

ATTACHMENT 2

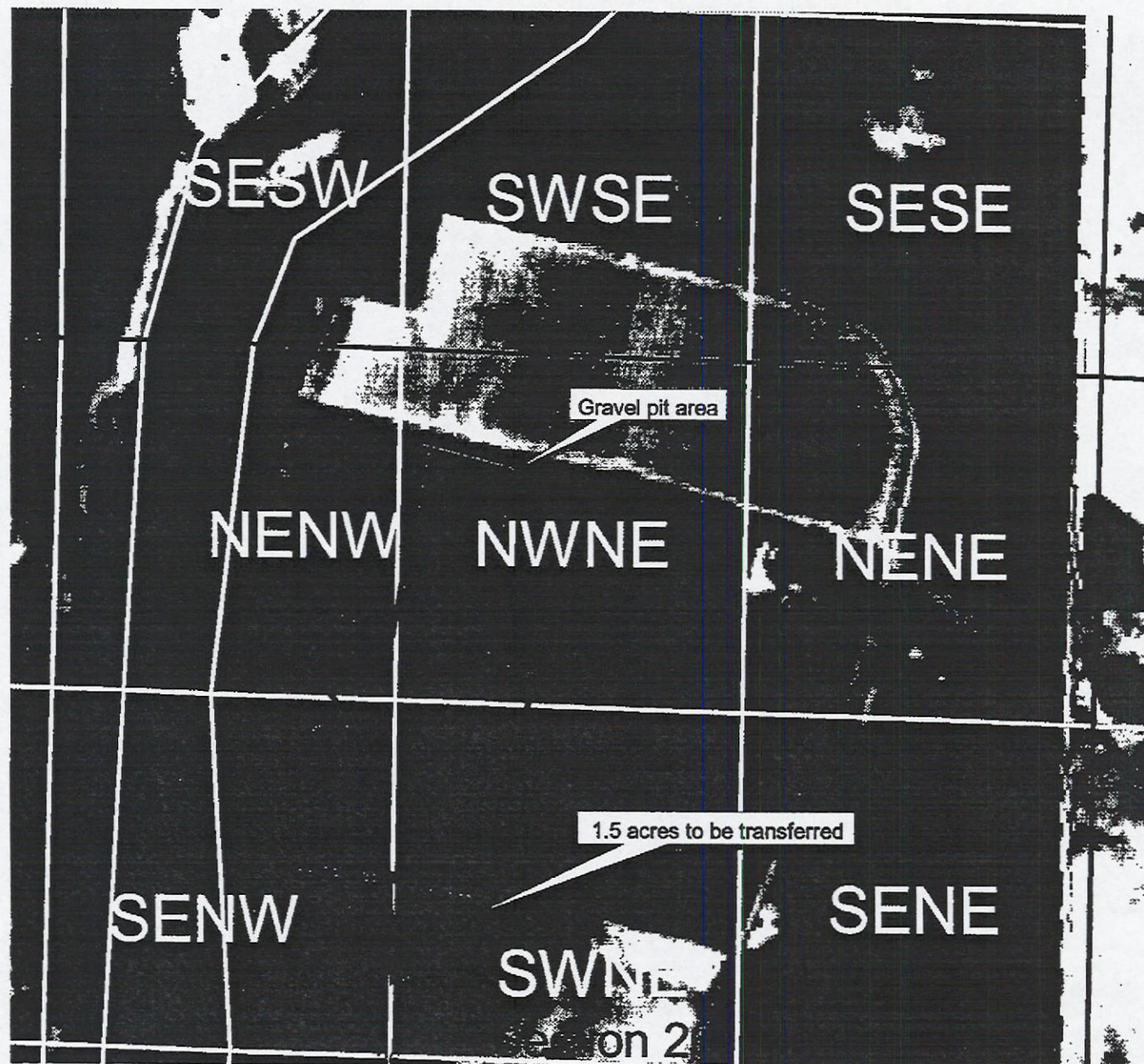
# IDAHO DEPARTMENT OF WATER RESOURCES

**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

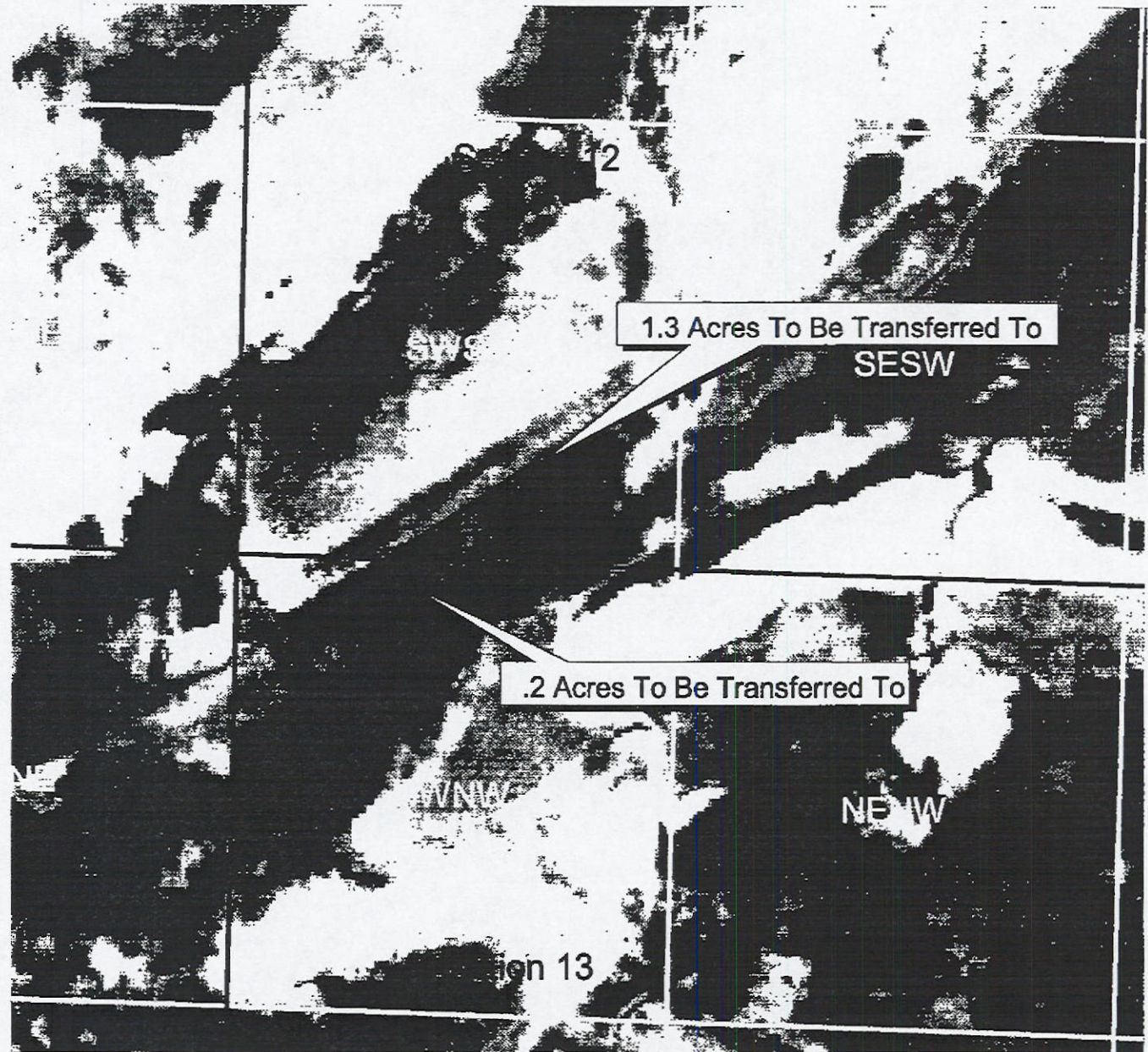
ATTACHMENT 3

**T7N R2E  
Sec 12 & 13**

**1987 NAPP**

 **Section Lines**  
**1/41/4**

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



0

0.25

*Transfer to*

0.5 Miles

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

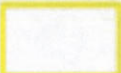
T07N, R02E, S23,25,26,35,36

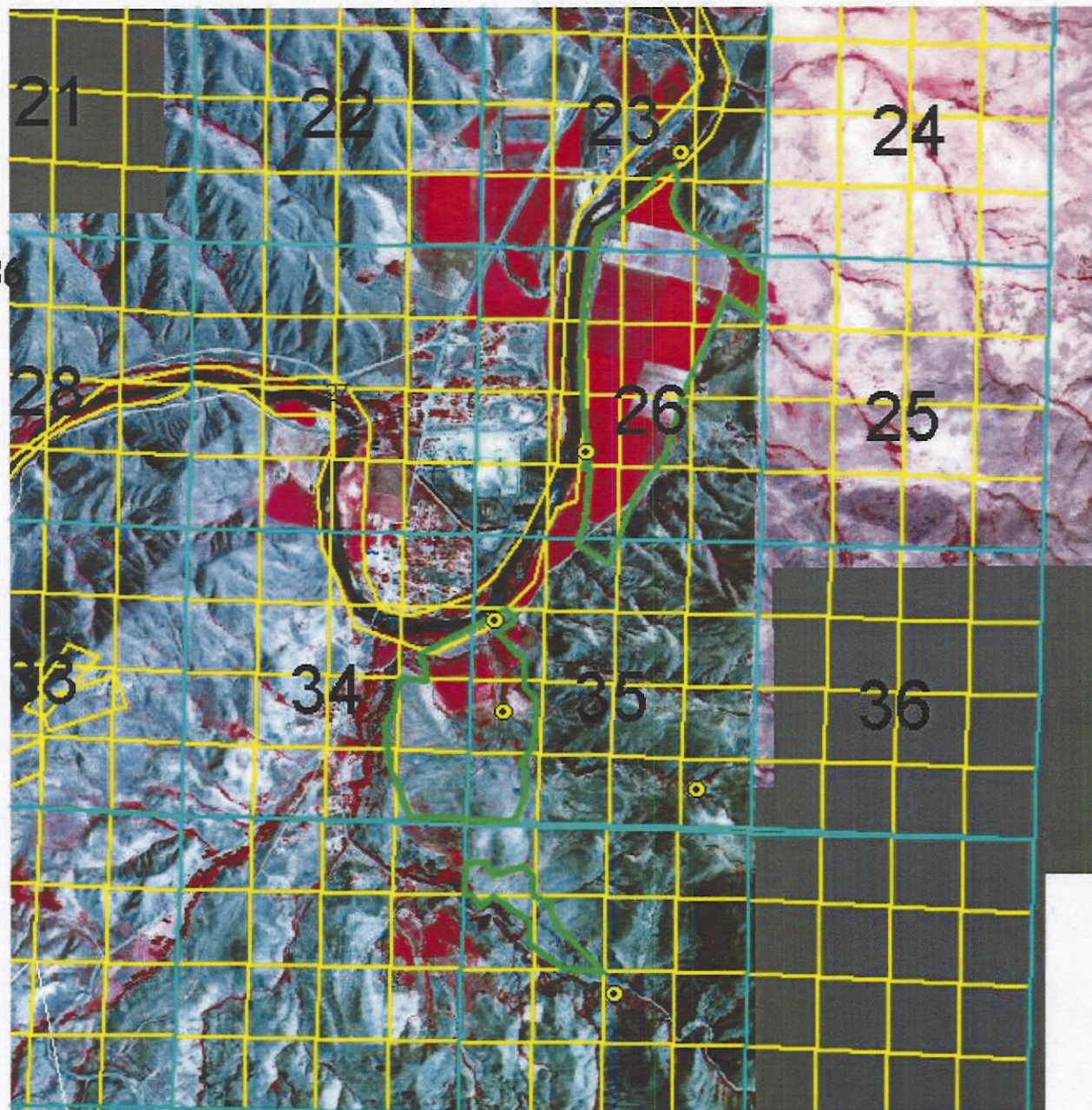
T06N, R02E, S 2

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

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: **A65-01317**  
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: JAN 1, 1870

3. Source: SHAFER CREEK Trib. to: PAYETTE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 06N      | 02E   | 2       | NW     | SE     |     |     | 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 | 1.310 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 07N      | 02E   | 34      | SE     | NE  | 1   | IRR | 11.0  |
|          |       |         | NE     | SE  |     | IRR | 10.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |      |
|----------|-------|---------|------------|-----|---------------|-------|------|
|          |       |         |            |     | Section Acres | 21.0  |      |
|          |       | 35      | SW         | NW  | 2             | IRR   | 19.0 |
|          |       |         | NW         | SW  |               | IRR   | 10.0 |
|          |       |         |            |     | Section Acres | 29.0  |      |
|          |       |         |            |     | Total Acres   | 50.0  |      |

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 RIGHTS 65-2869 & 65-10748 SHALL  
PROVIDE NO MORE THAN .02 CFS/ACRE.  
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

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 )  
\_\_\_\_\_ )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 65-01317

|                                                                                         |              |
|-----------------------------------------------------------------------------------------|--------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |              |
| JUN 29 2004                                                                             |              |
| By _____                                                                                | Clerk        |
| _____                                                                                   | Deputy Clerk |

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

SOURCE: SHAPER CREEK TRIBUTARY: PAYETTE RIVER

QUANTITY: 1.31 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.: 65-10748, 65-11393A, 65-02138,  
65-01151, 65-10749, 65-02532A, 65-02540, 65-10747, 65-02869,  
65-22775, 65-22778.

PRIORITY DATE: 01/01/1870

POINT OF DIVERSION: T06N R02E S02 NWSE Within Boise County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Irrigation     | 04-01 TO 11-01 | 1.31 CFS |

| PLACE OF USE:       | Irrigation  | Within Boise County |
|---------------------|-------------|---------------------|
| T06N R02E S02 LOT 4 | (NWNW) 14.0 | SWNW 6.3            |
|                     | SESW 16.0   | NESW 0.1            |
| T07N R02E S23       | SESW 6.0    | LOT 7 (NWSE) 1.4    |
|                     | SWSE 28.5   | SESE 3.0            |
| S26                 | NENE 28.0   | NWNE 39.0           |
|                     | SWNE 38.0   | SENE 3.5            |
|                     | NENW 19.0   | SESW 21.1           |
|                     | NESW 19.6   | SESW 18.0           |
|                     | NWSE 28.0   | SWSE 8.3            |
| S34                 | SENE 13.9   | NESE 39.0           |
|                     | NWSE 3.8    | SWSE 1.6            |
|                     | SESE 34.0   |                     |
| S35                 | NENW 4.4    | SWNW 20.5           |
|                     | NWSW 34.0   | SWSW 28.0           |
| 477.0 Acres Total   |             |                     |

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 50 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.: 65-10748, 65-11393A,  
65-02138, 65-01151, 65-10749, 65-02532A, 65-02540, 65-10747,  
65-02869, 65-22775, 65-22778.

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. I.C. SECTION 42-1412(6).

05/11/2004

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

RIGHT NUMBER: 65-1317

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

SOURCE: SHAFER CREEK

TRIBUTARY: PAYETTE RIVER

QUANTITY: 1.310 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.: 65-10748, 65-11393A, 65-02138, 65-01151,  
65-10749, 65-02532A, 65-02540, 65-10747, 65-02869, ~~65-3103~~,  
65-22775, 65-22778.

PRIORITY DATE: 01/01/1870

POINT OF DIVERSION:

T06N R02E S2 NWSE Within BOISE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 4/01 11/01           | 1.310 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 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 |                          |      |      |

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.: 65-10748, 65-11393A,  
65-02138, 65-01151, 65-10749, 65-02532A, 65-02540, 65-10747, 65-02869,  
~~65-3103~~, 65-22775, 65-22778.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 50 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.

EXPLANATORY MATERIAL: Decreed

**WATER RIGHT NO. 65-1317**  
**As Modified by Transfer No. 70464**

In accordance with the approval of Transfer No. 70464, Water Right No. 65-1317 is now described as follows.

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

**Priority Date:** January 01, 1870

**Source:** SHAFER CREEK

**Tributary:** PAYETTE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u>   | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|---------------|-----------|-----------------------|---------------|
| IRRIGATION            | 4/01 to 11/01 |           | 1.31 CFS              |               |
|                       |               |           | 1.31 CFS              |               |

**LOCATION OF POINT(S) OF DIVERSION:**

SHAFER CREEK NWSE Sec. 2 Twp 06N 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   |
|             |      |      |      |      |      | L 4  |      |      |      |      |      |    |      |     |      |      |        |
| 07N 02E 23  |      |      |      |      |      |      |      |      |      |      | 6.0  |    |      | 1.4 | 28.5 | 3.0  | 38.9   |
|             |      |      |      |      |      |      |      |      |      |      |      |    |      | L 7 |      |      |        |
| 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   |

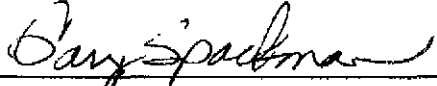
Total Acres: 477

**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. 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.: 65-10748, 65-11393A, 65-2138, 65-1151, 65-10749, 65-2532A, 65-2540, 65-10747, 65-2869, 65-22775, 65-22778.\*
3. Use of this right with the 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.: 65-10748, 65-11393A, 65-2138, 65-1151, 65-10749, 65-2532A, 65-2540, 65-10747, 65-2869, 65-22775, 65-22778.\*
4. This right is limited to the irrigation of 50 acres 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 22<sup>nd</sup> 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**

**WATER RESOURCES  
WESTERN REGION**

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 1

REVISED: Donald K. Roney 2-25-03

Name of applicant D R & J Investments Limited Partnership

**Phone**

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<br>(cfs/ac-ft) | Nature<br>of Use | Period of Use |
|-------------------------------------------------------------------------------------------------------|----------|-----------------------|------------------|---------------|
| portion of<br>65-3103                                                                                 | 1-1-1872 | .04                   | Irrigation       | 4-1 to 11-1   |
|                                                                                                       |          |                       |                  | 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

Page 1

## PART 2 A - Right as Recorded

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

Priority Date: 01/01/1872

Basis: Decreed

Status: Active

#### Source

PORTER CREEK

#### Tributary

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:

Attachment 1

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 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION  
- 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, 65-2889, 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 4.6 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, 65-02889.
3. Place of Use THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1.93 ACRES WITHIN THE PLACE OF USE  
- Irrigation 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                | jshurta         | 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  | D 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  | D 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

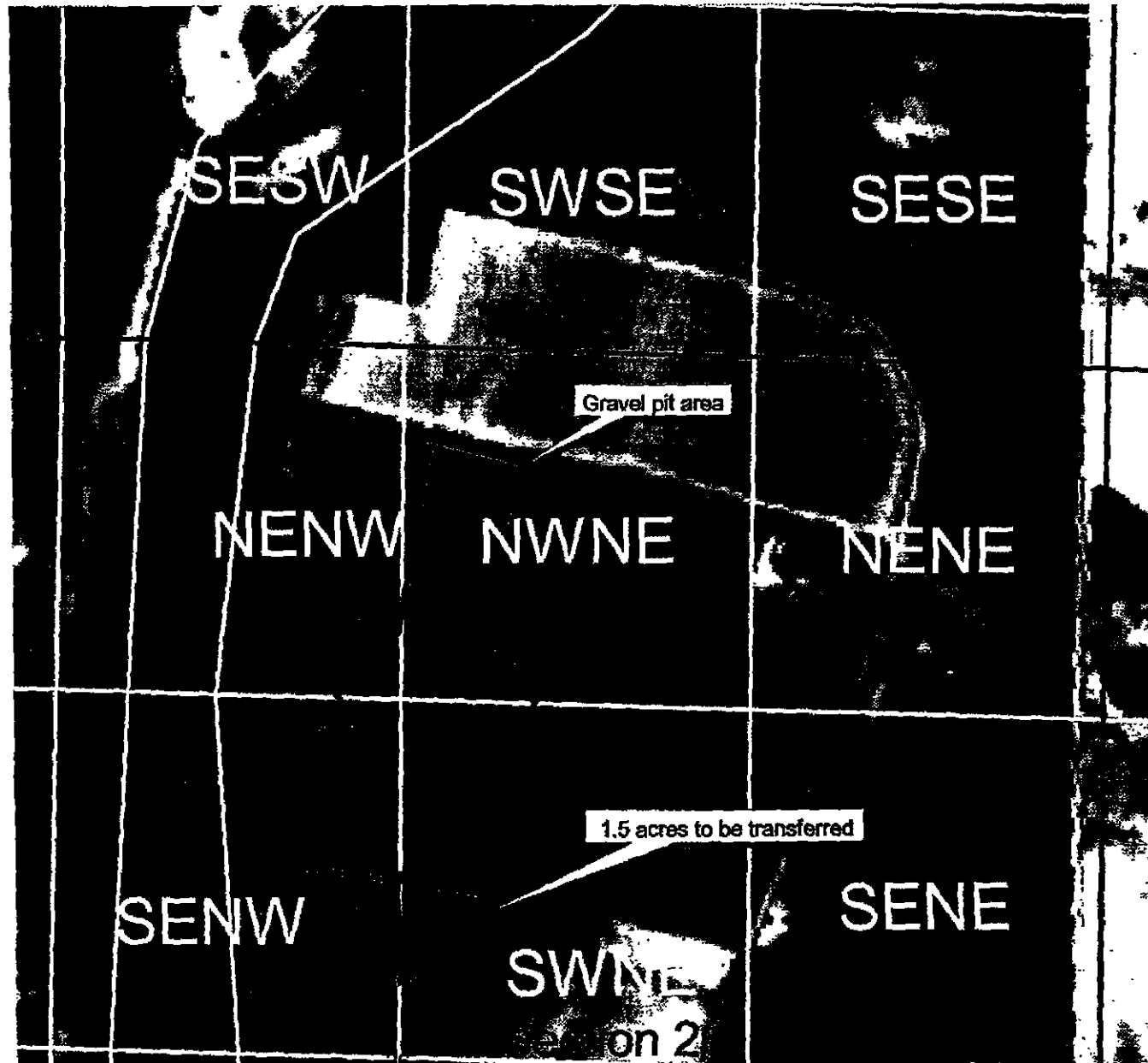
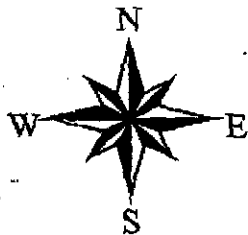
ATTACHMENT 2

**T7N, R2E  
SEC. 26**

**1987 NAPP**

 **Section Lines**  
**1/41/4**

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



0 0.25 0.5 Miles Transfer from

PART 3 A

# IDAHO DEPARTMENT OF WATER RESOURCES

ATTACHMENT 3

**T7N R2E  
Sec 12 & 13**

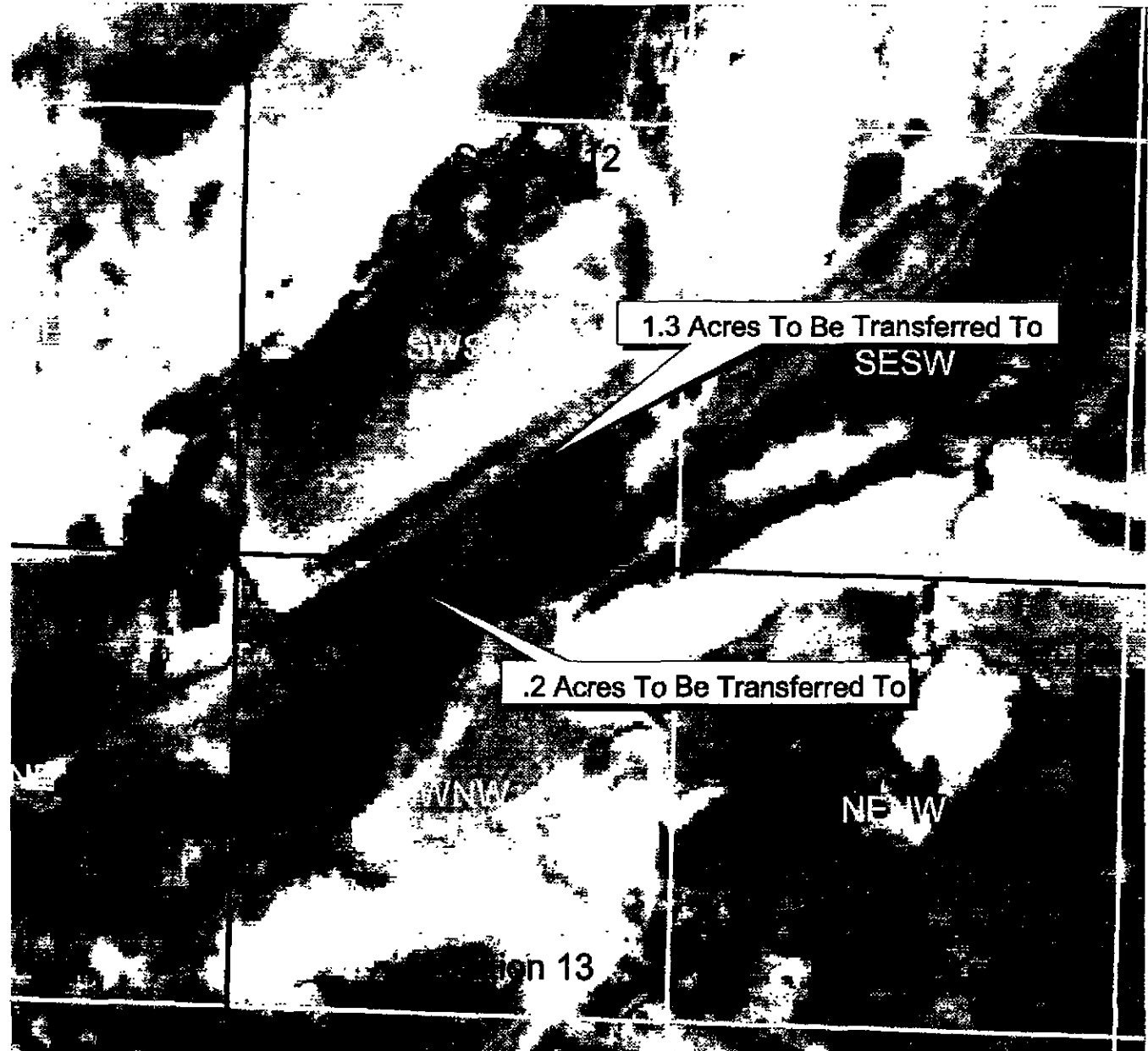
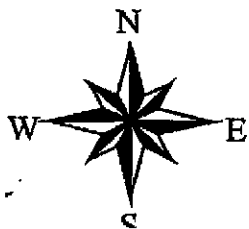
**1987 NAPP**



**Section Lines**

**1/41/4**

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



0

0.25

*TRANSFER to*

0.5 Miles

PART 3A continued

### PART 3

#### B. CHANGES IN NATURE OF USE

NO CHANGE

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

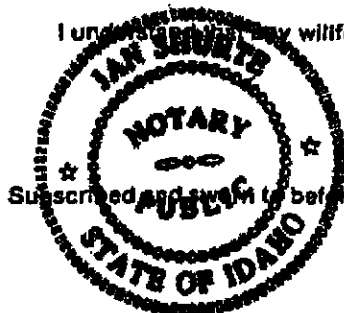
2. Quantity and quality of return flows and location of discharge:

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

December
19 2002

(Signature of Applicant)

Bernard J. Burns - owner

(Notary Public)

Jan Shulte

My commission expires

9-14-2006

#### FOR DEPARTMENT USE ONLY

Transfer contains 4 pages and 4 attachments

Received by [Signature] Date 12-6-02

Protest filed by \_\_\_\_\_

Prelim. check by [Signature] Fee \$100.00

Received by [Signature] Date 12-6-02
RECEIPT # W029910

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 Jan Shurte  
~~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    | <input type="checkbox"/> overnight mail          |
| Snake River Basin Adjudication | <input checked="" type="checkbox"/> regular mail |
| P.O. Box 2707                  | <input type="checkbox"/> hand-delivered          |
| Twin Falls, ID 83303-2707      | <input type="checkbox"/> facsimile               |

### 2. Copies to:

|                                |                                                  |
|--------------------------------|--------------------------------------------------|
| Clive Strong                   | <input type="checkbox"/> overnight mail          |
| Office of the Attorney General | <input checked="" type="checkbox"/> regular mail |
| P.O. Box 44449                 | <input type="checkbox"/> hand-delivered          |
| Boise, ID 83711-4449           | <input type="checkbox"/> facsimile               |

|                                    |                                                  |
|------------------------------------|--------------------------------------------------|
| United States Dept of Justice      | <input type="checkbox"/> overnight mail          |
| Environment & Natural Resource Div | <input checked="" type="checkbox"/> regular mail |
| 550 West Fort Street MSC 033       | <input type="checkbox"/> hand-delivered          |
| Boise ID 83724                     | <input type="checkbox"/> facsimile               |

### 3. Copies to all parties to the subcase:

|                      |                                                  |
|----------------------|--------------------------------------------------|
| D R & J Investments  | <input type="checkbox"/> overnight mail          |
| 8973 W. State. St.   | <input checked="" type="checkbox"/> regular mail |
| Boise, ID 83703-1729 | <input type="checkbox"/> hand-delivered          |
|                      | <input type="checkbox"/> facsimile               |

|                     |                                                  |
|---------------------|--------------------------------------------------|
| Jack C. Riddlemoser | <input type="checkbox"/> overnight mail          |
| 1905 Garrison Ln.   | <input checked="" type="checkbox"/> regular mail |
| Kuna, ID 83634      | <input type="checkbox"/> hand-delivered          |
|                     | <input type="checkbox"/> facsimile               |

Don Harris  
Signature of person mailing this document

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 65-1317 V1

WATER RIGHT NUMBER: 65-1317 V1

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

Priority Date: 01/01/1870

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| SHAFFER CREEK | PAYETTE RIVER    |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 4/01 to 11/01           | 1.310 CFS             |                      |
|                       | <u>Total Diversion:</u> | 1.310 CFS             |                      |

Location of Point(s) of Diversion

|               |            |                                    |
|---------------|------------|------------------------------------|
| SHAFFER CREEK | NW1/4SE1/4 | Sec. 2,   Twp 06N,   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   |
|     |     |     |      |      |      |      |      | L 4  |      |      |      |      |    |      |      |      |      |      |        |
| 07N | 02E | 23  |      |      |      |      |      |      |      |      |      |      |    | 6.0  |      | 1.4  | 28.5 | 3.0  | 38.9   |
|     |     |     |      |      |      |      |      |      |      |      |      |      |    |      |      | L 7  |      |      |        |
| 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

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 65-1317 V1

Conditions 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.

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.: 65-10748, 65-11393A, 65-02138, 65-01151, 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.: 65-10748, 65-11393A, 65-02138, 65-01151, 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 50 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

1. sbcock 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 .04cfs/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 right and others. Transfers have been filed at this time to accomplish the exchange.

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> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Contacts       | 1/18/2001 9:12:16 AM      | mrodrigu        |                           |                 | Active        |
| Priority Date  | 1/18/2001 9:13:06 AM      | mrodrigu        |                           |                 | Active        |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 65-1317 V1

|          |                      |          |        |
|----------|----------------------|----------|--------|
| POD      | 1/18/2001 9:13:24 AM | mrodrigu | Active |
| Source   | 1/18/2001 9:13:45 AM | mrodrigu | Active |
| POU      | 1/18/2001 9:14:29 AM | mrodrigu | Active |
| Use      | 1/18/2001 9:14:57 AM | mrodrigu | Active |
| Season   | 1/18/2001 9:15:19 AM | mrodrigu | Active |
| Quantity | 1/18/2001 9:15:45 AM | mrodrigu | Active |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------|------------------------|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Contacts       | 1/18/2001 9:12:13 AM   | mrodrigu        | 1. Appointment has not been scheduled.                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| POD            | 1/18/2001 2:41:09 PM   | sbock           | Edited point location                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Priority Date  | 1/18/2001 9:13:04 AM   | mrodrigu        | 1. (NO) There has not been a later court decree of the water right(s) from the water source.<br>4. (NO) The basis of claim is not beneficial use.<br>5. (NO) The basis of claim is not a posted notice.<br>6. (YES) Parent right has a priority date.<br>7. (NO) The basis of claim is not an application or permit.<br>12. (YES) The claim is recommended.<br>13. (YES) The claim is coded correctly.<br>14. (NO) Priority remark was not required.<br>15. (NO) Priority condition was not required. |
| POD            | 1/18/2001 9:13:22 AM   | mrodrigu        | 1. (NO) The basis is not beneficial use.<br>2. (YES) Parent right has a Point of Diversion.<br>3. (YES) The claimed Point of Diversion can be verified using the water right file.<br>8. (NO) Point of Diversion remark was not required.<br>9. (NO) Point of Diversion condition was not required.                                                                                                                                                                                                   |
| Source         | 1/18/2001 9:13:43 AM   | mrodrigu        | 1. (NO) The basis is not beneficial use.<br>2. (YES) Parent right has a source.<br>3. (YES) The claimed source can be verified using the water right file.<br>8. (YES) The source is surface water.<br>9. (YES) The source is a standard source.<br>10. (NO) Source remark was not required.<br>11. (NO) Source condition was not required.                                                                                                                                                           |
| POU            | 1/18/2001 9:14:27 AM   | mrodrigu        | 1. (YES) The POU is required.<br>2. (NO) The basis of claim is not beneficial use.<br>3. (YES) The Parent Right has a POU.<br>4. (YES) The claimed POU can be verified using the water right file.<br>12. (NO) POU remark was not required.<br>13. (NO) POU condition was not required.                                                                                                                                                                                                               |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 65-1317 V1

|          |                      |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------|----------------------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Use      | 1/18/2001 9:14:56 AM | mrodrigu | 1. (NO) The basis of claim is not beneficial use.<br>2. (NO) The parent right does not have a purpose of use.<br>4. (NO) There is not evidence that there has been a change to the purpose of use.<br>9. (YES) The file contains all the necessary information to verify the purpose of use.<br>11. (NO) Purpose of Use remark was not required.<br>12. (NO) Purpose of Use condition was not required.                                                                                                                                                                   |
| Season   | 1/18/2001 9:15:17 AM | mrodrigu | 1. (NO) The basis of claim is not beneficial use.<br>2. (YES) The parent right has a period of use.<br>3. (YES) The claimed Period of Use can be verified using the water right file.<br>12. (YES) Irrigation is the purposed use.<br>14. (NO) The period of use on the decree, license or transfer is not shorter on either the start or end date than allowable under IDWR's current standard.<br>15. (NO) Period of Use remark was not required.<br>16. (NO) Period of Use condition was not required.                                                                 |
| Quantity | 1/18/2001 9:15:40 AM | mrodrigu | 1. (NO) The basis of claim is not beneficial use.<br>2. (NO) The basis of claim is not a posted notice.<br>3. (YES) The parent right has a diversion rate and/or diversion volume.<br>4. (YES) The claimed diversion rate and/or volume can be verified using the water right file.<br>6. (NO) The source is not ground water and the purpose of use does not require a diversion volume limit.<br>7. (NO) The parent right does not have an annual diversion volume limit.<br>9. (NO) Quantity remark was not required.<br>10. (NO) Quantity condition was not required. |

## SubCase:

SubCase Number: 65-1317  
 Class: 1  
 SF5 Filed Date:  
 Special Master Recom Signed Date:  
 Attorney Assigned:  
 Adjudication Agent: mrodrigu (N/A)  
 Basis of Claim: Decreed

08/12/2002

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

RIGHT NUMBER: 65-1317

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

SOURCE: SHAFER CREEK

TRIBUTARY: PAYETTE RIVER

QUANTITY: 1.31 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.: 65-10748, 65-11393A, 65-02138, 65-01151, 65-10749, 65-02532A, 65-02540,  
65-10747, 65-03103, 65-02869.

PRIORITY DATE: 01/01/1870

POINT OF DIVERSION:

T06N R02E S2 NWSE Within BOISE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 4/01 11/01           | 1.310 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 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          |                     |      |      |

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.: 65-10748, 65-11393A, 65-02138, 65-01151,  
65-10749, 65-02532A, 65-02540, 65-10747, ~~65-03103~~, 65-02869.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 50 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.

EXPLANATORY MATERIAL: Decreed

Water Right 65-1317

1

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 65-1317 V1

WATER RIGHT NUMBER: 65-1317 V1

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

Priority Date: 01/01/1870

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| SHAFER CREEK  | PAYETTE RIVER    |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 4/01 to 11/01           | 1.310 CFS             |                      |
|                       | <u>Total Diversion:</u> | 1.310 CFS             |                      |

Location of Point(s) of Diversion

|               |            |                                    |
|---------------|------------|------------------------------------|
| SHAFAER CREEK | NW1/4SE1/4 | Sec. 2,   Twp 06N,   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   |
|     |     |     |      |      |      |      | L 4  |     |      |      |      |      |      |      |      |      |      |       |        |
| 07N | 02E | 23  |      |      |      |      |      |     |      |      |      |      | 6.0  |      | 1.4  | 28.5 | 3.0  | 38.9  |        |
|     |     |     |      |      |      |      |      |     |      |      |      |      |      |      | L 7  |      |      |       |        |
| 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

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 65-1317 V1

Conditions 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.

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.: 65-10748, 65-11393A, 65-02138, 65-01151, 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.: 65-10748, 65-11393A, 65-02138, 65-01151, 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 50 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: 65-1317

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

SOURCE: SHAFER CREEK

TRIBUTARY: PAYETTE RIVER

QUANTITY: 1.31 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.: 65-10748, 65-11393A, 65-02138, 65-01151, 65-10749, 65-02532A, 65-02540,  
65-10747, 65-03103, 65-02869.

PRIORITY DATE: 01/01/1870

POINT OF DIVERSION:

T06N R02E S2 NWSE Within BOISE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 4/01 11/01           | 1.310 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 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          |                     |      |      |

477 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 50 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.: 65-10748, 65-11393A, 65-02138, 65-01151,  
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.

EXPLANATORY MATERIAL: Decreed

12/27/2001

**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.: 65-10748, 65-11393A, 65-02138, 65-01151, 65-10749, 65-02532A, 65-02540, 65-10747, 65-03103, 65-02869.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 50 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.

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     | ) | 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                            |
| Case No. 39576 | ) |                                         |
|                | ) | NOTICE OF COMPLETED                     |
| _____          | ) | ADMINISTRATIVE PROCEEDING               |

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

---

Name and New Address of Claimant:

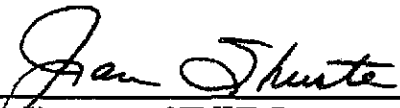
D R & J INVESMENTS LIMITED PARTNERSHIP  
8973 W STATE ST  
BOISE ID 83703-1729

---

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.

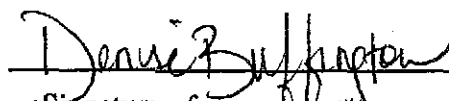
Dated: December 28, 2001

  
\_\_\_\_\_  
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

RECEIVED

DEC 10 2001

WATER RESOURCES  
WESTERN REGION

September 27, 2001

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 <sup>??</sup>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 Rumsay*

#####

ok - original claimant  
on Double Diamond Ranch.  
*ss*

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

Water Right Holder's Signature

Telephone No.

SEP 1901  
U.S. POSTAGE  
\$0.67

Department of Water Resources

(208) 327-7900

19

NOV 04 09/22/01

DOUB197 TIME EXP RANCH  
 FORWARD DIAMOND ST  
 :DOUBLE STATE ST 1729  
 8973 W ID 837703-1729  
 BOISE RETURN TO SEN

RETURN TO

65-3803B  
65-10740?  
65-10740?  
O-Chance

65-1151 necr.

65-1317.

-2138.

-2532 A.

-2540.

-2869.

-3103.

-7833.

-10746.

-10747.

-10748.

-10749.

-10749.

-1139.

-1275.

-1300.

1150.

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, A65-02138, 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  
 New Mailing Address 1197 Main Street  
 City, State and ZIP Code Boise, ID 83702  
 New Telephone Number (208) 345-2137
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.:

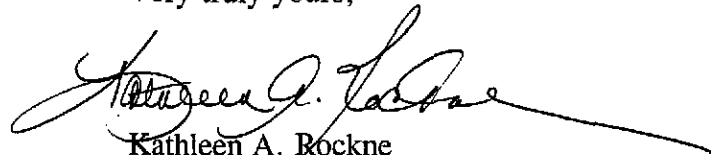
1. Five Assignments of Permit ##65-02869, 65-07833, A65-02869, A65-12751 and A65-07833, together with our check for assignment fees in the amount of \$125; and
2. Notice of Change of Water Right Ownership for various water rights and adjudication claims in Boise County.

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:      | DONALD J. RUMSEY    |
| Vice President: | DONALD J. RUMSEY    |
| Secretary:      | LEECHA R. HERNANDEZ |
| Treasurer:      | 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.

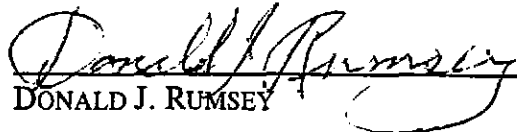
#### **FURTHER ACTIONS:**

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 31<sup>st</sup> 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: **A65-01317**  
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: JAN 1, 1870

3. Source: SHAFER CREEK Trib. to: PAYETTE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 06N      | 02E   | 2       | NW     | SE     |     |     | 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 | 1.310 |      |        |

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 07N      | 02E   | 34      | SE     | NE  | 1   | IRR | 11.0  |
|          |       |         | NE     | SE  |     | IRR | 10.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |      |
|----------|-------|---------|------------|-----|---------------|-------|------|
|          |       |         |            |     | Section Acres | 21.0  |      |
|          |       | 35      | SW         | NW  | 2             | IRR   | 19.0 |
|          |       |         | NW         | SW  |               | IRR   | 10.0 |
|          |       |         |            |     | Section Acres | 29.0  |      |
|          |       |         |            |     | Total Acres   | 50.0  |      |

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 RIGHTS 65-2869 & 65-10748 SHALL  
PROVIDE NO MORE THAN .02 CFS/ACRE.

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 )  
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. Number: A65-01317  
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: JAN 01, 1870

3. Source: SHAFER CREEK Trib. to: PAYETTE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 06N      | 02E   | 2       | NW     | SE     |     |     | 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 | 1.310  |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 07N      | 02E   | 34      | SE     | NE  | 1   | IRR           | 11.0  |
|          |       |         | NE     | SE  |     | IRR           | 10.0  |
|          |       |         |        |     |     | Section Acres | 21.0  |

A65-01317

Page 1

Date: 06/21/89

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SEP 18 1992

10. Place of Use: Continued

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 07N           | 02E   | 35      | SW     | NW  | 2   | IRR | 19.0  |
|               |       |         | NW     | SW  |     | IRR | 10.0  |
| Section Acres |       |         |        |     |     |     | 29.0  |
| Total Acres   |       |         |        |     |     |     | 50.0  |

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 RIGHTS 65-2869 & 65-10748 SHALL  
PROVIDE NO MORE THAN .02 CFS/ACRE.

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. NUMBER: 65-01317

DATE RECEIVED: 5/23/89

RECEIPT NO: 2888889

RECEIVED BY: J

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, INC.  
ADDRESS: RT. 1 BOX 54  
HORSESHOE BEND, ID 83629

2. DATE OF PRIORITY: JAN 01, 1870

3. SOURCE: SHAFER CREEK TRIB. TO: PAYETTE RIVER

4. POINT OF DIVERSION:

| TOWNSHIP | RANGE | SECTION | 1/4 OF | 1/4 OF | 1/4 | LOT | COUNTY |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 06N      | 02E   | 2       | NW     | SE     |     |     | 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 | 1.310 |      |        |

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

A.F.A.

8. TOTAL CONSUMPTIVE USE IS ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

| TOWNSHIP | RANGE | SECTION | 1/4 OF | 1/4 | LOT | USE | ACRES |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 07N      | 02E   | 34      | SE     | NE  | 1   | IRR | 11.0  |
|          |       |         | NE     | SE  |     | IRR | 10.0  |

SECTION ACRES 21.0

10. PLACE OF USE: CONTINUED

| TOWNSHIP      | RANGE | SECTION | 1/4 OF 1/4 | LOT | USE | ACRES |
|---------------|-------|---------|------------|-----|-----|-------|
| 07N           | 02E   | 35      | SW NW      | 2   | IRR | 19.0  |
|               |       |         | NW SW      |     | IRR | 10.0  |
| SECTION ACRES |       |         |            |     |     | 29.0  |
| TOTAL ACRES   |       |         |            |     |     | 50.0  |

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 RIGHTS 65-2869 & 65-10748 SHALL  
PROVIDE NO MORE THAN .02 CFS/ACRE.

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.

Donald K. Kinsley  
SIGNATURE OF AUTHORIZED AGENT  
Pres. Double Diamond Ranches  
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 Madaneta  
NOTARY PUBLIC

SEAL

RESIDING AT Boise, Idaho  
MY COMMISSION EXPIRES JUNE 1991

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 18 1992

1/30/1989

## SRBA CLAIMS RECEIVING CHECKLIST #2

- CLAIMANT'S NAME Double Diamond Ranches CLAIM IDENT. NO. AL65-01317
- DATE RECEIVED 5/23/89 CK # exempt AMOUNT \$ exempt
- |                                                                                                                                                                                                                          | YES                                 | NO                                  | Required Info? |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|----------------|
| 1. Is the name and address complete with zip code?                                                                                                                                                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 2. Is a priority date entered?                                                                                                                                                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| Is the priority date acceptable in view of mandatory filing dates?                                                                                                                                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| See Adjudication Memos #1 and #4 to determine if a Permit is required.                                                                                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 3. (a) Is a source entered?                                                                                                                                                                                              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| (b) Is a tributary to entered? (if required)                                                                                                                                                                             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 4. Is the legal description of the p.d. sufficient?                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 5. Is there a description of the diverting works?                                                                                                                                                                        | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                |
| 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.              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| Is the period of use included?                                                                                                                                                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| Is a quantity claimed for each use?                                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 7. Is a total quantity claimed entered?                                                                                                                                                                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 8. If required is a consumptive use entered?                                                                                                                                                                             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| Is the consumptive use correct?                                                                                                                                                                                          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 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. | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 10. Is (are) the place(s) of use and purpose(s) indicated?                                                                                                                                                               | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 11. Is (are) the county(ies) entered?                                                                                                                                                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 12. Is the ownership of p.u. checked?                                                                                                                                                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 13. Are other water rights listed or "none" indicated?                                                                                                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 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.)                                                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 15. Is the basis of the claim indicated?                                                                                                                                                                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)                                                                                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.                                                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 18. Has the claim been signed, sealed, and dated by a notary?                                                                                                                                                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 19. Was this claim filed on time, or was an extension granted?                                                                                                                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 20. Is the fee enclosed correct?                                                                                                                                                                                         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 21. If this claim is based on an existing water right, has the identification number been entered?                                                                                                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 22. Should this claim be receipted and data entered?                                                                                                                                                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |

Claim checked by: BA Date: 8-15-89Claim 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: \_\_\_\_\_

Comments: \_\_\_\_\_

MICROFILMED

SEP 18 1992

1/30/1989

## SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Double Diamond Ranches CLAIM IDENT. NO. AL65-01317

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

|                                                                                                                                                                                                                          | YES                                 | NO                                  | Required Info? |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|----------------|
| 1. Is the name and address complete with zip code?                                                                                                                                                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 2. Is a priority date entered?                                                                                                                                                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| Is the priority date acceptable in view of mandatory filing dates?                                                                                                                                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| See Adjudication Memos #1 and #4 to determine if a Permit is required.                                                                                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 3. (a) Is a source entered?                                                                                                                                                                                              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| (b) Is a tributary to entered? (if required)                                                                                                                                                                             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | N/A            |
| 4. Is the legal description of the p.d. sufficient?                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 5. Is there a description of the diverting works?                                                                                                                                                                        | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                |
| 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.              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| Is the period of use included?                                                                                                                                                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| Is a quantity claimed for each use?                                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 7. Is a total quantity claimed entered?                                                                                                                                                                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 8. If required is a consumptive use entered?                                                                                                                                                                             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | N/A            |
| Is the consumptive use correct?                                                                                                                                                                                          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | N/A            |
| 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. | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | N/A            |
| 10. Is (are) the place(s) of use and purpose(s) indicated?                                                                                                                                                               | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 11. Is (are) the county(ies) entered?                                                                                                                                                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 12. Is the ownership of p.u. checked?                                                                                                                                                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 13. Are other water rights listed or "none" indicated?                                                                                                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 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.)                                                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | N/A            |
| 15. Is the basis of the claim indicated?                                                                                                                                                                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)                                                                                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | N/A            |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.                                                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 18. Has the claim been signed, sealed, and dated by a notary?                                                                                                                                                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 19. Was this claim filed on time, or was an extension granted?                                                                                                                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 20. Is the fee enclosed correct?                                                                                                                                                                                         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Exempt         |
| 21. If this claim is based on an existing water right, has the identification number been entered?                                                                                                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | N/A            |
| 22. Should this claim be receipted and data entered?                                                                                                                                                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |

Claim checked by: [Signature] 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 18 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,

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](http://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](http://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: 65-1317

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

SOURCE: SHAFER CREEK

TRIBUTARY: PAYETTE RIVER

QUANTITY: 1.31 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.: 65-10748, 65-11393A, 65-02138, 65-01151, 65-10749, 65-02532A, 65-02540,  
65-10747, 65-03103, 65-02869.

PRIORITY DATE: 01/01/1870

POINT OF DIVERSION:

T06N R02E S2 NWSE Within BOISE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 4/01 11/01           | 1.310 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 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          |                          |      |      |

477 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 50 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.: 65-10748, 65-11393A, 65-02138, 65-01151,  
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.

EXPLANATORY MATERIAL: Decreed

1317

03/07/2001  
RECEIVEDNOTICE OF ERROR  
REPLY

APR 05 2001

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

Department of Water Resources

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: 65-1317

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: 4-3-01SIGNATURE: Donald RumseyPlease print your name: DONALD RUMSEY

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

STERN REGIONAL OFFICE  
35 AIRPORT WAY  
ROSELAND, NJ 07068  
TEL: 201/981-8370

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

**RETURN TO SENDER**

fee due 60¢

**U.S. POSTAL SERVICE**  
**PS FORM 3547**

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

**RETURN TO SENDER**

fee due 60c

U.S. POSTAL SERVICE  
PS FORM 3547

RECEIVED  
MAR 21 2001  
WATER RESOURCES  
WESTERN REGION

65-01317

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

01/18/2001

RIGHT NUMBER: 65-1317

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

SOURCE: SHAFER CREEK                      TRIBUTARY: PAYETTE RIVER

QUANTITY: 1.31 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 3.5 AF PER ACRE AT FIELD  
HEADGATE. COMBINED RIGHT NOS.: 65-10748, 65-11393A, 65-02138,  
65-01151, 65-10749, 65-02532A, 65-02540, 65-10747, 65-03103.

PRIORITY DATE: 01/01/1870

POINT OF DIVERSION: T06N R02E S2                      NWSE                      Within BOISE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 4-01 11-01           | 1.31 CFS        |

PLACE OF USE:

| <u>IRRIGATION Within BOISE County</u> |       |      |     |               |      |     |
|---------------------------------------|-------|------|-----|---------------|------|-----|
| T06N R02E S2                          | LOT 4 | NWNW | 14  | T06N R02E S2  | SWNW | 6.3 |
| T06N R02E S2                          |       | SESW | 16  | T06N R02E S2  | NESW | 0.1 |
| T07N R02E S23                         |       | NWSE | 0.3 | T07N R02E S23 | SESW | 5.7 |
| T07N R02E S23                         |       | SWSE | 1   | T07N R02E S23 | NWSE | 0.4 |
| T07N R02E S23                         |       | SESE | 1.5 | T07N R02E S23 | SWSE | 27  |
| T07N R02E S23                         |       | NWNE | 3   | T07N R02E S26 | NENE | 28  |
| T07N R02E S26                         |       | SENE | 39  | T07N R02E S26 | SWNE | 38  |
| T07N R02E S26                         |       | SESW | 3.5 | T07N R02E S26 | NENW | 19  |
| T07N R02E S26                         |       | NESW | 2.1 | T07N R02E S26 | SESW | 19  |
| T07N R02E S26                         |       | SESE | 0.6 | T07N R02E S26 | NESW | 19  |
| T07N R02E S26                         |       | SESW | 18  | T07N R02E S26 | NWSE | 28  |
| T07N R02E S26                         |       | SWSE | 8.3 | T07N R02E S34 | SENE | 1.9 |
| T07N R02E S34                         |       | SENE | 12  | T07N R02E S34 | NESE | 39  |
| T07N R02E S34                         |       | NWSE | 3.8 | T07N R02E S34 | SWSE | 1.6 |
| T07N R02E S34                         |       | SESE | 34  | T07N R02E S35 | NENW | 4.4 |
| T07N R02E S35                         |       | SWNW | 1.5 | T07N R02E S35 | SWNW | 19  |
| T07N R02E S35                         |       | NWSW | 34  | T07N R02E S35 | SWSW | 28  |

477 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 50 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.: 65-10748, 65-11393A,

65-02138, 65-01151, 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

01/18/2001

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

RIGHT NUMBER: 65-1317

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

SOURCE: SHAFER CREEK TRIBUTARY: PAYETTE RIVER

QUANTITY: 1.31 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 3.5 AF PER ACRE AT FIELD  
HEADGATE. COMBINED RIGHT NOS.: 65-10748, 65-11393A, 65-02138,  
65-01151, 65-10749, 65-02532A, 65-02540, 65-10747, 65-03103.

PRIORITY DATE: 01/01/1870

POINT OF DIVERSION: T06N R02E S2 NWSE Within BOISE County

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|----------------|---------------|----------|
| IRRIGATION     | 4-01 11-01    | 1.31 CFS |

PLACE OF USE:

| IRRIGATION Within BOISE County |       |      |    |
|--------------------------------|-------|------|----|
| T07N R02E S34                  | LOT 1 | SENE | 11 |
| T07N R02E S35                  | LOT 2 | SWNW | 19 |
| T07N R02E S34                  |       | NESE | 10 |
| T07N R02E S35                  |       | NWSW | 10 |

50 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 50 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 473 ACRES IN A SINGLE  
IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-10748, 65-11393A,  
65-02138, 65-01151, 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

DATE: 07/25/00  
PAGE: 1

~~QNT~~  
~~16748~~  
~~11393A~~

WR5809NP  
No. 65-01317

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 07/25/00  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                 | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|----------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | DOUBLE DIAMOND INC.<br>RT. 1 BOX 54<br>HORSESHOE BEND ID 83629 | 01/01/1870       | IRRIGATION | 04/01 11/01           | 1.310 CFS         |                     |
| TOTAL DIVERSION: |                                                                |                  |            |                       | 1.310 CFS         |                     |

Water Source: SHAFER CREEK

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion:

T06N R02E S02

NWSE

BOISE County

Place of use Legal Description for: IRRIGATION

|     |     |     |   | NE   |      |      |       | NW |      |      |       | SW   |    |      |      | SE   |      |    |      |      |      |      |             |     |      |     |
|-----|-----|-----|---|------|------|------|-------|----|------|------|-------|------|----|------|------|------|------|----|------|------|------|------|-------------|-----|------|-----|
| T   | R   | S   | : | NENE | NWNE | SWNE | SENE  | :  | NENW | NWNW | SWNW  | SENW | :  | NESW | NWSW | SWSW | SESW | :  | NESE | NWSE | SWSE | SESE | :           | SUM |      |     |
| --- | --- | --- | : | Lt   | Ac   | Lt   | Ac    | Lt | Ac   | Lt   | Ac    | Lt   | Ac | :    | Lt   | Ac   | Lt   | Ac | Lt   | Ac   | Lt   | Ac   | Lt          | Ac  | :    | --- |
| 07N | 02E | 34  | : |      |      |      | 01-11 | :  |      |      |       |      | :  |      |      |      |      | :  |      | 10   |      |      |             | :   | 21.0 |     |
| 07N | 02E | 35  | : |      |      |      |       | :  |      |      | 02-19 |      | :  |      |      | 10   |      | :  |      |      |      |      |             | :   | 29.0 |     |
|     |     |     |   |      |      |      |       |    |      |      |       |      |    |      |      |      |      |    |      |      |      |      | TOTAL ACRES |     | 50.0 |     |

Pou County: BOISE

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHTS 65-2869 & 65-10748 SHALL  
PROVIDE NO MORE THAN .02 CFS/ACRE.

Dates: App. Received: Priority Date: 01/01/1870  
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,

Denise Buffington  
Office Specialist 1  
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

*Records Not Modified.  
02-27-96*

RECEIVED  
FEB 26 1996

Department of Water Resources

*This should have been Don. my staff. ss*  
DOUBLE DIAMOND RANCHES  
RON & DALE RUMSEY  
311 4TH ST N EXT  
NAMPA ID 83687-3247

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.*

**RECEIVED**

**FEB 16 1996**

WATER RESOURCES  
WESTERN REGION

Presorted  
First Class Mail  
U.S. Postage Paid  
Boise, Idaho  
Permit No. 1

**RECEIVED**

**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  
FORWARDING TIME EXPIRED  
RUMSEY  
311 4TH ST N EXT  
Nampa ID 83687-3247  
RETURN TO SENDER

|||||



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

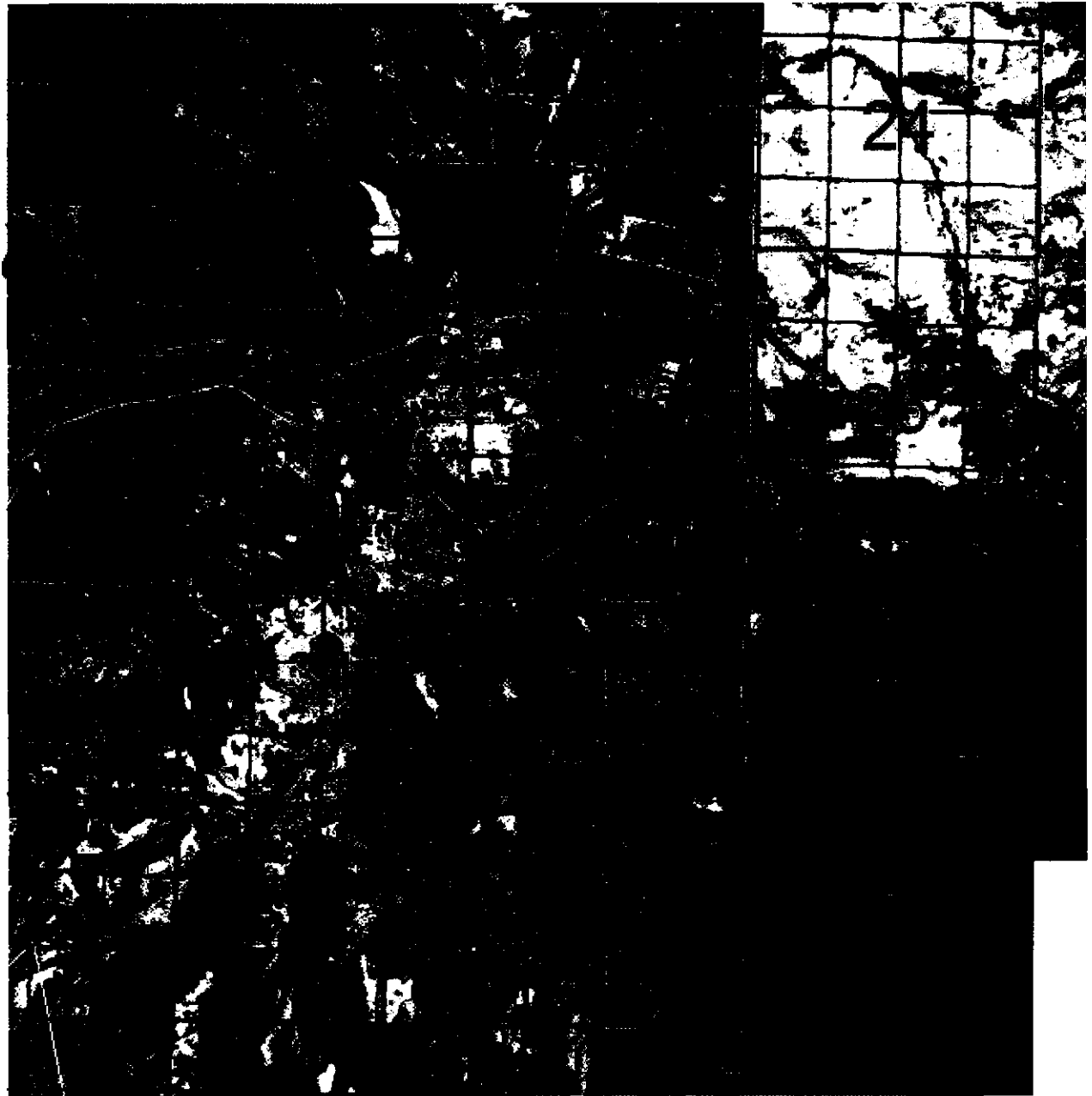
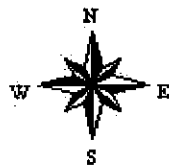
T06N, R02E, S 2

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

