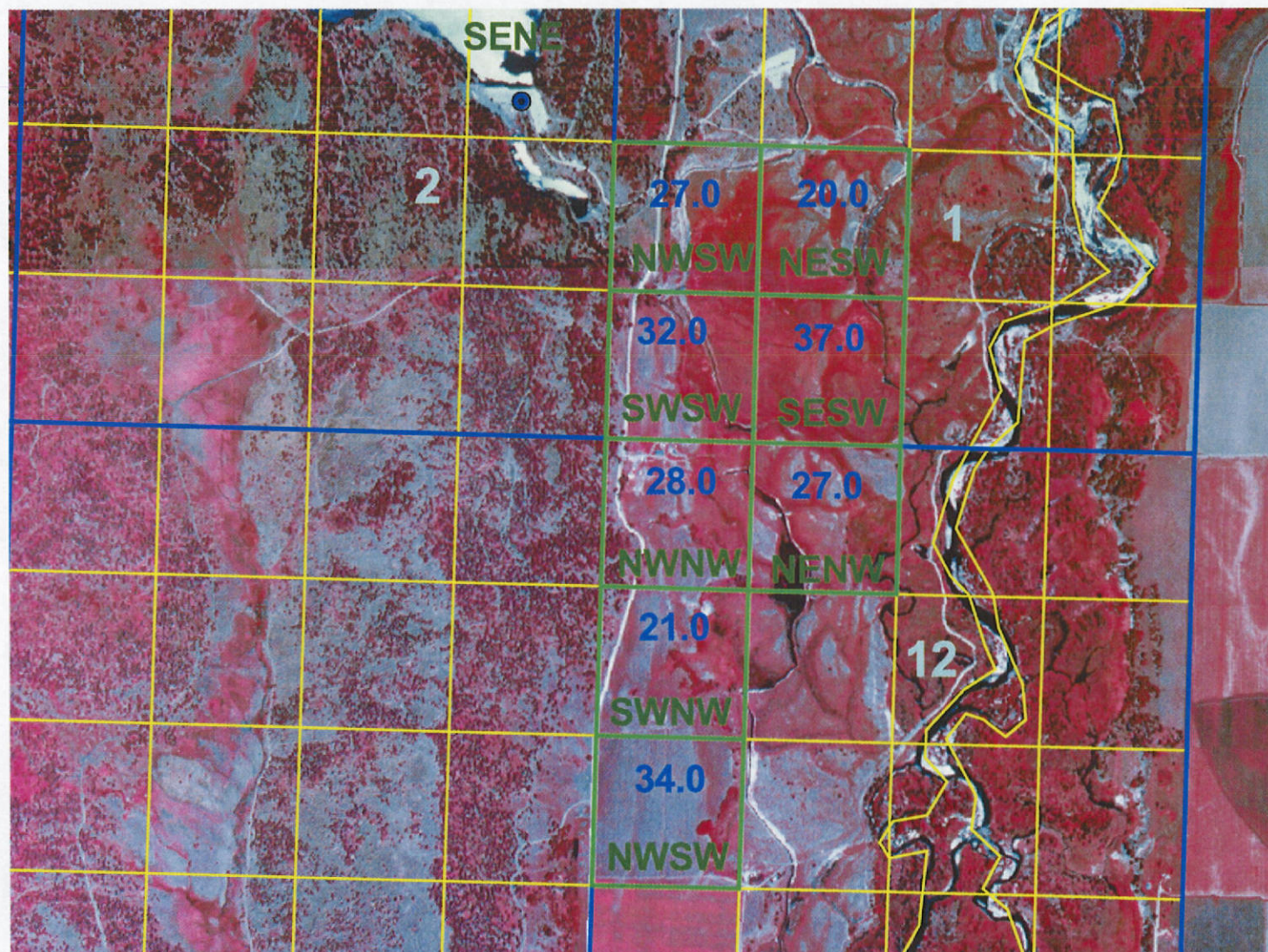


# IDAHO DEPARTMENT OF WATER RESOURCES

## 17N, 02E, S1 & S12



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-02946C

OWNER(S): L B INDUSTRIES

Prepared by Mel Schulte

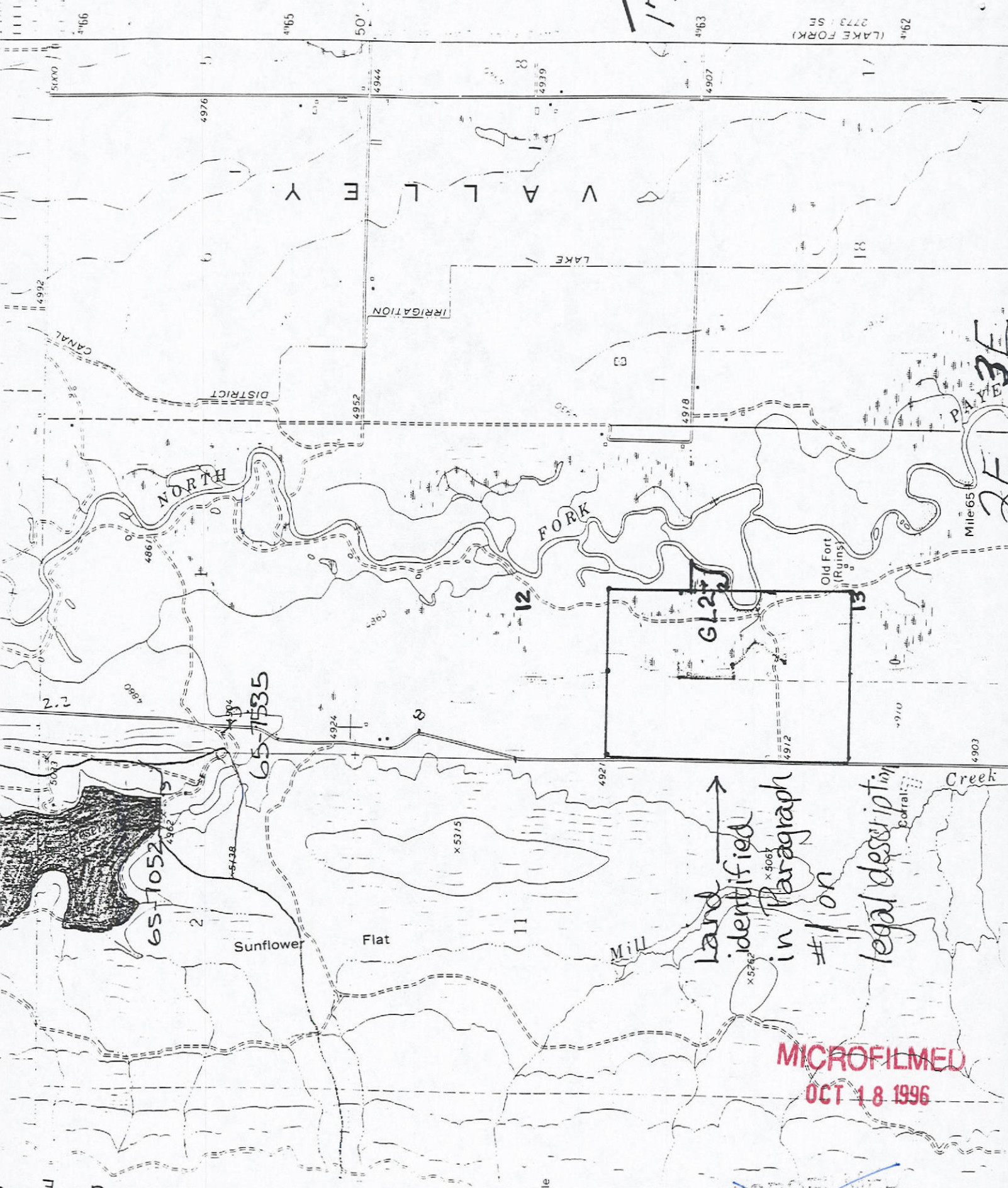
DATE: MAY 26, 1999

0 0.25 0.5 0.75 1 1.25 1.5 1.75 2 Miles

POOR ORIGINAL

17N

29 (LAKE FORK) 2773 SE 462



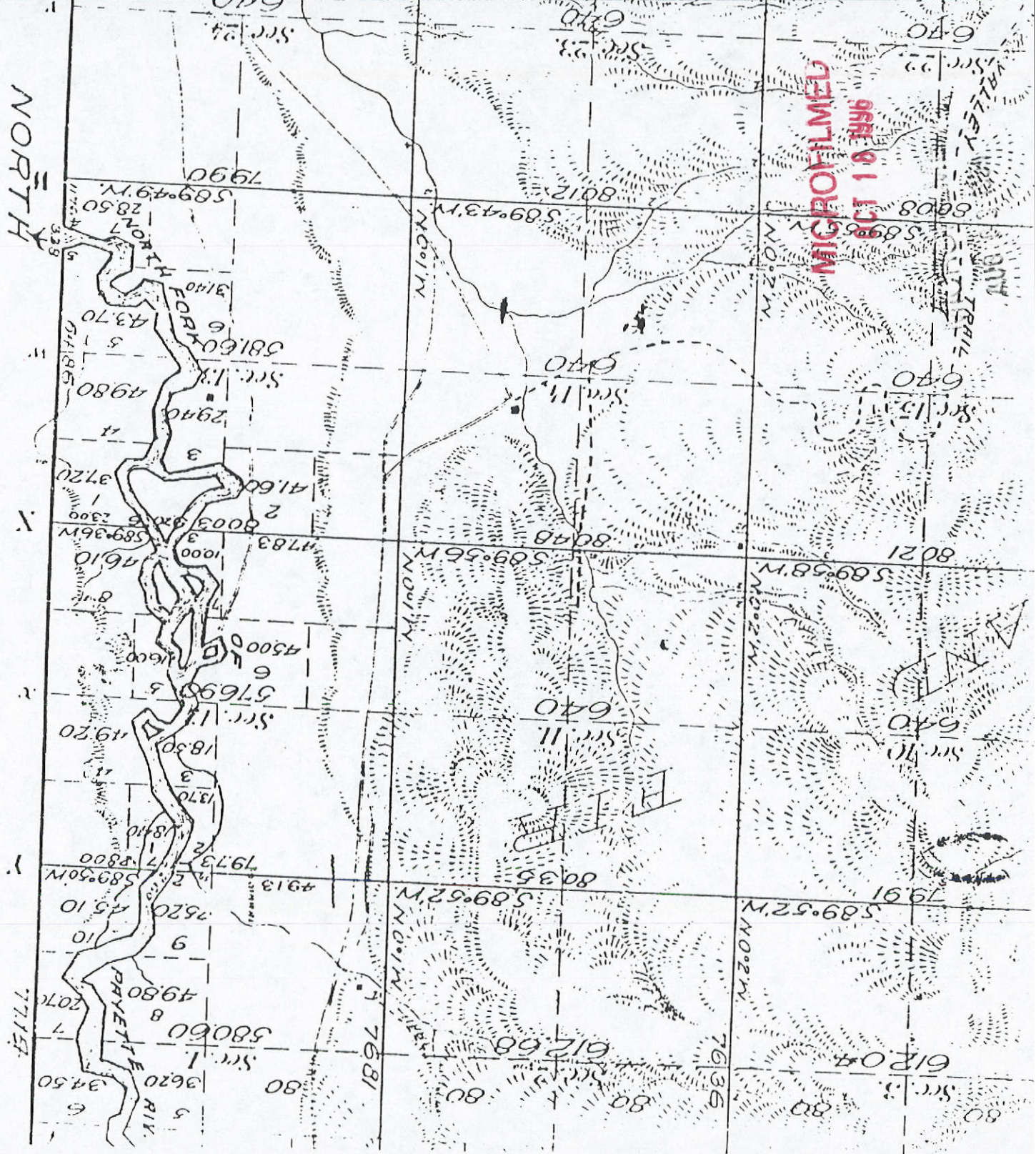
land identified in Paragraph #1 on legal description

MICROFILMED OCT 18 1996

~~MICROFILMED~~  
AUG 13 1994

Gov't Lot Plat  
2E  
17N  
of 4-18-1896

POOR ORIGINAL



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: A65-02946C  
Date Received: 11/ 8/1988  
Receipt No: X999999  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: L B INDUSTRIES INC 208-345-7515  
Address: 1401 SHORELINE DR  
PO BOX 2797  
BOISE ID 83701
2. Date of Priority: MAY 6, 1952
3. Source: DUFFNER CREEK Trib. to: PAYETTE RIVER, NORTH FORK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 17N      | 02E   | 2       | SE     | NE     |        |     | VALLEY |
5. Description of diverting works:  
DAM "KNOWN AS LOWER HAIT DAM"
6. Water is used for the following purposes:
- | Purpose                 | From  | To    | C.F.S | (or) | A.F.A. |
|-------------------------|-------|-------|-------|------|--------|
| IRRIGATION FROM STORAGE | 04/15 | 10/15 |       |      | 181.99 |
7. Total Quantity Appropriated is:  
C.F.S. (and/or) 181.99 A.F.A.
8. Total consumptive use is 452.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use    | Acres |
|----------|-------|---------|--------|--------|-----|--------|-------|
| 17N      | 02E   | 1       | NE     | SW     |     | IRR FS | 20.0  |
|          |       |         | NW     | SW     |     | IRR FS | 27.0  |
|          |       |         | SW     | SW     |     | IRR FS | 32.0  |
|          |       |         | SE     | SW     |     | IRR FS | 37.0  |

MICROFILMED  
OCT 18 1996

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 116.0 |
|          |       | 12      | NE         | NW  | IRR FS        | 27.0  |
|          |       |         | NW         | NW  | IRR FS        | 28.0  |
|          |       |         | SW         | NW  | IRR FS        | 21.0  |
|          |       |         | NW         | SW  | IRR FS        | 34.0  |
|          |       |         |            |     | Section Acres | 110.0 |
|          |       |         |            |     | Total Acres   | 226.0 |

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:  
NONE

14. Remarks:

DECREE GIVEN LIC. NUMBER.

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION  
OF CLAIM NO. A65-02946A. KW 1/31/1996

15. Basis of Claim: DECREED

Water Right Number: R874

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs

Decree Defendant

16. Signature(s)

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

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

MICROFILMED  
OCT 18 1996

**For Organizations:**

I do solemnly swear or affirm that I am \_\_\_\_\_ of  
\_\_\_\_\_, that I have signed the foregoing  
\_\_\_\_\_, that I have signed the foregoing  
document in the space below as \_\_\_\_\_ of  
\_\_\_\_\_, and that the statements contained in the  
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 \_\_\_\_\_

**MICROFILMED**  
OCT 18 1990

826a 17N.2E, S1E12

AJ0749NP  
No. R65-02946C

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

DATE: 09/21/99  
PAGE: 1

| OWNER<br>CODE | NAME & ADDRESS                                                                             | PRIORITY<br>DATE | WATER USE                                     | USE PERIOD<br>FROM TO      | DIVERSION<br>RATE | DIVERSION<br>VOLUME      |
|---------------|--------------------------------------------------------------------------------------------|------------------|-----------------------------------------------|----------------------------|-------------------|--------------------------|
| C             | L B INDUSTRIES INC<br>1401 SHORELINE DR<br>PO BOX 2797<br>BOISE ID 83701<br>(208) 345-7515 | 05/06/1952       | IRRIGATION STORAGE<br>IRRIGATION FROM STORAGE | 01-01 12-31<br>04-15 10-15 |                   | 181.99 AFA<br>181.99 AFA |
|               |                                                                                            |                  |                                               | TOTAL DIVERSION:           |                   | 181.99 AFA               |

Water Source: DUFFNER CREEK

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion:

T17N R02E S02

SENE

VALLEY County

Place of use Legal Description for: IRRIGATION FROM STORAGE

|     |     |    |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |             |       |
|-----|-----|----|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------------|-------|
| T   | R   | S  | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac          | :     |
| 17N | 02E | 1  | : |    |    |    |    |    |    |    |    |    |    | 20 | 27 | 32 | 37 |    |             | :     |
| 17N | 02E | 12 | : |    |    |    |    | 27 | 28 | 21 |    |    |    |    | 34 |    |    |    |             | :     |
|     |     |    |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | TOTAL ACRES | 226.0 |

POU County: VALLEY

Remarks: EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF  
DIVERSION DESCRIBED ABOVE: 65-02946B, 65-02946D, 65-07052D,  
65-07052E & 65-07052F.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:  
Presumption Flag:

Comments: Date: 05/26/1999 User-ID: MSCHULTE Subject: COPIED FROM REMARKS  
THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION  
OF CLAIM NO. A65-02946A. KW 1/31/1996

Date: 09/21/1999 User-ID: MSCHULTE Subject: IRRIGATION STORAGE  
YEAR AROUND STORAGE FOR IRRIGATION WAS ADDED TO THIS RIGHT SINCE  
IT IS NO LONGER A GENERAL PROVISION IN THE SRBA.

Audit: 09/21/99 MSCHULTE

10:56:26  
05/26/99  
18

**CLAIM NUMBER: A65-02946C**

| Water Source: DUFFNER CREEK         |  |     |  |     |  |      |  |      |  | Tributary to: PAYETTE RIVER, NORTH FORK |  |      |  |      |  |      |  |      |  | Stage: DECREED |  |               |  |      |  |      |  |      |  |             |  |      |  |      |  |      |  |       |  |       |  |
|-------------------------------------|--|-----|--|-----|--|------|--|------|--|-----------------------------------------|--|------|--|------|--|------|--|------|--|----------------|--|---------------|--|------|--|------|--|------|--|-------------|--|------|--|------|--|------|--|-------|--|-------|--|
| Point(s) of Diversion:              |  |     |  |     |  |      |  |      |  | T17N R02E S02                           |  |      |  |      |  |      |  |      |  | SENE           |  | VALLEY County |  |      |  |      |  |      |  |             |  |      |  |      |  |      |  |       |  |       |  |
| Place of use Legal Description for: |  |     |  |     |  |      |  |      |  | IRRIGATION FROM STORAGE                 |  |      |  |      |  |      |  |      |  |                |  |               |  |      |  |      |  |      |  |             |  |      |  |      |  |      |  |       |  |       |  |
| NE                                  |  |     |  |     |  |      |  |      |  | NW                                      |  |      |  |      |  |      |  |      |  | SW             |  |               |  | SE   |  |      |  |      |  |             |  |      |  |      |  |      |  |       |  |       |  |
| T                                   |  | R   |  | S   |  | NENE |  | NWNE |  | SWNE                                    |  | SENE |  | NENW |  | NNNW |  | SNNW |  | SENW           |  | NESW          |  | NWSW |  | SWSW |  | SESW |  | NESE        |  | NWSE |  | SWSE |  | SESE |  |       |  |       |  |
| ---                                 |  | --- |  | --- |  | ---  |  | ---  |  | ---                                     |  | ---  |  | ---  |  | ---  |  | ---  |  | ---            |  | ---           |  | ---  |  | ---  |  | ---  |  | ---         |  | ---  |  | ---  |  | ---  |  | ---   |  |       |  |
| 17N                                 |  | 02E |  | 1   |  |      |  |      |  |                                         |  |      |  |      |  |      |  |      |  |                |  | 20            |  | 27   |  | 32   |  | 37   |  |             |  |      |  |      |  |      |  | 116.0 |  |       |  |
| 17N                                 |  | 02E |  | 12  |  |      |  |      |  |                                         |  |      |  | 27   |  | 28   |  | 21   |  |                |  |               |  | 34   |  |      |  |      |  |             |  |      |  |      |  |      |  | 110.0 |  |       |  |
|                                     |  |     |  |     |  |      |  |      |  |                                         |  |      |  |      |  |      |  |      |  |                |  |               |  |      |  |      |  |      |  | TOTAL ACRES |  |      |  |      |  |      |  |       |  | 226.0 |  |

**Other Rights: NONE**

Comments

|        |                           |                                             |                       |
|--------|---------------------------|---------------------------------------------|-----------------------|
| Dates: | Exam Made Date:           | Verified Date:                              | Objection Filed Date: |
| Misc:  | Water District Number: 65 | Field Inspection Flag:<br>Presumption Flag: |                       |

EXP-F06

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

10:54:44  
05/26/99

PAGE: 17  
QUICKLOOK INFORMATION

17  
CLAIM NUMBER: A65-02946C

| WR ELEMENT                | DATA<br>DISCREPANCY<br>Y/N | CORRESPONDENCE<br>SENT/RECEIVED<br>BY WHOM/DATE | FIELD EXAM<br>BY WHOM/DATE | CHANGE<br>CLAIM<br>Y/N | ELEMENT<br>DOCUMENTED<br>WHOM/DATE | COMPLETED<br>REVIEW<br>WHOM/DATE | COMPLETED<br>DATA ENTRY<br>WHOM/DATE | VERIFIED<br>DATE<br>WHOM/DATE |
|---------------------------|----------------------------|-------------------------------------------------|----------------------------|------------------------|------------------------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE             |                            |                                                 | MS<br>In office<br>5-26-99 | N                      |                                    | MS<br>5-26-99                    | MS<br>5-26-99                        |                               |
| POINT OF DIV              |                            |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| SOURCE                    |                            |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| PLACE OF USE              | Y                          |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| DIV. AMOUNT<br>CFS/VOLUME |                            |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| CONSUMPTIVE USE           | -                          |                                                 |                            | NA                     |                                    |                                  |                                      |                               |
| PURPOSES OF USE           |                            |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| PERIOD OF USE             |                            |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| BASIS OF CLAIM            |                            |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| REMARKS                   | Y                          |                                                 |                            | Y                      |                                    |                                  |                                      |                               |

BARCODE UPDATED  
WHOM/DATE

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 <u>GIS map</u>                     | DATE OF PHOTO <u>5-26-99</u> <u>1987</u> IDWR ID NO. _____ | Y( ) N( ) <u>7b</u>    |
| ( ) 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 <u>GIS Table</u>                  | DATE <u>5-26-99</u>                                        | Y( ) N( ) <u>7a</u>    |
| → OTHER <u>split tree</u>                 | DATE _____                                                 | Y( ) N( ) <u>15a</u>   |
| → OTHER <u>PRBA claim</u>                 | DATE <u>5-23-77</u>                                        | 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 <u>AQ7 &amp; WRQ7</u>           | DATE _____                                  | <u>2</u>     | _____ |
| → OTHER <u>POU review report</u>        | DATE <u>5-26-99</u>                         | <u>2</u>     | _____ |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

10:54:44  
05/26/99

PAGE: 1  
GENERAL INFORMATION

1  
CLAIM NUMBER: A65-02946C

LAST: HAIT  
ADDRESS: PO BOX 160  
CITY: MC CALL  
PHONE NUMBER: 208-634-5120

FIRST: JAMES M  
STATE: ID ZIP: 83638

OWNER CODE: O

LAST: HAIT  
ADDRESS: PO BOX 160  
CITY: MC CALL  
PHONE NUMBER: 208-000-0000

FIRST: RUTH H  
STATE: ID ZIP: 83638

OWNER CODE: O

LAST: L B INDUSTRIES INC  
ADDRESS: 1401 SHORELINE DR  
PO BOX 2797  
CITY: BOISE  
PHONE NUMBER: 208-345-7515

FIRST:  
STATE: ID ZIP: 83701

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE  
Y

FIELD  
EXAMINER  
Y( ) N( )

CLAIM REMARKS: GEN DECREE GIVEN LIC. NUMBER.  
THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION  
OF CLAIM NO. A65-02946A. KW 1/31/1996

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:

*In office exam*

*This right is a split of right 65-02946 and  
SRB claim A65-02946 A based on ownership  
changes. See attached split tree.*

A. AJ CLAIM: # A65-02946C PRIORITY DATE: 05-06-1952 STAGE: D

B. WR RECORD: # 65-02946 PRIORITY DATE: 05-06-1952 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 as decreed in the PRBA*

RECOMMENDED PRIORITY DATE:

05-06-1952

REVIEWED BY

*Mel Schulte*

DATE

*5-26-99*

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT      | TWP. RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | POD<br>FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|------------|-----------|------|-----|-----|-----|-----|-------------|--------|----------------|------------------|
| A65-02946C | 17N 02E   | 2    |     | SE  | NE  |     |             | VALLEY |                |                  |

OTHER AJ CLAIMS WITH SAME AJ POD

| A PREFIX   | R PREFIX   |
|------------|------------|
| A65-02946B | R65-02946B |
| A65-02946D | R65-07052B |
| A65-07052B | R65-07052F |
| A65-07052D | R65-12136A |
| A65-07052E |            |
| A65-07052F |            |
| A65-12136A |            |

WR RECORDS IN SAME 40 ACRE TRACT

65-07052  
65-12136

SOURCE: DUFFNER 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<br>FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|----------|-----------|------|-----|-----|-----|-----|-------------|--------|----------------|------------------|
| 65-02946 | 17N 02E   | 2    |     | SE  | NE  |     |             | VALLEY |                |                  |

OTHER WR RECORDS WITH SAME WR POD

65-07052  
65-12136

AJ CLAIMS IN SAME 40 ACRE TRACT

| A PREFIX   | R PREFIX   |
|------------|------------|
| A65-02946B | R65-02946B |
| A65-02946D | R65-07052B |
| A65-07052B | R65-07052F |
| A65-07052D | R65-12136A |
| A65-07052E |            |
| A65-07052F |            |
| A65-12136A |            |

SOURCE: DUFFNER 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: Recommended as decreed in the PRBA

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

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | POD<br>FLAG | COUNTY<br>VALLEY | DIVERSION NAME | DIVERSION NBR |
|------|------|------|-----|-----|-----|-----|-------------|------------------|----------------|---------------|
| 17N  | 02E  | 2    |     | SE  | NE  |     |             |                  |                |               |
|      |      |      |     |     |     |     |             |                  |                |               |
|      |      |      |     |     |     |     |             |                  |                |               |
|      |      |      |     |     |     |     |             |                  |                |               |
|      |      |      |     |     |     |     |             |                  |                |               |
|      |      |      |     |     |     |     |             |                  |                |               |
|      |      |      |     |     |     |     |             |                  |                |               |

SOURCE: DUFFNER CREEK

TRIB: PAYETTE RIVER, NORTH FORK

REVIEWED BY: Mel Schulte DATE: 5-26-99

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

A. ROOT WATER RIGHT NUMBERS: R65-02946B  
A65-02946B  
A65-02946C  
A65-02946D

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME               | AJ<br>#/ACRES     | WR<br>#/ACRES    | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|--------------------|-------------------|------------------|-----------------|----------------|------------------|
| 17N | 02E | 1   | NE  | SW  |     | L B INDUSTRIES INC | A65-02946C / 20.0 | - /              | 34.0            |                |                  |
|     |     |     | NE  | SW  |     | L B INDUSTRIES INC | A65-07576C / 40.0 | - /              |                 |                |                  |
|     |     |     | NE  | SW  |     | L B INDUSTRIES INC | A65-07052E / 25.0 | - /              |                 |                |                  |
|     |     |     | NE  | SW  |     | HAIT, JAMES M.     |                   | 65-02946 / 20.0  |                 |                |                  |
|     |     |     | NE  | SW  |     | HAIT, JAMES M.     |                   | 65-07052 / 25.0  |                 |                |                  |
|     |     |     | NE  | SW  |     | HAIT, JAMES M.     |                   | 65-07576A / 40.0 |                 |                |                  |
|     |     |     | NE  | SW  |     | HAIT, J. M.        |                   | 65-12136 / 40.0  |                 |                | 20               |
| 17N | 02E | 1   | NW  | SW  |     | L B INDUSTRIES INC | A65-02946C / 27.0 | - /              | 34.0            |                |                  |
|     |     |     | NW  | SW  |     | L B INDUSTRIES INC | A65-07576C / 18.0 | - /              |                 |                |                  |
|     |     |     | NW  | SW  |     | L B INDUSTRIES INC | A65-07052E / 22.0 | - /              |                 |                |                  |
|     |     |     | NW  | SW  |     | HAIT, JAMES M.     |                   | 65-02946 / 27.0  |                 |                |                  |
|     |     |     | NW  | SW  |     | HAIT, JAMES M.     |                   | 65-07052 / 22.0  |                 |                |                  |
|     |     |     | NW  | SW  |     | HAIT, JAMES M.     |                   | 65-07576A / 18.0 |                 |                |                  |
|     |     |     | NW  | SW  |     | HAIT, J. M.        |                   | 65-12136 / 18.0  |                 |                | 27               |
| 17N | 02E | 1   | SW  | SW  |     | L B INDUSTRIES INC | A65-02946C / 32.0 | - /              | 37.0            |                |                  |
|     |     |     | SW  | SW  |     | L B INDUSTRIES INC | A65-07576C / 33.0 | - /              |                 |                |                  |
|     |     |     | SW  | SW  |     | L B INDUSTRIES INC | A65-07052E / 32.0 | - /              |                 |                |                  |
|     |     |     | SW  | SW  |     | HAIT, JAMES M.     |                   | 65-02946 / 32.0  |                 |                |                  |
|     |     |     | SW  | SW  |     | HAIT, JAMES M.     |                   | 65-07052 / 32.0  |                 |                |                  |
|     |     |     | SW  | SW  |     | HAIT, JAMES M.     |                   | 65-07576A / 33.0 |                 |                |                  |
|     |     |     | SW  | SW  |     | HAIT, J. M.        |                   | 65-12136 / 33.0  |                 |                | 32               |
| 17N | 02E | 1   | SE  | SW  |     | L B INDUSTRIES INC | A65-02946C / 37.0 | - /              | 36.0            |                |                  |
|     |     |     | SE  | SW  |     | L B INDUSTRIES INC | A65-07576C / 40.0 | - /              |                 |                |                  |
|     |     |     | SE  | SW  |     | L B INDUSTRIES INC | A65-07052E / 37.0 | - /              |                 |                |                  |
|     |     |     | SE  | SW  |     | HAIT, JAMES M.     |                   | 65-02946 / 37.0  |                 |                |                  |
|     |     |     | SE  | SW  |     | HAIT, JAMES M.     |                   | 65-07052 / 37.0  |                 |                |                  |
|     |     |     | SE  | SW  |     | HAIT, JAMES M.     |                   | 65-07576A / 40.0 |                 |                |                  |
|     |     |     | SE  | SW  |     | HAIT, J. M.        |                   | 65-12136 / 40.0  |                 |                | 37               |
| 17N | 02E | 12  | NE  | NW  |     | L B INDUSTRIES INC | A65-02946C / 27.0 | - /              | 37.0            |                |                  |
|     |     |     | NE  | NW  |     | L B INDUSTRIES INC | A65-07052E / 39.0 | - /              |                 |                |                  |
|     |     |     | NE  | NW  |     | HAIT, JAMES M.     |                   | 65-02946 / 27.0  |                 |                |                  |
|     |     |     | NE  | NW  |     | HAIT, JAMES M.     |                   | 65-07052 / 39.0  |                 |                |                  |
|     |     |     | NE  | NW  |     | HAIT, J. M.        |                   | 65-12136 / 40.0  |                 |                | 27               |

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME               | AJ<br>#/ACRES     | WR<br>#/ACRES    | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|--------------------|-------------------|------------------|-----------------|----------------|------------------|
| 17N | 02E | 12  | NW  | NW  |     | L B INDUSTRIES INC | A65-02946C / 28.0 | - /              | 33.0            |                |                  |
|     |     |     | NW  | NW  |     | LB INDUSTRIES INC  | A65-08121 /       | 65-08121 /       |                 |                |                  |
|     |     |     | NW  | NW  |     | L B INDUSTRIES INC | A65-07576C / 31.0 | - /              |                 |                |                  |
|     |     |     | NW  | NW  |     | LB INDUSTRIES INC  | 65-08121 /        | - /              |                 |                |                  |
|     |     |     | NW  | NW  |     | L B INDUSTRIES INC | A65-07052E / 32.0 | - /              |                 |                |                  |
|     |     |     | NW  | NW  |     | HAIT, JAMES M.     |                   | 65-02946 / 28.0  |                 |                |                  |
|     |     |     | NW  | NW  |     | HAIT, JAMES M.     |                   | 65-07052 / 32.0  |                 |                |                  |
|     |     |     | NW  | NW  |     | HAIT, JAMES M.     |                   | 65-07576A / 31.0 |                 |                |                  |
|     |     |     | NW  | NW  |     | HAIT, J. M.        |                   | 65-12136 / 31.0  |                 |                | 28               |
| 17N | 02E | 12  | SW  | NW  |     | L B INDUSTRIES INC | A65-02946C / 21.0 | - /              | 26.0            |                |                  |
|     |     |     | SW  | NW  |     | L B INDUSTRIES INC | A65-07576C / 33.0 | - /              |                 |                |                  |
|     |     |     | SW  | NW  |     | L B INDUSTRIES INC | A65-07052E / 36.0 | - /              |                 |                |                  |
|     |     |     | SW  | NW  |     | HAIT, JAMES M.     |                   | 65-02946 / 21.0  |                 |                |                  |
|     |     |     | SW  | NW  |     | HAIT, JAMES M.     |                   | 65-07052 / 36.0  |                 |                |                  |
|     |     |     | SW  | NW  |     | HAIT, JAMES M.     |                   | 65-07576A / 33.0 |                 |                |                  |
|     |     |     | SW  | NW  |     | HAIT, J. M.        |                   | 65-12136 / 33.0  |                 |                | 21               |
| 17N | 02E | 12  | NW  | SW  |     | L B INDUSTRIES INC | A65-02946C / 34.0 | - /              | 20.0            |                |                  |
|     |     |     | NW  | SW  |     | L B INDUSTRIES INC | A65-07052E / 40.0 | - /              |                 |                |                  |
|     |     |     | NW  | SW  |     | HAIT, JAMES M.     |                   | 65-02946 / 34.0  |                 |                |                  |
|     |     |     | NW  | SW  |     | HAIT, JAMES M.     |                   | 65-07052 / 40.0  |                 |                |                  |
|     |     |     | NW  | SW  |     | HAIT, J. M.        |                   | 65-12136 / 9.0   |                 |                | 34               |

ADDITIONAL POU FOUND

|                    |            |        |        |     |
|--------------------|------------|--------|--------|-----|
| TOTAL ACRES        | A65-02946C | 226.00 | 257.00 | 226 |
| POU COUNTY: VALLEY |            |        |        |     |

7a

## WESTERN REGION

OWNER (S): L. B. Industries

CLAIM NUMBERS: A65-02946C

AGENT: MEL SCHULTE

DATE 5-26-99

| RIGHT NO |     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |     |
|----------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|
|          | TNS | RNG | SEC | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE  |
|          | 17N | 2E  | 1   |    |    |    |    |    |    |    |    | 20 | 27 | 32 | 37 |    |    |    | 116 |
|          |     |     | 12  |    |    |    |    | 27 | 28 | 21 |    |    | 34 |    |    |    |    |    | 110 |
|          |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
|          |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
|          |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
|          |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 226 |

POLYGON CREATED ON 330

POLYGON # ( ) ( ) ( ) ( ) UPDATED BY MTS

ATTRIBUTES OF B65-POU.SHP (692) (693) (694) (695) (696) 697, 698, 699

ATTRIBUTES OF B65-POD.SHP (635) ( ) ( ) ( ) ( )

8-2-99 B65-DBPOU.DBF UPDATED BY MTS

8-2-99 B65-DBPOD.DBF UPDATED BY MTS

NOTES:

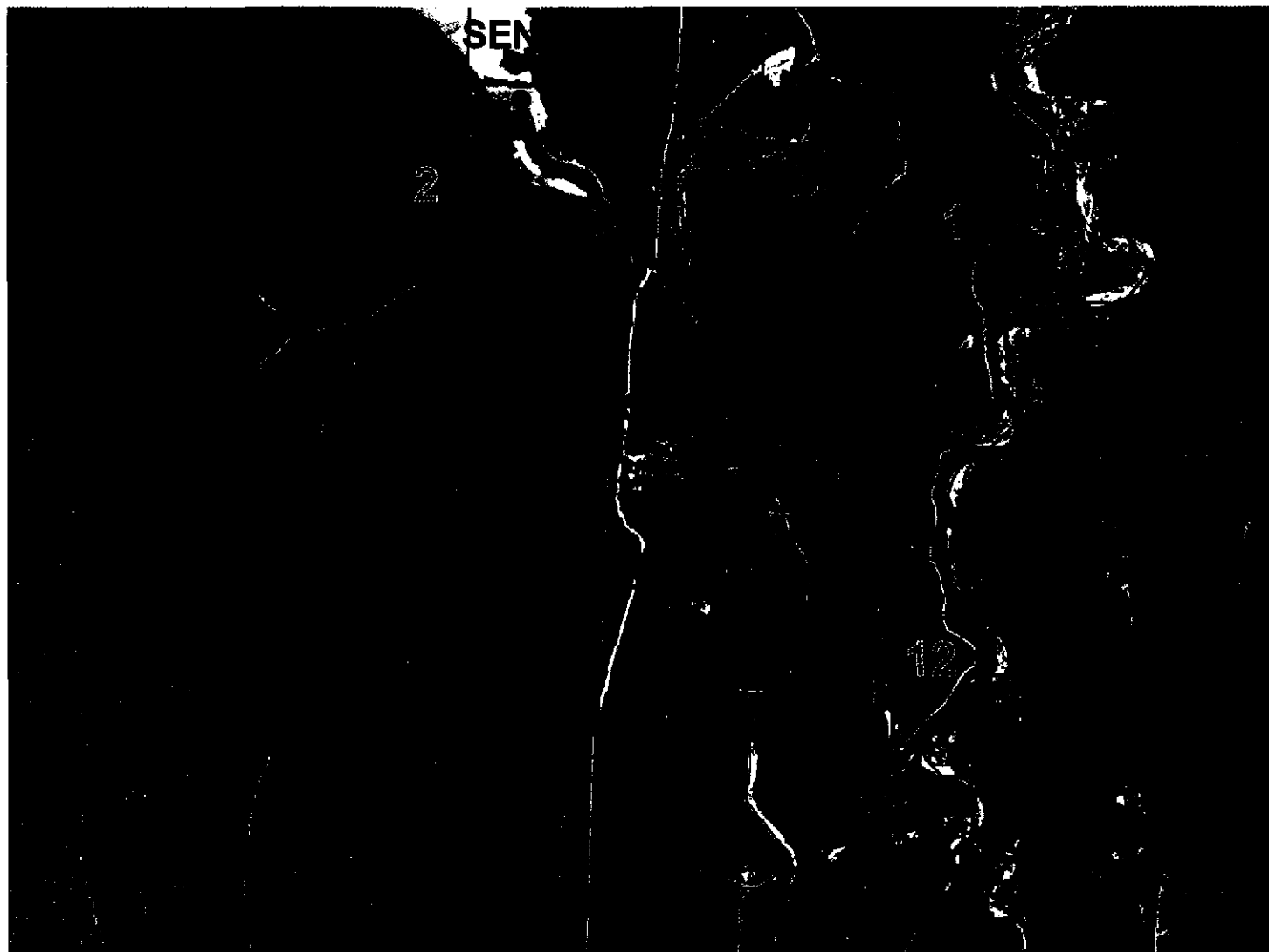
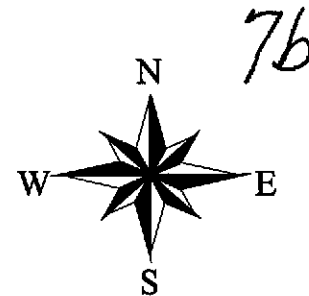
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# IDAHO DEPARTMENT OF WATER RESOURCES

## 17N, 02E, S1 & S12



1987 NAPP PHOTO

- POINT OF DIVERSION
-  PLACE OF USE
-  1/4 1/4 LINES
-  SECTION LINES
- 6 ACRES
- 6 SECTION NUMBERS

CLAIM(S): 65-02946C

OWNER(S): L B INDUSTRIES

Prepared by Mel Schulte

DATE: MAY 26, 1999



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 |
|------------|---------------|--------------------|-----------|----------------|-----------|----------------|
| A65-02946C | DUFFNER CREEK | L B INDUSTRIES INC |           |                | 181.99    | 0.80           |
| A65-07052E | DUFFNER CREEK | L B INDUSTRIES INC | 6.880     | 0.019          |           |                |
| A65-07576C | SPRINGS       | L B INDUSTRIES INC | 8.990     | 0.020          | 1346.74   | 3.00           |

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

| CLAIM NO. | PURPOSES | NAME              | MONTH/DAY           | RATE      | VOLUME    |
|-----------|----------|-------------------|---------------------|-----------|-----------|
| A65-08121 | DOMESTIC | LB INDUSTRIES INC | FROM 01-01 TO 12-31 | 0.040 CFS | 1.20 AF/A |
| 65-08121  | DOMESTIC | LB INDUSTRIES INC | FROM 01-01 TO 12-31 | 0.040 CFS | 1.20 AF/A |

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

Y(☒) N( )

\* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

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(☒)

GIS  
(4) NAPP, ID

NOTES: Recommended as decreed in the PRBA and according to the splits of the original right.

A. AJ CLAIMED USES:

| PURPOSE OF USE                     | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|------------------------------------|---------------------------|------------------------|------------------------|
| A65-02946C IRRIGATION FROM STORAGE | FROM 04-15 TO 10-15       |                        | 181.99 AF/A            |
| TOTAL DIVERSION RATE/VOLUME        |                           |                        | 181.99 AF/A            |

B. WR RECORDED USES:

| PURPOSE OF USE                   | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|----------------------------------|---------------------------|------------------------|------------------------|
| 65-02946 IRRIGATION FROM STORAGE | FROM 04-15 TO 10-15       |                        | 215.00 AF/A            |
| TOTAL DIVERSION RATE/VOLUME      |                           |                        | 215.00 AF/A            |

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

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

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

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

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

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

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

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

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

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

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

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

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

NOTES:

*Decreed*  
*Recommended as shown in the PRBA*

AJ CLAIM TOTAL DIVERSION RATE: 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 None, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE NA  
ACRES 226 x 0.02 CFS/ACRE = 4.52 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 = 181.99 AF/A

ACRES 226 x DIVERSION VOL. AF/A FOR AREA 3 =

TOTAL DIVERSION VOLUME 678 AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 452.0 AF/A NA

ACRES 226 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 1352.0 AF/A

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

NOTES: \_\_\_\_\_

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\_\_\_\_\_

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ( )

| REC.<br>PURPOSE OF USE  | REC. PERIOD |       | REC. DIV |          | REC. DIV  |          | REC. CONS.       |          |
|-------------------------|-------------|-------|----------|----------|-----------|----------|------------------|----------|
|                         | FROM        | TO    | RATE CFS |          | VOL. AF/A |          | USE              |          |
| IRRIGATION FROM STORAGE | 04-15       | 10-15 | DATABASE | EXAMINER | DATABASE  | EXAMINER | DATABASE         | EXAMINER |
|                         |             |       |          |          | 181.99    |          | <del>452.0</del> | NA       |
|                         |             |       |          |          |           |          |                  |          |
|                         |             |       |          |          |           |          |                  |          |
|                         |             |       |          |          |           |          |                  |          |
|                         |             |       |          |          |           |          |                  |          |
| TOTAL FOR THIS RIGHT    |             |       |          |          | 181.99    |          | <del>452.0</del> |          |

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: Mel Schulte DATE: 5-26-99

FLAG: \_\_\_\_\_

STANDARD CONDITIONS (CODE): \_\_\_\_\_

STANDARD REMARKS (CODE):

EXP-F06.

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

|                              | ACCEPTED<br>AS CLAIMED | NEEDS<br>REVIEW |
|------------------------------|------------------------|-----------------|
| OWNERSHIP _____              | (✓)                    | ( )             |
| FORFEIT/ABANDON _____        | ( )                    | ( )             |
| ADDITIONAL DIV. AMOUNT _____ | ( )                    | ( )             |

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-02946

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE

EXAMINER

CFS

SPLITS:

| OLD RIGHT<br>NUMBERS | CURRENT<br>CLAIM NUMBERS | DIVERSION<br>RATE | CURRENT "R"<br>CLAIM NUM. | "R" DIV.<br>RATE | WR RIGHT<br>NUMBERS | DIVERSION<br>RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| 65-02946             | A65-02946B               |                   | R65-02946B                |                  | 65-02946            |                   |
| A65-02946            | A65-02946C               |                   | -                         |                  | -                   |                   |
| A65-02946A           | A65-02946D               |                   | -                         |                  | -                   |                   |

TOTAL CFS

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  
Y

FIELD  
EXAMINER  
Y( ) N( )

NOTES:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

AUTHENTICATION:

SIGNATURE: Mel Schulte DATE: 5-26-99

NAME OF FIELD EXAMINER: \_\_\_\_\_ TITLE: \_\_\_\_\_

Split Tree 65-02946

65-02946 (N/O Hart)

QV: 215 AFA

POB: 17N, 2E, S2, SENE

POU: 17N, 2E, S1, NESW - 20 ac NWSW - 27 ac  
SWSW - 32 SESW - 37

S12, NENW - 27 NWNW - 28

SWNW - 21

NWSW - 34 SWSW - 40

SESW - 1 267

65-02946A (N/O LB Industries)

QV - 214.2

POB: 17N, 2E, S2, SENE

POU: 17N, 2E, S1, NESW - 20 NWSW - 27  
SWSW - 32 SESW - 37 = 116

S12, NENW - 27 NWNW - 28

SWNW - 21

NWSW - 34 SWSW - 40 = 150  
266

65-02946B (N/O Thompson)

QV - .80 AF

POB: 17N, 2E, S2, SENE

POU: 17N, 2E, S12, SESW - 1 ac.

(2)

15a (2)

- A65-02946C (N/O LB Industries)

DV - 181.99 AF

POD: 17N, 2E, S2, SENE

POU: 17N, 2E, S1, NESW - 20 NWSW - 27

SWSW - 32 SESW - 37 114

S12, NENW - 27 NWNW - 28

SWNW - 21

NWSW 34.

110

226.

- A65-02946D (N/O Twin Pines River Ranch)

DV: 32.21 AF

POD: 17N, 2E, S2, SENE

POU: 17N, 2E, S12 SWSW - 40

40

Summary after splits

A65-02946B

-02946C

-02946D

Acres

DV

.80 AF

181.99

32.21

215 AF.

1

226.

40

267

| SD-0607-2 Basin: 65 Starting Water Right: 02946 |                     | STATE        |                            |
|-------------------------------------------------|---------------------|--------------|----------------------------|
| S                                               | O                   |              |                            |
| E                                               | W                   | Priority     | STG/                       |
| L                                               | N                   | Date         | STS                        |
| Water                                           | Name                |              | Source                     |
| Right No.                                       | Last, First         |              | Use                        |
|                                                 |                     |              | Code Desc                  |
| 65-02946                                        | HAIT, JAMES M.      | C 05/06/1952 | D/ DUFFNER CREEK 03 IRR FS |
|                                                 | HAIT, RUTH H.       | C            |                            |
| 65-02947                                        |                     | 00/00/0000   | /                          |
| 65-02947A                                       | CALLENDER, FRANK D. | C 09/13/1951 | D/ CORRAL CREEK 03 IRR FS  |
|                                                 | GOSLIN, BEN         | C            |                            |
|                                                 | KENNEDY, HUGH       | C            |                            |
| 65-02947B                                       | GOSLIN, BEN         | C 09/13/1951 | D/ CORRAL CREEK 03 IRR FS  |
| 65-02948                                        | MUNGER, MORGAN      | C 06/09/1959 | D/ WHITLOCK CREEK 55 DIV S |
|                                                 | MUNGER, ELLEN       | C            | 01 IRR                     |
|                                                 |                     |              | 03 IRR FS                  |
|                                                 |                     |              | 06 STO FS                  |
| 65-02949                                        | HUGHES, JOHN E.     | C 03/15/1954 | D/ STOVER CREEK 03 IRR FS  |
|                                                 | WILSON, HELEN E.    | C            |                            |
|                                                 | MELTON, ANNALEE H.  | C            |                            |
| 65-02950                                        | BOISE CASCADE CORP, | C 01/01/1967 | D/ PAYETTE RIVER 11 COM S  |
| 65-02951                                        | LAPPENS, CHARLES    | C 00/00/0000 | /I                         |

(Enter=Continue)

(GOLD 7=This Query)

(Menu \_\_\_\_\_)

| Water<br>Right No. | Name<br>Last, First                     | O<br>W<br>N | Priority<br>Date | Stg/<br>Sts | Source                       | Use<br>Code Desc |
|--------------------|-----------------------------------------|-------------|------------------|-------------|------------------------------|------------------|
| A65-02946          | SPLIT CLAIM,                            | C           | 05/06/1952       | /Z          | DUFFNER CREEK<br>SPLIT CLAIM | 03 IRR FS        |
| A65-02946A         | SPLIT CLAIM,                            | C           | 05/06/1952       | /Z          | DUFFNER CREEK<br>SPLIT CLAIM | 03 IRR FS        |
| A65-02946B         | THOMPSON, MARIETTA<br>THOMPSON, CHARLES | C<br>C      | 05/06/1952       | D/          | DUFFNER CREEK                | 03 IRR FS        |
| A65-02946C         | L B INDUSTRIES INC,                     | C           | 05/06/1952       | D/          | DUFFNER CREEK                | 03 IRR FS        |
| A65-02946D         | TWIN PINES RIVER RANCH                  | C           | 05/06/1952       | D/          | DUFFNER CREEK                | 03 IRR FS        |
| A65-02947A         | SPLIT CLAIM,                            | C           | 09/13/1951       | /Z          | CORRAL CREEK<br>SPLIT RIGHT  | 03 IRR FS        |
| A65-02947B         | KENNEDY, HUGH                           | C           | 09/13/1951       | D/          | CORRAL CREEK                 | 03 IRR FS        |
| A65-02947C         | SHAW HEREFORD RANCH,                    | C           | 09/13/1951       | D/          | CORRAL CREEK                 | 03 IRR FS        |
| A65-02947D         | KENNEDY, HUGH                           | C           | 09/13/1951       | D/          | CORRAL CREEK                 | 03 IRR FS        |
| A65-02947E         | STATE OF IDAHO,                         | C           | 09/13/1951       | D/          | CORRAL CREEK                 | 03 IRR FS        |
|                    |                                         |             |                  |             |                              | 02 IRR S         |
| A65-02948          | JENNARO, JOSEPH                         | C           | 06/09/1959       | D/          | WHITLOCK CREEK               | 55 DIV S         |

(Enter=Continue)

(GOLD7=This Query)

(Menu \_\_\_\_\_)

OPTION: IRRIGATION USES ONLY

ADJUDICATION CLAIM NUMBER: A65-02946C

PAGE: 1

A. ROOT WATER RIGHT NUMBERS: R65-02946B  
A65-02946B

A65-02946C

A65-02946D

## B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME               | AJ<br>#/USE/ACRES   | WR<br>#/USE/ACRES  | LANDSAT<br>DATA |
|-----|-----|-----|-----|-----|-----|--------------------|---------------------|--------------------|-----------------|
| 17N | 02E | 1   | NE  | SW  |     | L B INDUSTRIES INC | A65-02946C /03/20.0 | - / /              | 34.0            |
|     |     |     | NE  | SW  |     | L B INDUSTRIES INC | A65-07576C /01/40.0 | - / /              |                 |
|     |     |     | NE  | SW  |     | L B INDUSTRIES INC | A65-07052E /01/25.0 | - / /              |                 |
|     |     |     | NE  | SW  |     | HAIT, JAMES M.     |                     | 65-02946 /03/20.0  |                 |
|     |     |     | NE  | SW  |     | HAIT, JAMES M.     |                     | 65-07052 /03/25.0  |                 |
|     |     |     | NE  | SW  |     | HAIT, JAMES M.     |                     | 65-07576A /01/40.0 |                 |
|     |     |     | NE  | SW  |     | HAIT, J. M.        |                     | 65-12136 /03/40.0  |                 |
| 17N | 02E | 1   | NW  | SW  |     | L B INDUSTRIES INC | A65-02946C /03/27.0 | - / /              | 34.0            |
|     |     |     | NW  | SW  |     | L B INDUSTRIES INC | A65-07576C /01/18.0 | - / /              |                 |
|     |     |     | NW  | SW  |     | L B INDUSTRIES INC | A65-07052E /01/22.0 | - / /              |                 |
|     |     |     | NW  | SW  |     | HAIT, JAMES M.     |                     | 65-02946 /03/27.0  |                 |
|     |     |     | NW  | SW  |     | HAIT, JAMES M.     |                     | 65-07052 /03/22.0  |                 |
|     |     |     | NW  | SW  |     | HAIT, JAMES M.     |                     | 65-07576A /01/18.0 |                 |
|     |     |     | NW  | SW  |     | HAIT, J. M.        |                     | 65-12136 /03/18.0  |                 |
| 17N | 02E | 1   | SW  | SW  |     | L B INDUSTRIES INC | A65-02946C /03/32.0 | - / /              | 37.0            |
|     |     |     | SW  | SW  |     | L B INDUSTRIES INC | A65-07576C /01/33.0 | - / /              |                 |
|     |     |     | SW  | SW  |     | L B INDUSTRIES INC | A65-07052E /01/32.0 | - / /              |                 |
|     |     |     | SW  | SW  |     | HAIT, JAMES M.     |                     | 65-02946 /03/32.0  |                 |
|     |     |     | SW  | SW  |     | HAIT, JAMES M.     |                     | 65-07052 /03/32.0  |                 |
|     |     |     | SW  | SW  |     | HAIT, JAMES M.     |                     | 65-07576A /01/33.0 |                 |
|     |     |     | SW  | SW  |     | HAIT, J. M.        |                     | 65-12136 /03/33.0  |                 |
| 17N | 02E | 1   | SE  | SW  |     | L B INDUSTRIES INC | A65-02946C /03/37.0 | - / /              | 36.0            |
|     |     |     | SE  | SW  |     | L B INDUSTRIES INC | A65-07576C /01/40.0 | - / /              |                 |
|     |     |     | SE  | SW  |     | L B INDUSTRIES INC | A65-07052E /01/37.0 | - / /              |                 |
|     |     |     | SE  | SW  |     | HAIT, JAMES M.     |                     | 65-02946 /03/37.0  |                 |
|     |     |     | SE  | SW  |     | HAIT, JAMES M.     |                     | 65-07052 /03/37.0  |                 |
|     |     |     | SE  | SW  |     | HAIT, JAMES M.     |                     | 65-07576A /01/40.0 |                 |
|     |     |     | SE  | SW  |     | HAIT, J. M.        |                     | 65-12136 /03/40.0  |                 |
| 17N | 02E | 12  | NE  | NW  |     | L B INDUSTRIES INC | A65-02946C /03/27.0 | - / /              | 37.0            |
|     |     |     | NE  | NW  |     | L B INDUSTRIES INC | A65-07052E /01/39.0 | - / /              |                 |
|     |     |     | NE  | NW  |     | HAIT, JAMES M.     |                     | 65-02946 /03/27.0  |                 |
|     |     |     | NE  | NW  |     | HAIT, JAMES M.     |                     | 65-07052 /03/39.0  |                 |
|     |     |     | NE  | NW  |     | HAIT, J. M.        |                     | 65-12136 /03/40.0  |                 |

OPTION: IRRIGATION USES ONLY

ADJUDICATION CLAIM NUMBER: A65-02946C

PAGE: 2

| TWP         | RNG | SEC | 1/4 | 1/4 | LOT | NAME               | AJ<br>#/USE/ACRES   | WR<br>#/USE/ACRES  | LANDSAT<br>DATA |
|-------------|-----|-----|-----|-----|-----|--------------------|---------------------|--------------------|-----------------|
| 17N         | 02E | 12  | NW  | NW  |     | L B INDUSTRIES INC | A65-02946C /03/28.0 | - / /              | 33.0            |
|             |     |     | NW  | NW  |     | L B INDUSTRIES INC | A65-07576C /01/31.0 | - / /              |                 |
|             |     |     | NW  | NW  |     | L B INDUSTRIES INC | A65-07052E /01/32.0 | - / /              |                 |
|             |     |     | NW  | NW  |     | HAIT, JAMES M.     |                     | 65-02946 /03/28.0  |                 |
|             |     |     | NW  | NW  |     | HAIT, JAMES M.     |                     | 65-07052 /03/32.0  |                 |
|             |     |     | NW  | NW  |     | HAIT, JAMES M.     |                     | 65-07576A /01/31.0 |                 |
|             |     |     | NW  | NW  |     | HAIT, J. M.        |                     | 65-12136 /03/31.0  |                 |
| 17N         | 02E | 12  | SW  | NW  |     | L B INDUSTRIES INC | A65-02946C /03/21.0 | - / /              | 26.0            |
|             |     |     | SW  | NW  |     | L B INDUSTRIES INC | A65-07576C /01/33.0 | - / /              |                 |
|             |     |     | SW  | NW  |     | L B INDUSTRIES INC | A65-07052E /01/36.0 | - / /              |                 |
|             |     |     | SW  | NW  |     | HAIT, JAMES M.     |                     | 65-02946 /03/21.0  |                 |
|             |     |     | SW  | NW  |     | HAIT, JAMES M.     |                     | 65-07052 /03/36.0  |                 |
|             |     |     | SW  | NW  |     | HAIT, JAMES M.     |                     | 65-07576A /01/33.0 |                 |
|             |     |     | SW  | NW  |     | HAIT, J. M.        |                     | 65-12136 /03/33.0  |                 |
| 17N         | 02E | 12  | NW  | SW  |     | L B INDUSTRIES INC | A65-02946C /03/34.0 | - / /              | 20.0            |
|             |     |     | NW  | SW  |     | L B INDUSTRIES INC | A65-07052E /01/40.0 | - / /              |                 |
|             |     |     | NW  | SW  |     | HAIT, JAMES M.     |                     | 65-02946 /03/34.0  |                 |
|             |     |     | NW  | SW  |     | HAIT, JAMES M.     |                     | 65-07052 /03/40.0  |                 |
|             |     |     | NW  | SW  |     | HAIT, J. M.        |                     | 65-12136 /03/ 9.0  |                 |
| TOTAL ACRES |     |     |     |     |     |                    | A65-02946C          | 226.00             | 257.00          |

POU COUNTY: VALLEY





State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

May 12, 1993

RE: Notice of Change in Ownership from James Hait to Charles Haid

Jodell Barber  
c/o Clark Real Estate  
P.O. Box 788  
McCall, ID 83638

Dear Ms. Barber:

I have completed my review of the Change in Ownership as referenced above and the Snake River Basin Adjudication (SRBA) Claims that will be involved with this change. Please note that all of these claims had been submitted by James Hait. The rights were changed to L. B. Industries Inc. based on the Memorandum of Sale of Water Rights submitted with a change of ownership form in February of 1991.

Claim A65-07576 was not mentioned in the listing of rights that Mr. Weaver gave to Mr. Haid. However, this claim does include lands now owned by Mr. Haid. It also includes a stockwater use which I have split. The license was issued for watering 500 head of cattle on the entire irrigated place of use.

There was never a SRBA Claim submitted for Right 65-12136 which was included in the listing of rights that Mr. Weaver gave to Mr. Haid. Therefore, I have not done anything in regard to this right.

Please review the enclosed copies of the claims as they have been split. If you have any comments and/or corrections to these splits please let me know within the next 30 days. If I don't hear from you within this period, the claims will remain on record as shown on the enclosed copies. Please feel free to contact this office if you have any questions in regard to this matter.

Sincerely,

KAY WALKER  
Sr. Water Resource Agent  
Adjudication Bureau

cc: Charles Haid, III  
L. B. Industries, Inc.  
Enclosures: Copies of Split Claims

MICROFILMED  
OCT 18 1996

~~MICROFILMED~~  
~~AUG 28 1994~~

MEMORANDUM

DATE: 12-May-1993 08:16

TO: FILES A65-02946, A65-07052, A65-07653B & A65-07576

FROM: KAY WALKER *KW*

RE: SPLIT OF CLAIMS BETWEEN L.B. INDUSTRIES & CHARLES HAID

\*\*\*\*\*  
\*\*\*\*\*

Note that all of these claims had been submitted by James Hait. The rights were changed to L. B. Industries Inc. based on the Memorandum of Sale of Water Rights submitted with change of ownership form in February of 1991. Splits will be as follows, based on the plotting of both land ownerships (see map of land ownerships in File A65-02946B).

**Charles Haid's Portion**

**L. B. Industries' Portion**

**Claim A65-02946**

1 acre  
0.8 ac-ft from storage  
2.0 ac-ft consumptive use

266 acres  
214.2 ac-ft from storage  
532 ac-ft consumptive use

**Claim A65-07052**

1 acre  
1.4 ac-ft from storage  
0.02 cfs

413 acres  
578.6 ac-ft from storage  
8.22 cfs

**Claim A65-07653B**

12 acres  
0.23 cfs  
36 ac-ft at field headgate  
24 ac-ft consumptive use

142 acres  
2.77 cfs  
426 ac-ft at field headgate  
284 ac-ft consumptive use

**Claim A65-07576**

11 acres/0.22 cfs  
33 ac-ft at field headgate  
22 ac-ft consumptive use  
10 hd. cattle/0.01 cfs/0.06 AF

487 acres/9.74 cfs  
1461 ac-ft at field headgate  
974 ac-ft consumptive use  
490 hd. cattle/0.03 cfs/2.74 AF

**NOTE:** This claim was not mentioned in the listing of rights that Mr. Weaver gave to Mr. Haid. However, this claim does include lands now owned by Mr. Haid. This claim also includes a stockwater use which I have split. The license was issued for watering 500 head of cattle on the entire irrigated place of use. I found that L. B. is the owner of 98% of this right and Mr. Haid owns 2%, so the stockwater use was split based on ownership.

There was never a SRBA Claim submitted for Right 65-12136 which was included in the listing of rights that Mr. Weaver gave to Mr. Haid. Therefore, I have not done anything in regard to this right.

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

~~**MICROFILMED**~~  
~~**AUG 13 1999**~~

MEMORANDUM

DATE: 03-May-1993 08:26

TO: FILES A65-07052, A65-02946 AND A65-07576

FROM: KAY WALKER *KW*

RE: OWNERSHIP OF LANDS UNDER CLAIMS

\*\*\*\*\*  
\*\*\*\*\*

Ms. Bea Perez called the office this morning in regard to the letter I sent to her last week. She had no idea that there were water rights on the property. She says a channel runs through their property which they would like to build into a wildlife habitat area. She has no plans on irrigating any of the land out there. She has been in contact with the Department of Fish and Game in regard to the wildlife habitat. She will not return the change in ownership form at this time.

MICROFILMED  
OCT 18 1996

~~MICROFILMED~~  
~~AUG 8 1994~~



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

April 28, 1993

RE: Water Rights

Beatrice Perez  
c/o Alice Bassett  
721 Spyglass Way  
Eagle, ID 83616

Dear Ms. Perez:

It has come to our attention that you have purchased some property in Valley County which may have appurtenant water rights that have been claimed in the Snake River Basin Adjudication (SRBA). Enclosed are a couple of brochures which explain what the adjudication is and what to do when buying or selling property in the SRBA boundaries.

It is my understanding that you purchased property from Ralph Weaver who purchased the property from James Hait. Mr. Hait filed claims in the SRBA for the irrigation of lands that he had owned. If you now own some of these "irrigable" lands, you need to file a Notice of Change in Ownership. Enclosed, for your convenience, is a Notice of Change of Water Right Ownership form. Please complete the form and return it to my attention so we can straighten out our records.

If you have any questions in regard to this matter, please do not hesitate to contact me.

Sincerely,

KAY WALKER  
Sr. Water Resource Agent  
Adjudication Bureau

KW:k  
Enclosures

MICROFILMED  
OCT 18 1996

~~MICROFILMED~~  
~~AUG 03 1994~~

MEMORANDUM

DATE: 28-Apr-1993 10:31

TO: FILES A65-07576, A65-02946 AND A65-07052

FROM: KAY WALKER *KW*

RE: OWNERSHIP OF WATER RIGHTS

\*\*\*\*\*  
\*\*\*\*\*

While reviewing the Notice of Change of Ownership from Jim Hait to Charles Haid, I found that the above rights had been completely changed to L.B. Industries due to the "Memorandum of Sale of Water Rights" between Hait 1971 California Trusts and L.B. Industries. In processing this new change of ownership I was completely confused so I contacted Millie at Clark Real Estate in McCall. Millie gave me a breakdown of the sequence of property ownership which is as follows:

Jim Hait sold 80 acres to Ralph Weaver - there was never a change in ownership for this sale submitted.

Jim Hait sold all remaining land under his name to L.B. Industries with the exception of Rt. A65-08120 which was retained. I was able to plat L.B.'s property with the information in files. See attached.

Ralph Weaver then sold 25-30 acres (out of his 80) to Beatrice Perez. We have never received a Change of Ownership for this property. I have a mailing address of:

Beatrice Perez, c/o Alice Bassett, 721 Spyglass Way, Eagle, ID 83616

I will send Ms. Perez notification that we need to have a Change of Ownership submitted.

Mr. Weaver also sold another 10 acre piece to another party. Millie did not have any information on this sale.

Mr. Weaver then sold 28 acres to Charles Haid.

Since all rights were changed to L.B. Industries, I will ~~inform~~ and advise L.B. that there are other owners of portions of these rights which will be processed as they are submitted.

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

~~MICROFILMED~~  
**AUG 03 1994**

**CLARK**

REAL ESTATE

Box 788, McCall, Idaho 83638

Memo from Jodell Barber  
Sales Associate

634-7924 Office  
634-5883 Res.

4-7-93

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

RECEIVED  
APR 9 1993

Attention: Kay Walker

Dear Kay:

Department of Water Resources  
Western Regional Office

Enclosed is additional information to  
transfer change of Ownership in water rights.

Mr. Charles Haid purchased the property from  
Ralph Weaver, who purchased the property  
from Jim Hait. The Hait property has since  
been sold to L.B. Industries. Hope this  
clarifies ownership.

I am enclosing a survey map which shows  
the 28 acre parcel that we are trying to  
change the ownership of water rights to Mr.  
Haid's name.

Hope this will help answer all of your questions.

*Jodell Barber*

Jodell Barber, Clark Real Estate

MICROFILMED  
OCT 18 1996

~~APR 08 1993~~

See survey map  
in file  
A65-02946F  
KW  
5/12/93



State of Idaho  
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

April 6, 1993

RE: Notice of Change in Ownership from James Hait to Charles Haid

Jodell Barber  
c/o Clark Real Estate  
P.O. Box 788  
McCall, ID 83638

Dear Ms. Barber:

We have reviewed the Notice of Change of Water Right Ownership form submitted to our office. However, due to the items identified below, we cannot continue to process this ownership change. We are returning the Notice of Change of Ownership to you to research the following.

In reading the legal description attached to the warranty deed, I found that the first paragraph describes this property as located within a 240 acre parcel. That is, SESW, SWSW, Sec. 12; NWNW, SWNW, SENW, and Gov't. Lot 2 (NENW), Sec. 13; Twp. 17N, Rge. 2E (I have marked this area out on the enclosed map for your convenience). Since the property conveyed only contained 28.7784 acres, I entered the metes and bounds description into our PC and found that the metes and bounds description does not close. I did come up with 28.73 acres which was really close to the property conveyed but do not know for sure which 40 acre tracts have been conveyed.

Complete the Notice of Change of Water Right Ownership form to identify which water rights are being conveyed, or identify which lands are to be conveyed to Mr. Haid by 40-acre tract description (on the top of the form), or review the metes and bounds description and revise it so that the description closes when platted so that I can complete the ownership change based on that description. Also, you need to complete the question under the new claimant's telephone number which asks if the water rights will be split.

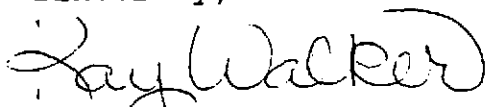
In review of our water right records based on the legal descriptions in paragraph 1 of the legal description, I found water rights names of L.B. Industries and Lowell D. Hammond. Did the Weaver's purchase their property from one of these claimants? I noticed that L.B. Industries now holds the rights originally in Mr. Hait's name.

MICROFILMED  
OCT 18 1996

MICROFILMED  
AUG 13 1994

Please feel free to contact this office if you have any questions in regard to the above.

Sincerely,



KAY WALKER  
Sr. Water Resource Agent  
Adjudication Bureau

KW:k  
Enclosure

cc: James M. Hait  
Charles Haid, III

**MICROFILMED**

**OCT 18 1996**

~~MICROFILMED~~  
~~AUG 03 1994~~

PROOF ORIGINAL

17N

4962 (LAKE FORK)  
2773 SE

4963

4965

4966

V A L L E Y

LAKE

IRRIGATION

DISTRICT

CANAL

NOR

FORK

Old Fort  
(Ruins)

6125

12

13

Mile 65

65-1535

65-1052

land identified  
in Paragraph  
#1 on  
legal description

Corral Creek

Flat

Sunflower

MICROFILMED

OCT 18 1996

R I D G E

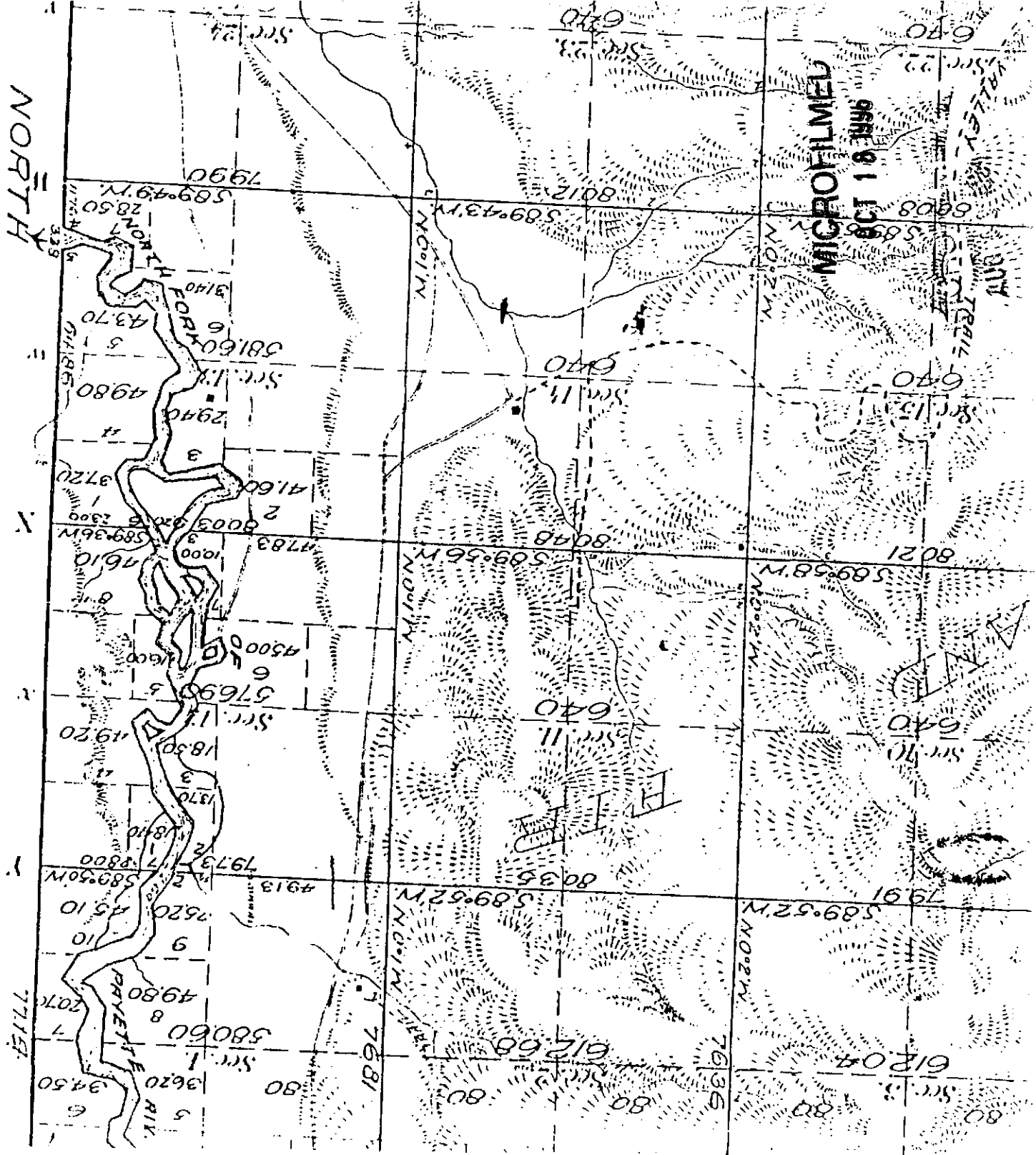
Buck  
Saddle

~~MICROFILMED~~

AUG 02 1994

17N  
2E  
Gov't Lot Plat  
of 4-18-1896

POOR ORIGINAL



MICROFILMED

APR 1 1961

APR 1 1961

POOR ORIGINAL

**CLARK**

REAL ESTATE

Box 788, McCall, Idaho 83638

Memo from Jodell Barber  
Sales Associate

634-7924 Office  
634-5883 Res.

RECEIVED

DEC 17 1992

12-14-92

Dear Sharla  
Department of Water Resources  
Western Regional Office

Enclosed is notice  
of Property Ownership  
change for your records.  
I have sent to you the  
inf Mr. Steamer gave to  
us to show what  
water rights he has  
with the 28 acres he  
sold to Mr. Wait.  
Sincerely, Jodell

MICROFILMED  
APR 03 1994

MICROFILMED  
OCT 18 1996



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: \_\_\_\_\_

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

*See proof of  
ownership  
attachment*

☐ 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)

RECEIVED

JUN 01 1995

☒ Water Right Number(s)  
Assigned by IDWR: \_\_\_\_\_

A65-02553 -02946A -07052A -08122 WATER RESOURCES  
WESTERN REGION

☒ Name and Address of Former  
Owner/Claimant(s)(Seller): \_\_\_\_\_

LD HAMMOND LINELL J. JAMES HAMMOND LB INDUSTRIES  
1230 HARTWOOD PT. DR. Box 734 A PO Box 2797  
PASADENA, CA 91107 LAKE FORK, ID 83635 BOISE, ID 83701

☒ New Owner/Claimant  
(Purchaser): \_\_\_\_\_

TWIN PINES RIVER RANCH

☒ New Mailing Address: \_\_\_\_\_

6874 FAIRVIEW AVE  
BOISE IDAHO 83704

☒ New Telephone Number: \_\_\_\_\_

(208) 322-5600

☒ 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:

NO = A65-02553 & A65-08122

YES = A65-02946A & A65-07052A

*See attached memo  
dated 5/2/95*

☒ Attach proof of  
ownership, describe  
proof attached: \_\_\_\_\_

TAX NOTICES

(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): \_\_\_\_\_

Ray L. Caven General Manager Date MAY 20, 1995  
TWIN PINES RIVER RANCH Date \_\_\_\_\_

☐ Signature of Former  
Owner/Claimant(s): \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

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

## FOR IDWR USE ONLY:

Initial Review and Data Entry

Date: 1/31/96 By: KW

Further Action Needed

Further Action Taken

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

Final Review and Data-Entry

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

Claim Numbers of Split, if any:

MICROFILMED  
JUL 18 1996

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

# Memo

## Change in Ownership Summary

### CLAIM

### COMMENTS

- 1) AGS-02553 Complete\* change in ownership
- 2) AGS-02946A 40 Ac. Survey S. 12 & .805 Ac/Acre = 32.2 Ac (Storage) split to new owner
- 3) AGS-07052A Same 40 Ac. split to new owner as above & .0195 cts/Acre @ 1.401 Ac/Acre = .80 cts and 56 Ac (Storage) to new owner

4) AGS-07653A

Present owner shows Third River River Road  
No change needed since " " = J. CAVEN

5) AGS-08122

Complete\* change in ownership

16/1/95

### ACTION

Submit completed change in ownership form with  
proof of ownership attached for the "Hammond  
Road" property. This change in ownership form  
will apply to # 1-3 & 5 above.

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OCT 18 1996

5/2/95

\* meaning 100% to new owner

VALLEY COUNTY ASSESSOR  
BOX 758  
CASCADE, ID 83611

**IMPORTANT NOTICE PLEASE READ**

PARCEL NO. RP 17N02E133005 A

| CATEGORY DESCRIPTION | TAX CODE | LOTS / ACRES | MARKET VALUE |
|----------------------|----------|--------------|--------------|
| 1 IRRGTD AG          | 42-00    | 206.000 AC   | 80,770       |
| 5 DRY GRAZING        |          | 170.226 AC   | 7,149        |
| 19 PUBLIC RIGHT-OF   |          | 3.000 AC     |              |
|                      |          | 379.226      | 67,919*      |

1994  
TAXPAYERS  
VALUATION

**ASSESSMENT NOTICE**

Taxes are based on the valuation  
listed on this statement.

IF THERE ARE ANY QUESTIONS  
REGARDING THIS STATEMENT  
NOTIFY THE ASSESSOR'S OFFICE BEFORE  
JUNE 27, 1994

See the reverse side for further references  
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS  
PREVIOUS NUMBER RP17N02E133005A  
GOV'T. LOTS 3 & 6; W/2 NW4;  
PT OF SENW; TAX #4 IN NENW;  
SW4; AND SW4 SE4  
S13 T17N R2E

Mail To:  
TWIN PINES RIVER RANCH  
C/O JERRY CAVEN  
6874 FAIRVIEW AVE.  
BOISE, ID 83704

VALLEY COUNTY ASSESSOR  
BOX 758  
CASCADE, ID 83611

**IMPORTANT NOTICE PLEASE READ**

PARCEL NO. RP 17N03E195405 A

| CATEGORY DESCRIPTION | TAX CODE | LOTS / ACRES | MARKET VALUE |
|----------------------|----------|--------------|--------------|
| 5 DRY GRAZING        | 42-00    | 37.390 AC    | 2,393        |
| 19 PUBLIC RIGHT-OF   |          | .750 AC      |              |
|                      |          | 38.140       | 2,393*       |

1994  
TAXPAYERS  
VALUATION

**ASSESSMENT NOTICE**

Taxes are based on the valuation  
listed on this statement.

IF THERE ARE ANY QUESTIONS  
REGARDING THIS STATEMENT  
NOTIFY THE ASSESSOR'S OFFICE BEFORE  
JUNE 27, 1994

See the reverse side for further references  
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS  
PREVIOUS NUMBER RP17N03E195405A  
GOV'T. LOT 6. S19 T17N R3E

Mail To:  
TWIN PINES RIVER RANCH  
C/O JERRY CAVEN  
6874 FAIRVIEW  
BOISE, ID 83704

**MICROFILMED**  
OCT 18 1996

VALLEY COUNTY ASSESSOR  
BOX 758  
CASCADE, ID 83611

**IMPORTANT NOTICE PLEASE READ**

PARCEL NO. RP 17N02E126006 A

TAX CODE 42-00

CATEGORY DESCRIPTION

LOTS / ACRES

MARKET VALUE

1 IRRGTD AG

40.724 AC

14,498

1994

40.724

14,498\*

TAXPAYERS  
VALUATION

**ASSESSMENT NOTICE**

Taxes are based on the valuation  
listed on this statement.

IF THERE ARE ANY QUESTIONS  
REGARDING THIS STATEMENT  
NOTIFY THE ASSESSOR'S OFFICE BEFORE  
JUNE 27, 1994

See the reverse side for further references  
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS

PREVIOUS NUMBER

SW4 SW4; TAX NO. 7 IN SE4 SW4  
S12 T17N R2E

RP17N02E126006A

Mail To:

TWIN PINES RIVER RANCH  
C/O JERRY CAVEN  
6874 FAIRVIEW  
BOISE, ID 83704

VALLEY COUNTY ASSESSOR  
BOX 758  
CASCADE, ID 83611

**IMPORTANT NOTICE PLEASE READ**

PARCEL NO. RP 17N02E240605 A

TAX CODE 42-00

CATEGORY DESCRIPTION

LOTS / ACRES

MARKET VALUE

1 IRRGTD AG

482.500 AC

14,308

1994

5 DRY GRAZING

265.250 AC

8,720

TAXPAYERS

10 RURAL HOMESITE

1.000 AC

11,000

VALUATION

19 PUBLIC RIGHT-OF

5.250 AC

101,088

ASSESSMENT NOTICE

31 RURAL RES BLDG

6,090

Taxes are based on the valuation  
listed on this statement.

32 RURAL IMP ON AG

320.000

141,206\*

IF THERE ARE ANY QUESTIONS  
REGARDING THIS STATEMENT  
NOTIFY THE ASSESSOR'S OFFICE BEFORE  
JUNE 27, 1994

See the reverse side for further references  
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS

PREVIOUS NUMBER

N/2 NW; SENW; NWNE; S/2 NE;  
N/2 SE

RP17N02E240605A

Mail To:

TWIN PINES RIVER RANCH  
C/O JERRY CAVEN  
6874 FAIRVIEW  
BOISE, ID 83704

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: A65-02946A  
Date Received: 11/ 8/1988  
Receipt No: X999999  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: L B INDUSTRIES INC 208-345-7515  
Address: 1401 SHORELINE DR  
PO BOX 2797  
BOISE ID 83701
2. Date of Priority: MAY 6, 1952
3. Source: DUFFNER 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      | 02E   | 2       | SE     | NE     |     |     | VALLEY |
5. Description of diverting works:  
DAM "KNOWN AS LOWER HAIT DAM"
6. Water is used for the following purposes:
- | Purpose                 | From  | To    | C.F.S | (or) | A.F.A. |
|-------------------------|-------|-------|-------|------|--------|
| IRRIGATION FROM STORAGE | 04/15 | 10/15 |       |      | 214.20 |
7. Total Quantity Appropriated is:  
C.F.S. (and/or) 214.20 A.F.A.
8. Total consumptive use is 532.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 17N      | 02E   | 1       | NE     | SW  |     | IRR FS | 20.0  |
|          |       |         | NW     | SW  |     | IRR FS | 27.8  |
|          |       |         | SW     | SW  |     | IRR FS | 37.0  |
|          |       |         | SE     | SW  |     | IRR FS | 37.0  |

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10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 116.0 |
|          |       | 12      | NE         | NW  | IRR FS        | 27.0  |
|          |       |         | NW         | NW  | IRR FS        | 28.0  |
|          |       |         | SW         | NW  | IRR FS        | 21.0  |
|          |       |         | NW         | SW  | IRR FS        | 34.0  |
|          |       |         | SW         | SW  | IRR FS        | 40.0  |
|          |       |         |            |     | Section Acres | 150.0 |
|          |       |         |            |     | Total Acres   | 266.0 |

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:  
NONE

14. Remarks:

DECREE GIVEN LIC. NUMBER.

CALIFORNIA PHONE NUMBER IS (408) 274-9248 (FOR JAMES HAIT)

\*CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 2/6/91.\*

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF  
CLAIM NO. A65-02946. KW 5/11/1993

15. Basis of Claim: DECREED

Water Right Number: R874

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs

Decree Defendant

MICROFILMED  
OCT 18 1990  
AUG 03 1994

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 \_\_\_\_\_

MICROFILMED  
OCT 18 1996

MICROFILMED  
AUG 03 1994



Department of Water Resources  
Western Regional Office

# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

DEC 15 1992

Department of Water Resources

DATE OF CLOSING: 9-10-92

LEGAL DESCRIPTION OF PROPERTY: Township 17N Range 2E

Section 12, SE 1/4 of SW 1/4 of Sec. 12 1/4, Govt. Lot 2, NW1/4, SW1/4, and SE1/4, NW1/4, Sec. 13T17NR2E

Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision/Townsite \_\_\_\_\_  
If you have additional legal descriptions, please attach separate sheet. See Attached

☐ 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: \_\_\_\_\_

☐ Name and Address of Former Owner/Claimant(s)(Seller): James M. Hait  
P.O. Box 160  
McCall, Idaho 83638

☐ New Owner/Claimant (Purchaser): \_\_\_\_\_

☐ New Mailing Address: Charles Haid, III  
4376 Forman Ave.  
Toluca Lake, California 91602

☐ New Telephone Number: (818) 761-5851

☐ 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: Warranty Deed

(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) \_\_\_\_\_ Date 12-14-92

☐ Signature of Former Owner/Claimant(s): \_\_\_\_\_ Date \_\_\_\_\_

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

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AUG 03 1994

FOR IDWR USE ONLY:

Initial Review and Data-Entry

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

Further Action Needed:

Further Action Taken

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

Final Review and Data-Entry

Date: 5/11/93 By: \_\_\_\_\_

Claim Numbers of Split, if any:

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

WARRANTY DEED

For Value Received, Ralph A. Weaver and Margaret E. Weaver  
husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto  
Charles M. Haid, III, a single man

whose address is: 4376 Forman Ave., Toluca Lake, Ca. 91602

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

See attached legal as Exhibit "A"

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 1992 taxes and  
assessments and that they will warrant and defend the same from  
all lawful claims whatsoever.

Dated:

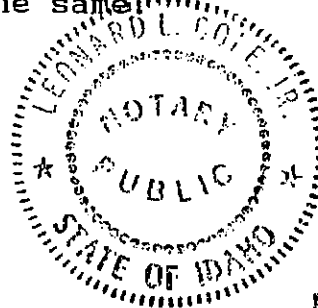
Ralph A. Weaver  
Ralph A. Weaver

Margaret E. Weaver  
Margaret E. Weaver

State of Idaho )  
County of Valley ) ss

On the 9 day of Sept, 1992 before me,  
Leonard L. Cole Jr.  
a notary public in and for said State, personally appeared  
Ralph A. Weaver and Margaret E. Weaver known to me to be the  
persons whose names are subscribed to the within instrument, and  
acknowledged to me that they executed the same.

Leonard L. Cole Jr.  
Notary Public  
CASCADIA, Idaho  
Commission Expires: 1-13-93



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### LEGAL DESCRIPTION

A parcel of land situated in the SE 1/4 of the SW 1/4, and the SW 1/4 of the SW 1/4, Section 12, along with the NW 1/4 of the NW 1/4, the SW 1/4 of the NW 1/4, the SE 1/4 of the NW 1/4, and Govt. Lot 2, Section 13, Township 17 North, Range 2 East, Boise Meridian, Valley County, Idaho, (please refer to, and note the differences between Inst. #6-166449, 149948, and 175483, Records of Valley County) more particularly described as follows:

Beginning at the 1/4 corner common to the above referenced Sections, thence S.89°57'30"W., 414.23 feet to a point; thence S.1°19'17"E., 260.88 feet to a point; thence S.0°05'09"W., 293.64 feet to a point; thence N.83°36'56"E., 212.74 feet to a point; thence S.48°23'04"E., 110.42 feet to a point; thence S.57°53'55"E., 23.57 feet to a point on the high water line of the right bank of the North Fork of the Payette River; thence along the high water line, S.62°04'48"W., 55.81 feet to a point; thence S.61°01'34"W., 19.49 feet to a point; thence S.49°41'02"W., 50.01 feet to a point; thence S.38°39'30"W., 28.67 feet to a point; thence S.30°52'28"W., 69.50 feet to a point; thence S.15°40'09"W., 109.92 feet to a point; thence S.0°17'33"W., 76.24 feet to a point; thence S.17°02'08"E., 81.23 feet to a point; thence S.19°43'08"E., 50.39 feet to a point; thence S.68°00'40"E., 47.10 feet to a point; thence S.16°59'57"E., 21.96 feet to a point; thence S.45°28'11"E., 40.87 feet to a point; thence S.45°34'10"E., 57.88 feet to a point; thence S.71°38'23"E., 52.73 feet to a point; thence, departing the high water line, and along a fence line, S.2°55'19"E., 149.85 feet to a point; thence S.86°42'16"W., 209.27 feet to a point; thence S.86°30'50"W., 59.98 feet to a point; thence S.87°29'30"W., 127.06 feet to a point; thence S.87°03'49"W., 450.21 feet to a point; thence, departing the fence line, N.30°44'53"E., 360.24 feet to a point; thence N.33°00'48"W., 149.78 to a point; thence N.14°32'05"W., 208.14 feet to a point; thence N.17°20'18"W., 143.89 feet to a point; thence N.89°13'03"W., 420.99 feet to a point on a fence line; thence, along the fence line, N.0°43'05"E., 612.38 feet to a point; thence N.1°05'25"E., 150.05 feet to a point; thence, departing the fence line, N.89°56'00"E., 1313.34 feet to a point; thence S.0°27'07"W., 151.18 feet to a point, the point of beginning.

Containing 28.7784 acres.

=====

### EASEMENTS

TOGETHER WITH: The following described easements for non-exclusive ingress and egress and public utilities.

#### Easement #1:

A 60 foot wide Non-Exclusive Easement located in the South Half of Section 12, Township 17 North, Range 2 East, B.M.; which lies 30 feet on either side of the following described center line:

Beginning at the Southwest corner of said Section 12, a 5/8" rebar on the East Edge of West Mountain Road, thence N.0°17'E., along the Section

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AUG 03 1994

line, 1342.38 feet to a point on an existing fence line, hereafter referred to as Point D; thence N.0°17'E., 30 feet to the REAL POINT OF BEGINNING:

Thence N.88°20'48"E., parallel to the existing fence line, 800 feet to a point; thence N.60°E., 500 feet to a point; thence N.88°20'48"E., 350 feet to a point; thence S.45°E., 319.65 feet to a point on an existing fence line that bears N.84°31'51"E., which point is the end of Easement #1.

#### Easement #2:

A 20 foot wide Non-Exclusive Easement located along an existing roadway, the Southerly and Westerly boundary of same being an existing fence line more particularly described as follows:

Beginning at Point D, described in Easement #1; thence N.88°20'48"E., 808.59 feet to a point; thence N.88°20'17"E., 115.81 feet to a point where the existing road forks; thence N.88°26'24"E., 220.18 feet to a point; thence S.73°22'03"E., 170.69 feet to a point; thence S.54°00'20"E., 79.70 feet to a point at the West gate post of a gate, the end of Easement #2.

#### Easement #3:

A 30 foot wide Easement, the Northerly boundary of same being a fence line, more particularly described as follows:

Beginning at the end of Easement #1, above, thence S.84°31'51"W., 38.90 feet to the REAL POINT OF BEGINNING; thence, along the fence line, N.84°31'51"E., 661.83 feet to a point, and the end of Easement #3.

#### Easement #4:

A 20 foot wide Easement, describing an existing roadway, the westerly boundary of which is more particularly described as follows:

Beginning at the end of Easement #3; Thence S.2°04'03"E., 83.01 feet to a point; thence S.15°46'10"E., 105.77 feet to a point; thence S.7°36'31"E., 93.39 feet to a point; thence S.14°14'18"E., 81.65 feet to a point; thence S.4°41'41"E., 46.21 feet to a point; thence S.12°46'20"W., 38.43 feet to a point; thence S.35°42'07"W., 33.77 feet to a point; thence S.50°50'05"W., 163.30 feet to a point; thence S.57°39'12"W., 74.57 feet to a point; thence S.32°34'26"W., 51.45 feet to a point; thence S.15°15'00"W., 318.39 feet to a point; thence S.4°08'11"E., 43.03 feet to a point; thence S.4°08'10"E., 194.76 feet to a point; thence S.2°48'49"W., 137.72 feet to a point where the easement enters the above described parcel; thence S.10°02'53"E., 153.96 feet to a point where the existing road leaves the above described parcel; thence S.1°19'17"E., 260.88 feet to a point; thence S.0°05'09"W., 293.64 feet to a point where the easement enters the above described parcel again, and the end of Easement #4.

#### Easement #5:

A 20 foot wide Easement, describing an existing roadway, the westerly boundary of same being an existing fence line more particularly described as follows:

Beginning at the end of Easement #2, above; thence S.3°41'35"W., 796.87 feet to a point; thence S.3°47'44"W., 170.30 feet to a point; thence S.0°57'01"W., 162.66 feet to a point where the easement enters the above described parcel, and the end of Easement #5.

#### Easement #6:

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AUG 03 1994

A 20 foot wide Easement, describing an existing roadway, the Easterly or Northerly boundary of same being more particularly described as follows:

Beginning at the end of Easement #5, above, thence S.1°05'25"W., 150.05 feet to a point; thence S.0°43'05"W., 612.38 feet to a point; thence S.89°13'03"E., 20 feet to a point where the existing road leaves the above described parcel, the REAL POINT OF BEGINNING;

Thence S.2°08'20"W., 331.36 feet to a point; thence S.2°15'13"E., 47.75 feet to a point; thence S.12°31'39"E., 31.94 feet to a point; thence S.24°11'19"E., 42.15 feet to a point; thence S.31°55'51"E., 39.64 feet to a point; thence S.34°04'58"E., 216.14 feet to a point; thence S.34°59'52"E., 49.37 feet to a point; thence S.75°15'44"E., 228.68 feet to a point where the easement enters the above described parcel again, and the end of Easement #6.

SUBJECT TO: The reservation of the following described easements for non-exclusive ingress and egress and public utilities, in the name of various Grantees of the parcels made from Ralph Weavers' original holdings in this area (see Inst. #149948).

#### Easement #7

A 20 foot wide easement for ingress and egress of a non-motorized nature, the North boundary of which is more particularly described as follows:

Beginning at the end of Easement #5, above, thence N.89°56'00"E., 1313.34 feet to a point on the East boundary of the above described parcel, and the end of Easement #7.

#### Easement #8

An affirmative easement for the owners, heirs and assigns of the parcels shown on Records of Survey, Book 3, Pages 164 - 165, records of Valley County, Idaho, giving them the right to boat and swim on Ralph Weavers lake, as it is shown on the above referenced Records of Survey.

#### Easement #9

Beginning at the end of Easement #5, above, thence S.1°05'25"W., 150.05 feet to a point; thence S.0°43'05"W., 612.38 feet to a point where the existing road leaves the above described parcel, the end of Easement #9.

#### Easement #10

Beginning at the point where Easement #4, above, first enters the above described parcel; thence S.10°02'53"E., 153.96 feet to a point where the existing road leaves the above described parcel, the end of Easement #10.

NOTES: There are differences on the ground between the instrument noted at the beginning of this document, relating to existing lines, and the boundaries created by said deeds. These issues remain unresolved.

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OCT 18 1980

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AUG 03 1994

# WATER RIGHTS SUMMARY REPORT

DATE: 10/12/89

PAGE: 1

WR-NUMBER:

65-02946

CURRENT OWNER:

JAMES M. HAIT

RUTH H. HAIT

P.O. BOX 160

MC CALL, ID 83638

PRIORITY DATE:

05-06-1952

STAGE:

DECREED

COUNTY: VALLEY

SOURCE: DUFFNER CREEK

WATER USE:

IRRIGATION FROM STORAGE

TOTAL:

DIVERSION RATE:

TRIBUTARY: PAYETTE RIVER, NORTH FORK

DIVERSION VOLUME:

215.00

215.00

WATER-DIST: 65

PERIOD FROM: PERIOD TO:

04/15

10/15

DECREE PLAINTIFF: STATE OF IDAHO

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

REMARKS: DECREE GIVEN LIC. NUMBER.

| POINT OF DIVERSION: | Twp | Rge | Sec | Tract | Lot |       |
|---------------------|-----|-----|-----|-------|-----|-------|
|                     | 17N | 02E | 2   | SE NE |     |       |
| PLACE OF USE:       | Twp | Rge | Sec | Tract | Lot | Acres |
|                     | 17N | 02E | 1   | NE SW |     | 20.0  |
|                     | 17N | 02E | 1   | NW SW |     | 27.0  |
|                     | 17N | 02E | 1   | SW SW |     | 32.0  |
|                     | 17N | 02E | 1   | SE SW |     | 37.0  |
|                     | 17N | 02E | 12  | NE NW |     | 27.0  |
|                     | 17N | 02E | 12  | NW NW |     | 28.0  |
|                     | 17N | 02E | 12  | SW NW |     | 21.0  |
|                     | 17N | 02E | 12  | NW SW |     | 34.0  |
|                     | 17N | 02E | 12  | SW SW |     | 40.0  |
|                     | 17N | 02E | 12  | SE SW |     | 1.0   |
| TOTAL ACRES:        |     |     |     |       |     | 267.0 |

WR-NUMBER:

65-07052

CURRENT OWNER:

JAMES M. HAIT

RUTH H. HAIT

P.O. BOX 160

MC CALL, ID 83638

PRIORITY DATE:

09-27-1968

STAGE:

DECREED

COUNTY: VALLEY

SOURCE: DUFFNER CREEK

WATER USE:

IRRIGATION FROM STORAGE

IRRIGATION

TOTAL:

DIVERSION RATE:

8.240

8.240

TRIBUTARY: PAYETTE RIVER, NORTH FORK

DIVERSION VOLUME:

580.00

WATER-DIST: 65

PERIOD FROM: PERIOD TO:

04/15

10/15

04/15

10/15

DECREE PLAINTIFF: STATE OF IDAHO

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

REMARKS: DECREE GIVEN LICENSE NUMBER.

| POINT OF DIVERSION: | Twp | Rge | Sec | Tract | Lot |
|---------------------|-----|-----|-----|-------|-----|
|                     | 17N | 02E | 2   | SE NE |     |

MICROFILMED  
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WR-NUMBER: 65-07052 (cont'd)

| PLACE OF USE: | Twp | Rge | Sec | Tract        | Lot | Acres |
|---------------|-----|-----|-----|--------------|-----|-------|
|               | 17N | 02E | 1   | SW NW        |     | 1.0   |
|               | 17N | 02E | 1   | NE SW        |     | 25.0  |
|               | 17N | 02E | 1   | NW SW        |     | 22.0  |
|               | 17N | 02E | 1   | SW SW        |     | 32.0  |
|               | 17N | 02E | 1   | SE SW        |     | 37.0  |
|               | 17N | 02E | 1   | SW SE        |     | 1.0   |
|               | 17N | 02E | 12  | NE NW        |     | 39.0  |
|               | 17N | 02E | 12  | NW NW        |     | 32.0  |
|               | 17N | 02E | 12  | SW NW        |     | 36.0  |
|               | 17N | 02E | 12  | SE NW        |     | 39.0  |
|               | 17N | 02E | 12  | NE SW        |     | 38.0  |
|               | 17N | 02E | 12  | NW SW        |     | 40.0  |
|               | 17N | 02E | 12  | SW SW        |     | 40.0  |
|               | 17N | 02E | 12  | SE SW        |     | 32.0  |
|               |     |     |     | TOTAL ACRES: |     | 414.0 |

WR-NUMBER: 65-07653B

CURRENT OWNER:  
JAMES M. HAIT  
P.O. BOX 160  
MC CALL, ID 83638

PRIORITY DATE:  
08-24-1976

STAGE:  
LICENSE ✓

COUNTY: VALLEY  
SOURCE: PAYETTE RIVER, NORTH FORK  
WATER USE: IRRIGATION  
DIVERSION RATE: 3.000  
TOTAL: 3.000  
TRIBUTARY: PAYETTE RIVER  
DIVERSION VOLUME: 462.00  
462.00

WATER-DIST: 65  
PERIOD FROM: 06/01  
PERIOD TO: 10/01

| POINT OF DIVERSION: | Twp | Rge | Sec | Tract | Lot | Acres |
|---------------------|-----|-----|-----|-------|-----|-------|
|                     | 18N | 02E | 36  | NE SW | 6   |       |
|                     | 18N | 02E | 36  | NE NE | 2   |       |

| PLACE OF USE: | Twp | Rge | Sec | Tract        | Lot | Acres |
|---------------|-----|-----|-----|--------------|-----|-------|
|               | 18N | 02E | 36  | NE NE        | 2   | 1.0   |
|               | 18N | 02E | 36  | NW NE        | 2   | 13.0  |
|               | 18N | 02E | 36  | SW SW        | 7   | 12.0  |
|               | 18N | 02E | 36  | SE SW        | 7   | 2.0   |
|               | 17N | 02E | 1   | NW NE        | 2   | 21.0  |
|               | 17N | 02E | 1   | SE NE        | 5   | 1.0   |
|               | 17N | 02E | 1   | NE NW        | 3   | 2.0   |
|               | 17N | 02E | 1   | NW NW        | 4   | 4.0   |
|               | 17N | 02E | 1   | NE SE        | 8   | 9.0   |
|               | 17N | 02E | 1   | SW SE        | 9   | 27.0  |
|               | 17N | 02E | 12  | NW NE        | 2   | 10.0  |
|               | 17N | 02E | 12  | SW NE        | 3   | 14.0  |
|               | 17N | 02E | 12  | NE SW        | 6   | 10.0  |
|               | 17N | 02E | 12  | SE SW        |     | 13.0  |
|               | 17N | 02E | 12  | NW SE        | 6   | 11.0  |
|               | 17N | 02E | 13  | NE NW        | 2   | 3.0   |
|               | 18N | 02E | 36  | NE NW        |     | 3.0   |
|               |     |     |     | TOTAL ACRES: |     | 154.0 |

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WR-NUMBER: 65-12136  
CURRENT OWNER:  
J. M. HAIT  
P.O. BOX 160  
MC CALL, ID 83638

PRIORITY DATE:  
06-15-1978

STAGE:  
LICENSE ✓

COUNTY: VALLEY  
SOURCE: DUFFNER CREEK

TRIBUTARY: PAYETTE RIVER, NORTH FORK

WATER-DIST: 65

WATER USE:  
IRRIGATION STORAGE  
IRRIGATION FROM STORAGE  
TOTAL:

DIVERSION RATE:

DIVERSION VOLUME:

PERIOD FROM: 10/15  
PERIOD TO: 06/01  
06/01 10/15

600.00  
600.00  
600.00

REMARKS: Reservoir also known as Hait Upper Dam.

| POINT OF DIVERSION: | Twp | Rge | Sec | Tract | Lot |
|---------------------|-----|-----|-----|-------|-----|
|                     | 17N | 02E | 2   | SE NE |     |
|                     | 17N | 02E | 2   | NE SE |     |

| PLACE OF USE: | Twp | Rge | Sec | Tract        | Lot | Acres |
|---------------|-----|-----|-----|--------------|-----|-------|
|               | 17N | 02E | 1   | SW NE        | 5   | 23.0  |
|               | 17N | 02E | 1   | SE NE        | 5   | 1.0   |
|               | 17N | 02E | 1   | NE SE        | 8   | 9.0   |
|               | 17N | 02E | 1   | NW SE        | 8   | 40.0  |
|               | 17N | 02E | 1   | SW SE        | 9   | 28.0  |
|               | 17N | 02E | 12  | NW NE        | 2   | 10.0  |
|               | 17N | 02E | 12  | SW NE        | 3   | 14.0  |
|               | 17N | 02E | 12  | NE NW        |     | 40.0  |
|               | 17N | 02E | 12  | NW NW        |     | 31.0  |
|               | 17N | 02E | 12  | SW NW        |     | 33.0  |
|               | 17N | 02E | 12  | SE NW        |     | 40.0  |
|               | 17N | 02E | 12  | NE SW        | 6   | 10.0  |
|               | 17N | 02E | 12  | NW SW        |     | 9.0   |
|               | 17N | 02E | 12  | SE SW        |     | 13.0  |
|               | 17N | 02E | 12  | NW SE        | 6   | 1.0   |
|               | 17N | 02E | 13  | NE NW        | 2   | 11.0  |
|               | 17N | 02E | 1   | NE SW        |     | 40.0  |
|               | 17N | 02E | 1   | NW SW        |     | 18.0  |
|               | 17N | 02E | 1   | SW SW        |     | 33.0  |
|               | 17N | 02E | 1   | SE SW        |     | 40.0  |
|               | 17N | 02E | 1   | SE NW        |     | 19.0  |
|               |     |     |     | TOTAL ACRES: |     | 463.0 |

END OF REPORT

MICROFILMED  
AUG 03 1994

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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: A65-02946  
Date Received: 11/ 8/1988  
Receipt No: X999999  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: L.B. INDUSTRIES, INC. 208-345-7515  
Address: P.O. BOX 2797  
1401 SHORELINE DR.  
BOISE, ID 83701
2. Date of Priority: MAY 6, 1952
3. Source: DUFFNER CREEK Trib. to: PAYETTE RIVER, NORTH FORK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 17N      | 02E   | 2       | SE     | NE     |        |     | VALLEY |
5. Description of diverting works:  
DAM "KNOWN AS LOWER HAIT DAM"
6. Water is used for the following purposes:
- | Purpose                 | From  | To    | C.F.S | (or) | A.F.A. |
|-------------------------|-------|-------|-------|------|--------|
| IRRIGATION FROM STORAGE | 04/15 | 10/15 |       |      | 215.00 |
7. Total Quantity Appropriated is:  
C.F.S. (and/or) 215.00 A.F.A.
8. Total consumptive use is 534.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use    | Acres |
|----------|-------|---------|--------|--------|-----|--------|-------|
| 17N      | 02E   | 1       | NE     | SW     |     | IRR FS | 20.0  |
|          |       |         | NW     | SW     |     | IRR FS | 27.0  |
|          |       |         | SW     | SW     |     | IRR FS | 32.0  |
|          |       |         | SE     | SW     |     | IRR FS |       |

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Date: 02/06/91

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10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 116.0 |
|          |       | 12      | NE         | NW  | IRR FS        | 27.0  |
|          |       |         | NW         | NW  | IRR FS        | 28.0  |
|          |       |         | SW         | NW  | IRR FS        | 21.0  |
|          |       |         | NW         | SW  | IRR FS        | 34.0  |
|          |       |         | SW         | SW  | IRR FS        | 40.0  |
|          |       |         | SE         | SW  | IRR FS        | 1.0   |
|          |       |         |            |     | Section Acres | 151.0 |
|          |       |         |            |     | Total Acres   | 267.0 |

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:  
NONE

14. Remarks:

DECREE GIVEN LIC. NUMBER.

CALIFORNIA PHONE NUMBER IS (408) 274-9248.

\*CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 2/6/91.\*

15. Basis of Claim: DECREED

Water Right Number: R874

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

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

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

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

A65-02946

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Date: 02/06/91

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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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POOR ORIGINAL

CHANGE IN OWNERSHIP

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This form is solely for purposes of notifying IDWR of a change in ownership of an adiudication claim.

[ ] Water Right Number(s): 1-65-02946

[ ] Name and Address of Former Claimant(s): L.B. Industries, Inc.

John Hart P.O. Box 166 McCull Idaho

[ ] New Claimant(s): L.B. Industries, Inc.

1701 Aberdeen Drive

P.O. Box 2747

[ ] New Mailing Address: Brian D. 83261

New Telephone Number: (208) 345-7575

[ ] Does the change in ownership result in a splitting of the water right claimed? yes ☒ no  
If yes, then describe the portion of the water right that is now claimed by the new owner:

[ ] Attach proof of ownership  
Describe proof attached: Deed and Water Right Transfer Agreement  
(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 claimant.)

[ ] Signature of New Claimant(s): L. B. Industries, Inc

By Christopher Clark, Secretary

Date: January 31, 1991

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CHANGE IN OWNERSHIP

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[ ] Signature of Former Claimant(s): \_\_\_\_\_

Date: 11/23/94

(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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FEB 04 1991

DEPARTMENT OF LAND MANAGEMENT  
WARRANTY DEED

WARRANTY DEED

FOR VALUE RECEIVED, THE HAIT 1971 CALIFORNIA TRUSTS, the Grantor, does hereby grant, sell and convey unto L. B. INDUSTRIES, INC., whose address is 1401 Shoreline Drive, P. O. Box 2297, Boise, Idaho 83701, the Grantees, the following described premises, to-wit:

The South Half of the Southeast Quarter, (S 1/2 SE 1/4) of Section 35; Township 18 North, Range 2 East, B.M., Valley County, Idaho:

A tract of land located in the SE 1/4 SW 1/4 of Section 35; Township 18 North, Range 2 East, B.M., Valley County, Idaho, being more particularly described as follows: Commencing at the standard South 1/4 corner of Section 35, Township 18 North, Range 2 East, B.M., Valley County, Idaho, which is the true point of Beginning; thence South 89°54'32" West, 1333.56 feet to a point; thence North 0°16'39" East, 1321.97 feet to a point; thence North 89°56'34" East, 1328.95 feet to a point; thence South 0°04'40" West, 1321.16 feet to the true Point of Beginning.

A Tract of Land located in Section 36, Township 18 North, Range 2 East, B.M., Valley County, Idaho; beginning at the S 1/16 corner common to Sections 35 and 36, Township 18 North, Range 2 East, B.M., Valley County, Idaho; thence easterly 256 feet more or less to the center line of a County Road; thence northerly along the center line of said County Roadway, a like distance of 256 feet more or less; thence back in the Southwesterly line to the Point of Beginning. Subject to said County Road.

A tract of land located in Lot 7, Section 36, Township 18 North, Range 2 East, B.M., Valley County, Idaho, being that portion of property lying West of the County road.

That portion of property located in Section 1 and Section 12, Township 17 North, Range 2 East, Valley County, Idaho, lying West of the County Road.

Lot 1, Lot 2, Lot 3; Section 2 (4th Std. parallel north) Township 17 North Range 2 East, B.M., Valley County, Idaho.

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A tract of land located in the SE 1/4 NW 1/4 and the SW 1/4 NE 1/4 of Section 2; Township 17 North, Range 2 East, B.M., Valley County, Idaho, being more particularly described as follows:

Commencing at the Center East 1/16 corner of Section 2, Township 17 North, Range 2 East, B.M., which point is the true Point of Beginning; thence North  $41^{\circ}24'58''$  West, 794.43 feet to a point; thence North  $89^{\circ}47'29''$  West, 1481.67 feet to a point; thence North  $00^{\circ}29'18''$  East, 726.0 feet to a point; thence South  $89^{\circ}54'00''$  East, 674.11 feet to a point; thence South  $89^{\circ}44'13''$  East, 1332.28 feet to a point; thence South  $00^{\circ}14'15''$  West, 1319.85 feet to the true Point of Beginning.

SE 1/4 NE 1/4; NE 1/4 SE 1/4; E 1/2 SE 1/4 SE 1/4; Section 2, Township 17 North, Range 2 East, B.M., Valley County, Idaho.

E 1/2 NE 1/4 NE 1/4; Section 11, Township 17 North, Range 2 East, B.M., Valley County, Idaho.

SAVE AND EXCEPT a parcel of land situate in Govt. Lot 1, Section 2, Township 17 North, Range 2 East; and in the South 1/2 of the Southeast 1/4, Section 35, Township 18 North, Range 2 East, Boise Meridian, Valley County, Idaho; more particularly described as follows:

Beginning at the Northeast corner of the above described Section 2, thence North  $70^{\circ}27'28''$  West, 364.18 feet to the Northeast corner of the parcel, and the REAL POINT OF BEGINNING;

Thence West, 627.61 feet to a point on the high water line of the Hail Reservoir and the Northwest corner of the parcel;

Thence continuing along the high water line, South  $80^{\circ}01'56''$  West, 22.24 feet to a point;

Thence South  $13^{\circ}33'16''$  West, 84.36 feet to a point;

Thence South  $25^{\circ}36'38''$  West, 60.27 feet to a point;

Thence South  $17^{\circ}50'17''$  West, 69.32 feet to a point;

Thence South  $4^{\circ}25'56''$  West, 60.25 feet to a point;

Thence South  $4^{\circ}28'07''$  East, 59.25 feet to a point;

Thence South  $5^{\circ}13'48''$  East, 80.72 feet to a point;

Thence South  $17^{\circ}40'52''$  East, 47.04 feet to a point;

Thence South  $25^{\circ}06'19''$  East, 47.74 feet to a point;

Thence South  $44^{\circ}17'20''$  East, 55.50 feet to a point;

Thence South  $29^{\circ}11'20''$  East, 76.21 feet to a point;

Thence South  $11^{\circ}29'06''$  East, 42.66 feet to a point;

Southwest corner of the parcel;

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Thence departing from the high water line, East, 571.50 feet to a point, the Southeast corner of the parcel;  
Thence North, 660.00 feet to the Northeast corner of the parcel, and the REAL POINT OF BEGINNING.  
Containing 10.0000 acres.

RESERVING a non-exclusive easement for ingress and egress along the existing roads that lead to Mr. Haits' residence, or along any adequate replacement of these same roads, from the county road to the East.

SUBJECT TO:

1. General taxes for the year 1991, a lien, not yet due or payable.
2. A Powerline Easement for maintenance and incidental purposes as set forth in Instrument No. 74129 recorded July 11, 1971, records of Valley County, Idaho.
3. Any adverse claim to any portion of the land described herein, which lies below the mean high water.
4. Any and all easement or restrictions of record or in use.

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

DATED: 1/3, 1991

HAIT 1971 CALIFORNIA TRUST

By James Merritt Haits T.R.  
James Merritt Haits, Trustee

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OCT 18 1996

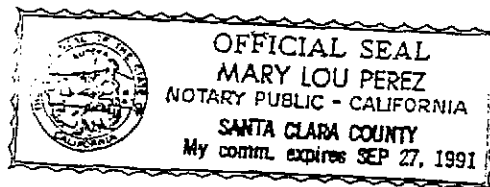
~~MICROFILMED~~  
~~AUG 03 1994~~

STATE OF CALIFORNIA )  
 ) ss.  
County of Santa Clara )

On this 3<sup>rd</sup> day of January, 1991, before me, Mary Lou Perez a Notary Public in and for said State, personally appeared JAMES MERRITT HAIT, known or identified to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he executed the same in his capacity as Trustee of THE HAIT 1971 CALIFORNIA TRUSTS.

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

Mary Lou Perez  
Notary Public for California  
Residing at: 1789 E. Capital Expy S J.  
My Commission Expires: SEP 27, 1991



JAN 8 9 32 AM '91  
RECEIVED  
VALLEY COUNTY  
DEPT. OF CLERK  
BY: [Signature]

REQUESTED BY: \_\_\_\_\_  
RECORDED

178028  
CENTRAL IDAHO TITLE

MICROFILMED  
OCT 18 1996

~~MICROFILMED~~  
~~AUG 03 1994~~

MEMORANDUM OF SALE OF WATER RIGHTS

Pursuant to previously executed and delivered Warranty Deeds, namely Instrument No. 178028, recorded January 8, 1991, and Instrument No., 173995, recorded June 29, 1990, Valley County Records, State of Idaho, between HAIT 1971 CALIFORNIA TRUSTS, Grantor, and L. B. INDUSTRIES, INC., Grantee, all appurtenant water rights were likewise transferred. This memorandum is intended to confirm and ratify the absolute transfer for value of all such rights whether permitted, licensed, or common law, including, but not limited to, the following enumerated rights, to-wit:

- (1) These rights are identified in the manner by which they are identified in the Snake River Basin adjudication (Civil Case No. 39576, Fifth District, County of Twin Falls), to-wit:
  - (a) ✓ A65-07052 w/priority of 9-27-68;
  - (b) ✓ A65-07653B w/priority of 8-24-76;
  - (c) ✓ A65-07576 w/priority of 9-3-75;
  - (d) ✓ A65-02946 w/priority of 5-6-52;
  - (e) ✓ A65-08120 w/priority of 5-1-68;
  - (f) ✓ A65-08121 w/priority of 6-1-50;
  - (g) ✓ A65-07535 w/priority of 5-3-75;
- (2) An approved application for a permit to impound waters, subject to certain conditions for "proving up" the claims within the statutory periods, and compliance with local, state and Federal law applicable to artificial impoundments (Permit No. P65-13131 received 4-16-90).

Grantor shall execute such other and further documents as may be necessary to fully memorialize such transfer, including those utilized by the Idaho Department of Water

**MICROFILMED**  
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Resources in identifying and transferring all permitted rights, the intent of the parties to the prior transfers being to fully convey any and all water rights previously held by Grantor and running to the use and benefit of the lands conveyed, Grantor retaining only certain limited rights utilized in conjunction with the retained residential ten (10) acre parcel lying within the lands conveyed.

DATED this 14<sup>th</sup> day of January, 1991.

HAIT 1971 CALIFORNIA TRUSTS

By James Merritt HAIT ? R  
James Merritt HAIT, Trustee

STATE OF CALIFORNIA       )  
                                  ) ss.  
County of Santa Clara    )

On this 14<sup>th</sup> day of January, 1991, before me, Ann Marie Guellman a Notary Public in and for said State, personally appeared JAMES MERRITT HAIT, known or identified to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he executed the same in his capacity as Trustee of the HAIT 1971 CALIFORNIA TRUSTS.

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

Ann Marie Guellman  
Notary Public for California  
Residing at: 3115 High Meadows  
San Jose, CA

My Commission Expires: September 7, 1991



MICROFILMED  
AUG 03 1994

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: A65-02946  
Date Received: 11/08/1988  
Receipt No: X999999  
Received By:                     

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: JAMES M. HAIT 208-634-5120  
Address: P.O. BOX 160  
MC CALL, ID 83638  
AND/OR  
Name: RUTH H. HAIT  
Address: P.O. BOX 160  
MC CALL, ID 83638
2. Date of Priority: MAY 06, 1952
3. Source: DUFFNER 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      | 02E   | 2       | SE     | NE     |     |     | VALLEY |
5. Description of diverting works:  
DAM "KNOWN AS LOWER HAIT DAM"
6. Water is used for the following purposes:
- | Purpose                 | From  | To    | C.F.S | (or) | A.F.A. |
|-------------------------|-------|-------|-------|------|--------|
| IRRIGATION FROM STORAGE | 04/15 | 10/15 |       |      | 215.00 |
7. Total Quantity Appropriated is:  
C.F.S. (and/or) 215.00 A.F.A.
8. Total consumptive use is 534.0 Acre Feet Per Annum.
9. Non-irrigation uses:

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10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 17N      | 02E   | 1       | NE  |    | SW  |     | IRR FS        | 20.0  |
|          |       |         | NW  |    | SW  |     | IRR FS        | 27.0  |
|          |       |         | SW  |    | SW  |     | IRR FS        | 32.0  |
|          |       |         | SE  |    | SW  |     | IRR FS        | 37.0  |
|          |       |         |     |    |     |     |               |       |
|          |       |         |     |    |     |     | Section Acres | 116.0 |
|          |       | 12      | NE  |    | NW  |     | IRR FS        | 27.0  |
|          |       |         | NW  |    | NW  |     | IRR FS        | 28.0  |
|          |       |         | SW  |    | NW  |     | IRR FS        | 21.0  |
|          |       |         | NW  |    | SW  |     | IRR FS        | 34.0  |
|          |       |         | SW  |    | SW  |     | IRR FS        | 40.0  |
|          |       |         | SE  |    | SW  |     | IRR FS        | 1.0   |
|          |       |         |     |    |     |     | Section Acres | 151.0 |
|          |       |         |     |    |     |     | Total Acres   | 267.0 |

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:  
NONE

14. Remarks:  
DECREE GIVEN LIC. NUMBER.  
CALIFORNIA PHONE NUMBER IS (408) 274-9248.

15. Basis of Claim: DECREED  
Water Right Number: R874  
Case Number:  
Court :  
Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

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OCT 18 1996

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~~AUG 03 1994~~

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 \_\_\_\_\_

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OCT 18 1996

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~~AUG 03 1994~~

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

Ident. Number: A65-02946

Date Received:

Receipt No:

Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER FEDERAL LAW

1. Name: JAMES M. HAIT  
Address: P.O. BOX 160  
MC CALL, ID 83638

Name: RUTH H. HAIT  
Address: P.O. BOX 160  
MC CALL, ID 83638

2. Date of Priority: MAY 06, 1952

3. Source: DUFFNER 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      | 02E   | 2       | SE NE             |     | VALLEY |

5. Description of diverting works: *Dam known as lower Hait dam*

6. Water is used for the following purposes:

| Purpose                 | From  | To    | C.F.S | (or) | A.F.A. |
|-------------------------|-------|-------|-------|------|--------|
| IRRIGATION FROM STORAGE | 04/15 | 10/15 |       |      | 215.00 |

7. Total Quantity Appropriated is:  
C.F.S. (and/or) 215.00 A.F.A.

8. Total consumptive use is 534 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use    | Acres |
|----------|-------|---------|------------|-----|--------|-------|
| 17N      | 02E   | 1       | NE SW      |     | IRR FS | 20.0  |
|          |       |         | NW SW      |     | IRR FS | 27.0  |
|          |       |         | SW SW      |     | IRR FS | 32.0  |
|          |       |         | SE SW      |     | IRR FS | 37.0  |

Section Acres 116.0

A65-02946

Page 1

Date: 10/24/88

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AUG 03 1994

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10. Place of Use: Continued

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|-----|----|-----|-----|--------|-------|
| 17N      | 02E   | 12      | NE  |    | NW  |     | IRR FS | 27.0  |
|          |       |         | NW  |    | NW  |     | IRR FS | 28.0  |
|          |       |         | SW  |    | NW  |     | IRR FS | 21.0  |
|          |       |         | NW  |    | SW  |     | IRR FS | 34.0  |
|          |       |         | SW  |    | SW  |     | IRR FS | 40.0  |
|          |       |         | SE  |    | SW  |     | IRR FS | 1.0   |

Section Acres 151.0

Total Acres 267.0

11. Place of use in counties: VALLEY

12. Do you own the property listed above as place of use? *no yes*

13. Other Water Rights Used:

14. Remarks:

DECREE GIVEN LIC. NUMBER.

15. Basis of Claim: DECREED

Water Right Number: R874

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

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OCT 18 1996

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~~AUG 03 1994~~

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.

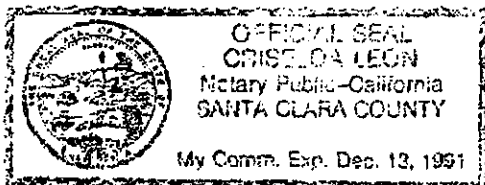
Signature of Claimant(s): *[Signature]* Date: 11/4/88  
*[Signature]* Date: \_\_\_\_\_

State of Idaho )  
County of Santa Clara ) SS.

Subscribed and sworn (or affirmed) before me this 4<sup>th</sup> day  
of November 19 88.  
*[Signature]*  
Notary Public

Seal

Residing at 281 Mantin Ave, S.C., CA.  
My Commission Expires 12-13-1991



MICROFILMED  
OCT 18 1996

~~MICROFILMED~~  
~~AUG 09 1994~~