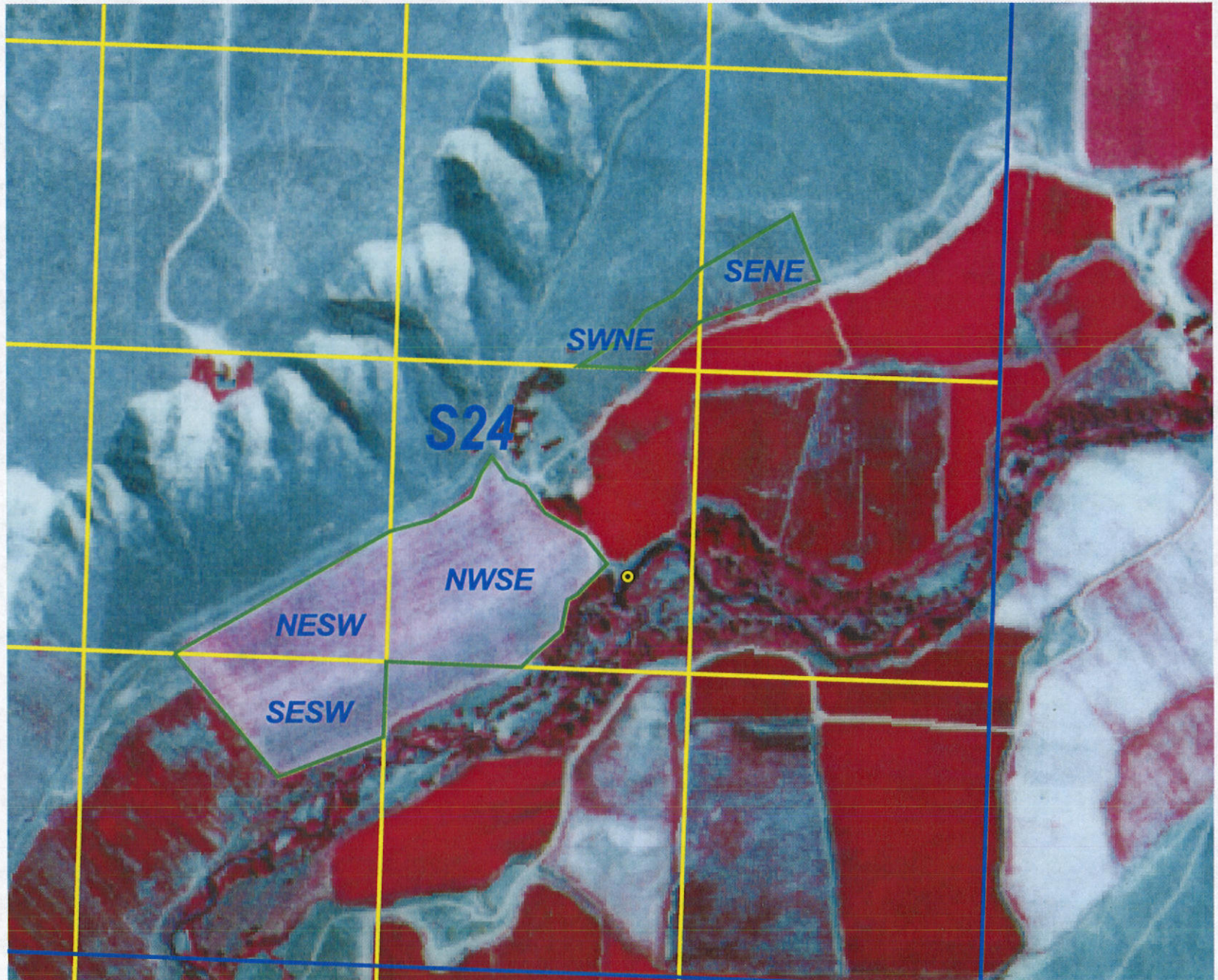


Idaho Department of Water Resources

T08N, R04W
S24

Claim(s) 65-04486B
Owner(s) Barker
& Sons INC
Prepared by:
Ron Howerton
Date: 03/13/00

-  Place of use
-  POD
-  SECTION LINES
-  1/4 1/4



1987 NAPP

0 0.25 0.5 0.75 Miles

Idaho Department of Water Resources

T08N, R04W
S24

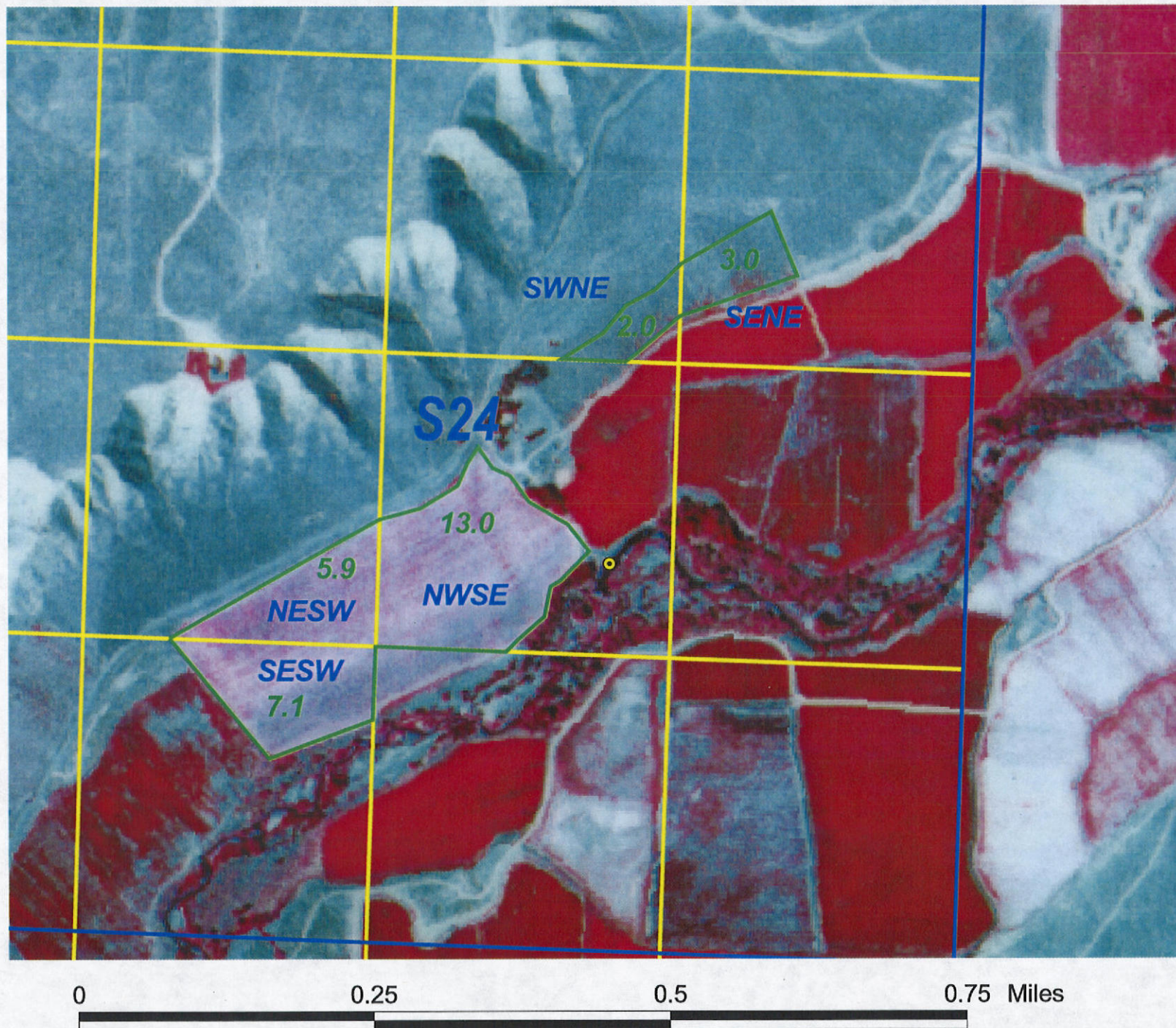
Claim(s) 65-04486B
Owner(s) Barker
& Sons INC
Prepared by:
Ron Howerton
Date: 03/13/00

-  Place of use
-  POD
-  SECTION LINES
-  1/4 1/4

31 Acres



1987 NAPP



11

61

19th, 20th, 21st

T&N P30
MARD

SWNE.

SENSE

DRY

65-7428

4486A

NE SW

(151)

102-57

0898-

88bH-5
88bH-4n

5

78W 24W
MAD "E"

T8U R4W N
T8U R3W W

T8N R3W

4486A	Mauu	4486B	Baker & Son Inc	4982	"	4983	"
							

281

੬੧੪

438

83

7407

704

270

① 10x1

A hand-drawn sketch of a ditch. An arrow points from the word "DITCH" (written vertically) to a line representing the ditch. There is a circled "C" above the ditch and a small "6" to the left.

DRY box
 covered by
 RAC (N2S)
 APRIL 1968
 (2)
 (4)

-7428

7428

(52)

4983

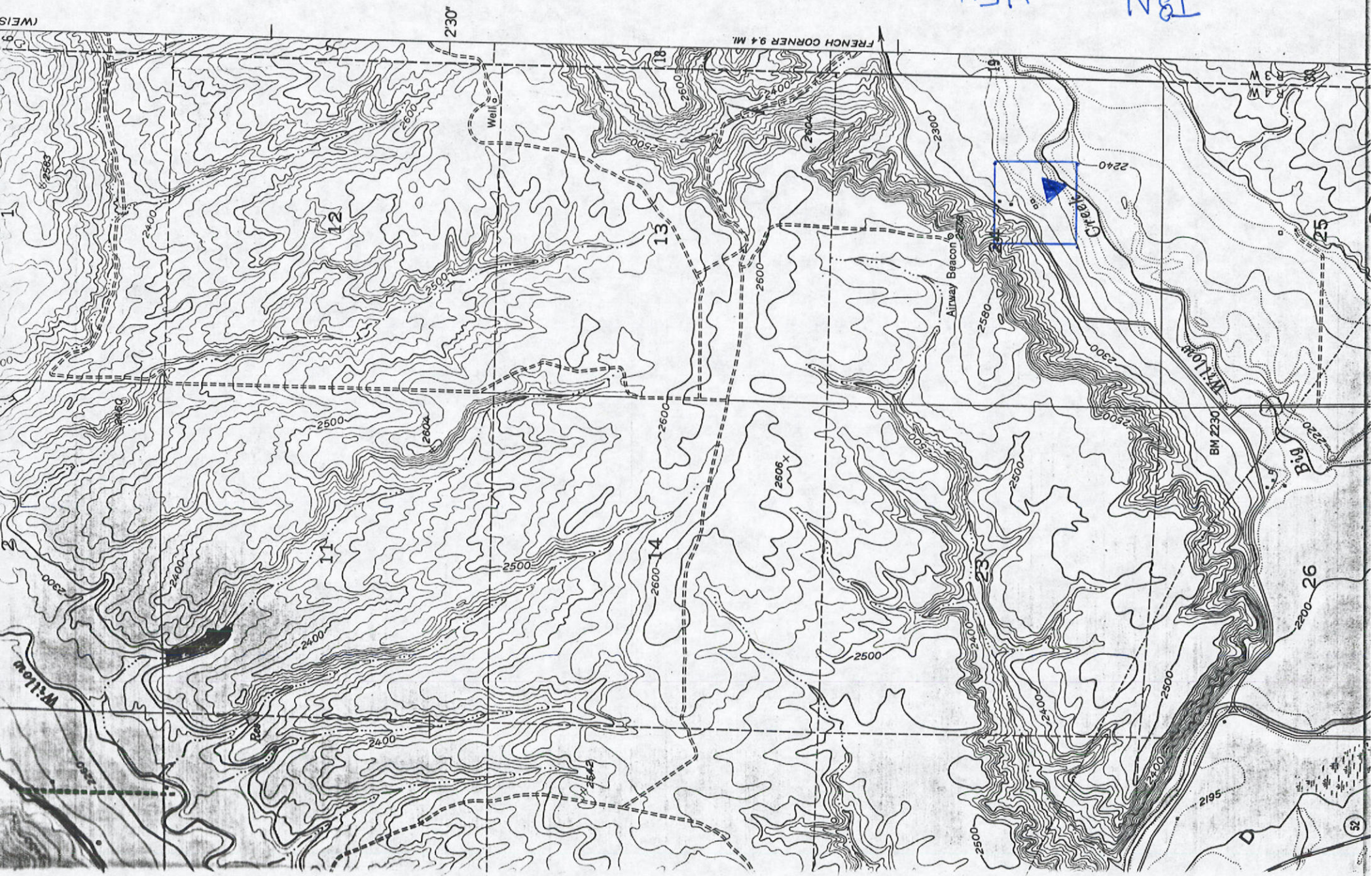


1

1

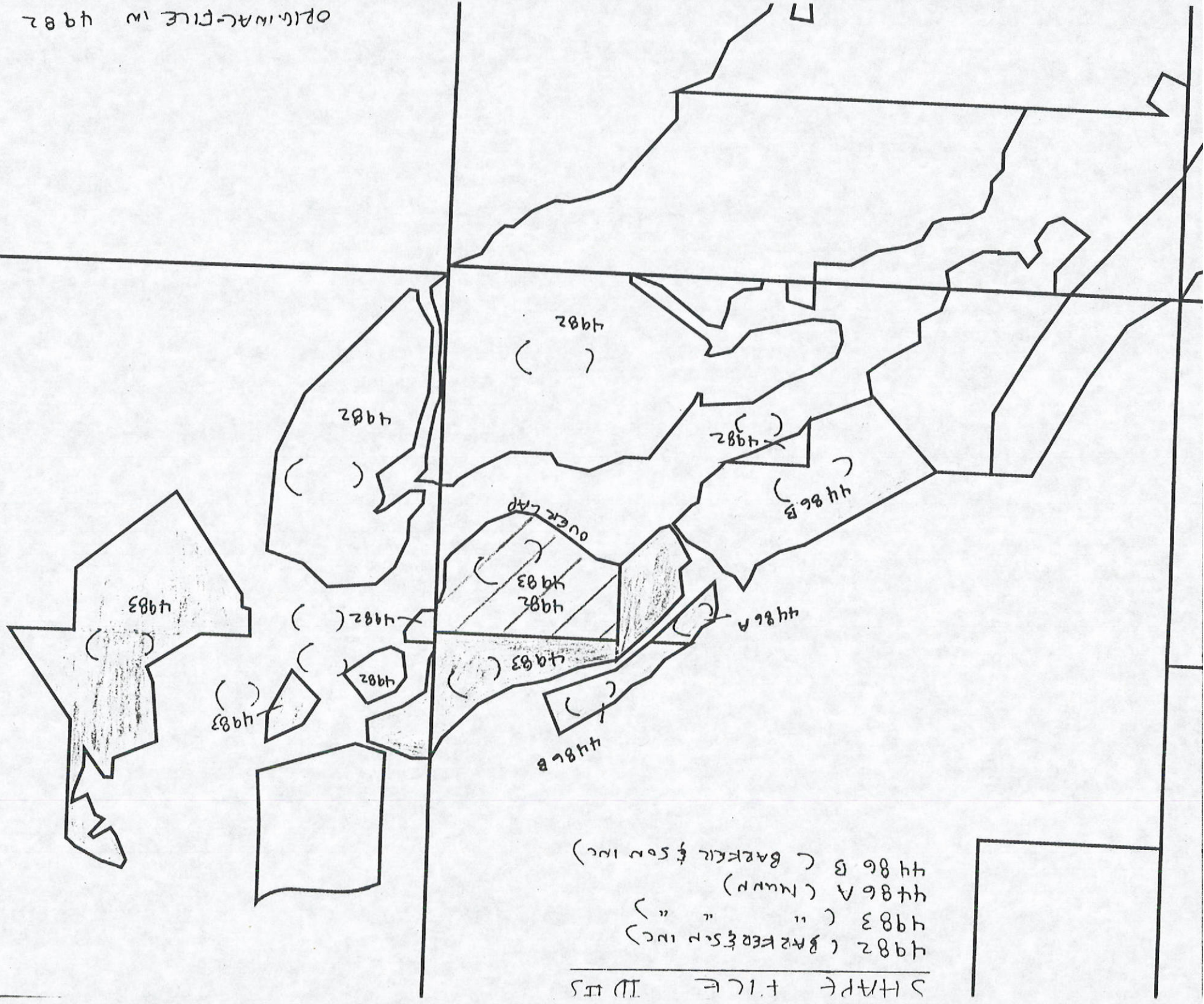
1

WEIS



T8N
R4W
S24
NWSE
US4
1952

ORIGINAL FILE IN 4982



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: A65-04486B
Date Received: 4/12/1990
Receipt No: X999999
Received By: _____

RECEIVED
APR 12 1990

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BARKER & SON INC. 208-287-3386
Address: 6000 BIG WILLOW RD.
PAYETTE, ID 83661

2. Date of Priority: MAR 15, 1913

3. Source: BIG WILLOW CREEK Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	04W	24	NW	SE			PAYETTE

5. Description of diverting works:
PUMP, PIPELINE, SPRINKLERS, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.660		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	04W	24	SW	NE		IRR	2.0
			SE	NE		IRR	5.0
			NE	SW		IRR	6.0

A65-04486B

Page 1

Date: 04/12/90

MICROFILMED
SEP 22 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	04W	24	SE	SW		IRR	4.0
			NW	SE		IRR	16.0
						Section Acres	33.0
						Total Acres	33.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Harrell Barker of
Title
Barker & Son Inc., that I have signed the foregoing
Organization
document in the space below as Pres. of
Title
Barker & Son Inc. and that the statements contained in the
Organization
foregoing document are true and correct.

Harrell Barker
Signature of Authorized Agent

Pres. of Barker & Son Inc.
Title and Organization

12 April 90
Date

State of Idaho)
County of AOA) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of April 19 90

Michael Gene Gibson
Notary Public

Seal

Residing at BOISE, Idaho
My Commission Expires 9-2-1994

RECEIVED

JAN 24 2002

WATER RESOURCES
WESTERN REGION

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

In Re SRBA)

Case No. 39576)

A. Subcase 65-4486B
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100
Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234
Daytime Phone: (208) 678-0461 (Dala Walton)

Name & Address of Attorney, if any:
David W. Gehlert (303 312-7352)
Trial Attorney, General Litigation Section
Environment and Natural Resource Division
U.S. Department of Justice
999 18th Street, Suite N 945
Denver, CO 80202

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT .

Name: Kristin Schwarz & JG Schwarz
Address: 6000 Big Willow Rd.
Payette, ID 83661

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

- ☒ **General Provision Basin 65 Irrigation & Other Part III (3) Separate Streams**
1. ☐ **Name and Address**
Should be:
 2. ☐ **Source**
Should be:
 3. ☐ **Quantity**
Should be:
 4. ☐ **Priority Date**
Should be:
 5. ☐ **Point(s) of Diversion**
Should be:
 6. ☐ **Instream Flow Description**
Should be:
 7. ☐ **Purpose(s) of Use**
Should be:
 8. ☐ **Period of Year**
Should be:
 9. ☐ **Place of Use**
Should be:
 11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S):

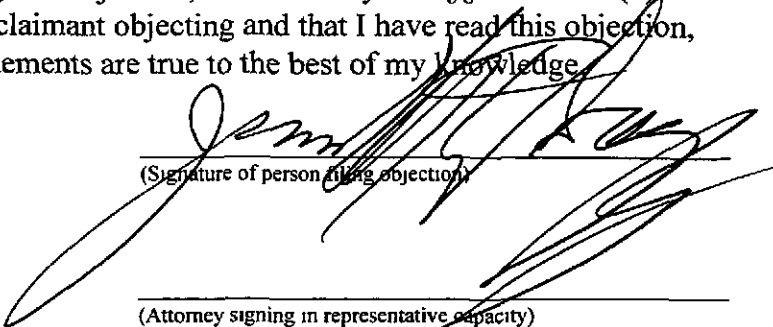
The Bureau of Reclamation objects to the separate stream provision of the Director's Report for Basin 65, Part III. These streams should be administered as part of the Payette River System in order to adequately protect water rights in the Payette River subbasin.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

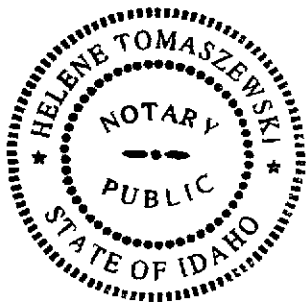
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 9, 2002




Helene Tomaszewski

Notary Public for: Idaho

Residing at: Meridian

My Commission Expires: 01-16-2002

INSTRUCTIONS FOR MAILING

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

G. CERTIFICATE OF MAILING

I certify that on January 17, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, 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, ID. 83303-2707

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

Name: Kristin Schwarz & JG Schwarz

Address: 6000 Big Willow Rd.
Payette, ID 83661

3. Copies to:

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

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Objector or attorney mailing on Objector's behalf

08/28/2001

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

RIGHT NUMBER: 65-4486B

NAME AND ADDRESS: JG SCHWARZ
KRISTIN SCHWARZ
6000 BIG WILLOW RD
PAYETTE, ID 83661

SOURCE: BIG WILLOW CREEK TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.62 CFS

PRIORITY DATE: 03/15/1913

POINT OF DIVERSION: T08N R04W S24 NWSE Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	0.62 CFS

PLACE OF USE:

IRRIGATION Within PAYETTE County

T08N R04W S24	SWNE	2	T08N R04W S24	SENE	3
T08N R04W S24	NESW	5.9	T08N R04W S24	SESW	7.1
T08N R04W S24	NWSE	13			

31 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL
PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR
FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS
MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN

TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE.
SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

RECEIVED**AUG 23 2001****WATER RESOURCES
WESTERN REGION**

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>See attached list</u>					
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s) Bett's Family Partnership
10775 Sucker Creek Rd.; Payette, ID
4. New Owner/Claimant(s) J.G. & Kristin Schwarz
 Name Connector (Check one) ☐ and, ☐ or, ☐ and/or
- New Mailing Address 6000 Big Willow Rd.
- City, State and ZIP Code Payette, ID 83661
- New Telephone Number 208-278-3898
5. Date you acquired the property 10-2000

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

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

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

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

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

For Office Use Only

Received by _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

ATTACHMENT TO NOTICE OF CHANGE OF WATER RIGHT
OWNERSHIP-----BETTIS TO J.G. & KRISTIN SCHWARZ

RECEIVED

AUG 23 2001

WATER RESOURCES
WESTERN REGION

IRRIGATION RIGHTS

A65-2204	A65-3128	A65-10533
-2500	-3247	-10534
-2501	-3248	-10535
-2601	-4486B	-10536
-3124A	-4487	-9076
-3125	-4982	-7789
-3126	-4983	-7603
-3127	-7136	

DOMESTIC & STOCK RIGHTS

A65-1217	A65-3457	A65-3458
-3459	-3491	-3492
-6708	-6709	-6710
-6711	-6712	-4489
-4490	-6459	

293806

STATE OF IDAHO } ss
County of Payette }

RECORDING INFORMATION:

Until a change is requested, all tax
statements shall be sent to:JKJ, LLC
6075 Big Willow Road
Payette ID 83661

After recording return to:

Alliance Title & Escrow Corp.
34 South Main
Payette ID 83661

Prepared by: Yturri Rose LLP, PO Box S, Ontario OR 97914

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

ALLIANCE TITLE & ESCROW CORP.

Time 4:50 PMDate May 22, 2001Instrument # 293806-Deed

LAURA L. STIGILE

Ex officio Recorder

By Kathryn A. Furrer

Deputy

Fee 912.00

WARRANTY DEED

GRANTORS, SHIRLEY SCOTT BARKER, a married woman dealing with her sole and separate property, joined in by her husband, DARRELL BARKER, as to any community property interest therein, 6000 Big Willow Road, Payette, Idaho 83661, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto JKJ, LLC, an Idaho Limited Liability Company, 6075 Big Willow Road, Payette, Idaho 83661, as GRANTEE, and to Grantee's heirs and assigns forever, all of the following described real property located in the County of Payette, Idaho:

See Exhibit A attached hereto and
by this reference incorporated herein

TOGETHER with all improvements, easements, hereditaments and appurtenances thereto, and subject to such rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises.

Subject to:

See Exhibit B attached hereto and by this reference incorporated herein.

Grantors, for themselves, their heirs and assigns do hereby covenant, warrant and shall defend the quiet and peaceable possession of said Premises by the Grantee, its heirs and assigns forever against the lawful claims of all persons.

In construing this Deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

293806

IN WITNESS WHEREOF, Grantors have hereunto subscribed their name to this instrument this 22nd day of May, 2001.

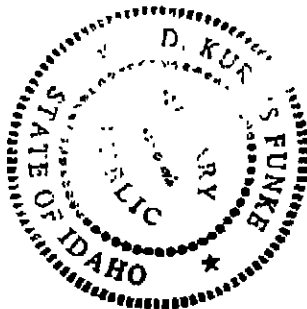
Shirley Scott Barker
Shirley Scott Barker

Darrell Barker
Darrell Barker

State of Idaho)
County of Payette) ss

On this 22nd day of May, 2001, before me the undersigned, a Notary Public for Idaho, personally appeared SHIRLEY SCOTT BARKER and DARRELL BARKER, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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



D. KUR'S FUNKE
Notary Public for Idaho
Residing at: PAYETTE
My commission expires: 01/24/05

293806

Exhibit A
(Legal Description)

1/4 NW 1/4

PARCEL I:

A portion of the NW1/4NW1/4 of Sec. 24, Twp. 8 N., R. 4 W., B.M., Payette County, Idaho, described as follows:

Commencing at the Northeast corner of the NW1/4NW1/4 of said Sec.;

thence South along the West boundary of the E1/2NW1/4, 2200 feet to the True Point of Beginning;

thence East parallel to the South boundary of the NW1/4 of said Sec., 800 feet;

thence South parallel to the West boundary of the SE1/4NW1/4 and NE1/4SW1/4, 600 feet;

thence West parallel to the North boundary of the NE1/4SW1/4, 800 feet;

thence North along the West boundary of the NE1/4SW1/4 and SE1/4NW1/4, 600 feet to the True Point of Beginning.

**Exhibit B
(Exceptions)**

1. Any rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit, rights of way and easements established or of record.
2. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
3. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof.
4. Taxes or special assessments which are not shown as existing liens by the public records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
5. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
Purpose: Telephone lines and equipment.
Recorded: May 11, 1904.
Book: A, Page: 89 of Official Records.
Affects: Sec. 24, Twp. 8 N., R. 4 W., B.M.
6. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
Granted to: American Telephone and Telegraph Company of Wyoming.
Purpose: Construct, operate and maintain a communication system.
Recorded: September 12, 1941 & May 26, 1941.
Instrument / File No. 50343, 50642, & 50645 of Official Records.
Affects: Secs. 13 & 24, Twp. 8 N., R. 4 W., B.M.
7. Reservations and exceptions in the United States Patent, and in the act authorizing the issuance thereof.
Recorded: March 2, 1943.
Official Records: 53979.
8. Easements, reservations, notes and/or dedications as shown on the official plat.
9. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
Granted to: Idaho Power Company, a corporation.
Purpose: Utilities.
Recorded: November 24, 1928.
Instrument / File No. 23052.
Book: 1, Page: 373 of Official Records.
10. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
Granted to: Idaho Power Company, a corporation.
Purpose: Utilities.
Recorded: June 21, 1974.
Instrument / File No. 155060 of Official Records.

293805

RECORDING INFORMATION:

Until a change is requested, all tax
statements shall be sent to:

JKJ, LLC
6075 Big Willow Road
Payette ID 83661

After recording return to:

Alliance Title & Escrow Corp.
34 South Main
Payette ID 83661

Prepared by: Yturri Rose LLP, PO Box S, Ontario OR 97914

STATE OF IDAHO } ss
County of Payette }

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

ALLIANCE TITLE & ESCROW CORP.

Time 4:49 PM

Date May 22, 2001

Instrument # 293805 - Deed

LAURA L. STIGILE

Public Recorder

By Kathryn A. Furrer

Deputy

Fee 12.00

WARRANTY DEED

GRANTORS, DARRELL BARKER and SHIRLEY SCOTT BARKER, Trustees of The Barker Family Living Trust, 6000 Big Willow Road, Payette, Idaho 83661, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto JKJ, LLC, an Idaho Limited Liability Company, 6075 Big Willow Road, Payette, Idaho, 83661, as GRANTEE, and to Grantee's heirs and assigns forever, all of the following described real property located in the County of Payette, Idaho:

See Exhibit A attached hereto and
by this reference incorporated herein

TOGETHER with all improvements, easements, hereditaments and appurtenances thereto, and subject to such rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises.

Subject to:

See Exhibit B attached hereto and by this reference incorporated herein.

Grantors, for themselves, their heirs and assigns do hereby covenant, warrant and shall defend the quiet and peaceable possession of said Premises by the Grantee, its heirs and assigns forever against the lawful claims of all persons.

In construing this Deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

293805

IN WITNESS WHEREOF, Grantors have hereunto subscribed their name to this instrument this
22nd day of May, 2001.

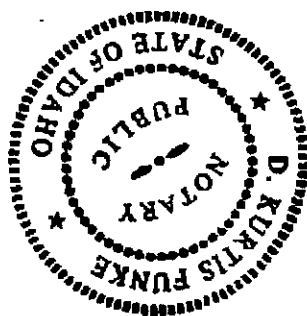
Darrell Barker
 Darrell Barker, Trustee of the Barker Family
 Living Trust

Shirley Scott Barker
 Shirley Scott Barker, Trustee of the Barker Family
 Trust

State of Idaho)
) ss
 County of Payette)

On this 22 day of May, 2001, before me the undersigned, a Notary Public for Idaho, personally appeared DARRELL BARKER and SHIRLEY SCOTT BARKER, as Trustees of The Barker Family Living Trust, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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



D. Kurtis Funke
 Notary Public for Idaho
 Residing at: Payette
 My commission expires: 01/21/05

293805

**Exhibit A
(Legal Description)**

Land in Twp. 8 N., R. 4 W., B.M., Payette County, Idaho:

In Sec. 24: NW1/4NE1/4; NE1/4NW1/4; SW1/4NE1/4 West of the County Road;
NW1/4SE1/4 West of the County Road;

SE1/4NW1/4; NE1/4SW1/4 West of the County Road;

EXCEPTING THEREFROM the following described parcel of land:

Commencing at the Northeast corner of the NW1/4NW1/4 of said Sec.;

thence South along the West boundary of the E1/2NW1/4, 2200 feet to the True Point of Beginning;

thence East parallel to the South boundary of the NW1/4 of said Sec., 800 feet;

thence South parallel to the West boundary of the SE1/4NW1/4 and NE1/4SW1/4, 600 feet;

thence West parallel to the North boundary of the NE1/4SW1/4, 800 feet;

thence North along the West boundary of the NE1/4SW1/4 and SE1/4NW1/4, 600 feet to the True Point of Beginning.

Land in Twp. 8 N., R. 4 W., B.M., Payette County, Idaho:

In Sec. 13: SE1/4SW1/4; SW1/4SE1/4; NE1/4SE1/4; NW1/4SE1/4;

EXCEPTING THEREFROM the following portion of the NW1/4SE1/4 of said Sec. 13:

Beginning at the East quarter corner of Sec. 13, Twp. 8 N., R. 4 W., B.M.;

thence N. 89°34' W. along the midsection line of said Sec., 1,764 feet, more or less, to a fence, and the True Point of Beginning;

thence S. 50°7.5' W. along said fence 1,107.5 feet to a point on the West boundary of the NW1/4SE1/4;

thence North along the West boundary of the NW1/4SE1/4, 710 feet, more or less, to the North boundary of the NW1/4SE1/4;

thence S. 89°34' E. along the North boundary of the NW1/4SE1/4, 850 feet to the True Point of Beginning;

**Exhibit B
(Exceptions)**

1. Any rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit, rights of way and easements established or of record.
2. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
3. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof.
4. Taxes or special assessments which are not shown as existing liens by the public records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
5. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
Purpose: Telephone lines and equipment.
Recorded: May 11, 1904.
Book: A, Page: 89 of Official Records.
Affects: Sec. 24, Twp. 8 N., R. 4 W., B.M.
6. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
Granted to: American Telephone and Telegraph Company of Wyoming.
Purpose: Construct, operate and maintain a communication system.
Recorded: September 12, 1941 & May 26, 1941.
Instrument / File No. 50343, 50642, & 50645 of Official Records.
Affects: Secs. 13 & 24, Twp. 8 N., R. 4 W., B.M.
7. Reservations and exceptions in the United States Patent, and in the act authorizing the issuance thereof.
Recorded: March 2, 1943.
Official Records: 53979.
8. Easements, reservations, notes and/or dedications as shown on the official plat.
9. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
Granted to: Idaho Power Company, a corporation.
Purpose: Utilities.
Recorded: November 24, 1928.
Instrument / File No. 23052.
Book: 1, Page: 373 of Official Records.
10. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
Granted to: Idaho Power Company, a corporation.
Purpose: Utilities.
Recorded: June 21, 1974.
Instrument / File No. 155060 of Official Records.

290023

Filed for Record at the Request of:

Space for Recorder's Use

J. G. and Kristin Schwarz
6075 Big Willow Road
Payette, Idaho 83661

State of Idaho, County of Payette

I certify that this instrument was filed for record at the request of **ALLIANCE TITLE & ESCROW CORP**
Time 10:36 a.m. Date Oct 5, 2000 Instrument # 290023-Needs
Laura L. Stigile, Ex-Officio Recorder by Jill R. Lamore Deputy Fee \$9.00

Payette

AFTER RECORDING MAIL TO:

Melanie G. Rubocki
Holland & Hart LLP
Suite 1400, 101 S. Capitol Blvd.
Boise, Idaho 83702

QUITCLAIM DEED

For good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, The Bettis Family Limited Partnership, an Idaho limited partnership ("Grantor"), hereby conveys, releases, remises and forever quitclaims unto J. G. and Kristin Schwarz, a married couple who resides at 6075 Big Willow Road, ^{Payette} ~~Boise~~, Idaho 83661, all of Grantor's right, title and interest in and to that certain parcel of real property located in Payette County, Idaho, and more particularly described in Exhibit A attached hereto, together with its appurtenances.

IN WITNESS WHEREOF, Grantor has executed this instrument the 4th day of October, 2000.

THE BETTIS FAMILY LIMITED
PARTNERSHIP,
an Idaho limited partnership

Harry L. Bettis
Harry L. Bettis, General Partner

(Notary acknowledgement follows)

No water right

QUITCLAIM DEED

Payette.doc

4/1/2000 7:1

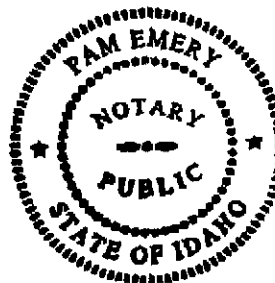
290023

STATE OF IDAHO)
)ss.
COUNTY OF Payette)

On this 4th day of October, 2000 before me, a notary public in and for said state, personally appeared HARRY L. BETTIS, as general partner of The Bettis Family Limited Partnership, known or identified to me to be the person who executed the instrument, and acknowledged to me that he executed the same.

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

Pam Emery
Notary Public
Residing at: Payette, Id.
My Commission Expires: 11-16-25



290023

Exhibit A

Legal Description

North one half of the Northwest Quarter of Section 33,
Township 8 North, Range 3 West, Boise Meridian,
Payette County, Idaho

2715413_1.DOC

241365
DEC 31 1992

BARGAIN AND SALE DEED

THIS INDENTURE, made the 30th day of December, 1992, between HARRY L. BETTIS, a single man, "Grantor," and THE BETTIS FAMILY LIMITED PARTNERSHIP, an Idaho limited partnership, whose current address is Star Route, Payette, Idaho 83661, "Grantee."

W I T N E S S E T H:

That Grantor, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by Grantee, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said Grantee, and to its heirs and assigns, forever, all of those certain pieces or parcels of land situate, lying and being located in the County of Payette, State of Idaho, particularly described as follows, to-wit:

See Exhibit A attached hereto and made a part hereof by this reference.

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and also all the estate, right, title, interest in the property, possession, claim and demand whatsoever, as well in law as in equity, of the Grantor, of, in or to the said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances, unto the said Grantee and to its heirs and assigns forever.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year first above written.

*Barker
parcels.*

Harry L. Bettis

HARRY L. BETTIS

241365

DEC 31 1992

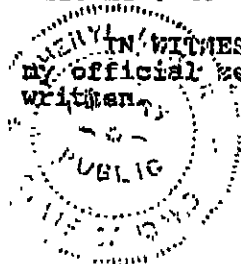
STATE OF Idaho)

County of Blaine)

ss.

On this 30th day of December, 1992, before me,
Sheri Miller, a notary public for said State,
personally appeared HARRY L. BETTIS, known or identified to me to
be the person who executed the instrument, and acknowledged to me
that he executed the same.

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



Sheri Miller
Notary Public
Residing at: Blaine
My Commission Expires: 7-1-94

25647

241965

DEC 24 1902

M. C. 1000

EXHIBIT ABarker and Sons, Inc. Ranch

Land in Twp. 8 N., R. 2 W., B.M., Payette County, Idaho:

In Sec. 30: Government Lots 3 and 4 and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
In Sec. 31: Government Lot 1;

Land in Twp. 8 N., R. 3 W., B.M., Payette County, Idaho:

In Sec. 1: S $\frac{1}{4}$ S $\frac{1}{4}$;
In Sec. 2: S $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
In Sec. 3: S $\frac{1}{4}$ SE $\frac{1}{4}$;
In Sec. 10: NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$; S $\frac{1}{4}$ SE $\frac{1}{4}$
In Sec. 11: All of Section;
In Sec. 12: W $\frac{1}{2}$ W $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$;
In Sec. 13: NW $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$;
In Sec. 14: All of Section;
In Sec. 15: NE $\frac{1}{4}$;
In Sec. 20: W $\frac{1}{2}$; SE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$;
In Sec. 21: S $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
In Sec. 22: SE $\frac{1}{4}$ NE $\frac{1}{4}$;
In Sec. 23: E $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$; NW $\frac{1}{4}$ and NE $\frac{1}{4}$ NE $\frac{1}{4}$;
In Sec. 24: NW $\frac{1}{4}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ SW $\frac{1}{4}$;
In Sec. 25: N $\frac{1}{2}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$;
In Sec. 26: E $\frac{1}{2}$; E $\frac{1}{2}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
In Sec. 27: S $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
In Sec. 28: W $\frac{1}{2}$; SE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$;
In Sec. 29: N $\frac{1}{2}$ and SE $\frac{1}{4}$;
In Sec. 30: NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$ and Government Lot 1;
In Sec. 31: E $\frac{1}{2}$ NE $\frac{1}{4}$;
In Sec. 32: N $\frac{1}{2}$;
In Sec. 19: E $\frac{1}{2}$; E $\frac{1}{2}$ W $\frac{1}{2}$; Government Lots 2, 3 and 4; and Government Lot 1 lying South of the County Road right of way EXCEPTING THEREFROM that portion that lies within Lots 1 and 2:
Commencing at the Southeast corner of said Lot 1;
thence S. 89°44'10" E., along the South boundary of said Lot 1 a distance of 56.10 feet to the TRUE POINT OF BEGINNING;
thence S. 0°15'11" E., 242.77 feet;
thence N. 89°44'10" W., parallel with the South boundary of Lot 1 a distance of 864.98 feet;
thence N. 0°06'57" W., 662.46 feet, more or less, to a point on the Southerly right of way line of the County Road as it now exists;
thence along said Southerly right of way the following four courses:
N. 68°15'30" E. 79.60 feet;

241965

DEC 31 1992

thence on a curve to the right a distance of 221.86 feet, whose radius is 555.25 feet, with a central angle of $22^{\circ}53'37''$ and a long chord that bears N. $79^{\circ}42'19''$ E., 220.39 feet;
 thence S. $88^{\circ}50'53''$ E., 322.21 feet;
 thence on a curve to the left 273.46 feet, which radius is 359.23 feet, with a central angle of $43^{\circ}36'58''$ and a long chord that bears N. $69^{\circ}20'38''$ E., 266.90 feet;
 thence leaving said right of way S. $0^{\circ}15'11''$ E., 580.73 feet, more or less, to the TRUE POINT OF BEGINNING.

Land in Twp. 8 N., R. 4 W., B.M., Payette County, Idaho:

In Sec. 24: The SE $\frac{1}{4}$ NE $\frac{1}{4}$; the NW $\frac{1}{4}$ NE $\frac{1}{4}$ lying Southeasterly of the County Road right of way; the SW $\frac{1}{4}$ NE $\frac{1}{4}$ lying Southeasterly of the County Road right of way; the S $\frac{1}{4}$ SE $\frac{1}{4}$; the NE $\frac{1}{4}$ SE $\frac{1}{4}$; the NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying Southeasterly of the County Road right of way; and the NW $\frac{1}{4}$ SE $\frac{1}{4}$ lying Southeasterly of the County Road right of way;
 EXCEPTING THEREFROM the following described parcel of land lying in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and in the SW $\frac{1}{4}$ NE $\frac{1}{4}$;
 Commencing at the Northwest corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 thence S. $89^{\circ}38'09''$ E., along the North boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, 565.60 feet, more or less to the East side of the County Road right of way, as it now exists, said point being the TRUE POINT OF BEGINNING;
 thence N. $20^{\circ}15'44''$ E., along said East side of said County Road right of way 78.52 feet;
 thence S. $21^{\circ}10'34''$ E., 259.25 feet;
 thence S. $31^{\circ}41'29''$ E., 204.65 feet;
 thence S. $54^{\circ}31'33''$ W., 52.76 feet;
 thence S. $67^{\circ}03'22''$ W. 242.42 feet;
 thence N. $31^{\circ}01'20''$ W. 175.30 feet to a point on the East side of said County Road right of way;
 thence N. $25^{\circ}17'32''$ E., along said right of way, 119.12 feet;
 thence N. $20^{\circ}15'44''$ E., along said right of way, 223.22 feet to the True Point of Beginning.

In Sec. 25: N $\frac{1}{4}$ NE $\frac{1}{4}$; and the following portion of the N $\frac{1}{4}$ NW $\frac{1}{4}$;
 Beginning at the Northeast corner of said N $\frac{1}{4}$ NW $\frac{1}{4}$;
 thence South following the East side line of said N $\frac{1}{4}$ NW $\frac{1}{4}$ to the Southeast corner thereof;

241965

DEC. 31 1992

thence West following the South side line of said N $\frac{1}{2}$ NW $\frac{1}{4}$ to the point where the same is intersected by the center line of Big Willow Creek;
 thence in a Northerly and Easterly direction following said center line to the point where the same intersects the North side line of said N $\frac{1}{2}$ NW $\frac{1}{4}$;
 thence East following said North side line to the Point of Beginning.

Land in Twp. 9 N., R. 3 W., B.M., Payette County:

In Sec. 25: SE $\frac{1}{4}$ SE $\frac{1}{4}$.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Naylor Ranch

That property located in Twp. 8 N., R. 2 W.B.M., Payette County, Idaho, described as follows:

Lot 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$,
 Section 2;
 S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 3;
 Lots 1, 2, 3 4, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$, Section 4;
 Lots 1, 2, 3, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$, Section 5;
 Lots 3, 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 7;
 NE $\frac{1}{4}$, W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8;
 N $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 9;
 NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 10;
 NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11;
 Lots 1, 2, 3, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 17

Including all water and ditch rights appurtenant thereto or used in connection therewith, if any. Subject to easements, rights-of-way, exceptions and reservations, if any.

Jack Miller Ranch

In Twp. 8 N., R. 2 W., B.M., Payette County, Idaho:

In Sec. 2: SW $\frac{1}{4}$ NW $\frac{1}{4}$ and Govt. Lot 4;
 In Sec. 3: Lots 1, 2, 3, 4 and NW $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$.

In Twp. 9 N., R. 2 W., B.M., Payette County, Idaho:

290024

290098

Sec 12 SWSW
Sec 13 all
Sec 24 N2

Payette County Property

Filed for Record at the Request of:

Space for Recorder's Use

J. G. and Kristin Schwarz
6075 Big Willow Road
Payette, Idaho 83661

State of Idaho, County of Payette

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

Time 10:38 AM Date Oct 5, 2000 Instrument # 290024

Laura L. Stigile, Ex-Officio Recorder by Judy B. Rammle

ALLIANCE TITLE & ESCROW CORP.

Deputy Fee \$27.00

AFTER RECORDING MAIL TO:

Melanie G. Rubocki
Holland & Hart LLP
Suite 1400, 101 S Capitol Blvd
Boise, Idaho 83702

State of Idaho, County of Payette

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

Time 4:58 PM Date Oct 10, 2000 Instrument # 290099

Laura L. Stigile, Ex-Officio Recorder by Judy B. Rammle

ALLIANCE TITLE & ESCROW CORP.

Deputy Fee \$57.00

405 000 798

WARRANTY DEED

FOR VALUE RECEIVED, The Bettis Family Limited Partnership, an Idaho limited partnership (the "Grantor"), does hereby grant, bargain, sell and convey unto J. G. and Kristin Schwarz, husband and wife, whose address is 6075 Big Willow Road, Payette / Emmett, Idaho 83661 (the "Grantees"), those parcels of real property located in Gem and Payette Counties and more particularly described on Exhibit A attached hereto.

TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees that the owner in fee simple of said premises, that said premises are free from all encumbrances except those described on Exhibit B attached hereto and that it will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, Grantor has executed this instrument the 4th day of October, 2000.

Bettis
to
Schwarz

THE BETTIS FAMILY LIMITED
PARTNERSHIP,
an Idaho limited partnership

Harry L. Bettis
Harry L. Bettis, General Partner

(Notary acknowledgement follows)

Instrument # 213390

EMMETT, GEM, IDAHO

2000-10-05 12:50:00 No. of Pages: 9

Recorded for: ALLIANCE TITLE & ESCROW

SUSAN K. HOWARD

Fee: 27.00

Ex-Officio Recorder Deputy Judy B. Rammle

Index to: DEED

290099

290024

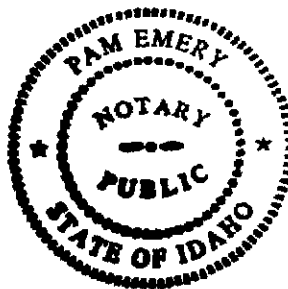
INSTRU. NO. 213390
PAGES 2 OF 9

STATE OF IDAHO)
)ss.
COUNTY OF Payette)

On this 4th day of October, 2000 before me, a notary public in and for said state, personally appeared HARRY L. BETTIS, as general partner of The Bettis Family Limited Partnership, known or identified to me to be the person who executed the instrument, and acknowledged to me that he executed the same.

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

Pam Emery
Notary Public
Residing at: Payette, Id.
My Commission Expires: 11-16-05



290099

290024

EXHIBIT A

Legal Description

INSTRU. NO. 213390
PAGES 3 OF 9

290099

290024

INSTRU. NO.	213390
PAGES	4 OF 9

EXHIBIT B

(See attached Schedule B - Section 2 from Title Commitment of Alliance Title

Order Nos. 4060000385 and 405000798)

BOISE:2715621_1.DOC

Nothing that impo to water right!

290099

290024

 INSTRUMENT NO. 213390
 PAGES 5 OF 9

Land in Township 8 North, Range 2 West, Boise Meridian, Payette County, Idaho, more particularly described as follows:

- Section 2: Lots 1, 2, & 4, S1/2N1/2, N1/2S1/2, SW1/4SW1/4, SE1/4SE1/4.
 Section 3: All.
 Section 4: All.
 Section 5: Lots 1, 2, & 3, S1/2N1/2, S1/2.
 Section 7: Lots 3 & 4, NE1/4NE1/4; S1/2N1/2; E1/2SW1/4, SE1/4.
 Section 8: All.
 Section 9: All.
 Section 10: W1/2, NE1/4, N1/2SE1/4. 3458
 Section 11: NE1/4NE1/4, N1/2SW1/4, SE1/4SW1/4, S1/2SE1/4, all that part of the S1/2NW1/4, N1/2SE1/4 and SW1/4NE1/4 which lies South and West of the 3459 following described line:
 Beginning at a point on the West section line on the West side of the SW1/4NW1/4 of Section 11, which is 1241 feet North of the West quarter corner of said Section 11: thence North 71°38' East 216 feet; thence North 68°52' East 50 feet to the North side line of said SW1/4NW1/4 of said Section 11; thence East following said North side line 978 feet; thence South 71°22' East 150 feet to the quarter-quarter section line in the East side of said SW1/4NW1/4 of said Section 11; thence South 57°37' East 785 feet; thence South 69°21' East 289 feet; thence South 81°59' East to the quarter section line at a point 710 feet North of the center of said Section 11; thence South 44°43' East 492 feet; thence South 58°23' East 697 feet to the North side line of the NW1/4SE1/4 of said Section 11; thence South 79°10' East 998 feet to a point in the NE1/4SE1/4 of said Section 11; thence South 58°15' East 490 feet; thence South 65°00' East 330 feet to a point on the East section line of said Section 11 which is 740 feet North of the Southeast corner of the NE1/4SE1/4 of said Section 11.
 Section 14: E1/2E1/2.
 Section 15: E1/2NW1/4, NW1/4NW1/4.
 Section 17: Lots 1 - 4, S1/2NW1/4, SE1/4NE1/4, S1/2.
 Section 18: Lots 1, 3, 4, & 7, S1/2NE1/4, SE1/4. ✓ 1217
 Section 19: Lots 1 - 4, S1/2SE1/4, SE1/4SW1/4.
 Section 20: E1/2, SW1/4.
 Section 21: W1/2W1/2.
 Section 30: N1/2NE1/4, NE1/4NW1/4, Lots 1, (3 & 4, SE1/4SW1/4.) ✓
 Section 31: Lot 1. ✓

CONTINUED

290099

290024

INSTRU. NO. 213392

PAGES 6 OF 9

Land in Township 8 North, Range 3 West, Boise Meridian, Payette County, Idaho, more particularly described as follows:

- Section 1: S1/2S1/2.
 Section 2: SW1/4SW1/4, S1/2SE1/4.
 Section 3: S1/2SE1/4.
 Section 4: In Government Lot 3 and that portion of Government Lot 2, of the SW1/4NE1/4 of the SE1/4NW1/4 and of the SW1/4 lying West of the center line of the county road, said center line being described as follows:
 Beginning at a point 211 feet East of the North quarter corner of said Section 4; thence South 28°30' West 240 feet; thence South 8°40' West 831 feet, more or less, to its intersection with the West side line of said SW1/4NE1/4, at a point which is 200 feet South of the Northeast corner of the SE1/4NW1/4; thence South 28°30' West 2644 feet; thence South 14°30' West 886 feet; thence South 29° West 570 feet to a point on the South side line of said SW1/4SW1/4, which is 800 feet East of the Southwest corner of said Section 4.
 Section 5: Lots 2, 3, & 4, S1/2NW1/4, S1/2.
 Section 6: Lots 1 - 6, SE1/4NW1/4; S1/2NE1/4, SE1/4, E1/2SW1/4.
 Section 7: E1/2.
 Section 8: W1/2, W1/2E1/2, E1/2NE1/4, NE1/4SE1/4.
 Section 9: S1/2SE1/4, SE1/4SW1/4 and that portion of the NW1/4NW1/4 lying West of the center line of the county road, said center line being described as follows:
 Beginning at a point on the North side line of said NW1/4NW1/4 which is 800 feet East of the Northwest corner of said Section 9; thence South 29° West 236 feet; thence South 21°45' West 886 feet; thence South 32°15' West 343 feet, more or less, to the South side line of said NW1/4NW1/4.
 X Section 10: E1/2NW1/4, S1/2SW1/4, E1/2. 6459
 Section 11: ALL
 Section 12: W1/2W1/2, NE1/4NW1/4, E1/2SW1/4, NW1/4NE1/4, SE1/4.
 Section 13: NE1/4NW1/4, S1/2NW1/4, NE1/4SW1/4, N1/2NE1/4, SE1/4NE1/4, SE1/4.
 Section 14: ALL.
 Section 15: ALL.
 Section 16: ALL.
 Section 17: ALL.
 Section 18: E1/2, E1/2SW1/4, Lot 4.
 Section 19: ALL. 4487, 4482, 4483, 4490
 Section 20: ALL.
 Section 21: ALL.
 Section 22: ALL.
 Section 23: W1/2, SE1/4, NE1/4NE1/4.
 Section 24: NW1/4NW1/4, S1/2SW1/4, E1/2.
 Section 25: N1/2NW1/4, SE1/4NW1/4, W1/2SW1/4, SE1/4SW1/4, E1/2.
 Section 26: ALL.
 Section 27: ALL.
 Section 28: W1/2, W1/2E1/2, SE1/4NE1/4, E1/2SE1/4. 4499, 4
 Section 29: N1/2, SE1/4.
 Section 30: NE1/4, NE1/4NW1/4, Lot 1.
 Section 31: E1/2NE1/4.
 Section 32: N1/2.
 Section 33: ~~N1/2NW1/4~~ *ca*

CONTINUED

290099

290024

INSTRU. NO.	213390
PAGES	7 OF 9

Land in Township 8 North, Range 4 West, Boise Meridian, Payette County, Idaho, more particularly described as follows:

Section 1: Lots 1 & 2, S1/2NE1/4, N1/2SE1/4.

Section 13: SE1/4SE1/4.

Section 24: E1/2NE1/4, S1/2SE1/4, NE1/4SE1/4; the NW1/4NE1/4, NE1/4SW1/4 and NW1/4SE1/4 lying Southeasterly of the county road right of way; EXCEPTING THEREFROM the following described parcel of land lying in the NW1/4SE1/4 and in the SW1/4NE1/4;

Commencing at the Northwest corner of the NW1/4SE1/4; thence South 89°38'09" East, along the North boundary of said NW1/4SE1/4, 565.60 feet, more or less, to the East side of the county road right of way, as it now exists, said point being the True Point of Beginning; thence North 20°15'44" East, along said East side of said county road right of way 78.52 feet; thence South 21°10'34" East, 259.25 feet; thence South 31°41'29" East, 204.65 feet; thence South 54°31'33" West, 52.76 feet; thence South 67°03'22" West, 242.42 feet; thence North 31°01'20" West, 175.30 feet to a point on the East side of said county road right of way; thence North 25°17'32" East, along said right of way, 119.12 feet; thence North 20°15'44" East, along said right of way, 223.22 feet to the True Point of Beginning.

Section 25: N1/2NE1/4, and the following portion of the N1/2NW1/4;

Beginning at the Northeast corner of said N1/2NW1/4; thence South following the East side line of said N1/2NW1/4 to the Southeast corner thereof; thence West following the South side line of said N1/2NW1/4 to the point where the same is intersected by the center line of Big Willow Creek; thence in a Northerly and Easterly direction following said center line to the point where the same intersects the North side line of said N1/2NW1/4; thence East following said North side line to the Point of Beginning.

Land in Township 9 North, Range 2 West, Boise Meridian, Payette County, Idaho, more particularly described as follows:

Section 33: S1/2, S1/2N1/2.

Section 34: SE1/4SE1/4, E1/2NW1/4, SW1/4, NW1/4SE1/4.

Section 35: SW1/4.

CONTINUED

290099

290024

INSTRU. NO.	213392
PAGES	8 OF 9

Land in Township 9 North, Range 3 West, Boise Meridian, Payette County, Idaho, more particularly described as follows:

Section 21: S1/2SE1/4.

Section 25: SE1/4SE1/4.

Section 28: S1/2NW1/4, SW1/4, E1/2.

Section 29: E1/2, E1/2W1/2, S1/2SW1/4SW1/4, NW1/4SW1/4SW1/4.

Section 32: W1/2, NE1/4NE1/4, S1/2NE1/4, N1/2SE1/4, SW1/4SE1/4.

Section 33: W1/2, W1/2NE1/4 and that portion of the E1/2NE1/4 lying West of the center line of the county road, said center line being described as follows:
Beginning at a point 57.5 feet West of the Northeast corner of said Section 33; thence South 22°15' West 615 feet; thence South 14°45' West 1608 feet; thence South 38°30' West 640 feet, more or less, to a point on the South side line of said E1/2NE1/4, which is 1120 feet West of the East quarter corner of said Section 33;

ALSO, all that portion of the W1/2SE1/4 lying West of the center line of the county road, said center line being described as follows:

Beginning at a point 200 feet South of the Northeast corner of said W1/2SE1/4; thence South 28°30' West 2770 feet, more or less, to the South quarter corner of said Section 33.

290099

290024

Arb 0001

That property located in Township 8 North, Range 2 West, B.M., Gem County, Idaho, described as follows:

Section 13: The NW $\frac{1}{4}$; the W $\frac{1}{2}$ of the NE $\frac{1}{4}$; the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, and the S $\frac{1}{2}$

Section 24: The N $\frac{1}{2}$ of the NW $\frac{1}{4}$; the N $\frac{1}{4}$ of the NE $\frac{1}{4}$; the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$.

That part of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 12, Township 8 North, Range 2 West, B.M., which lies South and West of the following described line:

BEGINNING at a point on the West line of said Section 12, which is 740 feet North of the Southwest corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 12; thence

South 51°44' East 85 feet; thence

South 63°06' East 1450 feet, to a point in the Southwest part of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 12; thence

South 32°22' East 492 feet; thence

South 4°54' East 137 feet; thence

South 65°17' East 388 feet; thence

South 36°17' East 1417 feet to the South line of said Section 12, which is 2418 feet East of the Southwest corner of said Section 12.

INSTRUMENT NO. 213390
PAGES 9 OF 9

Idaho Department of Water Resources

**T08N, R04W
S24**

Claim(s) 65-04486B

Owner(s) Barker
& Sons INC

Prepared by:
Ron Howerton
Date: 03/13/00

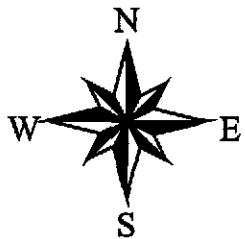


 Place of use

 POD

 SECTION LINES

 1/4 1/4



1987 NAPP



01/12/2001

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

RIGHT NUMBER: 65-4486B

NAME AND ADDRESS: BARKER & SON INC
6000 BIG WILLOW RD
PAYETTE, ID 83661

SOURCE: BIG WILLOW CREEK TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.62 CFS

PRIORITY DATE: 03/15/1913

POINT OF DIVERSION: T08N R04W S24 NWSE Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	0.62 CFS

PLACE OF USE:

<u>IRRIGATION Within PAYETTE County</u>					
T08N R04W S24	SWNE	2	T08N R04W S24	SENE	3
T08N R04W S24	NESW	5.9	T08N R04W S24	SESW	7.1
T08N R04W S24	NWSE	13			

31 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

AJ0749NP
No. R65-04486B

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

DATE: 03/16/00
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BARKER & SON INC 6000 BIG WILLOW RD PAYETTE ID 83661 (208) 287-3386	03/15/1913	IRRIGATION	03-15 11-15	0.620 CFS	
TOTAL DIVERSION:					0.620 CFS	

Water Source: BIG WILLOW CREEK

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion: T08N R04W S24 NWSE

PAYETTE 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
08N	04W	24	:			02		03	:					05		07	:			13	
																			TOTAL ACRES	31.0	

POU County: PAYETTE

Remarks: EXP RIGHT NO. 65-04486A IS ALSO DIVERTED THROUGH POINT OF *J DEL*
DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: Verified Date: 03/16/2000 Objection Filed Date:

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

Audit: 03/16/00 RHOWERTO

C 18

WR5809NP
No. 65-04486 B

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/13/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BARKER & SON INC. STAR ROUTE PAYETTE ID 83661	03/15/1913	IRRIGATION	03/15 11/15	0.660 CFS	
TOTAL DIVERSION:					0.660 CFS	.62 CFS

Water Source: BIG WILLOW CREEK Tributary to: Stage: DECREED
Point(s) of Diversion: T08N R04W S24 NWSE PAYETTE County

Place of use Legal Description for: IRRIGATION

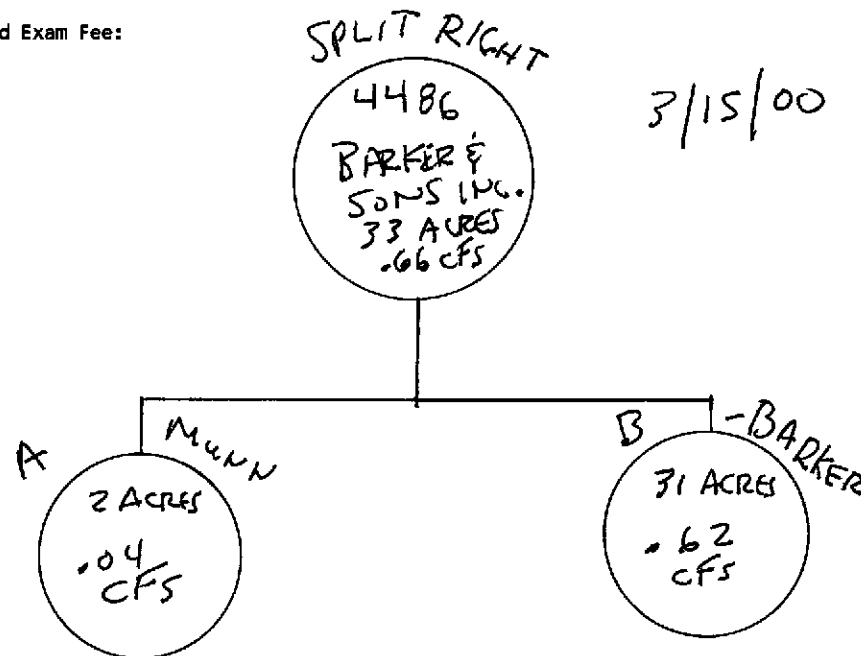
NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
08N	04W	24	:					:					:					:					:	
			:			02	05	:					:	00		04		:			38	13	:	33.0
			:			1	3	:					:	5.9		7.1		:			TOTAL ACRES		:	31

Pou County: PAYETTE

Dates: App. Received: Priority Date: 03/15/1913
Proof Due Date:
Exam Made Date: Proof Made Date:
Licensed Date: Exam Sent to S.O.:

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT



Idaho Department of Water Resources

**T08N, R04W
S24**

Claim(s) 65-04486B

Owner(s) Barker
& Sons INC

Prepared by:

Ron Howerton

Date: 03/13/00

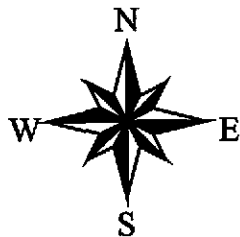
 Place of use

 POD

 SECTION LINES

 1/4 1/4

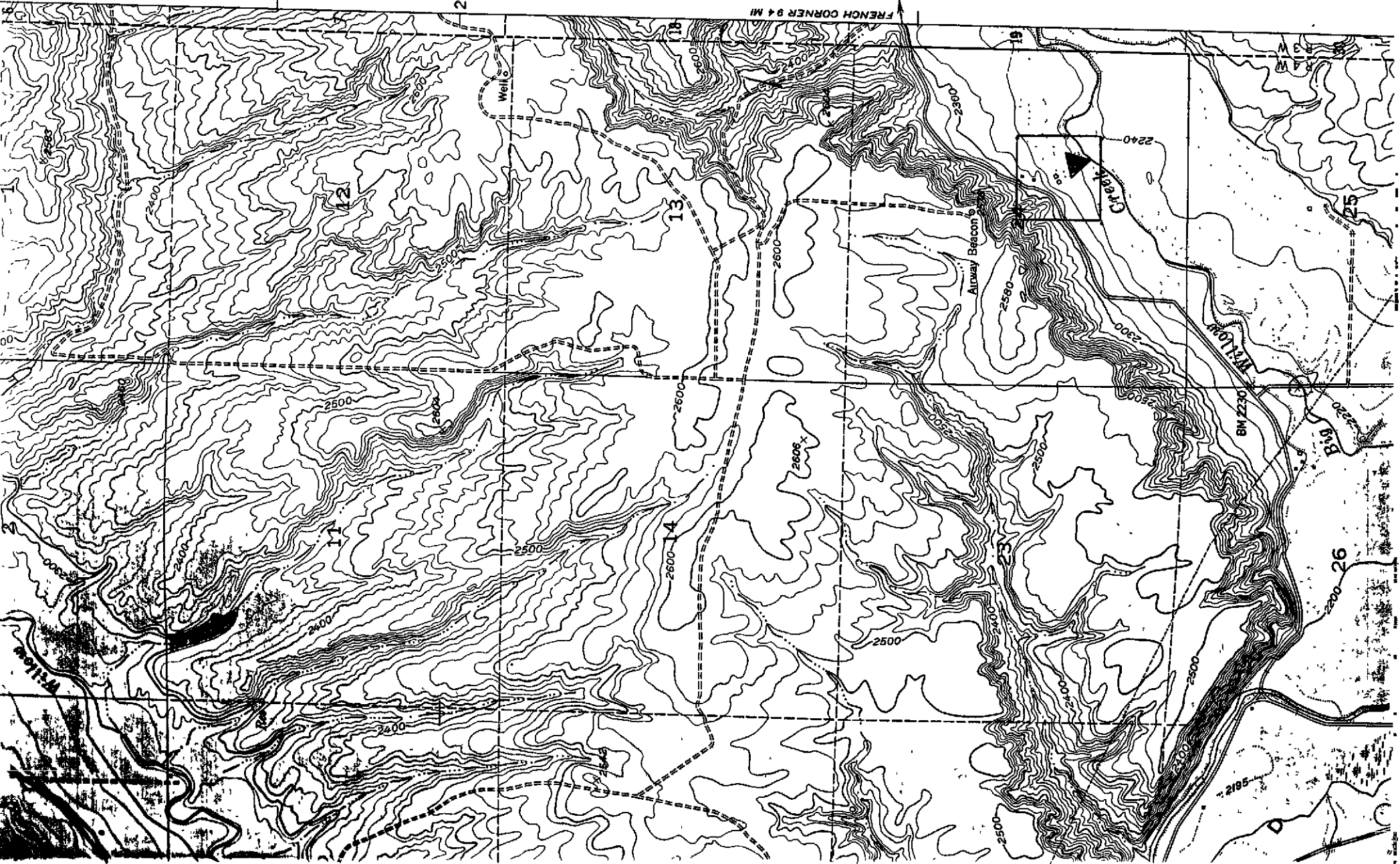
31 Acres



1987 NAPP

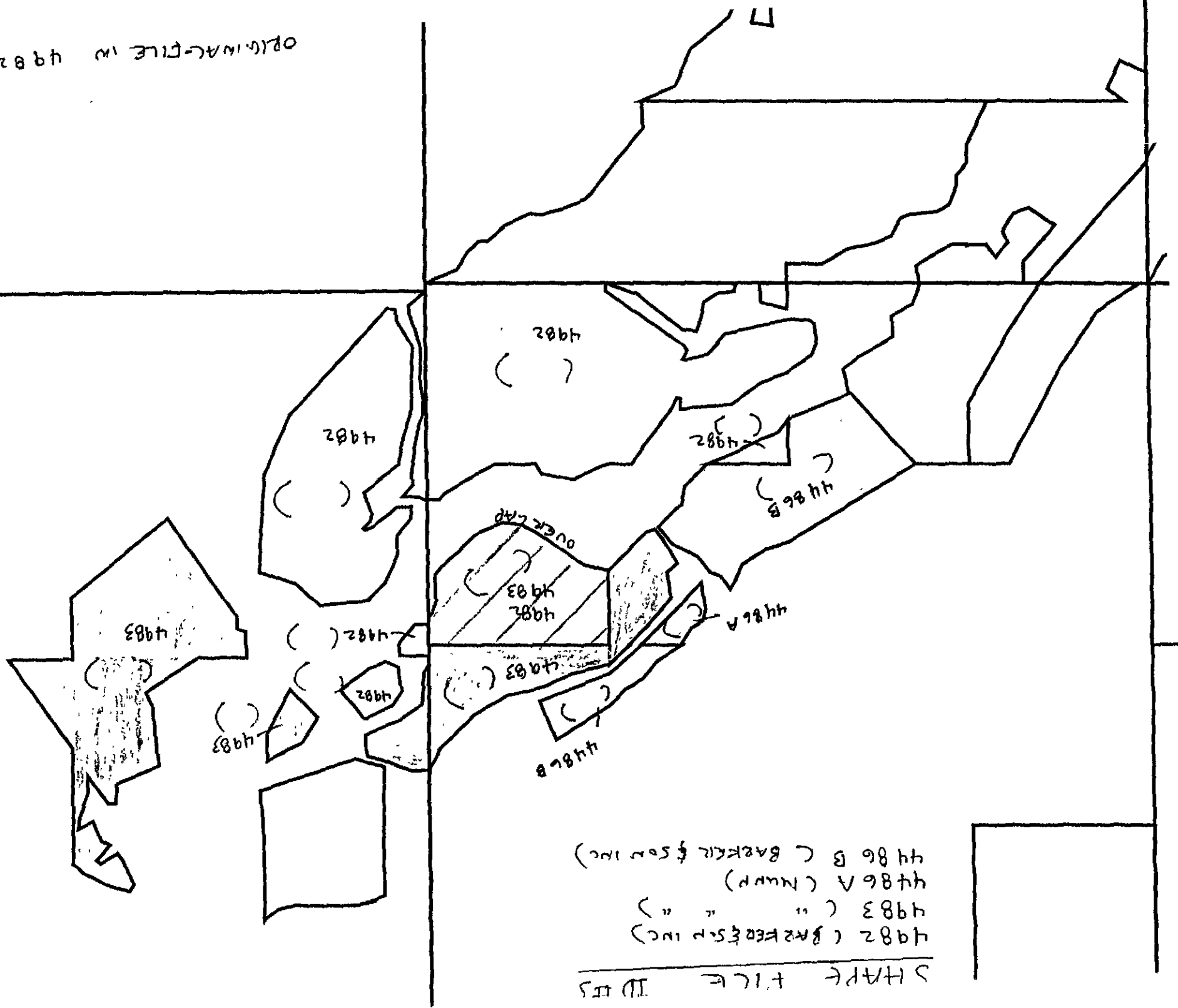


WELLS



T8N
R4W
S24
NWSE
US4
1952

ORIGINAL FILE IN 4982



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM #: 65-04486 B

CLAIMANT: Barker & Son, Inc.

Overlap Claim Numbers: ~~65-04486 A~~

Date: 10-28-99

				NE				NW				SW				SE				Sum
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	8N	4W	24			2	5					6			4		16			33
GIS						2	8					6			4		16			33
							3					5.9			7.1		13			31
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

POU_ID #(s): 1, 3

POD_ID #(s): 14

Total Claimed Acres: 33 (SPLIT) 2 FROM ORIGINAL CLAIM

Total GIS Acres: 3531

COMMENTS:

land on this claim is owned by Bettis

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:19:01
03/15/00

PAGE: 15
QUICKLOOK INFORMATION

15
CLAIM NUMBER: A65-044868

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			Rch					Rch
POINT OF DIV			3/15/00					3/15/00
SOURCE			W/ACE					
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	.							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM	Y							
REMARKS								

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:19:01
03/15/00

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-044868

LAST: BARKER & SON INC FIRST:
ADDRESS: 6000 BIG WILLOW RD
CITY: PAYETTE STATE: ID ZIP: 83661
PHONE NUMBER: 208-287-3386

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

FIELD
EXAMINER
DATABASE
N

FIELD EXAMINATION INFORMATION

CONTACT PERSON: IN-OFFICE PHONE NUMBER: () -
DATE OF FIELD EXAM: 3/15/00 APPOINTMENT MADE: Y() N(1) TIME: : A() P()
ACCOMPANIED BY: PHONE NUMBER: () -
RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / NOTES:

SEE MAPS IN FILE

A. AJ CLAIM: # A65-04486B PRIORITY DATE: 03-15-1913 STAGE: D

B. WR RECORD: # 65-04486 PRIORITY DATE: 03-15-1913 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:
03-15-1913
REVIEWED BY Reh

DATE 3/15/00

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
A65-04486B	08N 04W	24		NW	SE			PAYETTE		
OTHER AJ CLAIMS WITH SAME AJ POD			WR RECORDS IN SAME 40 ACRE TRACT							
A PREFIX R PREFIX										
A65-04486A 65-04488			65-04488							
A65-04488										

SOURCE: BIG WILLOW CREEK

TRIB:

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
65-04486	08N 04W	24		NW	SE			PAYETTE		
OTHER WR RECORDS WITH SAME WR POD			AJ CLAIMS IN SAME 40 ACRE TRACT							
			A PREFIX R PREFIX							
65-04488			A65-04486A 65-04488							
			A65-04488							

SOURCE: BIG WILLOW CREEK

TRIB:

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

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

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

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

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

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

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

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

I. HOW WAS THE POD AND SOURCE VERIFIED?

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

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

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: VERIFIED BY PRBA § 1987 CWS § 1952 TOPO

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

TWP. 08N	RGE. 04W	SEC. 24	1/4	1/4 NW	1/4 SE	LOT	POD FLAG	COUNTY PAYETTE	DIVERSION NAME	DIVERSION NBR

SOURCE: BIG WILLOW CREEK

TRIB: Payette River

REVIEWED BY: Rdh

DATE: 3/15/00

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

Pump, pipeline, sprinklers, ditch

A. ROOT WATER RIGHT NUMBERS: A65-04486
A65-04486A
A65-04486B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08N	04W	24	SW	NE		BARKER & SON INC	A65-04486B / 2.0	- /	3.0		
			SW	NE		LOWER PAYETTE DITCH CO	A65-07882 / 20.0	- /			2
			SW	NE		LOWER PAYETTE DITCH COMPANY	A65-07428 / 20.0	- /			
			SW	NE		BARKER & SON INC.		65-04486 / 2.0			
08N	04W	24	SE	NE		BARKER & SON INC	A65-04486B / 5.0	- /	30.0		
			SE	NE		LOWER PAYETTE DITCH CO	A65-07882 / 40.0	- /			3
			SE	NE		LOWER PAYETTE DITCH COMPANY	A65-07428 / 40.0	- /			
			SE	NE		BARKER & SON INC.		65-04486 / 5.0			
08N	04W	24	NE	SW		BARKER & SON INC	A65-04486B / 6.0	- /	5.0		
			NE	SW		BARKER & SON INC.		65-04486 / 6.0			5.9
08N	04W	24	SE	SW		BARKER & SON INC	A65-04486B / 4.0	- /	36.0		
			SE	SW		PENCE JR, THOMAS F	A65-02019 / 19.0	65-02019 / 19.0			
			SE	SW		PENCE JR, THOMAS F	A65-02620 / 19.0	65-02620 / 19.0			7.1
			SE	SW		BARKER & SON INC.		65-04486 / 4.0			
08N	04W	24	NW	SE		BARKER & SON INC	A65-04486B / 16.0	- /	32.0		
			NW	SE		MUNN, MARIE H	A65-04488 /	65-04488 /			
			NW	SE		MUNN, MARIE H	A65-04486A / 2.0	- /			13
			NW	SE		MUNN, MARIE H	65-04488 /	- /			
			NW	SE		BARKER & SONS INC	A65-04982 / 4.0	65-04982 / 4.0			
			NW	SE		BARKER & SON INC.		65-04486 / 16.0			

ADDITIONAL POU FOUND

TOTAL ACRES A65-04486B 33.00 106.00

POU COUNTY: PAYETTE

31

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
A65-04486B	BIG WILLOW CREEK	BARKER & SON INC	0.660	0.020		
A65-02019	PAYETTE RIVER	PENCE JR, THOMAS F	1.380	0.020		
A65-02620	GROUNDWATER	PENCE JR, THOMAS F	3.000	0.010		
A65-04486A	BIG WILLOW CREEK	MUNN, MARIE H	0.040	0.020		
A65-04982	PAYETTE RIVER	BARKER & SONS INC	4.180	0.020		
A65-07428	PAYETTE RIVER	LOWER PAYETTE DITCH COMPANY	4.800	0.021		
A65-07882	GRAVEYARD GULCH WASTEWAY	LOWER PAYETTE DITCH CO	30.000	0.002		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-04488	DOMESTIC	MUNN, MARIE H	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-04488	DOMESTIC	MUNN, MARIE H	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A

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

Y() N(☒)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

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(☒)

different ACRES
SAME TRACTS DUE
TO GIS MAP 1987
MAPPING

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

(X) NAPP, IDWR NO. 1987; () ASCS PHOTO; (X) OTHER PRBA MAP

NOTES: BARKER & SONS CLAIMED SPLIT BUT NOT LESS
ACRES.

DETERMINED MUNNS SPLIT ACRES FROM PRBA MAP
AND SUBTRACTED FROM BARKERS.

SEE SPLIT RIGHT ATTACHMENT. (ON WR PROFILE RPT)

RECOMMENDATIONS:

TOTAL ACRES: 31 N/A()

REVIEWED BY: Rch

DATE: 3/15/00

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-04486B IRRIGATION	FROM 03-15 TO 11-15	0.660 CFS	
TOTAL DIVERSION RATE/VOLUME		0.660 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-04486 IRRIGATION	FROM 03-15 TO 11-15	0.660 CFS	
TOTAL DIVERSION RATE/VOLUME		0.660 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: 9

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

CLAIM NUMBER: A65-04486B

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.660 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.660 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 31 x 0.02 CFS/ACRE = .62 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

SPLIT RIGHT
SEE
ATTACHMENT

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	03-15	11-15	DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
			~~0.660~~	_____		_____	~~0.0~~	_____
			.62	_____		_____		_____
				_____		_____		_____
				_____		_____		_____
				_____		_____		_____
TOTAL FOR THIS RIGHT			~~0.660~~	_____		_____	0.0	_____
			.62	_____		_____		_____

NON-IRRIGATION USES CLAIMED: NONE

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

REVIEWED BY: Red DATE: 3/15/00

FLAG: _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE): _____

EXPLANATORY CONDITIONS (CODE): _____

EXPLANATORY REMARKS (CODE):

Exp FOS

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: 65-04486

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 0.660 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A65-04486	A65-04486A	0.040	-	-	65-04486	0.660
-	A65-04486B	0.620	-	-	-	-
TOTAL CFS		0.700	0.66			0.660

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 N FIELD EXAMINER Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: Ron Howerton DATE: 3/15/00

NAME OF FIELD EXAMINER: Ron Howerton TITLE: _____

Sr Water Agent

SPLITS
OK

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 <u>1952</u> IDWR ID NO. <u>U54</u>	Y(☒) N(☐)
☒ TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y(☐) 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(☐)
☒ OTHER <u>PR Bm MAP</u>	DATE _____	Y(☒) N(☐)
☒ OTHER <u>PROFILE</u>	DATE <u>WR RECORD</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 <u>3/15/00</u>	<u>1</u>	<u>CLAIMED SPLIT Bm</u> <u>DIDNT SHOW LESS ACRES</u>
() 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

10:19:44
03/15/00
16

PAGE: 16
PROFILE REPORT

CLAIM NUMBER: A65-044868

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BARKER & SON INC	03/15/1913	IRRIGATION	03-15 11-15	0.660 CFS	
TOTAL DIVERSION:					0.660 CFS	

Water Source: BIG WILLOW CREEK Tributary to: Stage: DECREED

Point(s) of Diversion: T08N R04W S24 NWSE PAYETTE County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
08N	04W 24			02	05					06			04			16		33.0
TOTAL ACRES																	33.0	

POU County: PAYETTE

Non-Irrigation Uses: NONE

Other Rights: NONE

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number: 65	Field Inspection Flag:	Presumption Flag:



State of Idaho

DEPARTMENT OF WATER RESOURCES

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