

PLACE OF USE FOR 65-22459
T16N, R03E

26

35



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 65-22459
Date Received: 5/21/01
Receipt No:
Received By: *md.*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAY 21 2001

WATER RESOURCES
WESTERN REGION

1. Name of Claimant(s)

ORVILLE ROBERTS Phone: (208)325-8772

12792 OLD STATE RD
DONNELLY ID USA 83615

2. Date of Priority: 08/25/1971

3. Source: UNNAMED STREAM Trib. to: CASCADE RESERVOIR

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
16N	03E	35	SE NW	VALLEY	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.12	
STOCKWATER STORAGE	01/01	12/31		6.7
STOCKWATER FROM STORAGE	01/01	12/31		6.7

7. Total Quantity Appropriated is:
0.12 C.F.S. and/or 6.7 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
16N	03E	26	SW	SE	STOCKWATER	
			SW	SE	STOCKWATER FROM STORAGE	
16N	03E	35	NW	NE	STOCKWATER	
			SW	NE	STOCKWATER	
			NE	NW	STOCKWATER	
			SW	NW	STOCKWATER	
			SE	NW	STOCKWATER	
			NE	SW	STOCKWATER	
			NW	SW	STOCKWATER	
			SW	NE	STOCKWATER FROM STORAGE	
			NW	NW	STOCKWATER FROM STORAGE	
			SW	NW	STOCKWATER FROM STORAGE	
			SE	NW	STOCKWATER FROM STORAGE	
			NE	SW	STOCKWATER FROM STORAGE	
			NW	SW	STOCKWATER FROM STORAGE	
			NW	NE	STOCKWATER FROM STORAGE	

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

14. Remarks:

ASSOCIATED WITH 65-7225

STOCKWATER, 500 RANGE CATTLE

15. Basis of Claim: Decreed

16. Signature(s)

05/30/2001

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

RIGHT NUMBER: 65-22459

NAME AND ADDRESS: ORVILLE ROBERTS
12792 OLD STATE RD
DONNELLY, ID 83615

SOURCE: UNNAMED STREAM TRIBUTARY: CASCADE RESERVOIR

QUANTITY: 0.02 CFS
6.7 AFY

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.

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

USE OF THIS RIGHT WITH RIGHT NO. 65-7225 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.0 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 12.0 AF.

PRIORITY DATE: 08/25/1971

POINT OF DIVERSION: T16N R03E S35 SENW Within VALLEY 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
STOCKWATER STORAGE	01-01 12-31	6.70 AFY
STOCKWATER FROM STORAGE	01-01 12-31	6.70 AFY

PLACE OF USE:

STOCKWATER Within VALLEY County			
T16N R03E S26	SWSE	T16N R03E S35	NWNE
T16N R03E S35	SWNE	T16N R03E S35	NENW
T16N R03E S35	SWNW	T16N R03E S35	SENW
T16N R03E S35	NESW	T16N R03E S35	NWSW
STOCKWATER FROM STORAGE Within VALLEY County			
T16N R03E S26	SWSE	T16N R03E S35	NWNE
T16N R03E S35	SWNE	T16N R03E S35	NWNW
T16N R03E S35	SWNW	T16N R03E S35	SENW
T16N R03E S35	NESW	T16N R03E S35	NWSW

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

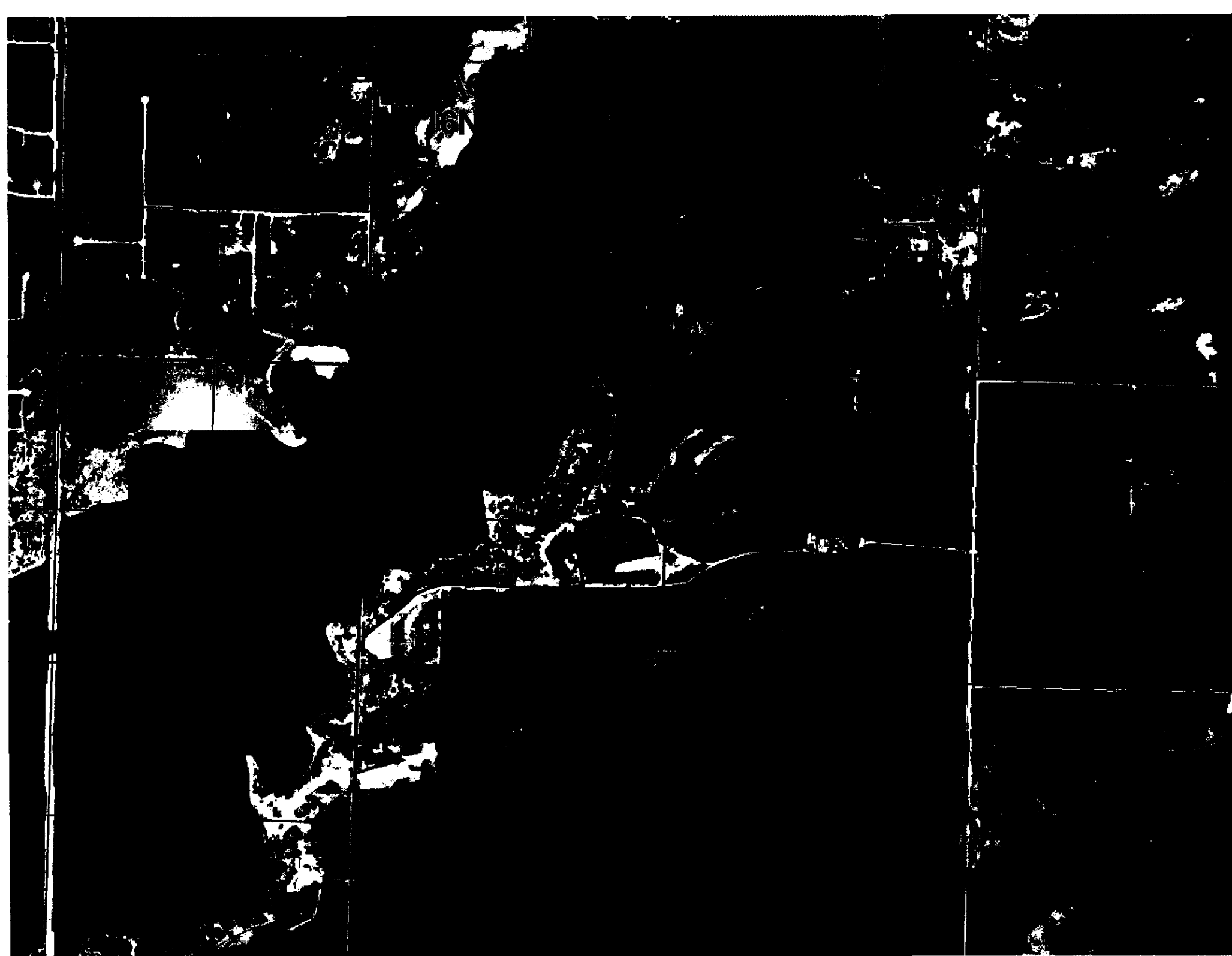
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

STOCKWATER, 500 RANGE CATTLE

ASSOCIATED WITH 65-7225



IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 65-22459

Owner Type Name and Address
 Current Owner ORVILLE ROBERTS
 12792 OLD STATE RD
 DONNELLY, ID 83615
 (208)325-8772

Priority Date: 08/25/1971
 Basis: Decreed
 Status: Active

Source Tributary to
 UNNAMED STREAM CASCADE RESERVOIR

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01	12/31	0.12 CFS		
STOCKWATER STORAGE	01/01	12/31		6.7 AFA	
STOCKWATER FROM STORAGE	01/01	12/31		6.7 AFA	
Total Diversion			0.12 CFS	6.7 AFA	

Location of Point(s) of Diversion:

UNNAMED STREAM SENW Sec. 35 Township 16N Range 03E VALLEY County

Place(s) of use:

Place of Use Legal Description: STOCKWATER VALLEY County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
16N	03E	26		SWSE										
		35		NWNE			SWNE							
				NENW			SWNW			SENE				
				NESW			NWSW							

Place of Use Legal Description: STOCKWATER FROM STORAGE VALLEY County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
16N	03E	26		SWSE										
		35		NWNE			SWNE							
				NWNW			SWNW			SENE				
				NESW			NWSW							

Remarks:

1. ASSOCIATED WITH 65-7225
 STOCKWATER, 500 RANGE CATTLE

Dates:

Licensed Date:
 Claim Received Date:
 Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:

C18 + N11 + N13 + E25

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 65-7225

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ORVILLE ROBERTS HC 38 BOX 20 DONNELLY, ID 83615

Priority Date: 08/25/1971
Basis: License
Status: Active

<u>Source</u>	<u>Tributary to</u>
UNNAMED STREAM	CASCADE RESERVOIR

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/15	10/15	1 CFS	363 AFA	
IRRIGATION STORAGE	1/01	12/31		12 AFA	
IRRIGATION FROM STORAGE	4/15	10/15		12 AFA	
RECREATION STORAGE	1/01	12/31		12 AFA	
Total Diversion			1 CFS	375 AFA	

Location of Point(s) of Diversion:

UNNAMED STREAM	SENW	Sec. 35	Township 16N	Range 03E	VALLEY County
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Licensed Diversion Capacity: 1.68

IRRIGATION Use:
Acre Limit: 151

IRRIGATION STORAGE Use:
Acre Limit: 151

IRRIGATION FROM STORAGE Use:
Acre Limit: 151

Place(s) of use:

Place of Use Legal Description: IRRIGATION	VALLEY County
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<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
16N	03E	26		SWSE	15									
		35		NWNE	10		SWNE	1						
				NENW	13		SWNW	17		SENW	30			
				NESW	39		NWSW	26						

Place of Use Legal Description: IRRIGATION FROM STORAGE same as IRRIGATION

Total Acres: 151

Conditions of Approval:

1. R29 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.

Dates:

Licensed Date: 02/13/1991
Decreed Date:
Permit Proof Due Date: 2/1/82
Permit Proof Made Date: 1/12/82
Permit Approved Date:
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Application Received Date: 08/03/1971
Protest Deadline Date:
Number of Protests: 0

Other Information:

Receipt Number(s):
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

(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): Orville H. Roberts Date: May 21, 2001
_____ Date:

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 21st
of May 2001 Melvin D. Schutti

Notary Public

Residing at Bosei, Idaho
My commission Expires 7-24-01