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FEB 05 1997

WATER RESOURCES
WESTERN REGION

EXHIBIT A

LEGAL DESCRIPTION

Township 13 North, Range 3 East, Boise Meridian, Valley County, Idaho:

Section 13, S1/2NE1/4 lying south of the county road, SW1/4, N1/2SE1/4, SW1/4SE1/4, SE1/4SE1/4 lying west of the county road. Section 14, S1/2

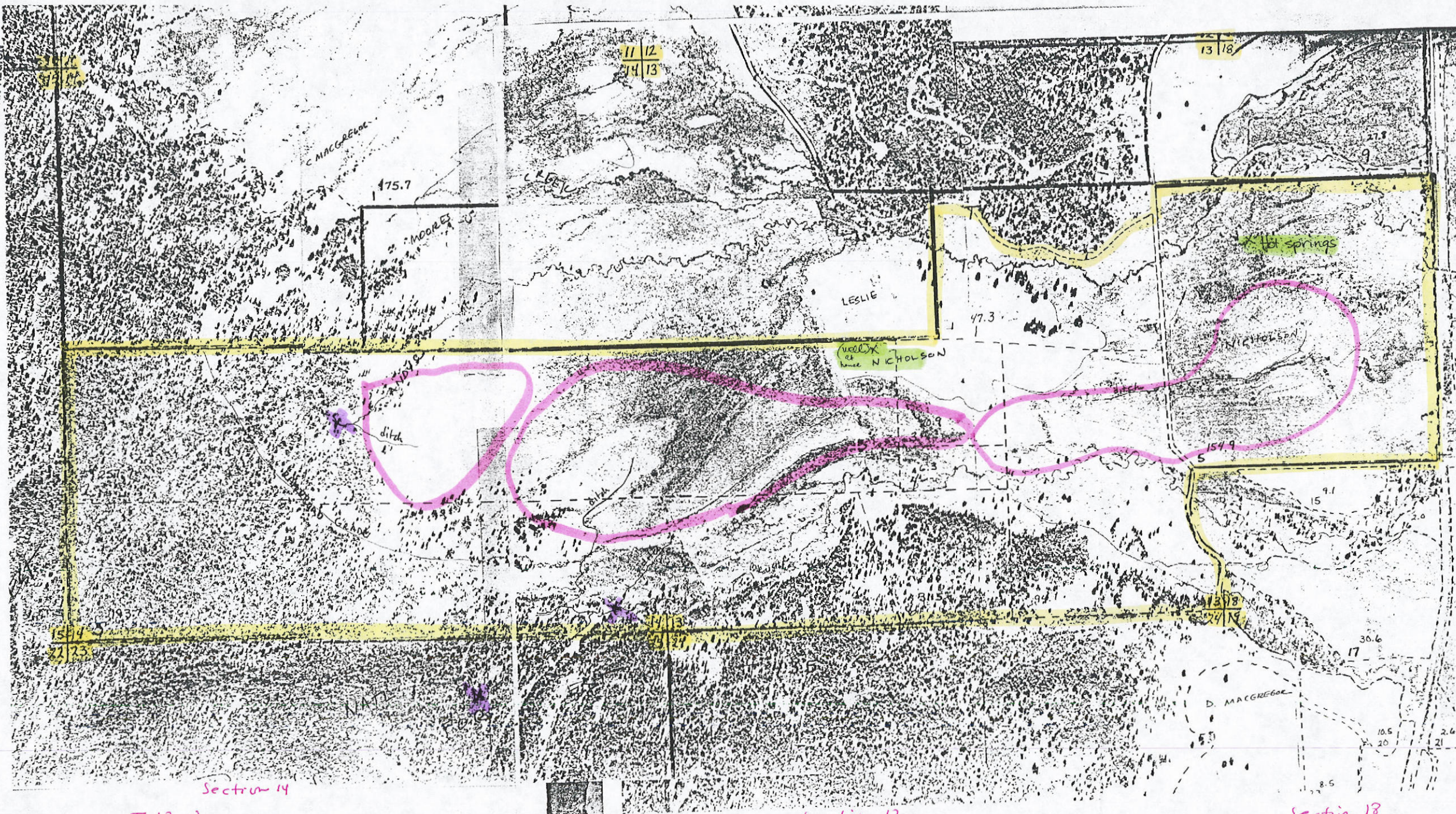
Township 13 North, Range 4 East, Boise Meridian, Valley County, Idaho:

Section 18, Government Lots 2 and 3, SE1/4NW1/4, NE1/4SW1/4. Reserving therefrom a parcel of land in the NE corner of the SE1/4NW1/4 of said section 18 as deeded to the Oregon Shortline Railroad Company, in Book 9 of Deeds at page 189 as Instrument No. 19165.

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WATER RESOURCES
WESTERN REGION



Section 14
T 13 N
R 3 E

Yellow line = Boundary of Property
Pink line -- Approx. Irrig. Acres

Section 13
Purple line = Point of Diversion
Green line = Domestic well • Hot Springs

Section 18

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

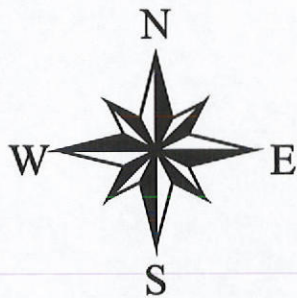
T13N R03E

WATER RIGHT(S): 65-01979

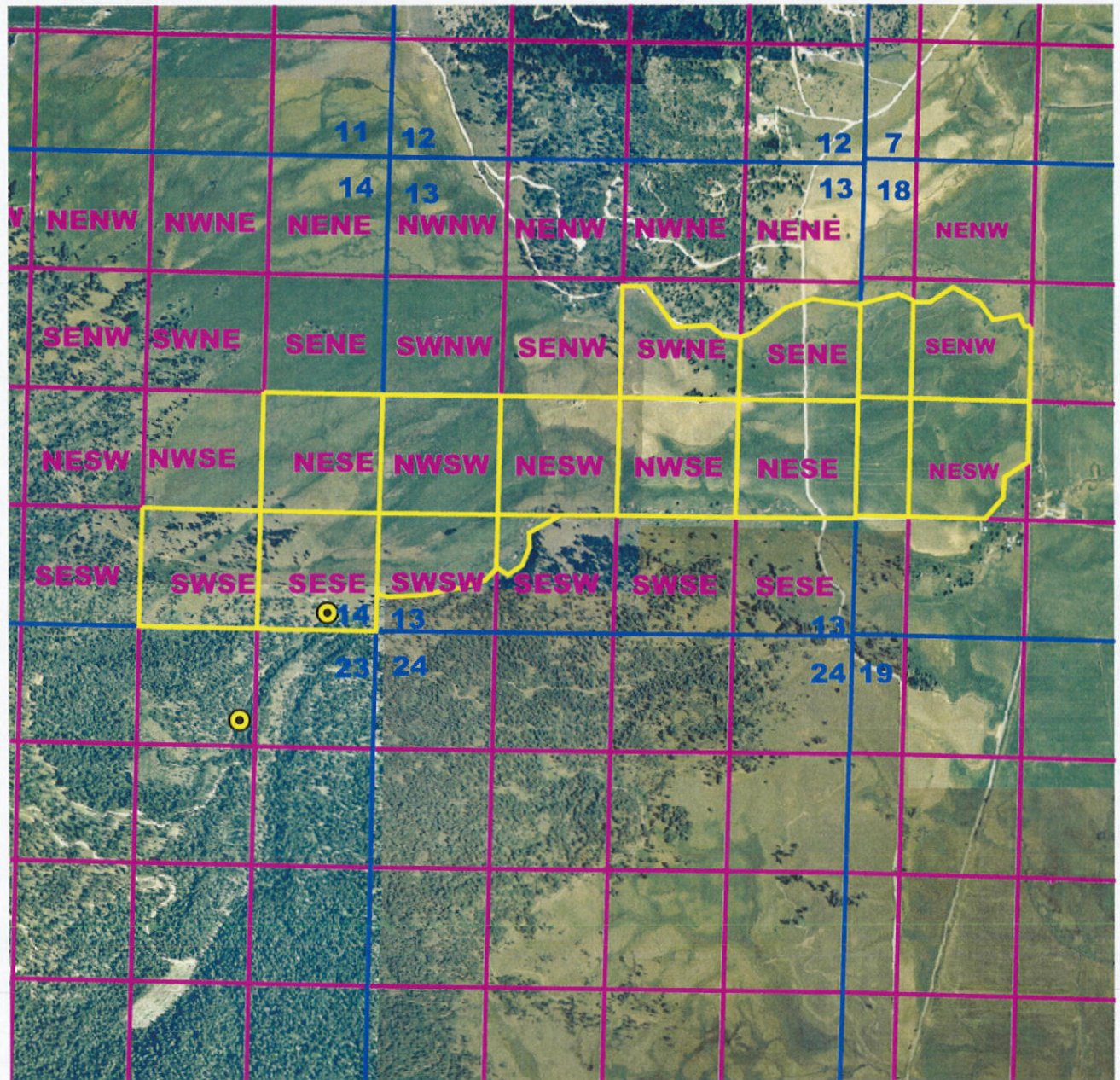
OWNER(S): CAROL MACGREGOR

PREPARED BY SCOTT VAN HOFF
23 AUGUST 1999

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



NAPP 1987



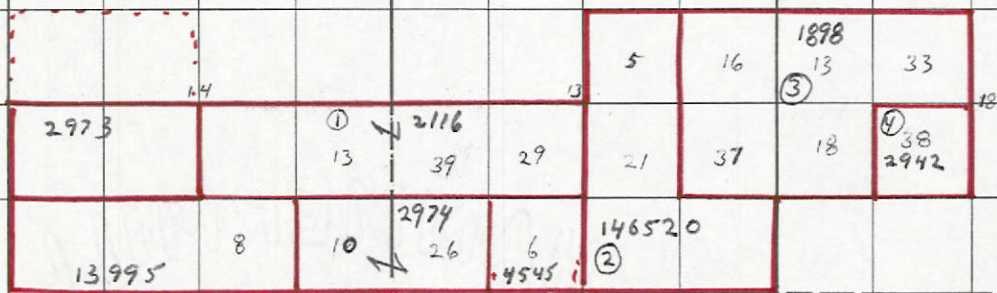
0 0.25 0.5 0.75 Miles



Serial No.

: Rge

Base Meridian



13	179.00 ~~31.00~~
14	31.00
15	102.00

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NOV 4 1993

Department of Water Resources
Western Regional Office

State of Idaho
DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE FIELD REPORT

65-1979
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 7/22/83 Accompanied by DUANE PANCHERI Total Q measured
SHARON
Source BRUSH CREEK Tributary to N.E.K. PAYETTE RIVER Supp. annubar measurement sheet used? No
If source is surface water, estimate total flow of source
Methods of measurement Meets permit requirements?

Measurement calculations: DITCH CAPACITY SUFFICIENT TO CARRY 1 in/Acre

WELL/DIV. NO.*	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEVICE	REMARKS

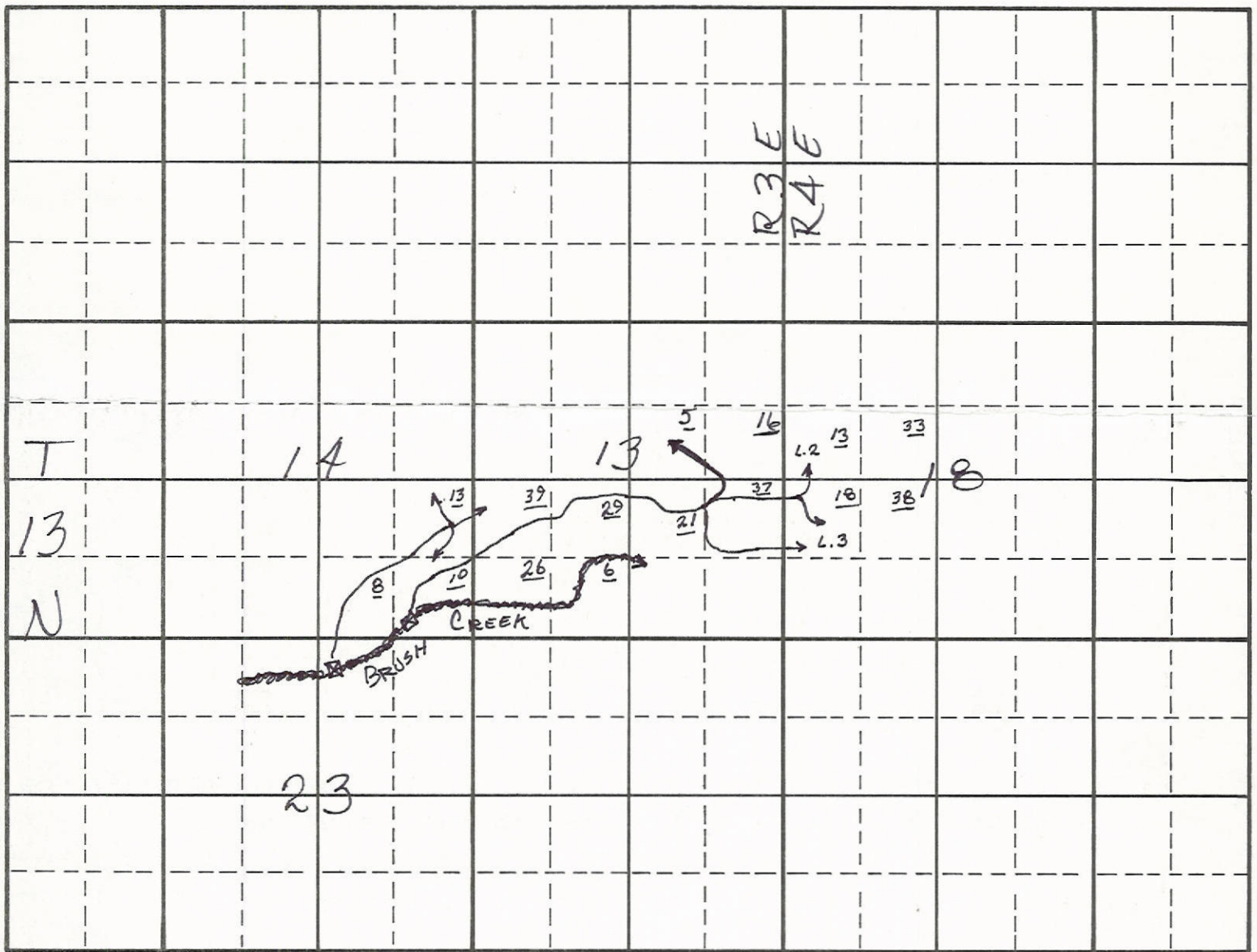
System Description TWO DIVERSION DAMS CAUSE CREEK TO FLOW INTO GRAVITY SYSTEM FOR FLOOD IRRIGATION.

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE	Irrigation requirement =	AFA/Acre		
	Q (cfs)	V (afa)	FROM	TO
<u>IRRIGATION</u>	<u>6.24</u>		<u>4/15</u>	<u>10/15</u>
Total	<u>6.24</u>			

Remarks



2" = 1 MILE

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SESE, S. 14, T. 13N, R. 3E AND NWNE, S. 23, T. 13N, R. 3E

Place(s) of Use

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13N	3E	13			5	16					29	39	26	6	37	21			179
13N	3E	14													13		8	10	31
13N	4E	18							1.2				1.3						102

Recommended Amendments:

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

Examiner's Signature

[Signature]

Date 7/26/83

Checked by

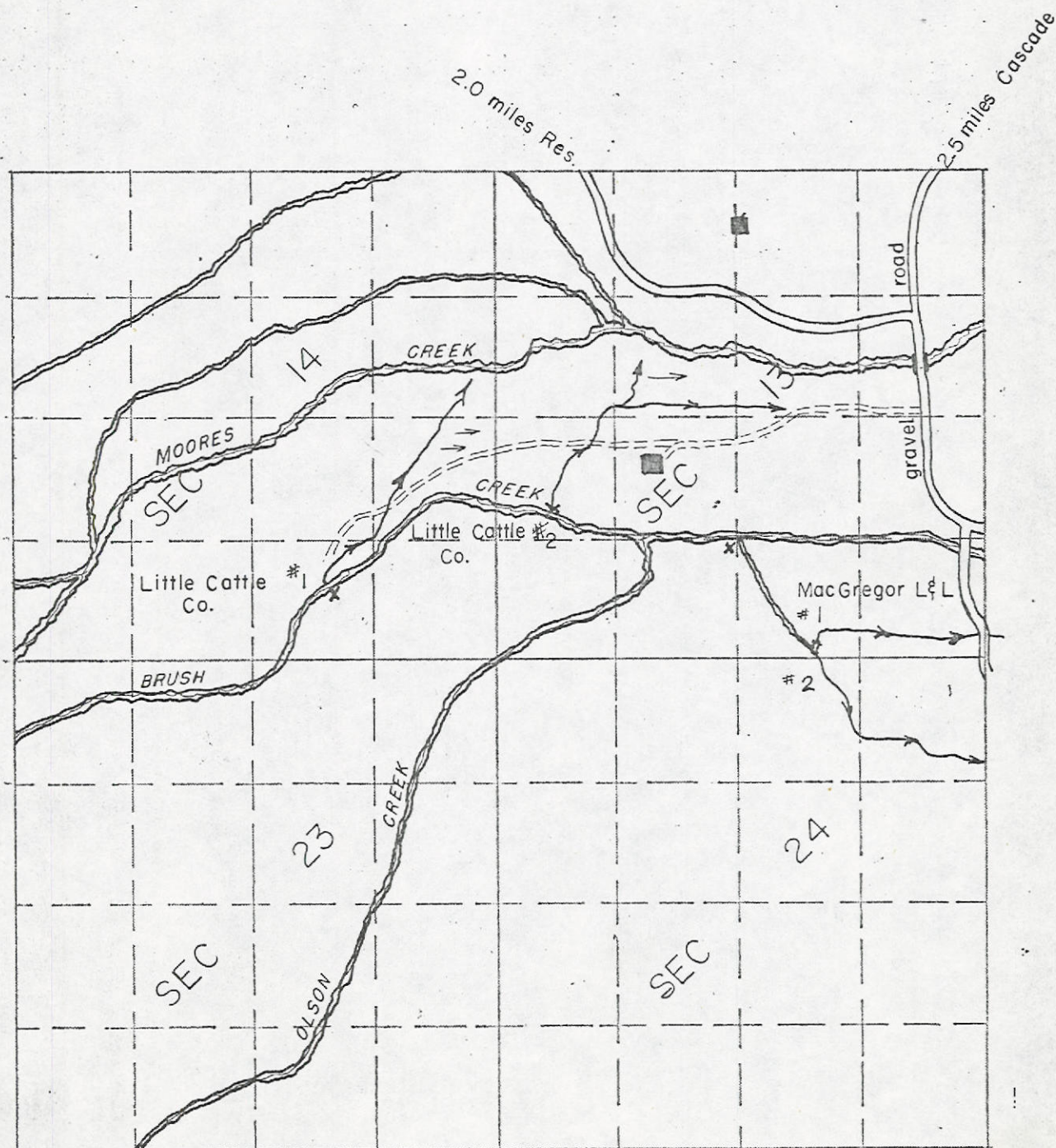
Date

Approved by

Date

LITTLE CATTLE COMPANY BRUSH CREEK SEC. 14, 13N, 3E CARETAKER BEN SMITH

SEE (25) PAGE



Applicant _____ for _____
Township 13 N, Range 3 E, County Valley

1893
1897

Serial No.

36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6
12	7	8	9	10	11	12	7
13	18	17	16	15	14	13	18
24	19	20	21	22	23	24	19
25	30	29	28	27	26	25	30
36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6

3E

4E

17.89
17.93

Val 110 - 183 - 185 ; 342 - 343
145 - 433 - 436 ; 460 - 461

IDAHO LAND & APPRAISAL SERVICE
BOISE, IDAHO

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NOV 4 1983

Department of Water Resources
Western Regional Office

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: A65-01979
Date Received: 11/14/1988
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: EASTERN WESTERN CORP
Address: MICHAEL E MC GINLEY PRESIDENT
1426 SE GIDEON ST
PO BOX 3228
PORTLAND OR

503-236-1978

97208-3228

2. Date of Priority: JUN 1, 1918

3. Source: BRUSH CREEK

Trib. to: PAYETTE RIVER, NORTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	03E	14		SE	SE		VALLEY
		23		NW	NE		VALLEY

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	6.240		

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

A.F.A.

8. Total consumptive use is 624.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	03E	13	SW	NE		IRR	5.0
			SE	NE		IRR	16.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	03E	13	NE	SW		IRR	29.0
			NW	SW		IRR	39.0
			SW	SW		IRR	26.0
			SE	SW		IRR	6.0
			NE	SE		IRR	37.0
			NW	SE		IRR	21.0
				Section Acres			179.0
		14	NE	SE		IRR	13.0
	SW		SE		IRR	8.0	
	SE		SE		IRR	10.0	
				Section Acres			31.0
		04E	18	SW	NW	2	IRR
SE	NW				IRR	33.0	
NE	SW				IRR	38.0	
NW	SW			3	IRR	18.0	
Section Acres					102.0		
Total Acres					312.0		

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:
65-11280.

14. Remarks:

RIGHT IS SUBJECT TO PANCHERI/LITTLE/A.L. CATTLE INC. STIPULATION
AS ORDERED BY DISTRICT COURT ON 12-30-86 IN GEM COUNTY CIVIL NO.
3667.

ADDRESS CHANGED PER CLAIMANT REQUEST 10/20/98. (DB)

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs

Decree Defendant

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 65-1979 V1

WATER RIGHT NUMBER: 65-1979 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	EASTERN WESTERN CORP MICHAEL E MC GINLEY PRESIDENT 1426 SE GIDEON ST PO BOX 3228 PORTLAND, OR 972083228 (503)236-1978
Original Owner	HOFSTETTER LAW OFFICE DANA HOFSTETTER 608 W FRANKLIN ST BOISE, ID 83702 (208) 424-7800
Current Owner	CAROL LYNN MAC GREGOR 1109 WARM SPRINGS AVE BOISE, ID 83712 (208)386-9494

Priority Date: 06/01/1918

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BRUSH CREEK	NORTH FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	6.240 CFS	
	<u>Total Diversion:</u>	6.240 CFS	

Location of Point(s) of Diversion

BRUSH CREEK	SE1/4SE1/4	Sec. 14, Twp 13N, Rge 03E, B.M.
VALLEY County		
BRUSH CREEK	NW1/4NE1/4	Sec. 23, Twp 13N, Rge 03E, B.M.
VALLEY County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	03E	13			5.0	16.0					29.0	39.0	26.0	6.0	37.0	21.0			179.0
13N	03E	14													13.0		8.0	10.0	31.0
13N	04E	18						13.0	33.0	38.0	18.0								102.0
								L 2			L 3								

Total Acres: 312

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 65-1979 V1

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

Comments:

1. SVANHOFF 8/23/1999 CHANGE OF OWNERSHIP
Comment: OWNERSHIP CHANGED 8/23/99 SVH
2. SVANHOFF 8/31/1999 COPIED FROM REMARKS
Comment: RIGHT IS SUBJECT TO PANCHERI/LITTLE/A.L. CATTLE INC. STIPULATION AS ORDERED BY DISTRICT COURT ON 12-30-86 IN GEM COUNTY CIVIL NO. 3667. ADDRESS CHANGED PER CLAIMANT REQUEST 10/20/98. (DB)
3. AJU10-JS 9/24/1999 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

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SEP 03 1998

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s).: 65-11280, 65, 1979, 65-1972, 65-1973
Adjudication Claim No(s).: A: 65-11280, 1979, 1972 and 1973
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 Eastern Western Corporation,
then ~~Thomas~~ ^{Tom} Nicholson
4. New Owner/Claimant(s) Carol Lynn MacGregor
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 1104 Warm Springs Avenue
City, State and ZIP Code Boise, ID 83742
New Telephone Number (208) 386-9494
5. Date you acquired the property Jan. 12, 1998
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. I rent pasture, this year having
Number of acres you irrigate _____ Number and type of stock _____
I bought all.
Diversion rate in CFS _____ Number of homes 1 Other uses hot springs
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) Carol Lynn MacGregor
(a married woman dealing with her separate property)
(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..

EXHIBIT A

Legal Description of the Property

Township 13 North, Range 3 East, Boise Meridian, Valley County, Idaho:

Section 13, S1/2NE 1/4 lying south of the county road, SW1/4.-N1/2SE1/4, SW1/4SE1/4, SE1/4SE1/4 lying west of the county road. Section 14, S1/2

Township 13 North, Range 4 East, Boise Meridian, Valley County, Idaho:

Section 18, Government Lots 2 and 3, SE1/4NW1/4, NE1/4. Reserving therefrom a parcel of land in the NE corner of the SE1/4NW1/4 of said section 18 as deeded to the Oregon Shortline Railroad Company, in Book 9 of Deeds at page 189 as Instrument No. 19165.

ASSIGNMENT AGREEMENT
FOR REPLACEMENT PROPERTY
1031-1829

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SEP 03 1998

WATER RESOURCES
WESTERN REGION

THIS ASSIGNMENT is made and entered into on January 12, 1998 by and between, CAROL LYNN MACGREGOR (hereinafter referred to as "Assignor") PIONEER 1031 COMPANY, an Idaho corporation (hereinafter "Assignee") and TOM NICHOLSON (hereinafter "Consenting Party").

RECITALS:

WHEREAS, Assignor and Consenting Party have entered into that certain Sale Contract/Purchase Agreement dated January 12, 1998 (hereinafter "Purchase Agreement"), a copy of which is attached as Exhibit "A," wherein Consenting Party agreed to transfer that certain real property described as:

Township 13 North, Range 3 East, Boise Meridian, Valley County, Idaho:

Section 13, S $\frac{1}{2}$ NE $\frac{1}{4}$ lying south of the county road, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying West of the county road. Section 14, S $\frac{1}{2}$

Township 13 North, Range 4 East, Boise Meridian, Valley County, Idaho:

Section 18, Governments Lots 2 and 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$. Reserving therefrom a parcel of land in the NE corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 18 as deeded to the Oregon Shoreline Railroad Company, in Book 9 of Deeds at Page 189 as Instrument No. 19165.

and commonly known as Hot Springs Ranch, Valley County, Idaho (hereinafter "Replacement Property") to Assignor; and

WHEREAS, Assignor desires to effect a tax-deferred exchange in accordance with Section 1031 of the Internal Revenue Code, and the Treasury regulations promulgated thereunder; and

WHEREAS, Assignor wishes to be relieved of the obligations to so acquire the Replacement Property under the Purchase Agreement and substitute Assignee in place of Assignor under the Purchase Agreement to allow Assignee to complete the transfer of the Replacement Property as part of an integrated, interdependent transaction between Assignor and Assignee.



NOW, THEREFORE, the parties mutually agree as follows:

1. Assignor hereby assigns to Assignee all of their rights, title and interest in and all of the obligations under the Purchase Agreement and Consenting Party does hereby consent to such Assignment, acknowledging, however that such consent does not relieve Assignor from any and all of the obligations under the Purchase Agreement. Assignee hereby assumes all of such rights, title and interest in, and the obligations under, the Purchase Agreement. The Purchase Agreement is hereby assigned in accordance with the terms hereof.

2. Assignee's obligation to close escrow and assume the obligations of Assignor under the Purchase Agreement is conditioned upon the satisfaction of the following conditions, prior to close of escrow for the transfer of the Replacement Property to Assignee:

A. Review and approval by Assignee of the Buyer's Escrow Instructions and any other documents related to the transaction.

B. The execution of all escrow closing documents by the Assignor and Consenting Party prior to the conveyance of the Replacement Property pursuant to the provisions of an Exchange Agreement between Assignee and Assignor.

3. Notwithstanding the foregoing, in the event the escrow for the transfer of the Replacement Property to Assignee from Consenting Party does not close on or before the date set for close of escrow in the Purchase Agreement, unless such date is extended by written agreement of the parties hereto, this Assignment Agreement shall be null and void and the Purchase Agreement shall be reinstated in full force and effect between Assignor and Consenting Party without any further obligation or liability on the part of Assignee.

4. This Agreement may be executed in counterparts and shall be of the same force and effect as if one document had been signed by all parties.



IN WITNESS WHEREOF, the parties hereto have set their hands.

ASSIGNEE:

PIONEER 1031 COMPANY, AN IDAHO CORPORATION

BY: Robert E. Onnen
ROBERT E. ONNEN, SENIOR VICE PRESIDENT

DATE 1/12/98

ASSIGNOR(S):

Carol Lynn MacGregor
CAROL LYNN MACGREGOR

DATE 1-16-98

CONSENTING PARTY(S):

Tom Nicholson
TOM NICHOLSON

DATE 1-16-98



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

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WATER RESOURCES
WESTERN REGION

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

1. Water Right Number(s) 65-11280, 65-1979
Adjudication Claim Number(s) UNKNOWN
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 on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) EASTERN WESTERN CORPORATION
1426 S.E. GIDEON ST., P.O. BOX 3228
PORTLAND, OR 97208
4. New Owner/Claimant(s) TOM NICHOLSON
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address P.O. BOX 690
City, State and ZIP Code MERIDIAN, ID 83680
New Telephone Number (208) 888 - 1593
5. Date you acquired the property 1/2/97
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 actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
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/Claimant(s) Tom Nicholson Date 2/4/97

Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

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WATER RESOURCES
WESTERN REGION

After recording return to:

(For Recorder's Use Only)

Until a change is requested, all
tax statements shall be sent to:RECORDED
1997 JAN 6 AM 9 04
MOUNTAIN TITLE & ESTATE
REQUESTED BYTYPE: Book #110
VALLEY COUNTY RECORDER
BY: Julie L. Prager
FEE: \$9.00

223410

CORPORATE WARRANTY DEED

EASTERN WESTERN CORPORATION, an Oregon Corporation (the "Grantor"), hereby conveys and warrants to TOM NICHOLSON (the "Grantee"), the real property described in the legal description attached hereto as Exhibit A, which is incorporated herein by this reference, located in Valley County, Idaho, together with any and all water, water rights, ditches, rights of way for ditches, minerals, mineral leases and any and all irrigation and grazing rights appurtenant to or in anywise appertaining to said property (the "Property").

The Property is free of all encumbrances, except as set forth herein:

ENCUMBRANCES:

1. General taxes and assessments (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable.

(CONTINUED)

The true and actual consideration for this conveyance is \$1,400,000.00.

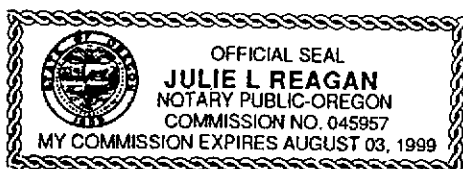
DATED: January 2, 1997.

EASTERN WESTERN CORPORATION,
an Oregon corporation

Michael E. McGinley
By: Michael E. McGinley, President

STATE OF OREGON)
) ss
County of Multnomah)

This instrument was acknowledged before me on the 2nd day of January, 1997, by Michael E. McGinley, known or identified to me to be the President of the corporation that executed the instrument on behalf of said corporation, and acknowledged to me such corporation executed the same.



Julie L. Reagan
NOTARY PUBLIC FOR OREGON
My Commission Expires: 8-3-99

ENCUMBRANCES (cont.)

2. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
3. Pipeline easement, as filed for record in the office of the Recorder of Valley County, Idaho on October 2, 1913 in Book 1 of Miscellaneous at page 471.
4. Railroad Deed, as filed for record in the office of the Recorder of Valley County, Idaho on October 28, 1913 in Book 9 of Deeds at page 189.
5. Pipeline easement, as filed for record in the office of the Recorder of Valley County, Idaho on January 18, 1914 in Book 9 of Deeds at page 216.
6. Road Easement, as filed for record in the office of the Recorder of Valley County, Idaho on May 20, 1987 as Instrument No. 144893.
7. RECORD OF SURVEY as filed for record in the office of the Recorder of Valley County, Idaho on May 25, 1995 as Instrument No. 211100.
8. RECORD OF SURVEY as filed for record in the office of the Recorder of Valley County, Idaho on May 25, 1996 as Instrument No. 211106.
9. Stipulations and Orders, Pancheris/Little/A.L. Cattle, Inc., and Stipulations and Orders, Pancheris/Leslie all filed December 30, 1986, in the District Court of the Third Judicial District of the State of Idaho, in and for the County of Gem, civil #3667, Adjudication of Payette River.

EXHIBIT A

LEGAL DESCRIPTION

RECEIVED

FEB 05 1997

WATER RESOURCES
WESTERN REGION

Township 13 North, Range 3 East, Boise Meridian, Valley County, Idaho:

Section 13, [REDACTED] lying south of the county road, [REDACTED], [REDACTED], SE1/4SE1/4
lying west of the county road. [REDACTED]

Township 13 North, Range 4 East, Boise Meridian, Valley County, Idaho:

[REDACTED]. Reserving therefrom a parcel of land
in the NE corner of the SE1/4NW1/4 of said section 18 as deeded to the Oregon Shortline Railroad
Company, in Book 9 of Deeds at page 189 as Instrument No. 19165.

PASCHERI/LITTLE/A.L. CATTLE STIPULATION
PASCHERI/LESLIE STIPULATION
EXHIBIT A - LISTING OF WATER RIGHTS

12/86

PAGE 1

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
SOURCE: ANDY CREEK			TRIBUTARY: MOORES CREEK, SOUTH FORK			
65-3420	LESLIE, WILLIAM JOHN 2404 NORTH 11ST BOISE, ID 83702 OTHER RIGHTS: 65-3418 REMARKS: 7 P/D IN SW1/4, S14, T13N, R1E. SOURCES ARE MOORES CREEK, NORTH FORK AND MOORES CREEK, SOUTH FORK TRIM. MOORES CREEK AND ANDY CREEK TRIM. MOORES CREEK, SOUTH FORK. PT. OF INJECTION INTO ANDY CREEK IN NE1/4 S14 T13N R 3E. PT. OF REDIVERSION IN SW1/4 S14 T13N R 3E. POINT OF DIVERSION: T13N R3E S14 SW1/4 NESW PLACE OF USE: IRRIGATION T13N R3E S14 SW1/4 S14 S1/4 S14 N1/2 1 SW1/4 20 SENE 38 104 ACRES TOTAL	04-01-1894	IRRIGATION	04-15 10-15	2.00 CFS	BENEFICIAL USE
X 65-11288	A. L. CATTLE, INC. (<i>Andrew Little</i>) C/O AGNES BRANLSTAD P.O. BOX 129 MAGERMAN, ID 83432 REMARKS: PT. OF INJECTION INTO ANDY CREEK IN NE1/4, S14, T13N, R1E. PT. OF REDIVERSION IN NW1/4, S14, T13N, R1E. SOURCES FOR THIS RIGHT ARE MOORES CREEK, SOUTH FORK TRIM. MOORES CREEK AND ANDY CREEK TRIM. MOORES CREEK, SOUTH FORK. POINT OF DIVERSION: T13N R3E S14 NESW NWSE PLACE OF USE: IRRIGATION T13N R3E S14 NE1/4 24 NW1/4 17 SW1/4 2 51 ACRES TOTAL	04-01-1902	IRRIGATION	04-15 10-15	1.06 CFS	BENEFICIAL USE

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FEB 05 1997
WATER RESOURCES
WESTERN REGION

12/18

PANCHERI/LITTLE/A.L. CATTLE STIPULATION
PANCHERI/LESSEE STIPULATION
EXHIBIT A - LISTING OF WATER RIGHTS

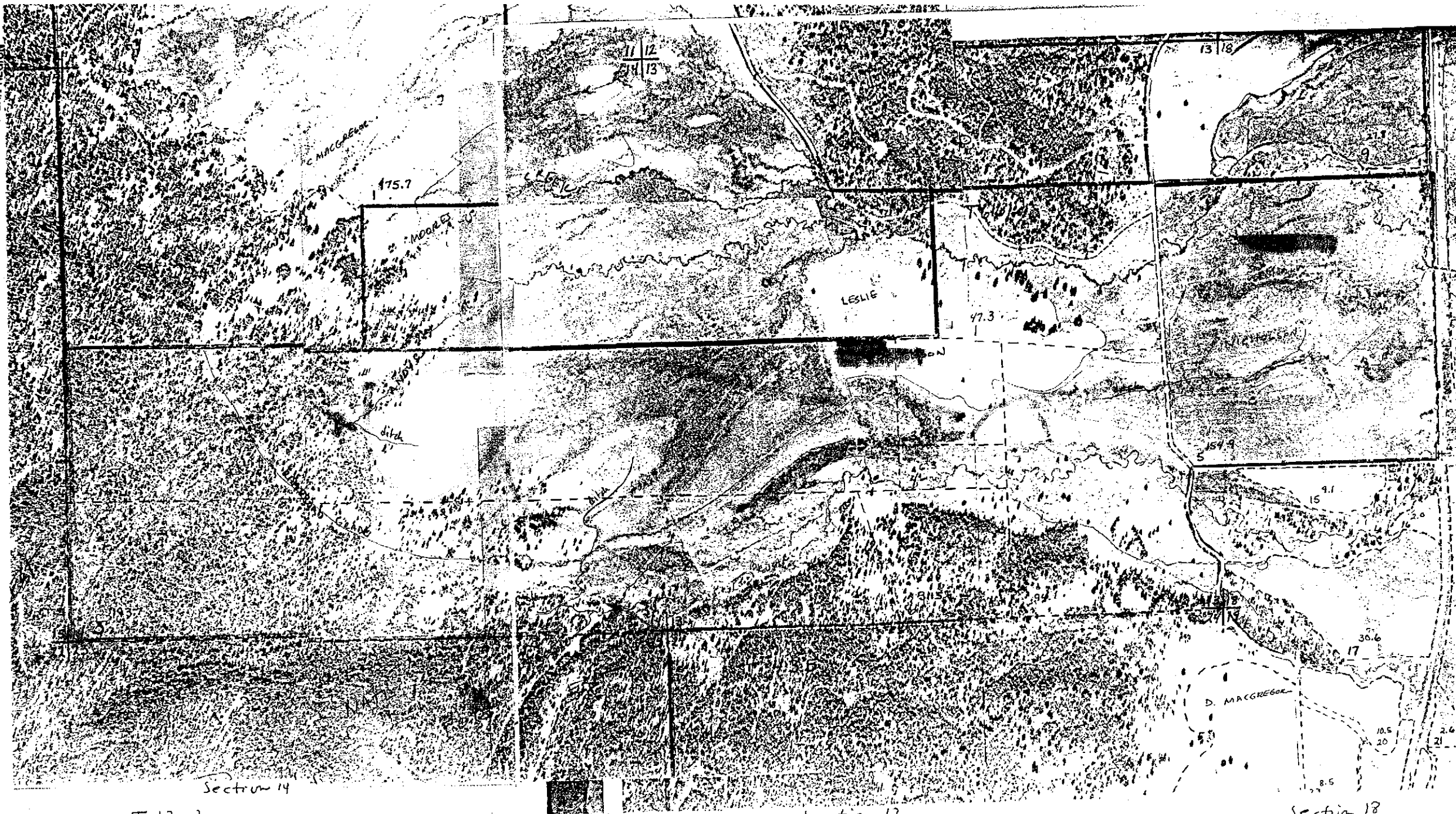
PAGE 2

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
SOURCE: BRUSH CREEK		TRIBUTARY: PAYETTE RIVER, NORTH FORK				
65-1628	PANCHERI, DARWIN PANCHERI, JOAN E. PANCHERI, DUANE PANCHERI, LAURA MELBA, ID 81643 OTHER RIGHTS: 65-2696. REMARKS: 1 F/D IN SESW, S18, T11N, R1E. POINT OF DIVERSION: T11N R03E S17 SWSE T11N R04E S14 SESW PLACE OF USE: IRRIGATION T11N R04E S17 LT14(SWSW) 3 NWSW 18 LT13(SWSW) 15 LT14(SESW) 6 S18 LT04(SWSW) 5 SESW 19 NENE 15 NENE 6 S19 LT05(NENE) 12 NWSW 40 SWSW 40 LT06(NENE) 22 NWSW 12 SWSW 17 NWSW 38 SESW 12 NENE 40 S20 LT11(NWSW) 17 LT12(SWSW) 22 S29 LT04(NWSW) 1 S30 LT05(NENE) 13 628 ACRES TOTAL	01-01-1912	IRRIGATION	04-15 12-15	11.56 CFS	BENEFICIAL
65-1979	A. L. CATTLE, INC. C/O AGNES BRAILSFORD P.O. BOX 130 KAGERMAN, ID 81138 OTHER RIGHTS: 65-11210 POINT OF DIVERSION: T11N R03E S14 SESE S23 NWSW PLACE OF USE: IRRIGATION T11N R03E S13 SWSW 5 SESE 14 NWSW 29 NWSW 19 SWSW 26 SESW 6 NENE 17 S14 NENE 11 T11N R04E S14 LT02(SWSW) 13 SESE 4 SESE 10 113 ACRES TOTAL	04-01-1911	IRRIGATION	04-15 10-15	6.24 CFS	BENEFICIAL USE

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FEB 05 1997

WATER RESOURCES
WESTERN REGION



A65-01929

Dana L. Hofstetter
Murray D. Feldman
HOLLAND & HART
Suite 1400, West One Plaza
Post Office Box 2527
Boise, Idaho 83701
Telephone: (208) 342-5000

COPY
1992 JAN -9 AM 10:02
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *[Signature]*

Attorneys for Northwest Pipeline Corporation,
Eastern Western Corporation and other parties

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

Case No. 39576

NOTICE OF APPEARANCE

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Document No.
92-01-020

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System

DESCRIPTIVE SUMMARY

This is the Notice of Appearance of Dana L. Hofstetter and
Murray D. Feldman of the law firm of Holland & Hart as attorneys
for Northwest Pipeline Corporation, Eastern Western Corporation
and other parties pursuant to the Court's December 17, 1991, SRBA

NOTICE OF APPEARANCE ~ 1

MICROFILMED
OCT 18 1996

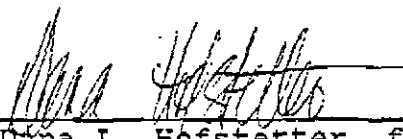
Administrative Order: SRBA Mailing Address, Telephone and Fax
Numbers and Notices of Appearance.

NOTICE OF APPEARANCE

Dana L. Hofstetter and Murray D. Feldman of the law firm of
Holland & Hart hereby enter their appearance as attorneys for
Northwest Pipeline Corporation, Eastern Western Corporation and
other parties pursuant to the Court's December 17, 1991, SRBA
Administrative Order: SRBA Mailing Address, Telephone and Fax
Numbers and Notices of Appearance.

DATED this 6 day of January, 1992.

HOLLAND & HART

By 
Dana L. Hofstetter, for the firm
Attorneys for Northwest Pipeline
Corporation, Eastern Western
Corporation and other parties

NOTICE OF APPEARANCE - 2

MICROFILMED
OCT 18 1996

CERTIFICATE OF SERVICE

I hereby certify that on this 8 day of January, 1992, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Larry Echohawk
Attorney General
State of Idaho
Statehouse Mail, Room 210
Boise, ID 83720

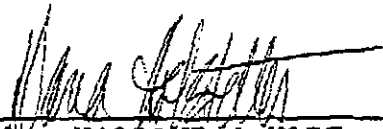
☒ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)

Peter G. Monson
Trial Attorney
United States Department
of Justice
Land and Natural Resources
Division
Indian Resources Section
P.O. Box 44378
Washington, DC 20026-4378

☒ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)

David B. Shaw (6 copies)
Chief
Adjudication Bureau
Idaho Department of Water
Resources
1301 North Orchard
Statehouse Mail
Boise, ID 83720

☒ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)


for HOLLAND & HART

17157



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 15, 1992

Dana L. Hofstetter
Holland & Hart
P.O. Box 2527
Boise, ID 83701-2527

RE: Snake River Basin Adjudication (SRBA)
Eastern Western Corp.

Dear Dana,

I have modified the addresses on the claims for your client referenced above as directed in your letter dated April 1, 1992. Enclosed are the print-screens you requested for your files.

Thank you for your patience, Dana. If you have any questions, please call me.

Sincerely,

Sally Prazee
Secretary, Adjudication Section

sf:west
Enclosures:
Eastern Western Corp. Print-Screens

MICROFILMED

SEP 18 1992

MEMORANDUM

APR 15 1992

Department of Health Services
Western Regional Office

DATE: 04/14/92
TO: DON SHAFF, JAN SHURTE
FROM: SALLY FRAZEE
RE: EASTERN WESTERN CORP

(Game copy to Rox too, Jan)
-Sal

TODAY I UPDATED EACH CLAIM ON FILE FOR EASTERN WESTERN CORP AS
FOLLOWS ON THE SAMPLE D.E. SCREEN:

ADDRESS: EASTERN WESTERN CORP
MICHAEL E MC GINLEY PRESIDENT
PO BOX 3228
OR 37208-3228
C

1505 SE GIDEON ST
PORTLAND
503 236-1978

OR

HOLLAND & HART
DANA HOFSTETTER

ID 83701-2527
A

PO BOX 2527
BOISE
208 342-5000

I ASKED DANA THIS MORNING WHEN SHE WAS HERE WHETHER SHE CARED IF
HER MIDDLE INITIAL WAS ON THE CLAIMS OR NOT. SHE DOESN'T CARE,
SO I DELETED IT ON THE FEW WHERE IT SHOWED TO SAVE KEYSTROKES.

SAVING KEYSTROKES WAS MY REASON FOR SHORTENING "CORPORATION" TO
"CORP".

EASTERN WESTERN CORP IS NOW ENTERED AS EASTERN WESTERN CORP
(WITHOUT THE PERIOD AFTER CORP).

BEFORE MODIFYING BASIN 63 RECORDS, I VERIFIED THERE WERE NO "R"
RECORDS VIA AJ5.

PER DANA'S REQUEST, I HAVE MAILED HER THE PRINT SCREENS FOR
EASTERN WESTERN CORP FOR HER FILES. I HAVE ATTACHED A COPY OF THE
AJQ1 EASTERN WESTERN SCREENS FOR THE WESTERN REGION OFFICE.

AL65-01979

MICROFILMED

SEP 18 1992

EW

EASTERNWESTERN CORPORATION

RECEIVED

AUG 2 1991

HOLLAND
& HART

RECEIVED

OCT 24 1991

Department of Water Resources
Western Regional Office

July 30, 1991

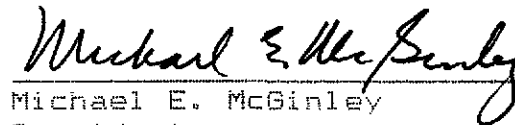
RECEIVED

OCT 11 1991

Department of Water Resources

NOTICE OF REVOCATION OF AUTHORIZATION

I, Michael E. McGinley, President of Eastern Western Corporation, have revoked Jim Hipwell's authority to file Notice of Claims to Water Rights in the Snake River Basin Adjudication on behalf of Eastern Western Corporation. Mr. Hipwell is no longer employed by Eastern Western Corporation and may no longer file Notices of Claim on its behalf. This Revocation of Authority is not intended to affect the validity of the Claims Jim Hipwell filed on behalf of Eastern Western Corporation while employed by the Corporation.



Michael E. McGinley
President

/nr

MICROFILMED

SEP 18 1992

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A65-01979
Date Received: 9/23/1988
Receipt No: X999999
Received By: LK-H 10-15-88

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EASTERN WESTERN CORP. 208-495-1134
Address: C/O JIM HIPWELL
3349 HILL ROAD SOUTH
MELBA, ID 83641
2. Date of Priority: JUN 01, 1918
3. Source: BRUSH CREEK Trib. to: PAYETTE RIVER, NORTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	03E	14	SE	SE			VALLEY
		23	NW	NE			VALLEY

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	6.240		

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

A.F.A.

8. Total consumptive use is 624.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	03E	13	SW	NE		IRR	5.0
			SE	NE		IRR	16.0

A65-01979

Page 1

Date: 10/14/88

MICROFILMED
SEP 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	03E	13	NE	SW		IRR	29.0
			NW	SW		IRR	39.0
			SW	SW		IRR	26.0
			SE	SW		IRR	6.0
			NE	SE		IRR	37.0
			NW	SE		IRR	21.0
			Section Acres				
		14	NE	SE		IRR	13.0
			SW	SE		IRR	8.0
			SE	SE		IRR	10.0
Section Acres						31.0	
	04E	18	SW	NW	2	IRR	13.0
			SE	NW		IRR	33.0
			NE	SW		IRR	38.0
			NW	SW	3	IRR	18.0
Section Acres						102.0	
Total Acres						312.0	

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:
65-11280.

14. Remarks:
RIGHT IS SUBJECT TO PANCHERI/LITTLE/A.L. CATTLE INC. STIPULATION
AS ORDERED BY DISTRICT COURT ON 12-30-86 IN GEM COUNTY CIVIL NO.
3667.

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: 1

For Organizations:

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

James B. H. H. H.
Signature of Authorized Agent

EASTERN WESTERN
Title and Organization

11/15/88
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of November 19 88

Dana Billups
Notary Public

Seal

Residing at Dana Billups, Notary Public
My Commission Expires March 21, 1994



November 15, 1988

LETTER OF AUTHORIZATION

I, Michael E. McGinley, President of Eastern Western Corporation, hereby authorize Jim Hipwell to file Notice of Claims to Water Rights in the Snake River Basin Adjudication on behalf of Eastern Western Corporation.

Michael E. McGinley
President

MEM/jo

OWNER (S): Carol Macgregor

AGENT: Scott Van Hoff

DATE 8-23-89

P.O.D.	TOWNSHIP	RANGE	SEC.	SOURCE
--------	----------	-------	------	--------

<u>13N</u>	<u>03E</u>	<u>14 ESE</u>	<u>Brush creek</u>
11	11	<u>23 WNW</u>	11

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

ATTRIBUTES OF B65-POD.SHP (247)(248)(())(())(())

B65-DBPOU.DBF UPDATED BY sdvh

B65-DBPOD.DBF UPDATED BY sdvh

NOTES :

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

T13N R03E

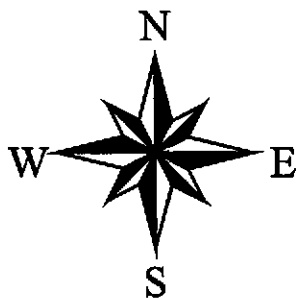
WATER RIGHT(S): 65-01979

OWNER(S): CAROL MACGREGOR

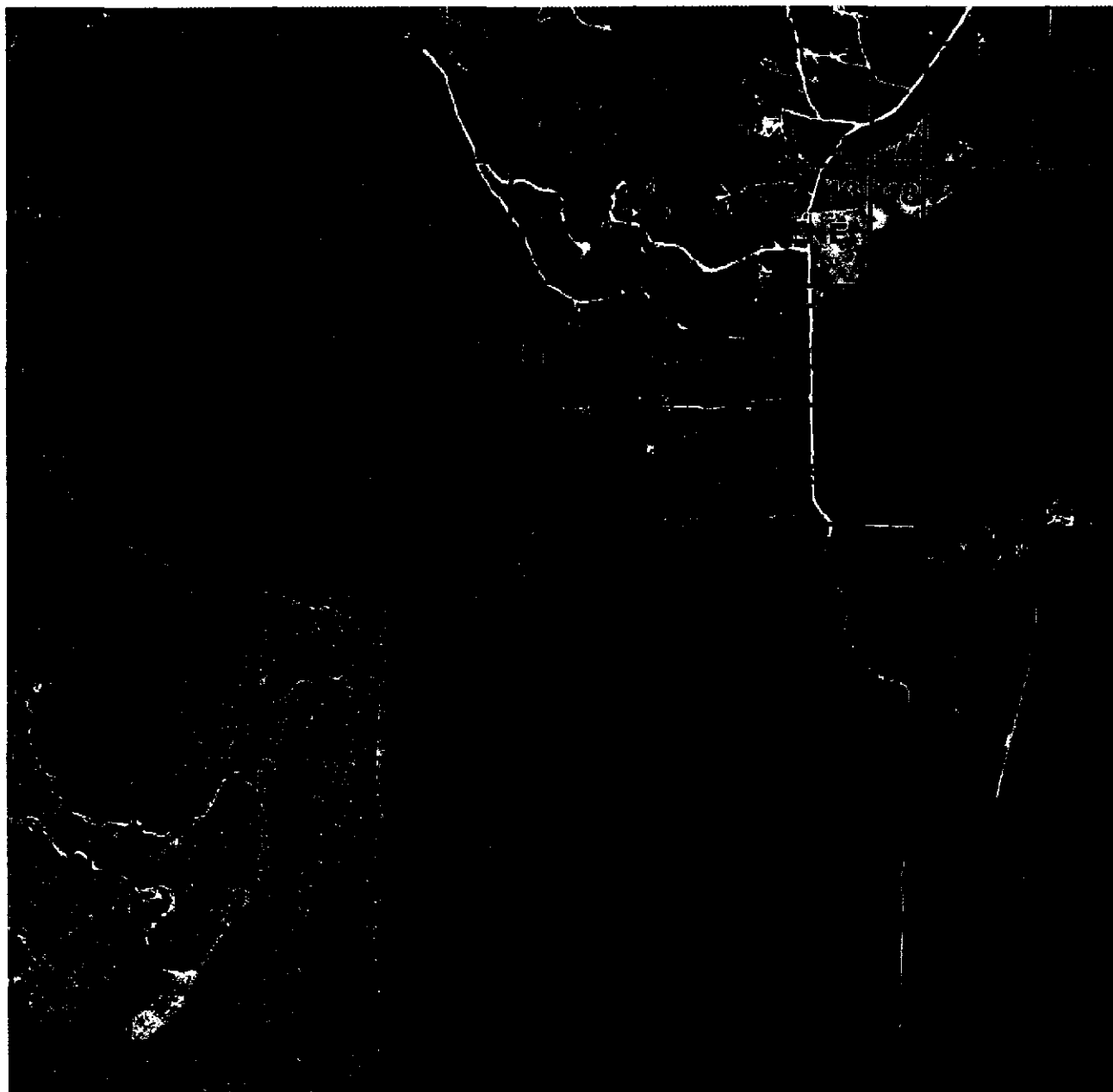
PREPARED BY SCOTT VAN HOFF

23 AUGUST 1999

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



NAPP 1987



0 0.25 0.5 0.75 Miles



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:39:24
08/12/99

PAGE: 1
GENERAL INFORMATION

35
CLAIM NUMBER: A65-01979

LAST: EASTERN WESTERN CORP FIRST:
ADDRESS: MICHAEL E MC GINLEY PRESIDENT
1426 SE GIDEON ST
PO BOX 3228
CITY: PORTLAND STATE: OR ZIP: 972083228
PHONE NUMBER: 503-236-1978

OWNER CODE: C

LAST: HOLLAND & HART FIRST:
ADDRESS: DANA HOFSTETTER
PO BOX 2527
CITY: BOISE STATE: ID ZIP: 837012527
PHONE NUMBER: 208-342-5000

OWNER CODE: A

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN RIGHT IS SUBJECT TO PANCHERI/LITTLE/A.L. CATTLE INC. STIPULATION
AS ORDERED BY DISTRICT COURT ON 12-30-86 IN GEM COUNTY CIVIL NO.
3667.
ADDRESS CHANGED PER CLAIMANT REQUEST 10/20/98. (DB)

PAGE: 2
FIELD EXAMINATION INFORMATION

36
CLAIM NUMBER: A65-01979

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: # A65-01979 PRIORITY DATE: 06-01-1918 STAGE: D

B. WR RECORD: # 65-01979 PRIORITY DATE: 06-01-1918 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:

06-01-1918

REVIEWED BY GUL

DATE 8-12-99

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
A65-01979	13N	03E	14		SE	SE			VALLEY		
A65-01979	13N	03E	23		NW	NE			VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: BRUSH 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
65-01979	13N	03E	14		SE	SE			VALLEY		
65-01979	13N	03E	23		NW	NE			VALLEY		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: BRUSH 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
13N	03E	14		SE	SE			VALLEY		
13N	03E	23		NW	NE			VALLEY		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: BRUSH CREEK

TRIB: PAYETTE RIVER, NORTH FORK

REVIEWED BY: SVH

DATE: 8-13-99

=====

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

A. ROOT WATER RIGHT NUMBERS: A65-01979

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
13N	03E	13	SW	NE		EASTERN WESTERN CORP LESLIE, WILLIAM JOHN	A65-01979 / 5.0	65-01979 / 5.0 65-03419 / 3.0	30.0		5
13N	03E	13	SE	NE		EASTERN WESTERN CORP	A65-01979 / 16.0	65-01979 / 16.0	35.0		16
			SE	NE		EASTERN WESTERN CORP	R65-01988 /	65-01988 /			
			SE	NE		EASTERN WESTERN CORP	A65-01972 /	65-01972 /			
			SE	NE		EASTERN WESTERN CORP	A65-01973 /	65-01973 /			
			SE	NE		EASTERN WESTERN CORP	A65-01988 /	- /			
			SE	NE		HOLLAND & HART	65-01972 /	- /			
			SE	NE		EASTERN WESTERN CORP	65-01973 /	- /			
			SE	NE		EASTERN WESTERN CORP	65-01988 /	- /			
			SE	NE		DAVIS CATTLE CO INC		65-13619 / 15.0			
13N	03E	13	NE	SW		EASTERN WESTERN CORP	A65-01979 / 29.0	65-01979 / 29.0	38.0		29
			NE	SW		HOFSTETTER, DANA	R65-01978 /	65-01978 /			
			NE	SW		HOFSTETTER, DANA	A65-01978 /	- /			
			NE	SW		HOFSTETTER, DANA	65-01978 /	- /			
13N	03E	13	NW	SW		EASTERN WESTERN CORP	A65-01979 / 39.0	65-01979 / 39.0	41.0		39
13N	03E	13	SW	SW		EASTERN WESTERN CORP	A65-01979 / 26.0	65-01979 / 26.0	22.0		26
13N	03E	13	SE	SW		EASTERN WESTERN CORP	A65-01979 / 6.0	65-01979 / 6.0	4.0		6
13N	03E	13	NE	SE		EASTERN WESTERN CORP	A65-01979 / 37.0	65-01979 / 37.0	39.0		37
			NE	SE		DAVIS CATTLE CO INC		65-13619 / 35.0			
13N	03E	13	NW	SE		EASTERN WESTERN CORP	A65-01979 / 21.0	65-01979 / 21.0	39.0		21
			NW	SE		MONTGOMERY, JAMES H	R65-19681 /	- /			
			NW	SE		MONTGOMERY, JAMES H	65-19681 /	- /			
			NW	SE		MONTGOMERY, JAMES H	A65-19681 /	- /			
13N	03E	14	NE	SE		EASTERN WESTERN CORP	A65-01979 / 13.0	65-01979 / 13.0	39.0		13
			NE	SE		HOLLAND & HART	A65-11280 / 24.0	65-11280 / 24.0			
13N	03E	14	SW	SE		EASTERN WESTERN CORP	A65-01979 / 8.0	65-01979 / 8.0	23.0		8
			SW	SE		HOLLAND & HART	A65-11280 / 2.0	65-11280 / 2.0			
13N	03E	14	SE	SE		EASTERN WESTERN CORP	A65-01979 / 10.0	65-01979 / 10.0	21.0		10
13N	04E	18	SW	NW	2	EASTERN WESTERN CORP	A65-01979 / 13.0	65-01979 / 13.0	20.0		13
			SW	NW	2	EASTERN WESTERN CORP	A65-17557 /	- /			
			SW	NW	2	EASTERN WESTERN CORP	R65-17557 /	- /			
			SW	NW	2	DAVIS CATTLE CO INC		65-13619 / 12.0			

44

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
13N	04E	18	SE	NW		EASTERN WESTERN CORP	A65-01979 / 33.0	65-01979 / 33.0	37.0		33
13N	04E	18	NE	SW		EASTERN WESTERN CORP	A65-01979 / 38.0	65-01979 / 38.0	39.0		38
13N	04E	18	NW	SW	3	EASTERN WESTERN CORP	A65-01979 / 18.0	65-01979 / 18.0	21.0		18
			NW	SW	3	DAVIS CATTLE CO INC		65-13619 / 35.0			

ADDITIONAL POU FOUND

TOTAL ACRES	A65-01979	312.00	312.00	448.00
-------------	-----------	--------	--------	--------

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
A65-01979	BRUSH CREEK	EASTERN WESTERN CORP	6.240	0.020		
A65-11280	MOORES CREEK, SOUTH FORK	HOLLAND & HART	1.060	0.020		
	ANDY CREEK					

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
R65-01988	DOMESTIC	EASTERN WESTERN CORP	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-01972	DOMESTIC	EASTERN WESTERN CORP	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-01973	DOMESTIC	EASTERN WESTERN CORP	FROM 01-01 TO 12-31	0.010 CFS	1.20 AF/A
A65-01988	DOMESTIC	EASTERN WESTERN CORP	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-01972	DOMESTIC	HOLLAND & HART	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-01973	DOMESTIC	EASTERN WESTERN CORP	FROM 01-01 TO 12-31	0.010 CFS	1.20 AF/A
65-01988	DOMESTIC	EASTERN WESTERN CORP	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
R65-01978	DOMESTIC	HOFSTETTER, DANA	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-01978	DOMESTIC	HOFSTETTER, DANA	FROM 01-01 TO 12-31	0.040 CFS	0.04 AF/A
65-01978	DOMESTIC	HOFSTETTER, DANA	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
R65-19681	DOMESTIC	MONTGOMERY, JAMES H	FROM 01-01 TO 12-31	0.040 CFS	
65-19681	DOMESTIC	MONTGOMERY, JAMES H	FROM 01-01 TO 12-31	0.040 CFS	
A65-19681	DOMESTIC	MONTGOMERY, JAMES H	FROM 01-01 TO 12-31	0.040 CFS	
A65-17557	DOMESTIC	EASTERN WESTERN CORP	FROM 01-01 TO 12-31	0.020 CFS	
R65-17557	DOMESTIC	EASTERN WESTERN CORP	FROM 01-01 TO 12-31	0.020 CFS	

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

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 65-11280.

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()

NOTES:

IONS: _____

TOTAL ACRES: 312 N/A()

REVIEWED BY: SUH DATE: 8-23-99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-01979 IRRIGATION	FROM 04-15 TO 10-15	6.240 CFS	
TOTAL DIVERSION RATE/VOLUME		6.240 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-01979 IRRIGATION	FROM 04-15 TO 10-15	6.240 CFS	
TOTAL DIVERSION RATE/VOLUME		6.240 CFS	

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: 11

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

45

CLAIM NUMBER: A65-01979

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 6.240 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 6.240 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 = _____ AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 624.0 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 ()

PAGE: 13
DIVERSION AMOUNT REVIEW SHEET CONTINUED

47
CLAIM NUMBER: A65-01979

[illegible]

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (☒)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
IRRIGATION	04-15	10-15	DATABASE 6.240	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 624.0	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			6.240	_____		_____	624.0	_____

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: SCF

DATE: 8-23-79

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
()	()
()	()
()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-01979

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
6.240

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-01979	6.240	-		65-01979	6.240
TOTAL CFS		6.240				6.240

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
Y	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()
(x) NAPP	DATE OF PHOTO <u>1987</u> IDWR ID NO. _____	Y(<u>x</u>) 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 _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:39:24
08/12/99

PAGE: 17
QUICKLOOK INFORMATION

51
CLAIM NUMBER: A65-01979

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								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:41:13
08/12/99
52

PAGE: 18
PROFILE REPORT

CLAIM NUMBER: A65-01979

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EASTERN WESTERN CORP	06/01/1918	IRRIGATION	04-15 10-15	6.240 CFS	
					TOTAL DIVERSION:	6.240 CFS
					CONSUMPTIVE USE:	624.00 AFA

Water Source: BRUSH CREEK

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion:

T13N R03E S14
S23

SESE
NWNE

VALLEY County
VALLEY County

Place of Use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
13N	03E	13	:					05	16	:						29	39	26	06	:	179.0
13N	03E	14	:							:										:	31.0
13N	04E	18	:							:	02-13	33	:			38	03-18			:	102.0
																			TOTAL ACRES	312.0	

POU County: VALLEY

Other Rights: 65-11280.

Remarks: GEN RIGHT IS SUBJECT TO PANCHERI/LITTLE/A.L. CATTLE INC. STIPULATION
AS ORDERED BY DISTRICT COURT ON 12-30-86 IN GEM COUNTY CIVIL NO.
3667.
ADDRESS CHANGED PER CLAIMANT REQUEST 10/20/98. (DB)

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

AJ0749NP
No. R65-01979

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

DATE: 09/22/99
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CAROL LYNN MAC GREGOR 1109 WARM SPRINGS AVE BOISE ID 83712 (208) 386-9494	06/01/1918	IRRIGATION	04-15 10-15	6.240 CFS	
TOTAL DIVERSION:					6.240 CFS	

Water Source: BRUSH CREEK

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion:

T13N R03E S14
S23

SESE
NWNE

VALLEY County
VALLEY County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
13N	03E	13	:					05	16	:						29	39	26	06	:	179.0	
13N	03E	14	:							:							13		08	10	:	31.0
13N	04E	18	:							:		02-13	33	:		38	03-18			:	102.0	
TOTAL ACRES																				312.0		

POU County: VALLEY

Other Rights: 65-11280.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

65-01979

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 21, 1998

RE: Water Right No. 65-08949, 65-09796, 65-17568, 65-17573, 65-19596,
65-19598, and 65-19608

Eastern Western Corp
c/o Michael E Mc Ginley, President
1426 SE Gideon St
Portland OR 97208-3228

Dear Claimant:

Enclosed are copies of the above referenced water rights which reflect the change in address of the land and appurtenant water rights covered under the original filings. Also enclosed are copies of the Notices of Completed Administrative Proceedings which have been sent to the Snake River Basin Court as notification of the changes.

The address has also been changed on all other water rights in which you are the current owner, and copies of the claims and profile reports are enclosed.

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

Sincerely,

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

Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:db

Enclosures



465-01979

October 8, 1998

RECEIVED

OCT 13 1998

WATER RESOURCES
WESTERN REGION

Denise Buffington
Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, Idaho 83705-5082

Re: Eastern Western Corporation

Dear Ms. Buffington:

I am writing to inform you of Eastern Western Corporation's change in its street address. The new street address for Eastern Western Corporation is 1426 S.E. Gideon Street, Portland, Oregon 97202. The mailing address for Eastern Western Corporation remains unchanged (P.O. Box 3228, Portland, Oregon 97208-3228).

Please update the Idaho Department of Water Resources' records for all water rights held by Eastern Western Corporation to reflect the changed street address.

Thank you for your assistance with this matter. Please contact me if you have any questions or need additional information.

Sincerely,

EASTERN WESTERN CORPORATION

A handwritten signature in cursive script that reads 'Michael E. McGinley'.

Michael E McGinley
President

65-1979 Amended
I.D. No. Map No.
\$ Fee Paid Receipt No.

40/10/22

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 DETER-
MINATION OF RIGHTS TO THE USE OF
Payette River

NOTICE OF CLAIM
TO A
WATER RIGHT

65-1979 Amended	
I.D. No.	Map No.
\$	
Fee Paid	Receipt No.

DRAINAGE BASIN.

A. L. CATTLE, INC.

Notice is hereby given that C/o Myrn Little

(Name of Claimant)

Rt. 3, Box 151, Emmett, ID 83617

(Mailing Address)

(Zip Code)

Telephone No.

claims a right to the diversion and beneficial use of the surface or ground water. 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 priority date of decreed, licensed or permit right) 6-1-1918

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Brush Creek tributary to North Fork Payette River Olson 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:

Quantity 6.18 Use Irrigation Period of Use From 4/15 To 10/15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

918 AF Quantity 918 AF Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 6.18 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source NW 1/4 SE 1/4
Sec. 13, Twp. 13N, Rge. 3E, B.M., Valley County
Additional Points: SWSE Sec. 14 T 13N R 3E; NWNE Sec. 23 T 13N R 3E

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. Describe any changes in the system and give the date of the change.
Gravity/Ditch Systems
Flow

(6) A) 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	
13N	3E	13			5	16					29	34	26	6	37	21	4	13	191
13N	4E	18							13	27	38	18							96
								(LT.2)		(LT.3)									
13N	3E	14													4		8	10	22

Total no. of acres 309

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

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks (Sources for this right are Brush Creek and Olson Creek)

(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case.

DRT

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give 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

(Signature of Claimant)

Organization

(Signature of Claimant)

(Signature of Authorized Agent)

State of

Organization

County of

Seal

On this day of , in the year before me
a notary public, personally appeared

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) executed the same.

DRT 12-5-78

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 DETER-
MINATION OF RIGHTS TO THE USE OF

Payette River

DRAINAGE BASIN

**NOTICE OF CLAIM
TO A
WATER RIGHT**

A. L. CATTLE, INC.

Notice is hereby given that Myrn Little

(Name of Claimant)

Rt. 3, Box 151, Emmett, ID 83617

(Mailing Address)

Telephone No. _____

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. 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 priority date of decreed, licensed or permit right) 6-1-1918

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Brush Creek tributary to North Fork Payette River Olson 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:

Quantity 6.18 Use Irrigation Period of Use From 4/15 To 10/15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 6.18 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source NW $\frac{1}{4}$ SE $\frac{1}{4}$
Sec. 13 Twp. 13N, Rge. 3E, B.M., Valley County
Additional Points: SWSE Sec. 14 T 13N R 3E; NWNE Sec. 23 T 13N R 3E

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. Describe any changes in the system and give the date of the change.
Gravity/Ditch Systems

Flow

(6) A) 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 $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
13N	3E	13			5	16					29	34	26	6	37	21	4	13	191
13N	4E	18							13	27	38	18							96
									(LT.2)	(LT.3)									
13N	3E	14													4		8	10	22

Total no. of acres 309

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

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks SOURCES FOR THIS RIGHT ARE BRUSH CREEK & OLSON CREEK.

(9) 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, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give 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.

December 11, 1978

(Date)

State of Idaho

County of Ada

Organization _____

Seal _____

(Signature of Claimant)

(Signature of Spouse)

Organization A. L. CATTLE, INC.

by Myrn Little
(Signature of Authorized Agent)

I, Mrs. Myrn H. Little, President of A. L. Cattle, Inc., in the year 1978, before me,

do hereby certify that she is the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that she executed the same.

Life

Commission expires _____

Notary Public residing at Boise, Idaho

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

IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS TO THE USE OF
NOTICE OF CLAIM
TO A
DRAINAGE BASIN. WATER RIGHT

65-1977	
I. D. No.	Map No.
\$	
Fee Paid	Receipt No.

Notice is hereby given that Myron H. Little
(Name of Claimant)

Rt 3 Box 151 Emmett, Ida 83617, claims a right to the diversion
(Mailing Address)
and beneficial use of the surface or groundwater, of or tributary to

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 priority date of decreed, licensed or permit right) 6/1/1918

(2) Describe the source of water: (Name of stream, lake, spring, etc., or groundwater) Bonanza Creek Trib North Fork Payette River

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

Quantity 3.64 Use 2 or 546 AF Period of Use From 4/15 To 10/15
(CFS. GPD. AF.) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS. GPD. AF.) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS. GPD. AF.) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)

(4) _____ TOTAL QUANTITY CLAIMED.
(CFS. GPD. AF.)

(5) A) Point of Diversion: Give location of point where water is diverted from its source _____ ¼ _____ ¼,
Sec. _____, Twp. _____, Rge. _____, 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. _____

(6) A) 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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13N	3E	13			5	15									37	21			78
13N	4E	18							15	33	38	18							104
									(104)										

Total No. of acres 182

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

(7) Effluent, sewage waste, or return water from this use is discharged into _____

(8) If you are claiming water as a member of an organization, list name of organization. _____

(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, permit, license, or claim filed with the Idaho Department of Water Resources. _____

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

(Date)

(Signature of Claimant)

State of _____ Organization _____

ss.

Seal

Organization

(Signature of Spouse)

County of _____

On this _____ day of _____, in the year _____, before me,

a notary public, personally appeared _____
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 _____) executed the same.

Notary Public residing at _____

My commission expires _____

9/22/78

365-2320

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

65-1979

Valley
13-3E-D

Notice is hereby given that MYRN H. LITTLE

(Name of Claimant)

Route 3, Box 151, Emmett, Idaho 83617

(Mailing Address)

claims a right to the diversion

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

The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 6/1/1918
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Brush 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 Period of Use From 4/1 To 10/31
- (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both Dates Inclusive)
- Use stock Period of Use From 4/1 To 12/31
- (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both Dates Inclusive)
- Use irrigation Period of Use From 4/1 To 12/31
- (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both Dates Inclusive)
- (4) Quantity of water claimed: 9.56 Cubic Feet Per Second, or 6,000 Gals. Per 1918 Acre Feet Per Annum, and/or 6,000 Gals. Per 1918 Acre Feet Per Annum
- (5) A) Point of Diversion: Give location of point where water is diverted from its source NE 1/4 SW 1/4, Sec. 13, Twp. 13 N, Rge. 3 E, B.M.; additional points: 1902 SW 1/4 Sec. 14
- 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. diversion boxes and checks in the stream
- (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	
13	N	3E	13		40	40					40	40	20	20	40	40	40	40	352
			14								40	40	20	20	40	40	40	40	126
			13		25	18					20	20	20	20	37	29	10	12	231
			14												37	27	2	14	90

Total No. of acres 478.311

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

500 head range cattle

- (7) Effluent, sewage waste, or return water from this use is discharged into _____
- (8) If you are claiming water as a member of an organization, list name of organization. **KEYPUNCHED**
- (9) Remarks 5-27-77
- (10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use. ☐ B) Right decreed by court, cite title of case CSA 5/15/77
- ☐ 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.

12/17/70
(Date)

State of Idaho

County of Boise

SS.

Organization
Seal

On this 17th day of December, in the year 1970, before me,

a notary public, personally appeared Myrn H. Little 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 _____) executed the same.

Notary Public residing at Boise, Idaho

My commission expires

8/12/74

Rob 5-24-77

1
2
3
4
JIM JONES
Attorney General
State of Idaho
Statehouse, Room 210
Boise, Idaho 83720
Telephone: (208) 334-2400

5
6
7
8
PHILLIP J. RASSIER
JOSEPHINE P. BEEMAN
Deputy Attorneys General
Department of Water Resources
450 West State Street
Boise, ID 83720
Telephone: (208) 334-4448

*is a true and correct copy of
the original Stipulation and
Order filed in this cause on
the 30th day of December, 1986
at 1:43 p.m.*

*John R. Dostert
District Judge*

9
10
11
IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

12
13
14
IN THE MATTER OF THE GENERAL) Civil No. 3667
DETERMINATION OF THE RIGHT TO)
THE USE OF SURFACE AND GROUND-) STIPULATION AND ORDER:
WATER OF THE PAYETTE RIVER) PANCHERIS/LITTLES/
DRAINAGE BASIN) A. L. CATTLE INC.
)

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27
The director of the Idaho Department of Water
Resources, Darwin Pancheri and Joan L. Pancheri, Duane Pancheri
and Laura Pancheri ("Pancheris" herein), the estate of Myrn H.
Little, and A. L. Cattle, Inc. stipulate to the following water
rights for the Pancheris, the estate of Myrn H. Little, and A.
L. Cattle, Inc. within the Brush Creek drainage which is
tributary to the North Fork of the Payette River. All of these
water rights are listed in complete detail in the attached
Exhibit A, but are listed in an abbreviated form
here.

1. Brush Creek, tributary to North Fork, Payette River

65-6628 (Pancheris): 12.56 cfs for irrigation with a priority date of 4/1/1912;

65-1979 (A. L. Cattle, Inc.): 6.24 cfs for irrigation with a priority date of 6/1/1918;

2. Moores Creek, tributary to Brush Creek

65-11250 (Pancheris): 4.86 cfs for irrigation with a priority date of 5/1/1899;

3. Andy Creek, tributary to South Fork Moores Creek, and South Fork Moores Creek, tributary to Moores Creek

65-11280 (A. L. Cattle, Inc.): 1.06 cfs for irrigation with a priority date of 6/1/1902.

With respect to right 65-11280 (in the name of A. L. Cattle, Inc.), the Pancheris and A. L. Cattle, Inc. agree as follows. Although right 65-11280 on Andy Creek is junior in priority to the Pancheri's downstream right 65-11250 on Moores Creek, it will be considered for distribution purposes to be a prior right as long as the following conditions are satisfied:

a. The use of water by A. L. Cattle, Inc., its successors and assigns under right 65-11280 will not be expanded to lands not shown to be irrigated on the attached Exhibit A. That is if the Exhibit shows a given number of acres irrigated in a quarter section, A. L. Cattle, Inc. will not increase the number of acres being irrigated in that fractional section.

b. A. L. Cattle, Inc. agrees, for and on behalf of itself, successors and assigns, not to change the method of irrigating under 65-11280 even though the method of irrigating can be changed without increasing the consumptive use, such as changing from the present method of irrigating, flood irrigation, to sprinklers.

JAN 6 1950
Attorney General
State of Idaho
Statehouse, Room 210
Boise, Idaho 83720
Telephone: (208) 334-2400

1 c. A. L. Cattle, Inc. agrees for and on behalf of
2 itself, its successors and assigns not to change
3 either the place of use of the water or the points of
4 diversion without first obtaining the written consent
5 of the Pancheris or the Pancheris' successors and
6 assigns.

7 d. A. L. Cattle, Inc. agrees, for and on behalf of
8 itself, its successors and assigns to use the water
9 in such a manner that all water not needed for the
10 propagation of crops will either be left in the
11 natural drainage or will be returned back to Moores
12 Creek upstream from the Pancheris' point of diversion
13 as it presently exists.

14 e. The enforcement of those conditions which occur
15 after the water is diverted from the natural channel
16 will be the responsibility of the private parties,
17 except that Water Resources may also exercise its
18 authority under Title 42, Idaho Code.

19 4. Springs, tributary to Moores Creek

20 65-1972 (estate of Myrn H. Little): .04 cfs for
21 domestic purposes with a priority date of 5/1/1901;

22 65-1973 (estate of Myrn H. Little): .01 cfs for
23 domestic purposes with a priority date of 5/1/1901.

24 The Pancheris, the estate of Myrn H. Little and A. L.
25 Cattle, Inc. further agree, based upon this stipulation, to
26 withdraw the objections that each had filed affecting their
27 respective rights on Brush Creek, Moores Creek and Andy Creek.

Dated this 30th day of December, 1986.

RINGERT, CLARK, HARRINGTON,
REID, CHRISTENSON & KAUFMAN,
CHARTERED

By:

W. F. Ringert 12-30-86
William F. Ringert, a member
of the firm

Attorneys for Darwin Pancheri,
Joan L. Pancheri, Duane
Pancheri, and Laura Pancheri

Louie Gorrone 27 December 1986

Louie Gorrone, Attorney for
Claimant Agnes Brailsford,
Personal Representative of the
Estate of Myrn H. Little,
Deceased and for Claimant
A. L. Cattle, Inc.

JIM JONES
Attorney General

Josephine P. Beeman 26 December 1986
Josephine P. Beeman
Deputy Attorney General
Idaho Department of Water
Resources

JIM JONES
Attorney General
State of Idaho
Statehouse, Room 210
Boise, Idaho 83720
Telephone: (208) 334-2400

PHILLIP J. RASSIER
JOSEPHINE P. BEEMAN
Deputy Attorneys General
Department of Water Resources
450 West State Street
Boise, ID 83720
Telephone: (208) 334-4448

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	)	Civil No. 3667
DETERMINATION OF THE RIGHT TO	)	
THE USE OF SURFACE AND GROUNDWATER	)	ORDER
OF THE PAYETTE RIVER DRAINAGE	)	
BASIN	)	

The foregoing stipulation having come duly and regularly
before the court and good cause appearing therefore,

IT IS HEREBY ORDERED that the objections filed by the
Pancheris as to their rights 65-6622, 65-6629, 65-6628, and
65-11250 be dismissed with prejudice; further that the objections
to and protests filed against Pancheris' water rights by A. L.
Cattle, Inc. and the estate of Myrn H. Little and against the
water rights of A. L. Cattle, Inc. and the estate of Myrn H.
Little by Pancheris be dismissed with prejudice and without
attorneys fees and costs to any party.

IT IS FURTHER ORDERED that A. L. Cattle, Inc.'s water
rights 65-1979, 65-11280 and the estate of Myrn H. Little's water
rights 65-1972 and 65-1973 listed in the attached Exhibit A are
deemed admitted and conceded by the Pancheris, their heirs,

successors and assigns as true and accurate, and subject to the conditions stated on pages 2 and 3 of the Pancheris/Littles/A. L. Cattle Inc. stipulation.

IT IS FURTHER ORDERED that the Pancheris' water rights 65-6628 and 65-11250 listed in the attached Exhibit A are deemed admitted and conceded by A. L. Cattle, Inc. and the estate of Myrn H. Little and their successors and assigns as true and accurate, and subject to the conditions stated on pages 2 and 3 of the Pancheris/Littles/A. L. Cattle Inc. stipulation.

DATED this 30 day of December, 1986.

/s/
JIM R. DOOLITTLE
District Judge

PANCHERI/LITTLE/A.L. CATTLE STIPULATION
PANCHERI/LESLIE STIPULATION
EXHIBIT A - LISTING OF WATER RIGHTS

12/86

PAGE 2

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
SOURCE: BRUSH CREEK			TRIBUTARY: PAYETTE RIVER, NORTH FORK			
65-6628	PANCHERI, DARWIN PANCHERI, JOAN L. PANCHERI, DUANE PANCHERI, LAURA MELBA, ID 83641 OTHER RIGHTS: 65-2696. REMARKS: 2 P/D IN SESW, S18, T13N, R4E. POINT OF DIVERSION: T13N R03E S13 SWSE T13N R04E S18 SESW PLACE OF USE: IRRIGATION T13N R04E S17 LT04(SWNW) 3 NWSW 18 LT13(SWSW)15 LT14(SESW) 6 S18 LT04(SWSW) 5 SESW 19 NESE 15 NWSE 6 S19 LT05(NENE)32 NWNE 40 SWNE 40 LT06(SENE)22 NENW 12 SENW 27 NESW 38 SESW 32 NESE 40 NWSE 40 SWSE 40 SESE 40 S20 LT11(NWSW)17 LT12(SWSW)20 S29 LT04(NWNW) 1 S30 LT05(NENE)23 628 ACRES TOTAL	04-01-1912	IRRIGATION	04-15 10-15	12.56 CFS	BENEFICIAL
65-1979	A. L. CATTLE, INC. C/O AGNES BRAILSFORD P.O. BOX 180 HAGERMAN, ID 83338 OTHER RIGHTS: 65-11280 POINT OF DIVERSION: T13N R03E S14 SESE S23 NWNE PLACE OF USE: IRRIGATION T13N R03E S13 SWNE 5 SENE 16 NESW 29 NWSW 39 SWSW 26 SESW 6 NESE 37 NWSE 21 S14 NESE 13 SWSE 8 SESE 10 T13N R04E S18 LT02(SWNW)13 SENW 33 NESW 38 LT03(NWSW)18 312 ACRES TOTAL	06-01-1918	IRRIGATION	04-15 10-15	6.24 CFS	BENEFICIAL USE

01 WATER RIGHT NUMBER - 65-1979 02 CID (C) NUMBER - ADJ. FLAG TRANSLATION: STANDARD WATER RIGHT NUMBER

03001 - A. D. CATTIE, INC. 04001 - FIRST NAME ORIG. OWNER 05001 - C

06 ADD LINE 1 - C/O AGNES FRALISSE 07 ADD LINE 2 - P.O. BOX 180

08 ADD LINE 3 - 09 CITY - HAGERMAN 10 STATE - ID 11 ZIP - 833380000

12 STAGE - E CHECK 13 STATUS -

14001 - SOURCE TRIUTARY OF
15001 - REUSE CREEK PAYETTE RIVER, NORTH FORK

16 DIVERSION SEALS - 17 COUNTY - 85 VALLEY

18 DIVERSION CAPACITY - .000 19 TOTAL DIVERSION RATE - 6.240 20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT - 65

DIVERSION POINTS										STREAM INDEX FIELDS							
TRACT	SEC	TWN	RNG	LOT	RFLG												
22001 -	SESE	23001 - 14	24001 - 13N	25001 - 03E	26001 -	27001 -											
				28001 - 0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0.0	
22002 -	WWE	23002 - 23	24002 - 13N	25002 - 03E	26002 -	27002 -											
				28002 - 0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0.0	

29 NON-IRRIGATION USE -

PLACE OF USE									
USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT			
30001 - 01 IRRIGATION	31001 - 13N	32001 - 03E	33001 - 13	34001 - SWNE	35001 - 05	36001 -			
30002 - 01 IRRIGATION	31002 - 13N	32002 - 03E	33002 - 13	34002 - SEWE	35002 - 16	36002 -			
30003 - 01 IRRIGATION	31003 - 13N	32003 - 03E	33003 - 13	34003 - NESW	35003 - 29	36003 -			
30004 - 01 IRRIGATION	31004 - 13N	32004 - 03E	33004 - 13	34004 - NWSW	35004 - 39	36004 -			
30005 - 01 IRRIGATION	31005 - 13N	32005 - 03E	33005 - 13	34005 - SWSW	35005 - 26	36005 -			
30006 - 01 IRRIGATION	31006 - 13N	32006 - 03E	33006 - 13	34006 - SESW	35006 - 06	36006 -			
30007 - 01 IRRIGATION	31007 - 13N	32007 - 03E	33007 - 13	34007 - WESE	35007 - 37	36007 -			
30008 - 01 IRRIGATION	31008 - 13N	32008 - 03E	33008 - 13	34008 - NWSE	35008 - 21	36008 -			
30009 - 01 IRRIGATION	31009 - 13N	32009 - 03E	33009 - 14	34009 - WESE	35009 - 13	36009 -			
30010 - 01 IRRIGATION	31010 - 13N	32010 - 03E	33010 - 14	34010 - SWSE	35010 - 08	36010 -			
30011 - 01 IRRIGATION	31011 - 13N	32011 - 03E	33011 - 14	34011 - SESE	35011 - 10	36011 -			
30012 - 01 IRRIGATION	31012 - 13N	32012 - 04E	33012 - 18	34012 - SENW	35012 - 33	36012 -			
30013 - 01 IRRIGATION	31013 - 13N	32013 - 04E	33013 - 18	34013 - NESW	35013 - 38	36013 -			
30014 - 01 IRRIGATION	31014 - 13N	32014 - 04E	33014 - 18	34014 - SWNW	35014 - 13	36014 - 02			
30015 - 01 IRRIGATION	31015 - 13N	32015 - 04E	33015 - 18	34015 - NWSW	35015 - 18	36015 - 03			

TOTAL ACRES: 312

WATER USE									
PERIOD FROM	PERIOD TO	USE CODE / USE	DIVERSION RATE	DIVERSION VOLUME					
37001 - 0415	38001 - 1015	39001 - 01 IRRIGATION	40001 - 6.240	41001 - 0.00					

42 DECREE PLAINTIFF NAME - STATE OF IDAHO

43 DECREE DEFENDANT NAME - A & C CORP., ET AL.

REMARKS

44001 -

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE - 65-11280.

D A T E S		D A T E S		F L A G S	
47	PRIORITY - 1-JUN-1918	55	LICENSE -	63	TRANSFER/AMENDED -
48	PROOF DUE -	56	APPL. RECEIVED -	64	DLE/CAREY ACT -
49	PROOF MADE -	57	FIELD EXAM MADE -	65	FLAG_1 -
50	APPROVE/DENIED -	58	DECREE - 21-JAN-1986	66	FLAG_2 -
51	PROTESTED -	59	START WORK -	67	FLAG_3 -
52	HEARING -	60	ORDER SHOW CAUSE -		
53	VERIFIED - 1/21/87 <i>JS</i>	61	DATE_1 -		
54	LAST UPDATE - 20-JAN-1987	62	DATE_2 -		

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. SHAEF Date 10/06/83
Right No. 65-1979 Claimant AL CATTLE

Recommendation differs from claim: ☒ Yes ☐ No ☐ Disallow
(Document any differences)

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

- ☐ License
- ☐ Previous Statutory Claim.
- ☐ Permits, valid or lapsed. Number(s) if different than above _____
- ☐ Decree. Name & date _____
- ☐ Conveyance Loss Calculations. See printout included.
- ☐ Title abstract. ☐ In file. Or, Name & location _____
- ☐ County records. ☐ In file. Or, Name & location _____
- ☐ Affidavits. ☐ In file.
- ☐ Posted Notices, Water Locations Notices. ☐ In file.
- ☐ Deed Records. ☐ In file. Or, Name & location _____
- ☐ Patent Records. ☐ In file. Or, Name & location _____

- ☐ Metzker Maps. Identify _____
- ☒ A.S.C.S. Records. Year & Photograph No. 7/15/61 DHZ-2BB-32
- ☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____
- ☐ Historical Books. Name(s) & location _____

- ☒ Interview(s). Attach conversation memorandum. IN 65-11280
THIS FILE 10/21/83 MEMO
- ☐ Other _____
- ☐ _____

Field Exam Made: ☒ Yes ☐ No Date 7/22/83

☒ Adj. Report in file ☐ Beneficial Use Report in License (S.O.) File

Measurement #1 7/12/71 2.23 cfs. Amount recommended 6.24 cfs.
Type of measuring device: #2 AA CORRENT METER Meter No. _____
Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. _____

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☒ Yes ☐ No

Remarks _____

January 12, 1984

Mrs. Myrn Little
A.L. Cattle, Inc.
498 S. Substation Road
Emmett, ID 83617

Re: 65-1979

Dear Mrs. Little:

Please find enclosed a copy of a letter to Mr. Thackaberry. Your amended claim 65-1979 was returned to his office. Please notice the second paragraph warning you not to wait too long to file any amended claim.

Regards,

Donald V. Shaff
Adjudication Unit Leader

DVS:cjk
Encl.

January 12, 1984

Joseph J. Thackaberry
6904 Overland Road
Boise, ID 83709

Re: 65-1979

Dear Joe:

As you requested, the amended claim 65-1979 received in this office November 4, 1983 is being returned. The original document (white copy) and its duplicate (yellow copy) are enclosed.

I want to emphasize A.L. Cattle, Inc. should not wait to bring an amendment to the court until after a decree in the Payette River Adjudication is issued and filed. Such a supplemental action probably could not be successfully litigated. In the Proposed Finding, Conclusion of Law No. 1 states, in part, that a person who was joined to the Payette River Adjudication (A.L. Cattle, Inc. is a party) and who failed to claim a water right forfeited that water right when the decree is issued. The court will likely retain jurisdiction for a year after the decree. Therefore, your client should bring any possible amendment before the court before the decree is eventually issued.

Thanks for your help.

Regards,

Donald V. Shaff
Adjudication Unit Leader

DVS:cjk
Enclosures
cc: A.L. Cattle, Inc.

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

McCONNELL ISLAND DITCH
COMPANY, LIMITED, AN IDAHO
CORPORATION,

PLAINTIFFS,

VS.

HENRY KOELLING, WATERMASTER
OF THE BOISE RIVER,

DEFENDANT.

CASE No. L-34498

FINDINGS OF FACT AND
CONCLUSIONS OF LAW OF
THE IDAHO DEPARTMENT
OF WATER RESOURCES

To: 65-1979

1/10/84

From: D. SHAFF

SUBJ: TELEPHONE CONVERSATION WITH JOE THATCHER

THE CALLER REQUESTED THE AMENDED CLAIM RECEIVED IN THIS OFFICE 11/04/83 BE RETURNED TO HIM. HE SAID AL CATTLE HAD CHOSEN NOT TO FILE THE CLAIM AT THIS TIME.

ADDITIONAL RESEARCH MAY BE DONE BY THE CLAIMANT THIS SUMMER AFTER WHICH AN AMENDED CLAIM & LATE OBJECTION MAY BE FILED. THE CALLER WAS CAUTIONED ABOUT WAITING UNTIL AFTER A DECREE IS FILED BECAUSE HIS CLIENT COULD BE PREVENTED FROM SUCCESSFULLY LITIGATING & A NEW OR CHANGED WATER RIGHT.

[Signature]

December 29, 1983

Mrs. Myrn Little
Mr. Andy Little
A. L. Cattle, Inc.
498 S. Substation Road
Emmett, ID 83617

RE: 65-1979

Dear Mrs. Little and Andy:

On November 1, 1983, on behalf of the Department I received your amended notice to the above referenced claim to Brush Creek. Some recent events have shown this action was not the end of the road.

The Department's role of accepting claims in the Payette River Adjudication ended when the Proposed Finding and all the submitted claims were sent to the Court. Any new or amended claims in the action must now be submitted directly through the Court via a pleading such as Motion to Submit a Late Claim. I do not think an objection separate from that of the Pancheris would be necessary. Your attorney may want to file a Notice of Appearance in that Objection.

Let me relay some events that may or may not be helpful. The Pancheris' research has shown an 1892 cadastral survey describes a ditch from Brush Creek for a good part of their land now described under their 1912 water right. They have informed me they will amend their water right claim if you are successful in entering your amended claim to gain an 1896 priority. You can see that the essential result at that point would be changing the dates in the present order of water rights.

Please inform me of your plan of action. At your will, I will forward the original of the triplicate claim form you left here to Joe or your attorney.

Regards,

Donald V. Shaff
Adjudication Unit Leader

DVS/cjk
cc: Joe Thackaberry

M E M O

TO: 65-1979

FROM: Donald V. Shaff *DS*

DATE: November 4, 1983

SUTJECT: Amended Claim

Joe Thackaberry hand delivered, today, an amended Notice of Claim to a Water Right with supporting documents for A. L. Cattle, Inc.

The amendment is to change the date of priority. Primary reliance is placed on the cadastral surveys run in 1896 and plotted in 1897. Copies of the pertinent pages from the survey notes and the plats for Twp. 13N, Rge. 3E and Twp. 13N, Rge. 4E were submitted with claim. Also submitted were:

- 1) handwritten notes and maps by Thackaberry of the homesteads that are now A. L. Cattle, Inc. and
- 2) handwritten notes and copies of deeds made by Mrs. Myrn Little's niece in her title search of the A. L. Cattle, Inc. land. Thackaberry also showed three abstracts of title to the land. The pertinent deeds were a part of the copied materials above, so copies of the abstract were not made a part of the claim file. The abstracts are to be returned to Mrs. Little if future inspection is necessary.

DVS/cjk

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 DETER-
MINATION OF RIGHTS TO THE USE OF
Payette River
DRAINAGE BASIN.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

65-1979 Amended	
I.D. No.	Map No.
\$	
Fees Paid	Receipt No.

Notice is hereby given that A.L. Cattle, Inc., c/o Myrn H. Little

(Name of Claimant)

498 S. Substation Road, Emmett, Idaho 83617 Telephone No. (208) 365-2320

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. 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 priority date of decreed, licensed or permit right) September 3, 1896
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Brush Creek tributary to North Fork Payette River
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | |
|--|--|---|
| Quantity <u>6.24 CFS</u>
(CFS, GPD, AF) | Use <u>Irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>4/15</u> To <u>10/15</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____ | Use _____ | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____ | Use _____ | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____ | Use _____ | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
- (4) 6.24 CFS TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SW 1/4 SE 1/4 Sec. 14, Twp. 13 N, Rge. 3 E, B.M., Valley County
Additional Points: NW 1/4 NE 1/4 Sec. 23 T. 13 N, R. 3 E, B.M.
- 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. Describe any changes in the system and give the date of the change.
Gravity Flow Ditch Systems
- (6) A) 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	
13N	3E	13			5	16					29	39	26	6	37	21			179
13N	3E	14													13		8	10	31
13N	4E	18						13	33	38	18								102
								(L-2)			(L-3)								

Total no. of acres 312

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

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization: A.L. Cattle, Inc.
- (8) Remarks an Idaho Corporation
- (9) 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, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Department of Water Resources

Western Regional Office

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.

November 3, 1983

(Date)

(Signature of Claimant)

(Signature of Spouse)

Organization

A.L. Cattle Inc.

State of Idaho

County of Ada

ss.

Organization

Seal

by Myrn H. Little, President

(Signature of Authorized Agent)

President

On this 3rd day of November, in the year 1983

before me

a notary public, personally appeared Myrn H. Little, President of A.L. Cattle, Inc., an Idaho Corporation
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 A.L. Cattle, Inc.) executed the same.

Commission expires life

Notary Public residing at Boise, Idaho

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. SHAFF

Date 11/04/83

Right No. 65-1979

Claimant AL CATTLE

Recommendation differs from claim: ☒ Yes ☐ No ☐ Disallow
(Document any differences)

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

- ☐ License
- ☐ Previous Statutory Claim.
- ☐ Permits, valid or lapsed. Number(s) if different than above _____
- ☐ Decree. Name & date _____
- ☐ Conveyance Loss Calculations. See printout included.
- ☒ Title abstract. ☐ In file. Or, Name & location CLAIMANT, EMMETT
- ☐ County records. ☐ In file. Or, Name & location _____
- ☐ Affidavits. ☐ In file.
- ☐ Posted Notices, Water Locations Notices. ☐ In file.
- ☒ Deed Records. ☒ In file. Or, Name & location _____
- ☒ Patent Records. ☒ In file. Or, Name & location _____
- _____
- ☐ Metzker Maps. Identify _____
- ☒ A.S.C.S. Records. Year & Photograph No. 7/15/61 DHZ-2BB-32
- ☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____
- ☐ Historical Books. Name(s) & location _____
- _____
- ☒ Interview(s). Attach conversation memorandum. IN 65-11280
- ☒ Other SURVEY NOTES & PLATS OF 1896 CADASTRAL SURVEY
- ☐ _____

Field Exam Made: ☒ Yes ☐ No Date 7/22/83

☒ Adj. Report in file ☐ Beneficial Use Report in License (S.O.) File

Measurement # 2 6/10/71 8¹⁴ cfs. Amount recommended 6²⁴ cfs.
Type of measuring device: 2 1/2" PLYM. CURRENT METER Meter No. _____
Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. _____

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☒ Yes ☐ No

Remarks _____

Serial No.

: Rge

Base Meridian

[illegible]

6
182

6.

Exterior boundaries T13N R4E, continued - chains.

- 41.00 Gilliam's cabin, bears N 64° E
 78.00 Enter dense & 2 ft. Willow and
 scattering timber.
 80.00 Set a pine post 4 ft. long 4 ins.
 square, with charred stake, 12 ins.
 in the ground, for cor. to Secs. 18, 19,
 13 and 24, marked T13N R4E S 18
 on N.E. S 19 on S.E. S 24 on S.W.
 and R 3 E S 13 on N.W. with 3
 notches on N and S edges from which
 A pine 14 ins. diam. bears N 37 1/4° E 51 lbs.
 dist. marked T13N R4E S 18 BT.
 A pine 14 ins. diam. bears S 66° E 104 lbs.
 dist. marked T13N R4E S 19 BT.
 A pine 20 ins. diam. bears S 15 3/4° W. 60
 lbs. dist. marked T13N R3E S 24 BT.
 A pine 15 ins. diam. bears N 37° W. 190
 lbs. dist. marked T13N R3E S 13 BT.
 Land hilly, soil, a granitic wash.
 Not rate; scat. sage & good grass
 Dense brush and scattering pine
 and fir timber near last cor.
 2 ch. dense undergrowth

7.

7
183

Exterior boundaries T13N R4E continued chains. North bet. Secs. 13 & 18

- Va 17° 00' E
 Through dense undergrowth and
 scattering timber
 4.75 Leave undergrowth, bears E & W
 7.75 J.F. Gray's house bears S 37 1/2° E
 dist.
 10.00 Bend in brush creek, bears S 22° E
 dist. runs from N. to E.
 10.50 Enter dense undergrowth and
 timber bears E & W.
 13.50 Brush creek 15 ft. wide, course E.
 Banks 3 ft. high -
 18.00 Leave timber and undergrowth
 bears E & W.
 18.75 Public School building, bears
 E. 250 lbs., on E. side of road.
 19.65 Alpha and Van Wick road,
 bears S 60° E and N 60° W
 27.50 Settler's road, bears E & W.
 28.20 Rail fence and ruler Presley Moon's
 enclosure, bears E & W.
 40.00 Set a pine post 3 ft. long, 3 ins.
 square, with quart of charcoal
 12 ins. in the ground, for 1/4 Sec. cor.
 marked 1/4 S on W. face, dug pits

RECEIVED

NOV 4 1983

Department of Water Resources
Western Regional Office

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-8

Examiner's initials TJS NR45 continued.

Clavino 18x15x12 in. N.A.S. of foot, $5\frac{1}{2}$ ft. dist.
 not raised a shoulder of, south
 $1\frac{1}{2}$ ft. high $3\frac{1}{2}$ ft. base around
 foot

52.25' the S.E. corner of rocky mound of house
63.00 W. 6.37 ch. dist.

53.45. Inverness Creek 10 ft. wide, course 2
banks 3 ft. high.

[illegible]

" " 3000724'26

5-800 S. College Pk only (no more high school)
 Clearwater (note - the water running
 from main and Clearwater are 100%)

6:00 The Bridge of some account -
note - the hot springs are about 100
feet long the 7/8 fine - the account
is nearly round - water running.

6620 Fall Lake and Lake Frody Rivers
Caledonia, Penna. 2 mi.

Given set a three foot 4 ft long, 4 in. high
with front of elevation, 12 in. in dia
ground for center 12, 13, 7 and 18

overlook T13NR4E S 7 on N.E. S. 18
in S.E. S 13 on S.W. T13NR3E on
N.W. face, with 4 mottles in sand
transition on N. edge, along 1/4 S

9.

Exploratory and Rescue T13N R42 continued.

China, 1818x12 mm, in each sec, $5\frac{1}{2}$ ft dist, and raised a mound of earth 2 ft high, $9\frac{1}{2}$ ft. base around foot.

Land rolling; soil, granite wash-
stone; timber pine and fir;

made by north American Indians, on the prairie,

Deerfield, Nov. 1900

13.25 Ounce mackerel - Aug. 13/1892
North Mt. Seco 7 and 12
Va 19° 08' E

Accounting Institute

1942 Pine tree 12 in. diam. a little less

(which I run the with 2 notetakers Mrs. S. & Mrs. H. & a Nurse in the practice -

28.20 Five tree 50 m. diameter, 2 in tree marked with 2m. diameter - IVAS added.

with feathering from at this point, brown
38.50 Enter near ^{off} station, brown, etc.

4500 feet a good 50 ft. or 15 x 16 in. 10 in.
in the ground for 10 or 15 ft. in the field

1/4 on water from 1000
price 30 in water from 5000

Ad. Thompson, Oct 9 - 1871.

Ad. & Thos. H. 187.

✓ Price 36 m. diam. 22 m. h.
dist. from bed $\frac{1}{4}$ S. B. T.

date marked 1/45 BT

Department of Water Resources
Western Regional Office

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Dec. 13 and 15. William McLaughlin has
been riding in this township and the town
which now he, in Dec. 5 and 31.
Andrew Hill has been present in
Dec. 30 and 31. Their township and
in the township and
There are no suitable animals deposited.
The mannerly people in this town-
ship and the deer they are now so abundant more
than before, James F. Goodall sent more
in Dec. 33; John Howard in Dec. 22;
Mr. Hildrum in Dec. 15; Leslie and Brown,
John Thorgy in Dec. 9; Horner
David Lund. Woodford in Dec. 32;
R.O. Anvers and Sam. Cook in Dec. 20;
M.V.B. ~~Miller~~ in Dec. 8; Meriden - M. Miller
in Dec. 5; Wm. Wakarusa in Dec. 6;
John Howard in Dec. 7; Wm. Brown -
Mrs. Mary and J. F. Gray in Dec. 18;
Lm. Mrs. Shaw in Dec. 19 and
Andrew Hill in Dec. 31.
The mean deduction for the year, the average
of three observations, 19.25, 3 and:

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Subdivision of T. 13 N. R. 3 E.; continued
chains timbered land, or land covered
✓ with dense undergrowth, 80.00 chs.
September 2nd, 1896.

September 3d, at 7^h 15m
a. m. l. m. t. I set off 7° 16'
N. on the decl. arc, and
44° 27½' N. on the Lat arc
and determine a true
meridian with the
Solar at the cor. of
secs. 13, 14, 23 and 24.

Thence I run.

N. 89° 42' E. on a run-
dom line, bet. secs. 13 and 24

40.00 S at temp. ½ sec. cor.

79.70 Intersect E. Bdy. of the Twp.
41 lks. S. of cor. of secs.
13, 18, 19 and 24, which
is a post, marked, and
witnessed as described
by the surveyor general.

As to run a true
line, back from this
cor. would make the

NOV 4 1896

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Department of Water Resources
Western Regional Office

Subdivision of T. 13 N. R. 3 E.; continued.
chains true bearing of the
line, deeper more than
21' from that of the
S. bdy. of this tier of
sections.

At the point of Intersec-
tion I set a Granite stone
24 x 8 x 8 ins. 18 ins. in
the ground, for closing
cor. of secs. 13 and 24, marked
C. C. on N. with 3 grooves
on N. and S. faces; from
which

A Pine, 4 ins. Diam.
bears N. 48½° W. 54 lks. dist.,
marked, T. 13 N. R. 3 E. S. 13 C. C. B. T.

An Aspen, 4 ins. Diam.
bears S. 82¾° W. 32 lks. dist.,
marked T. 13 N. R. 3 E. S. 24 C. C. B. T.

I destroy the markings
on the old post, referring
to secs. 13 and 24.

Thence I run.

S. 89° 42' W. on a random.

Subdivision of T. 13 N. R. 3 E. continued.

chain line, bet. secs. 13 ^{and} 24

Over rolling land.

Through scattering timbers.

7.70 Enter heavy timber ^{and}
dense undergrowth
course N. E. & S. W.

32.00 Old road, course N. E. & S. W.

39.85 Set a Fir post, 3 ft. long
3 ins. sq. 24 ins. in the
ground, for $\frac{1}{2}$ sec. cor.
marked $\frac{1}{2}$ S. on N. face;
from which

a Fir, 24 ins. Diam.
bears N. $4\frac{1}{2}^{\circ}$ E. 108 lks. dist.,
marked, $\frac{1}{4}$ S. B. T.

a Fir, 7 ins. Diam.
bears S. $19\frac{1}{2}^{\circ}$ E. 23 lks. dist.,
marked, $\frac{1}{2}$ S. B. T.

61.20 Minning ditch, dry
course North

67.20 Small stream 2 lks.
wide, course N. E.

70.00 Minning ditch, dry
course N. E.

Subdivision of T. 13 N. R. 3 E. continued
chain

79.70 The cor. of secs. 13, 14, 23 ^{and} 24.

Land rolling.

Soil 1st. rate.

Timbers, Pine ^{and} Fir.

Heavily timbered land or
charred & covered with
dense undergrowth
72.00 chs.

N. 0° 1' W. bet. secs. 13 ^{and} 14

Over rolling land.

Through heavy timber
^{and} dense undergrowth.

1.60 Small stream, 2 lks. wide
course N. E.

2.70 Bridge creek, 40 lks. wide.
course N. E.

10.00 Old road, course N. E. & S. W.

12.30 Small stream, 2 lks. wide
course East.

13.60 A Settlers Cabin, bears
East about 200 chs. dist.,
leave timber, ^{and}
undergrowth, ^{and} enter

Subdivision of T. 13 N. R. 3 E. continued.

Prime level prairie, course N.W. & S.E.

✓ 16.20 Irrigation ditch, 4 lks.
wide, course East.

✓ 22.80 Irrigation ditch, dry
course N.E.

33.40 Road, course N.W. ^{and} S.E.

40.00 Set a Granite stone, 15x10x6
ins. 10 ins. in the ground
for $\frac{1}{2}$ sec. cor. marked $\frac{1}{2}$
on N. face; dug pits, 18x
18x12 ins. N. ^{and} S. of stone
3 ft. dist., ^{and} raised a
mound of earth, $3\frac{1}{2}$ ft. base
 $1\frac{1}{2}$ ft. high, W. of cor.

44.30 Dry creek bed, course East.

45.70 Irrigation ditch, dry
course N.E.

48.00 J. C. Alearns house beam
East about 18.00 chs. dist.,

52.70 Branch of Mooncreek
10 lks. wide, course East.

64.70 Branch of Mooncreek,
20 lks. wide, course N.E.

66.35 Road, course N.E. & S.W.

Subdivision of T. 13 N. R. 3 E. continued

chains

74.90 Fence, course N.E. & S.W.

77.60 Enter cultivated field.
course E. ^{and} W.

80.00 Set a Granite stone, 15x10x5
ins. 10 ins. in the ground
for cor. of secs. 11, 12, 13 ^{and} 14
marked, with 4 notches
on S. ^{and} 1 notch on E. edge;
dug pits, 18x18x12 ins. in
each sec. $5\frac{1}{2}$ ft. dist., ^{and}
raised a mound of earth,
4 ft. base, 2 ft. high, W. of cor.

Land rolling ^{and} level

Soil 1st. rate

Timber, Pine ^{and} Fir.

✓ Heavily timbered land on
land, covered with dense undergrowth, 13.60 chs.

✓ September 3d, at this
cor. I set off $7^{\circ} 10' N.$ on
the decl. arc, ^{and} at
 $11^h 59^m$ a.m. l.m. t. ob-
serve the sun on the
meridian, the resulting
Lat. is $44^{\circ} 28\frac{1}{2}' N.$

Subdivision of T. 13 N. R. 3 E. continued.

✓ with dense undergrowth. 3000 chs.

S. 89° 56' E. on a random line bet. secs. 14 ^{Aug} & 23.

Set temp. $\frac{1}{2}$ sec. cor.

80.18 Intersect N. ^{Aug} & S. line, 14 lks. N. of cor. of secs. 13, 14, & 23 ^{Aug} & 24.

Thence I run

N. 89° 50' W. on a true line bet. secs. 14 ^{Aug} & 23.

Over rolling land.

Through heavy timber and dense undergrowth.

4.46 Rhinerson's mining flume, 8 lks. wide course N.E.

6.10 Road, course N.E. 15. W.

6.60 Branch of Branch creek 12 lks. wide, course N.E., 0.500 CR

7.60 Branch of same creek, course S.E. from West.

8.00 Lower creek, from S.W.

8.40 Part of same creek, 10 lks.

Subdivision of T. 13 N. R. 3 E. continued.

chain wide, course North.

24.40 Branch creek, 35 lks. wide course N.E.

40.09 Set a Granite stone, 16 x 12 x 6 ins. 11 ins. in the ground, for

$\frac{1}{4}$ sec. cor. marked $\frac{1}{2}$ on N. face; from which

a Pine, 28 ins. Diam. bears N. 34½° E., 16 lks. dist., marked $\frac{1}{2}$ S. B. T.

a Pine, 38 ins. Diam. bears S. 18½° W., 85 lks. dist., marked $\frac{1}{2}$ S. B. T.

80.18 The cor. of secs. 14, 15, & 22 ^{Aug} & 23. Land rolling.

Soil 12th rate.

Timber, Pine, Fir, Spruce & Alder

✓ Heavily timbered land on land covered with dense undergrowth, 80.18 chs.

September 7th, 1896.

September 8th, at 7^h 35^m. a.m. l.m.t. I set off 5° 23' N. on the decl. arc, ^{Aug} & 44° 27½' N.

Check for posted Notice

Country

Abstract

Approx date & who posted.

1888

Les lie. & Megreya en no publ

Notues.

1911/1918

J.I. Tyson

190-45

Book 2 pg 267

US to Chadwell Read 1898 Ar
1906.

Book I

1916

RECEIVED

NOV 4 1983

Department of Interior Resources
Western Regional Office

● Posted Notices of Water Right

① Pat # Homestead Cert. # 2116 George F. Lash 5/2/1905
Goldie E Lash

1917

② Jacob Howick 7/26/1910

Russell conveyed water rights to Spencer 5/24/1916

1917

③ { Homestead Certificate # 1898 George E. Chadwell 3/1/1904
④ { Certificate # 2942 " 12/29/1904

→ Chadwell conveyed water rights to Tyson 9/9/1918

1918

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Department of Water Resources
Western Regional Office

August 4, 1983

Mrs. Myrn Little
A. L. Cattle Inc.
Rt. 3, Box 151
Emmett, ID 83617

RE: 65-1979, 65-11280

Dear Mrs. Little:

A recent field inspection of your water rights for the ranch at Cascade indicates the rights may have been improperly described in 1978. The field inspection was a result of the objection to the Proposed Finding of Water Rights filed by the Pancheris.

I talked to Ken's wife, ^{Shirley} Julie, I think, and was told all irrigation water for your ranch is taken from Brush Creek which flows into Olson Creek, not Moores Creek as previously described in the Proposed Finding. The points of diversion are the SESE, Section 14 and NWNE, Section 23. The diversion from Moores Creek has been abandoned, and therefore, Claim 65-11280 should be disallowed. There is also no water taken out of the Pancheris's ditch from Olson Creek for 65-1979 in the NWSE, Section 13 so the 17 acres previously described for the S1/2SE1/4, Section 13 should be stricken. Six (6) acres in the SENW, Section 18, 5 acres in NWSW, Section 13 and 9 acres in NESE, Section 14 were described under a Moores Creek right and should be added to the Brush Creek right. These actions would identify a single water right from Brush Creek of 6.58 cfs for use on 329 acres.

These recent findings are preliminary. If you have questions about the inspection or have contradictory information, please contact me by September 16, 1983. Enclosed for further information is a memorandum on the priority dates of the water rights in the area.

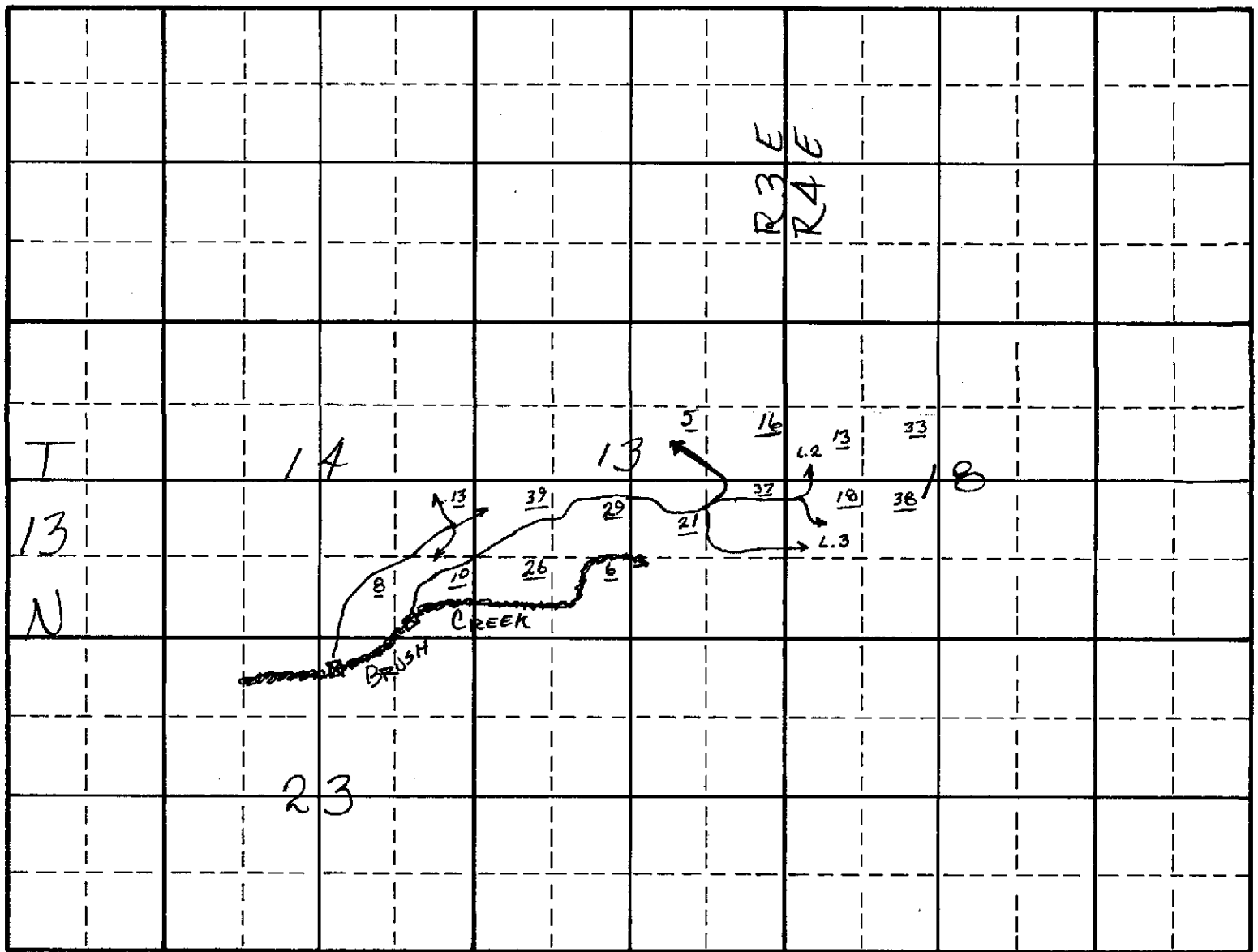
Regards,

Donald V. Shaff
Adjudication Unit Leader

DVS:ma

Enclosure

cc: Joe Thackaberry



2" = 1 MILE

SCHMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SESE, S. 14, T. 13N, R. 3E AND NWNE, S. 23, T. 13N, R. 3E

Place(s) of Use

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13N	3E	13			5	16					29	39	26	6	37	21			179
13N	3E	14													13		8	10	31
13N	4E	18							13	33	38	18							102

Recommended Amendments:

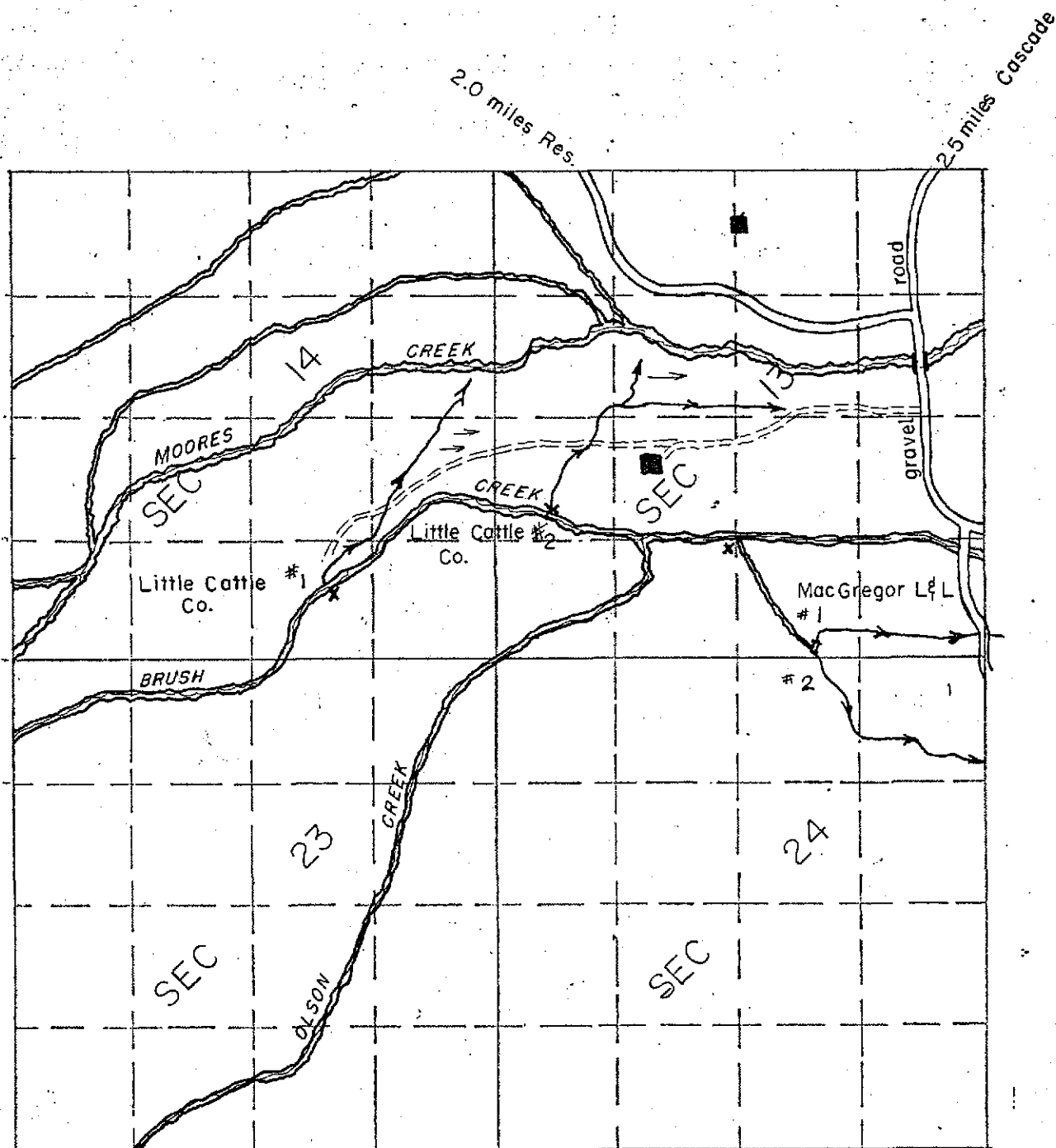
- ☐ Change P.D. as reflected above
- ☐ Add P.D. as reflected above
- ☐ None
- ☐ Change P.U. as reflected above
- ☐ Add P.U. as reflected above
- ☐ Other

Examiner's Signature *[Signature]*
Checked by _____
Approved by _____

Date 7/26/83
Date _____
Date _____

LITTLE CATTLE COMPANY BRUSH CREEK SEC. 14, 13N, 3E CARETAKER BEN SMITH

SEE (25) PAGE



No. 1 of 1 Sheets. Comp. by H. S. K. N. Chk. by

No. 1 of 1 Sheets. Comp. by C. B. G. N. N. Chk. by

65-1979

Result of 7/22/83 Field Inspection

170 ft from Cherry Creek (WSE, S 13, 13N, SE)

No law in S 1/2 SE, S 13 (SWSE (4), SESE (13))

All irrs land in Sec 18 is from Cherry Creek

SE NW (27-³³)

Cherry Creek is trib to ~~Monroe Co Cherry Creek~~ N. Sp. Ryette R.

JOSEPH J. THACKABERRY
LAND MANAGEMENT CONSULTANT

(208) 345-0975

December 11, 1978

528 Idaho Building
P. O. Box 1405
Boise, Idaho 83701

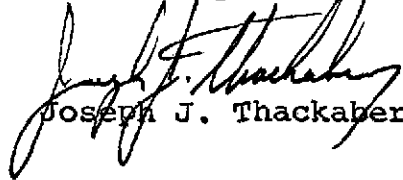
Mr. David R. Tuthill, Jr.
Payette Adjudication Supervisor
Department of Water Resources
Western Region
92 South Cole Road
Boise, Idaho 83705

Re: 65-1979 Amended ✓
65-11280 Amended

Dear Dave:

I hand you herewith the signed Notice of Claim to
a Water Right for the above for A. L. Cattle, Inc.

Very truly yours,


Joseph J. Thackaberry

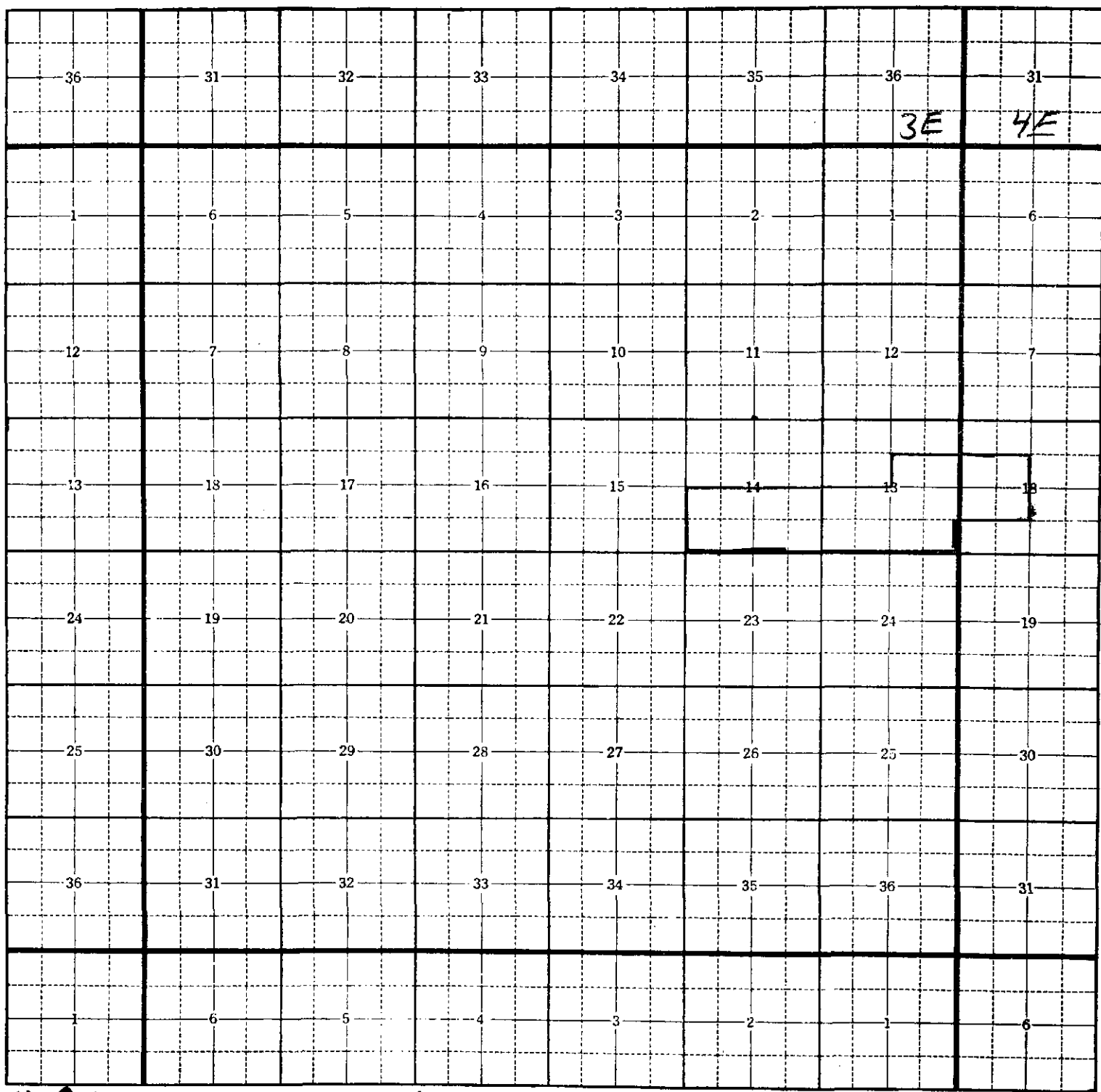
JJT/bm

Enclosure

Applicant _____ for _____
Township 13 N, Range 3 E, County Valley

1893
1897

Serial No.



Val 110 - 183 - 185 ; 342 - 343
145 - 433 - 436 ; 460 - 461

IDAHO LAND & APPRAISAL SERVICE
BOISE, IDAHO

RECEIVED
NOV 4 1903

Department of Water Resources
Western Regional Office

* mentions water right

#3007

N2SW4, SW4SW4 13-13-3
N2SE4 SE4SE4 14-13-3

N2SW4-13

N2SE4-14 Pat. USA to George F. Lash Pat 2-25 UC
* N 5-2-05 F 3-30-06 Pat 1-5-62 ? Boone Co

SW4SW4-13 Receiver's Receipt - U.S. Land Office to George Boone Co.
SE4SE4-14 F. Lash

N 5-3-04 F 11-8-05 Mus 4-3-42

SW4SW4-13 * Pat. USA to George F. Lash

SE4SE4-14 N 12-29-04 F 10-1-17 Pat 1-087
Valley Co. 374 UC

SW4SW4, N2SW4, N2SE4-14 * Mrs. D. 4-623
SE4SE4, N2SE4-14 D-10-6-04 F 5-10-11 D139D-355 Boone Co.
D-10-1-17

* Deeds Mrs. Jessie E. Lash Dennis (formerly Mrs.
Lollie E. Lash), D.C. Dennis her husband to
Andrew Little

D 10-12-17 F-3-27-19 Deeds 2-360 UC

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NOV 4 1983

Department of Water Resources
Western Regional Office

THE UNITED STATES OF AMERICA

Homestead Certificate No 2116

Application 4104

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS there has been deposited in the General Land Office of the United States a Certificate of the Land Office at Boise, Idaho, whereby it appears that Pursuant to the act of Congress approved 20th May 1862 "To Secure Homesteads to actual Settlers on the Public Domain" and the acts supplemental thereto, the claim of George F. Lash has been established and duly consummated according to law for the

North half of the South East quarter of Section fourteen and the North half of the South West quarter of Section thirteen in Township thirteen North of Range three East of Boise Meridian in Idaho. Containing one hundred and sixty acres, according to the Official Plat of the survey of the said lands returned to the General Land Office by the Surveyor General.

Now Know Ye, that there is therefore granted by the United States unto the said George F. Lash the said tract above described; to Have and to Hold the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said George F. Lash and to his heirs and assigns forever; subject to any vest and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of courts and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law; and therein reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

In Testimony Whereof, I, Theodore Roosevelt President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the 2nd day of May in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty ninth.

By the President T. Roosevelt

By F.M. McLean,
Secretary.

SEAL.

Recorded Idaho, Vol 59, Page 88

C.H. Brush,
Recorder of General Land Office

STATE OF IDAHO }
COUNTY OF BOISE } SS

I hereby certify that this instrument was filed for record at request of Geo. F. Lash at 15 minutes past 9 o'clock A.M., this 30 day of March A.D., 1906, in my office and duly recorded in Book 1 of Patents Page 562.

And the Lot numbered 1 of Section numbered Seven (7) Township Numbered Ten (10) North of Range numbered Three (3) East of Boise Meridian, Idaho, according to the United States Survey thereof, containing 170.83 acres; subject to all taxes assessed against the same heretofore and being now due and unpaid thereon, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and also all the estate right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said parties of the first part, of, in or to the said premises, and every part and parcel thereof with the appurtenances.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the said party of the second part and to his heirs and assigns forever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Charles F. Kingsley (SEAL)

Caro B. Kingsley (SEAL)

State of Idaho)

County of Ada) ss

On this 28th day of September, 1917, before me J.R. Good, a Notary Public in and for said County, personally appeared Charles F. Kingsley and Caro B. Kingsley, his wife, known to me to be the persons whose names are subscribed to the within 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.

J.R. Good

(SEAL)

Notary Public, residing at Boise, Ada Co, Idaho.

State of Idaho)

County of Valley) ss

I hereby certify that this instrument was filed for record at the request of C.W. Dyke at 20 minutes past 9 o'clock A.M., this 1st day of October A.D. 1917, in my office, and duly recorded in Book 1 of deeds at page 86.

Arthur C. Tracy
Recorder

By James S. Hickey
Deputy

Fees \$1.20

INSTRUMENT NO 274

PATENT

Certificate No 2974

United States of America, to all whom these presents shall come, GREETINGS:

WHEREAS George F. Eash of Boise County Idaho has requested to

Instrument No. 2299

THIS INDEMNITY, made this 28th day of October in the year of our Lord one thousand nine hundred and four between George A. Lepp, the first of the first part, and Mrs. Goldie A. Lepp, his wife, the second of the first part, and Mrs. Goldie A. Lepp, his wife, the second of the second part.

[illegible]

The North ½ of the Southeast ¼ of Section 14, and the North ½ of the Southwest ¼ of Section 13 in Township 13 North of Range 3 East of Boise Meridian in Idaho, containing 150 acres. Also the Southwest ¼ of the Southwest ¼ of Section 14, in Township 13 North of Range 3 East of Boise Meridian, Idaho, containing 60 acres.

TOGETHER with all and singular the instruments, conditions and appurtenances thereto in anywise appertaining, and the revenues and reversions, remainder and remainder, tithes, issues and profits thereof; and all debts, rights and claims in and to the said premises, as well in law as in equity, of the said part. Y^e of the first part.

...to HAVE, AND TO HOLD, all and singular, the above recited and described premises, together with the appurtenances, unto the part of the second part, and to 197 heirs and assigns forever. And the said part of the first part, and 200 heirs, the said premises, in the quiet and peaceable possession of the said part of the second part, 202 heirs and assigns, against the said part of the first part, and all persons and persons claiming and asserting, against the said part of the first part, and all persons and persons claiming and asserting, forever defined.

IN WITNESS WHEREOF, I have hereunto set my hand and seal at New York, New York, this 1st day of January, 1906.

Notary Public

Sealed, Colored and Delivered in the Presence of

GOVERNOR J. J. JACKSON

----- (SEAL) -----

1794-1800

(TYPE)

(SEAL)

STATE OF IDAHO,

Currency of.....\$ 700.00
On third day of May in the year 1911.
Hotels Public

before me, ... George F. Lash
is and for said County, personally appeared.....

1. The first part of the document is a title page. It contains the title of the document, the author's name, and the date of the document. The title is "The First Part of the Document". The author's name is "John Doe". The date is "12/12/2023".

I, _____, known as _____, do hereby certify that _____
is/are the person/ persons whose name/ names _____ subscribed to the within instrument, and acknowledged to me that he/ she/ they executed the same, and on this _____ day of _____, 19____ before me, the officer above named.

Signed, testifies and appeared personally:

as me to be the person whose name was subscribed to the whole instrument, described as a married woman; and upon an examination of the instrument, I made me acquainted with the contents of the instrument and thereupon am acknowledged by me to be the person who signed the same, and without the hearing of my friend, I make my contract with such execution.

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

STATE OF IDAHO }
COUNTY OF BOISE }
30199

County of _____
 I hereby certify that this instrument was taken and
 20 min 45 sec - 10th day of 1933
 HAY, 20119 3 1/2 inch
 34 of books at cost 125

Page \$1.10

1-11-1954
By Norman H. Young Deputy.

100

This Indenture, Made this 12th day of October in the year of our Lord one thousand nine hundred and seventeen between Mrs. Goldie E. Lash Dennis (formerly Mrs. Goldie E. Lash) and D.C. Dennis her husband of Camasda County of Valley State of Idaho the parties of the first part, and Andrew Little of Bonnett County of Idaho State of Idaho the party of the second part:

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Eight Thousand (\$8,000.00) DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have Granted, Bargained and Sold, and by these presents do Grant, Bargain, Sell, Convey and Confirm unto the said party of the second part, and to his heirs and assigns, forever, all the following described real estate situated in the County of Valley State of Idaho, to-wit:

The $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 13, the $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 14, the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 13, the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 14, all in Township 13 North, Range 2 E. B.M. the same being the sole and separate property of said party of the first part by virtue of deed of conveyance from her former husband, George E. Lash, now deceased, recorded in Book 24 of Deeds, page 255, Boise County records.

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

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns, forever. And the said party of the first part, and their heirs, the said premises, in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said party of the first part, and their heirs and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said party of the first part have hereunto set their hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

J.P. Reed

Mrs. Goldie E. Lash Dennis (SEAL)

D.C. Dennis (SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO,

County of Cam

ss

On this 12th day of October 1917

before me, J. P. Reed

a Notary Public

in and for said County, personally appeared Mrs. Goldie E. Lash Dennis (formerly Mrs. Goldie E. Lash)

and D.C. Dennis, her husband

known

to me to be the person whose name is set subscribed to the within instrument, and acknowledged to me that he 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.

J.P. Reed

STATE OF IDAHO,

Seal.

residing at Bonnett, Idaho

Notary Public

* Sapient water right

* 10/13/18

#134

SE⁴ NE⁴ NE⁴ SE⁴ 13-13-3

SE⁴ NW⁴ NE⁴ SW⁴ & Lots 2 & 3 18-13-4

13-13-3 + ^{part} Patent → 18-13-4 USA to George E. Chadwell
Pat #123 P 27 Valley Co.
Bowie Co.
** D 3-1-04 F 6-9-6 Bl 1 patents pg. 584

NE⁴ SW⁴ 18-13-4 Patent USA to George E. Chadwell part 1 p. 313 UC
** D 12-29-04 F 10-30-09 Bl 2 p 455 Bowie Co.

SE⁴ NW⁴ 18-13-4 Easement George E. Chadwell & Ida M. Chadwell
to Oregon Short Line Railroad Deeds 9 p 189 UC
D 9-4-13 F 10-28-13 D 37 p. 372 Bowie Co.

Grant - Easement for water line easement - George E.
NE⁴ SE⁴ 13-13-3 Chadwell & Ida M. Chadwell to Oregon Short Line
D 13-1-18-13-4 D 9-4-13 F 10-28-13 More 6 - pages 94 Bowie Co.?

SE⁴ NW⁴ 18-13-3 Deed - George E. Chadwell & Ida M. Chadwell h/w
** b. J. L. Ligon
SE⁴ NE⁴ NE⁴ SE⁴ D 9-9-18 F 9-9-18 D 2-257 UC

same Deed J. L. Ligon & Eva Ligon h/w to Andrew
** Little

D 10-1-18 F 10-11-18 Deeds 2-267 UC

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NOV 4 1983

Department of Water Resources
Western Regional Office

6-9-06

U.S. PATENT II

27

INSTRUMENT NO. 6088

THE UNITED STATES OF AMERICA

Homestead Certificate No 1898

Application 4080

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

Whereas there has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Boise, Idaho, whereby it appears that pursuant pursuant to the act of Congress approved 20th May 1862 "To Secure Homesteads to Actual Settlers on the Public Domain" and the acts supplemental thereto, the claim of George E. Chadwell has been established and duly consummated, in conformity to law for the,

South East quarter of the North East quarter and the North East quarter of the South East quarter of Section thirteen in Township thirteen North of Range three East and the South East quarter of the North West quarter and the lots numbered two and three of Section eighteen in Township thirteen North of Range four East of Boise Meridian in Idaho. Containing one hundred and fifty five acres and eighty hundredths of an acre, according to the Official Plat of the survey of the said Lands, returned to the General Land Office by the Surveyor General.

Now Know Ye, that there is therefore granted by the United States unto the said George E. Chadwell the said tract of land above described; To Have and To Hold, the said tract of Land, with the appurtenance thereof, unto the said George E. Chadwell and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of courts and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefor, should the same be found to penetrate or intersect the premises hereby granted, as provided by law; and there is reserved by the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

In Testimony Whereof, I, Theodore Roosevelt President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

Given under my hand at the city of Washington, the first day of March in the year of our lord one thousand nine hundred and four, and of the Independence of the United States the one hundred and twenty eighth.

By the President T. Roosevelt

By F. McKean.
Secretary.

SEAL.

Recorded Idaho, Vol 50, Page 316

G.E. Brush.

Recorder of General Land Office

STATE OF IDAHO }
COUNTY OF BOISE } SS

I hereby certify that this instrument was filed for record at request of G.E. Chadwell at 45 minutes past 10 o'clock A.M., this 9 day of June A.D. 1906, in my office and duly recorded in Book 1 of Patents at Page 584

Kate Gorman.

Ex-Officio Recorder.

W.A.W. Wilson, deputy

COMPARED

U. S. PATENT RECORD

The United States of America

Instrument No. 11574
CERTIFICATE No. 2942

To All to Whom These Presents Shall Come, Greeting:

Whereas, George E. Chadwell of Boise County, Idaho

has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Boise, Idaho whereby it appears that full payment has been made by the said George E. Chadwell according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for sale of the Public Lands," and the acts supplemental thereto, for

The North East quarter of the South West quarter of Section eighteen in Township thirteen North of Range four East of Boise Meridian in Idaho. Containing forty acres

according to the Official Plat of the Survey of the said Lands, returned to the General Land Office by the Surveyor General, which said Tract has been purchased by the said George E. Chadwell.

NOW KNOW YE, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, have given and granted, and by these presents do give and grant unto the said George E. Chadwell and to his heirs, the said Tract above described:

TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities and appurtenances, of whatsoever nature, thereunto belonging, unto the said George E. Chadwell

and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws and decisions of Courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law; and there is reserved from the lands hereby granted, a right-of-way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Theodore Roosevelt, President of the United States of America have caused these letters to be made Patent, and the Seal of the General Land Office to be hereto affixed.

GIVEN under my hand, at the City of Washington, the twenty-ninth of December, in the year of our Lord one thousand nine hundred and twenty-fifth, and of the Independence of the United States the hundred and twenty-fifth.

BY THE PRESIDENT: T. Roosevelt
C.H. Brush By J.M. McKenna, SecretarySTATE OF IDAHO,
County of Boise

Recorded Idaho, Vol 56, Page 355

I hereby certify that this instrument was filed for record at request of W. Scott Neal at 31 minutes past 4 o'clock P.M. this 30th day of October, A.D. 1909, in the office, and duly recorded in Book 2 of Patents, at page 455.

Fees \$1.00 pd

COMPARED

J.H. Baker, Es-Office Recorder.
C.A. Maulding, Deputy.

CONFIDENTIAL

Whereas there has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Boise, Idaho, whereby it appears that certain persons have been granted rights in certain lands situated in said State of Idaho pursuant to the act of Congress approved 20th May 1892 "to secure homesteads to actual settlers on the public domain" and the acts supplemental thereto, the claim of George E. Chubbell has been established and duly documented, in conformity to law for the.

New Law 16, that heretofore granted by the United States unto the said George A. Chaswell the said tract of land above described; to have and to hold, the said tract of land, with the improvements thereon, unto the said George A. Chaswell and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditch and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of courts and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by Law; and there is reserved by the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

Given under my hand at the city of Washington, the first day of March in the year of our Lord one thousand nine hundred and four, and of the Independence of the United States the one hundred and twenty eighth.

Recorded Index. Vol 30. Page 336

0.1.3.1.1.1

SECRET

Instrument No. 1554.

Given Underhand, Made this 27th day of September in the year of our Lord one thousand nine hundred and sixteenth.
 George E. Chadwell and Ida M. Chadwell (husband and wife)
 of the first part, and
 J. J. Zeman
 of the second part.

Witnesseth, That the said party of the first part, her s and in consideration of the sum of

Three hundred and thirty seven and 70/100 Dollars, to wit: Twenty seven dollars and 70/100 cents, the receipt whereof is hereby acknowledged by the said party of the second part, and by their personal do. Grant, Receipt, Acknowledgment and Confirmation unto the said party of the first part, and to his heirs and assigns, forever, all the following described land and more there: in

State of Idaho, to-wit:
 Sit of Sec. 10 Twp. 15 North, Range 4 East, 21 E. and the 32d 33d, 34th 35th Secs.
 in Twp. 15 North, Range 4 East, 21 E. and the 32d 33d, 34th 35th Secs. 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 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1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 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* mentions water rights

273
RECEIVED

NOV 4 1983

Department of Water Resources
Western Regional Office

SW⁴NE⁴, NW²SE⁴ S²SE⁴ 13-13-3

Final Certificate - Dept of Interior US Land Office
to Jacob Howich

D-12-22-09 F 3-16-10 Misc 1 page 260 UC

Patent - USA to Jacob Howich

* * D 7-26-10 F 11-2-11 B 2 patents p 383 UC

* WD Jacob Howich & Louisa Howich h & w to
C.D. Newhouse

D 11-2-14 F 11-21-14 D-7 p 337 UC

* WD C.D. Newhouse & Clara Newhouse h & w
to George T. Russell

D-11-13-14 F 11-21-14 D 9-382 UC

SW⁴NE⁴
NW⁴SE⁴
S²SE⁴
* WD George T. Russell & Mary A h & w to
Zora E. Spencer

D 5-24-16 F 6-3-16 D-11 p 75

Together with all water rights thereunto belonging.

* Dec D S.W. Spencer, husband of Zora E. Spencer
to Zora E. Spencer

D-10-3-18 F 12-7-18 Deeds 1-p 257

* WD Zora E. Spencer, a married woman to Boise
Payette Lumber Company, a corp.

D 12-4-18 F 1-15-19 Deeds 1 - p 273

together w/ all water rights thereunto belonging.

over

* WD Boise Payette Lumber Co, a corp to Andrew
Little

D 12.6-18 F 3-20-19 Beeda-8303

together with all water rights thereunto belonging.
reserving timber rights, road easements

H.D. BOISE 08799

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING;

WHEREAS, there has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Boise, Idaho, whereby it appears that, pursuant to the Act of Congress approved 20th May 1862 "To Secure Homesteads to Actual Settlers on the 'Public Domain'" and the acts supplemental thereto, the claim of Jacob Howick has been established and duly consummated, in conformity to law, for the

South half of the South East quarter, the North West quarter of the South East quarter, and the South West quarter of the North East quarter of Section thirteen in Township thirteen North of Range three East of the Boise Meridian, Idaho. Containing one hundred sixty acres, according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General.

Now Know Ye, that there is, therefore, granted by the United States unto the said Jacob Howick the tract of land above described; To Have and To Hold the said tract of Land, with the appurtenances thereof, unto the said Jacob Howick and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of courts, and also subject to the right of a proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

In Testimony Whereof, I, William H. Taft, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the Twenty sixth day of July, in the Year of our Lord one thousand nine hundred and ten, and of the Independence of the United States the one hundred and thirty fifth.

By the President Wm. H. Taft.

By A.S. Stump
Assistant Secretary.

John O'Connell

Acting Recorder of the General Land Office

Recorded: Patent Number 146520

STATE OF IDAHO }
COUNTY OF BOISE } SS

I hereby certify that this instrument was filed for record at request of O.R. Woods at --- minutes past 9 o'clock A.M., this 2nd day of Nov. A.D. 1911. in my office and duly recorded in Book --- of Records.

Easement

This Indenture, Made this fourth day of September, 1913, between Jacob Howick and Louisa Howick, his wife, of Van Wyck, County of Boise, and State of Idaho, the parties of the first part, and the Oregon Short Line Railroad Company, a corporation of the State of Utah, the party of the second part.

Witnesseth, That the said parties of the first part, for and in consideration of the sum of forty-five Dollars (\$45.00) lawful money of the United States of America, to them in hand paid, the receipt whereof is hereby acknowledged, do by these presents give, grant, bargain, sell and convey to the said party of the second part, and to its successors and assigns forever, a perpetual and exclusive easement to construct, maintain, operate, repair and renew a pipe line for conducting water from Brush Creek to Belvidere Station, over, across and through the Northwest quarter of the Southeast quarter (NW 1/4 SE 1/4) of Section Thirteen (13), Township Thirteen (13) North of Range (3) East of the Boise Meridian, in Boise County, Idaho, the location of the center of said pipe line being described as follows:

Beginning at point in the North and South center line of said Section Thirteen (13) and thirteen hundred eighty-two (1382) feet North of the South quarter Section corner thereof; thence North seventy-two degrees and eight minutes East (N 72° 08' E) eight hundred seventeen (817) feet; thence South eighty-seven degrees and twelve minutes East (S 87° 12' E) for a distance of five hundred fifty-five (555) feet, more or less, to a point in the East line of said Northwest quarter of the Southeast quarter (NW 1/4 SE 1/4) and two hundred sixty-five (265) feet, more or less, North of the Southeast corner of said forty-acre tract.

Together with the right to enter upon a strip of land twenty (20) feet wide, being ten (10) feet in width on each side of the center of said pipe line, for the purpose of repairing, renewing, or reconstructing said pipe line whenever it shall be necessary for the proper operation thereof.

To Have and to Hold the said easement, together with the appurtenances, unto the said party of the second part, its successors and assigns forever.

In Witness Whereof, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

In the presence of

F. W. Kerby :
H. B. Edman : Witnesses.

Jacob Howick (Seal)
Mrs. Louisa Howick (Seal)

State of Idaho :
County of Boise : ss

On this Fourth day of September, in the year, 1913, before me, F. W. Kerby, a Notary Public, in and for said County, personally appeared Jacob Howick, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

In Witness Whereof, I have hereunto set my hand and seal.

This Indenture, Made this 2nd day of November in the year of our Lord one thousand

nine hundred and fourteen between
Jacob Howick and Louisa Howick, husband and wife,
 of Warwick County of Boise State of Idaho the part
 of the first part, and J. D. Newhouse

of Boise County of Id. State of Idaho the party
 of the second part:

WITNESSETH: That the said party of the first part, for and in consideration of the sum of
One Hundred Dollars and other valuable considerations DOLLARS, lawful money
 of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby
 acknowledged, have Granted, Bargained and Sold and by these presents do Grant, Bargain, Sell, Convey and Confirm unto
 the said party of the second part, and to his heirs and assigns, forever, all the following described real estate situate in
Boise County of Idaho, to-wit:

SW¹ of the NE¹ and NW¹ of the SE¹ and the SE¹ of Section 13, Township
13 North, Range 3 East Boise Meridian, or to be described more fully: (Southwest
one-fourth of the Northeast one-fourth and the Northwest one-fourth of the Southeast
one-fourth and the South half on the Southeast quarter of Section Thirteen, Township
Thirteen North, Range 3 East Boise Meridian);

This conveyance is made subject to two mortgages amounting to Nine Hundred
Ninety-six Dollars (\$996.00) together with all accrued interest.

Said first parties are to hold the improvements on said described premises
 till March the First, 1915.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise apper-
 taining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and
 interest in and to the said property, as well in law as in equity, of the said party of the first part:

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances
 unto the party of the second part, and to his heirs and assigns, forever. And the said party of the first part, on
their heirs, the said premises, in the quiet and peaceable possession of the said party of the second part, his heirs
 and assigns, against the said party of the first part, and their heirs and against all and every person and persons whomsoever,
 ever, lawfully claiming or to claim the same shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said party of the first part have hereunto set their hands and seals, the day
 and year first above written.

Signed, Sealed and Delivered in the Presence of

H. D. Kerby

F. W. Kerby

Jacob Howick (SEAL)

Louisa Howick (SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO,

County of Boise ss.

On this 2nd day of November, 1914.

before me, H. D. Kerby

J. D. Kerby Notary Public

in and for said County, personally appeared

Jacob Howick and Louisa Howick, husband and wife,

known

to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he, she,
 executed the same.

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

F. W. Kerby

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This Indenture, Made this 13th day of November, in the year of our Lord one thousand nine hundred and fourteen, between C. D. Newhouse and Clara Newhouse, husband and wife, of Boise, County of Ada, State of Idaho, the parties of the first part, and George T. Russell, of Boise, County of Ada, State of Idaho, the party of the second part;

Witnesseth, That the said parties of the first part, for and in consideration of the sum of Ten Dollars, and other valuable considerations Dollars, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate, situated in Boise County, State of Idaho, to-wit:

Southwest quarter of the Northeast quarter; and Northwest quarter of the Southeast quarter; and the South half of the Southeast quarter of Section Thirteen, Township Thirteen North of Range Three East Boise Meridian, subject to the taxes of 1914, possession to be given March 1st, 1914.

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

To Have and to Hold, all and singular, the above mentioned and described premises; together with the appurtenances, unto the said party of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceful possession of the said party of the second part, his heirs and assigns, against the said parties of the first part, and their heirs and against all and every person and persons whatsoever, lawfully claiming or to claim the same shall and will Warrant and by these presents forever Defend.

In Witness Whereof, The said parties of the first part have hereunto set their hand- and seal- the day and year first above written.

C. D. Newhouse (Seal)

Clara Newhouse (Seal)

State of California :
County of San Diego : ss
City of Coronado :

On this 16th day of November, in the year, 1914, before me, M. L. Lee, a Notary Public, in and for said County, personally appeared Clara Newhouse, known to me to be the person whose name is subscribed to the within instrument and

Instrument No. 24322

This Indenture, Made this 24th day of May in the year of our Lord one thousand

nine hundred and sixteen between

George T. Russell and Mary A. Russell, his wife,
of Boise County of Boise State of Idaho the part
of the first part, and Zora E. Spencerof Boise County of Ada State of Idaho the party
of the second part:

WITNESSETH, That the said party of the first part, for and in consideration of the sum of
Ten (\$10.00) and other valuable considerations DOLLARS, lawful money
of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby
acknowledged, have Granted, Bargained and Sold, and by these presents do Grant, Bargain, Sell, Convey and Confirm unto
the said party of the second part, and to her heirs and assigns, forever, all the following described real estate situate in
County of Boise State of Idaho, to-wit:

Southwest quarter of the Northeast quarter; and the Northwest quarter of the
Southeast quarter; and the South half of the Southeast quarter of Section Thirteen,
Township Thirteen North of Range Three East, Boise Meridian.

Subject to half of 1915 taxes due in July, 1916.

Together with all water rights thereunto belonging.

I. R. S. \$1.00 G. T. R.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise apper-
taining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and
interest in and to the said property, as well in law as in equity, of the said party of the first part:

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances,
unto the party of the second part, and to her heirs and assigns, forever. And the said party of the first part, and
their heirs, the said premises, in the quiet and peaceable possession of the said party of the second part, her heirs
and assigns, against the said party of the first part, and their heirs and against all and every person and persons whomso-
ever, lawfully claiming or to claim the same shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said party of the first part have hereunto set their hand and seal the day
and year first above written.

Signed, Sealed and Delivered in the Presence of

Francis J. Castle

George T. Russell (SEAL)

Mary A. Russell (SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO,

County of Boise ss.

On this 24th day of May, 1916

before me, Francis J. Castle, a Notary Public,
in and for said County, personally appeared George T. Russell and Mary A. Russell,

known to me to be the persons whose names are subscribed to the within 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.

(Seal)

State of Idaho,)
County of Valley.)⁸²

H.E. Armstrong - Donnelly, Idaho

I hereby certify that this instrument was filed for record at the request of Donnelly State Bank at 30 minutes past 2 o'clock P.M. this 6th day of December 1918 in my office and duly recorded in Book 1 of Deeds at page 256.

Arthur C. Tracy

Ex-officio Recorder.

Fee-31.00

By *Zora E. Spencer* Deputy.

COMPARED
INDEXED

INSTRUMENT NO. 1892

QUITCLAIM DEED-----

THIS INDENTURE MADE This 3rd day of October in the year of our Lord one thousand nine hundred and Eighteen between G.W. Spencer husband of Zora E. Spencer of Seattle, County of King, State of Washington the party of the first part and Zora E. Spencer of Boise County of Ada, State of Idaho the party of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of One \$1.00 Dollar and love and affection----Dollars lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever Quitclaim unto the said party of the second part and to her heirs and assigns all that certain lot, piece or parcel of land, situate, lying and being in Valley County, State of Idaho, bounded and particularly described as follows, to-wit:

The South West Quarter of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter; and the South Half of the Southeast Quarter of Section thirteen of Township Thirteen North of Range Three East B¹---

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and pro fits thereto.

TO HAVE AND TO HOLD, All and singular the said premises together with the appurtenances unto the said party of the second part, and to her heirs and assigns forever.

IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand and seal on the 30th day of October 1918.

G.W. Spencer

State of Washington,)
County of King.)⁸²

On this 20th day of October in the year 1918 before me,-----a----- in and for said County, personally appeared G.W. Spencer, husband of Zora E. Spencer known to me to be the person whose name herein subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal.

1-15-19

BOOK 1

273

State of Idaho,)

County of Ada.) SS

On this 20th day of December, in the year 1918 before me Norman H. Young a Notary Public in and for said County personally appeared C.A. Barton known to me to be the Vice President of the corporation that executed the foregoing instrument and acknowledged to me that such 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.

Norman H. Young Notary Public
Residing at Boise, Idaho

Seal-My Commission expires Dec. 27, 1922

State of Idaho,)
County of Valley.) SS

I hereby certify that this instrument was filed for record at the request of W.D. Patterson at 50 minutes past 2 o'clock P.M. this 13th day of Jan. A.D. 1919 in my office and duly recorded in Book 1 of Deeds at page 272.

Arthur C. Tracy

Ex-officio Recorder

COMPARED

Fees \$1.20

By *Nora J. Keck* Deputy.

INSTRUMENT NO. 2061

WARRANTY DEED-----

THIS INDENTURE Made this 4th day of December A.D. 1918 between Zora E. Spencer, a married woman of the County of Ada, State of Idaho, the party of the first part, and BOISE PAYETTE LUMBER COMPANY, a Corporation of the State of Idaho, the party of the second part.

WITNESSETH That the said party of the first part, for and in consideration of the sum of Three Thousand (\$3000.00) -----Dollars to her in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, and to his successors and assigns forever, all the following described real estate situated in Valley County, State of Idaho, to wit:

The southwest quarter of the Northwest quarter, the Northwest quarter of the Southeast quarter, and the South half of the Southeast quarter of Section Thirteen of Township Thirteen North of Range Three East, together with all water rights thereunto belonging, B.M. containing one hundred sixty (160.00) Acres according to Government survey.

Doc. Stamps \$3.00-duly cancelled.

TO HAVE AND TO HOLD ALL AND SINGULAR, The above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to its successors and assigns forever, and the said party of the first part, for herself and her heirs, executors and administrators, does covenant, grant and agree to and with the said party of the second part, its successors and assigns, that, at the time of the execution and delivery of these presents, she is lawfully seized of a good absolute and indefeasible estate of inheritance in fee simple to and in all and singular the above granted and described premises with the appurtenances and has good rightful power and lawful authority to grant, bargain, sell and convey the same in manner aforesaid, and that the same are now free, clear discharged and unencumbered of and from all former and other grants, titles, charges, estates, interests, claims, demands, debts, taxes, assessments, and all other

State of Idaho, SS
County of Valley. }

I hereby certify that this instrument was filed for record at the request of Valley County Abet. Co. at 45 minutes past 2 o'clock P.M. this 17th day of March A.D. 1919 in my office, and duly recorded in Book 1 of Deeds at page 302.

Arthur C. Tracy
Ex-officio Recorder.

By *Horn Kiechen* Deputy.

Fees \$1.00

COMPARED
INDEXED

Instrument No 2204
WARRANTY DEED.

THIS INDENTURE, Made this 6th day of December, in the year of our Lord one thousand nine hundred and eighteen, between BOISE PAYETTE LUMBER COMPANY, a corporation, of Boise, County of Ada, State of Idaho, the party of the first part, and Andrew Little, of Emmett, Gem County, State of Idaho, the party of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of Three Thousand----(\$3000.00) Dollars, lawful money of the United States of America to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, and sold, and by these presents does grant, bargain, sell convey, and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate, situated in Valley County, State of Idaho, to-wit:

the Southwest quarter of the Northeast quarter, Northwest quarter of the Southeast quarter and the South half of the South east quarter of Section Thirteen of Township Thirteen North of Range Three East of the Boise Meridian, together with all water rights thereunto belonging.

Reserving, however, to the party of the first part, its successors or assigns, all timber and other trees standing, growing or being upon said above described tracts of land, and reserving also unto the party of the first part, from the date hereof until January 1, 1930, the full and free liberty of entry and right-of-way over and across said premises by the said party of the first part, its servants, agents, workmen, and teams, in, through, over, and upon the said premises for the purpose of felling, cutting down, and carrying away said timber and trees with the right and privilege of constructing, maintaining and operating logging roads, railroads, spurs, and sidetracks, and any other facility necessary for the cutting down, handling, and removing said trees and timber being upon or growing upon said lands.

Also reserving the right and privilege of constructing, maintaining and operating logging roads, railroads, spurs, sidetracks, and any other facility necessary for the cutting down, handling and removing the trees and timber standing and growing upon the lands owned by the said first party lying in the vicinity of said lands. That upon the termination of the easement herein granted the party of the first part shall have the right and privilege to go upon, over, and across said premises and to remove therefrom all ties

65-1979 Cont of the Shackles 10/21/83

Little's bought Shackles in 1983. Shackles were

the 1918 priority date

MEMO

TO: File No. 65-1979
FROM: Don Shaff *DS*
DATED: 10/06/83
SUBJ: Staff Analysis

A memo in the Pancheri Objection folder explains the source of water for this right. With the exception of one claim^{ed} diversion, the legal descriptions for the points of diversion are essentially the same. The source description has been the area of ~~point~~ ^{change}.

On 10/04/83 the claimants agreed in a conversation that the claimed irrigated land in the S $\frac{1}{2}$ of the SE $\frac{1}{4}$, Sec. 13 was not irrigated. The diversion that exists in the SWSE, Sec. 13 is for the irrigation of the Pancheri land. The A.L. Gattle land below this ditch might be ~~described as riparian pasture~~ ^{described as riparian pasture}. The Littles make no effort to irrigate it. There are swales through the pasture that hold water settling from the creek or flood waters in the spring. There may be some subbing of water from the Pancheri ditch as well. The bottom line is there is no diversion by the claimant for a beneficial use. The diversion in section 14 was changed to the SESE to correspond with assumed correct survey lines. This claim was filed assuming that land in section 13 and 18 was irrigated by a diversion from ~~Moore's~~ ^{Moore's} Creek. When review and investigation proved this to be untrue and actually irrigated from Brush Creek, the land was added to this right. Consequently 312 acres are recommended instead of the 309 claimed. ~~Eight~~ ^A corresponding inch to the acre is recommended for a diversion. Brush Creek is the single ~~source~~ ^{source} of irrigation water for this land.