

POOR ORIGINAL

Page 5 of 6

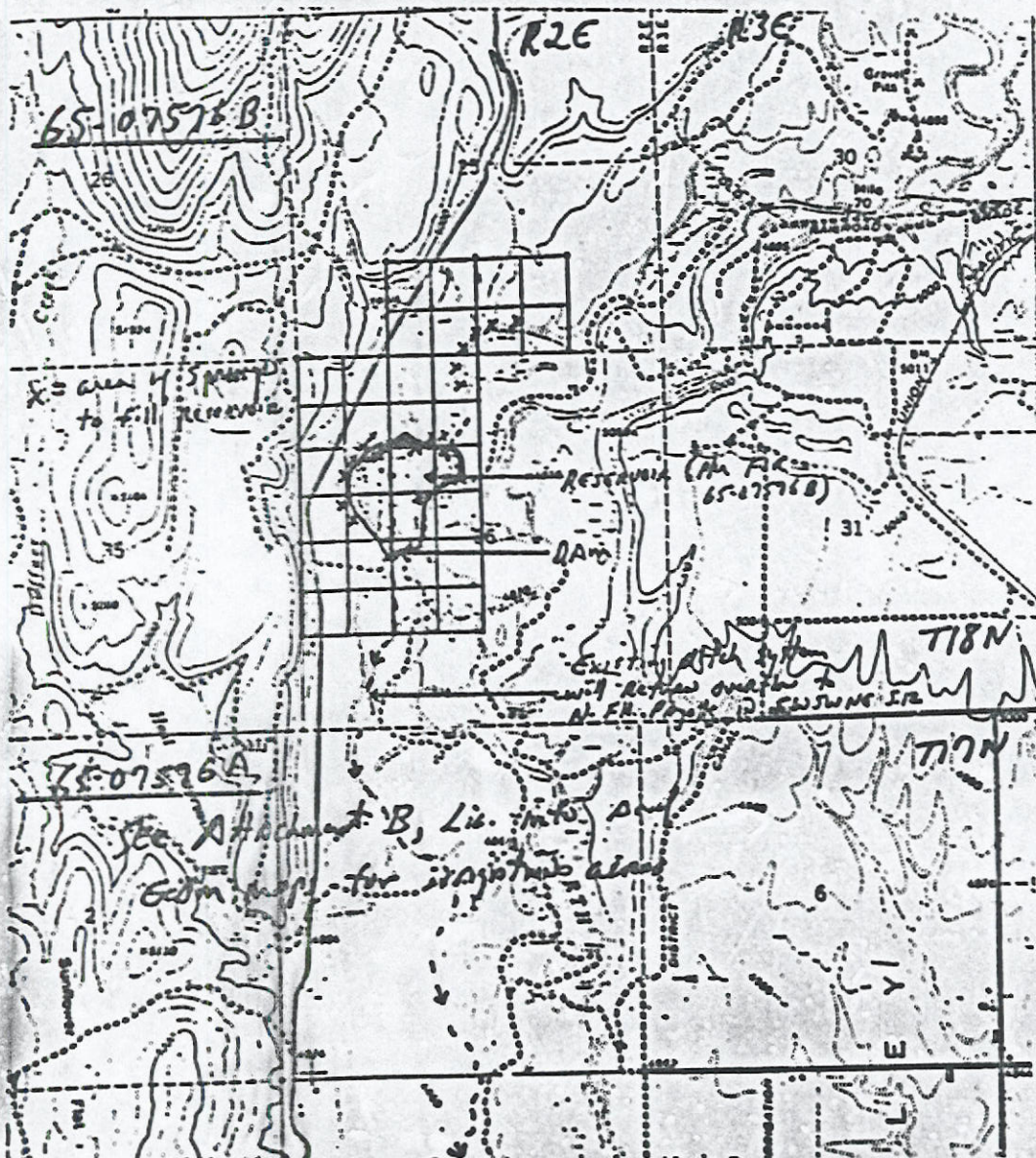
Transfer No. _____

TOPO &
Govt Wt PLAT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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OCT 21 1996

IDAHO DEPARTMENT OF WATER RESOURCES

18N, 02E, S25 & 36



1987 NAPP PHOTO

● POINT OF DIVERSION

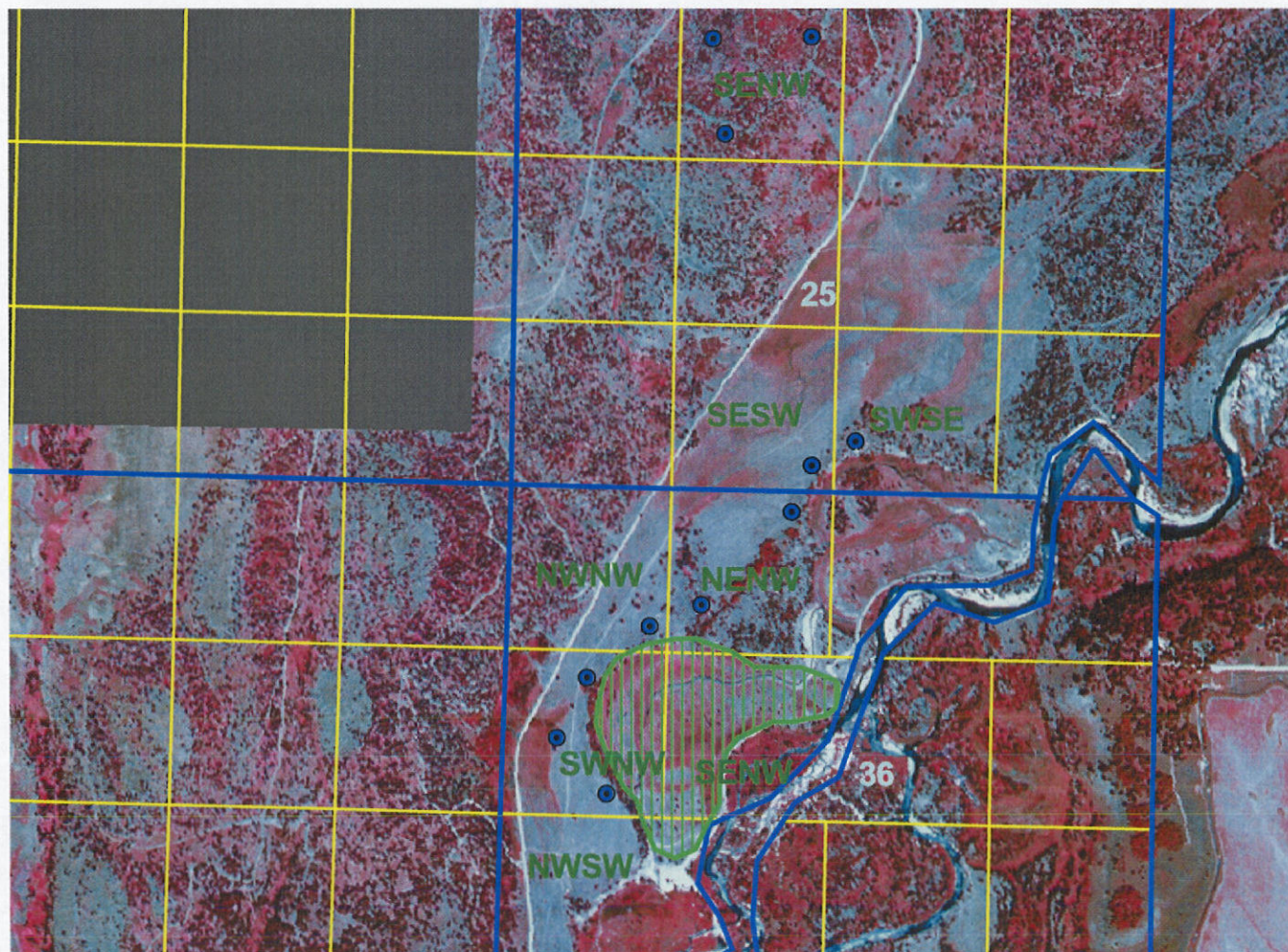
PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS



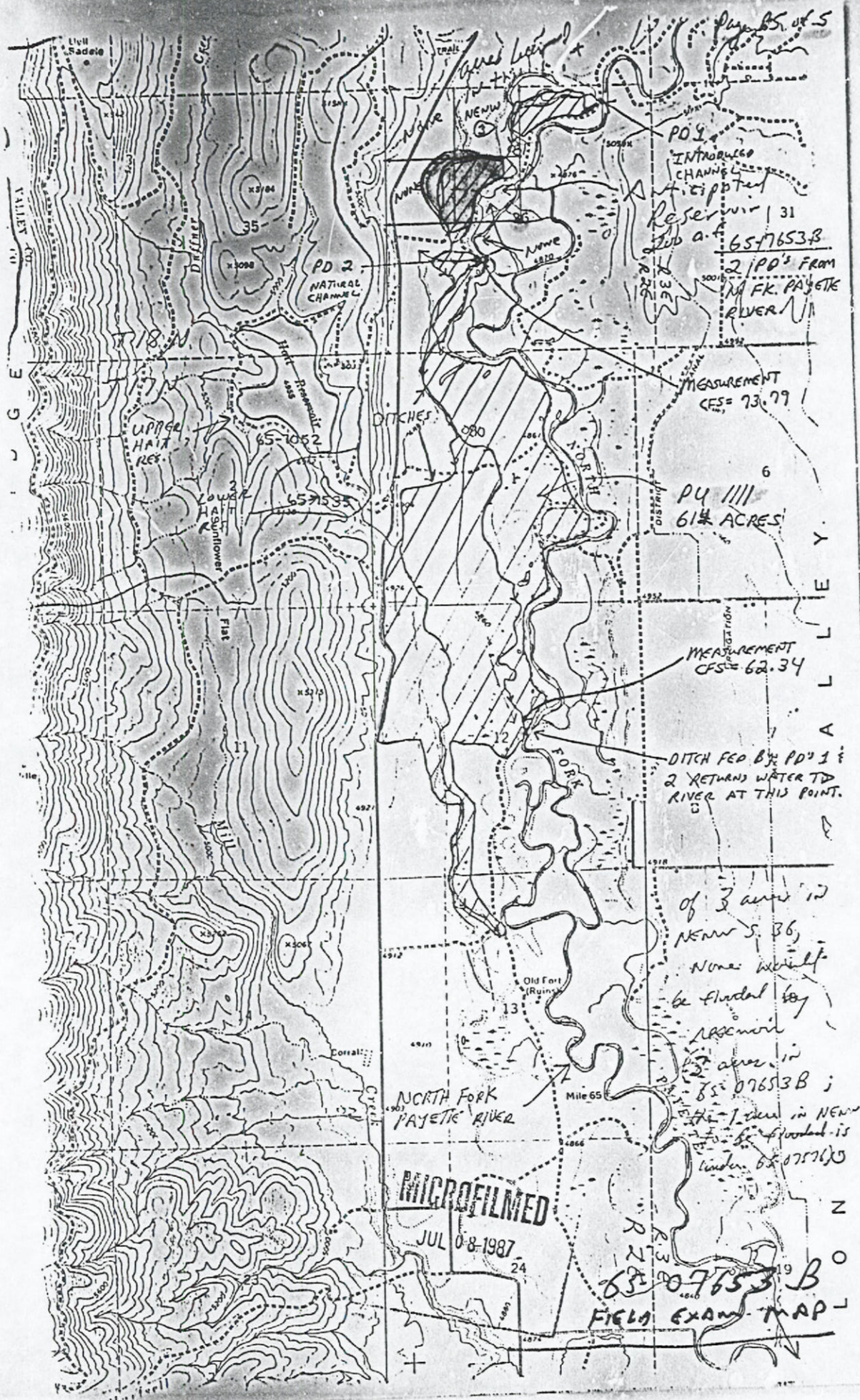
0 0.25 0.5 0.75 1 1.25 1.5 Miles

CLAIM(S): 65-07576D

OWNER(S): L B INDUSTRIES

Prepared by Mel Schulte

DATE: MAY 25, 1999



1160 000
FEET
4966

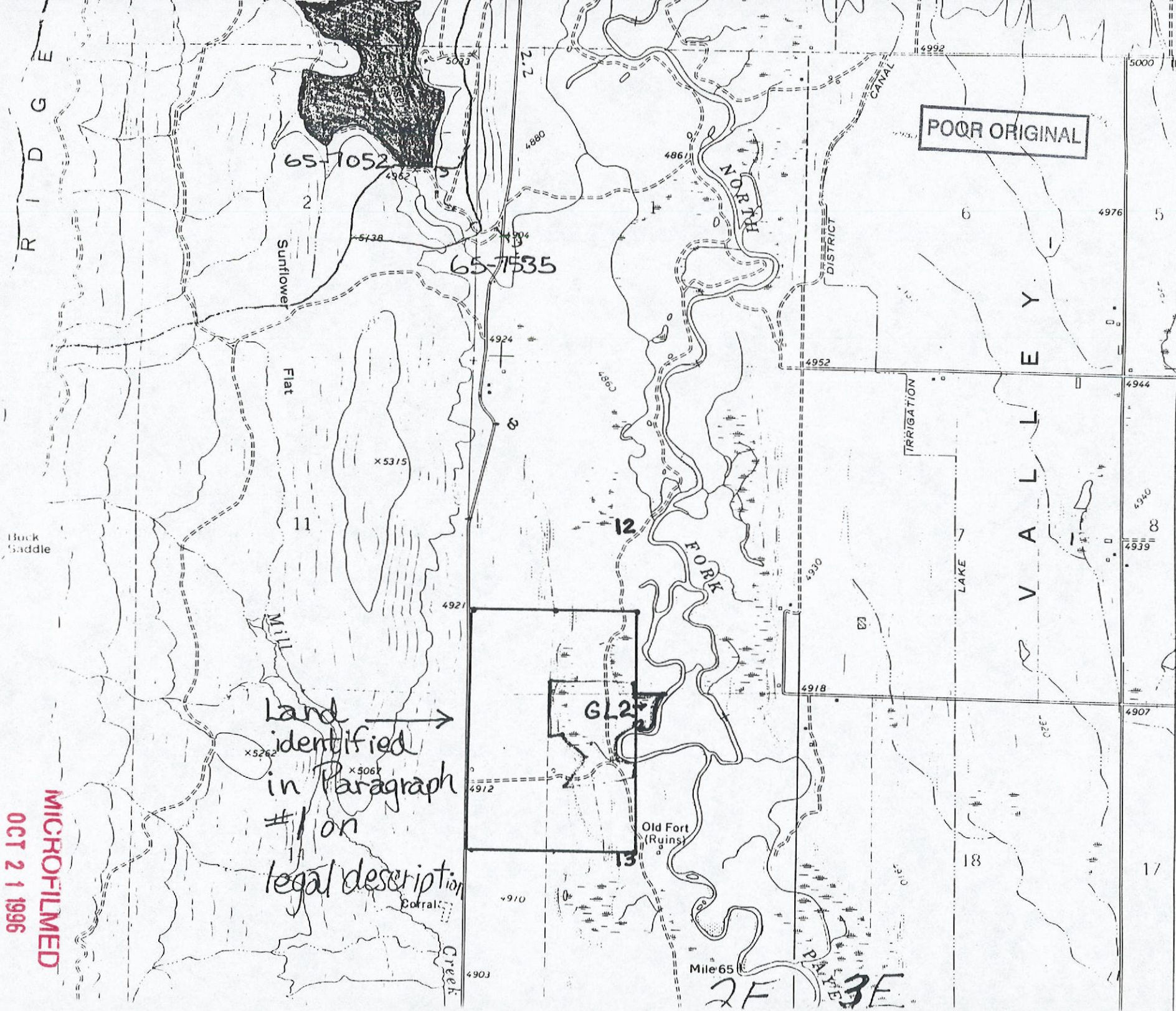
POOR ORIGINAL

V A L L E Y

17N

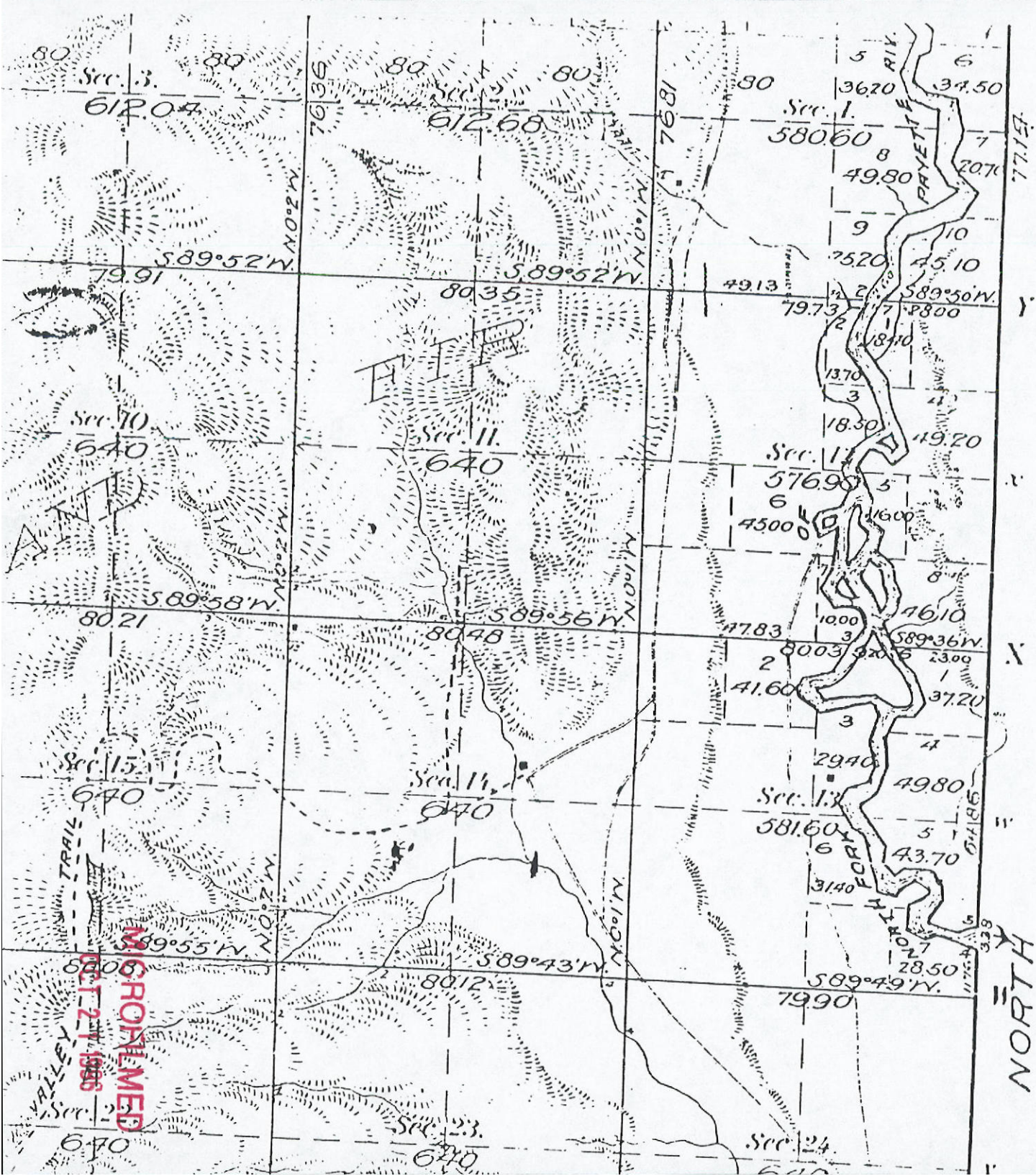
(LAKE FORK)
2773 1 SE

2F 3E



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Land identified
in Paragraph
#1 on
legal description



POOR ORIGINAL

17N
2E

Gov't Lot Plat
of 4-18-1896

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: **A65-07576D**
Date Received: 11/ 7/1988
Receipt No: X999999
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: L B INDUSTRIES INC
Address: 1401 SHORELINE DR
PO BOX 2797
BOISE ID

208-345-7515

83701

2. Date of Priority: SEP 3, 1975

3. Source: SPRINGS

Trib. to: PAYETTE RIVER, NORTH FORK

4. Point of Diversion:

Township	Range	Section	1/4	of	1/4	of	1/4	Lot	County
18N	02E	25	NE		SE		NW	3	VALLEY
			NW		SE		NW	3	VALLEY
			SW		SE		NW	3	VALLEY
			SE		SE		SW		VALLEY
			SW		SW		SE		VALLEY
		36	NE		NE		NW		VALLEY
			SW		NE		NW		VALLEY
			SE		NW		NW		VALLEY
			NW		SW		NW		VALLEY
			SW		SW		NW		VALLEY
			SE		SW		NW		VALLEY

5. Description of diverting works:
200 AF RESERVOIR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
RECREATION	06/01	11/01	0.780		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
RECREATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	02E	36	NE	NW		REC	
			NW	NW		REC	
			SW	NW		REC	
			SE	NW	3	REC	
			NE	SW	6	REC	
			NW	SW	6	REC	

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS A RESULT OF APPROVED TRANSFER NO. 4143 WHICH
SPLIT CLAIM A65-07576A INTO A65-07576C AND A65-07576D.

CLAIM AMENDED PER TRANSFER NO. 4143 APPROVED 2/18/1994.

SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE
COPY OF APPROVED TRANSFER NO. 4143 IN FILE. KW 2/1/1996

15. Basis of Claim: LICENSE

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 _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____, and that the statements contained in the
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4143
WATER RIGHT NO. 65-07576B

This is to certify that: LB INDUSTRIES
1401 SHORELINE DR
PO BOX 2797
BOISE ID 83701

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
RECREATION	06/01 to 11/01	0.78 CFS
<u>SOURCE</u>	<u>TRIBUTARY OF</u>	
SPRINGS	PAYETTE RIVER, NORTH FORK	

Priority: 09/03/1975

LOCATION OF POINT(S) OF DIVERSION:

Lot 3(NESNW),	Sec. 25, Township 18N, Range 02E
Lot 3(NWSNW),	Sec. 25, Township 18N, Range 02E
Lot 3(SWSNW),	Sec. 25, Township 18N, Range 02E
SESESW,	Sec. 25, Township 18N, Range 02E
SWSWSE,	Sec. 25, Township 18N, Range 02E
NENENW,	Sec. 36, Township 18N, Range 02E
SWNENW,	Sec. 36, Township 18N, Range 02E
SENWNW,	Sec. 36, Township 18N, Range 02E
NWSWNW,	Sec. 36, Township 18N, Range 02E
SWSWNW,	Sec. 36, Township 18N, Range 02E
SESWNW,	Sec. 36, Township 18N, Range 02E

VALLEY County

PLACE OF USE: RECREATION

TWN RGE SEC

18N 02E 36	NENW	NWNW	SWNW
	Lot 3(SENW)	Lot 6(NESW)	Lot 6(NWSW)

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.

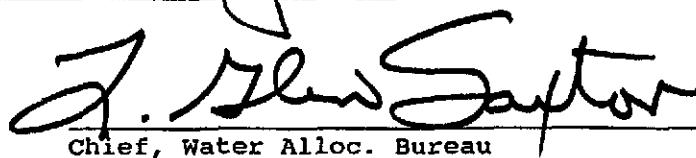
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TRANSFER NO. 4143
WATER RIGHT NO. 65-07576B

CONDITIONS/REMARKS:

2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 18th day of February, 1994.


Chief, Water Alloc. Bureau

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OCT 21 1996

POOR ORIGINAL

MEMORANDUM

TO: FILE

FROM: STEVE LESTER

DATE: MARCH 23, 1993

RE: TRANSFER APPLICATION FOR RIGHT 65-07576

.....

The applicant originally indicated that all of the land described in 65-07576 was purchased. The applicant proposed to change 39 acres from irrigation to recreation for a reservoir. This application and a concurrent application for permit were to replace void T. 3734 and lapsed permit 65-13131.

Attachment C supplied by the applicant is a warranty deed. All of the licensed acres except 11 acres in L.2 NE1/4 Section 13 are found in Attachment C. On 3/9/93 I spoke with Mr. Rip Clark (attorney?) of L. M. Industries and was informed that a mistake was made by applicant. The 11 acres in L.2 were not purchased by the applicant or intended to be part of the application. This was revealed after advertising had occurred. I told Mr. Clark that I would reflect the deletion of the 11 acres in the transfer review process.

Because the deletion does not have a meaningful impact on the public notice, it does not appear that readvertising is needed.

I prepared Attachment E today to reflect the deletion of 11 acres. Page E2 shows how transfer application page 4 should have been prepared. Item B lists the 487 acres and related water purchased by the applicant. This will be changed to become 65-07576B. I noted the irrigated acres in E. 36 to be converted from irrigation to storage (bottom of E3 in parentheses, i.e. 1 of the 4 acres in NE1/4 will not be irrigated).

Page E2, Item C shows what will be known as 65-07576A under separate ownership. Since .04 cfs stockwater cannot be pro-rated among 498 acres at 11:487 ratio and be shown to two decimal places in database, I noted that each portion of the right will retain stockwater as a beneficial use. Perhaps this can be clarified in a condition of approval.

Page E3 outlines how page 1 of the application should look. The applicant will hold 9.78 cfs and 487 of the licensed acres. Thirty nine of the 487 acres will be converted to a reservoir, leaving 448 irrigated acres for the applicant. No change in P/D or P/O tracts will occur. The location of the springs to fill the reservoir are clarified to the GGG on original page 1 and continued in Attachment A - this is not a change, just a clarification. The location of the dam is included as a remark but could just as easily be listed as another P/D if so desired. References on application page 1 to 65-07576A & B should be disregarded. All of the information on page 1 should be thought of as relating to the applicant's portion of the license, defined as 65-7576B in this memo.

Attachment E, pg. 1
(of 3)

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POOR ORIGINAL

PART 2

Attachment 6.182

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
If yes, describe

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED will be 65-07576 B
(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 9.74 cfs for Irrigation purposes from 6/1 to 11/1
amount .04 cfs for Stockwater * purposes from 6/1 to 11/1
amount for purposes from to
amount (cfs/ac-ft) for purposes from to

2. Point(s) of Diversion:

Lot	%	%	%	Sec.	Twp.	Rge.	County	Local name for diversion
								AS ID Attach. B

3. Lands irrigated or place of use: Stockwater plus same as irrig.

Twp.	Rge.	Sec.	NE %			NW %			SW %			SE %			Totals
			NE %	SW %	SE %	NE %	SW %	SE %	NE %	SW %	SE %	NE %	SW %	SE %	
17N	2E	1	22	31	1	23	4	25	40	18	33	40	9	40	328
		12				31	33						1		65
18N	2E	25											2		3
		36	19			4	1	14	22	7	10	12	2		91
		42						23	26	26	27	27			

OF row, 2 5.36, there are 1 1 14 20 2 1 23 rows
for 39 to be equivalent to Row 10 → 1 1 14 20 2 1 23 rows
Total acres 487

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) will be 65-07576 A

1. amount .22 cfs for Irrigation purposes from 6/1 to 11/1
amount 1/2 inch in 1 inch stockwater * purposes from 6/1 to 11/1
amount 1/2 inch in 1 inch stockwater * purposes from 6/1 to 11/1
amount for purposes from to

2. Point(s) of Diversion:

Lot	%	%	%	Sec.	Twp.	Rge.	County	Local name for diversion
								AS ID Attach. B

3. Lands irrigated or place of use: Stockwater plus same as irrig.

Twp.	Rge.	Sec.	NE %			NW %			SW %			SE %			Totals
			NE %	SW %	SE %	NE %	SW %	SE %	NE %	SW %	SE %	NE %	SW %	SE %	
17N	2E	13				11									11
						12									

* Since Stockwater plus same as irrig. plus 1/2 inch in 1 inch stockwater is 0.22 cfs, no way to split Stockwater 11:487 Ratio + 1/2 inch Stockwater Total acres 11

Hait
to
L.B. Industries

POOR ORIGINAL

April 1-222
12-82

Attachment E, M3

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant _____ Phone _____

Post Office address _____

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes _____

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/a0-ft)	Nature of Use	Period of Use
65-075765	Sept 3, 1978	8.91 cfs	Irrigation	6/1 to 11/1
		.78 cfs	Reservoir	6/1 to 11/1
		.04 cfs	Stockwater	6/1 to 11/1

2. Total amount of water being transferred 9.73 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Spring tributary to Pigette River, North Fork

4. Point(s) of Diversion: NO CHANGE

Lot	%	%	%	Sec.	Twp.	Rge.	County	Local name for diversion
								See Little Lost R - no change.
								Irish pld.
								NOTE: Springs to fill reservoir will be
								Have listed in sheet on p. 1, item
								89 + continued in Attachment A.

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	SW 1/4	SE 1/4	NE 1/4	SW 1/4	SE 1/4	NE 1/4	SW 1/4	SE 1/4	NE 1/4	SW 1/4	SE 1/4					
17N	2E	1		2.2	2.3	2.3	2.2	2.4	2.9	4.0	1.8	3.3	4.0	2.8	2.8	2.8	32.8		
		12					3.1	3.3						4.0	2.8		6.5		
17N	2E	25											1		2		3		
		35		1.9			3			2	4.5	4.5	1.2	2			5.2		
		36					R	R	R	R	R	R							
									4.8	1.0	4.8								

Total acres 44.8

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CONVERSATION MEMORANDUM

DATE 3/9/93

FILE 65-07576

NAME OF PARTY Kip Clark of L.B. Industries Inc. 345-7515

EMPLOYEE Steve Latta

RE: 11 rows in L.2 NENW S.13 T17N R2E

Not included in Exhibit A (transfer attachment C).

Applicant does not own these 11 rows.

Delete these rows from deed and change.

" PLO in this tract farm "

The 11 rows will remain as unchanged part of original right under separate ownership.

Modify transfer review based on this information

CC: Attn: Kip Clark
L.B. Industries Inc.

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POOR ORIGINAL

Form 228
1-67

Page 1 of 6
RECEIVED
APR 26 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4143

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

REPLACES T. 3734 (void)

Department of Water Resources

Name of applicant L. B. Industries, Inc.

Phone 810-0351

Post Office address P.O. Box 2797 Boise, ID 83701

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other _____ Department of Water Resources
Western Regional Office
2. Describe the reason for the proposed changes A 200 acre-foot reservoir will be constructed on 39 acres presently irrigated under license 65-07576. Irrigation water from the 39 acres will be available to be used for parts of the recreation reservoir water right (application for permit will cover remainder of water right coverage).

FEB 12 1993

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>65-07576A</u>	<u>Sept. 3, 1975</u>	<u>9.18 *</u>	<u>Irrigation</u>	<u>6/1 to 11/1</u>
		<u>.04 cfs</u>	<u>Stockwater</u>	<u>6/1 to 11/1</u>
<u>65-07576B</u>	<u>Sept. 3, 1975</u>	<u>.78 cfs</u>	<u>Recreation</u>	<u>6/1 to 11/1</u>

2. Total amount of water being transferred 10.00 * cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Spring tributary to Payette River, North Fork

4. Point(s) of Diversion: For 65-07576A - No change from licensed points of diversion, See Attachment B

Lot	%	%	%	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SE	SW	25	18N	2E	Valley	FOR 65-07576B points continued in
	SW	SW	SE	25				Attachment A
	NE	NE	SW	36				
	SW	NE	SW	36				

5. Lands irrigated or place of use: Shown are: Gov't Lots
Acres Irrigated

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
											</								

Total acres 459

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POOR ORIGINAL

Page 2 of 6

Transfer No. _____

PART 1

6. General Information:

a. Description of diversion system Springs feed a ditch system for flood irrigation and sub irrigation

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes no No, if yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Place of use will not be changed, but irrigated land will be flooded by reservoir.

d. Remarks:

The volume of irrigation water for 39 acres is 117 AFA. In the transfer, any consumptive use from percolation and evaporation etc. will be covered by the 117 AFA. An Application for Permit will cover remaining water needs for the reservoir. Dam will be in MNESV 6/or NENVSU, S.36.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 63-7576

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

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POOR ORIGINAL

Page 3 of 6

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
b. License No. 65-07576 issued by the Idaho Department of Water Resources.
c. Claim No. _____ on file with the Idaho Department of Water Resources.
d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water Springs tributary to Payette River, North Fork

4. Date or priority September 3, 1975

5. Water is used for the following purpose:

amount 9.96 cfs for Irrigation purposes from 6/1 to 11/1
(cfs/ac-ft) .04 cfs for Stockwater purposes from 6/1 to 11/1
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____

6. Total amount of water under right 10.00 cubic feet per second and/or _____ acre-foot per annum.

7. Point(s) of Diversion: See attached license for complete list of points of diversion

Lot	%	%	%	Sec	Twp.	Rge.	County	Local name for diversion
								Attachment B

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NE 1/4	SE 1/4	SW 1/4	NE 1/4	NE 1/4	SE 1/4	SW 1/4	NE 1/4	NE 1/4	SE 1/4	SW 1/4	NE 1/4	NE 1/4	SE 1/4	SW 1/4	
17N	2E	1		22	31	1	33	4		29	40	18	33	40	9	40	28		328
		12						31	33							1			65
		13					11												11
18N	2E	25													1		2		3
		36		18			4	1	14	22	2	10	12	2					91

Total acres 498

9. Describe any other water rights used for the same purpose as described above None (License 65-076538 covers other areas in NEW S.36)

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Page 4 of 6

PART 2

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

SEE Attachment E - 5/25/93

1. amount .78 cfs for Irrigation purposes from 6/1 to 11/1
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion: See Attachment A

Lot	%	%	%	Sec.	Twp.	Rge.	County	Local name for diversion
								Attachment A shows the springs that
								irrigate acres shown in item B3

3. Lands irrigated or place of use: Basis for Part B of split

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NE 1/4	SW 1/4	SE 1/4	NE 1/4	NE 1/4	SW 1/4	SE 1/4	NE 1/4	NE 1/4	SW 1/4	SE 1/4	NE 1/4	NE 1/4	SW 1/4	SE 1/4	
18N	2E	36					1	1	14	20	2	1							39
										L.3	L.6	L.6							

Total acres 39

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 9.18 cfs for Irrigation purposes from 6/1 to 11/1
 (cfs/ac-ft) _____
 amount .04 cfs for Stockwater purposes from 6/1 to 11/1
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion: As in Licensed Points of Diversion, see attached license

Lot	%	%	%	Sec.	Twp.	Rge.	County	Local name for diversion
								Attachment B

3. Lands irrigated or place of use: shown are: Gov't lots

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NE 1/4	SW 1/4	SE 1/4	NE 1/4	NE 1/4	SW 1/4	SE 1/4	NE 1/4	NE 1/4	SW 1/4	SE 1/4	NE 1/4	NE 1/4	SW 1/4	SE 1/4	
17N	2E	1	L.2	L.5	L.5	L.3	L.4				29	40	18	21	40	L.8	L.8	L.9	128
		12	22	31	1	3	31	33								L.6	L.6	28	65
		13					L.4												11
18N	2E	23																2	1
		36	L.4				3				L.3	L.6	L.6	L.7	L.7				52

Total acres 459

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OCT 21 1996

POOR ORIGINAL

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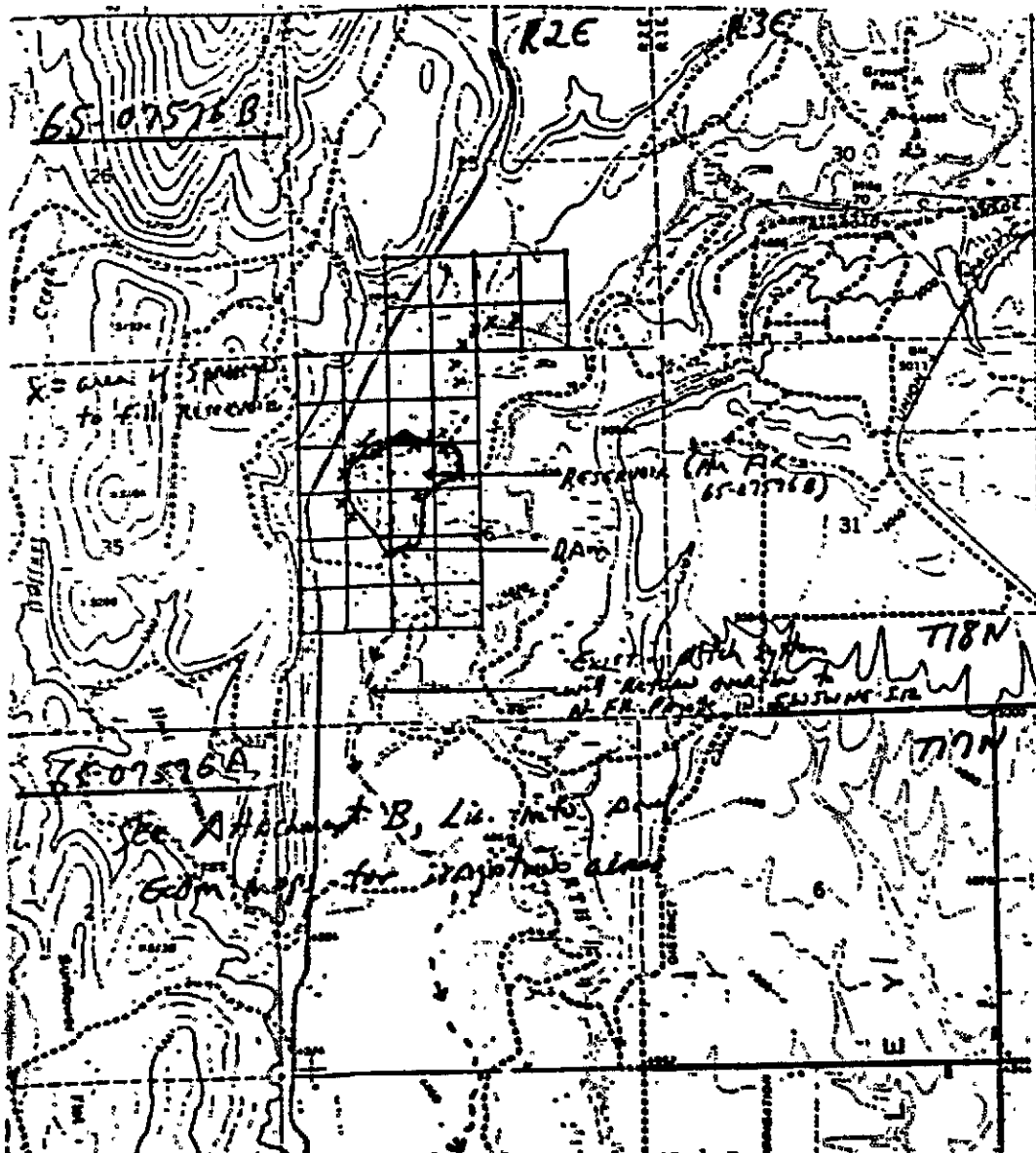
Transfer No. _____

TOPO &
GOVT LOT PLAT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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OCT 21 1996

POOR ORIGINAL

Page 6 of 6

Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	Recreation	.78 cfs	24 hrs/day	6/1 to 11/1
				to

2. Quantity and quality of return flows and location of discharge:
Spillway will return overflow to existing ditch system and then to North Fork
Payette River in S.W. 1/4 S. 12, T. 17 N, R. 2 E.

3. Describe effects on other water uses resulting from the proposed change:
Will result in withdrawing 39 acres from irrigation production, thus reducing
irrigation use by .78 cfs & 117 AFA.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 12th day of February, 1982.

(Signature of Applicant)

(Notary Public)

My commission expires 10-28-87

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 45 attachments

Received by fi Date 2/12/83 Protest filed by _____

Prelim. check by fi Fee 750

Accepted by fi Date 2/12/83 AWP19832

Published in Star Times Copies of protest forwarded by _____

Pub. dates 2/12 & 2/24/83 AK Hearing held by _____ Date _____

Watermaster recommendation requested on N/A for trib Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by DK

Copy of transfer sent to land holder _____

+ Larry Egan, CEO for app. to permit with 24hrs added to transfer.
- fi 2/12/83

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OCT 21 1995

POOR ORIGINAL

Page AI of 1

Attachment A

Transfer No. 3734

Continued from P. 1, B, 4, Points of Direction

LOT	$\frac{1}{4}$	$\frac{1}{4}$	$\frac{1}{4}$	Sec.	Twp.	Rge	County	
	SE	NE	NW	36	18N	2E	Valley	for 65-07576B
	SE	NW	NW					
	NE	SW	NW					
	NW	SW	NW					
	SW	SW	NW					
	SE	SW	NW					
3	NE	SE	NW					
3	NW	SE	NW					
3	SW	SE	NW	✓	✓	✓		

Attachment A

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OCT 21 1986

POOR ORIGINAL

P. 1

AFFIDAVIT OF JAMES M. HAIT

County of Santa Clara)
)ss.
State of California)

I, James M. Hait, the affiant, do hereby affirm that the statements contained herein are truthful and represent facts known to me personally and that I would so testify if called to do so.

1. That I am over the age of eighteen years old and competent to provide the facts stated herein.
2. During the period of time from approximately 1968 through June 29, 1990, I or the 1971 Hait California Trusts (a trust for which I acted as the trustee) owned the property which is described in Exhibit "A" which is attached hereto and by this reference incorporated herein.
3. That Exhibit "A" is a copy of the Warranty Deed by which I transferred ownership of the property to L. B. Industries, Inc. on June 29, 1990.
4. During the term of my ownership of the land described in Exhibit "A", I annually irrigated the portions of that land that had irrigation water rights during each year's irrigation season.
5. That attached hereto and incorporated herein as Exhibit "B" is a copy of Water Right Right No. 65-7576 which sets forth a water right license having a priority date of September 3, 1975 which I held as owner of the land described in Exhibit "A".
6. That Water Right No. 65-7576 entitled me to irrigate a total of 498 acres (of the land which is incorporated within that described in Exhibit "A") during the irrigation season which extended from June 1 through November 1 of each year.
7. That I generally irrigated all portions of the property set forth within in the "Place of Use" description as designated on Exhibit "B" during each growing season and, in fact, irrigated said acreage during the 1989 irrigation season and during the last month of my ownership of the land which is described in Exhibit "A" (the month of June, 1990).

James M. Hait
James M. Hait

Date: 2/9/93

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FEB 12 1993

Department of Water Resources
Western Regional Office

Attachment D

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OCT 21 1996

POOR ORIGINAL

Exhibit "A"

Page 1 of 3

WARRANTY DEED

FOR VALUE RECEIVED, the HAIT 1971 CALIFORNIA TRUSTS, the grantor, does hereby grant, sell and convey unto L. B. INDUSTRIES, INC., whose address is 1401 Shoreline Drive, P.O. Box 2297, Boise, Idaho, 83701, the following described premises, to-wit:

Lot 11 in SW 1/4; Section 30, Township 18 North, Range 3 East, B.M., Valley County, Idaho.

Lot 1; SW 1/4; N 1/2 SE 1/4; SW 1/4 SE 1/4; excluding property in above described areas west of county road, Section 25, Township 18 N., Range 2 East, B.M., Valley County, Idaho.

A parcel of alluvion land, but not limited to said land, which is located in the NE 1/4 NE 1/4 of Section 36, Township 18 North, Range 2 East and in the NW 1/4 NW 1/4 of Section 31, Township 18 North, Range 3 East, B.M., Valley County, Idaho, said land lies South of the South Section lines of said Section 25, Township 18 North, Range 2 East and said Section 31, Township 18 North, Range 3 East, but North of the high water mark of the North fork of the Payette River.

Lot 2; Lot 3; Lot 6; Lot 7; N 1/2 NW 1/4; SW 1/4 NW 1/4; excluding that property lying west of county road; Section 36, Township 18 N., Range 2 E., B.M., Valley County, Idaho.

Lot 2; Lot 3; Lot 4; Lot 5; Lot 8; Lot 9; S 1/2 NW 1/4; SW 1/4, excluding that property lying west of county road; Section 1, Township 17 N., Range 2 E., B.M., Valley County, Idaho.

Lot 2; Lot 3; Lot 6; NW 1/4; NW 1/4 SW 1/4; excluding that property lying west of county road Section 12, Township 17 N., Range 2 E., B.M., Valley County, Idaho;

SAVE and EXCEPT an irregular shaped parcel of land located in the South 1/2 of Section 12, Township 17 N., Range 2 E., B.M., Valley County, Idaho, lying South of the following described 60 foot wide non-exclusive easement, but North of the existing fence line which runs East-West approximately along the North boundary line of the

WARRANTY DEED - Page 1

*Omits 11 acres Lot 2
new 5.13 - JLC*

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Department of Water Resources
Western Regional Office

Attachment

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OCT 21 1996

ORIGINAL

Exhibit "A"
Page 2 of 3

South half of the Southwest Quarter (S 1/2 SW 1/4)
Section 12, Township 17 N., Range 2 E., B.M.,
Valley County, Idaho.

SUBJECT to a 60 foot wide non-exclusive Easement
located in the S 1/2 of Section 12, Township 17
N., Range 2 E., B.M., Valley County, Idaho; which
lies 30 feet on either side of the following
described center line:

Beginning at a point on an existing fence line
which is located approximately at the NW corner of
the SW 1/4 of the SW 1/4 of Section 12, Township
17 N., Range 2 E., B.M., Valley County, Idaho;
thence North 30 feet along the East boundary line
of the county road right-of-way the Real Point of
Beginning; Thence East 800 feet parallel with the
existing fence line to a point, which fence line
runs East-West, thence North 60° East a distance
of 500 feet to a point; thence East 350 feet to a
point; thence South 45° East to a point on the
existing fence line which runs East-West
approximately along the North line of the SE 1/4
SW 1/4 of Section 12, Township 17, N., Range 2 E.,
B.M., Valley County, Idaho, which point is the end
of the above described Easement.

SUBJECT TO:

1. General taxes for the year 1990, a lien, not yet
due or payable.
2. A Powerline Easement for maintenance and incidental
purposes as set forth in Instrument No. 74129 recorded
July 11, 1971, records of Valley County, Idaho.
3. Any adverse claim to any portion of the land
described herein, which lies below the line of mean
high water.
4. Any and all easements or restrictions of record or
in use.

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

WARRANTY DEED - Page 2

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OCT 21 1996

POOR ORIGINAL

Exhibit "A"
Page 3 of 3

DATED: 6/29, 1990.

HAIT 1971 CALIFORNIA TRUSTS

By: James Merritt Hait
James Merritt Hait, Trustee

STATE OF IDAHO)
County of Valley) ss.

On this 29 day of June, 1990, before me, a Notary Public in and for said State, personally appeared JAMES MERRITT HAIT, known or identified to me to be the person whose name is subscribed to the within and foregoing and acknowledged to me that he executed the same in his capacity as Trustee of the HAIT 1971 CALIFORNIA TRUSTS.

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

Michael R. Anderson
Notary Public for Idaho
Residing at: McCall
Commission Expires: Dec 9, 1991

WARRANTY DEED - Page 3

173995
RECEIVED
RECORDED
JUN 29 3 32 PM '90
McCall
Idaho
900

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OCT 21 1996

POOR ORIGINAL

State of Idaho
Department of Water Resources

Exhibit "B"
Page 1 of 2

WATER RIGHT LICENSE

WATER RIGHT NO. 65-7576

Priority: September 3, 1975 Amount: 10.00 CFS 1496.8 AFA

This is to certify, that JAMES M. HAIT
P.O. BOX 160
MC CALL, ID 83638

has complied with the terms and conditions
of the permit issued pursuant to Application for Permit dated September 3, 1975, and
has submitted proof to the Department of Water Resources on August 7, 1985, that
water has been applied to a beneficial use; an examination by the Department indicates
that the works have a diversion capacity of 10.00 cfs of water from;

SPRINGS tributary to PAYETTE RIVER, NORTH FORK

and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Irrigation	06/01 to 11/01	9.96 cfs	1494.0 afa
Stockwater	06/01 to 11/01	.04 cfs	2.8 afa
Totals		10.00 CFS	1496.3 AFA

LOCATION OF POINT OF DIVERSION(S): LOT 3(NENW), Sec. 1, Township 17N, Range 2E
LOT 4(NENW), Sec. 1
SESW, Sec. 1
NESW, Sec. 1
NWSW, Sec. 1
SWSW, Sec. 1
SESSEW, Sec. 12
LOT 5(NESW), Sec. 12
NWSW, Sec. 12
SESW, Sec. 12
LOT 2(NENW), Sec. 13
SESSEW, Sec. 25, Township 18N, Range 2E
SWSSE, Sec. 25
NENW, Sec. 36
NENW, Sec. 36
SWNW, Sec. 36
LOT 3(SENW), Sec. 36
LOT 6(NWSW), Sec. 36
LOT 7(SWSW), Sec. 36

Valley County

PLACE OF USE: Irrigation

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
17N	2E	1	LOT 2(NENW)22	LOT 5(SWNE)31	LOT 5(ENE) 1	LOT 3(NENW)33	
			LOT 4(NENW) 4	SESW 29	NESW 40	NWSW 18	
			SWSW 33	SESW 40	LOT 8(NESE) 9	LOT 8(NWSE)40	
			LOT 9(SWSE)28				328
		12	NENW 31	SWNW 33	LOT 5(NWSE) 1		65

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Attachment B

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OCT 21 1996

POOR ORIGINAL

P, B3 45,

State of Idaho
Department of Water Resources

PAGE 2

WATER RIGHT LICENSE

WATER RIGHT NO. 65-7576

PLACE OF USE: Irrigation

TWN	RGE	SEC	ACRES	ACRES	ACRES	ACRES	TOTAL
17N	2E	13	LOT 2(NENW)11				11
18N	2E	25	SESW 1	SSE 2			3
		36	LOT 2(NENE)19	NENW 4	NENW 1	SWW 14	
			LOT 3(SENW)22	LOT 6(NESW) 7	LOT 6(NNSW)10	LOT 7(SNSW)12	91
			LOT 7(SESW) 2				

Total number of acres irrigated: 498

PLACE OF USE: Stockwater, same as Irrigation use

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this license is subject to control by the watermaster of State Water District No. 65.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
6. Springs are conveyed through Hait Drain Ditch.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 19th day of JUNE, 1987.

Acting for the Director

MICROFILMED

100 D.S. 1001

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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: A65-07576A
Date Received: 11/ 7/1988
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: L B INDUSTRIES INC
Address: 1401 SHORELINE DR
PO BOX 2797
BOISE ID

208-345-7515

83701

2. Date of Priority: SEP 3, 1975

3. Source: SPRINGS

Trib. to: PAYETTE RIVER, NORTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	02E	1		NE	NW	3	VALLEY
				NW	NW	4	VALLEY
				SE	NW		VALLEY
				NE	SW		VALLEY
				NW	SW		VALLEY
				SW	SW		VALLEY
		12	SE	SW	NW		VALLEY
				NE	SW	6	VALLEY
				NW	SW		VALLEY
18N	02E	25	SE	SE	SW		VALLEY
			SW	SW	SE		VALLEY
		36		NE	NW		VALLEY
				NW	NW		VALLEY
				SW	NW		VALLEY
				SE	NW	3	VALLEY
				NW	SW	6	VALLEY
				SW	SW	7	VALLEY

5. Description of diverting works:

SPRINGS ISSUEING FROM BLUFF COLLECTED IN DRAINAGE DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
---------	------	----	-------	------	--------

6. Water is used for the following purposes: Continued

Purpose	From	To	C.F.S (and/or)	A.F.A.
IRRIGATION	06/01	11/01	9.740	1461.00
STOCKWATER	06/01	11/01	0.030	2.74

7. Total Quantity Appropriated is:
9.770 C.F.S. (and/or) 1463.74 A.F.A.

8. Total consumptive use is 974.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 490 HD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
17N	02E	1	NW NE	2	IRR	22.0
			SW NE	5	IRR	31.0
			SE NE	5	IRR	1.0
			NE NW	3	IRR	33.0
			NW NW	4	IRR	4.0
			SE NW		IRR	29.0
			NE SW		IRR	40.0
			NW SW		IRR	18.0
			SW SW		IRR	33.0
			SE SW		IRR	40.0
			NE SE	8	IRR	9.0
			NW SE	8	IRR	40.0
			SW SE	9	IRR	28.0
					Section Acres	328.0
		12	NW NW		IRR	31.0
			SW NW		IRR	33.0
			NW SE	6	IRR	1.0
					Section Acres	65.0
18N	02E	25	SE SW		IRR	1.0
			SW SE		IRR	2.0
					Section Acres	3.0
		36	NW NE	2	IRR	19.0
			NE NW		IRR	4.0
			NW NW		IRR	1.0
			SW NW		IRR	14.0
			SE NW	3	IRR	22.0
			NE SW	6	IRR	7.0
			NW SW	6	IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	02E	36	SW	SW	7	IRR	12.0
			SE	SW	7	IRR	2.0

Section Acres 91.0

Total Acres 487.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:

Springs are conveyed through Hait Drain Ditch.

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF
CLAIM NO. A65-07576. KW 5/11/1993

15. Basis of Claim: LICENSE

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 _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____ and that the statements contained in the
_____ foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

POOR ORIGINAL



Department of Water Resources
Western Regional Office

NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

DEC 15 1992

DATE OF CLOSING: 9-10-92

LEGAL DESCRIPTION OF PROPERTY: Township 17N Range 2E
Section 12, SE 1/4 of SW 1/4 of Sec. 12 1/4 Govt Lot 2, NW1/4NW1/4, SW1/4
Lot , Block, Subdivision/Townsite

If you have additional legal descriptions, please attach separate sheet. and Gov. Lot 2, NW1/4NW1/4, SW1/4
See Attached NW1/4, and SE1/4NW1/4, Sec. 13T17NR21

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s)
Assigned by IDWR:

[] Name and Address of Former Owner/Claimant(s)(Seller): James M. Hait
P.O. Box 160

McCall, Idaho 83638

[] New Owner/Claimant (Purchaser):

[] New Mailing Address: Charles Haid, III
4376 Forman Ave.

Toluca Lake, California 91602

[] New Telephone Number: (818) 761-5851

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[] Attach proof of ownership, describe proof attached: Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New Owner/Claimant(s) [Signature] Date 12-14-92

[] Signature of Former Owner/Claimant(s): Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: EW By: 5/11/93

Claim Numbers of Split, if any:

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OCT 21 1996

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

WARRANTY DEED

For Value Received, Ralph A. Weaver and Margaret E. Weaver
husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto
Charles M. Haid, III, a single man

whose address is: 4376 Forman Ave., Toluca Lake, Ca. 91602

the grantee, the following described premises, to-wit:

See attached legal as Exhibit "A"

TO HAVE AND TO HOLD the premises with their appurtenances unto the
said Grantees, their heirs and assigns forever. And the said
Grantors do hereby covenant to and with the said Grantees, that
they are the owners in fee simple of said premises that said
premises are free from all encumbrances except the 1992 taxes and
assessments and that they will warrant and defend the same from
all lawful claims whatsoever.

Dated:

Ralph A. Weaver
Ralph A. Weaver

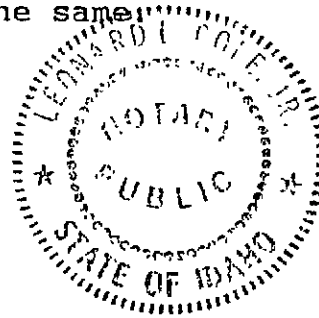
Margaret E. Weaver
Margaret E. Weaver

State of Idaho)
County of Valley) ss

On the 9 day of Sept, 1992 before me,
Leonard L. Cole Jr.
a notary public in and for said State, personally appeared
Ralph A. Weaver and Margaret E. Weaver known to me to be the
persons whose names are subscribed to the within instrument, and
acknowledged to me that they executed the same.

Leonard L. Cole Jr.
Notary Public

CASCADE, Idaho
Commission Expires: 1-13-93



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OCT 21 1996

LEGAL DESCRIPTION

A parcel of land situated in the SE 1/4 of the SW 1/4, and the SW 1/4 of the SW 1/4, Section 12, along with the NW 1/4 of the NW 1/4, the SW 1/4 of the NW 1/4, the SE 1/4 of the NW 1/4, and Govt. Lot 2, Section 13, Township 17 North, Range 2 East, Boise Meridian, Valley County, Idaho, (please refer to, and note the differences between Inst. #6-166449, 149948, and 175483, Records of Valley County) more particularly described as follows:

Beginning at the 1/4 corner common to the above referenced Sections, thence S.89°57'30"W., 414.23 feet to a point; thence S.1°19'17"E., 260.88 feet to a point; thence S.0°05'09"W., 293.64 feet to a point; thence N.83°36'56"E., 212.74 feet to a point; thence S.48°23'04"E., 110.42 feet to a point; thence S.57°53'55"E., 23.57 feet to a point on the high water line of the right bank of the North Fork of the Payette River; thence along the high water line, S.62°04'48"W., 55.81 feet to a point; thence S.61°01'34"W., 19.49 feet to a point; thence S.49°41'02"W., 50.01 feet to a point; thence S.38°39'30"W., 28.67 feet to a point; thence S.30°52'28"W., 69.50 feet to a point; thence S.15°40'09"W., 109.92 feet to a point; thence S.0°17'33"W., 76.24 feet to a point; thence S.17°02'08"E., 81.23 feet to a point; thence S.19°43'08"E., 50.39 feet to a point; thence S.68°00'40"E., 47.10 feet to a point; thence S.16°59'57"E., 21.96 feet to a point; thence S.45°28'11"E., 40.87 feet to a point; thence S.45°34'10"E., 57.88 feet to a point; thence S.71°38'23"E., 52.73 feet to a point; thence, departing the high water line, and along a fence line, S.2°55'19"E., 149.85 feet to a point; thence S.86°42'16"W., 209.27 feet to a point; thence S.86°30'50"W., 59.98 feet to a point; thence S.87°29'30"W., 127.06 feet to a point; thence S.87°03'49"W., 450.21 feet to a point; thence, departing the fence line, N.30°44'53"E., 360.24 feet to a point; thence N.33°00'48"W., 149.78 to a point; thence N.14°32'05"W., 208.14 feet to a point; thence N.17°20'18"W., 143.89 feet to a point; thence N.89°13'03"W., 420.99 feet to a point on a fence line; thence, along the fence line, N.0°43'05"E., 612.38 feet to a point; thence N.1°05'25"E., 150.05 feet to a point; thence, departing the fence line, N.89°56'00"E., 1313.34 feet to a point; thence S.0°27'07"W., 151.18 feet to a point, the point of beginning.

Containing 28.7784 acres.

=====

EASEMENTS

TOGETHER WITH: The following described easements for non-exclusive ingress and egress and public utilities.

Easement #1:

A 60 foot wide Non-Exclusive Easement located in the South Half of Section 12, Township 17 North, Range 2 East, B.M.; which lies 30 feet on either side of the following described center line:

Beginning at the Southwest corner of said Section 12, a 5/8" rebar on the East Edge of West Mountain Road, thence N.0°17'E., along the Section

line, 1342.38 feet to a point on an existing fence line, hereafter referred to as Point D; thence N.0°17'E., 30 feet to the REAL POINT OF BEGINNING:

Thence N.88°20'48"E., parallel to the existing fence line, 800 feet to a point; thence N.60°E., 500 feet to a point; thence N.88°20'48"E., 350 feet to a point; thence S.45°E., 319.65 feet to a point on an existing fence line that bears N.84°31'51"E., which point is the end of Easement #1.

Easement #2:

A 20 foot wide Non-Exclusive Easement located along an existing roadway, the Southerly and Westerly boundary of same being an existing fence line more particularly described as follows:

Beginning at Point D, described in Easement #1; thence N.88°20'48"E., 808.59 feet to a point; thence N.88°20'17"E., 115.81 feet to a point where the existing road forks; thence N.88°26'24"E., 220.18 feet to a point; thence S.73°22'03"E., 170.69 feet to a point; thence S.54°00'20"E., 79.70 feet to a point at the West gate post of a gate, the end of Easement #2.

Easement #3:

A 30 foot wide Easement, the Northerly boundary of same being a fence line, more particularly described as follows:

Beginning at the end of Easement #1, above, thence S.84°31'51"W., 38.90 feet to the REAL POINT OF BEGINNING; thence, along the fence line, N.84°31'51"E., 661.83 feet to a point, and the end of Easement #3.

Easement #4:

A 20 foot wide Easement, describing an existing roadway, the westerly boundary of which is more particularly described as follows:

Beginning at the end of Easement #3; Thence S.2°04'03"E., 83.01 feet to a point; thence S.15°46'10"E., 105.77 feet to a point; thence S.7°36'31"E., 93.39 feet to a point; thence S.14°14'18"E., 81.65 feet to a point; thence S.4°41'41"E., 46.21 feet to a point; thence S.12°46'20"W., 38.43 feet to a point; thence S.35°42'07"W., 33.77 feet to a point; thence S.50°50'05"W., 163.30 feet to a point; thence S.57°39'12"W., 74.57 feet to a point; thence S.32°34'26"W., 51.45 feet to a point; thence S.15°15'00"W., 318.39 feet to a point; thence S.4°08'11"E., 43.03 feet to a point; thence S.4°08'10"E., 194.76 feet to a point; thence S.2°48'49"W., 137.72 feet to a point where the easement enters the above described parcel; thence S.10°02'53"E., 153.96 feet to a point where the existing road leaves the above described parcel; thence S.1°19'17"E., 260.88 feet to a point; thence S.0°05'09"W., 293.64 feet to a point where the easement enters the above described parcel again, and the end of Easement #4.

Easement #5:

A 20 foot wide Easement, describing an existing roadway, the westerly boundary of same being an existing fence line more particularly described as follows:

Beginning at the end of Easement #2, above; thence S.3°41'35"W., 96.87 feet to a point; thence S.3°47'44"W., 170.30 feet to a point; thence S.0°57'01"W., 162.66 feet to a point where the easement enters the above described parcel, and the end of Easement #5.

Easement #6:

A 20 foot wide Easement, describing an existing roadway, the Easterly or Northerly boundary of same being more particularly described as follows:

Beginning at the end of Easement #5, above, thence S.1°05'25"W., 150.05 feet to a point; thence S.0°43'05"W., 612.38 feet to a point; thence S.89°13'03"E., 20 feet to a point where the existing road leaves the above described parcel, the REAL POINT OF BEGINNING;

Thence S.2°08'20"W., 331.36 feet to a point; thence S.2°15'13"E., 47.75 feet to a point; thence S.12°31'39"E., 31.94 feet to a point; thence S.24°11'19"E., 42.15 feet to a point; thence S.31°55'51"E., 39.64 feet to a point; thence S.34°04'58"E., 216.14 feet to a point; thence S.34°59'52"E., 49.37 feet to a point; thence S.75°15'44"E., 228.68 feet to a point where the easement enters the above described parcel again, and the end of Easement #6.

SUBJECT TO: The reservation of the following described easements for non-exclusive ingress and egress and public utilities, in the name of various Grantees of the parcels made from Ralph Weavers' original holdings in this area (see Inst. #149948).

Easement #7

A 20 foot wide easement for ingress and egress of a non-motorized nature, the North boundary of which is more particularly described as follows:

Beginning at the end of Easement #5, above, thence N.89°56'00"E., 1313.34 feet to a point on the East boundary of the above described parcel, and the end of Easement #7.

Easement #8

An affirmative easement for the owners, heirs and assigns of the parcels shown on Records of Survey, Book 3, Pages 164 - 165, records of Valley County, Idaho, giving them the right to boat and swim on Ralph Weavers lake, as it is shown on the above referenced Records of Survey.

Easement #9

Beginning at the end of Easement #5, above, thence S.1°05'25"W., 150.05 feet to a point; thence S.0°43'05"W., 612.38 feet to a point where the existing road leaves the above described parcel, the end of Easement #9.

Easement #10

Beginning at the point where Easement #4, above, first enters the above described parcel; thence S.10°02'53"E., 153.96 feet to a point where the existing road leaves the above described parcel, the end of Easement #10.

NOTES: There are differences on the ground between the instruments noted at the beginning of this document, relating to existing fence lines, and the boundaries created by said deeds. These issues remain unresolved.

RMG

1. NO DEPART. OF WATER RESOURCES
WATER RIGHTS SUMMARY REPORTDATE: 10/12/89
PAGE: 1

WR-NUMBER:

65-02946

CURRENT OWNER:

JAMES M. HAIT
RUTH H. HAIT
P.O. BOX 160
MC CALL, ID 83638

PRIORITY DATE:

05-06-1952

STAGE:

DECREED

POOR ORIGINAL

COUNTY: VALLEY

SOURCE: DUFFNER CREEK

TRIBUTARY: PAYETTE RIVER, NORTH FORK

WATER-DIST: 65

WATER USE:

DIVERSION RATE:

DIVERSION VOLUME:

PERIOD FROM: PERIOD TO:

IRRIGATION FROM STORAGE

215.00

04/15

10/15

TOTAL:

215.00

DECREE PLAINTIFF: STATE OF IDAHO

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

REMARKS: DECREE GIVEN LIC. NUMBER.

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
	17N	02E	2	SE NE	

PLACE OF USE:	Twp	Rge	Sec	Tract	Lot	Acres
	17N	02E	1	NW SW		20.0
	17N	02E	1	NW SW		27.0
	17N	02E	1	SW SW		32.0
	17N	02E	1	SE SW		37.0
	17N	02E	12	NE NW		27.0
	17N	02E	12	NW NW		28.0
	17N	02E	12	SW NW		21.0
	17N	02E	12	NW SW		34.0
	17N	02E	12	SW SW		40.0
	17N	02E	12	SE SW		1.0
				TOTAL ACRES:		267.0

WR-NUMBER:
65-07052

CURRENT OWNER:

JAMES M. HAIT
RUTH H. HAIT
P.O. BOX 160
MC CALL, ID 83638

PRIORITY DATE:

09-27-1968

STAGE:

DECREED

COUNTY: VALLEY

SOURCE: DUFFNER CREEK

TRIBUTARY: PAYETTE RIVER, NORTH FORK

WATER-DIST: 65

WATER USE:

DIVERSION RATE:

DIVERSION VOLUME:

PERIOD FROM: PERIOD TO:

IRRIGATION FROM STORAGE

580.00

04/15

10/15

IRRIGATION

8.240

04/15

10/15

TOTAL:

8.240

DECREE PLAINTIFF: STATE OF IDAHO

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

REMARKS: DECREE GIVEN LICENSE NUMBER.

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
	17N	02E	2	SE NE	

MICROFILMED
OCT 21 1996

WR-NUMBER: 65-07052 (cont'd)

PLACE OF USE:	Twp	Rge	Sec	Tract	Lot	Acres
	17N	02E	1	SW NW		1.0
	17N	02E	1	NE SW		25.0
	17N	02E	1	NW SW		22.0-
	17N	02E	1	SW SW		32.0
	17N	02E	1	SE SW		37.0
	17N	02E	1	SW SE		1.0
	17N	02E	12	NE NW		39.0
	17N	02E	12	NW NW		32.0
	17N	02E	12	SW NW		36.0
	17N	02E	12	SE NW		39.0
	17N	02E	12	NE SW		38.0
	17N	02E	12	NW SW		40.0
	17N	02E	12	SW SW		40.0
	17N	02E	12	SE SW		32.0
				TOTAL ACRES:		414.0

WR-NUMBER:
65-07653BCURRENT OWNER:
JAMES M. HAIT
P.O. BOX 160
MC CALL, ID 83638PRIORITY DATE:
08-24-1976STAGE:
LICENSE ✓

COUNTY: VALLEY

SOURCE: PAYETTE RIVER, NORTH FORK

TRIBUTARY: PAYETTE RIVER

WATER-DIST: 65

WATER USE:

DIVERSION RATE:

DIVERSION VOLUME:

PERIOD FROM: PERIOD TO:

IRRIGATION

3.000

462.00

06/01

10/01

TOTAL:

3.000

462.00

POINT OF DIVERSION:

Twp	Rge	Sec	Tract	Lot
18N	02E	36	NE SW	6
18N	02E	36	NE NE	2

PLACE OF USE:

Twp	Rge	Sec	Tract	Lot	Acres
18N	02E	36	NE NE	2	1.0
18N	02E	36	NW NE	2	13.0
18N	02E	36	SW SW	7	12.0
18N	02E	36	SE SW	7	2.0-
17N	02E	1	NW NE	2	21.0
17N	02E	1	SE NE	5	1.0
17N	02E	1	NE NW	3	2.0
17N	02E	1	NW NW	4	4.0
17N	02E	1	NE SE	8	9.0
17N	02E	1	SW SE	9	27.0
17N	02E	12	NW NE	2	10.0
17N	02E	12	SW NE	3	14.0
17N	02E	12	NE SW	6	10.0
17N	02E	12	SE SW		13.0
17N	02E	12	NW SE	6	1.0
17N	02E	13	NE NW	2	11.0
18N	02E	36	NE NW		3.0

TOTAL ACRES:

154.0

MICHOFILMED
OCT 21 1996

WA ... RIGHTS SUMMARY REPORT

DATE: 10/12/89

PAGE: 3

WR-NUMBER:

65-12136

CURRENT OWNER:

J. M. HAIT

P.O. BOX 160

MC CALL, ID 83638

PRIORITY DATE:

06-15-1978

STAGE:

LICENSE ✓

POOR ORIGINAL

COUNTY: VALLEY
SOURCE: DUFFNER CREEK

TRIBUTARY: PAYETTE RIVER, NORTH FORK

WATER-DIST: 65

WATER USE:

DIVERSION RATE:

DIVERSION VOLUME:

PERIOD FROM: PERIOD TO:

IRRIGATION STORAGE
IRRIGATION FROM STORAGE
TOTAL:600.00
600.00
600.0010/15 06/01
06/01 10/15

REMARKS: Reservoir also known as Hait Upper Dam.

POINT OF DIVERSION:

Twp	Rge	Sec	Tract	Lot
17N	02E	2	SE NE	
17N	02E	2	NE SE	

PLACE OF USE:

Twp	Rge	Sec	Tract	Lot	Acres
17N	02E	1	SW NE	5	23.0
17N	02E	1	SE NE	5	1.0
17N	02E	1	NE SE	8	9.0
17N	02E	1	NW SE	8	40.0
17N	02E	1	SW SE	9	28.0
17N	02E	12	NW NE	2	10.0
17N	02E	12	SW NE	3	14.0
17N	02E	12	NE NW		40.0
17N	02E	12	NW NW		31.0
17N	02E	12	SW NW		33.0
17N	02E	12	SE NW		40.0
17N	02E	12	NE SW	6	10.0
17N	02E	12	NW SW		9.0
17N	02E	12	SE SW		13.0
17N	02E	12	NW SE	6	1.0
17N	02E	13	NE NW	2	11.0
17N	02E	1	NE SW		40.0
17N	02E	1	NW SW		18.0
17N	02E	1	SW SW		33.0
17N	02E	1	SE SW		40.0
17N	02E	1	SE NW		19.0

TOTAL ACRES: 463.0

END OF REPORT

MICROFILMED
OCT 21 1996

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: A65-07576
Date Received: 11/ 7/1988
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: L.B. INDUSTRIES, INC. 208-345-7515
Address: P.O. BOX 2797
1401 SHORELINE DR.
BOISE, ID 83701
2. Date of Priority: SEP 3, 1975
3. Source: SPRINGS Trib. to: PAYETTE RIVER, NORTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	02E	1		NE	NW	3	VALLEY
				NW	NW	4	VALLEY
				SE	NW		VALLEY
				NE	SW		VALLEY
				NW	SW		VALLEY
				SW	SW		VALLEY
		12	SE	SW	NW		VALLEY
				NE	SW	6	VALLEY
				NW	SW		VALLEY
				SE	SW		VALLEY
		13		NE	NW	2	VALLEY
18N	02E	25	SE	SE	SW		VALLEY
			SW	SW	SE		VALLEY
		36		NE	NW		VALLEY
				NW	NW		VALLEY
				SW	NW		VALLEY
				SE	NW	3	VALLEY
				NW	SW	6	VALLEY
				SW	SW	7	VALLEY

5. Description of diverting works:
SPRINGS ISSUEING FROM BLUFF COLLECTED IN DRAINAGE DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	06/01	11/01	9.960		1494.00
STOCKWATER	06/01	11/01	0.040		2.80

7. Total Quantity Appropriated is:
10.000 C.F.S. (and/or) 1496.80 A.F.A.

8. Total consumptive use is 996.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
17N	02E	1	NW	NE	2	IRR 22.0
			SW	NE	5	IRR 31.0
			SE	NE	5	IRR 1.0
			NE	NW	3	IRR 33.0
			NW	NW	4	IRR 4.0
			SE	NW		IRR 29.0
			NE	SW		IRR 40.0
			NW	SW		IRR 18.0
			SW	SW		IRR 33.0
			SE	SW		IRR 40.0
			NE	SE	8	IRR 9.0
			NW	SE	8	IRR 40.0
			SW	SE	9	IRR 28.0
					Section Acres	328.0
		12	NW	NW		IRR 31.0
			SW	NW		IRR 33.0
			NW	SE	6	IRR 1.0
					Section Acres	65.0
		13	NE	NW	2	IRR 11.0
					Section Acres	11.0
18N	02E	25	SE	SW		IRR 1.0
			SW	SE		IRR 2.0
					Section Acres	3.0
		36	NW	NE	2	IRR 19.0
			NE	NW		IRR 4.0
			NW	NW		IRR 1.0
			SW	NW		IRR 14.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
18N	02E	36	SE NW	3	IRR	22.0
			NE SW	6	IRR	7.0
			NW SW	6	IRR	10.0
			SW SW	7	IRR	12.0
			SE SW	7	IRR	2.0
					Section Acres	91.0
					Total Acres	498.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:
Springs are conveyed through Hait Drain Ditch.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): L. B. Industries, Inc. Date: _____

By: Christopher C. Clark Date: 1-31-91

Title: Secretary

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 31st day
of JANUARY 19 91

Vivian Jo Ann Waters
Notary Public

Seal

Residing at Boise, Idaho

My Commission Expires 9-28-95

POOR ORIGINAL

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

Department of Water Resources
Western Regional Office

I, James M Hair, hereby assign to L B Industries Inc
of 1401 Shoreline Dr PO Box 2797 Boise Id 83701
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. A65-07576
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 20 day of July, 19 90.

James M Hair
Permit Holder

Ruth H Hair
Spouse of Permit Holder

State of Idaho)
County of Valley) ss.

On this 20th day of July, 19 90, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Connie Wynn
Notary Public residing at
The Call, Idaho

My commission expires:

5/16/92

MICROFILMED
OCT 21 1996

POOR ORIGINAL

CHANGE IN OWNERSHIP Department of Water Resources
Western Region, DWR Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

[] Water Right Number(s): A 45-07576

[] Name and Address of
Former Claimant(s): James M. Evans
PO Box 166 The Dalles Id 83638

[X] New Claimant(s): L B Industries Inc

[] New Mailing Address: 1461 Shoreline Dr.
PO Box 2797
Boise Id 83701

New Telephone Number: (208) 345-7515

[] Does the change in ownership result in a splitting of the
water right claimed? yes no
If yes, then describe the portion of the water right that is
now claimed by the new owner:

[] Attach proof of ownership
Describe proof attached:
(Proof of ownership must describe either the property
conveyed or include the claim number. Proof of ownership is
not required if this form is signed by the former claimant.)

[] Signature of New Claimant(s): L B Industries

Date: July 21-90

POOR ORIGINAL

CHANGE IN OWNERSHIP

Page 2

[] Signature of Former Claimant(s): James J. Kline

Date: 7/26/90

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

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: A65-07576
Date Received: 11/07/1988
Receipt No: X999999
Received By: -6

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES M. HAIT 208-634-5120
Address: P.O. BOX 160
MC CALL, ID 83638
2. Date of Priority: SEP 03, 1975
3. Source: SPRINGS Trib. to: PAYETTE RIVER, NORTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	02E	1		NE	NW	3	VALLEY
				NW	NW	4	VALLEY
				SE	NW		VALLEY
				NE	SW		VALLEY
				NW	SW		VALLEY
				SW	SW		VALLEY
		12	SE	SW	NW		VALLEY
				NE	SW	6	VALLEY
				NW	SW		VALLEY
				SE	SW		VALLEY
		13		NE	NW	2	VALLEY
18N	02E	25	SE	SE	SW		VALLEY
			SW	SW	SE		VALLEY
		36		NE	NW		VALLEY
				NW	NW		VALLEY
				SW	NW		VALLEY
				SE	NW	3	VALLEY
				NW	SW	6	VALLEY
				SW	SW	7	VALLEY

5. Description of diverting works:
SPRINGS ISSUING FROM BLUFF COLLECTED IN DRAINAGE DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	06/01	11/01	9.960		1494.00
STOCKWATER	06/01	11/01	0.040		2.80

7. Total Quantity Appropriated is:

10.000 C.F.S. (and/or) 1496.80 A.F.A.

8. Total consumptive use is 996.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
17N	02E	1	NW	NE	2	IRR	22.0
			SW	NE	5	IRR	31.0
			SE	NE	5	IRR	1.0
			NE	NW	3	IRR	33.0
			NW	NW	4	IRR	4.0
			SE	NW		IRR	29.0
			NE	SW		IRR	40.0
			NW	SW		IRR	18.0
			SW	SW		IRR	33.0
			SE	SW		IRR	40.0
			NE	SE	8	IRR	9.0
			NW	SE	8	IRR	40.0
			SW	SE	9	IRR	28.0
			Section Acres				328.0
		12	NW	NW		IRR	31.0
			SW	NW		IRR	33.0
			NW	SE	6	IRR	1.0
			Section Acres				65.0
		13	NE	NW	2	IRR	11.0
			Section Acres				11.0
		25	SE	SW		IRR	1.0
			SW	SE		IRR	2.0
			Section Acres				3.0
		36	NW	NE	2	IRR	19.0
			NE	NW		IRR	4.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	02E	36	NW	NW		IRR	1.0
			SW	NW		IRR	14.0
			SE	NW	3	IRR	22.0
			NE	SW	6	IRR	7.0
			NW	SW	6	IRR	10.0
			SW	SW	7	IRR	12.0
			SE	SW	7	IRR	2.0
						Section Acres	91.0
						Total Acres	498.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:
Springs are conveyed through Hait Drain Ditch.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

Ident. Number: A65-07576
Date Received:
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER FEDERAL LAW

1. Name: JAMES M. HAIT
Address: P.O. BOX 160
MC CALL, ID 83638
2. Date of Priority: SEP 03, 1975
3. Source: SPRINGS Trib. to: PAYETTE RIVER, NORTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	02E	1		NE	NW	3	VALLEY
				NW	NW	4	VALLEY
				SE	NW		VALLEY
				NE	SW		VALLEY
				NW	SW		VALLEY
				SW	SW		VALLEY
		12	SE	SW	NW		VALLEY
				NE	SW	6	VALLEY
				NW	SW		VALLEY
				SE	SW		VALLEY
		13		NE	NW	2	VALLEY
18N	02E	25	SE	SE	SW		VALLEY
			SW	SW	SE		VALLEY
		36		NE	NW		VALLEY
				NW	NW		VALLEY
				SW	NW		VALLEY
				SE	NW	3	VALLEY
				NW	SW	6	VALLEY
				SW	SW	7	VALLEY

5. Description of diverting works:

Spring, issuing from bluff collected in drainage ditch

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	06/01	11/01	9.960		1494.00
STOCKWATER	06/01	11/01	0.040		2.80

7. Total Quantity Appropriated is:
 10.000 C.F.S. (and/or) 1496.80 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres		
17N	02E	1	NW	NE	2	IRR	22.0		
			SW	NE	5	IRR	31.0		
			SE	NE	5	IRR	1.0		
			NE	NW	3	IRR	33.0		
			NW	NW	4	IRR	4.0		
			SE	NW		IRR	29.0		
			NE	SW		IRR	40.0		
			NW	SW		IRR	18.0		
			SW	SW		IRR	33.0		
			SE	SW		IRR	40.0		
			NE	SE	8	IRR	9.0		
			NW	SE	8	IRR	40.0		
			SW	SE	9	IRR	28.0		
			Section Acres						328.0
			12	NW	NW		IRR	31.0	
SW	NW			IRR	33.0				
NW	SE	6		IRR	1.0				
Section Acres						65.0			
13	NE	NW	2	IRR	11.0				
	Section Acres						11.0		
18N	02E	25	SE	SW		IRR	1.0		
			SW	SE		IRR	2.0		
		Section Acres						3.0	
		36	NW	NE	2	IRR	19.0		
			NE	NW		IRR	4.0		
			NW	NW		IRR	1.0		
			SW	NW		IRR	14.0		
			SE	NW	3	IRR	22.0		
			NE	SW	6	IRR	7.0		
			NW	SW	6	IRR	10.0		

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	02E	36	SW	SW	7	IRR	12.0
			SE	SW	7	IRR	2.0
Section Acres							91.0
Total Acres							498.0

11. Place of use in counties: VALLEY

12. Do you own the property listed above as place of use? ~~NO~~ *yes*

13. Other Water Rights Used:

14. Remarks:

Springs are conveyed through Hait Drain Ditch.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments:

For Individuals:

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

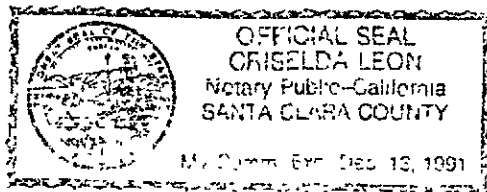
Signature of Claimant(s): *James M. Vant* Date: 11/14/88
J. Vant Date:

State of Idaho)
County of Santa Clara) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of November 19 88.

Graciela Leon
Notary Public

Seal



Residing at 881 Madison Ave, S.C. CA.

My Commission Expires 12-13-91

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

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 104

Water Source: SPRINGS

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: LICENSE

Place of use Legal Description for: RECREATION

POU County: VALLEY

Dates: **Exam Made Date:**

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Comments: Date: 05/25/1999 User-ID: MSCHULTE Subject: COPIED FROM REMARKS
THIS CLAIM IS A RESULT OF APPROVED TRANSFER NO. 4143 WHICH
SPLIT CLAIM A65-07576A INTO A65-07576C AND A65-07576D.
CLAIM AMENDED PER TRANSFER NO. 4143 APPROVED 2/18/1994.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE
COPY OF APPROVED TRANSFER NO. 4143 IN FILE. KW 2/1/1996

Audit: 05/25/99 MSCHULTE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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05/25/99
17

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-07576D

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	L B INDUSTRIES INC	09/03/1975	RECREATION	06-01 11-01	0.78 CFS	
TOTAL DIVERSION:					0.78 CFS	

Water Source: SPRINGS

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: LICENSE

Point(s) of Diversion: T18N R02E S25 Lot03(NESENW) Lot03(NWSENW) Lot03(SWSENW) SESESW VALLEY County
S25 SWSWSE VALLEY County
S36 NENENW SWNENW SENWNW NWSWNW VALLEY County
S36 SWSWNW SESWNW VALLEY County

Place of use Legal Description for: RECREATION

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:
18N	02E	36	:					:	R	R	R	03-R	:	06-R	06-R			:					:

POU County: VALLEY

Non-Irrigation Uses: RECREATION

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks: GEN THIS CLAIM IS A RESULT OF APPROVED TRANSFER NO. 4143 WHICH SPLIT CLAIM A65-07576A INTO A65-07576C AND A65-07576D. CLAIM AMENDED PER TRANSFER NO. 4143 APPROVED 2/18/1994. SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO. 4143 IN FILE. KW 2/1/1996

To Comments

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
ADJUDICATION CLAIM VERIFICATION REPORT

12:54:57
05/25/99

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QUICKLOOK INFORMATION

16
CLAIM NUMBER: A65-075760

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	Y		MS 5-25-99 In office	N		MS 5-25-99	MS 5-25-99	
POINT OF DIV	Y			N				
SOURCE	Y			N				
PLACE OF USE	Y			N				
DIV. AMOUNT CFS/VOLUME	Y			N				
CONSUMPTIVE USE	-			NA				
PURPOSES OF USE	Y			N				
PERIOD OF USE	Y			N				
BASIS OF CLAIM	Y			N				
REMARKS	Y			N				

BARCODE UPDATED
WHOM/DATE

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 <i>GIS map</i>	DATE OF PHOTO <i>5-25-99</i> IDWR ID NO. _____	Y(<i>L</i>) N() <i>6a</i>
() 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 <i>Split tree</i>	DATE <i>5-25-99</i>	Y(<i>L</i>) N() <i>14a</i>
↔ OTHER <i>Letter of direction</i>	DATE <i>5-21-99</i>	Y(<i>L</i>) N() <i>3a</i>
() 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 <i>6-19-87</i>	<i>2</i>	<i>License 65-07576</i>
↔ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED <i>2-18-94</i>	<i>3</i>	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:54:57
05/25/99

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-075760

LAST: HAIT
ADDRESS: PO BOX 160
CITY: MC CALL
PHONE NUMBER: 208-634-5120

FIRST: JAMES M
STATE: ID ZIP: 83638

OWNER CODE: O

LAST: L B INDUSTRIES INC
ADDRESS: 1401 SHORELINE DR
PO BOX 2797
CITY: BOISE
PHONE NUMBER: 208-345-7515

FIRST:
STATE: ID ZIP: 83701

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN THIS CLAIM IS A RESULT OF APPROVED TRANSFER NO. 4143 WHICH
SPLIT CLAIM A65-07576A INTO A65-07576C AND A65-07576D.
CLAIM AMENDED PER TRANSFER NO. 4143 APPROVED 2/18/1994.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE
COPY OF APPROVED TRANSFER NO. 4143 IN FILE. KW 2/1/1996

PAGE: 2
FIELD EXAMINATION INFORMATION

2
CLAIM NUMBER: A65-07576D

CONTACT PERSON:

Kitt Clark

PHONE NUMBER: 6

$$608,345 - 7515$$

DATE OF FIELD EXAM:

APPOINTMENT MADE: Y() N()

TIME: _____:_____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / NOTES:

As office exam

A. AJ CLAIM: # A65-075760 PRIORITY DATE: 09-03-1975 STAGE: L

B. WR RECORD: # 65-07576 PRIORITY DATE: - - STAGE:

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: *This right is based on T4143 which has not been completed. The recreational pond has not been built. In a telephone conversation and by the attached letter dated 5-21-99 LB Industries wants to retain the right to develop the pond.*

=====

RECOMMENDED PRIORITY DATE:

9-3-1975
REVIEWED BY *Mele Schulte*

DATE *5-25-99*

3a



L.B. Industries, Inc.

RECEIVED

MAY 24 1999

WATER RESOURCES
WESTERN REGION

1401 Shoreline Drive • P.O. Box 2797 • Boise, Idaho 83701

Tel: (208) 345-7515 • Fax (208) 345-7028

May 21, 1999

Mr. Mel Schulte
State of Idaho
Department of Water Resources
2735 Airport Way
Boise, ID 83705

Re: Transfer of Water Right, Transfer No. 4143; Water Right No. 65-07576B; and Water Right Claim No. A65-07052E

Dear Mel:

This letter is sent in response to certain inquiries that you made concerning the above-referenced water rights. Please be advised that with respect to Water Right No. 65-07576B as transferred pursuant to Transfer No. 4143 that L. B. Industries, Inc. is still contemplating the development of a lake which would convert the beneficial use of the water relating to the requested transfer from irrigation to recreational use. In that respect, it is requested that you recommend that the transfer of said Water Right be accepted for the near term.

With respect to the claim to a water right under identification No. A65-07052E, please be advised that the seven (7) acres located in the Southeast quarter Southwest quarter of Section 12 is not property owned by L. B. Industries, Inc. This particular land lies to the south of L. B. Industries, Inc.'s southern most boundary line. In that respect, please modify the Water Right Claim designated under identification No. A65-07052E to remove these seven (7) acres from our Water Right Claim.

Best regards,

A handwritten signature in cursive script that reads "Kit Clark".

Christopher W. "Kit" Clark
General Counsel and Corporate Secretary

Enclosures

CWC/pjd

cc. Gene Thurston
Jim Ball

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
A65-07576D	18N	02E	25	NE	SE	NW	3	VALLEY		
A65-07576D	18N	02E	25	NW	SE	NW	3	VALLEY		
A65-07576D	18N	02E	25	SW	SE	NW	3	VALLEY		
A65-07576D	18N	02E	25	SE	SE	SW		VALLEY		
A65-07576D	18N	02E	25	SW	SW	SE		VALLEY		
A65-07576D	18N	02E	36	NE	NE	NW		VALLEY		
A65-07576D	18N	02E	36	SW	NE	NW		VALLEY		
A65-07576D	18N	02E	36	SE	NW	NW		VALLEY		
A65-07576D	18N	02E	36	NW	SW	NW		VALLEY		
A65-07576D	18N	02E	36	SW	SW	NW		VALLEY		
A65-07576D	18N	02E	36	SE	SW	NW		VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX
A65-07576C NONE

WR RECORDS IN SAME 40 ACRE TRACT

65-07576A
65-07576B

SOURCE: SPRINGS

TRIB: PAYETTE RIVER, NORTH FORK

B. WR POINT OF DIVERSION AND SOURCE:

6507576 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

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 7/4/43) Y(☒) N()

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

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: *Recommended per T4143. The POD's in the
SE NW, S25 may be in error according to the maps
used in the licensing process.*

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
18N	02E	25	NE	SE	NW	3		VALLEY		
18N	02E	25	NW	SE	NW	3		VALLEY		
18N	02E	25	SW	SE	NW	3		VALLEY		
18N	02E	25	SE	SE	SW			VALLEY		
18N	02E	25	SW	SW	SE			VALLEY		
18N	02E	36	NE	NE	NW			VALLEY		
18N	02E	36	SW	NE	NW			VALLEY		
18N	02E	36	SE	NW	NW			VALLEY		
18N	02E	36	NW	SW	NW			VALLEY		
18N	02E	36	SW	SW	NW			VALLEY		
18N	02E	36	SE	SW	NW			VALLEY		

SOURCE: *Springs* TRIB: *Payette River, N.F.*

REVIEWED BY: *McSchultz* DATE: *5-25-99*

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

A. ROOT WATER RIGHT NUMBERS: R65-07576B
A65-07576B
A65-07576C
A65-07576D

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
18N	02E	36	NE	NW		L B INDUSTRIES INC	A65-07576D /	- /	19.0		
			NE	NW		L B INDUSTRIES INC	A65-07576C / 3.0	- /			
			NE	NW		L B INDUSTRIES INC	A65-07653E / 3.0	- /			
			NE	NW		HAIT, JAMES M		65-07576A / 3.0			
			NE	NW		LB INDUSTRIES		65-07576B /			
			NE	NW		L.B. INDUSTRIES		65-07653B / 3.0			
18N	02E	36	NW	NW		L B INDUSTRIES INC	A65-07576D /	- /	14.0		
			NW	NW		LB INDUSTRIES		65-07576B /			
18N	02E	36	SW	NW		L B INDUSTRIES INC	A65-07576D /	- /	32.0		
			SW	NW		LB INDUSTRIES		65-07576B /			
18N	02E	36	SE	NW	3	L B INDUSTRIES INC	A65-07576D /	- /	26.0		
			SE	NW	3	L B INDUSTRIES INC	A65-07576C / 2.0	- /			
			SE	NW	3	HAIT, JAMES M		65-07576A / 2.0			
			SE	NW	3	LB INDUSTRIES		65-07576B /			
18N	02E	36	NE	SW	6	L B INDUSTRIES INC	A65-07576D /	- /	32.0		
			NE	SW	6	L B INDUSTRIES INC	A65-07576C / 5.0	- /			
			NE	SW	6	HAIT, JAMES M		65-07576A / 5.0			
			NE	SW	6	LB INDUSTRIES		65-07576B /			
18N	02E	36	NW	SW	6	L B INDUSTRIES INC	A65-07576D /	- /	32.0		
			NW	SW	6	L B INDUSTRIES INC	A65-07576C / 9.0	- /			
			NW	SW	6	HAIT, JAMES M		65-07576A / 9.0			
			NW	SW	6	LB INDUSTRIES		65-07576B /			

Recreation

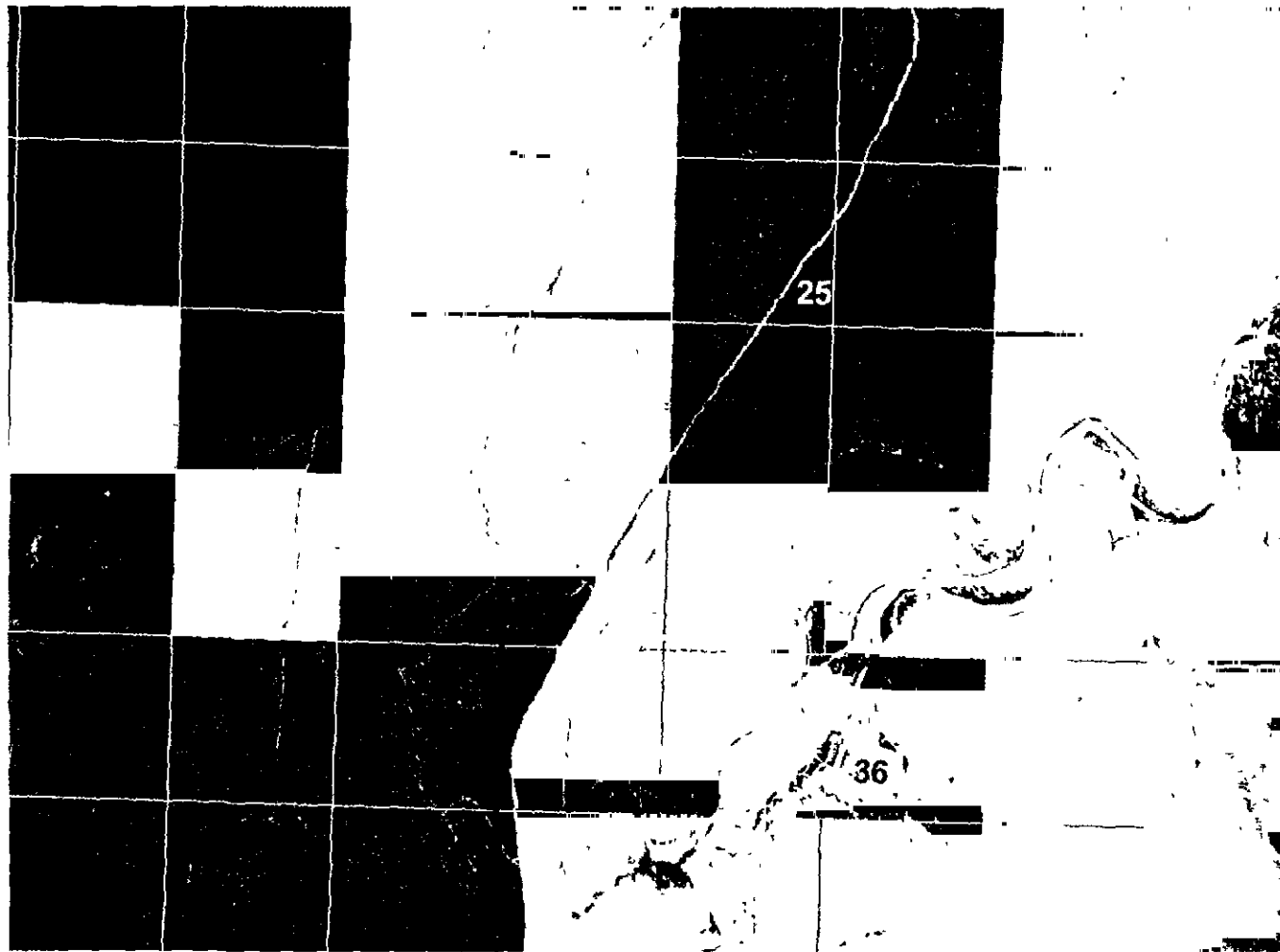
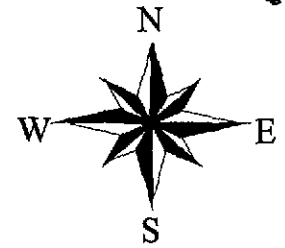
ADDITIONAL POU FOUND

TOTAL ACRES A65-07576D 155.00

IDAHO DEPARTMENT OF WATER RESOURCES

18N, 02E, S25 & 36

6a



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE
1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-07576D

OWNER(S): L B INDUSTRIES

Prepared by Mel Schulte

DATE: MAY 25, 1999

0 0.25 0.5 0.75 1 1.25 1.5 Miles

POU COUNTY: VALLEY

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

Y() N(X)

* 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
A65-07576C	SPRINGS	L B INDUSTRIES INC	8.990	0.020	1346.74	3.00
A65-07653E	PAYETTE RIVER, NORTH FORK	L B INDUSTRIES INC	2.480	0.019	381.00	3.00

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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

Y() N(X)

* 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(X) 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(X) N(X)

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

Y() N(X)

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(X) N()

See page 3

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;
() NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER T4143

NOTES:

Recommended per T4143

RECOMMENDATIONS:

TOTAL ACRES: _____ N/A()

REVIEWED BY:

Mel Schulte

DATE:

5-25-99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-07576D RECREATION	FROM 06-01 TO 11-01	0.780 CFS	
TOTAL DIVERSION RATE/VOLUME		0.780 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
TOTAL DIVERSION RATE/VOLUME			

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:

Recommended per T4143

AJ CLAIM TOTAL DIVERSION RATE: 0.780 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 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() *See page 3*

* 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 None, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES N/A 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 = 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 ()

NOTES:

NOTES: Recommended per T4143

WR RECORD CONDITIONS/REMARKS:

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	
RECREATION	06-01	11-01	DATABASE 0.780	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 0.0	EXAMINER _____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
TOTAL FOR THIS RIGHT				_____		_____		_____

NON-IRRIGATION USES CLAIMED: RECREATION

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

REVIEWED BY: Mel Schulte DATE: 5-25-99

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 _____	(<u>✓</u>)	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-07576

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
10.000

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
65-07576	A65-07576B	0.230	R65-07576B	0.230	65-07576A	9.220
A65-07576	A65-07576C	8.990	-		65-07576B	0.780
A65-07576A	A65-07576D	0.780	-		-	
TOTAL CFS		10.000		0.230		10.000

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: Mel Schulte

DATE: 5-25-99

NAME OF FIELD EXAMINER: _____

TITLE: _____

Split Tree - 65-07576 5-25-99.

65-07576 (N/O James Hait)

QR: 9.96 cfs = IRR

QV: 1494 AF = IRR

$\frac{.04}{10.0 \text{ cfs}} = \text{Stock}$

$\frac{2.8}{1496.8 \text{ AF}} = \text{Stock}$

POD: 19 per license

POU: 498 acres in 17N, 2E, S1, 12, 13
18N, 2E, S25 & 26.

65-07576A (N/O LB Industries)

QR: 9.18 cfs = IRR

QV: 1377 AF = IRR

$\frac{.04}{9.22 \text{ cfs}} = \text{Stock}$

$\frac{2.80}{1379.8 \text{ AF}} = \text{Stock}$

POD: 19 after transfer 4143

POU: 459 acres in 17N, 2E, S1, 12, 13
18N, 2E, S25, 36.

Note: 39 acres converted to recreational
pond authorized in 65-07576B

65-07576B (N/O LB Industries)

QR: .78 cfs.

POD: 11 located in 18N, 2E, S25 & 26

POU: 18N, 2E, S36, NENW, NWNW, SWNW, SENW
NESW, NWSW

Use: Recreational Pond

Same as 65-07576D below.

T4143

ownership
Change
split of
65-07576A

A65-07576B (N/O Thompson)

DR: .22 cfs = In

DV: 33.0 = In

$\frac{.01}{.23} = \text{Stock}$

$\frac{.06}{33.06} = \text{Stock}$

POB: 17N, 2E, S12, SESW

S13, NENW (L2)

POU: 17N, 2E, S12, NENW (L2) - 11 ac.

A65-07576C (N/O L.B. Industries)

DR: 8.99 cfs = In

DV: 1346.74 = In

.03 cfs = Stock

2.74 = Stock

POB: 17 remaining after split with A65-07576B

POU: 448 ac in 17N, 2E, S1, 12

18N, 2E, S25, 36.

A65-07576D (N/O L.B. Industries)

Same as 65-07576B above.

Summary after splits

	$\frac{DR}{S}$		$\frac{DV}{S}$		$\frac{Acres}{S}$
A65-07576B	.22	.01	33	.06	11
-07576C	8.99	.03	1346.74	2.74	448
-07576D	.78	0	—	—	NA
	9.99	.04	1379.74	2.78	*459.

* 39 acres from original right were converted to the recreational pond site.

SD-0607-2 Prefix: A Basin: 65 Starting Water Right: 07576

STATE

Water Right No.	Name Last, First	W N	Priority Date	Stg/ Sts	Source	Use Code Desc
A65-07576	L.B. INDUSTRIES, INC.,	C	09/03/1975	/Z	SPRINGS	01 IRR
					SPLIT CLAIM	04 STOCK
A65-07576A	SPLIT CLAIM,	C	09/03/1975	/Z	SPRINGS	01 IRR
					SPLIT CLAIM	04 STOCK
A65-07576B	THOMPSON, MARIETTA	C	09/03/1975	L/	SPRINGS	01 IRR
	THOMPSON, CHARLES	C				04 STOCK
A65-07576C	L B INDUSTRIES INC,	C	09/03/1975	L/	SPRINGS	01 IRR
						04 STOCK
A65-07576D	L B INDUSTRIES INC,	C	09/03/1975	L/	SPRINGS	46 REC
A65-07578	R C LIMITED PARTNERSHI	C	09/04/1975	L/	GROUNDWATER	01 IRR
A65-07579	GRASMICK, REUBEN N	C	09/05/1975	D/	GROUNDWATER	43 DOMEST
A65-07580	CHARTERS, FRED T	C	09/09/1975	L/	PAYETTE RIVER	01 IRR
	CHARTERS, MARY GENE	C				04 STOCK
A65-07581	STATE OF IDAHO,	C	09/08/1975	D/	BIG PAYETTE LAKE	43 DOMEST
A65-07583	MC DOWELL, RICHARD E	C	09/25/1975	D/	FRAZIER CREEK	43 DOMEST
	MC DOWELL, JANET L	C				

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

SD-0607-2 Basin: 65 Starting Water Right: 07576

STATE

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Code	Desc
	65-07576			00/00/0000	/Z			
	65-07576A	HAIT, JAMES M	C	09/03/1975	L/	SPRINGS	01	IRR
							04	STOCK
	65-07576B	LB INDUSTRIES,	C	09/03/1975	L/	SPRINGS	46	REC
	65-07577			00/00/0000	/			
	65-07578	CHAR CORPORATION,	C	09/04/1975	L/	GROUNDWATER	01	IRR
	65-07579	GRASMICK, REUBEN N.	C	09/05/1975	D/	GROUNDWATER	43	DOMEST
	65-07580	CHARTERS, FRED T.	C	09/09/1975	L/	PAYETTE RIVER	01	IRR
							04	STOCK
	65-07581	STATE OF IDAHO,	C	09/08/1975	D/	BIG PAYETTE LAKE	43	DOMEST
		RASMUSSEN, JR, JOHN	C					
	65-07582	WESTERN DAAGCO,	C	00/00/0000	/L			
	65-07583	BLASER, ALBERT E.	C	09/25/1975	D/	FRAZIER CREEK	43	DOMEST
	65-07584	KAUFFMAN, FARL G.	C	09/29/1975	L/	GROUNDWATER	43	DOMEST
		KAUFFMAN, MARY J.	C				01	IRR
							04	STOCK

(Enter=Continue)

(GOLD 7=This Query)

(Menu _____)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4143
WATER RIGHT NO. 65-07576B

This is to certify that: LB INDUSTRIES
1401 SHORELINE DR
PO BOX 2797
BOISE ID 83701

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
RECREATION	06/01 to 11/01	0.78 CFS
<u>SOURCE</u>	<u>TRIBUTARY OF</u>	
SPRINGS	PAYETTE RIVER, NORTH FORK	

Priority: 09/03/1975

LOCATION OF POINT(S) OF DIVERSION:

Lot 3 (NESENW), Sec. 25, Township 18N, Range 02E
Lot 3 (NWSNW), Sec. 25, Township 18N, Range 02E
Lot 3 (SWSENW), Sec. 25, Township 18N, Range 02E
SESESW, Sec. 25, Township 18N, Range 02E
SWSWSE, Sec. 25, Township 18N, Range 02E
NENENW, Sec. 36, Township 18N, Range 02E
SWNENW, Sec. 36, Township 18N, Range 02E
SENWNW, Sec. 36, Township 18N, Range 02E
NWSWNW, Sec. 36, Township 18N, Range 02E
SWSWNW, Sec. 36, Township 18N, Range 02E
SESWNW, Sec. 36, Township 18N, Range 02E

VALLEY County

PLACE OF USE: RECREATION

TWN RGE SEC

18N 02E 36

NENW
Lot 3 (SENW)

NWNW
Lot 6 (NESW)

SWNW
Lot 6 (NWSW)

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.

PAGE 2

TRANSFER NO. 4143
WATER RIGHT NO. 65-07563

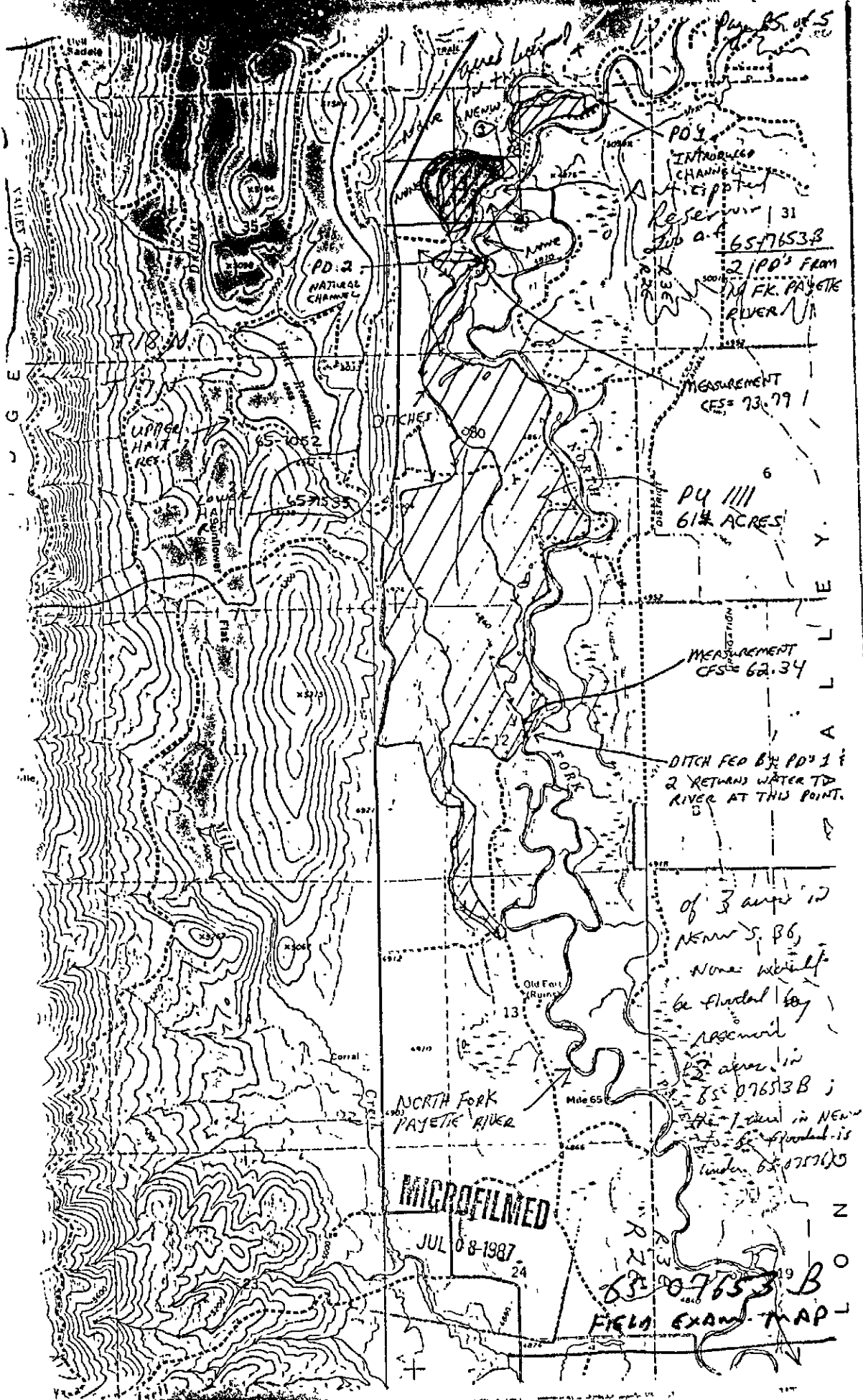
EXPLANATIONS:

2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 18th day of February, 1994.

J. Blue Saylor
Chief, Water Alloc. Bureau





Page 85 of 5
PO 2
INTRODUCED
CHANNEL
Reservoir 131
65-17653B
2 PD's FROM
N. FK. PAYETTE
RIVER

MEASUREMENT
CFS = 73.79

6
PD 1111
61.4 ACRES

MEASUREMENT
CFS = 62.34

DITCH FED BY PD 1 &
2 RETURNS WATER TO
RIVER AT THIS POINT.

of 3 acres in
New S. B6,
None would
be flooded by
reservoir
at above in
65-17653B
The 1st in New
is 65-17653B
under 65-17653B

MICROFILMED

JUL 68-1987

65-17653B
FIELD EXAM MAP

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-7576

Priority: September 3, 1975 Amount: 10.00 CFS 1496.8 AFA

This is to certify, that JAMES M. HAIT
P.O. BOX 160
MC CALL, ID 83638

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated September 3, 1975, and has submitted proof to the Department of Water Resources on August 7, 1985, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 10.00 cfs of water from;

SPRINGS

tributary to PAYETTE RIVER, NORTH FORK

and that a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	VOLUME
Irrigation	06/01 to 11/01	9.96 cfs	1494.0 afa
Stockwater	06/01 to 11/01	.04 cfs	2.8 afa
Totals		10.00 CFS	1496.8 AFA

LOCATION OF POINT OF DIVERSION(S): LOT 3(NENW), Sec. 1, Township 17N, Range 2E
LOT 4(NWNW), Sec. 1
SESW, Sec. 1
NESW, Sec. 1
NWSW, Sec. 1
SWSW, Sec. 1
SESWNW, Sec. 12
LOT 6(NESW), Sec. 12
NWSW, Sec. 12
SESW, Sec. 12
LOT 2(NENW), Sec. 13
SESESW, Sec. 25, Township 18N, Range 2E
SWSWSE, Sec. 25
NENW, Sec. 36
NWNW, Sec. 36
SESW, Sec. 36
LOT 3(SESW), Sec. 36
LOT 6(NWSW), Sec. 36
LOT 7(SWSW), Sec. 36

Valley County

PLACE OF USE: Irrigation

TWN	RGE	SEC	ACRES	ACRES	ACRES	ACRES	TOTAL
17N	2E	1	LOT 2(NWNE)22	LOT 5(SWNE)31	LOT 5(SENE) 1	LOT 3(NENW)33	
			LOT 4(NWNW) 4	SESW 29	NESW 40	NWSW 18	
			SWSW 33	SESW 40	LOT 8(NESE) 9	LOT 8(NWSE)40	
			LOT 9(SWSE)28				328
		12	NENW 31	SWNW 33	LOT 6(NWSE) 1		65

MICROFILMED

State of Idaho
Department of Water Resources

PAGE 2

WATER RIGHT LICENSE

WATER RIGHT NO. 65-7576

PLACE OF USE: Irrigation

TWN	RGE	SEC	ACRES	ACRES	ACRES	ACRES	TOTAL
17N	2E	13	LOT 2(NENW)11				11
18N	2E	25	SESW 1	SWSE 2			3
		36	LOT 2(NWNE)19	NENW 4	NNNW 1	SNNW 14	
			LOT 3(SENW)22	LOT 6(NESW) 7	LOT 6(NWSW)10	LOT 7(SWSW)12	
			LOT 7(SESW) 2				91

Total number of acres irrigated: 498

PLACE OF USE: Stockwater, same as Irrigation use

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this license is subject to control by the watermaster of State Water District No. 65.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
6. Springs are conveyed through Hait Drain Ditch.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 19th day of JUNE, 1987.

Acting for the Director

MICROFILMED

JUL 08 1987

WR5809NP
No. 65-07576B

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/20/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LB INDUSTRIES 1401 SHORELINE DR PO BOX 2797 BOISE ID 83701 (208) 345-7515	09/03/1975	RECREATION	06/01 11/01	0.780 CFS	
TOTAL DIVERSION:					0.780 CFS	

Water Source: SPRINGS

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: LICENSE

Point(s) of Diversion Capacity: 10.000 CFS

Point(s) of Diversion:	T18N R02E S25 Lot 03(NESWN) Lot 03(NWSWN) Lot 03(SWSWN)	SESESW VALLEY County
	S25 SWSWSE	VALLEY County
	S36 NENENW SWNENW SENWNW	VALLEY County
	S36 SWSWNW SESWNW	VALLEY County

Place of use Legal Description for: RECREATION

NE				NW				SW				SE			
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	:	NENW NWNW SWNW SENW	:	NESW NWSW SWSW SESW	:	NESE NWSE SWSE SESE	:					
18N	02E	36	:		:	R R R 03-R	:	06-R 06-R	:		:				

Pou County: VALLEY

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-07576A

Other Water Rights Listing Overlapping Place(s) of use:
65-07576A 65-076538

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dates:	App. Received:	09/03/1975	Priority Date:	09/03/1975
	Proof Due Date:	10/01/1985	Proof Made Date:	08/07/1985
	Exam Made Date:	09/03/1986	Exam Sent to S.O.:	
	Licensed Date:	06/19/1987		

Misc: Water District Number: 65 Field Exam Fee: R (Received)

WR5809NP
No. 65-07576B

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/20/99
PAGE: 2

Comments: Date: 05/12/1993 User-ID: SKAGGS Subject: TRANSFER #4143
Transfer #4143 was filed to change the nature of use of 39 acres
of Irrigation to Recreation use and resulted in splitting the
right into parts A and B.

Audit: 05/13/93 SKAGGS



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 12, 1993

RE: Notice of Change in Ownership from James Hait to Charles Haid

Jodell Barber
c/o Clark Real Estate
P.O. Box 788
McCall, ID 83638

Dear Ms. Barber:

I have completed my review of the Change in Ownership as referenced above and the Snake River Basin Adjudication (SRBA) Claims that will be involved with this change. Please note that all of these claims **had been** submitted by James Hait. The rights were changed to L. B. Industries Inc. based on the Memorandum of Sale of Water Rights submitted with a change of ownership form in February of 1991.

Claim A65-07576 was not mentioned in the listing of rights that Mr. Weaver gave to Mr. Haid. However, this claim does include lands now owned by Mr. Haid. It also includes a stockwater use which I have split. The license was issued for watering 500 head of cattle on the entire irrigated place of use.

There was never a SRBA Claim submitted for **Right 65-12136** which was included in the listing of rights that Mr. Weaver gave to Mr. Haid. Therefore, I have not done anything in regard to this right.

Please review the enclosed copies of the claims as they have been split. If you have any comments and/or corrections to these splits please let me know within the next 30 days. If I don't hear from you within this period, the claims will remain on record as shown on the enclosed copies. Please feel free to contact this office if you have any questions in regard to this matter.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

cc: Charles Haid, III
L. B. Industries, Inc.
Enclosures: Copies of Split Claims

MICROFILMED

OCT 21 1996

MEMORANDUM

DATE: 12-May-1993 08:16

TO: FILES A65-02946, A65-07052, A65-07653B & A65-07576

FROM: KAY WALKER *KW*

RE: SPLIT OF CLAIMS BETWEEN L.B. INDUSTRIES & CHARLES HAID

Note that all of these claims had been submitted by James Hait. The rights were changed to L. B. Industries Inc. based on the Memorandum of Sale of Water Rights submitted with change of ownership form in February of 1991. Splits will be as follows, based on the plotting of both land ownerships (see map of land ownerships in File A65-02946B).

Charles Haid's Portion

L. B. Industries' Portion

Claim A65-02946

1 acre
0.8 ac-ft from storage
2.0 ac-ft consumptive use

266 acres
214.2 ac-ft from storage
532 ac-ft consumptive use

Claim A65-07052

1 acre
1.4 ac-ft from storage
0.02 cfs

413 acres
578.6 ac-ft from storage
8.22 cfs

Claim A65-07653B

12 acres
0.23 cfs
36 ac-ft at field headgate
24 ac-ft consumptive use

142 acres
2.77 cfs
426 ac-ft at field headgate
284 ac-ft consumptive use

Claim A65-07576

11 acres/0.22 cfs
33 ac-ft at field headgate
22 ac-ft consumptive use
10 hd. cattle/0.01 cfs/0.06 AF

487 acres/9.74 cfs
1461 ac-ft at field headgate
974 ac-ft consumptive use
490 hd. cattle/0.03 cfs/2.74 AF

NOTE: This claim was not mentioned in the listing of rights that Mr. Weaver gave to Mr. Haid. However, this claim does include lands now owned by Mr. Haid. This claim also includes a stockwater use which I have split. The license was issued for watering 500 head of cattle on the entire irrigated place of use. I found that L. B. is the owner of 98% of this right and Mr. Haid owns 2%, so the stockwater use was split based on ownership.

There was never a SRBA Claim submitted for Right 65-12136 which was included in the listing of rights that Mr. Weaver gave to Mr. Haid. Therefore, I have not done anything in regard to this right.

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OCT 21 1996

MEMORANDUM

DATE: 03-May-1993 08:26

TO: FILES A65-07052, A65-02946 AND A65-07576

FROM: KAY WALKER *KW*

RE: OWNERSHIP OF LANDS UNDER CLAIMS

Ms. Bea Perez called the office this morning in regard to the letter I sent to her last week. She had no idea that there were water rights on the property. She says a channel runs through their property which they would like to build into a wildlife habitat area. She has no plans on irrigating any of the land out there. She has been in contact with the Department of Fish and Game in regard to the wildlife habitat. She will not return the change in ownership form at this time.

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OCT 21 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 28, 1993

RE: Water Rights

Beatrice Perez
c/o Alice Bassett
721 Spyglass Way
Eagle, ID 83616

Dear Ms. Perez:

It has come to our attention that you have purchased some property in Valley County which may have appurtenant water rights that have been claimed in the Snake River Basin Adjudication (SRBA). Enclosed are a couple of brochures which explain what the adjudication is and what to do when buying or selling property in the SRBA boundaries.

It is my understanding that you purchased property from Ralph Weaver who purchased the property from James Hait. Mr. Hait filed claims in the SRBA for the irrigation of lands that he had owned. If you now own some of these "irrigable" lands, you need to file a Notice of Change in Ownership. Enclosed, for your convenience, is a Notice of Change of Water Right Ownership form. Please complete the form and return it to my attention so we can straighten out our records.

If you have any questions in regard to this matter, please do not hesitate to contact me.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

MICROFILMED

OCT 21 1996

MEMORANDUM

DATE: 28-Apr-1993 10:31

TO: FILES A65-07576, A65-02946 AND A65-07052

FROM: KAY WALKER *KW*

RE: OWNERSHIP OF WATER RIGHTS

While reviewing the Notice of Change of Ownership from Jim Hait to Charles Haid, I found that the above rights had been completely changed to L.B. Industries due to the "Memorandum of Sale of Water Rights" between Hait 1971 California Trusts and L.B. Industries. In processing this new change of ownership I was completely confused so I contacted Millie at Clark Real Estate in McCall. Millie gave me a breakdown of the sequence of property ownership which is as follows:

Jim Hait sold 80 acres to Ralph Weaver - there was never a change in ownership for this sale submitted.

Jim Hait sold all remaining land under his name to L.B. Industries with the exception of Rt. A65-08120 which was retained. I was able to plat L.B.'s property with the information in files. See attached.

Ralph Weaver then sold 25-30 acres (out of his 80) to Beatrice Perez. We have never received a Change of Ownership for this property. I have a mailing address of:

Beatrice Perez, c/o Alice Bassett, 721 Spyglass Way, Eagle, ID 83616

I will send Ms. Perez notification that we need to have a Change of Ownership submitted.

Mr. Weaver also sold another 10 acre piece to another party. Millie did not have any information on this sale.

Mr. Weaver then sold 28 acres to Charles Haid.

Since all rights were changed to L.B. Industries, I will split them and advise L.B. that there are other owners of portions of these rights which will be processed as they are submitted.

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OCT 21 1996

CLARK

REAL ESTATE

Box 788, McCall, Idaho 83638

POOR ORIGINAL

Memo from Jodell Barber
Sales Associate

634-7924 Office
634-5883 Res.

4-7-93

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

RECEIVED

APR 9 1993

Attention: Kay Walker

Dear Kay:

Department of Water Resources
Western Regional Office

Enclosed is additional information to
transfer change of Ownership in water rights.

Mr. Charles Haid purchased the property from
Ralph Weaver, who purchased the property
from Jim Hait. The Hait property has since
been sold to L.B. Industries. Hope this
clarifies ownership.

I am enclosing a survey map which shows
the 28 acre parcel that we are trying to
change the ownership of water rights to Mr.
Haid's name.

Hope this will help answer all of your questions.

Jodell Barber

Jodell Barber, Clark Real Estate

*See survey map
in file
A65-02946R
KW
5/12/93*

MICROFILMED
OCT 21 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 6, 1993

RE: Notice of Change in Ownership from James Hait to Charles Haid

Jodell Barber
c/o Clark Real Estate
P.O. Box 788
McCall, ID 83638

Dear Ms. Barber:

We have reviewed the Notice of Change of Water Right Ownership form submitted to our office. However, due to the items identified below, we cannot continue to process this ownership change. We are returning the Notice of Change of Ownership to you to research the following.

In reading the legal description attached to the warranty deed, I found that the first paragraph describes this property as located within a 240 acre parcel. That is, SESW, SWSW, Sec. 12; NWNW, SWNW, SENW, and Gov't. Lot 2 (NENW), Sec. 13; Twp. 17N, Rge. 2E (I have marked this area out on the enclosed map for your convenience). Since the property conveyed only contained 28.7784 acres, I entered the metes and bounds description into our PC and found that the metes and bounds description does not close. I did come up with 28.73 acres which was really close to the property conveyed but do not know for sure which 40 acre tracts have been conveyed.

Complete the Notice of Change of Water Right Ownership form to identify which water rights are being conveyed, or identify which lands are to be conveyed to Mr. Haid by 40-acre tract description (on the top of the form), or review the metes and bounds description and revise it so that the description closes when platted so that I can complete the ownership change based on that description. Also, you need to complete the question under the new claimant's telephone number which asks if the water rights will be split.

In review of our water right records based on the legal descriptions in paragraph 1 of the legal description, I found water rights in the names of L.B. Industries and Lowell D. Hammond. Did the Weaver's purchase their property from one of these claimants? I noticed that L.B. Industries now holds the rights originally in Mr. Hait's name.

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Please feel free to contact this office if you have any questions in regard to the above.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker". The signature is written in dark ink and is positioned above the typed name.

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosure

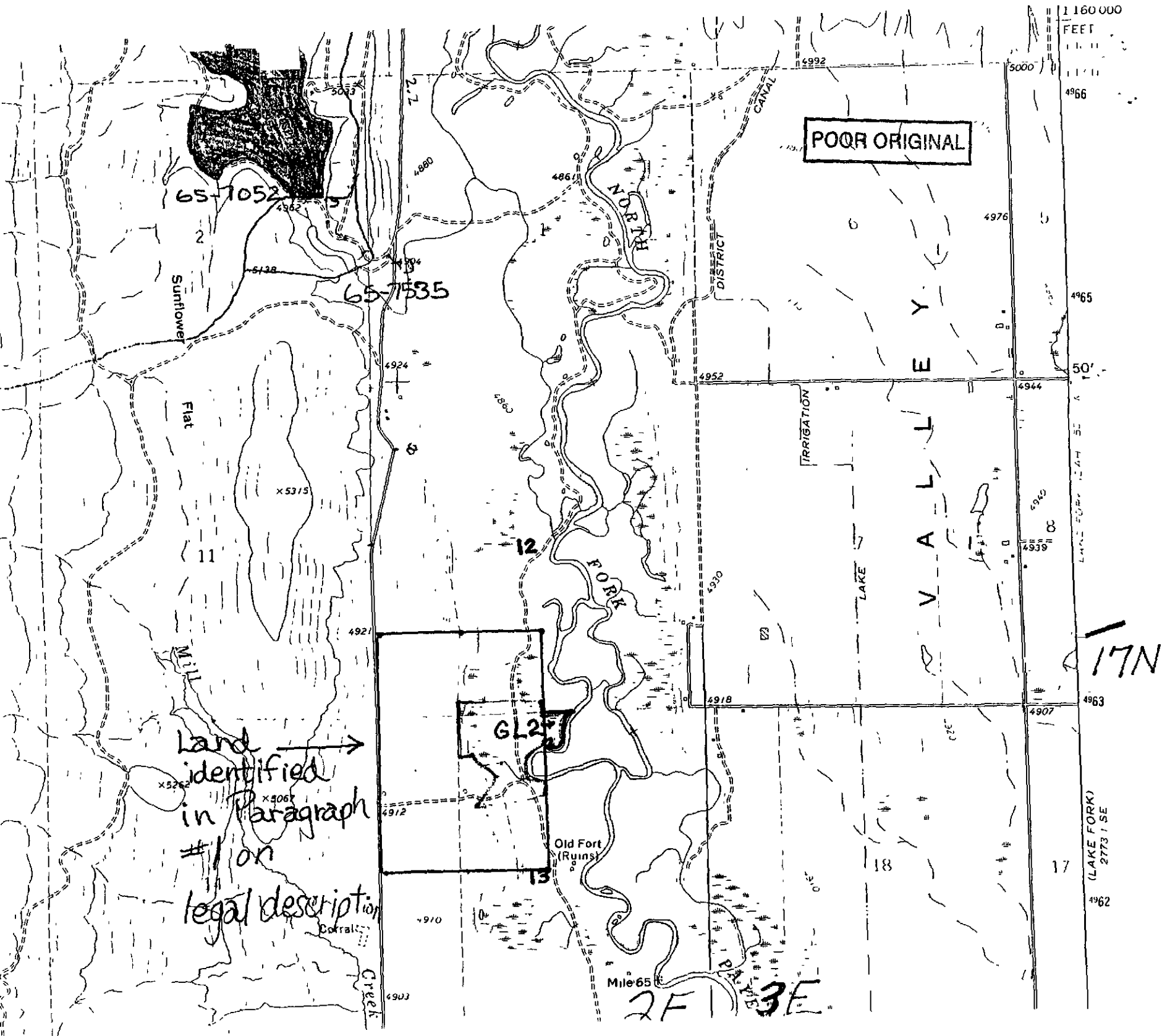
cc: James M. Hait
Charles Haid, III

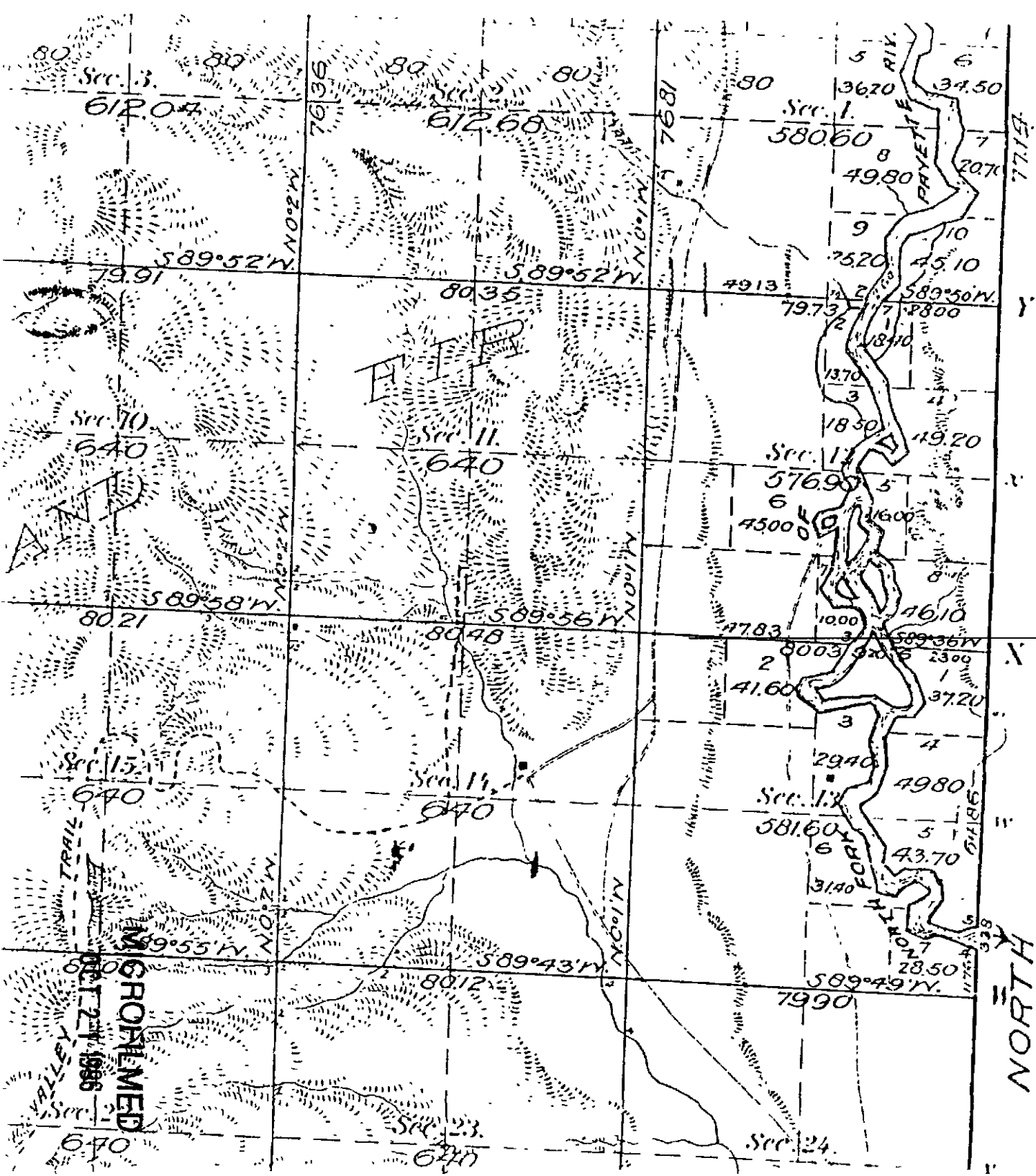
MICROFILMED
OCT 21 1996

R I D G E

Black
middle

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OCT 21 1996





POOR ORIGINAL

17N
2E
Gov't Lot Plat
of 4-18-1896

CLARK

REAL ESTATE

Box 788, McCall Idaho 83638

POOR ORIGINAL

Memo from Jodelle Barber
Sales Associate634-7924 Office
634-5883 Res.

RECEIVED

DEC 17 1992

12-14-92

Dear Sharla
Department of Water Resources
Western Regional Office

Enclosed is notice
of Property Ownership
change
for your records.
I have sent to you the
inf Mr. Steamer gave to
us to show what
water rights he had
with the 28 acres he
sold to Mr. Vaid.
Sincerely, Jodelle

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OCT 21 1996

L. B. INDUSTRIES, INC.

Telephone (208) 345-7515

Telex 150059

FAX (208) 345-7028

1401 Shoreline Dr • P O Box 2797 • Boise Idaho 83701

RECEIVED
FEB 1 1991
DEPARTMENT OF WATER RESOURCES
BOISE, IDAHO

February 1, 1991

Ms. Linda A. Werner
State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Re: Water Right Claims:

A65-07653B, A65-07576, A65-08121
A65-07052, A65-07576, A65-2946
A65-08120, A65-07535, A65-12136

Dear Ms. Werner:

I am writing to you in response to your letter of January 29, 1991 regarding the first three water right claims referenced above. Enclosed herewith you will find notices relating to said claims that have been executed on behalf of L. B. Industries, Inc.

In addition, I am also writing to you in conjunction with our telephone conversation of Thursday, January 31, 1991, concerning the last five water right claims listed above and impoundment permit, P65-13131. As you will recall from my telephone conversation, I need to ensure that L. B. Industries, Inc. is listed as the claimant for the above referenced claims. In that regard, I would like you to prepare any necessary documentation which we need to execute or which needs to be executed by the seller of the subject realty.

After my telephone conversation with you, I received some additional documentation in the mail from James M. Hait as the Trustee of the Hait 1971 California Trusts (the seller of the subject property). In that regard, enclosed herewith you will find two change of ownership documents that have been executed by L. B. Industries, Inc. and Mr. Hait. These change of ownership documents relate to A65-02946 and A65-07052.

In regard to the remaining claims and the impoundment permit, enclosed herewith you will find photocopies of two separate deeds relating to pertinent parcels of land that have been sold by the Hait 1971 California Trusts to L. B. Industries, Inc. and also a copy of a document entitled "Memorandum of Sale of Water Rights". In examining the "Memorandum of Sale of Water Rights" document, you

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OCT 21 1996

Ms. Linda A. Werner
February 1, 1991
Page 2, 1991

will note that the above referenced impoundment permit, P65-13131 and all water right claims (except A65-12136) have been specifically itemized as being transferred to L. B. Industries, Inc. Hopefully this documentation will provide necessary evidence of the transfer of water rights and the impoundment permit to L. B. Industries, Inc.

In regard to the water right that has not been specifically referenced in the "Memorandum of Sales of Water Rights", A65-12136, please provide me with specific information on what procedure will be necessary to secure L. B. Industries, Inc.'s right to assert ownership of that particular water right claim.

Thank you very much for your attention to this matter. If you have any questions or concerns which are not addressed in this letter, please feel free to contact me at the address set forth above. I look forward to hearing from you regarding the finalization of this matter.

Very truly yours,



Kit Clark
General Counsel and
Corporate Secretary

KC/vw

Enclosures

cc: Joe Davis

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OCT 21 1996

FROM Linda Werner

DATE 1-29-91

TO File
AG 5-7653BSUBJECT AG 5-7576
AG 5-8121

POOR ORIGINAL

When reviewing the files we found that they were missing the original signed claim. Its possible they were mistakenly returned to the claimant when the ownership change was processed - hence - the attached letter.

SIGNATUREMICROFILMED
OCT 21 1995

January 29, 1991

L.B. Industries, Inc.
PO Box 2797
Boise, ID 83701

SUBJECT: Notice of Claim to a Water Right
A65-07653B, A65-07576, A65-08121

Gentlemen:

A review of our records indicates that we do not have a signed and notarized copy of the above Notices of Claim to a Water Right.

I have enclosed a copy of these claims and ask that you have them signed and notarized. Please return to my attention within 30 days of the date of this letter. I have enclosed a stamped, self-addressed envelope for your convenience.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosures

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OCT 21 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Date 11-5-90 Notice of Claim No.(s) AG5-07653B
AG5-07576
AG5-08121
[L. B. Industries, Inc.]
P O Box 2797
Boise, ID 83701
[]

Dear Claimant:

Enclosed is a copy(s) of the above referenced claim(s) which reflects the change in ownership of the lands and appurtenant water rights covered by this claim(s).

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim(s) for final court decree.

If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Linda Werner

LINDA WERNER
Sr. Water Resource Agent

Enclosure(s)

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OCT 21 1995

1/22/90

POOR ORIGINAL

Subject Change of
Water Rights
"Hait Ranch"

Gentlemen:

Enclosed are all forms fully
executed relating to the River Property
Areas marked ^{*}A and ^{*}B recently purchased
by L. B. Industries Inc of Boise.

The undersigned assumes that the
Department of Water Resources will keep the
L. B. Industries Inc fully advised as to all
or any actions required by the owners of
these rights

If any additional actions should
be required on the part of the former owner
J. M. Hait Box 160 McCall Idaho 83638
please advise

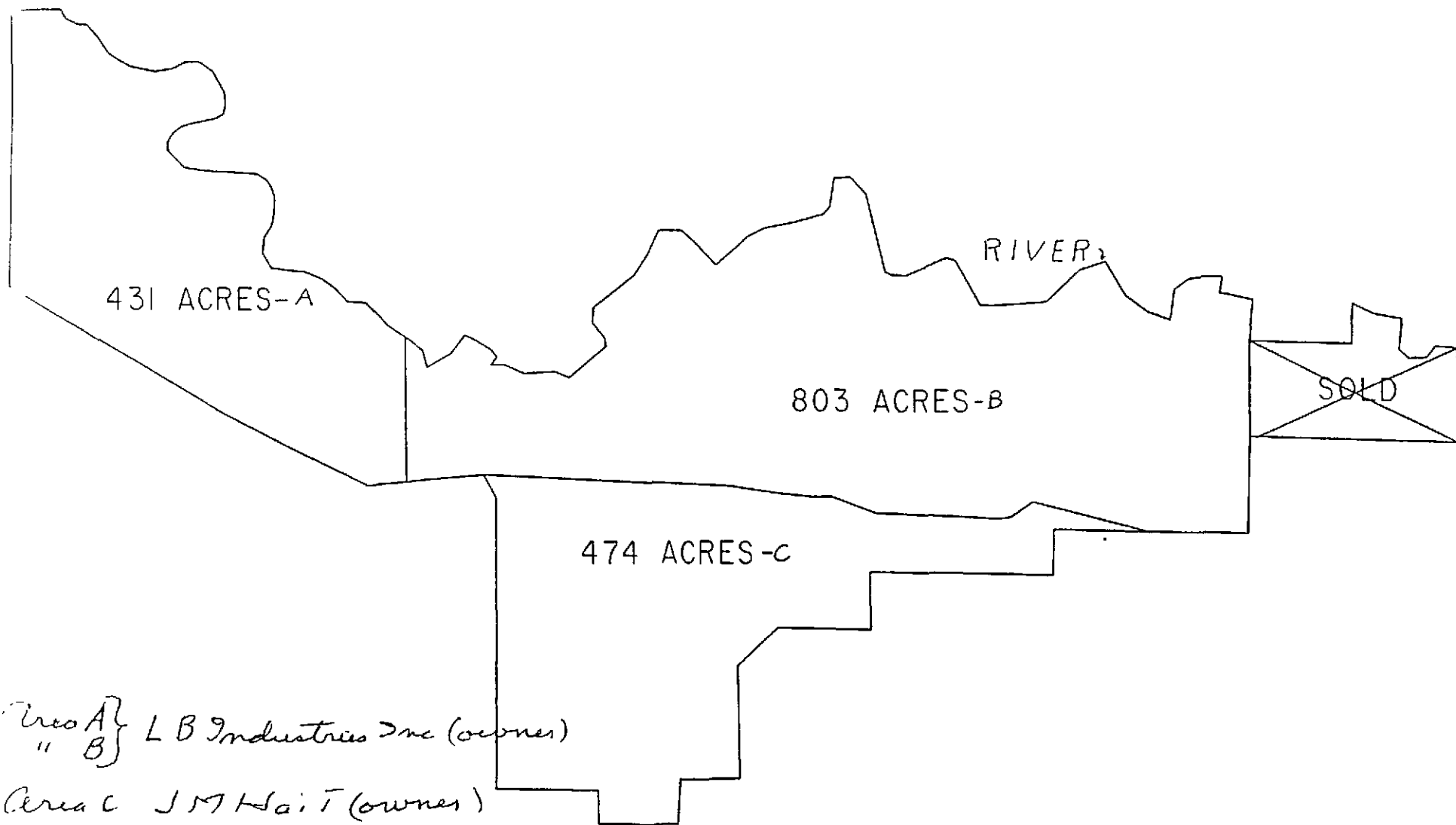
Sincerely

J. M. Hait
Box 160
McCall

* Exhibit (a) attached

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OCT 21 1995



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OCT 21 1996