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DEC 17 2001

Department of Water Resources

Bruce M. Smith, ISB #3425
MOORE SMITH BUXTON & TURCKE, CHARTERED
Attorneys at Law
225 North 9th Street, Suite 420
Boise, ID 83702
Telephone: (208) 331-1800
Facsimile: (208) 331-1202

Attorney for Boise Cascade Corporation

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JAN 04 2002

WATER RESOURCES
WESTERN REGION

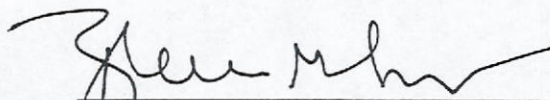
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re: SRBA,	)	NOTICE OF APPEARANCE
	)	
Case No. 39576	)	Subcases: 63-04066, 65-00585, 65-
	)	00586, 65-00587, 65-00593, 65-
	)	00594, 65-00595, 65-00597, 65-
	)	02622, 65-02706, 65-02950, 65-
	)	05787, 65-07094, 65-07884, 65-
	)	08003, 65-12755
	)	

COMES NOW Bruce M. Smith of the firm Moore Smith Buxton & Turcke,
Chartered, and gives Notice of Appearance on behalf of Boise Cascade Corporation in the
above subcases.

DATED this 12 day of December, 2001.

MOORE SMITH BUXTON & TURCKE,
CHARTERED



BRUCE M. SMITH
Attorney for Boise Cascade Corporation

COPY

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: A65-00587
Date Received: 11/09/1988
Receipt No: X999999
Received By: Forest

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BOISE CASCADE CORPORATION 208-384-6450
Address: ATTN.: JOE MUNSON-LEGAL DEPT.
P.O. BOX 50
BOISE, ID 83728

2. Date of Priority: JUN 01, 1916

3. Source: PAYETTE RIVER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
06N	01W	7		3	GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	19.040		11912.00

7. Total Quantity Appropriated is:
19.040 C.F.S. (and/or) 11912.00 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
06N	02W	12	NE	NE	INDUST	
			NW	NE	INDUST	
			SW	NE	INDUST	

A65-00587

Page 1

Date: 12/21/89

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	02W	12	SE	NE		INDUST	
			SE	NW		INDUST	

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

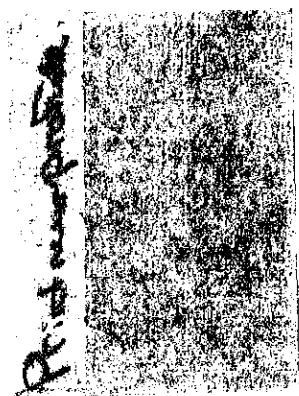
Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



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

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

CIVIL CASE NUMBER: 39576
Ident. No.

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

Please type or print clearly:

Name of Claimant(s) Boise Cascade Corporation

ATTN: Joe Munson - Legal Department

Mailing Address
(include Zip Code) P.O. Box 50

Boise, Idaho 83728

Phone Number (208) 384 - 6450

MICROFILMED
SEP 15 1992

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

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

CIVIL CASE NUMBER: 39576

IDENT. NUMBER: 65-00587

DATE RECEIVED:

RECEIPT NO:

RECEIVED BY: _____

RECEIVED
DEC 22 1989
Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: BOISE CASCADE CORP.
ADDRESS: TIMBER & WOOD PRODUCTS DIV.
1010 JEFFERSON STREET
BOISE, ID

83702

RECEIVED
DEC 8 1989

2. DATE OF PRIORITY: JUN 01, 1916

3. SOURCE: PAYETTE RIVER

TRIB. TO:

Department of Water Resources

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF 1/4 OF 1/4	LOT	COUNTY
06N	01W	7		3	GEM

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
INDUSTRIAL	01/01	12/31	19.040		11912.00

7. TOTAL QUANTITY APPROPRIATED IS:

19.040 C.F.S. (AND/OR) 11912.00 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
06N	02W	12	NE	NE	INDUST	
			NW	NE	INDUST	
			SW	NE	INDUST	

65-00587

PAGE 1

DATE: 10/28/89

1323

MICROFILMED
SEP 15 1992

10. PLACE OF USE: CONTINUED

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
06N	02W	12	SE	NE		INDUST	
			SE	NW		INDUST	

11. PLACE OF USE IN COUNTIES: GEM, GEM

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: DECREEED
CASE NUMBER:
COURT :
DECREE DATE: 1/21/1986

STATE OF IDAHO
DECREE PLAINTIFF

A & C CORP., ET AL.
VS
DECREE DEFENDANT

MICROFILMED

SEP 15 1992

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 Herbert S. Malany OF
_____ TITLE
Boise Cascade Corporation, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS Chief Region Forester OF
_____ TITLE
Boise Cascade Corporation AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

Herbert S. Malany
SIGNATURE OF AUTHORIZED AGENT
Chief Region Forester
Boise Cascade Corporation
TITLE AND ORGANIZATION

December 4, 1989
DATE

STATE OF IDAHO)
COUNTY OF Gem) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 4th DAY
OF December 19 89

Sharon J. Giffers
NOTARY PUBLIC

SEAL

RESIDING AT Emmett, Idaho

MY COMMISSION EXPIRES August 20, 1991

65-00587

PAGE 3

DATE: 10/28/89

MICROFILMED

SEP 15 1992

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE PAYETTE BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

RECEIVED

NOV 09 1988

Ident. Number: A65-00587
Date Received: 8/23/1988
Receipt No: X999999
Received By: _____

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BOISE CASCADE CORP.
Address: TIMBER & WOOD PRODUCTS DIV.
1010 JEFFERSON STREET
BOISE, ID 83702

2. Date of Priority: JUN 01, 1916

3. Source: PAYETTE RIVER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
06N	01W	7		3	GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	19.040		11912.00

7. Total Quantity Appropriated is:
19.040 C.F.S. (and/or) 11912.00 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
06N	02W	12	NE	NE	INDUST	
			NW	NE	INDUST	
			SW	NE	INDUST	

A65-00587

Page 1

Date: 08/23/88

MICROFILMED
SEP 15 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	02W	12	SE	NE		INDUST	
			SE	NW		INDUST	

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

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 Organizations:

I do solemnly swear or affirm that I am _____ Chief Region Forester _____ of
Boise Cascade Corporation _____, that I have signed the foregoing
Organization _____ document in the space below as _____ Chief Region Forester _____ of
Boise Cascade Corporation _____ and that the statements contained in the
Organization _____ foregoing document are true and correct.

Herbert S. Mahony
Signature of Authorized Agent
Chief Region Forester
Boise Cascade Corporation
Title and Organization

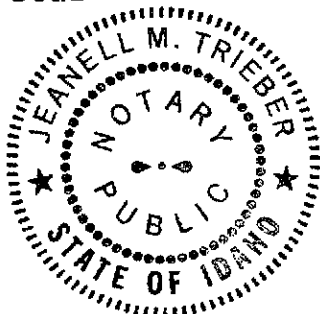
November 8, 1988
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of November 19 88

Jeanell M. Trieber
Notary Public

Seal



Residing at Boise
My Commission Expires 10/1/91

**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. 65-585, 65-586,
	)	65-587, 65-2622, 65-2706 & 65-2950
	)	
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

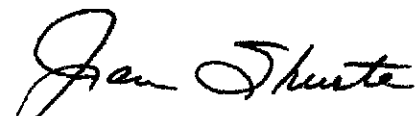
IDWR has completed the following Administrative proceeding: CHANGE OF ADDRESS

Name and New Address of Claimant:
Boise Cascade Corp
Region Environmental Engineer
PO Box 476
Emmett ID 83617

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: January 4, 2002

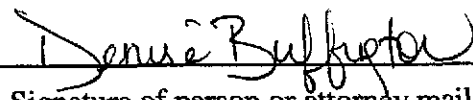


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on January 4, 2002, 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:
Boise Cascade Corp
Region Environmental Engineer
PO Box 476
Emmett ID 83617
3. One Copy to:
Each party in the subcase or attorney of record:
Bruce M Smith
Moore, Smith, Buxton & Turcke, Chartered
225 N 9th St, Suite 420
Boise ID 83702
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

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DEC 24 2001

WATER RESOURCES
WESTERN REGION

SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM

Claim Number(s):

See attached sheet.

Previous Mailing Address:

Boise Cascade Corp.

P.O. Box 50

Boise, Idaho 83707

New Mailing Address:

Boise Cascade Corp.

Region Environmental Engineer

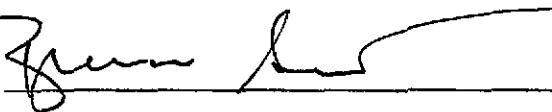
P.O. Box 476

Emmett, Idaho 83617

Telephone Number:

(208) 365-4431

Signature of Claimant(s):



Please return this completed form to:

Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400

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

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

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

Claim Number(s):

RECEIVED

DEC 24 2001

WATER RESOURCES
WESTERN REGION

63-04062 shelf
63-04063 "
63-04064 "
63-04065 "
63-04066 decreed
63-07664 shelf
63-05335 mel
63-05336 not found on bc
63-05337 mel
63-05338 not on bc
63-05339 " "
63-05340 mel
63-05342 mel
63-15291 mel
63-15292 mel
67-00081AB shelf
67-02053AB "
67-04009 "
67-04086 "
67-04087 "
67-04570 "
67-04571 "
67-04572 "
67-04573 "
67-04574 "
67-04576 "
67-04577 "
78-04294 "
78-04295 "
78-04296 "
78-04297 "
78-04298 "
78-04298A "
78-04299 "
78-04300 "
78-04301 "
78-04302 "
78-04303 "
78-04304 "
78-04305 "
78-04306 "
65-00585 Ron
65-00586 Ron
65-00587 Sue
65-02950 Sue
65-02622 sue
65-02706 sue

} NCAP required

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-587

WATER RIGHT NUMBER: 65-587

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	BRUCE M SMITH C/O MOORE SMITH BUXTON & TURCKE 225 N 9TH S STE 420 BOISE, ID 83702 (208)331-1800
Current Owner	BOISE CASCADE CORP PO BOX 476 EMMETT, ID 83617 (208)365-4431

Priority Date: 06/01/1916

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
INDUSTRIAL	01/01 to 12/31	19.040 CFS	11,912.00 AF
	<u>Total Diversion:</u>	19.040 CFS	11,912.00 AF

Location of Point(s) of Diversion

PAYETTE RIVER	L12 (SE1/4SW1/4)	Sec. 6,	Twp 06N,	Rge 01W, B.M.	GEM County
PAYETTE RIVER	L6 (SE1/4NW1/4)	Sec. 12,	Twp 06N,	Rge 02W, B.M.	GEM County
PAYETTE RIVER	L3 (NW1/4NW1/4)	Sec. 7,	Twp 06N,	Rge 01W, B.M.	GEM County

Place of Use

INDUSTRIAL

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	02W	12	X	X	X	X				X									
			L 8	L 7	L 7	L 8				L 6									

Conditions of Approval:

1. Industrial use is for log pond storage and sawmill use.
2. 020 Use of water under this right may be affected by an agreement between the protestant and the right holder.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-587

3. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. T18 Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
7. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
8. WB4 The total instantaneous diversion of water from all points of diversion under Right 65-587 shall not exceed 19.04 cfs, nor total combined annual volume of 11,912.0 af.

Remarks:Comments:

1. pskaggs 5/28/2003 3:19:33 PM Transferred Right
Comment: This is now an approved transfer, transfer number = 69984

2. pskaggs 6/19/2003 Amended Transfer Approval
Comment: A Petition for Reconsideration was received & an Amended Transfer Approval for 69984 was issued on 06-19-2003. WR modified to reflect change in conditions.

Dates and Other Information:

Licensed Date:
Decreed Date: 3/8/2002
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number: 65
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



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

January 4, 2002

BOISE CASCADE CORP
REGION ENVIRONMENTAL ENGINEER
PO BOX 476
EMMETT ID 83617

RE: Water Right No. 65-585, 65-586, 65-587, 65-2622, 65-2706 & 65-2950

Dear Property Owners:

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

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

Sincerely,

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

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB: db

Enclosures

cc: Bruce M Smith @ Moore, Smith, Buxton & Tureke, Chartered

RECEIVED

DEC 17 2001

Department of Water Resources

Bruce M. Smith, ISB #3425
MOORE SMITH BUXTON & TURCKE, CHARTERED
Attorneys at Law
225 North 9th Street, Suite 420
Boise, ID 83702
Telephone: (208) 331-1800
Facsimile: (208) 331-1202

Attorney for Boise Cascade Corporation

RECEIVED

JAN 04 2002

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: SRBA,

Case No. 39576

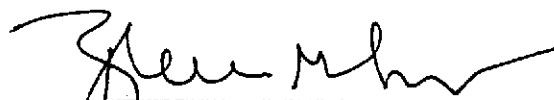
) NOTICE OF APPEARANCE
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Subcases: 63-04066, ~~63-04067~~,
~~65-00592~~, 65-00593, 65-
00594, 65-00595, 65-00597, 65-
~~65-00598~~, 65-
05787, 65-07094, 65-07884, 65-
08003, 65-12755

COMES NOW Bruce M. Smith of the firm Moore Smith Buxton & Turcke,
Chartered, and gives Notice of Appearance on behalf of Boise Cascade Corporation in the
above subcases.

DATED this 12 day of December, 2001.

MOORE SMITH BUXTON & TURCKE,
CHARTERED



BRUCE M. SMITH
Attorney for Boise Cascade Corporation

COPY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 12 day of December, 2001, I caused to be served a true and correct copy of the foregoing Notice of Appearance by the method indicated below, and addressed to the following:

1. Original to:

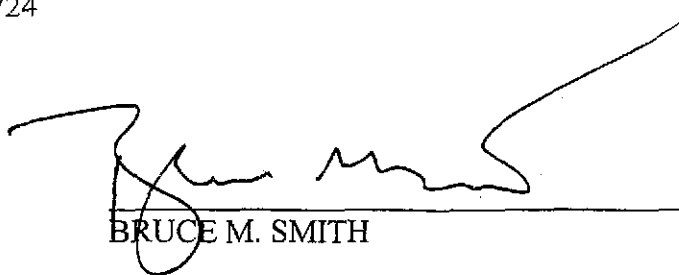
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



BRUCE M. SMITH



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

February 6, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Boise Cascade Corp ✓
Joe Munson
PO Box 50
Boise ID 83728

Ellis C. Vogel
Katherine S. Vogel
1033 Lilac Lane
Emmett ID 83617

Johnson E. Smith
617 Airport Road
Emmett ID 83617

Water District No. 65
Mark Limbaugh
102 North Main Street
Payette ID 83661

Robert H. Steinebach
1077 Airport Road
Emmett ID 83617

Robert D Worthington
Judith A Worthington
715 Airport Road
Emmett ID 83617

Unimin Corporation
Richard A. Cummings
PO Box 1545
Boise ID 83701

Re: Conveyance loss for Smith Ditch senior 1875 decreed irrigation rights:

A65-01131A (Vogel)
A65-01131B (Unimin)
A65-01131C (Unimin/Craig)

A65-01148A (Steinebach)
A65-01148B (Worthington)
A65-05558 (Smith)

Dear Water Users:

I am Ron Howerton, a Senior Water Right Agent with the Snake River Basin Adjudication. I have talked personally to some of you already. The Idaho Department of Water Resources will shortly be mailing out recommendations in a Preliminary Report for the above water rights. The mailing is tentatively scheduled to go out February 21, 2001. Public meetings are also tentatively scheduled for March 13th and 14th 2001. I wanted to give everyone a heads up as to how I am proceeding to recognize conveyance loss to these prior decreed rights.

Dave Tuthill, the Snake River Basin Adjudication Bureau Chief and I have discussed possibilities of how to recognize conveyance loss for these rights. In our analysis conveyance loss could not be added directly to the prior decreed rights. We did come up with a possible solution.

We contacted Joe Munson, the legal representative for Boise Cascade Corporation, and proposed that their Industrial right 65-00587 might be used to cover the conveyance loss for the above rights.

In order to cover conveyance loss for the above rights, with their right, a special quantity remark needs to be added. Joe Munson is checking his resources and will advise me if our remark proposal is acceptable to their Industrial right 65-00587.

The following proposed remark is:

65-00587 QUANTITY REMARK:

A PORTION OF THIS WATER RIGHT, IN THE AMOUNT OF 0.76 CFS, IS DESIGNATED TO PROVIDE CONVEYANCE WATER FROM THE POINT OF DIVERSION TO THE FIELD HEADGATE FOR THE FOLLOWING WATER RIGHTS:

<u>65-01131A</u>	<u>.11 CFS</u>
<u>65-01131B</u>	<u>.11 CFS</u>
<u>65-01131C</u>	<u>.44 CFS</u>
<u>65-01148A</u>	<u>.02 CFS</u>
<u>65-01148B</u>	<u>.04 CFS</u>
<u>65-05558</u>	<u>.04 CFS</u>
 <u>TOTAL</u>	 <u>.76 CFS</u>

The conveyance loss amounts are based upon Water Master Mark Limbaugh's calculations determining the percentage of conveyance loss at 29%. A spreadsheet is attached for your reference. Formula below:

CONVEYANCE RATE =
RECOMMENDED RATE / (1.0 - PERCENT LOSS) - RECOMMENDED RATE

Corrected split right total acres and pro-rated CFS needed to be determined first before using Mark Limbaugh's 29% ditch loss estimate.

My analysis of to how many acres to recommend and CFS for these rights was determined by using Payette Basin Adjudication records. Then, for non-and split rights, tax lot information and satellite imagery was used in finalizing the correct split acre totals. Then the CFS was pro-rated based upon total acreage of the split rights.

Attached is a layout of the Smith Ditch irrigation senior 1875 rights that did not have conveyance loss included in the Payette Basin Adjudication.

Also attached is a layout of your proposed water right.

Please feel free to call me at 334-2190 for any concerns you may have here. Otherwise I look forward to seeing you at our public meetings we have tentatively scheduled in March 2000.

Sincerely,



Ron Howerton
Senior Water Right Agent

Bock, Susan

From: Howerton, Ron
Sent: Wednesday, February 07, 2001 9:49 AM
To: Bock, Susan
Subject: RE: Boise Cascade right 65-00587

No problem in doing it tomorrow, Chuck is here at Western right now if you want to talk to him...

The remark only goes on Boise Cascade's right.

Ron

-----Original Message-----

From: Bock, Susan
Sent: Wednesday, February 07, 2001 9:46 AM
To: Howerton, Ron
Subject: RE: Boise Cascade right 65-00587

Sure. I'll have to do it tomorrow. Chuck loaded Windows 2000, and I can't get into workflow now. Can you make a copy of one of yours so I can see how it looks?

Sue

-----Original Message-----

From: Howerton, Ron
Sent: Wednesday, February 07, 2001 9:43 AM
To: Bock, Susan
Cc: Howerton, Ron
Subject: Boise Cascade right 65-00587
Importance: High

Hi Sue,

Dave T and I talked to Joe Munson of Boise Cascade Corp about adding a quantity remark to their claim to cover conveyance loss for 6 other users for the Smith Ditch.

Dave said to go ahead and put the remark on their claim now.

So could you add the following remark to the above right ASAP.

65-00587 QUANTITY REMARK:

A PORTION OF THIS WATER RIGHT, IN THE AMOUNT OF 0.76 CFS, IS DESIGNATED TO PROVIDE CONVEYANCE WATER FROM THE POINT OF DIVERSION TO THE FIELD HEADGATE FOR THE FOLLOWING WATER RIGHTS:

<u>65-01131A</u>	<u>.11 CFS</u>
<u>65-01131B</u>	<u>.11 CFS</u>
<u>65-01131C</u>	<u>.44 CFS</u>
<u>65-01148A</u>	<u>.02 CFS</u>
<u>65-01148B</u>	<u>.04 CFS</u>
<u>65-05558</u>	<u>.04 CFS</u>

<u>TOTAL</u>	<u>.76 CFS</u>
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Thanks,

Ron

01/10/2001

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

RIGHT NUMBER: 65-587

NAME AND ADDRESS: BOISE CASCADE CORP
PO BOX 50
BOISE, ID 83707

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 19.04 CFS
11912 AFY

PRIORITY DATE: 06/01/1916

POINT OF DIVERSION: T06N R01W S7 LOT 3 NWNW Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
INDUSTRIAL	1-01 12-31	19.04 CFS
		11,912.00 AFY

USE IS FOR LOG POND STORAGE AND SAWMILL USE.

PLACE OF USE:

<u>INDUSTRIAL Within GEM County</u>			
T06N R02W S12	NENE	T06N R02W S12	NWNE
T06N R02W S12	SWNE	T06N R02W S12	SENE
T06N R02W S12	SENE		

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

AJ0749NP
No. R65-00587

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 06/21/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BOISE CASCADE CORP PO BOX 50 BOISE ID 83707 (208) 384-6450	06/01/1916	INDUSTRIAL	01-01 12-31	19.040 CFS	11912.00 AFA
TOTAL DIVERSION:					19.040 CFS	11912.00 AFA

Water Source: PAYETTE RIVER

Tributary to:

Snake R

Stage: DECREED

Point(s) of Diversion: T06N R01W S07 Lot03(NWNW)

GEM County

Place of use Legal Description for: INDUSTRIAL

NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
06N	02W	12	:	I		I		I		I						:

POU County: GEM

Conditions of Approval:

- 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.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

*Use: log pond storage and
Sawmill use*

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM

IDENT. NO.

MAP NO.

TO A

WATER RIGHT

AMENDED CLAIM #65-0587

Notice is hereby given that BOISE CASCADE CORPORATION, Timber & Wood Products Div.

(Name of Claimant)

1010 Jefferson St., Boise, Idaho?

(Mailing Address)

claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 6/1/1916 & 1935
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Payette River
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
(Both Dates Inclusive)
- Use Industrial Sawmill Use Period of Use From Jan. 1 To Dec. 31
(Domestic, irrigation, stock, etc.) (Mo. Day) (Mo. Day)
- Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo. Day) (Mo. Day)
- Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo. Day) (Mo. Day)
- (4) Quantity of water claimed: 19.04 Cubic Feet Per Second, or 300 ac-ft 11,912 Square Feet Per Annum,
and/or _____ Gals. Per Minute.
- (5) A) Point of Diversion: Give location of point where water is diverted from its source. Lot 3
Sec 7 Twp 6N Rge 1W B.M.; additional points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)
Give sizes and capacities; be as specific as possible. Entry into ditch by headgate at point of
diversion on Payette River, 10 feet wide and 10 feet deep.

- (6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acres.

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
log pond storage and other sawmill uses.
- (7) Effluent, sewage waste, or return water from this use is discharged into Return water goes back into
river.
- (8) If you are claiming water as a member of an organization, list name of organization _____
- (9) Remarks Most of this water is returned to river.
- (10) Basis of claim: (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case _____
☐ C) Right based on application, license, or claim file with State Reclamation Engineer, Office No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Original claim 8/11/70

Individual

Amended claim 1/20/71

(Date)

(Signature of Claimant)

(Signature of Spouse)

State of IDAHO

Organization

Organization
BOISE CASCADE CORPORATION

County of Ada

• 555

Organization
Seal

5484

On this 21st day of January, in the year 1971, before me,

a notary public, personally appeared G. C. RANDALL
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, or they) executed the same.

for and on behalf of Boise Cascade Corp. *Shirley L. Reed*
Notary Public residing at: Boise, Idaho

My commission expires 6/6/72

Rev 3/29/77

KEYPUNCHED 4/1/77

WR0749NP

No. 65-00587

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/21/00

PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
P	BOISE CASCADE CORPORATION ATTN.: JOE MUNSON-LEGAL DEPT. P.O. BOX 50 BOISE ID 83728 (208) 384-6450	06/01/1916	INDUSTRIAL	01/01 12/31	19.040 CFS	11912.00 AFA
TOTAL DIVERSION:					19.040 CFS	11912.00 AFA
C	BOISE CASCADE CORP. TIMBER & WOOD PRODUCTS DIV. 1010 JEFFERSON STREET BOISE ID 83702					

Water Source: PAYETTE RIVER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T06N R01W S07 Lot 03()

GEM County

Place of use Legal Description for: INDUSTRIAL

NE				NW				SW				SE			
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac
06N 02W 12 : I I I I : I :															

Pou County: GEM

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

65-00346	65-01006	65-01010	65-01131	65-01148	65-01435	65-01512	65-02950	65-05266	65-05558
65-09054									

Other Water Rights Listing Overlapping Place(s) of use:

65-13775

Dates:	App. Received:	Priority Date:	06/01/1916
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT 08/05/92 NAME-ADD



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 23, 1988

Gretchen Hoy
Boise Cascade Corp.
P.O. Box 8328
Boise, Idaho 83707

Dear Ms. Hoy,

In response to your telephone request of August 22, 1988, I have researched our computer database for all records of water rights in the Snake River Basin in the name of Boise Cascade.

Enclosed are 11 notices of claims to water rights from the Payette River Drainage in Valley County (65-0589, 65-0590, 65-0591, 65-0592, 65-0593, 65-0595, 65-0596, 65-0597, 65-5787, 65-8003, and 65-7884). These water rights were decreed in the Payette River Adjudication, so no filing fee is required if they are claimed as decreed. Notices of claims for these water rights are required to be filed by November 23, 1988.

Also enclosed are 5 notices of claims to water rights from the Payette River Drainage in Gem County (65-7094, 65-2950, 65-0585, 65-0586, and 65-0587) and two notices of claims to water rights from the Payette River Drainage in Boise County (65-2706 and 65-2622). These water rights were also decreed in the Payette River Adjudication, so no filing fee is required if they are claimed as decreed. First round service has not been done in Gem and Boise Counties yet, so notices of claims for these water rights are not required to be filed at this time. They will have to be filed later, though, so you may want to go ahead and file them when you do your Valley County notices of claims.

Enclosed is one notice of claim to a water right from the Payette River Drainage in Valley County (65-12755). This water right was established subsequent to the Payette River Adjudication, so the filing fee will apply. If the water right is claimed as described in the notice of claim enclosed, the filing fee will be \$168.00. A notice of claim for this water right is required to be filed by November 23, 1988.

Also enclosed is one notice of claim to a water right in Cassia County (45-2760). First round service has not been done in Cassia County yet, so a notice of claim for this water right is not required to be filed at this time. It will have to be filed later, though, so you may want to go ahead and file it when you do your Valley County claims. If the water right is claimed as described in the notice of claim enclosed, the filing fee will be \$70.00

I also found records of water rights in the name of Boise Cascade in Adams County, numbered 78-4294 through 78-4306. Notices of claims to water rights in Adams County were already filed by Herb Malaney on behalf of Boise Cascade.

There are four other records as to filings by Boise Cascade in IDWR records. One is for a water right claim that was disallowed by the decree in the Payette River Adjudication (65-0588). Two are for permits that have lapsed and have not been reinstated (65-12695 and 65-7865). One is for an application for permit that has not yet been approved (65-12563.) A notice of claim may not be filed based solely upon an application for permit until the application has been approved.

There are also records of water rights from the Boise and Weiser River Drainages in the name of Boise Cascade. As I explained on the phone, an appeal of the commencement order was filed seeking to exclude the Boise and Weiser River Drainages from the SRBA. An order was entered staying the SRBA in those drainages pending the outcome of the appeal, so we cannot accept notices of claims to water rights from those drainages until a decision affirming the commencement order is issued. Argument was held in May, 1988, and we expect a decision any time.

Please note that my research extended only to records in the name of Boise Cascade. IDWR may have records as to water rights appurtenant to land owned by Boise Cascade which are not in the name of Boise Cascade. The only way to identify such records is by using a legal description (by 40 acre tract) of the place of use of the water rights. Boise Cascade may also have beneficial use water rights (established by diversion and beneficial use of the water) of which there is no record at IDWR.

Finally, a document is enclosed entitled "How You Will Receive Notices in the SRBA." The person filing the notices of claims on behalf of Boise Cascade will be asked to indicate that they have read and understood the document, and whether the claimant wishes to subscribe to the docket sheet (described in the document). Herb Malaney of Boise Cascade already has a subscription to the docket sheet.

My suggestion is that you review the notices of claims enclosed, determine if there are any changes you wish to make or any additional claims you wish to file, and then call and make an appointment with Don Shaff. He will be able to assist you with the actual filing.

Sincerely,

A. Lynne Krogh-Hampe

A. Lynne Krogh-Hampe
Deputy Attorney General