

6N, 2W, S5

2463-38
5088-38
5089-38

2463-22
5088-22
5089-22

2463-24
5088-24
5089-24

5091-35
2017A-19
Conrad
22303-19
Conrad

2017A-16
Hawkins
22302-16
Hawkins

5091-27-22302
2017A-27
5092-3
Hawkins

5091-6-22302
2017A-6
Hawkins

5091-33-22302
2017A-33
Hawkins

5091-12-22302
2017A-12
Hawkins

T6N, R2W, S5

NWNW
Lt 4

W. Conrad

Schauer
NENW
Lt 3

William Conrad

NWNE
Lt 2

*Larry Conrad
Jensen*

Jay Hawk
Wilson
NENE
Lt 1

*William Conrad
Jay Hawkins*

SWNW
Lt 5

W. Conrad

SENW
Lt 6

Larry Conrad

Jay Hawkins

SWNE

Jay Hawkins

SENE

Jay Hawkins

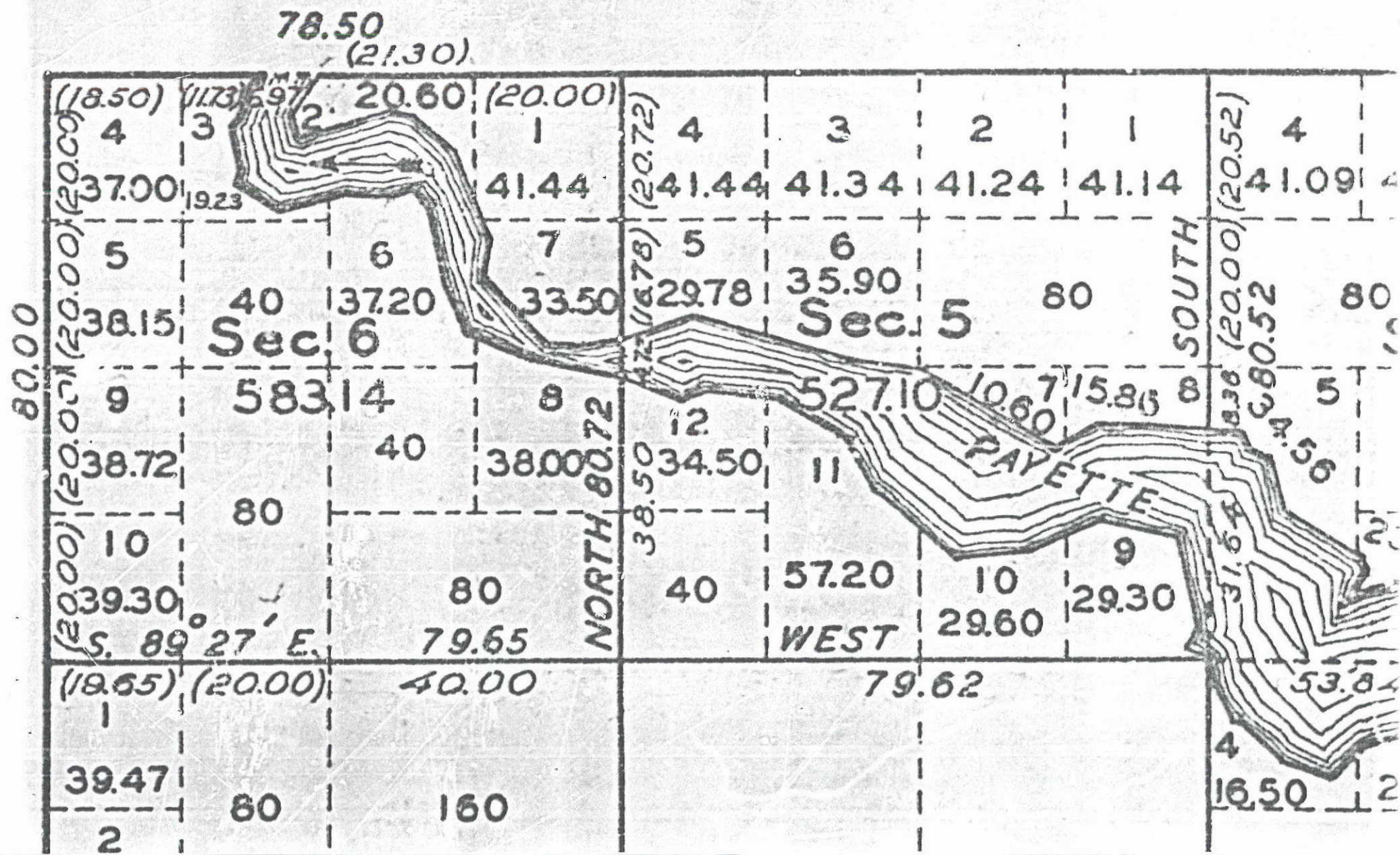
NWSE
Lt 7

Jay Hawkins

NESE
Lt 8

Jay Hawkins

IN. C. NORTH, RAND L.



KAY

MEMORANDUM

February 20, 1996

TO: ADJUDICATION AGENTS

FROM: JAN SHURTE

RE: PRBA-BASIN 65 STIPULATIONS RESOLVING OBJECTIONS

Attached is a group of PRBA filings which had objections filed during that adjudication and have had stipulations completed resolving those objections.

Per Dave Shaw & Don Shaff (see Ron's memo dated 4-6-95 and 5-23-95 under stipulations) we need to amend the "A" claim to match the right as stipulated. There has been an "R" claim made by the state office which we can use as a reference. Be careful when you go to amend those that have been filed as a split in the SRBA. Read the stipulation along with the "R" claim. Some may not need to be amended and have been stipulated as claimed.

You will need to print one copy of the "A" claim, unless there has been no change. Since the stipulation was sent out with a copy of the "R" claim (blank prefix report), there is no need to send the "A" claim copy to the claimant. The stipulation should be placed between the old "A" claim and the amended "A" claim, with the "R" claim (blank prefix) and the copy of Ron's memo filed on the correspondence side.

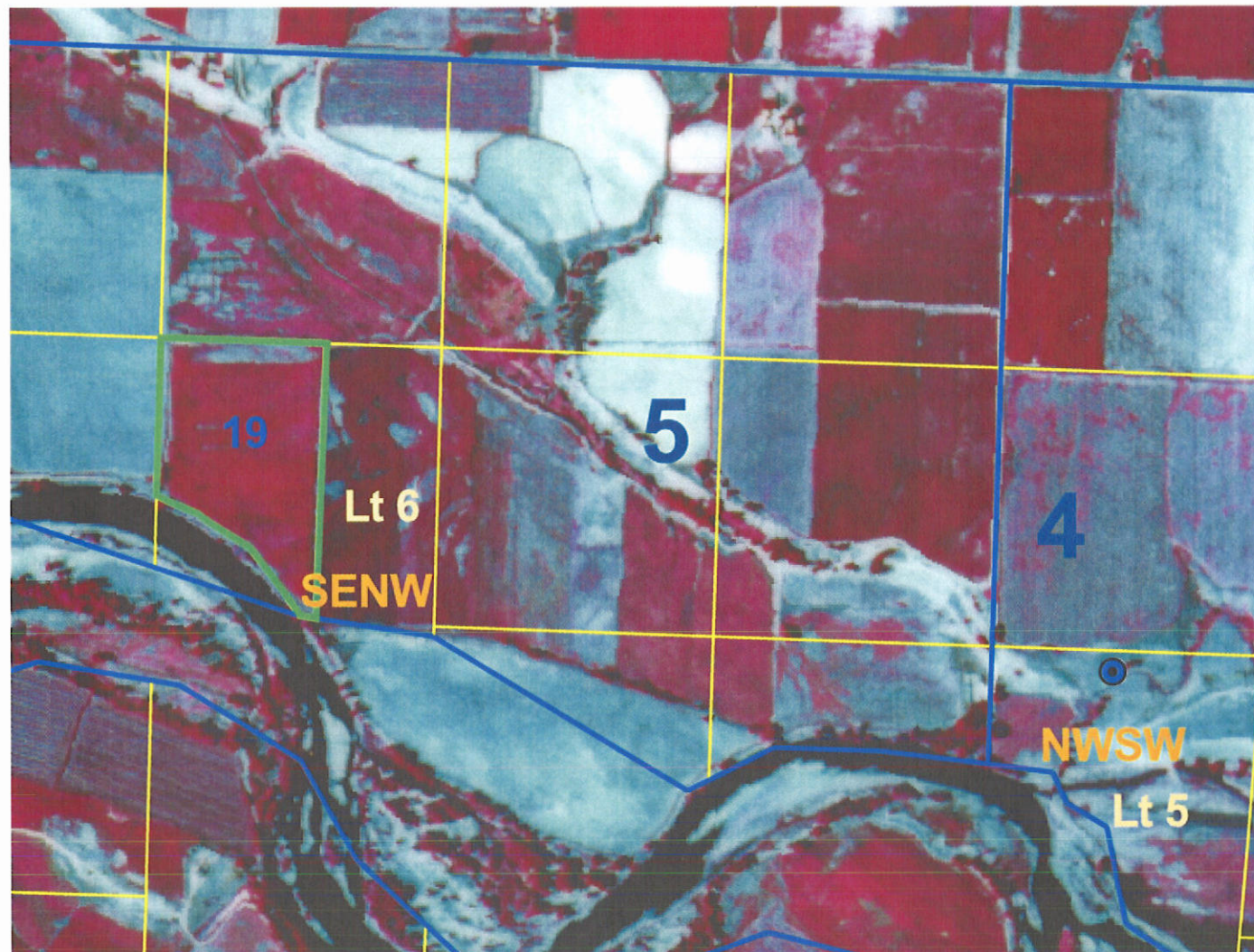
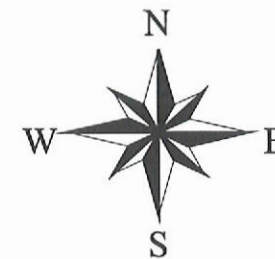
If you have any questions concerning these stipulations, please let me know. Thanks, Jan.

P.S. In remarks put:

Claim amended per stipulation
from PRBA. Initials & date

IDAHO DEPARTMENT OF WATER RESOURCES

T06N, R02W, S5



1987 NAPP PHOTO

- POINT OF DIVERSION
- PLACE OF USE
- 1/4 1/4 LINES
- SECTION LINES

6 ACRES
6 SECTION NUMBERS

CLAIM(S): 65-02017B 65-22303

OWNER(S): CONRAD, LARRY

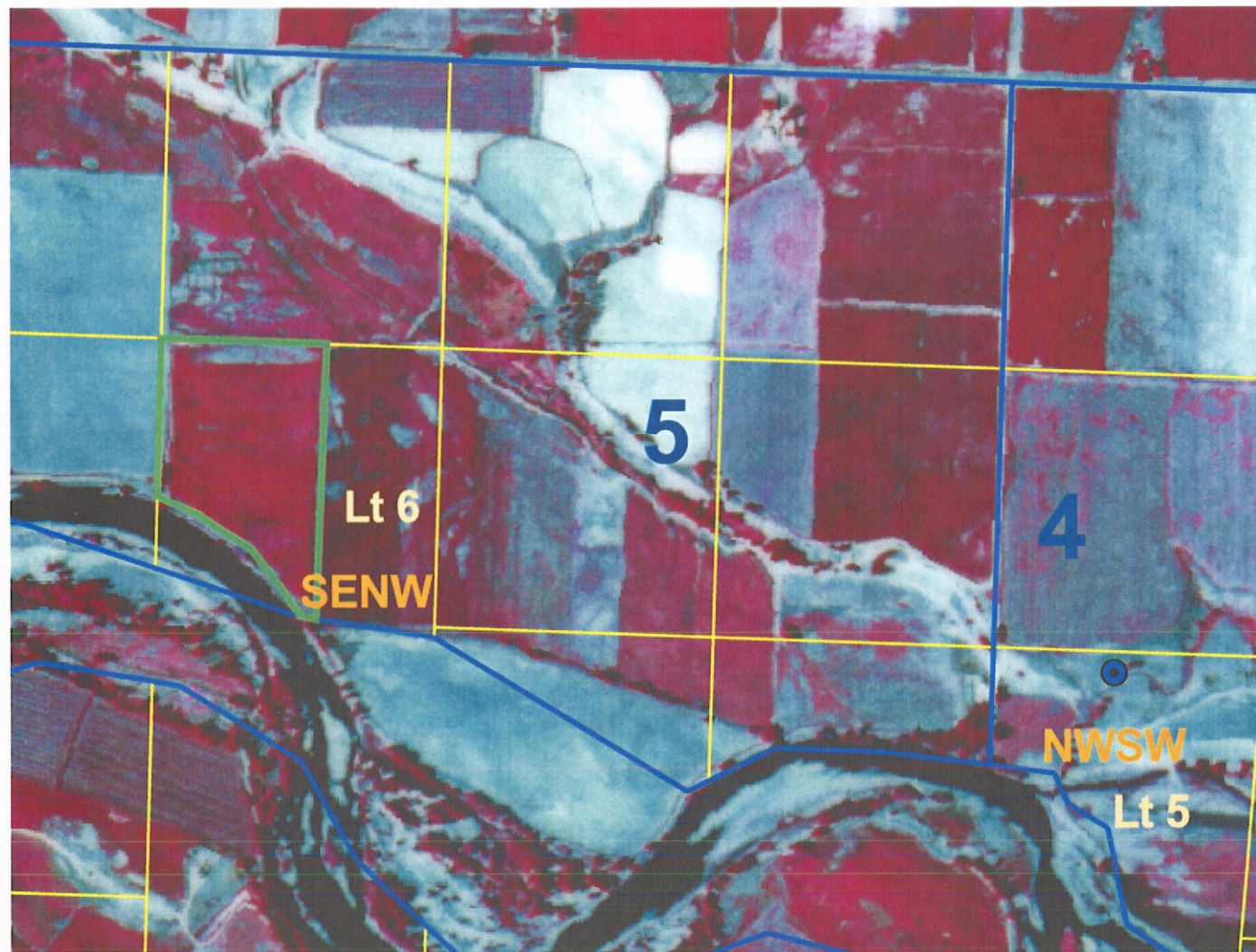
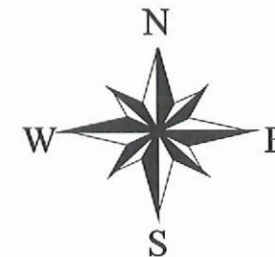
DATE: JANUARY 4, 2001

By: Mel Schulte

0 0.25 0.5 0.75 1 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

T06N, R02W, S5



1987 NAPP PHOTO

- POINT OF DIVERSION
- PLACE OF USE
- 1/4 1/4 LINES
- SECTION LINES

6 ACRES
6 SECTION NUMBERS

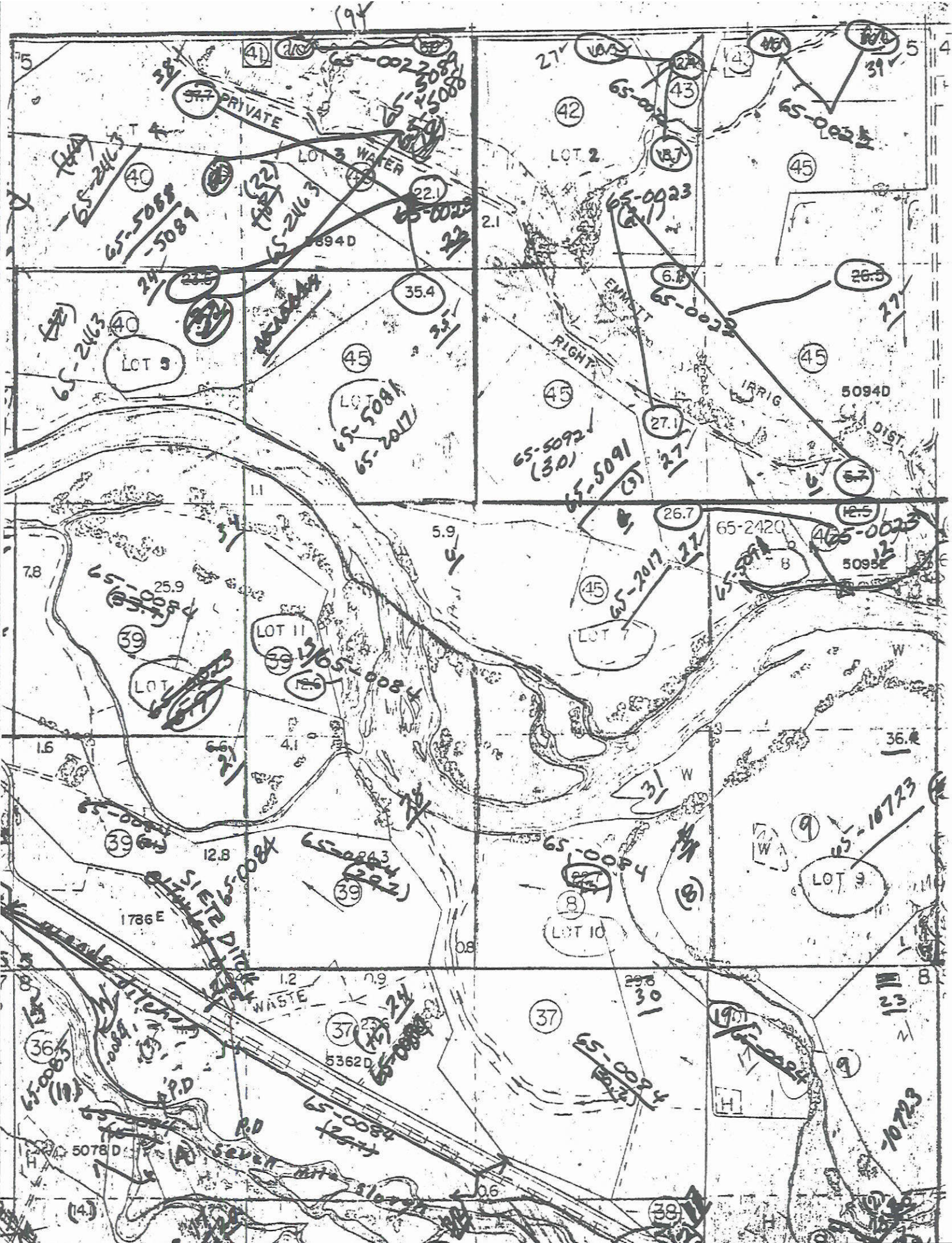
CLAIM(S): 65-02017B 65-22303

OWNER(S): CONRAD, LARRY

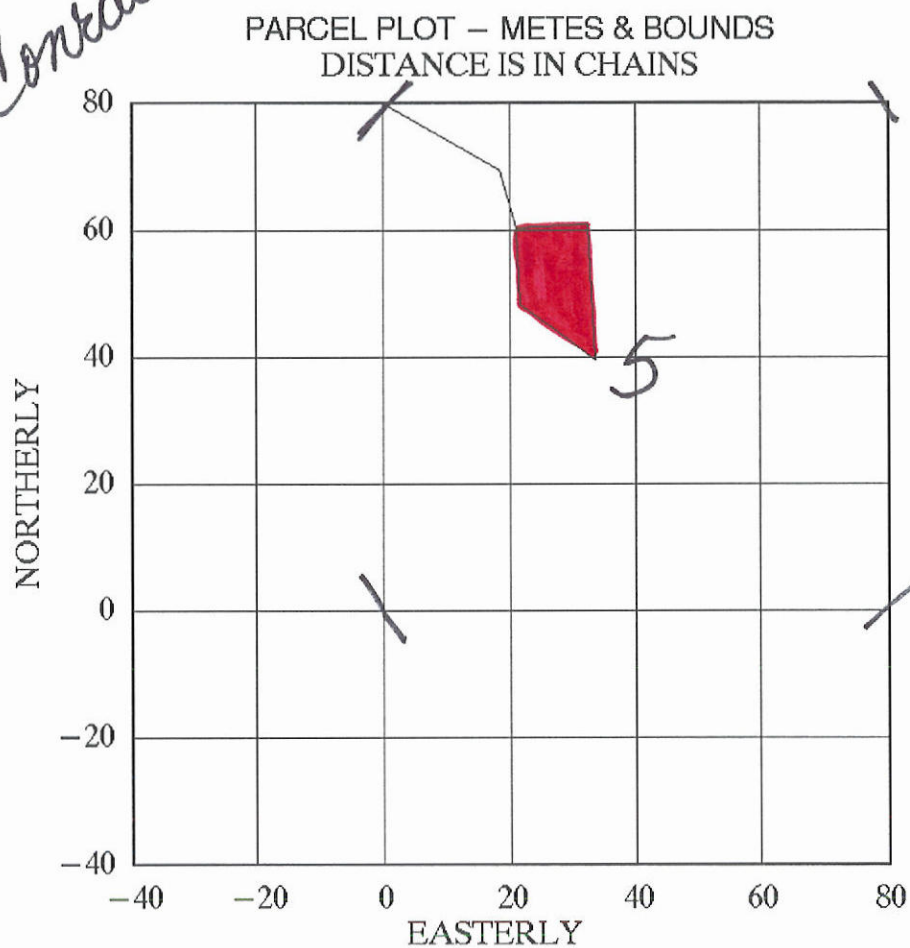
DATE: JANUARY 4, 2001

By: Mel Schulte

0 0.25 0.5 0.75 1 Miles



per Title Insurance
Ac'd 4-22-96
for Larry Contad. A65-02017B

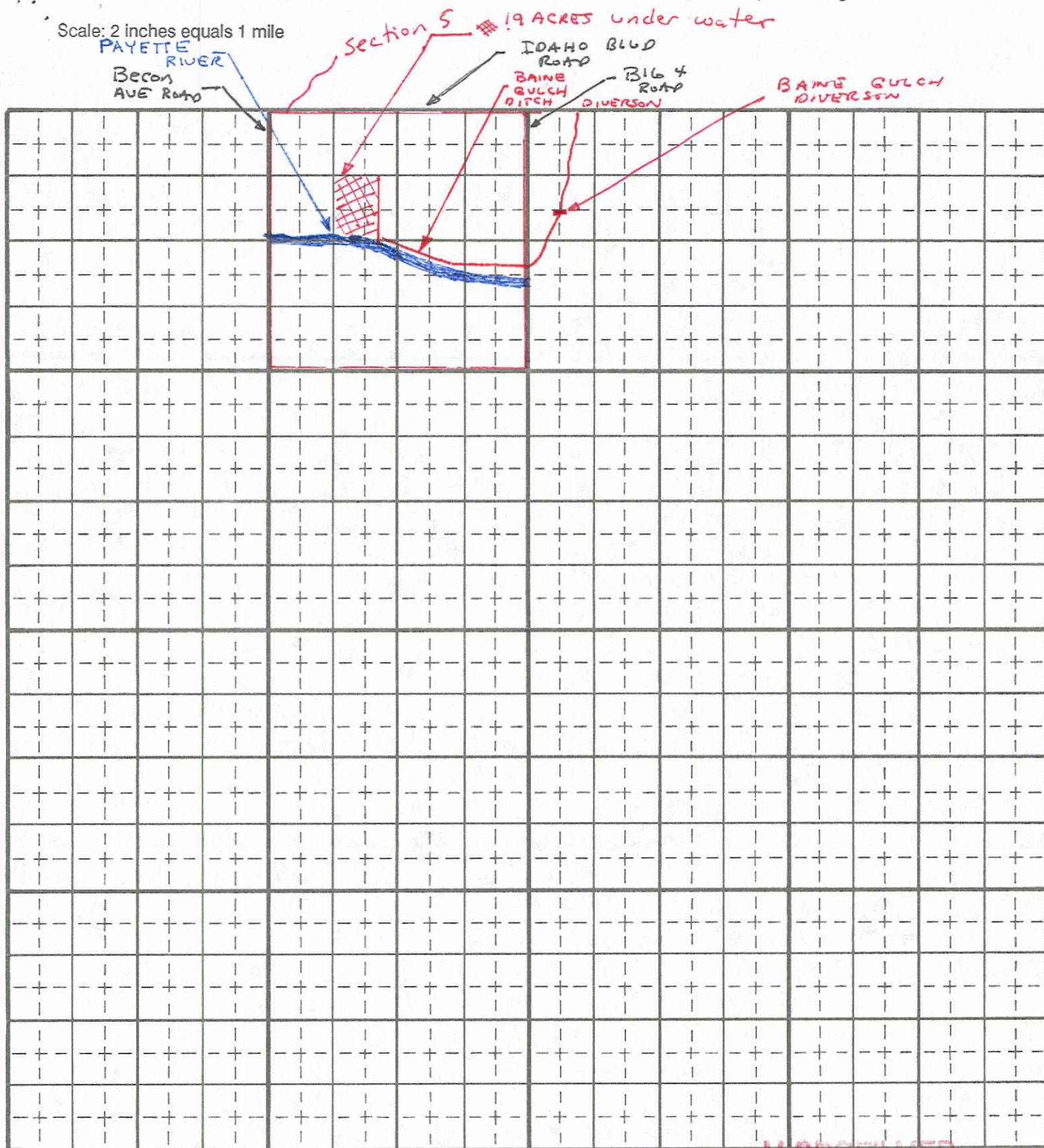


6N

2W

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

Scale: 2 inches equals 1 mile



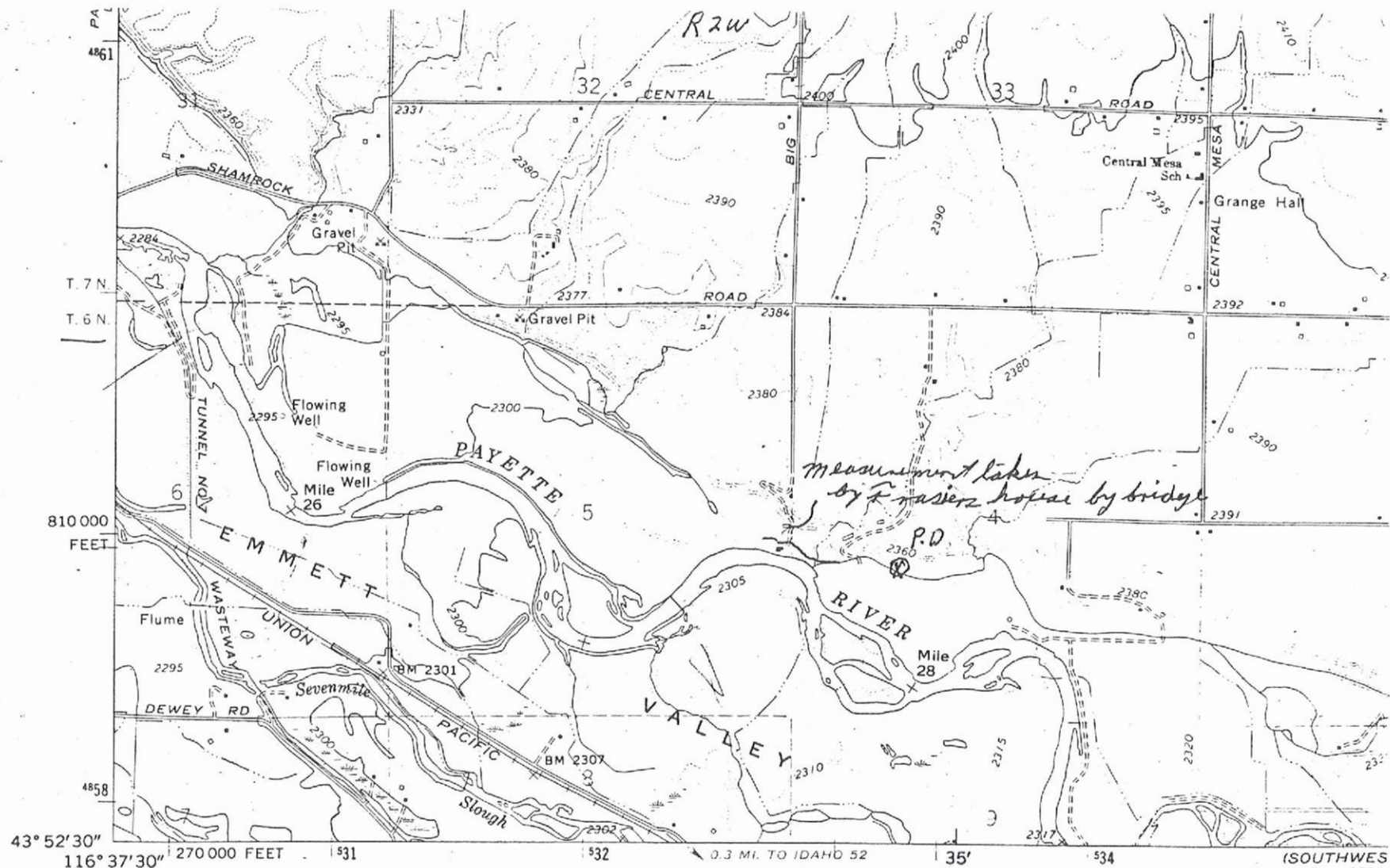
MICROFILMED

AUG 03 1994

Last Name CONRAD

Ident No. _____

Copies: White-State, Yellow-Claimant



(SAND HOLLOW)
2671 / SW

Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

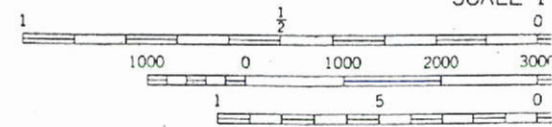
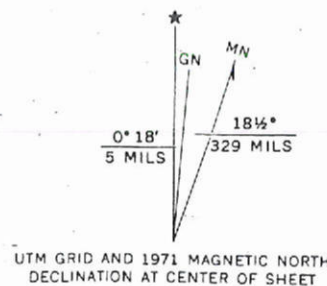
Topography by photogrammetric methods from aerial photographs taken 1969. Field checked 1971

Projection and 10,000-foot grid ticks: Idaho coordinate system, west zone (transverse Mercator)

1000-meter Universal Transverse Mercator grid ticks, zone 11, shown in blue. 1927 North American datum

Red tint indicates areas in which only landmark buildings are shown

Fine red dashed lines indicate selected fence lines.



CONTOUR INTERVAL
DOTTED LINES REPRESENT
DATUM IS MEAN

THIS MAP COMPLIES WITH NATIONAL
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER.
A FOLDER DESCRIBING TOPOGRAPHIC MAPS

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: A65-02017B
Date Received: 1/ 8/1990
Receipt No: X999999
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: LARRY WILLIAM CONRAD 214-596-8437
Address: 2604 PARKHAVEN CT
PLANO TX 75075

2. Date of Priority: NOV 17, 1904

3. Source: BAINE GULCH Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	02W	4	NW	SW		5	GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.340		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	02W	5	SE	NW	6	IRR	19.0
Section Acres							19.0

10. Place of Use: Continued

Total Acres 19.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

USE OF THIS RIGHT WITH RIGHT NO. 65-05091, 65-02017A & AND 65-05092 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.95 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 113 ACRES IN A SINGLE IRRIGATION SEASON.

FOR RIGHT NOS. 65-2017A, 65-02017B & 65-05091 A DIVERSION RATE OF 0.34 CFS PER ACRE FOR 91 ACRES AND 0.02 CFS PER ACRE FOR 22 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-02437, 65-02463, 65-05091, 65-02017A, 65-11249.

CLAIM AMENDED PER STIPULATION FROM PAYETTE RIVER BASIN ADJUDICATION. KW 7/17/1996

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

6N,2W



A6502017B

2017A 1.66 93ac

22302 1.62 94ac

5092 .06 3
3.34 ~~97~~
94

2017B .34 19ac

22303 1.33 19ac
167



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

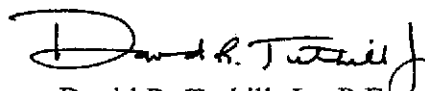
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without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

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,


David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

6N, 2W, S5

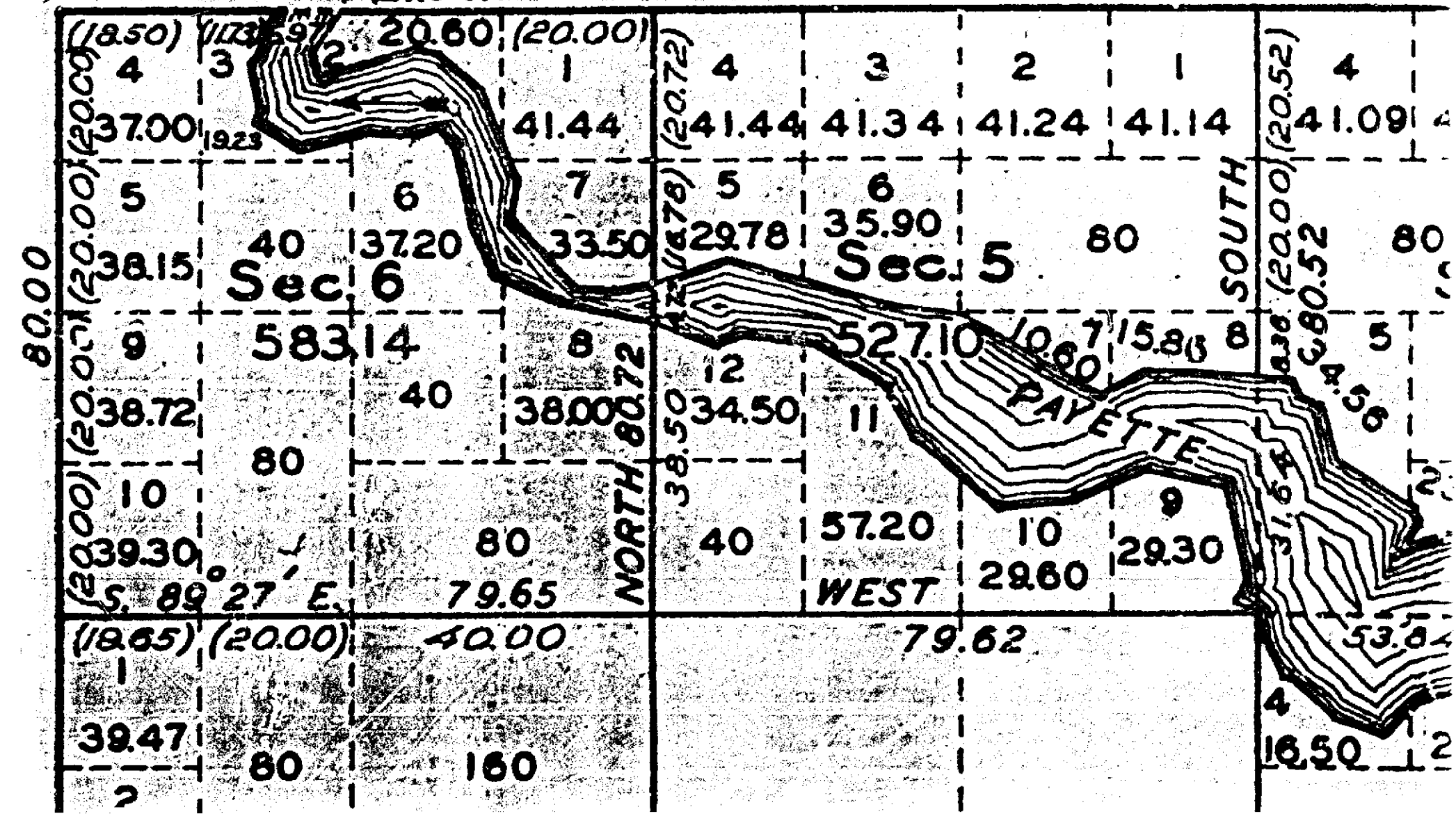
22302

NWNE

Lt 2

WNE

78.50
(21.30)



01/08/2001

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

RIGHT NUMBER: 65-2017B

NAME AND ADDRESS: LARRY WILLIAM CONRAD
2604 PARKHAVEN CT
PLANO, TX 75075

SOURCE: BAINE GULCH CREEK TRIBUTARY PAYETTE RIVER
;

QUANTITY: 0.34 CFS

FOR THIS RIGHT AND 65-22303 A DIVERSION RATE OF .034
CFS PER ACRE AT THE FIELD HEADGATE IS INCLUDED IN THE
RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED.

PRIORITY DATE: 11/17/1904

POINT OF T06N R02W S4 LOT 5 NWSW Within GEM County
DIVERSION:

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	0.34 CFS

PLACE OF USE:

IRRIGATION Within GEM County
T06N R02W S5 LOT 6 SENW 19

19 ACRES TOTAL

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

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

USE OF THIS RIGHT WITH RIGHT NO. 65-22303 IS LIMITED
TO A TOTAL COMBINED DIVERSION RATE OF .67 CFS AND TO
THE IRRIGATION OF A COMBINED TOTAL OF 19 ACRES IN A
SINGLE IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

AJ5809NP
No. A65-020178

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/18/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LARRY WILLIAM CONRAD 2604 PARKHAVEN CT PLANO TX 75075 (214) 596-8437	11/17/1904	IRRIGATION	03-15 11-15	0.340 CFS	
TOTAL DIVERSION:					0.340 CFS	

Water Source: BAINE GULCH

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion:

T06N R02W S04 Lot05(NWSW)

GEM 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
06N	02W	5	:																	19.0
																			19.0	
																			TOTAL ACRES	19.0

POU County: GEM

Remarks: GEN

USE OF THIS RIGHT WITH RIGHT NO. ~~65-05091, 65-02017A & 65-05092~~ ²²³⁰³ IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF ~~3.95~~ ^{0.67} CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF ~~395.5~~ ²²³⁰³ AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF ~~113~~ ²²³⁰³ ACRES IN A SINGLE IRRIGATION SEASON.
FOR RIGHT NOS. ~~65-02017A, 65-02017B & 65-05091~~ ²²³⁰³ A DIVERSION RATE OF 0.34 CFS PER ACRE FOR 91 ACRES AND 0.02 CFS PER ACRE FOR 22 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: ~~65-02437, 65-02463, 65-05091~~ ^{A+B}
65-02017A, 65-11249.
CLAIM AMENDED PER STIPULATION FROM PAYETTE RIVER BASIN ADJUDICATION. KW 7/17/1996

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number: 65

Field Inspection Flag:

Presumption Flag:

Audit:

10/16/91 BAUMHOFF 03/30/95 POST-STD 07/15/96 KWALKER 07/17/96 KWALKER

C18

KAY

MEMORANDUM

February 20, 1996

TO: ADJUDICATION AGENTS

FROM: JAN SHURTE

RE: PRBA-BASIN 65 STIPULATIONS RESOLVING OBJECTIONS

Attached is a group of PRBA filings which had objections filed during that adjudication and have had stipulations completed resolving those objections.

Per Dave Shaw & Don Shaff (see Ron's memo dated 4-6-95 and 5-23-95 under stipulations) we need to amend the "A" claim to match the right as stipulated. There has been an "R" claim made by the state office which we can use as a reference. Be careful when you go to amend those that have been filed as a split in the SRBA. Read the stipulation along with the "R" claim. Some may not need to be amended and have been stipulated as claimed.

You will need to print one copy of the "A" claim, unless there has been no change. Since the stipulation was sent out with a copy of the "R" claim (blank prefix report), there is no need to send the "A" claim copy to the claimant. The stipulation should be placed between the old "A" claim and the amended "A" claim, with the "R" claim (blank prefix) and the copy of Ron's memo filed on the correspondence side.

If you have any questions concerning these stipulations, please let me know. Thanks, Jan.

P.S. In remarks put:

Claim amended per stipulation
from PRBA. Initials & date

MEMORANDUM

April 6, 1995

TO: Any PRBA Claim with a Stipulation
FROM: RON HOWERTON

RE: RECOMMENDATIONS/STIPULATION

I. CONVERSATION WITH DON SHAFF:

1. Met with Don 4/5/95 at S.O. on how to proceed with "R" file recommendations.
2. Don re-confirmed that the stipulation amends the "A" claim, thus for the split ownership of this right both the "A" and "R" files can be completed.
3. He said that because of the stipulation no field exam is needed, nor do I need to print a CVR. In place of the CVR I'm to print out a profile report with comments pertaining to the stipulation.
4. I asked him if the copy of the stipulation he gave me had enough signatures on it to make the recommendation? He said yes.

II. CONVERSATION WITH JEFF PEPPERSACK

1. Met with Jeff 4/5/95 at S.O. asked if he had any paperwork pertaining to how much water was recommended for this right. He said that he thought Dan Steckel had all of it.

III. CONVERSATION WITH DAN STECKEL

1. Called Dan at S.O. 4/6/95 asked if he had the paperwork that showed how much water was to be recommended for this right. He said Don had it in his Boyd Jackson's file.

IV. CONVERSATION WITH DON SHAFF

1. Called Don at S.O. 4/6/95 asked him if he had the paperwork for the amount of water recommended? He said yes he did. He said that eventually that file would come over to Western. I asked if I needed to put the paperwork showing how much water was to be recommended in that file? He said yes, but it may be several months before he would send that file to us. So I asked was it necessary for me to have it to make the "R" file recommendation? He said no, proceed with the recommendations.

May 23, 1995

SPRING MEETING WITH DAVE SHAW & HIS ATTORNEYS:
Ref: OWNERSHIP CHANGES

1. Dan Steckel said that after an ownership change has been made, he needs a copy of the Ownership Change when completed. He doesn't need a copy of the claim.
2. During our conversation with Dave Shaw and Don Shaff, the Attorney's were in agreement that the stipulation's we have copies of now can be used to amend the "A" claim the same way as a Transfer would.
3. A recently licensed permit can also be used to amend the claim with an ownership change with an added requirement. A letter must accompany the ownership changed claim, stating that the claimed permit was licensed since this claim was filed, the claim has been revised to correspond to the licensing. If they have any difficulty with this clarification, they need to contact our office within 30 days of the letter. (The "A" claim is given a "T" status for the 30 day period.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

July 15, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Notice of Claim to a Water Right

Larry William Conrad
2604 Parkhaven Ct.
Plano, TX 75075

Dear Mr. Conrad:

While reviewing your title insurance policy submitted in connection with Claim A65-02017B, I found you may also have a portion of Claim A65-05091 which was decreed to the lands you now own. Enclosed, for your information, is a copy of Claim A65-05091. Please note that this claim covers 35 acres of land within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ (Gov. Lot 6), Sec. 5, Twp. 6N, Rge. 2W, of which you own 19 acres, pursuant to your title insurance.

In order for us to change a portion of Claim A65-05091 to your name, we need to have your signature on the enclosed "New Property Owner Notice of Change of Water Right Ownership" form. I have completed this form, for your convenience, so we can change our records as soon as we receive your signature on the form.

I have also corrected the legal description on your Notice of Claim to a Water Right No. A65-02017B pursuant to the legal description provided on your title insurance. Please note that no other changes were made to this corrected claim. If you disagree with the change I made to your place of use, please contact me within the next 30 days and let me know. If I don't hear from you in regard to the correction, our records will remain as shown on the enclosed copy.

If you have any questions in regard to this matter, please do not hesitate to contact me.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 26, 1996

RE: Notice of Claim to a Water Right No. A65-02017B

Larry William Conrad
2604 Parkhaven Ct.
Plano, TX 75075

Dear Mr. Conrad:

Thank you for responding to my letter of March 26, 1996. I plotted out the metes and bounds description that was attached to your title insurance and found that your place of use should be amended to show the SE $\frac{1}{4}$ NW $\frac{1}{4}$ (Gov. Lot 6), Sec. 5, Twp. 6N, Rge. 2W. Enclosed is a copy of a ortho-photo quad which shows where I found the correct place of use to be located. Also enclosed is an "AMENDED" Notice of Claim to Water Right No. A65-02017B. I have also changed the amount of water claimed under item 6, on the claim form, to correspond with that amount claimed under item 7. Please sign this form in the presence of a notary public and return it to my attention at your earliest convenience. Once we receive the signed and notarized form we can update our computer records to show these corrections.

If you have any questions in regard to this matter, please do not hesitate to contact me.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

7-15-96
amended claim
never submitted.
Prepared "corrected"
claim for P/U
description. No other
changes. KW

LARRY ECHOHAWK
Attorney General

DANIEL L. STECKEL
Deputy Attorney General
Department of Water Resources
Statehouse
Boise, Idaho 83720-9000
(208) 327-7900

RECEIVED

FEB 19 1993

Department of Water Resources

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 SURFACE AND)
GROUNDWATERS OF THE PAYETTE)
RIVER DRAINAGE BASIN)

CIVIL NO. 3667

STIPULATION RESOLVING
OBJECTIONS TO WATER
RIGHT NOS. 65-02017, 65-05091, 65-05092

A B
HARRIS / JAMES

5

The Director of the Idaho Department of Water Resources, R. Keith Higginson and R. Richard Frasier and Fonda E. Frasier, by and through counsel, stipulate as follows:

1. That water right claim Nos. 65-02017, 65-05091, and 65-05092, be accepted and included in the Proposed Finding of Water Rights in the Payette River Drainage as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

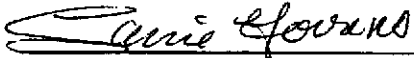
2. That R. Richard Frasier and Fonda E. Frasier withdraw all pending objections, including those based on the objection filed by Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown in July 1982, in the above captioned matter.

DATED this _____ day of _____, 1993.

LARRY ECHOHAWK
Attorney General

DANIEL L. STECKEL
Deputy Attorney General
Department of Water Resources

DATED THIS 18th day of February, 1993.


LOUIE GORRONO
Attorney for R. Richard Frasier
and Fonda E. Frasier

The above stipulation having come before the court, it is
hereby approved this _____ day of _____, 1993.

JAMES R. DOOLITTLE
District Judge

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: BAINE GULCH			TRIBUTARY: PAYETTE RIVER			
65-02017	R. RICHARD FRASIER FONDA E. FRASIER 1111 BIG 4 AVE. EMMETT ID 83617	11/17/1904	IRRIGATION	03-15 11-15	2.00 CFS	LICENSE
	POINT OF DIVERSION: T06N R02W S04 LOT 5 (NWSW)					
	PLACE OF USE: IRRIGATION					
	T06N R02W S05 SWNE 27.0		SENE 6.0	Lot 6 (SENW)35.0	Lot 8 (NESE)12.0	
	Lot 7 (NWSE)33.0					
	113.0 ACRES TOTAL					
REMARKS:	USE OF THIS RIGHT WITH RIGHT NO. 65-05091 & 65-05092 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.95 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 113 ACRES IN A SINGLE IRRIGATION SEASON.					
	FOR RIGHT NOS. 65-02017 AND 65-05091 A DIVERSION RATE OF .034 CFS PER ACRE FOR 91 ACRES AND .02 CFS PER ACRE FOR 22 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.					
	THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-02437, 65-02463, 65-05091, AND 65-11249.					
65-05091	FONDA E. FRASIER R. RICHARD FRASIER 1111 BIG 4 AVE. EMMETT ID 83617	05/28/1925	IRRIGATION	03-15 11-15	1.95 CFS	BENEFICIAL USE
	POINT OF DIVERSION: T06N R02W S04 LOT 5 (NWSW)					
	PLACE OF USE: IRRIGATION					
	T06N R02W S05 SWNE 27.0		SENE 6.0	Lot 6 (SENW)35.0	Lot 8 (NESE)12.0	
	Lot 7 (NWSE)33.0					
	113.0 ACRES TOTAL					
REMARKS:	USE OF THIS RIGHT WITH RIGHT NO. 65-02017 & 65-05092 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.95 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 113 ACRES IN A SINGLE IRRIGATION SEASON.					
	FOR RIGHT NOS. 65-02017 AND 65-05091 A DIVERSION RATE OF .034 CFS PER ACRE FOR 91 ACRES AND .02 CFS PER ACRE FOR 22 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.					
	THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-02017, 65-02437, 65-02463 AND 65-11249.					

DIVERSION RATE CALCULATIONS

Water Right No. 65-05091 + 65-02017

Date 4/20/92

Initials gf

Soils	Acres		Rate (cfs/ac)		Rate (cfs)
Moulton	<u>91</u>	x	0.034	=	<u>3.09</u>
Letha	<u>-</u>	x	0.029	=	<u>-</u>
Other	<u>22</u>	x	0.02	=	<u>.44</u>
Total	<u>113</u>				<u>3.53</u>

Conveyance Loss (see attached) = 0.42

TOTAL DIVERSION RATE = X see below

Comments: 65-02017 LICENSE 2.0 CFS
 65-05091 (3.53 + .42) - 2.0 = 1.95 CFS

CONVEYANCE LOSS - MORITZ

REACH	LENGTH (FT)	AVE VELOCITY (FT/SEC)	SEEPAGE (FT/DAY)	MORITZ LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	5280	1.75	1.50	0.59	4.25	6.37	0.0931	0.40	7.13
2	2640	1.75	1.50	0.17	2.12	2.12	0.0794	0.37	2.29
3	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
4	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
5	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
6	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
7	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
8	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
9	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
10	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
11	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
12	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
13	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
14	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
15	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
16	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
17	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
18	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
19	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
20	0	0.00	0.00	0.00	0.00	0.00	0.0000	0.00	-0.00
TOTALS	7920			0.76	6.37			0.76	

REACH = SECTION OF CHANNEL

LENGTH = LENGTH OF REACH, THE CHANNEL CAN DIVIDED INTO EQUAL LENGTH REACHES
OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS

AVE VELOCITY = AVERAGE VELOCITY IN REACH, USE 1.75 FT/SEC FOR EARTH CHANNELS IF
IF ACTUAL VELOCITY IS UNKNOWN

SEEPAGE = SOIL SEEPAGE RATE OF REACH

MORITZ LOSS = CONVEYANCE LOSS IN REACH BASED ON MORITZ METHOD

DELIVERY = TOTAL DELIVERIES IN REACH

DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)

LOSS FACTOR = MORITZ LOSS/DELIVERY LEFT

DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY,
REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH

FLOW = TOTAL FLOW AT BEGINNING OF EACH REACH

	@ FIELD	LOSS RATE
65-2463	1.8	LICENSE
65-11249	.06	DECKED
65-2437	.98	DECKED
65-2017	3.53	LICENSE
65-5091		0.42
	6.37	

65-5091
65-2017

SENE

Ac. 10/Ac
5 10
1 ~~2~~ .034 cfs/Ac

LT 8 (NESE)

10 10
2 ~~2~~ .034 cfs/Ac

LT 7

3 10
30 ~~2~~ .034 cfs/Ac

SWNE

4 10
23 ~~2~~ .034 cfs/Ac

LT 6 (SEW) 35 ~~2~~ .034 cfs

22 10

91 ~~2~~ .034 cfs/Ac

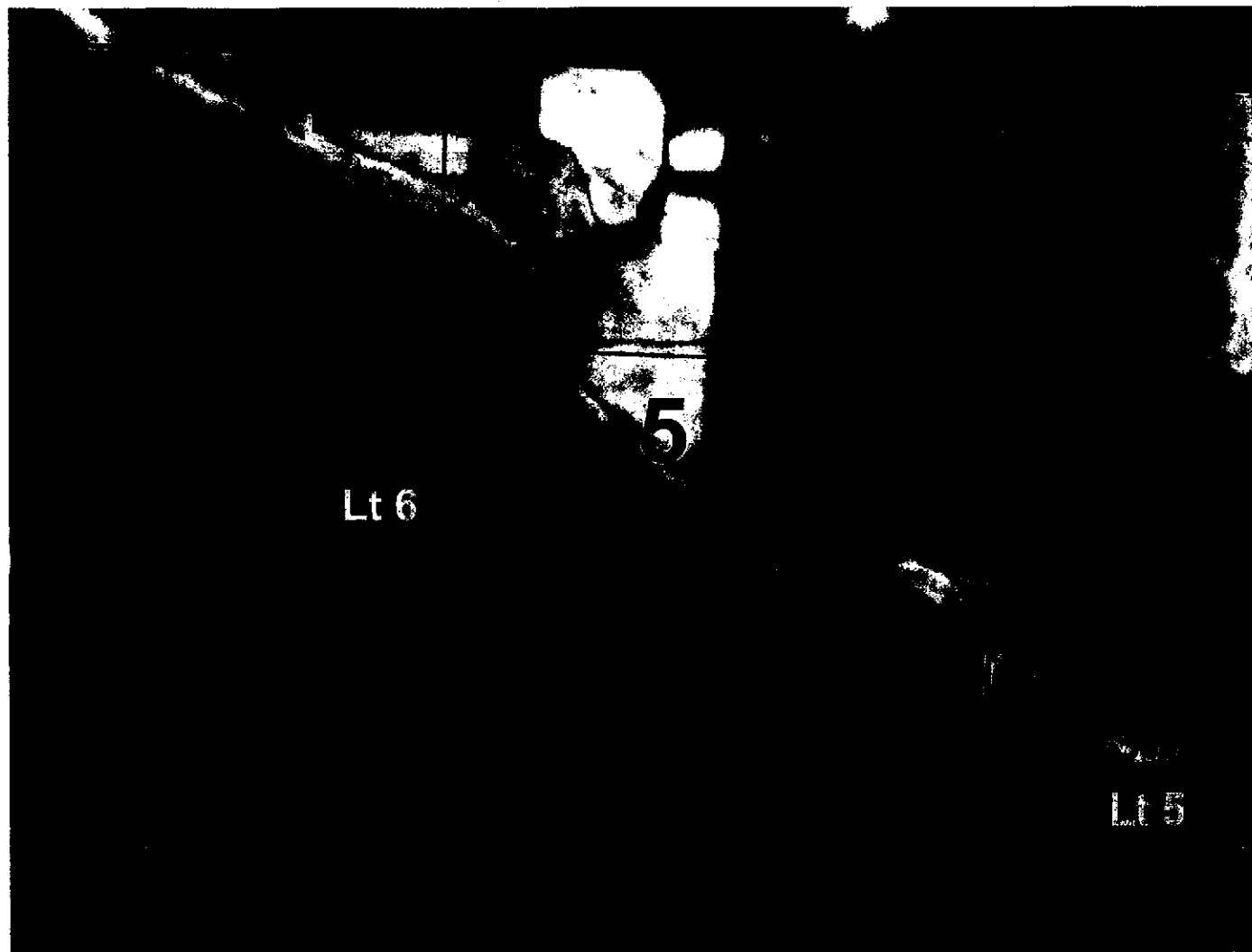
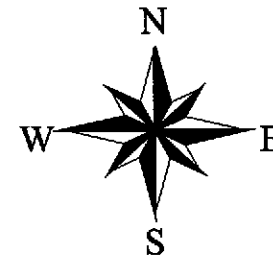
~~213~~
#1 213' HI

NEW MARKS 7/17/96

[Signature]

IDAHO DEPARTMENT OF WATER RESOURCES

T06N, R02W, S5



1987 NAPP PHOTO

- POINT OF DIVERSION
- ▭ PLACE OF USE
- ▭ 1/4 1/4 LINES
- ▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-02017B 65-22303

OWNER(S): CONRAD, LARRY

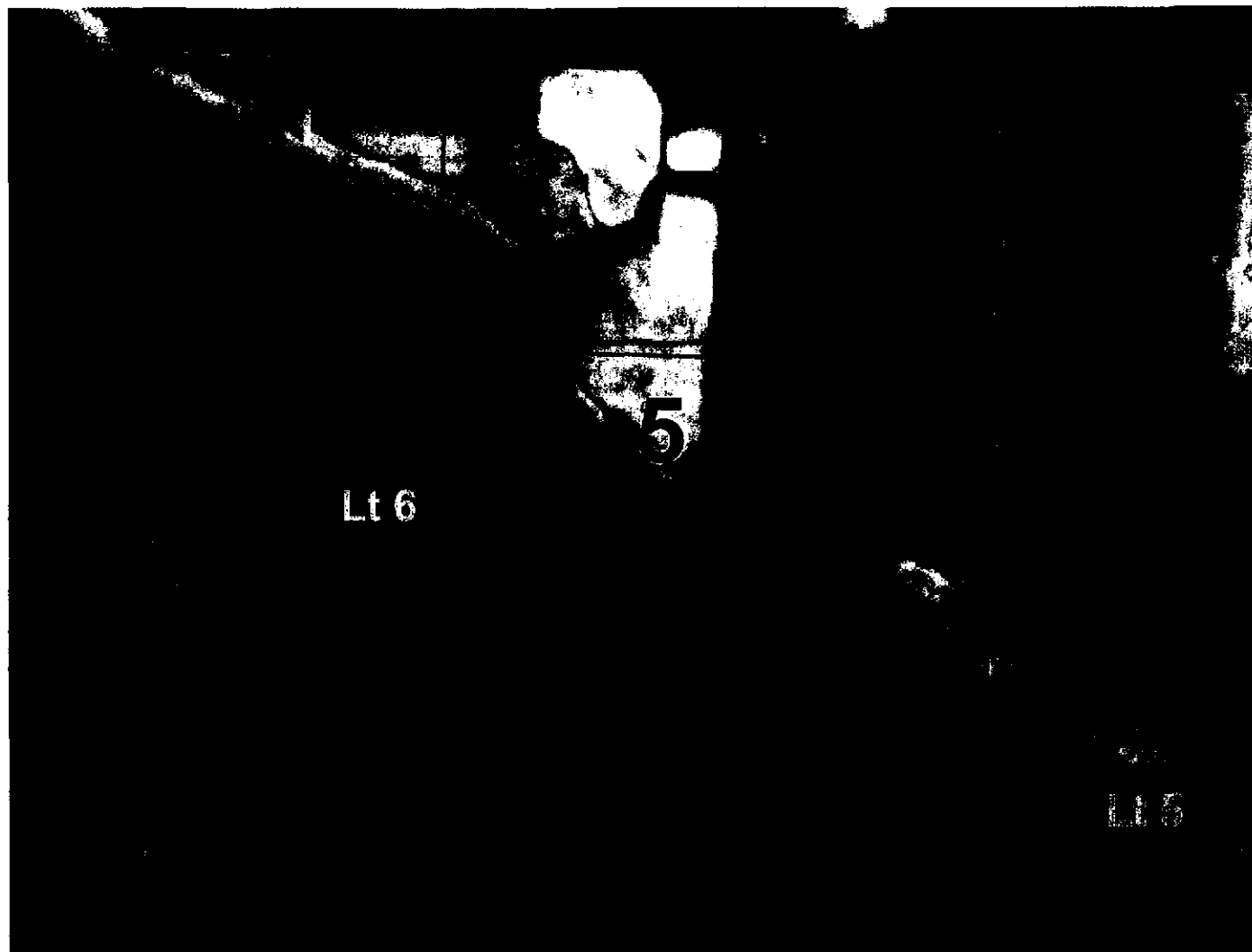
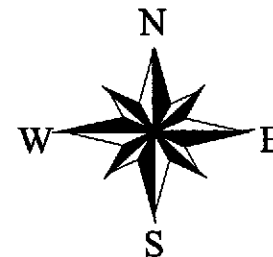
DATE: JANUARY 4, 2001

By: Mel Schulte

0 0.25 0.5 0.75 1 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

T06N, R02W, S5



1987 NAPP PHOTO

- POINT OF DIVERSION
- ▭ PLACE OF USE
- ▭ 1/4 1/4 LINES
- ▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

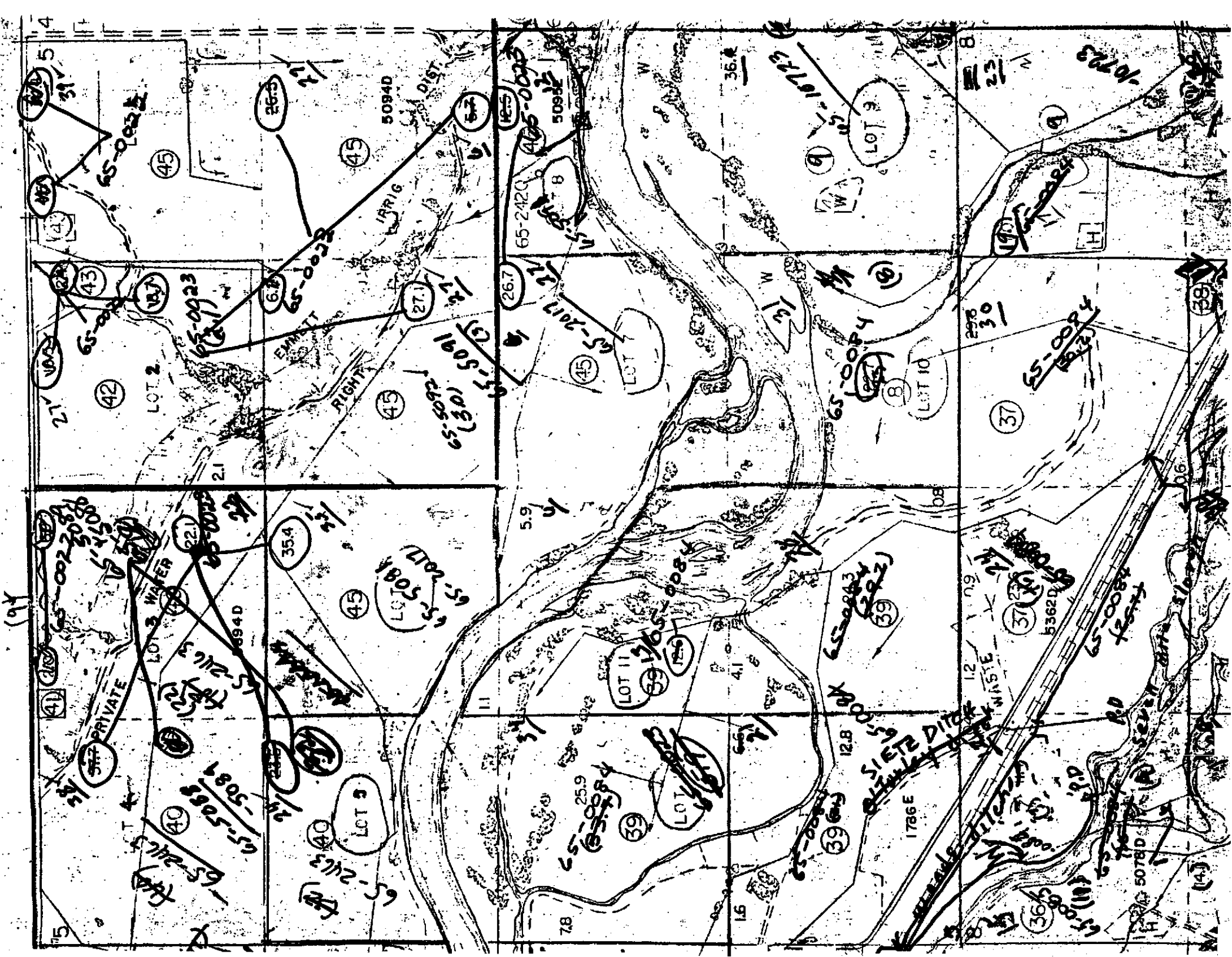
CLAIM(S): 65-02017B 65-22303

OWNER(S): CONRAD, LARRY

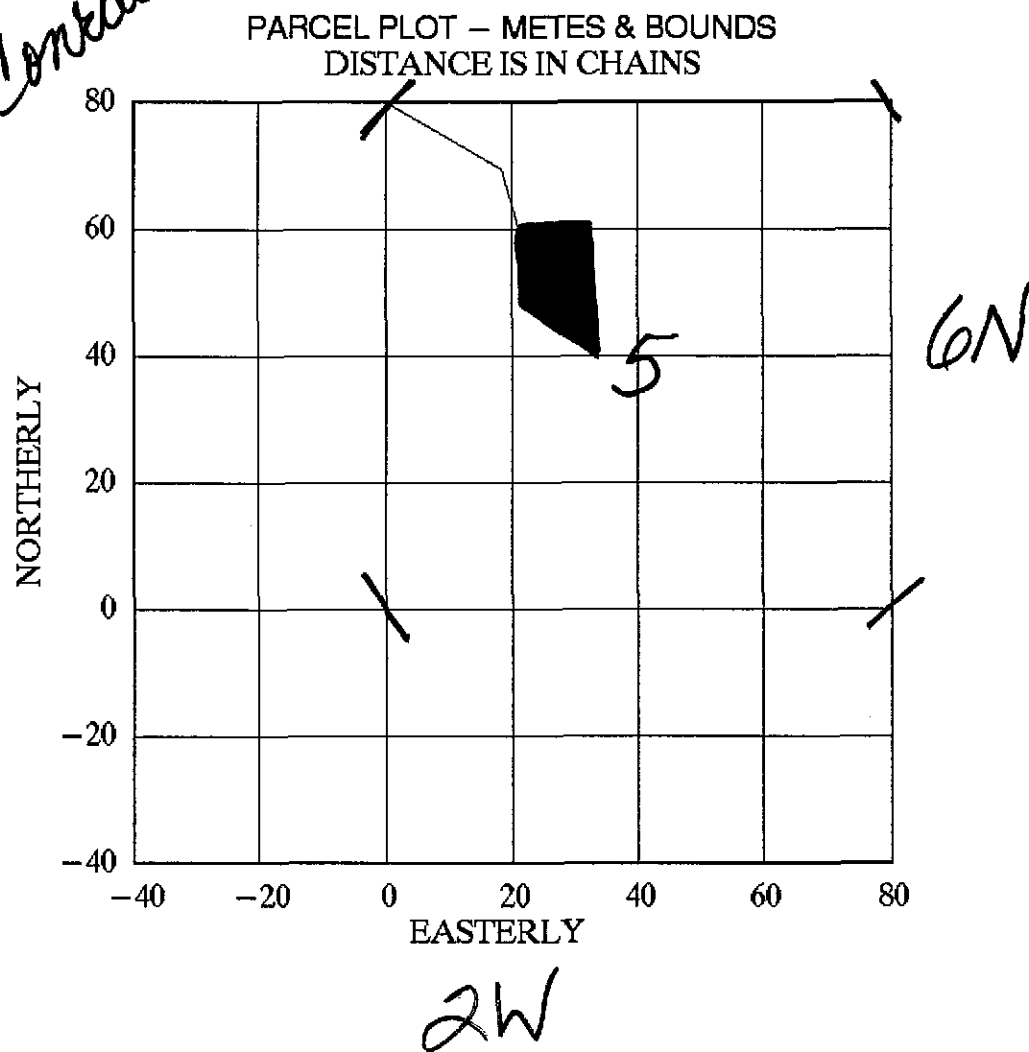
DATE: JANUARY 4, 2001

By: Mel Schulte





per Title Insurance
Ac'd 4-22-96
for Larry Contad. A65-02017B



X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
		DEGREES	MINUTES	SECONDS		
0.00	80.00					
18.42	69.47	60.00	15.00	0.00	SE	1400.00
21.00	60.35	15.00	47.00	0.00	SE	626.00
32.40	60.97	86.00	51.00	0.00	NE	754.00
33.54	39.62	3.00	3.00	0.00	SE	1411.10
26.21	45.11	53.00	11.00	0.00	NW	604.10
21.60	48.34	55.00	0.00	0.00	NW	372.00
21.04	60.21	2.00	42.00	0.00	NW	784.00



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

May 11, 1990

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Larry William Conrad
2604 Parkhaven Ct.
Plano, TX 75075

RE: Notice of Claim to a Water Right
Gem County - #A65-02017

Dear Mr. Conrad:

We are returning your Notice of Claim filed for your property in Gem County. There are several items which you may wish to modify.

Your basis of claim is a water right which was decreed in the Payette Drainage Adjudication. If water rights from that adjudication are claimed as they were decreed, they are exempt from fees. However, the claim you have submitted reflects the following changes:

Item 2: Date of Priority

Item 4: Point of Diversion

Item 6: Rate of Diversion (original right for 2.00 cfs applied to 113 acres; 19-acre portion would be .3363)

If you choose to have the changed date of priority and point of diversion, a filing fee of \$69 must accompany the claim.

We have enclosed a "Proof Report" of the originally decreed right which reflects the information on file for Water Right 65-02017. If you have any questions or need assistance, please do not hesitate to contact this office. If these documents are returned to this office, modified and/or with fees, if appropriate, by June 11, 1990, late fees will not be assessed.

Sincerely,

for *John H. Shaff*
Donald V. Shaff
Manager, Adjudication Section

DVS:HHT:sf:state

Enclosures:

Notice of Claim

Proof Report

Instructions (long form)

MICROFILMED

AUG 03 1994

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

A65-02017

Date Received

Receipt Number

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JAN 8 1998
No Check Received
Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) LARRY WILLIAM CONRAD Phone (214) 596-8437

Mailing Address 2604 PARKHAVEN CT, PLANO, TEXAS Zip 75075

2. Date of Priority (Only one (1) per claim) 05/28/1925

3. Source of water supply (a) BAINES GULCH
which is tributary to (b) PAYETTE RIVER

4. a. Location of existing point of diversion is: Township 06N Range 02W Section 4,
EAST ^{1/2} of SE 1/4 of NW 1/4, Govt. Lot, 6 B.M., County of GEM

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

MICROFILMED

AUG 03 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3/15 to 11/15 amount _____ or .630

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .630 (cfs) and/or (b) ~~1.630~~ (acre feet)

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

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

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
06N	02W	4														19			19

Total number of acres irrigated 19

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

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

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

14. Remarks: Filing for ^{only} portion of original water right

MICROFILMED

AUG 03 1994

Last Name CONRAD Ident No. X

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

PAYETTE
RIVER
BECON
AVE ROAD

Section 5

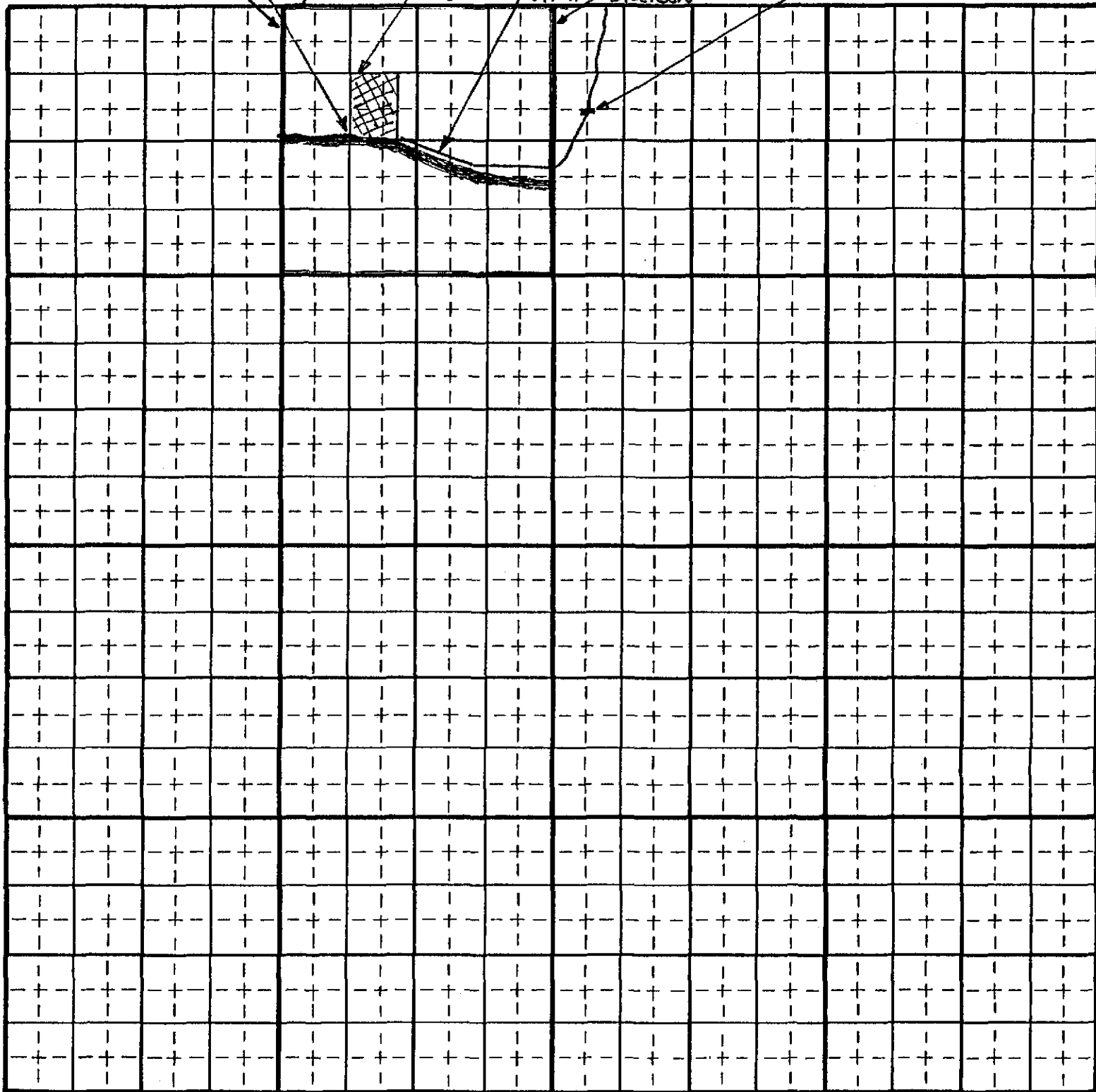
19 ACRES under water

IDAHO BLVD
ROAD

BAINES
GULCH
DITCH

BIG 4
ROAD
DIVERSION

BAINES GULCH
DIVERSION



MICROFILMED

AUG 03 1994

Last Name CONRAD

Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 65-02017
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) Larry William Conrad Date 1-4-90
Deborah B Conrad Date 1-4-90

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 4th day of January 19 90

SEAL

Notary Public

Residing at

My Commission Expires

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

LARRY ECHOHAWK
Attorney General

DANIEL L. STECKEL
Deputy Attorney General
Department of Water Resources
Statehouse
Boise, Idaho 83720-9000
(208) 327-7900

RECEIVED

FEB 19 1993

Department of Water Resources

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	)	CIVIL NO. 3667
TO THE USE OF SURFACE AND	)	
GROUNDWATERS OF THE PAYETTE	)	STIPULATION RESOLVING
RIVER DRAINAGE BASIN	)	OBJECTIONS TO WATER
	)	RIGHT NOS. 65-02017,
	)	65-05091, 65-05092

The Director of the Idaho Department of Water Resources, R. Keith Higginson and R. Richard Frasier and Fonda E. Frasier, by and through counsel, stipulate as follows:

1. That water right claim Nos. 65-02017, 65-05091, and 65-05092, be accepted and included in the Proposed Finding of Water Rights in the Payette River Drainage as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

2. That R. Richard Frasier and Fonda E. Frasier withdraw all pending objections, including those based on the objection filed by Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown in July 1982, in the above captioned matter.

DATED this _____ day of _____, 1993.

LARRY ECHOHAWK
Attorney General

DANIEL L STECKEL
Deputy Attorney General
Department of Water Resources

DATED THIS 18th day of February, 1993.

Louie Gorrone
LOUIE GORRONE
Attorney for R. Richard Frasier
and Fonda E. Frasier

The above stipulation having come before the court, it is
hereby approved this _____ day of _____, 1993.

JAMES R. DOOLITTLE
District Judge

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: UNNAMED STREAM		TRIBUTARY: PAYETTE RIVER				
65-05092	FONDA E. FRASIER R. RICHARD FRASIER 1111 BIG 4 AVE. EMMETT ID 83617	04/01/1946	IRRIGATION	03-15 11-15	.06 CFS	BENEFICIAL USE
TOTAL QUANTITY:					.06 CFS	
POINT OF DIVERSION: T06N R02W S05 LOT 2 (NWNE)						
PLACE OF USE: IRRIGATION						
T06N R02W S05 SWNE 3.0 3.0 ACRES TOTAL						
REMARKS: USE OF THIS RIGHT WITH RIGHT NO. 65-02017 & 65-05091 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.95 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 113 ACRES IN A SINGLE IRRIGATION SEASON.						

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: **A65-02017B**
Date Received: 1/ 8/1990
Receipt No: X999999
Received By: _____

Corrected

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

1. Name: LARRY WILLIAM CONRAD 214-596-8437
Address: 2604 PARKHAVEN CT
PLANO TX 75075

2. Date of Priority: NOV 17, 1904

3. Source: BAINE GULCH Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	02W	4	SE	NW		6	GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.630		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	02W	5	SE	NW	6	IRR	19.0
Section Acres							19.0
Total Acres							19.0

*corrected plu-
kw
7/15/96*

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

FILING FOR ONLY A PORTION OF ORIGINAL WATER RIGHT.

CORRECTED CLAIM PREPARED PURSUANT TO MAP ATTACHED TO ORIGINAL CLAIM AND SUBMITTAL OF TITLE INSURANCE POLICY WHICH VERIFIED P/U TO BE WITHIN SENW (GL6), S05, T06N, R02W. KW 7/15/1996

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ____ do not ____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

GEM COUNTY TITLE COMPANY

PHONE 365-4121

EMMETT, IDAHO

RECEIVED

APR 22 1996

WATER RESOURCES
WESTERN REGION

July 13, 1973

Our Order #3-8052

First Security Bank
Escrow Department
P. O. Box 157
Emmett, Idaho 83617

Gentlemen:

Enclosed is a new Purchaser's Policy of title insurance #3-8213, Order #3-8052, to replace the one you now hold, for the reason that the property description has been amended to coincide with a new survey made, and the amount of the sale price has been changed to reflect the change in the amount of land sold.

Very truly yours,

GEM COUNTY TITLE COMPANY

By *Flarence J. Russell*
Manager

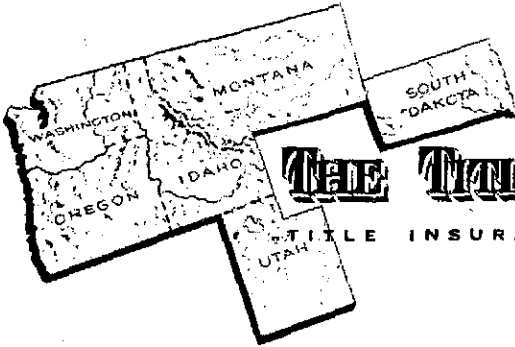
Encl.
FIR/kd

cc: Richard C. Conley
Route 2, Box 72
Emmett, Idaho 83617

Policy of Title Insurance

Order #3-8052
Larry Conrad

Issued By



THE TITLE INSURANCE COMPANY

TITLE INSURANCE BUILDING • BOISE, IDAHO

RECEIVED

APR 22 1996

WATER RESOURCES
WESTERN REGION

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS CONTAINED IN SCHEDULE B AND THE PROVISIONS OF THE CONDITIONS AND STIPULATIONS HEREOF, THE TITLE INSURANCE COMPANY, a corporation (incorporated under the laws of the State of Idaho), herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the amount of insurance stated in Schedule A, and costs, attorneys' fees and expenses which the Company may become obligated to pay hereunder, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested otherwise than as stated therein;
2. Any defect in or lien or encumbrance on such title;
3. Lack of a right of access to and from the land; or,
4. Unmarketability of such title;

and in addition, if a mortgage is referred to in Schedule A as the insured mortgage, by reason of:

5. The invalidity or unenforceability of the lien of the insured mortgage upon said estate or interest except to the extent that such invalidity or unenforceability, or claim thereof, arises out of the transaction evidenced by the insured mortgage and is based upon
 - a. usury, or
 - b. any consumer credit protection or truth in lending law;
6. The priority of any lien or encumbrance over the lien of the insured mortgage;
7. Any statutory lien for labor or material which now has gained or hereafter may gain priority over the lien of the insured mortgage, except any such lien arising from an improvement on the land contracted for and commenced subsequent to Date of Policy not financed in whole or in part by proceeds of the indebtedness secured by the insured mortgage which at Date of Policy the insured has advanced or is obligated to advance; or
8. Any assessments for street improvements under construction or completed at Date of Policy which now have gained or hereafter may gain priority over the insured mortgage.
9. The invalidity or unenforceability of any assignment, shown in Schedule A, of the insured mortgage or the failure of said assignment to vest title to the insured mortgage in the named insured assignee free and clear of all liens.

IN WITNESS WHEREOF, THE TITLE INSURANCE COMPANY has caused this policy to be signed and sealed by its duly authorized officers as of Date of Policy shown in Schedule A.

This policy not valid unless countersigned by

Gem County Title Company
By Florence I. Rossow

GEM COUNTY TITLE COMPANY

By *Florence I. Rossow*

kd **Title Officer**
Copyright 1970 American Land Title Association
ALTA Single Form Policy-1970 with
ALTA Endorsement-Form 1 coverage

FORM 300

THE TITLE INSURANCE COMPANY

By

George Russell
President

Attest

J.M. Epeneter
Secretary

SCHEDULE A (Owners-Purchasers-Lessee)

April 20, 1973 at 5 P.M.

Amount of Insurance: \$ 17,480.00

Name of Insured: LARRY CONRAD.

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APR 22 1996

WATER RESOURCES
WESTERN REGION

2. The estate or interest in the land described herein and which is covered by this policy is **fee simple**.

3. The estate or interest referred to herein is at Date of Policy vested in:

RICHARD C. CONLEY and DORA CONLEY, husband and wife,
presumptively as community property.

4. The land referred to in this policy is described as follows:

A tract of land in Government Lot 6, Section 5, Township 6 North, Range 2 West, B.M., Gem County, Idaho, described as follows:

Beginning at the Northwest corner of Section 5, T. 6 N., R. 2 W., B.M.; run thence
South 60°15' East 1400 feet; thence
South 15°47' East 626 feet to a point (which is also the
Northwest corner of Government Lot 6) the real point of
beginning; thence
North 86°51' East 754 feet to an existing fence; thence
following said existing fence line,
South 3°03' East 1411.1 feet to the rock levy on the North
bank of the Payette River; thence
North 53°11' West 604.1 feet; thence
North 55°00' West 372 feet; thence
North 2°42' West 784 feet to the real point of beginning.

SCHEDULE B (Standard)

This policy does not insure against loss or damage by reason of the following:

1. Rights or claims of persons in possession or claiming to be in possession, easements, liens or encumbrances including material or labor liens, which are not shown by the public records; reservations in patents or state grants; or in acts authorizing the issuance thereof; mineral rights, water rights, claims or title to minerals or water.
2. Questions of location, boundary and areas; overlaps and encroachments by improvements belonging to these or adjoining premises; all dependent upon actual survey for determination.
3. Assessments which are not shown as existing liens by the public records; taxes not yet payable; pending proceedings for vacating, opening or changing streets or highways preceding entry of the final ordinance or order therefor.

4.

General taxes for the year 1973, which are liens, but not yet due or payable.

5.

General taxes for the year 1972, of which the first half is paid; the second half is a lien.

6.

Liens, levies and assessments of Emmett Irrigation District, and the rights, powers and easements of said district as by law provided. No delinquencies appear in the County Records office.

7.

Contract executed by the United States of America, and Black Canyon Irrigation District, dated October 3, 1927, recorded January 7, 1928, in Book 2 of Bonds and Agreements, at page 326, records of Gem County, Idaho, which contract, for your information, contains the following: "Pursuant to the provisions of said Reclamation law, no part of the water supply furnished through the irrigation works to be constructed under this contract shall be delivered to more than 160 acres in the ownership of any one person, except as provided in Article 36 hereof."

8.

Reservations in State Deed dated March 20, 1961, recorded April 4, 1961, in Book 40 of Deeds, as Instrument #81915, records of Gem County, Idaho, as follows: "Subject to the provisions of Section 58-604, Idaho Code, as amended by Chapter 44, 1951 Session Laws; which grants over all lands belonging to the State a right of way for ditches constructed by authority of the United States; and to the provisions of Section 47-701, Idaho Code, reserving to the State all mineral rights in lands sold subsequent to the 8th day of May, 1923."

(continued)

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APR 22 1996

WATER RESOURCES
WESTERN REGION

RECEIVED

APR 22 1996

WATER RESOURCES
WESTERN REGION

Page 5

Policy No. 3-8213

Order No. 3-8052

SCHEDULE B CONTINUED

9.

Provisions of Easement Deed dated February 15, 1965, executed by Walter W. and Irene L. Conrad, to Gem County, a municipal corporation, recorded February 19, 1965, as Instrument #89424, records of Gem County, Idaho, granting, among other things, a perpetual easement and right of way to build, construct, reconstruct, and repair levees, embankments, revetments, canals, and any incidental works appurtenant thereto, on Gov't. Lots 6 and 7 and 8, Sec. 5, T. 6 N., R. 2 W., B.M.

10.

Agreement between Ira L. Burton and D. W. Simmons, dated May 28, 1925, recorded September 8, 1943, in Book 3 of Bonds and Agreements, at page 508, (9-49212); records of Gem County, Idaho, as to mutual ownership, use, and maintenance of irrigation ditch commencing near the SE corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 5, Twp. 6 N., R. 2 W., B.M.

11.

Any claim arising from the difference in the mean high water line of the Payette River and the meander line as shown by the Government Survey.

12.

Any loss occasioned for determination of boundary line of the Southerly line of the land shown vested in Conley.

13.

Lack of a right of access to and from the land. Right of access to and from the land, if any, is not established of record and assurance of such right of access is excluded from coverage of this policy.

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: A65-02017B
Date Received: 1/ 8/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LARRY WILLIAM CONRAD 214-596-8437
Address: 2604 PARKHAVEN CT.
PLANO TX 75075

2. Date of Priority: NOV 17, 1904

3. Source: BAINE GULCH Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	02W	4	SE	NW		6	GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.630		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	02W	5	NW	SE		IRR	19.0

Section Acres 19.0

Total Acres 19.0

A65-02017B

Page 1

Date: 10/16/91

MICROFILMED

AUG 03 1994

AUG 03 1994

State of Idaho)
County of) SS.
_____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

Date Received

Receipt Number

A65-02017B

7-11-90

X 999999

RECEIVED
JUL 11 1990

Department of Water Resources

NOTICE OF CLAIM
TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED
JAN 8 1990No Check Received
Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) LARRY WILLIAM CONRAD Phone (214) 596-8437Mailing Address 2604 PARKHAVEN CT, PLANO, TEXAS Zip 750752. Date of Priority (Only one (1) per claim) 05/28/1925 - 11/17/19043. Source of water supply (a) BAINES GULCH
which is tributary to (b) PAYETTE RIVER4. a. Location of existing point of diversion is: Township 06N Range 02W Section 4,
EAST $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot, 6 B.M., County of GEM

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of __________ $\frac{1}{4}$, Govt. Lot _____ B.M., County of _____5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. _____

MICROFILMED

AUG 03 1994

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

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

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

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

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

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3/15 to 11/15 amount _____ or .630

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .630, 3363 (cfs) and/or (b) ~~1.630~~ (acre feet)

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

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

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
06N	02W	4														19			19

Total number of acres irrigated 19

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

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

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

14. Remarks: Filing for ^{original} portion of original water right

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AUG 03 1994

Last Name CONRAD Ident No. X

Copies: White -State, Yellow-Claimant

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

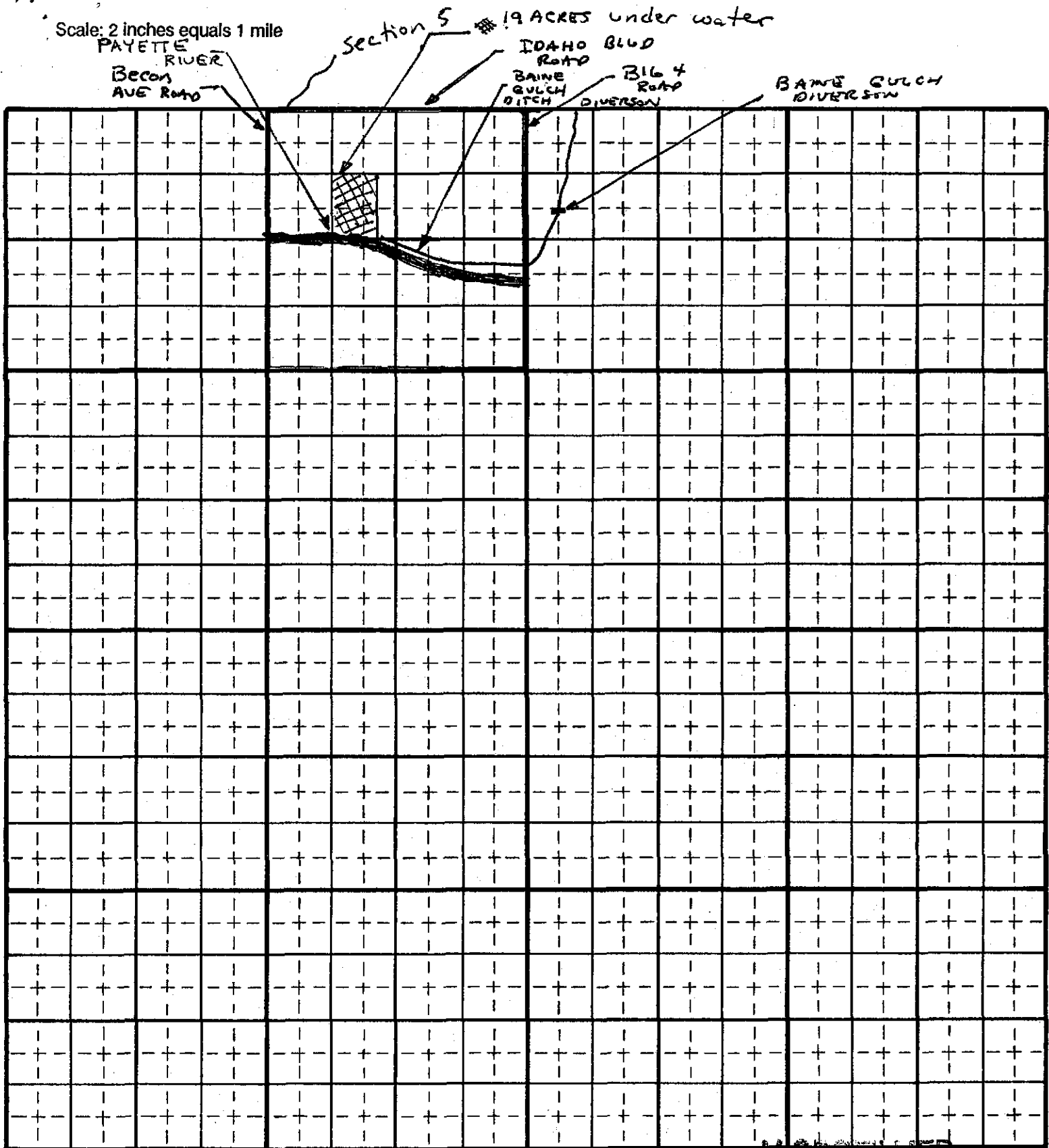
If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water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

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

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

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

Scale: 2 inches equals 1 mile



MICROFILMED

AUG 03 1994

Last Name CONRAD

Ident No. _____

Copies: White-State, Yellow-Claimant

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

Decree ☒

If applicable provide IDWR Water Right Number 65-02017

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Larry William Conrad Date 1-4-90

Deborah B Conrad Date 1-4-90

For Organizations: I do solemnly swear or affirm that I am _____

of _____ Title _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 4th day of January 19 90

SEAL

Notary Public Carolyn R Farber

Residing at Emmett, Idaho

My Commission Expires 1-14-1994

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

MICROFILMED

AUG 03 1994

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME ConradCLAIM IDENT. NO. AGS-020173DATE RECEIVED 7/11/90CK # Rec # X999999AMOUNT \$ N/A

YES

NO

Required
Info?

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

Deemed as org. decided

MICROFILMED

AUG 03 1994

Claim checked by: _____

Date: _____

Claim must be returned to claimant: _____

(Yes) (No)

Claimant must be notified of modifications: _____

(Yes) (No)

Receipt Prepared by: _____

Claim data entered by: _____

Sent to claimant by: _____

Date: _____

Date: _____

Date: _____

Checked by: _____

Date: _____

Comments: Deemed not being changed: Date of Priority, P/D, P/UNeed fees

09/19/78 D.R.T.

* MACALLISTER'S MODIFICATION OF MORITZ *
* LOSS CALCULATION FOR *
* THE BAINE GULCH DITCH 2463, 11244, 2437, 2017, *
* WATER RIGHT NO. MANY 5091 *

Q DIVERTED: 5.93
Q DELIVERED: 5.10
PERCENTAGE LOSS: 16.3

TYPE OF SOIL: SANDY LOAM
SOIL CONSTANT= 1.50 (FEET/DAY)
LENGTH OF HEAD OF DITCH: .00
LENGTH OF DELIVERY SECTION: 1.50

LOSS TABLE FOR DELIVERY

MILE	Q (CFS)	LOSS (CFS)	Q DELIVERED (CFS)
1.00	1.88	.65	3.40
1.50	.00	.19	1.70

NO MORE CFS ON THIS LK. THE DITCH LOSS IS ^{TO} ~~ON~~ THESE LANDS IS
ACCOUNTED FOR IN RT-5091

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

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**

65-2017	
I.D. No.	Map No.
\$	
Fee Paid	Receipt No.

Notice is hereby given that R. Richard and/or FONDA E. FRASIER
Richard Frasier

Route 2, Emmett, ID 83617
(Mailing Address)

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) November 17, 1904

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) ~~emerald slough~~ BAINE GULCH tributary to 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 2.0 Use irrigation Period of Use From Mar. 15 To Nov. 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) 2.0 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

- (5) A) Point of Diversion: Give location of point where water is diverted from its source _____
 Sec. 4 ✓, Twp. 6N ✓, Rge. 2W ✓, B.M., Gem NE 1/4 SW 1/4
 Additional Points:

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. Describe any changes in the system and give the date of the change. _____

- (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					
FW	2W	5	Original License				(Lot 4)				(Lot 8)				(Lot 7)								
		5	25 13				35 35				12 39				75 147				90				
			27 6												12 6				19				
(IMPLIED TRANSFER)			Transferred to				(Lot 4)				(Lot 5)				(Lot 8)				(Lot 7)				
UN	2N	5	27 6				35 35								12 39				12 39				12 39
							(35 35)								(27 6)				(Total no. of acres)				12 39

- 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 This right was originally claimed as a portion of 65-5091. No signature necessary. DRT 9-26-77 SEE 65-5091 FOR LOSS PORTION
- (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. 65-2017

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)

(Date)

State of

Organization

County of _____

Seal

Organization

(Signature of Spouse)

(Signature of Authorized Agent)

On this _____ day of _____, in the year 2018 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.

My commission expires

Notary Public residing at

95N

1/31/78 DEF 3-6-78

65-2017

Town- ship	Ran- ge	Sec	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS,
			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 $\frac{1}{4}$	
6N	2W	5	-		27	6		116 35	116						12	7 33		143	

LARRY ECHOHAWK
Attorney General

DANIEL L. STECKEL
Deputy Attorney General
Department of Water Resources
Statehouse
Boise, Idaho 83720-9000
(208) 327-7900

RECEIVED

FEB 19 1993

Department of Water Resources

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	)	CIVIL NO. 3667
TO THE USE OF SURFACE AND	)	
GROUNDWATERS OF THE PAYETTE	)	STIPULATION RESOLVING
RIVER DRAINAGE BASIN	)	OBJECTIONS TO WATER
	)	RIGHT NOS. 65-02017,
	)	65-05091, 65-05092

The Director of the Idaho Department of Water Resources, R. Keith Higginson and R. Richard Frasier and Fonda E. Frasier, by and through counsel, stipulate as follows:

1. That water right claim Nos. 65-02017, 65-05091, and 65-05092, be accepted and included in the Proposed Finding of Water Rights in the Payette River Drainage as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

2. That R. Richard Frasier and Fonda E. Frasier withdraw all pending objections, including those based on the objection filed by Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown in July 1982, in the above captioned matter.

DATED this _____ day of _____, 1993.

LARRY ECHOHAWK
Attorney General

DANIEL L STECKEL
Deputy Attorney General
Department of Water Resources

DATED THIS 18th day of February, 1993.

Louie Gorrone
LOUIE GORRONE
Attorney for R. Richard Frasier
and Fonda E. Frasier

The above stipulation having come before the court, it is
hereby approved this _____ day of _____, 1993.

JAMES R. DOOLITTLE
District Judge

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: BAINE GULCH			TRIBUTARY: PAYETTE RIVER			
65-02017	R. RICHARD FRASIER FONDA E. FRASIER 1111 BIG 4 AVE. EMMETT ID 83617	11/17/1904	IRRIGATION	03-15 11-15	2.00 CFS	LICENSE
	POINT OF DIVERSION: T06N R02W S04 LOT 5 (NWSW)					
	PLACE OF USE: IRRIGATION					
	T06N R02W S05 SWNE 27.0		SENE 6.0	Lot 6 (SENW)35.0	Lot 8 (NESE)12.0	
	Lot 7 (NWSE)33.0					
	113.0 ACRES TOTAL					
REMARKS:	USE OF THIS RIGHT WITH RIGHT NO. 65-05091 & 65-05092 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.95 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 113 ACRES IN A SINGLE IRRIGATION SEASON.					
	FOR RIGHT NOS. 65-02017 AND 65-05091 A DIVERSION RATE OF .034 CFS PER ACRE FOR 91 ACRES AND .02 CFS PER ACRE FOR 22 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.					
	THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-02437, 65-02463, 65-05091, AND 65-11249.					
65-05091	FONDA E. FRASIER R. RICHARD FRASIER 1111 BIG 4 AVE. EMMETT ID 83617	05/28/1925	IRRIGATION	03-15 11-15	1.95 CFS	BENEFICIAL USE
	POINT OF DIVERSION: T06N R02W S04 LOT 5 (NWSW)					
	PLACE OF USE: IRRIGATION					
	T06N R02W S05 SWNE 27.0		SENE 6.0	Lot 6 (SENW)35.0	Lot 8 (NESE)12.0	
	Lot 7 (NWSE)33.0					
	113.0 ACRES TOTAL					
REMARKS:	USE OF THIS RIGHT WITH RIGHT NO. 65-02017 & 65-05092 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.95 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 113 ACRES IN A SINGLE IRRIGATION SEASON.					
	FOR RIGHT NOS. 65-02017 AND 65-05091 A DIVERSION RATE OF .034 CFS PER ACRE FOR 91 ACRES AND .02 CFS PER ACRE FOR 22 ACRES AT THE FIELD HEADGATE IS INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.					
	THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-02017, 65-02437, 65-02463 AND 65-11249.					

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: UNNAMED STREAM		TRIBUTARY: PAYETTE RIVER				
65-05092	FONDA E. FRASIER R. RICHARD FRASIER 1111 BIG 4 AVE. EMMETT ID 83617	04/01/1946	IRRIGATION	03-15 11-15	.06 CFS	BENEFICIAL USE
TOTAL QUANTITY:					.06 CFS	
POINT OF DIVERSION: T06N R02W S05 LOT 2 (NWNE)						
PLACE OF USE: IRRIGATION T06N R02W S05 SWNE 3.0 3.0 ACRES TOTAL						
REMARKS: USE OF THIS RIGHT WITH RIGHT NO. 65-02017 & 65-05091 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.95 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 113 ACRES IN A SINGLE IRRIGATION SEASON.						



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

July 8, 1993

R. Richard Frasier
1111 Big 4 Ave.
Emmett, ID 83617

RE: Payette River Basin Adjudication

Dear Mr. Frasier,

This letter is in response to your telephone request on July 7, 1993. Apparently, some confusion has been created over the objection you filed in the Payette River Basin Adjudication before the Gem County Court. The proposed water rights capsulized below represent the apparently settled result to your objection in that adjudication. Resolving these water rights to the point of a decree awaits a couple of motions before the court the Department will make this year.

<u>Water Right No.</u>	<u>Priority Date</u>	<u>Amount (cfs)</u>
65-02017	11/17/1904	2.00
65-05091	05/28/1925	1.95
65-05092	04/01/1946	0.06

Use of these rights is limited to a total combined diversion rate of 3.95 cfs, a total combined annual consumptive use volume of 395.5 af, and to the irrigation of a combined total of 113 acres in a single irrigation season.

For right nos. 65-02017 and 65-05091 a diversion rate of .034 cfs per acre for 91 acres and .02 cfs per acre for 22 acres at the field headgate is included in the rate of diversion for the place of use described above.

I have limited the response to the contested water rights presuming you or other parties have adequate information about water rights that have already been decreed in the Payette adjudication. I hope you find this information helpful. If you have further questions, please don't hesitate to contact me.

Sincerely,


Donald V. Shaff
Manager, Adjudication Section

DVS:sf:state

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	R. RICHARD FRASIER	11/17/1904	IRRIGATION	03-15 11-15	2.00 CFS	
C	FONDA E. FRASIER 1111 BIG 4 AVE. EMMETT ID 83617 (208) 365-3868			TOTAL DIVERSION:	2.00 CFS	
Water Source: BAINE GULCH		Tributary to: PAYETTE RIVER			Stage: LICENSE	
Point(s) of Diversion:		T06N R02W S04 Lot05(NWSW)			GEM County	
Place of use Legal Description for: IRRIGATION						
NE NW SW SE						
NENE NWNE SWNE SENE : NENW NWNW SWNW SENW : NESW NWSW SWSW SESW : NESE NWSE SWSE SESE :						
T	R S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: SUM
06N	02W 5	: 27 06	: 06-35	: 08-12	07-33	: 113.0
TOTAL ACRES						113.0

POU County: GEM

Remarks: USE OF THIS RIGHT WITH RIGHT NO. 65-05091 & 65-05092 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.95 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 113 ACRES IN A SINGLE IRRIGATION SEASON.

FOR RIGHT NOS. 65-02017 AND 65-05091 A DIVERSION RATE OF .034 CFS PER ACRE FOR 91 ACRES AND .02 CFS PER ACRE FOR 22 ACRES AT THE FIELD HEADGATE IS INLCUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED ABOVE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-02437, 65-02463, 65-05091, 65-11249.

Dates: Exam Made Date: Verified Date:

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

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM			
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		
R6505091	T06N R02W S 5	BAINÉ GULCH																			
	:	27				06				06-35				08-12 07-33				113			
A6500084	PAYETTE RI :													12-34 21 11-41				10-23			
R6500084	PAYETTE RI :													12-34 21 11-41				10-23			
R6502017	BAINÉ GULC :	27 06				06-35				08-12 07-33								113			
A6502017A	BAINÉ GULC :	27 06				06-35				08-12 07-33								113			
A6502017B	BAINÉ GULC :													19				19			
A6502463	BAINÉ GULC :					03-22 04-38 05-24												84			
R6502463	BAINÉ GULC :					03-22 04-38 05-24												84			
A6505088	WASTE WATE :					03-22 04-38 05-24												84			
R6505088	WASTE WATE :					03-22 04-38 05-24												84			
A6505089	WASTE WATE :					03-22 04-38 05-24												84			
R6505089	WASTE WATE :					03-22 04-38 05-24												84			
A6505091	BAINÉ GULC :	27 06				06-35				08-12 07-33								113			
A6505092	UNNAMED ST :	03																3			
R6505092	UNNAMED ST :	03																3			
A6510723	PAYETTE RI :													10-08 09-36				44			
A6510724	PAYETTE RI :													09-01				1			



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

April 29, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

R. Richard Frasier
1111 Big 4 Avenue
Emmett, Idaho 83617

Re: Civil Case No. 3667 - Frasier, et al Objection 65-02017

Dear Payette River Water User,

In July 1982, Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown on behalf of themselves and others in the same class filed an Objection to the Findings with the Third Judicial District Court in the Payette River Basin Adjudication. The parties maintained the diversion rate recommended for their water rights and others from the Payette River were not correct for the "bottom lands" irrigated by those water rights.

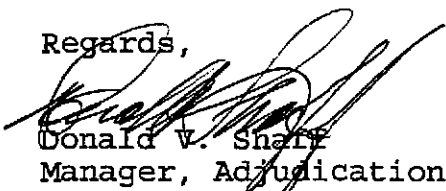
This group of water rights are among the last water rights remaining for decree in the Payette River Basin Adjudication. Most of the water rights were decreed on January 21, 1986 and in subsequent partial decrees.

Your water right referenced above was listed in the Proposed Finding with a diversion rate of 2.00 cubic feet per second (cfs). Having reviewed the data submitted by the parties and data and evidence obtained by the Department, the Department recommends a diversion rate of 2.00 cfs. If the amount of water is not proposed to change, data and/or evidence indicated a change was not justified.

The Department has made an effort to determine a fair and accurate diversion rate for each of the parties. If you disagree with the proposal above, please contact us by May 15, 1992. We hope to resolve any disputes that may exist before going to the court asking for a decree of your water right through a Motion for Summary Judgment.

A summary judgment allows the judge to make a decision without the time or expense of a trial when the facts are not disputed. Notice of this motion and the accompanying hearing will be provided to you 28 days before the hearing.

Regards,


Donald V. Sharr
Manager, Adjudication Section

DIVERSION RATE CALCULATIONS

Water Right No. 65-02017

Date 4/16/92

Initials JP

Soils	Acres		Rate (cfs/ac)		Rate (cfs)
Moulton	<u> </u>	x	0.034	=	<u> </u>
Letha	<u> </u>	x	0.029	=	<u> </u>
Other	<u> </u>	x	0.02	=	<u> </u>
Total	<u> </u>				<u> </u>

Conveyance Loss (see attached) =

TOTAL DIVERSION RATE = 2.00

Comments:

DIVERSION RATE LIMITED TO LICENSED
AMOUNT - SEE 65-05091



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

May 15, 1991

R. Richard Frasier
1111 Big 4 Avenue
Emmett, ID 83617

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Re: Civil Case No. 3667
Frasier, et al Objection 65-02017

Dear Payette River Water User,

In July 1982, Richard Frasier, William Conrad, Don Craig, Jay Sisler and Stan Brown on behalf of themselves and others in the same class filed an Objection to the Proposed Findings with the Third Judicial District Court in the Payette River Basin Adjudication. The parties maintained the diversion rate recommended for their water rights and others from the Payette River were not correct for the "bottom lands" irrigated by those water rights.

This group of water rights are among the last water rights remaining for decree in the Payette River Basin Adjudication, most of which were decreed on January 21, 1986. The water rights decreed in the Payette adjudication will be incorporated into the eventual decree in the larger Snake River Basin Adjudication (SRBA) now proceeding in the Fifth Judicial District, provided new claims have been filed in the SRBA. Otherwise the achievement of a decree in the Payette adjudication could be voided.

Your water right referenced above was listed in the Proposed Finding with a diversion rate of 2.00 cubic feet per second (cfs). You will find enclosed a two-page form that when completed by you will describe your water delivery system and irrigation methods. The information you supply is essential in order for the staff of the Department to evaluate your irrigation water requirements. Much of the information required is technical, and you may wish to contact the Soil Conservation Service or other professionals for assistance with the form.

To expedite the process to resolve the Frasier objection, please return the enclosed form within 45 days. Without the completed form, the Department will assume you agree with the water right described in the Proposed Finding with the diversion rate shown above.

Please contact me if you have questions about the matters set out above. Thank you for your patience in this process.

Regards,

Donald V. Shaff
Manager, Adjudication Section

CONVERSATION MEMORANDUM

DATE 8/29/86FILE 65-2017+65-5091NAME OF PARTY DICK FraserEMPLOYEE John H. Noyes

RE: ^{with} Talked Dick Fraser and he claims all his water is from Baine Sluck - The measurement taken was taken near his house, which is the entire amount of water for his place & approx 16 acres of H^m Canada. Fraser claims this year there was ample water, but in years past he has been short of water.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

7/1, 1986 DISCHARGE MEASUREMENT NOTES

Quinn Gulch River at Payette R. T J K N

Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY		Adjusted for hor. angle or -----	Area	Discharge
						At point	Mean in vertical			
2400	EW									
2470		1.3		55	30					
1440		1.4		56	30					
2410		1.4		46	30					
248										

Note: See printout for total Cfs
 We can use this source
 also for 10 acres next to the
 river.
 Measurement site = near house
 by gaging flow meter.

MEASUREMENT FOR WASTEWATER TR. PAYET.

PAGE 1

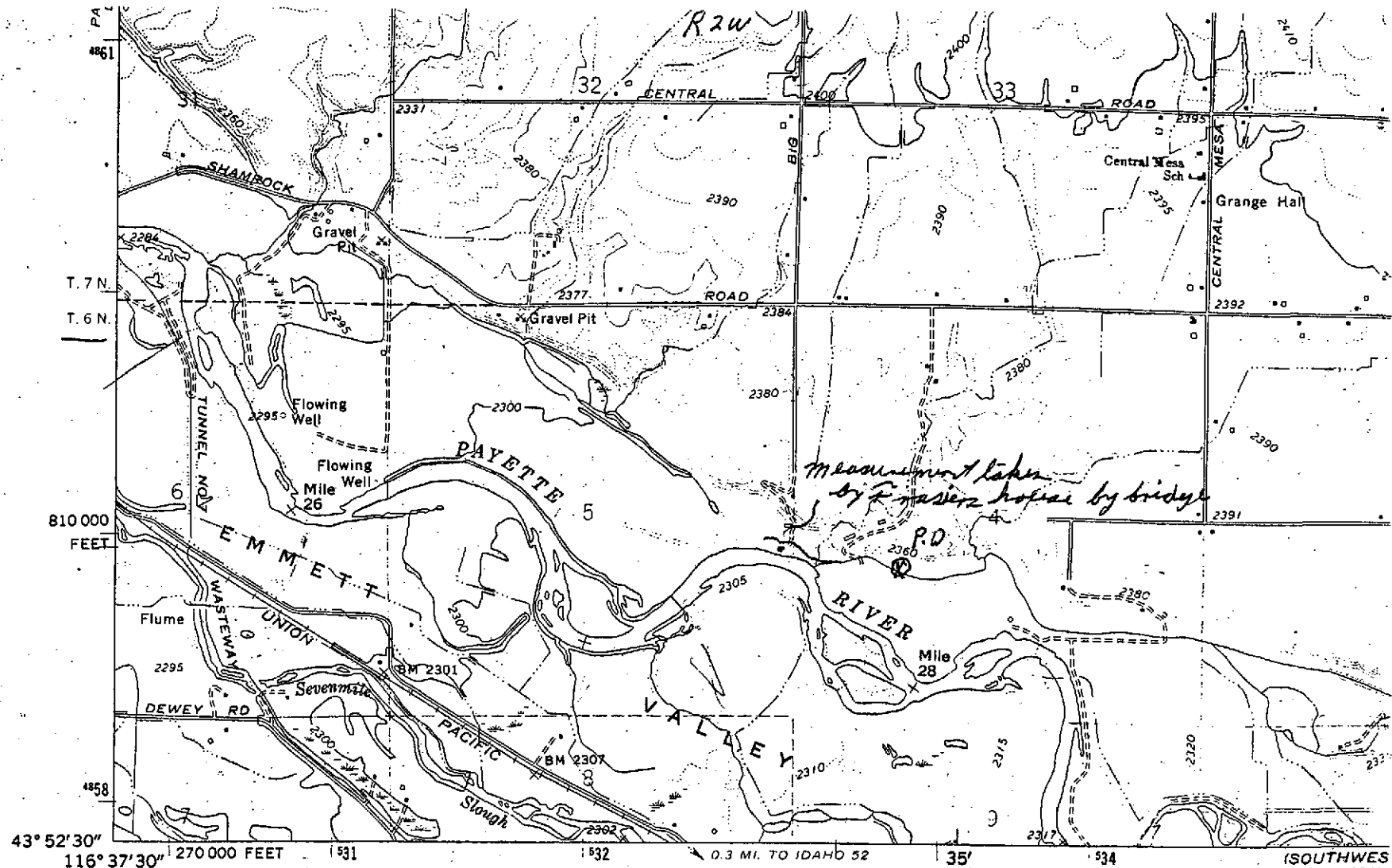
MEASUREMENT LOCATION DICK FRASER (CHECK)
 MEASURED BY JKN ON 07/01/86

LEGAL DESCRIPTION SEC TWP RNG
 V = .956N + .046

DISTANCE FROM INITIAL POINT FEET	DEPTH FEET	AREA SQ. FT.	REVOLUTIONS	TIME SEC	VELOCITY FT/SEC	DISCHARGE CFS
.000	.000	.000	0	.000	.000	.000
.700	1.300	1.365	55	30.000	1.799	2.456
1.400	1.400	.980	56	30.000	1.831	1.794
2.100	1.400	1.470	46	30.000	1.512	2.223
2.800	.000	.000	0	.000	.000	.000
TOTALS		<u>3.815</u>				<u>6.473</u>

Measurement made by bridge near Frasier house - maximum flow
 for ditch. P.D lot 5 NE SW Sec 4 T6N R2W.

Note: William Conrad also uses this water for his fields next to the river.
 Frasier water rights 65-2017 & 65-5092.



(SAND HOLLOW)
2671 / SW

Mapped, edited, and published by the Geological Survey

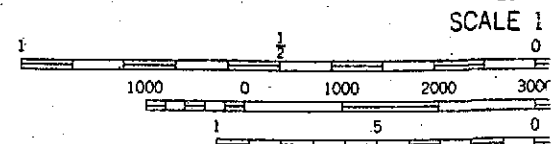
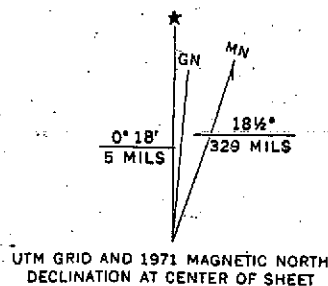
Control by USGS and USC&GS

Topography by photogrammetric methods from aerial photographs taken 1969. Field checked 1971

Projection and 10,000-foot grid ticks: Idaho coordinate system, west zone (transverse Mercator)
1000-meter Universal Transverse Mercator grid ticks, zone 11, shown in blue. 1927 North American datum

Red tint indicates areas in which only landmark buildings are shown

Fine red dashed lines indicate selected fence lines.



CONTOUR INTER
DOTTED LINES REPRESENT
DATUM IS MEAN

THIS MAP COMPLIES WITH NATION
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER.
A FOLDER DESCRIBING TOPOGRAPHIC MAPS

March 14, 1977

Mr. Richard Frasier
Route #2
Emmett, Idaho 83617

Dear Mr. Frasier:

Please find enclosed a form to claim your water right based upon the License #65-2017. It is necessary to complete this adjudication claim to file your right with the Third District Court. Otherwise, the Court has ordered all rights not claimed will be lost or forfeited.

Also enclosed is an instruction sheet for your use in filing this claim. In addition, you may wish to inspect the Court Order #3667 at the Gem County Courthouse.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

DONALD V. SHAFF
Water Resource Agent

DVS:lp

Enclosure

Canyon County *
Unnamed slough *
2. second feet *
Irrigation and domestic use *
Priority 11/7-1904 *

S T A T E O F I D A H O .

Water License No. 947.

-----0-----

WHEREAS, On the 17th day of November A.D.1904, FLORA M. SIMMONS, of Emmett, County of Canyon, and State of Idaho, duly made application (No.1316) to me for a permit to use 2 cubic feet per second of the waters of an unnamed stream, a tributary of Payette River, County of Canyon, State of Idaho, for irrigation and domestic purposes; and,

WHEREAS, On the 28th day of November A.D.1904, Permit No. 947, was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 28th day of November A.D.1905, and for the application to beneficial use of said water on or before the 28th day of November A.D.1908, and

WHEREAS, On the 18th day of November A.D.1905, the holder of said permit duly made proof of the completion of adequate works for the diversion of 2 cubic feet per second of said waters, as evidenced by my Certificate No. 947, dated December 1, 1905, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2 cubic feet per second of water, with date of priority of November 17, 1904, and

WHEREAS, On the 7th day of November A.D.1908, proof was duly made of the application to beneficial use of 2 cubic feet per second of said water;

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to FLORA M. SIMMONS, of Emmett, Idaho, the holder and owner of said Permit No. 947, a perpetual right, dating from November 17, 1904, to the use of 2 cubic feet per second of the waters of an unnamed slough, tributary of Payette River, County of Canyon, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the northeast quarter of southwest quarter of section 4, township 6 north, range 2 west of B.M., and conducted to and upon 18.72 acres in Lot 5; Sec. 4 14.94 acres in Lot 8; 10.60 acres in Lot 7; 35.90 acres in Lot 6, section 5; 3.18 acres in SE 1/4 NE 1/4; 25.3 acres in SW 1/4 NE 1/4 Section 5; all in township 5 north, range 2 west of the Boise meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water, may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 14th day of November,
A.D. Nineteen Hundred and eight.

Jas. Stephenson, Jr.

State Engineer.

(SEA)

Recorded November 14, 1908.