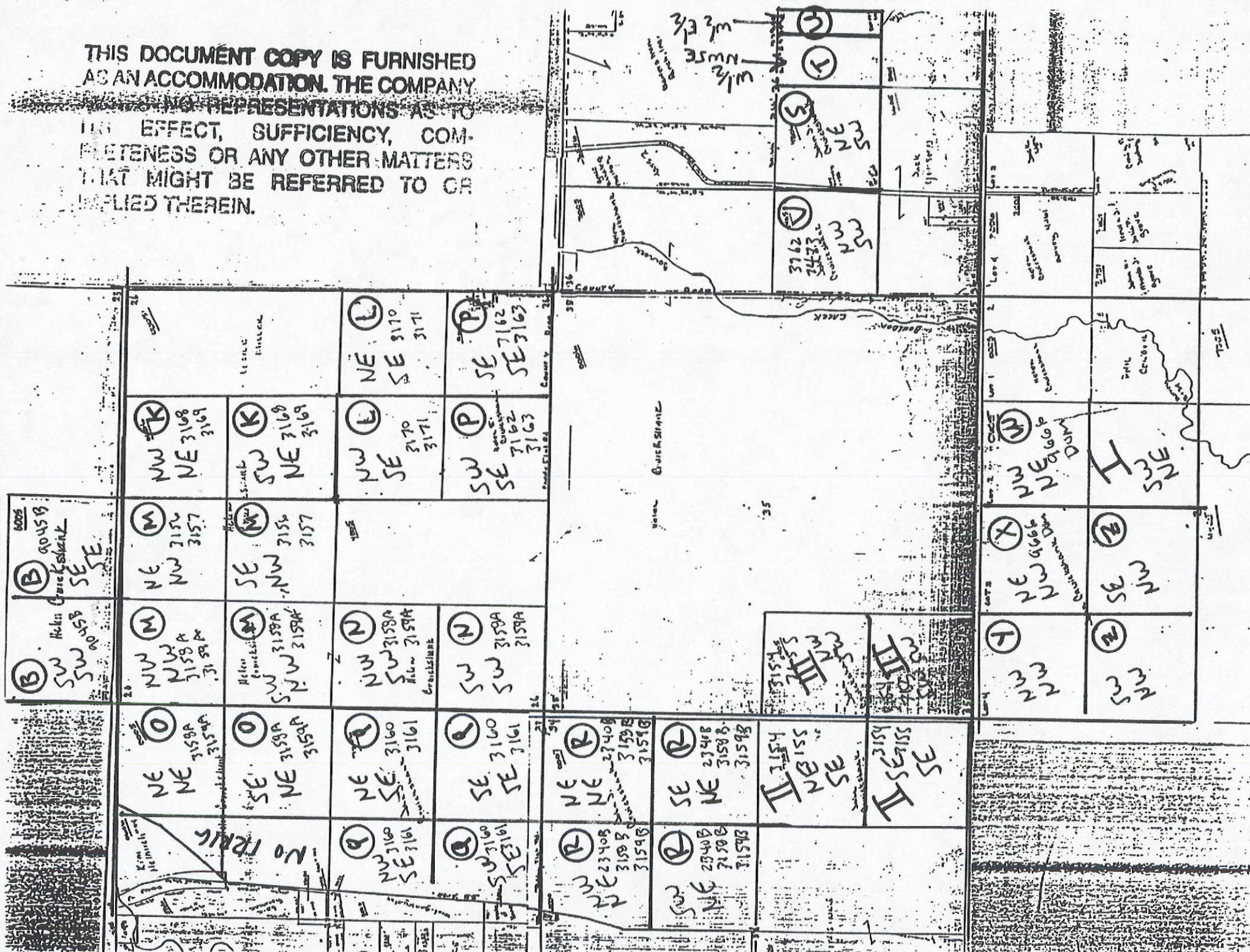


THIS DOCUMENT COPY IS FURNISHED
AS AN ACCOMMODATION. THE COMPANY
MAKES NO REPRESENTATIONS AS TO
ITS EFFECT, SUFFICIENCY, COM-
PLETENESS OR ANY OTHER MATTERS
THAT MIGHT BE REFERRED TO OR
IMPLIED THEREIN.



Idaho Department of Water Resources

T17N, R03E
S34 & S35

Claim(s):

65-03154 &

65-03155

Owner(s) JARVIE

Prepared by:

Ron Howerton

Date: 30 Apr 99

 Place of use

 POD

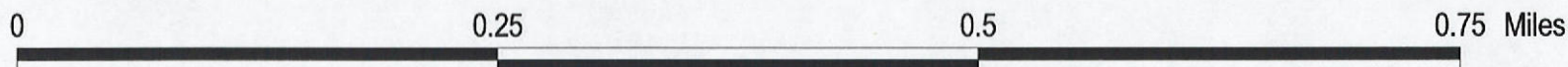
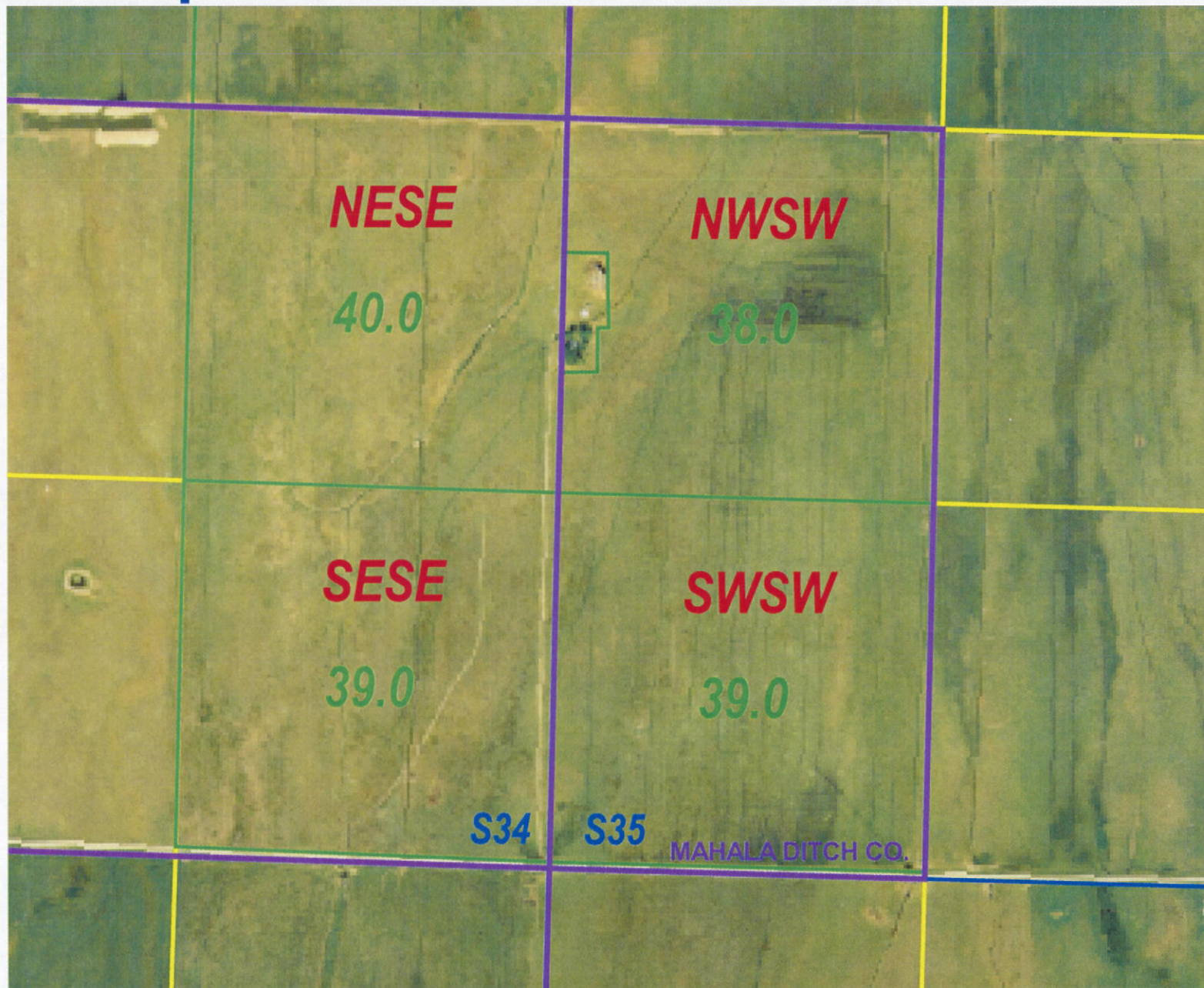
 SECTION LINES

 1/4 1/4 Lines

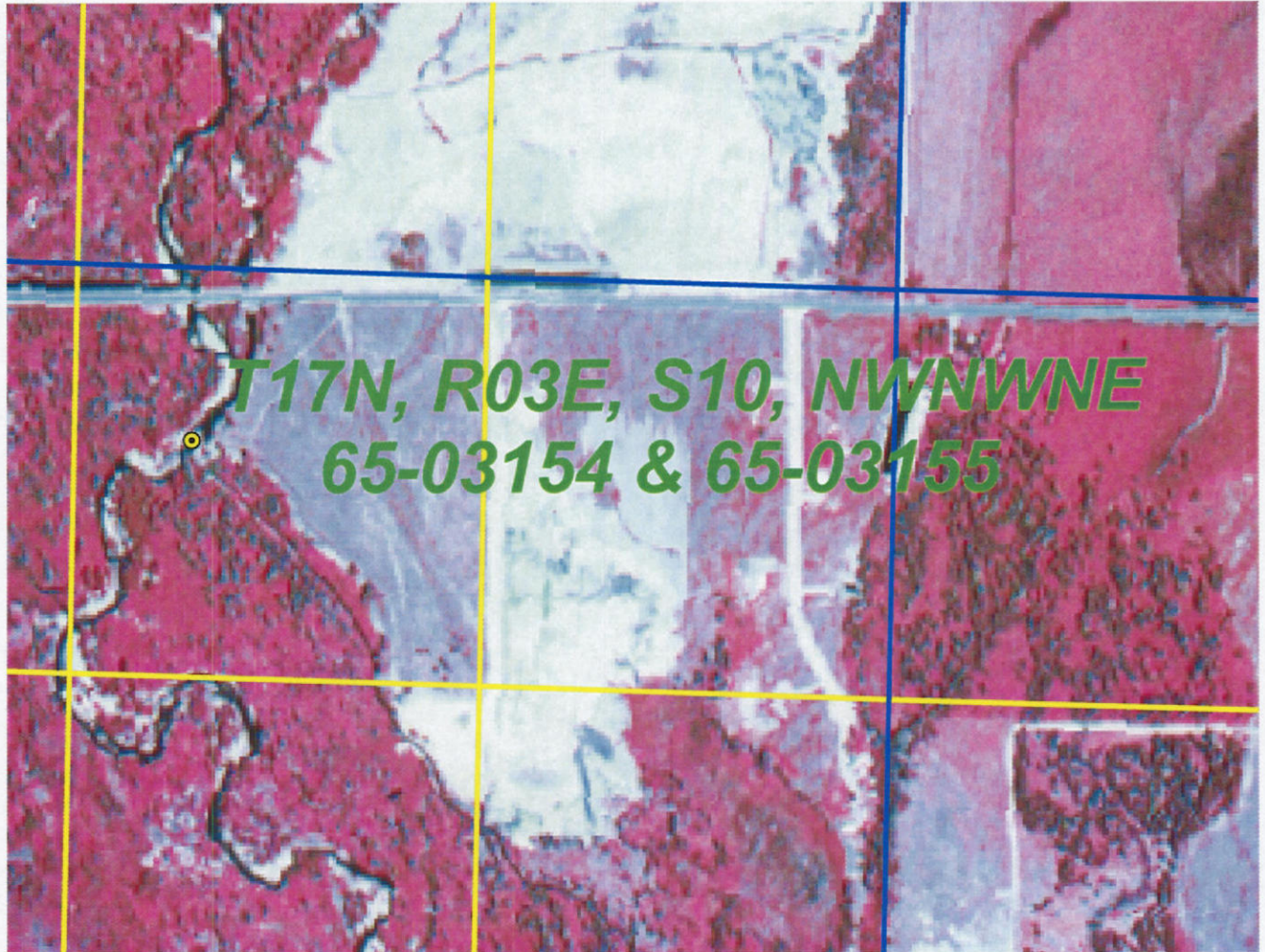
Acres



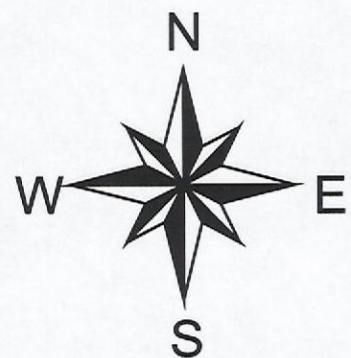
1987 NAPP



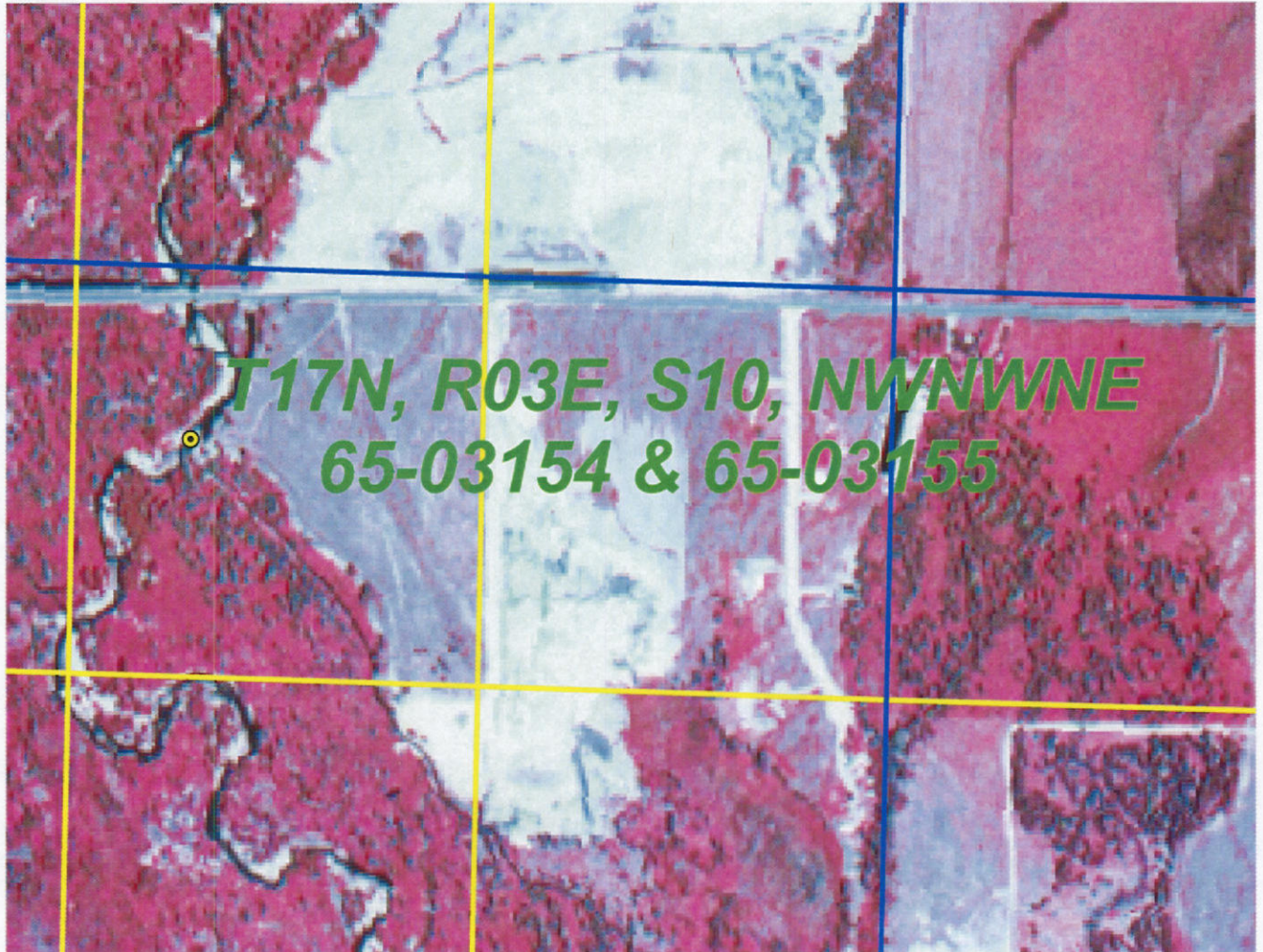
65-03154 & 65-03155



Point of Diversion



65-03154 & 65-03155



0 0.25 0.5 0.75 Miles



Point of Diversion



Idaho Department of Water Resources

T17N, R03E
S34 & S35

Claim(s):

65-03154 &

65-03155

Owner(s) JARVIE

Prepared by:

Ron Howerton

Date: 30 Apr 99

 Place of use

 POD

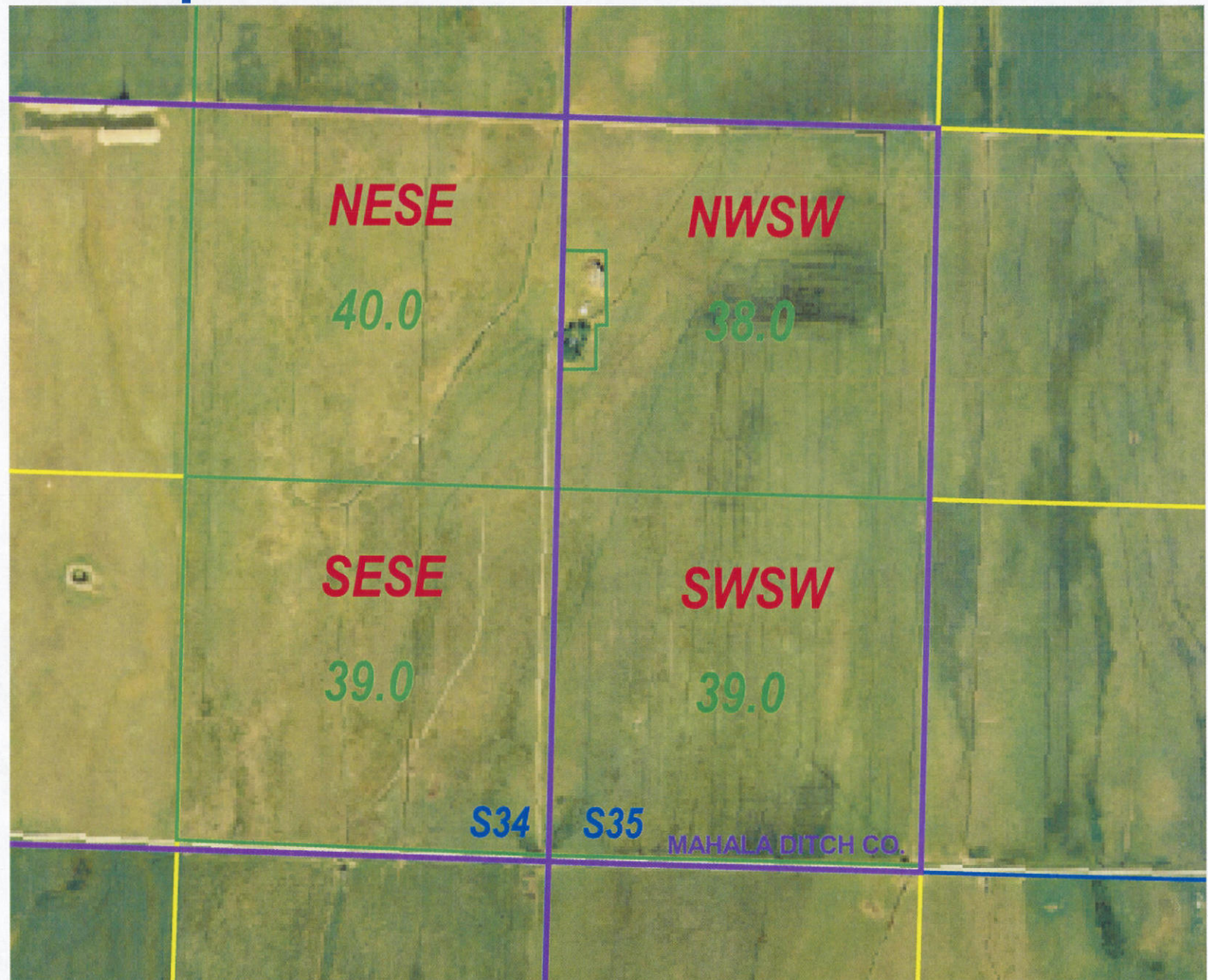
 SECTION LINES

 1/4 1/4 Lines

Acres



1987 NAPP



0 0.25 0.5 0.75 Miles



17N R3E MAP E
PRBA

1. Blanche Davis
2. W. E. Davis
3. T. O. Matson Estate
4. John T. Nasi
5. J. E. Hughes, et al
6. Jack N. Miller
7. Lee C. Wright
8. Henry Nortune
9. James Cruickshank
10. Charles Lappens
11. R. G. Wallace
12. Lakeford Lumber Co.
13. Jack Kangas
14. Lester Scheline
15. Franklin E. Edwards
16. Bertha S. White
17. John T. Nasi
18. C. O. McGlands
19. T. E. Fleming
20. Mary Jarvis
21. Hulda Yenson
22. Roseberry Lead & Cattle Ass'n.
23. State of Idaho

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: A65-03154
Date Received: 11/14/1988
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARY A. JARVIE 208-634-5986
Address: C/O ELLEN I. IKOLA
RT 1, BOX 25
MCCALL, ID 83638
OR
Name: SAIMA NASI 208-634-5986
Address: C/O ELLEN I. IKOLA
RT.1 BOX 25
MC CALL, ID 83638
2. Date of Priority: MAY 01, 1909
3. Source: LAKE FORK CREEK Trib. to: PAYETTE RIVER, NORTH FC
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 17N | 03E | 10 | NW | NE | | | VALLEY |
5. Description of diverting works:
MAHALA DITCH.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 05/01 | 09/15 | 2.280 | | |
7. Total Quantity Appropriated is:
2.280 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:

A65-03154

Page 1

Date: 11/14/88

MICROFILMED

SEP 22 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	03E	34	NE	SE		IRR	40.0
			SE	SE		IRR	39.0
						Section Acres	79.0
		35	NW	SW		IRR	38.0
			SW	SW		IRR	39.0
						Section Acres	77.0
						Total Acres	156.0

11. Place of use in counties: VALLEY

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A65-03155

14. Remarks:
MARY JARVIE AND ELLEN IKOLA IS THE ADMINISTRATOR OF THE ESTATE.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 4/07/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and 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): Lacina E. Nari Date: 11-14-88

By Ellen L. Skala Date: _____
attorney in fact

State of Idaho)
County of Valley) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of Nov 19 88 Melvin Gene Gibson
Notary Public

Seal

Residing at Boise, ID
My Commission Expires 9-2-1994

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

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

CIVIL CASE NUMBER: 39576

IDENT. NUMBER: 65-03154
DATE RECEIVED: 11-14-88
RECEIPT NO: X99
RECEIVED BY: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: MARY A. JARVIS
ADDRESS: DONNELLY, ID

83615

634-5986

2. DATE OF PRIORITY: MAY 01, 1909

3. SOURCE: LAKE FORK CREEK

TRIB. TO: PAYETTE RIVER, NORTH FORK

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
17N	03E	10	NW	NE			VALLEY

5. DESCRIPTION OF DIVERTING WORKS:
MAHALA DITCH.

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	05/01	09/15	2.280		

7. TOTAL QUANTITY APPROPRIATED IS:
2.280 C.F.S. (AND/OR)

A.F.A.

8. TOTAL CONSUMPTIVE USE IS

ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
17N	03E	34	NE	SE		IRR	40.0
			SE	SE		IRR	39.0
SECTION ACRES							79.0

10. PLACE OF USE: CONTINUED

TOWNSHIP	RANGE	SECTION	1/4	OF	1/4	LOT	USE	ACRES
17N	03E	35	NW		SW		IRR	38.0
			SW		SW		IRR	39.0
SECTION ACRES								77.0
TOTAL ACRES								156.0

11. PLACE OF USE IN COUNTIES: VALLEY, VALLEY

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: DECREE

CASE NUMBER:

COURT :

DECREE DATE: 4/07/1986

STATE OF IDAHO
DECREE PLAINTIFF

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

MICROFILMED
SEP 22 1992

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: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF
_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS _____ OF
_____, AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)
COUNTY OF _____) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS _____ DAY
OF _____ 19 _____

NOTARY PUBLIC

SEAL

RESIDING AT _____

MY COMMISSION EXPIRES _____
DATE: 09/30/88

65-03154

PAGE

3

86

MICROFILMED

SEP 22 1992

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JAN-5-2000
PAGE: A-1-----
RIGHTS FROM: SOURCE: LAKE FORK CREEK TRIBUTARY: PAYETTE RIVER, NORTH FORK

RIGHT NUMBER: 65-03154

NAME & ADDRESS: HARRY L BETTIS
STAR ROUTE
PAYETTE ID 83661

SOURCE: LAKE FORK CREEK TRIBUTARY: PAYETTE RIVER, NORTH FORK

QUANTITY: 2.28 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-03155 SHALL PROVIDE
NO MORE THAN .02 CFS PER ACRE MEASURED AT FIELD HEADGATE.

PRIORITY DATE: 05/01/1909

POINT OF DIVERSION: T17N R03E S10 NWNWNE Within VALLEY County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	05-01 09-15	2.28 CFS

PLACE OF USE:	IRRIGATION	Within VALLEY County
	T17N R03E S34	NESE 40 SESE 39
	S35	NWSW 38 SWSW 39
	156 ACRES TOTAL	

USE OF THIS RIGHT WITH RIGHT NO. 65-03155 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 156 ACRES IN A SINGLE
IRRIGATION SEASON.

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: BASIS OF CLAIM - DECREE
USE OF THIS RIGHT IS COMBINED WITH WATER FROM
MAHALA DITCH CO.
WATER IS DELIVERED THROUGH MAHALA DITCH IN SECTION 10.
RIGHT NO. 65-03155 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

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

NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDINGS

**Water Rights 65-02340B, 65-03158B,
65-03159B, 65-03160, 65-03161,
65-03162, 65-03163, 65-03154
and 65-03155**

IDWR has completed the following Administrative Proceeding:

11 Change of Address

Substitution of Party

I.C. 42-222 Transfer

SUBSTITUTION OF PARTY

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

If yes, does the split involve an I.C. 42-222 transfer? ☐ Yes ☐ No

Water Right(s): 65-02340B, 65-03158B, 65-03159B, 65-03160, 65-03161,

65-03162, 65-03163, 65-03154 and 65-03155

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
1/5/2000

65-02340B, 65-03158B, 65-03159B,
65-03160, 65-03161, 65-03162,
65-03163, 65-03154 AND 65-03155

From (Claimant/Seller):

Name of Claimant: JAMES L CRUICKSHANK TRUST
Address: RT 1 BOX 70
MC CALL ID 83638
Phone: (208) 325-8549

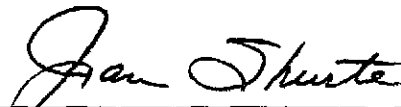
To (Claimant/Purchaser):

Name of Claimant: HARRY L BETTIS
Address: STAR ROUTE
PAYETTE ID 83661
Phone: (208) 365-2512

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 Reports for said water rights. 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 Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: January 5, 2000



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on *January 5, 2000* I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

JAMES L CRUICKSHANK TRUST
RT 1 BOX 70
MC CALL ID 83638
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

HARRY L BETTIS
STAR ROUTE
PAYETTE ID 83661
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
5. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724

Danise Buffington

Signature of person or attorney mailing the form

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 27 1999

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).: 65-09045B, 65-03168, 65-03169, 65-03170, 65-03171, 65-03156, 65-03157, 65-03158A, and 65-03159A
Adjudication Claim No(s).: A65-09045B, A65-03168, A65-03169, A65-03170, A65-03171, A65-03156, A65-03157, A65-03158A, and A65-03159A
2. The following REQUIRED information must be submitted with this form:
 - 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 John J. Cruickshank and Connie Mae Cruickshank
1811 W. Lake Hazel Road, Meridian, ID 83642
4. New Owner/Claimant(s) Harry L. Bettis
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address Star Route
City, State and ZIP Code Payette, ID 83661
New Telephone Number (208) 365-2512
5. Date you acquired the property April 7, 1999
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 1,468.61 Number and type of stock _____
Diversion rate in CFS _____ Number of homes 0 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) Harry L. Bettis
(Corporations or other organizations must submit a 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..

ADDITIONAL PONS
ADJ #s
A65-2340B
-3158B
-3159B
-3160
-3161
-3162
-3163
-3154
-3155

DOMESTICS-DEC
65-09666 & 17547

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

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

IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

HOLLAND & HART^{LLP}
ATTORNEYS AT LAW

RECEIVED

DEC 27 1999

DENVER • ASPEN
BOULDER • COLORADO SPRINGS
DENVER TECH CENTER
BILLINGS • BOISE
CHEYENNE • JACKSON HOLE
SALT LAKE CITY

SUITE 1400
101 SOUTH CAPITOL BOULEVARD
BOISE, IDAHO 83702-7714
MAILING ADDRESS
P.O. BOX 2527
BOISE, IDAHO 83701-2527

TELEPHONE (208) 342-5000
FACSIMILE (208) 343-8869
WATER RESOURCES
WESTERN REGION
TERESA J. TURNER
PARALEGAL
tturner@hollandhart.com

December 23, 1999

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

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Dear Sir or Madam:

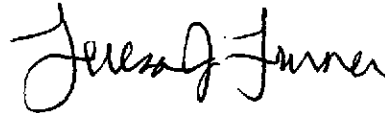
This firm represents Harry L. Bettis, who has acquired certain real property located in Valley County, Idaho.

Enclosed is original Notice of Change of Water Right Ownership for Nine (9) water rights appurtenant to the property, together with a copy of the Warranty Deed evidencing the change of ownership, a copy of Quitclaim Deed evidencing the prior owner's title to the property, and a copy of plat map with the property boundaries highlighted.

Thank you for your assistance. If you need anything further to process this change of ownership, please let me know.

Sincerely,

HOLLAND & HART^{LLP}



Teresa J. Turner
Paralegal

tjt
Enclosures
c: Harry Bettis (w/enclosures)

EXHIBIT**A**

COM0246-99

Legal Descriptions**Parcel B**

S1/2 SW1/4

Section 23, Township 17 North, Range 3 East
Valley County, Idaho**Parcel K**

W1/2 NE1/4

Section 26, Township 17 North, Range 3 East
Valley County, Idaho**Parcel L**

N1/2 SE1/4

Section 26, Township 17 North, Range 3 East
Valley County, Idaho**Parcel M**

NW1/4

Section 26, Township 17 North, Range 3 East
Valley County, Idaho**Parcel N**

W1/2 SW1/4

Section 26, Township 17 North, Range 3 East
Valley County, Idaho**Parcel O**

NE1/4 lying East of State Highway 55

Section 27, Township 17 North, Range 3 East
Valley County, Idaho**SAVE AND EXCEPT:**

A parcel of land situate in the North 1/2 of the NE 1/4 of Section 27, Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of the NE1/4 NE1/4 of Section 27 (East 1/16 Corner common to Section 22 and Section 27), Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho; thence South 00° 37' 46" West 91.41 feet on the line common to the NE1/4 NE1/4 and the NW1/4 NE1/4 of said Section 27 to a 5/8 inch diameter steel pin in a fence line on the Southeasterly right-of-way line of Spink Lane, said point being the REAL POINT OF BEGINNING;

- continued -

EXHIBIT**A**

Parcel O - continued

thence following said fence line North 21° 54' 21" East 71.27 feet to a 1/2 inch diameter steel pin on a line lying 25.00 feet Southerly of the line common to said Sections 22 and 27; thence South 89° 23' 02" East 174.14 feet on a line parallel to and 25.00 feet Southerly of the line common to said Sections 22 and 27, to a point marked with a 1/2 inch diameter steel pin; thence South 00° 37' 46" West 360.00 feet on a line parallel to said line common to the NE1/4 NE1/4 and the NW1/4 NE1/4, to a point marked with a 1/2 inch diameter steel pin; thence North 89° 23' 02" West 314.34 feet on a line parallel to said line common to Sections 22 and 27, to a point in said fence line on the Southeasterly right-of-way of Spink Lane, said point marked with a 1/2 inch diameter steel pin; thence North 21° 54' 21" East 315.10 feet on said fence line/right-of-way line to the REAL POINT OF BEGINNING.

SAVE AND EXCEPT:

Commencing at the NE Corner of the NW1/4 NE1/4 of said Section 27; thence South 20° West, 440.22 feet; thence South 28° 30' West, 122 feet; thence South 36° 45' West, 1024 feet; thence South 79° West, 15.18 feet to an iron pipe; thence along the Easterly boundary of said State Highway 55, North 05° 15' East, 330 feet to a point; thence North 03° East, 174.90 feet; thence North 45° East, 132 feet; thence North 03° 00' West, 54.12 feet; thence North 08° 15' West, 132 feet; thence North 15° 15' West, 181.50 feet; thence North 23° 45' West, 232.98 feet; thence North 26° 15' West, 168.30 feet to an iron pin on the North boundary of the NW1/4 NE1/4 of said Section 27; thence East along said boundary 1069.2 feet to the Point of Beginning.

Parcel P

Section 26, Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho: S1/2 SE1/4, less Tax No. 1, more particularly described as follows:

A parcel of land located in the SE1/4 SE1/4, Section 26, Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho more particularly described as follows:

- continued -

Parcel P - continued

Commencing at the section corner common to Sections 25, 26, 35 and 36, Township 17 North, Range 3 East, Boise Meridian, thence northerly along the section line common to Sections 25 and 26, a distance of 741.5 feet; thence westerly and parallel to the southerly boundary of Section 26, a distance of 30 feet to the westerly boundary of "Farm to Market Road", the Real Point of Beginning; thence northerly along the westerly boundary of "Farm to Market Road" a distance of 273.5 feet; thence westerly and parallel to the southerly boundary of Section 26 a distance of 177 feet to a point; thence southerly a distance of 276 feet more or less to a point which is 145 feet westerly of and parallel to the southerly boundary of Section 26; thence easterly and parallel to the southerly boundary of Section 26, 145 feet to the point of beginning.

TOGETHER WITH: an easement for a septic system for use appurtenant to the above described parcel, said easement being within the E1/2 of the E 1/2 of SE1/4 of SE1/4, Section 26, Township 17, Range 3 East, Boise Meridian, Valley County, Idaho.

Parcel Q

SE 1/4 lying East of State Highway 55
Section 27, Township 17 North, Range 3 East
Valley County, Idaho.

Parcel R

NE 1/4 lying East of State Highway 55
Section 34, Township 17 North, Range 3 East
Valley County, Idaho.

Parcel S

NE 1/4 SW 1/4
Section 36, Township 17 North, Range 3 East
Valley County, Idaho

Parcel T

W1/2 NW1/4 SE1/4
Section 36, Township 17 North, Range 3 East
Valley County, Idaho

Parcel U

W1/2 E1/2 NW1/4 SE1/4
Section 36, Township 17 North, Range 3 East
Valley County, Idaho

- continued -

Parcel V

NW1/4 SW1/4

Section 36, Township 17 North, Range 3 East
Valley County, Idaho**Parcel W**

Government Lot 2

Section 2, Township 16 North, Range 3 East
Valley County, Idaho**Parcel X**

Government Lot 3

Section 2, Township 16 North, Range 3 East
Valley County, Idaho**Parcel Y**

Government Lot 4

Section 2, Township 16 North, Range 3 East
Valley County, Idaho**Parcel Z**

S 1/2 NW1/4

Section 2, Township 16 North, Range 3 East
Valley County, Idaho**Parcel 1**

SW1/4 NE1/4

Section 2, Township 16 North, Range 3 East
Valley County, Idaho**Parcel 2**

E1/2 SE1/4

Section 34, Township 17 North, Range 3 East
Valley County, Idaho**Parcel 3**

W1/2 SW1/4

Section 35, Township 17 North, Range 3 East
Valley County, Idaho

Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE B—Section 2

Exceptions

EXHIBIT

B

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.

2. Rights or claims of parties in possession not shown by the public records.

3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct survey and inspection of the premises would disclose and which are not shown by the public records.

4. Easements, or claims of easements, not shown by public records.

5. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

6. Taxes: See attached Exhibit C. NOTE: This is for information purposes only and the Company assumes no liability for amounts quoted. It has recently become the practice of the Valley County Assessor and Treasurer to issue subsequent tax statements, the amount shown thereon being unavailable or unknown at this time, and the Company assumes no liability thereof.

7. Assessments or liens by Valley County for garbage collection as provided for by law.

8. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.

- continued -

NOTE: If policy is to be issued in support of a mortgage loan, attention is directed to the fact that the Company can assume no liability under its policy, the closing instructions, or Insured Closing Service for compliance with the requirements of any consumer credit protection or truth in lending law in connection with said mortgage loan.

This commitment is invalid unless the Insuring Provisions and Schedules A and B are attached.

Schedule B-Section 2-Page 1-Commitment No.

EXHIBIT

B

JUN-2 1955
ATTORNEY GENERAL
P. 716

Lawyers Title Insurance Corporation

A LANDAMERICA COMPANY

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE _____ cont'd.

Parcel B

9. RIGHT OF WAY EASEMENT as filed for record in the office of the Recorder of Valley County, Idaho in Book 9 of Miscellaneous at page 577 on June 21, 1955, as Instrument No. 48311.

Parcel B

10. Subject to Spink Lane along entire southerly boundary.

Parcel B, K, L, M, N

11. RECORD OF SURVEY, as filed for record in the office of the Recorder of Valley County, Idaho on July 13, 1990, as Instrument No. 174482.

Parcel K, L, M, N

12. EASEMENT FOR IRRIGATION DITCH as filed for record in the office of the Recorder of Valley County, Idaho in Book 17 of Deeds at page 577 on July 9, 1936, as Instrument No. 21301.

Parcel K, L, M, N

13. SUBJECT TO RIGHTS OF WAY for drain ditch as shown on Quitclaim Deed in Book 1 of Deeds at page 256 as filed for record in the office of the Recorder of Valley County, Idaho on December 6, 1918 as Instrument No. 1885.

Parcel K, L, M, N

14. POWER LINE EASEMENT to Idaho Power Company as filed for record in the office of the Recorder of Valley County, Idaho in Book 9 of Miscellaneous at page 475 on October 8, 1954 as Instrument No. 47378.

Parcel K, L, M, N

15. GROUND LEASE to Brundage Mountain Air, Inc. as filed for record in the office of the Recorder of Valley County, Idaho on October 2, 1997 as Instrument No. 228548.

Parcel K, L, M, N

16. Subject to Farm to Market Road along portion of easterly boundary.

Parcel K, L, M, N, O

17. Subject to Spink Lane along entire northerly boundary.

Parcel L, P

18. Subject to Farm to Market Road along the easterly boundary.

- continued -

Schedule _____ Page _____ No. _____

Lawyers Title Insurance Corporation

A LANDAMERICA COMPANY

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE _____ CONF.

Parcel M, S, T, U, V

19. IDAHO CODE, SECTION 58-604, which grants over all lands belonging to the State, a right of way for ditches, tunnels and telephone and transmission lines constructed by authority of the United States; and IDAHO CODE, SECTION 47-701 and 47-711, reserving to the state all mineral rights in land sold subsequent to the 8th day of May, 1923.

Parcel N, P

20. Subject to Paddy Flat Road along entire northerly boundary.

Parcel O

21. RIGHT OF WAY DEED for State Highway as filed for record in the office of the Recorder of Valley County, Idaho in Book 14 of Deeds at page 317 on March 31, 1928 as Instrument No. 12216.

Parcel O

22. RIGHT OF WAY DEED as filed for record in the office of the Recorder of Valley County, Idaho in Book 14 of Deeds at page 414 on December 22, 1928 as Instrument No. 13106.

Parcel O

23. EASEMENT FOR RIGHT OF WAY FOR IRRIGATION DITCH as filed for record in the office of the Recorder of Valley County, Idaho in Book 9 of Miscellaneous at page 487 on November 5, 1954 as Instrument No. 47471.

Parcel O

24. GRANT OF EASEMENT to Continental Telephone of the West as filed for record in the office of the Recorder of Valley County, Idaho on December 23, 1987 as Instrument No. 159301.

Parcel O

25. GRANT OF EASEMENT to Continental Telephone of the West as filed for record in the office of the Recorder of Valley County, Idaho on December 23, 1987 as Instrument No. 159302.

Parcel O

26. RECORD OF SURVEY, as filed for record in the office of the Recorder of Valley County, Idaho, on September 18, 1995, as Instrument No. 213539.

Parcel Q

27. Subject to Paddy Flat Road along entire southerly boundary.

- continued -

Schedule _____ Page _____ No. _____

Lawyers Title Insurance Corporation

A LANDAMERICA COMPANY

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE _____ confd.

Parcel Q

28. EASEMENT FOR PUBLIC ROAD as set forth on Instrument No. 24614, recorded on July 10, 1916 in Valley County, Idaho in Book 9 of Deeds at page 618.

Parcel Q

29. RIGHT OF WAY DEED for State Highway as filed for record in the office of the Recorder of Valley County, Idaho in Book 14 of Deeds at page 273 on February 7, 1928 as Instrument No. 12094.

Parcel Q**30. MORTGAGE**

MORTGAGOR: John J. Cruickshank and Connie M. Cruickshank

MORTGAGEE: DBL Company, Inc.

DATED: July 8, 1998

RECORDED: July 9, 1998 as Instrument No. 233762

AMOUNT: \$60,000.00

Parcel Q, R

31. POWER LINE EASEMENT to Idaho Power Company as filed for record in the office of the Recorder of Valley County, Idaho in Book 9 of Miscellaneous at page 475 on May 26, 1954 as Instrument No. 47376.

Parcel Q, R

32. GRANT OF EASEMENT to Continental Telephone of the West as filed for record in the office of the Recorder of Valley County, Idaho on December 23, 1987 as Instrument No. 159300.

Parcel R

33. Subject to Paddy Flat Road along entire northerly boundary.

Parcel R

34. EASEMENT FOR PUBLIC ROAD as set forth on Instrument No. 24613, recorded in Valley County, Idaho on July 10, 1916 in Book 9 of Deeds at page 617.

Parcel R

35. RIGHT OF WAY DEED for State Highway as filed for record in the office of the Recorder of Valley County, Idaho in Book 15 of Deeds at page 415 on July 16, 1931 as Instrument No. 15942.

Parcel R

36. POWER LINE EASEMENT to Idaho Power Company as filed for record in the office of the Recorder of Valley County, Idaho on December 27, 1974 as Instrument No. 83861.

- continued -

Schedule _____ Page _____ No. _____

Lawyers Title Insurance Corporation

A LANDAMERICA COMPANY

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE _____ cont'd.

Parcel S, T, U, V

37. RECORD OF SURVEY, as filed for record in the office of the Recorder of Valley County, Idaho, on November 4, 1987, as Instrument No. 158496.

Parcel S, T, U, V

38. RECORD OF SURVEY, as filed for record in the office of the Recorder of Valley County, Idaho, on August 21, 1997, as Instrument No. 227618.

Parcel S, T, U, V

39. HIGHWAY RIGHT OF WAY DEED as filed for record in the office of the Recorder of Valley County, Idaho in Book 28 of Deeds at page 233 on July 31, 1950 as Instrument No. 41997.

Parcel V

40. Subject to Farm to Market Road along entire westerly boundary.

Parcel W, X, Y

41. Subject to Nasi Lane across entire northerly boundary.

Parcel W, X, Y, Z, 1, 2, 3

42. POWER LINE EASEMENT to Idaho Power Company as filed for record in the office of the Recorder of Valley County, Idaho in Book 9 of Miscellaneous at page 470 on October 8, 1954 as Instrument No. 47373.

Parcel W, X, Y, Z, 1, 2, 3

43. POWER LINE EASEMENT to Idaho Power Company as filed for record in the office of the Recorder of Valley County, Idaho in Book 9 of Miscellaneous at page 477 on October 8, 1954 as Instrument No. 47381.

Parcel W, X, Y, Z, 1, 2, 3

44. RECORD OF SURVEY, as filed for record in the office of the Recorder of Valley County, Idaho on October 5, 1990, as Instrument No. 176244.

Parcel Y, 1

45. Rights of the Public, State of Idaho, and U.S.A. in and to the bed and banks of Boulder Creek and easements related thereto.

Parcel Z, 1

46. Subject to Nasi Lane along entire southerly boundary.

Parcel Z, 1

47. Subject to Nasi Lane along entire southerly boundary.

Schedule _____ Page _____ No.

Rerecorded to correct the capacity of signature for John J. Cruickshank. 11-07

ACCOMMODATION

QUITCLAIM DEED

CERTIFIED COPY

For Value Received, HELEN E. CRUICKSHANK, BY JOHN J. CRUICKSHANK
PERSONAL REPRESENTATIVE

hereby conveys, releases, remises and forever quits claim unto
JOHN J. CRUICKSHANK

whose address is : P.O. Box 361 Donnelly, Idaho 83615
the following premises, to wit:

SEE ATTACHED AS EXHIBIT "A"

Dated: 11/2/98

Helen E. Cruickshank
HELEN E. CRUICKSHANK

John J. Cruickshank
BY: JOHN J. CRUICKSHANK
PERSONAL REPRESENTATIVE

STATE OF IDAHO)
COUNTY OF Valley) ss

On this 2nd day of November, 1998, before me,
the undersigned, a Notary Public in and for said state, personally
appeared JOHN J. CRUICKSHANK, the Personal Representative of the
estate of HELEN E. CRUICKSHANK, deceased, known to me to be the
person whose name is subscribed to the within instrument, and
acknowledged to me that JOHN J. CRUICKSHANK executed the same as
such Personal Representative of said estate.

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

Colleen L. Cole
Notary Public for
Residing at: Cascade
My Commission Expires: 6/6/99



STATE OF IDAHO, County of Valley) ss.
I hereby certify that the foregoing is a true
copy of the original as the same is recorded in
this office.

Dated: 11-10-98

Clerk, Auditor & Recorder Leland Hennrich

By John J. Cruickshank Deputy

236356
TYPE: Deed
LELAND HENNRICH
VALLEY COUNTY RECORDER
BY: J. J. Cruickshank
FEE: 9.00
58 NOV 4 PM 11 56
MOUNTAIN TITLE & ESCROW
REQUESTED BY
RECORDED

236483

CERTIFIED COPY

SECTION 26, TOWNSHIP 17 NORTH, RANGE 3 EAST, BOISE MERIDIAN, VALLEY COUNTY, IDAHO: S1/2SE1/4, LESS TAX NO 1; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A parcel of land located in the SE 1/4 SE1/4, Section 26, Township 17 North, Range 3 East, B. M., Valley County, Idaho more particularly described as follows:

Commencing at the section corner common to sections 25, 26, 35 and 36, Township 17 North, Range 3 East, B. M., thence northerly along the section line common to sections 25 and 26, a distance of 741.5 feet; thence westerly and parallel to the southerly boundary of Section 26, a distance of 30 feet to the westerly boundary of "Farm to Market Road"; the real point of beginning; thence northerly along the westerly boundary of "Farm to Market Road" a distance of 273.3 feet; thence westerly and parallel to the southerly boundary of Section 26, a distance of 177 feet to a point; thence southerly a distance of 276 feet more or less to a point which is 145 feet westerly of and parallel to the southerly boundary of Section 26; thence easterly and parallel to the southerly boundary of Section 26, 145 feet to the point of beginning.

TOGETHER WITH: an easement for a septic system for use appurtenant to the above described parcel said easement being within the E 1/2 of the E1/3 of SE1/4 of SE1/4 Section 26, Township 17 North, Range 3 East, B. M., Valley County, Idaho.

TOWNSHIP 17 NORTH, RANGE 3 EAST, BOISE MERIDIAN:

SECTION 23: S1/2SW1/4

SECTION 26: W1/2NW1/4; E1/2NW1/4; W1/2NE1/4; N1/2SE1/4; W1/2SW1/4

SECTION 27: ALL THAT PORTION OF THE NE1/4 OF SAID SECTION LYING EAST OF THE IDAHO STATE HIGHWAY 55, EXCEPTING THEREFROM, A PIECE OR PARCEL OF LAND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF THE NW1/4NE1/4 OF SAID SECTION 27; THENCE SOUTH 20 DEGREES WEST 440.22 FEET; THENCE SOUTH 28 DEGREES 30 MINUTES WEST 122 FEET; THENCE SOUTH 36 DEGREES 45 MINUTES WEST 1024 FEET; THENCE SOUTH 79 DEGREES WEST, 15.18 FEET TO AN IRON PIPE; THENCE ALONG THE EASTERLY BOUNDARY OF SAID STATE HIGHWAY 55, NORTH 5 DEGREES 15 MINUTES EAST 330 FEET TO A POINT; THENCE NORTH 3 DEGREES EAST 174.90 FEET; THENCE NORTH 45 DEGREES EAST 132 FEET; THENCE NORTH 3 DEGREES 0 MINUTES WEST 54.12 FEET; THENCE NORTH 8 DEGREES 15 MINUTES WEST 132 FEET; THENCE NORTH 15 DEGREES 15 MINUTES WEST 181.50 FEET; THENCE NORTH 23 DEGREES 45 MINUTES WEST 232.98 FEET; THENCE NORTH 26 DEGREES 15 MINUTES WEST, 168.30 FEET TO AN IRON PIN ON THE NORTH BOUNDARY OF THE NW1/4NE1/4 OF SAID SECTION 27; THENCE EAST ALONG SAID BOUNDARY 1069.2 FEET TO THE POINT OF BEGINNING.

CRUICKSHANK TO YENSEN

TOWNSHIP 16 NORTH, RANGE 3 EAST, BOISE MERIDIAN:
SECTION 1: LOT 4, SAVE AND EXCEPT TAX NO. 10, MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

CRUICKSHANK TO YENSEN
N.W. 1/4 SEC. 1, T. 16 N., R. 3 E.

A parcel of land being a portion of the NW 1/4 of the NW 1/4 of Section 1, T. 16 N., R. 3 E., S.M., Valley County, Idaho, more particularly described as follows:

Commencing at the Section Corner common to Sections 35 and 36, T. 16 N., R. 3 E., S.M., and Sections 1 and 2, T. 16 N., R. 3 E., S.M., Valley County, Idaho; thence, S. 89° 20' 14" E., 1312.82 feet along the northerly boundary of said Section 1 to a 5/8" rebar marking the NW 1/4 Corner common to said Sections 35 and 1, the REAL POINT OF BEGINNING;

thence, S. 0° 02' 03" E., 1312.27 feet to a 5/8" rebar marking the NW 1/4 Corner of said Section 1;

thence, N. 89° 21' 27" W., 41.18 feet along the southerly boundary of said NW 1/4 to its intersection with a north-south fence line;

thence, N. 89° 21' 31" E., 1312.20 feet along said fence line to the northerly boundary of said Section 1;

thence, S. 89° 20' 14" E., 29.51 feet to the Point of Beginning, containing 1.063 acres, more or less.

*This being the parcel of land between the
fence and the fence as it has existed for
the last 35 to 40 years. The intent of this
document is to establish the existing fence as the
property boundary.*

John A. Cruickshank
Personal Rep. Helen Cruickshank
Estate

SECTION 2: LOT 1

TOWNSHIP 17 NORTH, RANGE 3 EAST, BOISE MERIDIAN:

IN SECTION 26: E1/2SW1/4
IN SECTION 35: E1/2, NW1/4, E1/2 SW1/4
IN SECTION 36: W1/2NW1/4

TOWNSHIP 18 NORTH, RANGE 4 EAST, BOISE MERIDIAN:

IN SECTION 18: GOVT. LOT 2, (CONTAINING 39.01 ACRES) AND

TOWNSHIP 18 NORTH, RANGE 3 EAST, BOISE MERIDIAN:

IN SECTION 13: S1/2NE1/4, NW1/4SE1/4 (CONTAINING 120 ACRES)

Mountain Title & Escrow Co., Inc

P.O. Box 798 / 120 N Main Street
Cascade, Idaho 83611
208-382-4206
Fax: 208-382-4218

FAX TRANSMISSION COVER SHEET



Date: Jan 3, 1999²⁰⁰⁰

To: Rod

Fax: 334-0848

Re: DEEDS TO CRUICKSHANK

Sender: GLORIA

YOU SHOULD RECEIVE 7 PAGE(S), INCLUDING THIS COVER SHEET. IF
YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL 208-382-4206.



PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by ELLEN I. IKOLA, as Personal Representative of the Estate of SARNA E. NASI, deceased. Grantor, to the COUNTY OF VALLEY, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO. Grantee, whose address is c/o Valley County Board of Commissioners, P.O. Box 737, Cascade, Idaho 83661 and the VALLEY COUNTY HOSPITAL DISTRICT FOUNDATION, INC., an Idaho nonprofit corporation, Grantee, whose address is c/o John Hasbrouck, Chairman, Valley County Hospital District Foundation, Inc., HC 71 Box 2090, Cascade, Idaho 83611, as tenants in common in equal shares.

WHEREAS, Grantor is the qualified Personal Representative of said estate, filed as Case No. P-910, in Valley County, Idaho;

THEREFORE, Grantor conveys to Grantees as tenants in common, in equal shares in distribution of the referenced estate, the deceased's interest in the following described real property in Valley County, Idaho:

PARCEL NO. 1

Lot Two (2) and the Southwest quarter of the Northeast quarter (SW 1/4 of NE 1/4) of Section Two, Township 16 North, Range 3 East Boise Meridian, Valley County, Idaho.

Lots Three and Four and the South Half of the Northwest 1/4 of Section Two, Township 16 North, Range 3 East Boise Meridian, Valley County, Idaho.

PARCEL NO. 2

Commencing at the Southwest (SW) corner of Section ten (10), Township sixteen (16) North, Range three (3) East of the Boise Meridian, thence East along the South section line of said Section ten (10) a distance of one thousand five hundred eighty-nine feet five and one-half inches (1589' 5 1/2") to a point, the place of beginning, thence East a distance of one hundred (100) feet to a point, Thence North a distance of two hundred eight feet eight and three-quarter inches (208' 8 3/4"), more or less, to a point, thence West a distance of one hundred feet (100) to a point, thence South a distance of two hundred eight feet eight and three-quarters inches (208' 8 3/4") to a point, the place of beginning, containing four hundred seventy-nine thousands (.479) acres of land.

PARCEL NO. 3

East 1/2 of the SE 1/4, Section 34, Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho.

PARCEL NO. 4

West 1/2 of the SW 1/4, Section 35, Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho.

with all appurtenances, including fixtures and furnishings therein.

EXECUTED this 17 day of January, 1989.

Ellen I. Ikola
 ELLEN I. IKOLA as Personal
 Representative of the
 Estate of SAIMA E. NASI

STATE OF IDAHO)
) ss.
 County of Valley)

On this 17th day of January, 1989, before me, a Notary Public in and for said State, personally appeared ELLEN I. IKOLA, known or identified to me to be the person whose name is subscribed to the within and foregoing instrument as

personal representative of the Estate of Saima E. Nasir, and acknowledged to me that she executed the same as such personal representative.

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

Carmie Hargrave
Notary Public for Idaho
Residing at: McCall

165263

STATE OF IDAHO, } ss.
County of Valley.

I hereby certify that this instrument was filed for record at the request of

Valley Trust Co.

at *50* minutes past *10*

o'clock *A.* M. on *26*

day of *June* 19 *89*

in my office and duly recorded in

Book *4* of *Deeds*

Page *10*

By *Ex-Officio Recorder*

Deputy

Fee *1.00*

WARRANTY DEED

This warranty deed made on March 13, 1989, between County of Valley, a political subdivision of the State of Idaho, whose current address is P.O. Box 737, Cascade, Idaho by and through it's commissioners and the Valley County Hospital District Foundation, an Idaho nonprofit corporation, whose current address is HC71, Box 2090, Cascade, Idaho, the Grantors herein, and John Cruickshank, whose current address is Route 1, Box 70, McCall, Idaho, the Grantee herein:

WITNESSETH, that the said Grantor, for and in consideration of the sum of ONE HUNDRED SIXTY FIVE THOUSAND DOLLARS (\$165,000.00), lawful money of the United States of America, and other good and valuable consideration, to Grantors in hand paid by the Grantee, the receipt of which is hereby acknowledged, does by these presents GRANT, BARGAIN, SELL and CONVEY unto the Grantees, as a fee simple estate, and to the heirs and assigns of the Grantee, all of the following described property situate, lying and being in Valley County, State of Idaho, described in Exhibit 1, which is attached hereto and incorporated herein as though fully set forth.

Parcel No. 1

Lot Two (2) and the Southwest quarter of the Northeast quarter (SW 1/4 of NE 1/4 of Section Two, Township 16 North, Range 3 East Boise Meridian, Valley, Idaho. Lots Three and Four and the South Half of the Northwest 1/4 of Section Two, Township 16 North, Range 3 East Boise Meridian, Valley, Idaho.

Parcel No. 2

East 1/2 of the SE 1/4, Section 34, Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho

Parcel No. 3

West 1/2 of the SW 1/4, Section 35, Township 17 North, Range 3 East, Boise Meridian, Valley, Idaho.

Subject to all existing zoning requirements and restrictions imposed by any governmental unit.

Together with all water and water rights, ditches and rights of way for ditches, tenements, hereditaments and appurtenances unto the Grantee thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said premises together with the appurtenances thereto unto the Grantee, as a fee simple estate, and to the heirs and assigns of the Grantee, forever.

The Grantors, for themselves and for their successors and assigns, do hereby covenant to and with the Grantee, and with his heirs and assigns, that they are lawfully seized in fee simple of said premises, that the premises are free from all encumbrances, and that the Grantors will and their successors and assigns shall warrant and forever defend the title thereto against all lawful claims and demands whatsoever. Singular terms used herein shall be read as if written in the plural when the context so requires or permits.

IN WITNESS WHEREOF, The Grantors have executed this Warranty Deed and affixed their seals the day and year stated herein.

John H. Hasbrouck
John Hasbrouck, Grantor

STATE OF IDAHO)
)ss
County Of Valley)

I, Karen Haskins, a notary public, do hereby certify that on this 15 day of March, 1989, personally appeared before me John Hasbrouck, who, being by me first duly sworn, declared that he is the Chairman of the Valley County Hospital District Foundation, Inc., an Idaho non profit corporation, that he signed the foregoing document as chairman of the corporation, and that the statements therein contained are true.

Karen L. Haskins
Resides at: Princeton, Id
My Commission Expires: 7-10-91

VALLEY COUNTY BOARD OF COMMISSIONERS

Howard B. Koskella
Howard Koskella,
Chairman

Tom Olson
Tom Olson
Commissioner

Adolf Heinrich
Adolf Heinrich
Commissioner

ATTEST: Leslie Irwin
Leslie Irwin, Clerk

STATE OF IDAHO)
) ss.
County of Valley)

I, Karen Haskins, a notary public, do hereby certify that on this 13th day of March, 1989, personally appeared before me Howard Koskella, Commissioner Chairman, Tom O. Olson, Commissioner, Adolf Heinrich Commissioner and Leslie Irwin, Valley County Clerk, who, being by me first duly sworn, signed the foregoing document as Chairman of the Board of Valley County Commissioners, Board Members and County Clerk, and that the statements therein contained are true.

Karen Haskins
Resides at: Hailey, Idaho
My Commission Expires: 7.14.91



165966

WARRANTY DEED, Page 3

STATE OF IDAHO, }
County of Valley, }

I hereby certify that this instrument was filed for record at the request of

John Quickbeak

at 50 minutes past 11

o'clock H M. This 21

day of March 1989

In my office and duly recorded in

Dr. 16 Deeds

Leslie Irwin

Ex-Officio Recorder

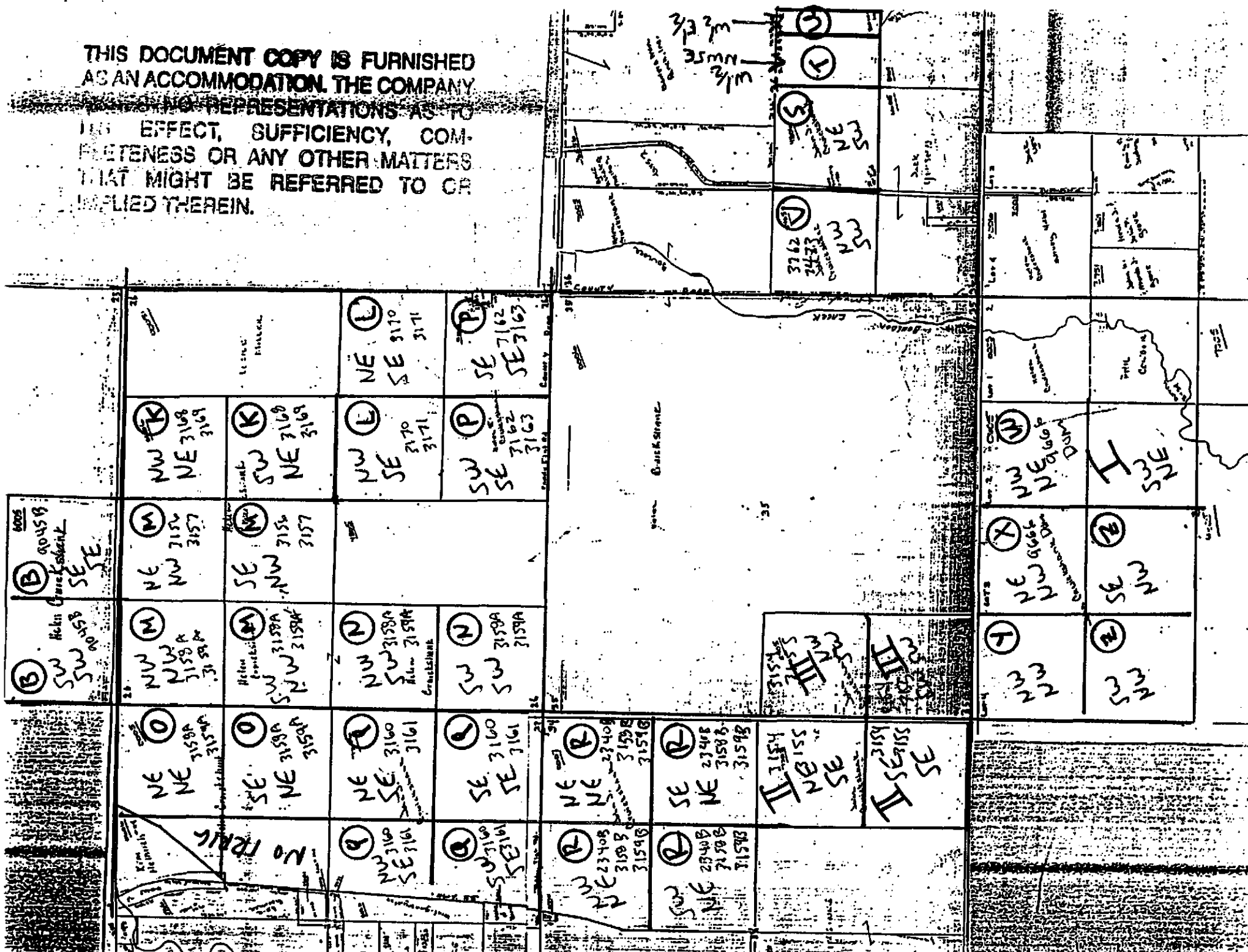
By K. Haskins Deputy

Fee 9.00

R41 Box 90

McNaull Id 83638

THIS DOCUMENT COPY IS FURNISHED
AS AN ACCOMMODATION. THE COMPANY
~~MAKES NO REPRESENTATIONS AS TO~~
ITS EFFECT, SUFFICIENCY, COM-
PLETENESS OR ANY OTHER MATTERS
THAT MIGHT BE REFERRED TO OR
IMPLIED THEREIN.



WESTERN REGION

OWNER (S):

JARUIE

CLAIM NUMBERS:

3154

3155

AGENT: RON HOWERTON

DATE 8/20/99

RIGHT NO	TNS	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE

POLYGON CREATED ON 803

POLYGON # () () () () UPDATED BY rdh

ATTRIBUTES OF B65-POU.SHP (833) (931) () () ()

ATTRIBUTES OF B65-POD.SHP (801) () () () ()

B65-DBPOU.DBF UPDATED BY rdh

B65-DBPOD.DBF UPDATED BY rdh

931	833
-----	-----

NOTES:

RECEIVED

JUN 26 2002

Department of Water Resources

Josephine P. Beeman #1806
BEEMAN & ASSOCIATES, P.C.
409 West Jefferson Street
Boise, Idaho 83702
(208) 331-0950
(208) 331-0954 (fax)

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

In Re: SRBA	)	Subcase Nos.		
Case No. 39576	)	65-02340B	65-03160	65-03215
	)	65-03154	65-03161	65-03216
	)	65-03155	65-03162	65-03238
	)	65-03156	65-03163	65-03238A
	)	65-01357-3157	65-03168	65-03762
	)	65-01358A-3158A	65-03169	65-04002A
	)	65-01358B-3158B	65-03170	65-07473
	)	65-01359-3159	65-03171	65-07540
	)	65-01359B-3159B	65-03209	65-09045B

Notice is hereby given, in the above-captioned subcases, that the following counsel will appear for Usto and Diana Schulz (water rights 65-03238A and 65-07540); Castle Mountain Creek Owners Association (water rights 65-03238 and 65-04002A); and Harry Bettis (water rights 65-02340B, 65-03154, 65-03155, 65-03156, 65-03157, 65-03158A, 65-03158B, 65-03159A, 65-03159B, 65-03160, 65-03161, 65-03162, 65-03163, 65-03168, 65-03169, 65-03170, 65-03171, 65-03209, 65-03215, 65-03216, 65-03762, 65-07473, and 65-09045B):

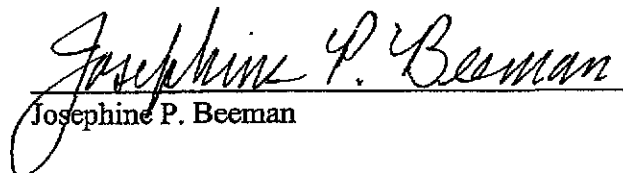
Josephine P. Beeman (ISB #1806)
BEEMAN & ASSOCIATES, P.C.
409 West Jefferson Street
Boise, Idaho 83702
(208) 331-0950 (Telephone)
(208) 331-0954 (Facsimile)

SCANNED

JUN 26 2002

RESPECTFULLY SUBMITTED this 25th day of June 2002.

BEEMAN & ASSOCIATES, P.C.


Josephine P. Beeman

CERTIFICATE OF SERVICE

I hereby certify that, on the ____ day of June 2002, I caused to be served copies of the foregoing **NOTICE OF APPEARANCE** by the method indicated:

Idaho Dept. of Water Resources
Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

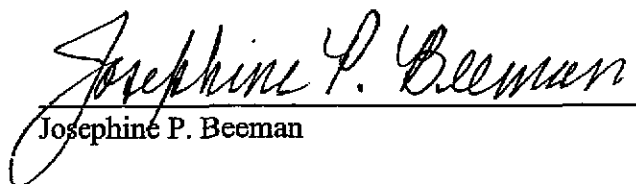
- ☒ U.S. Mail, First Class, Postage Prepaid
☐ Facsimile: _____
☐ Hand Delivery
☐ Federal Express: _____
☐ Other: _____

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

- ☒ U.S. Mail, First Class, Postage Prepaid
☐ Facsimile: _____
☐ Hand Delivery
☐ Federal Express: _____
☐ Other: _____

U.S. Department of Justice
Environment & Natural Resources Div.
550 West Fort Street, MSC 033
Boise, ID 83724

- ☒ U.S. Mail, First Class, Postage Prepaid
☐ Facsimile: _____
☐ Hand Delivery
☐ Federal Express: _____
☐ Other: _____


Josephine P. Beeman



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

AUG 22 2000

Department of Water Resources

RECEIVED

AUG 29 2000

WATER RESOURCES
WESTERN REGION

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)

A. Subcase 65- 03154
(Insert water right number
From the Objection Form)

STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: Harry L. Bettis

Address: Star Route

Payette, ID 83661

Daytime Phone: (208) 634-5319

Name & Address of Attorney, if any:

Linda B. Jones

Holland & Hart LLP

P.O. Box 2527

Boise, ID 83701

C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING

Name: United States of America acting thru the Department
of Interior Bureau of Reclamation

Address: 1150 N. Curtis Rd.

Boise, ID 83706-1234

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

1. ☐ Name and Address
 2. ☐ Source
 3. ☐ Quantity
 4. ☐ Priority Date
 5. ☐ Point(s) of Diversion
 6. ☐ Instream Flow Description
 7. ☐ Purpose(s) of Use
 8. ☐ Period of Year
 9. ☐ Place of Use
 10. ☐ General Condition regarding separate streams administration,
 11. ☐ Recommendation Basin 65, Irrigation and Other, Part 1.
- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Ada)

Linda B. Jones

(Name of person filing response)

duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this response as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing response)

Linda B. Jones
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

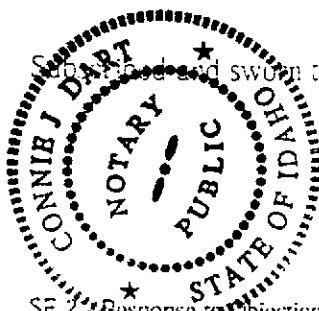
August 18, 2000
Connie J. Dart

Notary Public for

Residing at:

My Commission Expires:

Boise, Idaho
7-20-04



INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

F

CERTIFICATE OF MAILING

I certify that on August 18, ²⁰⁰⁰~~199~~, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Harry L. Bettis
Address: Star Route
Payette, ID 83661

3. One copy to the party who filed the objection at the following address:

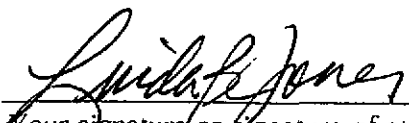
Name: United States of America acting thru the Department of Interior Bureau of Reclamation
Address: 1150 N. Curtis Rd.
Boise, ID 83706-1234

4. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Your signature or signature of attorney
mailing on your behalf

AJ0749NP
No. 65-03154

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

DATE: 01/04/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HARRY L BETTIS STAR ROUTE PAYETTE ID 83661 (208) 365-2512	05/01/1909	IRRIGATION	05-01 09-15	2.280 CFS	
TOTAL DIVERSION:					2.280 CFS	

D MARY A JARVIE
D SAIMA NASI
C/O ELLEN I IKOLA
RT 1 BOX 25
MC CALL ID 83638
(208) 634-5986

Water Source: LAKE FORK CREEK

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion: T17N R03E S10

NWNWNE

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	34	:																	:	79.0
17N	03E	35	:											38	39					:	77.0
TOTAL ACRES																				156.0	

POU County: VALLEY

Other Rights: 65-03155

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

65-02340A	65-02340B	65-02415	65-03155	65-03156	65-03157	65-03158A	65-03158B	65-03159A	65-03159B
65-03160	65-03161	65-03162	65-03163	65-03164	65-03165	65-03166	65-03167	65-03168	65-03169
65-03170	65-03171	65-03219A	65-03219X	65-09045A	65-09045B	65-11326	A65-02340A	A65-02340B	A65-02415
A65-03154	A65-03155	A65-03156	A65-03157	A65-03158A	A65-03158B	A65-03159A	A65-03159B	A65-03160	A65-03161
A65-03162	A65-03163	A65-03164	A65-03165	A65-03166	A65-03167	A65-03168	A65-03169	A65-03170	A65-03171
A65-03219A	A65-03219X	A65-09045A	A65-09045B	A65-11326					

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

65-03155 A65-03154 A65-03155 A65-11326

Conditions of Approval:

- W29 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- MAHALA DITCH CO.
- C18 - 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.

AJ0749NP
No. 65-03154

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

DATE: 01/04/00
PAGE: 2

Remarks: QNT THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-03155 SHALL PROVIDE
NO MORE THAN .02 CFS PER ACRE MEASURED AT FIELD HEADGATE.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 65-03155 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 156 ACRES IN A SINGLE
IRRIGATION SEASON.

EXP WATER IS DELIVERED THROUGH MAHALA DITCH IN SECTION 10.
RIGHT NO. 65-03155 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

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

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

Comments: Date: 04/30/1999 User-ID: RHOWERTO Subject: COPIED FROM REMARKS
MARY JARVIE AND ELLEN IKOLA IS THE ADMINISTRATOR OF THE ESTATE.

Date: 09/24/1999 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 01/04/2000 User-ID: DBUFFING Subject: NAME CHANGE - OWNERSHIP CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
OWNERSHIP CHANGE.

Audit: 40/00/10 DBUFFING

1-4-2000

RECEIVED

JAN 06 2000

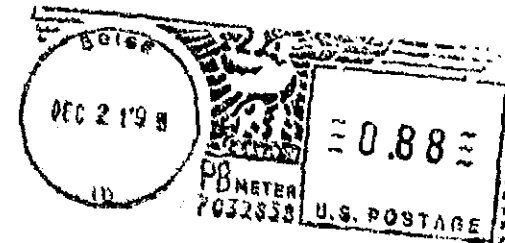
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706-2237

RECEIVED

DEC 29 1999

Department of Water Resources



REFUSED

65-03154
65-03155
C 65-09666
65-17541

PROCESSING

SAIMA NASI
C/O [REDACTED]
14197 HWY 55
MC CALL ID 83638

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706-2237

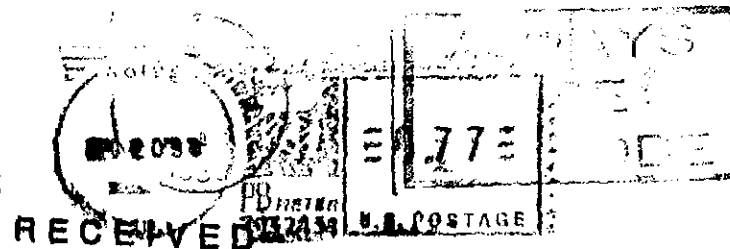
65-03154
-03155

9

MARY A JARVIE
C/O ELLEN I IKOLA
14197 H [REDACTED]
MC CALL ID 83638

RE: Snake River Basin Adjudication (SRBA)
Water Rights #65-03154 and [REDACTED]

REFUSED



DEC 30 1999

Department of Water Resources

Decreased

RECEIVED

JAN 06 2000

WATER RESOURCES
WESTERN REGION

*ownership changed to Harry Bettis 1-4-00.



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

65-03154
MARY A JARVIE
C/O ELLEN I IKOLA
RT 1 BOX 25
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



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

December 20, 1999

KARL J. DREHER
DIRECTOR

MARY A JARVIE
C/O ELLEN I IKOLA
14197 HWY 55
MC CALL ID 83638

RE: Snake River Basin Adjudication (SRBA)
Water Rights #65-03154 and 65-03155

Dear Water Right Holder:

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, **list any other water rights you have**, and return this letter by January 5, 2000. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

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

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Returned Mail

#####

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

Water Right Holder's Signature

Telephone No.



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

January 5, 2000

HARRY L BETTIS
STAR ROUTE
PAYETTE ID 83661

RE: Water Right No. 65-02340B, 65-03158B, 65-03159B, 65-03160, 65-03161, 65-03162,
65-03163, 65-03154, 65-03155, 65-09045B, 65-03168, 65-03169, 65-03170, 65-03171,
65-03156, 65-03157, 65-03158A & 65-03159A

Dear Mr. Bettis:

Enclosed are copies of the above referenced water rights which reflect 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.

Please note, the ownership has also been changed on water right numbers 65-09666 & 65-17547, which have been decreed by the SRBA Court. Copies of these rights are also enclosed.

Thank you for your patience and cooperation. 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: James L Cruickshank Trust and Helen E Cruickshank
Teresa J Turner, Holland and Hart LLP

RIGHT NUMBER: 65-03154

NAME AND ADDRESS: MARY A JARVIE
SAIMA NASI
C/O ELLEN I IKOLA
RT 1 BOX 25
MC CALL ID 83638

SOURCE: LAKE FORK CREEK TRIBUTARY: PAYETTE RIVER, NORTH FORK

QUANTITY: 2.28 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-03155 SHALL PROVIDE
NO MORE THAN .02 CFS PER ACRE MEASURED AT FIELD HEADGATE.

PRIORITY-DATE: 05/01/1909

POINT OF DIVERSION T17N R03E S10 NWNWNE Within VALLEY County

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	05-01 09-15	2.28 CFS

PLACE OF USE: IRRIGATION Within VALLEY County

T17N R03E S34	NESE 40	SESE 39
S35	NWSW 38	SWSW 39

156 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 65-03155 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 156 ACRES IN A SINGLE
IRRIGATION SEASON.

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
MAHALA DITCH CO.

WATER IS DELIVERED THROUGH MAHALA DITCH IN SECTION 10.

RIGHT NO. 65-03155 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

Idaho Department of Water Resources

**T17N, R03E
S34 & S35**

Claim(s):

65-03154 &

65-03155

Owner(s) JARVIE

Prepared by:

Ron Howerton

Date: 30 Apr 99

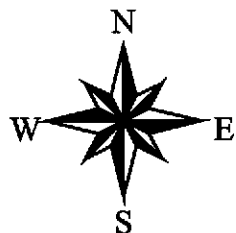
 Place of use

● POD

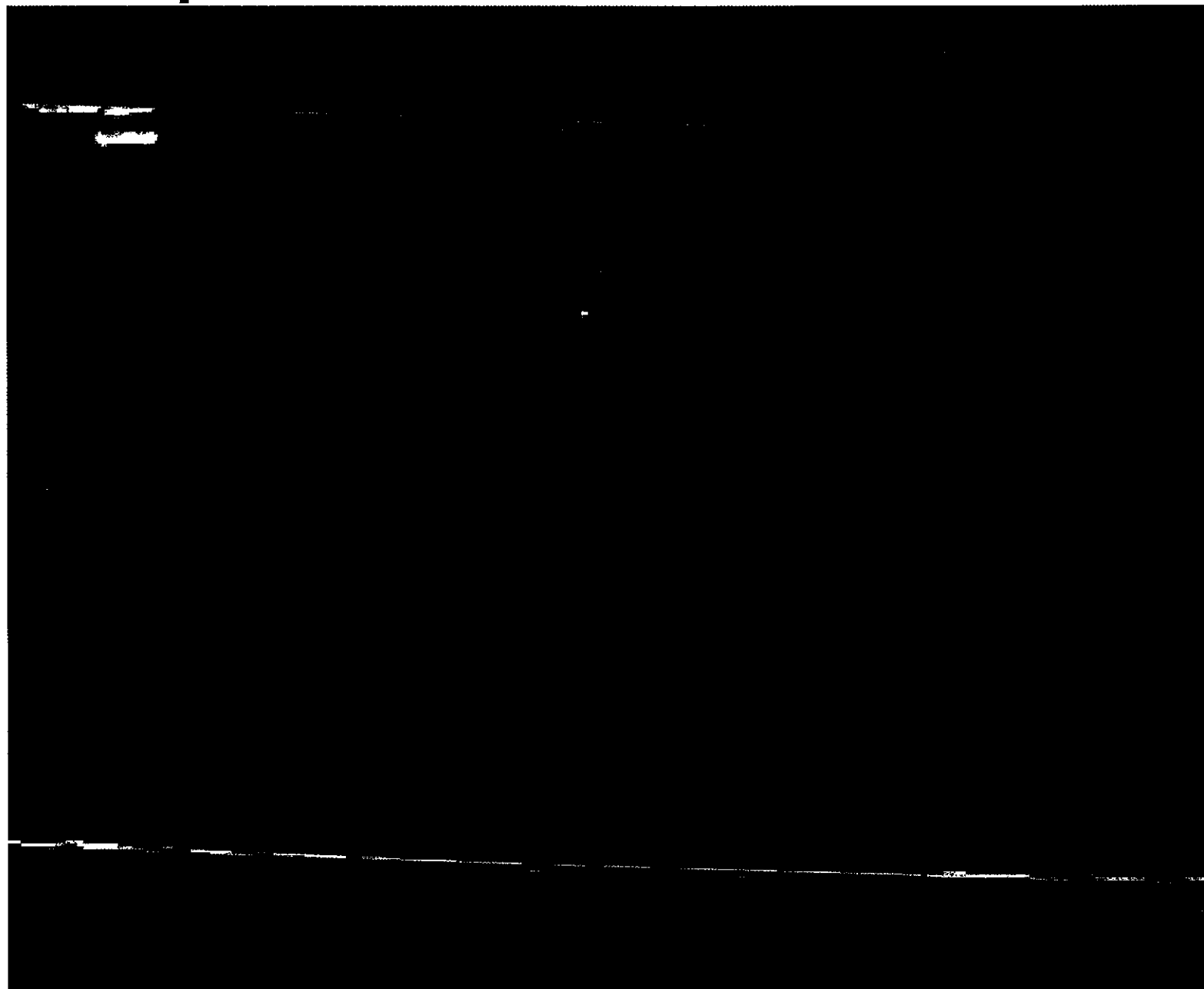
 SECTION LINES

 1/4 1/4 Lines

Acres



1987 NAPP

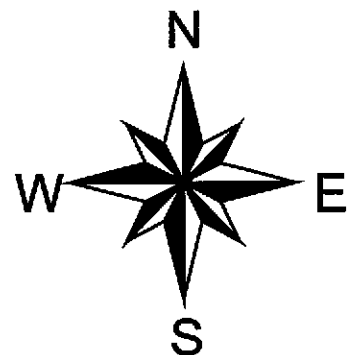


65-03154 & 65-03155



0 0.25 0.5 0.75 Miles

- Point of Diversion



RECEIVED

OCT 22 1999

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
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): 65-03154 & 65-03155

2. The following **REQUIRED** information must be submitted with this form: **PLEASE INCLUDE COMPLETE CHAIN OF TITLE.**
 - 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** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
 - OR**
 - C. If your water right or adjudication claim is 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 Mary A Jarvie c/o Ellen I Ikola
14197 Hwy 55 Mc Call ID 83638

4. New Owner/Claimant(s) HARRY BETTIS
 Name Connector (Check one): ☐ and, ☐ of, ☐ and/or
 New Mailing Address 10775 Buckner Creek RD
 City, State and ZIP Code Payette, Idaho 83661
 New Telephone Number 208 365-2572

5. Date you acquired the property May 10th 1999

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. 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.

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) or Claimant(s) *Harry Bettis*

Corporations or other organizations must submit a 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.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

October 22, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

HARRY BETTIS
10775 SUCKER CREEK RD
PAYETTE ID 83661

RE: Notice of Change of Water Right Ownership No. 65-03154 and
65-03155

Dear Property Owner:

Enclosed is a copy of your Notice of Change of Water Right Ownership form that you recently submitted to our office. However, we cannot continue to process the ownership change without **proof of ownership**. This proof can be a copy of a warranty deed(s), sales contract or tax assessment in your name(s) which includes the legal description of the property by $\frac{1}{4}$ $\frac{1}{4}$, Section, Township and Range.

Please submit a copy of your proof of ownership, and we will be able to complete the ownership change.

Thank you for your patience and cooperation. Feel free to contact our office if you have any questions concerning this letter.

Sincerely,

Adjudication Section
Western Region
(208) 334-2190

DB:d

Enclosures



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

October 12, 1999

DIRK KEMPTHORNE
GOVERNOR

MARY A JARVIE
c/o ELLEN I IKOLA
14197 HWY 55
MC CALL ID 83638

KARL J. DREHER
DIRECTOR

RECEIVED

Re: Snake River Basin Adjudication (SRBA)
Water Right No. 65-03154 and 65-03155
Change of Address

OCT 15 1999

WATER RESOURCES
WESTERN REGION

Dear Water Right Holder:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your claim or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to our office. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of any of the properties connected with the water right referenced above, please call this office to obtain a form to make this required change to the water right records.

Sincerely,

Denise Buffington
Denise Buffington
Records Clerk
Adjudication Section
Western Region

Harry Bettis
Star Route
Payette, 83661

per Valley County 10/15/99

DB

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

Signature of water right claimant

Telephone number

Mary Jarvie is deceased and she left this property to Valley County. They auctioned it off and John Cruikshank bought it. I have heard he sold this property to Harry Bettis.

Ellen I. Ikola



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

October 15, 1999

HARRY BETTIS
STAR ROUTE
PAYETTE ID 83661

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 65-03154 & 65-03155

Dear Property Owner:

Per the former owner, we have been advised you may be the new owner of the property with the water right referenced above.

Before we can modify our records to reflect your ownership of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions on the back of the form and return to our office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

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

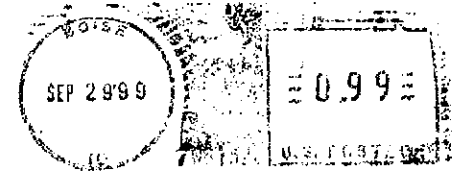
Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:d

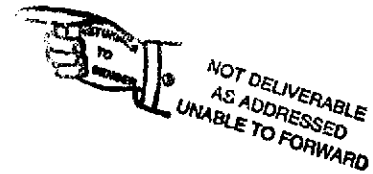
Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83706

ADDRESS SERVICE
REQUESTED



65-03154
03155



MARY A JARVIE
C/O ELLEN I IKOLA
RT 1 BOX 25
MC CALL ID 83638

Deceased.

RECEIVED

NOV 08 1999

WATER RESOURCES
WESTERN REGION



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

October 12, 1999

DIRK KEMPTHORNE
GOVERNOR

MARY A JARVIE
c/o ELLEN I IKOLA
14197 HWY 55
MC CALL ID 83638

KARL J. DREHER
DIRECTOR

Re: Snake River Basin Adjudication (SRBA)
Water Right No. 65-03154 and 65-03155
Change of Address

Dear Water Right Holder:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your claim or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to our office. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of any of the properties connected with the water right referenced above, please call this office to obtain a form to make this required change to the water right records.

Sincerely,

Denise Buffington
Denise Buffington
Records Clerk
Adjudication Section
Western Region

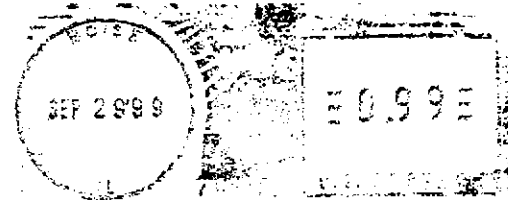
The address is correct as shown above or as otherwise changed.

Signature of water right claimant

Telephone number

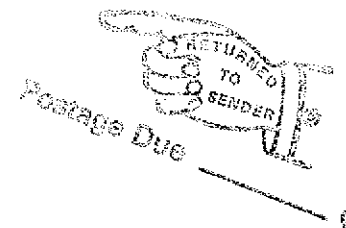
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED



forwarded per P.O.

*65-03154
03155*



MARY A JARVIE
C/O ELLEN I IKOLA
RT 1 BOX 25
MC CALL

ID 83638

RECEIVED
OCT 04 1999
WATER RESOURCES
WESTERN REGION

14/97 Hwy 55

AJ0749NP
No. R65-03154

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

DATE: 06/29/99
PAGE: 1

```
=====
OWNER      PRIORITY  USE PERIOD  DIVERSION  DIVERSION
CODE       DATE       FROM TO     RATE      VOLUME
-----
C MARY A JARVIE      05/01/1909  IRRIGATION  05-01 09-15  2.28 CFS
  C/O ELLEN I IKOLA
  RT 1 BOX 25
  MCCALL ID 83638
  (208) 634-5986
                                     TOTAL DIVERSION:  2.28 CFS

C SAIMA NASI
  C/O ELLEN I IKOLA
  RT1 BOX 25
  MC CALL ID 83638
  (208) 634-5986
=====
```

Water Source: LAKE FORK CREEK

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion: T17N R03E S10 NWNWNE

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	34	:					:						:					:	40			39	:	79.0	
17N	03E	35	:					:						:	38	39			:					:	77.0	
																							TOTAL ACRES		156.0	

POU County: VALLEY

Other Rights: 65-03155

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

A65-02340A	A65-02340B	A65-02415	A65-03154	A65-03155	A65-03156	A65-03157	A65-03158A	A65-03158B	A65-03159A
A65-03159B	A65-03160	A65-03161	A65-03162	A65-03163	A65-03164	A65-03165	A65-03166	A65-03167	A65-03168
A65-03169	A65-03170	A65-03171	A65-03219A	A65-03219X	A65-09045A	A65-09045B	A65-11326	R65-02340A	R65-02340B
R65-02415	R65-03155	R65-03156	R65-03157	R65-03158A	R65-03158B	R65-03159A	R65-03159B	R65-03160	R65-03161
R65-03162	R65-03163	R65-03164	R65-03165	R65-03166	R65-03167	R65-03168	R65-03169	R65-03170	R65-03171
R65-09045A	R65-09045B	R65-11326							

Conditions of Approval:

W29 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- MAHALA DITCH CO.

Remarks: QNT THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-03155 SHALL PROVIDE
NO MORE THAN .02 CFS PER ACRE MEASURED AT FIELD HEADGATE.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 65-03155 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 156 ACRES IN A SINGLE
IRRIGATION SEASON.

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

DATE: 06/29/99
PAGE: 2

Dates: **Exam Made Date:** **Verified Date:** **06/29/1999** **Objection Filed Date:**

Comments: Date: 04/30/1999 User-ID: RHOWERTO Subject: COPIED FROM REMARKS
MARY JARVIE AND ELLEN IKOLA IS THE ADMINISTRATOR OF THE ESTATE.

Audit: 06/29/99 RHOWERTO

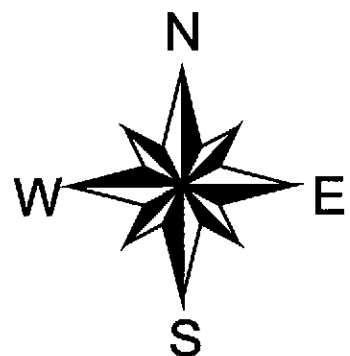
65-03154 & 65-03155



0 0.25 0.5 0.75 Miles

A horizontal scale bar with four segments, corresponding to the distances 0, 0.25, 0.5, and 0.75 miles.

• Point of Diversion



Idaho Department of Water Resources

**T17N, R03E
S34 & S35**

Claim(s):

65-03154 &

65-03155

Owner(s) JARVIE

Prepared by:

Ron Howerton

Date: 30 Apr 99

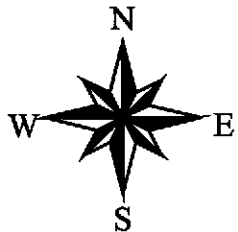
 Place of use

● POD

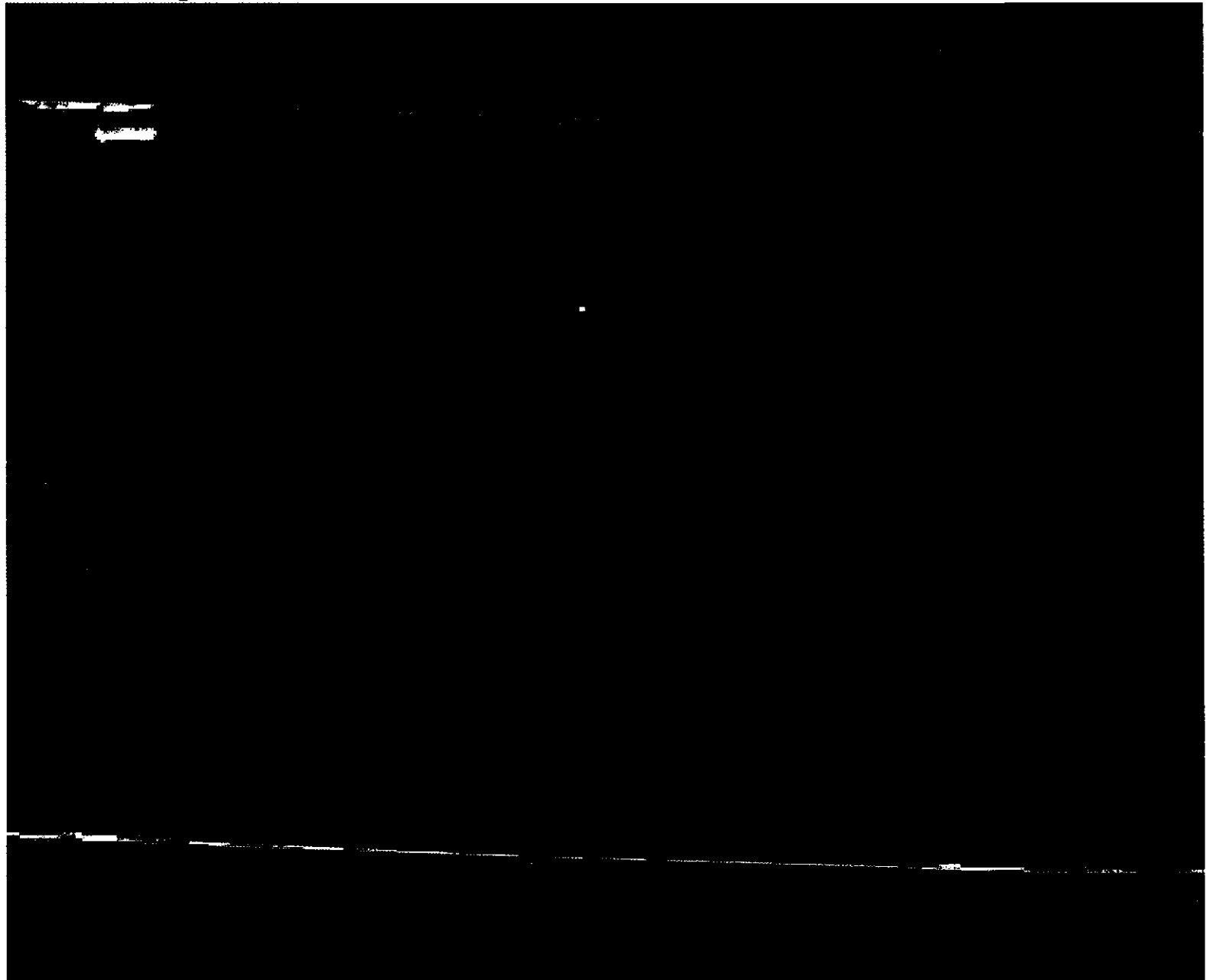
 SECTION LINES

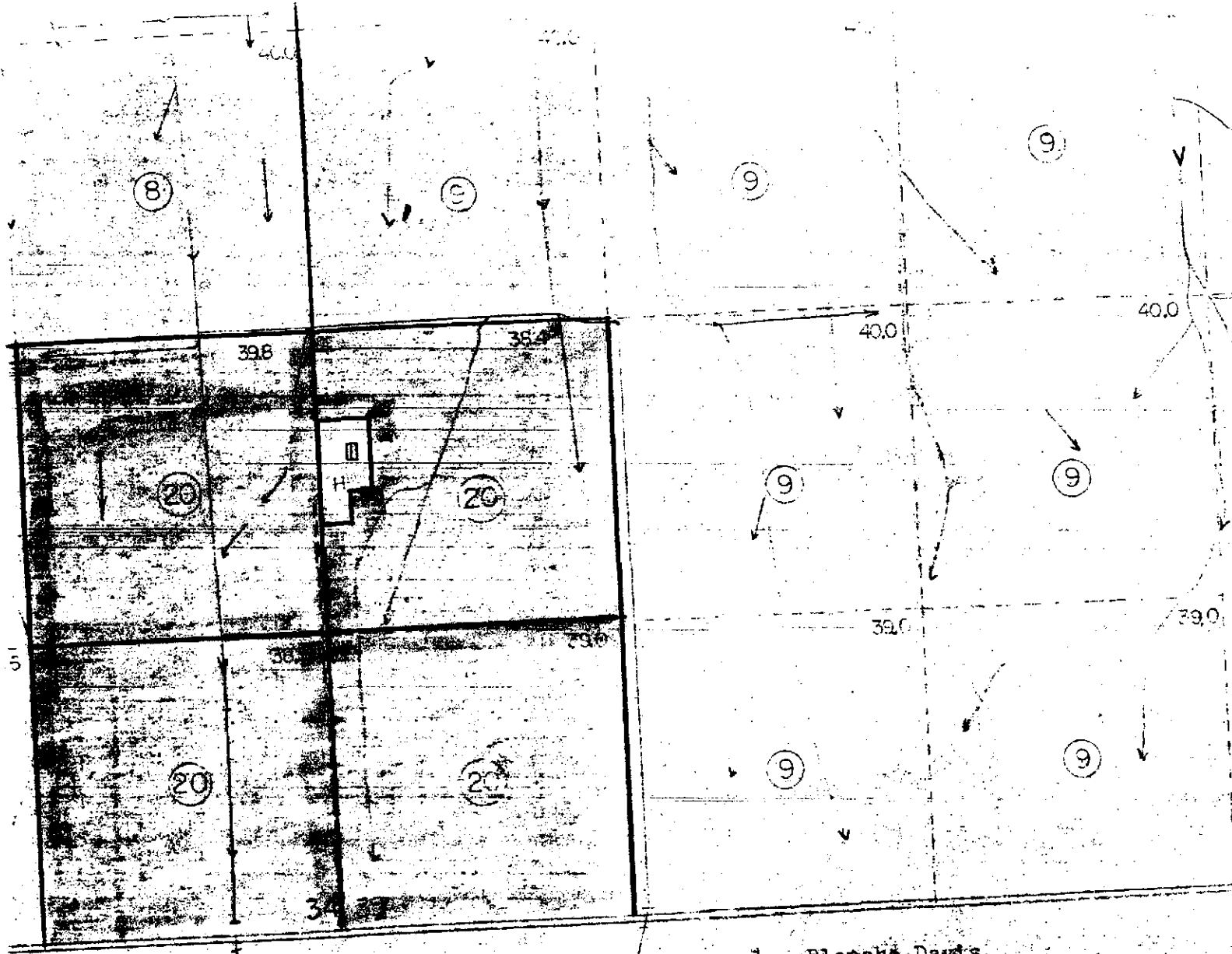
 1/4 1/4 Lines

Acres



1987 NAPP





17N R3E MAP E
PRBA

1. Blanche Davis
2. W. E. Davis
3. T. G. Matson Estate
4. John T. Nasl
5. J. E. Hughes, et al
6. Jack N. Miller
7. Lee C. Wright
8. Henry Norrune
9. James Cruickshank
10. Charles Lappens
11. R. G. Wallace
12. Lakeford Lumber Co.
13. Jack Kangas
14. Lester Schellins
15. Franklin E. Edwards
16. Bertha S. White
17. John T. Nasl
18. C. G. McGinnis
19. T. E. Fleming
20. Mary Jarvis
21. Hulda Yenson
22. Roseberry Land & Cattle Ass'n.
23. State of Idaho

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:17:01
03/11/99

PAGE: 16
QUICKLOOK INFORMATION

67
CLAIM NUMBER: A65-03154

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								
POINT OF DIV								
SOURCE								
PLACE OF USE								
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE								
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS								

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:17:01
03/11/99

PAGE: 1
GENERAL INFORMATION

52
CLAIM NUMBER: A65-03154

LAST: JARVIE
ADDRESS: C/O ELLEN I IKOLA
RT 1 BOX 25
CITY: MCCALL
PHONE NUMBER: 208-634-5986

FIRST: MARY A
STATE: ID ZIP: 83638

OWNER CODE: C

LAST: NASI
ADDRESS: C/O ELLEN I IKOLA
RT1 BOX 25
CITY: MC CALL
PHONE NUMBER: 208-634-5986

FIRST: SAIMA
STATE: ID ZIP: 83638

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN MARY JARVIE AND ELLEN IKOLA IS THE ADMINISTRATOR OF THE ESTATE.

CONTACT PERSON: IN-OFFICE

PHONE NUMBER: () -

DATE OF FIELD EXAM: 4/30/99

APPOINTMENT MADE: Y() N(☒)

TIME: : A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

SEE MAPS IN FILE

- A. AJ CLAIM: # A65-03154 PRIORITY DATE: 05-01-1909 STAGE: D
- B. WR RECORD: # 65-03154 PRIORITY DATE: 05-01-1909 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:

05-01-1909
REVIEWED BY Rdh

DATE 4/30/99

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
A65-03154	17N 03E	10		NW	NE			VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
* NONE
* 27 A PREFIX CLAIMS WITH THIS POD
*** 25 WR RECORDS IN SAME 40 ACRE TRACT

WR RECORDS IN SAME 40 ACRE TRACT

SOURCE: LAKE FORK 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
65-03154	17N 03E	10		NW	NE			VALLEY		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

**** 25 WR RECORDS WITH SAME WR POD
***** 27 A PREFIX CLAIMS IN SAME 40 ACRE TRA

***** NONE

SOURCE: LAKE FORK CREEK

TRIB: PAYETTE RIVER, NORTH FORK

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

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

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

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

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

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

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

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

I. HOW WAS THE POD AND SOURCE VERIFIED?

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

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

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: CIS, NAPP PHOTOS

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY VALLEY	DIVERSION NAME	DIVERSION NBR
17N	03E	10	NW	NW	NE				MAHALA Ditch	
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: LAKE FORK CREEK

TRIB: PAYETTE RIVER, NORTH FORK

REVIEWED BY: Reh

DATE: 4/30/99

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

MAHALA Ditch

A. ROOT WATER RIGHT NUMBERS: A65-03154

B. POJ LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
17N	03E	34	NE	SE		JARVIE, MARY A	A65-03154 / 40.0	65-03154 / 40.0	40.0		40.0
			NE	SE		JARVIE, MARY A	A65-03155 / 40.0	65-03155 / 40.0			
17N	03E	34	SE	SE		JARVIE, MARY A	A65-03154 / 39.0	65-03154 / 39.0	40.0		
			SE	SE		JARVIE, MARY A	A65-03155 / 39.0	65-03155 / 39.0			
17N	03E	35	NW	SW		JARVIE, MARY A	A65-03154 / 38.0	65-03154 / 38.0	39.0		
			NW	SW		MAHALA DITCH CO	A65-11326 / 38.0	65-11326 / 38.0			
			NW	SW		JARVIE, MARY A	A65-03155 / 38.0	65-03155 / 38.0			
			NW	SW		JARVIE, MARY A	65-17547 /	- /			
			NW	SW		JARVIE, MARY A	A65-17547 /	- /			
17N	03E	35	SW	SW		JARVIE, MARY A	A65-03154 / 39.0	65-03154 / 39.0	39.0		39.0
			SW	SW		MAHALA DITCH CO	A65-11326 / 39.0	65-11326 / 39.0			
			SW	SW		JARVIE, MARY A	A65-03155 / 39.0	65-03155 / 39.0			

ADDITIONAL POJ FOUND

TOTAL ACRES A65-03154 156.00 156.00 158.00

POJ COUNTY: VALLEY

40

39

38

39

156

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
A65-03154	LAKE FORK CREEK	JARVIE, MARY A	2.280	0.014		
A65-03155	LAKE FORK CREEK	JARVIE, MARY A	0.920	0.005		
A65-11326	SPRINGS	MAHALA DITCH CO	3.000	0.002		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
65-17547	DOMESTIC	JARVIE, MARY A	FROM 01-01 TO 12-31	0.040 CFS	
A65-17547	DOMESTIC	JARVIE, MARY A	FROM 01-01 TO 12-31	0.040 CFS	

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

Y(☒) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A65-03155

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(☒)

OVERLAP REVIEW SHEET FOR THE FOLLOWING WR #'s:

AGENT

DATE _____

65 - 11326

65-3155

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
LK FK CR	3154	17N	3E	34													40			39	79	
				35										38	39						77	
																						156

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
LEAK CR	3155	17N	3E	34													40			39	79	
				35									38	39							77	
																						156

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
SPRING	11326	17N	7E	35									38	39							77	
MATTALA DITCH RHWTT																						156

[illegible]

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

~~AS~~ NAPP, IDWR NO. 1987; () ASCS PHOTO; () OTHER _____

NOTES: Used PRBA MAP AND NAPP PHOTOS.

RECOMMENDATIONS:

TOTAL ACRES: 156 N/A()
REVIEWED BY: Rch DATE: 4/30/99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-03154 IRRIGATION	FROM 05-01 TO 09-15	2.280 CFS	
TOTAL DIVERSION RATE/VOLUME		2.280 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-03154 IRRIGATION	FROM 05-01 TO 09-15	2.280 CFS	
TOTAL DIVERSION RATE/VOLUME		2.280 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

61

CLAIM NUMBER: A65-03154

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 2.280 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 2.280 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 NA, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 156 x 0.02 CFS/ACRE = 3.12 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 156 x DIVERSION VOL. AF/A FOR AREA 156 =

TOTAL DIVERSION VOLUME 3.12 AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES 156 x CONSUMPTIVE VOL. AF/A FOR AREA 156 =

TOTAL CONSUMPTIVE USE 3.12 AF/A

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

3154 - 2.28
3155 - .92

3.2
- 3.12
.08

Ditch Loss
RMK EZ8

NOTES:

NONE

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD FROM TO		REC. DIV RATE CFS		REC. DIV VOL. AF/A		REC. CONS. USE	
			DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
IRRIGATION	05-01	09-15	2.280	_____		_____	0.0	_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			2.280	_____		_____	0.0	_____

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: rch

DATE: 4/30/99

FLAG: _____

STANDARD CONDITIONS (CODE):

w29

STANDARD REMARKS (CODE):

~~Point Combined 156 acres w/3155 OK~~

QNT E28 AT FIELD HEADGATE

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

MAHALA DITCH È PID REMARK
FOS with 3155

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: 65-03154

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE	EXAMINER	CFS
	2.280		

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-03154	2.280	-		65-03154	2.280
TOTAL CFS		2.280				2.280

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
Y	Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE:

NAME OF FIELD EXAMINER:

DATE:

TITLE:

Sr Water Agent

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 <u>1987</u> IDWR ID NO. <u>P00/P01</u>	Y(☒) N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
☒ OTHER <u>OVERLAP REV.</u>	DATE <u>4/30/99</u>	Y(☒) N()
☒ OTHER <u>PROFILE</u>	DATE _____	Y(☒) N()
☒ OTHER <u>MAP</u>	DATE _____	Y(☒) N()

SHOWS AS DECREED IN PRBA
FROM PRBA, SHOWS COR AREAS

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

14:17:52
03/11/99
68

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-03154

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARY A JARVIE	05/01/1909	IRRIGATION	05-01 09-15	2.280 CFS	
C	SAIMA NASI					
TOTAL DIVERSION:					2.280 CFS	

Water Source: LAKE FORK CREEK

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion: T17N R03E S10

NWNE

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	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	
17N	03E 34	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	79.0
17N	03E 35	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	77.0
TOTAL ACRES																	156.0	

POU County: VALLEY

Other Rights: A65-03155

Remarks: GEN MARY JARVIE AND ELLEN IKOLA IS THE ADMINISTRATOR OF THE ESTATE.

Dates: Exam Made Date: Verified Date: 04/24/1987 Objection Filed Date:

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



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

March 4, 1994

R. KEITH HIGGINSON
DIRECTOR

JOHN CRUICKSHANK
63 PADDY FLAT RD
MCCALL ID 83638

RE: Notices of Claim in the Snake River Basin Adjudication numbers:

A65-01382	A65-02306	A65-02340B	A65-02926
A65-02942	A65-02955	A65-02958	A65-03154
A65-003155	A65-03156	A65-03157	A65-03158A
A65-03158B	A65-03159A	A65-03159B	A65-03160
A65-03161	A65-03162	A65-03163	A65-03168
A65-03169	A65-03170	A65-03171	A65-03179
A65-02182	A65-03333	A65-03762	A65-07473
A65-09045B	A65-09666	A65-11326	

Dear Mr. Cruickshank:

As we discussed during your visit to my office on March 1, 1994, I am sending this letter to you to summarize the actions I have taken on the above-referenced claims.

You listed a number of claims which required a change of address, due to changes made by the McCall post office. Since I failed to obtain a signed request from you for these address changes, the data base has been updated in an incomplete manner. For this reason I have attached a listing of those claims. Please review, sign, and return this document to complete the address change.

Claim numbers A65-02942 and A65-02958 are the two claims that I mentioned to you which, due to a computer limitation during the claims taking process, did not record all of the acres decreed to those rights during the Payette River Adjudication. I have amended the claims to include these additional acres. Please review these claims, add your notarized signature, and return them to this office to my attention. No fees are required.

Claim number A65-09666 has been changed to reflect new ownership, based on the tax receipts that you provided to me. A copy of the claim and a copy of the change in ownership form are enclosed with this letter.

Claim number A65-03333, which you informed me has been sold to the Idaho Transportation Department (State Highways), will be changed to reflect the change in ownership as soon as ITD provides additional documentation.

MICROFILMED
OCT 18 1996

The claims listed below are filed in the names of James L. Cruickshank Trust, or Jarvie/Nasi. I am unable to change the ownership on these claims. The tax notices that you provided to me are for property in Twp. 17N, Rge. 03E, sections 27, 34, 35, and 36, and Twp. 16N, Rge. 03E, Section 2. The claims referenced below are all in Twp. 17N, Rge. 03E, section 10. In order to change ownership on these claims, please provide documentation that supports your ownership of the appurtenant lands. Please send this documentation to my attention along with the enclosed change of ownership form. The claim numbers are as follows:

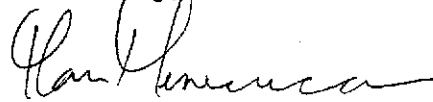
A65-02340B	A65-03154	A65-03155	A65-03158B
A65-03159B	A65-03160	A65-03161	

In conclusion, the following needs to be returned to this office:

1. Signed list of claims which require a change in address.
2. Documentation of ownership for the claims in Twp. 17N, Rge. 03E, section 10, and a signed Change of Ownership form.
3. Signed and notarized amended claim numbers A65-02942 and A65-02958.

If I have missed any of your claims, or have misinterpreted your intentions, please do not hesitate to contact me. I will also be happy to address any questions or concerns that you have.

Sincerely,



Maria Minicucci
Water Agent, Adjudication Bureau

MM/m

Encs: List for signature (change of address)
Amended claims for notarized signature (A65-02942, A65-02958)
"Notice of Change of Water Right Ownership" form
Notice of claim A65-09666

MICROFILMED
OCT 18 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ABSTRACT

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
SOURCE: LAKE FORK CREEK								
65-3187	CRUZEN, EDWARD A. DONNELLY ID 83615	05-04-1905	IRRIGATION	05-01 09-15	2.88 CFS	SENE S03 T17N R03E	NENE(39) NWNE(36) DECREE SWNE(33) SENE(39) S29 T17N R03E * 147 ACRES*	
65-10095	U. S. DEPT. OF AGRI. FOREST SERVICE FEDERAL BLDG. 324 25TH STREET OGDEN UT 84401	06-03-1905	IRRIGATION	05-01 09-15	.10 CFS	NWNW S10 T18N R04E	NWNW(05) S10 T18N R04E * 5 ACRES*	RESERVED
65-3175	STENBERG, WAYNE BOX 723 LAKE FORK ID 83635	08-31-1908	IRRIGATION	05-01 09-15	2.00 CFS	SENE S35 T18N R03E	SWNW(28) NWSW(37) DECREE SWSW(40) LT04 (NWNW)(02) S02 T17N R03E * 107 ACRES*	
65-3154	JARVIE, MARY A. DONNELLY ID 83615	05-01-1909	IRRIGATION	05-01 09-15	2.28 CFS	NWNE S10 T17N R03E	NESE(40) SESE(39) DECREE S34 T17N R03E NWSW(38) SWSW(39) S35 T17N R03E * 156 ACRES*	
65-3156	WRIGHT, LEE C. WRIGHT LEONORA J. P. O. BOX 153 FRUITLAND ID 83619	05-01-1909	IRRIGATION	05-01 09-15	1.14 CFS	NWNE S10 T17N R03E	NENW(39) SENW(40) DECREE S26 T17N R03E * 79 ACRES*	

INDICATES TOTAL

RECEIVED

FILE

FEB 12 1987

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF IDAHO

APR 07 1986

STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

Department of Water Resources

IN THE MATTER OF THE GENERAL
DETERMINATION OF THE RIGHT TO
THE USE OF SURFACE AND GROUND-
WATERS OF THE PAYETTE RIVER
DRAINAGE BASIN.

) Civil No. 3667
)
) ORDER AND PARTIAL DECREE
) PURSUANT TO I.R.C.P. 54(b)
)
)

Helmer K. Kobig

The foregoing Stipulation, of Lake Irrigation District, Edward A. Cruzen and the Department of Water Resources, having come duly and regularly before the Court and good cause appearing therefore,

IT IS ORDERED AND DECREED that the water rights, priority dates, uses, periods of use, quantification of rights, diversion points, places of use and basis of claim identified in Exhibit A attached hereto and incorporated herein by reference are adopted by this Court, and the Proposed Finding of Water Rights in the Payette River Drainage Basin (hereinafter "Proposed Finding") shall be amended accordingly. Some of the rights listed in Exhibit A were previously decreed by the court in its judgment of January 21, 1986. They are included here to provide a complete listing of all rights on Lake Fork Creek. Claim No. 65-10095, a reserved right claimed by the Forest Service, is not included because the State of Idaho and the United States are currently planning to become engaged in negotiations concerning federal reserved water right claims.

IT IS FURTHER ORDERED that all protests and objections

ORDER AND PARTIAL DECREE Page 1

RECEIVED

FEB 24 1987

COMPARED _____
INDEXED - DIRECT _____
INDEXED - INDIRECT _____

filed by Lake Irrigation District and Edward A. Cruzen against the water rights adopted by this Court in the preceeding paragraph are dismissed with prejudice.

IT IS FURTHER ORDERED AND DECREED that the Proposed Finding of Fact No. 10 and Conclusion of Law No. 6 as set out in the foregoing Stipulation and Finding of Fact No. 4 and Conclusion of Law No. 3 as set out in Exhibit B of the foregoing Stipulation are amended by said Stipulation.

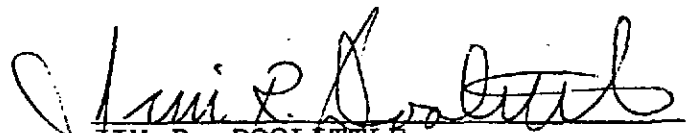
IT IS FURTHER ORDERED AND DECREED that for purposes of operating Water District 65K the gauging station located in the SW1/4SE1/4NW1/4 section 8 township 18N range 4E B.M., above Jumbo Creek and above Tyee Creek shall have 10 per cent added to said gauge readings to account for the added flows of Jumbo and Tyee Creeks and other less distinctive sources between the old site of the gauging station and the present site, unless modified by order of this Court due to changes in the measured flows.

IT IS FURTHER ORDERED AND DECREED that for purposes of operating Water District 65K, reference may be made to the decree of Paul Michelson et al v. M. H. Williams et al (7th Judicial District, Valley County, 1928) for a period of five years following the date of this order, to answer questions arising as to the distribution of water rights listed in Exhibit A. The director of the Department of Water Resources, pursuant to his authority under Chapter 6, Title 42, Idaho Code, will initially

determine any distribution questions. The elements of the Michelson decree that are used in any orders or instructions to the watermaster during this five year term shall be made a permanent part of the water district file for Lake Fork Creek and shall be considered by the director in any future orders or instructions to the watermaster.

IT IS FURTHER ORDERED AND DECREED that jurisdiction is reserved by the Court, upon 10 days notice to the parties hereunto, to make corrections of clerical errors, inadvertences or omissions in the listing of water rights of Exhibit A to the foregoing Stipulation, and the reservation of jurisdiction for this purpose will date one year from the date of this Order.

DATED this 28th day of March, 1986.


JIM R. DOOLITTLE
DISTRICT JUDGE

54(b) Certificate

With respect to the issues determined by the above judgment, it is hereby CERTIFIED, in accordance with the 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 decree and that the court has and does direct that the above partial decree shall be a final judgment upon which execution may issue and appeal may be taken as provided by the Idaho Appellate Rules.

STATE OF IDAHO)
County of Gem) ss.

DATED this 28th day of March, 1986.

I certify that the foregoing
is a true and correct copy
of the original on file in
this office.

DATED 3-28-87
Thelma R. Kolodziej, Clerk


JIM R. DOOLITTLE
District Judge

By: Loc. 1 ORDER AND PARTIAL DECREE, Page 3