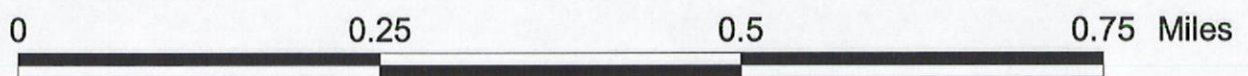
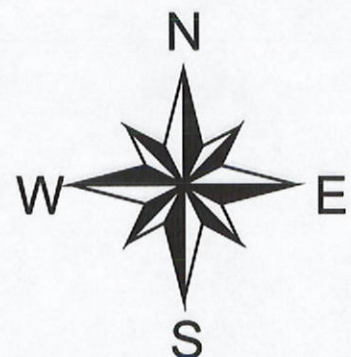


65-03166 & 65-03167



Point of Diversion



Idaho Department of Water Resources

T16N, R03E
S10

Claim(s):
65-03166
Owner(s) Walker
Prepared by:
Ron Howerton
Date: 07 May 99

 Place of use

 POD

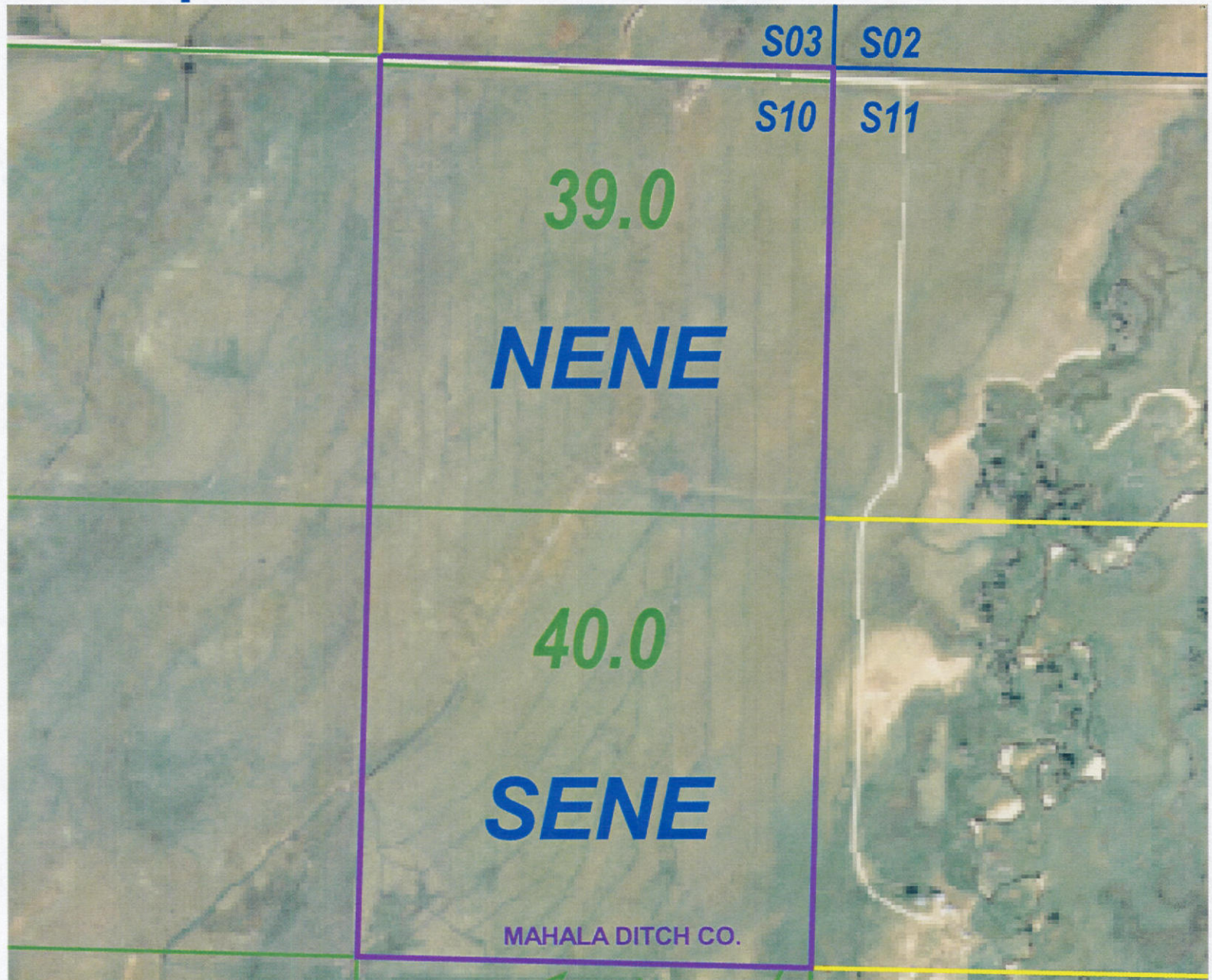
 SECTION LINES

 1/4 1/4 Lines

Acres



1987 NAPP



0 0.25 0.5 0.75 Miles

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: A65-03166
Date Received: 11/07/1988
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VIRGINIA WALKER 208-278-3380
Address: 4700 SE 4TH AVENUE
NEW PLYMOUTH, ID 83655
OR
Name: JESSE WALKER 208-278-3380
Address: 4700 SE 4TH AVENUE
NEW PLYMOUTH, ID 83655
2. Date of Priority: MAY 01, 1909
3. Source: LAKE FORK CREEK Trib. to: PAYETTE RIVER, NORTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	03E	10	NW	NE			VALLEY
5. Description of diverting works:
MAHALA DITCH.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	09/15	1.140		
7. Total Quantity Appropriated is:
1.140 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 158.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	03E	10	NE	NE		IRR	39.0
			SE	NE		IRR	40.0
Section Acres							79.0
Total Acres							79.0

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:
A65-03167

14. Remarks:

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) ss.

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

Notary Public

Seal.

Residing at _____
My Commission Expires _____

^{Walker}
Change of Ownership has been done
on 7/23/90 by Bruce A. Lillard as
per enclosed request, however, additional
Proof of Change of Ownership is being requested.



A6503166

RECEIVED

AUG 01 1990

Department of Water Resources
Western Regional Office

WARRANTY DEED

For Value Received James Cruickshank Trust

the Grantors, do hereby grant, bargain, sell and convey unto
Jesse Walker and Virginia Walker,
husband and wife
and

Jason Walker, a single man each as to an undivided one-
whose address is: third interest Box 43 Donnelly, Idaho 83615
the grantee, the following described premises, to-wit:

Township 16 North, Range 3 East of the Boise Meridian,
Section 10: E1/2 NE1/4;
Section 11: W1/2 NW1/4

TO HAVE AND TO HOLD the premises with their appurtenances unto
the said Grantees, their heirs and assigns forever. And the said
Grantors do hereby covenant to and with the said Grantees, that
they are the owners in fee simple of said premises that said
premises are free from all incumbrances except the 1989 taxes and
assessments and that they will warrant and defend the same from
all lawful claims whatsoever.

Dated: June 8, 1989

JAMES CRUICKSHANK TRUST

John Cruickshank
BY: JOHN CRUICKSHANK, TRUSTEE

State of Idaho)
County of Valley) ss

COMPARED ☒
INDEXED-DIRECT ☒
INDEXED-INDIRECT ☒

On the 8th day of June, 1989 before me, a notary public
in and for said State, personally appeared John Cruickshank
who being by me first duly sworn, declared that he is the Trustee
of the James Cruickshank Trust and that he signed the foregoing
document as the Trustee of said Trust, and that statements
therein contained are true.

William F. Loh
Notary Public
Coeur d'Alene, Idaho
Commission Expires: 6/6/92

MICROFILMED

SEP 22 1992

RECEIVED
APR 09 1990

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

Department of Water Resources
[] Name of Resource Address of
Former Claimant: James L. Cruichshank Trust

Rt. 1 Box 70

McCull, ID 83638

[] New Claimant(s): Jesse &/or Virginia Walker

[] New Mailing Address: 4700 SE 4th AVE

New Plymouth ID 83655

New Telephone Number: (208) 278-3380

[] Does the change in ownership result in a splitting of the
water right claimed? yes ☒ no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

[] Attach proof of ownership
Describe proof attached: Receipt from Mtn Land & Title Escrow

[] Signature of New Claimant(s): J. Virginia Walker

Date: 4-9-90

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 7/23/90

By: BAS

Further Action Needed: Cor. regulating Copy of Assignment of Title

Further Action Taken

Date: 7/28/90

By: BAS

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

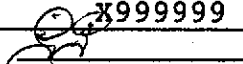
MICROFILMED

SEP 22 1992

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: A65-03166
Date Received: 11/07/1988
Receipt No: X999999
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES L. CRUICKSHANK TRUST 208-325-8549
Address: RT.1 BOX 70
MCCALL, ID 83638
2. Date of Priority:— MAY 01, 1909
3. Source: LAKE FORK CREEK Trib. to: PAYETTE RIVER, NORTH FORK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 17N | 03E | 10 | NW | NE | | | VALLEY |
5. Description of diverting works:
MAHALA DITCH.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 05/01 | 09/15 | 1.140 | | |
7. Total Quantity Appropriated is:
1.140 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 158.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	03E	10	NE	NE		IRR	39.0
			SE	NE		IRR	40.0
Section Acres							79.0

A65-03166

Page 1

Date: 11/07/88

MICROFILMED
SEP 22 1992

10. Place of Use: Continued

Total Acres 79.0

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:
 A65-03167

14. Remarks:

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 ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Trustee of
James L. Cruickshank Trust, that I have signed the foregoing
Organization Title

document in the space below as Trustee of
James L. Cruickshank Trust and that the statements contained in the
Organization Title
foregoing document are true and correct.

John Cruickshank
Signature of Authorized Agent

Trustee
Title and Organization

11/8/88
Date

State of Idaho)
County of Valley) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of Nov 19 88

W. L. [Signature]
Notary Public

Seal

Residing at Boise Id

My Commission Expires 9/2/1994

July 24, 1990

Virginia and/or Jesse Walker
4700 SE 4th Avenue
New Plymouth, Idaho 83655

RE: Change of Name on Adjudication Claims A65-03167,
A65-09045A, A65-03612, A65-03166, A65-02382

Dear Mr. and Mrs. Walker;

Attached you will find the above listed Adjudication Claims with the ownership listed in your name as requested. However, the receipt from Colleen L. Cole for the monies and properties exchange is not sufficient evidence of the change of ownership. In order to properly document the change in ownership, we must have a copy of the transfer of ownership with signatures and property description on the copy of the contract.

Please supply us with a copy that we can attach to your water rights files. Replies, questions or concerns should be addressed to my attention in this office.

Thank you for your time.

Bruce A. Schuld
Senior Water Resource Agent

cc:BAS:JVW:files
Enclosures: A65-03167, A65-09045A, A65-03612,
A65-03166, A65-02382

MICROFILMED

SEP 22 1992

WESTERN REGION

OWNER (S):

WALKER

CLAIM NUMBERS:

3166

3167

AGENT: RON HOWERTON

DATE 8/28/99

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

POLYGON CREATED ON 803

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

ATTRIBUTES OF B65-POU.SHP (834) () () () ()

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

_____ B65-DBPOU.DBF UPDATED BY rdh

_____ B65-DBPOD.DBF UPDATED BY rdh

NOTES:

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

RETURN SERVICE REQUESTED

RECEIVED

MAY 09 2001

WATER RESOURCES
WESTERN REGION

JESSE WALKER

VIRGINIA WALKER
4700 SE 4TH AVE
NEW PLYMOUTH, ID 83655

65-3166

65-3166

WALK700 T836552004 1401 08 05/07/01
RETURN TO SENDER
WALKER TEMPORARILY AWAY
RETURN TO SENDER

83655/5082





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

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

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

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

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

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

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

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

Sincerely,

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

AJ0749NP
No. R65-03166

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

DATE: 06/30/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	VIRGINIA WALKER	05/01/1909	IRRIGATION	05-01 09-15	1.14 CFS	
C	JESSE WALKER					
	4700 SE 4TH AVENUE			TOTAL DIVERSION:	1.14 CFS	
	NEW PLYMOUTH ID 83655					
	(208) 278-3380					

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
16N	03E	10	:	39				40												79.0
																			TOTAL ACRES	79.0

POU County: VALLEY

Other Rights: 65-03167

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	R65-03155	R65-03156	R65-03157	R65-03158A	R65-03158B	R65-03159A	R65-03159B	R65-03160
R65-03161	R65-03162	R65-03163	R65-03164	R65-03165	R65-03167	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. 65-03167 SHALL PROVIDE
NO MORE THAN .02 CFS PER ACRE MEASURED AT FIELD HEADGATE.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 65-03167 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 79 ACRES IN A SINGLE
IRRIGATION SEASON.

EXP WATER IS DELIVERED THROUGH MAHALA DITCH IN SECTION 10.
RIGHT NO. 65-03167 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: Verified Date: 06/30/1999 Objection Filed Date:

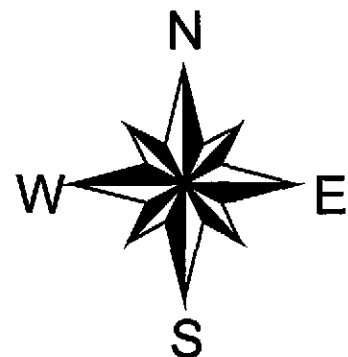
Misc: Water District Number: 65K Field Inspection Flag:

65-03166 & 65-03167



0 0.25 0.5 0.75 Miles

• Point of Diversion



Idaho Department of Water Resources

T16N, R03E
S10

Claim(s):

65-03166

Owner(s) Walker

Prepared by:

Ron Howerton

Date: 07 May 99

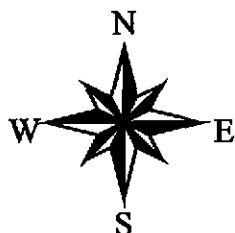
 Place of use

● POD

 SECTION LINES

 1/4 1/4 Lines

Acres



1987 NAPP



0 0.25 0.5 0.75 Miles



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:07:58
03/10/99

PAGE: 16
QUICKLOOK INFORMATION

64
CLAIM NUMBER: A65-03166

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV								
SOURCE								
PLACE OF USE								
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE								
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS								

Rec'd
IN - OFFICE
5-7-99

Rec'd
5-7-99

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:07:58
03/10/99

PAGE: 1
GENERAL INFORMATION

49
CLAIM NUMBER: A65-03166

LAST: JAMES L CRUICKSHANK TRUST
ADDRESS: RT1 BOX 70
CITY: MCCALL
PHONE NUMBER: 208-325-8549

FIRST:
STATE: ID ZIP: 83638

OWNER CODE: 0

LAST: WALKER
ADDRESS: 4700 SE 4TH AVENUE
CITY: NEW PLYMOUTH
PHONE NUMBER: 208-278-3380

FIRST: VIRGINIA
STATE: ID ZIP: 83655

OWNER CODE: C

LAST: WALKER
ADDRESS: 4700 SE 4TH AVENUE
CITY: NEW PLYMOUTH
PHONE NUMBER: 208-278-3380

FIRST: JESSE
STATE: ID ZIP: 83655

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

CONTACT PERSON: IN-OFFICE

PHONE NUMBER: () -

DATE OF FIELD EXAM: 5/2/99

APPOINTMENT MADE: Y() N(☒)

TIME: : A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

SEE - MAPS IN FILE

A. AJ CLAIM: # A65-03166 PRIORITY DATE: 05-01-1909 STAGE: D

B. WR RECORD: # 65-03166 PRIORITY DATE: 05-01-1909 STAGE: D

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

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

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

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

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED

N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE

N/A(☒) Y(☐) N(☐)

LICENSE ISSUED

N/A(☒) Y(☐) N(☐)

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

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

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

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

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

05-01-1909
REVIEWED BY Reh

DATE 5/7/99

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-03166	17N 03E	10		NW	NE			VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
* NONE

WR RECORDS IN SAME 40 ACRE TRACT

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

SOURCE: LAKE FORK CREEK

TRIB: PAYETTE RIVER, NORTH FORK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-03166	17N 03E	10		NW	NE			VALLEY		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

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

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: GIS NAPP PHOTOS

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

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

SOURCE: LAKE FORK CREEK

TRIB: PAYETTE RIVER, NORTH FORK

REVIEWED BY: Red

DATE: 5/2/99

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

MATHALA Ditch

A. ROOT WATER RIGHT NUMBERS: A65-03166

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
16N	03E	10	NE	NE		WALKER, VIRGINIA	A65-03166 / 39.0	65-03166 / 39.0	42.0		39
			NE	NE		MAHALA DITCH CO	A65-11326 / 39.0	65-11326 / 39.0			
			NE	NE		WALKER, JESSE	A65-03167 / 39.0	- /			
16N	03E	10	SE	NE		WALKER, VIRGINIA	A65-03166 / 40.0	65-03166 / 40.0	40.0		40.0
			SE	NE		MAHALA DITCH CO	A65-11326 / 40.0	65-11326 / 40.0			
			SE	NE		WALKER, JESSE	A65-03167 / 40.0	- /			40

ADDITIONAL POU FOUND

TOTAL ACRES A65-03166 79.00 79.00 82.00 79

POU COUNTY: VALLEY

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

Y() N(☒)

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

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-03166	LAKE FORK CREEK	WALKER, VIRGINIA	1.140	0.014		
A65-03167	LAKE FORK CREEK	WALKER, JESSE	0.460	0.005		
A65-11326	SPRINGS	MAHALA DITCH CO	3.000	0.002		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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

Y(☒) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A65-03167

65-03166 65-03167

DATE 5/7/99

65 - 11326

↑ MALLARD Ditch Co. (w29)

[illegible][illegible][illegible]

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

N/A() Y(☒) N()

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

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

N/A() Y(☒) N()

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

Y() N(☒)

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

Y() N(☒)

NOTES:

IONS: 79
TOTAL ACRES: _____ N/A(____)
REVIEWED BY: RDL DATE: 5/7/99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-03166 IRRIGATION	FROM 05-01 TO 09-15	1.140 CFS	
TOTAL DIVERSION RATE/VOLUME		1.140 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-03166 IRRIGATION	FROM 05-01 TO 09-15	1.140 CFS	
TOTAL DIVERSION RATE/VOLUME		1.140 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

58

CLAIM NUMBER: A65-03166

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 1.140 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 1.140 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 79 x 0.02 CFS/ACRE = 1.58 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 79 x DIVERSION VOL. AF/A FOR AREA 79 =

TOTAL DIVERSION VOLUME 158.0 AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 158.0 AF/A

ACRES 79 x CONSUMPTIVE VOL. AF/A FOR AREA 79 =

TOTAL CONSUMPTIVE USE 158.0 AF/A

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

1b. CALCULATIONS

LAKE FK
3166 - 1.14
3167 - .42
1.60
- 1.58
.02

Ditch Loss
OUT E28 MEAS
AT
FIELD HEAD

NOTES:

WR RECORD CONDITIONS/REMARKS:

NONE

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
IRRIGATION	05-01	09-15	DATABASE 1.140	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 158.0	EXAMINER _____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
TOTAL FOR THIS RIGHT			1.140	_____		_____	158.0	_____

NON-IRRIGATION USES CLAIMED: NONE

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

REVIEWED BY: REN DATE: 5/7/99

FLAG: _____

STANDARD CONDITIONS (CODE):
w 29

STANDARD REMARKS (CODE):
~~Point 1 - Limit to 79 Acres with 65-3167 OK~~

QNT-E28 MEAS AT FIELD HEADGATE

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):
MAYHAW Ditch & PID REMARKS FOS with 3167

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-03166

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 1.140	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-03166	1.140	-		65-03166	1.140
TOTAL CFS		1.140				1.140

DIVERSION RATE REVIEW

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

DATABASE	FIELD EXAMINER
Y	Y(☒) N()

NOTES:

AUTHENTICATION:

SIGNATURE:

NAME OF FIELD EXAMINER:

DATE:

TITLE:

Ron Howerton

5/7/99

RON HOWERTON

SR WR AGENT

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
☒ NAPP	DATE OF PHOTO <u>1987</u> IDWR ID NO. <u>Pow & P/D</u>	Y(☒) N() <u>2 maps</u>
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
☒ OTHER <u>OVERLAP R.</u>	DATE <u>5/7/99</u>	Y(☒) N()
☒ OTHER <u>PROFILE R.</u>	DATE <u>SHOWS AS DECREED IN SRBA</u>	Y(☒) N()
() OTHER _____	DATE _____	Y() N()

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:08:58
03/10/99
65

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-03166

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	VIRGINIA WALKER	05/01/1909	IRRIGATION	05-01 09-15	1.140 CFS	
C	JESSE WALKER					
					TOTAL DIVERSION:	1.140 CFS
					CONSUMPTIVE USE:	158.00 AFA

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	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
16N	03E	10	:	39				40												:	79.0
																				TOTAL ACRES	79.0

POU County: VALLEY

Non-Irrigation Uses: NONE

Other Rights: A65-03167

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65K

Field Inspection Flag:
Presumption Flag:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ABSTRACT

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
SOURCE: LAKE FORK CREEK								
<i>ROR</i> 65-3166 <i>WALKER</i>	WRIGHT JR., LEE C. ROUTE 1, BOX 254 FRUITLAND ID 83619	05-01-1909	IRRIGATION	05-01 09-15	1.14 CFS	NWNE S10 T17N R03E	NENE(39) SENE(40) DECREE S10 T16N R03E * 79 ACRES*	
<i>ROR</i> 65-3168	WRIGHT JR., LEE C. ROUTE 1, BOX 254 FRUITLAND ID 83619	05-01-1909	IRRIGATION	05-01 09-15	1.14 CFS	NWNE S10 T17N R03E	NWNE(39) SWNE(40) DECREE S26 T17N R03E * 79 ACRES*	
<i>ROR</i> 65-3170	WRIGHT JR., LEE C. ROUTE 1, BOX 254 FRUITLAND ID 83619	05-01-1909	IRRIGATION	05-01 09-15	1.14 CFS	NWNE S10 T17N R03E	NESE(39) NWSE(40) DECREE S26 T17N R03E * 79 ACRES*	
<i>ROR</i> 65-3188	CRUZEN, EDWARD A. DONNELLY ID 83615	12-31-1917	IRRIGATION	05-01 09-15	1.60 CFS	SENE S03 T17N R03E	NESW(36) NWSE(36) DECREE S16 T17N R03E * 72 ACRES*	
<i>ROR</i> 65-3189	CRUZEN, EDWARD A. DONNELLY ID 83615 P/U: T17N R03E S20 NENE(36) SWSE(29) NWNE(29) SWNE(32) S21 NESW(38) NWSW(34) SWSW(30)	09-20-1918	IRRIGATION	05-01 09-15	8.00 CFS SENE(34) SESW(31)	SENE S03 T17N R03E NESE(39)	DECREE NWSE(28)	* 396 ACRES*
<i>ROR</i> 65-3213	PHELPS, IVAN D. ROUTE 1, BOX 73 MC CALL ID 83638	09-30-1918	IRRIGATION	05-01 09-15	.80 CFS	SENE S03 T17N R03E	NESW(07) NWSW(30) DECREE SWSW(03) S22 T17N R03E	* 40 ACRES*
REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-8418 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.								

INDICATES TOTAL

RECEIVED

FILE

FEB 12 1987 IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF IDAHO

APR 07 1986

Department of Water Resources

STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

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. Kobitz

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

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 28th day of March, 1986.


JIM R. DOOLITTLE
DISTRICT JUDGE

54(b) Certificate

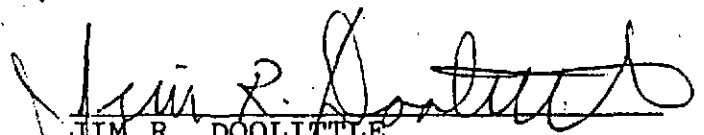
With respect to the issues determined by the above judgment, it is hereby CERTIFIED, in accordance with the Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final decree and that the court has and does direct that the above partial decree shall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

STATE OF IDAHO)
County of Gem) ss.

DATED this 28th day of March, 1986.

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

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


JIM R. DOOLITTLE
District Judge

By:  ORDERED AND PARTIAL DECREE, Page 3