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MAR 25 2002

Department of Water Resources

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

In Re SRBA

Case No. 39576

A. Subcase 65-07882
(Insert water right number from the Objection Form)

STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: United States of America, Acting Through
U.S.D.I., Bureau of Land Management
Idaho State Office
Address: 1387 S. Vinnell Way
Boise, Idaho 83709-1657
Daytime Phone: (208) 373-3831

Name & Address of Attorney, if any:
Larry A. Brown, Special Attorney
United States Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 W. Fort St., MSC 033
Boise, Idaho 83724
Ph.: (202) 305-0435
FAX: (202) 305-0274

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MAR 27 2002

WATER RESOURCES
WESTERN REGION

C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO WHICH YOU ARE RESPONDING

Name: George E. and Cheryl F. Colwell

Address: 3990 Highway 52
Payette, Idaho 83661

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

1. ☐ Name and Address
2. ☐ Source
3. ☐ Quantity
4. ☐ Priority Date
5. ☐ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☒ Place of Use

11. Recommendation

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

The United States is responding to that portion of the objection which seeks to recognize places of use describing federal public land that were claimed but not recommended by the Idaho Department of Water Resources (IDWR).

E.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Ada)

Fredric W. Price, duly sworn, upon oath, deposes and says:
(Name of person filing response)

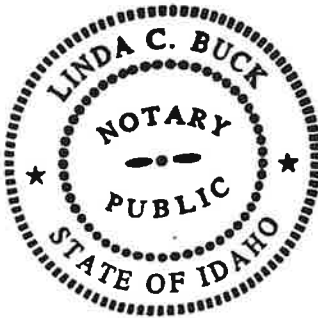
That I am the party/claimant filing this response as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing response)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

March 21, 2002
Linda C. Buck
Notary Public for *State of Idaho*
Residing at: *Mountain Home, ID*
My Commission Expires: *12-21-05*



INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

F.

CERTIFICATE OF MAILING

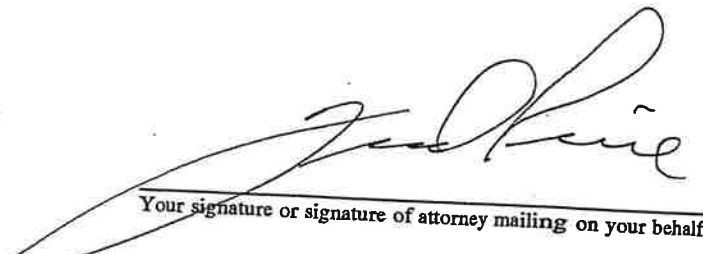
I certify that on 3-21, 2002 mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707
2. One copy to the claimant of the water right at the following address:
Lower Payette Ditch Co.
102 N. Main
Payette, Idaho 83661
3. One copy to the party who filed the objection at the following address:
George E. and Cheryl F. Colwell
3990 Highway 52
Payette, Idaho 83661
4. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

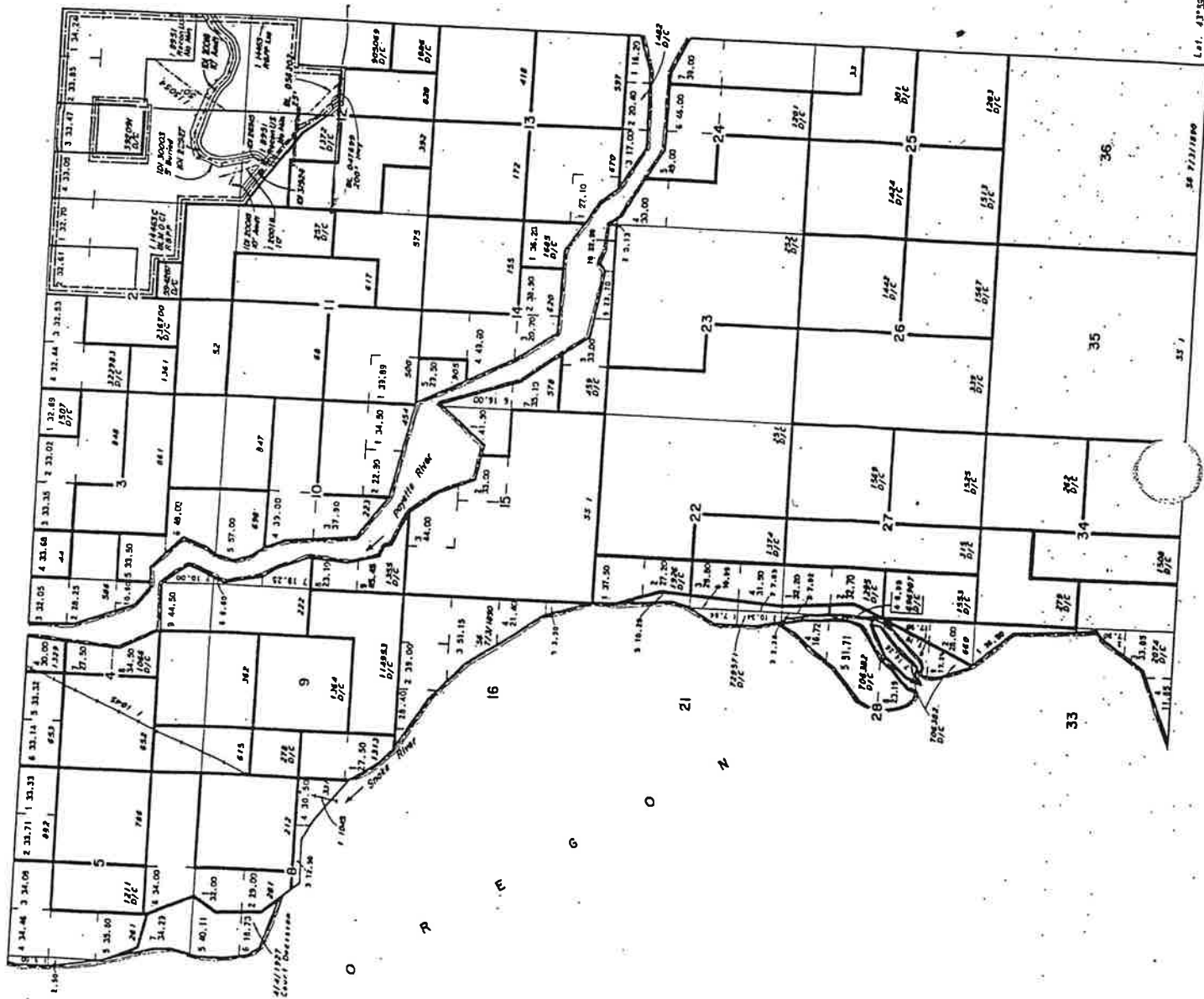
United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Your signature or signature of attorney mailing on your behalf

PAYETTE COUNTY 075
BOISE DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

SCALE IN CHINA

Lat. $43^{\circ} 39' N$
Long. $115^{\circ} 52' W$

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
DEC 21 1999	

THE PLAYS

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: A65-07832
Date Received: 4/16/77
Receipt No: 29977.1
Received By: DB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOWER PAYETTE DITCH CO.
Address: 114 N. 8TH ST.
PAYETTE, ID 83661
2. Date of Priority: MAY 13, 1977
3. Source: GRAVEYARD GULCH WASTEWAY Trib. to: PAYETTE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	03W	7	SE	SW	SW	—	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	30.000		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	03W	5	SW	SW	—	IRR	3.0
						Section	Acres
						6 ✓ SW NE ✓	IRR 12.0

A65-07882

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Date: 10/04/88

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	03W	6 ✓	SE	NE		IRR	2.0
			NE	SE		IRR	30.0
			NW	SE		IRR	8.0
			SW	SE		IRR	27.0
			SE	SE		IRR	36.0
Section Acres							115.0
08N	03W	19 ✓	NE	NE		IRR	20.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	20.0
			SW	SW		IRR	20.0
Section Acres							180.0
	04W	5	NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
Section Acres							160.0
		6 ✓	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				
		7 ✓	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	04W	7 ✓	SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
							Section Acres 640.0
		8 ✓	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
							Section Acres 480.0
		17 ✓	SW	NW		IRR	16.0
			SE	NW		IRR	13.0
			NE	SW		IRR	39.0
			NW	SW		IRR	38.0
			SW	SW		IRR	28.0
			SE	SW	2	IRR	9.0
			SW	SE	1	IRR	3.0
							Section Acres 146.0
		18 ✓	NE	NE		IRR	20.0
			NW	NE		IRR	38.0
			SW	NE		IRR	40.0
			SE	NE		IRR	38.0
			NE	NW		IRR	36.0
			NW	NW	1	IRR	37.0
			SW	NW	2	IRR	39.0
			SE	NW		IRR	19.0

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Date: 10/04/88

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	04W	18	NE	SW		IRR	24.0
			NW	SW	3	IRR	38.0
			SW	SW	4	IRR	34.0
			SE	SW	5	IRR	27.0
			NE	SE		IRR	34.0
			NW	SE		IRR	38.0
			SW	SE	6	IRR	20.0
		SE	SE	7	IRR	36.0	
					Section Acres	518.0	
		19	NE	NE		IRR	8.0
			NE	NW	8	IRR	6.0
					Section Acres	14.0	
		20	NE	NE	7	IRR	7.0
						Section Acres	7.0
		21	NW	NW	4	IRR	3.0
						Section Acres	3.0
		24	SW	NE		IRR	20.0
			SE	NE		IRR	40.0
			Section Acres	60.0			
25	NE	SE		IRR	40.0		
	SW	SE		IRR	40.0		
	SE	SE		IRR	40.0		
			Section Acres	120.0			
05W	2	NE	SW		IRR	6.0	
		NW	SW		IRR	28.0	
		SW	SW		IRR	39.0	
		SE	SW		IRR	36.0	
		SW	SE		IRR	37.0	
		SE	SE		IRR	16.0	
			Section Acres	162.0			
3	NE	NE	1	IRR	15.0		

. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
08N	05W	3 —	NW	NE —	2	IRR	25.0
			SW	NE —		IRR	38.0
			SE	NE —		IRR	11.0
			NE	NW —	3	IRR	28.0
			NW	NW —	4	IRR	16.0
			SW	NW —		IRR	29.0
			SE	NW —		IRR	33.0
			NE	SW —		IRR	18.0
			NW	SW —	5	IRR	13.0
			SW	SW —	6	IRR	48.0
			NE	SE —		IRR	33.0
			NW	SE —		IRR	36.0
			SW	SE —		IRR	39.0
			SE	SE —		IRR	37.0
Section Acres							419.0
4 —	NE	NE —	3	IRR	12.0		
	SE	NE —	2	IRR	15.0		
	NE	SE —	1	IRR	6.0		
Section Acres							33.0
10 —	NE	NE —		IRR	38.0		
	NW	NE —		IRR	40.0		
	SW	NE —		IRR	40.0		
	SE	NE —		IRR	37.0		
	NE	NW —	5	IRR	43.0		
	SW	NW —	4	IRR	33.0		
	NE	SW —	3	IRR	21.0		
	NE	SE —		IRR	28.0		
	NW	SE —		IRR	40.0		
	SW	SE —	2	IRR	18.0		
	SE	SE —	1	IRR	26.0		
	Section Acres						
11 —	NE	NE —		IRR	36.0		
	NW	NE —		IRR	37.0		
	SW	NE —		IRR	34.0		
	SE	NE —		IRR	38.0		
	NE	NW —		IRR	39.0		
	NW	NW —		IRR	38.0		
	SW	NW —		IRR	37.0		
	SE	NW —		IRR	37.0		

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	05W	11	NE	SW	-	IRR	38.0
			NW	SW	-	IRR	34.0
			SW	SW	-	IRR	39.0
			SE	SW	-	IRR	38.0
			NE	SE	-	IRR	35.0
			NW	SE	-	IRR	37.0
			SW	SE	-	IRR	36.0
			SE	SE	-	IRR	36.0

Section Acres 589.0

12	SW	NE ~~BLM~~	IRR	1.0
	NE	NW ~~BLM~~ / put	IRR	1.0
	NW	NW ~~BLM~~ / put	IRR	20.0
	SW	NW	IRR	38.0
	SE	NW ~~BLM~~ / put	IRR	29.0
	NE	SW	IRR	38.0
	NW	SW	IRR	38.0
	SW	SW	IRR	38.0
	SE	SW	IRR	37.0
	NE	SE	IRR	2.0
	NW	SE	IRR	28.0
	SW	SE	IRR	38.0
	SE	SE	IRR	30.0

Section Acres 338.0

13	NE	NE	IRR	39.0
	NW	NE	IRR	38.0
	SW	NE	IRR	39.0
	SE	NE	IRR	40.0
	NE	NW	IRR	15.0
	NW	NW	IRR	37.0
	SW	NW	IRR	40.0
	SE	NW	IRR	32.0
	NE	SE	IRR	40.0
	NW	SE	IRR	39.0
	SW	SE	IRR	37.0
	SE	SE	IRR	40.0

Section Acres 436.0

14	NE	NE	IRR	37.0
	NW	NE	IRR	17.0
	SW	NE	IRR	18.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08N	05W	14	SE	NE	-	IRR	40.0
Section Acres							112.0
		24	NE	NE	1	IRR	27.0
			NW	NE	2	IRR	16.0
			NE	NW	3	IRR	10.0
Section Acres							53.0
09N	04W	6	NW	NW	-	IRR	2.0
Section Acres							2.0
		31	NE	SW	-	IRR	40.0
			SW	SW	-	IRR	40.0
			SE	SW	-	IRR	40.0
			NE	SE	-	IRR	40.0
			NW	SE	-	IRR	40.0
			SW	SE	-	IRR	40.0
			SE	SE	-	IRR	40.0
Section Acres							280.0
		32	NE	SW	-	IRR	40.0
			NW	SW	-	IRR	40.0
			SW	SW	-	IRR	40.0
			SE	SW	-	IRR	40.0
			NE	SE	-	IRR	40.0
			NW	SE	-	IRR	40.0
			SW	SE	-	IRR	40.0
			SE	SE	-	IRR	40.0
Section Acres							320.0
	05W	1	NE	NE	-	IRR	31.0
			NW	NE	-	IRR	34.0
			SW	NE	-	IRR	26.0
			SE	NE	-	IRR	1.0
			NE	NW	3	IRR	32.0
			NW	NW	4	IRR	31.0
			SW	NW	-	IRR	1.0
			SE	NW	-	IRR	37.0
			NE	SW	-	IRR	39.0
			NW	SW	-	IRR	26.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09N	05W	1	SW	SW	-	IRR	28.0
			SE	SW	-	IRR	37.0
			NW	SE	-	IRR	24.0
			SW	SE	-	IRR	26.0
			Section Acres				373.0
		2	NE	NE	1	IRR	6.0
			SW	SE	-	IRR	9.0
			SE	SE	-	IRR	31.0
			Section Acres				46.0
		11	NE	NE	-	IRR	34.0
			NW	NE	-	IRR	28.0
			SW	NE	-	IRR	36.0
			SE	NE	-	IRR	37.0
			NE	SW	-	IRR	27.0
			SE	SW	-	IRR	27.0
			NE	SE	-	IRR	36.0
			NW	SE	-	IRR	38.0
			SW	SE	-	IRR	36.0
			SE	SE	-	IRR	36.0
			Section Acres				335.0
		12	NE	NE	-	IRR	3.0
			NW	NE	-	IRR	36.0
			SW	NE	-	IRR	34.0
			SE	NE	-	IRR	6.0
			NE	NW	-	IRR	28.0
			NW	NW	-	IRR	38.0
			SW	NW	-	IRR	30.0
			SE	NW	-	IRR	37.0
			NE	SW	-	IRR	38.0
			NW	SW	-	IRR	38.0
			SW	SW	-	IRR	34.0
			SE	SW	-	IRR	28.0
			NW	SE	-	IRR	25.0
			SW	SE	-	IRR	10.0
			Section Acres				385.0
		13	NE	NW	-	IRR	32.0
			NW	NW	-	IRR	31.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09N	05W	13	SW	NW-	IRR	40.0
			SE	NW-	IRR	18.0
			NE	SW-	IRR	4.0
			NW	SW-	IRR	39.0
			SW	SW-	IRR	39.0

Section Acres 203.0

14	NE	NE-	IRR	36.0
	NW	NE-	IRR	33.0
	SW	NE-	IRR	39.0
	SE	NE-	IRR	32.0
	NE	NW-	IRR	31.0
	NW	NW-	IRR	9.0
	SW	NW-	IRR	24.0
	SE	NW-	IRR	39.0
	NE	SW-	IRR	40.0
	NW	SW-	IRR	35.0
	SW	SW-	IRR	38.0
	SE	SW-	IRR	36.0
	NE	SE-	IRR	37.0
	NW	SE-	IRR	40.0
	SW	SE-	IRR	37.0
	SE	SE-	IRR	38.0

Section Acres 544.0

15	SE	NE-	2	IRR	11.0
	NE	SE-	3	IRR	34.0
	SE	SE-	4	IRR	17.0

Section Acres 62.0

22	NE	NE-	1	IRR	25.0
	SW	NE-	2	IRR	6.0
	SE	NE-		IRR	30.0
	NE	SW-	3	IRR	27.0
	SW	SW-	4	IRR	26.0
	SE	SW-		IRR	32.0
	NE	SE-		IRR	36.0
	NW	SE-		IRR	19.0
	SW	SE-		IRR	35.0
	SE	SE-		IRR	36.0

Section Acres 272.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	05W	23	NE	NE		IRR	30.0
			NW	NE		IRR	39.0
			SW	NE		IRR	39.0
			SE	NE		IRR	40.0
			NE	NW		IRR	37.0
			NW	NW		IRR	39.0
			SW	NW		IRR	39.0
			SE	NW		IRR	36.0
			NE	SW		IRR	37.0
			NW	SW		IRR	38.0
			SW	SW		IRR	35.0
			SE	SW		IRR	37.0
			NE	SE		IRR	40.0
			NW	SE		IRR	36.0
			SW	SE		IRR	38.0
			SE	SE		IRR	40.0
Section Acres							600.0
		24	NW	NW		IRR	15.0
			SW	NW		IRR	30.0
			NW	SW		IRR	40.0
			SW	SW		IRR	38.0
Section Acres							123.0
		25	NE	NW		IRR	40.0
			NW	NW		IRR	39.0
			SW	NW		IRR	36.0
			SE	NW		IRR	35.0
Section Acres							150.0
		26	NW	NE		IRR	38.0
			SW	NE		IRR	20.0
			NE	NW		IRR	28.0
			NW	NW		IRR	19.0
			SW	SW		IRR	25.0
Section Acres							130.0
		27	NE	NE		IRR	36.0
			NW	NE		IRR	33.0
			SW	NE		IRR	35.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09N	05W	27	SE		NE		IRR	35.0
			NE		NW		IRR	31.0
			NW		NW		IRR	32.0
			SW		NW		IRR	30.0
			SE		NW		IRR	32.0
			NE		SW		IRR	37.0
			NW		SW		IRR	25.0
			SW		SW		IRR	25.0
			SE		SW		IRR	30.0
			NE		SE		IRR	26.0
			NW		SE		IRR	28.0
			SW		SE		IRR	35.0
			SE		SE		IRR	24.0
Section Acres								494.0
		28	NW		NE	1	IRR	10.0
			SW		NE	2	IRR	25.0
			SE		NE		IRR	26.0
			NE		SW	3	IRR	27.0
			SW		SW	4	IRR	30.0
			NE		SE		IRR	30.0
			NW		SE		IRR	28.0
			SW		SE		IRR	25.0
			SE		SE		IRR	25.0
Section Acres								226.0
		33	NE		NE		IRR	20.0
			NW		NE		IRR	20.0
			SW		NE		IRR	20.0
			SE		NE		IRR	10.0
			NE		NW	5	IRR	19.0
			SE		NW	4	IRR	7.0
			NE		SE		IRR	15.0
			NW		SE	2	IRR	10.0
			SE		SE	1	IRR	10.0
Section Acres								131.0
		34	NE		NE		IRR	27.0
			NW		NE		IRR	29.0
			SW		NE		IRR	34.0
			SE		NE		IRR	20.0
			NE		NW		IRR	29.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09N	05W	34	NW	NW -	IRR	25.0
			SW	NW -	IRR	25.0
			SE	NW -	IRR	20.0
			NE	SW -	IRR	25.0
			NW	SW -	IRR	25.0
			SW	SW -	IRR	25.0
			SE	SW -	IRR	30.0
			NE	SE -	IRR	30.0
			NW	SE -	IRR	25.0
			SW	SE -	IRR	33.0
			SE	SE -	IRR	27.0

Section Acres 429.0

35	SW	NE St	IRR	19.0
	SE	NE St	IRR	36.0
	NE	NW -	IRR	20.0
	NW	NW -	IRR	20.0
	SE	NW St	IRR	38.0
	NE	SW St	IRR	39.0
	NW	SW St	IRR	10.0
	SW	SW St	IRR	10.0
	SE	SW St	IRR	39.0
	NW	SE St	IRR	35.0

Section Acres 266.0

10N	05W	3	SW	SW -	IRR	13.0
-----	-----	---	----	------	-----	------

Section Acres 13.0

4	NW	NE -	2	IRR	36.0
	SW	NE -		IRR	20.0
	NE	NW -	3	IRR	34.0
	NW	NW -	4	IRR	2.0
	SW	NW -		IRR	37.0
	SE	NW -		IRR	35.0
	NE	SW -		IRR	36.0
	NW	SW -		IRR	35.0
	SW	SW -		IRR	34.0
	SE	SW -		IRR	36.0
	NE	SE -		IRR	19.0
	NW	SE -		IRR	38.0
	SW	SE -		IRR	38.0
	SE	SE -		IRR	38.0

Section Acres 438.0

A65-07882

Page 12

Date = 10/04/88

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	05W	9 -	NE	NE		IRR	38.0
			NW	NE		IRR	38.0
			SW	NE		IRR	36.0
			SE	NE		IRR	37.0
			NE	NW		IRR	24.0
			NW	NW		IRR	37.0
			SE	NW		IRR	15.0
			NE	SE		IRR	36.0
			NW	SE		IRR	5.0
			SE	SE		IRR	12.0

Section Acres 278.0

10	SW	NE	IRR	6.0
	NE	NW	IRR	24.0
	NW	NW	IRR	40.0
	SW	NW	IRR	10.0
	SE	NW	IRR	38.0
	NE	SW	IRR	37.0
	NW	SW	IRR	35.0
	SW	SW	IRR	18.0
	SE	SW	IRR	38.0
	NW	SE	IRR	30.0
	SW	SE	IRR	38.0
	SE	SE	IRR	17.0

Section Acres 331.0

14	SW	NW	IRR	6.0
	NW	SW	IRR	1.0
	SE	SW	IRR	1.0
	SW	SE	IRR	25.0
	SE	SE	IRR	4.0

Section Acres 37.0

15	NE	NE	IRR	36.0
	NW	NE	IRR	39.0
	SW	NE	IRR	20.0
	SE	NE	IRR	39.0
	NE	NW	IRR	37.0
	NW	NW	IRR	22.0
	SW	NW	IRR	1.0
SE	NW	IRR	19.0	

Section Acres 213.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
10N	05W	23 ✓	NE	NE		IRR	32.0	
			NW	NE		IRR	37.0	
			SE	NE		IRR	15.0	
			SE	NW		IRR	6.0	
			NE	SW	3	IRR	1.0	
			NE	SE		IRR	35.0	
			NW	SE		IRR	34.0	
			SW	SE	2	IRR	36.0	
			SE	SE	1	IRR	36.0	
			Section Acres					
		24	NW	NW		IRR	5.0	
			SW	NW		IRR	23.0	
			NW	SW		IRR	36.0	
			SW	SW		IRR	39.0	
			SE	SW		IRR	30.0	
		Section Acres						133.0
		25 ✓	NW	NE		IRR	7.0	
			SW	NE		IRR	25.0	
			NE	NW		IRR	39.0	
			NW	NW		IRR	37.0	
SW	NW			IRR	35.0			
SE	NW			IRR	34.0			
NE	SW			IRR	40.0			
NW	SW			IRR	35.0			
SW	SW			IRR	31.0			
SE	SW			IRR	37.0			
NE	SE			IRR	2.0			
NW	SE			IRR	37.0			
SW	SE			IRR	36.0			
SE	SE			IRR	8.0			
Section Acres						403.0		
26 ✓	NE	NE	3	IRR	84.0			
	NE	SE	2	IRR	11.0			
	SE	SE	1	IRR	9.0			
Section Acres						104.0		
35 ✓	SE	SE		IRR	4.0			
Section Acres						4.0		

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10N	05W	36 St	NE	NE St	IRR	6.0
			NW	NE	IRR	37.0
			SW	NE	IRR	37.0
			SE	NE	IRR	25.0
			NE	NW	IRR	38.0
			NW	NW	IRR	27.0
			SW	NW	IRR	30.0
			SE	NW	IRR	34.0
			NE	SW	IRR	36.0
			NW	SW	IRR	33.0
			SW	SW	IRR	39.0
			SE	SW	IRR	36.0
			NE	SE	IRR	24.0
			NW	SE	IRR	37.0
			SW	SE	IRR	38.0
Section Acres						477.0
11N	05W	33	SE	SW	IRR	24.0
			SW	SE	IRR	21.0
Section Acres						45.0
Total Acres						13471.0

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:
65-0165A/B/C/X, 65-11413, 65-2376, 65-7425, 65-7428, 65-7848

14. Remarks:
POINT OF INJECTION IN PAYETTE RIVER: NESW, S. 7, T7N, R3E.
POINT OF RE-DIVERSION: LOT 3, S. 7, T7N, R3E.
THIS RIGHT WHEN COMBINED WITH OTHER RIGHTS SHALL NOT EXCEED .02
CFS PER ACRE DIVERTED NOR 3.5 AF PER ACRE CONSUMED.

15. Basis of Claim: PERMIT

(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 x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

I do solemnly swear or affirm that I am President of
Lower Payette Vit. Ass. that I have signed the foregoing
Organization President of

Organization
document in the space below as President of
Title
Lawrence Payette Ditch Co. and that the statements contained in the
Organization
foregoing document are true and correct. Cecil Shurtliff
Signature of Authorized Agent

Correct. Cecil Shurtliff
Signature of Authorized Agent
President, Lower Payette Ditch Co.
Title and Organization

4-9-90
Date

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of April 19 90 John L. Lawrence
Notary Public

Residing at Wap. Sta

My Commission Expires 12/20/94

RECEIVED

JAN 24 2002

WATER RESOURCES
WESTERN REGION

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

In Re SRBA	)	A. Subcase No. 65-07882
	)	
Case No. 39576	)	
	)	STANDARD FORM 1
	)	OBJECTION
	)	

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: George E. and Cheryl F. Colwell
Address: 3990 Highway 52
Payette, Idaho 83661
Daytime Phone: 208-278-3448

Name & Address of Attorney, if any:

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

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Lower Payette Ditch Co.
Address: 102 N Main
Payette, Idaho 83661

service area map dated April 9, 2001 omits portions of the place of use for the Colwells' shares.

E. REASONS SUPPORTING OBJECTION(S): IDWR's Lower Pavette Ditch Company

- ☐ This water right was not recommended, but should be recommended with the elements described above.
- ☐ This water right should not exist.

11. I object because:

9. ☒ **Place of Use** Should be: Place of use for all the Colwells' shares should be included.
8. ☐ **Period of Year** Should be: _____
7. ☐ **Purpose(s) of Use** Should be: _____
6. ☐ **Instream Flow Description** Should be: _____
5. ☐ **Point(s) of Diversion** Should be: _____
4. ☐ **Priority Date** Should be: _____
3. ☐ **Quantity** Should be: _____
2. ☐ **Source** Should be: _____
1. ☐ **Name and Address** Should be: _____

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

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



INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 18, 2002, I filed the original with the SRBA Court and mailed copies of this Objection, including all attachments, to the following:

1. Original to:

Clerk of the District Court (via Hand Delivery)
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Lower Payette Ditch Co.
102 N Main
Payette, Idaho 83661

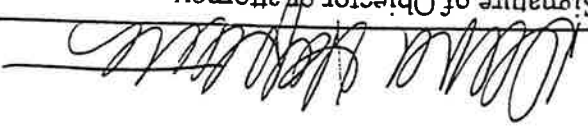
3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Signature of Objector of attorney
mailing on Objector's behalf



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
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.

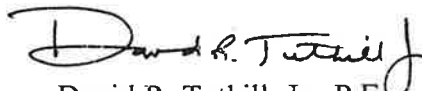
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without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

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

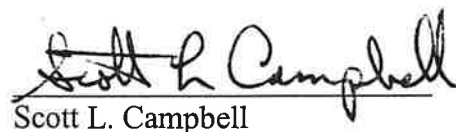
Attorneys for Lower Payette Ditch Company

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 Company, 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


Tiffany Hudak
Paralegal

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

03/08/2001

RECEIVED

APR 13 2001

WATER RESOURCES
WESTERN REGION

**Notice of Error
Reply**

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: 65-07882

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

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: 
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

07/02/2001

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

RIGHT NUMBER: 65-7882

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

SOURCE: GRAVEYARD GULCH WASTEWAY TRIBUTARY: PAYETTE RIVER

QUANTITY: 30 CFS
14578.7 AFY

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

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.

PRIORITY DATE: 05/13/1977

POINT OF DIVERSION:	T07N R03W S7	LOT 3	SESENW	Rediversion	Within PAYETTE County
	T07N R03W S7	LOT 7	NESW	Injection	Within PAYETTE County
	T07N R03W S7		SESW		Within PAYETTE County
	T07N R03W S19		NWSE		Within PAYETTE County
	T08N R04W S21	LOT 5	SWNW	Rediversion	Within PAYETTE County
	T08N 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	30.00 CFS
		14,578.70 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:
 $11,008 + 633 + 122 + 107 = \mathbf{11,870}$

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		3.02
TOTAL CFS				299.42	93.02

FILED 6/27/01

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

Place of use Legal Description for: IRRIGATION

[illegible]

POU County: PAYETTE

Other Rights: 65-0165A/B/C/X, 65-11413, 65-2376, 65-7425, 65-7428, 65-7848

Remarks: GEN

POINT OF INJECTION IN PAYETTE RIVER: NESW, S. 7, T7N, R3E-
POINT OF RE-DIVERSION: LOT 3, S. 7, T7N, R3E-
THIS RIGHT WHEN COMBINED WITH OTHER RIGHTS SHALL NOT EXCEED
CFS PER ACRE DIVERTED NOR 3.5 AF PER ACRE CONSUMED.

DELETE OUT ON Q00 FIELD.
QNT F28
WHICH MEASURED AT
FIELD
THREATS

Dates: _____ **Exam Made Date:** _____

Misc: Water District Number: 65 Field Inspection Flag:

2/8 put-kol

Water right number - 65-07885

Prefix Translation: WATER RIGHT

Trn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
08N	04W	7	NE NW		39.0		01	IRRIGATION	(75) PAYETTE
08N	04W	7	NW NW	1	43.0		01	IRRIGATION	(75) PAYETTE
08N	04W	7	SW NW	2	34.0		01	IRRIGATION	(75) PAYETTE
08N	04W	7	SE NW		38.0		01	IRRIGATION	(75) PAYETTE
08N	04W	7	NE SW		35.0		01	IRRIGATION	(75) PAYETTE
08N	04W	7	NW SW	3	16.0		01	IRRIGATION	(75) PAYETTE
08N	04W	7	NE SE		23.0		01	IRRIGATION	(75) PAYETTE
08N	04W	7	NW SE		30.0		01	IRRIGATION	(75) PAYETTE
08N	04W	8	NW NW		40.0		01	IRRIGATION	(75) PAYETTE
08N	04W	8	SW NW		40.0		01	IRRIGATION	(75) PAYETTE
08N	04W	8	SE NW		11.0		01	IRRIGATION	(75) PAYETTE
08N	04W	8	NE SW		11.0		01	IRRIGATION	(75) PAYETTE
08N	04W	8	NW SW		35.0		01	IRRIGATION	(75) PAYETTE
08N	04W	8	SW SW		10.0		01	IRRIGATION	(75) PAYETTE
08N	04W	8	SE SW		35.0		01	IRRIGATION	(75) PAYETTE
08N	04W	8	SW SE		5.0		01	IRRIGATION	(75) PAYETTE
08N	04W	17	NE NW		10.0		01	IRRIGATION	(75) PAYETTE

Total Acres: 633.0

- - - Diversion Means -

- - - Non-Irrigation Use -

- - - Other Rights for Same Use -

- - - Remarks

GEN

Rights 65-07425 and 65-07885 when combined shall not exceed a total diversion rate of 12.54 cfs, a total annual maximum diversion volume of 2850.0 af at the field headgate, and the irrigation of 633 acres.
Rights 65-07882, 65-11413, 65-12279 and 65-07885 when combined shall not exceed a total diversion rate of 93.02 cfs.
Rights 65-07882, 65-11413, and 65-12279 are also diverted through the points of diversion described above.
Water diverted under this right is injected into the Payette River and is rediverted from Graveyard Gulch Wasteway within Gov. Lot 3 (SEENW), Sec. 07, T07N, R03W.

QNT Rmk E25

QNT Rmk F01

QNT Rmk: 12279 E

ADD Rmk 7895 now

SINCE 7895 HAS BEEN CLAIMED

(6-2-01)

- - - Old Water Right Numbers

- - - No Old Water Right Numbers found.

R04 - Use of water under this water right will be regulated by the

- watermaster of State Water District No. 65.

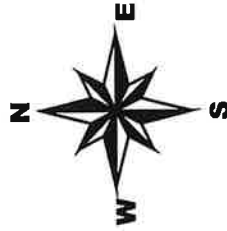
R65 - This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

R43 - The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a

**T08N R04W
S21 & S26**

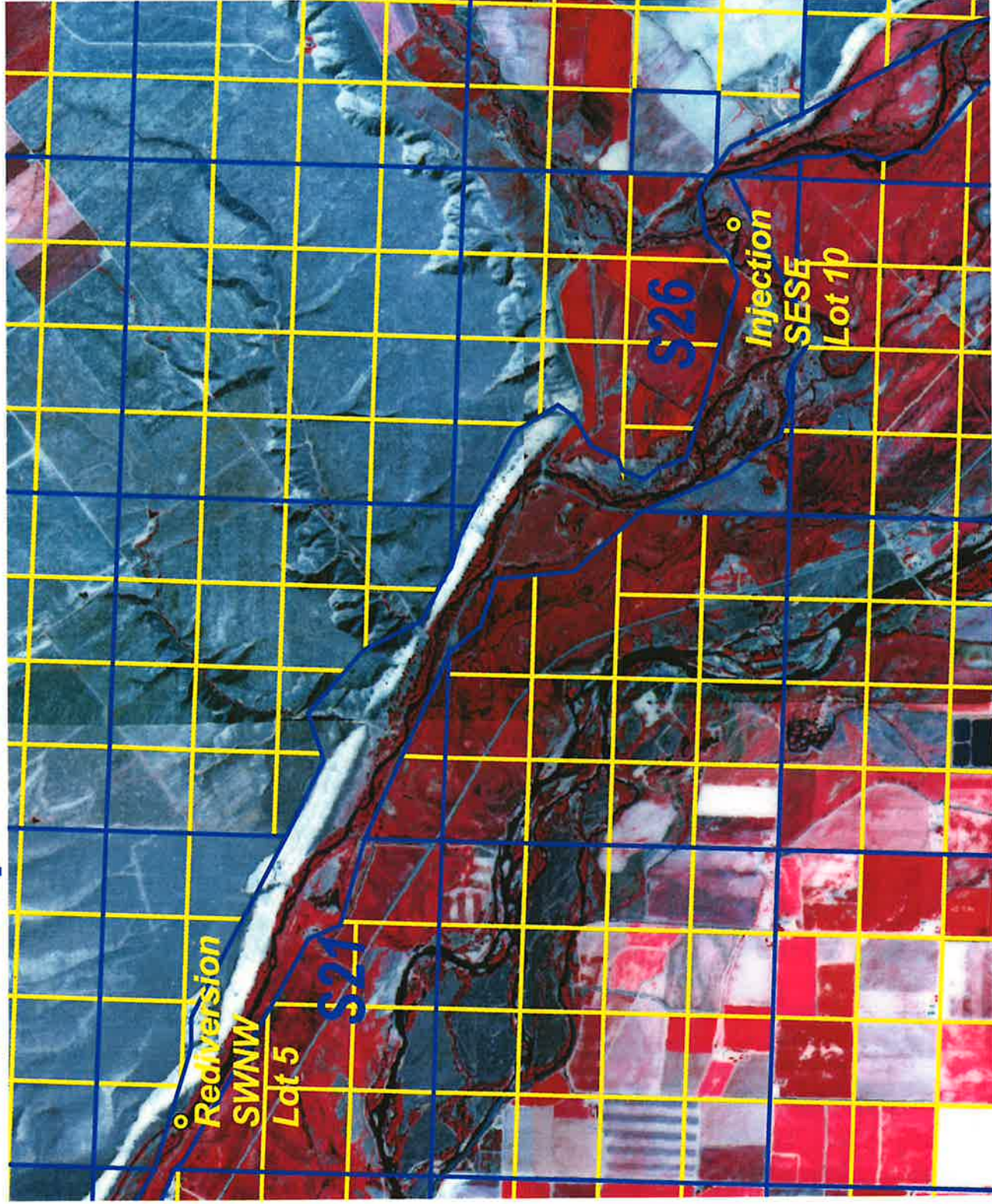
**Claims: 65-07882
& 65-11413
Owner : Lower Payette
Ditch Co.
Prepared by:
RON HOWERTON
Date: 12 DEC 00**

● POD
SECTION
1/4 1/4



1987 NAPP

Idaho Department of Water Resources



**T07N R03W
S07 & S19**

**Claims: 65-07882
& 65-11413**

**Owner : Lower Payette
Ditch Co.**

Prepared by:

RON HOWERTON

Date: 12 DEC 00

⊙ **POD**

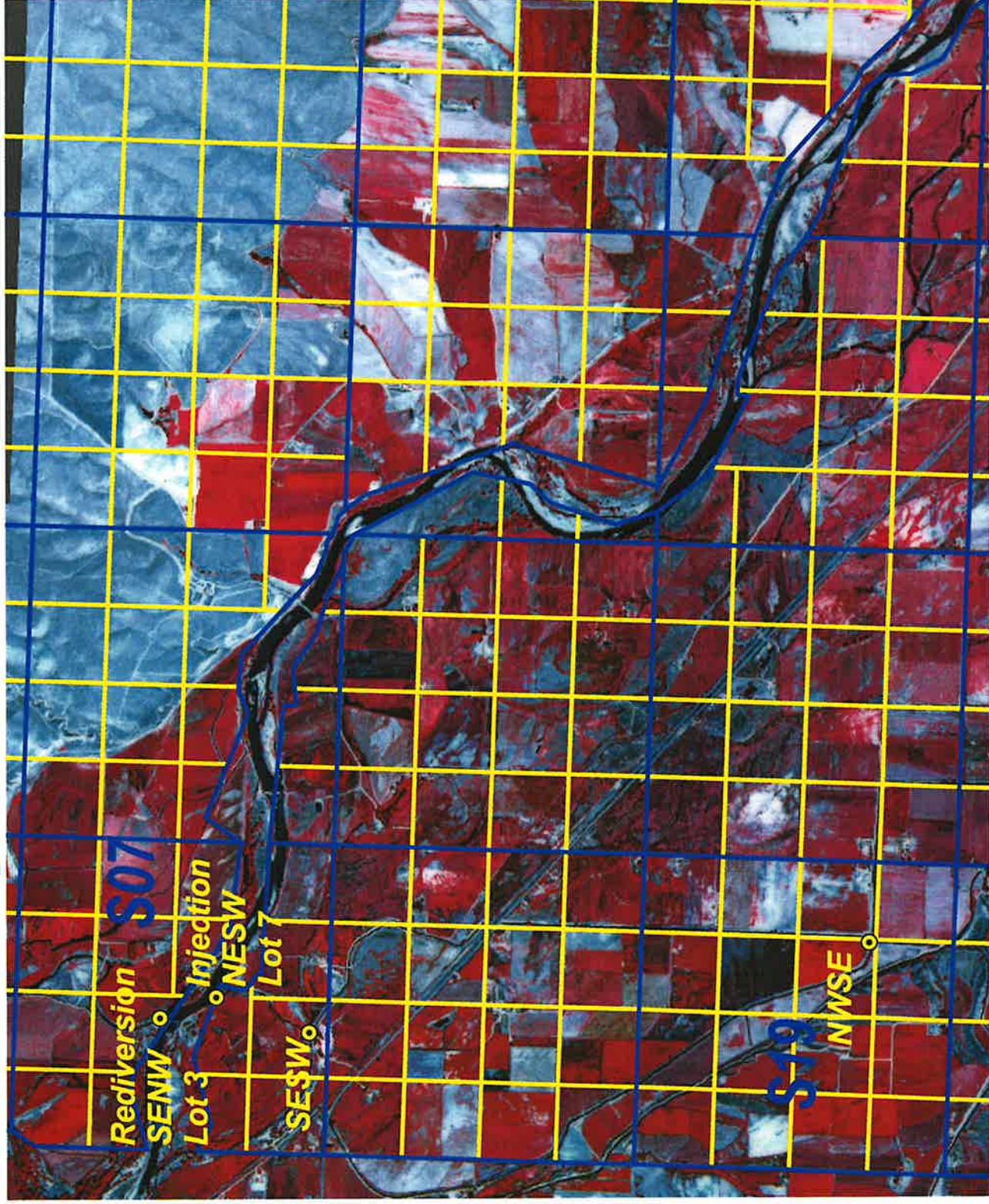
 **SECTION**

 **1/4 1/4**



1987 NAPP

Idaho Department of Water Resources



WR5809NP
No. 65-07882

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/17/99
PAGE: 57

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LOWER PAYETTE DITCH CO. 828 CENTER AVE. PAYETTE ID 83661	05/13/1977	IRRIGATION	03/15 11/15	30.000 CFS	14578.70 AFA
TOTAL DIVERSION:					30.000 CFS	14578.70 AFA

Water Source: GRAVEYARD GULCH WASTEWAY

Tributary to: PAYETTE RIVER

Stage: LICENSE

Point(s) of Diversion Capacity: 93.000 CFS

Point(s) of Diversion: T07N R03W S07 S19 SESW NWSE

Point(s) of Re-diversion: T07N R03W S07 Lot 03(SENW)

Pou County:

PAYETTE County
PAYETTE County
PAYETTE County

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 65.
R32 - 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
- irrigation of the lands above.

Remarks: GEN Place of use within the boundaries of Lower Payette Ditch Co.

Dates: App. Received: 05/13/1977 Priority Date: 05/13/1977
Proof Due Date: 01/01/1984 Proof Made Date: 12/13/1983
Exam Made Date: 09/28/1984 Exam Sent to S.O.:
Licensed Date: 12/20/1990

Misc: Water District Number: 65 Field Exam Fee: R (Received)

Identification No. 65-7882

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriation the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Lower Payette Ditch Company Phone: 642-2441
post office address 114 N. 8th St., Payette, ID 83661

2. Source of water supply unnamed stream which is a tributary of Payette River

3. a. 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: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 30 for Irrigation purpose from Mar 15 to Nov 15 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated:

a. 30 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 and ditches

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

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

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

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.

b. Estimated construction cost is \$ 3,000.

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: _____ hp 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: _____

RECORDED

[illegible]

Total number of acres to be irrigated 10,990*
13,213

~~65-0165, 65-0325, 65-7425, 65-7428, 65-7848, 65-7881~~

- This water is supplemental to previous rights.

STATE OF IDAHO

APPLICATION FOR AMENDMENT OF A PERMIT

RECEIVED
NOV 13 1985

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

Reed Henderson
Department of Water Resources

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. 65-7882, 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
(SESW) 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
Total number of acres to be irrigated =

Graveyard Gulch Wasteway tributary to Main Drain, District No. One

- A. b. a. Who owns the property at the point of diversion? Reed Henderson

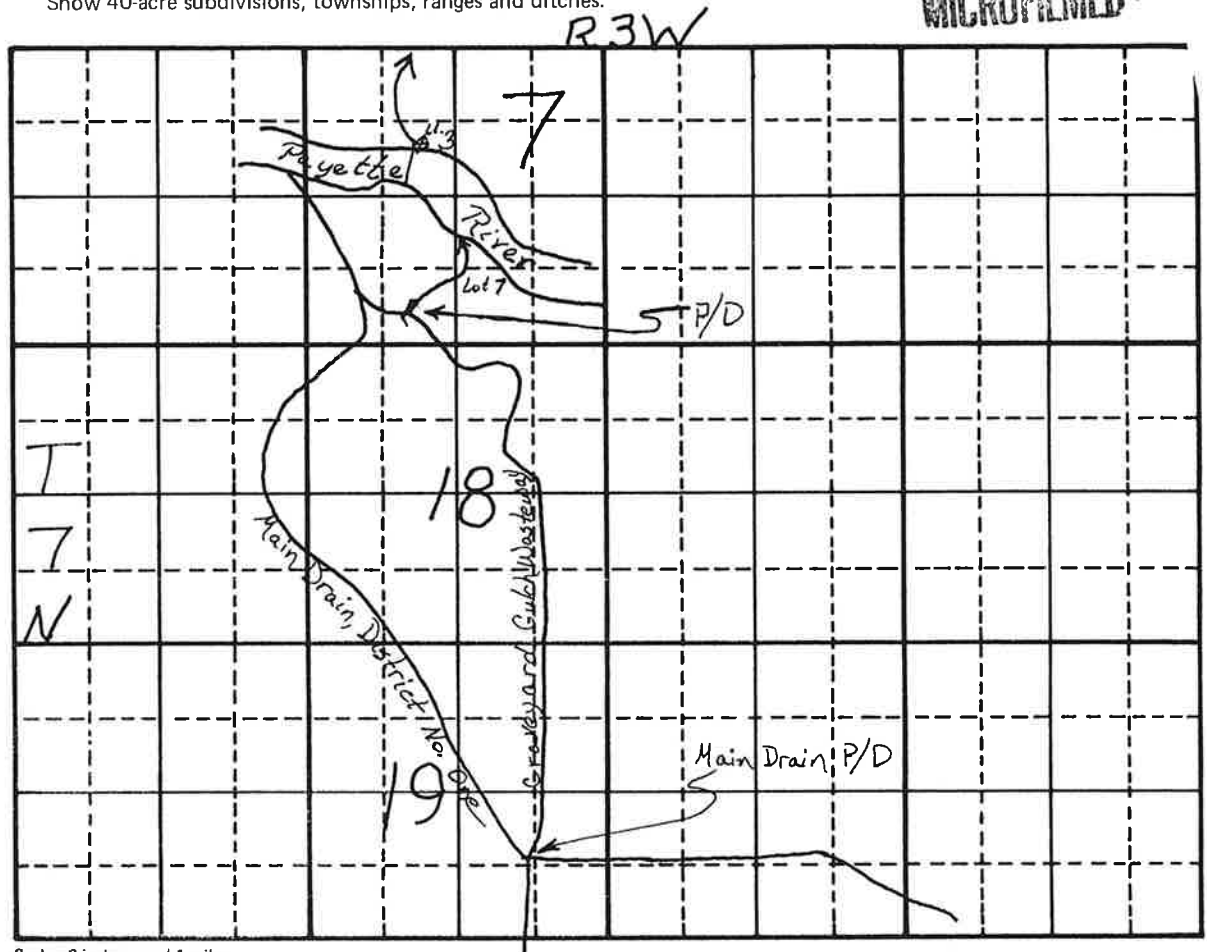
- b. Who owns the land to be irrigated or the place of use? Applicant

- 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.

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 665 Fee = \$20.00 - 30189 Received by SR Date 12/6/85
Publication prepared by 60 Date 12/11/85 Published in Independent Enterprise
Publication dates 12/19 & 12/20/85

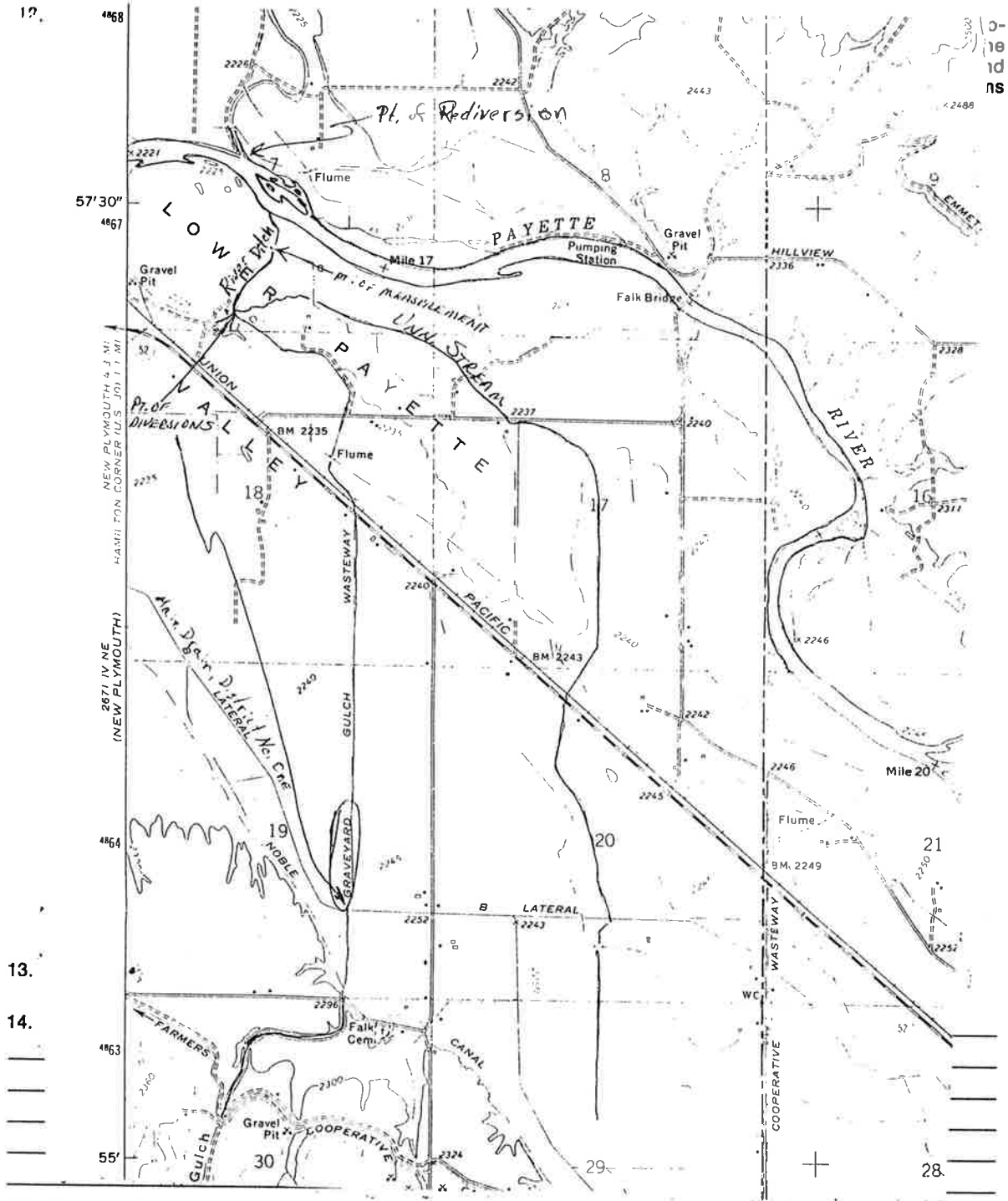
ACTION OF THE DEPARTMENT OF WATER RESOURCES

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. 65-7882 are met.

Witness my hand this 20th day of January, 19 86
L. Glen Saxton
Chief, Operations Bureau

[illegible]

10. Other water rights on these lands 65-7435, 7438, 7848, 0165, 4325, 7881
 11. Other water right diverted from same p.d. NONE 11413



15. 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

16. Examiner's/Consultant's Signature Jan Grover Date 1/30/85
 Consultant's License Number 7/25/88
 IDWR Director's Authorization to Conduct
 Beneficial Use Examination 9/28/84 & 7/25/86
 Date

CONSULTANT SEAL

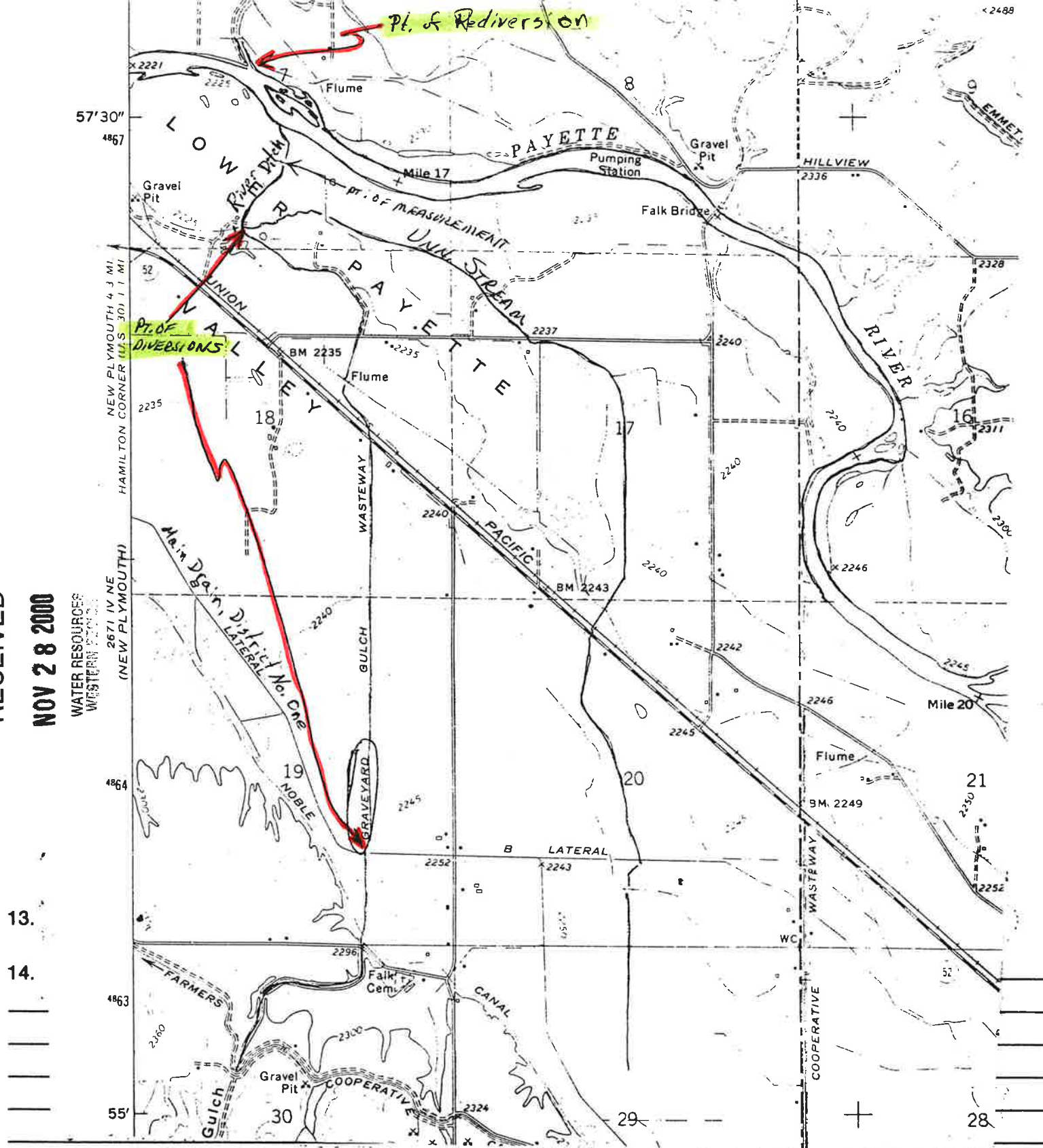
RECEIVED

NOV 28 2000

WATER RESOURCES
WESTERN DIVISION

2671 IV NE
(NEW PLYMOUTH)

NEW PLYMOUTH 4.3 MI.
HAMILTON CORNER U.S. 301 11 MI.



15. Recommended Amendments

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☒ Other
Add Source

16. Examiner's/Consultant's Signature

Date 1/30/85
7/25/85

Consultant's License Number

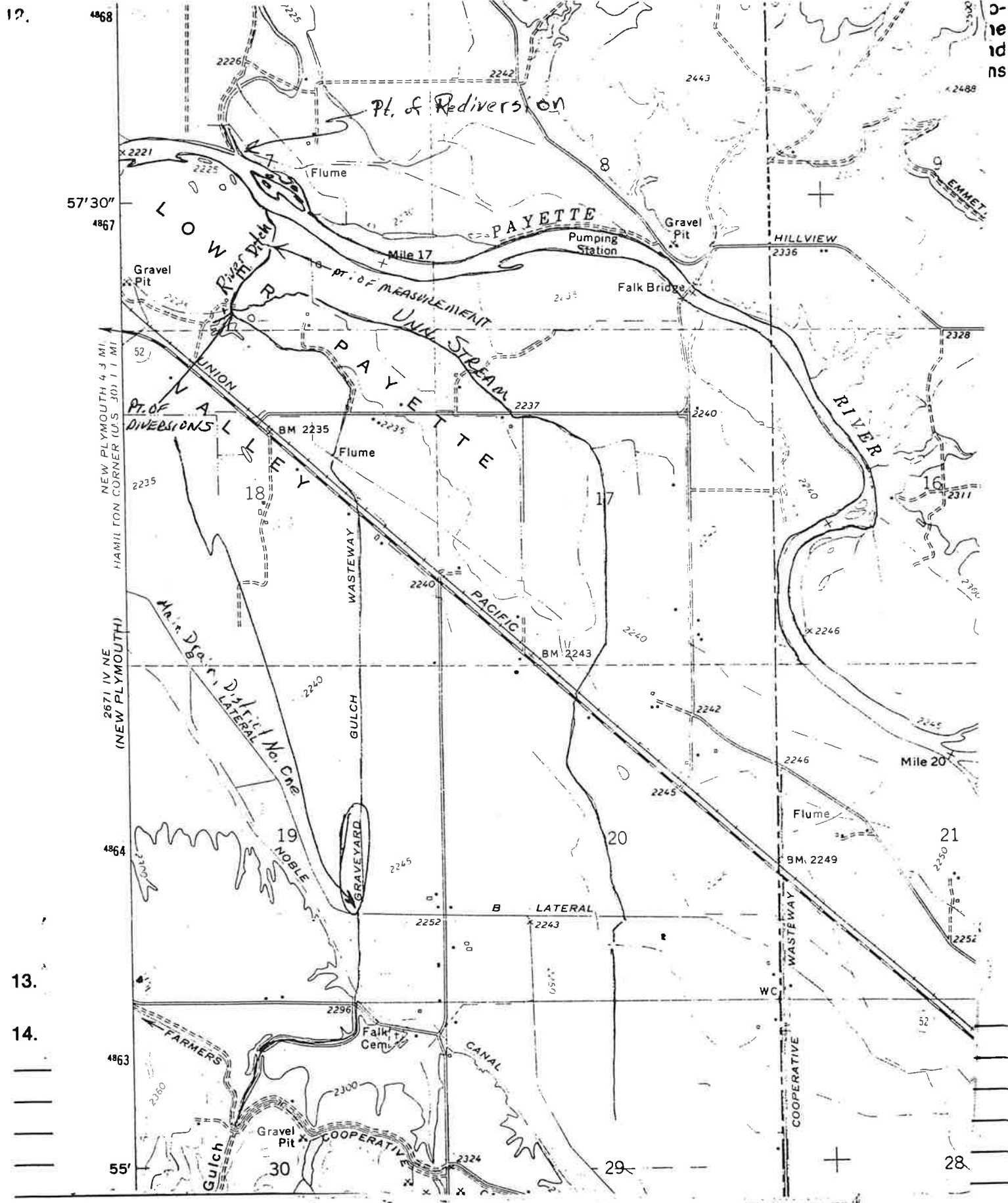
IDWR Director's Authorization to Conduct

Beneficial Use Examination 9/28/84 & 7/25/85

Date

CONSULTANT SEAL

10. Other water rights on these lands 65-7425, 7428, 7848, 0165, 4325, 7887
 11. Other water right diverted from same p.d. NORTH 65-4376 65-11413



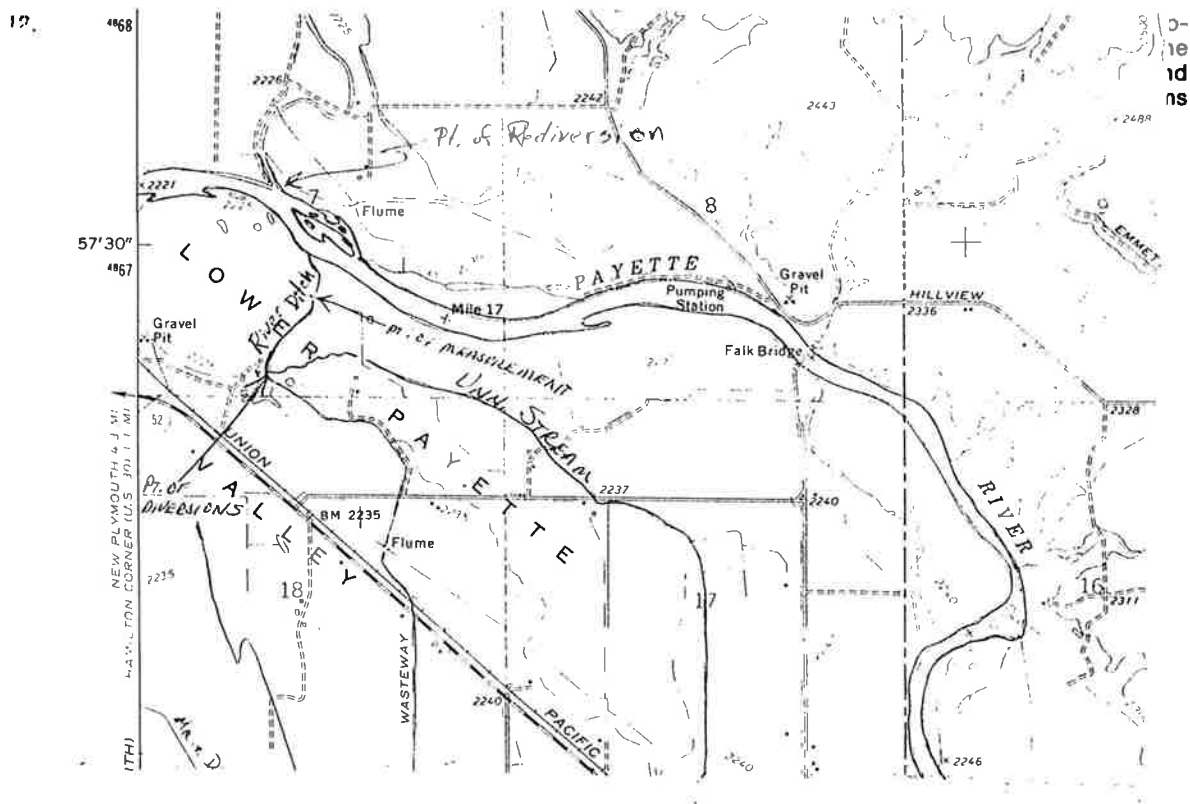
15. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

10. Other water rights on these lands 65-7435, 7438, 7848, 0165, 4325, 4887
 11. Other water right diverted from same p.d. NONE 11473



13. ☒ Photo of Diversion & System Attached in Payette Objection File. ☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks _____

15. 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
 16. Examiner's/Consultant's Signature Jan Grover Date 4/30/85
 Consultant's License Number 7000000000 7/25/86
 IDWR Director's Authorization to Conduct
 Beneficial Use Examination 9/28/84 & 7/25/86
 Date _____ CONSULTANT SEAL

CONSULTANT SEAL
 1991



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

May 20, 1977

RE: Notice of Application for Water Permit No. 65-7885 - Bivens Livestock Co.
65-7882 - Lower Payette Ditch Co.

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. 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. In order to receive payment, the following certification must appear on the bill:

" I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before June 13, 1977.

Sincerely,

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that LOWER PAYETTE DITCH COMPANY
114 N. 8th Street, Payette, ID
has on May 13, 1977 submitted Application No. 65-7882
for a permit to appropriate 30.0 cubic feet per second ~~XXXXXX~~
~~XXXXXX~~ per annum of water from an unnamed stream tributary of Payette River
by means of diversion dam and ditches
within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 7 T7N-R3W B.M., Payette County; Point of injection
into Payett River - NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec 7, T7N-R3W; Point of re-diversion from
Payette River - Lot 3, Sec 7, T7N-R3W.
to be used from Mar 15 to Nov 15
for the irrigation of 13, 213 acres
within the Lands under the Lower Payette Ditch Company

If issued, this permit will be subject to all prior water rights. Pro-
tests against the granting of the permit must be filed with the Director of
the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho
83705 on or before June 13, 1977.

C. STEPHEN ALLRED

Director

Published in the Independent Enterprise, Payette, ID
on May 26, 1977 and June 2, 1977.

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: A65-07882
Date Received: 4/16/88
Receipt No: 1999999
Received By: DP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOWER PAYETTE DITCH CO.
Address: 114 N. 8TH ST.
PAYETTE, ID 83661

2. Date of Priority: MAY 13, 1977

3. Source: GRAVEYARD GULCH WASTEWAY Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	03W	7	SE	SW			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	30.000		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	03W	5	SW	SW		IRR	3.0
						Section Acres	3.0
		6	SW	NE		IRR	12.0

A65-07882

Page 1

Date: 10/04/88

MICROFILMED

SEP 23 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres		
07N	03W	6	SE		NE		IRR	2.0		
			NE		SE		IRR	30.0		
			NW		SE		IRR	8.0		
			SW		SE		IRR	27.0		
			SE		SE		IRR	36.0		
			Section Acres							115.0
08N	03W	19	NE		NE		IRR	20.0		
			NW		NE		IRR	40.0		
			SW		NE		IRR	40.0		
			SE		NW		IRR	40.0		
			NE		SW		IRR	20.0		
	SW		SW		IRR	20.0				
	Section Acres							180.0		
	04W	5	NW		NW		IRR	40.0		
			SW		NW		IRR	40.0		
			NW		SW		IRR	40.0		
SW				SW		IRR	40.0			
Section Acres							160.0			
		6	NE		NE		IRR	40.0		
			NW		NE		IRR	40.0		
			SE		NE		IRR	40.0		
			NE		NW		IRR	40.0		
			NW		NW		IRR	40.0		
			SW		NW		IRR	40.0		
			SW		SW		IRR	40.0		
			SE		SW		IRR	40.0		
			NE		SE		IRR	40.0		
			SW		SE		IRR	40.0		
			SE		SE		IRR	40.0		
			Section Acres							440.0
					7	NE		NE		IRR
NW		NE					IRR	40.0		
SW		NE					IRR	40.0		
SE		NE					IRR	40.0		
NE		NW					IRR	40.0		
NW		NW					IRR	40.0		
SW		NW		IRR	40.0					

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08N	04W	7	SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres					640.0
		8	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres					480.0
		17	SW		NW		IRR	16.0
			SE		NW		IRR	13.0
			NE		SW		IRR	39.0
			NW		SW		IRR	38.0
			SW		SW		IRR	28.0
			SE		SW	2	IRR	9.0
			SW		SE	1	IRR	3.0
			Section Acres					146.0
		18	NE		NE		IRR	20.0
			NW		NE		IRR	38.0
			SW		NE		IRR	40.0
			SE		NE		IRR	38.0
			NE		NW		IRR	36.0
			NW		NW	1	IRR	37.0
			SW		NW	2	IRR	39.0
			SE		NW		IRR	19.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08N	04W	18	NE		SW		IRR	24.0
			NW		SW	3	IRR	38.0
			SW		SW	4	IRR	34.0
			SE		SW	5	IRR	27.0
			NE		SE		IRR	34.0
			NW		SE		IRR	38.0
			SW		SE	6	IRR	20.0
			SE		SE	7	IRR	36.0
						Section Acres	518.0	
		19	NE		NE		IRR	8.0
			NE		NW	8	IRR	6.0
							Section Acres	14.0
		20	NE		NE		IRR	7.0
							Section Acres	7.0
21	NW		NW		IRR	3.0		
					Section Acres	3.0		
24	SW		NE		IRR	20.0		
	SE		NE		IRR	40.0		
					Section Acres	60.0		
25	NE		SE		IRR	40.0		
	SW		SE		IRR	40.0		
	SE		SE		IRR	40.0		
					Section Acres	120.0		
05W		2	NE		SW		IRR	6.0
			NW		SW		IRR	28.0
			SW		SW		IRR	39.0
			SE		SW		IRR	36.0
			SW		SE		IRR	37.0
			SE		SE		IRR	16.0
							Section Acres	162.0
		3	NE		NE		IRR	15.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08N	05W	3	NW		NE	2	IRR	25.0
			SW		NE		IRR	38.0
			SE		NE		IRR	11.0
			NE		NW	3	IRR	28.0
			NW		NW	4	IRR	16.0
			SW		NW		IRR	29.0
			SE		NW		IRR	33.0
			NE		SW		IRR	18.0
			NW		SW	5	IRR	13.0
			SW		SW	6	IRR	48.0
			NE		SE		IRR	33.0
			NW		SE		IRR	36.0
			SW		SE		IRR	39.0
			SE		SE		IRR	37.0
							Section Acres	419.0
		4	NE		NE	3	IRR	12.0
			SE		NE	2	IRR	15.0
			NE		SE	1	IRR	6.0
							Section Acres	33.0
		10	NE		NE		IRR	38.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	37.0
			NE		NW	5	IRR	43.0
			SW		NW	4	IRR	33.0
			NE		SW	3	IRR	21.0
			NE		SE		IRR	28.0
			NW		SE		IRR	40.0
			SW		SE	2	IRR	18.0
			SE		SE	1	IRR	26.0
							Section Acres	364.0
		11	NE		NE		IRR	36.0
			NW		NE		IRR	37.0
			SW		NE		IRR	34.0
			SE		NE		IRR	38.0
			NE		NW		IRR	39.0
			NW		NW		IRR	38.0
			SW		NW		IRR	37.0
			SE		NW		IRR	37.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08N	05W	11	NE		SW		IRR	38.0
			NW		SW		IRR	34.0
			SW		SW		IRR	39.0
			SE		SW		IRR	38.0
			NE		SE		IRR	35.0
			NW		SE		IRR	37.0
			SW		SE		IRR	36.0
			SE		SE		IRR	36.0
							Section Acres	589.0
		12	SW		NE		IRR	1.0
			NE		NW		IRR	1.0
			NW		NW		IRR	20.0
			SW		NW		IRR	38.0
			SE		NW		IRR	29.0
			NE		SW		IRR	38.0
			NW		SW		IRR	38.0
			SW		SW		IRR	38.0
			SE		SW		IRR	37.0
			NE		SE		IRR	2.0
			NW		SE		IRR	28.0
			SW		SE		IRR	38.0
			SE		SE		IRR	30.0
							Section Acres	338.0
		13	NE		NE		IRR	39.0
			NW		NE		IRR	38.0
			SW		NE		IRR	39.0
			SE		NE		IRR	40.0
			NE		NW		IRR	15.0
			NW		NW		IRR	37.0
			SW		NW		IRR	40.0
			SE		NW		IRR	32.0
			NE		SE		IRR	40.0
			NW		SE		IRR	39.0
			SW		SE		IRR	37.0
			SE		SE		IRR	40.0
							Section Acres	436.0
		14	NE		NE		IRR	37.0
			NW		NE		IRR	17.0
			SW		NE		IRR	18.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	05W	14	SE	NE		IRR	40.0
			Section Acres				112.0
		24	NE	NE	1	IRR	27.0
			NW	NE	2	IRR	16.0
			NE	NW	3	IRR	10.0
			Section Acres				53.0
09N	04W	6	NW	NW		IRR	2.0
			Section Acres				2.0
		31	NE	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				280.0
		32	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				320.0
	05W	1	NE	NE		IRR	31.0
			NW	NE		IRR	34.0
			SW	NE		IRR	26.0
			SE	NE		IRR	1.0
			NE	NW	3	IRR	32.0
			NW	NW	4	IRR	31.0
			SW	NW		IRR	1.0
			SE	NW		IRR	37.0
			NE	SW		IRR	39.0
			NW	SW		IRR	26.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09N	05W	1	SW		SW		IRR	28.0
			SE		SW		IRR	37.0
			NW		SE		IRR	24.0
			SW		SE		IRR	26.0
			Section Acres					373.0
		2	NE		NE	1	IRR	6.0
			SW		SE		IRR	9.0
			SE		SE		IRR	31.0
			Section Acres					46.0
		11	NE		NE		IRR	34.0
			NW		NE		IRR	28.0
			SW		NE		IRR	36.0
			SE		NE		IRR	37.0
			NE		SW		IRR	27.0
			SE		SW		IRR	27.0
			NE		SE		IRR	36.0
			NW		SE		IRR	38.0
			SW		SE		IRR	36.0
			SE		SE		IRR	36.0
			Section Acres					335.0
		12	NE		NE		IRR	3.0
			NW		NE		IRR	36.0
			SW		NE		IRR	34.0
			SE		NE		IRR	6.0
			NE		NW		IRR	28.0
			NW		NW		IRR	38.0
			SW		NW		IRR	30.0
			SE		NW		IRR	37.0
			NE		SW		IRR	38.0
			NW		SW		IRR	38.0
			SW		SW		IRR	34.0
			SE		SW		IRR	28.0
			NW		SE		IRR	25.0
			SW		SE		IRR	10.0
			Section Acres					385.0
		13	NE		NW		IRR	32.0
			NW		NW		IRR	31.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09N	05W	13	SW		NW		IRR	40.0
			SE		NW		IRR	18.0
			NE		SW		IRR	4.0
			NW		SW		IRR	39.0
			SW		SW		IRR	39.0
							Section Acres	203.0
		14	NE		NE		IRR	36.0
			NW		NE		IRR	33.0
			SW		NE		IRR	39.0
			SE		NE		IRR	32.0
			NE		NW		IRR	31.0
			NW		NW		IRR	9.0
			SW		NW		IRR	24.0
			SE		NW		IRR	39.0
			NE		SW		IRR	40.0
			NW		SW		IRR	35.0
			SW		SW		IRR	38.0
			SE		SW		IRR	36.0
			NE		SE		IRR	37.0
			NW		SE		IRR	40.0
			SW		SE		IRR	37.0
			SE		SE		IRR	38.0
							Section Acres	544.0
		15	SE		NE	2	IRR	11.0
			NE		SE	3	IRR	34.0
			SE		SE	4	IRR	17.0
							Section Acres	62.0
		22	NE		NE	1	IRR	25.0
			SW		NE	2	IRR	6.0
			SE		NE		IRR	30.0
			NE		SW	3	IRR	27.0
			SW		SW	4	IRR	26.0
			SE		SW		IRR	32.0
			NE		SE		IRR	36.0
			NW		SE		IRR	19.0
			SW		SE		IRR	35.0
			SE		SE		IRR	36.0
							Section Acres	272.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09N	05W	23	NE		NE		IRR	30.0
			NW		NE		IRR	39.0
			SW		NE		IRR	39.0
			SE		NE		IRR	40.0
			NE		NW		IRR	37.0
			NW		NW		IRR	39.0
			SW		NW		IRR	39.0
			SE		NW		IRR	36.0
			NE		SW		IRR	37.0
			NW		SW		IRR	38.0
			SW		SW		IRR	35.0
			SE		SW		IRR	37.0
			NE		SE		IRR	40.0
			NW		SE		IRR	36.0
			SW		SE		IRR	38.0
			SE		SE		IRR	40.0
							Section Acres	600.0
		24	NW		NW		IRR	15.0
			SW		NW		IRR	30.0
			NW		SW		IRR	40.0
			SW		SW		IRR	38.0
							Section Acres	123.0
		25	NE		NW		IRR	40.0
			NW		NW		IRR	39.0
			SW		NW		IRR	36.0
			SE		NW		IRR	35.0
							Section Acres	150.0
		26	NW		NE		IRR	38.0
			SW		NE		IRR	20.0
			NE		NW		IRR	28.0
			NW		NW		IRR	19.0
			SW		SW		IRR	25.0
							Section Acres	130.0
		27	NE		NE		IRR	36.0
			NW		NE		IRR	33.0
			SW		NE		IRR	35.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09N	05W	27	SE		NE		IRR	35.0
			NE		NW		IRR	31.0
			NW		NW		IRR	32.0
			SW		NW		IRR	30.0
			SE		NW		IRR	32.0
			NE		SW		IRR	37.0
			NW		SW		IRR	25.0
			SW		SW		IRR	25.0
			SE		SW		IRR	30.0
			NE		SE		IRR	26.0
			NW		SE		IRR	28.0
			SW		SE		IRR	35.0
			SE		SE		IRR	24.0
								Section Acres 494.0
		28	NW		NE	1	IRR	10.0
			SW		NE	2	IRR	25.0
			SE		NE		IRR	26.0
			NE		SW	3	IRR	27.0
			SW		SW	4	IRR	30.0
			NE		SE		IRR	30.0
			NW		SE		IRR	28.0
			SW		SE		IRR	25.0
			SE		SE		IRR	25.0
								Section Acres 226.0
		33	NE		NE		IRR	20.0
			NW		NE		IRR	20.0
			SW		NE		IRR	20.0
			SE		NE		IRR	10.0
			NE		NW	5	IRR	19.0
			SE		NW	4	IRR	7.0
			NE		SE		IRR	15.0
			NW		SE	2	IRR	10.0
			SE		SE	1	IRR	10.0
								Section Acres 131.0
		34	NE		NE		IRR	27.0
			NW		NE		IRR	29.0
			SW		NE		IRR	34.0
			SE		NE		IRR	20.0
			NE		NW		IRR	29.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	05W	34	NW	NW		IRR	25.0
			SW	NW		IRR	25.0
			SE	NW		IRR	20.0
			NE	SW		IRR	25.0
			NW	SW		IRR	25.0
			SW	SW		IRR	25.0
			SE	SW		IRR	30.0
			NE	SE		IRR	30.0
			NW	SE		IRR	25.0
			SW	SE		IRR	33.0
			SE	SE		IRR	27.0
Section Acres						429.0	
35	SW	NE		IRR	19.0		
	SE	NE		IRR	36.0		
	NE	NW		IRR	20.0		
	NW	NW		IRR	20.0		
	SE	NW		IRR	38.0		
	NE	SW		IRR	39.0		
	NW	SW		IRR	10.0		
	SW	SW		IRR	10.0		
	SE	SW		IRR	39.0		
	NW	SE		IRR	35.0		
	Section Acres						266.0
10N	05W	3	SW	SW		IRR	13.0
			Section Acres				
4	NW	NE	2	IRR	36.0		
	SW	NE		IRR	20.0		
	NE	NW	3	IRR	34.0		
	NW	NW	4	IRR	2.0		
	SW	NW		IRR	37.0		
	SE	NW		IRR	35.0		
	NE	SW		IRR	36.0		
	NW	SW		IRR	35.0		
	SW	SW		IRR	34.0		
	SE	SW		IRR	36.0		
	NE	SE		IRR	19.0		
	NW	SE		IRR	38.0		
	SW	SE		IRR	38.0		
	SE	SE		IRR	38.0		
	Section Acres						438.0

MICROFILMED
SEP 23 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10N	05W	9	NE		NE		IRR	38.0
			NW		NE		IRR	38.0
			SW		NE		IRR	36.0
			SE		NE		IRR	37.0
			NE		NW		IRR	24.0
			NW		NW		IRR	37.0
			SE		NW		IRR	15.0
			NE		SE		IRR	36.0
			NW		SE		IRR	5.0
			SE		SE		IRR	12.0
							Section Acres	278.0
		10	SW		NE		IRR	6.0
			NE		NW		IRR	24.0
			NW		NW		IRR	40.0
			SW		NW		IRR	10.0
			SE		NW		IRR	38.0
			NE		SW		IRR	37.0
			NW		SW		IRR	35.0
			SW		SW		IRR	18.0
			SE		SW		IRR	38.0
			NW		SE		IRR	30.0
			SW		SE		IRR	38.0
			SE		SE		IRR	17.0
							Section Acres	331.0
		14	SW		NW		IRR	6.0
			NW		SW		IRR	1.0
			SE		SW		IRR	1.0
			SW		SE		IRR	25.0
			SE		SE		IRR	4.0
							Section Acres	37.0
		15	NE		NE		IRR	36.0
			NW		NE		IRR	39.0
			SW		NE		IRR	20.0
			SE		NE		IRR	39.0
			NE		NW		IRR	37.0
			NW		NW		IRR	22.0
			SW		NW		IRR	1.0
			SE		NW		IRR	19.0
							Section Acres	213.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10N	05W	23	NE		NE		IRR	32.0
			NW		NE		IRR	37.0
			SE		NE		IRR	15.0
			SE		NW		IRR	6.0
			NE		SW	3	IRR	1.0
			NE		SE		IRR	35.0
			NW		SE		IRR	34.0
			SW		SE	2	IRR	36.0
			SE		SE	1	IRR	36.0
							Section Acres	232.0
		24	NW		NW		IRR	5.0
			SW		NW		IRR	23.0
			NW		SW		IRR	36.0
			SW		SW		IRR	39.0
			SE		SW		IRR	30.0
							Section Acres	133.0
		25	NW		NE		IRR	7.0
			SW		NE		IRR	25.0
			NE		NW		IRR	39.0
			NW		NW		IRR	37.0
			SW		NW		IRR	35.0
			SE		NW		IRR	34.0
			NE		SW		IRR	40.0
			NW		SW		IRR	35.0
			SW		SW		IRR	31.0
			SE		SW		IRR	37.0
			NE		SE		IRR	2.0
			NW		SE		IRR	37.0
			SW		SE		IRR	36.0
			SE		SE		IRR	8.0
							Section Acres	403.0
		26	NE		NE	3	IRR	84.0
			NE		SE	2	IRR	11.0
			SE		SE	1	IRR	9.0
							Section Acres	104.0
		35	SE		SE		IRR	4.0
							Section Acres	4.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10N	05W	36	NE		NE		IRR	6.0
			NW		NE		IRR	37.0
			SW		NE		IRR	37.0
			SE		NE		IRR	25.0
			NE		NW		IRR	38.0
			NW		NW		IRR	27.0
			SW		NW		IRR	30.0
			SE		NW		IRR	34.0
			NE		SW		IRR	36.0
			NW		SW		IRR	33.0
			SW		SW		IRR	39.0
			SE		SW		IRR	36.0
			NE		SE		IRR	24.0
			NW		SE		IRR	37.0
			SW		SE		IRR	38.0
							Section Acres	477.0
11N	05W	33	SE		SW		IRR	24.0
			SW		SE		IRR	21.0
							Section Acres	45.0
							Total Acres	13471.0

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:
65-0165A/B/C/X, 65-11413, 65-2376, 65-7425, 65-7428, 65-7848

14. Remarks:
POINT OF INJECTION IN PAYETTE RIVER: NESW, S. 7, T7N, R3E.
POINT OF RE-DIVERSION: LOT 3, S. 7, T7N, R3E.
THIS RIGHT WHEN COMBINED WITH OTHER RIGHTS SHALL NOT EXCEED .02
CFS PER ACRE DIVERTED NOR 3.5 AF PER ACRE CONSUMED.

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 x 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 _____
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 Payette) SS.

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

of April 19 90

Dean L. Swine
Notary Public

Seal

Residing at Payette

My Commission Expires 12/20/94

January 27, 1984

Cecil Shurtleff, President
Lower Payette Ditch Company
114 N. 8th St.
Payette, ID 83661

Gentlemen:

Re: Permit No. 65-7882

This office acknowledges receipt of the statement of beneficial use and the request to change the measuring device requirement. Enclosed is an order which does just that.

Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you or a representative may show him the system.

If you have any questions concerning the field examination, please contact our Western Regional office at 334-2190.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

RECEIVED
FEB 2 1984

Department of Water Resources
Western Regional Office

OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF

I. D. No.	Map No.
Fee Paid	Receipt No.

(Name of Claimant)

(Mailing Address)

The extent and nature of said claim is as follows:

Date of priority: (When was the water first applied to a beneficial use, or priority date of decree, license or permit, etc...?)

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

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

Quantity	Use	Period of Use From	To
(CFS, GPD, AF.)	(Domestic, irrigation, stock, etc.)	(Mo., Day) (Both Dates Inclusive)	(Mo., Day) (Both Dates Inclusive)
Quantity	Use	Period of Use From	To
(CFS, GPD, AF.)	(Domestic, irrigation, stock, etc.)	(Mo., Day) (Both Dates Inclusive)	(Mo., Day) (Both Dates Inclusive)
Quantity	Use	Period of Use From	To
(CFS, GPD, AF.)	(Domestic, irrigation, stock, etc.)	(Mo., Day) (Both Dates Inclusive)	(Mo., Day) (Both Dates Inclusive)

TOTAL QUANTITY CLAIMED.

A) Point of Diversion: Give location of point where water is diverted from its source _____ 1/4 _____ 1/4,
 Sec. _____, Twp. _____, Rge. _____, B.M.; additional points: _____

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)

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.

Total No. of acres,

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

Effluent, sewage waste, or return water from this use is discharged into

If you are claiming water as a member of an organization, list name of organization.

Remarks

D) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use
☐ B) Right decreed by court, cite title of case. _____

☐ C) Right based on application, permit, license, or claim filed with the Idaho Department of Water Resources.

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

(Signature of Claimant)

Discussion

ss.
Seal

On this _____ day of _____, in the year _____, before me, _____, a notary public, personally appeared _____, known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, _____) executed the same.

Notary Public residing at _____

My commission expires _____

Since this is a supplement right providing
less than 02 cfa/yr, the duty was computed in
the following manner:

$$30 \text{ cfa} \times 1.98 \times 245 \text{ days/yr} = 14553 \text{ AF/yr}$$

JUDICIAL DISTRICT

IDENT. NO.

MAP NO.

WATER RIGHT

(Name of Claimant)

cc: ID 83661
(Mailing Address)

claims a right to the diversion

五

THE

ISSUED (page)

MAY 19 1977

1111

used the right claimed resources
West 311 Regional Office

From 11 To 15
(Mo., Day) (Mo., Day)

$$\frac{\text{To}}{(\text{Mo., Day})}$$
$$\frac{T_o}{(M_o., \text{ Day})}$$

TOTAL QUANTITY CLAIMED.

A) Point of Diversion: Give location of point where water is diverted from its source SE 1/4 SW 1/4,
Sec. 7, Twp. 7N, Rge. 3W, B.M.; additional points: _____

diversion dam and ditches

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.

[illegible]

Total No. of acres ~~13,213~~
ble: 13,674

Effluent, sewage waste, or return water from this use is discharged into

65-7425, 7428

Remarks: Point of injection in Payette River. NESW, Sec 7, T7N, R3W, B.M. Point of re-diversion: Lot 3, Sec 7, T7N, R3W, B.M. *This at water control at 65-0165 and provide down more than 100' above 1/4 and 25' above 1/2.*

☐ A) Right based on diversion and beneficial use

☐ B) Right decreed by court, cite title of case. _____

Water Administration. Application 65-7882

Individual
math, depose(s) and say(s) that all statements included herein are

97764-13, 1977
1 (Date)

De 7/13/79
(Signature of Claimant)

Organization	(Signature of Spouse)
Lawrence Sanders	[Signature]

County of Clark ss. Seal
On this 15th day of February
by J. A. Swine (Signature of Authorized Agent)
ROBERT TRACIE PITCH CO.
HOE MRS., in the year 1906, before me

_____ to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they
_____, _____) executed the same.
_____, _____, partnership or _____

Notary Public residing at _____

6/13/77