

secondary
POD

T 330

52

36

T 335

T

3

36

2

1

352

3

Boulder Creek POD



Idaho Department of Water Resources

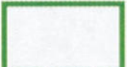
Claim No(s): 65-03117A

Claimant(s): Potter

T17N, R03E, S 01

Prepared by: Sue Bock

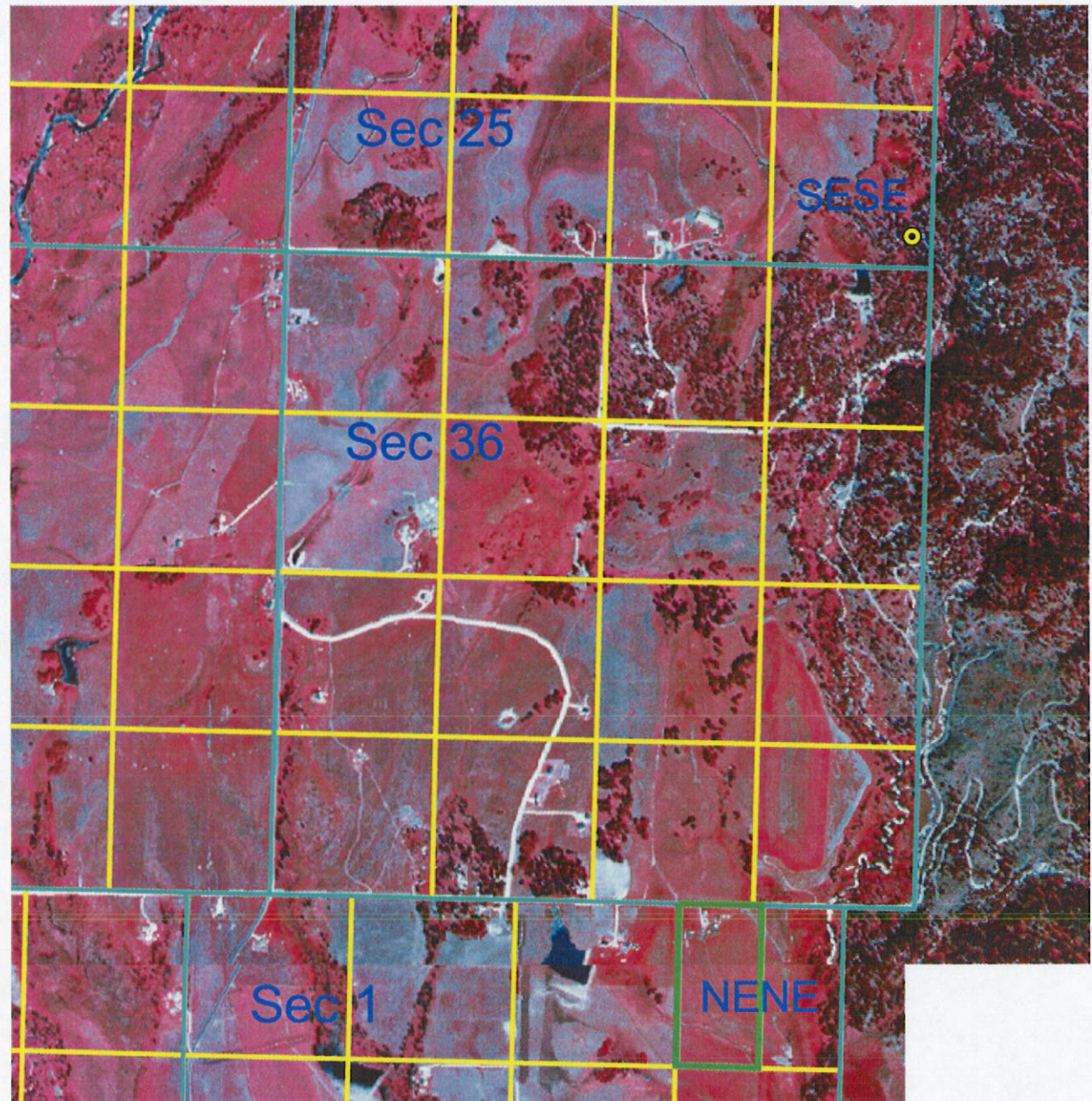
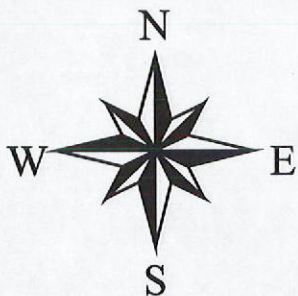
Date: 05/10/1999

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0 0.25 0.5 Miles



1987 NAPP Photo

Sec. 35

Sec. 30

North.

1030

1030

Mea

Posts

10

3

2

1

4

3

2

1

40.21

40.35

40.49

40.50

40.38

40.28

40.17

80

80

80.28

80

80

80.27

Sec. 2.

641.12

Sec. 1.

641.28

160

160

80.30

20

Y

30

x

Sec. 11.

per

House

Sec. 12.

DH2- 242-74

1-17-41



DRY

DRY

57 Ac

2412 out
22
D

WASTE
WATER

DRY

DRY

DRY

19

DRY

5

36

35

36

Idaho Department of Water Resources

Claim No(s): 65-03117A

Claimant(s): Potter

T17N, R03E, S 01

Prepared by: Sue Bock

Date: 05/10/1999



Place of Use



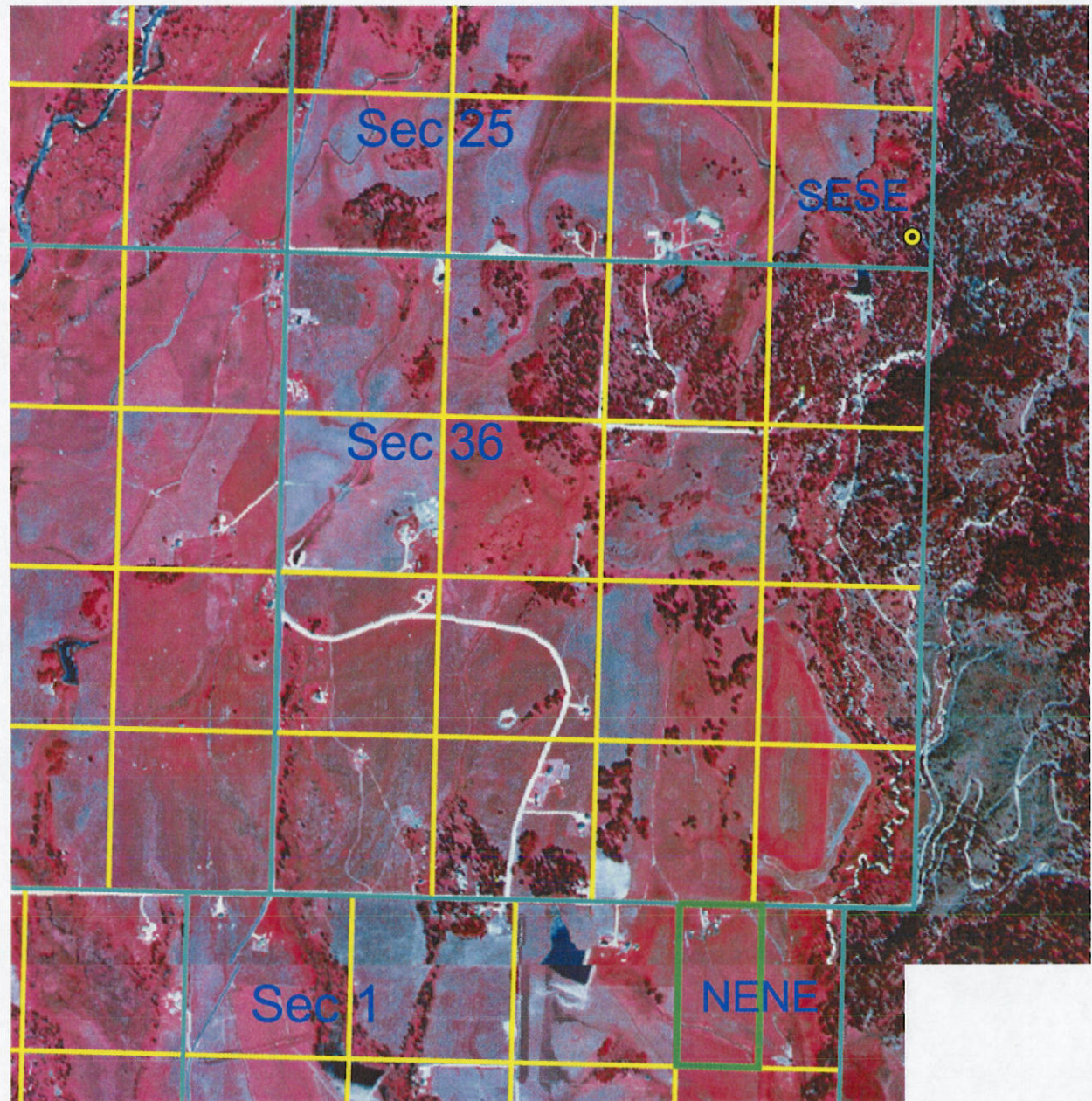
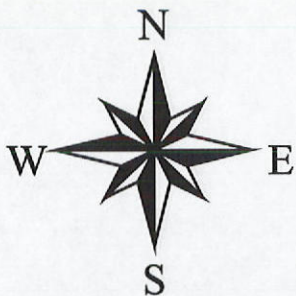
Point of Diversion



Section lines



1/4 1/4 lines



0 0.25 0.5 Miles



1987 NAPP Photo

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: A65-03117A
Date Received: 8/18/1988
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: C RAY POTTER
Address: RT 1 BOX 89
MC CALL ID

208-634-7293

83638

OR

Name: INA C POTTER
Address: RT 1 BOX 89
MC CALL ID

208-634-7293

83638

2. Date of Priority: MAY 7, 1891

3. Source: BOULDER CREEK

Trib. to: PAYETTE RIVER, NORTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	03E	25	SE	SE			VALLEY

5. Description of diverting works:

METAL PIPE WITH STEEL HEADGATE (40' PIPE)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.040		

7. Total Quantity Appropriated is:

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	03E	1	NE	NE	1	IRR	20.0
Section Acres							20.0
Total Acres							20.0

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:

IRRIGATION FROM BOULDER MEADOWS IRRIG. INC.

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

RECEIVED

APR 27 1998

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 13 1998

WATER RESOURCES
WESTERN REGION

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s): _____

Adjudication Claim No(s): A65-03117

2. The following REQUIRED information must be submitted with this from:

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county).

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Cutler Umbach and Nancy E. UmbachP.O. Box 172, McCall, Idaho 836384. New Owner/Claimant(s) Alan W. Busby & Terri L. Busby 1983 Living Trust
Name Connector (Check One): ☐ and, ☐ or, ☐ and/orNew Mailing Address P.O. Box 2021City, State and ZIP Code McCall, Idaho 83638New Telephone Number (208) 634-17475. Date you acquired the property July 22, 1996

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate 20 Number and type of stock _____Diversion rate in CFS 10 AFA Number of Homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Alan W. Busby Alan W. Busby, TrusteeTerri L. Busby Terri L. Busby, Trustee

(Corporations or other organizations must submit list of directors and/or officers demonstrating authority to sign form).

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

ADDENDUM TO MEMORANDUM OF SALE/GRANT OF EASEMENT

This Addendum to Memorandum of Sale/Grant of Easement is effective the 5th day of January, 1998, and is an Addendum to that certain Memorandum of Sale dated July 22, 1996, between Cutler Umbach and Nancy Umbach, husband and wife (hereinafter referred to as "Seller"), and Alan W. Busby and Terri L. Busby 1983 Living Trust (hereinafter referred to as "Buyer"), regarding the E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, T18N, R3E, B.M., Valley County, Idaho.

WHEREAS, in said Memorandum of Sale, Seller was to transfer to Buyer water rights amounting to ten (10) acre feet per annum (AFA),

NOW THEREFORE, for the considerations given in the aforesaid Memorandum of Sale, the parties hereto agree as follows:

1. Seller hereby transfers to Buyer ten (10) acre feet per annum (AFA) of water from Snake River Basin Adjudication (SRBA) Claim No. A65-03117. Seller has prepared an Idaho Department of Resources (IDWR) Notice of Change of Water Right Ownership form to accomplish said transfer, and said Notice is incorporated herein by this reference. If Buyer ever decides to sell any part of the aforesaid 10 AFA, then Buyer hereby grants to Seller a right of first refusal to buy back the water Buyer desires to sell at a price and on terms that are then mutually acceptable to Buyer and Seller.
2. Buyer will timely pay Buyer's pro rata share of the costs of maintenance and repair of the subject water delivery system, if any.
3. In the event that Seller secures an additional right to 10 AFA of water from Boulder Reservoir, which is acceptable to Buyer and can be used on Buyer's above-described property, then Buyer agrees to exchange the 10 AFA being transferred hereby for the newly-secured Boulder Reservoir water. Documents and all other arrangements necessary to effectuate said exchange shall be prepared by Seller, at no expense to Buyer.
4. Seller hereby grants to Buyer an easement across the northwest corner of Seller's adjacent property from the secondary point of diversion along the current water

UMBACH'S SELLING
20 AC. TO BUSBY'S
4/10 AFA = .03 CFS
(200K 10AF ÷ 2.4M DAF DAYS
1.9835 = .03 CFS)

diversion/irrigation system to Buyer's property line for the purpose of transporting said irrigation water from said point of diversion to Buyer's property, all as shown on the copy of the aerial photo attached to the incorporated IDWR Notice.

5. In all other respects, the terms and provisions of the aforesaid Memorandum of Sale, effective July 22, 1996, are hereby ratified and confirmed.
6. Without limiting the generality of the foregoing paragraph, the parties acknowledge that this Addendum/Easement and the accompanying documents have been prepared by the law firm of Millemann, Pittenger & McMahan as scrivener for the parties and not acting as attorney or advocate for either party. By their signatures below, the parties acknowledge and agree that the aforesaid law firm enjoys an attorney/client relationship with both parties, that consent to said law firm's preparation of these documents is given, and that neither party is relying on said law firm regarding the advisability of either party signing this Addendum/Easement.

IN WITNESS WHEREOF, the parties have signed this Addendum/Easement on the dates written next to their respective signatures.

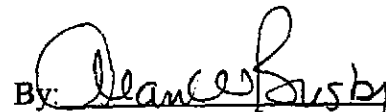
SELLERS

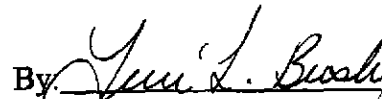
 1/5/98
CUTLER UMBACH Date

 1/7/98
NANCY UMBACH Date

BUYERS

**Alan W. Busby and Terri L. Busby
1983 Living Trust**

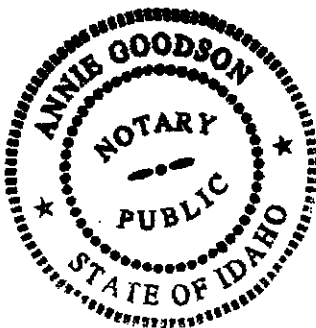
By:  12/31/97
ALAN W. BUSBY, Trustee Date

By:  8/3/97
TERRI L. BUSBY, Trustee Date

STATE OF IDAHO,)
(ss.
County of Valley.)

On this 5th day of January, 1998 before me, Annie Goodson
Notary Public in and for said State, personally appeared Cutler Umbach, known or identified to
me to be the person whose name is subscribed to the within instrument, and acknowledged to me
that he executed the same.

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

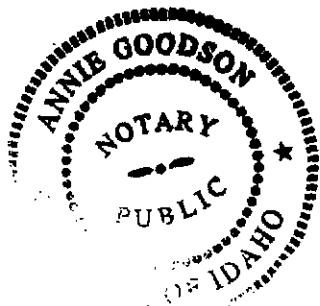


Annie Goodson
NOTARY PUBLIC FOR IDAHO
Residing at: McCall, Idaho
My Commission Expires: 11-06-2001

STATE OF IDAHO,)
(ss.
County of Valley.)

On this 7th day of January, 1998 before me, Annie Goodson, a
Notary Public in and for said State, personally appeared Nancy Umbach, known or identified to
me to be the person whose name is subscribed to the within instrument, and acknowledged to me
that she executed the same.

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

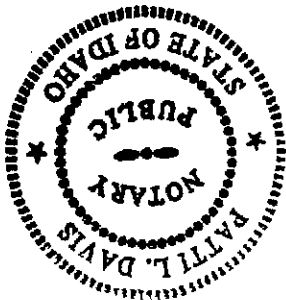


Annie Goodson
NOTARY PUBLIC FOR IDAHO
Residing at: McCall, Idaho
My Commission Expires: 11-06-2001

STATE OF IDAHO,)
(ss.
County of Valley.)

On this 31 day of Dec, 1997, before me, Patti L. Davis, a Notary Public in and for said State, personally appeared **Alan W. Busby**, known to me to be a Trustee under the **Alan W. Busby and Terri L. Busby 1983 Living Trust**, and acknowledged to me that he executed the same as Trustee of said Trust.

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



Patti L. Davis
NOTARY PUBLIC FOR IDAHO
Residing at: McCall, Idaho
My Commission Expires: 2/22/2000

STATE OF IDAHO,)
(ss.
County of Valley.)

On this 31 day of Dec, 1997, before me, Patti L. Davis, a Notary Public in and for said State, personally appeared **Terri L. Busby**, known to me to be a Trustee under the **Alan W. Busby and Terri L. Busby 1983 Living Trust**, and acknowledged to me that she executed the same as Trustee of said Trust.

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



Patti L. Davis
NOTARY PUBLIC FOR IDAHO
Residing at: McCall, Idaho
My Commission Expires: 2/22/2000

addendum

WARRANTY DEED

FOR VALUE RECEIVED, CUTLER UMBACH and NANCY UMBACH, husband and wife, Grantors, do hereby grant, bargain, sell, and convey unto ALAN W. BUSBY and TERRI L. BUSBY, Trustees of the ALAN W. BUSBY and TERRI L. BUSBY 1983 LIVING TRUST, Grantees, whose address is P. O. Box 2021, McCall, Idaho, the following described real property situated in Valley County, Idaho, to-wit:

E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, S. 36, T. 18 N., R. 3 E., B.M.

Subject to easements, liens or encumbrances of record, in use, or visible on the property.

To have and to hold the said premises, together with improvements and appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors hereby covenant to and with said Grantees, that they are the owners in fee simple of said premises; that the said premises are free from all encumbrances except as noted above; and, that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 22nd day of July, 1996.

Cutler Umbach

CUTLER UMBACH

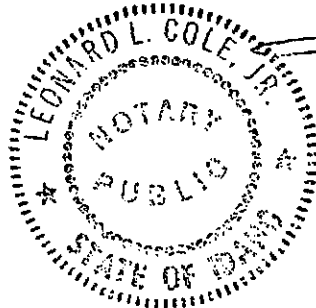
Nancy Umbach

NANCY UMBACH

STATE OF IDAHO,)
) ss.
County of Valley.)

On this 22 day of July, 1996, before me, Leonard L. Cole Jr., a Notary Public in and for said State, personally appeared CUTLER UMBACH and NANCY UMBACH, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

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



Leonard L. Cole Jr.
NOTARY PUBLIC FOR IDAHO

Residing at: CASCADE

My Commission Expires: 1-13-99

wdeed

T32

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Lot

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T330

T335

secondary
POD

Alta
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POU

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36

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 27 1998

WATER RESOURCES
WESTERN REGION

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s): _____
Adjudication Claim No(s): A65-03117
2. The following REQUIRED information must be submitted with this from:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal documents indicating your ownership of the property and water rights or claims in question. WITH ATTACHED LEGAL DESCRIPTION.
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county).
 - C. For water rights of adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of From Owner/Claimant C. Ray and Ina C. Potter
Route 1, Box 89, McCall, Idaho 83638
4. New Owner/Claimant(s) Cutler Umbach and/or Nancy Umbach
Name Connector (Check One): ☐ and, ☐ or, ☒ and/or
New Mailing Address P.O. Box AN
City, State and ZIP Code McCall, Idaho 83638
New Telephone Number (208) 634-5818
5. Date you acquired the property June 1, 1989
6. If you have acquired only a portion of the from owner's property, IDWR May need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate 68 Number and type of stock _____
Diversion rate in CFS 0.8 Number of Homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Cutler Umbach Cutler Umbach
8. For Snake River Basin Adjudication Claims: Please attach a list of directors and/or officers demonstrating authority to sign from).

RECEIVED
APR 27 1998
WATER RESOURCES
WESTERN REGION

MEMORANDUM OF SALE

THIS MEMORANDUM OF SALE, and Agreement is made and entered into effective this 1st day of June, 1989, by and between ^{C.R.P.} RAY POTTER and ^{J.C.P.} INACPOTTER, husband and wife, of Post Office Box 95, Cambridge, Idaho 83610, hereinafter referred to as "Sellers", and CUTLER UMBACH and NANCY UMBACH, husband and wife, of Post Office Box 172, McCall, Idaho 83638, hereinafter referred to as "Buyers".

WHEREAS, Sellers are presently the record owners of certain real property situate in Valley County, Idaho, more particularly described as follows:

West 1/2 of the Southeast 1/4 of Section 36, Township 18 North, Range 3 East, Boise, Meridian.

SUBJECT TO an irrigation ditch easement across the above-described property to carry irrigation water along the existing ditch to other lands owned by Sellers, including the right to enter onto the above-described property for the purposes of maintenance, repair and cleaning of said irrigation ditch.

WHEREAS, Sellers desire to sell and convey to Buyers and Buyers desire to purchase from Sellers, all right, title and interest of Sellers in and to the subject real property upon the terms and conditions set forth hereinbelow and set forth in the Promissory Note, Warranty Deed, Bill of Sale, and Mortgage (hereinafter referred to as "the Documents of Sale") entered into and executed by the parties simultaneously with this Agreement.

NOW, THEREFORE, in consideration of the sums to be paid by Buyers to Sellers, and the mutual covenants and representations and warranties herein contained, the parties hereto do agree and cove-

nant as follows:

1. SALES PRICE: Buyers shall pay to Sellers and Sellers shall accept from Buyers, in consideration for the real property, personal property, water rights and other conveyances, covenants and promises identified in the Documents of Sale, the sum of \$150,000.00, payable as follows:

a. \$25,000.00 at closing; and,

b. The balance of \$125,000.00 payable according to the terms of the Promissory Note and Mortgage executed concurrently herewith.

2. The Promissory Note and Mortgage referred to above prohibit the prepayment of principal or interest without Sellers' prior written consent. Buyers acknowledge that such prohibition of prepayment is a material term of the parties' agreement. To preserve the benefit of such term to Sellers, in the event of a default by Buyers under said Note and Mortgage, Sellers shall have the following options:

a. To accelerate the balance of such Note, including all interest and principal, and bring an action to foreclose its Mortgage. In such event, Sellers shall be entitled to the penalty provided for prepayment of one year's interest on the unmatured principal at the time of acceleration.

b. In the event Buyers desire to cure, prior to sheriff's sale, Sellers, at their option, may allow such cure upon Buyers tendering all past-due installments and interest, plus Sellers' reasonable attorney fees and costs. Such Note and Mort-

gage would then be reinstated with future payments to be made in accordance with the terms of such Note and Mortgage, and no prepayment penalty would be due Sellers.

c. Alternatively, Sellers may demand the full balance of such Note be paid, including the penalty of one year's interest on the unmatured principal balance at the time of acceleration, plus Sellers' reasonable attorney fees and costs.

2. WATER RIGHTS: Those certain water rights, which are appurtenant to the subject property, are hereby confirmed to be transferred from Sellers to Buyers' purchase of the subject property, which water rights are more particularly described as follows:

a. Forty inches (.8 cfs) per annum of "adjudicated water" from Boulder Creek, which is a portion of the water claimed by Sellers in that certain Notice of Claim to a Water Right Acquired Under State Law filed by Sellers with the Idaho Department of Water Resources, in Civil Case No. 39576, as Claim Identification Number A65-3117;

b. Approximately fifty (50) acre feet per annum of storage water, to be transferred by Sellers to Buyers by means of Sellers' transfer to Buyers of 987 shares of stock in Boulder Meadows Irrigation, Inc., which water right comprises part of the water rights claimed by Boulder Meadows Irrigation, Inc., in its Notices of Claims to Water Rights Acquired Under State Law filed with the Idaho Department of Water Resources, in Civil Case No. 39576, as Claim Identification Numbers A65-12007 and A65-02963.

A65-03117
(PORTION)
- 800 LBS
FOR 60"
WEIRING
- 4 cfs
POSTED
FOR 20
ACRES.

4. RIGHT OF FIRST REFUSAL: Sellers do hereby grant to Buyers exclusive rights of first refusal to purchase water rights now owned by Sellers as follows:

a. Absolute Right:

(1) This right applies to 816 of 1,013 remaining shares of stock in Boulder Meadows Irrigation, Inc., which Sellers will continue to own after the transfer of shares confirmed hereinabove.

(2) In the event that Sellers receive any offer for the sale, transfer or assignment of any property to which these 816 shares are appurtenant, or in the event that Sellers receive any offer for the sale or assignment of all or any of these 816 shares, independent of real property, then Sellers shall convey the exact terms of such offer to Buyers in writing;

(3) Buyers shall then have thirty (30) days from date of the mailing or delivery of such written offer in which to either accept or reject the terms and conditions of such offer, which acceptance or rejection shall be communicated by Buyers to Sellers in writing;

(4) If the Buyers decide to exercise this right of first refusal, then they shall have the right to and shall be obligated to purchase the above-described water rights, or any portion thereof which are covered by the subject offer, for the same price and on the same terms and conditions as those stated in the offer. Failure by Buyers to either accept or reject the subject offer in writing within the said thirty (30) day period shall constitute a

rejection of the offer and shall entitle Sellers to conclude that Buyers do not intend to exercise their right of first refusal as to those water rights; and,

b. Contingent Right:

(1) This right applies to the balance of 197 shares of stock in Boulder Meadows Irrigation, Inc., not included in Paragraph 3,a.(1) above and to the twenty (20) inches of "adjudicated water" which Sellers will continue to own after the transfer of water confirmed in Paragraph No. 2,a. hereinabove (i.e. the balance of the water right claimed by Sellers in the Notice of Claim to a Water Right Acquired Under State Law filed by the Sellers with the Department of Water Resources as Claim No. A65-3117);

(2) In the event that Sellers decide to offer these water rights, or any portion thereof, for sale, transfer or assignment independent and apart from the real property owned by Sellers in Section 1, Township 17 North, Range 3 East, Valley County, Idaho, and receive an offer therefor, then Sellers shall convey the exact terms of any said offer to Buyers in writing (it being understood and agreed by the parties that, in the event these water rights are offered and sold with the said real property, then Buyers have no right of first refusal as to these water rights);

(3) Buyers shall then have thirty (30) days from date of the mailing or delivery of such written offer in which to either accept or reject the terms and conditions of such offer, which acceptance or rejection shall be communicated by Buyers to Sellers in writing;

(4) If the Buyers decide to exercise this right of first refusal, then they shall have the right to and shall be obligated to purchase the above-described water rights, or any portion thereof which are covered by the subject offer, for the same price and on the same terms and conditions as those stated in the offer. Failure by the Buyers to either accept or reject the subject offer in writing within the said thirty (30) day period shall constitute a rejection of the offer and shall entitle Sellers to conclude that Buyers do not intend to exercise their right of first refusal as to those water rights; and,

c. These rights of first refusal herein granted shall be binding upon and shall inure to the benefit of the heirs, assigns, personal representatives and successors in interest of the parties.

5. PARTIAL INVALIDITY: In the event that any portion of or clause contained in this Memorandum is found by a court or administrative body of competent jurisdiction to be invalid or unenforceable, then the validity of the balance of this Memorandum and of the Documents of Sale shall not be affected thereby.

6. INTEGRATION CLAUSE: This Memorandum and the Documents of Sale executed concurrently herewith represent the entirety of the agreements reached between the parties, none of whom are relying on any representations, promises or statements made by the other or by either attorney, except insofar as such statement is expressly contained herein or in the Documents of Sale.

DATED this ____ day of June, 1989.

SELLERS:

Ray Potter
Ray Potter

Ina Potter
Ina Potter

BUYERS:

Cutler Umbach
Cutler Umbach

Nancy Umbach
Nancy Umbach

STATE OF IDAHO

)

ss.

COUNTY OF VALLEY

)

On this ____ day of June, 1989, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared RAY POTTER and INA POTTER, husband and wife, known to me to be the persons executing the within instrument, and acknowledged to me that they executed the same.

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

Notary Public for Idaho
Residing at McCall, Idaho
My Commission expires: _____

STATE OF IDAHO

)

ss.

COUNTY OF VALLEY

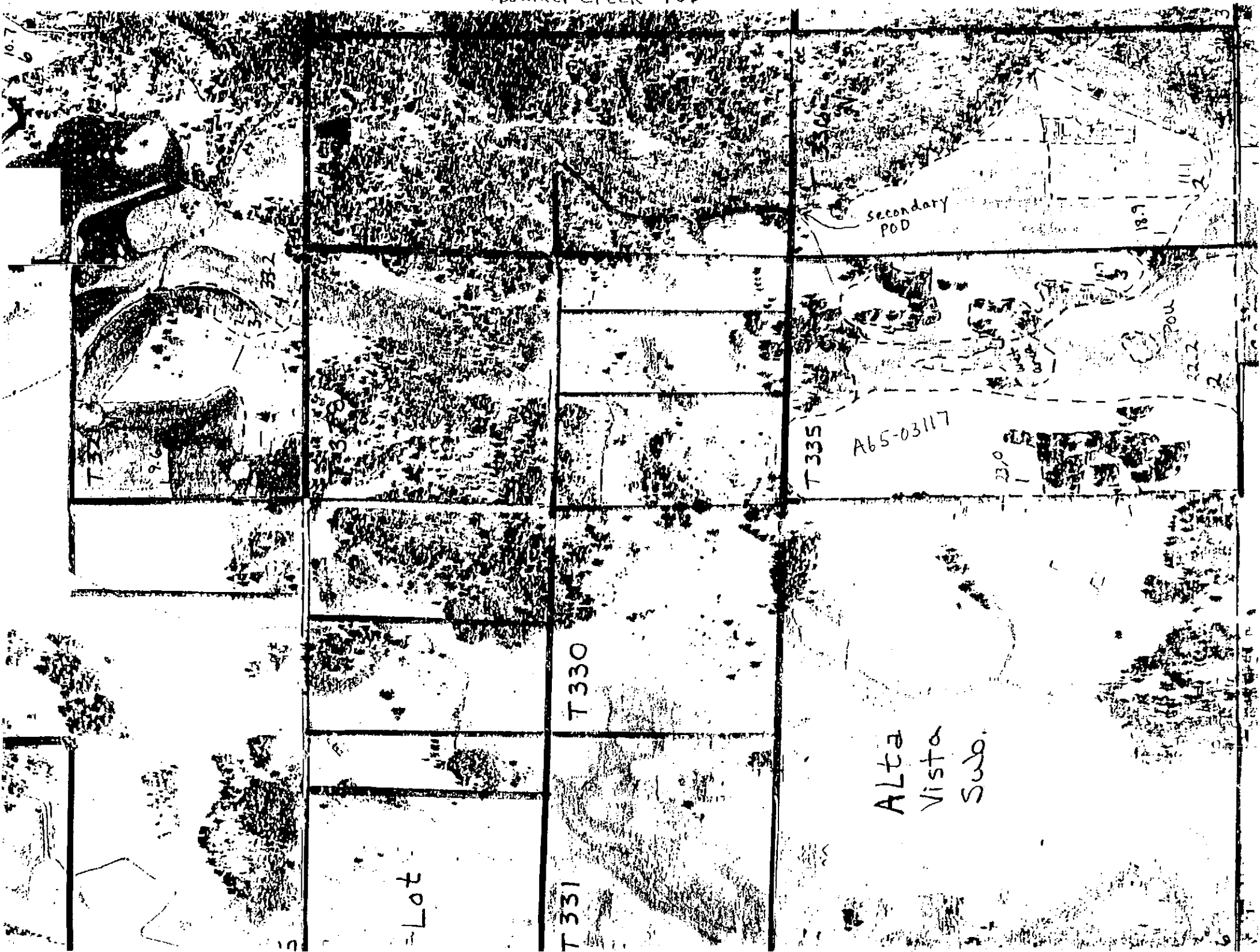
)

On this ____ day of June, 1989, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared CUTLER UMBACH and NANCY UMBACH, husband and wife, known to me to be the persons executing the within instrument, and acknowledged to me that they executed the same.

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

Notary Public for Idaho
Residing at McCall, Idaho
My Commission expires: _____

Boulder Creek POD



secondary
POD

A65-03117

Alta
Vista
Sub.

T330

T331

T335

T336

Lot

JP

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: A65-03117
Date Received: 8/18/1988
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: C. RAY POTTER 208-634-7293
Address: ROUTE 1, BOX 89
MC CALL, ID 83638
OR
Name: INA C. POTTER 208-634-7293
Address: ROUTE 1, BOX 89
MC CALL, ID 83638
2. Date of Priority: MAY 07, 1891
3. Source: BOULDER CREEK Trib. to: PAYETTE RIVER, NORTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	03E	25	SE	SE			VALLEY
5. Description of diverting works:
METAL PIPE WITH STEEL HEADGATE (40' PIPE)
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.200		
7. Total Quantity Appropriated is:
1.200 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 176.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	03E	1	NE	NE	1	IRR	20.0
						Section Acres	20.0
18N	03E	36	NW	SE		IRR	34.0
			SW	SE		IRR	34.0
						Section Acres	68.0
						Total Acres	88.0

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:

IRRIGATION FROM BOULDER MEADOWS IRRIG. INC.

14. Remarks:

NONE

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number A65-03117

Date Received 3/13/88 qf

Receipt Number X 999999

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly C. RAY
RAY C. POTTER OR

1. Name of Claimant (s) INA C. POTTER Phone (208) 634-7293

Mailing Address RT. 1, BOX 89 MCCALL, ID Zip 83638

2. Date of Priority (Only one (1) per claim) 5/7/1891

3. Source of water supply (a) BOULDER CREEK
which is tributary to (b) N. FK. PAYETTE RIVER

4. a. Location of existing point of diversion is: Township 18N Range 3E Section 25,
1/4 of SE 1/4 of SE 1/4, Govt. Lot, B.M., County of VALLEY

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. METAL PIPE WITH

STEEL HEADGATE (40' PIPE)

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/15 to 10/15 amount 1.2 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.2 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 176 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
17N	3E	1	LOT 1 20																20
18N	3E	36														34	34		68

Total number of acres irrigated 88

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
IRRIGATION FROM BOULDER MEADOWS IRRIG. INC. or None ()

14. Remarks:

Last Name POTTER Ident No. AGS-03117

Copies: White - State, Yellow - Claimant

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

Decree X

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments 0

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

X Signature of Claimant (s) C. Ray Potter Date 8/18/88

Date _____

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of Ada) SS.

_____)

Subscribed and sworn (or affirmed) before me this 18th day of August 19 88

SEAL

Notary Public Dana Bellin

Residing at Caldwell, Id

My Commission Expires 3/21/94

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name POTTER Ident. Number A65-03117

Copies: White-State, Yellow-Claimant

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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

2004 MAR 23 PM 12 15
FILED

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 65-03117A

NAME AND ADDRESS: SCOTT FINDLAY
VICKI FINDLAY
P O BOX 4418
MC CALL, ID 83638

SOURCE: BOULDER CREEK TRIBUTARY: CASCADE RESERVOIR

QUANTITY: 0.40 CFS

PRIORITY DATE: 05/07/1891

POINT OF DIVERSION: T18N R03E S25 SESE Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	0.40 CFS

PLACE OF USE: Irrigation Within Valley County
T17N R03E S01 LOT 1 (NENE)20.0
20.0 Acres Total

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

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

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

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

RULE 54(b) CERTIFICATE

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

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

RECOMMENDATION

MAR 3 2 2004


SPECIAL MASTER

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 65-03117A File Number: 00417

PAGE 1
Jan-12-2004

02/04/2002

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

RIGHT NUMBER: 65-3117A

NAME AND ADDRESS: VICKI FINDLAY
PO BOX 4418
MC CALL ID 83638

SCOTT FINDLAY
PO BOX 4418
MC CALL ID 83638

SOURCE: BOULDER CREEK

TRIBUTARY: CASCADE RESERVOIR

QUANTITY: 0.40 CFS

PRIORITY DATE: 05/07/1891

POINT OF DIVERSION:

T18N R03E S25 SESE Within VALLEY County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

4/15 10/15

0.400 CFS

PLACE OF USE: IRRIGATION Within VALLEY County

T17N R03E S01 Lot 1 NENE 20.0

20 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: Decreed

**THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 65-03117B, 65-03117C
USE OF THIS RIGHT IS COMBINED WITH WATER FROM BOULDER
MEADOWS IRRIGATION INC.**

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

In Re SRBA

Case No. 39576

Water Rights: 65-3117A

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

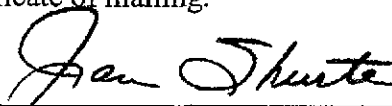
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party
- ☐ IC § 42-222 transfer
 - ☐ Point of diversion ☐ Place of use
 - ☐ Period of use ☐ Nature of use
 - ☐ Split of water right ☐ Change in ownership
 - ☐ Other
- ☐ IC § 42-219 license

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

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

DATED: February 4, 2002



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on February 4, 2002, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

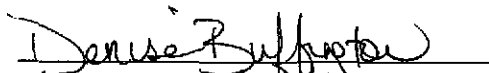
3. Copies to all parties to the subcase:

C Ray Potter *(Former Owners)*
Ina C Potter
Rt 1 Box 89
Mc Call ID 83638

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Scott Findlay *(Current Owners)*
Vicki Findlay
PO Box 4418
Mc Call ID 83638

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile


Signature of person mailing this document

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

JAN 31 2002

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
65-3117 A					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Ray Potter / Ballard Smith
Rt. 1 Box 89 McCall, Idaho
4. New Owner/Claimant(s) SCOTT AND Vicki FINDLAY
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address P.O. Box 4418
- City, State and ZIP Code McCall, Idaho 83638
- New Telephone Number (208) 634-6000
5. Date you acquired the property 1-23-02

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by JMS Fontaine Date 1/31/02 Fee 25⁰⁰
 Receipted by JMS Fontaine Date 1/31/02 Receipt No. W028693
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

For Value Received C. Ray Potter and Ina C. Potter, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Ballard F. Smith and Charlie M. Smith, husband and wife, P.O. Box 1701, McCall, ID 83638

Hereinafter called the Grantee, the following described premises situated in Valley County, Idaho, to-wit:

A parcel of land situated in Valley County, in Section 1, Township 17 North, Range 3 East, B.M., more particularly described as follows:

Commencing at the NE corner of Section 1, thence N 89° 50' 10" W 402.09 feet to the REAL POINT OF BEGINNING; thence continuing N. 89° 50' 10" W. 961.90 feet; thence S. 1° 28' 50" E. 1,000 feet; thence S. 75° 10' 26" E. 967.41 feet; thence S. 1° 28' 50" E. 1,250 feet to the REAL POINT OF BEGINNING.

Subject to current year's taxes and an Easement to the State of Idaho for Road-Right-Of-Way purposes.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantor's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, the Grantee is the owner in fee simple of said premises; that they are free from all encumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: July 12, 1994

C. Ray Potter
C. Ray Potter

Ina C. Potter
Ina C. Potter

STATE OF Idaho

COUNTY OF Valley

On this 15 day of July, 1994

personally appeared C. Ray Potter

whose name(s) is subscribed to the within instrument, and acknowledged to me that they executed the same.

known or identified to me to be the person(s) executing the same.

Notary Public State of Idaho

Residing at McCall, Idaho

Comm. Expires 11/5/95

(REAL)

205100

RECORDED BY

RECORDS

354

1994

11/5/95

WARRANTY DEED

For Value Received BALLARD F. SMITH AND CHARLIE M. SMITH, HUSBAND AND WIFE

the Grantors, do hereby grant, bargain, sell and convey unto

SCOTT G. FINDLAY AND VICKI FINDLAY, HUSBAND AND WIFE

whose address is: P.O. BOX 4418, MCCALL, IDAHO 83638

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

SEE ATTACHED AS EXHIBIT "A"

TOGETHER WITH WATER RIGHTS ASSOCIATED WITH WATER RIGHTS NO. 65-3117A/0.4CFS.

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

Dated: 1-22-02

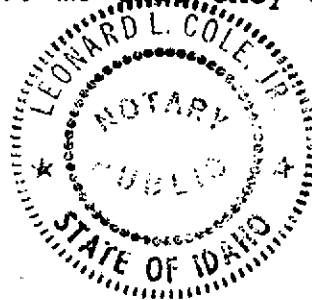
Ballard F. Smith
BALLARD F. SMITH

Charlie M. Smith
CHARLIE M. SMITH

State of Idaho)
County of Valley) ss

On this 22 day of Jan , 2002, before me,
Leonard L. Cole Jr. a notary public in and for said
State, personally appeared BALLARD F. SMITH AND CHARLIE M. SMITH,
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
Residing at: CASTACO
Comm. Expires: 01-04-05



Exchange No.: 01-1203

EXHIBIT "A"**REPLACEMENT PROPERTY DESCRIPTION**

An undivided 100% (percent) interest in:

A parcel of land situated in Valley County in Section 1, Township 17 North, Range 3 East, B.M., more particularly described as follows:

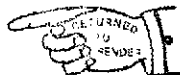
Commencing at the NE corner of Section 1, thence N. 89 degrees 50' 10" W. 402.09 feet to the REAL POINT OF BEGINNING; thence continuing N. 89 degrees 50' 10" W. 961.00 feet; thence S. 1 degree 28' 50" E. 1,000 feet; thence S. 75 degrees 10' 26" E. 987.41 feet; thence N. 1 degree 28' 50" E. 1,250 feet to the REAL POINT OF BEGINNING.

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED

FOE

65-3117A



- ☐ Undeliverable as Addressed.
- ☐ Return Left No Address
- ☐ Unsubscribed
- ☐ Refused
- ☐ Addressed Not Known
- ☐ No Such Street
- ☐ No Such Number
- ☐ No Receiptable
- ☐ Deceased
- ☐ Vacant

PRIORITY
FIRST CLASS



30252

U.S. POSTAGE

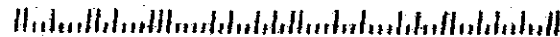
RAY POTTER
POTTER
RT 1 BOX
MC CALL ID

RECEIVED

FEB 07 2002

WATER RESOURCES
WESTERN REGION

83705-5082



REFUND REQUEST

TO: S. Sherman to Log In
FOR: D. Shaff/D. Allen
FROM: Denise Buffington / Western Region Date: 2/4/2002
SUBJ: Receipt No. W028698 (Please attach ARQ2 Receipt copy immediately behind blue form)

RE: PayOR SVF Industries
Address PO ^{Box} ~~Box~~ 4418 ^{Pg}
Mc Call ID 83638

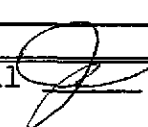
Claimant(s) ~~if NOT Payer~~ Scott & Vicki Findlay
Refund Amount \$ 25.00 Claim Location (Region) Claimant)
Extension Filed? Y/N NA Copy Attached? Y/N NA
Late Fees Paid? Y/N NA Late Fee Receipt #
S.O. Verified Ext. by on D.B. Query by
Refund Generated By ☒ Agent () Claimant
Refund Category:
insufficient fees / claim incomplete / withdrawn / o-pmt

Date of Last Correspondence (copy attached)

<u>Claim No.</u>	<u>Use*</u>	<u>Fees Paid</u>	<u>Correct Fee</u>	<u>Rec't #</u>
<u>65-3117A</u>	<u>Irrigation</u>	<u>\$25.00</u>	<u>0</u>	<u>W028698</u>
<u> </u>	<u> </u>	<u>\$</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u>\$</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u>\$</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u>\$</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u>\$</u>	<u> </u>	<u> </u>
<u>Total</u>	<u> </u>	<u>\$</u>	<u>\$</u>	<u> </u>

*Incomplete claims or insufficient fees for irrigation use will generally NOT be refunded. D.E. claim in AJSP1 at minimum.

Detailed Reason(s) for Refund Attached Y/N
No fee required. Still pending in SRBA.

Region AJ Spvsr. Approval  S.O. AJ Spvsr. Approval
Don Shaff Approval Hold To Fiscal
Data Base Modified? Y/N NA A &/or R Records By on

Receipt Details for ID W028698

Status	Adjustment Type	Version
		1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
1/31/2002 12:17:40 PM	1/31/2002 3:11:39 PM	WESTERN	\$25.00	Check
Payer		SVF INDUSTRIES		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
3381			
Card Expiration Date	Credit Card Transaction #		

Comment CHANGE IN WATER RIGHT OWNERSHIP 65-3117A

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	62140	0229	21		1155

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 4, 2002

SCOTT FINDLAY
VICKI FINDLAY
PO BOX 4418
MC CALL ID 83638

RE: Water Right No. 65-3117A

Dear Property Owners:

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

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

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

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB: db

Enclosures

cc: C Ray & Ina C Potter

W/1 IR2 Boulder Meadows

WESTERN REGION

CLAIM NUMBERS 65-0317A

AGENT 3B DATE 5/10/99

TOTAL ACRES FROM RECOMMENDATION _____

GEOGRAPHIC INFO SYSTEM ACRES _____

READY FOR DECREE ____ (YES) SENT FOR DECREE ____ (YES)

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
RECOM																			
GIS																			
RECOM																			
GIS																			

POLYGON CREATED ON 80 _____

POLYGON # () () () () _____ UPDATED BY

ATTRIBUTES OF B51-POU.SHP (33) () () () ()

ATTRIBUTES OF B51-POD.SHP (32) () () () ()

B51-DBPOU.DBF _____ UPDATED BY

B51-DBPOD.DBF _____ UPDATED BY

RDH GPSTABLE

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED

FOE



- ☐ Undeliverable as Addressed
- ☐ Moved, Left No Address
- ☐ Unclaimed
- ☐ Refused
- ☐ Attempted, No Return Address
- ☐ No Such Street
- ☐ No Such Number
- ☐ No Receptacle
- ☐ Deceased
- ☐ Vacant

C RAY POTTER

INA C POTTER

RT 1 BOX

MC CALL, ID 83705-5082

65-3117A

65-3117A

RECEIVED

MAY 10 2001

WATER RESOURCES
WESTERN REGION

5082





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

RECEIVED

OCT 3 1979

Filed

Sept. 28, 1979

1st Thelma R. Ketchum, Clerk
1st Debbie Bacon, Deputy

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

Department of Water Resources

W. HUGH O'RIORDAN
Deputy Attorney General
Chief, Natural Resources Division

JOSEPHINE P. BEEMAN
Deputy Attorney General
Natural Resources Division
Telephone: (208) 384-2215

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

IN THE MATTER OF THE GENERAL	)	CIVIL NO. 3667
DETERMINATION OF THE RIGHT	)	
TO THE USE OF SURFACE AND	)	ORDER CORRECTING CLERICAL
GROUNDWATERS OF THE PAYETTE	)	OVERSIGHTS IN PROPOSED
RIVER DRAINAGE BASIN.	)	FINDING OF WATER RIGHTS

The motion of the Department of Water Resources for an order correcting certain clerical oversights in the proposed finding of water rights having come before the court for hearing, and the court being fully advised in the premises,

IT IS HEREBY ORDERED that the proposed finding of water rights be amended in conformance with Exhibit A which is attached hereto and incorporated herein by reference, provided that Orville Jackson and Floy L. Jackson do not file with the court by or before October 5, 1979, a notice of hearing of the objection filed by them to Water Resources' motion. The objection filed by the Jacksons shall be withdrawn if such notice is not filed by or before October 5, 1979. If the Jacksons file a notice of hearing by or before October 5, 1979, this present order amends the proposed finding of water rights in conformance with Exhibit A except for certain material appearing at page 11 of Exhibit A where clerical amendments are listed for rights

ORDER CORRECTING CLERICAL OVERSIGHTS - 1

1 held by Orville Jackson and Floy L. Jackson.

2 DATED This 20th day of September, 1979.

3
4 1st Gilbert C. Norris
5 Gilbert C. Norris
6 District Judge
7
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Attorney General
State of Idaho
Statehouse Room 210
Boise, Idaho 83720
Telephone (208) 384-2400

CLAIMS SUBMITTED:
RECOMMENDED TO BE DISALLOWED

RIGHT NUMBER	NAME AND ADDRESS	REASON FOR DISALLOWAL
65-4229 VOL. I P. 214	PARKER, WILLIAM V. & PARKER, JEANNE RT. 1 BOX 238, FRUITLAND, IDAHO 83619	SOURCE OUTSIDE PAYETTE RIVER DRAINAGE BASIN

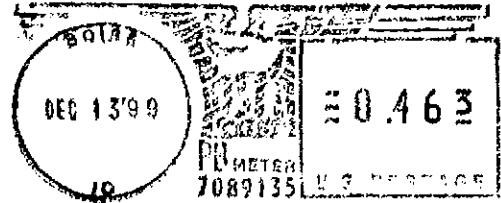
INDICATES TOTAL

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-4229	PARKER, WILLIAM V. & PARKER, JEANNE RT. 1 BOX 238, FRUITLAND, IDAHO 83619 REMARKS: <u>COMMERCIAL USE IS</u> <u>ORCHARD SPRAYING.</u>	6/ 1/1946	SOURCE: GROUNDWATER <u>DOMESTIC</u>	1/ 1 12/31	1.20 AFA .04 CFS	SWNE S 2 T 7N R 5W	SAME AS OTHER USE	<u>BENEFICIAL</u> <u>USE</u>
			<u>COMMERCIAL</u>	1/ 1 12/31	.10 AFA .04 CFS *1.30*AFA *.04*CFS		SWNE S 2 T 7N R 5W	
65-3117 VOL. II P. 75	POTTER, C. RAY & POTTER, INA C. ROUTE 1, BOX 89, MC CALL, IDAHO 83638	5/ 7/1891	SOURCE: BOULDER CREEK IRRIGATION	4/15 10/15	--- AFA 1.20 CFS	SESE S25 T18N R 3E	SWSE(34) SESE(22) NWSE(34) S36 T18N R 3E LOT 1(31)(20) S 1 T17N R 3E *87* *88*	DECREE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

RETURN SERVICE
REQUESTED

PRESCRIBED
FIRST CLASS



40E
IMPORTANT WATER RIGHT INFORMATION

NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FORWARD

RECEIVED

DEC 21 1999

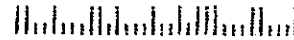
WATER RESOURCES
WESTERN REGION

IVED

1999

Department of Water Resources

65-0117A
C RAY POTTER
INA C POTTER
RT 1 BOX
MC CALL ID 85





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

December 8, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

65-03117A
C RAY POTTER
INA C POTTER
RT 1 BOX 89
MC CALL ID 83638

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

Dear Water Right Claimant(s):

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

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

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

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

Sincerely,

Karl J. Dreher
Director

Enclosures

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

RIGHT NUMBER: 65-03117A

NAME AND ADDRESS: C RAY POTTER
INA C POTTER
RT 1 BOX 89
MC CALL ID 83638

SOURCE: BOULDER CREEK TRIBUTARY: CASCADE RESERVOIR

QUANTITY: 0.4 CFS

PRIORITY-DATE: 05/07/1891

POINT OF DIVERSION T18N R03E S25 SESE Within VALLEY County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-15 10-15	0.4 CFS

PLACE OF USE: IRRIGATION Within VALLEY County
T17N R03E S01 LOT 1 (NENE) 20
20 ACRES TOTAL

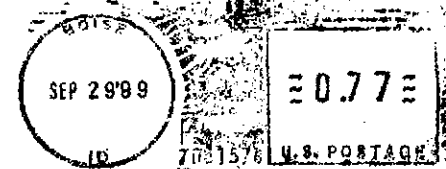
OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

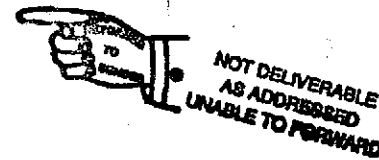
EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
USE OF THIS RIGHT IS COMBINED WITH WATER FROM
BOULDER MEADOWS IRRIGATION INC.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 65-03117B, 65-03117C

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

ADDRESS SERVICE
REQUESTED



FOE



~~RAY POTTER~~
~~INAD POTTER~~
~~RT 1 BOX 22~~
~~MC CALL ID 83-22~~

RECEIVED
OCT 01 1999
WATER RESOURCES
WESTERN REGION

65-03117 A

D



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 29, 1999

Dear Water Right Claimant(s):

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

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

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

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

We look forward to hearing from you.

Sincerely,

Karl J. Dreher
Director

Enclosures

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



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

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

Dear Water Right Claimant:

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

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

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

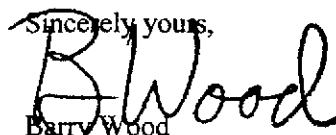
2. **Error Correction/Settlement Process.** This preliminary recommendation is a special service provided to you by IDWR to help you correct errors and resolve any other disagreement you have before the actual recommendations are ultimately filed with the court.

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

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

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

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

Sincerely yours,


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

RIGHT NUMBER: 65-03117ANAME AND ADDRESS: C RAY POTTER
INA C POTTER
RT 1 BOX 89
MC CALL ID 83638

SOURCE: BOULDER CREEK TRIBUTARY: CASCADE RESERVOIR

QUANTITY: 0.4 CFS

PRIORITY-DATE: 05/07/1891

POINT OF DIVERSION T18N R03E S25 SESE Within VALLEY County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-15 10-15	0.4 CFS

PLACE OF USE: IRRIGATION Within VALLEY County
T17N R03E S01 LOT 1 (NENE) 20
20 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

USE OF THIS RIGHT IS COMBINED WITH WATER FROM
BOULDER MEADOWS IRRIGATION INC.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 65-03117B, 65-03117C

Idaho Department of Water Resources

Claim No(s): 65-03117A

Claimant(s): Potter

T17N, R03E, S 01

Prepared by: Sue Bock

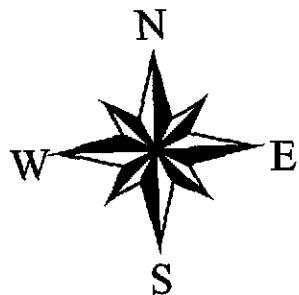
Date: 05/10/1999

 Place of Use

 Point of Diversion

 Section lines

1/4 1/4 lines



0 0.25 0.5 Miles



1987 NAPP Photo

AJ0749NP
No. R65-03117A

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

DATE: 06/25/99
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	C RAY POTTER	05/07/1891	IRRIGATION	04-15 10-15	0.40 CFS	
C	INA C POTTER					
	RT 1 BOX 89					
	MC CALL ID 83638			TOTAL DIVERSION:	0.40 CFS	
	(208) 634-7293					

Water Source: BOULDER CREEK

Tributary to: CASCADE RESERVOIR

Stage: DECREED

Point(s) of Diversion: T18N R03E S25 SESE

VALLEY County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
17N	03E	1	:	01-20																:	20.0
																				TOTAL ACRES	20.0

POU County: VALLEY

Conditions of Approval:

- W38 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- BOULDER MEADOWS IRRIGATION INC.

Remarks: EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 65-03117B, 65-03117C

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

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

Audit: 06/25/99 SBOCK

AJ0749NP
No. R65-03117A

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

DATE: 05/10/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	C RAY POTTER	05/07/1891	IRRIGATION	04-15 10-15	0.40 CFS	
C	INA C POTTER					
	RT 1 BOX 89					
	MC CALL ID 83638					
	(208) 634-7293					
				TOTAL DIVERSION:	0.40 CFS	

Water Source: BOULDER CREEK

Tributary to: ~~PAYETTE RIVER, NORTH FORK~~

Stage: DECREED

Point(s) of Diversion: T18N R03E S25 SESE

Cascade Res

VALLEY County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
---	---	---	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	---
17N	03E	1	:	01-20				:					:					:							:	20.0
																							TOTAL ACRES		20.0	

POU County: VALLEY

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Comments: Date: 05/10/1999 User-ID: SBOCK Subject: IRR. BOUNDARY
PROPERTY FALLS WITHIN THE BOULDER MEADOWS IRRIGATION DISTRICT

Audit: 05/10/99 SBOCK

Needs aW 38
Post 6
EXR FOR



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

May 10, 1999

Re: Snake River Basin Adjudication (SRBA)
Water Right No. A65-03117A

Ballard Smith
1381 Lick Creek Rd
McCall, ID 83638

Dear Mr. Smith:

We have been advised you may be the new owner(s) of the property with the water right referenced above.

Before we can modify our records to reflect your new ownership of the water right referenced above, we need Form 42-248/42-1409(6) completed. This form is enclosed for your use. Please return the form and a copy of your warranty deed to this office by June 15, 1999.

Please call if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Susan Bock'.

Susan Bock
Sr. Water Resource Agent

Encl: Form 42-248/42-1409(6)
Water Right Profile Report

AJ5809NP
No. A65-03117A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/05/99
PAGE: 58

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	C RAY POTTER	05/07/1891	IRRIGATION	04-15 10-15	0.04 CFS	
C	INA C POTTER RT 1 BOX 89 MC CALL ID 83638 (208) 634-7293					
TOTAL DIVERSION:					0.40 CFS	

Water Source: BOULDER CREEK

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion: T18N R03E S25 SESE VALLEY County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
17N	03E 1	01-20																20.0
TOTAL ACRES																		20.0

POU County: VALLEY

Non-Irrigation Uses: NONE

Other Rights: IRRIGATION FROM BOULDER MEADOWS IRRIG. INC.

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

65-10202 65-10205 A65-03001A A65-03117B A65-03117C A65-03118 A65-10202 A65-10205

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

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

New owner:
Boulder
Smith
McCall
634-
8446

1381
Lick Creek Rd
McCall
83638
→
assessor

W22 modified

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:50
04/07/99
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PROFILE REPORT

CLAIM NUMBER: A65-03117A

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	C RAY POTTER	05/07/1891	IRRIGATION	04-15 10-15	0.04 CFS	
C	INA C POTTER					
TOTAL DIVERSION:					0.40 CFS	

Water Source: BOULDER CREEK

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion: T18N R03E S25 SESE

VALLEY County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
17N	03E	1	:	01-20																:	20.0
																				TOTAL ACRES	20.0

POU County: VALLEY

Non-Irrigation Uses: NONE

Other Rights: IRRIGATION FROM BOULDER MEADOWS IRRIG. INC.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:08
04/07/99

PAGE: 1
GENERAL INFORMATION

17
CLAIM NUMBER: A65-03117A

LAST: POTTER
ADDRESS: RT 1 BOX 89
CITY: MC CALL
PHONE NUMBER: 208-634-7293

FIRST: C RAY
STATE: ID ZIP: 83638

OWNER CODE: C

LAST: POTTER
ADDRESS: RT 1 BOX 89
CITY: MC CALL
PHONE NUMBER: 208-634-7293

FIRST: INA C
STATE: ID ZIP: 83638

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A65-03117A PRIORITY DATE: 05-07-1891 STAGE: D

B. WR RECORD: # 65-03117 PRIORITY DATE: 05-07-1891 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED

N/A(☐) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE

N/A(☐) Y(☐) N(☐)

LICENSE ISSUED

N/A(☐) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED? N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N(☐)

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

05-07-1891

REVIEWED BY SB

DATE 5/10/99

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
A65-03117A	18N 03E	25		SE	SE			VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A65-03001A	65-10202
A65-03117B	65-10205
A65-03117C	
A65-03118	
A65-10202	
A65-10205	

WR RECORDS IN SAME 40 ACRE TRACT

65-03001
65-03118
65-10202
65-10205

SOURCE: BOULDER 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
65-03117	18N 03E	25		SE	SE			VALLEY		

OTHER WR RECORDS WITH SAME WR POD

65-03001
65-03118
65-10202
65-10205

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A65-03001A	65-10202
A65-03117B	65-10205
A65-03117C	
A65-03118	
A65-10202	
A65-10205	

SOURCE: BOULDER 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?

Deane

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____)

Y() N()

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

OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

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

TWP. 18N	RGE. 03E	SEC. 25	1/4	1/4 SE	1/4 SE	LOT	POD FLAG	COUNTY VALLEY	DIVERSION NAME	DIVERSION NBR
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: BOULDER CREEK

TRIB: PAYETTE RIVER, NORTH FORK

REVIEWED BY:

SB

DATE:

5/10/99

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

A. ROOT WATER RIGHT NUMBERS: A65-03117A
A65-03117B
A65-03117C

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
17N	03E	1	NE	NE	1	POTTER, C RAY	A65-03117A / 20.0	- /			35.0
			NE	NE		BOULDER MEADOWS IRRIGATION	INCA65-02963 / 31.0	65-02963 / 31.0			
			NE	NE	1	POTTER, C RAY	A65-05877 /	- /			
			NE	NE	1	BOULDER MEADOWS IRRIGATION	INCA65-12007 / 39.0	65-12007 / 39.0			
			NE	NE	1	POTTER, C RAY	65-05877 /	- /			
			NE	NE	1	POTTER, C. RAY		65-03117 / 20.0			

ADDITIONAL POU FOUND

TOTAL ACRES	A65-03117A	20.00	35.00
-------------	------------	-------	-------

POU COUNTY: VALLEY

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

Y() N(☒)

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

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-03117A	BOULDER CREEK	POTTER, C RAY	0.400	0.020		
A65-02963	BOULDER CREEK	BOULDER MEADOWS IRRIGATION INC	6.180	0.022		
A65-12007	BOULDER CREEK	BOULDER MEADOWS IRRIGATION INC			80.00	0.22

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-05877	DOMESTIC	POTTER, C RAY	FROM 01-01 TO 12-31	0.040 CFS	
65-05877	DOMESTIC	POTTER, C RAY	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: IRRIGATION FROM BOULDER MEADOWS IRRIG. INC.

Boulder Meadows Irr.

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

N/A(☐) Y(☒) N(☐)

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

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

N/A(☐) Y(☒) N(☐)

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

Y(☐) N(☒)

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

Y(☐) N(☒)

NOTES:

TOTAL ACRES: 20 N/A()
REVIEWED BY: SB DATE: 5/10/99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-03117A IRRIGATION	FROM 04-15 TO 10-15	0.040 CFS	
TOTAL DIVERSION RATE/VOLUME		0.400 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-03117 IRRIGATION	FROM 04-15 TO 10-15	1.200 CFS	
TOTAL DIVERSION RATE/VOLUME		1.200 CFS	

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25

CLAIM NUMBER: A65-03117A

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.400 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 1.200 CFS

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

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

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

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

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

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

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 20 x 0.02 CFS/ACRE = 40 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 = AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 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:

This panel faces into Boulder meadow for
Boundary, not sure if channel used water from
the cor.

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	04-15	10-15	DATABASE 0.040	EXAMINER 40	DATABASE	EXAMINER	DATABASE 0.0	EXAMINER
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
TOTAL FOR THIS RIGHT			0.400	_____	_____	_____	0.0	_____

NON-IRRIGATION USES CLAIMED: NONE

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

REVIEWED BY: SB DATE: 5/10/99

FLAG: _____
STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE): _____

EXPLANATORY CONDITIONS (CODE): _____

EXPLANATORY REMARKS (CODE): _____

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-03117

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 1.200	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A65-03117	A65-03117A	0.400	-	-	65-03117	1.200
-	A65-03117B	0.770	-	-	-	-
-	A65-03117C	0.030	-	-	-	-
TOTAL CFS		1.200				1.200

DIVERSION RATE REVIEW

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

DATABASE	FIELD EXAMINER
N	Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
(X) ASCS AERIAL PHOTO	DATE OF PHOTO <u>7-17-01 DHZ-28874</u>	Y(X) 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()
(X) OTHER <u>GIS Map</u>	DATE <u>5/10/99</u>	Y(X) N()
(X) OTHER <u>Govt. Plat</u>	DATE _____	Y(X) N()
() OTHER _____	DATE _____	Y() N()

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:08
04/07/99

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QUICKLOOK INFORMATION

31
CLAIM NUMBER: A65-03117A

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				2	2/20/99	2/20/99		
POINT OF DIV								
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM	Y							
REMARKS								

BARCODE UPDATED
WHOM/DATE

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

UNITED STATES POSTAGE
127 9441 0397 \$ 00.320 JUN 24 98
PB8594393
MAILED FROM BOISE ID 83705

NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FORWARD

RECEIVED
JUN 29 1998
WATER RESOURCES
WESTERN REGION

65-03117A

~~Cathy Potter~~
~~Ina C Potter~~
~~Rt 1 Box 28~~
~~Mc Call ID 83705~~

Re: Original Notice of Claim to

~~65-03117A~~
~~8370575082~~





State of Idaho
DEPARTMENT OF WATER RESOURCES

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

June 24, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

C Ray Potter
Ina C Potter
Rt 1 Box 89
Mc Call ID 83638

Re: Original Notice of Claim to a Water Right No. A65-03117

Renumbered to Notice of Claim to a Water Right No. A65-03117A

Dear Mr. & Mrs. Potter:

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by adding alpha suffixes to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new claim number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office.

If you have any questions concerning this ownership change, or the enclosed claim copy, please feel free to contact this office.

Sincerely,

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:d

Enclosure

SEE ORIGINAL CLAIM FILE DOCUMENTS IN

CLAIM NO. A65-03117

ADJUDICATION MEMORANDUM

CLAIM NO.: A65-03117

SUBJECT: more info needed

EMPLOYEE: DBuffington

DATE: 2-12-98

1-13-98 Called office of Mulleman, Pittenger, +
M^r Mahan to request chain of title for
this file. Patty said it would be
sent during week of 1-20-98.

DB

Patty called us back on 2-12-98 stating
that they are working on obtaining
this info - could be mid to end March
before we receive it.

DB

RECEIVED

JAN 13 1998

WATER RESOURCES
WESTERN REGION

MILLEMANN, PITTENGER & McMAHAN
ATTORNEYS AT LAW
706 NORTH FIRST
POST OFFICE BOX 1066
MCCALL, IDAHO 83638

STEVEN J. MILLEMANN
GREGORY C. PITTENGER
BRIAN L. McMAHAN
AMY N. PEMBERTON

TELEPHONE (208) 634-7641
FACSIMILE (208) 634-4516
E-MAIL mpm@cyberhighway.net

January 8, 1998

CERTIFIED MAIL - RETURN RECEIPT REQUESTED #P163166294

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

Re: SRBA Claim No. A65-03117

Dear IDWR:

Attached to this cover letter is an IDWR Notice of Change of Water Right Ownership form. This firm represents both the Umbachs and the Busbys and is now acting as a facilitator in transferring part of SRBA Claim No. A65-03117 from the Umbachs to the Busbys. Attached to that form is a copy of a Warranty Deed dated July 22, 1996, a marked-up copy of an aerial photo of the subject real property, and a copy of the Addendum to Memorandum of Sale/Grant of Easement. As you will note, by these documents the Umbachs are attempting to transfer 10 AFA of Claim No. A65-03117 to the Busby Trust.

If you have any questions, please give me a call. Otherwise, once the transfer on your records completed, please send me written confirmation of the transfer. Thank you.

Sincerely,

Brian L. McMahon

BRIAN L. McMAHAN

BLM/pld

Enc.

cc: Busbys wo/enc.
Umbachs wo/enc.

Sec. 35

Sec. 30

North.

1030

12900

Meo

Posts

10

	3	2	1	4	3	2	1
7	40.21	40.35	40.49	40.50	40.38	40.28	40.14

80

80

80.28

80

80

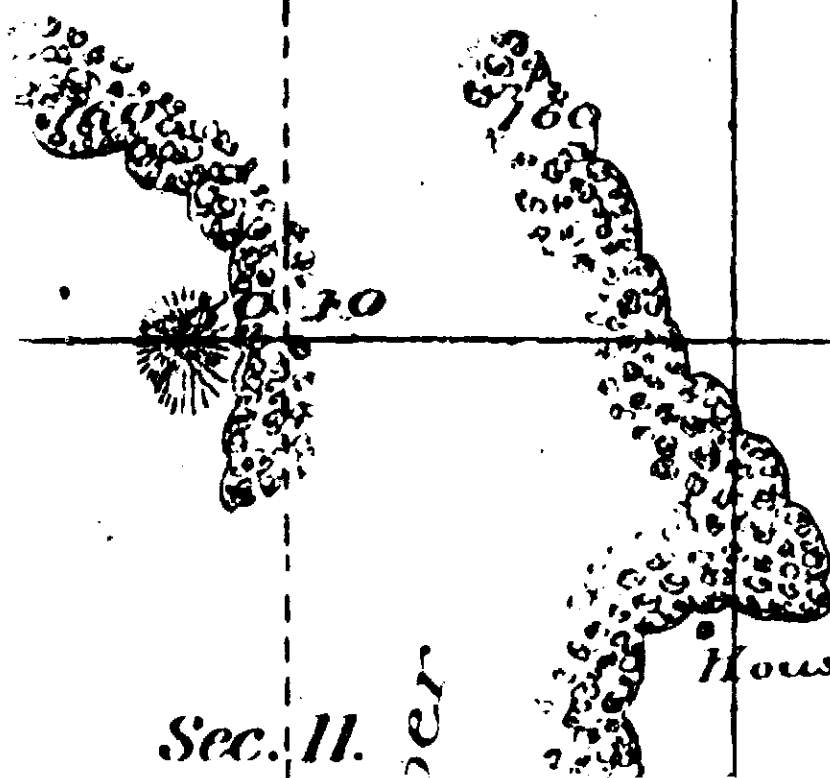
80.28

Sec. 2.

Sec. 1.

641.12

641.28



160

160

80.30

20

Y

30

House

Sec. 11.

Sec. 12.



Idaho Department of Water Resources

Claim No(s): 65-03117A

Claimant(s): Potter

T17N, R03E, S 01

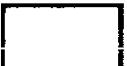
Prepared by: Sue Bock

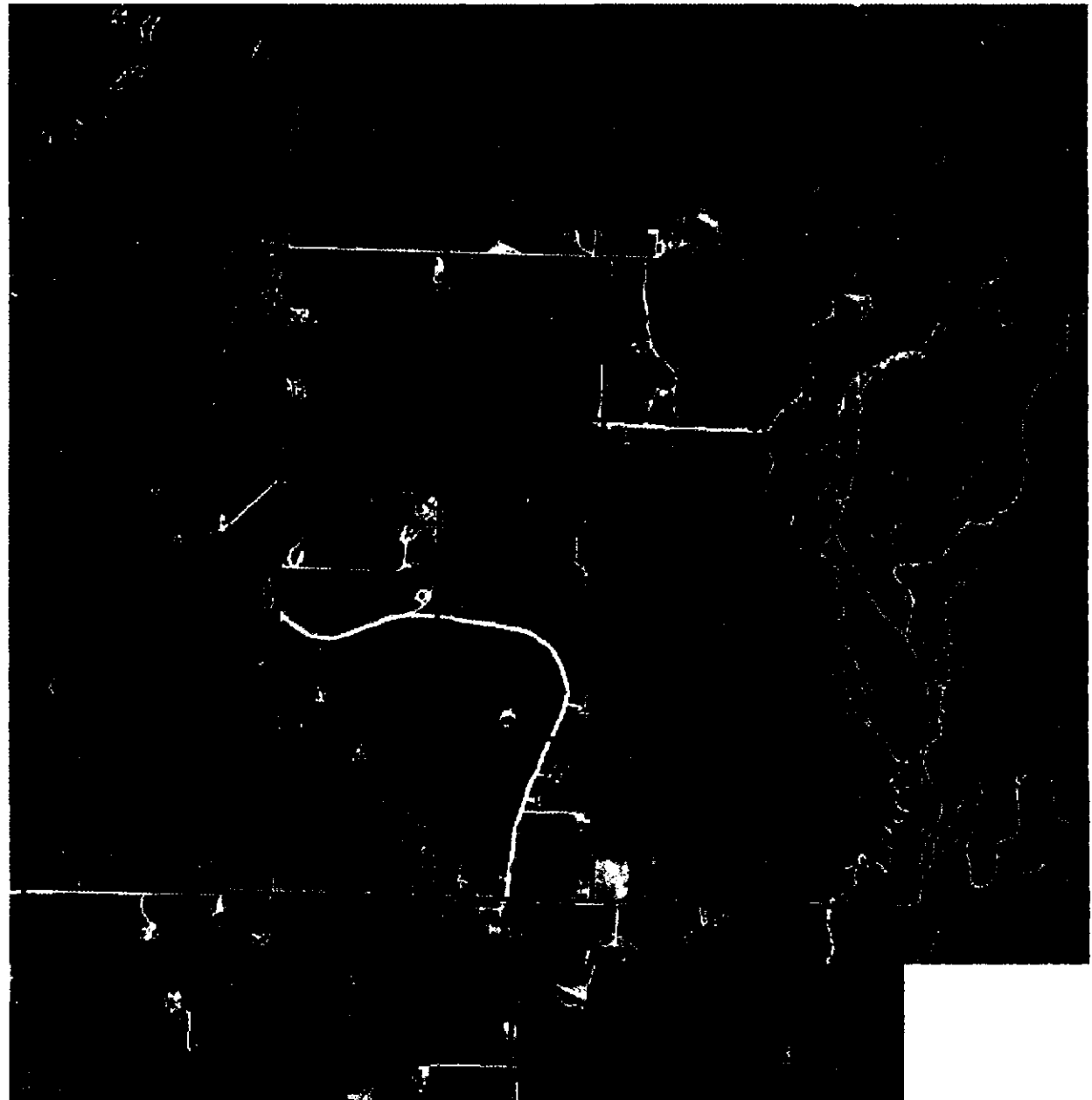
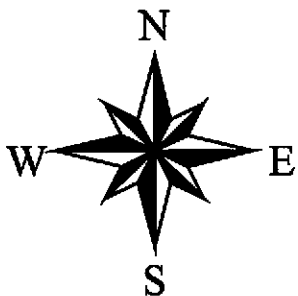
Date: 05/10/1999

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0 0.25 0.5 Miles



1987 NAPP Photo