

**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

Subcase No. 65-02927A

Standard Form 5

**STIPULATED ELEMENTS
OF A WATER RIGHT**

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, data, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

Thus, IDWR and the parties agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

This agreement also settles all claims and objections heretofore filed and identified as SRBA subcase numbers 65-02927E, 65-02927F, 65-02927G, 65-02927H, and 65-02927J. All parties agree to bear their own costs and attorney's fees in connection with this matter.

CLAIMANT:

United States on behalf of the
Bureau of Reclamation

David W. Gehlert Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Division

OBJECTORS:

Noble Ditch Company, Emmett Irrigation
District, Farmer's Cooperative Irrigation
Company, The Lower Payette Ditch
Company

Scott L. Campbell Date
Moffatt, Thomas, Barrett Rock & Fields,
Chtd.

Black Canyon Irrigation District

Charles F. McDevitt
McDevitt & Miller

Date

IDWR CONCURRENCE:

IDWR CONCURRENCE:

Date

Date

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

RIGHT NUMBER: 65-2927A
NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
REGIONAL DIRECTOR PN REGION
BUREAU OF RECLAMATION
1150 N CURTIS RD SUITE 100
BOISE ID 83706-1234

A BENEFICIAL USE OF A PORTION OF THE WATER REPRESENTED HEREBY IS MADE BY THE LANDOWNERS WITHIN BLACK CANYON IRRIGATION DISTRICT, EMMETT IRRIGATION DISTRICT, NOBLE DITCH COMPANY, FARMERS COOPERATIVE IRRIGATION COMPANY, THE LOWER PAYETTE DITCH COMPANY, AND BY INDIVIDUALS WHO HAVE ENTERED INTO CONTRACTS WITH THE UNITED STATES FOR IRRIGATION WATER FROM THIS STORAGE RESERVOIR. SUCH BENEFICIAL USE IS SUBJECT TO AND PURSUANT TO CONTRACT WITH THE UNITED STATES (AS MAY HEREAFTER BE SUPPLEMENTED OR AMENDED) FOR IRRIGATION AND OTHER PERMITTED PURPOSES AS AUTHORIZED BY LAW AND CONTRACTS.

SOURCE: NORTH FORK PAYETTE RIVER TRIBUTARY: PAYETTE RIVER

QUANTITY: 697,500.0 AFY

TOTAL RESERVOIR CAPACITY IS 700,000 ACRE FEET WHEN FILLED TO ELEVATION 4828 FEET AND MEASURED AT THE UPSTREAM FACE OF THE DAM. THIS TOTAL CAPACITY IS EQUAL TO THE COMBINED QUANTITIES OF WATER RIGHTS 65-2927A AND 65-2927B.

PRIORITY DATE: 12/24/1937

POINT OF DIVERSION:

T14N R03E S26 NENE Lot 1 Within VALLEY County

T14N R03E S26 NENE Lot 5 Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION STORAGE	1/01 12/31	697,500.00 AFY
IRRIGATION FROM STORAGE	1/01 12/31	697,500.00 AFY
POWER FROM STORAGE	1/01 12/31	697,500.00 AFY
POWER STORAGE	1/01 12/31	697,500.00 AFY
POWER GENERATION USE AT CASCADE DAM AND BLACK CANYON DAM.		

PLACE OF USE:

PLACE OF USE IS WITHIN VALLEY, BOISE, GEM, PAYETTE, WASHINGTON, CANYON AND ADA COUNTIES.

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 - Decreed

CERTIFICATE OF MAILING

I certify that on _____, 2002 mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to: Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Idaho Department of Water Resources
Adjudication Bureau
1301 North Orchard Street
Boise, Idaho 83706

U.S. Department of Justice
Environment and Natural Resources Div.
550 West Fort Street, MSC 033
Boise, Idaho 83724

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

Regional Director, PN Region Code 3100
U.S. Bureau of Reclamation
1150 N. Curtis Road, Suite 100
Boise, ID 83706-1234

Scott L. Campbell
Moffatt, Thomas, Barrett, Rock & Fields, Chtd.
U.S. Bank Plaza Building -10th Floor
Post Office Box 829
Boise ID 83701-0829

Charles F. McDevitt
McDevitt & Miller
537 W. Bannock, Suite 215
P. O. Box 2564
Boise ID 83701

David W. Gehlert

06/12/02 WED 14:38 FAX 2083341378

OFFICE OF SOLICITOR

002

DRAFT June 5, 2002s:\2kmc\KMC\SRBA\BOR Legal Issues\Title\settlement
offers\SF-5 65-02927 Cascade.upd**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

) Subcase No. 65-02927

)

) **Standard Form 5**

Case No. 39576

)

) **STIPULATED ELEMENTS
OF A WATER RIGHT**

)

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, data, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties agree to settle the Objectors objections to the Bureau of Reclamation's claim, # 65-02927, as described in the following remark as inserted in the water right attached:

A beneficial use of a portion of the water represented hereby is made by the landowners within Black Canyon Irrigation District, Emmett Irrigation District, Noble Ditch Company, Farmer's Cooperative Irrigation Company, and the Lower Payette Ditch Company and by individuals who have entered into contracts with the United States for irrigation water from this storage reservoir, subject to and pursuant to contract with the United States (as may hereafter be supplemented or amended) for irrigation and other permitted purposes as authorized by law and contracts.

Thus, IDWR and the parties agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages. All parties agree to bear their own costs and attorney's fees in connection with this matter. The issuance of this right does not grant any

06/12/02 WED 14:38 FAX 2083341378

OFFICE OF SOLICITOR

003

DRAFT June 5, 2002S:\2kmc\KMC\SRBA\BOR Legal Issues\Title\settlement
offers\SF-5 65-02927 Cascade.wpd

right-of-way or easement across the land of another.

CLAIMANT:United States on behalf of the
Bureau of Reclamation_____
David W. Gehlert Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Division**OBJECTORS:**Noble Ditch Company
Farmer's Cooperative Irrigation Company
The Lower Payette Ditch Company_____
Scott L. Campbell Date
Moffatt Thomas Barrett Rock & Fields, Cht.

Black Canyon Irrigation District

Charles F. McDevitt Date
McDevitt & Miller

Emmett Irrigation District

IDWR CONCURRENCE:_____
Date**IDWR CONCURRENCE:**_____
Date

06/12/02 WED 14:39 FAX 2083341378

OFFICE OF SOLICITOR

004

DRAFT June 5, 2002

S:\2kmc\KMC\SRBA\BOR Legal Issues\Title\settlement
offers\SF-5 65-02927 Cascade.wpdIDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHTS FROM: SOURCE: PAYETTE RIVER, NORTH FORK TRIBUTARY: PAYETTE RIVER

RIGHT NUMBER: 65-02927 B

NAME & ADDRESS: United States of America, acting through
Regional Director, PN Region
U.S. Bureau of Reclamation
1150 N. Curtis Road
Boise, ID 83706-1234

See Remark

SOURCE: PAYETTE RIVER, NORTH FORK TRIBUTARY: PAYETTE RIVER

QUANTITY: 2500.00 AFA

PRIORITY DATE: 12/24/1937

POINT OF
DIVERSION: T14N R03E S26 LOT 5 (NENE) Within VALLEY County
Lot 1 (NENE)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal Storage	01-01 12-31	2500.00 AFA
	Municipal From Storage		2500.00 AFY

PLACE OF USE: See Remarks

PLACE OF USE: Municipal Storage
Same as Other UsePLACE OF USE: Municipal Storage
Same as Other Use

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.

A BENEFICIAL USE OF A PORTION OF THE WATER REPRESENTED HEREBY
IS MADE BY THE LANDOWNERS WITHIN BLACK CANYON IRRIGATION DISTRICT,
EMMETT IRRIGATION DISTRICT, NOBLE DITCH COMPANY, FARMER'S COOPERATIVE
IRRIGATION COMPANY, AND THE LOWER PAYETTE DITCH COMPANY AND BY
INDIVIDUALS WHO HAVE ENTERED INTO CONTRACTS WITH THE UNITED STATES
FOR IRRIGATION WATER FROM THIS STORAGE RESERVOIR, SUBJECT TO AND
PURSUANT TO CONTRACT WITH THE UNITED STATES (AS MAY HEREAFTER BE
SUPPLEMENTED OR AMENDED) FOR IRRIGATION AND OTHER PERMITTED PURPOSES
AS AUTHORIZED BY LAW AND CONTRACTS.

06/12/02 WED 14:39 FAX 2083341378

OFFICE OF SOLICITOR

1005

DRAFT June 5, 2002S:\2kmc\KMC\SRBA\BOR Legal Issues\Title\settlement
offers\SF-5 65-02927 Cascade.wpd

The issuance of this right does not grant any right-of-way or
easement across the land of another.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

CERTIFICATE OF MAILING

I certify that on _____, 2002 mailed the original and copies of this form, including all attachments,
postage prepaid and addressed as follows:

1. Original to: Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Idaho Department of Water Resources
Adjudication Bureau
1301 North Orchard Street
Boise, Idaho 83706

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

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

3. Copies to all parties to the subcase (insert names and addresses):

U.S. Department of Justice
Environment and Natural Resources Div
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

David Barber
Deputy Attorney General
Office of the Attorney General
Environment & Natural Resources Div.
(at the address above)

Mr. Scott L. Campbell
Moffatt Thomas Barrett Rock & Fields, Chtd.
U.S. Bank Plaza Building -10th Floor
Post Office Box 829
Boise ID 83701-0829

Mr. Charles F. McDevitt
McDevitt Miller
P. O. Box 2564
Boise ID 83701

Emmett Irrigation District
222 East Park Street
Emmett, ID 83617

Signature of person or attorney mailing the form

RECEIVED

FEB - 9 2000

Department 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 SRBA

A. Subcase 65-02927A

(Insert water right number)

Case No. 39576

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Lower Payette Ditch CompanyAddress: 102 Main StreetPayette, ID 83661Daytime Phone: (208) 642-3866

Name & Address of Attorney, if any:

Scott L. Campbell and Angela D. SchaerElam & Burke, P.A.PO Box 1539Boise, ID 83701

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

Name: United States of AmericaAddress: Regional Director, PN RegionBureau of Reclamation1150 N. Curtis Road, Boise, ID 83706-1234

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: See Attachment A
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: See Attachment A
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: _____

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): See Attachment A

F. VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Ada)

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

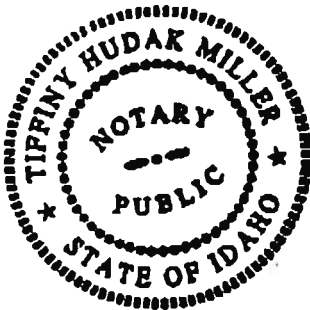
That I am the party/claimant filing this objection, as defined by I.C. 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Scott L. Campbell
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

FEB 03 2000



Tiffany Hudak Miller
Notary Public for Idaho
Residing at: 2014 ID
My Commission Expires: 9/16/03

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 February 9, 2000, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

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

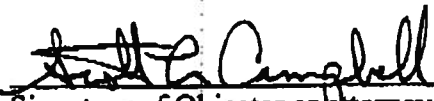
Name: United States of America
Address: Regional Director, PN Region
Bureau of Reclamation
1150 N. Curtis Road, Boise, ID 83706-1234

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
PO 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

ATTACHMENT A**OBJECTION TO 65-02927A****OBJECTION FILED BY
LOWER PAYETTE DITCH COMPANY**

Lower Payette Ditch Company has a contract with the Bureau of Reclamation for irrigation storage water from Cascade Reservoir. Lower Payette Ditch Company has a right to use 10,000.00 acre feet from Cascade Reservoir to irrigate 11,008.00 acres owned by landholders within the service area for Lower Payette Ditch Company. The Idaho Department of Water Resources has recommended that Lower Payette Ditch Company's water right claim for that amount of water, 65-02927H, be disallowed.

Lower Payette Ditch Company has filed an objection to that recommendation, and further objects to the recommendation for 65-02927A, because the Idaho Department of Water Resources indicated that claim number 65-02927H has been recommended as 65-02927A. Lower Payette Ditch Company asserts an ownership interest in 65-02927A to the extent that water right, as recommended, includes 65-02927H.

AJ0749NP
No. R65-02927A

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

DATE: 11/08/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA, ACTING THROUGH REGIONAL DIRECTOR, PN REGION BUREAU OF RECLAMATION 1150 N CURTIS RD BOISE ID 837061234 (208) 378-5155	12/26/1937	IRRIGATION STORAGE IRRIGATION FROM STORAGE POWER STORAGE POWER FROM STORAGE	01-01 12-31 01-01 12-31 01-01 12-31 01-01 12-31		697500.00 AFA 697500.00 AFA 697500.00 AFA 697500.00 AFA ----- TOTAL DIVERSION: 697500.00 AFA

Water Source: PAYETTE RIVER, NORTH FORK Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion: T14N ROSE S26 Lot01(NENE) Lot05(NENE)

VALLEY County

POU County:

Other Rights: 65-2288, 65-9481, 65-2917

Conditions of Approval:

- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS.

Remarks: USE POWER GENERATION USE AT CASCADE DAM AND BLACK CANYON DAM.

POU PLACE OF USE IS WITHIN VALLEY, BOISE, GEM, PAYETTE,
WASHINGTON, CANYON AND ADA COUNTIES.

Dates: Exam Made Date: Verified Date: 11/08/1999 Objection filed Date:

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

Comments: Date: 08/12/1999 User-ID: KWALKER Subject: COPIED FROM REMARKS
P/U IS LANDS ADJACENT TO THE CASCADE RESERVOIR; LANDS BELOW

Comments:

Date: 08/12/1999 User-ID: KWALKER Subject: COPIED FROM REMARKS
CASCADE DAM FURNISHED A FULL OR SUPPLEMENTAL SUPPLY BY
DIVERSION FROM THE PAYETTE RIVER; ALL LOCATED IN VALLEY, BOISE,
GEM, PAYETTE, WASHINGTON, CANYON, AND ADA COUNTIES.
SURFACE CAPACITY-- 653,200 ac-ft
INACTIVE CAPACITY-- 50,000 ac-ft
BANK STORAGE-- 42,000 ac-ft
TOTAL RES CAPACITY--745,200 ac-ft
150,000 IRR AC
POWERPLANT FOR THIS RIGHT IS LOCATED AT BLACK CANYON DAM ON THE
MAIN PAYETTE RIVER 5 MILES NE OF EMMETT, IDAHO.
THIS IS A MULTIYEAR STORAGE PROJECT

Date: 08/12/1999 User-ID: KWALKER Subject: RECOMMENDATIONS
RECOMMENDING AS DECREED IN PRBA. DAM SAFETY FILES DO NOT SHOW
ANY INCREASE IN STORAGE VOLUME. THERE IS A TRANSFER PENDING ON
THIS RIGHT. SEE TRANSFER NO. 4626 - COPY IN FILE FOR INFORMATION
PURPOSES.

Date: 09/22/1999 User-ID: JSHURTE Subject: USE REMARK ADDED
THE POWER GENERATION USE REMARK WAS ADDED PER A REQUEST FROM
GLEN SAXTON VIA THE BUREAU OF RECLAMATION. IT WAS REQUESTED TO
VERIFY THAT ALTHOUGH THE DIVERSION PT IS CASCADE RESERVOIR, THE
WATER RIGHT IS USED FOR POWER GENERATION AT BOTH CASCADE AND
BLACK CANYON DAMS. DAVE TUTHILL AND GLEN SAXTON BOTH AGREED TO
THIS CONDITION.

Date: 09/24/1999 User-ID: AJU10-US Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 11/08/1999 User-ID: RHOBERTO Subject: RESERVOIR CAPACITY
THE TOTAL RESERVOIR CAPACITY OF 700,000 AF CLAIMED IN WATER RIGHT
NUMBERS 65-02927A & 65-02927B, IS COMPUTED AT THE FACE OF THE DAM
BASED ON A RESERVOIR ELEVATION OF 4828.0'

Audit: 11/08/99 RHOBERTO

29-Sep-99

NOTICE OF ERROR
REPLY

RECEIVED

OCT 28 1999

WATER RESOURCES
WESTERN REGION

Please type or print clearly, fill out this form completely and mail.

Water right number: 65-02927A

UNITED STATES OF AMERICA, ACTING THROUGH
REGIONAL DIRECTOR, PN REGION
BUREAU OF RECLAMATION
BOISE ID 83706-1234

Daytime Telephone Number: 208-334-1464

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
Reclamation asserts that an additional remark is needed.

2. Describe the changes you wish to make in the proposed recommendation:

Include a remark stating: The total reservoir capacity of 700,000 acre-feet claimed in water right numbers 65-02927A and 65-02927B, is computed at the face of the dam, based on a reservoir elevation of 4,828.00."

3. Give a brief explanation as to why you disagree with these portions:

This remark assures that Reclamation can fill Cascade Reservoir to full capacity.

_____ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 10/28/99 SIGNATURE: _____

Please print your name: _____

Jerrold D. Gregg

AJ0749NP
No. R65-02927A

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

DATE: 09/22/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA, ACTING THROUGH REGIONAL DIRECTOR, PN REGION BUREAU OF RECLAMATION 1150 N CURTIS RD BOISE ID 837061234 (208) 378-5155	12/24/1937	IRRIGATION STORAGE IRRIGATION FROM STORAGE POWER STORAGE POWER FROM STORAGE	01-01 12-31 01-01 12-31 01-01 12-31 01-01 12-31		697500.00 AFA 697500.00 AFA 697500.00 AFA 697500.00 AFA
TOTAL DIVERSION:						697500.00 AFA

Water Source: PAYETTE RIVER, NORTH FORK Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion: T14N R03E S26 Lot01(NENE) Lot05(NENE)

VALLEY County

POU County:

Other Rights: 65-2288, 65-9481, 65-2917

Remarks: USE POWER GENERATION USE AT CASCADE DAM AND BLACK CANYON DAM.

POU PLACE OF USE IS WITHIN VALLEY, BOISE, GEM, PAYETTE,
WASHINGTON, CANYON AND ADA COUNTIES.

Dates: Exam Made Date: Verified Date: 09/22/1999 Objection Filed Date:

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

Comments: Date: 08/12/1999 User-ID: KWALKER Subject: COPIED FROM REMARKS
P/U IS LANDS ADJACENT TO THE CASCADE RESERVOIR; LANDS BELOW
CASCADE DAM FURNISHED A FULL OR SUPPLEMENTAL SUPPLY BY
DIVERSION FROM THE PAYETTE RIVER; ALL LOCATED IN VALLEY, BOISE,
GEM, PAYETTE, WASHINGTON, CANYON, AND ADA COUNTIES.
SURFACE CAPACITY-- 653,200 ac-ft
INACTIVE CAPACITY-- 50,000 ac-ft

Comments: Date: 08/12/1999 User-ID: KWALKER Subject: COPIED FROM REMARKS

BANK STORAGE-- 42,000 ac-ft
TOTAL RES CAPACITY--765,200 ac-ft
150,000 IRR AC
POWERPLANT FOR THIS RIGHT IS LOCATED AT BLACK CANYON DAM ON THE
MAIN PAYETTE RIVER 5 MILES NE OF EMMETT, IDAHO.
THIS IS A MULTIYEAR STORAGE PROJECT

Date: 08/12/1999 User-ID: KWALKER Subject: RECOMMENDATIONS
RECOMMENDING AS DECREED IN PRBA. DAM SAFETY FILES DO NOT SHOW
ANY INCREASE IN STORAGE VOLUME. THERE IS A TRANSFER PENDING ON
THIS RIGHT. SEE TRANSFER NO. 4626 - COPY IN FILE FOR INFORMATION
PURPOSES.

Date: 09/22/1999 User-ID: JSHURTE Subject: USE REMARK ADDED
THE POWER GENERATION USE REMARK WAS ADDED PER A REQUEST FROM
GLEN SAXTON VIA THE BUREAU OF RECLAMATION. IT WAS REQUESTED TO
VERIFY THAT ALTHOUGH THE DIVERSION PT IS CASCADE RESERVOIR, THE
WATER RIGHT IS USED FOR POWER GENERATION AT BOTH CASCADE AND
BLACK CANYON DAMS. DAVE TUTHILL AND GLEN SAXTON BOTH AGREED TO
THIS CONDITION.

Audit: 09/22/99 JSHURTE

Shurte, Jan

From: Saxton, Glen
Sent: Friday, September 10, 1999 3:46 PM
To: Tuthill, Dave
Cc: Young, Norm
Subject: RECOMMENDATION OF 65-02927A IN THE SRBA

A question was recently raised concerning whether the U.S. Bureau of Reclamation was authorized to generate power at Black Canyon Dam using water which has been stored in Cascade reservoir. The answer to this question required quite a bit of research.

To answer this question, I reviewed several pre-license documents and the Payette River adjudication claim which state that power is generated at both Cascade Dam and Black Canyon dam. Water right 65-02927A which represents the U.S. Bureau of Reclamation's water right in Cascade reservoir was decreed, however, generally describing the place of use as the "Payette River Valley." Black Canyon Dam is not specifically described as a place of use. The recommendation of the SRBA claim for this right also generally describes the place of use, in the remarks section, as "place of use is within Valley, Boise, Gem, Payette, Washington, Canyon and Ada counties." Norm Young has asked that the recommendation of the place of use for each type of use under this right be more specific in the SRBA to clarify that power generation is authorized at Black Canyon Dam.

Use Remark:

*In addition to Power generation at Cascade Dam and
this water is also used for power generation
at Black Canyon Dam.*

AJ0749NP
No. R65-02927A

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

DATE: 08/12/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD		DIVERSION RATE	DIVERSION VOLUME
				FROM	TO		
C	UNITED STATES OF AMERICA, ACTING THROUGH REGIONAL DIRECTOR, PN REGION BUREAU OF RECLAMATION 1150 N CURTIS RD BOISE ID 837061234 (208) 378-5155	12/24/1937	IRRIGATION STORAGE IRRIGATION FROM STORAGE POWER STORAGE POWER FROM STORAGE	01-01 01-01 01-01 01-01	12-31 12-31 12-31 12-31		697500.00 AFA 697500.00 AFA 697500.00 AFA 697500.00 AFA ----- 697500.00 AFA

Water Source: PAYETTE RIVER, NORTH FORK Tributary to: PAYETTE RIVER Stage: DECREED
Point(s) of Diversion: T14N R03E S26 Lot01(NEME) Lot05(NEME) VALLEY County

POU County:

Other Rights: 65-2288, 65-9481, 65-2917

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A65-02232 A65-02338A A65-02338X A65-02927A A65-02927B A65-02927C A65-02927D A65-02927E A65-02927F A65-02927G
A65-02927H A65-02927J A65-03580 A65-04031A A65-04031B A65-04031X A65-12096 R65-02232 R65-02338A R65-02338X
R65-03580 R65-04031A R65-04031B R65-04031X

Remarks: POU PLACE OF USE IS WITHIN VALLEY, BOISE, GEM, PAYETTE,
WASHINGTON, CANYON AND ADA COUNTIES.

Dates: Exam Made Date: Verified Date: 08/12/1999 Objection Filed Date:

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

Comments: Date: 08/12/1999 User-ID: KWALKER Subject: COPIED FROM REMARKS
P/U IS LANDS ADJACENT TO THE CASCADE RESERVOIR; LANDS BELOW
CASCADE DAM FURNISHED A FULL OR SUPPLEMENTAL SUPPLY BY
DIVERSION FROM THE PAYETTE RIVER; ALL LOCATED IN VALLEY, BOISE,

Comments: Date: 08/12/1999 User-ID: KWALKER Subject: COPIED FROM REMARKS

GEM, PAYETTE, WASHINGTON, CANYON, AND ADA COUNTIES.
SURFACE CAPACITY-- 653,200 ac-ft
INACTIVE CAPACITY-- 50,000 ac-ft
BANK STORAGE-- 42,000 ac-ft
TOTAL RES CAPACITY--745,200 ac-ft
150,000 IRR AC
POWERPLANT FOR THIS RIGHT IS LOCATED AT BLACK CANYON DAM ON THE
MAIN PAYETTE RIVER 5 MILES NE OF EMMETT, IDAHO.
THIS IS A MULTIYEAR STORAGE PROJECT

Date: 08/12/1999 User-ID: KWALKER Subject: RECOMMENDATIONS
RECOMMENDING AS DECREED IN PRBA. DAM SAFETY FILES DO NOT SHOW
ANY INCREASE IN STORAGE VOLUME. THERE IS A TRANSFER PENDING ON
THIS RIGHT. SEE TRANSFER NO. 4626 - COPY IN FILE FOR INFORMATION
PURPOSES.

Audit: 08/12/99 KWALKER

Walker, Kay

To: Shaff, Don

Subject: Rt. 65-02927A

Hi, Don... I am now reviewing the Bureau's right for power storage and power from storage at Cascade Reservoir. This is another one with no subordination clauses. Do I just recommend as previously decreed? Thought I would run it past you for input.

Thanks! Kay

Don - ANSWERED WITH NO SUBORDINATION CLAUSES.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A65-02927A

07:23:10
08/09/99
19

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
---------------	----------------	------------------	-----------	-----------------------	-------------------	---------------------

C	UNITED STATES OF AMERICA, ACTING THROUGH	12/24/1937	IRRIGATION STORAGE	01-01 12-31		745200.00 AFA
---	--	------------	--------------------	-------------	--	---------------

	IRRIGATION FROM STORAGE		01-01 12-31			745200.00 AFA
	POWER STORAGE		01-01 12-31			745200.00 AFA
	POWER FROM STORAGE		01-01 12-31			745200.00 AFA

TOTAL DIVERSION:
CONSUMPTIVE USE:

745200.00 AFA
745200.00 AFA
697500.

Water Source: PAYETTE RIVER, NORTH FORK
Tributary to: *Payette* ~~Snake~~ RIVER

Stage: DECREED

Point(s) of Diversion: T14N R03E S26 Lot05(*NENE* Lot01(NENE)

VALLEY County

POU County:

Non-Irrigation Uses: POWER

Other Rights: 65-2288, 65-9481, 65-2917

Remarks: GEN P/U IS LANDS ADJACENT TO THE CASCADE RESERVOIR; LANDS BELOW
CASCADE DAM FURNISHED A FULL OR SUPPLEMENTAL SUPPLY BY
DIVERSION FROM THE PAYETTE RIVER; ALL LOCATED IN VALLEY, BOISE,
GEN, PAYETTE, WASHINGTON, CANYON, AND ADA COUNTIES.

SURFACE CAPACITY-- 653,200 ac-ft
INACTIVE CAPACITY-- 50,000 ac-ft
BANK STORAGE-- 42,000 ac-ft
TOTAL RES CAPACITY-- 745,200 ac-ft
150,000 IRR AC
POWERPLANT FOR THIS RIGHT IS LOCATED AT BLACK CANYON DAM ON THE
MAIN PAYETTE RIVER 5 MILES NE OF EMMETT, IDAHO.
THIS IS A MULTIYEAR STORAGE PROJECT

Comments

Dates: Exam Made Date: Verified Date: Objection filed Date:

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

PAGE: 1
GENERAL INFORMATION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:22:22
08/09/99
1
CLAIM NUMBER: A65-02927A

LAST: AMERICA, ACTING THROUGH
ADDRESS: REGIONAL DIRECTOR, PN REGION
BUREAU OF RECLAMATION
1150 N CURTIS RD
CITY: BOISE
STATE: ID ZIP: 837061234
PHONE NUMBER: 208-378-5155

OWNER CODE: C
LAST: BOR
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000
STATE: ID ZIP: 0

OWNER CODE: K
LAST: US DEPT OF INTERIOR
ADDRESS: BUREAU OF RECLAMATION
PN REGIONAL OFFICE
1150 N CURTIS RD
CITY: BOISE
STATE: ID ZIP: 837061234
PHONE NUMBER: 208-378-5155

OWNER CODE: K
LAST: HAUGRUD, JACK OR G GARVER OR D ZANE
ADDRESS: US DEPT OF JUSTICE
ENV & NR DIV GEN LIT SEC
PO BOX 663
CITY: WASHINGTON
STATE: DC ZIP: 200440663
PHONE NUMBER: 202-272-4134

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE Y() N()
FIELD EXAMINER Y() N()

CLAIM REMARKS: GEN P/U IS LANDS ADJACENT TO THE CASCADE RESERVOIR. LANDS BELOW
CASCADE DAM FURNISHED A FULL OR SUPPLEMENTAL SUPPLY BY
DIVERSION FROM THE PAYETTE RIVER. ALL LOCATED IN VALLEY, BOISE,
GEM, PAYETTE, WASHINGTON, CANYON, AND ADA COUNTIES.
SURFACE CAPACITY-- 50,000 ac-ft
INACTIVE CAPACITY-- 42,000 ac-ft
BANK STORAGE-- 150,000 IRR AC
TOTAL RES CAPACITY--745,200 ac-ft

CLAIM REMARKS (CONT'D):

POWERPLANT FOR THIS RIGHT IS LOCATED AT BLACK CANYON DAM ON THE
MAIN PAYETTE RIVER 5 MILES NE OF EMMETT, IDAHO.
THIS IS A MULTIYEAR STORAGE PROJECT

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____) TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

in office building

A. AJ CLAIM: # A65-02927A PRIORITY DATE: 12-24-1937 STAGE: D

B. WR RECORD: # 65-02927A PRIORITY DATE: 12-24-1937 STAGE: D

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:

all previously decided

RECOMMENDED PRIORITY DATE:

12-24-1937

REVIEWED BY

fw

DATE

8/12/99

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-02927A	14N 03E	26		NE	NE	5		VALLEY		
A65-02927A	14N 03E	26		NE		1		VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX

R PREFIX

*

R65-02232

R65-02338A

R65-02338X

R65-03580

R65-04031A

R65-04031B

R65-04031X

WR RECORDS IN SAME 40 ACRE TRACT

* 16 A PREFIX CLAIMS WITH THIS POD

*** 13 WR RECORDS IN SAME 40 ACRE TRACT

SOURCE: PAYETTE RIVER, NORTH FORK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-02927A	14N 03E	26		NE	NE	5		VALLEY		
65-02927A	14N 03E	26		NE		1		VALLEY		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX

R PREFIX

65-02232

65-02338A

65-02927B

65-03580

65-04031A

65-04031B

65-04031X

65-13619

T65-02927A

T65-02927B

T65-02927C

T65-02927D

R65-02232

R65-02338A

R65-02338X

R65-03580

R65-04031A

R65-04031B

R65-04031X

***** 16 A PREFIX CLAIMS IN SAME 40 ACRE TRA

SOURCE: PAYETTE RIVER, NORTH FORK

TRIB: PAYETTE RIVER

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: phish check

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

TP.	RGE.	SEC.	1/4	LOT	PUD	FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
14N	03E	26	NE	5			VALLEY		
14N	03E	26	NE	1			VALLEY		

SOURCE: Payette B., N.E.K. TRIB: Payette R.

REVIEWED BY: EW DATE: 8/12/99

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

A. ROOT WATER RIGHT NUMBERS:

A65-02927A
A65-02927B
A65-02927C
A65-02927D
A65-02927E
A65-02927F
A65-02927G
A65-02927H
A65-02927J

to be disallowed & recommended
as this right

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
ADDITIONAL POU FOUND											

TOTAL ACRES	A65-02927A
-------------	------------

POU COUNTY:

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 ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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

Y() N() ☒

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 65-2288, 65-9481, 65-2917

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() ☒

A. AU CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-02927A IRRIGATION STORAGE	FROM 01-01 TO 12-31		745200.00 AF/A
A65-02927A IRRIGATION FROM STORAGE	FROM 04-01 TO 11-01		745200.00 AF/A
A65-02927A POWER STORAGE	FROM 01-01 TO 12-31		745200.00 AF/A
A65-02927A POWER FROM STORAGE	FROM 01-01 TO 12-31		745200.00 AF/A

TOTAL DIVERSION RATE/VOLUME 745200.00 AF/A

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-02927A IRRIGATION STORAGE	FROM 01-01 TO 12-31		697500.00 AF/A
65-02927A IRRIGATION FROM STORAGE	FROM 01-01 TO 12-31		697500.00 AF/A
65-02927A POWER STORAGE	FROM 01-01 TO 12-31		697500.00 AF/A
65-02927A POWER FROM STORAGE	FROM 01-01 TO 12-31		697500.00 AF/A

TOTAL DIVERSION RATE/VOLUME 697500.00 AF/A

- 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:

Claimants claimed 47,700 #L more than amount decided. Reopened dam safety file and spoke with John Webster regarding this increase in volume. Webb had not increased in the size. Reopened and previously decided.

AJ CLAIM TOTAL DIVERSION RATE:

CFS

WR ROOT RIGHT TOTAL DIVERSION RATE:

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 _____, SEE ATTACHED CALCULATIONS.

F.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)

1b. CALCULATIONS

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()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 745200.00 AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 745200.0 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 ()

NOTES:

*Decommend all personally
decided*

MR. RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION STORAGE	01-01 12-31	DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
IRRIGATION FROM STORAGE	~~04-01~~ 11-01 / 12-31	~~745200-00~~	~~745200-00~~ 697500.	~~745200.0~~
POWER STORAGE	01-01 12-31	~~745200-00~~	~~745200-00~~ 11	~~745200.0~~
POWER FROM STORAGE	01-01 12-31	~~745200-00~~	~~745200-00~~ 11	~~745200.0~~
TOTAL FOR THIS RIGHT		~~745200-00~~ N/A	697500.	~~745200.0~~ N/A
NON-IRRIGATION USES CLAIMED: POWER				
NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()				

REVIEWED BY: ECB

DATE: 8/12/99

FLAG: _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE): _____

EXPLANATORY CONDITIONS (CODE): _____

EXPLANATORY REMARKS (CODE): _____

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED
AS CLAIMED ☒ ()
NEEDS REVIEW ☒ ()
() ()
() ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-02927 *BT*

DATABASE

EXAMINER

TOTAL DIVERSION RATE OF WR SPLITS

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-02927A		-		65-02927	
-	A65-02927B		-		65-02927A	697500.
-	A65-02927C		-		65-02927B	2500.
-	A65-02927D		-			
-	A65-02927E		-			
-	A65-02927F		-			
-	A65-02927G		-			
-	A65-02927H		-			
-	A65-02927J		-			
TOTAL CFS						709000.0 AFA

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 ()?

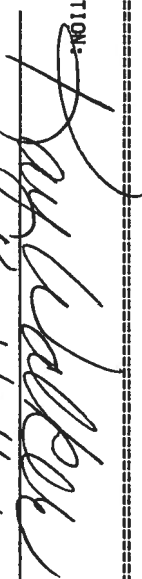
DATABASE
Y

FIELD
EXAMINER
Y () N ()

NOTES:

AUTHENTICATION:

SIGNATURE:



DATE:

8/12/99

NAME OF FIELD EXAMINER:

KAY W/4/1501

TITLE:

Sr. 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
IN FILE?

☐ ORTHOPHOTOQUAD	DATE OF PHOTO	IDWR ID NO.	Y() N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED	IDWR ID NO.	Y() N()
☐ NAPP	DATE OF PHOTO	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	1890	Y() N()
☐ SCS SOIL SURVEY MAP	DATE ISSUED		Y() N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP		Y() N()
☐ OTHER	DATE		Y() N()
☐ OTHER	DATE		Y() N()
☐ OTHER	DATE		Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

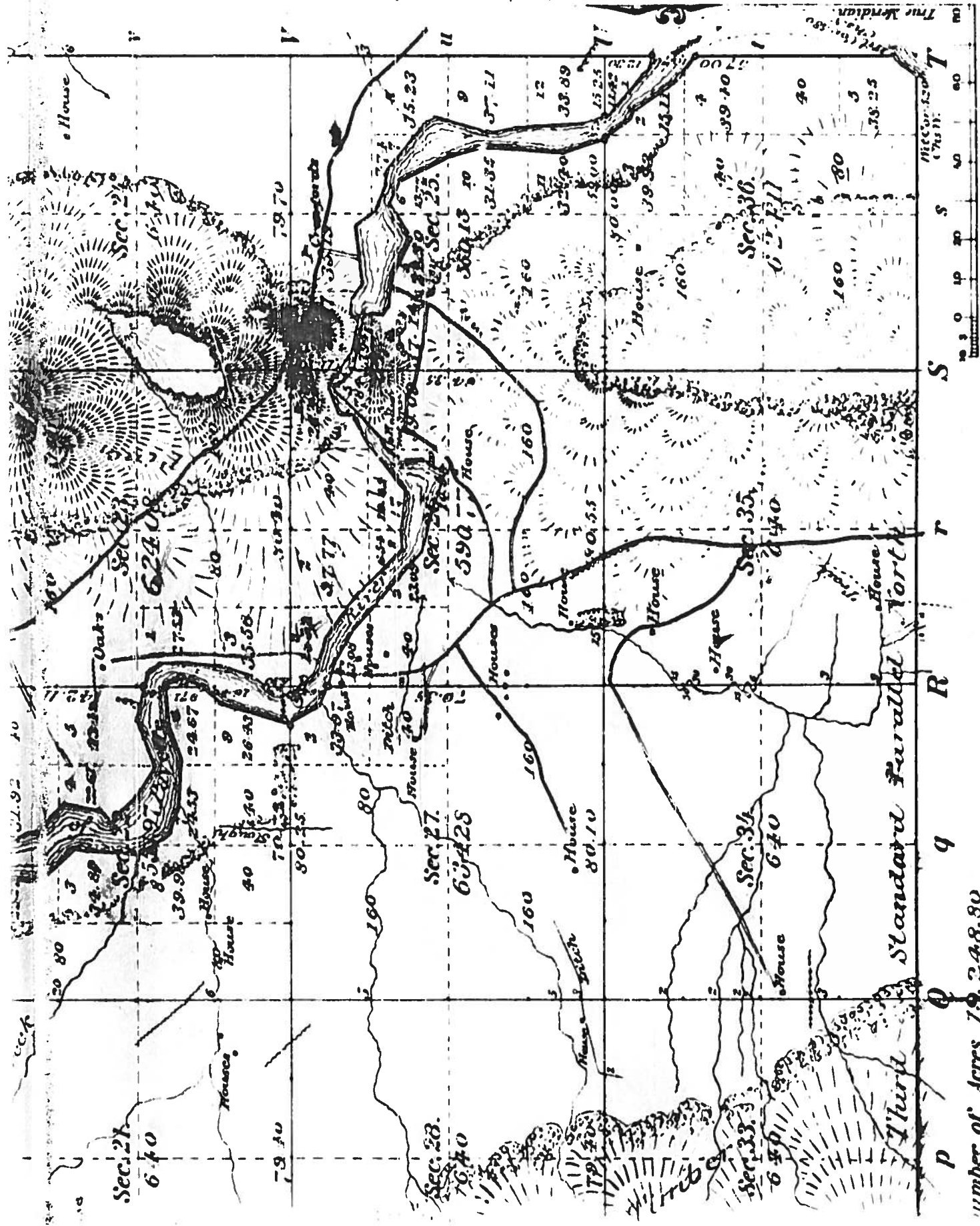
IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NO. OF
PAGES

NOTES

☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM		
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED		
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED		
☐ SYSTEM DESCRIPTION	DATE DRAIN		
☐ 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		
☒ OTHER <i>Dam Safety Records</i>	<i>1981, 1987, 1995</i>	<i>5</i>	
☐ OTHER	DATE		

14N-3E (1890)



Number of Acres 19248.80.

When Surveyed	Mean Declination

The above Map of Township 14 North, Range 1 East.

To S.O. 7-2-81

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECORD OF INSPECTION OF DAM

Name of dam: CASCADE Stream: N FK PAYETTE RIVER ☐ Offstream

Name of owner: U.S. B. R.
WATER & POWER RES SERV Location: SEC 26 14N-3E

Individuals accompanying inspector: NONE

Reservoir characteristics: Dam height 77' ST Surface area 28300 AC Storage capacity 103000 AC-FT

Hazard class: HIGH (NO CHANGE) Photographs: YES

CONDITION OF EMBANKMENT OR STRUCTURE: CREST LENGTH $\approx$ 700 FEET

Type: ☒ Earth ☐ Rockfill ☐ Conc. arch ☐ Conc. gravity ☐ Timber crib ☐ Other _____

	UPSTREAM SLOPE	CREST	DOWNSTREAM SLOPE	TOE AREA
Surface cover material	<u>ROCK RIPRAP</u>	<u>GRAVEL ROAD</u>	<u>ROCK RIPRAP</u>	
Growth	<u>NONE</u>	<u>→</u>	<u>MINOR WEEDS + BRUSH</u>	
Settlement or cracks	<u>NONE</u>	<u>→</u>	<u>→</u>	
Surface erosion	<u>NONE</u>	<u>→</u>	<u>→</u>	
Debris	<u>NONE</u>	<u>→</u>	<u>→</u>	
Animal burrows	<u>NONE NOTED</u>	<u>→</u>	<u>→</u>	
Crest width and slope measurements	<u>35% $\approx$ 3:1</u>	<u>40' WIDE</u>	<u>40% 2.5:1</u>	

CONDITION OF OUTLET WORKS: GOOD

Location: ☐ Left side ☐ Center ☒ Right side ☐ Other _____

Description and condition: GATES ON BOTH UPPER + LOWER END OF CONDUIT

Gate hoist: ☐ Manual ☒ Electric ☐ Other _____

Stem: ☐ Inclined from entrance to crest ☒ Vertical on tower at entrance
☐ Vertical through dam from crest ☒ Downstream valve

Entrance: SUBMERGED Outlet: GOOD - RELEASING WATER

CONDITION OF SPILLWAY: GOOD - RADIAL GATES RAISED $\approx$ 1-2' AND ALL FLOW GOING UNDERWEATH GATES

Location: ☐ Left abutment ☒ Right abutment ☐ Away from dam ☐ Other _____

2-24' WIDE RADIAL GATES

Base width $\approx$ 40' Freeboard at crest $\approx$ 12' Sideslope VERT Channel slope STEEP Fetch SEVERAL MILE

Overflow channel: ☒ Well defined ☒ Flow directed away from toe ☐ Flow could reach toe

Erosion control present: CONCRETE SPILLWAY Erosion present: NONE

Maintenance condition: Debris NONE Growth NONE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
RECORD OF INSPECTION OF DAM

Name of dam: CASCADE Stream: N FK PAYETTE RIVER ☐ Offstream

Name of owner: USBR Location: 26-14N-3E

Individuals accompanying inspector: CURTIS CARNEY - MANAGER

Reservoir characteristics: Dam height 78 FT Surface area 28300 AC Storage capacity 103200 AC-FT

Hazard class: HIGH Photographs: YES

CONDITION OF EMBANKMENT OR STRUCTURE: ☐ Poor ☐ Fair ☐ Good ☐ Excellent

Type: ☒ Earth ☐ Rockfill ☐ Conc. arch ☐ Conc. gravity ☐ Timber crib ☐ Other _____

	UPSTREAM SLOPE	CREST	DOWNSTREAM SLOPE	TOE AREA
Surface cover material	ROCK RIPRAP	GRAVEL ROAD	ROCK	
Growth	NONE			GRASS + WEEDS
Settlement or cracks	NONE NOTED			
Surface erosion	NONE NOTED			
Debris	NONE NOTED			
Animal burrows	NONE NOTED			
Crest width and slope measurements	3:1	±40 FT WIDE	2.5:1	

CONDITION OF OUTLET WORKS: ☐ Poor ☐ Fair ☒ Good ☐ Excellent

Location: ☐ Left side ☐ Center ☒ Right side ☐ Other _____

Description and condition: 12 FT DIA OUTLET GATED ON BOTH ENDS.

Gate hoist: ☐ Manual ☒ Electric ☐ Other _____

Stem: ☐ Inclined from entrance to crest ☐ Vertical on tower at entrance
☐ Vertical through dam from crest ☐ Downstream valve

Entrance: SUBMERGED Outlet: GOOD - WATER BEING RELEASED
THRU POWERHOUSE.

CONDITION OF SPILLWAY: ☐ Poor ☐ Fair ☒ Good ☐ Excellent

Location: ☐ Left abutment ☒ Right abutment ☐ Away from dam ☐ Other _____

2-24 FT WIDE RADIAL GATES - 20 FT HIGH.
Base width ±48 FT Freeboard at crest ±12 FT Sideslope VERT Channel slope STEEP Fetch SEVERAL
MILES

Overflow channel: ☒ Well defined ☒ Flow directed away from toe ☐ Flow could reach toe

Erosion control present: CONCRETE CHANNEL Erosion present: NONE NOTED
W/ ROCK BELOW

Maintenance condition: Debris NONE Growth NONE

GENERAL CONDITION AND DESCRIPTION OF DAM: GOOD - DAM IS WELL MAINTAINED.

NO PROBLEMS NOTED. MR. CARNET INDICATED THAT VALVES ON 3 IN.

WATERLINE ACROSS DAM CREST HAVE NOT YET BEEN REPLACED AND IF PIPE

LEAKED OR FAILED IT COULD CAUSE CONSIDERABLE DAMAGE TO THE DAM BEFORE

IT IS DETECTED. (SEE JOHN MITCHELL'S 8/26/86 REPORT, #9).

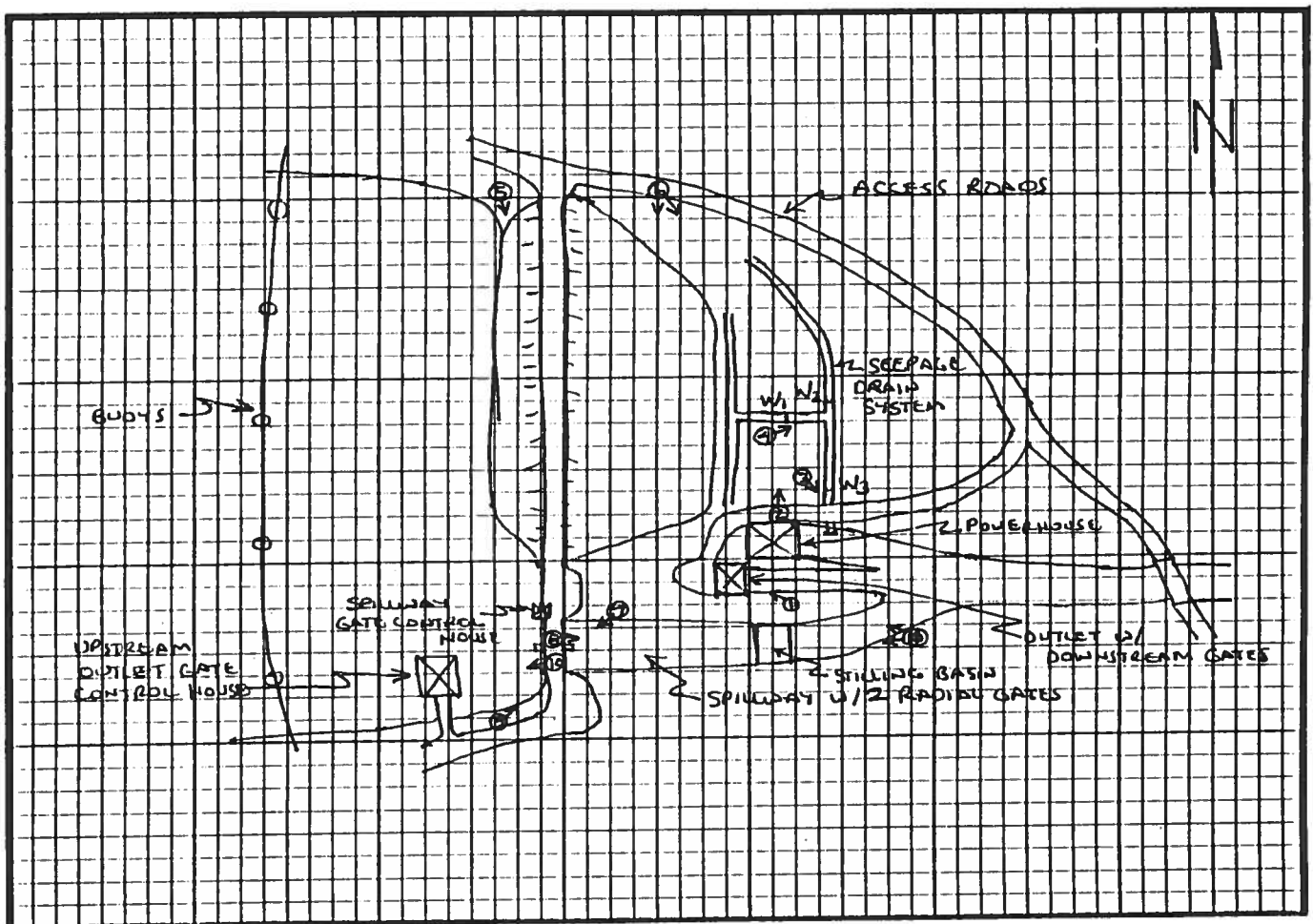
INSTRUMENTATION READINGS (Piezometer, Seepage measurement, Alignment, Elevation, etc.)

(W₁, W₂)

(W₃)

UPPER 2 WEIRS IN TOE AREA DRY. LOWER WEIR FLOW SEVERAL GPM, ≈ .10 FT.

SKETCH OF DAM SHOWING LOCATION OF SPILLWAY AND OUTLET WORKS AND ANY MAINTENANCE PROBLEMS:



RECOMMENDATIONS: ISSUE STORAGE CERTIFICATE FOR TWO-YEAR PERIOD.

MAINTENANCE: ROUTINE MAINTENANCE ONLY. ALSO, REPLACE VALVES

IN WATERLINE ACROSS DAM CREST

1995

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES RECORD OF INSPECTION OF DAM

Name of dam: Cascade Stream: N. Frk. Payette River ☐ Offstream

Name of owner: USBR Location: 26-14N-03E

Individuals accompanying inspector: See attached sheet

Reservoir characteristics: Dam height 78 Ft Surface area 28,300 Storage capacity 703,200 Ac-Ft

Hazard class: High Photographs: yes

CONDITION OF EMBANKMENT OR STRUCTURE: ☐ Poor ☐ Fair ☒ Good ☐ Excellent

Type: ☒ Earth ☐ Rockfill ☐ Conc. arch ☐ Conc. gravity ☐ Timber crib ☐ Other _____

	UPSTREAM SLOPE	CREST	DOWNSTREAM SLOPE	TOE AREA
Surface cover material	<u>Rock riprap</u>	<u>Asphalt Rd</u>	<u>Rock riprap</u>	<u>Earth</u>
Growth	<u>None</u>	<u>None</u>	<u>None</u>	<u>Pasture grasses</u>
Settlement or cracks	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
Surface erosion	<u>None</u>	<u>None</u>	<u>Several bare riprap areas</u>	<u>None</u>
Debris	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
Animal burrows	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
Crest width and slope measurements	<u>3:1</u>	<u>± 40 Ft</u>	<u>2.5:1</u>	

CONDITION OF OUTLET WORKS: ☐ Poor ☐ Fair ☒ Good ☐ Excellent

Location: ☐ Left side ☐ Center ☒ Right side ☐ Other _____

Description and condition: 12 Ft Dia GATE Both sides

Gate hoist: ☐ Manual ☒ Electric ☐ Other _____

Stem: ☐ Inclined from entrance to crest ☐ Vertical on tower at entrance

☐ Vertical through dam from crest ☐ Downstream valve

Entrance: submerged Outlet: good - releasing thru powerhouse

CONDITION OF SPILLWAY: ☐ Poor ☐ Fair ☒ Good ☐ Excellent

Location: ☐ Left abutment ☒ Right abutment ☐ Away from dam ☐ Other _____

Base width _____ Freeboard at crest 12 Ft Sideslope vert Channel slope steep Fetch several miles
2-24 Ft Radial gates

Overflow channel: ☒ Well defined ☒ Flow directed away from toe ☐ Flow could reach toe

Erosion control present: concrete chute w/rock Erosion present: None

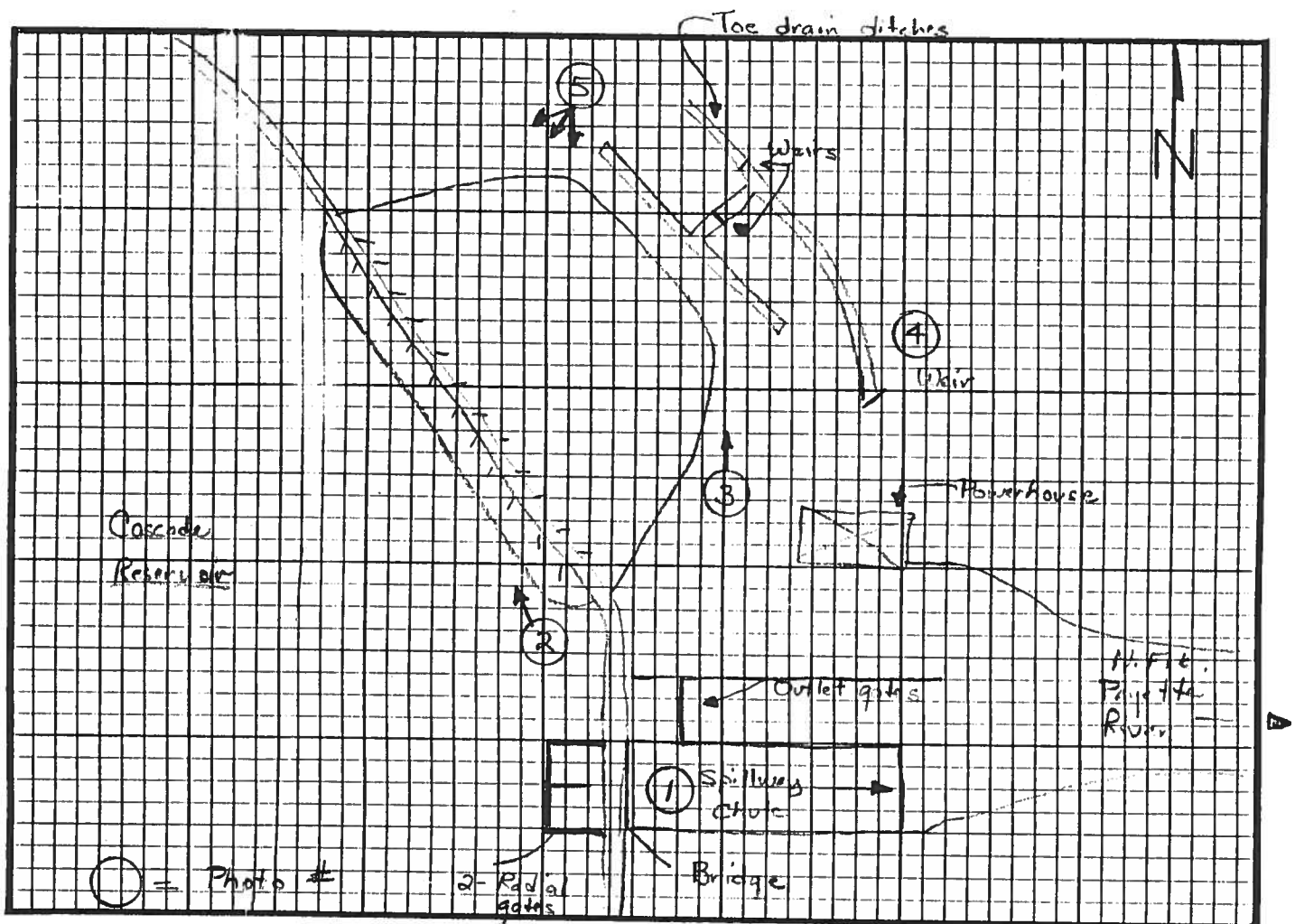
Maintenance condition: Debris None Growth None

GENERAL CONDITION AND DESCRIPTION OF DAM: See attachment

INSTRUMENTATION READINGS (Piezometer, Seepage measurement, Alignment, Elevation, etc.)

taken regularly by BOR

SKETCH OF DAM SHOWING LOCATION OF SPILLWAY AND OUTLET WORKS AND ANY MAINTENANCE PROBLEMS:



RECOMMENDATIONS: See attachment

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 232

INDICATES TOTAL

SOURCE: NORTH FORK, PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-9080	CULWELL, DELBERT E. 4114 HILL ROAD, BOISE, IDAHO 83703 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-9081 SHALL PROVIDE FOR DOMESTIC NO MORE THAN .04 CFS NOR 1.2 AFA.	6/ 1/1924	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NESW S 8 T18N R 3E	NESW S 8 T18N R 3E	BENEFICIAL USE
65-2318X	IDAHO POWER COMPANY 1220 IDAHO STREET, BOISE, IDAHO 83706	10/ 6/1925	POWER	1/ 1 12/31	--- AFA 25.00 CFS	LOT 1 S26 T14N R 3E	LC12 S25 T14N R 3E	LICENSE
65-2338A	IDAHO POWER COMPANY 1220 IDAHO STREET, BOISE, IDAHO 83706	8/24/1937	POWER	1/ 1 12/31	--- AFA 125.00 CFS	LOT 1 S26 T14N R 3E	LC12 S25 T14N R 3E	LICENSE
65-2927	U. S. DEPT. OF INTERIOR BUREAU OF RECLAMATION, ATTN: 424 BOX 043, 550 WEST FORT STREET, BOISE, IDAHO 83724 REMARKS: PLACE OF USE IS PAYETTE RIVER VALLEY.	12/24/1937	POWER STORAGE	1/ 1 12/31	700000.00 AFA --- CFS	LOT 1 S26 T14N R 3E LOT 5 S26 T14N R 3E	SAME AS OTHER USE	LICENSE
65-10374	KUHLAUD, LEONARD BOX 809, MC CALL, IDAHO 83638	6/ 1/1949	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	LOT 3 S 8 T18N R 3E	LC13 S 8 T18N R 3E	BENEFICIAL USE
65-2534	PANCHERI, DARWIN G. PANCHERI, L CAN L. G PANCHERI, DLANE G PANCHERI, LAURA MILWA, IDAHO 83641 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-1125C SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	7/21/1950	IRRIGATION	4/15 10/15	--- AFA 10.00 CFS	SWNE S 6 T13N R 4E	NESW(15) NESE(5) N4SE(126) SWSE(118) SESE(4) LOT13(2) S 6 T13N R 4E NENE(15) N4NE(30) SWNE(40) SESE(21) NENH(4) SENH(13) NESW(18) SESW(9) NESE(33) NWSE(40) SWSE(38) SESE(37) S 7 T13N R 4E LC11(9) LC11(9) S 5 T13N R 4E	LICENSE

*700000.00+AFA
+---*CFS

*386+

SD-0853
INQUIRY

Idaho Department of Water Resources
Transfer Remarks Screen

Date: 08/09/99
Time: 07:47:36

Transfer Number: 4626

FIRST PAGE

Remarks:

HELD IN ABEYANCE until 07-01-1999 per Idaho Code, 42-1763B
(Effective 07-01-1996) & ORDER STAYING PROCEEDINGS dated 06-1996.

temporary inactivity

(GOLD4=Prev Screen)
(GOLD5=Next Screen)

(GOLD6=End of Data)

(Enter=Exit)
(GOLD8=Cancel)

MAY 15 1995

Department of Water Resources

Transfer No. 4626

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant United States of America, Acting through the Regional Director
Pacific Northwest Region, Bureau of Reclamation

Phone 208-378-5322

Post Office address 1150 North Curtis Road, Boise, Idaho 83706-1234

DESCRIPTION OF RIGHT(S) AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of use	Period of Use
<u>65-02927A</u>	<u>12-24-1937</u>	<u>697,500 ac-ft</u>	<u>IRRIGATION STORAGE</u>	<u>01/01 to 12/31</u>
<u>65-02927A</u>	<u>12-24-1937</u>	<u>697,500 ac-ft</u>	<u>IRRIGATION FROM STORAGE</u>	<u>01/01 to 12/31</u>
<u>65-02927A</u>	<u>12-24-1937</u>	<u>697,500 ac-ft</u>	<u>POWER STORAGE</u>	<u>01/01 to 12/31</u>
<u>65-02927A</u>	<u>12-24-1937</u>	<u>697,500 ac-ft</u>	<u>POWER FROM STORAGE</u>	<u>01/01 to 12/31</u>
<u>65-02927A</u>	<u>12-24-1937</u>	<u>697,500 ac-ft</u>	<u>SEE ATTACHMENT A</u>	<u>01/01 to 12/31</u>

Total amount of water being transferred _____ cubic feet/second and/or * 697,500 ac-ft * acre-feet per annum.

*** See Note #1 ***

Source of water North Fork Payette River tributary to Payette River

Point(s) of Diversion: N/A *(If additional space is needed, use back of Part 2)*

[illegible]

Lands irrigated or Place(s) of Use: N/A *(If additional space is needed, use back of Part 2)*

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Utilizing reservoirs and downstream channels to the stateline at Lewiston																			

Total acres	
-------------	--

Pending

**Application for Transfer of Water Right
Attachment A**

Nature of Use, Part 1, page one

As an additional use added to those already of record for each right referenced in Attachments A and C, the following:

CONSERVATION STORAGE for Idaho fish and wildlife, including anadromous Idaho reared salmonids and mollusks.

CONSERVATION FROM STORAGE for Idaho fish and wildlife, including anadromous Idaho reared salmonids and mollusks.

AVOIDANCE OF JEOPARDY STORAGE for threatened or endangered anadromous Idaho reared salmonids.

AVOIDANCE OF JEOPARDY FROM STORAGE for threatened or endangered anadromous Idaho reared salmonids through augmentation of Snake River instream flows.

PROTECTION OF CRITICAL HABITAT STORAGE for threatened or endangered anadromous Idaho reared salmonids and mollusks.

PROTECTION OF CRITICAL HABITAT FROM STORAGE for threatened or endangered anadromous Idaho reared salmonids through augmentation of Snake River instream flows.

CONTRIBUTION TO T & E RECOVERY STORAGE for threatened or endangered anadromous Idaho reared salmonids.

CONTRIBUTION TO T & E RECOVERY FROM STORAGE for threatened or endangered anadromous Idaho reared salmonids through augmentation of Snake River instream flows.

All uses described supra inure substantially to the benefit of Idaho residents and occur substantially within the State of Idaho. For threatened or endangered salmonids, benefits will accrue in Idaho and other places, with water use occurring in the Snake and Columbia Rivers.

Application for Transfer of Water Right

Note #1

A total of no more than 427,000 acre feet of water would be released during any water year from the aggregate of all rights delineated in the Applications for Transfer of Water Rights and the Applications for Amendment of Permit filed contemporaneously herewith. The source of 427,000 acre feet of water each water year would be a mixture of uncontracted water and contracted water made available from willing contracting entities utilizing appropriate state procedures such as local rental pools. Although the attached applications amount, in the aggregate, to approximately 5.2 million acre feet of storage space, in the event the United States desired to draw more than 427,000 acre feet in a given water year for the purposes described herein, the United States recognizes that such additional water would not be available by virtue of any change in use granted in response to these applications.

PART 2

TRANS NO.

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 65-02927A

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION STORAGE	01/01 to 12/31		697500.0 AF
IRRIGATION FROM ST	01/01 to 12/31		697500.0 AF
POWER STORAGE	01/01 to 12/31		697500.0 AF
POWER FROM STORAGE	01/01 to 12/31		697500.0 AF
Totals			697500.0 AF

SOURCETRIBUTARY OF

PAYETTE RIVER, NORTH FORK

PAYETTE RIVER

Priority: 12/24/1937

LOCATION OF POINT(S) OF DIVERSION: Lot 5(), Sec. 26, Township 14N, Range 03E
Lot 1(NENE), Sec. 26, Township 14N, Range 03E
VALLEY County

PLACE OF USE: See RemarksCONDITIONS/REMARKS:

1. THIS RT. IS FOR STORAGE OF WATER IN CASCADE RESERVOIR.

Proposed conditions of water use:

See Attachment B

General Information:

Purpose of Transfer

☐ Change point(s) of diversion	☐ Add diversion point(s)	☐ Add & Change point(s) of diversion
☐ Change place of use	☐ Change nature of use	☐ Add point diversion & Change place of use
☐ Change period of use	☒ Other <u>Add Places & Natures of Use</u>	☐ Change point diversion & place use

Describe the reason for the proposed changes:

See Attachment B

If the place of use of the water right(s) is changed, complete the following:

1. Provide evidence of water right ownership:

2. Is the land from which you propose to transfer the water right subject to any liens, deeds of trust mortgages, or contracts? N/A If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

3. Identify all other water rights used on the lands affected by this transfer application (original and new lands).

No affected lands are identifiable; this transfer relates primarily to reservoir storage.

Application for Transfer of a Water Right
Attachment B

Reasons for Transfer of Water Right
Top of Page 2.

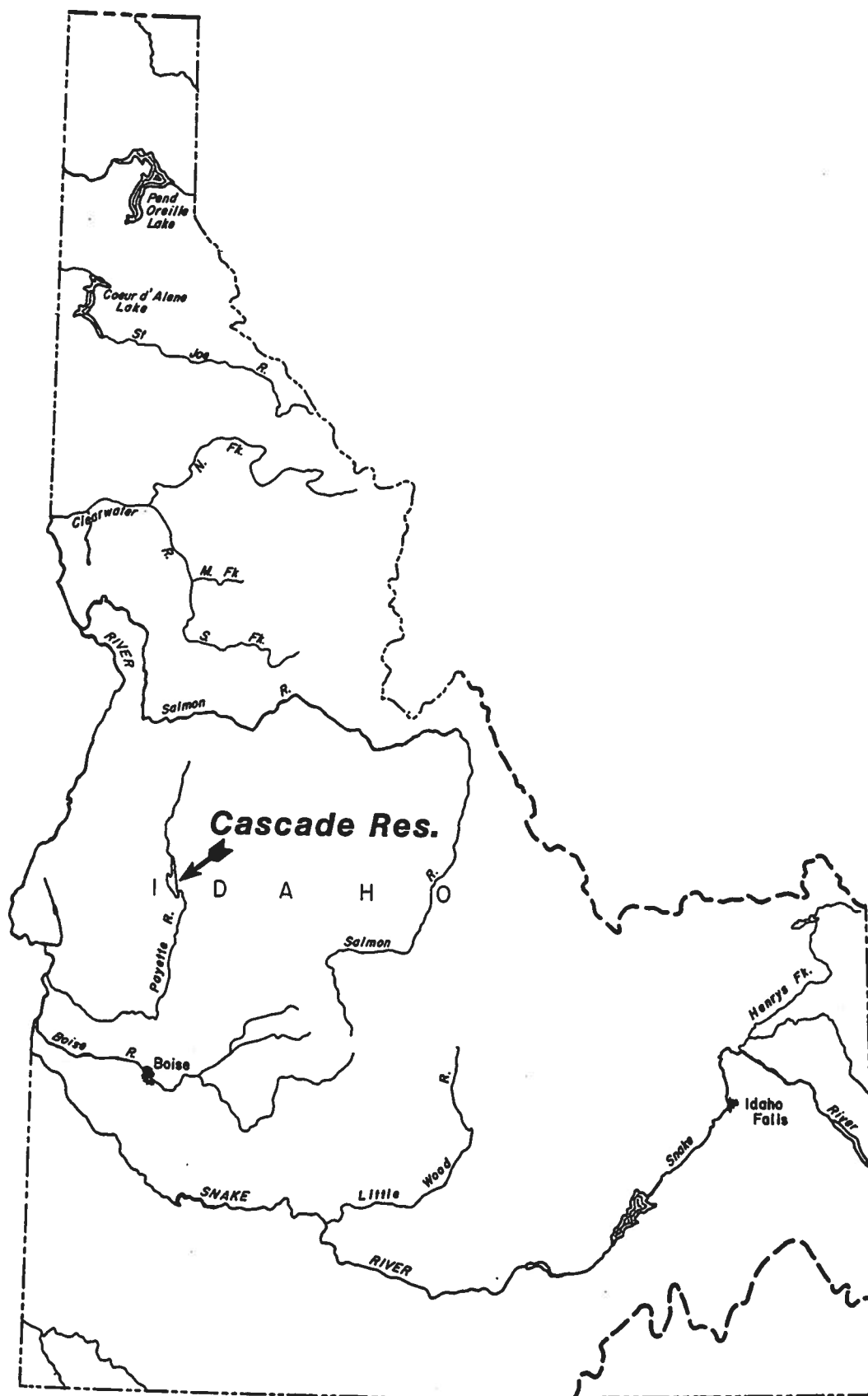
Proposed conditions of water use:

Changes in release levels will be announced and controlled by the applicant in conjunction with appropriate state officials to provide for reasonable public safety to fishers, rafters and other recreational and irrigation users of the Snake River and its tributaries. Releases for anadromous salmonids will be timed to directly or indirectly realize benefits in the lower Snake River at various times of each calendar year. Accounting for releases will be made based on data from an existing gauging station, or as otherwise lawfully arranged.

Middle of Page 2.

Describe the reason for the proposed changes:

This application for transfer of water rights is submitted to avoid jeopardizing the continued existence of anadromous salmon species listed under the Endangered Species Act, namely; the Snake River Sockeye, the Spring/Summer Chinook, and the Fall Chinook Salmon. Pursuant to Endangered Species Act Section 7 consultation with the National Marine Fisheries Service (NMFS), a Biological Opinion was issued by NMFS on March 2, 1995. Among the requirements suggested as necessary to avoid jeopardy to the listed salmon stocks was that Reclamation "provide 427,000 acre-feet (KAF) of flow augmentation from the Upper Snake River. . . ." (March 2, 1995 Biological Opinion at p. 99.) In addition, however, and at least partially in response to comments generated by Reclamation itself, the March 2 Biological Opinion also provides that Reclamation "shall secure water for flow augmentation in a manner consistent with applicable state law and from willing sellers." (March 2, 1995 Biological Opinion at p. 99.) Thus, in a March 10, 1995, Record of Decision, Reclamation affirmed the federal commitment to implement the components of the March 2 Biological Opinion, including provision of 427 KAF annual flow augmentation from the Upper Snake. To this end, Reclamation hereby submits this application to add appropriate places and natures of use to Idaho reservoir and related water rights.



I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

John W. Tey, III
(Signature of applicant)

Subscribed and sworn to before me this 15TH day of May, 199 5.

Diana L. Jacobs
(Notary Public)

My commission expires 5-23-2000

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No.(s)

Witness my hand this _____ day of _____, 199 ____.

Director

----- FOR DEPARTMENT USE ONLY -----

Fee \$100.00 Receipt Date 5-15-95 Receipt No. C032649 Received By RT
Published in _____

Pub. dates _____

Watermaster recommendation requested on _____ date received _____

Field exam conducted (required for statutory claims) _____

Protest filed by: _____

Hearing held by: _____

Recommended for Approval _____ Denial _____

by _____

WR5809NP
No. 65-02927A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/06/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF INTERIOR	12/24/1937	IRRIGATION STORAGE	01/01 12/31	4/1-11/1	697500.00 AFA
			IRRIGATION FROM STORAGE	01/01 12/31		697500.00 AFA
			POWER STORAGE	01/01 12/31		697500.00 AFA
			POWER FROM STORAGE	01/01 12/31		697500.00 AFA
TOTAL DIVERSION:						697500.00 AFA

745200.
"
"
"
745200.

Water Source: PAYETTE RIVER, NORTH FORK
Point(s) of Diversion: T14N R03E S26 Lot 01(NENE) Lot 05(NENE)
Pou County: VALLEY County

Stage: DECREED

Tributary to: PAYETTE RIVER Shore?

Remarks: GEN This right is for storage of water in Cascade Reservoir.

Dates: App. Received: 12/24/1937
Proof Due Date: 12/24/1937
Exam Made Date: 12/24/1937
Licensed Date: 12/24/1937

Misc: Water District Number: 65 Field Exam Fee:

Audit: 03/31/88 04/30/88 CONVERT 01/26/92 POST-STD 08/05/92 NAME-ADD
02/10/93 ZIMMERMA 10/06/94 SCURTIS 05/31/95 SCURTIS 08/23/95 CHODGES

increased
buy 700 AF
47,700 AF

[Handwritten signature]

STATE

SE L	First Name	OWN	Water Right No.	Priority Date	Source	Total Diversion	Use Code	Desc
---	-----	---	-----	-----	-----	-----	--	-----
---	EMMETT IRRIGATION	DISTRICT						
---		C R65-02080	07/29/1908	PAYETTE RIV	124.000	01	IRR	
---		C R65-07832	04/02/1977	PAYETTE RIV	6.000	01	IRR	
---		C R65-10491	04/01/1919	PAYETTE RIV	206.560	01	IRR	
---		C A65-02080	07/29/1908	PAYETTE RIV	124.000	01	IRR	
---		C R65-02927E	12/24/1937	PAYETTE RIV	10050.00	02	IRR S	
---						03	IRR FS	

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

ADJUDICATION MEMORANDUM

CLAIM NO.: A65-02927A SUBJECT: Map/Claims

EMPLOYEE: D. DATE: 11-16-93

Map for claims listed below is filed
in claim A65-02927A.

A65-02927B, A65-03105A, A65-03106,
A65-03108A, A65-03111F, A65-03142,
A65-03143, A65-07794, A65-07795,
A65-07796, A65-11350, A65-11351, A65-11353,
A65-11354, A65-11361

MICROFILMED
AUG 03 1994

FEB - 9 2000

FEB 16 2000

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: See Attachment A
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: See Attachment A
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: _____

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): See Attachment A

F.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Ada)

Scott L. Campbell, 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)

Scott L. Campbell

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

FEB 03 2000



Tiffany Hudak Miller

Notary Public for Idaho
Residing at. 1301 E ID
My Commission Expires: 9/16/03

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 February 9, 2000, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

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

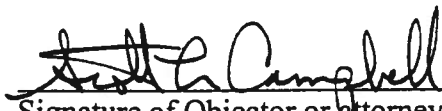
Name: United States of America
Address: Regional Director, PN Region
Bureau of Reclamation
1150 N. Curtis Road, Boise, ID 83706-1234

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
PO 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

ATTACHMENT A
OBJECTION TO 65-02927A

OBJECTION FILED BY
LOWER PAYETTE DITCH COMPANY

Lower Payette Ditch Company has a contract with the Bureau of Reclamation for irrigation storage water from Cascade Reservoir. Lower Payette Ditch Company has a right to use 10,000.00 acre feet from Cascade Reservoir to irrigate 11,008.00 acres owned by landholders within the service area for Lower Payette Ditch Company. The Idaho Department of Water Resources has recommended that Lower Payette Ditch Company's water right claim for that amount of water, 65-02927H, be disallowed.

Lower Payette Ditch Company has filed an objection to that recommendation, and further objects to the recommendation for 65-02927A, because the Idaho Department of Water Resources indicated that claim number 65-02927H has been recommended as 65-02927A. Lower Payette Ditch Company asserts an ownership interest in 65-02927A to the extent that water right, as recommended, includes 65-02927H.

FEB - 9 2000

FEB 16 2000

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: See Attachment A
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: See Attachment A
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: _____

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): See Attachment A

F.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Ada)

Scott L. Campbell, 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)

Scott L. Campbell
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

FEB 08 2000



Tiffany Hudak Miller
Notary Public for Idaho
Residing at: Boise ID
My Commission Expires: 9/16/03

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 February 9, 2000, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

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

Name: United States of America
Address: Regional Director, PN Region
Bureau of Reclamation
1150 N. Curtis Road, Boise, ID 83706-1234

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
PO 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

ATTACHMENT A
OBJECTION TO 65-02927A

OBJECTION FILED BY
FARMERS COOPERATIVE IRRIGATION COMPANY

Farmers Cooperative Irrigation Company has a contract with the Bureau of Reclamation for irrigation storage water from Cascade Reservoir. Farmers Cooperative Irrigation Company has a right to use 38,700.00 acre feet from Cascade Reservoir to irrigate 13,283.00 acres owned by landholders within the service area for Farmers Cooperative Irrigation Company. The Idaho Department of Water Resources has recommended that Farmers Cooperative Irrigation Company's water right claim for that amount of water, 65-02927F, be disallowed.

Farmers Cooperative Irrigation Company has filed an objection to that recommendation, and further objects to the recommendation for 65-02927A, because the Idaho Department of Water Resources indicated that claim number 65-02927F has been recommended as 65-02927A. Farmers Cooperative Irrigation Company asserts an ownership interest in 65-02927A to the extent that water right, as recommended, includes 65-02927F.

RECEIVED

FEB - 9 2000

Department of Water Resources

RECEIVED

FEB 16 2000

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

Case No. 39576

A. Subcase 65-02927A

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Noble Ditch Company

Address: 102 Main Street

Payette, ID 83661

Daytime Phone: (208) 642-3866

Name & Address of Attorney, if any:

Scott L. Campbell and Angela D. Schaer

Elam & Burke, P.A.

PO Box 1539

Boise, ID 83701

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

Name: United States of America

Address: Regional Director, PN Region

Bureau of Reclamation

1150 N. Curtis Road, Boise, ID 83706-1234

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: See Attachment A
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: See Attachment A
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: _____

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): See Attachment A

F.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Ada)

Scott L. Campbell, 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.

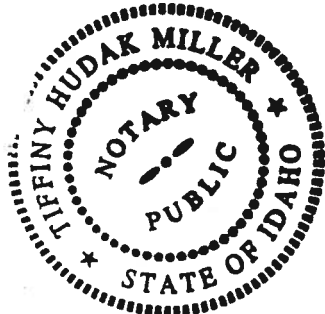
(Signature of person filing objection)

Scott L. Campbell

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

FEB 08 2000



Tiffany Miller

Notary Public for Idaho
Residing at: Boise ID
My Commission Expires: 9/14/13

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 February 3, 2000, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

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

Name: United States of America
Address: Regional Director, PN Region
Bureau of Reclamation
1150 N. Curtis Road, Boise, ID 83706-1234

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
PO 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

ATTACHMENT A
OBJECTION TO 65-02927A

OBJECTION FILED BY
NOBLE DITCH COMPANY

Noble Ditch Company has a contract with the Bureau of Reclamation for irrigation storage water from Cascade Reservoir. Noble Ditch Company has a right to use 10,000.00 acre feet from Cascade Reservoir to irrigate 8,380.00 acres owned by landholders within the service area for Noble Ditch Company. The Idaho Department of Water Resources has recommended that Noble Ditch Company's water right claim for that amount of water, 65-02927G, be disallowed.

Noble Ditch Company has filed an objection to that recommendation, and further objects to the recommendation for 65-02927A, because the Idaho Department of Water Resources indicated that claim number 65-02927G has been recommended as 65-02927A. Noble Ditch Company asserts an ownership interest in 65-02927A to the extent that water right, as recommended, includes 65-02927G.

RECEIVED

DEC 10 2001

WATER RESOURCES
WESTERN REGION

RECEIVED

DEC - 6 2001

Department 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 SRBA

Case No. 39576

A. Subcase 65-02927A

(Insert water right number)

**AMENDED
STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Noble Ditch Company

Address: 102 N. Main Street

Payette, ID 73661

Daytime Phone: (208) 642-3866

Name & Address of Attorney, if any:

Scott L. Campbell & Angela D. Schaer

Moffatt Thomas Barrett Rock & Fields, Chtd.

P.O. Box 829

Boise, ID 83701-0829

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

Name: United States of America

Address: Regional Director, PN Region

Bureau of Reclamation

1150 N. Curtis Road, Boise, ID 83706-1234

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: See Attachment A
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: See Attachment A
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: _____

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):** See Attachment A

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 December 5th, 2001, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

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

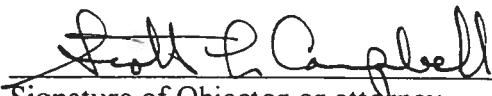
Name: United State of America
Address: Regional Director, PN Region
Bureau of Reclamation
1150 N. Curtis Road, Boise, ID 83706-1234

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
PO 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

ATTACHMENT A

OBJECTION TO 65-02927A

OBJECTION FILED BY NOBLE DITCH COMPANY

Noble Ditch Company has a contract with the Bureau of Reclamation for irrigation storage water from Cascade Reservoir. Noble Ditch Company has a right to use 10,0000.00 acre feet from Cascade Reservoir to irrigate 8,380.00 acres owned by landholders within the service area for Noble Ditch Company. The Idaho Department of Water Resources has recommended that Noble Ditch Company's water right claim for that amount of water, 65-02927G, be disallowed.

Noble Ditch Company has filed an objection to that recommendation, and further objects to the recommendation for 65-02927A, because the Idaho Department of Water Resources indicated that claim number 65-02927G has been recommended as 65-02927A. Noble Ditch Company asserts an ownership interest in 65-02927A to the extent that water right, as recommended, includes 65-02927G. This ownership interest is a full ownership interest, in accordance with Idaho law and Act of 1902, 43 USC § 372, and the United States Supreme Court decision in *Ickes v. Fox*, 300 US 82, 57 S.Ct. 412, 416-17 (1937). In the alternative, Noble Ditch Company asserts a beneficial ownership interest.

ATTACHMENT A

RECEIVED

DEC 10 2001

WATER RESOURCES
WESTERN REGION

RECEIVED

DEC - 6 2001

Department 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 SRBA

Case No. 39576

A. Subcase 65-02927A

(Insert water right number)

**AMENDED
STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Lower Payette Ditch Company

Address: 102 N. Main Street

Payette, ID 73661

Daytime Phone: (208) 642-3866

Name & Address of Attorney, if any:

Scott L. Campbell & Angela D. Schaer

Moffatt Thomas Barrett Rock & Fields, Chtd.

P.O. Box 829

Boise, ID 83701-0829

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

Name: United States of America

Address: Regional Director, PN Region

Bureau of Reclamation

1150 N. Curtis Road, Boise, ID 83706-1234

F.

VERIFICATION (Must be Completed)

State of IDAHO)
)ss.
County of ADA)

Scott L. Campbell, 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)

Scott L. Campbell
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:



Dec 5, 2001
Deborah Long
Notary Public for Idaho
Residing at: Boise ID
My Commission Expires: 10/10/07

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 December 5th 2001, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

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

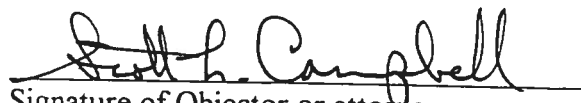
Name: United State of America
Address: Regional Director, PN Region
Bureau of Reclamation
1150 N. Curtis Road, Boise, ID 83706-1234

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
PO 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

ATTACHMENT A

OBJECTION TO 65-02927A

**OBJECTION FILED BY
LOWER PAYETTE DITCH COMPANY**

Lower Payette Ditch Company has a contract with the Bureau of Reclamation for irrigation storage water from Cascade Reservoir. Lower Payette Ditch Company has a right to use 10,000.00 acre feet from Cascade Reservoir to irrigate 11,008.00 acres owned by landholders within the service area for Lower Payette Ditch Company. The Idaho Department of Water Resources has recommended that Lower Payette Ditch Company's water right claim for that amount of water, 65-02927H, be disallowed.

Lower Payette Ditch Company has filed an objection to that recommendation, and further objects to the recommendation for 65-02927A, because the Idaho Department of Water Resources indicated that claim number 65-02927H has been recommended as 65-02927A. Lower Payette Ditch Company asserts an ownership interest in 65-02927A to the extent that water right, as recommended, includes 65-02927H. This ownership interest is a full ownership interest, in accordance with Idaho law and Act of 1902, 43 USC § 372, and the United States Supreme Court decision in *Ickes v. Fox*, 300 US 82, 57 SCt. 412, 416-17 (1937). In the alternative, Lower Payette Ditch Company asserts a beneficial ownership interest.

RECEIVED

OCT 26 2001

WATER RESOURCES
WESTERN REGION

OCT 11 11

Department of Water Resources

West JS
2001 OCT 11 PM 3:30

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED *RL*

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

BOR *Deadwood Res.* *Cascade*
) Subcases 65-02917, 65-02927A,
) 65-02927B, 65-02927E, 65-02927F, 65-02927G,
) 65-02927H, 65-02927J, 65-09483, 65-09483C
)

ORDER SETTING TRIAL SCHEDULING

A Scheduling Conference was held in the above listed subcases on October 3, 2001.
The parties agreed to the following deadlines and hearing dates.

Status Conference by phone December 12, 2001, 1:30 pm
United States to set up teleconference call

December 5, 2001, Deadline to Amend Pleadings

May 31, 2002, Discovery cutoff

June 14, 2002, Deadline for Summary Judgment Motions

July 19, 2002, 9:00 am Summary Judgment Hearing
415 East Main Street
Emmett, Idaho

October 23-25, 2002, 9:00 am Trial
415 East Main Street
Emmett, Idaho

Dated October 11 2001.

TR

THOMAS R. CUSHMAN
Special Master
Snake River Basin Adjudication

RECEIVED

DEC 10 2001

WATER RESOURCES
WESTERN REGION

RECEIVED

DEC - 6 2001

Department 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 SRBA

Case No. 39576

A. Subcase 65-02927A

(Insert water right number)

AMENDED
STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Emmett Irrigation District

Address: 102 N. Main Street

Payette, ID 73661

Daytime Phone: (208) 642-3866

Name & Address of Attorney, if any:

Scott L. Campbell & Angela D. Schaer

Moffatt Thomas Barrett Rock & Fields, Chfd

P.O. Box 829

Boise, ID 83701-0829

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

Name: United States of America

Address: Regional Director, PN Region

Bureau of Reclamation

1150 N. Curtis Road, Boise, ID 83706-1234

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: See Attachment A
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: See Attachment A
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: _____

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):** See Attachment A

F.

VERIFICATION (Must be Completed)

State of IDAHO)
)ss.
County of ADA)

Scott L. Campbell, 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)

Scott L. Campbell
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:



Dec. 5, 2001
Deborah L. Long
Notary Public for Idaho
Residing at: Boise, ID
My Commission Expires: 10/10/07

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 December 5th, 2001, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

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

Name: United State of America
Address: Regional Director, PN Region
Bureau of Reclamation
1150 N. Curtis Road, Boise, ID 83706-1234

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
PO 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

ATTACHMENT A
OBJECTION TO 65-02927A
OBJECTION FILED BY
EMMETT IRRIGATION DISTRICT

Emmett Irrigation District has a contract with the Bureau of Reclamation for irrigation storage water from Cascade Reservoir. Emmett Irrigation District has a right to use 10,050.0 acre feet from Cascade Reservoir to irrigate lands owned by landholders within the service area for Emmett Irrigation District. The Idaho Department of Water Resources has recommended that Emmett Irrigation District's water right claim for that amount of water, 65-02927E, be disallowed.

Emmett Irrigation District has filed an objection to that recommendation, and further objects to the recommendation for 65-02927A, because the Idaho Department of Water Resources indicated that claim number 65-02927E has been recommended as 65-02927A. Emmett Irrigation District asserts an ownership interest in 65-02927A to the extent that water right, as recommended, includes 65-02927E. This ownership interest is a full ownership interest, in accordance with Idaho law and Act of 1902, 43 USC § 372, and the United States Supreme Court decision in *Ickes v. Fox*, 300 US 82, 57 S.Ct. 412, 416-17 (1937). In the alternative, Emmett Irrigation District asserts a beneficial ownership interest.

DEC - 6 2001

Department of Water Resources

In Re SRBA Case No. 39576 _____	)))))	A. Subcase <u>65-02927A</u> (Insert water right number) AMENDED STANDARD FORM 1 OBJECTION
---	-----------------------	---

B. NAME AND ADDRESS OF PERSON OBJECTING

Name & Address of Attorney, if any:
Scott L. Campbell & Angela D. Schaer
Moffatt Thomas Barrett Rock & Fields, Chtd
P.O. Box 829
Boise, ID 83701-0829

Name: United States of America

Address: Regional Director, PN Region
Bureau of Reclamation
1150 N. Curtis Road, Boise, ID 83706-1234

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: See Attachment A
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: See Attachment A
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: _____

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): See Attachment A

F.

VERIFICATION (Must be Completed)

State of IDAHO)
)ss.
County of ADA)

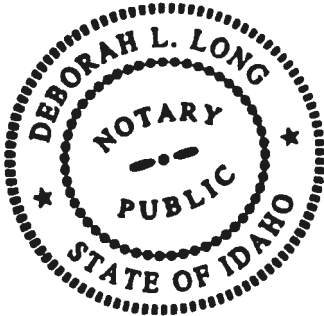
Scott L. Campbell, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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)

Scott L. Campbell
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:



Dec 5, 2001
Deborah L. Long
Notary Public for Idaho
Residing at: Boise, ID
My Commission Expires: 10/10/07

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 December ~~5th~~ 11, 2001, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

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

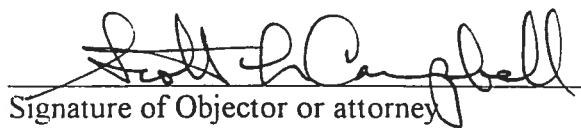
Name: United State of America
Address: Regional Director, PN Region
Bureau of Reclamation
1150 N. Curtis Road, Boise, ID 83706-1234

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
PO 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

ATTACHMENT A

OBJECTION TO 65-02927A

**OBJECTION FILED BY
FARMERS COOPERATIVE IRRIGATION DISTRICT**

Farmers Cooperative Irrigation District has a contract with the Bureau of Reclamation for irrigation storage water from Cascade Reservoir. Farmers Cooperative Irrigation District has a right to use 10,000.00 acre feet from Cascade Reservoir to irrigate 13,283.00 acres owned by landholders within the service area for Farmers Cooperative Irrigation District. The Idaho Department of Water Resources has recommended that Farmers Cooperative Irrigation District's water right claim for that amount of water, 65-02927F, be disallowed.

Farmers Cooperative Irrigation District has filed an objection to that recommendation, and further objects to the recommendation for 65-02927A, because the Idaho Department of Water Resources indicated that claim number 65-02927F has been recommended as 65-02927A. Farmers Cooperative Irrigation District asserts an ownership interest in 65-02927A to the extent that water right, as recommended, includes 65-02927F. This ownership interest is a full ownership interest, in accordance with Idaho law and Act of 1902, 43 USC § 372, and the United States Supreme Court decision in *Ickes v. Fox*, 300 US 82, 57 SCt. 412, 416-17 (1937). In the alternative, Farmers Cooperative Irrigation District asserts a beneficial ownership interest.

ATTACHMENT A

RECEIVED

DEC 10 2001

WATER RESOURCES
WESTERN REGION

RECEIVED

DEC - 8 2001

Department 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 SRBA

Case No. 39576

A. Subcase 65-02927A

(Insert water right number)

**AMENDED
STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Black Canyon Irrigation District

Address: 102 N. Main Street

Payette, ID 73661

Daytime Phone: (208) 642-3866

Name & Address of Attorney, if any:

Charles F. McDevitt

McDevitt & Miller

P.O. Box 2564

Boise, ID 83701-2564

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

Name: United States of America

Address: Regional Director, PN Region

Bureau of Reclamation

1150 N. Curtis Road, Boise, ID 83706-1234

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: See Attachment A
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: See Attachment A
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: _____

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):** See Attachment A

F.

VERIFICATION (Must be Completed)

State of IDAHO)

)ss.

County of ADA)

Clara F. McDevitt
Scott L. Campbell

, 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.

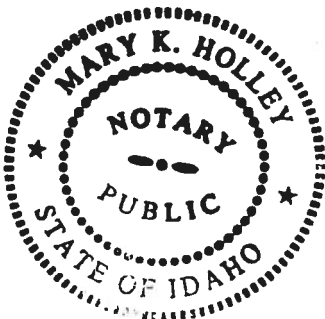
(Signature of person filing objection)

Clara F. McDevitt

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

Dec. 5, 2001



Notary Public for Idaho

Residing at: Mountain Home

My Commission Expires: 10-29-07

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 December 12, 2001, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

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

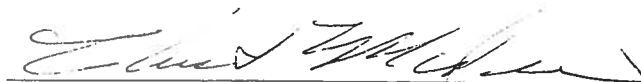
Name: United State of America
Address: Regional Director, PN Region
Bureau of Reclamation
1150 N. Curtis Road, Boise, ID 83706-1234

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
PO 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

ATTACHMENT A

OBJECTION TO 65-02927A

**OBJECTION FILED BY
BLACK CANYON IRRIGATION DISTRICT**

Black Canyon Irrigation District has a contract, No. 14-06-7-70 with the Bureau of Reclamation for irrigation storage water from Cascade Reservoir. Black Canyon Irrigation District has a right to use 240,000 acre feet from Cascade Reservoir to irrigate lands owned by landholders within the service area for Black Canyon Irrigation District. The Idaho Department of Water Resources has recommended that Black Canyon Irrigation District's water right claim for that amount of water, 65-02927J, be disallowed.

Black Canyon Irrigation District has filed an objection to that recommendation, and further objects to the recommendation for 65-02927A, because the Idaho Department of Water Resources indicated that claim number 65-02927J has been recommended as 65-02927A. Black Canyon Irrigation District asserts an ownership interest in 65-02927A to the extent that water right, as recommended, includes 65-02927J. This ownership interest is a full ownership interest, in accordance with Idaho law and Act of 1902, 43 USC § 372, and the United States Supreme Court decision in *Ickes v. Fox*, 300 US 82, 57 SCt. 412, 416-17 (1937). In the alternative, Black Canyon Irrigation District asserts a beneficial ownership interest.

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: **A65-02927A**
Date Received: 7/ 7/1989
Receipt No: X999999
Received By: _____

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

1. Name: UNITED STATES OF AMERICA, ACTING THROUGH 208-378-5155
Address: REGIONAL DIRECTOR, PN REGION
BUREAU OF RECLAMATION
1150 N CURTIS RD
BOISE ID 83706-1234

2. Date of Priority: DEC 24, 1937

3. Source: PAYETTE RIVER, NORTH FORK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	03E	26				5	VALLEY
			NE	NE		1	VALLEY

5. Description of diverting works:
CASCADE DAM OUTLET WORKS & SPILLWAY

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			745200.00
IRRIGATION FROM STORAGE	04/01	11/01			745200.00
POWER STORAGE	01/01	12/31			745200.00
POWER FROM STORAGE	01/01	12/31			745200.00

7. Total Quantity Appropriated is:
C.F.S. (and/or) 745200.00 A.F.A.

8. Total consumptive use is 745200.0 Acre Feet Per Annum.

9. Non-irrigation uses:
POWER

MICROFILMED
AUG 03 1994

10. Place of Use:

Township Range Section 1/4 of 1/4 Lot Use Acres

11. Place of use in counties:

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

65-2288, 65-9481, 65-2917

14. Remarks:

P/U IS LANDS ADJACENT TO THE CASCADE RESERVOIR; LANDS BELOW
CASCADE DAM FURNISHED A FULL OR SUPPLEMENTAL SUPPLY BY
DIVERSION FROM THE PAYETTE RIVER; ALL LOCATED IN VALLEY, BOISE,
GEM, PAYETTE, WASHINGTON, CANYON, AND ADA COUNTIES.
SURFACE CAPACITY-- 653,200 ac-ft
INACTIVE CAPACITY-- 50,000 ac-ft
BANK STORAGE-- 42,000 ac-ft
TOTAL RES CAPACITY--745,200 ac-ft
150,000 IRR AC
POWERPLANT FOR THIS RIGHT IS LOCATED AT BLACK CANYON DAM ON THE
MAIN PAYETTE RIVER 5 MILES NE OF EMMETT, IDAHO.
THIS IS A MULTIYEAR STORAGE PROJECT

15. Basis of Claim: DECREED

Water Right Number: R-646

Case Number:

Court :

Decree date: / /

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

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): _____ 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
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. Number: A65-02927A

Date Received: 9/27/1988

Receipt No: _____

Received By: _____



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

1. Name: UNITED STATES OF AMERICA, ACTING THROUGH 208-334-1165
Address: REGIONAL DIRECTOR, P.N. REGION
BUREAU OF RECLAMATION
BOX 043-550 WEST FORT STREET
BOISE, ID 83724

2. Date of Priority: DEC 24, 1937

3. Source: PAYETTE RIVER, NORTH FORK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	03E	26				5	VALLEY
			NE	NE		1	VALLEY

5. Description of diverting works:
CASCADE DAM OUTLET WORKS & SPILLWAY

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			745200.00
IRRIGATION FROM STORAGE	04/01	11/01			745200.00
POWER STORAGE	01/01	12/31			745200.00
POWER FROM STORAGE	01/01	12/31			745200.00

7. Total Quantity Appropriated is:
C.F.S. (and/or) 745200.00 A.F.A.

8. Total consumptive use is 745200.0 Acre Feet Per Annum.

9. Non-irrigation uses:
POWER

A65-02927A

Page 1

Date: 01/27/89

MICROFILMED
AUG 03 1994

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
----------	-------	---------	------------	-----	-----	-------

11. Place of use in counties:

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

65-2288, 65-9481, 65-2917

14. Remarks:

P/U IS LANDS ADJACENT TO THE CASCADE RESERVOIR; LANDS BELOW CASCADE DAM FURNISHED A FULL OR SUPPLEMENTAL SUPPLY BY DIVERSION FROM THE PAYETTE RIVER; ALL LOCATED IN VALLEY, BOISE, GEM, PAYETTE, WASHINGTON, CANYON, AND ADA COUNTIES.

SURFACE CAPACITY-- 653,200 ac-ft

INACTIVE CAPACITY-- 50,000 ac-ft

BANK STORAGE-- 42,000 ac-ft

TOTAL RES CAPACITY--745,200 ac-ft

150,000 IRR AC

POWERPLANT FOR THIS RIGHT IS LOCATED AT BLACK CANYON DAM ON THE MAIN PAYETTE RIVER 5 MILES NE OF EMMETT, IDAHO.

THIS IS A MULTIYEAR STORAGE PROJECT

15. Basis of Claim: DECREED

Water Right Number: R-646

Case Number:

Court :

Decree date:

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant