

RON SCHOEN
106 COUNTRY LANE LOOP
PAYETTE, ID 83661
Tel No. (208) 642-3386
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RECEIVED

SEP 07 2005

Department of Water Resources

September 3, 2005

Department of Water Resources
Attn: Steve Robischon
P.O. Box 83720
Boise, ID 83720-0098

Re: Evidence of Priority Date,
Snake River Basin Adjudication Claim 3-4023

Dear Mr. Robischon:

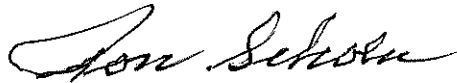
In order to establish a priority date for the Payette Industrial Corporation, I enclose the following documents which I hope will establish a priority date:

- ☐ My letter of August 24, 2005 to Idaho Power.
- ☐ Idaho Power's September 2, 2005 response via e-mail which contains easement signed February 10, 1958 and recorded July 30, 1958 along with work order dated June 3, 1957.

Although the NOTICE OF CLAIM TO A WATER RIGHT shows a priority date of April 1, 1957, I doubt we can claim a priority date until June 3, 1957. Also enclosed is a change of address form. Please do not hesitate to contact me if you need additional information. I really don't know what else I can provide you with.

Yours truly,

PAYETTE INDUSTRIAL CORP



Ron Schoen, Treasurer

Enc.

**SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

Water Right Number(s): 3-4023

Previous Mailing Address: Payette Industrial Corp
c/o West One Bank
Box 238
Payette, ID 83661

New Mailing Address: Payette Industrial Corp
c/o Ron Schoen
106 Country Lane Loop
Payette, ID 83661

Telephone Number: (208) 642-3386

Signature of all Claimant(s): 
Please print your name below your signature.
Ron Schoen, Treas.

Please mail or FAX this completed form to the office nearest you:

Adjudication Bureau
Idaho Dept. of Water Resources
1910 Northwest Blvd., Ste. 210
Coeur d'Alene, ID 83814-2615
Ph. 208/769-1450 or
FAX 208/769-1454

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380
Ph. 208/525-7161 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653
Ph. 208/736-3033 or
FAX 208/525-7177

Adjudication Bureau
Idaho Dept. Of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, Id 83720-0098
Ph 208/287-4800
FAX 208/287-6701

RON SCHOEN
106 COUNTRY LANE LOOP
PAYETTE, ID 83661
Tel No. (208) 642-3386
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COPY

August 24, 2005

Chris Hopper
Idaho Power Legal Dept
Box 70
Boise, ID 83707

Re: Payette Industrial Corporation

Dear Mr. Hopper:

I am the treasurer of the Payette Industrial Corporation which was incorporated May 27, 1968. On January 3, 1969, we entered into with Florence Lattig a mortgage to purchase approximately 100 acres farm land north of Payette adjacent to the Snake River. The below information is in order before I proceed with the purpose of this letter:

- ❖ Florence Lattig was at one time married to Dr. Bayard Lattig who died on February 21, 1951.
- ❖ Florence Lattig later married Norval Hill. The date of the marriage cannot be confirmed but Norval and Florence Hill were issued a Decree of Divorce in Payette County on September 23, 1958 per instrument #101817.
- ❖ On July 30, 1958, Norval E. Hill and Florence S. Hill entered into with Idaho Power a Power Line Easement, recorded in Payette County, instrument #101315. (copy enclosed)
- ❖ The Power Line Easement shows Block 19, Section 14 and 15, Township 9 North, Range 5 West.

The Idaho Department of Water Resources is apparently going thru an adjudication of water rights and has asked us to provide them with evidence of the YEAR of the priority date which is shown in the enclosed document as April 1, 1957. I do not know where they obtained this date as the board member who used to handle water issues for the Payette Industrial Corporation is now deceased.

Chris Hopper
August 24, 2005
Page 2

What I need from Idaho Power is a document that evidences when power was initiated to the pumping facility adjacent to the Snake River on this property. It seems to me the year would have to be 1958 which is the date of the easement. In the alternative, copies of electrical power invoices during that year. In either case, remember you are dealing with the name of Hill and not Lattig. The power line pole near the road that feeds power to the meter and controls has affixed to it a placard which reads:

09N	Township
05W	Range
15	Section
01	Pump No.

Any help you can give me will be appreciated. I have about ten days to take care of this matter with the Idaho Department of Water Resources.

Yours truly,

PAYETTE INDUSTRIAL CORPORATION

Ron Schoen, Treasurer

Enc.

Subj: **Hill Easement**
Date: 9/2/2005 11:18:07 AM Mountain Standard Time
From: LHogg@idahopower.com
To: rschoen31@AOL.com
CC: CHopper@idahopower.com, RHillman@idahopower.com

Ron - Attached are copies of all of the documents we have have in our files regarding the Hill easement. If you have other questions, just let me know.

Les Hogg
Idaho Power Company
Land Management Services
P.O. Box 70
Boise, Idaho 83707
Ph. (208) 388-2693

[INFO] -- Access Manager:

This transmission may contain information that is privileged, confidential and/or exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or use of the information contained herein (including any reliance thereon) is STRICTLY PROHIBITED. If you received this transmission in error, please immediately contact the sender and destroy the material in its entirety, whether in electronic or hard copy format. Thank you. A2

Instrument No. 101315
Idaho Power Company
POWER LINE EASEMENT

Norval E. Hill

and Florence S. Hill

his wife, Grantor(s), of Payette County, State of Idaho, do hereby grant and convey to IDAHO POWER COMPANY, a corporation, its licensees, successors and assigns, Grantee, for One Dollar and other valuable considerations, receipt of which is hereby acknowledged, a right of way and easement for the erection and continued operation, maintenance, repair, alteration, inspection and replacement of the electric transmission, distribution and telephone lines and circuits of the Grantee, attached to poles or other supports, together with guys, crossarms and other attachments and incidental equipment thereon, and appurtenances, with the right to permit the attachment of the wires and fixtures of other companies or parties, over, on and across the following premises, belonging to the said Grantor(s) in Payette County, State of Idaho, in the following location, to-wit:

Block 19 of Assessor's Woodspur tract of Section 14 and 15, Township 9 North,
 Range 5 West, Boise Meridian, containing 270 acres.
 (T. 9N; R. 5W; B.M.)

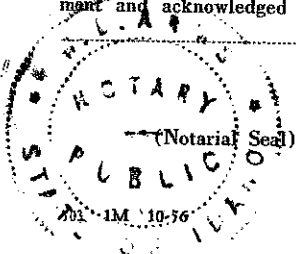
Together with all rights of ingress and egress necessary for the full and complete use, occupation and enjoyment of the easement hereby granted, and all rights and privileges incident thereto, including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.

Executed and delivered this 10 day of February, 1958

STATE OF Idaho }
 County of Payette } ss.

* Norval E. Hill
 * Florence S. Hill
 * Florence S. Hill, as guardian
 * of the estate of Nedra Louise Felling
 * Florence S. Hill, as guardian
 * of the estate of Charles Peter Felling

On this 10 day of February, 1958, before me, W. D. Arms
 a Notary Public, personally appeared Norval E. Hill and
Florence S. Hill, known to me to be the person(s) who executed the foregoing instrument and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.



OVER

W. D. Arms
 Notary Public, residing at Payette
 Commission expires December 30, 1959

INDEXED
Compared 101015
INDEXED.

Harold C. Kiel
Florence S. Hill

Land Power Co.

STATE OF _____
County of _____ } ss.

On this _____ day of _____, 19____, before me, _____
a Notary Public, personally appeared _____ and
_____, to me personally known, who being duly sworn, did say that they
are respectively the _____ President and the _____ Secretary of the corporation that executed the within instrument, and
acknowledged to me that such corporation executed the same as the free act and deed of said corporation.

(Notarial Seal)

Notary Public, residing at _____
Commission expires _____, 19____

STATE OF IDAHO } ss.
County of Payette

I hereby certify that this instrument
was filed for record at the request of

Land Power Co.

at _____ minutes past _____ o'clock _____ M
this _____ day of _____ 19____
in my office and duly recorded in book

_____ of _____

at page _____
W. H. Smith
Ex officio Recorder

By _____ Deputy

\$1.00

Bill
Arms

Norval E. Florence S. Hill

February 10, 1958.

Mrs. Norval E. Hill
Payette, Idaho

Dear Mrs. Hill

I am writing to you in regards to the Easement for the Idaho Power Company's Power Line that was built in June, 1957, for the 10 Horsepower Irrigation Pump.

After checking the records at the Payette County Courthouse, it was found that the deed for the tract of land, Block 19, of Assessor's Wood Spur Tract of Section 14 and 15, Township 9 North, Range 5 West, Boise Meridian, is still in the name of Florence S. Lattig, Nedra Lynn Lattig and Charles Peter Lattig. Consequently, we need those names and the names of their husbands, or wives on the Easement.

Since I do not know the whereabouts of these people, I was wondering if you might send the enclosed Easement form for them to sign and return to the Idaho Power Company. The wives should sign their given names; Florence S. Lattig Hill, etc.

Yours very truly

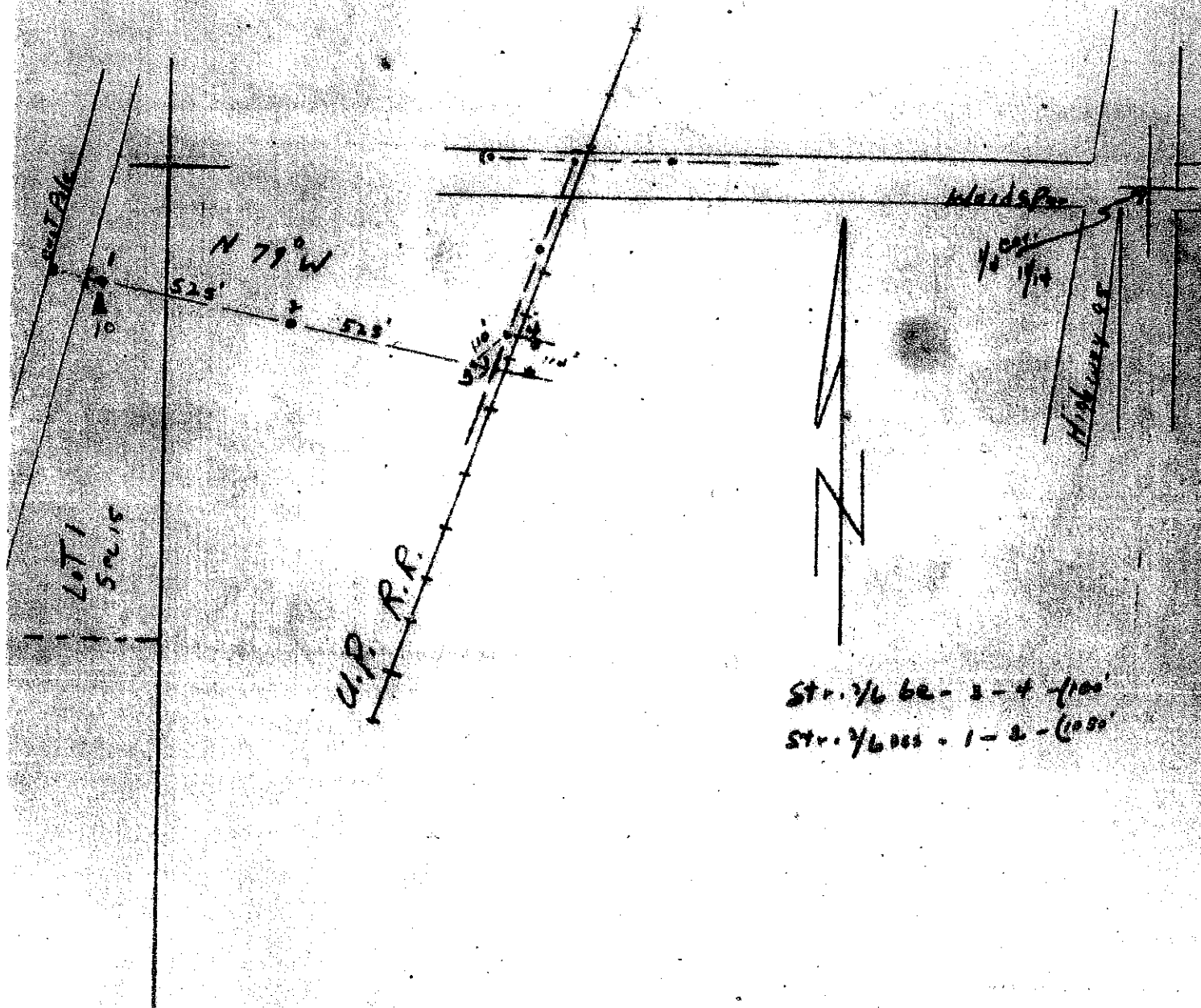
W. H. Moreland
Estimator

WHM/cs

C
O
P
Y

Payette Payette 14-15 9N 51NBM
 18 Extension 70- 10HP 12 Irr. Pump

Naval Hill



W.H.M.

6-1-37

12 400'

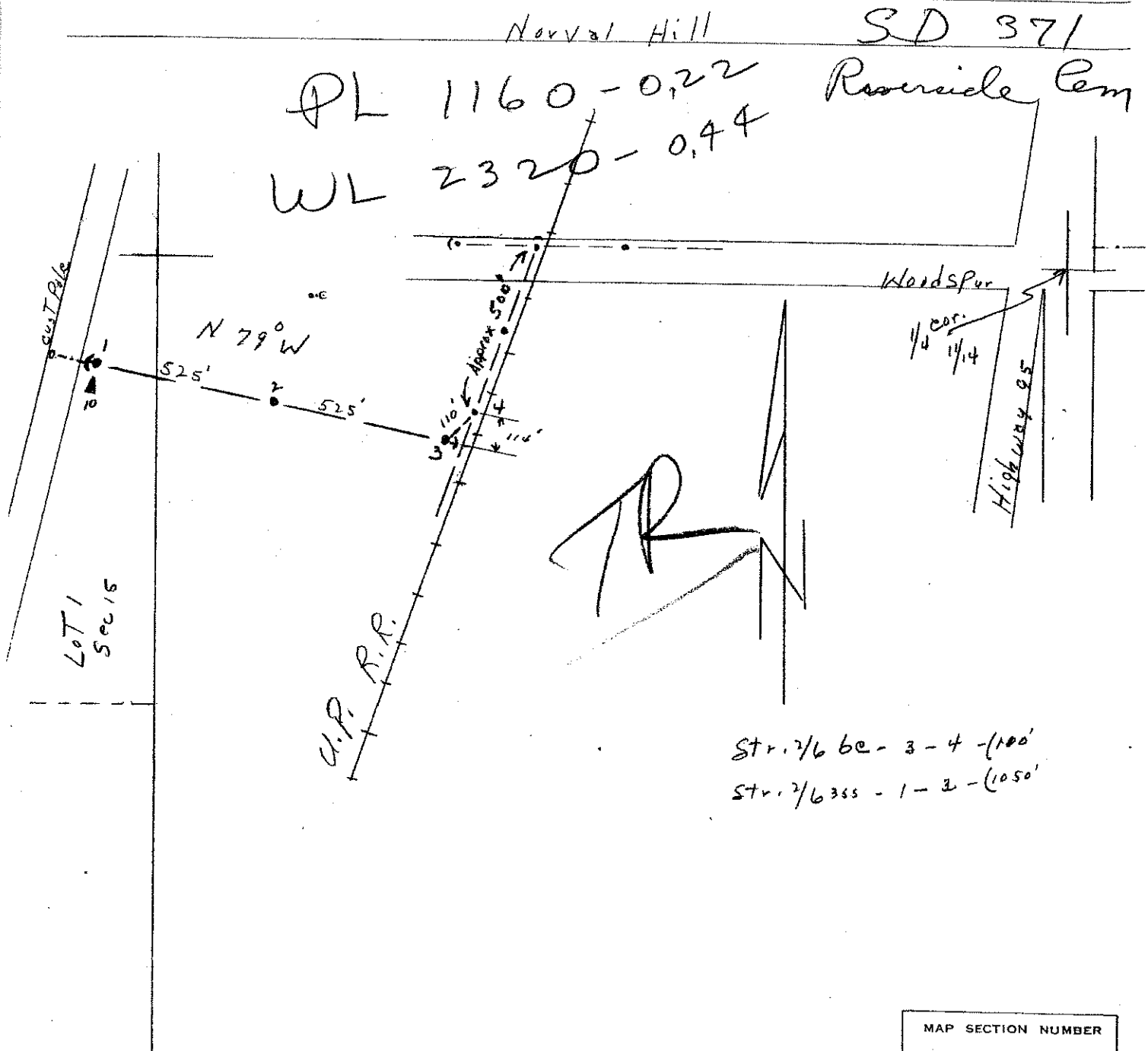
2-2942-12

72009

P4-3108

IDAHO POWER COMPANY
WORK ORDER MAP

JOB LOCATION Payette COUNTY Payette SEC 14-15 TWP 9N RGE 5N/3m
DESCRIPTION 1 ϕ Extension for 10HP 1 ϕ Irr. Pump



PREPARED BY W.H.M. DATE 6-3-57 SCALE 1" = 400'
GENL. OFFICE PLATTING BY RW DATE 7-57
PRIMARY VOLTAGE 7200V COMPLETION DATE _____

MAP SECTION NUMBER
<u>Z-2942-18</u>
WORK ORDER NUMBER
<u>Pg-3108</u>