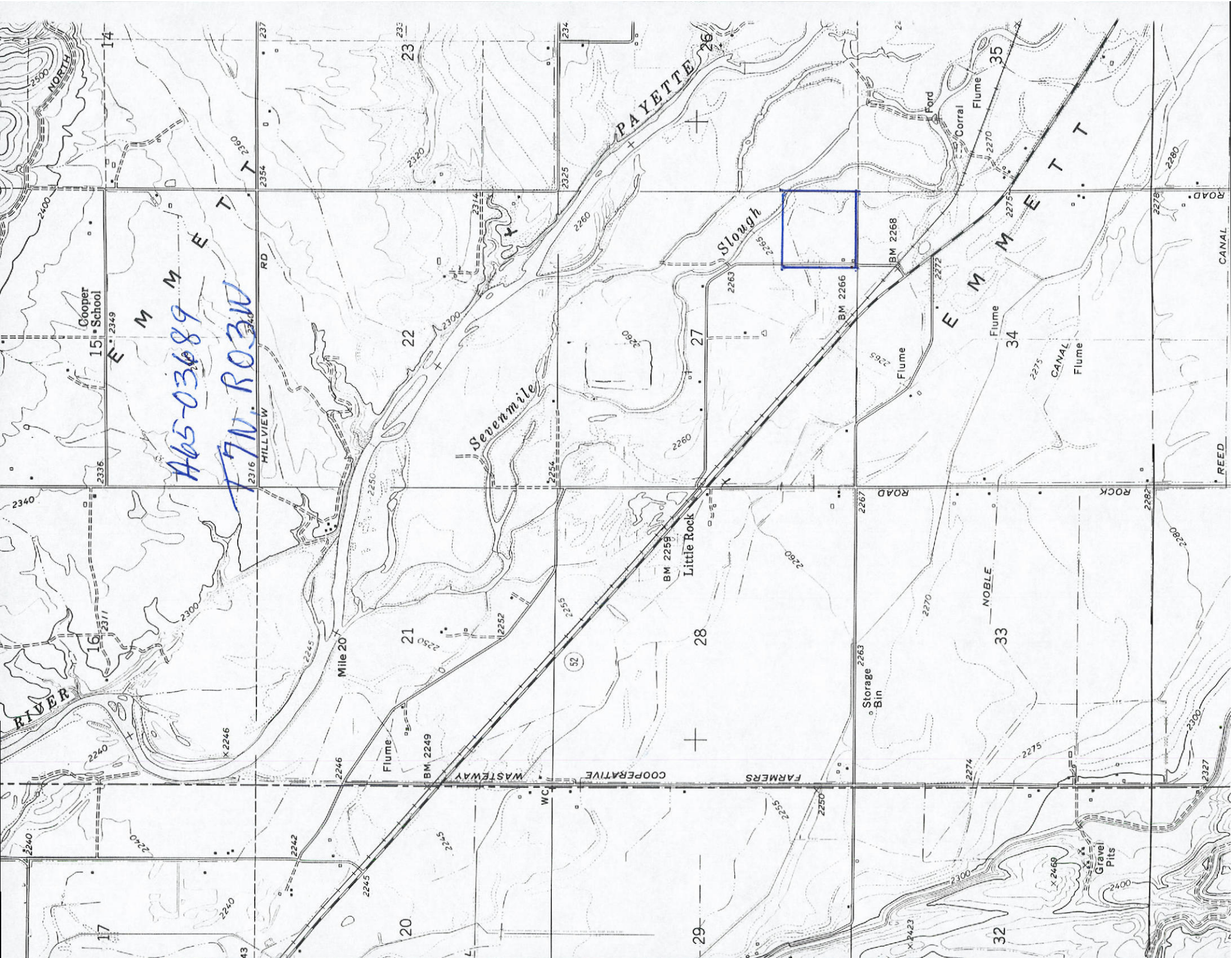




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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: **A65-03689**
Date Received: 11/14/1997
Receipt No: X999999
Received By: [Signature]

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

1. Name: RODNEY H HERR 208-343-9438
Address: 400 COSTON
BOISE ID 83712
AND/OR
Name: MARCIA H HERR 208-343-9438
Address: 400 COSTON
BOISE ID 83712

2. Date of Priority: JUN 10, 1912

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	03W	27	SE	SE			GEM

5. Description of diverting works:
WELL & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 1.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	03W	27	SE	SE		DOMEST	

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: 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): Marcia H. Heru Date: 11-14-97

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of November 19 97

Kathryn A. Walker
Notary Public

Seal

Residing at Boise, Idaho
My Commission Expires 2-14-1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

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

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

AJ0749NP
No. R65-03689

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

DATE: 02/01/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RODNEY H HERR	06/10/1912	DOMESTIC	01-01 12-31	0.040 CFS	1.20 AFA
C	MARCIA H HERR					
	400 COSTON			TOTAL DIVERSION:	0.040 CFS	1.20 AFA
	BOISE ID 83712					
	(208) 343-9438					

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T07N R03W S27

SESE

GEM County

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
T R S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac
07N 03W 27	:				:				:				:			D

POU County: GEM

Non-Irrigation Uses: 1 HOME

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP00504100; LOT 1, TAX 2 & 3.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Audit: 02/01/00 MSCHULTE

AJ5809NP
No. A65-03689

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/01/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RODNEY H HERR	06/10/1912	DOMESTIC	01-01 12-31	0.040 CFS	1.20 AFA
C	MARCIA H HERR					
	400 COSTON			TOTAL DIVERSION:	0.040 CFS	1.20 AFA
	BOISE ID 83712					
	(208) 343-9438					

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T07N R03W S27

SESE

GEM County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
07N	03W	27	:																	:

POU County: GEM

Non-Irrigation Uses: ~~DOMESTIC~~, 1 HOME

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Audit: 11/14/97 KWALKER

Parcel # RPO0604100, Lot 1, Twp 2 & 3

N11 & N13

WR5809NP
No. 65-03689

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/01/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FRED HUMPHREY ROUTE 1 EMMETT ID 83617	06/10/1912	DOMESTIC	01/01 12/31	0.040 CFS	1.20 AFA
TOTAL DIVERSION:					0.040 CFS	1.20 AFA
C	DON HECKMAN					

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T07N R03W S27

SESE

GEM County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
07N	03W	27	:																	:
			:																	:

Pou County: GEM

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-03688

Other Water Rights Listing Overlapping Place(s) of use:
65-00079

Dates:	App. Received:	Priority Date:	06/10/1912
	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

INDICATES TOTAL

SOURCE: GROUNDWATER

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
65-11076	CRUMMETT, JAMES & CRUMMETT, IRENE ROUTE 1, BOX 250, PAYETTE, IDAHO 83661	6/ 1/1912	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NWNW S26 T 9N R 5W	NWNW S26 T 9N R 5W	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	.20 AFA .02 CFS *1.40*AFA *.04*CFS		SAME AS OTHER USE	
65-9048	IRVIN CATTLE COMPANY ROUTE 1 BOX 302, FRUITLAND, IDAHO 83619	6/ 1/1912	DOMESTIC	1/ 1 12/31	2.40 AFA .08 CFS	SWSW S19 T 8N R 4W	SWSW S19 T 8N R 4W	BENEFICIAL USE
65-9049	IRVIN CATTLE COMPANY ROUTE 1 BOX 302, FRUITLAND, IDAHO 83619	6/ 1/1912	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NWNW S30 T 8N R 4W	NWNW S30 T 8N R 4W	BENEFICIAL USE
65-10323	JAMES, JIMMIE N. 4675 NORTH 10 MILE ROAD, MERIDIAN, IDAHO 83642	6/ 1/1912	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SESE S11 T16N R 3E	SESE S11 T16N R 3E	BENEFICIAL USE
65-4768	SEARLES, ALFRED P. & SEARLES, ADELAIDE ROUTE 1, BOX 292, FRUITLAND, IDAHO 83619	6/ 1/1912	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NWSW S30 T 8N R 4W	NWSW S30 T 8N R 4W	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	.20 AFA .02 CFS *1.40*AFA *.04*CFS		SAME AS OTHER USE	
65-5131	WEERHEIM, HARRY 2300 WATERWHEEL ROAD, EMMETT, IDAHO 83617	6/ 1/1912	STOCKWATER	1/ 1 12/31	4.00 AFA .02 CFS	SENE S 4 T 6N R 1W	SAME AS OTHER USE	BENEFICIAL USE
			DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS *5.20*AFA *.04*CFS		SENE S 4 T 6N R 1W	
65-9231	WHITE, LILLIAN V. BOX 67, NEW PLYMOUTH, IDAHO 83655 REMARKS: LOTS 13 & 14, BLOCK 23, NEW PLYMOUTH ORIGINAL.	6/ 1/1912	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SWSE S 4 T 7N R 4W	SWSE S 4 T 7N R 4W	BENEFICIAL USE
65-3688	HUMPHREY, FRED & HECKMAN, DON ROUTE 1, EMMETT, IDAHO 83617	6/10/1912	STOCKWATER	1/ 1 12/31	6.70 AFA .12 CFS	SESE S27 T 7N R 3W	SESE S27 T 7N R 3W	BENEFICIAL USE
65-3689	HUMPHREY, FRED & HECKMAN, DON ROUTE 1, EMMETT, IDAHO 83617	6/10/1912	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SESE S27 T 7N R 3W	SESE S27 T 7N R 3W	BENEFICIAL USE

