

Water Right No. 65-7848 SF5

ARCVIEW UPDATE FOR
M.T. WREDU. DONE.

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

RIGHT NUMBER: 65-7848

NAME AND ADDRESS: LOWER PAYETTE DITCH CO
102 N MAIN ST
PAYETTE ID 83661

SOURCE: PAYETTE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.140 CFS
481.500 AFY

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO
MORE THAN .02 CFS PER ACRE WHEN MEASURED AT THE FIELD HEADGATE.

PRIORITY DATE: 04/15/1977

POINT OF DIVERSION:

T07N R03W S7 SENW Lot 3 Within PAYETTE County

~~T07N~~ T08N R04W S21 SWNW Lot 5 Rediversion Within PAYETTE County

~~T07N~~ T08N R04W S26 SESE Lot 10 Injection Within PAYETTE County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

2.140 CFS

481.50 AFY

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 11,870 ACRES WHEN
COMBINED WITH ALL OTHER RIGHTS OF THE LOWER PAYETTE DITCH
COMPANY AND USED WITHIN THE DITCH COMPANYS BOUNDARIES IN A
SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR
THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER
RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO
LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO
CODE.

EXPLANATORY MATERIAL: License

Water Right No. 65-7848 SF5

March 4, 2004

Special Master Cushman
SRBA Court
P.O. Box 2707
Twin Falls, ID 83303-2707

RE: 65-7425, 65-7848 & 65-7885 – Lower Payette Ditch Co

Dear Special Master Cushman:

The objections by the Colwells to the above-referenced subcases have been withdrawn. Therefore, it is not necessary to resolve the subcases by submitting a Standard Form 5 (SF 5). IDWR had intended to correct some errors to the recommendations via the SF 5 process. Therefore IDWR would like to draw to the court's and claimant's attention errors in the recommendations that should be corrected. The errors include a typographical error in the legal description, deleting a remark that limits the quantity, and adding a remark to more accurately describe the permissible place of use.

The corrections are as follows:

No.: 65-7425

The remark under the quantity which reads, "Use of this right with right nos. 65-7885, 65-11413 & 65-12279 is limited to a total combined diversion rate of 93.02 cfs[,]" needs to be **deleted**.

The township descriptions for the point of diversion for the rediversion and injection are incorrect. The township descriptions mistakenly refer to T07N, instead of T08N. Therefore, the description should read: **"T08N, R04W, S21 SWNW Lot 5 Rediversion within Payette County and T08N, R04W, S26 SESE Lot 10 Injection within Payette County."**

An additional remark under the place of use should be added which reads: **"Use of this right with the rights listed below is limited to the irrigation of a combined total of 633 acres in a single irrigation season. Combined right nos. 65-07885 and 65-07425."**

No. 65-7848

The township descriptions for the point of diversion for the rediversion and injection are incorrect. The township descriptions mistakenly refer to T07N, instead of T08N. Therefore, the description should read: **“T08N, R04W, S21 SWNW Lot 5 Rediversion within Payette County and T08N, R04W, S26 SESE Lot 10 Injection within Payette County.”**

No. 65-7885

The remark under the quantity which reads, “Use of this right with right nos. 65-7885, 65-11413 & 65-12279 is limited to a total combined diversion rate of 93.02 cfs[,]” needs to be **deleted**.

An additional remark under the place of use should be added which reads: **“Use of this right with the rights listed below is limited to the irrigation of a combined total of 633 acres in a single irrigation season. Combined right nos. 65-07885 and 65-07425.”**

Attached please find revised recommendations in underline/strike-out format for your reference. If you have any questions, please do not hesitate to call me at: 327-7975. Thank you for your cooperation in this matter.

Sincerely,

CHRIS BROMLEY
Deputy Attorney General

/bh
Enclosures
cc: Scott Campbell

Howerton, Ron

Garrick,

Here are the **DRAFT** SF5'S removing the 0.02 CFS at the field head gate condition per your request, these rights were entered in the Payette Stipulation and are not recent licenses. The Word documents are marked **DRAFT** (which may be removed) 65-165A, 65-165B, 65-165C, 65-165X & 65-11413.

Also, on separate email sent 1/23/2003 I sent 2 **DRAFT** SF5's for 65-7848 & 65-7425 (recent licenses) to correct typos for (two) points of diversion, for a township correction. During Dan's excellent review of the above transfer we discussed another remark that should not be on 65-7425. I agree, so I have amended the DRAFT for 65-7425 to strike USE OF THIS RIGHT WITH RIGHT NOS. 65-7885, 65-11413 & 65-12279 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 93.02 CFS. Why, because it was only intended for GRAVEYARD GULCH WASTEWAY source rights. I checked the three GRAVEYARD GULCH WASTEWAY rights and 65-7425 DID NOT GET ENTERED ON THOSE RIGHTS SO WE NEED NOT DO ANY SF5's for them. I'm thankful for that... RH

So here also the DRAFT SF5 UPDATED attachment for 65-7425 & no update changes were made for the DRAFT SF5 for 65-7848.

Please call if you have questions,

Thank you,

Ron Howerton
Senior Water Right Agent
Idaho Dept. of Water Resources
2735 Airport Way
Boise ID 83705
(208) 334-2190
rhowerto@idwr.state.id.us

DO NOT FILM

7/23/2003

Howerton, Ron

From: Howerton, Ron
Sent: Thursday, January 23, 2003 2:29 PM
To: Baxter, Garrick
Cc: Howerton, Ron
Subject: Lower Payette Ditch Co.

Garrick,

Here are the two word documents for Lower Payette Ditch Cos. rights that had the township typo: 65-7425 & 65-7848. Let me know if the formatting looks ok.

Thank you,

Ron Howerton
Senior Water Right Agent
Idaho Dept. of Water Resources
2735 Airport Way
Boise ID 83705
(208) 334-2190
rhowerto@idwr.state.id.us

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DO NOT FILM

06/10/2003

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

RIGHT NUMBER: 65-7848

NAME AND ADDRESS: LOWER PAYETTE DITCH CO
102 N MAIN ST
PAYETTE ID 83661

SOURCE: PAYETTE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.140 CFS
481.500 AFY

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN MEASURED AT THE FIELD HEADGATE.

PRIORITY DATE: 04/15/1977

POINT OF DIVERSION:

T07N R03W S7 SENW Lot 3 Within PAYETTE County

~~T07N~~ R04W S21 SWNW Lot 5 Rediversion Within PAYETTE County

T08N

~~T07N~~ R04W S26 SESE Lot 10 Injection Within PAYETTE County

T08N

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
2.140 CFS
481.50 AFY

PLACE OF USE:

120 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 11,870 ACRES WHEN COMBINED WITH ALL OTHER RIGHTS OF THE LOWER PAYETTE DITCH COMPANY AND USED WITHIN THE DITCH COMPANY'S BOUNDARIES IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Basis of claim - License

DRAFT

1

RECEIVED
APR 13 2001
WATER RESOURCES
WESTERN REGION

Scott L. Campbell - ISB #2251
Angela D. Schaer - ISB #5436
ELAM & BURKE, P.A.
Key Financial Center, 10th Floor
702 West Idaho Street
P.O. Box 1539
Boise, Idaho 83701
Telephone: (208) 343-5454
Facsimile: (208) 384-5844

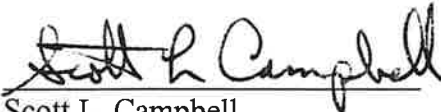
Attorneys for Lower Payette Ditch Company

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF WATER RIGHT)	NOTICE OF APPEARANCE
NOS. 65-00165A, 65-00165B, 65-00165C,)	
65-00165X, 65-07425, 65-07428,)	
65-07848, 65-07882, and 65-11413.)	
)	
IN THE NAME OF LOWER PAYETTE)	
DITCH COMPANY.)	
_____)	

PLEASE TAKE NOTICE that Scott L. Campbell, a shareholder of the firm of Elam & Burke, P.A., 702 West Idaho, Post Office Box 1539, Boise, Idaho, 83701, hereby enters an appearance as Attorney of Record for Lower Payette Ditch Comapny, in the above-referenced water rights matters.

Respectfully submitted this 13th day of April, 2001. ELAM & BURKE, P.A.


Scott L. Campbell

CERTIFICATE OF MAILING

I HEREBY CERTIFY that a true and correct copy of the foregoing NOTICE OF APPEARANCE was mailed on this 13th day of April, 2001, with sufficient first-class postage to the following:

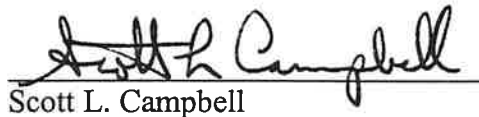
Lower Payette Ditch Company
102 N. Main Street
Payette, ID 83661

☒ U.S. Mail (postage prepaid)
☐ Hand Delivery
☐ Federal Express

and the original and one copy to:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-502

☐ U.S. Mail (postage prepaid)
☒ Hand Delivery
☐ Federal Express



Scott L. Campbell

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

April 13, 2001

VIA HAND-DELIVERY

Ms. Lori Harris
Idaho Department of Water Resources
Western Region Office
2735 Airport Way
Boise, ID 83705

RECEIVED
APR 13 2001
WATER RESOURCES
WESTERN REGION

Re: Lower Payette Ditch Company
E&B No.: 6687-9004

Dear Lori:

Enclosed for filing please find the original and one copy of our Notice of Appearance as counsel of record for Lower Payette Ditch Company for water right nos. 65-00165A, 65-00165B, 65-00165C, 65-00165X, 65-07425, 65-07428, 65-07848, 65-07882, and 65-11413. Also enclosed is an additional copy of the Notice of Appearance. Please receive-stamp the copy and return it to this office in the enclosed self-addressed, stamped envelope.

Also enclosed for filing please find the original and one copy of the Notice of Error forms concerning water right nos. 65-00165A, 65-00165B, 65-00165C, 65-00165X, 65-07425, 65-07428, 65-07848, 65-07882, and 65-11413. We have also enclosed an additional copy of each of the Notice of Error forms. Please receive-stamp the additional copies and return them to this office in the enclosed self-addressed, stamped envelope.

Thank you for your assistance in this matter. If you have any questions, please do not hesitate to contact me or Scott Campbell.

Very truly yours,

ELAM & BURKE
A Professional Association


Tiffiny Hudak
Paralegal

th:drj
Encl.
cc: Client (w/encl.)

JAN 24 2002

WATER RESOURCES
WESTERN REGION

In Re SRBA) A. Subcase No. 65-07848

Case No. 39576

STANDARD FORM 1

OBJECTION

B. NAME AND ADDRESS OF PERSON OBJECTING

Address: 3990 Highway 52
Payette, Idaho 83661

Name & Address of Attorney, if any:

Dana L. Hofstetter
Hofstetter Law Office, LLC
608 West Franklin Street
Boise, Idaho 83702
(208) 424-7800

Address: 102 N Main
Payette, Idaho 83661

F. VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Ada)

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

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

(Signature of person filing objection)

Dana Hofstetter
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 18, 2002

[Signature]
Notary Public for the State of Idaho

Residing at: BOISE, ID

My Commission Expires: 2-13-03



CONVERSATION MEMORANDUM



SUBJECT LOWER PAYETTE Ditch CO NOC

TO: COL with Scott Campbell, Tiffiny

Claim/WR # GARRICK BAXTOR & MYSELF - PER PHONE

Agent: Ron 1:30 PM

Date: 6-20-01

- Scott says they agree on most issues now however, still have problem with the total number of acres in the boundaries, they are still determining whether they have more acres than we recommended.
 - ON 65-7428 they agree on CFS
 - ON 65-7848 they agree on CFS
 - They are filing 2 new claims
65-7885 - wasn't required to be filed in SRBA because of late proof... LICENSED
65-12279 - should have been filed in SRBA
NO-ADDITIONAL ACRES WERE ADDED
- OKg ON FEES -
(NO LATE FEES AT THIS TIME SINCE OTHER CLAIMS WERE FILED)

65-7885 same acres as (65-7425 receipt # x999999 because permit was included in PRBA - NO FEES REQUIRED) EXCEPT \$50 FLAT FEE
65-12279 - NO ACRES WERE LICENSED ONLY CFS
Thus FEE IS: \$50.00 FLAT FEE

\$100 TOTAL FOR BOTH



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

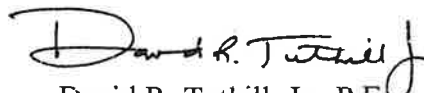
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,


David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

03/08/2001

**Notice of Error
Reply**

RECEIVED

APR 13 2001

WATER RESOURCES
WESTERN REGION

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

Return this reply to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 13, 2001

Water right number: 65-07848

LOWER PAYETTE DITCH CO
102 N MAIN
PAYETTE, ID 83661
Telephone Number: (208) 642-9424

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Place of use, point of diversion, quantity, source

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

Changes must be provided in personal conference in order to fully explain

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

Because the preliminary recommendations are incorrect

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

DATE: April 12, 2001

SIGNATURE: Scott L. Campbell

Please print your name: Scott L. Campbell

Attorneys for: Lower Payette Ditch Company

IDWR Western Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

12/14/2000

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

RIGHT NUMBER: 65-7848

NAME AND ADDRESS: LOWER PAYETTE DITCH CO
102 N MAIN
PAYETTE, ID 83661

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 2.14 CFS
481.5 AFY

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL
PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN MEASURED AT THE
FIELD HEADGATE.

PRIORITY DATE: 04/15/1977

POINT OF DIVERSION:	T07N R03W S7	LOT 3	SENW		Within PAYETTE County
	T07N R04W S21	LOT 5	SWNW	Rediversion	Within PAYETTE County
	T07N R04W S26	LOT 10	SESE	Injection	Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	2.14 CFS 481.50 AFY

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 11,870 ACRES
WHEN COMBINED WITH ALL OTHER RIGHTS OF THE LOWER PAYETTE DITCH
COMPANY AND USED WITHIN THE DITCH COMPANY'S BOUNDARIES IN A
SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

LOWER PAYETTE DITCH COMPANY RIGHTS

ACRE ANALYSIS BY: RON HOWERTON

DATE: 12/14/00

The total SRBA recommendations for acres within the Lower Payette Ditch Company Rights boundary are:
 $11,008 + 633 + 122 + 107 = \underline{11,870}$

New licensed right 65-07885 was not filed or included in the SRBA because of late proof and date of priority was advanced. The acres are accounted for and are the same acres as 65-07425. (Per remarks found in 65-07425) FILED 6-27-01

Licensed right 65-12279 was not filed in the SRBA. Should be filed. No additional acres were added.

Licensed right 65-12756 was withdrawn per the request of secretary per decision of the board of directors 17 April 1990.

* Amended total acres by stipulation dated 21 April 1987.

** Acres within the boundaries of the Lower Payette Ditch Company

*** Post PRBA licensed rights

Total acres & CFS of the Lower Payette Ditch Company Rights is as follows:

WATER RIGHT	SOURCE	ACRES	COMMENTS	Payette River CFS	Graveyard CFS
65-00165A *	Payette River	11,008	Per stipulation	63.32	
65-00165B *	Payette River	11,008	Per stipulation	37.63	
65-00165C *	Payette River	11,008	Per stipulation	59.23	
65-00165X *	Payette River	11,008	Per stipulation	122.12	
65-07425 ***	Payette River	633 additional	Licensed 24 Aug 2000	12.54	
65-07428 ***	Payette River	122 additional	Licensed 20 Sep 1990	2.44	
65-07848 ***	Payette River	107 additional	Licensed 24 Mar 1990	2.14	
65-07882 **	Graveyard Gulch Wasteway	Not specified	Licensed 20 Dec 1990		30.0
65-11413 *	Graveyard Gulch Wasteway	11,008	Inclusion Per stipulation		60.0
65-12279 ***	Graveyard Gulch Wasteway	Not specified	Not Claimed FILED 6-27-01		3.02
TOTAL CFS				299.42	93.02

RIGHTS CONTAIN DELIVERY LOSS, PAYETTE RIVER BASIN ADJUDICATION ALLOWED AN ADDITION TO A RATE OF AN INCH PER ACRE TO COMPENSATE FOR DELIVERY LOSSES.

[illegible][illegible]

Idaho Department of Water Resources

Claims:

65-00165A
65-00165B
65-00165C
65-00165X
65-07425
65-07428
65-07848

Owner : Lower Payette
Ditch Co.

Prepared by:

RON HOWERTON

Date: 12 DEC 00

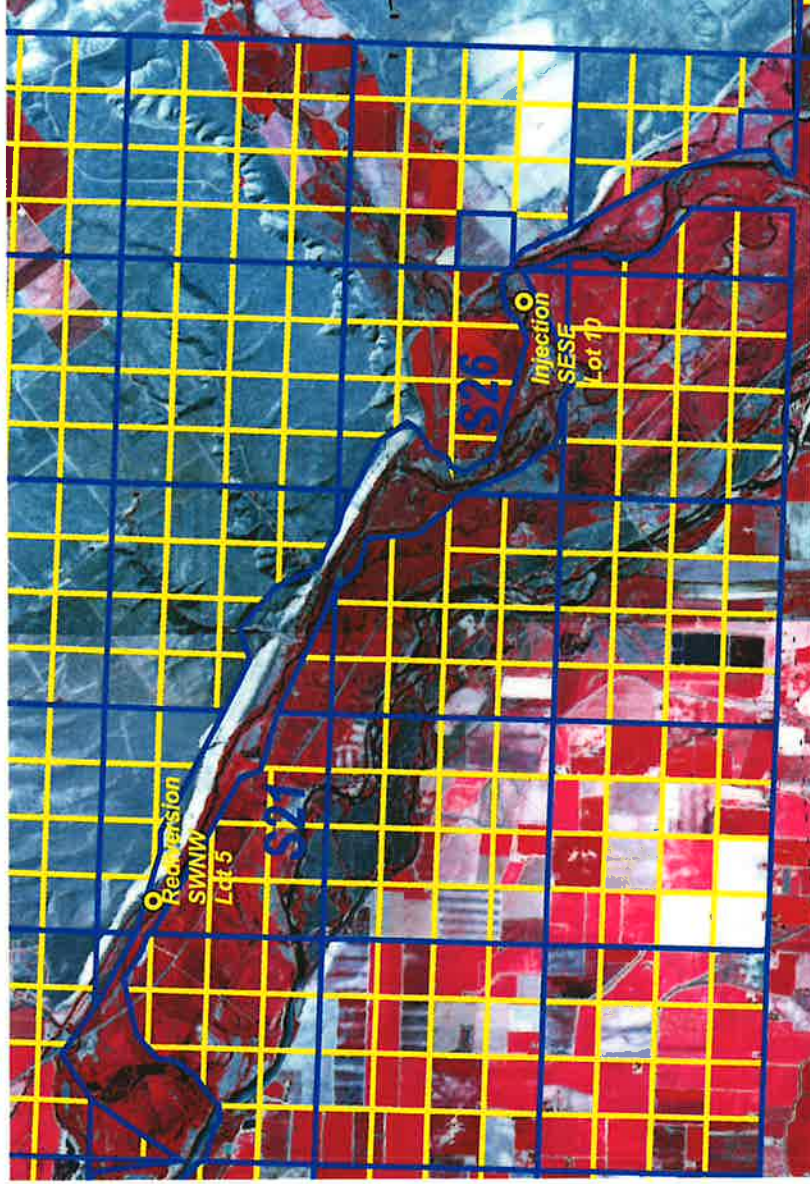
⊙ POD

SECTION

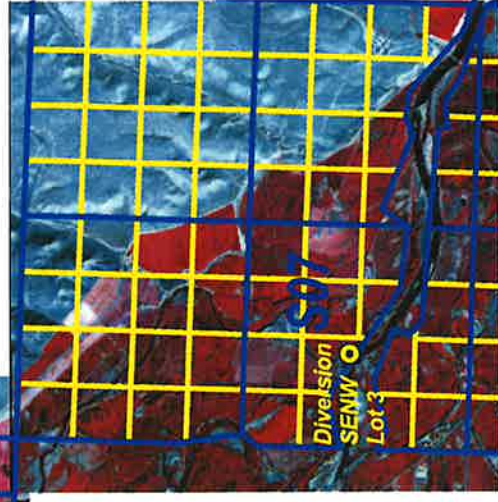
1/4 1/4



1987 NAPP



T08N R04W
S21 & S26



T07N R03W
S07



DATE: 12/13/00
PAGE: 3

DIVERSION VOLUME

120-0

QNT E 28
QNT E 1 HRE
102 cfs
when measured at
measured at
field knowledge
C18

Puyette River Diversion were mapped for the Water District in winter 1992-1993.* For pld locations, photos, map copies, and data pages, see the water district pld notebook assembled by Tim Luke at S.O.

I mapped the following rights. Information about these is available on master maps (SL) or in notebook (Tim Luke):

65-02847

- 05755 through 05759

- 00003

- 04982

- 04615

- 11269

- 11212

- 02019

- 00165 A

- " B

- " C

- " X

- 07425

- 07428

- 07848

- 12756

- 05459

- 11258

- 05921

- 08627

- 11261

- 11255

65-03617

- 07461

- 02809

- 00486

- 10505

- 06037

- 04298

- 05817

- 06591

- 12623

- 00072

- 11061

MICROFILMED

AUG 03 1994

— Steve Laster

1/21/93

* From about Gardner to
Frontland stretch of river.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-07848
Date Received: 9/29/1988
Receipt No: 49999
Received By: B41

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOWER PAYETTE DITCH COMPANY
Address: 114 NORTH 8TH ST.
PAYETTE, ID 83661

2. Date of Priority: APR 15, 1977

3. Source: PAYETTE RIVER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	03W	7				3	PAYETTE
			NE		SW	3	PAYETTE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.400		

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

8. Total consumptive use is 420.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	04W	25	NE	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0

Section Acres 120.0

A65-07848

Page 1

Date: 09/29/88

MICROFILMED

SEP 23 1992

10. Place of Use: Continued

Total Acres 120.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: PERMIT

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am President of _____ of
Title

Lower Payette Ditch Co. that I have signed the foregoing
Organization

document in the space below as President of
Title

Lower Payette Ditch Co. and that the statements contained in the
Organization

foregoing document are true and correct.

Cecil Shurtliff
Signature of Authorized Agent

President, Lower Payette Ditch Co.
Title and Organization

4-9-90
Date

State of Idaho)
County of Layette) SS.

Subscribed and sworn (or affirmed) before me this 9th day

of April 19 90

Allen L. Levine
Notary Public

Seal

Residing at Layette

My Commission Expires 12/20/94