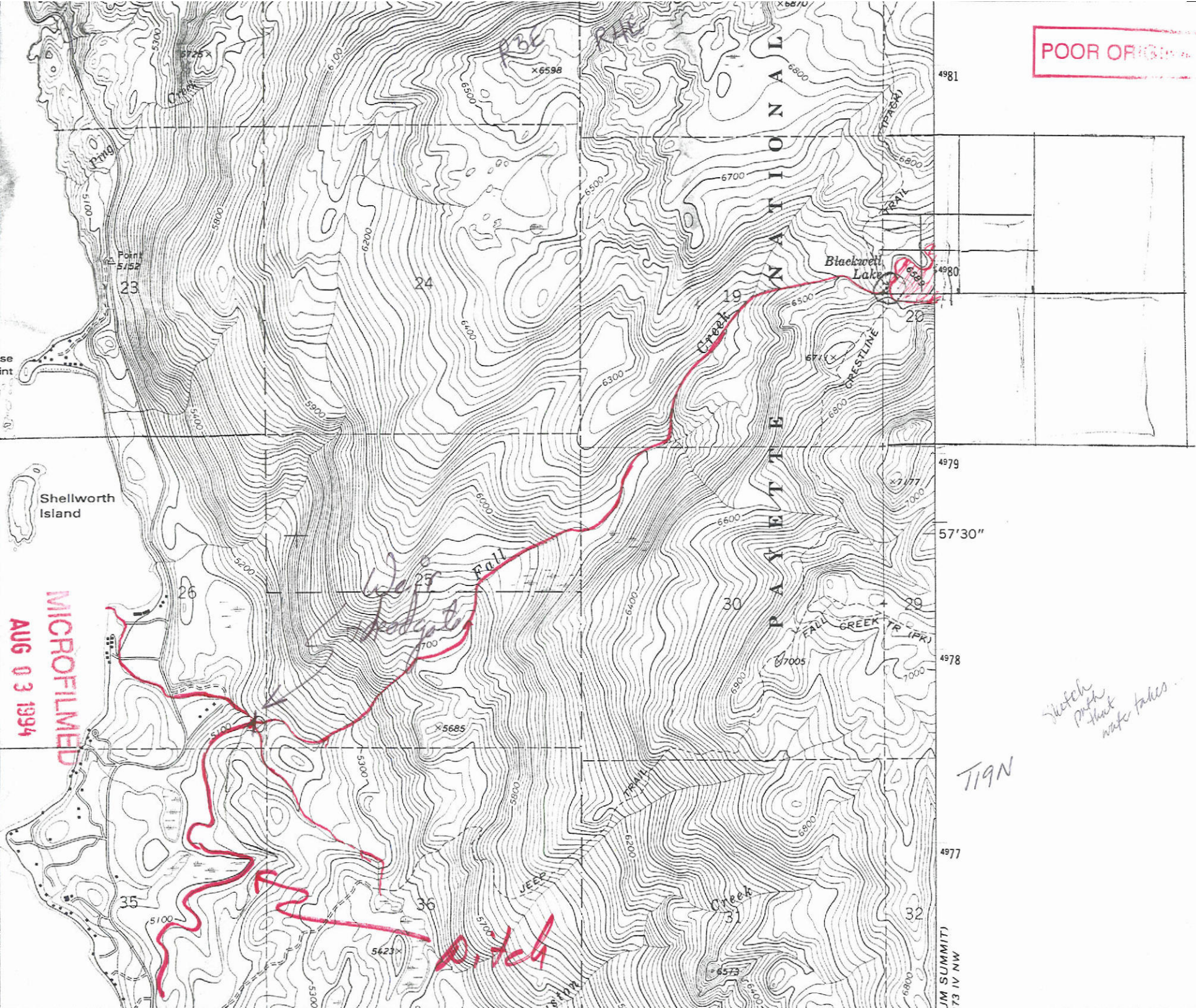


POOR ORIGINAL

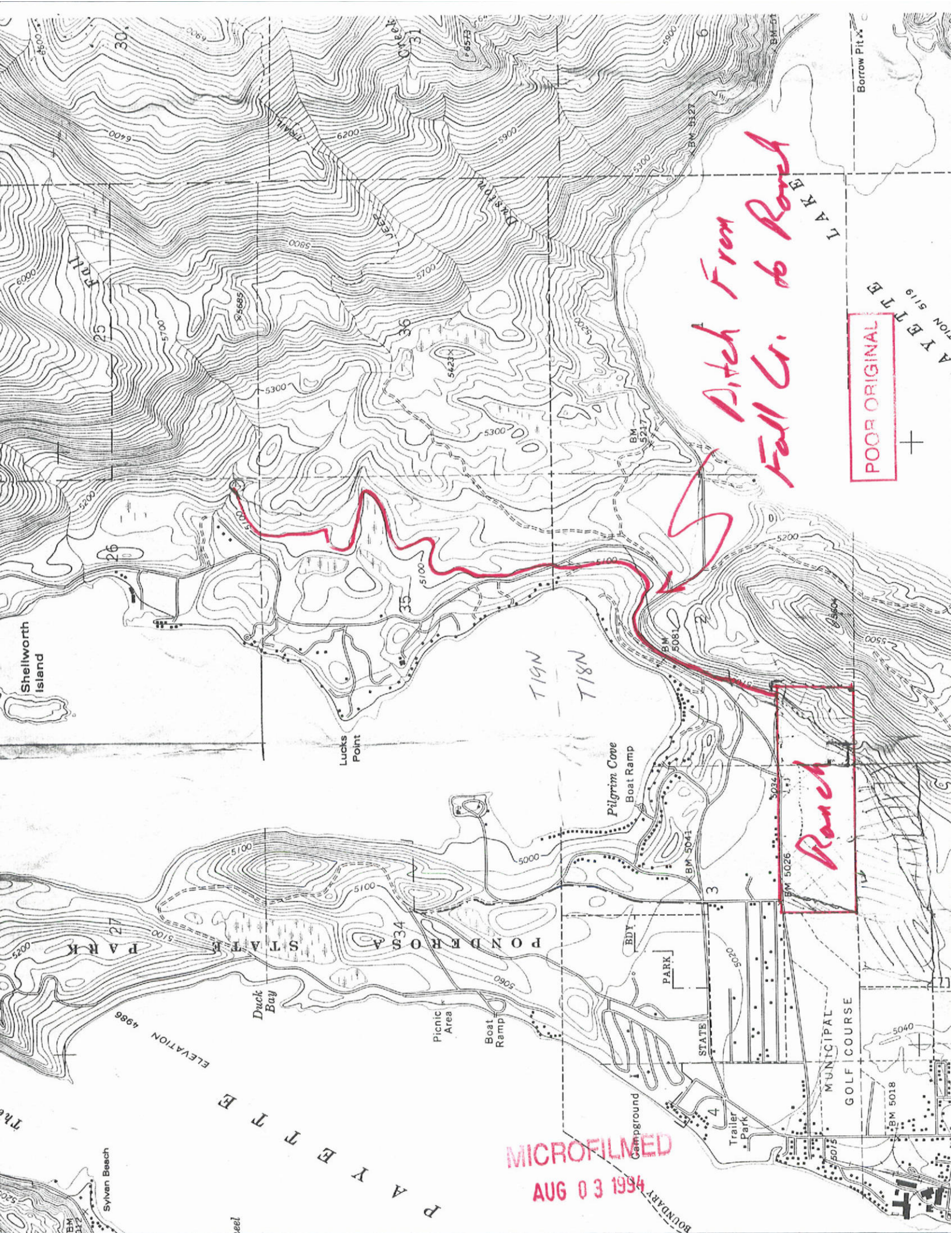


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Sketch
path
that
water takes

T19N

73 IV NW



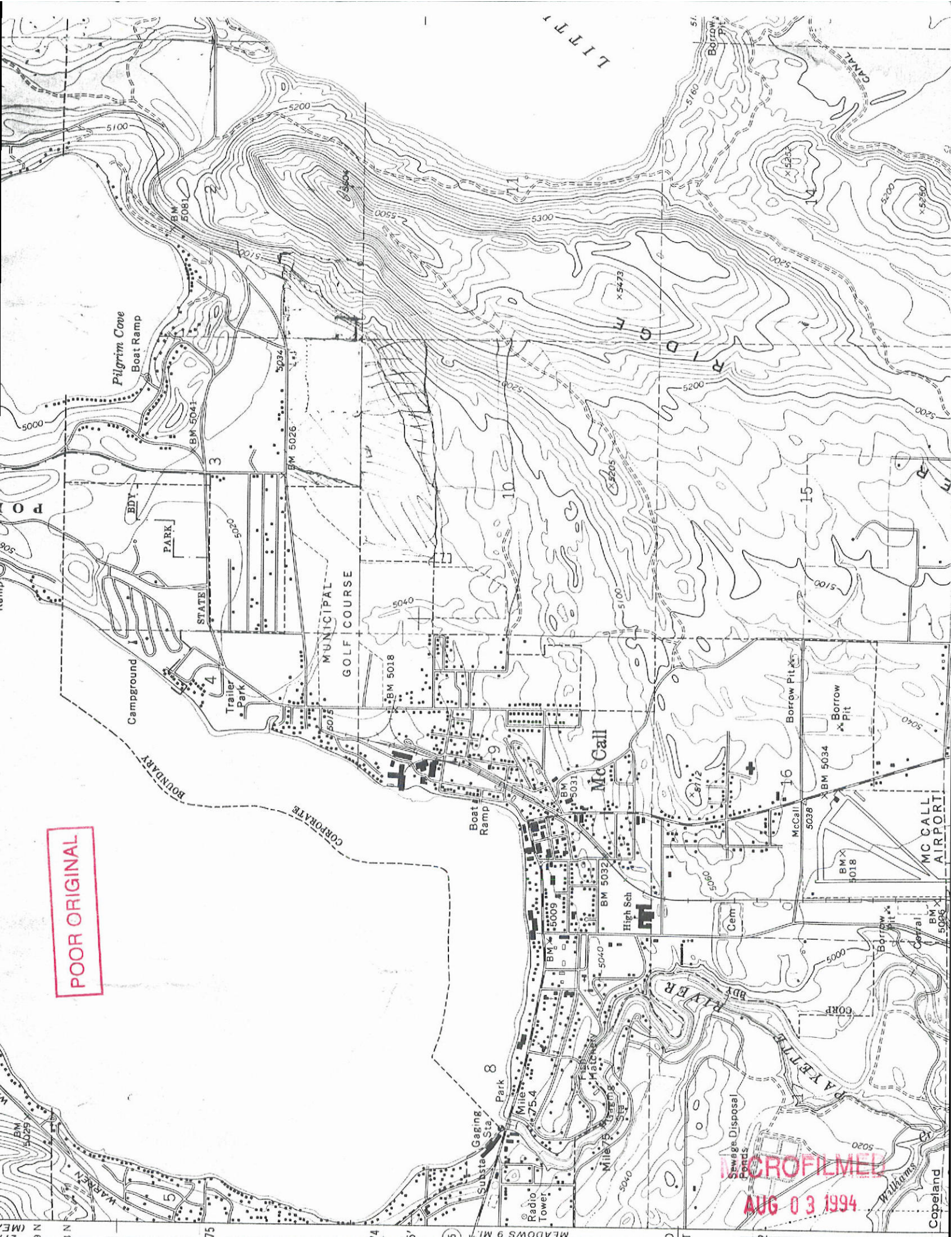
Ditch From
Fall Cr. to Ranch

POOR ORIGINAL

Ranch

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POOR ORIGINAL



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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: A65-02923C
Date Received: 5/ 5/1988
Receipt No: X999999
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: J B SCOTT
Address: PO BOX 70001
BOISE ID

208-342-2712

83707-0101

2. Date of Priority: JUL 1, 1929

3. Source: FALL CREEK

Trib. to: BIG PAYETTE LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
19N	04E	20	SW	SW	NW		VALLEY

5. Description of diverting works:

BLACKWELL RESERVOIR WITH DAM, APPROX. 14' HIGH WITH 3' HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.520		
IRRIGATION FROM STORAGE	04/15	10/15			96.42

7. Total Quantity Appropriated is:

1.520 C.F.S. (and/or) 96.42 A.F.A.

8. Total consumptive use is 182.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	03E	2	SW	SW		IRR	11.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	11.0
		3	SW	SE	IRR	40.0
			SE	SE	IRR	40.0
					Section Acres	80.0
					Total Acres	91.0

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:
A65-02923B

14. Remarks:

MAPS AND SALES AGREEMENT ATTACHED

|

POINT OF RE-DIVERSION IN SESE, S.26, T.19N, R.3E.

*CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 8/6/93.
|
ADDRESS CHANGE BY CLAIMANT LETTER 4/15/1999 SS.

15. Basis of Claim: DECREED

Water Right Number: R447

Case Number:

Court :

Decree date: / /

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

CC: Denise B.



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

March 26, 1999

KARL J. DRKHEN
DIRECTOR

J B SCOTT
PO BOX 70001
BOISE ID 83707-0101

*Denise Meyer 424-3865
424-3850 FAX*

Re: Snake River Basin Adjudication (SRBA)
Water Rights ~~#63-17185, 63-17186, A63-00161AX, A65-02923B,~~
~~A65-02923C and A65-17332~~ *Then deleted No's are for properties*
Change of Address *which have been sold.*

Dear Mr. Scott: *Basin 65 rights modified 4-15-99, po*

Thank you for responding to my letter of March 18, 1999, so promptly. I have changed your water right #77-10054 to reflect your current address. However, I neglected to include all of your water rights in my previous letter. Our database shows you as owner of the water rights referenced above, all of which have the E. ParkCenter Blvd. address.

I can't change the address on your water rights without your signature. If you are still the owner of the above water rights, please sign your name at the bottom of this letter and return it to this office by April 5, 1999. Thank you for your help.

If there has been a change in ownership of the property connected with any of the water rights referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Denise Meyer
Claimant Signature

424-3865
Telephone No.

NATURE SAVER™ FAX MEMO 01616		Date <i>4-14-99</i>	# of pages <i>1</i>
To <i>SALLY SHERMAN</i>	From <i>DENISE MEYER</i>		
Co./Dept.	To <i>J B SCOTT</i>		
Phone # <i>327-7862</i>	Phone # <i>424-3865</i>		
Fax # <i>327-5400</i>	Fax # <i>424-3850</i>		

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: **A65-02923C**
Date Received: 5/ 5/1988
Receipt No: X999999
Received By: _____

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

1. Name: J B SCOTT 208-342-2712
Address: 380 E PARKCENTER BLVD
SUITE 100
BOISE ID 83706

2. Date of Priority: JUL 1, 1929

3. Source: FALL CREEK Trib. to: BIG PAYETTE LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
19N	04E	20	SW	SW	NW		VALLEY

5. Description of diverting works:
BLACKWELL RESERVOIR WITH DAM, APPROX. 14' HIGH WITH 3' HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.520		
IRRIGATION FROM STORAGE	04/15	10/15			96.42

7. Total Quantity Appropriated is:
1.520 C.F.S. (and/or) 96.42 A.F.A.

8. Total consumptive use is 182.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
18N	03E	2	SW	SW		IRR	11.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	11.0
		3	SW	SE	IRR	40.0
			SE	SE	IRR	40.0
					Section Acres	80.0
					Total Acres	91.0

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:
A65-02923B

14. Remarks:

MAPS AND SALES AGREEMENT ATTACHED

POINT OF RE-DIVERSION IN SESE, S.26, T.19N, R.3E.

*CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 8/6/93.

15. Basis of Claim: DECREED

Water Right Number: R447

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: _____

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For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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AUG 03 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

JUL 27 1993

DATE OF CLOSING: 7-15-93

LEGAL DESCRIPTION OF PROPERTY: Township 18N Range 3E Department of Water Resources
Section 2, 3 1/4 of SW 1/4 of SW 1/4, Govt. Lot _____, BM. Western Regional Office
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☒ Water Right Number(s)
Assigned by IDWR: 65-2923 A AND 65-2923 X
- ☒ Name and Address of Former Owner/Claimant(s)(Seller): DAN + LISA OSTERMILLER
1096 LICK CREEK RD
MC CALL, IDAHO 83638
- ☒ New Owner/Claimant (Purchaser): J. B. SCOTT
- ☐ New Mailing Address: 380 E. PARKCENTER BLVD. SUITE 100
BOISE, IDAHO, 83706
- ☒ New Telephone Number: (208) 342-2712
- ☒ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____

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

- ☐ Signature of New Owner/Claimant(s): [Signature] Date 7/23/93
- ☐ Signature of Former Owner/Claimant(s): [Signature] Date 7/23/93
[Signature] Date 7/23/93

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

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:
Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

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

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

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: A65-02923C
Date Received: 5/ 5/1988
Receipt No: X999999
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: DANIEL P OSTERMILLER 208-634-2428
Address: PO BOX 741
MC CALL ID 83638
2. Date of Priority: JUL 1, 1929
3. Source: FALL CREEK Trib. to: BIG PAYETTE LAKE
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
19N	04E	20	SW	SW	NW		VALLEY
5. Description of diverting works:
BLACKWELL RESERVOIR WITH DAM, APPROX. 14' HIGH WITH 3' HEADGATE
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.520		
IRRIGATION FROM STORAGE	04/15	10/15			96.42
7. Total Quantity Appropriated is:
1.520 C.F.S. (and/or) 96.42 A.F.A.
8. Total consumptive use is 182.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	03E	2	SW	SW		IRR	11.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
						Section Acres	11.0
		3	SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	80.0
						Total Acres	91.0

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:
A65-02923B

14. Remarks:

MAPS AND SALES AGREEMENT ATTACHED

POINT OF RE-DIVERSION IN SESE, S.26, T.19N, R.3E.

15. Basis of Claim: DECREED

Water Right Number: R447

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: _____

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For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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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: A65-02923C
Date Received: 5/05/1988
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DANIEL P. OSTERMILLER 208-634-2428
Address: P.O. BOX 741
MC CALL, ID 83638

2. Date of Priority: JUL 01, 1929

3. Source: FALL CREEK Trib. to: BIG PAYETTE LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
19N	04E	20	SW	SW	NW		VALLEY

5. Description of diverting works:
BLACKWELL RESERVOIR WITH DAM, APPROX. 14' HIGH WITH 3' HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.800		
IRRIGATION FROM STORAGE	04/15	10/15			178.00

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

8. Total consumptive use is 182.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	03E	2	SW	SW		IRR	11.0
Section Acres							11.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	03E	3	SW	SE		IRR	40.0
			SE	SE		IRR	40.0
Section Acres							80.0
Total Acres							91.0

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:
A65-02923B

14. Remarks:
MAPS AND SALES AGREEMENT ATTACHED

POINT OF RE-DIVERSION IN SESE, S.26, T.19N, R.3E.

15. Basis of Claim: DECREED
Water Right Number: R447
Case Number:
Court :
Decree date:

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39356
Ident. Number A65-02923 C
Date Received 5-5-88 C3
Receipt Number X999999

RECEIVED
MAY 05 1988

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

Please type or print clearly

- Name of Claimant (s) DANIEL P OSTER MILLER Phone (208) 634-2428
Mailing Address PO BOX 741 McCall, ID Zip 83638
- Date of Priority (Only one (1) per claim) 1-July-1929
- Source of water supply (a) Fall Creek
which is tributary to (b) Big Payette Lake
- a. Location of existing point of diversion is: Township 19N Range 04E Section 20,
SW 1/4 of SW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Valley
Additional points of diversion if any: _____
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M., County of _____
- Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Blackwell reservoir with dam approximately 14 ft high
with 3 ft diameter headgate - enters Fall Creek (original construction)

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HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

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

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

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

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

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-15 to 10-15 amount 2.80 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.80 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 182 acre feet per annum.

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

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>18N</u>	<u>3E</u>	<u>2</u>											<u>11</u>						<u>11</u>
		<u>3</u>															<u>40</u>	<u>40</u>	<u>80</u>

Total number of acres irrigated 91

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
65-2923 A or None ()

14. Remarks: MARS AND SALES AGREEMENT ATTACHED.

MICROFILMED

AUG 03 1994

Last Name Ostermiller Ident No. _____

Copies: White -State, Yellow-Claimant

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

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

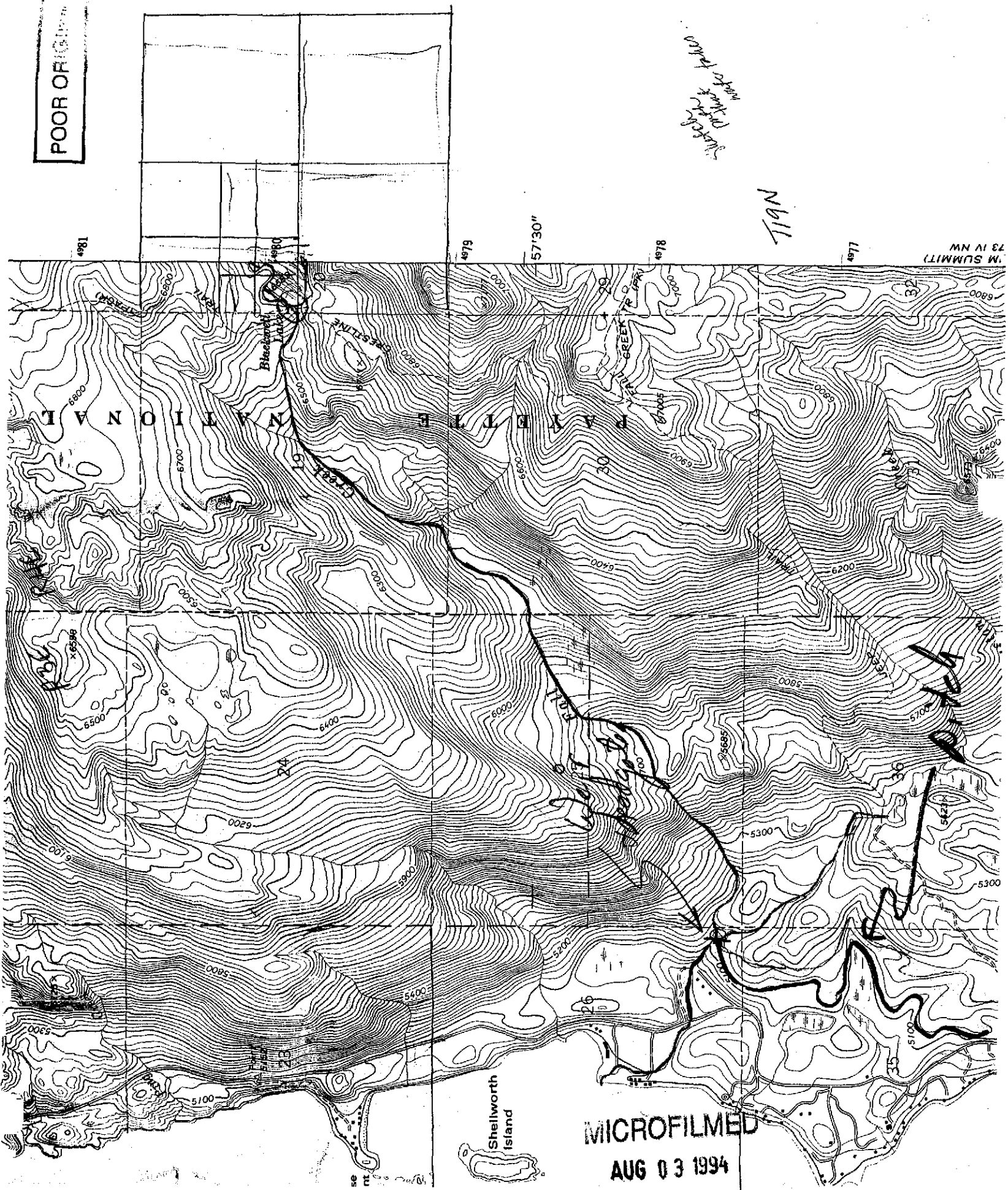
The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

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

POOR ORIGINAL

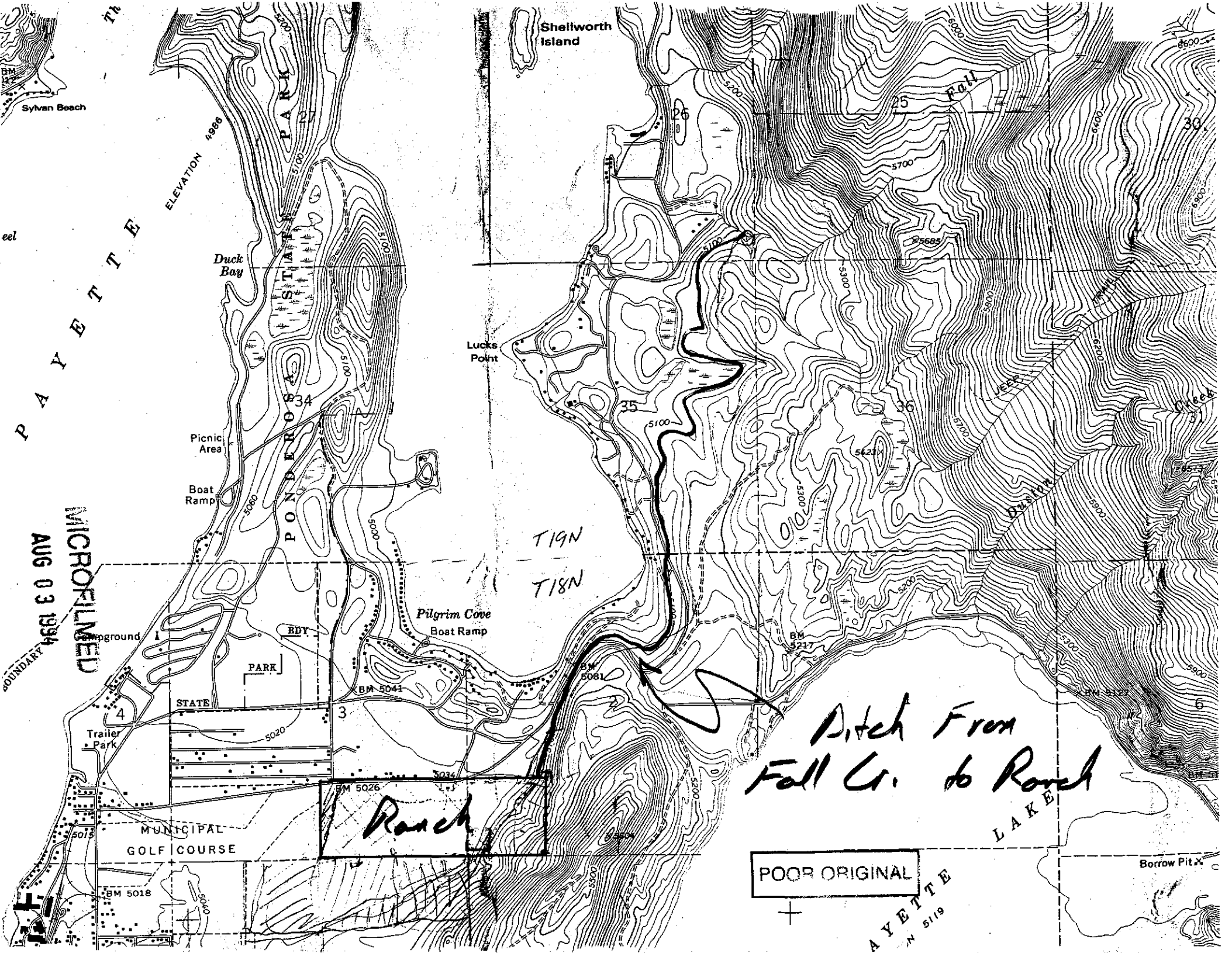
Sketch of
Patterson
with a
water mark

N 1/4



MICROFILMED

AUG 03 1994



P O Y E T T E

MICROFILMED
AUG 03 1994

Shellworth Island

Sylvan Beach

ELEVATION 4900

Duck Bay

P O N D E R O S A

Picnic Area

Boat Ramp

Lucks Point

Pilgrim Cove Boat Ramp

PARK

STATE

Trailer Park

MUNICIPAL GOLF COURSE

Ranch

T19N
T18N

Ditch From
Fall Cr. to Ranch
LAKE

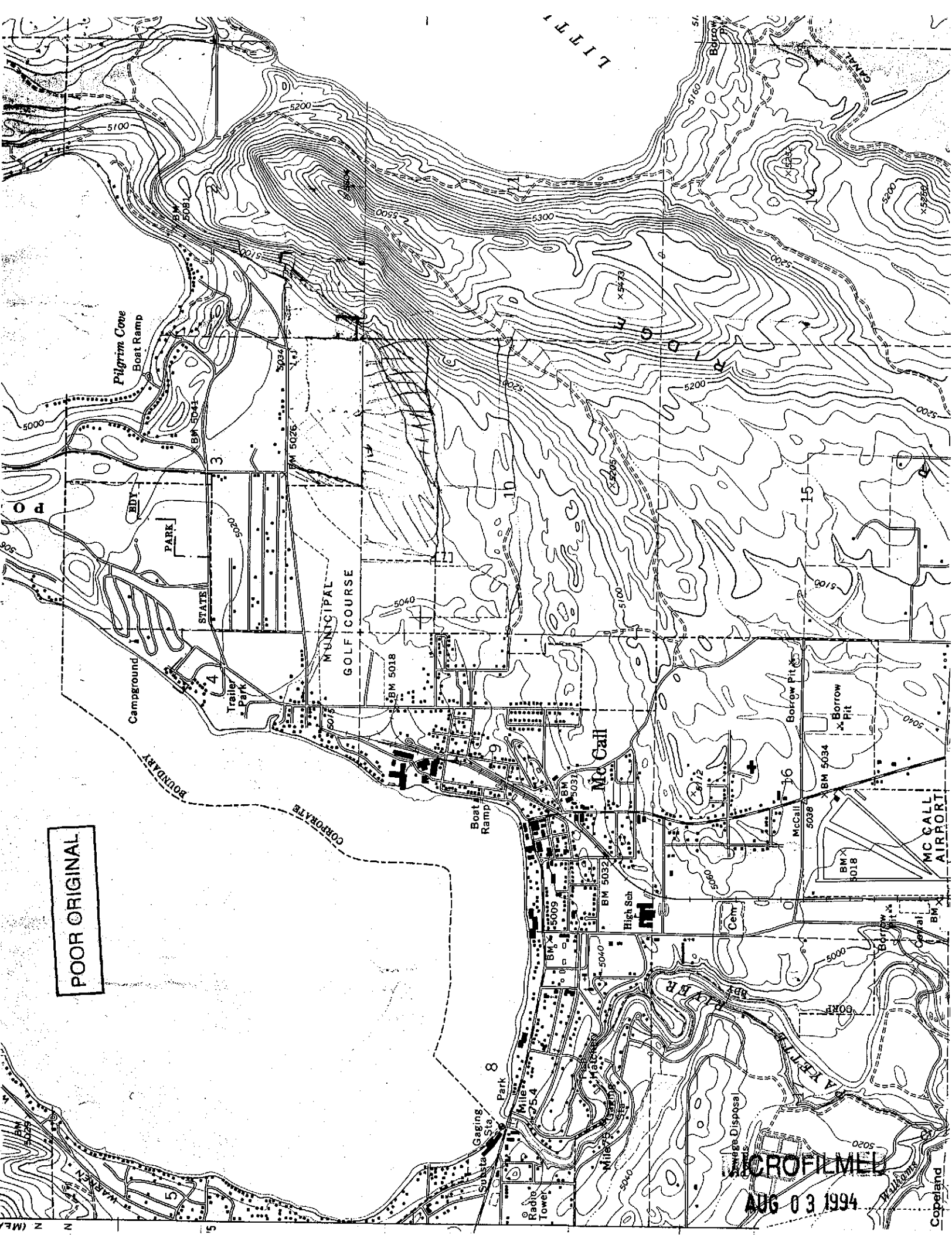
POOR ORIGINAL

AYETTE
5119

Borrow Pit

L 1111

POOR ORIGINAL



MICROFILMED
AUG 03 1994

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

Decree ☒

If applicable provide IDWR Water Right Number 65-2923X

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments 4

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

Signature of Claimant (s) *Daniel P. Ortel* Date 5/4/88

Date _____

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

of _____, that I have signed the foregoing Organization _____

document in the space below as _____ Title _____ of _____ Organization _____

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of Valley) SS.

Subscribed and sworn (or affirmed) before me this 4th day of May 19 88

SEAL

Notary Public *Joni S. Stright*

Residing at *McCall, Idaho*

My Commission Expires 11/11/92

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name *Ortmiller* Ident. Number _____

MICROFILMED

AUG 03 1994

Copies White-State, Yellow-Claimant

AJ0749NP
No. R65-02923C

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

DATE: 09/21/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J B SCOTT PO BOX 70001 BOISE ID 837070101 (208) 342-2712	07/01/1929	IRRIGATION IRRIGATION STORAGE IRRIGATION FROM STORAGE	04-15 10-15 01-01 12-31 04-15 10-15	1.520 CFS	96.42 AFA 96.42 AFA
TOTAL DIVERSION:					1.520 CFS	96.42 AFA

Water Source: FALL CREEK

Tributary to: BIG PAYETTE LAKE

Stage: DECREED

Point(s) of Diversion: T19N R04E S20 SWSWNW

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		:	SUM
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	:			
18N	03E	2	:							:									:								:											
18N	03E	2	:							:									:								:											
18N	03E	3	:							:									:								:											
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AJ0749NP
No. R65-02923C

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

DATE: 09/21/99
PAGE: 2

=====

Comments: Date: 08/18/1999 User-ID: SBOCK Subject: COPIED FROM REMARKS

|
ADDRESS CHANGE BY CLAIMANT LETTER 4/15/1999 SS.

Date: 09/21/1999 User-ID: SBOCK Subject: STORAGE
YEAR ROUND STORAGE FOR IRR WAS ADDED TO THIS RIGHT SINCE IT IS
NO LONGER A GEN PROVISION IN THE SRBA

Audit: 09/21/99 SBOCK

WR5889NP
No. 65-02923X

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/28/99
PAGE: 2

OWNER
C C. JOHN STRINGER

PRIORITY
DATE 07/01/1929

WATER USE
IRRIGATION
IRRIGATION FROM STORAGE

USE PERIOD
FROM 04/15 TO 10/15

DIVERSION
RATE 2.800 CFS

DIVERSION
VOLUME 1.52

TOTAL DIVERSION:

2.800 CFS
1.52

172.00 AFA 96.42

Water Source: FALL CREEK

Tributary to: BIG PAYETTE LAKE

Stage: DECREED

Point(s) of Diversion:

T19N R04E S20

SW SWNW

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	SUM			
18N	03E	24	:																															11.0			
18N	03E	3	:																															80.0			
18N	03E	10	:	10		29																												77.0			
																																				TOTAL ACRES	168.0

Place of use location for IRRIGATION FROM STORAGE is the same location as described for: IRRIGATION

Pou County: VALLEY

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

65-02923A 65-13119 65-13597 65-13724 65-13796

Remarks: GEN POINT OF RE-DIVERSION IN SESE, S.26, T.19N, R.3E.
DECREE GIVEN LICENSE NUMBER.

Dates: App. Received: Priority Date: 07/01/1929
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 05/19/1937

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/10/86 04/30/88 CONVERT 11/01/95 BCHAPMAN

no expansion
of original

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:10:38
04/29/99
18

PAGE: 18
PROFILE REPORT

CLAIM NUMBER: A65-02923C

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J B SCOTT	07/01/1929	IRRIGATION	04-15 10-15	1.52 CFS	
			IRRIGATION FROM STORAGE	04-15 10-15		96.42 AFA
TOTAL DIVERSION:					1.52 CFS	96.42 AFA
CONSUMPTIVE USE:						182.00 AFA

Water Source: FALL CREEK

Tributary to: BIG PAYETTE LAKE

Stage: DECREED

Point(s) of Diversion:

T19N R04E S20

SWSWNW

VALLEY County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	NE	NW	SW	SE	:	NE	NW	SW	SE	:	NE	NW	SW	SE	:	SUM			
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	
18N	03E	2	:											:							:	11.0
18N	03E	3	:											:							:	80.0
																			TOTAL ACRES		91.0	

Place of use location for IRRIGATION FROM STORAGE is the same location as described for: IRRIGATION

POU County: VALLEY

Other Rights: A65-02923B

Remarks: GEN MAPS AND SALES AGREEMENT ATTACHED

POINT OF RE-DIVERSION IN SESE, S.26, T.19N, R.3E.

*CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 8/6/93.
|
ADDRESS CHANGE BY CLAIMANT LETTER 4/15/1999 SS.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:

Presumption Flag:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:10:10
04/29/99

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-02923C

LAST: STRINGER
ADDRESS: RT 3 BOX 720
CITY: ONTARIO
PHONE NUMBER: 208-000-0000

FIRST: C JOHN
STATE: OR ZIP: 97914

OWNER CODE: O

LAST: OSTERMILLER
ADDRESS: PO BOX 741
CITY: MC CALL
PHONE NUMBER: 208-634-2428

FIRST: DANIEL P
STATE: ID ZIP: 83638

OWNER CODE: O

LAST: SCOTT
ADDRESS: PO BOX 70001
CITY: BOISE
PHONE NUMBER: 208-342-2712

FIRST: J B
STATE: ID ZIP: 837070101

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN MAPS AND SALES AGREEMENT ATTACHED

|

POINT OF RE-DIVERSION IN SESE, S.26, T.19N, R.3E.

*CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 8/6/93.
|
ADDRESS CHANGE BY CLAIMANT LETTER 4/15/1999 SS.

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A65-02923C PRIORITY DATE: 07-01-1929 STAGE: D

B. WR RECORD: # 65-02923A PRIORITY DATE: 07-01-1929 STAGE: D
65-02923X PRIORITY DATE: 07-01-1929 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:

REVIEWED BY

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
A65-02923C	19N	04E	20	SW	SW	NW			VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A65-02923E 65-22142
A65-22142

WR RECORDS IN SAME 40 ACRE TRACT
65-02923X

SOURCE: FALL CREEK

TRIB: BIG PAYETTE LAKE

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
65-02923A	19N	03E	26		SE	SE			VALLEY		
65-02923X	19N	04E	20		SW	NW			VALLEY		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

65-02923A
65-02923X
65-12848
65-13297

A65-02923B 65-22142
A65-02923D
A65-02923E
A65-22142

SOURCE: SPLIT CREEK
FALL CREEK

TRIB: FALL CREEK
BIG PAYETTE LAKE

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

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

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

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

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

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

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

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

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

I. HOW WAS THE POD AND SOURCE VERIFIED?

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

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

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY VALLEY	DIVERSION NAME	DIVERSION NBR
19N	04E	20	SW	SW	NW					
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: _____ TRIB: _____

REVIEWED BY: JB

DATE: 8/7/99

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

A. ROOT WATER RIGHT NUMBERS: A65-02923B
A65-02923C
A65-02923D
A65-02923E

B. POJ LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
18N	03E	2	SW	SW		SCOTT, J B	A65-02923C / 11.0	- /		3.0	
			SW	SW		SCOTT, J B	A65-02923B / 11.0	- /			
			SW	SW		STRINGER, C. JOHN		65-02923A / 11.0			
			SW	SW		STRINGER, C. JOHN		65-02923X / 11.0			
			SW	SW		CONNECTICUT MUTUAL LIFE INSURA		65-08091 /			
			SW	SW		SCOTT, J B		65-13597 / 11.0			
			SW	SW		SCOTT, J B		65-13724 / 11.0			
18N	03E	3	SW	SE		SCOTT, J B	A65-02923C / 40.0	- /		40.0	
			SW	SE		SCOTT, J B	A65-02923B / 40.0	- /			
			SW	SE		STRINGER, C. JOHN		65-02923A / 40.0			
			SW	SE		STRINGER, C. JOHN		65-02923X / 40.0			
			SW	SE		SCOTT, J B		65-13597 / 40.0			
			SW	SE		SCOTT, J B		65-13724 / 30.0			
18N	03E	3	SE	SE		SCOTT, J B	A65-02923C / 40.0	- /		36.0	
			SE	SE		SCOTT, J B	A65-02923B / 40.0	- /			
			SE	SE		STRINGER, C. JOHN		65-02923A / 40.0			
			SE	SE		STRINGER, C. JOHN		65-02923X / 40.0			
			SE	SE		SCOTT, J B		65-13597 / 40.0			
			SE	SE		SCOTT, J B		65-13724 / 40.0			

ADDITIONAL POJ FOUND

91

TOTAL ACRES A65-02923C 91.00 79.00

POJ 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
A65-02923C	FALL CREEK	SCOTT, J B	1.520	0.016	96.42	1.05
A65-02923B	SPLIT CREEK	SCOTT, J B	0.220	0.002		

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: A65-02923B

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

N/A() Y(☒) N()

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

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

N/A() Y(☒) N()

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

Y() N(☒)

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

Y() N(☒)

NOTES:

RECOMMENDATIONS:

TOTAL ACRES: 91 N/A()

REVIEWED BY: JB DATE: 8/17/99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-02923C IRRIGATION	FROM 04-15 TO 10-15	1.520 CFS	
A65-02923C IRRIGATION FROM STORAGE	FROM 04-15 TO 10-15		96.42 AF/A
TOTAL DIVERSION RATE/VOLUME		1.520 CFS	96.42 AF/A

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
----------------	---------------------------	------------------------	------------------------

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: 10

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

10

CLAIM NUMBER: A65-02923C

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 1.520 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

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

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

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

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

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

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

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 91 x 0.02 CFS/ACRE = 1.82 CFS
(Taken from pou review)

1b. CALCULATIONS

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 96.42 AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 182.0 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:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE CFS		VOL. AF/A		USE	
IRRIGATION	04-15	10-15	DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
IRRIGATION FROM STORAGE	04-15	10-15	1.520	_____	96.42	_____	182.0	_____
				_____			182.0	_____
_____	_____	_____		_____				_____
_____	_____	_____		_____				_____
_____	_____	_____		_____				_____
_____	_____	_____		_____				_____
TOTAL FOR THIS RIGHT				_____				_____

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-02923

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 3.200	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-02923B	0.220	-	-	65-02923A	0.400
-	A65-02923C	1.520	-	-	65-02923X	2.800
-	A65-02923D	0.183	-	-	-	-
-	A65-02923E	1.283	-	-	-	-
TOTAL CFS		3.206				3.200

DIVERSION RATE REVIEW

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

DATABASE
N
FIELD
EXAMINER
Y() N()

NOTES:

C	1.52 cfs	91 acres
E	1.28	770 acres
	280	168

=====

AUTHENTICATION:

SIGNATURE: _____

_____ DATE: 8/17/99

NAME OF FIELD EXAMINER: _____

TITLE: _____

=====

GIS map w/ 65-02923B

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

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:10:10
04/29/99

PAGE: 17
QUICKLOOK INFORMATION

17
CLAIM NUMBER: A65-02923C

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	Y			2	D. Deane D. Deane	28 8-17-99		
POINT OF DIV	Y							
SOURCE	Y							
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

— NO ACTION NOW - wait for owner's proposal —

CONVERSATION MEMORANDUM

DATE 4/10/98

DENNIS
Mayer = Real Est Mgr.
424-3865

FILE 65-13597

NAME OF PARTY Jim Crawford Property Mgr

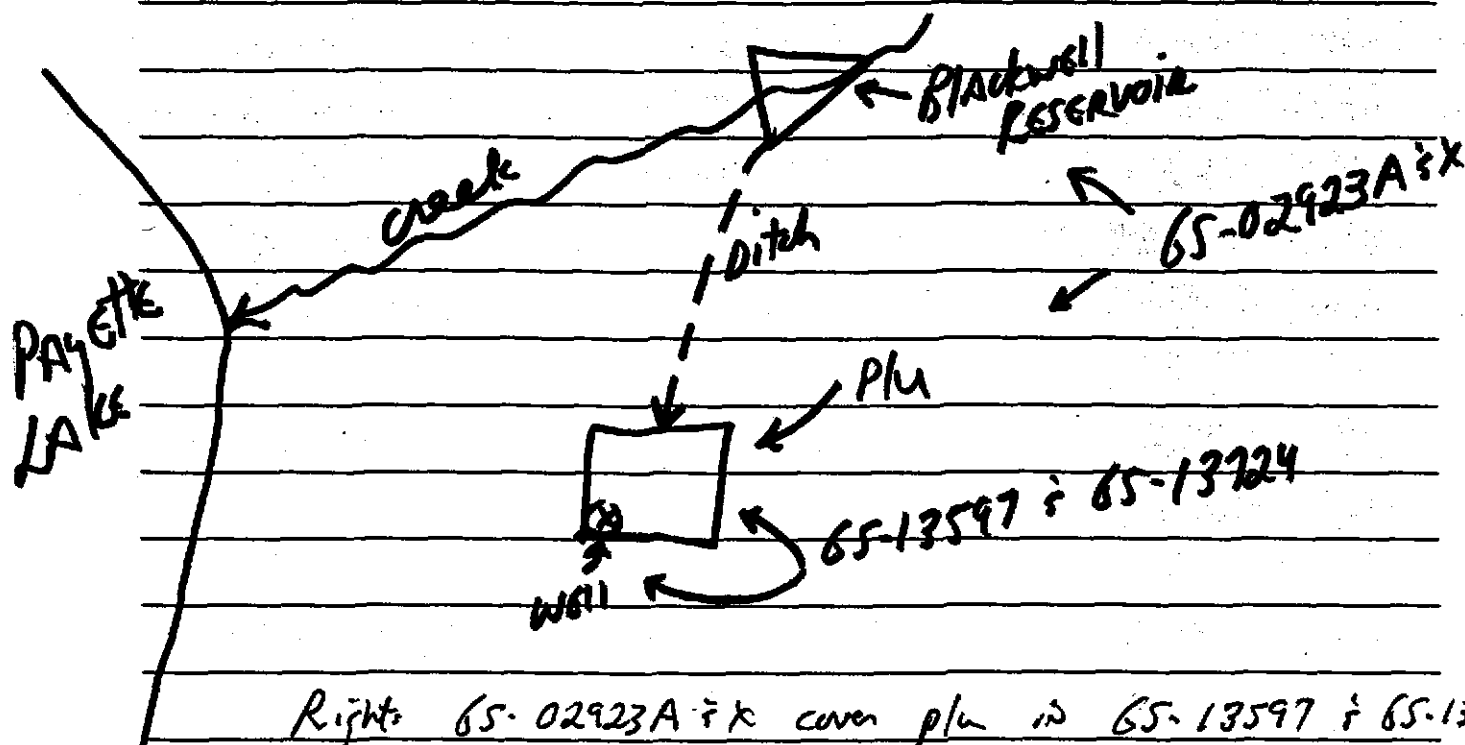
65-13724

EMPLOYEE JR

A65-02923B + C *

RE:

J B Scott Property, McCall - Office Visit



Rights 65-02923A + X cover plu in 65-13597 + 65-13724.

" " include Blackwell Reservoir + ditch.

" 65-13597 covers well, lapsal but re-instated, field exam 10/97, not licensol yet.

" 65-13724 filed 5/97 to cover at that time lapsal right; 13724 is pending appl. that until now could not be processed (adv. delay + mitigation issues).

* 65-02923A → A65-02923A split to B (Scott) + D (other)

65-02923X → A65-02923X " " C (Scott) + E (other)

So Scott = A65-02923B + C

- Cont. Next page -

CONVERSATION MEMORANDUM

DATE

4/10/98

FILE

NAME OF PARTY

Crawford - continued

EMPLOYEE

Pg 2

RE:

Owner has had lots of problems with ditch water - doesn't effectively cover the land. That's why owner obtained g.w. right.

Would like to sever ditch water from land. IDFG is interested in controlling the Reservoir water, mostly to keep full storage until fall when water would be released for Kokanee migration. Perhaps IDFG would also lease the water to water bank (?).

Sounds like a transfer would be needed to at least change the N/P & P/P. This might work if land was retired from irrigation. After the transfer, Scott could seek a new (primary) g.w. right for the well & ~~area~~ area.

Above might be a win-win scenario for everyone.

Scott will submit a letter of proposed action for IDFG to comment on. Then owner can ~~consider~~ consider options & make appropriate fixing.

Stelley Koon has been involved in this discussion to some extent.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 14, 1997

RECEIVED

MAR 17 1997

WATER RESOURCES
WESTERN REGION

Jim Crawford
1096 Lick Creek Road
McCall, ID 83638

**RE: APPLICATION TO LEASE A WATER RIGHT TO THE WATER SUPPLY BANK
OPERATED BY THE IDAHO WATER RESOURCE BOARD**

Dear Mr. Crawford:

As a follow up to our telephone conversation today and to your request, please find enclosed an application to lease a water right to the water supply bank (bank). You described that the rights are identified as A65-02923B and A65-02923C.

Several items you likely need to know before placing a right in the bank include the following:

1. The monetary return to the owner of a water right for the rental of a right from the bank averages about \$2.25 per acre foot.
2. There is no payment to the owner of a right if the right is not rented from the bank.
3. While a water right is in the bank, forfeiture provisions are stayed.
4. While in the bank, a water right may not be used by the owner, even if the right is not rented from the bank.
5. A right accepted into the bank by the Board, stays in the bank until it is released by the Board.

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 1

☒ IDWR - W. Region



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

Date August 6, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

[J B SCOTT]
380 E PARKCENTER BLVD
[SUITE 100]
[BOISE ID 83706]

Notice of Claim No.(s) A65-02923B AND A65-02923C

Dear Claimant:

Enclosed is **your** copy(s) of the above referenced claim(s) which reflect the change in ownership of the land and appurtenant water rights covered by this claim(s).

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

If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure(s)

MICROFILMED

AUG 03 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

Date AUGUST 6, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

[DAN OR LISA OSTERMILLER]
1096 LICK CREEK RD
MCCALL ID 83638
[]

Notice of Claim No.(s) A65-02923B AND A65-02923C

Dear Claimant:

Our office has received the change of ownership notice on the above referenced claim(s).

We have completed the ownership change and a copy of the claim(s) has been sent to the new owner.

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

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

MICROFILMED

AUG 03 1994

MEMO TO FILES: A65-02923B, 02923C
A65-02923D, 02923E

FROM: Helen Harrington-Thornton

DATE: August 3, 1990

Original decreed rt. 65-02923A has been split into
A65-02923B - Ostermiller
A65-02923D - Whiteman/Neff

Original decreed rt. 65-02923X has been split into
A65-02923C - Ostermiller
A65-02923E - Whiteman/Neff

It appears that the original owner, Stringer, lost the property to the banks. Ostermiller purchased the property from Farm Credit Service. That Sales Agreement, attached to the Ostermiller claims, identifies the specific decreed rt. numbers and lists the total diversion rate as part of the sale; the sales agreement is dated September 9, 1987.

The Whiteman/Neff purchase was recorded on July 7, 1987; copy of warrenty deed of the transfer from Stringer to Idaho Bank and Trust Co., and the follow-up transfer from Idaho Bank and Trust Co. to Whiteman/Neff are attached to Whiteman/Neff claims. This initial deed includes the standard phase that the purchase includes water rights without any specific identification.

Therefore, I believe that the Farm Credit Service did not hold title to the entire diversion rate which they referred to in the Ostermiller sales agreement. Since the Whiteman/Neff purchase occurred first, that decreed right would have split at the time of this first purchase.

Unless other information comes forward, it would appear that the Ostermillers have a 91/168 portion of each right and Whiteman/Neff have a 77/168 portion. Whiteman/Neff have claim these proportions.

MICROFILMED

AUG 03 1994

Payette Lakes Medical Clinic, P.A.

P.O. Box 1047 / McCall, Idaho 83638 / (208) 634-2225

Dr. Daniel and Elizabeth Ostermiller
P.O. Box 741
McCall, ID

Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705

Department of Water Resources
Western Regional Office

Dear Sirs,

We would like to amend the water rights claim we mailed to you June 4th, 1988 under the Idaho Code Section 42-1409. We filed two claims-the numbers being: 65-2923A and 65-2923X. We made some errors on the forms that need to be changed.

Following are the changes we would like to make:

- 1) Regarding claim # 65-2923A (item 7. on the form), we claimed 0.40 cfs. We would like to amend that to read .22 cfs.
- 2) Regarding claim 65-2923X, we claimed 2.80 cfs. We would like that to now read 1.52 cfs.
- 3) There is another change on 65-2923X. On item 6 on the form where it asks for what purposes is water claimed?, we would like to add "irrigation from storage" to the purpose already stated with 96.42 being the acre feet and from the same dates(4-15 to 10-15).

Thank you for making these changes to our claims.

Sincerely,

(Lisa) *Elizabeth A. Ostermiller*
Daniel A. Ostermiller
Dan and Lisa Ostermiller

Joni S. Bright
McCall, Idaho
Exp 11/11/92
MICROFILMED

AUG 03 1994

WR-NUMBER:
65-2923A

CURRENT OWNER:
C. JOHN STRINGER
RT. 3, BOX 720
ONTARIO, OR 97914

PRIORITY DATE:
1-Jul-1929

STAGE:
DECREE

COUNTY: VALLEY
SOURCE: SPLIT CREEK
WATER USE:

TRIBUTARY: FALL CREEK

IRRIGATION

DIVERSION-RATE:

0.400 CFS

DIVERSION-VOLUME:

0.00 AF

TOTAL RATE:

0.400 CFS

TOTAL VOLUME:

0.00 AF

REMARKS: DECREE GIVEN LICENSE NUMBER.

POINT OF DIVERSION: T19N R03E S26 SESE

PLACE OF USE: T18N R03E S02 SWSW AC 11
T18N R03E S03 SWSE AC 40
T18N R03E S03 SESE AC 40
T18N R03E S10 NENE AC 10
T18N R03E S10 NWNE AC 29
T18N R03E S10 NENW AC 38

TOTAL ACRES: 168

PLACE OF USE: Township 18N Range 03E Section 02

PLACE OF USE: Township 18N Range 03E Section 03

WR-NUMBER:
65-2923X

CURRENT OWNER:
C. JOHN STRINGER
RT. 3, BOX 720
ONTARIO, OR 97914

PRIORITY DATE:
1-Jul-1929

STAGE:
DECREE

COUNTY: VALLEY
SOURCE: FALL CREEK
WATER USE:

TRIBUTARY: BIG PAYETTE LAKE

DIVERSION-RATE:

2.800 CFS

DIVERSION-VOLUME:

0.00 AF

IRRIGATION

IRRIGATION FROM STORAGE

0.000 CFS

178.00 AF

TOTAL RATE:

2.800 CFS

TOTAL VOLUME:

0.00 AF

REMARKS: POINT OF RE-DIVERSION IN SESE, S.26, T.19N, R.3E.
DECREE GIVEN LICENSE NUMBER.

POINT OF DIVERSION: T19N R04E S20 SNNW

PLACE OF USE: T18N R03E S02 SWSW AC 11
T18N R03E S03 SWSE AC 40
T18N R03E S03 SESE AC 40
T18N R03E S10 NENE AC 10
T18N R03E S10 NWNE AC 29
T18N R03E S10 NENW AC 38

TOTAL ACRES: 168

PLACE OF USE: Township 18N Range 03E Section 21

WR-NUMBER:
65-2932

CURRENT OWNER:
EDWARD A. CRUZEN
WARREN H. BROWN
JAYNE J. BROWN
BOX 7
DONNELLY, ID 83615

PRIORITY DATE:
23-Jun-1944

STAGE:
DECREE

COUNTY: VALLEY
SOURCE: LAKE FORK CREEK
WATER USE:

TRIBUTARY: PAYETTE RIVER, NORTH FORK

DIVERSION-RATE:

0.000 CFS

DIVERSION-VOLUME:

332.00 AF

IRRIGATION FROM STORAGE

TOTAL RATE:

0.000 CFS

TOTAL VOLUME:

332.00 AF

AUG 03 1994

MICROFILMED

REAL ESTATE PURCHASE AND SALE AGREEMENT

Rev. 4-83,

(with Earnest Money Provision)

THIS CONTRACT CONTROLS THE TERMS OF SALE OF THE PROPERTY. READ CAREFULLY BEFORE SIGNING: IF ANY QUESTION, CONSULT YOUR ATTORNEY.

MCCALL Idaho August 28 19 87
DANIEL P. OSTERMILLER AND ELIZABETH A. OSTERMILLER, husband and wife
 (hereinafter called "Buyer") agrees to purchase, and the undersigned Seller agrees to sell the following described real estate hereinafter referred to as "premises" located in
MCCALL County of VALLEY
 State of Idaho, commonly known as Stringer Lik Crik Rd. 117 ac parcel
 legally described as: Sec 2 of S.W. of SW Sec 3 and S $\frac{1}{2}$ of S $\frac{1}{4}$ excluding 2 $\frac{1}{2}$ acres
belonging to Elizabeth Stringer

(A FULL AND COMPLETE LEGAL DESCRIPTION MUST BE INSERTED, ATTACHED OR WRITTEN ON THE REVERSE HEREOF PRIOR TO EXECUTION BY SELLER. Buyer hereby authorizes broker to insert over his signature the correct legal description of the premises if unavailable at the time of signing, or to correct the legal description previously entered if erroneous or incomplete.)

1. TOTAL PURCHASE PRICE IS ONE HUNDRED SEVENTY FIVE THOUSAND AND NO
DOLLARS (\$ 175,000.00) payable as follows:

A. Earnest Money.
 (a) Buyer hereby deposits and a receipt is hereby acknowledged of ONE THOUSAND AND NO Dollars (\$ 1,000.00) evidenced by: ☐ Cash, ☒ Personal Check, ☐ Cashiers Check, ☐ Note Due, or paid or delivered as earnest money in part payment of the purchase price for the premises.
 (b) Earnest Money to be deposited in trust account upon acceptance by all parties.
 (c) All Earnest Money shall be held by Mt. Title and Escrow for the benefit of the parties hereto, and McCall Valley Realty (Broker) shall hold the completely executed broker's copy of this agreement.

B. Balance of purchase price to be paid as follows: \$53,000 due at close. The balance of \$122,000 to be a note secured by a mortgage payable at the rate of 9% interest over a 20 yr. period with \$1,077 payments on a monthly schedule. There is to be no penalty for prepayment of this note. Buyer and Seller to split closing costs and escrow set up fees. Modified by addendum letter 7/2/87 DPH

2. Buyer's offer is made subject to the acceptance of Seller on or before 12:00 o'clock midnight of September 8, 1987. If Seller does not accept this agreement within the time specified, the entire Earnest Money shall be refunded to Buyer on demand.
 3. Title of Seller is to be conveyed by warranty deed, unless otherwise provided, and is to be marketable and insurable except for rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit, and rights of way and easements established or of record. Liens, encumbrances or defects to be discharged by Seller may be paid out of purchase money at date of closing. Any liens, encumbrances or defects which are to be discharged or assumed by Buyer or to which title is taken subject to (not otherwise set forth above) are:

none

4. The Seller shall, within a reasonable time after closing, furnish to the Buyer a title insurance policy in the amount of the purchase price of the premises from a title insurance company showing marketable and insurable title subject to the liens, encumbrances and defects elsewhere set out in this agreement to be discharged or assumed by the Buyer. Prior to closing the transaction, the Seller shall furnish to the Buyer a preliminary report or commitment made by a title insurance company showing the condition of the title to said premises. The parties agree that Mt. Title and Escrow Title Company shall provide said title policy and preliminary report or commitment. It is agreed that if the title to said premises is not marketable, or cannot be made so within thirty (30) days after notice containing a written statement of defects is delivered or mailed to the Seller, or if the Seller, having approved said sale fails to consummate the same as herein agreed, such failure shall constitute a default and the Earnest Money shall be returned to the Buyer and Seller shall pay for the cost of title insurance, escrow and legal fees, if any. Buyer's acceptance of the Earnest Money does not constitute a waiver of other remedies available.

5. It is hereby agreed that the "closing agent" for this agreement shall be Mt. Title and Escrow
McCall Valley Realty is the broker responsible for the closing. Where not otherwise provided by law, the parties shall each pay one-half of said closing agent's fees. The closing date shall be October 8, 1987

6. On or before the closing date, Buyer and Seller shall deposit with the closing agent all funds and instruments necessary to complete the sale.
 7. Seller shall deliver possession to Buyer on or before close, and taxes and water assessments (using the last available assessment as a basis), rents, insurance premiums, interest and reserves on liens, loans or obligations assumed or taken subject to, and utilities shall be prorated as of close except as follows:

Buyer shall pay for fuel in fuel tank, the amount to be determined by the supplier at Seller's expense.

8. The parties agree that this agreement contains the following additional terms and conditions: All water rights decreed with the land are to be transferred to Buyers. This includes #65-2923 A = .4 cfs or 20" for 91 acres and #65-4923x = 2.8 cfs = 140" on 91 acres.
 9. The following items of property now on the premises are specifically excluded from the sale: N/A

The following items of personal property are specifically included in the sale: N/A

10. IMPORTANT: THE REVERSE OF THIS AGREEMENT CONTAINS IMPORTANT PROVISIONS WHICH ALSO CONSTITUTE PART OF THE AGREEMENT. Each of the parties acknowledges reading this agreement in full.

Listing Agency: McCall Valley Realty
 Selling Agency: Cheney
 By: Jean Odmark
 Buyer's Address: Box 741, McCall, 83638
 Buyer's Phone: 634-2423

On this date, September 9, 1987, I/We hereby approve and accept the sale set forth in the above agreement and agree to carry out all the terms thereof on the part of the Seller, and the undersigned Seller further agrees to pay a commission of five % of selling price or Eight Thousand Seven hundred and 750 (\$ 8,750) to the above named broker(s) for services.
 I/We further acknowledge receipt of a true copy of this agreement with the complete legal description of the premises inserted and signed by both parties.

SELLER For: Daniel R. Huff
 SELLER Daniel R. Huff
 accepted as provided in the letter of acceptance
September 9, 1987, signed by Daniel R Huff.

A true copy of the foregoing agreement, signed by the Seller and containing the full and complete legal description of the premises, is hereby received on this _____ day of _____, 19____.

BUYER _____
 STATE OF IDAHO _____)
 _____ : ss
 County of _____)
 On this _____ day of _____, 19____, before me, the undersigned, a Notary Public in and for said State, personally appeared _____

known to me to be the person(s) who signed the foregoing instrument as Seller and acknowledged to me that _____ he _____ executed the same.
 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

BUYER'S COPY—with Seller's Acceptance

Notary Public for Idaho

Residing at

FILED

MAY 5 1980

O'CLOCK

1st THELMA R. KOWALSKI CLERK

1st DEBBIE BROWN DEPUTY

RECEIVED

MAY 9 1980

Department of Water Resources

DAVID H. LEROY
Attorney General
State of Idaho
Statehouse, Room 210
Boise, Idaho 83720
Telephone: (208) 384-2400

JOSEPHINE P. BEEMAN
MICHAEL H. HYER
Deputy Attorneys General
Department of Water Resources
Statehouse
Boise, Idaho 83720
Telephone: (208) 334-4448

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

IN THE MATTER OF THE GENERAL)	
DETERMINATION OF THE RIGHT TO THE)	Civil No. 3667
USE OF SURFACE AND GROUNDWATERS)	
OF THE PAYETTE RIVER DRAINAGE)	STIPULATION RESOLVING
BASIN.)	STRINGER OBJECTION

COME NOW The Director of the Idaho Department of Water
Resources and C. John Stringer, through their undersigned
attorneys, and do stipulate as follows:

1. That the Proposed Finding of Water Rights in the above-
entitled action be amended to conform with Exhibit A, ^{and B} attached
hereto and incorporated herein by this reference.

2. That this amendment resolves entirely the objections
filed by C. John Stringer.

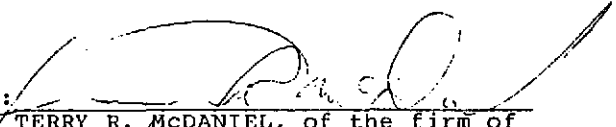
DATED this 22 day of April, 1980

Phillip J. Rossier
MICHAEL H. HYER
Deputy Attorney General
Attorney for the Idaho
Department of Water Resources

Statehouse Room 210
Besse, Maine 04721
Telephone (207) 384-2403

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DATED this 24 day of April, 1980

BY: 
TERRY R. MCDANIEL, of the firm of
BRADY & MCDANIEL
Attorneys for C. John Stringer

APPROVED this _____ day of April, 1980.

GILBERT C. NORRIS
District Judge

10 December 1981 - clerk confirmed that the Judge did sign it

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

INDICATES TOTAL

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: FALL CREEK <u>SPLIT CREEK</u>						TRIBUTARY TO: <u>BIG PAYETTE LAKE</u> <u>FALL CREEK</u>		
65-2923A VOL. II PG. 133	CONNECTICUT MUTUAL LIFE INSURANCE CO. 420 GARDEN STREET, HARTFORD, CONNECTICUT 06605 STRINGER, C. JOHN RT. 3, BOX 720 ONTARIO, OR 97914	7/ 1/1929	IRRIGATION	4/15 10/15	--- AFA .40 CFS	S19N R04E T19N R04E SESE S26 T19N R03E	SWSE(40) SESE(40) S 3 T18N R 3E NENE(10) NWNE(29) NENW(38) S10 T18N R03E SWSW(11) S 2 T18N R03E *168*	LICENSE
REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-2923X SHALL PROVIDE NO MORE THAN .02 CFS/ACRE. POINTS OF RE-DIVERSION IN SESE, S.26, T.19N, R.3E.								
SOURCE: FALL CREEK						TRIBUTARY TO: BIG PAYETTE LAKE		
65-2923X VOL. II PG. 133 1	CONNECTICUT MUTUAL LIFE INSURANCE CO. 420 GARDEN STREET, HARTFORD, CONNECTICUT 06605 STRINGER, C. JOHN ROUTE 3, BOX 720 ONTARIO, OR 97914	7/ 1/1929	IRRIGATION	4/15 10/15	--- AFA 2.80 CFS	S19N R04E T19N R04E	SWSE(40) SESE(40) S 3 T18N R03E NENE(10) NWNE(29) NENW(38) S10 T18N R03E SWSW(11) S 2 T18N R 3E *168*	LICENSE
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			IRRIGATION FROM STOR	4/15 10/15	178.00 AFA --- CFS *---*AFA *2.80*CFS	SAME AS OTHER USE		

EXHIBIT B
SIMULATION TO OBJECTION OF C. JOHN STRINGER,

FILED

MAY 5 1980

O'Clock

J. THOMAS R. KOLB, CLERK

J. DEBBIE BROWN, DEPUTY

RECEIVED

MAY 9 1980

Department of Water Resources

DAVID H. LEROY
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Boise, Idaho 83720
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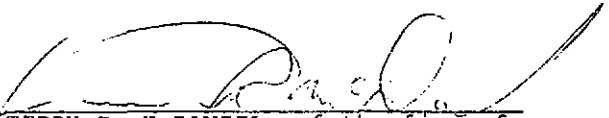
DATED this 22 day of April, 1980

Phillip J. Rossier
MICHAEL H. HYER
Deputy Attorney General
Attorney for the Idaho
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Statehouse Room 210
Bowie, Idaho 83720
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DATED this 24 day of April, 1980

BY: 
TERRY R. MCDANIEL, of the firm of
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Attorneys for C. John Stringer

APPROVED this _____ day of April, 1980.

GILBERT C. NORRIS
District Judge

10 December 1981 - clerk confirmed that the Judge did sign it

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

INDICATES TOTAL

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
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SOURCE: FALL CREEK						TRIBUTARY TO: BIG PAYETTE LAKE		
65-2923X VOL. II PG. 133)	CONNECTICUT MUTUAL LIFE INSURANCE CO. 420 GARDEN STREET, HARTFORD, CONNECTICUT 06605 STRINGER, C. JOHN ROUTE 3, BOX 720 ONTARIO, OR 97914	7/ 1/1929	IRRIGATION	4/15 10/15	--- AFA 2.80 CFS	SWNW S20 T19N R04E	SWSE(40) SESE(40) S 3 T18N R03E NENE(10) NWNE(29) NENW(38) S10 T18N R03E SWSW(11) S 2 T18N R 3E *168*	LICENSE
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			IRRIGATION FROM STOR	4/15 10/15	178.00 AFA --- CFS *---*AFA *2.80*CFS	SAME AS OTHER USE		

EXHIBIT B
STIPULATION TO OBJECTION OF C. JOHN STRINGER,



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