

RGE. 54

TWP 9N

11

* P.O. of Use

Received by g Date 10/14/81 Exception filed by: _____ Date _____
Prelim. check by _____ Date _____
\$20.00 fee received by g Date 10/14/81 #20283
Published in Independent Enterprises _____
Dates 10/22 & 10/29/81 _____

Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF PAYETTE } SS.

Copy of Notice
(First Copy)

NOTICE OF CLAIMS TO WATER RIGHTS
Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

67-4354

PAYETTE VALLEY FRUIT INC.
P.O. BOX 177, PAYETTE, ID 83661
Source: GROUNDWATER
Priority Date: 04/01/1934
Amount: 0.04 CFS

Diversion Point: SESW Sec 11 T 09N R 05W, PAYETTE Co.
Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31
Place of Use: SESW Sec 11 T 09N R 05W
Diversion Means: WELL & PUMP

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.

A. KENNETH DUNN
Director
Oct. 22, 29

No. 2077

Notice of Claims to Water Right

TITLE OF PUBLICATION

Dept. of Water Resources

SPONSOR OR PLAINTIFF

67-4354

PLAINTIFF OR LEGAL AGENT

I, Jamie Hunsucker,

being

duly sworn, deposes and says:

That *he* is the *principle 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

Oct. 22, 19 *81*, and ending with the issue of *Oct. 29*, 19 *81*.

Subscribed and sworn to before me this *29* day of *October*, 19 *81*.

Ann P. Curtis

Notary Public, Residing at Payette, Idaho.

My Commission Expires *June 4*, 19 *84*.

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines *18 do. li.*

Number of Insertions *two*

18 Lines @ *.57* . . . \$ *10.26*

18 Lines @ *.38* . . . \$ *6.84*

TOTAL COST
WILL BE \$ *17.10*

RECEIVED

Department of Water Resources
Western Regional Office

Nº 2077

RECEIVED

NOV 18 1965

State of Idaho

Department of Water Resources

Key

ASSIGNMENT OF PERMIT

Department of Water Resources

I, Payette Valley Trust Inc., hereby assign to Union Pacific System
of Omaha, Nebraska 1416 Dodge St.
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 67-4354
67-4557
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

Made this 25 day of October, 19 85.

Payette Valley Trust Inc. L.H. Stone
Permit Holder Sec. Treas

Spouse of Permit Holder

State of Idaho

County of Payette) ss.

On this 25th day of October, 19 85, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

seal

Anthony M. John
Notary Public residing at
Payette Id.

My commission expires:

11-6-85

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

I, Payette Fruit, Inc., hereby assign to Federal Land Bank Association of ^{Ontario}
of P.O. Box 279, Ontario, OR 97914
Address

CHECK ONE



All my right, title, and interest in and to ^{Claim} ~~Permit~~ No. 67-4354
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 14 day of October, 19 81.

Payette Valley Fruit Inc.
By [Signature]
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of ADA) ss.

On this 14 day of October, 19 81, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

My commission expires:
Life

Nancy M. Hathaway
Notary Public residing at
Boise, ID

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that

PAYETTE VALLEY FRUIT, INC.
(Name of Claimant)

Box 177, PAYETTE, ID 83661
(Mailing Address)

Telephone No. 642-3346

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 4/1/1934

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

GROUNDWATER tributary to

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>0.04</u>	Use <u>DOMESTIC</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

(4) 0.04 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

SE 1/4 SW 1/4, Sec. 11 Twp. 9N Rge. 5W B.M., County of PAYETTE
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Well & pump.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			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	11												X					

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

DOMESTIC PURPOSES

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

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COUNTY OF PAYETTE } ss.

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A. KENNETH DUNN

Director

Oct. 22, 29

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Dept. of Water Resources

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67-4354

PLAINTIFF OR LEGAL AGENT

I, Annie Hummuck being

duly sworn, deposes and says:

That *he* is the *principle clerk* of No. 2077

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.

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NOV 1981

Department of Water Resources
Western Regional Office

No. 2077

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Jan Grover

Right Number 67-4354

Applicant Payette Valley Fruit

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Independent - Enterprise
- ☒ Claim published correctly. 10/22 & 10/29/81 \$30.00 67-4354
- ☐ Exceptions processed.

By DBS

Date 12/2/81

STATE OFFICE PROCESSING:

- ☐ Claim review complete.

By Jmi

Date 12/3/81

RECEIVED
DEC 1 1981

RECEIVED
DEC 1 1981

Department of Water Resources

IDENT. NO. 67-4354

ID 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

WATER RIGHT
DATA ENTRY LOG

[illegible]

INTER-DEPARTMENT MEMO — 1

FROM D. Shaw

DATE 12/2/81

TO 67-4354

SUBJECT Assignment Executed 10/14/81

The assignment should be viewed in the same way we view a notice in the file that the water right has been pledged as collateral for a mortgage. The assignment probably serves only as such a notice as far as the Department is concerned, however, a court may view the assignment differently.

When the mortgage is cleared Payette Fruit, Inc should ask the Federal Land Bank to execute an assignment to clear the final ownership.

SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

NOVEMBER 11, 1981

PAYETTE VALLEY FRUIT INC.
P.O. BOX 177
PAYETTE ID 83661

RE: Claim No. 67-4354

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

Enclosure

RECEIVED NOV 11 1981

STATE OF IDAHO.
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

OCTOBER 15, 1981

Independent Enterprise
Box 520
Payette, ID 83661

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before NOVEMBER 9, 1981.

Yours truly,

HELEN L. HARRINGTON
Secretary

Encl.

057115-10000

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MARCH 10 1964