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Documents  
In File

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

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 65-10555  
Date Received: 2/6/90  
Receipt No: X999999  
Received By:

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

1. Name of Claimant(s)

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

Phone: (208) 398-8902

2. Date of Priority: 05/01/1965

3. Source: PAYETTE RIVER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

ENTERPRISE DITCH

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| IRRIGATION | 3/15 | 11/15 | 7.56   |            |

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township      | Range | Section | 1/4 of 1/4 | Lot | Use        | Acres         |
|---------------|-------|---------|------------|-----|------------|---------------|
| 06N           | 02W   | 16      | SW         | NE  | IRRIGATION | 34            |
|               |       |         | NE         | SW  | IRRIGATION | 37            |
|               |       |         | NW         | SW  | IRRIGATION | 38            |
|               |       |         | SW         | SW  | IRRIGATION | 27            |
|               |       |         | SE         | SW  | IRRIGATION | 12            |
|               |       |         | NW         | SE  | IRRIGATION | 12            |
|               |       |         | NE         | SE  | IRRIGATION | 10            |
|               |       |         | SW         | SE  | IRRIGATION | 6             |
| Section Acres |       |         |            |     |            | 176           |
| 06N           | 02W   | 17      | NE         | SE  | IRRIGATION | 23            |
|               |       |         |            |     |            | Section Acres |
| 06N           | 02W   | 18      | NW         | NE  | IRRIGATION | 1             |
|               |       |         |            |     |            | Section Acres |
| 06N           | 03W   | 2       | SW         | NW  | IRRIGATION | 37            |
|               |       |         |            |     |            | Section Acres |
| 06N           | 03W   | 4       | NE         | SE  | IRRIGATION | 21            |
|               |       |         |            |     |            | Section Acres |
| 06N           | 03W   | 12      | SW         | NW  | IRRIGATION | 32            |
|               |       |         |            |     |            | Section Acres |
| Total Acres   |       |         |            |     |            | 290           |

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

SCANNED

14. Remarks:

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

15. Basis of Claim: Decreed

STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS OF NOTICE OF CLAIM

RECEIVED

MAY 14 2001

WATER RESOURCES  
WESTERN REGION

[ ] Water Right Number(s):

65-10555

65-7259

65-7179

65-70A

[ ] Claimant Name(s):

ENTERPRISE DITCH Co.

[ ] Old Mailing Address:

8777 BILL BURNS RD.

EMMETT, ID. 83617-

[ ] New Mailing Address:

3733 LITTLE ROCK RD.

EMMETT ID 83617-9784

Telephone Number:

(208) 398 - 8902

[ ] Signature of Claimant(s):

Frances Zumstein, Secretary

Date:

May 11, 2001

SCANNED

AUG 25 2003

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

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-10555  
Date Received: 2/06/1990  
Receipt No: X999999  
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: MAY 01, 1965

3. Source: PAYETTE RIVER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:  
ENTERPRISE DITCH

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 7.560  |      |        |

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

8. Total consumptive use is 1015.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 06N      | 02W   | 16      | SW     | NE  |     | IRR | 34.0  |
|          |       |         | NE     | SW  |     | IRR | 37.0  |
|          |       |         | NW     | SW  |     | IRR | 38.0  |
|          |       |         | SW     | SW  |     | IRR | 27.0  |

A65-10555

Page 1

Date: 02/06/90

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AUG 25 2003

MICROFILMED

SEP 24 1992

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 06N      | 02W   | 16      | SE     | SW  |     | IRR           | 12.0  |
|          |       |         | NE     | SE  |     | IRR           | 10.0  |
|          |       |         | NW     | SE  |     | IRR           | 12.0  |
|          |       |         | SW     | SE  |     | IRR           | 6.0   |
|          |       |         |        |     |     | Section Acres | 176.0 |
|          |       | 17      | NE     | SE  |     | IRR           | 23.0  |
|          |       |         |        |     |     | Section Acres | 23.0  |
|          |       | 18      | NW     | NE  |     | IRR           | 1.0   |
|          |       |         |        |     |     | Section Acres | 1.0   |
|          | 03W   | 2       | SW     | NW  |     | IRR           | 37.0  |
|          |       |         |        |     |     | Section Acres | 37.0  |
|          |       | 4       | NE     | SE  |     | IRR           | 21.0  |
|          |       |         |        |     |     | Section Acres | 21.0  |
|          |       | 12      | SW     | NW  |     | IRR           | 32.0  |
|          |       |         |        |     |     | Section Acres | 32.0  |
|          |       |         |        |     |     | Total Acres   | 290.0 |

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

65-00070A, 65-00070X, 65-07259, 65-07846, 65-07845, 65-07179

14. Remarks:

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

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

A65-10555

Page

2

Date: 02/06/90

MICROFILMED

SCANNED

SEP 24 1992

AUG 25 2003

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

For Organizations:

I do solemnly swear or affirm that I am President of Enterprise Ditch Co., that I have signed the foregoing document in the space below as President of Enterprise Ditch Co. and that the statements contained in the foregoing document are true and correct.

Mark L. Woodward  
Signature of Authorized Agent

Pres. Enterprise Ditch Co.  
Title and Organization

Feb 6 - 1990  
Date

State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 6<sup>th</sup> day  
of February 19 90

Carter Fritschle  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

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

05/14/2001

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

---

RIGHT NUMBER: 65-10555

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

SOURCE: PAYETTE RIVER      TRIBUTARY: SNAKE RIVER

QUANTITY: 7.56 CFS

THIS RIGHT WHEN COMBINED WITH THE RIGHTS LISTED  
BELOW SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE AT  
THE FIELD HEADGATES FOR IRRIGATION. COMBINED RIGHT  
NOS: 65-00070A, 65-00070X, 65-07259, AND

65-07179. THIS RIGHT WHEN COMBINED WITH THE RIGHTS  
LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION  
RATE OF 86.85 CFS. COMBINED RIGHT NOS: 65-00070A, 65-00070X,  
65-07259 AND 65-07179.

PRIORITY DATE: 05/01/1965

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

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 3-15 11-15           | 7.56 CFS        |

PLACE OF USE:

LAND IS WITHIN THE SERVICE AREA OF THE ENTERPRISE  
DITCH CO

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 290 ACRES  
WITHIN THE BOUNDARIES OF THE ENTERPRISE DITCH CO IN A  
SINGLE IRRIGATION SEASON

SCANNED

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-00070A, 65-00070X, 65-07259 & 65-07179.

RECEIVED

03/07/2001

APR 11 2001

WATER RESOURCES  
WESTERN REGION

NOTICE OF ERROR  
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

**YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 13, 2001**

Water right number: 65-10555

ENTERPRISE DITCH CO

8777 BILL BURNS RD

EMMETT ID 83617

Telephone Number: (208)365-4851

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

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

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

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

DATE: 3/27/01 SIGNATURE: Roy Whiteley  
Please print your name: Roy Whiteley

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

SCANNED

AUG 25 2003

AJ0749NP  
No. R65-10555

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

DATE: 03/29/00  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                                 | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|--------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | ENTERPRISE DITCH CO<br>8777 BILL BURNS RD<br>EMMETT ID 83617<br>(208) 365-4851 | 05/01/1965       | IRRIGATION | 03-15 11-15           | 7.560 CFS         |                     |
| TOTAL DIVERSION: |                                                                                |                  |            |                       | 7.560 CFS         |                     |

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T06N R02W S11 Lot06( NESW)

GEM County

POU County:

Other Rights: 65-00070A, 65-00070X, 65-07259, 65-07846, 65-07845, 65-07179

Remarks: QNT THIS RIGHT WHEN COMBINED WITH THE RIGHTS LISTED BELOW SHALL  
PROVIDE NO MORE THAN .02 CFS PER ACRE FOR IRRIGATION. COMBINED  
RIGHT NOS: 65-00070A, 65-00070X, 65-07259, 65-07845, 65-07846 AND  
65-07179.

THIS RIGHT WHEN COMBINED WITH THE RIGHTS LISTED BELOW IS  
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 86.85 CFS. COMBINED  
RIGHT NOS: 65-00070A, 65-00070X, 65-07259, 65-07845, 65-07846 AND  
65-07179.

POU1 LAND IS WITHIN THE SERVICE AREA OF THE ENTERPRISE DITCH CO.  
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 290 ACRES WITHIN  
THE BOUNDARIES OF THE ENTERPRISE DITCH CO IN A SINGLE IRRIGATION  
SEASON.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF  
DIVERSION DESCRIBED ABOVE: 65-00070A, 65-00070X, 65-07259,  
65-07845, 65-07846 & 65-07179.

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

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

Comments: Date: 03/29/2000 User-ID: MSCHULTE Subject: DELIVERY LOSS  
THE DIVERSION RATE FOR IRRIGATION IN EXCESS OF .02 CFS PER ACRE  
FOR THIS RIGHT WHEN COMBINED WITH 65-00070A, 65-00070X, 65-07179,  
65-07845, 65-07846 AND 65-07259 IS FOR DELIVERY LOSS AS ALLOWED

SCANNED  
AUG 25 2003

AJ0749NP  
No. R65-10555

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

DATE: 03/29/00  
PAGE: 2

=====

Comments: Date: 03/29/2000 User-ID: MSCHULTE Subject: DELIVERY LOSS  
IN THE PAYETTE RIVER BASIN ADJUDICATION.

Audit: 03/29/00 MSCHULTE

SCANNED  
AUG 25 2003

AJ5809NP  
No. A65-10555

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/29/00  
PAGE: 5

| OWNER<br>CODE                        | NAME & ADDRESS                                                                 | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|--------------------------------------|--------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                                    | ENTERPRISE DITCH CO<br>8777 BILL BURNS RD<br>EMMETT ID 83617<br>(208) 365-4851 | 05/01/1965       | IRRIGATION | 03-15 11-15           | 7.560 CFS         |                     |
| TOTAL DIVERSION:<br>CONSUMPTIVE USE: |                                                                                |                  |            |                       | 7.560 CFS         | 1045.00 AFA         |

Water Source: PAYETTE RIVER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T06N R02W S11 Lot06( NESW)

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 16 | :  |    |    | 34 | :  |    |    |    | :  | 37 | 38 | 27 | 12 | :  | 10 | 12 | 06    | 176.0 |
| 06N         | 02W 17 | :  |    |    |    | :  |    |    |    | :  |    |    |    |    | :  | 23 |    |       | 23.0  |
| 06N         | 02W 18 | :  |    | 01 |    | :  |    |    |    | :  |    |    |    |    | :  |    |    |       | 1.0   |
| 06N         | 03W 2  | :  |    |    |    | :  |    |    | 37 | :  |    |    |    |    | :  |    |    |       | 37.0  |
| 06N         | 03W 4  | :  |    |    |    | :  |    |    |    | :  |    |    |    |    | :  | 21 |    |       | 21.0  |
| 06N         | 03W 12 | :  |    |    |    | :  |    |    | 32 | :  |    |    |    |    | :  |    |    |       | 32.0  |
| TOTAL ACRES |        |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 290.0 |       |

POU County: GEM

Other Rights: 65-00070A, 65-00070X, 65-07259, 65-07846, 65-07845, 65-07179

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

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:  
Presumption Flag:

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

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

SCANNED  
AUG 25 2003

WR5809NP  
No. 65-10555

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 03/29/00  
PAGE: 8

| OWNER<br>CODE    | NAME & ADDRESS                                                 | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|----------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | ENTERPRISE DITCH CO.<br>8777 BILL BURNS RD.<br>EMMETT ID 83617 | 05/01/1965       | IRRIGATION | 03/15 11/15           | 7.560 CFS         |                     |
| TOTAL DIVERSION: |                                                                |                  |            |                       | 7.560 CFS         |                     |

Water Source: PAYETTE RIVER

Tributary to:

Stage: DECREED

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

GEM County

Place of use Legal Description for: IRRIGATION

|             |          | NE            |               |               |               | NW            |               |               |               | SW            |               |               |               | SE            |               |               |               |       |
|-------------|----------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|-------|
| T           | R S      | NENE<br>Lt Ac | NWNE<br>Lt Ac | SWNE<br>Lt Ac | SENE<br>Lt Ac | NENW<br>Lt Ac | NWNW<br>Lt Ac | SWNW<br>Lt Ac | SESW<br>Lt Ac | NESW<br>Lt Ac | NWSW<br>Lt Ac | SWSW<br>Lt Ac | SESW<br>Lt Ac | NESE<br>Lt Ac | NWSE<br>Lt Ac | SWSE<br>Lt Ac | SESE<br>Lt Ac | SUM   |
| 06N         | 02W 16 : |               |               | 34            |               |               |               |               |               | 37            | 38            | 27            | 12            | 10            | 12            | 06            |               | 176.0 |
| 06N         | 02W 17 : |               |               |               |               |               |               |               |               |               |               |               |               | 23            |               |               |               | 23.0  |
| 06N         | 02W 18 : |               | 01            |               |               |               |               |               |               |               |               |               |               |               |               |               |               | 1.0   |
| 06N         | 03W 2 :  |               |               |               |               |               |               | 37            |               |               |               |               |               |               |               |               |               | 37.0  |
| 06N         | 03W 4 :  |               |               |               |               |               |               |               |               |               |               |               |               | 21            |               |               |               | 21.0  |
| 06N         | 03W 12 : |               |               |               |               |               |               | 32            |               |               |               |               |               |               |               |               |               | 32.0  |
| TOTAL ACRES |          |               |               |               |               |               |               |               |               |               |               |               |               |               |               |               | 290.0         |       |

Pou County: GEM

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

65-00070A 65-00070X 65-02561 65-07179 65-07259 65-07845 65-07846

Other Water Rights Listing Overlapping Place(s) of use:

65-00054X 65-00066 65-00070X 65-05281 65-13609

|        |                 |                    |            |
|--------|-----------------|--------------------|------------|
| Dates: | App. Received:  | Priority Date:     | 05/01/1965 |
|        | Proof Due Date: | Proof Made Date:   |            |
|        | Exam Made Date: | Exam Sent to S.O.: |            |
|        | Licensed Date:  |                    |            |

Misc: Water District Number: 65 Field Exam Fee:

Audit: 09/11/86 04/30/88 CONVERT

SCANNED

AUG 25 2003



## 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](http://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.

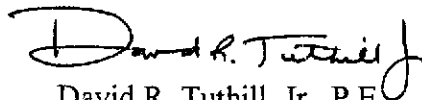
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without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