

Shurte, Jan

From: Lester, Steve
Sent: Thursday, November 07, 2013 3:43 PM
To: Shurte, Jan
Subject: RE: 65-9156

Hi Jan:

Wow, something out of the old days!

Yes, we have some combos of: blue line maps, clear mylar maps, and big ASCS black & white aerial photos – all have some specific fields, arrows etc. drawn on them. Probably don't have 100% coverage but have lots. So maybe you can find what you need. Everything is in those big gray metal cases next to the cool old wooden flat map cases.

Steve

From: Shurte, Jan
Sent: Thursday, November 07, 2013 1:54 PM
To: Lester, Steve
Subject: 65-9156

Hi Steve,

I'm working on a Basin 65 late claim and was just wondering if Western still has those blue line maps for the Payette adjudication out there somewhere?

They were the ones that have some field notes and irrigation systems with arrows and such that John Noyes and Forrest worked on. I just thought I'd ask. Sure would help me with this one.

Thanks,
Jan

11/07/2013

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

RIGHT NUMBER: 65-9156

NAME AND ADDRESS: JUDY IRENE MURPHY SHAVER
PO BOX 310
FRUITLAND ID 83619-0130

SOURCE: SAND HOLLOW DRAIN TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.500 CFS

PRIORITY DATE: 04/01/1960

POINT OF DIVERSION:

T08N R05W S14 SESE Lot 10 Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.500 CFS

PLACE OF USE: IRRIGATION in PAYETTE County

T08N R05W S14 Lot 9 SWSE	6.00	T08N R05W S14 Lot 10 SESE	19.00
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25 ACRES TOTAL

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

This right when combined with the rights of the Noble Ditch Co., Ltd. shall provide no more than .02 cfs per acre.

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 - Decreed



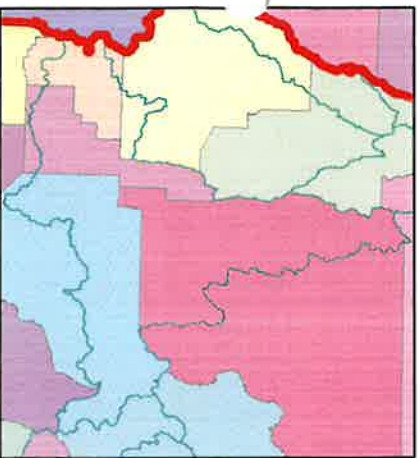
Idaho Department of Water Resources

Adjudication Recommendation

65-9156

(IRRIGATION)

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



Payette County
IDWR Basin 65



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-9156

WATER RIGHT NUMBER: 65-9156

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DOROTHY GROVES RT 2 FRUITLAND, ID 83619
Current Owner	ROBERT F GROVES RT 2 FRUITLAND, ID 83619

Priority Date: 04/01/1960

Basis: Decreed

Status: Not Claimed

<u>Source</u>	<u>Tributary</u>
SAND HOLLOW DRAIN DITCH	PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15	to 11/15	0.500 CFS	
	<u>Total Diversion:</u>		0.500 CFS	

Location of Point(s) of Diversion

SAND HOLLOW DRAIN DITCH	L10 ()	Sec. 14, Twp 08N, Rge 05W, B.M.
PAYETTE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
08N	05W	14																	2.0	23.0	25.0
																			L 9	L 10	

Total Acres: 25

Conditions of Approval:

- THIS RIGHT WHEN COMBINED WITH RIGHTS OF NOBLE DITCH CO., LTD. SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

Remarks:Comments:

- jhersley 3/23/2011 SRBA
Comment: this right has not been claimed in the SRBA as of this date.

Dates and Other Information:

SCANNED

JAN 7 4 2012

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-9156

Licensed Date:
Decreed Date: 1/21/1986
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 65
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: A & C Corp, et al
Decree Plaintiff: State of Idaho
Civil Case Number: 3667
Judicial District: Third District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

SCANNED

JAN 24 2012

Saxton, Craig

From: Saxton, Craig
Sent: Tuesday, October 18, 2011 9:31 AM
To: Bromley, Chris; Ridgeway, Renea; Fritschle, Carter
Subject: Late Claim 65-9156 - Fees and Contact Issues
Attachments: Returned Change of Ownership 65-9156.pdf

Hey Everyone,

This e-mail is meant to provide information for the legal file that might be relevant at the hearing for the late claim motion. The motion will be heard on 1/17/2012.

Fees:

Claimant paid \$125 filing fee.

This claim is for a right decreed in the Payette River Adjudication. The claimed elements are exactly as decreed. Therefore there is no claim fee or variable fee. There is however still a late fee. Therefore the claimant only owes \$50 late fee. If the motion is granted IDWR can refund \$75 dollars.

Claimant Name:

The name on the claim is **Judy Irene Murphy Shaver**. When I looked through the backfile I see that the claimant discovered that a late claim needed to be filed for 65-9156 because she submitted a Notice of Change in Water Right ownership and we wouldn't process it (attached). The interesting part, is that the change of ownership indicates that they wanted the name changed to: **The Thomas James Murphy and Judy Irene Murphy Family Trust**

I wonder if the claim should be in the name of the trust, rather than the name of the individual? Perhaps she could change the name on the claim at the hearing to prevent the need to re-file a change of ownership and come up with the necessary documents (note that the change of ownership previously submitted does not have any deed or anything showing that the Trust has ownership of the right). I am not sure the best way to handle this.

Thanks,
Craig

Saxton, Craig

From: Saxton, Craig
Sent: Tuesday, October 18, 2011 9:35 AM
To: Bromley, Chris; Shurte, Jan
Cc: Ridgeway, Renea
Subject: RE: B65 Late Claim 65-9156

I did look into 65-9156 and this does appear to be an unclaimed water right that was decreed in the PRBA. I don't see any particular reason that the motion shouldn't be granted.

c

From: Bromley, Chris
Sent: Tuesday, October 04, 2011 3:14 PM
To: Saxton, Craig; Shurte, Jan
Cc: Ridgeway, Renea
Subject: RE: B65 Late Claim

The judge will want to know the PRBA history (decreed/disallowed/etc). We'll need to be able to tell him that information.

Chris

From: Saxton, Craig
Sent: Tuesday, October 04, 2011 3:09 PM
To: Bromley, Chris; Shurte, Jan
Cc: Ridgeway, Renea
Subject: RE: B65 Late Claim

The claimant came in as an office day last week and was asked to help prepare the claim. The claimant said it was decreed in the PRBA but wasn't ever claimed in the SRBA. I found a claim record on the database and saw that the water right status was set to Not Claimed. So, on the surface, it appears that she was right and it was never claimed. The claim should mimic the water right record. I honestly didn't look into it any further than that.

That said, I just did a quick search and there aren't any other water rights out there for her POU that fit this right. I haven't pulled the decree book to verify that it was decreed in the PRBA, but it does appear to be an unclaimed water right.

c

From: Bromley, Chris
Sent: Tuesday, October 04, 2011 2:52 PM
To: Shurte, Jan; Saxton, Craig
Cc: Ridgeway, Renea
Subject: B65 Late Claim

Jan and Craig,

I see a new late claim in B65. It's 65-9156. We'll need some background regarding the PRBA.

Thanks,

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

MAR 02, 1979

TRIBUTARY TO: PAYETTE RIVER

SOURCE: SAND HOLLOW DRAIN

*INDICATES TOTAL *

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-2561	STATE OF IDAHO DEPARTMENT OF FISH & GAME, BOX 25, BOISE, IDAHO 83707 REMARKS: THIS RIGHT WHEN COMBINED OF LAST CHANCE DITCH CO. SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	10/ 9/1951	IRRIGATION	3/15 11/15	--- AFA 1.26 CFS	LOT 6 S11 T 6N R 2W	LGT 6(13) LOT 7(9) LOT 8(9) S10 T 6N R 2W LGT 5(11) S11 T 6N R 2W *42*	LICENSE

65-3454	PRATT, FLOYDE E. ROUTE 1 BOX 203A, EMMETT, IDAHO 83617 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF LAST CHANCE DITCH CO. SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	4/ 1/1966	IRRIGATION	3/15 11/15	--- AFA .02 CFS	SWNW(1) S13 T 6N R 2W	*1*	BENEFICIAL USE
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TRIBUTARY TO: PAYETTE RIVER

SOURCE: SAND HOLLOW DRAIN DITCH

*INDICATES TOTAL *

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-9156	GROVES, ROBERT F. & GROVES, DOROTHY ROUTE 2, FRUITLAND, IDAHO 83619 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF NOBLE DITCH CO., LTD. SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	4/ 1/1960	IRRIGATION	3/15 11/15	--- AFA .50 CFS	LOT 9(2) LOT 10(23) S14 T 8N R 5W *25*		BENEFICIAL USE

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 65-9156
Date Received: 10/3/2011
Receipt No: C094570
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SHAWER (CHANGED P.E.)
JUDY IRENE MURPHY ~~MURPHY~~ Phone: (208) 452-3461
PO BOX 310
FRUITLAND ID USA 83619-0130

2. Date of Priority: 04/01/1960

3. Source: SAND HOLLOW DRAIN DITCH Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08N	05W	14	10	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	3/15	11/15	0.5	

7. Total Quantity Appropriated is:
0.5 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
08N	05W	14	SW	SE	9	IRRIGATION	2
			SE	SE	10	IRRIGATION	23
					Section Acres	25	
					Total Acres	25	

11. Place of use in counties: PAYETTE

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHTS OF NOBLE DITCH CO., LTD. SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

15. Basis of Claim: Decreed

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____