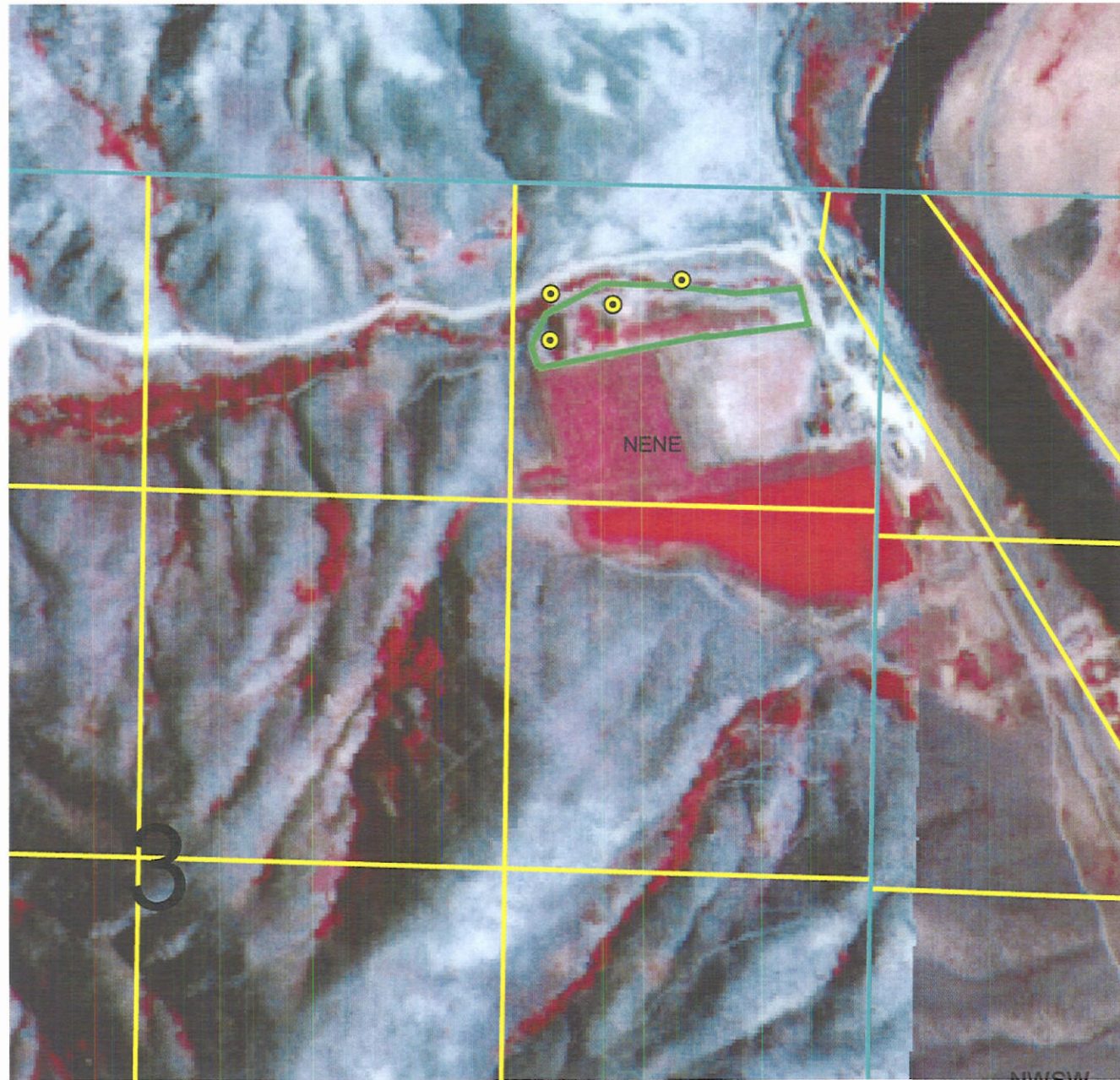


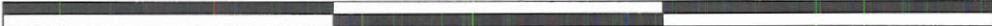
Idaho Dept. of Water Resources

Claim No(s): 65-12536
T07N, R02E, Sec 3
Created by: Sue Bock
Date: 10/31/2000

-  Place of Use
-  Point of Diversion
-  Section lines
-  1/4 1/4 lines



0 1000 2000 3000 Feet



1987 NAPP Photo

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 65-12536
Date Received: 5/5/89
Receipt No: C006632
Received By: *CL 5-11-01*

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

RECEIVED

MAY 25 2001

WATER RESOURCES
WESTERN REGION

1. Name of Claimant(s)

CHUCK MORGAN Phone: (208) 793-2566

PO BOX 126
HORSESHOE BEND ID USA 83629

CONNIE S MORGAN Phone: (208) 793-2566

PO BOX 126
HORSESHOE BEND ID USA 83629

2. Date of Priority: 07/08/1982

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot				County	Type
07N	02E	3	NW	NE	NE	1	BOISE	

5. Description of diverting works:

3 PUMPS FOR IRRIGATION, 1 HEADGATE - DIVERSION TO PONDS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.08	8.1
STOCKWATER	01/01	12/31	0.01	
RECREATION STORAGE	01/01	12/31		0.1

DIVERSION TO STORAGE

01/01 12/31 0.01

7. Total Quantity Appropriated is:
0.08 C.F.S. and/or 8.1 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
07N	02E	3	NE	NE	1	IRRIGATION	2.7
			NE	NE	1	RECREATION STORAGE	
			NE	NE	1	DIVERSION TO STORAGE	
			NE	NE	1	STOCKWATER	
						Section Acres	2.7
						Total Acres	2.7

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

4 POINTS DIVERSION LOCATED NENE, SEC.3,T07N,R02E.
Claim amended to include year round stockwater use of water diverted to storage.

15. Basis of Claim: License

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Chuck Morgan* Date: 5-11-01
_____ Date: _____

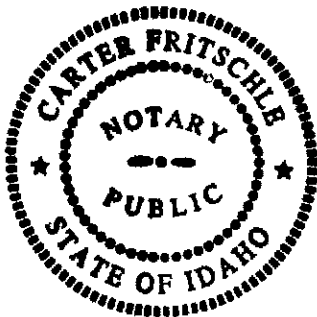
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of May 2001 *Carter Fritschle*

Notary Public

Residing at Kuna Id

My commission Expires 3-21-2006



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: A65-12536
Date Received: 5/05/1989
Receipt No: C006632
Received By: QZ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHUCK MORGAN 208-793-2566
Address: P.O. BOX 126
HORSESHOE BEND, ID 83629

AND/OR

Name: CONNIE MORGAN 208-793-2566
Address: P.O. BOX 126
HORSESHOE BEND, ID 83629

2. Date of Priority: JUL 08, 1982

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	02E	3	NW	NE	NE	1	BOISE

5. Description of diverting works:

3 PUMPS FOR IRRIGATION, 1 HEADGATE - DIVERSION TO PONDS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.080		8.10
DIVERSION TO STORAGE	01/01	12/31	0.010		
RECREATION STORAGE	01/01	12/31			0.10

7. Total Quantity Appropriated is:

0.080 C.F.S. (and/or) 8.10 A.F.A.

8. Total consumptive use is 6.7 Acre Feet Per Annum.

9. Non-irrigation uses:

RECREATION STORAGE, DUCK PONDS

A65-12536

Page 1

Date: 05/05/89

MICROFILMED
SEP 24 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07N	02E	3	NE		NE	1	IRR	2.7
			NE		NE	1	DIV S	
			NE		NE	1	REC S	
							Section Acres	2.7
							Total Acres	2.7

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
65-12276

14. Remarks:
THIS CLAIM IS BASED ON THE LICENSE ISSUED APRIL 21, 1989.
4 POINTS DIVERSION LOCATED NENE, SEC.3,T07N,R02E.

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: 2

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): Chuck Morgan Date: 5/5/89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of May 19 89

Donna C. Sully
Notary Public

Seal

Residing at Boise, ID
My Commission Expires 11/08/1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12536

Priority: July 8, 1982 Amount: 0.08 CFS 8.1 AFA

This is to certify, that CHUCK MORGAN
CONNIE MORGAN

P.O. BOX 126

HORSESHOE BEND, ID 83629

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated July 8, 1982, and has submitted proof to the Department of Water Resources on August 18, 1987, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .140 cfs of water from:

BROWNLEE CREEK

tributary to PAYETTE RIVER

source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	04/01 to 11/01	0.08 CFS	8.1 AFA
RECREATION STORAGE	01/01 to 12/31		0.1 AFA
DIVERSION TO STORAGE	01/01 to 12/31	0.01 CFS	
	Totals	0.08 CFS	8.1 AFA

LOCATION OF POINT(S) OF DIVERSION:

NENE, Sec. 3, Township 07N, Range 02E
BOISE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	02E	3	LOT 1(NENE)	2.7		2.7

Total number of acres irrigated: 2.7

PLACE OF USE: RECREATION STORAGE, same as IRRIGATION use

PLACE OF USE: DIVERSION TO STORAGE, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 4 points of diversion located in NENE, S3, T7N, R2E.

MICROFILMED

SEP 24 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12536

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 21st
day of April, 1989.

Acting for the Director

Norman C. Young

MICROFILMED

SEP 24 1992

**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: 65-12536

CHUCK MORGAN

PO BOX 126

HORSESHOE BEND ID 83629

Telephone Number: (208)793-2566

CONNIE S MORGAN

PO BOX 126

HORSESHOE BEND ID 83629

Telephone Number: (208)793-2566

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: 3-22-01

SIGNATURE: Chuck Morgan

Please print your name: Chuck Morgan

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CONNIE S MORGAN
PO BOX 126
HORSESHOE BEND ID 83629

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

SOURCE: BROWNLEE CREEK TRIBUTARY: PAYETTE RIVER
QUANTITY: 0.08 CFS
8.1 AFY

USE OF THIS RIGHT WITH RIGHT NO. 65-12276 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.02 CFS PER ACRE AT FIELD HEADGATE.

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR
STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY
DITCH ENTERS THE PLACE OF USE DESCRIBED.

PRIORITY DATE: 07/08/1982

POINT OF DIVERSION:

T07N R02E S3 NWNENE Lot 1 Within BOISE County

T07N R02E S3 NWNENE Lot 1 Within BOISE County

T07N R02E S3 NWNENE Lot 1 Within BOISE County

T07N R02E S3 NWNENE Lot 1 Within BOISE County

4 POINTS OF DIVERSION LOCATED IN T07N, R02E, S3, NENE.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DIVERSION TO STORAGE	01/01 12/31	0.010 CFS
IRRIGATION	04/01 11/01	0.080 CFS 8.10 AFY
STOCKWATER	01/01 12/31	0.010 CFS
RECREATION STORAGE	01/01 12/31	0.10 AFY

PLACE OF USE:

DIVERSION TO STORAGE Within BOISE County

T07N R02E S03 Lot 1 NENE

IRRIGATION Within BOISE County

T07N R02E S03 Lot 1 NENE 2.7

RECREATION STORAGE Within BOISE County

T07N R02E S03 Lot 1 NENE

STOCKWATER same as RECREATION STORAGE

2.7 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.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

10/30/2000

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

RIGHT NUMBER: 65-12536

NAME AND ADDRESS: CHUCK MORGAN
CONNIE MORGAN
PO BOX 126
HORSESHOE BEND, ID 83629

SOURCE: BROWNLEE CREEK TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.08 CFS
8.1 AFY

USE OF THIS RIGHT WITH RIGHT NO. 65-12276 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.02 CFS PER ACRE AT FIELD
HEADGATE.

PRIORITY DATE: 07/08/1982

POINT OF DIVERSION: T07N R02E S3 LOT 1 NWNENE Within BOISE County
4 POINTS OF DIVERSION LOCATED IN T07N, R02E, S3, NENE.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION STORAGE	1-01 12-31	0.1 AFY
DIVERSION TO STORAGE	1-01 12-31	0.01 CFS
IRRIGATION	4-01 11-01	0.08 CFS
		8.1 AFY

PLACE OF USE:

DIVERSION TO STORAGE Within BOISE
County
T07N R02E S3 LOT 1 NENE
IRRIGATION Within BOISE County
T07N R02E S3 LOT 1 NENE 2.7
RECREATION STORAGE Within BOISE CountyT07N R02E S3
LOT 1
NENE 2.7 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:52:14
06/10/00
1579

PAGE: 16
PROFILE REPORT

CLAIM NUMBER: A65-12536

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHUCK MORGAN	07/08/1982	IRRIGATION	04-01 11-01	0.080 CFS	8.10 AFA
C	CONNIE MORGAN		RECREATION STORAGE	01-01 12-31	0.010 CFS	0.10 AFA
			DIVERSION TO STORAGE	01-01 12-31		
TOTAL DIVERSION:					0.080 CFS	8.10 AFA
CONSUMPTIVE USE:						~~6.70~~ -AEA

Water Source: BROWNLEE CREEK

Tributary to: PAYETTE RIVER

Stage: LICENSE

Point(s) of Diversion: T07N R02E S03 Lot01(NWNENE)

BOISE 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	Lt Ac	: SUM
07N	02E	3	: 01-02				:					:				2.7
TOTAL ACRES																2.7

Place of use Legal Description for: RECREATION STORAGE

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	Lt Ac	:
07N	02E	3	: 01-R				:					:				:

Place of use Legal Description for: DIVERSION TO STORAGE

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	Lt Ac	:
07N	02E	3	: 01-D				:					:				:

POU County: BOISE

Non-Irrigation Uses: RECREATION STORAGE, DUCK PONDS

Other Rights: 65-12276

Remarks: GEN THIS CLAIM IS BASED ON THE LICENSE ISSUED APRIL 21, 1989.

POU 4 POINTS DIVERSION LOCATED NENE, SEC.3, T07N, R02E.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:

Presumption Flag:

QUT
W/ 65-12276
02/10/00

WR5809NP
No. 65-12536

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/10/00
PAGE: 98

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHUCK MORGAN	07/08/1982	IRRIGATION	04/01 11/01	0.080 CFS	8.10 AFA
C	CONNIE MORGAN		RECREATION STORAGE	01/01 12/31		0.10 AFA
	P.O. BOX 126		DIVERSION TO STORAGE	01/01 12/31	0.010 CFS	
	HORSESHOE BEND ID 83629					
TOTAL DIVERSION:					0.080 CFS	8.10 AFA

Water Source: BROWNLEE CREEK

Tributary to: PAYETTE RIVER

Stage: LICENSE

Point(s) of Diversion Capacity: 0.140 CFS

Point(s) of Diversion: T07N R02E S03 NENE

BOISE 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
07N	02E	3	:	01-02																:	2.7
																				TOTAL ACRES	2.7

Pou County: BOISE

Remarks: GEN 4 points of diversion located in NENE, S3, T7N, R2E.

Dates: App. Received: 07/08/1982 Priority Date: 07/08/1982
Proof Due Date: 09/01/1987 Proof Made Date: 08/18/1987
Exam Made Date: 04/27/1988 Exam Sent to S.O.:
Licensed Date: 04/21/1989

Misc: Water District Number: Field Exam Fee: R (Received)

Idaho Dept. of Water Resources

Claim No(s): 65-12536

T07N, R02E, Sec 3

Created by: Sue Bock

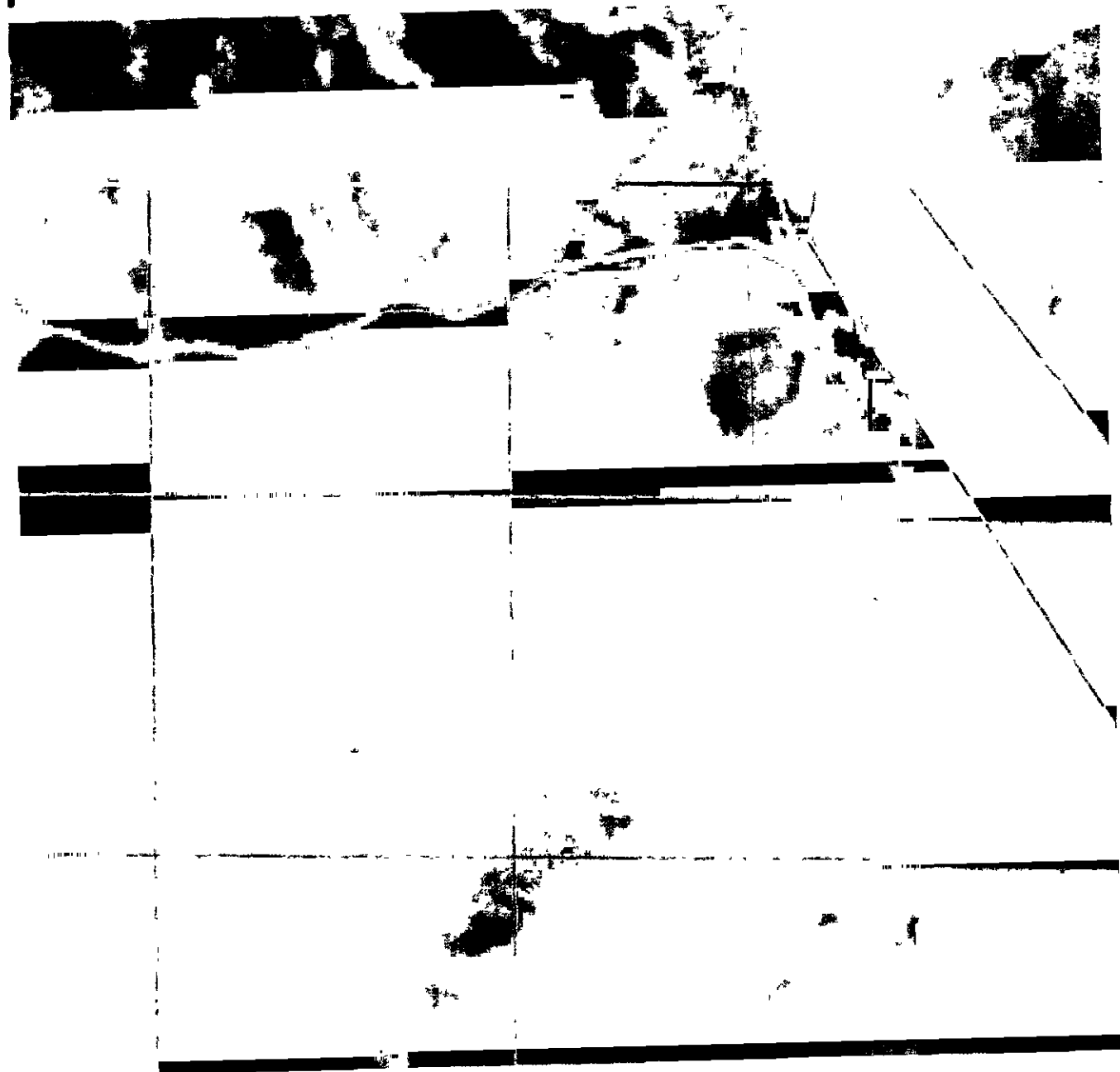
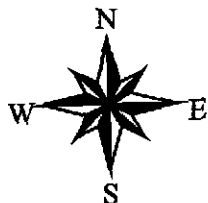
Date: 10/31/2000

 Place of Use

 Point of Diversion

 Section lines

1/4 1/4 lines



0 1000 2000 3000 Feet



1987 NAPP Photo



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