

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 386

INDICATES TOTAL

SOURCE: GROUNDWATER

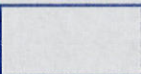
RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-1881	MC NELIS, EDWARD J. ROUTE 3, EMMETT, IDAHO 83617	12/ 1/1953	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NENE S 6 T 6N R 1W	NENE S 6 T 6N R 1W	BENEFICIAL USE
65-4407	BARKER, CLIFFORD STAR ROUTE, PAYETTE, IDAHO 83661	1/ 1/1954	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NWNW S19 T 8N R 3W	NENW S19 T 8N R 3W	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	8.10 AFA .14 CFS		SAME AS OTHER USE	
			IRRIGATION	3/15 11/15	--- AFA .40 CFS *---*AFA *.40*CFS		NWNW(10) SWNW(10) S19 T 8N R 3W *20*	
65-5910	JOHNSON, A. O. ROUTE 1, FRUITLAND, IDAHO 83619 REMARKS: TWO DIVERSION POINTS.	1/ 6/1954	DOMESTIC	1/ 1 12/31	2.40 AFA .04 CFS	NWSE S 9 T 7N R 5W	NWSE S 9 T 7N R 5W	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	.40 AFA .02 CFS *2.80*AFA *.04*CFS		SAME AS OTHER USE	
65-1085	DESKY, ADELA & DESKY, ALEXANDER T. ROUTE 3, BOX 251, EMMETT, IDAHO 83617	1/17/1954	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NESE S31 T 7N R 1W	NESE S31 T 7N R 1W	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	.20 AFA .02 CFS *1.40*AFA *.04*CFS		SAME AS OTHER USE	
65-3608	HERMAN, E. C. ROUTE 1, BOX 242, EMMETT, IDAHO 83617	2/ 1/1954	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NWNW S21 T 6N R 2W	NWNW S21 T 6N R 2W	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	7.90 AFA .02 CFS *9.10*AFA *.04*CFS		SAME AS OTHER USE	
65-1505	LILLEY, EARL A. & LILLEY, LOLA M. 321 NORTH SUB-STATION ROAD, EMMETT, IDAHO 83617	2/ 9/1954	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NESW S13 T 6N R 2W	NESW S13 T 6N R 2W	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	.70 AFA .02 CFS *1.90*AFA *.04*CFS		SAME AS OTHER USE	
65-5703	FISHER, MARY E. ROSS 1117 NORTH 11TH, PAYETTE, IDAHO 83661	3/ 9/1954	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NESW S27 T 9N R 5W	NESW S27 T 9N R 5W	BENEFICIAL USE

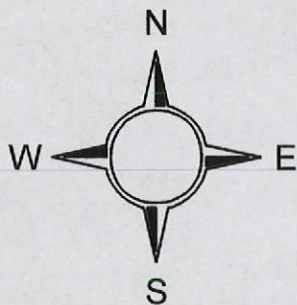
Idaho Department of Water Resources

Claim Number: 65-04487

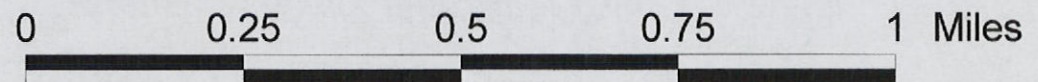
Legal: T08N, R03W, S19

Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



1987 Napp Photo



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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A65-04487
Date Received: 12/05/1988
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
APR 12 1990

1. Name: CLIFFORD BARKER
Address: STAR ROUTE
PAYETTE, ID

83661

Department of Water Resources

2. Date of Priority: JAN 01, 1954

3. Source: GROUNDWATER

Trib. to: _____

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	03W	19	NW	NW			PAYETTE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20
STOCKWATER	01/01	12/31	0.140		8.10
IRRIGATION	03/15	11/15	0.400		8.10

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

1.20 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	03W	19	~~NE~~	~~NW~~		IRR DOMEST	

A65-04487

*NWNW
SWNW*
Page 1

*10
10*
Date: 04/12/90

from Blue Bear of PRBA Decree

*K. Waters
12/28/94*

Total acres 20

MICROFILMED

SEP 22 1992

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:

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 Darrell 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.

Darrell Barker
Signature of Authorized Agent
Pres. of Barker & Son Inc.
Title and Organization
12 April 90
Date

State of Idaho)
County of ADA) SS.

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

M. Gene Gibson
Notary Public

Seal

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

08/28/2001

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

RIGHT NUMBER: 65-4487

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

SOURCE: GROUND WATER

QUANTITY: 0.4 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 01/01/1954

POINT OF DIVERSION: T08N R03W S19 NWNW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	0.40 CFS
		8.10 AFY
STOCKWATER	01-01 12-31	0.14 CFS
		8.10 AFY
DOMESTIC	01-01 12-31	0.04 CFS
		1.20 AFY

PLACE OF USE:

IRRIGATION Within PAYETTE County
T08N R03W S19 NWNW 10 T08N R03W S19 SWNW 10

STOCKWATER Use same as IRRIGATION

DOMESTIC Within PAYETTE County
T08N R03W S19 NENW

20 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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

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	

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 PM

Date May 22, 2001

Instrument # 293806-Deeds

LAURA L. STIGILE

Ex officio Recorder

By Kathryn Sturges

Deputy

Fee 9/200

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.

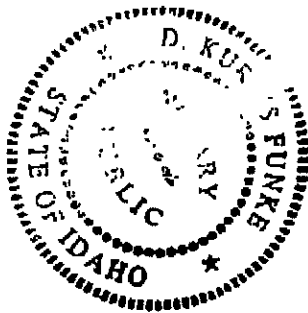
Shirley Scott Barker
Shirley Scott Barker

Darrell Barker
Darrell Barker

State of Idaho)
) ss
County of Payette)

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. K. S. Funk
Notary Public for Idaho
Residing at: PAYETTE
My commission expires: 01/21/05

293806

Exhibit A
(Legal Description)

Heir to the

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.

293806

**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 }
County of Payette } SS

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 J. Hurrell

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.

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

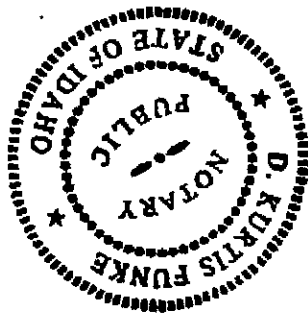
Darrell Barker
Darrell Barker, Trustee of the Barker Family
Living Trust

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:

293805

**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

ALLIANCE TITLE & ESCROW CORP

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

Time 10:36 a.m. Date Oct 5, 2000 Instrument # 290023-Needs

Laura L. Stigile, Ex-Officio Recorder by

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, 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 value right

QUITCLAIM DEED

Payette.doc

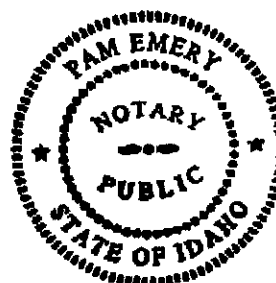
290023

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

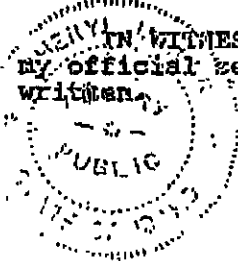
241365

DEC 31 1992

STATE OF Idaho)
County of Laffayette) ss.

On this 30th day of December, 1992, before me,
Sheryl 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.



Sheryl Miller
Notary Public
Residing at: Laffayette
My Commission Expires: 7-1-94

25847

241365

DEC 10 1907
MAY 10 1908EXHIBIT 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 $\frac{1}{4}$ NW $\frac{1}{4}$ and N $\frac{1}{4}$ SE $\frac{1}{4}$; S $\frac{1}{4}$ SE $\frac{1}{4}$;
In Sec. 11: All of Section;
In Sec. 12: W $\frac{1}{4}$ 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 $\frac{1}{4}$ SW $\frac{1}{4}$;
In Sec. 14: All of Section;
In Sec. 15: NE $\frac{1}{4}$;
In Sec. 20: W $\frac{1}{4}$; SE $\frac{1}{4}$ and S $\frac{1}{4}$ 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 $\frac{1}{4}$ 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 $\frac{1}{4}$ SW $\frac{1}{4}$;
In Sec. 25: N $\frac{1}{4}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; W $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ and S $\frac{1}{4}$ NE $\frac{1}{4}$;
In Sec. 26: E $\frac{1}{4}$; E $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
In Sec. 27: S $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
In Sec. 28: W $\frac{1}{4}$; SE $\frac{1}{4}$; S $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$;
In Sec. 29: N $\frac{1}{4}$ 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 $\frac{1}{4}$ NE $\frac{1}{4}$;
In Sec. 32: N $\frac{1}{4}$;
In Sec. 19: E $\frac{1}{4}$; E $\frac{1}{4}$ W $\frac{1}{4}$; 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;

241365

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°53'37" and a long chord that bears N. 79°42'19" E., 220.39 feet;
 thence S. 88°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°36'58" and a long chord that bears N. 69°20'38" E., 266.90 feet;
 thence leaving said right of way S. 0°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°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°15'44" E., along said East side of said County Road right of way 78.52 feet;
 thence S. 21°10'34" E., 259.25 feet;
 thence S. 31°41'29" E., 204.65 feet;
 thence S. 54°31'33" W., 52.76 feet;
 thence S. 67°03'22" W. 242.42 feet;
 thence N. 31°01'20" W. 175.30 feet to a point on the East side of said County Road right of way;
 thence N. 25°17'32" E., along said right of way, 119.12 feet;
 thence N. 20°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
/ Emmett Idaho 83661
Payette

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. Bigham

ALLIANCE TITLE & ESCROW CORP.

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. Bigham Deputy Fee \$27.00

AFTER RECORDING MAIL TO:

Melanie G. Rubocki
Holland & Hart LLP
Suite 1400, 101 S. Capitol Blvd.
Boise, Idaho 83702
405 000 798

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. Bigham

ALLIANCE TITLE & ESCROW CORP.

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. Bigham Deputy Fee \$57.00

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, / 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

Index to: DEED

Judy B. Bigham

290099

290024

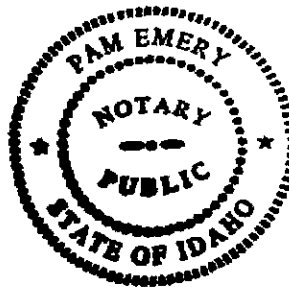
INSTRU. NO. 213390
PAGES 2 OF 9

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

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290024

INSTRU. NO.	213380
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

Gifted to water right

290099

290024

NSTRU. NO. 213390
AGES 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
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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

4982
4983
4486B

4982
4983

290099

290024

INSTRU. NO.	213390
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 $\frac{1}{2}$ 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 417 feet to the South line of said Section 12, which is 7413 feet East of the Southwest corner of said Section 12.

INSTRU. NO. 213590
AGES 9 OF 9

01/10/2001

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

RIGHT NUMBER: 65-4487
NAME AND ADDRESS: CLIFFORD BARKER
STAR ROUTE
PAYETTE, ID 83661

SOURCE: GROUND WATER

QUANTITY: 0.4 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 01/01/1954

POINT OF DIVERSION: T08N R03W S19 NWN Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	0.40 CFS 8.10 AFY
STOCKWATER	01-01 12-31	0.14 CFS 8.10 AFY
DOMESTIC	01-01 12-31	0.04 CFS 1.20 AFY

PLACE OF USE:

IRRIGATION Within PAYETTE County
T08N R03W S19 NWN 10 T08N R03W S19 SWNW 10

STOCKWATER Use same as IRRIGATIONDOMESTIC Within PAYETTE CountyT08N R03W S19
NENW

20 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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF
HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 10, 2001

J G SCHWARZ
6075 BIG WILLOW RD
PAYETTE ID 83661

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 65-04487

Dear Mr. Schwarz:

We have been advised you may be the new owner of the property with the water right referenced above (see enclosed report).

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

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

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region

LH:1
Enclosures

Please send new
owner the to:

J. G. Schwarz
6075 Big Willow Rd
Pacetta, ID 83661

AJ5809NP
No. R65-04487

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/08/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CLIFFORD BARKER STAR ROUTE PAYETTE ID 83661	01/01/1954	IRRIGATION STOCKWATER DOMESTIC	03-15 11-15 01-01 12-31 01-01 12-31	0.400 CFS 0.140 CFS 0.040 CFS	810 8.10 AFA 1.20 AFA
TOTAL DIVERSION:					0.400 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T08N R03W S19

NWNW

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	03W	19	:							10	10									20.0
TOTAL ACRES																			20.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
08N	03W	19	:							D										

POU County: PAYETTE

Conditions of Approval:

- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
 - NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
 - ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
 - DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
 - ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
- N09 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
 - DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF
 - HISTORICAL BENEFICIAL USE.
- N12 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL
 - NOT EXCEED 13,000 GALLONS PER DAY.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Audit: 04/07/00 SVANHOFF

WR0749NP
No. 65-04487

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/07/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CLIFFORD BARKER	01/01/1954	IRRIGATION	03/15 11/15	0.400 CFS	8.10 AFA
	STAR ROUTE		STOCKWATER	01/01 12/31	0.140 CFS	8.10 AFA
	PAYETTE ID 83661		DOMESTIC	01/01 12/31	0.040 CFS	1.20 AFA
TOTAL DIVERSION:					0.400 CFS	1.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T08N R03W S19 NWNW 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	03W	19	:					:					:					:					:	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use Legal Description for: DOMESTIC

08N	03W	19	:					:	D				:					:					:	
-----	-----	----	---	--	--	--	--	---	---	--	--	--	---	--	--	--	--	---	--	--	--	--	---	--

Pou County: PAYETTE

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

65-04983 65-07428

Dates:	App. Received:	Priority Date:	01/01/1954
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

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

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 386

INDICATES TOTAL

SOURCE: GROUNDWATER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-1881	MC NELIS, EDWARD J. ROUTE 3, EMMETT, IDAHO 83617	12/ 1/1953	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NENE S 6 T 6N R 1W	NENE S 6 T 6N R 1W	BENEFICIAL USE
65-4407	BARKER, CLIFFORD STAR ROUTE, PAYETTE, IDAHO 83661							
			STOCKWATER	1/ 1 12/31			SAME AS OTHER USE	
			IRRIGATION	3/15 11/15				
65-5910	JOHNSON, A. O. ROUTE 1, FRUITLAND, IDAHO 83619 REMARKS: TWO DIVERSION POINTS.	1/ 6/1954	DOMESTIC	1/ 1 12/31	2.40 AFA .04 CFS	NWSE S 9 T 7N R 5W	NWSE S 9 T 7N R 5W	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	.40 AFA .02 CFS *2.80*AFA *.04*CFS		SAME AS OTHER USE	
65-1085	DESKY, ADELA & DESKY, ALEXANDER T. ROUTE 3, BOX 251, EMMETT, IDAHO 83617	1/17/1954	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NESE S31 T 7N R 1W	NESE S31 T 7N R 1W	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	.20 AFA .02 CFS *1.40*AFA *.04*CFS		SAME AS OTHER USE	
65-3608	HERMAN, E. C. ROUTE 1, BOX 242, EMMETT, IDAHO 83617	2/ 1/1954	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NWNW S21 T 6N R 2W	NWNW S21 T 6N R 2W	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	7.90 AFA .02 CFS *9.10*AFA *.04*CFS		SAME AS OTHER USE	
65-1505	LILLEY, EARL A. & LILLEY, LOLA M. 321 NORTH SUB-STATION ROAD, EMMETT, IDAHO 83617	2/ 9/1954	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NESW S13 T 6N R 2W	NESW S13 T 6N R 2W	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	.70 AFA .02 CFS *1.90*AFA *.04*CFS		SAME AS OTHER USE	
65-5703	FISHER, MARY E. ROSS 1117 NORTH 11TH, PAYETTE, IDAHO 83661	3/ 9/1954	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NESW S27 T 9N R 5W	NESW S27 T 9N R 5W	BENEFICIAL USE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:54:26
04/07/00

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-04487

LAST: BARKER FIRST: CLIFFORD
ADDRESS: STAR ROUTE
CITY: PAYETTE STATE: ID ZIP: 83661
PHONE NUMBER:
OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
NO REMARKS IN CLAIM
DATABASE N
FIELD EXAMINER

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____ PHONE NUMBER: (____) ____-____
DATE OF FIELD EXAM: ____/____/____ APPOINTMENT MADE: Y(____) N(____) TIME: ____:____ A(____) P(____)
ACCOMPANIED BY: _____ PHONE NUMBER: (____) ____-____
RELATIONSHIP TO CLAIMANT: _____
DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A65-04487 PRIORITY DATE: 01-01-1954 STAGE: D

B. WR RECORD: # 65-04487 PRIORITY DATE: 01-01-1954 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:

01-01-1954

REVIEWED BY

DATE

4-7-00

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
A65-04487	08N 03W	19		NW	NW			PAYETTE		

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

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

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
65-04487	08N 03W	19		NW	NW			PAYETTE		

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

SOURCE: GROUNDWATER

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: _____

=====

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

TWP. 08N	RGE. 03W	SEC. 19	1/4	1/4 NW	1/4 NW	LOT	POD FLAG	COUNTY PAYETTE	DIVERSION NAME	DIVERSION NBR
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: SLH

DATE: 4-7-00

=====

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

A. ROOT WATER RIGHT NUMBERS: A65-04487

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08N	03W	19				BARKER, CLIFFORD	A65-04487 /	65-04487 /			
			NE	NE		LOWER PAYETTE DITCH CO	A65-07882 / 20.0	- /			
			NE	NE		LOWER PAYETTE DITCH COMPANY	A65-07428 / 20.0	- /			
			NE	NE		LOWER PAYETTE DITCH COMPANY	R65-07428 / 20.0	- /			
			SW	NE		BARKER & SONS INC	A65-04983 / 1.0	- /			
			SW	NE		BARKER & SONS INC	R65-04983 / 3.4	- /			
			SW	NW		BARKER & SON INC	65-04490 /	- /			
			SW	NW		BARKER & SON INC	A65-04490 /	- /			
			SW	NW		BARKER & SONS INC	A65-04982 / 4.0	- /			
			SW	NW		BARKER & SONS INC	R65-04982 / 2.6	- /			
			NE	NE		LOWER PAYETTE DITCH CO.		65-07428 / 10.0			
			SW	NE		BARKER & SONS INC.		65-04983 / 1.0			
			SW	NW		BARKER & SON INC.		65-04490 /			
			SW	NW		BARKER & SONS INC.		65-04982 / 4.0			
08N	03W	19	NE	NW		BARKER, CLIFFORD	A65-04487 /	65-04487 /	9.0		
			NE	NW		BARKER & SONS INC	A65-04983 / 1.0	65-04983 / 1.0			
			NE	NW		BARKER & SONS INC	R65-04983 / 2.1	- /			
			NE	NW		LOWER PAYETTE DITCH CO.		65-07428 / 6.0			

ADDITIONAL POU FOUND

SWNW 10
SWNW 10

TOTAL ACRES A65-04487

9.00

POU COUNTY: PAYETTE

20

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
A65-04487	GROUNDWATER	BARKER, CLIFFORD	0.400		1.20	
A65-04982	PAYETTE RIVER	BARKER & SONS INC	4.180	0.020		
R65-04982	PAYETTE RIVER	BARKER & SONS INC	4.180	0.020		
R65-04983	BIG WILLOW CREEK	BARKER & SONS INC	2.080	0.024	4.00	0.04
A65-04983	BIG WILLOW CREEK	BARKER & SONS INC	2.080	0.024	4.00	0.04
R65-07428	PAYETTE RIVER	LOWER PAYETTE DITCH COMPANY	4.800	0.021		
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
A65-04487	DOMESTIC	BARKER, CLIFFORD	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-04487	STOCKWATER	BARKER, CLIFFORD	FROM 01-01 TO 12-31	0.140 CFS	8.10 AF/A
A65-04487	IRRIGATION	BARKER, CLIFFORD	FROM 03-15 TO 11-15	0.400 CFS	8.10 AF/A
R65-04983	STOCKWATER	BARKER & SONS INC	FROM 01-01 TO 12-31	0.050 CFS	4.00 AF/A
65-04490	DOMESTIC	BARKER & SON INC	FROM 01-01 TO 12-31	0.080 CFS	2.40 AF/A
65-04490	STOCKWATER	BARKER & SON INC	FROM 01-01 TO 12-31	0.030 CFS	1.40 AF/A
A65-04490	DOMESTIC	BARKER & SON INC	FROM 01-01 TO 12-31	0.080 CFS	2.40 AF/A
A65-04490	STOCKWATER	BARKER & SON INC	FROM 01-01 TO 12-31	0.030 CFS	1.40 AF/A

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

Y(☒) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

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()

Y() N(☒)

Y() N(☒)

NOTES:

TOTAL ACRES: 20 N/A()

REVIEWED BY: SUT

DATE: 4-11-00

A. AJ CLAIMED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-04487	DOMESTIC	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-04487	STOCKWATER	FROM 01-01 TO 12-31	0.140 CFS	8.10 AF/A
A65-04487	IRRIGATION	FROM 03-15 TO 11-15	0.400 CFS	8.10 AF/A
	TOTAL DIVERSION RATE/VOLUME		0.400 CFS	~~1.20 AF/A~~

B. WR RECORDED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-04487	DOMESTIC	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-04487	STOCKWATER	FROM 01-01 TO 12-31	0.140 CFS	8.10 AF/A
65-04487	IRRIGATION	FROM 03-15 TO 11-15	0.400 CFS	8.10 AF/A
	TOTAL DIVERSION RATE/VOLUME		0.400 CFS	~~1.20 AF/A~~

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()

NOTES: _____

AJ CLAIM TOTAL DIVERSION RATE: 0.400 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.400 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE?

N/A() Y(☒) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

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

Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM?

Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)

1b. CALCULATIONS

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 1.20 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 ()

PAGE: 11
DIVERSION AMOUNT REVIEW SHEET CONTINUED

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CLAIM NUMBER: A65-04487

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	
			DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
DOMESTIC	01-01	12-31	0.040	_____	1.20	_____	0.0	_____
STOCKWATER	01-01	12-31	0.140	_____	8.10	_____	0.0	_____
IRRIGATION	03-15	11-15	0.400	_____	8.10	_____	0.0	_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			0.400	_____	~~1.20~~	_____	0.0	_____

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: GAH

DATE: 6-7-00

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-04487

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 0.400	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-04487	0.400	-		65-04487	0.400
TOTAL CFS		0.400				0.400

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: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() 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 _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:54:26
04/07/00

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QUICKLOOK INFORMATION

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CLAIM NUMBER: A65-04487

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	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS								

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:55:03
04/07/00
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PROFILE REPORT

CLAIM NUMBER: A65-04487

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CLIFFORD BARKER	01/01/1954	IRRIGATION	03-15 11-15	0.400 CFS	8.10 AFA
			STOCKWATER	01-01 12-31	0.140 CFS	8.10 AFA
			DOMESTIC	01-01 12-31	0.040 CFS	1.20 AFA
TOTAL DIVERSION:					0.400 CFS	1.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T08N R03W S19

NWNW

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	03W	19	:																	:	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
08N	03W	19	:																	:	

POU County: PAYETTE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:

Presumption Flag:

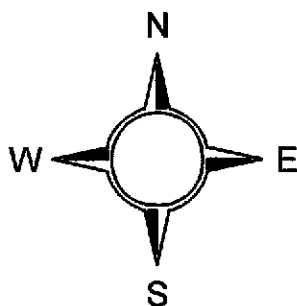
Idaho Department of Water Resources

Claim Number: 65-04487

Legal: T08N, R03W, S19

Reviewed By:

- Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



1987 Napp Photo

