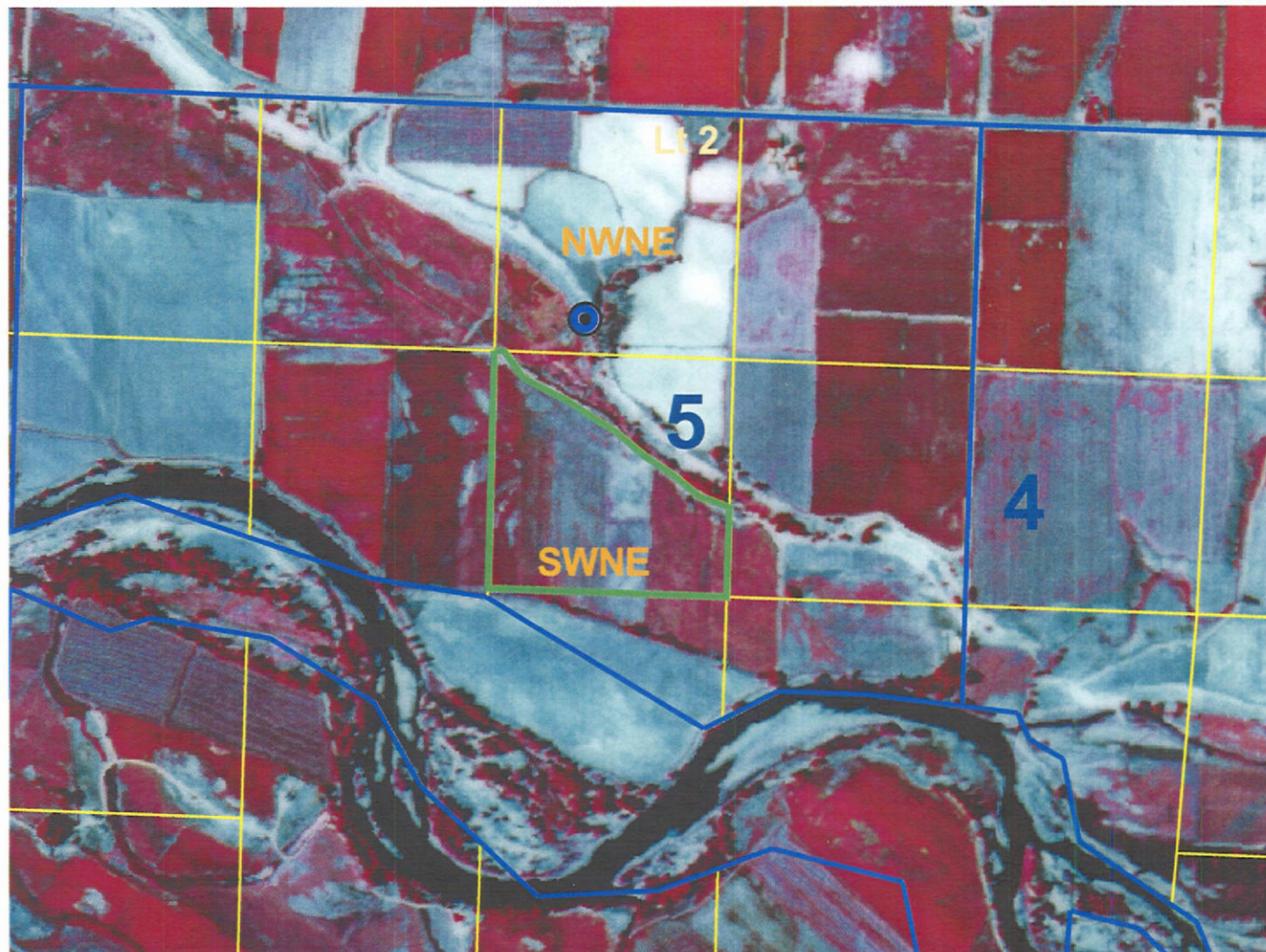
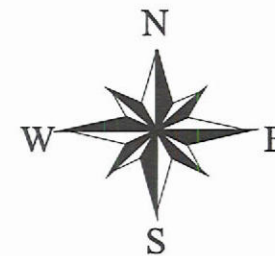


IDAHO DEPARTMENT OF WATER RESOURCES

T06N, R02W, S5



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

▭ 1/4 1/4 LINES

▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

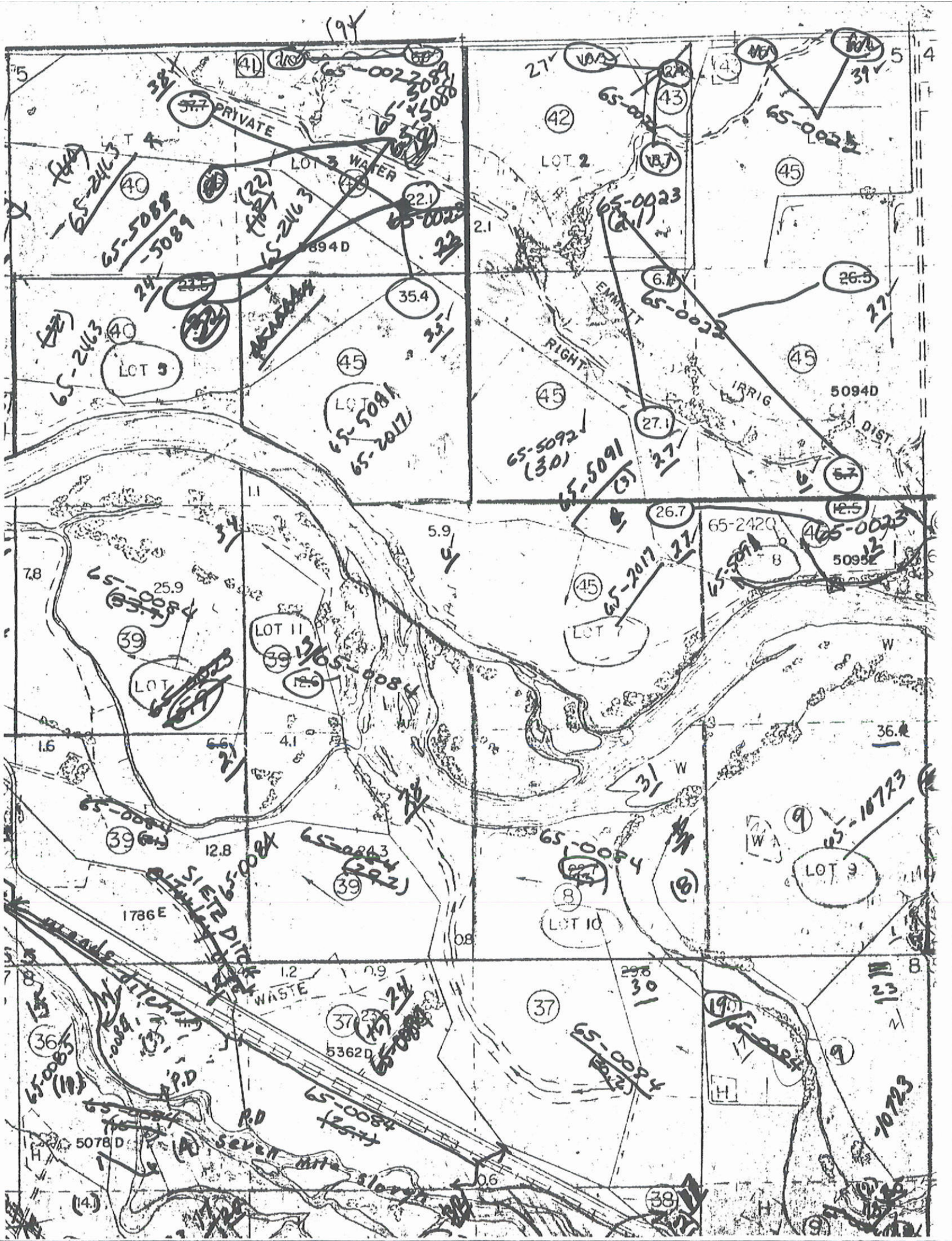
CLAIM(S): 65-05092

OWNER(S): HAWKINS, JAY & SHELLY

DATE: NOVEMBER 3, 2000

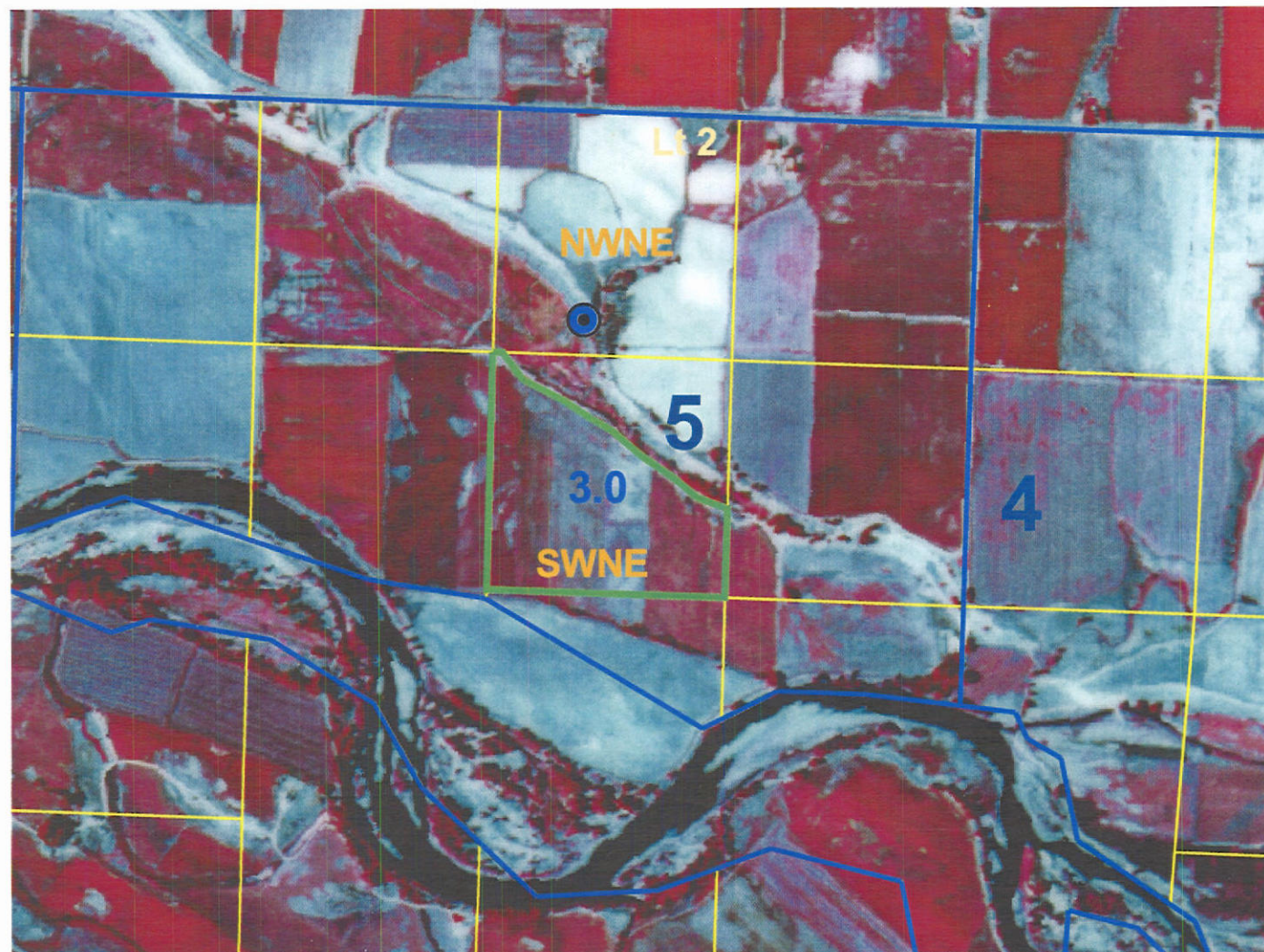
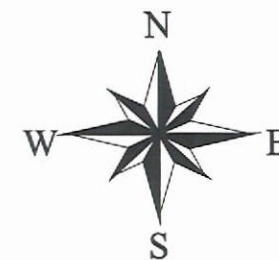
By: Mel Schulte

0 0.25 0.5 0.75 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

T06N, R02W, S5



1987 NAPP PHOTO

- POINT OF DIVERSION
- PLACE OF USE
- 1/4 1/4 LINES
- SECTION LINES

6 ACRES
6 SECTION NUMBERS

CLAIM(S): 65-05092

OWNER(S): HAWKINS, JAY & SHELLY

DATE: NOVEMBER 3, 2000

By: Mel Schulte

0 0.25 0.5 0.75 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: **A65-05092**
Date Received: 2/15/1990
Receipt No: X999999
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JAY L HAWKINS 208-385-0630
Address: 4076 SUNTREE
BOISE ID 83706

AND

Name: SHELLY R HAWKINS 208-385-0630
Address: 4076 SUNTREE
BOISE ID 83706

2. Date of Priority: APR 1, 1946

3. Source: UNNAMED STREAM Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	02W	5	NW	NE		2	GEM

5. Description of diverting works:
DITCHES

6. Water is used for the following purposes:

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

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	02W	5	SW	NE		IRR	3.0

10. Place of Use: Continued

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

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

USE OF THIS RIGHT WITH RIGHT NO. 65-02017 & 65-05091 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.95 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 113 ACRES IN A SINGLE IRRIGATION SEASON.

CLAIM AMENDED PER STIPULATION FROM PAYETTE RIVER BASIN ADJUDICATION. KW 5/25/1996

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

LARRY ECHOHAWK
Attorney General

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

RECEIVED
FEB 19 1993
Department of Water Resources

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

IN THE MATTER OF THE GENERAL	)	
DETERMINATION OF THE RIGHT	)	CIVIL NO. 3667
TO THE USE OF SURFACE AND	)	
GROUNDWATERS OF THE PAYETTE	)	STIPULATION RESOLVING
RIVER DRAINAGE BASIN	)	OBJECTIONS TO WATER
	)	RIGHT NOS. 65-02017,
	)	65-05091, ~~65-05092~~

The Director of the Idaho Department of Water Resources, R. Keith Higginson and R. Richard Frasier and Fonda E. Frasier, by and through counsel, stipulate as follows:

1. That water right claim Nos. 65-02017, 65-05091, and 65-05092, be accepted and included in the Proposed Finding of Water Rights in the Payette River Drainage as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

2. That R. Richard Frasier and Fonda E. Frasier withdraw all pending objections, including those based on the objection filed by Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown in July 1982, in the above captioned matter.

DATED this _____ day of _____, 1993.

LARRY ECHOHAWK
Attorney General

DANIEL L STECKEL
Deputy Attorney General
Department of Water Resources

DATED THIS 18th day of February, 1993.

Louie Gorrano
LOUIE GORRANO
Attorney for R. Richard Frasier
and Fonda E. Frasier

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

JAMES R. DOOLITTLE
District Judge

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: BAINE GULCH			TRIBUTARY: PAYETTE RIVER			
65-02017	R. RICHARD FRASIER FONDA E. FRASIER 1111 BIG 4 AVE. EMMETT ID 83617	11/17/1904	IRRIGATION	03-15 11-15	2.00 CFS	LICENSE
	POINT OF DIVERSION: T06N R02W S04 LOT 5 (NWSW) PLACE OF USE: IRRIGATION			TOTAL QUANTITY:	2.00 CFS	
	T06N R02W S05 SWNE 27.0 Lot 7 (NWSE)33.0		SENE 6.0 Lot 6 (SENW)35.0		Lot 8 (NESE)12.0	
	113.0 ACRES TOTAL					
REMARKS:	USE OF THIS RIGHT WITH RIGHT NO. 65-05091 & 65-05092 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.95 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 113 ACRES IN A SINGLE IRRIGATION SEASON.					
	FOR RIGHT NOS. 65-02017 AND 65-05091 A DIVERSION RATE OF .034 CFS PER ACRE FOR 91 ACRES AND .02 CFS PER ACRE FOR 22 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.					
	THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-02437, 65-02463, 65-05091, AND 65-11249.					
65-05091	FONDA E. FRASIER R. RICHARD FRASIER 1111 BIG 4 AVE. EMMETT ID 83617	05/28/1925	IRRIGATION	03-15 11-15	1.95 CFS	BENEFICIAL USE
	POINT OF DIVERSION: T06N R02W S04 LOT 5 (NWSW) PLACE OF USE: IRRIGATION			TOTAL QUANTITY:	1.95 CFS	
	T06N R02W S05 SWNE 27.0 Lot 7 (NWSE)33.0		SENE 6.0 Lot 6 (SENW)35.0		Lot 8 (NESE)12.0	
	113.0 ACRES TOTAL					
REMARKS:	USE OF THIS RIGHT WITH RIGHT NO. 65-02017 & 65-05092 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.95 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 113 ACRES IN A SINGLE IRRIGATION SEASON.					
	FOR RIGHT NOS. 65-02017 AND 65-05091 A DIVERSION RATE OF .034 CFS PER ACRE FOR 91 ACRES AND .02 CFS PER ACRE FOR 22 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.					
	THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-02017, 65-02437, 65-02463 AND 65-11249.					

MICROFILMED
OCT 21 1996

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: UNNAMED STREAM		TRIBUTARY: PAYETTE RIVER				
65-05092	FONDA E. FRASIER R. RICHARD FRASIER 1111 BIG 4 AVE. EMMETT ID 83617	04/01/1946	IRRIGATION	03-15 11-15	.06 CFS	BENEFICIAL USE
TOTAL QUANTITY:					.06 CFS	
POINT OF DIVERSION: T06N R02W S05 LOT 2 (NWNE)						
PLACE OF USE: IRRIGATION T06N R02W S05 SWNE 3.0 3.0 ACRES TOTAL						
REMARKS: USE OF THIS RIGHT WITH RIGHT NO. 65-02017 & 65-05091 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.95 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 113 ACRES IN A SINGLE IRRIGATION SEASON.						

MICROFILMED
OCT 21 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: **A65-05092**
Date Received: 2/15/1990
Receipt No: X999999
Received By: _____

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

1. Name: JAY L HAWKINS 208-385-0630
Address: 4076 SUNTREE
BOISE ID 83706

AND

Name: SHELLY R HAWKINS 208-385-0630
Address: 4076 SUNTREE
BOISE ID 83706

2. Date of Priority: APR 1, 1946

3. Source: UNNAMED STREAM Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	02W	5	NW	NE			GEM

5. Description of diverting works:
DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.120		

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

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

9. Non-irrigation uses:

MICROFILMED

10. Place of Use:

AUG 03 1994

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	02W	5	SW	NE		IRR	3.0

10. Place of Use: Continued

Section Acres 3.0

Total Acres 3.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHT 65-5091 SHALL PROVIDE NO MORE THAN .04 CFS/ACRE.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

MICROFILMED

Residing at _____ **AUG 03 1994**

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type

(see instructions on back of page)

OCT 06 1993

DATE OF CLOSING: 9-16-93

LEGAL DESCRIPTION OF PROPERTY: Township 6N Range 2W
 Section 5, 1/4 of 1/4 of 1/4, Govt. Lot , BM.
 Lot , Block , Subdivision/Townsite .

Department of Water Resources
Adjudication Bureau

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

- [] Attached Adjudication Claim Profile Report and a copy of Warranty Deed from Frazier
 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)

- [] Water Right Number(s) A65-05091; A65-05092; 65-05092; A-65-05093; A65-05094; A65-05095;
 Assigned by IDWR: and A65-02017A

- [] Name and Address of Former Owner/Claimant(s)(Seller): R. Richard Frazier and Fonda E. Frazier
1111 Big 4 Avenue, Emmett, Idaho 83617

- [] New Owner/Claimant (Purchaser): JAY L. HAWKINS and SHELLEY R. HAWKINS.
4076 Suntree

- [] New Mailing Address: Boise, Idaho

- [] New Telephone Number: (208) 385-0630

- [] 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 Warranty Deed attached.

(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) [Signature] Date 9-16-93
Shelley R. Hawkins Date 9-16-93
 [] Signature of Former Owner/Claimant(s) R. Richard Frazier Date 9-16-93
Fonda E. Frazier Date 9-16-93

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 10-13-93 By: [Signature]

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 10-13-93 By: [Signature]

Claim Numbers of Split, if any:

MICROFILMED

AUG 03 1994

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

WARRANTY DEED

POOR ORIGINAL

For Value Received

R. RICHARD FRASIER and FONDA E. FRASIER, husband and wife,

The grantors do hereby grant, bargain, sell and convey unto

JAY L. HAWKINS and SHELLY R. HAWKINS, husband and wife,

the grantees, whose current address is 9097 S. Suntree, Boise, Idaho

the following described premises, in GEM

County Idaho, to-wit:

Legal Description Attached.

MICROFILMED

AUG 03 1994

File No.: 3-17526

POOR ORIGINAL

Legal Description (continued)

TRACT I

TOWNSHIP 6 North, Range 2 West, B.M., Gem County, Idaho

Section 5: Government Lot 1

EXCEPT the following described portion thereof:

BEGINNING at the Northwest corner of Lot 1 of Section 5, T. 6 N., R. 2 W., B.M., run thence South on quarter quarter line 619 feet to the center line of the Waste Ditch; thence Northeasterly along the center line of said Waste Ditch on the following courses:
North 59°00' East 435 feet; thence
North 15°30' East 230 feet; thence
North 53°30' East 302 feet, to the North line of said Section; thence West on section line 671 feet, to said REAL POINT OF BEGINNING.

TRACT II

TOWNSHIP 6 North, Range 2 West, B.M., Gem County, Idaho

Section 5: S 1/2 NE 1/4; Government Lot 6

EXCEPT the following described portion thereof:

A tract of land in Government Lot 6, Section 5, T. 6 N., R. 2 W., B.M., Gem County, Idaho, described as follows:

BEGINNING at the Northwest corner of Section 5, T. 6 N., R. 2 W., B.M.; run thence South 60°15' East 1400 feet; thence South 15°47' East 626 feet to a point (which is also the Northwest corner of Government Lot 6) the REAL POINT OF BEGINNING; thence North 86°51' East 754 feet to an existing fence; thence following said existing fence line, South 3°03' East 1411.1 feet to the rock levy on the North bank of the Payette River; thence North 53°11' West 604.1 feet; thence North 55°00' West 372 feet; thence North 2°12' West 784 feet to the REAL POINT OF BEGINNING.

GOVERNMENT Lots 7 and 8

EXCEPT the following described tract:

A parcel of land consisting of the eroded ground of the right bank of the

(Continued)

MICROFILMED
AUG 03 1994

File No.: 3-17526

POOR ORIGINAL

Legal Description (continued)

Payette River between the Meander Line surveyed in August, 1868 and the location of the approximate mean high water line as determined by Donald R. Stockton, State Department of lands, State of Idaho and Roger E. Bennie, P.L.S. Fischer Land Surveying, Inc. in July, 1993, said parcel of land being adjacent to Government Lots 6, 7 and 8, Section 5, Township 6 North, Range 2 West, B.M., Gem County, Idaho, more particularly described as follows:

COMMENCING at the Northeast corner of Section 5, Township 6 North, Range 2 West, B.M., Gem County, Idaho; thence
 South 00°02'52" East, 3286.72 feet to the Meander line of the right bank of the Payette River as surveyed in August 1868 and the REAL POINT OF BEGINNING;
 thence along said Meander line
 North 84°19'19" West, 518.77 feet; thence
 North 89°24'09" West, 487.70 feet; thence
 South 62°07'26" West, 165.32 feet to the high water line of the right bank of the Payette River as determined in July 1993, thence along said high water line the following courses and distances.
 North 56°26'00" East, 71.77 feet;
 North 65°22'00" East, 74.00 feet;
 North 48°46'00" East, 67.00 feet;
 North 71°54'00" East, 183.00 feet;
 South 85°42'20" East, 165.99 feet;
 South 88°15'00" East, 317.00 feet;
 South 67°08'29" East, 122.94 feet;
 South 74°45'00" East, 200.00 feet;
 North 88°26'00" East, 10.00 feet to the East line of said Section 5; thence
 leaving said high water line and along the East line of said Section 5,
 South 00°02'52" East, 28.38 feet to the REAL POINT OF BEGINNING.

TRACT III

A parcel of land consisting of the accretion ground of the right bank of the Payette River between the Meander Line surveyed in August 1868 and the location of the approximate mean high water line as determined by Donald R. Stockton, State Department of lands, State of Idaho and Roger E. Bennie, P.L.S. Fischer Land Surveying, Inc. in July, 1993, said parcel of land being adjacent to Government Lots 6, 7 and 8, Section 5, Township 6 North, Range 2 West, B.M., Gem County, Idaho, more particularly described as follows:

COMMENCING at the Northeast corner of Section 5, Township 6 North, Range 2 West, B.M., Gem County, Idaho; thence
 South 00°02'52" East, 3286.72 feet to the Meander line of the right bank of the Payette River as surveyed in August 1868; thence along said Meander line
 North 84°19'49" West, 518.77 feet; thence
 North 89°24'09" West, 487.70 feet; thence
 South 62°07'26" West, 165.32 feet to the high water line of the right bank of the Payette River as determined in July, 1993 and the REAL POINT OF BEGINNING.

(Continued)

MICROFILMED

AUG 03 1994

File No.: 3-17526

POOR ORIGINAL

Legal Description (continued)

BEGINNING; thence along said high water line the following courses and distances;

South 55°26'00" West, 280.23 feet;
South 29°56'00" West, 267.00 feet;
South 38°49'00" West, 134.00 feet;
South 44°40'00" West, 174.00 feet;
South 65°48'00" West, 87.00 feet;
North 13°19'00" West, 115.00 feet;
North 27°46'00" West, 81.00 feet;
North 71°31'00" West, 236.00 feet;
North 59°16'00" West, 375.50 feet;
North 71°25'00" West, 191.00 feet;
North 49°47'00" West, 409.00 feet;
North 25°53'00" West, 270.00 feet;
North 33°25'00" West, 152.00 feet;
North 49°45'00" West, 86.00 feet to an existing fence line of which is the
Westerly property line of this property; thence
North 00°18'25" West, 69.73 feet along said fence line to the Meander line of
the right bank of the Payette River as surveyed in August, 1868; thence
along said Meander line
South 82°18'11" East, 553.95 feet; thence
South 61°04'29" East, 1107.49 feet; thence
North 62°07'26" East, 288.42 feet to the PEAL POINT OF BEGINNING.

MICROFILMED

AUG 03 1994

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: A65-05092
Date Received: 2/15/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: R. RICHARD FRASIER 208-365-3868
Address: 1111 BIG 4 AVE.
EMMETT ID 83617

AND/OR

Name: FONDA E. FRASIER 208-365-3868
Address: 1111 BIG 4 AVE.
EMMETT ID 83617

2. Date of Priority: APR 1, 1946

3. Source: UNNAMED STREAM Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	02W	5	NW	NE			GEM

5. Description of diverting works:
DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.120		

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

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

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	02W	5	SW	NE		IRR	3.0

A65-05092

Page 1

Date: 10/16/91

MICROFILMED

AUG 03 1994

10. Place of Use: Continued

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

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHT 65-5091 SHALL PROVIDE NO MORE THAN .04 CFS/ACRE.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

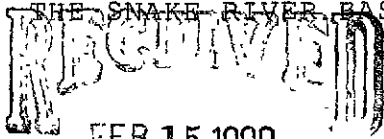
My Commission Expires _____

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. Number: A65-05092
Date Received: ~~1/10/1990~~ 2/15/90
Receipt No: X999999
Received By: _____



FEB 15 1990

Posted 2/14/90 DRLB

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: R. RICHARD FRASIER 208-365-3868
Address: 1111 BIG 4 AVE.
EMMETT, ID 83617

AND/OR
Name: FONDA E. FRASIER 208-365-3868
Address: 1111 BIG 4 AVE.
EMMETT, ID 83617

2. Date of Priority: APR 01, 1946

3. Source: UNNAMED STREAM Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	02W	5	NW	NE			GEM

5. Description of diverting works:
DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.120		

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

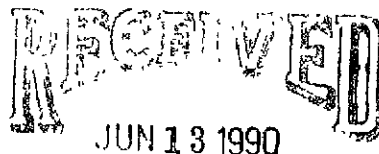
8. Total consumptive use is 10.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A65-05092

Page 1

Date: 01/10/90



JUN 13 1990

Department of Water Resources

See remarks
MICROFILMED
AUG 03 1994

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	02W	5	SW NE		IRR	3.0
Section Acres						3.0
Total Acres						3.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

G.F.
THIS RIGHT WHEN COMBINED WITH RIGHT 65-5091 SHALL PROVIDE NO
MORE THAN ~~02~~ *04* CFS/ACRE.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: 0

For Individuals:

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

Signature of Claimant(s): Richard F. Frasier Date: 2-14-1990
Fonda C. Frasier Date: 2-14-1990

State of Idaho)
County of Gem) SS.

Subscribed and sworn (or affirmed) before me this 14th day

of February 19 90

Seal

J. D. Frasier
Notary Public

Residing at Emmett, Idaho

My Commission Expires September 20, 1995

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Frazier CLAIM IDENT. NO. AUG-05092

DATE RECEIVED 2-15-90 CK # _____ AMOUNT \$ exempt

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☐	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☐	☐	*
See Adjudication Memos #1 and #4 to determine if a permit is required.	☐	☐	
3. (a) Is a source entered?	☐	☐	*
(b) Is a tributary to entered? (if required)	☐	☐	
4. Is the legal description of the p.d. sufficient?	☐	☐	*
5. Is there a description of the diverting works?	☐	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☐	☐	*
Is the period of use included?	☐	☐	
Is a quantity claimed for each use?	☐	☐	*
7. Is a total quantity claimed entered?	☐	☐	
8. If required is a consumptive use entered?	☐	☐	
Is the consumptive use correct?	☐	☐	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	☐	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☐	☐	*
11. Is (are) the county(ies) entered?	☐	☐	
12. Is the ownership of p.u. checked?	☐	☐	
13. Are other water rights listed or "none" indicated?	☐	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☐	☐	
15. Is the basis of the claim indicated?	☐	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☐	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
19. Was this claim filed on time, or was an extension granted?	☒	☐	*
20. Is the fee enclosed correct?	☒	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	☐	☐	
22. Should this claim be data entered?	☒	☐	

Claim checked by: RAODate: 4/3/90

Claim must be returned to claimant:

Claimant must be notified of modifications:

MICROFILMED

Receipt Prepared by:

Claim data entered by: B

Sent to claimant by:

Date:

Date: 10/91

Date:

Checked by:

AUG-03-1994

Date:

Comments:

~~Not exempt~~ ~~Change~~ Exempt Object is filed in Payette Not yet resolved

make notes changes per Don Shaff B

01/05/2001

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

RIGHT NUMBER: 65-5092

NAME AND ADDRESS: JAY L HAWKINS
SHELLY R HAWKINS
4076 SUNTREE
BOISE, ID 83706

SOURCE: UNNAMED STREAM TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.06 CFS

USE OF THIS RIGHT WITH RIGHT NO. 65-02017A & 65-22302 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.34 CFS AND TO
THE IRRIGATION OF A COMBINED TOTAL OF 94 ACRES IN A SINGLE
IRRIGATION SEASON

PRIORITY DATE: 04/01/1946

POINT OF DIVERSION: T06N R02W S5 LOT 2 NWNE Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	0.06 CFS

PLACE OF USE:

IRRIGATION Within GEM County
T06N R02W S5 SWNE 3

3 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

AJ5809NP
No. A65-05092

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/18/00
PAGE: 8

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JAY L HAWKINS	04/01/1946	IRRIGATION	03-15 11-15	0.060 CFS	
C	SHELLY R HAWKINS					
	4076 SUNTREE			TOTAL DIVERSION:	0.060 CFS	
	BOISE ID 83706					
	(208) 385-0630					

Water Source: UNNAMED STREAM

Tributary to: PAYETTE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T06N R02W S05 Lot02(NWNE)

GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
06N	02W	5	:				03	:												:	3.0
																				TOTAL ACRES	3.0

POU County: GEM

Remarks: *QNT* USE OF THIS RIGHT WITH RIGHT NO. 65-02017 & *A 22302.* ~~65-05092~~ IS *3.34*
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF ~~3.95~~ CFS, A TOTAL
~~COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395.5 AF, AND TO THE~~
IRRIGATION OF A COMBINED TOTAL OF ~~113~~ ACRES IN A SINGLE
IRRIGATION SEASON. *94*
CLAIM AMENDED PER STIPULATION FROM PAYETTE RIVER BASIN
ADJUDICATION. KW 5/25/1996

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

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

Audit: 10/16/91 BAUMHOFF 10/13/93 HARRIS 03/30/95 POST-STD 03/25/96 KWALKER

C18



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

LARRY ECHOHAWK
Attorney General

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

RECEIVED
FEB 19 1993
Department of Water Resources

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

IN THE MATTER OF THE GENERAL	)	
DETERMINATION OF THE RIGHT	)	CIVIL NO. 3667
TO THE USE OF SURFACE AND	)	
GROUNDWATERS OF THE PAYETTE	)	STIPULATION RESOLVING
RIVER DRAINAGE BASIN	)	OBJECTIONS TO WATER
	)	RIGHT NOS. 65-02017,
	)	65-05091, 65-05092

The Director of the Idaho Department of Water Resources, R. Keith Higginson and R. Richard Frasier and Fonda E. Frasier, by and through counsel, stipulate as follows:

1. That water right claim Nos. 65-02017, 65-05091, and 65-05092, be accepted and included in the Proposed Finding of Water Rights in the Payette River Drainage as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

2. That R. Richard Frasier and Fonda E. Frasier withdraw all pending objections, including those based on the objection filed by Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown in July 1982, in the above captioned matter.

DATED this _____ day of _____, 1993.

LARRY ECHOHAWK
Attorney General

DANIEL L. STECKEL
Deputy Attorney General
Department of Water Resources

DATED THIS 18th day of February, 1993.

Louie Gorrano
LOUIE GORRANO
Attorney for R. Richard Frasier
and Fonda E. Frasier

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

JAMES R. DOOLITTLE
District Judge

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: UNNAMED STREAM		TRIBUTARY: PAYETTE RIVER				
65-05092	FONDA E. FRASIER R. RICHARD FRASIER 1111 BIG 4 AVE. EMMETT ID 83617	04/01/1946	IRRIGATION	03-15 11-15	.06 CFS	BENEFICIAL USE
TOTAL QUANTITY:					.06 CFS	
POINT OF DIVERSION: T06N R02W S05 LOT 2 (NWNE)						
PLACE OF USE: IRRIGATION						
T06N R02W S05 SWNE 3.0 3.0 ACRES TOTAL						
REMARKS: USE OF THIS RIGHT WITH RIGHT NO. 65-02017 & 65-05091 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.95 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 113 ACRES IN A SINGLE IRRIGATION SEASON.						

WR5809NP
No. 65-05092

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/05/01
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	R. RICHARD FRASIER	04/01/1946	IRRIGATION	03/15 11/15	0.060 CFS	
C	FONDA E. FRASIER 1111 BIG 4 AVE. EMMETT ID 83617			TOTAL DIVERSION:	0.060 CFS	

Water Source: UNNAMED STREAM

Tributary to: PAYETTE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T06N R02W S05 NWNE

GEM County

Place of use Legal Description for: IRRIGATION

NE								NW								SW								SE								
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: SUM			
06N	02W	5	:					03	:								:						:						3.0			
																												TOTAL ACRES	3.0			

Pou County: GEM

Other Water Rights Listing Overlapping Place(s) of use:
65-02017 65-05091

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHT 65-5091 SHALL PROVIDE NO
MORE THAN .02 CFS/ACRE.

Dates: App. Received: Priority Date: 04/01/1946
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT 11/01/88 CURTIS

LARRY ECHOHAWK
Attorney General

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

RECEIVED

FEB 19 1993

Department of Water Resources

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

IN THE MATTER OF THE GENERAL)
DETERMINATION OF THE RIGHT)
TO THE USE OF SURFACE AND)
GROUNDWATERS OF THE PAYETTE)
RIVER DRAINAGE BASIN)
_____)

CIVIL NO. 3667

STIPULATION RESOLVING
OBJECTIONS TO WATER
RIGHT NOS. 65-02017, 65-05091, 65-05092

RECEIVED
5

The Director of the Idaho Department of Water Resources, R. Keith Higginson and R. Richard Frasier and Fonda E. Frasier, by and through counsel, stipulate as follows:

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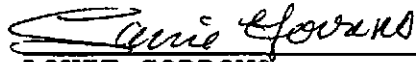
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DATED this _____ day of _____, 1993.

LARRY ECHOHAWK
Attorney General

DANIEL L STECKEL
Deputy Attorney General
Department of Water Resources

DATED THIS 18th day of February, 1993.


LOUIE GORRONE
Attorney for R. Richard Frasier
and Fonda E. Frasier

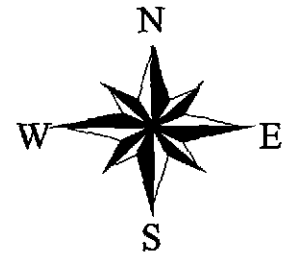
The above stipulation having come before the court, it is
hereby approved this _____ day of _____, 1993.

JAMES R. DOOLITTLE
District Judge

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: UNNAMED STREAM		TRIBUTARY: PAYETTE RIVER				
65-05092	FONDA E. FRASIER R. RICHARD FRASIER 1111 BIG 4 AVE. EMMETT ID 83617	04/01/1946	IRRIGATION	03-15 11-15	.06 CFS	BENEFICIAL USE
TOTAL QUANTITY:					.06 CFS	
POINT OF DIVERSION: T06N R02W S05 LOT 2 (NWNE)						
PLACE OF USE: IRRIGATION T06N R02W S05 SWNE 3.0 3.0 ACRES TOTAL						
REMARKS: USE OF THIS RIGHT WITH RIGHT NO. 65-02017 & 65-05091 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.95 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 113 ACRES IN A SINGLE IRRIGATION SEASON.						

IDAHO DEPARTMENT OF WATER RESOURCES

T06N, R02W, S5



1987 NAPP PHOTO

● POINT OF DIVERSION

□ PLACE OF USE

1/4 1/4 LINES

□ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-05092

OWNER(S): HAWKINS, JAY & SHELLY

DATE: NOVEMBER 3, 2000

By: Mel Schulte

0 0.25 0.5 0.75 Miles

DIVERSION RATE CALCULATIONS

Water Right No. 65-05091 + 65-02017

Date 4/20/92

Initials gf

Soils	Acres		Rate (cfs/ac)		Rate (cfs)
Moulton	<u>91</u>	x	0.034	=	<u>3.09</u>
Letha	<u>-</u>	x	0.029	=	<u>-</u>
Other	<u>22</u>	x	0.02	=	<u>.44</u>
Total	<u>113</u>				<u>3.53</u>

Conveyance Loss (see attached) = 0.42

TOTAL DIVERSION RATE = X see below

Comments: 65-02017 LICENSE 2.0 CFS
 65-05091 (3.53 + .42) - 2.0 = 1.95 CFS

65-02463, 65-11249, 65-2437, 65-02017, 65-05091

4/20/92

9

CONVEYANCE LOSS - MORITZ

REACH	LENGTH (FT)	AVE VELOCITY (FT/SEC)	SEEPAGE (FT/DAY)	MORITZ LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	5280	1.75	1.50	0.59	4.25	6.37	0.0931	0.40	7.13
2	2640	1.75	1.50	0.17	2.12	2.12	0.0794	0.37	2.29
3	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
4	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
5	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
6	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
7	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
8	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
9	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
10	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
11	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
12	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
13	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
14	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
15	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
16	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
17	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
18	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
19	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
20	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00

TOTALS 7920 0.76 6.37

0.76

REACH = SECTION OF CHANNEL

LENGTH = LENGTH OF REACH, THE CHANNEL CAN DIVIDED INTO EQUAL LENGTH REACHES

OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS

AVE VELOCITY = AVERAGE VELOCITY IN REACH, USE 1.75 FT/SEC FOR EARTH CHANNELS IF

IF ACTUAL VELOCITY IS UNKNOWN

SEEPAGE = SOIL SEEPAGE RATE OF REACH

MORITZ LOSS = CONVEYANCE LOSS IN REACH BASED ON MORITZ METHOD

DELIVERY = TOTAL DELIVERIES IN REACH

DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)

LOSS FACTOR = MORITZ LOSS/DELIVERY LEFT

DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY,

REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH

FLOW = TOTAL FLOW AT BEGINNING OF EACH REACH

@ FIELD

LOSS
RATE

65-2463	1.8	LICENSE
65-11249	.06	DECKED
65-2437	.98	DECKED
LICENSE = 20 → 65-2017	3.53	LICENSE
65-5091		
		6.37

65-5091
65-2017

SENE

Ac.
5

10/Ac
10

1 ~~2~~ .034 cfs/Ac

Lt 8 (NESE)

10

10

2 ~~2~~ .034 cfs/Ac

Lt 7

3

10

30 ~~2~~ .034 cfs/Ac

SWNE

4

10

23 ~~2~~ .034 cfs/Ac

Lt 6 (SEW)

35

~~2~~ .034 cfs

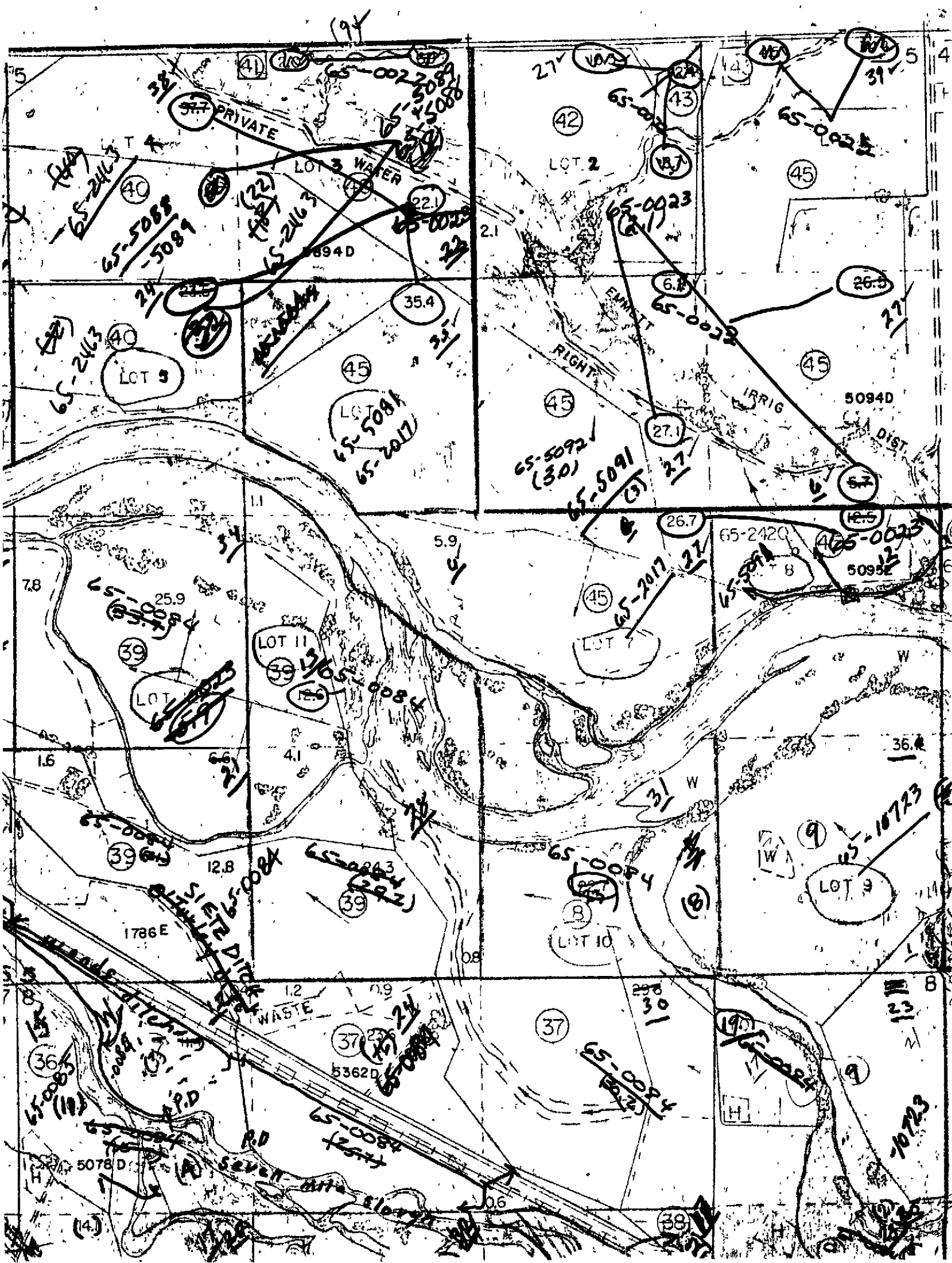
22 10

91 ~~2~~ .034 cfs/Ac

~~213~~
#1 213' ME

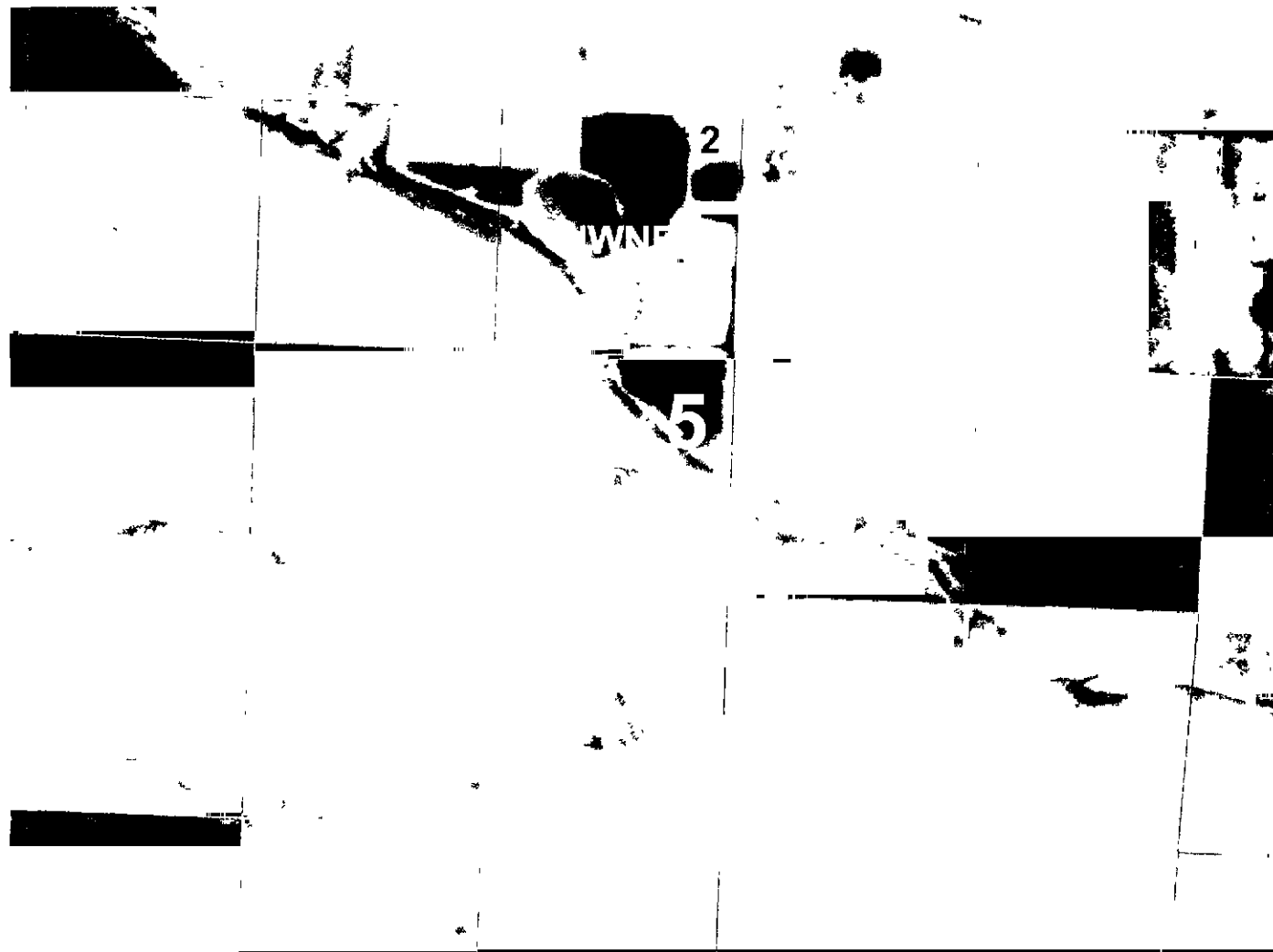
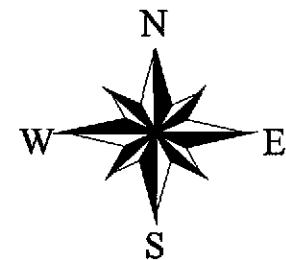
NEW MARKS 7/17/96

[Signature]



IDAHO DEPARTMENT OF WATER RESOURCES

T06N, R02W, S5



1987 NAPP PHOTO

● POINT OF DIVERSION

□ PLACE OF USE

1/4 1/4 LINES

□ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-05092

OWNER(S): HAWKINS, JAY & SHELLY

DATE: NOVEMBER 3, 2000

By: Mel Schulte

0 0.25 0.5 0.75 Miles

Date 08/09/96
Time 07:34:37

Page: 1

<u>A65-02017A</u>	<u>A65-02017B</u>	<u>A65-05091</u>	<u>A65-05092</u>	<u>A65-05093</u>
<u>A65-05094</u>	<u>A65-05095</u>	<u>R65-02017</u>	<u>R65-02017B</u>	<u>R65-05091</u>
<u>R65-05092</u>				

IMPORTANT NOTICE REGARDING YOUR WATER RIGHT

THIS CONTAINS YOUR LEGAL NOTICE OF THE DIRECTOR'S REPORTS OF U.S. AND TRIBAL NON-CONSUMPTIVE CLAIMS IN THE SNAKE RIVER BASIN ADJUDICATION
THESE CLAIMS COULD AFFECT YOUR WATER RIGHT

4-175
Idaho Department of water Resources
Statehouse Mail
Boise, Idaho 83720

pls file

RECEIVED

AUG 12 1996

WATER RESOURCES
WESTERN REGION

Presorted
First Class Mail
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APR 20 1995

Department of Water Resources

NOTICE OF FILING DIRECTOR'S REPORT

DIRECTOR'S REPORT

This Director's Report Part II is a report by the Director of the Idaho Department of Water Resources (IDWR). It contains abstracts of claims by the United States and Indian Tribes to "non-consumptive" water rights (such as instream flows) throughout the Snake River Basin. The abstracts summarize the claims without substantively changing the water right as claimed. The Supplemental Director's Report Part II includes abstracts of claims not included in the Director's Report Part II. The supplemental report also includes abstracts of amended claims, which contain changes to claims previously abstracted in the Director's Report Part II.

The Director's Report Part III contains the claims filed for these water rights, and includes both the claim documents and maps. The Supplemental Director's Report Part III includes claims not included in the Director's Report Part III, as well as amended claims which contain changes to claims included in the Director's Report Part III.

Complete copies of Part II of the reports are available for inspections at all offices of IDWR and at the other locations printed on this notice. Complete copies of Part III of the reports are available for inspection at the State Office of IDWR and the SRBA District Court. Copies of all or a portion of the reports are available from the IDWR State Office subject to payments of costs of mailing and/or copying.

OBJECTIONS TO DIRECTOR'S REPORT

You may file an objection to any portion of the Director's Reports with the SRBA District Court. You must use a court approved objection form that is available from IDWR, which contains instructions for filing the objection. All objections must be received by the court on or before October 16, 1995. You must mail a copy of your objection to IDWR and the United States as shown on the objection form. If you are objecting to an abstract of a claim filed by an Indian tribe, you must also mail a copy of the objection to the tribe at the address shown in the report.

RESPONSES TO OBJECTIONS

The United States and the Indian Tribes may file a response to an objection with the SRBA District Court.

PARTIAL DECREE OF UNCONTESTED PORTIONS OF DIRECTOR'S REPORT

Those portions of the Director's Report to which no objections are filed will be decreed by the district court after a hearing to be held at 1:30 p.m., May 21, 1996 at the SRBA Courthouse in Twin Falls.

NOTICE OF FURTHER PROCEEDINGS

You will be mailed a notice of further proceedings on an objection to **your water right, your objection, or your response**. You will not be mailed notice of other objections or proceedings on other objections.

Notice of other objections and responses to other objections will be included on a monthly docket sheet distributed by the SRBA District Court. A subscription to the docket sheet may be obtained from the court for a small annual fee (\$7.50 for the calendar year 1995).

IDWR has filed or will file Director's Reports for all other claims within the Snake River Basin, one for each of the reporting areas in the Snake River Basin. Notice of the filing of these reports, and of further proceedings on these reports, will also be included in the docket sheet.

You may be affected by orders and decrees entered by the court in proceedings on other objections and proceeding on other reports. **It is very important that you subscribe to the docket sheet** if you wish to stay informed of these other proceedings. For further information as to documents filed with the court and hearings scheduled before the court in the SRBA, you must inquire at the SRBA District Court.

FURTHER INFORMATION

The court has adopted procedures for the post-report phase of the SRBA, which are set forth in the order of the court entitled "SRBA Administrative Order No. 1." A copy of this order can be obtained from the State Office of IDWR or the SRBA District Court.

If you have questions about the SRBA, please call any office of IDWR listed in this notice. If you have questions concerning your rights and responsibilities as a claimant in the SRBA, please consult your attorney.

R. KEITH HIGGINSON

Director, Idaho Department of Water Resource

AJ0749NP
No. R65-05092

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

DATE: 04/01/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JAY L HAWKINS	04/01/1946	IRRIGATION	03-15 11-15	0.06 CFS	
C	SHELLY R HAWKINS					
TOTAL DIVERSION:					0.06 CFS	

Water Source: UNNAMED STREAM

Tributary to: PAYETTE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T06N R02W S05 Lot02(NWNE)

GEM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
06N	02W	5	:				03	:												3.0
TOTAL ACRES																			3.0	

POU County: GEM

Remarks: GEN USE OF THIS RIGHT WITH RIGHT NO. 65-02017 & 65-05091 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.95 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 113 ACRES IN A SINGLE IRRIGATION SEASON.

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

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

Comments: Date: 03/25/1996 User-ID: KWALKER Subject: OWNERSHIP CHANGE CHANGED OWNERSHIP ON THIS RT. TO MATCH THE "A" CLAIM. SEE OWNERSHIP CHANGE DOCUMENTS IN FILE.

Date: 04/01/1996 User-ID: KWALKER Subject: PRBA STIPULATION THIS RECORD REFLECTS THE PRBA STIPULATION, NO ADDITIONAL FIELD EXAM OR CVR REQUIRED.

Audit: 04/01/96 KWALKER

MICROFILMED
OCT 21 1996

AJ0749NP
No. R65-05092

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

DATE: 03/25/96
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JAY L HAWKINS	04/01/1946	IRRIGATION	03-15 11-15	0.06 CFS	
C	SHELLY R HAWKINS					
	4076 SUNTREE			TOTAL DIVERSION:	0.06 CFS	
	BOISE ID 83706					
	(208) 385-0630					

Water Source: UNNAMED STREAM

Tributary to: PAYETTE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T06N R02W S05 Lot02(NWNE)

GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
06N	02W	5	:				03	:												:	3.0
																				TOTAL ACRES	3.0

POU County: GEM

Remarks: GEN USE OF THIS RIGHT WITH RIGHT NO. 65-02017 & 65-05091 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.95 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 113 ACRES IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: Verified Date:

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

Comments: Date: 03/25/1996 User-ID: KWALKER Subject: OWNERSHIP CHANGE
CHANGED OWNERSHIP ON THIS RT. TO MATCH THE "A" CLAIM. SEE
OWNERSHIP CHANGE DOCUMENTS IN FILE.

Audit: 03/25/96 KWALKER

MICROFILMED
OCT 21 1996

MEMORANDUM

A65-05092

April 6, 1995

TO: Any PRBA Claim with a Stipulation
FROM: RON HOWERTON

RE: RECOMMENDATIONS/STIPULATION

I. CONVERSATION WITH DON SHAFF:

1. Met with Don 4/5/95 at S.O. on how to proceed with "R" file recommendations.
2. Don re-confirmed that the stipulation amends the "A" claim, thus for the split ownership of this right both the "A" and "R" files can be completed.
3. He said that because of the stipulation no field exam is needed, nor do I need to print a CVR. In place of the CVR I'm to print out a profile report with comments pertaining to the stipulation.
4. I asked him if the copy of the stipulation he gave me had enough signatures on it to make the recommendation? He said yes.

II. CONVERSATION WITH JEFF PEPPERSACK

1. Met with Jeff 4/5/95 at S.O. asked if he had any paperwork pertaining to how much water was recommended for this right. He said that he thought Dan Steckel had all of it.

III. CONVERSATION WITH DAN STECKEL

1. Called Dan at S.O. 4/6/95 asked if he had the paperwork that showed how much water was to be recommended for this right. He said Don had it in his Boyd Jackson's file.

IV. CONVERSATION WITH DON SHAFF

1. Called Don at S.O. 4/6/95 asked him if he had the paperwork for the amount of water recommended? He said yes he did. He said that eventually that file would come over to Western. I asked if I needed to put the paperwork showing how much water was to be recommended in that file? He said yes, but it may be several months before he would send that file to us. So I asked was it necessary for me to have it to make the "R" file recommendation? He said no, proceed with the recommendations.

May 23, 1995

SPRING MEETING WITH DAVE SHAW & HIS ATTORNEYS:
Ref: OWNERSHIP CHANGES

1. Dan Steckel said that after an ownership change has been made, he needs a copy of the Ownership Change when completed. He doesn't need a copy of the claim.
2. During our conversation with Dave Shaw and Don Shaff, the Attorney's were in agreement that the stipulation's we have copies of now can be used to amend the "A" claim the same way as a Transfer would.
3. A recently licensed permit can also be used to amend the claim with an ownership change with an added requirement. A letter must accompany the ownership changed claim, stating that the claimed permit was licensed since this claim was filed, the claim has been revised to correspond to the licensing. If they have any difficulty with this clarification, they need to contact our office within 30 days of the letter. (The "A" claim is given a "T" status for the 30 day period.

MICROFILMED
OCT 21 1996

AJ5809NP
No. R65-05092

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/25/96
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FONDA E FRASIER	04/01/1946	IRRIGATION	03-15 11-15	0.06 CFS	
C	R RICHARD FRASIER					
	1111 BIG 4 AVE					
	EMMETT ID 83617					
	(208) 365-3868					
				TOTAL DIVERSION:	0.06 CFS	

Water Source: UNNAMED STREAM

Tributary to: PAYETTE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T06N R02W S05 Lot02(NWNE)

GEM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE														
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
---	---	---	---	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	---
06N	02W	5	:				03	:					:					:							:	3.0
																							TOTAL ACRES	3.0		

POU County: GEM

Remarks: GEN USE OF THIS RIGHT WITH RIGHT NO. 65-02017 & 65-05091 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.95 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 113 ACRES IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: Verified Date:

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

Audit: 08/20/92 SHAFF 08/21/92 SHAFF 08/25/92 SHAFF 03/30/95 POST-STD

MICROFILMED
OCT 21 1996



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

October 13, 1993

Re: Notices of Claim to a Water Right Nos. A65-02017A, A65-05091,
A65-05092, A65-05093, A65-05094, A65-05095

Jay L. Hawkins
Shelly R. Hawkins
4076 Suntree
Boise, ID 83706

Mr. & Mrs. Hawkins:

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
Enclosure

MICROFILMED
AUG 03 1994

October 16, 1991

MEMO TO FILES: A65-02017A and A65-02017B

FROM: Anna Baumhoff

This Water Right was not determined in the Payette Adjudication, the objection filed by Frasier remains un-resolved at this time. Don Shaff indicated that the claims should be accepted as filed with the changes entered and no fees required. (same for right Nos. A65-05091 and A65-05092)

It appears for the claim filed by Larry William Conrad, that a portion of the lands covered by the original Payette right has been sold, therefore the two claims have been data entered under split designations;

"A" Frasier claimed the entire right and,
"B" Conrad claimed part of the right.

I entered Conrad's claim exactly as the claim form was filed, this includes some conflicting information...

The map indicates that the 19 acres being claimed are located in the SE⁴NW⁴ Sec. 4 T6N, R4W; the claim indicates that the place of use is in the NW⁴SE⁴ Sec. 4 T6N, R4W. This will need to be resolved. Also the claim was changed under item #7 to claim a total of 0.3363 cfs, but the claimed use, item #6, was entered under the acre feet blank as 0.630 I entered both as rates with the amounts indicated...

This right will be resolved under the Objection filed in the Payette Adjudication prior to the recommendation period for the SRBA; therefore, I did not attempt to resolve these discrepancies at this time..

MICROFILMED

AUG 03 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 18, 1990

Mr. and Mrs. R. Richard Frasier
1111 Big 4 Ave.
Emmett, ID 83617

RE: Notice of Claim to a Water Right A65-02017, A65-05091,
A65-05092, Gem County

Dear Mr. and Mrs. Frasier:

We are returned the enclosed claims which you filed for your property in Gem County because we are unable to process them without the required fees.

Water rights which were determined by the court in the Payette Drainage Adjudication are exempt from fees only if the water right is claimed as it was decreed. The change in the source (Item 2) and conditions of the water right (Item 14) reflect a change in the water right.

Therefore, the applicable filing fees are as follows:

A65-02017	\$163.00
A65-05091	50.00
A65-05092	50.00

These fees must accompany these claims before we can process them in the Snake River Basin Adjudication. If the claims are returned with the correct filing fee by June 18, 1990, late fees will not be assessed. Please do not hesitate to contact this office if you have any questions or need assistance.

Sincerely,

Donald V. Shaff
for Donald V. Shaff
Manager, Adjudication Section

Notices of Claim
Instructions for Decreed Rights

MICROFILMED

AUG 03 1994

*Tele call from T. Frasier, June 18, 1990
Discussed claims, Payette Adj, objection, fees.
Will fix source on 17 back to Pine Gulch
return to me; exempt from fees. 5-24-90*

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

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

NOTICE OF CLAIM

IDENT. NO.

MAP NO.

TO A

WATER RIGHT

R. RICHARD FRASIER & /OR FONDA E.

Notice is hereby given that

~~Richard C. Conley and/or Dona F. Conley~~

(Name of Claimant)

Rt 2, Box 72, Emmett, Idaho 83617

(Mailing Address)

claims a right to the diversion

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

The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) April 1, 1946

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

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: (Both Dates Inclusive)

Use Irrigation Period of Use From April 15 To Oct. 15
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)

Use Period of Use From To
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)

Use Period of Use From To
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)

(4) Quantity of water claimed: 0.02 Cubic Feet Per Second, or 14 AFA Acre Feet Per Annum, and/or Gals. Per Minute.

(5) A) Point of Diversion: Give location of point where water is diverted from its source NW 1/4 NE 1/4, Sec. 5, Twp. 6N, Rge. 2W, B.M.; additional points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. diversion dam and ditch

(6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	2W	5			3.0														3.0

Total No. of acres 3.0

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

(7) Effluent, sewage waste, or return water from this use is discharged into Payette River

(8) If you are claiming water as a member of an organization, list name of organization.

(9) Remarks 6N 2W Map B parcel 45 THIS RIGHT WHEN COMBINED WITH RIGHT 65-5091 SHALL PROVIDE NO MORE THAN 0.02 CFS NOR 4.5 AFA.

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

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

☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No. 7-31-78

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

Individual

Richard C. Conley

(Signature of Claimant)

Organization

(Signature of Spouse)

(Signature of Authorized Agent)

State of Idaho

County of Ada

ss.

Organization Seal

On this 19th day of August, 1971, in the year 1971, before

a notary public, personally appeared

RICHARD C. CONLEY

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

Notary Public residing at

Kenneth H. Jett
Boise, Idaho

My commission expires

May 26, 1974

DN. 5-10-77

DRT 2-6-78

LARRY ECHOHAWK
Attorney General

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

RECEIVED

FEB 19 1993

Department of Water Resources

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

IN THE MATTER OF THE GENERAL	)	
DETERMINATION OF THE RIGHT	)	CIVIL NO. 3667
TO THE USE OF SURFACE AND	)	
GROUNDWATERS OF THE PAYETTE	)	STIPULATION RESOLVING
RIVER DRAINAGE BASIN	)	OBJECTIONS TO WATER
	)	RIGHT NOS. 65-02017,
	)	65-05091, 65-05092

The Director of the Idaho Department of Water Resources, R. Keith Higginson and R. Richard Frasier and Fonda E. Frasier, by and through counsel, stipulate as follows:

1. That water right claim Nos. 65-02017, 65-05091, and 65-05092, be accepted and included in the Proposed Finding of Water Rights in the Payette River Drainage as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

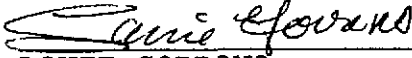
2. That R. Richard Frasier and Fonda E. Frasier withdraw all pending objections, including those based on the objection filed by Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown in July 1982, in the above captioned matter.

DATED this _____ day of _____, 1993.

LARRY ECHOHAWK
Attorney General

DANIEL L STECKEL
Deputy Attorney General
Department of Water Resources

DATED THIS 18th day of February, 1993.



LOUIE GORRANO
Attorney for R. Richard Frasier
and Fonda E. Frasier

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

JAMES R. DOOLITTLE
District Judge

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: BAINE GULCH			TRIBUTARY: PAYETTE RIVER			
65-02017	R. RICHARD FRASIER FONDA E. FRASIER 1111 BIG 4 AVE. EMMETT ID 83617	11/17/1904	IRRIGATION	03-15 11-15	2.00 CFS	LICENSE
	POINT OF DIVERSION: T06N R02W S04 LOT 5 (NWSW)					
	PLACE OF USE: IRRIGATION					
	T06N R02W S05 SWNE 27.0		SENE 6.0	Lot 6 (SENW)35.0	Lot 8 (NESE)12.0	
	Lot 7 (NWSE)33.0					
	113.0 ACRES TOTAL					
REMARKS:	USE OF THIS RIGHT WITH RIGHT NO. 65-05091 & 65-05092 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.95 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 113 ACRES IN A SINGLE IRRIGATION SEASON.					
	FOR RIGHT NOS. 65-02017 AND 65-05091 A DIVERSION RATE OF .034 CFS PER ACRE FOR 91 ACRES AND .02 CFS PER ACRE FOR 22 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.					
	THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-02437, 65-02463, 65-05091, AND 65-11249.					
65-05091	FONDA E. FRASIER R. RICHARD FRASIER 1111 BIG 4 AVE. EMMETT ID 83617	05/28/1925	IRRIGATION	03-15 11-15	1.95 CFS	BENEFICIAL USE
	POINT OF DIVERSION: T06N R02W S04 LOT 5 (NWSW)					
	PLACE OF USE: IRRIGATION					
	T06N R02W S05 SWNE 27.0		SENE 6.0	Lot 6 (SENW)35.0	Lot 8 (NESE)12.0	
	Lot 7 (NWSE)33.0					
	113.0 ACRES TOTAL					
REMARKS:	USE OF THIS RIGHT WITH RIGHT NO. 65-02017 & 65-05092 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.95 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 113 ACRES IN A SINGLE IRRIGATION SEASON.					
	FOR RIGHT NOS. 65-02017 AND 65-05091 A DIVERSION RATE OF .034 CFS PER ACRE FOR 91 ACRES AND .02 CFS PER ACRE FOR 22 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.					
	THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-02017, 65-02437, 65-02463 AND 65-11249.					

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: UNNAMED STREAM		TRIBUTARY: PAYETTE RIVER				
65-05092	FONDA E. FRASIER R. RICHARD FRASIER 1111 BIG 4 AVE. EMMETT ID 83617	04/01/1946	IRRIGATION	03-15 11-15	.06 CFS	BENEFICIAL USE
TOTAL QUANTITY:					.06 CFS	
POINT OF DIVERSION: T06N R02W S05 LOT 2 (NWNE)						
PLACE OF USE: IRRIGATION T06N R02W S05 SWNE 3.0 3.0 ACRES TOTAL						
REMARKS: USE OF THIS RIGHT WITH RIGHT NO. 65-02017 & 65-05091 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.95 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 113 ACRES IN A SINGLE IRRIGATION SEASON.						



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CFCIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 8, 1993

R. Richard Frasier
1111 Big 4 Ave.
Emmett, ID 83617

RE: Payette River Basin Adjudication

Dear Mr. Frasier,

This letter is in response to your telephone request on July 7, 1993. Apparently, some confusion has been created over the objection you filed in the Payette River Basin Adjudication before the Gem County Court. The proposed water rights capsulized below represent the apparently settled result to your objection in that adjudication. Resolving these water rights to the point of a decree awaits a couple of motions before the court the Department will make this year.

<u>Water Right No.</u>	<u>Priority Date</u>	<u>Amount (cfs)</u>
65-02017	11/17/1904	2.00
65-05091	05/28/1925	1.95
65-05092	04/01/1946	0.06

Use of these rights is limited to a total combined diversion rate of 3.95 cfs, a total combined annual consumptive use volume of 395.5 af, and to the irrigation of a combined total of 113 acres in a single irrigation season.

For right nos. 65-02017 and 65-05091 a diversion rate of .034 cfs per acre for 91 acres and .02 cfs per acre for 22 acres at the field headgate is included in the rate of diversion for the place of use described above.

I have limited the response to the contested water rights presuming you or other parties have adequate information about water rights that have already been decreed in the Payette adjudication. I hope you find this information helpful. If you have further questions, please don't hesitate to contact me.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:state

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FONDA E. FRASIER	04/01/1946	IRRIGATION	03-15 11-15	0.06 CFS	
C	R. RICHARD FRASIER 1111 BIG 4 AVE. EMMETT ID 83617 (208) 365-3868					
					TOTAL DIVERSION:	0.06 CFS

Water Source: UNNAMED STREAM Tributary to: PAYETTE RIVER Stage: BENEFICIAL USE

Point(s) of Diversion: T06N R02W S05 Lot02(NWNE) GEM County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE								
T	R S	: Lt Ac	NENE Lt Ac	SWNE Lt Ac	SENE Lt Ac	: Lt Ac	NENW Lt Ac	NWNW Lt Ac	SWNW Lt Ac	SENW Lt Ac	: Lt Ac	NESW Lt Ac	NWSW Lt Ac	SWSW Lt Ac	SESW Lt Ac	: Lt Ac	NESE Lt Ac	NWSE Lt Ac	SWSE Lt Ac	SESE Lt Ac	: SUM	
06N	02W 5	:				:					:					:					:	3.0
																				TOTAL ACRES	3.0	

POU County: GEM

Remarks: USE OF THIS RIGHT WITH RIGHT NO. 65-02017 & 65-05091 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.95 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 113 ACRES IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: Verified Date:

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

Tele' con 10/2/93 with E. Frasier

Div is Lot 2 (NWNE) where Conrad thru his Eastern most diversion takes water.



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

April 29, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

R. Richard Frasier
1111 Big 4 Avenue
Emmett, Idaho 83617

Re: Civil Case No. 3667 - Frasier, et al Objection 65-05092

Dear Payette River Water User,

In July 1982, Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown on behalf of themselves and others in the same class filed an Objection to the Findings with the Third Judicial District Court in the Payette River Basin Adjudication. The parties maintained the diversion rate recommended for their water rights and others from the Payette River were not correct for the "bottom lands" irrigated by those water rights.

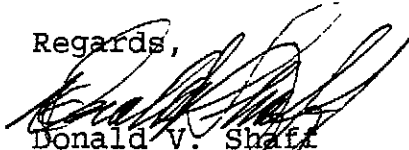
This group of water rights are among the last water rights remaining for decree in the Payette River Basin Adjudication. Most of the water rights were decreed on January 21, 1986 and in subsequent partial decrees.

Your water right referenced above was listed in the Proposed Finding with a diversion rate of 0.06 cubic feet per second (cfs). Having reviewed the data submitted by the parties and data and evidence obtained by the Department, the Department recommends a diversion rate of 0.06 cfs. If the amount of water is not proposed to change, data and/or evidence indicated a change was not justified.

The Department has made an effort to determine a fair and accurate diversion rate for each of the parties. If you disagree with the proposal above, please contact us by May 15, 1992. We hope to resolve any disputes that may exist before going to the court asking for a decree of your water right through a Motion for Summary Judgment.

A summary judgment allows the judge to make a decision without the time or expense of a trial when the facts are not disputed. Notice of this motion and the accompanying hearing will be provided to you 28 days before the hearing.

Regards,



Donald V. Shaff

Manager, Adjudication Section

DIVERSION RATE CALCULATIONS

Water Right No. 65-05092

Date 4/16/92

Initials JP

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

Conveyance Loss (see attached) =

TOTAL DIVERSION RATE = 0.06

Comments:

SEE FILE MEMO

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 587

INDICATES TOTAL

SOURCE: UNNAMED STREAM

TRIBUTARY TO: PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-5092	FRASIER, R. RICHARD & FRASIER, FUNDA E. ROUTE 2 BOX 72, EMMETT, IDAHO 83617 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-5091 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	4/ 1/1946	IRRIGATION	3/15 11/15	--- AFA .06 CFS	NWNE S 5 T 6N R 2W	SWNE(3) S 5 T 6N R 2W *3*	BENEFICIAL USE
65-10689	WATSON, LORNE W. & WATSON, DEBRA A. ROUTE 1, BOX 101, HERSEHIDE AND, IDAHO 83629	7/ 1/1946	STOCKWATER	1/ 1 12/31	2.00 AFA .04 CFS	LOT 1 S35 T 7N R 2E	LOT1 S35 T 7N R 2E	BENEFICIAL USE
65-2639	COOPER, LEWIS W. ROUTE 2 BOX 171, EMMETT, IDAHO 83617 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF EMMETT IRRIGATION DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	7/16/1958	IRRIGATION	3/15 11/15	--- AFA .54 CFS	NESE S 9 T 7N R 3W	SWSE(27) S 9 T 7N R 3W *27*	LICENSE
65-3795	HOOPES, DOROTHY J. BANKS, IDAHO 83602	6/ 1/1959	IRRIGATION	4/ 1 11/ 1	--- AFA .04 CFS	NWSE S29 T 9N R 3E	LOT 21 21 S29 T 9N R 3E *2*	BENEFICIAL USE
65-2695	COOPER, CLAYNE ROUTE 2, EMMETT, IDAHO 83617 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF EMMETT IRRIGATION DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	7/19/1961	IRRIGATION	3/15 11/15	--- AFA 1.20 CFS	NWNE S16 T 7N R 3W	SESW(3) S 9 T 7N R 3W NW(11) NENW(35) NWNW(7) SWNW(1) SENW(5) S16 T 7N R 3W *62*	LICENSE
65-10466	PETERSON, GARY J. & PETERSON, CLYDIE Y. BOX 487, CASCADE, IDAHO 83611	4/11/1967	IRRIGATION	4/15 10/15	--- AFA .14 CFS	SESE S12 T13N R 3E	SESE(7) S12 T13N R 3E *7*	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	.20 AFA .02 CFS *---*AFA *.14*CFS		SAME AS OTHER USE	
65-7020	DEINHARD, WILLIAM C/O GRANDVIEW FARMS, P.C. BOX 2777, BOISE, IDAHO 83701	12/18/1967	STOCKWATER	1/ 1 12/31	.70 AFA .02 CFS	SWSW S22 T18N R 3E	SWSW S22 T18N R 3E	LICENSE
65-7231	HOUSE, DONALD M. 4615 COLLISTER DRIVE, BOISE IDAHO 83703	8/30/1971	DOMESTIC	1/ 1 12/31	3.00 AFA .08 CFS	SWSW S11 T11N R 3E	SWSW S11 T11N R 3E	LICENSE



State of Idaho
DEPARTMENT OF WATER RESOURCES

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May 15, 1991

R. Richard Frasier
1111 Big 4 Avenue
Emmett, ID 83617

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Re: Civil Case No. 3667
Frasier, et al Objection 65-05092

Dear Payette River Water User,

In July 1982, Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown on behalf of themselves and others in the same class filed an Objection to the Proposed Findings with the Third Judicial District Court in the Payette River Basin Adjudication. The parties maintained the diversion rate recommended for their water rights and others from the Payette River were not correct for the "bottom lands" irrigated by those water rights.

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

Your water right referenced above was listed in the Proposed Finding with a diversion rate of .06 cubic feet per second (cfs). You will find enclosed a two-page form that when completed by you will describe your water delivery system and irrigation methods. The information you supply is essential in order for the staff of the Department to evaluate your irrigation water requirements. Much of the information required is technical, and you may wish to contact the Soil Conservation Service or other professionals for assistance with the form.

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

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

Regards,

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

Donald V. Shaft
Manager, Adjudication Section

CONVERSATION MEMORANDUM

DATE 8/29/86

FILE 65-5092

NAME OF PARTY R. Richard Fraser

EMPLOYEE John K. Noyes

RE: Mr. Fraser claims there is very little water
coming from the unnamed stream. Rhine
Sluck is his main source of water.

Recommend that this claim remain
as submitted