

Betto
65-02659



630

625-

629

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6097

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608



IDAHO DEPARTMENT OF WATER RESOURCES

T16N, R02E, S01



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

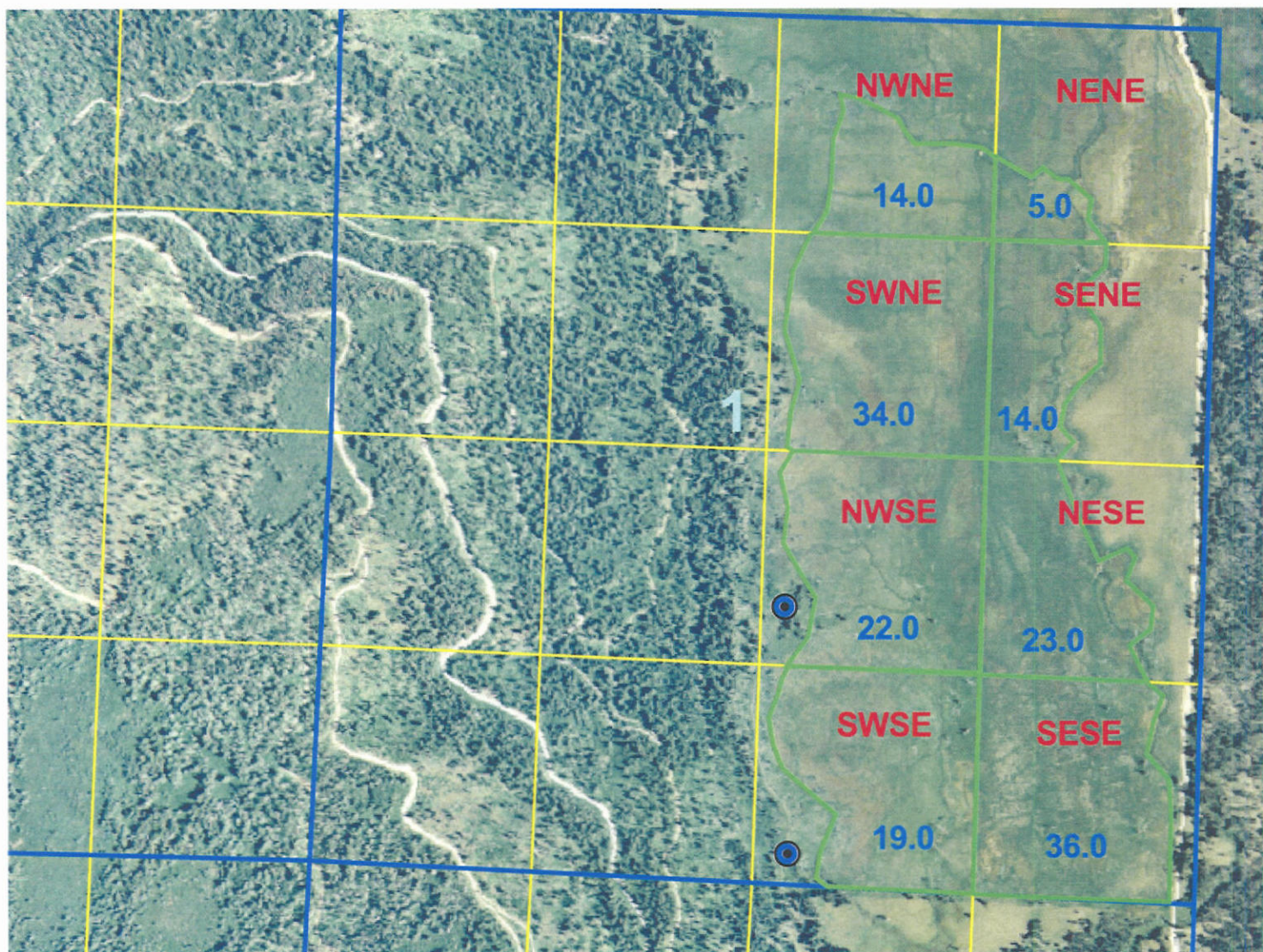
6 SECTION NUMBERS

CLAIM(S): 65-02659

OWNER(S): BETTIS

Prepared by Mel Schulte

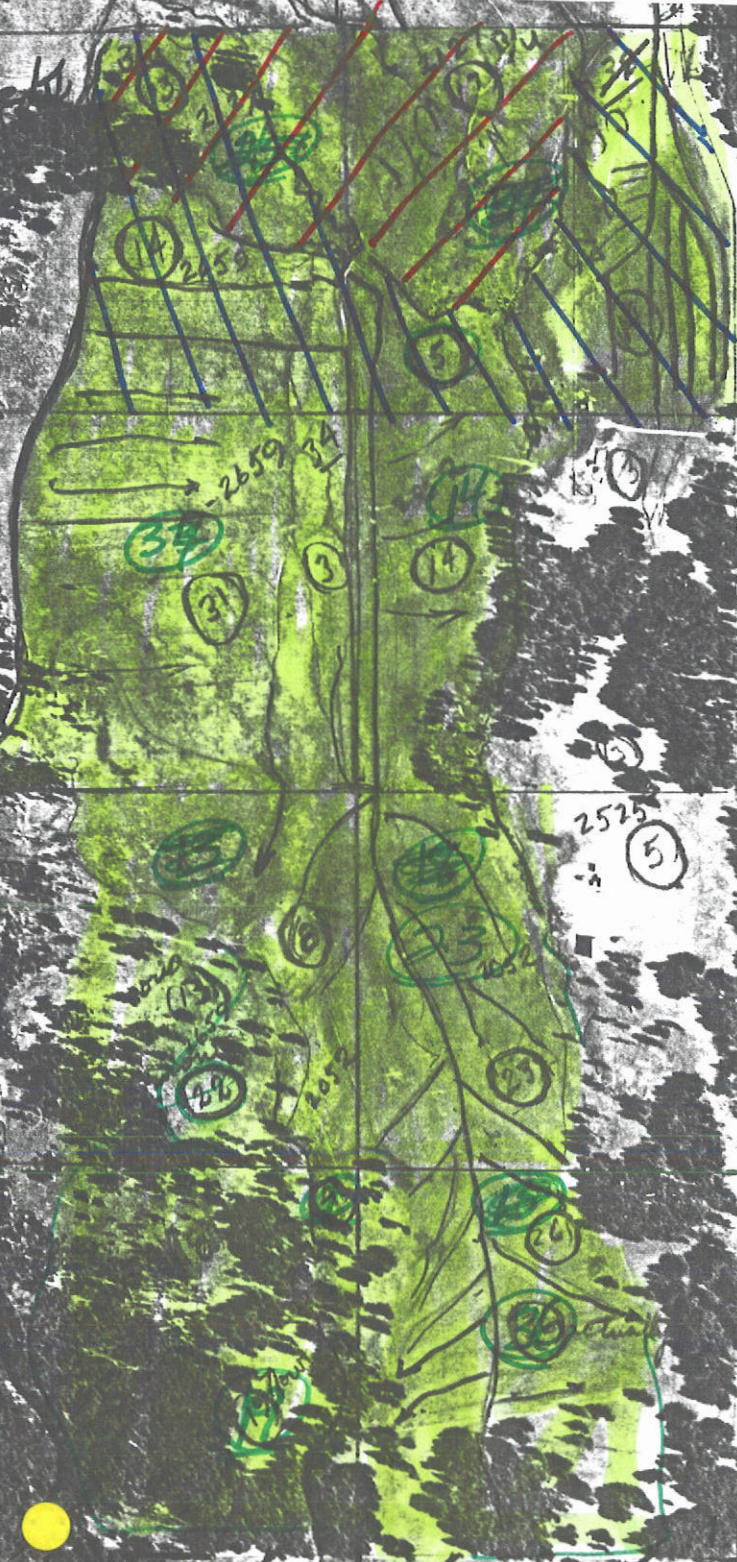
DATE: JULY 7, 1999



0 0.25 0.5 0.75 1 1.25 Miles

60C
R2E
CLAIM 165 02659 INIT
T. R. S. Q/Q
P/D 16N 2E 1 SE 1/4
SCALE PRBA map
PHOTO ID. ASCS DATE 1961

111-2525
17
11-11347
2659



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

Valley

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

NOTICE OF CLAIM
TO A
WATER RIGHT

IDENT. NO. **RECEIVED**

65-2659 MAY 7 1971

Notice is hereby given that John Stringer

420 Garden St. Hartford Conn. 06605 (Name of Claimant)
Route #1, Box 30, Nyssa, Oregon 97913 (Mailing Address)

Department of Water Reclamation 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) Sept. 17, 1959
- (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) 4/15 10/15
Use Irrigation 2.0 50+474 Period of Use From March 15 To Nov. 15
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both Dates Inclusive)
Use Domestic (Stockwater) .04 1.2 AF Period of Use From May 1 To Oct 30
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both Dates Inclusive)
Use Domestic (Stockwater) .04 1.2 AF Period of Use From May 1 To Oct 30
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both Dates Inclusive)
- (4) Quantity of water claimed: 2.0 Cubic Feet Per Second, or 475.2 50+4 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 SW 1/4 SE 1/4
Sec. 1 Twp. 16N Rge. 2E, B.M.; additional points:
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)
Give sizes and capacities; be as specific as possible. 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	SFC.	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	
16N	2E	1	32	33	20	20				32					32	13	8	21	167
			39	44											34	38	33	32	
															32				
16N	2E	1	39	32	33	20									34	38	33	32	192
			25			14									18	13	1	15	158

Total No. of acres 167 168 192 158

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: 158
- (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 1 Source for this Pt. are 2 unnamed spring
unnamed creeks. This it when combined with 65-2520
streams shall not provide reason for 65-2659/71
- (10) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use. ☐ B) Right decreed by court, cite title of case. ☒ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.: License No. 65-2659

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.

May 7, 1971 (Date)

Individual

John Stringer (Signature of Claimant)

rp 7-13-78 (Signature of Spouse)

Organization

(Signature of Authorized Agent)

State of Idaho

County of Ada

On this 7 day of May

a notary public, personally appeared John Stringer in the year 1971, before me, 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) executed the same.

Notary Public residing at Boise Idaho

My commission expires 2-18-1971

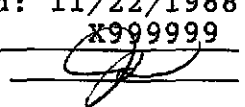
Res 5/3/77

9KN 94N 4/3/76

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: A65-02659
Date Received: 11/22/1988
Receipt No: X999999
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HARRY L. BETTIS
Address: 10775 SUCKER CREEK RD.
PAYETTE, ID 83661 208-365-2512
2. Date of Priority: SEP 17, 1959
3. Source: UNNAMED STREAMS
SPRINGS Trib. to: PAYETTE RIVER, NORTH FORK
PAYETTE RIVER, NORTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	02E	1	NW	SE			VALLEY
			NW	SE			VALLEY
			SW	SE			VALLEY
			SW	SE			VALLEY
5. Description of diverting works:
SPRINGS & STREAMS FLOW INTO DITCH W/GRAVITY IRRIG. FROM DITCH.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.000		
DOMESTIC	01/01	12/31	0.040		
7. Total Quantity Appropriated is:
2.000 C.F.S. (and/or) 1.20 A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
D/1 HOME.

A65-02659

Page 1

Date: 11/22/88

MICROFILMED

SEP 21 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	02E	1	NE	NE		IRR	39.0
			NW	NE		IRR	25.0
			SW	NE		IRR	33.0
			SE	NE		IRR	14.0
			NE	SE		IRR	18.0
			NW	SE		IRR	13.0
			SW	SE		IRR	1.0
			SE	SE		IRR	15.0

Section Acres 158.0

Total Acres 158.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
65-11397, 65-02525, 65-08094.

14. Remarks:
THIS RIGHT WHEN COMBINED WITH RIGHT 65-2525 SHALL PROVIDE NO
MORE THAN .02 CFS/ACRE.

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

STATE OF IDAHO

Decree Plaintiff

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

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): Harry L. Betton Date: 11/22/88
Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 22nd day
of November 19 88

Jan Shute
Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-14-94



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

AJ0749NP
No. R65-02659

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

DATE: 07/28/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HARRY L BETTIS 10775 SUCKER CREEK RD PAYETTE ID 83661 (208) 365-2512	09/17/1959	IRRIGATION	04-15 10-15	2.000 CFS	
TOTAL DIVERSION:					2.000 CFS	

Water Source: UNNAMED STREAMS
SPRINGS

Tributary to: CASCADE RESERVOIR
CASCADE RESERVOIR

Stage: DECREED

Point(s) of Diversion: T16N R02E S01 NWSE SWSE VALLEY 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
16N	02E 1	:	05	14	34	14	:			:						:	23	22	19	36	:	167.0
																					TOTAL ACRES	167.0

POU County: VALLEY

Other Rights: 65-02052

Remarks: QNT USE OF THIS RIGHT WITH RIGHT LISTED BELOW SHALL PROVIDE NO
MORE THAN .02 CFS. PER ACRE. RIGHT NO.: 65-02052.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Audit: 07/28/99 MSCHULTE

AJ0749NP
No. R65-02659

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

DATE: 06/09/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HARRY L BETTIS 10775 SUCKER CREEK RD PAYETTE ID 83661 (208) 365-2512	09/17/1959	IRRIGATION ~~DOMESTIC~~	04-15 10-15 ~~01-01-12-31~~	2.00 CFS ~~0.04 CFS~~	
TOTAL DIVERSION:					2.00 CFS	~~0.04 CFS~~

Water Source: UNNAMED STREAMS
SPRINGS

Tributary to: PAYETTE RIVER, NORTH FORK
PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion: T16N R02E S01 NWSE SWSE VALLEY 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
16N	02E	1	:	39		25		33		14		:									:	18		13		01		15	: 158.0
																												TOTAL ACRES	158.0

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

POU County: VALLEY

Non-Irrigation Uses: 1 HOME.

Other Rights: 65-11397, 65-02525

Conditions of Approval:

- N10 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
N12 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL
- NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.0 CFS. COMBINED RIGHT NOS.:
~~65-02525 & 65-11397~~

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Audit: 06/09/99 MSCHULTE

WR5809NP
No. 65-02659

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/11/99
PAGE: 4

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	C. JOHN STRINGER RT. 3, BOX 720 ONTARIO OR 97914	09/17/1959	IRRIGATION DOMESTIC	04/15 10/15 01/01 12/31	2.000 CFS 0.040 CFS	1.20 AFA
TOTAL DIVERSION:					2.000 CFS	1.20 AFA

Water Source: UNNAMED STREAMS
SPRING

Tributary to: PAYETTE RIVER, NORTH FORK
PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion: T16N R02E S01 NWSE SWSE VALLEY 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	:	SUM	
16N	02E	1	:	39		25		33		14						18	13	01	15	158.0
																			TOTAL ACRES	158.0

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: VALLEY

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-02980 65-06272

Other Water Rights Listing Overlapping Place(s) of use:
65-02525 65-11397

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHT 65-2525 SHALL PROVIDE NO
MORE THAN .02 CFS/ACRE.

Dates: App. Received: Priority Date: 09/17/1959
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

*Not updated to reflect
stipulated resolution to
objection - see CVR*

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 _____ IDWR ID NO. _____	Y() N()
↔ NAPP <i>GIS</i>	DATE OF PHOTO <i>1987 6-9-99</i> IDWR ID NO. _____	Y(<i>✓</i>) N() <i>6b</i>
(<i>✓</i>) ASCS AERIAL PHOTO	DATE OF PHOTO <i>1961 PRBA map</i>	Y(<i>✓</i>) N() <i>6c</i>
() 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()
(<i>✓</i>) OTHER <i>GIS Table</i>	DATE <i>6-9-99</i>	Y(<i>✓</i>) N() <i>6a</i>
(<i>✓</i>) OTHER <i>Partial Decree & stipulation</i>		Y(<i>✓</i>) N()
() OTHER _____	DATE _____	Y() N()

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 <i>POU review report</i>	DATE <i>6-9-99</i>	<i>1</i>	
(<i>✓</i>) OTHER <i>PRBA claim</i>	DATE <i>5-7-71</i>	<i>1</i>	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:07:40
06/09/99

PAGE: 16
QUICKLOOK INFORMATION

16
CLAIM NUMBER: A65-02659

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			MS 6-9-99 Shoffner	N		MS 6-9-99	MS 6-9-99	
POINT OF DIV	Y			N				
SOURCE	Y			N				
PLACE OF USE	Y			N				
DIV. AMOUNT CFS/VOLUME				N				
CONSUMPTIVE USE	-			NA				
PURPOSES OF USE				N				
PERIOD OF USE				N				
BASIS OF CLAIM				N				
REMARKS	Y			Y				

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:07:40
06/09/99

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-02659

LAST: STRINGER
ADDRESS: RT 3 BOX 720
CITY: ONTARIO
PHONE NUMBER: 208-000-0000

FIRST: C JOHN
STATE: OR ZIP: 97914

OWNER CODE: O

LAST: BETTIS
ADDRESS: 10775 SUCKER CREEK RD
CITY: PAYETTE
PHONE NUMBER: 208-365-2512

FIRST: HARRY L
STATE: ID ZIP: 83661

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN THIS RIGHT WHEN COMBINED WITH RIGHT 65-2525 SHALL PROVIDE NO
MORE THAN .02 CFS/ACRE.

FIELD EXAMINATION INFORMATION

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

A. AJ CLAIM: # A65-02659 PRIORITY DATE: 09-17-1959 STAGE: D

B. WR RECORD: # 65-02659 PRIORITY DATE: 09-17-1959 STAGE: D

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 decreed in the PRBA.

RECOMMENDED PRIORITY DATE:

09-17-1959
REVIEWED BY Michael Schulte

DATE 6-9-99

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
A65-02659	16N	02E	1		NW	SE			VALLEY		
A65-02659	16N	02E	1		NW	SE			VALLEY		
A65-02659	16N	02E	1		SW	SE			VALLEY		
A65-02659	16N	02E	1		SW	SE			VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX
A65-02980A NONE

A65-02980B
A65-02980C
A65-02980D
A65-06272A
A65-06272B

WR RECORDS IN SAME 40 ACRE TRACT

65-02980
65-06272

SOURCE: UNNAMED STREAMS
SPRINGS

TRIB: PAYETTE RIVER, NORTH FORK
PAYETTE RIVER, NORTH FORK

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
65-02659	16N	02E	1		NW	SE			VALLEY		
65-02659	16N	02E	1		SW	SE			VALLEY		

OTHER WR RECORDS WITH SAME WR POD

65-02980
65-06272

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

A65-02980A NONE
A65-02980B
A65-02980C
A65-02980D
A65-06272A
A65-06272B

SOURCE: UNNAMED STREAMS
SPRING

TRIB: PAYETTE RIVER, NORTH FORK
PAYETTE RIVER, NORTH FORK

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: Recommended as decreed in the PRBA.

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
16N	02E	1		NW	SE			VALLEY		
16N	02E	1		NW	SE			VALLEY		
16N	02E	1		SW	SE			VALLEY		
16N	02E	1		SW	SE			VALLEY		

SOURCE:

Unnamed Str.
Spring

TRIB:

Pay. Riv. N.F.

REVIEWED BY: MacSchulte

DATE: 6-9-99

=====

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

A. ROOT WATER RIGHT NUMBERS: A65-02659

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
16N	02E	1	NE	NE		BETTIS, HARRY L	A65-02659 / 39.0	65-02659 / 39.0			
			NE	NE		BETTIS, HARRY L	A65-02052 / 5.0	- /			
			NE	NE		BETTIS, HARRY L	A65-02525 / 19.0	65-02525 / 19.0			
			NE	NE		BETTIS, HARRY L	A65-08094 /	65-08094 /			
			NE	NE		BETTIS, HARRY L	A65-11397 / 17.0	65-11397 / 17.0			
			NE	NE		BETTIS, HARRY L	65-08094 /	- /			5
16N	02E	1	NW	NE		BETTIS, HARRY L	A65-02659 / 25.0	65-02659 / 25.0			
			NW	NE		BETTIS, HARRY L	A65-02525 / 25.0	65-02525 / 25.0			
			NW	NE		BETTIS, HARRY L	A65-11397 / 13.0	65-11397 / 13.0			14
16N	02E	1	SW	NE		BETTIS, HARRY L	A65-02659 / 33.0	65-02659 / 33.0	38.0		34
16N	02E	1	SE	NE		BETTIS, HARRY L	A65-02659 / 14.0	65-02659 / 14.0	35.0		
			SE	NE		BETTIS, HARRY L	A65-02052 / 14.0	- /			14
16N	02E	1	NE	SE		BETTIS, HARRY L	A65-02659 / 18.0	65-02659 / 18.0	39.0		
			NE	SE		BETTIS, HARRY L	A65-02052 / 23.0	- /			23
16N	02E	1	NW	SE		BETTIS, HARRY L	A65-02659 / 13.0	65-02659 / 13.0	37.0		
			NW	SE		BETTIS, HARRY L	A65-02052 / 8.0	- /			22
16N	02E	1	SW	SE		BETTIS, HARRY L	A65-02659 / 1.0	65-02659 / 1.0	38.0		
			SW	SE		BETTIS, HARRY L	A65-02052 / 4.0	- /			19
16N	02E	1	SE	SE		BETTIS, HARRY L	A65-02659 / 15.0	65-02659 / 15.0	40.0		
			SE	SE		BETTIS, HARRY L	A65-02052 / 26.0	- /			36

ADDITIONAL POU FOUND

TOTAL ACRES	A65-02659	158.00	158.00	227.00	167
POU COUNTY: VALLEY					

WESTERN REGION

6a

OWNER (S): Beth

CLAIM NUMBERS: A65-02659

AGENT: MEL SCHULTE

DATE 7-7-99
6-9-99

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
	16N	2E	1	5	14	34	14									23	22	19	36
																			167

POLYGON CREATED ON 330

POLYGON # () () () () UPDATED BY MTS

ATTRIBUTES OF B65-POU.SHP (629) (630) (631) (632) ()

ATTRIBUTES OF B65-POD.SHP (608) (609) () () ()

7-29-99 B65-DBPOU.DBF UPDATED BY MTS

7-29-99 B65-DBPOD.DBF UPDATED BY MTS

NOTES:

Betto
65-02659



630

625-

629

624

631

626

627

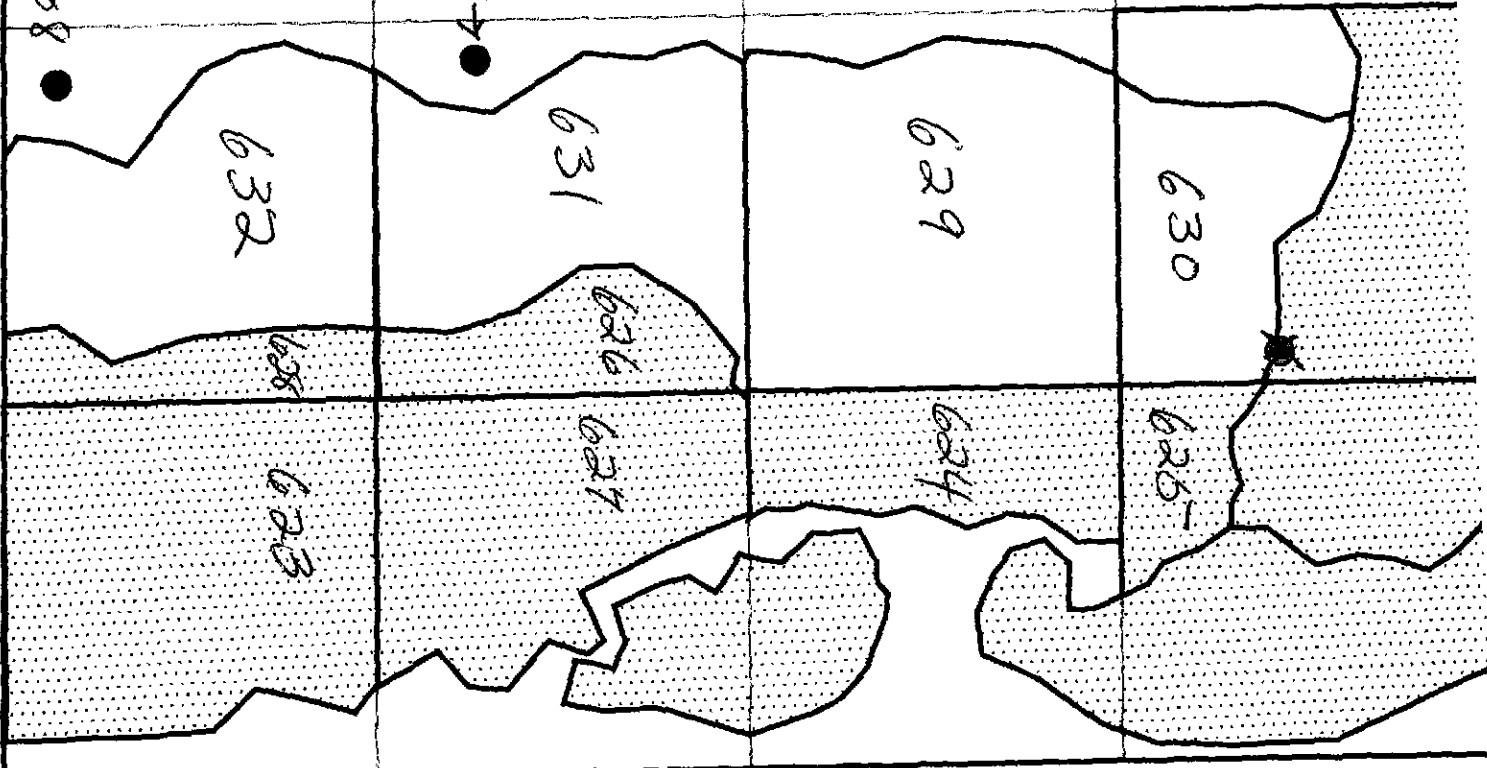
632

628

623

6027

608



IDAHO DEPARTMENT OF WATER RESOURCES

T16N, R02E, S01



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

▭ 1/4 1/4 LINES

▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-02659

OWNER(S): BETTIS

Prepared by Mel Schulte

DATE: JULY 7, 1999

0 0.25 0.5 0.75 1 1.25 Miles



2127

PRX

60

1150525

CLAIM 165 02659 INIT
T. R. S. 210
P/D 16N 2E 1 SE 4
SCALE PRBA map
PHOTO ID. ASCS DATE 1961

1659

DRY N

252
(5)

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
A65-02659	UNNAMED STREAMS SPRINGS	BETTIS, HARRY L	2.000	0.012	1.20	
A65-02052	NO BUSINESS CREEK	BETTIS, HARRY L	1.600	0.020		
A65-02525	PARKS CREEK	BETTIS, HARRY L	1.340	0.030		
A65-11397	NO BUSINESS CREEK	BETTIS, HARRY L	0.840	0.020		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-02659	DOMESTIC	BETTIS, HARRY L	FROM 01-01 TO 12-31	0.040 CFS	
A65-08094	DOMESTIC	BETTIS, HARRY L	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-08094	STOCKWATER	BETTIS, HARRY L	FROM 01-01 TO 12-31	0.020 CFS	0.70 AF/A
65-08094	DOMESTIC	BETTIS, HARRY L	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-08094	STOCKWATER	BETTIS, HARRY L	FROM 01-01 TO 12-31	0.020 CFS	0.70 AF/A

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

Y(☒) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 65-11397, 65-02525, 65-08094.

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 POB: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;

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

NOTES: Recommended as decreed in the PRBA.

RECOMMENDATIONS:

TOTAL ACRES: 167
158 N/A()

REVIEWED BY: Meel Schulte

DATE: 6-9-99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-02659 IRRIGATION	FROM 04-15 TO 10-15	2.000 CFS	
A65-02659 DOMESTIC	FROM 01-01 TO 12-31	0.040 CFS	
TOTAL DIVERSION RATE/VOLUME		2.000 CFS	1.20 AF/A

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-02659 IRRIGATION	FROM 04-15 TO 10-15	2.000 CFS	
65-02659 DOMESTIC	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
TOTAL DIVERSION RATE/VOLUME		2.000 CFS	1.20 AF/A

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 success in the PRBA

AJ CLAIM TOTAL DIVERSION RATE: 2.000 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 2.000 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 158 x 0.02 CFS/ACRE = 3.34 CFS
167 (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 = 1.20 AF/A Stockwater

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = NA 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:

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE CFS		VOL. AF/A		USE	
IRRIGATION DOMESTIC	04-15	10-15	DATABASE 2.000	EXAMINER	DATABASE	EXAMINER	DATABASE 0.0	EXAMINER
	01-01	12-31	0.040			<u>1.2</u>	0.0	
TOTAL FOR THIS RIGHT			2.000		1.20		0.0	

NON-IRRIGATION USES CLAIMED: ~~DI~~ HOME.

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

REVIEWED BY: Me Schulte

DATE: 6-9-99

FLAG: _____

STANDARD CONDITIONS (CODE):

N10 # N12

STANDARD REMARKS (CODE):

PNT-E04

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: 65-02659

NA

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 2.000 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-02659	2.000	-		65-02659	2.000
TOTAL CFS		2.000				2.000

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 Y FIELD EXAMINER Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE:

Mel Schulte

DATE:

7-7-99
~~6-9-99~~

NAME OF FIELD EXAMINER:

TITLE:

OPTION: IRRIGATION USES ONLY

ADJUDICATION CLAIM NUMBER: A65-02659

PAGE: 1

A. ROOT WATER RIGHT NUMBERS: A65-02659

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
16N	02E	1	NE	NE		BETTIS, HARRY L	A65-02659 /01/39.0	65-02659 /01/39.0	
			NE	NE		BETTIS, HARRY L	A65-02052 /01/ 5.0	- / /	
			NE	NE		BETTIS, HARRY L	A65-02525 /01/19.0	65-02525 /01/19.0	
			NE	NE		BETTIS, HARRY L	A65-11397 /01/17.0	65-11397 /01/17.0	
16N	02E	1	NW	NE		BETTIS, HARRY L	A65-02659 /01/25.0	65-02659 /01/25.0	
			NW	NE		BETTIS, HARRY L	A65-02525 /01/25.0	65-02525 /01/25.0	
			NW	NE		BETTIS, HARRY L	A65-11397 /01/13.0	65-11397 /01/13.0	
16N	02E	1	SW	NE		BETTIS, HARRY L	A65-02659 /01/33.0	65-02659 /01/33.0	38.0
16N	02E	1	SE	NE		BETTIS, HARRY L	A65-02659 /01/14.0	65-02659 /01/14.0	35.0
			SE	NE		BETTIS, HARRY L	A65-02052 /01/14.0	- / /	
16N	02E	1	NE	SE		BETTIS, HARRY L	A65-02659 /01/18.0	65-02659 /01/18.0	39.0
			NE	SE		BETTIS, HARRY L	A65-02052 /01/23.0	- / /	
16N	02E	1	NW	SE		BETTIS, HARRY L	A65-02659 /01/13.0	65-02659 /01/13.0	37.0
			NW	SE		BETTIS, HARRY L	A65-02052 /01/ 8.0	- / /	
16N	02E	1	SW	SE		BETTIS, HARRY L	A65-02659 /01/ 1.0	65-02659 /01/ 1.0	38.0
			SW	SE		BETTIS, HARRY L	A65-02052 /01/ 4.0	- / /	
16N	02E	1	SE	SE		BETTIS, HARRY L	A65-02659 /01/15.0	65-02659 /01/15.0	40.0
			SE	SE		BETTIS, HARRY L	A65-02052 /01/26.0	- / /	
TOTAL ACRES							A65-02659	158.00	158.00 227.00

POU COUNTY: VALLEY

FILED

JAN 21 1986

Thelma R. Kolodziej CLERK

Loren Browne DEPUTY

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR GEM COUNTY

IN THE MATTER OF THE GENERAL	)	
DETERMINATION OF THE RIGHT TO	)	Civil No. 3667
THE USE OF SURFACE AND GROUND-	)	
WATER OF THE PAYETTE RIVER	)	PARTIAL DECREE
DRAINAGE.	)	PURSUANT TO RULE
	)	54(b) I.R.C.P.

The report of the Director of the Idaho Department of Water Resources (Director herein) entitled PROPOSED FINDING OF WATER RIGHTS IN THE PAYETTE RIVER DRAINAGE BASIN (PROPOSED FINDING herein) was filed with this court on April 26, 1979. The report contains Findings of Fact, Conclusions of Law, Statutory and Decreed Rights not Claimed, Claims Submitted: Recommended to be Disallowed; Surface Water Rights, and Groundwater Rights.

As a result of the resolution of objections filed to the PROPOSED FINDING, certain amendments, additions, and deletions have occurred to the PROPOSED FINDING as set forth in the following stipulations and court orders on file with the court:

1. ORDER CONFORMING PROPOSED FINDING OF WATER RIGHTS TO UNCONTESTED OBJECTIONS - filed September 26, 1979;
2. ORDER (Orville Jackson) - filed February 26, 1982;
3. STIPULATION RESOLVING ECKROAT OBJECTION - filed May 12, 1980;
4. STIPULATION RESOLVING STRINGER OBJECTION - filed

May 5, 1980;

5. STIPULATION RESOLVING OBJECTION OF UNITED STATES -
filed February 18, 1982;

6. STIPULATION RESOLVING MITCHELL OBJECTION - filed
May 12, 1980;

7. ORDER ALLOWING FILING OF LATE OBJECTION TO PROPOSED
FINDINGS OF WATER RIGHTS AND AMENDING SUCH FINDINGS TO INCLUDE
WATER RIGHT OF MCCALL-DONNELLY SCHOOL DISTRICT No. 421 - filed
September 24, 1983;

8. ORDER ALLOWING FILING OF LATE OBJECTION TO PROPOSED
FINDINGS OF WATER RIGHTS AND AMENDING PROPOSED FINDING OF WATER
RIGHTS (Thomas J. Davis and Jemima K. Davis) - filed July 12,
1982.

9. STIPULATION AND ORDER (Pancheri and MacGregor Land
and Livestock Company) - filed December 21, 1984.

The PROPOSED FINDING has also been corrected for clerical
errors pursuant to court order:

1. ORDER CORRECTING CLERICAL OVERSIGHTS IN PROPOSED
FINDING OF WATER RIGHTS - filed September 28, 1979;

2. ORDER CORRECTING CLERICAL ERRORS - filed November
25, 1985.

This partial decree does not include any of the
PROPOSED FINDING which is still involved in unresolved objections.
The attached Exhibit A lists the water rights which are
not included in the partial decree because they are involved in

unresolved objections. The reserved water right claims of the United States Department of Agriculture, Forest Service, are also not included because they are currently the object of negotiations between the State of Idaho and the United States. Those reserved right claims are listed in Exhibit B. In addition, those water rights which were part of the court decision in Branson v. Miracle, 107 Idaho 221 (1984), are not included in this partial decree.

IT IS HEREBY ORDERED, ADJUDGED and DECREED, that the water rights of the Payette River Drainage Basin with the exceptions noted above are as described in the PROPOSED FINDING, as amended by:

1. ORDER CONFORMING PROPOSED FINDING OF WATER RIGHTS TO UNCONTESTED OBJECTIONS - filed September 26, 1979;
2. ORDER (Orville Jackson) - filed February 26, 1982;
3. STIPULATION RESOLVING ECKROAT OBJECTION - filed May 12, 1980;
4. STIPULATION RESOLVING STRINGER OBJECTION - filed May 5, 1980;
5. STIPULATION RESOLVING OBJECTION OF UNITED STATES - filed February 18, 1982;
6. STIPULATION RESOLVING MITCHELL OBJECTION - filed May 12, 1980;
7. ORDER ALLOWING FILING OF LATE OBJECTION TO PROPOSED FINDINGS OF WATER RIGHTS AND AMENDING SUCH FINDINGS TO INCLUDE

WATER RIGHT OF McCALL-DONNELLY SCHOOL DISTRICT No. 421 - filed September 24, 1983;

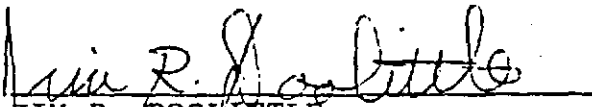
8. ORDER ALLOWING FILING OF LATE OBJECTION TO PROPOSED FINDINGS OF WATER RIGHTS AND AMENDING PROPOSED FINDING OF WATER RIGHTS (Thomas J. Davis and Jemima K. Davis) - filed July 12, 1982.

9. STIPULATION AND ORDER (Pancheri and MacGregor Land and Livestock Company) - filed December 21, 1984.

10. ORDER CORRECTING CLERICAL OVERSIGHTS IN PROPOSED FINDING OF WATER RIGHTS - filed September 28, 1979;

11. ORDER CORRECTING CLERICAL ERRORS - filed November 25, 1985, all of which are incorporated herein by reference.

DATED this 20th day of December, 1985.


JIM R. DOONITTLE
District Judge

Rule 54(b) Certificate

With respect to the issues determined by the above judgment, it is hereby CERTIFIED, in accordance with the Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final decree and that the court has and does direct that the above partial decree shall be a final judgment upon which execution may issue and appeal may be taken as provided by the Idaho Appellate Rules.)

DATED this 20th day of December, 1985.


JIM R. DOOLITTLE
District Judge

STATE OF IDAHO)
County of Gem) ss.

I certify that the foregoing
is a true and correct copy
of the original on file in
this office.

DATED 11-29-86

Thelma R. Kolodziej, Clerk

By: Karen Browne Deputy

FILED

MAY 5 1980

O'Clock

1st THERESA R. KOLONIZES, CLERK

1st DEBBIE BROWN, DEPUTY

RECEIVED

MAY 9 1980

Department of Water Resources

DAVID H. LEROY
Attorney General
State of Idaho
Statehouse, Room 210
Boise, Idaho 83720
Telephone: (208) 384-2400

JOSEPHINE P. BEEMAN
MICHAEL H. HYER
Deputy Attorneys General
Department of Water Resources
Statehouse
Boise, Idaho 83720
Telephone: (208) 334-4448

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	)	Civil No. 3667
USE OF SURFACE AND GROUNDWATERS	)	
OF THE PAYETTE RIVER DRAINAGE	)	STIPULATION RESOLVING
BASIN.	)	STRINGER OBJECTION

COME NOW The Director of the Idaho Department of Water
Resources and C. John Stringer, through their undersigned
attorneys, and do stipulate as follows:

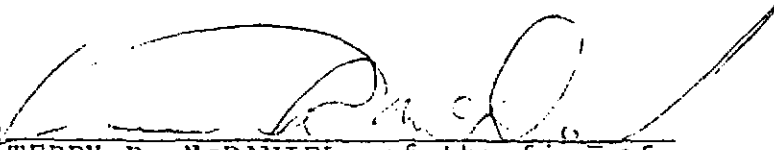
1. That the Proposed Finding of Water Rights in the above-
entitled action be amended to conform with Exhibit A, ^{and B} attached
hereto and incorporated herein by this reference.

2. That this amendment resolves entirely the objections
filed by C. John Stringer.

DATED this 22 day of April, 1980

Phillip J. Rossier
MICHAEL H. HYER
Deputy Attorney General
Attorney for the Idaho
Department of Water Resources

1 DATED this 24 day of April, 1980

2
3
4 BY: 
5 TERRY R. MCDANIEL, of the firm of
6 BRADY & MCDANIEL
7 Attorneys for C. John Stringer

8 APPROVED this _____ day of April, 1980.

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10 GILBERT C. NORRIS
11 District Judge
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PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

INDICATES TOTAL

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
SOURCE: <u>SILVER PARKS CREEK</u>				TRIBUTARY TO: <u>CURTIS CREEK</u>				
65-3230 VOL. II PG. 332	CONNECTICUT MUTUAL LIFE INSUR- 60+ ING- 420 GARDEN STREET, HARTFORD, CONNECTICUT 06605 STRINGER, C. JOHN ROUTE 3, BOX 720 ONTARIO, OR 97914 REMARKS: SOURCE IS ALSO KNOWN AS HARPAM CREEK, OR SCHOOL SECTION CREEK, OR <u>SILVER CREEK</u> . THIS RT. WHEN COMBINED WITH RT. 65-2127 SHALL PROVIDE NO MORE THAN .02 CFS/AC.	9/13/1916	IRRIGATION	4/15 10/15	--- AFA 1.60 CFS	NENW S36 T17N R02E NWNW S36 T17N R02E	<u>NWNE(3)SWNE(15)</u> <u>NENW(27)SENW(37)(35)</u> S36 T17N R02E *64* 80	DECREE
SOURCE: SPRING				TRIBUTARY TO: <u>NO BUSINESS CREEK</u>				
65-2659 VOL. II PG. 402	CONNECTICUT MUTUAL LIFE INSUR- 60+ ING- 420 GARDEN STREET, HARTFORD, CONNECTICUT 06605 STRINGER, C. JOHN ROUTE 3, BOX 720 ONTARIO, OR 97914 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-2525 65-2052 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE. SOURCES FOR THIS RT. ARE SPRINGS AND UNNAMED STREAMS TRIB. TO NO BUSINESS CREEK.	9/17/1959	IRRIGATION	4/15 10/15	--- AFA 2.00 CFS	NWSE S 1 T16N R 2E SWSE S 1 T16N R 2E	<u>NENE(39)(5)</u> <u>NWNE(25)(14)</u> <u>SWNE(33)(34)</u> <u>SENE(14)</u> <u>NESE(18)(23)</u> <u>NWSE(13)(22)</u> <u>SWSE(11)(19)</u> <u>SESE(15)(36)</u> S 1 T16N R02E *158* 167	LICENSE
DOMESTIC				1/-1-12/31	1+28 AFA -84 GFS *---*AFA +2.00*GFS	SAME AS OTHER USE		

Not corrected

Some corrections have not
been made.