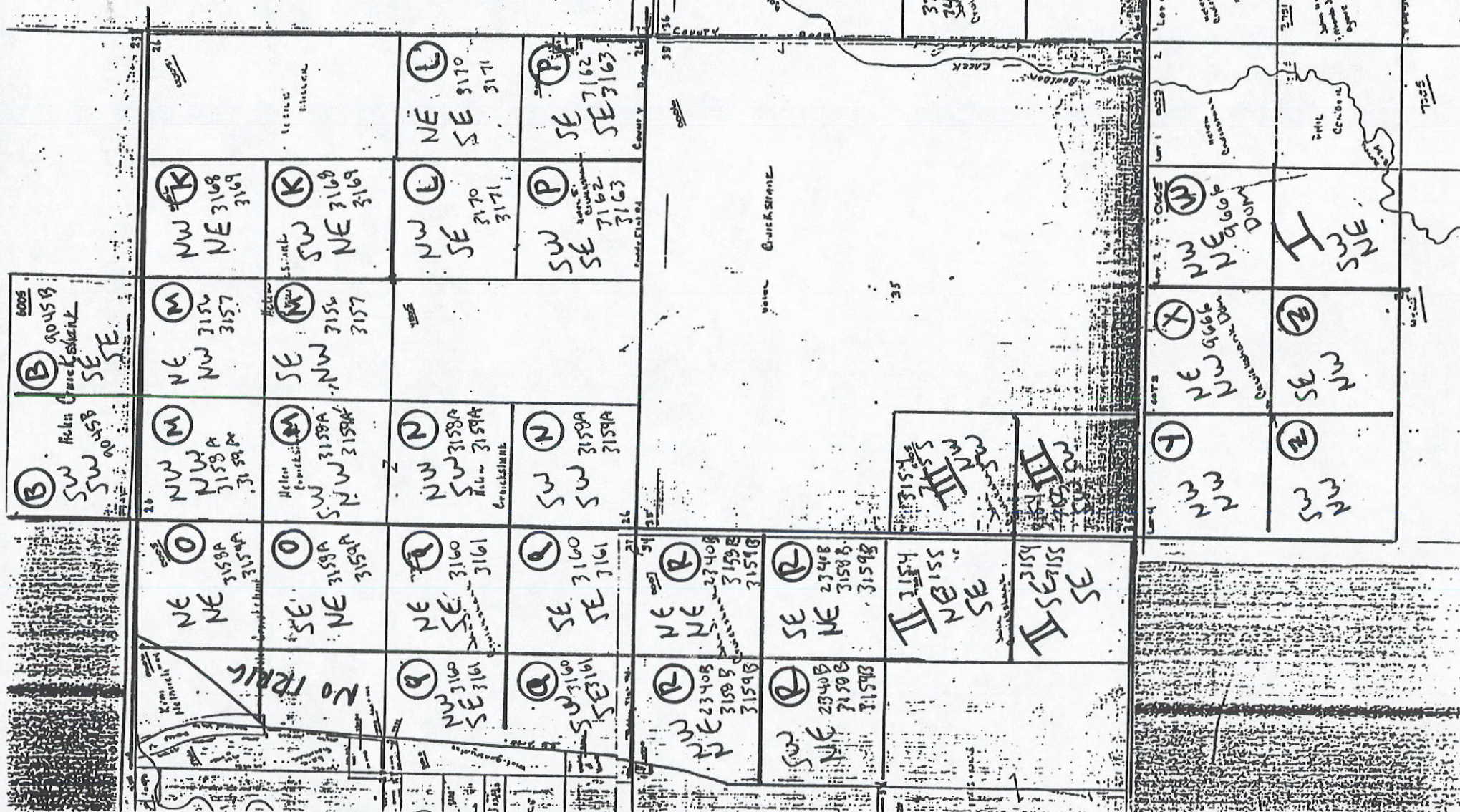
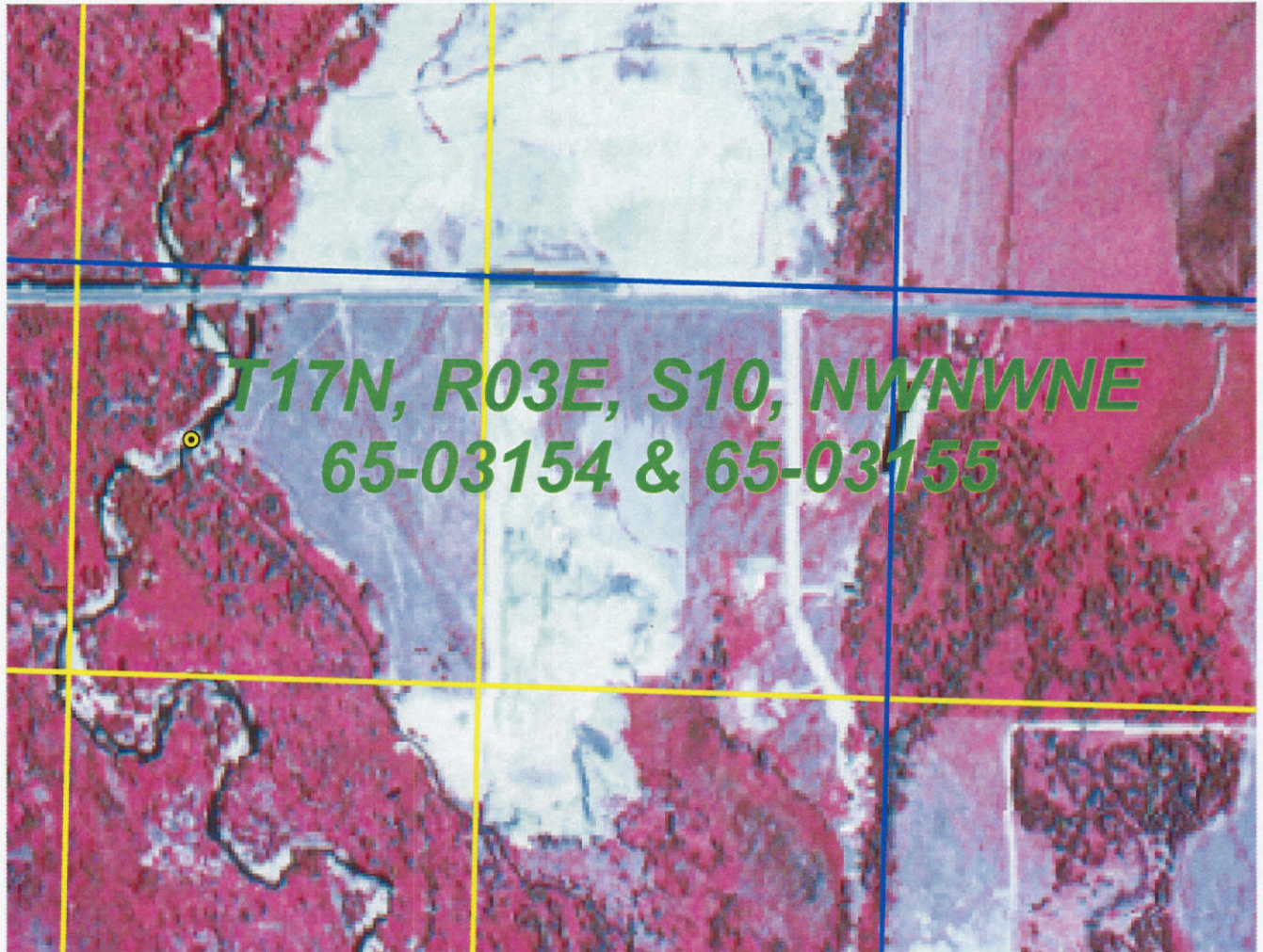


NO REPRESENTATIONS AS TO  
ITS EFFECT, SUFFICIENCY, COM-  
PLETENESS OR ANY OTHER MATTERS  
THAT MIGHT BE REFERRED TO OR  
IMPLIED THEREIN.



# 65-03154 & 65-03155

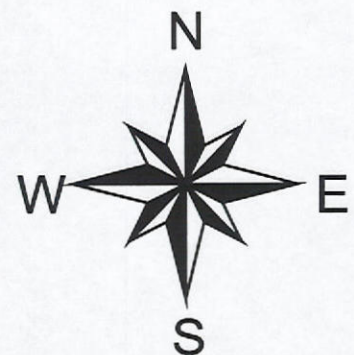


0 0.25 0.5 0.75 Miles

A horizontal scale bar with a black and white alternating pattern. It is marked with the numbers 0, 0.25, 0.5, and 0.75, followed by the word '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

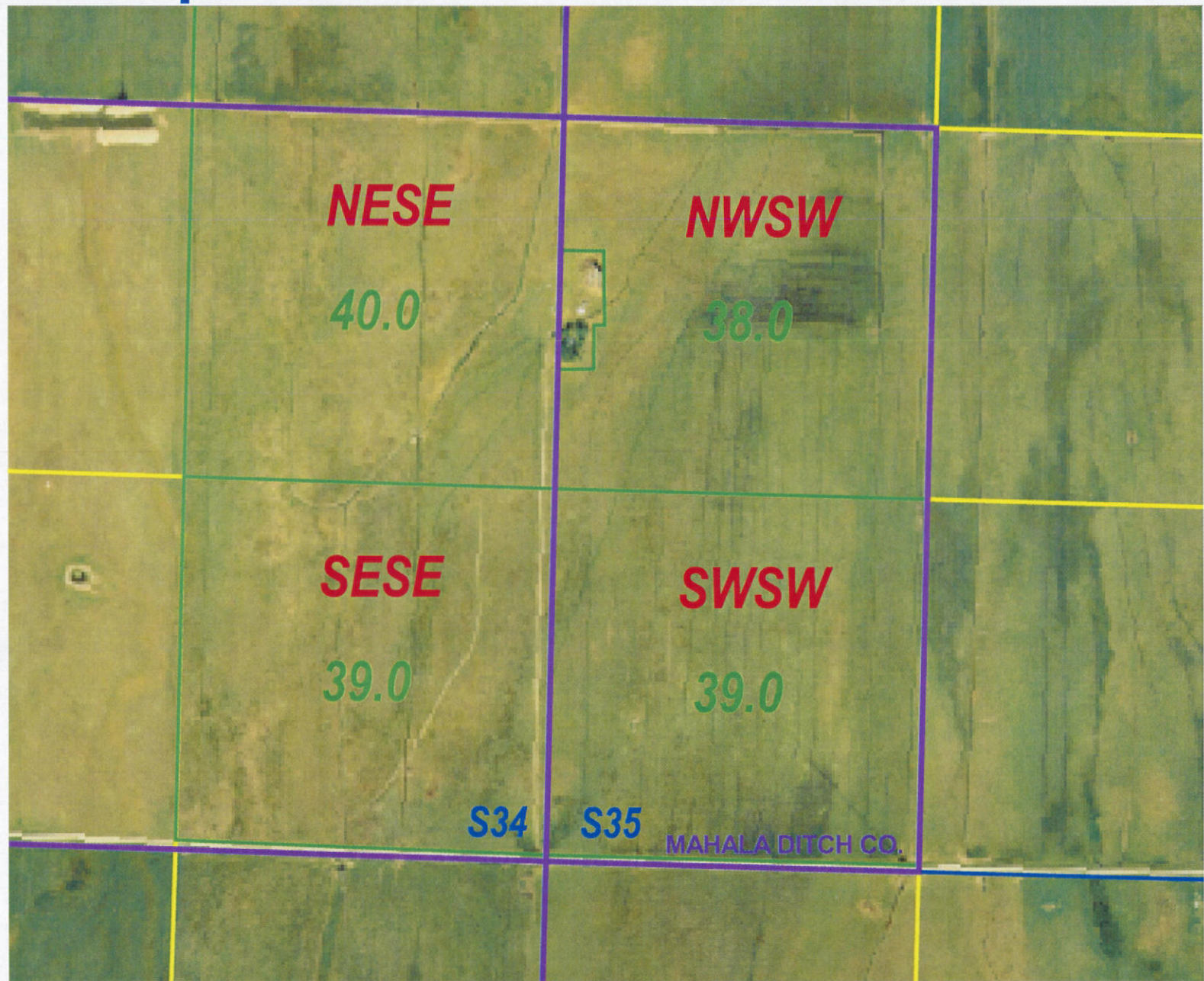
 SECTION LINES

 1/4 1/4 Lines

# Acres



**1987 NAPP**





17N R3E WPE  
PR3A

1. Blanche Davis
2. W. E. Davis
3. T. G. Matson Estate
4. John T. Nasi
5. J. E. Hughes, et al
6. Jack N. Miller
7. Lee G. Wright
8. Henry Nortune
9. James Cruickshank
10. Charles Lappens
11. R. G. Wallaco
12. Lakeford Lumber Co.
13. Jack Kangas
14. Lester Scheline
15. Franklin E. Edwards
16. Bertha S. White
17. John T. Nasi
18. C. G. McGinnis
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: A65-03155  
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, 1919

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 | 0.920  |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A65-03155

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:  
A65-03154

14. Remarks:  
MARY JARVIE IS DECEASED 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): Sarina E. Nasi Date: 11-14-88

By Ellen I Skola Date: \_\_\_\_\_  
attorney in fact.

State of Idaho )

) ss.

County of Valley )

Subscribed and sworn (or affirmed) before me this 14<sup>th</sup> day

of Nov 19 88

M. 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: 65-03155  
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. JARVIE  
ADDRESS: RT 1, Box 25A  
DONNELLY, ID 83615
2. DATE OF PRIORITY: MAY 01, 1919
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. (COR) A.F.A.  
IRRIGATION 03/01 09/15 0.920
7. TOTAL QUANTITY APPROPRIATED IS:  
0.920 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   | 24      | 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 | LGT | USE | ACRES |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 17N           | 03E   | 35      | NW     | SW  |     | IRR | 39.0  |
|               |       |         | 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

(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.

SEP 22 1992

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JAN-5-2000  
PAGE: A-9-----  
RIGHTS FROM: SOURCE: LAKE FORK CREEK TRIBUTARY: PAYETTE RIVER, NORTH FORK  
-----

RIGHT NUMBER: 65-03155

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

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

QUANTITY: 0.92 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-03154 SHALL PROVIDE  
NO MORE THAN .02 CFS PER ACRE MEASURED AT FIELD HEADGATE.

PRIORITY DATE: 05/01/1919

POINT OF DIVERSION: T17N R03E S10 NWNWNE Within VALLEY County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|-------------------------------|----------------|---------------|----------|
|                               | IRRIGATION     | 05-01 09-15   | 0.92 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. 65-03154 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. 65-03154 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 ) NOTICE OF COMPLETED  
 ) ADMINISTRATIVE PROCEEDINGS  
Case No. 39576 )  
 ) 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:

|                                     |                       |
|-------------------------------------|-----------------------|
| <input type="checkbox"/>            | Change of Address     |
| <input checked="" type="checkbox"/> | Substitution of Party |
| <input type="checkbox"/>            | 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

(Internet)

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

New Mailing Address

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or  
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  
ADT #'s  
A65-2340B  
-3158B  
-3159B  
-3160  
-3161  
-3162  
-3163  
-3154  
-3155

DOMESTIC 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:

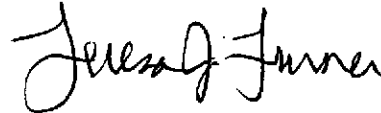
This firm represents Harry L. Bettis, who has acquired certain real property located in Valley County, Idaho.

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)

## WARRANTY DEED

FOR VALUE RECEIVED, JOHN J. CRUICKSHANK aka John Cruickshank, and CONNIE MAE CRUICKSHANK aka Connie M. Cruickshank, the Grantors, do hereby grant, bargain, sell and convey unto HARRY L. BETTIS, the Grantee, whose current address is Star Route, Payette, Idaho 83661, the following described premises in Valley County, Idaho, to-wit:

See Exhibit A attached hereto and incorporated herein by reference, and subject to the exceptions scheduled on Exhibit B attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the Grantors do hereby covenant to and with the said Grantee, that they are the owner in fee simple of said premises; that they are free from all encumbrances; and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: April 7, 1999

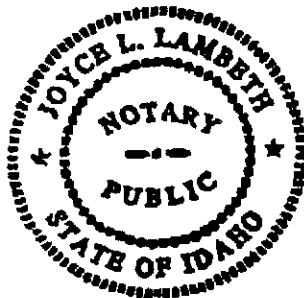
John J. Cruickshank AKA  
John J. Cruickshank  
 JOHN J. CRUICKSHANK, aka

Connie Mae Cruickshank AKA  
Connie M. Cruickshank  
 CONNIE MAE CRUICKSHANK, aka  
 Connie M. Cruickshank

239440  
 TYPE: Deed  
 CLERK OF DISTRICT  
 VALLEY COUNTY RECORDER  
 BY: [Signature]  
 FEE: 30.00  
 STATE OF IDAHO  
 County of Ada  
 MOUNTAIN HOME  
 REQUESTED BY  
 RECORDED  
 AM 10 53  
 )  
 ) ss.

On this 7 day of April, 1999, before me, Joyce L. Lambeth, a notary public for said State, personally appeared JOHN J. CRUICKSHANK aka John Cruickshank, and CONNIE MAE CRUICKSHANK aka Connie M. Cruickshank, husband and wife, known or identified to me to be the persons who executed the instrument, and acknowledged to me that they executed the same.

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



BOISE-0103554.01

Joyce L. Lambeth  
 Notary Public  
 Residing at: Mountain Home Idaho  
 My Commission Expires: 11/10/2000

**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 1:25 PM TITLE CASE NO. 2007 P. 16

# Lawyers Title Insurance Corporation

A LANDAMERICA COMPANY

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE \_\_\_\_\_ conf'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 \_\_\_\_\_ 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. \_\_\_\_\_

JUN-2-1999 11:11/16  
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. 11-09

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

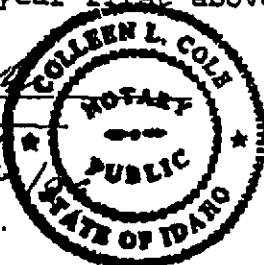
John J. Cruickshank  
BY: JOHN J. CRUICKSHANK  
PERSONAL REPRESENTATIVE

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: 6/1/00



Commission Expires: 6-1-00

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

Dated: 11-10-98

Clerk, Auditor & Recorder: Leland Hennrich  
By: Leland Hennrich Deputy

TYPE: Deed  
LET AND REC. NO. 1  
VALLEY COUNTY RECORDER  
BY: John J. Cruickshank  
FEE: 9.00  
38 NOV 10 PM 3  
MOUNTAIN TITLE & ESCROW  
REQUESTED BY  
RECORDED

236483

TYPE: Deed  
LET AND REC. NO. 1  
VALLEY COUNTY RECORDER  
BY: John J. Cruickshank  
FEE: 9.00  
58 NOV 4 PM 11 56  
MOUNTAIN TITLE & ESCROW  
REQUESTED BY  
RECORDED

236356

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, 25 and 26, Township 17 North, Range 3 East, B. M., thence northerly along the section line common to sections 25 and 26, a distance of 741.3 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; W1/2 NE1/4; 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.

**CONFIDENTIAL**

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**  
1. T. 16 N., R. 3 E., S. 1/4, B.M. Valley County, Idaho, more particularly described as follows:  
Commencing at the Section Corner common to Sections 15 and 16, T. 16 N., R. 3 E., S. 1/4, B.M. Valley County, Idaho, thence, S. 89° 20' 16" E., 1113.82 feet along the northerly boundary of said Section 1 to a 5/8" rebar marking the N 1/4 Corner common to said Sections 16 and 1, the REAL POINT OF BEGINNING;  
Thence, S. 0° 02' 03" E., 1312.27 feet to a 5/8" rebar marking the N 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. 0° 28' 31" E., 1312.26 feet along said fence line to the northerly boundary of said Section 1;  
Thence, S. 89° 20' 16" E., 29.51 feet to the Point of Beginning, containing 1.065 acres, more or less.

*This being the parcel of land between the  
fence and the fence, 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 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

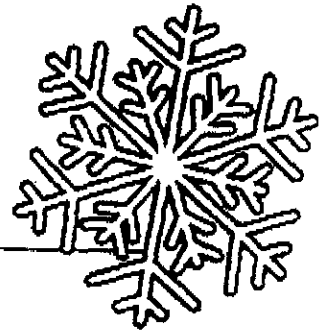
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P.O. Box 798 / 120 N Main Street  
Cascade, Idaho 83611  
208-382-4206  
Fax: 208-382-4218

---

FAX TRANSMISSION COVER SHEET

---



Date: Jan 3, <sup>2000</sup>~~1999~~

To: Ron

Fax: 334-2348

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.

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**PERSONAL REPRESENTATIVE'S DEED**

THIS DEED, made by ELLEN I. IKOLA, as Personal Representative of the Estate of SAIMA E. HASI, 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 Hambrouck, 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 thousandths (.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 Z. Nani, 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.

*Cornie Thompson*  
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 County Court

at 50 minutes past 10

o'clock PM on the 26

day of June 18 89

in my office and duly recorded in

Dr. 165263

Seal of Notary

By S. Thompson Es-Officio Recorder

Fes 2 165263

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, hereaditaments 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, Raven 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.

Raven 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

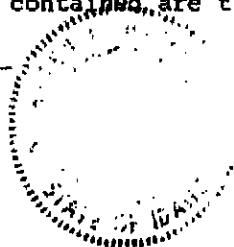
Adolf Heinrich  
Adolf Heinrich  
Commissioner

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: 105 S. 1st St.  
My Commission Expires: 7.12.91



165966

WARRANTY DEED, Page 3

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

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

at 50 minutes past 11 o'clock A. M. This 21 day of March, 1989

in my office and duly recorded in

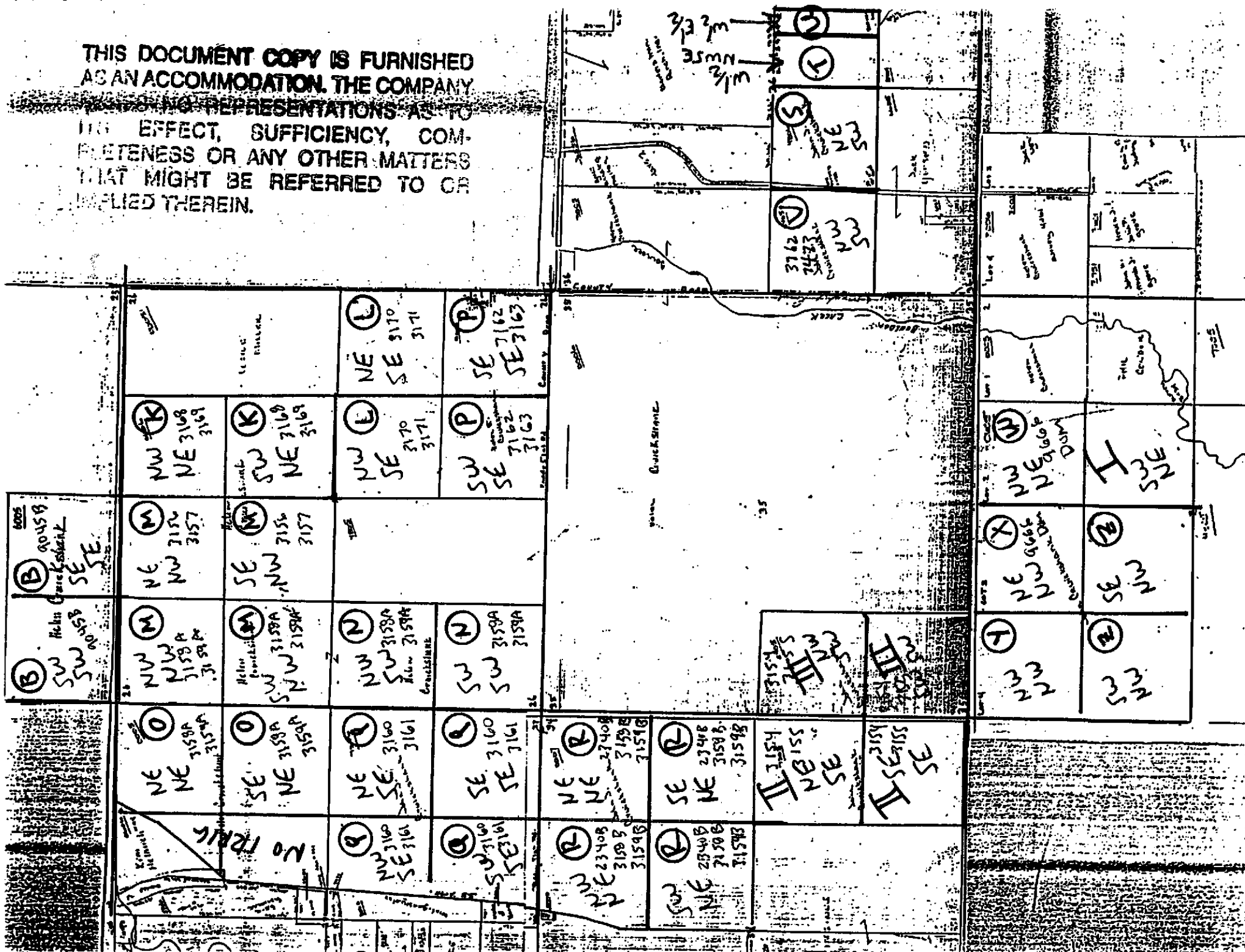
Dr. 16 & Deeds

By Leslie Irwin Ex-Officio Recorder  
Tom Olson Deputy

Fee \$ 9.00

R41 Box 70  
mc call 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.



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):

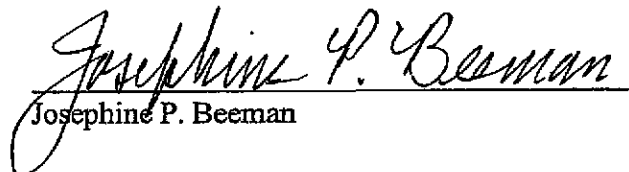
Josephine P. Beeman (ISB #1806)  
BEEMAN & ASSOCIATES, P.C.  
409 West Jefferson Street  
Boise, Idaho 83702  
(208) 331-0950 (Telephone)  
(208) 331-0954 (Facsimile)

SCANNED

JUN 26 2002

RESPECTFULLY SUBMITTED this 25<sup>th</sup> 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

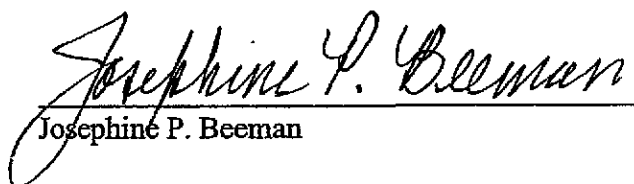
- ☒ U.S. Mail, First Class, Postage Prepaid  
☐ Facsimile: \_\_\_\_\_  
☐ Hand Delivery  
☐ Federal Express: \_\_\_\_\_  
☐ Other: \_\_\_\_\_

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

Z:\3004\5314.doc

SCANNED

JUN 7 6 2002

AJ0749NP  
No. 65-03155

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

DATE: 01/04/00  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                     | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|--------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | HARRY L BETTIS<br>STAR ROUTE<br>PAYETTE ID 83661<br>(208) 365-2512 | 05/01/1919       | IRRIGATION | 05-01 09-15           | 0.920 CFS         |                     |
| TOTAL DIVERSION: |                                                                    |                  |            |                       | 0.920 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: DECREE

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: 65-03154

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

|            |            |            |            |            |            |            |            |            |           |
|------------|------------|------------|------------|------------|------------|------------|------------|------------|-----------|
| 65-02340A  | 65-02340B  | 65-02415   | 65-03154   | 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:

65-03154 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. 65-03155

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. 65-03154 SHALL PROVIDE  
NO MORE THAN .02 CFS PER ACRE MEASURED AT FIELD HEADGATE.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 65-03154 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. 65-03154 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 IS DECEASED 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

14/197 Aug 55

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

RECEIVED  
RETURN SERVICE  
REQUESTED

PRESORTED  
FIRST CLASS

IMPORTANT WATER RIGHT INFORMATION

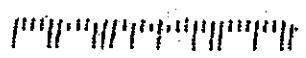
NOT DELIVERABLE  
AS ADDRESSED  
UNABLE TO FORWARD



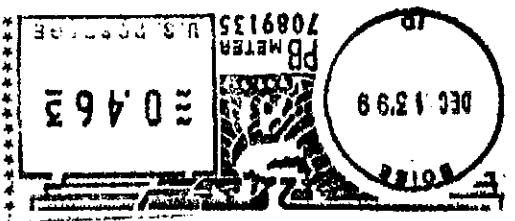
5-03154  
NASI  
C/O  
RT 1 BOX  
MC CALL ID 83

IKOLA

RT 1 BOX  
MC CALL ID 83



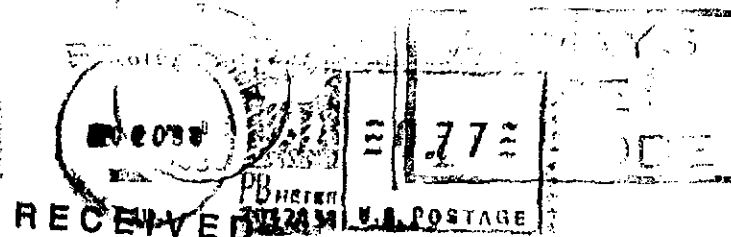
+65-03155  
-09666  
--17547



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

65-03154  
-03155

REFUSED



DEC 30 1999

Department of Water Resources

DECREASED

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

RECEIVED

JAN 06 2000

WATER RESOURCES  
WESTERN REGION

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

\*ownership changed to Harry Bett's 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

65-03155  
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**

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: 65-03155

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: 0.92 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-03154 SHALL PROVIDE  
NO MORE THAN .02 CFS PER ACRE MEASURED AT FIELD HEADGATE.

PRIORITY-DATE: 05/01/1919

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 | 0.92   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. 65-03154 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.

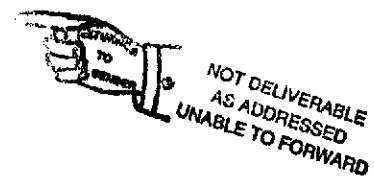
RIGHT NO. 65-03154 IS ALSO DIVERTED THROUGH POINT OF  
DIVERSION DESCRIBED ABOVE.

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

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, ☐ or, ☐ and/or  
 New Mailing Address 10775 Sucker Creek RD  
 City, State and ZIP Code Payette, Idaho 83661  
 New Telephone Number 208 365-2572
  
5. Date you acquired the property May 10<sup>th</sup> 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

**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 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*

*ag*

\*\*\*\*\*  
 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

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

AJ0749NP  
No. R65-03155

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

DATE: 06/29/99  
PAGE: 1

| OWNER<br>CODE | NAME & ADDRESS                                                                         | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|----------------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | MARY A JARVIE<br>C/O ELLEN I IKOLA<br>RT 1 BOX 25<br>MCCALL ID 83638<br>(208) 634-5986 | 05/01/1919       | IRRIGATION | 05-01 09-15           | 0.92 CFS          |                     |
|               |                                                                                        |                  |            | TOTAL DIVERSION:      | 0.92 CFS          |                     |
| C             | SAIMA NASI<br>C/O ELLEN I IKOLA<br>RT1 BOX 25<br>MC CALL ID 83638<br>(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 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 40 |    | 39          | :   | 79.0  |  |
| 17N | 03E | 35 | : |    |    |    |    |    |    |    |    |    |    | 38 | 39 |    |    |    |    |             | :   | 77.0  |  |
|     |     |    |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | TOTAL ACRES |     | 156.0 |  |

POU County: VALLEY

Other Rights: 65-03154

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  | R65-03154  | 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. 65-03154 SHALL PROVIDE  
NO MORE THAN .02 CFS PER ACRE MEASURED AT FIELD HEADGATE.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 65-03154 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 IS DECEASED AND ELLEN IKOLA IS THE ADMINISTRATOR OF  
THE ESTATE.

Audit: 06/29/99 RHOWERTO

WR0749NP  
No. 65-03155

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 04/30/99  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                      | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | MARY A. JARVIE<br>DONNELLY ID 83615 | 05/01/1919       | IRRIGATION | 05/01 09/15           | 0.920 CFS         |                     |
| TOTAL DIVERSION: |                                     |                  |            |                       | 0.920 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                        |                           |         |  |  |
|---------------------|-----|-----|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------|--|--|
| NENE NWNE SWNE SENE |     |     |                           | NENW NWNW SWNW SENW       |                           |                           |                           | NESW NWSW SWSW SESW       |                           |                           |                           | NESE NWSE SWSE SESE       |                           |         |  |  |
| T                   | R   | S   | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : 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 | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : SUM   |  |  |
| ---                 | --- | --- | : -----                   | : -----                   | : -----                   | : -----                   | : -----                   | : -----                   | : -----                   | : -----                   | : -----                   | : -----                   | : -----                   | : ----- |  |  |
| 17N                 | 03E | 34  | :                         | :                         | :                         | :                         | :                         | :                         | 40                        | :                         | :                         | :                         | 39                        | : 79.0  |  |  |
| 17N                 | 03E | 35  | :                         | :                         | :                         | :                         | :                         | 38                        | 39                        | :                         | :                         | :                         | :                         | : 77.0  |  |  |
|                     |     |     |                           |                           |                           |                           |                           |                           |                           |                           |                           |                           | TOTAL ACRES               | 156.0   |  |  |

Pou County: VALLEY

|        |                 |                    |            |
|--------|-----------------|--------------------|------------|
| Dates: | App. Received:  | Priority Date:     | 05/01/1919 |
|        | Proof Due Date: | Proof Made Date:   |            |
|        | Exam Made Date: | Exam Sent to S.O.: |            |
|        | Licensed Date:  |                    |            |

Misc: Water District Number: 65K Field Exam Fee:

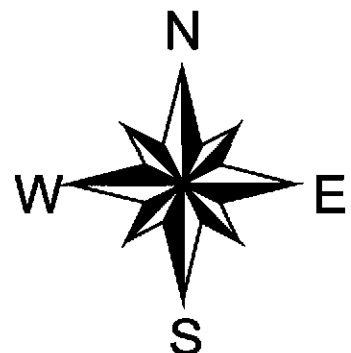
Audit: 04/24/87 04/30/88 CONVERT

# 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

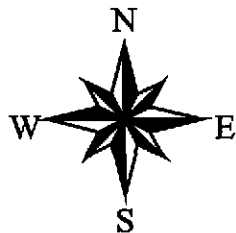
 Place of use

● POD

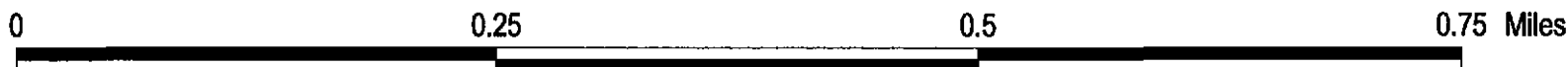
 SECTION LINES

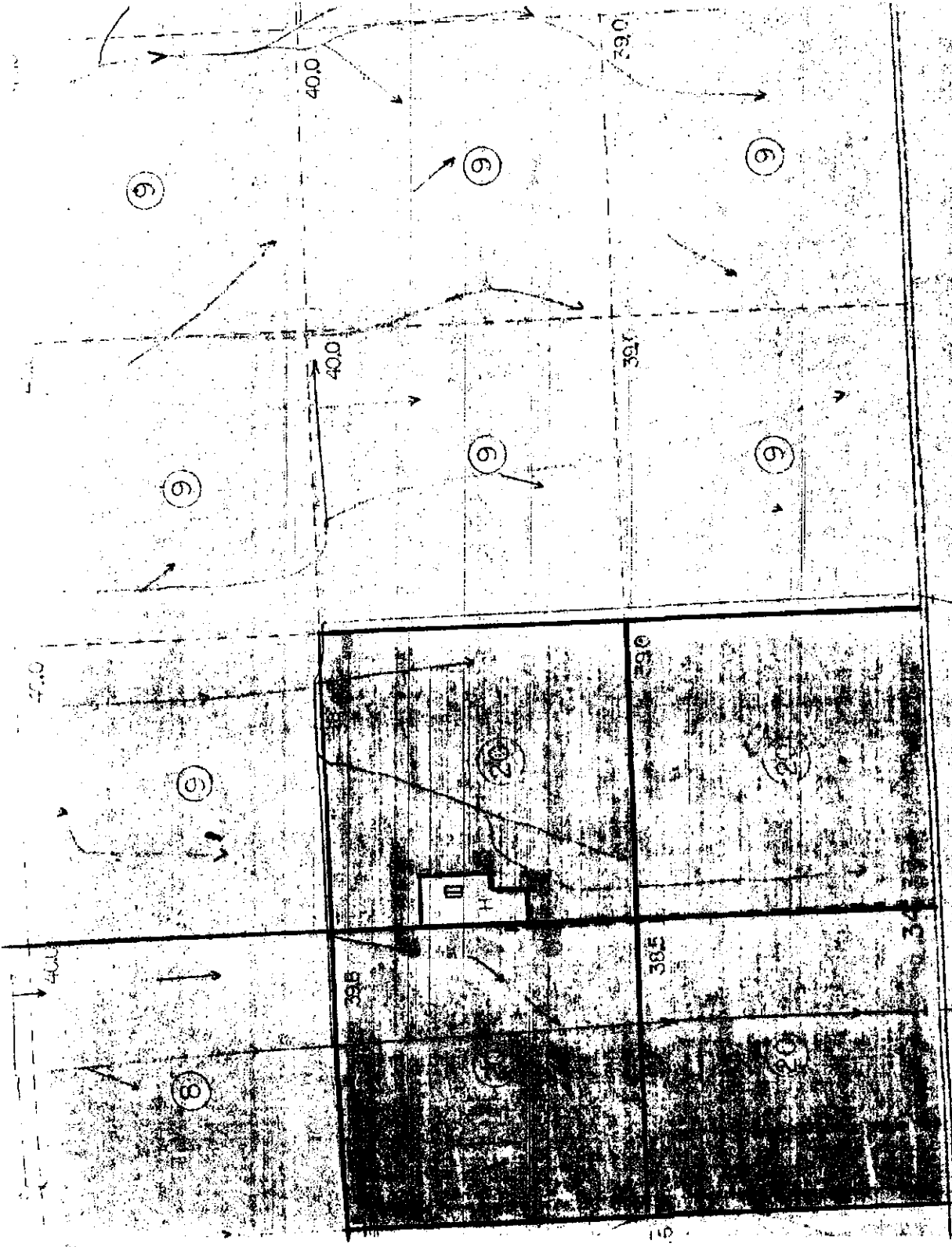
 1/4 1/4 Lines

# Acres



**1987 NAPP**





17N R3E W4E  
PR3A

1. Blanche Davis
2. W. E. Davis
3. T. G. Matson Estate
4. John T. Nasl
5. E. E. Hughes, et al
6. Jack N. Miller
7. Leg G. Wright
8. Henry Neetune
9. James Grudichshank
10. Charles Lappens
11. E. G. Wallace
12. Lakeford Lumber Co.
13. Jack Kangas
14. Lester Schelline
15. Franklin E. Edwards
16. Bertha S. White
17. John H. Nasl
18. C. G. McGinnis
19. T. E. Fleming
20. Mary Jarvis
21. Melba Jensen
22. Roseberry Lead & 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

84  
CLAIM NUMBER: A65-03155

| WR ELEMENT                | DATA<br>DISCREPANCY<br>Y/N | CORRESPONDENCE<br>SENT/RECEIVED<br>BY WHOM/DATE | FIELD EXAM<br>BY WHOM/DATE | CHANGE<br>CLAIM<br>Y/N | ELEMENT<br>DOCUMENTED<br>WHOM/DATE | COMPLETED<br>REVIEW<br>WHOM/DATE | COMPLETED<br>DATA ENTRY<br>WHOM/DATE | VERIFIED<br>DATE<br>WHOM/DATE |
|---------------------------|----------------------------|-------------------------------------------------|----------------------------|------------------------|------------------------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE             |                            |                                                 |                            |                        |                                    |                                  |                                      |                               |
| POINT OF DIV              |                            |                                                 |                            |                        |                                    |                                  |                                      |                               |
| SOURCE                    |                            |                                                 |                            |                        |                                    |                                  |                                      |                               |
| PLACE OF USE              |                            |                                                 |                            |                        |                                    |                                  |                                      |                               |
| DIV. AMOUNT<br>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

69  
CLAIM NUMBER: A65-03155

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  
☒

FIELD  
EXAMINER  
Y( ) N(☒)

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

CONTACT PERSON: IN-OFFICE

PHONE NUMBER: ( ) -

DATE OF FIELD EXAM: 4/20/99

APPOINTMENT MADE: Y( ) N(X)

TIME: : A( ) P( )

ACCOMPANIED BY: \_\_\_\_\_

PHONE NUMBER: ( ) -

RELATIONSHIP TO CLAIMANT: \_\_\_\_\_

DIRECTIONS TO PROPERTY / NOTES:

SEE MAPS IN FILE

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

A. AJ CLAIM: # A65-03155 PRIORITY DATE: 05-01-1919 STAGE: D

B. WR RECORD: # 65-03155 PRIORITY DATE: 05-01-1919 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:

05-01-1919  
REVIEWED BY Rch

DATE 4/30/19

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | POD<br>FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|-----------|------|------|------|-----|-----|-----|-----|-------------|--------|----------------|------------------|
| A65-03155 | 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<br>FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|----------|------|------|------|-----|-----|-----|-----|-------------|--------|----------------|------------------|
| 65-03155 | 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) X

NOTES:

CUS, 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<br>FLAG | COUNTY<br>VALLEY | DIVERSION NAME | DIVERSION NBR |
|------|------|------|-----|-----|-----|-----|-------------|------------------|----------------|---------------|
| 17N  | 03E  | 10   | NW  | NW  | NE  |     |             |                  | MAYALA Ditch   |               |
|      |      |      |     |     |     |     |             |                  |                |               |
|      |      |      |     |     |     |     |             |                  |                |               |
|      |      |      |     |     |     |     |             |                  |                |               |
|      |      |      |     |     |     |     |             |                  |                |               |
|      |      |      |     |     |     |     |             |                  |                |               |
|      |      |      |     |     |     |     |             |                  |                |               |

SOURCE: LAKE FORK CREEK

TRIB: PAYETTE RIVER, NORTH FORK

REVIEWED BY:

Roh

DATE:

4/30/99

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

MAYALA Ditch

A. ROOT WATER RIGHT NUMBERS: A65-03155

B. POU LISTING

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

ADDITIONAL POU FOUND

TOTAL ACRES A65-03155 156.00 156.00 158.00

POU 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 |
|-----------|-----------------|-----------------|-----------|----------------|-----------|----------------|
| A65-03155 | LAKE FORK CREEK | JARVIE, MARY A  | 0.920     | 0.005          |           |                |
| A65-03154 | LAKE FORK CREEK | JARVIE, MARY A  | 2.280     | 0.014          |           |                |
| 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: A65-03154

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(☒)

Rch

DATE \_\_\_\_\_

4/30/99

65 - 11326

[illegible]

CHECK DOCUMENTS USED TO VERIFY POU: ( ) ORTHOPHOTOQUAD, IDWR NO. \_\_\_\_\_; ( ) TOPOGRAPHIC QUAD, IDWR NO. \_\_\_\_\_;  
\_\_\_\_\_: ( ) ASCS PHOTO; ( ) OTHER  
NOTES: USED PERA MAP (ATTACHED) AND MAPS

RECOMMENDATIONS:

TOTAL ACRES: 156

REVIEWED BY: RCH

DATE: 11/30/79

A. AJ CLAIMED USES:

| PURPOSE OF USE              | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| A65-03155 IRRIGATION        | FROM 05-01 TO 09-15       | 0.920 CFS              |                        |
| TOTAL DIVERSION RATE/VOLUME |                           | 0.920 CFS              |                        |

B. WR RECORDED USES:

| PURPOSE OF USE              | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| 65-03155 IRRIGATION         | FROM 05-01 TO 09-15       | 0.920 CFS              |                        |
| TOTAL DIVERSION RATE/VOLUME |                           | 0.920 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

78

CLAIM NUMBER: A65-03155

NOTES:

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AJ CLAIM TOTAL DIVERSION RATE: 0.920 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.920 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)

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y( ) N(☒)

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y( ) N( )

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES            x DIVERSION VOL. AF/A FOR AREA            =

TOTAL DIVERSION VOLUME            AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES            x CONSUMPTIVE VOL. AF/A FOR AREA            =

TOTAL CONSUMPTIVE USE            AF/A

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

1b. CALCULATIONS

3154 - 2.28  
3155 - .92  
-----  
3.2  
- 3.12  
-----  
.08

Ditch Loss  
RMK  
E28

PAGE: 12  
DIVERSION AMOUNT REVIEW SHEET CONTINUED

80  
CLAIM NUMBER: A65-03155

**NOTES:**

WR RECORD CONDITIONS/REMARKS:

NONE

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (\_\_\_)

| REC.<br>PURPOSE OF USE | REC. PERIOD<br>FROM TO |       | REC. DIV<br>RATE CFS |          | REC. DIV<br>VOL. AF/A |          | REC. CONS.<br>USE |          |
|------------------------|------------------------|-------|----------------------|----------|-----------------------|----------|-------------------|----------|
|                        |                        |       | DATABASE             | EXAMINER | DATABASE              | EXAMINER | DATABASE          | EXAMINER |
| IRRIGATION             | 05-01                  | 09-15 | 0.920                | _____    |                       | _____    | 0.0               | _____    |
| _____                  | _____                  | _____ |                      | _____    |                       | _____    |                   | _____    |
| _____                  | _____                  | _____ |                      | _____    |                       | _____    |                   | _____    |
| _____                  | _____                  | _____ |                      | _____    |                       | _____    |                   | _____    |
| _____                  | _____                  | _____ |                      | _____    |                       | _____    |                   | _____    |
| TOTAL FOR THIS RIGHT   |                        |       | 0.920                | _____    |                       | _____    | 0.0               | _____    |

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: ROL

DATE: 4/30/99

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

STANDARD CONDITIONS (CODE):

W 29

STANDARD REMARKS (CODE):

~~Point limit to 156 Acres with 3154 OK~~  
QW + E 28 AFFIELD HEADGATE

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

MAHARA Ditch & PID REMARKS  
FOS with 3154

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-03155

| TOTAL DIVERSION RATE OF WR SPLITS | DATABASE<br>0.920 | EXAMINER<br>_____ | CFS |
|-----------------------------------|-------------------|-------------------|-----|
|-----------------------------------|-------------------|-------------------|-----|

SPLITS:

| OLD RIGHT<br>NUMBERS | CURRENT<br>CLAIM NUMBERS | DIVERSION<br>RATE | CURRENT "R"<br>CLAIM NUM. | "R" DIV.<br>RATE | WR RIGHT<br>NUMBERS | DIVERSION<br>RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| -                    | A65-03155                | 0.920             | -                         |                  | 65-03155            | 0.920             |
| TOTAL CFS            |                          | 0.920             |                           |                  |                     | 0.920             |

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<br>EXAMINER |
|----------|-------------------|
| Y        | Y( ) N( )         |

NOTES:

AUTHENTICATION:

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

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

DATE: \_\_\_\_\_

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( )                                     |
| <input checked="" type="checkbox"/> TOPOGRAPHIC              | DATE FIELD CHECKED <u>1987</u> IDWR ID NO. <u>POD/POU</u> | Y( <input checked="" type="checkbox"/> ) N( ) |
| ( ) NAPP                                                     | DATE OF PHOTO _____ IDWR ID NO. _____                     | 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( )                                     |
| <input checked="" type="checkbox"/> OTHER <u>OVERLAP REV</u> | DATE <u>4/30/99</u>                                       | Y( <input checked="" type="checkbox"/> ) N( ) |
| <input checked="" type="checkbox"/> OTHER <u>PROFILE REP</u> | DATE <u>SHOWS AS DECREEED IN PRBA</u>                     | Y( <input checked="" type="checkbox"/> ) N( ) |
| <input checked="" type="checkbox"/> OTHER <u>MAP</u>         | DATE <u>MAP FROM PRBA, SHOWS ACRES</u>                    | Y( <input checked="" type="checkbox"/> ) N( ) |

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

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

14:18:08  
03/11/99  
85

PAGE: 17  
PROFILE REPORT

CLAIM NUMBER: A65-03155

| OWNER<br>CODE    | NAME & ADDRESS | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|----------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | MARY A JARVIE  | 05/01/1919       | IRRIGATION | 05-01 09-15           | 0.920 CFS         |                     |
| C                | SAIMA NASI     |                  |            |                       |                   |                     |
| TOTAL DIVERSION: |                |                  |            |                       | 0.920 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 | SESW | NESW | NWSW | SWSW | SESW | NESE | NWSE | SWSE | SESE  | SUM  |
|             |        | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac    |      |
| 17N         | 03E 34 | :    |      | :    |      | :    |      | :    |      | :    |      | :    |      | :    | 40   |      | 39    | 79.0 |
| 17N         | 03E 35 | :    |      | :    |      | :    |      | :    |      | :    | 38   | :    | 39   | :    |      |      |       | 77.0 |
| TOTAL ACRES |        |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      | 156.0 |      |

POU County: VALLEY

Other Rights: A65-03154

Remarks: GEN MARY JARVIE IS DECEASED 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<br>NUMBER         | NAME AND<br>ADDRESS                                                                                 | PRIORITY<br>DATE | USE        | USE PERIOD<br>FROM TO | MAX AMOUNT<br>MAX RATE | DIVERSION<br>POINT    | PLACE OF USE<br>AND ACREAGE                                                     | BASIS FOR<br>RIGHT |
|-------------------------|-----------------------------------------------------------------------------------------------------|------------------|------------|-----------------------|------------------------|-----------------------|---------------------------------------------------------------------------------|--------------------|
| SOURCE: LAKE FORK CREEK |                                                                                                     |                  |            |                       |                        |                       |                                                                                 |                    |
| 65-3204                 | NISULA, ANNA<br>P.O. BOX 604<br>DONNELLY<br>ID 83615                                                | 11-29-1918       | IRRIGATION | 05-01 09-15           | 2.00 CFS               | SENE S03<br>T17N R03E | NESE(37) NWSE(11) DEGREE<br>SWSE(26) SESE(39)<br>S30 T17N R03E                  |                    |
|                         | REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-2489 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.       |                  |            |                       |                        |                       | * 113 ACRES*                                                                    |                    |
| 65-3212                 | NISULA, FRANK<br>P.O. BOX 642<br>DONNELLY<br>ID 83615                                               | 11-29-1918       | IRRIGATION | 05-01 09-15           | 2.00 CFS               | SENE S03<br>T17N R03E | NENE(39) NWNE(12) DEGREE<br>SWNE(08) SENE(35)<br>S31 T17N R03E                  |                    |
|                         |                                                                                                     |                  |            |                       |                        |                       | * 94 ACRES*                                                                     |                    |
| 65-3218                 | LAKE IRRIGATION DISTRICT<br>LAKE FORK<br>ID 83635                                                   | 03-05-1919       | IRRIGATION | 05-01 09-15           | 130.00 CFS             | NWSW S13<br>T18N R03E | * 6752 ACRES* DEGREE                                                            |                    |
|                         | REMARKS: PLACE OF USE WITHIN LANDS OF LAKE IRRIGATION DISTRICT. APPROXIMATELY 6752 IRRIGATED ACRES. |                  |            |                       |                        |                       |                                                                                 |                    |
| 65-3155                 | JARVIE, MARY A.<br>DONNELLY<br>ID 83615                                                             | 05-01-1919       | IRRIGATION | 05-01 09-15           | .92 CFS                | NWNE S10<br>T17N R03E | NESE(40) SESE(39) DEGREE<br>S34 T17N R03E<br>NWSW(38) SWSW(39)<br>S35 T17N R03E |                    |
|                         |                                                                                                     |                  |            |                       |                        |                       | * 156 ACRES*                                                                    |                    |
| 65-3157                 | WRIGHT JR., LEE C.<br>ROUTE 1, BOX 254<br>FRUITLAND<br>ID 83619                                     | 05-01-1919       | IRRIGATION | 05-01 09-15           | .46 CFS                | NWNE S10<br>T17N R03E | NENW(39) SENW(40) DEGREE<br>S26 T17N R03E                                       |                    |
|                         |                                                                                                     |                  |            |                       |                        |                       | * 79 ACRES*                                                                     |                    |

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)

*Helma R. Kolitz*

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

Department of Water Resources

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.

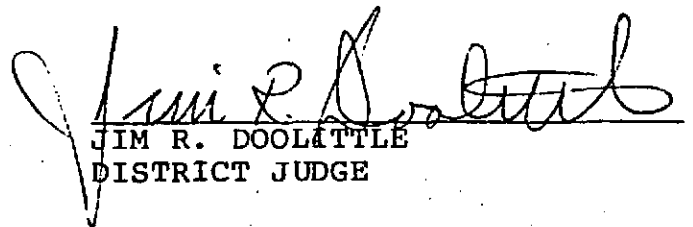
IT IS FURTHER ORDERED AND DECREED that for purposes of operating Water District 65K the gauging station located in the SW1/4SE1/4NW1/4 section 8 township 18N range 4E B.M., above Jumbo Creek and above Tyee Creek shall have 10 per cent added to said gauge readings to account for the added flows of Jumbo 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 28<sup>th</sup> day of March, 1986.

  
JIM R. DOOLITTLE  
DISTRICT JUDGE

54(b) Certificate

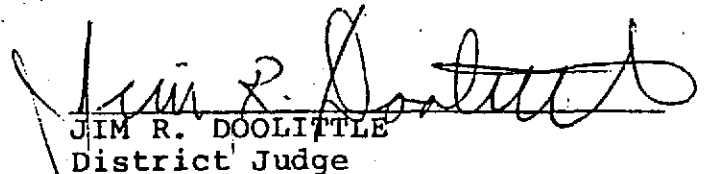
With respect to the issues determined by the above judgment, it is hereby CERTIFIED, in accordance with the Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final decree and that the court has and does direct that the above partial decree shall 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 28<sup>th</sup> day of March, 1986.

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

DATED 3-5-87  
Thelma R. Kolodziej, Clerk

  
JIM R. DOOLITTLE  
District Judge