

RIGHT NUMBER: 65-13764

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID 83724

SOURCE: SOUTH FORK PAYETTE RIVER

TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 11/06/1997

POINT OF DIVERSION:

T09N R07E S28 NESE Lot 1 Within BOISE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

7/01 10/31

0.020 CFS

PLACE OF USE:

DOMESTIC Within BOISE County

T09N R07E S28 Lot 1 NESE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION
IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR
APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO
ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS
BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE
LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY
APPROPRIATION PROCESS.
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

PROPERTY IS ALSO KNOWN AS LOT 1, LOWMAN SUMMER HOMES
FOREST SERVICE RECORD ID = 04 02 17050120 49 0085 0

Western

RECEIVED

MAY 01 2001

WATER RESOURCES
WESTERN REGION

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-13764

Priority: November 06, 1997

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 0.6 AF

It is hereby certified that US DEPT OF AGRICULTURE
FOREST SERVICE
380 E PARKCENTER STE 330
BOISE ID 83706

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 06, 1997; and has submitted Proof of Beneficial Use on March 23, 1999. An examination indicates that the works have a diversion capacity of 0.06 cfs of water from:

SOURCE

SOUTH FORK PAYETTE RIVER

Tributary: PAYETTE RIVER

and a water right has been established as follows:

BENEFICIAL USE
DOMESTIC

PERIOD OF USE
07/01 to 10/31

DIVERSION RATE
0.02 CFS

**ANNUAL
DIVERSION VOLUME**
0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SOUTH FORK PAYETTE RIVER L1 NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 28, Twp 09N, Rge 07E, B.M., BOISE County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
09N	07E	28													X				
															L 1				

CONDITIONS OF APPROVAL

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
2. The irrigation occurring under this domestic use shall not exceed 1/2 acre and is authorized only in connection with a domestic use.
3. The domestic use authorized under this right shall not exceed 13,000 gallons per day.
4. Water shall not be diverted under this right when flows in the South Fork Payette River are below established minimum stream flows.
5. Domestic use is for external use for 1 home.

State of Idaho
Department of Water Resources
Water Right License

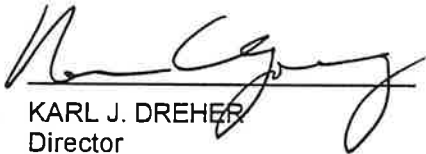
WATER RIGHT NO. 65-13764

6. Place of use is located within Lot 1, Lowman Summer Home Area.
7. Place of use is also known as US Forest Service Identification No. 04 02 17050120 49 0085 0.
8. Rights 65-02426 and 65-13764 when combined shall not exceed a total annual maximum diversion volume of 3.6 af.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 25TH day of April, 2001.

Acting for


KARL J. DREHER
Director

Audit: 02/02/00 JSHURTE

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: A65-13764
Date Received: 2/ 1/2000
Receipt No: X111111
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: UNITED STATES OF AMERICA ACTING THROUGH 801-625-5360
Address: USDA FOREST SERVICE
324 25TH STREET
OGDEN UT 84401-2394

2. Date of Priority: NOV 6, 1997

3. Source: PAYETTE RIVER, SOUTH FORK Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	07E	28	NE	SE		1	BOISE

5. Description of diverting works:
PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	07/01	10/31	0.020		

7. Total Quantity Appropriated is:
0.020 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
09N	07E	28	NE	SE	1	DOMEST	

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

DOMESTIC USE IS FOR LOT 1, LOWMAN SUMMER HOMES.

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 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 _____ day
of _____ 20 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: 65-13764

RECEIVED

FEB 01 2000

WATER RESOURCES
WESTERN REGION

FILED UNDER STATE LAW

1. Name of Claimant: UNITED STATES OF AMERICA on behalf of the U.S.D.A. Forest Service

Address: 550 W. Fort Street MSC033

Boise

ID

83724

2. Date of Priority: 11/06/1997

3. Source of water: PAYETTE RIVER, SOUTH FORK

Tributary: PAYETTE RIVER

4. Location Meridian BOISE

Description of Diversion Works: Combo

From: Stream

Location of Point of Diversion

T: 09 N R: 07 E S: 28 NESE L: 1

Location of Point of Use

T: 09 N R: 07 E S: 28 NESE L: 1 Ac: 0

5. Quantity claimed: Period Quantity For
7/ 01 - 10/ 31 0.02 CFS Domestic

6. Total Consumptive Use Claimed for Present and Future Use is:

0.02 CFS

7. Present and future uses to which the water is or will be used:

Domestic

8. Attach the legal description of the reservation, and maps showing for each consumptive use the existing and proposed place of use and existing points of diversion.

Bound separately

9. Remarks:

State Basin: 65

National Forest: Boise

Forest Service Record ID: 04 02 17050120 49 0085

Use for Lot 1, Lowman Summer Homes.

10. Describe any other water rights used at the same place and for the same purposes as described above: None

11. Counties within the reservation: Not available

Notice is hereby given that the United States Department of Justice will represent the Department of Agriculture, Forest Service, in all matters pertaining to the Snake River Basin Adjudication. All notices required by law to be mailed by the Director to the claimant should be mailed to the individuals at the address

Bruce Bernard

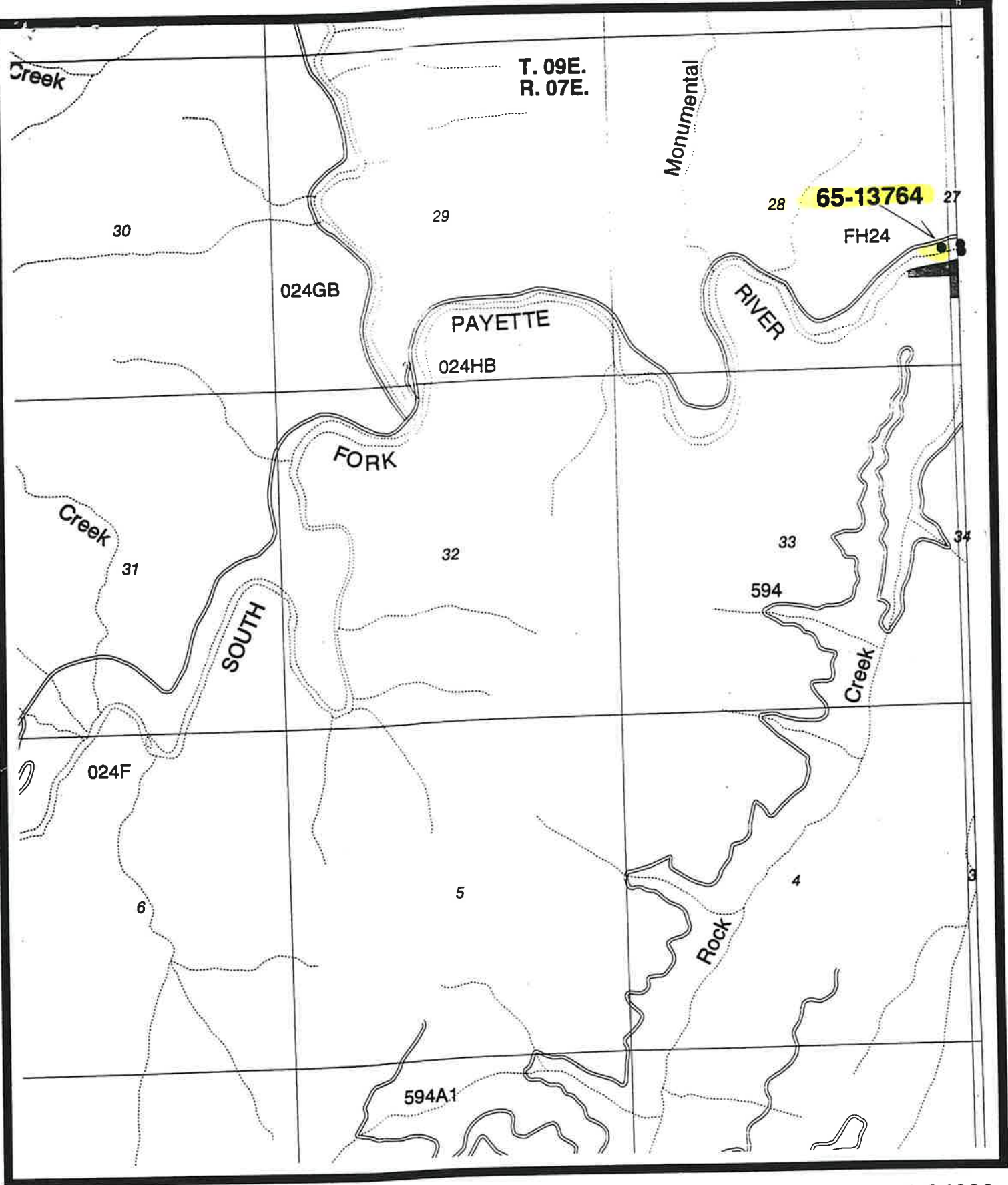
U.S. Department of Justice

Environment and Natural Resources Division

550 W. Fort Street, Box 33

Boise, ID 83724

This form is an attachment to a letter forwarding the claims of the U.S. Department of Agriculture, Forest Service. The signature and affirmation on such letter constitutes the signature of the authorized agent representing the United States of America required for each such claim.



1:24000



 Non-Federal Land

DATE: 02/02/00
PAGE: 11

Stage: PERMIT

BOISE County

1

Pou County: BOISE

26A - Project construction shall commence within one year from the

- Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to
- completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were
- due to circumstances over which permit holder had no control.
- Use of water under this water right will be regulated by the watermaster of State Water District No. 65.

Water shall not be diverted under this right when flows in the

flows.

When water is not available to fill this right, the right holder shall cease diversion or shall rent water from the Payette River Rental Pool.

The domestic use authorized under this right shall not exceed 13,000 gallons per day.

Any irrigation occurring under this domestic use shall not exceed 1/2 acre and is authorized only in connection with a domestic use.

Place of use is located within Lot 1, Loman Summer Home Area. Place of use is also known as US Forest Service Identification

No. 04 02 17050120 49 0085 0.
Domestic use is for 1 home.

11/06/1997

Proof Made Date:
Exam Sent to S.O.:

Field Exam Fee: R (Received)