

25

Boulder Creek POD



T329

T330

T331

T335

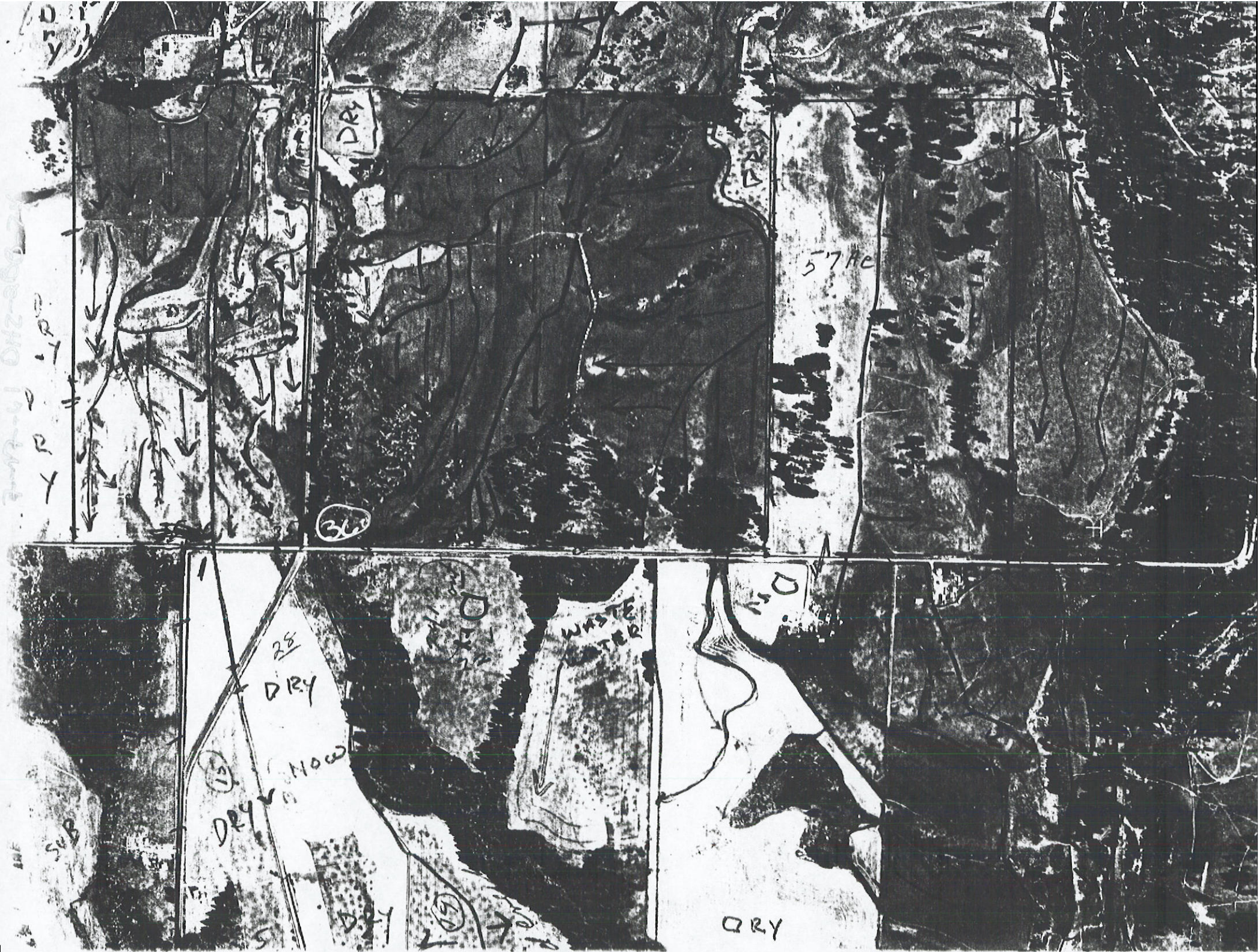
A65-03117

secondary
POD

Alta
Vista
Sub.

Lot

POD



DRY

5.7 He

(36)

28
DRY

(1)
DRY NOW

WASTE
WATER

DRY

(15)

Idaho Department of Water Resources

Claim No(s): 65-03117C

Claimant(s): Busby Living Trust

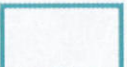
T18N, R03E, S 36

Prepared by: Sue Bock

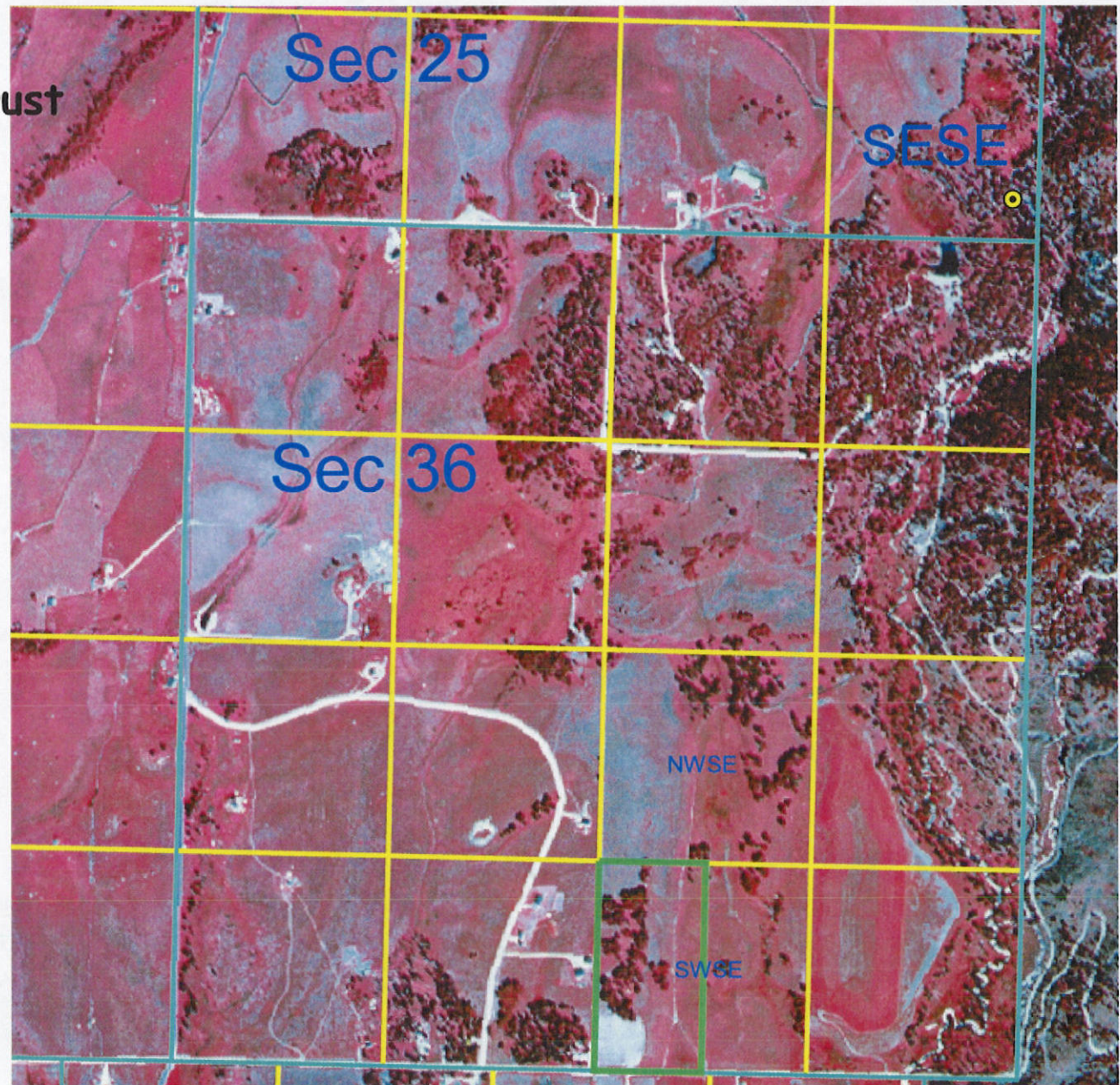
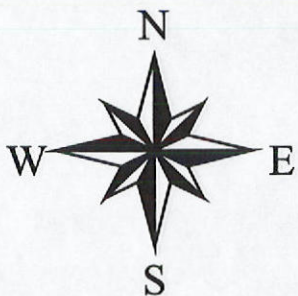
Date: 05/10/1999

 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: A65-03117C
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: ALAN W BUSBY 1983 LIVING TRUST 208-634-1747
Address: PO BOX 2021
MC CALL ID 83638
AND
Name: TERRI L BUSBY 1983 LIVING TRUST 208-634-1747
Address: PO BOX 2021
MC CALL ID 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 | 0.030 | | |
7. Total Quantity Appropriated is:
0.030 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
18N	03E	36	SW	SE		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

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

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: ALAN W BUSBY 1983 LIVING TRUST 208-634-1747
Address: PO BOX 2021
MC CALL ID 83638
AND
Name: TERRI L BUSBY 1983 LIVING TRUST 208-634-1747
Address: PO BOX 2021
MC CALL ID 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 | 0.030 | | |
7. Total Quantity Appropriated is:
0.030 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
18N	03E	36	SW	SE		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
26 AC. TO BUSBY'S
4/10 AFA = .03 CFS
(20K 10AF ÷ 20000 GPM - 183 ÷
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**

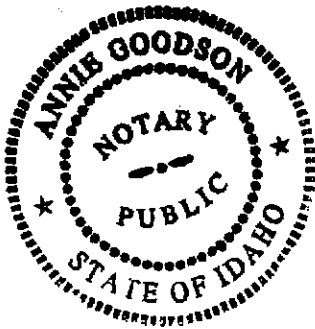
By:  12/31/97
ALAN W. BUSBY, Trustee Date

By:  12/31/97
TERRI L. BUSBY, Trustee Date

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

On this 5th day of January, 1998 before me, Annie Goodson a 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.

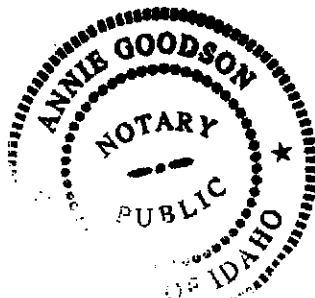


Annie Goodson
NOTARY PUBLIC FOR IDAHO
Residing at: McCall, Idaho
My Commission Expires: 11-06-2001

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.

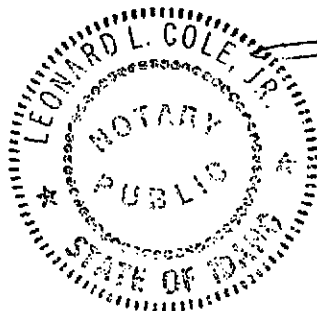
Cutler Umbach
CUTLER UMBACH

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

9.6

33-2

72370

T 331

T 330

T 335

T-330

secondary
pdd

Alta
Vista
Sub.

230

...που

18.9

22-2

2

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.} CRAY 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.

A
A65-03117
(PORTION)
- 80% UNDEVELOPED
FOR 100%
HEADINGS
- 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.

Lot

T330

T331

T335

T329

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 CP

Receipt Number X 999999

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

Department of Water Resources
Bureau of Reclamation

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 ☒

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 ☒ 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.

☒ 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 Dena 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
Copies: White-State, Yellow-Claimant



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

RECEIVED

OCT 22 2002

WATER RESOURCES
WESTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 26, 2002

ALAN W AND JAN BUSBY
PO BOX 2021
MC CALL ID 83638

Re: Snake River Basin Adjudication (SRBA)
Water Rights #65-3117B and 65-3117C

Dear Water Right Holders:

We have received the Standard Form 5 you both signed from the SRBA Court. However, before we can modify our records to reflect Jan Busby on water right #65-3117B, we need the enclosed ownership change form completed and returned. This change is actually considered an ownership change as opposed to an address change by IDWR since the "owners" of the water right will change from Alan & Terri Busby Living Trust 1983 to Alan W. and Jan Busby.

On water right #65-3117B, Alan W. Busby is the sole owner. If you desire both of your names on this water right, please add this number to the ownership change form.

These water rights are still pending before the SRBA Court; as such, there is no fee to change the ownership.

Please call me toll-free at 1/800-451-4129 if you have any questions or concerns.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:

Form 42-248/42-1409(6)

RECEIVED

OCT 3 1979

Filed

Sept. 28, 1979

by Thelma R. Ketchum, Clerk
by 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
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

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. 1 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: COMMERCIAL USE IS ORCHARD SPRAYING.	6/ 1/1946	SOURCE: GROUNDWATER DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SWNE S 2 T 7N R 5W	SAME AS OTHER USE	BENEFICIAL USE
			COMMERCIAL	1/ 1 12/31	.10 AFA .04 CFS *1.30*AFA *.04*CFS		SWNE S 2 T 7N R 5W	
65-3117 A	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

WESTERN REGION

CLAIM NUMBERS 65-0317C

AGENT SS 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 (35)()()()()

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

B51-DBPOU.DBF X UPDATED BY

B51-DBPOD.DBF X UPDATED BY

RDH GPSTABLE

DATE: 06/25/99
PAGE: 1

Audit: 06/25/99 SBOCK

AJ5809NP
No. A65-03117C

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/05/99
PAGE: 60

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALAN W BUSBY 1983 LIVING TRUST	05/07/1891	IRRIGATION	04-15 10-15	0.03 CFS	
C	TERRI L BUSBY 1983 LIVING TRUST PO BOX 2021 MC CALL ID 83638 (208) 634-1747					
TOTAL DIVERSION:					0.03 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	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
18N	03E	36	:																	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 A65-03117A A65-03117B 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:

*W 30
Condition
POD F04*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

01:24:12
03/06/99
163

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-03117C

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALAN W BUSBY 1983 LIVING TRUST	05/07/1891	IRRIGATION	04-15 10-15	0.03 CFS	
C	TERRI L BUSBY 1983 LIVING TRUST					
TOTAL DIVERSION:					0.03 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
18N	03E	36	:																	:	
																				:	20
																				:	20.0
																				:	20.0
																				:	TOTAL ACRES

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

00:00:09
03/06/99

PAGE: 1
GENERAL INFORMATION

147
CLAIM NUMBER: A65-03117C

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

FIRST: C RAY
STATE: ID ZIP: 83638

OWNER CODE: 0

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

FIRST: INA C
STATE: ID ZIP: 83638

OWNER CODE: 0

LAST: BUSBY 1983 LIVING TRUST
ADDRESS: PO BOX 2021
CITY: MC CALL
PHONE NUMBER: 208-634-1747

FIRST: ALAN W
STATE: ID ZIP: 83638

OWNER CODE: C

LAST: BUSBY 1983 LIVING TRUST
ADDRESS: PO BOX 2021
CITY: MC CALL
PHONE NUMBER: 208-634-1747

FIRST: TERRI L
STATE: ID ZIP: 83638

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

PAGE: 2
FIELD EXAMINATION INFORMATION

148
CLAIM NUMBER: A65-03117C

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: # A65-03117C 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
A65-03117C	18N 03E	25		SE	SE			VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A65-03001A	65-10202
A65-03117A	65-10205
A65-03117B	
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
A65-03117A	65-10205
A65-03117B	
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?

LICENSING FIELD EXAM (DATE OF FIELD EXAM Dec 01)

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:

5/10/99

DATE:

SB

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
18N	03E	36	SW	SE		BUSBY 1983 LIVING TRUST, ALAN	A65-03117C / 20.0	- /			38.0
			SW	SE		BOULDER MEADOWS IRRIGATION INC	A65-12007 / 25.0	65-12007 / 25.0			
			SW	SE		UMBACH, CUTLER	A65-03117B / 14.0	- /			
			SW	SE		POTTER, C. RAY		65-03117 / 34.0			

ADDITIONAL POU FOUND

TOTAL ACRES A65-03117C 20.00 38.00

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
A65-03117C	BOULDER CREEK	BUSBY 1983 LIVING TRUST, ALAN	0.030	0.001		
A65-03117B	BOULDER CREEK	UMBACH, CUTLER	0.770	0.016		
A65-12007	BOULDER CREEK	BOULDER MEADOWS IRRIGATION INC			80.00	0.22

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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

Y(☒) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: IRRIGATION FROM BOULDER MEADOWS IRRIG. INC.

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

N/A() Y(☒) N()

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

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

N/A() Y(☒) N()

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

Y() N(☒)

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

Y() N(☒)

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

() NAPP, IDWR NO. _____; ☒ ASCS PHOTO; () OTHER _____

NOTES: _____

TABLE 1. *Continued*

1. **NAME** _____
 2. **DATE** _____
 3. **TIME** _____
 4. **LOCATION** _____
 5. **REASON** _____
 6. **WITNESSES** _____
 7. **SIGNATURE** _____
 8. **INITIALS** _____
 9. **REMARKS** _____
 10. **DATE** _____
 11. **TIME** _____
 12. **LOCATION** _____
 13. **REASON** _____
 14. **WITNESSES** _____
 15. **SIGNATURE** _____
 16. **INITIALS** _____
 17. **REMARKS** _____
 18. **DATE** _____
 19. **TIME** _____
 20. **LOCATION** _____
 21. **REASON** _____
 22. **WITNESSES** _____
 23. **SIGNATURE** _____
 24. **INITIALS** _____
 25. **REMARKS** _____
 26. **DATE** _____
 27. **TIME** _____
 28. **LOCATION** _____
 29. **REASON** _____
 30. **WITNESSES** _____
 31. **SIGNATURE** _____
 32. **INITIALS** _____
 33. **REMARKS** _____
 34. **DATE** _____
 35. **TIME** _____
 36. **LOCATION** _____
 37. **REASON** _____
 38. **WITNESSES** _____
 39. **SIGNATURE** _____
 40. **INITIALS** _____
 41. **REMARKS** _____
 42. **DATE** _____
 43. **TIME** _____
 44. **LOCATION** _____
 45. **REASON** _____
 46. **WITNESSES** _____
 47. **SIGNATURE** _____
 48. **INITIALS** _____
 49. **REMARKS** _____
 50. **DATE** _____
 51. **TIME** _____
 52. **LOCATION** _____
 53. **REASON** _____
 54. **WITNESSES** _____
 55. **SIGNATURE** _____
 56. **INITIALS** _____
 57. **REMARKS** _____
 58. **DATE** _____
 59. **TIME** _____
 60. **LOCATION** _____
 61. **REASON** _____
 62. **WITNESSES** _____
 63. **SIGNATURE** _____
 64. **INITIALS** _____
 65. **REMARKS** _____
 66. **DATE** _____
 67. **TIME** _____
 68. **LOCATION** _____
 69. **REASON** _____
 70. **WITNESSES** _____
 71. **SIGNATURE** _____
 72. **INITIALS** _____
 73. **REMARKS** _____
 74. **DATE** _____
 75. **TIME** _____
 76. **LOCATION** _____
 77. **REASON** _____
 78. **WITNESSES** _____
 79. **SIGNATURE** _____
 80. **INITIALS** _____
 81. **REMARKS** _____
 82. **DATE** _____
 83. **TIME** _____
 84. **LOCATION** _____
 85. **REASON** _____
 86. **WITNESSES** _____
 87. **SIGNATURE** _____
 88. **INITIALS** _____
 89. **REMARKS** _____
 90. **DATE** _____
 91. **TIME** _____
 92. **LOCATION** _____
 93. **REASON** _____
 94. **WITNESSES** _____
 95. **SIGNATURE** _____
 96. **INITIALS** _____
 97. **REMARKS** _____
 98. **DATE** _____
 99. **TIME** _____
 100. **LOCATION** _____
 101. **REASON** _____
 102. **WITNESSES** _____
 103. **SIGNATURE** _____
 104. **INITIALS** _____
 105. **REMARKS** _____
 106. **DATE** _____
 107. **TIME** _____
 108. **LOCATION** _____
 109. **REASON** _____
 110. **WITNESSES** _____
 111. **SIGNATURE** _____
 112. **INITIALS** _____
 113. **REMARKS** _____
 114. **DATE** _____
 115. **TIME** _____
 116. **LOCATION** _____
 117. **REASON** _____
 118. **WITNESSES** _____
 119. **SIGNATURE** _____
 120. **INITIALS** _____
 121. **REMARKS** _____
 122. **DATE** _____
 123. **TIME** _____
 124. **LOCATION** _____
 125. **REASON** _____
 126. **WITNESSES** _____
 127. **SIGNATURE** _____
 128. **INITIALS** _____
 129. **REMARKS** _____
 130. **DATE** _____
 131. **TIME** _____
 132. **LOCATION** _____
 133. **REASON** _____
 134. **WITNESSES** _____
 135. **SIGNATURE** _____
 136. **INITIALS** _____
 137. **REMARKS** _____
 138. **DATE** _____
 139. **TIME** _____
 140. **LOCATION** _____
 141. **REASON** _____
 142. **WITNESSES** _____
 143. **SIGNATURE** _____
 144. **INITIALS** _____
 145. **REMARKS** _____
 146. **DATE** _____
 147. **TIME** _____
 148. **LOCATION** _____
 149. **REASON** _____
 150. **WITNESSES** _____
 151. **SIGNATURE** _____
 152. **INITIALS** _____
 153. **REMARKS** _____
 154. **DATE** _____
 155. **TIME** _____
 156. **LOCATION** _____
 157. **REASON** _____
 158. **WITNESSES** _____
 159. **SIGNATURE** _____
 160. **INITIALS** _____
 161. **REMARKS** _____
 162. **DATE** _____
 163. **TIME** _____
 164. **LOCATION** _____
 165. **REASON** _____
 166. **WITNESSES** _____
 167. **SIGNATURE** _____
 168. **INITIALS** _____
 169. **REMARKS** _____
 170. **DATE** _____
 171. **TIME** _____
 172. **LOCATION** _____
 173. **REASON** _____
 174. **WITNESSES** _____
 175. **SIGNATURE** _____
 176. **INITIALS** _____
 177. **REMARKS** _____
 178. **DATE** _____
 179. **TIME** _____
 180. **LOCATION** _____
 181. **REASON** _____
 182. **WITNESSES** _____
 183. **SIGNATURE** _____
 184. **INITIALS** _____
 185. **REMARKS** _____
 186. **DATE** _____
 187. **TIME** _____
 188. **LOCATION** _____
 189. **REASON** _____
 190. **WITNESSES** _____
 191. **SIGNATURE** _____
 192. **INITIALS** _____
 193. **REMARKS** _____
 194. **DATE** _____
 195. **TIME** _____
 196. **LOCATION** _____
 197. **REASON** _____
 198. **WITNESSES** _____
 199. **SIGNATURE** _____
 200. **INITIALS** _____
 201. **REMARKS** _____
 202. **DATE** _____
 203. **TIME** _____
 204. **LOCATION** _____
 205. **REASON** _____
 206. **WITNESSES** _____
 207. **SIGNATURE** _____
 208. **INITIALS** _____
 209. **REMARKS** _____
 210. **DATE** _____
 211. **TIME** _____
 212. **LOCATION** _____
 213. **REASON** _____
 214. **WITNESSES** _____
 215. **SIGNATURE** _____
 216. **INITIALS** _____
 217. **REMARKS** _____
 218. **DATE** _____
 219. **TIME** _____
 220. **LOCATION** _____

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466	467	468	469	470	471	472	473	474	475	476	477	478	479	480	481	482	483	484	485	486	487	488	489	490	491	492	493	494	495	496	497	498	499	500	501	502	503	504	505	506	507	508	509	510	511	512	513	514	515	516	517	518	519	520	521	522	523	524	5
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	---

RECOMMENDATIONS:

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
A65-03117C IRRIGATION	FROM 04-15 TO 10-15	0.030 CFS	
TOTAL DIVERSION RATE/VOLUME		0.030 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(☐)

PAGE: 10

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

156

CLAIM NUMBER: A65-03117C

NOTES: _____

AJ CLAIM TOTAL DIVERSION RATE: 0.030 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 = .4 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:

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (X)

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 0.030	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 0.0	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			0.030	_____		_____	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 _____	()	()
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: SB DATE: 5/10/99

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>7-17-61</u>	Y(<u>X</u>) 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>GS map</u>	DATE <u>5/10/99</u>	Y(<u>X</u>) N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:09
03/06/99

PAGE: 16
QUICKLOOK INFORMATION

162
CLAIM NUMBER: A65-03117C

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				N	Dance	SB 5-10-99		
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



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

Alan W Busby 1983 Living Trust
Terri L Busby 1983 Living Trust
PO Box 2021
Mc Call ID 83638

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

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

Dear Mr. & Mrs. Busby:

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim by adding alpha suffixes to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. You will be notified of any future action taken on this claim.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

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

Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:d

Enclosure

SEE ORIGINAL CLAIM FILE DOCUMENTS IN

CLAIM NO. A65-03117

ADJUDICATION MEMORANDUM

CLAIM NO.: A65-03117

SUBJECT: more info needed

EMPLOYEE: DeBuffington

DATE: 2-12-98

1-13-98 Called office of Millerman, Pittenger, +
M^s Mahan to request chain of title for
this file. Patty said it would be
sent during week of 1-26-98.

DH

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.

DH

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,

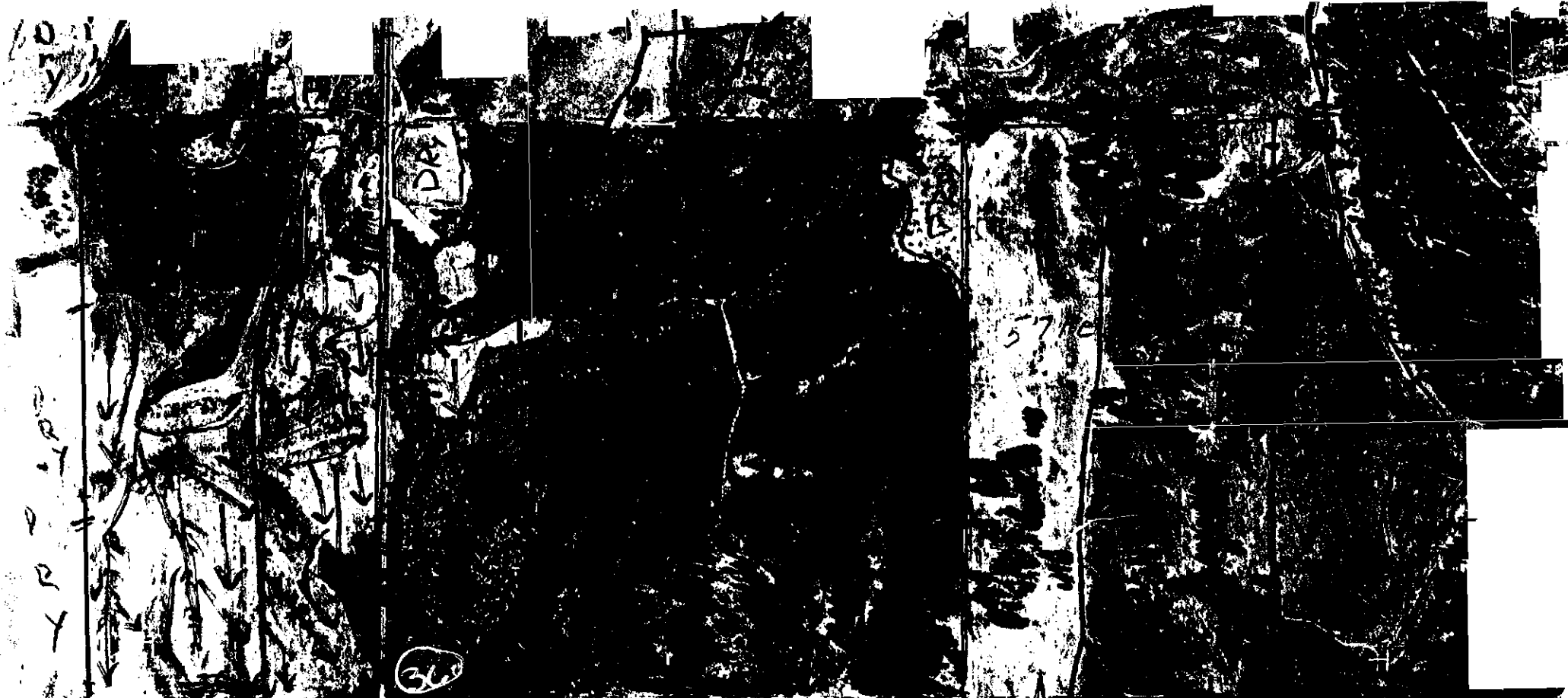
Brian L. McMahon

BRIAN L. McMAHAN

BLM/pld

Enc.

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



Idaho Department of Water Resources

Claim No(s): 65-03117C

Claimant(s): Busby Living Tru

T18N, R03E, S 36

Prepared by: Sue Bock

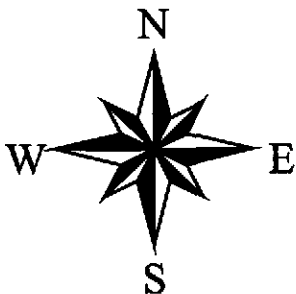
Date: 05/10/1999

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0 0.25 0.5 Miles



1987 NAPP Photo



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