

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 65-7604 Priority February 6, 1976 Amount .06 cfs

THIS IS TO CERTIFY that KENNETH N. GORDON
of Horseshoe Bend, Idaho has complied with the terms and conditions of Permit
No. 65-7604 issued pursuant to Application for Permit dated February 6, 1976
and has submitted proof to the Department of Water Resources on August 14, 1980
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of .12 cfs of water from Shafer Creek
tributary to Payette River and that the permit holder has applied to a beneficial use an
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>.06</u> cfs and	<u>10.5</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than .06 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
10.5 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, Twp. 6N,
Rge. 2E, B.M. in the County of Boise

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6N	2E	2							1	2									3

Total number of acres irrigated 3

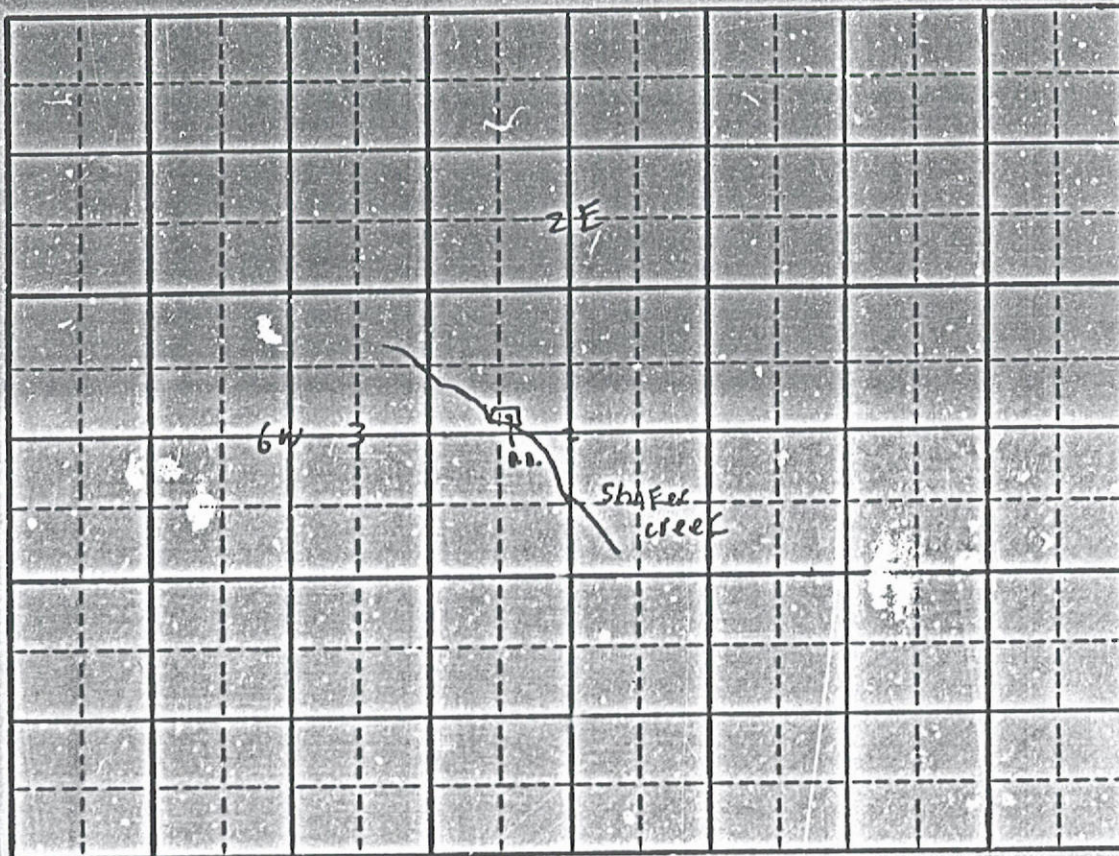
NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of
December, 19 80.

Director

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SE UW S 2 6N 2E

Place(s) of Use

TWP.	RGE.	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
6N	2E	2							1	2									3

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

Examiner's Signature Ind E. Mai

Date 17 SEP 7 1980

Checked by DBS

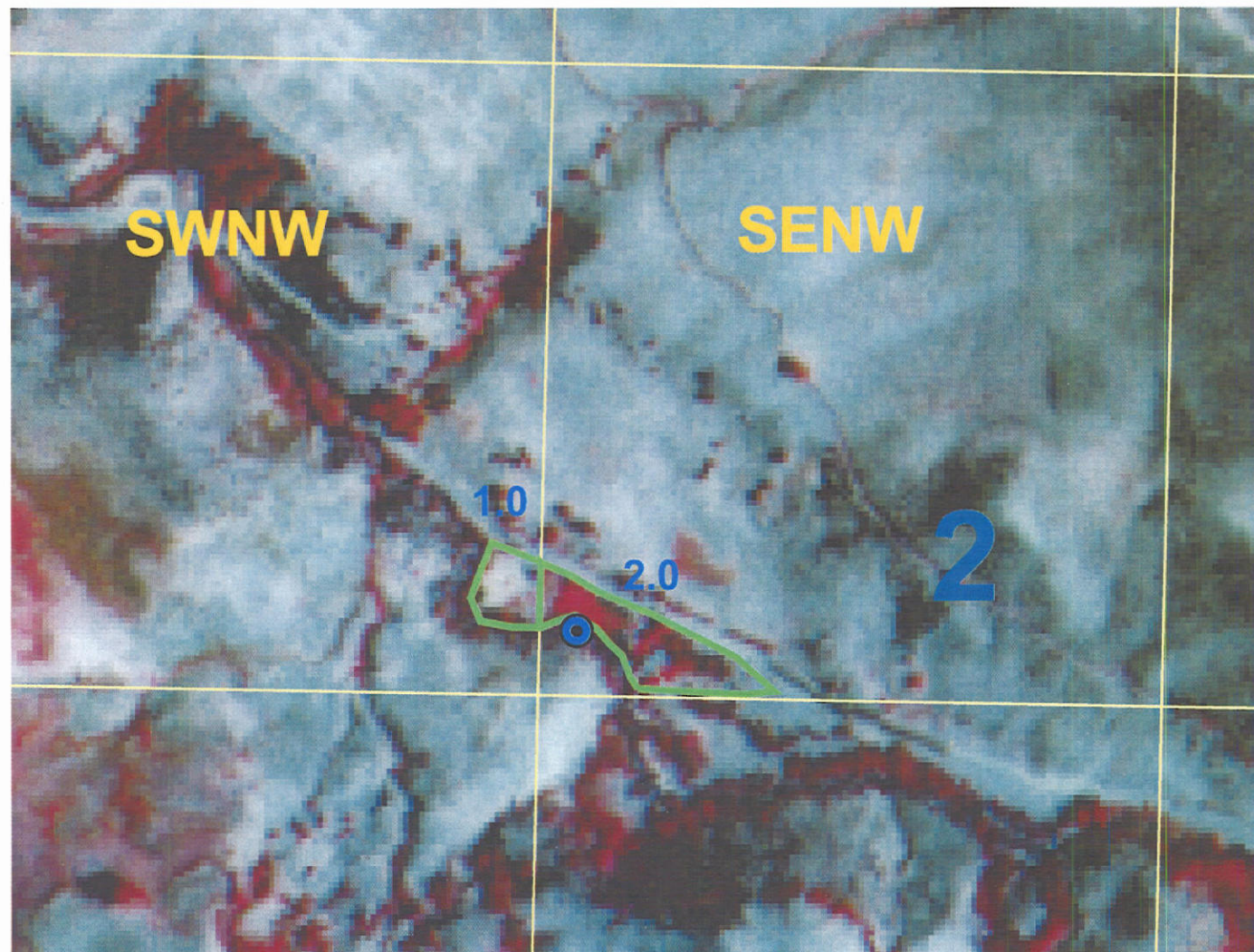
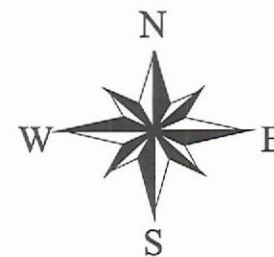
Date 10/9/80

Approved by [Signature]

Date 12/18/80

IDAHO DEPARTMENT OF WATER RESOURCES

T06N, R02E, S2



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-07604

OWNER(S): GORDON, KENNETH &
SHIRLEY

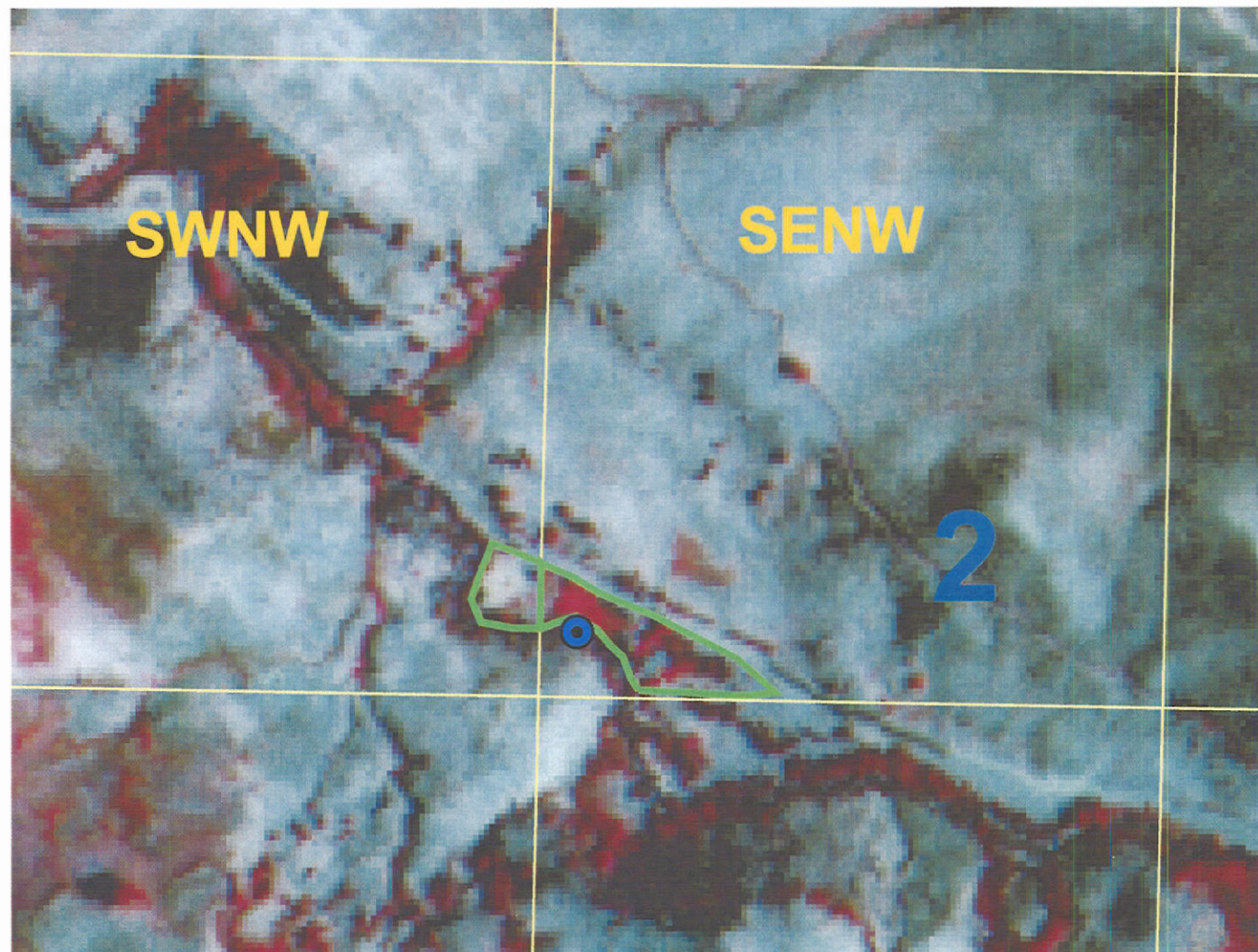
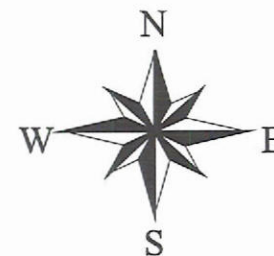
DATE: AUGUST 7, 2000

By: Mel Schulte

0 0.25 0.5 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

T06N, R02E, S2



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-07604

OWNER(S): GORDON, KENNETH &
SHIRLEY

DATE: AUGUST 7, 2000

By: Mel Schulte

0 0.25 0.5 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: A65-07604
Date Received: 5/18/1989
Receipt No: X999999
Received By: DE JAL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENNETH N. GORDON 208-793-2440
Address: BOX 46, RT. 1
HORSESHOE BEND, ID 83629

AND

Name: SHIRLEY A. GORDON 208-793-2440
Address: BOX 46, RT. 1
HORSESHOE BEND, ID 83629

2. Date of Priority: FEB 06, 1976

3. Source: SHAFER CREEK Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	02E	2	SE	NW			BOISE

5. Description of diverting works:
PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.060		10.50

7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) 10.50 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	02E	2	SW	NW		IRR	1.0
			SE	NW		IRR	2.0
						Section Acres	3.0
						Total Acres	3.0

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:

14. Remarks:

THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION
PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY.
NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.

15. Basis of Claim: LICENSE

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 _____

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

10/15/2001

WATER RIGHT: 65-7604

NAME AND ADDRESS: KENNETH N GORDON
76 HARRIS CREEK RD
HORSESHOE BEND ID 83629

SHIRLEY A GORDON
76 HARRIS CREEK RD
HORSESHOE BEND ID 83629

SOURCE: SHAFER CREEK TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.06 CFS
10.5 AFY

PRIORITY DATE: 02/06/1976

POINT OF DIVERSION:

T06N R02E S2 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	0.060 CFS 10.50 AFY

PLACE OF USE: IRRIGATION Within BOISE County

T06N R02E S02 SWNW 1.0 T06N R02E S02 SENW 2.0

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: License

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	SUBCASE NO. 65-7604
	)	
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: CHANGE OF ADDRESS

Name and New Address of Claimant:

Kenneth N Gordon
Shirley A Gordon
76 Harris Creek Rd
Horseshoe Bend ID 83629

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: October 16, 2001

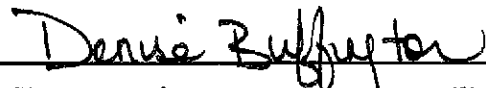


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on October 16, 2001, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant or attorney of record:
Kenneth N Gordon
Shirley A Gordon
76 Harris Creek Rd
Horseshoe Bend ID 83629
3. One Copy to:
Each party in the subcase or attorney of record:
N / A
4. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

RECEIVED

OCT 3 - 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 27, 2001

KENNETH N GORDON
SHIRLEY A GORDON
76 HARRIS CREEK RD
HORSESHOE BEND ID 83629

RECEIVED

OCT 10 2001

WATER RESOURCES
WESTERN REGION

RE: Snake River Basin Adjudication (SRBA)
Water Rights #65-7604 and 65-9419

Dear Water Right Holders:

Records Modified 10/3/01: ss

Mail we sent you was returned to us by the Postal Service. The Postal Service advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, **list any other water rights you have**, and return this letter by **October 12, 2001**. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

Sally Sherman

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS.region
Enclosure
Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Kenneth N. Gordon
Water Right Holder's Signature

208 - 793-2440

Telephone No.

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. No.

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

Please type or print clearly:

Name of Claimant(s) Kenneth N. & Shirley A. Gordon

Mailing Address Box 46 Rt 1
(include Zip Code) Horseshoe Bend Id 83629

Phone Number (208) 793-2440

MICROFILMED

SEP 23 1992

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: 65-07604
DATE RECEIVED: 5-18-88
RECEIPT NO: 2999999
RECEIVED BY: *[Signature]*

Ho ✓
Base ...
Western ...

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: KENNETH N. GORDON
ADDRESS: HORSESHOE BEND, ID 83629
2. DATE OF PRIORITY: FEB 06, 1976
3. SOURCE: SHAFER CREEK TRIB. TO: PAYETTE RIVER
4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
06N	02E	2	SE		NW		BOISE

5. DESCRIPTION OF DIVERTING WORKS: *Pump*

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	04/01	11/01	0.060		10.50

7. TOTAL QUANTITY APPROPRIATED IS:
0.060 C.F.S. (AND/OR) 10.50 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	02E	2	SW	NW		IRR	1.0
			SE	NW		IRR	2.0
SECTION ACRES							3.0

10. PLACE OF USE: CONTINUED

TOTAL ACRES

3.0

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:

THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION
PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY.
NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.

15. BASIS OF CLAIM: LICENSE

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):

Kenneth D. Carlson DATE: 10-10-89
Shirley A. Gordon DATE: 5-10-89

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
DATE: 03/04/89

65-07604

PAGE

2

2237
MICROFILMED

SEP 23 1992

STATE OF IDAHO)
COUNTY OF Boise) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 10th DAY

OF Mary 19 89

June E Braun
NOTARY PUBLIC

SEAL

RESIDING AT Horshoe Bend

MY COMMISSION EXPIRES 8-24-94

1/30/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Gooden

CLAIM IDENT. NO.

A65-07604

DATE RECEIVED

5-18-89

CK #

N/A

AMOUNT \$

N/A no fee

Required Info?

YES

NO

1. Is the name and address complete with zip code?

☒See correction

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)

N/A☒☐

*

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?

N/A☒☐

Is the consumptive use correct?

N/A☒☐

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.

N/A☒☐

*

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.)

N/A☒☐

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.)

N/A☒☐

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?

Exempt☒☐

*

21. If this claim is based on an existing water right, has the identification number been entered?

N/A☒☐

22. Should this claim be receipted and data entered?

☒☐

Claim checked by:

[Signature]

Date:

7-14-89

Claim must be returned to claimant:

☐ (Yes) ☒ (No)

Claimant must be notified of modifications:

☐ (Yes) ☒ (No)

Receipt Prepared by:

N/A

Claim data entered by:

Date:

N/A

Sent to claimant by:

Date:

Checked by:

MICROFILMED

Date:

Comments:

Address change, phone no., date recd,Receipt # X999999, etc. needs to be entered.

SEP 23 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 16, 2001

KENNETH N GORDON
SHIRLEY A GORDON
76 HARRIS CREEK RD
HORSESHOE BEND ID 83629

RE: Water Right No. 65-7604

Dear Property Owners:

Enclosed is a copy of the above referenced water right, which reflects your change in address. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

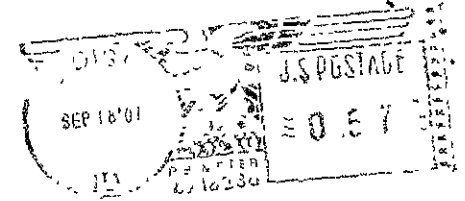
A handwritten signature in black ink that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB: db

Enclosures

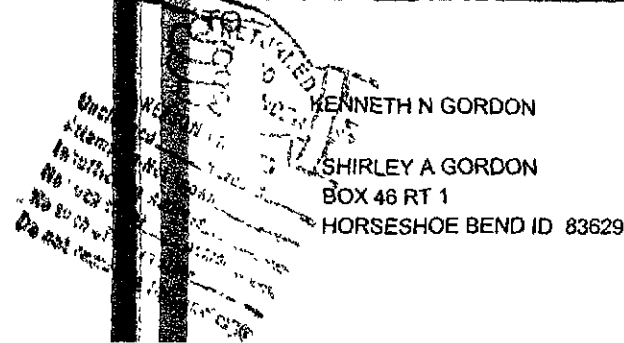
ADDRESS SERVICE
REQUESTED



65-7604 New
65- 9419 done

IDAHO DEPARTMENT OF WATER RESOURCES

1301 North Orchard St
P O Box 83720
Boise, ID 83720-0098
(208) 327-7900



FORWARDING ORDER HAS
EXPIRED. **RETURN TO SENDER.**
NEW ADDRESS FURNISHED BY THE
POSTAL SERVICE.

76 Harris Creek Rd
HSB Id 8362

RECEIVED

SEP 24 2001

Department of Water Resources



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



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

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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.

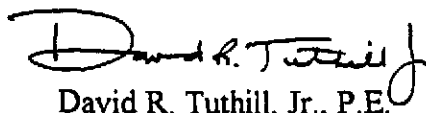
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without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

11/07/2000

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

RIGHT NUMBER: 65-7604

NAME AND ADDRESS: KENNETH N GORDON
SHIRLEY A GORDON
BOX 46 RT 1
HORSESHOE BEND, ID 83629

SOURCE: SHAFER CREEK TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.06 CFS
10.5 AFY

PRIORITY DATE: 02/06/1976

POINT OF DIVERSION: T06N R02E S2 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	0.06 CFS 10.5 AFY

PLACE OF USE:

IRRIGATION Within BOISE
County

T06N R02E S2	SWNW 1	T06N R02E S2	SENW 2
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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 - License

Department of Agriculture
WATER RIGHT LICENSE

License No. **65-7604** Issued February 6, 1976 Amount **.06 cfs.**
 THIS IS TO BE KEPT IN THE PERMITTING AGENCY

For Section and Date
65-7604 Issued **February 6, 1976**
 and has submitted proof to the Department of Agriculture on **August 14, 1980**
 that he has applied water for a beneficial use. The Department indicates that the works have a
 capacity for the diversion of **12 cfs** of water from **Shafer Creek** and its
 tributary to **Pavette River** and that the permit holder has applied to a beneficial use as
 established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from April 1 to November 1	.06 cfs	10.5 acre feet

Subject, however, to the condition that no more than **.06 cfs** of water be diverted at any one time, and
 that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
 aforementioned and is limited to the amount which can actually be beneficially used and does not exceed
10.5 acre feet per year, said waters to be diverted within the SE 1/4, Sec. 2, T. 6N, R. 2E, B.M. in the County of **Boise**
 Description and location of place of use:

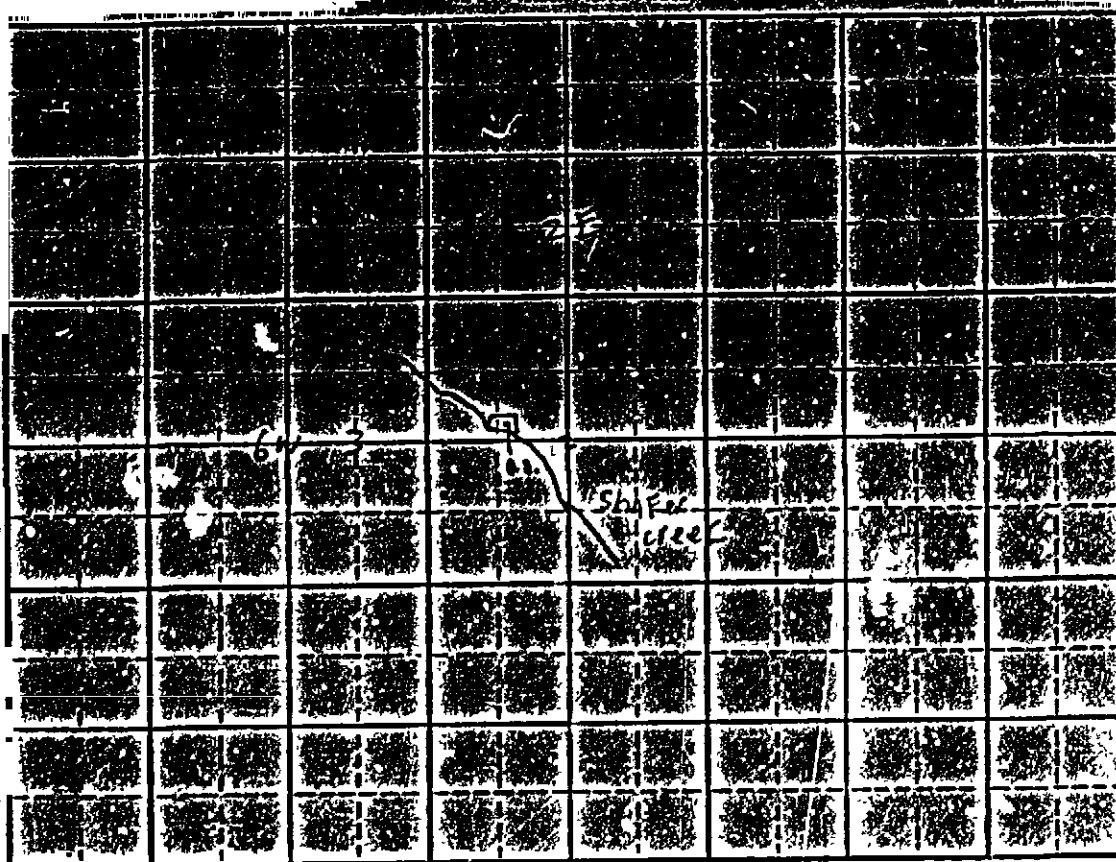
Range		T. 6N				T. 7N				T. 8N				T. 9N				Total
1	2	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	
2E	2																	

Total number of acres irrigated **3**

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
 Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.
 The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
 herein described, as provided by the laws of Idaho.
 Witness the seal and signature of the Director, affixed at Boise, Idaho, this **24** day of
December 19 **80**

[Signature]
 Director

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SE NW 22 6N 2E

Placets of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			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	2E	2							1	2									3

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

Examiner's Signature

Carl E. Smith

Date

17 May 1980

Checked by

DBS

Date

10/9/80

Approved by

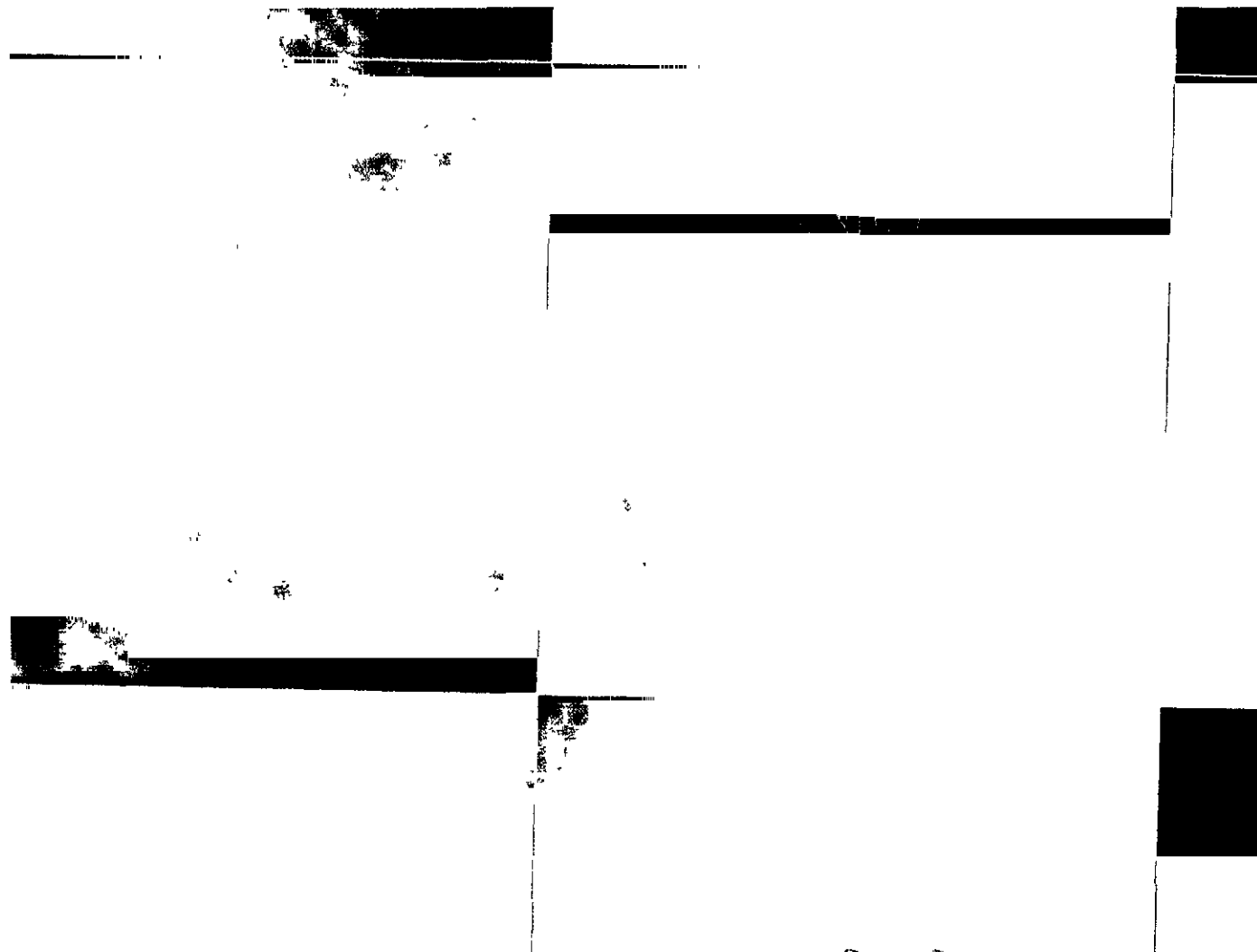
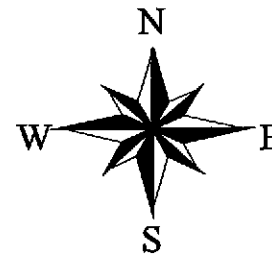
John

Date

12/18/80

IDAHO DEPARTMENT OF WATER RESOURCES

T06N, R02E, S2



1987 NAPP PHOTO

● POINT OF DIVERSION

▬ PLACE OF USE

1/4 1/4 LINES

▬ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-07604

OWNER(S): GORDON, KENNETH &
SHIRLEY

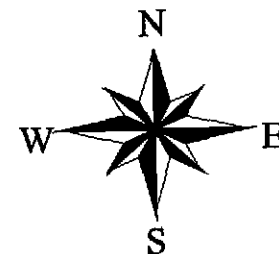
DATE: AUGUST 7, 2000

By: Mel Schulte

0 0.25 0.5 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

T06N, R02E, S2



1987 NAPP PHOTO
POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-07604

OWNER(S): GORDON, KENNETH &
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DATE: AUGUST 7, 2000

By: Mel Schulte

0 0.25 0.5 Miles

