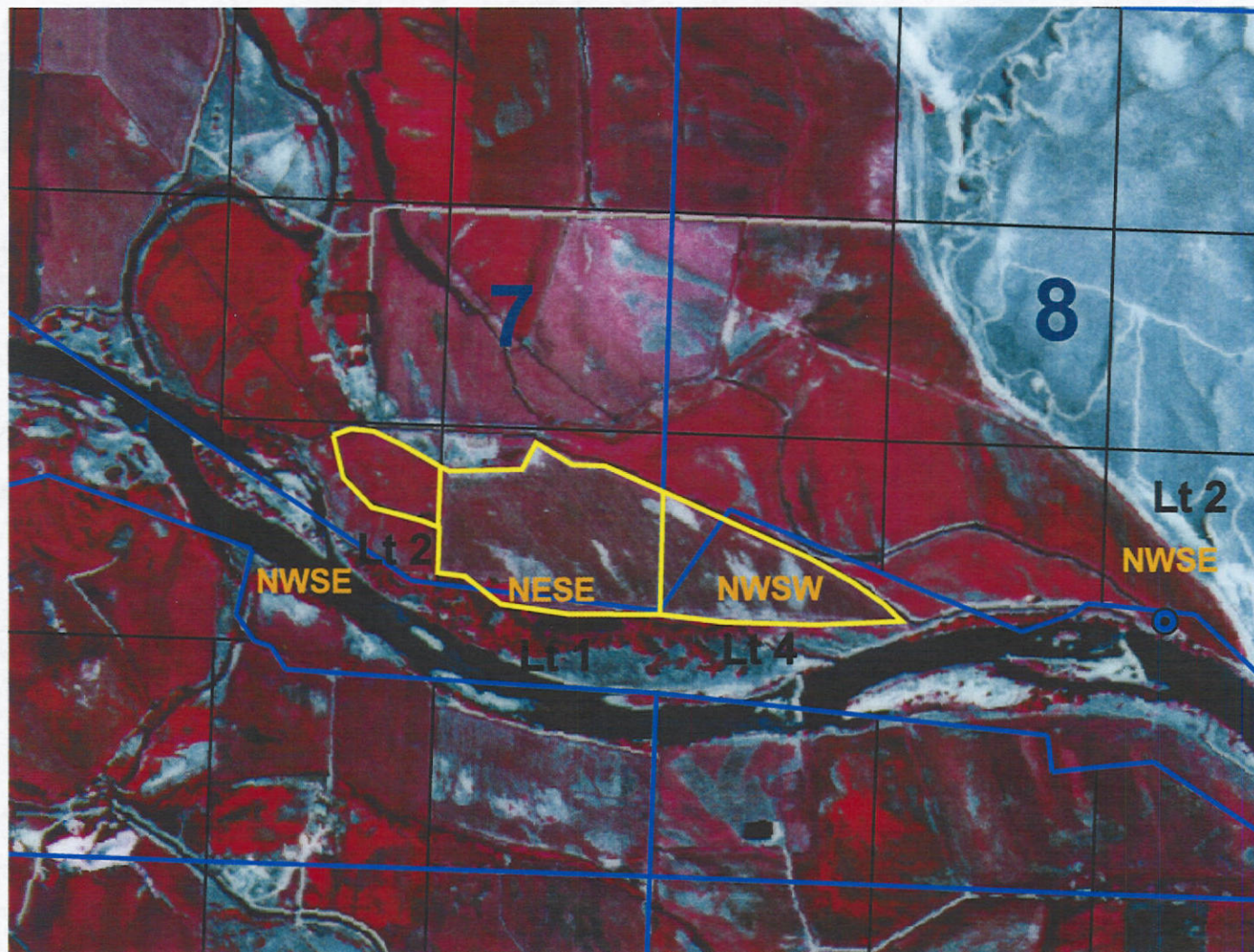


IDAHO DEPARTMENT OF WATER RESOURCES

T07N, R03W, S7 & S8



1987 NAPP PHOTO

● POINT OF DIVERSION

□ PLACE OF USE

□ 1/4 1/4 LINES

□ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-05757

OWNER (S): ACORD, WILLIAM

DATE: MAY 15, 2001

By: Mel Schulte

0 0.25 0.5 0.75 1 Miles

66

Idaho Department of Water Resources

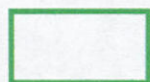
Claim Number: 65-05757

Legal: T07N, R03W, S7 & 8

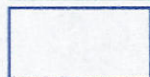
Reviewed By:



Point of Diversion



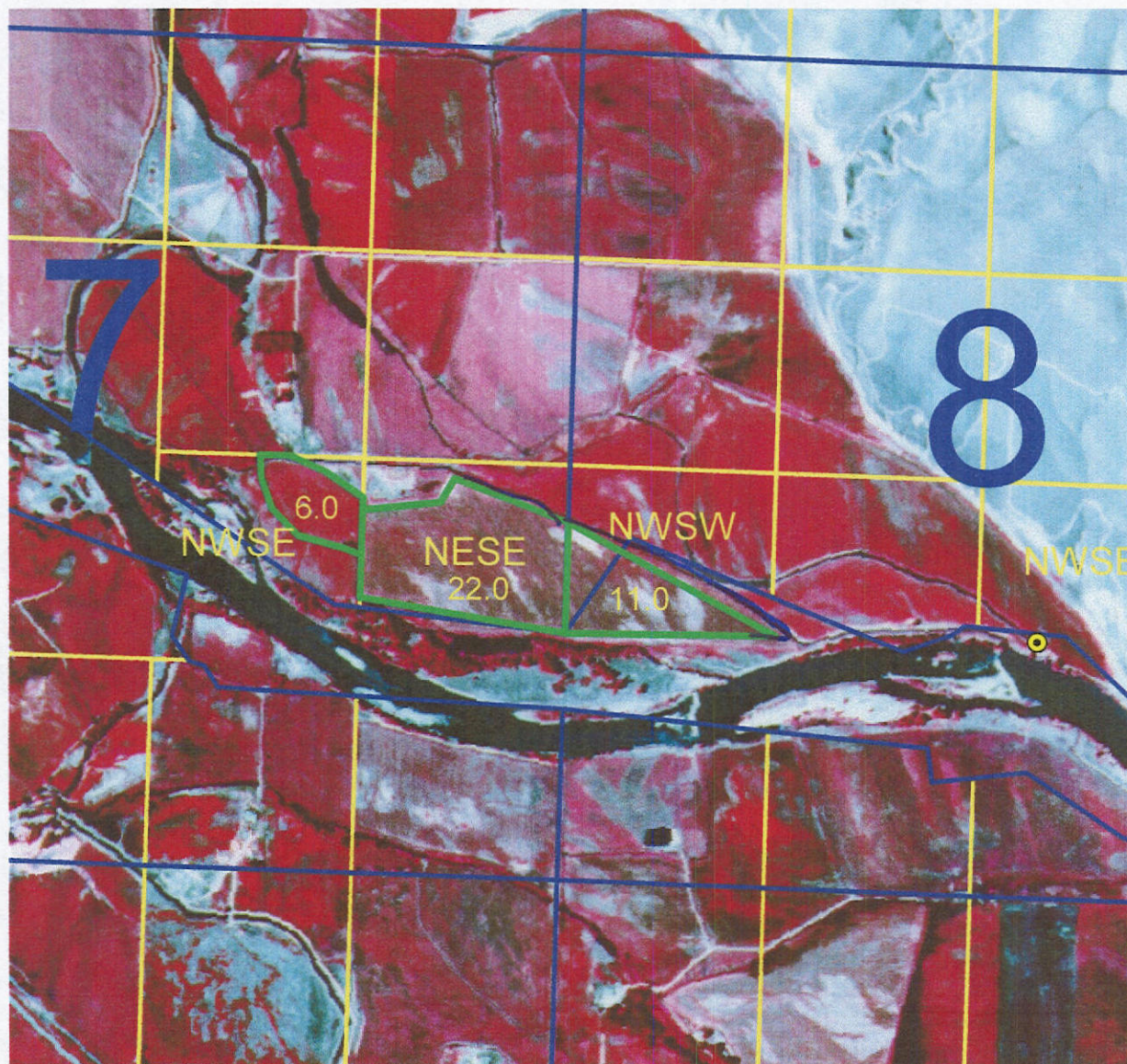
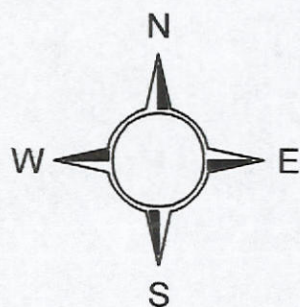
Place of Use



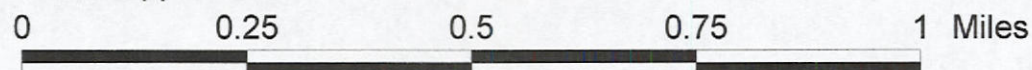
Section Lines



Quarter Quarter Lines



1987 Napp Photo



4871 000m N.

CLAIM A6505757 INIT 58
T. R. S. Q/Q
P/D IN 3w 8 NWSE
SCALE 1" = 1/4 MI
PHOTO ID. W5 DATE 1971

33

2860

0

4870

T. 8 N.

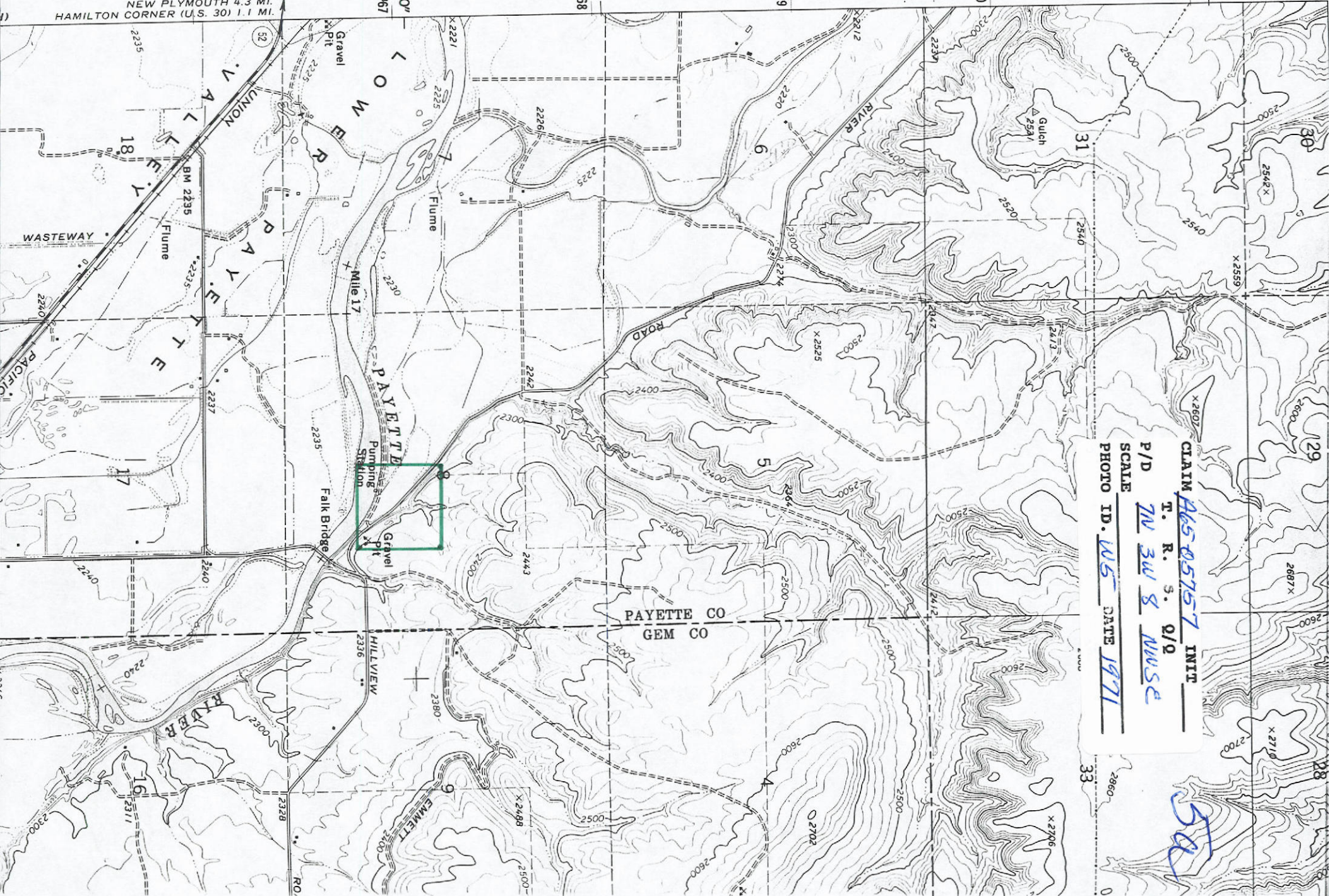
T. 7 N.

4869

4868

4867

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



GULCH

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: A65-05757
Date Received: 2/28/1990
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 "R" record
84117-0000

2. Date of Priority: AUG 29, 1889

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:
GRAVITY DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.380		

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

A.F.A.

8. Total consumptive use is 136.5 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	7	NE	SE	1	IRR	22.0
			NW	SE	2	IRR	6.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	28.0
		8	NW	SW	4 IRR	11.0
					Section Acres	11.0
					Total Acres	39.0

11. Place of use in counties: PAYETTE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

CLAIM AMENDED PER STIPULATION FROM PRBA BY MTS 2/21/1996.
A DIVERSION RATE OF .044 CFS 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.

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 _____

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					
	Lot 1 (NESE) 3.0 S08 NWNW 14.0 SNNW 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.					

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: 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 (SNNW)24.0 Lot 6 (NNSW)29.0 Lot 7 (SWSW)25.0 Lot 4 (SNNW)20.0						
S07 SWNE 4.0 NENW 33.0 Lot 5 (NWNW)39.0						
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: 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.						

OCT 21 1996

MICROFILMED

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 1996

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

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

CIVIL CASE NUMBER: 39576

RECEIVED

MAR 27 1990

Ident. Number: A65-05757
Date Received: 2/28/1990
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: AUG 29, 1889

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:
GRAVITY DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.340		

7. Total Quantity Appropriated is:
2.340 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	7	NE	SE	1	IRR	22.0
			NW	SE	2	IRR	6.0

Section Acres 28.0

A65-05757

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	8	NW SW	4	IRR	11.0
Section Acres						11.0
Total Acres						39.0

11. Place of use in counties: PAYETTE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

(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.

SEP 22 1992

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					
	SQ8 Lot 1 (NESE) 3.0 NWNW 14.0 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.					

06/13/2001

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

RIGHT NUMBER: 65-5757

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

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 1.38 CFS

THIS RIGHT SHALL PROVIDE NO MORE THAN .0355 CFS PER ACRE AT
THE FIELD HEADGATE

USE OF THIS RIGHT WITH RIGHT NO. 65-22424 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.38 CFS.

PRIORITY DATE: 08/29/1889

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

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	1.38 CFS

PLACE OF USE:

<u>IRRIGATION Within PAYETTE County</u>					
T07N R03W S7	LOT 1	NESE	22	T07N R03W S7	LOT 2 NWSE 6
T07N R03W S8	LOT 4	NWSW	11		

39 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT NO. 65-05758 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE



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.

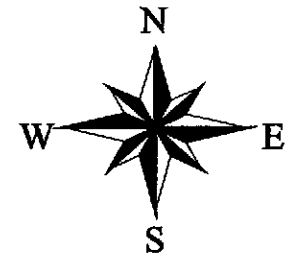
If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely 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

IDAHO DEPARTMENT OF WATER RESOURCES

T07N, R03W, S7 & S8



1987 NAPP PHOTO

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

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-05757

OWNER (S): ACORD, WILLIAM

DATE: MAY 15, 2001

By: Mel Schulte

0 0.25 0.5 0.75 1 Miles

66

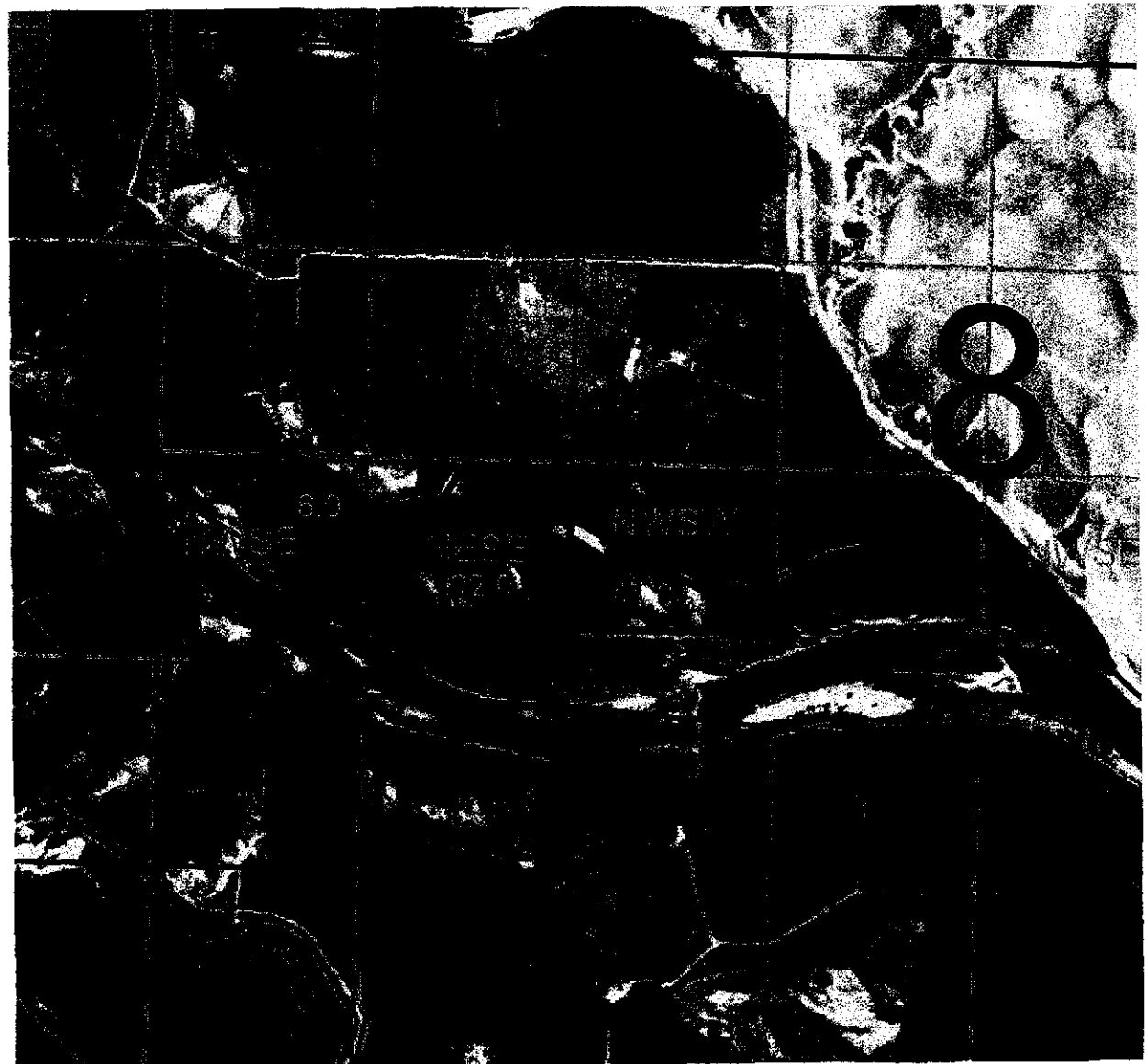
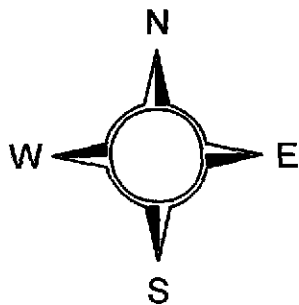
Idaho Department of Water Resources

Claim Number: 65-05757

Legal: T07N, R03W, S7 & 8

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

AJ0749NP
No. R65-05757

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

DATE: 01/14/00
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	08/29/1889	IRRIGATION	03-15 11-15	1.380 CFS	
					TOTAL DIVERSION:	1.380 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	:	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07N	03W	7	:									:									:	01-22	02-06					:	28.0
07N	03W	8	:									:									:							:	11.0
																										TOTAL ACRES	39.0		

POU County: PAYETTE

Remarks: QNT THIS RIGHT SHALL PROVIDE NO MORE THAN .0355 CFS PER ACRE AT
THE FIELD HEADGATE.

EXP 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:

Comments: Date: 03/29/1996 User-ID: MSCHULTE Subject: PRBA STIPULATION
THIS RECORD REFLECTS THE PRBA STIPULATION. NO ADDITIONAL FIELD
EXAM OR CVR REQUIRED.

Date: 01/14/2000 User-ID: MSCHULTE Subject: COPIED FROM 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.
THE DIVERSION RATE FOR THIS RIGHT WAS STIPULATED IN THE PAYETTE

AJ0749NP
No. R6S-05757

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

DATE: 01/14/00
PAGE: 2

=====

Comments: Date: 01/14/2000 User-ID: MSCHULTE Subject: COPIED FROM REMARKS
RIVER BASIN ADJUDICATION.

Audit: 01/14/00 MSCHULTE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:11:13
01/13/00
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PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-05757

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM T ACORD	08/29/1889	IRRIGATION	03-15 11-15	1.380 CFS	
					TOTAL DIVERSION: ~~CONSUMPTIVE USE:~~	1.380 CFS 136.50 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	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07N	03W	7	:																	:	28.0
07N	03W	8	:																	:	11.0
																			TOTAL ACRES	39.0	

POU County: PAYETTE

Remarks: GEN CLAIM AMENDED PER STIPULATION FROM PRBA BY MTS 2/21/1996.
A DIVERSION RATE OF .044 CFS 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.

} comments

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

QNT-E28, 0355/acre

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() <u>5a</u>
☒ NAPP <u>GIS maps (2)</u>	DATE OF PHOTO _____ IDWR ID NO. _____	Y(☒) N() <u>6b & 6c</u>
() 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>Memo about POD's</u>	DATE <u>12-10-92</u>	Y(☒) N() <u>5b</u>
☒ OTHER <u>GIS table</u>	DATE <u>12-4-99</u>	Y(☒) N() <u>6a</u>
☒ OTHER <u>PRBA map</u>	DATE _____	Y(☒) N() <u>6d</u>

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>Manipulation & Order</u>	DATE <u>2-18-93</u>	<u>3</u>	<u>10a</u>
☒ OTHER <u>POU review report</u>	DATE <u>1-13-00</u>	<u>1</u>	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:05:50
01/13/00

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QUICKLOOK INFORMATION

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CLAIM NUMBER: A65-05757

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 In office 1-14-2000	N		MS 1-14-2000	MS 1-14-2000	
POINT OF DIV				N				
SOURCE				N				
PLACE OF USE	Y			N				
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. 65-05757

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/12/00
PAGE: 3

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	08/29/1889	IRRIGATION	03/15 11/15	0.780 CFS	
TOTAL DIVERSION:					0.780 CFS	

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T07N R03W S08 Lot 02(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	7	:																	:	28.0
07N	03W	8	:											04-11						:	11.0
TOTAL ACRES																				39.0	

Pou County: PAYETTE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-05755 65-05756 65-05758

Other Water Rights Listing Overlapping Place(s) of use:
65-05756 65-05758 65-05759

Dates:	App. Received:	Priority Date:	08/29/1889
	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

37
CLAIM NUMBER: A65-05757

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

FIRST: O THAYNE
STATE: ID ZIP: 0

OWNER CODE: O

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?

FIELD
EXAMINER
Y() N()
DATABASE
Y

CLAIM REMARKS: GEN CLAIM AMENDED PER STIPULATION FROM PRBA BY MTS 2/21/1996.
A DIVERSION RATE OF .044 CFS 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.

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 1-14-2000. This recommendation is based
on the Stipulation and Order dated 2-18-93*

A. AJ CLAIM: # A65-05757 PRIORITY DATE: 08-29-1889 STAGE: J

B. WR RECORD: # 65-05757 PRIORITY DATE: 08-29-1889 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 A01 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 & decreed.

=====

RECOMMENDED PRIORITY DATE:

8-29-1889
REVIEWED BY Mei Sedulte

DATE 1-14-2000

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
A65-05757	07N	03W	8		NW	SE	2		PAYETTE		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A65-05755 R65-05755
A65-05756 R65-05756
A65-05758 R65-05758

WR RECORDS IN SAME 40 ACRE TRACT
65-05755
65-05756
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
65-05757	07N	03W	8		NW	SE	2		PAYETTE		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A65-05755 R65-05755
A65-05756 R65-05756
A65-05758 R65-05758

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(☒)

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

Y() N(☒)

OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

*See memo by Steve Lester dated 12-10-92
relating to PODs. Labeled 5b*

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:

Mel Schutte

DATE:

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

4871000m.N.

CLAIM A65 05757 INIT

T. R. S. Q/Q

P/D 7N 3W 8 NWSE

SCALE

PHOTO ID. W5 DATE 1971

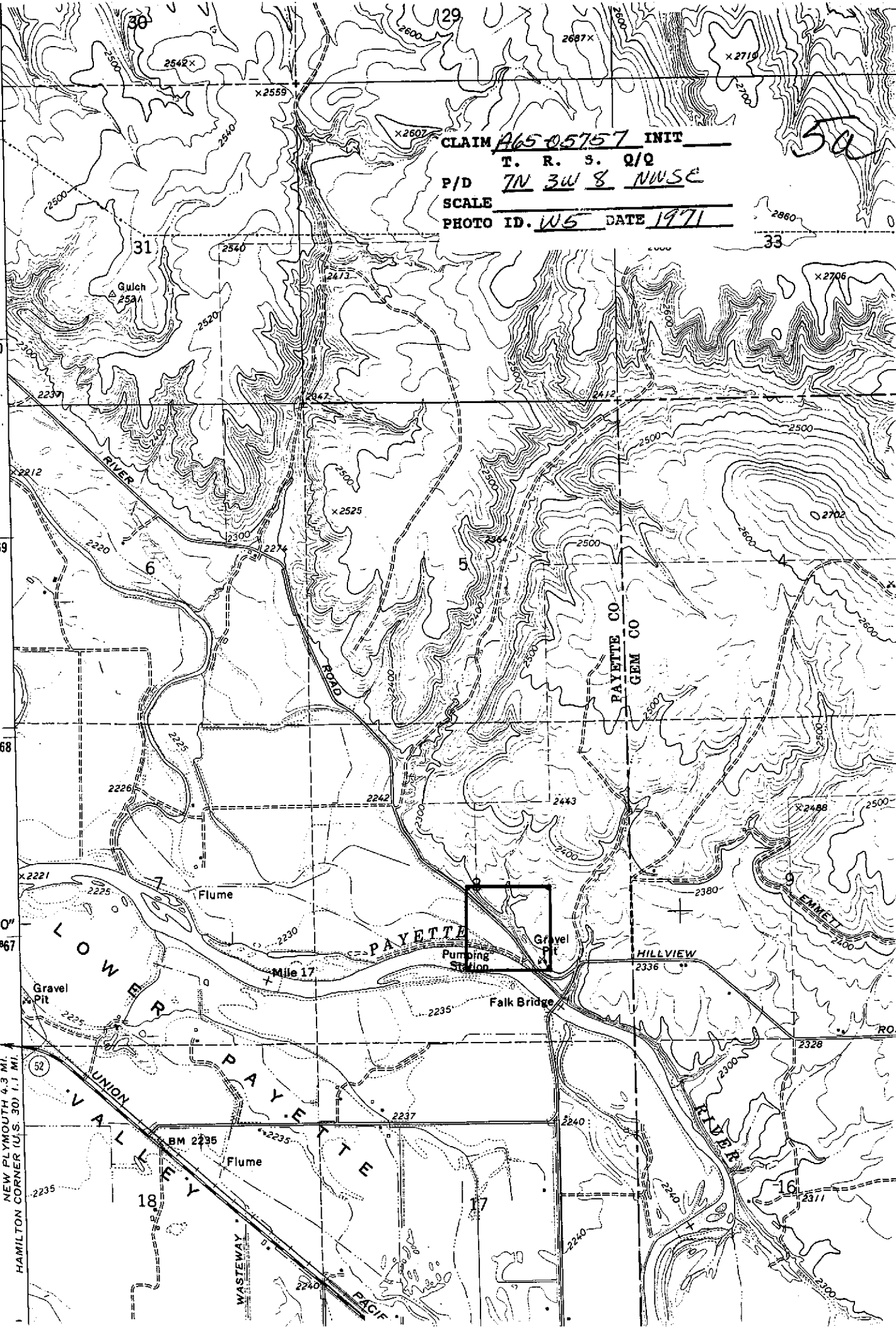
33

T. 8 N.

T. 7 N.

57'30"

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



DATE:

12/10/92

DATA COLLECTED BY:

A65-05757
Steve Lester

56

STREAM:

Payette River

DIVERSION NAME:

Upper Accord Ditch

POINT OF DIVERSION:

Lot 2 (SWNWSE) S.8 T7N R3W

ACCESS:

Falk Bridge - Bluff Road - locked gate on access road

USGS MAP:

Latta

(name)

W5

(number)

WATERMASTER CONTROL:

✓ Yes

No

W5 NW

(NAPP I.D. #)

DIVERSION DESCRIPTION:

Earth/gravel checkdam (same one as for
Lower Accord Ditch - 65-05755 & 05759) & 30' channel from river
to concrete headwall & lockable headgate (metal). Buried culvert
from headgate to silt ditch - culvert about 25' long.

MEASUREMENT:

No measuring device found so only partial water-
master control.

Could measure: 1) current meter (owner has RA meter).
2) install flume (too flat for weir?).

CURRENT WATER RIGHTS:

65-05757 and 65-05758

Diagram shows all Accord pl'ts: Upper & Lower ditches
plus 1 pump station (2 pumps):

DIAGRAM (if applicable):

IDAHO POWER METER #:

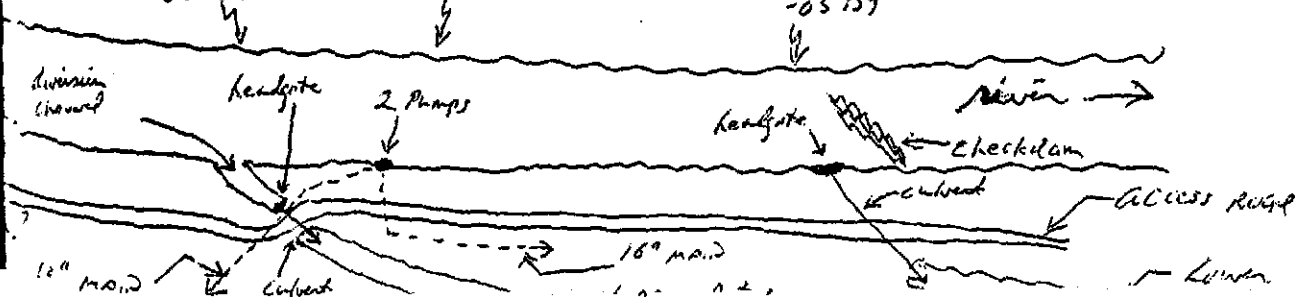
65-05757

-05758

65-05756

65-05755

-05759



A. ROOT WATER RIGHT NUMBERS: A65-05757
R65-05757

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	03W	7	NE	SE	1	ACORD, WILLIAM T	A65-05757 / 22.0	65-05757 / 22.0	26.0		
			NE	SE	1	ACORD, WILLIAM T	R65-05757 / 22.0	- /			
			NE	SE	1	ACORD, WILLIAM T	R65-05758 / 3.0	65-05758 / 3.0			
			NE	SE	1	ACORD, WILLIAM T	A65-05758 / 3.0	- /			22
07N	03W	7	NW	SE	2	ACORD, WILLIAM T	A65-05757 / 6.0	65-05757 / 6.0	17.0		
			NW	SE	2	ACORD, WILLIAM T	R65-05757 / 6.0	- /			
			NW	SE	2	ACORD, WILLIAM T	R65-05759 / 5.0	65-05759 / 5.0			6
			NW	SE	2	ACORD, WILLIAM T	A65-05759 / 5.0	- /			
07N	03W	8	NW	SW	4	ACORD, WILLIAM T	A65-05757 / 11.0	65-05757 / 11.0	18.0		
			NW	SW	4	ACORD, WILLIAM T	R65-05757 / 11.0	- /			
			NW	SW	4	ACORD, WILLIAM T	R65-05758 / 8.0	65-05758 / 8.0			
			NW	SW	4	ACORD, WILLIAM T	A65-05756 / 10.0	65-05756 / 10.0			
			NW	SW	4	ACORD, WILLIAM T	A65-05758 / 8.0	- /			
			NW	SW	4	ACORD, WILLIAM T	R65-05756 / 10.0	- /			11

ADDITIONAL POU FOUND

TOTAL ACRES A65-05757 39.00 39.00 61.00

POU COUNTY: PAYETTE

39

IDWR - WESTERN REGION

6a

CONTRACTOR: Karan Waters

CLAIM #: 65-05757 Date: 12-4-99

CLAIMANT(s): Acord, William

Overlapping POU Claim #'s: _____

				NE				NW				SW				SE				Sum
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	7N	3W	7													01-22	02-6			28
GIS																22	6			28
Claim	7N	3W	8										04-11							11
GIS													11							11
Claim																				
GIS																				
Claim																				
GIS																				

POU_ID #(s): 92

POD_ID #(s): 49 Same as 65-5755 - 05758

Total Claimed Acres: 39

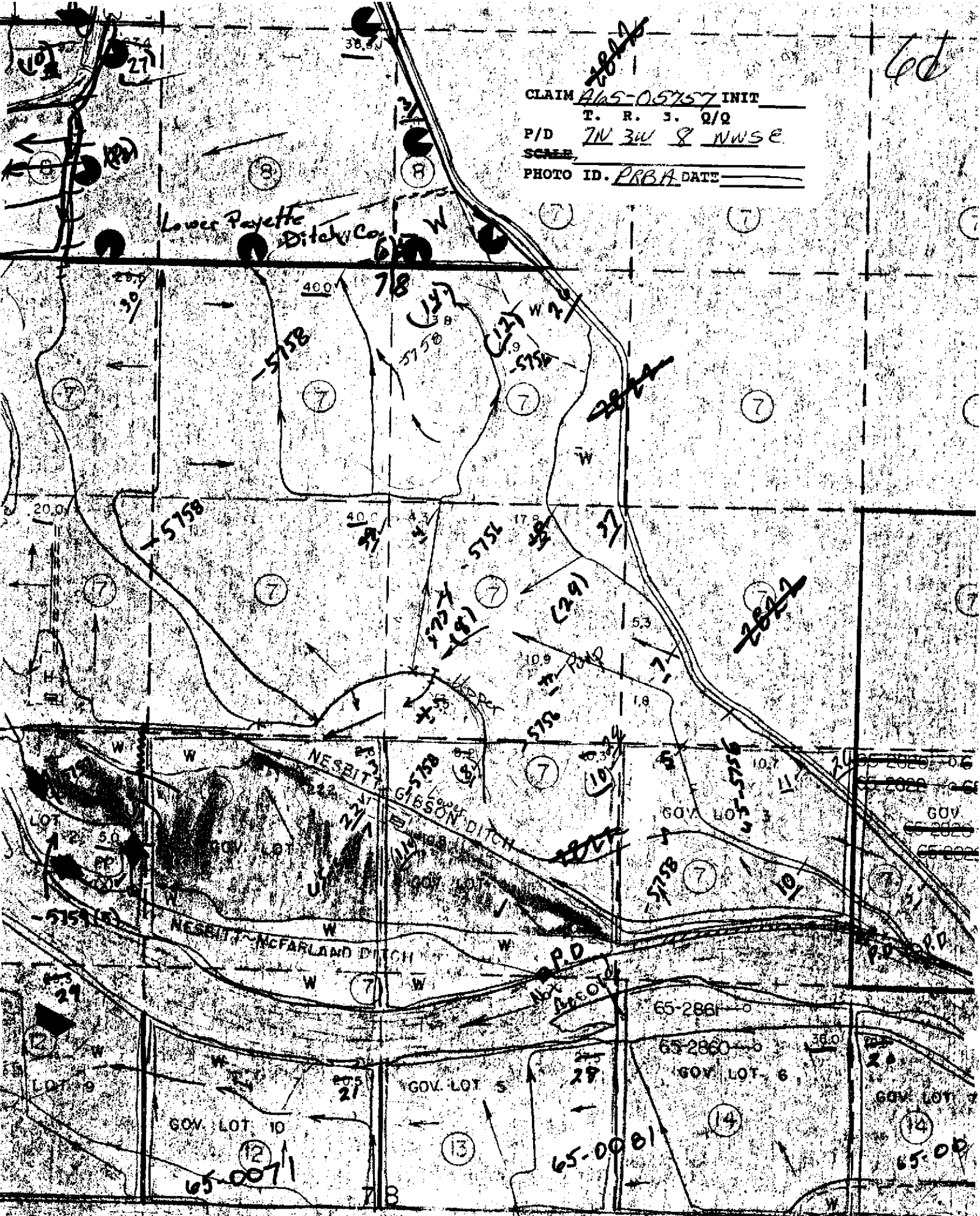
Total GIS Acres: 39

COMMENTS:

Taken from PRBA Blue-line Maps

60

CLAIM Alas-05757 INIT
T. R. S. Q/Q
P/D 7N 3W 8 NWSE
SCALE
PHOTO ID. PRBA DATE



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
A65-05757	PAYETTE RIVER	ACORD, WILLIAM T	1.380	0.035		
A65-05756	PAYETTE RIVER	ACORD, WILLIAM T	3.180	0.040		
R65-05756	PAYETTE RIVER	ACORD, WILLIAM T	3.180	0.040		
R65-05757	PAYETTE RIVER	ACORD, WILLIAM T	1.380	0.035		
R65-05758	PAYETTE RIVER	ACORD, WILLIAM T	6.850	0.039		
A65-05758	PAYETTE RIVER	ACORD, WILLIAM T	6.850	0.039		
R65-05759	PAYETTE RIVER	ACORD, WILLIAM T	0.650	0.046		
A65-05759	PAYETTE RIVER	ACORD, WILLIAM T	0.650	0.046		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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

Y() N(☒)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

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

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y(☒) N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(☒)

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

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

NOTES:

Recommended as stipulated and decreed in the
PRBA.

RECOMMENDATIONS:

TOTAL ACRES: 39 N/A()

REVIEWED BY: Mel Schulte

DATE: 1-14-2000

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-05757 IRRIGATION	FROM 03-15 TO 11-15	1.380 CFS	
TOTAL DIVERSION RATE/VOLUME		1.380 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-05757 IRRIGATION	FROM 03-15 TO 11-15	0.780 CFS	
TOTAL DIVERSION RATE/VOLUME		0.780 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:

*See attached Stipulation & Order dated 2-18-1993
relating to diversion rates, labeled 10a*

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.

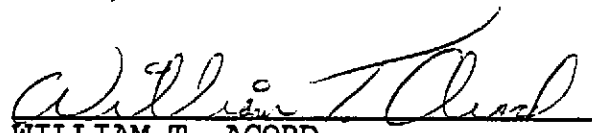
2. That William T. Acord withdraws all pending objections, including those based on the objection filed by Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown in July 1982, in the above captioned matter.

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.					

AJ CLAIM TOTAL DIVERSION RATE: 1.380 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.780 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 39 x 0.02 CFS/ACRE = .78 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 = NA AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = NA ~~136.5~~ AF/A

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:

See Stipulation & Order

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	1.380				136.5	NA
TOTAL FOR THIS RIGHT			1.380				136.5	NA

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: _____ DATE: _____

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 _____	(✓)	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-05757

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.780

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-05757	1.380	R65-05757	1.380	65-05757	0.780
TOTAL CFS		1.380		1.380		0.780

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:

Mel Schutte

DATE:

1-14-2000

NAME OF FIELD EXAMINER:

TITLE:

OPTION: IRRIGATION USES ONLY

ADJUDICATION CLAIM NUMBER: A65-05757

PAGE: 1

A. ROOT WATER RIGHT NUMBERS: A65-05757
R65-05757*No overlaps*

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
07N	03W	7	NE	SE	1	ACORD, WILLIAM T	A65-05757 /01/22.0	65-05757 /01/22.0	26.0
			NE	SE	1	ACORD, WILLIAM T	R65-05757 /01/22.0	- / /	
			NE	SE	1	ACORD, WILLIAM T	R65-05758 /01/ 3.0	65-05758 /01/ 3.0	
			NE	SE	1	ACORD, WILLIAM T	A65-05758 /01/ 3.0	- / /	
07N	03W	7	NW	SE	2	ACORD, WILLIAM T	A65-05757 /01/ 6.0	65-05757 /01/ 6.0	17.0
			NW	SE	2	ACORD, WILLIAM T	R65-05757 /01/ 6.0	- / /	
			NW	SE	2	ACORD, WILLIAM T	R65-05759 /01/ 5.0	65-05759 /01/ 5.0	
			NW	SE	2	ACORD, WILLIAM T	A65-05759 /01/ 5.0	- / /	
07N	03W	8	NW	SW	4	ACORD, WILLIAM T	A65-05757 /01/11.0	65-05757 /01/11.0	18.0
			NW	SW	4	ACORD, WILLIAM T	R65-05757 /01/11.0	- / /	
			NW	SW	4	ACORD, WILLIAM T	R65-05758 /01/ 8.0	65-05758 /01/ 8.0	
			NW	SW	4	ACORD, WILLIAM T	A65-05756 /01/10.0	65-05756 /01/10.0	
			NW	SW	4	ACORD, WILLIAM T	A65-05758 /01/ 8.0	- / /	
			NW	SW	4	ACORD, WILLIAM T	R65-05756 /01/10.0	- / /	
TOTAL ACRES							A65-05757	39.00	39.00 61.00

POU COUNTY: PAYETTE

AJ0749NP
No. R65-05757

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

DATE: 03/29/96
PAGE: 1

```
=====
OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          NAME & ADDRESS    DATE    WATER USE    FROM    TO    RATE    VOLUME
-----
C WILLIAM T ACORD    08/29/1889    IRRIGATION    03-15    11-15    1.38 CFS
  923 EXECUTIVE PARK DR STE G
  SALT LAKE CITY UT 84117
                                     TOTAL DIVERSION:    1.38 CFS
                                     CONSUMPTIVE USE:    136.50 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	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: SUM
07N	03W	7	:								:						:	01-22	02-06				: 28.0
07N	03W	8	:								:						:						: 11.0
																					TOTAL ACRES	39.0	

POU County: PAYETTE

Remarks: GEN 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.

Dates: Exam Made Date: Verified Date:

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

Comments: Date: 03/29/1996 User-ID: MSCHULTE Subject: PRBA STIPULATION
THIS RECORD REFLECTS THE PRBA STIPULATION. NO ADDITIONAL FIELD
EXAM OR CVR REQUIRED.

Audit: 03/29/96 MSCHULTE

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 "A" claim is given a "T" status for the 30 day period.

MICROFILMED

OCT 21 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 2, 1990

Mr. William T. Acord
1021 W. 4800 South
Murray, UT 84123

RE: Notices of Claim to a Water Right for Water Right Numbers
65-05757, 65-05758, 65-05759, 65-05760, 65-05761, 65-05762,
65-05763 and 65-05764 - Payette County

Dear Mr. Acord:

Please find enclosed computer-generated Notices of Claim to a Water Right based on the information we have on record for the above-referenced water rights. If the claims are satisfactory, please sign the claims, have your signature notarized, and return the claims to this office before the Payette County deadline of April 18, 1990.

If you return the computer-generated claims without any changes, other than name or address corrections, there are no filing fees.

If you have any questions or need assistance, please contact this office.

Sincerely,

Carter Fritschle
Senior Water Resource Agent
Adjudication Bureau

CF:sf:state:tf

Enclosures:

Notices of Claim referenced above

MICROFILMED

SEP 22 1992

Puyallup River Diversion were mapped for the Water District in winter 1992-1993.* For pld location, 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

MICROFILMED

AUG 03 1994

- Steve Lester

1/21/93

* From about Gardiner to Frontland stretch of river.

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.

TO A
WATER RIGHT

MAP NO.

NOV 27 1972

65-5757

Notice is hereby given that O. THAYNE ACORD

(Name of Claimant)

1900 West 3500 South, Salt Lake City, Utah

(Mailing Address)

claims a right to the diversion

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

The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 8/29/1889
- (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 .78 Irrigation 175 AF Period of Use From 3/15 To 11/15
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- (4) Quantity of water claimed: .78 Cubic Feet Per Second, or 175 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 SE 1/4, Sec. 8, Twp. 7N, Rge. 3W, B.M.; additional points: Gov't Lt. 2
- 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	8																	11.0
		7																	28.0

Total No. of acres 39.0

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 _____
Posted Notice
- (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.

11/17/1972
(Date)

State of Idaho

County of Ada

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

Individual

O. Thayne Acord
(Signature of Claimant)

Organization

(Signature of Spouse)

(Signature of Authorized Agent)

Notary Public residing at Payette, Idaho

My commission expires 7/29/1975

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.

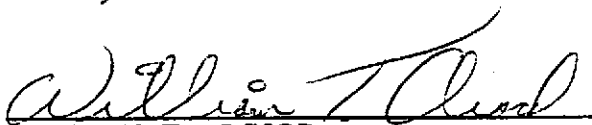
2. That William T. Acord withdraws all pending objections, including those based on the objection filed by Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown in July 1982, in the above captioned matter.

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.



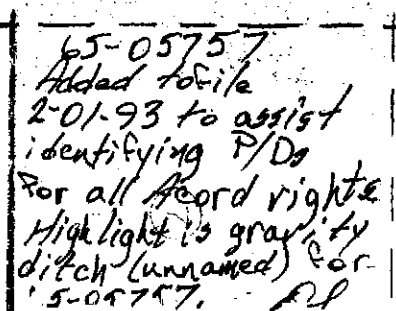
WILLIAM T. ACORD

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 NWNW 14.0 SWNW 8.0 Lot 3 (NESW)10.0 Lot 4 (NWSW) 8.0						
173.0 ACRES TOTAL						
REMARKS: WATER IS DELIVERED THROUGH NEBBITT-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				
65-05756	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.						



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	08/29/1889	IRRIGATION	03-15 11-15	1.38 CFS	
					TOTAL DIVERSION:	1.38 CFS
					CONSUMPTIVE USE:	136.5 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				
		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
07N	03W 7	:		:		:		:		:		:		:	01-22	02-06	:	28.0
07N	03W 8	:		:		:		:		:	04-11	:		:			:	11.0
																	TOTAL ACRES	39.0

POU County: PAYETTE

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.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:



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.

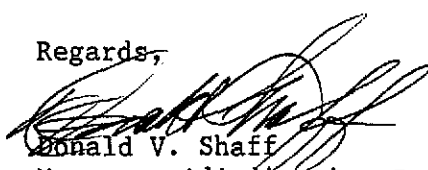
The revised proposed amounts are as follows:

<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

DIVERSION RATE CALCULATIONS

Water Right No. 65-05757

Date 6/4/92

Initials JP

Soils	Acres		Rate (cfs/ac)		Rate (cfs)
Moulton	<u>33</u>	x	0.034	=	<u>1.12</u>
Letha	<u>—</u>	x	0.029	=	<u>—</u>
~~Other~~	<u>6</u>	x	~~0.02~~ .044	=	<u>0.26</u>
NOTES					
Total	<u>39</u>				<u>1.38</u>
Conveyance Loss (see attached)				=	<u>—</u>
TOTAL DIVERSION RATE				=	<u>1.38</u>
Comments:					



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 65-05757

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.

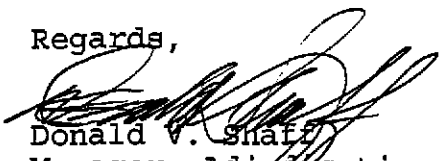
This group of water rights are among the last water rights remaining for decree in the Payette River Basin Adjudication. Most of the water rights were decreed on January 21, 1986 and in subsequent partial decrees.

Your water right referenced above was listed in the Proposed Finding with a diversion rate of 0.78 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 1.33 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. 65-05757

Date 4/20/92

Initials JK

Soils	Acres		Rate (cfs/ac)		Rate (cfs)
Moulton	<u>39</u>	x	0.034	=	<u>1.33</u>
Letha	<u>—</u>	x	0.029	=	<u>—</u>
Other	<u>—</u>	x	0.02	=	<u>—</u>
Total	<u>39</u>				<u>1.33</u>

Conveyance Loss (see attached) = —

TOTAL DIVERSION RATE = 1.33

Comments:

14 = 0.33
10 = 0.43

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 260

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
65-0080	LETHA IRRIGATION & WATER COMPANY, INC. C/O MELBA PLATZ, ROUTE 2, NEW PLYMOUTH, IDAHO 83655 REMARKS: IRRIGATED BY LANE, ELIAS ANDERSON, OR ROSEBURY DITCH.	5/31/1889	IRRIGATION	3/15 11/15	--- AFA 11.26 CFS	SWNW S 1 T 6N R 3W	NWSW(36) SWSW(34) LOT 6(11) LOT 7(25) S26 T 7N R 3W SWSE(18) S27 T 7N R 3W NENE(34) NWN(23) SENE(39) NENW(14) NESE(31) NWSE(3) S34 T 7N R 3W NENW(33) NWNW(37) SWNW(32) SENW(34) NENW(30) NWSW(35) S35 T 7N R 3W *469*	BENEFICIAL USE
65-10723	PAYETTE RIVER RANCH 1586 VANDERBASSON ROAD, EMMETT, IDAHO 83617	8/12/1889	IRRIGATION	3/15 11/15	--- AFA 1.99 CFS	SWNE S 9 T 6N R 2W	NENE(21) SENE(2) S 8 T 6N R 2W SWSW(3) S 4 T 6N R 2W LOT 4(19) S 9 T 6N R 2W LGT 10(8) LGT 9(36) S 5 T 6N R 2W *89*	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	14.00 AFA .23 CFS *---*AFA *2.05*CFS		SAME AS OTHER USE	
65-5757	ACORD, O. THAYNE 1900 WEST 3500 SOUTH, SALT LAKE CITY, UTAH 84119	8/29/1889	IRRIGATION	3/15 11/15	--- AFA .78 CFS	LOT 2 S 8 T 7N R 3W	LOT 4(11) S 8 T 7N R 3W LGT 1(22) LOT 2(6) S 7 T 7N R 3W *39*	BENEFICIAL USE
65-5758	ACORD, O. THAYNE 1900 WEST 3500 SOUTH, SALT LAKE CITY, UTAH 84119	8/29/1889	IRRIGATION	3/15 11/15	--- AFA 4.04 CFS	LOT 2 S 8 T 7N R 3W	NENE(40) NWN(30) SWNE(20) SENE(40) LOT 1(3) S 7 T 7N R 3W NWNW(14) SWNW(8) LGT 3(10) LGT 4(8) S 8 T 7N R 3W *173*	BENEFICIAL USE



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

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

Re: Civil Case No. 3667
Frasier, et al Objection 65-05757

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 .78 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,

Donald V. Shaff
Manager, Adjudication Section

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 13 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,
65-5764

No name

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
WILLIAM T. ACORD (9)

WTA:pj

cc: file

$$\begin{array}{r} 39 \\ -02 \\ \hline 78 \end{array}$$

$$39 \times 4.5 = \begin{array}{r} 195 \\ 156 \\ \hline 175.5 \text{ AF} \end{array}$$