

LARRY ECHOHAWK
Attorney General

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

RECEIVED

FEB 19 1993

Department of Water Resources

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. 65-11264
	)	65-03310, 65-03307

The Director of the Idaho Department of Water Resources, R. Keith Higginson and J. H. Sisler, by and through counsel, stipulate as follows:

1. That water right claim Nos. 65-11264, 65-03310, and 65-03307, 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 J. H. Sisler 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.

MICROFILMED
OCT 18 1996

Idaho Department of Water Resources

**T06N R02W
S04**

Claims: 65-03307

Prepared by:

RON HOWERTON

Date: 26 AUG 00

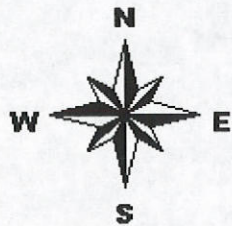
 **Place of use**

 **POD**

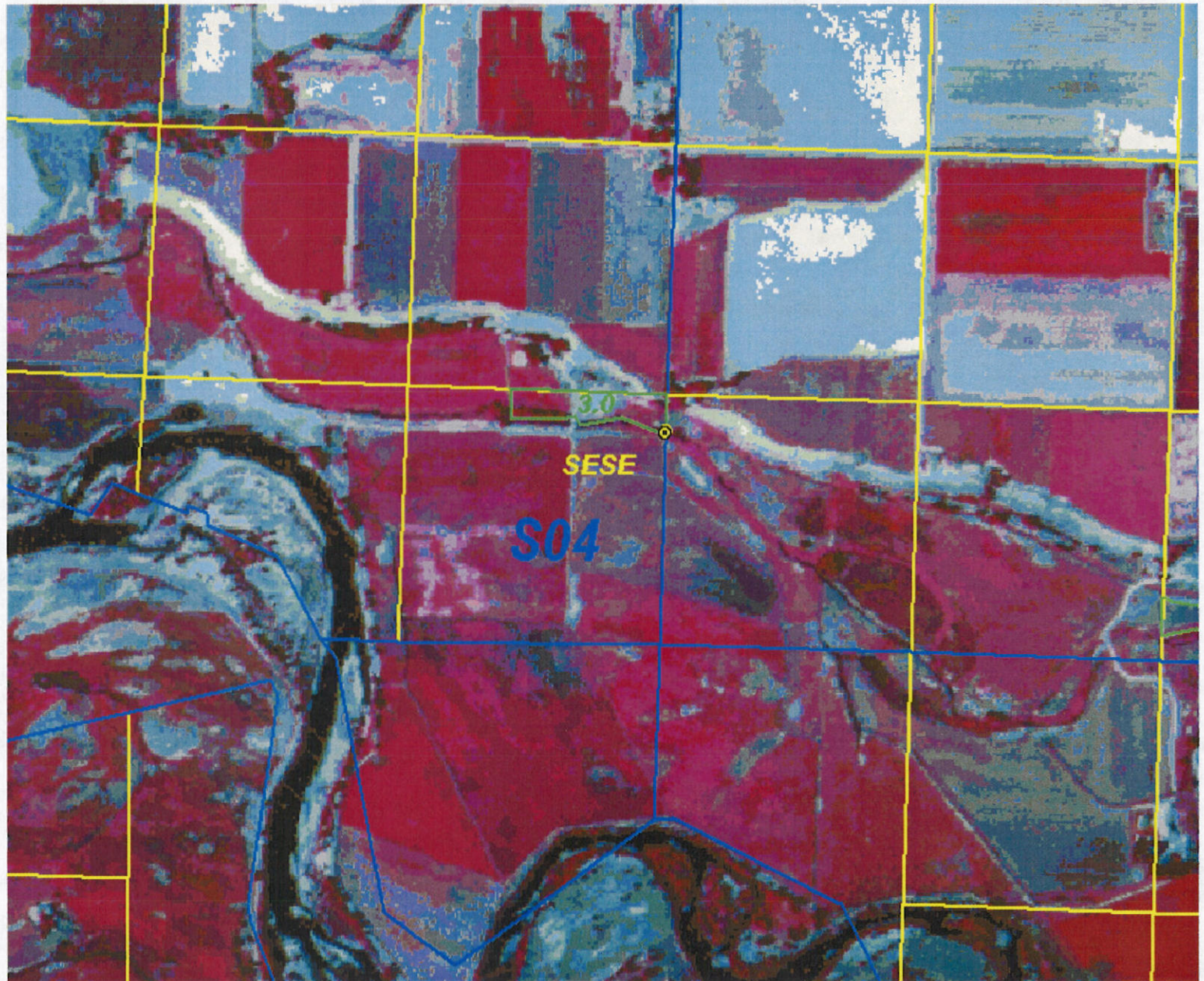
 **SECTION**

 **1/4 1/4**

3 Acres



1987 NAPP



0 0.25 0.5 0.75 1 Miles



Idaho Department of Water Resources

**T06N R02W
S04**

Claims: 65-03307

Prepared by:

RON HOWERTON

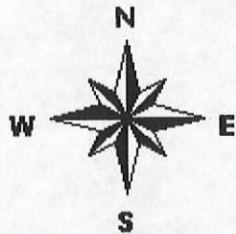
Date: 26 AUG 00

 **Place of use**

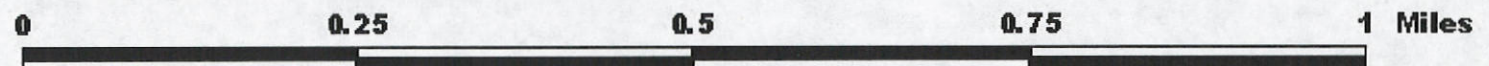
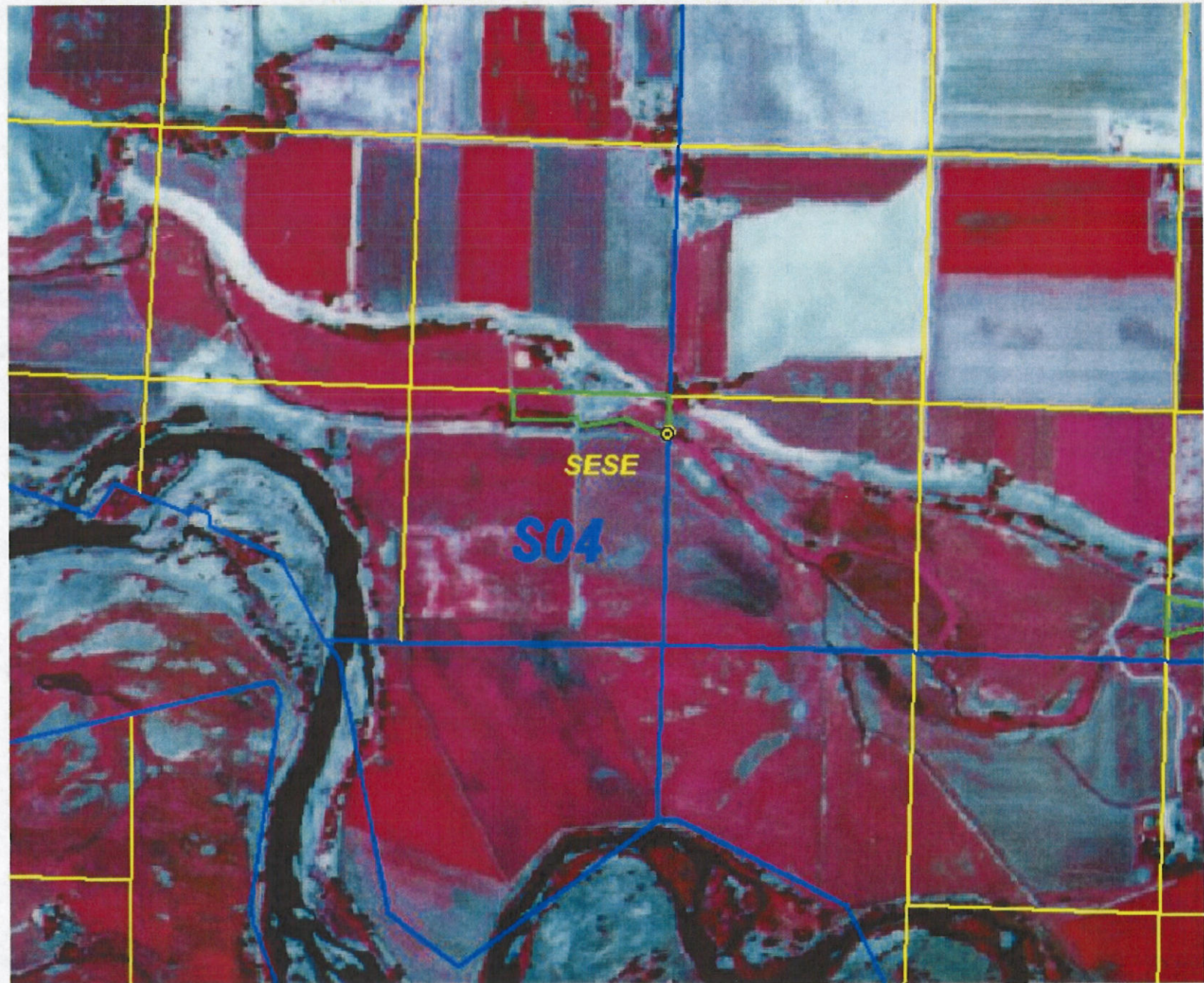
 **POD**

 **SECTION**

 **1/4 1/4**



1987 NAPP



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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 SURFACE AND)
GROUNDWATERS OF THE PAYETTE)
RIVER DRAINAGE BASIN)

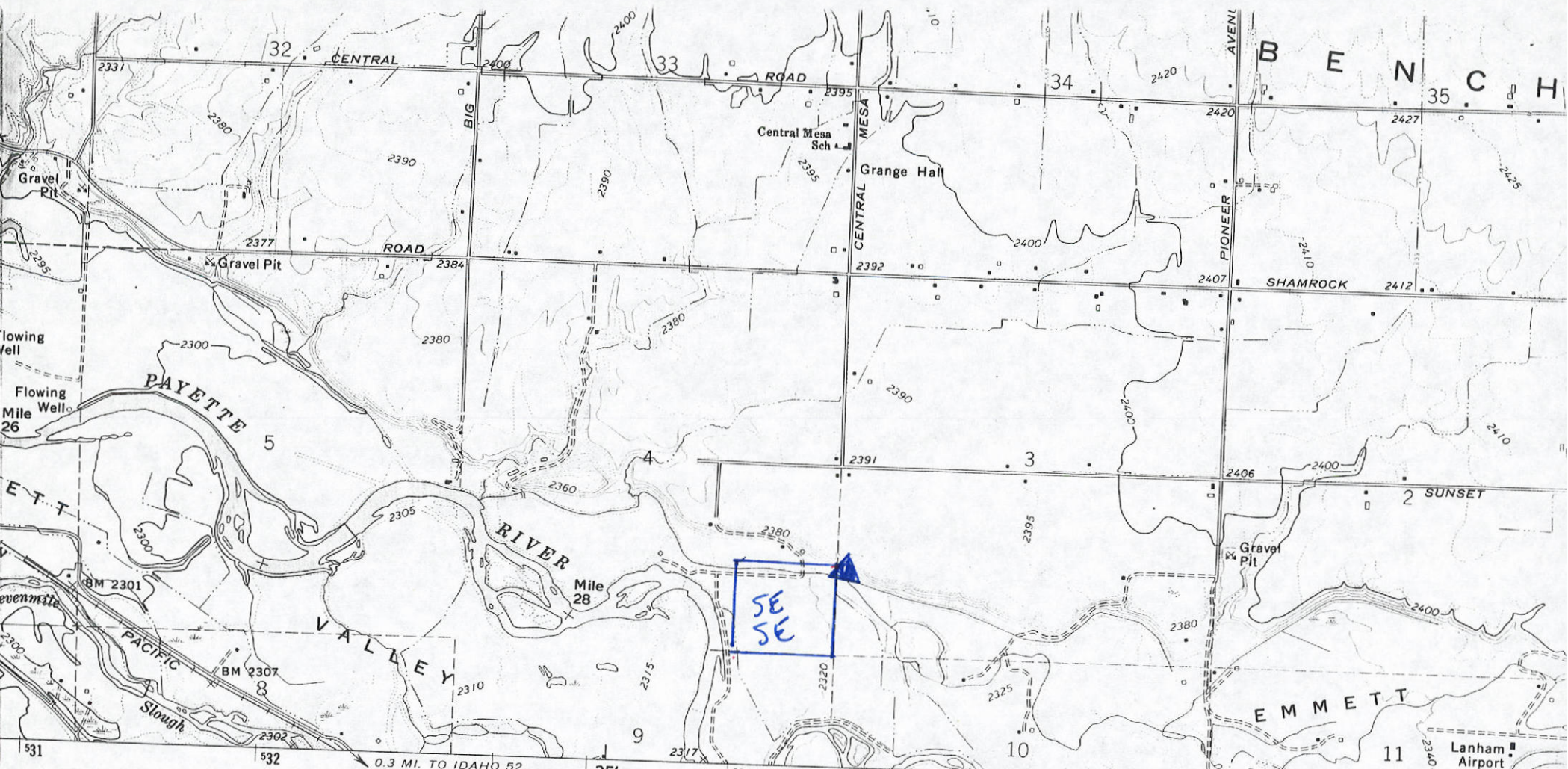
CIVIL NO. 3667

STIPULATION RESOLVING
OBJECTIONS TO WATER
RIGHT NOS. 65-11264
65-03310, 65-03307

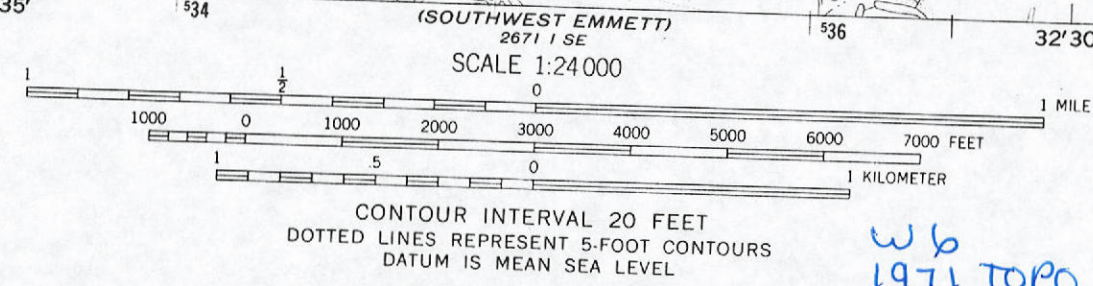
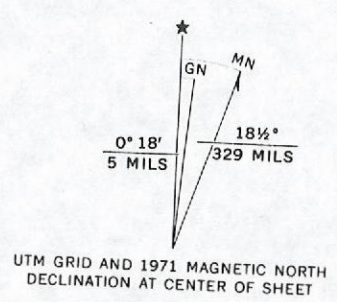
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Published by the Geological Survey
C&GS
Metric methods from aerial
Field checked 1971
Grid ticks: Idaho coordinate
Transverse Mercator
1927 North American datum
which only landmark buildings are shown
Indicate selected fence lines



Wb
1971 TOPO
T6N R2W
504, SESE

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR WASHINGTON, D. C. 20242
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST



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: **A65-03307**
Date Received: 12/13/1989
Receipt No: X999999
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: J H SISLER 208-365-2776
Address: 4455 SUNSET DR
EMMETT ID 83617-0000

2. Date of Priority: JUN 20, 1968

3. Source: WASTE WATER Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	02W	4	SE	SE			GEM

5. Description of diverting works:
DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.100		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 10.5 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 100 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	02W	4	SE	SE		IRR	3.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	3.0
					Total Acres	3.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

A DIVERSION RATE OF .034 CFS PER ACRE AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.

CLAIM AMENDED PER STIPULATION FROM PRBA. RDH 3-29-96.

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.

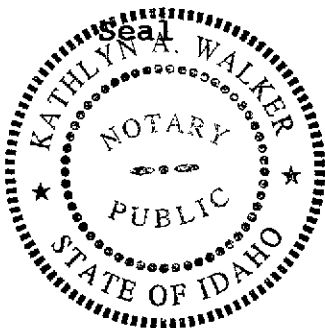
Signature of Claimant(s): Jay R. Susier Date: 2-4-99

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 4th day
of February 19 99

Kathlyn A. Walker
Notary Public



Residing at Boise, Idaho
My Commission Expires 2-15-2005

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
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CIVIL CASE NUMBER: 39576

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EMMETT ID 83617-0000

2. Date of Priority: JUN 20, 1968

3. Source: WASTE WATER Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	02W	4	SE	SE			GEM

5. Description of diverting works:
DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.100		

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

8. Total consumptive use is 10.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	02W	4	SE	SE		IRR	3.0

Section Acres

Total Acres

3.0
MICROFILMED
3.0
OCT 18 1996

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

A DIVERSION RATE OF .034 CFS PER ACRE AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.

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16. Signature(s)

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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
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Department of Water Resources

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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. 65-11264
	)	65-03310, 65-03307

The Director of the Idaho Department of Water Resources, R. Keith Higginson and J. H. Sisler, by and through counsel, stipulate as follows:

1. That water right claim Nos. 65-11264, 65-03310, and 65-03307, 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 J. H. Sisler 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.

MICROFILMED
DEC 18 1996

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.

Louie Gorrone
LOUIE GORRONE
Attorney for Jay H. Sisler

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

JAMES R. DOOLITTLE
District Judge

MICROFILMED
OCT 18 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

Ident. Number: A65-03307
Date Received: 12/13/1989
Receipt No: + 99999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J. H. SISLER 208-365-2776
Address: 4455 SUNSET DR.
EMMETT, ID 83617-0000

2. Date of Priority: JUN 20, 1968

3. Source: WASTE WATER Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	02W	4	SE	SE			GEM

5. Description of diverting works:
DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.060		

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

8. Total consumptive use is 9.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	02W	4	SE	SE		IRR	3.0

Section Acres 3.0

Total Acres 3.0

A65-03307

Page 1

Date: 12/13/89

MICROFILMED
SEP 22 1992

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not 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): Jay N. Sisler Date: 12-13-1989
Date:

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 13 day
of December 19 89 Bruce A. Schulte
Notary Public

Seal

Residing at BRUCE A. SCHULTE, NOTARY PUBLIC
RESIDING AT BOISE, IDAHO
My Commission Expires MY COMMISSION EXPIRES APRIL 11, 1990



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

**NOTICE OF ERROR
REPLY**

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

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 13, 2001

Water right number: 65-3307

J H SISLER

4455 SUNSET DR

EMMETT ID 83617

Telephone Number: (208)365-2776

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

4-9-01

SIGNATURE:

Joy R. Sisler

Please print your name:

Joy R. Sisler

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

RECEIVED

APR 09 2001

WATER RESOURCES
WESTERN REGION

05/21/2001

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

RIGHT NUMBER: 65-3307

NAME AND ADDRESS: J H SISLER
4455 SUNSET DR
EMMETT, ID 83617

SOURCE: WASTEWATER TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.1 CFS

A DIVERSION RATE OF .034 CFS PER ACRE AT THE FIELD HEADGATE
IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE
DESCRIBED ABOVE.

USE OF THIS RIGHT WITH RIGHT NO. 65-22392 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.10 CFS.

PRIORITY DATE: 06/20/1968

POINT OF DIVERSION: T06N R02W S4 SESE Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	0.10 CFS

PLACE OF USE:

<u>IRRIGATION Within GEM County</u>		
T06N R02W S4	SESE	3

3 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 - Beneficial Use

AJ5809NP
No. A65-03307

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/25/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J H SISLER 4455 SUNSET DR EMMETT ID 836170000 (208) 365-2776	06/20/1968	IRRIGATION STOCKWATER	03-15 11-15 01-01 12-31	0.100 CFS 0.020 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					0.120 CFS	1 CFS 40.50 AFR

Water Source: WASTE WATER

Tributary to: PAYETTE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T06N R02W S04 SESE

GEM 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	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: SUM	
06N	02W	4	:				:				:				:				:	
TOTAL ACRES																			03	3.0
TOTAL ACRES																				3.0

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

POU County: GEM

Non-Irrigation Uses: STOCKWATER, 100 RANGE CATTLE

Remarks: GEN

A DIVERSION RATE OF .034 CFS PER ACRE AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.

CLAIM AMENDED PER STIPULATION FROM PRBA. RDH 3-29-96.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

C18

WR5809NP
No. 65-03307

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/25/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J. H. SISLER 4455 SUNSET DR. EMMETT ID 836170000	06/20/1968	IRRIGATION	03/15 11/15	0.060 CFS	.1
TOTAL DIVERSION:					0.060 CFS	.1

Water Source: WASTE WATER

Tributary to: PAYETTE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T06N R02W S04 SESE

GEM 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	:	SUM	
06N	02W	4	:											:		
														03	3.0	
TOTAL ACRES														3.0		

Pou County: GEM

Other Water Rights Listing Overlapping Place(s) of use:
65-11264

Dates:	App. Received:	Priority Date:	06/20/1968
	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

WR RECORD
AMENDED
BY Stipulation

Idaho Department of Water Resources

**T06N R02W
S04**

Claims: 65-03307

Prepared by:

RON HOWERTON

Date: 26 AUG 00

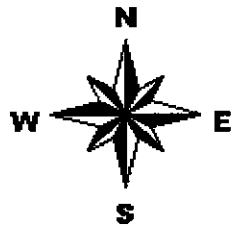
 **Place of use**

● **POD**

 **SECTION**

 **1/4 1/4**

3 Acres



1987 NAPP



0 0.25 0.5 0.75 1 Miles



Idaho Department of Water Resources

**T06N R02W
S04**

Claims: 65-03307

Prepared by:

RON HOWERTON

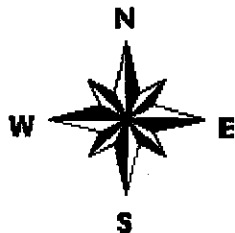
Date: 26 AUG 00

 **Place of use**

● **POD**

 **SECTION**

 **1/4 1/4**



1987 NAPP



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Attorney General

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Deputy Attorney General
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TO THE USE OF SURFACE AND)
GROUNDWATERS OF THE PAYETTE)
RIVER DRAINAGE BASIN)

CIVIL NO. 3667

STIPULATION RESOLVING
OBJECTIONS TO WATER
RIGHT NOS. 65-11264
65-03310, 65-03307

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2. That J. H. Sisler 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

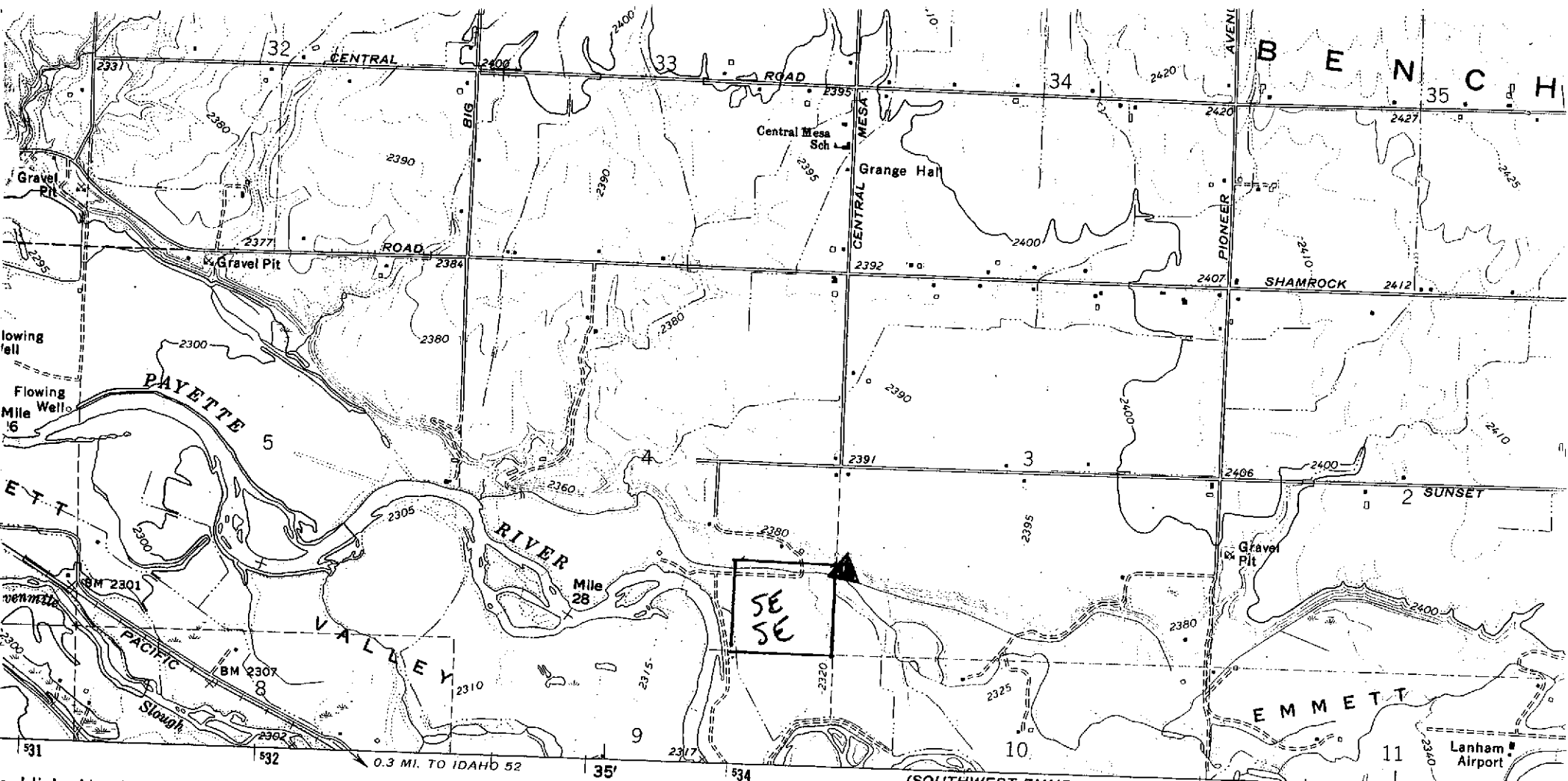
DATED THIS 18th day of February, 1993.

Louie Gorrone
LOUIE GORRONE
Attorney for Jay H. Sisler

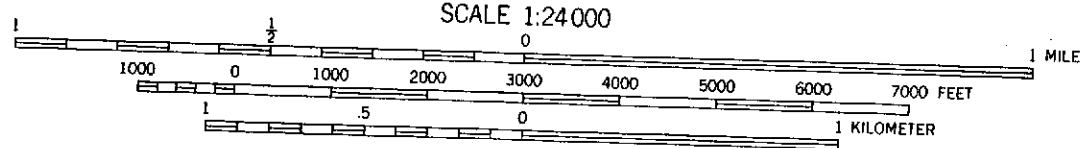
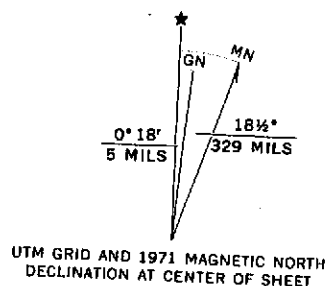
The above stipulation having come before the court, it is
hereby approved this _____ day of _____, 1993.

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: WASTE WATER		TRIBUTARY: PAYETTE RIVER				
65-03310	J H SISLER 4455 SUNSET DR EMMETT ID 83617	05/04/1959	IRRIGATION	03-15 11-15	.51	CFS BENEFICIAL USE
					TOTAL QUANTITY:	.51 CFS
					CONSUMPTIVE USE:	52.5 APY
POINT OF DIVERSION:						
T06N R02W S04 NESW						
PLACE OF USE: IRRIGATION						
T06N R02W S04 NESW 15.0						
15.0 ACRES TOTAL						
REMARKS: A DIVERSION RATE OF .034 CFS PER ACRE AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.						
RIGHT NO. 65-03326 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.						
65-03307	J H SISLER 4455 SUNSET DR EMMETT ID 83617	06/20/1968	IRRIGATION	03-15 11-15	.1	CFS BENEFICIAL USE
					TOTAL QUANTITY:	.1 CFS
					CONSUMPTIVE USE:	10.5 APY
POINT OF DIVERSION:						
T06N R02W S04 SESE						
PLACE OF USE: IRRIGATION						
T06N R02W S04 SESE 3.0						
3.0 ACRES TOTAL						
REMARKS: A DIVERSION RATE OF .034 CFS PER ACRE AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.						



Published by the Geological Survey
 C&GS
 Metric methods from aerial
 Field checked 1971
 Not grid ticks: Idaho coordinate
 (Transverse Mercator)
 Transverse Mercator grid ticks,
 1927 North American datum
 which only landmark buildings are shown
 State selected fence lines

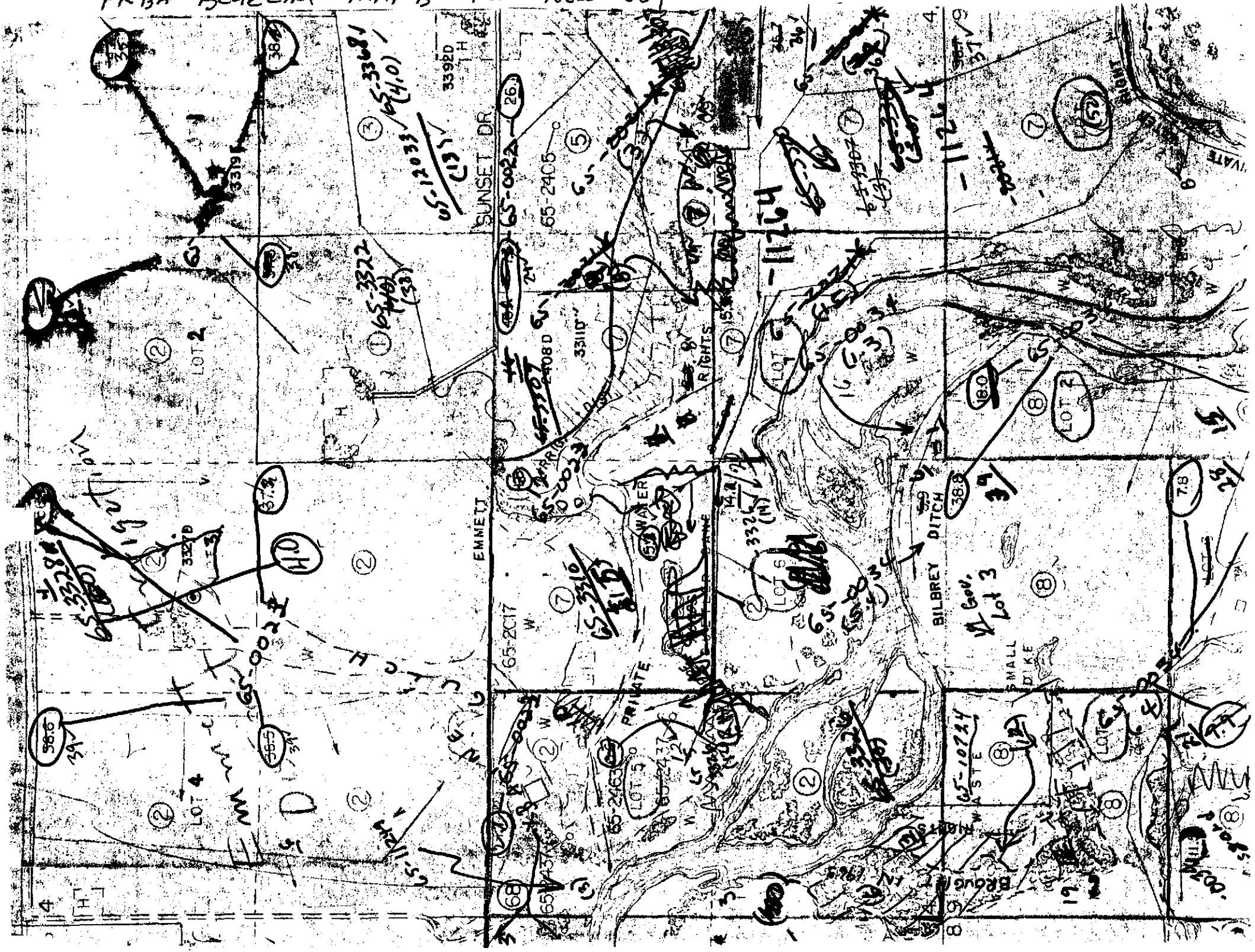


CONTOUR INTERVAL 20 FEET
 DOTTED LINES REPRESENT 5-FOOT CONTOURS
 DATUM IS MEAN SEA LEVEL

W 6
 1971 TOPO
 T6N R2W
 504, SESE

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
 FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR WASHINGTON, D. C. 20242
 A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST





AJ0749NP
No. R65-03307

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

DATE: 03/29/96
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J H SISLER 4455 SUNSET DR EMMETT ID 83617 (208) 365-2776	06/20/1968	IRRIGATION	03-15 11-15	0.10 CFS	
					TOTAL DIVERSION:	0.10 CFS
					CONSUMPTIVE USE:	10.50 AFA

Water Source: WASTE WATER

Tributary to: PAYETTE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T06N R02W S04 SESE

GEM 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
06N	02W	4	:																	:	
																			03	:	3.0
																			TOTAL ACRES	:	3.0

POU County: GEM

Remarks: GEN A DIVERSION RATE OF .034 CFS PER ACRE 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: RHOWERTO Subject: STIPULATION
THIS RECORD REFLECTS THE PRBA STIPULATION, NO ADDITIONAL FIELD
EXAM OR CVR REQ'D.

Audit: 03/29/96 RHOWERTO

MICROFILMED
OCT 18 1996

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: WASTE WATER		TRIBUTARY: PAYETTE RIVER				
65-03310	J H SISLER 4455 SUNSET DR EMMETT ID 83617	05/04/1959	IRRIGATION	03-15 11-15	.51	CFS BENEFICIAL USE
				TOTAL QUANTITY:	.51	CFS
				CONSUMPTIVE USE:	52.5	AFY
	POINT OF DIVERSION: T06N R02W S04	NESW				
	PLACE OF USE: IRRIGATION					
	T06N R02W S04	NESW 15.0				
	15.0 ACRES TOTAL					
	REMARKS: A DIVERSION RATE OF .034 CFS PER ACRE AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.					
	RIGHT NO. 65-03326 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.					
65-03307	J H SISLER 4455 SUNSET DR EMMETT ID 83617	06/20/1968	IRRIGATION	03-15 11-15	.1	CFS BENEFICIAL USE
				TOTAL QUANTITY:	.1	CFS
				CONSUMPTIVE USE:	10.5	AFY
	POINT OF DIVERSION: T06N R02W S04	SESE				
	PLACE OF USE: IRRIGATION					
	T06N R02W S04	SESE 3.0				
	3.0 ACRES TOTAL					
	REMARKS: A DIVERSION RATE OF .034 CFS PER ACRE AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.					

MICROFILMED
 OCT 18 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. **MICROFILMED
OCT 18 1996**
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.

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				
65-11264	J H SISLER 4455 SUNSET DR EMMETT ID 83617	11/10/1883	IRRIGATION	03-15 11-15	8.05 CFS	BENEFICIAL USE
					TOTAL QUANTITY:	8.05 CFS
					CONSUMPTIVE USE:	602.0 AFY
POINT OF DIVERSION:						
T06N R01W S06 LOT 7 (SWSW)						
R02W S01 SWSE (R)						
PLACE OF USE: IRRIGATION						
T06N R02W S03 SWSW 19.0						
S04 NESW 15.0						
SESE 36.0						
S09 Lot 1 (NENE)52.0						
S10 Lot 4 (NWNW)24.0						
172.0 ACRES TOTAL						
REMARKS: WATER IS DELIVERED THROUGH BEUTLER-BANE DITCH.						
POINT OF RE-DIVERSION FROM GILL SLOUGH IN SWSE SEC. 1, T6N, R2W.						
A DIVERSION RATE OF .034 CFS PER ACRE AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.						
2.20 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.						
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-05311, 65-05071, 65-11262, 65-08742 AND 65-00805.						

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

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

NOTICE OF CLAIM

IDENT. NO.

MAP NO.

TO A
WATER RIGHT

65 3307

Gen
6-2W-A

Notice is hereby given that J. H. Sisler

(Name of Claimant)

365-2776

4455 Sunset Dr.

Route 2, Box 226, Emmett, Idaho

8367

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) 6/20/1968

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

TRIR TO RIVER BANK DRAIN PAYETTE R.

(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)

13.5 AF Use 0.06

Irrigation

(Domestic, irrigation, stock, etc.)

Period of Use From

3/15

To

10/31/15

(Mo., Day)

(Both Dates Inclusive)

Use

(Domestic, irrigation, stock, etc.)

Period of Use From

(Mo., Day)

To

(Mo., Day)

(Both Dates Inclusive)

Use

(Domestic, irrigation, stock, etc.)

Period of Use From

(Mo., Day)

To

(Mo., Day)

(Both Dates Inclusive)

(4) Quantity of water claimed: .06 Cubic Feet Per Second, or _____ 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 SE 1/4 4 6N 2W, 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. 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	
6N	2W	4																3.0	3.0

Total No. of acres 3.0

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

KEYPUNCHED

7-28-78 5-26-77
CJA LWS

(10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case

☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.:

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

March 12, 1971

(Date)

J. H. Sisler

(Signature of Claimant)

Organization

(Signature of Spouse)

State of Idaho

County of Ada

Organization
Seal

(Signature of Authorized Agent)

On this 12 day of March, in the year 1971, before me,

a notary public, personally appeared

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership, or) executed the same.

Notary Public residing at

Kenneth H. Fort

My commission expires

May 26, 1974

Ad 5-20-77

DET 6-6-78

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

MAP NO.

WATER RIGHT

65 3307

6-24-B

(Name of Claimant)

Route 2, Box 226, Emmett, Idaho

(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:

- 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) 6/20/1968
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) wastewater ✓
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
(Both Dates Inclusive)
- Use Irrigation ✓ Period of Use From 4/1 To 10/31
(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: .06 ✓ Cubic Feet Per Second, or _____ 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 SE ¼ SE ¼,
Sec. 4, Twp. 6N, Rge. 2W, 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. 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.

[illegible]

Total No. of acres 3.0

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 _____
- (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. _____
- KEYPUNCHED**
5-12-77
JWS

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

March 12, 1971
(Date)

Individual J. H. Lister
(Signature of Claimant)

(Signature of Spouse)

Organization

State of Idaho

County of Ada

Organization
Seal

(Signature of Authorized Agent)

On this 12 day of March, in the year 1971

a notary public, personally appeared _____
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they,
corporation, partnership or _____) executed the same. *SH* *2/11/74*

Notary Public residing at

My commission expires May 24, 1919

RA 5-10-77

Stage: BENEFICIAL USE

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

April 29, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

J. H. Sisler
4455 Sunset Drive
Emmett, Idaho 83617

Re: Civil Case No. 3667 - Frasier, et al Objection 65-03307

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.

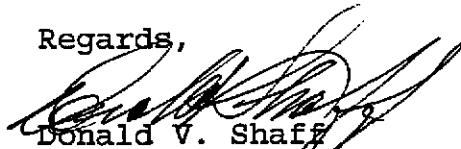
This group of water rights are among the last water rights remaining for decree in the Payette River Basin Adjudication. Most of the water rights were decreed on January 21, 1986 and in subsequent partial decrees.

Your water right referenced above was listed in the Proposed Finding with a diversion rate of 0.06 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 0.10 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. 65-03307

Date 4/16/92

Initials J

Soils	Acres		Rate (cfs/ac)		Rate (cfs)
Moulton	<u>3</u>	x	0.034	=	<u>0.10</u>
Letha	<u> </u>	x	0.029	=	<u> </u>
Other	<u> </u>	x	0.02	=	<u> </u>
Total	<u>3</u>				<u>0.10</u>

Conveyance Loss (see attached) =

TOTAL DIVERSION RATE = 0.10

Comments:

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 655

INDICATES TOTAL

SOURCE: WASTE WATER

TRIBUTARY TO: 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
65-5281	PEVLER, NORMAN L. & PEVLER, ELDENE J. ROUTE 1 BOX 104, EMMETT, IDAHO 83617 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF EMMETT IRRIGATION DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	4/ 1/1968	IRRIGATION	3/15 11/15	--- AFA 1.38 CFS	SHNW S17 T 6N R 2W NENE S18 T 6N R 2W	NENE(16) ANNE(13) SENE(40) S18 T 6N R 2W *69*	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	3.00 AFA .05 CFS *---*AFA *1.43*CFS		SAME AS OTHER USE	
65-4460	WAIL, LILLIE B. & WAIL, WILLIAM F. ROUTE 1 BOX 24, FRUITLAND, IDAHO 83619	4/ 1/1968	IRRIGATION	3/15 11/15	--- AFA .02 CFS	LOT 8 S14 T 8N R 5W	LOT 8(11) S14 T 8N R 5W *1*	BENEFICIAL USE
65-10936	LANGLEY, TRACEY L. & LANGLEY, LINDA M. ROUTE 1, BOX 108, PAYETTE, IDAHO 83661	6/ 1/1968	IRRIGATION	3/15 11/15	--- AFA .24 CFS	LOT 8 S 4 T 8N R 5W	LOT 8(12) S 4 T 8N R 5W *12*	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	.70 AFA .02 CFS *---*AFA *.26*CFS		SAME AS OTHER USE	
65-5020	WENIG, ROYAL A. & WENIG, MARY J. ROUTE 2, BOX 259, EMMETT, IDAHO 83617 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF EMMETT IRRIGATION DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	6/ 7/1968	IRRIGATION	3/15 11/15	--- AFA .04 CFS	SWNE S 1 T 6N R 2W	SWNE(2) S 1 T 6N R 2W *2*	BENEFICIAL USE
65-3304	SISLER, J. P. & WHOLESALEERS, INC. 6001 FAIRVIEW AVENUE, BOISE, IDAHO 83704	6/20/1968	IRRIGATION	3/15 11/15	--- AFA .06 CFS	SESE S 4 T 6N R 2W	SESE(3) S 4 T 6N R 2W *3*	BENEFICIAL USE
65-1904	LEWIS, ROBERT A. & LEWIS, DOROTHY L. 1116 EAST MAIN, EMMETT, IDAHO 83617 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF LAST CHANCE DITCH CO. SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	8/ 1/1968	IRRIGATION	3/15 11/15	--- AFA .01 CFS	NENW S 8 T 6N R 1W	NENW(1) S 8 T 6N R 1W *1*	BENEFICIAL USE

CONVERSATION MEMORANDUM

DATE 12/12/85
FILE 65-3307

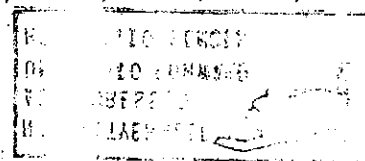
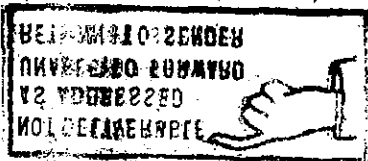
NAME OF PARTY Jay Sisker
EMPLOYEE D. Shaff

RE: Name & Address Error

The data in the Proposed Finding is in error. Wholesalers Inc. has not and is not connected with Mr. Sisker. His current mailing address is 4455 Sunset Dr., Emmett. The charges should be made to the file and any amended proposed finding that may be sent to the court for this contested water right.

5/16/86 JKN

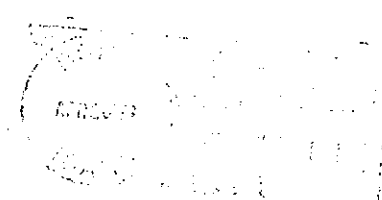
No way to measure water. No water from neighbors farm - inactive in flow.



IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
Broadbent Business Park
92 S. Cole Road
Boise, Idaho
83705

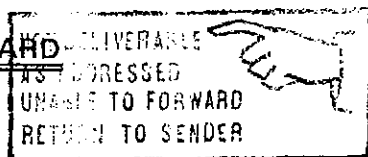


REGISTERED
FIRST-CLASS



J. H. SISLER
WHOLESALE, INC.
8801 FAIRVIEW AVENUE
BOISE, IDAHO 83704

PLEASE FORWARD



UNDELIVERABLE
AS ADDRESSED
UNABLE TO FORWARD
RETURN TO SENDER

WATER RIGHT INFORMATION

