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In File

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 65-7259
Date Received: 2/6/90
Receipt No: X999999
Received By:

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

1. Name of Claimant(s)

THE ENTERPRISE DITCH CO
3733 LITTLE ROCK RD
EMMETT ID USA 83617-9784

Phone: (208) 398-8902

2. Date of Priority: 03/08/1972

3. Source: PAYETTE RIVER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	02W	11	6	GEM	
06N	02W	11		6	GEM

5. Description of diverting works:

ENTERPRISE DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.72	

7. Total Quantity Appropriated is:
0.72 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	02W	15	SW NW		IRRIGATION	36
Section Acres						36
Total Acres						36

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

LAND IS WITHIN THE SERVICE AREA OF THE ENTERPRISE DITCH CO
Address change by DB 5/14/2001

15. Basis of Claim: Decreed

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS OF NOTICE OF CLAIM

RECEIVED

MAY 14 2001

WATER RESOURCES
WESTERN REGION

[] Water Right Number(s):

65-10555

65-7259

65-7179

65-70A

[] Claimant Name(s):

ENTERPRISE DITCH CO.

[] Old Mailing Address:

8777 BILL BURNS RD.

EMMETT, ID. 83617-

[] New Mailing Address:

3733 LITTLE ROCK RD

EMMETT ID 83617-9784

Telephone Number:

(208) 398 - 8902

[] Signature of Claimant(s):

Frances Zumstein, Secretary

Date:

May 11, 2001

SCANNED

AUG 25 2003

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: A65-07259
Date Received: 2/06/1990
Receipt No: X999999
Received By: CF

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THE ENTERPRISE DITCH CO. 208-365-4851
Address: 8777 BILL BURNS RD.
EMMETT, ID 83617

2. Date of Priority: MAR 08, 1972

3. Source: PAYETTE RIVER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
06N	02W	11		6	GEM
				6	GEM

5. Description of diverting works:
ENTERPRISE DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.720		

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

8. Total consumptive use is 126.0 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	15	SW NW		IRR	36.0
Section Acres						36.0

A65-07259

Page 1

Date: 02/06/90

SCANNED

AUG 25 2003

MICROFILMED
SEP 23 1992

10. Place of Use: Continued

Total Acres 36.0

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

65-00070A, 65-00070X, 65-10555, 65-07846, 65-07845, 65-07179

14. Remarks:

LAND IS WITHIN THE SERVICE AREA OF THE ENTERPRISE DITCH CO.

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 Organizations:

I do solemnly swear or affirm that I am President of
Title
Enterprise Ditch Co that I have signed the foregoing
Organization
document in the space below as President of
Title
Enterprise Ditch Co and that the statements contained in the
Organization
foregoing document are true and correct. Mark L. Winward
Signature of Authorized Agent
Pres Enterprise Ditch Co
Title and Organization
Feb 6 - 1990
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 6th day
of February 19 90
Seal
Carter Fritschle
Notary Public

Residing at _____

My Commission Expires _____

Carter Fritschle, Notary Public
Residing at _____, Idaho
My Commission Expires March 21, 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

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

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

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

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

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

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

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

Sincerely,

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

05/15/2001

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

RIGHT NUMBER: 65-7259

NAME AND ADDRESS: THE ENTERPRISE DITCH CO
3733 LITTLE ROCK RD
EMMETT, ID 83617-9784

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.72 CFS

THIS RIGHT WHEN COMBINED WITH THE RIGHTS LISTED
BELOW SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE FOR
IRRIGAION. COMBINGED RIGHT NOS: 65-00070A, 65-00070X, 65-
07179 AND 65-10555. THIS RIGHT WHEN COMBINED WITH THE
RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 86.85 CFS. COMBINED RIGHT NOS: 65-
00070A, 65-00070X, 65-07179 AND 65-10555.

PRIORITY DATE: 03/08/1972

POINT OF DIVERSION: T06N R02W S11 LOT 6 NWSW Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	0.72 CFS

PLACE OF USE:

LAND IS WITHIN THE SERVICE AREA OF THE ENTERPRISE
DITCH CO

THIS RIGHT IS LIMITED TO THE IRRIGAION OF 36 ACRES
WITHIN THE BOUNDARIES OF THE ENTERPRISE DITCH CO IN A
SINGLE IRRIGATION SEASON

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-00070A, 65-00070X, 65-07179 & 65-10555.

03/09/2001

RECEIVED

APR 11 2001

WATER RESOURCES
WESTERN REGION

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: 65-7259

THE ENTERPRISE DITCH CO

8777 BILL BURNS RD

EMMETT ID 83617

Telephone Number: (208)365-4851

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

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

 I AGREE with this proposed recommendation: no changes need to be made.

DATE:

3/27/01

SIGNATURE:

Roy Whiteley

Please print your name:

ROY WHITELEY

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

SCANNED

AUG 25 2003

AJ5809NP
No. A65-07259

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/29/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THE ENTERPRISE DITCH CO 8777 BILL BURNS RD EMMETT ID 83617 (208) 365-4851	03/08/1972	IRRIGATION	03-15 11-15	0.720 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	0.720 CFS

~~126.00 AFA~~ delete

Water Source: PAYETTE RIVER

Tributary to: Snake River

Stage: DECREED

Point(s) of Diversion: T06N R02W S11 Lot06 (NE SW Lot06)

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	15	:																	36.0	
																				TOTAL ACRES	36.0

POU County: GEM

Other Rights: 65-00070A, 65-00070X, 65-10555, 65-07846, 65-07845, 65-07179

Remarks: GEN LAND IS WITHIN THE SERVICE AREA OF THE ENTERPRISE DITCH CO.

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

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

Audit: 02/06/90 FRITSCHL 03/30/95 POST-STD

See A65-00070A for additional information about the Enterprise Ditch Co. and its rights. See the loose leaf 20" X 26" map for a description of the ditch company boundary.

SCANNED
AUG 25 2003

WR5809NP
No. 65-07259

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/29/00
PAGE: 5

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THE ENTERPRISE DITCH CO. 8777 BILL BURNS RD. EMMETT ID 83617	03/08/1972	IRRIGATION	03/15 11/15	0.720 CFS	
TOTAL DIVERSION:					0.720 CFS	

Water Source: PAYETTE RIVER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T06N R02W S11 Lot 06()

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	:	SUM	
06N	02W	15	:													:	36.0	
																	TOTAL ACRES	36.0

Pou County: GEM

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

65-00034A 65-00034X 65-00070A 65-00070X 65-02561 65-07179 65-07845 65-07846 65-11320 65-11344

Dates: App. Received: Priority Date: 03/08/1972
Proof Due Date:
Exam Made Date: Proof Made Date:
Licensed Date: Exam Sent to S.O.:

Misc: Water District Number: 65 Field Exam Fee:

Audit: 09/16/86 04/30/88 CONVERT 09/22/90 RGTHE 07/24/92 PRODMGR

SCANNED
AUG 25 2003