

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR

GEM COUNTY

Water Rights listed by PRIORITY DATES

PROPOSED FINDING OF WATER RIGHTS

IN THE

PAYETTE RIVER DRAINAGE BASIN

VOLUME III: GROUNDWATER RIGHTS

CIVIL CASE NO. 3667

FILED

JAN 21 1986

Thelma R. Kolodziej CLERK

Karen Brantley DEPUTY

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR GEM COUNTY

IN THE MATTER OF THE GENERAL)
DETERMINATION OF THE RIGHT TO) Civil No. 3667
THE USE OF SURFACE AND GROUND-)
WATER OF THE PAYETTE RIVER) PARTIAL DECREE
DRAINAGE.) PURSUANT TO RULE
54(b) I.R.C.P.)

The report of the Director of the Idaho Department of Water Resources (Director herein) entitled PROPOSED FINDING OF WATER RIGHTS IN THE PAYETTE RIVER DRAINAGE BASIN (PROPOSED FINDING herein) was filed with this court on April 26, 1979. The report contains Findings of Fact, Conclusions of Law, Statutory and Decreed Rights not Claimed, Claims Submitted: Recommended to be Disallowed; Surface Water Rights, and Groundwater Rights.

As a result of the resolution of objections filed to the PROPOSED FINDING, certain amendments, additions, and deletions have occurred to the PROPOSED FINDING as set forth in the following stipulations and court orders on file with the court:

1. ORDER CONFORMING PROPOSED FINDING OF WATER RIGHTS TO UNCONTESTED OBJECTIONS - filed September 26, 1979;
2. ORDER (Orville Jackson) - filed February 26, 1982;
3. STIPULATION RESOLVING ECKROAT OBJECTION - filed May 12, 1980;
4. STIPULATION RESOLVING STRINGER OBJECTION - filed

JUL 24 1982

WATER RIGHT OF MCCALL-DONNELLY SCHOOL DISTRICT No. 421 - filed
September 24, 1983;

8. ORDER ALLOWING FILING OF LATE OBJECTION TO PROPOSED
FINDINGS OF WATER RIGHTS AND AMENDING PROPOSED FINDING OF WATER
RIGHTS (Thomas J. Davis and Jemima K. Davis) - filed July 12,
1982.

9. STIPULATION AND ORDER (Pancheri and MacGregor Land
and Livestock Company) - filed December 21, 1984.

10. ORDER CORRECTING CLERICAL OVERSIGHTS IN PROPOSED
FINDING OF WATER RIGHTS - filed September 28, 1979;

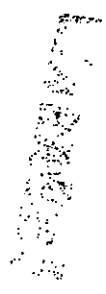
11. ORDER CORRECTING CLERICAL ERRORS - filed November
25, 1985, all of which are incorporated herein by reference.

DATED this 20th day of December, 1985.


JIM R. DOONITTLE
District Judge

Rule 54(b) Certificate

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



JUL 24 1985

DATED this 20th day of December, 1985.

Jim R. Doolittle
JIM R. DOOLITTLE
District Judge

STATE OF IDAHO) ss.
County of Gem)

I certify that the foregoing
is a true and correct copy
of the original on file in
this off. co.

DATED 4-29-86

Thelma R. Kolodziej, Clerk

By: Karen Brantley Deputy

JUL 24 1985

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

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INDICATES TOTAL

SOURCE: GROUNDWATER

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
65-11155	FERGUSON, J. H. 1035 6TH AVENUE SOUTH, PAYETTE, IDAHO 83661 REMARKS: LOT 20, BLOCK 1, PAYETTE FAIRVIEW SUBDIVISION.	4/ 1/1973	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SWSW S34 T 9N R 5W	S34 T 9N R 5W	BENEFICIAL USE
65-6673	FRISBEE, RUE ROUTE 3, BOX 92, EMETT, IDAHO 83617	4/ 1/1973	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NWSW S35 T 7N R 1W	N3W S35 T 7N R 1W	BENEFICIAL USE
65-8999	GRAHAM, MYRNA L. BOX 85, GARDEN VALLEY, IDAHO 83622	4/ 1/1973	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SENE S26 T 9N R 4E	SENE S26 T 9N R 4E	BENEFICIAL USE
65-6054	KRUEGER, WILLIAM H. & KRUEGER, IONA O. P.O. BOX 511, PAYETTE, IDAHO 83661	4/ 1/1973	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SESW S34 T 9N R 5W	SESW S34 T 9N R 5W	BENEFICIAL USE
65-6717	LINCOLN, HERMAN B. 229 SOUTH 12TH, PAYETTE, IDAHO 83661	4/ 1/1973	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NWSW S34 T 9N R 5W	N3W S34 T 9N R 5W	BENEFICIAL USE
65-8198	WALEY, JOHN P. ROUTE 1, NEW PLYMOUTH, IDAHO 83655	4/ 1/1973	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NWNE S31 T 8N R 4W	NWNE S31 T 8N R 4W	BENEFICIAL USE
65-6781	WHITE, WILLIAM E. 450 NORTH 7TH STREET, PAYETTE, IDAHO 83661	4/ 1/1973	DOMESTIC	1/ 1 12/31	-70 AFA -02 CFS *1.90*AFA *-04*CFS	SESE S28 T 9N R 5W	SESE S28 T 9N R 5W	BENEFICIAL USE
65-6386	MOSCRIP, AVIS D. BOX 128, NEW PLYMOUTH, IDAHO 83655 REMARKS: LOT 8, BLOCK 6, NEW PLYMOUTH TOWNSITE.	4/ 3/1973	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NESW S 4 T 7N R 4W	NESW S 4 T 7N R 4W	BENEFICIAL USE
65-7353	HUYDE, OMAR M. ROUTE 1, BOX 1588, PAYETTE, IDAHO 83661 REMARKS: THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.	4/ 4/1973	INDUSTRIAL	1/ 1 12/31	730.00 AFA 1.00 CFS	SWSW S15 T 8N R 5W	SWSW S15 T 8N R 5W	PERMIT