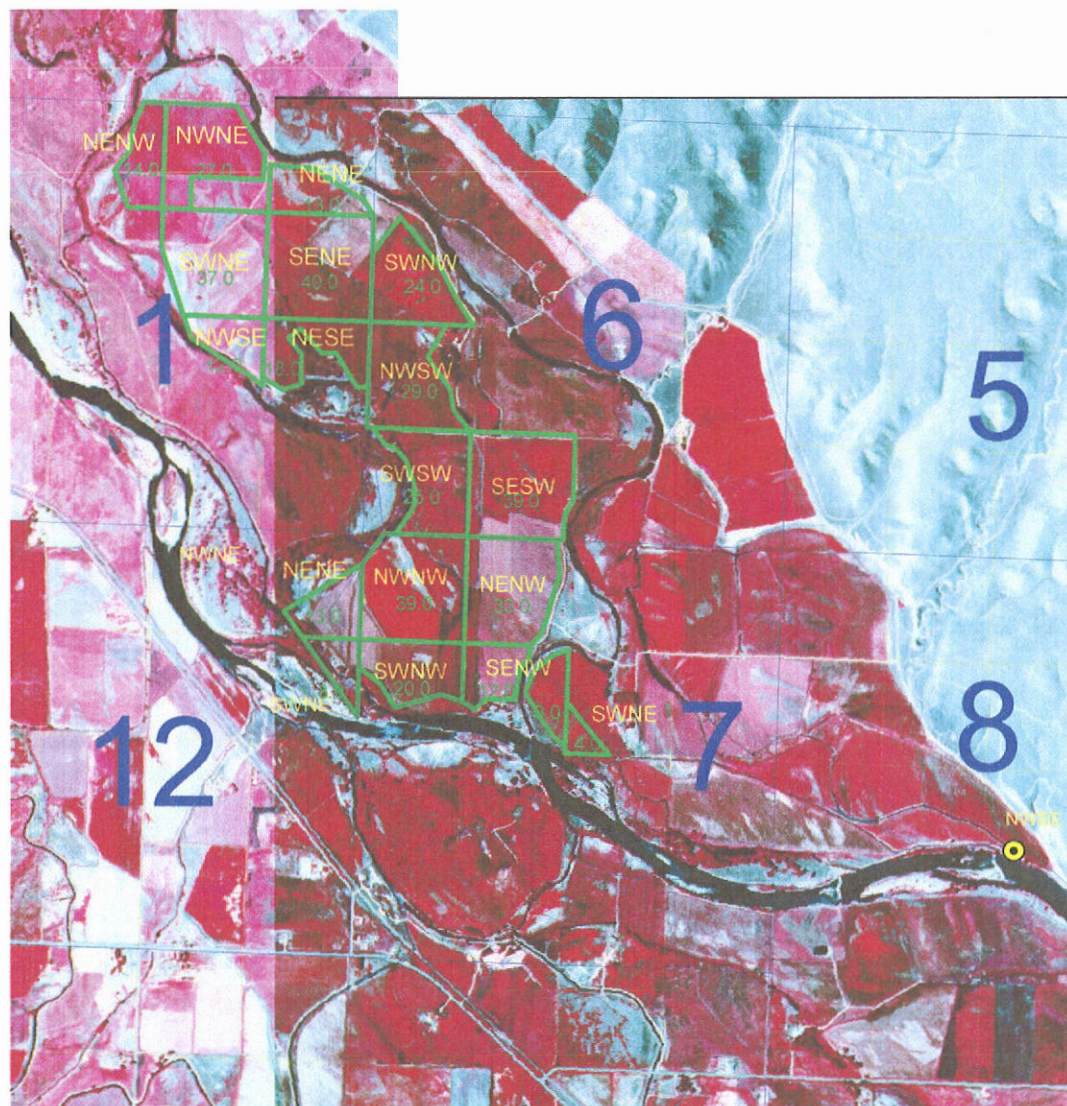
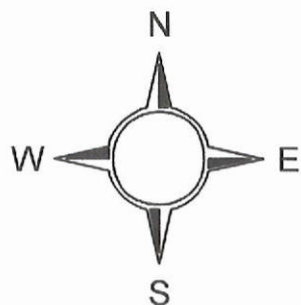
Idaho Department of Water Resources

Claim Number: 65-05755

Legal: T07N, R03W, S6 & 7,
T07N, R04W, S1 & 12

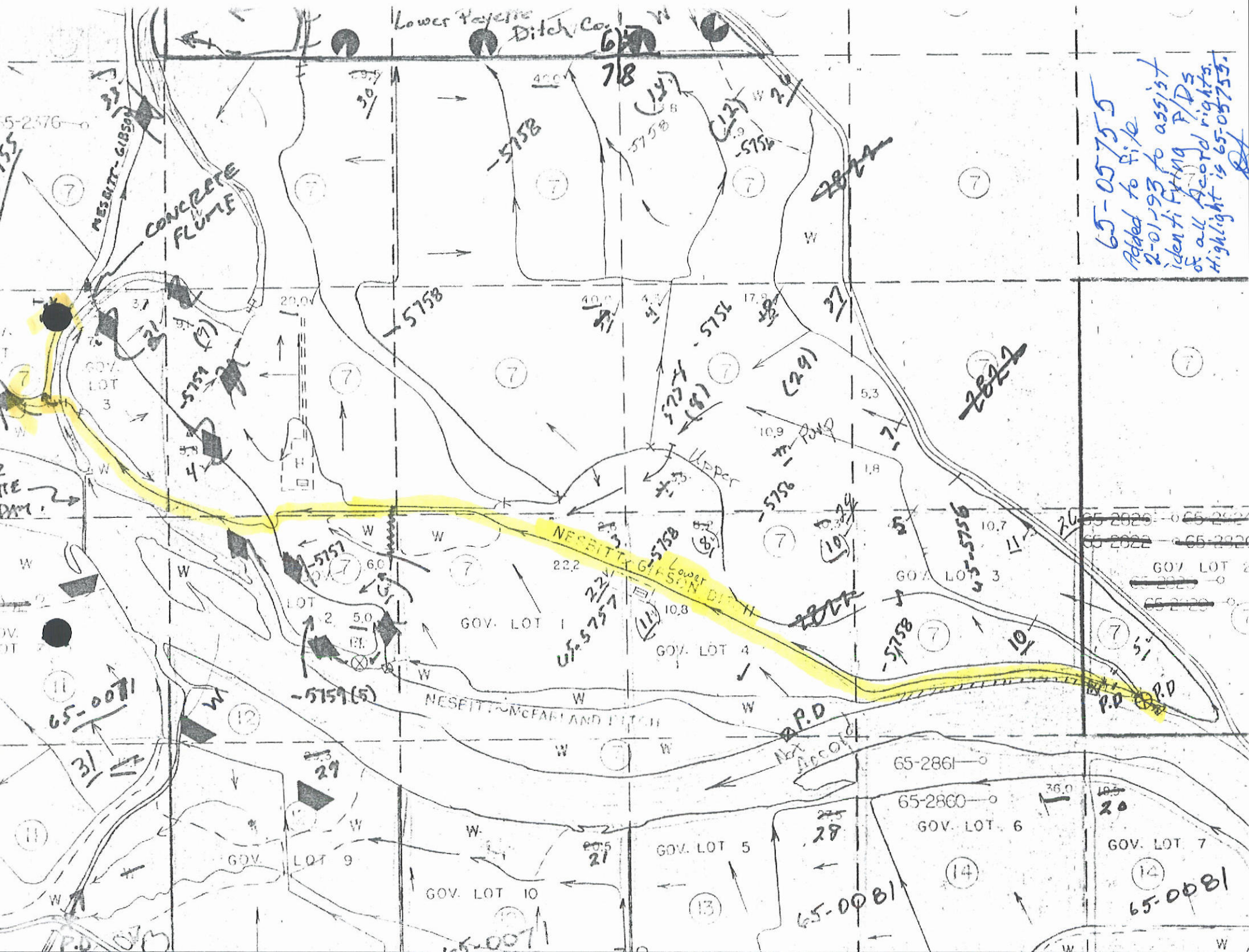
Reviewed By:

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



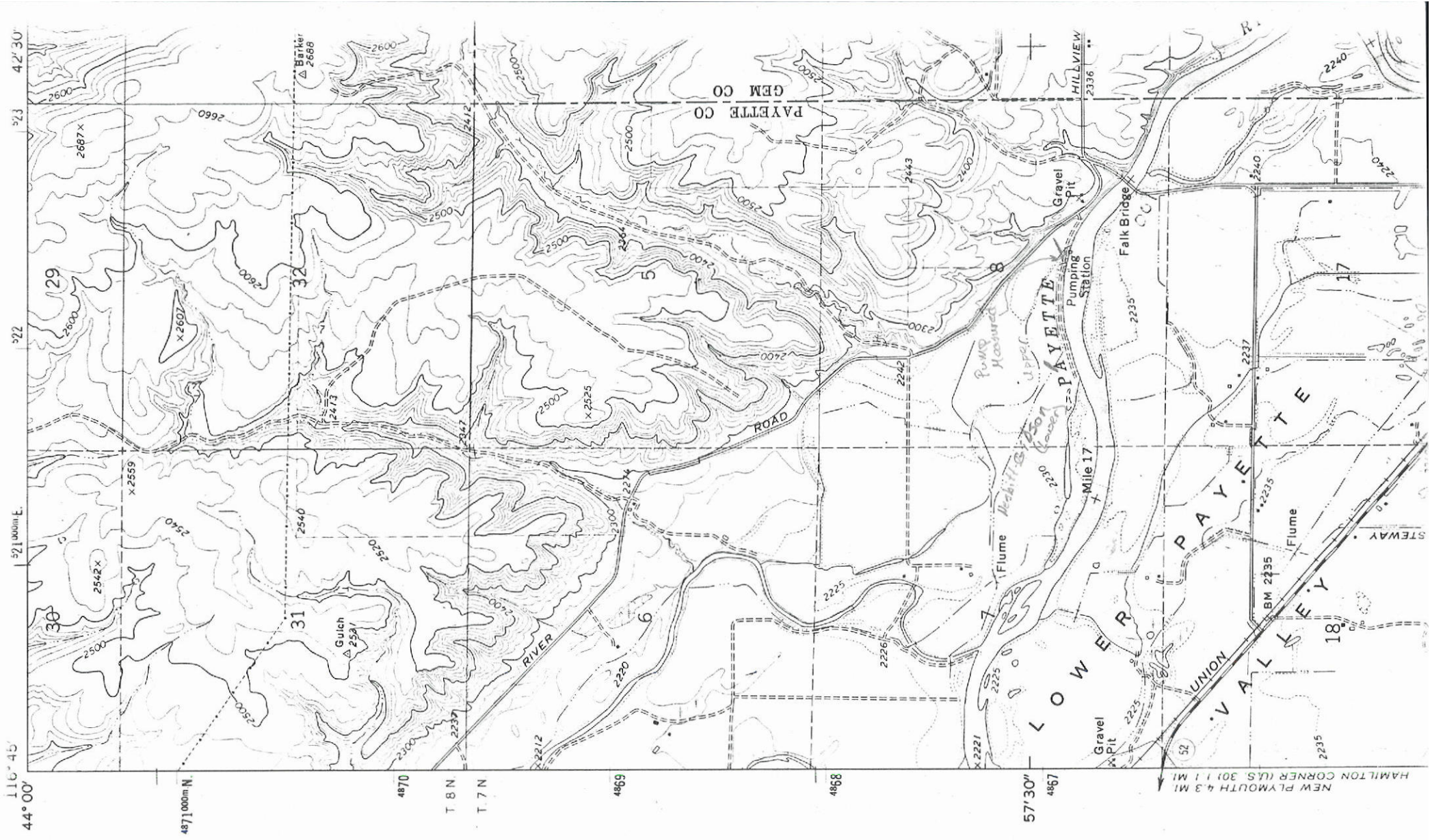
1987 Napp Photo

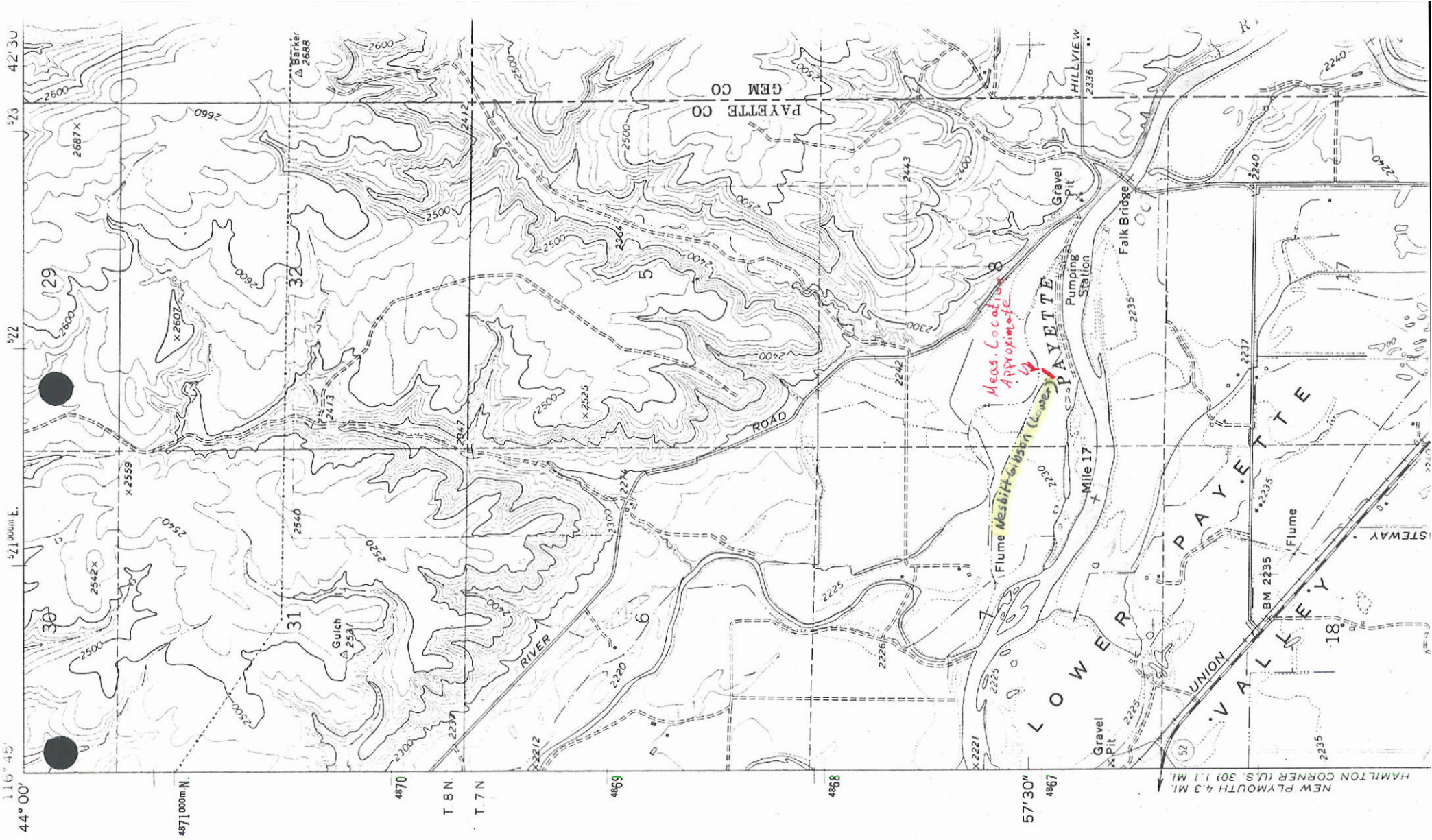
0 0.25 0.5 0.75 1 Miles



65-05755
Added to file
2-01-93 to assist
identifying P/Ds
of all Accord rights.
Highlight is 65-05755-
24







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: A65-05755
Date Received: 2/27/1990
Receipt No: X999999
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: WILLIAM T ACORD
Address: 923 EXECUTIVE PARK DR STE G
SALT LAKE CITY UT

See Revised
84117-0000

2. Date of Priority: MAY 8, 1890

3. Source: PAYETTE RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	03W	8		NW	SE	2	PAYETTE

5. Description of diverting works:
LOWER CANAL AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	17.620		

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

A.F.A.

8. Total consumptive use is 1452.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	03W	6	SW	NW	5	IRR	24.0
			NW	SW	6	IRR	29.0
			SW	SW	7	IRR	25.0
			SE	SW		IRR	39.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	117.0
		7	SW	NE	IRR	4.0
			NE	NW	IRR	33.0
			NW	NW	5 IRR	39.0
			SW	NW	4 IRR	20.0
			SE	NW	3 IRR	21.0
					Section Acres	117.0
04W		1	NE	NE	1 IRR	13.0
			NW	NE	2 IRR	27.0
			SW	NE	4 IRR	37.0
			SE	NE	IRR	39.0
			NE	NW	3 IRR	14.0
			NE	SE	6 IRR	18.0
			NW	SE	5 IRR	12.0
					Section Acres	160.0
		12	NE	NE	4 IRR	13.0
			NW	NE	IRR	8.0
					Section Acres	21.0
					Total Acres	415.0

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:

CLAIM AMENDED PER STIPULATION FROM PRBA BY MTS 2/21/1996.
 WATER IS DELIVERED THROUGH THE NESBITT-GIBSON DITCH.
 A DIVERSION RATE OF .044 CFS PER ACRE FOR 111 ACRES AND .034 CFS
 PER ACRE FOR 304 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE
 RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.
 2.40 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN
 DELIVERY OF THIS RIGHT.
 RIGHT NO 65-05758 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
 DESCRIBED ABOVE.

15. Basis of Claim: BENEFICIAL USE

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.

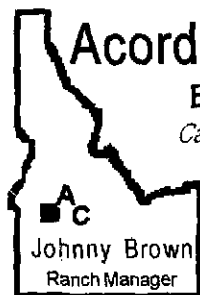
Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



Acord Charolais Ranch

Balanced Superior EPDs

Calving ease Milk - Maternal Feedlot gains

Carcass yield & grade

RANCH

Tel: 208 278-5861

Fax: 208 278-0172

OFFICE

Tel: 801 266-6907

Fax: 801 266-7928

RANCH: 5915 Bluff Road New Plymouth ID 83655

OFFICE: 525 E. 4500 S. #F130 Salt Lake City, UT 84107

LARRY ECHOHAWK
Attorney General

DANIEL L. STECKEL
Deputy Attorney General
Department of Water Resources
Statehouse
Boise, Idaho 83720-9000
(208) 327-7900

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	)	CIVIL NO. 3667
TO THE USE OF SURFACE AND	)	
GROUNDWATERS OF THE PAYETTE	)	STIPULATION RESOLVING
RIVER DRAINAGE BASIN	)	OBJECTIONS TO WATER
	)	RIGHT NOS. 65-05757,
	)	65-05758, ~~65-05755~~ ,
	)	65-05759, 65-05756

The Director of the Idaho Department of Water Resources, R. Keith Higginson, by and through counsel, and William T. Acord stipulate as follows:

1. That water right claim No(s). 65-05757, 65-05758, 65-05755, 65-05759, 65-05756 be accepted and included in the Proposed Finding of Water Rights in the Payette River Drainage as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

2. That William T. Acord withdraws all pending objections, including those based on the objection filed by Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown in July 1982, in the above captioned matter.

DATED this _____ day of _____, 1993.

LARRY ECHOHAWK
Attorney General

DANIEL L STECKEL
Deputy Attorney General
Department of Water Resources

DATED THIS 18th day of February, 1993.



WILLIAM T. ACORD

The above stipulation having come before the court, it is
hereby approved this _____ day of _____, 1993.

JAMES R. DOOLITTLE
District Judge

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: PAYETTE RIVER			TRIBUTARY: SNAKE RIVER			
65-05757	WILLIAM T. ACORD 923 EXECUTIVE PARK DR STE G SALT LAKE CITY UT 84117	08/29/1889	IRRIGATION	03-15 11-15	1.38	CFS BENEFICIAL USE
					TOTAL QUANTITY:	1.38
					CONSUMPTIVE USE:	136.5
POINT OF DIVERSION: T07N R03W S08 LOT 2 (NWSE)						
PLACE OF USE: IRRIGATION						
T07N R03W S07 Lot 1 (NESE) 22.0 Lot 2 (NWSE) 6.0						
S08 Lot 4 (NWSW) 11.0						
39.0 ACRES TOTAL						
REMARKS: A DIVERSION RATE OF .044 CFS PER ACRE FOR 6 ACRES AND .034 CFS PER ACRE FOR 33 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.						
65-05758	WILLIAM T. ACORD 923 EXECUTIVE PARK DR STE G SALT LAKE CITY UT 84117	08/29/1889	IRRIGATION	03-15 11-15	6.85	CFS BENEFICIAL USE
					TOTAL QUANTITY:	6.85
					CONSUMPTIVE USE:	605.5
POINT OF DIVERSION: T07N R03W S08 LOT 2 (NWSE)						
PLACE OF USE: IRRIGATION						
T07N R03W S07 NENE 40.0 NWNE 30.0 SWNE 20.0 SENE 40.0						
Lot 1 (NESE) 3.0 S08 Lot 4 (NWSW) 8.0						
NWNW 14.0 SWNW 8.0 Lot 3 (NESW) 10.0						
173.0 ACRES TOTAL						
REMARKS: WATER IS DELIVERED THROUGH NESBITT-GIBSON DITCH. A DIVERSION RATE OF .044 CFS PER ACRE FOR 26 ACRES AND .034 CFS FOR 147 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE. 0.71 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT. RIGHT NO. 65-05755 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.						

MICROFILMED
 OCT 21 1996

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: PAYETTE RIVER			TRIBUTARY: SNAKE RIVER			
65-05755	WILLIAM T. ACORD 923 EXECUTIVE PARK DR STE G SALT LAKE CITY UT 84117	05/08/1890	IRRIGATION	03-15 11-15	17.62	CFS BENEFICIAL USE
				TOTAL QUANTITY:	17.62	CFS
				CONSUMPTIVE USE:	1452.5	AFY
	POINT OF DIVERSION: T07N R03W S08 LOT 2 (NWSE)					
	PLACE OF USE: IRRIGATION					
	T07N R03W S06 Lot 5 (SWNW)24.0 Lot 6 (NWSW)29.0 Lot 7 (SWSW)25.0				SESW 39.0	
	S07 SWNE 4.0 NENW 33.0 Lot 5 (NWNW)39.0 Lot 4 (SNNW)20.0					
	Lot 3 (SENW)21.0					
	R04W S01 Lot 1 (NENE)13.0 Lot 2 (NWNE)27.0 Lot 4 (SWNE)37.0				SENE 39.0	
	Lot 3 (NENW)14.0 Lot 6 (NESE)18.0 Lot 5 (NWSE)12.0					
	S12 NENE 13.0 NWNE 8.0					
	415.0 ACRES TOTAL					
	REMARKS: WATER IS DELIVERED THROUGH NESBITT-GIBSON DITCH.					
	A DIVERSION RATE OF .044 CFS PER ACRE FOR 111 ACRES AND .034					
	CFS PER ACRE FOR 304 ACRES AT THE FIELD HEADGATE IS INCLUDED IN					
	THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.					
	2.40 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES					
	IN DELIVERY OF THIS RIGHT.					
	RIGHT NO. 65-05758 IS ALSO DIVERTED THROUGH POINT OF DIVERSION					
	DESCRIBED ABOVE.					
65-05759	WILLIAM T. ACORD 923 EXECUTIVE PARK DR STE G SALT LAKE CITY UT 84117	06/01/1920	IRRIGATION	03-15 11-15	.65	CFS BENEFICIAL USE
				TOTAL QUANTITY:	.65	CFS
				CONSUMPTIVE USE:	49.0	AFY
	POINT OF DIVERSION: T07N R03W S07 LOT 2 (NWSE)					
	PLACE OF USE: IRRIGATION					
	T07N R03W S07 SWNE 9.0 Lot 2 (NWSE) 5.0					
	14.0 ACRES TOTAL					
	REMARKS: A DIVERSION RATE OF .044 CFS PER ACRE FOR 10 ACRES AND .034					
	CFS PER ACRE FOR 4 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE					
	RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.					
	0.07 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES					
	IN DELIVERY OF THIS RIGHT.					

MICROFILMED
 OCT 21 1996

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: PAYETTE RIVER		TRIBUTARY: SNAKE RIVER				
65-05756	WILLIAM T. ACORD 923 EXECUTIVE PARK DR STE G SALT LAKE CITY UT 84117	04/01/1948	IRRIGATION	03-15 11-15	3.18	CFS BENEFICIAL USE
					TOTAL QUANTITY:	3.18 CFS
					CONSUMPTIVE USE:	276.5 AFY
POINT OF DIVERSION:						
T07N R03W S08 LOT 2 (NWSE)						
PLACE OF USE: IRRIGATION						
T07N R03W S08 NWNW 12.0 SWNW 29.0 SENW 7.0 Lot 3 (NESW)16.0						
Lot 4 (NWSW)10.0 Lot 2 (NWSE) 5.0						
79.0 ACRES TOTAL						
REMARKS: A DIVERSION RATE OF .034 CFS PER ACRE FOR 69 ACRES AND .044						
CFS PER ACRE FOR 10 ACRES AT THE FIELD HEADGATE IS INCLUDED						
IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.						
.39 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE						
LOSSES IN DELIVERY OF THIS RIGHT.						

MICROFILMED
 OCT 21 1995

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

RECEIVED

MAR 27 1990

Ident. Number: A65-05755
Date Received: 2/27/1990
Receipt No: X999999
Received By: 3-23-90

Department of Water Resources
Western Regional Office

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

1. Name: WILLIAM T. ACORD
Address: 1021 W. 4800 SOUTH
MURRAY, UT

84123-0000

2. Date of Priority: MAY 08, 1890

3. Source: PAYETTE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	03W	8	NW	SW		4	PAYETTE
			NW	SE		2	PAYETTE

5. Description of diverting works:
LOWER CANAL AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	33.200		

7. Total Quantity Appropriated is:
33.200 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	03W	6	SW	NW	5	IRR	24.0
			NW	SW	6	IRR	29.0
			SW	SW	7	IRR	25.0

A65-05755

Page 1

Date: 03/23/90

MICROFILMED
SEP 22 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	03W	6	SE	SW		IRR	39.0
			Section Acres				117.0
		7	SW	NE		IRR	4.0
			NE	NW		IRR	33.0
			NW	NW	5	IRR	39.0
			SW	NW	4	IRR	20.0
			SE	NW	3	IRR	21.0
			Section Acres				117.0
	04W	1	NE	NE	1	IRR	13.0
			NW	NE	2	IRR	27.0
			SW	NE	4	IRR	37.0
			SE	NE		IRR	39.0
			NE	NW	3	IRR	14.0
			NE	SE	6	IRR	18.0
			NW	SE	5	IRR	12.0
			Section Acres				160.0
		12	NE	NE		IRR	13.0
			NW	NE		IRR	8.0
			Section Acres				21.0
			Total Acres				415.0

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: BENEFICIAL USE

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 X 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): William T. Reed Date: 3/23/90

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 23 day
of March 19 90

[Signature]
Notary Public

Seal

Residing at Boise, ID
My Commission Expires June 10, 1990

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

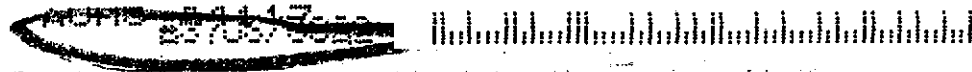
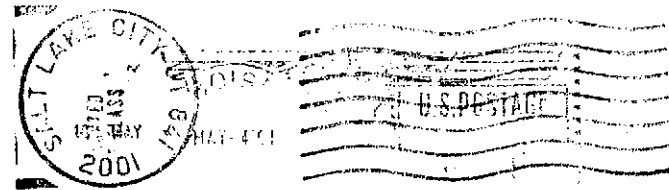
RETURN SERVICE REQUESTED

RECEIVED
MAY 18 2001

WATER RESOURCES
WESTERN REGION

WILLIAM T ACORD
923 EXECUTIVE PARK DR STE G
SALT LAKE CITY, UT 84117

65-5755





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

05/15/2001

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

RIGHT NUMBER: 65-5755

NAME AND ADDRESS: WILLIAM T ACORD
1021 W 4800 S
MURRAY, UT 84123

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 17.62 CFS

THIS RIGHT SHALL PROVIDE NO MORE THAN .037 CFS PER ACRE AT
THE FIELD HEADGATE

PRIORITY DATE: 05/08/1890

POINT OF DIVERSION: T07N R03W S8 LOT 2 NWSE Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	3-15 11-15	17.62 CFS

PLACE OF USE:

IRRIGATION Within PAYETTE County

T07N R03W S6	LOT 5	SWNW	24	T07N R03W S6	LOT 6	NWSW	29
T07N R03W S6	LOT 7	SWSW	25	T07N R03W S6		SESW	39
T07N R03W S7		SWNE	4	T07N R03W S7		NENW	33
T07N R03W S7	LOT 5	NWNW	39	T07N R03W S7	LOT 4	SWNW	20
T07N R03W S7	LOT 3	SENW	21	T07N R04W S1	LOT 1	NENE	13
T07N R04W S1	LOT 2	NWNE	27	T07N R04W S1	LOT 4	SWNE	37
T07N R04W S1		SENE	39	T07N R04W S1	LOT 3	NENW	14
T07N R04W S1	LOT 6	NESE	18	T07N R04W S1	LOT 5	NWSE	12
T07N R04W S12		NENE	13	T07N R04W S12	LOT 2	SWNE	8

415 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

22422

03/07/2001

NOTICE OF ERROR
REPLY

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

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: 65-5755

WILLIAM T ACORD

SALT LAKE CITY UT

1021W 4800S. # F130
MURRAY, UT 84123

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: 5/11/01

SIGNATURE:

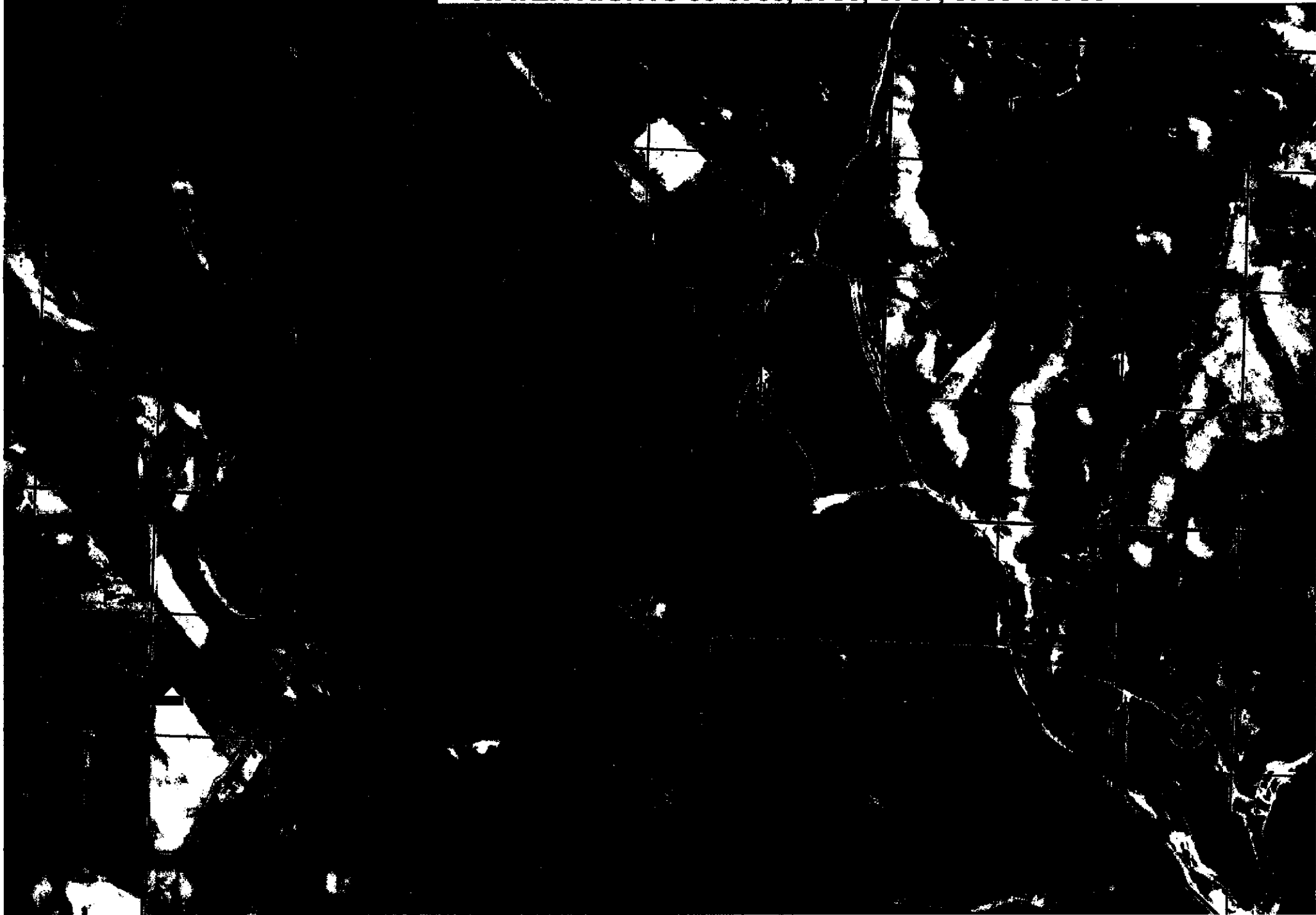
Johnny R Brown

Please print your name:

Johnny R Brown

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

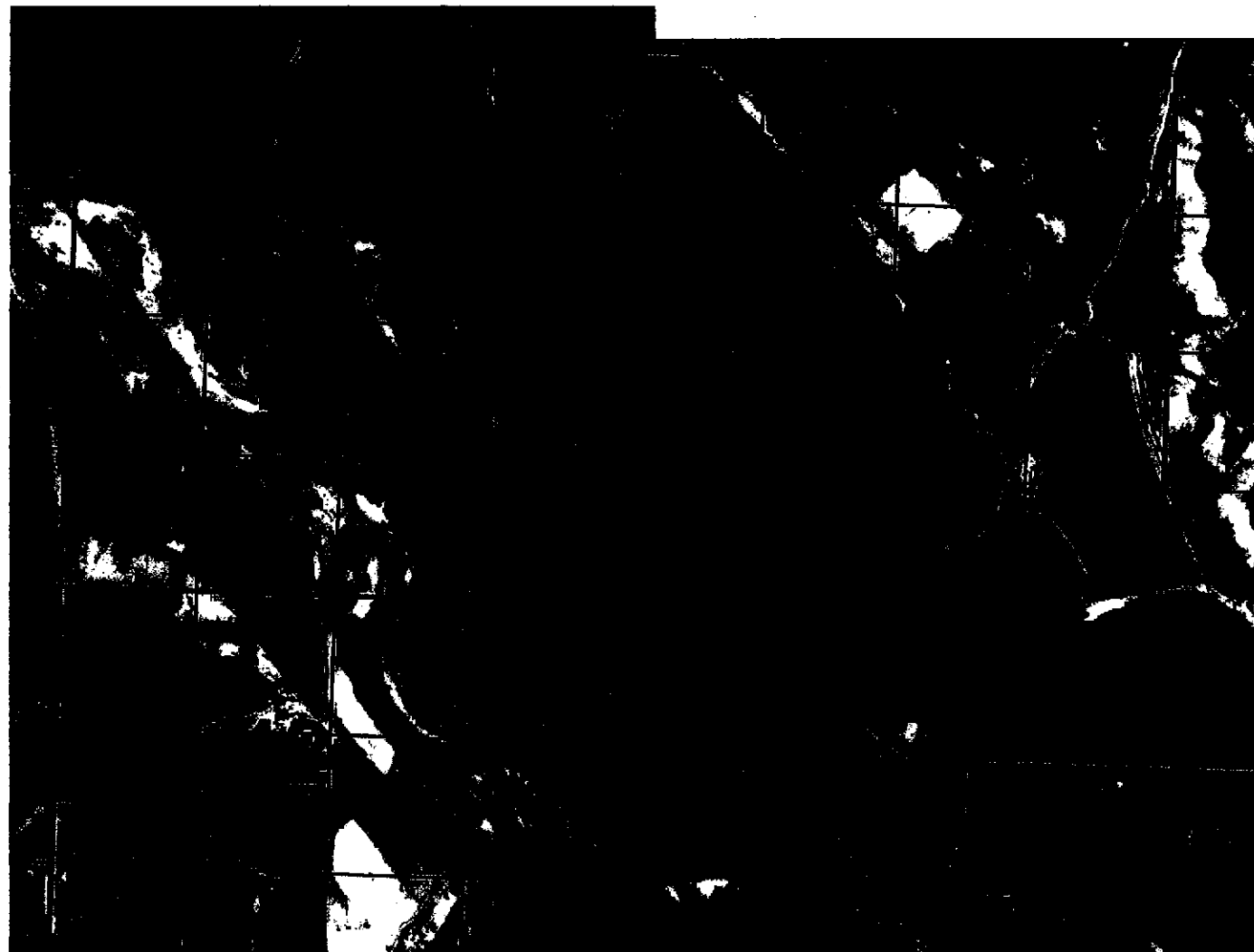
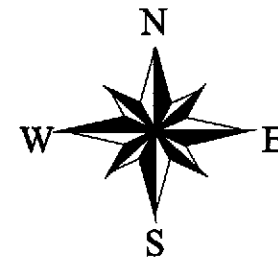
**ACORD CHAROLAIS RANCH
IRRIGATION BOUNDARY MAP
WATER RIGHTS 65-5755, 5756, 5757, 5758 & 5759**



IDAHO DEPARTMENT OF WATER RESOURCES

T07N, R03W, S6 & S7

T07N, R04W, S1 & S12



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-05755

OWNER (S): ACORD, WILLIAM

DATE: MAY 15, 2001

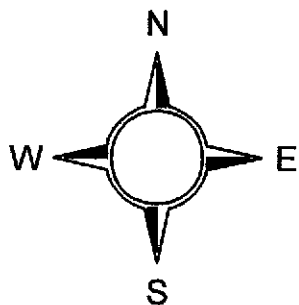
By: Mel Schulte

0 0.25 0.5 0.75 1 1.25 1.5 1.75 2 Miles



Idaho Department of Water Resources

Reviewed By:



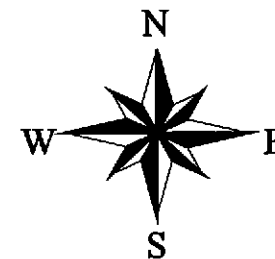
1987 Napp Photo

0 0.25 0.5 0.75 1 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

T07N, R03W, S6 & S7

T07N, R04W, S1 & S12



1987 NAPP PHOTO

● POINT OF DIVERSION

□ PLACE OF USE

□ 1/4 1/4 LINES

□ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-05755

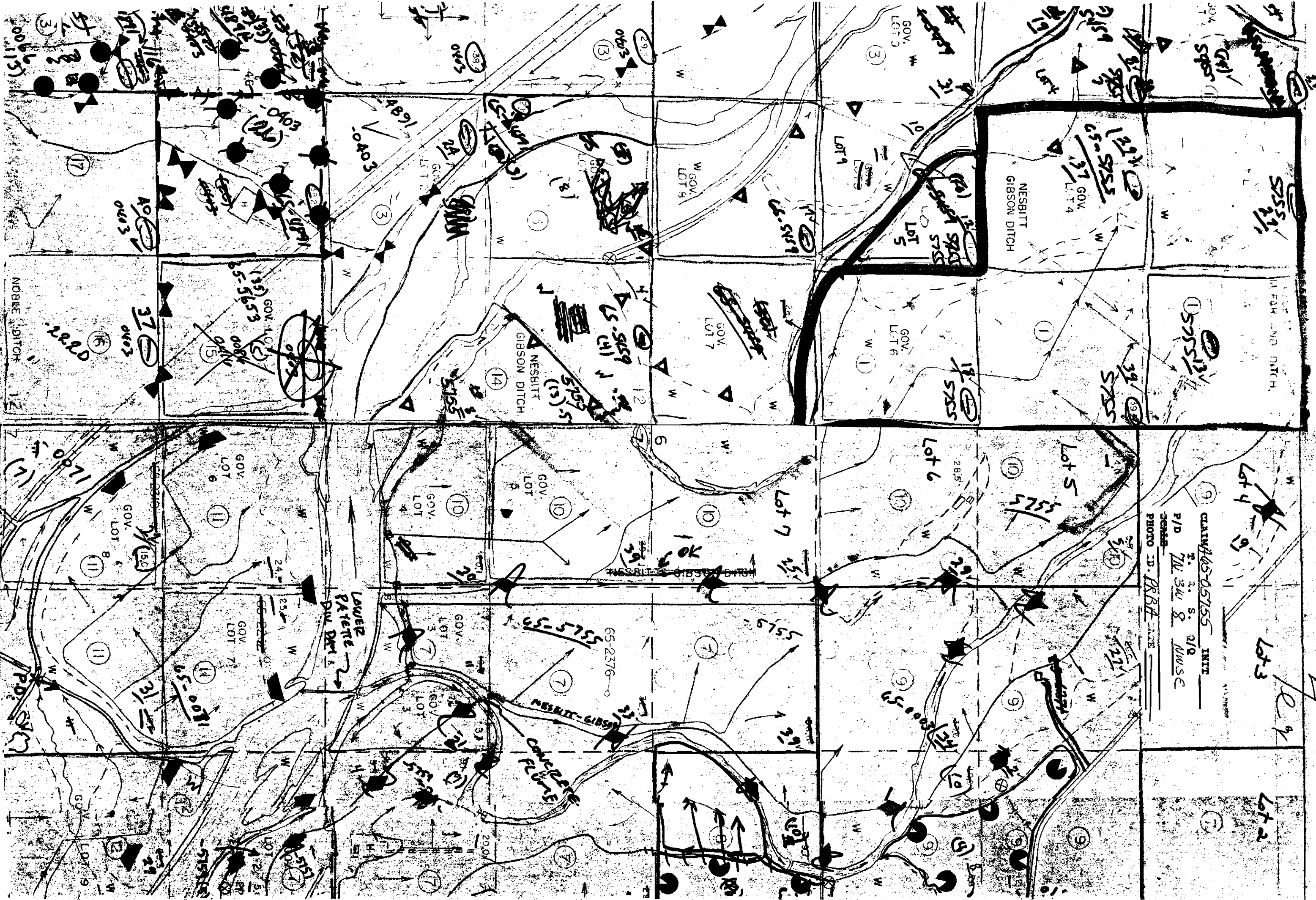
OWNER (S): ACORD, WILLIAM

DATE: MAY 15, 2001

By: Mel Schulte

0 0.25 0.5 0.75 1 1.25 1.5 1.75 2 Miles





CLAIM 65-05755 INT
T. 3. S. R. 10
P/D NW 34 8 NWSE
SCALE
PHOTO I.D. PRBH DATE

AJ0749NP
No. R65-05755

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

DATE: 01/19/00
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM T ACORD 923 EXECUTIVE PARK DR STE G SALT LAKE CITY UT 84117	05/08/1890	IRRIGATION	03-15 11-15	17.620 CFS	
					TOTAL DIVERSION:	17.620 CFS

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T07N R03W S08 Lot02(NWSE)

PAYETTE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE																		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM													
07N	03W	6	:																	:	117.0													
07N	03W	7	:				04			33	05-39	04-20	03-21							:	117.0													
07N	04W	1	:	01-13	02-27	04-37		39		03-14								06-18	05-12	:	160.0													
07N	04W	12	:		13		02-08													:	21.0													
																				TOTAL ACRES														415.0

POU County: PAYETTE

Remarks: QNT THIS RIGHT SHALL PROVIDE NO MORE THAN .037 CFS PER ACRE AT THE
FIELD HEADGATE.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:

Presumption Flag:

Comments: Date: 01/19/2000 User-ID: MSCHULTE Subject: COPIED FROM REMARKS
WATER IS DELIVERED THROUGH NESBITT-GIBSON DITCH.
A DIVERSION RATE OF .044 CFS PER ACRE FOR 111 ACRES AND .034
CFS PER ACRE FOR 304 ACRES AT THE FIELD HEADGATE IS INCLUDED IN
THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.
2.40 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES
IN DELIVERY OF THIS RIGHT.

Audit: 01/19/00 MSCHULTE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:09:05
01/13/00
19

PAGE: 19
PROFILE REPORT

CLAIM NUMBER: A65-05755

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM T ACORD	05/08/1890	IRRIGATION	03-15 11-15	17.620 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE					17.620 CFS	

~~1452.50 AFA~~ Delete

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T07N R03W S08 Lot02(NWSE)

PAYETTE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM		
07N	03W	6	:											05-24				06-29	07-25	39	:	117.0	
07N	03W	7	:											33	05-39	04-20	03-21				:	117.0	
07N	04W	1	:	01-13	02-27	04-37								03-14						06-18	05-12	:	160.0
07N	04W	12	:		13	08	8															:	21.0
																			TOTAL ACRES		415.0		

POU County: PAYETTE

Remarks: GEN CLAIM AMENDED PER STIPULATION FROM PRBA BY MTS 2/21/1996.
WATER IS DELIVERED THROUGH THE NESBITT-GIBSON DITCH.
A DIVERSION RATE OF .044 CFS PER ACRE FOR 111 ACRES AND .034 CFS
PER ACRE FOR 304 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE
RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.
2.40 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN
DELIVERY OF THIS RIGHT.
RIGHT NO 65-05758 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

QNT E28

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
(☒) TOPOGRAPHIC	DATE FIELD CHECKED <u>1971 map</u> IDWR ID NO. <u>W5</u>	Y(☒) N()
(☒) NAPP <u>GIS maps (3)</u>	DATE OF PHOTO <u>1982 map</u> IDWR ID NO. _____	Y(☒) N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
(☒) OTHER <u>GIS table</u>	DATE <u>12-3-99</u>	Y(☒) N()
(☒) OTHER <u>PRBA map</u>	DATE _____	Y(☒) N()
() OTHER _____	DATE _____	Y() N()

5a
7b, c, d

7a
7e

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
(☒) OTHER <u>POU review report</u>	DATE <u>1-13-2000</u>	<u>2</u>	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:05:50
01/13/00

PAGE: 18
QUICKLOOK INFORMATION

18
CLAIM NUMBER: A65-05755

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y		MS 1-19-2000 In office	N		MS 1-19-2000	MS 1-19-2000	
POINT OF DIV	Y			N				
SOURCE				N				
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME	Y			N				
CONSUMPTIVE USE	-			Y				
PURPOSES OF USE				N				
PERIOD OF USE				N				
BASIS OF CLAIM	Y			Y				
REMARKS	Y			Y				

BARCODE UPDATED
WHOM/DATE

WR5809NP
No. 65-05755

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/12/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM T. ACORD 1021 W. 4800 SOUTH MURRAY UT 841230000	05/08/1890	IRRIGATION	03/15 11/15	10.450 CFS	
TOTAL DIVERSION:					10.450 CFS	

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T07N R03W S08 Lot 04(NWSW) Lot 02(NWSE)

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	:	
07N	03W	6	:					:				05-24	:		06-29	07-25	39	:						:	117.0	
07N	03W	7	:				04	:	33	05-39	04-20	03-21	:					:						:	117.0	
07N	04W	1	:	01-13	02-27	04-37	39	:	03-14				:					:	06-18	05-12				:	160.0	
07N	04W	12	:	13	08			:					:					:						:	21.0	
																							TOTAL ACRES		415.0	

Pou County: PAYETTE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-00003 65-05756 65-05757 65-05758

Other Water Rights Listing Overlapping Place(s) of use:
65-05459 65-05758 65-05759

Dates:	App. Received:	Priority Date:	05/08/1890
	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 11/01/88 CURTIS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:05:50
01/13/00

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-05755

LAST: ACORD
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000

FIRST: O THAYNE
STATE: ID ZIP: 0

OWNER CODE: 0

LAST: ACORD
ADDRESS: 923 EXECUTIVE PARK DR STE G
CITY: SALT LAKE CITY
PHONE NUMBER: 208-000-0000

FIRST: WILLIAM T
STATE: UT ZIP: 841170000

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN CLAIM AMENDED PER STIPULATION FROM PRBA BY MTS 2/21/1996.
WATER IS DELIVERED THROUGH THE NESBITT-GIBSON DITCH.
A DIVERSION RATE OF .044 CFS PER ACRE FOR 111 ACRES AND .034 CFS
PER ACRE FOR 304 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE
RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.
2.40 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN
DELIVERY OF THIS RIGHT.
RIGHT NO 65-05758 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

*In office exam 1-19-2000. This claim and recommendation
is based on the 1993 Stipulation & Order filed in
the PRBA, See copy attached as Page 12a*

A. AJ CLAIM: # A65-05755 PRIORITY DATE: 05-08-1890 STAGE: J

B. WR RECORD: # 65-05755 PRIORITY DATE: 05-08-1890 STAGE: J

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

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

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

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

PROOF OF BENEFICIAL USE SUBMITTED N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE N/A(☒) Y(☐) N(☐)

LICENSE ISSUED N/A(☒) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE AD1 AND RECOMMEND AS PERMITTED.

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

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

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

NOTES: Recommended as stipulated in the PRBA.

RECOMMENDED PRIORITY DATE:

5-8-1890
REVIEWED BY Meel Schulte

DATE 1-19-2000

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-05755	07N 03W	8		NW	SE	2		PAYETTE		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A65-05756 R65-05756
A65-05757 R65-05757
A65-05758 R65-05758

WR RECORDS IN SAME 40 ACRE TRACT
65-05756
65-05757
65-05758

SOURCE: PAYETTE RIVER

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-05755	07N 03W	8		NW	SE	2		PAYETTE		
65-05755	07N 03W	8		NW	SW	4		PAYETTE		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A65-00003 R65-00003
A65-05756 R65-05756
A65-05757 R65-05757
A65-05758 R65-05758

65-05756
65-05757
65-05758

SOURCE: PAYETTE RIVER

TRIB: SNAKE RIVER

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

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

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

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

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

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

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

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

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____)

Y() N(4)

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

Y() N(4)

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: The POD is recommended as discussed in the 1993
Stipulation & Order. The WR record describes an additional
POD not shown in the stipulation.

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
07N	03W	8		NW	SE	2		PAYETTE		

SOURCE: PAYETTE RIVER

TRIB: SNAKE RIVER

REVIEWED BY:

Meel Schulte

DATE:

1-19-2000

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

CLAIM A65-05753 INIT

T. R. S. Q/Q
P/D 7N 3W 8 NWSE

SCALE

PHOTO ID. W5 DATE 1977

4871 1000m N.

4870

T. 8 N.

T. 7 N.

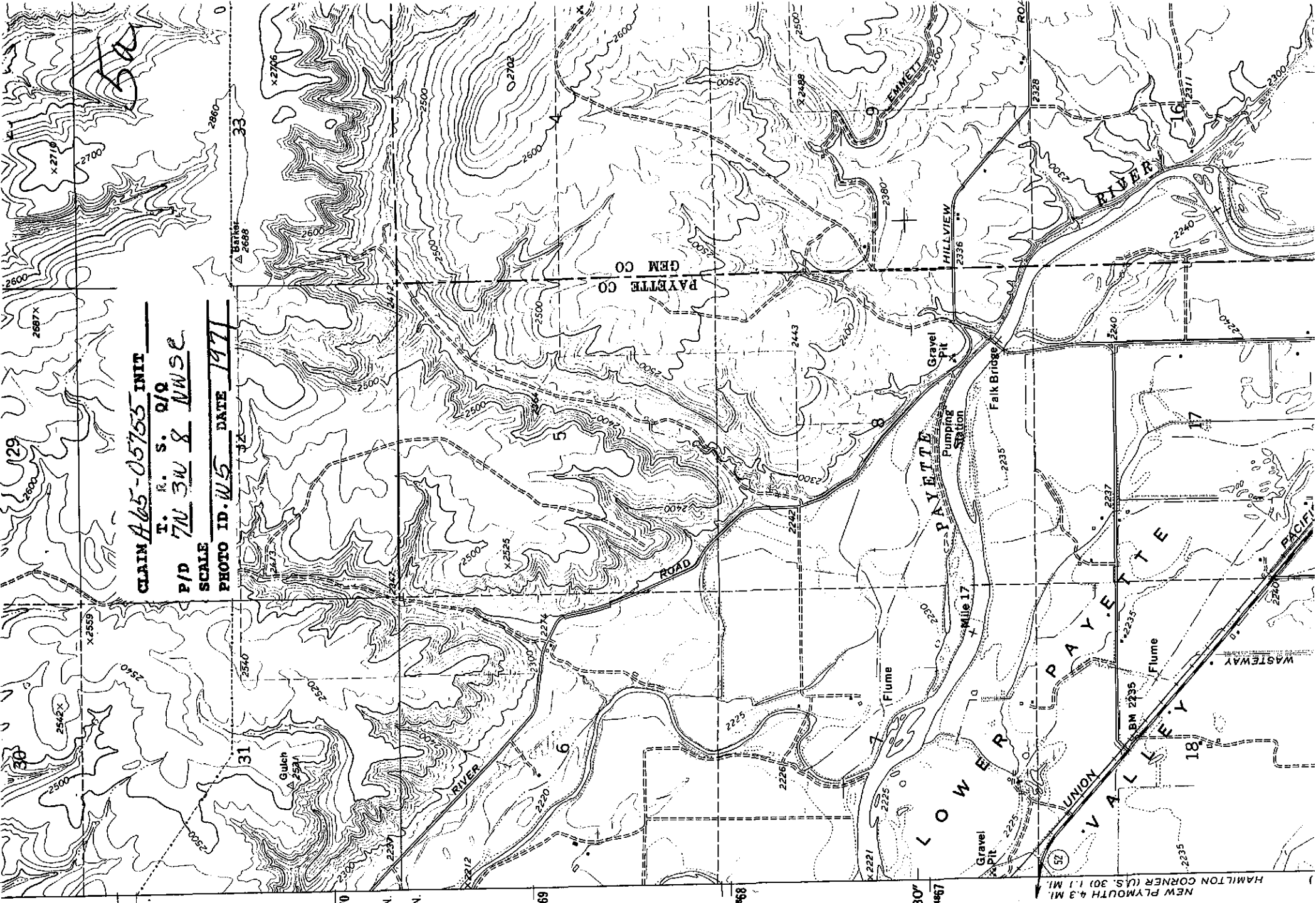
4869

4868

57°30'

4867

NEW PLYMOUTH 4.3 MI.
HAMILTON CORNER (U.S. 30) 1.1 MI.



A. ROOT WATER RIGHT NUMBERS: A65-05755
R65-05755

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	03W	6	SW	NW	5	ACORD, WILLIAM T	A65-05755 / 24.0	65-05755 / 24.0	39.0		
			SW	NW	5	NESBITT MC FARLAND COOPERATIVE	A65-00003 / 5.0	- /			
			SW	NW	5	NESBITT MC FARLAND COOPERATIVE	R65-00003 / 5.0	- /			
			SW	NW	5	ACORD, WILLIAM T	R65-05755 / 24.0	- /			24
07N	03W	6	NW	SW	6	ACORD, WILLIAM T	A65-05755 / 29.0	65-05755 / 29.0	35.0		
			NW	SW		ACORD, WILLIAM T	A65-05760 /	65-05760 /			
			NW	SW		ACORD, WILLIAM T	A65-05761 /	65-05761 /			
			NW	SW	6	ACORD, WILLIAM T	R65-05760 /	- /			
			NW	SW	6	ACORD, WILLIAM T	R65-05761 /	- /			
			NW	SW	6	ACORD, WILLIAM T	R65-05755 / 29.0	- /			29
07N	03W	6	SW	SW	7	ACORD, WILLIAM T	A65-05755 / 25.0	65-05755 / 25.0	25.0		25.0
			SW	SW	7	ACORD, WILLIAM T	R65-05755 / 25.0	- /			
07N	03W	6	SE	SW		ACORD, WILLIAM T	A65-05755 / 39.0	65-05755 / 39.0	39.0		39.0
			SE	SW		ACORD, WILLIAM T	R65-05755 / 39.0	- /			
07N	03W	7	SW	NE		ACORD, WILLIAM T	A65-05755 / 4.0	65-05755 / 4.0	39.0		
			SW	NE		ACORD, WILLIAM T	R65-05762 /	65-05762 /			
			SW	NE		ACORD, WILLIAM T	R65-05764 /	65-05764 /			
			SW	NE		ACORD, WILLIAM T	R65-05758 / 20.0	65-05758 / 20.0			
			SW	NE		ACORD, WILLIAM T	R65-05759 / 9.0	65-05759 / 9.0			
			SW	NE		ACORD, WILLIAM T	A65-05759 / 9.0	- /			
			SW	NE		ACORD, WILLIAM T	R65-05755 / 4.0	- /			
			SW	NE		ACORD, WILLIAM T	A65-05762 /	- /			
			SW	NE		ACORD, WILLIAM T	A65-05764 /	- /			
			SW	NE		ACORD, WILLIAM T	A65-05758 / 20.0	- /			
07N	03W	7	NE	NW		ACORD, WILLIAM T	A65-05755 / 33.0	65-05755 / 33.0	38.0		
			NE	NW		ACORD, WILLIAM T	R65-05755 / 33.0	- /			33
07N	03W	7	NW	NW	5	ACORD, WILLIAM T	A65-05755 / 39.0	65-05755 / 39.0	32.0		
			NW	NW	5	ACORD, WILLIAM T	R65-05755 / 39.0	- /			
07N	03W	7	SW	NW	4	ACORD, WILLIAM T	A65-05755 / 20.0	65-05755 / 20.0	26.0		
			SW	NW		FAUSETT, HAROLD	A65-05477 /	65-05477 /			
			SW	NW		FAUSETT, HAROLD	65-05477 /	- /			
			SW	NW	4	ACORD, WILLIAM T	R65-05755 / 20.0	- /			20
07N	03W	7	SE	NW	3	ACORD, WILLIAM T	A65-05755 / 21.0	65-05755 / 21.0	33.0		
			SE	NW	3	ACORD, WILLIAM T	R65-05755 / 21.0	- /			21

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	04W	1	NE	NE	1	ACORD, WILLIAM T	A65-05755 / 13.0	65-05755 / 13.0	35.0		13
			NE	NE		NEUTZE, ALVIN	A65-04692 /	65-04692 /			
			NE	NE		NEUTZE, ALVIN	65-04692 /	- /			
			NE	NE	1	ACORD, WILLIAM T	R65-05755 / 13.0	- /			
07N	04W	1	NW	NE	2	ACORD, WILLIAM T	A65-05755 / 27.0	65-05755 / 27.0	39.0		27
			NW	NE	2	ACORD, WILLIAM T	R65-05755 / 27.0	- /			
07N	04W	1	SW	NE	4	ACORD, WILLIAM T	A65-05755 / 37.0	65-05755 / 37.0	40.0		37
			SW	NE	4	ACORD, WILLIAM T	R65-05755 / 37.0	- /			
07N	04W	1	SE	NE		ACORD, WILLIAM T	A65-05755 / 39.0	65-05755 / 39.0	41.0		39
			SE	NE		ACORD, WILLIAM T	R65-05755 / 39.0	- /			
07N	04W	1	NE	NW	3	ACORD, WILLIAM T	A65-05755 / 14.0	65-05755 / 14.0	32.0		14
			NE	NW	3	ACORD, WILLIAM T	R65-05755 / 14.0	- /			
07N	04W	1	NE	SE	6	ACORD, WILLIAM T	A65-05755 / 18.0	65-05755 / 18.0	35.0		18
			NE	SE	6	ACORD, WILLIAM T	R65-05755 / 18.0	- /			
07N	04W	1	NW	SE	5	ACORD, WILLIAM T	A65-05755 / 12.0	65-05755 / 12.0	20.0		12
			NW	SE	5	ACORD, WILLIAM T	R65-05755 / 12.0	- /			
07N	04W	12	NE	NE		ACORD, WILLIAM T	A65-05755 / 13.0	65-05755 / 13.0			13
			NE	NE		ACORD, WILLIAM T	R65-05755 / 13.0	- /			
			NE	NE		SIMPLLOT COMPANY, J R	R65-05459A / 4.0	- /			
			NE	NE		SIMPLLOT COMPANY, J R	A65-05459A / 4.0	- /			
			NE	NE		INTERWEST INSURANCE CO.		65-05459 / 4.0			
07N	04W	12	NW	NE		ACORD, WILLIAM T	A65-05755 / 8.0	65-05755 / 8.0			0
			NW	NE		ACORD, WILLIAM T	R65-05755 / 8.0	- /			
			NW	NE		SIMPLLOT COMPANY, J R	A65-05459A / 1.0	- /			
			NW	NE		SIMPLLOT COMPANY, J R	R65-05459A / 1.0	- /			
			NW	NE		INTERWEST INSURANCE CO.		65-05459 / 1.0			

ADDITIONAL POU FOUND

12, SWNE

8

TOTAL ACRES A65-05755 415.00 415.00 548.00

POU COUNTY: PAYETTE

415

IDWR - WESTERN REGION

7a

CONTRACTOR: Karan Waters

CLAIM #: 65-05755 Date: 12-3-99

CLAIMANT(s): Accord, William

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	07N	3W	6							05- 24			06- 29	07- 25	39					117
GIS										05- 24			06- 29	07- 25	39					117
Claim	7N	3W	7			4		33	05- 39	04- 20	03- 21									117
GIS						4		33	39	20	21									117
Claim	7N	4W	1	01- 13	02- 27	04- 37	39	03- 14								06- 18	05- 12			160
GIS				13	27	37	*	14								18	12			161
Claim	7N	4W	12	13	8															21
GIS				04- 13	* 8															

POU_ID #(s): 90, 91

POD_ID #(s): 49

Total Claimed Acres: 415

Total GIS Acres: 416

COMMENTS:

7N4W S1 NESE 40 acres digitized

7N4W S12 NWNE - There is just not an 8 acre parcel showing to match the claim. The PRBA blueprints have scribbled out this claim # in the NWNE but there is an 8 acre parcel shown for this claim in the SWNE on the blueprints and also William Accord happens to own it. The land in NWNE is owned but not claimed by Simplot. I decided to go with PRBA blueprints and digitized the 8 acres in the SWNE.

7b

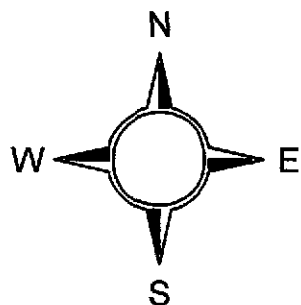
Idaho Department of Water Resources

Claim Number: 65-05755

Legal: T07N, R03W, S6 & 7,
T07N, R04W, S1 & 12

Reviewed By:

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



1987 Napp Photo

0 0.25 0.5 0.75 1 Miles

A scale bar with markings for 0, 0.25, 0.5, 0.75, and 1 mile. The bar is divided into segments corresponding to these distances.

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
A65-05755	PAYETTE RIVER	ACORD, WILLIAM T	17.620	0.042		
A65-00003	PAYETTE RIVER	NESBITT MC FARLAND COOPERATIVE	11.070	0.043		
R65-00003	PAYETTE RIVER	NESBITT MC FARLAND COOPERATIVE	11.070	0.043		
A65-05459A	PAYETTE RIVER	SIMPLOT COMPANY, J R	27.350	0.035		
R65-05459A	PAYETTE RIVER	SIMPLOT COMPANY, J R	27.350	0.035		
R65-05755	PAYETTE RIVER	ACORD, WILLIAM T	17.620	0.042		
R65-05758	PAYETTE RIVER	ACORD, WILLIAM T	6.850	0.039		
A65-05758	PAYETTE RIVER	ACORD, WILLIAM T	6.850	0.039		
A65-05759	PAYETTE RIVER	ACORD, WILLIAM T	0.650	0.046		
R65-05759	PAYETTE RIVER	ACORD, WILLIAM T	0.650	0.046		

No overlaps

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-05760	DOMESTIC	ACORD, WILLIAM T	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-05760	STOCKWATER	ACORD, WILLIAM T	FROM 01-01 TO 12-31	0.040 CFS	14.00 AF/A
A65-05761	DOMESTIC	ACORD, WILLIAM T	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-05761	STOCKWATER	ACORD, WILLIAM T	FROM 01-01 TO 12-31	0.040 CFS	14.00 AF/A
R65-05760	DOMESTIC	ACORD, WILLIAM T	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
R65-05760	STOCKWATER	ACORD, WILLIAM T	FROM 01-01 TO 12-31	0.040 CFS	14.00 AF/A
R65-05761	DOMESTIC	ACORD, WILLIAM T	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
R65-05761	STOCKWATER	ACORD, WILLIAM T	FROM 01-01 TO 12-31	0.040 CFS	14.00 AF/A
R65-05762	DOMESTIC	ACORD, WILLIAM T	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
R65-05762	STOCKWATER	ACORD, WILLIAM T	FROM 01-01 TO 12-31	0.230 CFS	14.00 AF/A
R65-05764	DOMESTIC	ACORD, WILLIAM T	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
R65-05764	STOCKWATER	ACORD, WILLIAM T	FROM 01-01 TO 12-31	0.230 CFS	14.00 AF/A
A65-05762	DOMESTIC	ACORD, WILLIAM T	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-05762	STOCKWATER	ACORD, WILLIAM T	FROM 01-01 TO 12-31	0.230 CFS	14.00 AF/A
A65-05764	DOMESTIC	ACORD, WILLIAM T	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-05764	STOCKWATER	ACORD, WILLIAM T	FROM 01-01 TO 12-31	0.230 CFS	14.00 AF/A
A65-05477	DOMESTIC	FAUSETT, HAROLD	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-05477	DOMESTIC	FAUSETT, HAROLD	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-04692	DOMESTIC	NEUTZE, ALVIN	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-04692	DOMESTIC	NEUTZE, ALVIN	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A

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(✓)

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

(☒) ^{GIS} NAPP, IDWR NO. _____; () ASCS PHOTO; (☒) OTHER PRBA map.

NOTES: Recommended as stipulated in the PRBA except for the NWNE, S12, 7N, 4W. The claimant does not own this parcel and there appears to be 8 acres in the SWNE, S12. He does own that should be part of this right. This recommendation will correct what appears to be an error in the legals described above.

RECOMMENDATIONS:

TOTAL ACRES: 415 N/A()

REVIEWED BY: Meel Schulte

DATE: 1-19-2000

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-05755 IRRIGATION	FROM 03-15 TO 11-15	17.620 CFS	
TOTAL DIVERSION RATE/VOLUME		17.620 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-05755 IRRIGATION	FROM 03-15 TO 11-15	10.450 CFS	
TOTAL DIVERSION RATE/VOLUME		10.450 CFS	

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

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

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☐) N(☒)G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☐) N(☒)

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

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

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

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

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

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

NOTES: *Recommended as stipulated in the PRBA, see
attached page 12a*

12a

LARRY ECHOHAWK
Attorney General

DANIEL L. STECKEL
Deputy Attorney General
Department of Water Resources
Statehouse
Boise, Idaho 83720-9000
(208) 327-7900

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	)	CIVIL NO. 3667
TO THE USE OF SURFACE AND	)	
GROUNDWATERS OF THE PAYETTE	)	STIPULATION RESOLVING
RIVER DRAINAGE BASIN	)	OBJECTIONS TO WATER
	)	RIGHT NOS. 65-05757,
	)	65-05758, 65-05755,
	)	65-05759, 65-05756

The Director of the Idaho Department of Water Resources, R. Keith Higginson, by and through counsel, and William T. Acord stipulate as follows:

1. That water right claim No(s). 65-05757, 65-05758, 65-05755, 65-05759, 65-05756 be accepted and included in the Proposed Finding of Water Rights in the Payette River Drainage as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

2. That William T. Acord withdraws all pending objections, including those based on the objection filed by Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown in July 1982, in the above captioned matter.

DATED this _____ day of _____, 1993.

LARRY ECHOHAWK
Attorney General

DANIEL L STECKEL
Deputy Attorney General
Department of Water Resources

DATED THIS 18th day of February, 1993.



WILLIAM T. ACORD

The above stipulation having come before the court, it is
hereby approved this _____ day of _____, 1993.

JAMES R. DOOLITTLE
District Judge

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: PAYETTE RIVER			TRIBUTARY: SNAKE RIVER			
65-05755	WILLIAM T. ACORD 923 EXECUTIVE PARK DR STE G SALT LAKE CITY UT 84117	05/08/1890	IRRIGATION	03-15 11-15	17.62	CFS BENEFICIAL USE
					TOTAL QUANTITY: CONSUMPTIVE USE:	17.62 1452.5 CFS AFY
POINT OF DIVERSION: T07N R03W S08 LOT 2 (NWSE)						
PLACE OF USE: IRRIGATION						
T07N R03W S06 Lot 5 (SWNW)24.0 Lot 6 (NWSW)29.0 Lot 7 (SWSW)25.0 SESW 39.0						
S07 SWNE 4.0 NENW 33.0 Lot 5 (NWNW)39.0 Lot 4 (SWNW)20.0						
Lot 3 (SENE)21.0						
R04W S01 Lot 1 (NENE)13.0 Lot 2 (NWNE)27.0 Lot 4 (SWNE)37.0 SENE 39.0						
Lot 3 (NENW)14.0 Lot 6 (NESE)18.0 Lot 5 (NWSE)12.0						
S12 NENE 13.0 NWNE 8.0						
415.0 ACRES TOTAL						
REMARKS: WATER IS DELIVERED THROUGH NESBITT-GIBSON DITCH.						
A DIVERSION RATE OF .044 CFS PER ACRE FOR 111 ACRES AND .034						
CFS PER ACRE FOR 304 ACRES AT THE FIELD HEADGATE IS INCLUDED IN						
THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.						
2.40 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES						
IN DELIVERY OF THIS RIGHT.						
RIGHT NO. 65-05758 IS ALSO DIVERTED THROUGH POINT OF DIVERSION						
DESCRIBED ABOVE.						
65-05759	WILLIAM T. ACORD 923 EXECUTIVE PARK DR STE G SALT LAKE CITY UT 84117	06/01/1920	IRRIGATION	03-15 11-15	.65	CFS BENEFICIAL USE
					TOTAL QUANTITY: CONSUMPTIVE USE:	.65 49.0 CFS AFY
POINT OF DIVERSION: T07N R03W S07 LOT 2 (NWSE)						
PLACE OF USE: IRRIGATION						
T07N R03W S07 SWNE 9.0 Lot 2 (NWSE) 5.0						
14.0 ACRES TOTAL						
REMARKS: A DIVERSION RATE OF .044 CFS PER ACRE FOR 10 ACRES AND .034						
CFS PER ACRE FOR 4 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE						
RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.						
0.07 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES						
IN DELIVERY OF THIS RIGHT.						

MICROFILMED
OCT 21 1996

AJ CLAIM TOTAL DIVERSION RATE: 17.620 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 10.450 CFS

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

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

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

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

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

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

E. FLOW MEASUREMENT

MEASUREMENT METHOD None, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 415 x 0.02 CFS/ACRE = 8.30 CFS
(Taken from pou review)

1b. CALCULATIONS

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 1452.5 AF/A NA

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

TOTAL CONSUMPTIVE USE _____ AF/A

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

NOTES: *Recommended as stipulated in the PRBA.*

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (☒)

REC. PURPOSE OF USE	REC. PERIOD FROM TO		REC. DIV RATE CFS		REC. DIV VOL. AF/A		REC. CONS. USE	
			DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
IRRIGATION	03-15	11-15	17.620				4452.5	NA
TOTAL FOR THIS RIGHT			17.620				4452.5	NA

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: Meel Schulte DATE: 1-19-2000

FLAG: _____
STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE):

QNT-E28

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(<u>L</u>)	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

NA

ROOT WATER RIGHT NUMBER: 65-05755

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
10.450

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-05755	17.620	R65-05755	17.620	65-05755	10.450
TOTAL CFS		17.620		17.620		10.450

DIVERSION RATE REVIEW

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

DATABASE
N
FIELD
EXAMINER
Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE:

Meel Schulte

DATE:

1-19-2000

NAME OF FIELD EXAMINER:

TITLE:

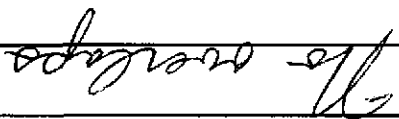
OPTION: IRRIGATION USES ONLY

ADJUDICATION CLAIM NUMBER: A65-05755

PAGE: 1

B. POU LISTING

A. ROOT WATER RIGHT NUMBERS:

A65-05755
R65-05755

TWP	RNG	SEC	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
07N	03W	6	SW	NW	ACORD, WILLIAM T	A65-05755 /01/24.0	65-05755 /01/24.0	39.0
			SW	NW	NESBITT MC FARLAND COOPERATIVE	5.0	-	/
			SW	NW	NESBITT MC FARLAND COOPERATIVE	5.0	-	/
			SW	NW	ACORD, WILLIAM T	5	-	/
			SW	NW	ACORD, WILLIAM T	5	-	/
07N	03W	6	NW	SW	ACORD, WILLIAM T	A65-05755 /01/29.0	65-05755 /01/29.0	35.0
			NW	SW	ACORD, WILLIAM T	6	-	/
07N	03W	6	SW	SW	ACORD, WILLIAM T	A65-05755 /01/25.0	65-05755 /01/25.0	25.0
			SW	SW	ACORD, WILLIAM T	7	-	/
07N	03W	6	SE	SE	ACORD, WILLIAM T	A65-05755 /01/39.0	65-05755 /01/39.0	39.0
			SE	SE	ACORD, WILLIAM T	6	-	/
07N	03W	7	SW	NE	ACORD, WILLIAM T	A65-05755 /01/ 4.0	65-05755 /01/ 4.0	39.0
			SW	NE	ACORD, WILLIAM T	R65-05758 /01/20.0	65-05758 /01/20.0	
			SW	NE	ACORD, WILLIAM T	R65-05759 /01/ 9.0	65-05759 /01/ 9.0	
			SW	NE	ACORD, WILLIAM T	R65-05759 /01/ 9.0	65-05759 /01/ 9.0	
			SW	NE	ACORD, WILLIAM T	R65-05755 /01/ 4.0	65-05755 /01/ 4.0	
			SW	NE	ACORD, WILLIAM T	R65-05758 /01/20.0	65-05758 /01/20.0	
			SW	NE	ACORD, WILLIAM T	R65-05759 /01/ 9.0	65-05759 /01/ 9.0	
			SW	NE	ACORD, WILLIAM T	R65-05755 /01/20.0	65-05755 /01/20.0	
07N	03W	7	NE	NW	ACORD, WILLIAM T	A65-05755 /01/33.0	65-05755 /01/33.0	38.0
			NE	NW	ACORD, WILLIAM T	ACORD, WILLIAM T	-	/
			NW	NW	ACORD, WILLIAM T	A65-05755 /01/39.0	65-05755 /01/39.0	32.0
			NW	NW	ACORD, WILLIAM T	5	-	/
07N	03W	7	SW	NW	ACORD, WILLIAM T	A65-05755 /01/20.0	65-05755 /01/20.0	26.0
			SW	NW	ACORD, WILLIAM T	4	-	/
07N	03W	7	SE	NW	ACORD, WILLIAM T	A65-05755 /01/21.0	65-05755 /01/21.0	33.0
			SE	NW	ACORD, WILLIAM T	3	-	/
07N	04W	1	NE	NE	ACORD, WILLIAM T	A65-05755 /01/13.0	65-05755 /01/13.0	35.0
			NE	NE	ACORD, WILLIAM T	1	-	/
07N	04W	1	NW	NE	ACORD, WILLIAM T	A65-05755 /01/27.0	65-05755 /01/27.0	39.0
			NW	NE	ACORD, WILLIAM T	2	-	/
07N	04W	1	SW	NE	ACORD, WILLIAM T	A65-05755 /01/37.0	65-05755 /01/37.0	40.0
			SW	NE	ACORD, WILLIAM T	4	-	/

OPTION: IRRIGATION USES ONLY

ADJUDICATION CLAIM NUMBER: A65-05755

PAGE: 2

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
07N	04W	1	SE	NE		ACORD, WILLIAM T	A65-05755 /01/39.0	65-05755 /01/39.0	41.0
			SE	NE		ACORD, WILLIAM T	R65-05755 /01/39.0	- / /	
07N	04W	1	NE	NW	3	ACORD, WILLIAM T	A65-05755 /01/14.0	65-05755 /01/14.0	32.0
			NE	NW	3	ACORD, WILLIAM T	R65-05755 /01/14.0	- / /	
07N	04W	1	NE	SE	6	ACORD, WILLIAM T	A65-05755 /01/18.0	65-05755 /01/18.0	35.0
			NE	SE	6	ACORD, WILLIAM T	R65-05755 /01/18.0	- / /	
07N	04W	1	NW	SE	5	ACORD, WILLIAM T	A65-05755 /01/12.0	65-05755 /01/12.0	20.0
			NW	SE	5	ACORD, WILLIAM T	R65-05755 /01/12.0	- / /	
07N	04W	12	NE	NE		ACORD, WILLIAM T	A65-05755 /01/13.0	65-05755 /01/13.0	20.0
			NE	NE		ACORD, WILLIAM T	R65-05755 /01/13.0	- / /	
			NE	NE		SIMPLOT COMPANY, J R	R65-05459A /01/ 4.0	- / /	
			NE	NE		SIMPLOT COMPANY, J R	A65-05459A /01/ 4.0	- / /	
			NE	NE		INTERWEST INSURANCE CO.		65-05459 /01/ 4.0	
07N	04W	12	NW	NE		ACORD, WILLIAM T	A65-05755 /01/ 8.0	65-05755 /01/ 8.0	20.0
			NW	NE		ACORD, WILLIAM T	R65-05755 /01/ 8.0	- / /	
			NW	NE		SIMPLOT COMPANY, J R	A65-05459A /01/ 1.0	- / /	
			NW	NE		SIMPLOT COMPANY, J R	R65-05459A /01/ 1.0	- / /	
			NW	NE		INTERWEST INSURANCE CO.		65-05459 /01/ 1.0	
TOTAL ACRES							A65-05755	415.00	415.00 588.00

POU COUNTY: PAYETTE

AJ5809NP
No. R65-05755

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/21/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM T ACORD 923 EXECUTIVE PARK DR STE G SALT LAKE CITY UT 84117	05/08/1890	IRRIGATION	03-15 11-15	17.62 CFS	
TOTAL DIVERSION:					17.62 CFS	
CONSUMPTIVE USE:						1452.50 AFA

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T07N R03W S08 Lot02(NWSE)

PAYETTE County

Place of use Legal Description for: IRRIGATION

NE										NW										SW										SE										
T	R	S	NENE		NWNE		SWNE		SENE		NENW		NWNW		SNNW		SENE		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	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac								
07N	03W	6	:								:								:															117.0						
07N	03W	7	:					04			:	33	05-39	04-20	03-21				:															117.0						
07N	04W	1	:	01-13	02-27	04-37			39		:	03-14							:							06-18	05-12							160.0						
07N	04W	12	:	13	08						:								:															21.0						
																														TOTAL ACRES	415.0									

POU County: PAYETTE

Other Water Rights with Same Point(s) of Diversion and Source:

A65-05755 A65-05756 A65-05757 A65-05758 R65-05756 R65-05757 R65-05758

Remarks: WATER IS DELIVERED THROUGH NESBITT-GIBSON DITCH.
A DIVERSION RATE OF .044 CFS PER ACRE FOR 111 ACRES AND .034
CFS PER ACRE FOR 304 ACRES AT THE FIELD HEADGATE IS INCLUDED IN
THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.
2.40 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES
IN DELIVERY OF THIS RIGHT.
RIGHT NO. 65-05758 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

Dates: Exam Made Date: Verified Date:

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

Audit: 08/20/92 SHAFF 12/24/92 SHAFF 01/07/93 SHAFF 01/12/93 SHAFF
03/30/95 POST-STD

MICROFILMED
OCT 21 1996

♦ MEMORANDUM

April 6, 1995

TO: Any PRBA Claim with a Stipulation
FROM: RON HOWERTON

RE: RECOMMENDATIONS/STIPULATION

I. CONVERSATION WITH DON SHAFF:

1. Met with Don 4/5/95 at S.O. on how to proceed with "R" file recommendations.
2. Don re-confirmed that the stipulation amends the "A" claim, thus for the split ownership of this right both the "A" and "R" files can be completed.
3. He said that because of the stipulation no field exam is needed, nor do I need to print a CVR. In place of the CVR I'm to print out a profile report with comments pertaining to the stipulation.
4. I asked him if the copy of the stipulation he gave me had enough signatures on it to make the recommendation? He said yes.

II. CONVERSATION WITH JEFF PEPPERSACK

1. Met with Jeff 4/5/95 at S.O. asked if he had any paperwork pertaining to how much water was recommended for this right. He said that he thought Dan Steckel had all of it.

III. CONVERSATION WITH DAN STECKEL

1. Called Dan at S.O. 4/6/95 asked if he had the paperwork that showed how much water was to be recommended for this right. He said Don had it in his Boyd Jackson's file.

IV. CONVERSATION WITH DON SHAFF

1. Called Don at S.O. 4/6/95 asked him if he had the paperwork for the amount of water recommended? He said yes he did. He said that eventually that file would come over to Western. I asked if I needed to put the paperwork showing how much water was to be recommended in that file? He said yes, but it may be several months before he would send that file to us. So I asked was it necessary for me to have it to make the "R" file recommendation? He said no, proceed with the recommendations.

May 23, 1995

SPRING MEETING WITH DAVE SHAW & HIS ATTORNEYS:
Ref: OWNERSHIP CHANGES

1. Dan Steckel said that after an ownership change has been made, he needs a copy of the Ownership Change when completed. He doesn't need a copy of the claim.
2. During our conversation with Dave Shaw and Don Shaff, the Attorney's were in agreement that the stipulation's we have copies of now can be used to amend the "A" claim the same way as a Transfer would.
3. A recently licensed permit can also be used to amend the claim with an ownership change with an added requirement. A letter must accompany the ownership changed claim, stating that the claimed permit was licensed since this claim was filed, the claim has been revised to correspond to the licensing. If they have any difficulty with this clarification, they need to contact our office within 30 days of the letter. The claim is given a "T" status for the 30 day period.

MICROFILMED

OCT 21 1996

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

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

65-02847

- 05755 through 05759

- 00003

- 04982

- 04615

- 11269

- 11212

- 02019

- 00165 A

- " B

- " C

- " X

- 07425

- 07428

- 07848

- 12756

- 05459

- 11258

- 05921

- 08627

- 11261

- 11255

65-03617

- 07461

- 02809

- 00486

- 10505

- 06037

- 04298

- 05817

- 06591

- 12623

- 00072

- 11061

— Steve Lester

1/21/93

MICROFILMED

AUG 03 1994

* From about Gardiner to
Frontland stretch of river.

09\19\78 D.R.T.

* MACALLISTER'S MODIFICATION OF MORITZ *
* LOSS CALCULATION FOR *
* THE NESBITT-GIBSON DITCH *
* WATER RIGHT NO. 65-5755 *

Q DIVERTED: 10.45 CFS
Q DELIVERED: 8.30
PERCENTAGE LOSS: 25.9

TYPE OF SOIL: SANDY LOAM
SOIL CONSTANT= 1.50 (FEET/DAY)
LENGTH OF HEAD OF DITCH: 1.40
LENGTH OF DELIVERY SECTION: 1.40

LOSS TABLE FOR HEAD OF DITCH

MILE	Q (CFS)	LOSS (CFS)
1.00	9.60	.85
1.40	9.27	.33

LOSS TABLE FOR DELIVERY

MILE	Q (CFS)	LOSS (CFS)	Q DELIVERED (CFS)
1.00	2.54	.80	5.93
1.40	.00	.17	2.37

$$1868 (1.259) = 2351.8 \text{ AFA}$$

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

IDENT. NO.

MAP NO.

TO A

WATER RIGHT

65-5753
(NESBITT GIBSON DITCH)

Notice is hereby given that O. THAYNE ACORN

(Name of Claimant)

1900 West 3500 South, Salt Lake City, Utah 84119, 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) 5/8/1890

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

(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)

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

Use Period of Use From To
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

Use Period of Use From To
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

(4) Quantity of water claimed: 8.42 Cubic Feet Per Second, or 7805 Acre Feet Per Annum, and/or Gals. Per Minute.

(5) A) Point of Diversion: Give location of point where water is diverted from its source NW 1/4 Sec. 8, Twp. 7N, Rge. 3W, B.M.; additional points: LOT 2, S. 8, 7N 3W

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.

gravity ditch

(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	
7N	3W	7			4		33	39	20	21									117.0
		6																	119.0
7N	4W	1	13	15	27	39	14								18	12			160.0
		12	13	15	27	39	14												21 25.0

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

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

(9) Remarks Post notice (dated May 8, 1890) A. Hached. Book 2, Pg. 97, Water rights, Ada County

(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.:

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

11/17/1972 (Date)

O. Thayne Acorn (Signature of Claimant)

State of Idaho

Organization

County of Ada

(Signature of Authorized Agent)

On this 17 day of November in the year 1972, before me, a notary public, personally appeared O. Thayne Acorn 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 Boise, Idaho

My commission expires 7/29/1975

Yes Nesbitt
Gibson
(lower canal)

2.1

LARRY ECHOHAWK
Attorney General

DANIEL L. STECKEL
Deputy Attorney General
Department of Water Resources
Statehouse
Boise, Idaho 83720-9000
(208) 327-7900

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	)	CIVIL NO. 3667
TO THE USE OF SURFACE AND	)	
GROUNDWATERS OF THE PAYETTE	)	STIPULATION RESOLVING
RIVER DRAINAGE BASIN	)	OBJECTIONS TO WATER
	)	RIGHT NOS. 65-05757,
	)	65-05758, 65-05755,
	)	65-05759, 65-05756

The Director of the Idaho Department of Water Resources, R. Keith Higginson, by and through counsel, and William T. Acord stipulate as follows:

1. That water right claim No(s). 65-05757, 65-05758, 65-05755, 65-05759, 65-05756 be accepted and included in the Proposed Finding of Water Rights in the Payette River Drainage as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

2. That William T. Acord withdraws all pending objections, including those based on the objection filed by Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown in July 1982, in the above captioned matter.

DATED this _____ day of _____, 1993.

LARRY ECHOHAWK
Attorney General

DANIEL L STECKEL
Deputy Attorney General
Department of Water Resources

DATED THIS 18th day of February, 1993.



WILLIAM T. ACORD

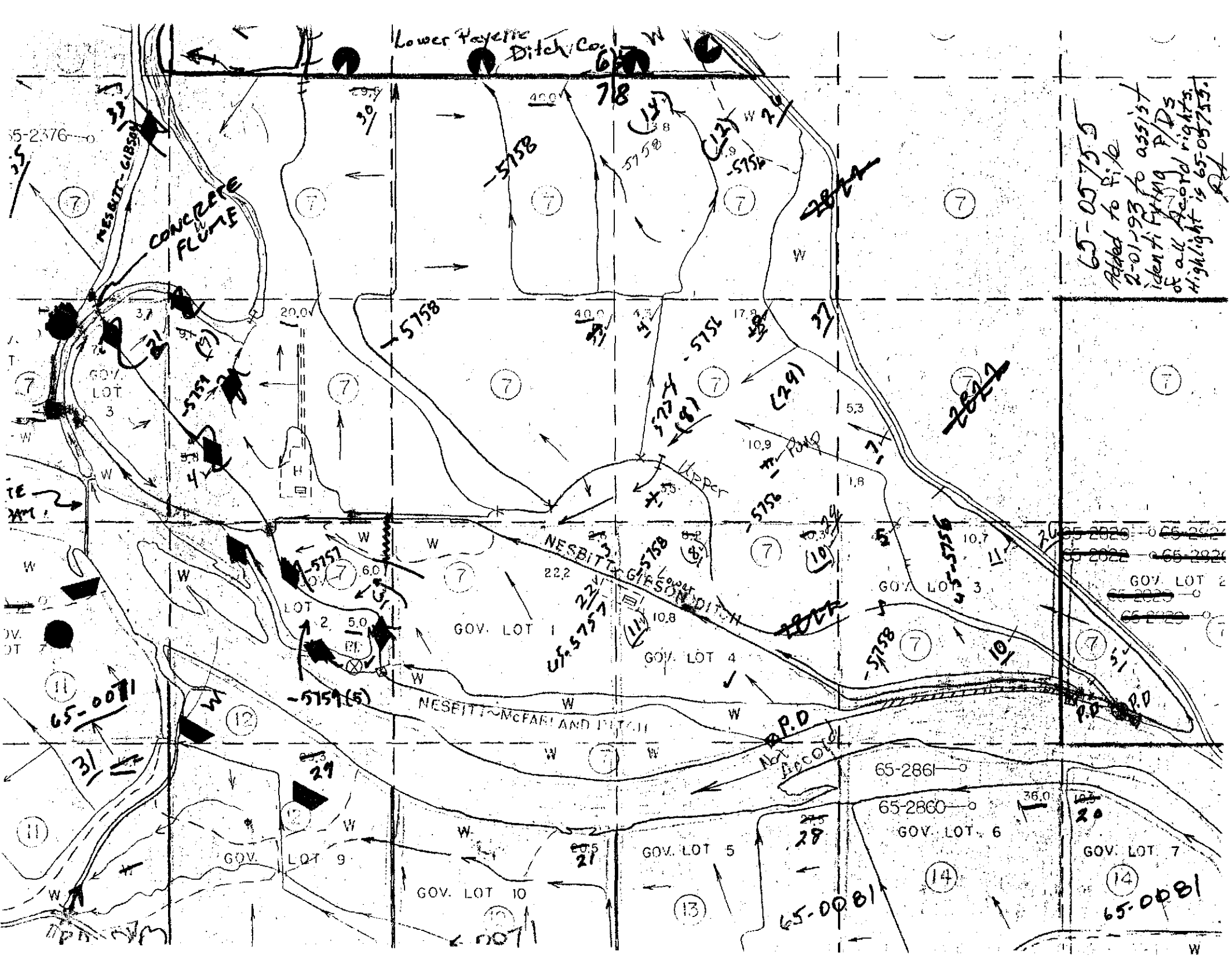
The above stipulation having come before the court, it is
hereby approved this _____ day of _____, 1993.

JAMES R. DOOLITTLE
District Judge

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: PAYETTE RIVER			TRIBUTARY: SNAKE RIVER			
65-05757	WILLIAM T. ACORD 923 EXECUTIVE PARK DR STE G SALT LAKE CITY UT 84117	08/29/1889	IRRIGATION	03-15 11-15	1.38 CFS	BENEFICIAL USE
				TOTAL QUANTITY:	1.38 CFS	
				CONSUMPTIVE USE:	136.5 AFY	
	POINT OF DIVERSION: T07N R03W S08 LOT 2 (NWSE)					
	PLACE OF USE: IRRIGATION					
	T07N R03W S07 Lot 1 (NESE)22.0 Lot 2 (NWSE) 6.0					
	S08 Lot 4 (NWSW)11.0					
	39.0 ACRES TOTAL					
	REMARKS: A DIVERSION RATE OF .044 CFS PER ACRE FOR 6 ACRES AND .034 CFS					
	PER ACRE FOR 33 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE					
	RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.					
65-05758	WILLIAM T. ACORD 923 EXECUTIVE PARK DR STE G SALT LAKE CITY UT 84117	08/29/1889	IRRIGATION	03-15 11-15	6.85 CFS	BENEFICIAL USE
				TOTAL QUANTITY:	6.85 CFS	
				CONSUMPTIVE USE:	605.5 AFY	
	POINT OF DIVERSION: T07N R03W S08 LOT 2 (NWSE)					
	PLACE OF USE: IRRIGATION					
	T07N R03W S07 NENE 40.0 NWNE 30.0 SWNE 20.0 SENE 40.0					
	S08 Lot 1 (NESE) 3.0 SWNW 8.0 Lot 3 (NESW)10.0 Lot 4 (NWSW) 8.0					
	173.0 ACRES TOTAL					
	REMARKS: WATER IS DELIVERED THROUGH NESBITT-GIBSON DITCH.					
	A DIVERSION RATE OF .044 CFS PER ACRE FOR 26 ACRES AND .034					
	CFS FOR 147 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE					
	OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.					
	0.71 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE					
	LOSSES IN DELIVERY OF THIS RIGHT.					
	RIGHT NO. 65-05755 IS ALSO DIVERTED THROUGH POINT OF DIVERSION					
	DESCRIBED ABOVE.					

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: PAYETTE RIVER			TRIBUTARY: SNAKE RIVER			
65-05755	WILLIAM T. ACORD 923 EXECUTIVE PARK DR STE G SALT LAKE CITY UT 84117	05/08/1890	IRRIGATION	03-15 11-15	17.62	CFS BENEFICIAL USE
				TOTAL QUANTITY:	17.62	CFS
				CONSUMPTIVE USE:	1452.5	AFY
	POINT OF DIVERSION: T07N R03W S08 LOT 2 (NWSE)					
	PLACE OF USE: IRRIGATION					
	T07N R03W S06 Lot 5 (SWNW)24.0 Lot 6 (NWSW)29.0 Lot 7 (SWSW)25.0				SESW 39.0	
	S07 SWNE 4.0 NENW 33.0 Lot 5 (NWNW)39.0 Lot 4 (SNNW)20.0					
	Lot 3 (SENW)21.0					
	R04W S01 Lot 1 (NENE)13.0 Lot 2 (NWNE)27.0 Lot 4 (SWNE)37.0				SENE 39.0	
	Lot 3 (NENW)14.0 Lot 6 (NESE)18.0 Lot 5 (NWSE)12.0					
	S12 NENE 13.0 NWNE 8.0					
	415.0 ACRES TOTAL					
	REMARKS: WATER IS DELIVERED THROUGH NESBITT-GIBSON DITCH.					
	A DIVERSION RATE OF .044 CFS PER ACRE FOR 111 ACRES AND .034					
	CFS PER ACRE FOR 304 ACRES AT THE FIELD HEADGATE IS INCLUDED IN					
	THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.					
	2.40 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES					
	IN DELIVERY OF THIS RIGHT.					
	RIGHT NO. 65-05758 IS ALSO DIVERTED THROUGH POINT OF DIVERSION					
	DESCRIBED ABOVE.					
65-05759	WILLIAM T. ACORD 923 EXECUTIVE PARK DR STE G SALT LAKE CITY UT 84117	06/01/1920	IRRIGATION	03-15 11-15	.65	CFS BENEFICIAL USE
				TOTAL QUANTITY:	.65	CFS
				CONSUMPTIVE USE:	49.0	AFY
	POINT OF DIVERSION: T07N R03W S07 LOT 2 (NWSE)					
	PLACE OF USE: IRRIGATION					
	T07N R03W S07 SWNE 9.0 Lot 2 (NWSE) 5.0					
	14.0 ACRES TOTAL					
	REMARKS: A DIVERSION RATE OF .044 CFS PER ACRE FOR 10 ACRES AND .034					
	CFS PER ACRE FOR 4 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE					
	RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.					
	0.07 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES					
	IN DELIVERY OF THIS RIGHT.					

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: PAYETTE RIVER		TRIBUTARY: SNAKE RIVER				
65-05756	WILLIAM T. ACORD 923 EXECUTIVE PARK DR STE G SALT LAKE CITY UT 84117	04/01/1948	IRRIGATION	03-15 11-15	3.18	CFS BENEFICIAL USE
					TOTAL QUANTITY:	3.18 CFS
					CONSUMPTIVE USE:	276.5 AFY
POINT OF DIVERSION:						
T07N R03W S08 LOT 2 (NWSE)						
PLACE OF USE: IRRIGATION						
T07N R03W S08 NWNW 12.0 SWNW 29.0 SENW 7.0 Lot 3 (NESW)16.0						
Lot 4 (NWSW)10.0 Lot 2 (NWSE) 5.0						
79.0 ACRES TOTAL						
REMARKS: A DIVERSION RATE OF .034 CFS PER ACRE FOR 69 ACRES AND .044						
CFS PER ACRE FOR 10 ACRES AT THE FIELD HEADGATE IS INCLUDED						
IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.						
.39 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE						
LOSSES IN DELIVERY OF THIS RIGHT.						



65-05755
Added to file
2-01-93 to assist
identifying P/Ds
of all record rights.
Highlight is 65-05755.
Rd

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM T ACORD 923 EXECUTIVE PARK DR STE G SALT LAKE CITY UT 84117	05/08/1890	IRRIGATION	03-15 11-15	17.62 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	17.62 CFS 1452.5 AFA

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T07N R03W S08 Lot02(NWSE)

PAYETTE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07N	03W	6	:																			:	117.0
07N	03W	7	:																			:	117.0
07N	04W	1	:	01-13	02-27	04-37																:	160.0
07N	04W	12	:		13	08																:	21.0
																					TOTAL ACRES	415.0	

POU County: PAYETTE

Remarks: WATER IS DELIVERED THROUGH NESBITT-GIBSON DITCH.
A DIVERSION RATE OF .044 CFS PER ACRE FOR 111 ACRES AND .034 CFS PER ACRE FOR 304 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.
2.40 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.
RIGHT NO. 65-05758 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

x Acord call 8-24-97

Montgomery Engineering: measured what
using ~~Mont.~~ OK

limits in last letter are
acceptable

MEMO TO PAYETTE CLAIM FILE NO. 65-05755 et al
CLAIMANT'S NAME: William Acord
DATE: 07/14/92
COUNTY: Payette
EMPLOYEE: Don Shaff
RE: Telephone Conversation with Mike Creamer
(telephone 208/342-6571)

Mr. Creamer called this morning to discover some background on the amounts of water proposed in my June 5, 1992 letter to Mr. Acord. At the time of my conversation with Mr. Creamer, I did not find Mr. Acord's letter endorsing the Frasier Objection. Afterward, that letter dated May 6, 1986, was found in the specific Frasier Objection file. I relayed to Mr. Creamer nothing in the way of correspondence was received between May, 1986 and May, 1992 from Mr. Acord including specifically my May 15, 1991 letter requesting documentation of the irrigation delivery system and irrigation methods.

I explained briefly to Mr. Creamer the following:

- The origins and connection of Mr. Acord to the Frasier Objection;

- the engineering and soil study documented by the Hubble Report;

- the discussion with Mike Raymond and the soils information following my April 29, 1992 letter and subsequent conversation with Mr. Acord;

- the meaning and background for the water measurements made by Mr. Noyes of this office in 1986; and

- the documented extent of the file to numerically justify the amounts of water proposed for Mr. Acord.

I concluded by responding affirmatively to the possibility of discussing the matter at a later date with Mr. Creamer.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

June 5, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

William T. Acord
923 Executive Park Dr., Ste. G
Salt Lake City, UT 84117

RE: Payette River Basin Adjudication
Claims #65-05755, 65-05756, 65-05757
65-05758 & 65-05759

Dear Mr. Acord:

Following my telephone conversation with Mike Raymond, Payette County District Conservationist for the ASCS, the engineering staff of the Adjudication Bureau has done a second analysis of your water rights with the results shown below. The method used to identify the influencing soils was to overlay the water right place of use with the Soil Survey published by the Soil Conservation Service. While the Notus soils were present as Mr. Raymond indicated, the Moulton soils remain predominant. As a result, the percentage change in the total proposed amounts of water was not great.

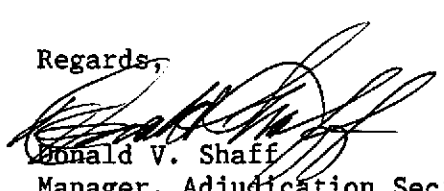
The revised proposed amounts are as follows:

<u>Water Right #</u>	<u>Diversion Rate</u>
65-05755	17.62
65-05756	3.18
65-05757	1.38
65-05758	6.85
65-05759	0.65

Mr. Raymond said there was nothing unusual about your irrigation methods or requirements as compared to other farms along the river. Correspondingly, no special requirements were used as factors in analyzing the extent of the water rights. If you still contest the amounts of water proposed above, I would suggest retaining competent assistance to compile a documented study of your irrigation requirements and the corresponding water rights. Please let me know as soon as possible the course you may be taking.

Of course, I remain available for questions and further discussion, if you wish.

Regards,


Donald V. Shaff

Manager, Adjudication Section

DVS:sf:state

cc: M. Raymond

16.43	1.980	1890- 5-08	17.62	7.2%
3.08	1.949	1948- 4-01	3.18	3.2%
1.33	0.842	1889- 8-29	1.38	3.8%
6.58	1.902	1889- 8-29	6.85	4.1%
0.54	1.929	1920- 6-01	0.65	20.4%

DIVERSION RATE CALCULATIONS

Water Right No. 65-05755

Date 6/4/92

Initials JP

Soils	Acres		Rate (cfs/ac)		Rate (cfs)
Moulton	<u>304</u>	x	0.034	=	<u>10.34</u>
Letha	<u>—</u>	x	0.029	=	<u>—</u>
~~Other~~ NDTUS	<u>111</u>	x	~~0.02~~ .044	=	<u>4.88</u>
Total	<u>415</u>				<u>15.22</u>

Conveyance Loss (see attached) = 2.40

TOTAL DIVERSION RATE = 17.62

Comments:

65-05755

6/4/92 JP

CONVEYANCE LOSS - MORITZ

REACH	LENGTH (FT)	AVE VELOCITY (FT/SEC)	SEEPAGE (FT/DAY)	MORITZ LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	7392	1.75	1.50	1.31	0.00	15.22	0.0859	0.00	17.62
2	5280	1.75	1.50	0.90	10.87	15.22	0.0593	1.58	16.31
3	2112	1.75	1.50	0.19	4.35	4.35	0.0440	0.82	4.54
4	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
5	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
6	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
7	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
8	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
9	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
10	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
11	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
12	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
13	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
14	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
15	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
16	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
17	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
18	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
19	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
20	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
TOTALS	14784			2.40	15.22			2.40	

REACH = SECTION OF CHANNEL

LENGTH = LENGTH OF REACH, THE CHANNEL CAN DIVIDED INTO EQUAL LENGTH REACHES

OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS

AVE VELOCITY = AVERAGE VELOCITY IN REACH, USE 1.75 FT/SEC FOR EARTH CHANNELS IF
IF ACTUAL VELOCITY IS UNKNOWN

SEEPAGE = SOIL SEEPAGE RATE OF REACH

MORITZ LOSS = CONVEYANCE LOSS IN REACH BASED ON MORITZ METHOD

DELIVERY = TOTAL DELIVERIES IN REACH

DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)

LOSS FACTOR = MORITZ LOSS/DELIVERY LEFT

DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY,
REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH

FLOW = TOTAL FLOW AT BEGINNING OF EACH REACH

ACORD

RTS.

6/4/92

65-05755-65-05759

INTAKE FAMILY	DESIGN APPLIC.	FURROW SLOPE	FURROW SPACING	FURROW LENGTH	INFLOW RATE	APPROXIMATE INFLOW TIME	ADVANCE TIME	GROSS	NET	RUNOFF	DEEP PERC.	IRRIGATION EFFICIENCY
								IRRIGATION APPLICATION	IRRIGATION APPLICATION			
	Inches	Ft/Ft	Feet	Feet	Gpm	Hours	Minutes	Inches	Inches	Inches	In.	%
0.63	1.28	.002	2.50	800	9	12	520.3	5.20	2.23	0.30	3.61	24.63
0.63	1.28	.004	2.50	800	9	12	225.0	5.20	3.93	0.36	3.55	24.63
0.63	1.28	.006	2.50	800	8	12	190.8	4.62	3.85	0.07	3.27	27.71
0.63	1.28	.008	2.50	800	8	12	148.7	4.62	3.96	0.16	3.18	27.71
0.63	1.28	.002	2.50	1200	15	12	586.2	5.77	1.93	0.38	4.12	22.17
0.63	1.28	.004	2.50	1200	14	12	314.0	5.39	3.78	0.19	3.92	23.75
0.63	1.28	.006	2.50	1200	13	12	248.1	5.00	3.95	0.05	3.67	25.58
0.63	1.28	.008	2.50	1200	13	12	197.1	5.00	4.11	0.15	3.58	25.58

25.22%

USE CORRUGATION AS STANDARD FOR AREA

PASTURE - DESIGN APP = 1.28" WITH NOTUS SOIL
INTAKE FAMILY = 0.63

SLOPES ARE < 1%

ASSUME LENGTHS 800-1200'
SPACING 2.5'

USE 12-HOUR MINIMUM SET TIMES

AVERAGE EFFICIENCIES = 25%

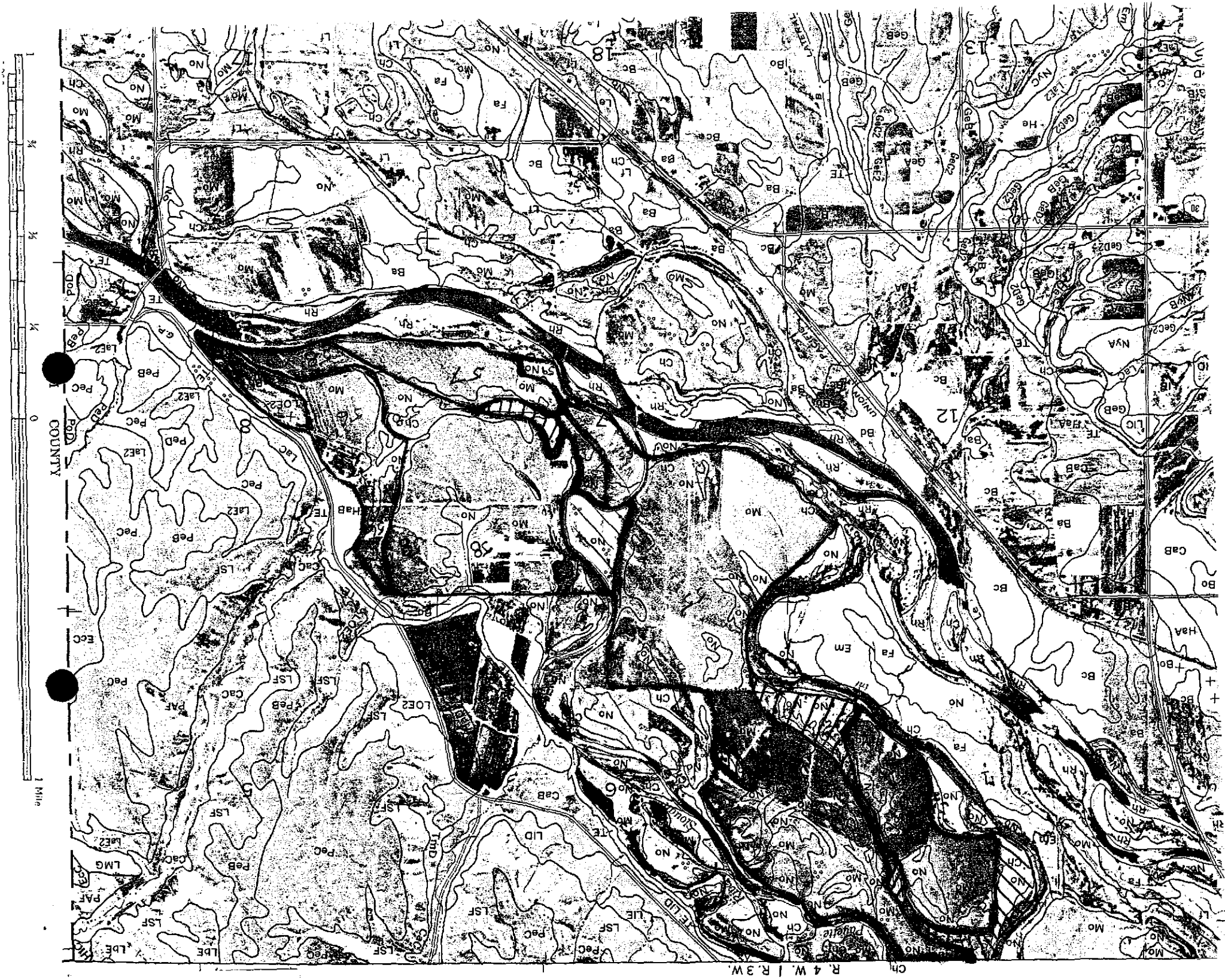
PEAK DAILY CONSUMPTIVE IRRIG REQ. FOR PAST = 6.62
mm/day

$$6.62 \text{ mm/day} \div 25\% = 26.48 \text{ mm/day}$$

$$26.48 \times .001657 = 0.044 \text{ CFS/ACRE}$$

DATE: 6/4/92
ID NO. _____

LARGEST SUMMARY MONTHLY VALUE 6.67, DIVIDE BY SUMMARY IRR. EFF. = 26.48 MM/DAY, MULTIPLY BY 0.001657 = .044 CFS/ACRE FIELD REQUIREMENT, ADD FARM DELIVERY LOSS _____, CFS/AC. = _____ CFS/AC., MULTIPLY BY SUMMARY ACRES = _____ CFS FIELD REQUIREMENT. ADD CONTINGENCY LOSS OF _____ CFS. CFS DIVISION TOTAL DIVERSITY DIVIDE BY SUMMARY ACRES TO CHECK CFS/ACRE AT THE POINT



SURVEY AREA: PAVETTE COUNTY, IDAHO

MAP UNIT ID: 659ND	0-14	COIL	SR GR-L5 GRV-S	0.11-0.13	6.1-8.4	0.1-0.5
MAP SYMBOL: ND	DEPTH (IN)	USDA TEXTURE	AVAILABLE	WATER CAP	REACTION	ORGANIC
SOIL NAME: NOTUS COARSE SANDY LOAM						

MAP UNIT ID: 659NVA	0-60	SIL		0.19-0.21	7.9-9.0	1.0-2.5
MAP SYMBOL: NVA	DEPTH (IN)	USDA TEXTURE	AVAILABLE	WATER CAP	REACTION	ORGANIC
SOIL NAME: NYSSATON SILT LOAM, 0 TO 1 PERCENT SLOPES						

MAP UNIT ID: 659NVB	0-60	SIL		0.19-0.21	7.9-9.0	1.0-2.5
MAP SYMBOL: NVB	DEPTH (IN)	USDA TEXTURE	AVAILABLE	WATER CAP	REACTION	ORGANIC
SOIL NAME: NYSSATON SILT LOAM, 1 TO 3 PERCENT SLOPES						

MAP UNIT ID: 659NYC	0-60	SIL		0.19-0.21	7.9-9.0	1.0-2.5
MAP SYMBOL: NYC	DEPTH (IN)	USDA TEXTURE	AVAILABLE	WATER CAP	REACTION	ORGANIC
SOIL NAME: NYSSATON SILT LOAM, 3 TO 7 PERCENT SLOPES						

MAP UNIT ID: 659NYD	0-60	SIL		0.19-0.21	7.9-9.0	1.0-2.5
MAP SYMBOL: NYD	DEPTH (IN)	USDA TEXTURE	AVAILABLE	WATER CAP	REACTION	ORGANIC
SOIL NAME: NYSSATON SILT LOAM, 7 TO 12 PERCENT SLOPES						

[illegible]



[illegible]

DATE: _____

[illegible]

DATE: _____

[illegible]

SNAKE RIVER ADJUDICATION MANAGEMENT ALLOWED DEFICIT

DATE: 6/4/92

TECH: JP NAME: ACORD

ID. NO. _____

CROP			MANAGEMENT ALLOWED DEFICIT IN INCHES BY SOILS										
NAME	ROOTING DEPTH FT.	STRESS POINT 1/4	WEATHER STATION										
			NOTUS NO										
ALFH.	5	0.50	1.76										
ALFS.	5	0.50											
BEANS	2	0.40											
F.CRN	4	0.50	1.52										
SILGE	4	0.50											
S.CRN	3	0.40	1.02										
PEAS	3	0.5											
POTAT	3	0.35	.90										
SBEET	5	0.50	1.76										
SGRAN	4	0.50	1.52										
WGRAN	4	0.50											
PAST.	3	0.50	1.28										
ORCHD	5	0.5											
HOPS	5	0.5											
LENTILS	3	0.5											
VEGES USE BELOW													
TOMAT	5	0.5											
TRCKA\1	1	0.35	.50										
TRCKA\2	2	0.35											
TRCKA\3	3	0.5											
MELON	5	0.5											

1 LETTUCE, RADISHES, ONIONS

2 CABBAGE, BROCCOLI, CAULIFLOWER, SPINACH

3 TURNIPS, PARSNIPS, CARROTS

4 FRACTION OF AWC AVAILABLE TO CROP

TO: 65-05755 etc. - Acord claims

FROM: D. Shaff *DS*

DATE: June 2, 1992

RE: Telephone Conversation

Mike Raymond, ASCS district conservationist for Payette County, called this afternoon with information and knowledge to convey about Bill Acord's farm at the request of Acord.

He said in general Acord's farm is not unusual from any other farms along the Payette River with respect to irrigation practices or methods. All of the farms near the river combat soils with high intake rates and low water holding capacity. Raymond had reviewed the soil types for Acord's farm and found a high presents of Notus soils as opposed to Moulton soils. He said the Notus soils have a shallow sandy loam horizon from 0 to 14 inches whereas the Moulton soils have the same horizon from 0 to 30 inches. In both cases, he said, the underlying horizon is sandy gravels/gravels. He said flood irrigation methods commonly have an irrigation efficiency of about 35 per cent, but on the Notus soils the same method has an efficiency of about 18 per cent. Raymond had previously calculated a four (4) day irrigation frequency on the Notus soils. He said Acord's 850 acre farm requires 221 acre/inches or 18.4 acre feet/day at the field.

Through the conversation I explained in general terms the background and methods IDWR uses for its calculations to determine the amount beneficially used from a diversion. At the conclusion I said the adjudication staff would review the Payette County soil map to determine the soils on Acord's farm and make any calculation adjustments necessary. A letter responding to the additional information provided by Raymond would be sent to Acord with a copy of the letter sent to Raymond.

WILLIAM T. ACORD
ACORD RIVER RANCH
NEW PLYMOUTH, IDAHO
office
923 Executive Park Drive Suite G
Salt Lake City, Utah 84117
801-266-6907

RECEIVED
MAY 15 1992

Department of Water Resources

May 13, 1992

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

Attn: Don Shaff
Water Rights Supervisor

Re: Letter April 29, 1992
Civil Case No. 3667 - Frasier, et al Objection 65-05755
Payette River Drainage Basin

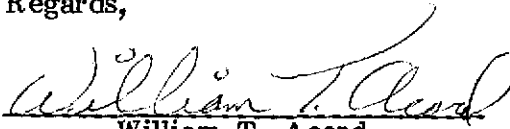
Dear Mr. Shaff:

As per our phone conversation today, I must object to the diversion rates you propose to recommend for my water rights on our ranch in Payette County. I make this objection because the amount of water we actually use and the amount that Mr. John Noyes of your office measured are considerably more than the diversion rates you recommend.

I don't know why there is such a big difference, obviously there is a mistake. I will take your suggestion and contact the SCS office to try to figure out where the problem is.

Thanks for your help so far.

Regards,

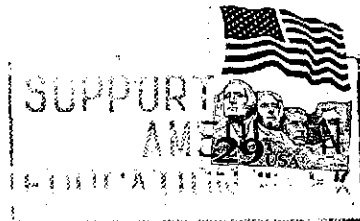

William T. Acord



ACORD RIVER RANCH

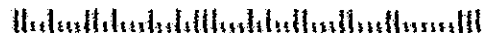
OFFICE: 923 EAST EXECUTIVE PARK DRIVE • SUITE G • SALT LAKE CITY, UTAH 84117 • (801) 266-6907

NEW PLYMOUTH, IDAHO



Attn: Mr. Donald Shaff

State of Idaho
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000





State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

April 29, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

William T Acord
1021 West 4800 South
Murray, Utah 84123

Re: Civil Case No. 3667 - Frasier, et al Objection 65-05755

Dear Payette River Water User,

In July 1982, Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown on behalf of themselves and others in the same class filed an Objection to the Findings with the Third Judicial District Court in the Payette River Basin Adjudication. The parties maintained the diversion rate recommended for their water rights and others from the Payette River were not correct for the "bottom lands" irrigated by those water rights.

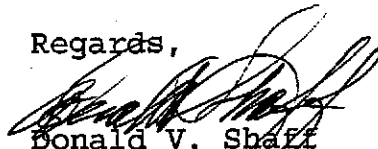
This group of water rights are among the last water rights remaining for decree in the Payette River Basin Adjudication. Most of the water rights were decreed on January 21, 1986 and in subsequent partial decrees.

Your water right referenced above was listed in the Proposed Finding with a diversion rate of 10.45 cubic feet per second (cfs). Having reviewed the data submitted by the parties and data and evidence obtained by the Department, the Department recommends a diversion rate of 16.43 cfs. If the amount of water is not proposed to change, data and/or evidence indicated a change was not justified.

The Department has made an effort to determine a fair and accurate diversion rate for each of the parties. If you disagree with the proposal above, please contact us by May 15, 1992. We hope to resolve any disputes that may exist before going to the court asking for a decree of your water right through a Motion for Summary Judgment.

A summary judgment allows the judge to make a decision without the time or expense of a trial when the facts are not disputed. Notice of this motion and the accompanying hearing will be provided to you 28 days before the hearing.

Regards,


Donald V. Shaff
Manager, Adjudication Section

DIVERSION RATE CALCULATIONS

Water Right No. 65-05755

Date 4/17/92

Initials JF

Soils	Acres		Rate (cfs/ac)		Rate (cfs)
Moulton	<u>415</u>	x	0.034	=	<u>14.11</u>
Letha	<u>—</u>	x	0.029	=	<u>—</u>
Other	<u>—</u>	x	0.02	=	<u>—</u>
Total	<u>415</u>				<u>14.11</u>

Conveyance Loss (see attached) = 2.32

TOTAL DIVERSION RATE = 16.43

Comments:

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 262

INDICATES TOTAL

SOURCE: PAYETTE RIVER

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
65-3617	HIGBY, CHARLES S. & HIGBY, EMMA J. STAR ROUTE, PAYETTE, IDAHO 83661	4/ 1/1890	IRRIGATION	3/15 11/15	--- AFA 10.63 CFS	SWSE S35 T 8N R 4W	NWSW(39) SWSW(13) SESW(14) SWSE(6) LOT 5(30) LOT 6(46) LOT 7(27) LOT 8(12) S21 T 8N R 4W NESE(40) NWSE(14) SWSE(11) SESE(21) LOT 2(71) LOT 1(47) LOT 3(20) S20 T 8N R 4W *411*	BENEFICIAL USE
65-5755	ACORD, O. THAYNE 1900 WEST 3500 SOUTH, SALT LAKE CITY, UTAH 84119	5/ 8/1890	IRRIGATION	3/15 11/15	--- AFA 10.45 CFS	LOT 2 S 7 T 7N R 3W LOT 4 S 8 T 7N R 3W	SWNE(4) NESE(33) NWNW(39) SNNW(20) SENE(21) --- S 7 T 7N R 3W SNNW(24) NWSW(29) SWSW(25) SESW(39) S 6 T 7N R 3W SENE(39) LOT 1(13) LOT 2(27) LOT 4(37) LOT 3(14) LOT 6(18) LOT 5(12) S 1 T 7N R 4W NENE(13) NWNW(8) S12 T 7N R 4W *415*	BENEFICIAL USE
65-0070A	ENTERPRISE DITCH COMPANY ROUTE 1, EMMETT, IDAHO 83617 REMARKS: PLACES OF USE UNDER ENTERPRISE CANAL. SEE RIGHT 65-0070X.	8/24/1891	IRRIGATION	3/15 11/15	--- AFA 62.60 CFS	LOT 6 S11 T 6N R 2W	*2406*	BENEFICIAL USE
65-0053A	REED DITCH COMPANY C/O PAIRICIA SNYDER, 3738 COUNTY LINE ROAD, EMMETT, IDAHO 83617 REMARKS: SEE RIGHT 65-0053X. IRRIGATED BY REED DITCH CO.	6/ 1/1892	IRRIGATION	3/15 11/15	--- AFA 36.12 CFS	SESW S 9 T 6N R 2W	*1546*	BENEFICIAL USE

65-05755 4/17/92 JP

CONVEYANCE LOSS - MORITZ

REACH	LENGTH (FT)	AVE VELOCITY (FT/SEC)	SEEPAGE (FT/DAY)	MORITZ LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	7392	1.75	1.50	1.26	0.00	14.11	0.0894	0.00	16.43
2	5280	1.75	1.50	0.87	10.08	14.11	0.0617	1.52	15.16
3	2112	1.75	1.50	0.18	4.03	4.03	0.0457	0.79	4.21
4	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
5	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
6	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
7	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
8	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
9	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
10	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
11	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
12	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
13	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
14	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
15	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
16	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
17	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
18	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
19	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
20	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	0.00
TOTALS	14784			2.32	14.11			2.32	

REACH = SECTION OF CHANNEL

LENGTH = LENGTH OF REACH, THE CHANNEL CAN DIVIDED INTO EQUAL LENGTH REACHES
OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS

AVE VELOCITY = AVERAGE VELOCITY IN REACH, USE 1.75 FT/SEC FOR EARTH CHANNELS IF
IF ACTUAL VELOCITY IS UNKNOWN

SEEPAGE = SOIL SEEPAGE RATE OF REACH

MORITZ LOSS = CONVEYANCE LOSS IN REACH BASED ON MORITZ METHOD

DELIVERY = TOTAL DELIVERIES IN REACH

DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)

LOSS FACTOR = MORITZ LOSS/DELIVERY LEFT

DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY,
REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH

FLOW = TOTAL FLOW AT BEGINNING OF EACH REACH



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

May 15, 1991

William T. Acord
1021 West 4800 South
Murray, UT 84123

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Re: Civil Case No. 3667
Frasier, et al Objection 65-05755

Dear Payette River Water User,

In July 1982, Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown on behalf of themselves and others in the same class filed an Objection to the Proposed Findings with the Third Judicial District Court in the Payette River Basin Adjudication. The parties maintained the diversion rate recommended for their water rights and others from the Payette River were not correct for the "bottom lands" irrigated by those water rights.

This group of water rights are among the last water rights remaining for decree in the Payette River Basin Adjudication, most of which were decreed on January 21, 1986. The water rights decreed in the Payette adjudication will be incorporated into the eventual decree in the larger Snake River Basin Adjudication (SRBA) now proceeding in the Fifth Judicial District, provided new claims have been filed in the SRBA. Otherwise the achievement of a decree in the Payette adjudication could be voided.

Your water right referenced above was listed in the Proposed Finding with a diversion rate of 10.45 cubic feet per second (cfs). You will find enclosed a two-page form that when completed by you will describe your water delivery system and irrigation methods. The information you supply is essential in order for the staff of the Department to evaluate your irrigation water requirements. Much of the information required is technical, and you may wish to contact the Soil Conservation Service or other professionals for assistance with the form.

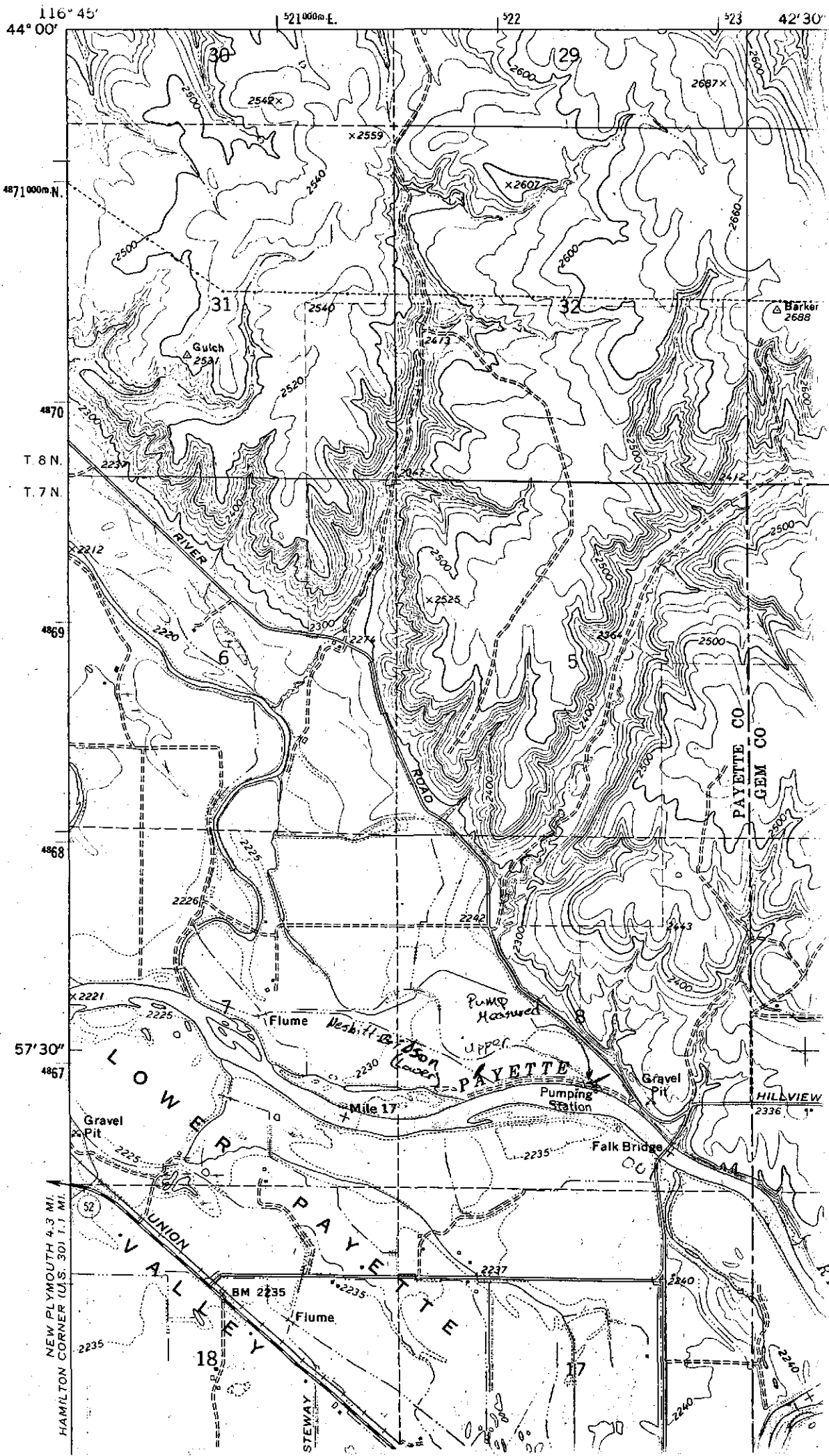
To expedite the process to resolve the Frasier objection, please return the enclosed form within 45 days. Without the completed form, the Department will assume you agree with the water right described in the Proposed Finding with the diversion rate shown above.

Please contact me if you have questions about the matters set out above. Thank you for your patience in this process.

Regards,

A handwritten signature in dark ink, appearing to read 'Donald V. Shaff', written over a horizontal line.

Donald V. Shaff
Manager, Adjudication Section



14-200
-63

Ways accord
Pymy

DEPARTMENT OF RECLAMATION

5128, 1986 DISCHARGE MEASUREMENT NOTES Nesbitt-Gibson Div
Boyle-R (lower canal) River at

Dist. from last point	Width	Depth	Observation depth	Revolutions	Time in seconds	At points	Mean depth	Adjusted for angle of	Area	Discharge
-----------------------	-------	-------	-------------------	-------------	-----------------	-----------	------------	-----------------------	------	-----------

00	00									
1	1	1	4	40	21	1.87			4	7.5
2	1	1	4	40	17	2.29			9	2.06
3	1	1	1	40	18	2.17			1.1	2.59
4	1	1	4	40	17	2.29			1.4	3.2
5	1	1	6	40	16	2.47			1.6	3.95
6	1	1	8	40	18	2.17			1.8	5.41
7	1	1	7	40	19	2.06			1.7	3.5
8	1	1	5	40	21	1.87			1.5	2.86
9	1	1	1	40	26	1.51			1.1	1.66
10	1	1	6	40	40	1.0				

1008.84
1.08
25.18

P.D. 1st 2 NW SE 8.3
T 741 R 34
Flygmy meter
John Boyle

MEASUREMENT FOR ACORD CONCRETE DITCH

PAGE 1

MEASUREMENT LOCATION PAYETTE RIVER
MEASURED BY JKN

ON 05/28/86

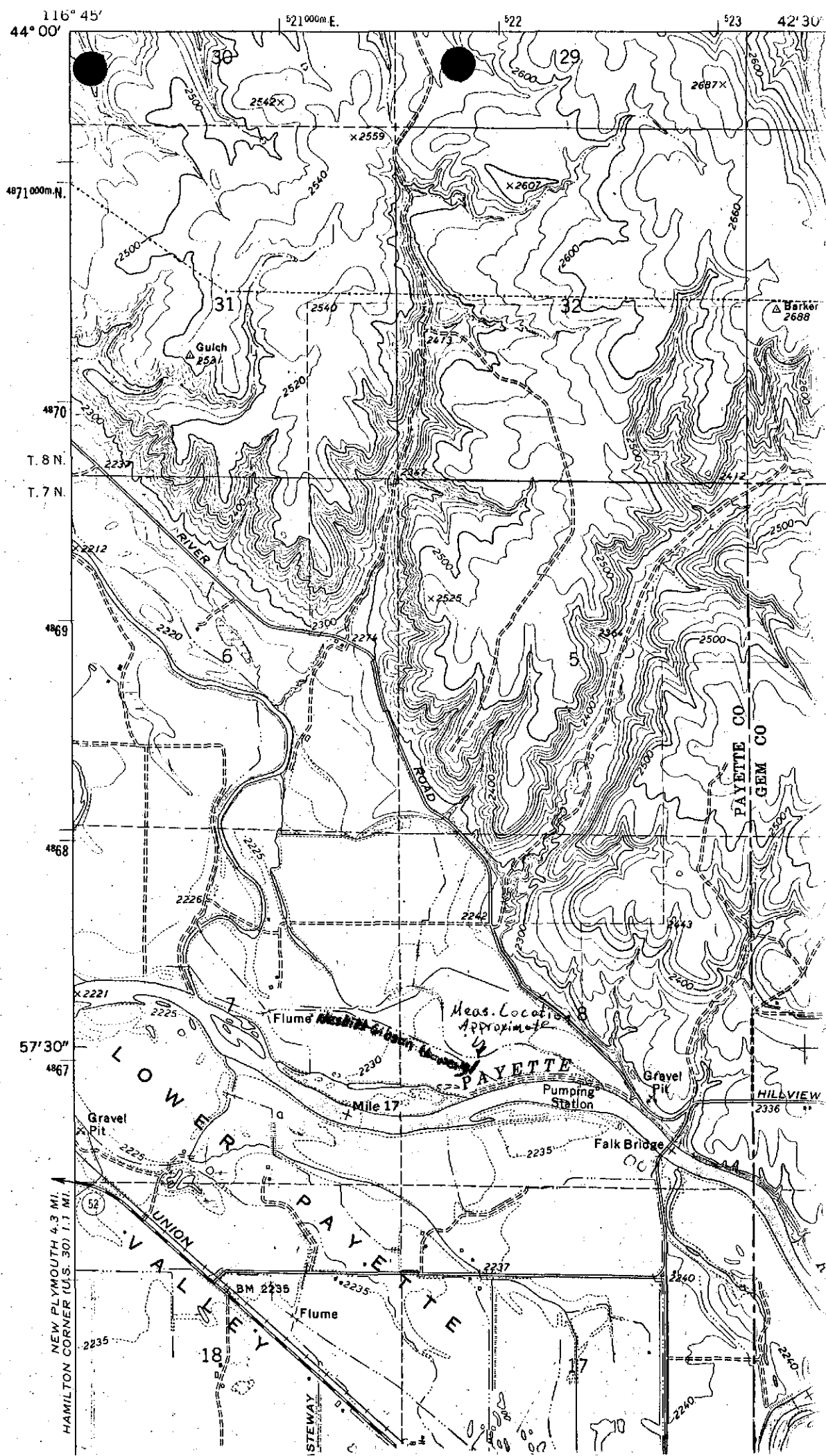
LEGAL DESCRIPTION

V = .956N + .046

SEC TWP

RNG

DISTANCE FROM INITIAL POINT FEET	DEPTH FEET	AREA SQ. FT.	REVOLUTIONS	TIME SEC	VELOCITY FT/SEC	DISCHARGE CES
.000	.000	.000	0	.000	.000	.000
1.000	.400	.400	40	21.000	1.867	.747
2.000	.900	.900	40	17.000	2.295	2.066
3.000	1.100	1.100	40	18.000	2.170	2.387
4.000	1.400	1.400	40	17.000	2.295	3.213
5.000	1.660	1.660	40	16.000	2.436	4.044
6.000	1.800	1.800	40	18.000	2.170	3.906
7.000	1.700	1.700	40	19.000	2.059	3.500
8.000	1.500	1.500	40	21.000	1.867	2.801
9.000	1.100	1.100	40	26.000	1.517	1.669
10.000	.600	.840	40	40.000	1.002	.842
11.800	.000	.000	0	.000	.000	.000
TOTALS		12.400				25.175



January 21, 1986

William T. Acord
1021 West 4800 South
Murray, Utah 84123

RE: 65-5755

Dear Mr. Acord:

The enclosed notice should have been sent to you in our bulk mailing, but the listing was inadvertently left off our mailing list labels. The new information you sent to us on December 12, 1985, will be incorporated into each of the water right files.

Regards,

DON SHAFF
Water Rights Supervisor

DS:alw
Enc.

WILLIAM T. ACORD
1021 West 4800 South
Murray, Utah 84123

RECEIVED
DEC 16 1985

December 12, 1985

Department of Water Resources

John Noise
Director
Idaho Department of Water Resources
450 West State Street
Boise, Idaho 83720

Re: Change of address

#'s 65-5755, 65-5756, 65-5757,
65-5758, 65-5759, 65-5760,
65-5761, 65-5762, 65-5763, *Do name*
65-5764

Dear Mr. Noise:

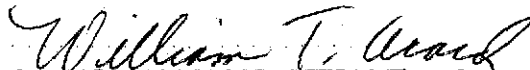
Would you please change the address for the above referenced
claim numbers for water rights from 1900 West 3500 South
Salt Lake City, Utah 84119 to:

1021 West 4800 South
Murray, Utah 84123

Also, the name has changed from O. Thayne Acord to William T. Acord.

Thank you.

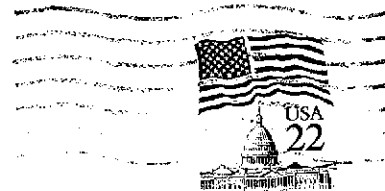
Sincerely,


WILLIAM T. ACORD (9)

WTA:pj

cc: file

WILLIAM T. ACORD
1021 West 3500 South
Murray, Utah 84123



John Noise
Director
Idaho Department of Water Resources
450 West State Street
Boise, Idaho 83720

18

~~Heath & Cabana~~