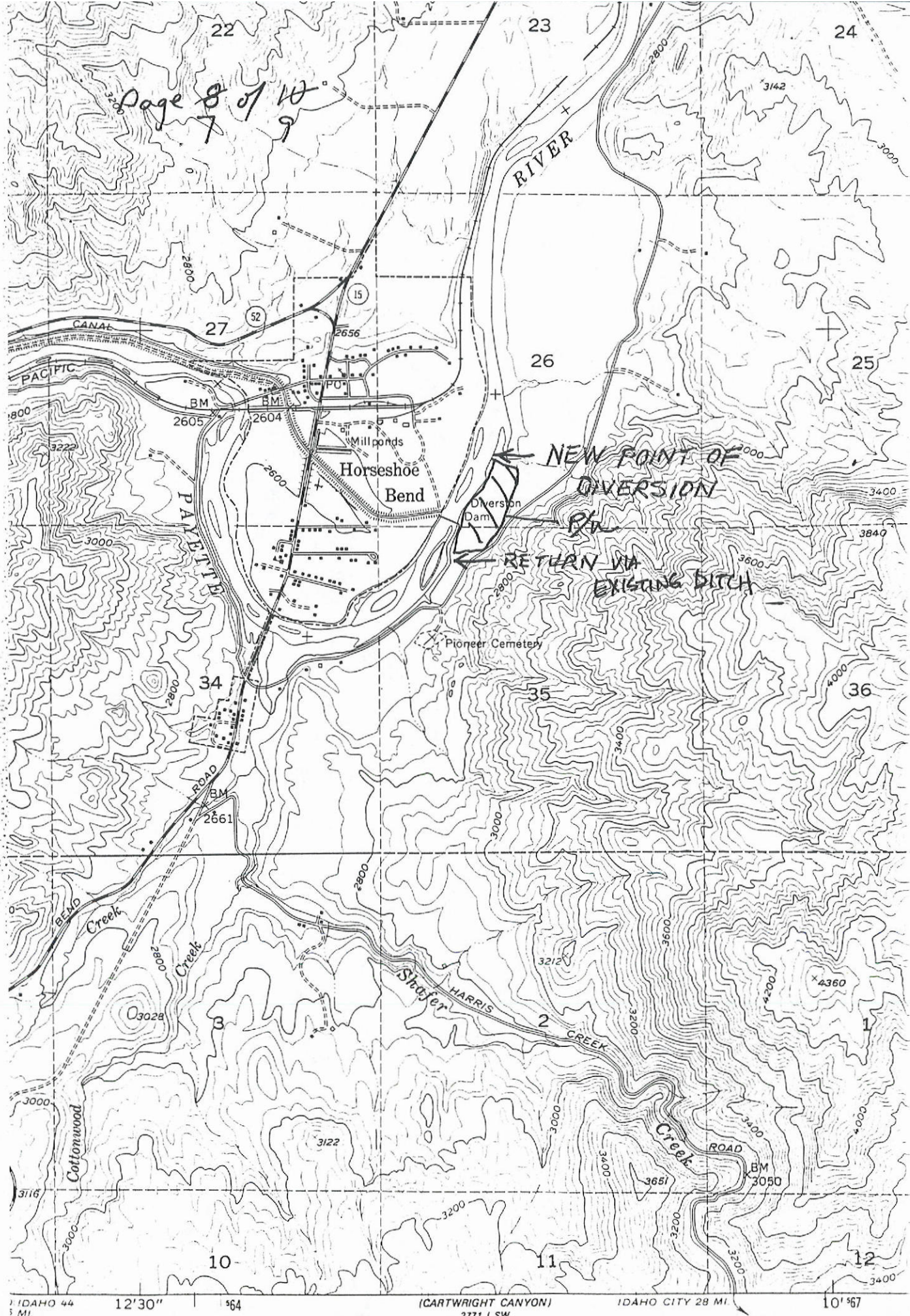






MICROFILMED  
OCT 18 1996

DOUBLE DIAMOND, INC.  
CURRENT  
E-147

HARLAN WOOD

E-142

DOUBLE DIAMOND, INC.

Hoffmann

69

52

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38

"B" file

$$\begin{array}{r} 34 \\ 27 \\ \hline \end{array}$$

E142

HARLAN WOOD

1.9

20

Hoff Lumber

Hoff Lumber

Hoff Lumber

Hoff Lumber

Roberts!

DOUBLE DIAMOND INC.

DOUBLE DIAMOND INC.

14-214

14-214

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6.8

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E-147

E-147

DOUBLE DIAMOND, INC

DOUBLE DIAMOND, INC

 $\overline{6.9}$  $\overline{6.9}$ 

5.2

5.2

3536

3536

5570

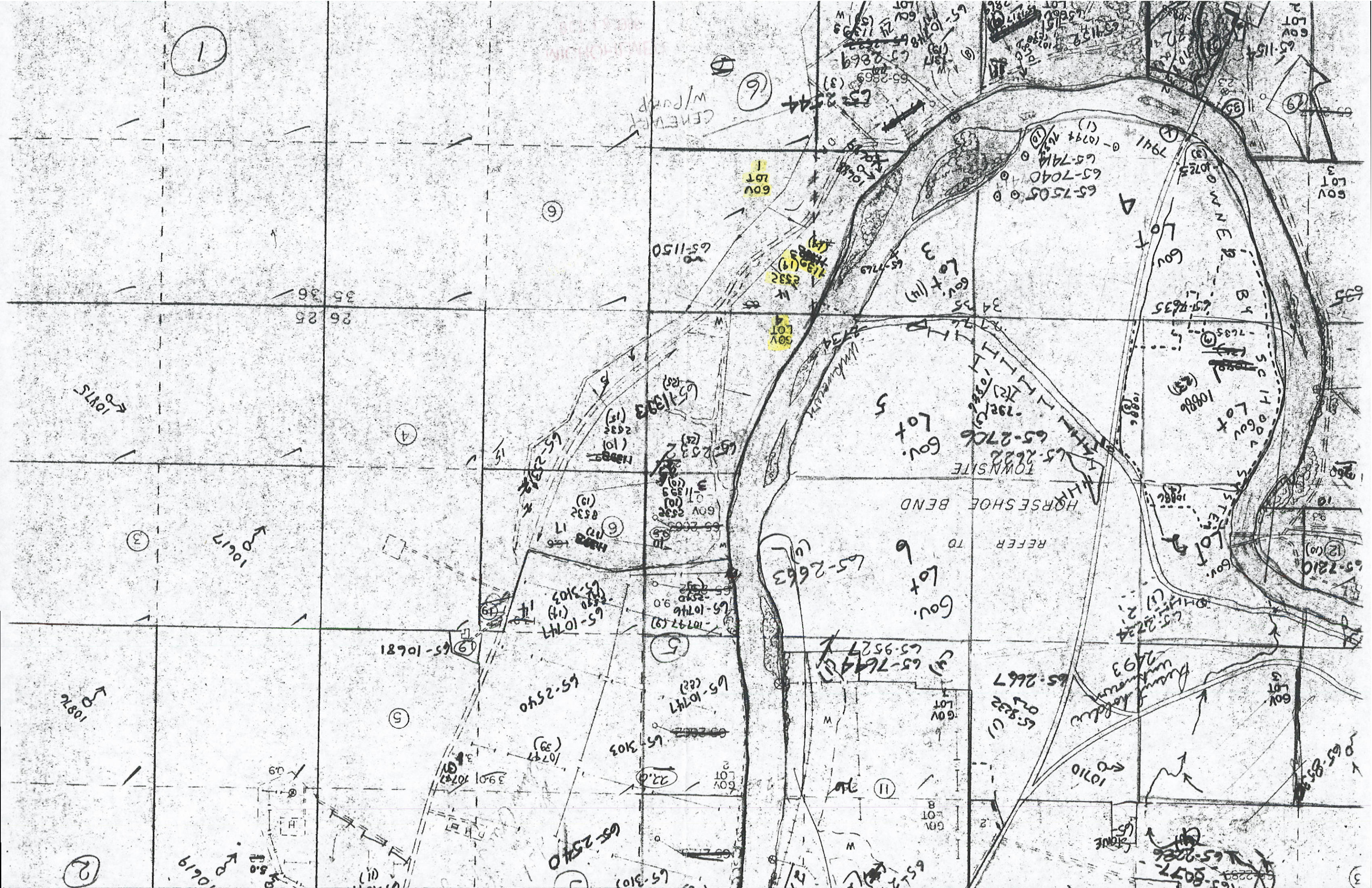
5570

2.2.3

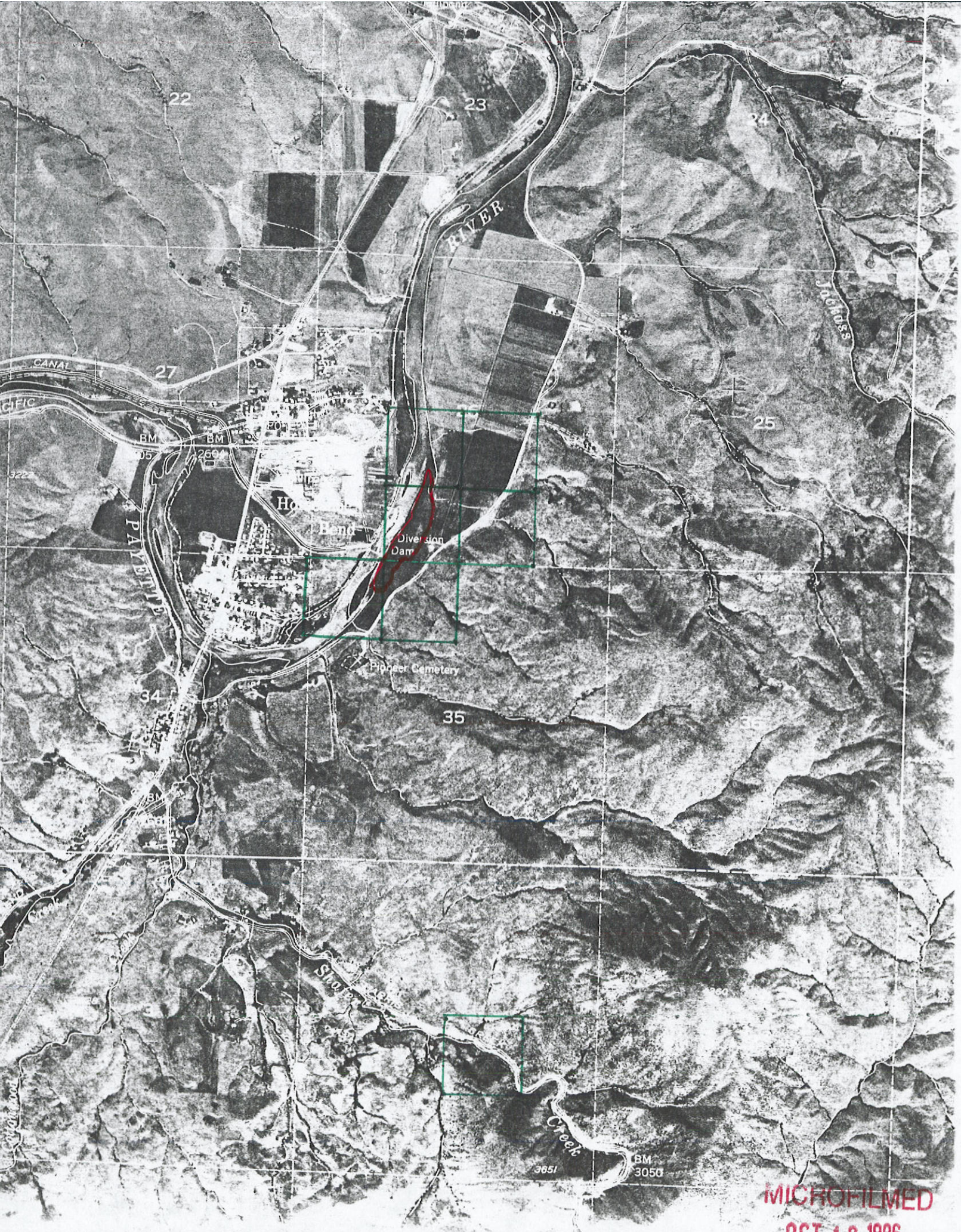
2.2.3

1500

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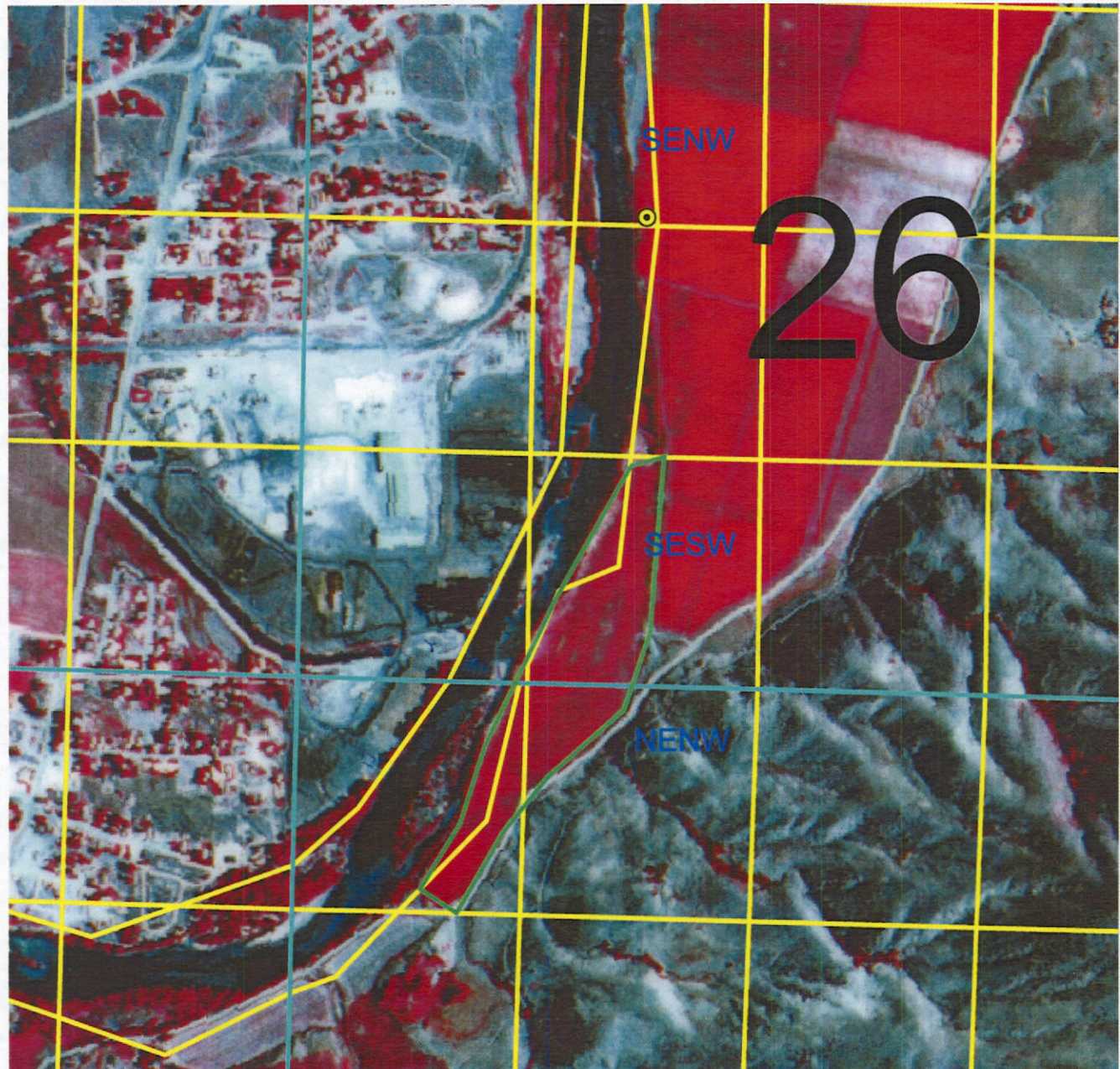




# Idaho Dept. of Water Resources

Claim No(s): 65-02532B  
T07N, R02E, S 26, 35  
Prepared by: Sue Bock  
Date: 07/11/2000

-  Place of Use
-  Point of Diversion
-  Section lines
-  1/4 1/4 lines



0

0.4

0.8 Miles 1987 NAPP Photo

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: **A65-02532B**  
Date Received: 5/23/1989  
Receipt No: X777777  
Received By: \_\_\_\_\_

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

1. Name: HORSHOE BEND HYDROELECTRIC CO 208-345-7515  
Address: PO BOX 2797  
1401 SHORELINE DRIVE  
BOISE ID 83701

2. Date of Priority: SEP 14, 1950

3. Source: PAYETTE RIVER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 07N      | 02E   | 26      | SE     | NW     |     | 2   | BOISE  |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.500 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 07N      | 02E   | 26      | NE     | SW  | 3   | IRR | 2.0   |
|          |       |         | SE     | SW  | 4   | IRR | 14.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 16.0  |
|          |       | 35      | NE         | NW  | 1 IRR         | 7.0   |
|          |       |         |            |     | Section Acres | 7.0   |
|          |       |         |            |     | Total Acres   | 23.0  |

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

ADDRESS CHANGED PER CLAIMANT LETTER. LH  
THIS RIGHT WHEN COMBINED WITH RIGHTS 65-1317 & 65-11393 SHALL  
PROVIDE NO MORE THAN .02 CFS/ACRE.  
THIS CLAIM IS A RESULT OF A CHANGE OF OWNERSHIP OF A65-02532  
BY MTS 5/20/1996, NO FEE REQUIRED

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

16. Signature(s)

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

Number of attachments: \_\_\_\_\_

**For Individuals:**

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

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) SS.

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

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

Western AJ

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**TRANSFER OF WATER RIGHT**

TRANSFER NO. 4978  
WATER RIGHT NO. 65-02532B

RECEIVED

AUG 20 1997

WATER RESOURCES  
WESTERN REGION

This is to certify that: **HORSESHOE BEND HYDROELECTRIC CO**  
**PO BOX 2797**  
**BOISE ID 83701**

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15       | 0.50 CFS              | 103.5 AF             |

| <u>SOURCE</u> | <u>TRIBUTARY OF</u> |
|---------------|---------------------|
| PAYETTE RIVER | SNAKE RIVER         |

Priority: 09/14/1950

LOCATION OF POINT(S) OF DIVERSION: Lot 2( SENW), Sec. 26, Township 07N, Range 02E  
BOISE County

PLACE OF USE: IRRIGATION

| <u>TWN</u>                       | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u>  | <u>ACRES</u>   | <u>ACRES</u> | <u>TOTAL</u> |
|----------------------------------|------------|------------|---------------|----------------|--------------|--------------|
| 07N                              | 02E        | 26         | Lot 3(NESW) 2 | Lot 4(SESW) 14 |              | 16           |
|                                  |            | 35         | Lot 1(NENW) 7 |                |              | 7            |
| Total number of acres irrigated: |            |            |               |                |              | 23           |

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
2. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

TRANSFER NO. 4978  
WATER RIGHT NO. 65-02532B

CONDITIONS OF APPROVAL AND REMARKS

5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 19<sup>th</sup> day of August, 1997.

J. Blum Saylor  
Chief, Water Allocation Bureau

MEMORANDUM

TO: FILE NO. 65-02532

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER NO. 4978

DATE: August 19, 1997

=====

Transfer No. 4978 adds a separate point of diversion for a portion of the acres under Right No. 65-02532, splitting right into parts A & B. The split also represents a change in ownership of the transferred acres.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include measuring device/watermaster control, irrigation overlap and standard transfer conditions.

of 109

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 4978

RECEIVED  
NOV 21 1996  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

WATER RESOURCES  
WESTERN REGION

Name of applicant HORSESHOE BEND HYDROELECTRIC CO. Phone (208) 345 7515

Post Office address P.O. Box 2797 BOISE, ID 83701

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_
- Describe the reason for the proposed changes THE 23 ACRES WE PURCHASED FROM RUMSEY CAN BE GRAVITY IRRIGATED FROM A POINT UPSTREAM OF WHERE RUMSEY'S PUMP IS LOCATED

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | Right Number     | Priority         | Amount (cfs/ac-ft) | Nature of Use     | Period of Use             |
|------------------|------------------|--------------------|-------------------|---------------------------|
| <u>A6502538B</u> | <u>9/14/1950</u> | <u>.5 CFS</u>      | <u>IRRIGATION</u> | <u>4/1</u> to <u>11/1</u> |
| <u>MO*</u>       |                  |                    |                   |                           |
|                  |                  |                    |                   |                           |
|                  |                  |                    |                   |                           |
- Total amount of water being transferred .5 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.
- Source of water PAYETTE RIVER tributary to \_\_\_\_\_
- Point(s) of Diversion:

| Lot      | 1/4 | 1/4       | 1/4       | Sec.      | Twp.      | Rge.      | County       | Local name for diversion |
|----------|-----|-----------|-----------|-----------|-----------|-----------|--------------|--------------------------|
| <u>2</u> |     | <u>SE</u> | <u>NW</u> | <u>26</u> | <u>7N</u> | <u>2E</u> | <u>BOISE</u> |                          |
|          |     |           |           |           |           |           |              |                          |
|          |     |           |           |           |           |           |              |                          |
|          |     |           |           |           |           |           |              |                          |

- Lands irrigated or place of use: NO CHANGE FROM PLACE of USE IN A65-02532 B

| Twp.        | Rge.      | Sec.      | NE 1/4 |        |        |        | NW 1/4     |        |        |        | SW 1/4     |        |        |            | SE 1/4 |        |        |        | Totals    |
|-------------|-----------|-----------|--------|--------|--------|--------|------------|--------|--------|--------|------------|--------|--------|------------|--------|--------|--------|--------|-----------|
|             |           |           | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4     | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4     | NW 1/4 | SW 1/4 | SE 1/4     | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |           |
| <u>7N</u>   | <u>2E</u> | <u>26</u> |        |        |        |        |            |        |        |        | <u>2</u>   |        |        | <u>14</u>  |        |        |        |        | <u>16</u> |
|             |           | <u>35</u> |        |        |        |        | <u>7</u>   |        |        |        | <u>6.3</u> |        |        | <u>6.4</u> |        |        |        |        | <u>7</u>  |
| <u>* MO</u> |           |           |        |        |        |        | <u>6.1</u> |        |        |        |            |        |        |            |        |        |        |        |           |
|             |           |           |        |        |        |        |            |        |        |        |            |        |        |            |        |        |        |        |           |
|             |           |           |        |        |        |        |            |        |        |        |            |        |        |            |        |        |        |        |           |
|             |           |           |        |        |        |        |            |        |        |        |            |        |        |            |        |        |        |        |           |
|             |           |           |        |        |        |        |            |        |        |        |            |        |        |            |        |        |        |        |           |
|             |           |           |        |        |        |        |            |        |        |        |            |        |        |            |        |        |        |        |           |
|             |           |           |        |        |        |        |            |        |        |        |            |        |        |            |        |        |        |        |           |
|             |           |           |        |        |        |        |            |        |        |        |            |        |        |            |        |        |        |        |           |

Total acres 23

**PART 1**

**General Information:**

a. Description of diversion system DITCH OFF OF PAYETTE RIVER WITH A 2' DIA  
CULVERT AND STOP LOGS TO CONTROL FLOW FROM THE POOL  
IN THE RIVER UPSTREAM OF THE HORSESHOE BEND HYDRO CO. DIVERSION

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? \_\_\_\_\_ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:  
WATER WILL NOW GRAVITY FEED INSTEAD OF BEING PUMPED

d. Remarks:

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. \_\_\_\_\_

I said application is hereby \_\_\_\_\_, subject to the following limitations and conditions:

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

## PART 2

## A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 65-02532

STAGE: DECREED

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION<br/>RATE</u> |
|-----------------------|----------------------|---------------------------|
| IRRIGATION            | 04/01 to 11/01       | 1.80 CFS                  |

SOURCE

PAYETTE RIVER

Priority: 09/14/1950

LOCATION OF POINT(S) OF DIVERSION: Lot 2(        ), Sec. 26, Township 07N, Range 02E  
BOISE County

PLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> |             | <u>ACRES</u> |                                  | <u>ACRES</u> |      | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|-------------|--------------|----------------------------------|--------------|------|--------------|--------------|
| 07N        | 02E        | 26         | Lot 3(NESW) | 10           | Lot 4(SESW)                      | 25           | NWSE | 19           |              |
|            |            |            | SWSE        | 15           |                                  |              |      |              | 69           |
|            |            | 35         | Lot 1(NENW) | 14           |                                  |              |      |              | 14           |
|            |            |            |             |              | Total number of acres irrigated: |              |      |              | 83           |

CONDITIONS/REMARKS:

1. THIS RIGHT WHEN COMBINED WITH RIGHTS 65-1317 & 65-11393 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

Page 3 of 10  
4 9

WR5802NP

No. 65-02532

## IDAHO DEPARTMENT OF WATER RESOURCES

## WATER RIGHT PROFILE REPORT

DATE: 10/28/96

PAGE:

| OWNER<br>CODE    | NAME & ADDRESS         | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| P                | DOUBLE DIAMOND RANCHES | 09/14/1950       | IRRIGATION | 04/01 11/01           | 1.800 CFS         |                     |
| C                | DOUBLE DIAMOND INC.    |                  |            |                       |                   |                     |
| TOTAL DIVERSION: |                        |                  |            |                       | 1.800 CFS         |                     |

Water Source: PAYETTE RIVER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T07N R02E S26 Lot 02( )

BOISE 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 | SUM  |      |
| T           | R    | S    | Lt   | Ac   | Lt   | Ac   | Lt   | Ac    | Lt   | Ac   | Lt   | Ac    | Lt   | Ac   | Lt   | Ac   |      |
| 07N         | 02E  | 26   | :    | :    | :    | :    | :    | 03-10 | :    | :    | :    | 04-25 | :    | 19   | 15   | :    | 69.0 |
| 07N         | 02E  | 35   | :    | :    | :    | :    | :    | :     | :    | :    | :    | :     | :    | :    | :    | :    | 14.0 |
| TOTAL ACRES |      |      |      |      |      |      |      |       |      |      |      |       |      |      |      | 83.0 |      |

Pou County: BOISE

Other Water Rights With Same Point(s) of Diversion and Source:

65-02663 65-02684 65-02734 65-08532

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

65-02340 65-03103 65-10747 65-11393

Remarks: THIS RIGHT WHEN COMBINED WITH RIGHTS 65-1317 & 65-11393 SHALL  
PROVIDE NO MORE THAN .02 CFS/ACRE.

Date: App. Received: Priority Date: 09/14/1950  
Proof Due Date: Proof Made Date:  
Exam Made Date: Exam Sent to S.O.:  
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

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

this is original decreed right

RECEIVED

NOV 21 1996

WATER RESOURCES  
WESTERN REGION

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

## APPLICATION FOR TRANSFER OF WATER RIGHT NOV 21 1996

WATER RESOURCES  
WESTERN REGION

## PART 2

(Attach one copy for each right)

## A. DESCRIPTION OF RIGHT AS RECORDED

SEE ATTACHED WATER RIGHT PROFILE  
REPORT #65-02532

## 1. Right evidenced by:

a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_  
in case of \_\_\_\_\_ vs. \_\_\_\_\_  
dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_

b. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources.

c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.

d. Transfer No. \_\_\_\_\_ which produced this right.

## 2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other \_\_\_\_\_

3. Source of water \_\_\_\_\_ tributary to \_\_\_\_\_

4. Date or priority \_\_\_\_\_

## 5. Water is used for the following purpose:

amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

6. Total amount of water under right \_\_\_\_\_ cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

## 7. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

## 8. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals. |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|---------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |         |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |         |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |         |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |         |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |         |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |         |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |         |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |         |

Total acres \_\_\_\_\_

9. Describe any other water rights used for the same purpose as described above \_\_\_\_\_

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe \_\_\_\_\_**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**"B"

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 5 cfs for IRRIGATION purposes from 4/1 to 11/1  
 (cfs/ac-ft) \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft) \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft) \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_

2. Point(s) of Diversion:

| Lot       | 1/4 | 1/4 | 1/4 | Sec.      | Twp.      | Rge.      | County       | Local name for diversion       |
|-----------|-----|-----|-----|-----------|-----------|-----------|--------------|--------------------------------|
| <u>02</u> |     |     |     | <u>26</u> | <u>7N</u> | <u>2E</u> | <u>BOISE</u> | <u>DECREE LISTS GOVERNMENT</u> |
|           |     |     |     |           |           |           |              | <u>LOT BUT NOT 1/4 - 1/4</u>   |
|           |     |     |     |           |           |           |              |                                |

3. Lands irrigated or place of use:

| Twp.      | Rge.      | Sec.      | NE 1/4 |        |        |        | NW 1/4 |          |        |        | SW 1/4   |        |        |           | SE 1/4 |        |        |        | Totals    |
|-----------|-----------|-----------|--------|--------|--------|--------|--------|----------|--------|--------|----------|--------|--------|-----------|--------|--------|--------|--------|-----------|
|           |           |           | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4   | SW 1/4 | SE 1/4 | NE 1/4   | NW 1/4 | SW 1/4 | SE 1/4    | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |           |
| <u>7N</u> | <u>2E</u> | <u>26</u> |        |        |        |        |        |          |        |        | <u>2</u> |        |        | <u>14</u> |        |        |        |        | <u>16</u> |
|           |           | <u>35</u> |        |        |        |        |        | <u>7</u> |        |        |          |        |        |           |        |        |        |        | <u>7</u>  |
|           |           |           |        |        |        |        |        |          |        |        |          |        |        |           |        |        |        |        |           |
|           |           |           |        |        |        |        |        |          |        |        |          |        |        |           |        |        |        |        |           |

Total acres 23**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** (omit if there is no change) NO CHANGE -

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft) \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft) \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft) \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_

2. Point(s) of Diversion:

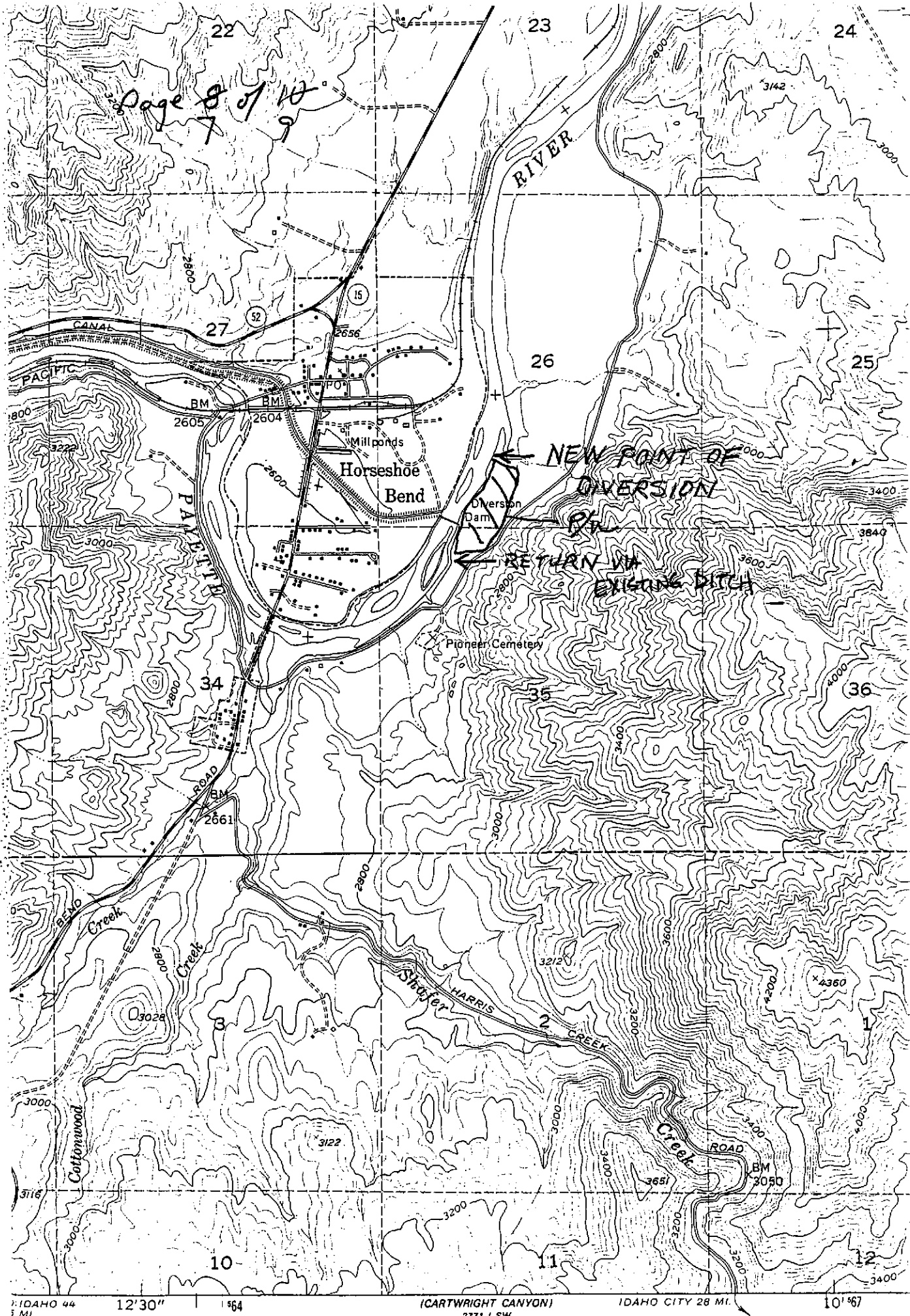
Balance of split claim A65-02532 A - DOUBLE DIAMOND

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_



Page 8 of 10  
7 9

NEW POINT OF  
DIVERSION

RETURN VIA  
EXISTING DITCH

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

SEE ATTACHED MAP

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WATER RESOURCES  
WESTERN REGION

**PART 3****B. CHANGES IN NATURE OF USE** NO CHANGE

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

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

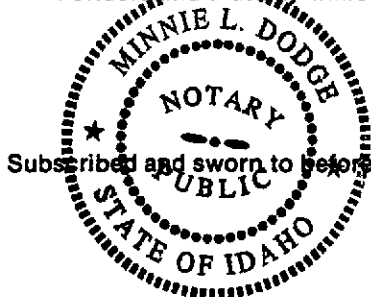
RETURN IS BELOW THE HORSESHOE BEND <sup>HYDRO</sup> DIVERSION DAM.  
RETURN IS NW 1/4 NW 1/4 SEC 35 T7N R2E BOISE MERIDIAN

## 3. Describe effects on other water uses resulting from the proposed change:

NO CHANGE

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Subscribed and sworn to before me this 19TH day of November, 19 96.

Mark H Dawson MGR OF OPERATIONS  
 (Signature of Applicant)

Minnie L. Dodge  
 (Notary Public)

My commission expires 4-18-97

**FOR DEPARTMENT USE ONLY**

Transfer contains 9 pages and 2 attachments

Received by \_\_\_\_\_ Date 11/21/96 Protest filed by \_\_\_\_\_

Prelim. check by CJE Fee 100-

Receipted by CJE W021807 Date 12/16/96

Published in Idaho World Copies of protest forwarded by \_\_\_\_\_

Pub. dates 12-18 + 25-1996 Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendation requested on \_\_\_\_\_ Recommended for ☐ approval ☐ denial

\_\_\_\_\_ rec'd. \_\_\_\_\_ by \_\_\_\_\_

Copy of transfer sent to lien holder \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER ANALYSIS SHEET

APPLICANT Horseshoe Bend Hydro

TRANSFER NO. 4978

INITIAL ALLOCATION REVIEW BY cy  
SRBA SUPERVISOR REVIEW BY [signature]

DATE 12/9/96  
DATE 1-28-97

1. Right number(s) ~~BE~~ 65-2532

2. Type of right ☒ Decree ☐ License ☐ Statutory Claim  
☐ SRBA Beneficial Use Claim

3. Purpose of transfer ☐ Change P/D ☒ Add P/D ☐ Change P/U  
☐ Change N/U ☐ Change Source ☒ Split Right  
☐ Other: \_\_\_\_\_

4. Check Existing Right: ☒ Source ☒ Priority ☒ Amount ☒ Purpose  
☒ Period ☒ SRBA Claim  
☒ Description of original point(s) of diversion  
☒ Description of original place of use  
☒ Overlapping rights on original place of use

5. Check Proposed Right for amount of land &/or water transferred:

☒ Also see attached memo for more analysis information

a. ☐ All of right  
b. ☒ Part of right (NOTE! Part B should be filled in only if part of right is owned by the applicant)

c. ☒ Description of point(s) of diversion

d. ☒ Description of place of use initials pg 1

e. ☒ Map showing P/D & P/U after transfer Needs Clarified

f. ☒ Correct notarized signature and \$100 fee title of signator

g. ☒ Proof of ownership of right &/or land from which water is transferred Required for SRBA Split? See SRBA. Balance stays

h. ☒ Expansion in use of right - Comments: None. No change W/Double Diamond (Rumsey)  
in irrigated acres.

- i. ☒ Existing rights from same source, on land water is being transferred to; right number(s): None. Overlapping right  
fr. Shofer Ck (65-11393) will still be used fr. Separate pipeline
- j. ☒ SRBA claim(s) - Comments (NOTE! Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) Claims split A to Double Diamond & B to HSBH - consistent w/ XFER filing.
- k. ☒ Comment letters ☒ Yes ☐ No  
 If yes ☒ Water District # 65  
☐ Other, see #2 below for name and address

PUBLICATION REVIEW BY st

1. Legal Notice electronically sent to DWR03::VAULT ☒ Yes

2. COMMENT LETTERS

Watermaster recommendation requested on 1-29-97, Received on \_\_\_\_\_

Other comments letters - send to the following name(s) & address(es):  
 \_\_\_\_\_

3. Transfer published correctly? ☒ Yes ☐ No
4. Affidavit of publication received? ☒ Yes ☐ No
5. Protests received? ☐ Yes ☒ No; Acknowledgement sent? ☐ Yes
6. Copies made for Region file (see attached supplemental page)? ☐ Yes

RECOMMENDED ACTION

1. ☐ Approve
2. ☐ Deny due to \_\_\_\_\_  
 \_\_\_\_\_

3. Conditions (special conditions in Water Districts) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

4. By \_\_\_\_\_ Date \_\_\_\_\_

NOTICE OF PROPOSED CHANGE OF  
WATER RIGHT NO. 65-02532  
TRANSFER NO. 4978

Notice is hereby given that Horseshoe Bend Hydroelectric Co. of PO Box 2797, Boise, Idaho, 83701 has applied to the Department of Water Resources to split ownership and add a point of diversion under the following decreed water right pursuant to section 42-222 of Idaho Code.

WATER RIGHT(S) AS RECORDED

|                  |                                                |
|------------------|------------------------------------------------|
| Right No.        | 65-02532                                       |
| Date of Priority | 9/14/1950                                      |
| Source           | Payette River                                  |
| Amount           | 1.8 cfs                                        |
| Use              | Irrigation                                     |
| Point of Div     | Lot 2 S26, T07N R02E, Boise County             |
| Place of Use     | 83 acres within SW S26 and NENW S35, T07N R02E |

A PORTION TO BE CHANGED AS FOLLOWS

|              |                                                                    |
|--------------|--------------------------------------------------------------------|
| Right No.    | 65-02532B                                                          |
| Amount       | 0.5 cfs                                                            |
| Point of Div | A second point to be established in Lot 2<br>(SEnw) S26, T07N R02E |
| Place of Use | 23 acres within the above description                              |

Balance of right will not be modified.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705, together with a protest fee of \$25.00, on or before January 6, 1997. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Idaho World on December 18 and 25, 1997.

# HORSESHOE BEND HYDRO TRANSFER

cyh

- ① rate: actual pro-rate for 23 ac is .499 cfs....  
however A65-2532A has been claimed  
@ 1.3 so .5 is OK for total of 1.8.  
\* WR number is shown incorrectly as 2538.

- ② P/u: Needs to be identified on page one, since  
only part of right.

✓ HSBH ↓

- ③ P/O who owns this land? ~~Easements in place?~~

- ④ Overlapping rights:

US-1317 Shaper Ck (Double Diamond)  
different lands

US-11393 Shaper Ck (Double Diamond)

Includes ~~some~~ <sup>all</sup> of same acres ~~to~~ transfer.  
claimed also by ~~HSBH~~ HSBH

\* ownership req'd!

~~US-2864~~  
~~US-10748~~

What about other app. rights? Are they  
conveyed w/ property? Still delivered?

✓ Still delivered through Rumsey's System.

- ⑤ Map - Needs to ID P/u and route of delivery  
ditch. What does "Return" mean. Is this SCA  
issue?

✓ "Decant" structure overflows to river just below  
dam through existing facility built @ time  
of ~~time~~ of construction of project (already  
SCA permitted)



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type  
(see instructions on back of page)

RECEIVED

MAY 06 1996

WATER RESOURCES  
WESTERN REGIONDATE OF CLOSING: 3/31/94 and 12/22/95

LEGAL DESCRIPTION OF PROPERTY: Township            \* Range            \*  
Section            \* 1/4 of            1/4 of (            1/4 Govt. Lot            \* , BM.             
Lot            , Block            , Subdivision/Townsite            .  
If you have additional legal descriptions, please attach separate sheet.

\*See Attachment #1  
for legal  
descriptions

[ ] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[x] Water Right Number(s) Assigned by IDWR: A65-02532 and A65-11393

[x] Name and Address of Former Owner/Claimant(s)(Seller): Rumsey Co. (also known as Double Diamond, Inc.)  
c/o Don Rumsey

[x] New Owner/Claimant (Purchaser): Horseshoe Bend, Idaho 83629  
Horseshoe Bend Hydroelectric Company

[x] New Mailing Address: P.O. Box 2797  
1401 Shoreline Drive  
Boise, Idaho 83701

[x] New Telephone Number: (208) 345-7515

[x] Does the change in ownership result in a splitting of the water right owned/claimed? x yes    no  
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:  
That portion of the above designated water right permits which are deemed  
to be appurtenant to the land acquired from the former owner.

[x] Attach proof of ownership, describe proof attached: Deed (Attachment #2), Correction Affidavit (Attachment #3) and Boundary  
Line Agreement (Attachment #4) re 3/31/94 purchase of 22.6 acres ±; and  
Deed (Attachment #5) re 12/22/95 purchase of .62 acres ±

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[x] Signature of New Owner/Claimant(s): Horseshoe Bend Hydroelectric Company Date 5-3-96  
By Christopher W. Clark Corporate Secretary Date           

[x] Signature of Former Owner/Claimant(s):            Date             
           Date           

(Signature of former claimant(s) is not required if proof of ownership is attached.)

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date:            By:           

Further Action Needed:

Further Action Taken

Date:            By:           

Final Review and Data-Entry

Date: 5-21-96 By: MTS

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources  
Copies to Former Owner and New Owner

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Parcel #1

A portion of Government Lots 3 and 4, Section 26, Township 7 North, Range 2 East, Boise Meridian, Boise County, Idaho, as described in Exhibit A hereto.

Parcel #2

A portion of Government Lot 1, Section 35, Township 7 North, Range 2 East, Boise Meridian, Boise County, Idaho, as described in Exhibit B hereto.

Parcel #3

A portion of Government Lot 1, Section 35, Township 7 North, Range 2 East, Boise Meridian, Boise County, Idaho, as described in Exhibit C hereto.

RECEIVED

MAY 06 1996

WATER RESOURCES  
WESTERN REGION

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## EXHIBIT "A"

Page 1 of 4

The current description of the common boundary line between that portion of Government Lots 3 and 4, Section 26, Township 7 North, Range 2 East, Boise Meridian, Boise County, State of Idaho acquired by Horseshoe Bend Hydroelectric Company and that portion retained by the Rumsey Co. as highlighted in the following excerpt from Instrument No. 115898 of the Official Records of Boise County, Idaho:

## Parcel 1

A parcel of land being a portion of Government Lots 3 and 4, Section 26, T.7N., R.2E., B.M., Boise County, Idaho, more particularly described as follows:

Beginning at the Southeast corner of Government Lot 4, Section 26, T.7N.; R.2E., B.M.;

thence North 89°57'31" West 706.07 feet along the Southerly boundary of said Lot 4 to a point 25 feet Easterly of the Contour Elevation 2610, said point being the REAL POINT OF BEGINNING;

thence continuing North 89°57'31" West 613.96 feet along said Southerly boundary to a point on the left ordinary high water line of the Payette River;

thence meandering along the said high water line the following courses and distances:

North 19°50'11" East 120.82 feet to an iron pin;  
 North 21°09'24" East 171.49 feet to an iron pin;  
 North 32°29'35" East 197.72 feet to an iron pin;  
 North 37°35'35" East 183.27 feet to an iron pin;  
 North 21°20'56" East 206.51 feet to an iron pin;  
 North 23°35'27" East 276.97 feet to an iron pin;  
 North 21°39'42" East 342.85 feet to an iron pin;  
 North 8°16'32" East 120.03 feet to an iron pin;  
 North 8°29'52" East 86.72 feet to an iron pin;  
 North 12°01'36" East 126.43 feet to an iron pin;  
 North 25°42'41" East 103.24 feet to an iron pin;  
 North 3°11'30" East 107.53 feet to an iron pin;

thence leaving said high water line South 89°48'17" East 57.48 feet, parallel with the Northerly boundary of Government Lot 3 of said Section 26 to a point 25 feet Easterly of the contour elevation 2610;

thence meandering along a line 25 feet Easterly of said contour elevation 2610 the following courses and distances:

South 4°07'28" East 189.33 feet to a point;  
South 10°36'30" East 232.04 feet to a point;

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South 8°34'33" East 56.01 feet to a point;  
South 9°05'07" West 182.89 feet to a point;  
South 4°15'53" West 72.81 feet to a point;  
South 6°58'54" West 89.10 feet to a point;  
North 56°51'56" West 22.99 feet to a point;  
South 9°15'19" West 220.70 feet to a point;  
South 10°11'43" East 54.39 feet to a point;  
South 7°36'59" West 27.24 feet to a point;  
South 12°56'30" East 21.49 feet to a point;  
South 0°00'00" East 68.42 feet to a point;  
South 11°06'18" West 128.07 feet to a point;  
South 20°51'21" West 47.32 feet to a point;  
South 30°37'54" West 96.83 feet to a point;  
South 3°07'34" East 66.19 feet to a point;  
South 27°07'12" East 110.86 feet to a point;  
South 12°42'39" West 71.09 feet to a point;  
South 36°07'05" West 35.72 feet to a point;  
South 76°36'38" West 40.20 feet to a point;  
South 90°00'00" West 34.90 feet to a point;  
South 49°43'30" West 16.33 feet to a point of  
beginning, comprising 15.04 acres; more or less.

subject to all existing easements and road rights-of-way of record or appearing on the above-described parcel of land.

The revised and restated common boundary line between that portion of Government Lots 3 and 4, Section 26, Township 7 North, Range 2 East, Boise Meridian, Boise County, State of Idaho acquired by Horseshoe Bend Hydroelectric Company and that portion retained by the Rumsey Co. which is described as follows:

A line within a portion of Government Lots 3 and 4, Section 26, Township 7 North, Range 2 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

Beginning at a Brass Cap at the Southeast corner of Government Lot 4, Section 26, Township 7 North, Range 2 East, Boise Meridian; thence North  $89^{\circ}57'31''$  West 706.07 feet along the Southerly boundary of said Lot 4 to an iron pin;

thence continuing North  $89^{\circ}57'31''$  West 613.96 feet along said Southerly boundary to an iron pin at a point on the left ordinary high water line of the Payette River;

thence meandering along the said high water line the following courses and distances:

North  $19^{\circ}50'11''$  East 120.82 feet to an iron pin;  
North  $21^{\circ}09'24''$  East 171.49 feet to an iron pin;  
North  $32^{\circ}29'39''$  East 197.72 feet to an iron pin;  
North  $37^{\circ}35'35''$  East 183.27 feet to an iron pin;  
North  $21^{\circ}20'56''$  East 206.51 feet to an iron pin;  
North  $23^{\circ}35'27''$  East 276.97 feet to an iron pin;  
North  $21^{\circ}39'42''$  East 342.85 feet to an iron pin;  
North  $8^{\circ}16'32''$  East 120.03 feet to an iron pin;  
North  $8^{\circ}29'52''$  East 86.72 feet to an iron pin;  
North  $12^{\circ}01'36''$  East 126.43 feet to an iron pin;  
North  $25^{\circ}42'41''$  East 103.24 feet to an iron pin;  
North  $3^{\circ}11'30''$  East 107.53 feet to an iron pin;

thence leaving said high water line South  $89^{\circ}48'17''$  East 57.48 feet, parallel with the Northerly boundary of Government Lot 3 of said Section 26 to an iron pin, and the REAL POINT OF BEGINNING;

South  $4^{\circ}07'28''$  East 189.33 feet to an iron pin;  
South  $10^{\circ}36'30''$  East 232.04 feet to an iron pin;  
South  $0^{\circ}00'00''$  East 154.06 feet to an iron pin;  
South  $8^{\circ}34'33''$  East 56.01 feet to an iron pin;

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South 9°05'07" West 182.89 feet to an iron pin;  
South 4°15'53" West 72.81 feet to an iron pin;  
South 6°58'54" West 89.10 feet to an iron pin;  
North 56°51'56" West 22.99 feet to an iron pin;  
South 9°15'19" West 220.70 feet to an iron pin;  
South 10°11'43" East 54.39 feet to an iron pin;  
South 7°36'59" West 27.24 feet to an iron pin;  
South 12°56'30" East 21.49 feet to an iron pin;  
South 0°00'00" West 68.42 feet to an iron pin;  
South 11°06'18" West 128.07 feet to an iron pin;  
South 20°51'21" West 47.32 feet to an iron pin;  
South 30°37'54" West 96.83 feet to an iron pin;  
South 3°07'34" East 66.19 feet to an iron pin;  
South 27°07'12" East 110.86 feet to an iron pin;  
South 12°42'39" West 71.09 feet to an iron pin;  
South 36°07'05" West 35.72 feet to an iron pin;  
South 76°36'38" West 40.20 feet to an iron pin;  
South 90°00'00" West 34.90 feet to an iron pin;  
South 49°43'30" West 16.33 feet to the section line common to Section 26 and  
Section 35, and the end of this description,

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EXHIBIT "B"

The current description of the common boundary line between that portion of Government Lot 1, Section 35, Township 7 North, Range 2 East, Boise Meridian, Boise County, State of Idaho acquired by Horseshoe Bend Hydroelectric Company and that portion retained by the Rumsey Co. as highlighted by underline in the following excerpt from Instrument No. 115898 of the Official Records of Boise County, Idaho:

Parcel 2

A parcel of land being a portion of Government Lot 1, Section 35, T.7N.; R.2E., B.M., Boise County, Idaho, more particularly described as follows:

Beginning at the Northeast corner of Government Lot 1, Section 35, T.7N.; R.2E.; B.M., Boise County, Idaho;

thence North 89°57'31" West 706.07 feet along the Northerly boundary of said Government Lot 1 to a point 25 feet Easterly of Contour Elevation 2610, said point being the REAL POINT OF BEGINNING;

thence continuing North 89°57'31" West 613.96 feet along said Northern boundary of Lot 1 to a point on the left ordinary high water line of the Payette River;

thence meandering along said left ordinary high water line the following courses and distances:

South 19°50'11" West 16.79 feet to an iron pin;  
South 25°31'35" West 339.02 feet to an iron pin;  
South 15°22'23" West ~~339.74~~ feet to an iron pin;  
South 18°06'17" West 57.55 feet to an iron pin;

359.74

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thence leaving said left ordinary high water line,  
South 09°57'31" East 141.78 feet to a point 25  
feet Easterly of Contour Elevation 2610;

thence meandering along a line 25 feet Easterly of  
said Contour Elevation 2610 the following courses  
and distances;

North 29°48'48" East 92.82 feet to a point;  
North 48°45'23" East 64.38 feet to a point;  
North 55°58'27" East 53.54 feet to a point;  
North 35°26'46" East 52.86 feet to a point;  
North 11°50'19" East 47.19 feet to a point;  
North 13°24'27" West 90.47 feet to a point;  
North 4°09'12" East 55.69 feet to a point;  
North 14°29'41" East 51.57 feet to a point;  
North 30°27'52" East 128.89 feet to a point;  
North 38°01'25" East 64.18 feet to a point;  
North 48°28'19" East 81.90 feet to a point;  
North 05°24'17" East 62.32 feet to a point;  
North 63°33'26" East 149.30 feet to the point of  
beginning, comprising 6.99 acres, more or less.

Subject to all existing easements and road rights-  
of-way of record or appearing on the above-  
described parcel of land.

The revised and restated common boundary line between that portion of Government Lot 1, Section 35, Township 7 North, Range 2 East, Boise Meridian, Boise County, State of Idaho acquired by Horseshoe Bend Hydroelectric Company and that portion retained by the Rumsey Co. which is described as follows:

A line within a portion of Government Lot 1, Section 35, Township 7 North, Range 2 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

Beginning at a Brass Cap at the Northeast corner of Government Lot 1, Section 35, Township 7 North, Range 2 East, Boise Meridian, Boise County, Idaho; thence North  $89^{\circ}57'31''$  West 706.07 feet along the Northerly boundary of said Government Lot 1 to an iron pin;

thence continuing North  $89^{\circ}57'31''$  West 613.96 feet along said Northern boundary of Lot 1 to an iron pin at a point on the left ordinary high water line of Payette River; thence meandering along said left ordinary high water line the following courses and distances:

South  $19^{\circ}50'11''$  West 16.79 feet to an iron pin;  
South  $25^{\circ}31'35''$  West 339.02 feet to an iron pin;  
South  $15^{\circ}22'23''$  West 359.74 feet to an iron pin;  
South  $18^{\circ}06'17''$  West 57.55 feet to an iron pin;

thence leaving said left ordinary high water line South  $89^{\circ}57'31''$  East 341.78 feet to an iron pin, and the REAL POINT OF BEGINNING;

thence North  $29^{\circ}48'48''$  East 92.82 feet to an iron pin;  
thence North  $48^{\circ}45'23''$  East 64.38 feet to an iron pin;  
thence North  $55^{\circ}58'27''$  East 53.54 feet to an iron pin;  
thence North  $35^{\circ}26'46''$  East 52.86 feet to an iron pin;  
thence North  $11^{\circ}50'19''$  East 47.19 feet to an iron pin;  
thence North  $13^{\circ}24'23''$  West 90.47 feet to an iron pin;  
thence North  $4^{\circ}09'12''$  East 55.69 feet to an iron pin;  
thence North  $14^{\circ}29'41''$  East 51.57 feet to an iron pin;  
thence North  $30^{\circ}27'52''$  East 128.89 feet to an iron pin;  
thence North  $38^{\circ}01'25''$  East 64.18 feet to an iron pin;  
thence North  $48^{\circ}28'19''$  East 81.90 feet to an iron pin;  
thence North  $85^{\circ}24'17''$  East 62.32 feet to an iron pin;  
thence North  $63^{\circ}33'26''$  East 149.30 feet to the section line common to Section 26 and Section 35, and the end of this description.

## EXHIBIT "C "

A parcel of land within a portion of Government Lot 1, Section 35, Township 7 North, Range 2 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

BEGINNING at a brass cap at the Northeast corner of Government Lot 1, Section 35, Township 7 North, Range 2 East, Boise Meridian, Boise County, Idaho; thence North 89 degrees 57'31" West, 706.07 feet along the Northerly boundary of said Government Lot 1 to a rebar and cap; thence continuing North 89 degrees 57'31" West, 613.96 feet along said Northern boundary of Lot 1 to a rebar and cap at a point on the left ordinary high water line of Payette River; thence meandering along said left ordinary high water line the following courses and distances:

South 19 degrees 50'11" West, 16.79 feet to a rebar and cap; thence

South 25 degrees 31'35" West, 339.02 feet to a rebar and cap LS 972; thence

South 15 degrees 22'23" West, 359.74 feet to a rebar and cap LS 972; thence

South 18 degrees 06'17" West, 57.55 feet to a rebar and cap LS 972 and the REAL POINT OF BEGINNING; thence

South 18 degrees 06'17" West, 81.22 feet to a rebar and cap LS 972; thence leaving said left ordinary high water line

South 18 degrees 06'17" West, 2.92 feet to a point; thence

South 89 degrees 57'31" East, 30.00 feet to a set 5/8" rebar with cap PLS 7612; thence

South 89 degrees 57'31" East, 299.78 feet to a set 5/8" rebar and cap PLS 7612 on the centerline of the existing traveled way known as Cemetery Road; thence along said centerline

North 25 degrees 30'00" East, 88.60 feet to a set 5/8" rebar and cap PLS 7612; thence

North 89 degrees 57'31" West, 341.78 feet to the REAL POINT OF BEGINNING.

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WARRANTY DEED

FOR VALUE RECEIVED RUMSEY CO., a partnership consisting of Don Rumsey and Dale Rumsey, Grantor, does hereby GRANT, BARGAIN, SELL and CONVEY unto HORSESHOE BEND HYDROELECTRIC COMPANY, a Delaware corporation qualified to do business in the State of Idaho, 1401 Shoreline Drive, Boise, Idaho 82702, the following-described real property in Boise County, Idaho:

All that certain real property described in Exhibit "A" hereto, which exhibit is incorporated herein by this reference;

Subject to an easement for the continued maintenance and operation of a certain buried irrigation line serving adjacent property of Grantor located on the north and west of the above-described property, which easement shall follow the existing course of said irrigation line (which enters the above-described property on the south and exits said property in the northerly portion) and which easement is specifically reserved by and for the benefit of Grantor and its successors and assigns, provided, in the event that operation and maintenance of all or any portion of the irrigation line should become incompatible with Grantee's use of the serviant estate in the future, Grantor shall, at its expense, relocate all affected portions thereof, along an alternate course mutually agreed upon between Grantor and Grantee, provided that relocation work shall be done at a time mutually agreed by the parties and, in the event that relocation of the line or portion upon the serviant estate is not feasible because of Grantee's use of the property, the line or portion shall be relocated to Grantor's adjacent property.

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WATER RESOURCES  
WESTERN REGION

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee and Grantee's successors and assigns, forever. And the said Grantor does hereby covenant to and with the said Grantee that Grantor is the owner in fee simple

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OCT 18 1996

of said premises, that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to liens and encumbrances of record as of July 1, 1993, reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 31<sup>st</sup> day of March, 1994.

RUMSEY CO., a Partnership

BY: Don Rumsey  
Don Rumsey, Partner

BY: Dale Rumsey  
Dale Rumsey, Partner

151160

BOISE COUNTY CLERK'S OFFICE  
REQUEST OF

Security Title

94 APR -5 PM 3:33

RECEIVED CLERK

Shirley George  
CLERK  
\$ 18.00

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OCT 18 1996

STATE OF IDAHO           )  
                                  :  
County of Ada            )

ss

On this 29<sup>th</sup> day of March, 1994, before me, a Notary Public in and for said state, personally appeared DALE RUMSEY, known or identified to me to be one of the partners in the partnership of Rumsey Co., and one of the partners who subscribed said partnership name to the foregoing instrument and that he executed the same in said partnership name.

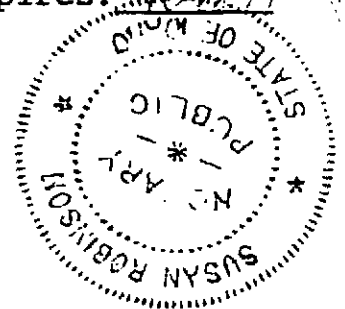
IN WITNESS WHEREOF, I subscribe my name and seal the day and year above first written.

*Susan Robinson*

NOTARY PUBLIC FOR IDAHO

Residing at: Notus, ID

My Commission Expires: 10-22-99



STATE OF IDAHO           )  
                                  :  
County of Ada            )

ss

On this 29<sup>th</sup> day of March, 1994, before me, a Notary Public in and for said state, personally appeared DON RUMSEY known or identified to me to be one of the partners in the partnership of Rumsey Co., and one of the partners who subscribed said partnership name to the foregoing instrument and that he executed the same in said partnership name.

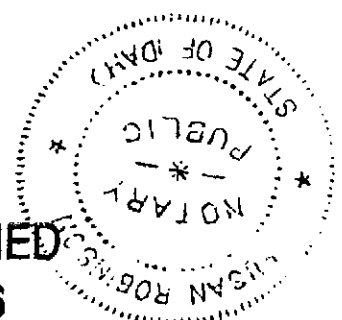
IN WITNESS WHEREOF, I subscribe my name and seal the day and year above first written.

*Susan Robinson*

NOTARY PUBLIC FOR IDAHO

Residing at: Notus, ID

My Commission Expires: 10-22-99



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OCT 18 1996

EXHIBIT "A"

Parcel 1

A parcel of land being a portion of Government Lots 3 and 4, Section 26, T.7N., R.2E., B.M., Boise County, Idaho, more particularly described as follows:

Beginning at the Southeast corner of Government Lot 4, Section 26, T.7N., R.2E., B.M.;

thence North 89°57'31" West 706.07 feet along the Southerly boundary of said Lot 4 to a point 25 feet Easterly of the Contour Elevation 2610, said point being the REAL POINT OF BEGINNING;

thence continuing North 89°57'31" West 613.96 feet along said Southerly boundary to a point on the left ordinary high water line of the Payette River;

thence meandering along the said high water line the following courses and distances:

North 19°50'11" East 120.82 feet to an iron pin;  
North 21°09'24" East 171.49 feet to an iron pin;  
North 32°29'39" East 197.72 feet to an iron pin;  
North 37°35'35" East 183.27 feet to an iron pin;  
North 21°20'56" East 206.51 feet to an iron pin;  
North 23°35'27" East 276.97 feet to an iron pin;  
North 21°39'42" East 342.85 feet to an iron pin;  
North 8°16'32" East 120.03 feet to an iron pin;  
North 8°29'52" East 86.72 feet to an iron pin;  
North 12°01'36" East 126.43 feet to an iron pin;  
North 25°42'41" East 103.24 feet to an iron pin;  
North 3°11'30" East 107.53 feet to an iron pin;

thence leaving said high water line South 89°48'17" East 57.48 feet, parallel with the Northerly boundary of Government Lot 3 of said Section 26 to a point 25 feet Easterly of the contour elevation 2610;

thence meandering along a line 25 feet Easterly of said contour elevation 2610 the following courses and distances:

South 4°07'28" East 189.33 feet to a point;  
South 10°36'30" East 232.04 feet to a point;  
South 0°00'00" East 154.06 feet to a point;

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OCT 18 1996

South 8°34'33" East 56.01 feet to a point;  
 South 9°05'07" West 182.89 feet to a point;  
 South 4°15'53" West 72.81 feet to a point;  
 South 6°58'54" West 89.10 feet to a point;  
 North 56°51'56" West 22.99 feet to a point;  
 South 9°15'19" West 220.70 feet to a point;  
 South 10°11'43" East 54.39 feet to a point;  
 South 7°36'59" West 27.24 feet to a point;  
 South 12°56'30" East 21.49 feet to a point;  
 South 0°00'00" East 68.42 feet to a point;  
 South 11°06'18" West 128.07 feet to a point;  
 South 20°51'21" West 47.32 feet to a point;  
 South 30°37'54" West 96.83 feet to a point;  
 South 3°07'34" East 66.19 feet to a point;  
 South 27°07'12" East 110.86 feet to a point;  
 South 12° 42'39" West 71.09 feet to a point;  
 South 36°07'05" West 35.72 feet to a point;  
 South 76°36'38" West 40.20 feet to a point;  
 South 90°00'00" West 34.90 feet to a point;  
 South 49°43'30" West 16.33 feet to a point of  
 beginning, comprising 15.04 acres, more or less.

Subject to all existing easements and road rights-of-way of record or appearing on the above-described parcel of land.

#### Parcel 2

A parcel of land being a portion of Government Lot 1, Section 35, T.7N., R.2E., B.M., Boise County, Idaho, more particularly described as follows:

Beginning at the Northeast corner of Government Lot 1, Section 35, T.7N., R.2E., B.M., Boise County, Idaho;

thence North 89°57'31" West 706.07 feet along the Northerly boundary of said Government Lot 1 to a point 25 feet Easterly of Contour Elevation 2610, said point being the REAL POINT OF BEGINNING;

thence continuing North 89°57'31" West 613.96 feet along said Northern boundary of Lot 1 to a point on the left ordinary high water line of the Payette River;

thence meandering along said left ordinary high water line the following courses and distances;

South 19°50'11" West 16.79 feet to an iron pin;  
 South 25°31'35" West 339.02 feet to an iron pin;  
 South 15°22'23" West 339.74 feet to an iron pin;  
 South 18°06'17" West 57.55 feet to an iron pin;

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OCT 18 1996

thence leaving said left ordinary high water line,  
South 89°57'31" East 341.78 feet to a point 25  
feet Easterly of Contour Elevation 2610;

thence meandering along a line 25 feet Easterly of  
said Contour Elevation 2610 the following courses  
and distances;

North 29°48'48" East 92.82 feet to a point;  
North 48°45'23" East 64.38 feet to a point;  
North 55°58'27" East 53.54 feet to a point;  
North 35°26'46" East 52.86 feet to a point;  
North 11°50'19" East 47.19 feet to a point;  
North 13°24'23" West 90.47 feet to a point;  
North 4°09'12" East 55.69 feet to a point;  
North 14°29'41" East 51.57 feet to a point;  
North 30°27'52" East 128.89 feet to a point;  
North 38°01'25" East 64.18 feet to a point;  
North 48°28'19" East 81.90 feet to a point;  
North 85°24'17" East 62.32 feet to a point;  
North 63°33'26" East 149.30 feet to the point of  
beginning, comprising 6.99 acres, more or less.

Subject to all existing easements and road rights-  
of-way of record or appearing on the above-  
described parcel of land.

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OCT 18 1996

AFFIDAVIT TO CORRECT LEGAL DESCRIPTION

JOAN M. HART certifies that he/she is the Vice-President of Stewart Title of Idaho, Inc., an Idaho Corporation, under whose supervision a Warranty Deed was prepared, and recorded on April 5, 1994 as Instrument No. 151160, records of Ada County, Idaho;

WHEREAS, the legal description contained in said Warranty Deed contained a typographical error, which it is the purpose of this Affidavit to reform and correct; and

WHEREAS, Idaho Code Section 55-816 permits the recording of Affidavits affecting the description of real property as part of the record title of said real property;

NOW THEREFORE, on the aforementioned instrument, the legal description is corrected to read as follows:

(see attached Exhibit "A", which is made a part hereof)

Instrument No. 151160

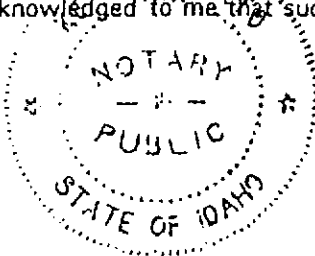
Dated this 13th day of May, 1994.

STEWART TITLE OF IDAHO, INC.

BY Joan M. Hart  
Vice-President

State of Idaho, County of Ada, ss.

On this 13th day of May, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared JOAN M. HART personally known or identified to me to be the person who executed the within instrument as Vice-President of the corporation on behalf of said corporation, and acknowledged to me that such corporation executed the same.



Signature: Kelly R. Sato

Name: Kelly R. Sato

Residing at: Boise, Idaho

Commission Expires: 9-11-96

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MAY 06 1996

WATER RESOURCES  
WESTERN REGION

151898

BOISE COUNTY RECORDS  
REQUEST OF

Security Title

94 MAY 27 PM 3:38

RELINQUISHED

Shirley George

112

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OCT 18 1996

EXHIBIT "A"

Parcel 1

A parcel of land being a portion of Government Lots 3 and 4, Section 26, T.7N., R.2E., B.M., Boise County, Idaho, more particularly described as follows:

Beginning at the Southeast corner of Government Lot 4, Section 26, T.7N., R.2E., B.M.;

thence North 89°57'31" West 706.07 feet along the Southerly boundary of said Lot 4 to a point 25 feet Easterly of the Contour Elevation 2610, said point being the REAL POINT OF BEGINNING;

thence continuing North 89°57'31" West 613.96 feet along said Southerly boundary to a point on the left ordinary high water line of the Payette River;

thence meandering along the said high water line the following courses and distances:

North 19°50'11" East 120.82 feet to an iron pin;  
North 21°09'24" East 171.49 feet to an iron pin;  
North 32°29'39" East 197.72 feet to an iron pin;  
North 37°35'35" East 183.27 feet to an iron pin;  
North 21°20'56" East 206.51 feet to an iron pin;  
North 23°35'27" East 276.97 feet to an iron pin;  
North 21°39'42" East 342.85 feet to an iron pin;  
North 8°16'32" East 120.03 feet to an iron pin;  
North 8°29'52" East 86.72 feet to an iron pin;  
North 12°01'36" East 126.43 feet to an iron pin;  
North 25°42'41" East 103.24 feet to an iron pin;  
North 3°11'30" East 107.53 feet to an iron pin;

thence leaving said high water line South 89°48'17" East 57.48 feet, parallel with the Northerly boundary of Government Lot 3 of said Section 26 to a point 25 feet Easterly of the contour elevation 2610;

thence meandering along a line 25 feet Easterly of said contour elevation 2610 the following courses and distances:

South 4°07'28" East 189.33 feet to a point;  
South 10°36'30" East 232.04 feet to a point;  
South 0°00'00" East 154.06 feet to a point;

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OCT 18 1996

South 8°34'33" East 56.01 feet to a point;  
 South 9°05'07" West 182.89 feet to a point;  
 South 4°15'53" West 72.81 feet to a point;  
 South 6°58'54" West 89.10 feet to a point;  
 North 56°51'56" West 22.99 feet to a point;  
 South 9°15'19" West 220.70 feet to a point;  
 South 10°11'43" East 54.39 feet to a point;  
 South 7°36'59" West 27.24 feet to a point;  
 South 12°56'30" East 21.49 feet to a point;  
 South 0°00'00" East 68.42 feet to a point;  
 South 11°06'18" West 128.07 feet to a point;  
 South 20°51'21" West 47.32 feet to a point;  
 South 30°37'54" West 96.83 feet to a point;  
 South 3°07'34" East 66.19 feet to a point;  
 South 27°07'12" East 110.86 feet to a point;  
 South 12°42'39" West 71.09 feet to a point;  
 South 36°07'05" West 35.72 feet to a point;  
 South 76°36'38" West 40.20 feet to a point;  
 South 90°00'00" West 34.90 feet to a point;  
 South 49°43'30" West 16.33 feet to a point of  
 beginning, comprising 15.04 acres, more or less.

Subject to all existing easements and road rights-  
 of-way of record or appearing on the above-  
 described parcel of land.

#### Parcel 2

A parcel of land being a portion of Government Lot  
 1, Section 35, T.7N., R.2E., B.M., Boise County,  
 Idaho, more particularly described as follows:

Beginning at the Northeast corner of Government  
 Lot 1, Section 35, T.7N., R.2E., B.M., Boise  
 County, Idaho;

thence North 89°57'31" West 706.07 feet along the  
 Northerly boundary of said Government Lot 1 to a  
 point 25 feet Easterly of Contour Elevation 2610,  
 said point being the REAL POINT OF BEGINNING;

thence continuing North 89°57'31" West 613.96 feet  
 along said Northern boundary of Lot 1 to a point  
 on the left ordinary high water line of the  
 Payette River;

thence meandering along said left ordinary high  
 water line the following courses and distances;

South 19°50'11" West 16.79 feet to an iron pin;  
 South 25°31'35" West 339.02 feet to an iron pin;  
 South 15°22'23" West ~~339.74~~ feet to an iron pin;  
 South 18°06'17" West 57.55 feet to an iron pin;

thence leaving said left ordinary high water line,  
South 89°57'31" East 341.78 feet to a point 25  
feet Easterly of Contour Elevation 2610;

thence meandering along a line 25 feet Easterly of  
said Contour Elevation 2610 the following courses  
and distances;

North 29°48'48" East 92.82 feet to a point;  
North 48°45'23" East 64.38 feet to a point;  
North 55°58'27" East 53.54 feet to a point;  
North 35°26'46" East 52.86 feet to a point;  
North 11°50'19" East 47.19 feet to a point;  
North 13°24'27" West 90.47 feet to a point;  
North 4°09'12" East 55.69 feet to a point;  
North 14°29'41" East 51.57 feet to a point;  
North 30°27'52" East 128.89 feet to a point;  
North 38°01'25" East 64.18 feet to a point;  
North 48°28'19" East 81.90 feet to a point;  
North 85°24'17" East 62.32 feet to a point;  
North 63°33'26" East 149.30 feet to the point of  
beginning, comprising 6.99 acres, more or less.

Subject to all existing easements and road rights-  
of-way of record or appearing on the above-  
described parcel of land.

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OCT 18 1996

# AGREEMENT FOR THE RESTATEMENT OF BOUNDARY LINE

This Agreement, made and entered into this 8<sup>th</sup> day of December, 1995 by and between Horseshoe Bend Hydroelectric Company ("HBHC"), a Delaware corporation, having its principal headquarters located at 1401 Shoreline Drive, Boise, Idaho 83702 and the Rumsey Co., an Arizona partnership, consisting of Donald J. Rumsey and Dale Rumsey as General Partners, having a mailing address at 400 Third Road North, Nampa, Idaho 83687.

WHEREAS, HBHC and the Rumsey Co. are each owners of real property situate in Boise County, State of Idaho, located on a portion of Government Lots 3 and 4, Section 26 and Government Lot 1, Section 35, all located in Township 7 North, Range 2 East, Boise Meridian, Boise County, Idaho; and

WHEREAS, when HBHC acquired its real estate from the Rumsey Co. as reflected on Instrument No. 151160 of the Official Records of Boise County, State of Idaho and a Correction Affidavit which is designated Instrument No. 115898 of the Official Records of Boise County, State of Idaho, the easterly boundary line between the property acquired by HBHC and the property retained by the Rumsey Co. was described by reference to a Contour Elevation, i.e. the common boundary in Government Lots 3 and 4 in Section 26 and Government Lot No. 1 in Section 35 was described by reference to a point which was said to be 25 feet easterly of the 2610 Contour Elevation; and

WHEREAS, during construction work that was being performed on property owned by HBHC, the 2610 Contour Elevation was disturbed by the movement of earth; and

WHEREAS, the parties understand that the legal descriptions of said common boundary do not now accurately define the original boundary line between the parcels owned by the parties to this Agreement since the 2610 Contour Elevation has been moved or modified by the movement of earth at the boundary line of the adjoining parcels and as such the common boundary line is uncertain and not discernable by reference to the Deed of Record (or as the same was previously modified by the above referenced Correction Affidavit) which transferred property from the Rumsey Co. to HBHC; and

WHEREAS, the parties hereto wish to agree upon the legal description of their common boundary so that said boundary can be located with certainty;

NOW, THEREFORE, in consideration of the promises, covenants and agreements contained in this Agreement for the Restatement of Boundary Line, the clarification of each party's title and the increased marketability of title to the real property owned by each party to this Agreement, the parties mutually agree as follows:

Restatement of Boundary. The parties hereto agree that the easterly boundary of the HBHC tract (which includes the common boundary between the parties)

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MAY 06 1996

WATER RESOURCES  
WESTERN REGION

has been changed from the description set forth in Instrument No. 115898 of the Official Records of Valley County to read as follows:

- a. In respect to that portion of the land owned by HBHC which constitutes a portion of Government Lots 3 and 4, Section 26, Township 7 North, Range 2 East, Boise Meridian, Boise County, Idaho:

See Exhibit "A" which is attached hereto and by this reference incorporated herein.

- b. With respect to that portion of HBHC's boundary located upon that portion of Government Lot 1, Section 35, Township 7 North, Range 2 East, Boise Meridian, Boise County, Idaho:

See Exhibit "B" which is attached hereto and by this reference incorporated herein.

2. Quit Claim of Interest. HBHC hereby quit claims to the Rumsey Co. any and all portions of the HBHC tract lying or being east of the common boundary line as herein established, and the Rumsey Co. hereby quit claims to HBHC any and all portions of the Rumsey Co. tract lying or being west of the common boundary line as herein established.
3. Recordation. All parties hereto hereby consent to the recordation of this Agreement for the Restatement of Boundary Line upon the Official Records maintained by the County Recorder for the County of Boise, State of Idaho.

IN WITNESS WHEREOF, this Agreement is effective as of the day and year first above written.

HORSESHOE BEND HYDROELECTRIC  
COMPANY

RUMSEY CO.

By: *Christopher Clark*

*Donald J. Rumsey*  
Donald J. Rumsey, Partner

Title: *Corp. Secretary*

Date: \_\_\_\_\_

Date: *December 18, 1995*

Dale Rumsey, Partner

Date: \_\_\_\_\_

BOISE COUNTY RECORDER

*alliance title*

158724

95 DEC 19 10 03 AM

*Shirley George*

MICROFILMED

OCT 18 1996

has been changed from the description set forth in Instrument No. 115898 of the Official Records of Valley County to read as follows:

- a. In respect to that portion of the land owned by HBHC which constitutes a portion of Government Lots 3 and 4, Section 26, Township 7 North, Range 2 East, Boise Meridian, Boise County, Idaho:

See Exhibit "A" which is attached hereto and by this reference incorporated herein.

- b. With respect to that portion of HBHC's boundary located upon that portion of Government Lot 1, Section 35, Township 7 North, Range 2 East, Boise Meridian, Boise County, Idaho:

See Exhibit "B" which is attached hereto and by this reference incorporated herein.

2. Quit Claim of Interest. HBHC hereby quit claims to the Rumsey Co. any and all portions of the HBHC tract lying or being east of the common boundary line as herein established, and the Rumsey Co. hereby quit claims to HBHC any and all portions of the Rumsey Co. tract lying or being west of the common boundary line as herein established.
3. Recordation. All parties hereto hereby consent to the recordation of this Agreement for the Restatement of Boundary Line upon the Official Records maintained by the County Recorder for the County of Boise, State of Idaho.

IN WITNESS WHEREOF, this Agreement is effective as of the day and year first above written.

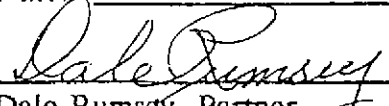
HORSESHOE BEND HYDROELECTRIC  
COMPANY

RUMSEY CO.

By: \_\_\_\_\_

\_\_\_\_\_  
Donald J. Rumsey, Partner

Title: \_\_\_\_\_

Date: \_\_\_\_\_  
  
Dale Rumsey, Partner

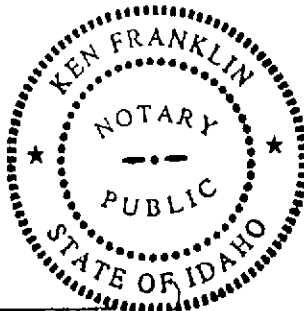
Date: \_\_\_\_\_

Date: 11 Dec. 1995

State of Idaho )  
 ) ss.  
 County of Ada )

On this 18 day of December, in the year 1995, before me, a Notary Public, in and for said State, personally appeared Christopher W. Curtin, known or identified to me to be the Secretary of Horseshoe Bend Hydroelectric Company, the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

(Notary Seal)



Ken Franklin  
 NOTARY PUBLIC

Residing at: Boise

My Commission Expires: 10-5-97

State of \_\_\_\_\_ )  
 ) ss.  
 County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, before me, a Notary Public, in and for said State, personally appeared Donald J. Rumsey, known or identified to me to be the General Partner of the Rumsey Co., the partnership that executed the instrument or the person who executed the instrument on behalf of said partnership, and acknowledged to me that such partnership executed the same.

(Notary Seal)

\_\_\_\_\_  
 NOTARY PUBLIC

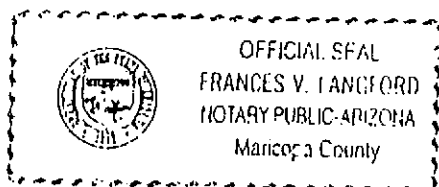
Residing at: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

State of ARIZONA )  
 ) ss.  
 County of Maricopa )

On this 11th day of December, in the year 1995, before me, a Notary Public, in and for said State, personally appeared Dale Rumsey, known or identified to me to be the General Partner of the Rumsey Co., the partnership that executed the instrument or the person who executed the instrument on behalf of said partnership, and acknowledged to me that such partnership executed the same.

(Notary Seal)



Frances V. Langford  
 NOTARY PUBLIC

Residing at: Phoenix, AZ

My Commission Expires: 15 Apr 1997

State of \_\_\_\_\_ )  
 ) ss.  
 County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, before me, a Notary Public, in and for said State, personally appeared \_\_\_\_\_, known or identified to me to be the \_\_\_\_\_ of Horseshoe Bend Hydroelectric Company, the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

(Notary Seal)

\_\_\_\_\_  
 NOTARY PUBLIC

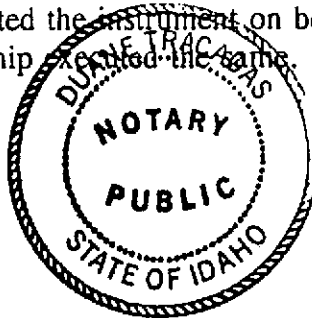
Residing at: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

State of IDAHO )  
 ) ss.  
 County of PALETTE )

On this 12<sup>th</sup> day of DECEMBER, in the year 1995, before me, a Notary Public, in and for said State, personally appeared Donald J. Rumsey, known or identified to me to be the General Partner of the Rumsey Co., the partnership that executed the instrument or the person who executed the instrument on behalf of said partnership, and acknowledged to me that such partnership executed the same.

(Notary Seal)



Donald J. Rumsey  
 NOTARY PUBLIC

Residing at: PALETTE, IDAHO

My Commission Expires: 12/5/2001

State of \_\_\_\_\_ )  
 ) ss.  
 County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, before me, a Notary Public, in and for said State, personally appeared Dale Rumsey, known or identified to me to be the General Partner of the Rumsey Co., the partnership that executed the instrument or the person who executed the instrument on behalf of said partnership, and acknowledged to me that such partnership executed the same.

(Notary Seal)

\_\_\_\_\_  
 NOTARY PUBLIC

Residing at: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

State of \_\_\_\_\_ )  
 ) ss.  
 County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, before me, a Notary Public, in and for said State, personally appeared \_\_\_\_\_, known or identified to me to be the \_\_\_\_\_ of Horseshoe Bend Hydroelectric Company, the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

(Notary Seal)

\_\_\_\_\_  
 NOTARY PUBLIC

Residing at: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

State of \_\_\_\_\_ )  
 ) ss.  
 County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, before me, a Notary Public, in and for said State, personally appeared Donald J. Rumsey, known or identified to me to be the General Partner of the Rumsey Co., the partnership that executed the instrument or the person who executed the instrument on behalf of said partnership, and acknowledged to me that such partnership executed the same.

(Notary Seal)

\_\_\_\_\_  
 NOTARY PUBLIC

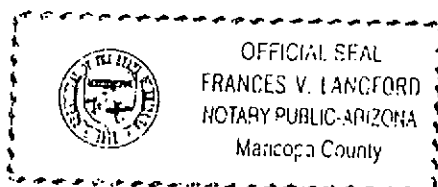
Residing at: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

State of ARIZONA )  
 ) ss.  
 County of Maricopa )

On this 11th day of December, in the year 1995, before me, a Notary Public, in and for said State, personally appeared Dale Rumsey, known or identified to me to be the General Partner of the Rumsey Co., the partnership that executed the instrument or the person who executed the instrument on behalf of said partnership, and acknowledged to me that such partnership executed the same.

(Notary Seal)



*Frances V. Langford*  
 \_\_\_\_\_

NOTARY PUBLIC

Residing at: Phoenix, AZ

My Commission Expires: 15 Apr 1997

15.04  
EXHIBIT "A"

Page 1 of 4

The current description of the common boundary line between that portion of Government Lots 3 and 4, Section 26, Township 7 North, Range 2 East, Boise Meridian, Boise County, State of Idaho acquired by Horseshoe Bend Hydroelectric Company and that portion retained by the Rumsey Co. as highlighted in the following excerpt from Instrument No. 115898 of the Official Records of Boise County, Idaho:

## Parcel 1

A parcel of land being a portion of Government Lots 3 and 4, Section 26, T.7N., R.2E., B.M., Boise County, Idaho, more particularly described as follows:

Beginning at the Southeast corner of Government Lot 4, Section 26, T.7N.; R.2E., B.M.;

thence North 89°57'31" West 706.07 feet along the Southerly boundary of said Lot 4 to a point 25 feet Easterly of the Contour Elevation 2610, said point being the REAL POINT OF BEGINNING;

thence continuing North 89°57'31" West 613.96 feet along said Southerly boundary to a point on the left ordinary high water line of the Payette River;

thence meandering along the said high water line the following courses and distances:

North 19°50'11" East 120.82 feet to an iron pin;  
 North 21°09'24" East 171.49 feet to an iron pin;  
 North 32°29'39" East 197.72 feet to an iron pin;  
 North 37°35'35" East 183.27 feet to an iron pin;  
 North 21°20'56" East 206.51 feet to an iron pin;  
 North 23°35'27" East 276.97 feet to an iron pin;  
 North 21°39'42" East 342.85 feet to an iron pin;  
 North 8°16'32" East 120.03 feet to an iron pin;  
 North 8°29'52" East 86.72 feet to an iron pin;  
 North 12°01'36" East 126.43 feet to an iron pin;  
 North 25°42'41" East 103.24 feet to an iron pin;  
 North 3°11'30" East 107.53 feet to an iron pin;

thence leaving said high water line South 89°48'17" East 57.48 feet, parallel with the Northerly boundary of Government Lot 3 of said Section 26 to a point 25 feet Easterly of the contour elevation 2610;

thence meandering along a line 25 feet Easterly of said contour elevation 2610 the following courses and distances:

South 4°07'28" East 189.33 feet to a point;  
South 10°36'30" East 232.04 feet to a point;  
South 0°00'00" East 154.06 feet to

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OCT 18 1996

South 8°34'33" East 56.01 feet to a point;  
South 9°05'07" West 182.89 feet to a point;  
South 4°15'53" West 72.81 feet to a point;  
South 6°58'54" West 89.10 feet to a point;  
North 56°51'56" West 22.99 feet to a point;  
South 9°15'19" West 220.70 feet to a point;  
South 10°11'43" East 54.39 feet to a point;  
South 7°36'59" West 27.24 feet to a point;  
South 12°56'30" East 21.49 feet to a point;  
South 0°00'00" East 68.42 feet to a point;  
South 11°06'18" West 128.07 feet to a point;  
South 20°51'21" West 47.32 feet to a point;  
South 30°37'54" West 96.83 feet to a point;  
South 3°07'34" East 66.19 feet to a point;  
South 27°07'12" East 110.86 feet to a point;  
South 12°42'39" West 71.09 feet to a point;  
South 36°07'05" West 35.72 feet to a point;  
South 76°36'38" West 40.20 feet to a point;  
South 90°00'00" West 34.90 feet to a point;  
South 49°43'30" West 16.33 feet to a point of  
beginning; comprising 15.04 acres; more or less.

Subject to all existing easements and road rights-of-way of record or appearing on the above-described parcel of land.

The revised and restated common boundary line between that portion of Government Lots 3 and 4, Section 26, Township 7 North, Range 2 East, Boise Meridian, Boise County, State of Idaho acquired by Horseshoe Bend Hydroelectric Company and that portion retained by the Rumsey Co. which is described as follows:

A line within a portion of Government Lots 3 and 4, Section 26, Township 7 North, Range 2 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

Beginning at a Brass Cap at the Southeast corner of Government Lot 4, Section 26, Township 7 North, Range 2 East, Boise Meridian; thence North 89°57'31" West 706.07 feet along the Southerly boundary of said Lot 4 to an iron pin;

thence continuing North 89°57'31" West 613.96 feet along said Southerly boundary to an iron pin at a point on the left ordinary high water line of the Payette River;

thence meandering along the said high water line the following courses and distances:

North 19°50'11" East 120.82 feet to an iron pin;  
North 21°09'24" East 171.49 feet to an iron pin;  
North 32°29'39" East 197.72 feet to an iron pin;  
North 37°35'35" East 183.27 feet to an iron pin;  
North 21°20'56" East 206.51 feet to an iron pin;  
North 23°35'27" East 276.97 feet to an iron pin;  
North 21°39'42" East 342.85 feet to an iron pin;  
North 8°16'32" East 120.03 feet to an iron pin;  
North 8°29'52" East 86.72 feet to an iron pin;  
North 12°01'36" East 126.43 feet to an iron pin;  
North 25°42'41" East 103.24 feet to an iron pin;  
North 3°11'30" East 107.53 feet to an iron pin;

thence leaving said high water line South 89°48'17" East 57.48 feet, parallel with the Northerly boundary of Government Lot 3 of said Section 26 to an iron pin, and the REAL POINT OF BEGINNING;

South 4°07'28" East 189.33 feet to an iron pin;  
South 10°36'30" East 232.04 feet to an iron pin;  
South 0°00'00" East 154.06 feet to an iron pin;  
South 8°34'33" East 56.01 feet to an iron pin;

South 9°05'07" West 182.89 feet to an iron pin;  
South 4°15'53" West 72.81 feet to an iron pin;  
South 6°58'54" West 89.10 feet to an iron pin;  
North 56°51'56" West 22.99 feet to an iron pin;  
South 9°15'19" West 220.70 feet to an iron pin;  
South 10°11'43" East 54.39 feet to an iron pin;  
South 7°36'59" West 27.24 feet to an iron pin;  
South 12°56'30" East 21.49 feet to an iron pin;  
South 0°00'00" West 68.42 feet to an iron pin;  
South 11°06'18" West 128.07 feet to an iron pin;  
South 20°51'21" West 47.32 feet to an iron pin;  
South 30°37'54" West 96.83 feet to an iron pin;  
South 3°07'34" East 66.19 feet to an iron pin;  
South 27°07'12" East 110.86 feet to an iron pin;  
South 12°42'39" West 71.09 feet to an iron pin;  
South 36°07'05" West 35.72 feet to an iron pin;  
South 76°36'38" West 40.20 feet to an iron pin;  
South 90°00'00" West 34.90 feet to an iron pin;  
South 49°43'30" West 16.33 feet to the section line common to Section 26 and  
Section 35, and the end of this description,

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6.77

Page 1 of 3

## EXHIBIT "B"

The current description of the common boundary line between that portion of Government Lot 1, Section 35, Township 7 North, Range 2 East, Boise Meridian, Boise County, State of Idaho acquired by Horseshoe Bend Hydroelectric Company and that portion retained by the Rumsey Co. as highlighted by underline in the following excerpt from Instrument No. 115898 of the Official Records of Boise County, Idaho:

## Parcel 2

A parcel of land being a portion of Government Lot 1, Section 35, T.7N.; R.2E., B.M., Boise County, Idaho, more particularly described as follows:

Beginning at the Northeast corner of Government Lot 1, Section 35, T.7N.; R.2E.; B.M., Boise County, Idaho;

thence North 89°57'31" West 706.07 feet along the Northerly boundary of said Government Lot 1 to a point 25 feet Easterly of Contour Elevation 2610, said point being the REAL POINT OF BEGINNING;

thence continuing North 89°57'31" West 613.96 feet along said Northern boundary of Lot 1 to a point on the left ordinary high water line of the Payette River;

thence meandering along said left ordinary high water line the following courses and distances;

South 19°50'11" West 16.79 feet to an iron pin;  
 South 25°31'35" West 339.02 feet to an iron pin;  
 South 15°22'23" West ~~339.74~~ feet to an iron pin;  
 South 18°06'17" West 57.55 feet to an iron pin;

359.74

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thence leaving said left ordinary high water line,  
South 09°57'31" East 341.78 feet to a point 25  
feet Easterly of Contour Elevation 2610;

thence meandering along a line 25 feet Easterly of  
said Contour Elevation 2610 the following courses  
and distances;

North 29°48'48" East 92.82 feet to a point;  
North 48°45'23" East 64.38 feet to a point;  
North 55°58'27" East 53.54 feet to a point;  
North 35°26'46" East 57.86 feet to a point;  
North 11°50'19" East 47.19 feet to a point;  
North 13°24'20" West 90.47 feet to a point;  
North 4°09'12" East 55.69 feet to a point;  
North 14°29'41" East 51.57 feet to a point;  
North 30°27'52" East 128.89 feet to a point;  
North 38°01'25" East 64.18 feet to a point;  
North 48°28'19" East 81.90 feet to a point;  
North 85°24'17" East 62.32 feet to a point;  
North 63°33'26" East 149.30 feet to the point of  
beginning, comprising 6.99 acres, more or less.

Subject to all existing easements and road rights-  
of-way of record or appearing on the above-  
described parcel of land.

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OCT 18 1996

The revised and restated common boundary line between that portion of Government Lot 1, Section 35, Township 7 North, Range 2 East, Boise Meridian, Boise County, State of Idaho acquired by Horseshoe Bend Hydroelectric Company and that portion retained by the Rumsey Co. which is described as follows:

A line within a portion of Government Lot 1, Section 35, Township 7 North, Range 2 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

Beginning at a Brass Cap at the Northeast corner of Government Lot 1, Section 35, Township 7 North, Range 2 East, Boise Meridian, Boise County, Idaho; thence North 89°57'31" West 706.07 feet along the Northerly boundary of said Government Lot 1 to an iron pin;

thence continuing North 89°57'31" West 613.96 feet along said Northern boundary of Lot 1 to an iron pin at a point on the left ordinary high water line of Payette River; thence meandering along said left ordinary high water line the following courses and distances:

South 19°50'11" West 16.79 feet to an iron pin;  
South 25°31'35" West 339.02 feet to an iron pin;  
South 15°22'23" West 359.74 feet to an iron pin;  
South 18°06'17" West 57.55 feet to an iron pin;

thence leaving said left ordinary high water line South 89°57'31" East 341.78 feet to an iron pin, and the REAL POINT OF BEGINNING;

thence North 29°48'48" East 92.82 feet to an iron pin;  
thence North 48°45'23" East 64.38 feet to an iron pin;  
thence North 55°58'27" East 53.54 feet to an iron pin;  
thence North 35°26'46" East 52.86 feet to an iron pin;  
thence North 11°50'19" East 47.19 feet to an iron pin;  
thence North 13°24'23" West 90.47 feet to an iron pin;  
thence North 4°09'12" East 55.69 feet to an iron pin;  
thence North 14°29'41" East 51.57 feet to an iron pin;  
thence North 30°27'52" East 128.89 feet to an iron pin;  
thence North 38°01'25" East 64.18 feet to an iron pin;  
thence North 48°28'19" East 81.90 feet to an iron pin;  
thence North 85°24'17" East 62.32 feet to an iron pin;  
thence North 63°33'26" East 149.30 feet to the section line common to Section 26 and Section 35, and the end of this description.

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OCT 18 1996

## WARRANTY DEED

FOR VALUABLE CONSIDERATION in hand paid, the receipt of which is hereby acknowledged, Rumsey Co., an Arizona partnership, consisting of Donald J. Rumsey and Dale Rumsey as General Partners, as "GRANTOR", does by these presents hereby grant, bargain, sell, CONVEY AND WARRANT unto the Horseshoe Bend Hydroelectric Company., a Delaware corporation, with its principal office at 1401 Shoreline Drive, in the City of Boise, County of Ada, State of Idaho, as "GRANTEE", all that certain tract, lot, piece, and parcel of land (hereinafter referred as the "PREMISES") situated in the City of Horseshoe Bend, County of Boise, State of Idaho, which is more particularly described as follows:

See attached Exhibit "A"

GRANTOR does hereby covenant to and with said GRANTEE, that GRANTOR is the owner in fee simple of said PREMISES; that said PREMISES are free and clear from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made suffered or done by GRANTEE; and that GRANTOR will warrant and defend the same from all lawful claims whatsoever.

## SUBJECT TO:

1. Except as otherwise noted below, all reservations, restrictions, dedications, easements, rights of way and agreements as appear of record or by use upon the PREMISES.
2. General taxes and assessments (including irrigation and utility assessments) for the current year which constitute a lien but which are not yet due and payable.
3. An easement for the continued maintenance and operation of a certain buried irrigation line serving property of Grantor located to the north and west of the PREMISES, which easement shall follow the existing course of said irrigation line (which enters the PREMISES on the south and exits the PREMISES in the northerly portion) and which easement is specifically reserved by and for the benefit of Grantor and its successors and assigns, provided, in the event that operation and maintenance of all or any portion of the irrigation line should become incompatible with Grantee's use of the servient estate in the future, Grantor shall, at its expense, relocate all affected portions thereof, along an alternate course mutually agreed upon between Grantor and Grantee, provided that relocation work shall be done at a time mutually agreed by the parties and, in the event that relocation of the line or portion upon the servient estate is not feasible because of Grantee's use of the PREMISES, the line or portion shall be relocated to Grantor's adjacent property.

RECEIVED

MAY 06 1996

WATER RESOURCES  
WESTERN REGION

158723

MICROFILMED

OCT 18 1996

991-100-10-11-10-35

*Alfonse Little*

956722 11 3:42

*\$12.00 ck*

TOGETHER, with all and singular, the tenements, hereditaments, and appurtenances thereto belonging, or in anywise appertaining and the reversion and the reversions, remainder and remainders, rents, issues, and profits thereof.

TO HAVE AND TO HOLD the said PREMISES, with its appurtenances unto the said GRANTEE, their heirs and assigns forever.

IN WITNESS WHEREOF, the GRANTOR has caused these presents to be signed by a duly authorized officer of the GRANTOR on the date set forth below.

Dated this 11<sup>th</sup> day of December, 1995.

RUMSEY CO., an Arizona General Partnership

By: Donald J. Rumsey

DONALD J. RUMSEY, PARTNER

State of Idaho )

) ss.

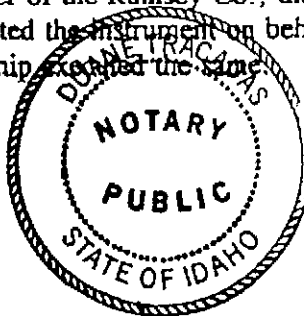
By: \_\_\_\_\_

DALE RUMSEY, PARTNER

County of Payette )

On this 11<sup>th</sup> day of DECEMBER, in the year 1995, before me, a Notary Public, in and for said State, personally appeared Donald J. Rumsey, known or identified to me to be the General Partner of the Rumsey Co., the partnership that executed the instrument or the person who executed the instrument on behalf of said partnership, and acknowledged to me that such partnership executed the same.

(Notary Seal)



Donald J. Rumsey  
NOTARY PUBLIC

Residing at: Payette, Idaho

My Commission Expires: 12/05/2001

State of \_\_\_\_\_ )

) ss.

County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, before me, a Notary Public, in and for said State, personally appeared Dale Rumsey, known or identified to me to be the General Partner of the Rumsey Co., the partnership that executed the instrument or the person who executed the instrument on behalf of said partnership, and acknowledged to me that such partnership executed the same.

(Notary Seal)

\_\_\_\_\_  
NOTARY PUBLIC

Residing at: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

8-4-072.95



## EXHIBIT "A"

Attachment #5 - Page 4 of 4

A parcel of land within a portion of Government Lot 1, Section 35, Township 7 North, Range 2 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

BEGINNING at a brass cap at the Northeast corner of Government Lot 1, Section 35, Township 7 North, Range 2 East, Boise Meridian, Boise County, Idaho; thence North 89 degrees 57'31" West, 706.07 feet along the Northerly boundary of said Government Lot 1 to a rebar and cap; thence continuing North 89 degrees 57'31" West, 613.96 feet along said Northern boundary of Lot 1 to a rebar and cap at a point on the left ordinary high water line of Payette River; thence meandering along said left ordinary high water line the following courses and distances:

South 19 degrees 50'11" West, 16.79 feet to a rebar and cap; thence

South 25 degrees 31'35" West, 339.02 feet to a rebar and cap LS 972; thence

South 15 degrees 22'23" West, 359.74 feet to a rebar and cap LS 972; thence

South 18 degrees 06'17" West, 57.55 feet to a rebar and cap LS 972 and the REAL POINT OF BEGINNING; thence

South 18 degrees 06'17" West, 81.22 feet to a rebar and cap LS 972; thence leaving said left ordinary high water line

South 18 degrees 06'17" West, 2.92 feet to a point; thence

South 89 degrees 57'31" East, 30.00 feet to a set 5/8" rebar with cap PLS 7612; thence

South 89 degrees 57'31" East, 299.78 feet to a set 5/8" rebar and cap PLS 7612 on the centerline of the existing traveled way known as Cemetery Road; thence along said centerline

North 25 degrees 30'00" East, 88.60 feet to a set 5/8" rebar and cap PLS 7612; thence

North 89 degrees 57'31" West, 341.78 feet to the REAL POINT OF BEGINNING.

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OCT 18 1996

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: A65-02532  
Date Received: 5/23/1989  
Receipt No: X999999  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: DOUBLE DIAMOND RANCHES 208-336-4801  
Address: DON & DALE RUMSEY  
311 4TH ST N EXT  
NAMPA ID 83687-3247

2. Date of Priority: SEP 14, 1950

3. Source: PAYETTE RIVER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 07N      | 02E   | 26      | SE     | NW     |     | 2   | BOISE  |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 1.800 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 07N      | 02E   | 26      | NE     | SW  | 3   | IRR | 10.0  |
|          |       |         | SE     | SW  | 4   | IRR | 25.0  |
|          |       |         | NW     | SE  |     | IRR | 19.0  |
|          |       |         | SW     | SE  |     | IRR | 15.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |      |
|----------|-------|---------|------------|-----|---------------|-------|------|
|          |       |         |            |     | Section Acres | 69.0  |      |
|          |       | 35      | NE         | NW  | 1             | IRR   | 14.0 |
|          |       |         |            |     | Section Acres | 14.0  |      |
|          |       |         |            |     | Total Acres   | 83.0  |      |

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

ADDRESS CHANGED PER CLAIMANT LETTER. LH  
THIS RIGHT WHEN COMBINED WITH RIGHTS 65-1317 & 65-11393 SHALL  
PROVIDE NO MORE THAN .02 CFS/ACRE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

16. Signature(s)

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

Number of attachments: \_\_\_\_\_

**For Individuals:**

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

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_  
\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A65-02532  
Date Received: 5/23/1989  
Receipt No: X999999  
Received By: \_\_\_\_\_

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: DOUBLE DIAMOND RANCHES  
Address: DON & DALE RUMSEY  
200 SUNRISE RIM ROAD  
BOISE, ID 83705  
208-336-4801

2. Date of Priority: SEP 14, 1950

3. Source: PAYETTE RIVER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 07N      | 02E   | 26      | SE     | NW     |     | 2   | BOISE  |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 1.800  |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 07N      | 02E   | 26      | NE     | SW  | 3   | IRR | 10.0  |
|          |       |         | SE     | SW  | 4   | IRR | 25.0  |
|          |       |         | NW     | SE  |     | IRR | 19.0  |

A65-02532

Page 1

Date: 08/15/89

MICROFILMED MICROFILMED  
OCT 18 1996 SEP 18 1992

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 07N      | 02E   | 26      | SW     | SE  |     | IRR           | 15.0  |
|          |       |         |        |     |     | Section Acres | 69.0  |
|          |       | 35      | NE     | NW  | 1   | IRR           | 14.0  |
|          |       |         |        |     |     | Section Acres | 14.0  |
|          |       |         |        |     |     | Total Acres   | 83.0  |

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHTS 65-1317 & 65-11393 SHALL  
PROVIDE NO MORE THAN .02 CFS/ACRE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

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

Number of attachments: \_\_\_\_\_

**For Individuals:**

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

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) SS.

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

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

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

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

CIVIL CASE NUMBER: 39576  
Ident. No.

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

Please type or print clearly:

Name of Claimant(s) DOUBLE DIAMOND RANCHES  
DON & DALE RUMSEY

Mailing Address 200 SUNRISE RIM ROAD  
(include Zip Code) BOISE, ID 83705

Phone Number (208 ) 336-4801

MICROFILMED MICROFILMED  
OCT 18 1996 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: 65-02532

DATE RECEIVED: 5/23/89

RECEIPT NO: 2888889

RECEIVED BY: J

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. NAME: DOUBLE DIAMOND INC.  
ADDRESS: C/O DON RUMSEY  
HORSESHOE BEND, ID

83629

2. DATE OF PRIORITY: SEP 14, 1950

3. SOURCE: PAYETTE RIVER TRIB. TO:

4. POINT OF DIVERSION:

| TOWNSHIP | RANGE | SECTION | 1/4 OF 1/4 OF 1/4 | LOT | COUNTY |
|----------|-------|---------|-------------------|-----|--------|
| 07N      | 02E   | 26      |                   | 2   | BOISE  |

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

| PURPOSE    | FROM  | TO    | C.F.S. | (OR) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 1.800  |      |        |

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

A.F.A.

8. TOTAL CONSUMPTIVE USE IS ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

| TOWNSHIP | RANGE | SECTION | 1/4 OF 1/4 | LOT | USE | ACRES |
|----------|-------|---------|------------|-----|-----|-------|
| 07N      | 02E   | 26      | NE SW      | 3   | IRR | 10.0  |
|          |       |         | SE SW      | 4   | IRR | 25.0  |
|          |       |         | NW SE      |     | IRR | 19.0  |
|          |       |         | SW SE      |     | IRR | 15.0  |

SECTION ACRES 69.0

65-02532

PAGE 1

DATE: 03/04/89

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MICROFILMED MICROFILMED  
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SEP 18 1997

10. PLACE OF USE: CONTINUED

| TOWNSHIP      | RANGE | SECTION | 1/4 OF 1/4 | LOT | USE | ACRES |
|---------------|-------|---------|------------|-----|-----|-------|
| 07N           | 02E   | 35      | NE NW      | 1   | IRR | 14.0  |
| SECTION ACRES |       |         |            |     |     | 14.0  |
| TOTAL ACRES   |       |         |            |     |     | 83.0  |

11. PLACE OF USE IN COUNTIES: BOISE, BOISE

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

13. OTHER WATER RIGHTS USED:

14. REMARKS:

THIS RIGHT WHEN COMBINED WITH RIGHTS 65-1317 & 65-11393 SHALL  
PROVIDE NO MORE THAN .02 CFS/ACRE.

15. BASIS OF CLAIM: DECREEED

CASE NUMBER:

COURT :

DECREE DATE: 1/21/1986

STATE OF IDAHO  
DECREE PLAINTIFF

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

15. SIGNATURE(S)

(A.) BY SIGNING BELOW, I/WE ACKNOWLEDGE THAT I/WE HAVE RECEIVED, READ AND UNDERSTAND THE FORM ENTITLED "HOW YOU WILL RECEIVE NOTICE IN THE SNAKE RIVER BASIN ADJUDICATION." (B.) I/WE DO \_\_\_\_ DO NOT \_\_\_\_ WISH TO RECEIVE AND PAY A SMALL ANNUAL FEE FOR MONTHLY COPIES OF THE DOCKET SHEET.

NUMBER OF ATTACHMENTS: \_\_\_\_\_

FOR INDIVIDUALS:

I/WE DO SOLEMNLY SWEAR OR AFFIRM THAT THE STATEMENTS CONTAINED IN THE FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF CLAIMANT(S): \_\_\_\_\_ DATE: \_\_\_\_\_  
\_\_\_\_\_ DATE: \_\_\_\_\_

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM President OF  
TITLE  
Double Diamond Ranches, THAT I HAVE SIGNED THE FOREGOING  
ORGANIZATION  
DOCUMENT IN THE SPACE BELOW AS President OF  
TITLE  
Double Diamond Ranches AND THAT THE STATEMENTS CONTAINED IN THE  
ORGANIZATION  
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

Donald Ramsey  
SIGNATURE OF AUTHORIZED AGENT  
President  
TITLE AND ORGANIZATION  
5-17-89  
DATE

STATE OF IDAHO )  
COUNTY OF Ada ) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 17 DAY  
OF May 19 89

Superintendent  
NOTARY PUBLIC

SEAL

RESIDING AT Bonneville  
MY COMMISSION EXPIRES JUNE-1991

MICROFILMED  
OCT 18 1996  
MICROFILMED  
OCT 18 1996

SRBA CLAIMS RECEIVING CHECKLIST #2

SEP 8 1992

10/25/2000

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

RIGHT NUMBER: 65-2532B

NAME AND ADDRESS: HORSHOE BEND HYDROELECTRIC CO  
PO BOX 2797  
1401 SHORELINE DRIVE  
BOISE, ID 83701

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.5 CFS  
103.5 AFY

USE OF THIS RIGHT WITH RIGHT NO. 65-11393B IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 0.02 CFS PER ACRE AT FIELD  
HEADGATE.

PRIORITY DATE: 09/14/1950

POINT OF DIVERSION: T07N R02E S26 LOT 2 SENW Within BOISE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>       |
|-----------------------|----------------------|-----------------------|
| IRRIGATION            | 03-15 11-15          | 0.50 CFS<br>103.5 AFY |

PLACE OF USE:

| <u>IRRIGATION Within BOISE County</u> |   |                          |    |
|---------------------------------------|---|--------------------------|----|
| T07N R02E S26 LOT 3 NESW              | 2 | T07N R02E S26 LOT 4 SESW | 14 |
| T07N R02E S35 LOT 1 NENW              | 7 |                          |    |
| 23 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

00:08:40  
06/10/00  
218

PAGE: 18  
PROFILE REPORT

CLAIM NUMBER: A65-02532B

| OWNER<br>CODE    | NAME & ADDRESS                | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO     | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-------------------------------|------------------|------------|---------------------------|-------------------|---------------------|
| C                | HORSHOE BEND HYDROELECTRIC CO | 09/14/1950       | IRRIGATION | 04-01-11-01<br>3-15-11-15 | 0.500 CFS         | 103.5               |
| TOTAL DIVERSION: |                               |                  |            |                           | 0.500 CFS         | 103.5               |

Water Source: PAYETTE RIVER

Tributary to: Snake R

Stage: DECREED

Point(s) of Diversion: T07N R02E S26 Lot02( SENW)

BOISE 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 | Lt | Ac   | SUM  |
| 07N         | 02E | 26 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |      | 16.0 |
| 07N         | 02E | 35 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |      | 7.0  |
| TOTAL ACRES |     |    |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 23.0 |      |

PDU County: BOISE

Remarks: NAM ADDRESS CHANGED PER CLAIMANT LETTER. LH

GEN THIS RIGHT ~~WHEN COMBINED WITH RIGHTS 65-1317 & 65-11393~~ SHALL  
PROVIDE NO MORE THAN .02 CFS/ACRE.  
THIS CLAIM IS A RESULT OF A CHANGE OF OWNERSHIP OF A65-02532  
BY MTS 5/20/1996, NO FEE REQUIRED  
APPROVED TRANSFER 4978 CHANGED THE POINT OF DIVERSION OF THE BASE  
RIGHT 65-02532B. HOWEVER, THIS CLAIM ALREADY REFLECTED THE SAME  
POINT OF DIVERSION SO NO CHANGE WAS NECESSARY, MTS-12/2/1997.

POD  
Comm  
+ per

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:  
Presumption Flag:

C18

QNTW  
11393B  
251.8  
10248

WR5809NP  
No. 65-025328

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 06/10/00  
PAGE: 13

| OWNER<br>CODE    | NAME & ADDRESS                                                                     | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|------------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | HORSESHOE BEND HYDROELECTRIC CO<br>PO BOX 2797<br>BOISE ID 83701<br>(208) 345-7515 | 09/14/1950       | IRRIGATION | 03/15 11/15           | 0.500 CFS         | 103.50 AFA          |
| TOTAL DIVERSION: |                                                                                    |                  |            |                       | 0.500 CFS         | 103.50 AFA          |

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: DECREEED

Point(s) of Diversion: T07N R02E S26 Lot 02( SENW)

BOISE 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  |
| 07N         | 02E | 26 | :    |    |    |    | :    |       |    |    | :    | 03-02 |    |    | :    |    |    |    | : 16.0 |
| 07N         | 02E | 35 | :    |    |    |    | :    | 01-07 |    |    | :    |       |    |    | :    |    |    |    | : 7.0  |
| TOTAL ACRES |     |    |      |    |    |    |      |       |    |    |      |       |    |    |      |    |    |    | : 23.0 |

Pou County: BOISE

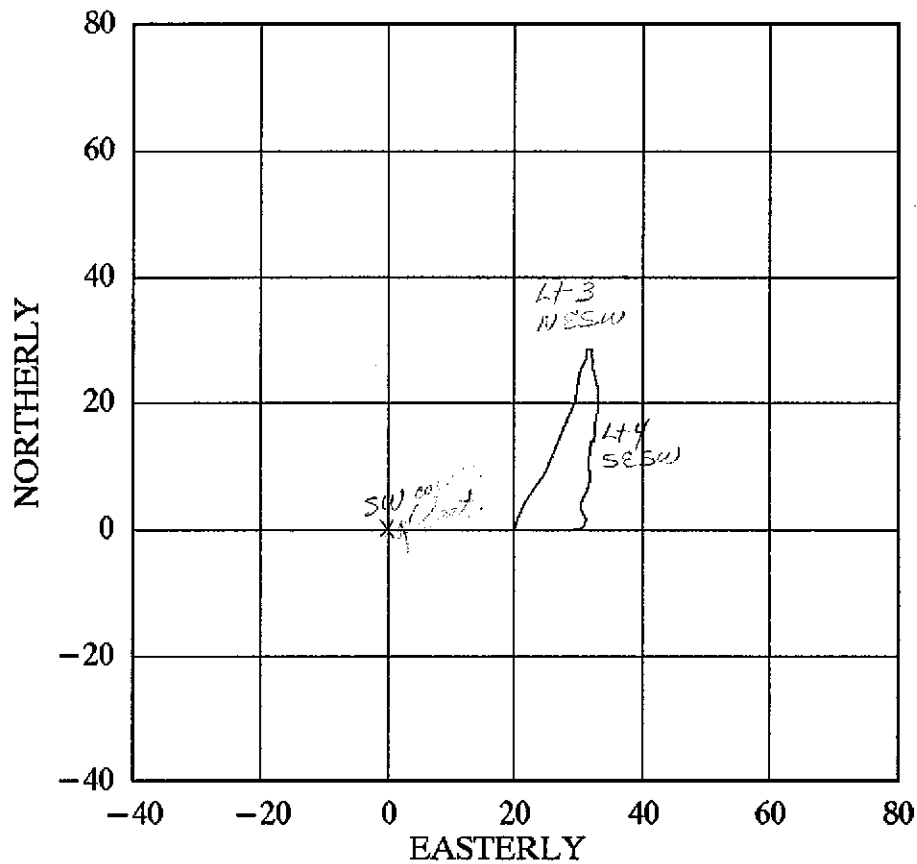
Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
- R43 - The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
- R32 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.
- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

|        |                 |                    |            |
|--------|-----------------|--------------------|------------|
| Dates: | App. Received:  | Priority Date:     | 09/14/1950 |
|        | Proof Due Date: | Proof Made Date:   |            |
|        | Exam Made Date: | Exam Sent to S.O.: |            |
|        | Licensed Date:  |                    |            |

Misc: Water District Number: 65 Field Exam Fee:

PARCEL PLOT - METES & BOUNDS  
DISTANCE IS IN CHAINS



*pc 26*  
*15.63*

METES AND BOUNDS TABLE \*\*\*PRESS ALT P TO PRINT GRAPH\*\*\*

|                                 | X-COR | Y-COR | ANGLE   |         |         | BEARING | DIST (FT) |
|---------------------------------|-------|-------|---------|---------|---------|---------|-----------|
|                                 |       |       | DEGREES | MINUTES | SECONDS |         |           |
| BEGIN POINT COR.<br>(SEE SHEET) | 40.00 | 0.00  |         |         |         |         |           |
|                                 | 29.30 | 0.01  | 89.00   | 57.00   | 31.00   | NW      | 706.07    |
|                                 | 20.00 | 0.01  | 89.00   | 57.00   | 31.00   | NW      | 613.96    |
|                                 | 20.62 | 1.74  | 19.00   | 50.00   | 11.00   | NE      | 120.82    |
|                                 | 21.56 | 4.16  | 21.00   | 9.00    | 24.00   | NE      | 171.49    |
| -QUAD COEF-                     | 23.17 | 6.69  | 32.00   | 29.00   | 39.00   | NE      | 197.72    |
| IF NE, X=1,Y=1                  | 24.86 | 8.89  | 37.00   | 35.00   | 35.00   | NE      | 183.27    |
| IF SE, X=1,Y=-1                 | 26.00 | 11.80 | 21.00   | 20.00   | 56.00   | NE      | 206.51    |
| IF SW, X=-1,Y=-1                | 27.68 | 15.65 | 23.00   | 35.00   | 27.00   | NE      | 276.97    |
| IF NW, X=-1,Y=1                 | 29.60 | 20.47 | 21.00   | 39.00   | 42.00   | NE      | 342.85    |
|                                 | 29.86 | 22.27 | 8.00    | 16.00   | 32.00   | NE      | 120.03    |
|                                 | 30.05 | 23.57 | 8.00    | 29.00   | 52.00   | NE      | 86.72     |
|                                 | 30.45 | 25.45 | 12.00   | 1.00    | 36.00   | NE      | 126.43    |
|                                 | 31.13 | 26.86 | 25.00   | 42.00   | 41.00   | NE      | 103.42    |
|                                 | 31.22 | 28.49 | 3.00    | 11.00   | 30.00   | NE      | 107.53    |
|                                 | 32.09 | 28.48 | 89.00   | 48.00   | 17.00   | SE      | 57.48     |
|                                 | 32.30 | 25.62 | 4.00    | 7.00    | 28.00   | SE      | 189.33    |
|                                 | 32.95 | 22.17 | 10.00   | 36.00   | 30.00   | SE      | 232.04    |
|                                 | 32.95 | 19.83 | 0.00    | 0.00    | 0.00    | SE      | 154.06    |
|                                 | 33.07 | 18.99 | 8.00    | 34.00   | 33.00   | SE      | 56.01     |
|                                 | 32.64 | 16.27 | 9.00    | 5.00    | 7.00    | SW      | 182.09    |
|                                 | 32.56 | 15.17 | 4.00    | 15.00   | 53.00   | SW      | 72.81     |
|                                 | 32.39 | 13.83 | 6.00    | 58.00   | 54.00   | SW      | 89.10     |
|                                 | 32.10 | 14.02 | 56.00   | 51.00   | 56.00   | NW      | 22.99     |
|                                 | 31.56 | 10.72 | 9.00    | 15.00   | 19.00   | SW      | 220.70    |
|                                 | 31.71 | 9.91  | 10.00   | 11.00   | 43.00   | SE      | 54.39     |
|                                 | 31.65 | 9.50  | 7.00    | 36.00   | 59.00   | SW      | 27.24     |
|                                 | 31.73 | 9.18  | 12.00   | 56.00   | 30.00   | SE      | 21.49     |
|                                 | 31.73 | 8.14  | 0.00    | 0.00    | 0.00    | SE      | 68.42     |
|                                 | 31.35 | 6.24  | 11.00   | 6.00    | 18.00   | SW      | 128.07    |
|                                 | 31.10 | 5.57  | 20.00   | 51.00   | 21.00   | SW      | 47.32     |
|                                 | 30.35 | 4.31  | 30.00   | 37.00   | 54.00   | SW      | 96.83     |
|                                 | 30.41 | 3.31  | 3.00    | 7.00    | 34.00   | SE      | 66.19     |
|                                 | 31.17 | 1.81  | 27.00   | 7.00    | 12.00   | SE      | 110.86    |
|                                 | 30.93 | 0.76  | 12.00   | 42.00   | 39.00   | SW      | 71.09     |
|                                 | 30.62 | 0.32  | 36.00   | 7.00    | 5.00    | SW      | 35.72     |
|                                 | 30.02 | 0.18  | 76.00   | 36.00   | 38.00   | SW      | 40.20     |
|                                 | 29.49 | 0.18  | 90.00   | 0.00    | 0.00    | SW      | 34.90     |
|                                 | 29.31 | 0.02  | 49.00   | 43.00   | 30.00   | SW      | 16.33     |

MICROFILMED  
OCT 18 1996

|        |         |          |           |        |
|--------|---------|----------|-----------|--------|
| -28.75 | -179.81 | -942.92  | 84770.88  | -29.50 |
| -5.41  | -72.61  | -977.08  | 35472.27  | -28.69 |
| -10.83 | -88.44  | -993.33  | 43924.69  | -27.68 |
| -19.25 | 12.57   | -1023.41 | -6430.33  | -27.83 |
| -35.50 | -217.83 | -1078.16 | 117425.94 | -25.13 |
| 9.63   | -53.53  | -1104.03 | 29549.95  | -24.46 |
| -3.61  | -27.00  | -1098.01 | 14822.97  | -24.12 |
| 4.81   | -20.94  | -1096.81 | 11485.84  | -23.85 |
| 0.00   | -68.42  | -1092.00 | 37357.15  | -22.99 |
| -24.67 | -125.67 | -1116.66 | 70166.60  | -21.38 |
| -16.85 | -44.22  | -1158.18 | 25607.02  | -20.80 |
| -49.34 | -83.32  | -1224.36 | 51005.84  | -19.62 |
| 3.61   | -66.09  | -1270.09 | 41970.97  | -18.66 |
| 50.54  | -98.67  | -1215.94 | 59989.27  | -17.28 |
| -15.64 | -69.35  | -1181.05 | 40951.49  | -16.34 |
| -21.06 | -28.85  | -1217.74 | 17568.86  | -15.94 |
| -39.11 | -9.31   | -1277.91 | 5948.05   | -15.80 |
| -34.90 | 0.00    | -1351.91 | 0.00      | -15.80 |
| -12.46 | -10.56  | -1399.27 | 7385.81   | -15.63 |
| 0.00   | 0.00    | -1411.73 | 0.00      | -15.63 |

MICROFILMED  
OCT 18 1996

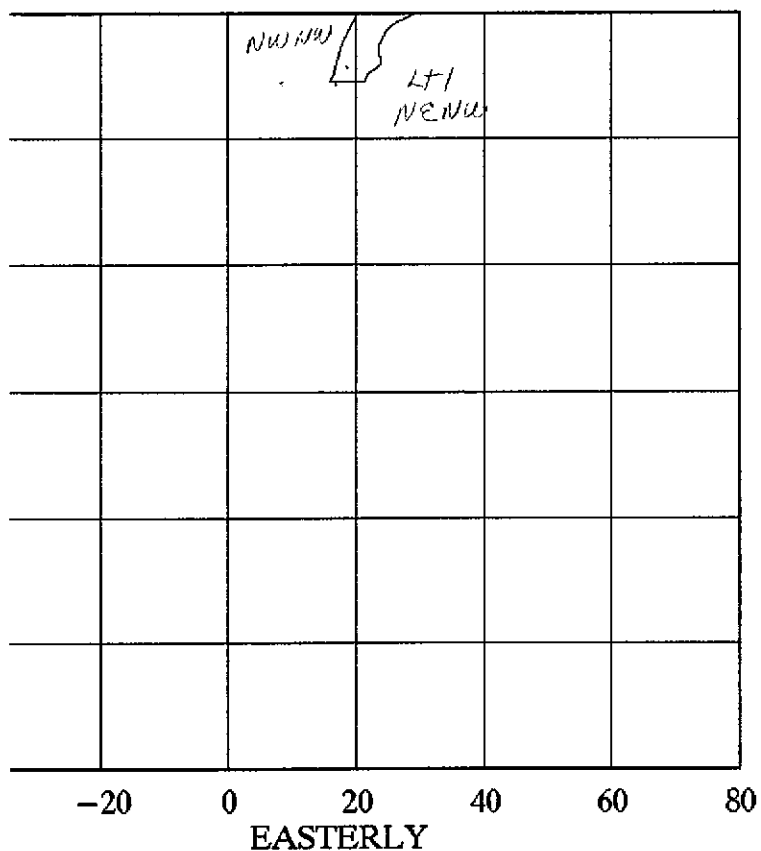
# ACREAGE CALCULATIONS

| LAST DEP. | DEPARTURE | LATITUDE | DMD      | AREA FT2   | CUM ACRES |
|-----------|-----------|----------|----------|------------|-----------|
| 0.00      | -706.07   | 0.51     | -706.07  | -180.06    | -0.00     |
|           | -613.96   | 0.44     | -2026.10 | -449.30    | -0.01     |
|           | 41.00     | 113.65   | -2599.06 | -147693.19 | -3.41     |
|           | 61.89     | 159.93   | -2496.17 | -199607.42 | -7.99     |
|           | 106.22    | 166.77   | -2328.06 | -194120.52 | -12.44    |
|           | 111.80    | 145.22   | -2110.03 | -153205.90 | -15.96    |
|           | 75.18     | 192.34   | -1923.05 | -184939.39 | -20.21    |
|           | 110.84    | 253.82   | -1737.03 | -220448.66 | -25.27    |
|           | 126.55    | 318.64   | -1499.63 | -238919.44 | -30.75    |
|           | 17.28     | 118.78   | -1355.80 | -80521.02  | -32.60    |
|           | 12.81     | 85.77    | -1325.71 | -56851.63  | -33.91    |
|           | 26.34     | 123.65   | -1286.55 | -79544.11  | -35.73    |
|           | 44.87     | 93.18    | -1215.34 | -56622.89  | -37.03    |
|           | 5.99      | 107.36   | -1164.48 | -62511.35  | -38.47    |
|           | 57.48     | -0.20    | -1101.02 | 107.85     | -38.46    |
|           | 13.62     | -188.84  | -1029.92 | 97244.90   | -36.23    |
|           | 42.72     | -228.07  | -973.59  | 111024.86  | -33.68    |
|           | 0.00      | -154.06  | -930.87  | 71704.81   | -32.04    |
|           | 8.35      | -55.38   | -922.52  | 25546.22   | -31.45    |

MICROFILMED  
OCT 18 1996

PARCEL PLOT -- METES & BOUNDS  
DISTANCE IS IN CHAINS

Sec 35  
6.29



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OCT 18 1996

\*\*\*PRESS ALT P TO PRINT GRAPH\*\*\*

DEGREES MINUTES SECONDS

[illegible]

MICROFILMED

**OCT 18 1996**

# ACREAGE CALCULATIONS

| LAST DEP. | DEPARTURE | LATITUDE | DMD | AREA FT2 | CUM ACRES |
|-----------|-----------|----------|-----|----------|-----------|
|-----------|-----------|----------|-----|----------|-----------|

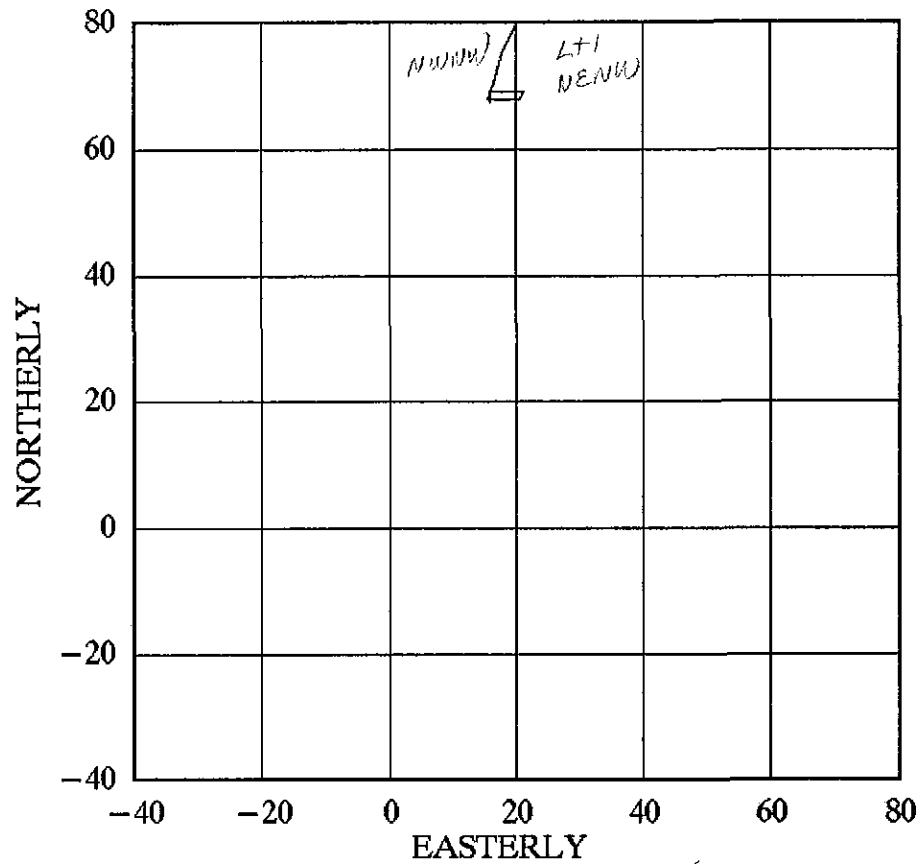
|      |         |         |          |            |       |
|------|---------|---------|----------|------------|-------|
| 0.00 | -706.07 | 0.51    | -706.07  | -180.06    | -0.00 |
|      | -613.96 | 0.44    | -2026.10 | -449.30    | -0.01 |
|      | -5.70   | -15.79  | -2645.76 | 20893.24   | 0.47  |
|      | -146.09 | -305.93 | -2797.55 | 427922.87  | 10.29 |
|      | -95.37  | -346.87 | -3039.01 | 527068.14  | 22.39 |
|      | -17.88  | -54.70  | -3152.26 | 86215.42   | 24.37 |
|      | 341.78  | -0.25   | -2828.36 | 349.15     | 24.38 |
|      | 46.15   | 80.54   | -2440.44 | -98270.57  | 22.12 |
|      | 48.41   | 42.44   | -2345.88 | -49783.43  | 20.98 |
|      | 44.37   | 29.96   | -2253.10 | -33750.51  | 20.20 |
|      | 30.66   | 43.06   | -2178.07 | -46897.11  | 19.13 |
|      | 9.68    | 46.19   | -2137.73 | -49366.93  | 17.99 |
|      | -20.98  | 88.00   | -2149.03 | -94562.28  | 15.82 |
|      | 4.03    | 55.54   | -2165.97 | -60153.06  | 14.44 |
|      | 12.91   | 49.93   | -2149.03 | -53648.98  | 13.21 |
|      | 65.35   | 111.10  | -2070.77 | -115027.34 | 10.57 |
|      | 39.53   | 50.56   | -1965.89 | -49696.05  | 9.43  |
|      | 61.31   | 54.30   | -1865.05 | -50634.70  | 8.27  |
|      | 62.12   | 4.99    | -1741.61 | -4347.83   | 8.17  |
|      | 133.68  | 66.48   | -1545.81 | -51385.83  | 6.99  |

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 OCT 18 1996



.62 acre parcel

PARCEL PLOT - METES & BOUNDS  
DISTANCE IS IN CHAINS



535

0.62 acre parcel

OCT 18 1996

\*\*\*PRESS ALT P TO PRINT GRAPH\*\*\*

BEARING DIST (FT)

| DEGREES | MINUTES | SECONDS |
|---------|---------|---------|
| 1       | 1       | 1       |
| 2       | 2       | 2       |
| 3       | 3       | 3       |
| 4       | 4       | 4       |
| 5       | 5       | 5       |
| 6       | 6       | 6       |
| 7       | 7       | 7       |
| 8       | 8       | 8       |
| 9       | 9       | 9       |
| 10      | 10      | 10      |
| 11      | 11      | 11      |
| 12      | 12      | 12      |
| 13      | 13      | 13      |
| 14      | 14      | 14      |
| 15      | 15      | 15      |
| 16      | 16      | 16      |
| 17      | 17      | 17      |
| 18      | 18      | 18      |
| 19      | 19      | 19      |
| 20      | 20      | 20      |
| 21      | 21      | 21      |
| 22      | 22      | 22      |
| 23      | 23      | 23      |
| 24      | 24      | 24      |
| 25      | 25      | 25      |
| 26      | 26      | 26      |
| 27      | 27      | 27      |
| 28      | 28      | 28      |
| 29      | 29      | 29      |
| 30      | 30      | 30      |
| 31      | 31      | 31      |
| 32      | 32      | 32      |
| 33      | 33      | 33      |
| 34      | 34      | 34      |
| 35      | 35      | 35      |
| 36      | 36      | 36      |
| 37      | 37      | 37      |
| 38      | 38      | 38      |
| 39      | 39      | 39      |
| 40      | 40      | 40      |
| 41      | 41      | 41      |
| 42      | 42      | 42      |
| 43      | 43      | 43      |
| 44      | 44      | 44      |
| 45      | 45      | 45      |
| 46      | 46      | 46      |
| 47      | 47      | 47      |
| 48      | 48      | 48      |
| 49      | 49      | 49      |
| 50      | 50      | 50      |
| 51      | 51      | 51      |
| 52      | 52      | 52      |
| 53      | 53      | 53      |
| 54      | 54      | 54      |
| 55      | 55      | 55      |
| 56      | 56      | 56      |
| 57      | 57      | 57      |
| 58      | 58      | 58      |
| 59      | 59      | 59      |
| 60      | 60      | 60      |

**(SEE SHEET)**

-QUAD COEF-

```
IF NE, X=1,Y=1
IF SE, X=1,Y=-1
IF SW, X=-1,Y=-1
IF NW, X=-1,Y=1
```

[illegible]

# ACREAGE CALCULATIONS

| LAST DEP. | DEPARTURE | LATITUDE | DMD | AREA FT2 | CUM ACRES |
|-----------|-----------|----------|-----|----------|-----------|
|-----------|-----------|----------|-----|----------|-----------|

|       |         |         |          |            |       |
|-------|---------|---------|----------|------------|-------|
| ===== |         |         |          |            |       |
| 0.00  | -706.07 | 0.51    | -706.07  | -180.06    | -0.00 |
|       | -613.96 | 0.44    | -2026.10 | -449.30    | -0.01 |
|       | -5.70   | -15.79  | -2645.76 | 20893.24   | 0.47  |
|       | -146.09 | -305.93 | -2797.55 | 427922.87  | 10.29 |
|       | -95.37  | -346.87 | -3039.01 | 527068.14  | 22.39 |
|       | -17.88  | -54.70  | -3152.26 | 86215.42   | 24.37 |
|       | -25.24  | -77.20  | -3195.38 | 123339.89  | 27.20 |
|       | -0.91   | -2.78   | -3221.53 | 4470.57    | 27.30 |
|       | 30.00   | -0.02   | -3192.44 | 34.59      | 27.30 |
|       | 299.78  | -0.22   | -2862.66 | 309.96     | 27.31 |
|       | 38.14   | 79.97   | -2524.73 | -100950.32 | 24.99 |
|       | -341.78 | 0.25    | -2828.37 | -349.15    | 24.98 |
|       | 0.00    | 0.00    | -3170.15 | 0.00       | 24.98 |
|       | 0.00    | 0.00    | -3170.15 | 0.00       | 24.98 |
|       | 0.00    | 0.00    | -3170.15 | 0.00       | 24.98 |
|       | 0.00    | 0.00    | -3170.15 | 0.00       | 24.98 |
|       | 0.00    | 0.00    | -3170.15 | 0.00       | 24.98 |
|       | 0.00    | 0.00    | -3170.15 | 0.00       | 24.98 |
|       | 0.00    | 0.00    | -3170.15 | 0.00       | 24.98 |
|       | 0.00    | 0.00    | -3170.15 | 0.00       | 24.98 |
|       | 0.00    | 0.00    | -3170.15 | 0.00       | 24.98 |

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 OCT 18 1996

[illegible]

**MICROFILMED**  
**OCT 18 1996**



"B" file

E 142

080816 DIA MOBILE INC

E-147

69

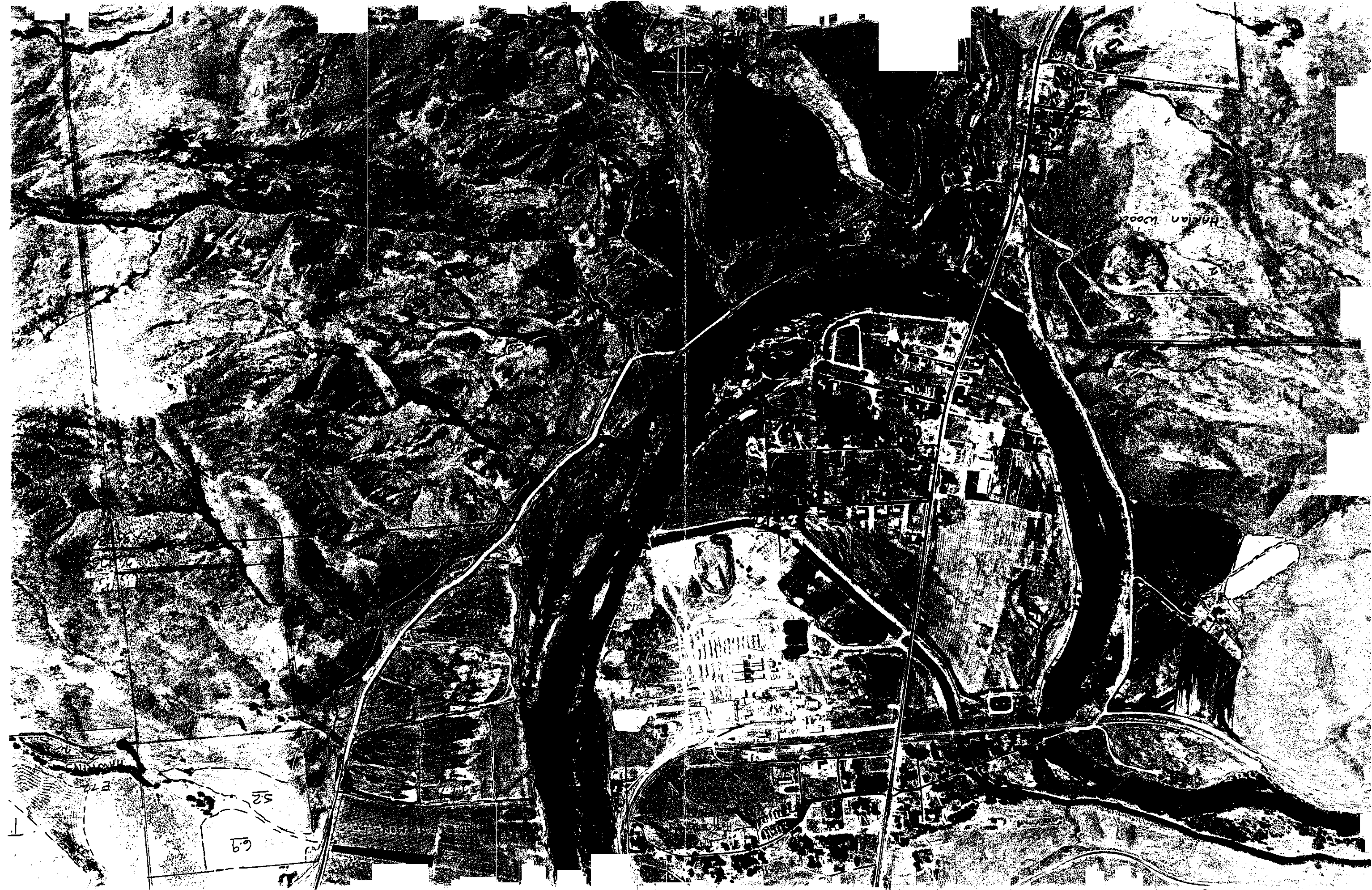
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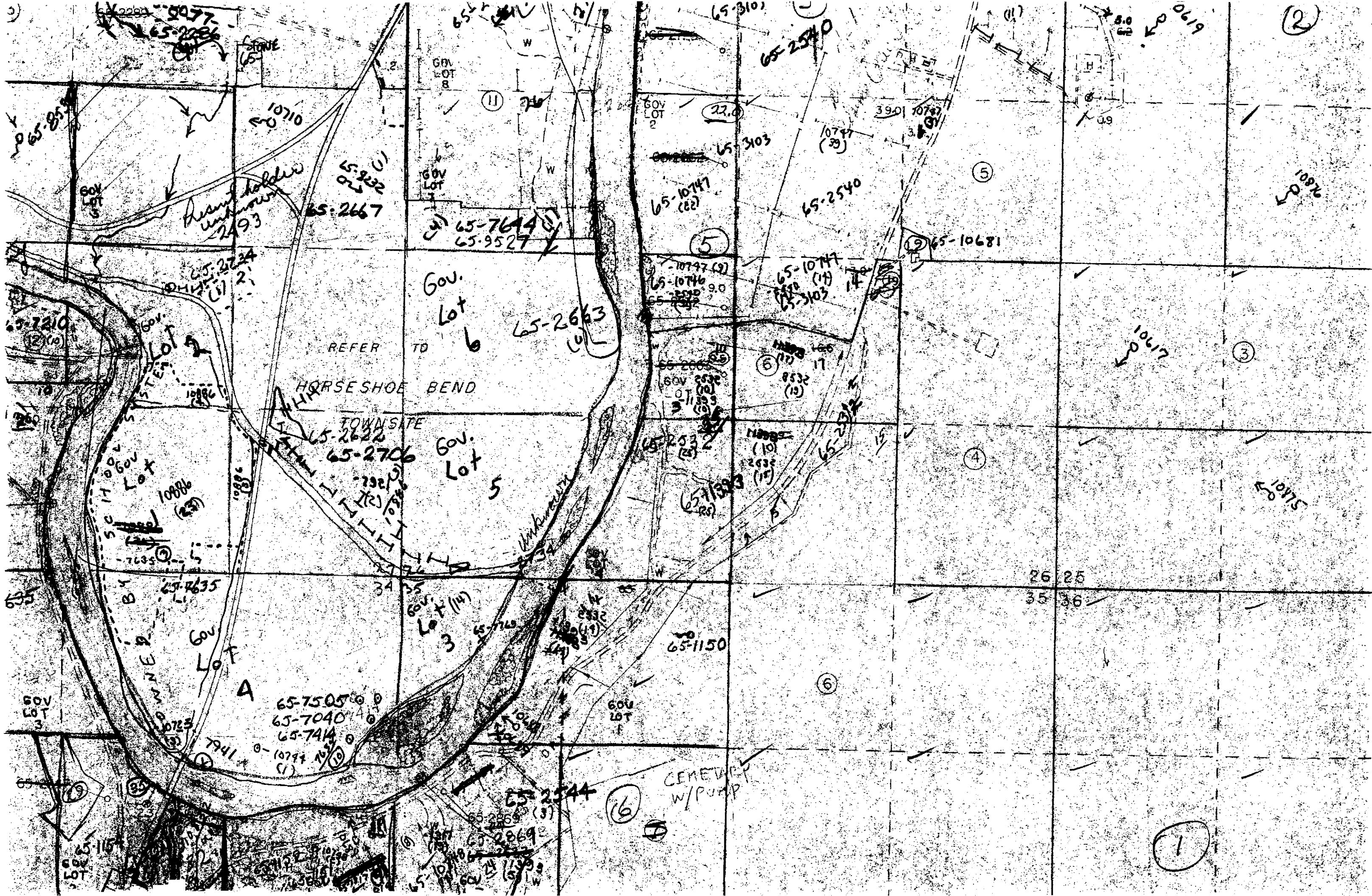
DOUBLET DIAMOND, INC.

47C-415

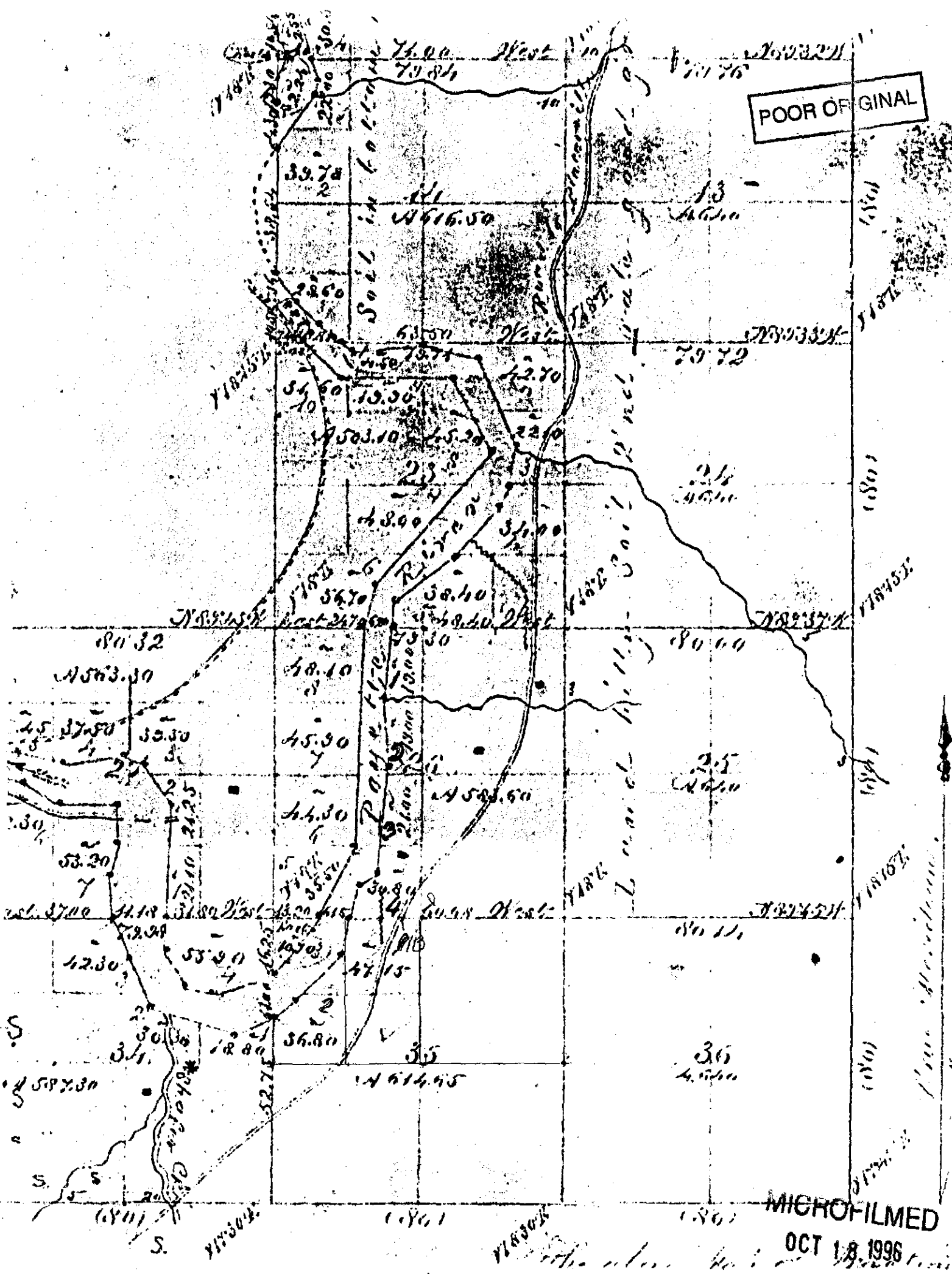
Нотен

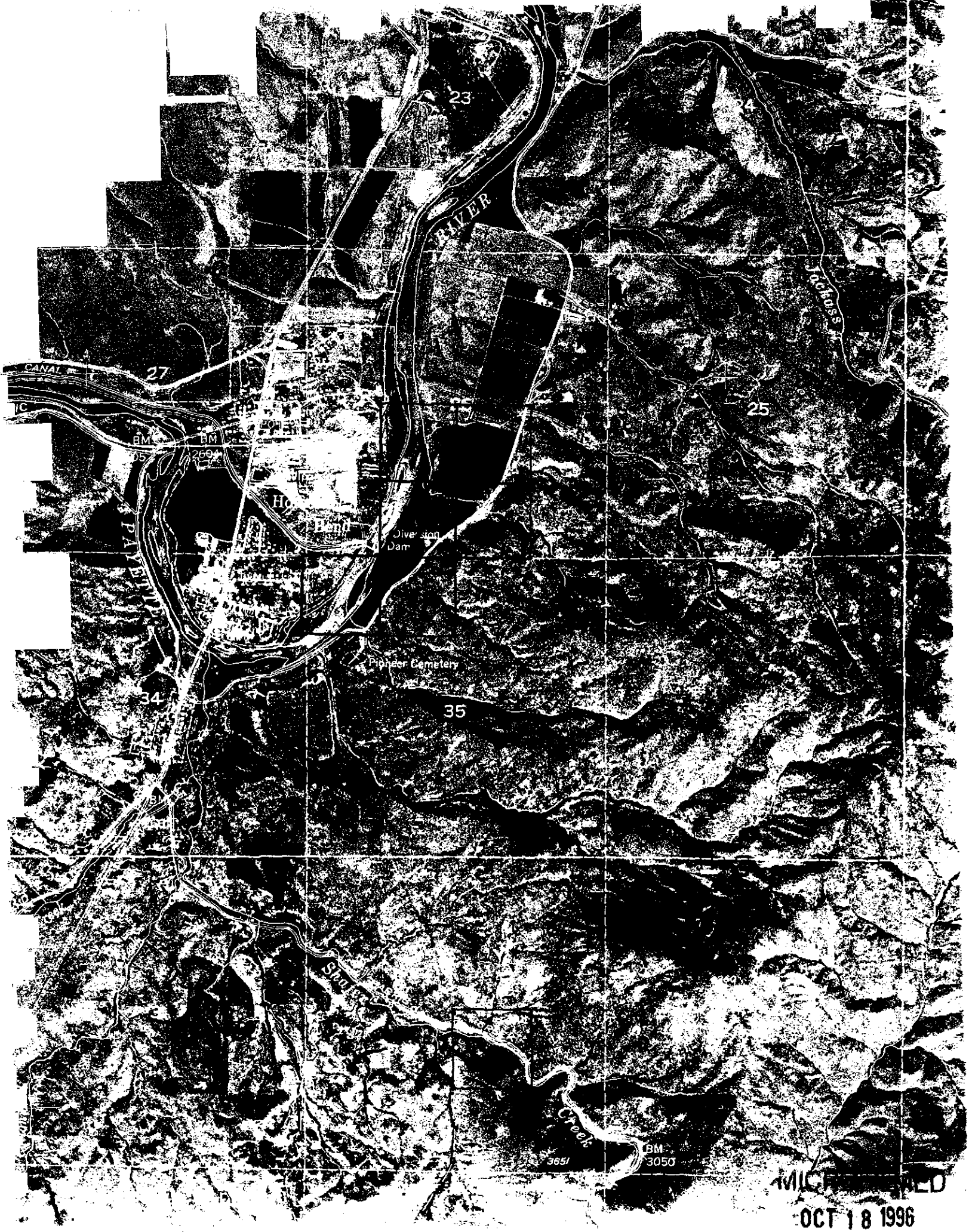
Robert S.





POOR ORIGINAL





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OCT 18 1996

# Idaho Dept. of Water Resources

Claim No(s): 65-02532B

T07N, R02E, S 26, 35

Prepared by: Sue Bock

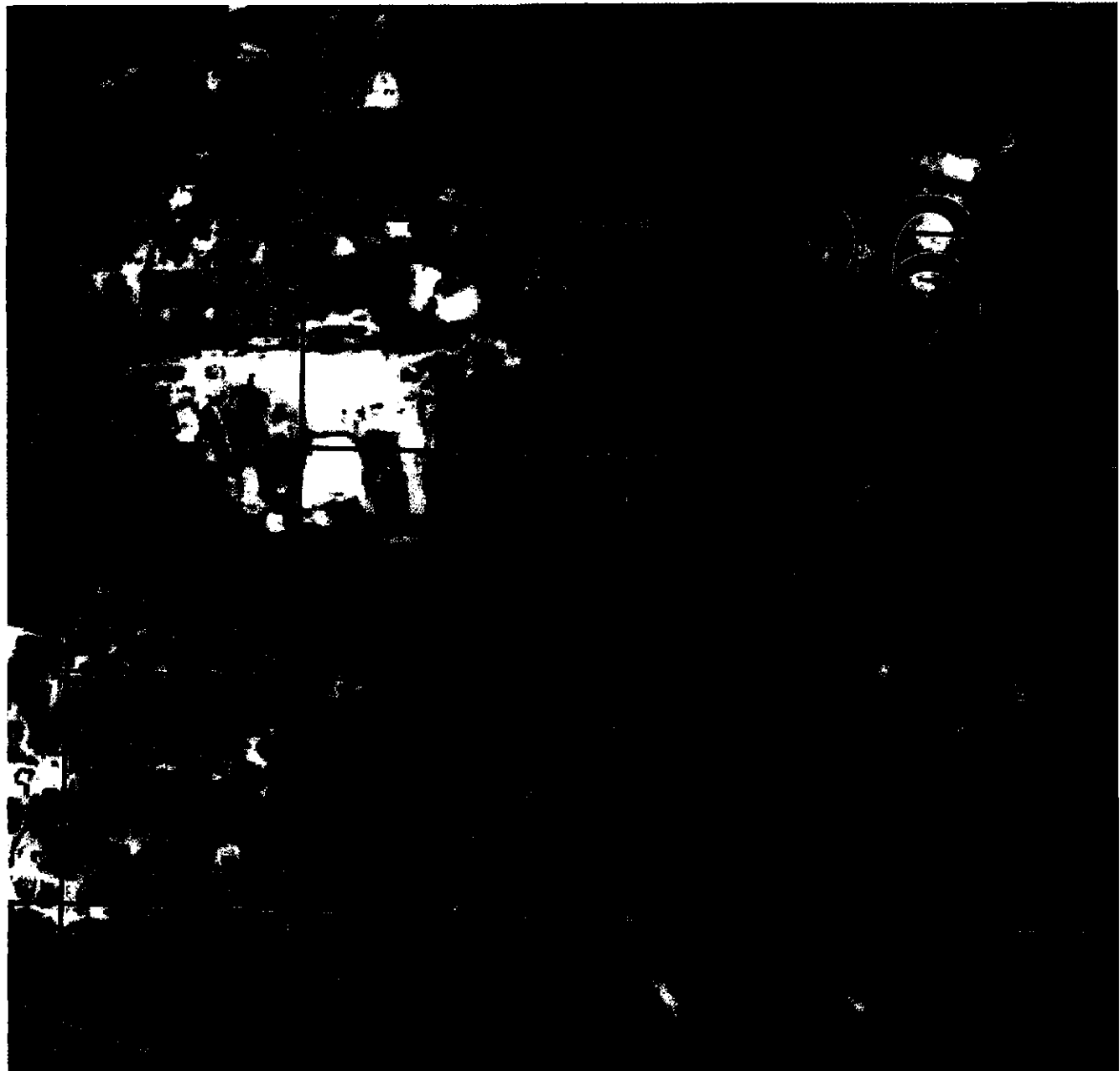
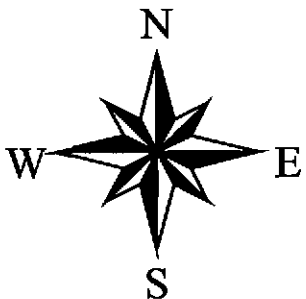
Date: 07/11/2000

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0

0.4

0.8 Miles 1987 NAPP Photo





## State of Idaho

# DEPARTMENT OF WATER RESOURCES

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

May 4, 2001

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

Dear Basin 65 water user:

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

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

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

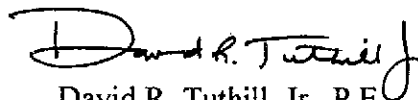
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without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

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

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

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

Sincerely,

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