

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
INDICATES TOTAL		SOURCE: BIG PAYETTE LAKE						
65-10438 Vol. II Pg. 47	GREENE JR., CLIFFORD & GREENE, NANCY MOORE ~~ROUTE 4, PEACEFUL COVE~~ 1002 HARRISON BLVD. BOISE, IDAHO 83702 REMARKS: LOT 19, HARRIS COVE SUBDIVISION.	8/ 1/1948	DOMESTIC	1/ 1 12/31	1.20 AFA .02 CFS	LOT 4 (SWSE) ~~S35 T18N~~ T19N R 3E	LOT 4(SWSE) S35 T19N R 3E	BENEFICIAL USE
INDICATES TOTAL		SOURCE: MILL CREEK						
		TRIBUTARY TO: HARTSELL CREEK						
65-8122 Vol. II Pg. 219	HAMMOND, LOWELL D. & HAMMOND, JANICE A. BOX 734A LAKE FORK, IDAHO 83635 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS 65-7653A & 65-7052 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE. SOURCE KNOWN LOCALLY AS GERKIN CREEK.	7/ 1/1960	IRRIGATION	4/15 10/15	--- AFA 1.60 CFS	SESW S11 T17N R 2E	NWNW(40) SWNW(40) S13 T17N R 2E *80*	BENEFICIAL USE
INDICATES TOTAL		SOURCE: SPRINGS						
		TRIBUTARY TO: GOLD FORK CREEK						
65-5429 Vol. II Pg. 475	HENDERSON, J. W. ROUTE 3 EAGLE, IDAHO 83616 OTHER USES: S/40 RANGE.	4/ 1/1903	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS .70 AFA .02 CFS *1.90*AFA *.04*CFS	LOT 4 SESW S28 T16N R 4E	LOT 4 SESW S28 T16N R 4E SAME AS OTHER USE	BENEFICIAL USE
INDICATES TOTAL		SOURCE: GROUNDWATER						
65-6246 Vol. III Pg. 118	BAGLEY, WESLEY K. BAGLEY, LORRAINE E. HOLM, MARVIN ~~ROUTE 1 BOX 1308~~ ROUTE 1 BOX 293 ~~PAYETTE, IDAHO 83664~~ FRUITLAND, IDAHO 83619	4/ 1/1920	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NENE-S30 NENW S30 T 8N R 4W	NENE NENW S30 T 8N R 4W SAME AS OTHER USE	BENEFICIAL USE

JUL 24 1996

NOV 25 1985

Time 9:40 AM

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

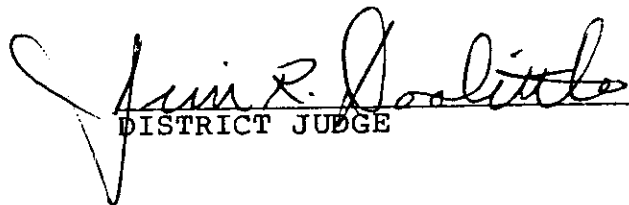
Th. J. Toland, Clerk
N. Jackson, Deputy

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) ORDER CORRECTING
DRAINAGE.) CLERICAL ERRORS
_____)

The motion of the Director of the Department of Water Resources having come on for hearing on the 25th day of November, 1985, and the court having considered the motion,

IT IS HEREBY ORDERED that the report of the director, entitled PROPOSED FINDINGS OF WATER RIGHTS IN THE PAYETTE RIVER DRAINAGE BASIN, be amended in conformance with Exhibit A, attached hereto and incorporated herein by reference.

DATED this 25th day of November, 1985.


DISTRICT JUDGE

RECORDED

JUL 24 1986

FILED

JAN 21 1986

Thelma R. Kolodziej CLERK

Karen Browne 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 CONFIRMING 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

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May 5, 1980;

5. STIPULATION RESOLVING OBJECTION OF UNITED STATES -
filed February 18, 1982;

6. STIPULATION RESOLVING MITCHELL OBJECTION - filed
May 12, 1980;

7. ORDER ALLOWING FILING OF LATE OBJECTION TO PROPOSED
FINDINGS OF WATER RIGHTS AND AMENDING SUCH FINDINGS TO INCLUDE
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.

The PROPOSED FINDING has also been corrected for clerical
errors pursuant to court order:

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

2. ORDER CORRECTING CLERICAL ERRORS - filed November
25, 1985.

This partial decree does not include any of the
PROPOSED FINDING which is still involved in unresolved objections.
The attached Exhibit A lists the water rights which are
not included in the partial decree because they are involved in

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unresolved objections. The reserved water right claims of the United States Department of Agriculture, Forest Service, are also not included because they are currently the object of negotiations between the State of Idaho and the United States. Those reserved right claims are listed in Exhibit B. In addition, those water rights which were part of the court decision in Branson v. Miracle, 107 Idaho 221 (1984), are not included in this partial decree.

IT IS HEREBY ORDERED, ADJUDGED and DECREED, that the water rights of the Payette River Drainage Basin with the exceptions noted above are as described in the PROPOSED FINDING, as amended by:

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 May 5, 1980;
5. STIPULATION RESOLVING OBJECTION OF UNITED STATES - filed February 18, 1982;
6. STIPULATION RESOLVING MITCHELL OBJECTION - filed May 12, 1980;
7. ORDER ALLOWING FILING OF LATE OBJECTION TO PROPOSED FINDINGS OF WATER RIGHTS AND AMENDING SUCH FINDINGS TO INCLUDE

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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. DOOBLITTLE
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.

RECORDED

JUL 24 1996

DATED this 20th day of December, 1985.


JIM R. DOOLITTLE
District Judge

STATE OF IDAHO)
County of Gem) ss.

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

DATED 4-29-86

Thelma R. Kolodziej, Clerk

By: Karen Browne Deputy



JUL 24 1996