

PERMITS / 03 65

PERMITS

IDAHO DEPARTMENT OF WATER RESOURCES

T09N, R05W, S33



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-06021

OWNER(S): AMERICAN FINE FOODS

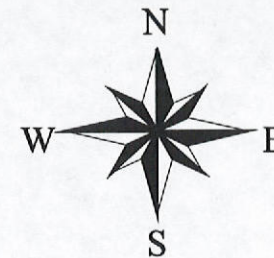
DATE: DECEMBER 5, 2000

By: Mel Schulte

0 0.25 0.5 0.75 1 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

T09N, R05W, S33



1987 NAPP PHOTO

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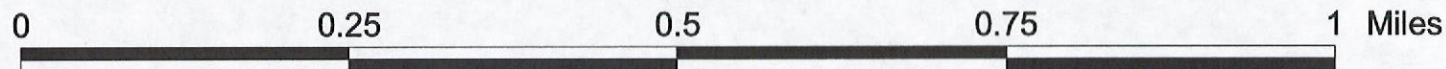
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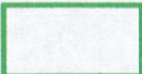
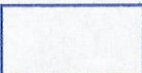


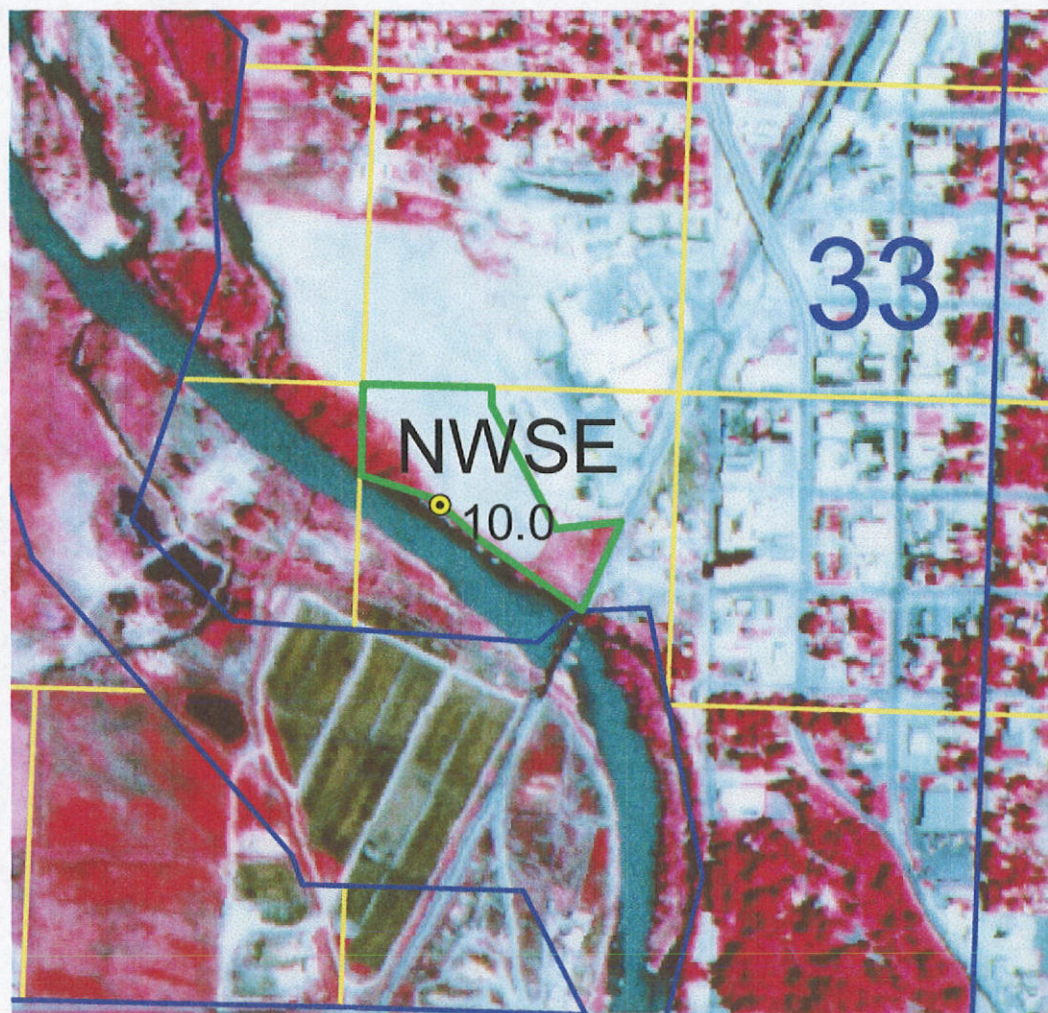
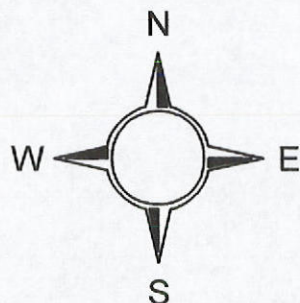
Idaho Department of Water Resources

Claim Number: 65-06021

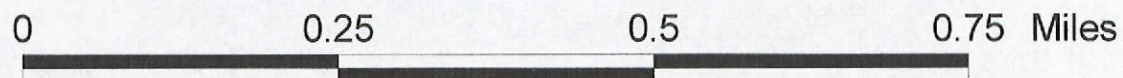
Legal: T09N, R05W, S33

Reviewed By:

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



1987 Napp Photo



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: 65-06021

DATE RECEIVED: 4/11/90

RECEIPT NO: 999999

RECEIVED BY: RAS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: AMERICAN FINE FOODS INC.

ADDRESS: P.O. BOX 460

PAYETTE, ID

83661

2. DATE OF PRIORITY: JUL 01, 1940

3. SOURCE: PAYETTE RIVER

TRIB. TO:

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF 1/4 OF 1/4	LOT	COUNTY
09N	05W	33		2	PAYETTE

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S	(OR)	A.F.A.
IRRIGATION	03/15	11/15	0.200		

7. TOTAL QUANTITY APPROPRIATED IS:

0.200 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
09N	05W	33	NW SE	2	IRR	10.0

SECTION ACRES 10.0

TOTAL ACRES 10.0

65-06021

PAGE

1

DATE: 01/23/90

4236

MICROFILMED
SEP 23 1992

11. PLACE OF USE IN COUNTIES: PAYETTE, PAYETTE

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

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: DECREE

CASE NUMBER:

COURT :

DECREE DATE: 1/21/1986

STATE OF IDAHO
DECREE PLAINTIFF

VS

A & C CORP., ET AL.
DECREE DEFENDANT

MICROFILMED

SEP 23 1992

(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.

SEP 23 1992



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.

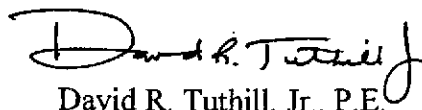
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without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

12/05/2000

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

RIGHT NUMBER: 65-6021

NAME AND ADDRESS: AMERICAN FINE FOODS INC
PO BOX 460
PAYETTE, ID 83661

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.2 CFS

PRIORITY DATE: 07/01/1940

POINT OF DIVERSION: T09N R05W S33 LOT 2 NWSE Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	0.20 CFS

PLACE OF USE:

IRRIGATION Within PAYETTE County
T09N R05W S33 LOT 2 NWSE 10

10 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 LOWER PAYETTE
DITCH CO.

WR5809NP
No. 65-06021

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/11/00
PAGE: 22

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	AMERICAN FINE FOODS INC. P.O. BOX 460 PAYETTE ID 83661	07/01/1940	IRRIGATION	03/15 11/15	0.200 CFS	
TOTAL DIVERSION:					0.200 CFS	

Water Source: PAYETTE RIVER

Tributary to: *Snake*

Stage: DECREED

Point(s) of Diversion:

T09N R05W S33 Lot 02*WNSE*

PAYETTE County

Place of use Legal Description for: IRRIGATION

NE								NW								SW								SE								
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM			
09N	05W	33	:																													
																								02-10	:	10.0						
TOTAL ACRES																									:	10.0						

Pou County: PAYETTE

Other Water Rights Listing Overlapping Place(s) of use:
65-00165X 65-11413

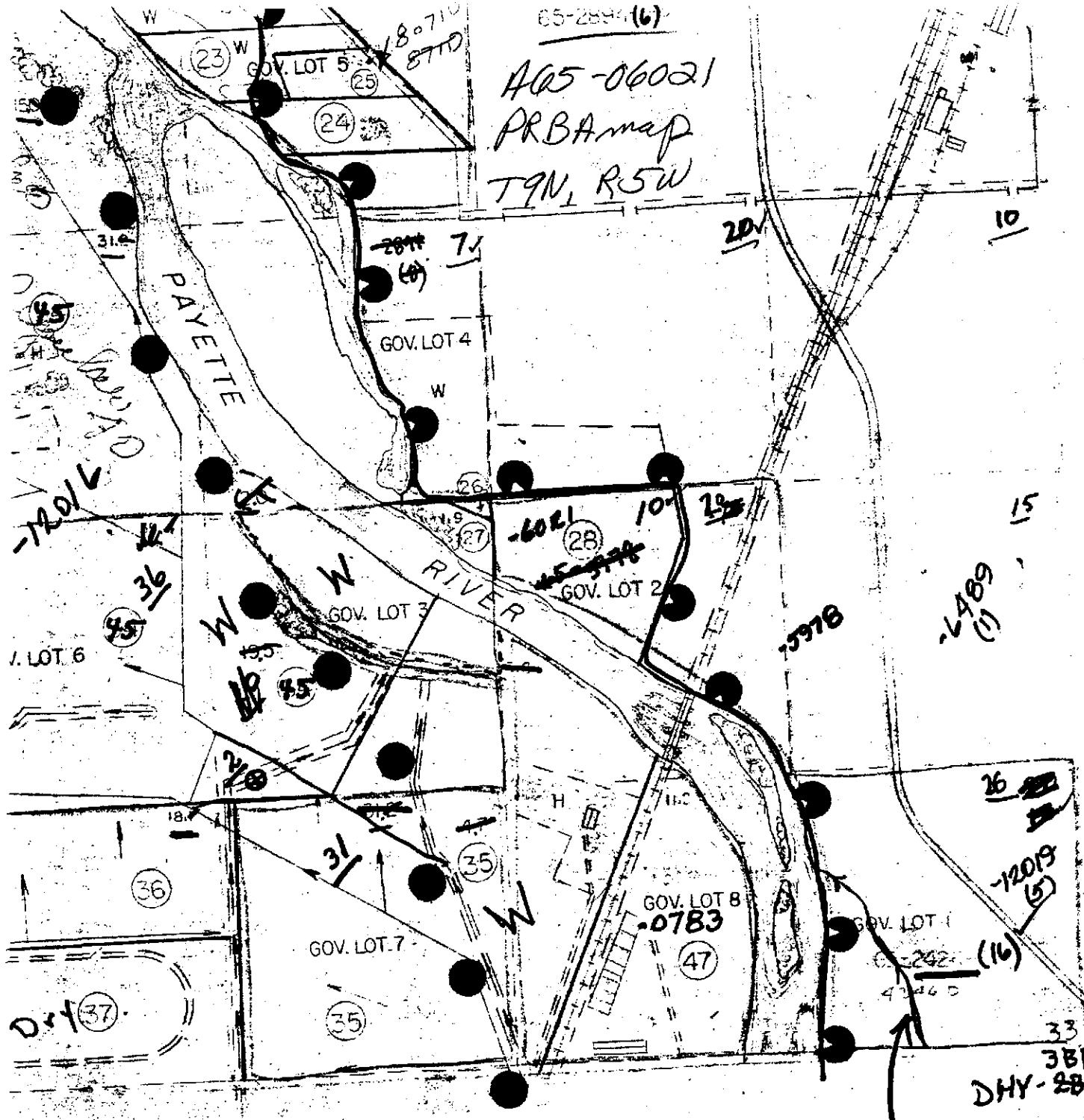
Dates:	App. Received:	Priority Date:	07/01/1940
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

C18 + W28

65-2894 (6)

405-06021
PRBA map
T9N, R5W



FORTY-NINE
SLOUGH

3BB-62
DHY-288-273

PERMITS

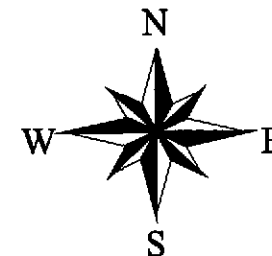
Map Reviewed N. of
Payette River DNR 5/22/78

03

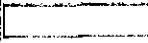
65

IDAHO DEPARTMENT OF WATER RESOURCES

T09N, R05W, S33



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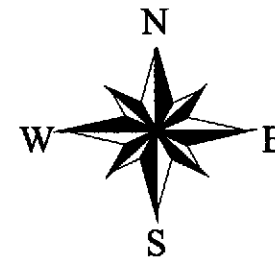
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DATE: DECEMBER 5, 2000

By: Mel Schulte



A05-6021

MAR 92, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 270

INDICATES TOTAL

SOURCE: 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
65-2393	FRY, JOHN A. HORSESHOE BEND, IDAHO 83629	11/10/1935	IRRIGATION	4/ 1 11/ 1	--- AFA .72 CFS	LOT 7 S27 T 7N R 2E	LCT 7(36) S27 T 7N R 2E *36*	LICENSE
65-10505	HENDRICKS, A. J. & HENDRICKS, IRENE M. STAR ROUTE, BOX 77C, PAYETTE, IDAHO 83661	5/ 1/1938	IRRIGATION	3/15 11/15	--- AFA 3.32 CFS	SESW S13 T 8N R 5W	NESW(35) NWSW(40) SESW(35) LOT 1(21) S13 T 8N R 5W LOT 1(30) LOT 2(5) S14 T 8N R 5W *166*	BENEFICIAL USE
65-2433	BLACK CANYON IRRIGATION DISTRICT NOTUS, IDAHO 83656 REMARKS: PLACE OF USE WITHIN LANDS OF BLACK CANYON IRRIGATION DISTRICT.	9/19/1938	IRRIGATION	3/15 11/15	--- AFA 1200.00 CFS	LOT 6 S22 T 7N R 1W	*57020*	LICENSE
65-11037	POWELL, JIM P. O. BOX 456, MERIDIAN, IDAHO 83642	4/ 1/1940	IRRIGATION	4/ 1 11/ 1	--- AFA .06 CFS	LOT 3 S20 T 9N R 4E	LOT 3(3) S20 T 9N R 4E *3*	BENEFICIAL USE
65-5800	AMERICAN FINE FOODS, INC. P.O. BOX 460, PAYETTE, IDAHO 83661	6/ 1/1940	STOCKWATER	1/ 1 12/31	46.90 AFA .77 CFS	LCT 2 S33 T 5N R 5W	LOT2 S33 T 9N R 5W	BENEFICIAL USE
65-6021	AMERICAN FINE FOODS, INC. P.O. BOX 460, PAYETTE, IDAHO 83661	7/ 1/1940	IRRIGATION	3/15 11/15	--- AFA .20 CFS	LCT 2 S33 T 9N R 5W	LOT 2(10) S33 T 9N R 5W *10*	BENEFICIAL USE
65-2448	ROBERTS, CLAYTON WATSON & ROBERTS, KENNETH T. & ROBERTS, GLORIA Y. HORSESHOE BEND, IDAHO 83629 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-2604 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	4/27/1944	IRRIGATION	4/ 1 11/ 1	--- AFA .16 CFS	LOT 8 S23 T 7N R 2E	SESW(11) LOT 8(14) S23 T 7N R 2E *25*	LICENSE
			DOMESTIC	1/ 1 12/31	1.20 AFA .02 CFS *---*AFA *.16*CFS		SAME AS OTHER USE	
65-5578	DAIRYMENS CREAMERY ASSOC., INC. BOX 549, PAYETTE, IDAHO 83661	4/ 1/1945	INDUSTRIAL	1/ 1 12/31	384.80 AFA 2.23 CFS	LOT 2 S33 T 9N R 5W	LOT2 S33 T 9N R 5W	BENEFICIAL USE
65-6591	DAWS, TED ROUTE 2, FRUITLAND, IDAHO 83619	4/ 1/1945	IRRIGATION	3/15 11/15	--- AFA .42 CFS	NENE S15 T 8N R 5W	NENE(19) NWSW(2) S15 T 8N R 5W *21*	BENEFICIAL USE

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM #: 65-06021 Date: 1-21-00

Overlapping POU Claim #'s: _____

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	9N	5W	33														02-10			10
GIS																	02-10			10
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

POU_ID #(s): 186

POD_ID #(s): 133

Total Claimed Acres: 10

Total GIS Acres: 10

COMMENTS:

No shapes in Contractor File

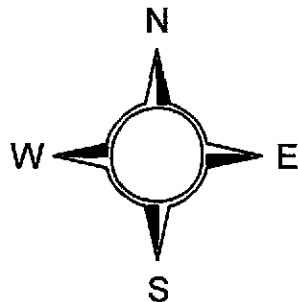
Idaho Department of Water Resources

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-  Place of Use
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0 0.25 0.5 0.75 Miles