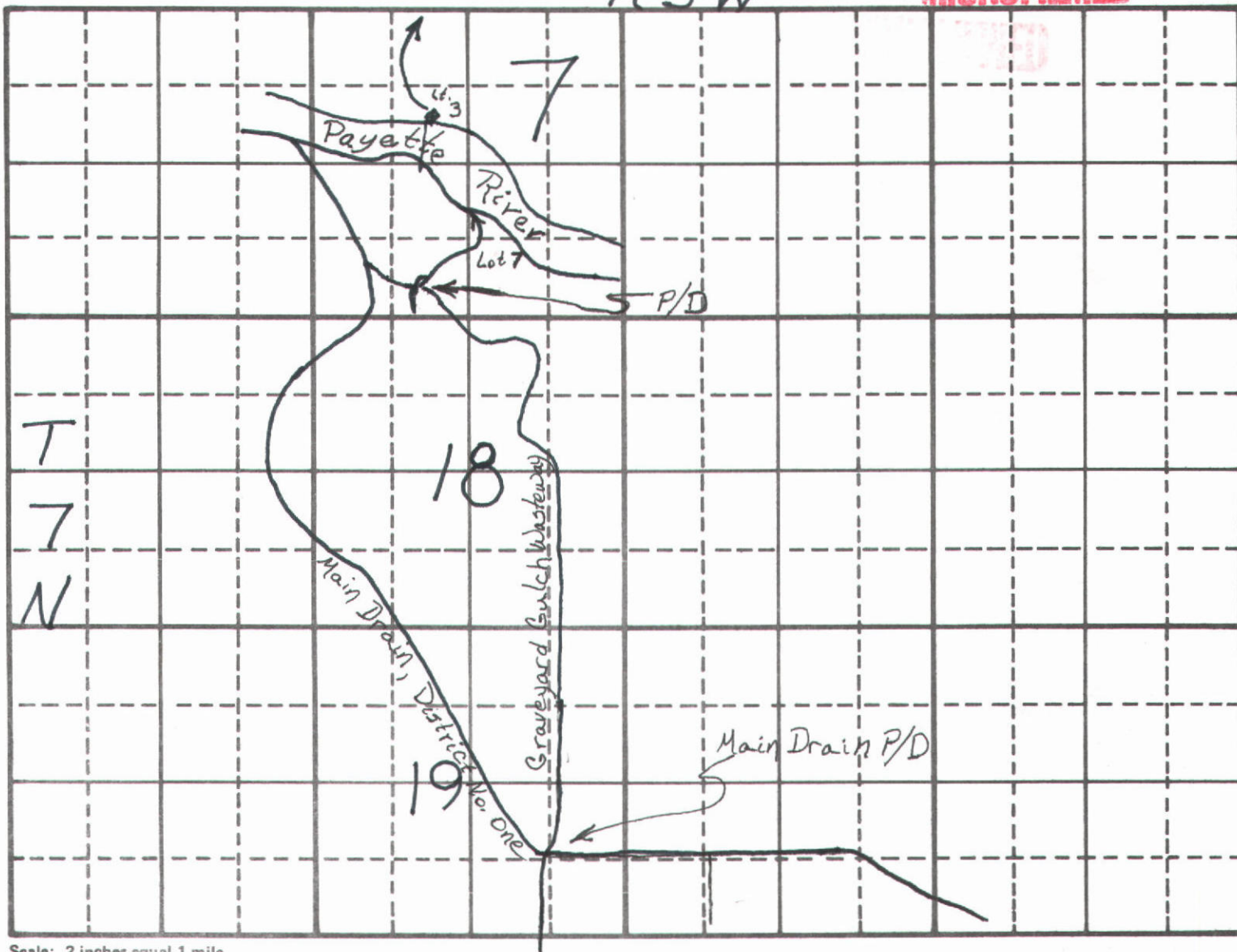


Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.

R3W

MICROFILMED



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Payette, this 11 day of November, 19 85.

Cecil Shurtliff Pres.
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by 6LS Fee = \$20.00 - 36189 Received by SP Date 12/16/85
Publication prepared by SP Date 12/11/85 Published in Independent Enterprise
Publication dates 12/19/85 12/26/85

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby
Approve the above referenced Amendment provided the conditions as set forth on
page 4 of Permit No. 65-12279 are met.

Witness my hand this 22nd day of January, 19 86

L. Glen Saxton
Chief, Operations Bureau

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

ss.

Notice of Application for Amendment
TITLE OF PUBLICATION

SPONSOR OR PLAINTIFF

Dept. of Water Resources
PLAINTIFF OR LEGAL AGENT

I, Melvena Berrett, being
duly sworn, deposes and says:

That *she* is the *principal clerk* of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published at
Payette, in the County of Payette and State of Idaho; that said paper
has been and is in general circulation in the county aforesaid, and in
the vicinity of Payette; that the advertisement, a copy of which is
attached hereto, was published in said newspaper once a week for
2 consecutive weeks in the regular and entire issue of said
paper during the period and time of publication, and was published
in the newspaper proper and not a supplement; that said paper has
been established and regularly published for more than seventy-eight
consecutive weeks prior to the date of first publication of said adver-
tisement.

Such notice was published in the issue beginning with
Dec. 18, 19 *85*, and ending with the issue
of *Dec. 23*, 1985.

Subscribed and sworn to before me this *24th* day
of *Dec*, 19 *85*.

Marilyn Rhinehart
Notary Public, Residing at Payette, Idaho.

My Commission Expires *Dec. 1*, 19 *86*.

STATEMENT

Independent-Enterprise
PAYETTE, IDAHO

Number of Lines *23 double*

Number of Insertions *(2) two*

23 Lines @ *72¢* . . . \$ *16.56*

23 Lines @ *54¢* . . . \$ *12.42*

TOTAL COST
WILL BE \$ *28.98*

Copy of Notice

NOTICE OF APPLICATION FOR AMENDMENT

NOTICE IS HEREBY GIVEN that Permit No. 65-12279 in the name of the Lower Payette Ditch Company was filed on 10/11/1979 for the diversion of 60 cfs from the Graveyard Gulch Wasteway and an Unnamed Stream with a point of diversion within the SE SW Sec. 7 T. 7 N. R. 3W., to be used for irrigation purposes from 3/15 to 11/15 for lands under the Lower Payette Ditch Company, 13,688 acres.

The permit holder now proposes to amend the permit by changing the source of water to the Graveyard Gulch Wasteway tributary to the Main Drain, District No. One, and the Main Drain, District No. One tributary to the Payette River, and changing the points of diversion to the SE SW Sec. 7 and the NW SE Sec. 19 T 7N. R. 3W.

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, Statehouse, 450 W. State St., Boise, ID 83720 on or before January 6, 1986.

A. KENNETH DUNN
DIRECTOR
Dec. 18, 23,

No. 874

RECEIVED
DEC 26 1985

Department of Water Resources
Western Regional Office

No. 874

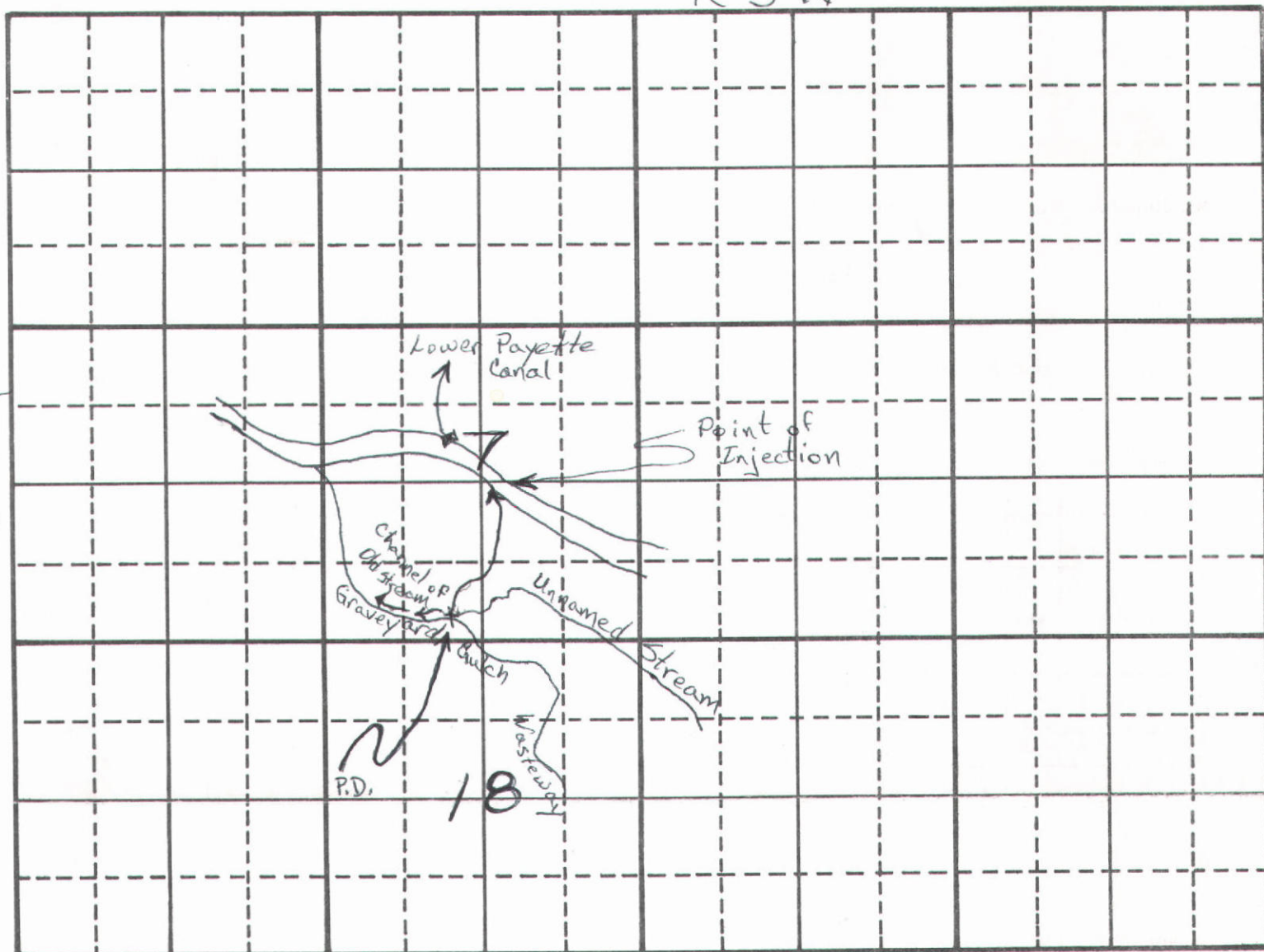
MICROFILMED

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.

R 3 W

MICROFILMED



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at PAVETTE, IDAHO, this 4th day of MARCH, 19 80.

Lower Payette Ditch Co.
(Signature)
by J. D. Brown

FOR DEPARTMENT USE ONLY

Preliminary check by 20.00 Fee = \$20.00 #15368 Received by KK Date 3/10/80
Publication prepared by KK Date 3/13/80 Published in Independent - Enterprise
Publication dates 3/20, 3/27/80

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON Chief, Operations Bureau of the Department of Water Resources hereby

APPROVE the above referenced Amendment for Permit No. 65-12279.

Witness my hand this 23rd day of May, 19 80.

L. Glen Saxton
Chief, Operations Bureau

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

SS.

Copy of Notice

(First Copy)

Notice of Application For Amendment
TITLE OF PUBLICATION
Dept. of Water Resources
SPONSOR OR PLAINTIFF

PLAINTIFF OR LEGAL AGENT

Eugene H. Rhinhart, being
duly sworn, deposes and says:

That he is the Principal Clerk of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published at
Payette, in the County of Payette and State of Idaho; that said paper
has been and is in general circulation in the county aforesaid, and in
the vicinity of Payette; that the advertisement, a copy of which is
attached hereto, was published in said newspaper once a week for
Two consecutive weeks in the regular and entire issue of said
paper during the period and time of publication, and was published
in the newspaper proper and not a supplement; that said paper has
been established and regularly published for more than seventy-eight
consecutive weeks prior to the date of first publication of said adver-
tisement.

Such notice was published in the issue beginning with
Mar. 20, 19 80, and ending with the issue
of Mar. 27, 19 80.

Subscribed and sworn to before me this 27 day
of March, 19 80.

Mary Jane Lee
Notary Public, Residing at Payette, Idaho.

My Commission Expires April 28, 19 80.

STATEMENT

Independent-Enterprise
PAYETTE, IDAHO

Number of Lines 14 dan li

Number of Insertions two

14 Lines @ 42 1/2 . . . \$ 5.95

14 Lines @ 30 1/2 . . . \$ 4.27

TOTAL COST
WILL BE \$ 10.22

NOTICE OF APPLICATION FOR AMENDMENT
Notice is hereby given that Permit No. 65-12279 in the
name of Lower Payette Ditch Company was filed on
November 11, 1979 for the diversion of 60 cfs from
Graveyard Gulch Wasteway with a point of diversion within
the SE 1/4 SW 1/4, Sec. 7, T. 7N., R. 3W, Payette County, to be
used for irrigation purposes from March 15 to November 15
within the Lower Payette Ditch Company boundaries.

The permit holder now proposed to amend the permit to
show the source of water as Graveyard Gulch Wasteway
and Unnamed Stream, tributary to the Payette River.

Any protest against approval of the proposed amendment
must be filed with the Department of Water Resources, 92
S. Cole Road, Boise, Idaho 83709 on or before April 7, 1980.
No. 1464 3-20 2tc

OK DBS

RECEIVED

MAR 28 1980

Department of Water Resources
Western Regional Office

Nº 1464

MICROFILMED

35

35

Shawhan's First Surrender

Platted Roadway

County
021-4

14

15

16

17

65⁽²⁰⁾-7882

(20)

Water delivery
(See attached)
plot

$$\begin{array}{r} 657882 \\ (38) \end{array}$$
$$\begin{array}{r} 65 \overline{) 12279} \\ \underline{130} \\ 27 \\ \underline{26} \\ 19 \\ \underline{19} \\ 0 \end{array}$$

65-7882
(19)

$$\begin{array}{r} 65-12279 \\ \hline (4) \end{array}$$

40

SENE

$$\begin{array}{r} 65-7882 \\ \hline (36) \end{array}$$

← Country 0:1

Pumping
Plant
Pond

Center 35

Exophiala

Corner Excepted - Has been
deeded to the city for future
well site 100' x 100'

← Payette City Limits

Total Acres: 170

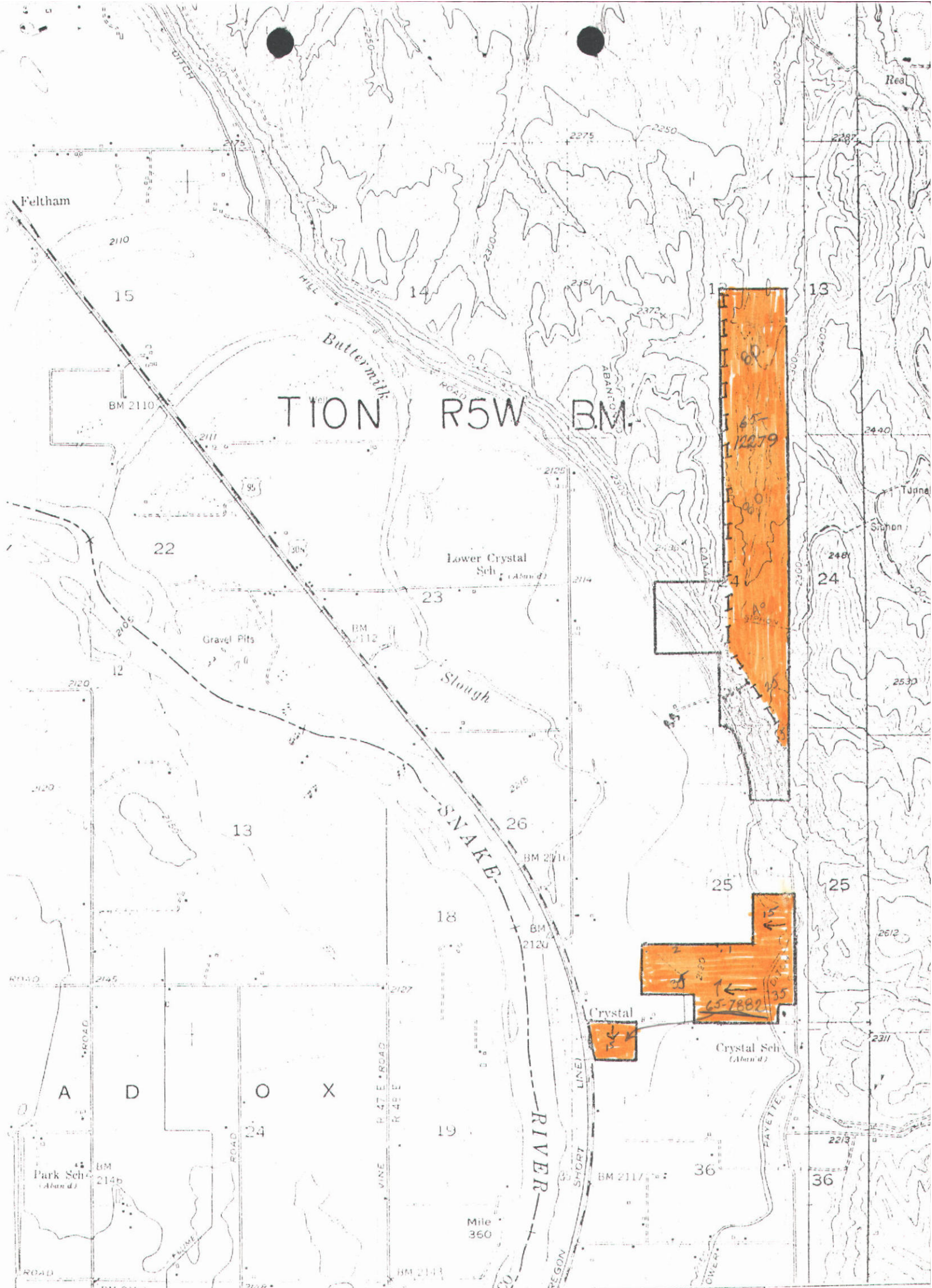
Waste	4
F. S.	8
Farm	15

TP. 9N RGE. 5W8M
Payette COUNTY
Idaho STATE
 SCALE: 1" = 660'

PLATTED BY <u>BH</u>	VERIFIED BY <u>[Signature]</u>
TITLE REPORT DESCRIPTION	
VERIFIED BY	

I think I am. Corp.
Rt 1 Payette

MICROFILMED

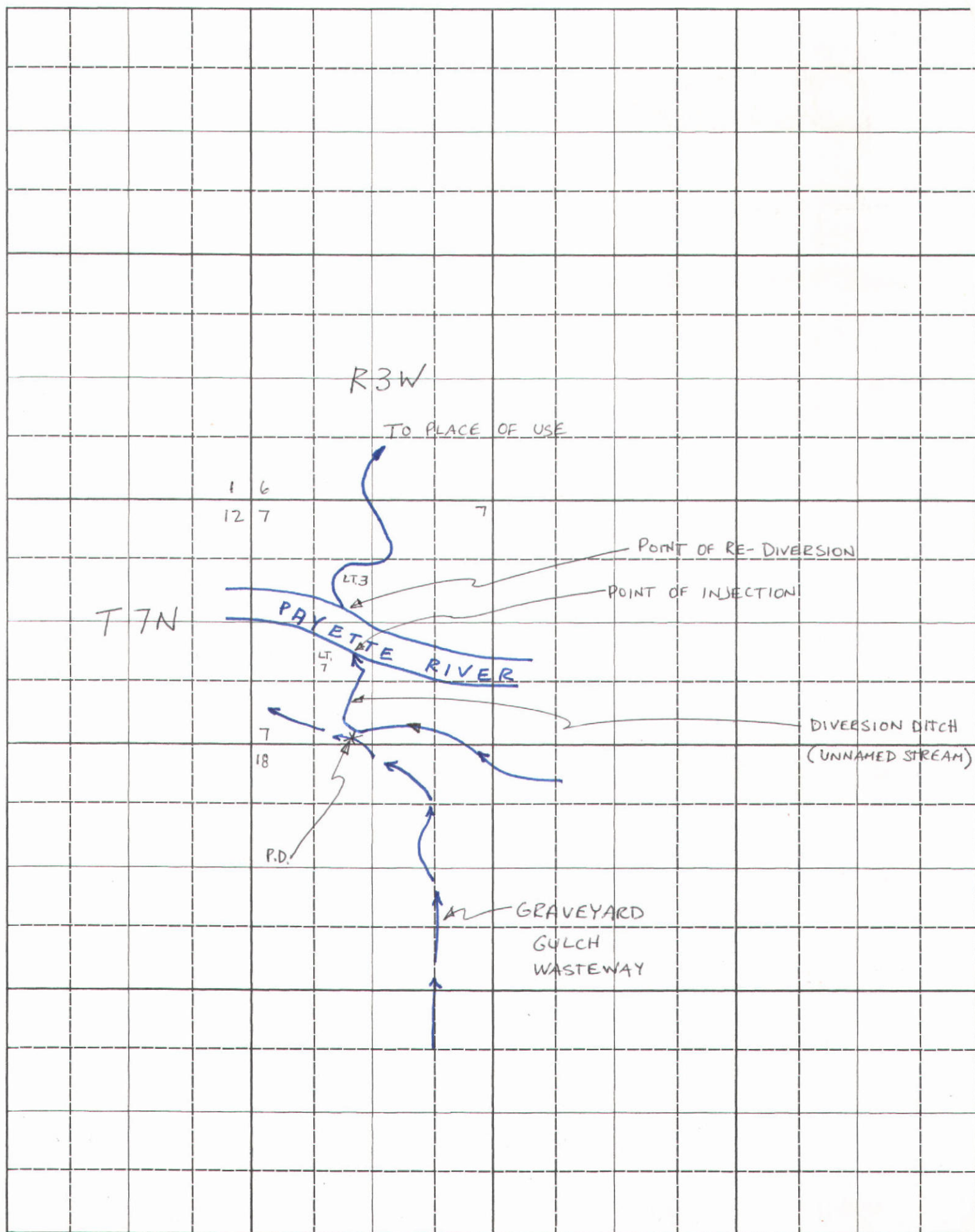


Applicant	James R. Cahill, Jr.	Acreage	404	Appraiser's Initials	LL
State	Idaho	County	Washington	Date	6 December 1978
			Scale		

- Other - Designate other features; i.e. ages of trees & vines by blocks, soil bank land, machine leveled land, waste land, wind machines, power lines, telephone lines, etc.
- 85734 FARM PLAT CONNECTICUT GENERAL LIFE INSURANCE COMPANY
- LEGEND
- Yellow - Cult Land & Rot. Pasture
 - Green - Woods and Timber (////)
 - Blue - Native Hay
 - Brown - Permanent Pasture
 - Orange - Groves, Orchards & Vineyards
 - - Buildings
 - - - - - Rivers, Streams, etc. (Blue)
 - - - - - Roads (Red)
 - x - x - x - x - Harbed } Fences
 - w - w - w - w - Woven } Fences
 - W/P - Well and Windmill
 - W/P - Well and Pump
 - - - - - Drainage Pumps
 - D - D - D - Drainage Ditches
 - ⊙ - Irrigation Wells
 - - - - - Concrete Irrigation Canals
 - - - - - Ditch Irrigation Ditches
 - - - - - Underground Irrigation Pipe
 - - - - - Railroad
 - - - - - Levee

MICROFILMED

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Lewer Payette Ditch Co. by J. H. Brown
(Applicant) *President*

MICROFILMED

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

SS.

Copy of Notice

(First Copy)

Notice of Correction
TITLE OF PUBLICATION

SPONSOR OR PLAINTIFF

Dept of Water Resources
PLAINTIFF OR LEGAL AGENT

Eugene A. Rhinckert, being
duly sworn, deposes and says.

That he is the *Principal Clerk* of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published at
Payette, in the County of Payette and State of Idaho; that said paper
has been and is in general circulation in the county aforesaid, and in
the vicinity of Payette; that the advertisement, a copy of which is
attached hereto, was published in said newspaper once a week for
two consecutive weeks in the regular and entire issue of said
paper during the period and time of publication, and was published
in the newspaper proper and not a supplement; that said paper has
been established and regularly published for more than seventy-eight
consecutive weeks prior to the date of first publication of said adver-
tisement.

Such notice was published in the issue beginning with
Nov 21, 19*79*, and ending with the issue
of *Nov 29*, 19*79*.

Subscribed and sworn to before me this *29* day
of *November*, 19*79*.

Mary Jane Lee
Notary Public, Residing at Payette, Idaho.

My Commission Expires *April 28*, 19*80*.

STATEMENT

Independent-Enterprise PAYETTE, IDAHO

Number of Lines *16. dau li*

Number of Insertions *two*

16 Lines @ *42 1/2* . . . \$ *6.80*

16 Lines @ *30 1/2* . . . \$ *4.88*

TOTAL COST
WILL BE \$ *11.68*

NOTICE OF CORRECTION
Notice is hereby given that notice of Application for Per-
mit No. 65-12279 in the name of Lower Payette Ditch Com-
pany was published in error on October 25 and November 1,
1979.

The point of redirection was advertised as being within
Lot 3, Sec. 07, T03W, Payette County. WHEREAS, the ac-
tual point of redirection is within Lot 3, Sec. 07, T07N,
R03W, Payette County.

Any protest against approval of this application must be
filed with the Director of the Idaho Department of Water
Resources, 92 South Cole Road, Boise, Idaho 83709 on or
before December 10, 1979.

C. STEPHEN ALLRED
Director

Published in the Independent-Enterprise on 11/22 and 11/
29/79.
No. 1357

11-21 2nc

RECEIVED

NOV 30 1979

Department of Water Resources
Western Regional Office

MICROFILMED

Nº 1357

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

SS.

Copy of Notice

(First Copy)

Notice of Application for water right

TITLE OF PUBLICATION

5-122

SPONSOR OR PLAINTIFF

Dept of water Resour

PLAINTIFF OR LEGAL AGENT

Eugene H. Rhinehart, being

duly sworn, deposes and says:

That he is the *Principal Clerk* of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published at
Payette, in the County of Payette and State of Idaho; that said paper
has been and is in general circulation in the county aforesaid, and in
the vicinity of Payette; that the advertisement, a copy of which is
attached hereto, was published in said newspaper once a week for
two consecutive weeks in the regular and entire issue of said
paper during the period and time of publication, and was published
in the newspaper proper and not a supplement; that said paper has
been established and regularly published for more than seventy-eight
consecutive weeks prior to the date of first publication of said adver-
tisement.

Such notice was published in the issue beginning with

Oct 25, 19*79*, and ending with the issue
of *Nov 1*, 1979.

Subscribed and sworn to before me this *2* day

of *November*, 19*79*.

Mary Jane Lee
Notary Public, Residing at Payette, Idaho.

My Commission Expires *April 28*, 19*80*.

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s)
have been submitted for permit to appropriate the public
waters of the State of Idaho.

65-12279

LOWER PAYETTE DITCH COMPANY

114 N. 8TH, PAYETTE, IDAHO 83661

Source: GRAVEYARD GULCH WASTEWAY tributary to
PAYETTE RIVER

Date Filed: 10/11/1979

Amount: 60.00 CFS

Diversion Point: SESW Sec 07 T 07N R 03W LOT 03, Sec. 07

T03W (REDIVERSI) PAYETTE Co.

Use: IRRIGATION (60.00 CFS) from 03/15 to 11/15

Place of Use: is within land of Lower Payette Ditch Com-

pany: SWNE SENE Sec 35 T 09N R 05W NWSE SWSE Sec

13 T 10N R 05W NWNE

SWNE NWSE SWSE Sec 24 T 10N R 05W NWNE

Sec 25 T 10N R 05W

If issued, the permit(s) will be subject to all prior water
rights. Protests against the granting of any permit must be
filed with the Director of the Idaho Department of Water
Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before
NOVEMBER 12, 1979.

C. STEPHEN ALLRED

Director

Published 10/25 & 11/01.

No. 1320

10-25 2tc

RECEIVED

NOV 5 1979

Department of Water Resources
Western Regional Office

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines *27 dan li*

Number of Insertions *two*

27 Lines @ *42 1/2* . . . \$ *11.48*

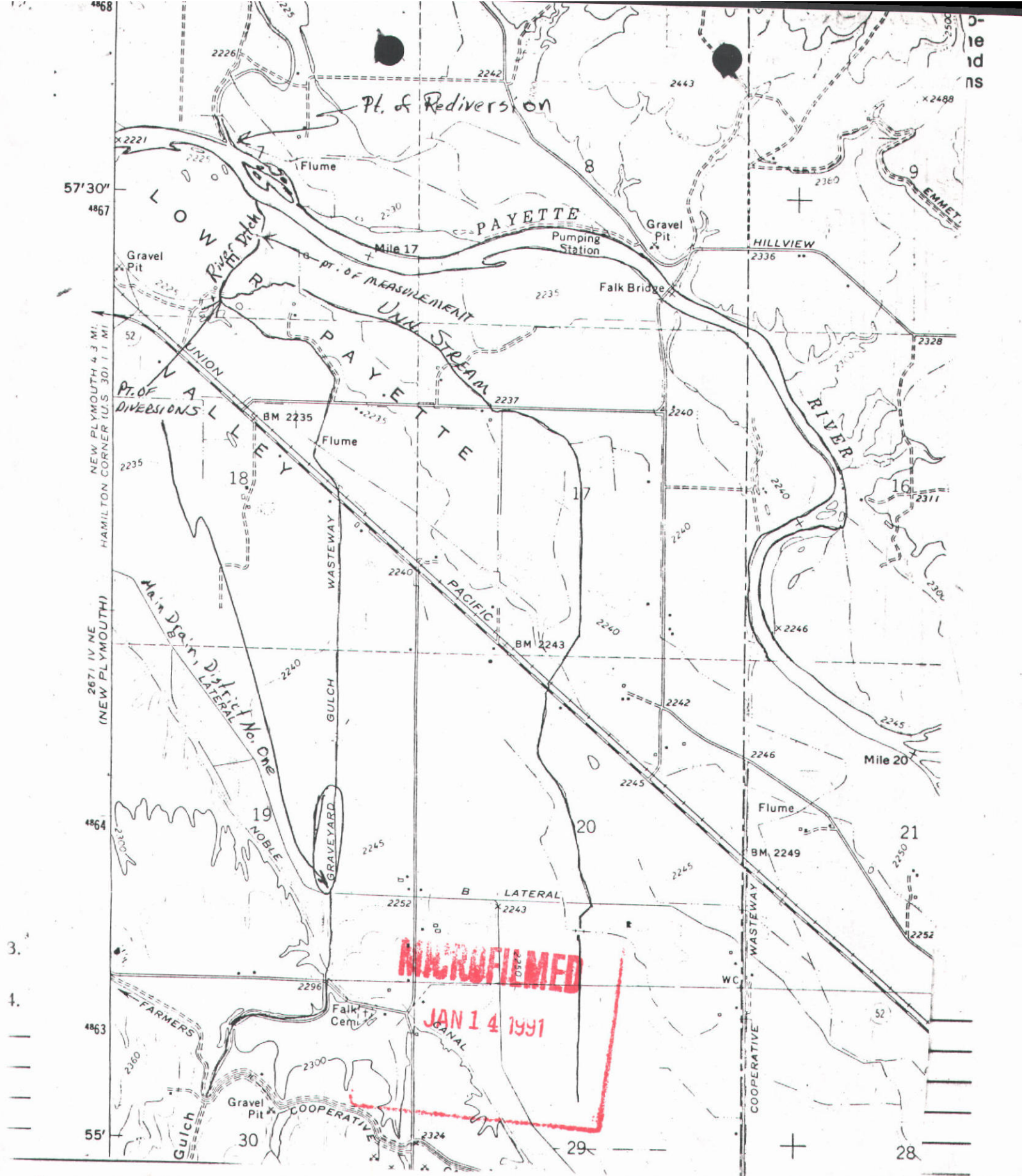
27 Lines @ *30 1/2* . . . \$ *8.24*

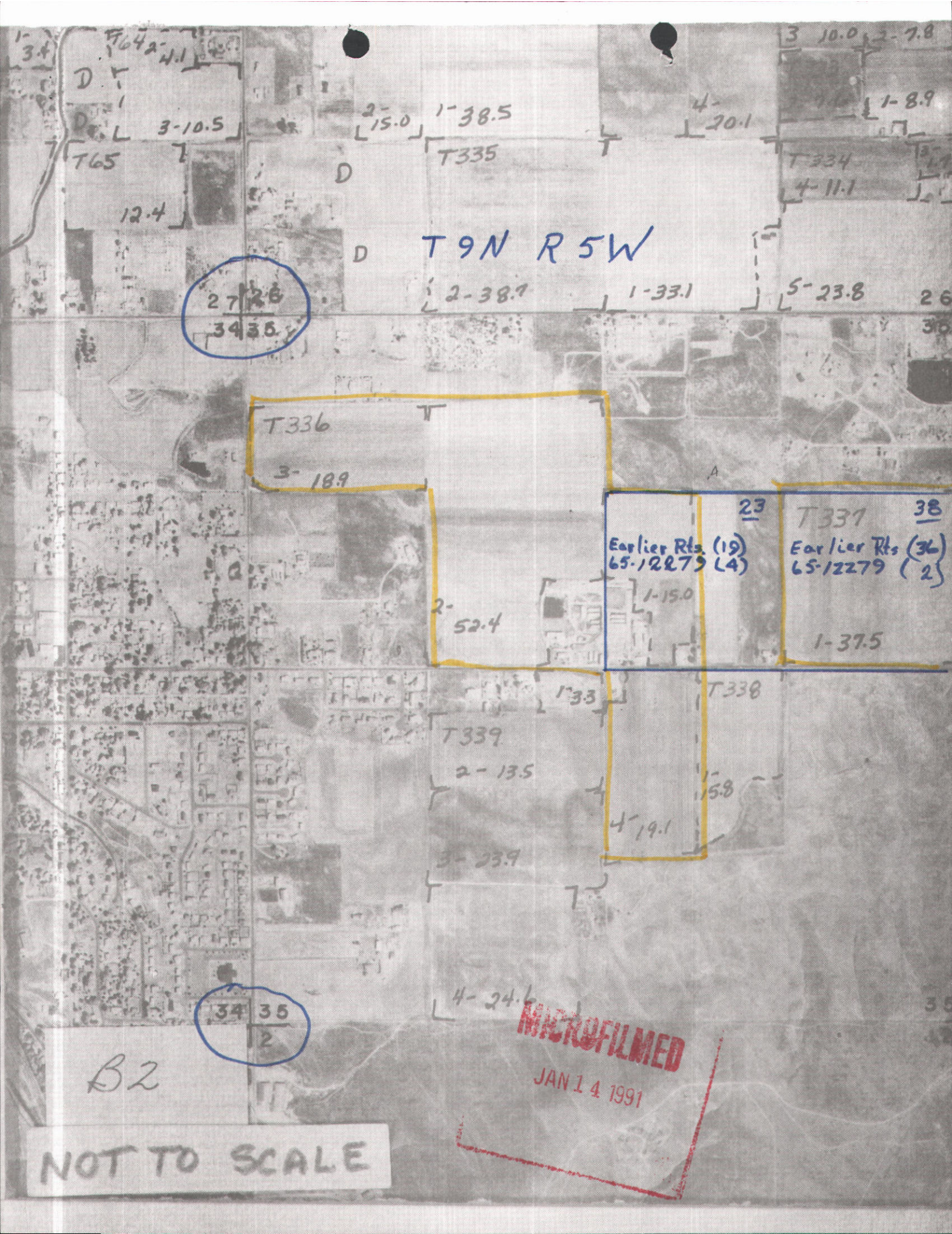
TOTAL COST

WILL BE \$ *19.72*

MICROFILMED

Nº 1320





T9N R5W

27/26
34/35

T336
3-18.9
2-52.4

23
Earlier Rts (19)
65-12279 (4)
1-15.0
4-19.1
T338
1-5.8

38
T337
Earlier Rts (36)
65-12279 (2)
1-37.5

34/35
2

B2

NOT TO SCALE

MICROFILMED

JAN 14 1991

R-2

F-32

40

U.S.

14 13
23 24

13 18
24 19

F-135
F-138

T
10
N

A
11.6

205.6

B
11.4

C
14.8

F-246
F-249

A 7.3
C 10.1
D 3.5

B 13.1

K
14.0

F
23.6

D-4.2
D-4.5

40

36

B
140.4

MICROFILMED

JAN 14 1991

17

I 23.2

23 24
26 25

24 19

R.D.

C
23.9

NOT TO SCALE

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 65-12279

Priority: April 7, 1980

Maximum Diversion Rate: 3.02 CFS
Maximum Diversion Volume:¹ 2857.5 AF

This is to certify, that LOWER PAYETTE DITCH CO.
114 N. 8TH ST.

PAYETTE, ID 83661 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated April 7, 1980; and
has submitted Proof of Beneficial Use on January 2, 1985. An examination indicates
that the works have a diversion capacity of 93.020 cfs of water from:

GRAVEYARD GULCH WASTEWAY tributary to PAYETTE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	3.02 CFS	2857.5 AF

LOCATION OF POINT(S) OF DIVERSION:

Rediversion

LOT 3(SE1/4), Sec. 7, Township 07N, Range 03W
NWSE, Sec. 19, Township 07N, Range 03W
SE1/4, Sec. 7, Township 07N, Range 03W
PAYETTE County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
6. Place of use within boundaries of Lower Payette Ditch Co.

MICROFILMED

JAN 14 1991

PAGE 2

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 65-12279

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 20th
day of December, 1990.

Acting for R. Keith Higginson, Director

MICROFILMED

JAN 14 1991

STATE OF IDAHO

APPLICATION FOR AMENDMENT OF PERMIT

RECEIVED
NOV 13 1985

To change the point of diversion and/or the place of use.

no. 12279
Department of Water Resources

APPROVED

Comes now Lower Payette Ditch Company Phone 642-2441
of (address) 114 N. 8th Payette ID 83661, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 65-12279, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE 1/4 SW 1/4, Section 7, Township 7N, Range 3W, B.M.,
County of Payette. Other points of diversion: NWSE S19 T 7N R 3W. Main Drain,
District No. One injected into Graveyard Gulch Wasteway: NWSE S19 T 7N R 3W. Point of
injection into Payette River: Lot 7 (NWSE) S 7 T 7N R 3W. Point of rediversion: Lot 3
(SENW) S 7 T 7N R 3W

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)
No change
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated: No change

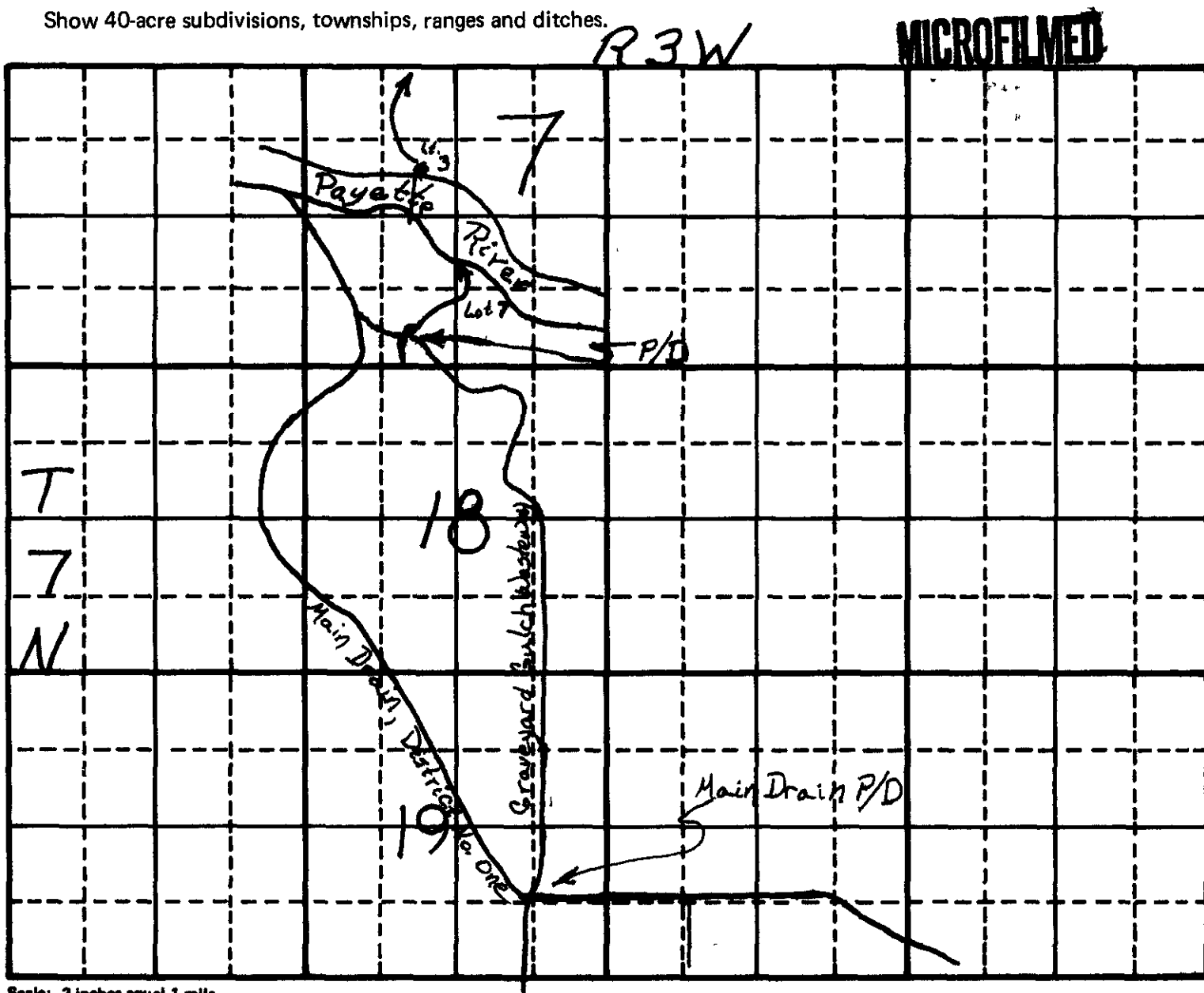
TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

4. Source of water: Main Drain, District No. One Tributary to Payette River
Graveyard Gulch Wasteway Tributary to Main Drain, District No. One
Total number of acres to be irrigated =
A. 5. a. Who owns the property at the point of diversion? Reed Henderson
b. Who owns the land to be irrigated or the place of use? Applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing:

MICROFILMED

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Payette, this 11 day of November, 19 85.
Cecil Shurtliff Pres.
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by 6/5 Fee = \$20.00 - 36189 Receipted by SP Date 12/16/85
Publication prepared by SP Date 12/11/85 Published in Independent Enterprise
Publication dates 12/19/85 12/21/85

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby
Approve the above referenced Amendment provided the conditions as set forth on
page 4 of Permit No. 65-12279 are met.

Witness my hand this

22 nd

day of

January

, 19 86

L. Glen Saxton
Chief, Operations Bureau

Affidavit .. Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

SS

Copy of Notice

Notice of Application for Amendment
TITLE OF PUBLICATION

SPONSOR OR PLAINTIFF

Dept. of Water Resources
PLAINTIFF OR LEGAL AGENT

I, Melvena Berrett, being

duly sworn, deposes and says:

That *she* is the *principal clerk* of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published at
Payette, in the County of Payette and State of Idaho; that said paper
has been and is in general circulation in the county aforesaid, and in
the vicinity of Payette; that the advertisement, a copy of which is
attached hereto, was published in said newspaper once a week for
two consecutive weeks in the regular and entire issue of said
paper during the period and time of publication, and was published
in the newspaper proper and not a supplement; that said paper has
been established and regularly published for more than seventy-eight
consecutive weeks prior to the date of first publication of said adver-
tisement

Such notice was published in the issue beginning with
Dec 18, 19 *85*, and ending with the issue
of *Dec 23*, 19 *85*.

Subscribed and sworn to before me this *24th* day
of *Dec*, 19 *85*.

Marieje Rhinehart
Notary Public, Residing at Payette, Idaho.

My Commission Expires *Dec. 1*, 19 *86*.

STATEMENT

Independent-Enterprise
PAYETTE, IDAHO

Number of Lines *23 dble line*

Number of Insertions *(25) two*

23 Lines @ *72¢* .. \$ *16.56*

23 Lines @ *54¢* ... \$ *12.42*

TOTAL COST
WILL BE \$ *28.98*

NOTICE IS HEREBY GIVEN that a certain permit was filed on 10/11/85 in the name of the Lower Payette River Council, Inc. for the purpose of changing the source of water to the Old Payette River Wasteway tributary to the Main Drain, District No. One, and the Main Drain, District No. One tributary to the Payette River, and changing the point of discharge to the SW 1/4 Sec. 7 and the NW 1/4 Sec. 8, T. 17 N., R. 27 W., to be used for irrigation purposes from 1985 to 11/15 for lands under the title of Payette River Council, 15,684 acres.

The permit holder now proposes to amend the permit by changing the source of water to the Old Payette River Wasteway tributary to the Main Drain, District No. One, and the Main Drain, District No. One tributary to the Payette River, and changing the point of discharge to the SW 1/4 Sec. 7 and the NW 1/4 Sec. 8, T. 17 N., R. 27 W.

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, Statehouse, 200 W. State St., Boise, Idaho on or before January 5, 1986.

No. 874

Deposited in the office of the
County Clerk of Payette, Idaho

Nº 874

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 65-12279 IN THE
NAME OF LOWER PAYETTE DITCH COMPANY

)
) ORDER OF REINSTATEMENT
)

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before December 1, 1984; and,

WHEREAS, the Department has notified the permit holder by certified mail that proof was due and instructed the permit holder as to the steps to be taken to make said proof; and

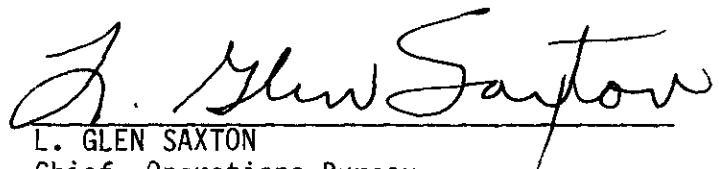
WHEREAS the Department has notified the permit holder that the permit has lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on January 2, 1985;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 65-12279 be REINSTATED and the priority advanced to April 7, 1980.

Dated this 9th day of January, 1985.


L. GLEN SAXTON
Chief, Operations Bureau

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR AMENDMENT OF PERMIT

To change the point of diversion and/or the place of use, and/or source.

RECEIVED
MAR 6 1980
Department of Water Resources
Western Regional Office

Comes now Lower Payette Ditch Company

of (address) 114 N. 8th, Payette, ID 83661, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 65-12279, and requests that the permit and permit map be changed as follows:

No change
1. Point of diversion: 1/4 1/4, Section , Township , Range , B.M.,
County of . Other points of diversion:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)
No change
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated: No change

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

4. Source of water: Graveyard Gulch Wasteway, tributary to Payette River
and unnamed stream, tributary to Payette River
Total number of acres to be irrigated =

5. a. Who owns the property at the point of diversion? Reed Henderson
b. Who owns the land to be irrigated or the place of use? Applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

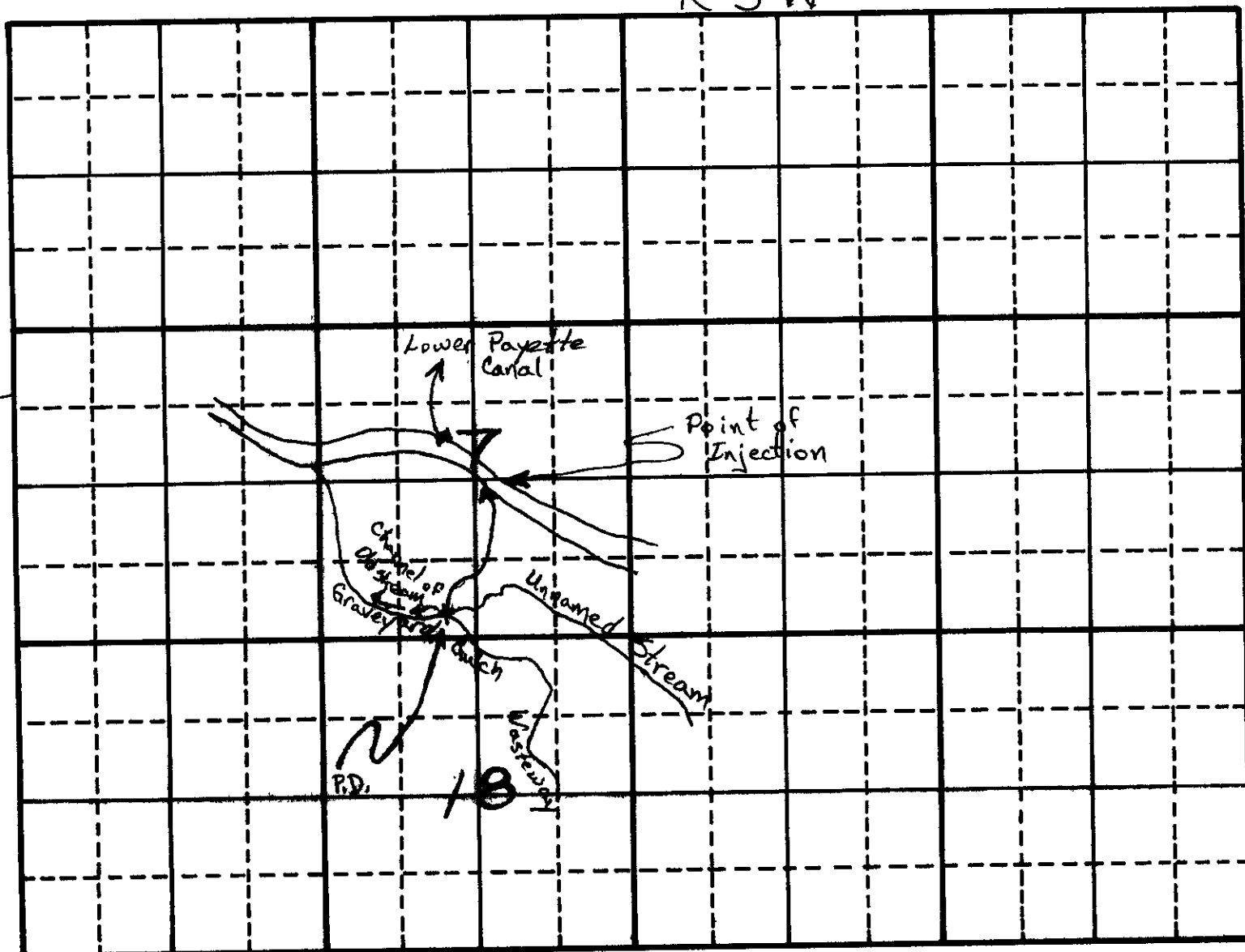
FILED

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.

R 3 W

MICROFILMED



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at PAVETTE, IDAHO, this 4th day of MARCH, 19 80.

Lower Payette Ditch Co
(Signature)
by J. W. Brown

FOR DEPARTMENT USE ONLY

Preliminary check by 20.00 Fee = \$20.00 # 15368 Received by KK Date 3/10/80
Publication prepared by KK Date 3/13/80 Published in Independent - Enterprise
Publication dates 3/20, 3/27/80

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON Chief, Operations Bureau of the Department of Water Resources hereby

APPROVE the above referenced Amendment for Permit No. 65-12279.

Witness my hand this 23rd day of

May

19 80

L. Glen Saxton
Chief, Operations Bureau

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

SS

Copy of Notice
(First Copy)

Notice of Application For Amendment
TITLE OF PUBLICATION
Dept. of Water Resources
SPONSOR OR PLAINTIFF

PLAINTIFF OR LEGAL AGENT

duly sworn, deposes and says:

That he is the owner of THE INDEPENDENT-ENTERPRISE, a weekly newspaper published at Payette, in the County of Payette and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Payette; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement

Such notice was published in the issue beginning with Mar. 20, 19 80, and ending with the issue of Mar. 27, 19 80.

Subscribed and sworn to before me this 27 day of March, 19 80.

Theresa Jane Lee
Notary Public, Residing at Payette, Idaho.

My Commission Expires April 28, 19 80.

STATEMENT

Independent-Enterprise
PAYETTE, IDAHO

Number of Lines 14 lines

Number of Insertions 1

14 Lines @ 2.00 ... \$ 28.00

14 Lines @ 2.00 ... \$ 28.00

TOTAL COST
WILL BE ... \$ 56.00

Notice of Lower Payette Ditch Company was filed on November 11, 1979 for the diversion of 80 cfs from Graveyard Gulch Wasteway with a point of diversion within the SE 1/4, Sec. 7, T. 10N., R. 3W., Payette County, Idaho used for irrigation purposes from March 20 to November 10 within the Lower Payette Ditch Company boundaries.

The permit holder now proposed to amend the permit to show the source of water as Graveyard Gulch Wasteway and Unnamed Stream, tributary to the Payette River.

Any protest against approval of the proposed amendment must be filed with the Department of Water Resources, 400 S. Main Street, Boise, Idaho 83726 on or before April 7, 1980.
No. 1464

OK DBS

Nº 1464
MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant LOWER PAYETTE DITCH COMPANY Phone 642-2441

Post office address 114 N. 8th Payette, ID 83661

2. Source of water supply Graveyard Gulch Wasteway which is a tributary of Payette River

3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 7 Township 7N

Range 3W B.M. Payette County, additional points of diversion if any: _____

Point of injection into Payette River: Lot 7, S7 T7N R3W.

Point of redirection from Payette River: Lot 3, S7 T7N R3W.

4. Water will be used for the following purposes:

Amount 60 for Irrigation purposes from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 60 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Diversion dam, pipeline to unnamed stream, injection into Payette River, redirection through Lower Payette Ditch Company system.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

MICROFILMED

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

* Adjustment to show total Total number of acres to be irrigated * 13,932
acres irrigated under this permit 12-21-79 J.J.

9. a. Who owns the property at the point of diversion Reed Henderson

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks This water is supplemental to previous rights.

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

MAR 02, 1979

SOURCE: PAYETTE RIVER

INDICATES TOTAL

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE FROM TO	MAX AMOUNT PAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-0165X (cont.)	SWNE(201) SWNW(137)			NENE(136) NWNE(139)		SWSE(138)	
	SENE(135) NESW(136)			SWNE(201) SENE(139)		S36 T10N R 5W	
	NWSW(135) SWSW(134)			NENE(137) NWNW(122)		SESW(24) SWSE(21)	
	SESW(136) NESE(119)			SWNW(11) SENW(119)		S33 T11N R 5W	
	NWSE(138) SWSE(138)			S15 T10N R 5W		LOT 7(17)	
	SESE(130)			NENE(132) NWNE(137)		S20 T 8N R 4W	
	LOT 2(136)			SENE(115) SENW(16)		LOT 4(13)	
	LOT 3(134)			NESE(135) NWSE(134)		S21 T 8N R 4W	
	S 4 T10N R 5W			LOT 3(11)		LOT 3(12)	
	NENE(138) NWNE(138)			LOT 2(136)		LOT 2(115)	
	SWNE(136) SENE(137)			LOT 1(136)		LOT 1(16)	
	NENW(124) NWNW(137)			LOT 1(136)		S 4 T 8N R 5W	
	SENE(115) NESE(136)			S23 T10N R 5W		LOT 1(27)	
	NWSE(112)			NWNE(15) SENW(123)		LOT 2(16)	
	S 9 T10N R 5W			SESW(130) NWSW(136)		LOT 3(10)	
	SWNE(16) NENE(124)			SWSW(139)		S24 T 8N R 5W	
	NWNE(40) SWNW(110)			- S24 T10N R 5W		LOT 2(11)	
	SENE(138) NESW(137)			- NWNE(17) SWNE(125)		LOT 3(34)	
	NWSW(135) SWSW(118)			NFWN(139) NWNW(137)		LOT 4(17)	
	SESW(138) NWSE(130)			SWNW(135) SENW(134)		S15 T 9N R 5W	
	SWSE(138) SESE(117)			NESW(40) NWSW(135)		LOT 3(184)	
	S10 T10N R 5W			SWSW(131) SESW(137)		LOT 2(11)	
	SWNW(16) NWSW(11)			NWSE(137) SWSE(136)		LOT 1(19)	
	SESE(11)			NESE(12) SESE(18)		S26 T10N R 5W	
	S14 T10N R 5W			S25 T10N R 5W		NENE(40) NWNW(139)	
				SESE(14)		SWNW(136) SENW(135)	
				S35 T10N R 5W		S25 T 9N R 5W	
				NENE(16) NWNE(137)		NENE(136) NWNE(137)	
				SWNE(137) SENE(125)		SWNE(134) SENE(138)	
				NENW(138) NWNW(127)		NFWN(139) NWNW(138)	
				SWNW(130) SENW(134)		SWNW(137) SENW(137)	
				NESW(136) NWSW(133)		NESW(138) NWSW(134)	
				SWSW(139) SESW(136)		SWSW(139) SESW(38)	
				NESE(124) NWSE(137)		NESE(135) NWSE(137)	
						SWSE(136) SESE(136)	
						S11 T 8N R 5W	
						11008	

FILE 252

SOURCE: PAYETTE RIVER

[illegible]

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

For 3244

INDICATES TOTAL

SOURCE: PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	IRRIGATION	USE	USE FROM	USE PERIOD TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-7848	LOMR PAYETTE DITCH CO. 114 NORTH 8TH ST., PAYETTE, IDAHO 83661	4/15/1977			3/15	11/15	---	AFA LOT 3 S 7	NESL(40) SWSF(40) SESE(40) S25 T 8N R 4W +120*	PERMIT
	REMARKS: THIS PERMIT RIGHT IS NOT DECEDED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.						2.40 CFS	1 7N R 3W		

85-2861 KARINSKI, JOSEPH I. 6/18/1917 DOMESTIC 1-1-12/31 1-20 APA COT 3 SZC SAME AS OTHER USE PERMIT
-04 CFS 1 9N R 4E
KARINSKI, JEAN

~~STAR ROUTE, BANKS, IDAHO 83602
RE-MARKS: THIS PERMIT RIGHT IS
NOT DECEASED BY THE PRESENT
ADJUDICATION PROCEDURE, AND IS
INCLUDED FOR INFORMATION
PURPOSES ONLY. NORMAL
STATUTORY PROCEDURES MUST BE
COMPLETED FOR LICENSING.~~

~~| | | | | |
|-------------|------------|-----|---------|-------------------|
| IRRIGATION | 4/ 1 11/ 1 | --- | AFA | LGT 31 (2) |
| | | .03 | CFS | S2C T 9N P 4E +2* |
| FIRE PROTCL | 17 1 12/31 | --- | AFA | SAME AS OTHER USE |
| | | .05 | CFS | |
| | | + | ---*AFA | |
| | | | 12+CFS | |~~

65-7897 HIFOLD, WILLIAM W.
ROUTE 1, HORSESHOE BEND, IDAHO
83629
6/16/1977 IRRIGATION 4/ 1 11/ 1
--- AFA C011 S 3 SENE(12)
.60 CFS T 7N R 2E LCI 1(18)
3 1 T 7N R 2E
#304
PERMIT

~~RRFRANKS: THIS RIGHT WHEN
SHALL COMBINED WITH RIGHT 65-2162
SHALL PROVIDE NC MORE THAN .02
LBS/ACRE. THIS PERMIT RIGHT IS
NOT DECREE BY THE PRESENT
ADJUDICATION PROCEDURE, AND IS
EXCLUDED FOR INFORMATION
PURPOSES ONLY. NORMAL
STATUTORY PROCEDURES MUST BE
COMPLETED FOR LICENSING.~~

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

MAR 02, 1979

INDICATES TOTAL

SOURCE: GRAVEYARD GULCH WASTEWAY TRIBUTARY TO: PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION PCNT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-7885	CONNECTICUT GENERAL LIFE INSURANCE 910 STEPHENS TOWER NORTH, DALLAS, TEXAS 75207 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF LOWER PAYETTE DITCH CO. SHALL PROVIDE NO MORE THAN .02 CFS/ACRE. THIS PERMIT RIGHT IS NOT DECEED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.	5/13/1977	IRRIGATION 3/15 11/15	--- AFA 30.00 CFS	SESH S 7 T 7N R 3W	NENE(40) NNE(40) SENE(40) NENE(40) NNW(40) SNN(40) SWN(40) SESH(40) NESE(40) SWE(40) SESE(40) S 6 T 8N R 4W NENE(40) NNE(40) SNN(40) SENE(40) NEN(40) NNN(40) SENN(40) NESN(40) NNSW(40) SWSW(40) SESN(40) NESE(40) NNE(40) SWE(40) SESE(40) SNE(40) S 7 T 8N R 4W NEN(40) NNN(40) SNN(40) SENE(40) NNSW(40) SWSW(40) SESN(40) NESE(40) NNE(40) SWE(40) SESE(40) SNE(40) S 8 T 8N R 4W	PERMIT

*Assigned to Lower Payette
Ditch Co.*

13670

--- AFA SESH S 7
30.00 CFS T 7N R 3W

5/13/1977 IRRIGATION 3/15 11/15

65-7887 LOWER PAYETTE DITCH COMPANY
114 NORTH 8TH STREET, PAYETTE,
IDAHO 83661
REMARKS: THIS RIGHT WHEN
COMBINED WITH RIGHTS 65-0165,
65-7425, 65-7428, & 65-7048
SHALL PROVIDE NO MORE THAN .02
CFS/ACRE. PLACE OF USE IS
LANDS UNDER THE LOWER PAYETTE
DITCH COMPANY. POINT OF
INJECTION IN PAYETTE RIVER:
NESH, S.7, T.7N, R.3W. POINT
OF RE-DIVERSION: LOT 3, S.7,
T.7N, R.3W. THIS PERMIT RIGHT
IS NOT DECEED BY THE PRESENT
ADJUDICATION PROCEDURE, AND IS
INCLUDED FOR INFORMATION
PURPOSES ONLY. NORMAL
STATUTORY PROCEDURES MUST BE
COMPLETED FOR LICENSING.

TITLE "A":

In Twp. 9 N. R. 5 W., B.M., Payette County, Idaho:

In Sec. 35: SE $\frac{1}{4}$ NE $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; and W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$;

**ALSO, Blocks 14, 15, 16 and 17 of SHAWHAN'S FIRST SUBDIVISION
OF PAYETTE HEIGHTS, as per Plat in Book 2, Page 1, Plat
Records, Payette County, Idaho;**

EXCEPTING THEREFROM the following tract of land:

**Beginning at the SW corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec. 35;
thence in a Northerly direction along the West side line of
said SE $\frac{1}{4}$ NW $\frac{1}{4}$ 100 feet;
thence in an Easterly direction along a line parallel to the
South side line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ 100 feet;
thence in a Southerly direction along a line parallel to the
West side line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ 100 feet to the South side line
of said SE $\frac{1}{4}$ NW $\frac{1}{4}$;
thence in a Westerly direction along the South sideline of said
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 100 feet to the point of beginning.**

TITLE "B":

In Twp. 9 N. R. 5 W., B.M., Payette County, Idaho:

In Sec. 35: W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$.

35

Shawhan's First S. L.

Platted Roadway

3'5"

County
Oil -

(14)

15

16

(17)

65-78B2 (20)

(20)
65-7882

water delivery
(See attached
plan)

65-7882
(38)

لعلہ شاہ

Purpose

Food

sw 135 NE

65-12270
(10)

65-7882
(19)

79

65-12279
(4)

40

SENE

65-7882
(36)

47 County 0:1

Center 35

En-phin

Corner Excepted - Has been
deeded to the city for future
well site 100' x 100'

← Payette City limits

Total Acres³. 170

Waste 4

F. S. 8

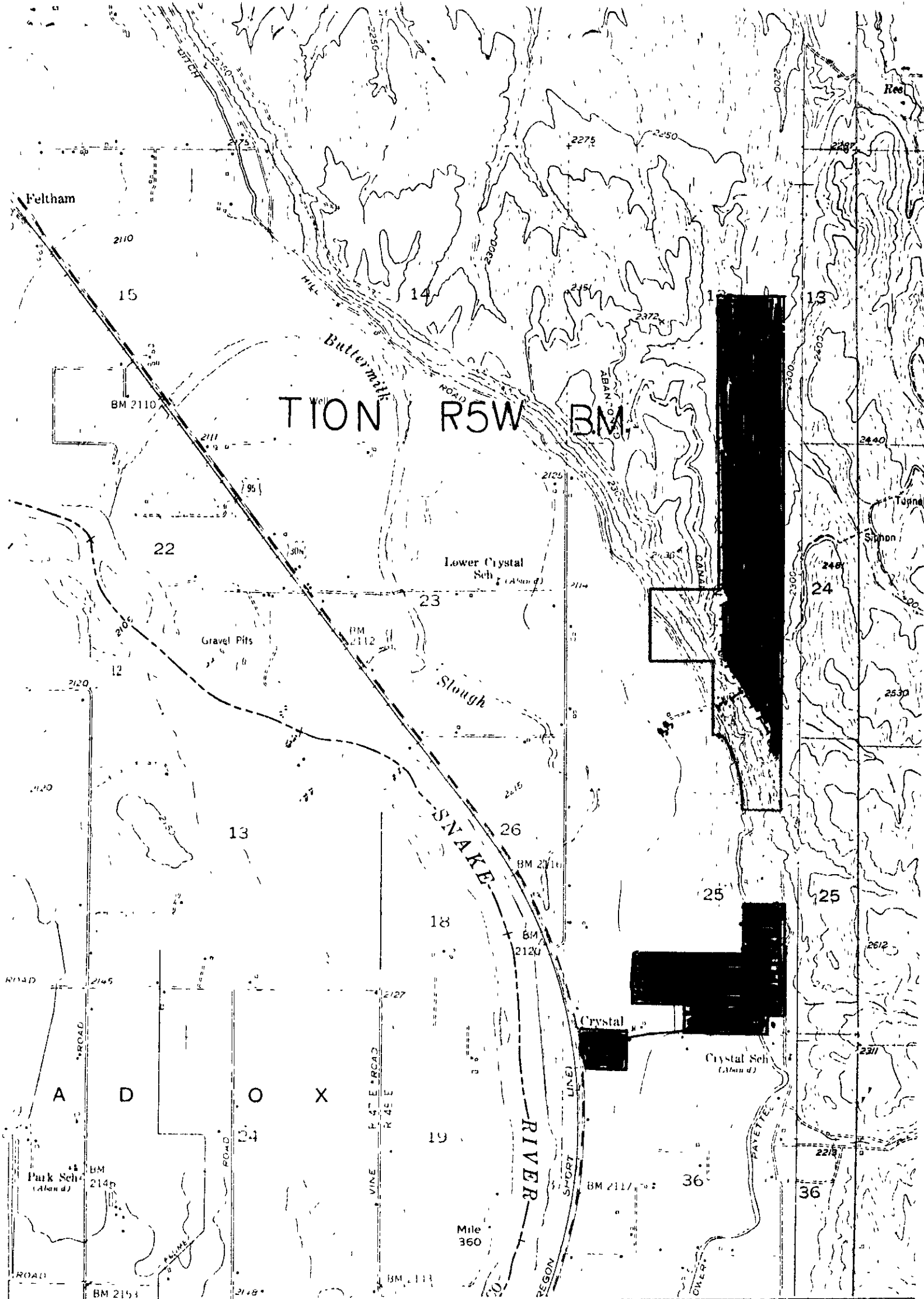
Form 158

TP. 9N RGE. 5W B4
 ↑ Payette COUNTY
 ↑ Idaho STATE
 ↑ SCALE: 1" = 660'

PLATTED BY <u>B.H.</u>	VERIFIED BY <u>[Signature]</u>
TITLE REPORT DESCRIPTION	
VERIFIED BY	

Starks Fam. Corp.
Rt 1 Payette

MICROFILMED



Applicant	James R. Cahill, Jr.	Acres	404	Appraiser's Initials	LL
State	Idaho	County	Washington	Date	6 December 1978
				Scale	

LEGEND

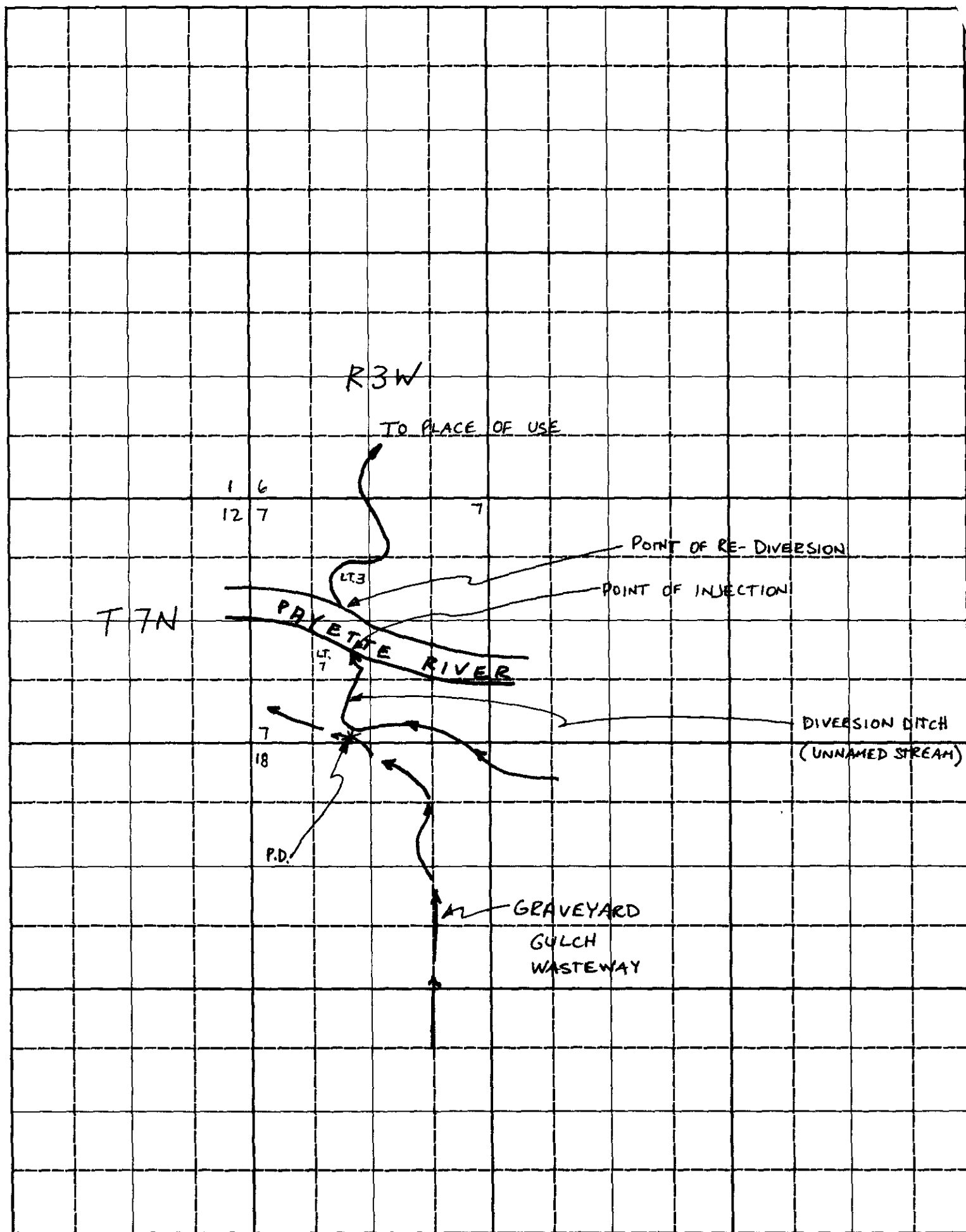
- Yellow - Cult Land & Rot Pasture
- Green - Woods and Timber (shaded)
- Blue - Native Hay
- Brown - Permanent Pasture
- Orange - Groves, Orchards & Vineyards
- Black - Buildings
- Blue - Rivers, Streams, etc. (Blue)
- Red - Roads (Red)
- Dashed - Dashed Fences
- Woven - Woven Fences
- Well and Windmill - Well and Windmill
- Well and Pump - Well and Pump
- Drainage Pumps - Drainage Pumps
- Drainage Ditches - Drainage Ditches
- Concrete Irrigation Canals - Concrete Irrigation Canals
- Dirt Irrigation Ditches - Dirt Irrigation Ditches
- Underground Irrigation Pipe - Underground Irrigation Pipe
- Railroad - Railroad
- Levee - Levee
- Irrigation Wells - Irrigation Wells

Other - Designate other features, i.e. ages of trees & vines by blocks, soil bank land, machine leveled land, waste land, wind machines, power lines, telephone lines, etc.

B5734 FARM PLAT CONNECTICUT GENERAL LIFE INSURANCE COMPANY

MICROFILMED

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale. 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Lamer Payette Ditch Co by *J. B. Brown*
(Applicant) President

MICROFILMED

Proposed Priority 10/11/79 ^{3/6/80} (see amendment dated this date)

MICROFILMED

Received by KW Date 10/11/79 Time 10:40
Preliminary check by _____ Fee \$ 425.00 # 14590
Receipted by KR Date 10/15/79
Publication prepared by kk Date 10/18/79
Published in Independent Enterprise
Publication dates 10/26 & 11/1/79 11/22 + 11/29
Publication approved KR Date 12/10/79
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by DBS Jim

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 65-12279, and said application is hereby approved.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 19 84.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: (1) The issuance of this permit in no way grants any right-of-way or easement across the land of another. (2) Use of water under this permit is subject to control by the watermaster of State Water District # 65, Payette River. (3) A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

Witness my hand this 21st day of December, 19 79.

L. Glen Saxton

Chief, Operations Bureau

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

SS.

Copy of Notice
(First Copy)

Notice of Connection

TITLE OF PUBLICATION

SPONSOR OR PLAINTIFF

Dept of Water Resources

PLAINTIFF OR LEGAL AGENT

Eugene A. Rhinckert

, being

duly sworn, deposes and says

That he is the *Principal Clerk* of

THE INDEPENDENT-ENTERPRISE, a weekly newspaper published at Payette, in the County of Payette and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Payette; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *two* consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

Nov 21, 19*79*, and ending with the issue of *Nov 29*, 19*79*.

Subscribed and sworn to before me this *29* day of *November*, 19*79*.

Mary Jane Lee

Notary Public, Residing at Payette, Idaho.

My Commission Expires *April 28*, 19*80*.

NOV 30 1979

Department of Water Resources
Western Regional Office

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines *16 lines*

Number of Insertions *two*

16 Lines @ *42 1/2* ... \$ *6.80*

16 Lines @ *30 1/2* ... \$ *4.88*

TOTAL COST
WILL BE ... \$ *11.68*

MICROFILMED

Nº 1357

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

ss.

Copy of Notice
(First Copy)

Notice of Application for water right

TITLE OF PUBLICATION

5-122

SPONSOR OR PLAINTIFF

Dept of water Resour

PLAINTIFF OR LEGAL AGENT

Eugene H. Rinehart, being
duly sworn, deposes and says:

That he is the *Principal Clerk* of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published at
Payette, in the County of Payette and State of Idaho; that said paper
has been and is in general circulation in the county aforesaid, and in
the vicinity of Payette; that the advertisement, a copy of which is
attached hereto, was published in said newspaper once a week for
two consecutive weeks in the regular and entire issue of said
paper during the period and time of publication, and was published
in the newspaper proper and not a supplement; that said paper has
been established and regularly published for more than seventy-eight
consecutive weeks prior to the date of first publication of said adver-
tisement.

Such notice was published in the issue beginning with

Oct 25, 19 *79*, and ending with the issue
of *Nov 1*, 19 *79*.

Subscribed and sworn to before me this *2* day
of *November*, 19 *79*.

Mary Jane Lee

Notary Public, Residing at Payette, Idaho.

My Commission Expires *April 28*, 19 *80*.

RECEIVED

NOV 5 1979

Department of Water Resources
Western Regional Office

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines *27 dau li*

Number of Insertions *two*

27 Lines @ *42 1/2* ... \$ *11.48*

27 Lines @ *30 1/2* ... \$ *8.24*

TOTAL COST
WILL BE \$ *19.72*

MICROFILMED

Nº 1320

June 12, 1992

LOWER PAYETTE DITCH CO.
114 N. 8TH ST.
PAYETTE ID 83661

RE: Water Right No. 65-12279

Dear Water Right Holder(s):

On June 8, 1992, the department sent you a letter which directed you to immediately cease diverting water under the above referenced water right, since the minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second (cfs) measured near Weiser was not being satisfied.

The flow of the Snake River at Weiser is now above 4,750 cfs. You are, therefore, authorized to again divert water under your water right. If the minimum stream flow is not met later this year, however, the department will again notify you to temporarily cease diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

June 8, 1992

LOWER PAYETTE DITCH CO.
114 N. 8TH ST.
PAYETTE ID 83661

RE: Water Right No. 65-12279

Dear Water Right Holder(s):

On May 19, 1992, the department sent you a letter advising that you might be required to temporarily cease diverting water from the Snake River or its tributaries if the established minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second measured near Weiser is not satisfied or likely will not be satisfied.

The flow of the Snake River at Weiser is now less than 4,750 cfs. You are, therefore, directed to immediately cease diverting water under the above referenced water right and to not resume use until authorized by the department.

Past flow records show that the duration of seasonal low flow periods typically last several days to a week. Since your use of water is extremely important to you and since mail notification includes a delay associated with mail delivery time, feel free to call the toll-free telephone number 1-800-451-4129 to determine when you are again authorized to divert and use water under your water right. Please use this phone number only in connection with resumption of use.

You need to be aware that Section 42-351, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

May 19, 1992

LOWER PAYETTE DITCH CO.
114 N. 8TH ST.
PAYETTE ID 83661

RE: Water Right No. 65-12279

Dear Water Right Holder(s):

Department water right records show that you divert water from the Snake River or its tributaries under a water right that has a priority date later than December 29, 1976. This is the priority of the established minimum stream flow of the Snake River at the Weiser Gage (Weiser) in the amount of 4,750 cubic feet per second.

Because of the continuing drought conditions in the Snake River Basin, department hydrologists project that during 1992, there could be periods when the required minimum flow will not be satisfied due to low flows of the Snake River. The department urges you to not divert at a higher rate than authorized by your water right and to not use your right in any manner different than authorized. In addition, when the minimum flow will not be satisfied or is not being satisfied, you are required to cease diverting water under your water right, because your right is of later priority than the minimum stream flow at Weiser.

If the department determines the minimum flow will not be satisfied, the department will advise you and will provide as much lead time as possible in requiring that you temporarily cease your diversion of water. The greatest likelihood for this to occur is during a period from mid-June to late June.

While the department expects good cooperation from junior water right holders, water users should be aware that Section 42-352, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversions of water.

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement purposes. This type of coordination could minimize the impact on

existing water users and reduce the need to curtail diversions.

The department has scheduled public information meetings relative to this potential regulation as follows:

Mountain Home - June 4, 1992 - 10:00 a.m. - gymnasium at
North Elementary School, 290 E. 12th N.

Caldwell - June 4, 1992 - 7:00 p.m. - Ballroom in the
Student Union Building, Albertson College of Idaho,
2112 Cleveland

If you have questions concerning this letter or wish to provide the name of a different contact person or address to receive department correspondence, please contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

DAVIS WRIGHT TREMAINE

LAW OFFICES

702 WEST IDAHO STREET • SUITE 700 • BOISE, IDAHO 83702
(208) 338-8200

RECEIVED
JUN 10 1992

Department of Water Resources

PETER J. RICHARDSON
(208) 338-8216

June 9, 1992

State of Idaho
Department of Water Resources
Western Region
Statehouse
Boise, Idaho 83720

Re: Notice of Withdrawal as Council of Record in
Application for Permit No. 65-12279

Dear Sir or Madam:

Please be advised that the law firm of Davis Wright Tremaine no longer represents Gem Irrigation District in the above referenced matter. Please forward copies of all future documents, including pleadings to:

Gem Irrigation District
P. O. Box 67
Homedale, Idaho 83628

and to:

Robert Mooney
P. O. Box 6640
Boise, Idaho 83707

Thank you in advance for your consideration.

Sincerely yours,

DAVIS WRIGHT TREMAINE


Peter J. Richardson

PJR/kac

cc: Idaho Public Utilities Commission
Idaho Department of Fish and Game
Regional Forester
Idaho Department of Parks and Recreation
Idaho Whitewater Association
Northwest Hydropower Action Center
Friends of the Payette

FAX: (208) 338-8299

ANCHORAGE, ALASKA • BELLEVUE, WASHINGTON • LOS ANGELES, CALIFORNIA • PORTLAND, OREGON
RICHLAND, WASHINGTON • SEATTLE, WASHINGTON • WASHINGTON, D.C.

December 21, 1990

LOWER PAYETTE DITCH CO.
114 N. 8TH ST.
PAYETTE, ID 83661

RE: WATER RIGHT NO. 65-12279

Dear Water Right Holder(s):

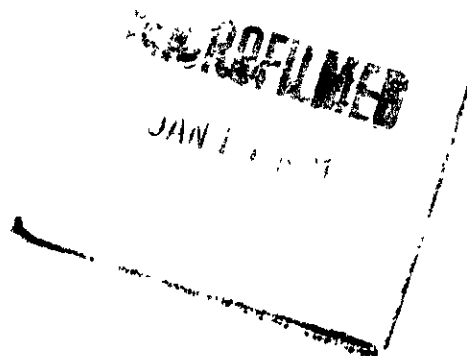
Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure



May 3, 1990

LOWER PAYETTE DITCH CO.
114 N. 8TH ST.
PAYETTE, ID 83661

RE: PERMIT NO. 65-12279

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

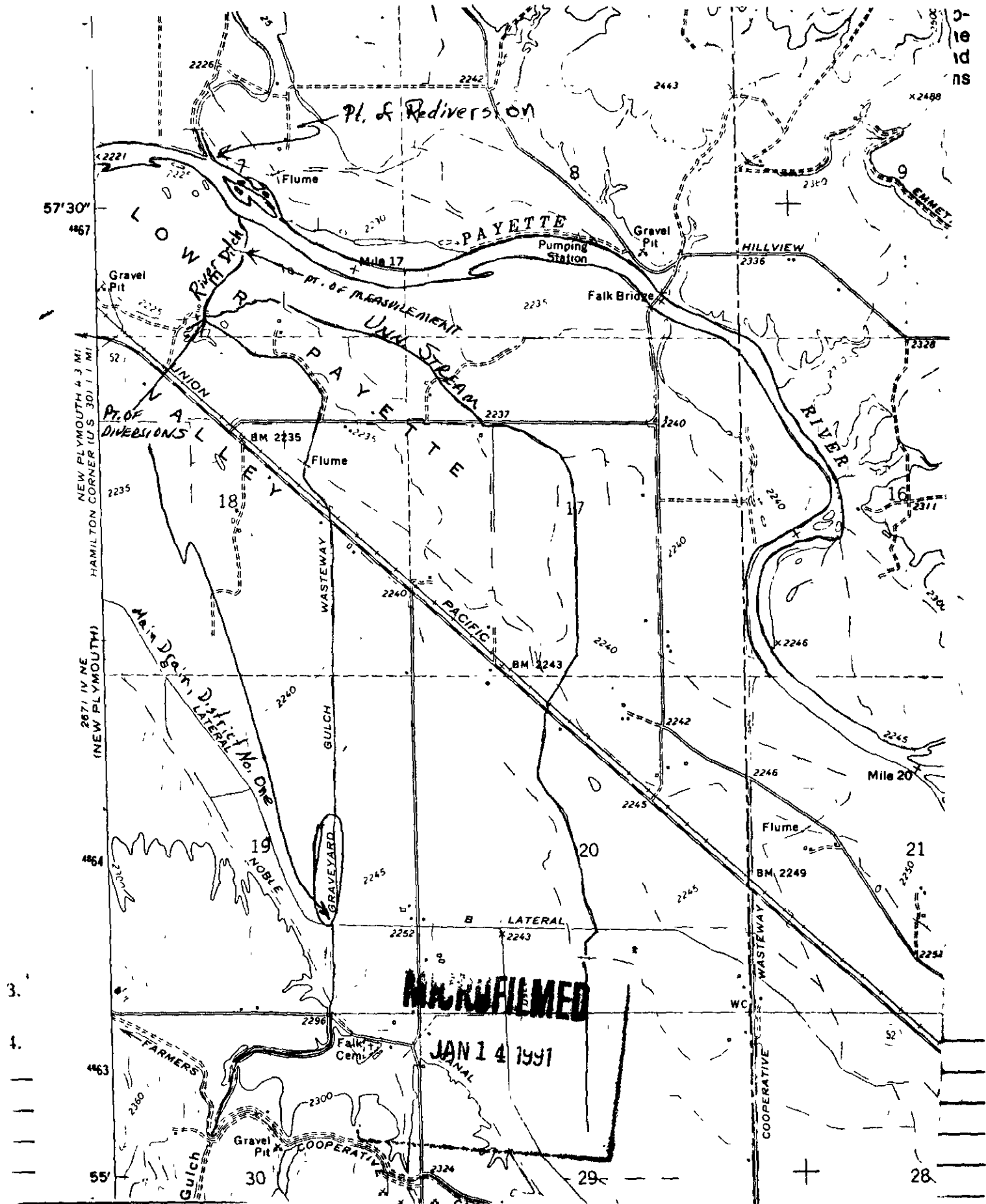
JIM JOHNSON
Water Rights Supervisor

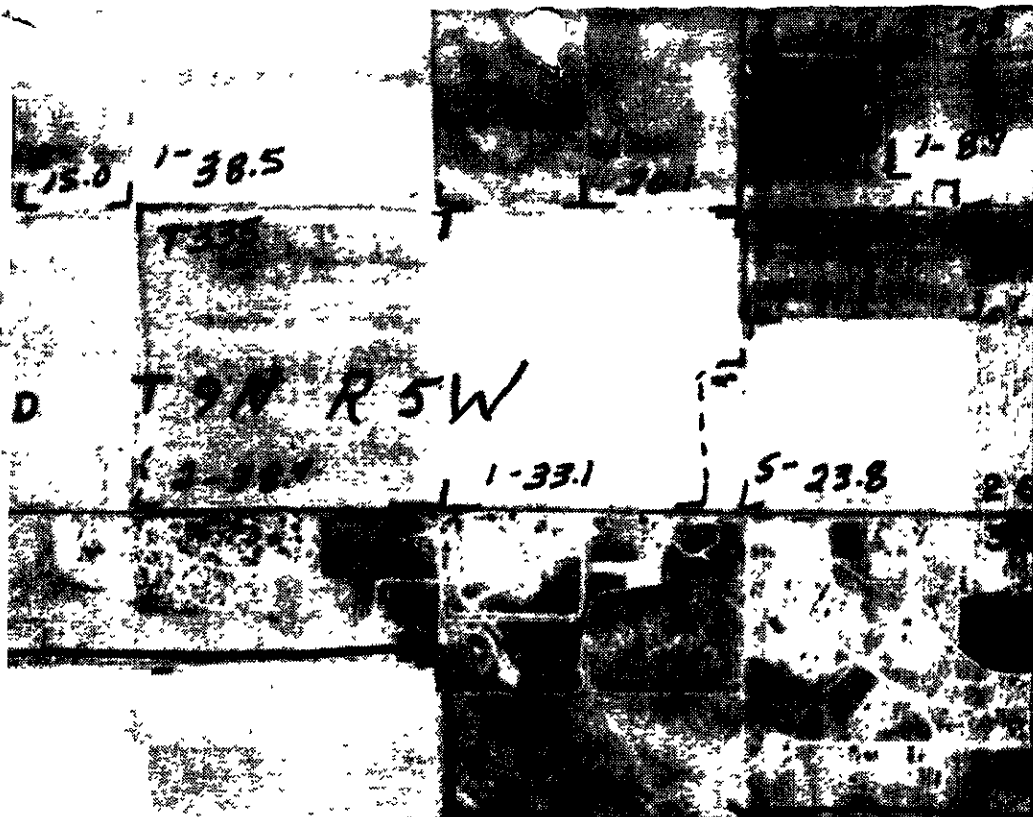
JJ:sc

Enclosure

RECEIVED

JAN 14 1991





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D. TIE
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JAN 14 1991

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NOT TO SCALE

~~P.D.~~
2-150 HP motor
12" PVC 200 PSI
mainline down middle
1955 GPM = 4.23 CSS
~~7.5 HP 540 213549~~
~~17995~~
~~6" gal. main~~

1-125 HP Marathon Electric
Mod 40411 DS7309 AR.W
Series correct 21026
1-125 HP Marathon
Series FC-93290-
3/2-4

MICROFILMED

JAN 14 1991

LAND LIST ATTACHMENT

ACREAGE TABULATION FOR LOWER PAYETTE DITCH CONT.

Description and location of place of use: FIRST EXTENSION

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
9N	5W	1			9		1t3 31	1t4 31	1	37	39	26	28	37		17	17		273
		2	1t1 6														9	31	46
		11	34	28	36	37				27				27	36	38	36	36	335
		12		21	24		28	38	30	37	38	38	34	23		9	1		321
		13					1	11											12
		14	36	33	39	9	31	9	24	39	40	35	38	36	9	40	18	1	437
		15				1t2 11									1t3 34			1t4 17	62
10N	5W	23								1t3 1					25	34	1t2 36	1t1 36	142
		24									2	31	2						35
		25		7	15		39	37	35	34	40	35	31	37		29	26		365
		26	1t3 34												1t2 11			1t1 9	104
		35																4	4
		36		32	23		38	27	30	34	36	33	39	28		16			336
CONSIDER THESE LANDS AS HAVING 6-20-896 PRIORITY (SEE MEMO 1-25-79 DRT) (976 ACRES)																			

Total number of acres irrigated

~~2462~~

2A72

MICROFILMED
JAN 7

JAN 14 1991

9/19/78

LAND LIST ATTACHMENT

ACREAGE TABULATION FOR LOWER PAYETTE DITCH 6-9-78

Description and location of place of use: SECOND EXTENSION

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS	
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4		
✓ 10N	5W	3											13					13	✓	
✓		4		1E2 16	15		1E3 34	2	37	35	36	35	34	36	8	38	38	36	400	✓
✓		9	38	38	36	37	24	37		15					36	5		12	278	✓
✓		10			3		8	40	10	36	37	35	18	38		25	38	12	300	✓
✓		14						6				1		1			25	4	37	✓
✓		15	26	39	20	38	37	22	1	19									202	✓
✓ 11N	5W	33												24			21		45	✓
✓ 10N	5W	23	32	37		15				6									90	✓
✓		24						5	23			34	8	28					98	✓

NOTE: Jim Bivens of Bivens Livestock stated that some 200 acres of his lands receive lower payette water. These lands were selected at random from that ranch.

LAND LIST ATTACHMENT

Description and location of place of use: Payette Heights Extension

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
✓ 8N	4W	6												40			40	80	
✓ 8N	4W	7	40	40	40													120	
✓ 9N	5W	1	31	34	17	1	1									7	9	100	
✓		12	3	15	10	6								5		16	9	64	
✓		13					31	20	40	18	4	39	39					191	
✓		14				23								28		19	37	107	
✓		23	30	39	39	40	9			26	34	2	16	37	40	36	38	426	
✓		24					15	15	20	30			40	38				123	
✓		25					40	39	36	35								150	
✓		26		38	20		28	18					25					129	
✓		27	10			32								25		6	24	97	
✓		34	27	20	23	20								30	17	25	27	189	
✓		35			19	36	20	20		38	39	10	10	39		35		266	
✓ 9N	4W	6						2										2	
✓ 10N	5W	4		20	5									11			2	38	
✓		10			3		16			2					5		5	31	
✓		15	10			1												11	
✓		25			10									2	8	10	8	38	
✓		36	6	5	14	25							8	24	21	38		141	
MICROFILMED																			
JAN 14 1991																			

Total number of acres irrigated 2303

NOTE: The only land currently irrigated from the Payette Heights point of diversion is 78 acres in E $\frac{1}{2}$ SW $\frac{1}{4}$ S35 T 9N R5W, owned by Harry Sloan. However, the 1917 date of priority attributed to this right applies to all of the lands in this land list.

9/19/78

LAND LIST ATTACHMENT

ACREAGE TABULATION FOR LOWER PAYETTE DITCH

Description and location of place of use: MAIN CANAL

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
✓ 7N	3W	5											3						3 ✓
✓		6			12	2									30	8	27	36	115 ✓
✓ 8N	4W	17							16	13	39	38	28	1t2			1t1		146 ✓
		18	20	38	40	38	36	37	39	19	24	38	34	27	34	38	20	36	518 ✓
✓		19	8				1t8	6											14 ✓
✓		20	1t7	7															7 ✓
✓		21					1t4	3											3 ✓
✓ 8N	5W	2									6	28	39	36			37	16	162 ✓
✓		3	1t1	1t2			1t3	1t4			1t5	1t6			33	36	39	37	419 ✓
✓		4	1t3			1t2									1t1	6			33 ✓
✓		10	38	40	40	37	43		1t4	33	21				28	40	1t2	1t1	364 ✓
✓		11	36	37	34	38	39	38	37	37	38	34	39	38	35	37	36	36	589 ✓
✓		12			1		1	20	38	29	38	38	38	37	2	28	38	30	338 ✓
✓		13	39	38	39	40	15	37	40	32					40	39	37	40	436 ✓
✓		14	37	17	18	40													112 ✓
✓		24	1t1	1t2			1t3	10											53 ✓
✓ 9N	5W	22	1t1		1t2	30					1t3		1t4		32	36	19	35	272 ✓
✓		23					28	39	39	10	3	36	19						174 ✓
✓		26						1											1 ✓
✓		27	26	33	35	3	31	32	30	32	37	25	25	30	1	28	29		397 ✓
✓		28		1t1	1t2	26					1t3		1t4		30	28	25	25	226 ✓
✓		33	20	20	20	10	1t5			1t4	7				15	1t2		1t1	131 ✓
✓		34		9	11		29	25	25	20	25	25	25	30		8	8		240 ✓
✓ 8N	4W	7											16	1					17 ✓

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JAN 14 1991

Total number of acres irrigated 4770

9/19/78

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT Department of Water ResourcesRECEIVED
APR 30 1987**A. GENERAL INFORMATION**

1. Owner: Lower Payette Ditch Company Permit No. 65-12279
Current Address: 828 Center Ave. Payette ID 83661 Phone No. 642-3866
2. Accompanied by: John Hanson EXAM. DATE: 10/10/85
Address: _____ Phone No. 719-87
- Relationship to Permit Holder: Ditch rider
3. Source: Main Drain, District No. One tributary to Payette River
Graveyard Gulch Wasteway trib. to Main Drain, District No. One

B. OVERLAP REVIEW

1. Other water rights with same place of use: 65-0165 A/B/C/X, 65-7428, 65-7882, 65-7848, 65-2376, 65-11314 & 65-12756 ☐ Copies Attached
2. Other water rights with same point of diversion: 65-2376, 65-11314, 65-7885, 65-7882 ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached USGS Quad

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JAN 14 1991

Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and place(s) of use (required)
- ☒ Aerial Photo Attached (part)
(required for irrigation of 10 acres or more)
- ☐ Photo of Diversion and System Attached See Lower Payette Ditch Co. Objection File (Adj.)
(required for all but single household domestic groundwater, and stockwater)

System Description (continued)

3 Narrative: Description (As operating at time of measurement Indicate pressure, number of sprinklers, etc)

☐ See Remarks on page 4 for continuation

4

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Gravity				

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	SE	19	7N	3W	Payette	
			SE	SW	7	7N	3W	Payette	
3			SE	NW	7	7N	3W	Payette	Rediversion
7			NE	SW	7	7N	3W	Payette	Injection - Payette River

6. Place(s) of Use:

Indicate Method of Determination *Adjudication Aerials*

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8N	3W	19	10	33	24		6		L. 2 5	26	16	L. 3 23	L. 4 16						159
		30										12	16						28
8N	4W	24												21		21	39		81
		25									11			25	36	5	40	31	148
10N	5W	13													40	40			80
		24		40	40										36	17			133
9N	5W	35				4	2												6

see Exam 65-7428
see Exam 65-7848
5-12756

Attached

REPRODUCED

JAN 14 1991

635

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☒ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
AA Flow Meter						

2. Measurements:

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

93.02

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3)

: Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 635 \times 4.5 = 2857.5$

$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.44 = 93.02 \times 245 \times 1.44 = 45203.8$

$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 2857.5$

2. Volume Calculations for Other Uses:

JAN 14 1971

H. REMARKS AND OVERLAP REVIEW ANALYSIS

This report caps the current uses of supplemental rights from these sources. 65-2376 & 65-11413 combined are using 60 cfs. 65-7882 takes advantage of the added diversion capacity for Company lands (11,008 acres). This final right that has had proof submitted utilizes the final 3.02 cfs for 63.5 acres within the Company that did not formerly have these sources described for them.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3-15	11-15	3.02	~~1467.5~~ 2857.5
Totals:			3.02	~~1467.5~~ 2857.5

2. Recommended Amendments

- ☐ Change P.D. as reflected above
 ☐ Add P.D. as reflected above
 ☒ None
- ☒ Change P.U. as reflected above
 ☐ Add P.U. as reflected above
 ☐ Other

J. AUTHENTICATION

Field Examiner's Name D. Shaff

Signature [Signature]

Certification Date _____

Field Report Preparation Date 8/04/1986

CONSULTANT SEAL

- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

MICROFILMED

JAN 14 1991

CONVERSATION MEMORANDUM

DATE 8/18/86

FILE 65-7428, 7882,

NAME OF PARTY

EMPLOYEE

Lower Payette Ditch Co. 12279

Jan Shulte

RE: Letter from J. Chapman to Conduct
Exam

I spoke w/ the secretary for Lower Payette Ditch Co. & told her that we have done these exams prior to fee bill & that no fee is required & that I have told Phil about it and not to worry as licenses may take a while. She said ok.

All of these have been keypunched now with an "R" code.

MICROFILMED

JAN 14 1991

Sherl L. Chapman

CONSULTANT

410 S ORCHARD / SUITE 144 / BOISE, IDAHO 83705 / PHONE 344-6690

*VOID
See memo
dated 8/18/86
[Signature]*

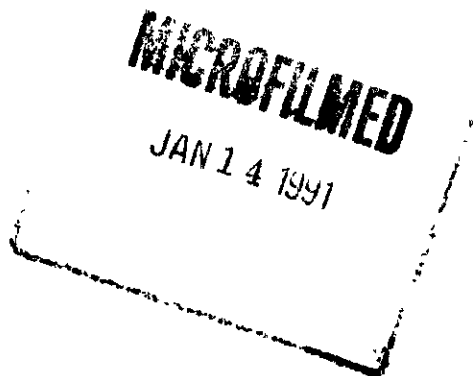
Mr. A. Kenneth Dunn, Director
Idaho Department of Water Resources
Statehouse
Boise, Idaho 83720

Dear Mr. Dunn:

I hereby verify that I have been retained to conduct the water
right examination for water right permit # 65-12279 in accordance
with the laws and regulations of the State of Idaho.

Sherl L. Chapman
Sherl L. Chapman

Dated: 8/5/86



RECEIVED
AUG 5 1986

Department of Water Resources
Western Regional Office

4/86

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Sent to S.O. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXAMINATION FEE INFORMATION

1. Permit No. 65-12279

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☐ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Lower Payette Ditch Company

3. Post Office Address: 828 Center Avenue

Payette, ID Telephone No. 208-642-3866

4. Source of Water: Graveyard Gulch Wasteway, tributary to Payette River & Unnamed Stream, tributary to Payette, River.

5. Extent of Use: Canyon Drain # 1

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 13,932 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted 60 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

April 7, 1980

8. Person to contact to accompany the department representative during the field examination:

MICROFILMED

(Name)

JAN 14 1991

(Address)

(Telephone Number)

☒ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner. I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

8/4/86

Date

Cecil Shurtz President
Signature of Permit Holder (and title, if appropriate)

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

65-12279
LOWER PAYETTE DITCH COMPANY
114 NORTH 8TH ST.
PAYETTE, ID 83661

Mailing address:
Statehouse
Boise, Idaho 83720

138610

June 5, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination. You may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

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JAN 14 1991

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

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JAN 14 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

January 23, 1986

RE: Permit Nos. 65-7882 & 65-12279

Lower Payette Ditch Co.
114 N. 8th
Payette, ID 83661

Gentlemen:

Enclosed are copies of your approved applications for amendment submitted in connection with the above referenced permits.

If you have any questions concerning these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosures

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State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: 655

Right Number 65-12279 Applicant Lower Payette D. Co.

Purpose of Amendment: ☒ Change point of diversion. ☒ Add diversion point(s).

☐ Increase amount. ☐ Change place of use. ☒ Other Source clarification

CHECK:

- ☒ OK ☒ Description of amended point(s) of diversion.
☒ OK ☒ Amount, nature and period of use. ~~If increased, delay date of priority.~~
~~No change~~ ☒ Description of amended places of use. ~~If expanded, delay date of priority.~~
☒ OK ☒ Ownership of point of diversion and place of use.
☒ OK ☒ Map.
☒ OK ☒ Signature (must be permit holder).
☒ OK ☒ Fee.
☐ Existing water rights from the same source, amended place of use.
☒ OK Right number(s) 65-7882
☒ Yes ☐ No Should amendment be advertised?
☐ Yes ☒ No ~~Should date of priority be delayed? If yes, to what date?~~

FINAL REGIONAL PROCESSING REVIEW:

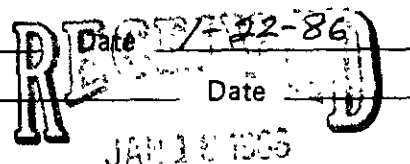
- ☒ Affidavit of publication received.
☒ Amendment published correctly. 20/36189
☒ Protests processed. Independent Enterprise
☒ Approve. 12/19 & 12/26/85
☐ Deny.

Conditions Conditions of approval of the permit are not
altered by the approval of this amendment.

By DRT Date 1/15/86

STATE OFFICE PROCESSING:

- ☒ Amendment correct and complete. By Juni Date 1/22-86
☐ Approved copy sent to applicant and to Region. By Juni Date 1/22-86



Department of Water Resources
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POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

NOTICE OF APPLICATION FOR AMENDMENT

NOTICE IS HEREBY GIVEN that Permit No. 65-12279 in the name of the Lower Payette Ditch Company was filed on 10/11/1979 for the diversion of 60 cfs from the Graveyard Gulch Wasteway and an Unnamed Stream with a point of diversion within the SE SW Sec. 7 T. 7N. R. 3W., to be used for irrigation purposes from 3/15 to 11/15 for lands under the Lower Payette Ditch Company, 13,688 acres.

The permit holder now proposes to amend the permit by changing the source of water to the Graveyard Gulch Wasteway tributary to the Main Drain, District No. One, and the Main Drain, District No. One tributary to the Payette River, and changing the points of diversion to the SE SW Sec. 7 and the NW SE Sec. 19 T 7N. R. 3W.

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, Statehouse, 450 W. State St., Boise, ID 83720 on or before January 6, 1986.

A. KENNETH DUNN
DIRECTOR

PUBLISHED Independent Enterprise on 12/19
and 12/26/85.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

JANUARY 16, 1985

LOWER PAYETTE DITCH CO.
114 N. 8TH ST.
PAYETTE ID 83661

RE. Permit No. 65-12279

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A condition of approval of your original permit required the installation of a measuring device which, according to the proof card submitted by you, has not been installed. A measuring device must be installed and operating at the time the field examination is made. If a measuring device is not installed your permit may be subject to cancellation.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 334-2190 or in person in the third floor State Towers Building, 450 West State Street, Boise.

Sincerely,
s/Judy Pense
Secretary

Enc. Copy of an order involving your permit.

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^ALCULATION OF NEW PRIORITY DATE

FROM: RITA FLECK

TO: FILE # 65-12279

DATE: 1-9-1985

Date proof received

367

January 2

Proof due

-335

Dec 7

Number of day proof late

32

Priority date

+ 65

March 6, 1980

New priority date

97

April 7, 1980

Remarks:

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DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as an agreement that the permit holder(s) has completed development to the extent shown below of Permit No. 65-12279

Name(s) of Permit Holder Lower Payette Ditch Company

Post Office Address 114 N. 8th Street

Payette, Idaho 83661

Tel No 642-2441

Source of Water Graveyard Gulch & Unnamed Stream

Extent of Use

☐ Domestic

(number of households)

☐ Stockwater

(number and type of stock)

☒ Irrigation

13,932

(acres)

☐ Other

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Measuring Device.

Required?

☒ Yes

☐ No

Installed?

☒ Yes

☐ No

Access Port

Required?

☐ Yes

☐ No

Installed?

☐ Yes

☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed

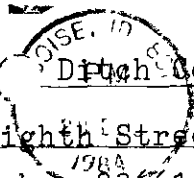
Dec. 26, 1984
Date

Cecil Shurtliff Pres.
Signature of Permit Holder

Lower Payette District Co.

114 North Eighth Street

Payette, Idaho 83661



RECEIVED

JAN 2 1985



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE

BOISE, IDAHO 83720

Department of Water Resources

MICROFILMED

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

LOWER PAYETTE DITCH COMPANY
114 N. 8TH
PAYETTE, ID 83661

LAPSE NOTICE

DECEMBER 07, 1984

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 65-12279 HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE NOTICE THAT YOU HAVE COMPLETED THE PROJECT (PROOF OF BENEFICIAL USE) BY THE DATE REQUIRED ON YOUR PERMIT OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR PROOF DUE NOTICE TO YOU DATED SEPTEMBER 30, 1984.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE POSTCARD OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED POSTCARD OR THE EXTENSION REQUEST MUST BE RECEIVED BY THIS OFFICE WITHIN SIXTY DAYS OF THE DATE OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A STATEMENT OF BENEFICIAL USE POSTCARD AND A REQUEST FOR EXTENSION OF TIME FORM ARE AGAIN ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST AND THAT ONLY ONE EXTENSION OF TIME CAN BE GRANTED UNLESS THE PROJECT HAS NOT BEEN COMPLETED BECAUSE OF LACK OF A NECESSARY APPROVAL BY A GOVERNMENTAL AGENCY OR BY LITIGATION.

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

LGS:RF

CERTIFICATION OF MAILING

I hereby certify that on 12-20-1984
a ~~copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Steve H. Huch

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S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138297

LOWER PAYETTE DITCH COMPANY
114 N. 8TH
PAYETTE, ID 83661

PROOF DUE NOTICE

SEPTEMBER 30, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 65-12279 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE DECEMBER 01, 1984. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED

May 23, 1980

Lower Payette Ditch Company
114 W. 8th
Payette, Idaho 83661

Dear Sirs,

RE: Permit No. 65-12279

Enclosed is a copy of the approved application for amendment submitted in connection with the above referenced permit, along with Receipt No. 15386 in the amount of \$20.00.

If you have any questions concerning this matter, please contact us.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:mr

Enclosure

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State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: 6LS

Right Number 65-12277 Applicant Lower Payette Ditch Co.

Purpose of Amendment: ☐ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☐ Change place of use. ☒ Other add additional source

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☐ Right number(s) _____
- ☒ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Amendment published correctly.
- ☐ Protests processed.
- ☒ Approve.
- ☐ Deny.

Conditions Basin 65 w.m. Condition
Payette Letter, I.P. letter measuring device.
(same conditions as app.)

By DJS Date 4/15/80

STATE OFFICE PROCESSING:

- ☒ Amendment correct and complete. By jo Date 4/22/80
- ☒ Approved copy sent to applicant and to Region. By WJ Date 5/23/80

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*Do priority must be advanced with
amendment is holding an addi-
tional source. jo 4/22/80*

NOTICE OF APPLICATION FOR AMENDMENT

Notice is hereby given that Permit No. 65-12279 in the name of Lower Payette Ditch Company was filed on November 11, 1979 for the diversion of 60 cfs from Graveyard Gulch Wasteway with a point of diversion within the SE~~1~~SW~~1~~, Sec. 7, T. 7N, R. 3W, Payette County, to be used for irrigation purposes from March 15 to November 15 within the Lower Payette Ditch Company boundaries.

The permit holder now proposed to amend the permit to show the source of water as Graveyard Gulch Wasteway and Unnamed Stream, tributary to the Payette River.

Any protest against approval of the proposed amendment must be filed with the Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before April 7, 1980.

Published in the Independent Enterprise on 3/20 & 3/27/1980.

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State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address
Statehouse
Boise, Idaho 83720
(208) 384-2215

December 21, 1979

Lower Payette Ditch Company
114 N. 8th.
Payette, Idaho 83661

Dear Sirs,

RE: Permit No. 65-12279

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Please note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. Enclosed is a letter describing the different types of measuring devices accepted by this Department.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power. While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:lr

Enclosure

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INTER-DEPARTMENT MEMO

FROM Jim

DATE 12/21/79

TO File

SUBJECT Irrigated Acres overlap review

The 2,320 acres irrigated shown on Right No. 65-7425 is the same lands as shown on Right 65-7885. ∴ the total lands irrigated by Lower Payette Ditch company is only 13,688 instead of 16,234 as shown on the regional staff analysis. Note there is an 18 acre discrepancy between total acres shown on right 65-7882 and total acres shown on the combined rights of the Company (65-0165, 65-7425, 65-7428, 65-7848).

The diversion ~~diverate~~ rate/acre from Graveyard Gulch wasteway is either;

$$\begin{aligned} & 120 \text{ cfs} / (13,688 + 244)_{AC} = 0.009 \text{ cfs/AC} \text{ which rounded is } 0.01 \text{ cfs/AC} \\ & \text{or} \\ & 120 \text{ cfs} / (13,670 + 244)_{AC} = 0.0086 \text{ cfs/AC} \\ & \text{or} \\ & 0.009 \text{ cfs/AC} \end{aligned}$$

This is under 0.02 cfs/AC and there forthrightly is a/k
SIGNATURE

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TAFF REVIEW - STATE OFFICE

- | | |
|---|---|
| 1. <u>President</u> Name vs. Signature | 7. <u>N/A</u> Place of Use for other than irrig. |
| 2. <u>✓</u> Source | 8. <u> </u> Place of Use for irrigation (add acres) |
| 3. <u>✓</u> Point of Diversion | 9. <u> </u> Property Owner at Pt. of Div. & Pl. of Use |
| 4. <u>60</u> Amnt. & Period of Use | 10. <u> </u> Map |
| 5. <u>✓</u> Descrip. of Diverting Wrks. | 11. <u> </u> Fee & Rec't. No. |
| 6. <u>5</u> Time req. for Proof of B/U | |

Copies Sent To:

<u> </u> Idaho Health Department	<u> </u> U.S.F.S.
<u> </u> Idaho Fish & Game Dept.	<u> </u> Dept. of Lands
<u> </u> Bureau of Land Management	<u> </u> Other

Dam Safety Information N/A (Goes to Permit Section) Note!

There is an 10 acre error in ~~land~~ irrigated on Right 65-7882 and the combined rights of Lur P. Delle. See attached memo for overlap summary.

Check:

Critical G.W. Area yes ✓ no

Other rights on same land see application

Withdrawals of all protests received N/A yes no

Conditions:

ID Power Co. Letter - Snake R. No

Meas. Dev. or Sc. Meas. No

ID Power Co. Letter - G.W. & Tribs. Yes

Totalizing meter No

Snake River Condition No

Supplemental No

Payette River Letter ~~Yes~~ No - this application is for supplemental water

Right-of-Way Cond. Yes 04

Priority Date 10/11/79

Watermaster Cond. Yes 05 (Payette River)
Wtr. Dist No. 65

Water Quality #16 NO

Meas. Dev. Cond. for apps within a Water Dist. Yes 01

Water Quality #10
intrastate interstate

Maureen type information on item 8 b.
Send Idaho Power letter w/measuring device

Jim Reviewer

12/21/79 Date

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DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 62-12279

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) 3 10/15/79

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) _____

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. 65

(7) _____

Critical groundwater area: yes no

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use - see app. - 244 acres are not covered by other filings

(10) _____

Comments: other lands have less than

(11) KK OK

16,234 acres total 120 cfs total wastewater = 0.007 cfs/acre

(12) _____

Final date for protests 12/10/79

Protests received: yes no

(13) _____

All requested information received from agencies or applicant: yes no

(14) _____

Action recommended:

☒ Approve _____ Deny

10/11/79 Proposed Priority

Reason for Reduction _____

☒ Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District W By DBS Date 12/12/79

MICROFILMED

CONVERSATION MEMORANDUM

DATE Dec. 12, 1979FILE 65-12279NAME OF PARTY Jim BivensEMPLOYEE D. ShaffRE: Application

Although the Oct. 9, 1979 letter stated the application was to be for about 380 acres, work provided to complete the application revealed there are only 244 acres that were not covered by rights in the Proposed Finding.

To resolve the discrepancy, Jim Bivens returned my telephone call. He said the 244 acres is correct but the landowners for the 380 acres "bought" water from the Company with the agreement that they were "first in, first off." The Dept. is to proceed with the application for supplemental water for the lands described in the Company's existing rights plus the new 244 acres.

In addition, Bivens said the Company is aware there are no rights from the Ryeette River for the 244 acres. The Company feels they have enough water to supply all their shareholders under their existing rights plus this application.

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State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

November 15, 1979

Independent-Enterprise
Box 348
Payette, ID 83661

Gentlemen:

Enclosed is a copy of the original notice for the above referenced application and the affidavit of publication received by our office. Note that there is a discrepancy in the two notices.

We are requesting that you publish the enclosed correction notice at your expense.

Upon receipt of an affidavit of publication for the correction notice, we will forward the bill for the first publication to our accounting section.

Your cooperation in this matter is greatly appreciated.

Sincerely,

KAY WALKER
Secretary

KW:k

Enclosures: copy of original notice
copy of affidavit
Legal notice (correction)

MICROFILMED

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for Permit No. 65-12279 in the name of Lower Payette Ditch Company was published in error on October 25 and November 1, 1979.

The point of rediversion was advertised as being within Lot 3, Sec. 07, T03W, Payette County. WHEREAS, the actual point of rediversion is within Lot 3, Sec. 07, T07N, R03W, Payette County.

Any protest against approval of this application must be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83709 on or before December 10, 1979.

C. STEPHEN ALLRED
Director

Published in the Independent-Enterprise on 11/22 and 11/29/79.

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LOWER PAYETTE DITCH COMPANY

114 N. 8TH, PAYETTE, ID 83661

Source: GRAVEYARD GULCH WASTEWAY tributary to PAYETTE RIVER

Date Filed: 10/11/1979

Amount: 60.00 CFS

Diversion Point: SESW Sec 07 T 07N R 03W LOT 03
Sec 07 T 07N R 03W (REDIVERSI, PAYETTE Co.

Use: IRRIGATION (60.00 CFS) from 03/15 to 11/15

Place of Use: SWNE SENE Sec 35 T 09N R 05W NWSE SWSE Sec 13 T 10N R 05W NWNE
SWNE NWSE SWSE Sec 24 T 10N R 05W NWNE Sec 25 T 10N R 05W

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October 9, 1979

Mr. Don Shaff
Western Region
Boise, Idaho

Dear Don,
Inclosed, please find our application for a permit 60 cfs. Also, I have enclosed a legal for an additional 380 acres (approximately) of land not included in the March 2, 1979 proposed water rights. I was not sure as to how to add the additional acres to the application or permit. So would appreciate it if you would do that for me before processing the application. If you do not have enough information on those additional acres enclosed, please give me a call and I will be happy to get whatever information that is necessary. Unless I hear from you otherwise, I will assume the application for the permit has been finished and put in the mill for processing.

Sincerely

Jim Bivens

By Marie Swisher, Secy.

Marie Swisher

RECEIVED

MICROFILMED

Department of the Interior
Western Region
Boise



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

September 25, 1979

Mr. Jim Bivens, Chairman
Lower Payette River Ditch Company
114 North 8th
Payette, ID 83661

Dear Jim:

Enclosed is the application for permit that we discussed. Please note that it is nearly identical to Permit No. 65-7882, with the major difference that the amount has been increased to 60 cfs. Also enclosed is a land description taken from the Proposed Finding report. This includes 11,008 acres within the ditch company. I suspect that you will need to include the lands added during the past year.

Note that the fee on the application is \$425.00. Please send the application to our Western Regional office when it is completed. Don Shaff is aware that the application may be coming.

I enjoyed visiting with you and Cecil last week. Please let me know if there is anything else we can assist you with.

Sincerely,

DAVID R. TUTHILL JR.
Supervisor, Water Allocation Section

DRT:pb

RECEIVED

SEP 27 1979

Department of Water Resources
Western Regional Office

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