

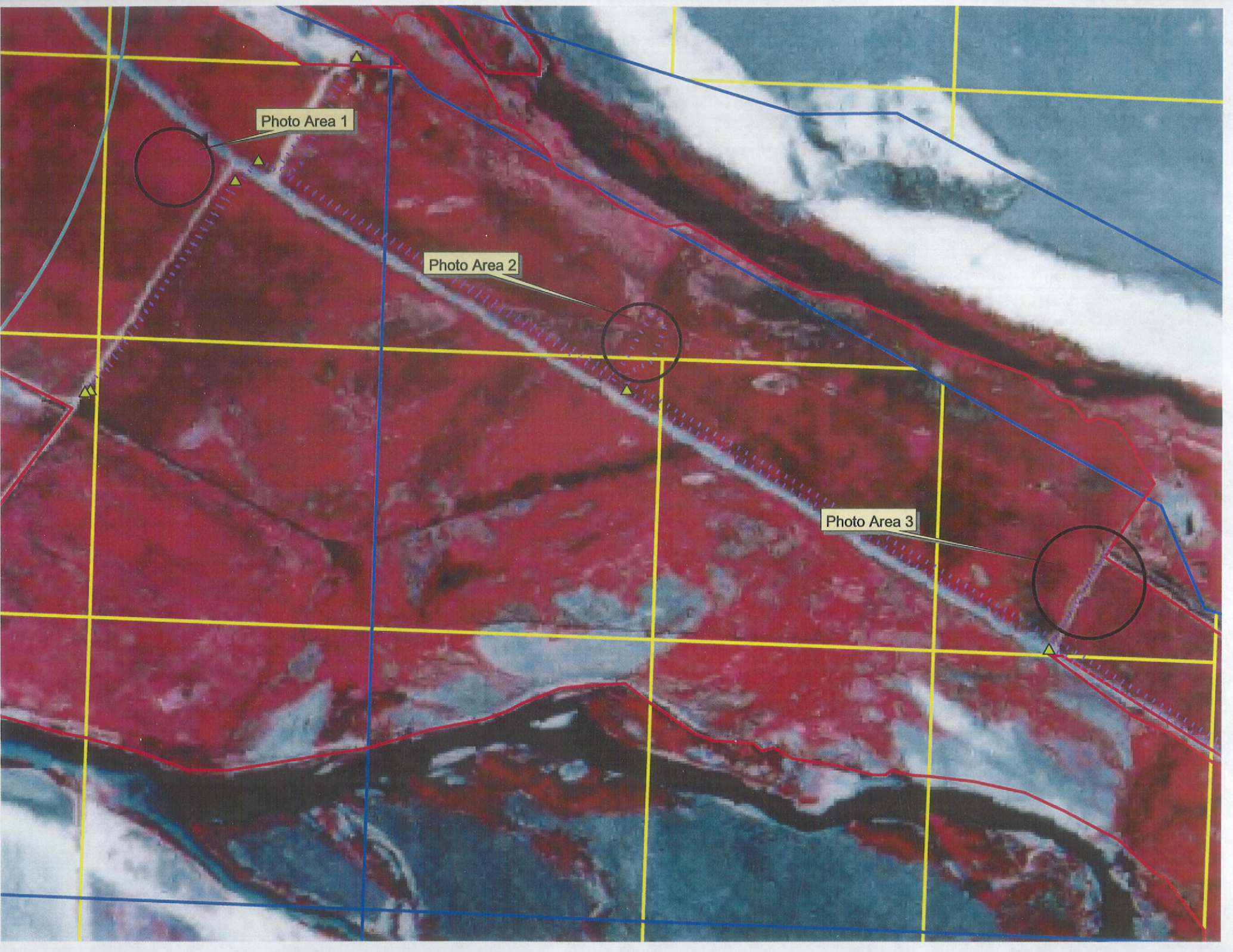


Photo Area 1

Photo Area 2

Photo Area 3

DETAIL "B"

S22

Photo Area 4

Photo Area 5

65-8627  
0.031/A  
Payette

1 Separate  
No overlaps

1.0

2.0

2.0

9.0

2.5

2.0

Overlap

65-11261  
0.013/Acre  
Payette R.

JOHNSON, VIRGIL FLOYD &  
SMITH, LOIS PEARL  
N G  
S G

65-11261  
0.013/Acre  
Payette R.

9.0  
Overlap

SENW

65-07461  
0.03/Acre  
Payette R.

JOHNSO  
SMITH

Gov't Lot 3  
SWNE

S27

Photo Area 6



COLWELL'S PRIVATE OVERLAP DETAIL MAP

65-03617  
0.038/Acre  
Payette R.

65-07461  
0.03/Acre  
Payette R.

65-07461  
0.03/Acre  
Payette R.

65-11211  
0.02/Acre  
Slough

Photo Area 1

Photo Area 2

Photo Area 3

Photo Area 4

Photo Area 5

65-8627  
0.031/Acre  
Payette R.

65-11261  
0.013/Acre  
Payette R.

65-07461  
0.03/Acre  
Payette R.

Photo Area 6

DETAIL "B"  
S22

T. Separate  
No overlaps

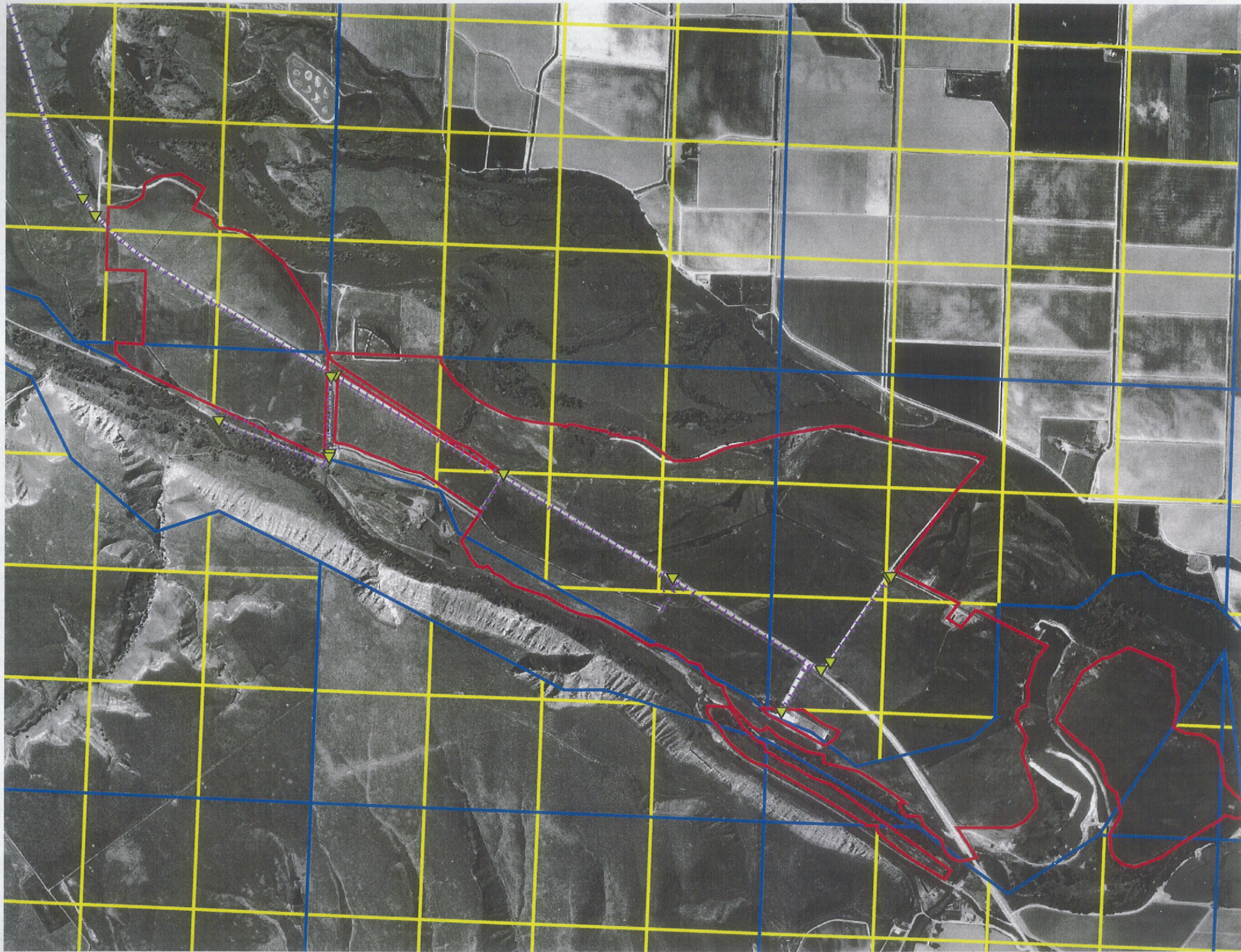
Overlap

JOHN SMITH VIRGIN FLOYD &  
OS REARL  
Gov't Lot 2  
NWNE  
Gov't Lot 3  
SWNE

S27

S20

DETAIL "A"





Colwell FX 5/15/03 Area 1: T08N, R04W, S20, SENE. Near Colwell's home. View to North East.



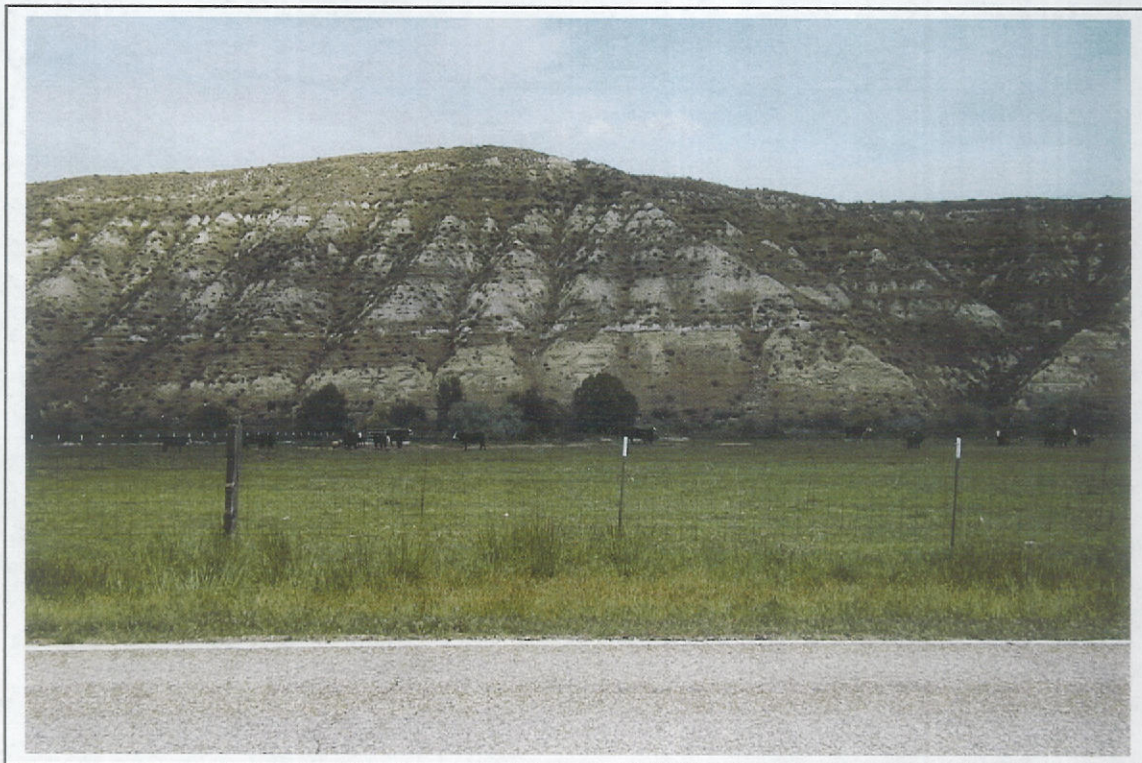
Colwell FX 5/15/03 Area 1: T08N, R04W, S20, SENE. Dig near Colwell's home. Photos by RDH.



Colwell FX 5/15/03 Area 1: T08N, R04W, S20, SENE. View of soil.



Colwell FX 5/15/03 Area 1: T08N, R04W, S20, SENE. View of soil in hole.



Colwell FX 5/15/03 Area 2: T08N, R04W, S21, view to the North East in the SENW.



Colwell FX 5/15/03 Area 3: T08N, R04W, S21, NWSE. View to the South West.



Colwell FX 5/15/03 Area 3: T08N, R04W, S21, NWSE. View to the South East.



Colwell FX 5/15/03 Area 3: T08N, R04W, S21, NWSE. View to the South West.



Colwell FX 5/15/03 Area 3: T08N, R04W, S21, NWSE. View to the North East.



Colwell FX 5/15/03 Area 4: T08N, R04N, S21, SESE. View to the South West.



Colwell FX 5/15/03 Area 4: T08N, R04N, S21, SESE. View to the North West.



Colwell FX 5/15/03 Area 4: T08N, R04N, S21, SESE. View to the South East.



Colwell FX 5/15/03 Area 5: T08N, R04N, S22, SWSW. Johnson Higby Ditch



Colwell FX 5/15/03 Area 5: T08N, R04N, S22, SWSW. Johnson Higby Ditch. View to South East.



Colwell FX 5/15/03 Area 5: T08N, R04N, S22, SWSW. Johnson Higby Ditch. View to North West.



Colwell FX 5/15/03 Area 5: T08N, R04N, S22, SWSW. View to South.



Colwell FX 5/15/03 Area 6: T08N, R04W, S35, NWNW, Johnson Higby Ditch. View to North.



Colwell FX 5/15/03 Area 6: T08N, R04W, S35, NWNW, Johnson Higby Ditch. View to South.

# Idaho Department of Water Resources

T08N R04W

Claims: 65-03617

Owner : Colwell

Prepared by:

RON HOWERTON

Date: 16 MAY 00

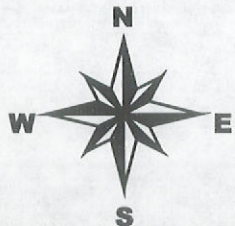
 Place of use

 POD

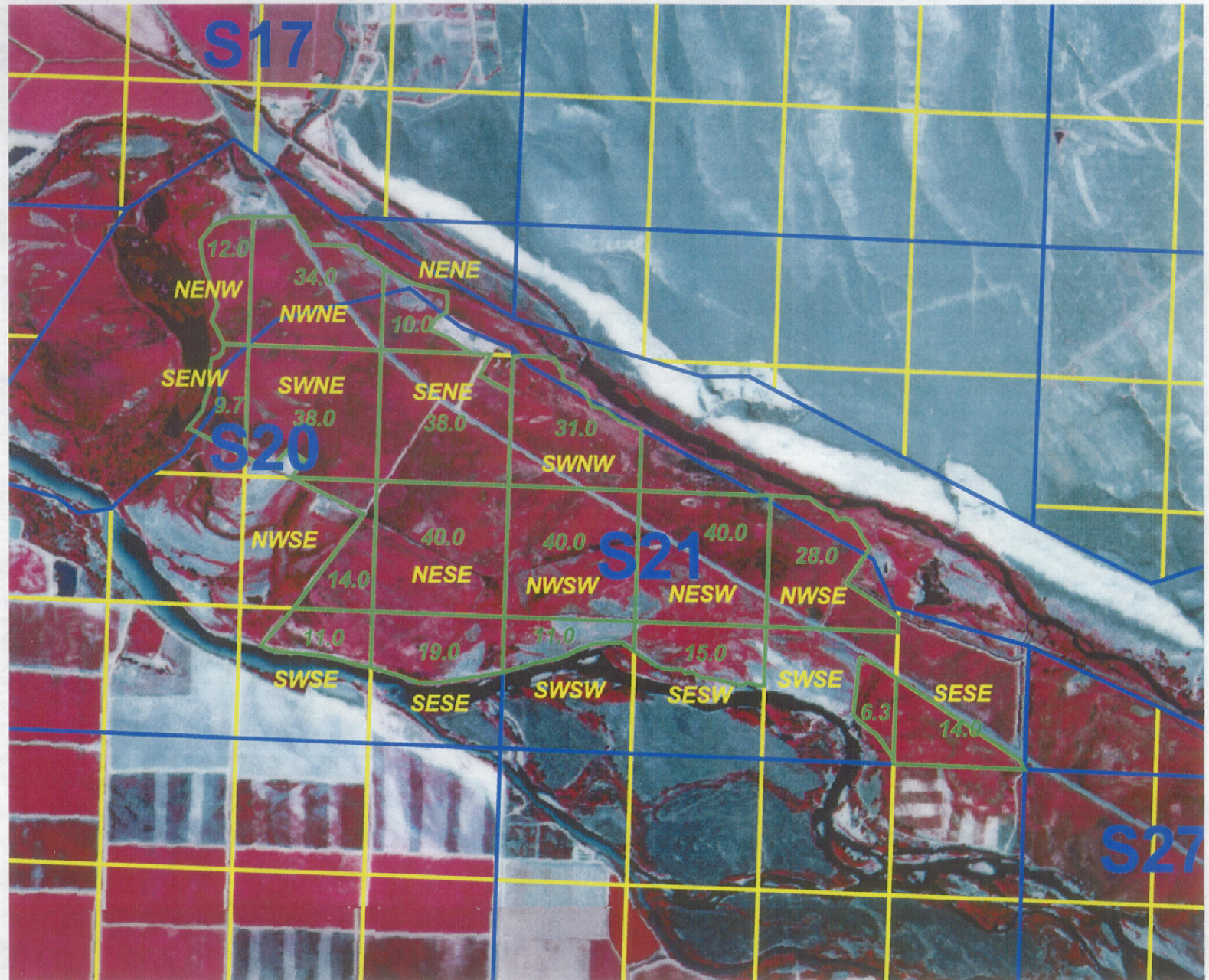
 SECTION

 1/4 1/4

411 Acres



1987 NAPP



# Idaho Department of Water Resources

**T08N R04W**

**Claims: 65-03617**

**Owner : Colwell**

**Prepared by:**

**RON HOWERTON**

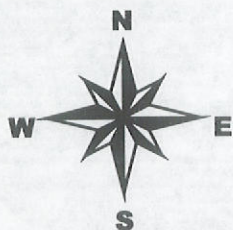
**Date: 16 MAY 00**

 **Place of use**

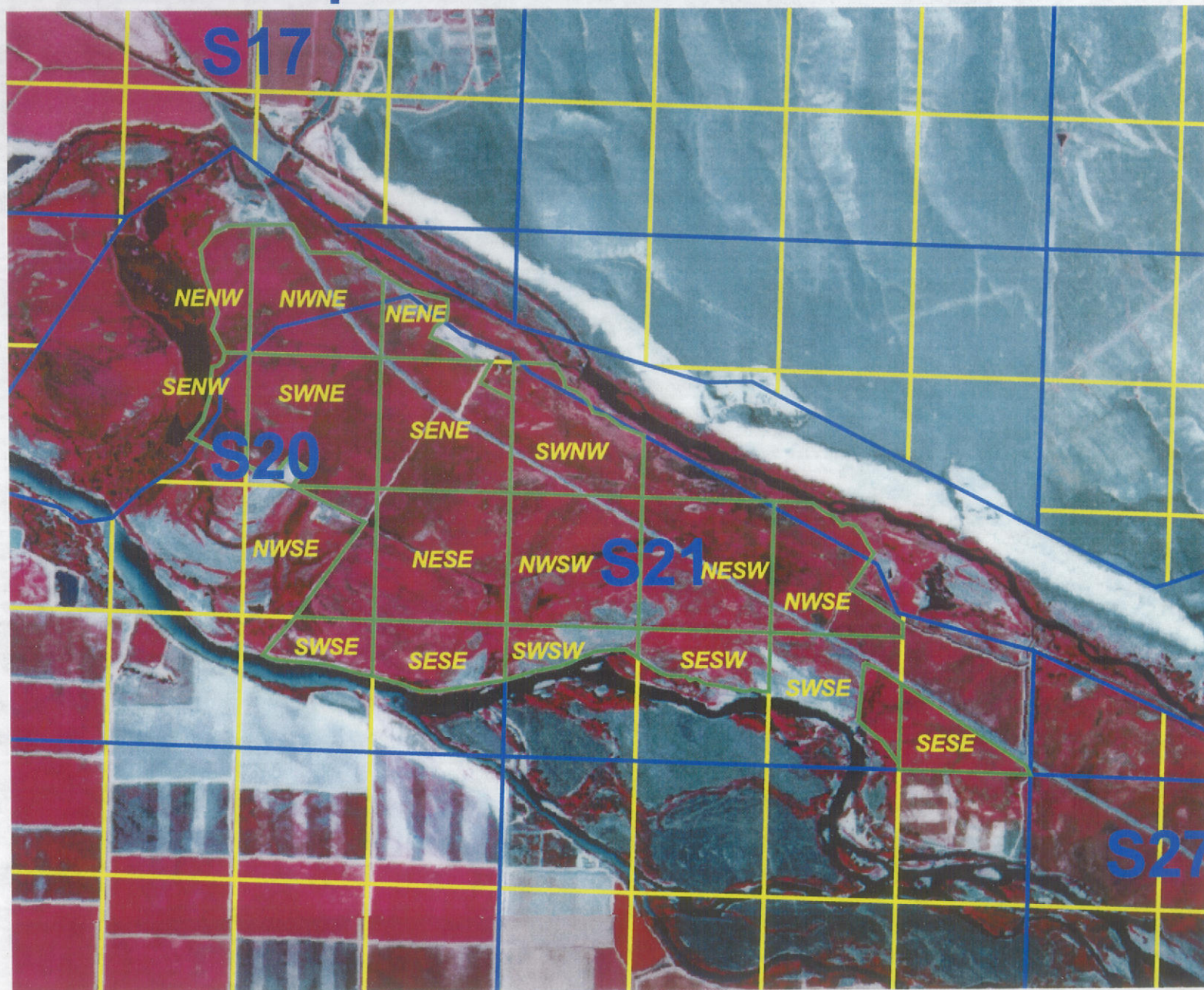
 **POD**

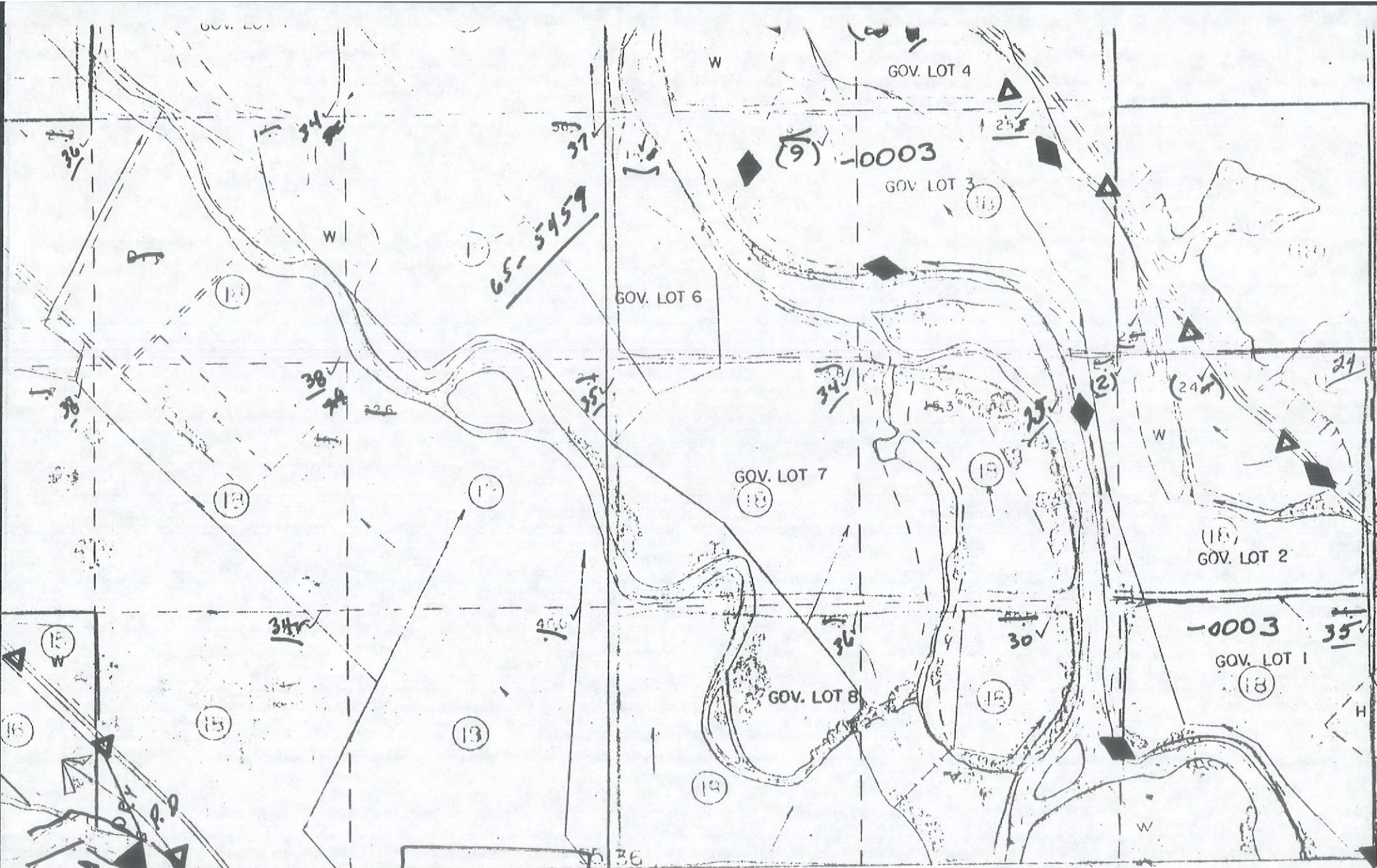
 **SECTION**

 **1/4 1/4**



**1987 NAPP**





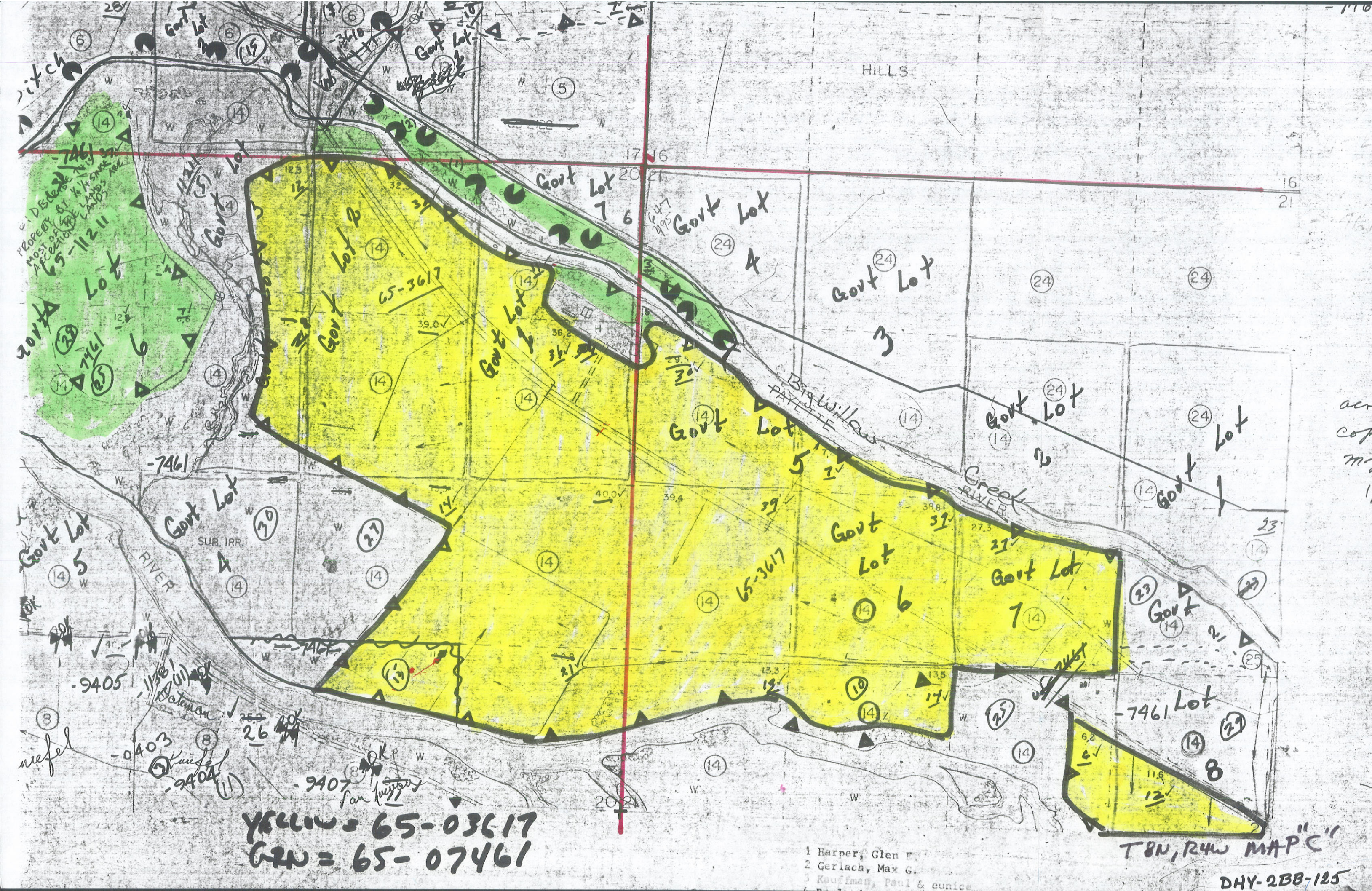
MAP "E"

APPEARS TO  
BE IRRIGATED

24. Dwaine Samson  
25. D.F. Burgess

SAME PID FOR RIGHTS:  
 65-3617 -8627  
 -5921 -11255  
 -7461 -11261

P/D  
SW SE  
35  
T8N R4W  
 (1-18-18)



OVERLAP REVIEW SHEET FOR THE FOLLOWING WR #'s:

65-03617

65-07461

AGENT RON H.

DATE 5-17-00

65-11211

65-08627

① <sup>Cont</sup>  
L+R

65-11261

| USE/SOURCE | NUMBER | TNS | RNG | SEC | NE      |         |         |         | NW |    |         |          | SW      |    |    |    | SE      |     |         |    | TOTAL | SYSTEM TOTAL |
|------------|--------|-----|-----|-----|---------|---------|---------|---------|----|----|---------|----------|---------|----|----|----|---------|-----|---------|----|-------|--------------|
|            |        |     |     |     | NE      | NW      | SW      | SE      | NE | NW | SW      | SE       | NE      | NW | SW | SE | NE      | NW  | SW      | SE |       |              |
| PAYETTE R. | 3617   | 8N  | 4W  | 20  | ①<br>10 | ②<br>34 | ②<br>30 | ①<br>38 | 12 |    |         | ③<br>9.7 |         |    |    |    | 40      | 14  | 11      | 19 |       |              |
|            | 3617   | 8N  | 4W  | 21  |         |         |         |         |    |    | ⑤<br>31 |          | ⑥<br>40 | 40 | 11 | 15 | ⑦<br>28 | 6.3 | ⑧<br>14 |    |       | 411          |

|            |      |    |    |    |  |  |  |  |  |  |  |  |   |  |  |  |        |  |  |  |  |  |
|------------|------|----|----|----|--|--|--|--|--|--|--|--|---|--|--|--|--------|--|--|--|--|--|
| PAYETTE R. | 7461 | 8N | 4W | 17 |  |  |  |  |  |  |  |  | 5 |  |  |  | ①<br>6 |  |  |  |  |  |
|------------|------|----|----|----|--|--|--|--|--|--|--|--|---|--|--|--|--------|--|--|--|--|--|

| USE/SOURCE | NUMBER | TNS | RNG | SEC | NE     |        |        |        | NW |         |         |         | SW |    |    |    | SE     |    |    |         | TOTAL | SYSTEM TOTAL |
|------------|--------|-----|-----|-----|--------|--------|--------|--------|----|---------|---------|---------|----|----|----|----|--------|----|----|---------|-------|--------------|
|            |        |     |     |     | NE     | NW     | SW     | SE     | NE | NW      | SW      | SE      | NE | NW | SW | SE | NE     | NW | SW | SE      |       |              |
|            | 7461   | 8N  | 4W  | 19  | ①<br>3 |        |        |        |    |         |         |         |    |    |    |    |        |    |    |         |       |              |
|            | 7461   | 8N  | 4W  | 20  | ⑦<br>8 | ⑦<br>3 |        | ①<br>2 | 15 | ⑥<br>36 | ⑥<br>14 |         |    |    |    |    |        |    |    |         |       |              |
|            | 7461   | 8N  | 4W  | 21  |        |        | ②<br>1 |        |    | ④<br>6  |         | ⑤<br>12 |    |    |    |    | ①<br>1 |    | 17 | ⑧<br>17 |       |              |
|            | 7461   | 8N  | 4W  | 27  |        |        |        |        |    |         |         | 13      |    |    |    |    |        |    |    |         |       | 159          |

| USE/SOURCE | NUMBER | TNS | RNG | SEC | NE     |    |    |    | NW     |         |         |        | SW |    |    |    | SE |    |    |    | TOTAL | SYSTEM TOTAL |
|------------|--------|-----|-----|-----|--------|----|----|----|--------|---------|---------|--------|----|----|----|----|----|----|----|----|-------|--------------|
|            |        |     |     |     | NE     | NW | SW | SE | NE     | NW      | SW      | SE     | NE | NW | SW | SE | NE | NW | SW | SE |       |              |
| SLOUGH     | 11211  | 8N  | 4W  | 17  |        |    |    |    |        |         |         |        |    |    | 5  |    |    |    |    |    |       |              |
|            |        | 8N  | 4W  | 19  | ②<br>3 |    |    |    |        |         |         |        |    |    |    |    |    |    |    |    |       |              |
|            |        | 8N  | 4W  | 20  |        |    |    |    | ③<br>4 | ⑥<br>36 | ⑥<br>12 | ⑥<br>7 |    |    |    |    |    |    |    |    |       | 67           |
| PAYETTE R. | 11261  | 8N  | 4W  | 27  |        |    |    |    | 1      |         |         | 9      |    |    |    |    |    |    |    |    |       | 10           |

| USE/SOURCE | NUMBER | TNS | RNG | SEC | NE |    |    |    | NW |      |     |    | SW |    |         |         | SE |    |    |    | TOTAL | SYSTEM TOTAL |
|------------|--------|-----|-----|-----|----|----|----|----|----|------|-----|----|----|----|---------|---------|----|----|----|----|-------|--------------|
|            |        |     |     |     | NE | NW | SW | SE | NE | NW   | SW  | SE | NE | NW | SW      | SE      | NE | NW | SW | SE |       |              |
| PAYETTE R. | 8627   | 8N  | 4W  | 22  |    |    |    |    |    |      |     |    |    |    | ⑥<br>29 | ⑦<br>12 |    |    |    |    |       |              |
|            |        |     |     | 27  |    |    |    |    | 30 | 29.5 | 2.5 |    |    |    |         |         |    |    |    |    |       | 105          |

COMBINED OVERLAP TOTALS:  
 ( 7461 ) 159 ACRES  
 + ( 3617 ) 399 = 558 TOTAL

PAGE 1 OF 2  
 3617 ( 411 ) ACRES  
 - 12 OVERLAP  
 = 399

HIGBY  $\frac{N}{N}$  RANCH LIMITED PARTNERSHIP

A65-03617+  
Germano files  
3990 Hwy 52  
Star Route  
Payette, Idaho 83661

3-12-90

RECEIVED  
MAR 13 1990

Department of Water Resources

I have papers on the following water rights:

✓65-07461 T8N R4W S. 12-19-20-21

✓65-07462 T8N R4W S. 17-20

65-03616 T8N R4W S. 17

✓65-03619 T8N R4W S. 20

65-09394 T8N R5W S. 13

65-03618 T8N R4W S. 17

✓65-11261 T8N R4W S. 27

✓65-11211 T8N R4W S. 17-19-20

agmt  
of print / search / send

All of the land owned in Sec. 20-21 & 27 is not covered and there are no papers for Sec. 22 and (28) Not Found.

Thank you for your attention on this matter.

Charles S Higby  
A65-03617  
A65-08627

3-20-90

3-21-90

Claims mailed to Higby.

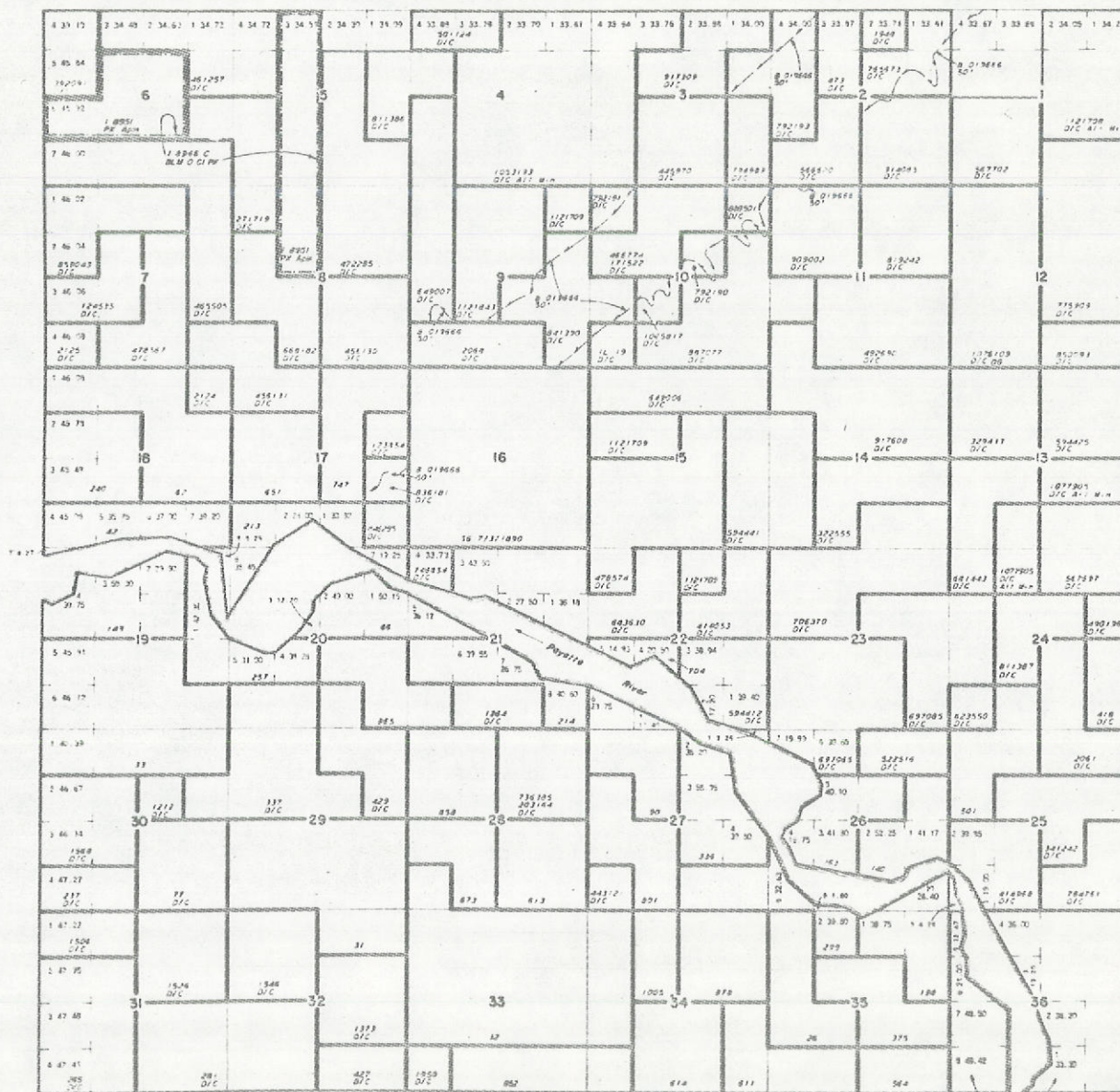
Talked to Charles by Phone today. He indicated may not have property in Sec. 28: T8N R.4W.

Steve

PAYETTE COUNTY

BOISE DISTRICT SEC 3

# MAP

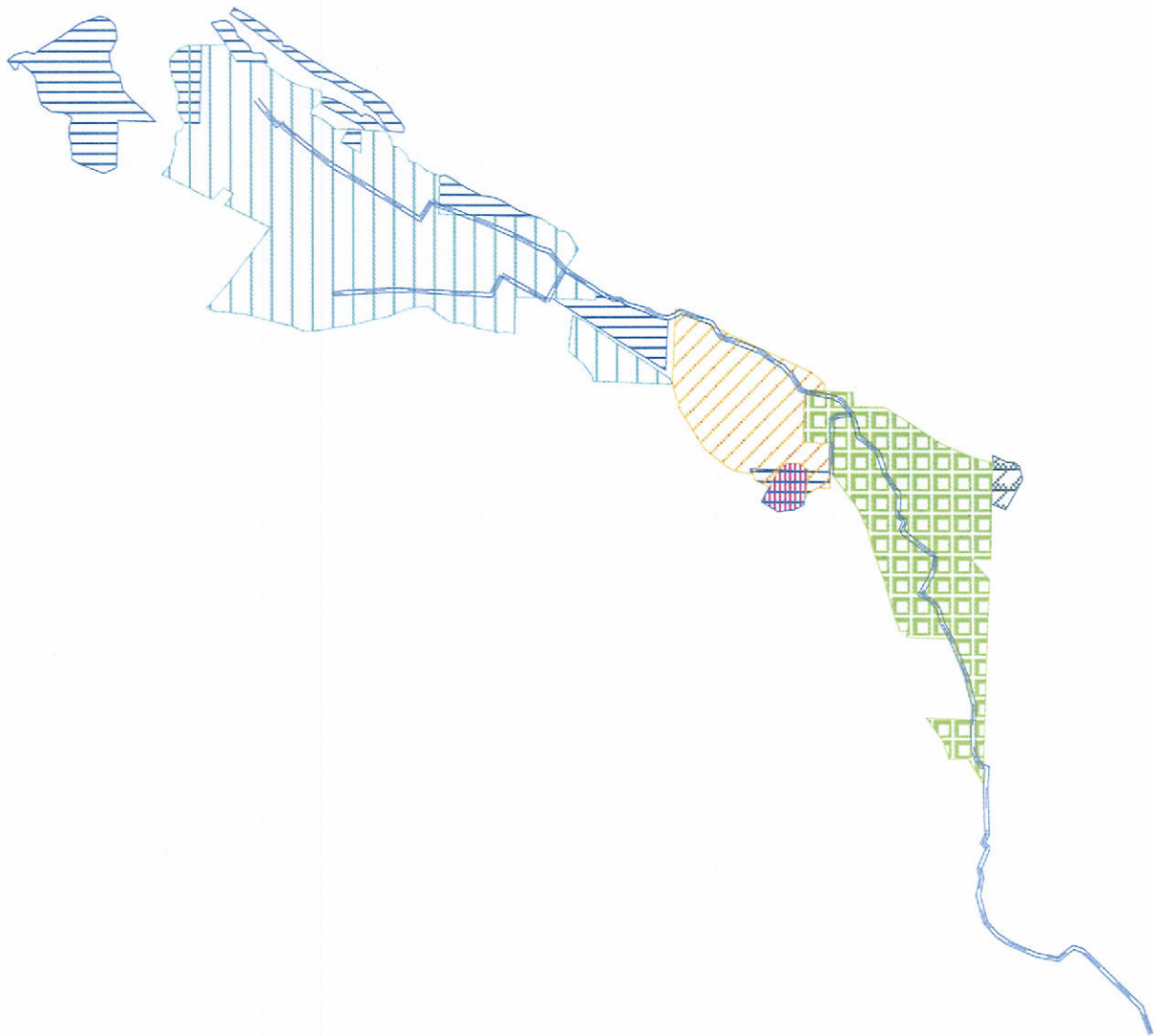
[illegible]

1990年12月

FOR ORDERS EFFECTING DISPOSAL OR USE OF  
UNIDENTIFIED LANDS REFER TO INDEX OF  
MISCELLANEOUS DOCUMENTS

|              |  |
|--------------|--|
| CURRENT TO   |  |
| CURRENT TO   |  |
| USE PLATS OF |  |

[illegible]



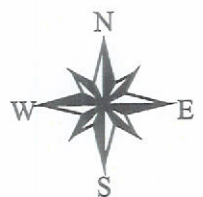
## Rights

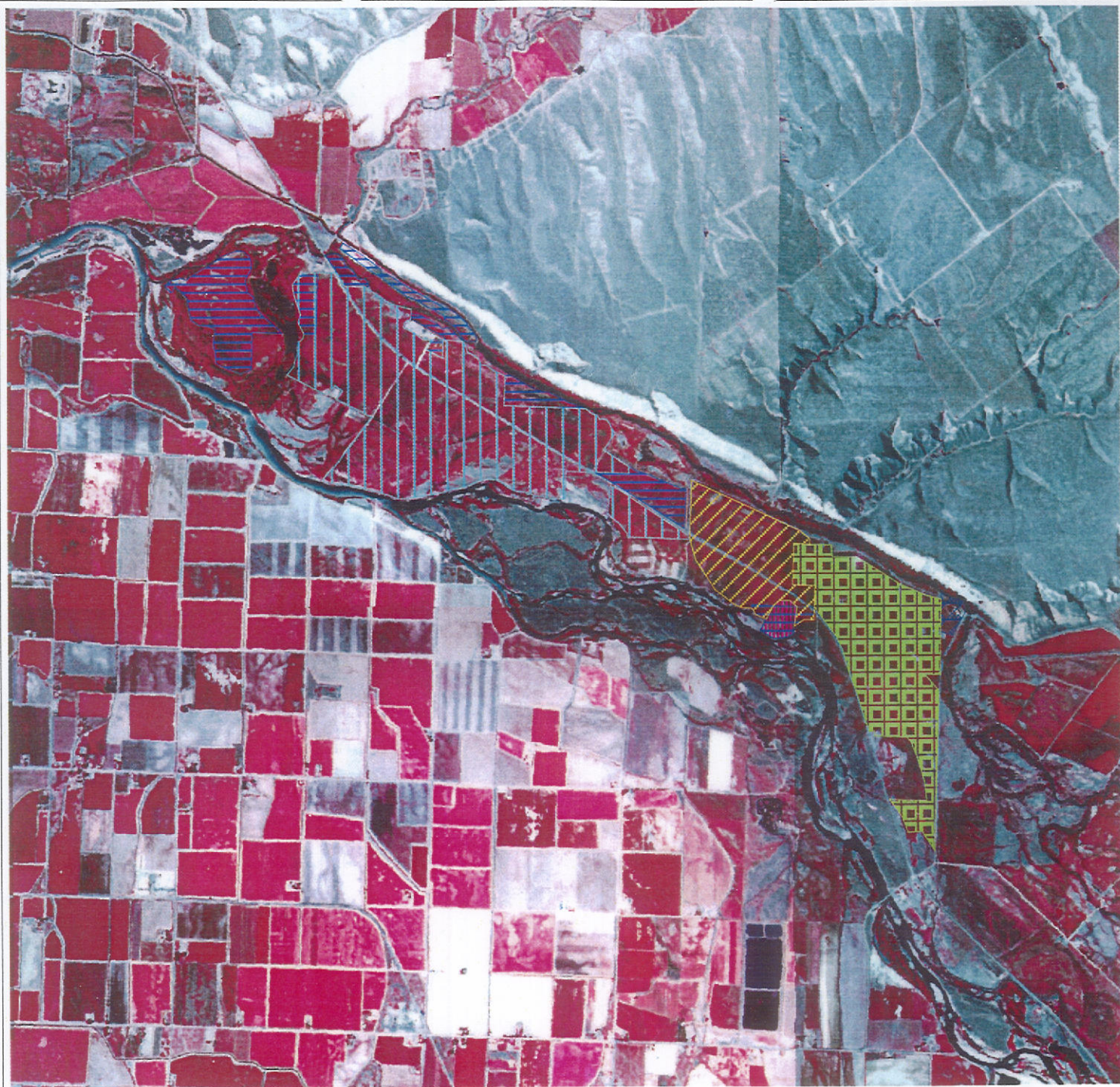
### Rights

|  |                 |
|--|-----------------|
|  | 65-3617         |
|  | 65-8627         |
|  | 65-11261        |
|  | 65-7461         |
|  | 65-11255 Pence  |
|  | 65-5921 Johnson |

0.5 0 0.5 1 1.5 Miles

Rights Delivered in Johnson-Higby Ditch  
 Prepared for Colwell Hubble Analysis  
 1987 NAPP aerial photography  
 Prepared by: Scott King  
 Date prepared: 3/26/2003





## Rights

### Rights

|  |                 |
|--|-----------------|
|  | 65-3617         |
|  | 65-8627         |
|  | 65-11261        |
|  | 65-7461         |
|  | 65-11255 Pence  |
|  | 65-5921 Johnson |

0.5 0 0.5 1 1.5 Miles

Rights Delivered in Johnson-Higby Ditch  
 Prepared for Colwell Hubble Analysis  
 1987 NAPP aerial photography  
 Prepared by: Scott King  
 Date prepared: 3/26/2003



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: A65-03617  
Date Received: 4/11/1990  
Receipt No: X999999  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: GEORGE E COLWELL 208-376-6922  
Address: 10800 SMOKE RANCH ROAD  
BOISE ID 83709

AND

Name: CHERYL F COLWELL 208-376-6922  
Address: 10800 SMOKE RANCH ROAD  
BOISE ID 83709

2. Date of Priority: APR 1, 1890

3. Source: PAYETTE RIVER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 08N      | 04W   | 35      | SW     | SE     |     |     | PAYETTE |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S  | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 10.630 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use |
|----------|-------|---------|--------|-----|-----|-----|
| 08N      | 04W   | 20      | SW     | NE  | 2   | IRR |

MICROFILMED  
Acres  
OCT 01 8 1996

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 08N      | 04W   | 20      | SE     | NE  | 1   | IRR | 47.0  |
|          |       |         | SE     | NW  | 3   | IRR | 20.0  |
|          |       |         | NE     | SE  |     | IRR | 40.0  |
|          |       |         | NW     | SE  |     | IRR | 14.0  |
|          |       |         | SW     | SE  |     | IRR | 11.0  |
|          |       |         | SE     | SE  |     | IRR | 21.0  |

Section Acres 224.0

|    |    |    |   |     |      |
|----|----|----|---|-----|------|
| 21 | SW | NW | 5 | IRR | 30.0 |
|    | NE | SW | 6 | IRR | 46.0 |
|    | NW | SW |   | IRR | 39.0 |
|    | SW | SW |   | IRR | 13.0 |
|    | SE | SW |   | IRR | 14.0 |
|    | NW | SE | 7 | IRR | 27.0 |
|    | SW | SE |   | IRR | 6.0  |
|    | SE | SE | 8 | IRR | 12.0 |

Section Acres 187.0

Total Acres 411.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

OWNERSHIP CHANGED BY LH 11/18/94.

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: \_\_\_\_\_

MICROFILMED

OCT 18 1996

**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 \_\_\_\_\_

**MICROFILMED**  
**OCT 18 1996**

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: **A65-03617**  
Date Received: 4/11/1990  
Receipt No: X999999  
Received By: \_\_\_\_\_

**AMENDED**

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

**AMENDED**

1. Name: CHARLES S. HIGBY 208-278-3354  
Address: 3990 HWY 52  
PAYETTE ID 83661  
AND/OR  
Name: EMMA J. HIGBY 208-278-3354  
Address: 3990 HWY 52  
PAYETTE ID 83661

2. Date of Priority: APR 1, 1890

3. Source: PAYETTE RIVER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 08N      | 04W   | 35      | SW     | SE     |     |     | PAYETTE |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S  | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 10.630 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use |
|----------|-------|---------|--------|-----|-----|-----|
| 08N      | 04W   | 20      | SW     | NE  | 2   | IRR |

71.0

**MICROFILMED**  
**OCT 18 1996**

10. Place of Use: Continued

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 08N      | 04W   | 20      | SE  |    | NE  | 1   | IRR           | 47.0  |
|          |       |         | SE  |    | NW  | 3   | IRR           | 20.0  |
|          |       |         | NE  |    | SE  |     | IRR           | 40.0  |
|          |       |         | NW  |    | SE  |     | IRR           | 14.0  |
|          |       |         | SW  |    | SE  |     | IRR           | 11.0  |
|          |       |         | SE  |    | SE  |     | IRR           | 21.0  |
|          |       |         |     |    |     |     | Section Acres | 224.0 |
|          |       | 21      | SW  |    | NW  | 5   | IRR           | 30.0  |
|          |       |         | NE  |    | SW  | 6   | IRR           | 46.0  |
|          |       |         | NW  |    | SW  |     | IRR           | 39.0  |
|          |       |         | SW  |    | SW  |     | IRR           | 13.0  |
|          |       |         | SE  |    | SW  |     | IRR           | 14.0  |
|          |       |         | NW  |    | SE  | 7   | IRR           | 27.0  |
|          |       |         | SW  |    | SE  |     | IRR           | 6.0   |
|          |       |         | SE  |    | SE  | 8   | IRR           | 12.0  |
|          |       |         |     |    |     |     | Section Acres | 187.0 |
|          |       |         |     |    |     |     | Total Acres   | 411.0 |

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

MICROFILMED  
OCT 18 1998

RECEIVED

JUL 12 1994

WATER RESOURCES  
WESTERN REGION

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: A65-03617  
Date Received: 4/11/1990  
Receipt No: X999999  
Received By: \_\_\_\_\_

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CHARLES S. HIGBY 208-278-3354  
Address: 3990 HWY 52  
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AND/OR  
Name: EMMA J. HIGBY 208-278-3354  
Address: 3990 HWY 52  
PAYETTE ID 83661

2. Date of Priority: APR 1, 1890

3. Source: PAYETTE RIVER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 08N      | 04W   | 35      | SW     | SE     |     |     | PAYETTE |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S  | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 10.630 |      |        |

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED

10. Place of Use:

AUG 03 1994

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 08N      | 04W   | 20      | SW     | NE  | 2   | IRR | 71.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres         |      |
|----------|-------|---------|--------|-----|-----|---------------|---------------|------|
| 08N      | 04W   | 20      | SE     | NE  | 1   | IRR           | 47.0          |      |
|          |       |         | SE     | NW  | 3   | IRR           | 20.0          |      |
|          |       |         | NE     | SE  |     | IRR           | 40.0          |      |
|          |       |         | NW     | SE  |     | IRR           | 14.0          |      |
|          |       |         | SW     | SE  |     | IRR           | 11.0          |      |
|          |       |         | SE     | SE  |     | IRR           | 21.0          |      |
|          |       |         |        |     |     | Section Acres | 224.0         |      |
|          |       | 21      | SW     | NW  | 5   | IRR           | 30.0          |      |
|          |       |         | NE     | SW  | 6   | IRR           | 46.0          |      |
|          |       |         | SW     | SW  |     | IRR           | 13.0          |      |
|          |       |         | SE     | SW  |     | IRR           | 14.0          |      |
|          |       |         | NW     | SE  | 7   | IRR           | 27.0          |      |
|          |       |         | SW     | SE  |     | IRR           | 6.0           |      |
|          |       |         | SE     | SE  | 8   | IRR           | 12.0          |      |
|          |       |         |        |     |     |               |               |      |
| 05W      | 21    | NW      | SW     |     | IRR | 39.0          | Section Acres | 39.0 |
|          |       |         |        |     |     |               |               |      |
|          |       |         |        |     |     | Total Acres   | 411.0         |      |

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

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:                     

*Charles S. Haggley*

**MICROFILMED**  
**AUG 03 1994**

**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): Charles J. Higley Date: 7-8-94  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 8th day  
of July 19 94  
Seal. [Signature]  
Notary Public

Residing at Boise, Idaho  
My Commission Expires 8/23/95

MICROFILMED

AUG 03 1994

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. No. AL5-03617

**RECEIVED**  
APR 11 1990

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

Department of Water Resources

Please type or print clearly:

Name of Claimant(s) Charles S. Higby and/or  
Emma J. Higby

Mailing Address 3990 Highway 52  
(include Zip Code) Payette ID 83661

Phone Number ( 208 ) 278-3354

MICROFILMED

SEP 22 1992

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

RECEIVED  
APR 11 1990

Ident. Number: A65-03617  
Date Received: ~~3/20/1990~~ 4-11-90  
Receipt No: X999999  
Received By: \_\_\_\_\_

Department of Water Resources  
**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name: CHARLES S. HIGBY 208-278-3354  
Address: 3990 HWY 52  
PAYETTE, ID 83661

AND/OR

Name: EMMA J. HIGBY 208-278-3354  
Address: 3990 HWY 52  
PAYETTE, ID 83661

2. Date of Priority: APR 01, 1890

3. Source: PAYETTE RIVER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 08N      | 04W   | 35      | SW     | SE     |     |     | PAYETTE |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 10.630 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A65-03617

Page 1

Date: 03/21/90

MICROFILMED  
SEP 22 1992

10. Place of Use:

| Township | Range | Section | 1/4           | of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|---------------|----|-----|-----|-----|-------|
| 08N      | 04W   | 20      | SW            |    | NE  | 2   | IRR | 71.0  |
|          |       |         | SE            |    | NE  | 1   | IRR | 47.0  |
|          |       |         | SE            |    | NW  | 3   | IRR | 20.0  |
|          |       |         | NE            |    | SE  |     | IRR | 40.0  |
|          |       |         | NW            |    | SE  |     | IRR | 14.0  |
|          |       |         | SW            |    | SE  |     | IRR | 11.0  |
|          |       |         | SE            |    | SE  |     | IRR | 21.0  |
|          |       |         | Section Acres |    |     |     |     | 224.0 |
|          |       | 21      | SW            |    | NW  | 5   | IRR | 30.0  |
|          |       |         | NE            |    | SW  | 6   | IRR | 46.0  |
|          |       |         | SW            |    | SW  |     | IRR | 13.0  |
|          |       |         | SE            |    | SW  |     | IRR | 14.0  |
|          |       |         | NW            |    | SE  | 7   | IRR | 27.0  |
|          |       |         | SW            |    | SE  |     | IRR | 6.0   |
|          |       |         | SE            |    | SE  | 8   | IRR | 12.0  |
|          |       |         | Section Acres |    |     |     |     | 148.0 |
|          |       |         | Total Acres   |    |     |     |     | 372.0 |

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

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): Charles S. Higley Date: 4-6-90

Emma J. Higley Date: 4/6/90

State of Idaho )  
County of Layette ) SS.

Subscribed and sworn (or affirmed) before me this 10th day

of April 19 90

Cari Lyn Smith  
Notary Public

Seal

Residing at Trutland

My Commission Expires 6-6-92



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

RECEIVED  
NOV 10 1994

DATE OF CLOSING: September 15, 1994

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township 8 North Range 4 West

Section 17-22, 27 1/4 of 1/4 of 1/4 Govt. Lot       , BM. SEE ATTACHED  
 Lot       , Block       , Subdivision/Townsite       . LEGAL DESCRIPTION  
 ON "EXHIBIT A"

If you have additional legal descriptions, please attach separate sheet.

TO ATTACHED  
WARRANTY DEED

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s) A65-03617, A65-03618, A65-07461, A65-07462, A65-08627  
 Assigned by IDWR: A65-09393, A65-09394, A65-11211 and A65-11261

☐ Name and Address of Former Owner/Claimant(s)(Seller): Charles S. Higby, Emma J. Higby (Higby N/N Ranch)  
Higby N/N Ranch

☐ New Owner/Claimant (Purchaser): HC 80 Box 97, Payette, Idaho 83661  
George E. Colwell and Cheryl F. Colwell

☐ New Mailing Address: 10800 Smoke Ranch Road  
Boise, Idaho 83709

☐ New Telephone Number: (208) 376-6922

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no  
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: Copy of recorded Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s): George E. Colwell Date 9/15/94

Cheryl F. Colwell Cheryl F. Colwell Date 9/15/94

☐ Signature of Former Owner/Claimant(s): Charles S. Higby Date 9/15/94  
for Higby N/N Ranch Date       

(Signature of former claimant(s) is not required if proof of ownership is attached.)

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 11-18-94 By: Jed

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

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OCT 18 1994

Original to be mailed to Idaho Department of Water Resources  
 Copies to Former Owner and New Owner

## INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

Sept 20, 1994 9:54

A.M. in Book 48 Deeds pg. 251995

P-22260, 1600/113; 100 &amp; 300/114;

100/116; 200 &amp; 300/117; 800/118 &amp;

500/120

Laura L. Stigile, Ex-Officio Recorder by

Deputy

## WARRANTY DEED

fee \$27.00

THIS WARRANTY DEED, made this 15<sup>th</sup> day of September, 1994, between HIGBY N/N RANCH, an Idaho General Partnership ("GRANTOR"), and GEORGE E. COLWELL and CHERYL F. COLWELL, husband and wife ("GRANTEES"), whose address is 10800 Smoke Ranch Dr., Boise, Idaho 83709-1258;

## WITNESSETH:

The GRANTOR, for and in consideration of the sum of Ten and No/100ths Dollars, lawful money of the United States of America, and other good and valuable consideration, to it in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the GRANTEE, and to their heirs, personal representatives, successors and assigns forever, all of the following described real property situate in the County of Payette, State of Idaho, to-wit:

**REAL PROPERTY DESCRIBED ON "EXHIBIT A" ATTACHED HERETO  
AND MADE A PART HEREOF**

## SUBJECT TO:

1. General Taxes for the year 1994.
2. Rights outstanding under Easement for telephone lines and equipment, dated May 3, 1904, recorded May 11, 1904, in Book A, Page 89, Miscellaneous Records, Payette County, Idaho.
3. Easement in favor of State of Idaho as set forth in Deed dated April 16, 1936, recorded May 6, 1936, Fee #37837, in Book 13, Page 557, Deed Records of Payette County, Idaho.
4. Conditions and restrictions set forth in Decree of District Court, Payette County Case No. 2876, entered August 28, 1951, recorded August 29, 1951, Fee #80311, in book 5, Page 528, Judgment Records of Payette County, Idaho.
5. Easement in favor of J. R. McKinney and Dorothy McKinney, husband and wife, dated October 22, 1956, recorded November 16, 1956, Fee #96015, Miscellaneous Records of Payette County, Idaho.
6. Easement in favor of Idaho Power Company, dated January 30, 1973, recorded June 8, 1973, Fee #150958, Miscellaneous Records of Payette County, Idaho.

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## 251995

7. Right of Way (25 feet in width) for a road as shown in Deed dated June 23, 1904, recorded April 10, 1905, in Book D, Page 304, Deed Records of Payette County, Idaho.
8. Easement in favor of Idaho Power Company, as set forth in Decree of the District Court, recorded May 2, 1948, Fee #70032, in Book 5, Page 162, Judgment Records of Payette County, Idaho.
9. Rights of the Lower Payette Ditch Company, Inc., together with any rights of the public, to use road, as set forth in Deed dated and recorded May 10, 1971, Fee #142253, Deed Records of Payette County, Idaho.
10. Easement in favor of Idaho Power Company, dated November 2, 1973, recorded May 14, 1974, Fee #154650, Miscellaneous Records of Payette County, Idaho.
11. Easement for private roadway as disclosed by Deed dated September 15, 1919, recorded September 15, 1919, in Book N, Page 640, Deed Records of Payette County, Idaho.
12. Easement for relocation of drainage ditches and structures set forth in Deeds recorded May 1, 1936, in Book 13, Pages 548, 549 and 550, Fee Nos. 37789, #37790 and #37791, Deed Records of Payette County, Idaho.
13. Easement in favor of Idaho Power Company, dated February 7, 1941, recorded November 25, 1941, Fee #50873, in Book 3, Page 107, Miscellaneous Records of Payette County, Idaho.
14. Easement in favor of County of Payette, dated February 9, 1965, recorded February 11, 1965, Fee #122819, Miscellaneous Records of Payette County, Idaho.
15. Reservation of an undivided one-half (1/2) of all mineral rights in and to the land described as "Parcel C" for a period of twenty-five (25) years from November 13, 1972, as disclosed in Warranty Deed dated November 3, 1972, recorded August 27, 1975, Fee #159819, Deed Records of Payette County, Idaho.
16. Easement in favor of State of Idaho as set forth in Deed dated February 17, 1936, recorded May 1, 1936, Fee #37788, in Book 13, Page 547, Deed Records of Payette County, Idaho.
17. Affect of Mineral Deeds dated September 25, 1975, recorded September 25, 1975, Fee #160186 and Fee #160187, Deed Records of Payette County, Idaho.

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18. Rights-of-way for Little Willow Creek and for the canal of the Lower Payette Ditch Company.
19. Rights of the public in and to existing County Road rights of way.
20. Easement in favor of State of Idaho, Idaho Transportation Department, dated October 1, 1992, recorded December 1, 1992, Fee #241532, in Miscellaneous Records of Payette County, Idaho.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including any and all water rights, mineral rights, easements, rights-of-way, and all improvements located thereon; the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said real property, as well in law as in equity, of the said GRANTOR.

TO HAVE AND TO HOLD all and singular the above-described real property, together with the appurtenances unto the said GRANTEES, and to their heirs, personal representatives, successors and assigns forever, and the GRANTOR, does hereby covenant to and with the said GRANTEES and their heirs, personal representatives, successors and assigns, that the GRANTOR is the owner in fee simple of said real property; that said real property is free from all encumbrances except as may be otherwise expressly specified herein; and that the GRANTOR will warrant and defend said real property from all lawful claims whatsoever.

IN WITNESS WHEREOF, the GRANTOR has hereunto executed this instrument the day and year first above written.

HIGBY N/N RANCH, an Idaho General Partnership

By Charles D. Higley  
General Partner

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OCT 18 1996

251995

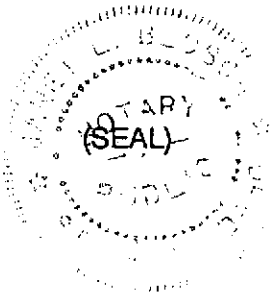
STATE OF IDAHO )

County of Ada )

ss:

On this 15<sup>th</sup> day of September, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Charles S. Higby, known to me to be a General Partner of HIGBY N/N RANCH, an Idaho General Partnership, the Partnership that executed the foregoing instrument or the person who executed the foregoing instrument on behalf of said Partnership, and acknowledged to me that such Partnership executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Janet L. Bloch

Notary Public for Idaho

Residing at Boise, Idaho

My Commission Expires: 3-17-99

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OCT 18 1996

**251995**

**EXHIBIT A**

(Description of Real Property)

**ATTACHED  
(Four (4) Pages)**

**MICROFILMED  
OCT 18 1996**

## CONTINUATION

File No. P-22260, 1600/113, et al

Policy No.

PARCEL "A":

Land in Twp. 8 N. R. 4 W., B.M., Payette County, Idaho:

A tract of land situated in Sec. 21, being more particularly described as follows:

Commencing at the Northwest corner of said Sec. 21;  
 thence South 71.3 feet following the West side line of said Sec. 21  
 to the TRUE POINT OF BEGINNING;  
 thence meandering Southeasterly along a certain fence line  
 S. 63°28' E. 1028.4 feet;  
 thence S. 54°38' E. 425.8 feet;  
 thence S. 48°41' E. 624.2 feet;  
 thence N. 80°52' E. 713.2 feet;  
 thence S. 50°18' E. 185.5 feet;  
 thence S. 48°29' E. 479.7 feet;  
 thence S. 38°26' W. 311.3 feet;  
 thence S. 69°39' E. 534.2 feet;  
 thence S. 89°01' E. 546.4 feet;  
 thence S. 59°33' E. 383 feet;  
 thence N. 38°11' E. 214.3 feet;  
 thence S. 72°50' E. 276.9 feet;  
 thence S. 51°36' E. 373.2 feet;  
 thence S. 27°54' E. 232.7 feet;  
 thence S. 57°41' E. 225.4 feet;  
 thence S. 63°30' E. 80 feet;  
 thence S. 64°41' E. 101 feet to the East side line of said Sec. 21,  
 at a point which bears S. 0°20' E. 173 feet from the East  
 quarter corner of said Sec. 21;  
 thence S. 0°20' E. 1115 feet following the East side line of said  
 Sec. 21, to the Northeast corner of the SE¼SE¼ of said Sec. 21;  
 thence S. 89°56' W. 160.3 feet following the North side line of  
 said SE¼SE¼;  
 thence S. 0°20' E. 1136.6 feet to a point in the centerline of  
 State Highway No. 52;  
 thence S. 60°56' E. 184 feet following said highway centerline to a  
 point on the East side line of said Sec. 21;  
 thence S. 0°20' E. 61.8 feet to the Southeast corner of said  
 Sec. 21;  
 thence S. 89°36' W. 5292 feet following the South side line of said  
 Sec. 21 to the Southwest corner of said Sec. 21;  
 thence North following the West side line of said Sec. 21 a distance  
 of 5063.9 feet to the TRUE POINT OF BEGINNING.

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 OCT 18 1996

251995

CONTINUATION

File No. P-22260, 1600/113, et al

Policy No.

Land in Twp. 8 N. R. 4 W., B.M., Payette County, Idaho:

A tract of land situated in a portion of the S $\frac{1}{2}$  of Sec. 17; a portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 18; a portion of the NE $\frac{1}{4}$  of Sec. 19; the N $\frac{1}{2}$ ; N $\frac{1}{2}$ SE $\frac{1}{4}$ ; SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; and a portion of the N $\frac{1}{2}$ SW $\frac{1}{4}$  of Sec. 20, being more particularly described as follows:

Beginning at the Northeast corner of said Sec. 20;

thence N. 89°19' W. 843 feet following the North side line of said Sec. 20;

thence N. 58°44' W. 695.2 feet;

thence N. 60°46' W. 460.5 feet;

thence N. 16°56' W. 523.8 feet;

thence N. 57°28' W. 130 feet to a point on the Westerly bank of Little Willow Creek;

thence meandering in a Southwesterly direction along the fence line of said Westerly bank of Little Willow Creek S. 55°21' W. 186.8 feet;

thence S. 33°42' W. 650 feet to a point in the Easterly right of way line of State Highway No. 52;

thence N. 78°39' W. 61.7 feet to the North-South centerline of said Sec. 17, at a point which bears N. 0°4' W. 500 feet from the South quarter corner of said Sec. 17, which point coincides with the point of intersection of the centerline of said State Highway No. 52 with the North-South center line;

thence N. 35°22' W. 430 feet following the centerline of State Highway No. 52;

thence leaving said centerline run N. 77°11' W. 289.3 feet;

thence N. 83°32' W. 788.1 feet;

thence S. 84°03' W. 403.4 feet;

thence S. 44°09' W. 1059.6 feet;

thence S. 67°59' W. 239 feet to a witness corner monument on the West side line of said Sec. 17 at a point that bears N. 0°07' W. 80 feet from the Southwest corner of said Sec. 17;

thence S. 62° W. 1030 feet to a point on the Northerly bank of the Payette River;

thence meandering in a Southeasterly direction along the said Northerly bank of said Payette River S. 23° E. 680 feet;

thence S. 18°10' E. 1000 feet;

thence S. 67° E. 365.5 feet to a point on the West side line of said Sec. 20;

thence S. 0°07' E. 1740 feet following said West side line to the Southwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$  of said Sec. 20;

thence S. 89°48' E. 4007.1 feet following the South side line of the N $\frac{1}{2}$  of the S $\frac{1}{2}$  of said Sec. 20 to the Northwest corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of said Sec. 20;

thence S. 0°2' E. 1318.2 feet following the West side line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$  to the Southwest corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

thence S. 89°46' E. 1335 feet following the South side line of said Sec. 20 to the Southeast corner of said Sec. 20;

thence N. 0° E. 5135.2 feet following the East side line of said Sec. 20 to the point of beginning.

MICROFILMED  
OCT 18 1996

## CONTINUATION

File No. P-22260, 1600/113, et al

Policy No.

EXCEPTING therefrom that portion of the N $\frac{1}{2}$ SW $\frac{1}{4}$  of Sec. 20 lying South of the North bank of the present Payette River Channel.  
 ALSO, EXCEPTING from the lands in Secs. 17, 20 and 21 that portion conveyed to the State of Idaho for highway purposes by Deed recorded May 8, 1936, Fee #37837, in Book 13, Page 557, Deed Records of Payette County, Idaho.  
 FURTHER EXCEPTING THEREFROM that portion conveyed to the State of Idaho by grant recorded December 1, 1992, Fee Nos. 241530 and 241531, Deed Records of Payette County, Idaho.

PARCEL "B":

Land in Twp. 8 N. R. 4 W., B.M., Payette County, Idaho:

In Sec. 17: N $\frac{1}{2}$ SE $\frac{1}{4}$ ; and a portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  and of Government Lots 1 and 2 described as follows:  
 Beginning at the Southeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of said Sec. 17;  
 thence N. 89°19' W. 843 feet following the South line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 thence N. 58°44' W. 695.2 feet;  
 thence N. 60°46' W. 460.5 feet;  
 thence N. 16°56' W. 523.8 feet;  
 thence N. 57°28' W. 130 feet to a point on the Westerly bank of Little Willow Creek;  
 thence meandering in a Southwesterly direction along the fence line of said Westerly bank of Little Willow Creek S. 55°21' W. 186.8 feet;  
 thence S. 33°42' W. to a point in the Northerly right of way line of the Lower Payette Ditch;  
 thence in a Northwesterly direction following said Northerly right of way line to the point where the same intersects the North side line of said Government Lot 2;  
 thence East following the North side line of said Lot 2 to the Northeast corner thereof;  
 thence continue East following the North side line of said Government Lot 1 and of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  to the Northeast corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 thence South following the East side line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$  to the point of beginning.  
 SAVE AND EXCEPTING the following portion of Government Lot 1:  
 Beginning at the South quarter corner of said Sec. 17;  
 thence N. 0°4' W. 500 feet;  
 thence S. 78°39' E. 61.7 feet;  
 thence N. 33°42' E. 650 feet;  
 thence meandering in a Northeasterly direction along the fence line of the Westerly bank of Little Willow Creek N. 55°21' E. 186.8 feet;  
 thence S. 57°28' E. 130 feet to the TRUE BEGINNING;

MICROFILMED  
 OCT 18 1996

## CONTINUATION

File No.

P-22260, 1600/113, et al

Policy No.

thence N. 57°28' W. 130 feet to a point on the  
 Westerly bank of Little Willow Creek;  
 thence in a Northeasterly direction along the Westerly  
 bank of Little Willow Creek to a point on the North  
 line of said Government Lot 1;  
 thence East following said North side line to a point  
 which is 489 feet West of the Northeast corner of  
 said Lot 1;  
 thence in a Southwesterly direction an unknown  
 distance to the point of beginning.

PARCEL "C":

Land in Twp. 8 N. R. 4 W., B.M., Payette County, Idaho:

In Sec. 21: The East 100 feet of Government Lot 8 lying North of  
 the right of way of State Highway #52.

In Sec. 22: Government Lot 6, SAVE AND EXCEPTING that portion  
 conveyed to the State of Idaho for Highway purposes by  
 Deed recorded May 1, 1936, in Book 13, Page 548, Deed  
 Records of Payette County, Idaho;  
 AND the following portion of Government Lot 7:  
 Beginning at the Southwest corner of said Government  
 Lot 7;

thence East following the South side line of said  
 Government Lot 7 to a point that measures 28 rods  
 West from the Southeast corner of said Government  
 Lot 7 according to the Government Plat thereof;  
 thence North and parallel to the West side line of  
 said Government Lot 7 to the Northeasterly side  
 line of said Government Lot 7;

thence in a Northwesterly direction following said  
 Northeasterly side line to the Northwest corner  
 of said Government Lot 7;

thence South following the West side line of said  
 Government Lot 7 to the point of beginning.

In Sec. 27: NW¼NW¼; NE¼NW¼ SAVE AND EXCEPTING the North 858 feet  
 of the East 462 feet thereof;  
 and the SE¼NW¼ SAVE AND EXCEPTING the West 643.5 feet  
 of the East 841.5 feet of the South 495 feet thereof;  
 AND FURTHER EXCEPTING from said tracts of land all  
 that portion conveyed to the State of Idaho for  
 highway purposes by Deeds recorded May 1, 1936, in  
 Book 13, Page 549 and 550, Deed Records of Payette  
 County, Idaho.

PARCEL "D":

Land in Twp. 8 N. R. 4 W., B.M., Payette County, Idaho:

In Sec. 20: That portion of the SW¼SE¼ and of the SE¼SW¼ lying  
 North of the present Payette River channel. OCT 18 1996

WARRANT'S NAME: Charles/Emma HigbyDATE: 09/07/1994TYPE: ST PayetteOFFICE: TR Minicucci

Mr. George Wondt of ARC Realty called to see if Mr. Higby had amended this claim. I said that he had signed & returned the amended ~~claim~~ claim & all appears to be claimed as decreed. After our conversation I noticed that I had made an error, placing the missing section in ROSW instead of the decreed ROW. Since this was our error I changed the claim to reflect the water right as decreed and did not request another signature from Mr. Higby. (This claim has not been officially decreed in the Payette decree, please see memo in file dated 07/05/1994 Re: conversation w/ Don Shaff).

MICROFILMED  
OCT 18 1996

Grounded Claim fees

65-3617

50 FLAT

398 VAR (ACRE FEE)

---

448 REQUIRED

---

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

In Re SRBA )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 65-03617

MAY 14 PM 12:25  
FILED  
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: GEORGE E COLWELL  
PO BOX 251  
NORTH POWDER, OR 97867-0251

CHERYL F COLWELL  
3990 HWY 25  
PAYETTE, ID 83661

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 26.44 CFS

PRIORITY DATE: 04/01/1890

POINT OF DIVERSION: T08N R04W S35 SWSWSE Within Payette County

PURPOSE AND  
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY  
Irrigation 03-01 TO 11-15 26.44 CFS

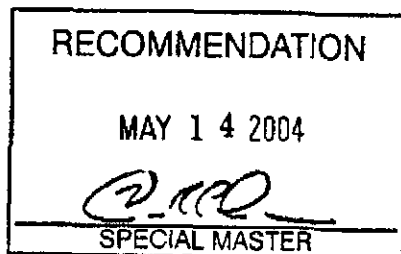
PLACE OF USE: Irrigation Within Payette County  
T08N R04W S20 LOT 1 (NENE)10.0 LOT 2 (NWNE)34.0  
LOT 2 (SWNE)38.0 LOT 1 (SENE)38.0  
NENW 12.0 LOT 3 (SENW) 9.7  
NESE 40.0 NWSE 14.0  
SWSE 11.0 SESE 19.0  
S21 LOT 5 (SWNW)31.0 LOT 6 (NESW)40.0  
NWSW 40.0 SWSW 11.0  
SESW 15.0 LOT 7 (NWSE)28.0  
SWSE 6.3 LOT 8 (SESE)14.0  
411.0 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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance  
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a  
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final  
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson  
Presiding Judge of the  
Snake River Basin Adjudication

Jan.

DISTRICT OF THE UNITED STATES OF AMERICA  
 IN AND FOR THE DISTRICT OF IDAHO  
 FILED \_\_\_\_\_

|                |   |                                        |
|----------------|---|----------------------------------------|
| In Re SRBA     | ) | <b>SPECIAL MASTER'S REPORT</b>         |
|                | ) |                                        |
| Case No. 39576 | ) | <b>FINDINGS OF FACT AND</b>            |
|                | ) | <b>CONCLUSIONS OF LAW</b>              |
|                | ) |                                        |
|                | ) | <b>FOR WATER RIGHTS 65- 03617, 65-</b> |
|                | ) | <b>08627, 65-11261, 65-11211.</b>      |

## I. FINDINGS OF FACT

A notice of claim was filed for the above water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation for the elements of this water right. A *Notice of Completed Administrative Proceeding, Address Change*, was filed on November 2, 2001.

An *Objection* was filed to the water rights on January 18, 2002, by the Claimants regarding the address, the quantity and the place of use. On May 11 2004, *Standard Form 5/ Stipulated Elements of a Water Right* forms signed by the claimant/objector were filed. I.D.W.R. concurred on the *Standard Form 5*.

## II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that the above water right be **decreed** with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED: May 14, 2004.

C. M. C.

**THOMAS R CUSHMAN**  
Special Master  
Snake River Basin Adjudication

2004 MAY 14 PM 12:26

TWIN FALLS CO., IDAHO  
FILED

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

In Re SRBA )

Case No. 39576 )  
\_\_\_\_\_ )

CERTIFICATE OF MAILING

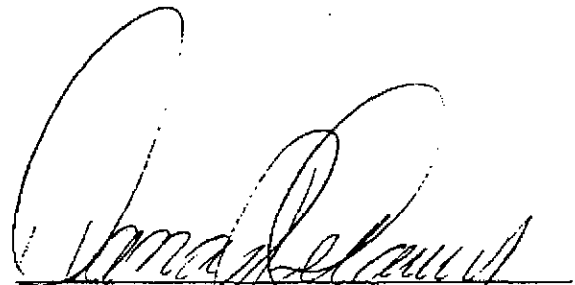
Water Right(s): 65-03617  
65-08627 65-11211 65-11261

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on May 14, 2004, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

CHERYL F COLWELL  
GEORGE & CHERYL COLWELL  
GEORGE E COLWELL  
Represented by:  
DANA L. HOFSTETTER  
608 WEST FRANKLIN STREET  
BOISE, ID 83702  
Phone: 208-424-7800

  
DIANA R DELANEY  
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1  
05/14/04

200 MAY 14 PM 12: 26

FILED  
TWIN FALLS CO., IDAHO

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

In Re SRBA )  
Case No. 39576 )  
\_\_\_\_\_ )

NOTICE OF ISSUANCE OF  
SPECIAL MASTER'S  
RECOMMENDATION

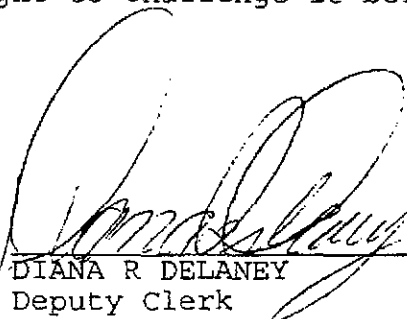
Water Right(s): 65-03617  
65-08627 65-11211 65-11261

On May 14, 2004, Special Master THOMAS R CUSHMAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED May 14, 2004.

  
DIANA R DELANEY  
Deputy Clerk

~~Director's Report~~  
Right No. 65-3617

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

RIGHT NUMBER: 65-3617

NAME AND ADDRESS: GEORGE E COLWELL  
PO BOX 251  
NORTH POWDER OR 97867-0251

CHERYL F COLWELL  
3990 HWY 52  
PAYETTE ID 83661

SOURCE: PAYETTE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: ~~10.630~~ <sup>26.44</sup> CFS

~~THIS RIGHT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN  
MEASURED AT THE FIELD HEADGATE.~~

PRIORITY DATE: 04/01/1890

POINT OF DIVERSION:

T08N R04W S35 SWSWSE Within PAYETTE County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
IRRIGATION

PERIOD OF USE  
~~3/13~~ 11/15  
311

QUANTITY  
~~10.630~~ CFS  
26.44

PLACE OF USE: IRRIGATION Within PAYETTE County

|                          |      |                          |      |
|--------------------------|------|--------------------------|------|
| T08N R04W S20 Lot 1 NENE | 10.0 | T08N R04W S20 Lot 2 NWNE | 34.0 |
| T08N R04W S20 Lot 2 SWNE | 38.0 | T08N R04W S20 Lot 1 SENE | 38.0 |
| T08N R04W S20 NENW       | 12.0 | T08N R04W S20 Lot 3 SENW | 9.7  |
| T08N R04W S20 NESE       | 40.0 | T08N R04W S20 NWSE       | 14.0 |
| T08N R04W S20 SWSE       | 11.0 | T08N R04W S20 SESE       | 19.0 |
| T08N R04W S21 Lot 5 SWNW | 31.0 | T08N R04W S21 Lot 6 NESW | 40.0 |
| T08N R04W S21 NWSW       | 40.0 | T08N R04W S21 SWSW       | 11.0 |
| T08N R04W S21 SESW       | 15.0 | T08N R04W S21 Lot 7 NWSE | 28.0 |
| T08N R04W S21 SWSE       | 6.3  | T08N R04W S21 Lot 8 SESE | 14.0 |

411 ACRES TOTAL

~~USE OF THIS RIGHT WITH RIGHT NO. 65-87461 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 558.0 ACRES IN A SINGLE  
IRRIGATION SEASON.~~

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: Beneficial Use

~~Director's Report~~  
Right No. 65-3617

*Handwritten signatures and initials:*  
11/11/11  
CB

Settlement ideas for Colwell Rights - 5-11-04

**65-7461** - Leave cfs alone and remove the .03 cfs at the field headgate remark. With place of use change this would ~~only~~ overlap with 65-11211. *OK 5.9 cfs*

**65-11211** - Remove condition that when combined with 65-7461 cannot exceed .03 cfs per acre. *REMOVE ALL CONDITION 67 ACRES* *OK - 1.39 CFS*

**65-11261** - Correct clerical error with quantity. The quantity recommended in the Payette was based on the Moritz ditch loss formula of .13 cfs. It was to be recommended also for .20 cfs for 10 acres. The .20 cfs amount was inadvertently left off. We would add that back in to total .33 cfs for this right. This right has been decreed and the changes made would only be as a clerical error which is shown by documents in the file. *NOTE: 65-7461 WILL OVERLAP - 10 ACRES* *.33 cfs*

**65-8627** - Originally recommended for 2.72 cfs and 105 acres using Dave Tuthill's 29.3% ditch loss calculation. Acres recommended at 1" per acre per ok by Mr. Higby. Not decreed in PRBA due to delays. If we use Scott King's revisions of Harley Noe's Hubble analysis dated 3-26-03 then we would use .031 cfs per acre X 105 Ac = 3.26 cfs plus the 29.3% Tuthill ditch loss calculation equalling a total of 4.2 cfs for 105 acres or approx. 2" per acre for 105 acres. *OK*

If we use the most recent Hubble analysis completed by Harley Noe and not reviewed by Scott King dated 7-6-2003, then we would use .043 cfs X 105 acres = 4.5 cfs plus the 29.3% Tuthill ditch loss calculation equalling a total of 5.82 cfs or approx. 2.7" per acre for 105 acres. *5.9 CFS* *NOT ROUNDED*

*OK* We would also remove the .02 at the field headgate remark. If 65-7461 is licensed as now proposed there would be no overlap with this right on the place of use.

**65-3617** - Originally recommended for 10.63 cfs and 411 acres using Tuthill's 29.3% ditch loss calculation. Acres recommended at 1" per acre per ok by Mr. Higby. Not decreed in PRBA due to delays. If we use Scott King's revisions of Harley Noe's Hubble analysis dated 3-26-03 then we would use .038 cfs per acres X 411 acres = 15.6 cfs plus the 29.3% Tuthill ditch loss calculation equalling a total of 20.17 cfs for 411 acres or 2.45" per acre.

If we use Harley Noe's most recent revised Hubble analysis completed on 7-6-2003 which was reviewed by Scott King, then we would use .05 cfs X 411 acres = 20.55 cfs plus the 29.3 % Tuthill ditch loss calculation equalling a total of 26.6 cfs or 3.2" per acre. *26.44* *NOT ROUNDED*

*OK* We would also remove the .02 cfs at the field headgate remark. If 65-7461 is licensed as now proposed there would be no overlap with this right on the place of use.

*Total meas. of ditch 89 cfs*  
*Total rights from ditch is 45.13 cfs* *OK*



Photo Area 1

Photo Area 2

Photo Area 3

Photo Area 4

Photo Area 5

DET

65-8627  
0.031/A  
Payette

65-11261  
0.013/Acre  
Payette R.

JOHNSON, VIRGIL FLOYD &  
SMITH, LOIS PEARL  
S G Z G

65-11261  
0.013/Acre  
Payette R.

JOHNSO  
SMITH

Gov't Lot 3  
SWNE

65-07461  
0.03/Acre  
Payette R.

Photo Area 6

65-0817  
0.03/Acre  
Payette R.

65-07461  
0.03/Acre  
Payette R.

65-07461  
0.03/Acre  
Payette R.

66-11211  
0.02/Acre  
Sloagh

Payette R.

Payette R.

Payette R.

Payette R.

Payette R.

Payette R.

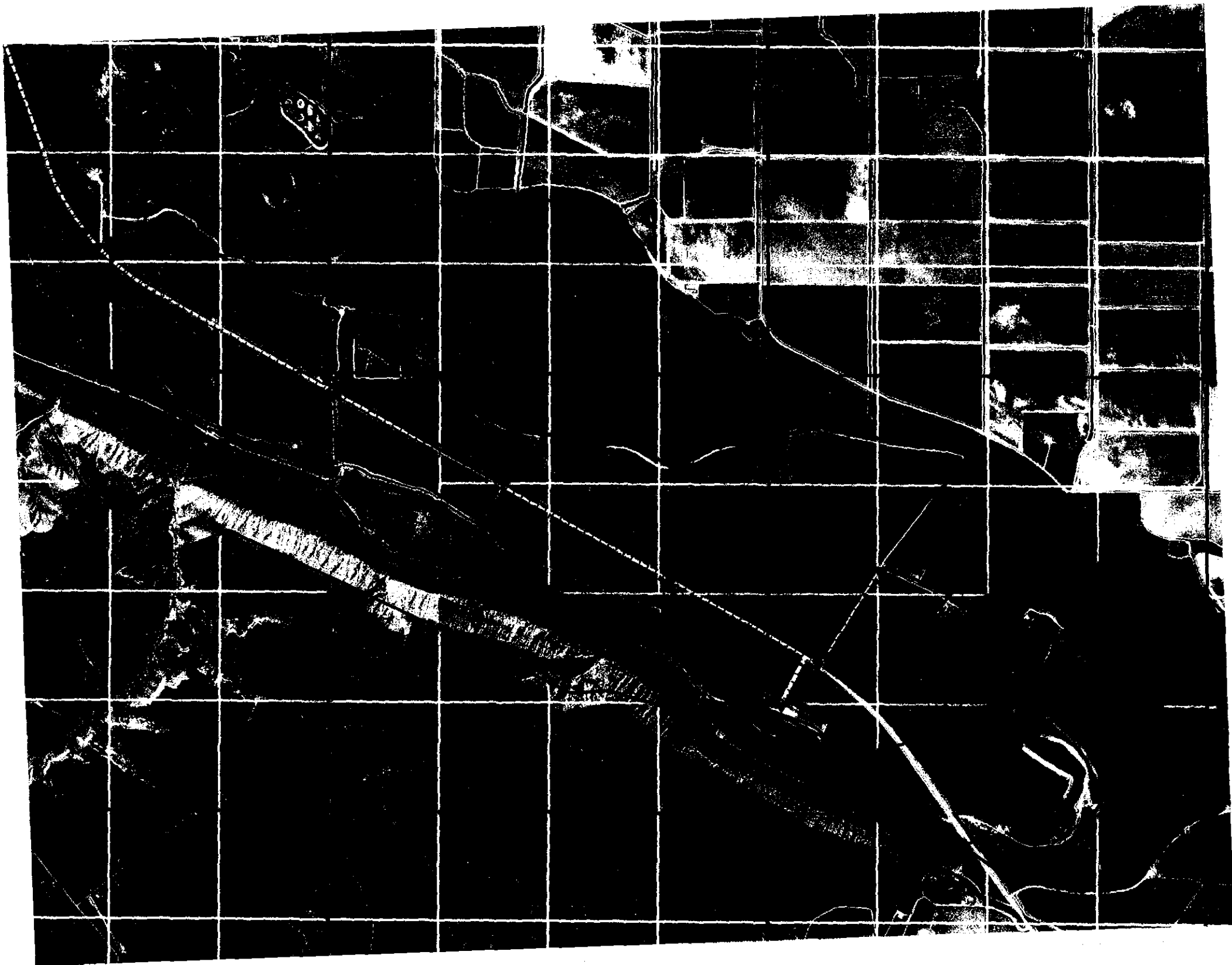
65-8627  
0.031/Acre  
Payette R.

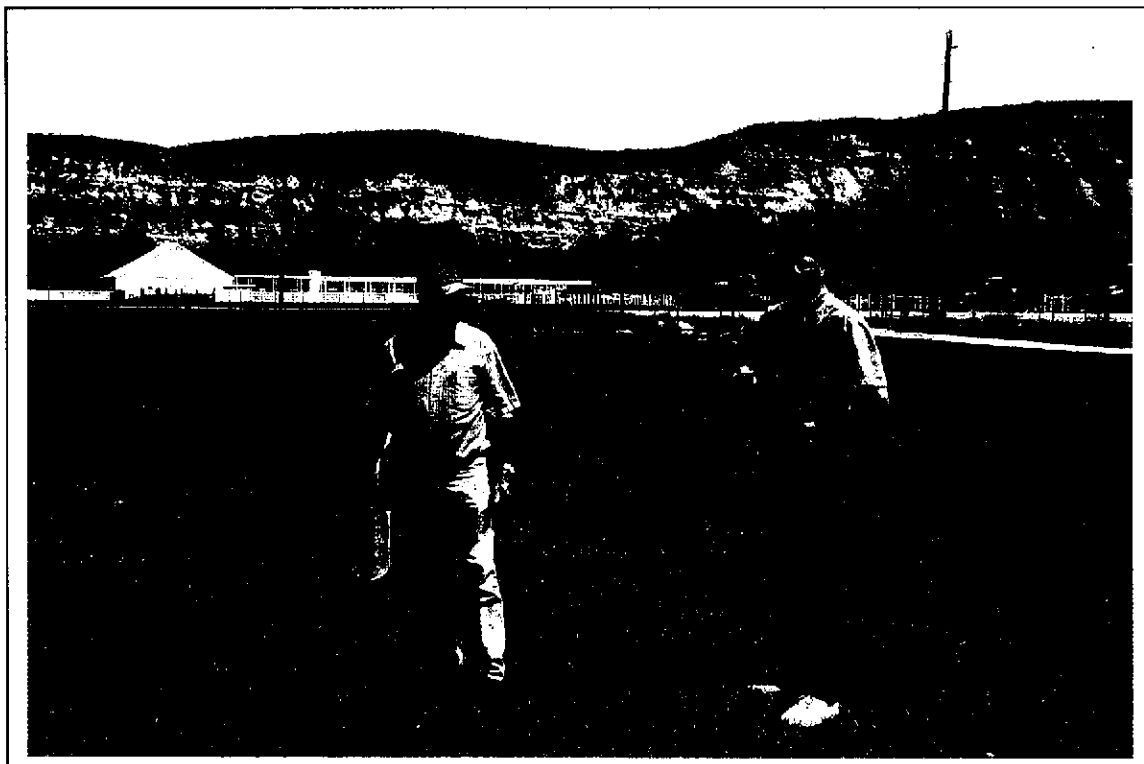
# COLWELL'S PRIVATE OVERLAP DETAIL MAP

65-11261  
0.013/Acre  
Payette R.

JOHNSON VIRGIL RUDOLPH  
CIS PEARL  
Gov't Lot  
NINE  
Gov't Lot  
SWINE

65-07461  
0.03/Acre  
Payette R.





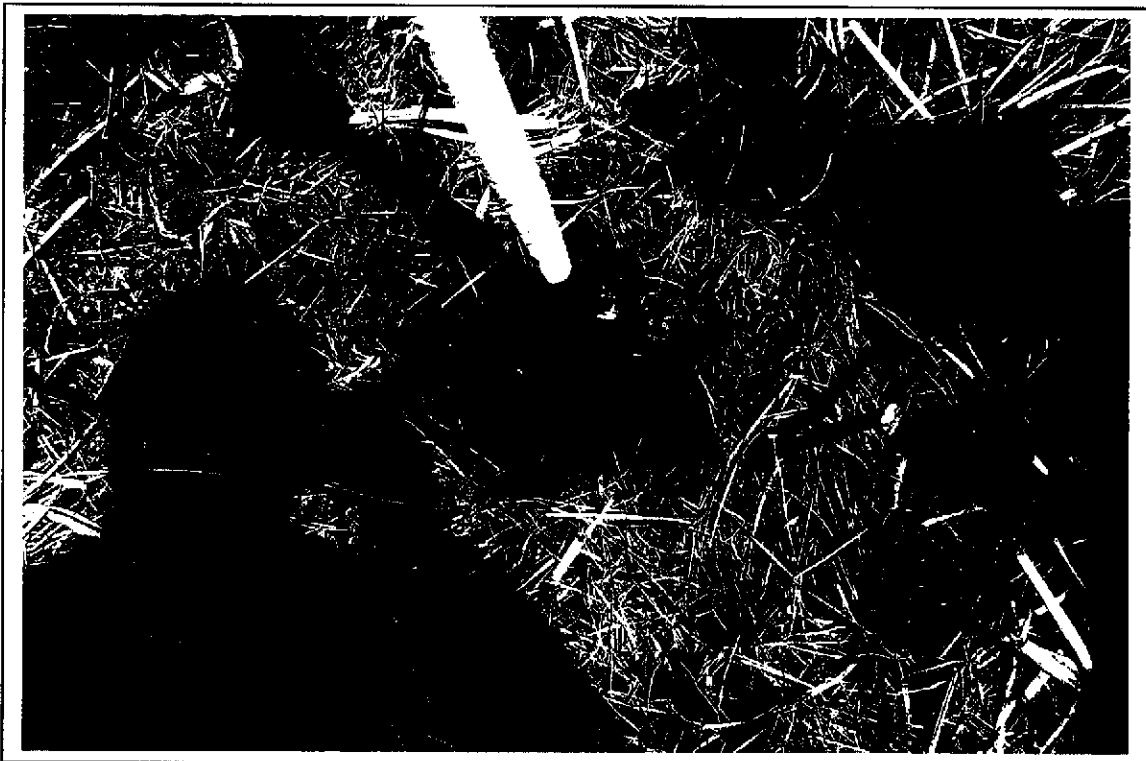
Colwell FX 5/15/03 Area 1: T08N, R04W, S20, SENE. Near Colwell's home. View to North East.



Colwell FX 5/15/03 Area 1: T08N, R04W, S20, SENE. Dig near Colwell's home. Photos by RDH.



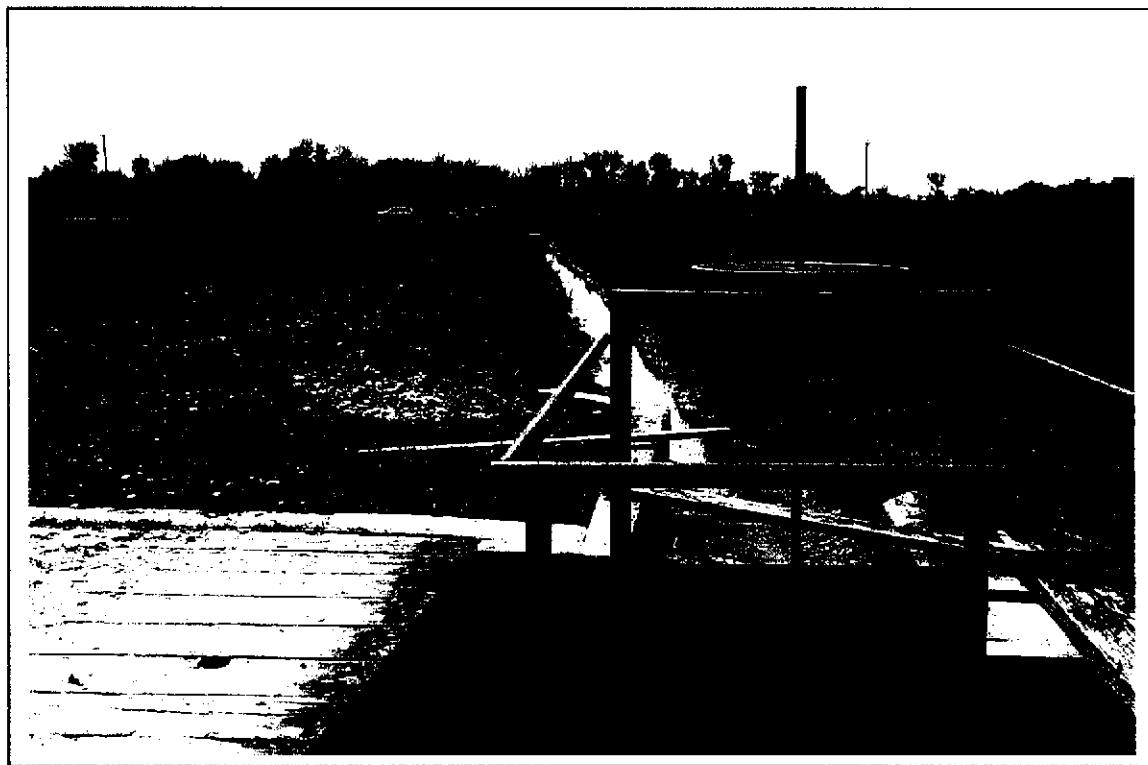
Colwell FX 5/15/03 Area 1: T08N, R04W, S20, SENE. View of soil.



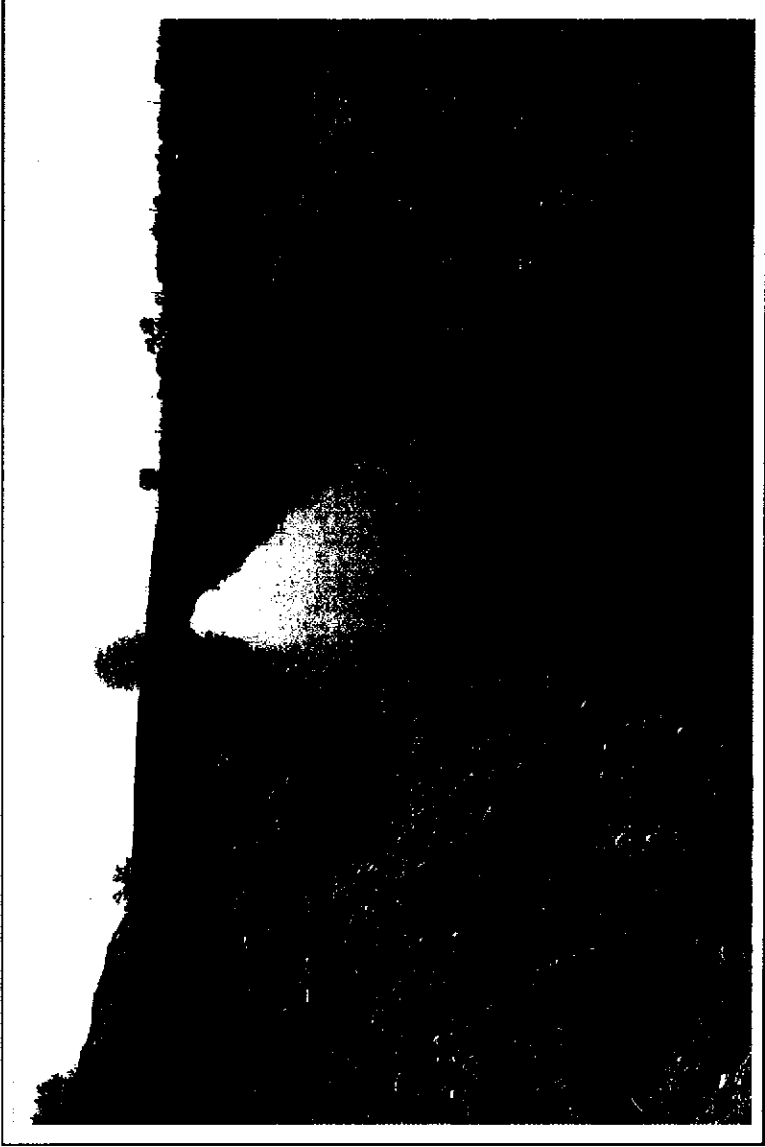
Colwell FX 5/15/03 Area 1: T08N, R04W, S20, SENE. View of soil in hole.



Colwell FX 5/15/03 Area 2: T08N, R04W, S21, view to the North East in the SENW.



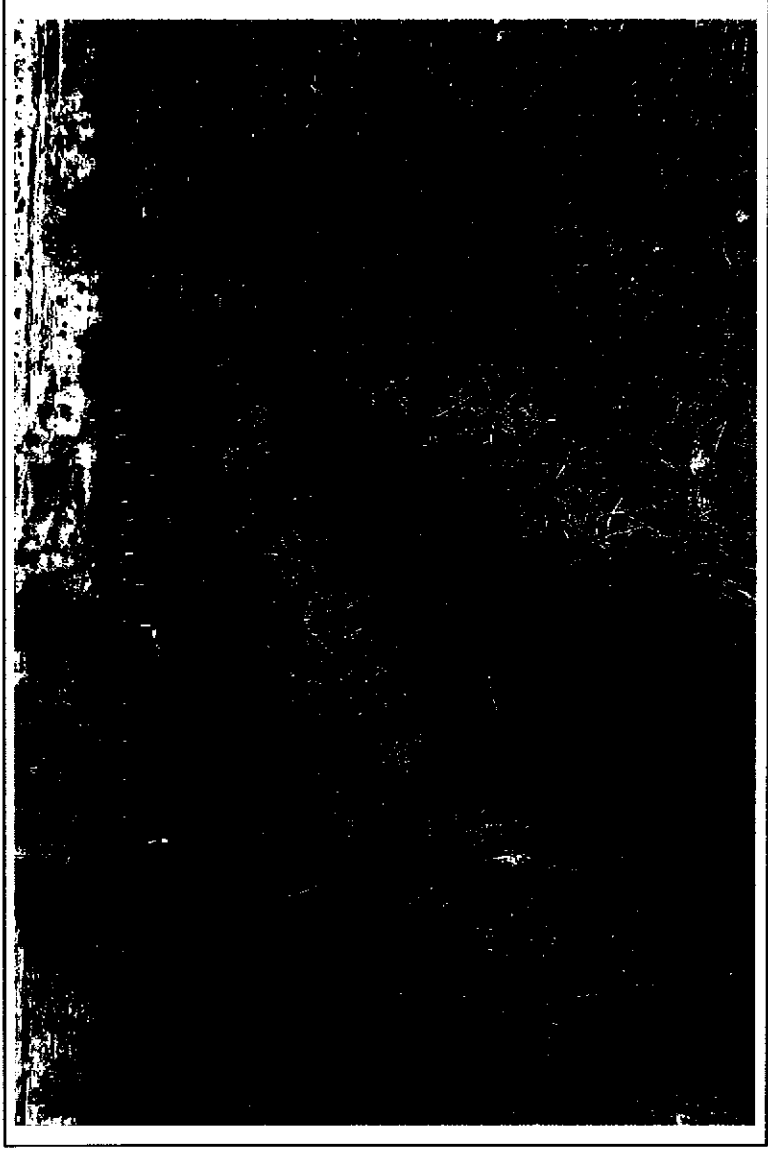
Colwell FX 5/15/03 Area 3: T08N, R04W, S21, NWSE. View to the South West.



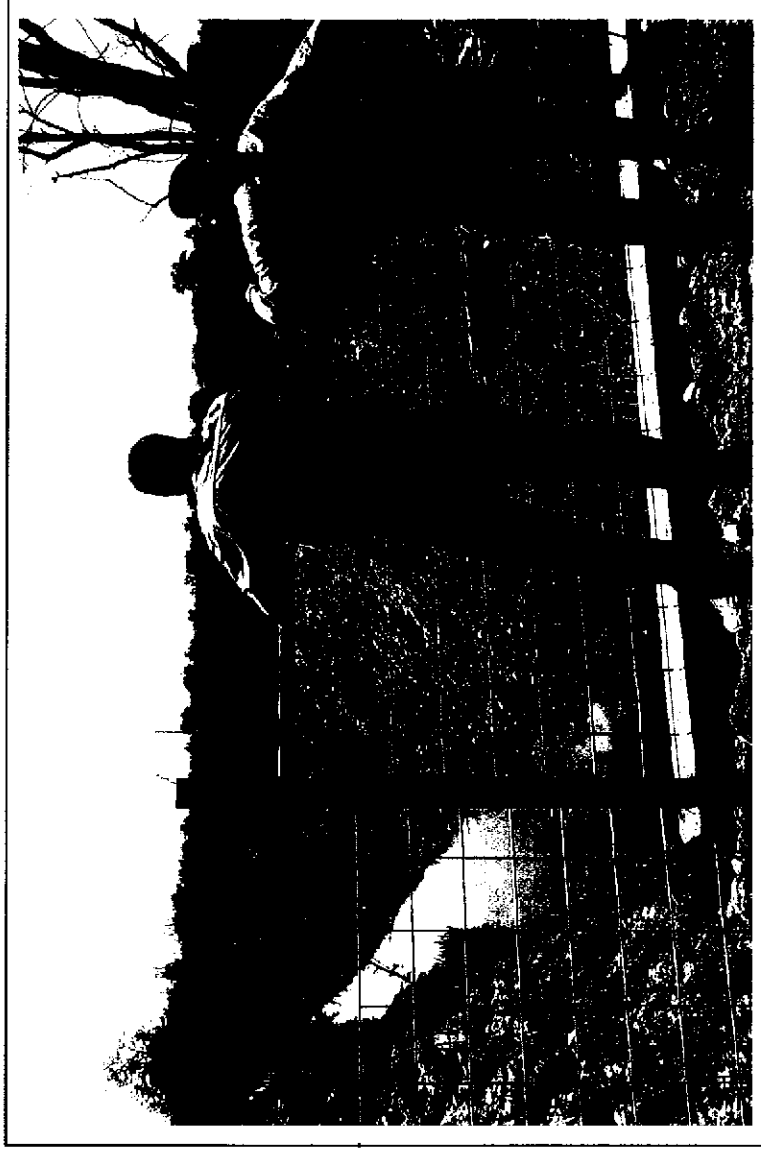
Colwell FX 5/15/03 Area 3: T08N, R04W, S21, NWSE. View to the South East.



Colwell FX 5/15/03 Area 3: T08N, R04W, S21, NWSE. View to the South West.



Colwell FX 5/15/03 Area 3: T08N, R04W, S21, NWSE. View to the North East.



Colwell FX 5/15/03 Area 4: T08N, R04N, S21, SESE. View to the South West.



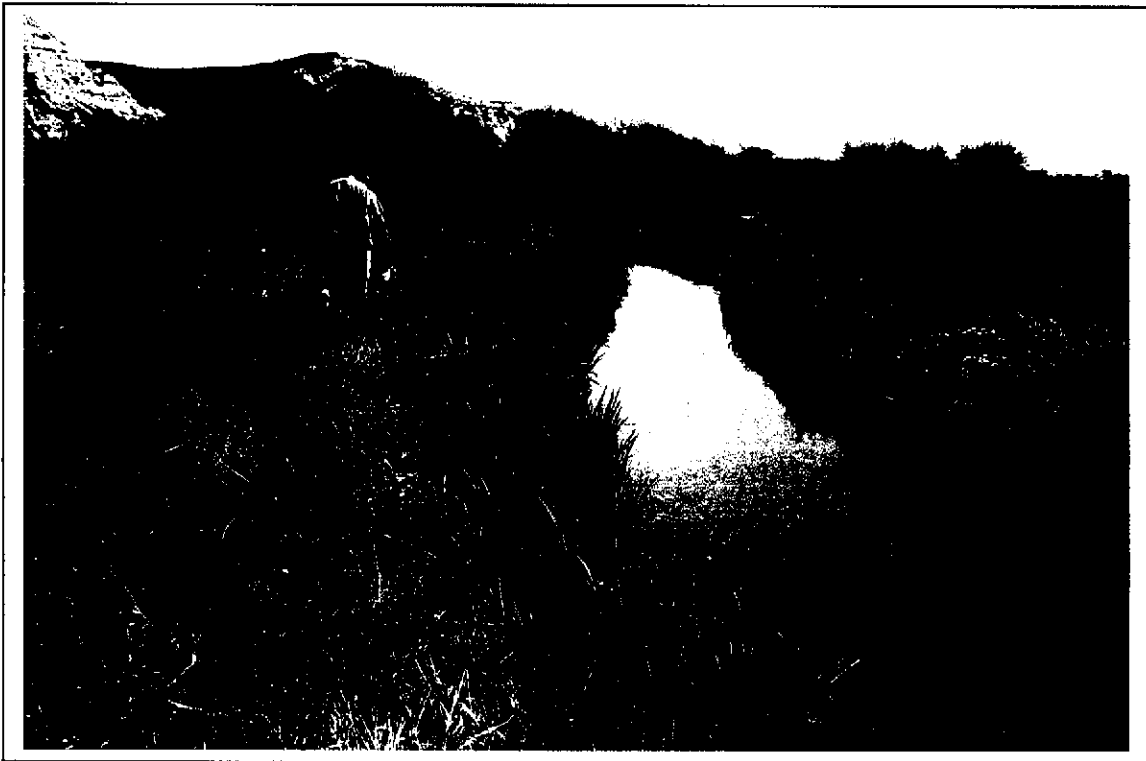
Colwell FX 5/15/03 Area 4: T08N, R04N, S21, SESE. View to the North West.



Colwell FX 5/15/03 Area 4: T08N, R04N, S21, SESE. View to the South East.



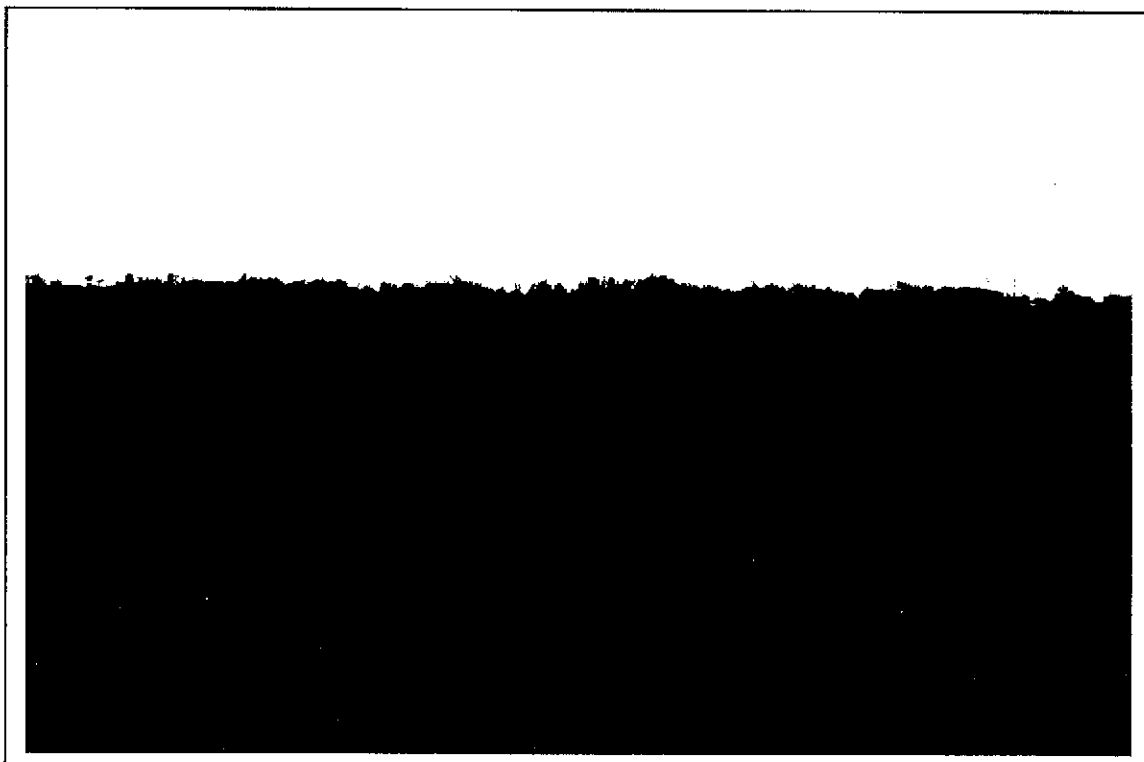
Colwell FX 5/15/03 Area 5: T08N, R04N, S22, SWSW. Johnson Higby Ditch



Colwell FX 5/15/03 Area 5: T08N, R04N, S22, SWSW. Johnson Higby Ditch. View to South East.



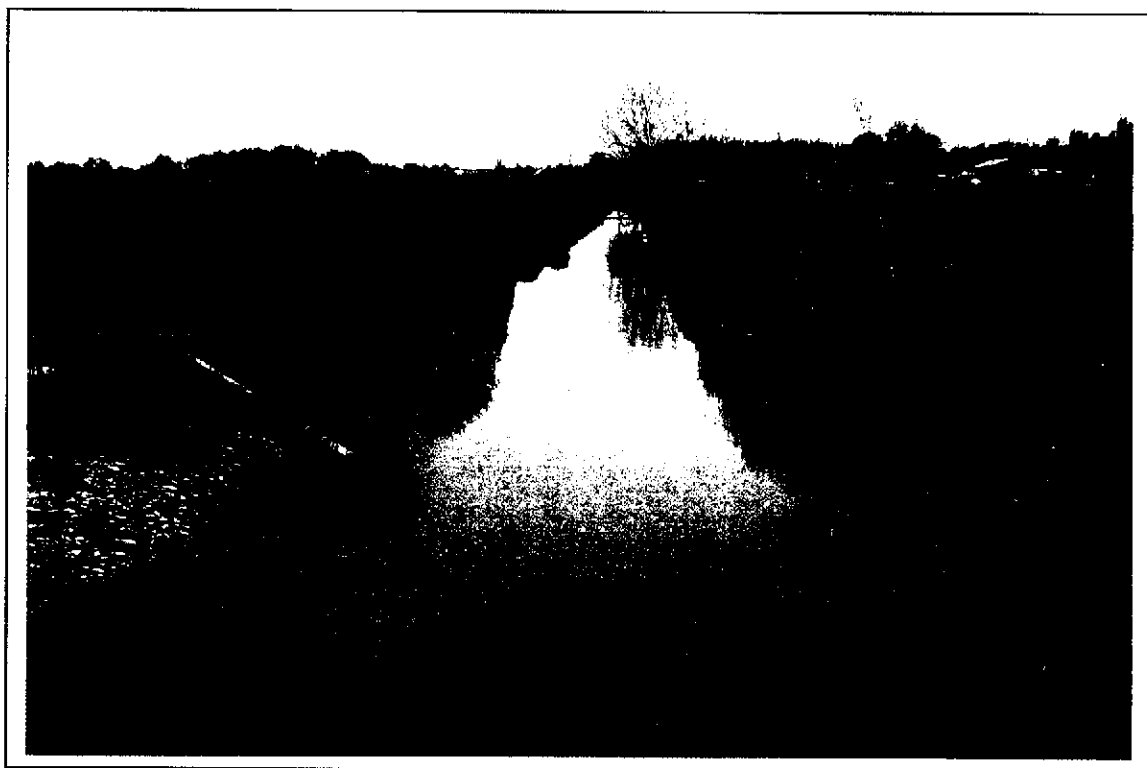
Colwell FX 5/15/03 Area 5: T08N, R04N, S22, SWSW. Johnson Higby Ditch. View to North West.



Colwell FX 5/15/03 Area 5: T08N, R04N, S22, SWSW. View to South.



Colwell FX 5/15/03 Area 6: T08N, R04W, S35, NWNW, Johnson Higby Ditch. View to North.



Colwell FX 5/15/03 Area 6: T08N, R04W, S35, NWNW, Johnson Higby Ditch. View to South.

RECEIVED

JAN 24 2002

WATER RESOURCES  
WESTERN REGION

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

In Re SRBA ) A. Subcase No. 65-03617  
 )  
Case No. 39576 )  
 )  
 ) STANDARD FORM 1  
 ) OBJECTION  
 )  
\_\_\_\_\_ )

Please fill in the following information:

**B. NAME AND ADDRESS OF PERSON OBJECTING**

Name: George E. and Cheryl F. Colwell  
Address: 3990 Highway 52  
Payette, Idaho 83661  
Daytime Phone: 208-278-3448

Name & Address of Attorney, if any:

Dana L. Hofstetter  
Hofstetter Law Office, LLC  
608 West Franklin Street  
Boise, Idaho 83702  
(208) 424-7800

**C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT**

Name: George E. and Cheryl F. Colwell  
Address: 10800 Smoke Ranch Road  
Payette, Idaho 83661

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ **Name and Address**  
Should be: Address should be 3990 Highway 52, Pavette, Idaho 83661
2. ☐ **Source**  
Should be: \_\_\_\_\_
3. ☒ **Quantity**  
Should be: More than .02 cfs per acre at field headgate
4. ☐ **Priority Date**  
Should be: \_\_\_\_\_
5. ☐ **Point(s) of Diversion**  
Should be: \_\_\_\_\_
6. ☐ **Instream Flow Description**  
Should be: \_\_\_\_\_
7. ☐ **Purpose(s) of Use**  
Should be: \_\_\_\_\_
8. ☐ **Period of Year**  
Should be: \_\_\_\_\_
9. ☒ **Place of Use**  
Should be: No combined acreage limitation with 65-07461

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): Lands require more than 1 miner's inch per acre. License for 65-07461 does not include combined acreage limitation.

\_\_\_\_\_

\_\_\_\_\_

F.

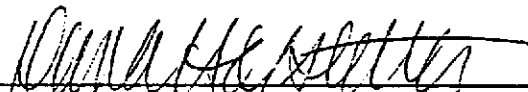
VERIFICATION (Must be Completed)

State of Idaho                    )  
                                          )ss.  
County of Ada                    )

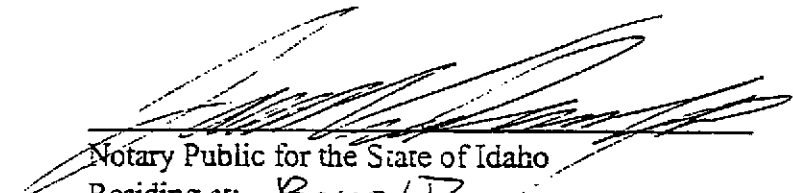
Dana L. Hofstetter                   , duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6)  
or that I am the attorney for the party/claimant objecting and that I have read this objection, know  
its contents and believe that the statements are true to the best of my knowledge.

\_\_\_\_\_  
(Signature of person filing objection)

  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 18, 2002

  
Notary Public for the State of Idaho  
Residing at: Boise ID  
My Commission Expires: 2-13-03

## INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

### G. CERTIFICATE OF MAILING

I certify that on January 18, 2002, I filed the original with the SRBA Court and mailed copies of this Objection, including all attachments, to the following:

1. Original to:

Clerk of the District Court (*via Hand Delivery*)  
Snake River Basin Adjudication  
253 Third Avenue North  
P.O. Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Not Applicable.

3. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
P. O. Box 44449  
Boise, ID 83711-4449

United States Department of Justice  
Environment and Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724

  
\_\_\_\_\_  
Signature of Objector or attorney  
mailing on Objector's behalf

10/30/2001

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-3617  
NAME AND ADDRESS: GEORGE E COLWELL  
PO BOX 251  
NORTH POWDER OR 978670251  
  
CHERYL F COLWELL  
3990 HWY 52  
PAYETTE ID 83661

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 10.630 CFS  
THIS RIGHT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN MEASURED  
AT THE FIELD HEADGATE.

PRIORITY DATE: 04/01/1890

POINT OF  
DIVERSION: T08N R04W S35 SWSWSE Within PAYETTE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 3/15 11/15           | 10.630 CFS      |

PLACE OF USE: IRRIGATION Within PAYETTE County

|                          |      |                          |      |
|--------------------------|------|--------------------------|------|
| T08N R04W S20 Lot 1 NENE | 10.0 | T08N R04W S20 Lot 2 NWNE | 34.0 |
| T08N R04W S20 Lot 2 SWNE | 38.0 | T08N R04W S20 Lot 1 SENE | 38.0 |
| T08N R04W S20 NENW       | 12.0 | T08N R04W S20 Lot 3 SENW | 9.7  |
| T08N R04W S20 NESE       | 40.0 | T08N R04W S20 NWSE       | 14.0 |
| T08N R04W S20 SWSE       | 11.0 | T08N R04W S20 SESE       | 19.0 |
| T08N R04W S21 Lot 5 SWNW | 31.0 | T08N R04W S21 Lot 6 NBSW | 40.0 |
| T08N R04W S21 NWSW       | 40.0 | T08N R04W S21 SWSW       | 11.0 |
| T08N R04W S21 SESW       | 15.0 | T08N R04W S21 Lot 7 NWSE | 28.0 |
| T08N R04W S21 SWSE       | 6.3  | T08N R04W S21 Lot 8 SESE | 14.0 |

411 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 65-07461 IS LIMITED TO THE IRRIGATION OF A  
COMBINED TOTAL OF 558.0 ACRES IN A SINGLE IRRIGATION SEASON.

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

RECEIVED

NOV 02 2001

**WATER RESOURCES  
WESTERN REGION**

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

**In Re SRBA**

**Water Rights:** 65-3617, 65-3618,  
65-7461, 65-7462, 65-8627,  
65-11211 and 65-11261

Case No. 39576

**NOTICE OF COMPLETED  
ADMINISTRATIVE  
PROCEEDING**

**IDWR has completed the following administrative proceeding:**

- ☒ Address change
- ☐ Substitution of Party
- ☐ IC § 42-222 transfer

- |                                               |                                              |
|-----------------------------------------------|----------------------------------------------|
| <input type="checkbox"/> Point of diversion   | <input type="checkbox"/> Place of use        |
| <input type="checkbox"/> Period of use        | <input type="checkbox"/> Nature of use       |
| <input type="checkbox"/> Split of water right | <input type="checkbox"/> Change in ownership |
| <input type="checkbox"/> Other                |                                              |

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 10-30-01

Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on October 31, 2001, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

### 1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
P.O. Box 2707  
Twin Falls, ID 83303-2707

☐ overnight mail  
☒ regular mail  
☐ hand-delivered  
☐ facsimile

### 2. Copies to:

Clive Strong  
Off ice of the Attorney General  
P.O. Box 44449  
Boise, ID 83711-4449

☐ overnight mail  
☐ regular mail  
☒ hand-delivered  
☐ facsimile

United States Dept of Justice  
Environment & Natural Resource Div  
550 West Fort Street MSC 033  
Boise ID 83724

☐ overnight mail  
☒ regular mail  
☐ hand-delivered  
☐ facsimile

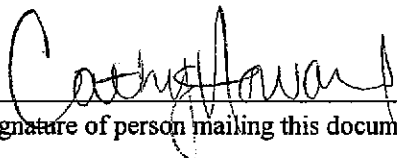
### 3. Copies to all parties to the subcase:

George E. Colwell  
P.O. Box 251  
North Powder, OR 97867-0251

☐ overnight mail  
☒ regular mail  
☐ hand-delivered  
☐ facsimile

Cheryl F. Colwell  
3990 Hwy. 52  
Payette, ID 83661

☐ overnight mail  
☒ regular mail  
☐ hand-delivered  
☐ facsimile

  
\_\_\_\_\_  
Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

RECEIVED

OCT 29 2001

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

RECEIVED

NOV 02 2001

WATER RESOURCES  
WESTERN REGION

September 27, 2001

CHERYL F COLWELL  
GEORGE E COLWELL  
PO BOX 251  
NORTH POWDER OR 97867-0251

*Payette.*  
Cheryl F. Colwell  
3990 Hwy 52  
Payette, IDAHO 83661  
(208) 278-3448

RE: Snake River Basin Adjudication (SRBA)

Water Rights #65-3616, 65-3617, 65-3618, 65-3619, 65-7461, 65-7462,  
65-8627, 65-11211, 65-11261 and 65-21373

Dear Water Right Holders:

*cc: W. A.*  
*Records modified 10/30/01.*  
*R=NCAP done.*

Mail we sent you was returned to us by the Postal Service. The Postal Service advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by October 12, 2001. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Ms. SHERMAN,

As we move from RANCH to RANCH with different seasons, this may be the best way to show Cheryl at the Adjudication Bureau at ONE ADDRESS AND ME AT THE OTHER. THANK YOU FOR YOUR HELP.

Sincerely,

Sally Sherman

Technical Records Specialist  
Adjudication Bureau

Enclosure:

Returned Mail

#####

The address is correct as shown above or as otherwise changed

Water Right Holder's Signature

Telephone No.

*Rec'd P. 2.*  
*10/10/01*  
*(541) 878-2863*  
*(208) 278-3448*

ADDRESS SERVICE  
REQUESTED



RECEIVED

SEP 24 2001

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES

1301 North Orchard St

P O Box 83720

Boise, ID 83720-0098

(208) 327-7900

TO

COLW800 837092226 1500 04 09/21/01  
FORWARD TIME EXP RTN TO SEND  
COLWELL  
PO BOX 251  
NORTH POWDER OR 97867-0251

RETURN TO SENDER

65-11261. nec  
65-3617  
65-3618  
65-7461.  
65-7462.  
65-8627.  
65-11211.  
~~65-11261~~ dupe  
65-3616 wr  
65-3619.  
65-21373.1

IDAHO DEPARTMENT OF WATER RESOURCES  
WESTERN REGION  
2735 Airport Way  
Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED

BOISE  
MAY 7 2001  
U.S. POSTAGE

CHERYL F COLWELL

65-3817

GEORGE E COLWELL  
10600 SMOKE RANCH RD  
BOISE, ID 83709

65-3617

RECEIVED

MAY 07 2001

WATER RESOURCES  
WESTERN REGION

83709 5082





## 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.

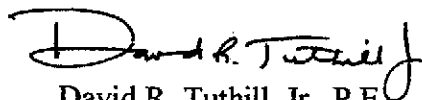
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without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

AJ0749NP  
No. R65-03617

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

DATE: 05/19/00  
PAGE: 1

| OWNER<br>CODE | NAME & ADDRESS         | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | GEORGE E COLWELL       | 04/01/1890       | IRRIGATION | 03-15 11-15           | 10.630 CFS        |                     |
| C             | CHERYL F COLWELL       |                  |            |                       |                   |                     |
|               | 10800 SMOKE RANCH ROAD |                  |            |                       |                   |                     |
|               | BOISE ID 83709         |                  |            |                       |                   |                     |
|               | (208) 376-6922         |                  |            |                       |                   |                     |
|               |                        |                  |            | TOTAL DIVERSION:      | 10.630 CFS        |                     |

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T08N R04W S35 SWSWE

PAYETTE 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   |       |  |       |
| 08N | 04W | 20 | : | 01-10 | 02-34 | 02-38 | 01-38 | :  | 12 |       |    | 03-09 | :  |       |    | 40 | 14 | 11 | 19          | :        | 225.7 |       |  |       |
| 08N | 04W | 21 | : |       |       |       |       | :  |    | 05-31 |    |       | :  | 06-40 | 40 | 11 | 15 |    | 07-28       | 06 08-14 | :     | 185.3 |  |       |
|     |     |    |   |       |       |       |       |    |    |       |    |       |    |       |    |    |    |    | TOTAL ACRES |          |       |       |  | 411.0 |

POU County: PAYETTE

Remarks: QNT THIS RIGHT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN  
MEASURED AT THE FIELD HEADGATE.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 65-07461 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 558.0 ACRES IN A SINGLE  
IRRIGATION SEASON.

EXP THE FOLLOWING RIGHTS ARE ~~ALSO DIVERTED~~ THROUGH POINT OF  
DIVERSION DESCRIBED ABOVE: 65-05921, 65-07461, 65-08627,  
65-11255 & 65-11261.

Dates: Exam Made Date: Verified Date: 05/19/2000 Objection Filed Date:

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

Comments: Date: 05/19/2000 User-ID: RHOWERTO Subject: DELIVERY LOSS COMMENT  
RIGHT CONTAINS DELIVERY LOSS, PRBA ALLOWED AN ADDITION TO A RATE  
OF AN INCH PER ACRE TO COMPENSATE FOR DELIVERY LOSSES.

Audit: 05/19/00 RHOWERTO

C 18

WR5809NP  
No. 65-03617

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 05/17/00  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                        | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-----------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| P                | CHARLES S. HIGBY<br>3990 HWY 52<br>PAYETTE ID 83661<br>(208) 278-3354 | 04/01/1890       | IRRIGATION | 03/15 11/15           | 10.630 CFS        |                     |
| TOTAL DIVERSION: |                                                                       |                  |            |                       | 10.630 CFS        |                     |
| C                | CHARLES S. HIGBY                                                      |                  |            |                       |                   |                     |
| C                | EMMA J. HIGBY<br>STAR ROUTE<br>PAYETTE ID 83661                       |                  |            |                       |                   |                     |

Water Source: PAYETTE RIVER  
Point(s) of Diversion: T08N R04W S35 SWSE  
Place of use Legal Description for: IRRIGATION  
Tributary to: PAYETTE County  
Stage: BENEFICIAL USE

| T           | R   | S  | NE | NENE | NWNE | SWNE | SENE | NENW | NWNW | SWNW | SENW | NESW | NWSW | SWSW | SESW | NESE  | NWSE | SWSE | SESE  | SUM   |
|-------------|-----|----|----|------|------|------|------|------|------|------|------|------|------|------|------|-------|------|------|-------|-------|
| 08N         | 04W | 20 | 10 | 34   | 02   | 21   | 01   | 47   | 12   | 03   | 20   | 40   | 14   | 11   | 21   | 224.0 |      |      |       |       |
| 08N         | 04W | 21 |    |      |      |      |      |      | 05   | 30   | 46   | 40   | 13   | 14   | 07   | 27    | 06   | 08   | 12    | 148.0 |
| TOTAL ACRES |     |    |    |      |      |      |      |      |      |      |      |      |      |      |      |       |      |      | 372.0 |       |
|             |     |    |    |      |      |      |      |      |      |      |      |      |      |      |      |       |      |      | 411   |       |

Handwritten notes: 38, 30, 9.7, 19, 11, 15, 28, 6.3, 14, 411

Pou County: PAYETTE

Dates: App. Received:  
Proof Due Date:  
Exam Made Date:  
Licensed Date:

Priority Date: 04/01/1890  
Proof Made Date:  
Exam Sent to S.O.:

Misc: Water District Number: 65

Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT 11/01/88 CURTIS 08/05/92 NAME-ADD

1/4 WAS LEFT  
OFF WR  
RECORD (HOWEVER)  
WAS IN  
BLUE BOOK  
DECREE  
FOR 39  
ACRES  
MAKING  
TOTAL ACRES 411  
(WAS ALSO CLAIMED)  
IN SRBA

**T08N R04W**

# Idaho Department of Water Resources

**Claims: 65-03617**

**Owner : Colwell**

**Prepared by:**

**RON HOWERTON**

**Date: 16 MAY 00**

 **Place of use**

● **POD**

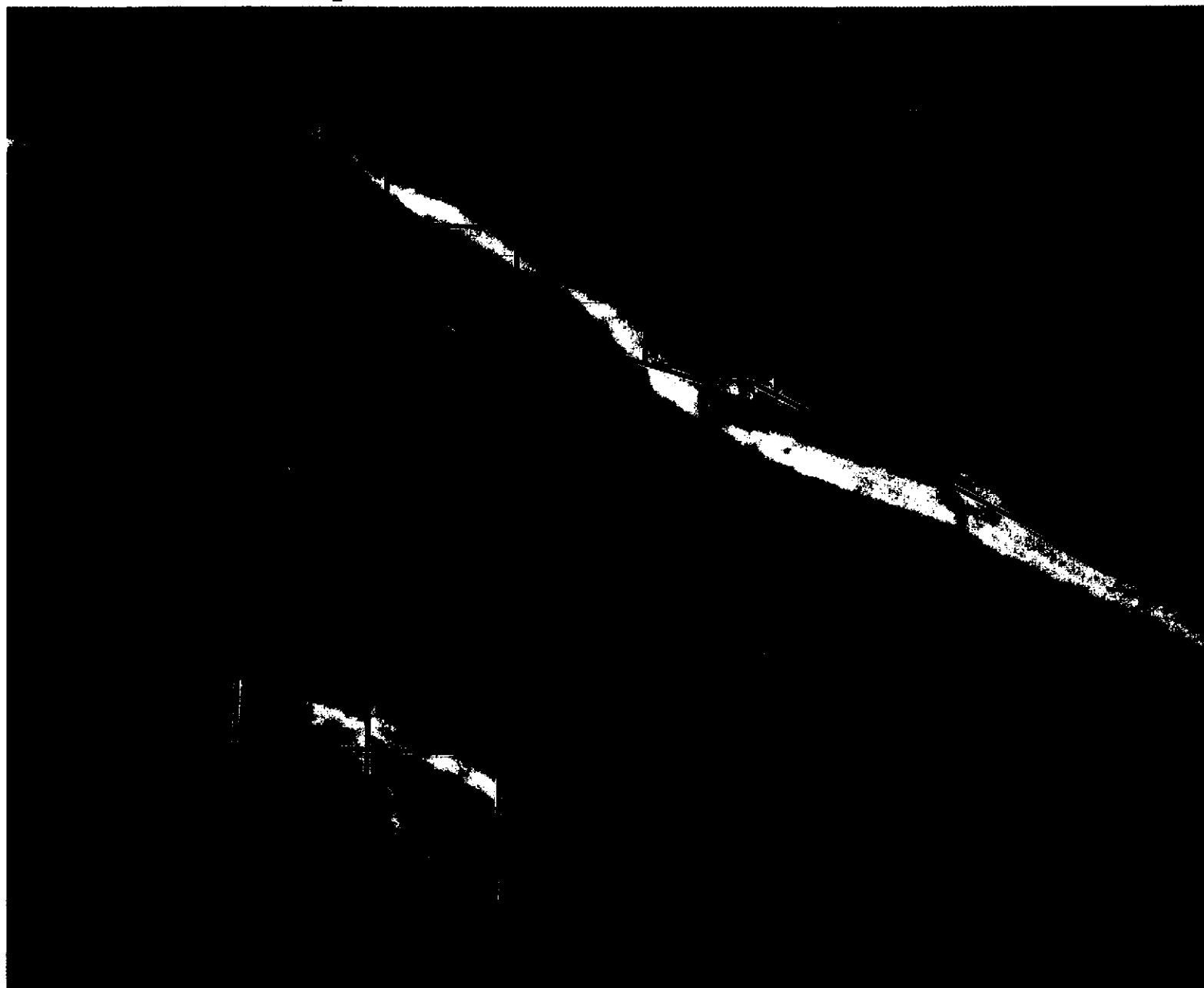
 **SECTION**

 **1/4 1/4**

**411 Acres**



**1987 NAPP**



# Idaho Department of Water Resources

**T08N R04W**

**Claims: 65-03617**

**Owner : Colwell**

**Prepared by:**

**RON HOWERTON**

**Date: 16 MAY 00**

 **Place of use**

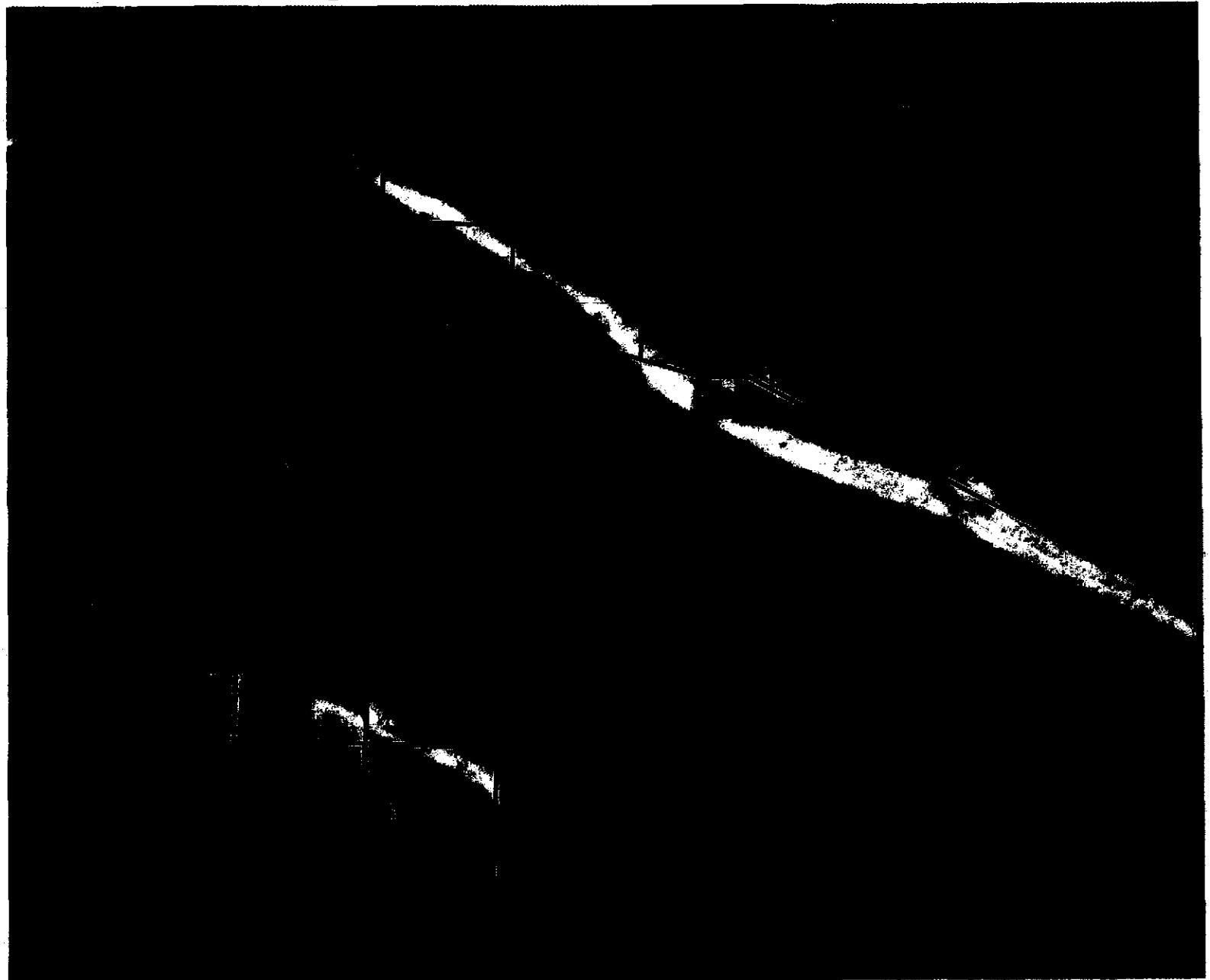
● **POD**

 **SECTION**

 **1/4 1/4**



**1987 NAPP**



P/D  
SUSSE  
T 800 RW

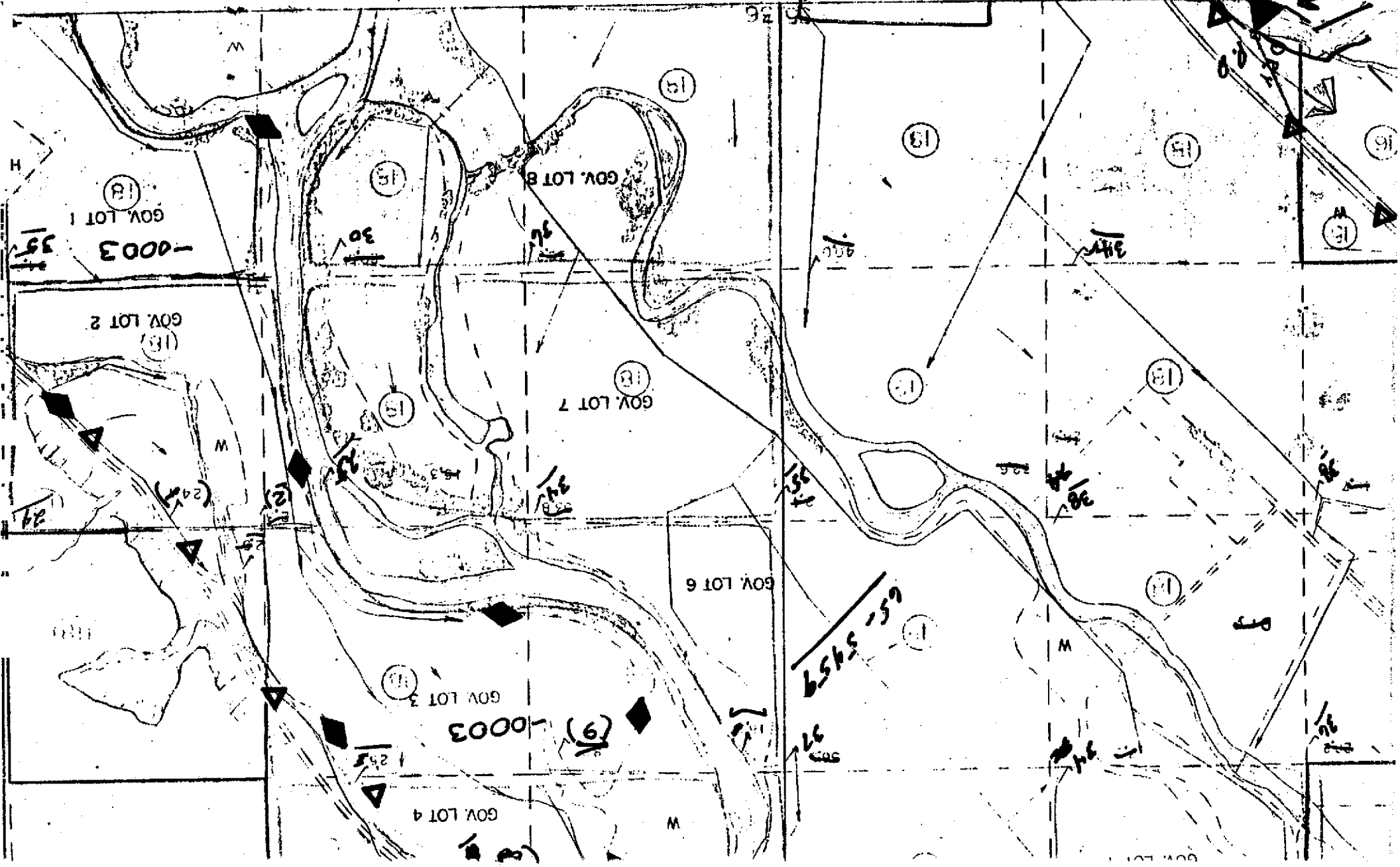
24 Duane Samson  
25 P.R. Burgess

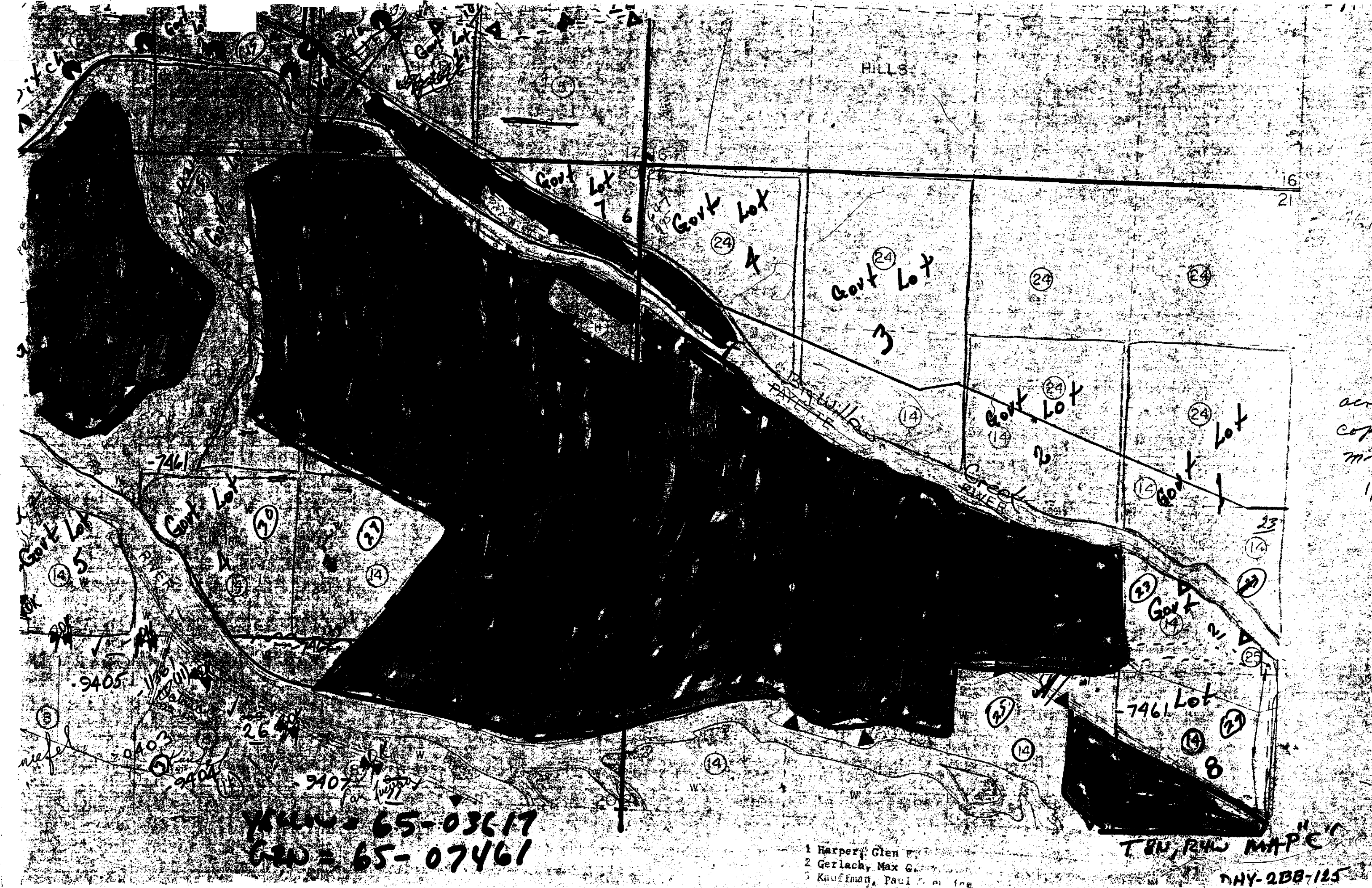
APPEALS TO  
BE REBID

MAP "E"

SAME P/D FOR RIGHTS:

- 3007
- 5921
- 11255
- 8627
- 7461
- 11261





OVERLAP REVIEW SHEET FOR THE FOLLOWING WR #'s:

AGENT Run H.

DATE 5-17-00

65-11211

65-07461

65-08627

65-11261

① <sup>Govt</sup>  
Lt & B

| USE/SOURCE            | NUMBER          | TNS | RNG | SEC | NE      |         |         |         | NW |    |         |          | SW      |    |    |    | SE      |        |         |    | TOTAL | SYSTEM TOTAL |
|-----------------------|-----------------|-----|-----|-----|---------|---------|---------|---------|----|----|---------|----------|---------|----|----|----|---------|--------|---------|----|-------|--------------|
|                       |                 |     |     |     | NE      | NW      | SW      | SE      | NE | NW | SW      | SE       | NE      | NW | SW | SE | NE      | NW     | SW      | SE |       |              |
| <del>PAYETTE R.</del> | <del>3617</del> | 8N  | 4W  | 20  | ①<br>10 | ②<br>34 | ②<br>38 | ①<br>38 |    |    |         | ③<br>9.7 |         |    |    |    | 40      | 14     | 11      | 19 |       |              |
|                       | 3617            | 8N  | 4W  | 21  |         |         |         |         |    |    | ⑤<br>31 |          | ⑥<br>40 | 40 | 11 | 15 | ⑦<br>28 | 6.3    | ⑧<br>14 |    |       | 411          |
|                       |                 |     |     |     |         |         |         |         |    |    |         |          |         |    |    |    |         |        |         |    |       |              |
|                       |                 | 8N  | 4W  | 17  |         |         |         |         |    |    |         |          |         |    | 5  |    |         | ①<br>6 |         |    |       |              |

| USE/SOURCE | NUMBER | TNS | RNG | SEC | NE     |        |        |        | NW |         |         |         | SW |    |    |    | SE     |    |         |         | TOTAL | SYSTEM TOTAL |
|------------|--------|-----|-----|-----|--------|--------|--------|--------|----|---------|---------|---------|----|----|----|----|--------|----|---------|---------|-------|--------------|
|            |        |     |     |     | NE     | NW     | SW     | SE     | NE | NW      | SW      | SE      | NE | NW | SW | SE | NE     | NW | SW      | SE      |       |              |
|            | 7461   | 8N  | 4W  | 19  | ①<br>3 |        |        |        |    |         |         |         |    |    |    |    |        |    |         |         |       |              |
|            | 7461   | 8N  | 4W  | 20  | ⑦<br>8 | ⑦<br>3 |        | ①<br>2 |    | ⑥<br>36 | ⑥<br>14 |         |    |    |    |    |        |    |         |         |       |              |
|            | 7461   | 8N  | 4W  | 21  |        |        | ②<br>1 |        |    | ④<br>6  |         | ⑤<br>12 |    |    |    |    | ①<br>1 |    | ⑧<br>17 | ⑧<br>17 |       |              |
|            | 7461   | 8N  | 4W  | 27  |        |        |        |        |    |         |         | 13      |    |    |    |    |        |    |         |         |       | 159          |

| USE/SOURCE | NUMBER | TNS | RNG | SEC | NE     |    |    |    | NW     |         |         |        | SW |    |    |    | SE |    |    |    | TOTAL | SYSTEM TOTAL |
|------------|--------|-----|-----|-----|--------|----|----|----|--------|---------|---------|--------|----|----|----|----|----|----|----|----|-------|--------------|
|            |        |     |     |     | NE     | NW | SW | SE | NE     | NW      | SW      | SE     | NE | NW | SW | SE | NE | NW | SW | SE |       |              |
| SLOUGH     | 11211  | 8N  | 4W  | 17  |        |    |    |    |        |         |         |        |    |    | 5  |    |    |    |    |    |       |              |
|            |        | 8N  | 4W  | 19  | ②<br>3 |    |    |    |        |         |         |        |    |    |    |    |    |    |    |    |       |              |
|            |        | 8N  | 4W  | 20  |        |    |    |    | ③<br>4 | ⑥<br>36 | ⑥<br>12 | ⑥<br>7 |    |    |    |    |    |    |    |    |       | 67           |
| PAYETTE R. | 11261  | 8N  | 4W  | 27  |        |    |    |    | 1      |         |         | 9      |    |    |    |    |    |    |    |    |       | 10           |

| USE/SOURCE | NUMBER | TNS | RNG | SEC | NE |    |    |    | NW |    |    |    | SW |    |         |         | SE |    |    |    | TOTAL | SYSTEM TOTAL |
|------------|--------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|---------|---------|----|----|----|----|-------|--------------|
|            |        |     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW      | SE      | NE | NW | SW | SE |       |              |
| PAYETTE R. | 8627   | 8N  | 4W  | 22  |    |    |    |    |    |    |    |    |    |    | ⑥<br>29 | ⑦<br>12 |    |    |    |    |       |              |
|            |        |     |     | 27  |    |    |    |    | 30 | 29 | .5 | .5 |    |    |         |         |    |    |    |    |       | 105          |

COMBINED OVERLAP TOTALS:  
 ( 7461 ) 159 ACRES  
 + ( 3617 ) 399 = 558 TOTAL

PAGE 1 OF 2  
 7617 ( 411 ) ACRES  
 - 12 OVERLAP  
 = 399

# OVERLAP TOTALS

65-03617, 65-07461, 65-08627, 65-11211 & 65-11261

| NUMBER | TNS | RNG | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | TOTAL | SYSTEM TOTAL |
|--------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------|--------------|
|        |     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |       |              |
|        |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |              |
|        |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |              |
|        |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |              |
|        |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |              |

| NUMBER | TNS | RNG | SEC | NE |    |    |    | NW |      |                 |                 | SW |    |    |    | SE |    |                 |    | TOTAL | SYSTEM TOTAL |
|--------|-----|-----|-----|----|----|----|----|----|------|-----------------|-----------------|----|----|----|----|----|----|-----------------|----|-------|--------------|
|        |     |     |     | NE | NW | SW | SE | NE | NW   | SW              | SE              | NE | NW | SW | SE | NE | NW | SW              | SE |       |              |
|        |     |     | 17  |    |    |    |    |    |      |                 |                 |    | 5  |    |    |    | 6  |                 |    | 11    |              |
|        |     |     | 19  | 3  |    |    |    |    |      |                 |                 |    |    |    |    |    |    |                 |    | 3     |              |
|        |     |     | 20  | 18 | 37 | 38 | 40 | 16 | 36   | 14              | 16 <sup>1</sup> |    |    |    |    | 40 | 14 | 11              | 19 | 299.7 |              |
|        |     |     | 21  |    |    | 1  |    |    | 6    | 31              | 12              | 40 | 40 | 11 | 15 | 1  | 28 | 23 <sup>3</sup> | 31 | 239.3 |              |
|        |     |     | 22  |    |    |    |    |    |      |                 |                 |    | 29 | 12 |    |    |    |                 |    | 39    |              |
|        |     |     | 27  |    |    |    |    | 31 | 29.5 | 13 <sup>5</sup> |                 |    |    |    |    |    |    |                 |    | 74    | 668          |
|        |     |     |     |    |    |    |    |    |      |                 |                 |    |    |    |    |    |    |                 |    |       |              |
|        |     |     |     |    |    |    |    |    |      |                 |                 |    |    |    |    |    |    |                 |    |       |              |
|        |     |     |     |    |    |    |    |    |      |                 |                 |    |    |    |    |    |    |                 |    |       |              |
|        |     |     |     |    |    |    |    |    |      |                 |                 |    |    |    |    |    |    |                 |    |       |              |
|        |     |     |     |    |    |    |    |    |      |                 |                 |    |    |    |    |    |    |                 |    |       |              |
|        |     |     |     |    |    |    |    |    |      |                 |                 |    |    |    |    |    |    |                 |    |       |              |
|        |     |     |     |    |    |    |    |    |      |                 |                 |    |    |    |    |    |    |                 |    |       |              |
|        |     |     |     |    |    |    |    |    |      |                 |                 |    |    |    |    |    |    |                 |    |       |              |
|        |     |     |     |    |    |    |    |    |      |                 |                 |    |    |    |    |    |    |                 |    |       |              |
|        |     |     |     |    |    |    |    |    |      |                 |                 |    |    |    |    |    |    |                 |    |       |              |
|        |     |     |     |    |    |    |    |    |      |                 |                 |    |    |    |    |    |    |                 |    |       |              |
|        |     |     |     |    |    |    |    |    |      |                 |                 |    |    |    |    |    |    |                 |    |       |              |
|        |     |     |     |    |    |    |    |    |      |                 |                 |    |    |    |    |    |    |                 |    |       |              |
|        |     |     |     |    |    |    |    |    |      |                 |                 |    |    |    |    |    |    |                 |    |       |              |
|        |     |     |     |    |    |    |    |    |      |                 |                 |    |    |    |    |    |    |                 |    |       |              |

MAR 02, 1979

## PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 262

\*INDICATES TOTAL\*

SOURCE: PAYETTE RIVER

| RIGHT<br>NUMBER | NAME AND<br>ADDRESS                                                                                                                                        | PRIORITY<br>DATE | USE        | USE PERIOD<br>FROM TO | MAX AMOUNT<br>MAX RATE | DIVERSION<br>POINT                               | PLACE OF USE<br>AND ACREAGE                                                                                                                                                                                                                                                              | BASIS FOR<br>RIGHT |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------|-----------------------|------------------------|--------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 65-3617         | HIGBY, CHARLES S. &<br>HIGBY, EMMA J.<br>STAR ROUTE, PAYETTE, IDAHO<br>83661                                                                               | 4/ 1/1890        | IRRIGATION | 3/15 11/15            | --- AFA<br>10.63 CFS   | SWSE S35<br>T 8N R 4W                            | NWSW(39) SWSW(13)<br>SESW(14) SWSE( 6)<br>LOT 5(30)<br>LOT 6(46)<br>LOT 7(27)<br>LOT 8(12)<br>S21 T 8N R 4W<br>NESE(40) NWSE(14)<br>SWSE(11) SESE(21)<br>LOT 2(71)<br>LOT 1(47)<br>LOT 3(20)<br>S20 T 8N R 4W<br>*411*                                                                   | BENEFICIAL<br>USE  |
| 65-5755         | ACORD, O. THAYNE<br>1900 WEST 3500 SOUTH, SALT<br>LAKE CITY, UTAH 84119                                                                                    | 5/ 8/1890        | IRRIGATION | 3/15 11/15            | --- AFA<br>10.45 CFS   | LOT 2 S 7<br>T 7N R 3W<br>LOT 4 S 8<br>T 7N R 3W | SWNE( 4) NENW(33)<br>NWNW(39) SWNW(20)<br>SENW(21)<br>S 7 T 7N R 3W<br>SWNW(24) NWSW(29)<br>SWSW(25) SESW(39)<br>S 6 T 7N R 3W<br>SENE(39)<br>LOT 1(13)<br>LOT 2(27)<br>LOT 4(37)<br>LOT 3(14)<br>LOT 6(18)<br>LOT 5(12)<br>S 1 T 7N R 4W<br>NENE(13) NWNE( 8)<br>S12 T 7N R 4W<br>*415* | BENEFICIAL<br>USE  |
| 65-0070A        | ENTERPRISE DITCH COMPANY<br>ROUTE 1, EMPEIT, IDAHO 83617<br>REMARKS: PLACES OF USE UNDER<br>ENTERPRISE CANAL. SEE RIGHT<br>65-0070X.                       | 8/24/1891        | IRRIGATION | 3/15 11/15            | --- AFA<br>62.60 CFS   | LOT 6 S11<br>T 6N R 2W                           | *2406*                                                                                                                                                                                                                                                                                   | BENEFICIAL<br>USE  |
| 65-0053A        | REED DITCH COMPANY<br>C/O PATRICIA SNYDER, 3738<br>COUNTY LINE ROAD, EMPEIT,<br>IDAHO 83617<br>REMARKS: SEE RIGHT 65-0053X.<br>IRRIGATED BY REED DITCH CO. | 6/ 1/1892        | IRRIGATION | 3/15 11/15            | --- AFA<br>36.12 CFS   | SESW S 9<br>T 6N R 2W                            | *1546*                                                                                                                                                                                                                                                                                   | BENEFICIAL<br>USE  |

HIGBY  $\frac{N}{N}$  RANCH LIMITED PARTNERSHIP

HCB 6/1/97  
Star Route  
Payette, Idaho 83861

State of Idaho  
Department of Water Resources  
State Office  
450 W. State St.  
Boise, Idaho

RECEIVED  
MAY 9 1988

Department of Water Resources

Dear Sir:

I am sorry not to have answered sooner about water rights 65-9393, 65-5811, +  
65-8627 but have been away.

In answer to your inquiry: I believe the rights are described correctly  
and that a measurement is not necessary. Thanking you for your attention  
in this matter I am

NOTE:  
THIS LTR WAS  
REASON THE RIGHT  
WAS LEFT IN B/W  
STAGE IN PRBA.  
RCH

Sincerely,  
C. Higby

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

13:51:07  
05/10/00

PAGE: 17  
QUICKLOOK INFORMATION

17  
CLAIM NUMBER: A65-03617

| WR ELEMENT                | DATA<br>DISCREPANCY<br>Y/N | CORRESPONDENCE<br>SENT/RECEIVED<br>BY WHOM/DATE | FIELD EXAM<br>BY WHOM/DATE | CHANGE<br>CLAIM<br>Y/N | ELEMENT<br>DOCUMENTED<br>WHOM/DATE | COMPLETED<br>REVIEW<br>WHOM/DATE | COMPLETED<br>DATA ENTRY<br>WHOM/DATE | VERIFIED<br>DATE<br>WHOM/DATE |
|---------------------------|----------------------------|-------------------------------------------------|----------------------------|------------------------|------------------------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE             | Y                          |                                                 |                            |                        |                                    |                                  |                                      |                               |
| POINT OF DIV              |                            |                                                 | Rob<br>H-OFFICE<br>5-19-00 |                        |                                    |                                  |                                      | 5-19-00                       |
| SOURCE                    |                            |                                                 |                            |                        |                                    |                                  |                                      |                               |
| PLACE OF USE              | Y                          |                                                 |                            |                        |                                    |                                  |                                      |                               |
| DIV. AMOUNT<br>CFS/VOLUME |                            |                                                 |                            |                        |                                    |                                  |                                      |                               |
| CONSUMPTIVE USE           | -                          |                                                 |                            |                        |                                    |                                  |                                      |                               |
| PURPOSES OF USE           |                            |                                                 |                            |                        |                                    |                                  |                                      |                               |
| PERIOD OF USE             |                            |                                                 |                            |                        |                                    |                                  |                                      |                               |
| BASIS OF CLAIM            |                            |                                                 |                            |                        |                                    |                                  |                                      |                               |
| REMARKS                   | Y                          |                                                 |                            |                        |                                    |                                  |                                      |                               |

BARCODE UPDATED  
WHOM/DATE

\_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

13:51:07  
05/10/00

PAGE: 1  
GENERAL INFORMATION

1  
CLAIM NUMBER: A65-03617

LAST: HIGBY  
ADDRESS: 3990 HWY 52  
CITY: PAYETTE  
PHONE NUMBER: 208-278-3354

FIRST: CHARLES S  
STATE: ID ZIP: 83661

OWNER CODE: O

LAST: HIGBY  
ADDRESS: 3990 HWY 52  
CITY: PAYETTE  
PHONE NUMBER: 208-278-3354

FIRST: EMMA J  
STATE: ID ZIP: 83661

OWNER CODE: O

LAST: COLWELL  
ADDRESS: 10800 SMOKE RANCH ROAD  
CITY: BOISE  
PHONE NUMBER: 208-376-6922

FIRST: GEORGE E  
STATE: ID ZIP: 83709

OWNER CODE: C

LAST: COLWELL  
ADDRESS: 10800 SMOKE RANCH ROAD  
CITY: BOISE  
PHONE NUMBER: 208-376-6922

FIRST: CHERYL F  
STATE: ID ZIP: 83709

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE  
Y

FIELD  
EXAMINER  
Y( ) N( / )

CLAIM REMARKS: GEN OWNERSHIP CHANGED BY LH 11/18/94.

CONTACT PERSON: NA

PHONE NUMBER: ( ) -

DATE OF FIELD EXAM: 5/19/00

APPOINTMENT MADE: Y( ) N(☒)

TIME: : A( ) P( )

ACCOMPANIED BY: \_\_\_\_\_

PHONE NUMBER: ( ) -

RELATIONSHIP TO CLAIMANT: \_\_\_\_\_

DIRECTIONS TO PROPERTY / NOTES:

SEE MAPS IN FILE

A. AJ CLAIM: # A65-03617 PRIORITY DATE: 04-01-1890 STAGE: J

B. WR RECORD: # 65-03617 PRIORITY DATE: 04-01-1890 STAGE: J

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?  
(IF YES, DESCRIBE BELOW) Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE N/A(☒) Y(☐) N(☐)

LICENSE ISSUED N/A(☒) Y(☐) N(☐)

\* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,  
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE  
OF THE PRIORITY DATE REQUIRED? N/A(☒) Y(☐) N(☐)

\* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,  
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N(☐)

NOTES: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

=====

RECOMMENDED PRIORITY DATE:

4 - 1 - 1890

REVIEWED BY RCh

DATE 5-19-00

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | POD<br>FLAG | COUNTY  | DIVERSION NAME | DIVERSION NUMBER |
|-----------|------|------|------|-----|-----|-----|-----|-------------|---------|----------------|------------------|
| A65-03617 | 08N  | 04W  | 35   |     | SW  | SE  |     |             | PAYETTE |                |                  |

OTHER AJ CLAIMS WITH SAME AJ POD

| A PREFIX  | R PREFIX  |
|-----------|-----------|
| A65-05921 | R65-05921 |
| A65-07461 | R65-07461 |
| A65-08627 | R65-11255 |
| A65-11255 |           |
| A65-11261 |           |

WR RECORDS IN SAME 40 ACRE TRACT

|          |
|----------|
| 65-05921 |
| 65-07461 |
| 65-08627 |
| 65-11255 |
| 65-11261 |

SOURCE: PAYETTE RIVER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT    | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | POD<br>FLAG | COUNTY  | DIVERSION NAME | DIVERSION NUMBER |
|----------|------|------|------|-----|-----|-----|-----|-------------|---------|----------------|------------------|
| 65-03617 | 08N  | 04W  | 35   |     | SW  | SE  |     |             | PAYETTE |                |                  |

OTHER WR RECORDS WITH SAME WR POD

|          |
|----------|
| 65-05921 |
| 65-07461 |
| 65-08627 |
| 65-11255 |
| 65-11261 |

AJ CLAIMS IN SAME 40 ACRE TRACT

| A PREFIX  | R PREFIX  |
|-----------|-----------|
| A65-05921 | R65-05921 |
| A65-07461 | R65-07461 |
| A65-08627 | R65-11255 |
| A65-11255 |           |
| A65-11261 |           |

SOURCE: PAYETTE RIVER

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A( ) Y(☒) N( )

\* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A( ) Y(☒) N( )

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y( ) N(☒)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A( ) Y(☒) N( )

\* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☒) N( )

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y( ) N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM \_\_\_\_\_) Y( ) N( )

AJ FIELD EXAM (DATE OF FIELD EXAM \_\_\_\_\_) NAME OF EXAMINER \_\_\_\_\_ Y( ) N( )

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: VERIFIED IN PRBA, SEE PRBA MAP "E"  
ALSO GIS ON MAP

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ( )

| TWP.  | RGE.  | SEC.  | 1/4   | 1/4   | 1/4   | LOT   | POD<br>FLAG | COUNTY  | DIVERSION NAME | DIVERSION NBR |
|-------|-------|-------|-------|-------|-------|-------|-------------|---------|----------------|---------------|
| 08N   | 04W   | 35    | SW    | SW    | SE    |       |             | PAYETTE |                |               |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____       | _____   | _____          | _____         |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____       | _____   | _____          | _____         |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____       | _____   | _____          | _____         |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____       | _____   | _____          | _____         |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____       | _____   | _____          | _____         |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____       | _____   | _____          | _____         |

SOURCE: PAYETTE RIVER

TRIB: SNAKE RIVER

REVIEWED BY: Rch DATE: 5-19-00

SYSTEM DESCRIPTION: DESCRIBED BELOW ( ), SEE LICENSE FILE ( ), OR SEE ATTACHMENT ( )

A. ROOT WATER RIGHT NUMBERS: A65-03617  
R65-03617

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME                           | AJ<br>#/ACRES     | WR<br>#/ACRES    | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|--------------------------------|-------------------|------------------|-----------------|----------------|------------------|
| 08N | 04W | 20  | SW  | NE  | 2   | COLWELL, GEORGE E              | A65-03617 / 71.0  | 65-03617 / 71.0  | 49.0            |                |                  |
|     |     |     | SW  | NE  |     | COLWELL, CHERYL F              | A65-07462 /       | 65-07462 /       |                 |                |                  |
|     |     |     | SW  | NE  | 2   | COLWELL, GEORGE E              | R65-03617 / 71.0  | - /              |                 |                |                  |
|     |     |     | SW  | NE  | 2   | HIGBY, CHARLES S               |                   | L65-07462 /      |                 |                |                  |
| 08N | 04W | 20  | SE  | NE  | 1   | COLWELL, GEORGE E              | A65-03617 / 47.0  | 65-03617 / 47.0  | 45.0            |                |                  |
|     |     |     | SE  | NE  |     | COLWELL, GEORGE E              | A65-03619 /       | 65-03619 /       |                 |                |                  |
|     |     |     | SE  | NE  |     | COLWELL, GEORGE E              | 65-03619 /        | - /              |                 |                |                  |
|     |     |     | SE  | NE  | 1   | COLWELL, GEORGE E              | R65-03617 / 47.0  | - /              |                 |                |                  |
|     |     |     | SE  | NE  | 1   | COLWELL, GEORGE                |                   | 65-07461 / 2.0   |                 |                |                  |
| 08N | 04W | 20  | SE  | NW  | 3   | COLWELL, GEORGE E              | A65-03617 / 20.0  | 65-03617 / 20.0  | 10.0            |                |                  |
|     |     |     | SE  | NW  |     | HIGBY, CHARLES                 | R65-07461 / 25.0  | - /              |                 |                |                  |
|     |     |     | SE  | NW  |     | COLWELL, GEORGE E              | A65-07461 / 25.0  | - /              |                 |                |                  |
|     |     |     | SE  | NW  | 3   | COLWELL, GEORGE E              | R65-03617 / 20.0  | - /              |                 |                |                  |
|     |     |     | SE  | NW  | 6   | COLWELL, CHERYL F              | R65-11211 / 7.0   | 65-11211 / 7.0   |                 |                |                  |
|     |     |     | SE  | NW  | 6   | COLWELL, CHERYL F              | A65-11211 / 7.0   | - /              |                 |                |                  |
| 08N | 04W | 20  | NE  | SE  |     | COLWELL, GEORGE E              | A65-03617 / 40.0  | 65-03617 / 40.0  | 42.0            |                |                  |
|     |     |     | NE  | SE  |     | COLWELL, GEORGE E              | R65-03617 / 40.0  | - /              |                 |                |                  |
| 08N | 04W | 20  | NW  | SE  |     | COLWELL, GEORGE E              | A65-03617 / 14.0  | 65-03617 / 14.0  | 39.0            |                |                  |
|     |     |     | NW  | SE  |     | HIGBY, CHARLES                 | R65-07461 / 27.0  | - /              |                 |                |                  |
|     |     |     | NW  | SE  |     | COLWELL, GEORGE E              | A65-07461 / 27.0  | - /              |                 |                |                  |
|     |     |     | NW  | SE  |     | COLWELL, GEORGE E              | R65-03617 / 14.0  | - /              |                 |                |                  |
| 08N | 04W | 20  | SW  | SE  |     | COLWELL, GEORGE E              | A65-03617 / 11.0  | 65-03617 / 11.0  | 28.0            |                |                  |
|     |     |     | SW  | SE  |     | NOBLE DITCH CO LTD             | A65-00403X / 11.0 | 65-00403X / 11.0 |                 |                |                  |
|     |     |     | SW  | SE  |     | HIGBY, CHARLES                 | R65-07461 / 15.0  | - /              |                 |                |                  |
|     |     |     | SW  | SE  |     | VAN LEUVEN, DUANE C            | A65-09407 / 11.0  | 65-09407 / 11.0  |                 |                |                  |
|     |     |     | SW  | SE  |     | COLWELL, GEORGE E              | A65-07461 / 15.0  | - /              |                 |                |                  |
|     |     |     | SW  | SE  |     | SCOTT L CAMPBELL, ELAM & BURKE | A65-02927G / 11.0 | - /              |                 |                |                  |
|     |     |     | SW  | SE  |     | COLWELL, GEORGE E              | R65-03617 / 11.0  | - /              |                 |                |                  |
|     |     |     | SW  | SE  |     | VAN LEUVEN, DUANE C            | R65-09407 / 11.0  | - /              |                 |                |                  |
|     |     |     | SW  | SE  |     | NOBLE DITCH CO LTD             |                   | 65-13373 / 11.0  |                 |                |                  |
| 08N | 04W | 20  | SE  | SE  |     | COLWELL, GEORGE E              | A65-03617 / 21.0  | 65-03617 / 21.0  | 29.0            |                |                  |
|     |     |     | SE  | SE  |     | COLWELL, GEORGE E              | R65-03617 / 21.0  | - /              |                 |                |                  |
| 08N | 04W | 21  | SW  | NW  | 5   | COLWELL, GEORGE E              | A65-03617 / 30.0  | 65-03617 / 30.0  | 24.0            |                |                  |
|     |     |     | SW  | NW  | 5   | COLWELL, GEORGE E              | R65-03617 / 30.0  | - /              |                 |                |                  |
|     |     |     | SW  | NW  | 5   | HIGBY, CHARLES S               |                   | L65-07462 /      |                 |                |                  |

SEE  
OVERLAP  
REVIEW  
FOR  
Actual (Recommended)  
ACRES &  
1987  
GIS MAP  
PHOTO  
IN FILE

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME              | AJ<br>#/ACRES    | WR<br>#/ACRES   | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|-------------------|------------------|-----------------|-----------------|----------------|------------------|
| 08N | 04W | 21  | NE  | SW  | 6   | COLWELL, GEORGE E | A65-03617 / 46.0 | 65-03617 / 46.0 | 37.0            |                |                  |
|     |     |     | NE  | SW  | 6   | COLWELL, GEORGE E | R65-03617 / 46.0 | - /             |                 |                |                  |
| 08N | 04W | 21  | NW  | SW  |     | COLWELL, GEORGE E | A65-03617 / 39.0 | - /             | 39.0            |                |                  |
|     |     |     | NW  | SW  |     | COLWELL, GEORGE E | R65-03617 / 39.0 | - /             |                 |                |                  |
| 08N | 04W | 21  | SW  | SW  |     | COLWELL, GEORGE E | A65-03617 / 13.0 | 65-03617 / 13.0 | 32.0            |                |                  |
|     |     |     | SW  | SW  |     | COLWELL, GEORGE E | R65-03617 / 13.0 | - /             |                 |                |                  |
| 08N | 04W | 21  | SE  | SW  |     | COLWELL, GEORGE E | A65-03617 / 14.0 | 65-03617 / 14.0 | 27.0            |                |                  |
|     |     |     | SE  | SW  |     | HIGBY, CHARLES    | R65-07461 / 10.0 | - /             |                 |                |                  |
|     |     |     | SE  | SW  |     | COLWELL, GEORGE E | A65-07461 / 10.0 | - /             |                 |                |                  |
|     |     |     | SE  | SW  |     | COLWELL, GEORGE E | R65-03617 / 14.0 | - /             |                 |                |                  |
| 08N | 04W | 21  | NW  | SE  | 7   | COLWELL, GEORGE E | A65-03617 / 27.0 | 65-03617 / 27.0 | 17.0            |                |                  |
|     |     |     | NW  | SE  | 7   | COLWELL, GEORGE E | R65-03617 / 27.0 | - /             |                 |                |                  |
| 08N | 04W | 21  | SW  | SE  |     | COLWELL, GEORGE E | A65-03617 / 6.0  | 65-03617 / 6.0  | 36.0            |                |                  |
|     |     |     | SW  | SE  |     | HIGBY, CHARLES    | R65-07461 / 25.0 | 65-07461 / 17.0 |                 |                |                  |
|     |     |     | SW  | SE  |     | COLWELL, GEORGE E | A65-07461 / 25.0 | - /             |                 |                |                  |
|     |     |     | SW  | SE  |     | COLWELL, GEORGE E | R65-03617 / 6.0  | - /             |                 |                |                  |
| 08N | 04W | 21  | SE  | SE  | 8   | COLWELL, GEORGE E | A65-03617 / 12.0 | 65-03617 / 12.0 | 36.0            |                |                  |
|     |     |     | SE  | SE  |     | HIGBY, CHARLES    | R65-07461 / 29.0 | 65-07461 / 17.0 |                 |                |                  |
|     |     |     | SE  | SE  |     | COLWELL, GEORGE E | A65-07461 / 29.0 | - /             |                 |                |                  |
|     |     |     | SE  | SE  | 8   | COLWELL, GEORGE E | R65-03617 / 12.0 | - /             |                 |                |                  |

ADDITIONAL POU FOUND

|                     |           |        |        |        |
|---------------------|-----------|--------|--------|--------|
| TOTAL ACRES         | A65-03617 | 411.00 | 372.00 | 490.00 |
| POU COUNTY: PAYETTE |           |        |        |        |

← LISTED IN PRBA  
BLUE  
BOOK  
BUT NOT  
ON WR  
RECORD  
(RECOMMENDED)

411

DECEDED ACRES TOTAL  
IS SAME. DIFFERENCES  
DUE TO NEW GIS  
MAPS & 1/4 1/4 CONVERSIONS  
FROM GOUT LOTS.

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y( ) N( )

\* IF YES, ARE THESE TRACTS LISTED ABOVE ( ), OR ARE THEY LISTED ON AN ATTACHED SHEET ☒

LEFT ORIGINALLY ON CLAIMED  
RIGHT AS GOVT. LOTS, BUT  
CONVERTED TO  $\frac{1}{4}\frac{1}{4}$  FOR SRBA

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

| CLAIM NO.  | SOURCE                    | NAME                           | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|------------|---------------------------|--------------------------------|-----------|----------------|-----------|----------------|
| A65-03617  | PAYETTE RIVER             | COLWELL, GEORGE E              | 10.630    | 0.025          |           |                |
| A65-00403X | PAYETTE RIVER             | NOBLE DITCH CO LTD             | 49.050    | 0.005          |           |                |
| A65-02927G | PAYETTE RIVER, NORTH FORK | SCOTT L CAMPBELL, ELAM & BURKE |           |                | 10000.00  | 1.19           |
| R65-03617  | PAYETTE RIVER             | COLWELL, GEORGE E              | 10.630    | 0.025          |           |                |
| R65-07461  | PAYETTE RIVER             | HIGBY, CHARLES                 | 7.590     | 0.030          |           |                |
| A65-07461  | PAYETTE RIVER             | COLWELL, GEORGE E              | 7.590     | 0.030          |           |                |
| R65-09407  | DRAIN C                   | VAN LEUVEN, DUANE C            | 2.920     | 0.021          | 12.00     | 0.08           |
| A65-09407  | DRAIN C                   | VAN LEUVEN, DUANE C            | 2.920     | 0.021          | 12.00     | 0.08           |
| A65-11211  | SLOUGH                    | COLWELL, CHERYL F              | 1.340     | 0.020          |           |                |
| R65-11211  | SLOUGH                    | COLWELL, CHERYL F              | 1.340     | 0.020          |           |                |

RECOMMENDATIONS

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

| CLAIM NO. | PURPOSES   | NAME                | MONTH/DAY           | RATE      | VOLUME     |
|-----------|------------|---------------------|---------------------|-----------|------------|
| A65-07462 | STOCKWATER | COLWELL, CHERYL F   | FROM 01-01 TO 12-31 | 1.100 CFS | 67.00 AF/A |
| A65-07462 | DOMESTIC   | COLWELL, CHERYL F   | FROM 01-01 TO 12-31 | 0.040 CFS | 1.20 AF/A  |
| A65-03619 | DOMESTIC   | COLWELL, GEORGE E   | FROM 01-01 TO 12-31 | 0.040 CFS | 1.20 AF/A  |
| 65-03619  | DOMESTIC   | COLWELL, GEORGE E   | FROM 01-01 TO 12-31 | 0.040 CFS | 1.20 AF/A  |
| R65-09407 | STOCKWATER | VAN LEUVEN, DUANE C | FROM 01-01 TO 12-31 | 0.200 CFS | 12.00 AF/A |

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y( ) N( )

\* IF YES, COMPLETE OVERLAP REVIEW:

SEE OVERLAP REVIEW

OTHER RIGHTS LISTED IN CLAIM:

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A( ) Y( ) N( )

\* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A( ) Y( ) N( )

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y( ) N( )

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y( ) N( )

CHECK DOCUMENTS USED TO VERIFY POU: ( ) ORTHOPHOTOQUAD, IDWR NO. \_\_\_\_\_; ( ) TOPOGRAPHIC QUAD, IDWR NO. \_\_\_\_\_;

(X) NAPP, IDWR NO. 1987; ( ) ASCS PHOTO; (X) OTHER MAP C

NOTES: SEE PRBA MAP "C"

RECOMMENDATIONS:

TOTAL ACRES: 411 N/A( )

REVIEWED BY: Rch

DATE: 5-19-00

A. AJ CLAIMED USES:

| PURPOSE OF USE              | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| A65-03617 IRRIGATION        | FROM 03-15 TO 11-15       | 10.630 CFS             |                        |
| TOTAL DIVERSION RATE/VOLUME |                           | 10.630 CFS             |                        |

B. WR RECORDED USES:

| PURPOSE OF USE              | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| 65-03617 IRRIGATION         | FROM 03-15 TO 11-15       | 10.630 CFS             |                        |
| TOTAL DIVERSION RATE/VOLUME |                           | 10.630 CFS             |                        |

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☐) N(☐)

\* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☒) N(☐)

\* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

\* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

\* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☒) Y(☐) N(☐)

NOTES:

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AJ CLAIM TOTAL DIVERSION RATE: 10.630 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 10.630 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A( ) Y(☒) N( )

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A( ) Y(☒) N( )

\* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y( ) N(☒)

\* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y( ) N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD NA, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE  
ACRES 411 x 0.02 CFS/ACRE = 8.22 CFS  
(Taken from pou review)

1b. CALCULATIONS

RECOMMEND 10.63 CFS AS PER WR

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y(☒) N( )

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y( ) N( ) NA

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES            x DIVERSION VOL. AF/A FOR AREA            =

TOTAL DIVERSION VOLUME            AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES            x CONSUMPTIVE VOL. AF/A FOR AREA            =

TOTAL CONSUMPTIVE USE            AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW ( ) OR SEE ATTACHMENT ( )

( ADD DELIVERY LOSS )  
COMMENT FROM  
PRBA

**NOTES:**

WR RECORD CONDITIONS/REMARKS:

NONE

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (✓)

| REC.<br>PURPOSE OF USE | REC. PERIOD |       | REC. DIV           |                   | REC. DIV  |                   | REC. CONS.      |                   |
|------------------------|-------------|-------|--------------------|-------------------|-----------|-------------------|-----------------|-------------------|
|                        | FROM        | TO    | RATE CFS           |                   | VOL. AF/A |                   | USE             |                   |
| IRRIGATION             | 03-15       | 11-15 | DATABASE<br>10.630 | EXAMINER<br>_____ | DATABASE  | EXAMINER<br>_____ | DATABASE<br>0.0 | EXAMINER<br>_____ |
| _____                  | _____       | _____ |                    | _____             |           | _____             |                 | _____             |
| _____                  | _____       | _____ |                    | _____             |           | _____             |                 | _____             |
| _____                  | _____       | _____ |                    | _____             |           | _____             |                 | _____             |
| _____                  | _____       | _____ |                    | _____             |           | _____             |                 | _____             |
| TOTAL FOR THIS RIGHT   |             |       | 10.630             | _____             |           | _____             | 0.0             | _____             |

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (✓)

REVIEWED BY: R&L DATE: 5-19-00

FLAG: \_\_\_\_\_

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

QNT: E28 Limit to 0.02/ACRE AT FIELD HEADGATE  
Pou1; E11 Limit to 558 comb. total ACRES with 7461

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

EXP- F02

A. CHECK ONLY THE FOLLOWING THAT APPLY:

|                              | ACCEPTED<br>AS CLAIMED | NEEDS<br>REVIEW |
|------------------------------|------------------------|-----------------|
| OWNERSHIP _____              | ( )                    | ( )             |
| FORFEIT/ABANDON _____        | ( )                    | ( )             |
| ADDITIONAL DIV. AMOUNT _____ | ( )                    | ( )             |

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-03617

| TOTAL DIVERSION RATE OF WR SPLITS | DATABASE<br>10.630 | EXAMINER<br>_____ | CFS |
|-----------------------------------|--------------------|-------------------|-----|
|-----------------------------------|--------------------|-------------------|-----|

SPLITS:

| OLD RIGHT<br>NUMBERS | CURRENT<br>CLAIM NUMBERS | DIVERSION<br>RATE | CURRENT "R"<br>CLAIM NUM. | "R" DIV.<br>RATE | WR RIGHT<br>NUMBERS | DIVERSION<br>RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| -                    | A65-03617                | 10.630            | R65-03617                 | 10.630           | 65-03617            | 10.630            |
| TOTAL CFS            |                          | 10.630            |                           | 10.630           |                     | 10.630            |

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)  
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW ( ) OR SEE ATTACHMENT ( )?

| DATABASE | FIELD<br>EXAMINER |
|----------|-------------------|
| Y        | Y( ) N( )         |

NO SPLITS

NOTES:

AUTHENTICATION:

SIGNATURE: Ren Howerton DATE: 5-19-00

NAME OF FIELD EXAMINER: Ren Howerton TITLE: \_\_\_\_\_

Sr Water Agent

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

| TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)                    | IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION | COPY INCLUDED<br>IN FILE?                     |
|--------------------------------------------------------------|--------------------------------------------------------|-----------------------------------------------|
| ( ) ORTHOPHOTOQUAD                                           | DATE OF PHOTO _____ IDWR ID NO. _____                  | Y( ) N( )                                     |
| ( ) TOPOGRAPHIC                                              | DATE FIELD CHECKED _____ IDWR ID NO. _____             | Y( ) N( )                                     |
| <input checked="" type="checkbox"/> NAPP                     | DATE OF PHOTO <u>1987</u> IDWR ID NO. _____            | Y( ) N( )                                     |
| ( ) ASCS AERIAL PHOTO                                        | DATE OF PHOTO _____                                    | Y( ) N( )                                     |
| ( ) ASCS COLOR SLIDE                                         | DATE OF PHOTO _____                                    | Y( ) N( )                                     |
| ( ) BLM OR USFS AERIAL PHOTO                                 | DATE OF PHOTO _____                                    | Y( ) N( )                                     |
| ( ) TOWNSHIP SURVEY (GOVERNMENT PLAT)                        | DATE OF SURVEY _____                                   | Y( ) N( )                                     |
| ( ) SCS SOIL SURVEY MAP                                      | DATE ISSUED _____                                      | Y( ) N( )                                     |
| ( ) SUBDIVISION PLAT MAP                                     | DATE OF MAP _____                                      | Y( ) N( )                                     |
| <input checked="" type="checkbox"/> OTHER <u>MAP "E"</u>     | DATE <u>PRBA MAP (POD)</u>                             | <input checked="" type="checkbox"/> Y( ) N( ) |
| <input checked="" type="checkbox"/> OTHER <u>MAP "C"</u>     | DATE <u>(POD) MAP PRBA</u>                             | <input checked="" type="checkbox"/> Y( ) N( ) |
| <input checked="" type="checkbox"/> OTHER <u>OVERLAP MAP</u> | DATE <u>GIS</u>                                        | <input checked="" type="checkbox"/> Y( ) N( ) |
| <input checked="" type="checkbox"/> <u>FINDINGS PAGE</u>     | <u>FROM PRBA BLUE BOOK</u>                             | <input checked="" type="checkbox"/> Y( ) N( ) |

| LIST OF ATTACHMENTS (CHECK IF ATTACHED)                         | IF ATTACHED, SUPPLY APPROPRIATE INFORMATION | NO. OF<br>PAGES | NOTES                         |
|-----------------------------------------------------------------|---------------------------------------------|-----------------|-------------------------------|
| ( ) LICENSING FIELD EXAM                                        | DATE OF FIELD EXAM _____                    | _____           | _____                         |
| ( ) WATER RIGHT LICENSE                                         | DATE LICENSE SIGNED _____                   | _____           | _____                         |
| ( ) IDWR APPROVED TRANSFER                                      | DATE TRANSFER APPROVED _____                | _____           | _____                         |
| ( ) SYSTEM DESCRIPTION                                          | DATE DRAWN _____                            | _____           | _____                         |
| ( ) PHOTOGRAPHS                                                 | DATE(S) PHOTOS TAKEN _____                  | _____           | _____                         |
| ( ) SPLIT RIGHT REVIEW                                          | DATE REVIEW COMPLETED _____                 | _____           | _____                         |
| ( ) HUBBLE ANALYSIS                                             | DATE ANALYSIS COMPLETED _____               | _____           | _____                         |
| ( ) CONVEYANCE LOSS ANALYSIS                                    | DATE ANALYSIS COMPLETED _____               | _____           | _____                         |
| ( ) FLOW MEASUREMENT CALCULATIONS                               | DATE SYSTEM MEASURED _____                  | _____           | _____                         |
| <input checked="" type="checkbox"/> OTHER <u>OVERLAP REVIEW</u> | DATE <u>5-17-00</u>                         | <u>II</u>       | _____                         |
| <input checked="" type="checkbox"/> OTHER <u>LTR</u>            | DATE <u>5-9-1986</u>                        | <u>I</u>        | <u>LTR REMOVING OBJECTION</u> |
| <input checked="" type="checkbox"/> <u>PROFILE</u>              | <u>W R RECORD (V)</u>                       | <u>YES</u>      | <u>IN PRBA</u>                |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

13:53:04  
05/10/00  
18

PAGE: 18  
PROFILE REPORT

CLAIM NUMBER: A65-03617

| OWNER<br>CODE    | NAME & ADDRESS   | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | GEORGE E COLWELL | 04/01/1890       | IRRIGATION | 03-15 11-15           | 10.630 CFS        |                     |
| C                | CHERYL F COLWELL |                  |            |                       |                   |                     |
| TOTAL DIVERSION: |                  |                  |            |                       | 10.630 CFS        |                     |

Water Source: PAYETTE RIVER      Tributary to:      Stage: BENEFICIAL USE

Point(s) of Diversion: T08N R04W S35      SWSE      PAYETTE 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   |
| 08N | 04W | 20 | : |    |    | 02-71 | 01-47 | :  |    |    |       | 03-20 | :  |       |    | 40 | 14 | 11 | 21          | :     | 224.0 |
| 08N | 04W | 21 | : |    |    |       |       | :  |    |    | 05-30 |       | :  | 06-46 | 39 | 13 | 14 |    |             | :     | 187.0 |
|     |     |    |   |    |    |       |       |    |    |    |       |       |    |       |    |    |    |    | TOTAL ACRES | 411.0 |       |

POU County: PAYETTE

Remarks: GEN OWNERSHIP CHANGED BY LH 11/18/94.

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

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



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

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

**CECIL D. ANDRUS**  
GOVERNOR

**R. KEITH HIGGINSON**  
DIRECTOR

November 21, 1994

Re: Notices of Claim to a Water Right Nos. A65-03616, A65-03617,  
A65-03618, A65-03619, A65-07461, A65-07462, A65-08627, A65-09393,  
A65-09394, A65-11211, A65-11261

George E. Colwell  
Cheryl F. Colwell  
10800 Smoke Ranch Road  
Boise, ID 83709

Mr. & Mrs. Colwell:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

If you have any questions concerning the enclosed claims please feel free to contact this office.

Sincerely,

Adjudication Staff  
Department of Water Resources  
Western Region Office  
(208) 334-2190

LH:1

**MICROFILMED**  
**OCT 18 1998**

POST OFFICE BOX 9442  
BOISE, IDAHO 83707-3442

ROBERT J. ENNIS  
ATTORNEY AT LAW  
4477 EMERALD STREET  
SUITE C250  
BOISE, IDAHO 83706-2044

RECEIVED  
NOV 15 1994  
WATER RESOURCES  
WESTERN REGION

AREA CODE 208  
TELEPHONE 343-9966  
FACSIMILE 336-9222

November 9, 1994

**CERTIFIED/RETURN RECEIPT**

Idaho Department of  
Water Resources  
Statehouse Mail  
Boise, Idaho 83720-9000

Attention: Adjudication Bureau

RE: Higby/Colwell - Change of Water Right Ownership

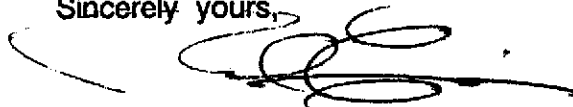
Gentlemen:

Delivered herewith are two (2) New Property Owner Notices of Change of Water Right Ownership, both dated September 15, 1994, and both of which have been signed by the new and former owners.

Attached to each of the enclosed original Notices is a copy of the Warranty Deed evidencing the conveyance of the real property relating to the water rights covered by the enclosed Notices. As noted, the legal description of the real property is attached as "Exhibit A" to the Warranty Deed.

Please contact me if you need anything further to effect the change of ownership of the described water rights and/or your records with respect thereto.

Sincerely yours,



ROBERT J. ENNIS

RJE:hs  
Enclosures  
cc: George E. Colwell

MICROFILMED  
OCT 18 1996

MANT'S NAME: Higby DATE: 07/05/1994  
 TY: Payette  
 OYEE: 41 Municipal

Mr. George Wendt of A.R.C. Real Estate (345-0668) called regarding the water rights of Higby Ranch in Basin 65. Three of the rights, that although they were filed on during the Payette Adjudication, have not yet been decreed. Don Shaft (IOWA) informed me that the Higby claims were caught up in objections during the PRA, but that no objections were raised by Higby or anyone else to the way IOWA Recommended the rights to the court. Don asserted that these claims will be ~~recommended as decreed~~ decreed as recommended when the Payette decree is finalized. I relayed this information to Mr. Wendt, along with the information regarding the priority date of A65-~~21373~~ 21373. Also, 39 acres in the NW 1/4 of S. 21 T8N R24W, were not claimed in the SRBA, and I suggested that the Higby's file an amended claim to add those acres. Mr. Wendt, who represents the buyer, said he would get in touch with the Higby's agent.

07/06/1994 Mr. Higby called early this morning to request the amended claim form for A65-03617. I sent the amended claim form to him this morning.

**MICROFILMED**

The Higby claims are:

**AUG 03 1994**

| Permits        | "J" STATUS | Decreed Rights      |
|----------------|------------|---------------------|
| (A) 65-07461   | A65-03617  | A65-03616 A65-09394 |
| (A) 65-07462   | A65-08627  | A65-03618 A65-11211 |
| B/N CLAIM      | A65-09393  | A65-03619 A65-11261 |
| A65-21373      |            |                     |
| D/S (1930 PRA) |            |                     |



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

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

CECIL D. ANDRUS  
GOVERNOR

July 6, 1994

R. KEITH HIGGINSON  
DIRECTOR

CHARLES S HIGBY  
3900 HWY 52  
PAYETTE ID 83661

RE: Notice of Claim to a Water Right No. A65-03617

Dear Mr. Higby:

As per our telephone conversation this morning, I am sending to you an amended claim form for the above-referenced claim. While reviewing the claim it was discovered that the 39 acres in Twp. 8N, Rge. 4W, section 21, NW SW, were left off the Snake River Basin Adjudication (SRBA) claim.

In order to add these acres to the claim, please review the enclosed amended claim, add your notarized signature, and return the claim to this office to my attention. We will then add the acres in section 21, NW SW to our records so that your SRBA claim reflects the water right as recorded in the Payette River Adjudication.

If you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Maria Minicucci'.

Maria Minicucci  
Water Agent, Adjudication Bureau

MM/m

Enclosure: SRBA Claim No. A65-03617 (amended)  
Proposed finding - Payette River Adjudication - 65-03617

**MICROFILMED**

**AUG 03 1994**

MAR 02, 1979

## PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 262

\*INDICATES TOTAL\*

SOURCE: PAYETTE RIVER

| RIGHT<br>NUMBER | NAME AND<br>ADDRESS                                                                                                                                        | PRIORITY<br>DATE | USE        | USE PERIOD<br>FROM TO | MAX AMOUNT<br>MAX RATE | DIVERSION<br>POINT                               | PLACE OF USE<br>AND ACREAGE                                                                                                                                                                                                                                                              | BASIS FOR<br>RIGHT |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------|-----------------------|------------------------|--------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 65-3617         | HIGBY, CHARLES S. &<br>HIGBY, EMMA J.<br>STAR ROUTE, PAYETTE, IDAHO<br>83661                                                                               | 4/ 1/1890        | IRRIGATION | 3/15 11/15            | --- AFA<br>10.63 CFS   | SWSE S35<br>T 8N R 4W                            | NhSw(39) SWSW(13)<br>SESW(14) SWSE( 6)<br>LOT 5(30)<br>LOT 6(46)<br>LOT 7(27)<br>LOT 8(12)<br>S21 T 8N R 4W<br>NESE(40) NWSE(14)<br>SWSE(11) SESE(21)<br>LOT 2(71)<br>LOT 1(47)<br>LOT 3(20)<br>S20 T 8N R 4W<br>*411*                                                                   | BENEFICIAL<br>USE  |
| 65-5755         | ACORD, U. THAYNE<br>1900 WEST 3500 SOUTH, SALT<br>LAKE CITY, UTAH 84119                                                                                    | 5/ 8/1890        | IRRIGATION | 3/15 11/15            | --- AFA<br>10.45 CFS   | LOT 2 S 7<br>T 7N R 3W<br>LOT 4 S 8<br>T 7N R 3W | SWNE( 4) NENW(33)<br>NWNW(39) SWNW(20)<br>SENW(21)<br>S 7 T 7N R 3W<br>SWNW(24) NWSW(29)<br>SWSW(25) SESW(39)<br>S 6 T 7N R 3W<br>SENE(39)<br>LOT 1(13)<br>LOT 2(27)<br>LOT 4(37)<br>LOT 3(14)<br>LOT 6(18)<br>LOT 5(12)<br>S 1 T 7N R 4W<br>NENE(13) NWNW( 8)<br>S12 T 7N R 4W<br>*415* | BENEFICIAL<br>USE  |
| 65-0070A        | ENTERPRISE DITCH COMPANY<br>ROUTE 1, EMMETT, IDAHO 83617<br>REMARKS: PLACES OF USE UNDER<br>ENTERPRISE CANAL. SEE RIGHT<br>65-0070X.                       | 8/24/1891        | IRRIGATION | 3/15 11/15            | --- AFA<br>62.60 CFS   | LOT 6 S11<br>T 6N R 2W                           | *2406*                                                                                                                                                                                                                                                                                   | BENEFICIAL<br>USE  |
| 65-0053A        | REED DITCH COMPANY<br>C/O PATRICIA SNYDER, 3738<br>COUNTY LINE ROAD, EMMETT,<br>IDAHO 83617<br>REMARKS: SEE RIGHT 65-0053X.<br>IRRIGATED BY REED DITCH CO. | 6/ 1/1892        | IRRIGATION | 3/15 11/15            | --- AFA<br>36.12 CFS   | SESW S 9<br>T 6N R 2W                            | *1546*                                                                                                                                                                                                                                                                                   | BENEFICIAL<br>USE  |

MICROFILMED  
AUG 03 1994

Payette River Diversion were mapped for the Water District in winter 1992-1993.\* For pld location, photos, map copies, and data pages, see the water district pld notebook assembled by Tim Luke at S.O.

I mapped the following rights. Information about these is available on master maps (SL) or in notebook (Tim Luke):

65-02847

- 05755 through 05759

- 00003

- 04982

- 04615

- 11269

- 11212

- 02019

- 00165 A

- " B

- " C

- " X

- 07425

- 07428

- 07848

- 12756

- 05459

- 11258

- 05921

- 08627

- 11261

- 11255

65-03617

- 07461

- 02809

- 00486

- 10505

- 66037

- 04298

- 05817

- 06591

- 12623

- 00072

- 11061

MICROFILMED

AUG 03 1994

Steve Lester

1/21/93

\* From about Gardena to  
Frontland stretch of river.

HIGBY <sup>N</sup>/<sub>N</sub> RANCH LIMITED PARTNERSHIP

A65-03617+  
-Hwy 32 files  
3990 Hwy 32  
Star Route  
Payette, Idaho 83661

3-12-90

RECEIVED  
MAR 13 1990

Department of Water Resources

I have paper on the following water rights:

✓65-07461 T8N R4W S. 12-19-20-21

✓65-07462 T8N R4W S. 17-20

65-03616 T8N R4W S. 17

✓65-03619 T8N R4W S. 20

65-09394 T8N R5W S. 13

65-03615 T8N R4W S. 17

✓65-11241 T8N R4W S. 27

✓65-11211 T8N R4W S. 17-19-20

print / search / send

All of the land owned in Sec. 20-21 & 27 is not covered and there are no  
paper for Sec. 22 and 28 Not Found.

Thank you for your attention on this matter

Charles Higby  
A65-03617  
A65-08627

3-20-90 3-21-90 Claims mailed to Higby.

Talked to Charles by phone today. He indicated  
may not have property in Sec. 28. T8N R.4W.

Dick

Commercial Cattle • Custom Feeding  
(208) 278-3354 • 642-2525 • 642-4225-  
2107

MICROFILMED  
SEP 22 1992

MAR 02, 1979

## PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 262

\*INDICATES TOTAL\*

SOURCE: PAYETTE RIVER

| RIGHT<br>NUMBER | NAME AND<br>ADDRESS                                                                                                                                        | PRIORITY<br>DATE | USE        | USE PERIOD<br>FROM TO | MAX AMOUNT<br>MAX RATE | DIVERSION<br>POINT                               | PLACE OF USE<br>AND ACREAGE                                                                                                                                                                                                                                                              | BASIS FOR<br>RIGHT |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------|-----------------------|------------------------|--------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 65-3617         | HIGBY, CHARLES S. &<br>HIGBY, EMMA J.<br>STAR ROUTE, PAYETTE, IDAHO<br>83661                                                                               | 4/ 1/1890        | IRRIGATION | 3/15 11/15            | --- AFA<br>10.63 CFS   | SWSE S35<br>T 8N R 4W                            | NhSh(39) SWSH(13)<br>SESH(14) SWSE( 6)<br>LOT 5(30)<br>LOT 6(46)<br>LOT 7(27)<br>LOT 8(12)<br>S21 T 8N R 4W<br>NESE(40) NWSE(14)<br>SWSE(11) SESE(21)<br>LOT 2(71)<br>LOT 1(47)<br>LOT 3(20)<br>S20 T 8N R 4W<br>*411*                                                                   | BENEFICIAL<br>USE  |
| 65-5755         | ACORD, U. THAYNE<br>1900 WEST 3500 SOUTH, SALT<br>LAKE CITY, UTAH 84119                                                                                    | 5/ 8/1890        | IRRIGATION | 3/15 11/15            | --- AFA<br>10.45 CFS   | LOT 2 S 7<br>T 7N R 3W<br>LOT 4 S 8<br>T 7N R 3W | SWNE( 4) NENH(33)<br>NWNH(39) SNAH(20)<br>SENH(21)<br>S 7 T 7N R 3W<br>SWNH(24) NWSH(29)<br>SWSH(25) SESH(39)<br>S 6 T 7N R 3W<br>SENE(39)<br>LOT 1(13)<br>LOT 2(27)<br>LOT 4(37)<br>LOT 3(14)<br>LOT 6(18)<br>LOT 5(12)<br>S 1 T 7N R 4W<br>NENE(13) NWNH( 8)<br>S12 T 7N R 4W<br>*415* | BENEFICIAL<br>USE  |
| 65-0070A        | ENTERPRISE DITCH COMPANY<br>ROUTE 1, EMMETT, IDAHO 83617<br>REMARKS: PLACES OF USE UNDER<br>ENTERPRISE CANAL. SEE RIGHT<br>65-0070X.                       | 8/24/1891        | IRRIGATION | 3/15 11/15            | --- AFA<br>62.60 CFS   | LOT 6 S11<br>T 6N R 2W                           | *2406*                                                                                                                                                                                                                                                                                   | BENEFICIAL<br>USE  |
| 65-0053A        | REED DITCH COMPANY<br>C/O PATRICIA SNYDER, 3738<br>COUNTY LINE ROAD, EMMETT,<br>IDAHO 83617<br>REMARKS: SEE RIGHT 65-0053X.<br>IRRIGATED BY REED DITCH CO. | 6/ 1/1892        | IRRIGATION | 3/15 11/15            | --- AFA<br>36.12 CFS   | SESH S 9<br>T 6N R 2W                            | *1546*                                                                                                                                                                                                                                                                                   | BENEFICIAL<br>USE  |

**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**

## MAP NO.

**TO A**

## WATER RIGHT

65-3617 Amended

Notice is hereby given that Charles S. and/or Emma J. Higby —  
(Name of Claimant)

Star Route, Payette, Idaho 83661  
(Mailing Address)

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 obtained) 4-1-1890 Department of Water Resources  
Western Regional Office
- (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 Period of Use From Mar. 15 To Nov. 15  
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)  
(Both Dates Inclusive)
- Use \_\_\_\_\_ Period of Use From \_\_\_\_\_ To \_\_\_\_\_  
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)  
(Both Dates Inclusive)
- Use \_\_\_\_\_ Period of Use From \_\_\_\_\_ To \_\_\_\_\_  
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)  
(Both Dates Inclusive)
- (4) Quantity of water claimed: 12.3 8.22 Cubic Feet Per Second, or 1849.5 Acre Feet Per Annum,  
and/or \_\_\_\_\_ Gals. Per Minute.
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SW 1/4 SE 1/4,  
Sec. 35, Twp. 8N, Rge. 4W, 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) 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 411 ✓

- 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 Date based on attached water locator notice and deed. Excessive flow claimed since lands are bottom lands.
- (10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.  
DRT ☐ 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.

December 16, 1977

(Date)

### Individual

(Signature of Claimant)

## Organization

(Signature of Spouse)

State of IDAHO }  
County of ADA } ss.

**Organization**  
**Seal**

(Signature of Authorized Agent)

On this 16th day of December in the year 1977, before me,  
a notary public, personally appeared Charles S. High  
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 Boise, Idaho

My commission expires September 10, 1980

DR 4-4-78

09\19\78 D.R.T.

\* MACALLISTER'S MODIFICATION OF MORITZ \*

\* LOSS CALCULATION FOR \*

\* THE HIGBY\JOHNSON DITCH 3617, 8627, 11261, 5921, \*

\* WATER RIGHT NO. MANY 11255 \*

\*\*\*\*\*

Q DIVERTED: 18.82

Q DELIVERED: 14.56

PERCENTAGE LOSS: 29.3

TYPE OF SOIL: SANDY LOAM

SOIL CONSTANT= 1.50 (FEET/DAY)

LENGTH OF HEAD OF DITCH: 1.40

LENGTH OF DELIVERY SECTION: 3.30

#### LOSS TABLE FOR HEAD OF DITCH

| MILE | Q     | LOSS  |
|------|-------|-------|
|      | (CFS) | (CFS) |
| 1.00 | 17.72 | 1.10  |
| 1.40 | 17.29 | .43   |

#### LOSS TABLE FOR DELIVERY

| MILE | Q     | LOSS  | Q DELIVERED |
|------|-------|-------|-------------|
|      | (CFS) | (CFS) | (CFS)       |
| 1.00 | 11.81 | 1.06  | 4.41        |
| 2.00 | 6.51  | .90   | 4.41        |
| 3.00 | 1.42  | .68   | 4.41        |
| 3.30 | .00   | .10   | 1.32        |

$$8.72 \text{ ~~8.71~~ } (1.293) = 10.63 \text{ cfs}$$

$$1849.5 (1.293) = 2391.4 \text{ AFA}$$

Bozette

MAP NO.

65-3617

PA 141GB4

~~Department of Water Administration~~

(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) 4-1-1935
- (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 9.0 cfs 2025 AF Period of Use From 3/15 4-1 To 10-31 11/15  
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both Dates Inclusive)
- Use \_\_\_\_\_ Period of Use From \_\_\_\_\_ To \_\_\_\_\_  
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both Dates Inclusive)
- Use \_\_\_\_\_ Period of Use From \_\_\_\_\_ To \_\_\_\_\_  
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both Dates Inclusive)
- (4) Quantity of water claimed: 9.0 Cubic Feet Per Second, or 2025 Acre Feet Per Annum,  
and/or \_\_\_\_\_ Gals. Per Minute.
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ,  
Sec. 35, Twp. 8N, Rge. 4W, 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. Gravity Ditch
- (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 465 450

- 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, 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.

May 18, 1971  
(Date)

## Individual

\* Lee C Wright Jr  
(Signature of Claimant)

(Signature of Claimant)

## Organization

(Signature of Spouse)

State of Idaho

County of Ada

**Organization  
Seal**

(Signature of Authorized Agent)

On this 18 day of May, in the year 1971, before me,

a notary public, personally appeared Lee C. Wright  
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. 1/12/01

Notary Public residing at \_\_\_\_\_

My commission expires Oct. 8, 1974

R - 3/15/77

2/5/2

HIGBY  $\frac{N}{N}$  RANCH LIMITED PARTNERSHIP

HC80 Box 97  
Star Route

Payette, Idaho 83661

State of Idaho  
Department of Water Resources  
State Office  
450 W. State St.  
Boise, Idaho

RECEIVED  
MAY 9 1986

Department of Water Resources

Dear Sir:

I am sorry not to have answered sooner about water rights 65-9393, 65-3817, & 65-8627 but have been away.

In answer to your inquiring: I believe the rights are described correctly and that a measurement is not necessary. Thanking you for your attention in this matter. I am

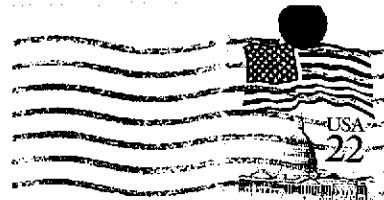
yours truly,  
C. Higby

Higby  $\frac{N}{N}$  Ranch Limited Partnership

HC80B0797

~~Star Route~~

Payette, ID 83661



Department of Water Resources  
Statehouse  
Boise, Idaho 83720

Attn: Donschaff

James G Welch  
Locator  
Payette River

Notice is hereby given that I, the undersigned a citizen of the United States and twenty one years of age, hereby claim 2000 inches of the unappropriated water of the Payette Slough, taken out of the same on land owned by the John Applegate heirs, under a four inch pressure, for irrigating purposes, to be conducted through a ditch six feet wide on bottom, two feet deep, to be taken out on the South East quarter of Section 27, Township 8 N of Range 4 W Ada Co. Idaho Ty. and running in north west direction to the deeded land of James G Welch the same being Section 21. I also claim the right of way for the appropriation of the water claimed above as provided by the laws of the United States and of the Territory of Idaho.

Dated this 24<sup>th</sup> Dec. 1889

James G Welch

Recorded at request of Collins and Millard Feb. 7<sup>th</sup> 1890 at 40 min past 8 A.M.,

S B Mann

Recorder

W R

B 2 P91 Compared

C of C

Bk 1 P 197 Water Locations

STATE OF IDAHO  
COUNTY OF PAYETTE

I HEREBY CERTIFY THAT THE FORE  
INSTRUMENT IS A TRUE AND CORRECT COPY OF  
ORIGINAL ON FILE IN THIS OFFICE.

DATED April 5, 1977

Eula Chase

CLERK OF THE DISTRICT COURT AND  
EX-OFFICIO AUDITOR AND RECORDER.

By Anna Shatto

Deputy

United States Land  
Office - plat -  
Sect 21 - Sect 19  
1892

SIGNATURE

ROOM NUMBER

DATE

CASE NUMBER

8 N 4 W  
Sec 21  
1264- Ashley Clark 3/1/1892  
683630 - Henningsen 6/6/1919  
Dist 66- Geo Hunt 1/20/1876  
865- Wm. Melburn 1/25/1892  
214- James Foster 4/10/1875

Horn

Horn

✓

This Indenture, made the Third day of June, in the year of our Lord one thousand eight hundred and eighty, between George W. Horn and onora Horn his wife, of the County of Idaho Territory party of the first part and James S. Muelts of Union County Oregon the party of the second part, witnesseth, that the said parties of the first part, for and in consideration of the sum of Ten thousand four hundred and fourteen Dollars, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all those certain lots, pieces and parcels of land, situate, lying and being in Ada County Idaho Territory, and particularly described as follows, to wit: Lot number Eight (8) in section number nineteen (19) and Lots numbers six (6) and seven (7) in Section number twenty (20) and Lots numbers one (1) and two (2) and the South West quarter of the South West quarter of Section number seventeen (17) containing one hundred sixty one and  $7/100$  ( $161\frac{7}{100}$ ) acres. Also Lots numbers six (6) seven (7) and eight (8) and the North West quarter of the South West quarter of Section number twenty one (21) containing one hundred forty six and  $9/100$  ( $146\frac{9}{100}$ ) acres. Also the South West quarter of the North East quarter and Lots number two (2) three (3) and four (4) in Section number nineteen (19) containing one hundred sixty four and  $6/100$  ( $164\frac{6}{100}$ ) acres. Also Lots numbers four (4) and five (5) of Section number twenty (20) and the North East quarter of the South East quarter of Section number ( ) nineteen, containing one hundred fifty one and  $63/100$  ( $151\frac{63}{100}$ ) acres. And also Lot number five (5) of Section number twenty one (21) and Lots number one (1) two (2) and three (3) of Section number twenty (20) containing one hundred forty seven and  $4/100$  acres ( $147\frac{4}{100}$ ) all of said land being in Township Number Eight (8) North of Range Number four (4) West, as per the Government Survey thereof, and described in the Boise City Land Office.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents issues and profits thereof, and also the estate therein, to have and to hold unto the said party of the second part, his heirs and assigns forever.

as well in law as in equity, of the said parties of the first part, of, in or to the said premises, and every part and parcel thereof, with the appurtenances.

To have and to hold all and singular the said premises, together with the appurtenances unto the said party of the second part, and to his heirs, and assigns forever. And the said parties of the first part, and their heirs, the said premises, in the quiet and peaceable possession of the said party of the second part his heirs and assigns, against the said parties of the first part, and their heirs, against all and every person and persons not otherwise lawfully claiming or to claim the same, shall and lawfully warrant, and by these presents forever defend.

In Witness whereof, the said parties of the first part, have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered,  
in the presence of  
J. A. Weyford  
J. S. Gray

George W. Hunt  
Leonora Hunt

Territory of Idaho  
County of Ada

On this fourth day of June A.D. 1880 personally appeared before me a Justice of the Peace, in and for said Ada County Leonora Hunt (wife of said George W. Hunt a party to the foregoing instrument) whose name is described in the foregoing conveyance as a party thereto and she is personally known to me to be the same person described therein as the wife of George W. Hunt and one of the parties who executed who executed the foregoing instrument, as she having been made acquainted with the content of said instrument by me, duly acknowledged to me on examination apart from and without the hearing of her husband that she executed the same freely and voluntarily and for the uses and purposes therein mentioned without fear or compulsion or undue influence of her husband and that she does not wish to retract the execution of the same.

In Witness whereof I have hereunto set my hand the day and year first above in this certificate written.

A. G. Thompson

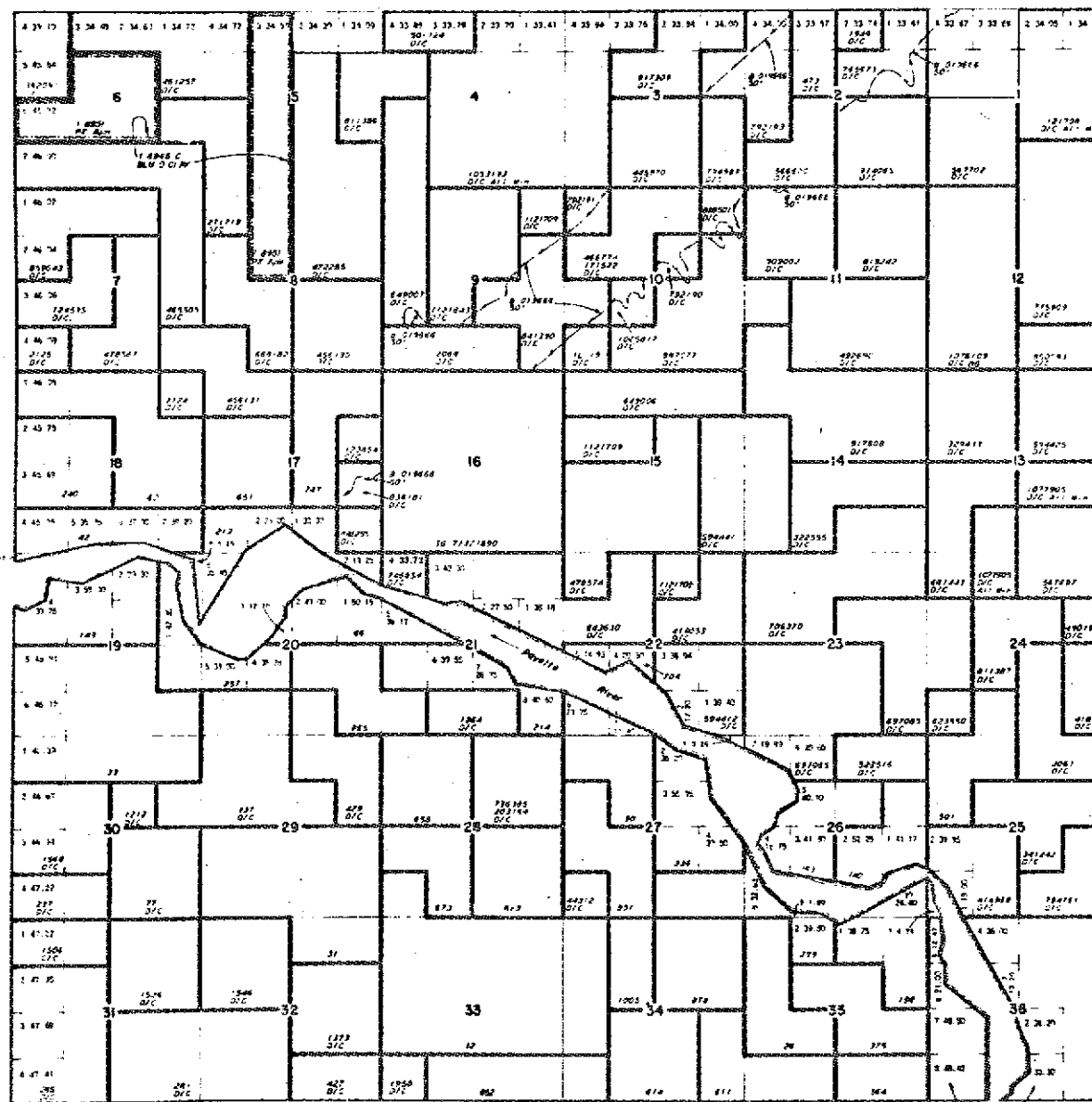
STATE OF IDAHO, COUNTY OF ADA, ss.

I, Clarence A. Planting, Recorder for Ada County, do hereby certify that the Attached is a full, true and correct copy of Inst. No. \_\_\_\_\_ as it appears on record in Book \_\_\_\_\_ of \_\_\_\_\_

Records of Ada County, State of Idaho, I have set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_  
CLARENCE A. PLANTING, Recorder

PAYETTE COUNTY

HOUSE DISTRICT 54C J

STATUS OF PUBLIC DOMAIN  
LAND AND MINERAL TITLES[illegible]

SCALE in Cents

FOR ORDERS EFFECTING DISPOSAL OR USE OF  
UNIDENTIFIED LANDS REFER TO INDEX OF  
MISCELLANEOUS DOCUMENTS

|              |            |
|--------------|------------|
| CURRENT TO   | CURRENT TO |
| USE PLATS US |            |

**Figure 1**





65- 3617

|                                              | Page A | Page B | Total  |
|----------------------------------------------|--------|--------|--------|
| Total On-Farm Irrigation Requirement (cfs) = | 14.27  | 1.35   | 15.61  |
| Acres =                                      | 371.5  | 39.4   | 410.90 |
|                                              |        |        | 0.038  |

65-3617

Field

| eld | INTAKE | DESIGN  | FURROW | FURROW  | FURROW | INFLOW | APPROXIMATE | ADVANCE | GROSS       | NET         |        |            |            |
|-----|--------|---------|--------|---------|--------|--------|-------------|---------|-------------|-------------|--------|------------|------------|
|     | FAMILY | APPLIC. | SLOPE  | SPACING | LENGTH | RATE   | INFLOW TIME | TIME    | IRRIGATION  | IRRIGATION  | DEEP   | IRRIGATION |            |
|     |        | Inches  | Ft/Ft  | Feet    | Feet   | Gpm    | Hours       | Minutes | APPLICATION | APPLICATION | RUNOFF | PERC.      | EFFICIENCY |
| 2   | 0.55   | 1.40    | .005   | 2.00    | 560    | 4.5    | 12          | 213.9   | 4.64        | 3.77        | 0.06   | 3.19       | 30.17      |
| 3   | 0.55   | 1.40    | .005   | 2.00    | 1100   | 10.0   | 12          | 321.3   | 5.25        | 3.75        | 0.05   | 3.80       | 26.67      |
| 6   | 0.55   | 1.40    | .005   | 2.00    | 1040   | 9.5    | 12          | 300.8   | 5.28        | 3.84        | 0.10   | 3.78       | 26.54      |
| 7   | 0.55   | 1.40    | .005   | 2.00    | 720    | 6.0    | 12          | 253.2   | 4.81        | 3.77        | 0.03   | 3.39       | 29.09      |
| 9   | 0.55   | 2.30    | .005   | 2.00    | 800    | 7.0    | 12          | 253.0   | 5.05        | 3.89        | 0.12   | 2.63       | 45.52      |
| 10  | 0.55   | 1.40    | .005   | 2.00    | 1200   | 11.0   | 12          | 344.6   | 5.29        | 3.67        | 0.02   | 3.87       | 26.45      |
| 10* | 0.55   | 1.40    | .005   | 2.00    | 600    | 5.0    | 12          | 211.0   | 4.81        | 3.87        | 0.14   | 3.28       | 29.09      |
| 11  | 0.55   | 2.30    | .005   | 2.00    | 850    | 7.5    | 12          | 264.1   | 5.10        | 3.88        | 0.11   | 2.68       | 45.14      |
| 12  | 0.55   | 2.30    | .005   | 2.00    | 480    | 4.0    | 12          | 168.8   | 4.81        | 3.93        | 0.27   | 2.24       | 47.79      |
| 13  | 0.55   | 2.30    | .005   | 2.00    | 1040   | 9.5    | 12          | 300.8   | 5.28        | 3.84        | 0.10   | 2.88       | 43.60      |
| 14  | 0.55   | 1.40    | .005   | 2.00    | 480    | 4.0    | 12          | 168.8   | 4.81        | 3.93        | 0.27   | 3.14       | 29.09      |
| 15  | 0.55   | 1.40    | .005   | 2.00    | 320    | 3.0    | 12          | 87.8    | 5.41        | 4.12        | 1.00   | 3.01       | 25.86      |
| 16  | 0.55   | 2.30    | .005   | 2.00    | 480    | 4.0    | 12          | 168.8   | 4.81        | 3.93        | 0.27   | 2.24       | 47.79      |
| 17  | 0.55   | 2.30    | .005   | 2.00    | 640    | 5.5    | 12          | 210.4   | 4.96        | 3.94        | 0.20   | 2.46       | 46.35      |

10\* optional shorter furrow length improves efficiency a little.

11 furrow length shortened from 1680 to 850 ft; longer furrow failed.



## Rights

### Rights



65-3617

65-8627

65-11261

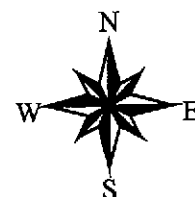
65-7461

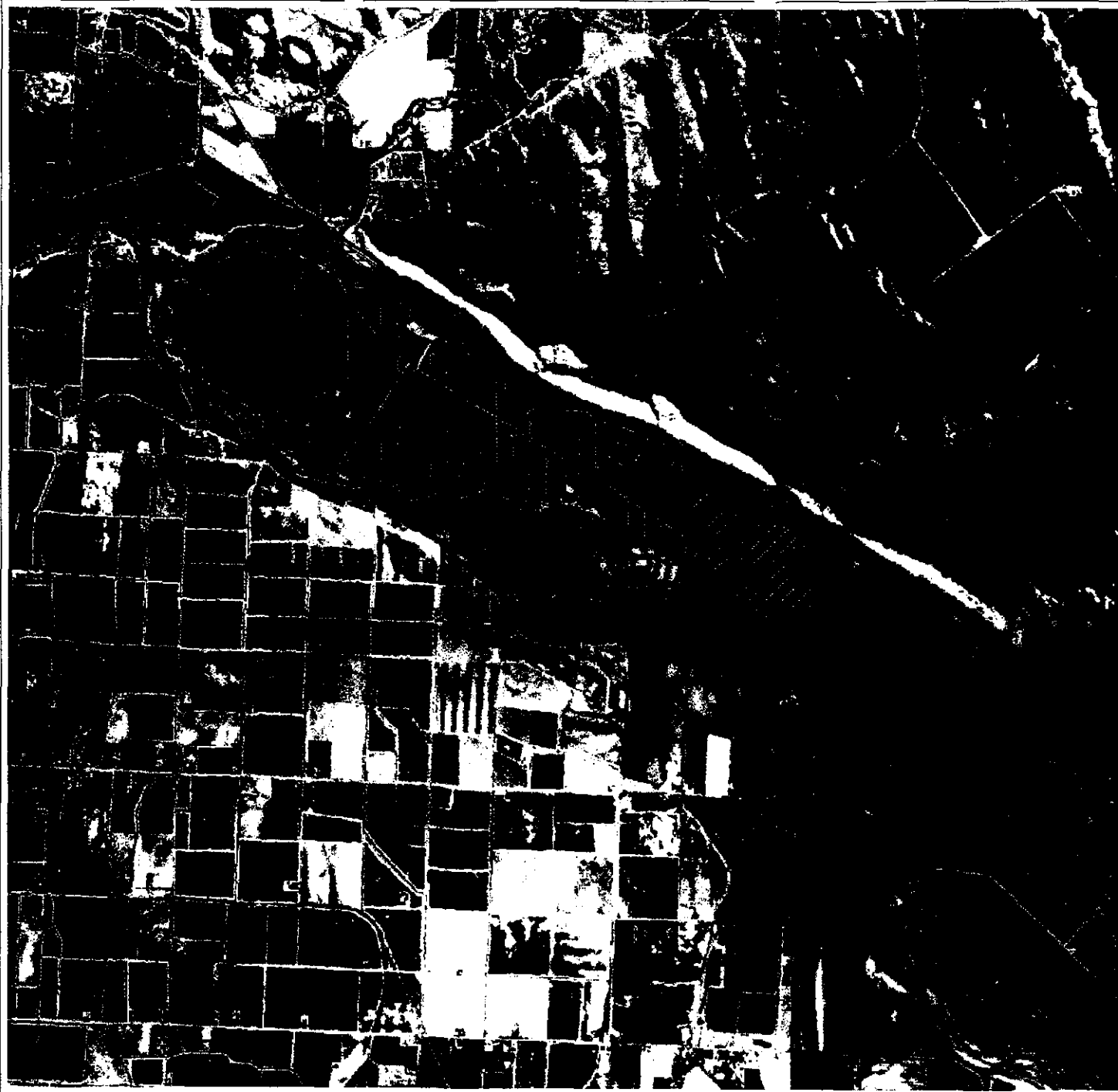
65-11255 Pence

65-5921 Johnson

0.5 0 0.5 1 1.5 Miles

Rights Delivered in Johnson-Higby Ditch  
Prepared for Colwell Hubble Analysis  
1987 NAPP aerial photography  
Prepared by: Scott King  
Date prepared: 3/26/2003





## Rights

### Rights



65-3617

65-8627

65-11261

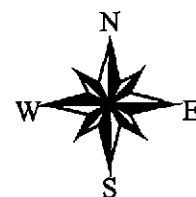
65-7461

65-11255 Pence

65-5921 Johnson

0.5 0 0.5 1 1.5 Miles

Rights Delivered in Johnson-Higby Ditch  
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Detailed NRCS descriptions for three soil types are provided in Noe's report, and a summary is provided in Table 3. It appears these three are fairly representative of the other sandy loam soils found along the ditch length. The upper profiles are composed of sandy loams, while the lower profiles are sands and gravels. The sands and gravels will have higher permeability rates than sandy loams. However, there are several properties that combine to decrease the likely seepage rate. First, finer sediments from the upper profiles and in the diverted river water will likely settle along the ditch bottom, sealing the ditch over time and reducing infiltration rates. Based on the ditch dimensions provided by Noe in Table D, and also the low slope of the ditch, flow velocities in the ditch are likely low and thus the settling of sealing fines is supported. In addition, soil descriptions suggest a seasonal water table at depth from 1 to 4 feet. The high water table along the river bottom reduces the amount of loss from the ditch, and as suggested by Dan Nelson in his field exam for 65-7461, these ditches may actually gain water along their length.

Table 3. Primary soil types provided in Noe's report.

| properties                  | Chance fine sandy loam (Ch)    | Soils                          |                                                                                          |
|-----------------------------|--------------------------------|--------------------------------|------------------------------------------------------------------------------------------|
|                             |                                | Moulton fine sandy loam (Mo)   | Notus coarse sandy loam (No)                                                             |
| upper profile               | fine sandy loam                | fine sandy loam                | coarse sandy loam                                                                        |
| lower profile               | sand, gravel and sand          | sand and gravel                | very gravelly sand                                                                       |
| drainage                    | poorly drained                 | poorly drained                 | somewhat poorly drained                                                                  |
| permeability                | moderately rapid               | moderately rapid               | moderately rapid                                                                         |
| seasonal water table depth: | fluctuates between 1 to 2 feet | fluctuates between 2 to 4 feet | fluctuates between 2 and 3 feet, depending upon the level of water in the adjacent river |

Given the combination of these factors, I suggesting maintaining the seepage rate coefficient of 1.5 feet per day as used by Tuthill rather than the higher 2.5 feet per day value used by Noe as the lower value is likely most representative of field conditions. Application of the 1.5 feet/day seepage value to Noe's Worstell computations results in a total loss of 7.28 cfs, which is in close range to the total of 5.61 cfs determined using the Moritz formula. Also, if some of the more distant ditch segments beyond the field headgate are removed from the loss analysis, the total loss approaches 5.61 cfs.

### **Conclusions and Recommendations**

Noe's field irrigation requirement analysis appears to be a consistent application of the Hubble methodology except for utilizing 24-hour inflow times instead of more efficient 12-hour sets. If adjustments to the recommended diversion rates based on Hubble analysis for these rights are contemplated, the irrigation requirements should be based on more efficient 12-hour sets.

The Worstell-type analysis performed by Noe provides results similar to those obtained by Tuthill's use of the Mortitz formula when similar seepage loss rate coefficients are applied. The seepage value of 2.5 feet per day in Noe is too high and does not appear representative of likely actual conditions; instead a seepage value of 1.5 feet per day as applied by Tuthill is recommended. A conveyance loss of 29.3% of the field headgate requirement should be applied to these rights because it is consistent with the loss previously determined and applied to other rights from the same diversion, and because it is consistent with Worstell loss analysis when the seepage coefficient is set at 1.5 feet per day.

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Dreher, K.J., and Tuthill, D.R., Jr., 1999, Report Regarding Evaluation of Irrigation Diversion Rates: Idaho Department of Water Resources.

IDWR, 1992, Irrigation Diversion Requirmenets - New Computations in the Payette River Area: Idaho Department of Water Resources.

Noe, H.R., 2002, Irrigation Requirement Analysis, George Colwell property (Birding Island Ranch), Water Rights 65-03617 & 65-08627: Associated Earth Sciences.

## MEMORANDUM

To: Garrick Baxter  
From: Scott King *SK*  
Date: March 26, 2003

Subject: Review of Noe's diversion rate analysis for 65-03617 & 65-08627

I have reviewed the irrigation requirement analysis prepared for the above listed water rights (Noe, 2002). The report documents a Hubble analysis for 516 acres of river-bottom land along the Payette River north of New Plymouth. It finds irrigation requirements of 0.069 and 0.049 cfs per acre for 65-03617 & 65-08627, respectively. In addition, conveyance loss is determined to be 12.17 cfs for the Johnson-Higby ditch based on a Worstell-type assessment.

In general, I agree with the methodology applied in this analysis, but I disagree with parameters used in both the irrigation requirements and conveyance loss calculations. Determination of irrigation diversion rates that exceed the state standard are based on reasonable optimum Field Application Efficiency (FAE) values, and not the actual efficiency based on current management practices. The determination of reasonable efficiency focuses on proper management and low-cost improvements that can be made within the confines of the existing system types and soil characteristics (Dreher and Tuthill, 1999; IDWR, 1992).

### **Field Irrigation Requirements**

Noe performed the irrigation requirement analysis using an inflow time of 24 hours, as this is the actual practice. A 12-hour set time results in higher FAE, can provide the required quantity of water, and is a reasonable management alternative. My analysis indicates that efficiencies in many fields could be further improved with shorter inflow times, such as 8 hours. However, IDWR does not consider inflow times shorter than 12 hours to be practical on a continuous basis.

For 65-03617, Noe finds a total field requirement of 28.17 cfs based on 24-hour inflow times. Using 12-hour sets, I find a total field requirement of 15.61 cfs. All other parameters are identical to Noe's except for 850 foot furrow lengths for field 11 instead of 1680 foot long furrows as the FURROW program indicates incomplete irrigation at the longer length. The 1680-foot furrow is the longest on this farm, and a shorter furrow length is a reasonable management alternative and appears consistent with other fields on this farm, and also with nearby irrigated fields.

For 65-08627, Noe finds a total field requirement of 5.19 cfs, again based on 24-hour inflow times. Application of 12-hour sets yields a total field requirement of 3.22 cfs. Table 1

provides a comparative perspective between these results.

The analysis demonstrates the higher irrigation requirements for the lands served by these water rights. However, application of the analysis must be based on finding a reasonable optimum efficiency, and therefore results based on 12-hour set times are recommended.

Table 1. Field irrigation requirement comparison for 65-3617 & 65-8627.

|                  | 65-3617                            |                 | 65-8627                            |                 |
|------------------|------------------------------------|-----------------|------------------------------------|-----------------|
|                  | Total Irrigation Requirement (cfs) | Rate (cfs/acre) | Total Irrigation Requirement (cfs) | Rate (cfs/acre) |
| Directors Report | 8.22                               | 0.02            | 2.10                               | 0.02            |
| Noe, 2002        | 28.17                              | 0.069           | 5.19                               | 0.049           |
| King, 2003       | 15.61                              | 0.038           | 3.22                               | 0.031           |

### Conveyance Losses

Claim files indicate conveyance losses were determined in 1978 by David Tuthill using Macallister's modification of the Moritz formula. Tuthill determined that of 18.82 cfs diverted, 14.56 cfs is delivered and 4.26 is loss, resulting in a 29.3 percentage loss. This loss rate was later applied to 65-7461 so that the total diversion, delivery and loss is presented in Table 2. This loss is applied by the following equation:

$$Loss = 0.293 * Q_{Field\ Headgate}$$

Table 2. Rights delivered in Johnson-Higby Ditch

| Right    | Owner   | Priority | Acres | Application Rate (cfs/acre) | Field Headgate (cfs) | Loss (cfs) | Total (cfs) |
|----------|---------|----------|-------|-----------------------------|----------------------|------------|-------------|
| 65-3617  | Colwell | 1890     | 411   | 0.02                        | 8.22                 | 2.41       | 10.63       |
| 65-8627  | Colwell | 1882     | 105   | 0.02                        | 2.10                 | 0.62       | 2.72        |
| 65-11261 | Colwell | 1882     | 10    | 0.013                       | 0.13                 | 0          | 0.13        |
| 65-7461* | Colwell | 1975     | 159   | 0.03                        | 4.77                 | 1.40       | 6.17        |
| 65-5921  | Johnson | 1882     | 195   | 0.02                        | 3.90                 | 1.14       | 5.04        |
| 65-11255 | Pence   | 1882     | 7     | 0.02                        | 0.14                 | 0.04       | 0.18        |
| Totals:  |         |          | 887   |                             | 19.26                | 5.61       | 24.87       |

\*65-7461 overlaps with 65-3617 & 65-11261 by about 25 acres total, and thus total acres and discharge rates should be reduced appropriately, but are not in this table.

Noe performed a Worstell-type analysis of conveyance losses for the Johnson-Higby ditch. He finds a total conveyance loss of 12.17 cfs, more than double the total in Table 2. Tuthill and Noe used different formulae to compute loss, which is part of the reason for the discrepancy. Noe also determined losses for conveyance in ditches beyond the point where the field headgate would typically be defined. In addition, different seepage rate constants (i) were used. Noe used a seepage rate constant of 2.5 (feet/day) as representative of sand and gravel type soils. Tuthill used a value of 1.5 (feet/day) based on a sandy loam soil type.

## Howerton, Ron

**From:** King, Scott  
**Sent:** Wednesday, May 28, 2003 9:59 AM  
**To:** Baxter, Garrick; Howerton, Ron  
**Subject:** Colwell

Garrick & Ron,

Harley Noe and I met yesterday to discuss his revised results. Changes to prior work include:

1) Adjusting conveyance loss infiltration coefficient based on our field visit. The ditches on this property were much like I had envisioned. The lower, smaller ones were trampled by cattle and had a thick layer of fine materials lining the bed, which will tend to inhibit ditch losses. In fact, one long stretch of ditch had several inches of standing water with little to no apparent supply to keep water in the ditch; this one was leaking very little. The upper, larger ditches were deeper and extended into the deeper gravel and sand layer as Harley described. Some of these had a thinner layer of fines. We agreed in the field that ditch loss factors of 1.5 and 2.5 may be applicable for the lower and upper ditches respectively. Using these values, Harley estimates a total loss of 11.22 cfs, just a little less than the 12.17 cfs value previously estimated, and still much higher than the 5.61 predicted earlier by Tuthill.

During our office meeting, Harley and Terry seemed to describe a ditch that would be very difficult to measure, thereby making any measurements of ditch loss difficult or impossible. However, based on our field visit, I think that we could measure flow in the ditch in a number of places, making it possible to refine our loss estimates by using actual measured losses for representative sections. Jeff Peppersack and I discussed this case, and Jeff suggests that since measurements appear possible, and since there is such a large discrepancy in values, and also for other reasons, we should measure the losses in this ditch. I suggest that we offer a choice of using either the losses calculated by Tuthill, or we measure losses and use the actual measured values. There is a possibility that the measured losses will be less than Tuthill's earlier estimates.

2) Although this was not part of our earlier discussion in the office, Harley suggested that he make changes to the field irrigation requirements. Specifically, he would like to change the 'intake family' value for 6 fields which Mr. Colwell describes as more difficult to get water across, and which can be described by the Notus soil type. Harley's refined numbers were based on using the FURROW program with intake family of 0.7 (prior value was 0.55), MAD of 1.4 (prior value of 2.3), existing run lengths for most fields, 24-hour set times, and using 'furrow' application methods. Harley should change these runs by using 'corrugate' application where he will find that run lengths greater than about 950 feet will not run with this higher intake family number, and long runs should be shortened until the program will run. In addition, 12-hour sets will generally produce more efficient results than 24-hour. A table below is extracted from my earlier memo with a new row indicating the likely results of these revisions (these are not Harley's final numbers). However, even with shorter runs at 12-hour sets using 'corrugate' application methods, efficiency for these fields is still quite low (Harley gets around 16%, I get about 21%) and this adjustment makes a significant difference to the Field Irrigation Requirement.

I agree that, based on soil descriptions, the Notus soils could be described as being in a higher intake family, and that this higher value may be applicable to some of the fields being reviewed.

|                  | 65-3617                            |       | 65-8627         |       |
|------------------|------------------------------------|-------|-----------------|-------|
|                  | Total Irrigation Requirement (cfs) |       | Rate (cfs/acre) | Total |
|                  | Irrigation Requirement (cfs)       |       | Rate (cfs/acre) |       |
| Directors Report | 8.22                               | 0.02  | 2.10            | 0.02  |
| Noe, 2002        | 28.17                              | 0.069 | 5.19            | 0.049 |
| King, 2003       | 15.61                              | 0.038 | 3.22            | 0.031 |
| Revised          | 20.45                              | 0.050 | 4.56            | 0.043 |

I am to contact Harley soon and let him know if I agree with his revised numbers so that he can finalize his report.

Thank you,  
Scott

| INTAKE | DESIGN  | FURROW | FURROW  | FURROW | INFLOW | APPROXIMATE | ADVANCE | GROSS      | NET        |        | DEEP  | IRRIGATION |
|--------|---------|--------|---------|--------|--------|-------------|---------|------------|------------|--------|-------|------------|
| FAMILY | APPLIC. | SLOPE  | SPACING | LENGTH | RATE   | INFLOW TIME | TIME    | IRRIGATION | IRRIGATION | RUNOFF | PERC. | EFFICIENCY |
|        | Inches  | Ft/Ft  | Feet    | Feet   | Gpm    | Hours       | Minutes | Inches     | Inches     | Inches | In.   | %          |
| 0.55   | 2.30    | .005   | 2.00    | 1120   | 10.5   | 12          | 307.4   | 5.41       | 3.89       | 0.14   | 2.97  | 42.48      |
| 0.55   | 2.30    | .005   | 2.00    | 1120   | 10.0   | 12          | 339.5   | 5.16       | 3.69       | 0.14   | 2.97  | 42.48      |

Field 19

42%

| INTAKE | DESIGN  | FURROW | FURROW  | FURROW | INFLOW | APPROXIMATE | ADVANCE | GROSS      | NET        |        | DEEP  | IRRIGATION |
|--------|---------|--------|---------|--------|--------|-------------|---------|------------|------------|--------|-------|------------|
| FAMILY | APPLIC. | SLOPE  | SPACING | LENGTH | RATE   | INFLOW TIME | TIME    | IRRIGATION | IRRIGATION | RUNOFF | PERC. | EFFICIENCY |
|        | Inches  | Ft/Ft  | Feet    | Feet   | Gpm    | Hours       | Minutes | Inches     | Inches     | Inches | In.   | %          |
| 0.55   | 2.30    | .005   | 2.00    | 160    | 4.0    | 12          | 12.7    | 14.44      | 4.70       | 9.70   | 2.44  | 15.93      |
| 0.55   | 2.30    | .005   | 2.00    | 160    | 4.0    | 8           | 12.7    | 9.62       | 3.49       | 6.10   | 1.23  | 23.90      |
| 0.55   | 2.30    | .005   | 2.00    | 160    | 3.5    | 12          | 14.1    | 12.63      | 4.58       | 8.01   | 2.32  | 18.21      |
| 0.55   | 2.30    | .005   | 2.00    | 160    | 3.5    | 8           | 14.1    | 8.42       | 3.40       | 4.98   | 1.14  | 27.31      |
| 0.55   | 2.30    | .005   | 2.00    | 160    | 3.0    | 12          | 16.3    | 10.83      | 4.45       | 6.33   | 2.20  | 21.24      |
| 0.55   | 2.30    | .005   | 2.00    | 160    | 3.0    | 8           | 16.3    | 7.22       | 3.30       | 3.87   | 1.05  | 31.86      |

Field 20 Moulton 21%



| INTAKE | DESIGN  | FURROW | FURROW  | FURROW | INFLOW | APPROXIMATE | ADVANCE | GROSS      | NET        |        | DEEP  | IRRIGATION |
|--------|---------|--------|---------|--------|--------|-------------|---------|------------|------------|--------|-------|------------|
| FAMILY | APPLIC. | SLOPE  | SPACING | LENGTH | RATE   | INFLOW TIME | TIME    | IRRIGATION | IRRIGATION | RUNOFF | PERC. | EFFICIENCY |
|        | Inches  | Ft/Ft  | Feet    | Feet   | Gpm    | Hours       | Minutes | Inches     | Inches     | Inches | In.   | %          |
| 0.70   | 1.40    | .005   | 2.00    | 770    | 10.0   | 12          | 152.5   | 7.50       | 5.95       | 0.75   | 5.35  | 18.67      |
| 0.70   | 1.40    | .005   | 2.00    | 770    | 9.0    | 12          | 184.0   | 6.75       | 5.58       | 0.20   | 5.15  | 20.74      |
| 0.70   | 1.40    | .005   | 2.00    | 770    | 8.5    | 12          | 205.4   | 6.37       | 5.58       | 0.20   | 5.15  | 20.74      |

Field 18  
21%

Field 17

22 %

| INTAKE<br>FAMILY | DESIGN<br>APPLIC.<br>Inches | FURROW<br>SLOPE<br>Ft/Ft | FURROW<br>SPACING<br>Feet | FURROW<br>LENGTH<br>Feet | INFLOW<br>RATE<br>Gpm | APPROXIMATE<br>INFLOW TIME<br>Hours | ADVANCE<br>TIME<br>Minutes | GROSS<br>IRRIGATION<br>APPLICATION<br>Inches | NET<br>IRRIGATION<br>APPLICATION<br>Inches | RUNOFF<br>Inches | DEEP<br>PERC.<br>In. | IRRIGATION<br>EFFICIENCY<br>% |
|------------------|-----------------------------|--------------------------|---------------------------|--------------------------|-----------------------|-------------------------------------|----------------------------|----------------------------------------------|--------------------------------------------|------------------|----------------------|-------------------------------|
| 0.70             | 1.40                        | .005                     | 2.00                      | 640                      | 10.0                  | 12                                  | 95.3                       | 9.02                                         | 6.39                                       | 2.16             | 5.47                 | 15.52                         |
| 0.70             | 1.40                        | .005                     | 2.00                      | 640                      | 9.0                   | 12                                  | 111.4                      | 8.12                                         | 6.12                                       | 1.44             | 5.28                 | 17.24                         |
| 0.70             | 1.40                        | .005                     | 2.00                      | 640                      | 8.0                   | 12                                  | 135.4                      | 7.22                                         | 5.80                                       | 0.74             | 5.07                 | 19.39                         |
| 0.70             | 1.40                        | .005                     | 2.00                      | 640                      | 7.5                   | 12                                  | 152.2                      | 6.77                                         | 5.59                                       | 0.41             | 4.96                 | 20.69                         |
| 0.70             | 1.40                        | .005                     | 2.00                      | 640                      | 7.0                   | 12                                  | 173.9                      | 6.32                                         | 5.36                                       | 0.08             | 4.84                 | 22.17                         |
| 0.70             | 1.40                        | .005                     | 2.00                      | 640                      | 6.5                   | 12                                  | 202.9                      | 5.86                                         | 5.36                                       | 0.08             | 4.84                 | 22.17                         |

## On-farm Requirement Summary

Water Right 65-08627

| Field Number                                                         | Adjusted Acres | Run Length | Set Time (hours) | Intake Family | Rep. Soil Series | MAD Value | Eff. (%) | Total Field Req. CFS |
|----------------------------------------------------------------------|----------------|------------|------------------|---------------|------------------|-----------|----------|----------------------|
| 18                                                                   | 38.4           | 770        | 12               | 0.70          | Notus            | 1.4       | 21       | 2.37                 |
| 19                                                                   | 60.3           | 1120       | 12               | 0.55          | Moulton          | 2.3       | 42       | 1.81                 |
| 20                                                                   | 6.3            | 160        | 12               | 0.55          | Moulton          | 2.3       | 21       | 0.38                 |
| Total                                                                | 105.0          |            |                  |               |                  |           |          | 4.56                 |
| Total on-farm requirement for water right 65-08627 in miner's inches |                |            |                  |               |                  |           |          | 2.17                 |
| Total requirement in CFS per acre                                    |                |            |                  |               |                  |           |          | 0.043                |

*Items shown in orange are values changed from Scott King's calculations of March 26, 2003. All other values remain as per his calculations.*

Revisions recalculations based on field visit w/ IDWR specialists on May 15, 2003.

| INTAKE | DESIGN  | FURROW | FURROW  | FURROW | INFLOW | APPROXIMATE | ADVANCE | GROSS      | NET        |        | DEEP  | IRRIGATION |
|--------|---------|--------|---------|--------|--------|-------------|---------|------------|------------|--------|-------|------------|
| FAMILY | APPLIC. | SLOPE  | SPACING | LENGTH | RATE   | INFLOW TIME | TIME    | IRRIGATION | IRRIGATION | RUNOFF | PERC. | EFFICIENCY |
|        | Inches  | Ft/Ft  | Feet    | Feet   | Gpm    | Hours       | Minutes | Inches     | Inches     | Inches | In.   | %          |
| 0.55   | 1.40    | .005   | 2.00    | 320    | 3.0    | 12          | 87.8    | 5.41       | 4.12       | 1.00   | 3.01  | 25.86      |
| 0.55   | 1.40    | .005   | 2.00    | 320    | 3.5    | 12          | 66.2    | 6.32       | 4.33       | 1.76   | 3.15  | 22.17      |
| 0.55   | 1.40    | .005   | 2.00    | 320    | 4.0    | 12          | 53.5    | 7.22       | 4.50       | 2.54   | 3.28  | 19.39      |
| 0.55   | 1.40    | .005   | 2.00    | 320    | 4.0    | 8           | 53.5    | 4.81       | 3.27       | 1.35   | 2.06  | 29.09      |

Field 15 Notus 26%

| INTAKE | DESIGN  | FURROW | FURROW  | FURROW | INFLOW | APPROXIMATE | ADVANCE | GROSS      | NET        |        | DEEP  | IRRIGATION |
|--------|---------|--------|---------|--------|--------|-------------|---------|------------|------------|--------|-------|------------|
| FAMILY | APPLIC. | SLOPE  | SPACING | LENGTH | RATE   | INFLOW TIME | TIME    | IRRIGATION | IRRIGATION | RUNOFF | PERC. | EFFICIENCY |
|        | Inches  | Ft/Ft  | Feet    | Feet   | Gpm    | Hours       | Minutes | Inches     | Inches     | Inches | In.   | %          |
| 0.55   | 2.30    | .005   | 2.00    | 480    | 3.5    | 12          | 232.1   | 4.21       | 0.00       | 0.00   | 0.00  | 0.00       |
| 0.55   | 2.30    | .005   | 2.00    | 480    | 4.0    | 12          | 168.8   | 4.81       | 3.93       | 0.27   | 2.24  | 47.79      |
| 0.55   | 2.30    | .005   | 2.00    | 480    | 4.0    | 24          | 168.8   | 9.62       | 7.20       | 1.91   | 5.41  | 23.90      |
| 0.55   | 2.30    | .005   | 2.00    | 480    | 5.0    | 12          | 108.1   | 6.02       | 4.41       | 1.22   | 2.50  | 38.24      |
| 0.55   | 2.30    | .005   | 2.00    | 480    | 6.0    | 12          | 80.3    | 7.22       | 4.72       | 2.21   | 2.71  | 31.86      |
| 0.55   | 2.30    | .005   | 2.00    | 480    | 8.0    | 12          | 55.4    | 9.62       | 5.15       | 4.28   | 3.05  | 23.90      |
| 0.55   | 2.30    | .005   | 2.00    | 480    | 8.0    | 24          | 55.4    | 19.25      | 8.80       | 10.29  | 6.66  | 11.95      |

Field 12 Moulton

Field 16 Chance

48%

| INTAKE<br>FAMILY | DESIGN<br>APPLIC.<br>Inches | FURROW<br>SLOPE<br>Pt/Ft | FURROW<br>SPACING<br>Feet | FURROW<br>LENGTH<br>Feet | INFLOW<br>RATE<br>Gpm | APPROXIMATE<br>INFLOW TIME<br>Hours | ADVANCE<br>TIME<br>Minutes | GROSS                               | NET                                 | RUNOFF<br>Inches | DEEP<br>PERC.<br>In. | IRRIGATION<br>EFFICIENCY<br>% |
|------------------|-----------------------------|--------------------------|---------------------------|--------------------------|-----------------------|-------------------------------------|----------------------------|-------------------------------------|-------------------------------------|------------------|----------------------|-------------------------------|
|                  |                             |                          |                           |                          |                       |                                     |                            | IRRIGATION<br>APPLICATION<br>Inches | IRRIGATION<br>APPLICATION<br>Inches |                  |                      |                               |
| 0.55             | 2.30                        | .005                     | 2.00                      | 1040                     | 9.5                   | 12                                  | 300.8                      | 5.28                                | 3.84                                | 0.10             | 2.88                 | 43.60                         |
| 0.55             | 2.30                        | .005                     | 2.00                      | 1040                     | 9.0                   | 12                                  | 336.8                      | 5.00                                | 3.84                                | 0.10             | 2.88                 | 43.60                         |

Field 13  
44%

| INTAKE | DESIGN  | FURROW | FURROW  | FURROW | INFLOW | APPROXIMATE | ADVANCE | GROSS      | NET        |        | DEEP  | IRRIGATION |
|--------|---------|--------|---------|--------|--------|-------------|---------|------------|------------|--------|-------|------------|
| FAMILY | APPLIC. | SLOPE  | SPACING | LENGTH | RATE   | INFLOW TIME | TIME    | IRRIGATION | IRRIGATION | RUNOFF | PERC. | EFFICIENCY |
|        | Inches  | Ft/Ft  | Feet    | Feet   | Gpm    | Hours       | Minutes | Inches     | Inches     | Inches | In.   | %          |
| 0.55   | 1.40    | .005   | 2.00    | 480    | 5.0    | 12          | 108.1   | 6.02       | 4.41       | 1.22   | 3.40  | 23.27      |
| 0.55   | 1.40    | .005   | 2.00    | 480    | 5.5    | 12          | 91.9    | 6.62       | 4.58       | 1.71   | 3.51  | 21.16      |
| 0.55   | 1.40    | .005   | 2.00    | 480    | 4.5    | 12          | 131.8   | 5.41       | 4.20       | 0.73   | 3.28  | 25.86      |
| 0.55   | 1.40    | .005   | 2.00    | 480    | 4.0    | 12          | 168.8   | 4.81       | 3.93       | 0.27   | 3.14  | 29.09      |
| 0.55   | 1.40    | .005   | 2.00    | 480    | 3.5    | 12          | 232.1   | 4.21       | 3.93       | 0.27   | 3.14  | 29.09      |

Field 14 Notus 29%

Field 11

20%

| INTAKE<br>FAMILY | DESIGN<br>APPLIC.<br>Inches | FURROW<br>SLOPE<br>Ft/Ft | FURROW<br>SPACING<br>Feet | FURROW<br>LENGTH<br>Feet | INFLOW<br>RATE<br>Gpm | APPROXIMATE<br>INFLOW TIME<br>Hours | ADVANCE<br>TIME<br>Minutes | GROSS<br>IRRIGATION<br>APPLICATION<br>Inches | NET<br>IRRIGATION<br>APPLICATION<br>Inches | RUNOFF<br>Inches | DEEP<br>PERC.<br>In. | IRRIGATION<br>EFFICIENCY<br>% |
|------------------|-----------------------------|--------------------------|---------------------------|--------------------------|-----------------------|-------------------------------------|----------------------------|----------------------------------------------|--------------------------------------------|------------------|----------------------|-------------------------------|
| 0.70             | 1.40                        | .005                     | 2.00                      | 840                      | 10.0                  | 12                                  | 193.9                      | 6.87                                         | 5.63                                       | 0.20             | 5.28                 | 20.36                         |
| 0.70             | 1.40                        | .005                     | 2.00                      | 840                      | 9.0                   | 12                                  | 238.0                      | 6.19                                         | 5.63                                       | 0.20             | 5.28                 | 20.36                         |
| 0.70             | 1.40                        | .005                     | 2.00                      | 840                      | 9.5                   | 12                                  | 213.7                      | 6.53                                         | 5.63                                       | 0.20             | 5.28                 | 20.36                         |
| 0.70             | 1.40                        | .005                     | 2.00                      | 840                      | 11.0                  | 12                                  | 164.1                      | 7.56                                         | 5.99                                       | 0.69             | 5.47                 | 18.51                         |

| INTAKE<br>FAMILY | DESIGN<br>APPLIC.<br>Inches | FURROW<br>SLOPE<br>Ft/Ft | FURROW<br>SPACING<br>Feet | FURROW<br>LENGTH<br>Feet | INFLOW<br>RATE<br>Gpm | APPROXIMATE<br>INFLOW TIME<br>Hours | ADVANCE<br>TIME<br>Minutes | GROSS<br>IRRIGATION<br>APPLICATION<br>Inches | NET<br>IRRIGATION<br>APPLICATION<br>Inches | RUNOFF<br>Inches | DEEP<br>PERC.<br>In. | IRRIGATION<br>EFFICIENCY<br>% |
|------------------|-----------------------------|--------------------------|---------------------------|--------------------------|-----------------------|-------------------------------------|----------------------------|----------------------------------------------|--------------------------------------------|------------------|----------------------|-------------------------------|
| 0.55             | 2.30                        | .005                     | 2.00                      | 480                      | 3.5                   | 12                                  | 232.1                      | 4.21                                         | 0.00                                       | 0.00             | 0.00                 | 0.00                          |
| 0.55             | 2.30                        | .005                     | 2.00                      | 480                      | 4.0                   | 12                                  | 168.8                      | 4.81                                         | 3.93                                       | 0.27             | 2.24                 | 47.79                         |
| 0.55             | 2.30                        | .005                     | 2.00                      | 480                      | 4.0                   | 24                                  | 168.8                      | 9.62                                         | 7.20                                       | 1.91             | 5.41                 | 23.90                         |
| 0.55             | 2.30                        | .005                     | 2.00                      | 480                      | 5.0                   | 12                                  | 108.1                      | 6.02                                         | 4.41                                       | 1.22             | 2.50                 | 38.24                         |
| 0.55             | 2.30                        | .005                     | 2.00                      | 480                      | 6.0                   | 12                                  | 80.3                       | 7.22                                         | 4.72                                       | 2.21             | 2.71                 | 31.86                         |
| 0.55             | 2.30                        | .005                     | 2.00                      | 480                      | 8.0                   | 12                                  | 55.4                       | 9.62                                         | 5.15                                       | 4.28             | 3.05                 | 23.90                         |
| 0.55             | 2.30                        | .005                     | 2.00                      | 480                      | 8.0                   | 24                                  | 55.4                       | 19.25                                        | 8.80                                       | 10.29            | 6.66                 | 11.95                         |

Field 12 Moulton  
Field 16 Chance

48%

Field 9

21%

| INTAKE<br>FAMILY | DESIGN<br>APPLIC.<br>Inches | FURROW<br>SLOPE<br>Pt/Pt | FURROW<br>SPACING<br>Feet | FURROW<br>LENGTH<br>Feet | INFLOW<br>RATE<br>Gpm | APPROXIMATE<br>INFLOW TIME<br>Hours | ADVANCE<br>TIME<br>Minutes | GROSS<br>IRRIGATION<br>APPLICATION<br>Inches | NET<br>IRRIGATION<br>APPLICATION<br>Inches | RUNOFF<br>Inches | DEEP<br>PERC.<br>In. | IRRIGATION<br>EFFICIENCY<br>% |
|------------------|-----------------------------|--------------------------|---------------------------|--------------------------|-----------------------|-------------------------------------|----------------------------|----------------------------------------------|--------------------------------------------|------------------|----------------------|-------------------------------|
| 0.70             | 1.40                        | .005                     | 2.00                      | 650                      | 10.0                  | 12                                  | 98.9                       | 8.88                                         | 6.36                                       | 2.02             | 5.46                 | 15.76                         |
| 0.70             | 1.40                        | .005                     | 2.00                      | 650                      | 9.0                   | 12                                  | 115.9                      | 8.00                                         | 6.09                                       | 1.32             | 5.27                 | 17.51                         |
| 0.70             | 1.40                        | .005                     | 2.00                      | 650                      | 8.0                   | 12                                  | 141.3                      | 7.11                                         | 5.75                                       | 0.64             | 5.06                 | 19.70                         |
| 0.70             | 1.40                        | .005                     | 2.00                      | 650                      | 7.5                   | 12                                  | 159.1                      | 6.66                                         | 5.54                                       | 0.31             | 4.95                 | 21.01                         |
| 0.70             | 1.40                        | .005                     | 2.00                      | 650                      | 7.0                   | 12                                  | 182.3                      | 6.22                                         | 5.54                                       | 0.31             | 4.95                 | 21.01                         |

Field 10 12 hrs/split lenjc

| INTAKE | DESIGN  | FURROW | FURROW  | FURROW | INFLOW | APPROXIMATE | ADVANCE | GROSS      | NET        |        | DEEP  | IRRIGATION |
|--------|---------|--------|---------|--------|--------|-------------|---------|------------|------------|--------|-------|------------|
| FAMILY | APPLIC. | SLOPE  | SPACING | LENGTH | RATE   | INFLOW TIME | TIME    | IRRIGATION | IRRIGATION | RUNOFF | PERC. | EFFICIENCY |
|        | Inches  | Ft/Ft  | Feet    | Feet   | Gpm    | Hours       | Minutes | Inches     | Inches     | Inches | In.   | %          |
| 0.70   | 1.40    | .005   | 2.00    | 600    | 10.0   | 12          | 81.8    | 9.62       | 6.49       | 2.73   | 5.50  | 14.55      |
| 0.70   | 1.40    | .005   | 2.00    | 600    | 9.0    | 12          | 94.7    | 8.66       | 6.25       | 1.95   | 5.31  | 16.16      |
| 0.70   | 1.40    | .005   | 2.00    | 600    | 8.0    | 12          | 113.7   | 7.70       | 5.95       | 1.19   | 5.11  | 18.18      |
| 0.70   | 1.40    | .005   | 2.00    | 600    | 7.0    | 12          | 143.8   | 6.74       | 5.57       | 0.45   | 4.89  | 20.78      |
| 0.70   | 1.40    | .005   | 2.00    | 600    | 6.5    | 12          | 166.2   | 6.26       | 5.33       | 0.10   | 4.76  | 22.38      |
| 0.70   | 1.40    | .005   | 2.00    | 600    | 6.0    | 12          | 196.8   | 5.77       | 5.33       | 0.10   | 4.76  | 22.38      |

22%

| INTAKE<br>FAMILY | DESIGN<br>APPLIC.<br>Inches | FURROW<br>SLOPE<br>Ft/Ft | FURROW<br>SPACING<br>Feet | FURROW<br>LENGTH<br>Feet | INFLOW<br>RATE<br>Gpm | APPROXIMATE<br>INFLOW TIME<br>Hours | ADVANCE<br>TIME<br>Minutes | GROSS<br>IRRIGATION<br>APPLICATION<br>Inches | NET<br>IRRIGATION<br>APPLICATION<br>Inches | RUNOFF<br>Inches | DEEP<br>PERC.<br>In. | IRRIGATION<br>EFFICIENCY<br>% |
|------------------|-----------------------------|--------------------------|---------------------------|--------------------------|-----------------------|-------------------------------------|----------------------------|----------------------------------------------|--------------------------------------------|------------------|----------------------|-------------------------------|
| 0.55             | 1.40                        | .005                     | 2.00                      | 1040                     | 10.0                  | 12                                  | 271.7                      | 5.55                                         | 4.08                                       | 0.28             | 3.87                 | 25.21                         |
| 0.55             | 1.40                        | .005                     | 2.00                      | 1040                     | 9.5                   | 12                                  | 300.8                      | 5.28                                         | 3.84                                       | 0.10             | 3.78                 | 26.54                         |
| 0.55             | 1.40                        | .005                     | 2.00                      | 1040                     | 9.0                   | 12                                  | 336.8                      | 5.00                                         | 3.84                                       | 0.10             | 3.78                 | 26.54                         |

Field 6

27%

| INTAKE | DESIGN  | FURROW | FURROW  | FURROW | INFLOW | APPROXIMATE | ADVANCE | GROSS      | NET        |        | DEEP  | IRRIGATION |
|--------|---------|--------|---------|--------|--------|-------------|---------|------------|------------|--------|-------|------------|
| FAMILY | APPLIC. | SLOPE  | SPACING | LENGTH | RATE   | INFLOW TIME | TIME    | IRRIGATION | IRRIGATION | RUNOFF | PERC. | EFFICIENCY |
|        | Inches  | Ft/Ft  | Feet    | Feet   | Gpm    | Hours       | Minutes | Inches     | Inches     | Inches | In.   | %          |
| 0.55   | 1.40    | .005   | 2.00    | 720    | 7.0    | 12          | 184.1   | 5.61       | 4.29       | 0.59   | 3.62  | 24.94      |
| 0.55   | 1.40    | .005   | 2.00    | 720    | 6.0    | 12          | 253.2   | 4.81       | 3.77       | 0.03   | 3.39  | 29.09      |
| 0.55   | 1.40    | .005   | 2.00    | 720    | 6.5    | 12          | 213.3   | 5.21       | 4.06       | 0.30   | 3.51  | 26.85      |
| 0.55   | 1.40    | .005   | 2.00    | 720    | 5.5    | 12          | 310.1   | 4.41       | 4.06       | 0.30   | 3.51  | 26.85      |
| 0.55   | 1.40    | .005   | 2.00    | 720    | 5.0    | 12          | 395.5   | 4.01       | 4.06       | 0.30   | 3.51  | 26.85      |

Field 7 Notus 29%

| INTAKE<br>FAMILY | DESIGN<br>APPLIC.<br>Inches | FURROW<br>SLOPE<br>Ft/Ft | FURROW<br>SPACING<br>Feet | FURROW<br>LENGTH<br>Feet | INFLOW<br>RATE<br>Gpm | APPROXIMATE<br>INFLOW TIME<br>Hours | ADVANCE<br>TIME<br>Minutes | GROSS                               | NET                                 | RUNOFF<br>Inches | DEEP<br>PERC.<br>In. | IRRIGATION<br>EFFICIENCY<br>% |
|------------------|-----------------------------|--------------------------|---------------------------|--------------------------|-----------------------|-------------------------------------|----------------------------|-------------------------------------|-------------------------------------|------------------|----------------------|-------------------------------|
|                  |                             |                          |                           |                          |                       |                                     |                            | IRRIGATION<br>APPLICATION<br>Inches | IRRIGATION<br>APPLICATION<br>Inches |                  |                      |                               |
| 0.55             | 1.40                        | .005                     | 2.00                      | 560                      | 3.0                   | 12                                  | 679.7                      | 3.09                                | 0.00                                | 0.00             | 0.00                 | 0.00                          |
| 0.55             | 1.40                        | .005                     | 2.00                      | 560                      | 3.5                   | 12                                  | 414.1                      | 3.61                                | 0.00                                | 0.00             | 0.00                 | 0.00                          |
| 0.55             | 1.40                        | .005                     | 2.00                      | 560                      | 4.0                   | 12                                  | 285.6                      | 4.12                                | 0.00                                | 0.00             | 0.00                 | 0.00                          |
| 0.55             | 1.40                        | .005                     | 2.00                      | 560                      | <del>4.5</del>        | (12)                                | 213.9                      | 4.64                                | 3.77                                | 0.06             | 3.19                 | (30.17)                       |
| 0.55             | 1.40                        | .005                     | 2.00                      | 560                      | 5.0                   | 12                                  | 169.7                      | 5.16                                | 4.09                                | 0.43             | 3.32                 | 27.15                         |
| 0.55             | 1.40                        | .005                     | 2.00                      | 560                      | 5.5                   | 12                                  | 140.5                      | 5.67                                | 4.32                                | 0.83             | 3.45                 | 24.68                         |

Field 2      30%

Field 3 22%

| INTAKE | DESIGN  | FURROW | FURROW  | FURROW | INFLOW | APPROXIMATE | ADVANCE | GROSS      | NET        |        | DEEP  | IRRIGATION |
|--------|---------|--------|---------|--------|--------|-------------|---------|------------|------------|--------|-------|------------|
| FAMILY | APPLIC. | SLOPE  | SPACING | LENGTH | RATE   | INFLOW TIME | TIME    | IRRIGATION | IRRIGATION | RUNOFF | PERC. | EFFICIENCY |
|        | Inches  | Ft/Ft  | Feet    | Feet   | Gpm    | Hours       | Minutes | Inches     | Inches     | Inches | In.   | %          |
| 0.70   | 1.40    | .005   | 2.00    | 550    | 10.0   | 12          | 67.2    | 10.50      | 6.60       | 3.57   | 5.53  | 13.33      |
| 0.70   | 1.40    | .005   | 2.00    | 550    | 9.0    | 12          | 76.9    | 9.45       | 6.38       | 2.70   | 5.35  | 14.82      |
| 0.70   | 1.40    | .005   | 2.00    | 550    | 8.0    | 12          | 90.9    | 8.40       | 6.12       | 1.84   | 5.16  | 16.67      |
| 0.70   | 1.40    | .005   | 2.00    | 550    | 7.0    | 12          | 112.7   | 7.35       | 5.79       | 1.01   | 4.94  | 19.05      |
| 0.70   | 1.40    | .005   | 2.00    | 550    | 6.5    | 12          | 128.7   | 6.82       | 5.60       | 0.60   | 4.82  | 20.51      |
| 0.70   | 1.40    | .005   | 2.00    | 550    | 6.0    | 12          | 150.2   | 6.30       | 5.36       | 0.21   | 4.69  | 22.22      |
| 0.70   | 1.40    | .005   | 2.00    | 550    | 5.5    | 12          | 180.4   | 5.77       | 5.36       | 0.21   | 4.69  | 22.22      |
| 0.70   | 1.40    | .005   | 2.00    | 550    | 5.0    | 12          | 224.6   | 5.25       | 5.36       | 0.21   | 4.69  | 22.22      |





**ASSOCIATED EARTH SCIENCES, Inc.**  
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July 6, 2003

Scott King  
Idaho Dept. of Water Resources  
301 N. Orchard St.  
Boise, ID 83706

Attached are copies of calculated values and support documentation for the George Colwell water rights 65-08627 and 65-03617. These values represent the changes initiated as a result of our May 15<sup>th</sup> field visit. I incorporated the intake family and corresponding application rates we discussed for the six problem fields. As you recall, Mr. Colwell and his irrigator stated that fields 3, 9, 10, 11, 17 & 18 were difficult to get water across even with extended sets. All other fields utilized the original soils values and efficiencies as per your optimum calculations. I highlighted in color the elements in the summary that are changed subsequent to our field visit.

All information is displayed in the "On-farm Requirement Summary" sheet. Field requirements for all fields are shown in the summary. It is supported by copies of FURROW runs for each field and the FIR spreadsheet for each water right. The final values are: 3617 (SNK)

***Water Right 65-08617 20.45 CFS 0.050 CFS per acre 2.49 miners inch***

***Water Right 65-08627 4.56 CFS 0.043 CFS per acre 2.17 miners inch***

The conveyance loss for these parcels is calculated based on the Tuthill loss rate of 29.3% of the field headgate requirement. The resulting value is as follows.

***Field headgate requirement of 25.01 X .293 = 7.33 CFS***

Please let me know if you see any discrepancies from our earlier calculations. These results should match up with your most recent runs we discussed. I have made several generations of Hubble evaluations and I want to be sure we have it correct in this final run.

Contact me at 850-4926 or phone or FAX at 939-8602.



HARLEY R. NOE  
Professional Soil Scientist

Attachments

# On-farm Requirement Summary

Water Right 65-03617

| Field Number | Adjusted Acres | Run Length | Set Time (hours) | Intake Family | Rep. Soil Series | MAD Value | Efficiency (%) | Total Field Req. (CFS) |
|--------------|----------------|------------|------------------|---------------|------------------|-----------|----------------|------------------------|
| 2            | 15.0           | 560        | 12               | 0.55          | Notus            | 1.4       | 30             | 0.65                   |
| 3            | 68.1           | 550        | 12               | 0.70          | Notus            | 1.4       | 22             | 4.01                   |
| 6            | 36.5           | 1040       | 12               | 0.55          | Notus            | 1.4       | 27             | 1.75                   |
| 7            | 5.6            | 720        | 12               | 0.55          | Notus            | 1.4       | 29             | 0.25                   |
| 9            | 28.1           | 650        | 12               | 0.70          | Notus            | 1.4       | 21             | 1.74                   |
| 10           | 46.6           | 600        | 12               | 0.70          | Notus            | 1.4       | 22             | 2.75                   |
| 11           | 54.7           | 840        | 12               | 0.70          | Notus            | 1.4       | 20             | 3.55                   |
| 12           | 36.9           | 480        | 12               | 0.55          | Moulton          | 2.3       | 48             | 0.97                   |
| 13           | 52.0           | 1040       | 12               | 0.55          | Moulton          | 2.3       | 44             | 1.49                   |
| 14           | 28.0           | 480        | 12               | 0.55          | Notus            | 1.4       | 29             | 1.25                   |
| 15           | 12.1           | 320        | 12               | 0.55          | Notus            | 1.4       | 26             | 0.60                   |
| 16           | 5.2            | 480        | 12               | 0.55          | Chance           | 2.3       | 48             | 0.14                   |
| 17           | 22.1           | 640        | 12               | 0.70          | Notus            | 1.4       | 22             | 1.30                   |

|              |              |  |  |  |  |  |  |              |
|--------------|--------------|--|--|--|--|--|--|--------------|
| <b>TOTAL</b> | <b>411.0</b> |  |  |  |  |  |  | <b>20.45</b> |
|--------------|--------------|--|--|--|--|--|--|--------------|

Total on-farm requirement for water right 65-03617 in miner's inches.

2.49

**Total requirement in CFS per acre**

**0.050**

*Items shown in orange are values changed from Scott King's calculations of March 26, 2003. All other values remain as per his calculations.*

Field 11 was calculated using half-length runs of 840 feet to derive useable values for efficiency.  
Revised calculations based on field visit w/ IDWR specialists on May 15, 2003.

**MEMORANDUM**

**RECEIVED**

**JUL 10 2003**

**WATER RESOURCES  
WESTERN REGION**

To: File, 65-3617 & 65-8627  
cc: Garrick Baxter  
From: Scott King   
Date: July 8, 2003

Subject: Associated Earth Sciences, Inc. final recommendations

Accompanying this memo are final field headgate requirement and conveyance loss calculations performed by Harley Noe of Associated Earth Sciences, Inc. My review indicates that the field headgate requirement calculations are based on an appropriately applied Hubble Analysis. Conveyance losses are based on the same 29.3 percent-of-field-headgate value that was previously determined and applied to several rights delivered in the Johnson-Higby Ditch, and agreed upon by both parties.