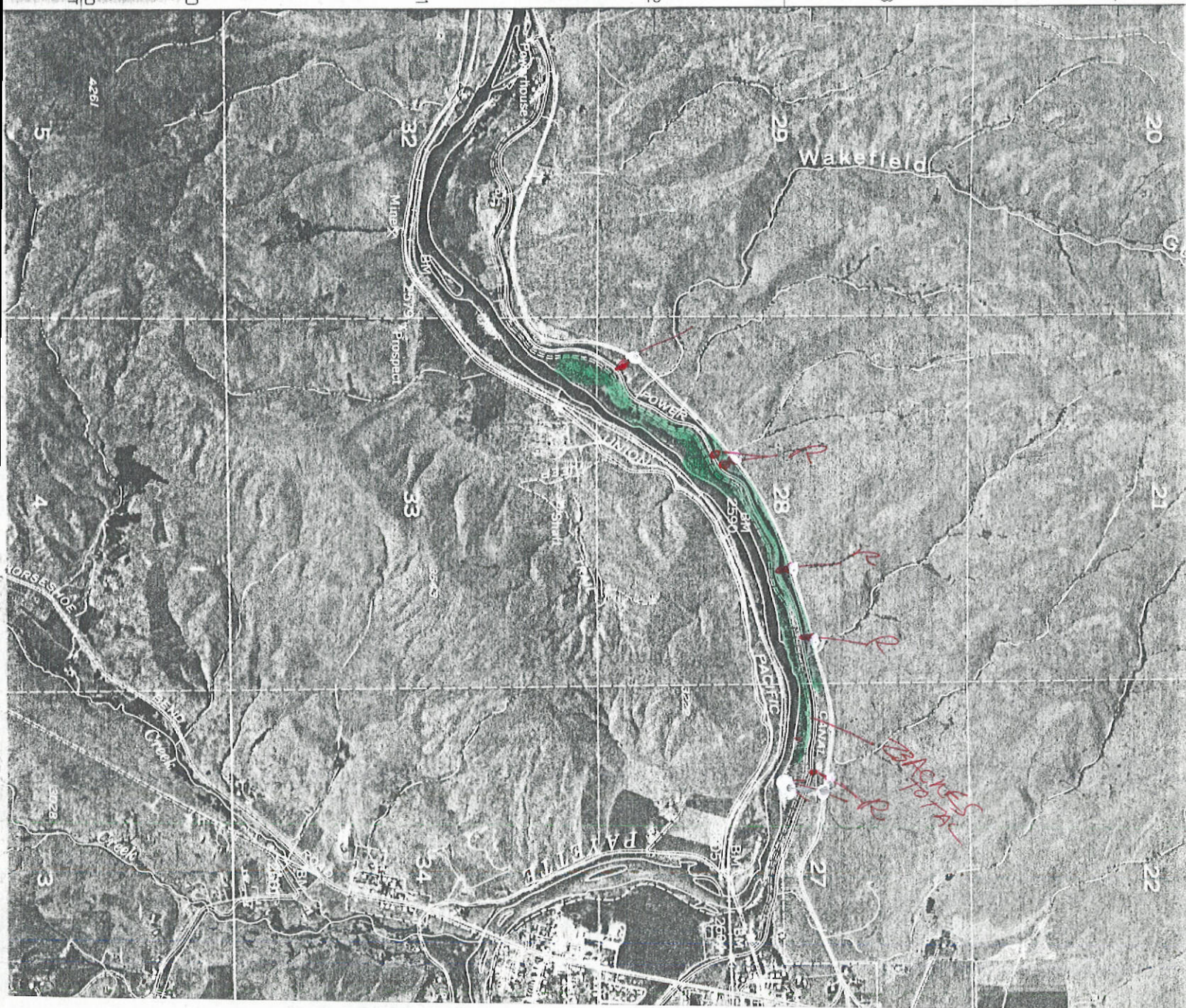


22

55

486

810 000
FEET



SEP 23 1992

AJ0749NP
No. R65-08532

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

DATE: 07/12/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN KENNEDY PO BOX 337 HORSESHOE BEND ID 83629 (208) 793-2310	02/01/1961	IRRIGATION	04-01 11-01	0.46 CFS	
TOTAL DIVERSION:					0.46 CFS	

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:	T07N R02E S26 Lot05(SWSW)	BOISE County
Point(s) of Re-diversion:	T07N R02E S27 Lot05(SNNW)	BOISE County
	S28 Lot02(SENE) Lot01(SENE) Lot03(NESW) Lot04(SWSW)	BOISE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07N	02E	27	:									05-02								:	2.0
07N	02E	28	:					01-04				02-04	3.3			03-04		04-04	05-02	:	17.0
07N	02E	33	:					2.1				3				3		3.6	3.9	:	4.0
TOTAL ACRES																				23.0	

POU County: BOISE

Non-Irrigation Uses: NONE

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

POD
F02

C18

WR5809NP
No. 65-08532

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/07/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
P	PEARL KENNEDY ESTATE C/O IDAHO FIRST NAT'L BANK TRUST DEPT. BOX 7928 BOISE ID 83707	02/01/1961	IRRIGATION	04/01 11/01	0.460 CFS	
				TOTAL DIVERSION:	0.460 CFS	
P	HUGH KENNEDY HC 71 BOX CASCADE ID 83611 (208) 382-4517					
C	EST. OF PEARL KENNEDY C/O IDAHO FIRST NAT'L BANK TRUST DEPT. P.O. BOX 7928 BOISE ID 83707					
C	HUGH KENNEDY					

Water Source: PAYETTE RIVER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T07N R02E S26 Lot 05() BOISE County
S27 Lot 05() BOISE County
S28 Lot 01() Lot 02() Lot 03() Lot 04() BOISE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
07N	02E	27	:																	2.0
07N	02E	28	:					01-04	:					03-04	04-04	05-02	:	02-03	:	17.0
07N	02E	33	:						:	02-04	:						:		:	4.0
																			TOTAL ACRES	23.0

Pou County: BOISE

Remarks: GEN TWO POINTS OF DIVERSION IN LOT 3.
SEC. 28, T.7N, R.2E.

Dates: App. Received: Priority Date: 02/01/1961
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT 07/20/89 CURTIS 08/05/92 NAME-ADD

T07N R02E

Idaho Department of Water Resources

Claims: 65-08532

Prepared by:

RON HOWERTON

Date: 9 JAN 01

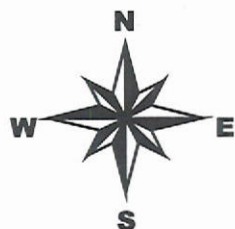
 Place of use

 POD

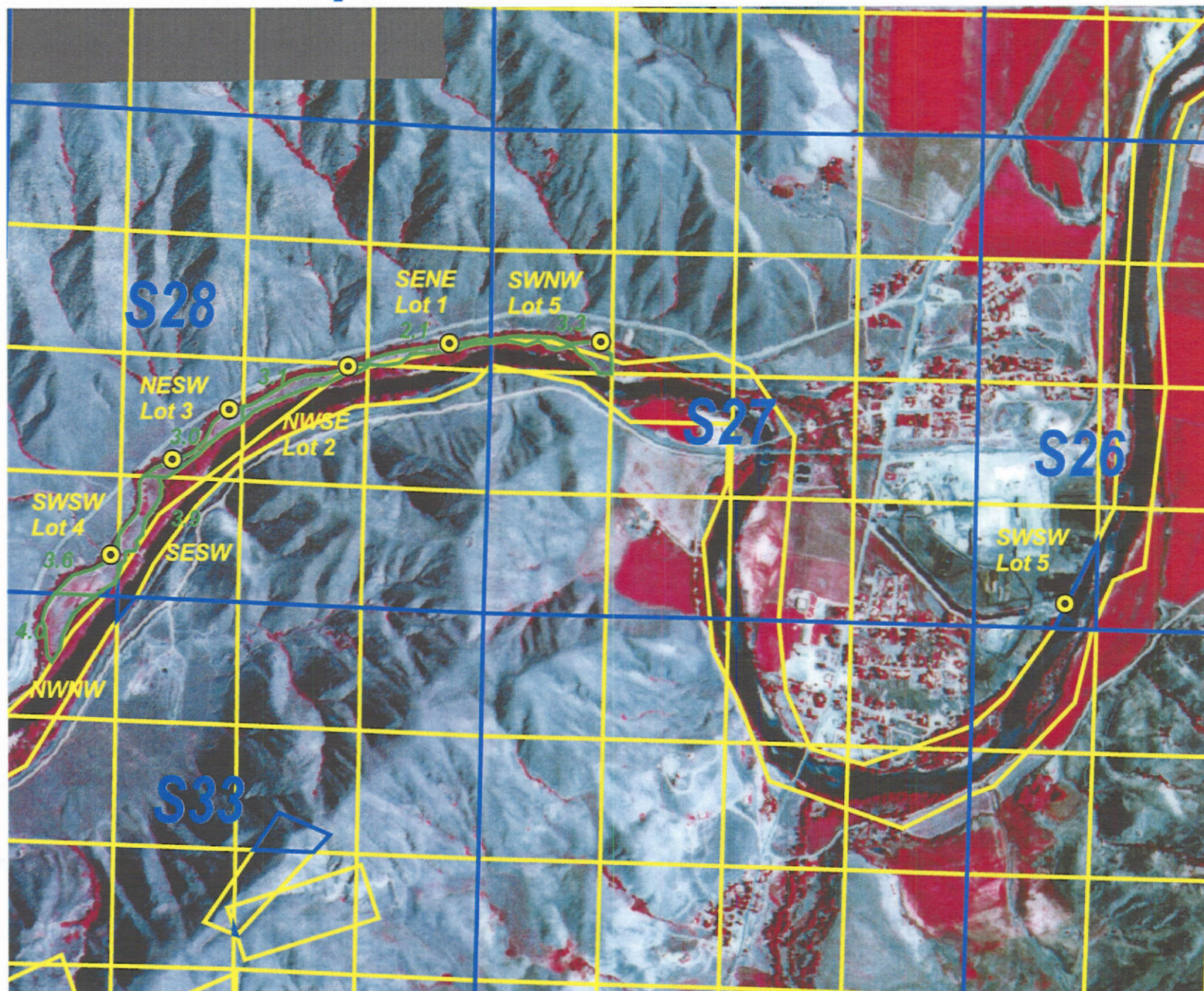
 SECTION

 1/4 1/4

23 Acres



1987 NAPP



0 0.5 1 1.5 2 Miles

T07N R02E

Idaho Department of Water Resources

Claims: 65-08532

Prepared by:

RON HOWERTON

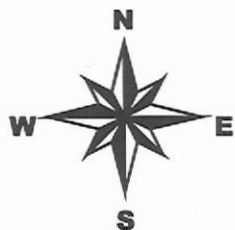
Date: 9 JAN 01

 Place of use

 POD

 SECTION

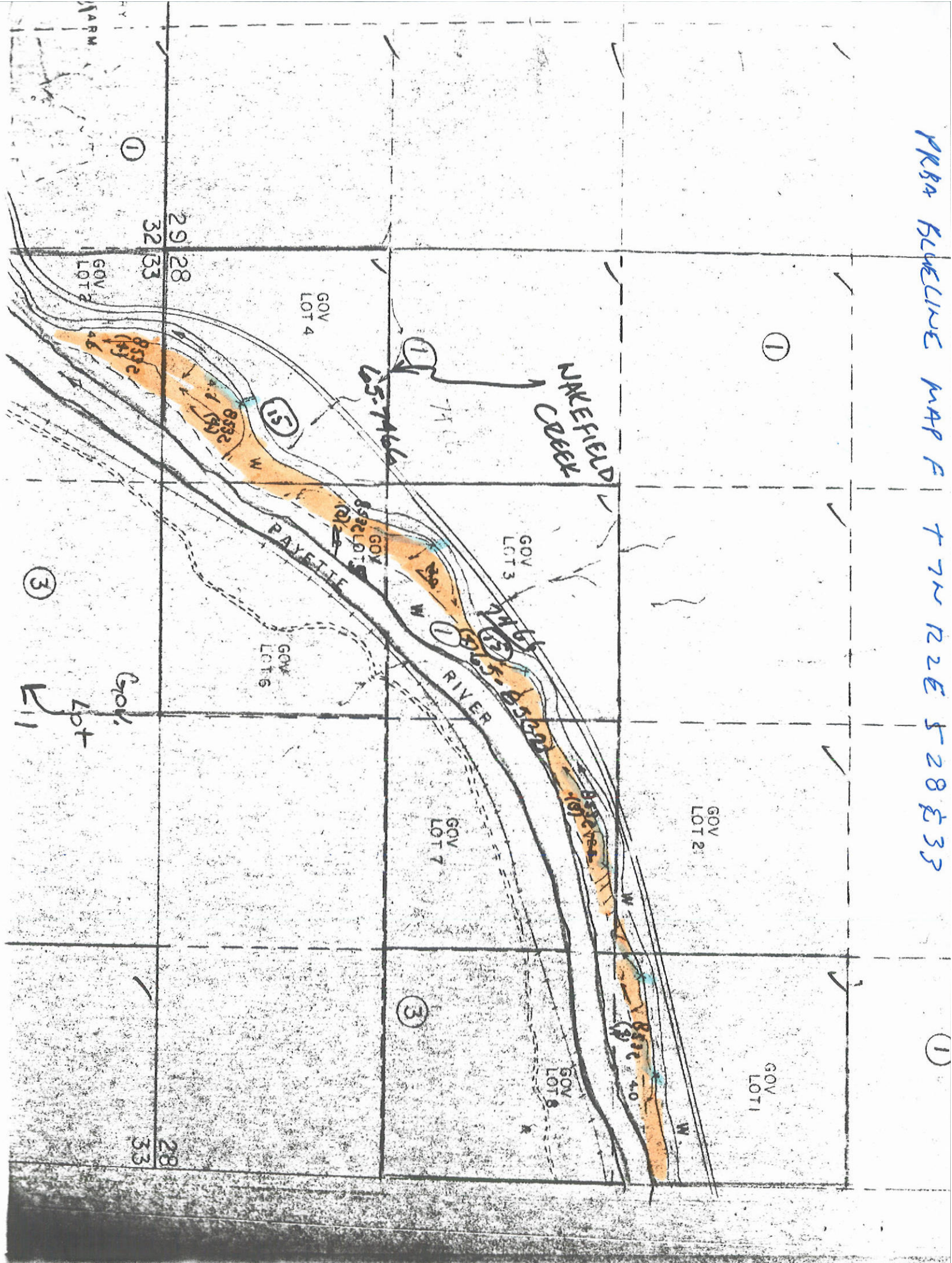
 1/4 1/4



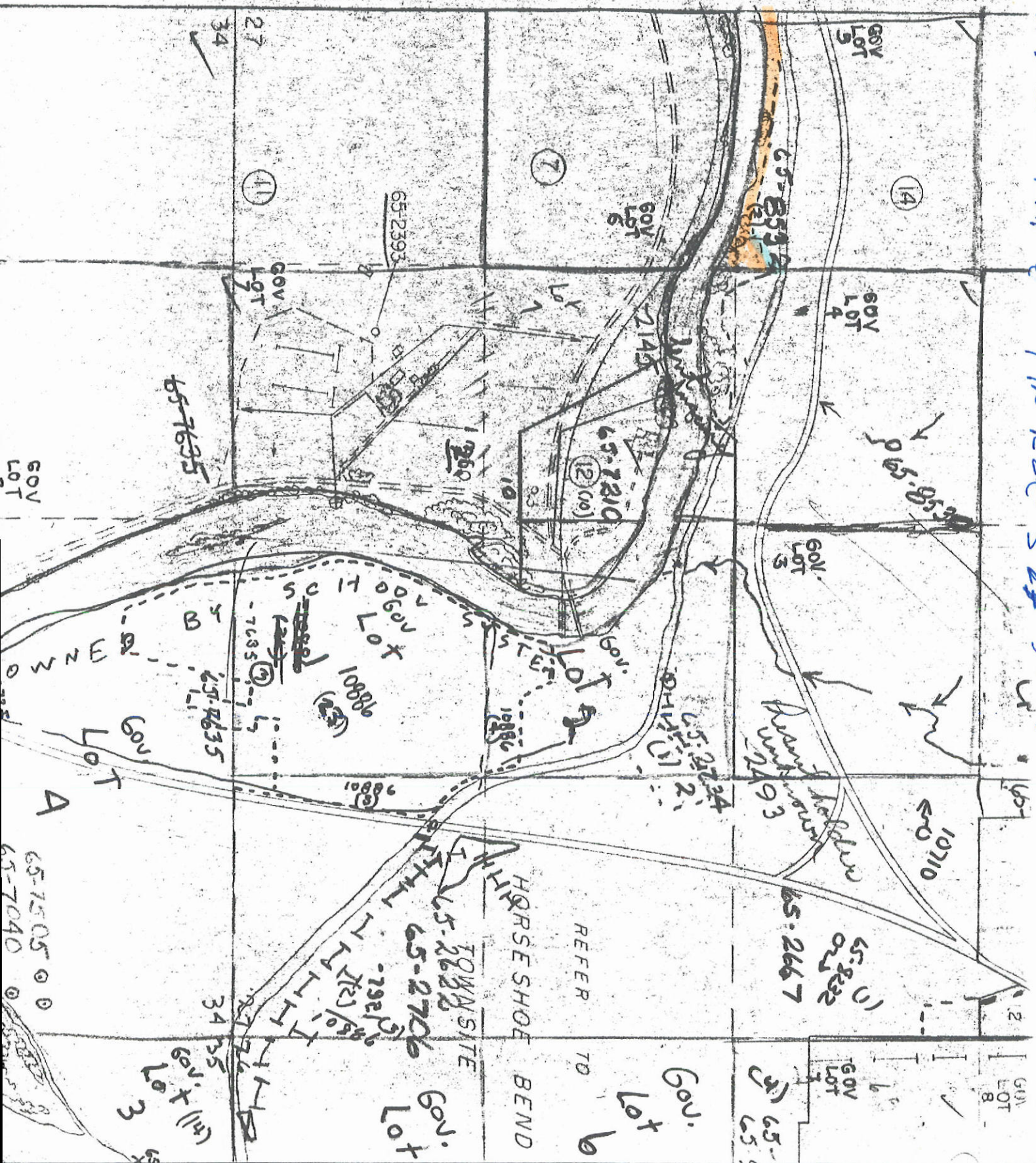
1987 NAPP



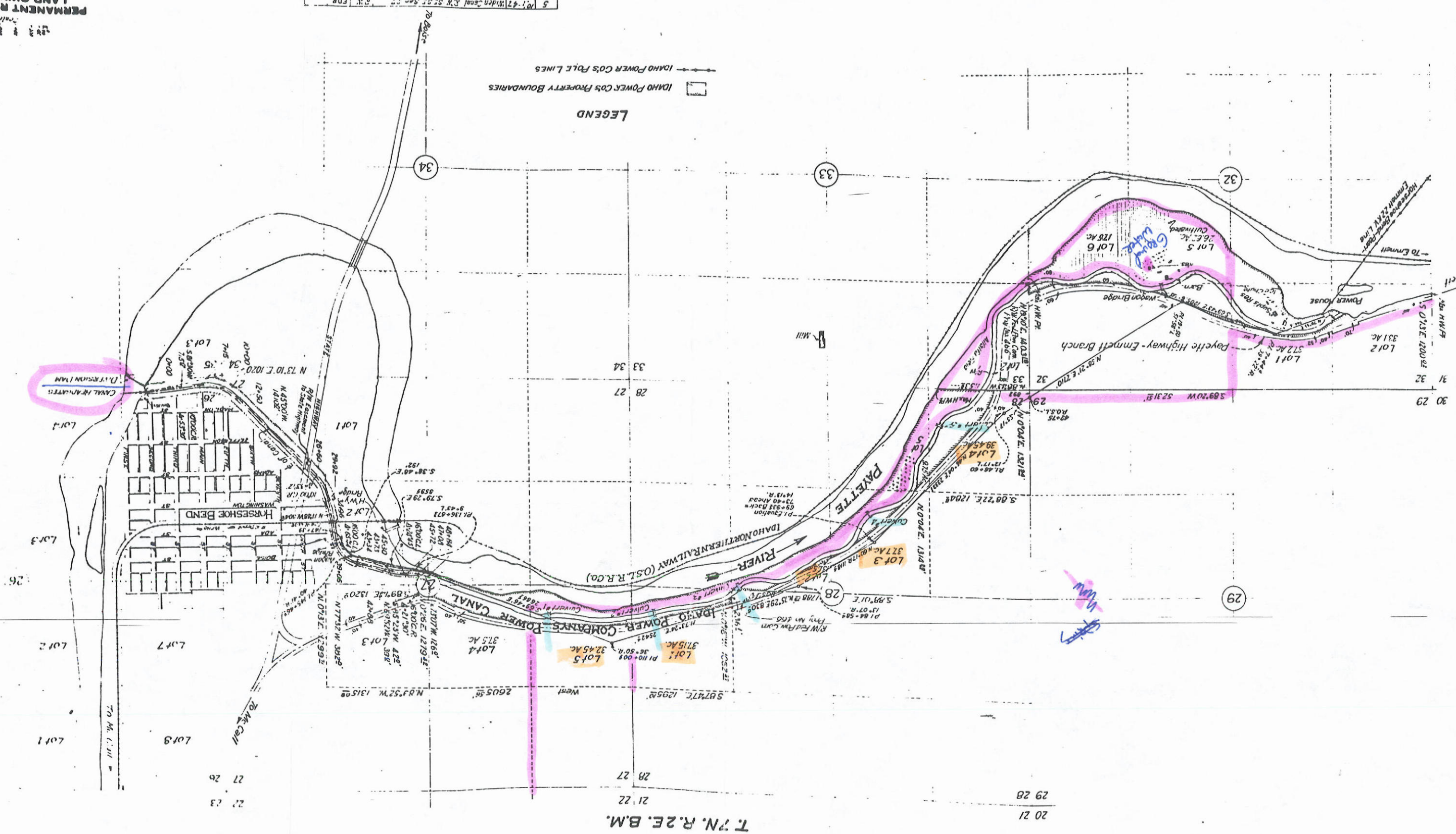
PRBA BLUELINE MAP F + 7N R 2E S 28 & 33



PRBA BLUELINE MAP & T7N R22E S22 SW NW



5	10-1-47	Widen Canal & N. St. St. Sec. 27	R.H. FDR
4	10-2-38	Re-locate 4 KV Feeder	CET
3	7-25-38	Old Dist. Line Abandoned	N.C.V.
2	7-25-38	L.R.C.s. Property Boundaries Revised	N.C.V.



T 7N. R. 2E. B.M.

[illegible]

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: A65-08532
Date Received: 5/16/1989
Receipt No: X999999
Received By: RLH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HUGH KENNEDY 208-382-4517
Address: HC 71 BOX
CASCADE, ID 83611
2. Date of Priority: FEB 01, 1961
3. Source: PAYETTE RIVER Trib. to: SNAKE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	02E	26		SW	SW	5	BOISE
		27		SW	NW	5 R	BOISE
		28		SW	NE	2 R	BOISE
				SE	NE	1 R	BOISE
				NE	SW	3 R	BOISE
				SW	SW	4 R	BOISE

5. Description of diverting works:
HEADGATE, EARTH DITCHES, GRAVITY FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.460		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	02E	27	SW	NW	5	IRR	2.0
						Section Acres	2.0
		28	SE	NE	1	IRR	4.0
			NE	SW	3	IRR	4.0
			SW	SW	4	IRR	4.0
			SE	SW	5	IRR	2.0
			NW	SE	2	IRR	3.0
						Section Acres	17.0
		33	NW	NW	2	IRR	4.0
						Section Acres	4.0
						Total Acres	23.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
NONE

14. Remarks:
TWO POINTS OF DIVERSION IN LOT 3.
SEC. 28, T.7N, R.2E.
MR. KENNEDY PROTESTS THAT THE PRIORITY DATE SHOULD HAVE BEEN
APPROX 1900.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and 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): Hugh Kennedy Date: 5/16/89

Date: _____

State of Idaho)
County of ADA) SS.

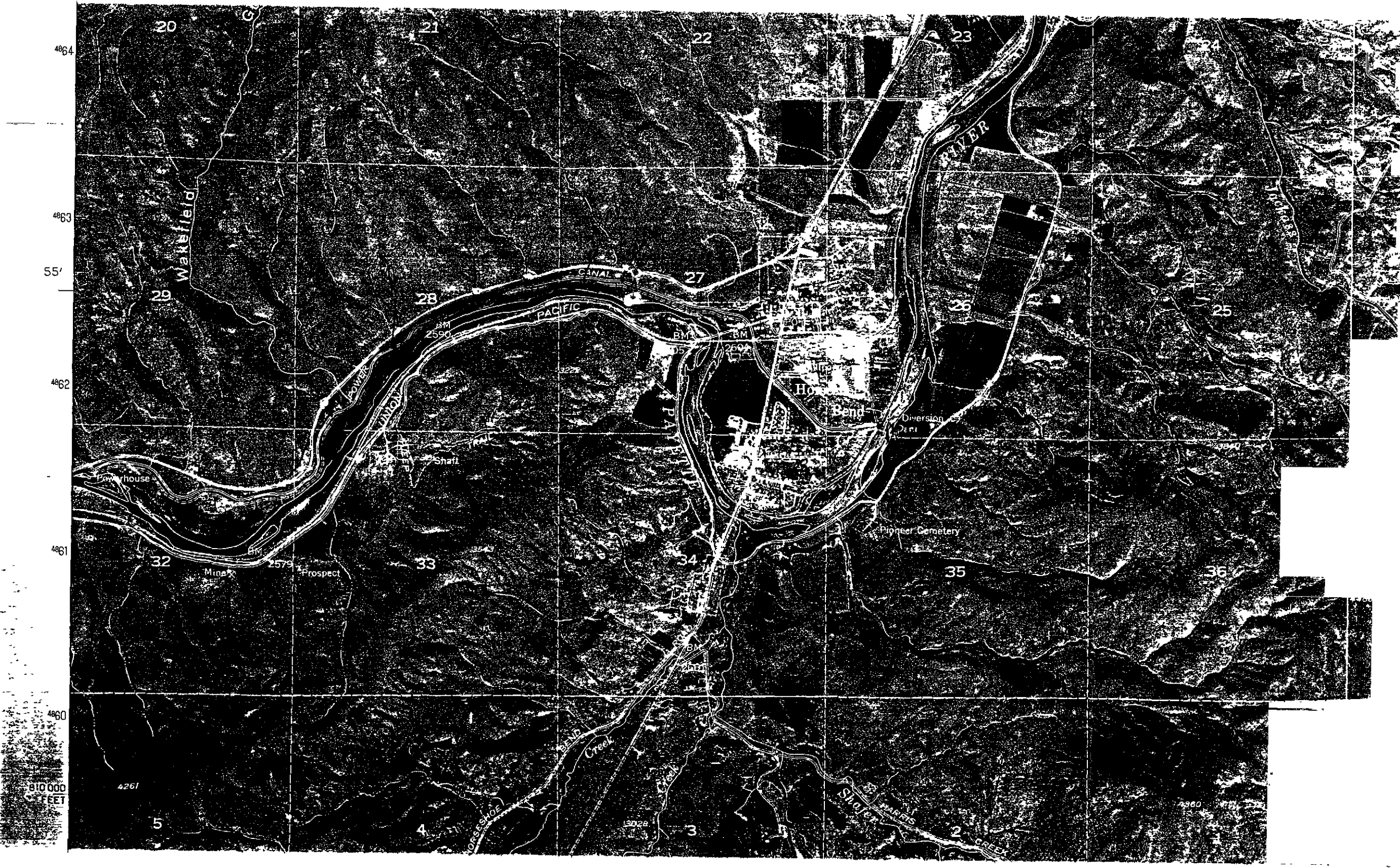
Subscribed and sworn (or affirmed) before me this _____ day

of May 19 89

Ron Howerton
Notary Public

Seal

Residing at Ron Howerton
Residing at Boise, Idaho
My Commi My Commission Expires December 8, 1994



01/09/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO 65-8532

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN F KENNEDY PO BOX 337 HORSESHOE BEND, ID 83629 (208)793-2310
Original Owner	PEARL KENNEDY ESTATE C/O IDAHO FIRST NAT'L BANK TRUST DEPT BOX 7928 BOISE, ID 83707
Original Owner	HUGH KENNEDY HC 71 BOX CASCADE, ID 83611 (208)382-4517

Priority Date: 02/01/1961
Basis: Decreed
Status: Valid

<u>Source</u>	<u>Tributary to</u>
PAYETTE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	11/01	0.46 CFS		
Total Diversion			0.46 CFS		

Location of Point(s) of Diversion:

PAYETTE RIVER	SWSW Lt 5	Sec. 26	Township 07N	Range 02E	BOISE County
PAYETTE RIVER Rediversion	SWNW Lt 5	Sec. 27	Township 07N	Range 02E	BOISE County
PAYETTE RIVER Rediversion	SWNE Lt 2	Sec. 28	Township 07N	Range 02E	BOISE County
PAYETTE RIVER Rediversion	SENE Lt 1	Sec. 28	Township 07N	Range 02E	BOISE County
PAYETTE RIVER Rediversion	NESW Lt 3	Sec. 28	Township 07N	Range 02E	BOISE County
PAYETTE RIVER Rediversion	SWSW Lt 4	Sec. 28	Township 07N	Range 02E	BOISE County

IRRIGATION Use:
Acre Limit. 23

Place(s) of use

Place of Use Legal Description: IRRIGATION						BOISE County								
<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	02E	27	5	SWNW	2									
		28	1	SENE	4									
			3	NESW	4	4	SWSW	4	5	SESW	2			
			2	NWSE	3									
		33	2	NWNW	4									

Total Acres: 23

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

RECEIVED
MAY 29 1998
 WATER RESOURCES
 WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right or Adjudication Claim No(s): A65-08532 (total 0.46 CFS)

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

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Hugh Kennedy
HC 71 Box 4258 Cascade Idaho 83611

4. New Owner/Claimant(s) John F. Kennedy
 Name Connector (Check one) ☐ and, ☐ or, ☐ and/or
 New Mailing Address P.O. Box 337

City, State and ZIP Code Horseshoe Bend Idaho 83629

New Telephone Number (208) 793-2310

5. Date you acquired the property Dec 1995

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

to be split

Number of acres you irrigate 21 Number and type of stock — 42 CFS

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Section	Lot	Acres
28	SE NE 1	4.0
	NE SW 3	4.0
	SW SW 4	4.0
	SE SW 5	2.0
	NW SW 2	3.0
33	NW NW 2	4.0
total		21.0

7. Signature of New Owner or Claimant(s) John F. Kennedy

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.

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

Bill Kennedy
322-4532

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
 2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
 3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
 4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
 5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
 6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.
- Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.
7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
 8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region
 2735 Airport Way
 Boise, ID 83705-5082
 (208) 334-2190

IDWR Southern Region
 1341 Fillmore St., Suite 200
 Twin Falls, ID 83301-3380
 (208) 736-3033

IDWR Northern Region
 1910 Northwest Blvd., Suite 210
 Coeur d'Alene, ID 83814-2615
 (208) 769-1450

IDWR Eastern Region
 900 N. Skyline Dr., Suite A
 Idaho Falls, ID 83402-1718
 (208) 525-7161

THIS FORM FURNISHED COURTESY OF:

**ALLIANCE TITLE &
ESCROW CORP.**

READ & APPROVED BY GRANTEE(S) ES

159117

Alliance Title
DATE 1/11/96

96 JAN 29 PM 1:26

BY KEITH A. CANODY
Shirley George
FEE \$6.00/ch

SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No.: 95054248 JG

WARRANTY DEED

FOR VALUE RECEIVED LETHA SUE MCCURIE, AN UNMARRIED WOMAN WHO ACQUIRED TITLE AS LETHA SUE KENNEDY, UNMARRIED AS OF THE DATE OF ACQUIRING TITLE

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto JOHN F. KENNEDY AND DONA J. KENNEDY, HUSBAND AND WIFE

GRANTEE(S), whose current address is: P. O. BOX 337, HORSESHOE BEND, ID 83629 the following described real property in BOISE County, State of Idaho, more particularly described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by this reference becomes a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

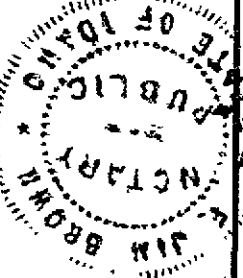
Dated: December 29, 1995

Letha Sue McCurie
LETHA SUE MCCURIE

STATE OF IDAHO
COUNTY OF Minidoka

On this 29th day of December, in the year of 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared LETHA SUE MCCURIE

known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Signature: [Signature]

Name: F. L. Brown

Residing at: Paul, Idaho 8347

My Commission Expires: 10-31-2000

EXHIBIT "A"

Section 28, Township 7 North, Range 2 East, Boise Meridian,
Boise County:

North Half of the Northeast Quarter; the Southwest Quarter of
the Northeast Quarter; the Northwest Quarter; the Northwest
Quarter of the Southwest Quarter; that portion of Lots 1, 2, 3,
and 4 of Section 28; all lying North of Highway 52

ORDER NO. 95054246 JG

**Re-Record to Correct Legal

TRUSTEE'S DEED

BOISE COUNTY IDAHO SS
REQUEST OF

Alliance Title
DATE TIME M.

96 JAN 29 PM 1:30

FOOT A CANODY

This Deed, made by William C. Kennedy, as Trustee of the Pearl Kennedy Family Trust, under Trust Agreement dated April 25, 1988, hereinafter "Grantor", to John F. Kennedy, hereinafter "Grantee", whose current address is P. O. Box 337, Horseshoe Bend, ID 83629

WITNESSETH

Whereas, Grantor is the Trustee of the Pearl Kennedy Family Trust, and

Whereas, Grantee is a beneficiary of the Pearl Kennedy Family Trust.

Now, therefore, Grantor hereby conveys to Grantee, all right, title and interest in and to the following described real property:

(see Exhibit A, attached hereto and made a part hereof)

To have and hold, all and singular, the above described premises, together with all water rights and appurtenances;

Subject to any and all easements, rights-of-way, taxes, liens, covenants, restrictions, reservations, assessments, and encumbrances of record.

Dated: Dec 20, 1995

WILLIAM C. KENNEDY, as Trustee of the Pearl Kennedy Family Trust

William C. Kennedy
WILLIAM C. KENNEDY, Trustee

BOISE COUNTY IDAHO SS
REQUEST OF

Alliance Title
DATE TIME M.

95 DEC 21 PM 3:46

FOOT A CANODY
BY *Shirley George*
FEE \$18.00

STATE OF IDAHO, County of Ada, ss.

On this 20th day of Dec, in the year of 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared William C. Kennedy, as Trustee of the Pearl Kennedy Family Trust under Trust Agreement dated April 25, 1988 known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same as

EXHIBIT "A"

All situated in Township 7 North, Range 2 East, Boise Meridian,
Boise County, Idaho:

PARCEL I

Section 20

South Half of the Southeast Quarter; the Southeast Quarter of
the Southwest Quarter; the East Half of the Northeast Quarter;
the North Half of the Southeast Quarter; the Northeast Quarter
of the Southwest Quarter

Section 21

The West Half of the Northwest Quarter; the Northwest Quarter
of the Southwest Quarter; the Southeast Quarter of the
Northwest Quarter; the South Half of the Southwest Quarter; the
Southwest Quarter of the Southeast Quarter; the West Half of
the Northeast Quarter; the Northeast Quarter of the Northeast
Quarter; the North Half of the Southeast Quarter; the Northeast
Quarter of the Northwest Quarter

PARCEL II

Section 29

The South Half of the Northwest Quarter, the Northeast Quarter
of the Northwest Quarter, and the Southwest Quarter

Section 19

The East Half, The East Half of the Southwest Quarter; the
Southeast Quarter of the Northwest Quarter

Section 18

The North Half of the Southeast Quarter, the Southwest Quarter
of the Southeast Quarter, the Southeast Quarter of the
Southwest Quarter

Section 30

Lot 5, the East Half of the Northwest Quarter, the Northeast
Quarter of the Southwest Quarter, the West Half of the
Northeast Quarter, the Southeast Quarter of the Northeast
Quarter, and the Southeast Quarter

Section 31

Lots 6 and 7

Continuation of Exhibit A

Order No.:95054246 PW

Section 27

Lot 5 and the Northwest Quarter of the Northwest Quarter

Section 28

Lot 5 and that portion of the Southwest Quarter of the Northeast Quarter lying South of Highway 52; and those portions of lots 1, 2, 3, and 4 lying South of Highway 52

Section 33

Lot 2

Section 32

Lots 5 and 6; that portion of the Northwest Quarter of the Northeast Quarter lying South of Highway 52; all those portions of Lots 1 and 2 which are owned by the trust

Section 22

The West Half of the Southwest Quarter

EXCEPT THEREFROM:

That portion of said premises deeded to the State of Idaho for public right of way in deed recorded July 31, 1936, as Instrument No. 43045, filed in Book 48 of Deeds at Page 89.

ALSO EXCEPT THEREFROM:

That portion of Lot 1 of Section 32, Township 7 North, Range 2 East, Boise Meridian, described as follows:

BEGINNING at the Southwest corner of Lot 1; thence in an Easterly direction along the North bank of the Payette River a distance of 350 feet; thence North to the South bank of the Idaho Power canal right of way; thence in a Southwesterly direction the South bank of said right of way to its intersection with the lot line common to Lots 1 and 2 of Section 32; thence South along said lot line to the North bank of the Payette

Continued:

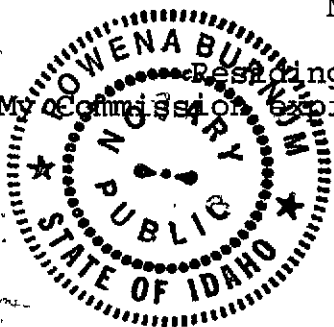
Trustee of the Pearl Kennedy Family Trust.

Signature: _____

Name: _____

Residing At: _____

My Commission Expires: _____



Pf
_____ *Burnham*
(Type or Print)
_____ *Boile, ID*
_____ *6-10-00*

ORDER NO. 95054249 JG

BOISE COUNTY CLERK'S OFFICE
REQUEST

** Re-Recorded to Correct Legal Description

TRUSTEE'S DEED

159118

Alliance Title

95 JAN 13 PM 1:28

This Deed, made by William C. Kennedy, as Trustee of the Pearl Kennedy Family Trust, under Trust Agreement dated April 25, 1988, hereinafter "Grantor", to James H. Kennedy, hereinafter "Grantee", whose current address is P. O. Box 341, Middleton, ID 83644 *Shirley George #12.00/ck*

WITNESSETH

Whereas, Grantor is the Trustee of the Pearl Kennedy Family Trust, and

Whereas, Grantee is a beneficiary of the Pearl Kennedy Family Trust.

Now, therefore, Grantor hereby conveys to Grantee, all right, title and interest in and to the following described real property:

(see Exhibit A, being a portion of Section 27, Township 7 North, Range 2 East, attached hereto and made a part hereof)

To have and hold, all and singular, the above described premises, together with all water rights and appurtenances;

Subject to any and all easements, rights-of-way, taxes, liens, covenants, restrictions, reservations, assessments, and encumbrances of record.

Dated: Dec 20, 1995

BOISE COUNTY CLERK'S OFFICE
REQUEST

Alliance Title

95 DEC 21 PM 3:49

WILLIAM C. KENNEDY, as Trustee of the Pearl Kennedy Family Trust

158713

William C. Kennedy
WILLIAM C. KENNEDY, Trustee

Shirley George
#12.00/ck

STATE OF IDAHO, County of Ada, ss.

On this 20th day of December in the year of 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared William C. Kennedy, as Trustee of the Pearl Kennedy Family Trust under Trust Agreement dated April 25, 1988 known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same as

Continued:

Trustee of the Pearl Kennedy Family Trust.

Signature: _____

Name: _____

(Type or Print)

My Commission expires _____

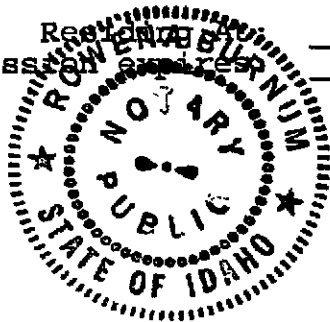


EXHIBIT "A"

Lots 3 and 4, North and South of Highway, of Section 27, Township 7 North, Range 2 East, Boise Meridian, Boise County, Idaho

EXCEPT THEREFROM:

That portion of said premises deeded to the State of Idaho for public right of way in deed recorded July 31, 1936, as Instrument No. 43045, filed in Book 48 of Deeds at Page 89.

ALSO EXCEPT THEREFROM:

A tract of land in the Southwest Quarter of the Northeast Quarter of Section 27, Township 7 North, Range 2 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

COMMENCING at the quarter section corner common to Sections 26 and 27, Township 7 North, Range 2 East of the Boise Meridian; thence
North 1 degrees 15'57" West along the section line, 1,328.60 feet to a brass cap monument at the North 1/16 section corner common to said Sections 26 and 27; thence
South 83 degrees 51'16" West 2,314.79 feet to a steel pin at the Southeasterly corner of the reservoir site, the REAL POINT OF BEGINNING; thence
South 89 degrees 03' West 200.00 feet to a steel pin; thence
North 0 degrees 57' West 200.00 feet to a steel pin approximately 25 feet Southerly from the fence line along the Northerly boundary line of the Southwest Quarter of the Northeast Quarter of said Section 27; thence
North 89 degrees 03' East along a line parallel to said fence line and approximately 25 feet Southerly therefrom, 200.00 feet to a steel pin; thence
South 0 degrees 57' East 200.00 feet to the REAL POINT OF BEGINNING.

ALSO EXCEPT THEREFROM:

A strip of land 30 feet wide West of the Southeast Quarter of the Northeast Quarter of Section 27, Township 7 North, Range 2 East, Boise Meridian, said strip is a part of Lot 3, Southwest Quarter of the Northeast Quarter of Section 27, same township and range. Said tract is parallel with and adjacent to the Southeast Quarter of the Northeast Quarter of Section 27, Township 7 North, Range 2 East, Boise Meridian, and extends from the South line of the Northwest Quarter of the Northeast Quarter of Section 27, Township 7 North, Range 2 East, Boise Meridian, to the North right of way line of State Highway 52.

Continuation of Exhibit A

Order No.:95054249 PW

ALSO EXCEPT THEREFROM:

That parcel of land described in Quitclaim Deed recorded July 28, 1993 as Instrument No. 148173, records of Boise County, Idaho.

ALSO EXCEPT THEREFROM:

That parcel of land described in Trustee's Quitclaim Deed recorded December 27, 1995 as Instrument No. 158767, records of Boise County, Idaho.

$$\begin{array}{r} 20 \ 21 \\ \hline 29 \ 28 \end{array}$$


 IDAHO POWER CO'S PROPERTY BOUNDARIES
IDAHO POWER CO'S POLE LINES

PERMANENT RECORD MAPS
LAND OWNERSHIP IN
VICINITY OF HORSESHOE BE
IDaho POWER COMPANY



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user

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

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

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

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

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

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

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

Sincerely,

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

01/17/2001

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

RIGHT NUMBER: 65-8532

NAME AND ADDRESS: JOHN F KENNEDY
PO BOX 337
HORSESHOE BEND, ID 83629

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.46 CFS

PRIORITY DATE: 02/01/1961

POINT OF DIVERSION:	T07N R02E S26	LOT 5	SWSW		Within BOISE County
	T07N R02E S27	LOT 5	SWNW	Rediversion	Within BOISE County
	T07N R02E S28	LOT 1	SENE	Rediversion	Within BOISE County
	T07N R02E S28	LOT 3	NESW	Rediversion	Within BOISE County
	T07N R02E S28	LOT 3	NESW	Rediversion	Within BOISE County
	T07N R02E S28	LOT 4	SWSW	Rediversion	Within BOISE County
	T07N R02E S28	LOT 2	NWSE	Rediversion	Within BOISE County

2 POINTS OF DIVERSION LOCATED IN T07N, R02E, S28, NESW,
LOT 3.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 11-01	0.46 CFS

PLACE OF USE:

<u>IRRIGATION Within BOISE County</u>							
T07N R02E S27	LOT 5	SWNW	3.3	T07N R02E S28	LOT 1	SENE	2.1
T07N R02E S28	LOT 3	NESW	3	T07N R02E S28	LOT 4	SWSW	3.6
T07N R02E S28	LOT 5	SESW	3.9	T07N R02E S28	LOT 2	NWSE	3.1
T07N R02E S33	LOT 2	NWNW	4				

23 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

AJ0749NP
No. R65-08532

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

DATE: 07/12/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN KENNEDY PO BOX 337 HORSESHOE BEND ID 83629 (208) 793-2310	02/01/1961	IRRIGATION	04-01 11-01	0.46 CFS	
TOTAL DIVERSION:					0.46 CFS	

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T07N R02E S26 Lot05(SWSW)

BOISE County

Point(s) of Re-diversion: T07N R02E S27 Lot05(~~SWSE~~)

BOISE County

S28 Lot02(~~SWSE~~) L1001 ~~SWSE~~ Lot03(~~NESW~~) Lot04(~~SWSW~~) BOISE County
WSE

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07N	02E	27	:																	:	2.0
07N	02E	28	:																	:	17.0
07N	02E	33	:																	:	4.0
																				:	23.0
																				:	

Handwritten notes in table:
07N 02E 27: 05-02
07N 02E 28: 01-04, 2.1
07N 02E 33: 02-04, 3.3
03-04, 3
04-04, 3.6
05-02, 3.9
02-04, 3.1
TOTAL ACRES

POU County: BOISE

Non-Irrigation Uses: NONE

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

*POD
FO2*

C18

WR5809NP
No. 65-08532

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/07/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
P	PEARL KENNEDY ESTATE C/O IDAHO FIRST NAT'L BANK TRUST DEPT. BOX 7928 BOISE ID 83707	02/01/1961	IRRIGATION	04/01 11/01	0.460 CFS	
				TOTAL DIVERSION:	0.460 CFS	
P	HUGH KENNEDY HC 71 BOX CASCADE ID 83611 (208) 382-4517					
C	EST. OF PEARL KENNEDY C/O IDAHO FIRST NAT'L BANK TRUST DEPT. P.O. BOX 7928 BOISE ID 83707					
C	HUGH KENNEDY					

Water Source: PAYETTE RIVER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T07N R02E S26 Lot 05() BOISE County
S27 Lot 05() BOISE County
S28 Lot 01() Lot 02() Lot 03() Lot 04() BOISE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07N	02E	27	:																	:	2.0
07N	02E	28	:					01-04	:					03-04		04-04	05-02	:	02-03	:	17.0
07N	02E	33	:						:			02-04	:					:		:	4.0
																				TOTAL ACRES	23.0

Pou County: BOISE

Remarks: GEN TWO POINTS OF DIVERSION IN LOT 3.
SEC. 28, T-7N, R-2E.

Dates: App. Received: Priority Date: 02/01/1961
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT 07/20/89 CURTIS 08/05/92 NAME-ADD

WR5809NP
No. 65-08532

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/07/00
PAGE: 2

Audit: 08/05/92 NAME-ADD

T07N R02E

Idaho Department of Water Resources

Claims: 65-08532

Prepared by:

RON HOWERTON

Date: 9 JAN 01

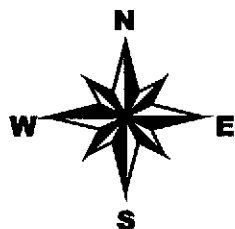
 Place of use

 POD

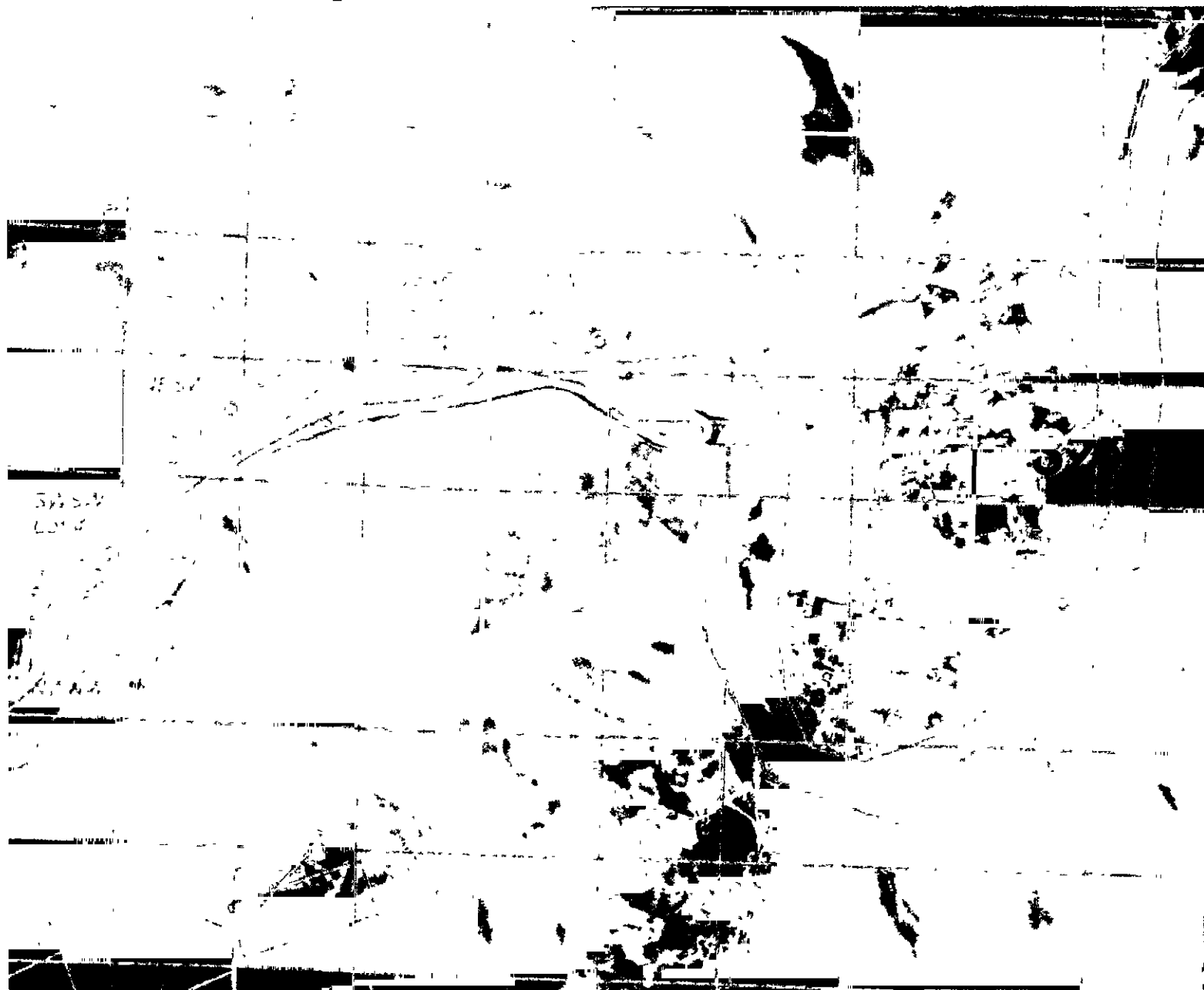
 SECTION

1/4 1/4

23 Acres



1987 NAPP



0 0.5 1 1.5 2 Miles



T07N R02E

Idaho Department of Water Resources

Claims: 65-08532

Prepared by:

RON HOWERTON

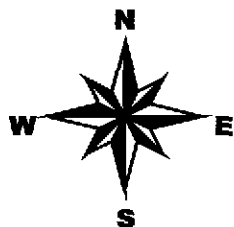
Date: 9 JAN 01

 Place of use

⊙ POD

 SECTION

1/4 1/4



1987 NAPP



0 0.5 1 1.5 2 Miles

PRBA BLUELINE MAP F T 7N R 2E S 28 & 33

①

①

GOV
LOT 1

GOV
LOT 2

WAKEFIELD
CREEK

GOV
LOT 3

GOV
LOT 7

③

GOV
LOT 6

GOV
LOT 4

GOV
LOT 6

GOV
LOT 2

①

Gov.
Lot

③

③

29 28

32 33

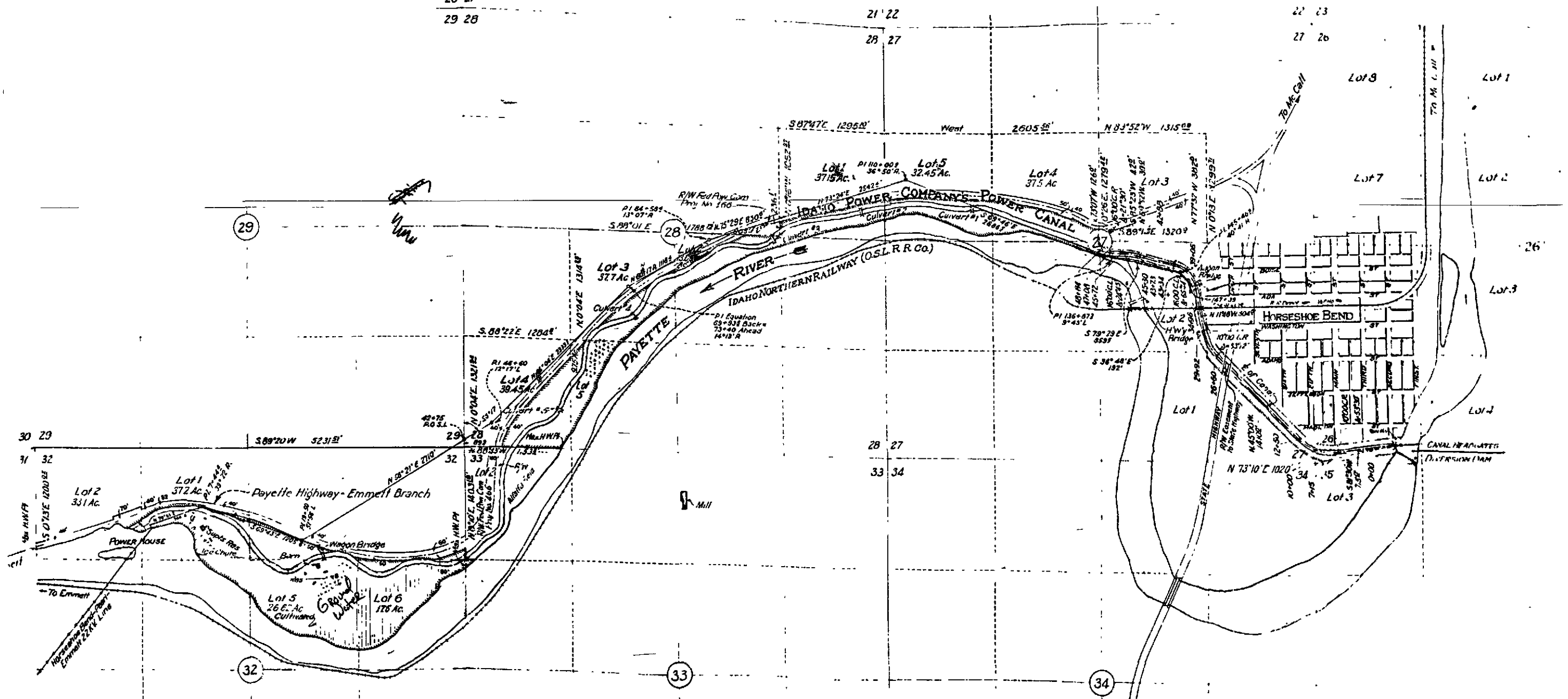
28

33

ARM

50.0	right	39.16	45.43
75.0	left		
90.0	left		
105.0			
75.0			
105.0			
75.0			
		27.35	29.32

T. 7N. R. 2E. B.M.



LEGEND

- IDAHO POWER CO'S PROPERTY BOUNDARIES
- IDAHO POWER CO'S POLE LINES

5	10/1/47	Widen Canal 5' N 51.5 E Sec. 27	R.W.	FDR
4	10/2/38	Re-Locate 4 KV Feeder	CET	
3	7/25/38	Old Dist. Line Abandoned	N.C.M.	
2	7/25/38	IPCO's Property Boundaries Revised	N.C.M.	

PERMANENT RECORD MAPS
LAND OWNERSHIP IN
VICINITY OF HORSESHOE BE
IDAHO POWER COMPANY

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 275

INDICATES TOTAL

SOURCE: PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-2662	DRAKE, CALVIN C. ROUTE 1, HORSESHOE BEND, IDAHO 83629	10/15/1959	IRRIGATION	4/ 1 11/ 1	--- AFA .15 CFS	NWNE S23 T 7N R 2E	SWSW(5) S13 T 7N R 2E *5*	LICENSE
65-2663	DRAKE, ALLEN R. HORSESHOE BEND, IDAHO 83629	10/21/1959	IRRIGATION	4/ 1 11/ 1	--- AFA .20 CFS	LOT 6 S26 T 7N R 2E	LCT 7(4) LCT 6(6) S26 T 7N R 2E *10*	LICENSE
65-10747	DOUBLE DIAMOND INC. C/O DON RUMSEY, HORSESHOE BEND, IDAHO 83629 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS 65-3103, 65-10746 & 65-2540 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	4/ 1/1960	IRRIGATION	4/ 1 11/ 1	--- AFA .90 CFS	LOT 4 S23 T 7N R 2E	SESE(1) LCT 4(2) LOT 5(39) S23 T 7N R 2E NENE(13) NWNE(40) SWNE(39) SESE(3) NWSE(14) LCT 1(23) LCT 2(22) LOT 3(9) S26 T 7N R 2E *205*	BENEFICIAL USE
65-10749	DOUBLE DIAMOND INC. C/O DON RUMSEY, HORSESHOE BEND, IDAHO 83629 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-10746 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	4/ 1/1960	IRRIGATION	4/ 1 11/ 1	--- AFA .22 CFS	LOT 4 S23 T 7N R 2E	NENE(11) S26 T 7N R 2E *11*	BENEFICIAL USE
65-10453	MAC GREGOR LAND & LIVESTOCK COMPANY BOX 5120, BOISE, IDAHO 83705	6/ 1/1960	IRRIGATION	4/ 1 11/ 1	--- AFA .62 CFS	SWSW S19 T 7N R 1E	NWNW(12) SWNW(1) SESW(16) SWNE(2) S30 T 7N R 1E *31*	BENEFICIAL USE
65-2674	REAY, DAVID B. & REAY, LINDA SUE P.O. BOX 131, HORSESHOE BEND, IDAHO 83629	8/22/1960	IRRIGATION	4/ 1 11/ 1	--- AFA .02 CFS	LOT 9 S23 T 7N R 2E	LCT 9(1) S23 T 7N R 2E *1*	LICENSE
65-8532	PEARL KENNEDY ESTATE & KENNEDY, HUGH C/O IDAHO FIRST NAT'L BANK, TRUST DEPT., BOX 7920, BOISE, IDAHO 83707 REMARKS: TWO POINTS OF DIVERSION IN LOT 3. SEC. 28, T.7N, R.2E.	2/ 1/1961	IRRIGATION	4/ 1 11/ 1	--- AFA .46 CFS	LOT 5 S26 T 7N R 2E LOT 5 S27 T 7N R 2E LOT 1 S28 T 7N R 2E LOT 2 S28 T 7N R 2E LOT 3 S28 T 7N R 2E LOT 4 S28 T 7N R 2E	LCT 2(4) S33 T 7N R 2E LCT 1(4) LCT 3(4) LCT 4(4) LCT 5(2) LCT 2(3) S28 T 7N R 2E LCT 5(2) S27 T 7N R 2E *23*	BENEFICIAL USE

WESTERN REGION

OWNER (S): John F Kennedy

CLAIM NUMBERS: 65-08532

AGENT: Scott Van Hoff

DATE 7-12-99

RIGHT NO				NE				NW				SW				SE			
	TSP	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
65-08532	7N	2E	27							2									
	4	"	28				4					4		4	2		3		
	1	"	33					4											

P.O.D.	TOWNSHIP	RANGE	SEC.	SOURCE
	7N	2E	26 SW SW	
	7N	2E	27 SW NW	
	7N	2E	28 SW NE	
	7N	2E	28 SE NE	
	7N	2E	28 NE SW	
	7N	2E	28 SW SW	

Paperfiled

POLYGON CREATED ON 327

POLYGON # () () () () UPDATED BY sdvh

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

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

 B65-DBPOU.DBF UPDATED BY sdvh

 B65-DBPOD.DBF UPDATED BY sdvh

NOTES:

REDAVE 22h 01-17-01

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:55:52
07/06/99

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-08532

LAST: PEARL KENNEDY ESTATE
ADDRESS: C/O IDAHO FIRST NAT'L BANK
TRUST DEPT
BOX 7928
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST:

STATE: ID ZIP: 83707

OWNER CODE: O

LAST: KENNEDY
ADDRESS: HC 71 BOX
CITY: CASCADE
PHONE NUMBER: 208-382-4517

FIRST: HUGH

STATE: ID ZIP: 83611

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN TWO POINTS OF DIVERSION IN LOT 3.
SEC. 28, T.7N, R.2E.
MR. KENNEDY PROTESTS THAT THE PRIORITY DATE SHOULD HAVE BEEN
APPROX 1900.

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(____)

TIME: __:__ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A65-08532 PRIORITY DATE: 02-01-1961 STAGE: D

B. WR RECORD: # 65-08532 PRIORITY DATE: 02-01-1961 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

Y() N()

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

Y() N()

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

Y() N()

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

PROOF OF BENEFICIAL USE SUBMITTED

N/A() Y() N()

FIELD EXAM COMPLETED

N/A() Y() N()

FIELD EXAM SENT TO STATE OFFICE

N/A() Y() N()

LICENSE ISSUED

N/A() Y() N()

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

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?

N/A() Y() N()

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

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y() N()

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

02-01-1961

REVIEWED BY SUR

DATE 7-9-99

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-08532	07N	02E	26		SW	SW	5		BOISE		
A65-08532	07N	02E	27		SW	NW	5	R	BOISE		
A65-08532	07N	02E	28		SW	NE	2	R	BOISE		
A65-08532	07N	02E	28		SE	NE	1	R	BOISE		
A65-08532	07N	02E	28		NE	SW	3	R	BOISE		
A65-08532	07N	02E	28		SW	SW	4	R	BOISE		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A65-02684	R65-07635
A65-02706	
A65-02734	
A65-07635	
A65-07953	
A65-09015	
A65-10886	

WR RECORDS IN SAME 40 ACRE TRACT

65-02684
65-02706
65-02734
65-07635
65-07953
65-09015
65-10886

SOURCE: PAYETTE RIVER

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-08532	07N	02E	26				5		BOISE		
65-08532	07N	02E	27				5		BOISE		
65-08532	07N	02E	28				1		BOISE		
65-08532	07N	02E	28				2		BOISE		
65-08532	07N	02E	28				3		BOISE		
65-08532	07N	02E	28				4		BOISE		

OTHER WR RECORDS WITH SAME WR POD

65-02393
65-02663
65-02684
65-02734
65-10608
65-10958
65-11010
65-11055
65-11097

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A65-02393	65-10608
A65-02663A	65-11055
A65-02663B	
A65-09015A	
A65-10608	
A65-10958	
A65-11010	
A65-11055	
A65-20571	

SOURCE: PAYETTE RIVER

TRIB:

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

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

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

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

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

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

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

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

I. HOW WAS THE POD AND SOURCE VERIFIED?

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

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

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
07N	02E	26		SW	SW	5		BOISE		
07N	02E	27		SW	NW	5	R	BOISE		
07N	02E	28		SW	NE	2	R	BOISE		
07N	02E	28		SE	NE	1	R	BOISE		
07N	02E	28		NE	SW	3	R	BOISE		
07N	02E	28		SW	SW	4	R	BOISE		

SOURCE:

Payette R

TRIB:

Snake R

REVIEWED BY:

SUH

DATE:

7-9-99

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

A. ROOT WATER RIGHT NUMBERS: A65-08532

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	02E	27	SW	NW	5	KENNEDY, HUGH	A65-08532 / 2.0	65-08532 / 2.0			2
07N	02E	28	SE	NE	1	KENNEDY, HUGH	A65-08532 / 4.0	65-08532 / 4.0			4
07N	02E	28	NE	SW	3	KENNEDY, HUGH	A65-08532 / 4.0	65-08532 / 4.0	5.0		4
07N	02E	28	SW	SW	4	KENNEDY, HUGH	A65-08532 / 4.0	65-08532 / 4.0	3.0		4
07N	02E	28	SE	SW	5	KENNEDY, HUGH	A65-08532 / 2.0	65-08532 / 2.0	2.0		2.0
07N	02E	28	NW	SE	2	KENNEDY, HUGH	A65-08532 / 3.0	65-08532 / 3.0			3
07N	02E	33	NW	NW	2	KENNEDY, HUGH	A65-08532 / 4.0	65-08532 / 4.0	5.0		4

ADDITIONAL POU FOUND

TOTAL ACRES A65-08532 23.00 23.00 15.00

POU COUNTY: BOISE

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

Y() N()

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

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

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

N/A() Y(☒) N()

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

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

N/A() Y(☒) N()

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

Y() N(☒)

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

Y() N(☒)

NOTES:

IONS: _____
TOTAL ACRES: 23 N/A()
REVIEWED BY: SUL DATE: 7-8-99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-08532 IRRIGATION	FROM 04-01 TO 11-01	0.460 CFS	
TOTAL DIVERSION RATE/VOLUME		0.460 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-08532 IRRIGATION	FROM 04-01 TO 11-01	0.460 CFS	
TOTAL DIVERSION RATE/VOLUME		0.460 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

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

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y() N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N()

PAGE: 11

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

11

CLAIM NUMBER: A65-08532

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.460 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.460 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(☒) N()

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

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

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

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)

1b. CALCULATIONS

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

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

PAGE: 13
DIVERSION AMOUNT REVIEW SHEET CONTINUED

13
CLAIM NUMBER: A65-08532

NOTES:

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	
IRRIGATION	04-01	11-01	DATABASE 0.460	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 0.0	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			0.460	_____		_____	0.0	_____

NON-IRRIGATION USES CLAIMED: NONE

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

REVIEWED BY: SNK

DATE: 7-9-99

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 _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-08532

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.460

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-08532	0.460	-		65-08532	0.460
TOTAL CFS		0.460				0.460

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
Y

FIELD
EXAMINER
Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
☒ NAPP	DATE OF PHOTO <u>1987</u> IDWR ID NO. _____	Y(☒) N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:55:52
07/06/99

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QUICKLOOK INFORMATION

17
CLAIM NUMBER: A65-08532

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

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:56:30
07/06/99
18

PAGE: 18
PROFILE REPORT

CLAIM NUMBER: A65-08532

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HUGH KENNEDY	02/01/1961	IRRIGATION	04-01 11-01	0.46 CFS	
					TOTAL DIVERSION:	0.46 CFS

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T07N R02E S26 Lot05(SWSW)

BOISE County

Point(s) of Re-diversion: T07N R02E S27 Lot05(SWNW)

BOISE County

S28 Lot02(SWNE) Lot01(SENE) Lot03(NESW) Lot04(SWSW) BOISE County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE									
T	R S	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
07N	02E 27	:				:					:					:					:	2.0	
07N	02E 28	:			01-04	:					:	03-04		04-04	05-02	:		02-03			:	17.0	
07N	02E 33	:				:		02-04			:					:					:	4.0	
																					TOTAL ACRES	23.0	

POU County: BOISE

Non-Irrigation Uses: NONE

Other Rights: NONE

Remarks: GEN TWO POINTS OF DIVERSION IN LOT 3.
SEC. 28, T.7N, R.2E.
MR. KENNEDY PROTESTS THAT THE PRIORITY DATE SHOULD HAVE BEEN
APPROX 1900.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag: