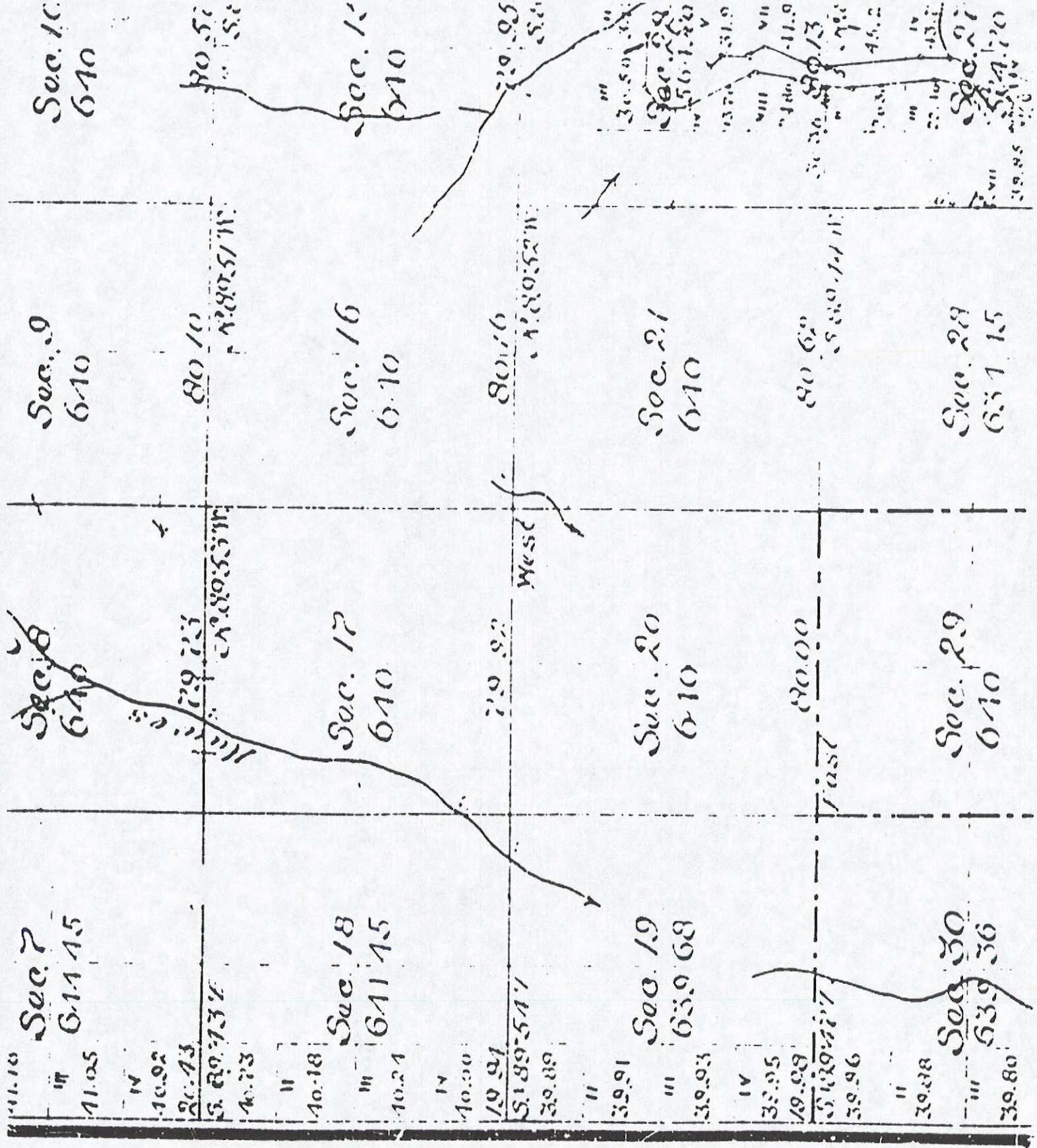


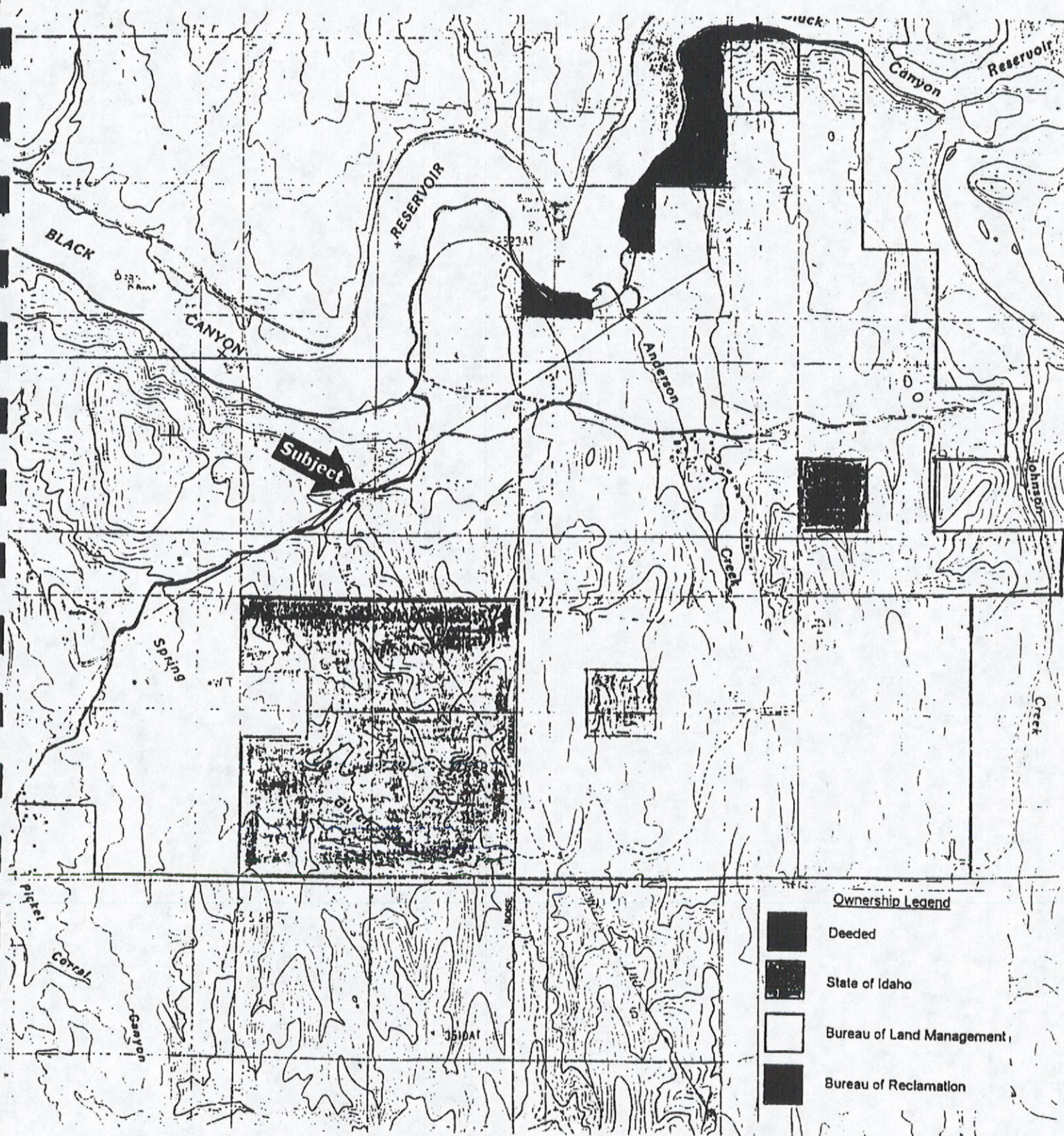
7N 1W

lot 4 of

Sect. 19

is SWSW





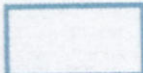
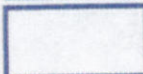
This document was prepared from sources deemed reliable. However, neither seller nor agent can guarantee it's accuracy

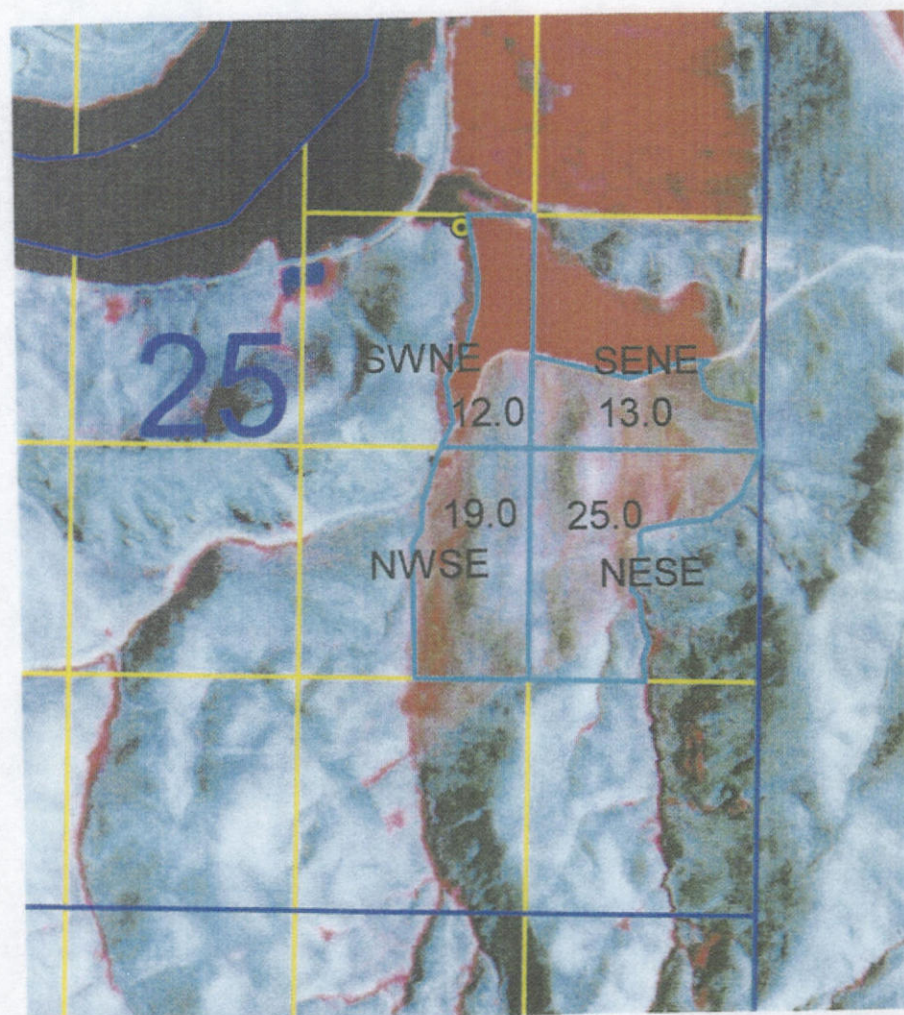
Idaho Department of Water Resources

Claim Number: 65-02546

Legal: T07N, R01W, S25

Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



1987 Napp Photo

0 0.25 0.5 0.75 Miles

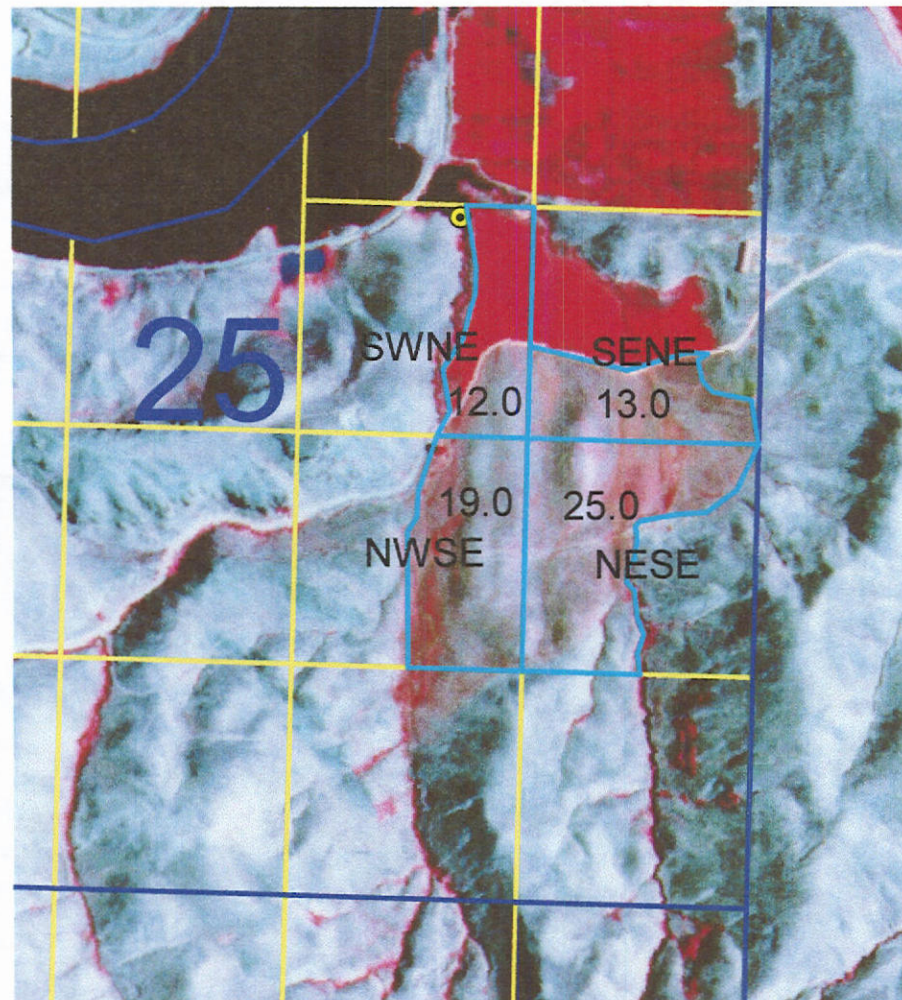
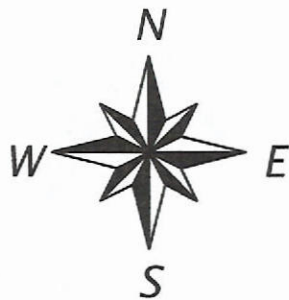
Idaho Department of Water Resources

Claim Number: 65-02546

Legal: T07N, R01W, S25

Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



1987 Napp Photo

0 0.25 0.5 0.75 Miles



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: **A65-02546**
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: JAN 8, 1951

3. Source: PAYETTE RIVER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	01W	25	SW	NE			GEM
			SW	NE			GEM

5. Description of diverting works:
PUMP INTO PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.300		

7. Total Quantity Appropriated is:
1.300 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	01W	25	SW		NE		IRR	10.0
			SE		NE		IRR	13.0
			NE		SE		IRR	25.0
			NW		SE		IRR	19.0

Section Acres 67.0

Total Acres 67.0

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.

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.)

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

WR5816NP

SELECTION FILE: CBIRD-1355037

IDAHO DEPARTMENT OF WATER RESOURCES

SOURCE SUMMARY REPORT

BY WATER SOURCE/WATER RIGHT NUMBER

DATE: 07/01/98

TIME: 13:53:18

PAGE: 1

WATER RIGHT NUMBER	OWNER NAME	O C	PRIORITY DATE	STG	POINT OF DIVERSION	POD FLAG	TOTAL DIVERSION	TOTAL ACRES	WATER USES
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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
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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	WNE	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	SWE	0.600 CFS	30.0	01
A 65-02541 ✓	MAC GREGOR, CAROL LYNN	C	10/24/1950	D	07N 01E 19	SWSW 3	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	SWE	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	NWSEW	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

AJS816NP

SELECTION FILE: CBTRD-1319268

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
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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
A65-07839	PICKET CORRAL HOMEOWNERS ASSOC	03/01/1977	P	07N 01W 35	NANE	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	SCHWARTZ, 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

RECEIVED

SEP 15 1998

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

Department of Water Resources

FRANK W. STOPPELLO
JERRY A. KIBER

TELEPHONE (208) 336-1090
FACSIMILE (208) 336-1097

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.

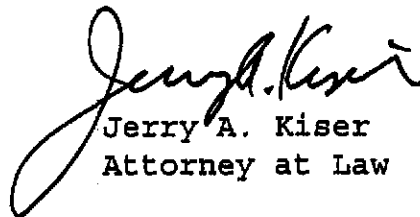
After reviewing the legal description and water rights after our telephone conversation, I discovered that in fact the water rights listed in the Source Summary Reports provided by your office do in fact include all water rights appurtenant to the land purchased by the Kuenzlis. Therefore, it does not 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

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,
aka J. G. Bettis

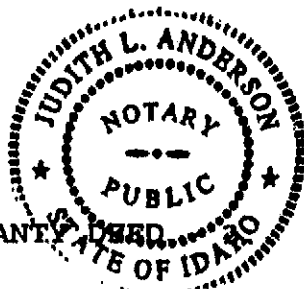
STATE OF IDAHO)

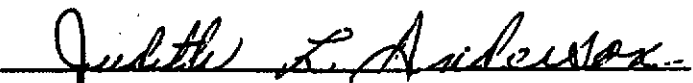
: ss.

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.

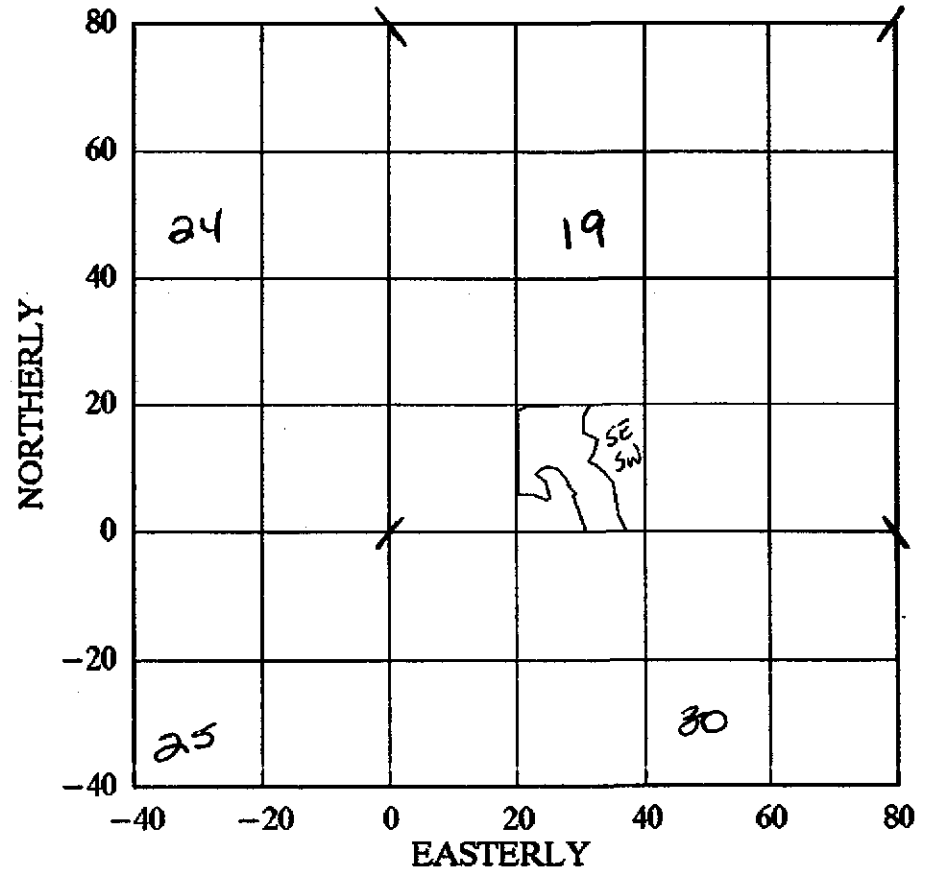



Notary Public for the State of Idaho
Residing in _____ County, Idaho
My Commission Expires: _____

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

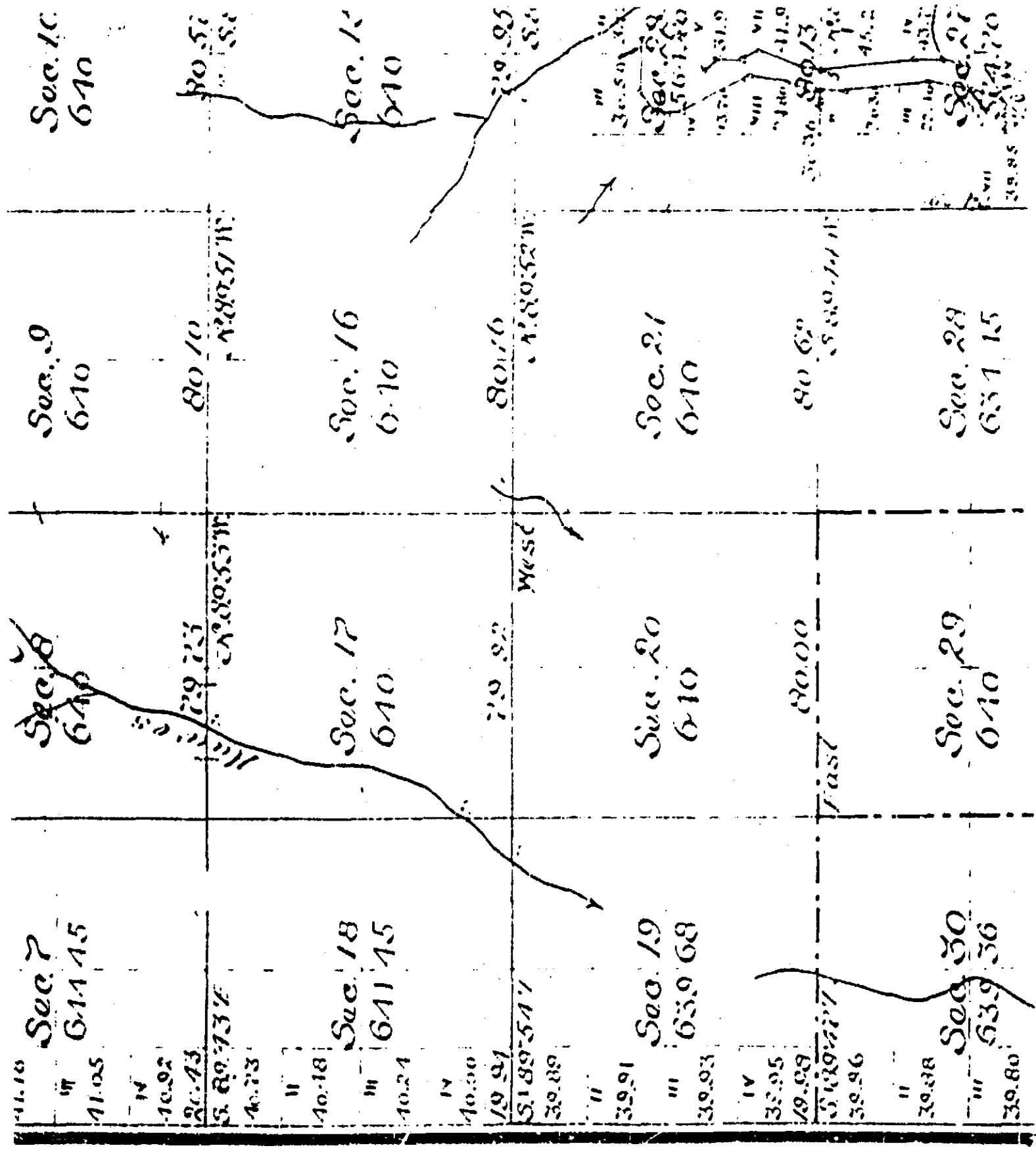
	X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR. (SEE SHEET)	40.00	0.00					
	30.81	0.01	89.00	55.00	0.00	NW	606.30
	28.77	5.56	20.00	12.00	0.00	NW	389.90
	29.24	6.00	46.00	32.00	0.00	NE	42.50
	28.71	6.54	44.00	9.00	0.00	NW	50.00
-QUAD COEF-	28.16	7.12	44.00	9.00	0.00	NW	52.90
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

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.

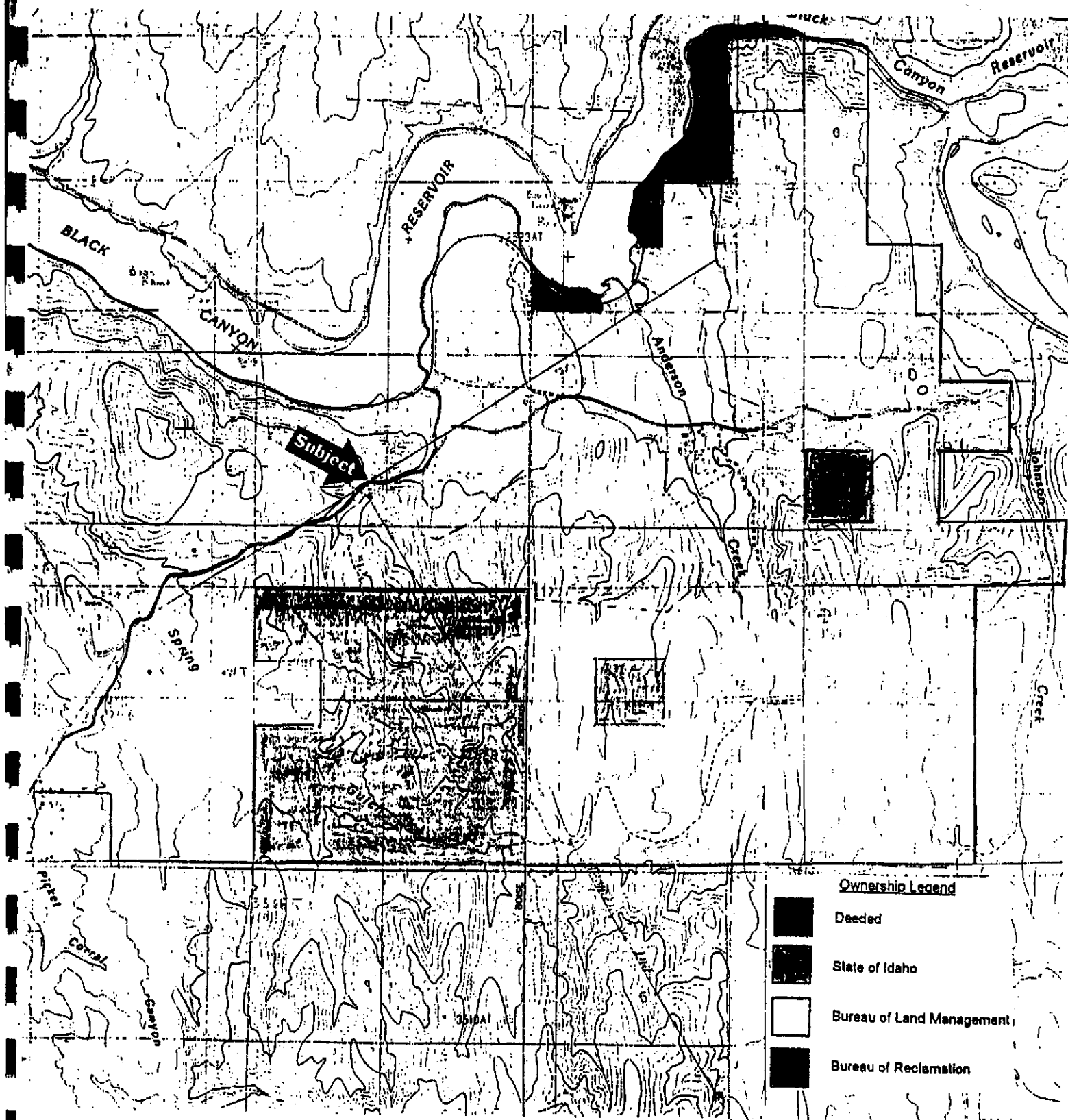
and

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: A65-02546
Date Received: 2-13-90
Receipt No: X999999
Received By:
CA

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: JAN 08, 1951

3. Source: PAYETTE RIVER

Trib. to:

Department of Water Resources

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	01W	25	SW	NE			GEM
			SW	NE			GEM

5. Description of diverting works:
PUMP INTO PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.300		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

A65-02546

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	01W	25	SW		NE		IRR	10.0
			SE		NE		IRR	13.0
			NE		SE		IRR	25.0
			NW		SE		IRR	19.0
							Section Acres	67.0
							Total Acres	67.0

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

(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 X do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

MICROFILMED
SEP 18 1992

4/5/1989 ✓

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

MacGregor

CLAIM IDENT. NO.

WS-02546

DATE RECEIVED

2-13-90

CR #

AMOUNT \$

exempt

YES

NO

Required
Info?

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

Claim checked by:

RRR

Date:

3/13/90

Claim must be returned to claimant:

(Yes)

(No)

Claimant must be notified of modifications:

(Yes)

(No)

Receipt Prepared by:

Claim data entered by:

RRR X999

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

Comments:

MICROFILMED

SEP 18 1992

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.

RECEIVED
MAR 02 2004
 WATER RESOURCES
 WESTERN REGION

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

New Mailing Address 124 W. Main Street, #D

City, State and ZIP Code Emmett, ID 83617

New Telephone Number (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) Doug 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 <u>DB</u>	Date <u>3-2-04</u>	Fee <u>\$25 - Each *</u>	
Received by <u>DB</u>	Date <u>3-2-04</u>	Receipt No. <u>W031340</u>	
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. Stenerson
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

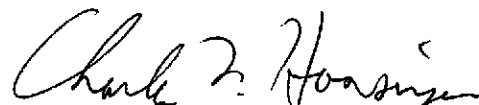
Dear Sir or Madam:

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 25 7N1W
 0191, 0030, 0177, 0017, Sec 24 7N1W
 0168, 0111, 0050, 0072, 0119, 0118, 0058, 0189, 0176
 QUITCLAIM DEED Set 2571

(Water Rights)

0247 Sec 26 7N1W
 0065, 0059, 0060, 0040, 0058, 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	63-10453
65-11362	65-02341	65-02343	63-02546
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

Feb 18 2004

Ex-Officio Recorder Deputy

Index to: QUIT CLAIM DEED



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

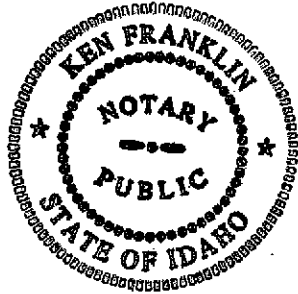
Ronald L. Kuenzli
Ronald L. Kuenzli

Ida Marie Kuenzli
Ida Marie Kuenzli

STATE OF Idaho)
: ss.
County of Ada)

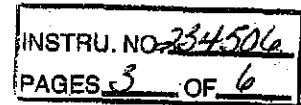
On this 3rd day of February, 2004, before me,
Ken Franklin, a notary public for said State, personally appeared
RONALD L. KUENZLI and IDA MARIE KUENZLI known or identified to me to be the
persons who executed the instrument, and acknowledged to me that they executed the same.

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: 10/3/04

3188154_1.DOC



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 $\frac{1}{4}$ 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 ½ of the SE ¼ and Government Lot 4 lying within the E ½ of the SW ¼ 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 DEC 19, SEC 20, SEC 30, SEC 31, SEC 32 T7N1E
 0055 SEC 29, SEC 30 T7N1E
 0241 SEC 32 T7N1E
 0017 SEC 25 T7N1W

INSTRU. NO. 234422
 PAGES 1 OF 3

Re-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 *Judy Evans*
 Index to: WARRANTY DEED

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

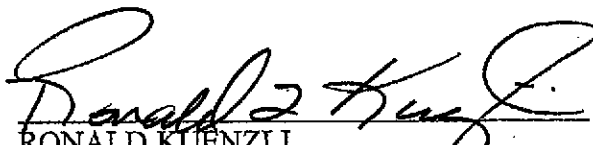
Instrument # 234502-Re-recorded

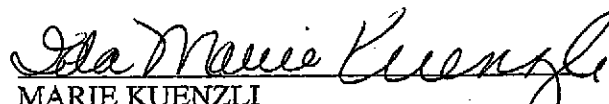
EMMETT, GEM, IDAHO
 2004-02-06 02:19:00 No. of Pages: 3
 Recorded for: ALLIANCE TITLE & ESCROW
 SUSAN K. HOWARD Fee: 9.00
 Ex-Officio Recorder Deputy *Judy Evans*
 Index to: WARRANTY DEED

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

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.

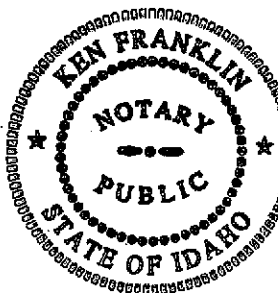

RONALD KUENZLI


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.



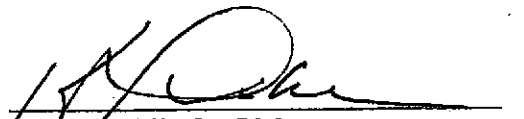

Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 10/5/04

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 65-02546

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:	1.30 CFS		
PRIORITY DATE:	01/08/1951		
POINT OF DIVERSION:	T07N R01W S25	SWNE	Within Gem County
PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTIT
	Irrigation	03-15 TO 11-15	1.30 C
PLACE OF USE:	Irrigation		Within Gem Cou
	T07N R01W S25	SWNE 10.0	SENE 13.0
		NESE 25.0	NWSE 19.0
	67.0 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 Department of Water Resources

Claim Number: 65-02546

Legal: T07N, R01W, S25

Reviewed By:



Point of Diversion



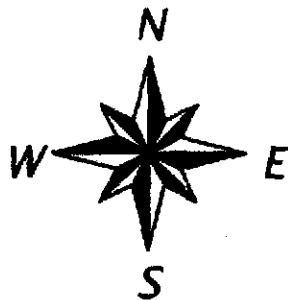
Place of Use



Section Lines



Quarter Quarter Lines



1987 Napp Photo

0 0.25 0.5 0.75 Miles

11/02/2000

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

RIGHT NUMBER: 65-2546

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

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 1.3 CFS

PRIORITY DATE: 01/08/1951

POINT OF DIVERSION: T07N R01W S25 SWNE 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	1.30 CFS

PLACE OF USE:

<u>IRRIGATION Within GEM County</u>					
T07N R01W S25	SWNE	10	T07N R01W S25	SENE	13
T07N R01W S25	NESE	25	T07N R01W S25	NWSE	19
67 ACRES TOTAL					

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:06:17
05/30/00
181

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-02546

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME																																																																																																																																																			
C	IDA MARIE KUENZLI	01/08/1951	IRRIGATION	03-15 11-15	1.300 CFS																																																																																																																																																				
C	RONALD L KUENZLI																																																																																																																																																								
					TOTAL DIVERSION:	1.300 CFS																																																																																																																																																			
Water Source: PAYETTE RIVER		Tributary to: <i>Snake</i>			Stage: DECREED																																																																																																																																																				
Point(s) of Diversion: T07N R01W S25		SWNE			GEM County																																																																																																																																																				
Place of use Legal Description for: IRRIGATION																																																																																																																																																									
<table border="0"> <tr> <td colspan="4"></td> <td>NE</td> <td colspan="4"></td> <td>NW</td> <td colspan="4"></td> <td>SW</td> <td colspan="4"></td> <td>SE</td> <td colspan="4"></td> </tr> <tr> <td colspan="2"></td> <td>NENE</td> <td>NWNE</td> <td>SWNE</td> <td>SENE</td> <td>:</td> <td>MENW</td> <td>NWNW</td> <td>SWNW</td> <td>SENW</td> <td>:</td> <td>NESW</td> <td>NWSW</td> <td>SWSW</td> <td>SESW</td> <td>:</td> <td>NESE</td> <td>NWSE</td> <td>SWSE</td> <td>SESE</td> <td>:</td> <td colspan="2"></td> </tr> <tr> <td>T</td> <td>R S</td> <td>: Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>:</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> </tr> <tr> <td colspan="24">-----</td> </tr> <tr> <td colspan="2">07N 01W 25 :</td> <td colspan="2"></td> <td colspan="2">10</td> <td colspan="2">13</td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2">25</td> <td colspan="2">19</td> <td colspan="2"></td> <td colspan="2">67.0</td> </tr> <tr> <td colspan="22"></td> <td colspan="2">TOTAL ACRES</td> <td colspan="2">67.0</td> </tr> </table>											NE					NW					SW					SE							NENE	NWNE	SWNE	SENE	:	MENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:			T	R S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	-----																								07N 01W 25 :				10		13										25		19				67.0																								TOTAL ACRES		67.0	
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07N 01W 25 :				10		13										25		19				67.0																																																																																																																																			
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POU County: GEM

Remarks: GEN OWNERSHIP CHANGED BY DB 2/1/2000.
NOTE: BARRY MARCUS IS FORMER ATTORNEY.

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

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

WR5809NP
No. 65-02546

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/30/00
PAGE: 39

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	01/08/1951	IRRIGATION	03/15 11/15	1.300 CFS	
TOTAL DIVERSION:					1.300 CFS	

Water Source: PAYETTE RIVER Tributary to: Stage: DECREED

Point(s) of Diversion: T07N R01W S25 SWNE 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		
07N	01W	25	:			10	13	:					:					:	25	19			:	67.0
TOTAL ACRES																						67.0		

Pou County: GEM

Dates:	App. Received:	Priority Date:	01/08/1951
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		
Misc:	Water District Number: 65	Field Exam Fee:	
Audit:	04/02/86 04/30/88 CONVERT	08/05/92 NAME-ADD	08/05/92 NAME-ADD
	10/11/94 SCURTIS		

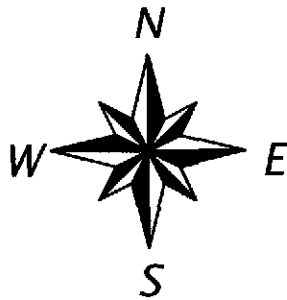
Idaho Department of Water Resources

Claim Number: 65-02546

Legal: T07N, R01W, S25

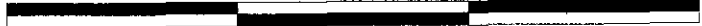
Reviewed By:

- ⊙ *Point of Diversion*
-  *Place of Use*
-  *Section Lines*
-  *Quarter Quarter Lines*



1987 Napp Photo

0 0.25 0.5 0.75 Miles





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,

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

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB:db

Enclosure



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

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) REMOVED ATTORNEY - FRANK STOPPELLO
or JERRY KISEY
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 Kuengli
(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 _____



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