

**T17N, R03E
S16**

Claims: 65-02708
Owner : CRUZEN
Prepared by:
Ron Howerton
Date: 12 AUG 99

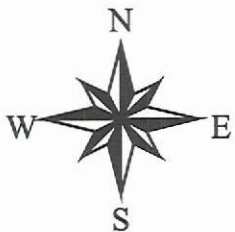
 Place of use

 POD

 SECTION LINES

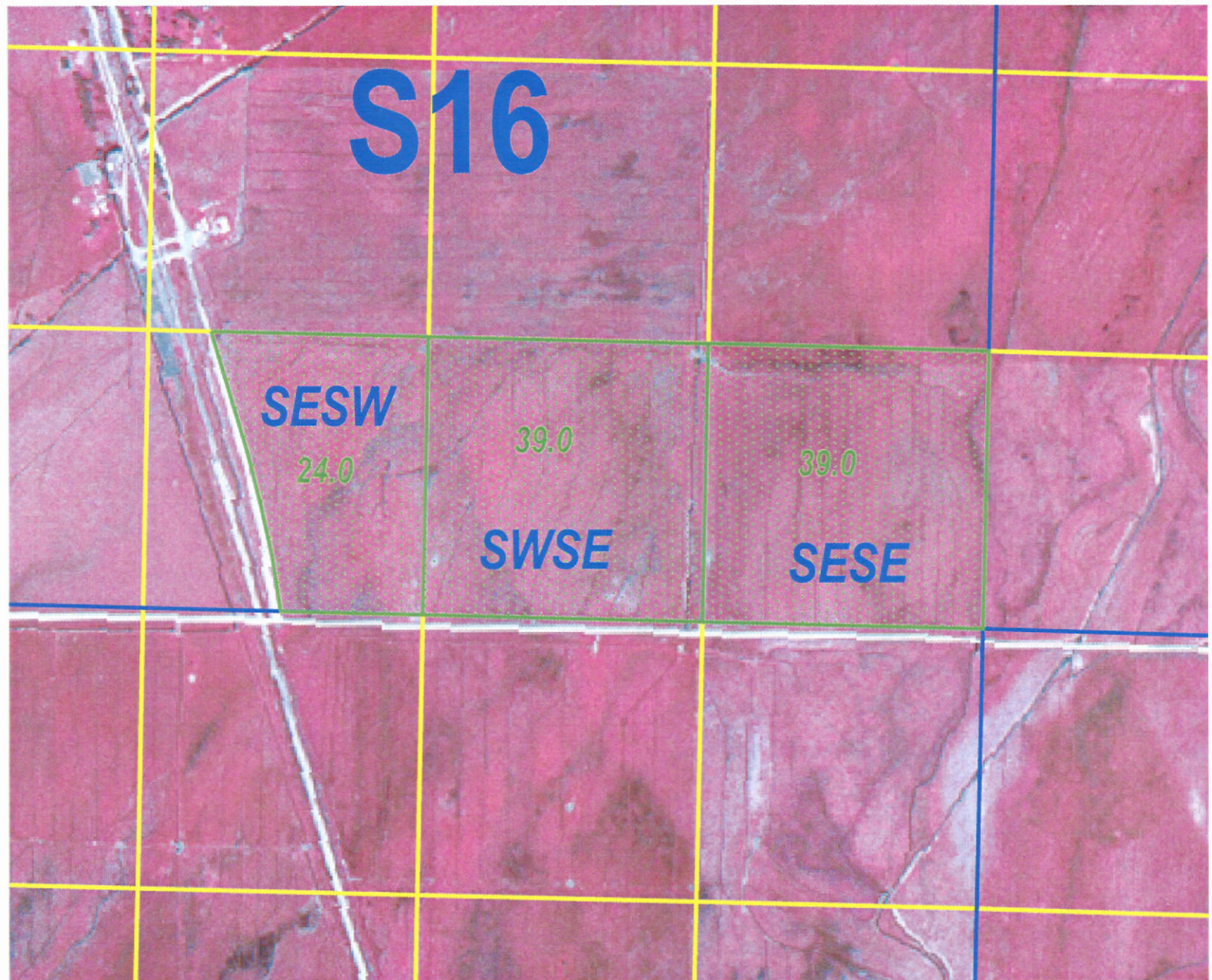
 1/4 1/4 Lines

Acres

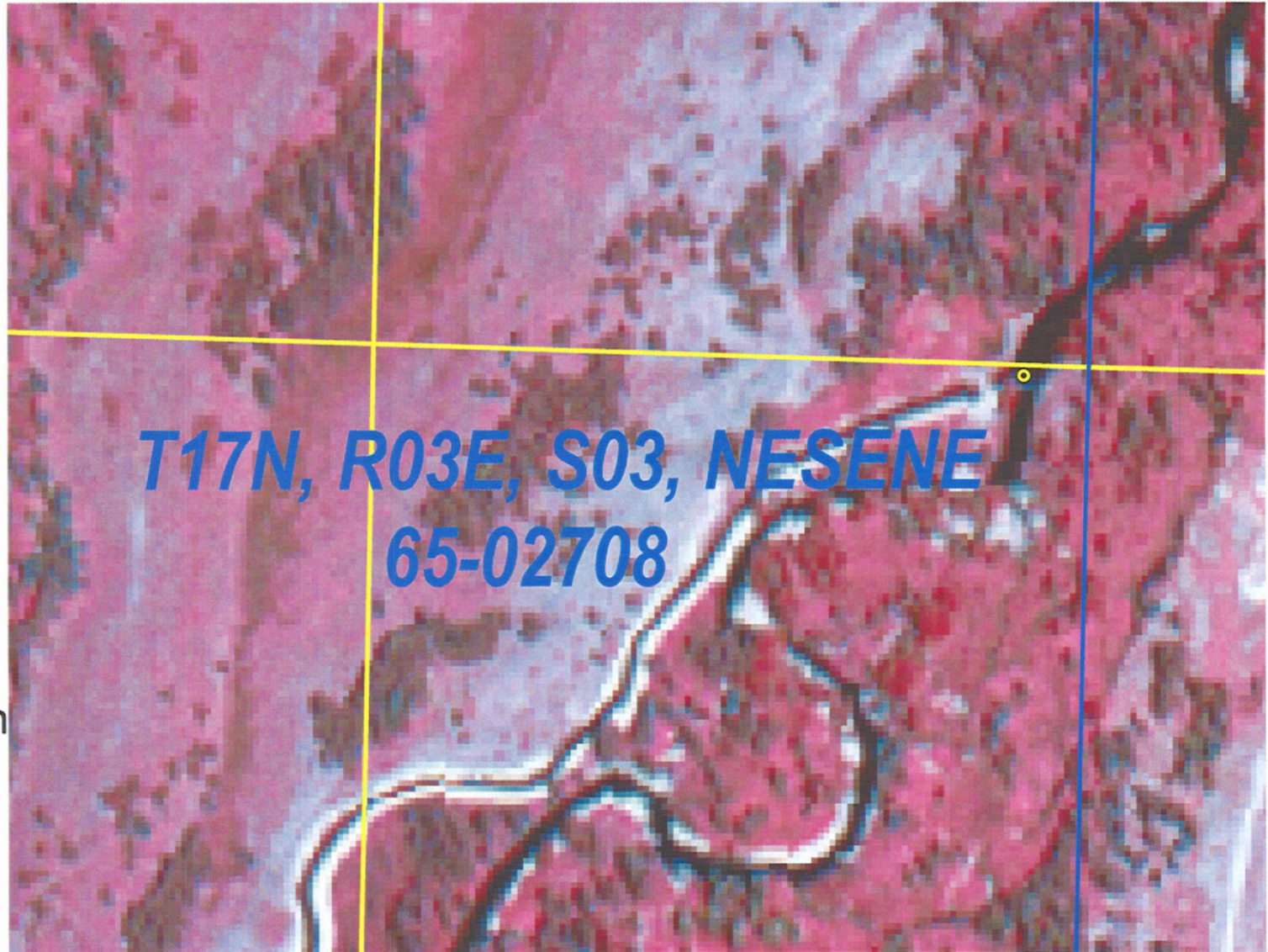


1987 NAPP

Idaho Department of Water Resources



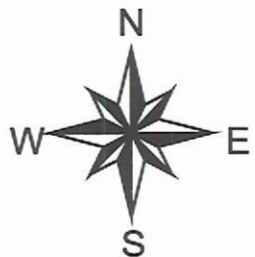
65-02708



T17N, R03E, S03, NESENE
65-02708



Point of Diversion



1987 NAPP

0 0.1 0.2 0.3 0.4 Miles

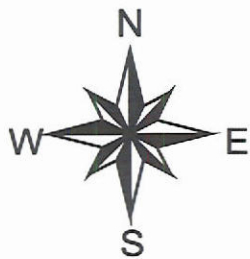
65-02708



T17N, R03E, S03, NESENE
65-02708



Point of Diversion



1987 NAPP

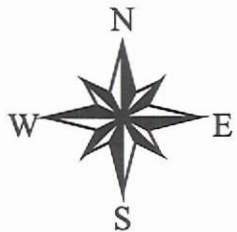
0 0.1 0.2 0.3 0.4 Miles

Idaho Department of Water Resources

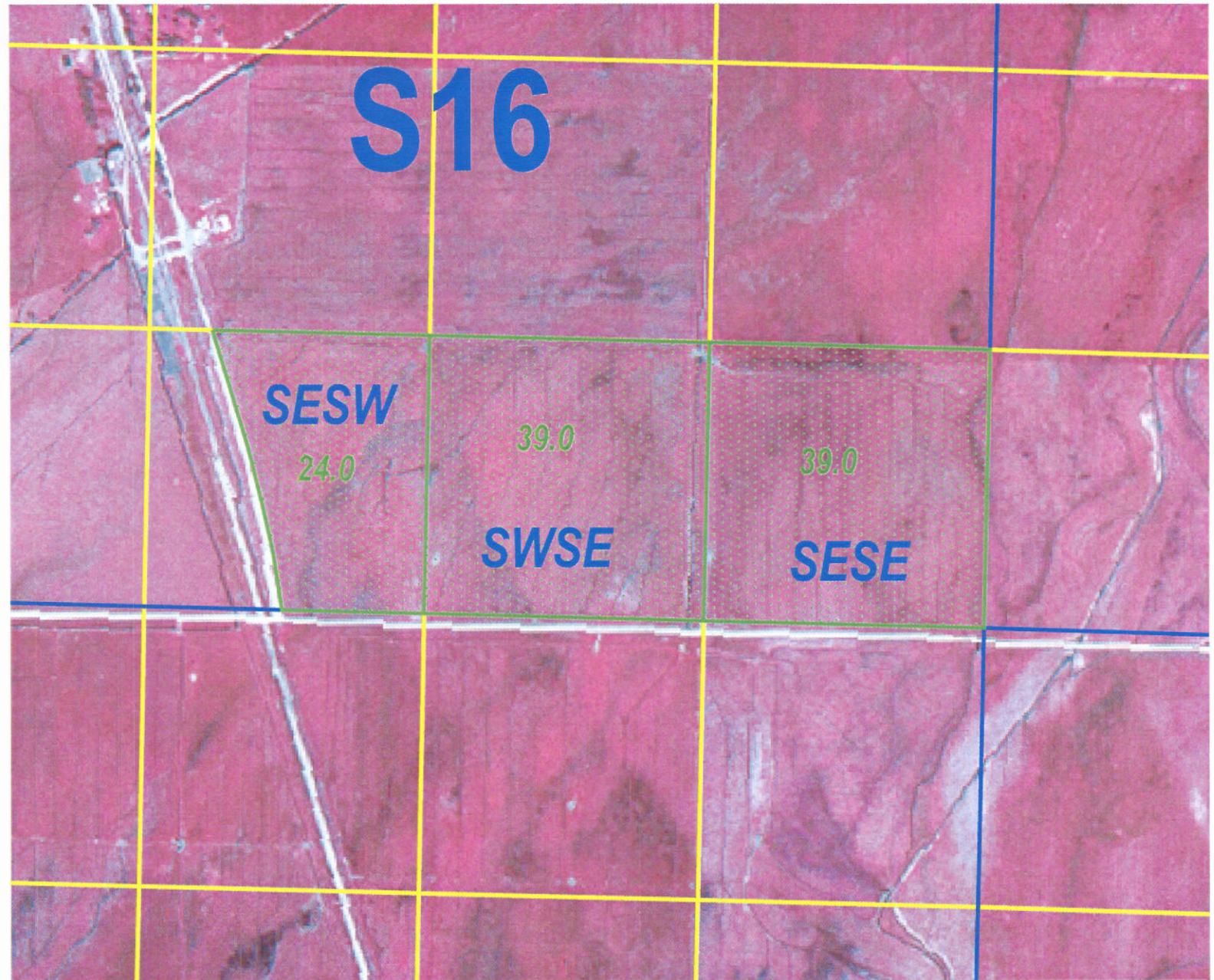
**T17N, R03E
S16**

Claims: 65-02708
Owner : CRUZEN
Prepared by:
Ron Howerton
Date: 12 AUG 99

-  Place of use
-  POD
-  SECTION LINES
-  1/4 1/4 Lines
-  Acres



1987 NAPP



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: A65-02708
Date Received: 11/14/1988
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CRUZEN RANCH
Address: PO BOX 7
DONNELLY ID

83615

2. Date of Priority: JAN 5, 1962

3. Source: LAKE FORK CREEK

Trib. to: PAYETTE RIVER, NORTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	03E	3	SE	NE			VALLEY

5. Description of diverting works:

WEST SIDE DITCH, 16' WEIR TO MEASURE THE WATER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	09/15	2.000		

7. Total Quantity Appropriated is:

2.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

204.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	03E	16	SE	SW		IRR	24.0
			SW	SE		IRR	39.0
			SE	SE		IRR	39.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	102.0
					Total Acres	102.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
SEE REMARKS IN A65-03186.

14. Remarks:
DECREE GIVEN LIC. NO.

15. Basis of Claim: DECREED

Water Right Number: 30375

Case Number:

Court :

Decree date: / /

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of

Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MEMORANDUM

July 25, 1995

TO: EDWARD CRUZEN CLAIMS

FROM: KAY WALKER *KW*

RE: UPDATES MADE BETWEEN JULY 20 & 24, 1995

Pursuant to request of Richard Murray, July 12, 1995, I pulled all the claims that were previously decreed in the name of Edward Cruzen to make sure they were in the computer. I noticed that the claims had changes on them that were not updated in the system, such as the claimant's name, so I updated the records to match the original claims submitted on November 14, 1988.

MICROFILMED

OCT 18 1996

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A65-02708
Date Received: ~~9/01/1988~~ 11-14-88
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CRUZEN RANCH, an Idaho General Partnership
Address: DONNELLY, ID 83615

2. Date of Priority: JAN 05, 1962

3. Source: LAKE FORK CREEK Trib. to: PAYETTE RIVER, NORTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	03E	3	SE	NE			VALLEY

5. Description of diverting works:
WEST SIDE DITCH. One 16 foot weir (100 yards from 5 18 inch pipes at the head of the Lake Fork Ditch) is used to measure the water.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	09/15	2.000		

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

8. Total consumptive use is 204 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	03E	16	SE	SW		IRR	24.0
			SW	SE		IRR	39.0
			SE	SE		IRR	39.0
						Section Acres	102.0

10. Place of Use: Continued

Total Acres 102.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

See Notice for Water Right A-65-03186

14. Remarks:

DECREE GIVEN LIC. NO.

15. Basis of Claim: DECREED

Water Right Number: 30375

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

Number of attachments: One, a map of the Cruzen Ranch, prepared by the Valley County ASCS and forwarded on October 13, 1988.

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): Deborah C. Murray Date: 11/5/88
Carrick C. McLaughlin Date: 11.5.88
Carrick C. McLaughlin

State of California)
County of Marin) SS. Partners, Cruzen Ranch
San Francisco)

Subscribed and sworn (or affirmed) before me this 5th day
of November 19 88 Greg A. Driscoll
Notary Public

Seal



Residing at 511 Sir Francis Drake Blvd
My Commission Expires Sept. 1, 1992

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: MAY-30-2000
PAGE: A-11-----
RIGHTS FROM: SOURCE: LAKE FORK CREEK TRIBUTARY: PAYETTE RIVER, NORTH FORK

RIGHT NUMBER: 65-02708

NAME & ADDRESS: HARRY L BETTIS
10775 SUCKER CREEK RD
PAYETTE ID 83661

SOURCE: LAKE FORK CREEK TRIBUTARY: PAYETTE RIVER, NORTH FORK

QUANTITY: 2.00 CFS

PRIORITY DATE: 01/05/1962

POINT OF DIVERSION: T17N R03E S03 NESENE Within VALLEY County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 05-01 09-15 2.00 CFSPLACE OF USE: IRRIGATION Within VALLEY County
T17N R03E S16 SESW 24 SWSE 39 SESE 39
102 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 - DECREE

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE AS T17N, R03E, S03, NESENE: 65-02932A,
65-02952A, 65-03186, 65-03187, 65-03188, 65-03189, 65-03190,
65-03191, 65-03192 & 65-03193.

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

In Re SRBA

Case No. 39576

SUBCASE NO. See Attached List

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: May 30, 2000



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on May 30, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Cruzen Ranch
PO Box 7
Donnelly ID 83615
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Harry L Bettis
10775 Sucker Creek Rd
Payette ID 83661
4. One Copy to:
Each party in the subcase or attorney of record:
N / A
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

**Attachment to NCAP
Water Right Numbers**

65-02356
65-02374
65-02483
65-02708
65-03186
65-03187
65-03188
65-03189
65-03190
65-03191
65-03192
65-03193
65-11401

HOLLAND & HART LLP
ATTORNEYS AT LAW

DENVER • ASPEN
BOULDER • COLORADO SPRINGS
DENVER TECH CENTER
BILLINGS • BOISE
CHEYENNE • JACKSON HOLE
SALT LAKE CITY

SUITE 1400
101 SOUTH CAPITOL BOULEVARD
BOISE, IDAHO 83702-7714
MAILING ADDRESS
P.O. BOX 2527
BOISE, IDAHO 83701-2527

TELEPHONE (208) 342-5000
FACSIMILE (208) 343-8869
TERESA J. TURNER
PARALEGAL
tturner@hollandhart.com

May 16, 2000

RECEIVED
MAY 16 2000
WATER RESOURCES
WESTERN REGION

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

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Dear Sir or Madam:

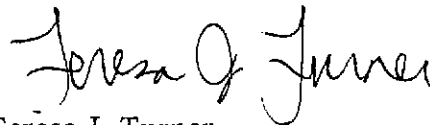
This firm represents Harry L. Bettis, who has acquired certain real property located in Valley County, Idaho.

Enclosed is original Notice of Change of Water Right Ownership for fifteen (15) water rights appurtenant to the property, together with a copy of the Warranty Deed evidencing the change of ownership, copies of Assignment of Dam and Reservoir Certificate, a copy of Bargain and Sale Deed evidencing the prior owner's title to the property, and a copy of plat map with the property boundaries highlighted.

Thank you for your assistance. If you need anything further to process this change of ownership, please let me know.

Sincerely,

HOLLAND & HART LLP



Teresa J. Turner
Paralegal

Enclosures

c: Harry Bettis (w/enclosures)

**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES**

RECEIVED**MAY 16 2000**WATER RESOURCES
WESTERN REGION**NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

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

1. Water Right No(s).: See Attachment
Adjudication Claim No(s).: See Attachment

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 Deborah C. Murray AND Carrick C. McLaughlin
P.O. Box 1172 1150 Lombard #1
Ross, CA 94957 San Francisco, CA 94109

4. New Owner/Claimant(s) Harry L. Bettis
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 10775 Sucker Creek Road
City, State and ZIP Code Payette, ID 83661
New Telephone Number (208) 634-5319

5. Date you acquired the property January 31, 2000

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) X *Harry L. Bettis*
(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..

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
Attachment to Notice of Change of Water Right Ownership

1. Water Right Nos.: 65-02356, 65-02374, 65-02483, 65-02708, 65-02932, 65-02952, 65-03186, 65-03187, 65-03188, 65-03189, 65-03190, 65-03191, 65-03192, 65-03193, 65-11401
2. Adjudication Claim Nos.: A65-02356, A65-02374, A65-02483, A65-02708, A65-02932, A65-02952, A65-03186, A65-03187, A65-03188, A65-03189, A65-03190, A65-03191, A65-03192, A65-03193, A65-11401

HTB.

WARRANTY DEED

For Value Received, DEBORAH C. MURRAY and CARRICK C. MCLAUGHLIN
each a married woman as her sole and separate property

the Grantors, do hereby grant, bargain, sell and convey unto
HARRY L. BETTIS, an unmarried man
whose address is: 10775 Suckerb. Rd. Payco He Id. 83661
the Grantee, the following described premises, to-wit:

See attached as Exhibit "A"

Together with any and all water and mineral rights appertaining
thereto, if any therebe.

TO HAVE AND TO HOLD the premises with their appurtenances unto
the said Grantees, their heirs and assigns forever. And the said
Grantors do hereby covenant to and with the said Grantees, that
they are the owners in fee simple of said premises that said
premises are free from all encumbrances except the 2000 taxes and
assessments and easements of record or visible upon the ground,
that they will warrant and defend the same from all lawful claims
whatsoever.

Dated: 1-29-00

Deborah C. Murray
DEBORAH C. MURRAY

CARRICK C. MCLAUGHLIN

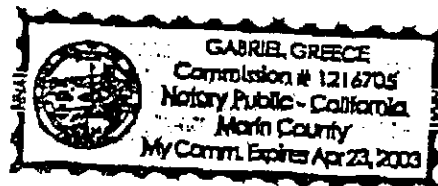
State of Ca.)
County of Marin) ss

GABRIEL GREECE
NOTARY PUBLIC

On the 29 day of Jan, 2000 before me, _____
a notary public in and for said State,
personally appeared Deborah C. Murray

known to me to be the persons whose names are subscribed to the
within instrument, and acknowledged to me that they executed the
same.

[Signature]
Notary Public
Residing at: Greenbrae Ca.
Commission Expires: 4/23/05

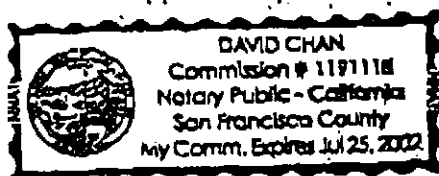


STATE OF California)

County of San Francisco)

On this 31 day of January, 2000, before me, David Chan, a notary public for said State, personally appeared CARRICK C. McLAUGHLIN known or identified to me to be the person who executed the instrument, and acknowledged to me that she executed the same.

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



David Chan
Notary Public
Residing at: San Francisco
My Commission Expires: 7-25-2002

2606200_1.DOC

HLB

WARRANTY DEED

For Value Received, DEBORAH C. MURRAY and CARRICK C. MCLAUGHLIN
each a married woman as her sole and separate property

the Grantors, do hereby grant, bargain, sell and convey unto
HARRY L. BETTIS, an unmarried man

whose address is:

the Grantee, the following described premises, to-wit:

See attached as Exhibit "A"

Together with any and all water and mineral rights appertaining
thereto, if any therebe.

TO HAVE AND TO HOLD the premises with their appurtenances unto
the said Grantees, their heirs and assigns forever. And the said
Grantors do hereby covenant to and with the said Grantees, that
they are the owners in fee simple of said premises that said
premises are free from all encumbrances except the 2000 taxes and
assessments and easements of record or visible upon the ground,
that they will warrant and defend the same from all lawful claims
whatsoever.

Dated:

DEBORAH C. MURRAY

Carrick C. McLaughlin
CARRICK C. MCLAUGHLIN

State of California)
County of San Francisco) ss

On the 31 day of January, 2000 before me, David Chan
a notary public in and for said State,
personally appeared Carrick C. McLaughlin

known to me to be the persons whose names are subscribed to the
within instrument, and acknowledged to me that they executed the
same.

David Chan
Notary Public
Residing at: San Francisco
Commission Expires: 7-25-2002



EXHIBIT A

In Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho:

Section 16: S1/2 SE1/4; NW1/4 SE1/4; NE1/4 SW1/4
Section 18: SE1/4
Section 20: All
Section 21: All
Section 28: N1/2
Section 29: E1/2

AND

An irregular tract of land being part of the old abandoned right-of-way of the Idaho Northern Branch of the Oregon Shortline Railroad as the same was located over and across the North-half of the Southwest quarter (N1/2 SW1/4) of Section 16, Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho, more particularly described as follows:

Beginning at a point on the South boundary of the North half of the Southwest quarter (N1/2 SW1/4) of said Section 16, said point being on the centerline of an abandoned main track and bearing East, a distance of 1,930.0 feet, more or less, and North 18°38' West, a distance of 1,377.0 feet, more or less, from the Southwest corner of said Section 16; thence, along said centerline of abandoned main track a distance of 472.0 feet to a point in the South side of State of Idaho Easement No. 5278 dated August 28, 1986; thence, South 71°22' West along said South line a distance of 150.0 feet, more or less; thence, South 18°38' East, along the West boundary of said abandoned railroad right-of-way and 150.0 feet distant from the centerline of main track a distance of 416.0 feet, more or less, to a point on the South line of said North half Southwest quarter (N1/2 SW1/4); thence, East along said South line, a distance of 157.0 feet, more or less, to the POINT OF BEGINNING.

continued

EXHIBIT A - continued

AND

That portion of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section 16, Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho, which lies East of the following described line:

Beginning at a point in the South line of the said SE1/4 SW1/4, which point is East 1,769 feet from the Southwest corner of said Section 16; thence, North 18°06' West, 1,383.2 feet, more or less, to a point in the North Line of said SE 1/4 SW1/4, which point is East 19.27 feet from the Northwest corner of said SE1/4 SW1/4;

EXCEPTING THEREFROM:

Gift Deed filed in the office of the Recorder, Valley County, Idaho as Instrument No. 152541 on December 31, 1986:

A track of land in the SE1/4 of the SW1/4 of Section 16, Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho, more particularly described as follows:

Commencing at the corner common to Sections 16, 17, 20 and 21, Township 17 North, Range 3 East, Boise Meridian, said corner being marked with a brass cap monument; thence South 89°53'02" East, 1,910.70 feet on the line common to said Sections 16 and 21 to a point on the Centerline of the abandoned Oregon Short Line Railroad, said point being marked with a 5/8 inch steel pin, from which the 1/4 corner common to said Sections 16 and 21, a brass cap monument, bears South 89°53'02" East, 726.30 feet; thence on said railroad center line North 17°09'02" West, 630.00 feet to the REAL POINT OF BEGINNING; thence North 72°50'58" East, 100.00 feet to a point marked with a 5/8 inch steel pin; thence North 17°09'02" West, 300.00 feet to a point marked with a 5/8 inch steel pin; thence South 72°50'58" West, 150.00 feet to a point marked with a 5/8 inch steel pin; thence South 17°09'02" East, 300.00 feet to a point marked with a 5/8 inch steel pin; thence North 72°50'58" East, 50.00 feet to the Real Point of Beginning. Aka Tax #85

00 JUN 31 PM 3 59
MOUNTAIN TITLE & ESCROW
REQUESTED BY
RECORDED

TYPE: *Deed*
LELAND HEINRICH
VALLEY COUNTY RECORDER
BY: *[Signature]*
FEE: *15.10*

245548

ASSIGNMENT

The undersigned hereby assign all their right, title and interest in and to that certain Dam and Reservoir Certificate attached hereto as Exhibit "A" unto: HARRY L. BETTIS. Said certificate being for Browns Pond-Cruzen Dam and Reservoir located in SW1/4, NW1/4, Section 9, Township 18 North, Range 4 East, Boise Meridian, Valley County, Idaho.

Dated: 1/31/00

by: Carrick C. McLaughlin
Carrick C. McLaughlin

by: _____
Deborah C. Murray

ASSIGNMENT

The undersigned hereby assign all their right, title and interest in and to that certain Dam and Reservoir Certificate attached hereto as Exhibit "A" unto: HARRY L. BETTIS. Said certificate being for Browns Pond-Cruzen Dam and Reservoir located in SW1/4, NW1/4, Section 9, Township 18 North, Range 4 East, Boise Meridian, Valley County, Idaho.

Dated: 1/29/2000

by: Carrick C. McLaughlin

by: Deborah C. Murray
Deborah C. Murray

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

*DAM AND RESERVOIR
CERTIFICATE OF APPROVAL*

This is to certify that BROWNS POND-CRUZEN *Dam and Reservoir, located in*

SW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 9 , Township 18N , Range 4E , B.M., Valley County,

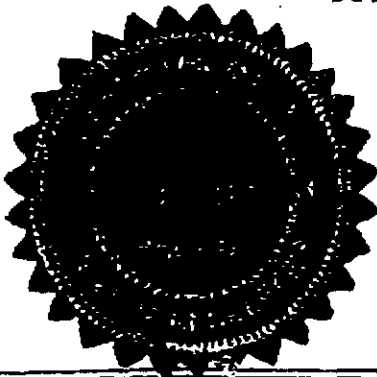
State of Idaho has been inspected by the Department of Water Resources of the State of Idaho, as provided in

Title 42 Chapter 17, Idaho Code, and approval is hereby given to impound water in accordance with and subject

*to the following terms and conditions: ALL FLASHBOARDS SHALL BE REMOVED ON OR BEFORE
NOVEMBER 1 OF EACH YEAR, AND SHALL NOT BE REINSTALLED IN THE SPILLWAY
FRAME UNTIL AFTER SPRING RUNOFF OF THE FOLLOWING YEAR.*

This certificate shall remain valid until revoked or modified by the Department of Water Resources or until the

1st day of November 19 99



This certificate has been issued and the seal of the

Director affixed at Boise, Idaho this

29th day of January 1998.

Norman Cepang
Administrator-Water Management Div.

BARGAIN AND SALE DEED

FOR VALUE RECEIVED, Cruzen Ranch, a General Partnership, of Valley County, State of Idaho, Grantor, does hereby grant, bargain, sell and convey unto Deborah C. Murray, whose address is P. O. Box 1780, Ross, California, 94957, and Carrick C. McLaughlin, whose address is 1150 Lombard Street, Apt. #1, San Francisco, California, 94109, Grantees, to each as her sole and separate property as tenants-in-common, all of Grantor's right, title and interest in and to that certain parcel of real property located in Valley County, State of Idaho, and more fully described on Exhibit A attached hereto and by this reference made a part hereof as though fully set forth herein.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever.

IN WITNESS WHEREOF The Grantor has hereunto set its hand this _____ day of December, 1998.

CRUZEN RANCH

By:

Deborah C. Murray
Deborah C. Murray, Partner

By:

Carrick C. McLaughlin
Carrick C. McLaughlin, Partner

RECEIVED
VALLEY COUNTY CLERK
RECORDED

48 DEC 30 AM 9 41

BY: Valley County Clerk
LEG: 12.30.98

TYPE: Deed

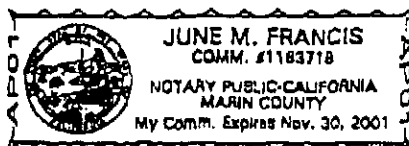
237512

STATE OF CALIFORNIA)

County of Marin : SS

On this 19th day of December, 1998, before me, the undersigned, a notary public in and for said state, personally appeared Deborah C. Murray, known or identified to me to be one of the partners in the partnership of Cruzen Ranch, an Idaho General Partnership, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that she executed the same in said partnership name.

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



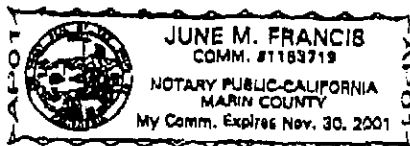
June M. Francis
NOTARY PUBLIC FOR CALIFORNIA
Residing at Kenfield, CA
Commission Expires 11/30/01

STATE OF CALIFORNIA)

County of Marin : SS

On this 19th day of December, 1998, before me, the undersigned, a notary public in and for said state, personally appeared Carrick C. McLaughlin, known or identified to me to be one of the partners in the partnership of Cruzen Ranch, an Idaho General Partnership, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that she executed the same in said partnership name.

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



June M. Francis
NOTARY PUBLIC FOR CALIFORNIA
Residing at Kenfield, CA
Commission Expires 11/30/01

Exhibit A

In Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho:

Section 16: S1/2 SE1/4; NW1/4 SE1/4; NE1/4 SW1/4
Section 18: SE1/4
Section 20: All
Section 21: All
Section 28: N1/2
Section 29: E1/2

AND

An irregular tract of land being part of the old abandoned right-of-way of the Idaho Northern Branch of the Oregon Shortline Railroad as the same was located over and across the North-half of the Southwest quarter (N1/2 SW1/4) of Section 16, Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho, more particularly described as follows:

Beginning at a point on the South boundary of the North half of the Southwest quarter (N1/2 SW1/4) of said Section 16, said point being on the centerline of an abandoned main track and bearing East, a distance of 1,930.0 feet, more or less, and North 18°38' West, a distance of 1,377.0 feet, more or less, from the Southwest corner of said Section 16; thence, along said centerline of abandoned main track a distance of 472.0 feet to a point in the South side of State of Idaho Easement No. 5278 dated August 28, 1986; thence, South 71°22' West along said South line a distance of 150.0 feet, more or less; thence, South 18°38' East, along the West boundary of said abandoned railroad right-of-way and 150.0 feet distant from the centerline of main track a distance of 416.0 feet, more or less, to a point on the South line of said North half Southwest quarter (N1/2 SW1/4); thence, East along said South line, a distance of 157.0 feet, more or less, to the POINT OF BEGINNING.

continued

AND

That portion of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section 16, Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho, which lies East of the following described line:

Beginning at a point in the South line of the said SE1/4 SW1/4, which point is East 1,769 feet from the Southwest Corner of said Section 16; thence, North 18°06' West, 1,383.2 feet, more or less, to a point in the North Line of said SE 1/4 SW1/4, which point is East 19.27 feet from the Northwest corner of said SE1/4 SW1/4;

EXCEPTING THEREFROM:

Gift Deed filed in the office of the Recorder, Valley County, Idaho as Instrument No. 152541 on December 31, 1986:

A track of land in the SE1/4 of the SW1/4 of Section 16, Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho, more particularly described as follows:

Commencing at the corner common to Sections 16, 17, 20 and 21, Township 17 North, Range 3 East, Boise Meridian, said corner being marked with a brass cap monument; thence South 89°53'02" East, 1,910.70 feet on the line common to said Sections 16 and 21 to a point on the Centerline of the abandoned Oregon Short Line Railroad, said point being marked with a 5/8 inch steel pin, from which the 1/4 corner common to said Sections 16 and 21, a brass cap monument, bears South 89°53'02" East, 726.30 feet; thence on said railroad center line North 17°09'02" West, 630.00 feet to the REAL POINT OF BEGINNING; thence North 72°50'58" East, 100.00 feet to a point marked with a 5/8 inch steel pin; thence North 17°09'02" West, 300.00 feet to a point marked with a 5/8 inch steel pin; thence South 72°50'58" West, 150.00 feet to a point marked with a 5/8 inch steel pin; thence South 17°09'02" East, 300.00 feet to a point marked with a 5/8 inch steel pin; thence North 72°50'58" East, 50.00 feet to the Real Point of Beginning. Aka Tax #85

3

LOT 1
3170
TAX #1
FRIES
3030

ARTHUR & ANNA
NISSULA TRUST

LOT 2
3008

ARTHUR & ANNA NISSULA
TRUST

2405
CURT & ANNA
NISSULA TRUST

0005 18

LOT 3
5405

FAIRPLAYERS
PANEL
TRUST

LOT 4

18
19
NORTH
LOT 3
Opener

Z 18

307006
LOT 4
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7205 18

0005 19
THIS DOCUMENT COPY IS FURNISHED
AS AN ACCOMMODATION. THE COMPANY
MAKES NO REPRESENTATIONS AS TO
ITS EFFECT, SUFFICIENCY, COM-
PLETENESS OR ANY OTHER MATTERS
THAT MIGHT BE REFERRED TO OR
IMPLIED THEREIN.

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PLETENESS OR ANY OTHER MATTERS
THAT MIGHT BE REFERRED TO OR
IMPLIED THEREIN.

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HARRY

BETTIE

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PLETENESS OR ANY OTHER MATTERS
THAT MIGHT BE REFERRED TO OR
IMPLIED THEREIN.

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Cruzen Ranch
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Citizen Church, H Partnership

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ITS EFFECT, SUFFICIENCY, COMPLETENESS OR ANY OTHER MATTERS
THAT MIGHT BE REFERRED TO OR
IMPLIED THEREIN.

Decision

K. Earl

0105

0155

Bentha
White

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Grove H.
Moffat St.
et al

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1005 2451
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Harry L. Brown

James P. Brown
a partnership

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0006

Kenneth R. Pardon II

THIS DOCUMENT COPY IS FURNISHED
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MAKES NO REPRESENTATIONS AS TO
ITS EFFECT, SUFFICIENCY, COM-
PLETENESS OR ANY OTHER MATTERS
THAT MIGHT BE REFERRED TO OR
IMPLIED THEREIN.

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 65-02708

NAME AND ADDRESS: HARRY L BETTIS
10775 SUCKER CREEK RD
PAYETTE, ID 83661

SOURCE: LAKE FORK CREEK TRIBUTARY: PAYETTE RIVER, NORTH FORK

QUANTITY: 2.00 CFS

PRIORITY DATE: 01/05/1962

POINT OF DIVERSION: T17N R03E S03 NESENE Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 09-15	2.00 CFS

PLACE OF USE: Irrigation Within Valley County
T17N R03E S16 SESW 24.0 SWSE 39.0
SESE 39.0
102.0 Acres Total

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

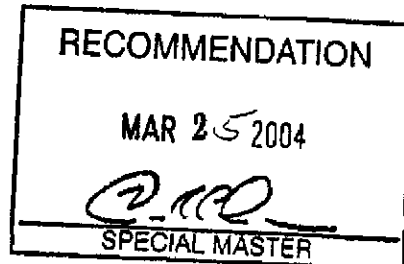
Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977.

This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code Section 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

170
9412
7681
00.990
PB8594393
MAY 30 00
MAILED FROM ROISE ID 83705

2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

CRUZEN RANCH
PO BOX 7
DANVERS, IA

CRUZ007 836652014 IN 03 05/01/00
RETURN TO BENDER
NO FORWARD CREDIT ON FILE
UNABLE TO FORWARD
RETURN TO BENDER



RETURNED
TO
SENDER

65-02356
-02374
-02483
-02708
-03186
-03187
-03188
-03189
-03190
-03191
-03192
-03193
-11401



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 30, 2000

Harry L Bettis
10775 Sucker Creek Rd
Payette ID 83661

RE: Water Right No. 65-02356, 65-02374, 65-02483, 65-02708, 65-03186, 65-03187, 65-03188,
65-03189, 65-03190, 65-03191, 65-03192, 65-03193 & 65-11401

Dear Property Owners:

Enclosed is a copy of the above referenced water right which reflects the change in ownership of the land and appurtenant water rights covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

Thank you for your patience and cooperation. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

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

Denise Buffington
Office Specialist I
Adjudication Section
Western Region

DB:db

Enclosures

cc: Cruzen Ranch

AJ0749NP
No. R65-02708

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

DATE: 05/26/00
PAGE: 1

```
=====
OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          NAME & ADDRESS    DATE          WATER USE    FROM TO      RATE        VOLUME
-----
C  HARRY L BETTIS          01/05/1962    IRRIGATION    05-01 09-15    2.000 CFS
   10775 SUCKER CREEK RD
   PAYETTE ID 83661
   (208) 634-5319
                                     TOTAL DIVERSION:    2.000 CFS

D  CRUZEN RANCH
   PO BOX 7
   DONNELLY ID 83615

Water Source: LAKE FORK CREEK      Tributary to: PAYETTE RIVER, NORTH FORK      Stage: DECREED

Point(s) of Diversion:      T17N R03E S03      NESENE      VALLEY County

Place of use Legal Description for: IRRIGATION
                                NE                                NW                                SW                                SE
                                NENE  NWNE  SWNE  SENE  :  NENW  NWNW  SWNW  SENW  :  NESW  NWSW  SWSW  SESW  :  NESE  NWSE  SWSE  SESE  :
T   R   S   :  Lt Ac Lt Ac Lt Ac Lt Ac  :  Lt Ac Lt Ac Lt Ac Lt Ac  :  Lt Ac Lt Ac Lt Ac Lt Ac  :  Lt Ac Lt Ac Lt Ac Lt Ac  :  SUM
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                                     24 :  :  :  :  :  :  :  :  :  :  :  :  :
                                     TOTAL ACRES      102.0
=====
```

POU County: VALLEY

Other Rights: 65-02932A & 65-02952A

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

65-02700	65-02707	65-02708	65-02932	65-02952	65-03120	65-03183	65-03184B	65-03184C	65-03184D
65-03184E	65-03184F	65-03184J	65-03184K	65-03184L	65-03184M	65-03185	65-03186	65-03187	65-03188
65-03189	65-03190	65-03191	65-03192	65-03193	65-03194B	65-03194C	65-03197	65-03198	65-03199
65-03200	65-03201A	65-03201B	65-03202A	65-03204	65-03205	65-03206	65-03207	65-03209	65-03210
65-03211A	65-03211B	65-03211C	65-03212	65-03213A	65-03213C	65-03213D	65-03214	65-03215	65-03216
65-03219A	65-03219X	65-07523	65-10538	65-17131	A65-02708	A65-03120	A65-03183	A65-03184B	A65-03184C
A65-03184D	A65-03184E	A65-03184F	A65-03184H	A65-03184J	A65-03184K	A65-03184L	A65-03184M	A65-03186	A65-03187
A65-03188	A65-03189	A65-03190	A65-03191	A65-03192	A65-03193	A65-03194B	A65-03194C	A65-03197	A65-03198
A65-03199	A65-03200	A65-03201A	A65-03201B	A65-03202A	A65-03202X	A65-03203	A65-03204	A65-03205	A65-03206
A65-03207	A65-03209	A65-03210	A65-03211A	A65-03211B	A65-03211C	A65-03212	A65-03213A	A65-03213C	A65-03213D
A65-03214	A65-03215	A65-03216	A65-03219A	A65-03219X	A65-17131	R65-03202X	R65-03203		

Other Water Rights Listing Overlapping Place(s) of Use:
65-02708 A65-02708

Conditions of Approval:

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

AJ0749NP
No. R65-02708

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

DATE: 05/26/00
PAGE: 2

Remarks: EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE AS T17N, R03E, S03, NESENE: 65-02932A,
65-02952A, 65-03186, 65-03187, 65-03188, 65-03189, 65-03190,
65-03191, 65-03192 & 65-03193.

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

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

Comments: Date: 08/12/1999 User-ID: RHOWERTO Subject: COPIED FROM REMARKS
DECREE GIVEN LIC. NO.

Date: 08/12/1999 User-ID: RHOWERTO Subject: POINT OF DIVERSION COMMENT
CRUZEN RANCH P/D'S ARE LISTED ONLY AS SAME P/D, OTHER OVERLAPPING
PD'S BY DIFFERENT USERS ARE SHOWN ON PROFILE REPORT.

Date: 09/24/1999 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 05/24/2000 User-ID: DBUFFING Subject: NAME CHANGE - OWNERSHIP CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
OWNERSHIP CHANGE.

Audit: 05/26/00 DBUFFING



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 30, 2000

Harry L Bettis
10775 Sucker Creek Rd
Payette ID 83661

RE: Water Right No. 65-02356, 65-02374, 65-02483, 65-02708, 65-03186, 65-03187, 65-03188,
65-03189, 65-03190, 65-03191, 65-03192, 65-03193 & 65-11401

Dear Property Owners:

Enclosed is a copy of the above referenced water right which reflects the change in ownership of the land and appurtenant water rights covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

Thank you for your patience and cooperation. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

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

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB:db

Enclosures

cc: Cruzen Ranch

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: December 8, 1999

PAGE: 1

RIGHT NUMBER: 65-02708

NAME AND ADDRESS: CRUZEN RANCH
PO BOX 7
DONNELLY ID 83615

SOURCE: LAKE FORK CREEK TRIBUTARY: PAYETTE RIVER, NORTH FORK

QUANTITY: 2.00 CFS

PRIORITY-DATE: 01/05/1962

POINT OF DIVERSION T17N R03E S03 NESENE Within VALLEY County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	05-01 09-15	2.00 CFS

PLACE OF USE:	IRRIGATION	Within VALLEY County
	T17N R03E S16	SESW 24 SWSE 39 SESE 39
	102 ACRES TOTAL	

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

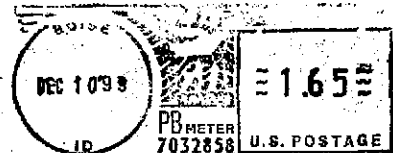
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6) IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE AS T17N, R03E, S03, NESENE: 65-02932,
65-02952, 65-03186, 65-03187, 65-03188, 65-03189, 65-03190,
65-03191, 65-03192 & 65-03193.

Dept. of Water Resources
Adjudication Bureau
P.O. Box 83720
83720-0098

ADDRESS SERVICE
REQUESTED



CRUZ007 836152011 LN 04 12/14/99
RETURN TO SENDER
NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

RECEIVED
DEC 16 1999
Department of Water Resources

WEST-00922
EDWARD A. CRUZEN
PO BOX
DONNELLY

ID 07113

RECEIVED
DEC 21 1999
WATER RESOURCES
WESTERN REGION

65-02952
02356
02374
02483
02708
03186
03187
03188

-03189
-03190
-03191
-03192
-03193
-11401



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

December 8, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

65-02708
CRUZEN RANCH
PO BOX 7
DONNELLY ID 83615

RE: Water Rights in Reporting Area 15, Basin 65
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your water right(s) in part 1 of basin 65 (the North Fork of the Payette River drainage area). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended right(s) in your area. Water rights for nearly all domestic and/or stockwater rights were recommended separately in an earlier report, and most of those now have been decreed by the SRBA Court.

Note you have 120 days in which to review the water rights of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouses in Cascade, Idaho City, Emmett, Payette, and Weiser, and at all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to your water right, your water right will be decreed early next year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process.

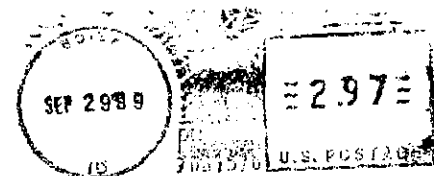
Sincerely,

Karl J. Dreher
Director

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED



65-02932	-03188
-02952	-03189
-02356	-03190
-02374	-03191
-02483	-03192
-02708	-03193
-03186	-11401
-03187	

RECEIVED
OCT 12 1999
WATER RESOURCES
WESTERN REGION

~~EDWARD A~~ CRUZEN
PO BOX 7
DONNELLY

ID 83615

CRUZ007 836152223 IN 04 10/06/99
RETURN TO SENDER

NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

Ø



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 29, 1999

Dear Water Right Claimant(s):

The Idaho Department of Water Resources (IDWR) has completed its initial investigation of your water right claim(s) in the Snake River Basin Adjudication (SRBA). We have enclosed a print-out showing our preliminary recommendation regarding how your water right should be reported to the SRBA District Court.

Please review the preliminary recommendation carefully. If there is any information on the print-out you believe is inaccurate, please fill out the enclosed reply indicating what changes you believe should be made. Further instructions to assist you with the review are enclosed. For water rights with an irrigation water use, a Geographic Information System (GIS) computerized image of the place of use for your water right is also enclosed.

You may return this reply in person to us at a public meeting IDWR will be conducting in your area. **The meeting will be held on Wednesday, October 13, 1999, at 7:00 p.m. in the Senior Citizen Center, 409 School Road, Cascade.** Please come to the public meeting, where you will have an opportunity to find out more about the SRBA process and speak with a department staff member should you have questions regarding your water right. Please bring any and all information you have which will help the Department understand your water rights and describe them accurately.

This process is intended to ensure IDWR recommends your water right accurately to the SRBA District Court. This is the easiest and least costly means for you to identify corrections you believe should be made to our recommendation. Completion of this process is an important step toward the overall success of the adjudication in Idaho. Your participation is necessary so that accurate information is provided to the SRBA District Court.

We look forward to hearing from you.

Sincerely,

Karl J. Dreher
Director

Enclosures

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



(208) 736-3011
FAX (208) 736-2121

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

Dear Water Right Claimant:

To help you with your water right claim(s) in the Snake River Basin Adjudication, this letter of explanation is being sent to you along with information sent by the Idaho Department of Water Resources (IDWR). Included are the following important documents which I ask you to please read carefully because they give you the opportunity to save a great deal of time and money:

1. **Preliminary Recommendation.** This is IDWR's *initial* finding and conclusion about your water right and how it should be reported to the SRBA Court. This preliminary recommendation is not filed with the court, but is provided to you to help correct errors or resolve any disagreement you may have over its content. This document has been prepared following IDWR's investigation and may be different than the claim(s) you actually filed.

Therefore, please review this preliminary recommendation carefully to find any errors or disagreements you have with IDWR's findings.

2. **Error Correction/Settlement Process.** This preliminary recommendation is a special service provided to you by IDWR to help you correct errors and resolve any other disagreement you have before the actual recommendations are ultimately filed with the court.

A description of how to work with IDWR is included. Our experience in the SRBA shows that by working in cooperation with IDWR most errors and differences can be addressed before coming into court. It's well worth your time to take full advantage of IDWR's helpful service. If your disagreement cannot be resolved, you will be able to file an objection to IDWR's actual recommendation when it is filed in court and have the final decision made by the Presiding Judge.

This error correction service is an important opportunity for you to work together with IDWR to make sure your water right claim(s) are decreed accurately. There is no cost to you other than your time reviewing the preliminary recommendation and talking to IDWR about any problem you see. Of course, you may always employ the services of an attorney if you wish.

The goal of the SRBA is to see that your water right(s) are decreed by the court as accurately and fairly as possible. It is important to me that this is done efficiently in order to reduce your costs and present you with your decree.

I strongly encourage you to take full advantage of this opportunity to use the fine and courteous service provided by IDWR.

Sincerely yours,

Barry Wood

Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

Idaho Department of Water Resources

**T17N, R03E
S16**

Claims: 65-02708

Owner : CRUZEN

Prepared by:

Ron Howerton

Date: 12 AUG 99

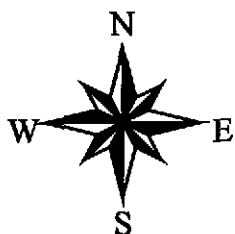
 Place of use

● POD

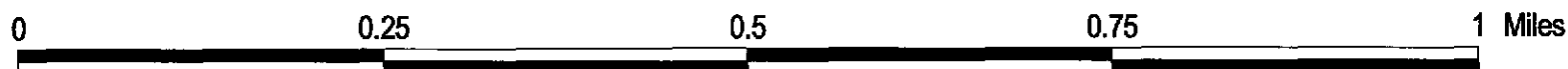
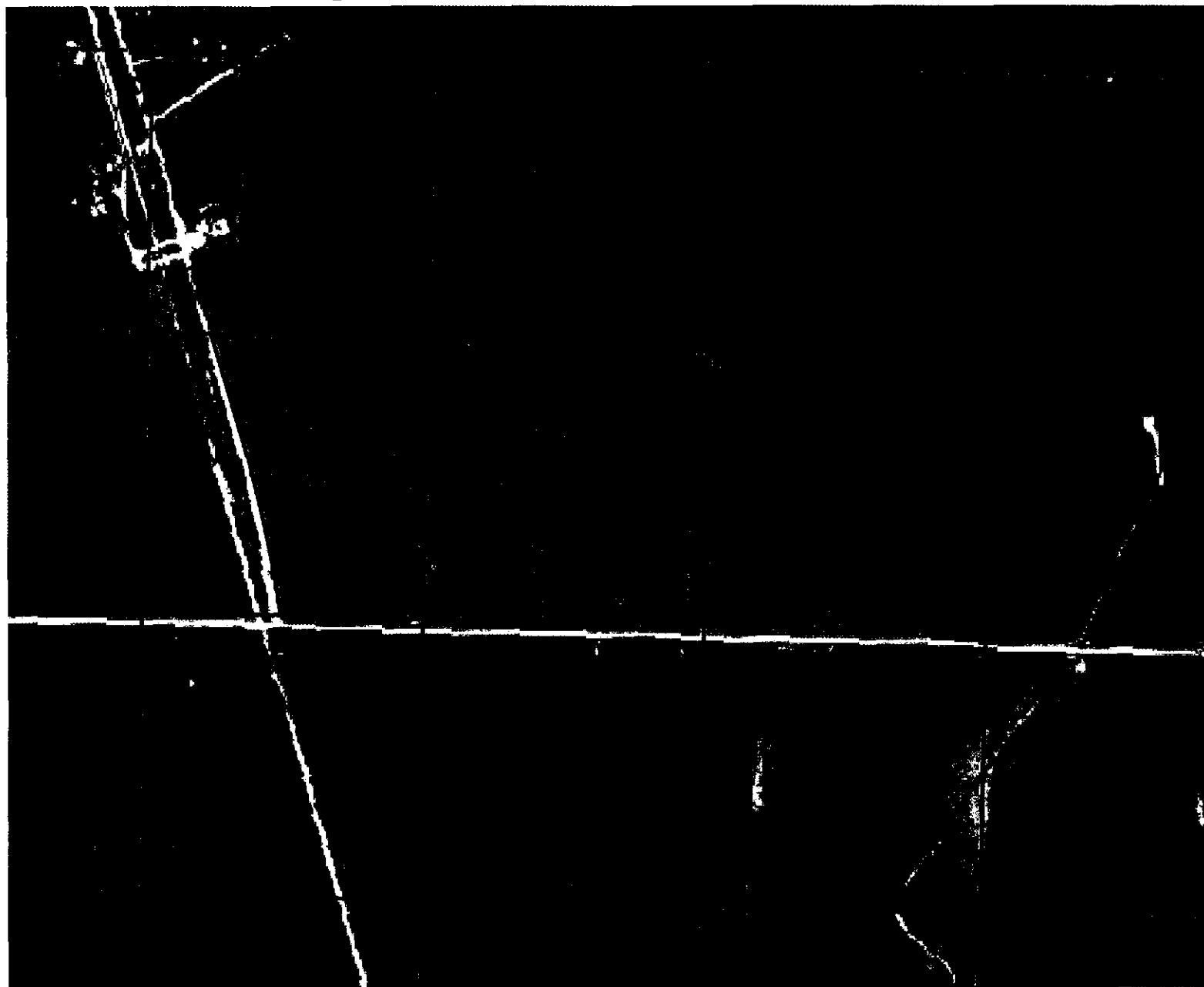
 SECTION LINES

 1/4 1/4 Lines

Acres



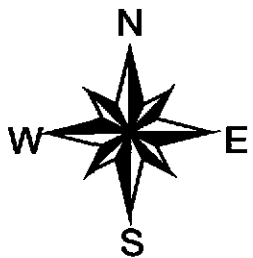
1987 NAPP



65-02708



Point of Diversion



1987 NAPP

0 0.1 0.2 0.3 0.4 Miles



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

```
=====
OWNER          PRIORITY  WATER USE  USE PERIOD  DIVERSION  DIVERSION
CODE           DATE       (ACRES)    FROM TO     RATE       VOLUME
-----
C  CRUZEN RANCH  01/05/1962  IRRIGATION  05-01 09-15  2.000 CFS
   PO BOX 7
   DONNELLY ID 83615
                                     TOTAL DIVERSION:  2.000 CFS

Water Source: LAKE FORK CREEK      Tributary to: PAYETTE RIVER, NORTH FORK      Stage: DECREED

Point(s) of Diversion:      T17N R03E S03      NESENE      VALLEY County

Place of use Legal Description for: IRRIGATION
      NE      NW      SW      SE
      NENE  NWNE  SWNE  SENE  :  NENW  NWNW  SWNW  SENW  :  NESW  NWSW  SWSW  SESW  :  NESE  NWSE  SWSE  SESE  :
T   R   S   :  Lt Ac  Lt Ac  Lt Ac  Lt Ac  :  Lt Ac  Lt Ac  Lt Ac  Lt Ac  :  Lt Ac  Lt Ac  Lt Ac  Lt Ac  :  Lt Ac  Lt Ac  Lt Ac  Lt Ac  :  SUM
-----
17N 03E 16 :      :      :      :      :      :      :      :      :      :      :      :      :      :      :
                                     24 :      :      :      :      :      :      :      :      :
                                     TOTAL ACRES      39 39 : 102.0
                                                         102.0
=====
```

POU County: VALLEY

Other Rights: 65-02932 & 65-02952

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A65-02708	A65-03120	A65-03183	A65-03184B	A65-03184C	A65-03184D	A65-03184E	A65-03184F	A65-03184H	A65-03184J
A65-03186	A65-03187	A65-03188	A65-03189	A65-03190	A65-03191	A65-03192	A65-03193	A65-03194B	A65-03194C
A65-03197	A65-03198	A65-03199	A65-03200	A65-03201A	A65-03201B	A65-03202A	A65-03204	A65-03205	A65-03206
A65-03207	A65-03209	A65-03210	A65-03211A	A65-03211B	A65-03211C	A65-03212	A65-03213	A65-03214	A65-03215
A65-03216	A65-03219A	A65-03219X	A65-17131	R65-02700	R65-02707	R65-03120	R65-03183	R65-03184B	R65-03184C
R65-03184D	R65-03184E	R65-03184F	R65-03184H	R65-03184J	R65-03185	R65-03186	R65-03194B	R65-03194C	R65-03197
R65-03198	R65-03199	R65-03200	R65-03201A	R65-03201B	R65-03202A	R65-03204	R65-03205	R65-03206	R65-03207
R65-03209	R65-03210	R65-03211A	R65-03211B	R65-03211C	R65-03212	R65-03213	R65-03214	R65-03215	R65-03216
R65-07523	R65-10568	R65-17131							

Remarks: EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE AS T17N, R03E, S03, NESENE: 65-02932,
65-02952, 65-03186, 65-03187, 65-03188, 65-03189, 65-03190,
65-03191, 65-03192 & 65-03193.

Dates: Exam Made Date: Verified Date: 08/12/1999 Objection Filed Date:

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

Comments: Date: 08/12/1999 User-ID: RHOWERTO Subject: COPIED FROM REMARKS
DECREE GIVEN LIC. NO.

Date: 08/12/1999 User-ID: RHOWERTO Subject: POINT OF DIVERSION COMMENT

AJ0749NP
No. R65-02708

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

DATE: 08/12/99
PAGE: 2

=====

Comments: Date: 08/12/1999 User-ID: RHOWERTO Subject: POINT OF DIVERSION COMMENT
CRUZEN RANCH P/D'S ARE LISTED ONLY AS SAME P/D, OTHER OVERLAPPING
PD'S BY DIFFERENT USERS ARE SHOWN ON PROFILE REPORT.

Audit: 08/12/99 RHOWERTO

WR5809NP
No. 65-02708

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/12/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EDWARD A. CRUZEN DONNELLY ID 83615	01/05/1962	IRRIGATION	05/01 09/15	2.000 CFS	
TOTAL DIVERSION:					2.000 CFS	

Water Source: LAKE FORK CREEK

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion: T17N R03E S03

SENE

VALLEY County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
17N	03E	16	:													24						
																			39	39	:	102.0
																			TOTAL ACRES			102.0

Pou County: VALLEY

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

65-03120	65-03183	65-03184A	65-03184B	65-03184C	65-03184D	65-03184E	65-03184F	65-03184X	65-03186
65-03187	65-03188	65-03189	65-03190	65-03191	65-03192	65-03193	65-03194	65-03195	65-03196
65-03197	65-03198	65-03199	65-03200	65-03201	65-03202A	65-03202X	65-03203	65-03204	65-03205
65-03206	65-03207	65-03209	65-03210	65-03211	65-03212	65-03213	65-03214	65-03215	65-03216
65-03219A	65-03219X								

Remarks: GEN DECREE GIVEN LIC. NO.

Dates:	App. Received:	Priority Date:	01/05/1962
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		10/14/1966

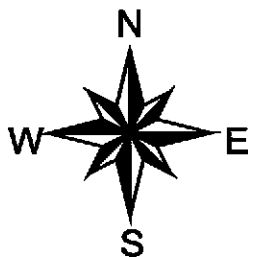
Misc: Water District Number: 65K Field Exam Fee:

Audit: 04/24/87 04/30/88 CONVERT

65-02708



Point of Diversion



1987 NAPP



Idaho Department of Water Resources

**T17N, R03E
S16**

Claims: 65-02708
Owner : CRUZEN
Prepared by:
Ron Howerton
Date: 12 AUG 99

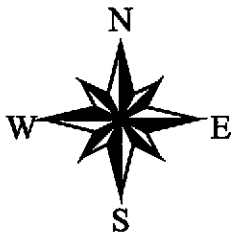
 Place of use

 POD

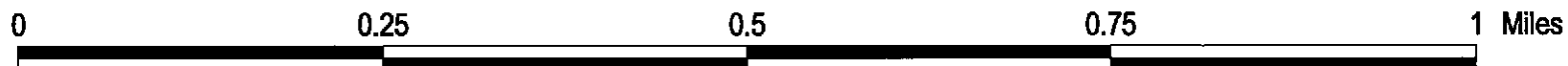
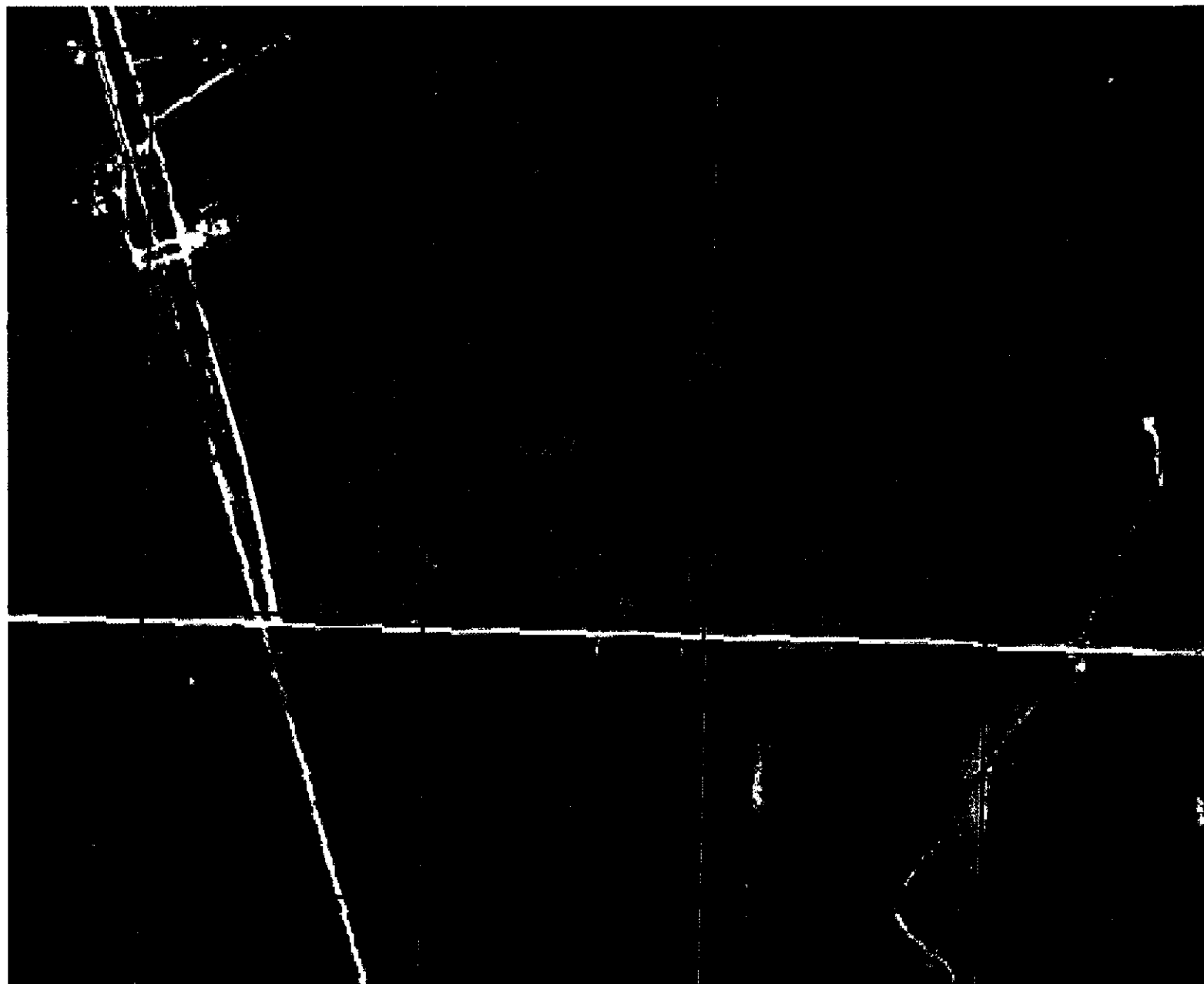
 SECTION LINES

 1/4 1/4 Lines

Acres



1987 NAPP



OVERLAP REVIEW SHEET FOR THE FOLLOWING WR #'s:

AGENT

DATE _____

65-2952

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:14:54
03/09/99

PAGE: 15
QUICKLOOK INFORMATION

328
CLAIM NUMBER: A65-02708

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

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:14:54
03/09/99

PAGE: 1
GENERAL INFORMATION

314
CLAIM NUMBER: A65-02708

LAST: CRUZEN RANCH
ADDRESS: PO BOX 7
CITY: DONNELLY
PHONE NUMBER: 208-000-0000

FIRST:
STATE: ID ZIP: 83615

OWNER CODE: C

LAST: CRUZEN
ADDRESS:
CITY: DONNELLY
PHONE NUMBER: 208-000-0000

FIRST: EDWARD A
STATE: ID ZIP: 83615

OWNER CODE: O

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN DECREE GIVEN LIC. NO.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: IN OFFICE

PHONE NUMBER: () -

DATE OF FIELD EXAM: 8/12/99

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

SEE MAPS IN FILE AND 2932

A. AJ CLAIM: # A65-02708 PRIORITY DATE: 01-05-1962 STAGE: D

B. WR RECORD: # 65-02708 PRIORITY DATE: 01-05-1962 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:

01-05-1962

REVIEWED BY Rch

DATE 8/12/99

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-02708	17N 03E	3		SE	NE			VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX

*

NONE

* 41 A PREFIX CLAIMS WITH THIS POD

*** 42 WR RECORDS IN SAME 40 ACRE TRACT

WR RECORDS IN SAME 40 ACRE TRACT

SOURCE: LAKE FORK CREEK

TRIB: PAYETTE RIVER, NORTH FORK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-02708	17N 03E	3		SE	NE			VALLEY		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

NONE

**** 42 WR RECORDS WITH SAME WR POD

***** 41 A PREFIX CLAIMS IN SAME 40 ACRE TRA

SOURCE: LAKE FORK CREEK

TRIB: PAYETTE RIVER, NORTH FORK

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

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

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

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

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

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

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

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

I. HOW WAS THE POD AND SOURCE VERIFIED?

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

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

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: 1987 GIS APP PHOTO

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 VALLEY	DIVERSION NAME	DIVERSION NBR
17N	03E	3	NE	SE	NE					
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: LAKE FORK CREEK

TRIB: PAYETTE RIVER, NORTH FORK

REVIEWED BY: Rch DATE: 8/12/99

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

Gravity Ditch

A. ROOT WATER RIGHT NUMBERS: A65-02708

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
17N	03E	16	SE	SW		CRUZEN RANCH	A65-02708 / 24.0	65-02708 / 24.0	40.0		
			SE	SW		ESTATE OF EDWARD A CRUZEN	A65-02952 / 24.0	65-02952 / 24.0			24
			SE	SW		CRUZEN, EDWARD A	A65-02932 / 24.0	65-02932 / 24.0			
17N	03E	16	SW	SE		CRUZEN RANCH	A65-02708 / 39.0	65-02708 / 39.0	39.0		39.0
			SW	SE		ESTATE OF EDWARD A CRUZEN	A65-02952 / 39.0	65-02952 / 39.0			39
			SW	SE		CRUZEN, EDWARD A	A65-02932 / 39.0	65-02932 / 39.0			
17N	03E	16	SE	SE		CRUZEN RANCH	A65-02708 / 39.0	65-02708 / 39.0	40.0		39
			SE	SE		ESTATE OF EDWARD A CRUZEN	A65-02952 / 39.0	65-02952 / 39.0			
			SE	SE		CRUZEN, EDWARD A	A65-02932 / 39.0	65-02932 / 39.0			

ADDITIONAL POU FOUND

TOTAL ACRES A65-02708 102.00 102.00 119.00

POU COUNTY: VALLEY

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

Y() N(/)

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

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-02708	LAKE FORK CREEK	CRUZEN RANCH	2.000	0.019		
A65-02932	LAKE FORK CREEK	CRUZEN, EDWARD A			332.00	0.18
A65-02952	LAKE FORK CREEK	ESTATE OF EDWARD A CRUZEN			900.00	0.50

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: ~~SEE REMARKS IN A65-03186.~~

65-02932 & 65-02952

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(☒)

CHECK DOCUMENTS USED TO VERIFY POB: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;

☒ APP, IDWR NO. 1987; ☒ ASCS PHOTO; ☒ OTHER _____

NOTES: SEE ASCS MAP AND MAP "C" & "E" IN 2932

RECOMMENDATIONS:

TOTAL ACRES: 102 N/A()

REVIEWED BY: Reh

DATE: 8/12/99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-02708 IRRIGATION	FROM 05-01 TO 09-15	2.000 CFS	
TOTAL DIVERSION RATE/VOLUME		2.000 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-02708 IRRIGATION	FROM 05-01 TO 09-15	2.000 CFS	
TOTAL DIVERSION RATE/VOLUME		2.000 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

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

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☒) N(☐)

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

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

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

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

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

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☒) Y(☐) N(☐)

PAGE: 9

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

322

CLAIM NUMBER: A65-02708

NOTES: _____

AJ CLAIM TOTAL DIVERSION RATE: 2.000 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 2.000 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 NA, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 102 x 0.02 CFS/ACRE = 2.4 CFS
(Taken from pou review)

1b. CALCULATIONS

DECREED AS 2.0 CFS

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 = 204.0 AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

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

NOTES:

WR RECORD CONDITIONS/REMARKS:

DECREE GIVEN LIC NO,

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	05-01	09-15	DATABASE 2.000	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE ~~204.0~~	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			2.000	_____		_____	~~204.0~~	_____

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: RLH

DATE: 8/12/99

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

EXP FOR CRUIZEN RIGHTS
ALSO DIVERTED ARE 2932, 2952, 3186, 3187,
FROM SAME P/D 3188, 89, 90, 91, 92 & 93

PAGE: 13
BASIS OF CLAIM REVIEW SHEET

326
CLAIM NUMBER: A65-02708

A. CHECK ONLY THE FOLLOWING THAT APPLY:

ACCEPTED AS CLAIMED	NEEDS REVIEW
☒	☐
☐	☐
☐	☐

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-02708

DATABASE
2.000

EXAMINER

CFS

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

65-02708

DIVERSION
RATE

2.000

2.000

A65-02708

2.000

TOTAL CFS

DATABASE
Y

FIELD
EXAMINER
Y() N()

NO SPLITS

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 ()?

NOTES:

AUTHENTICATION:

SIGNATURE:

NAME OF FIELD EXAMINER:

DATE:

TITLE:

Ren Howerton
Ren Howerton
Sr Water Agent
8/12/99

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 <u>1987</u> IDWR ID NO. <u>P1p5 P0u</u>	Y() N() ☒
☒ ASCS AERIAL PHOTO	DATE OF PHOTO <u>IN FILE 2932</u>	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 <u>PROFILE</u>	DATE <u>WR RECORD</u>	Y() N() ☒
☒ OTHER <u>OVERLAP</u>	DATE <u>8/12/99 OVERLAP REVIEW</u>	Y() N() ☒
☒ OTHER <u>MAP</u>	DATE <u>PRBA MAPS "C" & "F"</u>	Y() N() ☒ IN 2932

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

13:00:49
03/09/99
329

PAGE: 16
PROFILE REPORT

CLAIM NUMBER: A65-02708

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CRUZEN RANCH	01/05/1962	IRRIGATION	05-01 09-15	2.00 CFS	
					TOTAL DIVERSION:	2.00 CFS
					CONSUMPTIVE USE:	204.00 AFA

Water Source: LAKE FORK CREEK

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion:

T17N R03E S03

SENE

VALLEY County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: SUM
---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
17N	03E 16	:																
																	24	
																	39	
																	39	
																	102.0	
																	TOTAL ACRES	
																	102.0	

POU County: VALLEY

Other Rights: SEE REMARKS IN A65-03186.

Remarks: GEN DECREE GIVEN LIC. NO.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65K

Field Inspection Flag:
Presumption Flag:

McCUTCHEN, DOYLE, BROWN & ENERSEN

COUNSELORS AT LAW

THREE EMBARCADERO CENTER

SAN FRANCISCO, CALIFORNIA 94111

TELEPHONE (415) 393-2000

November 10, 1988

SAN JOSE
WALNUT CREEK
WASHINGTON, D.C.
SHANGHAI
TAIPEI

SAN FRANCISCO OFFICE
TELEX 340817 MACPAG SFO
FACSIMILE GI, II AND III
(415) 393-2286

REGISTERED U.S. MAIL

Ms. Jan Shurte
Water Rights Supervisor
Adjudication Bureau
Idaho Department of Water Resources
Western Region
2736 Airport Way
Boise, Idaho 83705

No 1 enc.
Idaho Department of Water Resources
Regional Office

Cruzen Ranch

Dear Ms. Shurte:

Enclosed are the original notices of claim for water rights for the Cruzen Ranch signed by Deborah Cruzen Murray and Carrick Cruzen McLaughlin, the surviving general partners of the Cruzen Ranch. We should very much appreciate your reviewing these forms and advising me if they are in any way incomplete. As you see, we have used the partially completed notices sent to us by Ms. Werner in September, with such changes and additions necessary to complete them. We bring to your attention the following points keyed to the item numbers of the notices.

1. Claim is made on behalf of Cruzen Ranch, an Idaho General Partnership, which is the owner of the lands to which the water rights pertain.

5. We have completed the description of the diverting works.

8. As instructed we have calculated the consumptive use on the basis of 2 A.F.A. in Township 17 N. R.3 E. Please advise if this is incorrect.

13. As agreed, under item 13, other water rights used, we have cross-referenced, on Notice A65-03186 only, the other water rights (by identification number) of the Cruzen Ranch, with cross-references to Notice A-65-03186 in the remaining notices.

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SEP 22 1992

Ms. Jan Shurte
November 10, 1988
Page Two

6. We have attached a map of the Cruzen Ranch, with the Ranch property outlined in yellow. The map was prepared by the Valley County ASCS Office, and forwarded to us with James A. Knecht's letter for October 13, 1988. We understand that this map will be acceptable as the "Map of Project."

We have been advised by Art Bollar that the three claims you sent us for the Lake Irrigation District (Nos. A 15-03218, 03219X and 03219A) have been completed and filed by Dr. Harold Nokes, Chairman of the Board of that district. If anything further is required, please let us know.

Thank you very much for all of your help.

Sincerely,



Richard Murray

Enclosures

MICROFILMED
SEP 22 1992



United States
Department of
Agriculture

Agricultural
Stabilization and
Conservation Service

Valley County ASCS Office
Box 337
Donnelly, Idaho 83615

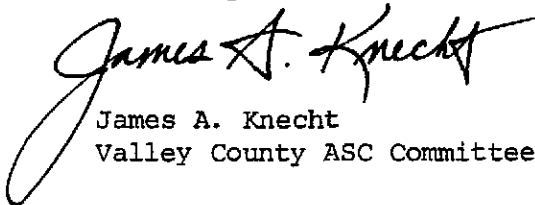
October 13, 1988

Cruzen Ranch
C/O Mrs. Richard Murray
Box 1780
Ross, California 94957

Dear Mrs. Murray,

Enclosed is a photocopied map of your father's ranch. I hope that this will be sufficient for your purposes. My appologies for not having the aerial photograph ordered for you as of this time. It is a very busy time of year for us. I will be working on getting you the photograph of the ranch as soon as possible. Thank you for your patience.

Sincerely,


James A. Knecht
Valley County ASC Committee

*See map
in A65-03186-
KW
1/25/95*

McCUTCHEN, DOYLE, BROWN & ENERSEN

SAN FRANCISCO

LOS ANGELES

SAN JOSE

WALNUT CREEK

MENLO PARK

COUNSELORS AT LAW

THREE EMBARCADERO CENTER

SAN FRANCISCO, CALIFORNIA 94111-4066

TELEPHONE (415) 393-2000

FACSIMILE (415) 393-2286

WASHINGTON, D.C.

TAIPEI

AFFILIATED OFFICES

BANGKOK

BEIJING

SHANGHAI

DIRECT DIAL NUMBER

(415) 393-2150

INTERNET
murray@mdbe.com

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JUL 31 1995

WATER RESOURCES
WESTERN REGION

July 28, 1995

Ms. Kay Walker
Senior Water Resource Agent
Adjudication Bureau
State of Idaho
Department of Water Resources
2735 Airport Way
Boise ID 83705-5082

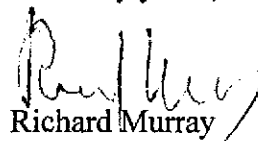
Cruzen Ranch Water Rights

Dear Ms. Walker:

Thank you so much for your very prompt and helpful response to my inquiry about the Cruzen Ranch water rights and the SRBA.

We shall, of course, complete and send in the claim for Rt. 65-01401 and attempt to clear up the other matters addressed in your letter.

Sincerely yours,


Richard Murray

cc: Mrs. Richard Murray
Mrs. Andrew C. McLaughlin III

file:

A65-02483 A65-03186
-02708 -03187
-03188 -03189
-03190 -02356
-03191 ~~-02356~~
-03192 ~~-02356~~
-03193 -11401
-03889 -02932
-02374 -02952

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

July 25, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Notice of Claims to Water Rights

Richard Murray
McCutchen, Doyle, Brown & Enersen
Three Embarcadero Center
San Francisco, CA 94111-4066

Dear Mr. Murray:

I received your letter dated July 12, 1995, and the copies of letters and claims you wished me to investigate on July 18th. I have just completed my review of these claims and the map of the farm, which was prepared by James A. Knecht, that you had submitted along with the claims in November of 1988.

I used the map of the farm to obtain the legal description of the entire place and searched our existing water right records and also our SRBA (Snake River Basin Adjudication) records to make sure all rights were claimed in the SRBA. I found only one water right which has not been claimed in the SRBA which you had also addressed in your letter. Enclosed you will find a claim for Rt. 65-11401 which you should complete and return to this office. You may change the claimant's name, insert a description of diverting works, and a consumptive use volume as you did previously with the other Cruzen Ranch claims, then have the partners sign the claim in the presence of a notary public. Please be advised that you were correct in using 2.0 acre feet per acre for the consumptive use volume for the area of these claims.

During my research of the files, I found two claims have had an ownership change on them. Claims A65-02098 and A65-09425 are now in the name of Michael and Naomi Simmons. These claims were for irrigation and domestic use within the NE $\frac{1}{4}$, Sec. 30, Twp. 17N, Rge. 3E. We have, in our files, a copy of a warranty deed from Mr. Cruzen to the Simmons dated March 1, 1982, which allowed us to update the ownership of these rights. You should also be aware that these lands were not shown as part of the ranch on the map submitted in November of 1988.

I found that we have some confusion regarding Claims A65-02932 and A65-02952. We have the claims submitted by Cruzen Ranch in our files, which also identify Warren H. and Jayne J. Brown as claimants. We have a copy of an assignment of permit form wherein Warren and Jayne Brown assigned the rights to Diane B. DeBoer. We then have signed and notarized claim forms in our files, submitted by Ms. DeBoer. Claim No. A65-02932 is in the names of Edward A.

MICROFILMED

OCT 18 1996

Cruzen or Diane B. DeBoer and Claim A65-02952 is in the names of Estate of Edward A. Cruzen or Diane B. DeBoer. Enclosed for your information are copies of the claims as they are now recorded. What is Ms. DeBoer's relationship to the Cruzen Ranch? Does she own some of the lands covered under these claims or is the storage facility (Brown's Pond) on lands owned by Ms. DeBoer? Please let us know if there is a problem in regard to the ownership of these claims.

I am returning to you the copies of all the claims you sent to me with your letter of July 12th. I am also enclosing profile reports of each of the claims that I found to be entered under the name of Cruzen Ranch in the SRBA. If I can be of further assistance to you in regard to the claims filed in the SRBA, please do not hesitate to contact me.

Sincerely,



KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

MICROFILMED

OCT 18 1996

McCUTCHEN, DOYLE, BROWN & ENERSEN

SAN FRANCISCO

LOS ANGELES

SAN JOSE

WALNUT CREEK

MENLO PARK

COUNSELORS AT LAW

THREE EMBARCADERO CENTER

SAN FRANCISCO, CALIFORNIA 94111-4066

TELEPHONE (415) 393-2000

FACSIMILE (415) 393-2286

WASHINGTON, D.C.

TAIPEI

AFFILIATED OFFICES

BANGKOK

BEIJING

SHANGHAI

July 12, 1995

RECEIVED

JUL 18 1995

**WATER RESOURCES
WESTERN REGION**

DIRECT DIAL NUMBER

(415) 393-2150

INTERNET
rmurray@mdbe.com

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Ms. Kay Walker
Adjudication Bureau
Idaho Department of Water Resources
Western Region
2736 Airport Way
Boise, Idaho 83705

**Cruzen Ranch
Water Rights Claims
Snake River Basin Adjudication**

Dear Ms. Walker:

As I mentioned to you yesterday over the phone, my wife Deborah Cruzen Murray is a partner (along with her sister, Carrick Cruzen McLaughlin) in the Cruzen Ranch, near Donnelly, Idaho. Having been advised of the pending Snake River Basin adjudication, the partners in the Cruzen Ranch wish to make sure that the water rights of the Ranch are in order, and are properly listed in the abstract of claims compiled for the adjudication.

Many years ago my wife's father, Edward Cruzen (now deceased) filed the appropriate claims which presumably were adjudicated in the 1970's in the Payette Watershed Adjudication.

On September 1, 1988, Ms. Linda A. Warren of your office wrote Carrick McLaughlin forwarding copies of the notices of claim earlier filed by Mr. Cruzen and requesting additional information (copy enclosed). On November 10, 1988 I wrote to Ms. Jan Shurte enclosing copies of the claims with that additional information. Copies of that letter and of the claims are enclosed. Their numbers are as follows:

A65-03186
A65-03187
A65-03188
A65-03189
A65-03190

MICROFILMED

OCT 18 1996

07/12/95 02:22 PM

Ms. Kay Walker
July 12, 1995
Page 2

A65-03191
A65-03192
A65-02932
A65-02708
A65-02952
A65-03193
A65-03889
A65-02483
A65-09425
A65-02374
A65-02356
A65-02098

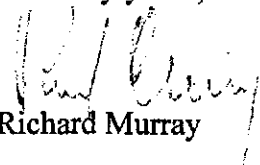
In addition, I note water right number 65-11401 in the name of Edward A. Cruzen (abstract enclosed) which was not listed on any of the claim forms sent me by Ms. Warren.

I understand that you will check the records in order to confirm for us that the claims of the Cruzen Ranch are in order and that they are listed as recognized water rights in the records of the Department and for purposes of the SRB adjudication.

For your convenience I enclose an additional copy of this letter on which you may, if you wish, reply, together with a stamped, self-addressed envelope.

Thank you very much for your help.

Sincerely yours,


Richard Murray

cc: Mrs. McLaughlin (w/o claim forms)



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

September 1, 1988

Carrick Cruzen McLaughlin
3404 Clay St.
San Francisco, CA 94118

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JUL 18 1988

WATER RESOURCES
WESTERN REGION

Dear Ms. McLaughlin:

Enclosed are copies of the Notice of Claim as previously filed by your father. I have underlined the missing information which should be filled in. All the claims should have these items included. In the case of Item No. 5, claims 3186 and 3187 and 3189-3192, a more complete description would be appreciated.

You will also find some blank claim forms. Form No. 42-1409(2)b is for domestic use and the other forms are for the irrigation uses.

If I can be of further assistance to you, please don't hesitate to contact me.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

LW:lh.
Enclosures

MICROFILMED

OCT 18 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ABSTRACT

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
SOURCE: LAKE FORK CREEK								
65-2955	CRUICKSHANK, JAMES L. CRUICKSHANK, HELEN E. ROUTE 1, BOX 70 MC CALL ID 83638 P/U: T16N R03E S02 NENE(15) P/U: T17N R03E S26 NESW(40) S35 NENE(35) SWNW(40) SWSE(39)	11-17-1961	IRRIGATION FROM STOR	04-15 10-15	1100.00 AFA	SESW S07 T18N R04E		LICENSE
			SESW(40) NENE(39) SWNE(40) SESW(40) SESE(27)	SWNE(40) NESW(40)	SENE(33) SESW(39)	NENW(40) NESE(31)	NWNW(38) NWSE(40)	
							* 616 ACRES*	
65-2707	BALLANTYNE, BARTON H. C/O MC KEE & HARWOOD 1076 NORTH COLE ROAD BOISE ID 83704 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-2398 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	12-21-1961	IRRIGATION	04-15 10-15	2.00 CFS	NENE S03 T17N R03E	NESW(40) SESW(39) LICENSE NWSE(19) SWSE(36) SESE(12) S08 T16N R03E * 146 ACRES*	
65-2708	CRUZEN, EDWARD A. DONNELLY ID 83615	01-05-1962	IRRIGATION	05-01 09-15	2.00 CFS	SENE S03 T17N R03E	SESW(24) SWSE(39) LICENSE SESE(39) S16 T17N R03E * 102 ACRES*	

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FILE

FEB 12 1987 IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM APR 07 1986

Department of Water Resources

IN THE MATTER OF THE GENERAL) Civil No. 3667
DETERMINATION OF THE RIGHT TO)
THE USE OF SURFACE AND GROUND-) ORDER AND PARTIAL DECREE
WATERS OF THE PAYETTE RIVER) PURSUANT TO I.R.C.P. 54(b)
DRAINAGE BASIN.)

The foregoing Stipulation, of Lake Irrigation District, Edward A. Cruzen and the Department of Water Resources, having come duly and regularly before the Court and good cause appearing therefore,

IT IS ORDERED AND DECREED that the water rights, priority dates, uses, periods of use, quantification of rights, diversion points, places of use and basis of claim identified in Exhibit A attached hereto and incorporated herein by reference are adopted by this Court, and the Proposed Finding of Water Rights in the Payette River Drainage Basin (hereinafter "Proposed Finding") shall be amended accordingly. Some of the rights listed in Exhibit A were previously decreed by the court in its judgment of January 21, 1986. They are included here to provide a complete listing of all rights on Lake Fork Creek. Claim No. 65-10095, a reserved right claimed by the Forest Service, is not included because the State of Idaho and the United States are currently planning to become engaged in negotiations concerning federal reserved water right claims.

IT IS FURTHER ORDERED that all protests and objections

ORDER AND PARTIAL DECREE Page 1

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FEB 24 1987

COMPARED _____
INDEXED - DIRECT _____
INDEXED - INDIRECT _____

filed by Lake Irrigation District and Edward A. Cruzen against the water rights adopted by this Court in the preceeding paragraph are dismissed with prejudice.

IT IS FURTHER ORDERED AND DECREED that the Proposed Finding of Fact No. 10 and Conclusion of Law No. 6 as set out in the foregoing Stipulation and Finding of Fact No. 4 and Conclusion of Law No. 3 as set out in Exhibit B of the foregoing Stipulation are amended by said Stipulation.

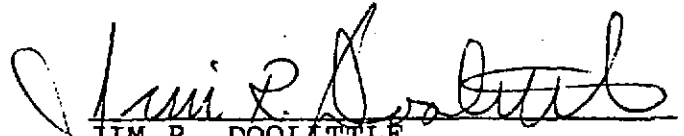
IT IS FURTHER ORDERED AND DECREED that for purposes of operating Water District 65K the gauging station located in the SW1/4SE1/4NW1/4 section 8 township 18N range 4E B.M., above Jumbo Creek and above Tyee Creek shall have 10 per cent added to said gauge readings to account for the added flows of Jumbo and Tyee Creeks and other less distinctive sources between the old site of the gauging station and the present site, unless modified by order of this Court due to changes in the measured flows.

IT IS FURTHER ORDERED AND DECREED that for purposes of operating Water District 65K, reference may be made to the decree of Paul Michelson et al v. M. H. Williams et al (7th Judicial District, Valley County, 1928) for a period of five years following the date of this order, to answer questions arising as to the distribution of water rights listed in Exhibit A. The director of the Department of Water Resources, pursuant to his authority under Chapter 6, Title 42, Idaho Code, will initially

determine any distribution questions. The elements of the Michelson decree that are used in any orders or instructions to the watermaster during this five year term shall be made a permanent part of the water district file for Lake Fork Creek and shall be considered by the director in any future orders or instructions to the watermaster.

IT IS FURTHER ORDERED AND DECREED that jurisdiction is reserved by the Court, upon 10 days notice to the parties hereunto, to make corrections of clerical errors, inadvertences or omissions in the listing of water rights of Exhibit A to the foregoing Stipulation, and the reservation of jurisdiction for this purpose will date one year from the date of this Order.

DATED this 28th day of March, 1986.


JIM R. DOOLITTLE
DISTRICT JUDGE

54(b) Certificate

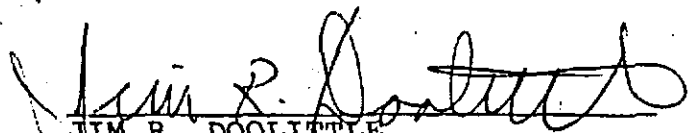
With respect to the issues determined by the above judgment, it is hereby CERTIFIED, in accordance with the Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final decree and that the court has and does direct that the above partial decree shall be a final judgment upon which execution may issue and appeal may be taken as provided by the Idaho Appellate Rules.

STATE OF IDAHO)
County of Gem) ss.

DATED this 28th day of March, 1986.

I certify that the foregoing is a true and correct copy of the original on file in this office.

DATED 3-5-87
Thelma R. Kolodziej, Clerk


JIM R. DOOLITTLE
District Judge

By: LOC LOC ORDERED AND PARTIAL DECREE, Page 3



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