

Idaho Department of Water Resources

T06N R02W

Claims: 65-11264

Prepared by:

RON HOWERTON

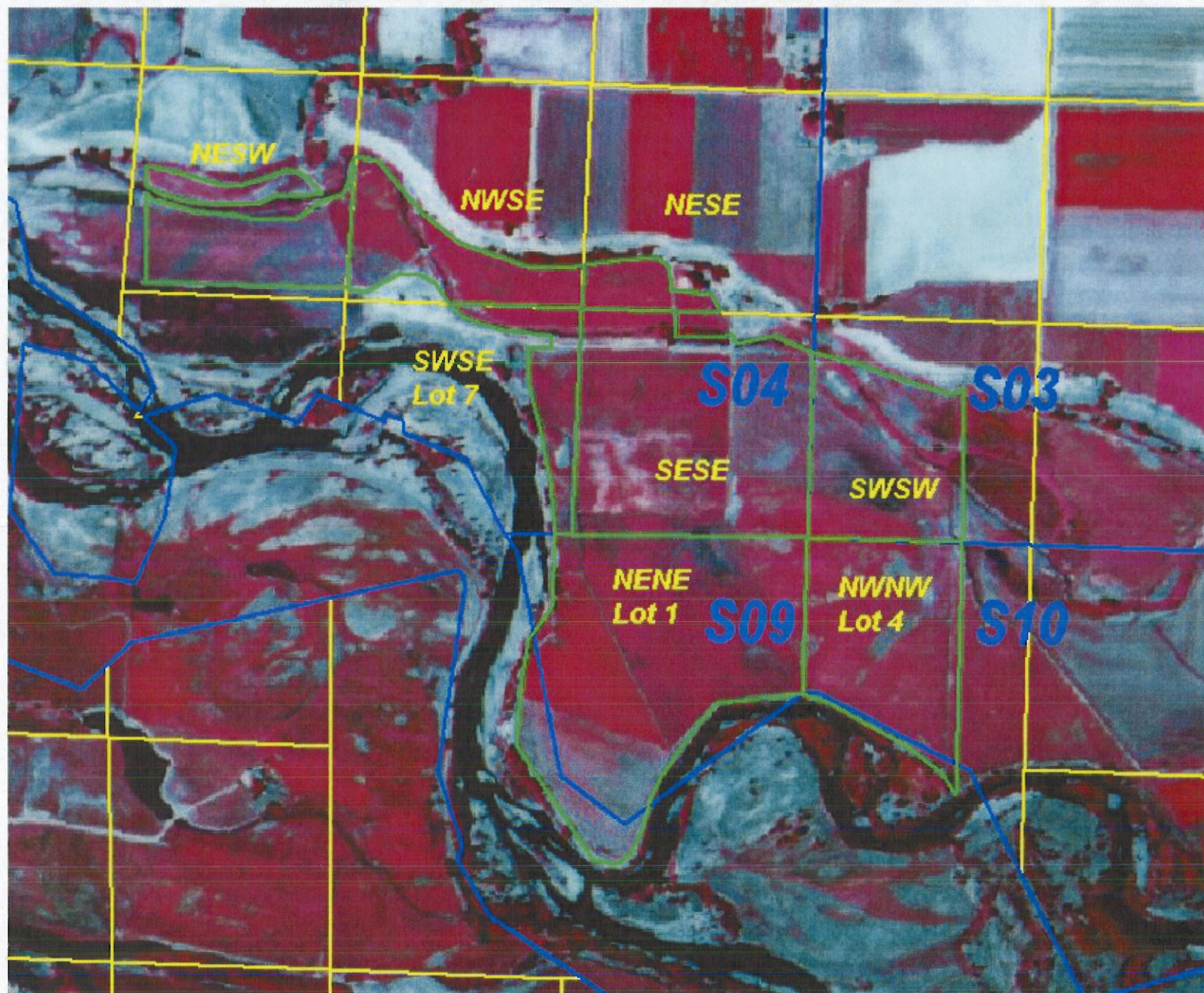
Date: 29 AUG 00

 **Place of use**

 **POD**

 **SECTION**

 **1/4 1/4**



1987 NAPP

0 0.25 0.5 0.75 1 Miles



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

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

CIVIL CASE NUMBER: 39576

Ident. Number 65-22393
Date Received: 5/11/01
Receipt No: X999999
Received By:

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

1. Name of Claimant(s)

SISLER FAMILY LLC Phone: (208)365-2776

4455 SUNSET DR
EMMETT ID USA 83617

2. Date of Priority: 11/10/1883

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

5. Description of diverting works:

Gill Slough.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 100 Range Cattle

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	02W	3	SW	SW	STOCKWATER	
06N	02W	4	NE	SW	STOCKWATER	
			NE	SE	STOCKWATER	
			NW	SE	STOCKWATER	
			SW	SE	STOCKWATER	7
			SE	SE	STOCKWATER	
06N	02W	9	NE	NE	STOCKWATER	1
06N	02W	10	NW	NW	STOCKWATER	4

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:

14. Remarks:

This claim is based on right no. 65-11264. Overlap with water right license 65-13881 (different source).

15. Basis of Claim: Beneficial Use

05/18/2001

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

RIGHT NUMBER: 65-22393

NAME AND ADDRESS: SISLER FAMILY LLC
4455 SUNSET DR
EMMETT, ID 83617

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.02 CFS

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.

USE OF THIS RIGHT WITH RIGHT NO. 65-11264 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 8.05 CFS.

PRIORITY DATE: 11/10/1883

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>
STOCKWATER	01-01 12-31	0.02 CFS

PLACE OF USE:

<u>STOCKWATER Within GEM County</u>			
T06N R02W S3	SWSW	T06N R02W S4	NESW
T06N R02W S4	NESE	T06N R02W S4	NWSE
T06N R02W S4	LOT 7 SWSE	T06N R02W S4	SESE
T06N R02W S9	LOT 1 NENE	T06N R02W S10	LOT 4 NWNW

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

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

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

STOCKWATER, 100 RANGE CATTLE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET

(use in place of the CVR for small Domestic/Stock exams)

1. ☒ No Change NAME
NEW OWNER: _____
☐ No Change ADDRESS
NEW ADDRESS: _____
2. ☒ No Change - DATE OF PRIORITY: Completed - No Field Verification Needed.
☐ Incomplete - Claim shows no priority date, claimant should be asked during the exam when was water first used.
Priority date, per claimant, is _____.
(if the priority date, based on your exam, seems questionable, explain in remarks.)
3. ☒ No Change - SOURCE
☐ Source is different than that claimed:
Source found: _____
4. ☒ No Change - POINT OF DIVERSION
☐ Point of diversion is different than the claim
New P/D: Twp. _____, Rge. _____, Sec. _____, _____ 1/4 _____ 1/4 _____ 1/4
5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete desc., complete items missing, IF KNOWN.
☐ Additional comments in remarks.
HP of pump _____ Pump Ser. # _____ Pumping water level _____
Well depth _____ Motor Ser. # _____ Static water level _____
Casing size _____ Method of irr. _____
6. ☒ No Change - WATER USES
☐ Different uses, (list uses found).
Use _____ From _____ To _____ Amount _____ cfs _____ af
Use _____ From _____ To _____ Amount _____ cfs _____ af
7. ☒ No Change - TOTAL VOLUME
☐ Incomplete on claim, the total is, -- -- _____ cfs _____ af
☐ Change found, the new total is, -- -- -- _____ cfs _____ af
8. N/A
9. ☒ No Change - NON-IRRIGATION USES: Completed on claim
☐ Incomplete on claim - Exam found:
Domestic - No. of homes _____ Stockwater - No. of head _____
Other: _____

10. ☐ No Change - PLACE OF USE: (If changed, list below.)

Use	Twp.	Rge.	Sec.	1/4,	1/4,
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Remarks: (Comments pertinent to field examination)

N11, N13, N15 CB
E01 QUANT COMBINED CFS = 8.05
Stockwater, 100 RANGE CATTLE

BASED UPON 65-11264

ATTACHMENTS:

Attached to
This Form.

Attachments are
in Permit File.

PHOTOS (optional) ☐
MAP ☐
SYSTEM DIAGRAM ☐

☐
☐
☐

☐ Changes found during exam or additional information in the permit file, see permit file.

DATE EXAM CONDUCTED:

5-19-01 (IN OFFICE)

FIELD EXAMINER:

Ron Howerton

Signature

Water Agent
Ron Howerton

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 65-11264

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SISLER FAMILY LLC C/O JOY R SISLER 4455 SUNSET DR EMMETT, ID 83617 (208)365-2776

Original Owner J H SISLER
4455 SUNSET DR
EMMETT, ID 83617
(208)365-2776

Priority Date: 11/10/1883
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary to</u>
PAYETTE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/15	8.05 CFS		

Total Diversion 8.05 CFS

Location of Point(s) of Diversion:

PAYETTE RIVER	SWSW Lt 7	Sec. 06	Township 06N	Range 01W	GEM County
PAYETTE RIVER Rediversion	SWSE	Sec. 01	Township 06N	Range 02W	GEM County

IRRIGATION Use:
Acre Limit: 172

Place(s) of use:

Place of Use Legal Description: IRRIGATION

GEM County

[illegible]

Total Acres: 172

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 65-03310 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 172.0 ACRES IN A SINGLE IRRIGATION SEASON.
2. Explanatory WATER IS DELIVERED THROUGH BEUTLER-BANE DITCH.
RE-DIVERSION IS FROM GILL SLOUGH.
3. Quantity 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.
2.20 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
RHOWERT O	3/29/96	STIPULATION	THIS RECORD REFLECTS THE PRBA STIPULATION.
rhowerto	12/18/00	INCIDENTAL STOCKWATER	STOCKWATER WAS CLAIMED AS A NON-IRRIGATION USE AND IT IS CONSIDERED INCIDENTAL PER THE GENERAL PROVISIONS ALLOWING INCIDENTAL STOCK WATERING IN THE PAYETTE RIVER BASIN ADJUDICATION.

Dates:

Licensed Date:
 Claim Received Date: 12/13/1989
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date: 01/21/1986
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Other Information:

Receipt Number(s): X999999
 State or Federal: S
 Owner Name Connector:

Idaho Department of Water Resources

T06N R02W

Claims: 65-11264

Prepared by:

RON HOWERTON

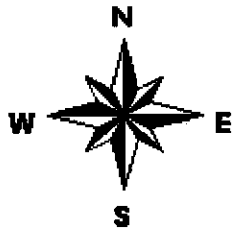
Date: 29 AUG 00

 **Place of use**

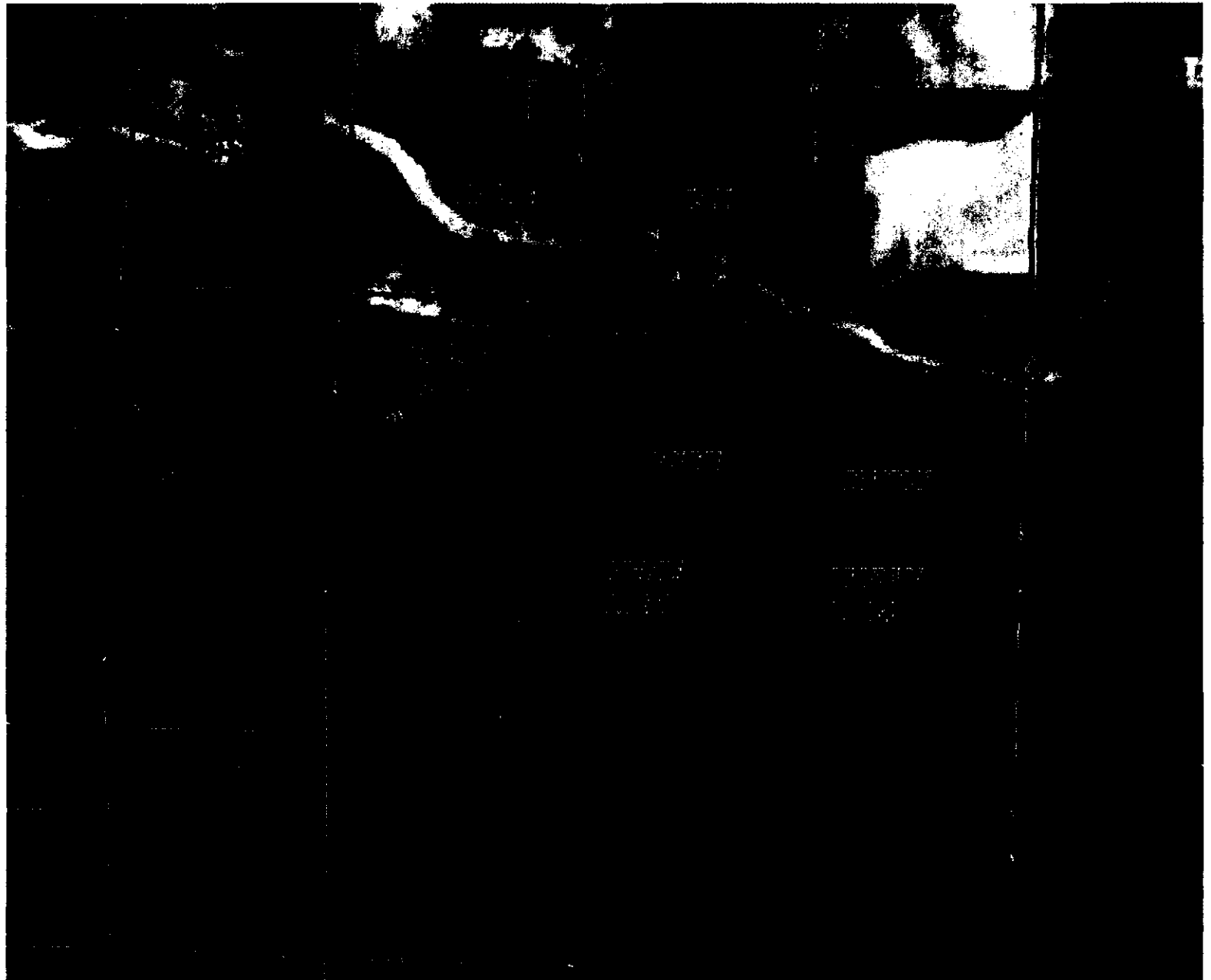
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 **SECTION**

 **1/4 1/4**



1987 NAPP



0 0.25 0.5 0.75 1 Miles

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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

65-22393

Date Received

5-11-01

Receipt Number

X 999999

RECEIVED

MAY 11 2001

WATER RESOURCES
WESTERN REGION

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Sisler Family LLC Phone (208) 365-2776Mailing Address 4455 Summit Dr. Emmett ID. Zip 836172. Date of Priority (Only one (1) per claim) 11-10-18833. Source of water supply (a) PAYETTE RIVER
which is tributary to (b) SNAKE RIVER4. a. Location of existing point of diversion is: Township 6N Range 1W Section 06,
1/4 of SW 1/4 of SW 1/4, Govt. Lot, 7 B.M., County of GEMAdditional points of diversion if any: REDIVERSION - 6N 2W 501 SWSE

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. GILL SLOUGH

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Stockwater purposes from 01-01 to 1231 amount 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.02 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 100 RANGE CATTLE

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6N	2W	3											S						
		4									S				S	S	S ²⁰⁷	S	
		9																	
		10																	

Total number of acres irrigated NA

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

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
65-112 64 is the referenced right or None ()

14. Remarks:
OVERLAP with water right LIC 65-13881 (DIF. SOURCE)

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled

"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____

wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Joy R. Susler Date 5-11-01

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 11 day of MAY 2001



Notary Public Ron Howerton

Residing at Ron Howerton

Residing at Boise, Idaho

My Commission Expires December 8, 2006

Please Print Name

17. Notice of Appearance

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

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant