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JAN 29 2013

DEPT. OF WATER RESOURCES

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
Indent. Number 63-8478
Date Received _____
Receipt Number _____

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

RECEIVED

JAN 29 2013

Please type or print clearly

1. Name of Claimant(s) James L. Payne Phone: (208) 459-7984

DEPT. OF WATER RESOURCES

Mailing Address 23546 Hartley Lane, Middleton, ID Zip 83644

2. Date of Priority only (1) per claim) 2/18/1977

3. Source of water supply (a) Groundwater

which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 4N Range 3W Section 12,

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

Additional points of diversion if any: _____

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

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

Govt. Lot _____ B.M., County _____

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

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

5. Description of existing diversion works.

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 3/15 to 11/15 amount .01 cfs or 0.5 AFA
Stockwater purposes from 1/01 to 12/31 amount .02 cfs or 1.3 AFA

7. Total quantity claimed (a) 0.03 cfs (cfs) and/or (b) 1.8 (acre feet)

8. Total consumptive use claimed is N/A acre fee per annum.

9. Non-Irrigation uses

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

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

[illegible]

Total number of acres irrigated .1

11. In which county (ies) are lands listed above as place of use located? Canyon County
12. Do you own the property listed above as place of use? Yes X No
13. Other water rights used: Water is combined with water rights from ditch companies.
14. Remarks:

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

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

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

Signature or Claimant (s) Payne for James Date 4/25/13
Payne is
his attorney Date _____

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

of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____ and that the statements
contained in the foregoing document are true and correct.

Signature of Authorized Agent_____

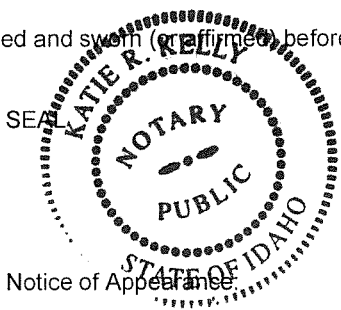
Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 25th day of January 2013



Notary Public Katie R. Kelly

Residing at Oasis, ID

My Commission Expires 2/20/14

16. Notice of Appearance

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

Signature [Signature]

Address Sawtooth Law Offices, PLLC, PO Box 7985, Boise, ID 83707

Date 1/25/13

Last Name James L. Payne Ident. Number 63-8478

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-08478

Priority: February 18, 1977

Maximum Diversion Rate:
Maximum Diversion Volume:

0.03 CFS
1.8 AF

This is to certify, that ED M PAYNE
JAMES L PAYNE

22748 BALLARD LN
CALDWELL ID 83605

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 18, 1977; and has submitted Proof of Beneficial Use on February 9, 1987. An examination indicates that the works have a diversion capacity of 0.100 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.01 CFS	0.5 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	1.3 AF
Totals		0.03 CFS	1.8 AF

LOCATION OF POINT(S) OF DIVERSION:

SENW , Sec. 12, Township 04N, Range 03W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N	03W	12	SENW	0.1		0.1

Total number of acres irrigated: 0.1

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.5 afa per acre for the lands above.
6. Stockwater use is for 100 range cattle.

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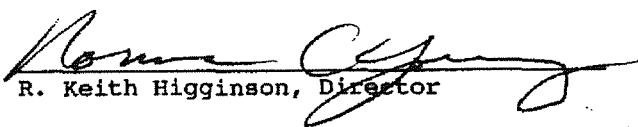
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-08478

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 4TH
day of April, 1995.

Acting for


R. Keith Higginson, Director



41395