

Josephine P. Beeman #1806  
BEEMAN & ASSOCIATES, P.C.  
409 West Jefferson Street  
Boise, ID 83702  
Phone: (208) 331-0950  
Fax: (208) 331-0954  
jo.beeman@beemanlaw.com

**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                                | ) | Subcase Nos. 65-4213A 65-4213B,         |
|                                           | ) | 65-4213C, 65-4214 and 65-4214A          |
|                                           | ) |                                         |
| Case No. 39576                            | ) | <b>AFFIDAVIT OF JOSEPHINE P. BEEMAN</b> |
| <hr style="width: 45%; margin-left: 0;"/> |   |                                         |

|                |   |     |
|----------------|---|-----|
| STATE OF IDAHO | ) |     |
|                | ) | ss: |
| COUNTY OF ADA  | ) |     |

I, Josephine P. Beeman, after first being duly sworn upon oath, depose and state that:

(1) My name is Josephine P. Beeman, and I am competent to testify to the matters set forth herein.

(2) Attached hereto as Exhibit A is a true and correct copy of the "Affidavit of Danni M. Smith Re: Service of Second Round Service of Commencement Notice Basin 65, Parts I, II & III", dated May 29, 2001, which was filed with the SRBA in Civil Case No. 39576.

(3) Attached hereto as Exhibit B is a true and correct copy of IDWR's "Water Right Report" for water right no. 65-4213, as decreed in the Payette adjudication, obtained from the IDWR website.

(4) Attached hereto as Exhibit C is a true and correct copy of the SRBA "Notice of Claim to a Water Right Acquired Under State Law" for water right no. A65-04213A, obtained

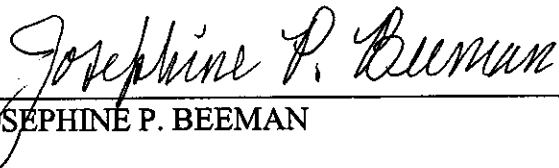
from the SRBA claim file for 65-4213A at IDWR.

(5) Attached hereto as Exhibit D is a true and correct copy of IDWR's "Water Right Report" for water right no. 65-4214, as decreed in the Payette adjudication, obtained from the IDWR website.

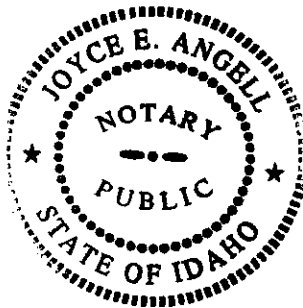
(6) Attached hereto as Exhibit E is a true and correct certified copy of the recorded deed for a parcel of land located in the SW ¼ of section 34, township 18N, range 3E, Valley County, owned by Dorothy A. Bowker and John R. Bowker.

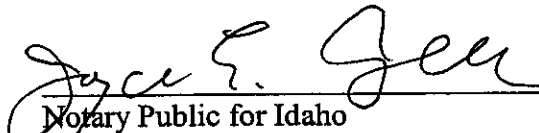
FURTHER YOUR AFFIANT SAYETH NAUGHT.

Dated this 23<sup>rd</sup> day of April 2004.

  
JOSEPHINE P. BEEMAN

SUBSCRIBED AND SWORN before me on this 23<sup>rd</sup> day of April 2004.



  
Notary Public for Idaho  
Residing at Boise, Idaho  
Commission Expires: July 29, 2008

CERTIFICATE OF SERVICE

The undersigned certifies that on the 23<sup>rd</sup> day of April 2004, a true and correct copy of the foregoing **AFFIDAVIT OF JOSEPHINE P. BEEMAN** was sent to the following entities by U. S.

Mail:

Idaho Department of Water Resources  
Document Depository  
P. O. Box 83720  
Boise, Idaho 83720-0098  
☒ U.S. Mail ☐ Fed Ex ☐ Hand ☐ Fax

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
P. O. Box 44449  
Boise, ID 83711-4449  
☒ U.S. Mail ☐ Fed Ex ☐ Hand ☐ Fax

United States Department of Justice  
Environment & Natural Resources Div  
550 West Fort Street, MSC 033  
Boise, ID 83724  
☒ U.S. Mail ☐ Fed Ex ☐ Hand ☐ Fax

James C. Heckathorn  
RT 1 Box 46A  
McCall, ID 83638  
☒ U.S. Mail ☐ Fed Ex ☐ Hand ☐ Fax

Faustino Ramos  
P.O. Box 1543  
McCall, ID 83638  
☒ U.S. Mail ☐ Fed Ex ☐ Hand ☐ Fax

Dorothy A. Bowker & John R. Bowker  
821 S.W. 12th Street  
Troutdale, OR 97060  
☒ U.S. Mail ☐ Fed Ex ☐ Hand ☐ Fax

Dorothy A. and John S. Bowker  
P. O. Box 68  
McCall, ID 83638  
☒ U.S. Mail ☐ Fed Ex ☐ Hand ☐ Fax

  
\_\_\_\_\_  
JOSEPHINE P. BEEMAN

Z:\3035\6182

**ALAN G. LANCE**  
Attorney General  
State of Idaho

**CLIVE J. STRONG**  
Chief, Natural Resource Division

**SUSAN HAMLIN NYGARD**  
Deputy Attorney General  
Idaho Department of Water Resources  
P.O. Box 83720  
Boise, ID 83720-0098  
Telephone: (208) 327-5446  
Fax: (208) 327-5400  
Idaho State Bar #4614

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT COURT**

**STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Civil No. 39576

) **AFFIDAVIT OF DANNI M. SMITH**  
) **RE: SERVICE OF SECOND ROUND**  
) **SERVICE OF COMMENCEMENT NOTICE**  
) **BASIN 65, PARTS I, II & III**

**AFFIDAVIT REGARDING SECOND ROUND SERVICE OF  
COMMENCEMENT NOTICE IN BASIN 65, PARTS I, II & III**

I, Danni M. Smith, being first duly sworn on oath, depose and state as follows:

1. I am employed by the Idaho Department of Water Resources ("IDWR") and have been so employed since August 14, 1988. I am the Administrative Assistant 1 for the Adjudication Bureau of IDWR. I have been employed in this position since April 30, 1989. One of my duties in this position is assisting with the second round service for the Snake River Basin Adjudication ("SRBA").

**AFFIDAVIT OF DANNI M. SMITH RE: SERVICE OF SECOND ROUND SERVICE OF COMMENCEMENT  
NOTICE - BASIN 65, PARTS I, II & III - Page 1**

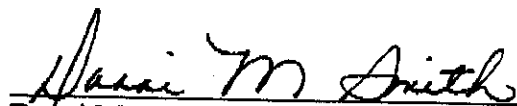
Exhibit A to  
Affidavit of Josephine P. Beeman  
(65-4213A, et al.)

2. A Second Round Service of Commencement Notice for Basin 65, Parts I, II & III ("Second Round Notice") was prepared pursuant to Idaho Code § 42-1408(4) and is attached hereto as Exhibit A and incorporated by this reference.

3. On January 19, 2001, the Second Round Notice was mailed by certified mail, return receipt requested, to each of the persons listed on Exhibit B attached hereto.

4. Pursuant to the *Second Amended Second Round Service Order* (hereinafter "*Second Round Service Order*") issued by Judge Wood on January 14, 2000, the mailing list shown in Exhibit B for the Second Round Notice was compiled using procedures identified in the Second Round Service Order in part III. A. (Water Right Data Base), B. (GIS Evaluation and Second Round Service), and C. (Potentially Unclaimed Water Rights Discovered During the Investigation of Claims). See *Second Round Service Order* at 3- 4. Unclaimed rights were identified in Basin 65 and are located in the following counties: Gem, Payette, Boise, Valley, and Washington Counties. In accordance with the procedure set out in the *Second Round Service Order*, Anita Warntjes, Grants Contract Program Specialist at IDWR, and I researched the county assessor and recorder databases for each of the listed counties to determine the chain of title for the unclaimed places of use. If ownership could not be ascertained, we used assessors' plat and subdivision maps, companion sheets, and database information to determine the current owner of the property as well as to identify all lien holders to the property. Finally, the list of current property owners was reviewed to remove duplicate names.

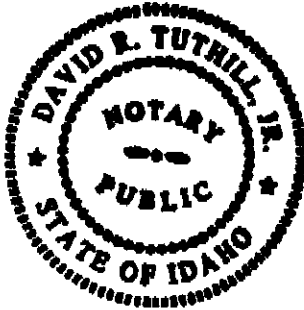
DATED this 29<sup>th</sup> day of May, 2001.



Danni M. Smith, SRBA Administrative Asst. I

Idaho Dept. of Water Resources

SUBSCRIBED AND SWORN before me this 29<sup>th</sup> of May, 2001



David R. Tuttle, Jr.  
NOTARY PUBLIC for Idaho  
Residing at Boise, Id.  
My Commission Expires 9/10/2004

**CERTIFICATE OF SERVICE**

I certify that on 6 - 7, 2001, I caused to be served true and correct copies of the **Affidavit of Second Round Service of Commencement Notice Basin 65**, to the following persons, in the manner indicated and addressed as follows:

## 1. Original to:

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

☐ Overnight Mail  
☒ Regular Mail  
☐ Hand-Delivered  
☐ Facsimile

## 2. Copies to:

United States Dept. of Justice  
Environment & Nat'l Resources Div.  
550 West Fort Street, MSC 033  
Boise, ID 83724

☐ Overnight Mail  
☒ Regular Mail  
☐ Hand-Delivered  
☐ Facsimile

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

☐ Overnight Mail  
☐ Regular Mail  
☒ Hand-Delivered  
☐ Facsimile

IDWR Document Repository  
P.O. Box 83720  
Boise, ID 83720-0098

☐ Overnight Mail  
☐ Regular Mail  
☒ Hand-Delivered  
☐ Facsimile

*Sandy Egbert*  
Signature of person mailing form

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

Re the General Adjudication of  
Rights to the Use of Water from  
the Snake River Basin Water System.

Civil No. 39576

SECOND ROUND SERVICE OF  
COMMENCEMENT NOTICE

**IMPORTANT LEGAL NOTICE:**

Records of the Idaho Department of Water Resources (IDWR) indicate that «FirstName» «LastName» may own or have an interest in a water right in the Snake River Basin, but has NOT filed a Notice of Claim with IDWR for this water right. This notice serves as your second and FINAL notice of your responsibilities to file a Notice of Claim. **FAILURE TO FILE A REQUIRED NOTICE OF CLAIM WILL RESULT IN A DETERMINATION BY THE COURT THAT THE WATER RIGHT NO LONGER EXISTS.**

**YOUR FILING DEADLINE IS APRIL 23, 2001**

On November 19, 1987, the District Court for the County of Twin Falls issued an order commencing a general adjudication of all water rights from the Snake River Basin water system in Idaho. A general adjudication is a court case, which will result in a decree determining all water rights from the water system. The purpose of the adjudication is to get an accurate schedule of water rights to assure the proper delivery of water in times of shortage. The purpose of this notice is to inform you of your legal responsibilities at this stage of the adjudication.

**WHO NEEDS TO FILE A NOTICE OF CLAIM WITH IDWR?**

Idaho Code § 42-1409 requires all persons owning water rights within the boundaries of the Snake River Basin water system in Idaho to file a Notice of Claim with IDWR for each water right, except for certain water rights specifically excluded by law. **Failure to file a required Notice of Claim will result in a determination by the court that the water right no longer exists.**

You **MUST** file a Notice of Claim with IDWR if your water right is based upon:

- a **CONSTITUTIONAL** or **HISTORIC USE RIGHT** (a diversion and application of water to a beneficial use, regardless of whether the water right has been recorded with IDWR pursuant to Idaho Code § 42-243);
- a **STATE** or **FEDERAL DECREE** (even if your water right was decreed in a previous adjudication you still must file a Notice of Claim with IDWR);
- a **LICENSED RIGHT** (based upon a license issued by IDWR, which used to be called the Idaho Department of Water Administration, the Idaho Department of Reclamation, and the State Engineer's Office);
- an **APPROPRIATION PERMIT** if proof of beneficial use was filed before November 19, 1987 (based upon a permit issued by IDWR, which used to be called the Idaho Department of Water Administration, the Idaho Department of Reclamation, and the State Engineer's Office); or
- a **FEDERAL LAW** (generally reserved rights claimed by the federal government, by or on behalf of the Indian Tribes, or by subsequent owners of former federal reserved lands).

### WHO DOES NOT NEED TO FILE A NOTICE OF CLAIM WITH IDWR?

- **Small Domestic and Stockwater users:** A Notice of Claim may be, but is not required to be, filed at this time for water rights used solely for small Domestic and/or Stockwater purposes (D&S), as those terms are defined by Idaho Code § 42-1401A (4) & (11). However, even if you have a D&S water right, it might be to your advantage to file a claim on this water right in this adjudication for a number of reasons. First, you will be required to have the water right adjudicated before the water right can be distributed by a watermaster or before an application for change of the water right may be filed with IDWR. Furthermore, while the filing fee for a Notice of Claim with IDWR for a D&S water right is currently \$25, the costs of filing a motion with the district court at a later date to have the water right adjudicated will be considerably higher. Before deciding not to file a Notice of Claim for small D&S claims you should be certain that your water use qualifies for the special procedure.
- **Permits for which Proof of Beneficial Use was filed on or after November 19, 1987:** A Notice of Claim may be, but is not required to be, filed for permits for which proof of beneficial use was filed on or after November 19, 1987. The director of IDWR may at a later date require holders of such permits to file a Notice of Claim. If the director does issue such an order, the permit holder will be notified by mail.
- **Fire-Fighting and In-Stream Livestock:** A Notice of Claim may be, but is not required to be, filed for water rights arising under Idaho state law that are used solely for fire-fighting purposes or solely for in-stream livestock use as defined by Idaho Code § 42-113.
- **Water users who are not the owner of the water right:** A person using water from the Snake River Basin water system is not required to file a Notice of Claim if the water user is not the owner of the water right, but the water user should make sure that the owner has filed a Notice of Claim. For example, a water user need not file a Notice of Claim where the water user receives water solely by virtue of ownership of shares of stock in a water delivery organization, or solely by virtue of being located within the boundaries of a water user organization if the water delivery organization holds legal title to the water right and if the water delivery organization has filed a Notice of Claim. Examples of water delivery organizations include cities, water utility companies, and irrigation districts, among others.

### WHAT WATER SOURCES ARE INCLUDED IN THE SNAKE RIVER BASIN ADJUDICATION AND WHAT ARE THE BOUNDARIES?

A Notice of Claim must be filed for water from any water source, including streams, springs, lakes, ground water, developed water, wastewater, or any other source for any purpose within the boundaries of the Snake River Basin water system in Idaho. A map showing the boundaries of the water system is included at the end of this notice.

### WHAT ARE THE FEES AND DEADLINES FOR FILING A NOTICE OF CLAIM?

Idaho Code § 42-1414 requires each person who files a Notice of Claim, except those exempted by law, to pay a filing fee. Failure to pay the fee will result in rejection of the Notice of Claim. There may be an exception to the filing fee requirement if your water right was determined by decree in the Payette River Drainage Adjudication (Gem County Civil No. 3667), the Lemhi River Drainage Adjudication (Lemhi County Civil No. 4948), or the Basin Creek Drainage Adjudication (Cassia County Civil No. 11125).

The deadline for filing Notices of Claims to water rights is stamped on the front of this notice. Late-filed Notices of Claims will be accepted prior to filing the director's report with the court, but failure to file a Notice of Claim by the deadline may result in assessment of a late fee of \$50.00 or 15% of the original filing fee, whichever is greater.

A late fee may also apply if you were previously served with a Commencement Notice and did not file your claim by the deadline set forth in the previous notice.

#### **NOTICE OF CLAIM FORMS AND INSTRUCTIONS**

Notices of Claims must be filed on forms prepared by IDWR or a reasonable facsimile. When filing at an IDWR office, bring a legal description of the property with Township, Section, Range and 1/4, 1/4. The lot and block numbers are not sufficient. Claimants should always call the nearest regional office to make an appointment if desiring assistance to fill out a Notice of Claim. The Notice of Claim forms and instructions for completing and filing the forms are available on IDWR's website at [www.idwr.state.id.us](http://www.idwr.state.id.us) or at the following locations:

1. IDWR, Western Region, 2735 Airport Way, Boise, ID, 83705, Phone (208) 334-2190;
2. IDWR, Southern Region, 1341 Fillmore St., Suite 200, Twin Falls ID 83301, Phone (208) 736-3033;
3. IDWR, Eastern Region, 900 N. Skyline Drive, Suite A, Idaho Falls, ID 83402, Phone (208) 525-7161;
4. IDWR, Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene ID 83814, Phone (208) 769-1450;
5. IDWR, State Office, 1301 N. Orchard St., Boise ID 83706, Phone (208) 327-7906, or toll free 1-800-451-4129.

#### **NOTICE TO IDWR OF CHANGE IN OWNERSHIP OR ADDRESS**

Idaho Code § 42-1409(6) requires all purchasers of a water right to inquire of IDWR whether a Notice of Claim has been filed. If not, the purchaser must file any required Notice of Claim, as described above. If a Notice of Claim has been filed, the purchaser must file with IDWR a written notice of the change in ownership along with some evidence of ownership. "Purchaser" includes any person acquiring a water right from another water user, whether it is acquired by purchase, gift, inheritance, or any other means. Idaho Code § 42-1409(6) requires all persons who have filed a Notice of Claim to file a written notice of change in address with IDWR.

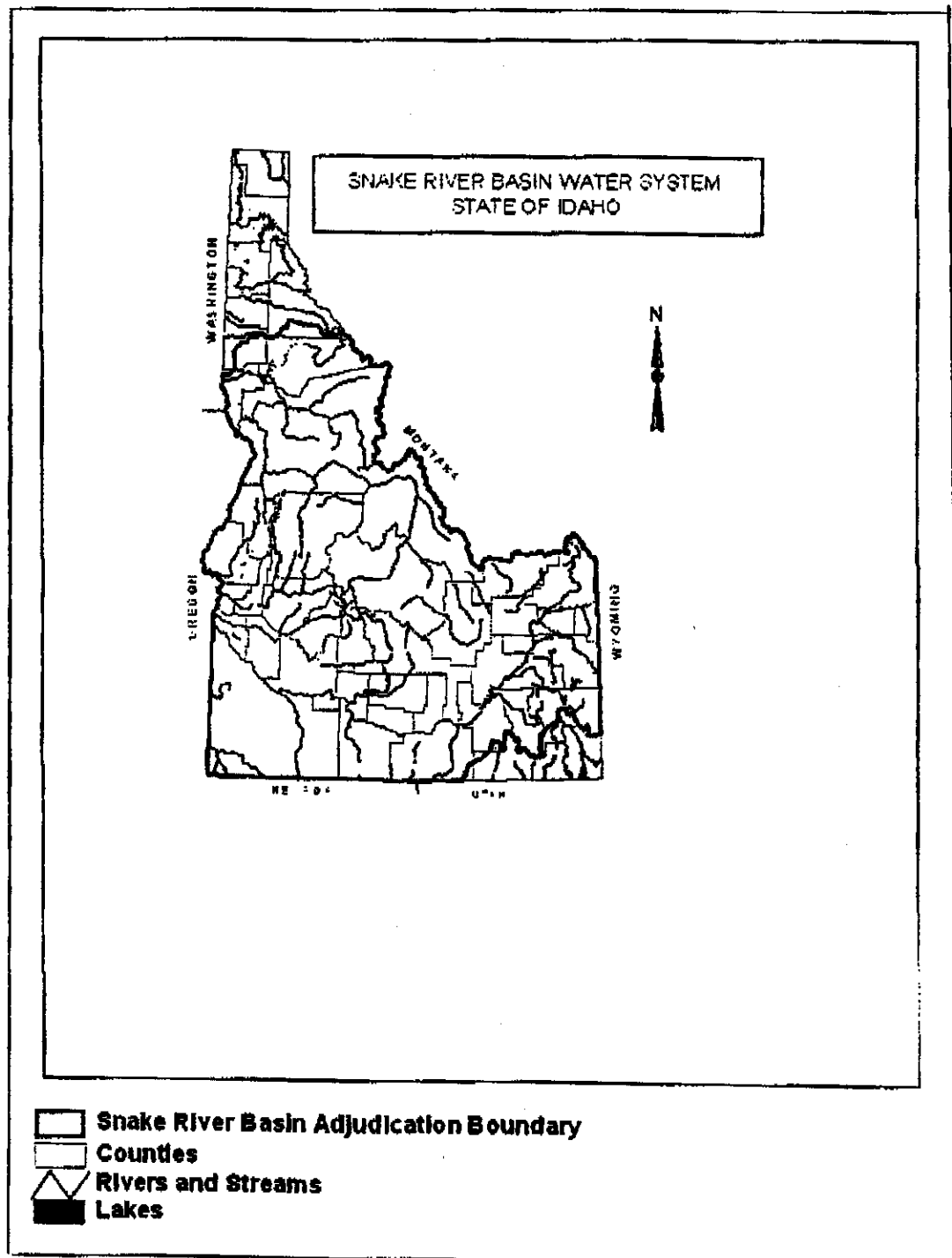
#### **FURTHER INFORMATION**

The files of the District Court for Twin Falls County will contain affidavits and other documents stating the persons served with copies of this notice. Assistance in filing Notices of Claims may be obtained at all offices of IDWR, which are listed above.

If you want information as to Notices of Claims filed in this adjudication, which are filed with IDWR, you may inquire at any office of IDWR. If you want information as to other documents filed in this adjudication, which are filed with the court, you may obtain a copy of the docket sheet from any office of IDWR or the SRBA website at [www.srba.state.id.us/docket.htm](http://www.srba.state.id.us/docket.htm). The docket sheet will be prepared each month, and set for the following three months. You can get a copy of a docket sheet for the cost of mailing and/or copying, or you can get a subscription to receive the docket sheet each month. The cost of the subscription is \$7.50. The docket sheet will also be filed with the district court clerk for every county within the boundaries of the Snake River Basin water system in Idaho.

Karl Dreher, Director, Idaho Department of Water Resources

**PLEASE REMEMBER THAT FAILURE TO FILE A REQUIRED NOTICE OF CLAIM TO YOUR EXISTING WATER RIGHT OR RIGHTS WILL RESULT IN A DETERMINATION BY THE COURT THAT THE WATER RIGHT NO LONGER EXISTS. IF YOU HAVE ANY QUESTIONS PLEASE CALL TOLL-FREE 1-800-451-4129 OR CALL ANY REGIONAL OFFICE OF IDWR LISTED IN THIS NOTICE OR CONSULT YOUR ATTORNEY.**



STEPHEN D & LINDA K LONG  
1289 SW 6TH AVE  
ONTARIO OR 97914

CHEMICA MORGAGE CO  
LOANS 1155990614 & 4115990612  
200 OLD WILSON BRIDGE RD  
WORTHINGTON OH 43085-8500

BRENT OR BEVERLY FRATES  
10406 N IOWA  
PAYETTE ID 83661

SHERRI L & TODD A PHILLIPS  
2227 N E 8TH ST  
FRUITLAND ID 83619

MONIQUE MICHELI  
JOHN BAKER  
2140 MAPLE CT  
FRUITLAND ID 83619

STEVEN L FORD  
821 S PARK ST  
PAYETTE ID 83661

GREEN TREE FINANCIAL SERVICE  
LOAN 58400276  
290 BOBWEITE CT  
BOISE ID 83706

CHASE MANHATTAN MORTGAGE CORP  
343 THORNALL ST  
EDISON NJ 08837

LARRY & SHARLENE LANCASTER  
PO BOX 305  
PAYETTE ID 83661

RIHCARD G GARDNER  
933 PARKHILL CT  
BOISE ID 83702

MAX & LEOLA GARDNER  
7244 BOISE RD  
FRUITLAND ID 83619

KEY BANK NATIONAL ASSOC  
LOAN #96125600856468  
PO BOX 16430  
BOISE ID 83715-9998

ROBERT Z & DELLA SCHROADER TRUST  
C/O STEVE & TERESA WOOD  
PO BOX 70  
PAYETTE ID 83661

DENNIS O & MARYANN WHITE  
2381 WATT LN  
PAYETTE ID 83661

LYLE M & MARION L DERIE  
FAMILY TRUST  
5885 HWY 95  
FRUITLAND ID 83619

FRANK FLOYD  
4985 HWY 52  
NEW PLYMOUTH ID 83655

MIKE & JUDY HUSKEY  
4997 HWY 52  
NEW PLYMOUTH ID 83655

DICK PETERSON  
9090 HANSEN LN  
PAYETTE ID 83611

SCHWANS SALES ENTERPRISES  
115 W COLLEGE DR  
MARSHALL MN 56258

RAYMOND & SANDRA L COX  
727 S 12TH ST  
PAYETTE ID 83661

WILSHIRE FUNDING CORP  
LOAN #577036  
1776 SW MADISON ST  
PORTLAND OR 97205-1788

DONNA L & DEAN D DOW  
5425 HWY 95  
FRUITLAND ID 83619

OLD KENT MORTGAGE CO  
1830 E PARIS AVE SE  
GRAND RAPIDS MI 49546

DARIGOLD INC  
ATTN TAX DEPT  
PO BOX 79007  
SEATTLE WA 98119

UNITED METHODIST CHURCH OF PAYETTE  
502 N 11TH ST  
PAYETTE ID 83661

CLAYTON R & RICHARD DAINES  
824 HUGHES DR  
PAYETTE ID 83661

BANK OF AMERICA  
ATTN CLAUDIA SCOTT  
LOAN #996541405  
PO BOX 514382  
LOS ANGELES CA 90051-3821

DONALD S & WILMA J TURNER  
31 HWY 30 W  
NEW PLYMOUTH ID 83655

JACK D & LINDA GILLETTE  
10490 HWY 95  
PAYETTE ID 83661

ORCHARD FEDERAL SAVINGS BANK  
728 SW 4TH AVE  
ONTARIO OR 97914

EXHIBIT

B

AMERIQUEST MORTGAGE CO  
LOAN #13120944-5708  
PO BOX 11507  
SANTA ANA CA 92711

MICHAEL E & MARY B HOLLADAY  
10498 HWY 95  
PAYETTE ID 83661

NORTH AMERICAN MORTGAGE CO  
LOAN #5546307-816  
PO BOX 808031  
PETALUMA CA 94975-8031

CENTRAL PRODUCE DIST  
PO BOX 163  
PAYETTE ID 83661

PATRICIA M & EDWARD JR SCOTT  
138 S 20TH ST  
PAYETTE ID 83661

FIRST BAPTIST CHURCH  
PO BOX 276  
NEW PLYMOUTH ID 83655

FRED T & SHIRLEY COBURN  
6500 HWY 52  
NEW PLYMOUTH ID 83655

KEY BANK NATIONAL ASSOC  
LOAN #96125601244648  
PO BOX 16430  
BOISE ID 83715

DENNIS E STONE  
7895 N OREGON AVE  
FRUITLAND ID 83619

KEY BANK NATIONAL ASSOC  
LOAN #96125601146914  
PO BOX 16430  
BOISE ID 83715-9998

GLENN HOUSTON  
4490 SW 2ND AVE  
NEW PLYMOUTH ID 83655

EDWARD & SUSAN BUNCE  
5537 HWY 30 S  
NEW PLYMOUTH ID 83655

TODD E & JULIE A HAMMON  
245 SW INSIDE BLVD  
NEW PLYMOUTH ID 83655

PIONEER BANK FSB  
LOAN #3-40-030872  
PO BOX H  
ONTARIO OR 97914

DONNA R & ROGER D JR BOGLE  
1133 N 9TH ST  
PAYETTE ID 83661

BENEFICIAL MORTGAGE CO OF ID  
1509 S FIVE MILE RD  
BOISE ID 83709

PAYETTE COUNTY CLERK  
3RD AVE  
PAYETTE ID 83661

GREEN TREE FINANCIAL  
SERVICING CORP  
LOAN #6901540374  
6149 N MEEKER PL #150  
BOISE ID 83713

GREGORY A & LESLIE P REAGAN  
119 7TH AVE N  
PAYETTE ID 83661

MORTGAGE CAPITAL RESOURCES  
LOAN #139581  
2038 IOWA AVE STE 100  
RIVERSIDE CA 92507

COUNTRYWIDE HOME LOANS INC  
4500 PARK GRANADA  
CALABASAS CA 91302-1613

ROBERT D & SHIRLEY KRAUSE  
2045 SW 2ND AVE  
FRUITLAND ID 83619

THE FEDERAL LAND BANK CORP  
OF SPOKANE LOAN #14086-301  
1700 S ASSEMBLY  
SPOKANE WA 99224-2121

ROBERT P & SHELLEY M LITTLE  
2225 SW 2ND AVE  
FRUITLAND ID 83619

OLYMPUS MORTGAGE CORP  
LOAN #011848017  
1000 N COLE RD  
BOISE ID 83704

RICKY DEAN & TONYA COATES  
2571 7TH AVE N  
PAYETTE ID 83661

KEY BANK NATIONAL ASSOC  
FRUITLAND BRANCH LOANS  
#001000003468045 & #1256005782752  
PO BOX 16430  
BOISE ID 83715-9998

JOHN R MARSHALL TRUST  
1800 MALHUR DR  
ONTARIO OR 97914

KENNETH W & ELIZABETH J DILLON  
1107 RIVER ST  
PAYETTE ID 83661

JOE & MARSHA CABRERA  
418 N 6TH ST  
PAYETTE ID 83661

EQUICREDIT CORP OF IDAHO  
LOAN #13100684  
960 BROADWAY STE 210  
BOISE ID 83706

RODNEY L & PAMELA L HEMENWAY  
9090 WASHOE RD  
PAYETTE ID 83661

FIRST INTERSTATE BANK OF OR  
LOAN: RODNEY & PAMELA HEMENWAY  
PO BOX 70  
ONTARIO OR 97914

SYNAGA PROPERTY MGMT  
C/O EMERALD BLDG 2  
PO BOX 2080  
BOISE ID 83701

GERALD R & JESSIE BOUVIA  
490 STUB LN  
WEISER ID 83672-1256

BISHOP-KOEPPEN LLC  
C/O DAVID KOEPPEN  
PO BOX 427  
FRUITLAND ID 83619

WILLIAM H DIXON  
PO BOX 862  
FRUITLAND ID 83619

TIMBER TABERNACLE INC  
C/O FRED A HOWE  
51 PUMPHOUSE RD  
GARDEN VALLEY ID 83622

HENRY A & JOHN S KING  
1489 N VINEYARDS AVE  
MERIDIAN ID 83642

MILAN & CEVA BUSH TRUST  
4803 MTN VIEW DR  
BOISE ID 83704

PAUL WARD  
PO BOX 112  
HAYFORK CA 96041

HERMAN W SCHUMAKER LIFE ESTATE.  
RICHARD H SCHUMAKER  
& SUSAN PENTALND  
1322 COLLEGE AVE  
ST MARIES ID 83861

BERTHA S WHITE  
C/O GRAYE H WOLFE SR  
180 E WOODLANDER DR  
EAGLE ID 83616

GENE, LORRAINE, MIKE  
& ALICE MEADOWS  
815 WILLIAMS RD  
EMMETT ID 83617

VIOLA M PARBERRY  
C/O LARRY PARBERRY  
5926 E JAMISON PL  
ENGLEWOOD CO 80112

L. RENCE C PARBERRY ETAL  
PATRICIA LYNN IVERSON  
5926 E JAMISON PL  
ENGLEWOOD CO 80112

MARLEE ANN WILCOMB  
C/O W H SHARLIE INC  
1414 E FORT ST  
BOISE ID 83712

TIMOTHY, MARY SUE, RICHARD  
& PATRICIA WILCOMB  
1414 E FORT ST  
BOISE ID 83712

QUAKER HILL CONFERENCE INC  
C/O JON KOCH  
PO BOX 1181  
MC CALL ID 83638

FRIENDS CHURCH EXTENSION  
FOUNDATION  
200 N MERIDIAN ST  
NEWBERG OR 97132

JAMES JESS WITHERS  
PO BOX 64  
DONNELLY ID 83615

ASSOCIATES FINANCIAL  
LOAN FOR JAMES J WITHERS  
6553 OVERLAND RD  
BOISE ID 83709

THE SABRINA ROWLEY TRUST  
MELVIN & DIXIE ROWLEY TRUSTEES  
353 E CENTRAL RD  
EMMETT ID 83617

GUINN FAMILY TRUST  
JERRY & LETTIE GUINN CO-TRUSTEES  
4909 W IDAHO BLVD  
EMMETT ID 83617

PATRICIA C & ROBERT G YOUNG  
1205 SUNSET DR  
EMMETT ID 83617

MANN FINANCIAL INC  
LOAN FOR PATRICIA C & ROBERT G YOUNG  
1018 W CUSTER AVE #9  
HELENA MT 59601

ALLIANCE TITLE & ESCROW CORP  
LOAN FOR PATRICIA C  
& ROBERT G YOUNG  
1022 S WASHINGTON AVE  
EMMETT ID 83617

CRAIG A & CANDI A HEAVRIN  
25 V SALESYARD RD  
EMMETT ID 83617

BANK OF NEW YORK LOAN #1557848  
POOLING & SERVICING AGREEMENT  
SERVICES CORP TRUST-MBS  
19979 AT 101 BARCLAY ST  
NEW YORK NY 10286

WILLIAM P & DEANA R WISE  
455 FROZEN DOG RD  
EMMETT ID 83617

GLENDAL FEDERAL BANK FSB  
LOAN #4339445  
10509 VISTA SORENTO PKY  
SAN DIEGO CA 92121

TROY & KRISTINA DONALDSON  
1508 E MAIN ST  
BOX 60  
EMMETT ID 83617

KENNETH N & SANDRA M CALHOUN  
2353 SUNRISE  
EMMETT ID 83617

FORREST L ANDERSON  
4369 FROZEN DOG RD  
EMMETT ID 83617

WASHINGTON MUTUAL BANK  
LOAN #0025250044  
201 S MAIN ST STE 180  
SALT LAKE CITY UT 84111

WASHINGTON NATIONAL BANK  
LOAN #02-982-596451-5  
1201 THIRD AVE  
SEATTLE WA 98101

DAVID T & JOYCE BORENBERG  
877 SUNSET DR  
EMMETT ID 83617

NORTH AMERICAN MORTGAGE CO  
LOAN FOR DAVID T & JOYCE BORENBERG  
3883 AIRWAY DR  
SANTA ROSA CA 95403

US BANK NATIONAL ASSN ND  
BENEFICIARY FOR  
DAVID & JOYCE BORENBERG  
4325 17TH AVE SW  
FARGO ND 58103

US BANK TRUST CO NATIONAL ASSN  
TRUSTEE FOR DAVID & JOYCE BORENBERG  
111 SW 5TH AVE  
PORTLAND OR 97204

WEST ONE BANK OF IDAHO, BENEFICIARY  
FOR HOWARD & DOROTHY FROST  
200 S WASHINGTON  
EMMETT ID 83617

KAY & MARY GABIOLA  
2243 VANDERDASSON RD  
EMMETT ID 83617

FLORENCE E PRATT  
1995 W HWY 52  
EMMETT ID 83617

CITI FINANCIAL INC  
BENEFICIARY FOR FLORENCE E PRATT  
6858 GLENWOOD ST  
BOISE ID 83703

TMS MORTGAGE INC - DEA THE MONEY  
STORE, LOAN FOR FLORENCE E PRATT  
1161 W RIVER ST #260  
BOISE ID 83702

C/ LYN NOLAND  
PO BOX 151  
EMMETT ID 83617

CYNTHIA D SANDERS  
4301 W CENTRAL RD  
EMMETT ID 83617

JEANETTE L & ROBERT R HOBSON  
3810 BIG 4 AVE  
EMMETT ID 83617

ROHRBACHER FARMING INC  
1422 W 12TH ST  
EMMETT ID 83617

LON D BRIGHT  
4444 SANDY AVE  
EMMETT ID 83617

LAWRENCE R & CHRISTINE M CONLEY  
4600 SANDY AVE  
EMMETT ID 83617

DAVID JAMES CAY  
1892 N PLAZA RD  
EMMETT ID 83617

SANDRA L & MICHELLE THOMPSON  
912 E LOCUST GROVE  
EMMETT ID 83617

KARL A & MARJORY E KELLAR  
9207 SHALEROCK RD  
EMMETT ID 83617

HOME FEDERAL SAVINGS & LOAN  
BENEFICIARY KARL & MARJORY KELLER  
250 S WASHINGTON AVE  
EMMETT ID 83617

SHIRLEY M PERKINS  
1003 E THIRD ST  
EMMETT ID 83617

PATRICK J & EVELYN RUTH LARGE  
2711 S CURTIS RD  
BOISE ID 83705

NORTHWEST FARM CREDIT SERVICES  
W 1ST AVE  
PO BOX TAF-CS  
SPOKANE WA 9220-4005

JIM & JIM ENTERPRISES INC  
428 CASHMERE RD  
BOISE ID 83702

DAVID E & PAMELA L PRIEST  
605 W OAK  
CALDWELL ID 83605

CHAD L JARMIN  
1116 E MAIN  
EMMETT ID 83617

HOME FEDERAL SAVINGS & LOAN LOAN  
#0710007098  
500 12TH AVE SO  
NAMPA ID 83651-4200

IDAHO HOUSING & FINANCE ASSN  
565 W MYRTLE  
BOISE ID 83702

VENNES KITE  
1884 E MAIN ST  
EMMETT ID 83617

FIRST SECURITY BANK  
LOAN #007-750-307246  
PO BOX 37  
BOISE ID 83707

VIRL S CHRISTENSEN  
1125 PENNSYLVANIA AVE  
LETHA ID 83636

CHARLES & LUWILLA WEBER  
29101 EMMETT RD  
CALDWELL ID 83605

BANK LIMITED #LCDID09186423  
3200 SW FREEWAY #2000  
HOUSTON TX 77027

KAYE WENNSTROM  
100 GRANT ST  
PO BOX 100  
SWEET ID 83670

WASHINGTON MUTUAL BANK  
LOAN #02-0481-001276370-2  
1201 THIRD AVE  
SEATTLE WA 98101

WASHINGTON MUTUAL BANK LOAN  
SERVICING/VAULT  
LOAN #02-0481-001276370-2  
PO BOX 91006-SAS0304  
SEATTLE WA 98111

VIRGINIA L ROESBERRY  
612 E PARK  
EMMETT ID 83617

WALTER G & LAURA L WHEELER  
2260 SUNRISE ST  
EMMETT ID 83617

ROGER E & VIRGINIA E BENNIE  
8155 BILL BURNS RD  
EMMETT ID 83617

OLD KENT MORTGAGE CO  
LOAN #1684601 & FA-7415  
963 S ORCHARD STE A  
BOISE ID 83705

WAM C & TERRY KENNEDY  
4736 N BUCKBOARD  
BOISE ID 83704

WALLACE & ALBERTA CLEMENTS  
2090 N WASHINGTON AVE  
EMMETT ID 83617

KIM R HARTNETT  
110 N WARDWELL AVE  
PO BOX 956  
EMMETT ID 83617

DONALD W & LAWANDA V WILLIAMS  
61 S COURT  
BURNS OR 97720

LOREN M & BONNIE A FORD  
1108 E PHILLIPS  
EMMETT ID 83617

NORTHWEST FINANCIAL IDAHO  
FA-7237 IB LOAN  
8029 FAIRVIEW AVE  
BOISE ID 83704

JAMES A & CINDY M GENTRY  
1023 LINCOLN AVE  
EMMETT ID 83617

INVESTORS FINANCIAL LTD PARTNERSHIP  
C/O MICHAEL D & SHERRI A SHENK  
8402 BILL BURNS RD  
EMMETT ID 83617

RAMON J & ROCKY L ROGERS  
M/T DOROTHY ROGERS  
913 DEWITT AVE  
PAYETTE ID 83661-3380

SCOTT & DIANE MATTHEWS  
5595 CASCADE RD  
EMMETT ID 83617

US BANK NATIONAL ASSN  
LOAN #114065  
6000 ATRIUM WAY  
MT LAUREL NJ 08054

LEON A M TOWNSEND  
PC X 143  
LETHA ID 83636

HOWARD D & DOROTHY ANN FROST  
PO BOX 99  
SWEET ID 83670

LOYAL SNOW  
PO BOX 1023  
EMMETT ID 83617

JAMES A & CINDY M GENTRY  
100 E MAIN ST  
EMMETT ID 83617

TONY M GARRISON II  
1959 VISTA AVE  
BOISE ID 83706

OAKWOOD ACCEPTANCE CORP  
LOAN #1955228  
7800 MCLOUD RD  
GREENSBORO NC 27409

OAKWOOD ACCEPTANCE CORP  
LOAN #1955228  
222 SO DOBSON RD STE 304  
MESA AZ 85202

DOROTHY J KING  
1125 CASCADE RD  
EMMETT ID 83617

LEE E DENTON  
12 OUTPOST RD  
GARDEN VALLEY ID 83622

NANCY E DENTON  
HC 76 BOX 2482  
GARDEN VALLEY ID 83622

US BANK NATIONAL ASSOC ND  
LOAN #66300101344780001  
4325 17TH AVE SW  
FARGO ND 58103

US BANK TRUST CO  
TRUSTEE FOR LEE E DENTON  
111 SW 5TH AVE  
PORTLAND OR 97204

MURELL D & PEGGY A DOOMS  
33 DOOMS LN  
HORSESHOE BEND ID 83629

DONALD M & VERA JEAN DOOMS  
RT 1 BOX 38  
HORSESHOE BEND ID 83629

JAMES H & TAMMY M KENNEDY  
555 HWY 52  
HORSESHOE BEND ID 83629

HOME FEDERAL SAVINGS & LOAN  
LOAN FOR JAMES H & TAMMY M KENNEDY  
500 12TH AVE S  
NAMPA ID 83651

STEVEN L & LAURINE A ASHER  
PO BOX 28  
HORSESHOE BEND ID 83629

HORSESHOE BEND HYDROELECTRIC CO INC  
LOAN: STEVEN L & LAURINE A ASHER  
180 S 300 W STE 220  
SALT LAKE CITY UT 84101

HE VC  
LOAN FOR STEVEN L & LAURINE A ASHER  
1401 SHORELINE DR  
BOISE ID 83706

JIM POWELL  
PO BOX 573  
MERIDIAN ID 83680

LARRY D HERBERT  
PO BOX 176  
HORSESHOE BEND ID 83629

CHASE MANHATTAN MORTGAGE CORP  
LOAN FOR LARRY D HERBERT  
5901 E FOWLER AVE  
TAMPA FL 33617

PINE BAR RIVER RANCH LIMITED  
1029 W THIRD AVE  
ANCORAGE AK 99501

STEVEN R & LESLIE A O'LOUGHLIN  
5191 NORTHWALL  
BOISE ID 83703

RENNY BRAYTON  
5206 CINOOK  
BOISE ID 83709

RODNEY HALL  
PO BOX 553  
HORSESHOE BEND ID 83629

BRETT C THORPE  
24 LUCKY CIRCLE  
GARDEN VALLEY ID 83622

CHRIS HENRY LEE III  
PO BOX 96  
SWEET ID 83670-0096

CHRIS H & SUSAN L LEE  
819 E MAIN ST  
EMMETT ID 83617

RICK & GEORGE VICTOR DAY  
4986 N KNOLL WOOD  
BOISE ID 83703-6404

EDWARD J & JEANNIE M MULICK  
40 EL MONTE DR  
BOISE ID 83704

TERRY J ELMORE  
1676 BLUFF  
BOISE ID 83706-2229

KEITH J & LUCY I HACKWELL  
1830 E SEASIDE CT  
BOISE ID 83706

ARTHUR W & EUNICE S JOHNSON TRUST  
1404 DE ANZA ST  
BARSTOW CA 92311

EARL J ROMINE ESTATE  
C/O SANFORD L CALAR  
1236 S 12TH ST  
PAYETTE ID 83661

DANNY WESELY  
449 RIM VIEW RD  
BOISE ID 83716

JERRY E & DIXIE HITT  
DEED OF TRUST FOR WESELY  
PO BOX 327  
CASCADE ID 83611

JEFFRY L STODDARD  
28281 CROWN VALLEY PARKWAY  
LAGUNA NIGUEL CA 92677

GLENN M & MARIANE E COMPTON  
PO BOX 727  
MC CALL ID 83638

KEITH ADAMS  
8077 W SAN FERNANDO CT  
BOISE ID 83704

JAMES H SIMS  
5217 AIRPORT RD  
NAMPA ID 83651

ANGIE M ZIMMER  
PO BOX 479  
CASCADE ID 83611

GEORGE W & SUSAN M DORRIS  
PO BOX 280  
DONNELLY ID 83615

STERLING SAVINGS BANK LOAN FOR  
GEORGE W & SUSAN M DORRIS  
N 111 WALL  
SPOKANE WA 99201

ERIC LEE ENGBERG  
PO BOX 220  
DONNELLY ID 83615

BNC MORTGAGE INC  
LOAN #5310038  
PO BOX 11959  
SANTA ANA CA 92711-1959

RONALD D LAYTON  
PO BOX 313  
DONNELLY ID 83615

RALPH A & RUBY KANGAS  
PO BOX 202  
DONNELLY ID 83615

JAMES & MARIANNE J KANTOLA  
2771 CHERRY LN  
EMMETT ID 83617

ASPEN PROPERTY OWNER ASSN INC  
C/O L DAN ROWELL  
25074 THE DRIVING LN  
CALDWELL ID 83607

ROSEDALE MEMORIAL PARK INC  
C/O ROBERT W SCHROEDER TRUST  
PO BOX 606  
PAYETTE ID 83661

USTAIR INC  
ROBERT W & DELLA J SCHROEDER TRUST  
9576 DRAPER RD  
PAYETTE ID 83661

RICHARD L & CONNIE S FELTON  
151 N IOWA AVE  
PAYETTE ID 83661

LEROY D & TAEKO BRADEN  
PO BOX 85  
PAYETTE ID 83661

FIRST SECURITY BANK  
LOAN FOR LEROY & TAEKO BRADEN  
PO BOX 85  
PAYETTE ID 83661

DARREL GAMBLE  
4797 NW FIRST AVE  
NEW PLYMOUTH ID 83655

GMAC MORTGAGE CORP  
LOAN #306304109  
3451 HAMMOND AVE  
WATERLOO IA 50702

MELVIN L & BERNICE A ILKA  
PO BOX 1054  
EMMETT ID 83617

LELAND ILKA  
C/O CONNIE & SCOTT HARRIS  
PO BOX 331  
MC CALL ID 83638

JO & NICOLETTE HUMPHRIES  
PO BOX 087  
MC CALL ID 83638

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report

02/20/2004

WATER RIGHT NO. 65-4213

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|-------------------------|
| Current Owner     | BERNICE HECKATHORN      |
| Current Owner     | JAMES C HECKATHORN      |
|                   | LAKE FORK, ID 83635     |
|                   |                         |

Priority Date: 05/01/1959

Basis: Decreed

Status: Active

| <u>Source</u>  | <u>Tributary</u> |
|----------------|------------------|
| UNNAMED STREAM | LAKE FORK        |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 4/15        | 10/15     | 0.4 CFS               |               |
| Total Diversion       |             |           | 0.4 CFS               |               |

Location of Point(s) of Diversion:

|                |      |         |              |           |               |
|----------------|------|---------|--------------|-----------|---------------|
| UNNAMED STREAM | SWNE | Sec. 34 | Township 18N | Range 03E | VALLEY County |
|----------------|------|---------|--------------|-----------|---------------|

Place(s) of use:

Place of Use Legal Description: IRRIGATION VALLEY County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 18N             | 03E          | 34             |            | NESW         | 7            |            | SWSW         | 2            |            | SESW         | 11           |            |              |              |

Total Acres: 20

Remarks:

|    |         |                                                                                                                 |
|----|---------|-----------------------------------------------------------------------------------------------------------------|
| 1. | General | THIS RIGHT WHEN COMBINED WITH RIGHTS OF LAKE<br>IRRIGATION DISTRICT SHALL PROVIDE NO MORE THAN .02<br>CFS/ACRE. |
|----|---------|-----------------------------------------------------------------------------------------------------------------|

Dates:

Licensed Date:

Decreed Date: 01/21/1986

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 65

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A65-04213A

Date Received: 11/3/88

Receipt No: M001828

Received By: JPC

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: JAMES C. HECKATHORN  
Address: RT. 1 BOX 46A  
MC CALL, ID

208-634-5956

83638

2. Date of Priority: MAY 01, 1959

3. Source: UNNAMED STREAM

Trib. to: LAKE FORK CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 | Lot | County |
|----------|-------|---------|-------------------|-----|--------|
| 18N      | 03E   | 34      | NE SE SW          |     | VALLEY |

5. Description of diverting works:

DITCH TO SMALL (1AF) SUMP POND, PUMP TO SPRINKLER SYSTEM.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/15 | 10/15 | 0.140 |      |        |

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

A.F.A.

8. Total consumptive use is 14.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
N/A

10. Place of Use:

| Township      | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|---------------|-------|---------|------------|-----|-----|-------|
| 18N           | 03E   | 34      | SE SW      |     | IRR | 7.0   |
| Section Acres |       |         |            |     |     | 7.0   |

A65-04213A

Page 1

Date: 11/03/88

Exhibit C to  
Affidavit of Josephine P. Beeman  
(65-4213A, et al.)

MICROFILMED

10. Place of Use: Continued

Total Acres 7.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:  
NONE

14. Remarks:

THIS RIGHT HAS BEEM SPLIT. THE ORIGINAL RIGHT #IS A6504213.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

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): *Jim Ackathorn* Date: 11-3-88  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of Valley ) SS.

Subscribed and sworn (or affirmed) before me this 3 day

of Nov 19 88

*John Dale Carlson*  
Notary Public

Seal

Residing at Bon Id

My Commission Expires 6/2/94

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report

04/23/2004

WATER RIGHT NO. 65-4214

**Owner Type**      **Name and Address**

Current Owner BERNICE HECKATHORN

Current Owner JAMES C HECKATHORN  
LAKE FORK, ID 83635

Priority Date: 04/15/1928

Basis: Decreed

Status: Active

**Source**              **Tributary**

UNNAMED STREAM LAKE FORK

**Beneficial Use From To Diversion Rate Volume**

IRRIGATION 4/15 10/15 0.38 CFS

Total Diversion              0.38 CFS

Location of Point(s) of Diversion:

UNNAMED STREAM SWNE Sec. 34 Township 18N Range 03E VALLEY County

Place(s) of use:

Place of Use Legal Description: IRRIGATION VALLEY County

| <b><u>Township</u></b> | <b><u>Range</u></b> | <b><u>Section</u></b> | <b><u>Lot</u></b> | <b><u>Tract</u></b> | <b><u>Acres</u></b> | <b><u>Lot</u></b> | <b><u>Tract</u></b> | <b><u>Acres</u></b> | <b><u>Lot</u></b> | <b><u>Tract</u></b> | <b><u>Acres</u></b> | <b><u>Lot</u></b> | <b><u>Tract</u></b> | <b><u>Acres</u></b> |
|------------------------|---------------------|-----------------------|-------------------|---------------------|---------------------|-------------------|---------------------|---------------------|-------------------|---------------------|---------------------|-------------------|---------------------|---------------------|
| 18N                    | 03E                 | 34                    |                   | NESW 8              |                     |                   | SESW 11             |                     |                   |                     |                     |                   |                     |                     |

Total Acres: 19

Exhibit D to  
Affidavit of Josephine P. Beeman  
(65-4213A, et al.)

Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHTS OF LAKE  
1. General IRRIGATION DISTRICT SHALL PROVIDE NO MORE THAN .02  
CFS/ACRE.

Dates:

Licensed Date:

Decreed Date: 01/21/1986

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 65

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

# WARRANTY DEED

FILED COPY

For Value Received DOROTHY A. BOWKER hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto DOROTHY A. BOWKER and JOHN R. BOWKER, mother and son, whose address is P. O. Box 68, McCall, Idaho 83638 hereinafter called the Grantee, the following described premises situated in Valley County, Idaho, to-wit:

A parcel of land located in the SW 1/4 of SECTION 34, TOWNSHIP 18 NORTH, RANGE 3 EAST, B.M., Valley County, Idaho, more particularly described as follows

Commencing at the North quarter corner of Section 3, Township 17 North, Range 3 East, B.M., thence S 90° 00' 00" E 669.27 feet to the Point of Beginning, thence N 90° 00' 00" W 280.00 feet to a point, thence N 11° 24' 00" W 868.23 feet to a point, thence S 51° 10' 00" W 58.40 feet to a point, thence N 21° 14' 24" W 538.65 feet to a point, thence N 19° 42' 21" E 222.54 feet to a point, thence N 48° 56' 04" E 494.39 feet to a point, thence N 71° 12' 53" E 278.25 feet to a point, thence S 0° 23' 28" W 1,427.48 feet to a point, thence S 90° W 68.36 feet to a point, thence S 0° 00' 00" W 12.85 feet to a point, thence S 90° W 83.50 feet to a point, thence S 0° 00' 00" W 252.28 feet to a point, thence S 90° E 149.64 feet to a point, thence S 0° 23' 28" W 196.31 feet to the Point of Beginning

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever

Dated Feb 14, 1996

*Dorothy A. Bowker*  
Dorothy A. Bowker

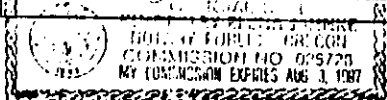
## STATE OF OREGON, COUNTY OF MULTNOMAH

On this 14 day of Feb 1996 before me, a notary public in and for said State, personally appeared Dorothy A. Bowker known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

*Josephine P. Beeman*  
Notary Public

My commission expires 8-3-97

Residing at *McCall* Oregon



## STATE OF IDAHO, COUNTY OF VALLEY

I hereby certify that this instrument was filed for record at the request of Dorothy A. Bowker at **STATE OF IDAHO, County of Valley ss.** 1996. I hereby certify that the foregoing is a true copy of the original on file and of record in this office.

Dated: 4-13-04

Ex-Officio Recorder  
Clerk, Auditor & Recorder

By *Lee Hennen* Deputy  
Fees \$1.00

Exhibit E to  
Affidavit of Josephine P. Beeman  
(65-4213A, et al.)

Instrument No.