

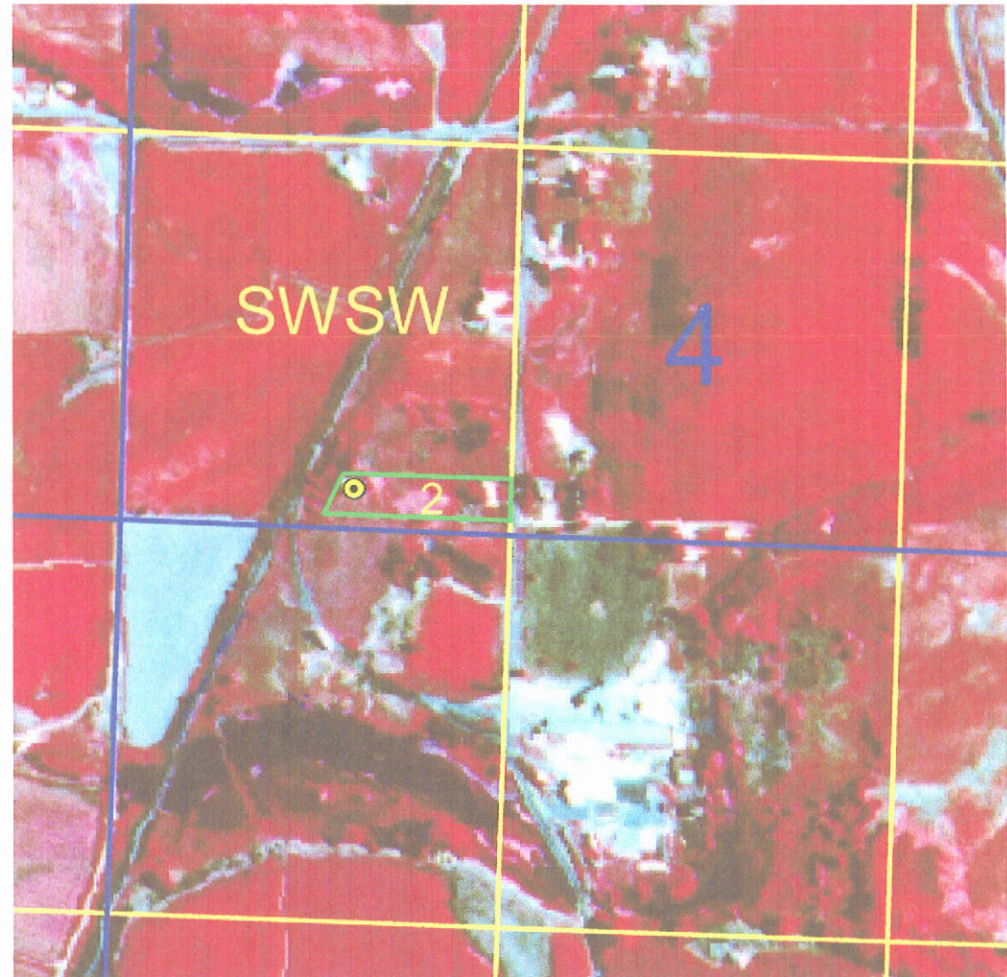
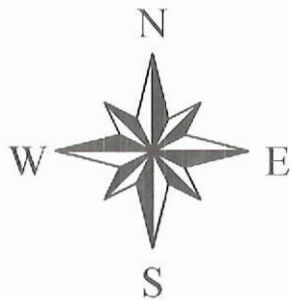
Idaho Department of Water Resources

Claim Number: 65-04865

Legal: T08N, R05W, S4

Reviewed By:

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

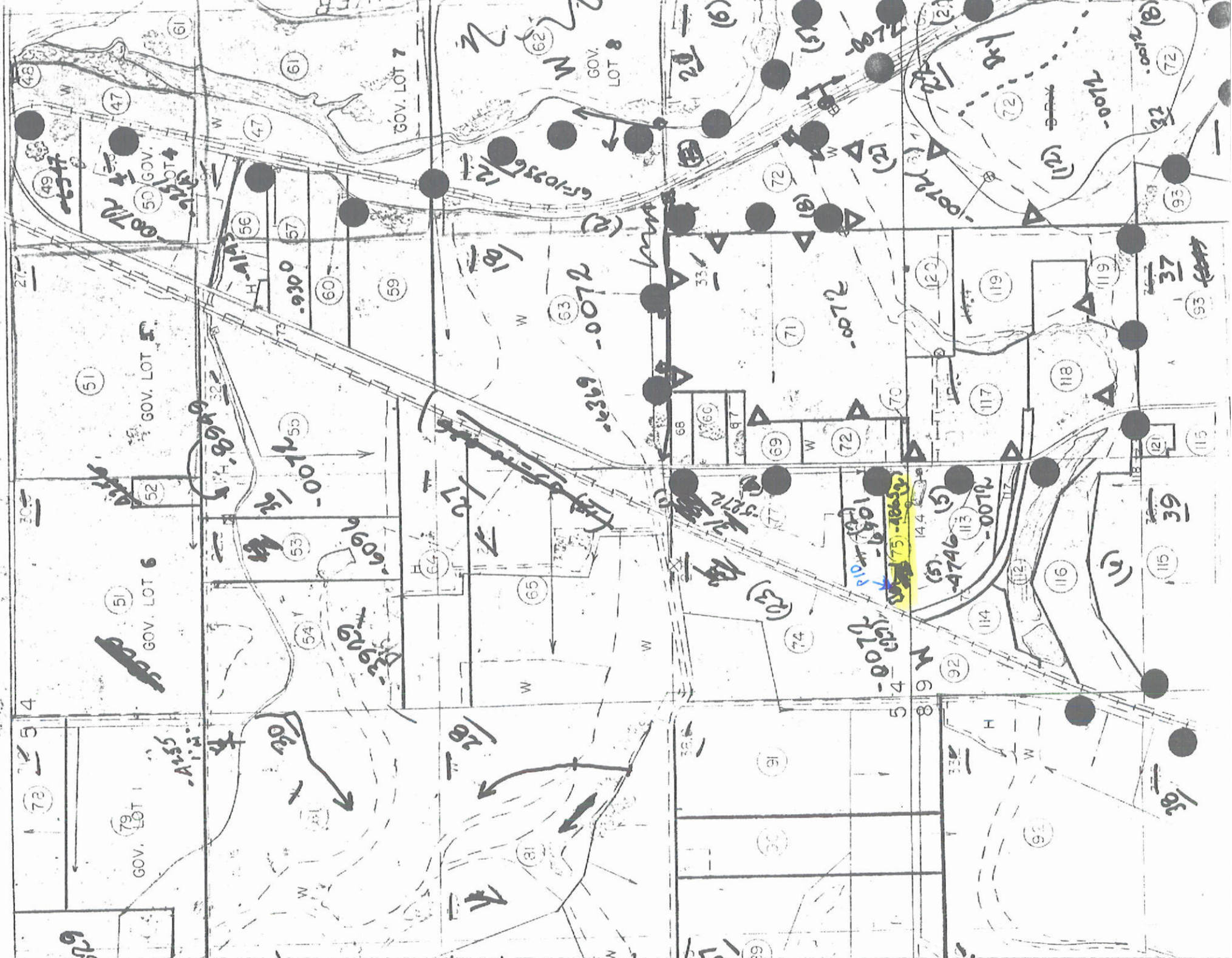


1987 Napp Photo

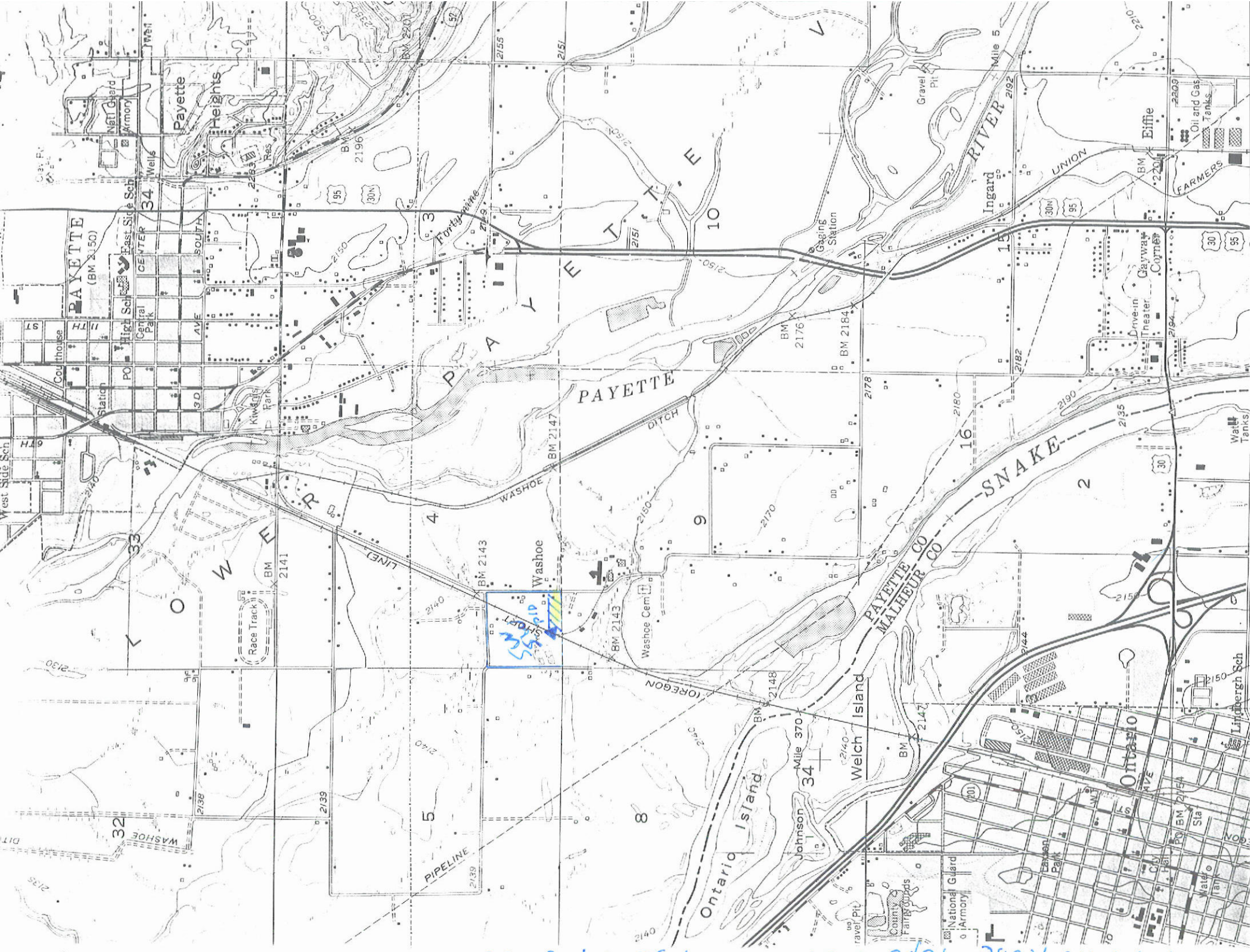
0 0.25 0.5 Miles



PREPA BLUELINE MAP B T8N R5W S4 S W 5W



1974 PHOTO REUSE TOPO V53 T&N R5W S4 SWSW



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: A65-04865

Date Received: 4-10-90

Receipt No:

Received By: gg

RECEIVED
APR 10 1990

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LESLIE R. NELSON 208-642-7228
Address: 9027 WASHOE
PAYETTE, ID 83661
OR
Name: MINA L. NELSON 208-642-7228
Address: 9027 WASHOE
PAYETTE, ID 83661

2. Date of Priority: APR 01, 1969

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
08N	05W	4	SW	SW	SW		PAYETTE

5. Description of diverting works:
POND AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.030		

7. Total Quantity Appropriated is:
0.030 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	05W	4	SW	SW		IRR	2.0
Section Acres							2.0
Total Acres							2.0

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:

THIS RIGHT WHEN COMBINED WITH RIGHTS OF WASHOE IRRIGATING &
WATER POWER CO. SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ 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): Mina L Nelson Date: 4/19/90

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of April 19 90 Melvin Gene Gibson
Notary Public

Seal

Residing at Boise, Idaho
My Commission Expires 9-2-1994



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

03/08/2001

NOTICE OF ERROR
REPLY

RECEIVED

APR 05 2001

WATER RESOURCES
WESTERN REGION

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: 65-4865

LESLIE R NELSON

9027 WASHOE

PAYETTE ID 83661

Telephone Number: (208)642-7228

MINA L NELSON

9027 WASHOE

PAYETTE ID 83661

Telephone Number: (208)642-7228

MINA
[CALLED 3-14-01]
SAID THAT IT
WAS TAIL WATER
I EXPLAINED THAT
WAS SAME AS
WASTEWATER

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: 4/2/01

SIGNATURE: Leslie R Nelson Mina L Nelson

Please print your name: Leslie R Nelson Mina L Nelson

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

11/27/2000

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

RIGHT NUMBER: 65-4865

NAME AND ADDRESS: LESLIE R NELSON
MINA L NELSON
9027 WASHOE
PAYETTE, ID 83661

SOURCE: WASTEWATER TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.03 CFS

THIS RIGHT WHEN COMBINED WITH RIGHTS OF WASHOE IRRIGATING &
WATER POWER CO. SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 04/01/1969

POINT OF DIVERSION: T08N R05W S4 SWSW 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	0.03 CFS

PLACE OF USE:

IRRIGATION Within PAYETTE County
T08N R05W S4 SWSW 2
2 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

USE OF THIS RIGHT IS COMBINED WITH WATER FROM WASHOE
IRRIGATING & WATER CO.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:12:00
05/26/00
381

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-04865

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME																																																																																																																																														
C	MINA L NELSON	04/01/1969	IRRIGATION	03-15 11-15	0.030 CFS																																																																																																																																															
C	LESLIE R NELSON																																																																																																																																																			
TOTAL DIVERSION:					0.030 CFS																																																																																																																																															
Water Source: WASTE WATER		Tributary to: PAYETTE RIVER			Stage: DECREED																																																																																																																																															
Point(s) of Diversion:		T08N R05W S04 SWSW		PAYETTE County																																																																																																																																																
Place of use Legal Description for: IRRIGATION																																																																																																																																																				
<table border="0"> <tr> <td colspan="4"></td> <td>NE</td> <td colspan="4"></td> <td>NW</td> <td colspan="4"></td> <td>SW</td> <td colspan="4"></td> <td>SE</td> <td colspan="4"></td> </tr> <tr> <td colspan="2"></td> <td>NENE</td> <td>NWNE</td> <td>SWNE</td> <td>SENE</td> <td>:</td> <td>NENW</td> <td>NWNW</td> <td>SWNW</td> <td>SENW</td> <td>:</td> <td>NESW</td> <td>NWSW</td> <td>SWSW</td> <td>SESW</td> <td>:</td> <td>NESE</td> <td>NWSE</td> <td>SWSE</td> <td>SESE</td> <td>:</td> <td colspan="2"></td> </tr> <tr> <td>T</td> <td>R S</td> <td>: Lt Ac</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>:</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>:</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>:</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>:</td> <td>SUM</td> </tr> <tr> <td colspan="23">-----</td> </tr> <tr> <td colspan="2">08N 05W 4 :</td> <td colspan="10"></td> <td colspan="2">02</td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2">2.0</td> </tr> <tr> <td colspan="22"></td> <td>TOTAL ACRES</td> <td>2.0</td> </tr> </table>											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 05W 4 :												02										2.0																								TOTAL ACRES	2.0
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		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																																																																																																																														

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POU County: PAYETTE

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHTS OF WASHOE IRRIGATING & WATER POWER CO. SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

QNT E28 &
W37

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

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

218

WR5809NP
No. 65-04865

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/04/00
PAGE: 19

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GERALD M. STRADLEY	04/01/1969	IRRIGATION	03/15 11/15	0.030 CFS	
C	PATRICIA M. STRADLEY RT. 1 BOX 113 PAYETTE ID 83661			TOTAL DIVERSION:	0.030 CFS	

Water Source: WASTE WATER Tributary to: PAYETTE RIVER Stage: DECREED
Point(s) of Diversion: T08N R05W S04 SWSW / PAYETTE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	:	NENW NWNW SWNW SENW	:	NESW NWSW SWSW SESW	:	NESE NWSE SWSE SESE	:						SUM
08N	05W	4	:	:	:	:	:	:	:	:	:	:	:	:	:	2.0
															TOTAL ACRES	2.0

Pou County: PAYETTE

Other Water Rights Listing Overlapping Place(s) of use:
65-00072 65-05272 65-06901

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHTS OF WASHOE IRRIGATING &
WATER POWER CO. SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

Dates: App. Received: Priority Date: 04/01/1969
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

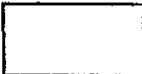
OK GWT
E28
FW37
EXP
CWD

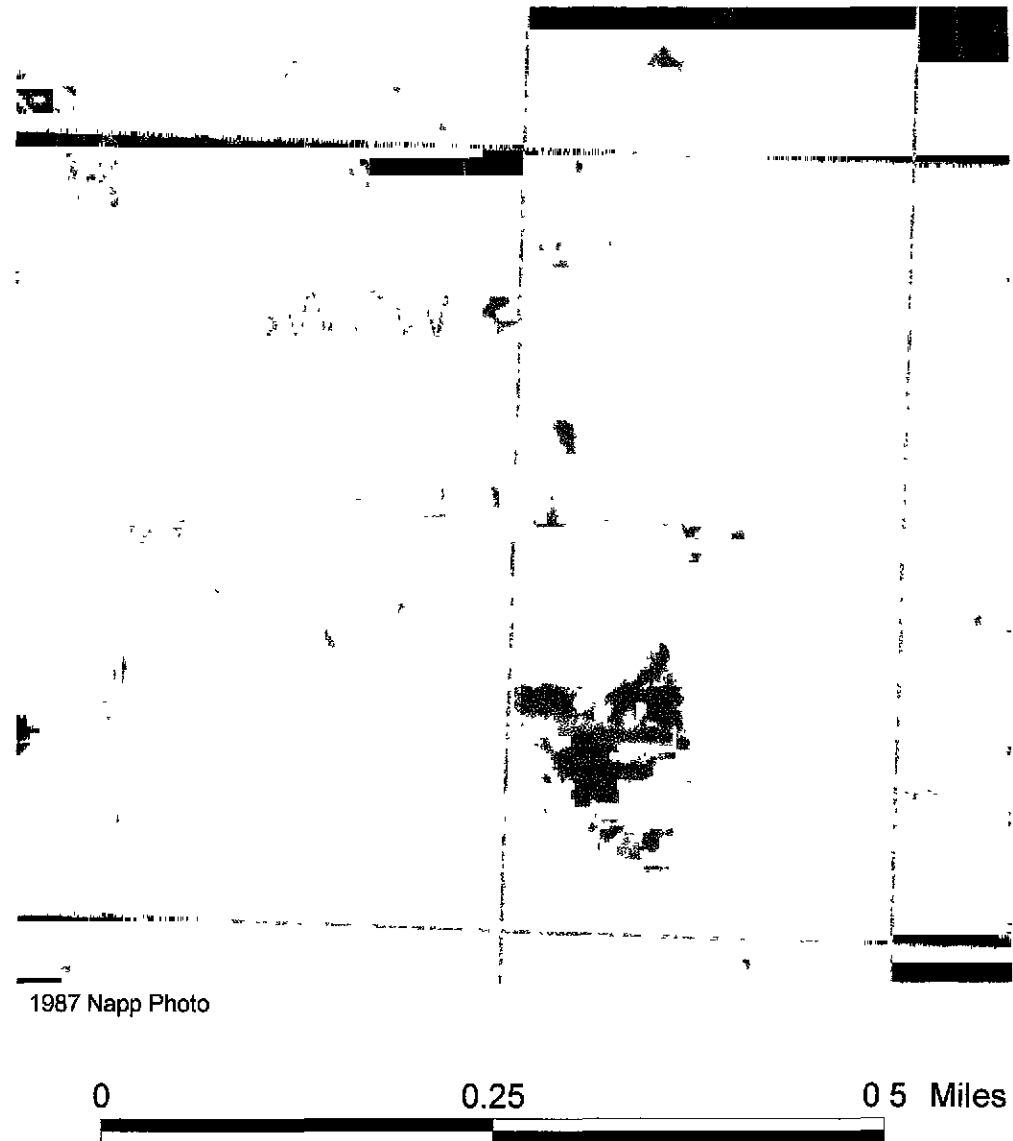
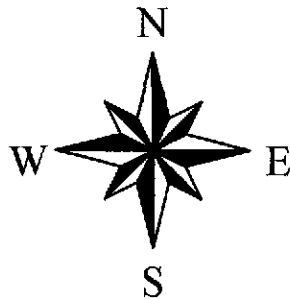
Idaho Department of Water Resources

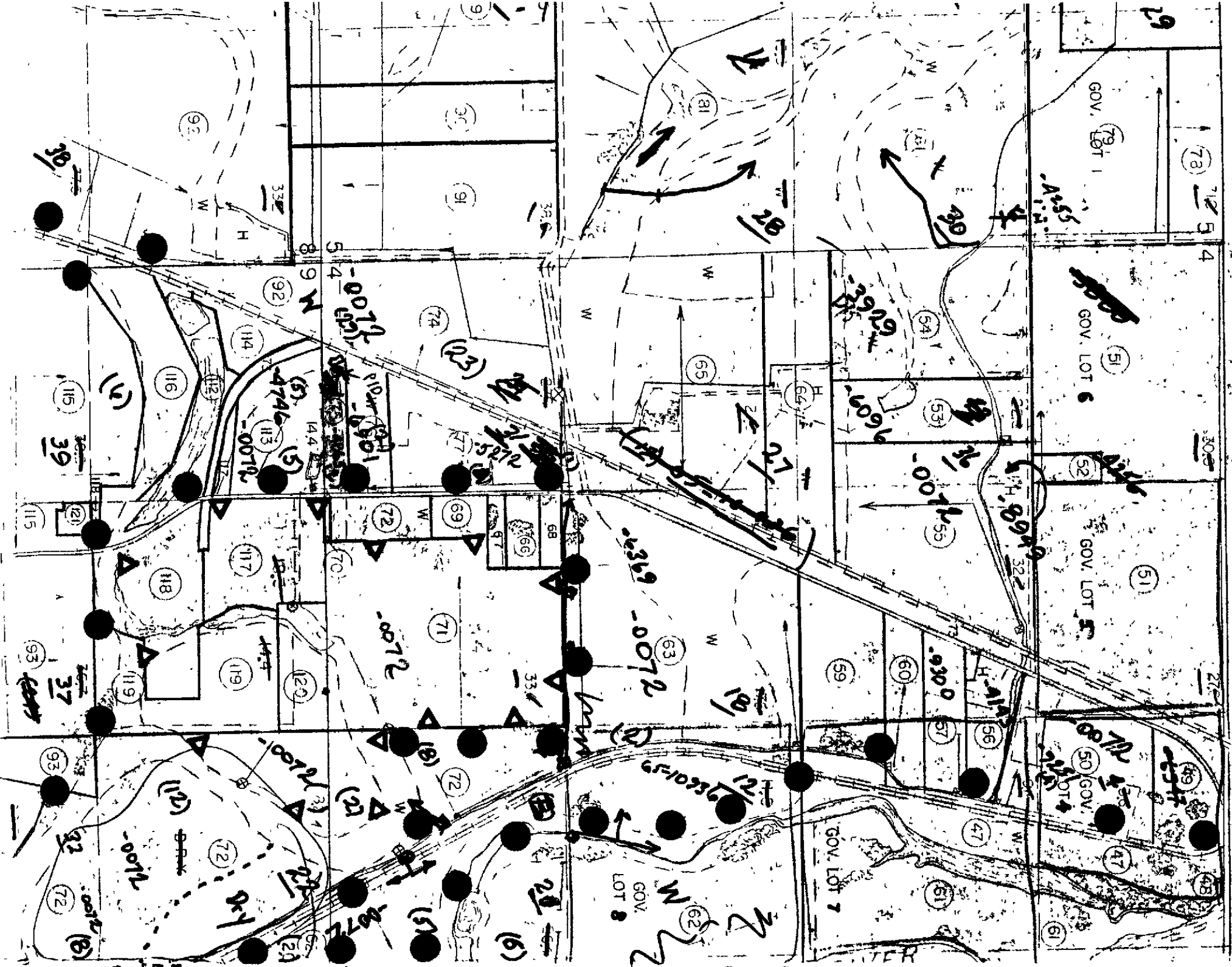
Claim Number: 65-04865

Legal: T08N, R05W, S4

Reviewed By:

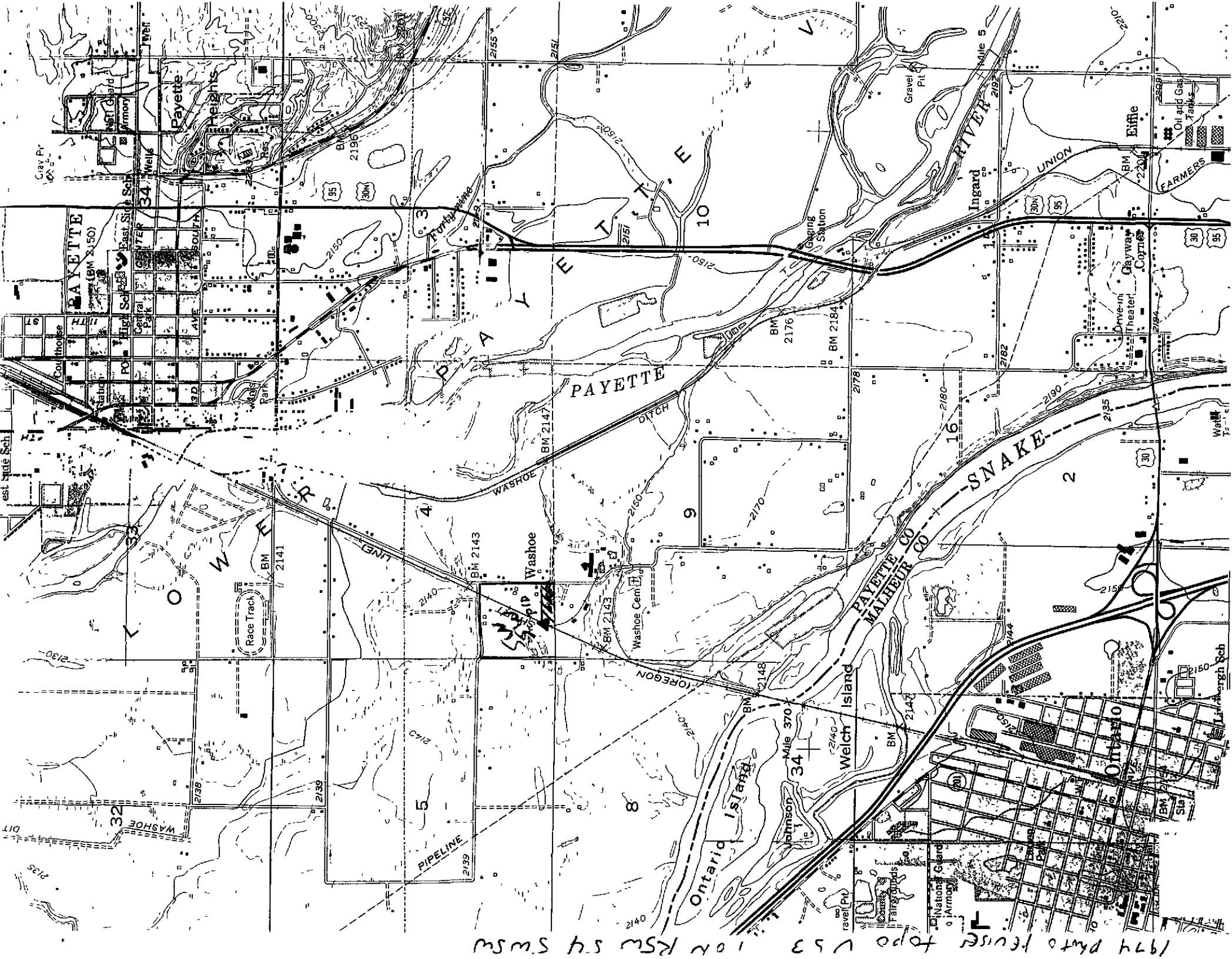
- ⊙ Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines





PRBA BLUELINE MAP B TRN R5W 54 SW 5W

1974 PHOTO REUSE TOPO US 3 10N R5W S4 SWSW



A. ROOT WATER RIGHT NUMBERS: A65-04865

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08N	05W	4	SW	SW		NELSON, MINA L	A65-04865 /	2.0	65-04865 /	2.0	39.0
			SW	SW		EASTERN WESTERN CORP	A65-19608 /	-	/		
			SW	SW		NELSON, LESLIE R	65-04864 /	65-04864 /			
			SW	SW		EASTERN WESTERN CORP	R65-19596 /	-	/		
			SW	SW		EASTERN WESTERN CORP	R65-19608 /	-	/		
			SW	SW		BUZZARD, LEONE	A65-10502 /	65-10502 /			
			SW	SW		WASHOE IRRIGATION & WATER POWEA	65-00072 /	29.0	65-00072 /	29.0	
			SW	SW		NELSON, LESLIE R	A65-04864 /	-	/		
			SW	SW		OLSON, KIRK R	A65-06901 /	2.0	65-06901 /	2.0	
			SW	SW		EASTERN WESTERN CORP	A65-19596 /	-	/		
			SW	SW		BUZZARD, LEONE	65-10502 /	-	/		
			SW	SW		EASTERN WESTERN CORP	65-19596 /	-	/		
			SW	SW		HOLLAND & HART	65-19608 /	-	/		
			SW	SW		BUZZARD, EVERETT		65-05272 /	4.0		
			SW	SW		PAYETTE PLYWOOD & LUMBER INC.		65-06161 /			

ADDITIONAL POU FOUND

TOTAL ACRES	A65-04865	2.00	2.00	39.00
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POU COUNTY: PAYETTE

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
A65-04865	WASTE WATER	NELSON, MINA L	0.030	0.015		
A65-00072	PAYETTE RIVER	WASHOE IRRIGATION & WATER POWE	39.990	0.023		
A65-06901	GROUNDWATER	OLSON, KIRK R	0.040	0.020	1.20	0.60

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-19608	STOCKWATER	EASTERN WESTERN CORP	FROM 01-01 TO 12-31	0.030 CFS	
65-04864	DOMESTIC	NELSON, LESLIE R	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
R65-19596	DOMESTIC	EASTERN WESTERN CORP	FROM 01-01 TO 12-31	0.040 CFS	
R65-19608	STOCKWATER	EASTERN WESTERN CORP	FROM 01-01 TO 12-31	0.030 CFS	
A65-10502	DOMESTIC	BUZZARD, LEONE	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-04864	DOMESTIC	NELSON, LESLIE R	FROM 01-01 TO 12-31	0.040 CFS	
A65-19596	DOMESTIC	EASTERN WESTERN CORP	FROM 01-01 TO 12-31	0.040 CFS	
65-10502	DOMESTIC	BUZZARD, LEONE	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-19596	DOMESTIC	EASTERN WESTERN CORP	FROM 01-01 TO 12-31	0.040 CFS	
65-19608	STOCKWATER	HOLLAND & HART	FROM 01-01 TO 12-31	0.030 CFS	

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()

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM #: 65-04865 Date: 2-10-00

Overlapping POU Claim #'s: _____

				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	5W	4											2						2
GIS														2						2
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

POU_ID #(s): 234

POD_ID #(s): 179

Total Claimed Acres: 2

Total GIS Acres: 2

COMMENTS:

per PRBA blue-line & County Tax data