

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 TO WATER
	)	RIGHT NOS. 65-05311,
	)	65-08742

The Director of the Idaho Department of Water Resources, R. Keith Higginson, by and through counsel, and Hazel Lanham and Catherine Gillihan stipulate as follows:

1. That water right claim Nos. 65-05311 and 65-08742, 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 Hazel Lanham and Catherine Gillihan withdraw all pending objections, including those based on the objection filed by Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown in July 1982, in the above captioned matter.

CONVEYANCE LOSS SPLIT TREE

CLAIM: 65-08742 A & B

AGENT: Ron Howerton

Date: 10-4-00

TOTAL CFS 1.31 - .36 CONV. LOSS CFS = .95 = SPLIT BASE CFS

SPLIT BASE CFS FACTOR = CFS .95 / ACRES 28 = 0.033928571

TOTAL CONVEYANCE .36 / ACRES 28 = 0.012857143 = FACTOR CONV. LOSS CFS

1ST SPLIT = SPLIT BASE FACTOR x N acres 26 = BASE CFS .882

CONVEYANCE x 26 N acres = CONV. .334 CFS
LOSS FACTOR

2ND SPLIT = SPLIT BASE FACTOR x N acres 2 = BASE CFS 0.068

CONVEYANCE x 2 N acres = CONV. 0.026 CFS
LOSS FACTOR

NAME HAZEL & CATHRINE LANHAM

RIGHT 65-08742

BASE CFS + .95

CONV. LOSS = .36

TOTAL CFS 1.31

TRACT(S) T6N R2W S11

TRACT(S) NENE, NUNE

NAME HAZEL & CATHRINE LANHAM

RIGHT 65-08742 A

BASE CFS + .882

CONV. LOSS = .334

TOTAL CFS 1.216

TRACT(S) T6N R2W S11

TRACT(S) NENE, NUNE

1.216
+ .094
= 1.31

NAME REX LANHAM

RIGHT 65-08742 B

BASE CFS + 0.068

CONV. LOSS = 0.026

TOTAL CFS 0.094

TRACT(S) T6N R2W S11

TRACT(S) NENE

**T06N R02W
S11**

Idaho Department of Water Resources

Claims: 65-08742A

Prepared by:

RON HOWERTON

Date: 03 OCT 00

 **Place of use**

 **POD**

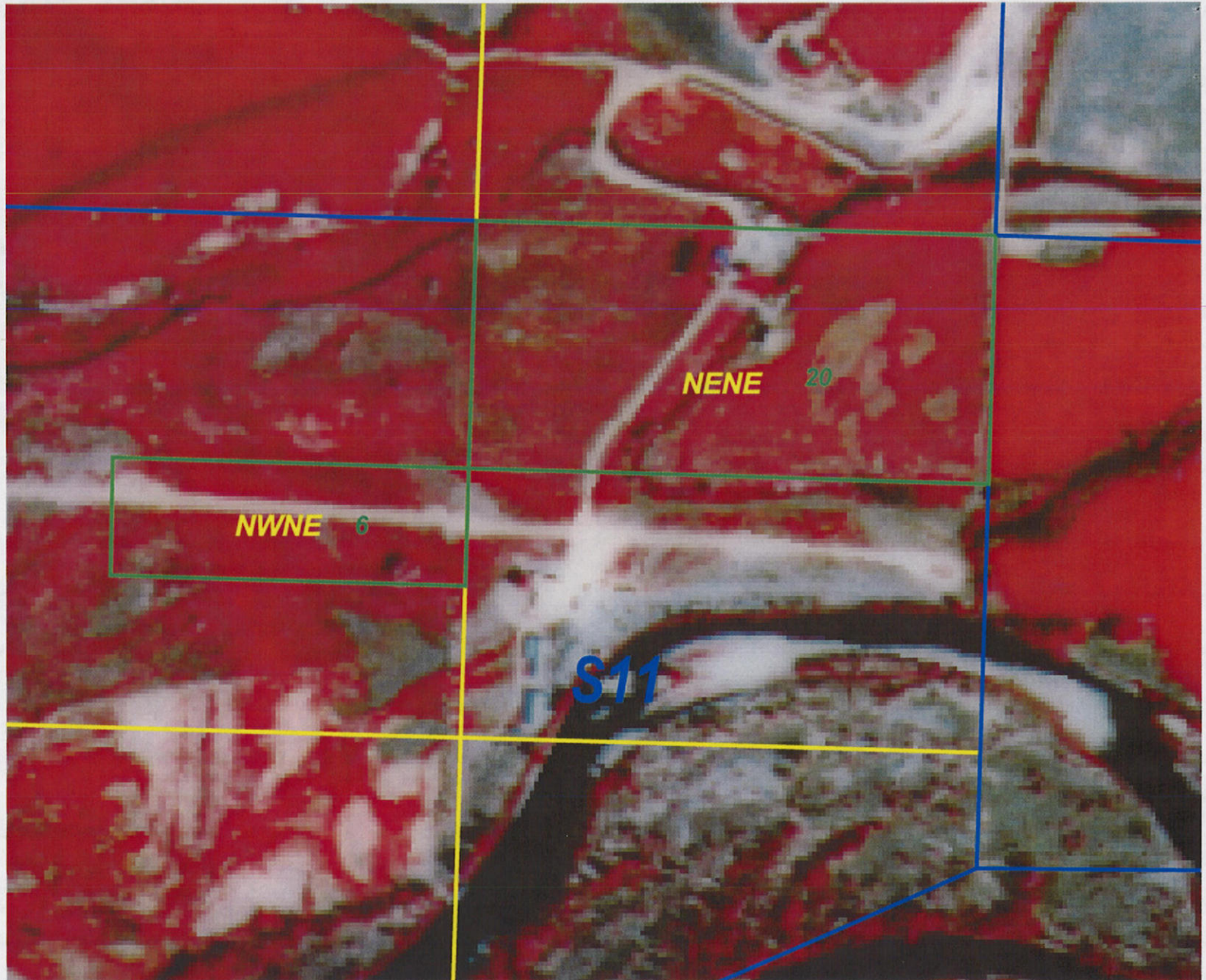
 **SECTION**

 **1/4 1/4**

26 Acres



1987 NAPP



0 0.1 0.2 0.3 0.4 0.5 Miles



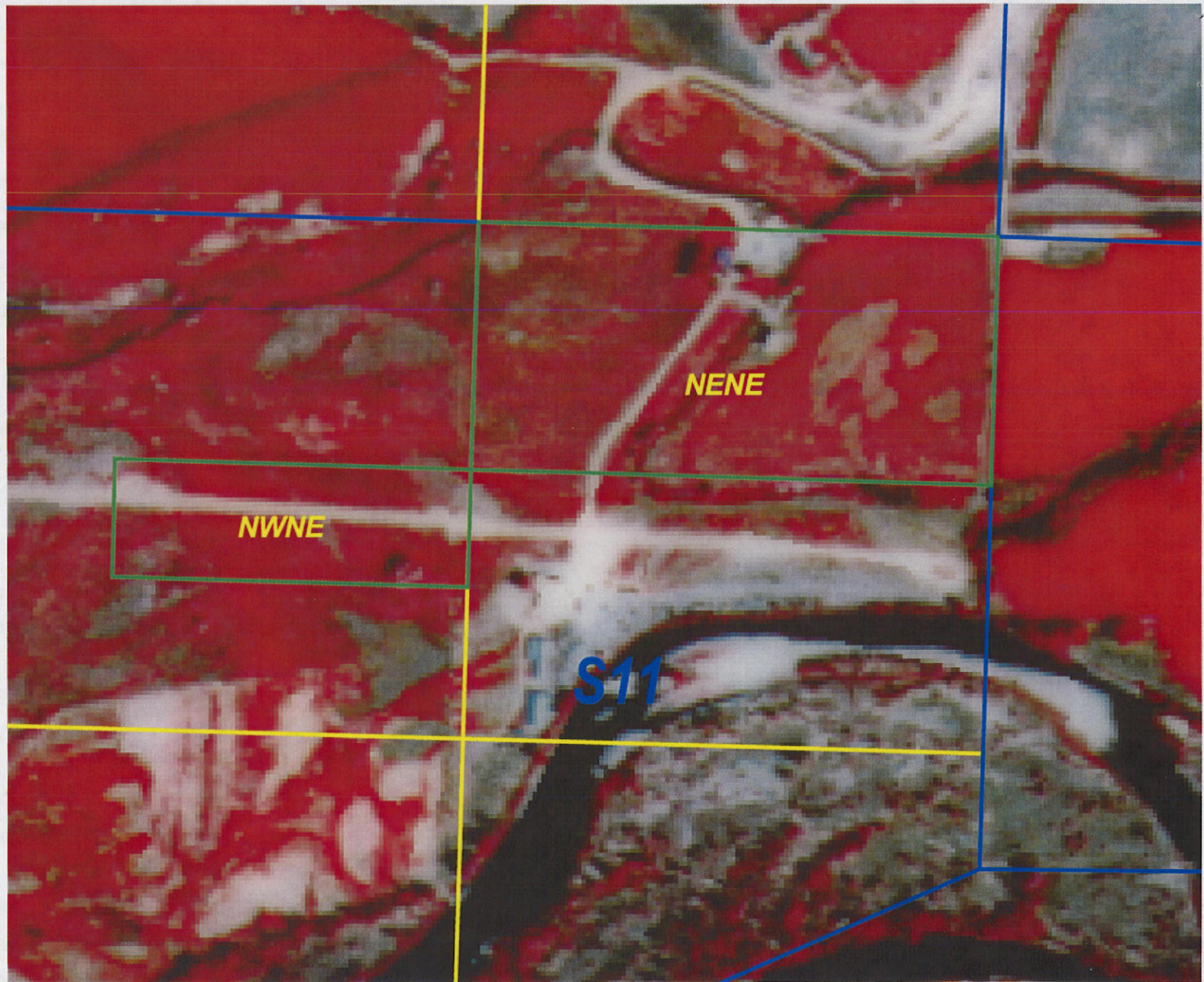
Idaho Department of Water Resources

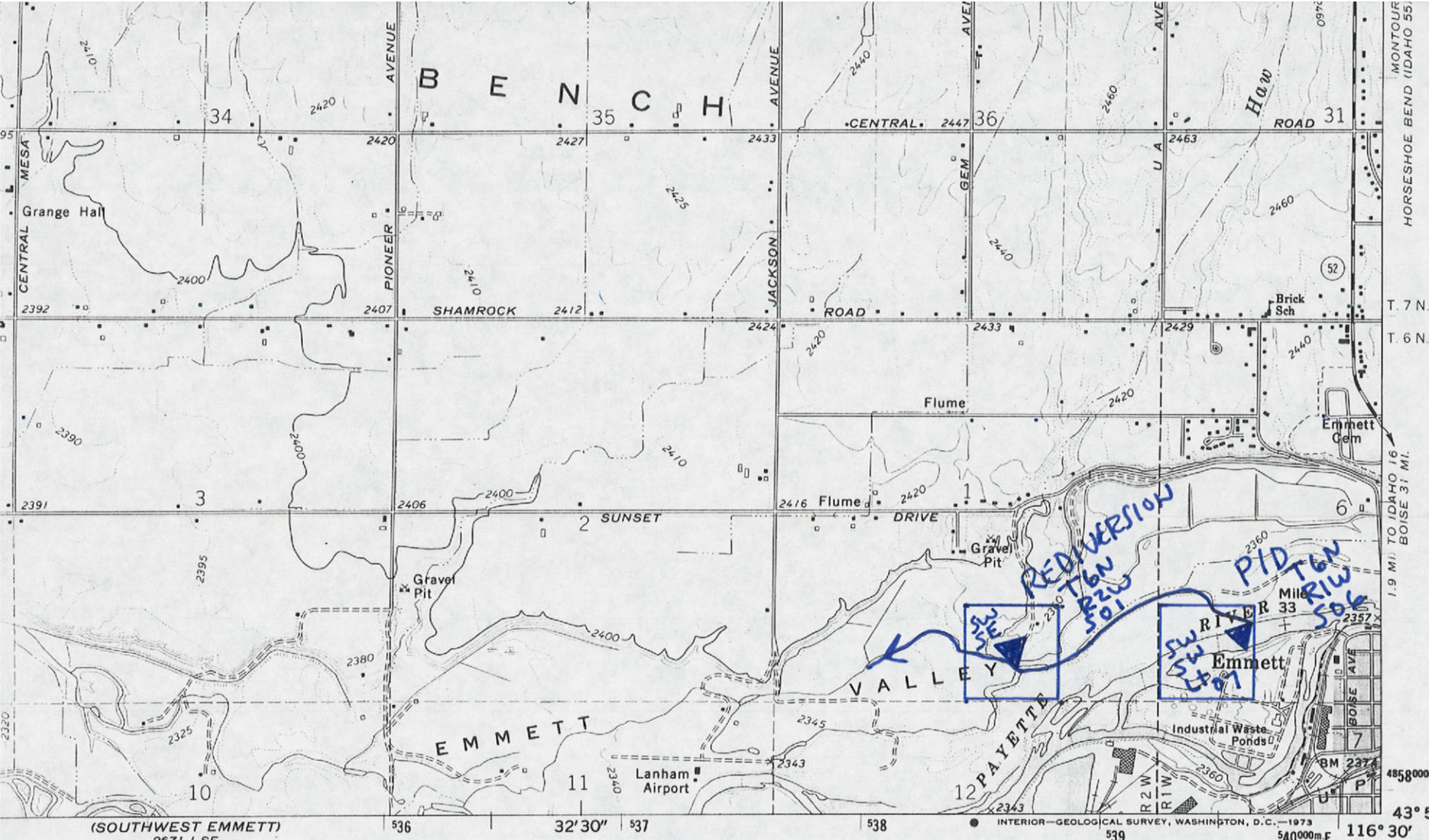
Date: 03 OCT 00

1/4 1/4



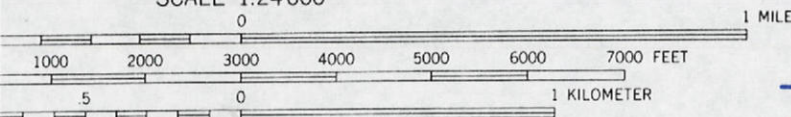
1987 NAPP





(SOUTHWEST EMMETT)
2671 I SE

SCALE 1:24 000



CONTOUR INTERVAL 20 FEET

DOTTED LINES REPRESENT 5-FOOT CONTOURS
DATUM IS MEAN SEA LEVEL

COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
LOGICAL SURVEY, DENVER, COLORADO 80225, OR WASHINGTON, D. C. 20242
ING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

PID OVERLAP

WR B

805

5071

5311

8742 A

8742 B

11262

11264

19626

DISALLOWED

ROAD CLASSIFICATION

Primary highway, hard surface _____ Light-duty road, hard or improved surface _____

Secondary highway, hard surface _____ Unimproved road _____

○ Interstate Route ○ U. S. Route ○ State Route

NORTHWEST EMMETT, IDAHO

N4352.5-W11630/7.5

1971

AMS 2671 I NE-SERIES V893

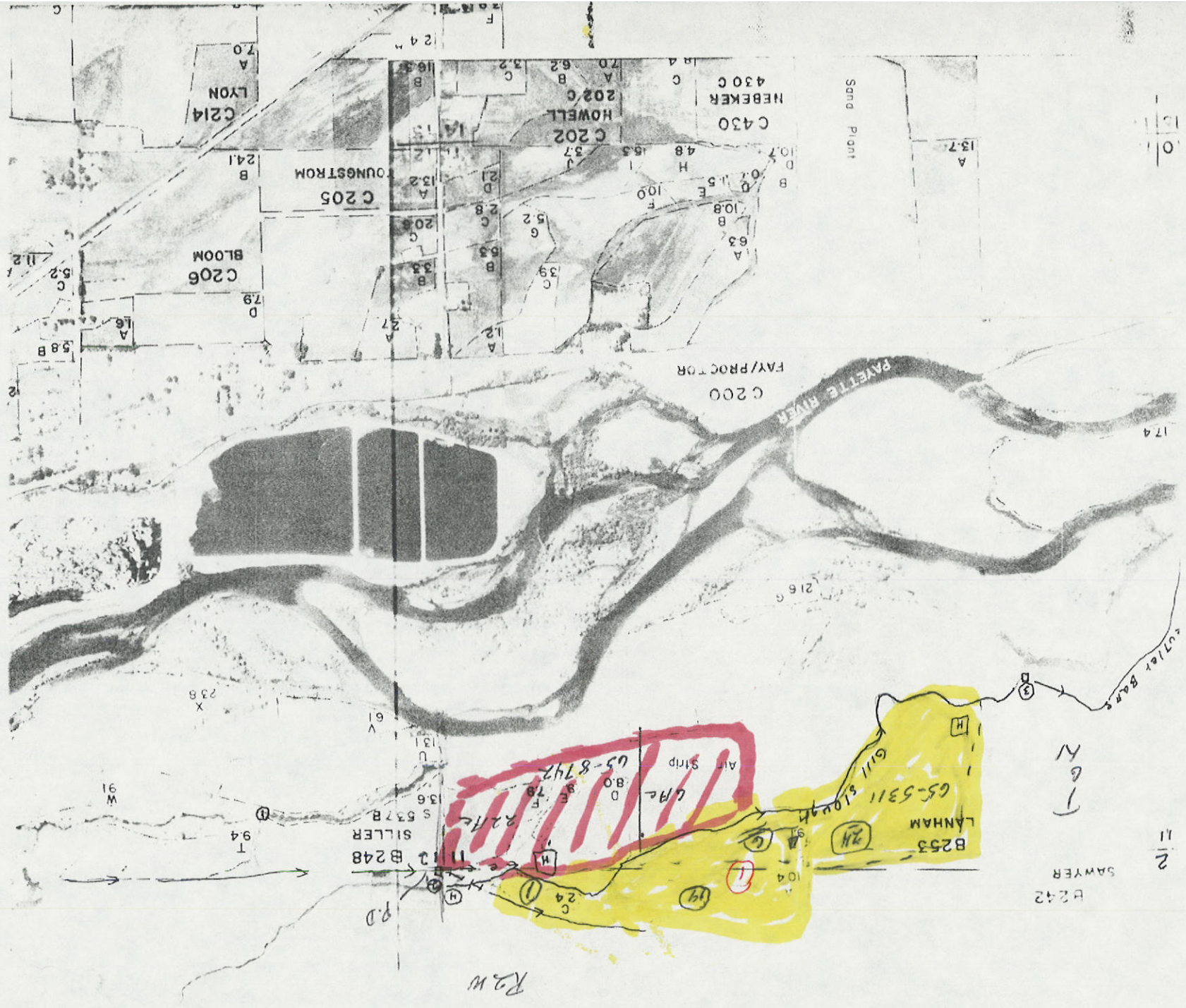
W-6

PRBA ASCS 7-21-61 CYM-1BB-125

ORANGE = A SPLIT

GREEN = B SPLIT





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: **A65-08742A**
Date Received: 2/ 5/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAZEL LANHAM 208-322-6940
Address: 9157 W CORY LN
BOISE ID 83704
OR
Name: CATHERINE GILLIHAN 208-322-6940
Address: 9157 W CORY LN
BOISE ID 83704

2. Date of Priority: JUN 1, 1919

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
06N	01W	6	SW	SW		7	GEM
	02W	1	SW	SE		R	GEM

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.310		

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

8. Total consumptive use is 98.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	02W	11	NE	NE		IRR	22.0
			NW	NE		IRR	6.0
Section Acres							28.0
Total Acres							28.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:
NONE.

14. Remarks:

DESC. OF DIVERTING WORKS - HEADGATE AND DITCH FROM RIVER, WITH DITCH FORMING GILL SLOUGH, RE-DIVERSION POINTS(2) VIA HEADGATES, DIRT AND CEMENT DITCHES, INCLUDING TWO FLUMES OVER HAW CREEK, FOR FLOOD IRRIGATION.

WATER IS DELIVERED THROUGH BEUTLER-BANE DITCH.

POINT OF RE-DIVERSION FROM GILL SLOUGH IN SWSE, S01, T06N, R02W.

A DIVERSION RATE OF 0.034 CFS PER ACRE AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.

0.36 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-00805, 65-05071, 65-11262, 65-05311 AND 65-11264.

CLAIM AMENDED PER STIPULATION FROM PAYETTE RIVER BASIN ADJUDICATION. KW 5/25/1996

CLAIM RENUMBERED TO A65-08742A 7/16/1996 DUE TO DUPLICATE CLAIM ON 2 ACRES CLAIMED UNDER NO. A65-08742B. KW

15. Basis of Claim: BENEFICIAL USE

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 _____

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: **A65-08742 A**
Date Received: 2/ 5/1990
Receipt No: X999999
Received By: _____

AMENDED

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

AMENDED

1. Name: HAZEL LANHAM 208-322-6940
Address: 9157 W CORY LN
BOISE ID 83704
OR
Name: CATHERINE GILLIHAN 208-322-6940
Address: 9157 W CORY LN
BOISE ID 83704

2. Date of Priority: JUN 1, 1919

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	01W	6	SW	SW		7	GEM
	02W	1	SW	SE		R	GEM

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.310		

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

8. Total consumptive use is 98.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	02W	11	NE	NE		IRR	22.0
			NW	NE		IRR	6.0
Section Acres							28.0
Total Acres							28.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:
NONE.

14. Remarks:

DESC. OF DIVERTING WORKS - HEADGATE AND DITCH FROM RIVER, WITH DITCH FORMING GILL SLOUGH, RE-DIVERSION POINTS(2) VIA HEADGATES, DIRT AND CEMENT DITCHES, INCLUDING TWO FLUMES OVER HAW CREEK, FOR FLOOD IRRIGATION.

WATER IS DELIVERED THROUGH BEUTLER-BANE DITCH.

POINT OF RE-DIVERSION FROM GILL SLOUGH IN SWSE, S01, T06N, R02W.

A DIVERSION RATE OF 0.034 CFS PER ACRE AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.

0.36 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.

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CLAIM AMENDED PER STIPULATION FROM PAYETTE RIVER BASIN ADJUDICATION. KW 5/25/1996

15. Basis of Claim: BENEFICIAL USE

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 _____

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 TO WATER
	)	RIGHT NOS. 65-05311,
	)	65-08742

The Director of the Idaho Department of Water Resources, R. Keith Higginson, by and through counsel, and Hazel Lanham and Catherine Gillihan stipulate as follows:

1. That water right claim Nos. 65-05311 and 65-08742, 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 Hazel Lanham and Catherine Gillihan withdraw all pending objections, including those based on the objection filed by Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown in July 1982, in the above captioned matter.

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				
65-05311	HAZEL LANHAM CATHERINE GILLIHAN 850 JACKSON AVE. EMMETT ID 83617	11/02/1883	IRRIGATION	03-15 11-15	2.34 CFS	BENEFICIAL USE
					TOTAL QUANTITY:	2.34 CFS
					CONSUMPTIVE USE:	175.0 AFY
POINT OF DIVERSION:						
T06N R01W S06 LOT 7 (SWSW)						
R02W S01 SWSE (R)						
PLACE OF USE: IRRIGATION						
T06N R02W S02 SWSE 19.0 SESE 1.0						
S11 NWNE 6.0 NENW 24.0						
50.0 ACRES TOTAL						
REMARKS: WATER IS DELIVERED THROUGH BEUTLER-BANE DITCH.						
POINT OF RE-DIVERSION FROM GILL SLOUGH IN SWSE SEC. 1, T6N, R2W.						
A DIVERSION RATE OF .034 CFS PER ACRE AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.						
0.64 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.						
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-00805, 65-05071, 65-11262, 65-08742 AND 65-11264.						

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				
65-08742	HAZEL LANHAM 850 JACKSON AVE. EMMETT ID 83617	06/01/1919	IRRIGATION	03-15 11-15	1.31 CFS	BENEFICIAL USE
	CATHERINE GILLIHAN 850 JACKSON ST. EMMETT ID 83617					
				TOTAL QUANTITY:	1.31 CFS	
				CONSUMPTIVE USE:	98.0 AFY	
	POINT OF DIVERSION:					
	T06N R01W S06 LOT 7 (SWSW)					
	R02W S01 SWSE (R)					
	PLACE OF USE: IRRIGATION					
	T06N R02W S11 NENE 22.0			NWNE 6.0		
	28.0 ACRES TOTAL					
REMARKS:	WATER IS DELIVERED THROUGH BEUTLER-BANE DITCH.					
	POINT OF RE-DIVERSION FROM GILL SLOUGH IN SWSE SEC. 1, T6N, R2W.					
	A DIVERSION RATE OF .034 CFS PER ACRE AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.					
	0.36 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.					
	THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-00805, 65-05071, 65-11262, 65-05311 AND 65-11264.					

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: **A65-08742** A
Date Received: 2/ 5/1990
Receipt No: X999999
Received By: [Signature]

AMENDED

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

AMENDED

1. Name: HAZEL LANHAM 208-322-6940
Address: 9157 W CORY LN
BOISE ID 83704
OR
Name: CATHERINE GILLIHAN 208-322-6940
Address: 9157 W CORY LN
BOISE ID 83704

2. Date of Priority: JUN 1, 1919

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
06N	01W	6	SW	SW			GEM
	02W	1	SW	SW		R	GEM
			SW	SE		R	GEM

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.560		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	02W	11	NE	NE		IRR	22.0
			NW	NE		IRR	6.0
Section Acres							28.0
Total Acres							28.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:
NONE.

14. Remarks:

DESC. OF DIVERTING WORKS - HEADGATE AND DITCH FROM RIVER, WITH
DITCH FORMING GILL SLOUGH, RE-DIVERSION POINTS(2) VIA HEADGATES,
DIRT AND CEMENT DITCHES, INCLUDING TWO FLUMES OVER HAW CREEK,
FOR FLOOD IRRIGATION.

15. Basis of Claim: BENEFICIAL USE

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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

CHANGE IN ADDRESS OF NOTICE OF CLAIM

PERMIT NO. 65-13152

[] Water Right Number (s): 65-05311

65-08742

65-08748 + 65-18413

[] Old Mailing Address: Hazel Lanham - Catherine Gillin
850 Jackson

Emmett, Id ~~83704~~ 83617

[] New Mailing Address: Hazel LANHAM - CATHERINE GILLIN

9157 W CORY LN

BOISE, ID, 83704

New Telephone Number: (208) 322-6940

[] Signature of Claimant: Catherine Gillin

Date: 4/25/95

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 4-25-95

By: [Signature]

Further Action Needed: PERMIT ADDRESS CHANGED

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

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

Renumbered to: A65-08742A
Ident. Number: A65-08742 *kw*
Date Received: 2/05/1990 *7/6/96*
Receipt No: X999999
Received By: *[Signature]*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAZEL LANHAM 208-365-2750
Address: 850 JACKSON AVE.
EMMETT, ID 83617

OR
Name: CATHERINE GILLIHAN 208-365-2750
Address: 850 JACKSON ST.
EMMETT, ID 83617

2. Date of Priority: JUN 01, 1919

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
06N	01W	6	SW	SW			GEM
	02W	1	SW	SW		R	GEM
			SW	SE		R	GEM

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.560		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	02W	11	NE	NE		IRR	22.0
			NW	NE		IRR	6.0
						Section Acres	28.0
						Total Acres	28.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:
NONE.

14. Remarks:
DESC. OF DIVERTING WORKS - HEADGATE AND DITCH FROM RIVER, WITH
DITCH FORMING GILL SLOUGH, RE-DIVERSION POINTS(2) VIA HEADGATES,
DIRT AND CEMENT DITCHES, INCLUDING TWO FLUMES OVER HAW CREEK,
FOR FLOOD IRRIGATION.

15. Basis of Claim: BENEFICIAL USE

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: 0

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): Catherine Gillika Date: 2/5/90
Hazel Lankam Date: 2/5/90

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of February 19 90
Seal James D. Hunt
Notary Public

Residing at Meridian ID
My Commission Expires 9-14-94

06/05/2001

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

RIGHT NUMBER: 65-8742A

NAME AND ADDRESS: CATHERINE GILLIHAN
HAZEL LANHAM
9157 W CORY LN
BOISE, ID 83704

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 1.216 CFS

A DIVERSION RATE OF .034 CFS PER ACRE AT THE FIELD HEADGATE
IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE
DESCRIBED BELOW.

0.334 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT.

USE OF THIS RIGHT WITH RIGHT NO. 65-22495 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.216 CFS.

PRIORITY DATE: 06/01/1919

POINT OF DIVERSION: T06N R01W S6 LOT 7 SWSW Within GEM County
T06N R02W S1 SWSE Rediversion Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	1.22 CFS

PLACE OF USE:

<u>IRRIGATION Within GEM County</u>					
T06N R02W S11	NENE	20	T06N R02W S11	NWNE	6

26 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 - Beneficial Use

PARCELS NOS: RP00328101A TAX 3, RP00328103A TAX 31
WATER IS DELIVERED THROUGH BEUTLER-BANE DITCH.



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.

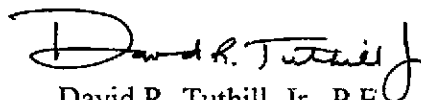
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without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

**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: 65-8742A
HAZEL LANHAM
9157 W CORY LN
BOISE ID 83704
Telephone Number: (208)322-6940

CATHERINE GILLIHAN
9157 W CORY LN
BOISE ID 83704
Telephone Number: (208)322-6940

1819
65-8742-
MARTIN

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:

4/12/01

SIGNATURE:

Please print your name:

Catherine Gillihan

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

58 - Marti

60 also.

60.

1st. Mitchell

pres

1974.

CONVEYANCE LOSS SPLIT TREE

CLAIM: 65-08742A & B

AGENT: Ron Howerton

Date: 10-4-00

TOTAL CFS 1.31 - .36 CONV. LOSS CFS = .95 = SPLIT BASE CFS

SPLIT BASE CFS FACTOR = CFS .95 / ACRES 28 = 0.033928571

TOTAL CONVEYANCE .36 / ACRES 28 = 0.012857143 = FACTOR CONV. LOSS CFS

1ST SPLIT = SPLIT BASE FACTOR x N acres 26 = BASE CFS .882

CONVEYANCE x 26 N acres = CONV. .334 CFS
LOSS FACTOR

2ND SPLIT = SPLIT BASE FACTOR x N acres 2 = BASE CFS 0.068

CONVEYANCE x 2 N acres = CONV 0.026 CFS
LOSS FACTOR

NAME HAZEL & CATHRINE LANHAM

RIGHT 65-08742

BASE CFS + .95

CONV. LOSS = .36

TOTAL CFS 1.31

TRACT(S) T6N R2W S11

TRACT(S) NENE, NUNE

NAME HAZEL & CATHRINE LANHAM

RIGHT 65-08742 A

BASE CFS + .882

CONV. LOSS = .334

TOTAL CFS 1.216

TRACT(S) T6N R2W S11

TRACT(S) NENE, NUNE

NAME REX LANHAM

RIGHT 65-08742 B

BASE CFS + 0.068

CONV. LOSS = 0.026

TOTAL CFS 0.094

TRACT(S) T6N R2W S11

TRACT(S) NENE

$$\begin{array}{r} 1.216 \\ + 0.094 \\ \hline = 1.31 \end{array}$$

AJ5809NP
No. A65-08742A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HAZEL LANHAM	06/01/1919	IRRIGATION	03-15 11-15	~~4.310 CFS~~	1.216 cfs
C	CATHERINE GILLIHAN 9157 W CORY LN BOISE ID 83704 (208) 322-6940				TOTAL DIVERSION: ~~4.310 CFS~~	~~98.00 AFA~~

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T06N R01W S06 Lot07(SWSW)
Point(s) of Re-diversion: T06N R02W S01 SWSE

GEM County
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	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM	
06N	02W	11	: 22	06											28.0	
			: 20												28.0	
															22	

TOTAL ACRES

POU County: GEM

Non-irrigation Uses: NONE.

Other Rights: NONE.

Remarks: GEN

DESC. OF DIVERTING WORKS - HEADGATE AND DITCH FROM RIVER, WITH
DITCH FORMING GILL SLOUGH, RE-DIVERSION POINTS(2) VIA HEADGATES,
DIRT AND CEMENT DITCHES, INCLUDING TWO FLUMES OVER HAW CREEK.
FOR FLOOD IRRIGATION.

WATER IS DELIVERED THROUGH BEUTLER-BANE DITCH.
POINT OF RE-DIVERSION FROM GILL SLOUGH IN SWSE, S01, T06N
R02W.

A DIVERSION RATE OF 0.034 CFS PER ACRE AT THE FIELD HEADGATE
IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE
DESCRIBED ABOVE.

0.36 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES
IN DELIVERY OF THIS RIGHT.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 65-00805, 65-05071, 65-11262,
65-05311 AND 65-11264.

CLAIM AMENDED PER STIPULATION FROM PAYETTE RIVER BASIN
ADJUDICATION. KW 5/25/1996

CLAIM RENUMBERED TO A65-08742A 7/16/1996 DUE TO DUPLICATE
CLAIM ON 2 ACRES CLAIMED UNDER NO. A65-08742B. KW

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

PRORATED BASED
UPON:
STIP E
SPLIT
A & B
SEE
SPLIT
TREE

to
COMMENTS

OK EXP FOI
DELETE COVERED POD
IN LEGAL

EXP Rmk

PARCELS: RP00328101A
TAX?
RP00328103A
TAX?
OWNERSHIP
VERIFIED BY TAX
RECORDS

NO OVERLAP CLAIMED
FROM GW RIGHT
65-9745

0.334

**T06N R02W
S11**

Idaho Department of Water Resources

Claims: 65-08742A

Prepared by:

RON HOWERTON

Date: 03 OCT 00

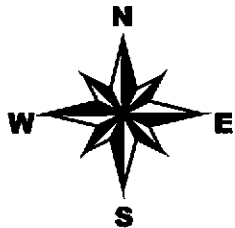
 **Place of use**

 **POD**

 **SECTION**

 **1/4 1/4**

26 Acres



1987 NAPP



**T06N R02W
S11**

Idaho Department of Water Resources

Claims: 65-08742A

Prepared by:

RON HOWERTON

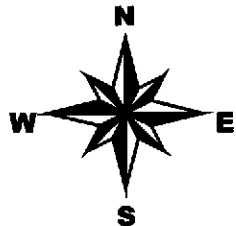
Date: 03 OCT 00

 **Place of use**

 **POD**

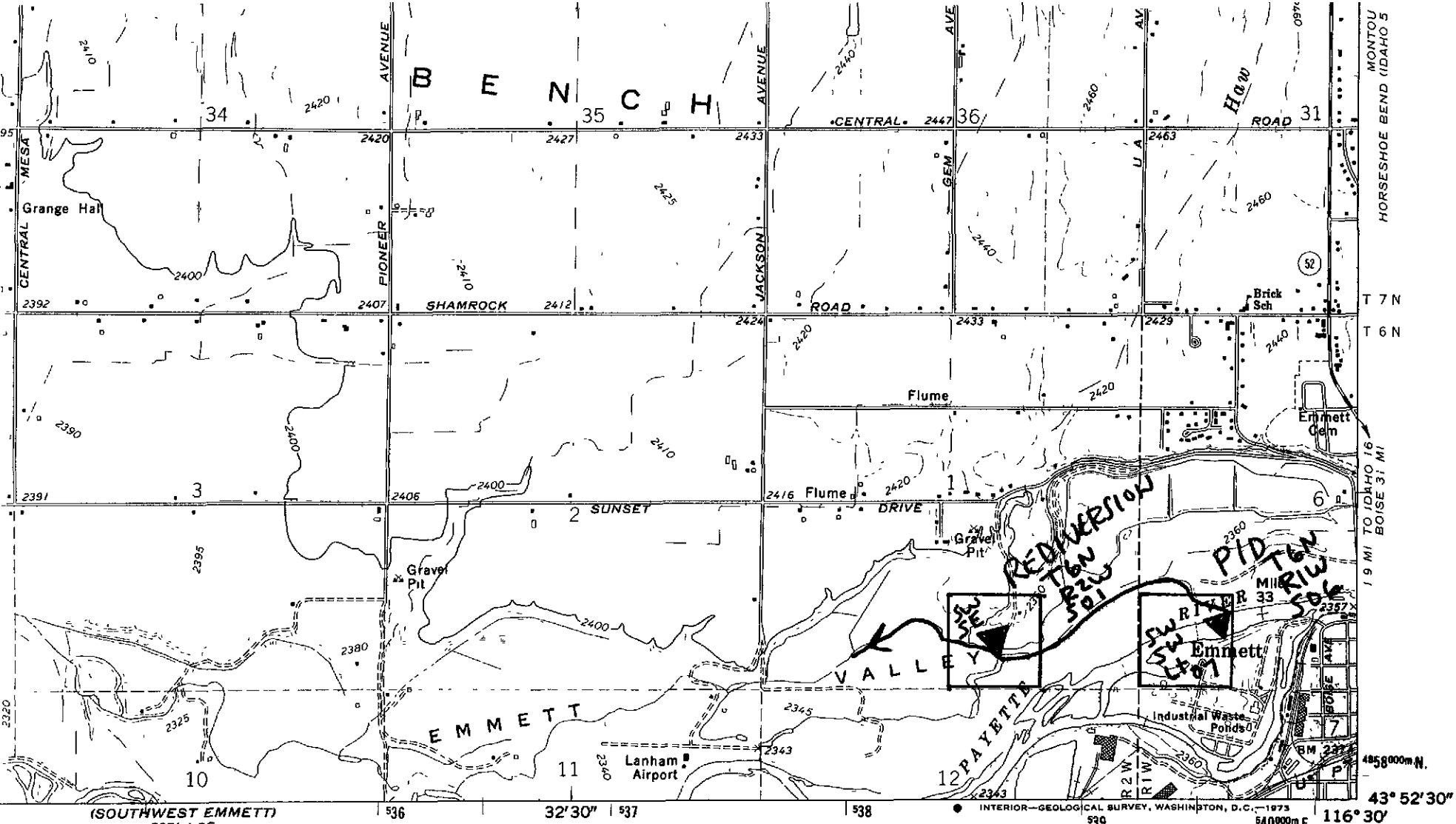
 **SECTION**

 **1/4 1/4**



1987 NAPP





(SOUTHWEST EMMETT)
2671 I SE
SCALE 1:24,000
1 MILE
1000 2000 3000 4000 5000 6000 7000 FEET
5 0 1 KILOMETER
CONTOUR INTERVAL 20 FEET
DOTTED LINES REPRESENT 5-FOOT CONTOURS
DATUM IS MEAN SEA LEVEL

PID OVERLAP
WR B
805
5071
5311
8742A
8742B
11262
11264
19626
DISALLOWED

ROAD CLASSIFICATION

Primary highway, hard surface _____ Light-duty road, hard or improved surface _____
Secondary highway, hard surface _____ Unimproved road _____
○ Interstate Route ○ U. S. Route ○ State Route

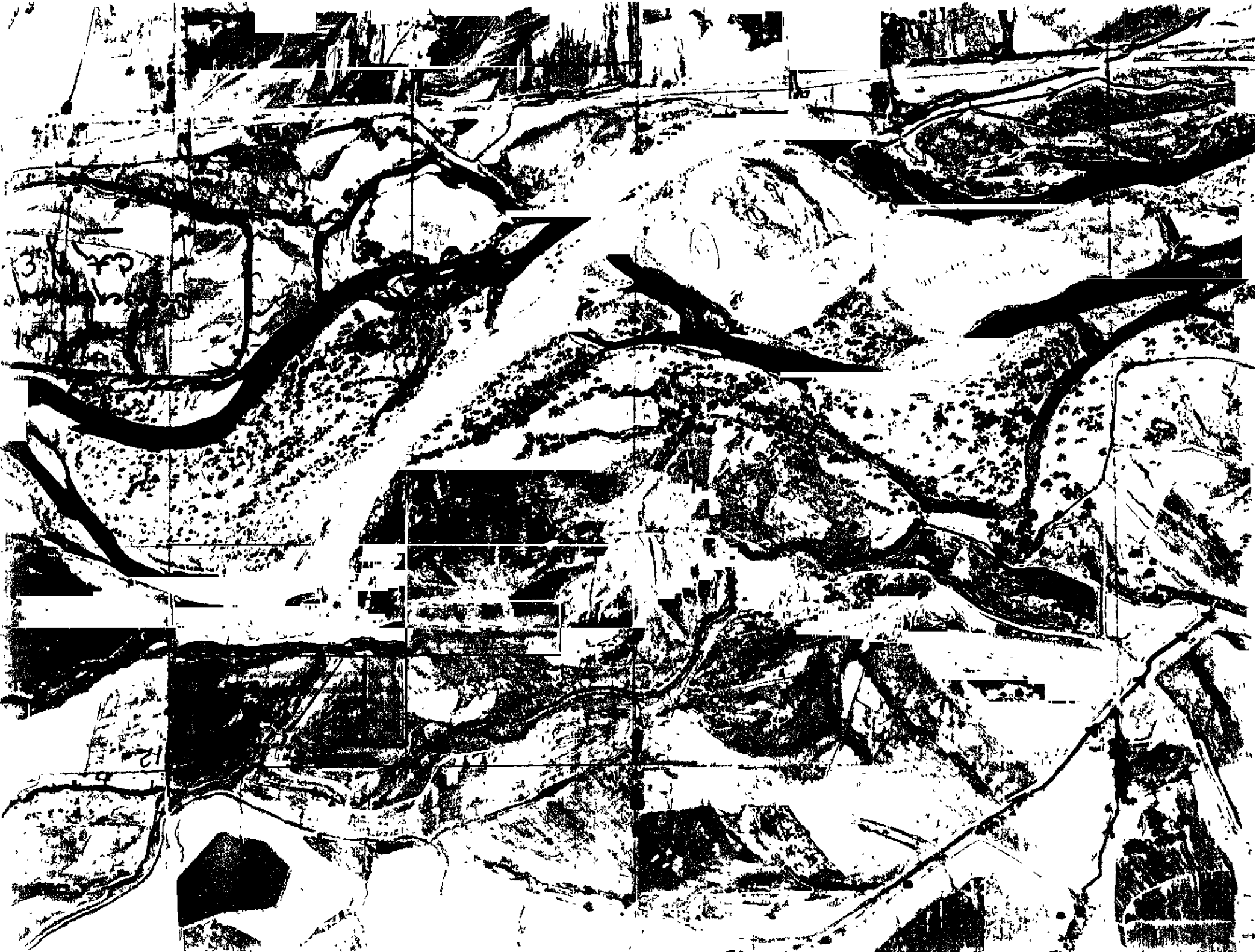
NORTHWEST EMMETT, IDAHO

N4352.5-W11630/7.5

1971

AMS 2671 I NE-SERIES V893

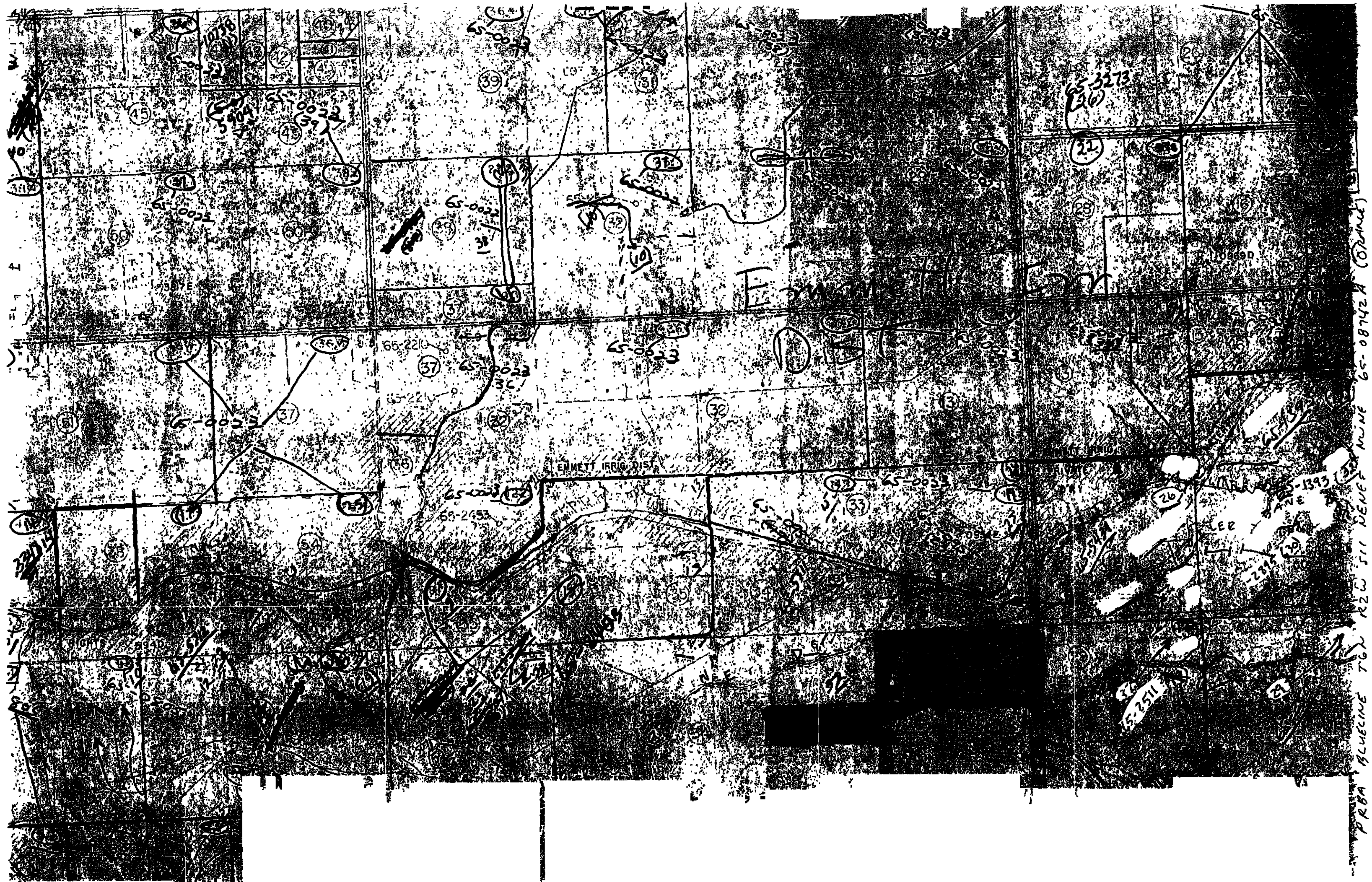
W-6



PR 18A ASCS 7-21-61 GYM-18B-125

ORANGE = A SPLIT

GREEN = B SPLIT



MEMORANDUM

A65-08742

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.

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HAZEL LANHAM 850 JACKSON AVE. EMMETT ID 83617 (208) 365-2750	06/01/1919	IRRIGATION	03-15 11-15	1.31 CFS	
				TOTAL DIVERSION:	1.31 CFS	
				CONSUMPTIVE USE:		98.0 AFA
C	CATHERINE GILLIHAN 850 JACKSON ST. EMMETT ID 83617 (208) 365-2750					

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T06N R01W S06 Lot07(SWSW)
Point(s) of Re-diversion: T06N R02W S01 SWSE

GEM County
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	11	:	22		06														:	28.0
																				TOTAL ACRES	28.0

POU County: GEM

Non-Irrigation Uses: NONE.

Other Rights: NONE.

Remarks: WATER IS DELIVERED THROUGH BEUTLER-BANE DITCH.
POINT OF RE-DIVERSION FROM GILL SLOUGH IN SWSE SEC. 1, T6N, R2W.
A DIVERSION RATE OF .034 CFS PER ACRE AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.
0.36 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-00805, 65-05071, 65-11262, 65-05311 AND 65-11264.

Dates: Exam Made Date: Verified Date:
Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

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 TO WATER
	)	RIGHT NOS. 65-05311,
	)	<u>65-08742</u>

The Director of the Idaho Department of Water Resources, R. Keith Higginson, by and through counsel, and Hazel Lanham and Catherine Gillihan stipulate as follows:

1. That water right claim Nos. 65-05311 and 65-08742, 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 Hazel Lanham and Catherine Gillihan withdraw all pending objections, including those based on the objection filed by Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown in July 1982, in the above captioned matter.

DATED this _____ day of _____, 1993.

LARRY ECHOHAWK
Attorney General

DANIEL L STECKEL
Deputy Attorney General
Department of Water Resources

DATED THIS 15 day of March, 1993.

Hazel Lanham
HAZEL LANHAM

DATED THIS 15 day of March, 1993.

Catherine Gillihan
CATHERINE GILLIHAN

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

JAMES R. DOOLITTLE
District Judge

STATE OF IDAHO, COUNTY OF Gen
On this 15 day of March, 1993,
before me, a notary public in and for said State, personally
appeared

Hazel Lanham
Catherine Gillihan

known to me to be the person's whose name's are
subscribed to the within instrument, and acknowledged to me
that E. J. [unclear] executed the same.

[Signature]
Notary Public

Residing at Emmett, Idaho
Comm Expires 4-12-95

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				
65-05311	HAZEL LANHAM CATHERINE GILLIHAN 850 JACKSON AVE. EMMETT ID 83617	11/02/1883	IRRIGATION	03-15 11-15	2.34	CFS BENEFICIAL USE
					TOTAL QUANTITY:	2.34 CFS
					CONSUMPTIVE USE:	175.0 AFY
POINT OF DIVERSION:						
T06N R01W S06 LOT 7 (SWSW)						
R02W S01 SWSE (R)						
PLACE OF USE: IRRIGATION						
T06N R02W S02 SWSE 19.0 SESE 1.0						
S11 NWNE 6.0 NENW 24.0						
50.0 ACRES TOTAL						
REMARKS: WATER IS DELIVERED THROUGH BEUTLER-BANE DITCH.						
POINT OF RE-DIVERSION FROM GILL SLOUGH IN SWSE SEC. 1, T6N, R2W.						
A DIVERSION RATE OF .034 CFS PER ACRE AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.						
0.64 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.						
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-00805, 65-05071, 65-11262, 65-08742 AND 65-11264.						

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				
65-08742	HAZEL LANHAM 850 JACKSON AVE. EMMETT ID 83617	06/01/1919	IRRIGATION	03-15 11-15	1.31	CFS BENEFICIAL USE
	CATHERINE GILLINAN 850 JACKSON ST. EMMETT ID 83617					
				TOTAL QUANTITY:	1.31	CFS
				CONSUMPTIVE USE:	98.0	AFY
	POINT OF DIVERSION:					
	T06N R01W S06 LOT 7 (SWSW)					
	R02W S01 SWSE (R)					
	PLACE OF USE: IRRIGATION					
	T06N R02W S11 NENE 22.0			NWNE 6.0		
	28.0 ACRES TOTAL					
REMARKS:	WATER IS DELIVERED THROUGH BEUTLER-BANE DITCH.					
	POINT OF RE-DIVERSION FROM GILL SLOUGH IN SWSE SEC. 1, T6N, R2W.					
	A DIVERSION RATE OF .034 CFS PER ACRE AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.					
	0.36 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.					
	THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-00805, 65-05071, 65-11262, 65-05311 AND 65-11264.					



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

April 29, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Catherine Gillihan
and Hazel Lanham
850 Jackson
Emmett, Idaho 83617

Re: Civil Case No. 3667 - Frasier, et al Objection 65-08742

Dear Payette River Water User,

In July 1982, Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown on behalf of themselves and others in the same class filed an Objection to the Findings with the Third Judicial District Court in the Payette River Basin Adjudication. The parties maintained the diversion rate recommended for their water rights and others from the Payette River were not correct for the "bottom lands" irrigated by those water rights.

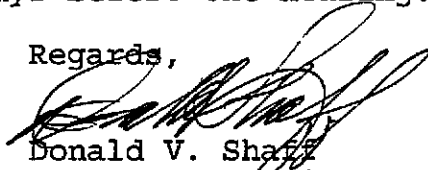
This group of water rights are among the last water rights remaining for decree in the Payette River Basin Adjudication. Most of the water rights were decreed on January 21, 1986 and in subsequent partial decrees.

Your water right referenced above was listed in the Proposed Finding with a diversion rate of 0.56 cubic feet per second (cfs). Having reviewed the data submitted by the parties and data and evidence obtained by the Department, the Department recommends a diversion rate of 1.31 cfs. If the amount of water is not proposed to change, data and/or evidence indicated a change was not justified.

The Department has made an effort to determine a fair and accurate diversion rate for each of the parties. If you disagree with the proposal above, please contact us by May 15, 1992. We hope to resolve any disputes that may exist before going to the court asking for a decree of your water right through a Motion for Summary Judgment.

A summary judgment allows the judge to make a decision without the time or expense of a trial when the facts are not disputed. Notice of this motion and the accompanying hearing will be provided to you 28 days before the hearing.

Regards,


Donald V. Shantz
Manager, Adjudication Section

CONVERSATION MEMORANDUM

DATE 8/25/86FILE 65-5311 & 65-8742NAME OF PARTY J. E. Mitchell (New owner ~~Re: of~~ Hazel Janham)EMPLOYEE John R. Noyes

RE: The following measurements were made at the concrete diversion box for rights 65-5311 & 65-8742 - Hazel Janham owns these two rights. 65-8742 - concrete ditch south of gill slough & east of house. 1.9 CFS
65-5311 .42 north of Gill Slough.

total 2.32 CFS measured

65-5311 50 acres

65-8742 28 acres

78 acres total

$2.32 = 116 \text{ inches} \div 78 = 1.49 \text{ inches per acre.}$
Water in lateral is divided at diversion box for these two rights - water can also be spilled into Gill Slough. Lateral & irrigation systems can deliver more water than measured if need arises. Pipeline delivers water from concrete diversion box to right 65-5311.

DIVERSION RATE CALCULATIONS

Water Right No. 65-08742

Date 4/21/92

Initials JF

Soils	Acres		Rate (cfs/ac)		Rate (cfs)
Moulton	<u>28</u>	x	0.034	=	<u>0.95</u>
Letha	<u>-</u>	x	0.029	=	<u>-</u>
Other	<u>-</u>	x	0.02	=	<u>-</u>
Total	<u>28</u>				<u>0.95</u>

Conveyance Loss (~~see~~ attached) = -36 see 65-11264

TOTAL DIVERSION RATE = 1.31

Comments:

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 268

INDICATES TOTAL

SOURCE: PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-2019	PENCE, THOMAS F. STAR ROUTE, PAYETTE, IDAHO 83661 REMARKS: TWO POINTS OF DIVERSION IN LOT 1, S. 26, T8N, R4W.	2/14/1916	IRRIGATION	3/15 11/15	--- AFA 1.38 CFS	LOT 1 S26 T 8N R 4W	SWSW(51) SESE(191) S24 T 8N R 4W NENW(2) NWNW(12) S25 T 8N R 4W NENE(24) NNAE(2) SWNE(2) SESE(3) S26 T 8N R 4W *69*	LICENSE
65-0507	BOISE CASCADE CORP. TIMBER & WOOD PRODUCTS DIV., 1010 JEFFERSON STREET, BOISE, IDAHO 83702	6/ 1/1916	INDUSTRIAL	1/ 1 12/31	11912.00 AFA 19.04 CFS	LOT 3 S 7 T 6N R 1W	NENE NWNE SWNE SENE SENW S12 T 6N R 2W	BENEFICIAL USE
65-0165C	LOWER PAYETTE DITCH COMPANY 114 NORTH 8TH STREET, PAYETTE, IDAHO 83661 REMARKS: POINT OF INJECTION IN BIG WILLOW CREEK IN SESE, S. 26, T8N, R4W. POINT OF RE-DIVERSION IN SWNW, S. 21, T8N, R4W. PLACES OF USE WITHIN LANDS OF LOWER PAYETTE DITCH CO. SEE 65-0165X.	4/ 1/1917	IRRIGATION	3/15 11/15	--- AFA 59.23 CFS	LOT 3 S 7 T 7N R 3W	*10990*	BENEFICIAL USE
65-10491	EMMETT IRRIGATION DISTRICT P. O. BOX 515, EMMETT, IDAHO 83617 REMARKS: PLACE OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT.	4/ 1/1919	IRRIGATION	3/15 11/15	--- AFA 172.00 CFS	LOT 1 S22 T 7N R 1E LOT 6 S22 T 7N R 1W	*21452*	BENEFICIAL USE
65-0071B	STEWART DITCH COMPANY C/O LEMARD PLATZ, ROUTE 1, BOX 164, EMMETT, IDAHO 83617 REMARKS: SEE 65-0071A. STEWART WATER DELIVERED BY RASMUSSEN DITCH.	4/ 1/1919	IRRIGATION	3/15 11/15	--- AFA 2.44 CFS	SWSE S21 T 7N R 3W	*102*	BENEFICIAL USE
65-8742	LANHAM, REX E. & LANHAM, H. M. ROUTE 2 BOX 242, EMMETT, IDAHO 83617 REMARKS: POINT OF RE-DIVERSION FROM GILL SLOUGH SWSE, S1, T6N, R2W.	6/ 1/1919	IRRIGATION	3/15 11/15	--- AFA .56 CFS	SWSW S 6 T 6N R 1W	NENE(22) NWNE(6) S11 T 6N R 2W *28*	BENEFICIAL USE
65-5759	ACCORD, O. THAYNE 1900 WEST 3500 SOUTH, SALT LAKE CITY, UTAH 84119	6/ 1/1920	IRRIGATION	3/15 11/15	--- AFA .28 CFS	LOT 2 S 7 T 7N R 3W	SWNE(9) LOT 2(5) S 7 T 7N R 3W *14*	BENEFICIAL USE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

May 15, 1991

H.M. Lanham
850 Jackson
Emmett, ID 83617

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Re: Civil Case No. 3667
Frasier, et al Objection 65-08742

Dear Payette River Water User,

In July 1982, Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown on behalf of themselves and others in the same class filed an Objection to the Proposed Findings with the Third Judicial District Court in the Payette River Basin Adjudication. The parties maintained the diversion rate recommended for their water rights and others from the Payette River were not correct for the "bottom lands" irrigated by those water rights.

This group of water rights are among the last water rights remaining for decree in the Payette River Basin Adjudication, most of which were decreed on January 21, 1986. The water rights decreed in the Payette adjudication will be incorporated into the eventual decree in the larger Snake River Basin Adjudication (SRBA) now proceeding in the Fifth Judicial District, provided new claims have been filed in the SRBA. Otherwise the achievement of a decree in the Payette adjudication could be voided.

Your water right referenced above was listed in the Proposed Finding with a diversion rate of .56 cubic feet per second (cfs). You will find enclosed a two-page form that when completed by you will describe your water delivery system and irrigation methods. The information you supply is essential in order for the staff of the Department to evaluate your irrigation water requirements. Much of the information required is technical, and you may wish to contact the Soil Conservation Service or other professionals for assistance with the form.

To expedite the process to resolve the Frasier objection, please return the enclosed form within 45 days. Without the completed form, the Department will assume you agree with the water right described in the Proposed Finding with the diversion rate shown above.

Please contact me if you have questions about the matters set out above. Thank you for your patience in this process.

Regards,

Donald V. Shaff
Manager, Adjudication Section

MEASUREMENT FOR GILL SL. TR. PAYETTE R

PAGE 1

MEASUREMENT LOCATION GILL SLOUGH-HAZEL LBNHFM LEORL DESCRIPTION SMSM SEC 01 TWP 06N RNO 02W
 MEASURED BY JKN ON 07/22/86 V = 2.218N + .022 FOR N <= 1
 V = 2.224N + .016 FOR N > 1

DISTANCE FROM INITIAL POINT	DEPTH	AREA	REVOLUTIONS	TIME	VELOCITY	DISCHARGE
FEET	FEET	SQ. FT.		SEC.	FT/SEC.	CFS
.000	.000	.000	0	.000	.000	.000
.900	.800	.720	30	69.000	.986	.710
1.800	.800	.760	40	60.000	1.501	1.141
2.800	.000	.000	0	.000	.000	.000
TOTALS		1.480				1.851

J. E. Mitchell (new owner) - Hager
STATE OF IDAHO
Jardine

1944 DISCHARGE MEASUREMENT NOTES

Gill Blangph River at Quayter T JKN

Dist. from trial Point	Width	Depth	Covering	Revolutions	Time in seconds	VELOCITY		Adjusted for bar, angle of	Area	Discharge
						At point	Mean in vertical			
0+00	FW									
0+9		.8		30						
1+8		.8		40						
2+8	FW									
note: All present for total 855 measured with Sigsbee meter in concrete ditch south of Bill Slough										

[illegible]

MEMO

TO: 65-8742

FROM: DET 2-24-78

FROM THE INFORMATION GIVEN IN THE FILE OF 65-2328 THERE IS NO REASON TO BELIEVE THESE LANDS WERE IRRIGATED BEFORE 1919, WHICH IS THE EARLIEST IRR. DATE MENTIONED.

SINCE THE DATE OF PRIOR OF THE 65-2328 RT IS ONLY 10-18-1924, THIS B/U RT WILL BE MAINTAINED AND NOT RE-NUMBERED AS THE LICENSE

DRT.

Diversion rate calculations:

Using Worstell's formula,

$$\text{Sheepage loss/mi} = 0.0667 \times 3 \text{ ft} \times 1.56 \text{ cf/ft}^2 \\ = .31$$

$$.81 \text{ mi of ditch} \times .31 = .25 \text{ cfs}$$

$$\text{Total rate} = .50 \text{ cfs} + .25 \\ = .75 \text{ cfs}$$

< 1 MILE DITCH $\Rightarrow$ NO LOSS CALCULATED

IN THE DISTRICT COURT OF THE _____ JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF _____

IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS TO THE USE OF _____
DRAINAGE BASIN. NOTICE OF CLAIM
TO A
WATER RIGHT

I. D. No.	Map No
\$ Fee Paid	Receipt No

Notice is hereby given that _____ (Name of Claimant)
_____, claims a right to the diversion
(Mailing Address)

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 decreed, licensed or permit right) _____

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

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

Quantity _____ (CFS, GPD, AF.)	Use _____ (Domestic, irrigation, stock, etc.)	Period of Use From _____ (Mo., Day) (Both Dates Inclusive)	To _____ (Mo., Day) (Both Dates Inclusive)
Quantity _____ (CFS, GPD, AF.)	Use _____ (Domestic, irrigation, stock, etc.)	Period of Use From _____ (Mo., Day) (Both Dates Inclusive)	To _____ (Mo., Day) (Both Dates Inclusive)
Quantity _____ (CFS, GPD, AF.)	Use _____ (Domestic, irrigation, stock, etc.)	Period of Use From _____ (Mo., Day) (Both Dates Inclusive)	To _____ (Mo., Day) (Both Dates Inclusive)

(4) _____ TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF.)

(5) A) Point of Diversion Give location of point where water is diverted from its source _____ ¼ _____ ¼,
Sec. _____, Twp _____, Rge _____, 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 _____

(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	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total No. of acres _____

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

(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 _____

(10) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ 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

_____, (Date) _____ (Signature of Claimant)

State of _____ Organization _____ (Signature of Spouse)

County of _____ ss. _____ Seal _____

On this _____ day of _____, in the year _____, before me,

a notary public, personally appeared _____ (Signature of Authorized Agent)
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 _____) executed the same.

My commission expires _____ Notary Public residing at _____

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 TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT

IDENT. NO.

MAP NO.

65-8742

Notice is hereby given that Rex E. &/or H. H. Lanham

(Name of Claimant)

Route 2, Box 242, Tunnett, Idaho 83617

(Mailing Address)

claims a right to the diversion and beneficial use of the surface or groundwater, of or tributary to the Payette River;

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 date that permit was issued) SEE MEMO 6-1-1974

(2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) 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: (Both Dates Inclusive)

Use Irrigation .75 Period of Use From April 1 To Oct 31
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)

Use (Domestic, irrigation, stock, etc.) Period of Use From (Mo., Day) To (Mo., Day)
(Both Dates Inclusive)

Use (Domestic, irrigation, stock, etc.) .56 Period of Use From (Mo., Day) To (Mo., Day)
(Both Dates Inclusive)

(4) Quantity of water claimed: 1.75 Cubic Feet Per Second, or 126 AF 142.5 AF and/or Gals. Per Minute.

(5) A) Point of Diversion: Give location of point where water is diverted from its source LT 7 SW 1/4 Sec. 6, Twp. 6 N, Rge. 1 W, B.M.; additional points: 1/4 SW 1/4

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. Diversion dam

(6) 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	2W	11	22	3	0														25
				6															28

Department of Water Resources

Total No. of acres 142.5

Web) If water is used for other than irrigation, fully describe that use, being as specific as possible: 28

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

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

(9) Remarks Soil condition and ditch loss require additional water be diverted at headgate. Any excess water returns to river through cement overflow - Lot 72, Map 3 (POINT OF RE-DIVERSION FROM GILL SLOUGH SWSE S.1 T6N R2W.)

(10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use, ☐ B) Right decreed by court, cite title of case, ☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.:

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 Rex E. Lanham (Signature of Claimant)

Organization (Signature of Spouse) 8-1-78 9-7-77

(Signature of Authorized Agent)

January 30, 1974 (Date)

State of Idaho ss. Organization Seal

On this 20th day of January, 1974, in the year 1974, before me,

a notary public, personally appeared REX E. LANHAM 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) executed the same.

Notary Public residing at Kenneth P. Hob

My commission expires 12-14-76

RECEIVED
MAP NO.
JAN 11 1974
Department of Water Administration

**NOTICE OF CLAIM
TO A
WATER RIGHT**

IDENT. NO.

MAP NO.

JAN 12 1974

Notice is hereby given that Rex E. &/or H. M. Lanham

(Name of Claimant)

Route 2, Box 242, Emmett, Idaho 83617

(Mailing Address)

claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

SEE MEMO ~~8-27~~ 1065
 (permit was issued) ~~Aug 27~~ 1969

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued)

(2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean): 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:
(Date, Dates, Season)

(Both Dates Inclusive)

Use _____ (Domestic, irrigation, stock, etc.)

Period of Use From APRIL 1 To DEC. 31
(Mo., Day) (Mo., Day)

Use _____
(Domestic, irrigation, stock, etc.)

Period of Use From _____ To _____
(Mo., Day) (Mo., Day)

Use _____ (Domestic, irrigation, stock, etc.)

Period of Use From 12-1-78 To 12-31-78
(Mo., Day) (Mo., Day)

(4) Quantity of water claimed: 1.575 Cubic Feet Per Second, or _____ Acre Feet Per Annum,
and/or _____ Gals. Per Minute. LT 7 SE 311

(5) A) Point of Diversion: Give location of point where water is diverted from its source
Sec. 6 Twp. 6 N Rge. 1 W, 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. Diversion dam

(6) 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.

[illegible]

Total No. of acres ~~441~~ 25

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:_____ 28

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

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

(9) Remarks Soil condition and ditch loss require additional water be diverted at headgate. Any excess water returns to river through cement overflow - Lot 72, Map B (POINT OF RE-DIVERSION FROM GILL SLOUGH SWSE S. 1 T 6 N R 2 W.)

(10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case _____
☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No. _____

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

(Signature of Claimant)

Organization

(Signature of Spouse)

(Signature of Authorized Agent)

_____ in the year 1974, before me.

REX E. LANHAM
a notary public, personally appeared
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 _____) executed the same. *N* - 1-10-16

Notary Public residing at 11111 1st St. N. Minneapolis, MN 55412

My commission expires

May 26, 1974

and 5 4/7/77

Boise, ID
DET 2-8-70

January 18, 1974

Mr. L. Gorrone
Attorney at Law
P. O. Box 637
Pommett, Idaho 83617

Dear Mr. Gorrone:

In answer to your letter of January 16, 1974, I see no problem with filing after February 10, 1974. It will be some time before all the claims in Valley County are received.

If you would please submit Mr. Lanham's claim as soon as it is convenient for you, it would be very much appreciated.

Sincerely,

GARY L. PAGE
U. R. Supervisor

GLP:sw

L. GORRONO
ATTORNEY AT LAW
105 NORTH HAYES
P.O. BOX 637
EMMETT, IDAHO 83617
(208) 365-2421

RECEIVED
JAN 17 1974
Department of Water Administration

January 16, 1974

Department of Water Administration
Statehouse--Annex 2
Boise, Idaho 83707

Re: Rex E. Lanham

Dear Gentlemen:

Rex E. Lanham is temporarily out side of the State of Idaho and will not return until about the 10th day of February, 1974. It is impossible for this office or his employees to complete the "Water Right Claim," without the aid of Mr. Lanham.

Will you please extend the filing date, in connection with his claims to the 15th day of February, 1974.

Very truly yours,


L. Gorriono

LG/cmg