

RECEIVED

JAN 18 2012

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

Department of Water Resources

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 65-07832

Date Received

Receipt Number

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

RECEIVED

AUG 23 2002

WATER RESOURCES
WESTERN REGION

Please type or print clearly

1. Name of Claimant (s) Emmett Irrigation District Phone (208) 365-4582Mailing Address 222 E. Park Street, Emmett, ID Zip 836172. Date of Priority (Only one (1) per claim) 4/2/19773. Source of water supply (a) Payette River
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 07N Range 01W Section 22, B.M.,
1/4 of SE 1/4 of NE 1/4, Govt. Lot, 1 B.M., County of Gem

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County of _____5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Black Canyon Dam pumps to canals and laterals

(acre feet)

For _____ purposes from _____ to _____ amount _____ or _____

in the corresponding place of use below. See instructions for standard symbols.

Total number of acres irrigated

Last Name Emmett Irrigation District Ident No. 65-07832

RECEIVED

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Form No. 42-1409 (2) a 1/88 (Internet)

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

Department of Water Resources

CIVIL CASE NUMBER: 39576

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WESTERN REGION

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1. Name of Claimant (s) Emmett Irrigation District Phone (208) 365-4582Mailing Address 222 E. Park Street, Emmett, ID Zip 836172. Date of Priority (Only one (1) per claim) 4/2/19773. Source of water supply (a) Payette Riverwhich is tributary to (b) SNAKE RIVER4. a. Location of existing point of diversion is: Township 07N Range 01W Section 22, B.M.,1/4 of SE 1/4 of NE 1/4, Govt. Lot, 1 B.M., County of Gem

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Snake Canyon Dam pumps to canals and laterals

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 6,000 or

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Gem

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

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None (☐)

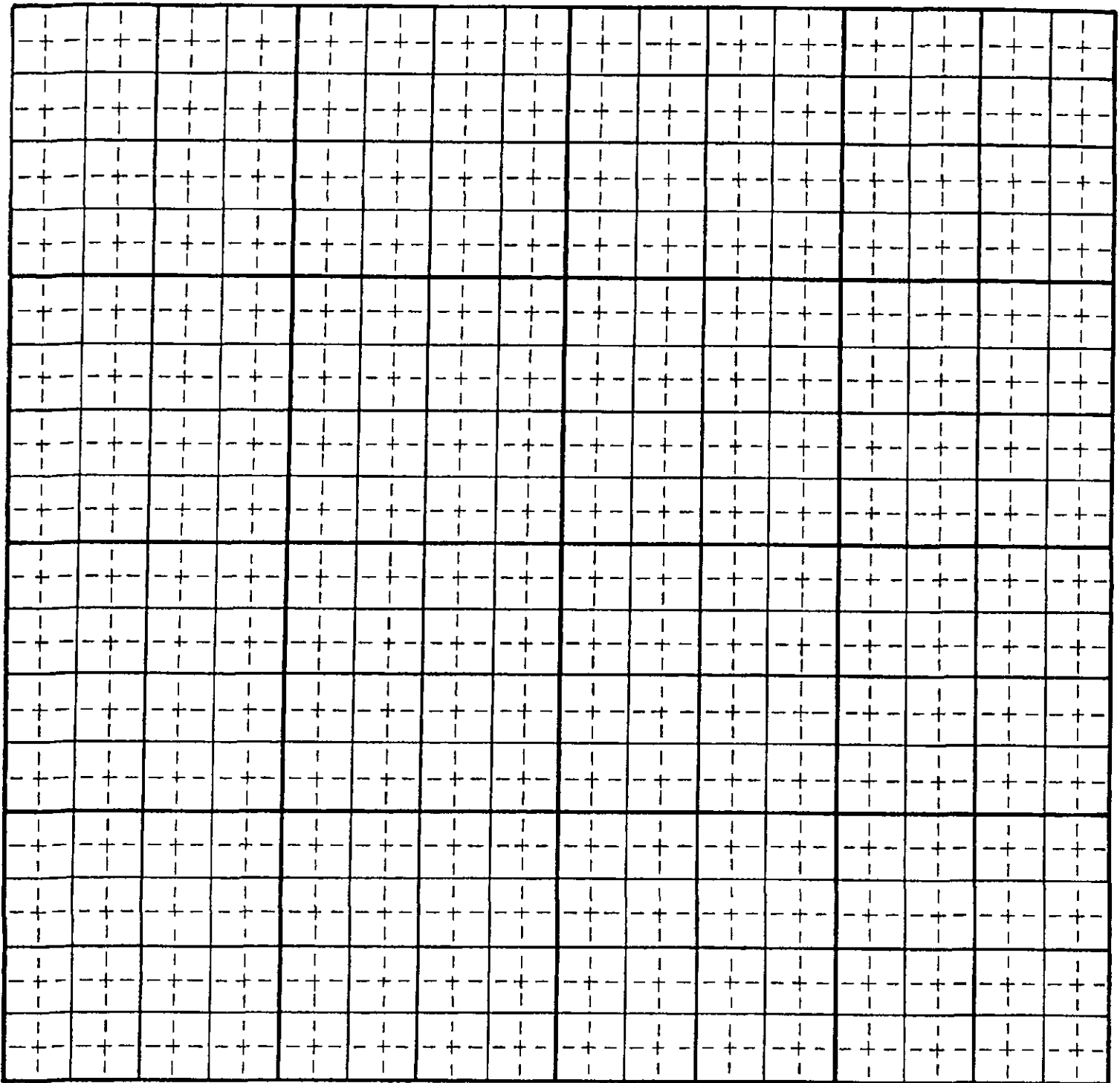
14. Remarks:

~~Emmett Irrigation District distributes water to the lands within its boundaries, but it does not own the land.~~

Last Name Emmett Irrigation District Ident No. 65-07832

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name Emmett Irrigation District Ident No. 65-07832

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 65-07832
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 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 Counsel for _____
of Emmett Irrigation District _____, that I have signed the foregoing
document in the space below as Counsel for _____ of Emmett Irrigation District _____
and that the statements contained in the foregoing document are true and correct

Signature of Authorized Agent Scott L. Campbell
Title and Organization _____ Date 01/17/02

State of Idaho/or _____ }
County of Ada } SS.

Subscribed and sworn to (or affirmed) before me this 17th day of January 2002
Notary Public Deborah Long
Residing at Boise, ID
My Commission Expires 10/10/07

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Scott L. Campbell will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature Scott L. Campbell
Address P.O. Box 829, Boise, ID 83701-0829
Date 01/17/02

Last Name Emmett Irrigation District Ident. Number 65-07832

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: A65-07832
Date Received: 1/19/1990
Receipt No: X999999
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: EMMETT IRRIGATION DISTRICT
Address: 222 E PARK ST
EMMETT ID 83617

2. Date of Priority: APR 2, 1977

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	01W	22	SE	NE		1	GEM

5. Description of diverting works:
BLACK CANYON DAM, PUMPS, CANAL, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.000		1373.00

7. Total Quantity Appropriated is:
6.000 C.F.S. (and/or) 1373.00 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
----------	-------	---------	--------	-----	-----	-----	-------

11. Place of use in counties:

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

13. Other Water Rights Used:

14. Remarks:

P/U WITHIN THE EMMETT IRRIGATION DISTRICT BOUNDARIES.

IRRIGATED ACRES = 21,707.

CLAIM AMENDED PER STIPULATION FROM PAYETTE RIVER BASIN
ADJUDICATION. 03/01/1996 MM.

15. Basis of Claim: LICENSE

LARRY ECHOHAWK
Attorney General

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

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 OF EMMETT
	)	IRRIGATION DISTRICT
	)	

The Director of the Idaho Department of Water Resources, R. Keith Higginson and the Emmett Irrigation Company, by and through counsel, stipulate as follows:

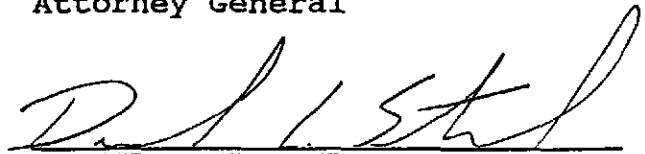
1. That water right claim Nos. 65-00023, 65-02004, 65-02080, 65-10491, and 65-07832 be accepted and included in the Proposed Finding of Water Rights in the Payette River Drainage as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

2. That the Emmett Irrigation District withdraws all pending objections in the above captioned matter.

3. That this stipulation is for the purpose of equitably and efficiently resolving disputed factual issues short of trial and that no offers and/or compromises made in the course of this agreement shall be construed as admissions against interest or be used in any legal proceeding.

DATED this 14th day of April, 1993.

LARRY ECHOHAWK
Attorney General


DANIEL L. STECKEL
Deputy Attorney General
Department of Water Resources

DATED THIS 9th day of April, 1993.


LOUIE GORRONO
Attorney for
Emmett Irrigation District

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

JAMES R. DOOLITTLE
District Judge

EXHIBIT A
STIPULATION OF IDWR AND EMMETT IRRIGATION DISTRICT

PAGE: A-1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: PAYETTE RIVER			TRIBUTARY: SNAKE RIVER			
65-00023	EMMETT IRRIGATION DISTRICT 222 E. PARK ST. EMMETT ID 83617	11/26/1883	IRRIGATION	03-15 11-15	18.50 CFS	POSTED NOTICE
	POINT OF DIVERSION: T07N R01W S22 LOT 1 (SENE) LOT 6 (NESE)			TOTAL QUANTITY:	18.50 CFS	
	PLACE OF USE: IRRIGATION SAME AS OTHER USE					
	REMARKS: PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT. USE OF THIS RIGHT WITH RIGHT NO. 65-02004, 65-02080, 65-10491 AND 65-07832 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 523.12 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 76,150 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 21,757.1 ACRES IN A SINGLE IRRIGATION SEASON. 88.08 CFS OF RIGHT NO. 65-10491 IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 65-00023, 65-02004, 65-02080 AND 65-10491.					
65-02004	EMMETT IRRIGATION DISTRICT P. O. BOX 515 EMMETT ID 83617	05/26/1903	IRRIGATION	03-15 11-15	169.39 CFS	LICENSE
	POINT OF DIVERSION: T07N R01W S22 LOT 1 (SENE) LOT 6 (NESE)			TOTAL QUANTITY:	169.39 CFS	
	PLACE OF USE: IRRIGATION SAME AS OTHER USE					
	REMARKS: PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT. USE OF THIS RIGHT WITH RIGHT NO. 65-00023, 65-02080, 65-10491 AND 65-07832 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 523.12 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 76,150 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 21,757.1 ACRES IN A SINGLE IRRIGATION SEASON. 88.08 CFS OF RIGHT NO. 65-10491 IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 65-00023, 65-02004, 65-02080 AND 65-10491.					

MICROFILMED
OCT 21 1996

EXHIBIT A
STIPULATION OF IDWR AND EMMETT IRRIGATION DISTRICT

PAGE: A-2

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: PAYETTE RIVER		TRIBUTARY: SNAKE RIVER				
65-02080	EMMETT IRRIGATION DISTRICT P. O. BOX 515 EMMETT ID 83617	07/29/1908	IRRIGATION	03-15 11-15	124.00 CFS	LICENSE
	POINT OF DIVERSION: T07N R01W S22 LOT 1 (SENE) LOT 6 (NESE)			TOTAL QUANTITY:	124.00 CFS	
	PLACE OF USE: IRRIGATION SAME AS OTHER USE					
	REMARKS: PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT. USE OF THIS RIGHT WITH RIGHT NO. 65-00023, 65-02004, 65-10491 AND 65-07832 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 523.12 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 76,150 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 21,757.1 ACRES IN A SINGLE IRRIGATION SEASON. 88.08 CFS OF RIGHT NO. 65-10491 IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 65-00023, 65-02004, 65-02080 AND 65-10491.					
65-10491	EMMETT IRRIGATION DISTRICT P. O. BOX 515 EMMETT ID 83617	04/01/1919	IRRIGATION	03-15 11-15	205.23 CFS	BENEFICIAL USE
	POINT OF DIVERSION: T07N R01E S22 LOT 1 (SENE) R01W S22 LOT 6 (NESE)			TOTAL QUANTITY:	205.23 CFS	
	PLACE OF USE: IRRIGATION SAME AS OTHER USE					
	REMARKS: PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT. USE OF THIS RIGHT WITH RIGHT NO. 65-00023, 65-02080, 65-02004 AND 65-07832 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 523.12 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 76,150 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 21,757.1 ACRES IN A SINGLE IRRIGATION SEASON. 88.08 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 65-00023, 65-02004, 65-02080 AND 65-10491.					

MICROFILMED
OCT 21 1996

EXHIBIT A
STIPULATION OF IDWR AND EMMETT IRRIGATION DISTRICT

PAGE: A-3

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: PAYETTE RIVER		TRIBUTARY: SNAKE RIVER				
65-07832	EMMETT IRRIGATION DISTRICT 222 E. PARK ST. EMMETT ID 83617	04/02/1977	IRRIGATION	03-15 11-15	6.00 1373.0	CFS AFY LICENSE
TOTAL QUANTITY:					6.00 1373.0	CFS AFY
POINT OF DIVERSION: T07N R01W S22 LOT 1 (SENE)						
PLACE OF USE: IRRIGATION SAME AS OTHER USE						
REMARKS: PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT. USE OF THIS RIGHT WITH RIGHT NO. 65-00023, 65-02080, 65-02004 AND 65-10491 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 523.12 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 76,150 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 21,757.1 ACRES IN A SINGLE IRRIGATION SEASON. 88.08 CFS OF RIGHT NO. 65-10491 IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 65-00023, 65-02004, 65-02080 AND 65-10491.						

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: A65-07832
Date Received: 1/08/1990
Receipt No: ~~X 999999~~
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EMMETT IRRIGATION DISTRICT
Address: 222 E. PARK ST.
EMMETT, ID 83617

2. Date of Priority: APR 02, 1977

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	01W	22	SE NE	1	GEM GEM

5. Description of diverting works:
BLACK CANYON DAM, PUMPS, CANAL, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.000		1373.00

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

8. Total consumptive use is 892.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
----------	-------	---------	------------	-----	-----	-------

11. Place of use in counties:

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

A65-07832

Page 1

Date: 01/19/90

MICROFILMED

SEP 23 1992

13. Other Water Rights Used:

14. Remarks:

P/U WITHIN THE EMMETT IRRIGATION DISTRICT BOUNDARIES.
IRRIGATED ACRES = 21,707.

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 X 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 Chairman of the Board of Emmett Irrigation District that I have signed the foregoing document in the space below as Chairman of the Board of Emmett Irrigation District and that the statements contained in the foregoing document are true and correct.

Keith Stenally
Signature of Authorized Agent
Chairman of the Board for
Emmett Irrigation District
Title and Organization
1/19/90
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 19 day
of January 19 90

[Signature]
Notary Public

Seal

Residing at Boise, ID

My Commission Expires June 10, 1994
Date: 01/19/90

A65-07832

Page

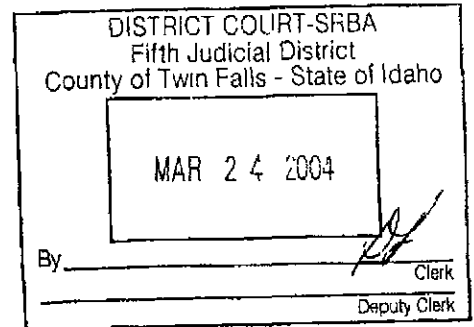
2

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 SRBA)
Case No 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 65-07832



NAME AND ADDRESS: EMMETT IRRIGATION DISTRICT
222 E PARK ST
EMMETT, ID 83617

SOURCE: PAYETTE RIVER TRIBUTARY- SNAKE RIVER

QUANTITY: 6.00 CFS
1373 00 APY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 523 12 CFS.
COMBINED RIGHT NOS. 65-00023, 65-02004, 65-02080, AND 65-10491

PRIORITY DATE. 04/02/1977

POINT OF DIVERSION T07N R01W S22 LOT 1 (SENE) Within Gem County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	6.00 CFS 1373.00 APY

PLACE OF USE:

PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 23,106.28 ACRES WITHIN THE
BOUNDARIES OF THE EMMETT IRRIGATION DISTRICT IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS : 65-00023, 65-02004,
65-02080, 65-10491 and 65-12194.

The boundary encompassing the place of use for this water right
is described with a digital boundary as defined by I.C. Section
42-202B(2) (2003) and authorized pursuant to I.C. Section 42-1411
(2) (h) (2003). The data comprising the digital boundary are
incorporated herein by reference and are stored on a cd-rom disk
issued in duplicate originals on file with the SRBA District
Court and the Idaho Department of Water Resources. A map
depicting the place of use is attached hereto to illustrate the
place of use described by the digital boundary

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. I C SECTION 42-1412(6)

02/13/2004

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

RIGHT NUMBER 65-7832

NAME AND ADDRESS EMMETT IRRIGATION DIST
222 E PARK ST
EMMETT ID 83617

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY 6.000 CFS
1,373 000 AFYUSE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 523.12 CFS. COMBINED RIGHT NOS .
65-00023, 65-02004, 65-02080, AND 65-10491

PRIORITY DATE: 04/02/1977

POINT OF DIVERSION:

T07N R01W S22 SENE Lot 1 Within GEM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	3/15 11/15	6 000 CFS 1,373 00 AFY

PLACE OF USE:

PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 23,106 28 ACRES WITHIN THE
BOUNDARIES OF THE EMMETT IRRIGATION DISTRICT IN A SINGLE
IRRIGATION SEASON COMBINED RIGHT NOS. 65-00023, 65-02004,
65-02080, 65-10491 AND 65-12194

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

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	01W	2						X L 4	X										
06N	01W	3	X L 1	X L 2	X	X	X L 3	X L 4	X	X	X	X	X	X	X				
06N	01W	4	X L 1	X L 2	X	X		X L 5	X	X	X	X	X	X	X	X	X		
06N	01W	5					X L 8	X L 7	X L 6										
06N	01W	6	X L 1	X L 2	X	X	X L 3	X L 4	X L 5	X									
06N	01W	8												X			X		
06N	01W	9	X	X	X	X	X		X	X	X	X	X	X	X	X	X		
06N	01W	10					X	X	X			X							

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 65-7832 V2

06N 01W 16	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
06N 01W 17	X			X									X				
06N 01W 19											X L 4	X	X		X	X	
06N 01W 20	X			X					X	X	X	X	X	X	X	X	
06N 01W 21		X			X	X	X										
06N 01W 29						X											
06N 01W 30	X	X			X	X L 1	X L 2	X									
06N 02W 1	X L 1	X L 2	X	X	X L 3	X L 4	X	X	X	X				X			
06N 02W 2	X L 1	X L 2	X	X	X L 3	X L 4	X	X	X	X	X	X	X	X	X	X	X
06N 02W 3	X L 1	X L 2	X	X	X L 3	X L 4	X	X	X	X	X	X	X	X	X	X	X
06N 02W 4	X L 1	X L 2	X	X	X L 3	X L 4	X	X	X				X	X	X L 7	X	X
06N 02W 5	X L 1	X L 2	X	X	X L 3			X L 6									
06N 02W 17						X	X	X	X	X	X	X		X	X	X	X
06N 02W 18	X	X	X	X	X		X L 2	X	X	X L 3	X L 4	X	X	X	X	X	X
06N 02W 19	X	X			X	X L 1											
06N 02W 20	X	X	X	X	X	X		X					X				
06N 02W 21							X	X	X	X	X	X		X	X	X	X
06N 02W 22										X	X						
06N 02W 25	X	X	X	X		X	X	X	X	X							
06N 02W 26	X	X	X	X		X	X	X	X	X			X	X			
06N 02W 27	X	X	X	X	X	X	X	X					X				

[illegible]

[illegible]

Adjudication Recommendation Report 65-7832 V2

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 65-7832 V2

Conditions of Approval

- 1 C18 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

Remarks:

- 1 Place of Use PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT. USE OF
- Irrigation THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 21,757.1 ACRES WITHIN THE BOUNDARIES OF THE EMMETT
IRRIGATION DISTRICT IN A SINGLE IRRIGATION SEASON COMBINED RIGHT NOS.
65-00023, 65-02004, 65-02080, AND 65-10491
- 2 Quantity USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 523.12 CFS COMBINED RIGHT NOS.: 65-00023, 65-02004,
65-02080, AND 65-10491

Comments

1. jshurte 12/19/2002 Comb Cons AF Amnt Removed
Comment The consumptive acre foot amount portion of the combined quantity condition was removed. This total combined annual consumptive use was 76,150 af in the orig recommendation Due to the objection and approval from Dave Tuthill this was removed for the amended directors report filed in November, 2002 The total acres recommended were not changed

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date.
Enlargement Statute Priority Date
Defendant:
Plaintiff
Civil Case Number:
Judicial District
Notice of Error Flag:
State or Federal S
Owner Name Connector:
Water District Number 65
Generic Max Rate Per Acre.
Generic Max Volume Per Acre
Swan Falls Trust or Nontrust
Swan Falls Dismissed
DLE Act Number.
Carey Act Number.
Mitigation Plan False

AMENDED DIRECTOR'S REPORT

Subcase No. 65-7832

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

**Prepared by the Idaho Department of Water Resources
Karl J. Dreher, Director
David R. Tuthill, Jr., Adjudication Bureau Chief**

November 15, 2002

DESCRIPTIVE SUMMARY

This is an Amended Director's Report submitted by the Director of the Idaho Department of Water Resources.

DISCUSSION

Pursuant to the *Motion to File Amended Notice of Claim* filed on January 18, 2002, and the *Order Granting Motion to File Amended Notice of Claim; Requesting Amended Director's Report; and Setting Objection and Response Deadlines* issued by Special Master Cushman on August 20, 2002, the Director submits for filing with the Court, an Amended Director's Report for the aforementioned subcase (see attached print-out).

Respectfully submitted this 15th day of November, 2002.


DAVID R. TUTHILL, JR.
Adjudication Bureau Chief

CERTIFICATE OF SERVICE

I certify that on Nov 15, 2002, I served the original and/or copies of this form, including all attachments, to the following persons by delivering the original and/or copies, as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

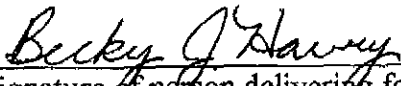
2. Copies to:

U.S. Dept. of Justice
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resource Division
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

Scott L. Campbell
101 S. Capitol Boulevard, 10th Floor
P.O. Box 829
Boise, ID 83701-0829

Gem County Courthouse
415 E. Main
Emmett, ID 83617



Signature of person delivering form

Amended Director's Report Right No. 65-7832

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

RIGHT NUMBER: 65-7832

NAME AND ADDRESS: EMMETT IRRIGATION DIST
222 E PARK ST
EMMETT ID 83617

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 6.000 CFS
1,373.000 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 523.12 CFS. COMBINED RIGHT NOS.: 65-23,
65-2004, 65-2080, AND 65-10491.

PRIORITY DATE: 04/02/1977

POINT OF DIVERSION:
T07N R01W S22 SENE Lot 1 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	6.000 CFS 1,373.00 AFY

PLACE OF USE:

PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 21,757.1 ACRES WITHIN THE
BOUNDARIES OF THE EMMETT IRRIGATION DISTRICT IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-23, 65-2004,
65-2080, AND 65-10491.

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

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: Quantity element should omit any reference to annual volume for consumptive use. That is not an element of a water right under I C § 42-1411(2)(c)
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: 23,106.28 acres within boundaries of Emmett Irrigation District

11. **I object because:**

- ☐ This water right should not exist
- ☐ This water right was not recommended, but should be recommended with the elements described above

E. **REASONS SUPPORTING OBJECTION(S):** The Director's Report does not reflect the actual number of irrigated acres within the boundaries of Emmett Irrigation District.

F

VERIFICATION (Must be Completed)

State of IDAHO)
)ss.
County of ADA)

_____, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

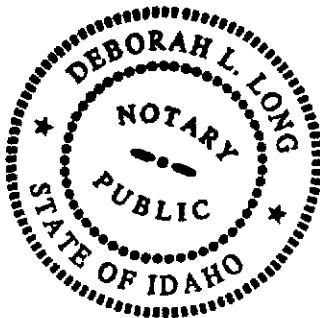
That I am the party/claimant filing this objection, as defined by I C 42-1401A(1) and (6)
or that I am the attorney for the party/claimant objecting and that I have read this objection, know
its contents and believe that the statements are true to the best of my knowledge

(Signature of person filing objection)

Scott H Campbell
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

1/17/08



Deborah Long
Notary Public for Idaho
Residing at: Boise, ID
My Commission Expires: 10/10/07

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court **FAX filings will not be accepted** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on 01/17, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons

1 Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2 One copy to the claimant of the water right at the following address.

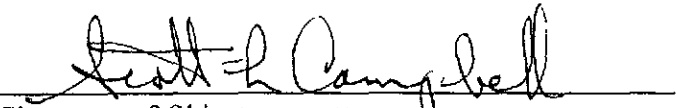
Emmett Irrigation District
222 E. Park Street
Emmett, ID 83617

3 Copies to.

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

Amended Director's Report Right No. 65-7832

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

RIGHT NUMBER: 65-7832

NAME AND ADDRESS EMMETT IRRIGATION DIST
222 E PARK ST
EMMETT ID 83617

SOURCE: PAYETTE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY 6.000 CFS
1,373.000 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 523.12 CFS AND A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 76,150 AF. COMBINED RIGHT NOS.: 65-23,
65-2004, 65-2080, AND 65-10491.

PRIORITY DATE: 04/02/1977

POINT OF DIVERSION:

T07N R01W S22 SENE Lot 1 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	6.000 CFS 1,373.00 AFY

PLACE OF USE:

PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 21,757.1 ACRES WITHIN THE
BOUNDARIES OF THE EMMETT IRRIGATION DISTRICT IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-23, 65-2004,
65-2080, AND 65-10491.

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

03/04/2002

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

RIGHT NUMBER 65-7832

NAME AND ADDRESS: EMMETT IRRIGATION DISTRICT
222 E PARK ST
EMMETT ID 83617

SOURCE: PAYETTE RIVER TRIBUTARY SNAKE RIVER

QUANTITY 6 00 CFS
1,373 0 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 523 12 CFS AND A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 76,150 AF COMBINED RIGHT NOS 65-00023,
65-02004, 65-02080, AND 65-10491

PRIORITY DATE 04/02/1977

POINT OF DIVERSION.

T07N R01W S22 SENE Lot 1 Within GEM County

PURPOSE AND
PERIOD OF USE

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
3/15 11/15

QUANTITY
6 000 CFS
1,373 00 AFY

PLACE OF USE

PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT USE OF
THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 21,757 1 ACRES WITHIN THE BOUNDARIES OF THE EMMETT
IRRIGATION DISTRICT IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.:
65-00023, 65-02004, 65-02080, AND 65-10491

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

03/07/2001

NOTICE OF ERROR
REPLY

RECEIVED

APR 11 2001

WATER RESOURCES
WESTERN REGION

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: 65-7832

EMMETT IRRIGATION DISTRICT
222 E PARK ST
EMMETT ID 83617

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:

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

DATE: 05 Apr 2001

SIGNATURE:

Dar Olberding

Please print your name: Dar Olberding, Chairman

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

EXHIBIT A
STIPULATION OF IDWR AND EMMETT IRRIGATION DISTRICT

PAGE: A-3

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: PAYETTE RIVER		TRIBUTARY: SNAKE RIVER				
65-07832	EMMETT IRRIGATION DISTRICT 222 E. PARK ST. EMMETT ID 83617	04/02/1977	IRRIGATION	03-15 11-15	6.00 1373.0	CFS AFY LICENSE
TOTAL QUANTITY:					6.00 1373.0	CFS AFY
POINT OF DIVERSION: T07N R01W S22 LOT 1 (SENE)						
PLACE OF USE: IRRIGATION SAME AS OTHER USE						
REMARKS: PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT. USE OF THIS RIGHT WITH RIGHT NO. 65-00023, 65-02080, 65-02004 AND 65-10491 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 523.12 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 76,150 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 21,757.1 ACRES IN A SINGLE IRRIGATION SEASON. 88.08 CFS OF RIGHT NO. 65-10491 IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 65-00023, 65-02004, 65-02080 AND 65-10491.						

AJ0749NP
No. R65-07832

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	EMMETT IRRIGATION DISTRICT 222 E PARK ST EMMETT ID 83617	04/02/1977	IRRIGATION	03-15 11-15	6.00 CFS	1373.00 AFA
TOTAL DIVERSION:					6.00 CFS	1373.00 AFA
Water Source: PAYETTE RIVER		Tributary to: SNAKE RIVER		Stage: LICENSE		
Point(s) of Diversion:		T07N R01W S22 Lot01(SENE)			GEM County	
POU County:						

Remarks: GEN PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT.
USE OF THIS RIGHT WITH RIGHT NO. 65-00023, 65-02080, 65-02004
AND 65-10491 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
523.12 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF
76,150 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 21,757.1
ACRES IN A SINGLE IRRIGATION SEASON.
88.08 CFS OF RIGHT NO. 65-10491 IS LIMITED TO USE FOR
CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 65-00023, 65-02004,
65-02080 AND 65-10491.

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

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

Comments: Date: 04/01/1996 User-ID: MMINICUC Subject: STIPULATION
THIS RECORD RELECTS THE PAYETTE RIVER BASIN ADJUDCIATION
STIPULATION. NO ADDITIONAL FIELD EXAM OR CVR REQUIRED.

Audit: 04/01/96 MMINICUC

MICROFILMED
OCT 21 1996

MEMORANDUM

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

LARRY ECHOHAWK
Attorney General

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

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 OF EMMETT
	)	IRRIGATION DISTRICT
	)	

The Director of the Idaho Department of Water Resources, R. Keith Higginson and the Emmett Irrigation Company, by and through counsel, stipulate as follows:

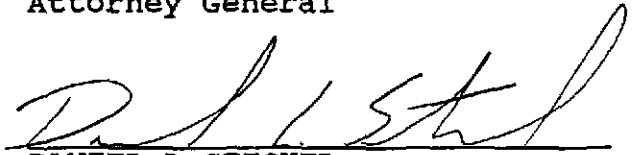
1. That water right claim Nos. 65-00023, 65-02004, 65-02080, 65-10491, and 65-07832 be accepted and included in the Proposed Finding of Water Rights in the Payette River Drainage as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

2. That the Emmett Irrigation District withdraws all pending objections in the above captioned matter.

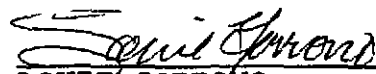
3. That this stipulation is for the purpose of equitably and efficiently resolving disputed factual issues short of trial and that no offers and/or compromises made in the course of this agreement shall be construed as admissions against interest or be used in any legal proceeding.

DATED this 14th day of April, 1993.

LARRY ECHOHAWK
Attorney General


DANIEL L. STECKEL
Deputy Attorney General
Department of Water Resources

DATED THIS 9th day of April, 1993.


LOUIE GORRONO
Attorney for
Emmett Irrigation District

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

JAMES R. DOOLITTLE
District Judge

AJ0749NP
No. R65-07832

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

DATE: 06/19/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EMMETT IRRIGATION DISTRICT 222 E PARK ST EMMETT ID 83617	04/02/1977	IRRIGATION	03-15 11-15	6.000 CFS	1373.00 AFA
TOTAL DIVERSION:					6.000 CFS	1373.00 AFA

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion: T07N R01W S22 Lot01(SENE)

GEM County

POU County:

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 523.12 CFS AND A TOTAL COMBINED
ANNUAL CONSUMPTIVE USE VOLUME OF 76,150 AF. COMBINED RIGHT NOS.:
65-00023, 65-02004, 65-02080, AND 65-10491.

POU1 PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 21,757.1 ACRES WITHIN THE
BOUNDARIES OF THE EMMETT IRRIGATION DISTRICT IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-00023, 65-02004,
65-02080, AND 65-10491.

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

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

Comments: Date: 04/01/1996 User-ID: MMINICUC Subject: STIPULATION
THIS RECORD REFLECTS THE PAYETTE RIVER BASIN ADJUDICATION
STIPULATION. NO ADDITIONAL FIELD EXAM OR CVR REQUIRED.

Date: 06/19/2000 User-ID: SBOCK Subject: COPIED FROM REMARKS
88.08 CFS OF RIGHT NO. 65-10491 IS LIMITED TO USE FOR
CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 65-00023, 65-02004,
65-02080 AND 65-10491.

Audit: 06/19/00 SBOCK

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 RIGHTS
TO THE USE OF PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM TO A WATER RIGHT

IDENT. NO.

MAP NO.

65-7832

Notice is hereby given that Emmett Irrigation District

(Name of Claimant)

P. O. Box 515 Emmett, ID

83617

(Mailing Address)

, claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to

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 priority date of decision, license or permit right) 3-25-1977

MAR 25 1977

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

Payette River

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

Department of Water Resources
Western Regional OfficeQuantity 6.0 cfs

(CFS, GPD, AF.)

Use irrigation

(Domestic, irrigation, stock, etc.)

Period of Use From 3-15

(Mo., Day)

To 11-15

(Mo., Day)

(Both Dates Inclusive)

Quantity

(CFS, GPD, AF.)

Use

(Domestic, irrigation, stock, etc.)

Period of Use From

(Mo., Day)

To

(Both Dates Inclusive)

Quantity

(CFS, GPD, AF.)

Use

(Domestic, irrigation, stock, etc.)

Period of Use From

(Mo., Day)

To

(Both Dates Inclusive)

(4) 6.0 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF.)Government Lot 1 (SEE) LOT 6(5) A) Point of Diversion: Give location of point where water is diverted from its source 1/4 1/4,
Sec. 22, Twp. 7N, Rge. 1W, 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.

pump into NESE Canal

(6) A) 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	1W	4																10	10
6N	2W	4																13	13
7N	1W	27																9	9
7N	1W	30																26	26
7N	1W	35																19	19
7N	2W	22																44	44
7N	2W	23																34	34
7N	2W	26																-	-
7N	2W	25																12	12
7N	3W	9																2	2
7N	3W	12																37	37

2 Total No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: 37 37

NOTE: Include here the type and number of stock watered.

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

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

(9) Remarks (Place of use within Emmett Irrigation Dist) (See 65-7832) KEYPINCHED(10) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use. 8-1-78 CBA☐ B) Right decreed by court, cite title of case.☒ C) Right based on application, permit, license, or claim filed with the Idaho Department of Water Resources.

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

3-25-1977

(Date)

Emmett Irrigation Dist
(Signature of Claimant)Keith Standley
(Signature of Spouse)State of Idaho

Organization

County of Ada

ss.

Seal

On this 25th day of March

(Signature of Authorized Agent)

in the year 1977, before me,a notary public, personally appeared Keith Standley
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or Emmett Irrigation Dist) executed the same.

Notary Public residing at

Boise, IDMy commission expires March 3, 19785-3-77 RPA DET 10-24-77

Date in	Name	Present Owner	Description	Section	Acres	PREVIOUSLY LISTED ✓
11-3-64	Lynn Waters	Pearl Mayer (Boise)	W $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	4-6-1	10.00	✓
11-4-75	Jay Sisler	(same)	Tr. NE cor. NW $\frac{1}{4}$ SE $\frac{1}{4}$	4-6-2	12.65	✓
9-7-71	Wilbur E. Currier	Wilbur Currier	Pt. NW $\frac{1}{4}$ NW $\frac{1}{4}$	27-7-1	9.00	—
10-1-64	Bob Ames	Ventures Inc. E. Johannesen	E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 2) ✓ North Canal & SE $\frac{1}{4}$ NW $\frac{1}{4}$ W. Canal	30-7-1	26.00	✓
✓ 9-2-69	David Frisbee	Rue Frisbee	Tr. in SW $\frac{1}{4}$ NW $\frac{1}{4}$	35-7-1	18.50	✓
7-1-75	Rolling Hills	(same)	E. Pt. NE $\frac{1}{4}$ SW $\frac{1}{4}$	22-7-2	43.60	—
7-1-75	Rolling Hills	(same)	E. Pt. SE $\frac{1}{4}$ SW $\frac{1}{4}$	23-7-2	24.80	✓
✓ 4-4-60	C. A. Glass Co. Inc.	Rolling Hills	S310.9' SW $\frac{1}{4}$ SW $\frac{1}{4}$ ~~Pt. NW$\frac{1}{4}$NW$\frac{1}{4}$~~	23-7-2 26-7-2	9.39	—
3-1-66	Albert Naher	(same)	Tr. SW $\frac{1}{4}$ NE $\frac{1}{4}$	25-7-2	12.00	✓
3-1-60	Lewis Cooper	Gilbert Wallers	Pt. S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ S.	9-7-3	2.00	—
✓ 3-1-71	Hazel & M. J. Cooper	G. Wallers	W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ 10 80 80	9-7-3	100.00	(✓ 711 00)
✓ 4-6-72	Howard Bengé	(same)	Tr. W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ & ~~E$\frac{1}{2}$NE$\frac{1}{4}$SW$\frac{1}{4}$~~ Below canal	12-7-3	37.16	—
					25.5 → 101 NEW LANDS	

NOTE: ACREAGE ANNOTATED IN LANDS LIST. ALL WERE STRAIGHTFORWARD EXCEPT FOR THOSE CHECKED. GEN COUNTY PROVIDED FURTHER INFO TO CLARIFY THESE QUESTIONS.

Scale 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Committee on Irrigation
(Applicant)
North of Tule River

AJ0749NP
No. R65-07832

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

DATE: 12/17/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EMMETT IRRIGATION DISTRICT 222 E. PARK ST. EMMETT ID 83617	04/02/1977	IRRIGATION	03-15 11-15	6.00 CFS	1373.0 AFA
TOTAL DIVERSION:					6.00 CFS	1373.0 AFA

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion:

T07N R01W S22 Lot01(SENE)

GEM County

POU County:

Remarks: PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT.
USE OF THIS RIGHT WITH RIGHT NO. 65-00023, 65-02080, 65-02004
AND 65-10491 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
523.12 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF
76,150 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 21,757.1
ACRES IN A SINGLE IRRIGATION SEASON.
88.08 CFS OF RIGHT NO. 65-10491 IS LIMITED TO USE FOR
CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 65-00023, 65-02004,
65-02080 AND 65-10491.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

RECEIVED

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that EMMETT IRRIGATION DISTRICT
of Emmett, Idaho, has complied with the terms and conditions of Permit
No. 65-7832 issued pursuant to Application for Permit dated March 15, 1977,
and has submitted proof to the Department of Water Resources on December 3, 1979,
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 7.2 cfs of water from Payette River,
tributary to the Snake River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

(both dates inclusive)

Description and location of place of use:

[illegible]

Total number of acres irrigated _____

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of July 19 81

Director

Memo To: 65-7832 From: F.E.L 2/1/79

APPL DATE 3/25/77, RCT. DATE 3/25/77, PROPOSED
PRIOR 3/15/77, EXT. OF TIME GRANTING PRIOR.
DATE 3/23/77 WHICH IS 2 DAYS PRIOR TO APP.
RITA, S.O., TO TAKE CARE OF



MEMO

TO: 65-7832

FROM: DET 10-25-71

Upon initially reviewing this claim I thought that we should describe the lands within 65-7832 by acreages within each 40. However, to remain consistent with Irrigation District rules, all waters are common to each acre in the District. Therefore, the place of use of this 6.0 cfs is "Lands within Emmett Irrigation District". For purposes of licensing we have to ~~be shown~~ ^{show} which acres are newly included in the irrigation system. For this purpose the attached sheet of legal descriptions which identify the new lands is necessary.



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.

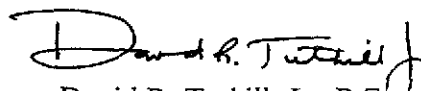
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without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

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3-1-71	Hazel & M. J. Cooper	G. Wallers	W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ S $\frac{1}{2}$ NE $\frac{1}{4}$	9-7-3	100.00
4-6-72	Howard Bengé	(same)	Tr. W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ & E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ Below canal	12-7-3	37.16