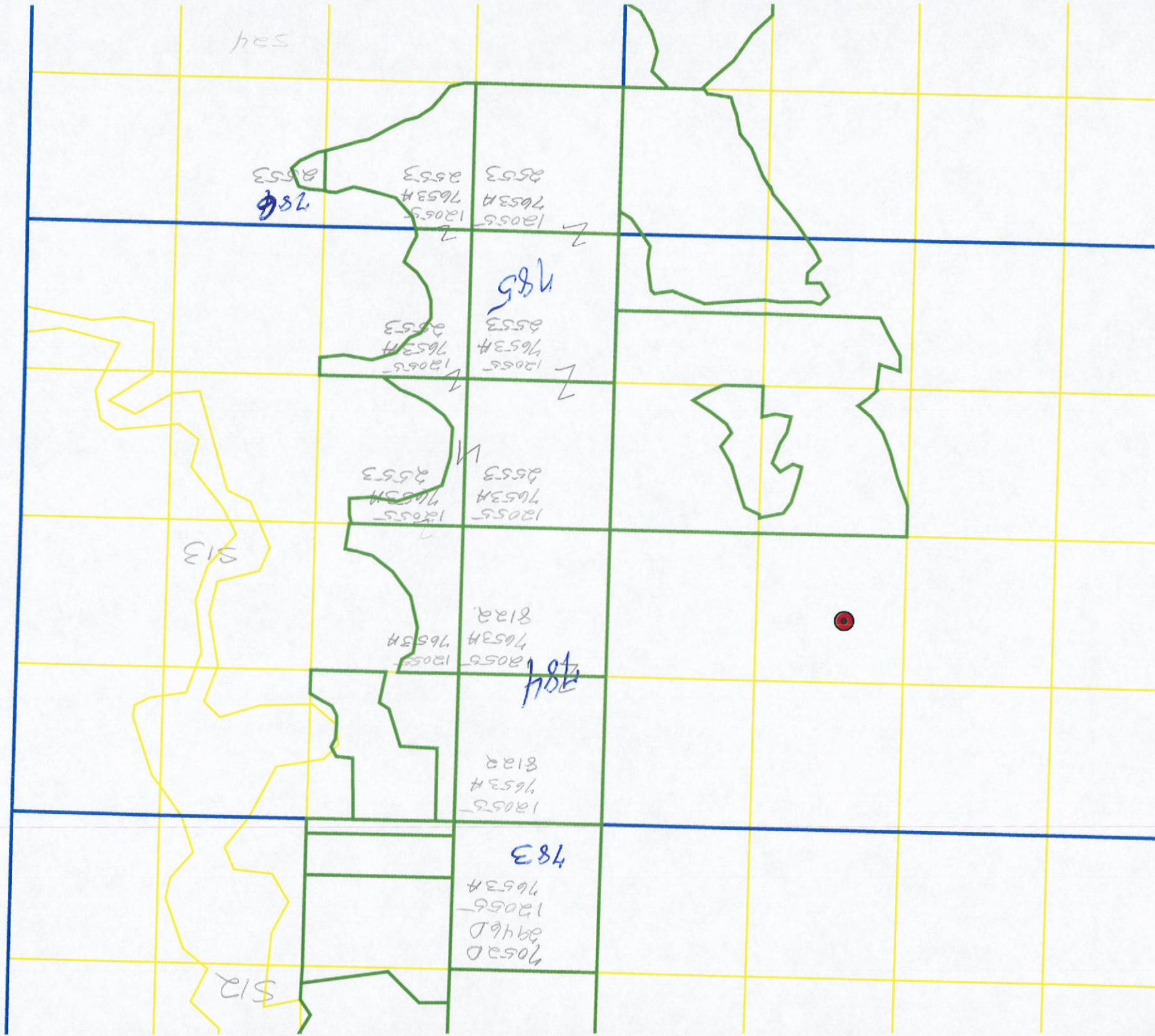
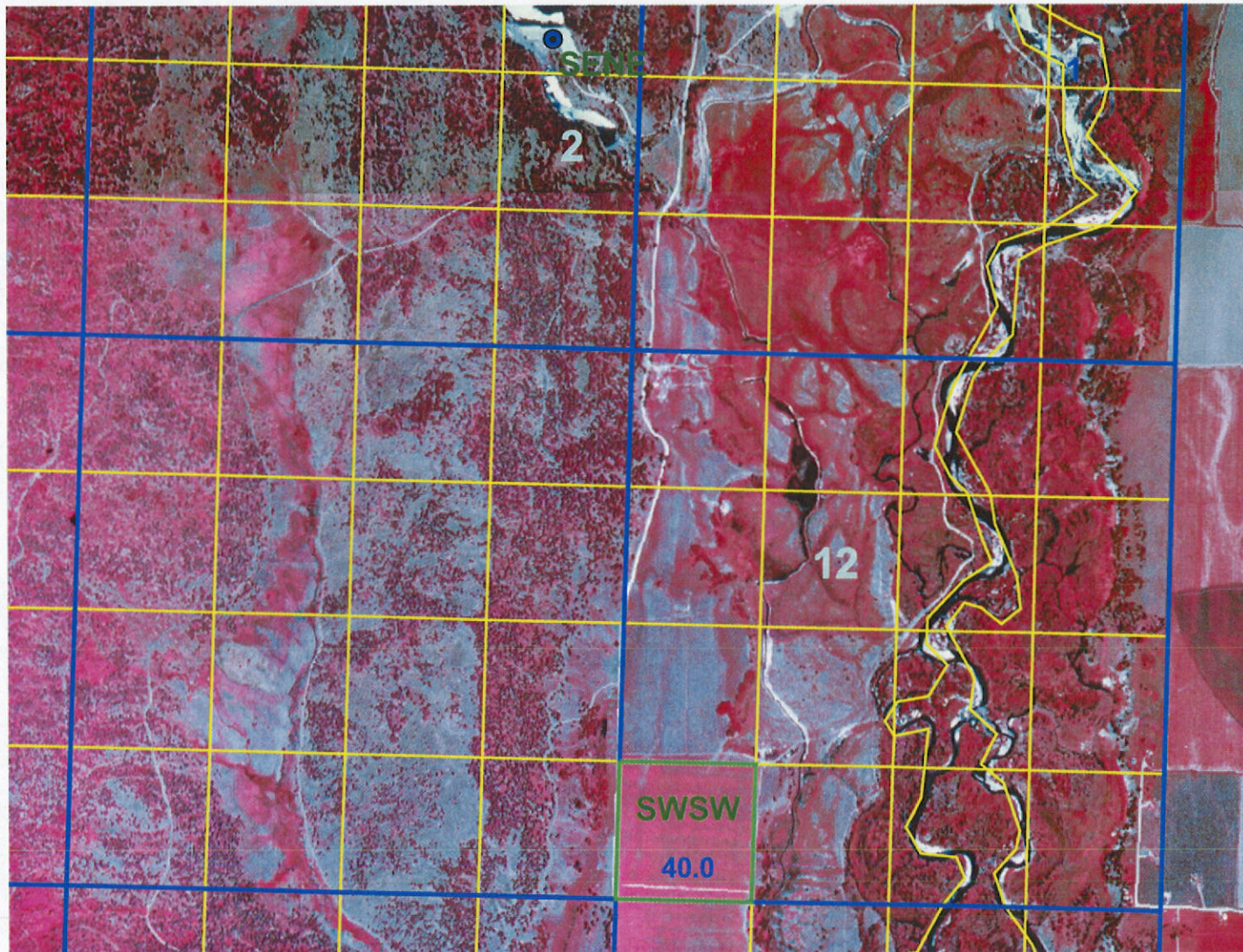




IDAHO DEPARTMENT OF WATER RESOURCES

17N, 02E, S12



1987 NAPP PHOTO

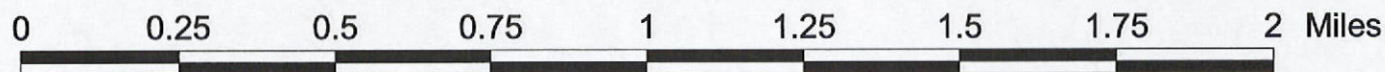
-  POINT OF DIVERSION
-  PLACE OF USE
-  1/4 1/4 LINES
-  SECTION LINES
- 6 ACRES
- 6 SECTION NUMBERS

CLAIM(S): 65-02946D & 65-07052D

OWNER(S): TWIN PINES

Prepared by Mel Schulte

DATE: MAY 27, 1999



100% ORIGINAL

17N

4962 (LAKE FORK)
2773 SE

4963

50

4965

4966

30

V A L L E Y

LAKE

IRRIGATION

DISTRICT

CANAL

NORTH

FORK

Old Fort
(Ruins)

2E
3E
Mile 65

12

13

6127

65-7535

65-1052

land identified
in Paragraph
#1 on
legal description
←

Flat

Sunflower

11

Mill

Corral

Creek

RIDGE

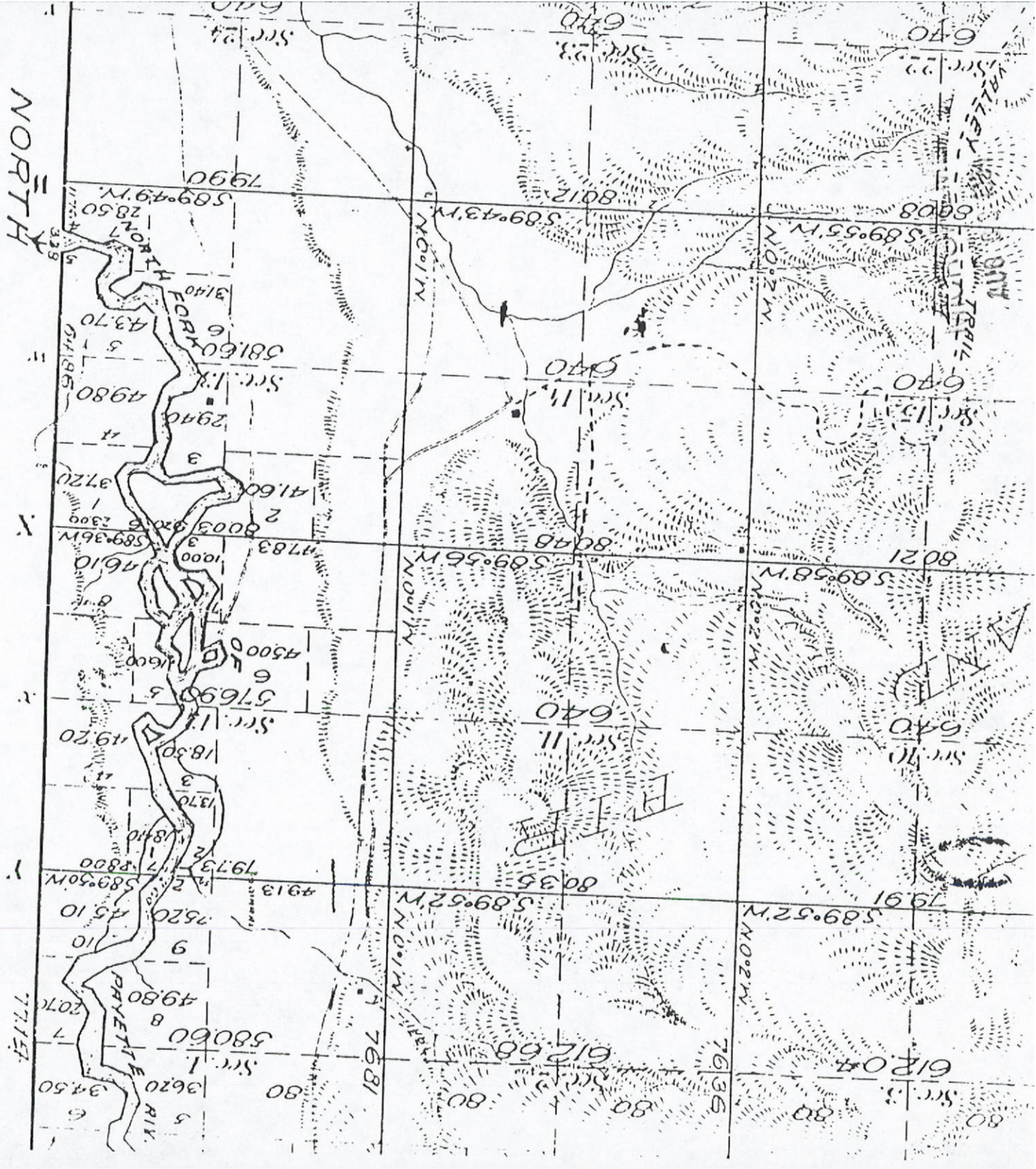
Black
Saddle

MICROFILM

AUG 05 1994

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

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: A65-02946D

Date Received: 11/ 8/1988

Receipt No: X999999

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TWIN PINES RIVER RANCH 208-322-5600
Address: 6874 FAIRVIEW AVE
BOISE ID 83704
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			32.21
7. Total Quantity Appropriated is:
C.F.S. (and/or) 32.21 A.F.A.
8. Total consumptive use is 80.0 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	12	SW	SW		IRR FS	40.0

Section Acres 40.0

Total Acres 40.0

MICROFILMED
OCT 18 1996

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
_____, 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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

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

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

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

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

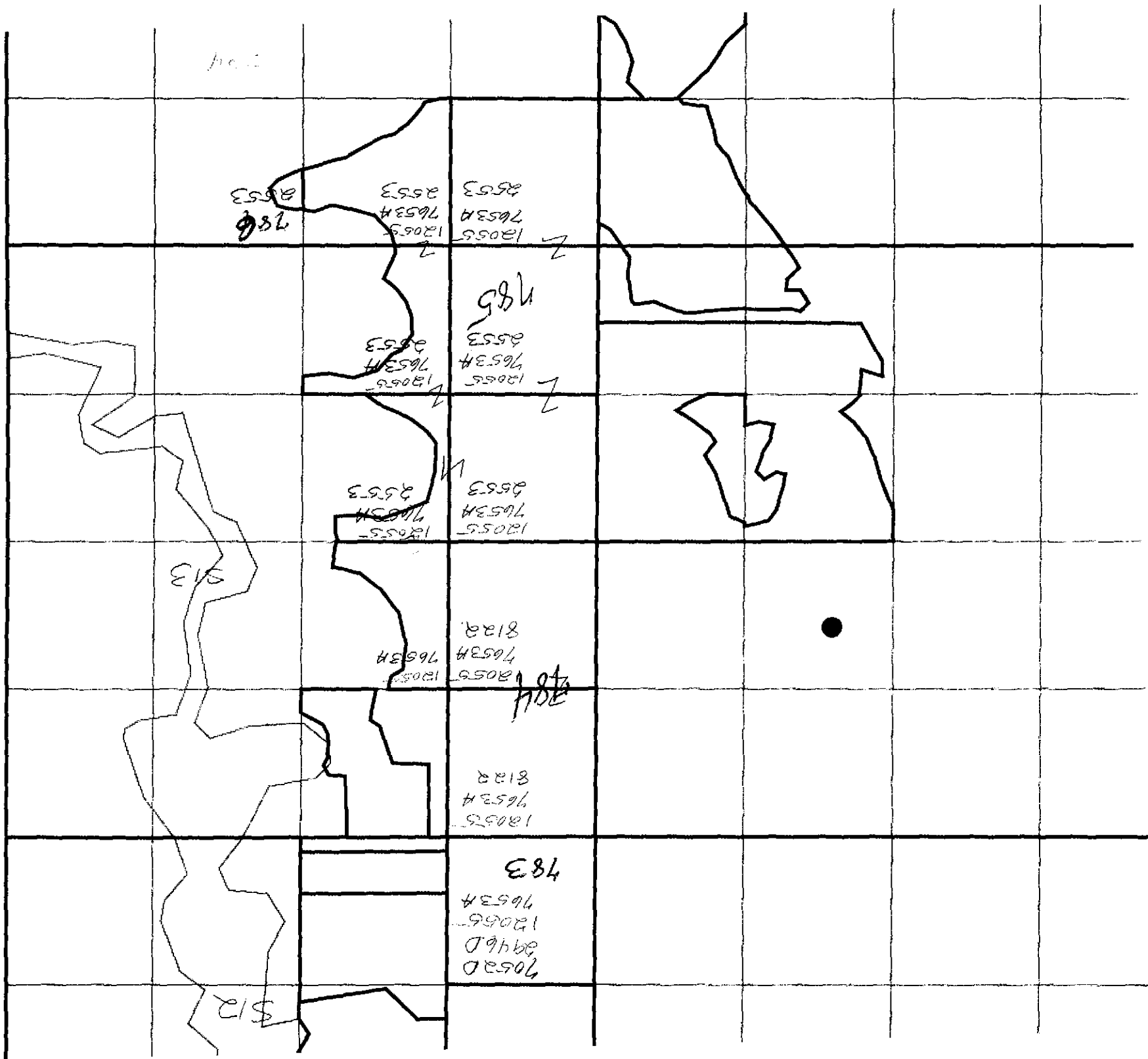
To be eligible for a new non-irrigation season stockwater claim:

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

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

Sincerely,

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



AJ0749NP
No. R65-029460

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

DATE: 09/21/99
PAGE: 1

```
=====
OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          NAME & ADDRESS    DATE          FROM TO      RATE        VOLUME
-----
.C TWIN PINES RIVER RANCH    05/06/1952    IRRIGATION STORAGE    01-01 12-31    32.21 AFA
  6874 FAIRVIEW AVE          IRRIGATION FROM STORAGE    04-15 10-15    32.21 AFA
  BOISE ID 83704
  (208) 322-5600
                                     TOTAL DIVERSION:    32.21 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
  NENE NWNE SWNE SENE : NENW NWNW SWNW SENW : NESW NWSW SWSW SESW : NESE NWSE SWSE SESE :
  T   R   S : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac :
  --- --- : ----- : ----- : ----- : ----- :
17N 02E 12 :           :           :           :           :
                                     TOTAL ACRES    40.0
                                     TOTAL ACRES    40.0
```

POU County: VALLEY

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 65-07052D IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 120 AF.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 65-02946B, 65-02946C, 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: 05/27/1999 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

09:17:40
05/27/99
18

CLAIM NUMBER: A65-02946D

Other Rights: ~~NONE~~

Comments

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number: 65	Field Inspection Flag:	
		Presumption Flag:	

EXP - F06

QNT - E05

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:16:55
05/27/99

PAGE: 17
QUICKLOOK INFORMATION

17
CLAIM NUMBER: A65-029460

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			MS In office 5-27-99	N		MS 5-27-99	MS 5-27-99	
POINT OF DIV				N				
SOURCE				N				
PLACE OF USE	Y			N				
DIV. AMOUNT 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 <i>GIS map</i>	DATE OF PHOTO <i>5-27-99</i> <i>U987</i> IDWR ID NO. _____	Y(☒) N() <i>6b</i>
() 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 <i>GIS Table</i>	DATE <i>5-27-99</i>	Y(☒) N() <i>6a</i>
☒ OTHER <i>POLL review report</i>	DATE <i>5-27-99</i>	Y(☒) N()
☒ OTHER <i>PRBA claim</i>	DATE <i>5-23-77</i>	Y() N()

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:16:55
05/27/99

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-02946D

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

FIRST: JAMES M
STATE: ID ZIP: 83638

OWNER CODE: 0

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

FIRST: RUTH H
STATE: ID ZIP: 83638

OWNER CODE: 0

LAST: TWIN PINES RIVER RANCH
ADDRESS: 6874 FAIRVIEW AVE
CITY: BOISE
PHONE NUMBER: 208-322-5600

FIRST:
STATE: ID ZIP: 83704

OWNER CODE: C

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: 0

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 65-02946 as a result of
ownership changes. See attached split tree.*

A. AJ CLAIM: # A65-02946D 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 5-27-99

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

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

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A65-02946B	R65-02946B
A65-02946C	R65-02946C
A65-07052B	R65-07052B
A65-07052D	R65-07052E
A65-07052E	R65-07052F
A65-07052F	R65-12136A
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 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
A65-02946C	R65-02946C
A65-07052B	R65-07052B
A65-07052D	R65-07052E
A65-07052E	R65-07052F
A65-07052F	R65-12136A
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 FLAG	COUNTY VALLEY	DIVERSION NAME	DIVERSION NBR
17N	02E	2		SE	NE					

SOURCE: DUFFNER CREEK

TRIB: PAYETTE RIVER, NORTH FORK

REVIEWED BY:

Michael Schulte

DATE:

5-27-99

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

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

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
17N	02E	12	SW	SW		TWIN PINES RIVER RANCH	A65-02946D / 40.0	- /	39.0		
			SW	SW		TWIN PINES RIVER RANCH	A65-07052D / 40.0	- /			
			SW	SW		TWIN PINES RIVER RANCH	A65-12055 / 40.0	65-12055 / 40.0			
			SW	SW		TWIN PINES RIVER RANCH	A65-07653A / 40.0	65-07653A / 40.0			
			SW	SW		HAIT, JAMES M.		65-02946 / 40.0			40
			SW	SW		HAIT, JAMES M.		65-07052 / 40.0			

ADDITIONAL POU FOUND

TOTAL ACRES	A65-02946D	40.00	39.00	40
-------------	------------	-------	-------	----

POU COUNTY: VALLEY

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

Y() N(☒)

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

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-02946D	DUFFNER CREEK	TWIN PINES RIVER RANCH			32.21	0.80
A65-07052D	DUFFNER CREEK	TWIN PINES RIVER RANCH	0.796	0.019		
A65-07653A	PAYETTE RIVER, NORTH FORK	TWIN PINES RIVER RANCH	4.270	0.014	900.00	3.00
A65-12055	GROUNDWATER	TWIN PINES RIVER RANCH	1.560	0.005		

6a

WESTERN REGION

OWNER (S): Twin Pines River Ranch

CLAIM NUMBERS: A65-02946D & A65-07052D

AGENT: MEL SCHULTE

DATE 5-27-99

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	12											40					40
																			40

POLYGON CREATED ON 330

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

ATTRIBUTES OF B65-POU.SHP (783) () () () ()

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

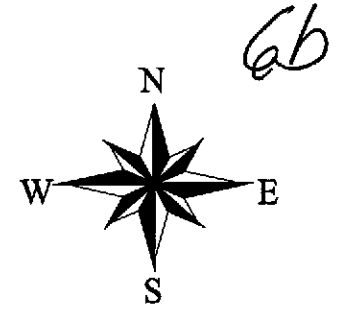
8-12-99 B65-DBPOU.DBF UPDATED BY MTS

8-12-99 B65-DBPOD.DBF UPDATED BY MTS

NOTES:

IDAHO DEPARTMENT OF WATER RESOURCES

17N, 02E, S12



1987 NAPP PHOTO

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

CLAIM(S): 65-02946D & 65-07052D

OWNER(S): TWIN PINES

Prepared by Mel Schulte

DATE: MAY 27, 1999



NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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

Y(☒) N(☐)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

65-07052D

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

N/A(☐) Y(☒) N(☐)

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

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

N/A(☐) Y(☒) N(☐)

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

Y(☐) N(☒)

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

Y(☐) N(☒)

CHECK DOCUMENTS USED TO VERIFY POI: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;
(~~L~~) ^{GIS} NAPP, IDWR NO. _____; ☒ ASCS PHOTO; () OTHER _____

NOTES:
Recommended as decreed in the PRBA. (See attached split tree)

RECOMMENDATIONS:

TOTAL ACRES: 40 N/A()
REVIEWED BY: Mel Schulte DATE: 5-27-99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-02946D IRRIGATION FROM STORAGE	FROM 04-15 TO 10-15		32.21 AF/A
TOTAL DIVERSION RATE/VOLUME			32.21 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:

Recommended as decreed 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 _____ x 0.02 CFS/ACRE = _____ 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 = 32.21 AF/A

ACRES 40 x DIVERSION VOL. AF/A FOR AREA 3 =

TOTAL DIVERSION VOLUME 120 AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = NA
~~89.0 AF/A~~

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

TOTAL CONSUMPTIVE USE _____ AF/A

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

NOTES: _____

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
IRRIGATION FROM STORAGE	04-15	10-15	DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
					32.21		~~80.0~~	<i>NA</i>
TOTAL FOR THIS RIGHT					32.21		~~80.0~~	<i>NA</i>

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: *MacSchultz* DATE: *5-27-99*

FLAG: _____
STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE):

EXP - F06
QNT - E05

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-02946

See attached split tree 14a & 14b

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE

EXAMINER

CFS

SPLITS:

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

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:

Split Tree 65-02946

65-02946 (N/O Hart)

QV: 215 AFA

POD: 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 L.B. Anderson)

QV - 214.2

POD: 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

POD: 17N, 2E, S2, SENE

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

- 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 - 37 116

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

Area

A65-02946B

.80 AF

1

-02946C

181.99

226.

-02946D

32.21

40

215 AF.

267

Water Right No.	Name Last, First	W N	Priority Date	STG/ STS	Source	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 Right No.	Name Last, First	O W N	Priority Date	Stg/ Sts	Source	Use Code Desc
A65-02946	SPLIT CLAIM,	C	05/06/1952	/Z	DUFFNER CREEK SPLIT CLAIM	03 IRR FS
A65-02946A	SPLIT CLAIM,	C	05/06/1952	/Z	DUFFNER CREEK SPLIT CLAIM	03 IRR FS
A65-02946B	THOMPSON, MARIETTA THOMPSON, CHARLES	C 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 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 _____)

=====

AUTHENTICATION:

SIGNATURE: Mel Schulte DATE: 5-27-99

NAME OF FIELD EXAMINER: _____ TITLE: _____

=====

AJ5815NP

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT

DATE: 05/27/99

OPTION: IRRIGATION USES ONLY

ADJUDICATION CLAIM NUMBER: A65-02946D

PAGE: 1

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

A65-02946B

A65-02946C

A65-02946D

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
17N	02E	12	SW	SW		TWIN PINES RIVER RANCH	A65-02946D /03/40.0	- / /	39.0
			SW	SW		TWIN PINES RIVER RANCH	A65-07052D /03/40.0	- / /	
			SW	SW		TWIN PINES RIVER RANCH	A65-12055 /01/40.0	65-12055 /01/40.0	
			SW	SW		TWIN PINES RIVER RANCH	A65-07653A /01/40.0	65-07653A /01/40.0	
			SW	SW		HAIT, JAMES M.		65-02946 /03/40.0	
			SW	SW		HAIT, JAMES M.		65-07052 /03/40.0	
TOTAL ACRES							A65-02946D	40.00	39.00

POU COUNTY: VALLEY

IN THE DISTRICT COURT OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF GEM
IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS TO THE USE OF
PAYETTE RIVER DRAINAGE BASIN WATER RIGHT

Notice is hereby given that James H. & or Ruth H. Hail

P.O. Box 160 McCall, ID 83635

IDENT. NO. 65-2946 MAP NO.

and beneficial use of the surface or ground water, or of tributary to

The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) May 26, 1952 5/26/52

(2) Describe the source of water: (Name of stream, lake, spring, etc., or groundwater) Duffner Creek

(3) Describe the purpose for which the water has been used and the time during the year when you exercised the right claimed:

Quantity 215 afa Use Irrigation Period of Use From April 1 To Oct 31

Quantity 215 afa Use Irrigation Period of Use From 4/15 To 10/15

Quantity 215 afa Use Irrigation Period of Use From To

(4) TOTAL QUANTITY CLAIMED 215 afa

(5) A) Point of Diversion: Give location of point where water is diverted from its source SE 1/4 NE 1/4

Sec. 2 Twp. 17N Rge. 2E, B.M.; additional points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)

Give sizes and capacities; be as specific as possible. dam and spillway

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	TOTAL
17N	2E	12					25	30	38	38									161 11/16
							25	30	38	38									161 11/16
							27	28	21										

Total No. of acres 267

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

(7) Effluent, sewage waste, or return water from this use is discharged into

(8) If you are claiming water as a member of an organization, list name of organization.

(9) Remarks: This right when combined with right 65-7052 shall provide no more than 0.02 cfs/sec nor 3.0 afa/sec

(10) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case.

☒ C) Right based on application, permit, license, or claim filed with the Idaho Department of Water Administration. 65-2946 Joe

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

State of Idaho

County of Blaine

On this 27th day of June 1977

a notary public, personally appeared

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or

My commission expires 6/24/77

Notary Public residing at

6/24/77



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 1, 1996

RE: Notice of Claims to Water Right Nos. A65-07653A, A65-08122,
A65-02553, A65-07052D and A65-02946D

Twin Pines River Ranch
6874 Fairview Ave.
Boise, ID 83704

Gentlemen:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the lands and appurtenant water rights covered under the original filings.

The Department will contact you concerning any requirements that may be needed in order to process these claims for final court decree.

If you have any questions in regard to this matter, please feel free to contact this office.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

Enclosures

MICROFILMED
OCT 18 1996



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

AUG 6 8 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	266 acres
0.8 ac-ft from storage	214.2 ac-ft from storage
2.0 ac-ft consumptive use	532 ac-ft consumptive use

Claim A65-07052

1 acre	413 acres
1.4 ac-ft from storage	578.6 ac-ft from storage
0.02 cfs	8.22 cfs

Claim A65-07653B

12 acres	142 acres
0.23 cfs	2.77 cfs
36 ac-ft at field headgate	426 ac-ft at field headgate
24 ac-ft consumptive use	284 ac-ft consumptive use

Claim A65-07576

11 acres/0.22 cfs	487 acres/9.74 cfs
33 ac-ft at field headgate	1461 ac-ft at field headgate
22 ac-ft consumptive use	974 ac-ft consumptive use
10 hd. cattle/0.01 cfs/0.06 AF	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

AUG 03 1994

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
AUG 03 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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
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 split them and advise L.B. that there are other owners of portions of these rights which will be processed as they are submitted.

MICHAEL T. WALKER

AUG 03 1994



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 Weaker, 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

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

AUG 8 3 1994

MICROFILMED



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 in the 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

AUG 12 1994

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Kay Walker".

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosure

cc: James M. Hait
Charles Haid, III

MICROFILMED
AUG 03 1994

99.7

V
A
L
L
E
Y

LAKES

IRRIGATION

DISTRICT

ORTH

FORM

Old Fort
(Rugby)

21

13

65-7535

65-1052

Sunflower

Flat

Milk

land identified in paragraph 11 on legal desuption

100

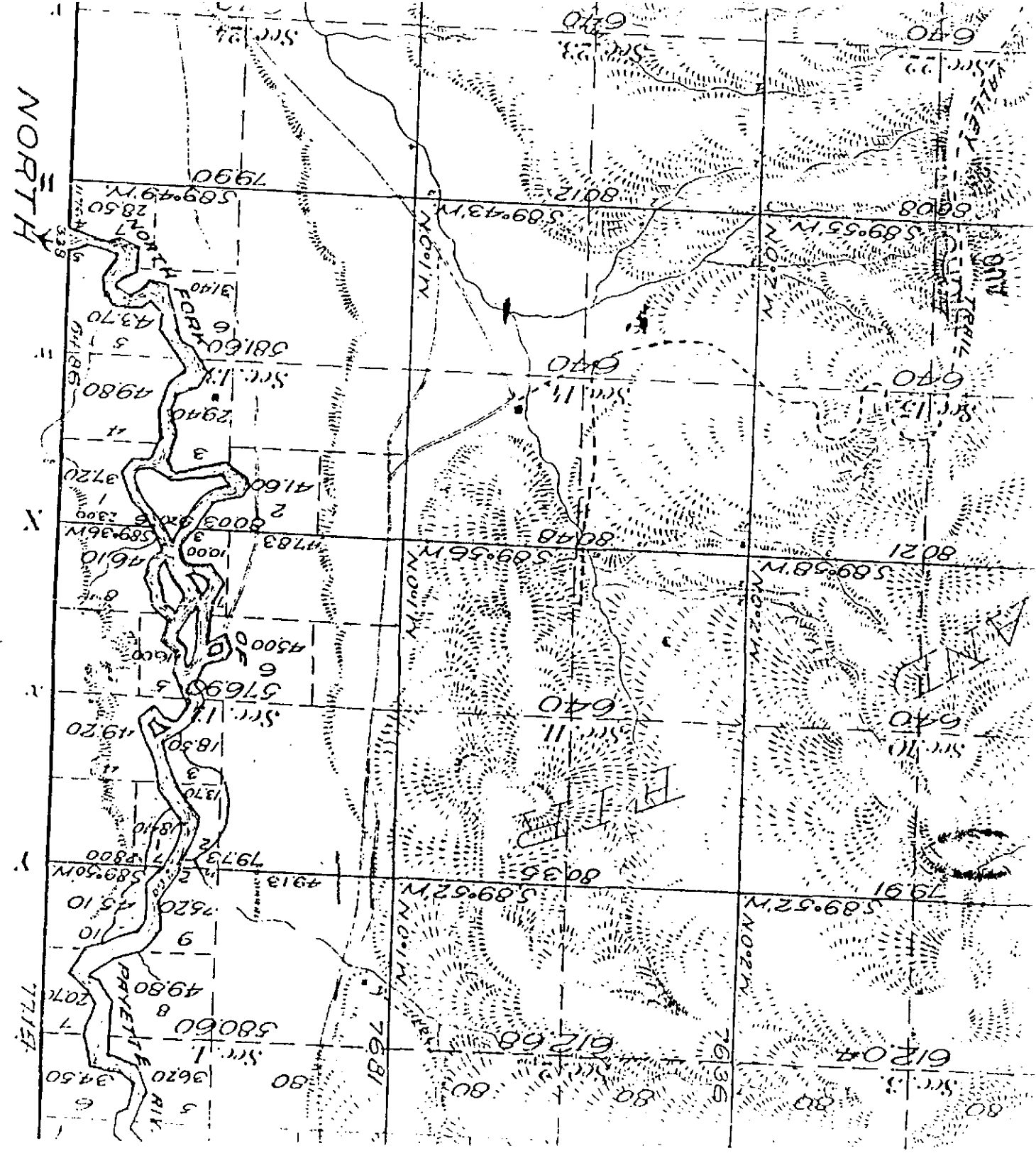
Black
Saddle

110

100-443887-100

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

POOR ORIGINAL



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 Sharlene
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. Haid.
Sincerely, Jodell

MICROFILMED

AUG 03 1994



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 & JANICE 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)

Jim L. Caven General Manager Date MAY 20 1995
TWIN PINES RIVER RANCH Date _____

☐ Signature of Former
Owner/Claimant(s):

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
OCT 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 A/Ac = 32.2 A (Storage) split to new owner

3) AGS-07052A Same 40 Ac split to new owner as above @ .0195 cts/Ac @ 1.401 A/Ac = .80 cts and 56 A (Storage) to new owner

4) AGS-07653A Pre-set owner shows Twin River River Road No change needed since " " = J. Calver

5) AGS-08122 complete* change in ownership

6/1/95

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

MICROFILMED

DEC 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	206.000 AC	60.770	
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	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
1 IRRGTD AG

LOTS / ACRES

40.724 AC

MARKET VALUE

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

RP17N02E126006A
SW4 SW4; TAX NO. 7 IN SE4 SW4
S12 T17N R2E

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

48.500 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

RP17N02E240605A
N/2 NW; SENW; NWNE; S/2 NE;
N/2 SE S24 T17N R2E

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	27.0
			SW	SW		IRR FS	32.0
			SE	SW		IRR FS	37.0

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AUG 03 1994

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

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

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 Gov. 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.)

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:

MICROFILMED

AUG 03 1994

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:

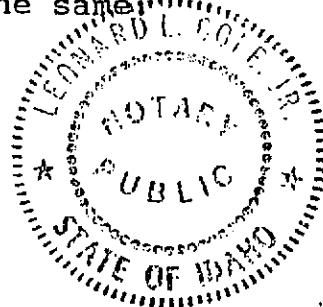
Ralph A. Weaver
Ralph A. Weaver

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



MICROFILMED

AUG 03 1994

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

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:

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 instruments noted at the beginning of this document, relating to existing fence lines, and the boundaries created by said deeds. These issues remain unresolved.

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

TRIBUTARY: PAYETTE RIVER, NORTH FORK

WATER-DIST: 65

WATER USE:
IRRIGATION FROM STORAGE
TOTAL:

DIVERSION RATE:

DIVERSION VOLUME:
215.00
215.00

PERIOD FROM: 04/15
PERIOD TO: 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

TRIBUTARY: PAYETTE RIVER, NORTH FORK

WATER-DIST: 65

WATER USE:
IRRIGATION FROM STORAGE
IRRIGATION
TOTAL:

DIVERSION RATE:
8.240
8.240

DIVERSION VOLUME:
580.00

PERIOD FROM: 04/15
PERIOD TO: 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	

AUG 03 1994 MICROFILMED

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:
65-07653BCURRENT OWNER:
JAMES M. HAIT
P.O. BOX 160
MC CALL, ID 83638PRIORITY DATE:
08-24-1976STAGE:
LICENSE ✓

COUNTY: VALLEY

SOURCE: PAYETTE RIVER, NORTH FORK

TRIBUTARY: PAYETTE RIVER

WATER-DIST: 65

WATER USE:

DIVERSION RATE:

DIVERSION VOLUME:

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

IRRIGATION

3.000

462.00

TOTAL:

3.000

462.00

POINT OF DIVERSION:

Twp	Rge	Sec	Tract	Lot
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	6	13.0
17N	02E	12	NW SE	6	1.0
17N	02E	13	NE NW	2	11.0
18N	02E	36	NE NW		3.0

TOTAL ACRES:

154.0

MICROFILMED
AUG 03 1994

WATER RIGHTS SUMMARY REPORT

DATE: 10/12/89
PAGE: 3

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: PERIOD TO:

600.00	10/15	06/01
600.00	06/01	10/15
600.00		

REMARKS: Reservoir also known as Hait Upper Dam.

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot	Acres
	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

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 | 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	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

A65-02946

Page 1

Date: 02/06/91

MICROFILMED

AUG 03 1994

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: _____

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 _____

CHANGE IN OWNERSHIP

Page 1

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

[] Water Right Number(s): A-65-62946

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

John Hark P.O. Box 166 McCull Idaho

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

1701 Aberdeen Drive

P.O. Box 2797

[] New Mailing Address: Boise Idaho 83701

New Telephone Number: (208) 345-7475

[] 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 H. Black, Secretary

Date: January 31, 1991

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Date: 11-23-94

AUG 03 1994

FEB 04 1991

DEPARTMENT OF LAND MANAGEMENT
WARRANTY DEEDS

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, B.M., 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.

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 $0^{\circ}29'18''$ 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 $0^{\circ}14'15''$ 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 Halt Reservoir and the Northwest corner of the parcel;

Thence continuing along the high water line, South $8^{\circ}01'56''$ 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, the Southwest corner of the parcel;

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. Halts' 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 Halt T.R.
James Merritt Halt, Trustee

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

On this 31st 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: 1739 E. Capital Expressway S J.
My Commission Expires: SEP 27, 1991



TO: Deed PCH
IF SENT TO:
VALLEY COUNTY
BY: S. J. J.
FEE: 2.00

JAN 8 9 32 AM '91

REQUESTED BY: _____
RECORDED _____

CENTRAL IDAHO TITLE

1 7 8 0 2 8

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

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 14th day of January, 1991.

HAIT 1971 CALIFORNIA TRUSTS

By James Merritt HAIT ? R
James Merritt HAIT, Trustee

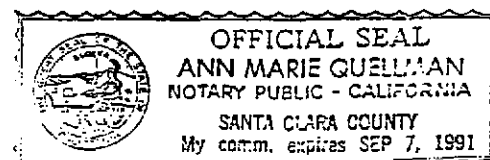
STATE OF CALIFORNIA)
) ss.
County of Santa Clara)

On this 14th day of January, 1991, before me, Ann Marie Quellan 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 Quellan
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:

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

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE 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

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

A & C CORP., ET AL.

Decree Defendant

VS

MICROFILMED

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.

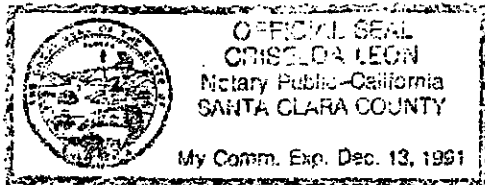
Signature of Claimant(s): *Ernesto* Date: 11/4/88
James M. Davis Date:

State of Idaho)
County of Santa Clara) SS.

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

Criseida Leon
Notary Public

Seal



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