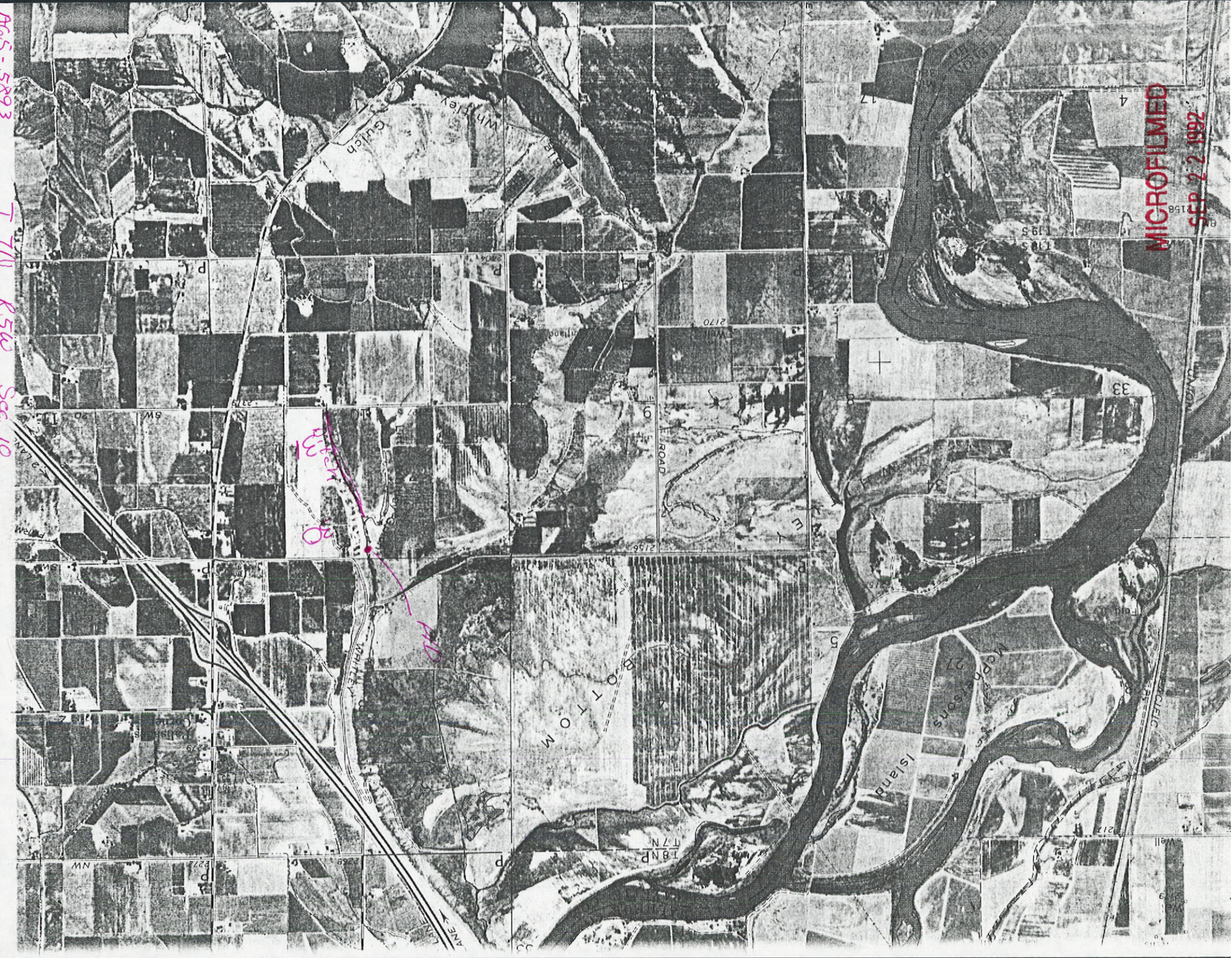


AC-5-5893

7711 RSW Sec 10



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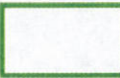
Idaho Dept. of Water Resources

Claim No(s): 65-02565,
65-05893, 65-07031,
65-07609

T07N, R05W, S 9, 10

Prepared by: Sue Bock

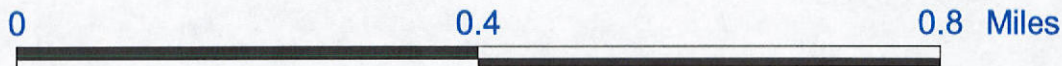
Date: 1/16/2001

-  Place of Use
-  Point of Diversion
-  Section lines
-  1/4 1/4 lines



1987 NAPP Photo

0 0.4 0.8 Miles



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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A65-05893
Date Received: 4/17/1990
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DALTON J. SURMEIER 208-452-4294
Address: 1610 SW 2ND AVE.
FRUITLAND, ID 83619
OR
Name: DONNA J. SURMEIER 208-452-4294
Address: 1610 SW 2ND AVE.
FRUITLAND, ID 83619
2. Date of Priority: DEC 15, 1969
3. Source: WASTE WATER Trib. to: LITTLE WHITLEY GULCH
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05W	10	NE	NW			PAYETTE
5. Description of diverting works:
DITCH, CATCH BASIN, PUMP, SPRINKLERS
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.220		
7. Total Quantity Appropriated is:
1.220 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 213.5 Acre Feet Per Annum.
9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	05W	10	NW	NE		IRR	30.0
			SW	NE		IRR	31.0
Section Acres							61.0
Total Acres							61.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:
BLACK CANYON IRR., A65-07609

14. Remarks:
THIS RIGHT WHEN COMBINED WITH RIGHTS OF BLACK CANYON IRRIGATION DISTRICT & 65-7609 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.
CHANGE IN POINT OF DIVERSION. WATER CONVEYED THROUGH DITCH TO CATCH BASIN AT DIVERSION LISTED. DIVERSION HAS BEEN AT THIS LOCATION SINCE AT LEAST 1968.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Ronna J. Surmeier Date: 4-17-90

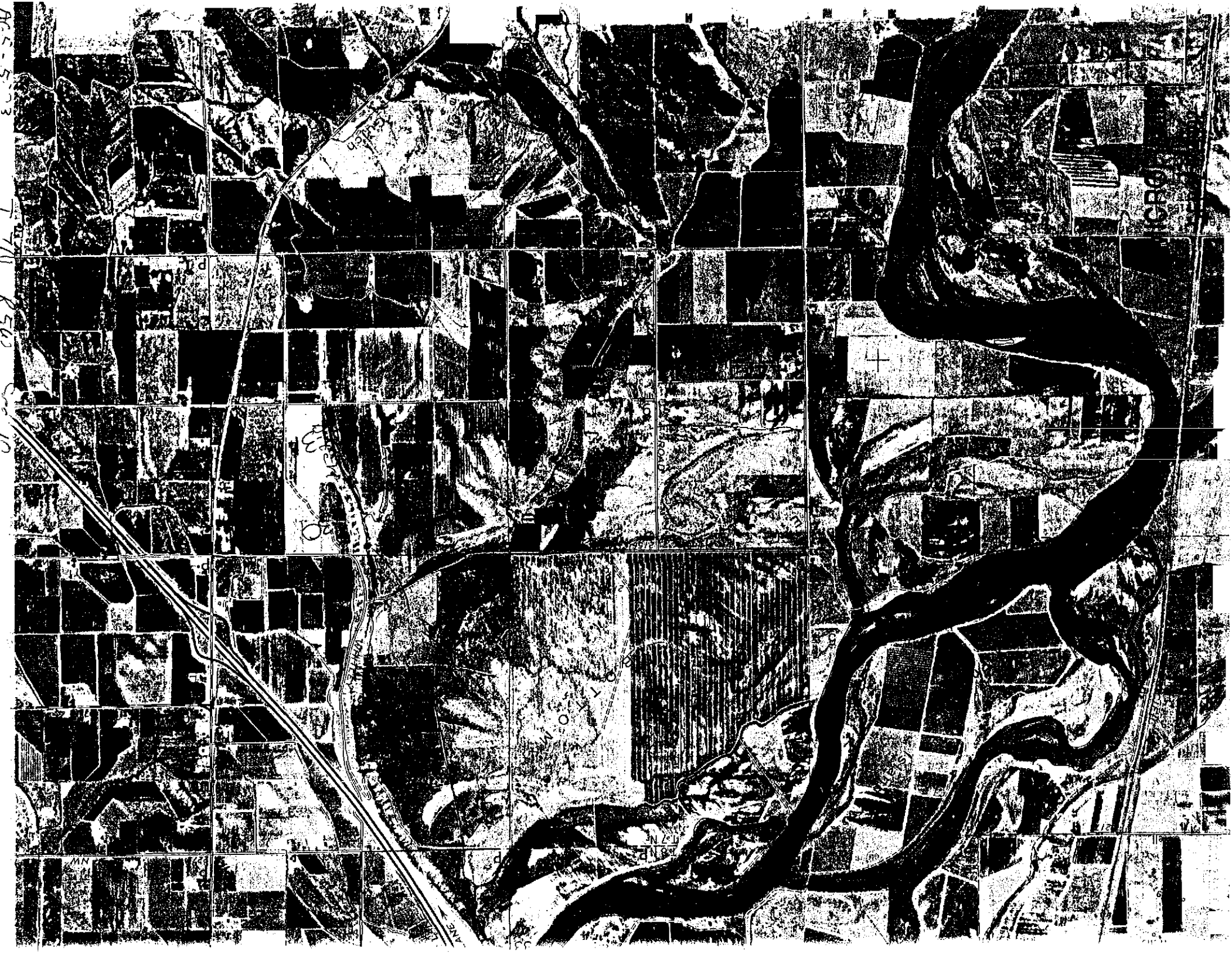
Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 17 day
of April 19 90 Linda Werner
Notary Public

Seal

Residing at LINDA WERNER
RESIDING AT EAGLE, IDAHO
My Commission Expires MY COMMISSION EXPIRES DEC. 8, 1994



7-17-78 18500 5-10

CR6

CR6

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CR6

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CR6



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

01/16/2001

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

RIGHT NUMBER: 65-5893

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

SOURCE: WASTEWATER

TRIBUTARY: LITTLE WHITLEY GULCH CREEK

QUANTITY: 1.22 CFS

PRIORITY DATE: 12/15/1969

POINT OF DIVERSION: T07N R05W S10 NENW 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	1.22 CFS

PLACE OF USE:

<u>IRRIGATION Within PAYETTE County</u>					
T07N R05W S10	NENE	24	T07N R05W S10	NWNE	31
T07N R05W S10	SWNE	32	T07N R05W S10	NENW	27
T07N R05W S10	NWNW	14	T07N R05W S10	SWNW	37
T07N R05W S10	SENW	32			

197 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 61 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 197 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-02565, 65-07031, 65-07609.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

USE OF THIS RIGHT IS COMBINED WITH WATER FROM BLACK CANYON IRRIGATION DISTRICT.

DATE: 08/08/00
PAGE: 9

Other Rights: BLACK CANYON IRR., A65-07609

Objection Filed Date:

Field Inspection Flag:
Presumption Flag: C

WIL
C-8

tion Filed Date:

POU7KOL
E14

WR5809NP
No. 65-05893

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/04/00
PAGE: 14

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BINGHAM D. EBLEN P. O. BOX 578 EUFAULA AL 36027	12/15/1969	IRRIGATION	03/15 11/15	1.220 CFS	
TOTAL DIVERSION:					1.220 CFS	

Water Source: WASTE WATER

Tributary to: LITTLE WHITLEY GULCH

Stage: DECREED

Point(s) of Diversion: T07N R05W S10 SWNE 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	05W	10	:			30		31												:	61.0
																				TOTAL ACRES	61.0

Pou County: PAYETTE

Other Water Rights Listing Overlapping Place(s) of use:
65-07609

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHTS OF BLACK CANYON IRRIGATION
DISTRICT & 65-7609 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

Dates:	App. Received:	Priority Date:	12/15/1969
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Idaho Dept. of Water Resources

Claim No(s): 65-02565,
65-05893, 65-07031,
65-07609

T07N, R05W, S 9, 10

Prepared by: Sue Bock

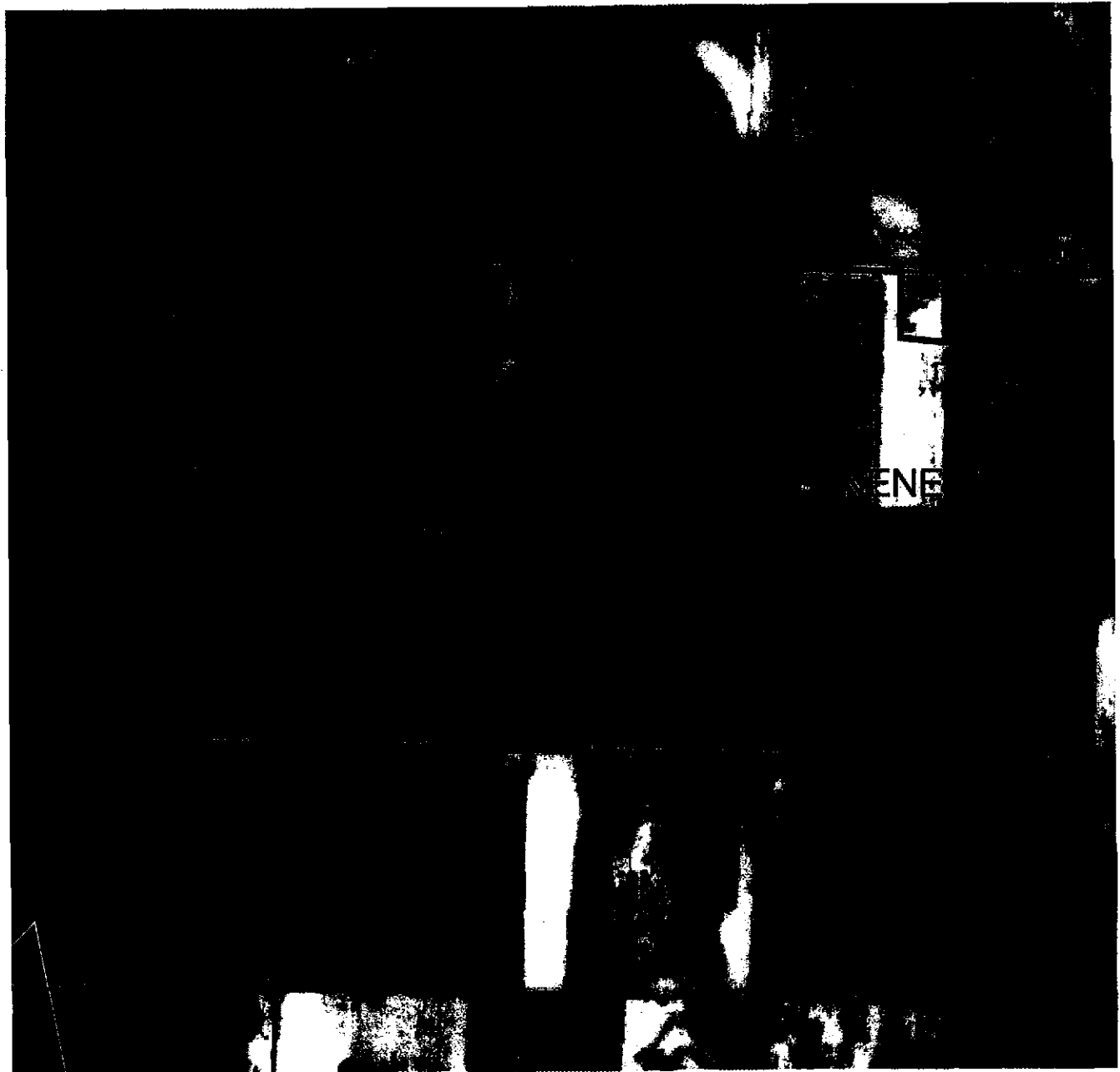
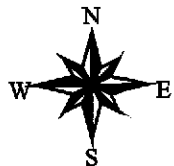
Date: 1/16/2001

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



1987 NAPP Photo

0

0.4

0.8 Miles

