

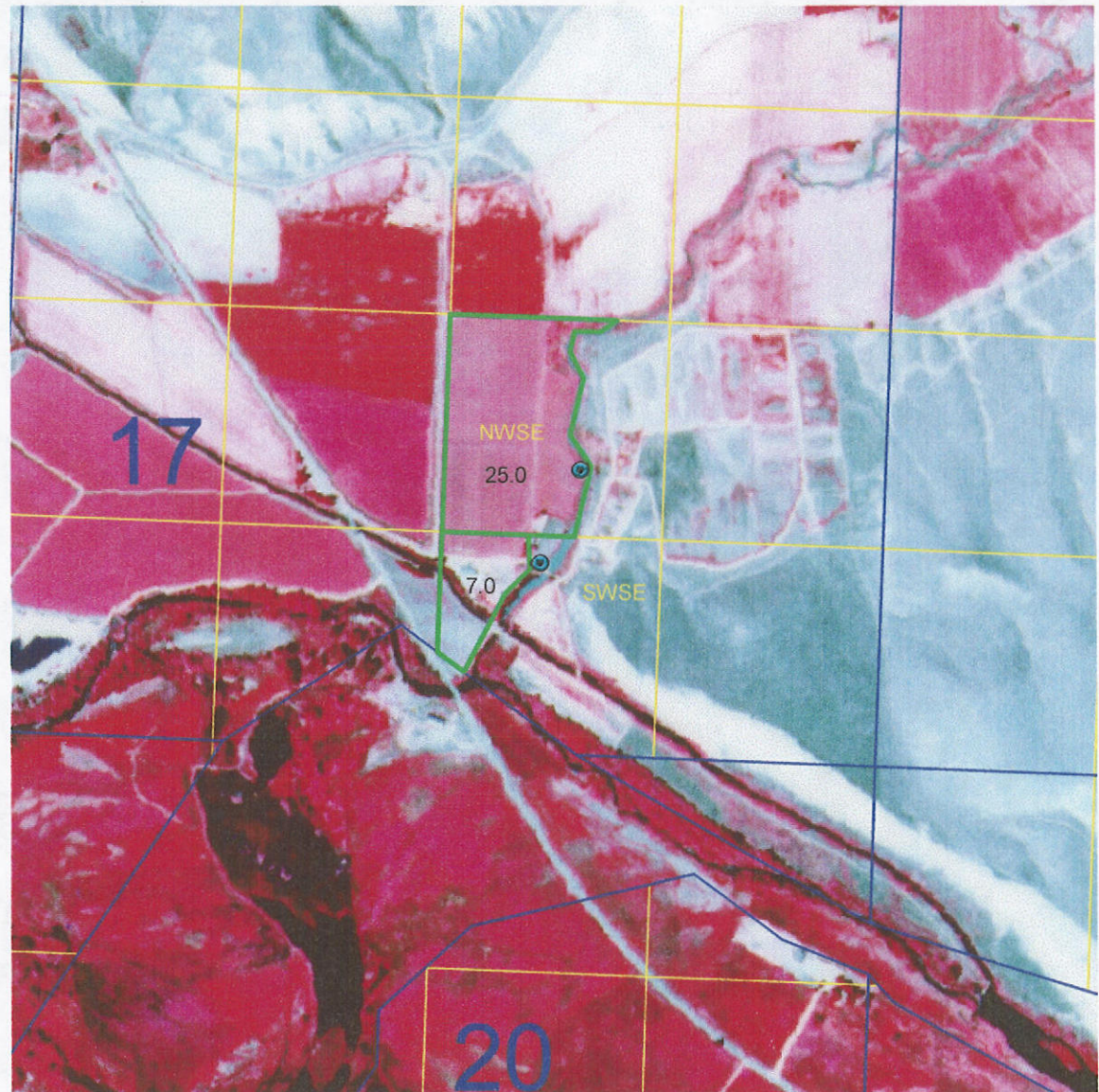
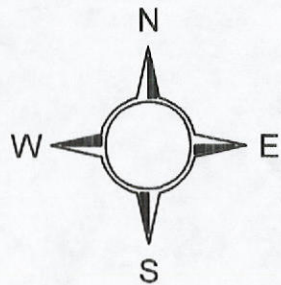
Idaho Department of Water Resources

Claim Number: 65-03618

Claimant: Colwell

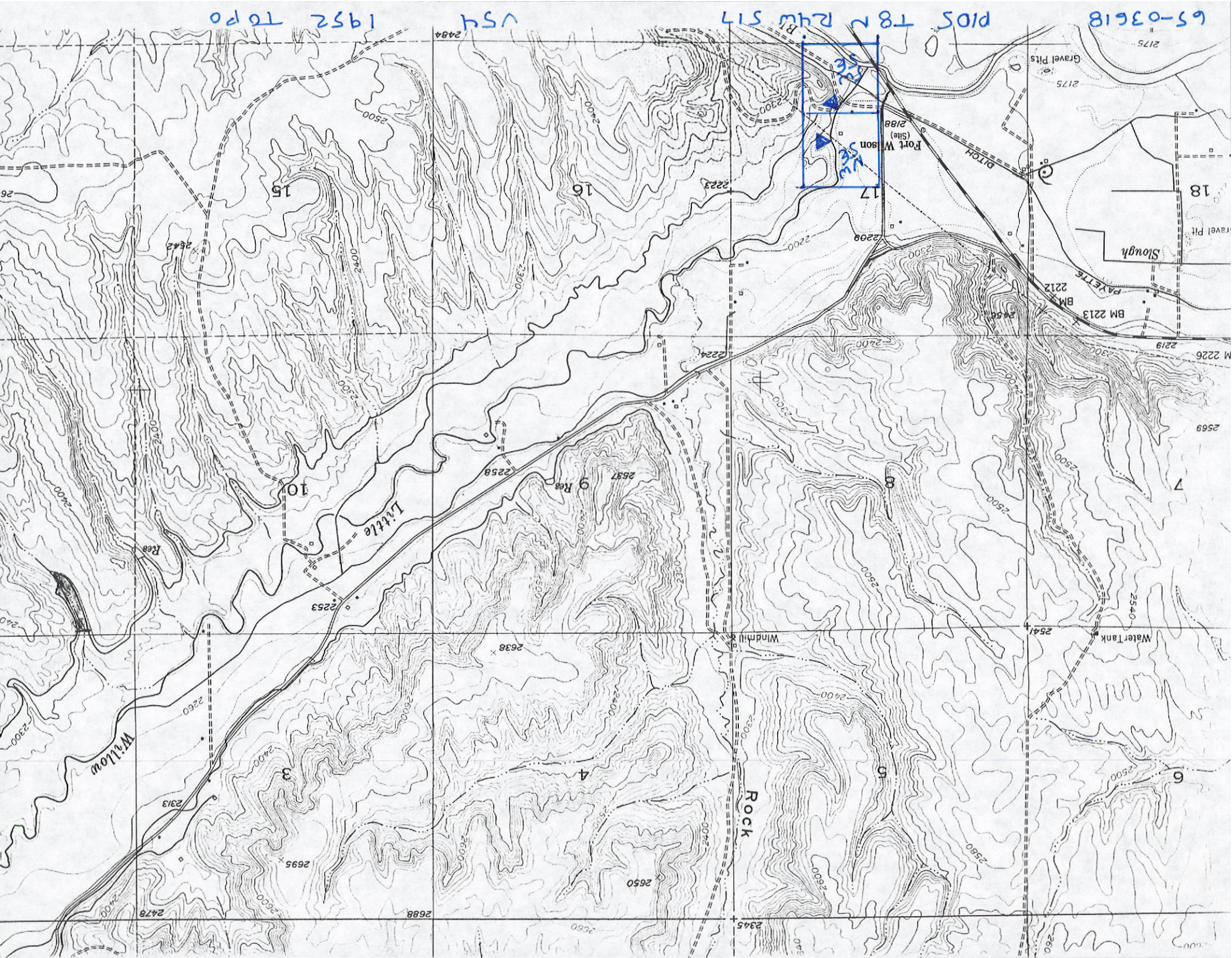
Legal: T08N, R04W, S17

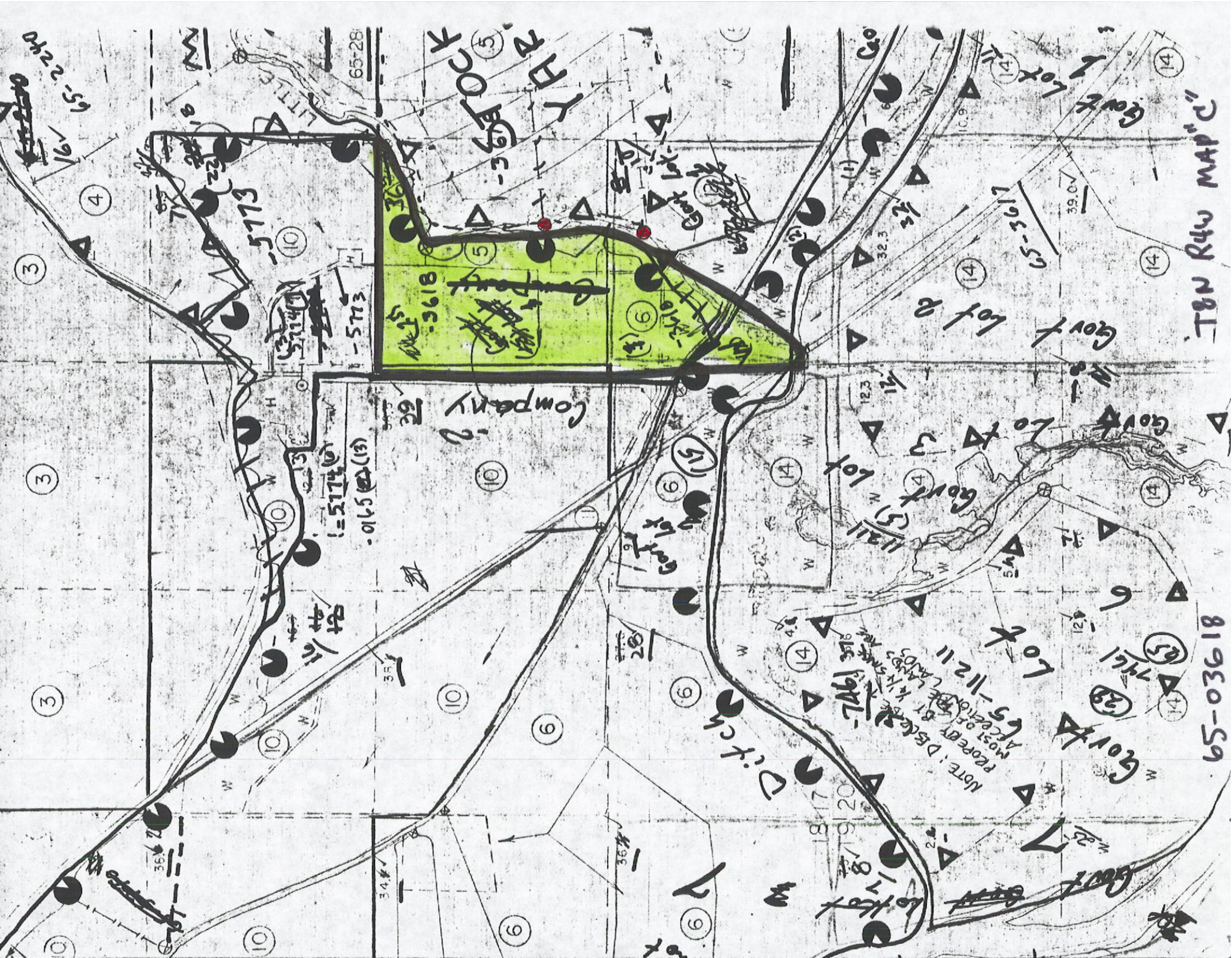
-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



1987 Napp Photo

0 0.25 0.5 0.75 1 Miles





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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A65-03618
Date Received: 4/11/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEORGE E COLWELL 208-376-6922
Address: 10800 SMOKE RANCH ROAD
BOISE ID 83709

AND

Name: CHERYL F COLWELL 208-376-6922
Address: 10800 SMOKE RANCH ROAD
BOISE ID 83709

2. Date of Priority: JAN 1, 1940

3. Source: LITTLE WILLOW CREEK Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	04W	17	NW	SE			PAYETTE
			SW	SE			PAYETTE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.640		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED
JUL 18 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	04W	17	NW	SE		IRR	25.0
			SW	SE	1	IRR	7.0
Section Acres							32.0
Total Acres							32.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

OWNERSHIP CHANGED BY LH 11/18/94.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____

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 _____

MICROFILMED
OCT 18 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

RECEIVED
NOV 10 1994

DATE OF CLOSING: September 15, 1994

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township 8 North Range 4 WestSection 17-22 27 1/4 of 1/4 of 1/4 Govt. Lot , BM.Lot , Block , Subdivision/Townsite .

If you have additional legal descriptions, please attach separate sheet.

SEE ATTACHED
LEGAL DESCRIPTION
ON "EXHIBIT A"
TO ATTACHED

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis) WARRANTY DEED

[] Water Right Number(s) A65-03617, A65-03618, A65-07461, A65-07462, A65-08627
Assigned by IDWR: A65-09393, A65-09394, A65-11211 and A65-11261

[] Name and Address of Former Owner/Claimant(s)(Seller): Charles S. Higby, Emma J. Higby (Higby N/N Ranch)
Higby N/N Ranch
HC 80 Box 97, Payette, Idaho 83661

[] New Owner/Claimant (Purchaser): George E. Colwell and Cheryl F. Colwell

[] New Mailing Address: 10800 Smoke Ranch Road
Boise, Idaho 83709

[] New Telephone Number: (208) 376 - 6922

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[] Attach proof of ownership, describe proof attached: Copy of recorded Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New Owner/Claimant(s) George E. Colwell Date 9/15/94
Cheryl F. Colwell Date 9/15/94

[] Signature of Former Owner/Claimant(s): Charles S. Higby Date 9/15/94
for Higby N/N Ranch Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 11-18-94 By: JD

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

MICROFILMED
OCT 18 1996

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

WARRANTY DEED fee \$2700

THIS WARRANTY DEED, made this 15th day of September, 1994, between HIGBY N/N RANCH, an Idaho General Partnership ("GRANTOR"), and GEORGE E. COLWELL and CHERYL F. COLWELL, husband and wife ("GRANTEES"), whose address is 10800 Smoke Ranch Dr., Boise, Idaho 83709-1258;

WITNESSETH:

The GRANTOR, for and in consideration of the sum of Ten and No/100ths Dollars, lawful money of the United States of America, and other good and valuable consideration, to it in hand paid by the GRANTEES, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the GRANTEES, and to their heirs, personal representatives, successors and assigns forever, all of the following described real property situate in the County of Payette, State of Idaho, to-wit:

REAL PROPERTY DESCRIBED ON "EXHIBIT A" ATTACHED HERETO
AND MADE A PART HEREOF

SUBJECT TO:

1. General Taxes for the year 1994.
2. Rights outstanding under Easement for telephone lines and equipment, dated May 3, 1904, recorded May 11, 1904, in Book A, Page 89, Miscellaneous Records, Payette County, Idaho.
3. Easement in favor of State of Idaho as set forth in Deed dated April 16, 1936, recorded May 6, 1936, Fee #37837, in Book 13, Page 557, Deed Records of Payette County, Idaho.
4. Conditions and restrictions set forth in Decree of District Court, Payette County Case No. 2876, entered August 28, 1951, recorded August 29, 1951, Fee #80311, in book 5, Page 528, Judgment Records of Payette County, Idaho.
5. Easement in favor of J. R. McKinney and Dorothy McKinney, husband and wife, dated October 22, 1956, recorded November 16, 1956, Fee #96015, Miscellaneous Records of Payette County, Idaho.
6. Easement in favor of Idaho Power Company, dated January 30, 1973, recorded June 8, 1973, Fee #150958, Miscellaneous Records of Payette County, Idaho.

MICROFILMED
OCT 18 1996

251995

7. Right of Way (25 feet in width) for a road as shown in Deed dated June 23, 1904, recorded April 10, 1905, in Book D, Page 304, Deed Records of Payette County, Idaho.
8. Easement in favor of Idaho Power Company, as set forth in Decree of the District Court, recorded May 2, 1948, Fee #70032, in Book 5, Page 162, Judgment Records of Payette County, Idaho.
9. Rights of the Lower Payette Ditch Company, Inc., together with any rights of the public, to use road, as set forth in Deed dated and recorded May 10, 1971, Fee #142253, Deed Records of Payette County, Idaho.
10. Easement in favor of Idaho Power Company, dated November 2, 1973, recorded May 14, 1974, Fee #154650, Miscellaneous Records of Payette County, Idaho.
11. Easement for private roadway as disclosed by Deed dated September 15, 1919, recorded September 15, 1919, in Book N, Page 640, Deed Records of Payette County, Idaho.
12. Easement for relocation of drainage ditches and structures set forth in Deeds recorded May 1, 1936, in Book 13, Pages 548, 549 and 550, Fee Nos. 37789, #37790 and #37791, Deed Records of Payette County, Idaho.
13. Easement in favor of Idaho Power Company, dated February 7, 1941, recorded November 25, 1941, Fee #50873, in Book 3, Page 107, Miscellaneous Records of Payette County, Idaho.
14. Easement in favor of County of Payette, dated February 9, 1965, recorded February 11, 1965, Fee #122819, Miscellaneous Records of Payette County, Idaho.
15. Reservation of an undivided one-half (½) of all mineral rights in and to the land described as "Parcel C" for a period of twenty-five (25) years from November 13, 1972, as disclosed in Warranty Deed dated November 3, 1972, recorded August 27, 1975, Fee #159819, Deed Records of Payette County, Idaho.
16. Easement in favor of State of Idaho as set forth in Deed dated February 17, 1936, recorded May 1, 1936, Fee #37788, in Book 13, Page 547, Deed Records of Payette County, Idaho.
17. Affect of Mineral Deeds dated September 25, 1975, recorded September 25, 1975, Fee #160186 and Fee #160187, Deed Records of Payette County, Idaho.

MICROFILMED
OCT 18 1996

18. Rights-of-way for Little Willow Creek and for the canal of the Lower Payette Ditch Company.
19. Rights of the public in and to existing County Road rights of way.
20. Easement in favor of State of Idaho, Idaho Transportation Department, dated October 1, 1992, recorded December 1, 1992, Fee #241532, in Miscellaneous Records of Payette County, Idaho.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including any and all water rights, mineral rights, easements, rights-of-way, and all improvements located thereon; the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said real property, as well in law as in equity, of the said GRANTOR.

TO HAVE AND TO HOLD all and singular the above-described real property, together with the appurtenances unto the said GRANTEES, and to their heirs, personal representatives, successors and assigns forever, and the GRANTOR, does hereby covenant to and with the said GRANTEES and their heirs, personal representatives, successors and assigns, that the GRANTOR is the owner in fee simple of said real property; that said real property is free from all encumbrances except as may be otherwise expressly specified herein; and that the GRANTOR will warrant and defend said real property from all lawful claims whatsoever.

IN WITNESS WHEREOF, the GRANTOR has hereunto executed this instrument the day and year first above written.

HIGBY N/N RANCH, an Idaho General Partnership

By Charles D. Higley
General Partner

MICROFILMED
OCT 18 1996

251995

STATE OF IDAHO)

County of Ada)

ss:

On this 15th day of September, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Charles S. Higby, known to me to be a General Partner of HIGBY N/N RANCH, an Idaho General Partnership, the Partnership that executed the foregoing instrument or the person who executed the foregoing instrument on behalf of said Partnership, and acknowledged to me that such Partnership executed the same.

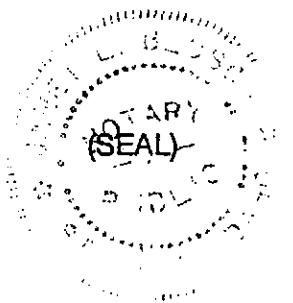
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Janet L. Bloch

Notary Public for Idaho

Residing at Boise, Idaho

My Commission Expires: 3-17-99



MICROFILMED
OCT 18 1996

251995

EXHIBIT A

(Description of Real Property)

ATTACHED
(Four (4) Pages)

MICROFILMED
OCT 18 1996

CONTINUATION

File No. P-22260, 1600/113, et al

Policy No.

PARCEL "A":

Land in Twp. 8 N. R. 4 W., B.M., Payette County, Idaho:

A tract of land situated in Sec. 21, being more particularly described as follows:

Commencing at the Northwest corner of said Sec. 21;

thence South 71.3 feet following the West side line of said Sec. 21 to the TRUE POINT OF BEGINNING;

thence meandering Southeasterly along a certain fence line

S. 63°28' E. 1028.4 feet;

thence S. 54°38' E. 425.8 feet;

thence S. 48°41' E. 624.2 feet;

thence N. 80°52' E. 713.2 feet;

thence S. 50°18' E. 185.5 feet;

thence S. 48°29' E. 479.7 feet;

thence S. 38°26' W. 311.3 feet;

thence S. 69°39' E. 534.2 feet;

thence S. 89°01' E. 546.4 feet;

thence S. 59°33' E. 383 feet;

thence N. 38°11' E. 214.3 feet;

thence S. 72°50' E. 276.9 feet;

thence S. 51°36' E. 373.2 feet;

thence S. 27°54' E. 232.7 feet;

thence S. 57°41' E. 225.4 feet;

thence S. 63°30' E. 80 feet;

thence S. 64°41' E. 101 feet to the East side line of said Sec. 21, at a point which bears S. 0°20' E. 173 feet from the East quarter corner of said Sec. 21;

thence S. 0°20' E. 1115 feet following the East side line of said Sec. 21, to the Northeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 21;

thence S. 89°56' W. 160.3 feet following the North side line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;

thence S. 0°20' E. 1136.6 feet to a point in the centerline of State Highway No. 52;

thence S. 60°56' E. 184 feet following said highway centerline to a point on the East side line of said Sec. 21;

thence S. 0°20' E. 61.8 feet to the Southeast corner of said Sec. 21;

thence S. 89°36' W. 5292 feet following the South side line of said Sec. 21 to the Southwest corner of said Sec. 21;

thence North following the West side line of said Sec. 21 a distance of 5063.9 feet to the TRUE POINT OF BEGINNING.

MICROFILMED
OCT 18 1996

CONTINUATION

File No. P-22260, 1600/113, et al

Policy No.

Land in Twp. 8 N. R. 4 W., B.M., Payette County, Idaho:

A tract of land situated in a portion of the S $\frac{1}{2}$ of Sec. 17; a portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 18; a portion of the NE $\frac{1}{4}$ of Sec. 19; the N $\frac{1}{2}$; N $\frac{1}{2}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$; and a portion of the N $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 20, being more particularly described as follows:

Beginning at the Northeast corner of said Sec. 20;

thence N. 89°19' W. 843 feet following the North side line of said Sec. 20;

thence N. 58°44' W. 695.2 feet;

thence N. 60°46' W. 460.5 feet;

thence N. 16°56' W. 523.8 feet;

thence N. 57°28' W. 130 feet to a point on the Westerly bank of Little Willow Creek;

thence meandering in a Southwesterly direction along the fence line of said Westerly bank of Little Willow Creek S. 55°21' W. 186.8 feet;

thence S. 33°42' W. 650 feet to a point in the Easterly right of way line of State Highway No. 52;

thence N. 78°39' W. 61.7 feet to the North-South centerline of said Sec. 17, at a point which bears N. 0°4' W. 500 feet from the South quarter corner of said Sec. 17, which point coincides with the point of intersection of the centerline of said State Highway No. 52 with the North-South center line;

thence N. 35°22' W. 430 feet following the centerline of State Highway No. 52;

thence leaving said centerline run N. 77°11' W. 289.3 feet;

thence N. 83°32' W. 788.1 feet;

thence S. 84°03' W. 403.4 feet;

thence S. 44°09' W. 1059.6 feet;

thence S. 67°59' W. 239 feet to a witness corner monument on the West side line of said Sec. 17 at a point that bears N. 0°07' W. 80 feet from the Southwest corner of said Sec. 17;

thence S. 62° W. 1030 feet to a point on the Northerly bank of the Payette River;

thence meandering in a Southeasterly direction along the said Northerly bank of said Payette River S. 23° E. 680 feet;

thence S. 18°10' E. 1000 feet;

thence S. 67° E. 365.5 feet to a point on the West side line of said Sec. 20;

thence S. 0°07' E. 1740 feet following said West side line to the Southwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 20;

thence S. 89°48' E. 4007.1 feet following the South side line of the N $\frac{1}{2}$ of the S $\frac{1}{2}$ of said Sec. 20 to the Northwest corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 20;

thence S. 0°2' E. 1318.2 feet following the West side line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the Southwest corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;

thence S. 89°46' E. 1335 feet following the South side line of Sec. 20 to the Southeast corner of said Sec. 20;

thence N. 0° E. 5135.2 feet following the East side line of said Sec. 20 to the point of beginning.

MICROFILMED
OCT 18 1996

CONTINUATION

File No. P-22260, 1600/113, et al

Policy No.

EXCEPTING therefrom that portion of the N $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 20 lying South of the North bank of the present Payette River Channel. ALSO, EXCEPTING from the lands in Secs. 17, 20 and 21 that portion conveyed to the State of Idaho for highway purposes by Deed recorded May 8, 1936, Fee #37837, in Book 13, Page 557, Deed Records of Payette County, Idaho.

FURTHER EXCEPTING THEREFROM that portion conveyed to the State of Idaho by grant recorded December 1, 1992, Fee Nos. 241530 and 241531, Deed Records of Payette County, Idaho.

PARCEL "B":

Land in Twp. 8 N. R. 4 W., B.M., Payette County, Idaho:

In Sec. 17: N $\frac{1}{2}$ SE $\frac{1}{4}$; and a portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ and of Government Lots 1 and 2 described as follows:

Beginning at the Southeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 17;

thence N. 89°19' W. 843 feet following the South line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;

thence N. 58°44' W. 695.2 feet;

thence N. 60°46' W. 460.5 feet;

thence N. 16°56' W. 523.8 feet;

thence N. 57°28' W. 130 feet to a point on the Westerly bank of Little Willow Creek;

thence meandering in a Southwesterly direction along the fence line of said Westerly bank of Little Willow Creek S. 55°21' W. 186.8 feet;

thence S. 33°42' W. to a point in the Northerly right of way line of the Lower Payette Ditch;

thence in a Northwesterly direction following said Northerly right of way line to the point where the same intersects the North side line of said Government Lot 2;

thence East following the North side line of said Lot 2 to the Northeast corner thereof;

thence continue East following the North side line of said Government Lot 1 and of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the Northeast corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;

thence South following the East side line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the point of beginning.

SAVE AND EXCEPTING the following portion of Government Lot 1:

Beginning at the South quarter corner of said Sec. 17;

thence N. 0°4' W. 500 feet;

thence S. 78°39' E. 61.7 feet;

thence N. 33°42' E. 650 feet;

thence meandering in a Northeasterly direction along the fence line of the Westerly bank of Little Willow Creek N. 55°21' E. 186.8 feet;

thence S. 57°28' E. 130 feet to the TRUE POINT OF BEGINNING;

MICROFILMED
OCT 18 1996

CONTINUATION

File No.

P-22260, 1600/113, et al

Policy No.

thence N. 57°28' W. 130 feet to a point on the
Westerly bank of Little Willow Creek;
thence in a Northeasterly direction along the Westerly
bank of Little Willow Creek to a point on the North
line of said Government Lot 1;
thence East following said North side line to a point
which is 489 feet West of the Northeast corner of
said Lot 1;
thence in a Southwesterly direction an unknown
distance to the point of beginning.

PARCEL "C":

Land in Twp. 8 N. R. 4 W., B.M., Payette County, Idaho:

In Sec. 21: The East 100 feet of Government Lot 8 lying North of
the right of way of State Highway #52.

In Sec. 22: Government Lot 6, SAVE AND EXCEPTING that portion
conveyed to the State of Idaho for Highway purposes by
Deed recorded May 1, 1936, in Book 13, Page 548, Deed
Records of Payette County, Idaho;
AND the following portion of Government Lot 7:
Beginning at the Southwest corner of said Government
Lot 7;

thence East following the South side line of said
Government Lot 7 to a point that measures 28 rods
West from the Southeast corner of said Government
Lot 7 according to the Government Plat thereof;
thence North and parallel to the West side line of
said Government Lot 7 to the Northeasterly side
line of said Government Lot 7;
thence in a Northwesterly direction following said
Northeasterly side line to the Northwest corner
of said Government Lot 7;
thence South following the West side line of said
Government Lot 7 to the point of beginning.

In Sec. 27: NW¼NW¼; NE¼NW¼ SAVE AND EXCEPTING the North 858 feet
of the East 462 feet thereof;
and the SE¼NW¼ SAVE AND EXCEPTING the West 643.5 feet
of the East 841.5 feet of the South 495 feet thereof;
AND FURTHER EXCEPTING from said tracts of land all
that portion conveyed to the State of Idaho for
highway purposes by Deeds recorded May 1, 1936, in
Book 13, Page 549 and 550, Deed Records of Payette
County, Idaho.

PARCEL "D":

Land in Twp. 8 N. R. 4 W., B.M., Payette County, Idaho:

In Sec. 20: That portion of the SW¼SE¼ and of the SE¼ **MICROFILMED**
North of the present Payette River channel.

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: A65-03618
Date Received: 4/11/1990
Receipt No: X999999
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: CHARLES S. HIGBY 208-278-3354
Address: 3990 HWY. 52
PAYETTE, ID 83661

Name: EMMA J. HIGBY 208-278-3354
Address: 3990 HWY. 52
PAYETTE, ID 83661

2. Date of Priority: JAN 1, 1940

3. Source: LITTLE WILLOW CREEK Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	04W	17		NW	SE		PAYETTE
				SW	SE		PAYETTE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.640		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	04W	17	NW	SE		IRR	25.0
			SW	SE	1	IRR	7.0
Section Acres							32.0
Total Acres							32.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ 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 _____

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. No. AL5-03618

RECEIVED
APR 11 1990

ATTACHMENT TO
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW
Department of Water Resources

Please type or print clearly:

Name of Claimant(s) Charles S. Higby or
Emma J. Higby

Mailing Address
(include Zip Code) 3990 Hwy 52
Payette ID 83661

Phone Number (208) 278-3354

MICROFILMED

SEP 22 1992

. 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.

RECEIVED
APR 11 1990

CIVIL CASE NUMBER: 39576

IDENT. NUMBER: 65-03618

DATE RECEIVED:

RECEIPT NO:

RECEIVED BY: _____

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: CHARLES S. HIGBY
ADDRESS: STAR ROUTE
PAYETTE, ID 83661

NAME: EMMA J. HIGBY
ADDRESS: STAR ROUTE
PAYETTE, ID 83661

2. DATE OF PRIORITY: JAN 01, 1940

3. SOURCE: LITTLE WILLOW CREEK TRIB. TO:

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
08N	04W	17	NW	SE			PAYETTE
			SW	SE			PAYETTE

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S	(OR)	A.F.A.
IRRIGATION	03/15	11/15	0.640		

7. TOTAL QUANTITY APPROPRIATED IS:
0.640 C.F.S. (AND/OR)

A.F.A.

8. TOTAL CONSUMPTIVE USE IS ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

65-03618

PAGE 1

DATE: 01/23/90

522

MICROFILMED
SEP 22 1992

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
08N	04W	17	NW	SE		IRR	25.0
			SW	SE	1	IRR	7.0
SECTION ACRES							32.0
TOTAL ACRES							32.0

11. PLACE OF USE IN COUNTIES: PAYETTE, PAYETTE

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: DECREED
CASE NUMBER:
COURT :
DECREE DATE: 1/21/1986

STATE OF IDAHO
DECREE PLAINTIFF

A & C CORP., ET AL.
VS DECREE DEFENDANT

16. SIGNATURE(S)

(A.) BY SIGNING BELOW, I/WE ACKNOWLEDGE THAT I/WE HAVE RECEIVED, READ AND UNDERSTAND THE FORM ENTITLED "HOW YOU WILL RECEIVE NOTICE IN THE SNAKE RIVER BASIN ADJUDICATION." (B.) I/WE DO _____ DO NOT _____ WISH TO RECEIVE AND PAY A SMALL ANNUAL FEE FOR MONTHLY COPIES OF THE DOCKET SHEET.

NUMBER OF ATTACHMENTS: _____

FOR INDIVIDUALS:

I/WE DO SOLEMNLY SWEAR OR AFFIRM THAT THE STATEMENTS CONTAINED IN THE FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF CLAIMANT(S): Charles S. Digby DATE: 4-9-90
Emma J. Digby DATE: 4/6/90

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF
_____, TITLE
_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS _____ OF
_____, TITLE
_____, AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)
COUNTY OF Payette) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 6th DAY
OF April 19 90 Cori Lyn Smith
NOTARY PUBLIC

SEAL

RESIDING AT Smithland

MY COMMISSION EXPIRES 6-6-92
DATE: 01/23/90 524

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

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED *DL*

2004 JUN 25 AM 9 15

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 65-03618

NAME AND ADDRESS: GEORGE E COLWELL
PO BOX 251
NORTE POWDER, OR 97867-0251

CHERYL F COLWELL
10800 SMOKE RANCH RD
BOISE, ID 83709

SOURCE: LITTLE WILLOW CREEK TRIBUTARY: BIG WILLOW CREEK

QUANTITY: 0.64 CFS

PRIORITY DATE: 01/01/1940

POINT OF DIVERSION: T08N R04W S17 NWSE Within Payette County
SWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.64 CFS

PLACE OF USE: Irrigation Within Payette County
T08N R04W S17 NWSE 25.0 LOT 1 (SWSE) 7.0
22.0 Acres Total

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

BASIN 65 GENERAL PROVISIONS NO. 3, THE SEPARATE STREAMS
GENERAL PROVISION, DOES NOT APPLY TO APPROPRIATIONS OF WATER
AFTER OCTOBER 18, 1977.

THIS WATER RIGHT SHALL BE ADMINISTERED AS BEING FROM A
SEPARATE SOURCE PURSUANT TO BASIN 65 GENERAL PROVISION NO. 3.
IF THE HOLDER OF THIS RIGHT SEEKS TO CHANGE THE RIGHT PURSUANT TO
IDAHO CODE SECTION 42-222 OR SUCCESSOR STATUTE, NOTHING IN THIS
GENERAL PROVISION SHALL PRECLUDE ANY OTHER PERSON FROM
DEMONSTRATING THAT SUCH CHANGE IN USE WOULD CAUSE INJURY TO
ITS WATER RIGHT OR FROM RECEIVING ANY RELIEF PROVIDED BY LAW IN
THE EVENT OF INJURY.

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. I.C. SECTION 42-1412(6).

RECEIVED
NOV 02 2001
WATER RESOURCES
WESTERN REGION

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

In Re SRBA

Water Rights: 65-3617, 65-3618,
65-7461, 65-7462, 65-8627,
65-11211 and 65-11261

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

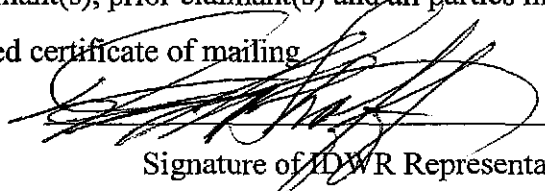
- ☒ Address change
☐ Substitution of Party
☐ IC § 42-222 transfer

- | | |
|---|--|
| ☐ Point of diversion | ☐ Place of use |
| ☐ Period of use | ☐ Nature of use |
| ☐ Split of water right | ☐ Change in ownership |
| ☐ Other | |

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 10-30-01


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on October 31, 2001, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☐ regular mail
☒ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

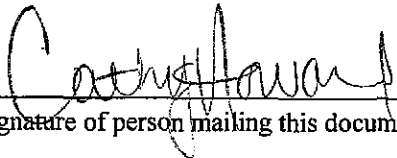
3. Copies to all parties to the subcase:

George E. Colwell
P.O. Box 251
North Powder, OR 97867-0251

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Cheryl F. Colwell
3990 Hwy. 52
Payette, ID 83661

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile


Signature of person mailing this document

10/30/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-3618

NAME AND ADDRESS: CHERYL F COLWELL
3990 HWY 52
PAYETTE ID 83661

GEORGE E COLWELL
PO BOX 251
NORTH POWDER OR 978670251

SOURCE: LITTLE WILLOW CREEK

TRIBUTARY: BIG WILLOW CREEK

QUANTITY: 0.640 CFS

PRIORITY DATE: 01/01/1940

POINT OF
DIVERSION:

T08N R04W S17 NWSE Within PAYETTE County
T08N R04W S17 SWSE Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.640 CFS

PLACE OF USE: IRRIGATION Within PAYETTE County

T08N R04W S17 NWSE 25.0 T08N R04W S17 Lot 1 SWSE 7.0

32 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

OCT 29 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RECEIVED

NOV 02 2001

WATER RESOURCES
WESTERN REGION

CHERYL F COLWELL
GEORGE E COLWELL
PO BOX 251
NORTH POWDER OR 97867-0251

September 27, 2001

Cheryl F. Colwell
3990 Hwy 52
Payette, IDAHO 83661
(208) 278-3448

RE: Snake River Basin Adjudication (SRBA)
Water Rights #65-3616, 65-3617, 65-3618, 65-3619, 65-7461, 65-7462,
65-8627, 65-11211, 65-11261 and 65-21373

Dear Water Right Holders:

*Records modified 10/30/01.
R=NCAP done.*

Mail we sent you was returned to us by the Postal Service. The Postal Service advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by October 12, 2001. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Ms. SHERMAN,

AS WE MOVE FROM RANCH TO RANCH WITH DIFFERENT SEASONS, THIS MAY BE THE BEST WAY TO SHOW CHANGES IN ONE ADDRESS AND ME AT THE OTHER.
Sincerely,
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Returned Mail

#####

The address is correct as shown above or as otherwise changed

Water Right Holder's Signature

Telephone No.

*Rec'd P. 2
10/30/01*

*(54) 898-2863
(208) 278-3448*

RECEIVED

MAR 25 2002

Department of Water Resources

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

In Re SRBA)

Case No. 39576)

A. Subcase 65-3618

(Insert water right number
From the Objection Form)

STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: Cheryl F. Colwell
Address: 3990 Highway 52
Payette, ID 83661
Daytime Phone: (208) 288-0100

George E. Colwell
P.O. Box 251
North Powder, OR 97867-0251

Name & Address of Attorney, if any:
Dana L. Hofstetter, ISB # 3867
Hofstetter Law Office, LLC
608 West Franklin Street
Boise, ID 83702
(208) 424-7800

C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100
Address: 1150 N. Curtis Rd., Suite 100
Boise, ID 83706-1234

RECEIVED
MAR 27 2002
WATER RESOURCES
WESTERN REGION

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

- ☒ **General Provision Basin 65 Irrigation & Other Part III (3) Separate Streams**
1. ☐ **Name and Address**
2. ☐ **Source**
3. ☐ **Quantity**
4. ☐ **Priority Date**
5. ☐ **Point(s) of Diversion**
6. ☐ **Instream Flow Description**
7. ☐ **Purpose(s) of Use**
8. ☐ **Period of Year**
9. ☐ **Place of Use**
11. **Recommendation**
- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **VERIFICATION (Must be Completed)**

State of Idaho)
) ss:
County of Ada)

Dana L. Hofstetter duly sworn, upon oath, deposes and says:
(Name of person filing response)

That I am the party/claimant filing this response as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing response)

Dana L. Hofstetter
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: March 22, 2002

Sheila E. Giberman
Notary Public for the State of Idaho

Residing at: Bonnie Idaho

My Commission Expires: 10/11/2005

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

F. CERTIFICATE OF MAILING

I certify that on March 22, 2002, I caused to be hand delivered the original and caused to be mailed copies of this response, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: George and Cheryl Colwell
Address: 3990 Highway 52
Payette, ID 83661

3. One copy to the party who filed the objection. at the following address:

Name: David W. Gehlert
Trial Attorney, General Litigation Section
Environment and Natural Resource Division
U. S. Department of Justice
Address: 999 18th Street, Suite N 945
Denver, CO 80202
(208) 644-1967

4. Copies to:

IDWR Document Depository
P. O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Your signature or signature of attorney
mailing on your behalf

RECEIVED

JAN 24 2002

WATER RESOURCES
WESTERN REGION

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

In Re SRBA)

Case No. 39576)

A. Subcase 65-3618
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100

Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234

Daytime Phone: (208) 678-0461 (Dala Walton)

Name & Address of Attorney, if any:
David W. Gehlert (303 312-7352)
Trial Attorney, General Litigation Section
Environment and Natural Resource Division
U.S. Department of Justice
999 18th Street, Suite N 945
Denver, CO 80202

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:	Cheryl F. Colwell	George E. Colwell
Address:	3990 Hwy 52	PO Box 251
	Payette, ID 83661	North Powder, OR 97867-0251

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

- ☒ **General Provision Basin 65 Irrigation & Other Part III (3) Separate Streams**
1. ☐ **Name and Address**
Should be:
 2. ☐ **Source**
Should be:
 3. ☐ **Quantity**
Should be:
 4. ☐ **Priority Date**
Should be:
 5. ☐ **Point(s) of Diversion**
Should be:
 6. ☐ **Instream Flow Description**
Should be:
 7. ☐ **Purpose(s) of Use**
Should be:
 8. ☐ **Period of Year**
Should be:
 9. ☐ **Place of Use**
Should be:
11. **I object because:**
- ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S):

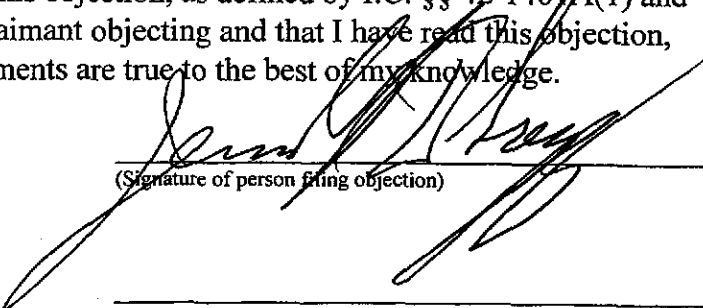
The Bureau of Reclamation objects to the separate stream provision of the Director's Report for Basin 65, Part III. These streams should be administered as part of the Payette River System in order to adequately protect water rights in the Payette River subbasin.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

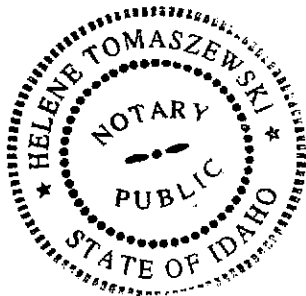
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

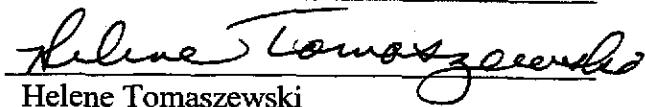

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 9, 2002




Helene Tomaszewski

Notary Public for: Idaho

Residing at: Meridian

My Commission Expires: 01-16-2002

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 17, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID. 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Cheryl F. Colwell
Address: 3990 Hwy 52
Payette, ID 83661

George E. Colwell
PO Box 251
North Powder, OR 97867-0251

3. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Objector or attorney mailing on Objector's behalf

ADDRESS SERVICE
REQUESTED



RECEIVED

SEP 24 2001

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES

1301 North Orchard St

P O Box 83720

Boise, ID 83720-0098

(208) 327-7900

TO

COLW800 837092226 1500 04 09/21/01
FORWARD TIME EXP RTN TO SEND
COLWELL
PO BOX 251
NORTH POWDER OR 97867-0251

RETURN TO SENDER

65-11261' new
65-3617
65-3618
65-7461
65-7462
65-8627
65-11211
65-11261 dupl
65-3616 WR
65-3619
65-21373



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.

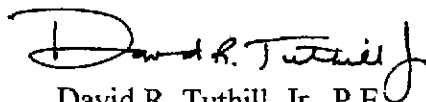
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without 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

DATE: 05/18/00
PAGE: 1

C 13

WR5809NP
No. 65-03618

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/17/99
PAGE: 26

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHARLES S. HIGBY	01/01/1940	IRRIGATION	03/15 11/15	0.640 CFS	
C	EMMA J. HIGBY					
	STAR ROUTE					
	PAYETTE ID 83661			TOTAL DIVERSION:	0.640 CFS	

Water Source: LITTLE WILLOW CREEK

Tributary to:

Payette River

Stage: DECREED

Point(s) of Diversion:

T08N R04W S17

NWSE

SWSE

PAYETTE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
08N	04W	17	:																	:	
																			25 01-07	:	32.0
																			TOTAL ACRES	:	32.0

Pou County: PAYETTE

Dates:	App. Received:	Priority Date:	01/01/1940
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

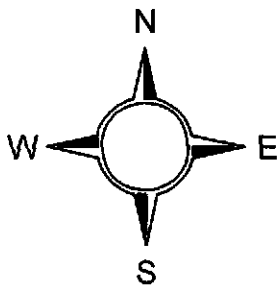
Idaho Department of Water Resources

Claim Number: 65-03618

Claimant: Colwell

Legal: T08N, R04W, S17

- Point of Diversion
- ▭ Place of Use
- ▭ Section Lines
- ▭ Quarter Quarter Lines



1987 Napp Photo



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM #: 65-03618

CLAIMANT: Colwell

Overlap Claim Numbers: _____

Date: 10-7-99

				NE				NW				SW				SE				Sum
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	8N	4W	17														25	7		32
GIS																	25	7		32
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

POU_ID #(s): 13

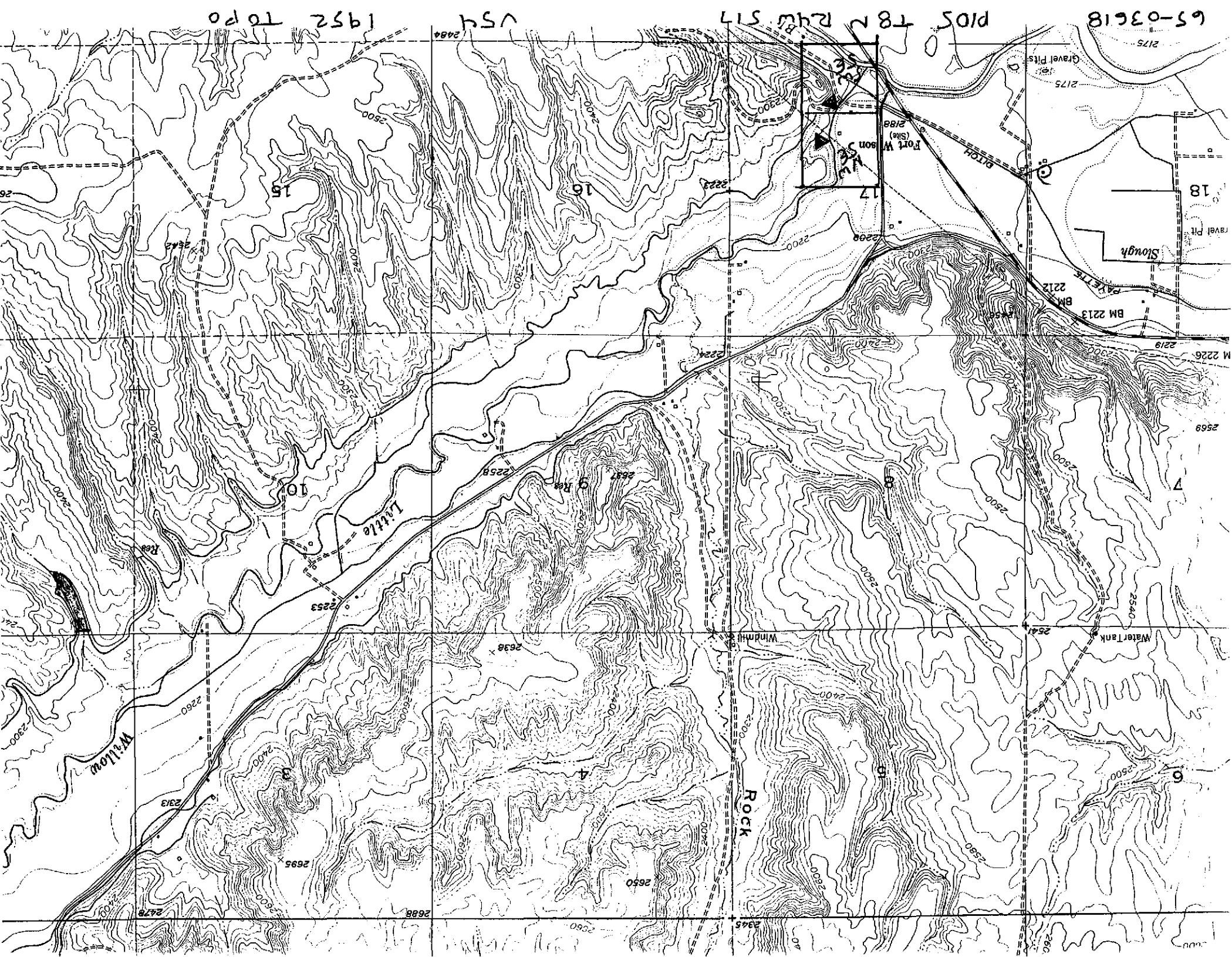
POD_ID #(s): 5, 6

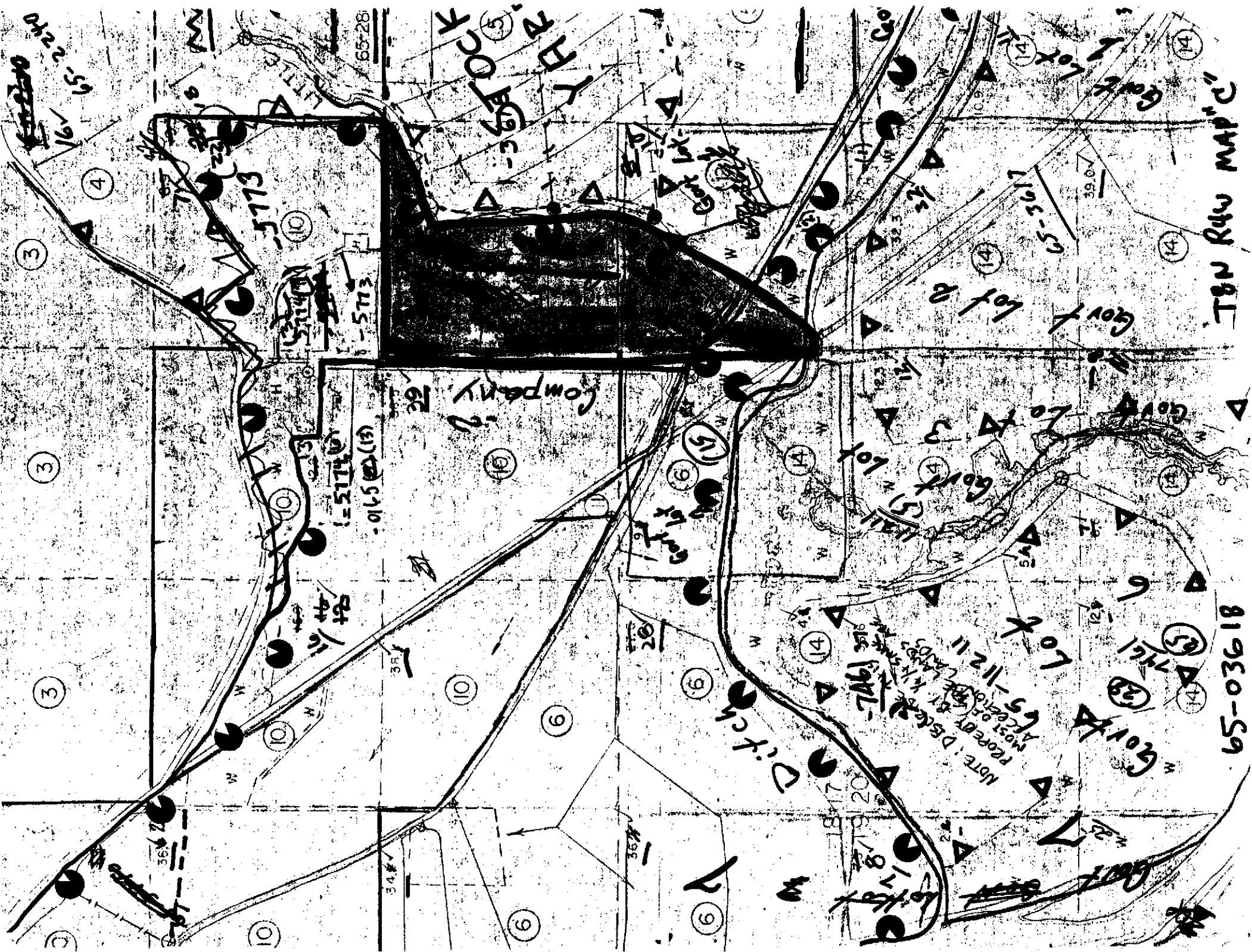
Total Claimed Acres: 32

Total GIS Acres: 32

COMMENTS:

I ran the outside boundary right down the middle of the river and
its not quite 25 acres. It does match the blue line map though.





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:51:07
05/10/00

PAGE: 16
QUICKLOOK INFORMATION

34
CLAIM NUMBER: A65-03618

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV			Rel IN OFFICE 5-18-00					5-18-00
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS	Y							

VERIFIED ROW

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:51:07
05/10/00

PAGE: 1
GENERAL INFORMATION

19
CLAIM NUMBER: A65-03618

LAST: HIGBY
ADDRESS: 3990 HWY 52
CITY: PAYETTE
PHONE NUMBER: 208-278-3354

FIRST: EMMA J
STATE: ID ZIP: 83661

OWNER CODE: O

LAST: COLWELL
ADDRESS: 10800 SMOKE RANCH ROAD
CITY: BOISE
PHONE NUMBER: 208-376-6922

FIRST: GEORGE E
STATE: ID ZIP: 83709

OWNER CODE: C

LAST: COLWELL
ADDRESS: 10800 SMOKE RANCH ROAD
CITY: BOISE
PHONE NUMBER: 208-376-6922

FIRST: CHERYL F
STATE: ID ZIP: 83709

OWNER CODE: C

LAST: HIGBY
ADDRESS: 3990 HWY 52
CITY: PAYETTE
PHONE NUMBER: 208-278-3354

FIRST: CHARLES S
STATE: ID ZIP: 83661

OWNER CODE: O

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N(/)

CLAIM REMARKS: GEN OWNERSHIP CHANGED BY LH 11/18/94.

CONTACT PERSON: NA

PHONE NUMBER: () -

DATE OF FIELD EXAM: 5/19/00

APPOINTMENT MADE: Y() N(☒)

TIME: : A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

SEE MAPS IN FILE

A. AJ CLAIM: # A65-03618 PRIORITY DATE: 01-01-1940 STAGE: D

B. WR RECORD: # 65-03618 PRIORITY DATE: 01-01-1940 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW)

Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED

N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE

N/A(☒) Y(☐) N(☐)

LICENSE ISSUED

N/A(☒) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?

N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(☒) N(☐)

NOTES:

=====

RECOMMENDED PRIORITY DATE:

01-01-1940

REVIEWED BY Reh

DATE 5/18/06

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-03618	08N	04W	17		NW	SE			PAYETTE		
A65-03618	08N	04W	17		SW	SE			PAYETTE		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A65-03616 65-03616
A65-05773 R65-05773
A65-07462

WR RECORDS IN SAME 40 ACRE TRACT
65-03616
65-05773
65-07462
L65-07462

SOURCE: LITTLE WILLOW CREEK

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-03618	08N	04W	17		NW	SE			PAYETTE		
65-03618	08N	04W	17		SW	SE			PAYETTE		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A65-03616 65-03616
A65-05773 R65-05773
A65-07462

65-03616
65-05773
65-07462
L65-07462

SOURCE: LITTLE WILLOW CREEK

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

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

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(☒) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N(☒)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

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

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N()

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

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: VERIFIED BY PRBA SEE MAP "C"
ALSO SEE GIS MAP PHOTO & US4 TOPO

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
08N	04W	17		NW	SE			PAYETTE		
08N	04W	17		SW	SE			PAYETTE		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: LITTLE WILLOW CREEK

TRIB: PAYETTE RIVER

REVIEWED BY: RCH DATE: 5-18-00

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

A. ROOT WATER RIGHT NUMBERS: A65-03618

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08N	04W	17	NW	SE		COLWELL, GEORGE E	A65-03618 / 25.0	65-03618 / 25.0	35.0		25
			NW	SE		COLWELL, CHERYL F	A65-07462 /	65-07462 /			
			NW	SE		HIGBY, CHARLES S		L65-07462 /			
08N	04W	17	SW	SE	1	COLWELL, GEORGE E	A65-03618 / 7.0	65-03618 / 7.0	17.0		
			SW	SE		COLWELL, GEORGE E	A65-03616 /	65-03616 /			
			SW	SE		COLWELL, GEORGE E	65-03616 /	- /			7
			SW	SE	1	LOWER PAYETTE DITCH CO	A65-07882 / 3.0	- /			
			SW	SE	1	LOWER PAYETTE DITCH CO	A65-00165A / 3.0	- /			
			SW	SE	1	LOWER PAYETTE DITCH CO	A65-00165B / 3.0	- /			
			SW	SE	1	LOWER PAYETTE DITCH CO	A65-00165C / 3.0	- /			
			SW	SE	1	LOWER PAYETTE DITCH CO	A65-00165X / 3.0	65-00165X / 3.0			
			SW	SE	1	LOWER PAYETTE DITCH CO	A65-11413 / 3.0	65-11413 / 3.0			
			SW	SE	1	LOWER PAYETTE DITCH CO	R65-00165A / 3.0	- /			
			SW	SE	1	LOWER PAYETTE DITCH CO	R65-00165B / 3.0	- /			
			SW	SE	1	LOWER PAYETTE DITCH CO	R65-00165C / 3.0	- /			
			SW	SE	1	LOWER PAYETTE DITCH CO	R65-00165X / 3.0	- /			
			SW	SE	1	LOWER PAYETTE DITCH COMPANY	A65-02927H / 3.0	- /			
			SW	SE	1	COLWELL, GEORGE		65-07461 / 6.0			
			SW	SE	1	HIGBY, CHARLES S		L65-07462 /			

ADDITIONAL POU FOUND

TOTAL ACRES A65-03618 32.00 32.00 52.00

POU COUNTY: PAYETTE

32

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N(☒)

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-03618	LITTLE WILLOW CREEK	COLWELL, GEORGE E	0.640	0.020		
R65-00165A	PAYETTE RIVER	LOWER PAYETTE DITCH CO	63.320	0.005		
A65-00165A	PAYETTE RIVER	LOWER PAYETTE DITCH CO	63.320	0.005		
A65-00165B	PAYETTE RIVER	LOWER PAYETTE DITCH CO	37.630	0.003		
R65-00165B	PAYETTE RIVER	LOWER PAYETTE DITCH CO	37.630	0.003		
R65-00165C	PAYETTE RIVER	LOWER PAYETTE DITCH CO	59.230	0.005		
A65-00165C	PAYETTE RIVER	LOWER PAYETTE DITCH CO	59.230	0.005		
A65-00165X	PAYETTE RIVER	LOWER PAYETTE DITCH CO	122.120	0.011		
R65-00165X	PAYETTE RIVER	LOWER PAYETTE DITCH CO	122.120	0.011		
A65-02927H	PAYETTE RIVER, NORTH FORK	LOWER PAYETTE DITCH COMPANY			10000.00	0.90
A65-07882	GRAVEYARD GULCH WASTEWAY	LOWER PAYETTE DITCH CO	30.000	0.002		
A65-11413	GRAVEYARD GULCH WASTEWAY	LOWER PAYETTE DITCH CO	60.000	0.005		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-07462	STOCKWATER	COLWELL, CHERYL F	FROM 01-01 TO 12-31	1.100 CFS	67.00 AF/A
A65-07462	DOMESTIC	COLWELL, CHERYL F	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-03616	DOMESTIC	COLWELL, GEORGE E	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-03616	DOMESTIC	COLWELL, GEORGE E	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A

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

Y() N(☒)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

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

N/A() Y(☒) N()

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

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

N/A() Y(☒) N()

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

Y() N(☒)

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

Y() N(☒)

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; ☒ TOPOGRAPHIC QUAD, IDWR NO. V54;

☒ SYNAPP, IDWR NO. 1902; () ASCS PHOTO; ☒ OTHER MAP C

NOTES: SEE MAP "C" OF PRBA

RECOMMENDATIONS:

TOTAL ACRES: 32 N/A()

REVIEWED BY: Rch

DATE: 5/18/00

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-03618 IRRIGATION	FROM 03-15 TO 11-15	0.640 CFS	
TOTAL DIVERSION RATE/VOLUME		0.640 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-03618 IRRIGATION	FROM 03-15 TO 11-15	0.640 CFS	
TOTAL DIVERSION RATE/VOLUME		0.640 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

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

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☒) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☒) Y(☐) N(☐)

PAGE: 10

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CONTINUED

28

CLAIM NUMBER: A65-03618

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.640 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.640 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(☒) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD NA, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 32 x 0.02 CFS/ACRE = .64 CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N(☒)

IF YES, IS AN ADDITIONAL WATER USE FORM FILLED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

NDNE

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (✓)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
IRRIGATION	03-15	11-15	DATABASE 0.640	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 0.0	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			0.640	_____		_____	0.0	_____

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: Rdh DATE: 5-18-00

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(☒)	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-03618

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 0.640	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-03618	0.640	-		65-03618	0.640
TOTAL CFS		0.640				0.640

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE	FIELD EXAMINER
Y	Y() N()

NO SPLITS

NOTES:

AUTHENTICATION:

SIGNATURE: Ron Howerton DATE: 5-18-00

NAME OF FIELD EXAMINER: Ron Howerton TITLE: _____

Sr Water Agent

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
(X) TOPOGRAPHIC	DATE FIELD CHECKED <u>1952</u> IDWR ID NO. <u>U54</u>	Y() N()
(X) NAPP	DATE OF PHOTO <u>1987</u> IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
(X) OTHER <u>MAP "C"</u>	DATE <u>PRBA MAP</u>	Y() N()
(X) OTHER <u>PRO FILE</u>	DATE <u>WR RECORD</u>	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:54:23
05/10/00
35

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-03618

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GEORGE E COLWELL	01/01/1940	IRRIGATION	03-15 11-15	0.640 CFS	
C	CHERYL F COLWELL					
TOTAL DIVERSION:					0.640 CFS	
Water Source: LITTLE WILLOW CREEK		Tributary to:			Stage: DECREED	
Point(s) of Diversion:		T08N R04W S17	NWSE	SWSE	PAYETTE County	
Place of use Legal Description for: IRRIGATION						
NE NW SW SE						
NENE NWNE SWNE SENE		: NENW NWNW SWNW SENW		: NESW NWSW SWSW SESW		: NESE NWSE SWSE SESE :
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
08N 04W 17 :		:	:	:	25 01-07	32.0
					TOTAL ACRES	32.0

POU County: PAYETTE

Remarks: GEN OWNERSHIP CHANGED BY LH 11/18/94.

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

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



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 21, 1994

Re: Notices of Claim to a Water Right Nos. A65-03616, A65-03617,
A65-03618, A65-03619, A65-07461, A65-07462, A65-08627, A65-09393,
A65-09394, A65-11211, A65-11261

George E. Colwell
Cheryl F. Colwell
10800 Smoke Ranch Road
Boise, ID 83709

Mr. & Mrs. Colwell:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

If you have any questions concerning the enclosed claims please feel free to contact this office.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:1

MICROFILMED
OCT 18 1996

POST OFFICE BOX 9442
BOISE, IDAHO 83707-3442

ROBERT J. ENNIS
ATTORNEY AT LAW
4477 EMERALD STREET
SUITE C250
BOISE, IDAHO 83706-2044

RECEIVED
NOV 15 1994
WATER RESOURCES
WESTERN REGION

AREA CODE 208
TELEPHONE 343-9966
FACSIMILE 336-9222

November 9, 1994

CERTIFIED/RETURN RECEIPT

Idaho Department of
Water Resources
Statehouse Mail
Boise, Idaho 83720-9000

Attention: Adjudication Bureau

RE: Higby/Colwell - Change of Water Right Ownership

Gentlemen:

Delivered herewith are two (2) New Property Owner Notices of Change of Water Right Ownership, both dated September 15, 1994, and both of which have been signed by the new and former owners.

Attached to each of the enclosed original Notices is a copy of the Warranty Deed evidencing the conveyance of the real property relating to the water rights covered by the enclosed Notices. As noted, the legal description of the real property is attached as "Exhibit A" to the Warranty Deed.

Please contact me if you need anything further to effect the change of ownership of the described water rights and/or your records with respect thereto.

Sincerely yours,



ROBERT J. ENNIS

RJE:hs
Enclosures
cc: George E. Colwell

MICROFILMED
OCT 18 1996