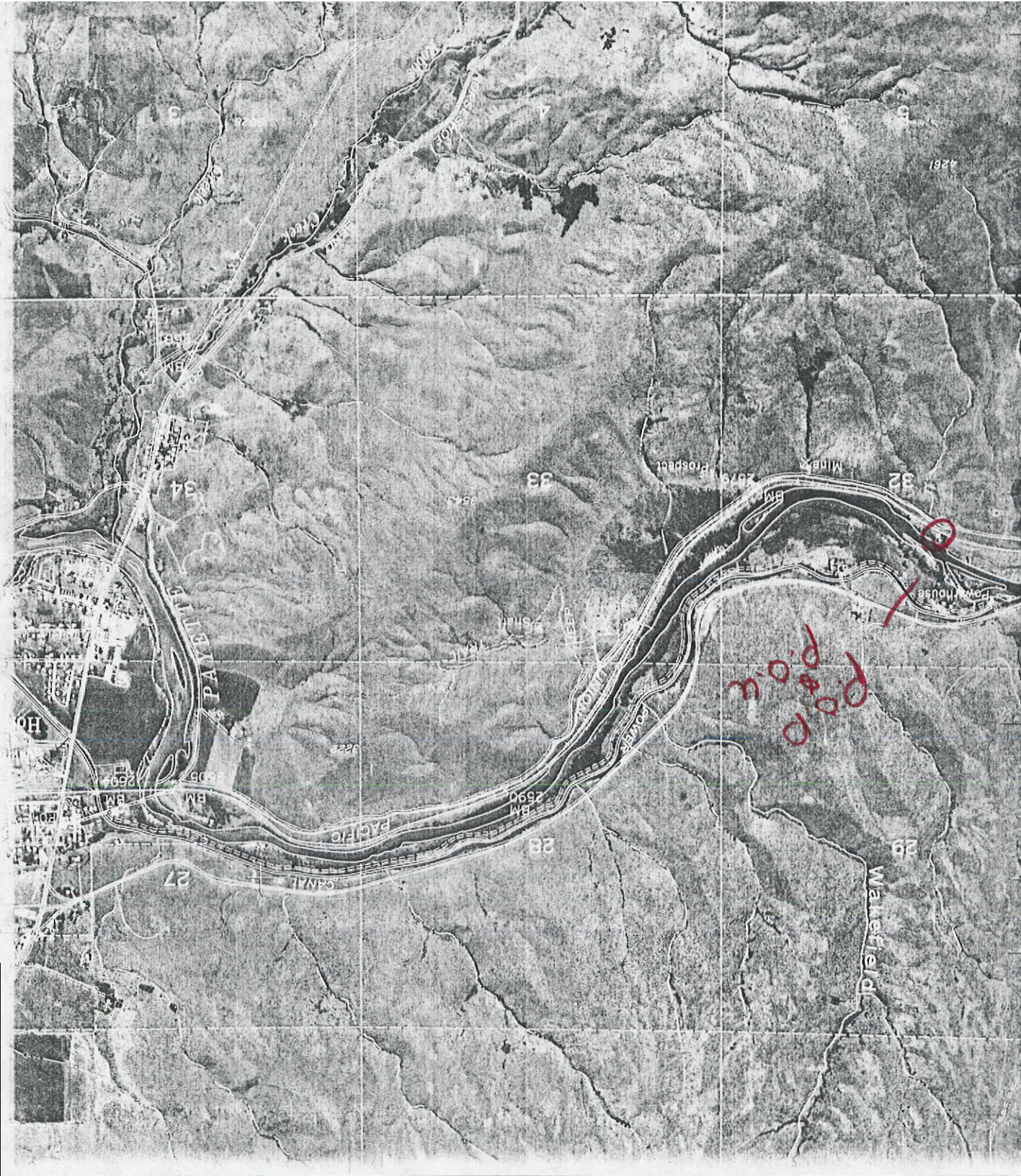




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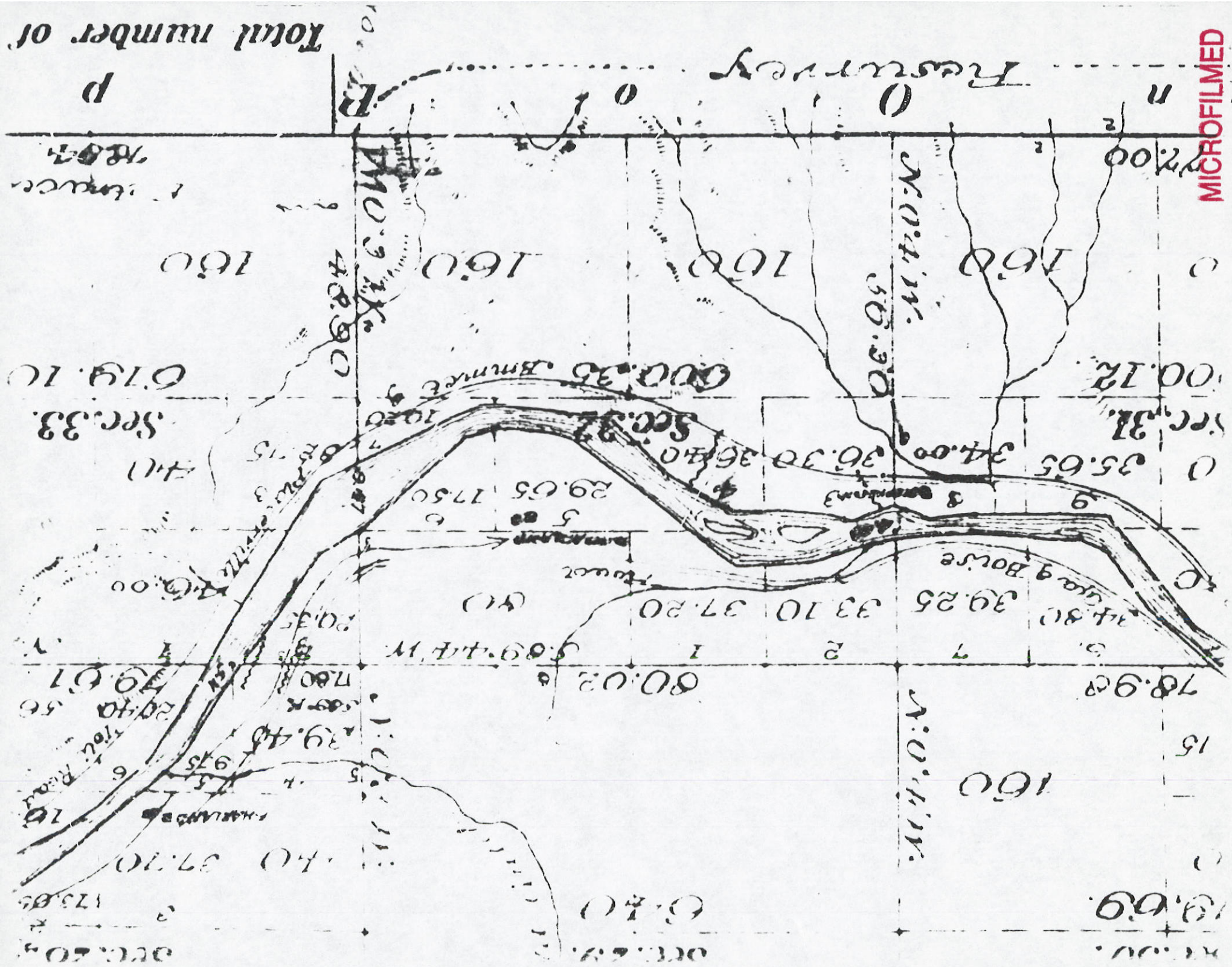
T6N

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465-07182

MICROFILMED

SEP 23 1992



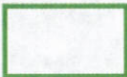
Idaho Dept. of Water Resources

Claim No(s): 65-07182

T07N, R02E, 32

Created by: Sue Bock

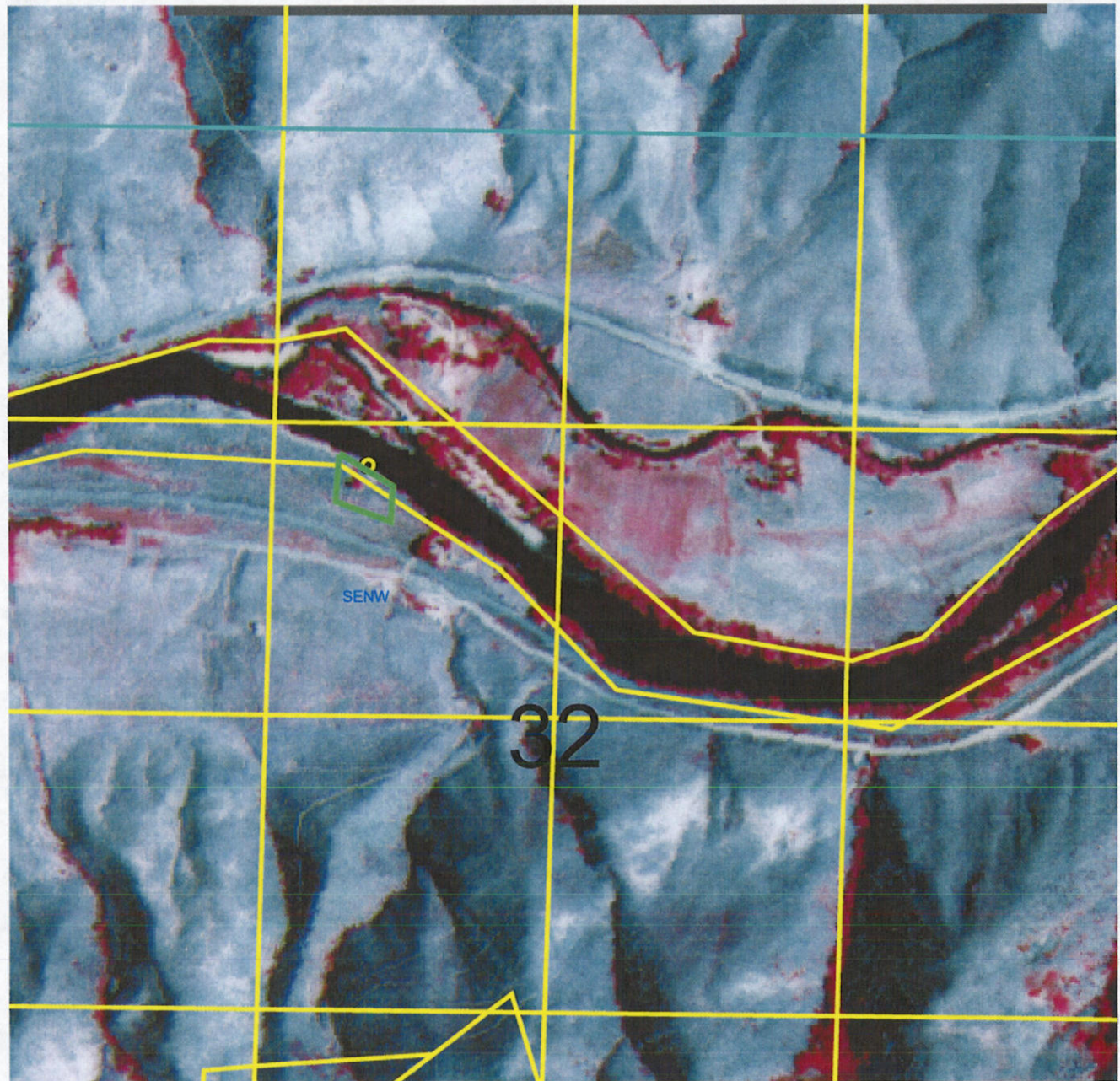
Date: 7/11/2000

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0 1000 2000 3000 Feet



1987 NAPP Photo

Idaho Dept. of Water Resources

Claim No(s): 65-07182

T7N, R2E, S 32

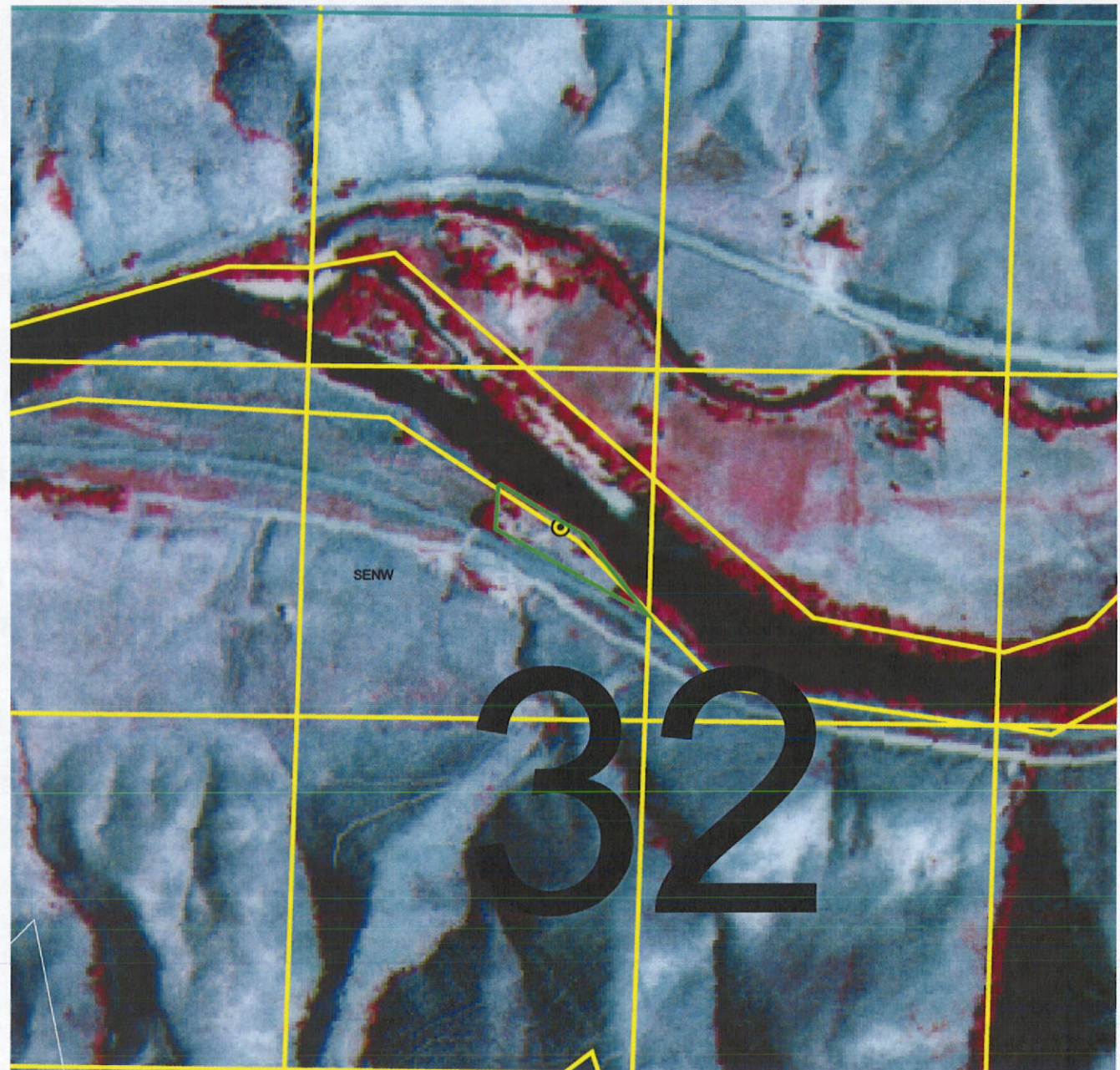
Prepared by: Sue Bock

Date: 5/10/2001

-  Place of Use
-  Point of Diversion
-  Section lines
-  1/4 1/4 lines



1000 0 1000 2000 Feet



1987 NAPP Photo

Idaho Dept. of Water Resources

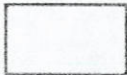
Point of Diversion

Claim No(s): 65-07182

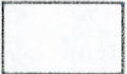
T07N, R02E, 32

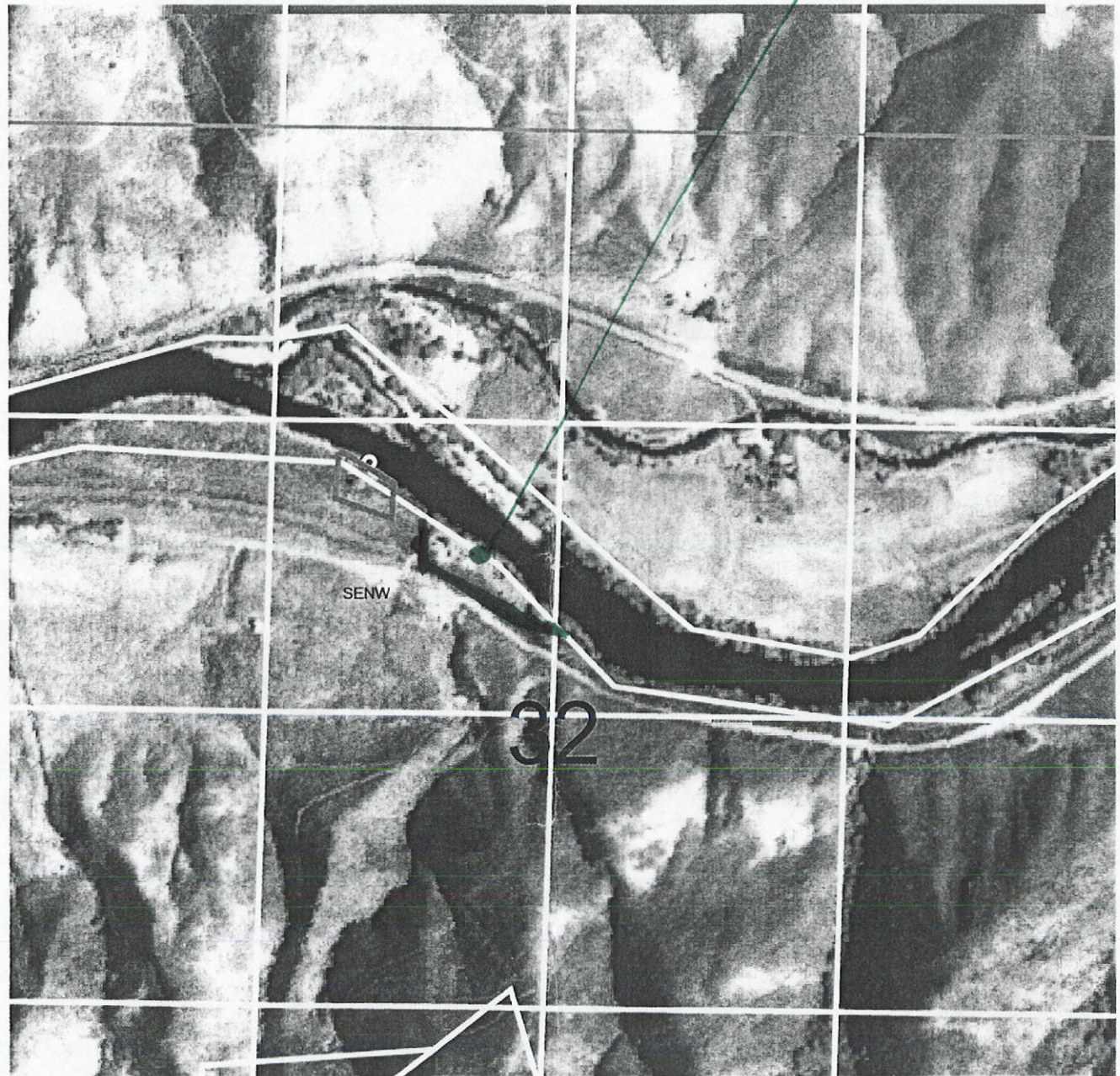
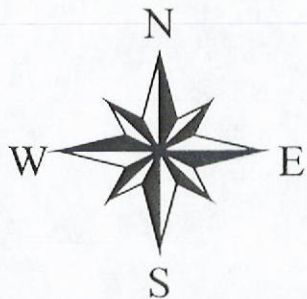
Created by: Sue Bock

Date: 7/11/2000

 Place of Use

 Point of Diversion

 Section lines
1/4 1/4 lines



0 1000 2000 3000 Feet

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: A65-07182
Date Received: 5/15/1989
Receipt No: X999999
Received By: EJR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VICTOR FRANS 208-793-2646
Address: RT. 1 BOX O. C.
HORSESHOE BEND, ID 83629

AND/OR

Name: KAREN FRANS 208-793-2646
Address: RT. 1 BOX O. C.
HORSESHOE BEND, ID 83629

2. Date of Priority: FEB 19, 1971

3. Source: PAYETTE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	02E	32	SE	NE		4	BOISE

5. Description of diverting works:
PORTABLE STREAM SIDE PUMP W/PIPELINE TO SPRINKLER IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.040		

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 1.40 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/2 HEAD MIXED

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	02E	32		4	IRR	2.0
Section Acres						2.0
Total Acres						2.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
NONE

14. Remarks:

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): *Richard Frank Jr.* Date: 5/15/89
_____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 15 day

of May 19 89

Eldon L. Roush
Notary Public

Seal

Residing at _____

My Commission Expires _____

Eldon L. Roush
Residing at Boise, Idaho
My Commission Expires September 8, 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: 65-07182
DATE RECEIVED:
RECEIPT NO:
RECEIVED BY: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: WILLIAM E. SIMMONS
ADDRESS: BOX 252
HORSESHOE BEND, ID 83629

NAME: PHILA SIMMONS
ADDRESS: BOX 252
HORSESHOE BEND, ID 83629

2. DATE OF PRIORITY: FEB 19, 1971

3. SOURCE: PAYETTE RIVER TRIB. TO: SNAKE RIVER

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
07N	02E	32	SE	NE			BOISE

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	04/01	11/01	0.040		
STOCKWATER	01/01	12/31	0.030		1.40

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

1.40 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 DF 1/4	LQT	USE	ACRES
07N	02E	32		4	IRR	2.0
SECTION ACRES						2.0
TOTAL ACRES						2.0

11. PLACE OF USE IN COUNTIES: BOISE, BOISE

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

13. OTHER WATER RIGHTS USED:

14. REMARKS:

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

STATE OF IDAHO
DECREE PLAINTIFF

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

16. SIGNATURE(S)

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

NUMBER OF ATTACHMENTS: _____

FOR INDIVIDUALS:

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

SIGNATURE OF CLAIMANT(S): _____ DATE: _____
_____ DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF

TITLE
_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS _____ OF

TITLE
_____ AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)
) SS.
COUNTY OF _____)

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS _____ DAY
OF _____ 19 _____

NOTARY PUBLIC

SEAL

RESIDING AT _____
MY COMMISSION EXPIRES _____



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FEET

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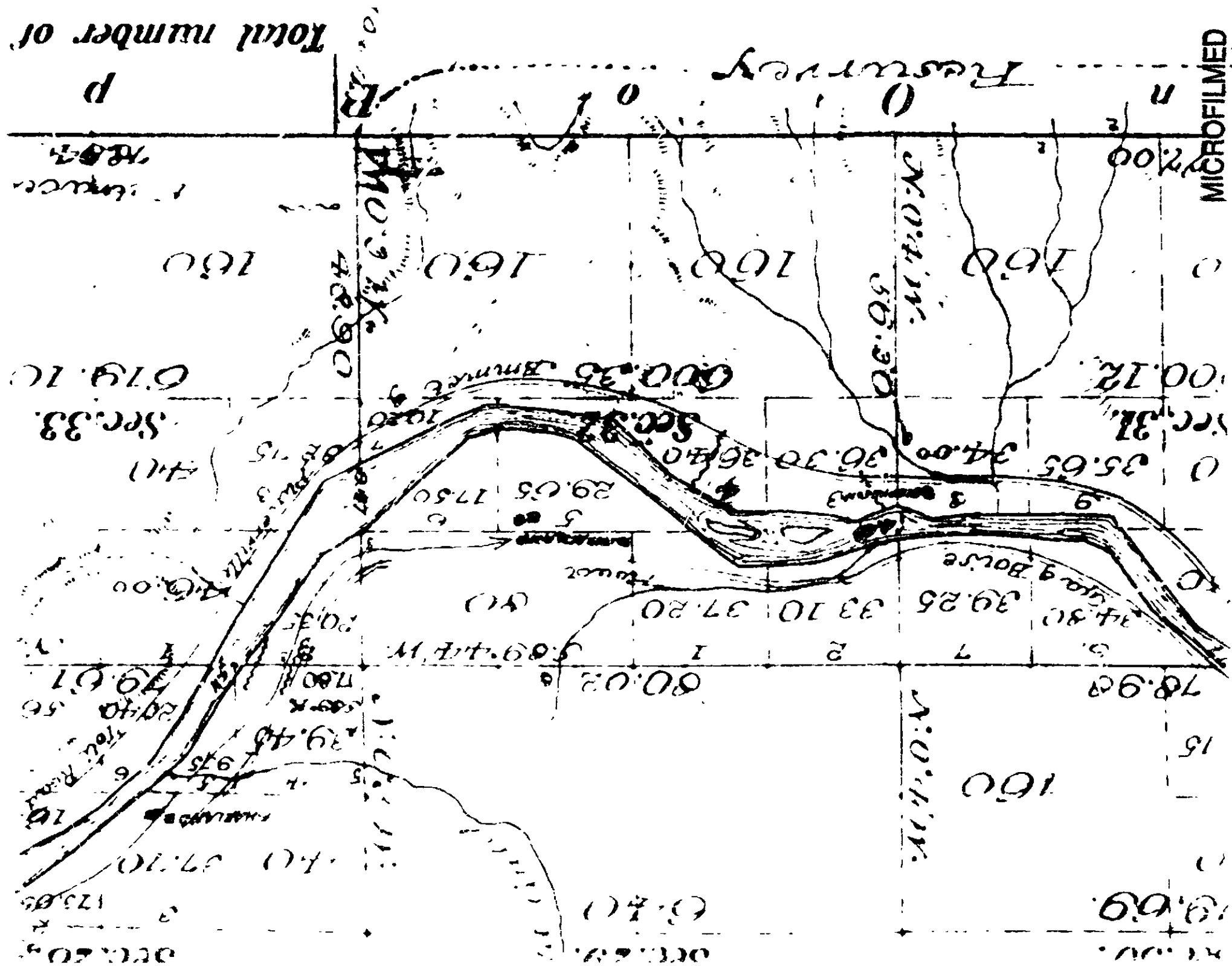
4850

T6N

T7N

865-07182

S



**NOTICE OF ERROR
REPLY**

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: 65-7182

KAREN FRANS
318 OLD EMMETT RD
HORSESHOE BEND ID 83629
Telephone Number: (208)793-2646

VICTOR FRANS
318 OLD EMMETT RD
HORSESHOE BEND ID 83629
Telephone Number: (208)793-2646

RECEIVED

MAY 09 2001

**WATER RESOURCES
WESTERN REGION**

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:

*POINT OF DIVERSION P.O.D. For This property
HAS BEEN USED prior to 1980 AND I HAVE MARKED
your MAP AS SUCH.*

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation: *Exceptions Noted P.O.D.*
~~no changes need to be made.~~

DATE: *5-7-01*

SIGNATURE: *Victor L. Frans Jr.*

Please print your name: *Victor L. FRANS Jr.*

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

*HOME PHONE (EVENINGS) 1-208-793-2646
ANYTIME DAY CELL 1 208-850-9897*

*Thank you
Vic*

10/30/2000

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

RIGHT NUMBER: 65-7182

NAME AND ADDRESS: KAREN FRANS
VICTOR FRANS
318 OLD EMMETT RD
HORSESHOE BEND, ID 83629

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.04 CFS

PRIORITY DATE: 02/19/1971

POINT OF DIVERSION: T07N R02E S32 LOT 4 SENW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 11-01	0.04 CFS

PLACE OF USE:

IRRIGATION Within BOISE County
T07N R02E S32 LOT 4 SENW 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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:25:28
06/10/00
717

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-07182

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	VICTOR FRANS	02/19/1971	IRRIGATION	04-01 11-01	0.040 CFS	
C	KAREN FRANS				0.040 CFS	1.40 AFA
Water Source: PAYETTE RIVER				Tributary to: SNAKE RIVER	Stage: DECREED	
Point(s) of Diversion: T07N R02E S32 Lot 04 (SENE)				TOTAL DIVERSION:	0.040 CFS	2.0
Lots Without 1/4 1/4 Description: IRRIGATION						
07N 02E 32 0602						
POU County: BOISE						
Non-Irrigation Uses: S/2 HEAD MIXED						
Other Rights: NONE						

Remarks: GEN ADDRESS CHANGE BY FAX TO KARL DREHER.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Confirmed location off of blue line
map on claims side

Desc of pool

Q18

WR5809NP
No. 65-07182

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/10/00
PAGE: 40

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
P	VICTOR FRANS RT. 1 BOX O. C. HORSESHOE BEND ID 83629 (208) 793-2646	02/19/1971	IRRIGATION STOCKWATER	04/01 11/01 01/01 12/31	0.040 CFS 0.030 CFS	1.40 AFA
TOTAL DIVERSION:					0.040 CFS	1.40 AFA
C	WILLIAM E. SIMMONS					
C	PHILA SIMMONS BOX 252 HORSESHOE BEND ID 83629					

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T07N R02E S32

SENE

BOISE County

Lots Without 1/4 1/4 Description: IRRIGATION
07N 02E 32 04-02

SUM
2.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Pou County:

Dates:	App. Received:	Priority Date:	02/19/1971
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

AJ0749NP
No. A65-07182

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

DATE: 07/17/98
PAGE: 1

RECEIVED
JUL 21 1998

WATER RESOURCES
WESTERN REGION

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	VICTOR FRANS	02/19/1971	IRRIGATION	04-01 11-01	0.04 CFS	
C	KAREN FRANS					
	318 OLD EMMETT RD					
	HORSESHOE BEND ID 83629					
	(208) 793-2646					
				TOTAL DIVERSION:	0.04 CFS	1.40 AFA

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T07N R02E S32 Lot04(SENE)

BOISE County

Lots Without 1/4 1/4 Description: IRRIGATION
07N 02E 32 04-02

2.0

POU County: BOISE

Non-Irrigation Uses: S/2 HEAD MIXED

Other Rights: NONE

Remarks: GEN ADDRESS CHANGE BY FAX TO KARL DREHER.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

July 16, 1998

Mr. Karl J. Dreher
State of Idaho
Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, Idaho 83720-0098

Subject: Domestic Water Right #65-11235
Victor Frans and Karen Frans
Boise County

Dear Mr. Dreher:

Please be advised that our Rural Route road has recently been assigned a street name.
Please change your records to the following:

Victor Frans
Karen Frans
318 Old Emmett Road
Horseshoe Bend, Idaho 83629

Thank you.

Sincerely,

Karen L. Frans

+ AGS-07182
~~AGS-11235~~

Records Modified 7-17-98.
NCAP prepared.

7-16-98
Karl took to Peter H.
to take care of. Process
NCAP soon
Thanks
Danni

Idaho Dept. of Water Resources

Claim No(s): 65-07182

T07N, R02E, 32

Created by: Sue Bock

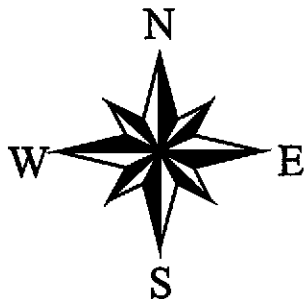
Date: 7/11/2000

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0 1000 2000 3000 Feet



1987 NAPP Photo



Idaho Dept. of Water Resources

Claim No(s): 65-07182

T7N, R2E, S 32

Prepared by: Sue Bock

Date: 5/10/2001

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



1000 0 1000 2000 Feet



1987 NAPP Photo

Idaho Dept. of Water Resources / Point of Diversion

Claim No(s): 65-07182

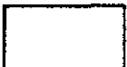
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Created by: Sue Bock

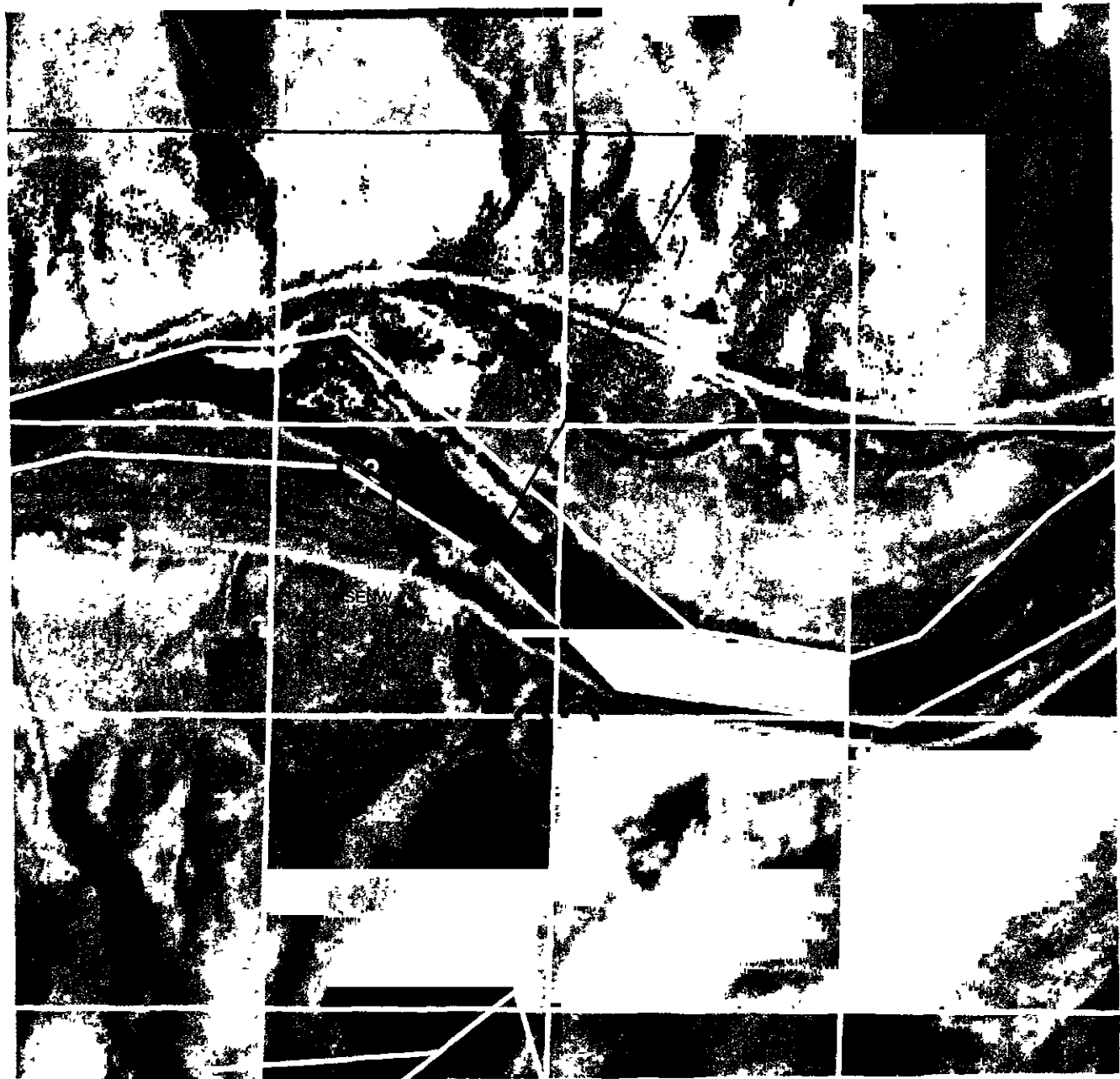
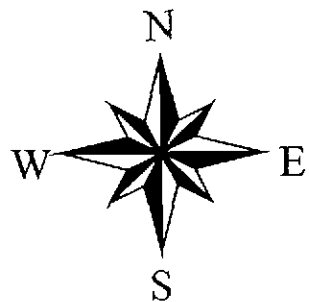
Date: 7/11/2000

 Place of Use

 Point of Diversion

 Section lines

1/4 1/4 lines



0 1000 2000 3000 Feet

1987 NAPP Photo



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.

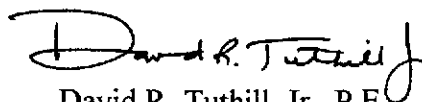
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without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