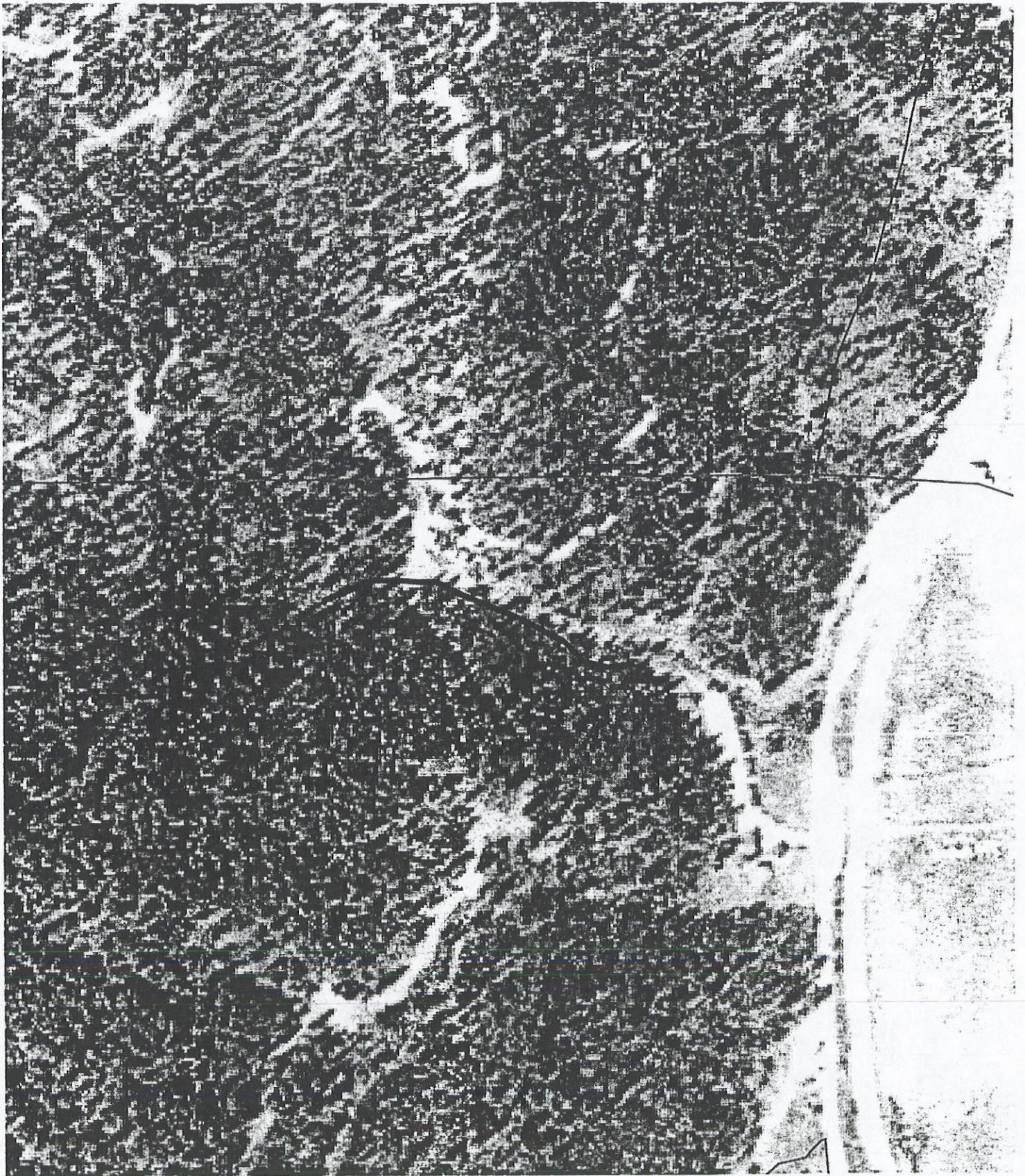




Waterline Easement
T11N R3E
SW 1/4 Sec. 10 and W 1/2 NW 1/4 Sec. 15



Waterline Easement
T11N R3E
S 1/2 NW 1/4 Sec. 10

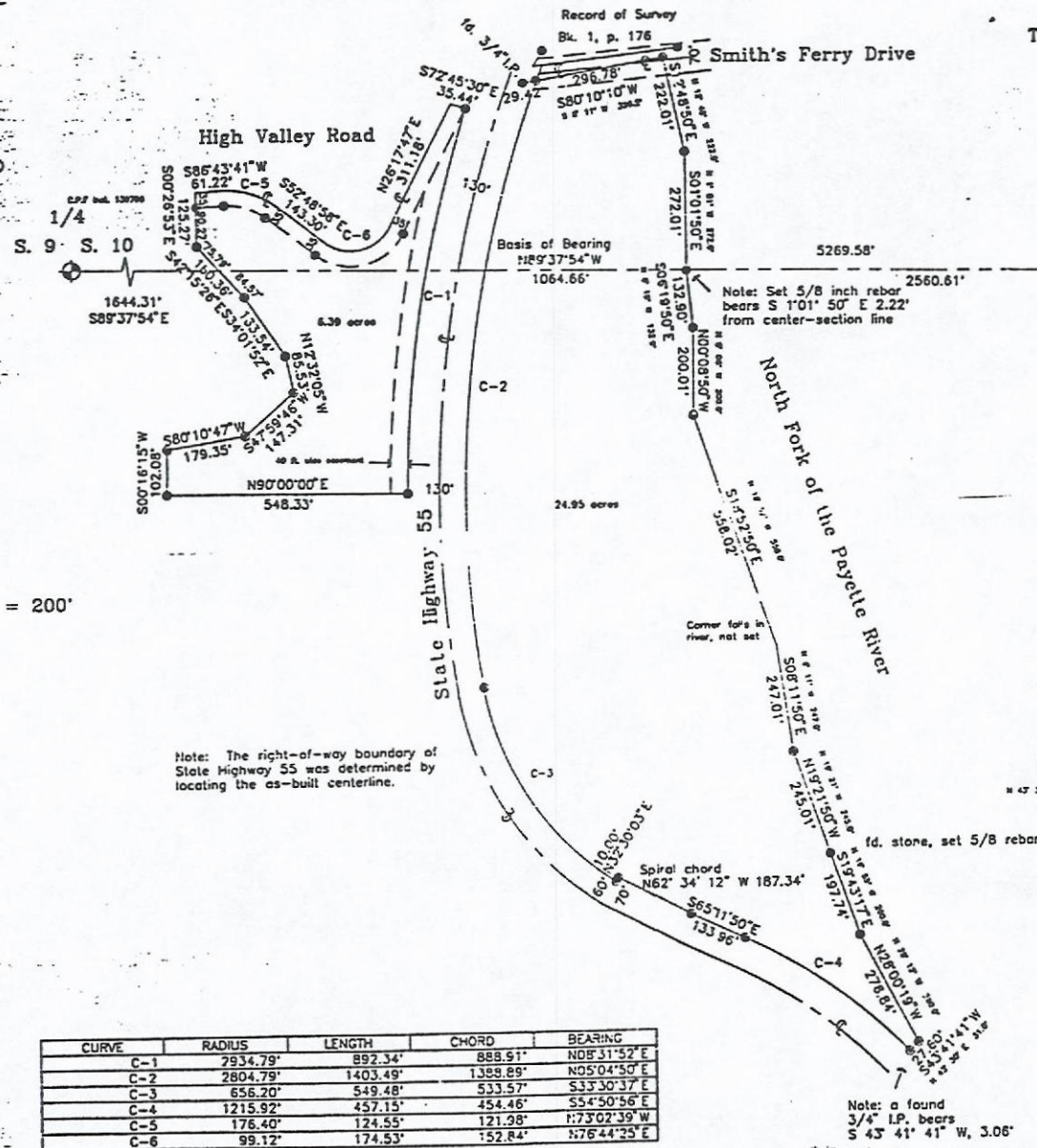
RECORD OF SURVEY

For Boise Cascade Corporation
Parcels of Land Located in

Section 10

T. 11 N., R. 3 E., B.M., Valley County, Idaho

Non-legal description
Highway 55

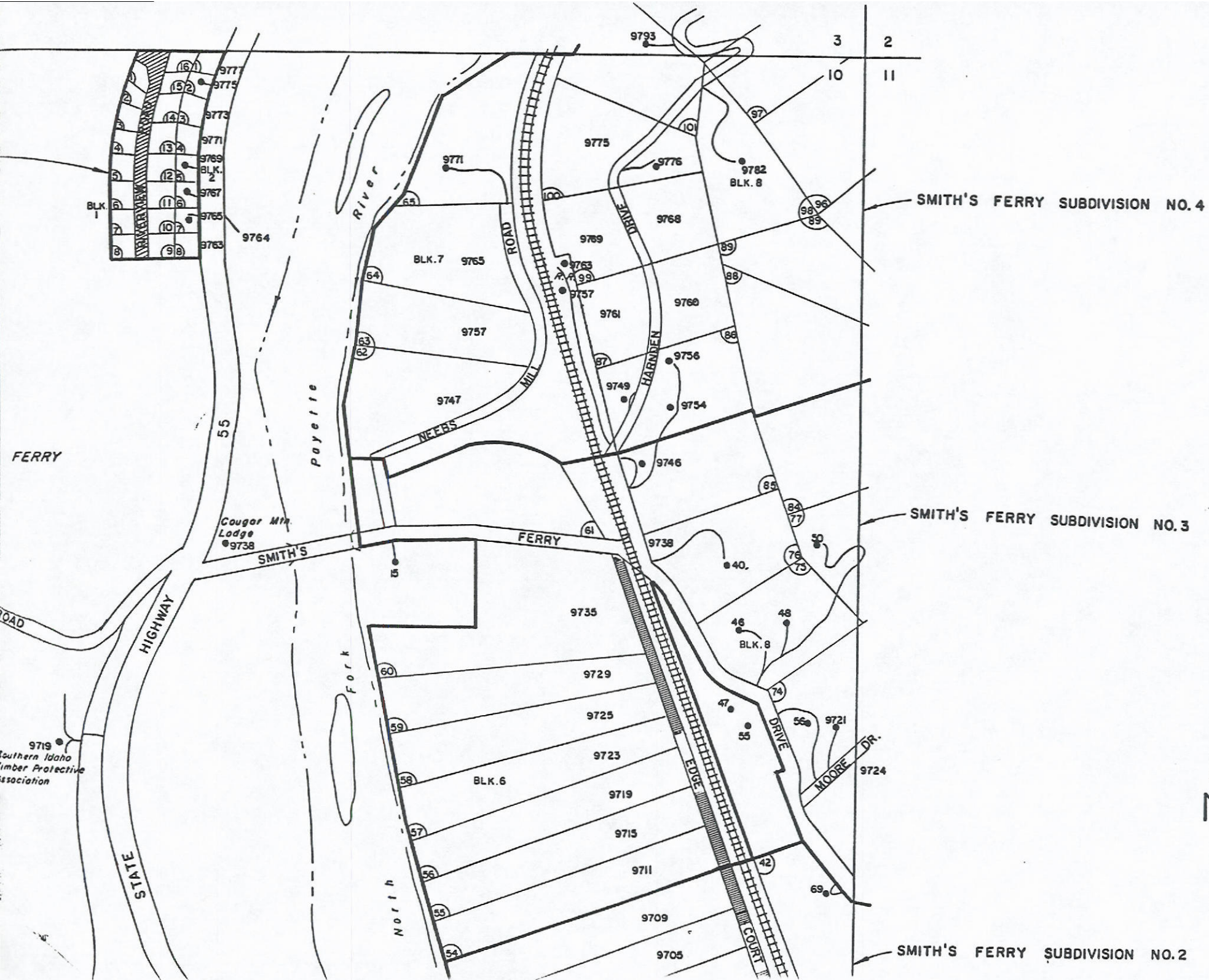


This document copy is furnished as a accommodation. The Company makes no representations as to its effect, sufficiency, completeness or any other matters that might be referred to or implied therein

Surveyor's Certificate

I do hereby certify that I am a Professional Land Surveyor licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground under my direction, and that this map is an accurate representation of said survey.

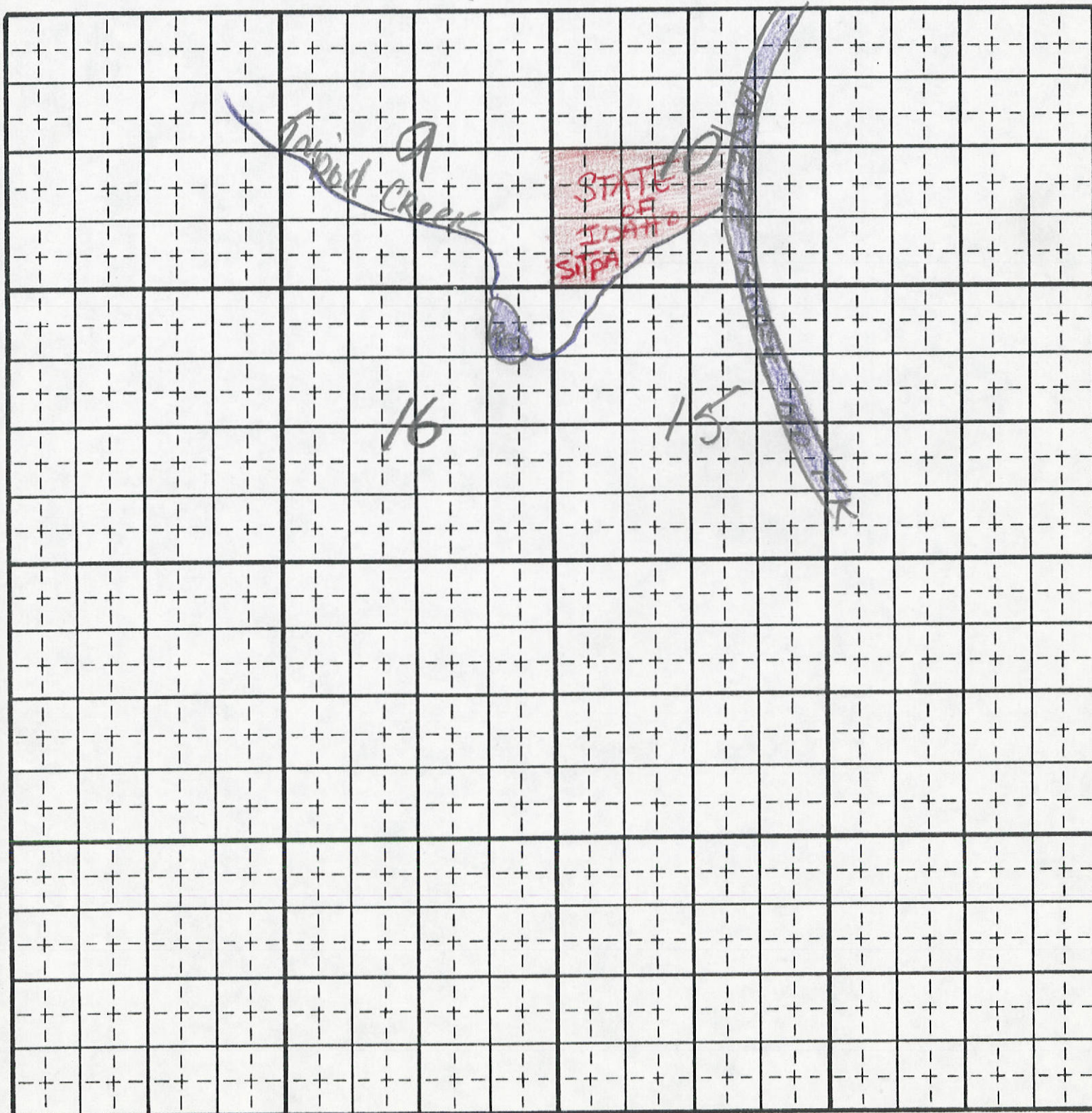
Robert W. Focrea, P.L.S. 5618



Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

TWP 11 N
R 6 E



MICROFILMED

SEP 15 1992

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant











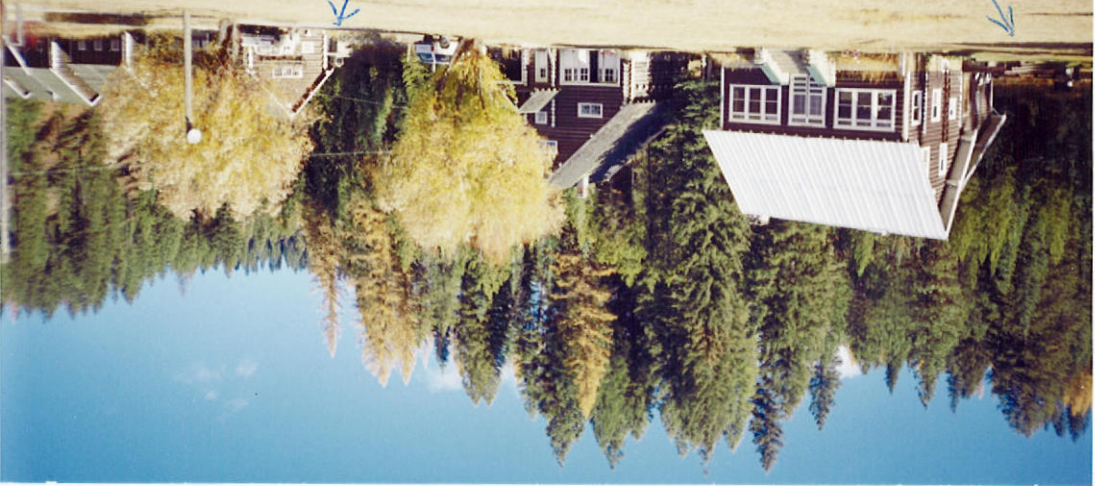






to stat
creek

staten creek
power house



STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

T11N R03E

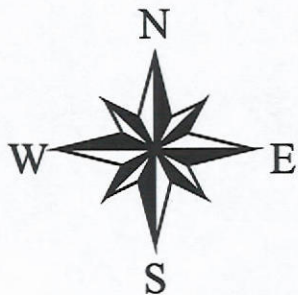
WATER RIGHT(S): 65-00784

OWNER(S): RICHARD CUMMINGS

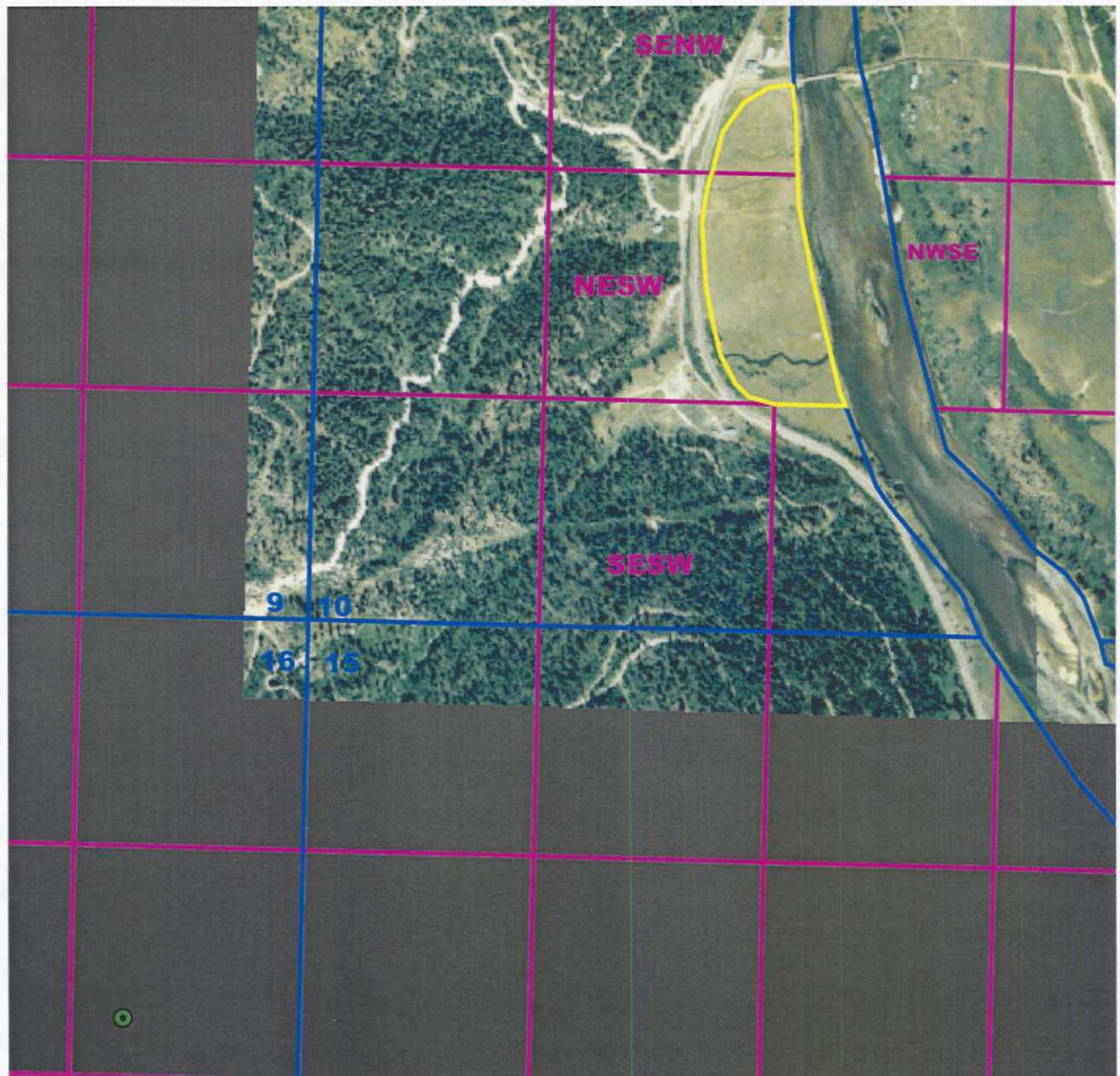
PREPARED BY SCOTT VAN HOFF

10 AUGUST 1999

-  POINT OF DIVERSION
-  PLACE OF USE
-  SECTION LINES
-  QUARTER SECTION LINES

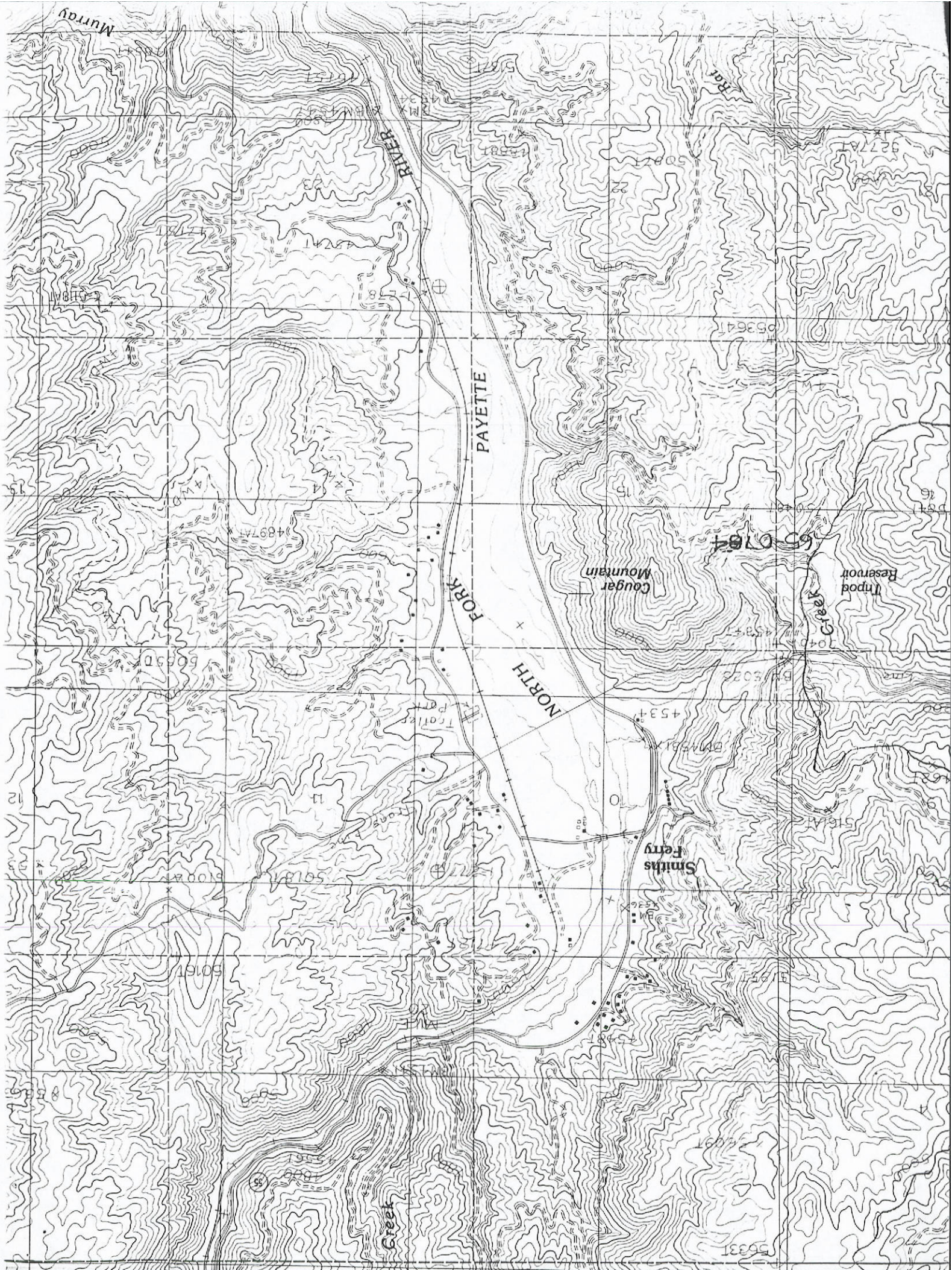


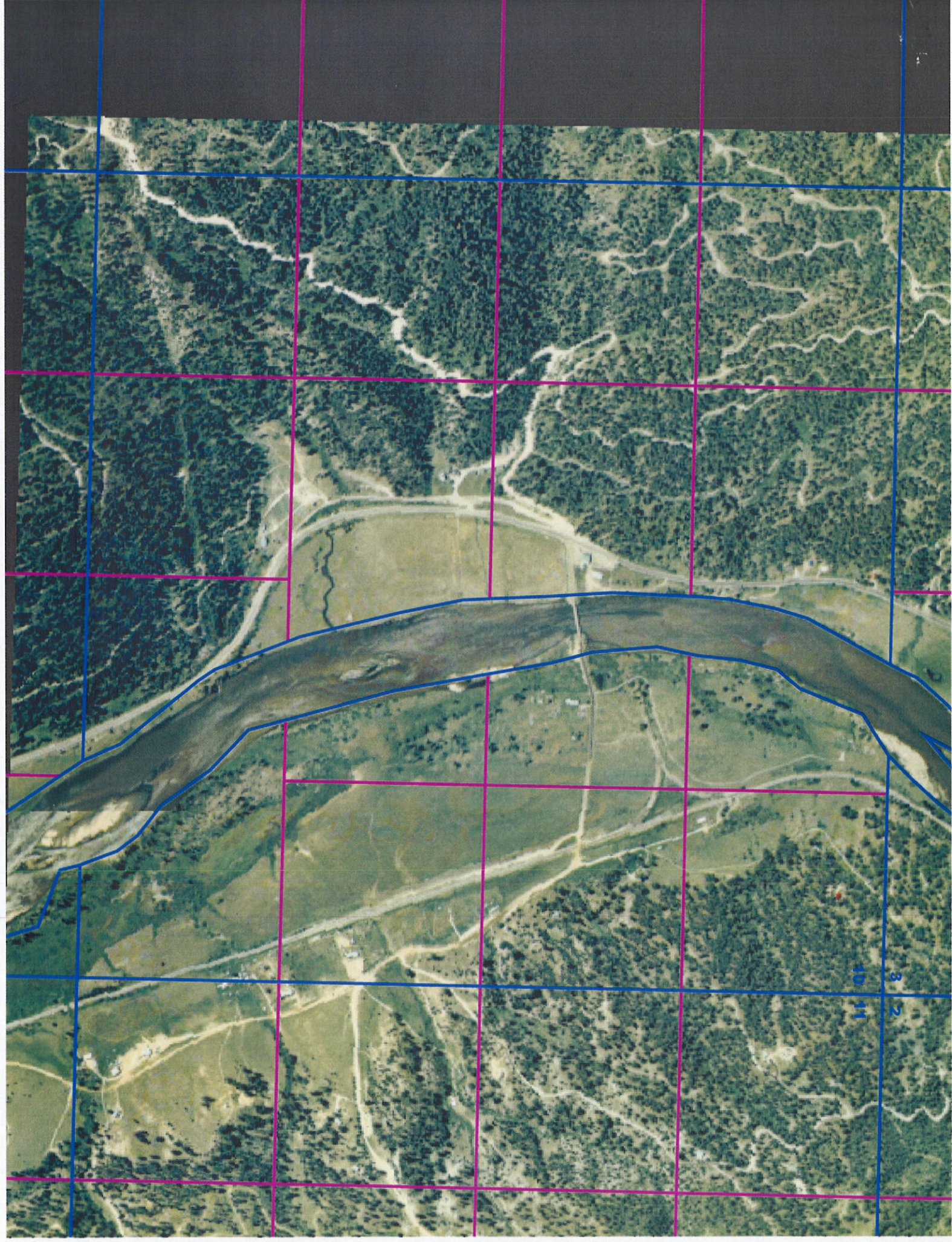
NAPP 1987

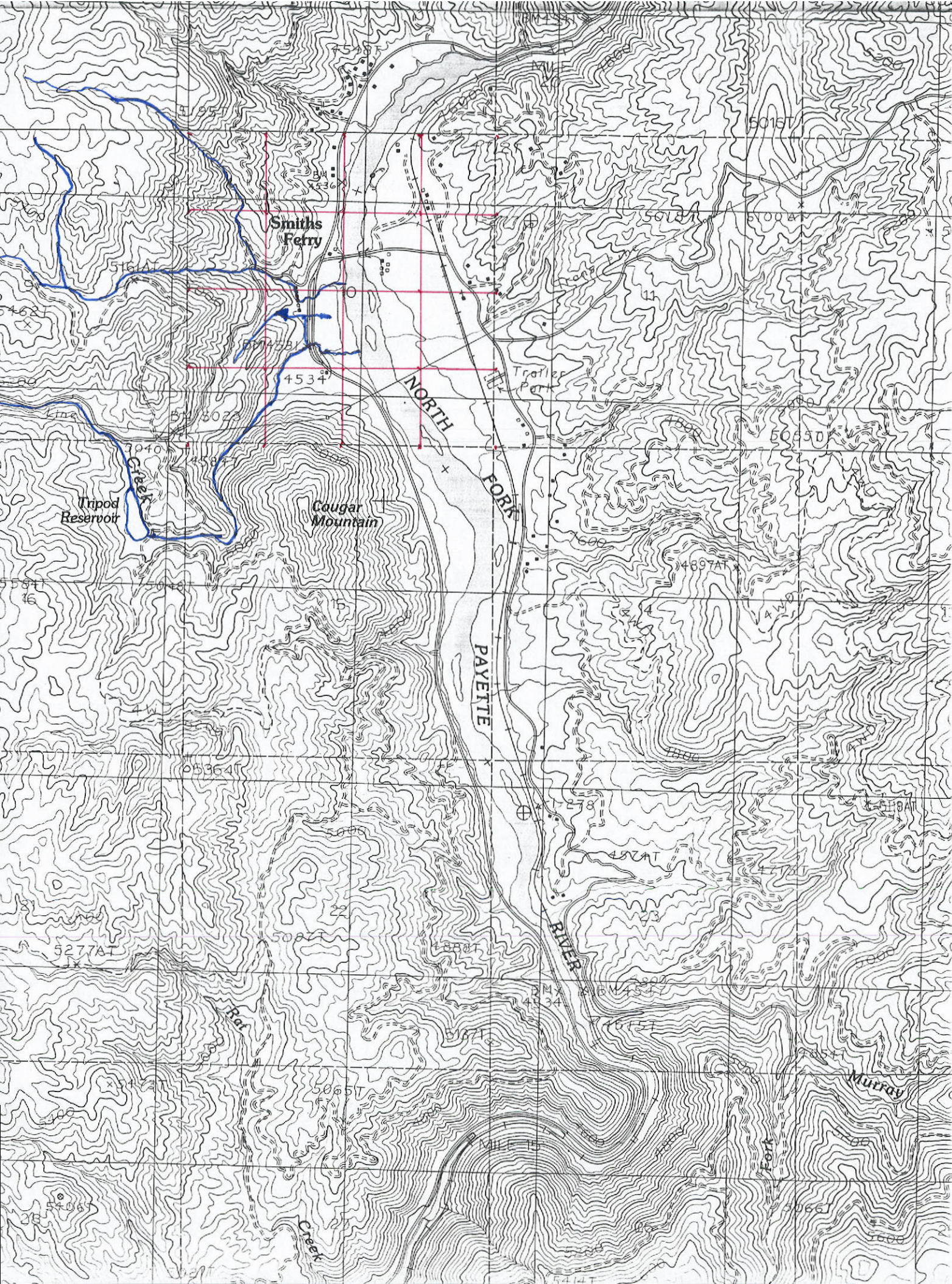


0.25 0 0.25 0.5 0.75 Miles









66-62-01



Station
Cr.

State
Cr.

Lumber

Paddy

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: A65-00784
Date Received: 10/24/1988
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: RICHARD W CUMMINGS
Address: 9719 HWY 55
SMITHS FERRY ID

83611

208-382-5404

AND/OR

Name: JOY CUMMINGS
Address: 9719 HWY 55
SMITHS FERRY ID

83611

208-382-5404

2. Date of Priority: MAY 1, 1935

3. Source: TRIPOD CREEK

Trib. to: PAYETTE RIVER, NORTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	03E	16	SW	SE	NE		VALLEY

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.400		
IRRIGATION FROM STORAGE	04/15	10/15	0.400		100.00
IRRIGATION STORAGE	01/01	12/31	0.400		120.00

7. Total Quantity Appropriated is:
0.400 C.F.S. (and/or) 100.00 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
11N	03E	10	SE	NW		IRR FS	3.0
			NE	SW		IRR FS	14.0
			NW	SE		IRR FS	3.0
						Section Acres	20.0
						Total Acres	20.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:

FIRE PROTECTION AGREEMENT WITH STATE OF IDAHO, DEPARTMENT OF LAND
WATER STORED IN TRIPOD RESERVOIR, EARTH FILLED DAM, APPROX.
100 FT. LONG, CONCRETE SPILLWAY INTO CREEK. WATER DIVERTED FROM
CREEK BY DITCH APPROXIMATELY 1/2 MILE LONG TO IRRIGATED AND FIRE
PROTECTION AREA. INSPECTED ANNUALLY BY IDWR.
OWNERSHIP CHANGED BY DB 3/11/98.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

RECEIVED

DEC 15 1997

WATER RESOURCES
WESTERN REGION

RECEIVED

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

MAR 10 1998 NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

WATER RESOURCES
WESTERN REGIONPlease 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): (65-0484)(65-0483)(65-0784)
Adjudication Claim No(s): _____
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 for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant: SOUTHERN IDAHO TIMBER PROTECTIVE ASSOCIATION/ IDAHO DEPARTMENT OF LANDS, 555 DEINHARD LANE, MCCALL, ID 83638
4. New Owner/Claimant(s): Richard W. Cummings Joy Cummings
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
New Mailing Address: 9719 Highway 55 -
City, State and ZIP Code: Smith's Ferry, Idaho 83611
New Telephone Number: (208) 382-5404
5. Date you acquired the property: NOV. 17, 1997
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate N/A Number and type of stock N/A
Diversion rate in CFS N/A Number of homes N/A Other uses N/A
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.
7. Signature of New Owner or Claimant(s): Richard W. Cummings
Joy Cummings
(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..

SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number(s): 65-0484 (TRIPOD)
65-0483 (Domestic)
65-0784 (Domestic Reservo.)

[] Old Mailing Address: 555 DEINHARD LANE
MCCALL, ID 83638

[] New Mailing Address: Richard W. Cummings
9719 Highway 55
Smiths Ferry, Idaho-83611

Telephone Number: (208) 382-5404

[] Signature of Claimant: Richard W. Cummings

DATE 12-11-97

~~Date:~~ J. Cummings
12-11-97

PLEASE SEND YOUR SRBA CHANGE OF ADDRESS TO THE NEAREST
REGION OFFICE:

IDWR WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705-5082
(208) 334-2190

IDWR SOUTHERN REGION
1341 FILLMORE ST N
TWIN FALLS ID 83301-3380
(208) 736-3033

IDWR EASTERN REGION
900 N SKYLINE
IDAHO FALLS ID 83402-3653
(208) 525-7161

IDWR NORTHERN REGION
1910 NORTHWEST BLVD #210
COEUR D'ALENE ID 83814-2615
(208) 756-4639

Revised 5/95

IDWR: DATA ENTRY BY _____

DATE _____

WARRANTY DEED - IDAHO

THIS WARRANTY DEED is made this 11th day of November 1997, between BOISE CASCADE CORPORATION, a Delaware corporation, of P.O. Box 50, city of Boise, county of Ada, state of Idaho ("Grantor"), and RICHARD W. CUMMINGS and JOY CUMMINGS, of 8695 South 1645 East, city of Sandy, county of Salt Lake, state of Utah 84093 ("Grantees).

WITNESSETH:

That Grantor, for and in consideration of the sum of Two Hundred Seventy Thousand Dollars (\$270,000), the receipt whereof is hereby acknowledged, has granted, bargained, and sold, and does, by these presents, grant, bargain, sell, convey, and confirm unto Grantees and their heirs and assigns forever, all that real estate situated in the county of Valley, state of Idaho and described on Exhibit A attached hereto and by this reference made a part hereof.

Subject to and excepting all encumbrances, exceptions, reservations, and restrictions of record.

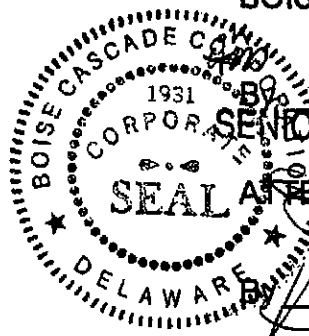
Together with all and singular, the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all estate, right, title and interest in and to the property, as well in law as in equity.

To have and to hold, all and singular the above-described premises together with the appurtenances unto Grantees and their heirs and assigns forever.

And Grantor and its successors and assigns shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of Grantees, their heirs and assigns against Grantor and its successors and assigns and against all and every person and persons whomsoever lawfully claiming the same.

IN WITNESS WHEREOF, Grantor has hereunto set its hand on the day and year first above written.

BOISE CASCADE CORPORATION

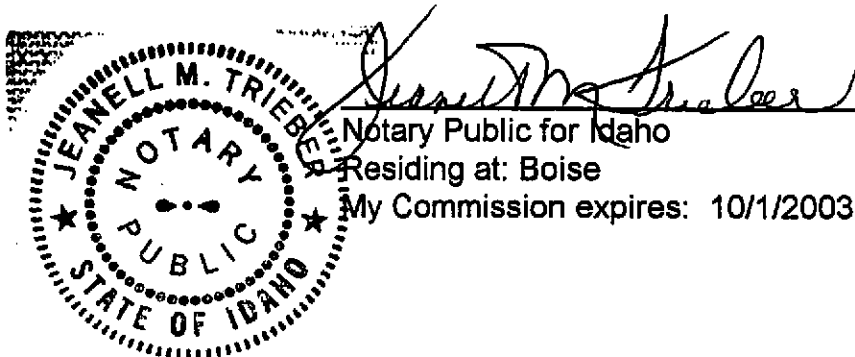
 J. W. Hollen
Senior Vice President

[Signature]
Assistant Secretary

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 11th day of November 1997, before me, the undersigned, a notary public in and for said state, personally appeared J. W. Holleran and J. S. Munson known to me to be the Senior Vice President and the Assistant Secretary of Boise Cascade Corporation, a Delaware corporation, that executed the above instrument on behalf of said corporation and acknowledged to me that said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



229528
TYPE: *Deed #1*
ELAND HEINRICH
VALLEY COUNTY RECORDER
BY: *shy 12/15/97*
FEE: *15.00*
97 NOV 17 AM 11 08
MOUNTAIN TITLE & ESCROW
REQUESTED BY _____
RECORDED

EXHIBIT A
Page 1 of 3

PARCEL IN , Section 10, T. 11 N., R. 3 E., B.M.,
Valley County, Idaho

A parcel of land located in Section 10, T. 11 N., R. 3 E., B.M., Valley County, Idaho being more particularly described as follows:

Commencing at the east 1/4 corner of said Section 10, a found brass cap monument, C.P.F. Inst. 104009 corner records of said Valley County; Thence a bearing of N 89° 37' 54" W, a distance of 2560.61 feet on the center-section line of said Section 10 to a point on the west bank of the North Fork of the Payette River; Thence a bearing of S 1° 01' 50" E, a distance of 2.22 feet to a set 5/8 inch rebar being the TRUE POINT OF BEGINNING.

Thence a bearing of N 1° 01' 50" W, a distance of 272.01 feet (record N 1° 01' W, 272.0') on said west bank to a set 5/8 inch rebar; Thence a bearing of N 12° 48' 50" W, a distance of 222.01 feet (record N 12° 48' W, 222.0') on said west bank to set 5/8 inch rebar; Thence a bearing of S 80° 10' 10" W, a distance of 296.78 feet (record S 80° 11' W, 326.2') to the easterly right-of-way boundary of State Highway 55; Thence on a curve to the left, on said right-of-way boundary, which curve has a radius of 2804.79 feet, a length of 1403.49 feet, and a long chord which bears S 5° 04' 50" W, a distance of 1388.89 feet to a set 5/8 inch rebar; Thence on a curve to the left, on said right-of-way boundary, which curve has a radius of 656.20 feet, a length of 549.48 feet, and a long chord which bears S 33° 30' 37" E, a distance of 533.57 feet to a set 5/8 inch rebar; Thence a bearing of N 32° 30' 03" E, a distance of 10.00 feet on said right-of-way boundary to a set 5/8 inch rebar; Thence on a spiral curve to the left, on said right-of-way boundary, which spiral curve has a long chord which bears S 62° 34' 12" E, a distance of 187.34 feet to a set 5/8 inch rebar; Thence a bearing of S 65° 11' 50" E, a distance of 133.96 feet on said right-of-way boundary to a set 5/8 inch rebar; Thence on a curve to the right, on said right-of-way boundary, which curve has a radius of 1215.92 feet, a length of 457.15 feet, and a long chord which bears S 54° 50' 56" E, a distance of 454.46 feet to a set 5/8 inch rebar; Thence a bearing of N 43° 41' 41" E, a distance of 27.60 feet (record N 43° 30' E, 31.0') to a set 5/8 inch rebar on said west bank of the North Fork of the Payette River; Thence a bearing of N 28° 00' 19" W, a distance of 276.84 feet (record N 28° 12' W, 280.0') on said west bank to a set 5/8 inch rebar; Thence a bearing of N 19° 43' 17" W, a distance of 197.74 feet (record N 19° 55' W, 200.0') on said west bank to a set 5/8 inch rebar; Thence a bearing of N 19° 21' 50" W, a distance of 245.01 feet (record N 19° 21' W, 245.0') on said west bank to a set 5/8 inch rebar; Thence a bearing of N 8° 11' 50" W,

EXHIBIT A
Page 2 of 3

a distance of 247.01 feet (record N 8° 11' W, 247.0') on said west bank to a set 5/8 inch rebar; Thence a bearing of N 18° 52' 50" W, a distance of 558.02 feet (record N 18° 52' W, 558.0') on said west bank to a set 5/8 inch rebar; Thence a bearing of N 0° 08' 50" W, a distance of 200.01 feet; (record N 0° 08' W, 200.0') on said west bank to a set 5/8 inch rebar; Thence a bearing of N 6° 19' 50" W, a distance of 132.90 feet (record N 6° 19' W, 132.9') on said west bank to the POINT OF BEGINNING.

together with and subject to rights-of-way and easements of record and/or use.

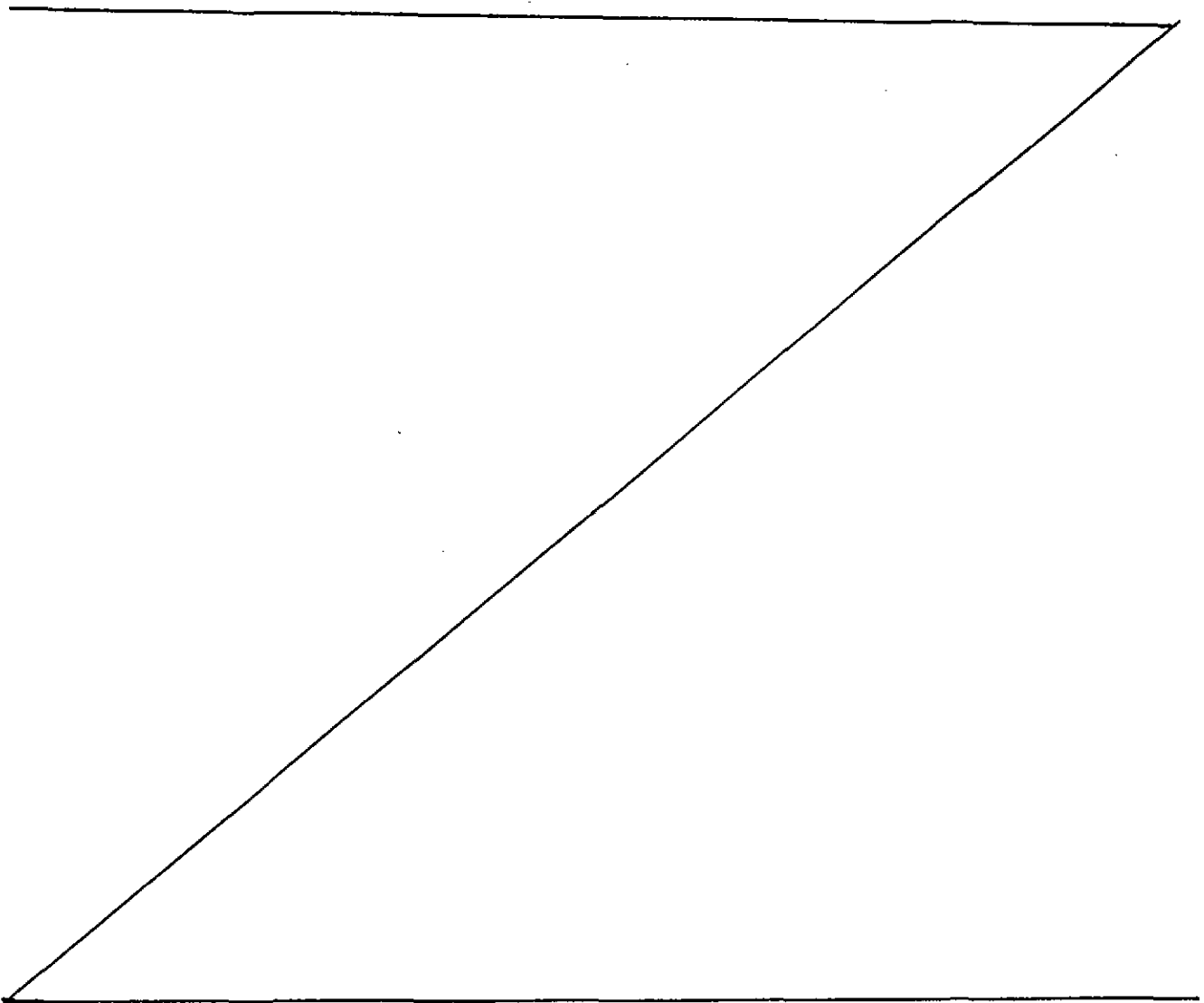


EXHIBIT A
Page 3 of 3

PARCEL IN, Section 10, T. 11 N., R. 3 E., B.M.
Valley County, Idaho

A parcel of land located in Section 10, T. 11 N., R. 3 E., B.M., Valley County, Idaho being more particularly described as follows:

Commencing at the west 1/4 corner of said Section 10, a found aluminum monument C.P.F. Inst. 139786 corner record of said Valley County; Thence a bearing of S 89° 37' 54" E, a distance of 1644.31 feet on the center-section line of said Section 10 to a point; Thence a bearing of S 42° 15' 26" E, a distance of 84.57 feet to a set 5/8 inch rebar being the TRUE POINT OF BEGINNING.

Thence a bearing of S 34° 01' 52" E, a distance of 163.54 feet to a set 5/8 inch rebar; Thence a bearing of S 12° 32' 05" E, a distance of 85.53 feet to a set 5/8 inch rebar; Thence a bearing of S 47° 59' 46" W, a distance of 147.31 feet to a set 5/8 inch rebar; Thence a bearing of S 80° 10' 47" W, a distance of 179.35 feet to a set 5/8 inch rebar; Thence a bearing of S 0° 16' 15" W, a distance of 102.08 feet to a set 5/8 inch rebar; Thence a bearing of N 90° 00' 00" E, a distance of 548.33 feet to a set 5/8 inch rebar on the west right-of-way boundary of State Highway 55; Thence on a curve to the right, on said right-of-way boundary, which curve has a radius of 2934.79 feet, a length of 892.34 feet, and a long chord which bears N 8° 31' 52" E, a distance of 888.91 feet to a set 5/8 inch rebar; Thence a bearing of N 72° 45' 30" W, a distance of 35.44 feet to a point on the centerline of High Valley Road; Thence a bearing of S 26° 17' 47" W, a distance of 311.18 feet on said centerline to a point; Thence on a curve to the right, on said centerline, which curve has a radius of 99.12 feet, a length of 174.53 feet, and a long chord which bears S 76° 44' 25" W, a distance of 152.84 feet to a point; Thence a bearing of N 52° 48' 58" W, a distance of 143.30 feet on said centerline to a point; Thence on a curve to the left, on said centerline, which curve has a radius of 176.40 feet, a length of 124.55 feet, and a long chord which bears N 73° 02' 39" W, a distance of 121.98 feet to a point; Thence a bearing of S 86° 43' 41" W, a distance of 61.22 feet on said centerline to a point; Thence a bearing of S 0° 26' 53" E, a distance of 125.27 feet to a set 5/8 inch rebar; Thence a bearing of S 42° 15' 26" E, a distance of 160.36 feet to the POINT OF BEGINNING.

together with and subject to rights-of-way and easements of record and/or use.

STATE OF IDAHO
WARRANTY DEED
NO. 13173

THIS INDENTURE made this 21st day of August, 1997, by and between STATE OF IDAHO, c/o SOUTHERN IDAHO TIMBER PROTECTION ASSOCIATION, of 555 Dienhard Lane, McCall, Idaho 83638, party of the first part, hereinafter referred to as "Grantor", and BOISE CASCADE CORPORATION, a Delaware Corporation, of P.O. Box 50, Boise, Idaho 83728-0001, party of the second part, hereinafter referred to as "Grantee".

WITNESSETH, that the Grantor in consideration of the exchange of land of equal value by conveyance from Grantee and other good and valuable consideration, the receipt whereof is hereby acknowledged, has granted, bargained, and sold, and do hereby grant, bargain, sell, convey, and confirm unto Grantee and their successors and assigns forever, all the following described real estate situated in VALLEY COUNTY, State of Idaho, to-wit:

Three (3) Parcels of Land

Parcel 1:

A tract of land in Lot Six (6), Section Ten (10), Township 11 North, Range Three (3) East, Boise Meridian, Valley County, Idaho, more particularly described as follows:

From the west one-quarter (W $\frac{1}{4}$) corner of said Section 10, East a distance of 2,050.00 feet, more or less, to a point on the west right-of-way boundary of Boise-Payette Lake Highway (State Highway 55), which point is 50 feet west from Station 1178+10 F.A.P. 130-1 and is the REAL POINT OF BEGINNING, thence running 252.10 feet southerly on a curve with a radius of 1,005.40 feet to a point of tangent; thence South 1°17' East, 550.00 feet; thence West, 500.00 feet; thence North 800.00 feet; thence East 515.00 feet returning to the real point of beginning, the above described area containing 9.20 acres, more or less.

Parcel 2:

A tract of land in Section 10, Township 11 North, Range 3 East, B.M., Valley County, Idaho, more particularly described as follows: Beginning at a stone, said stone being the southwest corner of said Section 10; thence South 89°59' East, 844.20 feet along the south line of said Section 10 to the center of Tripod Creek; thence along the center of Tripod Creek the following courses and distances: North 45°00' East, 75.80 feet; thence North 50°46' East, 388.00 feet; thence North 32°09' East, 350.00 feet; thence North 4°16' East, 138.00 feet; thence North 26°19' East, 106.00 feet; thence North 49°36' East, 185.00 feet; thence North 7°58' West, 101.00 feet; thence North 15°53' East, 135.00 feet; thence North 56°45' East, 108.00 feet; thence North 20°44' East, 110.00 feet; thence North 38°31' East, 194.00 feet; thence East 60.00 feet; thence North 55°27' East, 193.00 feet, more or less, to an intersection with the west right-of-way boundary of State Highway 55; thence along the west side of said highway, following the arc of a curve to the right with a radius of 623.70 feet, a distance of 108.00 feet; thence North 1°17' West, 709.70 feet; thence following the arc of a curve to the

State of Idaho
Warranty Deed
No. 13173
Page 2 of 5

right with a radius of 1,005.40 feet a distance of 552.70 feet; thence North 30° 14' East, 275.00 feet to a point on the west right-of-way boundary of State Highway 55, 50.00 feet westerly at a right angle to Station 8+09.4, said point being the point of curve of a 3° curve to the left; thence North 88° 57' West a distance of 2,303.90 feet, more or less, to an intersection with the west boundary of said Section 10; thence following the west boundary of said Section 10, South 0° 03' East, 554.20 feet to a tamarack post, said post being the west one quarter (W ¼) section corner of said Section 10; thence continuing along the west boundary of said Section 10, South 0° 02' West a distance of 2,637.10 feet returning to the southwest corner of said Section 10, excepting therefrom a tract of land containing 9.20 acres deeded to the State of Idaho by Boise Payette, Inc., on March 15, 1935 (Parcel 1 Above).

The total acres contained in this parcel being 114.36 acres, more or less.

Parcel 3:

A tract of land in Section 10, Township 11 North, Range 3 East, B.M., more particularly described as follows: Beginning at a concrete monument set on the east right-of-way boundary of State Highway 55, 50.00 feet from the centerline of said highway at a right angle to Station 3+34.4, the point of tangent of a 6° curve to the right; thence along the east right-of-way boundary of State Highway 55, following the arc of a curve to the left with a radius of 905.40 feet a distance of 497.80 feet; thence South 1° 17' East, 709.70 feet; thence following the arc of a curve to the left with a radius of 523.70 feet a distance of 585.70 feet; thence South 65° 22' East, 575.20 feet; thence following the arc of a curve to the right with a radius of 766.80 feet a distance of 297.60 feet to an iron pipe set 50 feet easterly at a right angle to the centerline of State Highway 55; thence North 43° 30' East, 31.00 feet to a meander corner stone on the west bank of the North Fork of the Payette River; thence upstream along the west bank of the North Fork of the Payette River, North 28° 12' West, 280.00 feet; thence North 19° 55' West, 200.00 feet to a meander corner stone; thence North 19° 21' West, 245.00 feet; thence North 8° 11' West, 247.00 feet; thence North 18° 52' West, 558.00 feet; thence North 0° 08' West, 200.00 feet; thence North 6° 19' West, 132.90 feet to a meander corner stone; thence North 1° 01' West, 272.00 feet; thence North 12° 48' West, 222.00 feet to an iron pipe on the south side of the road to Smith's Ferry; thence along the south side of said road, South 80° 11' West, 326.20 feet, more or less, to an intersection with the east right-of-way boundary of State Highway 55, an iron pipe; thence South 30° 14' West, 190.40 feet along the east right-of-way boundary of said highway returning to the point of beginning, the above described area containing 29.61 acres, more or less.

The total area being conveyed by this deed being 153.17 acres, more or less.

State of Idaho
Warranty Deed
No. 13173
Page 3 of 5

Subject to State of Idaho Easement No. 726 granted on November 8, 1943 to Idaho Power Company for a pole line as it crosses the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, Township 11 North, Range 3 East, B.M., and as recorded in the office of the Valley County Recorder in Book 6 of Miscellaneous at page 438 on November 18, 1943.

Subject to State of Idaho Easement No. 808 granted on August 21, 1946 to Idaho Department of Public Works for a highway as it crosses Lots 3, 6, and 7 of Section 10, Township 11 North, Range 3 East, B.M., and as recorded in the office of the Valley County Recorder in Book 8 of Miscellaneous at page 116 on August 24, 1946.

Subject to power line easement issued to Idaho Power Company by Boise Cascade Corp., as filed for record in the office of the Recorder of Valley County, Idaho on December 30, 1943 as Instrument No. 31589 in Book 6 of Miscellaneous at page 468.

Subject to right-of-way deed with restrictions issued to Idaho Department of Public Works for a highway by Boise Cascade Corp., as filed for record in the office of the Recorder of Valley County, Idaho in Book 24 of Deeds at page 557 on August 29, 1948.

Subject to State of Idaho Temporary Permit No. 1249-A granted on February 6, 1979 to Southern Idaho Timber Protective Association for the purpose of maintaining an earth fill dam, reservoir and outlet structure for fire protection purposes. The subject dam is located in the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 16, Township 11 North, Range 3 East, B.M. and is appurtenant to State of Idaho Water Right No's. A85-00784 and A85-00784A. Said permit expires April 15, 1998 with the option to be renewed.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to said property, as well in law as in equity of the said Grantor.

This deed also conveys the following water rights:

1. Water Right No. 65-0483 issued to Southern Idaho Timber Protective Association with a priority date of June 1, 1911 to be used for domestic use. The diversion point is located on Station Creek which is tributary to the North Fork of the Payette River and is located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, Township 11 North, Range 3 East, B.M. and the place of use is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, Township 11 North, Range 3 East, B.M.
2. Water Right No. A85-00784 issued to State of Idaho/Southern Idaho Timber Protective Association with a priority date of May 1, 1935 to be used for irrigation and irrigation storage. The diversion point is located on Tripod Creek which is tributary to the North Fork of the Payette River and is located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 16, Township 11 North, Range 3 East, B.M. and the place of use is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$.

State of Idaho
Warranty Deed
No. 13173
Page 4 of 5

of Section 10, Township 11 North, Range 3 East, B.M.

3. Water Right No. A65-00784A issued to Idaho Department of Lands/Southern Idaho Timber Protective Association with a priority date of May 1, 1935 to be used for irrigation and irrigation storage. The diversion point is located on Tripod Creek which is tributary to the North Fork of the Payette River and is located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 16, Township 11 North, Range 3 East, B.M. and the place of use is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, Township 11 North, Range 3 East, B.M.

TO HAVE AND TO HOLD All singular the above mentioned and described premises, together with the appurtenances, unto the said Grantee, and to its successors and assigns forever

The said Grantor, its successors and assigns WARRANTS to the Grantee, its successors and assigns that it is lawfully seized of the above described real property in fee simple, that the same is free and clear of any and all encumbrances of every kind and description, except as herein specified, and that the Grantor has lawful right to convey the said property.

IN WITNESS WHEREOF, the State Board of Land Commissioners has caused these presents to be executed by its President, the Governor of the State of Idaho, and countersigned by the Secretary of State of the State of Idaho, and the Director, Department of Lands of the State of Idaho.

STATE BOARD OF LAND COMMISSIONERS

Philip E. Tate

Governor of the State of Idaho and President of the
State Board of Land Commissioners

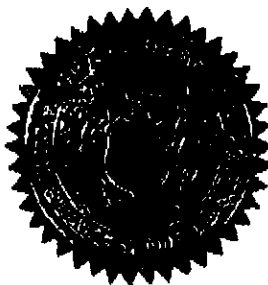
COUNTERSIGNED:

Pete M. Cavanaugh

Secretary of State

Shirley J. Hamilton

Director, Idaho Department of Lands



State of Idaho
 Warranty Deed
 No. 13173
 Page 5 of 5

ACKNOWLEDGMENT

STATE OF IDAHO)
) ss.
 County of Ada)

On this 21 day of August, 1997, before me, a Notary Public in and for said State, personally appeared PHILIP J. BATT, known to me to be the Governor of the State of Idaho and President of the State Board of Land Commissioners; PETE T. CENARRUSA, known to me to be the Secretary of State of the State of Idaho; and STANLEY F. HAMILTON, known to me to be the Director of the Department of Lands of the State of Idaho, that executed the said instrument and acknowledged to me that such State of Idaho and State Board of Land Commissioners executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last written above.

Suzanne H. Cooley
 NOTARY PUBLIC
 Residing at: Bow, Idaho
 My Commission Expires: 7-22-2002

c:\my\deed\cascada.wd2

2777:13

TYPED: Dick H. H.
 LELAND G. MEINRICH, V C RECORDER

BY: Suzanne H. Cooley

FEE: 15.00 2:40 p.m.

DATE & TIME: 8-27-97

REQUESTED BY: MOUNTAIN TITLE & RECORDS

WATERLINE EASEMENT

THIS EASEMENT is made and entered into this 6th day of November 1997, from BOISE CASCADE CORPORATION, a Delaware corporation ("Grantor") to RICHARD W. CUMMINGS and JOY CUMMINGS ("Grantee").

W I T N E S S E T H:

FOR AND IN CONSIDERATION of the sum of \$10 and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor does hereby grant and convey unto Grantee the right to construct, maintain, and repair an existing water pipeline and ditch for the purpose of conveying water through the real property hereinafter described to the property of Grantee.

1. Real Property. The waterline easement hereby granted shall be over the following described property:

W½NW¼ Section 15 and the SW¼ of Section 10, Township
11 North, Range 3 East, B.M., Valley County, Idaho.

Said easement shall be five feet in width, being two and one-half feet on each side of the center line described on the map attached hereto as Exhibit A.

2. Water Quality. Grantor makes no warranty or representation and does hereby specifically disclaim any warranty or representation as to the condition, purity, quality, or availability of the water from Tripod Creek.

3. Indemnity. Grantee hereby agrees to indemnify and hold harmless the Grantor from any and all claims and demands for injury to or death of persons and for loss or damage to property caused by or resulting from, either directly or indirectly, the construction, reconstruction, maintenance, or use of the water supply system of Grantee and the waters flowing into the system from Tripod Creek.

4. Reservation of Rights. Grantor hereby expressly reserves and shall have the right to use and enjoy the above-described premises for itself, its successors, and assigns for any and all purposes and the right to go upon, cross, recross, and use said premises, including but not limited to the right to construct, reconstruct, and maintain roads over and across said waterline easement. Without limiting the generality of the foregoing, Grantor shall also have the right to unrestricted use of the premises for the purpose of operating and moving specialized logging vehicles or other equipment, felling and skidding trees, and applying herbicides and pesticides on the herein described premises. Grantor shall not be liable for any loss or damage to the pipeline or ditch as a result of its use of the premises. Any damage, loss, or injury to the pipeline or ditch shall not be the responsibility of Grantor, regardless of the cause.

5. Abandonment. In the event Grantee fails to use the pipeline for a period of five consecutive years, or in the event Grantee abandons the same, Grantee agrees that it shall immediately deliver to Grantor an appropriate instrument in recordable form quitclaiming all of their right, title, and interest in and to the pipeline, water tank, and premises of Grantor.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first above written.

BOISE CASCADE CORPORATION

^{05/6} By T.W. Heller
SENIOR Vice President

Richard W. Cummings
Richard W. Cummings

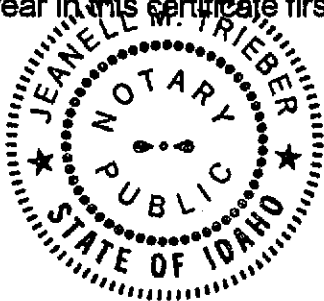
Joy Cummings
Joy Cummings

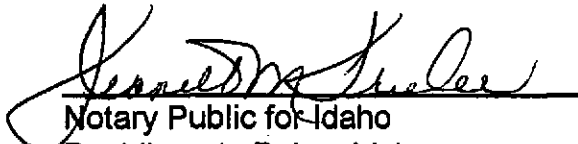
229529
TYPE None
LELAND HEINRICH
VALLEY COUNTY RECORDER
BY: Shirley J. Jorgensen
FEE: 12.00
'97 NOV 17 AM 11 10
MOUNTAIN TITLE & ESCROW
REQUESTED BY _____
RECORDED

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 6th day of November 1997, before me, the undersigned, a notary public in and for said state, personally appeared J. W. Holleran, known to me to be the Senior Vice President of Boise Cascade Corporation, a Delaware corporation, that executed the above instrument on behalf of said corporation and acknowledged to me that said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

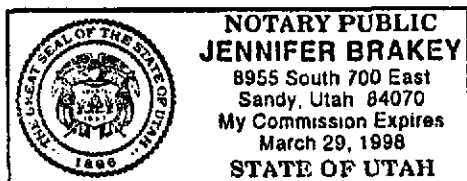


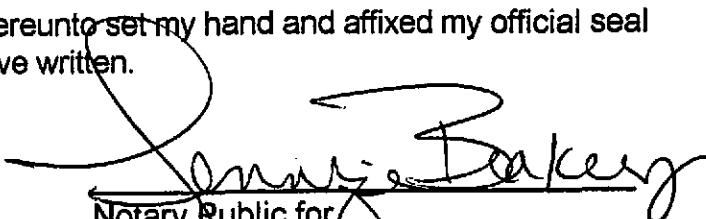

Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: 10/01/2003

STATE OF Ut)
) ss.
COUNTY OF SL.)

On this 10 day of Nov 1997, before me, the undersigned, a notary public in and for said state, personally appeared Richard W. Cummings and Joy Cummings known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.




Notary Public for
Residing at: Sandy
My Commission expires: 3/29/98



Waterline Easement
T11N R3E
SW 1/4 Sec. 10 and W 1/2 NW 1/4 Sec. 15

WATERLINE EASEMENT

THIS EASEMENT is made and entered into this 6th day of November 1997, from BOISE CASCADE CORPORATION, a Delaware corporation ("Grantor") to RICHARD W. CUMMINGS and JOY CUMMINGS ("Grantee").

WITNESSETH:

FOR AND IN CONSIDERATION of the sum of \$10 and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor does hereby grant and convey unto Grantee the right to construct, maintain, and repair an underground water pipeline for the purpose of conveying water through and under the real property hereinafter described to the property of Grantee.

1. Real Property. The waterline easement hereby granted shall be over the following described property:

S½NW¼ Section 10, Township 11 North, Range 3 East,
B.M., Valley County, Idaho.

Said easement shall be five feet in width, being two and one-half feet on each side of the center line described on the map attached hereto as Exhibit A.

2. Water Quality. Grantor makes no warranty or representation and does hereby specifically disclaim any warranty or representation as to the condition, purity, quality, or availability of the water from the spring, nor the transmission thereof through the waterline.

3. Indemnity. Grantee hereby agrees to indemnify and hold harmless the Grantor from any and all claims and demands for injury to or death of persons and for loss or damage to property caused by or resulting from, either directly or indirectly, the construction, reconstruction, maintenance, or use of the water supply system of Grantee and the waters flowing into the system from Grantor's land.

4. Depth of Pipeline. Grantee shall cause the pipeline to be constructed and thereafter maintained at a sufficient depth that it will not interfere with Grantor's use, occupancy, and enjoyment of the land surface or anything growing thereon. It is agreed between the parties that the pipeline shall be buried at least 36 inches deep at all points along the above-described center line and shall install markers designating the location of the waterline at least every 250 feet along the Easement.

5. Water Collecting Tank. Grantee shall have the right to install and maintain a water tank on the premises at the spring site.

6. Reservation of Rights. Grantor hereby expressly reserves and shall have the right to use and enjoy the above-described premises for itself, its successors, and assigns for any and all purposes and the right to go upon, cross, recross, and use said premises, including but not limited to the right to construct, reconstruct, and maintain roads over and across said waterline easement. Without limiting the generality of the foregoing, Grantor shall also have the right to unrestricted use of the premises for the purpose of operating and moving specialized logging vehicles or other equipment, felling and skidding trees, and applying herbicides and pesticides on the herein described premises. Grantor shall not be liable for any loss or damage to the pipeline as a result of its use of the premises. Any damage, loss, or injury to the pipeline or the water holding tank shall not be the responsibility of Grantor, regardless of the cause.

7. Abandonment. In the event Grantee fails to use the pipeline and water tank for a period of five consecutive years, or in the event Grantee abandons the same, Grantee agrees that it shall immediately deliver to Grantor an appropriate instrument in recordable form quitclaiming all of their right, title, and interest in and to the pipeline, water tank, and premises of Grantor.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first above written.

BOISE CASCADE CORPORATION

ok By T. W. Keller
SENIOR Vice President

Richard W. Cummings
Richard W. Cummings

Joy Cummings
Joy Cummings

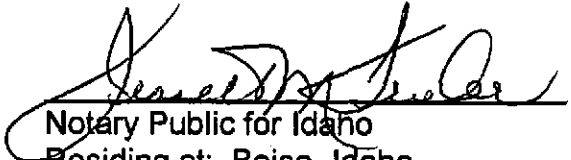
229530
TYPE: huc
LELAND HEINRICH
VALLEY COUNTY RECORDER
BY: Shirley
FEE: 12.50
'97 NOV 17 AM 11 10
MOUNTAIN TITLE & ESCROW
REQUESTED BY
RECORDED

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 6th day of November 1997, before me, the undersigned, a notary public in and for said state, personally appeared J.W. Holleran, known to me to be the Senior Vice President of Boise Cascade Corporation, a Delaware corporation, that executed the above instrument on behalf of said corporation and acknowledged to me that said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

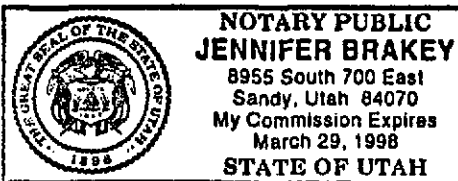


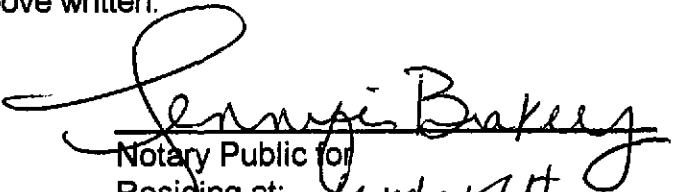

Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: 10/01/2003

STATE OF Ut)
) ss.
COUNTY OF SL)

On this 10 day of Nov 1997, before me, the undersigned, a notary public in and for said state, personally appeared Richard W. Cummings and Joy Cummings known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.




Notary Public for
Residing at: Sandy UT
My Commission expires: 3/29/98



Waterline Easement
T11N R3E
S 1/2 NW 1/4 Sec. 10

OF IDAHO, IN AND FOR THE COUNTY OF

MAP NO.

65 0784

WATER RIGHT

S.I.T.P.A.

(Name of Claimant)

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

The extent and nature of said claim is as follows:

3-15-35

- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) _____
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) _____
Station creek, domestic reservoir - State Creek, fire reservoir
- (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 fire fighting & irrigation Period of Use From 1-1 To 12-31
(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: _____ Cubic Feet Per Second, or _____ Acres Feet Per Annum
and/or 40.00 miner inches Per Minute. Station creek SW 1/4
- (5) A) Point of Diversion: Give location of point where water is diverted from its source State Creek NE 1/4 SW 1/4
Sec. 10 Twp. 11N Rge. 3E, R.M. additional points: _____

D) 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.

- (8) 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 40.00

- D) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Fire fighting
- (7) Effluent, sewage waste, or return water from this use is discharged into septic tank
- (8) If you are claiming water as a member of an organization, list name of organization.
- (9) Remarks 10.00 minor inches for domestic use, 30.00 minor inches for fire fighting,
and irrigation, During Fire Season.
- (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 filed with State Reclamation Engineer, Office No.

Do I know 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.

Individual

8-10-70

(Date)

(Signature of Gilmant)

State of Idaho

County of Ada

On this 10 day of August

a notary public, personally appeared G. C. Tranbley

known to me to be the person(s) whose name(s) are sub-
corporation, partnership or Land Commissioner

Organization

Signature of Agent

Department of Public Lands

(Signature of Authorized Agent)

in the year 1970

_____, in the year _____, before me,

to the above instrument, and acknowledged to me that (he, she, they,) executed the same.

Notary Public residing at Boise, Idaho

His authorization expires 8-25-70

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

65 0484

Notice is hereby given that

SOUTHERN IDAHO TIMBER PROTECTIVE ASSOCIATION

McCALL, IDAHO

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) 1935

(2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) TRIPOD CREEK

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Use Irrigation and Fire Protection Period of Use From May 1 To October 15
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive)
Use Period of Use From To
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive)
Use Period of Use From To
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive)

(4) Quantity of water claimed: 2 Cubic Feet Per Second, or Acre Feet Per Annum, and/or Gals. Per Minute.

(5) A) Point of Diversion: Give location of point where water is diverted from its source S. E. 1/4 N. E. 1/4 Sec. 16 Twp. 11 N. Rge. 3 E. D.M.; additional points: Water stored in Tripod Reservoir delivered by creek and ditch to area irrigated and protected.

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. Water stored in Tripod Reservoir. Earth fill dam approximately 100' long. Concrete spillway into creek. Water diverted from creek by ditch approximately one-half mile long to area irrigated or protected.

(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.

T	R	SEC.	NE 1/4			NW 1/4			SW 1/4			SE 1/4			TOTAL
			NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	
11	N	3 E.	10					6	10				5		

Total No. of acres 20

D) If water is used for other than irrigation, fully describe that use, being as specific as possible.
Small reservoir on hill behind buildings stores water for fire protection.

(7) Effluent, sewage waste, or return water from this use is discharged into Any waste water would return to creek bed. All in pasture, no muddy waste water.

(8) If you are claiming water as a member of an organization, list name of organization.
SOUTHERN IDAHO TIMBER PROTECTIVE ASSOCIATION

(9) Remarks

(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 filed 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.

Individual

6-25-70
(Date)

(Signature of Claimant)

State of Idaho

County of Ada

On this 23rd day of June, in the year 1970

a notary public, personally appeared Bole V. Anderson, known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or Association) executed the same.

Notary Public residing at Boise, Idaho

My commission expires 1-26-72

Organization SOUTHERN IDAHO TIMBER PROTECTIVE ASSO.

Bole V. Anderson Secretary-Manager
(Signature of Authorized Agent)

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 **65 0483**

SOUTHERN IDAHO TIMBER PROTECTIVE ASSOCIATION

Notice is hereby given that

HOCALL, IDAHO

(Name of Claimant)

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) 1911
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) STATION CREEK
- (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 DOMESTIC Period of Use From January 1 To December 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: 25 10 Cubic Feet Per Second, or Acre Feet Per Annum, and/or Gals. Per Minute.
- (5) A) Point of Diversion: Give location of point where water is diverted from its source S.W. N.W. N. S.
Sec. 10 Twp. 11 N Rge. 3 E U.M.; additional points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Diversion dam in creek, water by pipe to concrete box, then by pipe to Station Headquarters.

- (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.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NW 1/4	NW 1/4	SW 1/4	SW 1/4	NW 1/4	NW 1/4	SW 1/4	SW 1/4	NW 1/4	NW 1/4	SW 1/4	SW 1/4	NW 1/4	NW 1/4	SW 1/4	SW 1/4	
11W.	3 E	10									X								

Total No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic water for two families and up to 25 other employees at Smiths Ferry Station of Southern Idaho Timber Protective Association.

- (7) Effluent, sewage waste, or return water from this use is discharged into Septic tank and field drain
- (8) If you are claiming water as a member of an organization, list name of organization: Southern Idaho Timber Protective Association
- (9) Remarks

- (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 filed with State Reclamation Engineer, Office No.

Do 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.

Individual

6-25-70
(Date)

(Signature of Claimant)

State of Idaho

County of Ada

On this 23rd day of June, in the year 1970

a notary public, personally appeared Dale V. Anderson known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or Association) executed the same.

Notary Public residing at Boise, Idaho

My commission expires 1-26-72

Organization SOUTHERN IDAHO TIMBER PROTECTIVE ASSO.
Dale V. Anderson Secretary-Manager
(Signature of Authorized Agent)

DIVERSION DAM
IN CREEK.

Water via 2"

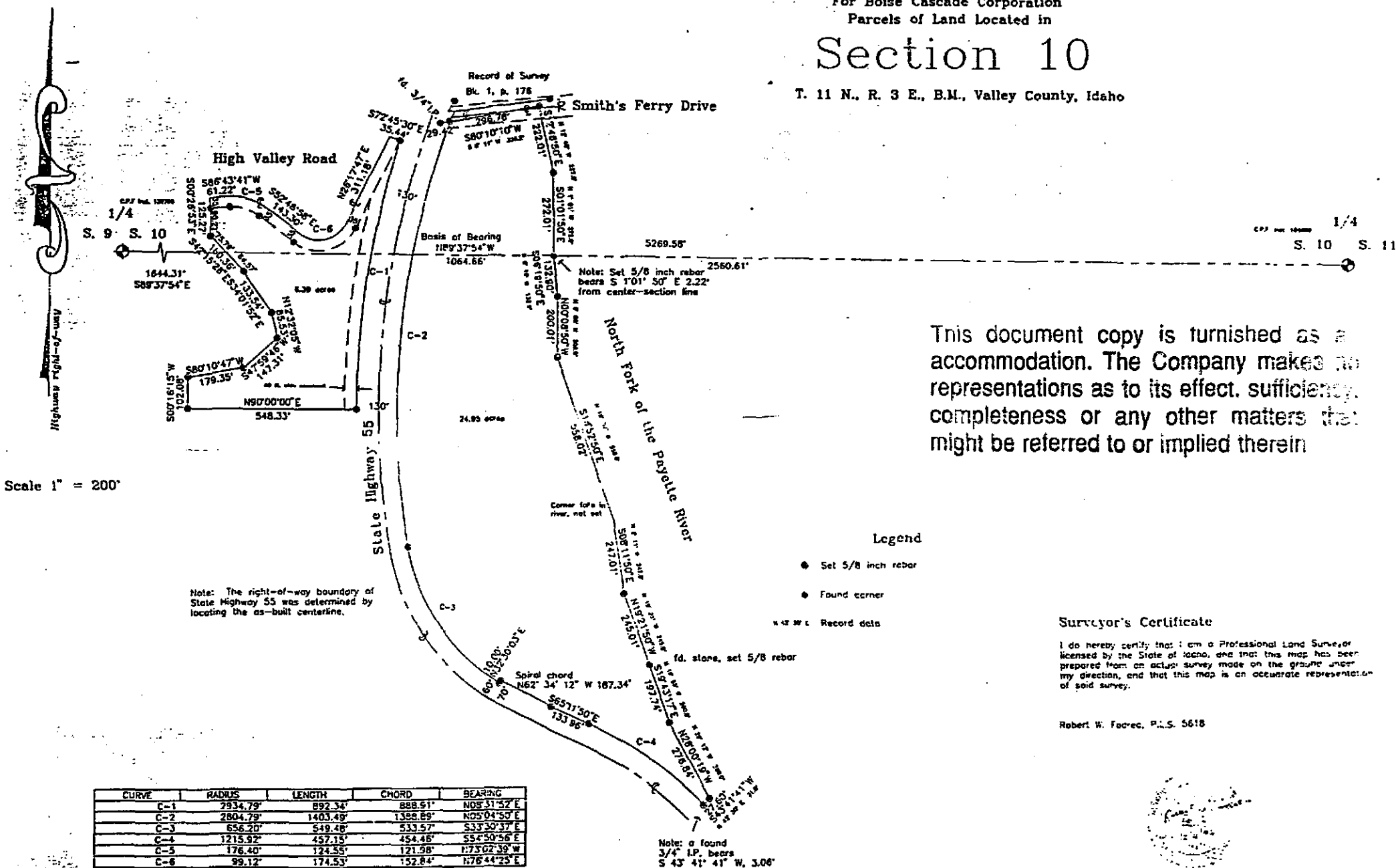
OK 5 p.

RECORD OF SURVEY

For Boise Cascade Corporation
Parcels of Land Located in

Section 10

T. 11 N., R. 3 E., B.M., Valley County, Idaho

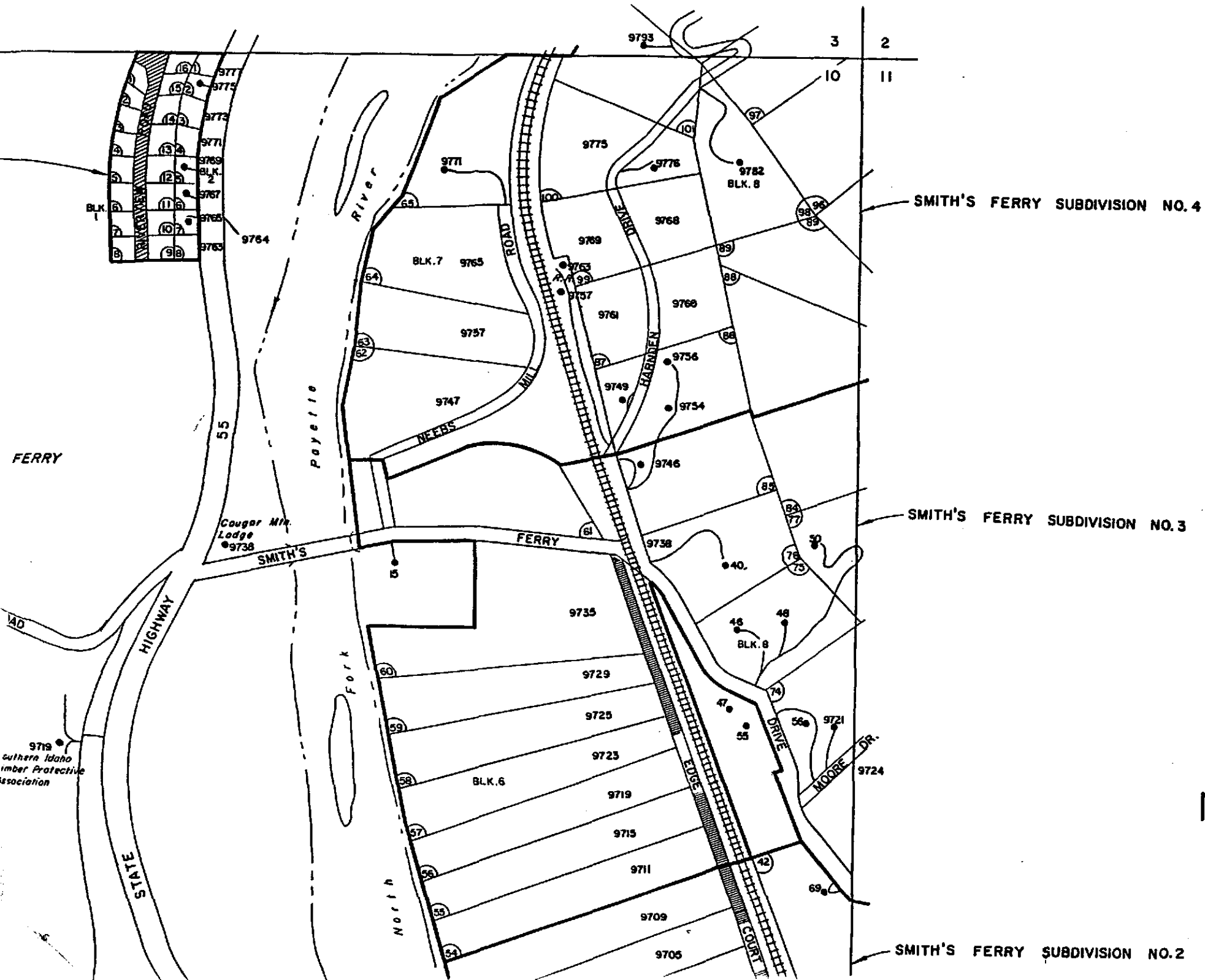


This document copy is furnished as a accommodation. The Company makes no representations as to its effect, sufficiency, completeness or any other matters that might be referred to or implied therein

Surveyor's Certificate

I do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground under my direction, and that this map is an accurate representation of said survey.

Robert W. Fodrea, P.L.S. 5618



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: A65-00784
Date Received: 10/24/1988
Receipt No: X999999
Received By: DE JH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STATE OF IDAHO 208-634-2268
Address: SOUTHERN IDAHO T.P.A.
BOX 1003
MCCALL, ID 83638
2. Date of Priority: MAY 01, 1935
3. Source: TRIPOD CREEK Trib. to: PAYETTE RIVER, NORTH FORK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 11N | 03E | 16 | SW | SE | NE | | VALLEY |
5. Description of diverting works:
SEE REMARKS
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|-------------------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/15 | 10/15 | 0.400 | | |
| IRRIGATION FROM STORAGE | 04/15 | 10/15 | 0.400 | | 100.00 |
| IRRIGATION STORAGE | 01/01 | 12/31 | 0.400 | | 120.00 |
7. Total Quantity Appropriated is:
0.400 C.F.S. (and/or) 100.00 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
11N	03E	10	SE	NW		IRR FS	3.0

A65-00784

Page 1

Date: 01/05/89

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SEP 15 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	03E	10	NE	SW		IRR FS	14.0
			NW	SE		IRR FS	3.0
Section Acres							20.0
Total Acres							20.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:

FIRE PROTECTION AGREEMENT WITH STATE OF IDAHO, DEPARTMENT OF LAND
WATER STORED IN TRIPOD RESERVOIR, EARTH FILLED DAM, APPROX.
100 FT. LONG, CONCRETE SPILLWAY INTO CREEK. WATER DIVERTED FROM
CREEK BY DITCH APPROXIMATELY 1/2 MILE LONG TO IRRIGATED AND FIRE
PROTECTION AREA. INSPECTED ANNUALLY BY IDWR.

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 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: 39356

Ident. Number

65-0784

Date Received

10-24-88

Receipt Number

X999999

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
DEC 13 1988
No ✓

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) State of Idaho/Southern Idaho T.P.A. Phone (208) 634-2268
Mailing Address Box 1003, McCall, ID Zip 83638
2. Date of Priority (Only one (1) per claim) 5-1-35
3. Source of water supply (a) Tripod Creek
which is tributary to (b) Payette River, North Fork
4. a. Location of existing point of diversion is: Township 11N Range 3E Section 16,
SW 1/4 of SE 1/4 of NE 1/4, Govt. Lot, B.M., County of Valley
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Water stored in Tripod Reservoir, earth
filled dam, approximately 100 ft. long, concrete spillway into creek. Water diverted
from creek by ditch approximately 1/2 mile long to irrigated and fire protection area.
Inspected annually by IDWR.

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SEP 15 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation 01 purposes from 4-15 to 10-15 amount 0.400 or _____

For irrigation 03 purposes from 4-15 to 10-15 amount 0.400 or _____
from storage

For irrigation storage purposes from 1-1 to 12-31 amount 0.400 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.400 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 100.00 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
11N	3E	10								3	14					3			20

Total number of acres irrigated 20

11. In which county (ies) are lands listed above as place of use located? Valley

12. Do you own the property listed above as place of use? Yes _____ No X

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None (X)

14. Remarks:

Fire protection agreement with State of Idaho, Department of Lands

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SEP 15 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

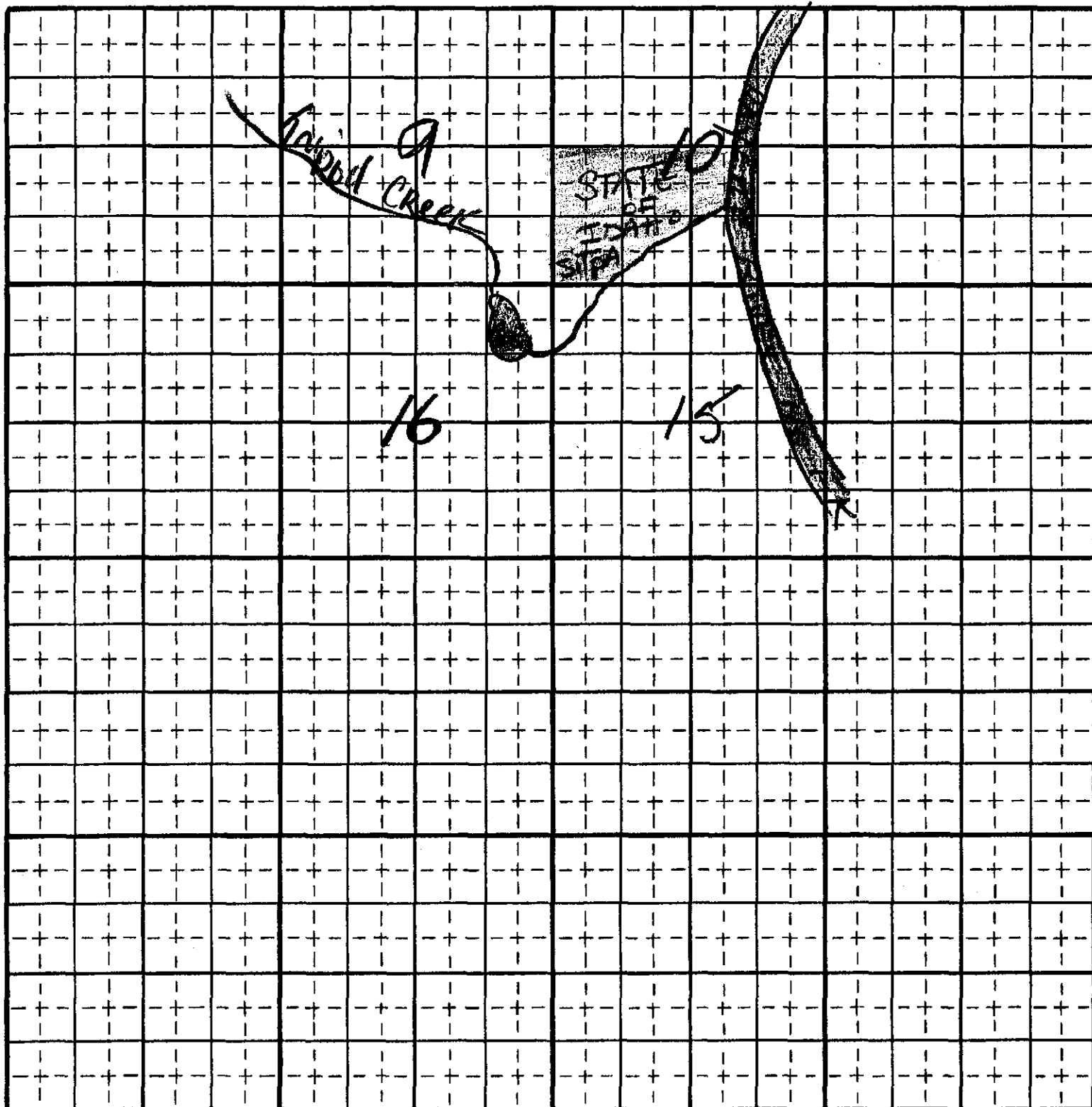
If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

8801 7 1 9710

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

TWP 11 N
R 6 E



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SEP 15 1992

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 65-0784
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

For Individuals: I 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 Fire Warden _____
Title
of Southern Idaho Timber Protective Association, Inc. _____, that I have signed the foregoing
Organization
document in the space below as Fire Warden _____ of Southern Idaho Timber Protective Ass'n
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent *[Signature]*
Title and Organization Fire Warden/Southern Idaho Timber Protec- Date 12/9/88
tive Association, Inc.

State of Idaho/or _____)
County of _____) SS.

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

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

SEP 15 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

RECOMMENDED

AS 65-0784

FIFTH JUDICIAL DISTRICT OF THE
FOR THE COUNTY OF TWIN FALLSIN RE
OF R/W
THE S

CIVIL CASE NUMBER: 39576

Ident. Number

Date Received

Receipt Number

E OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

Department of Water Resources
Western Regional OfficeRECEIVED
OCT 2 1992

Please type or print clearly

- Name of Claimant (s) Southern Idaho Timber Protective Assn. Phone (208) 634-2268
Mailing Address P.O. Box 1003 McCall, Idaho Zip 83638
- Date of Priority (Only one (1) per claim) 1935
- Source of water supply (a) Tripod Creek
which is tributary to (b) North Fork Payette River
- Location of point of diversion is: Township 11N Range 3E
Section 16, SW 1/4 of SE 1/4 of NE 1/4, Govt. Lot _____, B.M.,
County of Valley
Additional points of diversion if any: _____
- Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Water stored in Tripod Reservoir. Earth filled
dam approximately 100 ft. long concrete spillway into creek. Water diverted from creek
by ditch approximately 1/2 mile long to area irrigated and protected. Inspected annually.
- Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)
(Both dates are inclusive) (cfs)
For irrigation purposes from May 1 to Oct. 15 amount _____
For fire protection purposes from May 1 to Oct. 15 amount _____
- Total quantity claimed 2 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of livestock) Small reservoir behind buildings stores water for fire protection. Any waste
water returns to creek bed. All in pasture, no muddy water waste.

Copies: White-State, Yellow-Claimant

MICROFILMED
OCT 15 1992

[illegible]

Copies White-State, Yellow-Claimant

**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 _____

Date Received _____

Receipt Number _____

RECEIVED
DEC 13 1988

**NOTICE OF CLAIM
TO A
WATER RIGHT**

ACQUIRED UNDER STATE LAW

Department of Water Resources For Domestic and/or Stockwater Purposes
Western Regional Office **When Daily Use is less than 13,000 gallons per day. Filing fee \$25**

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Southern Idaho Timber Protective Assn. Phone (208) 634-2268Mailing Address P.O.Box 1003 McCall, Idaho Zip 836382. Date of Priority (Only one (1) per claim) 19353. Source of water supply (a) Tripod Creek
which is tributary to (b) North Fork Payette River4. Location of point of diversion is: Township 11N Range 3E
Section 16, SW 1/4 of SE 1/4 of NE 1/4, Govt. Lot _____, B.M.,
County of Valley

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Water stored in Tripod Reservoir. Earth filled
dam approximately 100 ft. long concrete spillway into creek. Water diverted from creek
by ditch approximately 1/2 mile long to area irrigated and protected. Inspected annually.

6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)

(Both dates are inclusive)

For irrigation purposes from May 1 to Oct. 15 amount _____ (cfs)For fire protection purposes from May 1 to Oct. 15 amount _____7. Total quantity claimed 2 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) Small reservoir behind buildings stores water for fire protection. Any waste
water returns to creek bed. All in pasture, no muddy water waste.

Copies: White-State, Yellow-Claimant

MICROFILMED**SEP 15 1992**

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

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By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
11N	3E	10								S	S					S		

11. In which county (ies) are lands listed above as place of use located? Valley

12. Do you own the property listed above as place of use? Yes _____ No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks: Have a reciprocal agreement with Idaho Department of Lands

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree 0784

If applicable provide IDWR Water Right Number 65-0484
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

For Individuals: I 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 Fire Warden Title
of Southern Idaho Timber Protective Association, Inc. , that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Karen Kyrle
Title and Organization Fire Warden Date 10/20/88

State of Idaho/or _____)
County of Valley) SS.

Subscribed and sworn (or affirmed) before me this 20 day of October 19 88

SEAL

Notary Public Theresa H. Kirk MICROFILMED

Residing at McCall, Idaho SEP 15 1992

My Commission Expires March 1991

Last Name _____ Ident No. _____ Copies White-State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

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If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

5001 2 1 988

Southern Idaho Timber Protective Association

IDAHO FIRST NATIONAL BANK
McCall Office
P. O. Box 903
McCall, Idaho 83638

92-1/1241
48538B-44T

THE SUM 5 DOLS 0073

TO

THE

ORDER

OF

---Idaho Department of Water Resources---
2735 Airport Way
Boise, Idaho 83705

DATE

AMOUNT

October 20, 1988

\$ -50.00-

SOUTHERN IDAHO TIMBER PROTECTIVE ASSOCIATION

John H. C.

##014976## 0124100019: 110018380498##

Rocky Mountain Blank Note

**SOUTHERN IDAHO TIMBER
PROTECTIVE ASSOCIATION**

PAYEE: DETACH THIS STATEMENT BEFORE DEPOSITING CHECK

PAGE 2: DETACH THIS STATEMENT BEFORE DEPOSITING CHECK		
DATE	DESCRIPTION	AMOUNT
	Filing fee for water rights: 25.00 EA. (2 Sources) Water Right # 65 0483 # 65 0484	-\$50.00-

4

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SEP 15 1992

Water Right Number - 65-00784

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
STATE OF IDAHO

1 - DEPT. OF LANDS
2 - STATEHOUSE
3 -
City- BOISE State- ID Zip- 83720
Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/01/1935 14 D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
TRIPOD CREEK PAYETTE RIVER, NORTH FORK

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
11N 03E 16 SE NE (85) VALLEY

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/15	10/15		0.400	
03 - IRRIGATION FROM STORAGE		04/15	10/15		0.400	100.00
02 - IRRIGATION STORAGE		01/01	12/31		0.400	120.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.400 100.00

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
11N	03E	10	SE NW	3	3.0	02	IRRIGATION STORAGE	(85) VALLEY
11N	03E	10	NE SW	6	14.0	02	IRRIGATION STORAGE	(85) VALLEY
11N	03E	10	NW SE	6	3.0	02	IRRIGATION STORAGE	(85) VALLEY
11N	03E	10	SE NW		3.0	03	IRRIGATION FROM STORAGE	(85) VALLEY
11N	03E	10	NE SW		14.0	03	IRRIGATION FROM STORAGE	(85) VALLEY
11N	03E	10	NW SE		3.0	03	IRRIGATION FROM STORAGE	(85) VALLEY

Total Acres: ~~40.0~~
20.00

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - Remarks - - - - - +
No Remarks found.

MICROFILMED
SEP 15 1992

Water right number - 65-00784

Adj. flag translation: Standard Water Right Number

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +
STATE OF IDAHO

+ - - - - Decree Defendant - - - +
A & C CORP., ET AL.

+ - Decree Date - +
01/21/1986

+ - - Microfilm Rolls -

+ - - Audit Fields - 04/02/86

04/30/88 CONVERT 11/01/88 CURTIS

+ - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 00/00/0000
Approved/Denied - 00/00/0000
Proof Made Date - 00/00/0000
Start Work Date - 00/00/0000
Order Show Cause - 00/00/0000
Licensed Date - 00/00/0000
Decree Date - 01/21/1986

Field Exam Made - 00/00/0000
Protested Date - 00/00/0000
Hearing Date - 00/00/0000
Verified Date - 00/00/0000
Receipt Number -
Appl Received - 00/00/0000

Field Exam Fee -
Swan Falls -
Temporary Right - P
DLE/Carey Act -
Water District - 65
Transfer/Amended -

SEP 15 1992
MICROFILMED

12/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Southern Idaho Timber Protective Assn. CLAIM IDENT. NO. A65-00784

DATE RECEIVED 10-24-88 CK # N/C AMOUNT \$ X999999

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

Claim checked by: **VERIFIED RDR** Date: 1-4-89

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

Claimant must be sent a copy of amended claim for approval: ☐ (Yes) ☐ (No)

Receipt Prepared by: _____

Claim data entered by: _____

Sent to claimant by: _____

Date: _____

Date: _____

Date: _____

Checked by: Rm Date: 1-4-89

MICROFILMED

Comments: THE CORRECTED INFO WAS PUT ON LONG FORM AFTER REQUESTED

SEP 15 1992

BY LETTER TO APPLICANT, USE SECOND LONG FORM TO ENTER INFO (CORRECTED)



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

March 11, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Re: Notice of Claim to a Water Right No. A65-00483, A65-00784, A65-00784A

RICHARD W CUMMINGS
JOY CUMMINGS
9719 HWY 55
SMITHS FERRY ID 83611

Dear Claimant:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:d

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 2, 1998

RICHARD W CUMMINGS
JOY CUMMINGS
C/O 8695 S 1645 E
SANDY UT 84093

RE: Notice of Change of Water Right Ownership

Dear Mr. & Mrs. Cummings:

This office has reviewed the Notice of Change of Water Right Ownership form you submitted. However, we cannot continue to process this request for ownership change and are returning it to you, as it is lacking your signature. Please sign and resubmit this form to us within **30 days** of receipt.

Thank you for your cooperation. If you have any questions regarding this matter, feel free to contact our office at (208) 334-2190.

Sincerely,

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

Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:d

Enclosure

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RECEIVED

MAR 02 1998

WATER RESOURCES
WESTERN REGION

★ ★ ★
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9490 \$ 00.32⁰ FEB 26 98
7776 MAILED FROM BOISE ID 83705

UNITED STATES POSTAGE
PB8594393

RETURNED
TO
SENDER
ADDRESS
UNKNOWN

83705-5082





State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 26, 1998

RICHARD W CUMMINGS
JOY CUMMINGS
9719 HWY 55
CASCADE ID 83611

RE: Notice of Change of Water Right Ownership

Dear Mr. & Mrs. Cummings:

This office has reviewed the Notice of Change of Water Right Ownership form you recently submitted. However, we cannot continue to process this request for ownership change, and are returning it to you, as it is lacking your signature. Please sign and resubmit this form to us within **30 days** of receipt.

Thank you for your cooperation. If you have any questions regarding this matter, feel free to contact our office at (208) 334-2190.

Sincerely,

Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:d

Enclosure

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

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

65-0784

Notice is hereby given that

STATE OF IDAHO

(Name of Claimant)

S. J. L. P. A.

Boise, Idaho 83707

(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:

1-15-35

- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued)
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean)
Station creek, domestic reservoir - State Creek, fire reservoir
- (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 Fire fighting & irrigation Period of Use From 1-1 To 12-31
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both Dates Inclusive)
Use Period of Use From To
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both Dates Inclusive)
Use Period of Use From To
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both Dates Inclusive)
- (4) Quantity of water claimed: Cubic Feet Per Second, or Acre Feet Per Annum, and/or 40.00 miner inches or Minute. Station creek 40.00
- (5) A) Point of Diversion: Give location of point where water is diverted from its source. State Creek NE 1/4, Sec. 10, Twp. 11N, Rge. 3E, 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.
creek
- (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.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
11N	3E	10							X										40.00

Total No. of acres 40.00

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

fire fighting

- (7) Effluent, sewage waste, or return water from this use is discharged into. septic tank
- (8) If you are claiming water as a member of an organization, list name of organization.
- (9) Remarks 10.00 miner inches for domestic use, 30.00 miner inches for fire fighting, and irrigation. During Fire Season.
- (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 filed 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.

Individual

8-10-70

(Date)

(Signature of Claimant)

(Signature of Spouse)

Organization

Department of Public Lands

State of Idaho

ss.

Organization Seal

County of Ada

On this 10 day of August

, in the year

1970

, before me,

a notary public, personally appeared

G. C. Trombley

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or Land Commissioner) executed the same.

Notary Public residing at Boise, Idaho

My commission expires

8-25-70



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

December 1, 1988

R. KEITH HIGGINSON
Director

RECEIVED
DEC 13 1988

Southern Idaho Timber Protective Assn.
P.O. Box 1003
McCall, ID 83638

Department of Water Resources
Western Regional Office

Dear Claimant(s):

Station Creek
This office has received your Notices of Claim 65-00784 and 65-00483, however, we cannot process 65-00784 because the information on the claim form is not complete. Please use the proof reading report to fill in your claim. If there are no changes in the use, place of use, or point of diversion then there will not be a charge on this claim as it is a decreed water right. 65-00483 is also decreed with no charge and is being processed.

Tremont Creek Reservoir

I am returning your check #14976 in the amount of \$50.00. Please return the corrected claim within thirty (30) days from the date of this letter to my attention and no late fee will be charged.

Sincerely,

R.D.H.
Ronald D. Howerton
Sr. Water Resource Agent
Adjudication Section

RH:lh
Enclosures

There is no change in use, place of use, or point of diversion, on Notice of Claim 65-00784. Correction on application has been changed from 6500484 to 6500784.

Thank you for your help.

Rabert K. Kline

*Original application returned
with requested reformation*
MICROFILMED

SEP 15 1992

May 17, 1977

Mr. W. J. Mitchell
Chief, Bureau of Lands
Idaho Department of Lands
Statehouse
Boise, ID 83720

Dear Jim:

Pursuant to our telephone conversation of this date, I have enclosed copies of claims #65-0484 and #65-0734 as they were filed with our office. For your information, I have also included a copy of our reviewed version of the former claim, on which red pencil highlights the changes we have made.

Thank you for your assistance in this matter.

Sincerely,

DAVID R. TUTHILL, JR.
Payette Adjudication Supervisor

DRT:rf

Enc.

C
O
P
Y



STATE OF IDAHO

DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

GORDON C. TROMBLEY
DIRECTOR

STATE BOARD OF LAND COMMISSIONERS

JOHN V. EVANS
GOVERNOR AND PRESIDENT
PETE T. CENARRUSA
SECRETARY OF STATE
WAYNE L. KIDWELL
ATTORNEY GENERAL
JOE R. WILLIAMS
STATE AUDITOR
ROY TRUBY
SUPT OF PUBLIC INSTRUCTION

November 30, 1977

Mr. Dave R. Tuthill, Jr.
Payette Adjudication Supervisor
Department of Water Resources
Western Region
92 South Cole Road
Boise, ID 83705

Dear Dave:

This letter is in reply to your letter of May 17, 1977, concerning claims 65-0484 and 65-0784; 65-0484 having been filed in 1970 by the Southern Idaho Timber Protective Association and #65-0784 having been also filed in 1970 by the Department of Lands for the same use.

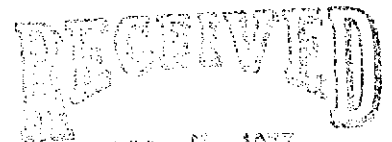
This matter has been discussed by Mr. Jack Gillette, Assistant Director, Department of Lands and Mr. Dale V. Anderson, Secretary Manager, Southern Idaho Timber Protective Association and it has been agreed that since the State of Idaho holds the deed to the property at the location of use, the claim should be in the name of the State of Idaho.

Therefore, please find enclosed an amended claim, 65-0784, in the name of the State, and on which changes have been made as indicated in your letter of May 17, 1977. Please void the previous claim 65-0484 as per agreement between Mr. Gillette and Mr. Anderson.

Sincerely yours,

DIVISION OF LANDS AND RANGE

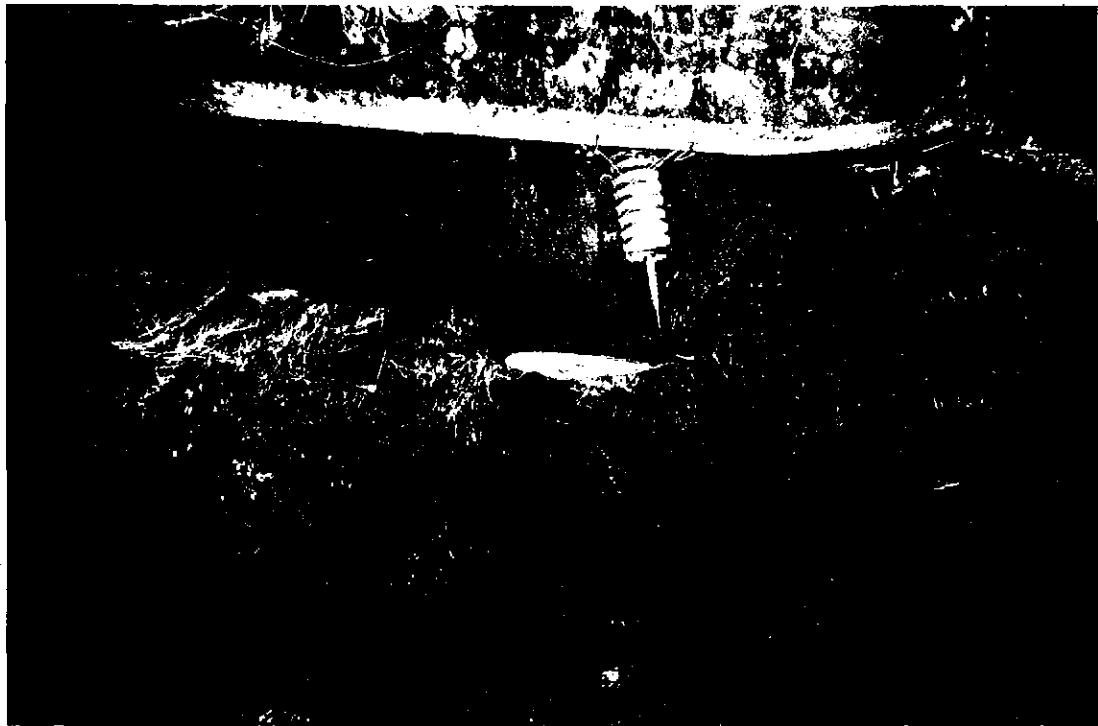
W. J. MITCHELL, Chief
Bureau of Lands



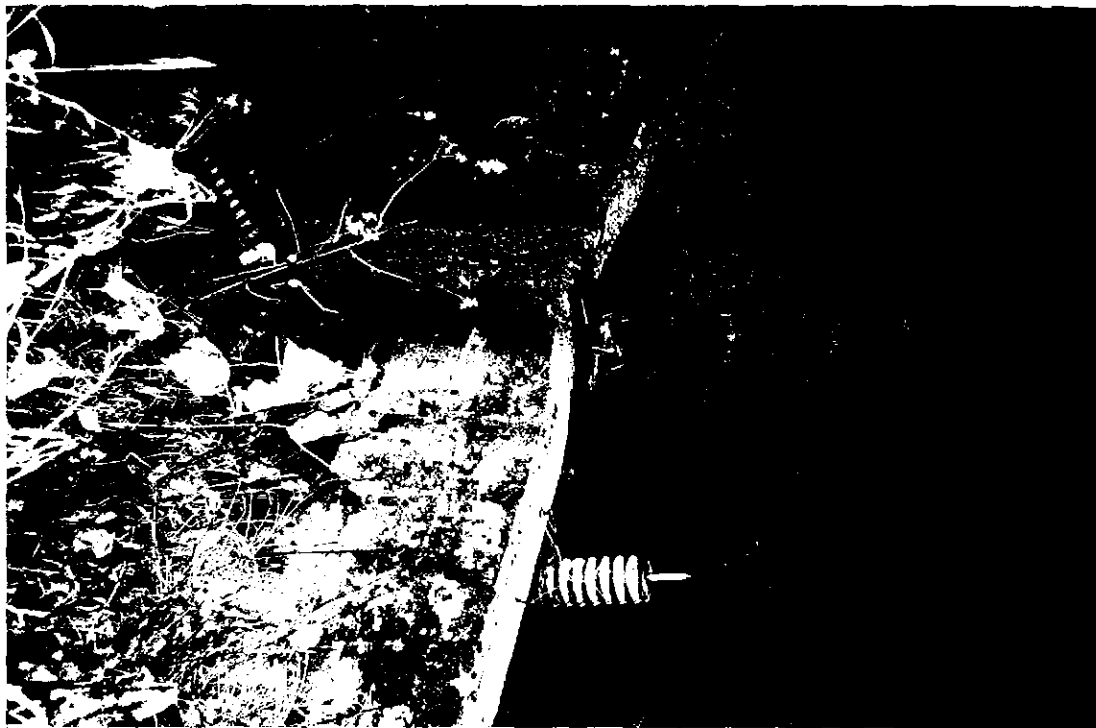
DEC 7 1977

WJM:kr
Enclosure

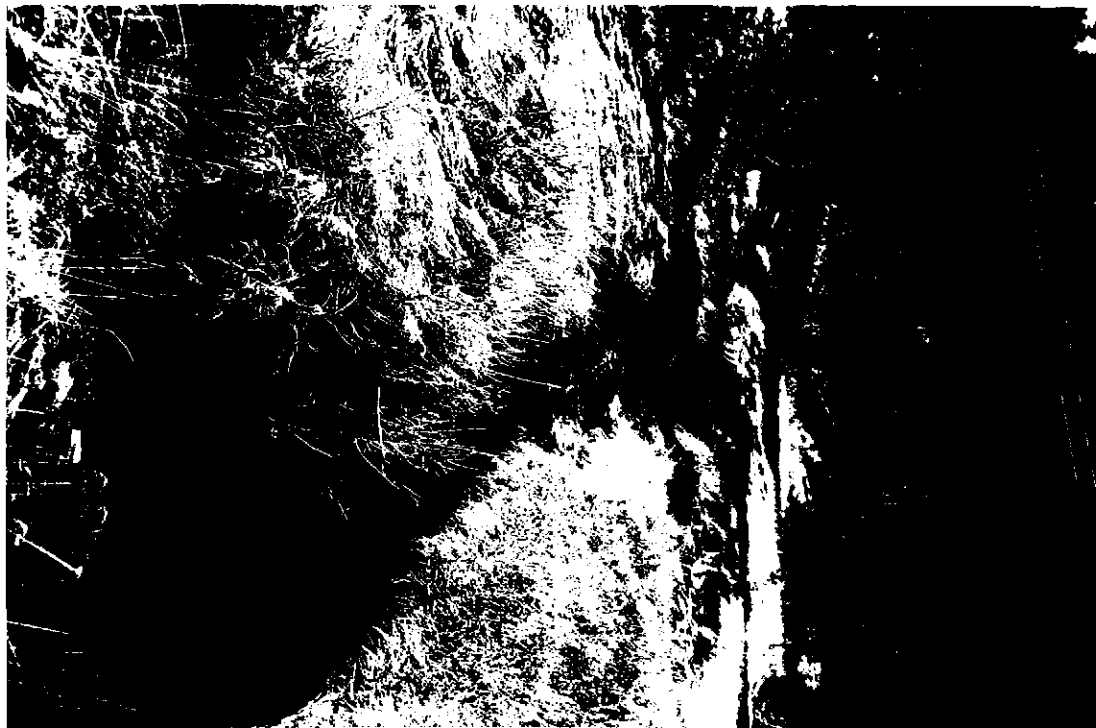
Department of Water Resources
Western Regional Office



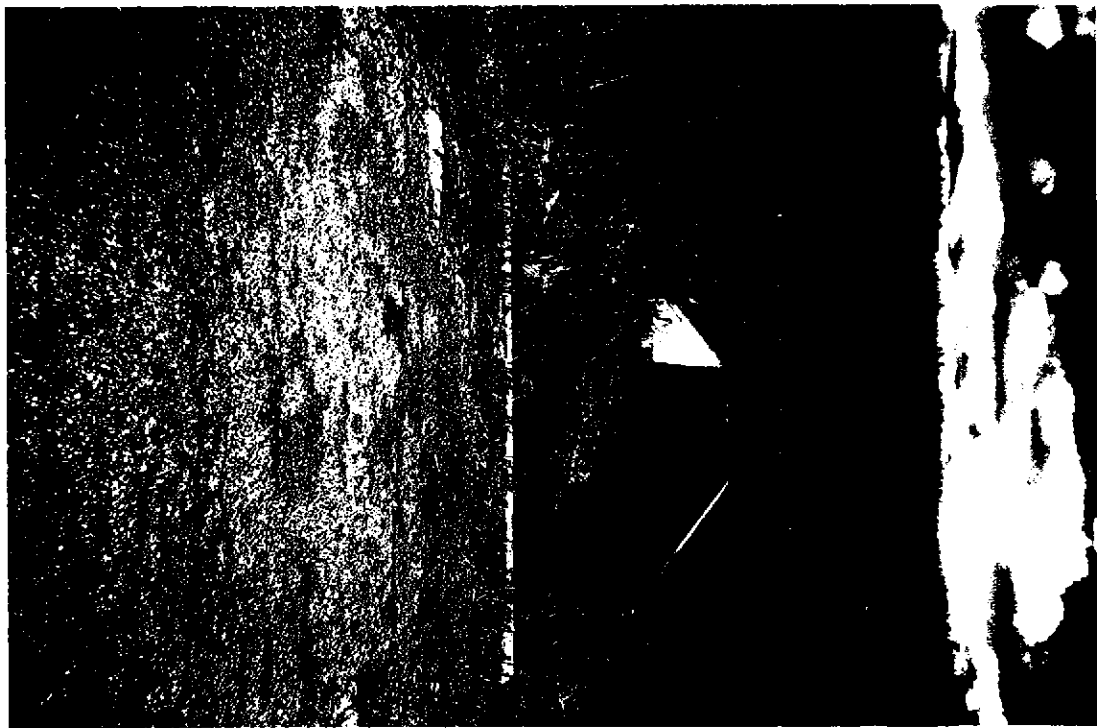
State creek
reservoir



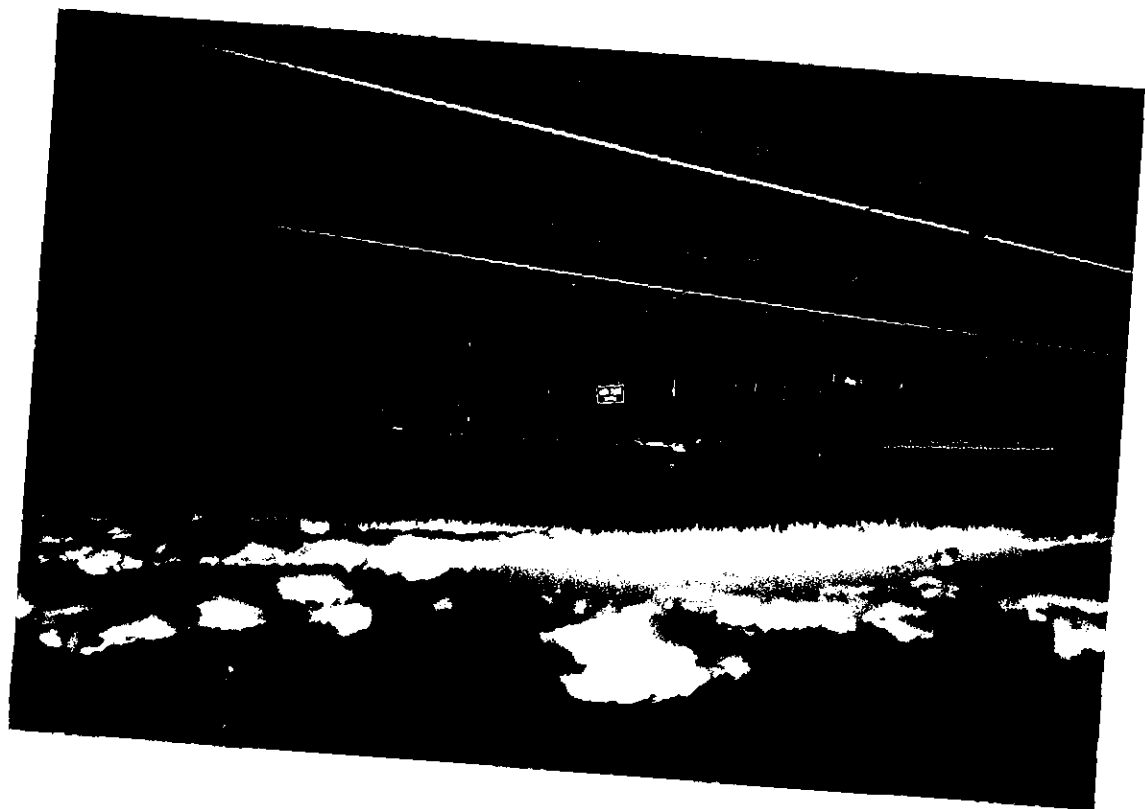
State creek
reservoir



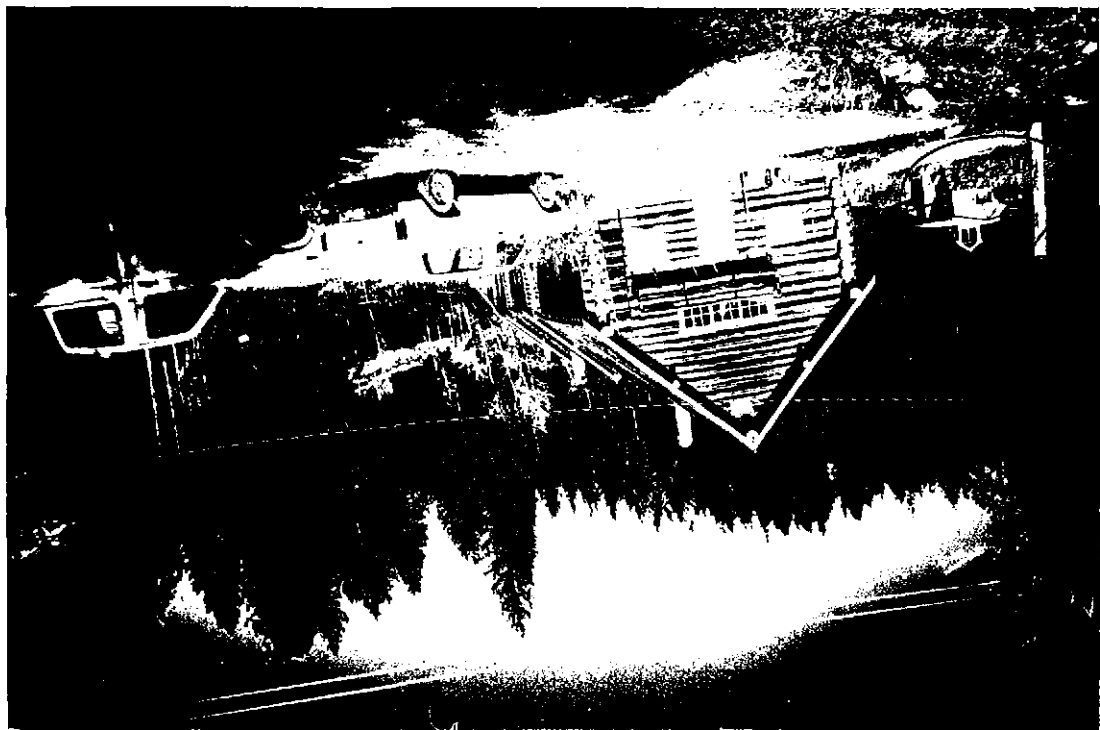
Tripod creek approaching
the highway from the
west. photo is taken
from side road looking
west.



tripod creek culvert
under state highway



location of state
creek culvert under
state highway 55

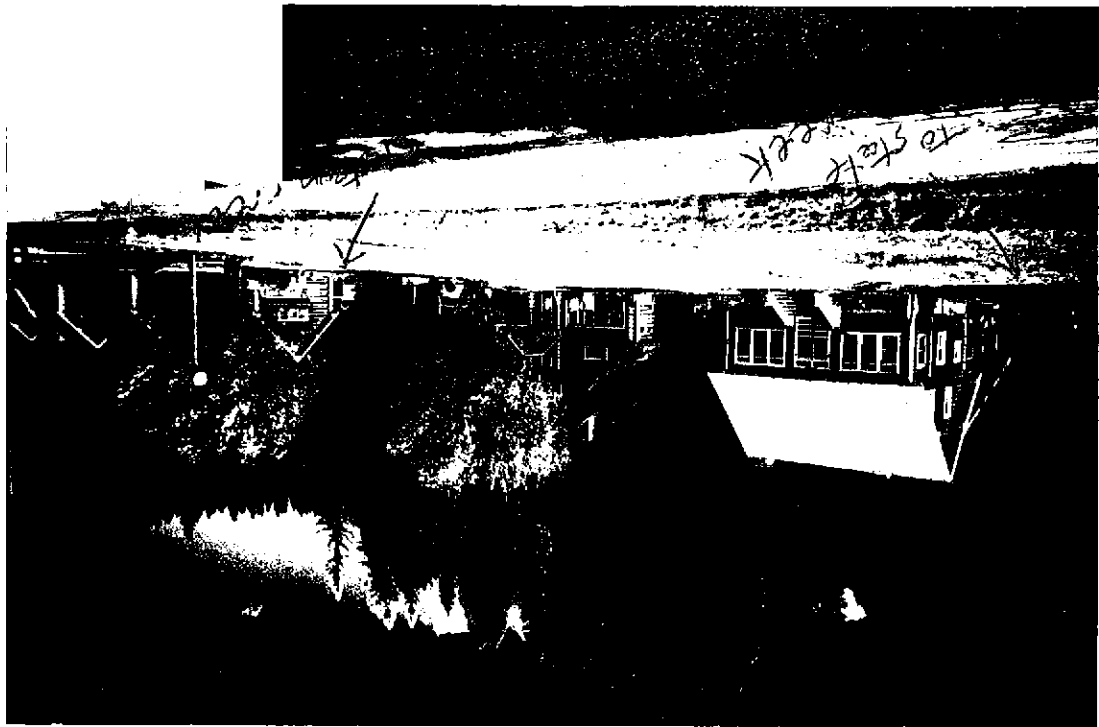


old electric
power house on station
creek



Station creek as it
enters a culvert that
crosses Buildings compound
to The old powerhouse
& then to irrigated
field on The East side
of The highway





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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOY CUMMINGS	05/01/1935	IRRIGATION	04-15 10-15	0.400 CFS	
C	RICHARD W CUMMINGS		IRRIGATION STORAGE	01-01 12-31	0.400 CFS	120.00 AFA
	9719 HWY 55		IRRIGATION FROM STORAGE	04-15 10-15	0.400 CFS	100.00 AFA
	SMITHS FERRY ID 83611					
	(208) 382-5404					
				TOTAL DIVERSION:	0.400 CFS	100.00 AFA

Water Source: TRIPOD CREEK
STATE CREEK
STATION CREEK

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion: T11N R03E S16 SWSENE

VALLEY County

Place of use Legal Description for: IRRIGATION FROM STORAGE

				NE				NW				SW				SE							
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:
11N	03E	10	:					:					:					:					:
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Place of use location for IRRIGATION is the same location as described for: IRRIGATION FROM STORAGE

POU County: VALLEY

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.

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

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

WESTERN REGION

OWNER (S): Richard Cummings

CLAIM NUMBERS: 65-00784

AGENT: Scott Van Hoff

DATE 8-10-99

				NE				NW				SW				SE				
RIGHT NO	TSP	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
65-00784	11N	3E	10								3	14					3			20

11N 03E 16 SWSENE Tri-pod ck.

POLYGON CREATED ON 327

POLYGON # () () () () UPDATED BY sdvh

ATTRIBUTES OF B65-POU.SHP (279) () () () ()

ATTRIBUTES OF B65-POD.SHP (262) () () () ()

 B65-DBPOU.DBF UPDATED BY sdvh

 B65-DBPOD.DBF UPDATED BY sdvh

NOTES:

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

T11N R03E

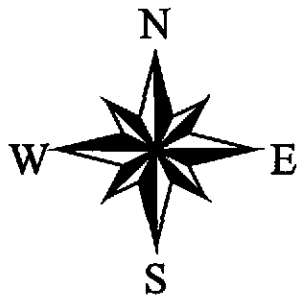
WATER RIGHT(S): 65-00784

OWNER(S): RICHARD CUMMINGS

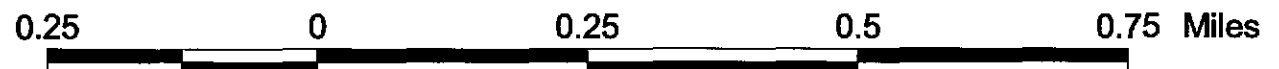
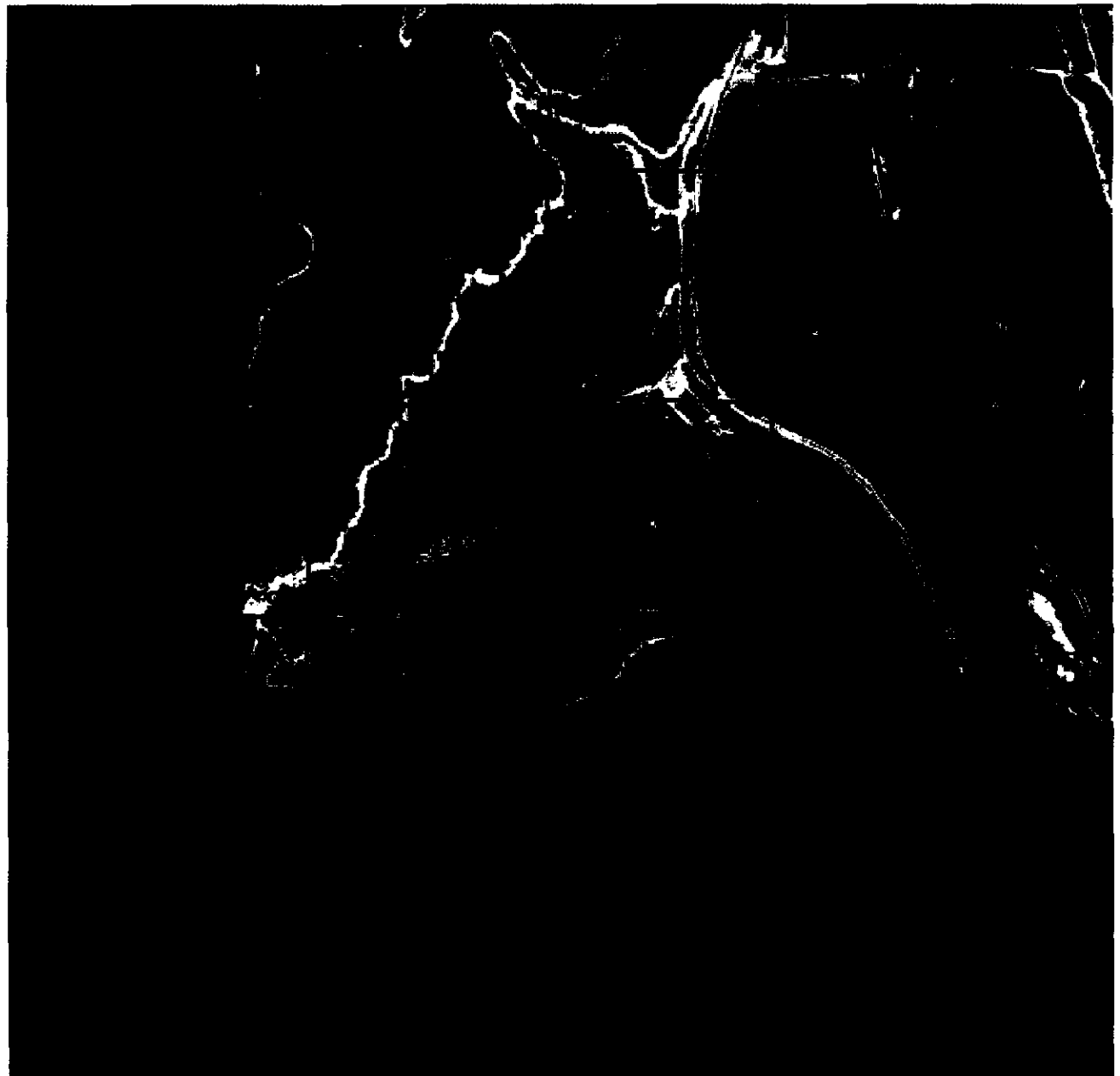
PREPARED BY SCOTT VAN HOFF

10 AUGUST 1999

- POINT OF DIVERSION
- PLACE OF USE
- SECTION LINES
- QUARTER SECTION LINES



NAPP 1987



MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 334

INDICATES TOTAL

SOURCE: TRIPOD CREEK

TRIBUTARY TO: NORTH FORK, PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-0784	STATE OF IDAHO DEPARTMENT OF LANDS, STATEHOUSE, BOISE, IDAHO 83720	5/ 1/1935	IRRIGATION	4/15 10/15	--- AFA .40 CFS	SENE S16 T11N R 3E	SAME AS OTHER USE	BENEFICIAL USE
			IRRIGATION FROM STCR	4/15 10/15	100.00 AFA --- CFS		SENE(3) NESH(14) N4SE1 3) S10 T11N R 3E *20*	
			IRRIGATION STORAGE	1/ 1 12/31	120.00 AFA --- CFS *---*AFA *.40*CFS		SAME AS OTHER USE	

INDICATES TOTAL

SOURCE: TRIPOD SPRING

TRIBUTARY TO: SINKS

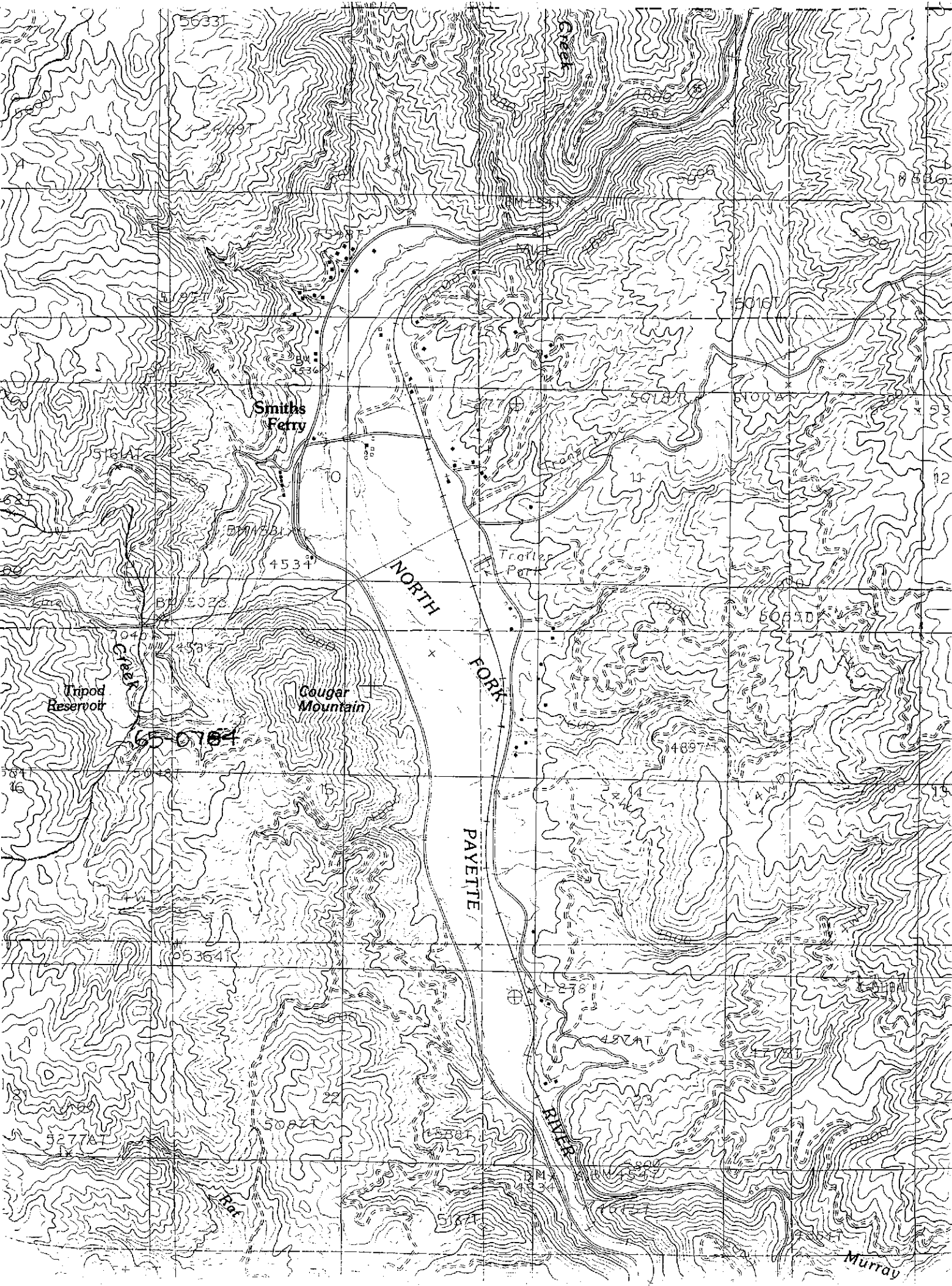
RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-11315	U. S. DEPT. OF AGRI. FOREST SERVICE, FEDERAL BLDG., 324 25TH STREET, OGDEN, UTAH 84401 REMARKS: TRIPPOD LOOKOUT.	5/25/1905	DOMESTIC	1/ 1 12/31	.10 AFA .01 CFS	SESW S 8 T12N R 3E	SESW S 8 T12N R 3E	RESERVED

INDICATES TOTAL

SOURCE: TULIE LAKE

TRIBUTARY TO: UNNAMED STREAM

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-11141	WEBSTER, JOE A. HORSESHOE BEND, IDAHO 83629 REMARKS: POINTS OF RE-DIVERSION: NENE, S. 8, NNNW, S. 9, (2 PTS.) SWSW, S. 4, T6N, R2E. SOURCES FOR THIS RIGHT ARE HONE LAKE, TULIE LAKE & SYPHON LAKE. UNNAMED STREAM ALSO KNOWN AS WEBSTER CREEK.	6/ 1/1896	IRRIGATION FROM STOR	4/ 1 11/ 1	32.00 AFA --- CFS	NESW S 8 T 6N R 2E SWSW S 8 T 6N R 2E	SESW(6) S 4 T 6N R 2E NENW(3) NNNW(12) S 9 T 6N R 2E *21*	BENEFICIAL USE



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:32:47
07/29/99

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-00784

LAST: STATE OF IDAHO
ADDRESS: DEPT. OF LANDS
STATEHOUSE
CITY: BOISE
PHONE NUMBER: 208-000-0000
STATE: ID ZIP: 83720

FIRST:

OWNER CODE: 0

LAST: STATE OF IDAHO
ADDRESS: SOUTHERN IDAHO T.P.A.
BOX 1003
CITY: MCCALL
PHONE NUMBER: 208-634-2268
STATE: ID ZIP: 83638

FIRST:

OWNER CODE: 0

LAST: CUMMINGS
ADDRESS: 9719 HWY 55
CITY: SMITHS FERRY
PHONE NUMBER: 208-382-5404
STATE: ID ZIP: 83611

FIRST: JOY

OWNER CODE: C

LAST: CUMMINGS
ADDRESS: 9719 HWY 55
CITY: SMITHS FERRY
PHONE NUMBER: 208-382-5404
STATE: ID ZIP: 83611

FIRST: RICHARD W

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN FIRE PROTECTION AGREEMENT WITH STATE OF IDAHO, DEPARTMENT OF LAND
WATER STORED IN TRIPOD RESERVOIR, EARTH FILLED DAM, APPROX.
100 FT. LONG, CONCRETE SPILLWAY INTO CREEK. WATER DIVERTED FROM
CREEK BY DITCH APPROXIMATELY 1/2 MILE LONG TO IRRIGATED AND FIRE
PROTECTION AREA. INSPECTED ANNUALLY BY IDWR.
OWNERSHIP CHANGED BY DB 3/11/98.

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A65-00784 PRIORITY DATE: 05-01-1935 STAGE: D

B. WR RECORD: # 65-00784 PRIORITY DATE: 05-01-1935 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y() N()

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N()

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y() N()

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A() Y() N()

FIELD EXAM COMPLETED

N/A() Y() N()

FIELD EXAM SENT TO STATE OFFICE

N/A() Y() N()

LICENSE ISSUED

N/A() Y() N()

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?

N/A() Y() N()

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y() N()

NOTES: _____

RECOMMENDED PRIORITY DATE:

05-01-1935

REVIEWED BY

DATE

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-00784	11N 03E	16	SW	SE	NE			VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A65-00784A NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: TRIPOD CREEK

TRIB: PAYETTE RIVER, NORTH FORK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-00784	11N 03E	16		SE	NE			VALLEY		

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A65-00784A NONE

SOURCE: TRIPOD CREEK

TRIB: PAYETTE RIVER, NORTH FORK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(☒) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N(☒)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (☒)

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
11N	03E	16	SW	SE	NE			VALLEY		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: TRIPOD CREEK TRIB: PAYETTE RIVER, NORTH FORK

REVIEWED BY: Scott DATE: 8-5-99

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___)

A. ROOT WATER RIGHT NUMBERS: A65-00784
A65-00784A

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11N	03E	10	SE	NW		CUMMINGS, JOY	A65-00784 / 3.0	65-00784 / 3.0			3
			SE	NW		CUMMINGS, RICHARD W	A65-00784A / 3.0	- /			
			SE	NW	3	WARD, GERALD E	A65-02872 / 1.0	65-02872 / 1.0			
			SE	NW	3	WARD, GERALD E	A65-17124 /	- /			
11N	03E	10	NE	SW		CUMMINGS, JOY	A65-00784 / 14.0	65-00784 / 14.0			14
			NE	SW		BOISE CASCADE CORP	A65-08003 /	65-08003 /			
			NE	SW		CUMMINGS, RICHARD W	A65-00483 /	65-00483 /			
			NE	SW		CUMMINGS, RICHARD W	A65-00784A / 14.0	- /			
			NE	SW		BOISE CASCADE CORP	65-08003 /	- /			
			NE	SW		SOUTHERN IDAHO TIMBER PROTECTI	65-00483 /	- /			
11N	03E	10	NW	SE		CUMMINGS, JOY	A65-00784 / 3.0	65-00784 / 3.0			3
			NW	SE		CUMMINGS, RICHARD W	A65-00784A / 3.0	- /			

ADDITIONAL POU FOUND

TOTAL ACRES A65-00784 20.00 20.00

POU COUNTY: VALLEY

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N(☒)

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-00784	TRIPOD CREEK	CUMMINGS, JOY	0.400	0.020	100.00	5.00
A65-00784A	TRIPOD CREEK	CUMMINGS, RICHARD W	0.400	0.020		
A65-02872	PAYETTE RIVER, NORTH FORK	WARD, GERALD E	0.020	0.020	3.00	3.00

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-17124	COMMERCIAL	WARD, GERALD E	FROM 01-01 TO 12-31	0.040 CFS	
A65-08003	DOMESTIC	BOISE CASCADE CORP	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-00483	DOMESTIC	CUMMINGS, RICHARD W	FROM 01-01 TO 12-31	0.100 CFS	3.80 AF/A
65-08003	DOMESTIC	BOISE CASCADE CORP	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-00483	DOMESTIC	SOUTHERN IDAHO TIMBER PROTECTI	FROM 01-01 TO 12-31	0.100 CFS	3.80 AF/A

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y(☒) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y(☒) N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(☒)

() NAPP, IDWR NO. _____; () ASCS PHOTO; (X) OTHER Survey map

NOTES: _____

RECOMMENDATIONS:

TOTAL ACRES: 20 N/A()

REVIEWED BY: 904 DATE: 8-10-17

A. AJ CLAIMED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-00784	IRRIGATION	FROM 04-15 TO 10-15	0.400 CFS	
A65-00784	IRRIGATION FROM STORAGE	FROM 04-15 TO 10-15	0.400 CFS	100.00 AF/A
A65-00784	IRRIGATION STORAGE	FROM 01-01 TO 12-31	0.400 CFS	120.00 AF/A
	TOTAL DIVERSION RATE/VOLUME		0.400 CFS	100.00 AF/A

B. WR RECORDED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-00784	IRRIGATION	FROM 04-15 TO 10-15	0.400 CFS	
65-00784	IRRIGATION FROM STORAGE	FROM 04-15 TO 10-15	0.400 CFS	100.00 AF/A
65-00784	IRRIGATION STORAGE	FROM 01-01 TO 12-31	0.400 CFS	120.00 AF/A
	TOTAL DIVERSION RATE/VOLUME		0.400 CFS	100.00 AF/A

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y() N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

PAGE: 10

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CONTINUED

10

CLAIM NUMBER: A65-00784

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.400 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.400 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N()

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 100.00 AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES: _____

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (☒)

REC. PURPOSE OF USE	REC. PERIOD FROM TO		REC. DIV RATE CFS		REC. DIV VOL. AF/A		REC. CONS. USE	
			DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
IRRIGATION	04-15	10-15	0.400	_____		_____	0.0	_____
IRRIGATION FROM STORAGE	04-15	10-15	0.400	_____	100.00	_____	0.0	_____
IRRIGATION STORAGE	01-01	12-31	0.400	_____	120.00	_____	0.0	_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			0.400	_____	100.00	_____	0.0	_____

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (☐)

REVIEWED BY: SWK

DATE: 6-10-89

FLAG: _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE): _____

EXPLANATORY CONDITIONS (CODE): _____

EXPLANATORY REMARKS (CODE): _____

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-00784

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE	EXAMINER	CFS
	0.400	_____	

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-00784	0.400	-		65-00784	0.400
-	A65-00784A	0.400	-		-	
TOTAL CFS		0.800				0.400

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE	FIELD EXAMINER
N	Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER <i>PRBA</i> _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:32:47
07/29/99

PAGE: 16
QUICKLOOK INFORMATION

16
CLAIM NUMBER: A65-00784

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV								
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM	Y							
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

14:33:08
07/29/99
17

CLAIM NUMBER: A65-00784

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOY CUMMINGS	05/01/1935	IRRIGATION	04-15 10-15	0.400 CFS	
C	RICHARD W CUMMINGS		IRRIGATION STORAGE	01-01 12-31	0.400 CFS	120.00 AFA
			IRRIGATION FROM STORAGE	04-15 10-15	0.400 CFS	100.00 AFA
TOTAL DIVERSION:					0.400 CFS	100.00 AFA

Stage: DECREED

VALLEY County

Place of use Legal Description for: IRRIGATION FROM STORAGE

[illegible]

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

POU County: VALLEY

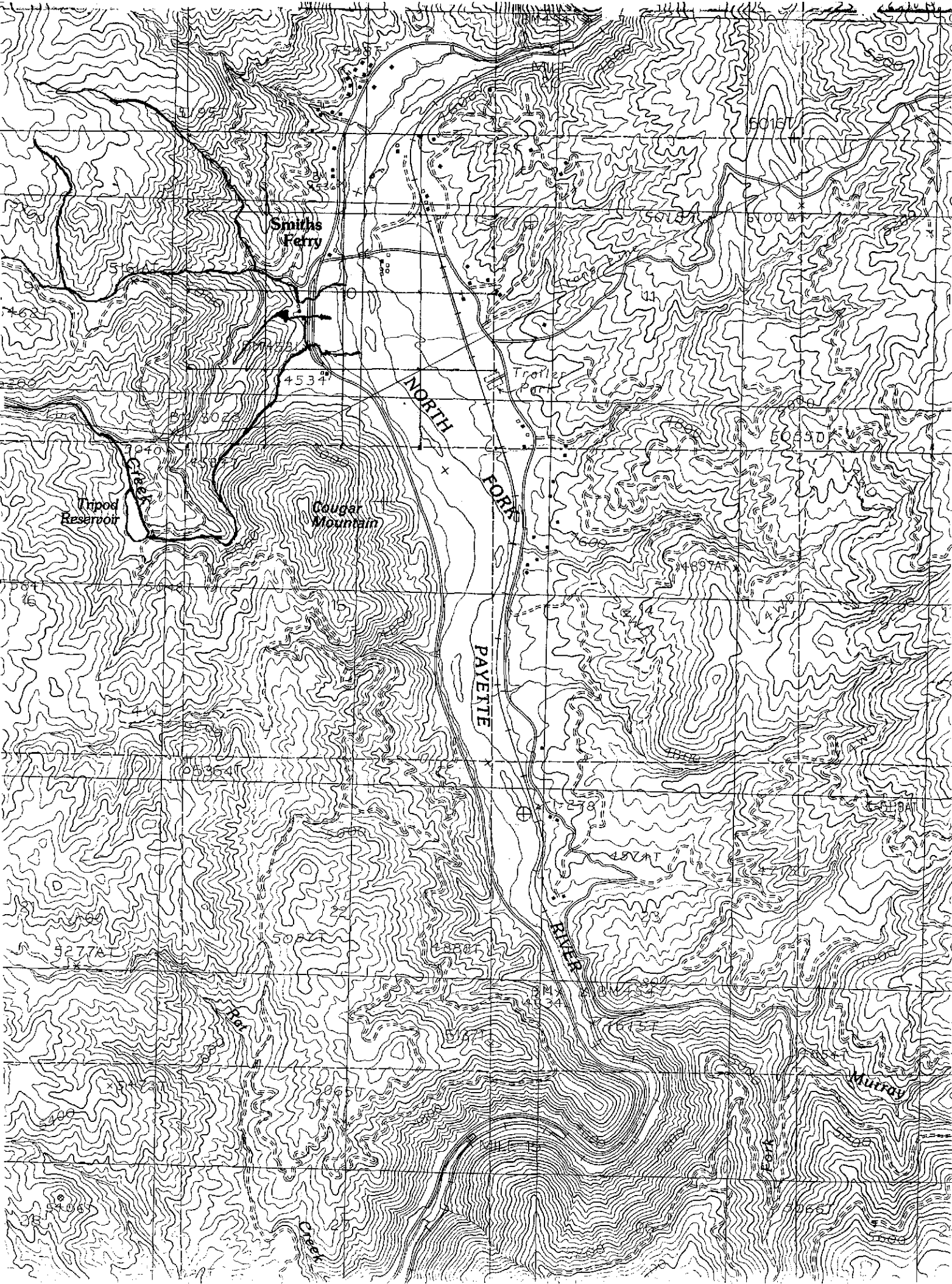
Other Rights: NONE

Remarks: GEN FIRE PROTECTION AGREEMENT WITH STATE OF IDAHO, DEPARTMENT OF LAND
WATER STORED IN TRIPOD RESERVOIR, EARTH FILLED DAM, APPROX.
100 FT. LONG, CONCRETE SPILLWAY INTO CREEK. WATER DIVERTED FROM
CREEK BY DITCH APPROXIMATELY 1/2 MILE LONG TO IRRIGATED AND FIRE
PROTECTION AREA. INSPECTED ANNUALLY BY IDWR.
OWNERSHIP CHANGED BY DB 3/11/98.

Objection Filed Date:

Field Inspection Flag:
Presumption Flag:

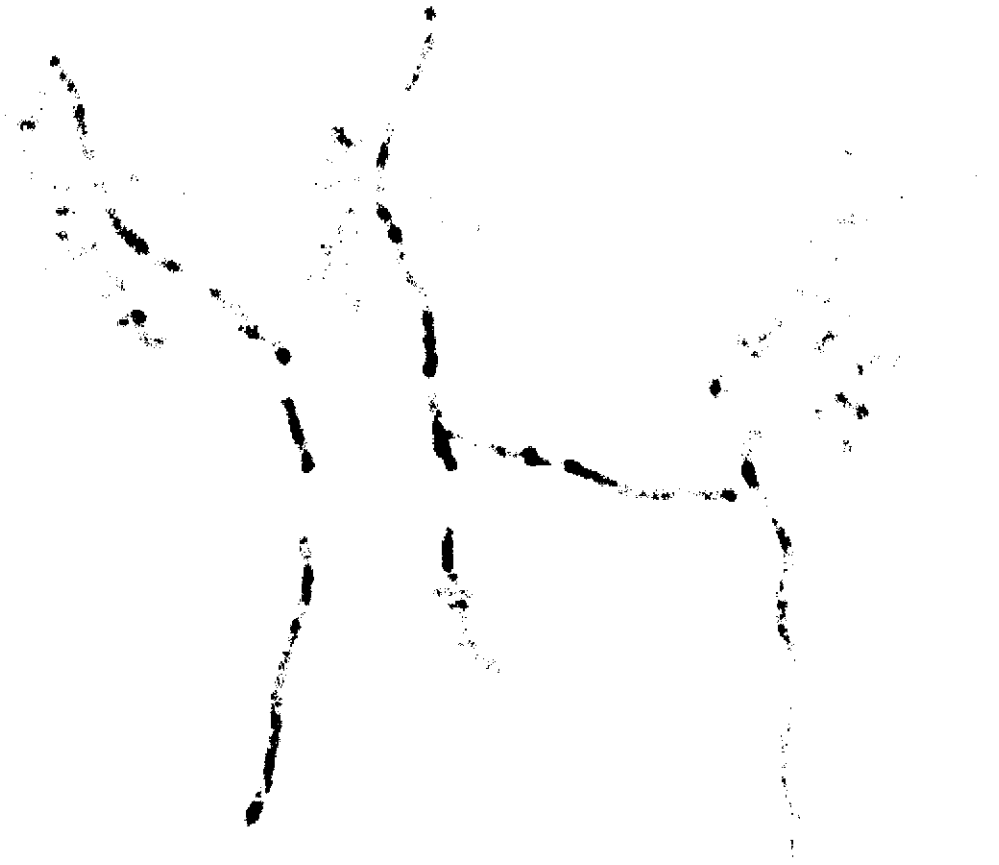






SVH 10-29-99

State creek is a small creek with a small Dam + Res. above the house. The creek has a diversion point near the road. State creek can flow through culvert under the road & into the field that is the POU or it can be diverted into Tripod creek.



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

65 0784

WATER RIGHT

Notice is hereby given that STATE OF IDAHO

S.I.T.P.A.

(Name of Claimant)

Boise, Idaho 83707

(Mailing Address)

claiming 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:

3-15-35

- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) _____
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) _____
Station creek, domestic reservoir - State Creek, fire reservoir
- (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 fire fighting & irrigation Period of Use From 1-1 To 12-31
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both Dates Inclusive)
- Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both Dates Inclusive)
- Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both Dates Inclusive)
- (4) Quantity of water claimed: _____ Cubic Feet Per Second, or, _____ Acre Feet Per Annum, and/or 40.00 miner inches Per Minute. Station creek SW 1/4 NW 1/4
- (5) A) Point of Diversion: Give location of point where water is diverted from its source. State Creek NE 1/4 SW 1/4, Sec. 10, Twp. 11N, Rge. 3E, H.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.

creek

- (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.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
11N	3E	10						X			X								40.00

Total No. of acres 40.00

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
fire fighting

- (7) Effluent, sewage waste, or return water from this use is discharged into septic tank
- (8) If you are claiming water as a member of an organization, list name of organization: _____
- (9) Remarks 10.00 miner inches for domestic use, 30.00 miner inches for fire fighting and irrigation, Duchay Fire Section.
- (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 filed with State Reclamation Engineer, Office No.: _____

Do 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.

Individual

8-10-70

(Date)

(Signature of Claimant)

State of IdahoCounty of AdaOn this 10 day of August

a notary public, personally appeared G. C. Trombley, in the year 1970, before me, known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or Land Commissioner) executed the same.

Notary Public residing at Boise, IdahoMy commission expires 8-25-70

IN THE MATTER OF THE GENERAL TERMIN-
ATION OF THE RIGHT TO THE OF THE
SURFACE AND GROUND WATERS OF THE PAY-
ETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM

IDENT. NO.

MAP NO.

TO A
WATER RIGHT

65 0484

Notice is hereby given that SOUTHERN IDAHO TIMBER PROTECTIVE ASSOCIATION
(Name of Claimant)

McCALL, IDAHO

(Mailing Address)

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) 1935
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) TRIPOD CREEK
- (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 Irrigation and Fire Protection Period of Use From May 1 To October 15
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both Dates Inclusive)
- Use Period of Use From To
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both Dates Inclusive)
- Use Period of Use From To
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both Dates Inclusive)
- (4) Quantity of water claimed: 2 Cubic Feet Per Second, or Acre Feet Per Annum,
and/or Gals. Per Minute.
- (5) A) Point of Diversion: Give location of point where water is diverted from its source. S. E. 1/4 N. E. 1/4,
Sec. 16 Twp. 11 N Rge. 3 E, D.M.; additional points: Water stored in Tripod
Reservoir delivered by creek and ditch to area irrigated and protected.
- 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. Water stored in Tripod Reservoir. Earth fill dam
approximately 100' long. Concrete spillway into creek. Water diverted from creek by
ditch approximately one-half mile long to area irrigated or protected.
- (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.

T	R	SEC.	NEM				NWM				SWM				SEM				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
11 N	3 E.	10.							5	10.					5				

Total No. of acres 20

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Small reservoir on hill behind buildings stores water for fire protection.
- (7) Effluent, sewage waste, or return water from this use is discharged into Any waste water would return
to creek bed. All in pasture, no muddy waste water.
- (8) If you are claiming water as a member of an organization, list name of organization.
SOUTHERN IDAHO TIMBER PROTECTIVE ASSOCIATION
- (9) Remarks
- (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 filed 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.

Individual

6-25-70
(Date)

(Signature of Claimant)

State of Idaho

County of Ada

On this 23rd day of June

a notary public, personally appeared DATE V. Anderson

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they,
corporation, partnership or Association) executed the same.

Notary Public residing at Boise, Idaho

My commission expires 1-26-72

Organization SOUTHERN IDAHO TIMBER PROTECTIVE ASSO.

DATE V. Anderson Secretary-Manager
(Signature of Authorized Agent)

**ADDENDUM
TO
REAL ESTATE PURCHASE AND SALE AGREEMENT
AND RECEIPT FOR EARNEST MONEY (the "Agreement")**

Seller: Boise Cascade Corporation
Buyer: Richard W. Cummings and/or Joy Cummings husband and wife
ID: 226892
Date: October 2, 1997

1. Condition of the Property. Notwithstanding anything to the contrary in the Agreement, BUYER UNDERSTANDS AND AGREES THE PROPERTY IS SOLD "AS IS -- WHERE IS" AND THAT SELLER MAKES NO REPRESENTATION OR WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, THAT THE PROPERTY IS FIT FOR ANY PARTICULAR USE OR PURPOSE.

2. Brokers. Buyer warrants to Seller that no person or other entity of any sort is entitled to any commission, broker's fee, finder's fee, or other payment by reason of the action of Buyer in connection with this transaction. Seller warrants to Buyer that no person or other entity of any sort is entitled to any commission, broker's fee, finder's fee, or other payment by reason of the action of Seller in connection with this transaction except Realty Marketing/Northwest and The Crawford Company, solely Seller's agents in this transaction, whose fee shall be paid by Seller.

3. Water Rights. Three certificated water rights are associated with the Property:

- Water Right No. 65-0483 issued to Southern Idaho Timber Protective Association with a priority date of June 1, 1911 to be used for domestic use.
- Water Right No. A65-00784 issued to State of Idaho/Southern Idaho Timber Protective Association with a priority date of May 1, 1935 to be used for irrigation and irrigation storage.
- Water Right No. A65-00784A issued to Idaho Department of Lands/Southern Idaho Timber Protective Association with a priority date of May 1, 1935 to be used for irrigation and irrigation storage.

At this time, these certificates have not yet been placed in Seller's name in the water records of Idaho Water Resources. Seller shall use its best efforts to have these water rights transferred directly to Buyer on or after closing.

BUYER UNDERSTANDS AND AGREES THE WATER RIGHTS ARE SOLD AND TRANSFERRED "AS IS -- WHERE IS" AND THAT SELLER MAKES NO REPRESENTATION OR WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, THAT THE WATER RIGHTS ARE FIT FOR ANY PARTICULAR USE OR PURPOSE. Without limiting the generality of the foregoing disclaimer, Seller makes no representation or

AJ0749NP
No. 65-00483

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

DATE: 10/14/99
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SOUTHERN IDAHO TIMBER PROTECTIVE ASSN PO BOX 1003 MC CALL ID 83638 (208) 634-2268	06/01/1911	DOMESTIC	01-01 12-31	0.100 CFS	3.80 AFA
TOTAL DIVERSION:					0.100 CFS	3.80 AFA

Water Source: STATION CREEK

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion: T11N R03E S10 SWNW

VALLEY County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:
11N	03E	10	:					:					:	D				:					:

POU County: VALLEY

Non-Irrigation Uses: 2 HOMES

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP11N03E104000A

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

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

WR0749NP
No. 65-00483

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/14/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SOUTHERN IDAHO TIMBER PROTECTIVE ASSN. MC CALL ID 83638	06/01/1911	DOMESTIC	01/01 12/31	0.100 CFS	3.80 AFA
TOTAL DIVERSION:					0.100 CFS	3.80 AFA

Water Source: STATION CREEK

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion: T11N R03E S10 SWNW VALLEY County

Place of use Legal Description for: DOMESTIC

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
---	---	---	:	---	---	---	:	---	---	---	---	:	---	---	---
11N	03E	10	:	:	:	:	:	D	:	:	:	:	:	:	:

Pou County: VALLEY

Dates:	App. Received:	Priority Date:	06/01/1911
	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

IN THE MATTER OF THE GENERAL DRAINAGE
ATION OF THE RIGHT TO THE USE OF THE
SURFACE AND GROUND WATERS OF THE PAY-
ETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM

IDENT. NO.

MAP NO.

TO A

WATER RIGHT 65 0483

SOUTHERN IDAHO TIMBER PROTECTIVE ASSOCIATION

Notice is hereby given that

McCALL, IDAHO

(Name of Claimant)

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) 1911
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) STATION CREEK
- (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 DOMESTIC Period of Use From January 1 To December 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: 20 10 Gubic Feet Per Second, or _____ Acre Feet Per Annum, and/or _____ Gals. Per Minute.
- (5) A) Point of Diversion: Give location of point where water is diverted from its source S.W. 1/4 N.W. 1/4
Sec. 10 Twp. 11 N Rge. 3 E, B.M.; additional points:

B) Describe means of diversion of water: (Pump and pipeling, well, diversion dam, reservoir, length of ditch and field, etc.)
Give sizes and capacities; be as specific as possible. Diversion dam in creek, water by 2" pipe to
concrete box, then by pipe to Station Headquarters.

- (8) 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:
Domestic water for two families and up to 25 other employees at Smiths Ferry Station
of Southern Idaho Timber Protective Association.
- (7) Effluent, sewage, waste, or return water from this use is discharged into Septic tank and field drain
- (8) If you are claiming water as a member of an organization, list name of organization:
Southern Idaho Timber Protective Association
- (9) Remarks _____
- (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 filed with State Reclamation Engineer, Office No.: _____

Do I know 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.

Inhaltsverzeichnis

6-25-70
(Date)

(Signature of Claimant)

State of Idaho

(Signature of Spouse)

Organization SOUTHERN IDAHO TIMBER PROTECTIVE ASSO.

County of Ada

Organization
Real

DeL. Anderson Secretary-Manager
(Signature of Author) (and Agent)

On this 23rd day of June, in the year 1970, before me,
a notary public, personally appeared Dale V. Anderson
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they,
corporation, partnership or Association) executed the same.

Notary Public residing at Boise, Idaho

My commission expires 1-26-72

AJ0749NP
No. 65-00483

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

DATE: 10/21/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SOUTHERN IDAHO TIMBER PROTECTIVE ASSN PO BOX 1003 MC CALL ID 83638 (208) 634-2268	06/01/1911	DOMESTIC	01-01 12-31	0.100 CFS	3.80 AFA
TOTAL DIVERSION:					0.100 CFS	3.80 AFA

Water Source: STATION CREEK

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion: T11N R03E S10

SWNW

VALLEY County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
11N	03E	10	:															:

POU County: VALLEY

Non-Irrigation Uses: 2 HOMES

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP11N03E104000A

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:

Presumption Flag: