

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

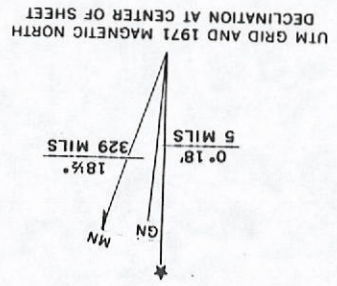
The Director of the Idaho Department of Water Resources, R. Keith Higginson and J. H. Sisler, by and through counsel, stipulate as follows:

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

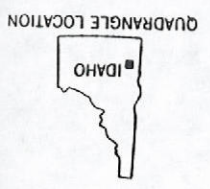
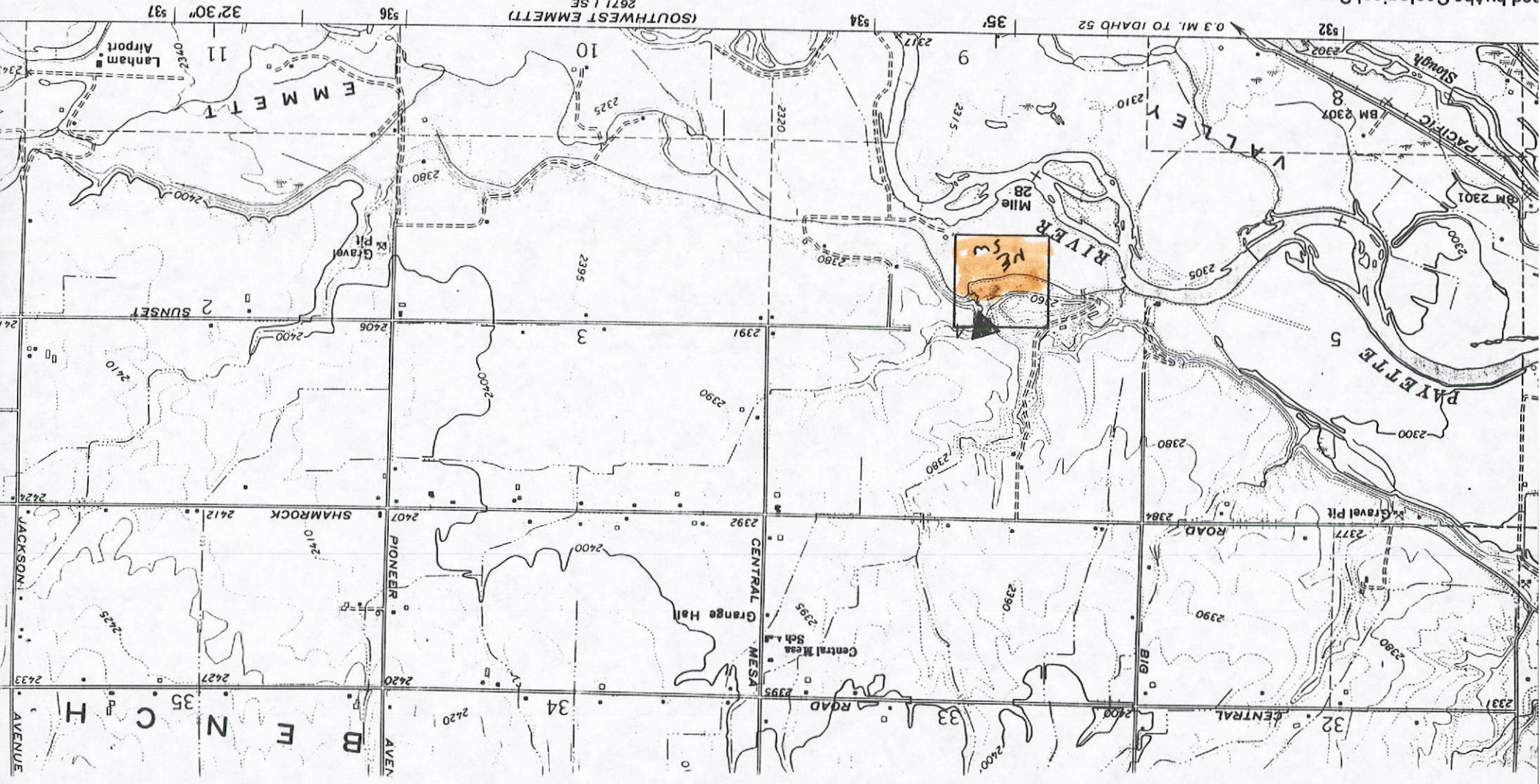
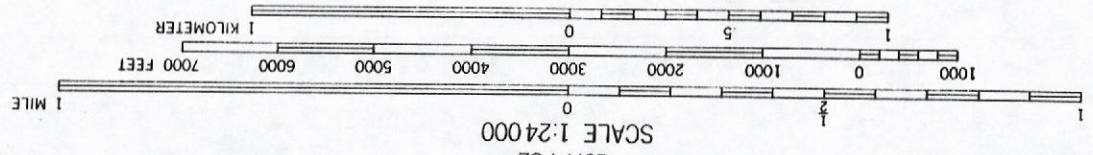
methods from aerial
checked 1971
ticks: Idaho coordinate
cator)
Mercator grid ticks,
orth American datum
only landmark buildings are shown
ected fence lines



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

T6N R2W 504 N65W

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



**T06N R02W
S04**

Idaho Department of Water Resources

Claims: 65-03310

Prepared by:

RON HOWERTON

Date: 29 AUG 00

 **Place of use**

 **POD**

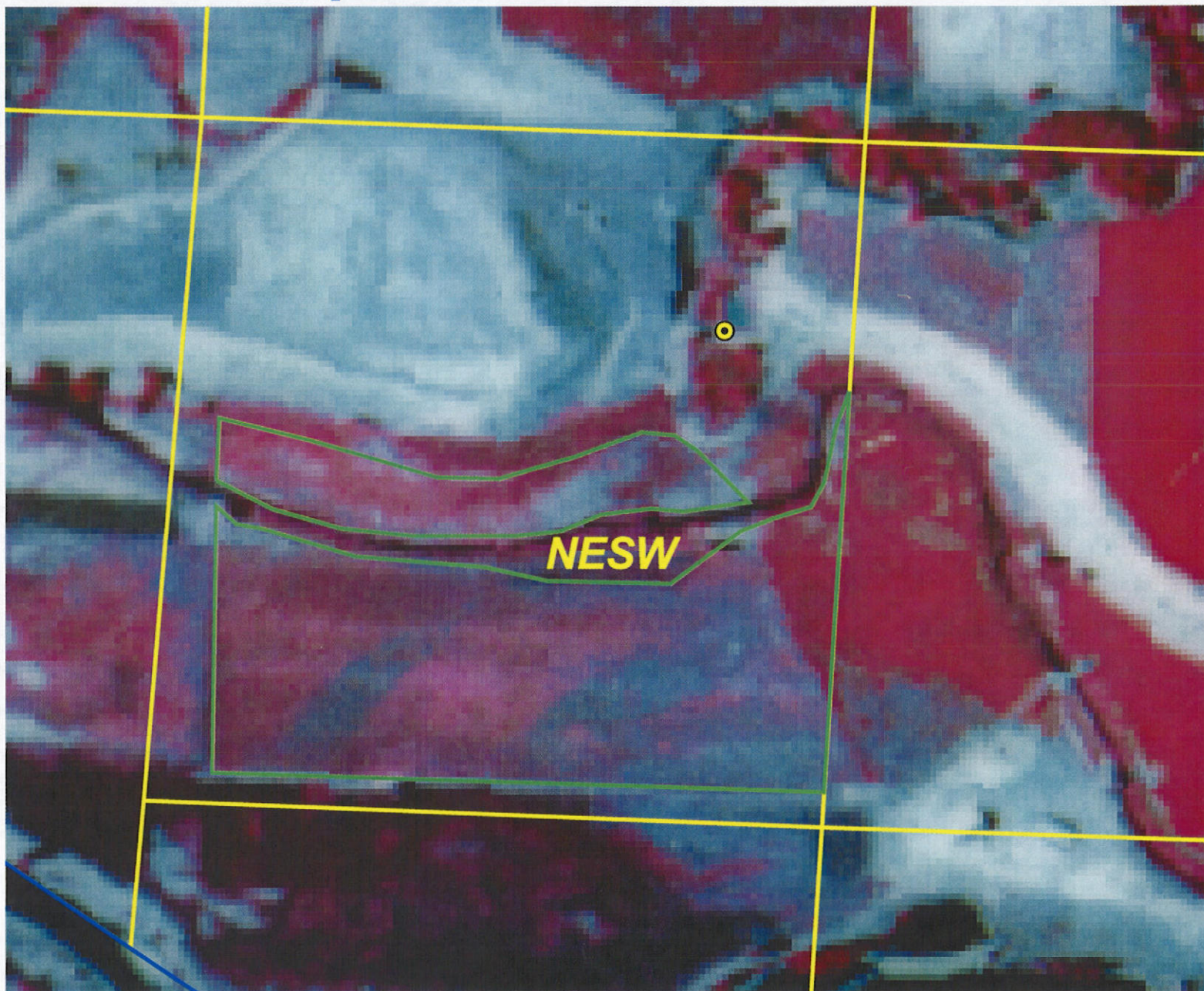
 **SECTION**

 **1/4 1/4**

15 Acres



1987 NAPP



**T06N R02W
S04**

Idaho Department of Water Resources

**Claims: 65-03310
Prepared by:
RON HOWERTON
Date: 29 AUG 00**

 **Place of use**

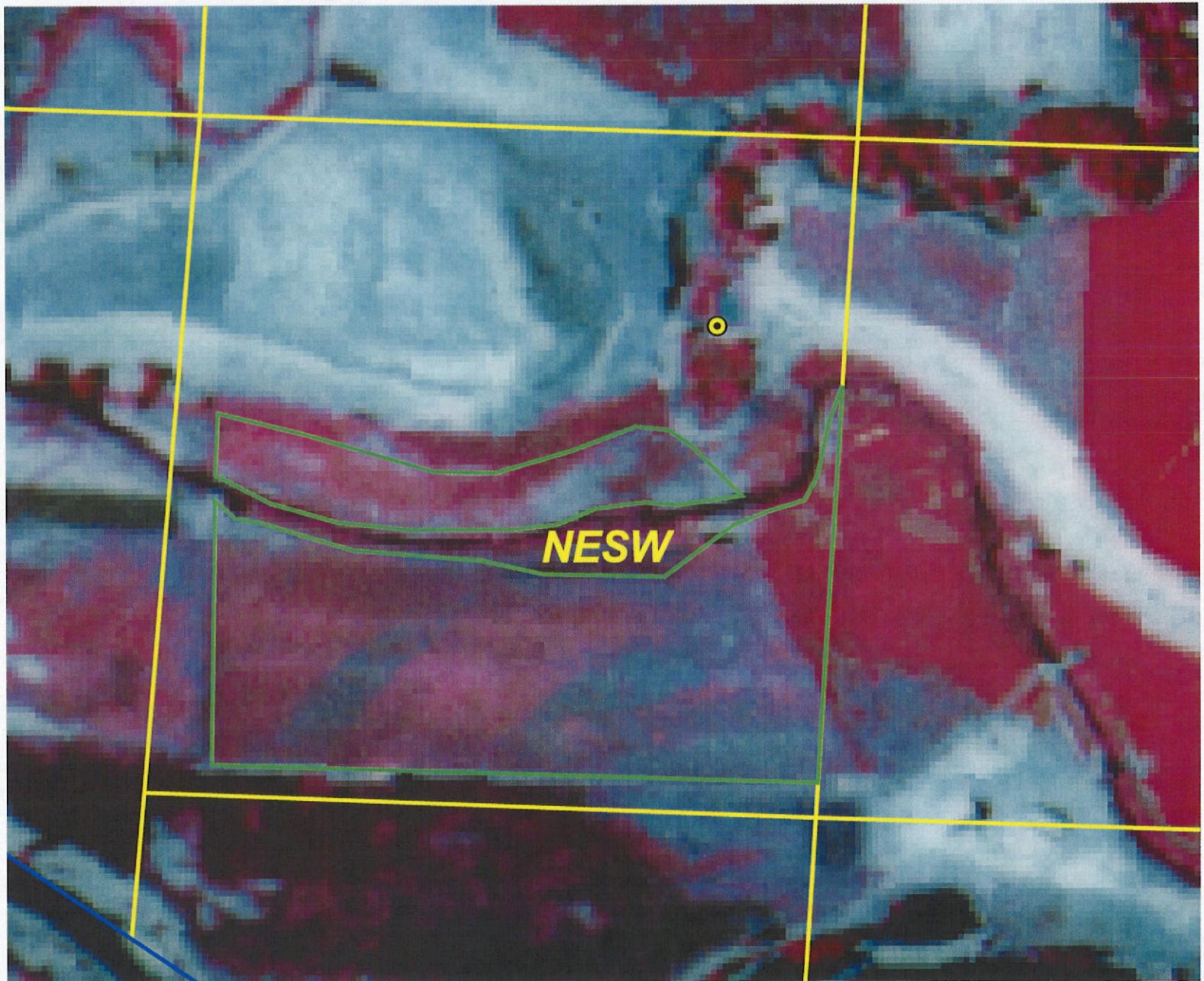
 **POD**

 **SECTION**

 **1/4 1/4**



1987 NAPP





POND

E.I.D.

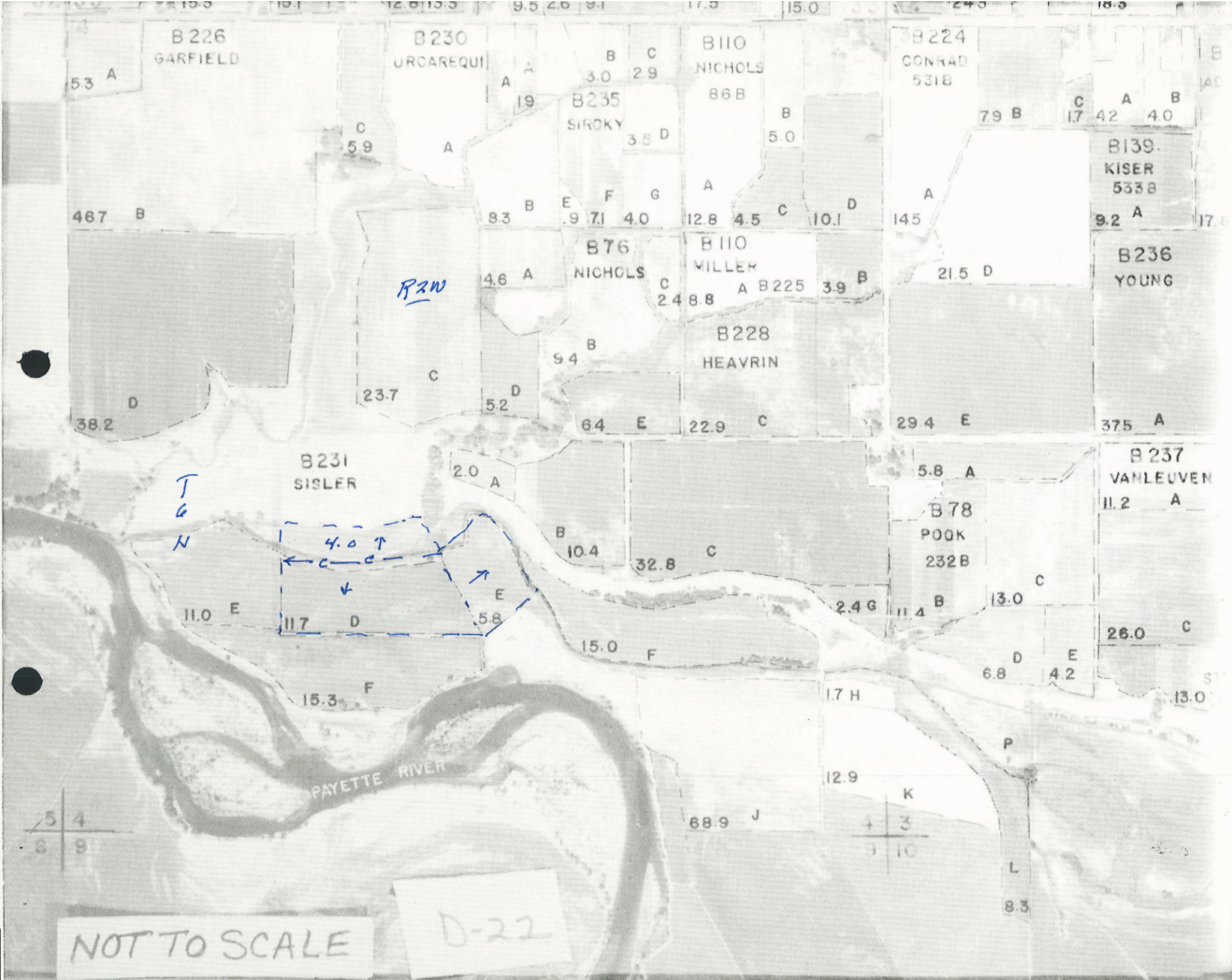
WATER DRAIN

B.I.P.

DITCH

43
940

89



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: **A65-03310**
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: 3995 SUNSET DR
EMMETT ID 83617

2. Date of Priority: MAY 4, 1959

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	02W	4	NE	SW			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	0.510		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 52.5 Acre Feet Per Annum.

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

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	02W	4	NE	SW		IRR	15.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	15.0
					Total Acres	15.0

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.

RIGHT NO. 65-03326 IS ALSO DIVERTED THROUGH POINT OF DIVERSION 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.

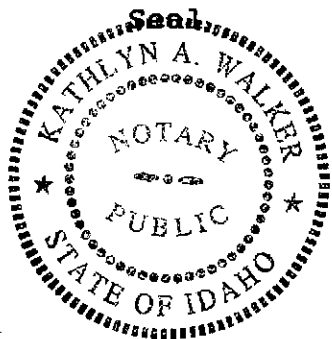
Signature of Claimant(s): Joy R. Susler Date: 2-4-99

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, Id.
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
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A65-03310**
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: 3995 SUNSET DR
EMMETT ID 83617

2. Date of Priority: MAY 4, 1959

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		NE	SW		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	0.510		

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

8. Total consumptive use is 52.5 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	NE	SW		IRR	15.0

Section Acres

MICROFILMED
OCT 18 1996

10. Place of Use: Continued

Total Acres 15.0

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.

RIGHT NO. 65-03326 IS ALSO DIVERTED THROUGH POINT OF DIVERSION 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): _____ Date: _____

_____ Date: _____

MICROFILMED
OCT 18 1996

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

LARRY ECHOHAWK
Attorney General

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

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 1982 in the above captioned matter.

MICROFILMED
OCT 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: A65-03310
Date Received: 12/13/1989
Receipt No: 1999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J. H. SISLER 208-365-2776
Address: 3995 SUNSET DR.
EMMETT, ID 83617

2. Date of Priority: MAY 04, 1959

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	02W	4	NE	SW			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	2.400		

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

8. Total consumptive use is 75.0 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	NE	SW		IRR	25.0
Section Acres							25.0

A65-03310

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 Lister 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. Schulz
Notary Public

Seal

Residing at BRUCE A. SCHULZ, NOTARY PUBLIC
RESIDING AT BOISE, IDAHO
My Commission Expires MY COMMISSION EXPIRES APRIL 11, 1995



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

03/09/2001

**NOTICE OF ERROR
REPLY**

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

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

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

Water right number: 65-3310

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: 65-3310

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

SOURCE: WASTEWATER TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.51 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. 65-22391 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.51 CFS.

PRIORITY DATE: 05/04/1959

POINT OF DIVERSION: T06N R02W S4 NESW Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	0.51 CFS

PLACE OF USE:

IRRIGATION Within GEM County
T06N R02W S4 NESW 15

15 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 65-11264 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 172.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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. A65-03310

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/25/00
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J H SISLER 3995 SUNSET DR EMMETT ID 83617 (208) 365-2776	05/04/1959	IRRIGATION STOCKWATER	03-15 11-15 01-01 12-31	0.510 CFS 0.020 CFS	
TOTAL DIVERSION:					0.530 CFS	51
CONSUMPTIVE USE:						32.50 AFA

Water Source: WASTE WATER

Tributary to: PAYETTE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T06N R02W S04 NESW

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	:																	15.0
TOTAL ACRES																			15.0	

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.

RIGHT NO. 65-03326 IS ALSO DIVERTED THROUGH POINT OF DIVERSION 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:

OVERLAP with 11264

QWR E28 /

NOT CLAIMED &
DIF OWNER?
DELETE

Pou 1-E12 /

TOTAL
COMB.

ACRES = 172

11264

C18

LARRY ECHOHAWK
Attorney General

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

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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

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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.

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 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.						

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 NESE 3.0 NWSE 8.0 Lot 7 (SWSE)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.						

WR5809NP
No. 65-03310

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/25/00
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J. H. SISLER 3995 SUNSET DR. EMMETT ID 83617	05/04/1959	IRRIGATION	03/15 11/15	0.300 CFS	
TOTAL DIVERSION:					0.300 CFS	

Water Source: WASTE WATER

Tributary to: PAYETTE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T06N R02W S04 NESW

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	:																	:	15.0
																				TOTAL ACRES	15.0

Pou County: GEM

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-03326

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

Dates:	App. Received:	Priority Date:	05/04/1959
	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 11/01/88 CURTIS

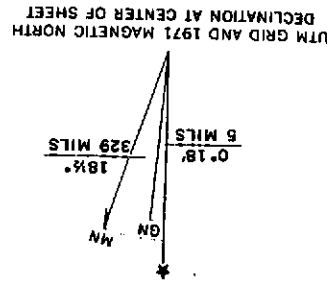
by the Geological Survey

Methods from aerial
checked 1971

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calor)

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orth American datum

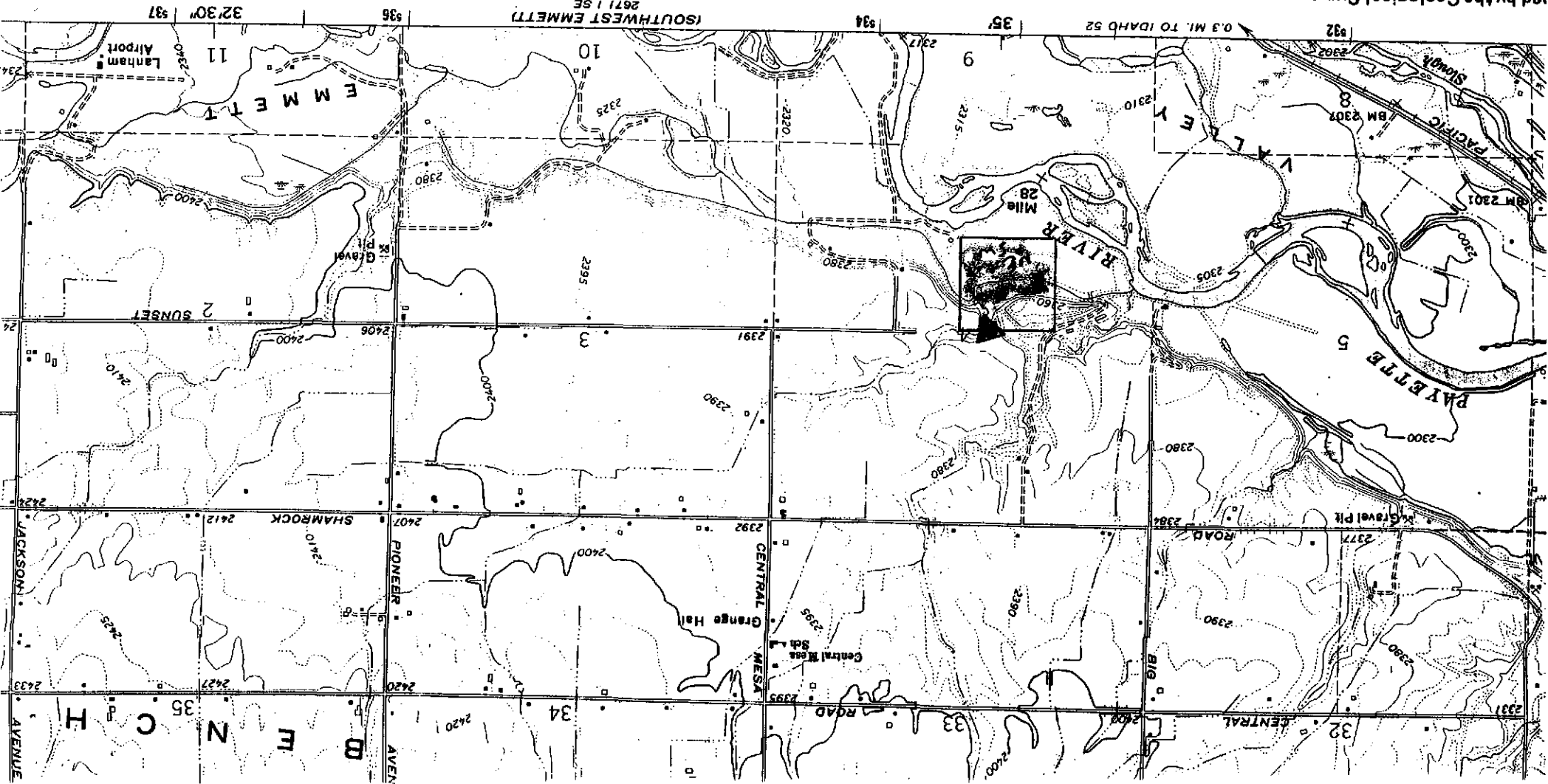
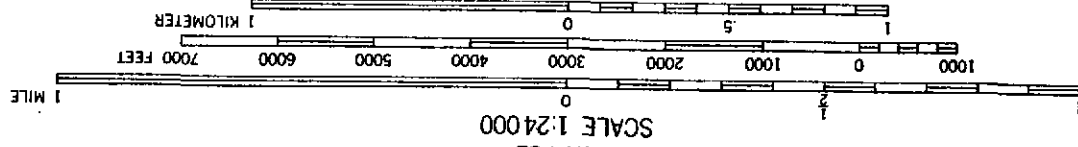
Only landmark buildings are shown
ected fence lines



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

T6N R2W 504 N55W

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



QUADRANGLE LOCATION



**T06N R02W
S04**

Idaho Department of Water Resources

Claims: 65-03310

Prepared by:

RON HOWERTON

Date: 29 AUG 00

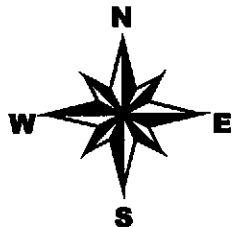
 **Place of use**

 **POD**

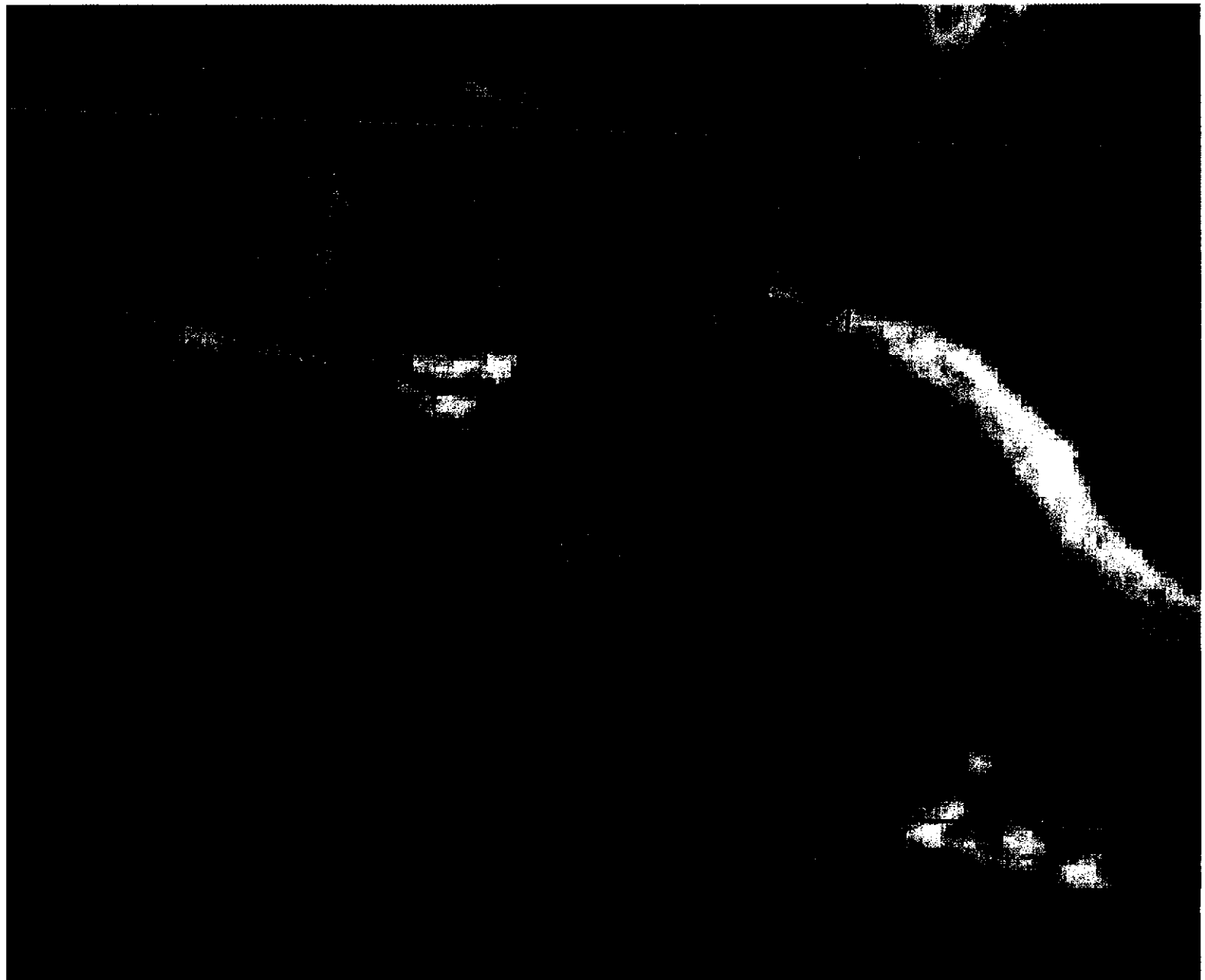
 **SECTION**

 **1/4 1/4**

15 Acres



1987 NAPP



**T06N R02W
S04**

Idaho Department of Water Resources

Claims: 65-03310

Prepared by:

RON HOWERTON

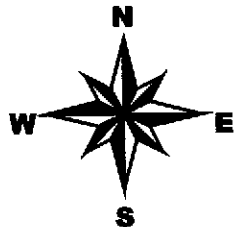
Date: 29 AUG 00

 **Place of use**

 **POD**

 **SECTION**

 **1/4 1/4**



1987 NAPP



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	05/04/1959	IRRIGATION	03-15 11-15	0.51 CFS	
				TOTAL DIVERSION:	0.51 CFS	
				CONSUMPTIVE USE:		52.50 AFA

Water Source: WASTE WATER

Tributary to: PAYETTE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T06N R02W S04 NESW GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	---
06N	02W	4	:					:					:	15				:					:	15.0
																								15.0
																								TOTAL ACRES

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.
RIGHT NO. 65-03326 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: Verified Date:

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

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.

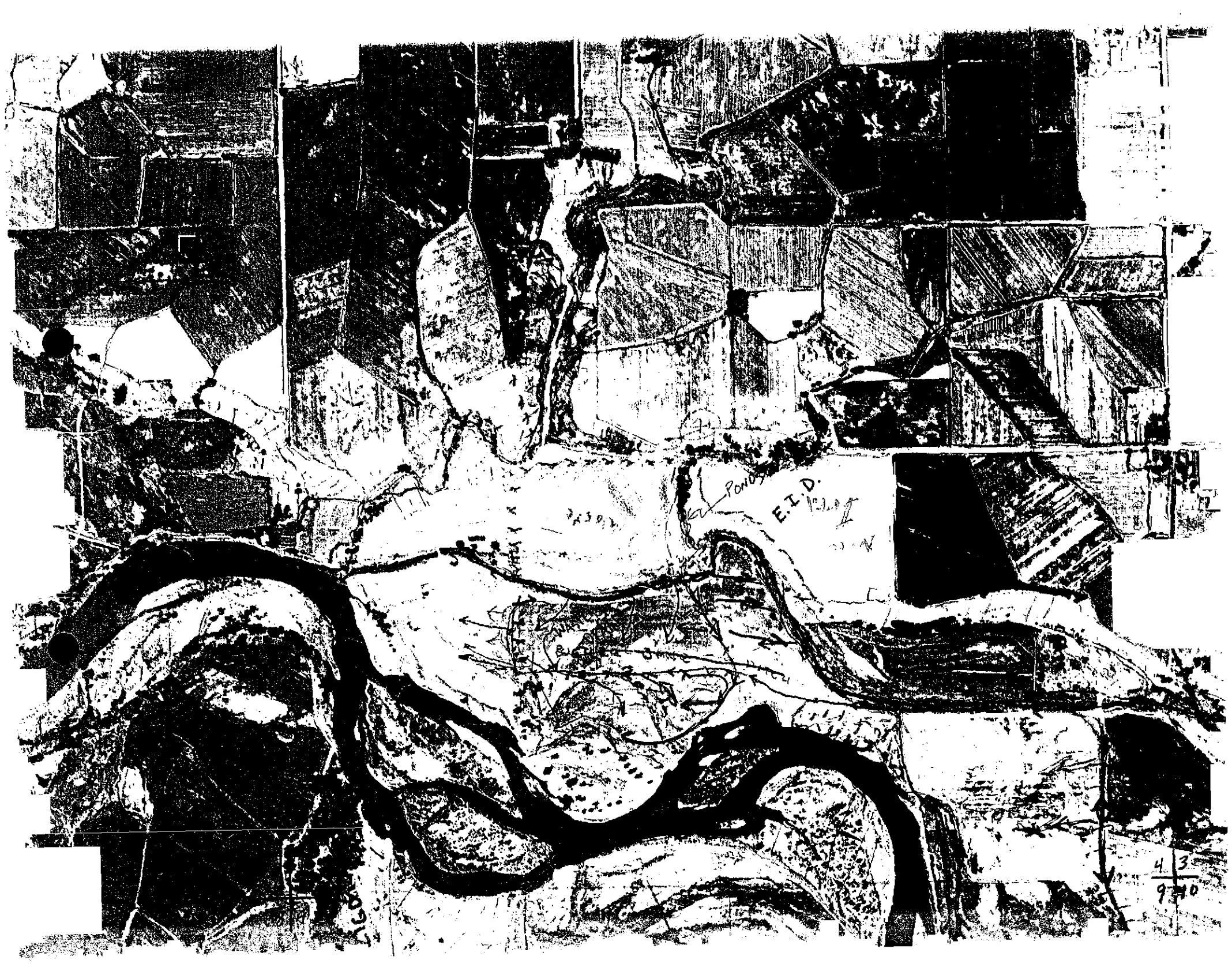
May 23, 1995

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.
3. A recently licensed permit can also be used to amend the claim with an ownership change with an amended requirement. A letter must accompany the ownership changed claim, stating that the claimed permit was licensed since this claim was filed, the claim has been revised to correspond to the licensing. If they have any difficulty with this clarification, they need to contact our office within 30 days of the letter. (The "A" claim is given a "T" status for the 30 day period.

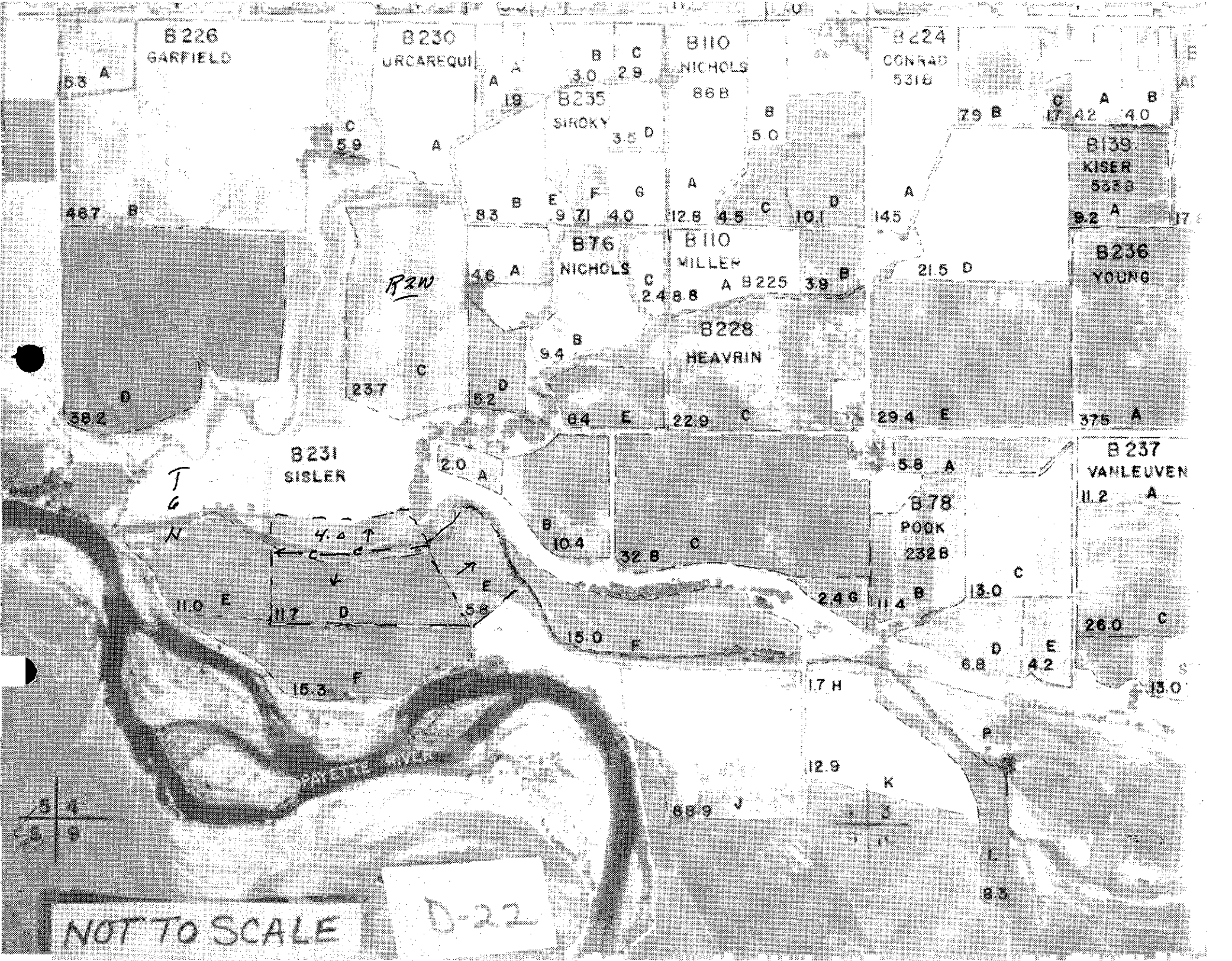
MICROFILMED
JUN 18 1996

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: PAYETTE RIVER		TRIBUTARY: SNAKE RIVER				
65-11264	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 NESE 3.0 NWSE 8.0 Lot 7 (SWSE)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.						



Pond
E.I.D.
1920
W

43
940



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.						

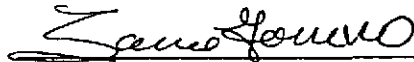
RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: WASTE WATER		TRIBUTARY: PAYETTE RIVER				
65-03310	J H SISLER 4455 SUNSET DR EMMETT ID 83617	05/04/1959	IRRIGATION	03-15 11-15	.51	CFS BENEFICIAL USE
					TOTAL QUANTITY:	.51 CFS
					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.						

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 GORRONO
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

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.

Sam

MAP NO.

65 3310

(Name of Claimant)

83617

(Mailing Address)

claims a right to the diversion

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

The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 5/4/1959
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) wastewater Trib Payette
- (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 42 Irrigation 30 44-5 Period of Use From 4/1 3/15 To 10/31 11/1
(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: 30 42 Cubic Feet Per Second, or 94-5 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. NE 1/4 01. SW 1/4
Sec. 4 Twp. 6N Rge. 24 7W 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.

- (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 31.0

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: 15

- (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.: _____

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. Sisk
(Signature of Claimant)

(Signature of Claimant)

State of Idaho

County of Ada

Organization
Seal

On this 22 day of March, in the year 1971, before me,

a notary public, personally appeared A. H. Sisler
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. 11/19/77

Notary Public residing at 2-111

My commission expires

May 26, 1974

OKN

1127/78

DET 1-1-70

M E M O R A N D U M

DATE: February 19, 1993
TO: File 65-03310
FROM: Don Shaff
RE: Review

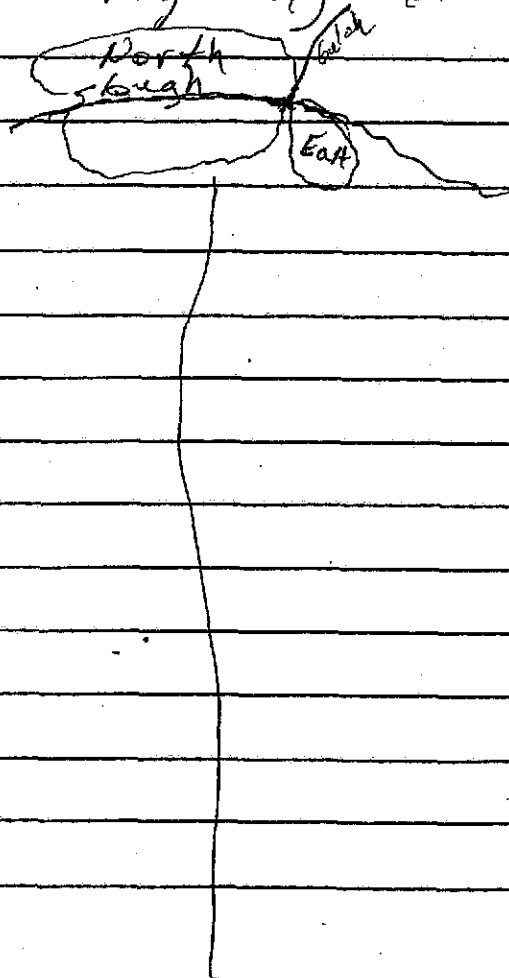
Today the stipulation covering the contested water rights of Mr. Sisler were received in the office. By signing the stipulation, the issues discussed with Mr. Sisler in the last few days are apparently settled. No further work will be done on these files at this time.

CONVERSATION MEMORANDUM

DATE 2-19-93FILE 65-03310NAME OF PARTY J.H. SiskerEMPLOYEE D. SHAFFRE: Irrigation

I called Mr. Sisker partly in reply to his 2-16-93 inquiry and partly with questions related to it.

He said the east field may have been irrigated ~~irrigated~~ from the river ditch. In response to my information on the north field was not irrigated in 7/61 (LYM-13B-137-ASC5 photo), Mr. Sisker said in started irrigating that field in 1964.



CONVERSATION MEMORANDUM

DATE 2-16-93FILE 65-03310NAME OF PARTY J. H. Sisler
~~D. SHAFF~~
EMPLOYEE D. SHAFFRE: Stipulation

Mr. Sisler questioned the Place of Use to only 15 acres. His SRBA claim was 25 acres and 1986 exam shows about 22 acres.

I responded the 1960's ASCS photo may show less than 25 acres and apparently showed 15 acres, that was recorded in '79.

I said I would check earlier photo and get back to him on results.

We discussed rate per acre and Right 65-03326, but he had no disagreement with these points.

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

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=====
OWNER      NAME & ADDRESS      PRIORITY  WATER USE      USE PERIOD  DIVERSION  DIVERSION
CODE      NAME & ADDRESS      DATE      DATE      FROM   TO      RATE      VOLUME
-----
C  J H SISLER      05/04/1959  IRRIGATION      03-15  11-15      0.51 CFS
    4455 SUNSET DR
    EMMETT ID 83617
    (208) 365-2776
                                TOTAL DIVERSION: 0.51 CFS
                                CONSUMPTIVE USE: 52.5 AFA
=====
```

Water Source: WASTE WATER Tributary to: PAYETTE RIVER Stage: BENEFICIAL USE

Point(s) of Diversion: T06N R02W S04 NESW 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	:																	:	15.0
																				TOTAL ACRES	15.0

POU County: GEM

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.

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: 65 Field Inspection Flag:

Presumption Flag:

OD-XXX
WR5804NP
SELECTION FILE: SHAFF-BAINE

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT POD INDEX

DATE: 01/07/93
TIME: 12:23:06
PAGE: 1

TWP	RNG	SECT	TRACT 1\4 1\4 1\4	LOT	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	CLAIMANT NAMES	O C	WATER SOURCE	DIVERSION RATE-VOLUME	DIV TY
06N	02W	4		3	43	65-03327	D/	01/01/1920	JOHN D. FRAZIER MARTHA L. FRAZIER	C	GROUNDWATER	0.040	CFS
06N	02W	4		3	01	65-03328	D/	04/01/1942	LEE H. GARFIELD VIRGINIA GARFIELD	C	SPRING	0.160	CFS
06N	02W	4		5	01	✓65-02017	J/	11/17/1904	R. RICHARD FRASIER FONDA E. FRASIER	C	BAINE GULCH	2.000	CFS
06N	02W	4		5	01,04	65-02437	D/	07/28/1939	CHARLES C. HERETH JOHN M. HERETH	C	BAINE GULCH	1.140	CFS
06N	02W	4		5	01	✓65-02463	J/	10/17/1945	WILLIAM H. CONRAD GERALDINE A. CONRAD	C	BAINE GULCH	1.800	CFS
06N	02W	4		5	01	✓65-05091	J/	05/28/1925	R. RICHARD FRASIER FONDA E. FRASIER	C	BAINE GULCH	0.630	CFS
06N	02W	4		5	01	65-11249	D/	06/01/1941	VIRGINIA GARFIELD	C	BAINE GULCH	0.070	CFS
06N	02W	4	NE NE		43,04	65-03319	D/	04/01/1910	RALPH A. NICHOLS HAZEL H. NICHOLS	C	GROUNDWATER	0.040	CFS
06N	02W	4	SW NE		01,04	65-03322	D/	04/01/1945	RALPH A. NICHOLS HAZEL H. NICHOLS	C	WASTE WATER	0.780	CFS
06N	02W	4	SE NE		01	65-03368	D/	04/01/1931	WILLIAM J. NIELSEN	C	WASTE WATER	0.080	CFS
06N	02W	4	SE NE		43	65-03392	D/	06/01/1917	WILLIAM J. NIELSEN	C	GROUNDWATER	0.040	CFS
06N	02W	4	SE NE		43	65-11104	D/	04/01/1977	PAUL ANDREW SPRINGER	C	GROUNDWATER	0.040	CFS
06N	02W	4	NE NW		43	65-01618	D/	08/26/1970	JOHN D. FRAZIER MARTHA L. FRAZIER	C	GROUNDWATER	0.040	CFS
06N	02W	4	NE SW		01	✓65-03310	J/	05/04/1959	J. H. SISLER	C	WASTE WATER	0.300	CFS
06N	02W	4	NE SW		01	65-03326	D/	05/04/1959	LEE H. GARFIELD VIRGINIA GARFIELD	C	WASTE WATER	0.520	CFS
06N	02W	4	NE SE		43	65-02405	D/	05/11/1937	J. H. SISLER	C	GROUNDWATER	0.040	CFS
06N	02W	4	NE SE		43	65-03311	D/	04/01/1936	J. H. SISLER	C	GROUNDWATER	0.040	CFS
06N	02W	4	NW SE		43	65-03308	D/	01/13/1964	J. H. SISLER	C	GROUNDWATER	0.040	CFS
06N	02W	4	SE SE		01	65-03307	J/	06/20/1968	J. H. SISLER	C	WASTE WATER	0.060	CFS



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
3995 Sunset Drive
Emmett, Idaho 83617

Re: Civil Case No. 3667 - Frasier, et al Objection 65-03310

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 0.30 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 0.51 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,

A handwritten signature in dark ink, appearing to read 'Donald V. Shaff'.

Donald V. Shaff
Manager, Adjudication Section

DIVERSION RATE CALCULATIONS

Water Right No. 65-03310

Date 4/16/92

Initials J

Soils	Acres		Rate (cfs/ac)		Rate (cfs)
Moulton	<u>15</u>	x	0.034	=	<u>0.51</u>
Letha	<u>-</u>	x	0.029	=	<u>-</u>
Other	<u>-</u>	x	0.02	=	<u>-</u>
Total	<u>15</u>				<u>0.51</u>

Conveyance Loss (see attached) =

TOTAL DIVERSION RATE = 0.51

Comments:

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 652

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
65-9394	HIGBY, CHARLES S. & HIGBY, EMMA J. STAR ROUTE, PAYETTE, IDAHO 83661 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF LOWER PAYETTE DITCH CO. SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	4/ 1/1959	IRRIGATION	3/15 11/15	--- AFA .70 CFS	SENE S13 T 8N R 5W	SWNW(35) S13 T 8N R 5W *35*	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	2.70 AFA .05 CFS *---*AFA *.70*CFS		SAME AS OTHER USE	
65-3326	GARFIELD, LEE H. & GARFIELD, VIRGINIA ROUTE 2, BOX 70, EMMETT, IDAHO 83617	5/ 4/1959	IRRIGATION	3/15 11/15	--- AFA .52 CFS	NESW S 4 T 6N R 2W	LOT 5(12) LOT 6(14) S 4 T 6N R 2W *26*	BENEFICIAL USE
65-3310	SISLER, J. H. ROUTE 2, BOX 226, EMMETT, IDAHO 83617	5/ 4/1959	IRRIGATION	3/15 11/15	--- AFA .30 CFS	NESW S 4 T 6N R 2W	NESW(15) S 4 T 6N R 2W *15*	BENEFICIAL USE
65-5088	CONRAD, WILLIAM H. & CONRAD, GERALDINE A. ROUTE 2, EMMETT, IDAHO 83617 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS 65-5089 & 65-2463 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	4/ 1/1960	IRRIGATION	3/15 11/15	--- AFA .90 CFS	LOT 3 S 5 T 6N R 2W	LOT 3(22) LOT 4(38) LOT 5(24) S 5 T 6N R 2W *84*	BENEFICIAL USE
65-6723	HERETH, CHARLES C. & HERETH, JOHN H. 101 EAST 2ND STREET, EMMETT, IDAHO 83617 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS 65-2437 & 65-6722 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	4/ 1/1960	IRRIGATION	3/15 11/15	--- AFA .94 CFS	LOT 2 S 5 T 6N R 2W	LOT 1(27) LOT 7(20) S 6 T 6N R 2W *47*	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	1.40 AFA .03 CFS *---*AFA *.57*CFS		SAME AS OTHER USE	
65-1859	COOPER, CLAYNE ROUTE 2, EMMETT, IDAHO 83617 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF EMMETT IRRIGATION DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	5/ 1/1960	IRRIGATION	3/15 11/15	--- AFA .76 CFS	SENE S16 T 7N R 3W	NENW(2) SENW(27) NENW(8) NWSE(1) S16 T 7N R 3W *38*	BENEFICIAL USE



State of Idaho
DEPARTMENT OF WATER RESOURCES

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May 15, 1991

J. H. Sisler
3995 Sunset Drive
Emmett, ID 83617

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Re: Civil Case No. 3667
Frasier, et al Objection 65-03310

Dear Payette River Water User,

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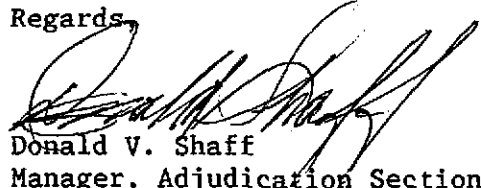
This group of water rights are among the last water rights remaining for decree in the Payette River Basin Adjudication, most of which were decreed on January 21, 1986. The water rights decreed in the Payette adjudication will be incorporated into the eventual decree in the larger Snake River Basin Adjudication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

Your water right referenced above was listed in the Proposed Finding with a diversion rate of .30 cubic feet per second (cfs). You will find enclosed a two-page form that when completed by you will describe your water delivery system and irrigation methods. The information you supply is essential in order for the staff of the Department to evaluate your irrigation water requirements. Much of the information required is technical, and you may wish to contact the Soil Conservation Service or other professionals for assistance with the form.

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

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

Regards,



Donald V. Shaff
Manager, Adjudication Section

Field exam

CONVERSATION MEMORANDUM

DATE 5/16/86

FILE 65-3310

NAME OF PARTY F. H. Binkler

EMPLOYEE John B. Boyer

RE: Measured 3.12 cfs from Hartwater
source. He appeared 15 acres - ASES
Photo shows 31.5 acres irrigated from
this source. Mr. Binkler questioned the
acreage on this night

gmy meter

J. H. Sisler

100-200
-63

J. H. Sister

02.

65-3310

10/5/51 H. J. J. Nov 5

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

DATE 5/15, 1966 DISCHARGE MEASUREMENT NOTES

waste water ^{pit} Payette River

[illegible][illegible]

॥

9/9/15

MEASUREMENT FOR SISLER DITCH (NW)

PAGE 1

MEASUREMENT LOCATION
MEASURED BY J. NOYES

ON 5/15/1986

LEGAL DESCRIPTION

V = .956N + .046

SEC TWP

RNG

DISTANCE FROM INITIAL POINT FEET	DEPTH FEET	AREA SQ. FT.	REVOLUTIONS	TIME SEC	VELOCITY FT/SEC	DISCHARGE CES
.000	.000	.000	0	.000	.000	.000
.500	.500	.250	90	60.000	1.480	.370
1.000	1.200	1.272	102	60.000	1.671	2.126
2.620	.500	.530	71	60.000	1.177	.624
3.120	.000	.000	0	.000	.000	.000
TOTALS		2.052				3.120

Field exam
Measurement 5/16/86