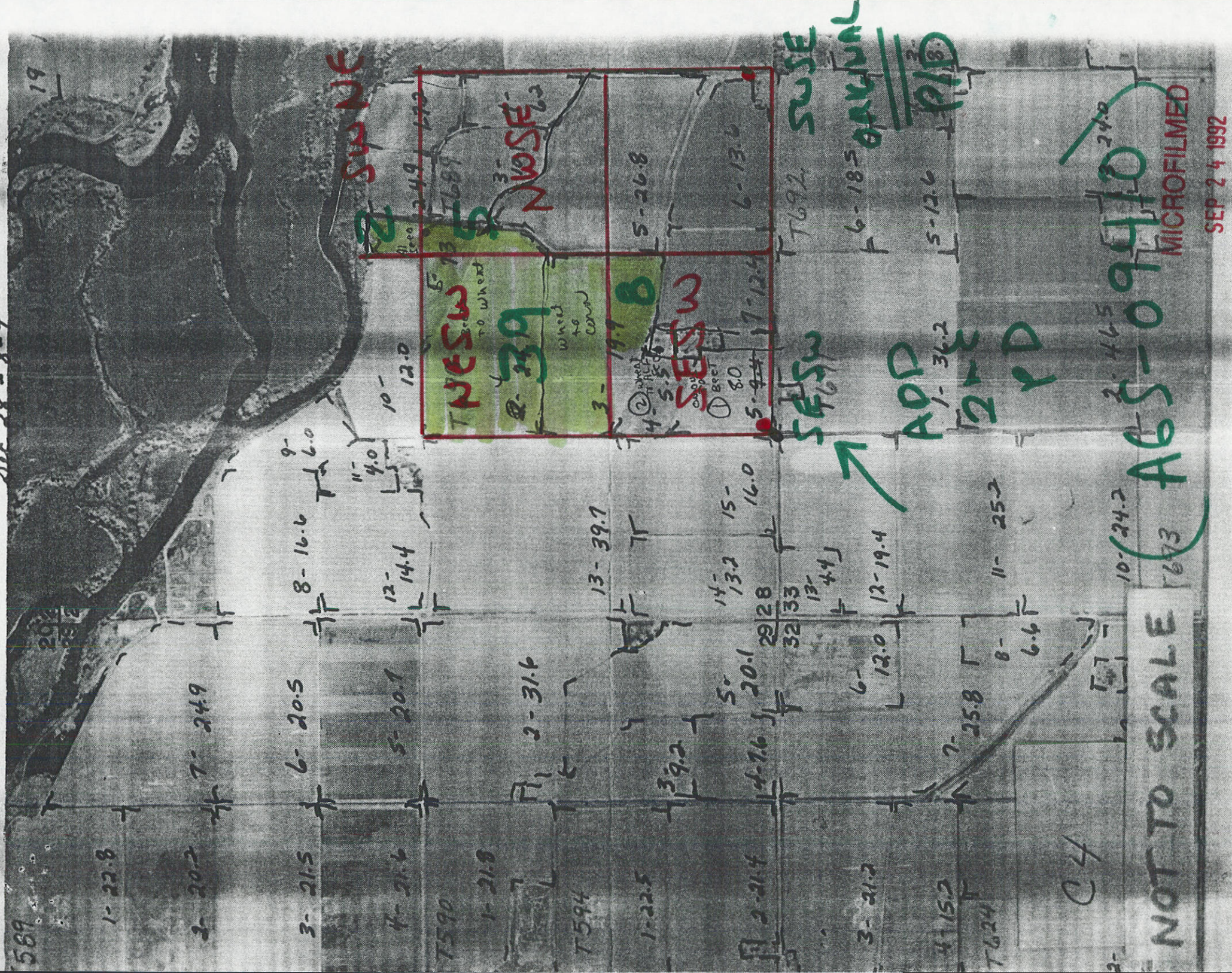




NOT TO SCALE

MICROFILMED

SEP 24 1992

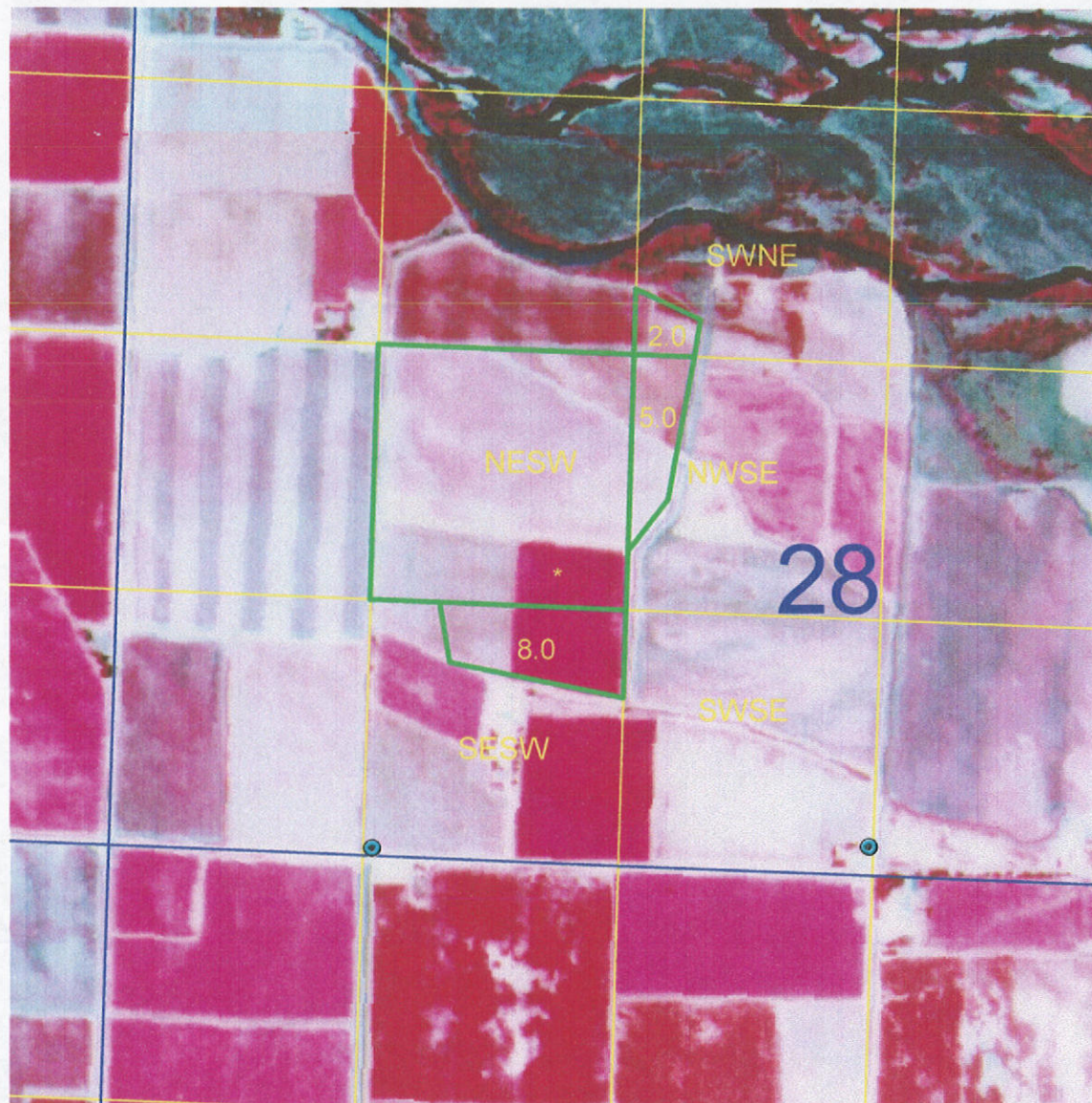
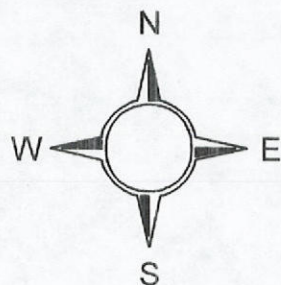
Idaho Department of Water Resources

Claim Number: 65-09410

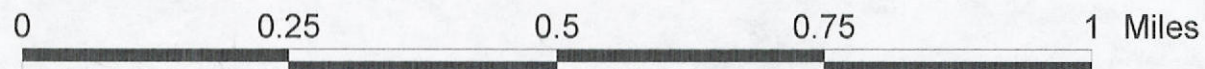
Claimant: Van Leuven

Legal: T08N, R04W, S28

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



1987 Napp Photo



TERIOR
Y

AGS-09410

w4 1965

P/D'S = T 8N R4W, S28, SE SW & SW SE

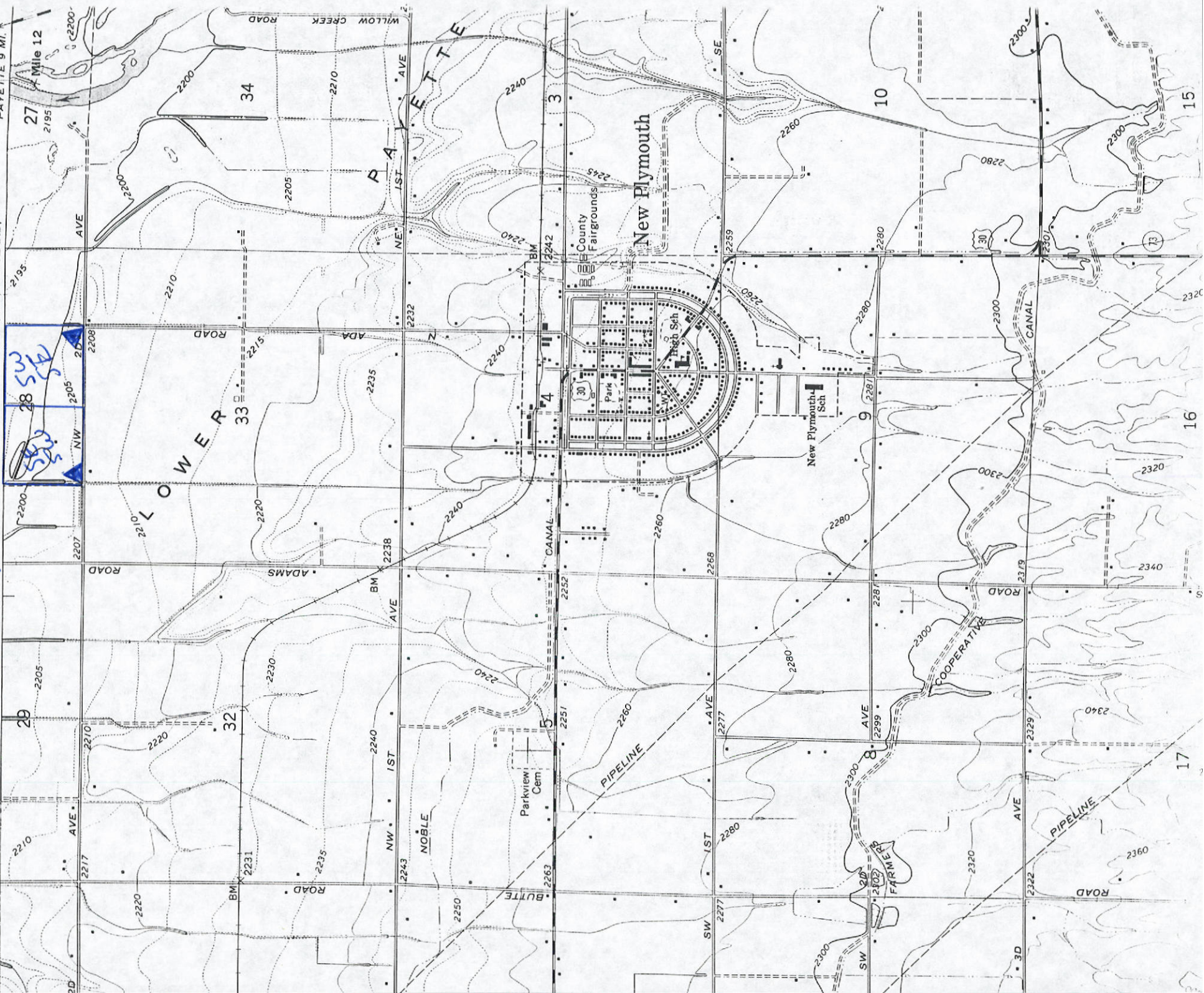
WEISER 24 MI.
PAYETTE 9 MI.

2872 III SE
(BIRDING ISLAND)

514

513

512



MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

INDICATES TOTAL

SOURCE: WASTE WATER

TRIBUTARY TO: PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION PCINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-1399	UNKNOWN, JOHN C. ROUTE 3, BOX 326, EMMETT, IDAHO 83617 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS 65-4009 & 65-1404 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	4/ 1/1920	IRRIGATION	3/15 11/15	--- AFA 1.80 CFS	SENW S33 T 7N R 1W	SENW(25) LGT 6(4) LGT 7(30) LGT 8(29) S33 T 7N R 1W NESE(2) S32 T 7N R 1W *90*	BENEFICIAL USE
65-9410	KING, W. M. & KING, FLORENCE ROUTE 2, NEW PLYMOUTH, IDAHO 83655 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF NOBLE DITCH CO., LTD. & 65-9354 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	4/ 1/1920	IRRIGATION	3/15 11/15	--- AFA 1.08 CFS	SWSE S28 T 8N R 4W	SWNE(2) NWSE(39) SESW(8) NWSE(5) S28 T 8N R 4W *54*	BENEFICIAL USE
65-9411	KING, W. M. & KING, FLORENCE ROUTE 2, NEW PLYMOUTH, IDAHO 83655 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF NOBLE DITCH CO., LTD. SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	4/ 1/1920	IRRIGATION	3/15 11/15	--- AFA .42 CFS	SESW S28 T 8N R 4W	SESW(21) S28 T 8N R 4W *21*	BENEFICIAL USE
65-1831	REKOW, RONALD E. & REKOW, LOREL 213 WEST MAIN STREET, EMMETT, IDAHO 83617 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF EMMETT IRRIGATION DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	4/ 1/1920	IRRIGATION	3/15 11/15	--- AFA .06 CFS	SWSW S30 T 7N R 1W	SWSW(3) S30 T 7N R 1W *3*	BENEFICIAL USE
65-11283	SIMPSON, EOLA ROUTE 2, NEW PLYMOUTH, IDAHO 83655 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF NOBLE DITCH CO., LTD. SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	4/ 1/1920	IRRIGATION	3/15 11/15	--- AFA 1.64 CFS	SWSE S28 T 8N R 4W	SWNE(11) NWSE(34) SWSE(37) S28 T 8N R 4W *82*	BENEFICIAL USE

Fryette

IDENT. NO. 65-9410

MAP NO.
B-A-F

Rt. 2 New Plymouth, Idaho 83655, claims a right to the diversion
(Mailing Address)

The extent and nature of said claim is as follows:

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or groundwater)
wastewater Drain ditch (tribe to Lawrence River)

- 243.0⁽³⁾ AFA
~~19.4~~

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF.) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Sub. Dates Inclusive)

243.0 AFH
~~12.4 AF~~

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF.) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive) (Both Dates Inclusive)

1.0843 TOTAL QUANTITY CLAIMED.
(CFS. GPD. AF.)

- (5) A) Point of Diversion: Give location of point where water is diverted from its source SW $\frac{1}{4}$ SE $\frac{1}{4}$
Sec. 28 Twp. 2N Rge. 4E B.M.; additional points: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)

Give sizes and capacities: be as specific as possible.

Gravity flow

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acres 654

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

- (7) Effluent, sewage waste, or return water from this use is discharged into

- (8) If you are claiming water as a member of an organization, list name of organization.

- (9) Remarks This at when combined w/ 65-0467 shall provide no more than

- (10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.

- ☐ B) Right decreed by court, cite title of case.

- ☐ C) Right based on application, permit, license, or claim filed with the Idaho Department of Water Administration.

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge. *Individual*

Individual

1/26/76
(Date)

State of Alaska

Organization

55

County of _____

On this 26 day of January, in the year 1976, before me,

a notary public, personally appeared

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same. *DP-11-22-78*

My commission expires _____

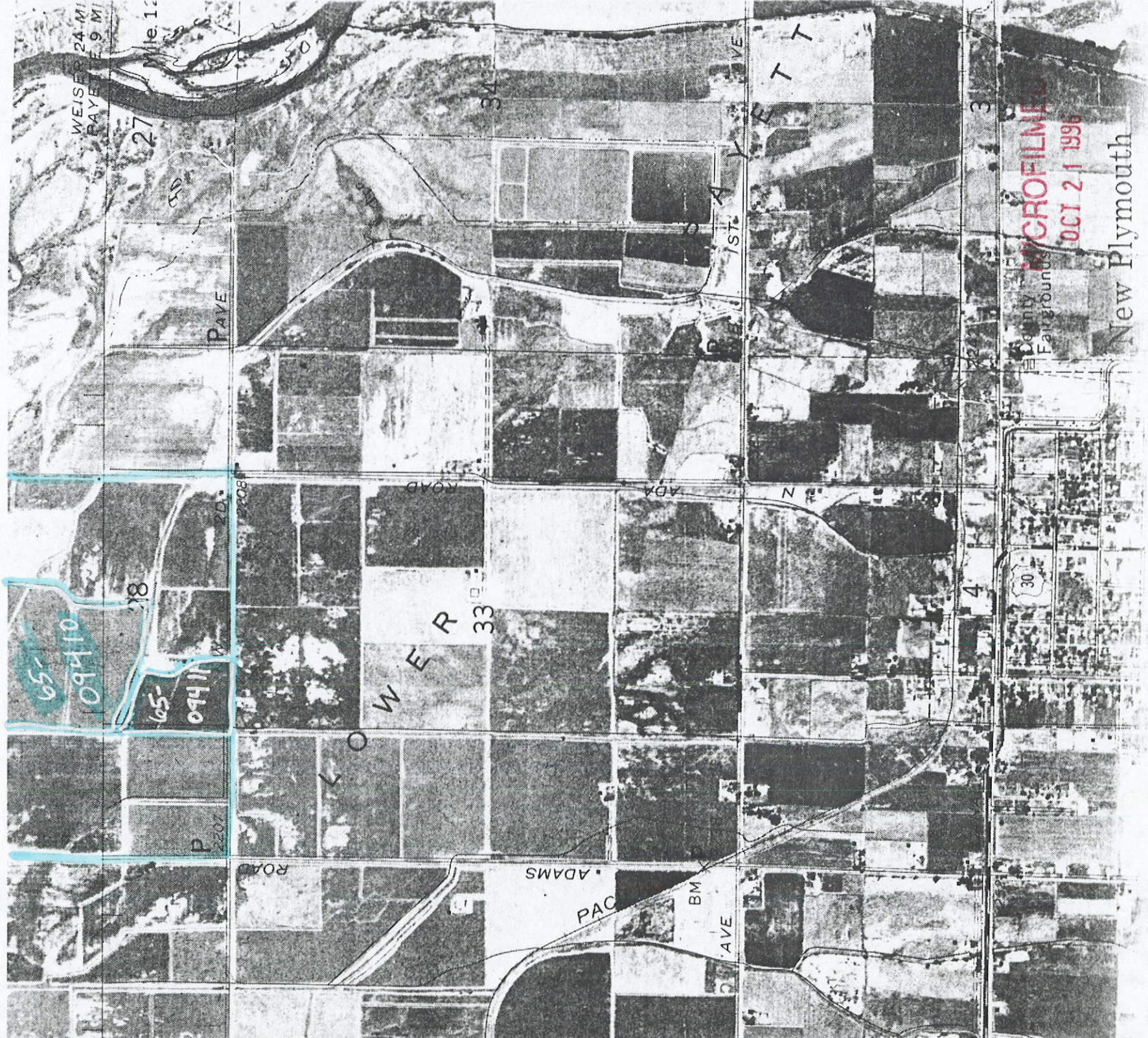
Notary Public resigning

CSA 9-11-78²-16-77

T08N
R04W
S.28

W4
(1974)

POOR ORIGINAL



Microfilmed

OCT 21 1996

F-150M 141610 141610

POOR ORIGINAL

MICROFILMED

OCT 21 1993

-A955-1
(30)

4957 (110)

POOR ORIGINAL

224804 NOV 16 1988

301 out 8
300/121

PERSONAL REPRESENTATIVE DEED

FOR VALUE RECEIVED, FLORENCE M. KING, a widow, individually, and as the duly appointed, qualified and acting Personal Representative of the Estate of WILLIAM M. KING, Deceased, pursuant to the appointment by the Magistrate Division of the District Court of the Third Judicial District, in and for the County of Payette, State of Idaho, the Grantor herein, does hereby grant, bargain, sell and convey unto DAN D. BOOK and SALLY M. BOOK, husband and wife, of 4218 N. W. 2nd Avenue, New Plymouth, Idaho 83655, the Grantees, all right, title and interest personally, and of the said Estate, in and to the following described lands and premises, located in the County of Payette, State of Idaho, to-wit:

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

In Sec. 28: A parcel of land in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows:
Beginning at the Southeast corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;
thence West coincident with the South line of said Sec. 550.00 feet to the True Point of Beginning;
thence continue West coincident with said South line 184.35 feet;
thence N. 0°15'47" E. 561.62 feet;
thence N. 6°46'33" E. 239.22 feet;
thence S. 85°26'35" E. 176.76 feet;
thence S. 1°39'10" W. 785.45 feet to the Point of Beginning.

TOGETHER with 2 shares of stock in the Noble Ditch Company.

TOGETHER with any and all other water, water rights, ditches, ditch rights, minerals, mineral leases and any and all irrigation rights appurtenant to said lands or in anywise connected therewith.

7
SUBJECT to an Easement over and across the East 10 feet of the above described lands and premises for use, upkeep and maintenance of an underground concrete irrigation waste water pipeline for the benefit of the following described property, to-wit:

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

In Sec. 28: NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$, less the above described lands and premises.

MICROFILMED
OCT 29 1988

POOR ORIGINAL

224804

NOV 16 1988

SUBJECT, to all valid outstanding reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations, and mineral conveyances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the Grantees, their heirs and assigns forever. And said Grantor does hereby covenant to and with the Grantees that the property is free from all encumbrances, except as set forth hereinabove.

DATED: The 31st day of October, 1988. *Florence M. King*

Florence M. King

Florence M. King
Florence M. King
Personal Representative of the
Estate of WILLIAM M. KING, Dec.

STATE OF IDAHO)
: ss.
County of Payette)

On this 31st day of October, 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared FLORENCE M. KING, a widow, and known to me to be the person whose name is subscribed to the foregoing Personal Representative Deed, and acknowledged to me that she executed the same individually, and as the Personal Representative of the Estate of WILLIAM M. KING, Deceased, and she executed the same as the Grantor.

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

Dwaine L. Welch
Notary Public for Idaho
Residing at: Payette
My Comm. Expires: 3-6-92

224804

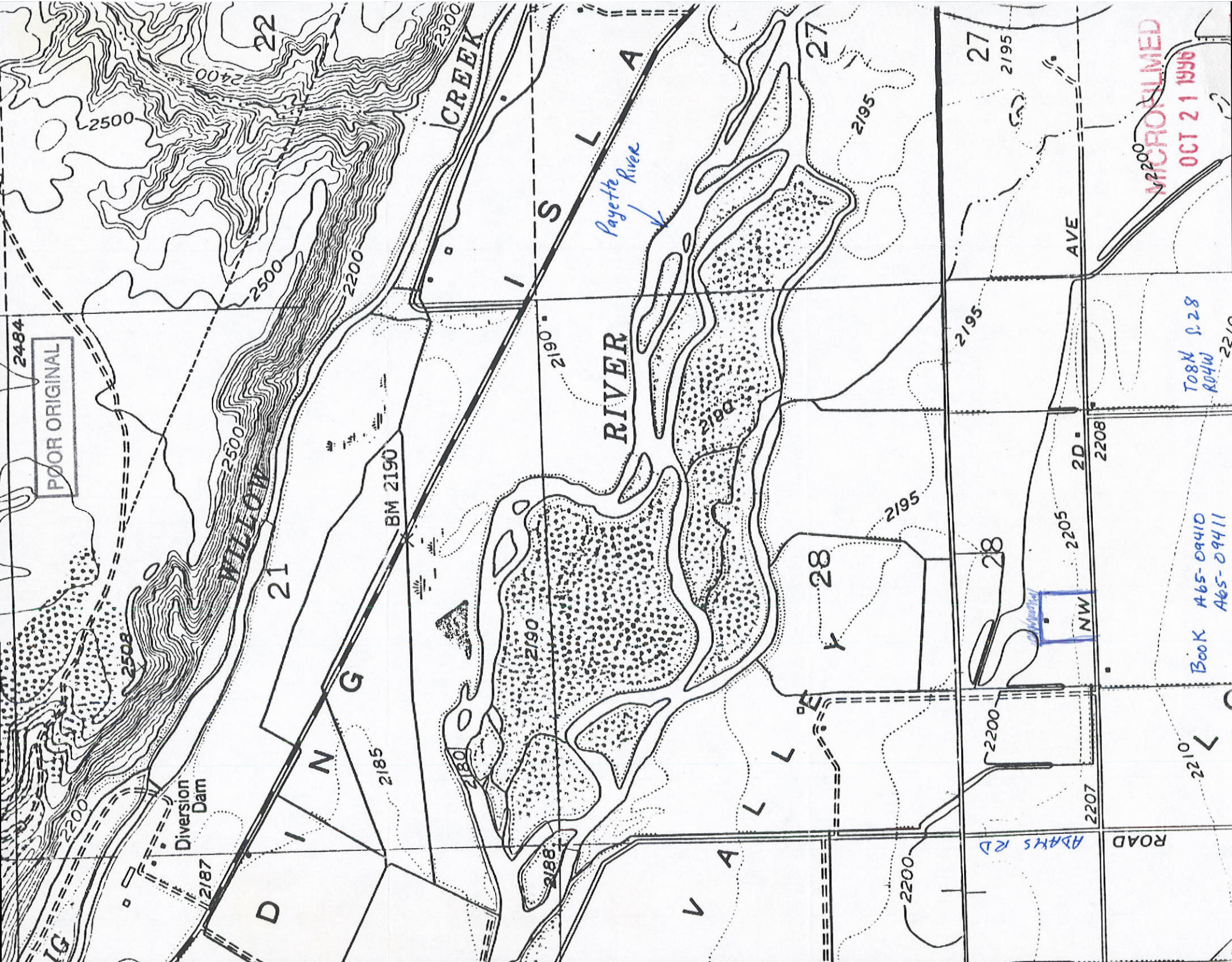
State of Idaho, County of Payette

I certify that this instrument was filed for record at the request of Dwaine L. Welch, Attorney at Law

Nov. 16, 1988 at 3:30 p.m. in Book 48 of Deeds at page 224804

Laura L. Stigile, Ex-Officio Recorder by *Ellie Apple*, Deputy

MICROFILMED
OCT 21 1990
Fee: \$6.00



POOR ORIGINAL

Diversion Dam

WILLOW CREEK

RIVER

Payette River

ADAMS RD

AVE

ROAD

MICROFILMED

OCT 21 1996

Book A65-09410
A65-09411

Town S. 28
R04W

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: **A65-09410**
Date Received: 4/12/1990
Receipt No: M006619
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: DUANE VAN LEUVEN 208-278-5473
Address: P.O. BOX 565
NEW PLYMOUTH ID 83655

OR

Name: DONNA M. VAN LEUVEN 208-278-5473
Address: P.O. BOX 565
NEW PLYMOUTH ID 83655

2. Date of Priority: APR 1, 1920

3. Source: WASTE WATER Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	04W	28	SE	SW			PAYETTE
			SW	SE			PAYETTE

5. Description of diverting works:
CONC. DITCHES, HEADGATE, GRAVITY FLOWS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.080		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	04W	28	SW	NE		IRR	2.0
			NE	SW		IRR	39.0
			SE	SW		IRR	8.0
			NW	SE		IRR	5.0
						Section Acres	54.0
						Total Acres	54.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

A65-09411

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHTS OF NOBLE DITCH CO., LTD. & 65-9354 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE. DUPLICATE CLAIMS WERE FILED ON THIS WATER RIGHT, BUT AS EVIDENCED BY THE WARRANTY DEEDS, ONE CLAIMANT DOES NOT OWN ANY PROPERTY WHICH IS APPURTENANT TO THE DECREED WATER RIGHT. SEE ALSO CLAIM NOS. A65-09411A & A65-09411B. 12/16/1994 MM.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

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: A65-09410
Date Received: 4/12/1990
Receipt No: m006619
Received By: Rdh

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DUANE VAN LEUVEN 208-278-5473
Address: P.O. BOX 565
NEW PLYMOUTH, ID 83655

OR

Name: DONNA M. VAN LEUVEN 208-278-5473
Address: P.O. BOX 565
NEW PLYMOUTH, ID 83655

2. Date of Priority: APR 01, 1920

3. Source: WASTE WATER Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	04W	28	SE	SW			PAYETTE
			SW	SE			PAYETTE

5. Description of diverting works:
CONC. DITCHES, HEADGATE, GRAVITY FLOWS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.080		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	04W	28	SW	NE		IRR	2.0
			NE	SW		IRR	39.0
			SE	SW		IRR	8.0
			NW	SE		IRR	5.0
						Section Acres	54.0
						Total Acres	54.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:
A65-09411

14. Remarks:
THIS RIGHT WHEN COMBINED WITH RIGHTS OF NOBLE DITCH CO., LTD. &
65-9354 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

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 ☒ 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): Deanne C. San Juan Date: 4-12-90

Date: _____

State of Idaho)
County of ADA) SS.

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

Seal

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

Water Right Number - 65-09410 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

*** C - CURRENT OWNER ***

KING W. M. 1 - ROUTE 2
2 -
3 -
City- NEW PLYMOUTH State- ID Zip- 83655
Phone -
KING FLORENCE 1 - ROUTE 2
2 -
3 -
City- NEW PLYMOUTH State- ID Zip- 83655
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/01/1920 14 D - DECREED

+ - - Source - - - + + - - Tributary - - - +
WASTE WATER PAYETTE RIVER

+ - - Point of Diversion - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
08N 04W 28 SW SE OK (75) PAYETTE

+ - - Water Use - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 1.080

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.080

+ - - Place of Use - - - +
TwN Rng Sec Tract Lot Acres Code Description County
08N 04W 28 SW NE 2.0 01 IRRIGATION (75) PAYETTE
08N 04W 28 NE SW 39.0 01 IRRIGATION (75) PAYETTE
08N 04W 28 SE SW 8.0 01 IRRIGATION (75) PAYETTE
08N 04W 28 NW SE 5.0 01 IRRIGATION (75) PAYETTE

Total Acres: 54.0

+ - - Diversion Means -
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use -

+ - - Remarks - - - +
THIS RIGHT WHEN COMBINED WITH RIGHTS OF NOBLE DITCH CO., LTD. &

SEP 24 1992

MICROFILMED

Water right number - 65-09410 Adj. flag translation: Standard Water Right Number

----- Remarks -----
 65-9354 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

+ - - - - Conditions of Approval - - - - -
 No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
 STATE OF IDAHO A & C CORP., ET AL. 01/21/1986

+ - - Audit Fields - 04/02/86 04/30/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Start Work Date - 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District - 65
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 01/21/1986		

MICROFILMED

SEP 24 1992



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

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

01/16/2001

RIGHT NUMBER: 65-9410

NAME AND ADDRESS: DONNA M VAN LEUVEN
DUANE VAN LEUVEN
PO BOX 565
NEW PLYMOUTH, ID 83655

SOURCE: WASTEWATER TRIBUTARY: PAYETTE RIVER

QUANTITY: 1.08 CFS

THIS RIGHT WHEN COMBINED WITH RIGHTS OF NOBLE DITCH CO.,
LTD. SHALL PROVIDE NO MORE THAN 0.02 CFS/ACRE.

PRIORITY DATE: 04/01/1920

POINT OF DIVERSION: T08N R04W S28 SESW Within PAYETTE County
T08N R04W S28 SWSE Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	1.08 CFS

PLACE OF USE:

<u>IRRIGATION Within PAYETTE County</u>				
T08N R04W S28	SWNE	2	T08N R04W S28	NESW 39
T08N R04W S28	SESW	8	T08N R04W S28	NWSE 5

54 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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
USE OF THIS RIGHT IS COMBINED WITH WATER FROM NOBLE DITCH
CO.

AJ0749NP
No. R65-09410

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

DATE: 03/30/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DUANE VAN LEUVEN	04/01/1920	IRRIGATION	03-15 11-15	1.080 CFS	
C	DONNA M VAN LEUVEN					
	PO BOX 565					
	NEW PLYMOUTH ID 83655					
	(208) 278-5473					
				TOTAL DIVERSION:	1.080 CFS	

Water Source: WASTE WATER

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion: T08N R04W S28 SESW SWSE PAYETTE County

Place of use Legal Description for: IRRIGATION

	NE				NW				SW				SE					
T R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
08N 04W 28				02								39			08		05	54.0
																	TOTAL ACRES	54.0

POU County: PAYETTE

Conditions of Approval:

- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.
- W32 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- NOBLE DITCH CO.

Remarks: EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED AS T08N, R04W, S28, SESW: 65-09411A & A65-09411B.
RIGHT NO. 65-11283 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED AS: T08N, R04W, S28, SWSE.

Dates: Exam Made Date: Verified Date: 03/30/2000 Objection Filed Date:

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

Comments: Date: 02/03/2000 User-ID: RHOWERTO Subject: COPIED FROM REMARKS
DUPLICATE CLAIMS WERE FILED ON THIS WATER RIGHT, BUT AS EVIDENCED
BY THE WARRANTY DEEDS, ONE CLAIMANT DOES NOT OWN ANY PROPERTY

QUT E28
C18

AJ0749NP
No. R65-09410

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

DATE: 03/30/00
PAGE: 2

=====

Comments: Date: 02/03/2000 User-ID: RHOWERTO Subject: COPIED FROM REMARKS
WHICH IS APPURTENANT TO THE DECREED WATER RIGHT. SEE ALSO CLAIM
NOS. A65-09411A & A65-09411B. 12/16/1994 MM.

Date: 02/03/2000 User-ID: RHOWERTO Subject: POINT OF DIVERSION CHANGE
ADDED 2ND P/D, CLAIMANT PAID FOR CHANGE FOR OTHERWISE FEE EXEMPT
PRBA DECREED RIGHT.
P/D WAS VERIFIED IN PRBA FOR CLAIMANTS RIGHT 65-09411A BUT WAS
LEFT OFF FOR THIS RIGHT. THE ADDED P/D IS THE SAME SOURCE.
NO INJURY IDENTIFIED.

Audit: 03/30/00 RHOWERTO

WR5809NP
No. 65-09410

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/17/99
PAGE: 66

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	W. M. KING	04/01/1920	IRRIGATION	03/15 11/15	1.080 CFS	
C	FLORENCE KING					
	ROUTE 2					
	NEW PLYMOUTH ID 83655			TOTAL DIVERSION:	1.080 CFS	

Water Source: WASTE WATER

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion: T08N R04W S28 SWSE

PAYETTE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
08N	04W	28	:				02							39				08			05	54.0
																				TOTAL ACRES	54.0	

Pou County: PAYETTE

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHTS OF NOBLE DITCH CO., LTD. &
65-9354 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

Dates:	App. Received:	Priority Date:	04/01/1920
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

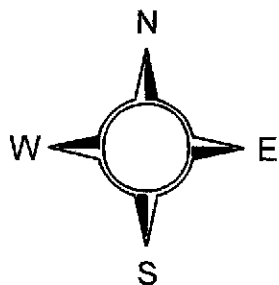
Idaho Department of Water Resources

Claim Number: 65-09410

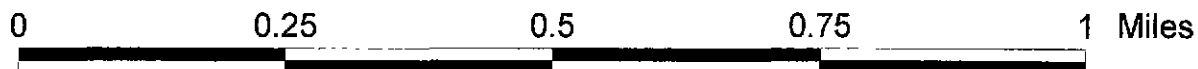
Claimant: Van Leuven

Legal: T08N, R04W, S28

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

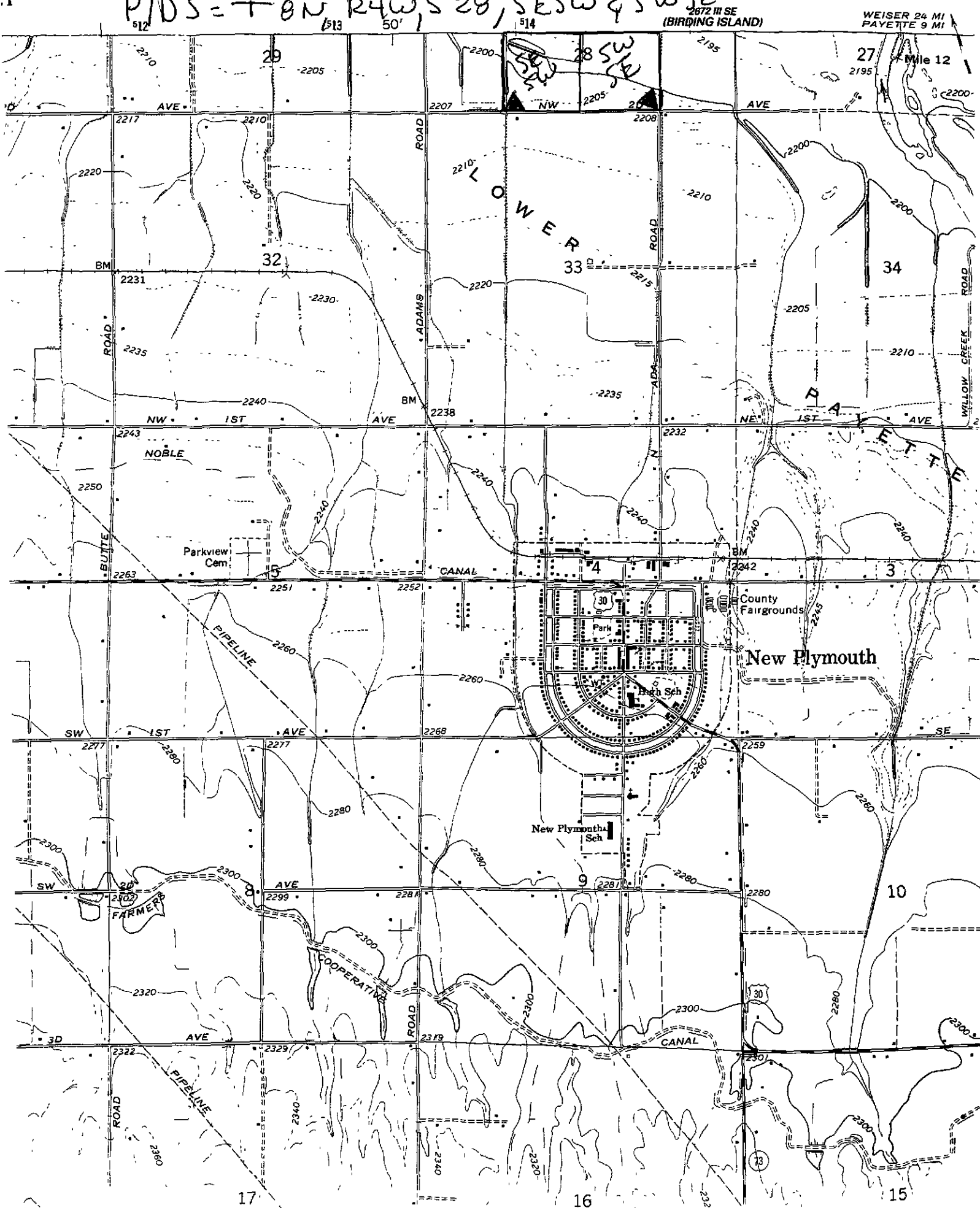


1987 Napp Photo



TERIOR
Y

AGS-09410 W 4 1965
P/D'S = T 8N R 4W S 28, SE SW & SW SE



MAR 32, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 640

* INDICATES TOTAL *

SOURCE: WASTE WATER

TRIBUTARY TO: PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION PCENT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-1399	BROWN, JOHN C. ROUTE 1, BOX 326, EMMETT, IDAHO 83617 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS 65-4009 & 65-1404 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	4/ 1/1920	IRRIGATION	3/15 11/15	--- AFA 1.80 CFS	SENW S33 1 7N R 1W	SENW(25) LCT 61 41 LQT 71301 LGT 81291 S33 1 7N R 1W NESE(2) S32 1 7N R 1W *50*	BENEFICIAL USE
65-9410	KING, W. M. & KING, FLORENCE ROUTE 2, NEW PLYMOUTH, IDAHO 83655 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF NOBLE DITCH CO., LTD. & 65-9354 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	4/ 1/1920	IRRIGATION	3/15 11/15	--- AFA 1.08 CFS	SWSE S28 1 8N R 4W	SWNE(21) NESW(39) SESW(8) NWSE(5) S28 1 8N R 4W *54*	BENEFICIAL USE
65-9411	KING, W. M. & KING, FLORENCE ROUTE 2, NEW PLYMOUTH, IDAHO 83655 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF NOBLE DITCH CO., LTD. SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	4/ 1/1920	IRRIGATION	3/15 11/15	--- AFA .42 CFS	SESW S28 1 8N R 4W	SESW(21) S28 1 8N R 4W *21*	BENEFICIAL USE
65-1831	REKOW, RONALD F. & REKOW, LOREL 213 WEST MAIN STREET, EMMETT, IDAHO 83617 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF EMMETT IRRIGATION DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	4/ 1/1920	IRRIGATION	3/15 11/15	--- AFA .06 CFS	SWSW S30 1 7N R 1W	SWSW(3) S30 1 7N R 1W *3*	BENEFICIAL USE
65-11284	SIMPSON, LOLA ROUTE 2, NEW PLYMOUTH, IDAHO 83655 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF NOBLE DITCH CO., LTD. SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	4/ 1/1920	IRRIGATION	3/15 11/15	--- AFA 1.64 CFS	SWSE S28 1 8N R 4W	SWNE(11) NWSE(34) SWSE(37) S28 1 8N R 4W *82*	BENEFICIAL USE

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

NOTICE OF DIVERSION AND FOR THE COUNTY OF BUTTE

NOTICE OF CLAIM

IDENT. NO.

MAP NO.

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

NOTICE OF DIVERSION AND FOR THE COUNTY OF BUTTE

NOTICE OF CLAIM

IDENT. NO.

MAP NO.

Notice is hereby given that

the undersigned, Rayette, (Name of Claimant)

claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to

the extent and nature of said claim is as follows:

(1) Date of quantity (When was the water first applied to a beneficial use, or date that permit was issued):

April 22, 1920

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water):

Payette River

(3) Describe the purpose for which the water has been used and if time during the year when you have used the right claimed:

For irrigation of 40 acres of land

Quantity 1.08 Use irrigation Period of Use From April 10 To October 10

Quantity 243.9 Use irrigation Period of Use From April 10 To October 10

Quantity 1.08 Use irrigation Period of Use From April 10 To October 10

TOTAL QUANTITY CLAIMED: 246.06

(4) A Point of Diversion: Give location of point where water is diverted from its source:

Payette River

(5) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.):

Gravitational

(6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for

irrigation, place an "X" in appropriate box to show location:

40

(7) Effluent, sewage waste, or return water from this use is discharged into:

Payette River

(8) If you are claiming water as a member of an organization, list name of organization:

Payette River Water Users Association

(9) Remarks: This is a water combined with the right to the water

(10) Basis of claim (Check one)

☒ A) Right based on application, permit, license, or claim filed with the Idaho Department of

Water Administration.

☐ B) Right decreed by court, cite title of case.

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are

true and accurate to the best of (his, her, their) knowledge.

Rayette (Signature of Claimant)

Payette River Water Users Association (Signature of Spouse)

State of Idaho (Signature of Authorized Agent)

County of Butte (Signature of Notary Public)

On this 21 day of January, 1977

a notary public, personally appeared

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they,

corporation, partnership or

My commission expires 1/31/77

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:31:21
02/02/00

PAGE: 16
QUICKLOOK INFORMATION

16
CLAIM NUMBER: A65-09410

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	Y		RDH IN OFFICE 2/3/00					RDH 2/3/00
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM	Y							
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:31:21
02/02/00

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-09410

LAST: KING
ADDRESS: ROUTE 2
CITY: NEW PLYMOUTH
PHONE NUMBER: 208-000-0000

FIRST: W M
STATE: ID ZIP: 83655

OWNER CODE: O

LAST: KING
ADDRESS: ROUTE 2
CITY: NEW PLYMOUTH
PHONE NUMBER: 208-000-0000

FIRST: FLORENCE
STATE: ID ZIP: 83655

OWNER CODE: O

LAST: VAN LEUVEN
ADDRESS: PO BOX 565
CITY: NEW PLYMOUTH
PHONE NUMBER: 208-278-5473

FIRST: DUANE
STATE: ID ZIP: 83655

OWNER CODE: C

LAST: VAN LEUVEN
ADDRESS: PO BOX 565
CITY: NEW PLYMOUTH
PHONE NUMBER: 208-278-5473

FIRST: DONNA M
STATE: ID ZIP: 83655

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN THIS RIGHT WHEN COMBINED WITH RIGHTS OF NOBLE DITCH CO., LTD. &
65-9354 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.
DUPLICATE CLAIMS WERE FILED ON THIS WATER RIGHT, BUT AS EVIDENCED
BY THE WARRANTY DEEDS, ONE CLAIMANT DOES NOT OWN ANY PROPERTY
WHICH IS APPURTENANT TO THE DECREED WATER RIGHT. SEE ALSO CLAIM
NOS. A65-09411A & A65-09411B. 12/16/1994 MM.

CONTACT PERSON: IN - OFFICE

PHONE NUMBER: () -

DATE OF FIELD EXAM: 2/3/00

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

SEE MAPS IN FILE

A. AJ CLAIM: # A65-09410 PRIORITY DATE: 04-01-1920 STAGE: D

B. WR RECORD: # 65-09410 PRIORITY DATE: 04-01-1920 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:

04-01-1920

REVIEWED BY Rch

DATE 2/3/00

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-09410	08N 04W	28		SE	SW			PAYETTE		
A65-09410	08N 04W	28		SW	SE			PAYETTE		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A65-04437	65-04437

A65-05057

A65-09353

A65-09357

A65-09410B

A65-09411A

A65-09411B

A65-11283

WR RECORDS IN SAME 40 ACRE TRACT

65-04437

65-05057

65-09353

65-09357

65-09411

65-11283

SOURCE: WASTE WATER

TRIB: PAYETTE 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
65-09410	08N 04W	28		SW	SE			PAYETTE		

OTHER WR RECORDS WITH SAME WR POD

65-04437

65-05057

65-11283

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A65-04437	65-04437

A65-05057

A65-09410B

A65-11283

SOURCE: WASTE WATER

TRIB: PAYETTE RIVER

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.

ADDED P/D C03

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: Both PID's have been VERIFIED DURING THE PRBA. 2nd PID ADDED IS SAME PID FOR RIGHTS 9411A&B. PID has there SINCE 1920 DOP PER WR 9411 AND LOCATION CAN BE SEEN ON 1965 TOPO & 1987 NAPP. NO-INJURY ACCOMPLISHED TRANSFER. SAME SOURCE AND NO CHANGE IN TOTAL ACRES.

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
08N	04W	28		SE	SW			PAYETTE		
08N	04W	28		SW	SE			PAYETTE		
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---

SOURCE: WASTE WATER

TRIB: PAYETTE RIVER

REVIEWED BY: Reh

DATE: 2/3/00

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

SEE SRBA CLAIM &
PRBA ORIGINAL CLAIM

A. ROOT WATER RIGHT NUMBERS: A65-09410
R65-09410A
A65-09410B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08N	04W	28	SW	NE		VAN LEUVEN, DUANE	A65-09410 / 2.0	65-09410 / 2.0	28.0		
			SW	NE		NOBLE DITCH CO LTD	A65-00403X / 12.0	65-00403X / 12.0			2
			SW	NE		SIMPSON, EULA	A65-11283 / 11.0	65-11283 / 11.0			
			SW	NE		SCOTT L CAMPBELL, ELAM & BURKEA	65-02927G / 12.0	- /			
			SW	NE		KING, W. M.		65-09354 / 1.0			
			SW	NE		NOBLE DITCH CO LTD		65-13373 / 12.0			
08N	04W	28	NE	SW		VAN LEUVEN, DUANE	A65-09410 / 39.0	65-09410 / 39.0	36.0		
			NE	SW		NOBLE DITCH CO LTD	A65-00403X / 39.0	65-00403X / 39.0			39
			NE	SW		SCOTT L CAMPBELL, ELAM & BURKEA	65-02927G / 39.0	- /			
			NE	SW		KING, W. M.		65-09354 / 4.0			
			NE	SW		NOBLE DITCH CO LTD		65-13373 / 39.0			
08N	04W	28	SE	SW		VAN LEUVEN, DUANE	A65-09410 / 8.0	65-09410 / 8.0	40.0		
			SE	SW		VAN LEUVEN, DUANE	A65-09357 /	65-09357 /			8
			SE	SW		NOBLE DITCH CO LTD	A65-00403X / 35.0	65-00403X / 35.0			
			SE	SW		RALSTON, NINA	A65-09353 /	65-09353 /			
			SE	SW		RALSTON, SAM	A65-09410B / 5.0	- /			
			SE	SW		RALSTON, SAM	A65-09411B / 5.0	- /			
			SE	SW		VAN LEUVEN, DUANE	A65-09411A / 21.0	- /			
			SE	SW		SCOTT L CAMPBELL, ELAM & BURKEA	65-02927G / 35.0	- /			
			SE	SW		KING, W. M.		65-09411 / 21.0			
			SE	SW		NOBLE DITCH CO LTD		65-13373 / 35.0			
08N	04W	28	NW	SE		VAN LEUVEN, DUANE	A65-09410 / 5.0	65-09410 / 5.0	37.0		
			NW	SE		NOBLE DITCH CO LTD	A65-00403X / 39.0	65-00403X / 39.0			5
			NW	SE		SIMPSON, EULA	A65-11283 / 34.0	65-11283 / 34.0			
			NW	SE		SCOTT L CAMPBELL, ELAM & BURKEA	65-02927G / 39.0	- /			
			NW	SE		KING, W. M.		65-09354 / 2.0			
			NW	SE		NOBLE DITCH CO LTD		65-13373 / 39.0			

ADDITIONAL POU FOUND

TOTAL ACRES A65-09410 54.00 54.00 141.00

54

POU COUNTY: PAYETTE

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

Y() N(☒)

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

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-09410	WASTE WATER	VAN LEUVEN, DUANE	1.080	0.020		
A65-00403X	PAYETTE RIVER	NOBLE DITCH CO LTD	49.050	0.005		
A65-02927G	PAYETTE RIVER, NORTH FORK	SCOTT L CAMPBELL, ELAM & BURKE			10000.00	1.19
A65-09410B	WASTE WATER	RALSTON, SAM	0.100	0.020		
A65-09411A	WASTE WATER	VAN LEUVEN, DUANE	0.420	0.020		
A65-09411B	WASTE WATER	RALSTON, SAM	0.100	0.020		
A65-11283	WASTE WATER	SIMPSON, EULA	1.640	0.020		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-09357	INDUSTRIAL	VAN LEUVEN, DUANE	FROM 01-01 TO 12-31	0.010 CFS	0.67 AF/A
A65-09353	DOMESTIC	RALSTON, NINA	FROM 01-01 TO 12-31	0.040 CFS	1.40 AF/A

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

Y(☒) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A65-09411

W32 NOBLE Ditch Co.

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(☒)

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;
(X) NAPP, IDWR NO. 1987; (X) ASCS PHOTO; (X) OTHER PRBA MAP F

NOTES: ASCS PHOTO IS ON CLAIM FILE SIDE
SEE PRBA MAP ON "R" FILE SIDE
NOTE: PART OF THIS RIGHT WAS CLAIMED BY RALSTON
HOWEVER WARRANTY DEED SUBMITTED WASNT
APPURTENANT TO THIS WTR. SEE 1994 MEMO
& ATTACHMENTS.
CLAIMANT FOR THIS RIGHT PAID ADDITIONAL
FEE REQUIRED FOR CHANGE 104.00 WHERE X999999
WOULD HAVE APPLIED EXCEPT FOR ADDING 2ND P/D.

RECOMMENDATIONS:

TOTAL ACRES: 54 N/A()

REVIEWED BY:

Rch

DATE:

2/3/00

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-09410 IRRIGATION	FROM 03-15 TO 11-15	1.080 CFS	
TOTAL DIVERSION RATE/VOLUME		1.080 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-09410 IRRIGATION	FROM 03-15 TO 11-15	1.080 CFS	
TOTAL DIVERSION RATE/VOLUME		1.080 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

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

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☒) N(☐)

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

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

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

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

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

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☒) Y(☐) N(☐)

PAGE: 10

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

10

CLAIM NUMBER: A65-09410

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 1.080 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 1.080 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 54 x 0.02 CFS/ACRE = 1.08 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: 12
DIVERSION AMOUNT REVIEW SHEET CONTINUED

12
CLAIM NUMBER: A65-09410

NOTES:

WR RECORD CONDITIONS/REMARKS:

W32

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (☒)

REC. PURPOSE OF USE	REC. PERIOD FROM TO		REC. DIV RATE CFS		REC. DIV VOL. AF/A		REC. CONS. USE	
			DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
IRRIGATION	03-15	11-15	1.080	☒			0.0	
TOTAL FOR THIS RIGHT			1.080	☒			0.0	

NON-IRRIGATION USES CLAIMED: NONE

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

REVIEWED BY: RSL DATE: 2/3/00

FLAG: C

STANDARD CONDITIONS (CODE):

C03, W32

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

FOG SAME PID AS 9411A5 B IN THE SESW
T8N, R04W, S28

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: 65-09410

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 1.080	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A65-09410	A65-09410	1.080	-		65-09410	1.080
-	A65-09410B	0.100	-		-	
TOTAL CFS		1.180				1.080

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()

NA

NOTES:

AUTHENTICATION:

SIGNATURE: Don Linwerton DATE: 2/3/00

NAME OF FIELD EXAMINER: Don Linwerton TITLE: _____

Sr Water Agent

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
(X) TOPOGRAPHIC	DATE FIELD CHECKED <u>1965</u> IDWR ID NO. <u>W4</u>	Y(X) N()
(X) NAPP	DATE OF PHOTO <u>1987</u> IDWR ID NO. _____	Y(X) N()
(X) ASCS AERIAL PHOTO	DATE OF PHOTO <u>SEE CLAIM FILE SIDE</u>	Y(X) 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()
(X) OTHER <u>PRBA MAP</u>	DATE <u>FROM PRBA ADJ MAP "F"</u>	Y(X) N()
(X) OTHER <u>PRBA CLAIM</u>	DATE <u>ORIGINAL COPY</u>	Y(X) N()
(X) OTHER <u>PROFILE</u>	DATE <u>WR RECORD</u>	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 _____	_____	_____
(X) OTHER <u>DEGREE</u>	DATE <u>PRBA</u>	<u>1</u>	<u>Copy From BLUE Book</u>
(X) OTHER <u>MEMO</u>	DATE <u>SEE MEMOS AND ATTACHMENTS</u>		<u>FROM 1994 IN FILE.</u>

09:33:13
02/02/00
17

CLAIM NUMBER: A65-09410

Water Source: WASTE WATER Tributary to: PAYETTE RIVER Stage: DECREED

Place of use Legal Description for: IRRIGATION

POU County: PAYETTE

Non-Irrigation Uses: NONE

Other Rights: A65-09411

Dates: **Exam Made Date:** **Verified Date:** **Objection Filed Date:**

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



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

December 16, 1994

R. KEITH HIGGINSON
DIRECTOR

DONNA M VAN LEUVEN
DUANE VAN LEUVEN
PO BOX 565
NEW PLYMOUTH ID 83655

RE: Notice of Claim to a Water Right Original No. A65-09411
Notice of Claim to a Water Right Renumbered to A65-09411A

Dear Ms. and Mr. Van Leuven:

We have received the claim referenced above as the Original number. Another party has also filed on this same water right which is the basis for your claim. After reviewing the warranty deeds for the properties in question, it appears that all claimants may have a portion of the original right. This discrepancy will be resolved at the time the claims in the Payette River basin are investigated by IDWR (Idaho Department of Water Resources). At this time it is unknown exactly when the investigation will occur, but it will not be for at least one year.

Each of the claims submitted on the original decreed right was renumbered by adding an alpha suffix to the claim number. Your new number is referenced above as the Renumbered claim. Please refer to this new number in all correspondence with IDWR. Enclosed is a copy of the renumbered claim for your records.

Another decreed water right that you claimed was also claimed by another party (A65-09410). Review of the warranty deeds submitted for both properties indicates that the other party does not own any property which is appurtenant to the right as decreed in the Payette River Decree (65-09410). The other party will be asked to withdraw their claim; your claim (A65-09410) will not be renumbered.

If you have any questions or need additional information, please feel free to contact this office.

Sincerely,

Maria Minicucci

Water Agent, Adjudication Bureau

MM:m

Enc: Computer generated copy of A65-09411A

MICROFILMED
OCT 21 1996

T08N
R04W
S.28

w4
(1974)

POOR ORIGINAL



CHOFILM
OCT 21 1990
New Plymouth

31 JUL 1964

POOR ORIGINAL

MICROFILMED

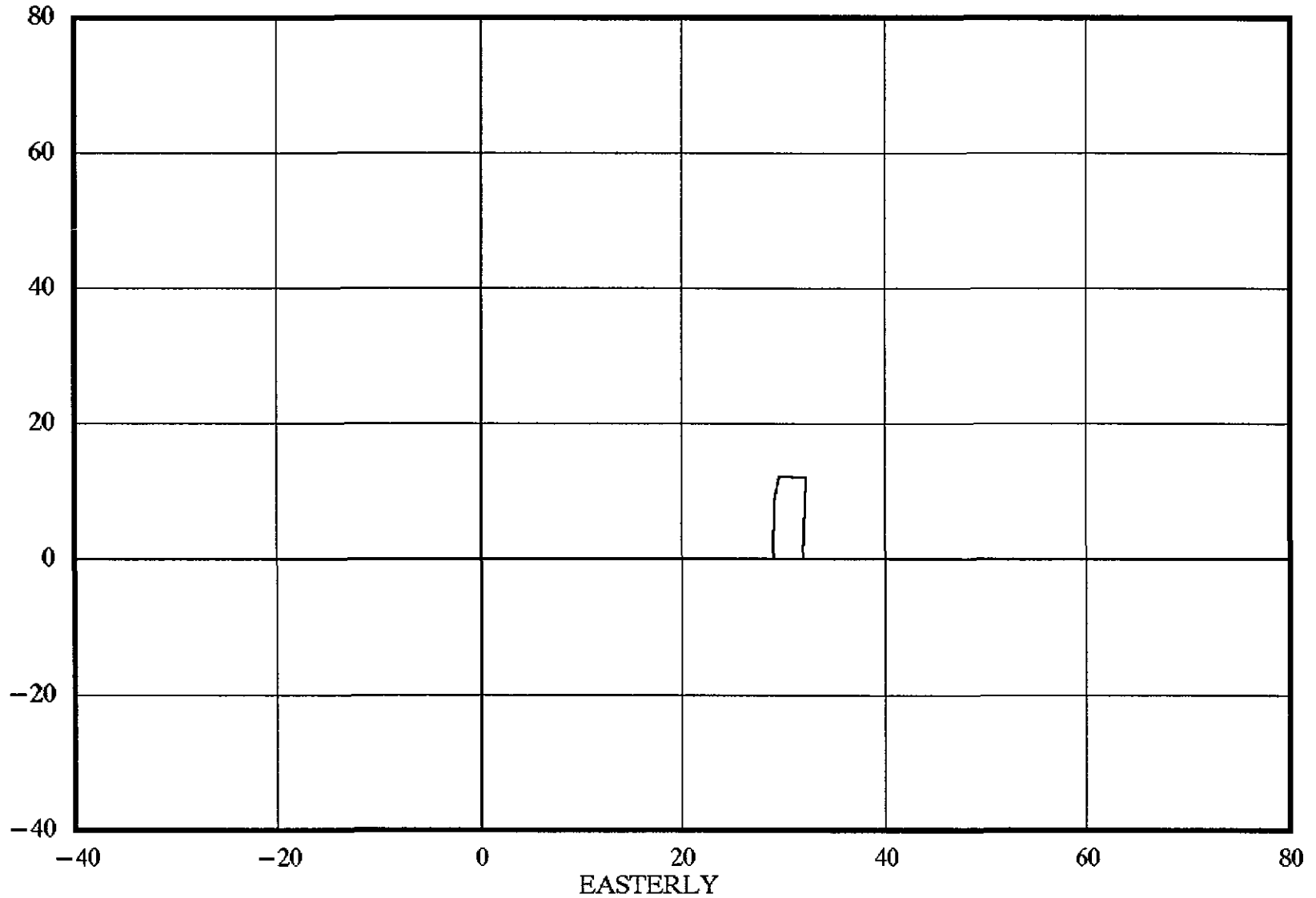
Oct 1 1945

Book / Royalsown.

V

PARCEL PLOT – METES & BOUNDS

DISTANCE IS IN CHAINS



MICROFILMED
OCT 21 1996

Variancia

40.00	0.00						0.00
31.67	0.00	90.00	0.00	0.00	sw	550.00	-10.81
32.09	13.31	1.00	39.00	10.00	ne	878.68	-10.45
39.62	12.45	82.00	42.00	50.00	se	500.00	-9.98
39.62	0.03	0.00	0.00	0.00	se	820.00	-9.98
39.62	0.03	0.00	0.00	0.00		0.00	-9.98

MICROFILMED

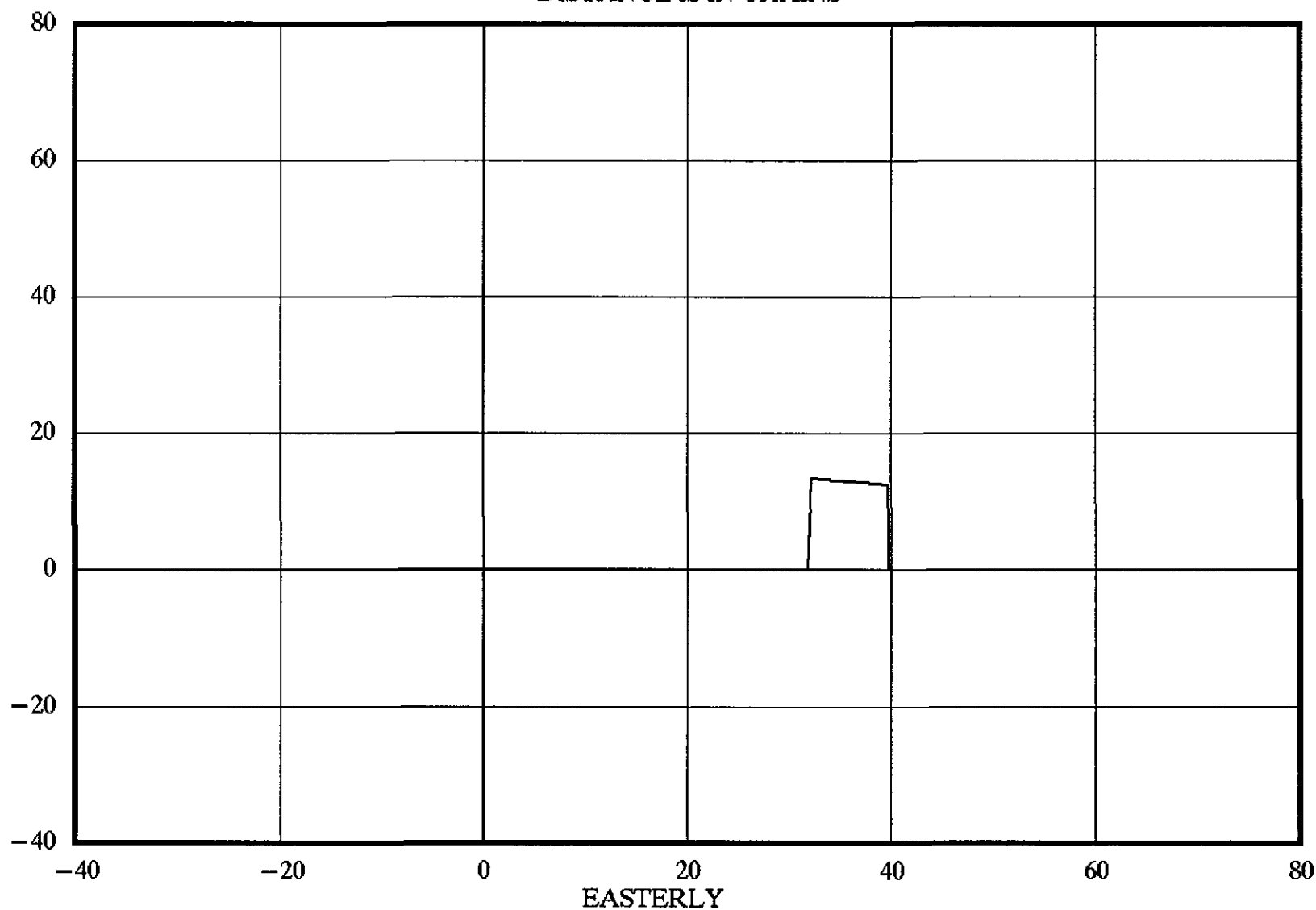
66. 21 100

Van Leuven

SE 401 1000'

PARCEL PLOT – METES & BOUNDS

DISTANCE IS IN CHAINS



MICROFILMED
OCT 21 1996

23.2/Regulation
Van Leuven ②

METES AND BOUNDS TABLE

X-COR	Y-COR	ANGLE			BEARING	DIST (FT)	CUM ACRES
		DEGREES	MINUTES	SECONDS			
40.00	0.00						0.00
31.67	0.00	90.00	0.00	0.00	SW	550.00	0.00
28.87	0.00	90.00	0.00	0.00	SW	184.35	-9.40
29.03	8.51	0.00	15.00	47.00	NE	561.62	-13.26
29.49	12.10	6.00	46.00	33.00	NE	239.22	-13.09
32.16	11.92	85.00	26.00	35.00	SE	176.76	-3.54
31.78	0.02	1.00	39.00	10.00	SW	785.45	-3.54
31.78	0.02	0.00	0.00	0.00		0.00	-3.54

MICROFILMED

OCT 21 1966

POOR ORIGINAL

248732

MAR. 16 1994

P-22017, 301/121

WARRANTY DEED

For Value Received

DAN D. BOOK and SALLY M. BOOK, husband and wife,

the grantor s do hereby grant, bargain, sell and convey unto

SAM RALSTON and NINA V. RALSTON, Co-Trustees of the SAM and NINA V. RALSTON TRUST, U/T/A dated July 2, 1990.
the grantee, whose current address is 4218 N.W. 2nd Ave., New Plymouth, ID 83655

Payette

the following described premises, in

County Idaho, to-wit:

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

In Sec. 28: A parcel of land in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, described as follows:

Beginning at the Southeast corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;
thence West coincident with the South line of said
Sec. 550 feet to the TRUE POINT OF BEGINNING;
thence continue West coincident with said South line
184.35 feet;
thence N. 0°15'47" E. 561.62 feet;
thence N. 6°46'33" E. 239.22 feet;
thence S. 85°26'35" E. 176.76 feet;
thence S. 1°39'10" W. 785.45 feet to the point of
beginning.

TOGETHER WITH all water and water rights, ditches and ditch rights, tenements and hereditaments, appurtenances and fixtures, and permits and licenses belonging thereto or in anywise appertaining, including two (2) shares in the Noble Ditch Company, Ltd.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee, that they are the owner s in fee simple of said premises; that they are free from all incumbrances excepting reservations, easements, incumbrances, restrictions and rights of way appearing of record and/or existing,

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: March 14, 1994

Dan D. Book

DAN D. BOOK

Sally M. Book

SALLY M. BOOK

STATE OF IDAHO, COUNTY OF Payette

On this 14th day of March, 1994
before me, a notary public in and for the said State, personally appeared

Dan D. Book and Sally M. Book

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Theresa Miller
Notary Public
Residing at Payette, Idaho
Comm. Expires 3-3-2000

STATE OF IDAHO, COUNTY OF Payette

I hereby certify that this instrument was filed for record at
the request of Land Title Insurance Company

at 22 minutes past 1:00 o'clock P.M.,
this 16 day of March,
1994, in my office, and duly recorded in Book 48
of Deeds at Page 248732

LAURA L. STIGILE

Ex-Officio Recorder

By *Laura L. Stigile* Deputy.

Fees \$ 300
Mail to:

RECEIVED

JUN 09 1994

WATER RESOURCES
WESTERN REGION

INSTRUMENT NO.

248732

POOR ORIGINAL

224804 NOV 16 1968

501 out 8
300/121

PERSONAL REPRESENTATIVE DEED

FOR VALUE RECEIVED, FLORENCE M. KING, a widow, individually, and as the duly appointed, qualified and acting Personal Representative of the Estate of WILLIAM M. KING, Deceased, pursuant to the appointment by the Magistrate Division of the District Court of the Third Judicial District, in and for the County of Payette, State of Idaho, the Grantor herein, does hereby grant, bargain, sell and convey unto DAN D. BOOK and SALLY M. BOOK, husband and wife, of 4218 N. W. 2nd Avenue, New Plymouth, Idaho 83655, the Grantees, all right, title and interest personally, and of the said Estate, in and to the following described lands and premises, located in the County of Payette, State of Idaho, to-wit:

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

In Sec. 28: A parcel of land in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows:
Beginning at the Southeast corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;
thence West coincident with the South line of said Sec. 550.00 feet to the True Point of Beginning;
thence continue West coincident with said South line 184.35 feet;
thence N. 0°15'47" E. 561.62 feet;
thence N. 6°46'33" E. 239.22 feet;
thence S. 85°26'35" E. 176.76 feet;
thence S. 1°39'10" W. 785.45 feet to the Point of Beginning.

TOGETHER with 2 shares of stock in the Noble Ditch Company.

TOGETHER with any and all other water, water rights, ditches, ditch rights, minerals, mineral leases and any and all irrigation rights appurtenant to said lands or in anywise connected therewith.

SUBJECT to an Easement over and across the East 10 feet of the above described lands and premises for use, upkeep and maintenance of an underground concrete irrigation waste water pipeline for the benefit of the following described property, to-wit:

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

In Sec. 28: NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$, less the above described lands and premises.

dja PERSONAL REPRESENTATIVE DEED - 1.

MICROFILMED
OCT 21 1968

POOR ORIGINAL

224804

NOV 16 1988

SUBJECT, to all valid outstanding reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations, and mineral conveyances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the Grantees, their heirs and assigns forever. And said Grantor does hereby covenant to and with the Grantees that the property is free from all encumbrances, except as set forth hereinabove.

DATED: The 31st day of October, 1988.

Florence M. King

Florence M. King
Personal Representative of the
Estate of WILLIAM M. KING, Dec.

STATE OF IDAHO)
County of Payette) ss.

On this 31st day of October, 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared FLORENCE M. KING, a widow, and known to me to be the person whose name is subscribed to the foregoing Personal Representative Deed, and acknowledged to me that she executed the same individually, and as the Personal Representative of the Estate of WILLIAM M. KING, Deceased, and she executed the same as the Grantor.

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

Dwaine L. Welch
Notary Public for Idaho
Residing at: Payette
My Comm. Expires: 3-6-92

224804

State of Idaho, County of Payette

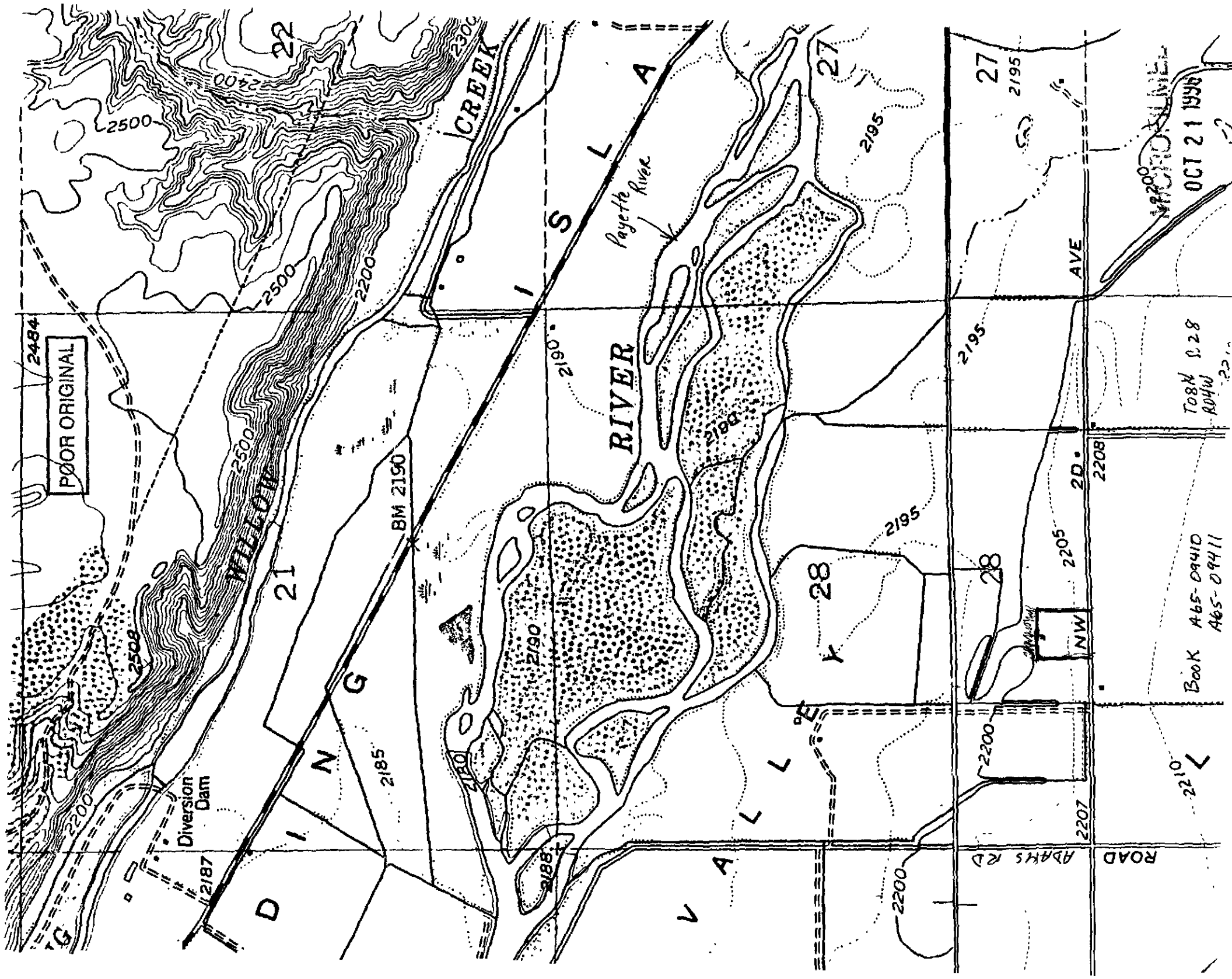
I certify that this instrument was filed for record at the request of Dwaine L. Welch, Attorney at Law

Nov. 16, 1988 at 3:30 p.m. in Book 48 of Deeds at page 224804

Louise L. Siggle, Ex-Officio Recorder by Belle Apple, Deputy

MICROFILMED

OCT 21 1988



JUN 20 1994

Ease. Pt. 301/121

WATER RESOURCES
WESTERN REGIONPERSONAL REPRESENTATIVE DEED

FOR VALUE RECEIVED, FLORENCE M. KING, a widow, individually, and as the duly appointed, qualified and acting Personal Representative of the Estate of WILLIAM M. KING, Deceased, pursuant to the appointment by the Magistrate Division of the District Court of the Third Judicial District, in and for the County of Payette, State of Idaho, the Grantor herein, does hereby grant, bargain, sell and convey unto DUANE C. VAN LEUVEN and DONNA M. VAN LEUVEN, husband and wife, of P. O. Box 565, New Plymouth, Idaho 83655, the Grantees, all right, title and interest personally, and of said Estate, in and to the following described lands and premises, located in the County of Payette, State of Idaho, to-wit:

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

In Sec. 28: The NE $\frac{1}{4}$ SW $\frac{1}{4}$;

The SE $\frac{1}{4}$ SW $\frac{1}{4}$, SAVE AND EXCEPT THERE-
FROM the following described tract:
Beginning at the Southeast corner of
said SE $\frac{1}{4}$ SW $\frac{1}{4}$;

thence West coincident with the
South line of said Sec. 550.00
feet;

thence N. 1°39'10" E. 878.68 feet;
thence S. 82°42'50" E. to a point on
the East line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;
thence South coincident with the
East line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ to the
True Point of Beginning.

ALSO, SAVE AND EXCEPT THEREFROM the
following described tract:

Beginning at the Southeast corner
of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;

thence West coincident with the
South line of said Sec. 550.00 feet
to the True Point of Beginning;

thence continue West coincident with
said South line 184.35 feet;

thence N. 0°15'47" E. 561.62 feet;

thence N. 6°46'33" E. 239.22 feet;

thence S. 85°26'35" E. 176.76 feet;

thence S. 1°39'10" W. 785.45 feet to
the Point of Beginning.

AND,

That portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and of
the NW $\frac{1}{4}$ SE $\frac{1}{4}$ described as follows:

Beginning at the center of Sec. 28
and running thence North 350 feet,
more or less, to the South bank of
the Payette River;

thence in an Easterly direction
along the South bank of said River

to the center line of a certain drain ditch;
 thence in a Southwesterly direction along the center line of said drain ditch to a point on the North line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ at a point 220 feet East of the point of beginning;
 thence continuing Southwesterly along the center line of said drain ditch 765 feet;
 thence Southwesterly along the center line of said drain ditch 240 feet to the West side line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ at a point 940 feet South of the point of beginning;
 thence North 940 feet, more or less, to the point of beginning.

Together with a 10 foot Easement over and across the East 10 feet of the following described real property for the use, upkeep and maintenance of an underground concrete irrigation waste water pipeline, to-wit:

A portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 28, Twp. 8 N., R. 4 W., B.M., more particularly described as follows:

BEGINNING at the Southeast corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section;
 thence West coincident with the South line of said Section, 550.00 feet to the TRUE POINT OF BEGINNING;
 thence West coincident with the South line of said Section, 184.35 feet;
 thence North 0°15'47" East 561.62 feet;
 thence North 6°46'33" East 239.22 feet;
 thence South 85°26'35" East 176.76 feet;
 thence South 1°39'10" West 785.45 feet to the TRUE POINT OF BEGINNING.

Together with 65 shares of stock in the Noble Ditch Company.

Together with any and all other water, water rights, ditches, ditch rights, minerals, mineral leases, and any all irrigation rights appurtenant to said lands or in anywise connected therewith.

Subject to all valid outstanding reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations and mineral conveyances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the Grantees, their heirs and assigns forever. And said Grantor does hereby covenant to and with the Grantees that the property is free from all encumbrances, except as set forth hereinabove.

243292

POOR ORIGINAL

DATED: The 31st day of October, 1988

Florence M. King
Florence M. King

Florence M. King
Florence M. King
Personal Representative of the
Estate of WILLIAM M. KING, Dec.

STATE OF IDAHO)
 : ss.
County of Payette)

On this 31st day of October, 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared FLORENCE M. KING, a widow, and known to me to be the person whose name is subscribed to the foregoing Personal Representative Deed, and acknowledged to me that she executed the same individually, and as Personal Representative of the Estate of WILLIAM M. KING, Deceased, and she executed the same as the Grantor.

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

Debra J. Smith
Notary Public for Idaho
Residing at: Payette
My Comm. Expires: 3-6-92

243292

State of Idaho, County of Payette
I certify that this instrument was filed for record at the request of Land Title Insurance Company
April 14, 1993 3:14 P.M. in Book 48 Deeds pg. 243292
Laura L. Stigila, Ex-Officio Recorder by Debra J. Smith Deputy fee \$900

IMANT'S NAME: Book/ Royalston DATE: 06/06/1994

NTY: Payette

LOYEE: M Minicucci

Mr. Royalston called because the Books sent
our letter to him. He has bought the property
in question. He will send a copy of warranty
deed to ~~be~~ my attention at this office.

RECORDED

OCT 21 1996

RECEIVED

JUN 20 1994

WATER RESOURCES
WESTERN REGION

June 15, 1994

Maria Minicucci, Water Agent
Adjudication Bureau
State of Idaho, Dept. of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

RE: Snake River Basin Adjudication Notices of Claim to a Water Right
Numbers: A65-09410 A65-09411

Dear Ms. Minicucci:

Your letter of May 17, 1994, states that duplicate claims have been filed on the above water rights by another party; and you ask us for proof of ownership of the lands in question.

Accordingly, we are sending you a copy of the Warranty Deed of this property, executed Oct. 31, 1988.

If there is additional information you require, please advise us.
Thank you.



Duane C. Van Leuven
Donna M. Van Leuven

MICROFILMED

OCT 21 1996

CLAIMANT'S NAME: Duane Van Leuven

DATE: 05/18/1994

COUNTY: Payette

3:38 pm

EMPLOYEE: M. Minicucci

Mr. Van Leuven called to say that they bought the King's farm but not the original farmhouse. The Books bought the farmhouse & at the most 2 acres.

Mr. Van Leuven will be out of town for approximately two weeks. When he gets back he will come into the office with a copy of the warranty deed & info on new owners of the Book property.

06/17/1994

Mr. Van Leuven

2 sources ① in SW corner

② in North End of King property

GW for Dom use only

Books (Ralston's) property is 1/2 acre of irrigation.

Mr. Van Leuven will send a copy of his warranty deed to this office.

Book property is original farmhouse & out buildings and much of it was never irrigated.

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

May 17, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

DAN D BOOK
SALLY M BOOK
4218 NW 2ND AVE
NEW PLYMOUTH ID 83655

RE: Snake River Basin Adjudication Notices of Claim to a Water Right
Numbers: A65-09410 A65-09411

Dear Mr. and Ms. Book:

This office is presently processing the above-referenced Notices of Claim to a Water Right that you submitted during the SRBA claims filing in April 1990. In order to complete the processing of your claims, additional information is required.

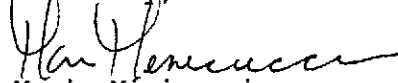
Duplicate claims have been filed on these water rights by another party. This appears to be an inadvertent error that we would like to clarify at this time. Your claims are for a portion of the original water right. Since the other party has claimed all of the original water right, IDWR requires ownership information for the lands for which these water rights are appurtenant.

Enclosed are copies of a topographical map for the area in which the claims are located. Also enclosed are reports summarizing the original water rights. Please indicate on the map the property you own, and which lands you irrigate with each right.

Once you have delineated your water right claims on the map, please return it to this office to my attention. Please include a copy of the Warranty Deed for the property.

Thank you for your attention to this matter. If you have any questions or need assistance, please feel free to contact me.

Sincerely,



Maria Minicucci

Water Agent, Adjudication Bureau

MM/m

Enclosures: Profile reports: 65-09410 65-09411
Topographical maps of area

SPECIAL NOTE: IF YOU NO LONGER OWN THE PROPERTY UPON WHICH THIS CLAIM WAS FILED, PLEASE CONTACT THIS OFFICE IMMEDIATELY. IDAHO STATE LAW REQUIRES THE DEPARTMENT TO BE NOTIFIED OF A CHANGE OF OWNER OR ADDRESS ON A WATER RIGHT.

RECEIVED
OCT 21 1994



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DEPARTMENT OF WATER RESOURCES

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May 17, 1994

CECIL D. ANDRUS
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DIRECTOR

DONNA M VAN LEUVEN
DUANE VAN LEUVEN
PO BOX 565
NEW PLYMOUTH ID 83655

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ORIGINAL FILED
OCT 21 1996

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM #: 65-09410

CLAIMANT: Duane Van Leuven

*DISALLOWED
REC AS 9410*

Overlap Claim Numbers: 65-09410 B was split out but land owned by claimant doesn't overlap this claim.

Date: 11-18-99

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	3N	4W	28			2						39			8		5			54
GIS						2						*			8		5			55
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

POU_ID #(s): 53 9410

POD_ID #(s): (29) 30 *2nd PD added*

Total Claimed Acres: 54

Total GIS Acres: 55

COMMENTS:

* 39 acres irrigated within the 40

*SAME PID IN SE SW AS 9411A & B
CK H'SON DB!*