

ATTACHMENT 2

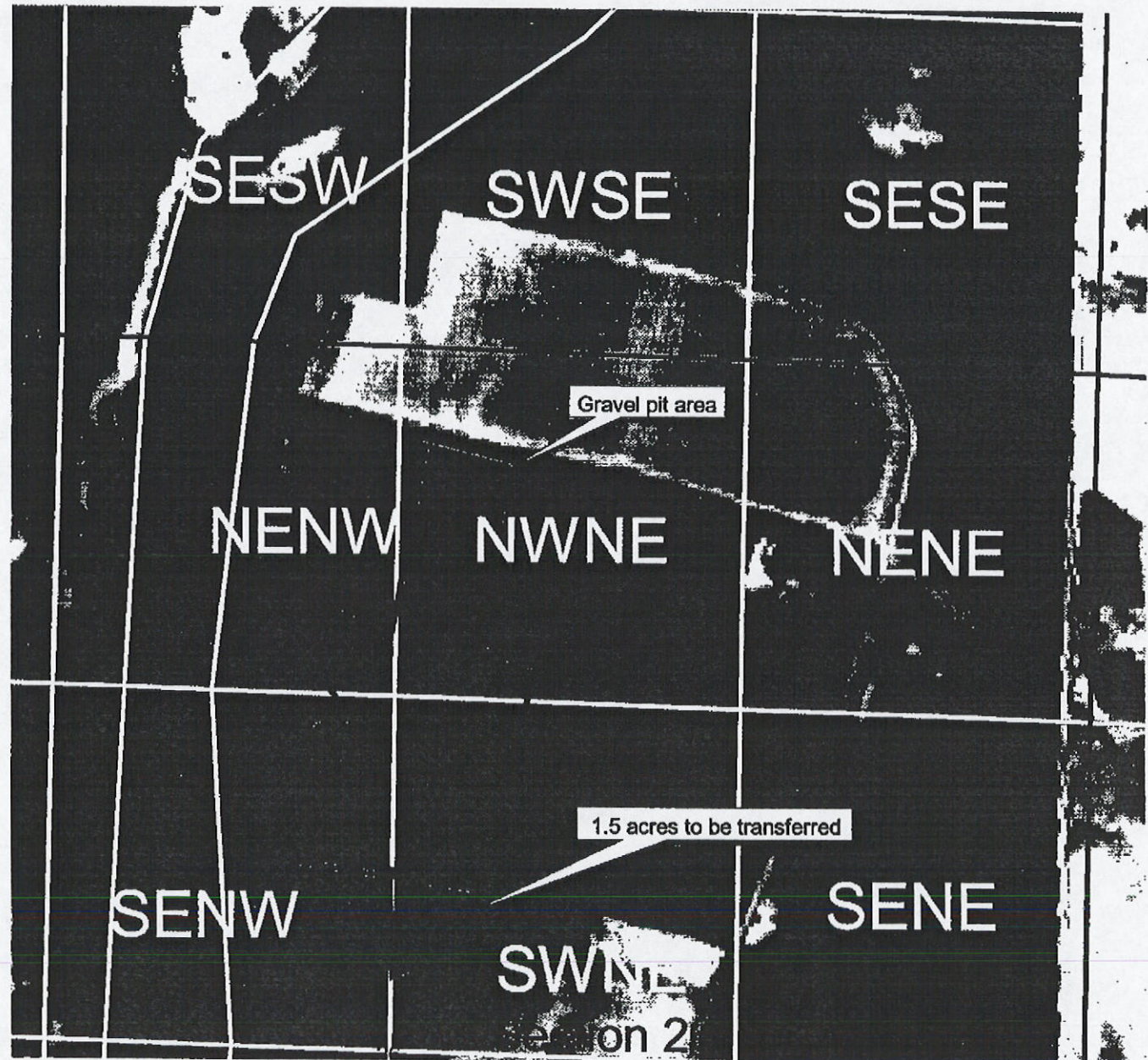
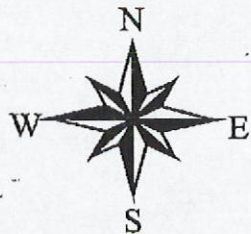
IDAHO DEPARTMENT OF WATER RESOURCES

**T7N, R2E
SEC. 26**

1987 NAPP

 **Section Lines**
1/41/4

**Transfer 65-3103
DR&J Investment**



PART 3 A

0 0.25 0.5 Miles Transfer from

IDAHO DEPARTMENT OF WATER RESOURCES

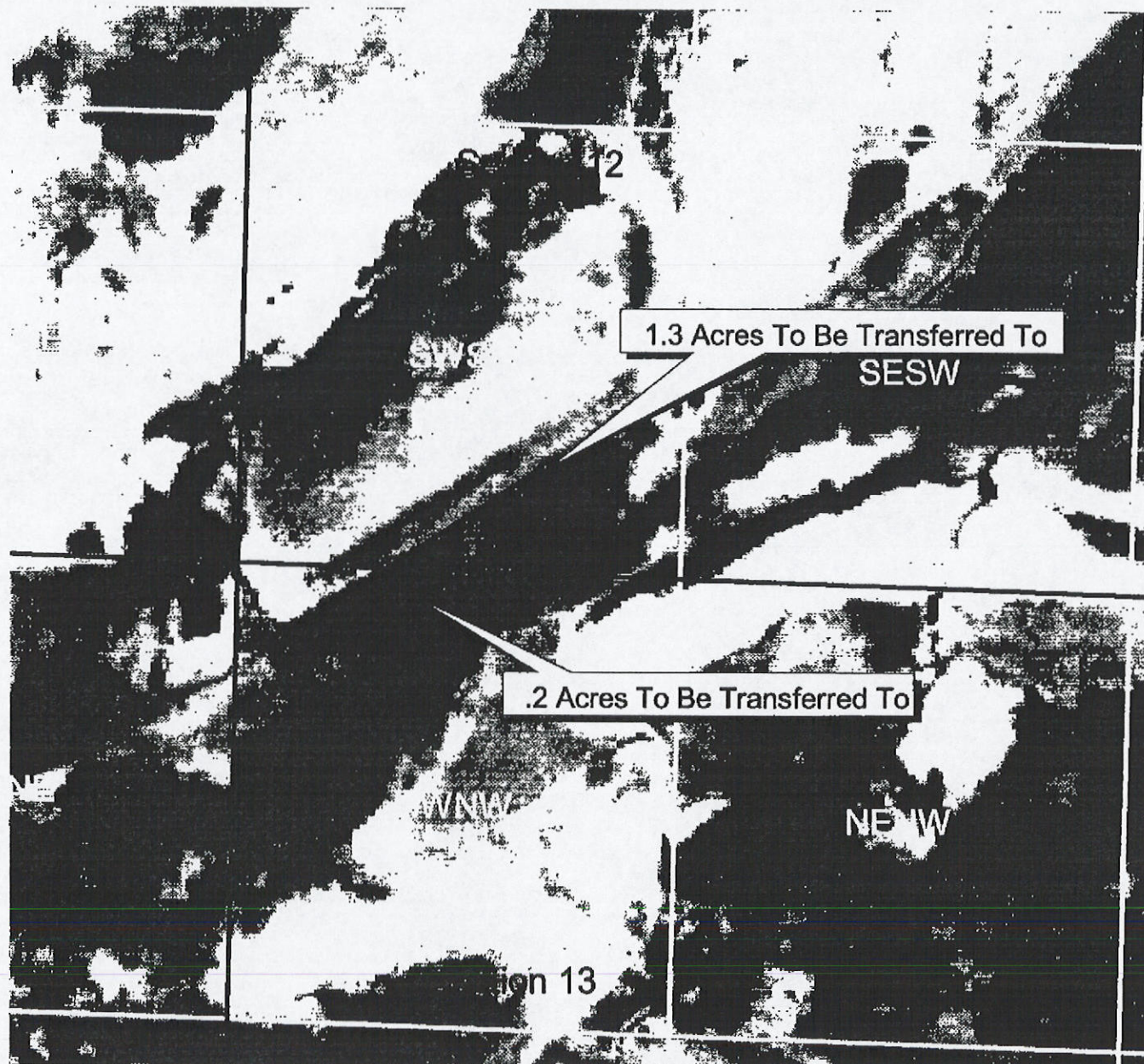
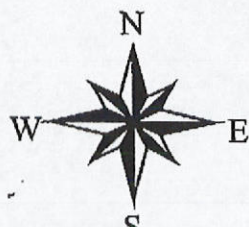
ATTACHMENT 3

T7N R2E
Sec 12 & 13

1987 NAPP

 **Section Lines**
1/41/4

Transfer 65-3103
DR&J Investment



PART 3 A continued

0 0.25 *Transfer to* 0.5 Miles

Idaho Dept. of Water Resources

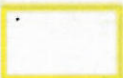
Claim No(s): 65-01151,
65-02138, 65-01317,
65-02532A, 65-2540,
65-03103, 65-10747,
65-10748, 65-10749,
65-11393A

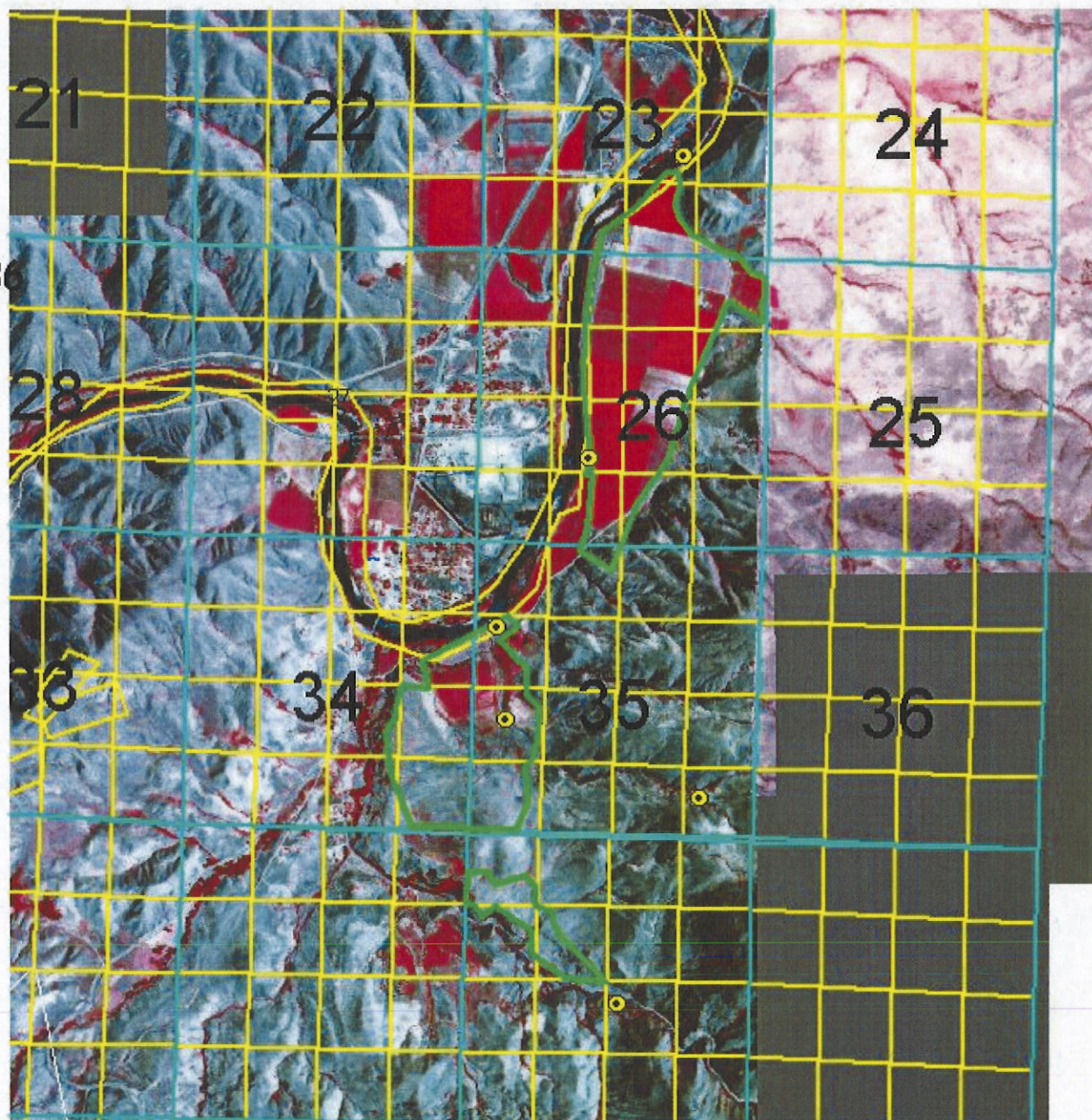
T07N, R02E, S23,25,26,35,36

T06N, R02E, S 2

Prepared by: Sue Bock

Date: 1/17/2001

-  Place of Use
-  Point of Diversion
-  Section lines
-  1/4 1/4 lines



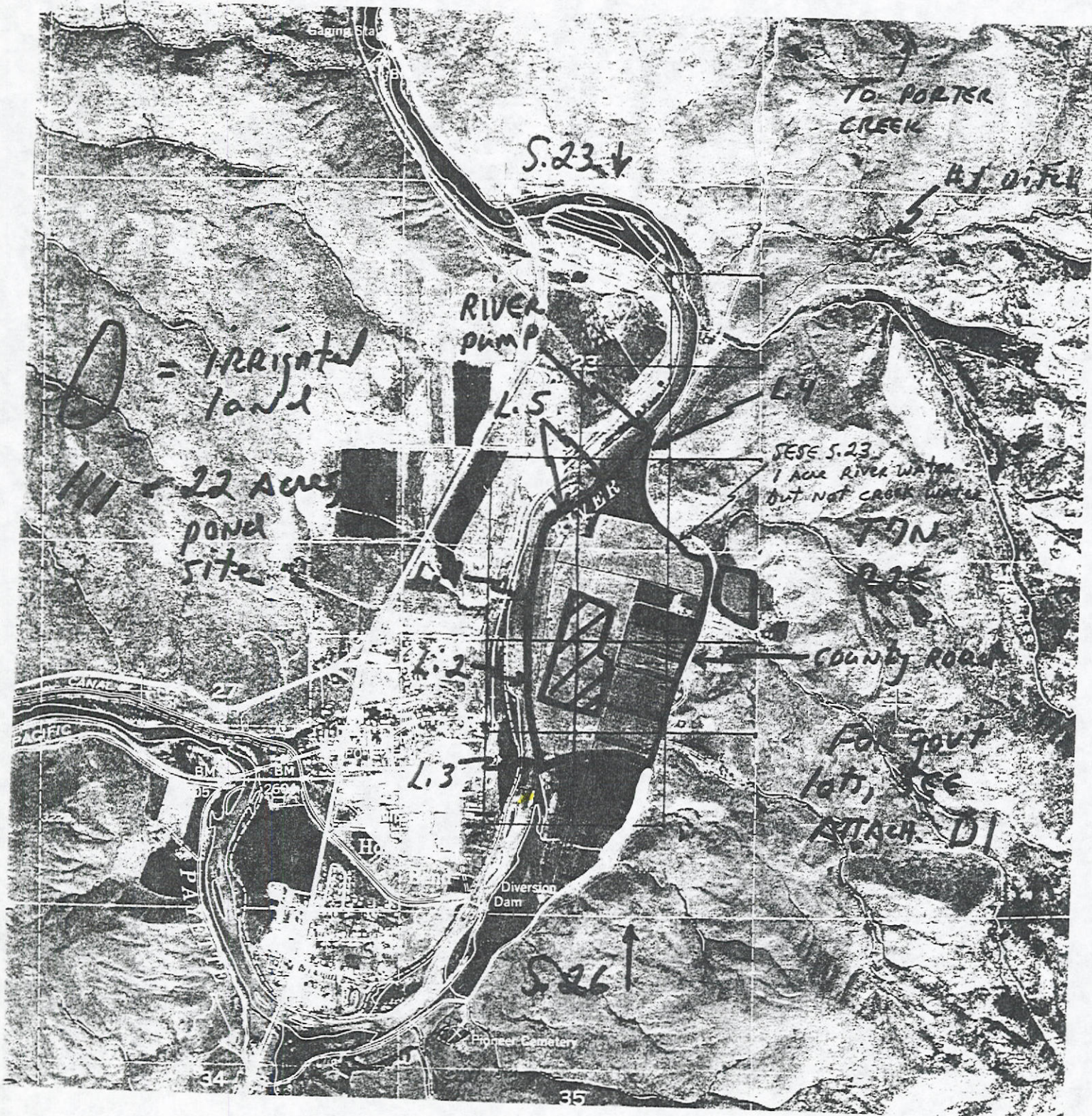
1987 NAPP Photo

0 0.4 0.8 Miles



PART 3

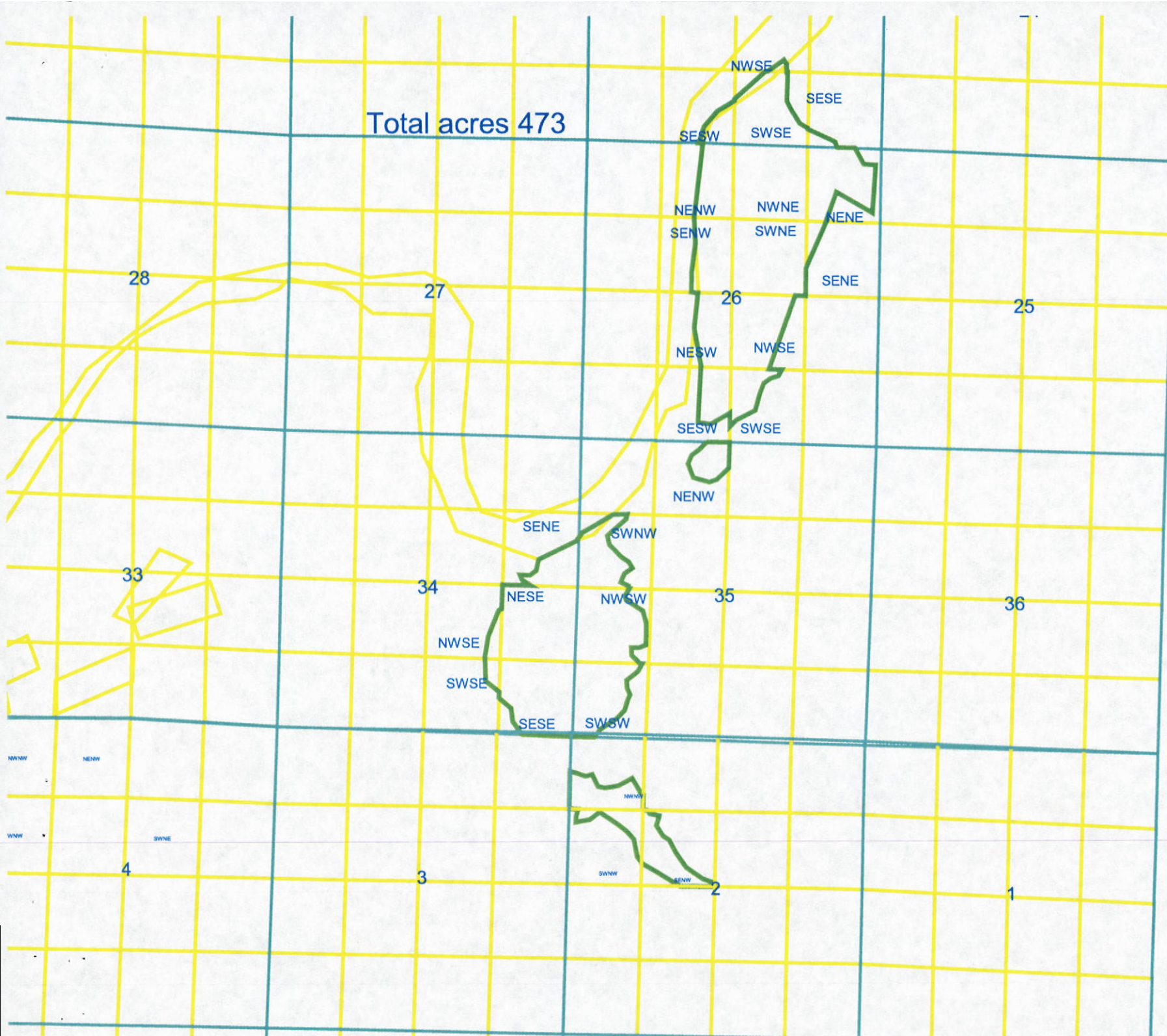
- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

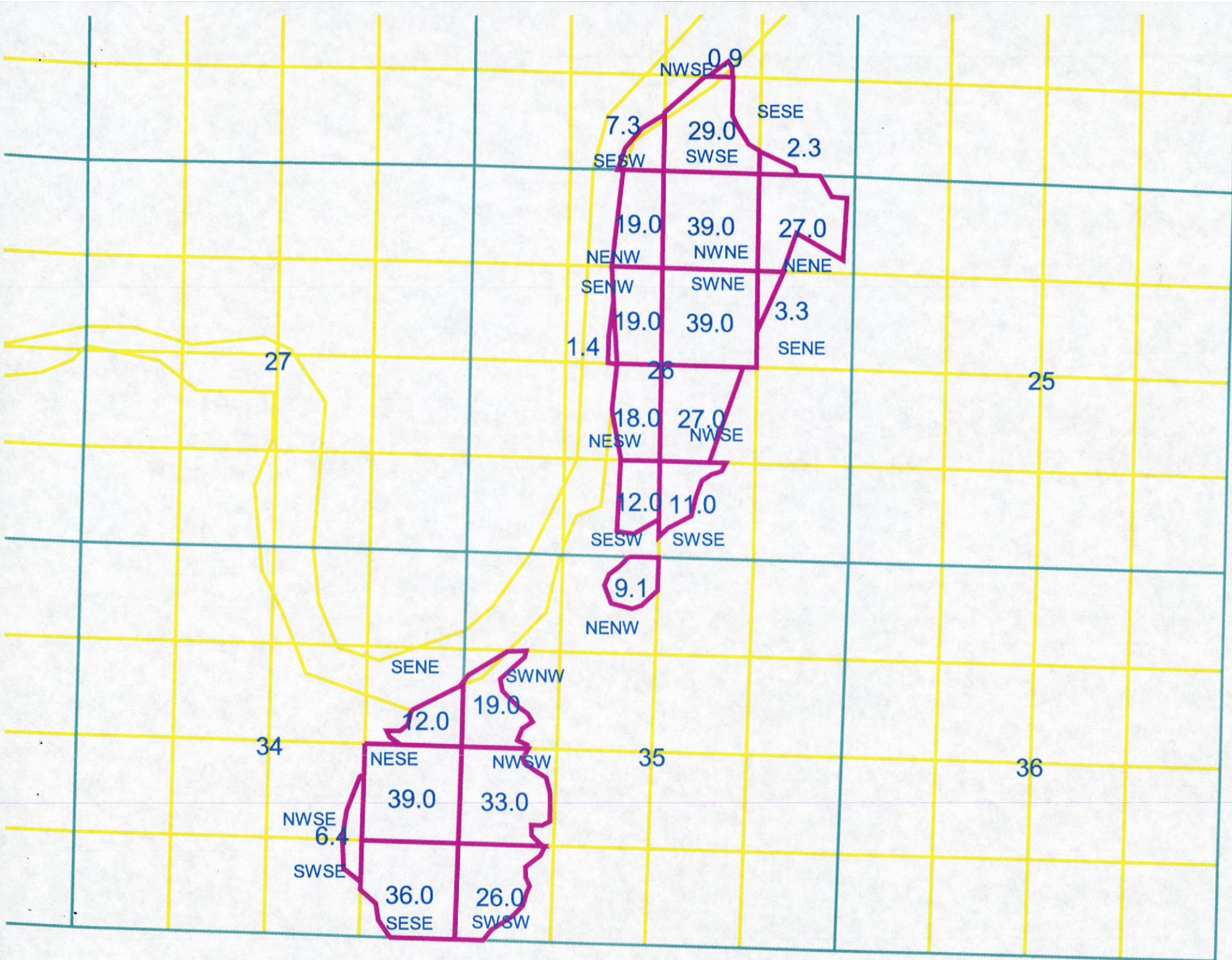


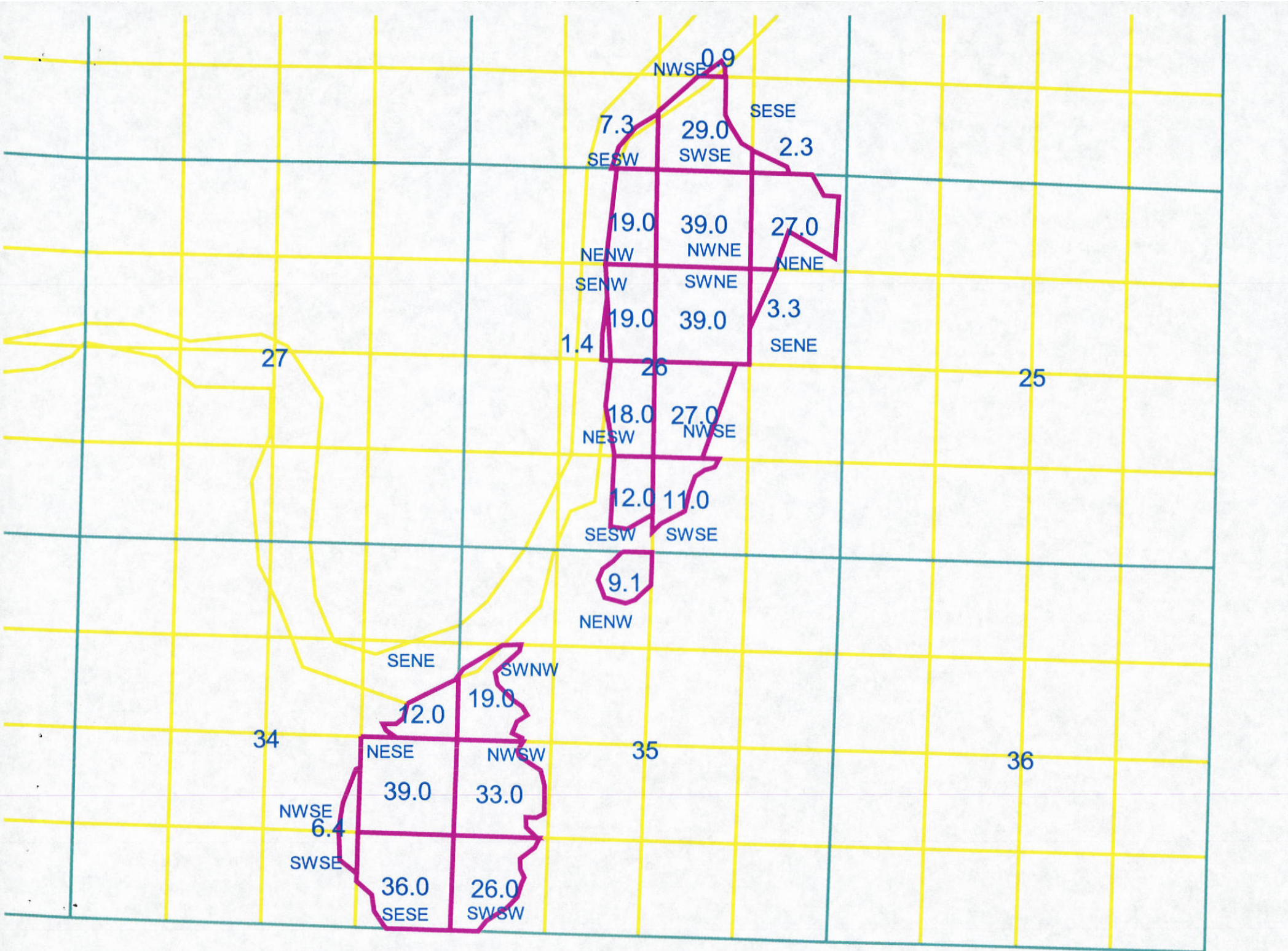
SCALE: 2 inches equal 1 mile. Draw plan in ink.

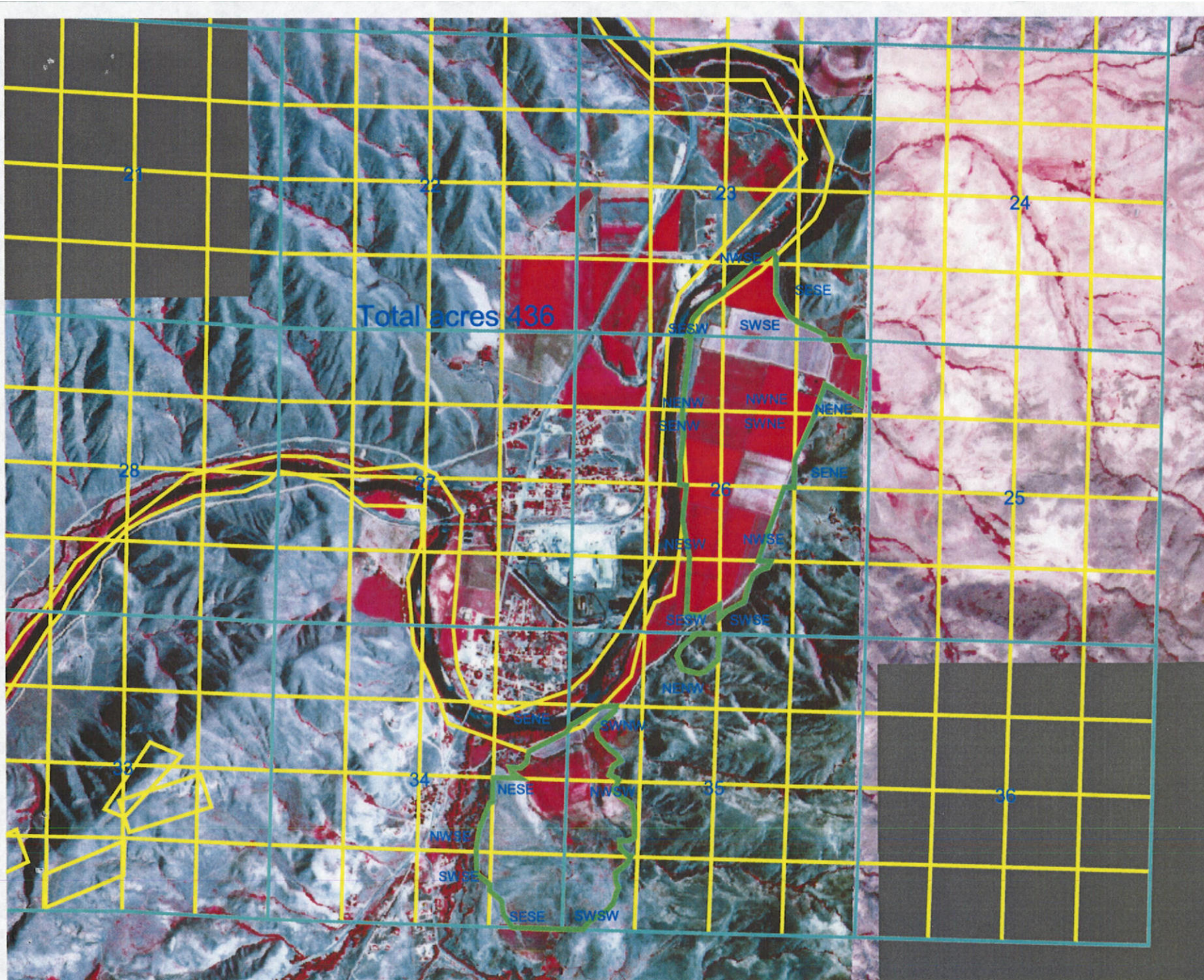
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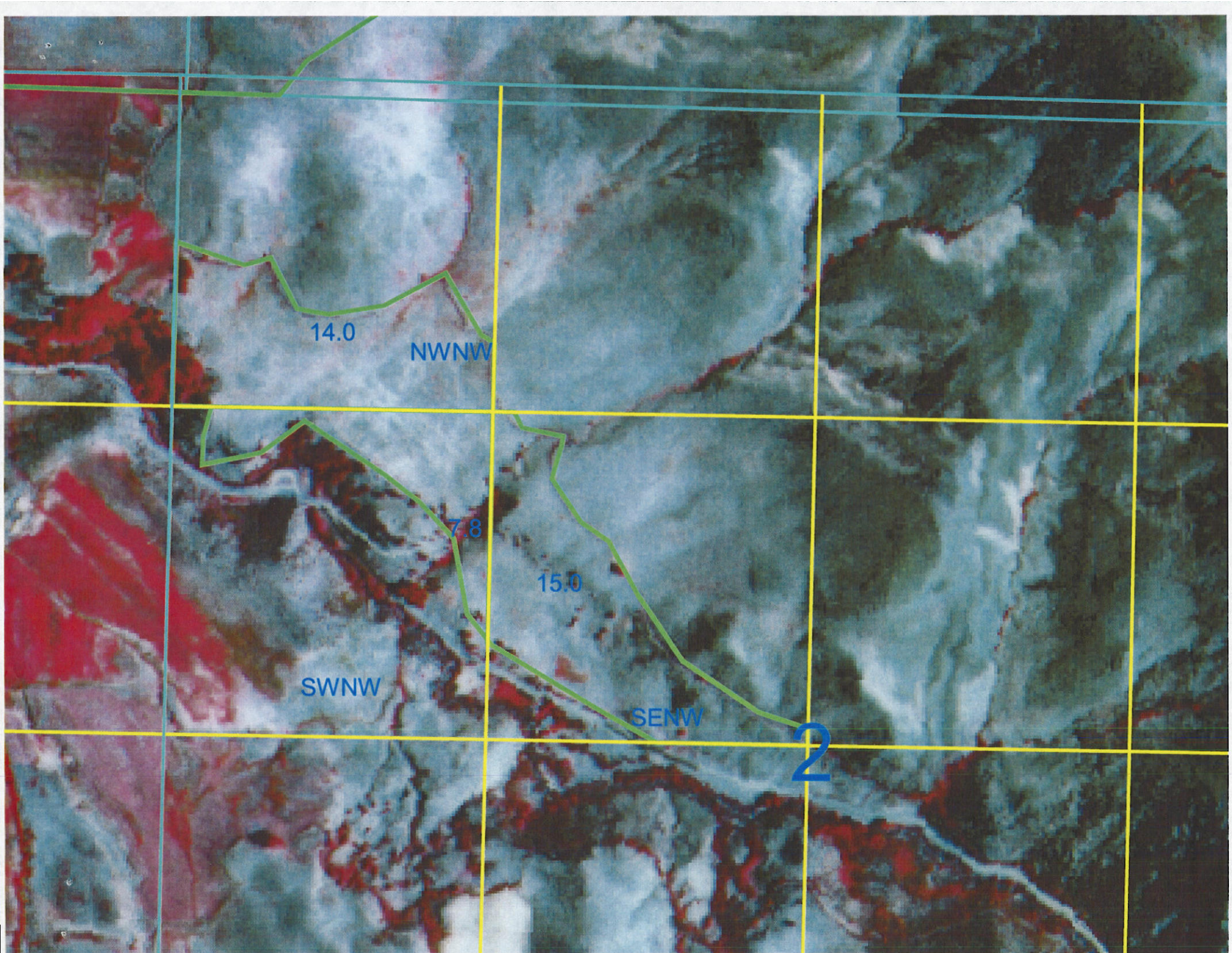
Total acres 473

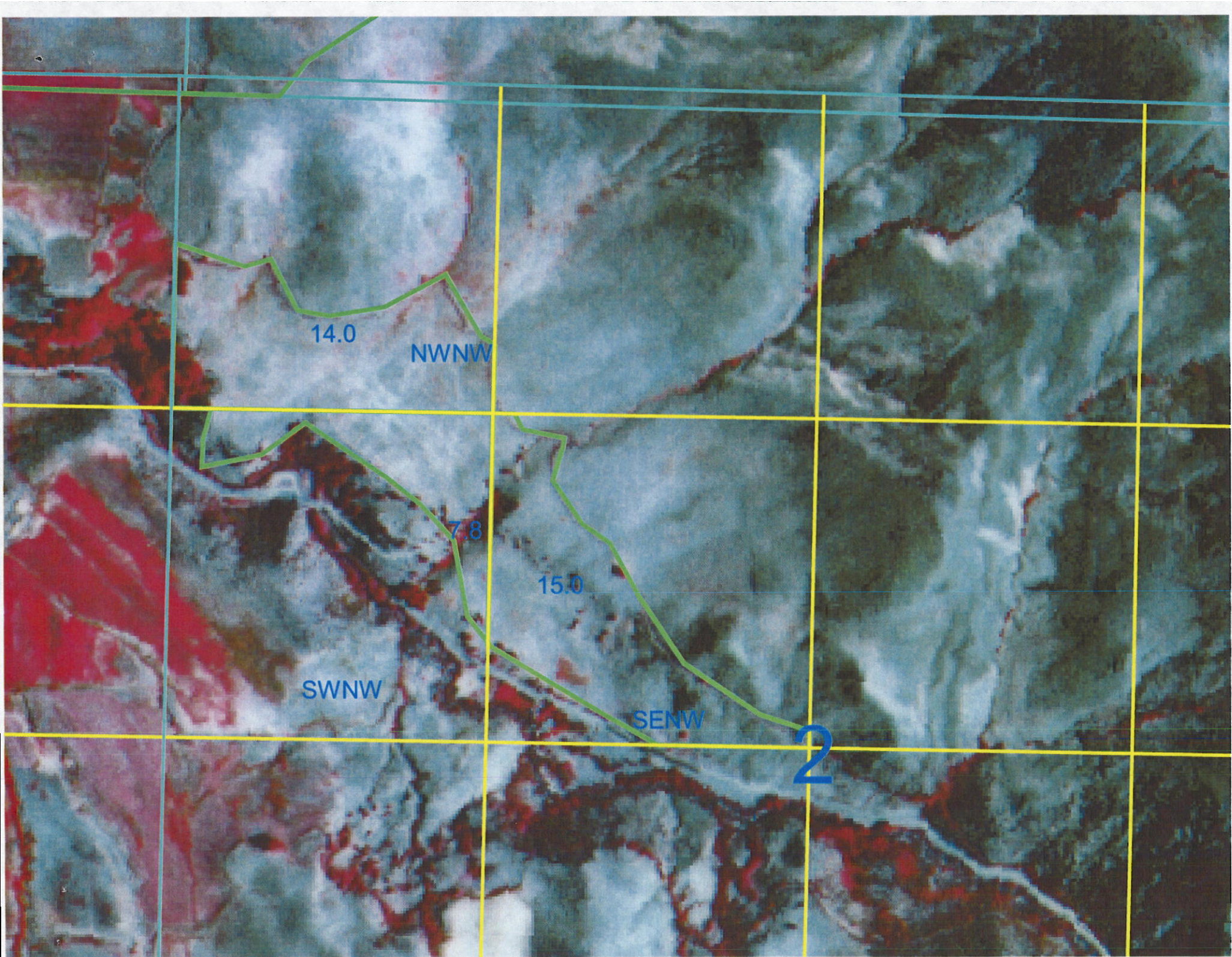












IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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: A65-01151
Date Received: 5/23/1989
Receipt No: X999999
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: D R & J INVESTMENTS LIMITED PARTNERSHIP 208-345-2137
Address: 1197 MAIN ST
BOISE ID 83702

2. Date of Priority: AUG 1, 1965

3. Source: SPRING Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	02E	35	NW	SW			BOISE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.020		
STOCKWATER	01/01	12/31	0.020		0.40
STOCKWATER FROM STORAGE	01/01	12/31	0.020		0.40

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) 0.40 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	02E	34	SE	NE	1	IRR	1.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	1.0
					Total Acres	1.0

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:

ADDRESS CHANGED PER CLAIMANT LETTER. LH
THIS RIGHT WHEN COMBINED WITH RIGHT 65-1152 SHALL PROVIDE NO
MORE THAN .02 CFS NOR .4 AFA FOR STOCKWATER.
NAME CHANGED PER CLAIMANT REQUEST. DB 6/21/2000.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

05/11/2004

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

RIGHT NUMBER: 65-1151

NAME AND ADDRESS: D R & J INVESTMENTS LTD PARTNERSHIP
8973 W STATE ST
BOISE ID 83703-1729

SOURCE: SPRING

TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.020 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.02 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4.5 AF PER ACRE AT FIELD HEADGATE. COMBINED RIGHT NOS.: 65-01317, 65-10748, 65-11393A, 65-02138, 65-10749, 65-02532A, 65-02540, 65-10747, 65-02869, ~~65-3103~~, 65-22775, 65-22778.

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

PRIORITY DATE: 08/01/1965

POINT OF DIVERSION:

T07N R02E S35 NWSW Within BOISE County

PURPOSE AND

PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS 0.40 AFY
STOCKWATER FROM STORAGE	01/01 12/31	0.020 CFS 0.40 AFY
IRRIGATION	04/01 11/01	0.020 CFS

PLACE OF USE: IRRIGATION Within BOISE County

T06N R02E S02 Lot 4 NWNW	14.0	T06N R02E S02	SWNW	6.3
T06N R02E S02	SENW	16.0	T06N R02E S02	NESW
T07N R02E S23	SESW	6.0	T07N R02E S23	NWSE
T07N R02E S23	SWSE	28.5	T07N R02E S23	SESE
T07N R02E S26	NENE	28.0	T07N R02E S26	NWNE
T07N R02E S26	SWNE	38.0	T07N R02E S26	SENE
T07N R02E S26	NENW	19.0	T07N R02E S26	SENW
T07N R02E S26	NESW	19.6	T07N R02E S26	SESW
T07N R02E S26	NWSE	28.0	T07N R02E S26	SWSE
T07N R02E S34	SENE	13.9	T07N R02E S34	NESE
T07N R02E S34	NWSE	3.8	T07N R02E S34	SWSE
T07N R02E S34	SESE	34.0	T07N R02E S35	NENW
T07N R02E S35	SWNW	20.5	T07N R02E S35	NWSW
T07N R02E S35	SWSW	28.0		

STOCKWATER same as IRRIGATION

STOCKWATER FROM STORAGE same as IRRIGATION

477 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 477 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-01317, 65-10748, 65-11393A, 65-02138, 65-10749, 65-02532A, 65-02540, 65-10747, 65-02869, ~~65-3103~~, 65-22775, 65-22778.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE 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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Decreed

WATER RIGHT NO. 65-1151
As Modified by Transfer No. 70464

In accordance with the approval of Transfer No. 70464, Water Right No. 65-1151 is now described as follows.

Right Holder: D R & J INVESTMENTS LTD PARTNERSHIP
 8973 W STATE ST
 BOISE ID 83703-1729

Priority Date: August 01, 1965

Source: SPRING

Tributary: PAYETTE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to	12/31	0.02 CFS	0.4 AF
STOCKWATER FROM STORAGE	01/01 to	12/31	0.02 CFS	0.4 AF
IRRIGATION	04/01 to	11/01	0.02 CFS 0.02 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SPRING NWSW Sec. 35 Twp 07N Rge 02E BOISE 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	
06N	02E	2					14.0	6.3	16.0	.1									36.4
07N	02E	23					L 4							6.0		1.4	28.5	3.0	38.9
07N	02E	26	28.0	39.0	38.0	3.5	19.0		21.1	19.6			18.0		28.0	8.3		222.5	
07N	02E	34				13.9								39.0	3.8	1.6	34.0	92.3	
07N	02E	35					4.4		20.5		34.0	28.0						86.9	

Total Acres: 477

CONDITIONS OF APPROVAL

1. 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.
2. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
3. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
4. Use of this right with the rights listed below is limited to the irrigation of a combined total of 477 acres in a single irrigation season. Combined right nos.: 65-1317, 65-10748, 65-11393A, 65-2138, 65-10749, 65-2532A, 65-2540, 65-10747, 65-2869, 65-22775, 65-22778.*

WATER RIGHT NO. 65-1151
As Modified by Transfer No. 70464

CONDITIONS OF APPROVAL

5. Use of this right with rights listed below is limited to a total combined diversion rate of 0.02 cfs and to a total combined annual diversion volume of 4.5 af per acre at the field headgate. Combined right nos.: 65-1317, 65-10748, 65-11393A, 65-2138, 65-10749, 65-2532A, 65-2540, 65-10747, 65-2869, 65-22775, 65-22778.*
6. This right is limited to the irrigation of 1 acre within the place of use described above in a single irrigation season.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 22nd day of April, 2004



Chief, Water Allocation Bureau

(Internet)

Page 1 of 4

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 70464

RECEIVED

MAR 03 2003

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

REVISED: Donald Quacy 2-25-03

**WATER RESOURCES
WESTERN REGION**

Name of applicant D R & J Investments Limited Partnership

Phone ... 853-7317

Post Office address 8973 W State St., Boise ID 83703-1729

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To transfer 1.5 acres per attached stipulation.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|---|----------|-----------------------|------------------|---------------|
| portion of
65-3103 | 1-1-1872 | .04 | Irrigation | 4-1 to 11-1 |
| | | | | to |
| | | | | to |
| | | | | to |
| | | | | to |
| 2. Total amount of water being transferred .04 cubic feet per second and/or 6.75 acre-feet per annum. | | | | |
| 3. Source of water Porter Creek tributary to Payette River | | | | |
| 4. Point(s) of Diversion: No Change | | | | |

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total

PART 1**8. General Information:**

- a. Description of diversion system Pipeline, control valve & measuring device,
gravity irrigation system
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Will be irrigated with #6 Porter Creek right, being transferred from George Dovel under
Right No. 65-22327, per signed stipulation.
- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

Attachment 1

PART 2 A - Right as Recorded

Page 1

12/18/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 65-3103 V2

WATER RIGHT NUMBER: 65-3103 V2

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	DOUBLE DIAMOND INC C/O DONALD RUMSEY RT 1 BOX 54 HORSESHOE BEND, ID 83629
Original Owner	DOUBLE DIAMOND RANCHES C/O DON & DALE RUMSEY 311 4TH ST N EXT NAMPA, ID 83687-3247 (208)336-4801
Current Owner	D R & J INVESTMENTS LIMITED PARTNERSHIP 8973 W STATE ST BOISE, ID 83703-1729

Priority Date: 01/01/1872

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
PORTER CREEK	PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	3.820 CFS	868.50 AF
	<u>Total Diversion:</u>	3.820 CFS	868.50 AF

Location of Point(s) of Diversion

PORTER CREEK	NW1/4SE1/4	Sec. 12, Twp 07N, Rge 02E, B.M.
BOISE County		

Place of Use

IRRIGATION Within BOISE County

T06N R02E S02 Lot 4 NWNW 14.0	T06N R02E S02 SWNW 6.3
T06N R02E S02 SENW 16.0	T06N R02E S02 NESW 0.1
T07N R02E S23 SESW 6.0	T07N R02E S23 Lot 7 NWSE 1.4
T07N R02E S23 SWSE 28.5	T07N R02E S23 SESE 3.0
T07N R02E S26 NENE 28.0	T07N R02E S26 NWNE 39.0
T07N R02E S26 SWNE 38.0	T07N R02E S26 SENE 3.5
T07N R02E S26 NENW 19.0	T07N R02E S26 SENW 21.1
T07N R02E S26 NESW 19.6	T07N R02E S26 SESW 18.0
T07N R02E S26 NWSE 28.0	T07N R02E S26 SWSE 8.3
T07N R02E S34 SENE 13.9	T07N R02E S34 NESE 39.0
T07N R02E S34 NWSE 3.8	T07N R02E S34 SWSE 1.6
T07N R02E S34 SESE 34.0	T07N R02E S35 NENW 4.4
T07N R02E S35 SWNW 20.5	T07N R02E S35 NWSW 34.0
T07N R02E S35 SWSW 28.0	

Total Acres: 477

Conditions of Approval:

PART 2 A - continued

12/18/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 65-3103 V2

1. C18 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.

Remarks:

1. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 477 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-1151, 65-1317, 65-2138, 65-2532A, 65-2540, 65-2869, 65-10747, 65-10748, 65-10749, 65-11393A.
2. Quantity USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.02 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4.5 AF PER ACRE AT FIELD HEADGATE. COMBINED RIGHT NOS.: 65-02532A, 65-10749, 65-01151, 65-01317, 65-10748, 65-11393A, 65-02138, 65-10747, 65-02540, 65-02869.
3. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1.93 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number: 65
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			08/02/2002	sbock	Active
Summary			12/17/2002	jshurte	Active

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount .04 for Irrigation purposes from 4-1 to 11-1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: No Change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	12	7N	2E	Boise	O R + J Pipeline

3. Lands irrigated or place of use:

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	
7N	2E	26			1.5														1.5

Total acres 1.5**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 3.78 for Irrigation purposes from 4-1 to 11-1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: No Change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	12	7N	2E	Boise	O R + J Pipeline

3. Lands irrigated or place of use:

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	
8N	2E	2						1.4	6.3	16	.1								36.4
7N	2E	23												6		1.7	28.5	3	38.9
		26	28	39	36.5	3.5	19			21.1	19.6			18		28	8.3		221
		34				13.9									39	3.8	1.6	34	92.3
		35					4.4		20.5		34	28							86.9

Limited to 191.5 acres within this place
 of use →

Total acres 475.5

IDAHO DEPARTMENT OF WATER RESOURCES

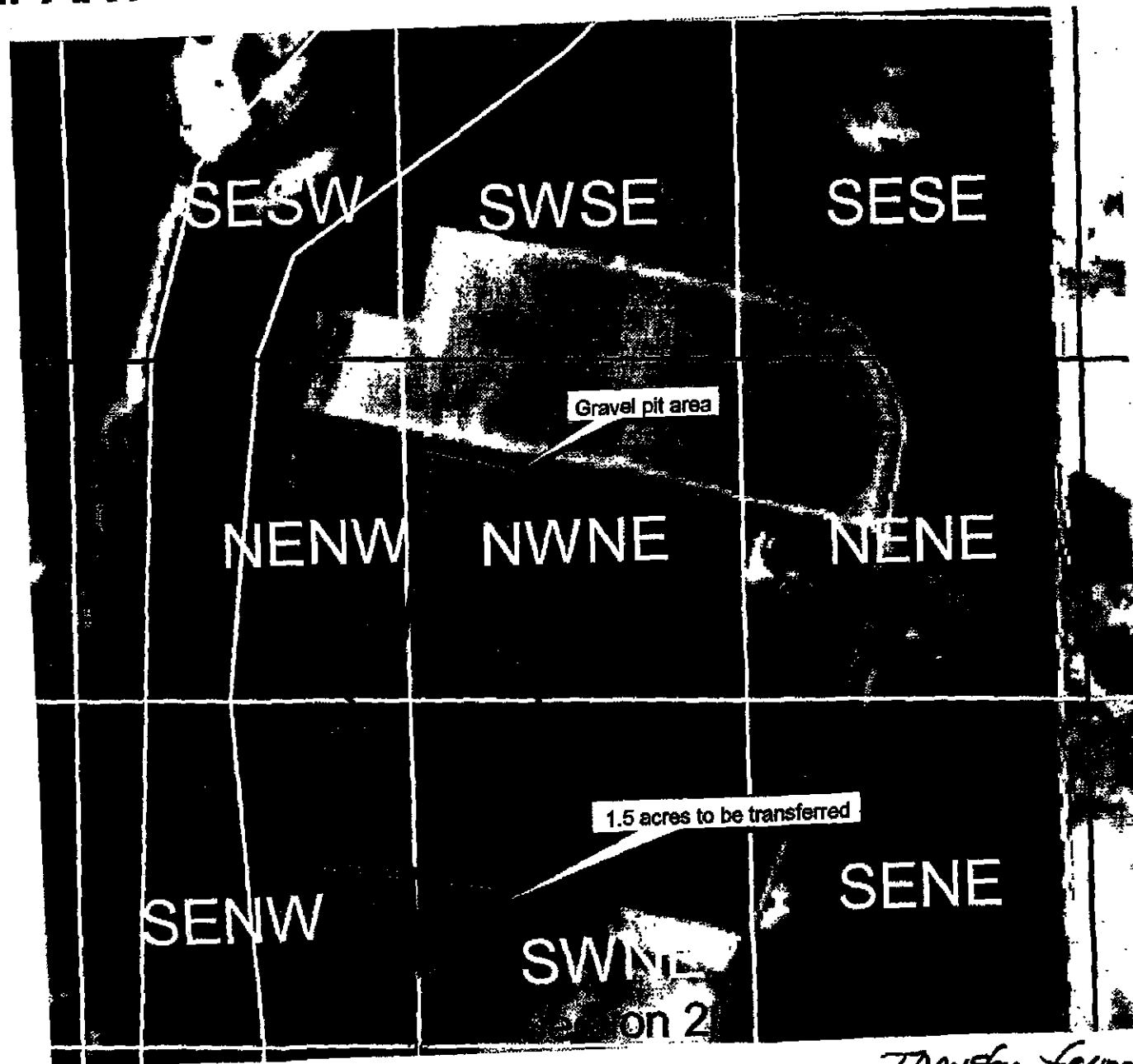
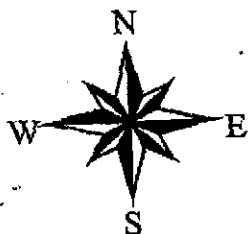
ATTACHMENT 2

**T7N, R2E
SEC. 26**

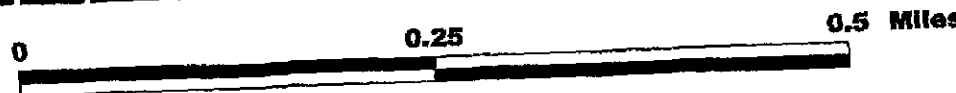
1987 NAPP

 **Section Lines**
1/41/4

**Transfer 65-3103
DR&J Investment**



PART 3 A



Transfer from

IDAHO DEPARTMENT OF WATER RESOURCES

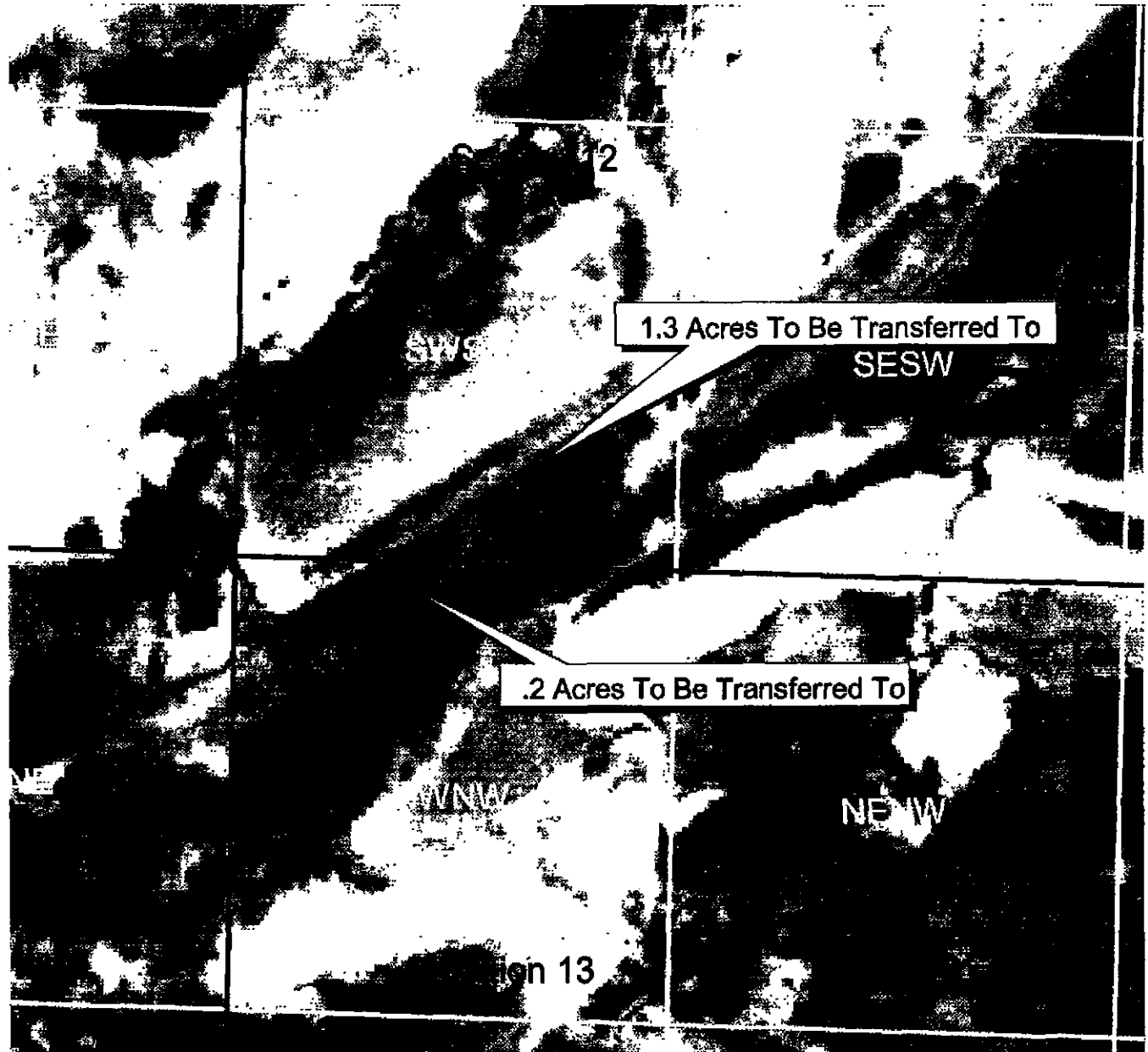
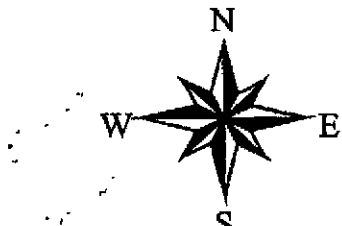
ATTACHMENT 3

**T7N R2E
Sec 12 & 13**

1987 NAPP

 **Section Lines**
1/41/4

**Transfer 65-3103
DR&J Investment**



PART 3A CONTINUED

0 0.25 0.5 Miles
Transfer to

PART 3**B. CHANGES IN NATURE OF USE**

NO CHANGE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

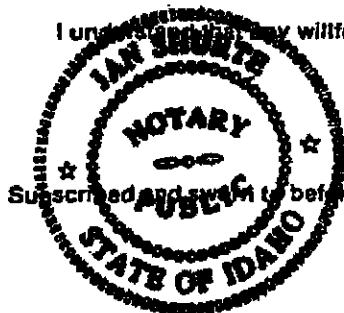
2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

No change

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Subscribed and sworn to before me this

5th

day of

December19 2002

(Signature of Applicant)

Bernard Kurner - owner

(Notary Public)

Ian Shulte

My commission expires

9-14-2006**FOR DEPARTMENT USE ONLY**Transfer contains 4 pages and 4 attachmentsReceived by [Signature]

Date

12-6-02

Protest filed by _____

Prelim. check by [Signature]

Fee

\$100.00Received by [Signature]

Date

12-6-02RECEIPT # 6029910

Published in _____

Copies of protest forwarded by _____

Pub. dates _____

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for



approval



denial

rec'd. _____

by _____

Copy of transfer sent to lien holder _____

COPY

GARRICK L. BAXTER
 Idaho State Bar No.: 6301
 Deputy Attorney General
 Idaho Department of Water Resources
 P.O. Box 83720
 Boise, ID 83720-0098
 Telephone: (208) 327-7900
 Fax: (208) 327-5400

Attorneys for IDWR

DISTRICT COURT-SRBA
 TWIN FALLS CO., IDAHO
 FILED _____

2002 OCT 28 PM 2 45

RECEIVED

OCT 30 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

SUBCASE NO.: 65-3103

(uncontested overlaps: 65-02532A, 65-10749
 65-01151, 65-01317, 65-10748, 65-11393A
 65-02138, 65-10747, 65-02540, & 65-02869)

Case No. 39576

STIPULATION TO RESOLVE
 OBJECTION

DESCRIPTIVE SUMMARY

This is a stipulation by and between, the parties herein, George Dovel, DR & J Investments Ltd., and the Idaho Department of Water Resources (IDWR), to the resolution of the objection filed by George Dovel and response filed by DR & J Investments Ltd. as follows:

STIPULATION

In order to resolve the dispute over the above-captioned water right, the Idaho Department of Water Resources (IDWR), DR & J Investments Ltd., (claimant) by its attorney of record, Jack C. Riddlemoser, and George Dovel (the objector), hereby stipulate and agree that:

to George Dovel *DR & J* *DR*

1. D R & J Investments Ltd. will apply for a transfer of water in the amount of .04 cfs (2 inches of water) and reduce the total acres of the place of use by 1.5 acres for water right number: 65-3103.
2. George Dovel will withdraw and dismiss, with prejudice, his objection and future objections, to subcase no. 65-3103. Further, DR & J Investments Ltd.'s response shall be dismissed.
3. George Dovel will apply for a transfer to DR & J Investments Ltd. of .04 cfs and reduce the place of use for his water right number: 65-22327 by 1.5 acres.
4. George Dovel will install a device to limit the flow of Porter Creek to .04 cfs at the point of diversion for water right number: 65-22327, which point of diversion is described as: Township 07 North, Range 03 East, Section 07, SWNW quarter-quarter.
5. The parties agree that the above-referenced changes will be allowed so long as the change does not increase the total number of irrigated acres.
6. This stipulation and agreement herein is contingent upon the approval by IDWR of the transfer application. By signing this agreement, IDWR does not represent that the transfer will be approved.
7. This settlement and this stipulation have been reached through good faith negotiations for the purpose of resolving legal disputes, including pending litigation, and all parties agree that no offers and/or compromises made in the course thereof shall be construed as admissions against interest or be used in any legal proceeding, and that this agreement is not and shall not be used as precedent for any other claim to a water right.
8. This settlement and this stipulation were entered into and executed voluntarily by all parties in good faith, and without any fraud, misunderstanding, overreaching, misrepresentation, duress, or undue influence whatsoever.

By:

Jack C. Riddlemoser
JACK C. RIDDLEMOSER
Attorney for DR & J Investments, Ltd.

Dated:

10/22/02

Donald R. Riddlemoser

CERTIFICATE OF MAILING

I certify that on October 23, 2002, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid 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, Idaho 83303-2707

2. Copies to:

Jack C. Riddlemoser
712 East Fairview Avenue
Meridian, ID 83642

George Dovel
434 Pioneer Road
Horseshoe Bend, ID 83629

DR & J Investments, Ltd.
8973 W. State St.
Boise, ID 83703-1729

US Dept of Justice (courtesy copy)
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Cathy Howard
Signature of person or attorney mailing the form

By: George Dovel
GEORGE DOVEL

Dated: Oct. 22, 2002

IDWR Concurrence:

By: Garrick L. Baxter
GARRICK L. BAXTER
Deputy Attorney General for
IDWR

Dated: 10/22/02

By: Ron Howerton
~~RON HOWERTON~~ JAN SHURTE
Senior Water Right Agent - WATER RIGHTS
SUPERVISOR

Dated: 10-22-02

**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

)
)
)
)
)
)
)
**Water Rights: 65-1151, 65-1317,
65-2138, 65-2532A, 65-2540,
65-2869, 65-10747, 65-10748,
65-10749, 65-11393A
NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

- ☐ Address change
☐ Substitution of Party

XX IC § 42-222 transfer

- | | |
|---|--|
| ☐ Point of diversion | ☐ Place of use |
| ☐ Period of use | ☐ Nature of use |
| ☐ Split of water right | ☐ Change in ownership |

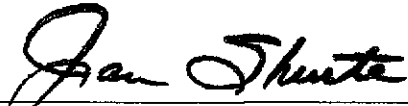
XX Other – Conditions & Remarks

☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 5-25-04



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on May 25, 2004, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court	☐	overnight mail
Snake River Basin Adjudication	☒	regular mail
P.O. Box 2707	☐	hand-delivered
Twin Falls, ID 83303-2707	☐	facsimile

2. Copies to:

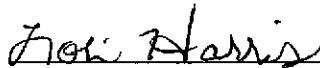
Clive Strong	☐	overnight mail
Office of the Attorney General	☒	regular mail
P.O. Box 44449	☐	hand-delivered
Boise, ID 83711-4449	☐	facsimile

United States Dept of Justice	☐	overnight mail
Environment & Natural Resource Div	☒	regular mail
550 West Fort Street MSC 033	☐	hand-delivered
Boise ID 83724	☐	facsimile

3. Copies to all parties to the subcase:

D R & J Investments	☐	overnight mail
8973 W. State. St.	☒	regular mail
Boise, ID 83703-1729	☐	hand-delivered
	☐	facsimile

Jack C. Riddlemoser	☐	overnight mail
1905 Garrison Ln.	☒	regular mail
Kuna, ID 83634	☐	hand-delivered
	☐	facsimile



Signature of person mailing this document

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 65-1151 V1

WATER RIGHT NUMBER: 65-1151 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	D R & J INVESTMENTS LIMITED PARTNERSHIP 8973 W STATE ST BOISE, ID 83703-1729
Original Owner	DOUBLE DIAMOND RANCHES C/O DON RUMSEY RT 1 BOX 63 HORSESHOE BEND, ID 83629 (208)336-4801
Original Owner	DOUBLE DIAMOND RANCHES C/O DON & DALE RUMSEY 311 4TH ST N EXT NAMPA, ID 83687-3247 (208)336-4801

Priority Date: 08/01/1965

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.020 CFS	0.40 AF
STOCKWATER FROM STORAGE	01/01 to 12/31	0.020 CFS	0.40 AF
IRRIGATION	04/01 to 11/01	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

SPRING	NW1/4SW1/4	Sec. 35, Twp 07N, Rge 02E, B.M.
BOISE 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	
06N	02E	2						14.0	6.3	16.0	.1								36.4
07N	02E	23												6.0		1.4	28.5	3.0	38.9
07N	02E	26	28.0	39.0	38.0	3.5	19.0			21.1	19.6			18.0		28.0	8.3		222.5
07N	02E	34				13.9									39.0	3.8	1.6	34.0	92.3

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 65-1151 V1

07N 02E 35	4.4	20.5	34.0	28.0	86.9
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Total Acres: 477

STOCKWATER same as IRRIGATIONSTOCKWATER FROM STORAGE same as IRRIGATIONConditions of Approval:

1. C18 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.
2. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

1. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 477 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-01317, 65-10748, 65-11393A, 65-02138, 65-10749, 65-02532A, 65-02540, 65-10747, 65-03103, 65-02869.
2. Quantity USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.02 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4.5 AF PER ACRE AT FIELD HEADGATE. COMBINED RIGHT NOS.: 65-01317, 65-10748, 65-11393A, 65-02138, 65-10749, 65-02532A, 65-02540, 65-10747, 65-03103, 65-02869.
3. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

1. sbock 8/2/2002 REMARK

Comment: 65-3103 WAS OBJECTED TO. TO SETTLE THE OBJECTION ON THAT RIGHT I AM TAKING THE PORTER CREEK WATER OUT OF A PPU AND STRIKING THE REMARK ON THE ASSOCIATED RIGHTS.

2. jshurte 12/19/2002 Objection Update

Comment: A settlement has been reached to exchange .04 cfs/1.5 acres of #1 Porter Ck water with #6 Porter Ck water and leaving all of DR & J rights in a permissible place of use. Therefore, 65-3103 will be placed back into the remarks on this claim and others. Transfers have been filed at this time to accomplish the exchange.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 65-1151 V1

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number: 65
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

SubCase:

SubCase Number: 65-1151
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent: dbuffing (N/A)
Basis of Claim: Decreed

08/12/2002

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

RIGHT NUMBER: 65-1151

NAME AND ADDRESS: D R & J INVESTMENTS LIMITED PARTNERSHIP
8973 W STATE ST
BOISE ID 83703-1729

SOURCE: SPRING

TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.02 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.02 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4.5 AF PER ACRE AT FIELD HEADGATE. COMBINED RIGHT NOS.: 65-01317, 65-10748, 65-11393A, 65-02138, 65-10749, 65-02532A, 65-02540, 65-10747, 65-03103, 65-02869.

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

PRIORITY DATE: 08/01/1965

POINT OF DIVERSION:

T07N R02E S35 NWSW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS 0.40 AFY
STOCKWATER FROM STORAGE	01/01 12/31	0.020 CFS 0.40 AFY
IRRIGATION	04/01 11/01	0.020 CFS

PLACE OF USE:

IRRIGATION Within BOISE County

T06N R02E S02 Lot 4 NWNW	14.0	T06N R02E S02	SWNW	6.3	
T06N R02E S02	SENW	16.0	T06N R02E S02	NESW	0.1
T07N R02E S23	SESW	6.0	T07N R02E S23	NWSE	1.4
T07N R02E S23	SWSE	28.5	T07N R02E S23	SESE	3.0
T07N R02E S26	NENE	28.0	T07N R02E S26	NWNE	39.0
T07N R02E S26	SWNE	38.0	T07N R02E S26	SENE	3.5
T07N R02E S26	NENW	19.0	T07N R02E S26	SENW	21.1
T07N R02E S26	NESW	19.6	T07N R02E S26	SESW	18.0
T07N R02E S26	NWSE	28.0	T07N R02E S26	SWSE	8.3
T07N R02E S34	SENE	13.9	T07N R02E S34	NESE	39.0
T07N R02E S34	NWSE	3.8	T07N R02E S34	SWSE	1.6
T07N R02E S34	SESE	34.0	T07N R02E S35	NENW	4.4
T07N R02E S35	SWNW	20.5	T07N R02E S35	NWSW	34.0
T07N R02E S35	SWSW	28.0			

STOCKWATER same as IRRIGATION

STOCKWATER FROM STORAGE same as IRRIGATION

477 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 477 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-01317, 65-10748, 65-11393A, 65-02138, 65-10749, 65-02532A, 65-02540, 65-10747, ~~65-03103~~, 65-02869.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

Water Right 65-1151

1

08/12/2002

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

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.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: Decreed

Adjudication Recommendation Report 65-1151 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	D R & J INVESTMENTS LIMITED PARTNERSHIP 8973 W STATE ST BOISE, ID 83703-1729
Original Owner	DOUBLE DIAMOND RANCHES C/O DON RUMSEY RT 1 BOX 63 HORSESHOE BEND, ID 83629 (208)336-4801
Original Owner	DOUBLE DIAMOND RANCHES C/O DON & DALE RUMSEY 311 4TH ST N EXT NAMPA, ID 83687-3247 (208)336-4801

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.020 CFS	0.40 AF
STOCKWATER FROM STORAGE	01/01 to 12/31	0.020 CFS	0.40 AF
IRRIGATION	04/01 to 11/01	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

SPRING NW1/4SW1/4 Sec. 35, Twp 07N, Rge 02E, B.M.
BOISE County

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	
06N	02E	2					14.0	6.3	16.0	.1									36.4
							L 4												
07N	02E	23											6.0		1.4	28.5	3.0	38.9	
07N	02E	26	28.0	39.0	38.0	3.5	19.0		21.1	19.6			18.0		28.0	8.3		222.5	
07N	02E	34				13.9								39.0	3.8	1.6	34.0	92.3	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 65-1151 V1

07N 02E 35	4.4	20.5	34.0	28.0	86.9
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Total Acres: 477

STOCKWATER same as IRRIGATIONSTOCKWATER FROM STORAGE same as IRRIGATIONConditions of Approval:

1. C18 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.
2. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

1. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 477 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-01317, 65-10748, 65-11393A, 65-02138, 65-10749, 65-02532A, 65-02540, 65-10747, 65-03103, 65-02869.
2. Quantity USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.02 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4.5 AF PER ACRE AT FIELD HEADGATE. COMBINED RIGHT NOS.: 65-01317, 65-10748, 65-11393A, 65-02138, 65-10749, 65-02532A, 65-02540, 65-10747, 65-03103, 65-02869.
3. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

1. sbock 8/2/2002 REMARK

Comment: 65-3103 WAS OBJECTED TO. TO SETTLE THE OBJECTION ON THAT RIGHT I AM TAKING THE PORTER CREEK WATER OUT OF A PPU AND STRIKING THE REMARK ON THE ASSOCIATED RIGHTS.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector:

Water District Number: 65

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

RIGHT NUMBER: 65-1151

NAME AND ADDRESS: D R & J INVESTMENTS LIMITED PARTNERSHIP
8973 STATE ST
BOISE ID 83703

SOURCE: SPRING

TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.02 CFS

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

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.02 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4.5 AF PER ACRE AT FIELD HEADGATE. COMBINED RIGHT NOS.: 65-01317, 65-10748, 65-11393A, 65-02138, 65-10749, 65-02532A, 65-02540, 65-10747, 65-03103, 65-02869.

PRIORITY DATE: 08/01/1965

POINT OF DIVERSION:

T07N R02E S35 NWSW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
		0.40 AFY
STOCKWATER FROM STORAGE	01/01 12/31	0.020 CFS
		0.40 AFY
IRRIGATION	04/01 11/01	0.020 CFS

PLACE OF USE:

IRRIGATION Within BOISE County

T06N R02E S02 Lot 4 NWNW	14.0	T06N R02E S02	SWNW	6.3	
T06N R02E S02	SENW	16.0	T06N R02E S02	NESW	0.1
T07N R02E S23	SESW	6.0	T07N R02E S23	NWSE	1.4
T07N R02E S23	SWSE	28.5	T07N R02E S23	SESE	3.0
T07N R02E S26	NENE	28.0	T07N R02E S26	NWNE	39.0
T07N R02E S26	SWNE	38.0	T07N R02E S26	SENE	3.5
T07N R02E S26	NENW	19.0	T07N R02E S26	SENW	21.1
T07N R02E S26	NESW	19.6	T07N R02E S26	SESW	18.0
T07N R02E S26	NWSE	28.0	T07N R02E S26	SWSE	8.3
T07N R02E S34	SENE	13.9	T07N R02E S34	NESE	39.0
T07N R02E S34	NWSE	3.8	T07N R02E S34	SWSE	1.6
T07N R02E S34	SESE	34.0	T07N R02E S35	NENW	4.4
T07N R02E S35	SWNW	20.5	T07N R02E S35	NWSW	34.0
T07N R02E S35	SWSW	28.0			

STOCKWATER same as IRRIGATION

STOCKWATER FROM STORAGE same as IRRIGATION

477 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 477 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-01317, 65-10748, 65-11393A, 65-02138, 65-10749, 65-02532A, 65-02540, 65-10747, 65-03103, 65-02869.

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.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: Decreed

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

12/27/2001

WATER RIGHT NUMBER: 65-1151

NAME AND ADDRESS: D R & J INVESTMENTS LIMITED PARTNERSHIP
8973 W STATE ST
BOISE ID 83703-1729

SOURCE: SPRING TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.02 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.02 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4.5 AF PER ACRE AT FIELD HEADGATE. COMBINED RIGHT NOS.: 65-01317, 65-10748, 65-11393A, 65-02138, 65-10749, 65-02532A, 65-02540, 65-10747, 65-03103, 65-02869.

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

PRIORITY DATE: 08/01/1965

POINT OF DIVERSION:

T07N R02E S35 NWSW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS 0.40 AFY
STOCKWATER FROM STORAGE	01/01 12/31	0.020 CFS 0.40 AFY
IRRIGATION	04/01 11/01	0.020 CFS

PLACE OF USE: IRRIGATION Within BOISE County

T06N R02E S02 Lot 4 NWNW	14.0	T06N R02E S02	SWNW	6.3	
T06N R02E S02	SENW	16.0	T06N R02E S02	NESW	0.1
T07N R02E S23	SESW	6.0	T07N R02E S23	NWSE	1.4
T07N R02E S23	SWSE	28.5	T07N R02E S23	SESE	3.0
T07N R02E S26	NENE	28.0	T07N R02E S26	NWNE	39.0
T07N R02E S26	SWNE	38.0	T07N R02E S26	SENE	3.5
T07N R02E S26	NENW	19.0	T07N R02E S26	SENW	21.1
T07N R02E S26	NESW	19.6	T07N R02E S26	SESW	18.0
T07N R02E S26	NWSE	28.0	T07N R02E S26	SWSE	8.3
T07N R02E S34	SENE	13.9	T07N R02E S34	NESE	39.0
T07N R02E S34	NWSE	3.8	T07N R02E S34	SWSE	1.6
T07N R02E S34	SESE	34.0	T07N R02E S35	NENW	4.4
T07N R02E S35	SWNW	20.5	T07N R02E S35	NWSW	34.0
T07N R02E S35	SWSW	28.0			

STOCKWATER same as IRRIGATION
STOCKWATER FROM STORAGE same as IRRIGATION

477 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 477 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-01317, 65-10748, 65-11393A, 65-02138, 65-10749, 65-02532A, 65-02540, 65-10747, 65-03103, 65-02869.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE 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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Decreed

**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

) SUBCASE NO. 65-1151, 65-1317,
) 65-2138, 65-2532A, 65-2540, 65-2869,
) 65-3103, 65-3803B, 65-7833, 65-10746,
) 65-10747, 65-10748, 65-10749, 65-11393A
) and 65-12751

) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

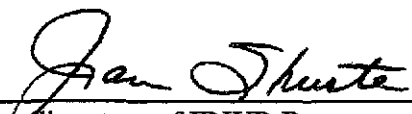
Name and New Address of Claimant:

D R & J INVESMENTS LIMITED PARTNERSHIP
8973 W STATE ST
BOISE ID 83703-1729

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: December 28, 2001

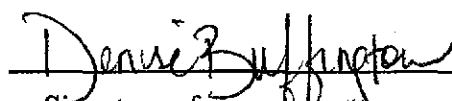


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on December 28, 2001, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant or attorney of record:
D R & J Investments Limited Partnership
8973 W State St
Boise ID 83703-1729
3. One Copy to:
Each party in the subcase or attorney of record:
N / A
4. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

OCT 31 2001

Department of Water Resources

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 27, 2001

RECEIVED

DEC 10 2001

WATER RESOURCES
WESTERN REGION

D R & J INVESTMENTS LIMITED PARTNERSHIP

~~C/O DOUBLE DIAMOND RANCH~~

8973 W STATE ST

BOISE ID 83703-1729

RE: Snake River Basin Adjudication (SRBA)

Water Rights #~~65-1150, 65-1151, 65-1152, 65-1317, 65-2138, 65-2532A,~~
~~65-2540, 65-2869, 65-3103, 65-3803, 65-7833, 65-10746, 65-10747,~~
~~65-10748, 65-10749, 65-11393A and 65-12751~~

Dear Water Right Holders:

Mail we sent you was returned to us by the Postal Service. The Postal Service advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by October 12, 2001. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a ^{??} change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Sincerely

Sally
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Returned Mail

Donald Rumsey

#####

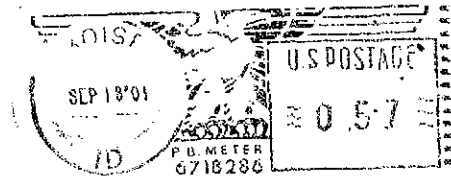
ok - original claimant
on Double Diamond Ranch.
ms

The address is correct as shown above or as otherwise changed.

Water Right Holder's Signature

Telephone No.

ADDRESS SERVICE
REQUESTED



RECEIVED
SEP 24 2001
Department of Water Resources

65-3803B
65-10746
0-charge?

IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard St
PO Box 83720
Boise, ID 83720-0098
(208) 327-7900

TO

DOUB197 837022008 1300 04 09/22/01
FORWARD TIME EXP RTN TO SEND
!DOUBLE DIAMOND RANCH
8973 W STATE ST
BOISE ID 83703-1729
RETURN TO SENDER

65-1151 recur
-1317.
-2138.
-2532A.
-2540.
-2869.
-3103!
-7833!
-10746
-10747.
-10748.
-10749.
-11393A
-12751
1150 w/c.

RECEIVED

JUN 1 - 2000

Department of Water Resources

RECEIVED

JUN 09 2000

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right No(s): 65-01151, 65-01154, 65-01317, 65-02138, 65-02532A, 65-02540, 65-03103, 65-10746, 65-10747, 65-10748, 65-10749, 65-11393, 65-12751, 65-12754
 Adjudication Claim No(s): 65-01150, 65-01152, 65-03800, A65-01151, A65-01317, A65-02438, A65-02532A, A65-02540, A65-03103, A65-03803B, A65-10746, A65-10747, A65-10748, A65-10749, A65-11393A
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
 - OR
 - C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.
3. Name and Address of Former Owner/Claimant
Double Diamond, Inc. or Double Diamond Ranch
or Double Diamond Ranches
1197 Main Street
Boise, ID 83702
4. New Owner/Claimant(s)
DR & J Investments Limited Partnership
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
1197 Main Street
Boise, ID 83702
 City, State and ZIP Code
 New Telephone Number (208) 345-2137 853-1371
5. Date you acquired the property 1/1/00
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners**. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) DR & J Investments Limited Partnership
 or Claimant(s) DR Holdings, Inc., General Partner
 By Donald J. Rumsey, President
 Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

RECEIVED

JUN 09 2000

LAW OFFICE

D. JOHN THORNTON & ASSOCIATES, P.A.

TAX • BUSINESS • ESTATE PLANNING • WEALTH PRESERVATION

THE GOLDEN EAGLE AT FOREST RIVER
1101 WEST RIVER STREET, SUITE 340
BOISE, IDAHO 83702-7067

POST OFFICE BOX 7156
BOISE, IDAHO 83707-1156

TELEPHONE (208) 344-8600
FACSIMILE (208) 344-8720

D. JOHN THORNTON
GREGORY A. BYRON, LL.M. WATER RESOURCES
WESTERN REGION

NICHOLAS S. MARSHALL, LL.M.
AMBER R. MYRICK, LL.M.
MARK P. THOMAS, LL.M.

KATHLEEN A. ROCKNE
LEGAL ASSISTANT

LICENSED TO PRACTICE IN
IDAHO, OREGON, WASHINGTON, CALIFORNIA

STRATEGIC LEGAL ALLIANCES:
ARIZONA, NEVADA, UTAH

May 31, 2000

Ms. KariLynn Townsend
State of Idaho
Department of Water Resources
1301 N. Orchard
Boise, ID 83706-2237

RECEIVED

JUN 1 - 2000

Department of Water Resources

Re: Donald J. Rumsey

Dear KariLynn:

As we discussed earlier today, enclosed are Assignments of Permits and Notices of Change of Water Right Ownership to the following named limited partnerships:

To DR & J INVESTMENTS L.P.:

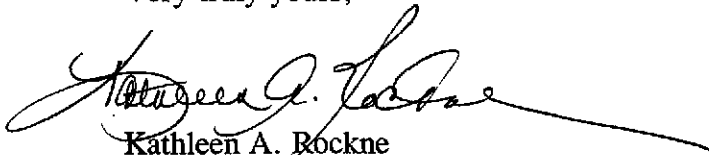
1. Five Assignments of Permit ##65-02869, 65-07833, A65-02869, A65-12751 and A65-07833, together with our check for assignment fees in the amount of \$125; and
2. Notice of Change of Water Right Ownership for various water rights and adjudication claims in Boise County.

To DR & T PROPERTIES L.P.:

3. Notice of Change of Water Right Ownership for one water right and two adjudication claims in Elmore County.

If you have any questions or need additional information, please call. Thank you in advance for your assistance.

Very truly yours,


Kathleen A. Rockne
Legal Assistant

/K
Enclosures

COPY

RECEIVED

JUN 09 2000

CONSENT TO ACTION OF SOLE DIRECTOR IN LIEU OF
ORGANIZATIONAL MEETING

WATER RESOURCES
WESTERN REGION

OF
DR HOLDINGS, INC.

RECEIVED

JUN 1 - 2000

* * * * *

Department of Water Resources

THE UNDERSIGNED sole director of DR HOLDINGS, INC., a Nevada corporation, hereby consents to, adopts, ratifies and approves in writing the following corporate actions, without a meeting, pursuant to the provisions of Title 7, Chapter 78, Nevada Revised Statutes:

INITIAL FORMATION OF CORPORATION:

BE IT HEREBY RESOLVED, that the Articles of Incorporation of the Corporation, as filed, are approved and adopted and shall be inserted in the minute book of the Corporation, together with the Certificate of Incorporation issued by the Secretary of State of Nevada on December 31, 1998.

BE IT FURTHER RESOLVED, that the form of Bylaws for the regulation of the affairs of the Corporation, approved and adopted this date, shall be filed in the corporate minute book.

CONFIRMATION OF SOLE DIRECTOR:

BE IT FURTHER RESOLVED, that the following person, who is named as the initial sole director in the Articles of Incorporation, is hereby ratified and confirmed as the sole director of this Corporation, to serve for the ensuing year or until his successor shall have been elected and qualified:

DONALD J. RUMSEY

ELECTION OF OFFICERS:

BE IT FURTHER RESOLVED, that the following persons are elected as officers of the Corporation, to serve for the ensuing year or until their successors shall have been elected and qualified:

President:
Vice President:
Secretary:
Treasurer:

DONALD J. RUMSEY
DONALD J. RUMSEY
LEECHA R. HERNANDEZ
DONALD J. RUMSEY

CONDUCT OF CORPORATE BUSINESS:

BE IT FURTHER RESOLVED, that the secretary of this corporation shall procure all such record books, transfer books, books of account, stationery, and other office supplies as may be necessary, for the proper conduct of this corporation's business; that the form of stock certificate attached to this Consent is adopted as the stock certificate of the Corporation; and that the form of corporate seal that is impressed hereon, or an impression of which is attached to this Consent, is adopted as the corporate seal of the Corporation.

BE IT FURTHER RESOLVED, that the secretary be, and hereby is authorized and directed to pay out of any funds belonging to this corporation the expenses incurred in connection with its incorporation and for the supplies ordered or to be purchased in connection with the organization of the corporation and the establishment of its business, and such other obligations, if any, as the corporation has incurred incidental to its organization.

BE IT FURTHER RESOLVED, that this corporation shall open a bank account for the general banking business of this corporation with a banking institution in the State of Nevada or in any other state, as the officers of this corporation may deem appropriate, and the standard banking resolution used by said bank for a corporate account is hereby adopted as if said resolution had been set forth herein in full; and that the officers of this Corporation are hereby authorized and directed to execute all necessary forms of corporate resolution of authority for bank accounts and borrowings with said banking institution.

ORIGINAL STOCK ISSUE:

BE IT FURTHER RESOLVED, that, for good and valuable consideration, the receipt of which is hereby acknowledged, the Corporation shall issue shares of common stock pursuant to that certain Subscription and Investment Agreement dated December 31, 1998, as set forth below:

SUBSCRIBER	VOTING SHARES:	NONVOTING SHARES:
DONALD J. RUMSEY	100	900

DR & J PROPERTIES L.P.:

WHEREAS, this Corporation and Donald J. Rumsey have agreed to enter into and execute that certain Agreement of Limited Partnership dated January 1, 1999 (the "Agreement"), wherein this Corporation will contribute certain assets to DR & J Properties L.P., a Nevada limited partnership (the "Partnership") in exchange for a one percent (1.0%) general partner interest in said Partnership; and

WHEREAS, pursuant to such Agreement, this Corporation will become the sole General Partner of said Partnership and as such, will assume all of the rights, duties and obligations of a General Partner as set forth in said Agreement;

NOW, THEREFORE, BE IT HEREBY RESOLVED, that, effective January 1, 1999, the officers of this Corporation be, and they hereby are authorized and empowered to enter into and execute the Agreement wherein this Corporation will become the sole General Partner of said Partnership and shall assume all of the rights, duties and obligations of a General Partner as set forth in said Agreement.

BE IT FURTHER RESOLVED, that thereafter the officers of this Corporation be, and they hereby are authorized and empowered to conduct the business of said Partnership as its General Partner, consistent with all the rights and powers granted to a General Partner under the Agreement and acting in the fiduciary capacity as described therein.

DR & T PROPERTIES L.P.:

WHEREAS, this Corporation and Donald J. Rumsey have also agreed to enter into and execute that certain Agreement of Limited Partnership dated January 1, 1999 (the "Agreement"), wherein this Corporation will contribute certain assets to DR & T Properties L.P., a Nevada limited partnership (the "Partnership") in exchange for a one percent (1.0%) general partner interest in said Partnership; and

WHEREAS, pursuant to such Agreement, this Corporation will become the sole General Partner of said Partnership and as such, will assume all of the rights, duties and obligations of a General Partner as set forth in said Agreement;

NOW, THEREFORE, BE IT HEREBY RESOLVED, that, effective January 1, 1999, the officers of this Corporation be, and they hereby are authorized and empowered to enter into and execute the Agreement wherein this Corporation will become the sole General Partner of said Partnership and shall assume all of the rights, duties and obligations of a General Partner as set forth in said Agreement.

BE IT FURTHER RESOLVED, that thereafter the officers of this Corporation be, and they hereby are authorized and empowered to conduct the business of said Partnership as its General Partner, consistent with all the rights and powers granted to a General Partner under the Agreement and acting in the fiduciary capacity as described therein.

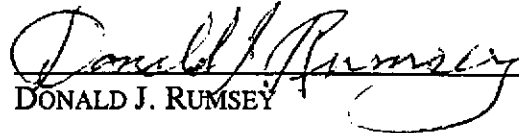
FURTHER ACTIONS:

BE IT FURTHER RESOLVED, that the officers of this Corporation be, and they hereby are, authorized and empowered to enter into and execute contracts, leases,

agreements and other legal documents of whatever kind or nature, specifically including agreements of limited partnership, as may be agreed to be necessary in the course of business, and that thereafter the Corporation shall be authorized to perform according to the same.

DATED this 31st day of December, 1998.

SOLE DIRECTOR:


DONALD J. RUMSEY

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: A65-01151
Date Received: 5/23/1989
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DOUBLE DIAMOND RANCHES 208-336-4801
Address: DON & DALE RUMSEY
311 4TH ST N EXT
NAMPA ID 83687-3247

2. Date of Priority: AUG 1, 1965

3. Source: SPRING Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	02E	35	NW	SW			BOISE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.020		
STOCKWATER	01/01	12/31	0.020		0.40
STOCKWATER FROM STORAGE	01/01	12/31	0.020		0.40

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) 0.40 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	02E	34	SE	NE	1	IRR	1.0

10. Place of Use: Continued

Section Acres 1.0

Total Acres 1.0

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:

ADDRESS CHANGED PER CLAIMANT LETTER. LH
THIS RIGHT WHEN COMBINED WITH RIGHT 65-1152 SHALL PROVIDE NO
MORE THAN .02 CFS NOR .4 AFA FOR STOCKWATER.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs 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): _____ Date: _____

_____ Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

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: ~~8365~~-01151
Date Received: 5/23/1989
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DOUBLE DIAMOND RANCHES 208-336-4801
Address: DON & DALE RUMSEY
200 SUNRISE RIM ROAD
BOISE, ID 83705

2. Date of Priority: AUG 01, 1965

3. Source: SPRING Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	02E	35	NW	SW			BOISE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.020		
STOCKWATER	01/01	12/31	0.020		0.40
STOCKWATER FROM STORAGE	01/01	12/31	0.020		0.40

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) 0.40 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	02E	34	SE	NE	1	IRR	1.0
Section Acres							1.0

A65-01151

Page 1

Date: 06/21/89

MICROFILMED

SEP 15 1992

10. Place of Use: Continued

Total Acres 1.0

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:

THIS RIGHT WHEN COMBINED WITH RIGHT 65-1152 SHALL PROVIDE NO
MORE THAN .02 CFS NOR .4 AFA FOR STOCKWATER.

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

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. No.

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

Please type or print clearly:

Name of Claimant(s) DOUBLE DIAMOND RANCHES
DON & DALE RUMSEY

Mailing Address 200 SUNRISE RIM ROAD
(include Zip Code) BOISE, ID 83705

Phone Number (208) 336-4801

MICROFILMED

SEP 15 1992

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: 65-01151
DATE RECEIVED: 5/23/89
RECEIPT NO: 2500888
RECEIVED BY: [Signature]

RECEIVED
MAY 23 1989

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: DOUBLE DIAMOND RANCH
ADDRESS: C/O DON RUMSEY
HORSESHOE BEND, ID 83629

2. DATE OF PRIORITY: AUG 01, 1965

3. SOURCE: SPRING TRIB. TO: PAYETTE RIVER

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
07N	02E	35	NW	SW			BOISE

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	04/01	11/01	0.020		
STOCKWATER	01/01	12/31	0.020		0.40
STOCKWATER FROM STORAGE	01/01	12/31	0.020		0.40

7. TOTAL QUANTITY APPROPRIATED IS:
0.020 C.F.S. (AND/OR)

0.40 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	02E	34	SE	NE	1	IRR	1.0
SECTION ACRES							1.0

10. PLACE OF USE: CONTINUED

TOTAL ACRES 1.0

11. PLACE OF USE IN COUNTIES: BOISE, BOISE

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 RIGHT 65-1152 SHALL PROVIDE NO
MORE THAN .02 CFS NOR .4 AFA FOR STOCKWATER.

15. BASIS OF CLAIM: DECREED

CASE NUMBER:

COURT :

DECREE DATE: 1/21/1986

STATE OF IDAHO
DECREE PLAINTIFF

A & C CORP., ET AL.
VS 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): _____ DATE: _____
_____ DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM President OF
TITLE
Double Diamond Ranches, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS President OF
TITLE
Double Diamond Ranches AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

Dorel Bernales
SIGNATURE OF AUTHORIZED AGENT

President
TITLE AND ORGANIZATION

5-17-89
DATE

STATE OF IDAHO)
COUNTY OF Ada) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 17 DAY
OF May 19 89
Angel Maderita
NOTARY PUBLIC

SEAL

RESIDING AT Boise, Idaho
MY COMMISSION EXPIRES June 1989

1/30/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Double Diamond Ranches CLAIM IDENT. NO. A65-01151

DATE RECEIVED 5/23/89 CK # exempt AMOUNT \$ exempt

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☐	☒	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒	☐	
Is the consumptive use correct?	☒	☐	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☒	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
19. Was this claim filed on time, or was an extension granted?	☒	☐	*
20. Is the fee enclosed correct?	☒	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	☒	☐	
22. Should this claim be receipted and data entered?	☒	☐	

Claim checked by: 10/4 Date: 8-15-89

Claim must be returned to claimant: (Yes) (No)

Claimant must be notified of modifications: (Yes) (No)

Receipt Prepared by: _____ Date: _____

Claim data entered by: _____ Date: _____

Sent to claimant by: _____ Date: _____

Checked by: _____ Date: _____

Comments: _____

MICROFILMED

SEP 15 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 25, 2004

D R & J Investments
8973 W. State St.
Boise ID 83703-1729

Dear Sirs:

Enclosed is a copy of the Notice of Completed Administrative Procedure and pertinent water right(s) recently sent to the Snake River Basin Adjudication Court in Twin Falls. These documents are now required to be filed by the Department in order to notify the Court of any changes to your water right(s).

The change to your water right(s) was a result of an approved transfer. This notification to the Court does not affect the previous approval of this transfer or your water right(s). You will be notified of any future action on your water right(s) by the SRBA Court or Water Resources.

Please contact this office if you have any questions concerning this notification.

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

JS:lh
Enclosures

cc: Jack C. Riddlemoser
George Dovel



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 28, 2001

D R & J INVESTMENTS LIMITED PARTNERSHIP
8973 W STATE ST
BOISE ID 83703-1729

RE: Water Right No. 65-1151, 65-1317, 65-2138, 65-2532A, 65-2540, 65-2869, 65-3103,
65-3803B, 65-7833, 65-10746, 65-10747, 65-10748, 65-10749, 65-11393A & 65-12751

Dear Property Owners:

Enclosed is a copy of the above referenced water right, which reflects your change in address. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB: db

Enclosures



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.

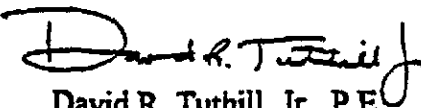
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without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

RIGHT NUMBER: 65-1151

NAME AND ADDRESS: D R & J INVESTMENTS LIMITED PARTNERSHIP
8973 STATE ST
BOISE ID 83703

SOURCE: SPRING

TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.02 CFS

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

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.02 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4.5 AF PER ACRE AT FIELD HEADGATE. COMBINED RIGHT NOS.: 65-01317, 65-10748, 65-11393A, 65-02138, 65-10749, 65-02532A, 65-02540, 65-10747, 65-03103, 65-02869.

PRIORITY DATE: 08/01/1965

POINT OF DIVERSION:

T07N R02E S35 NWSW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
		0.40 AFY
STOCKWATER FROM STORAGE	01/01 12/31	0.020 CFS
		0.40 AFY
IRRIGATION	04/01 11/01	0.020 CFS

PLACE OF USE:

IRRIGATION Within BOISE County

T06N R02E S02 Lot 4 NWNW	14.0	T06N R02E S02	SWNW	6.3	
T06N R02E S02	SENW	16.0	T06N R02E S02	NESW	0.1
T07N R02E S23	SESW	6.0	T07N R02E S23	NWSE	1.4
T07N R02E S23	SWSE	28.5	T07N R02E S23	SESE	3.0
T07N R02E S26	NENE	28.0	T07N R02E S26	NWNE	39.0
T07N R02E S26	SWNE	38.0	T07N R02E S26	SENE	3.5
T07N R02E S26	NENW	19.0	T07N R02E S26	SENW	21.1
T07N R02E S26	NESW	19.6	T07N R02E S26	SESW	18.0
T07N R02E S26	NWSE	28.0	T07N R02E S26	SWSE	8.3
T07N R02E S34	SENE	13.9	T07N R02E S34	NESE	39.0
T07N R02E S34	NWSE	3.8	T07N R02E S34	SWSE	1.6
T07N R02E S34	SESE	34.0	T07N R02E S35	NENW	4.4
T07N R02E S35	SWNW	20.5	T07N R02E S35	NWSW	34.0
T07N R02E S35	SWSW	28.0			

STOCKWATER same as IRRIGATION

STOCKWATER FROM STORAGE same as IRRIGATION

477 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 477 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-01317, 65-10748, 65-11393A, 65-02138, 65-10749, 65-02532A, 65-02540, 65-10747, 65-03103, 65-02869.

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.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: Decreed

1151
NOTICE OF ERROR
REPLY

RECEIVED

APR 05 2001

Department of Water Resources

Please type or print clearly, fill out this form completely and mail.

Return this reply form 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: 65-1151

D R & J INVESTMENTS LIMITED PARTNERSHIP

8973 STATE ST

BOISE ID 83703

Telephone Number: (208) 583-1371

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

RECEIVED

APR 06 2001

WATER RESOURCES
WESTERN REGION

 I AGREE with this proposed recommendation: no changes need to be made.

DATE:

4-3-01

SIGNATURE:

Donald Ramsey

Please print your name:

DONALD RAMSEY

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

65-01151

First Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

fee due 60¢

US POSTAL SERVICE
PS FORM 3547

First Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

fee due 60¢

US POSTAL SERVICE
PS FORM 3547

RECEIVED

MAR 21 2001

WATER RESOURCES
WESTERN REGION

DR & J INVESTMENTS LIMITED
PARTNERSHIP
1197 MAIN ST
BOISE ID 83702

RUMS197 037022016 1300 07 03/15/01
FORM 3547
RUMSEY
8973 W STATE ST
BOISE ID 83703-1729



477 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 477 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-01317, 65-10748, 65-11393A, 65-02138, 65-10749, 65-02532A, 65-02540, 65-10747, 65-03103

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

00:04:04
06/10/00
34

CLAIM NUMBER: A65-01151

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for STOCKWATER FROM STORAGE is the same location as described for: IRRIGATION

POU County: BOISE

~~GEN~~ THIS RIGHT WHEN COMBINED WITH RIGHT 65-1152 SHALL PROVIDE NO MORE THAN .02 CFS NOR .4 AFA FOR STOCKWATER.

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

POU1 KOL 1
 E14 473

Objection Filed Date:

NOS
N08

C18

78-10920

WR5809NP
No. 65-01151

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/10/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DOUBLE DIAMOND RANCH C/O DON RUMSEY HORSESHOE BEND ID 83629	08/01/1965	IRRIGATION STOCKWATER STOCKWATER FROM STORAGE	04/01 11/01 01/01 12/31 01/01 12/31	0.020 CFS 0.020 CFS 0.020 CFS	 0.40 AFA 0.40 AFA
TOTAL DIVERSION:					0.020 CFS	0.40 AFA

Water Source: SPRING Tributary to: PAYETTE RIVER Stage: DECREED
Point(s) of Diversion: T07N R02E S35 NWSW BOISE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE							
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: SUM
07N	02E	34	:				:				:				:				1.0
TOTAL ACRES																		1.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for STOCKWATER FROM STORAGE is the same location as described for: IRRIGATION

Polu County: BOISE

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHT 65-1152 SHALL PROVIDE NO
MORE THAN .02 CFS NOR .4 AFA FOR STOCKWATER.

Dates: App. Received: Priority Date: 08/01/1965
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 21, 2000

D R & J INVESTMENTS LIMITED PARTNERSHIP
1197 MAIN ST
BOISE ID 83702

Re: Notice of Claim to a Water Right No. A65-01151, A65-01317, A65-02138, A65-02532A,
A65-02540, A65-02869, A65-03103, A65-03803B, A65-10746, A65-10747, A65-10748,
A65-10749, A65-11393A, A65-12751 and A65-07833

Dear Claimant:

This letter is to inform you that the name has been changed on the above referenced claims, for the land and appurtenant water right(s) covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree. The final recommendation for these claims will be mailed in September, at which time you will receive copies.

Please note, the name has also been changed on water right numbers 65-01150, 65-01152 and 65-03800, which have been decreed by the SRBA Court.

Thank you for your patience and cooperation, as we have had several ownership changes to process. If you have any questions concerning this letter, please contact Sue Bock at this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist I
Adjudication Section
Western Region Office

DB:db



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 16, 1996

*This should've
been Don. my
gaff. ss*

DOUBLE DIAMOND RANCHES
RON & DALE RUMSEY
311 4TH ST N EXT
NAMPA ID 83687-3247

*Records Not Modified.
ss 02-27-96*

RECEIVED
FEB 26 1996

Department of Water Resources

Re: Snake River Basin Adjudication (SRBA)
Notice(s) of Claim No.- Please see attached list
Change of Address

Dear Claimant,

IDWR has been notified the address presently in our claim records is incorrect. Although we have reached you at the address above, we need you to confirm this is your correct mailing address. Future notices related to your SRBA claim(s) can be sent only to the address on your claim or as otherwise changed by you. The staff of this agency must avoid relying upon the word of others about your mailing address.

If the address above is correct, please sign your name at the bottom of this letter, and return it to this office. Otherwise, please make the proper corrections, sign, and return this letter. Thank you for your help. We hope to assure that you receive future notices about SRBA matters.

If the ownership of the property to which the water right(s) referenced above apply has changed, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

Adjudication Bureau Staff

SO:ss:region

#####

The address is correct as shown above or as otherwise changed.

Donald Rumsey
Claimant

RECEIVED

FEB 27 1996

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 Snake River Basin Adjudication Case)
No. 39576)

Notice of Filing Director's Report and Supplemental
Director's Report Part II & III, United States' and Tribal
Non-consumptive Claims.

TO: ALL CLAIMANTS OF RIGHTS TO THE USE OF WATER IN THE SNAKE RIVER BASIN
YOU ARE HEREBY NOTIFIED OF THE FOLLOWING:

THE DIRECTOR'S REPORT PART II & III FOR THE UNITED STATES' AND TRIBAL NON-CONSUMPTIVE CLAIMS HAS BEEN FILED WITH
THE DISTRICT COURT. A SUPPLEMENTAL DIRECTOR'S REPORT PART II & III HAS ALSO BEEN FILED WITH THE DISTRICT COURT.
THIS NOTICE CONTAINS IMPORTANT INFORMATION ABOUT THE DIRECTOR'S REPORTS, AND DEADLINES AND FURTHER PRO-
CEEDINGS ON THESE WATER RIGHT CLAIMS.

IMPORTANT NOTICE REGARDING YOUR WATER RIGHT

**THIS CONTAINS YOUR LEGAL NOTICE OF THE DIRECTOR'S REPORTS OF U.S. AND
TRIBAL NON-CONSUMPTIVE CLAIMS IN THE SNAKE RIVER BASIN ADJUDICATION
THESE CLAIMS COULD AFFECT YOUR WATER RIGHT**

63257
Idaho Department of water Resources
Statehouse Mail
Boise, Idaho 83720

*see attached
claims list.*

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WATER RESOURCES
WESTERN REGION

Presorted
First Class Mail
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Boise, Idaho
Permit No. 1

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APR 21 1995

Department of Water Resources

DOUBLE DIAMOND RANCHES
DON & DALE RUMSEY
200 SUNRISE RIM ROAD
BOISE ID

RUMSEY 837052012 1995 04/19/95
00581 2102507E8
FORWARDING TIME EXPIRED
RUMSEY
311 4TH ST N EXT
Nampa ID 83687-3247
RETURN TO SENDER

|||||

DO NOT FILM

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FEB 16 1996
WATER RESOURCES
WESTERN REGION

Claim No(s): 65-01151,
65-02138, 65-01317,
65-02532A, 65-2540,
65-03103, 65-10747,
65-10748, 65-10749,
65-11393A

T07N, R02E, S23,25,26,35,36

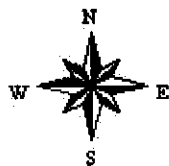
T06N, R02E, S 2

Prepared by: Sue Bock

Date: 1/17/2001

Idaho Dept. of Water Resources

-  Place of Use
-  Point of Diversion
-  Section lines
-  1/4 1/4 lines



1987 NAPP Photo

0 0.4 0.8 Miles



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APR 28 1995

COPY

NO.

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A.M.

P.M.

Department of Water Resources

APR 26 1995

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF

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

J. DAVID NAVARRO, Clerk
JAMIE SMITH
DEPUTY

IN THE MATTER OF THE APPLICATION)
FOR TRANSFER OF WATER RIGHT NOS.)
65-03103, 65-10746, 65-10747,)
AND 65-02540 IN THE NAME OF)
DOUBLE DIAMOND, INC.)

GEORGE DOVEL,

Protestant/Appellant,

vs.

DOUBLE DIAMOND, INC.,

Applicant/Respondent,

and

IDAHO DEPARTMENT OF WATER
RESOURCES,

Respondent.

Case No. CV-OC-95-00926-D

ORDER GRANTING MOTION TO
DISMISS

The motion of Respondent Double Diamond, Inc., for dismissal of the petition for review filed herein by Petitioner George Dovel came on regularly for hearing before the Court at 3:30 p.m. on April 13, 1995. The movant appeared through its attorney, Jim Jones; Petitioner appeared in person, representing himself; and Respondent Idaho Department of Water Resources appeared through its counsel, Phillip J. Rassier. The parties supplemented their written briefing with oral argument. Following the submission of the matter and after having been fully advised in the premises, the Court determined as follows:

(1) The Final Order from which Petitioner sought relief in this matter was issued on January 30, 1995. Petitioner filed his petition for judicial review on February 28, 1995, the 29th day following issuance of said Final Order.

(2) The Court lacks jurisdiction to hear this matter because the requirement of I.C. § 67-5273(2), that petitions for judicial review must be filed within 28 days of the issuance of a final order, is a jurisdictional requirement that may not be extended.

(3) The Idaho Department of Water Resources failed to serve, along with the Final Order, its standard cover letter describing the effect of the final decision and also describing further procedural options available to the parties.

(4) Idaho Code § 67-5248(1)(b) pertains only to administrative relief and does not require an agency's order to include a statement of available procedures and applicable time limits for judicial relief.

(5) Failure of the Idaho Department of Water Resources to include or serve its standard cover letter with the Final Order, as required by departmental regulations, does not affect the validity of the Final Order nor excuse Petitioner's failure to file the petition for judicial review within the jurisdictional 28-day period.

(6) The petition for judicial review must be dismissed pursuant to I.R.C.P. 12(h)(3) and 83(s) because this Court does not have jurisdiction to entertain said petition.

NOW, THEREFORE, by reason of the law and the premises;

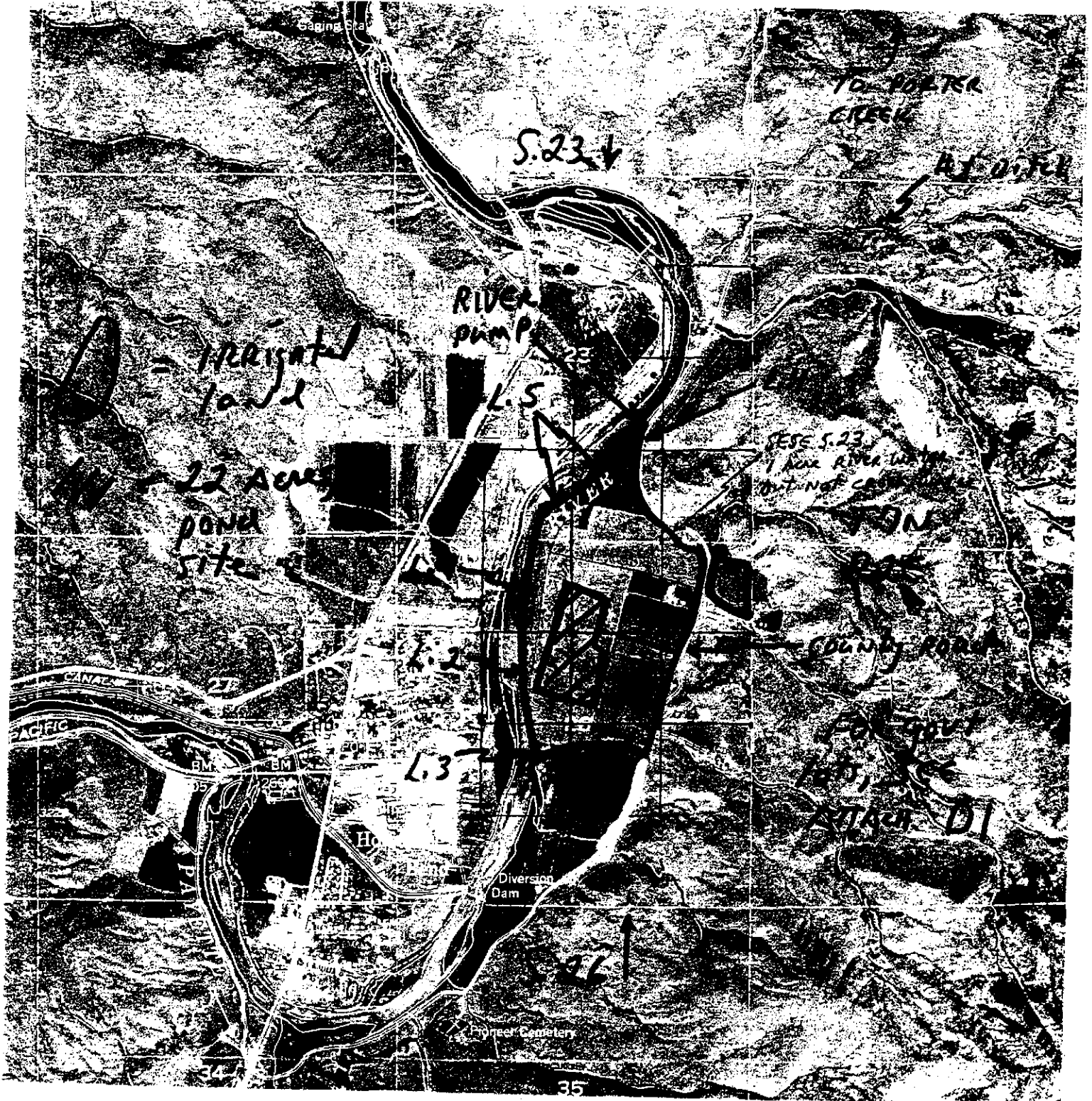
IT IS HEREBY ORDERED that the motion to dismiss be, and it is hereby, granted and the petition in this matter is hereby dismissed, with prejudice.

DATED this 24 day of April, 1995.

D. DUFF MCKEE

HONORABLE D. DUFF MCKEE
District Judge

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

Acres Review analysis sheet

Double Diamond Ranch

Claim #

	T	R	S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
65-02138	6N	2E	2							6	14									20
65-11393A	6N	2E	2						13	8	6									27
Total									13	14	20									
65-03803B ✓	7N	2E	1							5	7		13	9						34
65-03803B ✓	7N	2E	2		2	28	24	2			23	15				24	22			140
65-12751 ✓	7N	2E	12				19													19
65-02540	7N	2E	23												8		2	31	1	42
65-10747	7N	2E	23												8		2	31	1	42
65-03103	7N	2E	23												8		2	31		41
Total															24		6	93	2	
65-03103	7N	2E	26	24	35	32	3	19			16	9					14			152
65-02532A	7N	2E	26									8			11		19	15		53
65-02540	7N	2E	26	13	35	32	3	19			16	9					14			141
65-10747	7N	2E	26	13	35	32	3	19			16	9					14			141
65-10749	7N	2E	26	11																11
65-11393A	7N	2E	26									8			11		17	10		46
Total				61	105	96	9	57			48	43			22		78	25		
65-01317	7N	2E	34				11									10				21
65-011151	7N	2E	34				1													1
65-10748	7N	2E	34				2												5	7
65-11393A	7N	2E	34													18	3	2	37	60
Total							14									28	3	2	42	
65-01317	7N	2E	35							19			10							29
65-02532A	7N	2E	35					7												7
65-10748	7N	2E	35							14			10	9						33
65-11393A	7N	2E	35					7		5			15	9						36
Total								14		38			35	18						

Permit
65-02869

08N023247790A

2550050A

266500A

610050A

020050A

1200050A

(Nw14N12Nc)

232450A

264851A

341855A

350050A

238450A

242450A

2138.40

11393A 4.45

15.09

[illegible]

