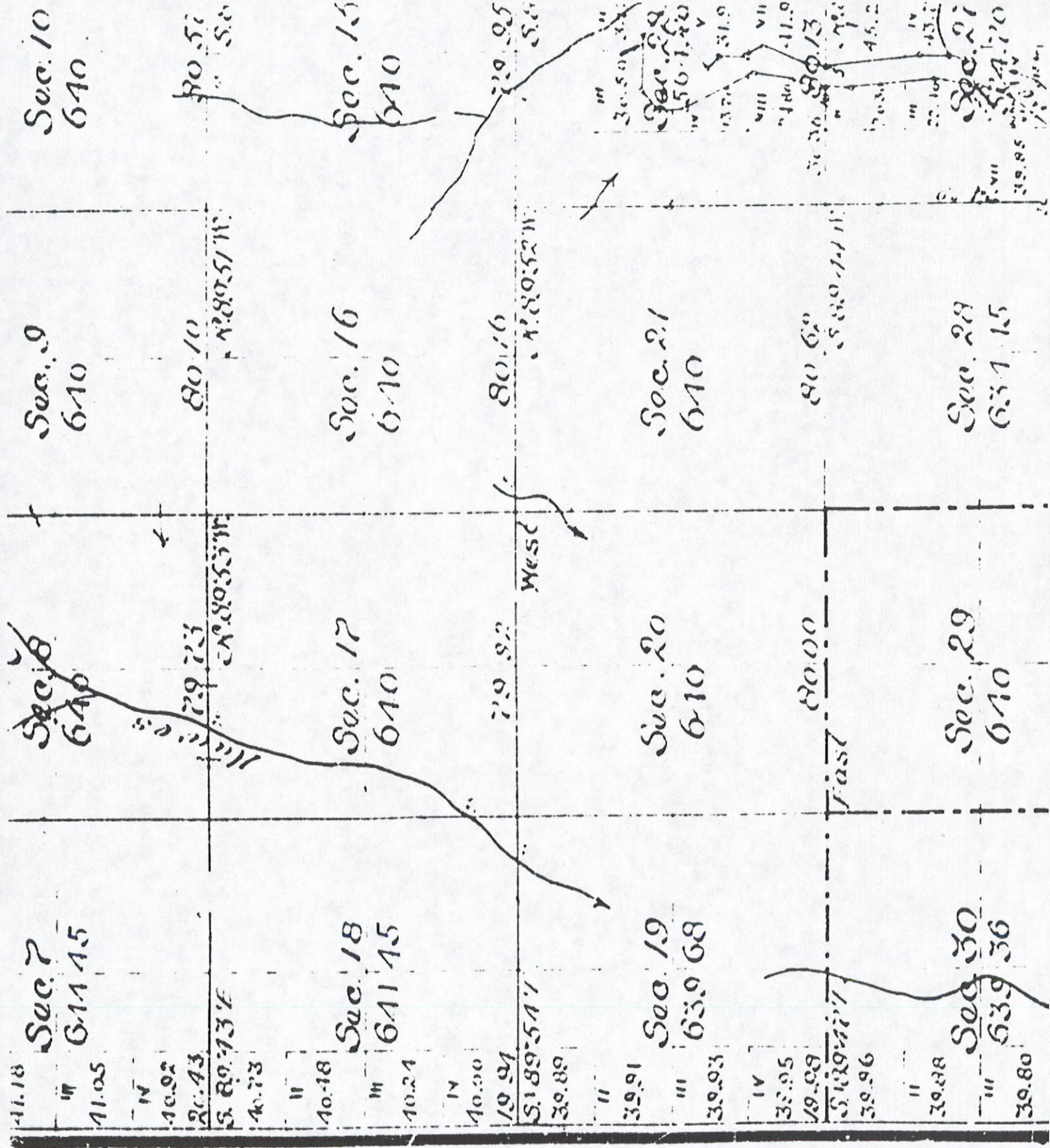
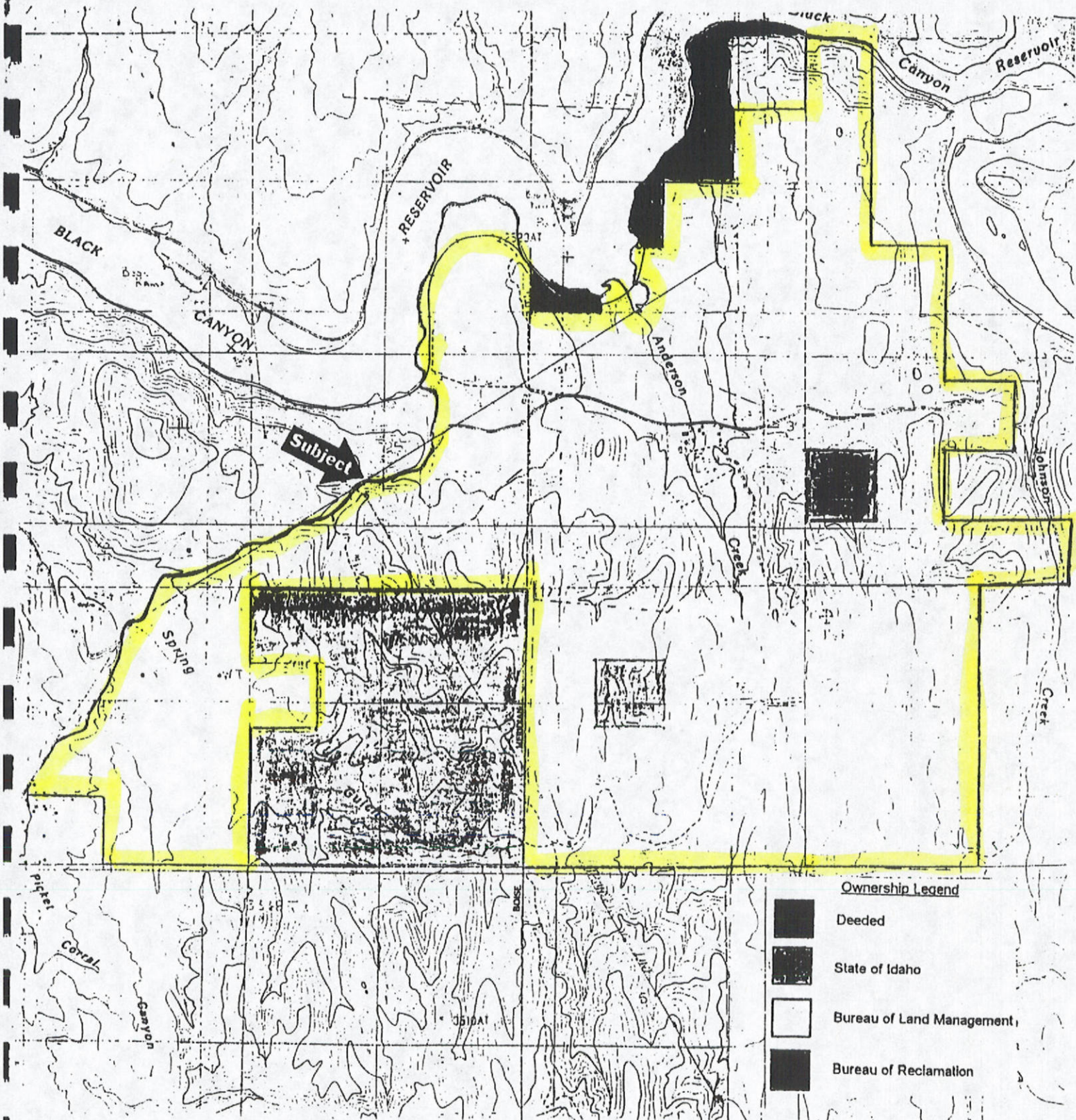


is SWSW





This document was prepared from sources deemed reliable. However, neither seller nor agent can guarantee it's accuracy

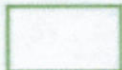
Idaho Dept. of Water Resources

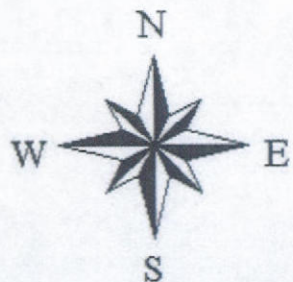
Claim No(s): 65-02538,
65-02541, 65-2633,
65-07817, 65-10453,
65-11363

Claimant(s): Kuenzli
7N, R01E, S 19, 30, 31

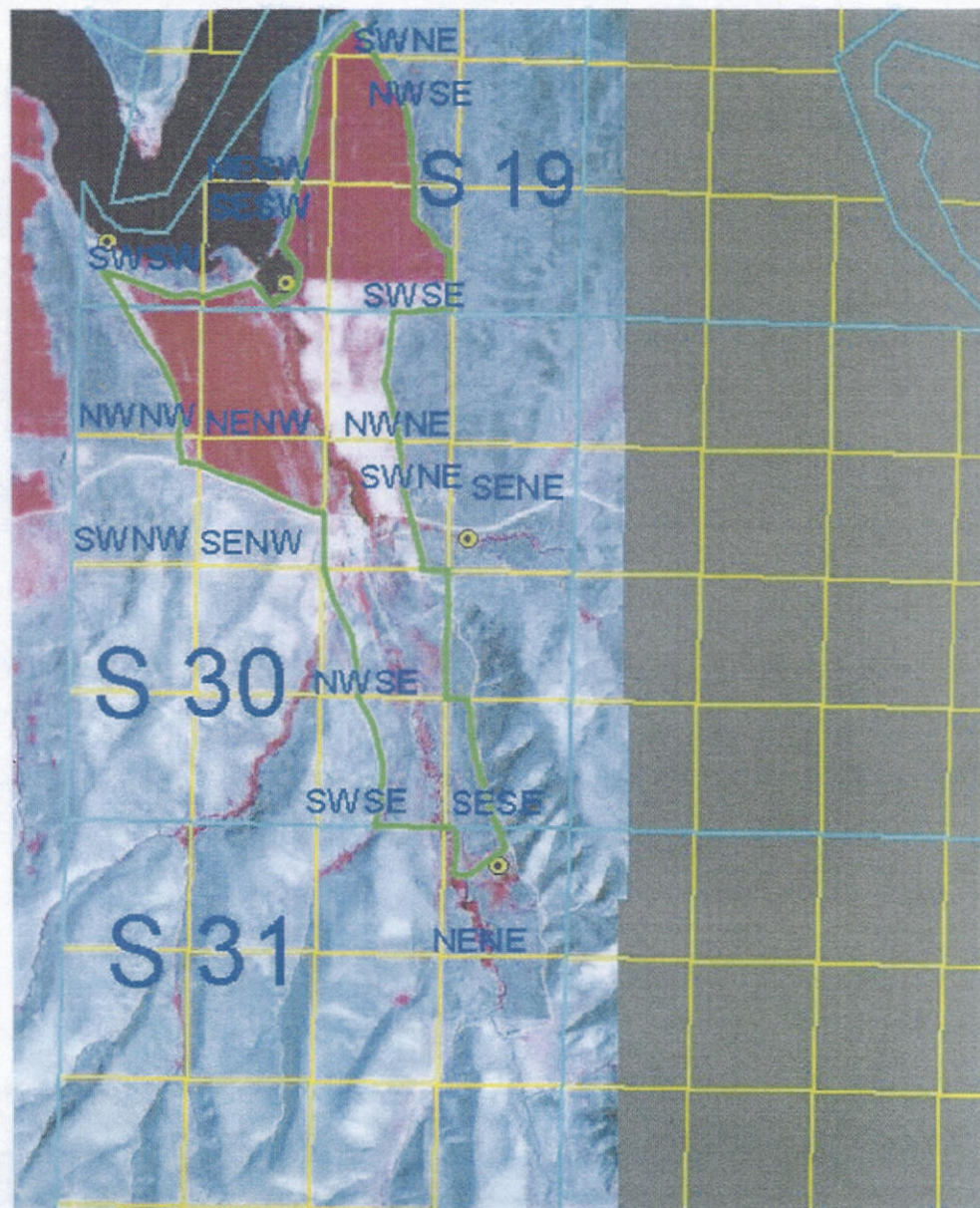
Prepared by: Sue Bock

Date: 2/03/2000

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



0 1000 2000 Feet



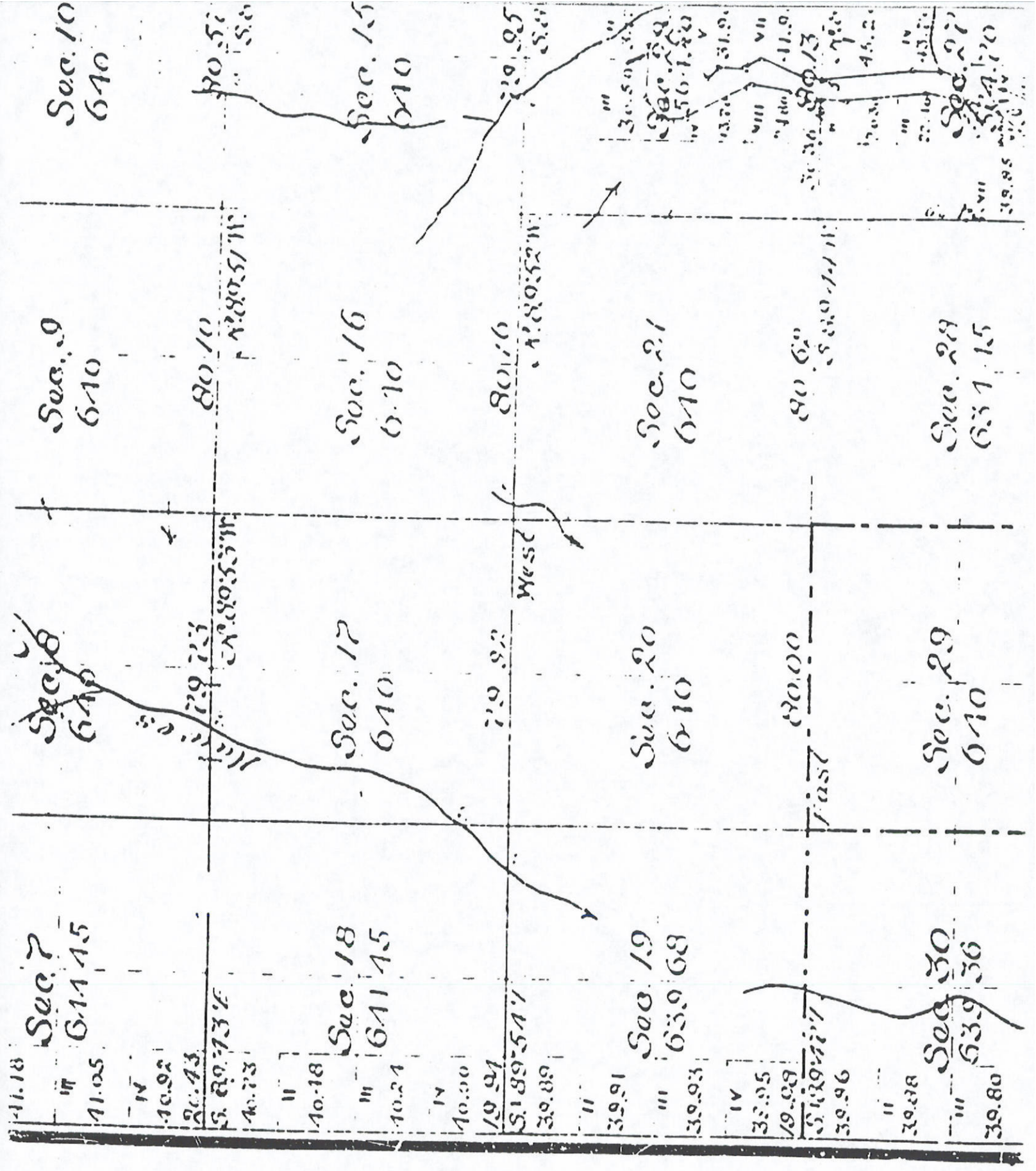
1987 NAPP Photo

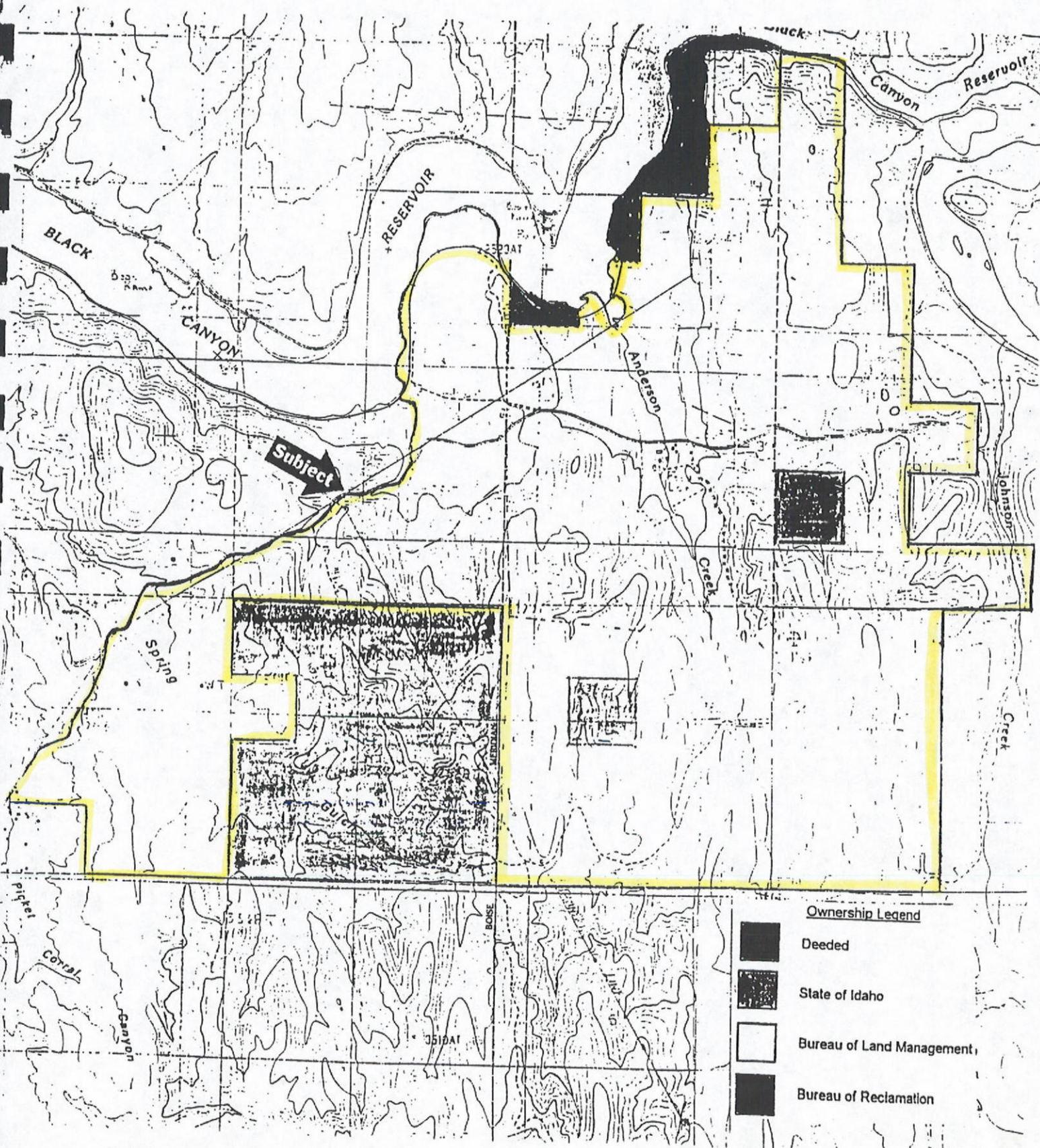
1N 1W

lot 4 of

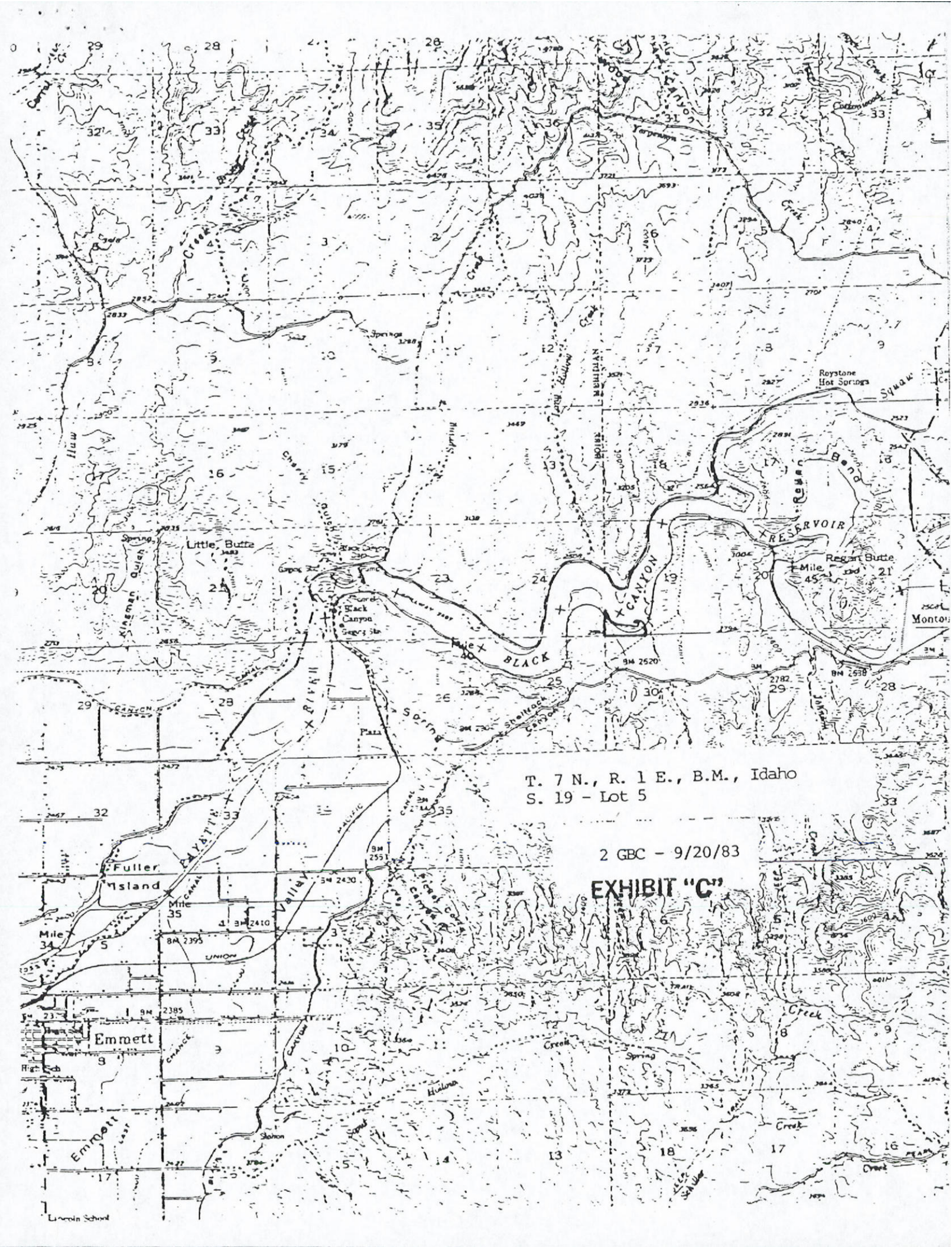
sect. 19

is SWSW





This document was prepared from sources deemed reliable. However, neither seller nor agent can guarantee it's accuracy



T. 7 N., R. 1 E., B.M., Idaho
S. 19 - Lot 5

2 GBC - 9/20/83

EXHIBIT "C"

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: A65-02541
Date Received: 2/13/1990
Receipt No: X999999
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: RONALD L KUENZLI 208-286-7481
Address: PO BOX 284
STAR ID 83669
AND/OR
Name: IDA MARIE KUENZLI 208-286-7481
Address: PO BOX 284
STAR ID 83669

2. Date of Priority: OCT 24, 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	01E	19				5	GEM
			SW	SW		5	GEM

5. Description of diverting works:
PUMP INTO IRRIGATION DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.400		

7. Total Quantity Appropriated is:
1.400 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	01E	19	SW		SW	5	IRR	8.0
			SE		SW	4	IRR	17.0
			SW		SE		IRR	2.0
							Section Acres	27.0
		30	NW		NE		IRR	5.0
			NE		NW		IRR	35.0
			NW		NW	1	IRR	5.0
							Section Acres	45.0
							Total Acres	72.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

OWNERSHIP CHANGED BY DB 2/1/2000.

NOTE: BARRY MARCUS IS FORMER ATTORNEY.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

RECEIVED

SEP 15 1998

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

Department of Water Resources

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP RECEIVED

Please print or type. Attach pages with additional information. Instructions are on the back of this page. JUL 06 1999
Incomplete forms will be returned.WATER RESOURCES
WESTERN REGION

1. Water Right No(s): See attached IDWR Source Summary Report.
Adjudication Claim No(s): See attached IDWR Adjudication Source Summary Report.

2. The following REQUIRED information must be submitted with this form:

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Carol Lynn MacGregor and J.G. Schwartz
1109 Warm Springs Avenue, Boise, ID 83712
4. New Owner/Claimant(s) Ronald L. Kuenzli, Ida Marie Kuenzli
Name Connector (Check one): ☐ and ☐ or ☒ and/or
New Mailing Address P. O. Box 284
City, State and ZIP Code Star, ID 83669
New Telephone Number (208) 286-7481
5. Date you acquired the property December 31, 1997

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s)

Ida Marie Kuenzli
Ronald L. Kuenzli

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

00-5816
 WRS816NP
 SELECTION FILE: CBIRD-1355037

IDAHO DEPARTMENT OF WATER RESOURCES
 SOURCE SUMMARY REPORT
 BY WATER SOURCE/WATER RIGHT NUMBER

DATE: 07/01/98
 TIME: 13:55:18
 PAGE: 1

WATER RIGHT NUMBER	OWNER NAME	D C	PRIORITY DATE	STG	POINT OF DIVERSION	POD FLAG	TOTAL TOTAL DIVERSION	TOTAL ACRES	WATER USES
-----------------------	------------	--------	------------------	-----	--------------------	-------------	--------------------------	----------------	------------

WATER SOURCE: ANDERSON CREEK

A 65-02538	MAC GREGOR, CAROL LYNN	C	09/28/1950	D	07N 01E 31	NENE	1.410 CFS	43.0	01,43 X
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WATER SOURCE: GROUNDWATER

65-07818 ✓	MAC GREGOR, CAROL LYNN	C	01/26/1977	L	07N 01E 30	SENE	0.200 CFS		43.04
65-07839 ✓	PICKET CORRAL HOMEOWNERS ASSN.	C	03/01/1977	L	07N 01W 35	NENE	0.440 CFS	4.5	01,43

WATER SOURCE: PAYETTE RIVER

A 65-02307	MAC GREGOR, CAROL LYNN	C	11/28/1922	D	07N 01W 25	SWNE	0.600 CFS	30.0	01
A 65-02541	MAC GREGOR, CAROL LYNN	C	10/24/1950	D	07N 01E 19	SWSW 5	1.400 CFS	72.0	01
A 65-02543	MAC GREGOR, CAROL LYNN	C	06/24/1951	D	07N 01W 25		1.800 CFS	116.0	01
A 65-02546	MAC GREGOR, CAROL LYNN	C	01/08/1951	D	07N 01W 25	SWNE	1.300 CFS	67.0	01
A 65-02633	MAC GREGOR, CAROL LYNN	C	03/31/1958	D	07N 01E 19	SESW 4	0.810 CFS	53.0	01
65-07817 ✓	MAC GREGOR, CAROL LYNN	C	01/26/1977	L	07N 01E 19	SESW 4	0.620 CFS	31.0	01
A 65-10453	MAC GREGOR, CAROL LYNN	C	06/01/1960	D	07N 01E 19	SWSW	0.620 CFS	31.0	01
A 65-11362	MAC GREGOR, CAROL LYNN	C	06/01/1969	D	07N 01W 25		0.520 CFS	116.0	01
A 65-11363	MAC GREGOR, CAROL LYNN	C	05/01/1964	D	07N 01E 19	SESW 4	0.250 CFS	53.0	01

WATER SOURCE: SPRING

65-13249 ✓	MAC GREGOR, CAROL LYNN	C	06/15/1990	L	07N 01W 26	NWSESW	0.120 CFS		04
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WATER SOURCE: SPRINGS

A 65-02538	MAC GREGOR, CAROL LYNN	C	09/28/1950	D	07N 01E 31	NENE	1.410 CFS	43.0	01,43 ←
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Kuenzli is already
 current owner for
 65-13249.

doesn't apply to 65-07839

00-5816

AJ5816NP

SELECTION FILE: CBIRD-1319248

IDAHO DEPARTMENT OF WATER RESOURCES

ADJUDICATION SOURCE SUMMARY REPORT

BY WATER SOURCE/WATER RIGHT NUMBER

DATE: 07/01/98

TIME: 13:19:44

PAGE: 1

WATER RIGHT NUMBER	CURRENT OWNER NAME	PRIORITY DATE	STG	POINT OF DIVERSION	POD FLAG	TOTAL DIVERSION	TOTAL ACRES	WATER USES
-----------------------	--------------------	------------------	-----	--------------------	-------------	-----------------	----------------	------------

WATER SOURCE: ANDERSON CREEK

A65-02538	MAC GREGOR, CAROL LYNN	09/28/1950	D	07N 01E 32	SWSW	1.410 CFS	43.0	01,43
A65-02538	MAC GREGOR, CAROL LYNN	09/28/1950	D	07N 01E 32	SWSW	1.410 CFS	43.0	01,43

WATER SOURCE: GROUNDWATER

A65-07818	MAC GREGOR, CAROL LYNN	01/26/1977	L	07N 01E 30	SENE	0.200 CFS		43,04
A65-07859	PICKET CORRAL HOMEOWNERS ASSOC	03/01/1977	P	07N 01W 35	NWNE	0.440 CFS	4.5	01,43

WATER SOURCE: PAYETTE RIVER

A65-02307	MAC GREGOR, CAROL LYNN	11/28/1922	D	07N 01W 25	SWNE	0.600 CFS	30.0	01
A65-02307	MAC GREGOR, CAROL LYNN	11/28/1922	D	07N 01W 25	SWNE	0.600 CFS	30.0	01
A65-02541	MAC GREGOR, CAROL LYNN	10/24/1950	D	07N 01E 19		1.400 CFS	72.0	01
A65-02543	MAC GREGOR, CAROL LYNN	06/24/1951	D	07N 01W 25		1.800 CFS	116.0	01
A65-02546	MAC GREGOR, CAROL LYNN	01/08/1951	D	07N 01W 25	SWNE	1.300 CFS	67.0	01
A65-02546	MAC GREGOR, CAROL LYNN	01/08/1951	D	07N 01W 25	SWNE	1.300 CFS	67.0	01
A65-02633	MAC GREGOR, CAROL LYNN	03/31/1958	D	07N 01E 19		0.810 CFS	53.0	01
A65-07817	MAC GREGOR, CAROL LYNN	01/26/1977	P	07N 01E 19	SESW	0.620 CFS	31.0	01
A65-07817	MAC GREGOR, CAROL LYNN	01/26/1977	P	07N 01E 19	SESW	0.620 CFS	31.0	01
A65-10453	MAC GREGOR, CAROL LYNN	06/01/1960	D	07N 01E 19	SWSW	0.620 CFS	31.0	01
A65-11362	SCHWARZ, JOSEPH GORDON	06/01/1969	D	07N 01W 25		0.520 CFS	116.0	01
A65-11363	MAC GREGOR, CAROL LYNN	05/01/1964	D	07N 01E 19		0.250 CFS	53.0	01

WATER SOURCE: SPRINGS

A65-02538	MAC GREGOR, CAROL LYNN	09/28/1950	D	07N 01E 32	SWSW	1.410 CFS	43.0	01,43
A65-02538	MAC GREGOR, CAROL LYNN	09/28/1950	D	07N 01E 32	SWSW	1.410 CFS	43.0	01,43

FRANK W. STOPPELLO
ATTORNEYS AND COUNSELORS AT LAW
620 WEST HAYS STREET
BOISE, IDAHO 83702

RECEIVED

SEP 15 1998

Department of Water Resources

FRANK W. STOPPELLO
JERRY A. KISER

TELEPHONE (208) 336-1020
FACSIMILE (208) 336-1027

September 14, 1998

Idaho Department of Water Resources
Attn: Jim Johnson
1301 North Orchard
P. O. Box 83720
Boise, ID 83720-0098

Re: Water Right Transfer Form
Seller: Carol Lynn MacGregor
Buyers: Ronald L. Kuenzli and Ida Marie Kuenzli

Dear Mr. Johnson:

As we discussed in our telephone conversation of August 13, 1998, enclosed is the completed Notice of Change of Water Right Ownership form, together with the following attachments:

- 1) Department of Water Resources, Source Summary Report;
- 2) Department of Water Resources, Adjudication Source Summary Report;
- 3) Copy of diagram map received with Title Commitment; and,
- 4) Copy of J.G. Schwartz Deed, together with legal description.

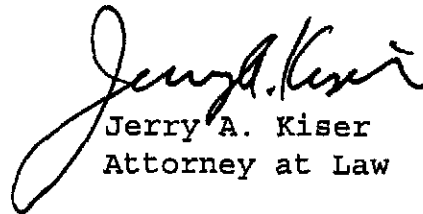
After reviewing the legal description and water rights after our telephone conversation, I discovered that in fact the water rights listed in the Source Summary Reports provided by your office do in fact include all water rights appurtenant to the land purchased by the Kuenzlis. Therefore, it does not appear that any of the water rights will need to be fractionalized. I certainly invite your review of this issue. The water right involved is 65-02543 and, the portion which may questionably be appurtenant to the land retained by Carol Lynn MacGregor is

Idaho Department of Water Resources
Attn: Jim Johnson
September 14, 1998
Page TWO.

located in the NW 1/4 of the NE 1/4, Section 25, Township 7 North, Range 1 West and involves 11 acres. In my review, it does appear as though the Kuenzlis do own 11 acres in that quarter section which is irrigated with the water described in water right no. 65-02543.

If you have any questions regarding the enclosed Notice of Change of Water Right Ownership and attachments, please feel free to contact me.

Sincerely,



Jerry A. Kiser
Attorney at Law

JAK/mac

cc: Ronald L. and Ida Marie Kuenzli

WARRANTY DEED

For value received, JOSEPH GORDON SCHWARZ (aka J. G. BETTIS) a married man dealing with his sole and separate property, the Grantor, does hereby grant, bargain, sell and convey unto RONALD L. KUENZLI and IDA MARIE KUENZLI, husband and wife, whose address is Box 284, Star, Idaho, 83669, the Grantees, an undivided 7.82% interest in and to the following described premises located in Gem County, State of Idaho, consisting of 350 acres of irrigated crop land; 2,783 acres of native dry range land; and, 89 acres of dry farm land, more particularly described as follows, to-wit:

See Exhibit A attached hereto and made a part hereof as if fully set forth herein.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title, and interest in and to the said real property, as well as all buildings, structures, and improvements; all mineral rights other than those retained by the United States of America and/or the State of Idaho; all growing crops of any kind or nature; all water, water rights, water storage rights, ditches, easements and rights-of-way for ditches appurtenant thereto and used in connection therewith; all grazing permits, grazing leases, and grazing rights

appurtenant thereto and used in connection therewith; and, all licenses, easements, and rights-of-way for ingress and egress appurtenant thereto or in anywise appertaining.

TO HAVE AND TO HOLD the premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances; and, that he will warrant and defend the same from all lawful claims whatsoever.

DATED: December 29, 1997.

Joseph Gordon Schwarz
Joseph Gordon Schwarz,
aka J. G. Bettis

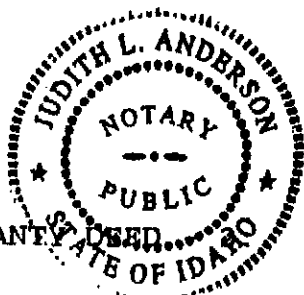
STATE OF IDAHO)

: ss.

County of Gem)

On this ^{31st} 29th day of December, in the year of 1997, before me, Judith L. Anderson, the undersigned, a Notary Public for the State of Idaho, personally appeared JOSEPH GORDON SCHWARZ (aka J. G. BETTIS), known or identified to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he executed the same.

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

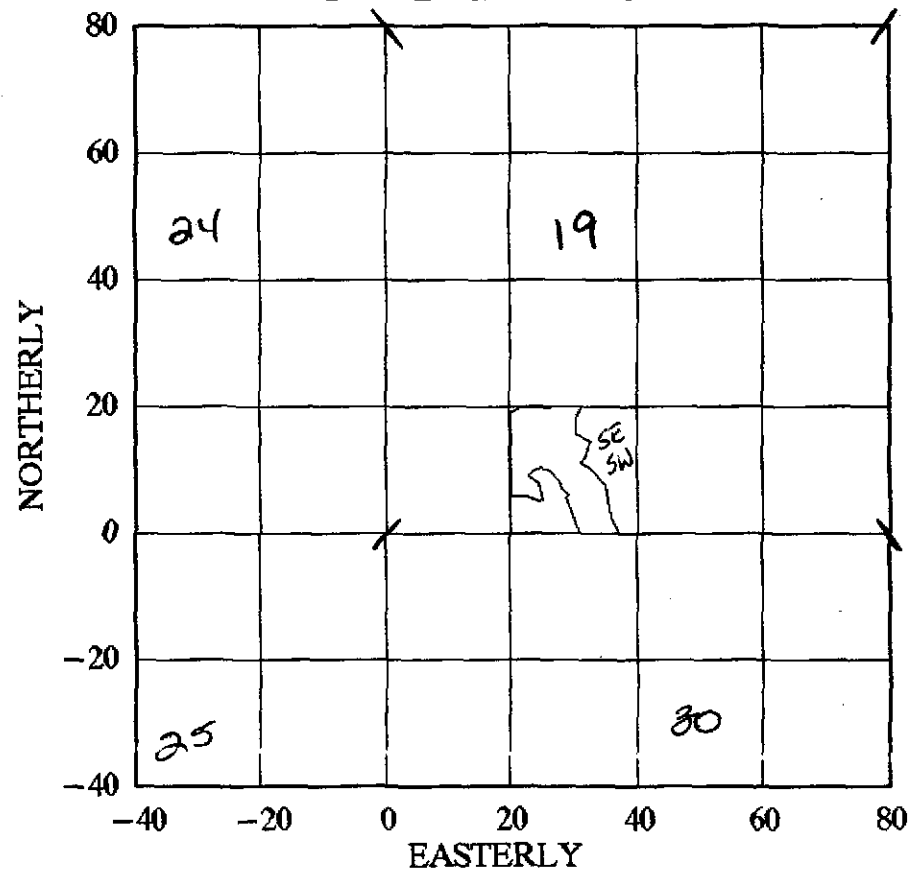


Judith L. Anderson
Notary Public for the State of Idaho
Residing in _____ County, Idaho
My Commission Expires: _____

RESIDING AT BOISE, ID
MY COMM. EXPIRES DEC. 21, 2001

(Parcel 1)

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



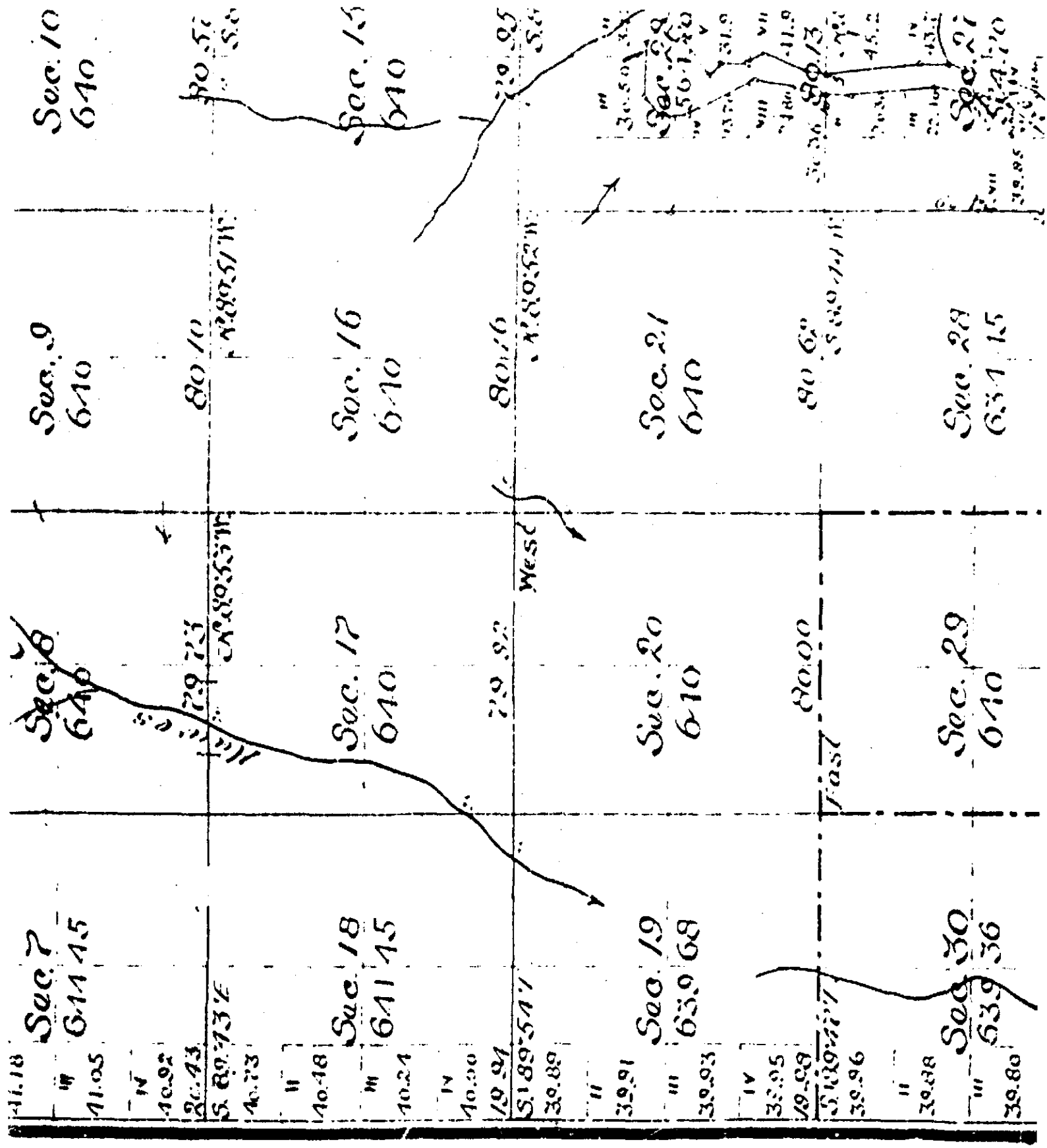
7N
1W

METES AND BOUNDS TABLE

PRESS ALT P TO PRINT GRAPH

	X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR. (SEE SHEET)	40.00	0.00					
	30.81	0.01	89.00	55.00	0.00	NW	606.30
	28.77	5.56	20.00	12.00	0.00	NW	389.90
	29.24	6.00	46.00	32.00	0.00	NE	42.50
	28.71	6.54	44.00	9.00	0.00	NW	50.00
	28.16	7.12	44.00	9.00	0.00	NW	52.90
-QUAD COEF-	27.77	8.32	17.00	51.00	0.00	NW	83.10
IF NE, X=1,Y=1	26.35	9.96	40.00	50.00	0.00	NW	142.90
IF SE, X=1,Y=-1	24.95	10.32	75.00	29.00	0.00	NW	96.00
IF SW, X=-1,Y=-1	23.80	9.91	70.00	23.00	0.00	SW	80.40
IF NW, X=-1,Y=1	22.98	9.17	47.00	58.00	0.00	SW	73.10
	24.49	7.90	50.00	10.00	0.00	SE	130.60
	25.19	5.20	14.00	26.00	0.00	SE	184.00
	24.61	4.93	65.00	9.00	0.00	SW	42.20
	22.50	5.85	66.00	30.00	0.00	NW	151.70
	20.08	5.83	89.00	38.00	0.00	SW	159.60
	20.09	18.99	0.00	2.00	0.00	NE	868.40
	21.51	19.73	62.00	30.00	0.00	NE	105.30
	31.35	19.90	89.00	0.00	0.00	NE	649.60
	30.42	18.06	26.00	50.00	0.00	SW	136.10
	30.33	15.62	2.00	6.00	0.00	SW	161.00
	32.61	14.58	65.00	24.00	0.00	SE	166.00
	32.23	13.15	14.00	57.00	0.00	SW	97.50
	31.75	11.93	21.00	32.00	0.00	SW	86.60
	31.26	11.04	28.00	58.00	0.00	SW	67.00
	31.94	10.67	61.00	41.00	0.00	SE	51.10
	32.60	10.31	61.00	1.00	0.00	SE	50.00
	35.01	7.71	42.00	46.00	0.00	SE	233.70
	35.73	2.65	8.00	9.00	0.00	SE	336.80
	37.00	0.02	25.00	49.00	0.00	SE	192.90
	33.94	0.03	89.00	55.00	0.00	NW	202.00
	27.82	0.04	89.00	55.00	0.00	NW	404.30
	27.82	0.04					

7N 1W
 lot 4 of
 Sect. 19
 is SWSW



X=40

Y=Ø

EXHIBIT A

PARCEL I:

Lot 4, excepting a piece of land for reservoir right of way purposes above Black Canyon Diversion Dam, Boise Project, Idaho, described as follows:

Beginning at a point on the South line of Section 19, Township 7 North, Range 1 East of the Boise Meridian, Gem County Idaho, which point is 606.3 feet North 89°55' West of the South quarter corner of said Section 19; thence
North 20°12' West 389.9 feet; thence
North 46°32' East 42.5 feet; thence
North 44°09' West 50.0 feet, to a point on the centerline of the Idaho Northern Branch of the Oregon Short Line Railroad, which point is on 5°05' curve of said railroad, and is approached from the convex side, and normal to said curve; thence
North 44°09' West 52.9 feet; thence
North 17°51' West 83.1 feet; thence
North 40°50' West 142.9 feet; thence
North 75°29' West 96.0 feet; thence
South 70°23' West 80.4 feet; thence
South 47°58' West 73.1 feet; thence
South 50°10' East 130.6 feet; thence
South 14°26' East 184.0 feet; thence
South 65°09' West 42.2 feet; thence
North 66°30' West 151.7 feet; thence
South 89°38' West 159.6 feet to a point on the West Lot line of said Lot 4; thence along the West lot line of said Lot 4
North 00°02' East 868.4 feet; thence along a meander line
North 62°30' East 105.3 feet to a point on the North Lot line of said Lot 4; thence along the North Lot line of said Lot 4,
North 89°00' East 649.6 feet; thence
South 26°50' West 136.1 feet; thence
South 2°06' West 161.0 feet; thence
South 65°24' East 166.0 feet; thence
South 14°57' West 97.5 feet; thence
South 21°32' West 86.6 feet; thence
South 28°58' West 67.0 feet; thence
South 61°41' East 51.1 feet to a point on above mentioned 5°05' curve and center line of the said Idaho Northern Railroad, approached from the concave side of said 5°05' curve and normal to said curve which point is 345.2 feet from above mentioned intersection, measured on 50 foot chords along said 5°05' curve; thence

South 61°01' East 50.0 feet; thence
South 42°46' East 233.7 feet; thence
South 8°09' East 336.8 feet; thence
South 25°49' East 192.9 feet to a point on the South section line
of said Section 19, which point is 202.0 feet North 89°55' West
of the South quarter corner of said Section 19; thence along the
South section line of said Section 19
North 89°55' West 404.3 feet to the POINT OF BEGINNING.

And the Southwest quarter of the Southeast quarter all in Section
19; and

The Northwest quarter of the Northeast quarter and South half of
the Northeast quarter and East half of the Northwest quarter and
Lot 1, Lot 2, Lot 3 and Lot 4, and the East half of the Southwest
quarter and Southeast quarter all in Section 30; and

The Northeast quarter and the Northeast quarter of the Northwest
quarter, and Lot 1, Lot 2, Lot 3 and Lot 4 and the East half of the
Southwest quarter and the Southeast quarter, all in Section 31; and

The Northwest quarter and North half of the Southwest quarter of
Section 32; EXCEPT the East half of the Northeast quarter of the
Southwest quarter and the East half of the Southeast quarter of the
Northwest quarter and the East half of the Northeast quarter of the
Northwest quarter of Section 32;

The Southwest quarter of the Southwest quarter and the West half of
the Southeast quarter of the Southwest quarter of Section 32,
Township 7 North, Range 1 East, Boise Meridian, Gem County, Idaho.

All of the above and foregoing property being in Township 7 North,
Range 1 East of the Boise Meridian, Gem County, Idaho.

PARCEL 2:

That portion of the South half of the Southeast quarter of Section
26 lying South of the County Road;

All that portion of the Northwest quarter of the Northeast quarter
lying South and East of the County road in Section 35;

All that portion of the Southeast quarter of the Northwest quarter
lying East of the County Road in Section 35;

All that portion of the Northeast quarter of the Southwest quarter
lying South and East of the County Road in Section 35;

The Southwest quarter of the Northeast quarter lying South and East of the County Road, subject to the State of Idaho, Easement #717 to Idaho Power Company for poleline right of way, in Section 35;

The East half of the Northeast quarter of Section 35;

The Southeast quarter of Section 35;

The Southwest quarter of the Northwest quarter of Section 36;
The South half of the Southwest quarter of Section 25, lying South of the County Road;

All being in Township 7 North, Range 1 West, Boise Meridian, Gem County, Idaho.

PARCEL 3:

The Southeast quarter of the Northeast quarter, the North half of the Southeast quarter, the Southeast quarter of the Southeast quarter of Section 19; and Lot 4, the Southwest quarter of the Northwest quarter, the West half of the Southwest quarter, the Southeast quarter of the Southwest quarter of Section 20; and the Northwest quarter, the Southwest quarter of the Northeast quarter, the Northeast quarter of the Southwest quarter, the South half of the Southwest quarter, the South half of the Southeast quarter of Section 29 and the Northeast quarter of the Northeast quarter of Section 30; all being in Township 7 North, Range 1 East of the Boise Meridian, Gem County, Idaho.

PARCEL 4:

The North half of the Southwest quarter, lying South and East of the County Road, the Southwest quarter of the Southeast quarter excepting the following described tract: Beginning at a point 1,493.4 feet West of the 1/16 corner in the East side of the Southeast Quarter of Section 25; thence South 47°30' West 338.45 feet; thence North 70°30' West 345.3 feet; thence North 3°14' East 112.30 feet; thence East to POINT OF BEGINNING. The Southeast quarter of the Southeast quarter of Section 25, all in Township 7 North, Range 1 West of the Boise Meridian, in Gem County, State of Idaho.

PARCEL 5:

Township 7 North, Range 1 West, Boise Meridian, Gem County, Idaho:
Section 25:

The South half of the Northeast quarter lying East of the drain ditch.

That portion of the Northwest quarter of the Southeast quarter lying East of the Drain Ditch and South of the County Road.

The Northeast quarter of the Southeast quarter.

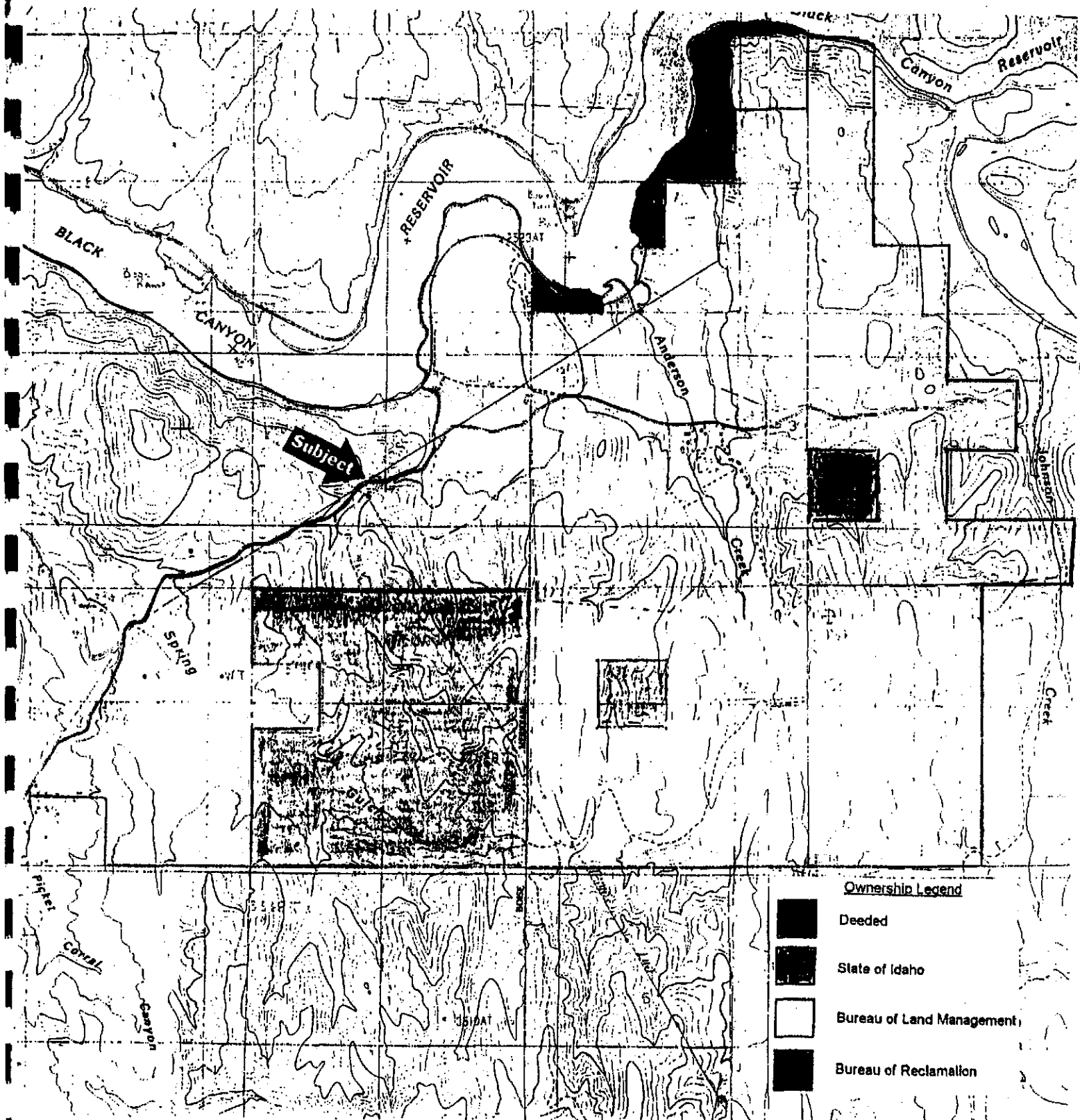
and

Beginning at a point 1493.4 feet West of the 1/16 corner in the East side of the Southeast quarter of Section 25, Township 7 North, Range 1 West, Boise Meridian; run thence South 47°30' West, 338.45 feet; thence North 70°30' West, 345.3 feet; thence North 3°14' East, 112.30 feet; thence East to said POINT OF BEGINNING.

PARCEL 6:

Lots 4, 5, 6 and 7, in Section 24;
the Northeast quarter of the Northeast quarter, and Lot 1, in Section 25 all in Township 7 North, Range 1 West, Boise Meridian, Gem County, Idaho.

EXCEPT All the Southwest quarter Northwest quarter Northeast quarter Southwest quarter Northeast quarter of Section 35, Township 7 North, Range 1 West, Boise Meridian, Gem County, Idaho, commonly known as the Water Reservoir Storage Lot and encompassing approximately 0.625 acres.



This document was prepared from sources deemed reliable. However, neither seller nor agent can guarantee it's accuracy

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: A65-02541
Date Received: 2-13-90
Receipt No: X999999
Received By:
CJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CAROL LYNN MAC GREGOR
Address: 1109 WARM SPRINGS AVE.
BOISE, ID

83712

AND/OR

Name: JOSEPH GORDON SCHWARZ
Address: 1109 WARM SPRINGS AVE.
BOISE, ID

83712

RECEIVED
FEB 13 1990

2. Date of Priority: OCT 24, 1950

Department of Water Resources

3. Source: PAYETTE RIVER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	01E	19				5	GEM
			SW	SW		5	GEM

5. Description of diverting works:
PUMP INTO IRRIGATION DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.400		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

A65-02541

Page

1

Date: 11/14/89

MICROFILMED
SEP 18 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	01E	19	SW	SW	5	IRR	8.0
			SE	SW	4	IRR	17.0
			SW	SE		IRR	2.0
						Section Acres	27.0
		30	NW	NE		IRR	5.0
			NE	NW		IRR	35.0
			NW	NW	1	IRR	5.0
						Section Acres	45.0
						Total Acres	72.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Cecil Lynn Mc Gregor Date: Feb 13, '90
_____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 13 day
of Feb 19 90

Barry Marcus
Notary Public

Seal

Residing at _____

My Commission Expires _____

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

4/5/1992

SRDA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME MacGregorCLAIM IDENT. NO. 865-02541DATE RECEIVED 2-13-90

CK # _____

AMOUNT \$ exempt

YES

NO

Required Info?

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

Claim checked by: hatDate: 3/13/90Claim must be returned to claimant: ☐ (Yes) ☐ (No)Claimant must be notified of modifications: ☐ (Yes) ☐ (No)

Receipt Prepared by: _____

Claim data entered by: hat 8999

Date: _____

Date: _____

Checked by: _____

Date: _____

Comments: _____

MICROFILMED

SEP 18 1992

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

RECEIVED
 MAR 02 2004
 WATER RESOURCES
 WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
65-11363			65-02543		
65-7817 No fee			65-02546		
65-02633			65-02307		
65-10453			65-02538		
65-11362			65-22387		
65-02541			65-07818		

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Ronald L. & Ida Marie Kuenzli
P.O. Box 284, Star, ID 83669

4. New Owner/Claimant(s) Black Canyon Partners, LLC
Name Connector (Check one): [] and, [] or, [] and/or
124 W. Main Street, #D
Emmett, ID 83617
208, 365-4965

5. Date you acquired the property 2/2/04

Note: Originals sent to S.O. 3-3-04.
 Decreed 6-28-02

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Black Canyon Partners LLC
(include title if applicable) Gary Louche

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only
 Received by DB Date 3-2-04 Fee \$25 - Each *
 Receipted by DB Date 3-2-04 Receipt No. W031340
 Processed by _____ AJ Date _____ WR _____ Date _____

* fee applies to all except 65-7817

RECEIVED

MAR 02 2004

WATER RESOURCES
WESTERN REGION

Laura E. Burri
Jeffrey R. Christenson
David P. Claiborne
D. Blair Clark
Michael J. Doolittle
S. Bryce Farris
David Hammerquist
Charles L. Honsinger
Joseph B. Jones
James P. Kaufman
Jennifer Reid Mahoney
James G. Reid
Daniel V. Steenson
Allyn L. Sweeney

William F. Ringert, of Counsel
Samuel Kaufman (1921-1986)

March 1, 2004

Idaho Department of Water Resources
Western Regional Offices
2735 Airport Way
Boise, ID 83705-5082

Re: Notice of Change of Water Right Ownership

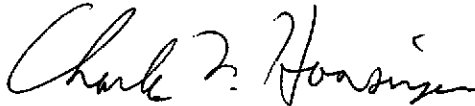
Dear Sir or Madam:

Enclosed herewith please find the following which we submit on behalf of our client,
Black Canyon Partners, LLC:

1. Notice of Change in Water Right Ownership for water rights currently owned by Ronald and Marie Kuenzli
2. Notice of Change in Water Right Ownership for water right no. 65-608.
3. Notice of Change in Water Right Ownership for water right no. 65-884.
4. Aerial photos with the Place of Use outlined and Point of Diversion marked for each water right for the irrigation of ten or more acres.
5. Deeds establishing Black Canyon Partners, LLC's ownership of both the water rights and the lands to which those rights are appurtenant.
6. A check in the amount of \$325.00 (Although ownership of 14 water rights has changed, the \$25 fee is waived for water right no. 65-7817 as it is the subject of a currently pending SRBA District Court subcase).

Please process the Notice of Change in Water Right Ownership as quickly as possible, and notify us upon completion. Please direct all inquiries regarding this matter to this office.

Sincerely,


Charles L. Honsinger

Enclosures

cc: Tom Blessenger
File

405-072075

INSTRU. NO. <u>234506</u>
PAGES <u>1</u> OF <u>6</u>

0000 Sec 11, Sec 20, Sec 30, Sec 31, Sec 32 7N1E
 0055 Sec 29, Sec 30 7N1E
 0241 Sec 32 7N1E
 0017 Sec 35 7N1W
 0191, 0030, 0177, 0017, Sec 24 7N1W
 0168, 0111, 0050, 0072, 0119, 0118, 0058, 0189, 0176
 QUITCLAIM DEED Sec 25 71

(Water Rights)

0247 Sec 26 7N1W
 0065, 0059, 0060, 0040, 0058, 01
 0061, Sec 35 7N1W
 0084 Sec 36 7N1W

RONALD L. KUENZLI and IDA MARIE KUENZLI, husband and wife, "Grantor,"

hereby convey, release, remise and forever quit claim unto BLACK CANYON PARTNERSHIP LLC, an Idaho Limited Liability Company, "Grantee," whose address is 124 W. Main Street #D, Emmett, Idaho 83617, all right, title and interest, together with all right, title and interest hereinafter acquired by Grantor, in any and all water rights appurtenant to that certain parcel of real property located in the County of Gem, State of Idaho, more particularly described on Exhibit A attached hereto and incorporated herein by this reference, including but not limited to those certain water rights described below, to wit:

65-11363	65-7817	65-02633	65-10453
65-11362	65-02341	65-02343	65-02346
65-02538	65-22387	65-07818	65-02307
65-608 (currently in name of Elwood E. Bingham)	65-884 (currently in name of Evelyn L. Isgrigg)		

and including all shares and interest of Grantor in ditch companies, irrigation companies, and reservoir rights and shares.

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

To have and to hold all and singular the said premises, together with the appurtenances, unto Grantee as its sole and separate property and to Grantee's heirs and assigns forever.

QUITCLAIM DEED - 1

Instrument # 234506

EMMETT, GEM, IDAHO

2004-02-06

02:23:00 No. of Pages: 6

Recorded for: ALLIANCE TITLE & ESCROW

SUSAN K. HOWARD

Fee: 18.00

Ex-Officio Recorder Deputy

Index to QUIT CLAIM DEED



IN WITNESS WHEREOF, Grantor has hereunto set his hands this 2nd day of February 2004.

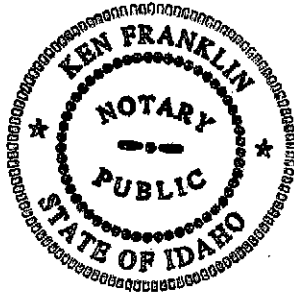
Ronald L. Kuenzli
Ronald L. Kuenzli

Ida Marie Kuenzli
Ida Marie Kuenzli

STATE OF Idaho)
: SS.
County of Ada)

On this 2nd day of February, 2004, before me,
Ken Franklin, a notary public for said State, personally appeared
RONALD L. KUENZLI and IDA MARIE KUENZLI known or identified to me to be the
persons who executed the instrument, and acknowledged to me that they executed the same.

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



Ken Franklin
Notary Public for: Idaho
Residing at: Boise
My Commission Expires: 10/31/04

3188154_1.DOC



INSTRU. NO. 234506
PAGES 3 OF 6

TOWNSHIP 7 North, Range 1 East, B.M., Gem County, Idaho

Section 19: The $SE\frac{1}{4}$ $NE\frac{1}{4}$; the $E\frac{1}{2}$ of the $SE\frac{1}{4}$.

TOWNSHIP 7 North, Range 1 East, B.M., Gem County, Idaho

Section 20: Government Lot 4, the $SW\frac{1}{4}$ of the $NW\frac{1}{4}$, the $W\frac{1}{2}$ of the $SW\frac{1}{4}$, the $SE\frac{1}{4}$ of the $SW\frac{1}{4}$.

TOWNSHIP 7 North, Range 1 East, B.M., Gem County, Idaho

Section 29: The $NW\frac{1}{4}$, the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$, the $NE\frac{1}{4}$ of the $SW\frac{1}{4}$, the $S\frac{1}{2}$ of the $SW\frac{1}{4}$, the $S\frac{1}{2}$ of the $SE\frac{1}{4}$.

TOWNSHIP 7 North, Range 1 East, B.M., Gem County, Idaho

Section 30: The $NE\frac{1}{4}$ of the $NE\frac{1}{4}$, the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ below the County Road, the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$, the $SE\frac{1}{4}$ of the $NW\frac{1}{4}$, Government Lots 2, 3, 4, the $E\frac{1}{2}$ of the $SW\frac{1}{4}$, the $SE\frac{1}{4}$.

TOWNSHIP 7 North, Range 1 East, B.M., Gem County, Idaho

Section 31: Government Lots 1, 2, 3, 4, the $NE\frac{1}{4}$ of the $NW\frac{1}{4}$, the $E\frac{1}{2}$ of the $SW\frac{1}{4}$, the $E\frac{1}{2}$.

TOWNSHIP 7 North, Range 1 East, B.M., Gem County, Idaho

Section 32: The $W\frac{1}{2}$ of the $NW\frac{1}{4}$, the $W\frac{1}{2}$ of the $NE\frac{1}{4}$ of the $NW\frac{1}{4}$, the $W\frac{1}{2}$ of the $SE\frac{1}{4}$ of the $NW\frac{1}{4}$, the $W\frac{1}{2}$ of the $SW\frac{1}{4}$, the $W\frac{1}{2}$ of the $SE\frac{1}{4}$ of the $SW\frac{1}{4}$, the $W\frac{1}{2}$ of the $NE\frac{1}{4}$ of the $SW\frac{1}{4}$.

TOWNSHIP 7 North, Range 1 West, B.M., Gem County, Idaho

Section 25: The $NE\frac{1}{4}$ of the $NE\frac{1}{4}$, Government Lot 1

EXCEPT any railroad rights of way and any easements to Bureau of Reclamation.

TRACT I

The W $\frac{1}{2}$ of the SE $\frac{1}{4}$ and Government Lot 4 lying within the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 19, Township 7 North, Range 1 East, B.M., Gem County, Idaho.

EXCEPTING a piece of land for reservoir right of way purposes, above Black Canyon Diversion Dam, Boise Project, Idaho, described as follows:

BEGINNING at a point on the South line of Section 19, Township 7 North, Range 1 East, B.M., Gem County, Idaho, which point is 606.3 feet North 89°55' West of the South quarter corner of said Section 19; thence North 20°12' West 389.9 feet; thence North 46°32' East 42.5 feet; thence North 44°09' West 50.0 feet, to a point on the centerline of the Idaho Northern Branch of the Oregon Short Line Railroad, which point is on 5°05' curve of said railroad, and is approached from the convex side, and normal to said curve; thence North 44°09' West 52.9 feet; thence North 17°51' West 83.1 feet; thence North 40°50' West 142.9 feet; thence North 75°29' West 96.0 feet; thence South 70°23' West 80.4 feet; thence South 47°58' West 73.1 feet; thence South 50°10' East 130.6 feet; thence South 14°26' East 184.0 feet; thence South 65°09' West 42.2 feet; thence North 66°30' West 151.7 feet; thence South 89°38' West 159.6 feet to a point on the West Lot line of said Lot 4; thence along the West lot line of said Lot 4 North 00°02' East 868.4 feet; thence along a meander line North 62°30' East 105.3 feet to a point on the North Lot line of said Lot 4; thence along the North Lot line of said Lot 4, North 89°00' East 649.6 feet; thence South 26°50' West 136.1 feet; thence South 2°06' West 161.0 feet; thence South 65°24' East 166.0 feet; thence South 14°57' West 97.5 feet; thence South 21°32' West 86.6 feet; thence South 28°58' West 67.0 feet; thence South 61°41' East 51.1 feet to a point on above mentioned 5°05' curve and center line of said Idaho Northern Railroad, approached from the concave side of said 5°05' curve and normal to said curve which point is 345.2 feet from above mentioned intersection, measured on a 50 foot chord along said 5°05' curve; thence South 61°01' East 50.0 feet; thence South 42°46' East 233.7 feet; thence South 8°09' East 336.8 feet; thence South 25°49' East 192.9 feet to a point on the South section line of said Section 19, which point is 202.0 feet North 89°55' West of the South quarter corner of said Section 19; thence along the South section line of said Section 19 North 89°55' West 404.3 feet to the **REAL POINT OF BEGINNING**.

AND EXCEPT railroad right of way.

AND EXCEPT County Road right of way.

TRACT II

The N $\frac{1}{2}$ of Section 30, Township 7 North, Range 1 East, B.M., Gem County, Idaho,
lying North of the County Road.

EXCEPT any portion lying within the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of said Section.

TRACT III

TOWNSHIP 7 North, Range 1 West, B.M., Gem County, Idaho.

Section 24: Government Lots 4, 5, 6 and 7 (to highwater mark of reservoir)

EXCEPT railroad rights of way.

TRACT IV

TOWNSHIP 7 North, Range 1 West, B.M., Gem County, Idaho

Section 25: The S $\frac{1}{2}$ of the SE $\frac{1}{4}$, the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, the SW $\frac{1}{4}$ lying South and
East of the County Road, the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ lying East of drain ditch, the NW $\frac{1}{4}$
of the SE $\frac{1}{4}$ lying South of the road, the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Government Lot 1

EXCEPT railroad rights of way.

TRACT V

TOWNSHIP 7 North, Range 1 West, B.M., Gem County, Idaho

Section 26: The S $\frac{1}{2}$ of the SE $\frac{1}{4}$ lying South of the County Road.

TRACT A

TOWNSHIP 7 North, Range 1 West, B.M., Gem County, Idaho

Section 35:

The NE $\frac{1}{4}$ of the SW $\frac{1}{4}$

The SE $\frac{1}{4}$ of the NW $\frac{1}{4}$

The SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ EXCEPT the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ (commonly known as the Water Reservoir Storage Lot)

The NW $\frac{1}{4}$ of the NE $\frac{1}{4}$

The W $\frac{1}{2}$ of the SE $\frac{1}{4}$

All lying South and East of the County Road.

TRACT B

TOWNSHIP 7 North, Range 1 West, B.M., Gem County, Idaho

Section 35:

The E $\frac{1}{2}$ of the NE $\frac{1}{4}$

The E $\frac{1}{2}$ of the SE $\frac{1}{4}$

Section 36:

The SW $\frac{1}{4}$ NW $\frac{1}{4}$

405-045073

0008 Sec 19 & Sec 20, Sec 30, Sec 31, Sec 32 T7N1E
0055 Sec 29, Sec 30 T7N1E
0241 Sec 32 T7N1E
0017 Sec 25 T7N1WINSTRU. NO. 234422
PAGES 1 OF 3Re-recorded
INSTRU. NO. 234502
PAGES 1 OF 3**Instrument # 234422**

EMMETT, GEM, IDAHO

2004-02-03

01:53:00 No. of Pages: 3

Recorded for: ALLIANCE TITLE & ESCROW

SUSAN K. HOWARD

Fee: 9.00

Ex-Officio Recorder Deputy

Index to: WARRANTY DEED

*Judy Evans***WARRANTY DEED**

THIS WARRANTY DEED is made by RONALD L. KUENZLI and IDA MARIE KUENZLI, whose address is PO Box 284, Star, ID 83669 as Grantor, to BLACK CANYON PARTNERS, LLC, an Idaho limited liability company, as Grantee, whose address is 124 W. Main Street, #D, Emmett, ID 83617,

NOW, THEREFORE, Grantor does hereby grant, convey, assign, transfer and set over unto Grantee, a fee simple interest in and to the real property as described on exhibit A, attached hereto and made a part hereof, all of which is situate in the County of Gem, State of Idaho.

TOGETHER WITH all the improvements, tenements and appurtenances on such property, and all easements, rights, and all fixtures now a part of the property.

TOGETHER WITH all water rights and ditch rights, however evidenced and to the full extent assignable, appurtenant to the property herein described or heretofore conveyed by Grantor to Grantee.

TOGETHER WITH Idaho State Grazing Lease No. G-6467, and Assignment of Reclamation Plan No. RP-2197, and the U.S. Bureau of Land Management grazing permit numbered 181 ("Anderson Creek"), being a combination of allotments 181 (Black Cy. Ranch) and 184 (Siller Ranch), now known as permit 181, to the full extent assignable.

RESERVING UNTO the Grantor the right to remove for Grantor's own use 50,000 yards of gravel from the gravel pit situate in Section 29, T7N, R1E., B.M., which may be terminated by Grantee's payment of \$1.00 per yard for the amount of the 50,000 yards not yet removed. The right to remove gravel expires October 31, 2008.

RESERVING FURTHER unto the Grantor the right to continue farming the property herein conveyed from the date hereof to October 31, 2008. This includes the dry farm ground, feed lot, dry pastures, and irrigated land, plus the grazing leases and permits aforesaid, and the irrigation and livestock equipment hereafter described, plus all outbuildings and dwellings now existing on such property. However, Grantee may request Grantor to discontinue such farming at any time due to Grantor's development of the property. Grantee shall reimburse Grantor for the costs incurred for the crops which are abandoned due to such discontinuance.

AND FURTHER TOGETHER WITH all sprinkler equipment, handlines, pumps, wheel lines, pivots and all irrigation pipes existing on the property, and all livestock scales, gates, water tanks and chutes on the property.

WARRANTY DEED-1

Instrument # 234502 - Re-recorded

EMMETT, GEM, IDAHO

2004-02-06

02:18:00 No. of Pages: 3

Recorded for: ALLIANCE TITLE & ESCROW

SUSAN K. HOWARD

Fee: 9.00

Ex-Officio Recorder Deputy

Index to: WARRANTY DEED

Judy Evans

This document is being re-recorded to correct an error in the legal description.

Re-recorded
INSTRU. NO. 234502
PAGES 2 OF 3

INSTRU. NO. 234423
PAGES 2 OF 3

GRANTOR COVENANTS that Grantor is lawfully seized of the estate hereby conveyed and has the right to grant and convey the same, both real and personal, and that all property and property rights herein transferred are unencumbered.

Dated this 2ND day of February, 2004.

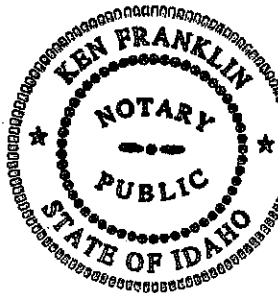

RONALD KUENZLI


IDA MARIE KUENZLI

STATE OF IDAHO)
) ss.
County of Ada)

On this 2ND day of ~~January~~ February, 2004, before me, the undersigned, a notary public in and for said State, personally appeared RONALD KUENZLI and MARIE KUENZLI, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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




Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 10/5/04

Exhibit "A"

RE-RECORDED
INSTRU. NO. 234502
PAGES 3 OF 3

INSTRU. NO. 234422
PAGES 3 OF 3

TOWNSHIP 7 North, Range 1 East, B.M., Gem County, Idaho

Section 19: The $SE\frac{1}{4}$ $NE\frac{1}{4}$; the $E\frac{1}{2}$ of the $SE\frac{1}{4}$

TOWNSHIP 7 North, Range 1 East, B.M., Gem County, Idaho

Section 20: Government Lot 4, the $SW\frac{1}{4}$ of the $NW\frac{1}{4}$, the $W\frac{1}{2}$ of the $SW\frac{1}{4}$, the $SE\frac{1}{4}$ of the $SW\frac{1}{4}$

TOWNSHIP 7 North, Range 1 East, B.M., Gem County, Idaho

Section 29: The $NW\frac{1}{4}$, the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$, the $NE\frac{1}{4}$ of the $SW\frac{1}{4}$, the $S\frac{1}{2}$ of the $SW\frac{1}{4}$, the $S\frac{1}{2}$ of the $SE\frac{1}{4}$

TOWNSHIP 7 North, Range 1 East, B.M., Gem County, Idaho

Section 30: The $NE\frac{1}{4}$ of the $NE\frac{1}{4}$, the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ below the County Road, the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$, the $SE\frac{1}{4}$ of the $NW\frac{1}{4}$, Government Lots 2, 3, 4, the $E\frac{1}{2}$ of the $SW\frac{1}{4}$, the $SE\frac{1}{4}$

TOWNSHIP 7 North, Range 1 East, B.M., Gem County, Idaho

Section 31: Government Lots 1, 2, 3, 4, the $NE\frac{1}{4}$ of the $NW\frac{1}{4}$, the $E\frac{1}{2}$ of the $SW\frac{1}{4}$, the $E\frac{1}{2}$

TOWNSHIP 7 North, Range 1 East, B.M., Gem County, Idaho

Section 32: The $W\frac{1}{2}$ of the $NW\frac{1}{4}$, the $W\frac{1}{2}$ of the $NE\frac{1}{4}$ of the $NW\frac{1}{4}$, the $W\frac{1}{2}$ of the $SE\frac{1}{4}$ of the $NW\frac{1}{4}$, the $W\frac{1}{2}$ of the $SW\frac{1}{4}$, the $W\frac{1}{2}$ of the $SE\frac{1}{4}$ of the $SW\frac{1}{4}$, the $W\frac{1}{2}$ of the $NE\frac{1}{4}$ of the $SW\frac{1}{4}$

TOWNSHIP 7 North, Range 1 West, B.M., Gem County, Idaho

Section 25: The $NE\frac{1}{4}$ of the $NE\frac{1}{4}$, Government Lot 1

EXCEPT any railroad rights of way and any easements to Bureau of Reclamation.

This document is being re-recorded to correct an error in the legal description in Section 19, ...7N1E.

SRBA

PARTIAL DECREE 65-02541

Issued on 06-28-2002.

This is not an official copy.

Contact IDWR or the Court for a Certified Copy.

Choose Landscape Orientation when printing.

NAME AND ADDRESS:	IDA MARIE KUENZLI RONALD L KUENZLI PO BOX 284 STAR, ID 83669		
SOURCE:	PAYETTE RIVER TRIBUTARY: SNAKE RIVER		
QUANTITY:	1.40 CFS		
PRIORITY DATE:	10/24/1950		
POINT OF DIVERSION:	T07N R01E S19 LOT 5 (SWSW) Within Gem County		
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTIT
	Irrigation	04-01 TO 11-01	1.40 C
PLACE OF USE:	Irrigation		Within Gem Cou
	T07N R01E S19 LOT 5 (SWSW) 8.0	LOT 4 (SESW) 17.0	
	SWSE 2.0		
	S30 NWNW 5.0		NENW 35.0
	LOT 1 (NWNW) 5.0		
	72.0 Acres Total		

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

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

[Return to SRBA Home Page](#)

Idaho Dept. of Water Resources

Claim No(s): 65-02538,
65-02541, 65-2633,
65-07817, 65-10453,
65-11363

Claimant(s): Kuenzli
7N, R01E, S 19, 30, 31

Prepared by: Sue Bock

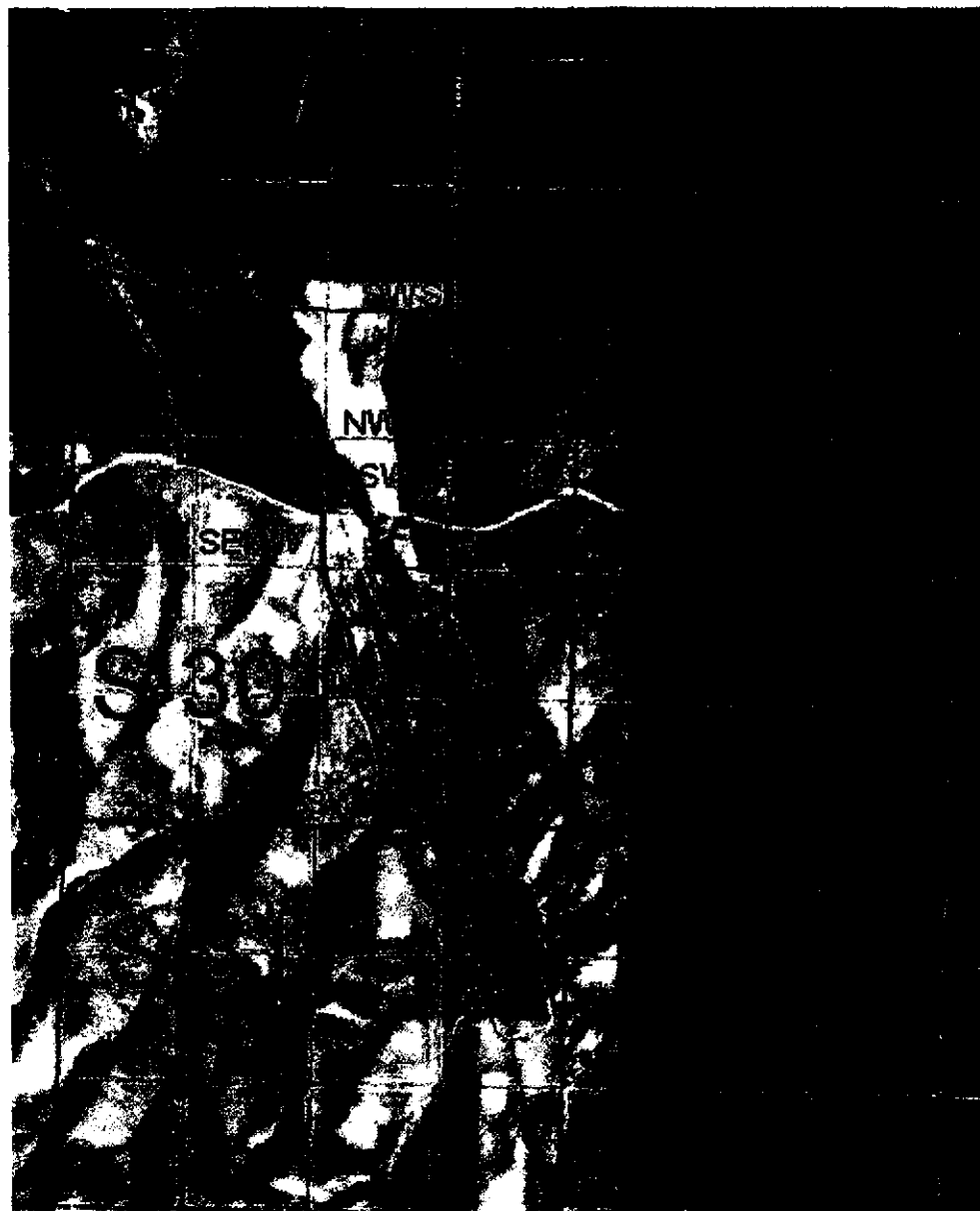
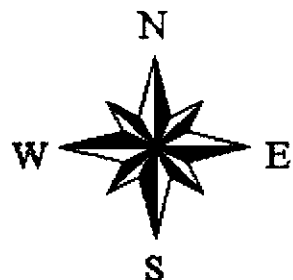
Date: 2/03/2000

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0 1000 2000 Feet



1987 NAPP Photo

Memo - July 20, 2001

To: Sue Bock, Western Regional Office, IDWR
From: Dala Walton, Snake River Area Office, Bureau of Reclamation
Subject: Basin 65 Part 3 Preliminary Director's Report

RECEIVED

JUL 23 2001

WATER RESOURCES
WESTERN REGION

Attached is information to bring to your attention two water rights listed in the preliminary report that appear to have a recommendation on federal land that may be a trespass. If time permits, we hope you can investigate and change if necessary prior to issuance of the final director's report.

Claim 65-7817

T07N R01E S19 Lot 2 SWNE 3.0

T07N R01E S19 Lot 3 NESW 7.0

Claim 65-2541

T07N R01E S19 Lot 5 SWSW 8.0 (4.0 authorized use see attached lease)

7/27

Spoke to Ron Kwanzi.

did not want to drop acres @ this time

call → Ron
880-2923

03/16/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-7817

NAME AND ADDRESS: RONALD L KUENZLI
PO BOX 284
STAR ID 83669

IDA MARIE KUENZLI
PO BOX 284
STAR ID 83669

SOURCE: PAYETTE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.620 CFS
139.50 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.81 CFS. COMBINED RIGHT NOS.: 65-02633 AND
65-11363.

PRIORITY DATE: 01/26/1977

POINT OF DIVERSION:

T07N R01E S19 SESW Lot 4 Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.620 CFS 139.50 AFY

PLACE OF USE:

IRRIGATION Within GEM County

T07N R01E S19 Lot 2 SWNE 3.0
T07N R01E S19 NWSE 15.0

T07N R01E S19 Lot 3 NESW 7.0
T07N R01E S19 SWSE 6.0

31 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 - License

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 65-02633 AND 65-11363.

03/16/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-2541

NAME AND ADDRESS: RONALD L KUENZLI
PO BOX 284
STAR ID 83669

IDA MARIE KUENZLI
PO BOX 284
STAR ID 83669

SOURCE: PAYETTE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.400 CFS

PRIORITY DATE: 10/24/1950

POINT OF DIVERSION:

T07N R01E S19 SWSW Lot 5 Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	1.400 CFS

PLACE OF USE:

IRRIGATION Within GEM County

T07N R01E S19 Lot 5 SWSW	8.0	T07N R01E S19 Lot 4 SESW	17.0
T07N R01E S19 SWSE	2.0	T07N R01E S30 NWNE	5.0
T07N R01E S30 NENW	35.0	T07N R01E S30 Lot 1 NWNW	5.0

72 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

RIGHT NO. 65-10453 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

WARRANTY DEED

For value received, JOSEPH GORDON SCHWARZ (aka J. G. BETTIS) a married man dealing with his sole and separate property, the Grantor, does hereby grant, bargain, sell and convey unto RONALD L. KUENZLI and IDA MARIE KUENZLI, husband and wife, whose address is Box 284, Star, Idaho, 83669, the Grantees, an undivided 7.82% interest in and to the following described premises located in Gem County, State of Idaho, consisting of 350 acres of irrigated crop land; 2,783 acres of native dry range land; and, 89 acres of dry farm land, more particularly described as follows, to-wit:

See Exhibit A attached hereto and made a part hereof as if fully set forth herein.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title, and interest in and to the said real property, as well as all buildings, structures, and improvements; all mineral rights other than those retained by the United States of America and/or the State of Idaho; all growing crops of any kind or nature; all water, water rights, water storage rights, ditches, easements and rights-of-way for ditches appurtenant thereto and used in connection therewith; all grazing permits, grazing leases, and grazing rights

WARRANTY DEED - 1.

appurtenant thereto and used in connection therewith; and, all licenses, easements, and rights-of-way for ingress and egress appurtenant thereto or in anywise appertaining.

TO HAVE AND TO HOLD the premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances; and, that he will warrant and defend the same from all lawful claims whatsoever.

DATED: December 29, 1997.

Joseph Gordon Schwarz
Joseph Gordon Schwarz,
aka J. G. Bettis

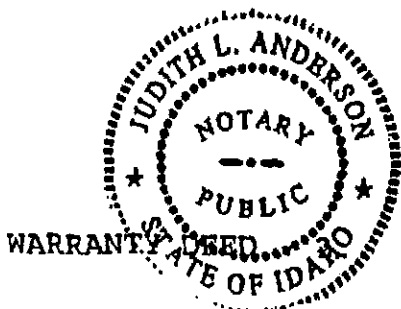
STATE OF IDAHO)

: ss.

County of Gem)

On this ^{31st} 29th day of December, in the year of 1997, before me, Judith L. Anderson, the undersigned, a Notary Public for the State of Idaho, personally appeared JOSEPH GORDON SCHWARZ (aka J. G. BETTIS), known or identified to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he executed the same.

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

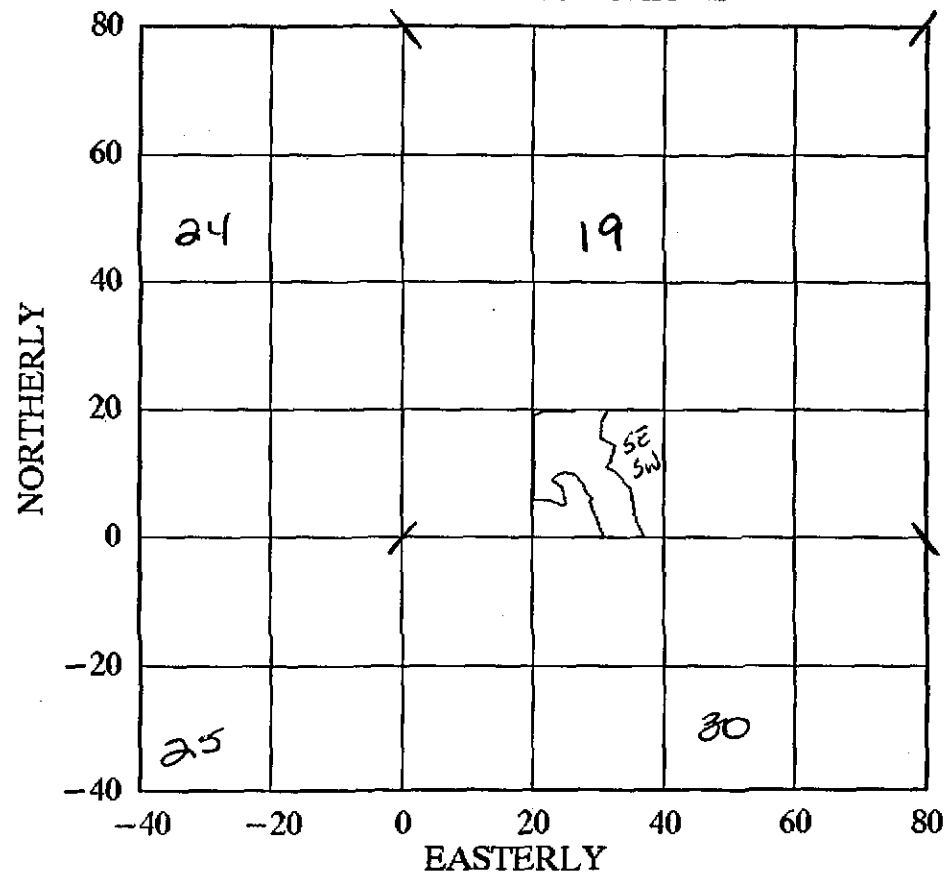


Judith L. Anderson
Notary Public for the State of Idaho
Residing in _____ County, Idaho
My Commission Expires: _____

RESIDING AT BOISE, ID
MY COMM. EXPIRES DEC. 21, 2001

(Parcel 1)

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



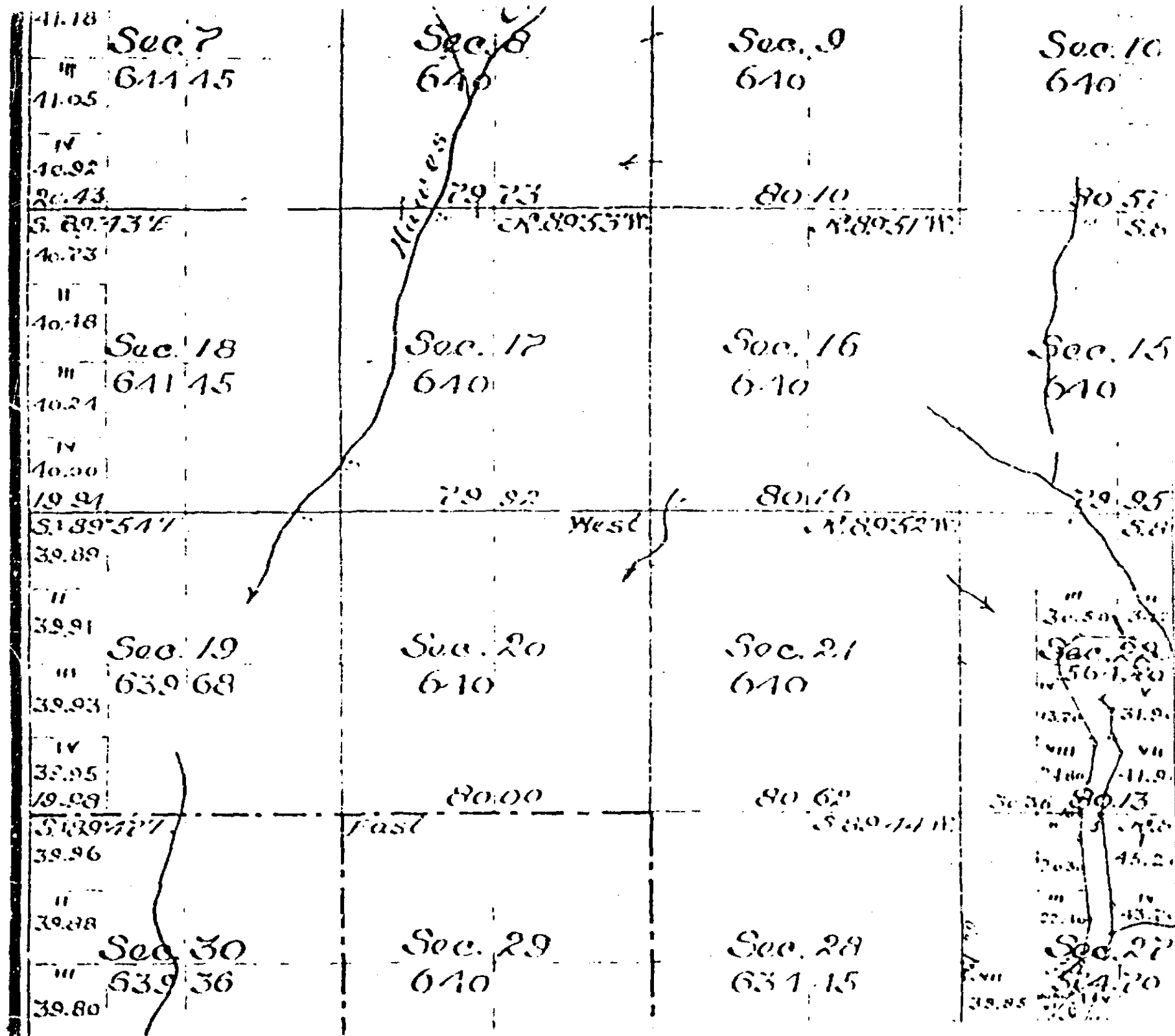
7N
1W

METES AND BOUNDS TABLE

PRESS ALT P TO PRINT GRAPH

	X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR. (SEE SHEET)	40.00	0.00					
	30.81	0.01	89.00	55.00	0.00	NW	606.30
	28.77	5.56	20.00	12.00	0.00	NW	389.90
	29.24	6.00	46.00	32.00	0.00	NE	42.50
	28.71	6.54	44.00	9.00	0.00	NW	50.00
	28.16	7.12	44.00	9.00	0.00	NW	52.90
-QUAD COEF-							
IF NE. X=1,Y=1	27.77	8.32	17.00	51.00	0.00	NW	83.10
IF SE. X=1,Y=-1	26.35	9.96	40.00	50.00	0.00	NW	142.90
IF SW. X=-1,Y=-1	24.95	10.32	75.00	29.00	0.00	NW	96.00
IF NW. X=-1,Y=1	23.80	9.91	70.00	23.00	0.00	SW	80.40
	22.98	9.17	47.00	58.00	0.00	SW	73.10
	24.49	7.90	50.00	10.00	0.00	SE	130.60
	25.19	5.20	14.00	26.00	0.00	SE	184.00
	24.61	4.93	65.00	9.00	0.00	SW	42.20
	22.50	5.85	66.00	30.00	0.00	NW	151.70
	20.08	5.83	89.00	38.00	0.00	SW	159.60
	20.09	18.99	0.00	2.00	0.00	NE	868.40
	21.51	19.73	62.00	30.00	0.00	NE	105.30
	31.35	19.90	89.00	0.00	0.00	NE	649.60
	30.42	18.06	26.00	50.00	0.00	SW	136.10
	30.33	15.62	2.00	6.00	0.00	SW	161.00
	32.61	14.58	65.00	24.00	0.00	SE	166.00
	32.23	13.15	14.00	57.00	0.00	SW	97.50
	31.75	11.93	21.00	32.00	0.00	SW	86.60
	31.26	11.04	28.00	58.00	0.00	SW	67.00
	31.94	10.67	61.00	41.00	0.00	SE	51.10
	32.60	10.31	61.00	1.00	0.00	SE	50.00
	35.01	7.71	42.00	46.00	0.00	SE	233.70
	35.73	2.65	8.00	9.00	0.00	SE	336.80
	37.00	0.02	25.00	49.00	0.00	SE	192.90
	33.94	0.03	89.00	55.00	0.00	NW	202.00
	27.82	0.04	89.00	55.00	0.00	NW	404.30
	27.82	0.04					

7N 1W
hot 4 of
Sect. 19
is SWSW



X=40

Y=Ø

EXHIBIT A

PARCEL I:

Lot 4, excepting a piece of land for reservoir right of way purposes above Black Canyon Diversion Dam, Boise Project, Idaho, described as follows:

Beginning at a point on the South line of Section 19, Township 7 North, Range 1 East of the Boise Meridian, Gem County Idaho, which point is 606.3 feet North 89°55' West of the South quarter corner of said Section 19; thence
North 20°12' West 389.9 feet; thence
North 46°32' East 42.5 feet; thence
North 44°09' West 50.0 feet, to a point on the centerline of the Idaho Northern Branch of the Oregon Short Line Railroad, which point is on 5°05' curve of said railroad, and is approached from the convex side, and normal to said curve; thence
North 44°09' West 52.9 feet; thence
North 17°51' West 83.1 feet; thence
North 40°50' West 142.9 feet; thence
North 75°29' West 96.0 feet; thence
South 70°23' West 80.4 feet; thence
South 47°58' West 73.1 feet; thence
South 50°10' East 130.6 feet; thence
South 14°26' East 184.0 feet; thence
South 65°09' West 42.2 feet; thence
North 66°30' West 151.7 feet; thence
South 89°38' West 159.6 feet to a point on the West Lot line of said Lot 4; thence along the West lot line of said Lot 4
North 00°02' East 868.4 feet; thence along a meander line
North 62°30' East 105.3 feet to a point on the North Lot line of said Lot 4; thence along the North Lot line of said Lot 4,
North 89°00' East 649.6 feet; thence
South 26°50' West 136.1 feet; thence
South 2°06' West 161.0 feet; thence
South 65°24' East 166.0 feet; thence
South 14°57' West 97.5 feet; thence
South 21°32' West 86.6 feet; thence
South 28°58' West 67.0 feet; thence
South 61°41' East 51.1 feet to a point on above mentioned 5°05' curve and center line of the said Idaho Northern Railroad, approached from the concave side of said 5°05' curve and normal to said curve which point is 345.2 feet from above mentioned intersection, measured on 50 foot chords along said 5°05' curve; thence

South 61°01' East 50.0 feet; thence
South 42°46' East 233.7 feet; thence
South 8°09' East 336.8 feet; thence
South 25°49' East 192.9 feet to a point on the South section line
of said Section 19, which point is 202.0 feet North 89°55' West
of the South quarter corner of said Section 19; thence along the
South section line of said Section 19
North 89°55' West 404.3 feet to the POINT OF BEGINNING.

And the Southwest quarter of the Southeast quarter all in Section
19; and

The Northwest quarter of the Northeast quarter and South half of
the Northeast quarter and East half of the Northwest quarter and
Lot 1, Lot 2, Lot 3 and Lot 4, and the East half of the Southwest
quarter and Southeast quarter all in Section 30; and

The Northeast quarter and the Northeast quarter of the Northwest
quarter, and Lot 1, Lot 2, Lot 3 and Lot 4 and the East half of the
Southwest quarter and the Southeast quarter, all in Section 31; and

The Northwest quarter and North half of the Southwest quarter of
Section 32; EXCEPT the East half of the Northeast quarter of the
Southwest quarter and the East half of the Southeast quarter of the
Northwest quarter and the East half of the Northeast quarter of the
Northwest quarter of Section 32;

The Southwest quarter of the Southwest quarter and the West half of
the Southeast quarter of the Southwest quarter of Section 32,
Township 7 North, Range 1 East, Boise Meridian, Gem County, Idaho.

All of the above and foregoing property being in Township 7 North,
Range 1 East of the Boise Meridian, Gem County, Idaho.

PARCEL 2:

That portion of the South half of the Southeast quarter of Section
26 lying South of the County Road;

All that portion of the Northwest quarter of the Northeast quarter
lying South and East of the County road in Section 35;

All that portion of the Southeast quarter of the Northwest quarter
lying East of the County Road in Section 35;

All that portion of the Northeast quarter of the Southwest quarter
lying South and East of the County Road in Section 35;

The Southwest quarter of the Northeast quarter lying South and East of the County Road, subject to the State of Idaho, Easement #717 to Idaho Power Company for poleline right of way, in Section 35;

The East half of the Northeast quarter of Section 35;

The Southeast quarter of Section 35;

The Southwest quarter of the Northwest quarter of Section 36;
The South half of the Southwest quarter of Section 25, lying South of the County Road;

All being in Township 7 North, Range 1 West, Boise Meridian, Gem County, Idaho.

PARCEL 3:

The Southeast quarter of the Northeast quarter, the North half of the Southeast quarter, the Southeast quarter of the Southeast quarter of Section 19; and Lot 4, the Southwest quarter of the Northwest quarter, the West half of the Southwest quarter, the Southeast quarter of the Southwest quarter of Section 20; and the Northwest quarter, the Southwest quarter of the Northeast quarter, the Northeast quarter of the Southwest quarter, the South half of the Southwest quarter, the South half of the Southeast quarter of Section 29 and the Northeast quarter of the Northeast quarter of Section 30; all being in Township 7 North, Range 1 East of the Boise Meridian, Gem County, Idaho.

PARCEL 4:

The North half of the Southwest quarter, lying South and East of the County Road, the Southwest quarter of the Southeast quarter excepting the following described tract: Beginning at a point 1,493.4 feet West of the 1/16 corner in the East side of the Southeast Quarter of Section 25; thence South 47°30' West 338.45 feet; thence North 70°30' West 345.3 feet; thence North 3°14' East 112.30 feet; thence East to POINT OF BEGINNING. The Southeast quarter of the Southeast quarter of Section 25, all in Township 7 North, Range 1 West of the Boise Meridian, in Gem County, State of Idaho.

PARCEL 5:

Township 7 North, Range 1 West, Boise Meridian, Gem County, Idaho:

Section 25:

The South half of the Northeast quarter lying East of the drain ditch.

That portion of the Northwest quarter of the Southeast quarter lying East of the Drain Ditch and South of the County Road.

The Northeast quarter of the Southeast quarter.

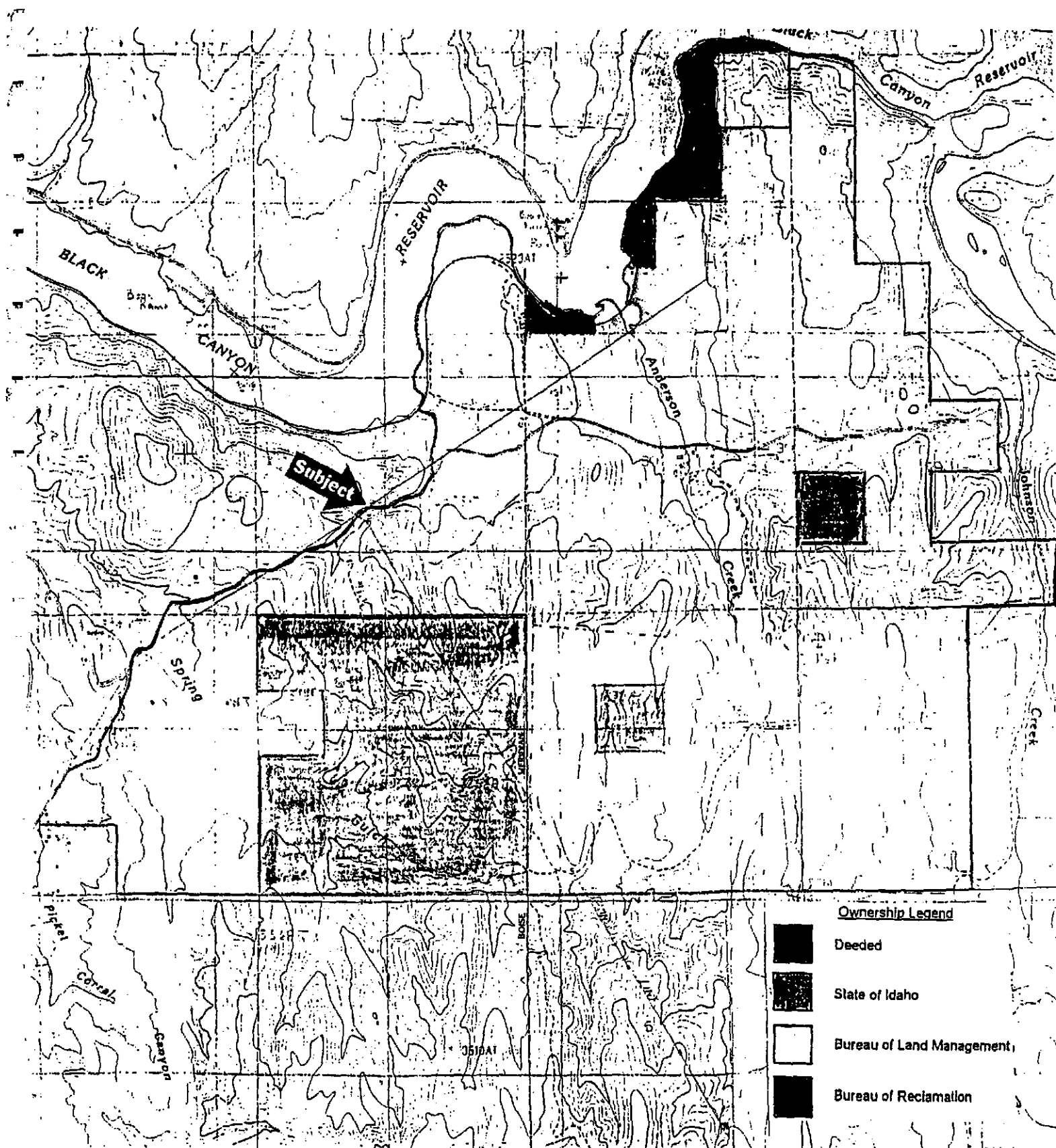
and

Beginning at a point 1493.4 feet West of the 1/16 corner in the East side of the Southeast quarter of Section 25, Township 7 North, Range 1 West, Boise Meridian; run thence South 47°30' West, 338.45 feet; thence North 70°30' West, 345.3 feet; thence North 3°14' East, 112.30 feet; thence East to said POINT OF BEGINNING.

PARCEL 6:

Lots 4, 5, 6 and 7, in Section 24; the Northeast quarter of the Northeast quarter, and Lot 1, in Section 25 all in Township 7 North, Range 1 West, Boise Meridian, Gem County, Idaho.

EXCEPT All the Southwest quarter Northwest quarter Northeast quarter Southwest quarter Northeast quarter of Section 35, Township 7 North, Range 1 West, Boise Meridian, Gem County, Idaho, commonly known as the Water Reservoir Storage Lot and encompassing approximately 0.625 acres.



This document was prepared from sources deemed reliable. However, neither seller nor agent can guarantee it's accuracy

UNITED STATES
DEPARTMENT OF INTERIOR
BUREAU OF RECLAMATION
SNAKE RIVER AREA OFFICE

BOISE PROJECT, IDAHO

LEASE OF LAND FOR AGRICULTURAL PURPOSES

THIS LEASE, made this 12th day of February, 2001, in pursuance of the act of June 17, 1902 (32 Stat., 388), and acts amendatory thereof or supplementary thereto, between the UNITED STATES OF AMERICA, hereinafter styled the United States, represented by the Bureau of Reclamation's Snake River Area Office Area Manager, the officer executing this lease, and Ronald & Marie Kuenzli, hereinafter styled the Lessee.

2. WITNESSETH, That in consideration of the rents and covenants herein specified, it is hereby mutually agreed by the parties hereto as follows:

3. Description of land leased - Subject to the conditions hereinafter set forth, the United States does hereby lease to the Lessee, for agricultural purposes, the following described premises in the State of Idaho, to wit:

A portion of Lot 5, Section 19, Township 7 North, Range 1 East,
Boise Meridian, Idaho.

containing 4 acres, more or less, and with privileges and appurtenances, subject, however, to the exceptions and reservations set out in the succeeding article.

4. Exceptions and Reservations - There are excepted and reserved to the United States from the lease of the premises described in Article 3, the following:

a. All lands to which other rights have lawfully attached before the date of this lease.

b. The right to remove from said lands any or all timber, both standing and down.

c. The right to take from said lands material for the construction of irrigation works and to construct, operate and maintain such works thereon.

d. The right to prospect and carry on developments for oil, gas, coal and other minerals on said lands under the act of October 2, 1917 (40 Stat. 297), and the act of February 25, 1920 (41 Stat. 437).

e. A right-of-way along all section lines or other practicable routes when locations on section lines are not feasible, freely to give ingress to, passage over, and egress from all of said lands.

f. The right of the officers, agents, employees, licensees and permittee of the United States, at all proper times and places, freely to have ingress to, passage over and egress from all of said lands, for the purpose of exercising, enforcing and protecting the rights described in and reserved by this article, or for the purpose of operating and maintaining any Federal project thereon.

5. Term of Lease - The lease of the premises described shall be for the period from the date hereof, to December 31, 2001 inclusive, unless sooner terminated as hereinafter provided.

6. Extension of lease - The Lessee has an option to extend the term of the lease as defined in the preceding article, for successive additional periods of one year each, but in no event beyond December 31, 2005 if such Lessee shall, at the time of the exercise of the option, have paid all previous rentals due and if such option is exercised in the following manner and by the observance of the following conditions:

a. Such option must be first exercised not later than 30 days

prior to the termination of the lease as defined in Article 11 and, if extended, not later than 30 days prior to the termination of each extension thereof.

b. Such option must be first exercised by payment in advance to the United States at least 30 days prior to the termination of the lease of the rental for the period for which the term is by exercise of such option to be extended, accompanied by a notice that the Lessee desires to exercise such option. Such notice and such payment must be actually received by the United States at least 30 days prior to such lease termination.

7. Rental Charges - The Lessee shall pay to the United States rental charges for the premises described as follows: The sum of \$300.00 on the date hereof for the period ending December 31, 2001, and the sum of \$100.00 for each extension of this lease.

8. Repairs - The Lessee shall, at his/her own cost and expense, keep in a state of good repairs such fences and ditches as may be located on the leased premises.

9. Miscellaneous Conditions - In the use of the leased premises, the Lessee shall faithfully observe the following conditions:

- a. No unlawful business shall be carried on.
- b. The Lessee shall conduct agricultural operations in such a manner as not to interfere in any manner with the utilization or management of adjacent lands owned or operated by persons other than the Lessee, and agrees to construct, without cost to the United States, such fences and cattleguards as may be necessary to insure compliance with this condition. No fence, with or without gates, shall be constructed upon or across the right-of-way of any canal or lateral operated or controlled by the United States. Fences constructed by the Lessee may be removed by the Lessee at any time during the term of this lease. All fences remaining on the leased premises for a period of 30 days after expiration or termination of the Lessee's lease rights will, at the option of the Contracting Officer, become the property of the United States.
- c. No waste shall be committed.
- d. The Lessee shall release and relinquish any and all claims, which he/she at any time may have or claim to have against the United States, its officers, agents and employees on account of loss of or damage to growing crops pursuant to the lease, which may be caused or claimed in whole or in part by the existence or condition of reservoirs or other irrigation and flood control works; or by any cause whatsoever.
- e. The use of pesticides on land covered by this lease shall comply with all provisions of Federal and State pesticide laws, amendments thereto, and Department of the Interior's Policies. The Lessee is prohibited from using chemicals listed on the Department of the Interior's current prohibited list; chemical toxicants for killing predator mammals or birds; and chemical toxicants which cause secondary poisoning for killing mammals, birds and reptiles. Written approval by the Bureau of Reclamation is required prior to any use of pesticides on the land.
- f. The lessee shall be responsible for obtaining any irrigation or domestic water to serve the leased premises. The United States does not provide a water supply for the land, nor will it be responsible for the quantity or quality of water that the Lessee might obtain for use on said land.
- g. The Lessee shall not plow, disk or otherwise cultivate or disturb any lands leased for grazing purposes, nor shall livestock be grazed on lands leased for agricultural purposes without first obtaining the written approval of such action from the Contracting Officer.
- h. The United States, its employees, agents and contractors shall

have the right to enter upon the herein leased premises at any and all times for the purpose of clearing timber, nonagricultural growth and buildings, and to perform other work incidental to or necessary in connection with the construction, operation and maintenance of Black Canyon Dam and Reservoir, including the control or eradication of thistles and other noxious weeds by use of chemical sprays, free of any damages or claims for damages against the United States, its employees, agents or contractors. The Lessee shall cooperate with the Board of County Commissioners of Gem County and the Gem County Weed Supervisor by extending the county's weed eradication program to the lands included in this lease, and agrees to assume all responsible costs and expenses which may be assessed against the Lessee by the said Board of County Commissioners on account of this program.

i. Hunting and fishing by the public will not be restricted by the lessee.

10. Transfer of Lease:

a. Neither this lease nor any interest therein shall be transferred by the Lessee without the written consent of the United States made by the officer executing this lease on behalf of the Government, and until payment has been made to the United States of the sum of \$50.00 to cover the expense of approving such transfer.

b. The assignor may not receive any compensation for the assignment of this lease other than reimbursement of the annual lease fee.

11. Termination of Lease - This lease shall terminate and all rights of the Lessee hereunder shall cease, and the Lessee shall quietly and peaceably deliver to the United States possession of the lease premises in like condition as when taken, reasonable wear and damage by the elements excepted:

a. At the expiration of the term as provided by Articles 5 and 6 ;or
b. Without notice, upon default in payment to the United States or any installment of rental charges as provided by Article 7; or

c. On January 1 of any year, upon written notice to the Lessee, served 30 days in advance thereof; or

d. After failure of the Lessee to observe any of the conditions of Article 9 or 10, and on the tenth day following service of written notice on the Lessee of termination because of failure to observe such condition.

The notices provided by this article shall be served by certified mail addressed to the respective post office addresses given at the foot of this lease, and the mailing

of any such notice properly enclosed, addressed, stamped and certified shall be considered service. If the termination under Article 11 c. or 11 d. should be effective at a date prior to the date of the termination of the then current lease or extension, for which prepayment of rental shall have been made, an appropriate refund (as conclusively determined by the Secretary of the Interior) of part of the rental for such then current lease or extension will be made.

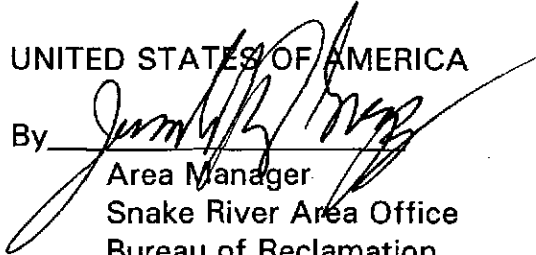
12. Covenant Against Contingent Fees - Lessee warrants that no person or agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, excepting bona fide employees or bona fide established commercial agencies maintained by the Lessee for the purpose of securing business. For breach or violation of this warranty, the Government shall have the right to annul this in addition to the contract price or consideration, the full amount of such commission, percentage, brokerage, or contingent fee.

13. Officials not to Benefit - No member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this contract or to any benefit to arise therefrom. Nothing, however, herein contained shall be construed to extend to any incorporated company if the contract be for the general benefit of such corporation or company.

14. Successors in Interest Obligated - The provisions of this lease shall apply to and bind the assigns to the United States and the heirs, executors, administrators and assigns of the Lessee.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names as of the date first above written.

UNITED STATES OF AMERICA

By 

Area Manager
Snake River Area Office
Bureau of Reclamation
214 Broadway of Reclamation
Boise, ID 83702-7298

Lessee: 

Address: Box 284 STAR IDAHO

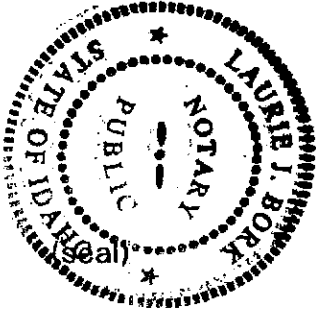
Phone: 208 2867481

STATE OF Idaho)

County of Gem) ss)

On this 29 day of Jan, 2001, personally appeared before me Ronald L. Kuendt, to me known (proved to me on the basis of satisfactory evidence) to be the individual(s) described in and who executed the within and foregoing instrument and acknowledged that he/they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

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

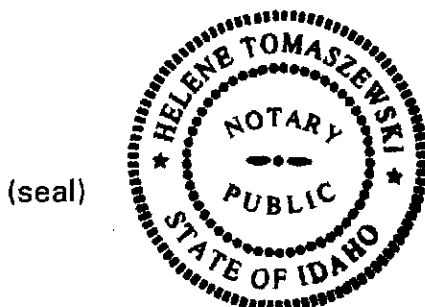


Laurie J. Bork
Notary Public in and for the
State of Idaho
Residing at Emmett
My commission expires: 1/18/06

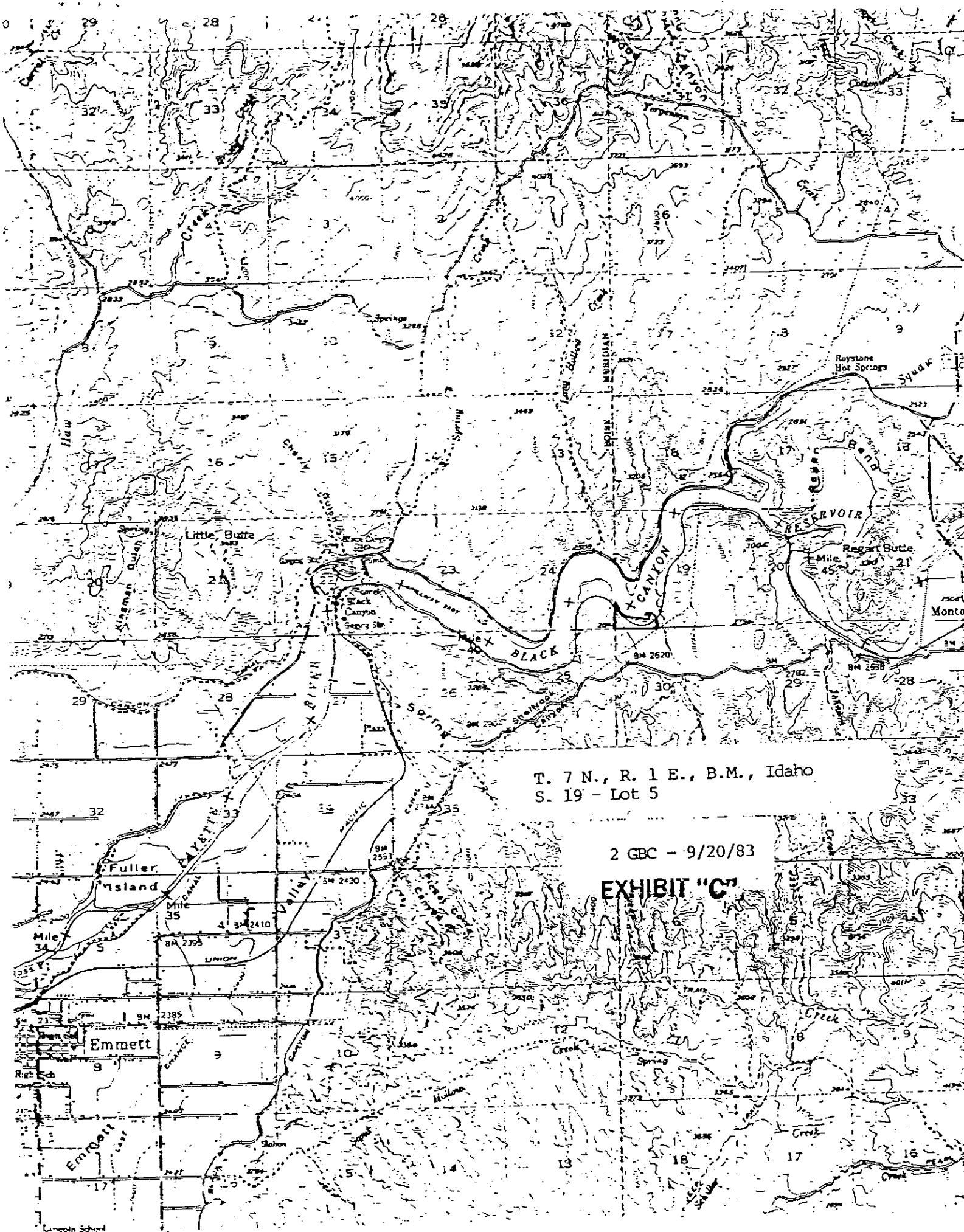
STATE OF IDAHO)
County of Ada) ss)

On this 12th day of FEBRUARY 2001, personally appeared before me JERROLD D. GREGG, to me known to be the official of the UNITED STATES OF AMERICA that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said United States for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

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



Helene Tomaszewski
Notary Public in and for the
State of Idaho
Residing at Boise
My commission expires: 01-16-2002



T. 7 N., R. 1 E., B.M., Idaho
S. 19 - Lot 5

2 GBC - 9/20/83

EXHIBIT "C"

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>65-11363</u>	_____	_____	<u>65-2546</u>	_____	_____
<u>65-2538</u>	_____	_____	<u>65-2307</u>	_____	_____
<u>65-11362</u>	_____	_____	<u>65-7817</u>	_____	_____
<u>65-2633</u>	_____	_____	<u>65-2543</u>	_____	_____
<u>65-10453</u>	_____	_____	<u>65-2541</u>	_____	_____

RECEIVED
MAY 10 2001
WATER RESOURCES
WESTERN REGION

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) REMOVE ATTORNEY - FRANK STOPPELLO
vs JERRY Kiser
4. New Owner/Claimant(s) _____
- Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address _____
- City, State and ZIP Code _____
- New Telephone Number () _____
5. Date you acquired the property _____

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Ida Marie Kuenzli
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by <u>JW</u>	Date <u>5-10-01</u>	Fee <u>N/A</u>
Received by _____	Date _____	Receipt No. _____
Processed by <u>JH</u> AJ	Date <u>5-10-01</u>	WR _____ Date _____

AJ0749NP
No. R65-02541

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

DATE: 02/01/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RONALD L KUENZLI	10/24/1950	IRRIGATION	04-01 11-01	1.400 CFS	
C	IDA MARIE KUENZLI					
	PO BOX 284					
	STAR ID 83669					
	(208) 286-7481					
				TOTAL DIVERSION:	1.400 CFS	

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T07N R01E S19 Lot05(SWSW)

GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07N	01E	19	:																	:	27.0
07N	01E	30	:			05						35	01-05							:	45.0
																				TOTAL ACRES	72.0

POU County: GEM

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A65-02541 A65-10453 R65-10453

Other Water Rights Listing Overlapping Place(s) of Use:
A65-02541 A65-02633 A65-07817 A65-11363 R65-02633 R65-11363

Remarks: EXP RIGHT NO. 65-10453 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Comments: Date: 02/01/2000 User-ID: DBUFFING Subject: NAME CHANGE - OWNERSHIP CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
OWNERSHIP CHANGE.

Date: 02/01/2000 User-ID: DBUFFING Subject: ATTORNEY INFORMATION
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW BARRY MARCUS AS
THE FORMER ATTORNEY, AND JERRY A KISER AS THE CURRENT ATTORNEY.

Audit: 02/01/00 DBUFFING



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

February 1, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Ronald L Kuenzli
Ida Marie Kuenzli
PO Box 284
Star ID 83669

Re: Notice of Claim to a Water Right No. A65-02307, A65-02543, A65-02546,
A65-11362, A65-02538, A65-02541, A65-02633, A65-10453 and A65-11363

Dear Claimants:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water right(s) covered under the original filing.

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

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

Sincerely,

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB:db

Enclosure

DATE: 01/24/00
PAGE: 1

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:03:33
12/11/99
84

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-02541

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CAROL LYNN MAC GREGOR	10/24/1950	IRRIGATION	04-01 11-01	1.400 CFS	
C	JOSEPH GORDON SCHWARZ					
TOTAL DIVERSION:					1.400 CFS	

Water Source: PAYETTE RIVER

Tributary to: Snake

Stage: DECREED

Point(s) of Diversion: T07N R01E S19 Lot05() Lot05(SWSW)

GEM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE														
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
07N	01E	19	:					:					:					:						:	27.0	
07N	01E	30	:			05		:	35	01-05			:			05-08	04-17	:				02		:	45.0	
TOTAL ACRES																							72.0			

POU County: GEM

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

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

248 P05
10453

WR5809NP
No. 65-02541

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/08/99
PAGE: 18

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CAROL LYNN MAC GREGOR 1109 WARM SPRINGS AVE BOISE ID 83712	10/24/1950	IRRIGATION	04/01 11/01	1.400 CFS	
TOTAL DIVERSION:					1.400 CFS	

Water Source: PAYETTE RIVER Tributary to: Stage: DECREED
Point(s) of Diversion: T07N R01E S19 Lot 05(SWSW) GEM County

Place of use Legal Description for: IRRIGATION

	NE				NW				SW				SE				
T R S	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	: Lt	Ac	: SUM
07N 01E 19	:				:				:				:				: 27.0
07N 01E 30	:		05		:		35	01-05	:				:				: 45.0
TOTAL ACRES																72.0	

Pou County: GEM

Dates: App. Received: Priority Date: 10/24/1950
 Proof Due Date: Proof Made Date:
 Exam Made Date: Exam Sent to S.O.:
 Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:05
12/11/99

PAGE: 1
GENERAL INFORMATION

68
CLAIM NUMBER: A65-02541

LAST: MAC GREGOR LAND & LIVESTOCK CO
ADDRESS: PO BOX 5128
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST:
STATE: ID ZIP: 83705

OWNER CODE: O

LAST: MAC GREGOR
ADDRESS: 1109 WARM SPRINGS AVE
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST: CAROL LYNN
STATE: ID ZIP: 83712

OWNER CODE: C

LAST: SCHWARZ
ADDRESS: 1109 WARM SPRINGS AVE
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST: JOSEPH GORDON
STATE: ID ZIP: 83712

OWNER CODE: C

LAST: MARCUS
ADDRESS: 737 NORTH 7TH ST
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST: BARRY
STATE: ID ZIP: 83702

OWNER CODE: A

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A65-02541 PRIORITY DATE: 10-24-1950 STAGE: D

B. WR RECORD: # 65-02541 PRIORITY DATE: 10-24-1950 STAGE: D

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

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

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

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

PROOF OF BENEFICIAL USE SUBMITTED

N/A() Y() N()

FIELD EXAM COMPLETED

N/A() Y() N()

FIELD EXAM SENT TO STATE OFFICE

N/A() Y() N()

LICENSE ISSUED

N/A() Y() N()

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

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED? N/A(☒) Y() N()

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

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N()

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

10-24-1950

REVIEWED BY SB

DATE 1/24/2000

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-02541	07N 01E	19				5		GEM		
A65-02541	07N 01E	19		SW	SW	5		GEM		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A65-02633 NONE
A65-07817
A65-20289

WR RECORDS IN SAME 40 ACRE TRACT

65-02633
65-07817
65-11363

SOURCE: PAYETTE RIVER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-02541	07N 01E	19		SW	SW	5		GEM		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

65-02633
65-07817
65-11363

A65-02633 NONE
A65-07817

SOURCE: PAYETTE RIVER

TRIB:

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

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

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

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

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

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

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

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

I. HOW WAS THE POD AND SOURCE VERIFIED?

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

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

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
07N	01E	19				5		GEM		
07N	01E	19	SW	SW		5		GEM		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: PAYETTE RIVER

TRIB: Snake R

REVIEWED BY: SB

DATE: 1/21/2000

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

A. ROOT WATER RIGHT NUMBERS: A65-02541

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	01E	19	SW	SW	5	MAC GREGOR, CAROL LYNN	A65-02541 / 8.0	65-02541 / 8.0	3.0		8
07N	01E	19	SE	SW	4	MAC GREGOR, CAROL LYNN	A65-02541 / 17.0	65-02541 / 17.0	24.0		17
07N	01E	19	SW	SE		MAC GREGOR, CAROL LYNN	A65-02541 / 2.0	65-02541 / 2.0	29.0		2
			SW	SE		MAC GREGOR, CAROL LYNN	A65-02633 / 33.0	65-02633 / 33.0			
			SW	SE		MAC GREGOR, CAROL LYNN	A65-07817 / 6.0	65-07817 / 6.0			
			SW	SE		MAC GREGOR, CAROL LYNN	A65-11363 / 33.0	65-11363 / 33.0			
07N	01E	30	NW	NE		MAC GREGOR, CAROL LYNN	A65-02541 / 5.0	65-02541 / 5.0	14.0		5
			NW	NE		MAC GREGOR, CAROL LYNN	A65-02633 / 15.0	65-02633 / 15.0			
			NW	NE		MAC GREGOR, CAROL LYNN	A65-11363 / 15.0	65-11363 / 15.0			
07N	01E	30	NE	NW		MAC GREGOR, CAROL LYNN	A65-02541 / 35.0	65-02541 / 35.0	40.0		35
07N	01E	30	NW	NW	1	MAC GREGOR, CAROL LYNN	A65-02541 / 5.0	65-02541 / 5.0	25.0		5
			NW	NW		MAC GREGOR, CAROL LYNN	A65-10453 / 12.0	65-10453 / 12.0			0

ADDITIONAL POU FOUND

TOTAL ACRES A65-02541 72.00 72.00 135.00

POU COUNTY: GEM

72

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

Y() N(☒)

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

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-02541	PAYETTE RIVER	MAC GREGOR, CAROL LYNN	1.400	0.019		
A65-02633	PAYETTE RIVER	MAC GREGOR, CAROL LYNN	0.810	0.015		
A65-07817	PAYETTE RIVER	MAC GREGOR, CAROL LYNN	0.620	0.020		
A65-10453	PAYETTE RIVER	MAC GREGOR, CAROL LYNN	0.620	0.020		
A65-11363	PAYETTE RIVER	MAC GREGOR, CAROL LYNN	0.250	0.004		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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

Y() N(☒)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

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

N/A() Y(☒) N()

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

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

N/A() Y(☒) N()

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

Y() N(☒)

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

Y() N(☒)

NOTES:

TOTAL ACRES: 72 N/A()

REVIEWED BY: EB DATE: 1/24/2000

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-02541 IRRIGATION	FROM 04-01 TO 11-01	1.400 CFS	
TOTAL DIVERSION RATE/VOLUME		1.400 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-02541 IRRIGATION	FROM 04-01 TO 11-01	1.400 CFS	
TOTAL DIVERSION RATE/VOLUME		1.400 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

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

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y(☐) N(☐)

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

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

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

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☒) Y(☐) N(☐)

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

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☒) Y(☐) N(☐)

NOTES:

as shown

AJ CLAIM TOTAL DIVERSION RATE: 1.400 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 1.400 CFS

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

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

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

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

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

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

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 72 x 0.02 CFS/ACRE = 1.44 CFS
(Taken from pou review)

1b. CALCULATIONS

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

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

NOTES:

advised

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE CFS		VOL. AF/A		USE	
IRRIGATION	04-01	11-01	DATABASE 1.400	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 0.0	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			1.400	_____		_____	0.0	_____

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

2AP F05

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

N/A

ROOT WATER RIGHT NUMBER: 65-02541

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 1.400	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-02541	1.400	-		65-02541	1.400
TOTAL CFS		1.400				1.400

DIVERSION RATE REVIEW

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

DATABASE	FIELD EXAMINER
Y	Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

See 65-02538

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

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:05
12/11/99

PAGE: 16
QUICKLOOK INFORMATION

83
CLAIM NUMBER: A65-02541

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE					2/2/00	2/2/00		
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE								
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS								

BARCODE UPDATED
WHOM/DATE



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 20, 1989

Mr. Barry Marcus
Marcus, Merrick & Montgomery
737 North 7th Street
Boise, ID 83702-5595

RE: Carol Lynn MacGregor Water Rights in Gem County,
Identification Numbers A65-02307, A65-02538, A65-02541
A65-02543, A65-02546, A65-02633, A65-06974, A65-07817,
A65-07818, A65-10453, A65-11362, A65-11363

Dear Mr. Marcus:

Enclosed are the corrected copies of the Notices of Claim to a Water Right for Carol MacGregor's Black Canyon Ranch. Please review the claims for accuracy, and if they are acceptable, have your client sign the claim forms, have her signature notarized, and return the claims to this office by the Gem County filing deadline, February 14, 1990. If the water rights are claimed as they were decreed, they are exempt from any filing fees.

Also enclosed are the draft copies with your corrections. In Item 15 "and Licensed" was written on the draft copies of the claims that were licenses prior to Payette River Drainage Basin Adjudication. However, these licensed water rights have been superseded by the Payette River Drainage Basin Adjudication Decree, dated January 21, 1986, and are now decreed water rights with the same identification numbers.

On claim A65-06974 you have indicated you wish to increase the amount of water claimed. The total quantity appropriated by the decreed water right is 0.04 cubic feet per second (c.f.s.). If you wish to claim a total diversion rate greater than 0.04 c.f.s., a \$25.00 filing fee will be required. If the claim is filed as it was decreed, the claim is exempt from a filing fee. A second notice of claim may be filed for the additional water, and it would require a \$25.00 filing fee. Enclosed is a Notice of Claim to a Water Right form with instructions for this purpose.

MICROFILMED

SEP 18 1992

Mr. Barry Marcus
November 20, 1989
Page 2

On claim A65-02543 you have questions about the legal description of a portion of the place of use. A map is enclosed to indicate the lands in which this water right appears to be appurtenant. If your client owns some, but not all the lands described in this water right, a claim can be prepared to cover only the lands your client owns.

Please do not hesitate to contact this office if you have any questions.

Sincerely,


Carter Fritschle
Senior Water Resource Agent
Adjudication Bureau

CF:state

Enclosures:

- Computer generated claims (12)
- Draft copies of claims (12)
- map for A65-02543
- short form w/instructions
- Instructions for Payette Decreed Rights

MICROFILMED
SEP 18 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

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

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

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

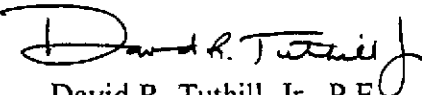
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without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

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

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

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

Sincerely,


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