

Idaho Department of Water Resources

T17N, R03E
S28

Claims: 65-11401
Owner : CRUZEN
Prepared by:
Ron Howerton
Date: 16 AUG 99

 Place of use

 POD

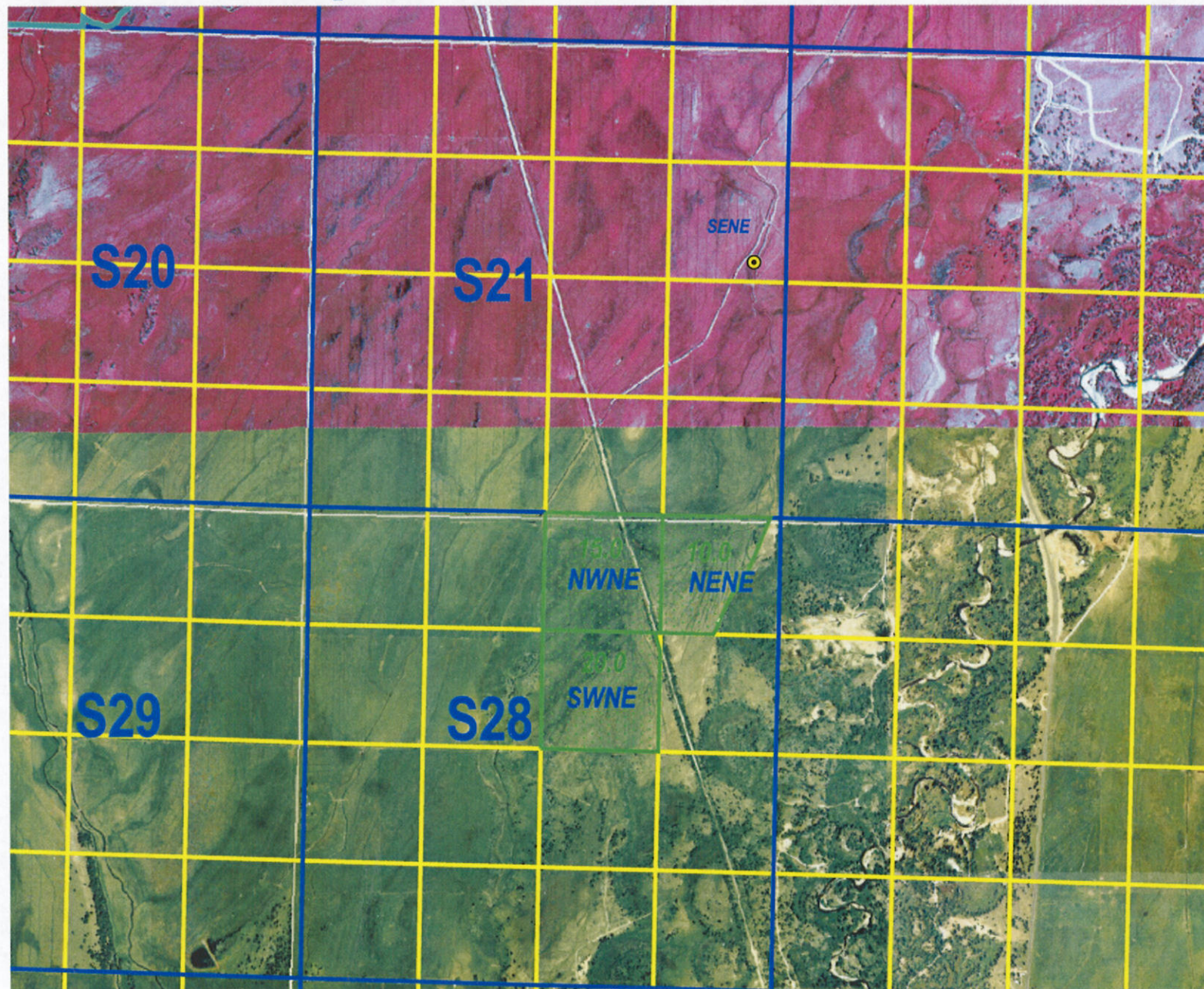
 SECTION LINES

 1/4 1/4 Liines

Acres



1987 NAPP



0 0.5 1 1.5 2 Miles

Idaho Department of Water Resources

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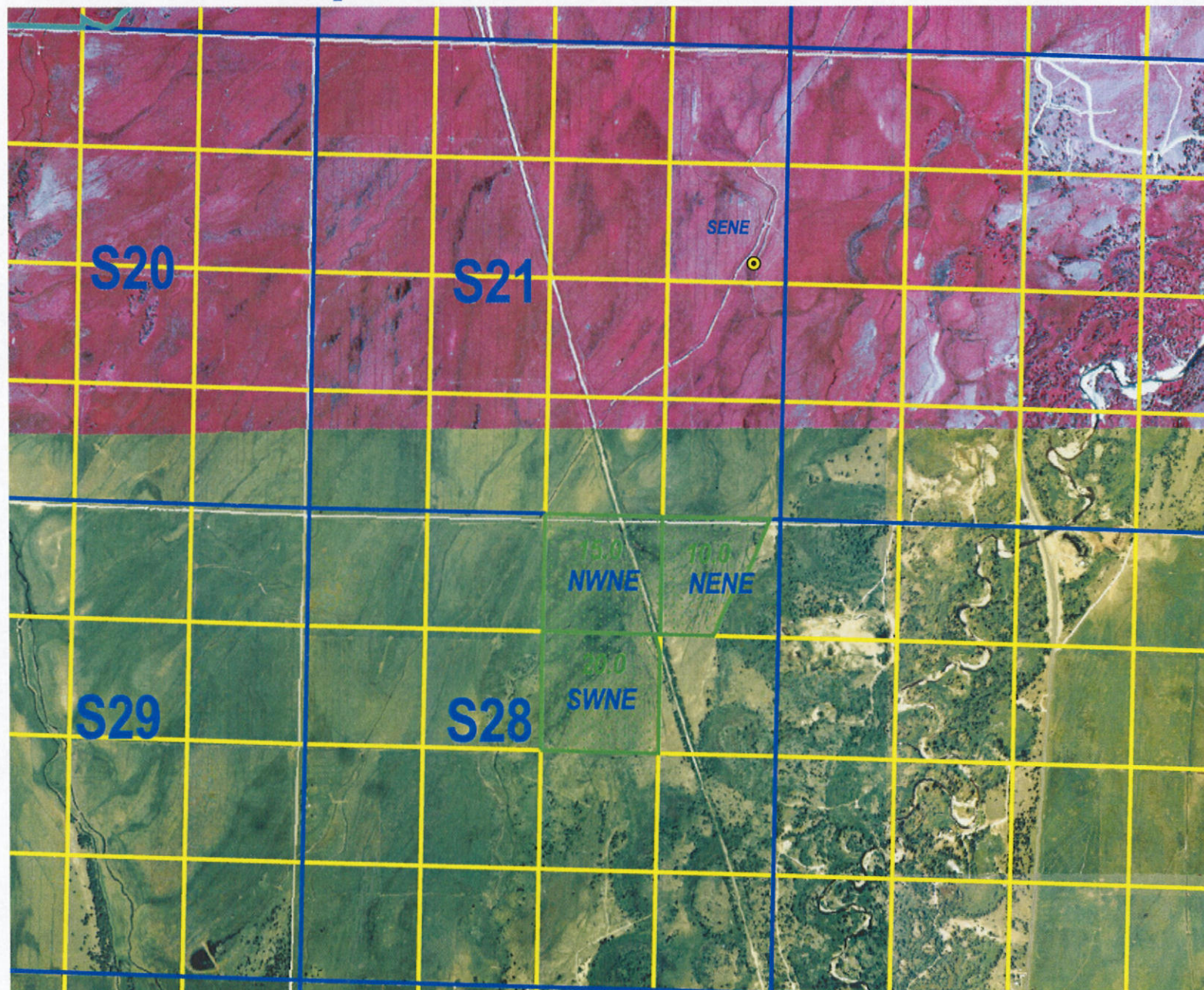
 SECTION LINES

 1/4 1/4 Lines

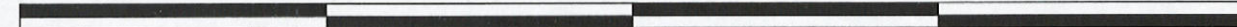
Acres

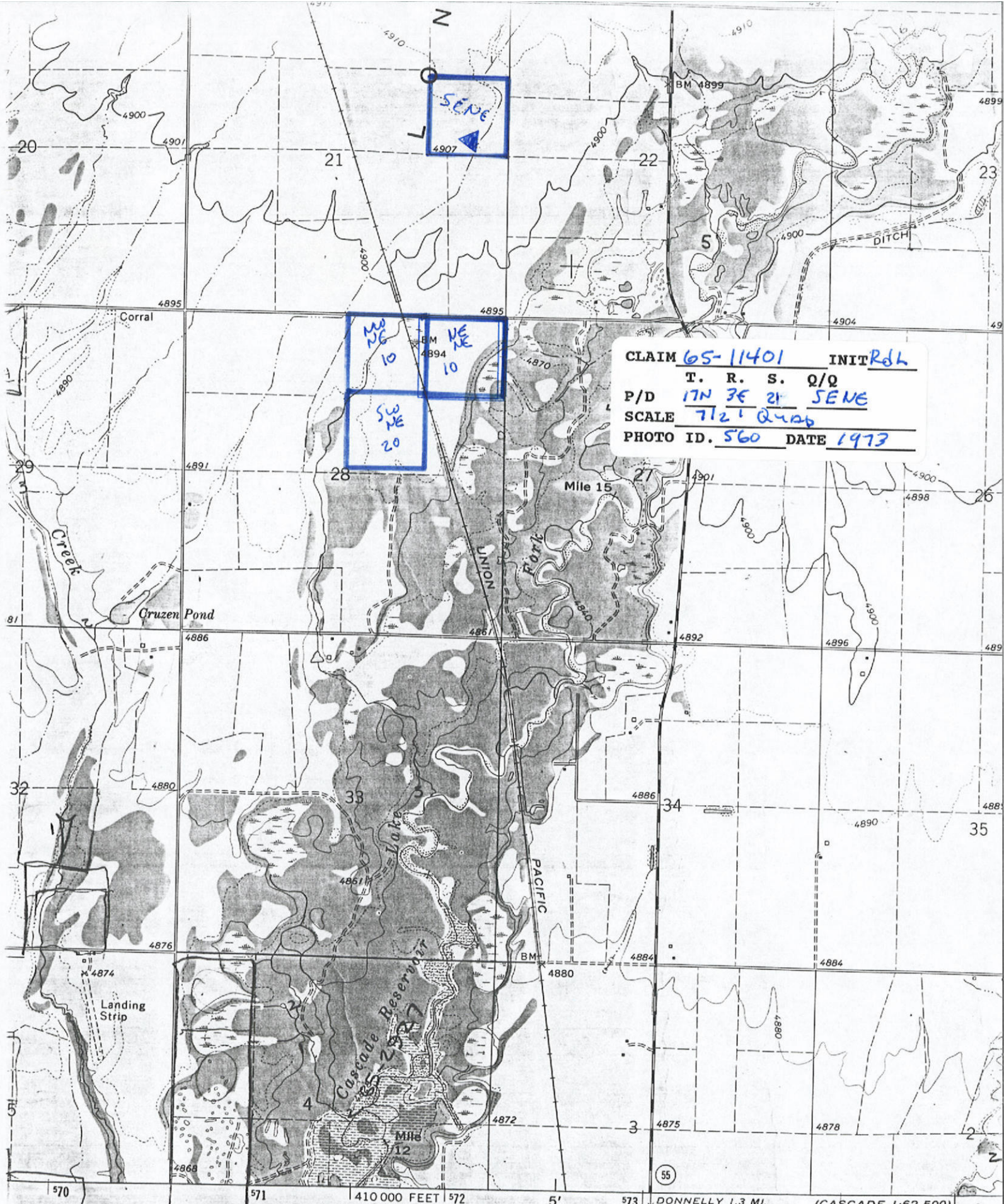


1987 NAPP



0 0.5 1 1.5 2 Miles



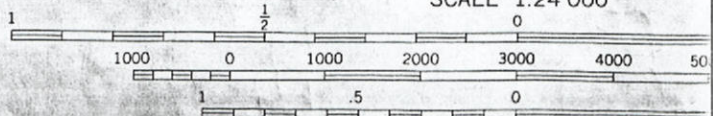


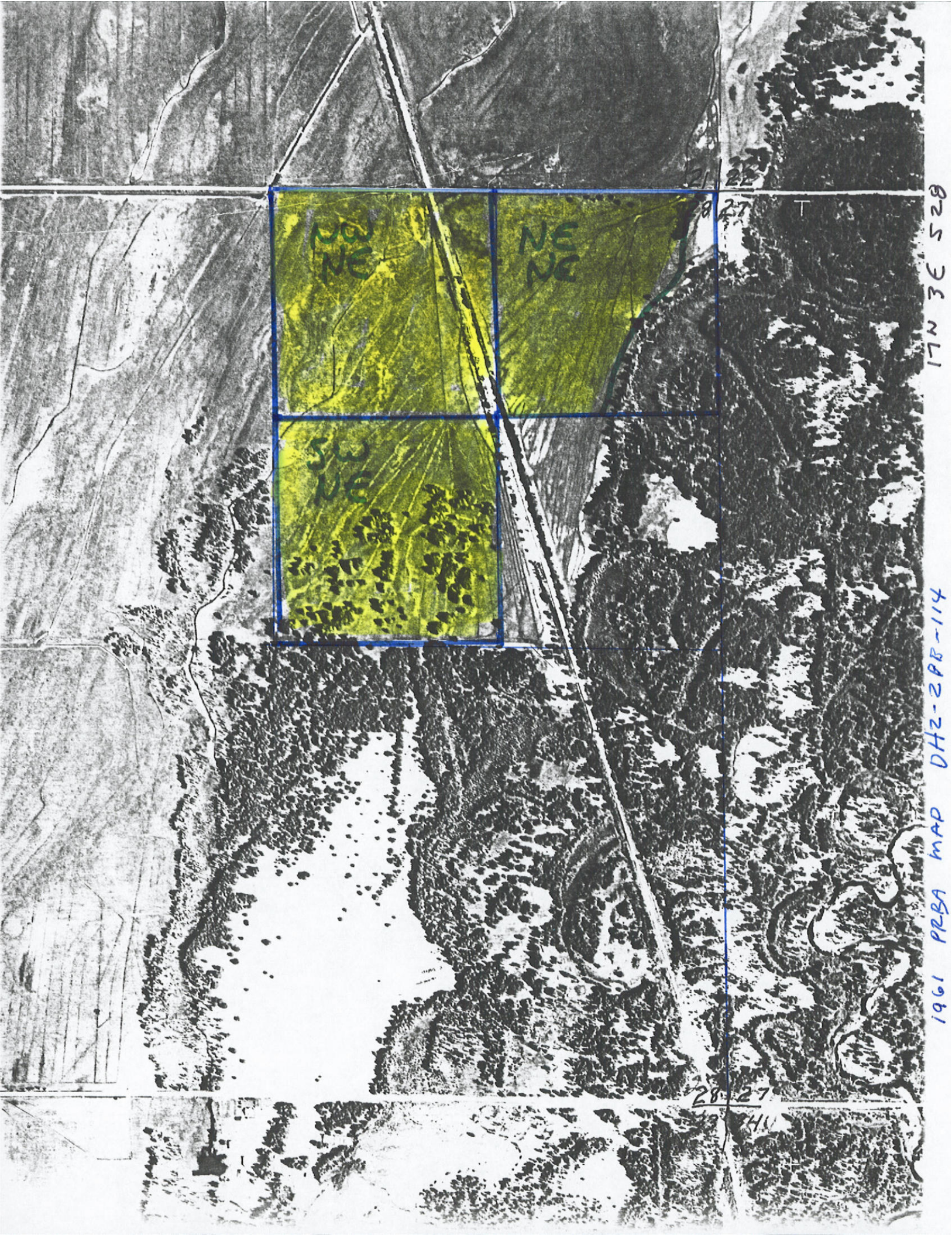
and, and published by the Geological Survey
with the U. S. Forest Service

, NOS/NOAA, and USFS

photogrammetric methods from aerial
in 1965-66 and 1972. Field checked 1973

2,000 foot grid ticks; Idaho coordinate





1961 PRBA MAP DH2-2PB-114 17N 3E 528

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: A65-11401
Date Received: 1/24/1996
Receipt No: X999999
Received By: updated 1/29/96
 fw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CRUZEN RANCH
Address: PO BOX 7
DONNELLY ID

83615

2. Date of Priority: MAY 1, 1938

3. Source: WASTE WATER

Trib. to: LAKE FORK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	03E	21		SE	NE		VALLEY

5. Description of diverting works:
PIPES, WEIRS, CULVERTS & DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	09/15	0.900		

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

8. Total consumptive use is 2.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	03E	28	NE	NE		IRR	10.0
			NW	NE		IRR	15.0
			SW	NE		IRR	20.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	45.0
					Total Acres	45.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
SEE A65-03186.

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 4/ 7/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP. ET AL.

vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____ and that the statements contained in the
_____ foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

RECEIVED

JAN 24 1996

WATER RESOURCES
WESTERN REGION

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A65-11401
Date Received: 1/24/96
Receipt No: X999999
Received By: FW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

DEC 26 1995

WATER RESOURCES
WESTERN REGION

1. Name: CRUZEN RANCH
Address: P.O. BOX 7
DONNELLY ID

83615-0000

2. Date of Priority: MAY 1, 1938

3. Source: WASTE WATER

Trib. to: LAKE FORK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	03E	21	SE	NE			VALLEY

5. Description of diverting works:

PIPES, WEIRS, CULVERTS & DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	09/15	0.900		

7. Total Quantity Appropriated is:

0.900 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 2.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	03E	28	NE	NE		IRR	10.0
			NW	NE		IRR	15.0
			SW	NE		IRR	20.0

MICROFILMED

OCT 21 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
17N	03E	28				
					Section Acres	45.0
					Total Acres	45.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

See Notice for Water Right A-65-03186

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 4/ 7/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP. ET AL.

vs

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 X do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: See Attachment to A-65-03186, Map of Cruzen Ranch, prepaid by Valley County ASCS and forwarded on October 13, 1988.

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):

Deborah C. Murray
Garrett C. McLaughlin

Date:

12/18/95

Date:

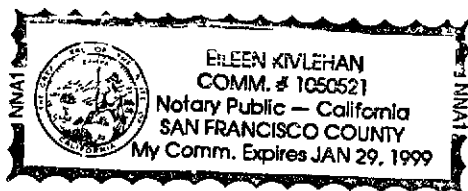
12/18/95

State of ~~Idaho~~ California
County of SAN FRANCISCO) SS.

Subscribed and sworn (or affirmed) before me this 18 day
of December 19 95

Eileen Kivlehan
Notary Public

Seal



Residing at SAN FRANCISCO

My Commission Expires JAN 29 1999

RIGHTS FROM: SOURCE: WASTE WATER TRIBUTARY: LAKE FORK CREEK

RIGHT NUMBER: 65-11401

NAME & ADDRESS: HARRY L BETTIS
10775 SUCKER CREEK RD
PAYETTE ID 83661

SOURCE: WASTE WATER TRIBUTARY: LAKE FORK CREEK

QUANTITY: 0.9 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-03186 SHALL PROVIDE
NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 05/01/1938

POINT OF DIVERSION: T17N R03E S21 SENE Within VALLEY County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		05-01 09-15	0.9 CFS

PLACE OF USE:	IRRIGATION	Within VALLEY County
	T17N R03E S28	NENE 10 NWNE 15 SWNE 20
	45 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 - DECREE

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

In Re SRBA	)	SUBCASE NO. See Attached List
	)	
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

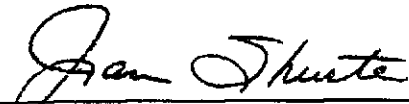
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: May 30, 2000

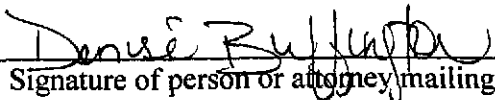


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on May 30, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Cruzen Ranch
PO Box 7
Donnelly ID 83615
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Harry L Bettis
10775 Sucker Creek Rd
Payette ID 83661
4. One Copy to:
Each party in the subcase or attorney of record:
N / A
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

**Attachment to NCAP
Water Right Numbers**

65-02356
65-02374
65-02483
65-02708
65-03186
65-03187
65-03188
65-03189
65-03190
65-03191
65-03192
65-03193
65-11401

HOLLAND & HART LLP
ATTORNEYS AT LAW

DENVER • ASPEN
BOULDER • COLORADO SPRINGS
DENVER TECH CENTER
BILLINGS • BOISE
CHEYENNE • JACKSON HOLE
SALT LAKE CITY

SUITE 1400
101 SOUTH CAPITOL BOULEVARD
BOISE, IDAHO 83702-7714
MAILING ADDRESS
P O BOX 2527
BOISE, IDAHO 83701-2527

TELEPHONE (208) 342-5000
FACSIMILE (208) 343-8869

TERESA J. TURNER
PARALEGAL
tturner@hollandhart.com

May 16, 2000

RECEIVED
MAY 18 2000
WATER RESOURCES
WESTERN REGION

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

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Dear Sir or Madam:

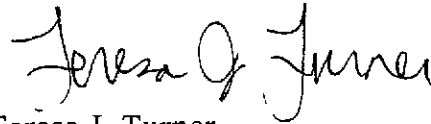
This firm represents Harry L. Bettis, who has acquired certain real property located in Valley County, Idaho.

Enclosed is original Notice of Change of Water Right Ownership for fifteen (15) water rights appurtenant to the property, together with a copy of the Warranty Deed evidencing the change of ownership, copies of Assignment of Dam and Reservoir Certificate, a copy of Bargain and Sale Deed evidencing the prior owner's title to the property, and a copy of plat map with the property boundaries highlighted.

Thank you for your assistance. If you need anything further to process this change of ownership, please let me know.

Sincerely,

HOLLAND & HART LLP



Teresa J. Turner
Paralegal

Enclosures
c: Harry Bettis (w/enclosures)

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 16 2000

WATER RESOURCES
WESTERN REGION

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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 No(s).: See Attachment
 Adjudication Claim No(s).: See Attachment

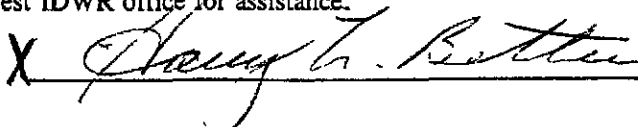
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 AND
 - B. PLAT OF PROPERTY 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 Deborah C. Murray AND Carrick C. McLaughlin
P.O. Box 1172 1150 Lombard #1
Ross, CA 94957 San Francisco, CA 94109

4. New Owner/Claimant(s) Harry L. Bettis
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 10775 Sucker Creek Road
 City, State and ZIP Code Payette, ID 83661
 New Telephone Number (208) 634-5319

5. Date you acquired the property January 31, 2000

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.
 Number of acres you irrigate _____ Number and type of stock _____
 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.

7. Signature of New Owner or Claimant(s) X 
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign 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..

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
Attachment to Notice of Change of Water Right Ownership

1. Water Right Nos.: 65-02356, 65-02374, 65-02483, 65-02708, 65-02932, 65-02952, 65-03186, 65-03187, 65-03188, 65-03189, 65-03190, 65-03191, 65-03192, 65-03193, 65-11401
2. Adjudication Claim Nos.: A65-02356, A65-02374, A65-02483, A65-02708, A65-02932, A65-02952, A65-03186, A65-03187, A65-03188, A65-03189, A65-03190, A65-03191, A65-03192, A65-03193, A65-11401

HTB.

WARRANTY DEED

For Value Received, DEBORAH C. MURRAY and CARRICK C. MCLAUGHLIN each a married woman as her sole and separate property

the Grantors, do hereby grant, bargain, sell and convey unto
HARRY L. BETTIS, an unmarried man
whose address is: 10775 Suckerb. Rd. Payco He Id. 83661
the Grantee, the following described premises, to-wit:

See attached as Exhibit "A"

Together with any and all water and mineral rights appertaining thereto, if any therebe.

TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the 2000 taxes and assessments and easements of record or visible upon the ground, that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 1-29-00

Deborah C. Murray
DEBORAH C. MURRAY

CARRICK C. MCLAUGHLIN

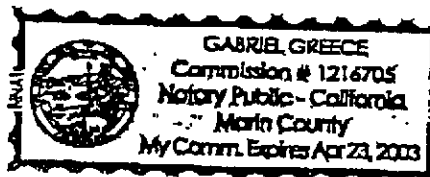
State of Ca.)
County of Marin) ss

GABRIEL GREECE
NOTARY PUBLIC

On the 29 day of Jan, 2000 before me,
a notary public in and for said State,
personally appeared Deborah C. Murray

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

[Signature]
Notary Public
Residing at: Greenbrae Ca.
Commission Expires: 4/23/02

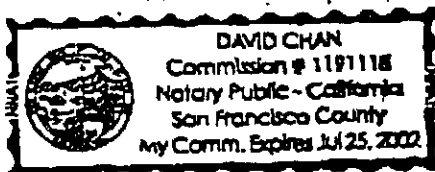


STATE OF California)

County of San Francisco)

On this 31 day of January, 2000, before me, David Chan, a notary public for said State, personally appeared CARRICK C. McLAUGHLIN known or identified to me to be the person who executed the instrument, and acknowledged to me that she executed the same.

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



David Chan
Notary Public
Residing at: San Francisco
My Commission Expires: 7-25-2002

2606200_1.DOC

H.L.B.

WARRANTY DEED

For Value Received, DEBORAH C. MURRAY and CARRICK C. MCLAUGHLIN
each a married woman as her sole and separate property

the Grantors, do hereby grant, bargain, sell and convey unto
HARRY L. BETTIS, an unmarried man

whose address is:

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

See attached as Exhibit "A"

Together with any and all water and mineral rights appertaining
thereto, if any therebe.

TO HAVE AND TO HOLD the premises with their appurtenances unto
the said Grantees, their heirs and assigns forever. And the said
Grantors do hereby covenant to and with the said Grantees, that
they are the owners in fee simple of said premises that said
premises are free from all encumbrances except the 2000 taxes and
assessments and easements of record or visible upon the ground,
that they will warrant and defend the same from all lawful claims
whatsoever.

Dated:

DEBORAH C. MURRAY

Carrick C. McLaughlin

CARRICK C. MCLAUGHLIN

State of California)
) ss
County of San Francisco)

On the 31 day of January, 2000 before me, David Chan
a notary public in and for said State,
personally appeared Carrick C. McLaughlin

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

David Chan

Notary Public
Residing at: San Francisco
Commission Expires: 3-25-2002

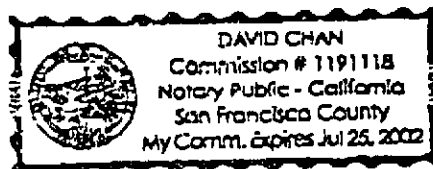


EXHIBIT A

In Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho;

Section 16: S1/2 SE1/4; NW1/4 SE1/4; NE1/4 SW1/4
Section 18: SE1/4
Section 20: All
Section 21: All
Section 28: N1/2
Section 29: E1/2

AND

An irregular tract of land being part of the old abandoned right-of-way of the Idaho Northern Branch of the Oregon Shortline Railroad as the same was located over and across the North-half of the Southwest quarter (N1/2 SW1/4) of Section 16, Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho, more particularly described as follows:

Beginning at a point on the South boundary of the North half of the Southwest quarter (N1/2 SW1/4) of said Section 16, said point being on the centerline of an abandoned main track and bearing East, a distance of 1,930.0 feet, more or less, and North 18°38' West, a distance of 1,377.0 feet, more or less, from the Southwest corner of said Section 16; thence, along said centerline of abandoned main track a distance of 472.0 feet to a point in the South side of State of Idaho Easement No. 5278 dated August 26, 1986; thence, South 71°22' West along said South line a distance of 150.0 feet, more or less; thence, South 18°38' East, along the West boundary of said abandoned railroad right-of-way and 150.0 feet distant from the centerline of main track a distance of 416.0 feet, more or less, to a point on the South line of said North half Southwest quarter (N1/2 SW1/4); thence, East along said South line, a distance of 157.0 feet, more or less, to the POINT OF BEGINNING.

continued

EXHIBIT A - continued

AND

That portion of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section 16, Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho, which lies East of the following described line:

Beginning at a point in the South line of the said SE1/4 SW1/4, which point is East 1,769 feet from the Southwest Corner of said Section 16; thence, North 18°06' West, 1,383.2 feet, more or less, to a point in the North Line of said SE 1/4 SW1/4, which point is East 19.27 feet from the Northwest corner of said SE1/4 SW1/4;

EXCEPTING THEREFROM:

Gift Deed filed in the office of the Recorder, Valley County, Idaho as Instrument No. 152541 on December 31, 1986:

A track of land in the SE1/4 of the SW1/4 of Section 16, Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho, more particularly described as follows:

Commencing at the corner common to Sections 16, 17, 20 and 21, Township 17 North, Range 3 East, Boise Meridian, said corner being marked with a brass cap monument; thence South 89°53'02" East, 1,910.70 feet on the line common to said Sections 16 and 21 to a point on the Centerline of the abandoned Oregon Short Line Railroad, said point being marked with a 5/8 inch steel pin, from which the 1/4 corner common to said Sections 16 and 21, a brass cap monument, bears South 89°53'02" East, 726.30 feet; thence on said railroad center line North 17°09'02" West, 630.00 feet to the REAL POINT OF BEGINNING; thence North 72°50'58" East, 100.00 feet to a point marked with a 5/8 inch steel pin; thence North 17°09'02" West, 300.00 feet to a point marked with a 5/8 inch steel pin; thence South 72°50'58" West, 150.00 feet to a point marked with a 5/8 inch steel pin; thence South 17°09'02" East, 300.00 feet to a point marked with a 5/8 inch steel pin; thence North 72°50'58" East, 50.00 feet to the Real Point of Beginning. Aka Tax #85

00 JUN 31 PM 3 59
MOUNTAIN TITLE & ESCROW
REQUESTED BY
RECORDED

TYPE: *Deed*
LELAND HEINRICH
VALLEY COUNTY RECORDER
BY: *[Signature]*
FEE: *15.00*

245548

ASSIGNMENT

The undersigned hereby assign all their right, title and interest in and to that certain Dam and Reservoir Certificate attached hereto as Exhibit "A" unto: HARRY L. BETTIS. Said certificate being for Browns Pond-Cruzen Dam and Reservoir located in SW1/4, NW1/4, Section 9, Township 18 North, Range 4 East, Boise Meridian, Valley County, Idaho.

Dated: 1/31/00

by: Carrick C. McLaughlin
Carrick C. McLaughlin

by: _____
Deborah C. Murray

ASSIGNMENT

The undersigned hereby assign all their right, title and interest in and to that certain Dam and Reservoir Certificate attached hereto as Exhibit "A" unto: HARRY L. BETTIS. Said certificate being for Browns Pond-Cruzen Dam and Reservoir located in SW1/4, NW1/4, Section 9, Township 18 North, Range 4 East, Boise Meridian, Valley County, Idaho.

Dated: 1/29/2000

by: Carrick C. McLaughlin
by: Deborah C. Murray
Deborah C. Murray

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

*DAM AND RESERVOIR
CERTIFICATE OF APPROVAL*

This is to certify that BROWNS POND-CRUZEN *Dam and Reservoir, located in*

SW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 9 , Township 18N , Range 4E , B.M., Valley County,

State of Idaho has been inspected by the Department of Water Resources of the State of Idaho, as provided in

Title 42 Chapter 17, Idaho Code, and approval is hereby given to impound water in accordance with and subject

to the following terms and conditions: ALL FLASHBOARDS SHALL BE REMOVED ON OR BEFORE
NOVEMBER 1 OF EACH YEAR, AND SHALL NOT BE REINSTALLED IN THE SPILLWAY
FRAME UNTIL AFTER SPRING RUNOFF OF THE FOLLOWING YEAR.

This certificate shall remain valid until revoked or modified by the Department of Water Resources or until the

1st day of November 19 99

*This certificate has been issued and the seal of the
Director affixed at Boise, Idaho this*

29th day of January 1998.

Norman Cepang
Administrator-Water Management Div.



4218 P.02 J

BARGAIN AND SALE DEED

FOR VALUE RECEIVED, Cruzen Ranch, a General Partnership, of Valley County, State of Idaho, Grantor, does hereby grant, bargain, sell and convey unto Deborah C. Murray, whose address is P. O. Box 1780, Ross, California, 94957, and Carrick C. McLaughlin, whose address is 1150 Lombard Street, Apt. #1, San Francisco, California, 94109, Grantees, to each as her sole and separate property as tenants-in-common, all of Grantor's right, title and interest in and to that certain parcel of real property located in Valley County, State of Idaho, and more fully described on Exhibit A attached hereto and by this reference made a part hereof as though fully set forth herein.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever.

IN WITNESS WHEREOF The Grantor has hereunto set its hand this _____ day of December, 1998.

CRUZEN RANCH

By: Deborah C. Murray
Deborah C. Murray, Partner

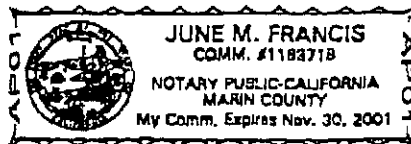
By: Carrick C. McLaughlin
Carrick C. McLaughlin, Partner

237512
TYPE: Deed
FILED
VALLEY COUNTY CLERK
BY: Deborah C. Murray
REC- 12.3.98
18 DEC 30 AM 9 41
RECEIVED
RECORDED
Christie Spivey

STATE OF CALIFORNIA)
County of Marin : ss

On this 19th day of December, 1998, before me, the undersigned, a notary public in and for said state, personally appeared Deborah C. Murray, known or identified to me to be one of the partners in the partnership of Cruzen Ranch, an Idaho General Partnership, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that she executed the same in said partnership name.

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

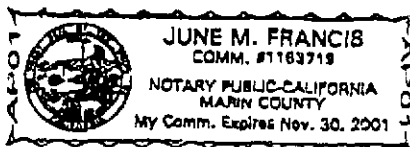


June M. Francis
NOTARY PUBLIC FOR CALIFORNIA
Residing at Kenfield, CA
Commission Expires 11/30/01

STATE OF CALIFORNIA)
County of Marin : ss

On this 19th day of December, 1998, before me, the undersigned, a notary public in and for said state, personally appeared Carrick C. McLaughlin, known or identified to me to be one of the partners in the partnership of Cruzen Ranch, an Idaho General Partnership, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that she executed the same in said partnership name.

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



June M. Francis
NOTARY PUBLIC FOR CALIFORNIA
Residing at Kenfield, CA
Commission Expires 11/30/01

Exhibit A

In Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho:

Section 16: S1/2 SE1/4; NW1/4 SE1/4; NE1/4 SW1/4
Section 18: SE1/4
Section 20: All
Section 21: All
Section 28: N1/2
Section 29: E1/2

AND

An irregular tract of land being part of the old abandoned right-of-way of the Idaho Northern Branch of the Oregon Shortline Railroad as the same was located over and across the North-half of the Southwest quarter (N1/2 SW1/4) of Section 16, Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho, more particularly described as follows:

Beginning at a point on the South boundary of the North half of the Southwest quarter (N1/2 SW1/4) of said Section 16, said point being on the centerline of an abandoned main track and bearing East, a distance of 1,930.0 feet, more or less, and North 18°38' West, a distance of 1,377.0 feet, more or less, from the Southwest corner of said Section 16; thence, along said centerline of abandoned main track a distance of 472.0 feet to a point in the South side of State of Idaho Easement No. 5278 dated August 28, 1986; thence, South 71°22' West along said South line a distance of 150.0 feet, more or less; thence, South 18°38' East, along the West boundary of said abandoned railroad right-of-way and 150.0 feet distant from the centerline of main track a distance of 416.0 feet, more or less, to a point on the South line of said North half Southwest quarter (N1/2 SW1/4); thence, East along said South line, a distance of 157.0 feet, more or less, to the POINT OF BEGINNING.

continued

AND

That portion of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section 16, Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho, which lies East of the following described line:

Beginning at a point in the South line of the said SE1/4 SW1/4, which point is East 1,769 feet from the Southwest Corner of said Section 16; thence, North 18°06' West, 1,383.2 feet, more or less, to a point in the North Line of said SE 1/4 SW1/4, which point is East 19.27 feet from the Northwest corner of said SE1/4 SW1/4;

EXCEPTING THEREFROM:

Gift Deed filed in the office of the Recorder, Valley County, Idaho as Instrument No. 152541 on December 31, 1986:

A track of land in the SE1/4 of the SW1/4 of Section 16, Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho, more particularly described as follows:

Commencing at the corner common to Sections 16, 17, 20 and 21, Township 17 North, Range 3 East, Boise Meridian, said corner being marked with a brass cap monument; thence South 89°53'02" East, 1,910.70 feet on the line common to said Sections 16 and 21 to a point on the Centerline of the abandoned Oregon Short Line Railroad, said point being marked with a 5/8 inch steel pin, from which the 1/4 corner common to said Sections 16 and 21, a brass cap monument, bears South 89°53'02" East, 726.30 feet; thence on said railroad center line North 17°09'02" West, 630.00 feet to the REAL POINT OF BEGINNING; thence North 72°50'58" East, 100.00 feet to a point marked with a 5/8 inch steel pin; thence North 17°09'02" West, 300.00 feet to a point marked with a 5/8 inch steel pin; thence South 72°50'58" West, 150.00 feet to a point marked with a 5/8 inch steel pin; thence South 17°09'02" East, 300.00 feet to a point marked with a 5/8 inch steel pin; thence North 72°50'58" East, 50.00 feet to the Real Point of Beginning. Aka Tax #85

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THIS DOCUMENT COPY IS FURNISHED
AS AN ACCOMMODATION. THE COMPANY
MAKES NO REPRESENTATIONS AS TO
ITS EFFECT, SUFFICIENCY, COM-
PLETENESS OR ANY OTHER MATTER
THAT MIGHT BE REFERRED TO OR
IMPLIED THEREIN.

Lot 1
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Lot 2
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ARTHUR & ANNA NISSULA
TRUST

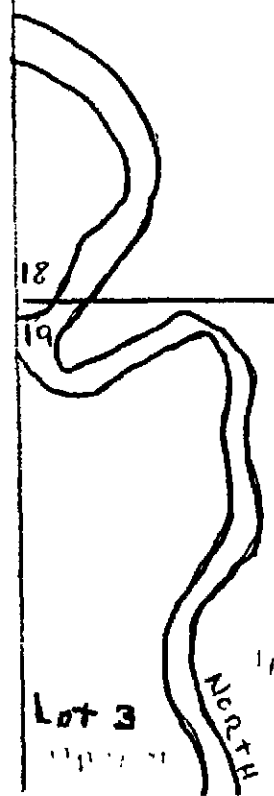
Lot 3
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FIRE INSURANCE
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Lot 4



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IMPLIED THEREIN.

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Lot 4
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PLETENESS OR ANY OTHER MATTERS
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IMPLIED THEREIN.

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Cruzen Ranch
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 AS AN ACCOMMODATION. THE COMPANY
 MAKES NO REPRESENTATIONS AS TO
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 THAT MIGHT BE REFERRED TO OR
 IMPLIED THEREIN.

Randy K. Earl

0605

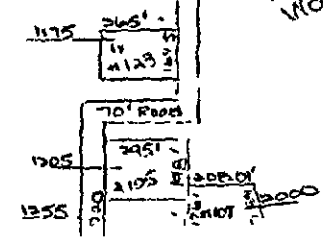
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Bentha White

alb group H. Victor St. et al

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Memo for Mr. Earl



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Harvey L. Bellus

John J. Bellus
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Kenneth R. Pardon II

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PLETENESS OR ANY OTHER MATTERS
THAT MIGHT BE REFERRED TO OR
IMPLIED THEREIN.

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

In Re SRBA) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No 39576)
) Water Right 65-11401

NAME AND ADDRESS: HARRY L BETTIS
0775 SUCKER CREEK RD
PAYETTE, ID 83661

SOURCE: WASTE WATER TRIBUTARY: LAKE FORK CREEK

QUANTITY: 0 90 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-03186 SHALL PROVIDE
NO MORE THAN 02 CFS PER ACRE

PRIORITY DATE: 05/01/1938

POINT OF DIVERSION: T17N R03E S21 SENE Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 09-15	0 90 CFS

PLACE OF USE: Irrigation Within Valley County
T17N R03E S28 NENE 10 0 NWNE 15 0
SWNE 20 0
45 0 Acres Total

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

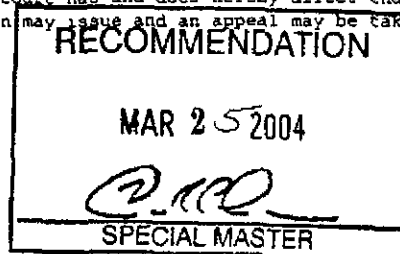
Basin 65 General Provisions No. 3, the Separate Streams
General Provision, does not apply to appropriations of water
after October 18, 1977.

This water right shall be administered as being from a
separate source pursuant to Basin 65 General Provision No. 3
If the holder of this right seeks to change the right pursuant
to Idaho Code Section 42-222 or successor statute, nothing in
this general provision shall preclude any other person or entity
from demonstrating that such change in use would cause injury to
its water right or from receiving any relief provided by law in
the event of injury

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. I.C. SECTION 42-1412(6)

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



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

65-02356
 -02374
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UNITED STATES POSTAGE
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 9412 * 00.990 PB8594393
 7681 MAY 30 00
 MAILED FROM BOISE ID 83703

RECEIVED
 JUN 05 2000
 WATER RESOURCES
 WESTERN REGION

IDAHO DEPARTMENT OF WATER RESOURCES
 2735 Airport Way
 Boise, ID 83705-5082
 (208) 334-2190

TO

CRUZEN RANCH
 PO BOX 7
 DONNELLY, ID 83601

RETURNED TO SENDER
 REASON CHECKED
 Mailed ☐ Return ☐
 Addressee unknown ☐
 Insufficient address ☐
 No such street number ☐
 No such office or store ☐
 Or not found in the service ☐

CRUZ007 836152014 1N 03 06/01/00
 RETURN TO SENDER

NO FORWARD ORDER ON FILE
 UNABLE TO FORWARD
 RETURN TO SENDER



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 30, 2000

Harry L Bettis
10775 Sucker Creek Rd
Payette ID 83661

RE: Water Right No. 65-02356, 65-02374, 65-02483, 65-02708, 65-03186, 65-03187, 65-03188,
65-03189, 65-03190, 65-03191, 65-03192, 65-03193 & 65-11401

Dear Property Owners:

Enclosed is a copy of the above referenced water right which reflects the change in ownership of the land and appurtenant water rights covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

Thank you for your patience and cooperation. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB:db

Enclosures

cc: Cruzen Ranch

AJ0749NP
No. R65-11401

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

DATE: 05/26/00
PAGE: 1

```
=====
OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          DATE        FROM   TO      RATE      VOLUME
-----
C  HARRY L BETTIS          05/01/1938  IRRIGATION    05-01 09-15    0.900 CFS
    10775 SUCKER CREEK RD
    PAYETTE ID 83661
    (208) 634-5319
                                     TOTAL DIVERSION:    0.900 CFS
D  CRUZEN RANCH
    PO BOX 7
    DONNELLY ID 83615
```

Water Source: WASTE WATER

Tributary to: LAKE FORK CREEK

Stage: DECREED

Point(s) of Diversion: T17N R03E S21 SENE

VALLEY 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	:	SUM	
17N	03E	28	:	10		15		20		:								:	45.0	
																			TOTAL ACRES	45.0

POU County: VALLEY

Other Rights: 65-02932A, 65-02952A, 65-03196 & 65-03193

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-11401 A65-11401

Other Water Rights Listing Overlapping Place(s) of Use:
65-03186 65-11401 A65-03186 A65-11401

Conditions of Approval:

- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
 - ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
 - DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
 - ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks: QNT THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-03186 SHALL PROVIDE
NO MORE THAN .02 CFS PER ACRE.

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

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

AJ0749NP
No. R65-11401

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

DATE: 05/26/00
PAGE: 2

=====

Comments: Date: 09/25/1999 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 05/24/2000 User-ID: DBUFFING Subject: NAME CHANGE - OWNERSHIP CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
OWNERSHIP CHANGE.

Audit: 05/26/00 DBUFFING



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 30, 2000

Harry L Bettis
10775 Sucker Creek Rd
Payette ID 83661

RE: Water Right No. 65-02356, 65-02374, 65-02483, 65-02708, 65-03186, 65-03187, 65-03188,
65-03189, 65-03190, 65-03191, 65-03192, 65-03193 & 65-11401

Dear Property Owners:

Enclosed is a copy of the above referenced water right which reflects the change in ownership of the land and appurtenant water rights covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

Thank you for your patience and cooperation. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB:db

Enclosures

cc: Cruzen Ranch

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER 65-11401

NAME AND ADDRESS· CRUZEN RANCH
PO BOX 7
DONNELLY ID 83615

SOURCE: WASTE WATER TRIBUTARY LAKE FORK CREEK

QUANTITY: 0.9 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-03186 SHALL PROVIDE
NO MORE THAN 02 CFS PER ACRE

PRIORITY-DATE. 05/01/1938

POINT OF DIVERSION T17N R03E S21 SENE Within VALLEY County

PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE:	IRRIGATION	05-01 09-15	0 9 CFS

PLACE OF USE: IRRIGATION Within VALLEY County
T17N R03E S28 NENE 10 NWNE 15 SWNE 20
45 ACRES TOTAL

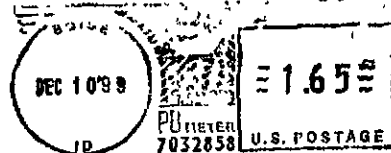
OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 - DECREE

Dept. of Water Resources
Adjudication Bureau
P.O. Box 83720
83720-0098

ADDRESS SERVICE
REQUESTED



CRUZ007 836152011 1N 04 12/14/99
RETURN TO SENDER

NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

RECEIVED
DEC 16 1999
Department of Water Resources

RECEIVED
DEC 21 1999
WATER RESOURCES
WESTERN REGION

65-02952
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02483
02708
03186
03187
03188

-03189
-03190
-03191
-03192
-03193
-11401



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

December 8, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

65-11401
CRUZEN RANCH
PO BOX 7
DONNELLY ID 83615

RE: Water Rights in Reporting Area 15, Basin 65
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your water right(s) in part 1 of basin 65 (the North Fork of the Payette River drainage area). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended right(s) in your area. Water rights for nearly all domestic and/or stockwater rights were recommended separately in an earlier report, and most of those now have been decreed by the SRBA Court.

Note you have 120 days in which to review the water rights of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouses in Cascade, Idaho City, Emmett, Payette, and Weiser, and at all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to your water right, your water right will be decreed early next year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED



65-02932	-03188
-02952	-03189
-02356	-03190
-02374	-03191
-02483	-03192
-02708	-03193
-03186	-11401
-03187	

RECEIVED

OCT 12 1999

WATER RESOURCES
WESTERN REGION

~~EDWARD A~~ CRUZEN
PO BOX 7
DONNELLY

ID 83615

CRUZ007 836152223 1N 04 10/06/99
RETURN TO SENDER

NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

Ø



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 29, 1999

Dear Water Right Claimant(s):

The Idaho Department of Water Resources (IDWR) has completed its initial investigation of your water right claim(s) in the Snake River Basin Adjudication (SRBA). We have enclosed a print-out showing our preliminary recommendation regarding how your water right should be reported to the SRBA District Court.

Please review the preliminary recommendation carefully. If there is any information on the print-out you believe is inaccurate, please fill out the enclosed reply indicating what changes you believe should be made. Further instructions to assist you with the review are enclosed. For water rights with an irrigation water use, a Geographic Information System (GIS) computerized image of the place of use for your water right is also enclosed.

You may return this reply in person to us at a public meeting IDWR will be conducting in your area. **The meeting will be held on Wednesday, October 13, 1999, at 7:00 p.m. in the Senior Citizen Center, 409 School Road, Cascade.** Please come to the public meeting, where you will have an opportunity to find out more about the SRBA process and speak with a department staff member should you have questions regarding your water right. Please bring any and all information you have which will help the Department understand your water rights and describe them accurately.

This process is intended to ensure IDWR recommends your water right accurately to the SRBA District Court. This is the easiest and least costly means for you to identify corrections you believe should be made to our recommendation. Completion of this process is an important step toward the overall success of the adjudication in Idaho. Your participation is necessary so that accurate information is provided to the SRBA District Court.

We look forward to hearing from you.

Sincerely,

Karl J. Dreher
Director

Enclosures

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



(208) 736-3011
FAX (208) 736-2121

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

Dear Water Right Claimant:

To help you with your water right claim(s) in the Snake River Basin Adjudication, this letter of explanation is being sent to you along with information sent by the Idaho Department of Water Resources (IDWR). Included are the following important documents which I ask you to please read carefully because they give you the opportunity to save a great deal of time and money:

1. **Preliminary Recommendation.** This is IDWR's *initial* finding and conclusion about your water right and how it should be reported to the SRBA Court. This preliminary recommendation is not filed with the court, but is provided to you to help correct errors or resolve any disagreement you may have over its content. This document has been prepared following IDWR's investigation and may be different than the claim(s) you actually filed.

Therefore, please review this preliminary recommendation carefully to find any errors or disagreements you have with IDWR's findings.

2. **Error Correction/Settlement Process.** This preliminary recommendation is a special service provided to you by IDWR to help you correct errors and resolve any other disagreement you have before the actual recommendations are ultimately filed with the court.

A description of how to work with IDWR is included. Our experience in the SRBA shows that by working in cooperation with IDWR most errors and differences can be addressed before coming into court. It's well worth your time to take full advantage of IDWR's helpful service. If your disagreement cannot be resolved, you will be able to file an objection to IDWR's actual recommendation when it is filed in court and have the final decision made by the Presiding Judge.

This error correction service is an important opportunity for you to work together with IDWR to make sure your water right claim(s) are decreed accurately. There is no cost to you other than your time reviewing the preliminary recommendation and talking to IDWR about any problem you see. Of course, you may always employ the services of an attorney if you wish.

The goal of the SRBA is to see that your water right(s) are decreed by the court as accurately and fairly as possible. It is important to me that this is done efficiently in order to reduce your costs and present you with your decree.

I strongly encourage you to take full advantage of this opportunity to use the fine and courteous service provided by IDWR.

Sincerely yours,

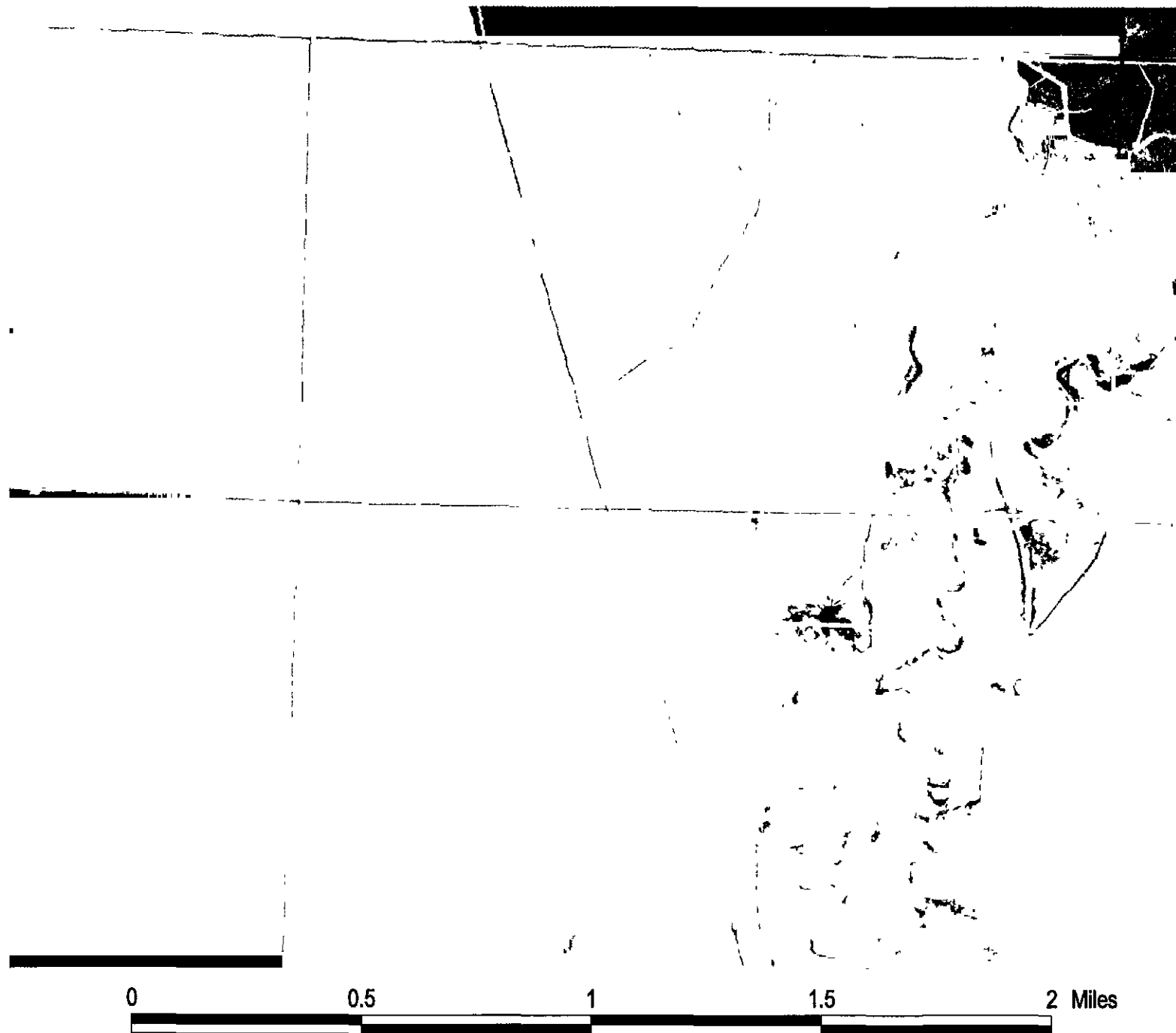
A handwritten signature in black ink that reads "Barry Wood".

Barry Wood
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

**T17N, R03E
S28**

Idaho Department of Water Resources

Claims: 65-11401
Owner : CRUZEN
Prepared by:
Ron Howerton
Date: 16 AUG 99



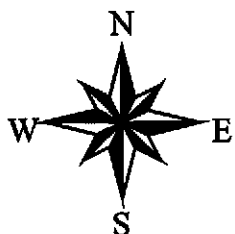
Place of use

POD

SECTION LINES

1/4 1/4 Lines

Acres



1987 NAPP

0 0.5 1 1.5 2 Miles

OWNER CODE	NAME & ADDRESS		PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CRUZEN RANCH PO BOX 7 DONNELLY ID 83615		05/01/1938	IRRIGATION	05-01 09-15	0.900 CFS	
						TOTAL DIVERSION:	0.900 CFS
Water Source: WASTE WATER			Tributary to: LAKE FORK CREEK			Stage: DECREED	
Point(s) of Diversion:			T17N R03E S21 SENE			VALLEY County	
Place of use Legal Description for: IRRIGATION							
NE NENE NWNE SWNE SENE : NENW NWNW SWNW SENW : NESW NWSW SWSW SESW : NESE NWSE SWSE SESE : SUM T R S : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : NW SW SE							
17N 03E 28 : 10 15 20 :							
						TOTAL ACRES	45.0

POU County: VALLEY

Other Rights: 65-02932, 65-02952, 65-03196 & 65-03193

Remarks: QNT THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-03186 SHALL PROVIDE
NO MORE THAN .02 CFS PER ACRE.

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

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

Audit: 09/03/99 SBOCK

WR5809NP
No. 65-11401

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/16/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EDWARD A. CRUZEN P.O. BOX 7 DONNELLY ID 836150000	05/01/1938	IRRIGATION	05/01 09/15	0.900 CFS	
TOTAL DIVERSION:					0.900 CFS	

Water Source: WASTE WATER

Tributary to: LAKE FORK CREEK

Stage: DECREED

Point(s) of Diversion: T17N R03E S21 SENE

VALLEY 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
17N	03E	28	:	10		15		20												45.0
TOTAL ACRES																				45.0

Pou County: VALLEY

Dates:	App. Received:	Priority Date:	05/01/1938
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65K Field Exam Fee:

Audit: 04/24/87 04/30/88 CONVERT

**T17N, R03E
S28**

Claims: 65-11401
Owner : CRUZEN
Prepared by:
Ron Howerton
Date: 16 AUG 99

Idaho Department of Water Resources



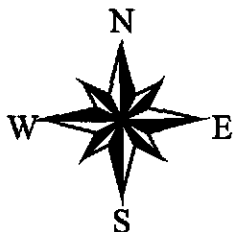
 Place of use

 POD

 SECTION LINES

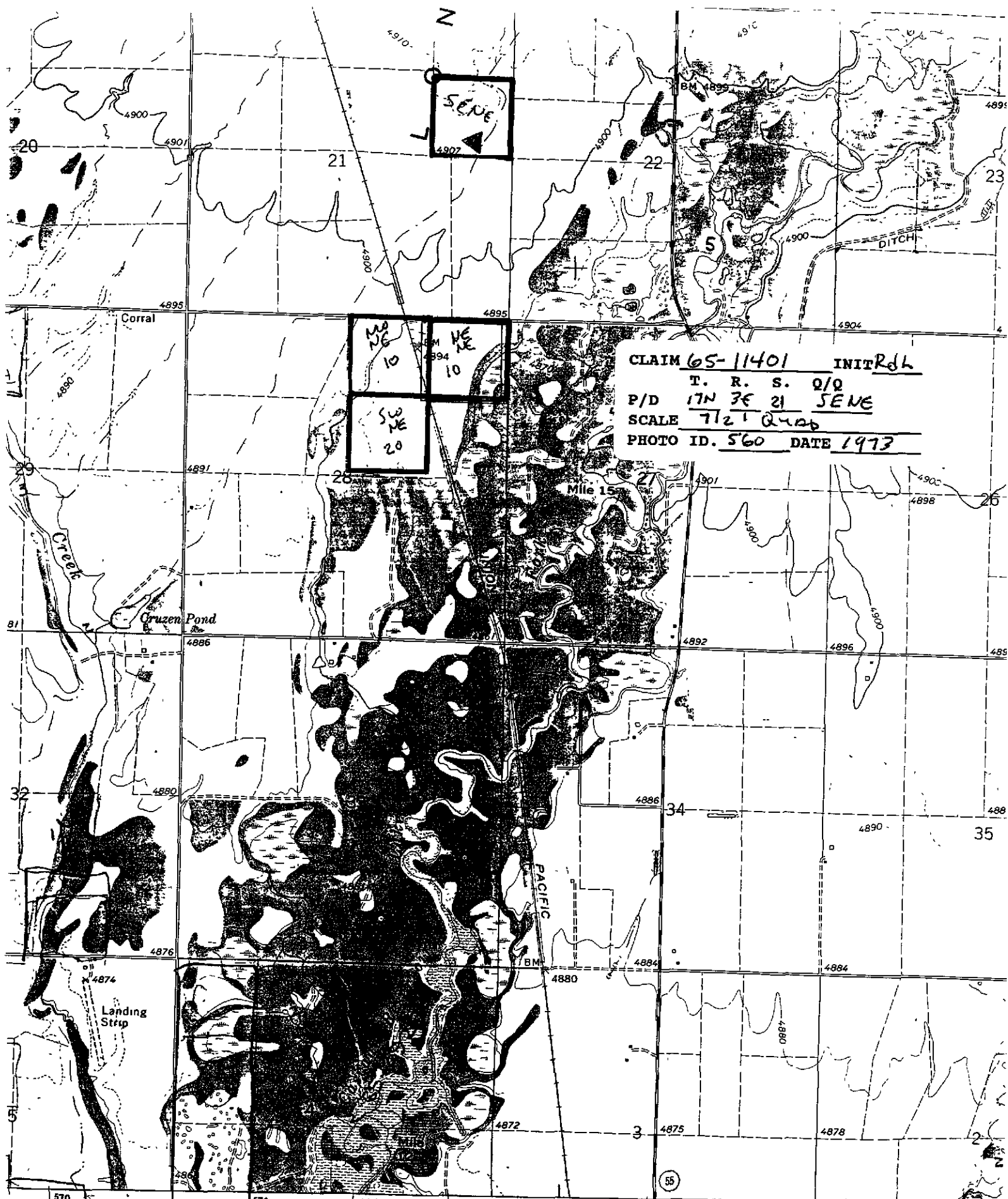
 1/4 1/4 Lines

Acres



1987 NAPP

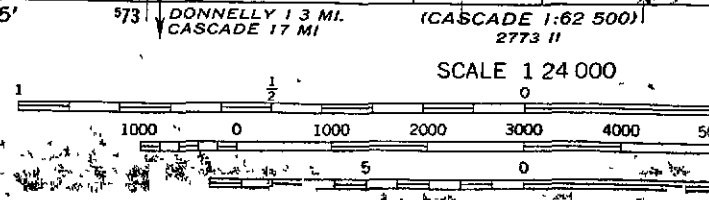
0 0.5 1 1.5 2 Miles



CLAIM 65-11401 INIT RdL
 T. R. S. Q/Q
 P/D 17N 3E 21 SENE
 SCALE 7 1/2" Q. 200
 PHOTO ID. 560 DATE 1973

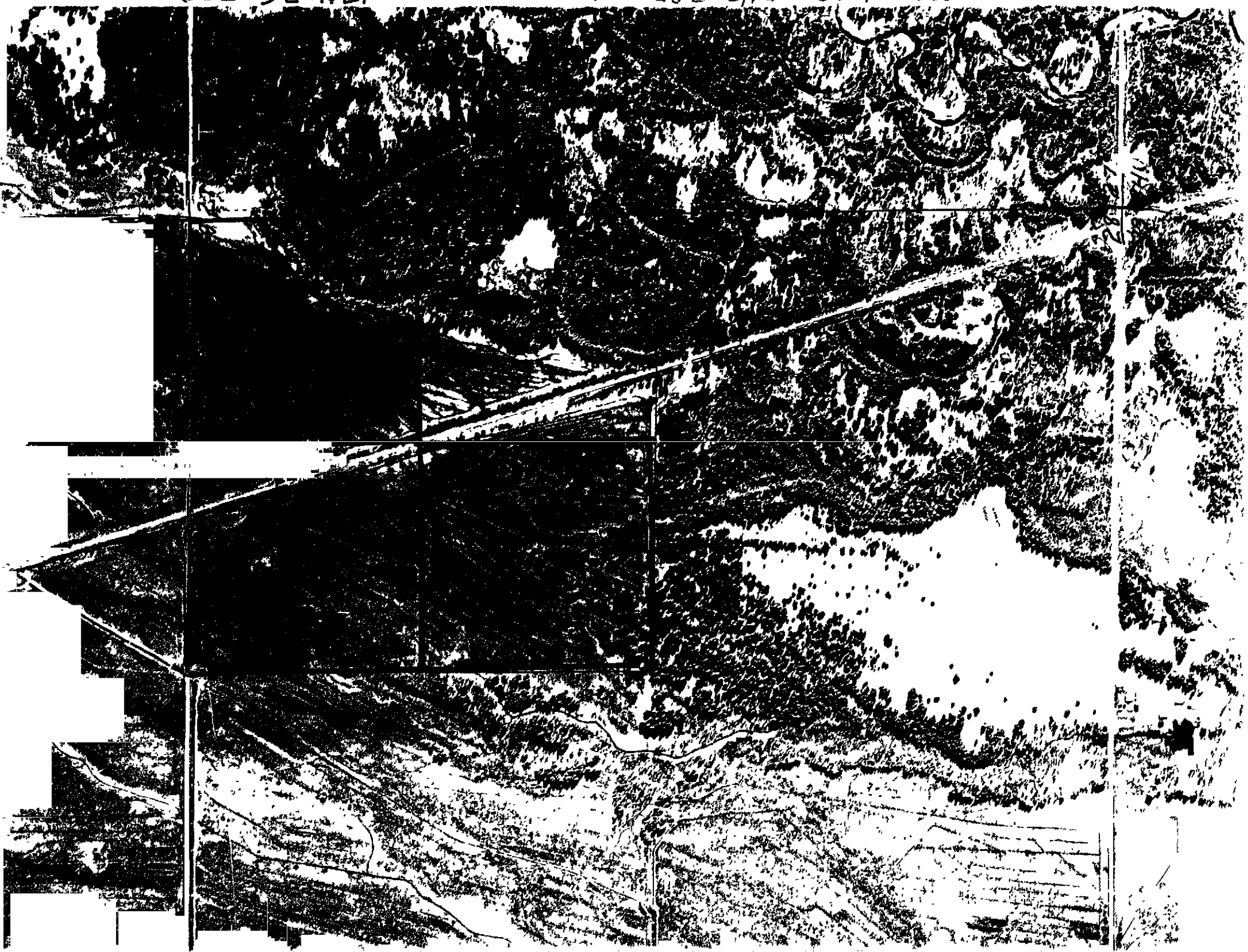
and, and published by the Geological Survey
 with the U. S. Forest Service
 , NOS/NOAA, and USFS

photogrammetric methods from aerial
 en 1965-66 and 1972. Field checked 1973



17N 3E 528

1961 PRBA MAP DHZ-288-114



Yellow

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

IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS TO THE USE OF
PIVETTE RIVER
DRAINAGE BASIN

**NOTICE OF CLAIM
TO A
WATER RIGHT**

65-11401	
ID No.	Map No.
S	S
Fee Paid	Receipt No.

Notice is hereby given that Edward A. Cruzen

(Name of Claimant)

Box 7, Donnelly, ID 83615

(Mailing Address)

Telephone No. 634-5589

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority. (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 5/1/1938
- (2) Describe the source of water. (Name of stream, lake, spring, etc., or ground water) Wastewater tributary to Lake Fork Creek
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | |
|--|--|---|
| Quantity <u>.90 cfs</u>
(CFS, GPD, AFI) | Use <u>Irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>5/1</u> To <u>9/15</u>
(Mo., Day) (Both dates inclusive) |
| Quantity _____
(CFS, GPD, AFI) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Both dates inclusive) |
| Quantity _____
(CFS, GPD, AFI) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Both dates inclusive) |
| Quantity _____
(CFS, GPD, AFI) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Both dates inclusive) |
- (4) .90 cfs TOTAL QUANTITY CLAIMED
(CFS, GPD, AFI)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SE 1/4 NE 21 Sec 21, Twp. 17N, Rge. 3E, B.M. 1110 County _____
- 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. Describe any changes in the system and give the date of the change. 24" Culvert and ditches
- (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.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
17N	3E	28	10	15	20														45

Total no. of acres 45

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

NOTE: Include here the type and number of stock watered. _____

- (7) If you are claiming water as a member of an organization, list name of organization. _____
- (8) Remarks _____
- (9) 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 previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

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.

2-29-80

(Date)

Individual

Edward A. Cruzen
(Signature of Claimant)

Organization

(Signature of Spouse)

State of Idaho

Organization

County of Ada

ss.

Seal

(Signature of Authorized Agent)

On this 29th day of February in the year 1980 before me

a notary public, personally appeared Edward A. Cruzen 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.

My commission expires Life

Notary Public residing at Boise

WATER RIGHT CODING FORM
VAX SYSTEM

Coder's Name SHAFF

WATER RIGHT NO. 65-11401

See Coder's Handbook for instructions on filling out this form.

Record

	Last Name or Company (40)	First Name (20)	Owner Indicator
1. Owner	<u>Cruzen</u>	<u>Edward A.</u>	<u>C</u>

1A. Address

Box 7

1B.

City Donnelly
State ID Zip 83615

2. Source(s) Waste Water
Tributary Lake Fork Creek

3. Point(s) of Diversion Description

Tract	Sec.	Twp	Rng	Lot	Rediv.
<u>SENE</u>	<u>21</u>	<u>17N</u>	<u>3E</u>		

4. Period of Use, Use, Diversion Rate/Volume

FROM	TO	USE CODE	CFS	ACRE FEET
<u>5-1</u>	<u>9-15</u>	<u>01</u>	<u>.90</u>	

5. A. Stage BT B. Status 1
C. Priority Date 5/1/1938 D. County Code 85
E. Total Cfs .90 F. Total Acre Feet
G. Transfer/Amendment Flag H. Water District 65K
I. DLE/Carey Act

Record

6. Diversion Means: Culvert & ditches

8A. Non-Irrigation Use Remarks: _____

8B. Place of Use:

Use Code: 01

TWP	RANGE	SEC.	NE				NW				SW				SE			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
17N	3E	28	10	15	20													

8C. Other Rights: _____

10. Remarks: _____

11. Decree Plaintiff _____

12. Decree Defendant _____

Decree Date / /

13. Protested Date / / Hearing Date / /

Old Number

14. Stage Status Water District

Proof due date / / Permit or Denied Date / /

Proof made date / / Start work date / /

Order to Show Cause / / Licensed date / /

15. Conditions of Approval

16. Diversion Capacity:

Application Received / / Field Exam Date / /

Verified Code

AGENT Rth DATE 8/16/99 65-2952 65-3186
65-3193

[illegible][illegible][illegible][illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:05:43
08/11/99

PAGE: 15
QUICKLOOK INFORMATION

15
CLAIM NUMBER: A65-11401

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			Rel 8/16/99 IN OFFICE					Rel 8/16/99
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS								

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:05:43
08/11/99

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-11401

LAST: CRUZEN
ADDRESS: P.O. BOX 7
CITY: DONNELLY
PHONE NUMBER: 208-000-0000

FIRST: EDWARD A.
STATE: ID ZIP: 836150000

OWNER CODE: 0

LAST: CRUZEN RANCH
ADDRESS: PO BOX 7
CITY: DONNELLY
PHONE NUMBER: 208-000-0000

FIRST:
STATE: ID ZIP: 83615

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

FIELD
EXAMINER
DATABASE
N

FIELD EXAMINATION INFORMATION

CONTACT PERSON: IN-OFFICE

PHONE NUMBER: () -

DATE OF FIELD EXAM: 8/16/99

APPOINTMENT MADE: Y() N(☒)

TIME: : A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

SEE MAPS IN FILE AND 2932

A. AJ CLAIM: # A65-11401 PRIORITY DATE: 05-01-1938 STAGE: D

B. WR RECORD: # 65-11401 PRIORITY DATE: 05-01-1938 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:

05-01-1938

REVIEWED BY RDH

DATE 8/16/99

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
A65-11401	17N	03E	21		SE	NE			VALLEY		

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

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: WASTE WATER

TRIB: LAKE FORK CREEK

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
65-11401	17N	03E	21		SE	NE			VALLEY		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: WASTE WATER

TRIB: LAKE FORK CREEK

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: 1987 GIS NAPP PHOTO AND 1973 TOPO, 560
& ORIGINAL PRBA CLAIM

=====										
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 VALLEY	DIVERSION NAME	DIVERSION NBR
17N	03E	21		SE	NE					
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---

SOURCE: WASTE WATER TRIB: LAKE FORK CREEK

REVIEWED BY: Rdn DATE: _____

=====

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

CULVERT AND Ditches

A. ROOT WATER RIGHT NUMBERS: A65-11401

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
17N	03E	28	NE	NE		CRUZEN RANCH	A65-11401 / 10.0	65-11401 / 10.0	23.0		10
17N	03E	28	NW	NE		CRUZEN RANCH	A65-11401 / 15.0	65-11401 / 15.0	37.0		
			NW	NE		ESTATE OF EDWARD A CRUZEN	A65-02952 / 10.0	65-02952 / 10.0			
			NW	NE		CRUZEN, EDWARD A	A65-02932 / 10.0	65-02932 / 10.0			15
			NW	NE		CRUZEN RANCH	A65-03186 / 10.0	65-03186 / 10.0			
			NW	NE		CRUZEN RANCH	A65-03193 / 10.0	65-03193 / 10.0			
17N	03E	28	SW	NE		CRUZEN RANCH	A65-11401 / 20.0	65-11401 / 20.0	38.0		20

ADDITIONAL POU FOUND

TOTAL ACRES	A65-11401	45.00	45.00	98.00
-------------	-----------	-------	-------	-------

POU COUNTY: VALLEY

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
A65-11401	WASTE WATER	CRUZEN RANCH	0.900	0.020		
A65-02932	LAKE FORK CREEK	CRUZEN, EDWARD A			332.00	0.18
A65-02952	LAKE FORK CREEK	ESTATE OF EDWARD A CRUZEN			900.00	0.50
A65-03186	LAKE FORK CREEK	CRUZEN RANCH	2.610	0.019		
A65-03193	LITTLE PAYETTE LAKE	CRUZEN RANCH			2000.00	1.48

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: SEE A65-03186.

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 POB: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;

~~MAP~~ APP, IDWR NO. 1987; ~~ASCS~~ PHOTO; ~~OTHER~~ _____

NOTES: SEE 1961 PRBA PHOTO MAP DHZ-2RB-114

SEE ASCS & MAP "C" & "F" IN 2932

RECOMMENDATIONS:

TOTAL ACRES: 45 N/A()

REVIEWED BY: REN

DATE: 8/16/99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-11401 IRRIGATION	FROM 05-01 TO 09-15	0.900 CFS	
TOTAL DIVERSION RATE/VOLUME		0.900 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-11401 IRRIGATION	FROM 05-01 TO 09-15	0.900 CFS	
TOTAL DIVERSION RATE/VOLUME		0.900 CFS	

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

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

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

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

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

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

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

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

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

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

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

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

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

PAGE: 9

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

CLAIM NUMBER: A65-11401

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.900 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.900 CFS

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

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

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

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

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

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

E. FLOW MEASUREMENT

MEASUREMENT METHOD NA, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 45 x 0.02 CFS/ACRE = .90 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 45 x DIVERSION VOL. AF/A FOR AREA 45 =

TOTAL DIVERSION VOLUME 45 AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 2.0 AF/A

ACRES 45 x CONSUMPTIVE VOL. AF/A FOR AREA 45 =

TOTAL CONSUMPTIVE USE 45 AF/A

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

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	05-01	09-15	DATABASE 0.900	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE ~~2.0~~	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			0.900	_____		_____	~~2.0~~	_____

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: Rch

DATE: 8/16/99

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

QNT E28 when comb. with 03186 Shall Not
EXCEED 0.02 cfs/ACRE.

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: 65-11401

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 0.900 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-11401	0.900	-		65-11401	0.900
TOTAL CFS		0.900				0.900

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE FIELD
Y EXAMINER
Y() N()

NO SPLITS

NOTES:

AUTHENTICATION:

SIGNATURE: Ron Howerton DATE: 8/16/99

NAME OF FIELD EXAMINER: Ron Howerton 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()
☒ TOPOGRAPHIC	DATE FIELD CHECKED <u>1973</u> IDWR ID NO. <u>560</u>	Y(✓) N()
☒ NAPP	DATE OF PHOTO <u>1987</u> IDWR ID NO. _____	Y(✓) N()
☒ ASCS AERIAL PHOTO	DATE OF PHOTO <u>1961</u> <u>PRBA MAP DH2-2BB-114</u>	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
☒ OTHER <u>CLAIM</u>	DATE <u>ORIGINAL PRBA CLAIM § 2 ATTACH.</u>	Y(✓) N()
☒ OTHER <u>PROFILE</u>	DATE <u>WR RECORD</u>	Y(✓) N()
() OTHER _____	DATE _____	Y() N()

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

16:06:05
08/11/99
16

PAGE: 16
PROFILE REPORT

CLAIM NUMBER: A65-11401

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CRUZEN RANCH	05/01/1938	IRRIGATION	05-01 09-15	0.900 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	0.900 CFS 2.00 AFA

Water Source: WASTE WATER

Tributary to: LAKE FORK CREEK

Stage: DECREED

Point(s) of Diversion:

T17N R03E S21

SENE

VALLEY 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
17N	03E	28	:	10		15		20												:	45.0
																				TOTAL ACRES	45.0

POU County: VALLEY

Other Rights: SEE A65-03186.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65K

Field Inspection Flag:
Presumption Flag:



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

December 27, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Cruzen Ranch Water Rights

Richard Murray
McCUTCHEN, DOYLE, BROWN & ENERSEN
Three Embarcadero Center
San Francisco, CA 94111-4066

Dear Mr. Murray:

I received the completed Claim to a Water Right No. A65-11401 along with your letter of December 20, 1995. In reviewing the notice of claim I find that we cannot accept it until the claim has been signed by the notary. The notary has completed all of her portion of the claim except for the signature. Please request her signature be attached to page three of this form and return it to our office for recording.

I also noticed on the claim form that Cruzen Ranch is interested in receiving the monthly docket sheet. I have enclosed a form which should be submitted to the Snake River Basin Adjudication Court to initiate the subscription.

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

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosure5

MICROFILMED
OCT 21 1996

MCCUTCHEN, DOYLE, BROWN & ENERSEN

SAN FRANCISCO

LOS ANGELES

SAN JOSE

WALNUT CREEK

MENLO PARK

COUNSELORS AT LAW

THREE EMBARCADERO CENTER

SAN FRANCISCO, CALIFORNIA 94111-4066

TELEPHONE (415) 393-2000

FACSIMILE (415) 393-2286

WASHINGTON, D.C.

TAIPEI

AFFILIATED OFFICES

BANGKOK

BEIJING

SHANGHAI

December 20, 1995

DIRECT DIAL NUMBER

(415) 393-2150

INTERNET
murray@mdbe.com

Ms. Kay Walker
Senior Water Resource Agent
Adjudication Bureau
State of Idaho
Department of Water Resources
2735 Airport Way
Boise ID 83705-5082

RECEIVED

DEC 26 1995

**WATER RESOURCES
WESTERN REGION**

Cruzen Ranch Water Rights

Dear Ms. Walker:

This is in further response to your letter of July 25, 1995.

Thank you so much for sending the water rights records and the SRBA records. It is reassuring that you found all but one of the Cruzen Ranch water rights to be claimed in the SRBA.

To complete matters, the Cruzen Ranch Partners have completed the claim for Rt. 65-11401, and it is enclosed.

We do recall that, prior to his death, Mr. Cruzen sold some ranch property along the river and, of course, agree that the water rights go with the lands.

Claims ⁶⁵~~A54~~-02932 and A65-02952 relate to the mountain storage area known as Brown's Pond. Warren Brown and Edward A. Cruzen together built the dam and reservoir. It is situated on lands owned by the State of Idaho. Diane B. DeBoer is the daughter of Warren Brown, who evidently received the Brown's interest by assignment. Neither the Browns nor

MICROFILMED

OCT 21 1996

Ms. Kay Walker
December 20, 1995
Page 2

Mrs. DeBoer have any other relationship to the Cruzen Ranch. We are aware of no problem with respect to the ownership of these claims

Thank you once again for all your help.

Sincerely yours,


Richard Murray

cc: Mrs. Richard Murray
Mrs. Andrew C. McLaughlin III

McCUTCHEN, DOYLE, BROWN & ENERSEN

SAN FRANCISCO

LOS ANGELES

SAN JOSE

WALNUT CREEK

MENLO PARK

COUNSELORS AT LAW

THREE EMBARCADERO CENTER

SAN FRANCISCO, CALIFORNIA 94111-4066

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WASHINGTON D C

TAIPEI

AFFILIATED OFFICES

BANGKOK

BEIJING

SHANGHAI

DIRECT DIAL NUMBER

(415) 393-2150

INTERNET
murray@mdbe.com

RECEIVED

JUL 31 1995

WATER RESOURCES
WESTERN REGION

July 28, 1995

Ms. Kay Walker
Senior Water Resource Agent
Adjudication Bureau
State of Idaho
Department of Water Resources
2735 Airport Way
Boise ID 83705-5082

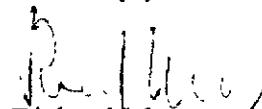
Cruzen Ranch Water Rights

Dear Ms. Walker:

Thank you so much for your very prompt and helpful response to my inquiry about the Cruzen Ranch water rights and the SRBA.

We shall, of course, complete and send in the claim for Rt. 65-01401 and attempt to clear up the other matters addressed in your letter.

Sincerely yours,


Richard Murray

cc: Mrs. Richard Murray
Mrs. Andrew C. McLaughlin III

file:

A65-02483	A65-03186
-02708	-03187
-03188	-03189
-03190	-02356
-03191	~~-02357~~
-03192	~~-02358~~
-03193	-11401
-03889	-02932
-02374	-02952

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OCT 21 1996

07/28/95 03 01 PM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ABSTRACT

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
SOURCE: WASTE WATER				TRIBUTARY TO: LAKE FORK CREEK				
<i>No claim</i> 65-4990	SHAW, LEO S. SHAW, BERTHA E. RT. 1 BOX 105 MC CALL ID 83638	08-01-1920	IRRIGATION	04-15 10-15	--- AFA .16 CFS	NESW S24 T18N R03E	SWSW(8) S24 T18N R03E * 8 ACRES*	BENEFICIAL USE
<i>Rev</i> 65-11401	CRUZEN, EDWARD A. P. O. BOX 7 DONNELLY ID 83615	05-01-1938	IRRIGATION	05-01 09-15	--- AFA .90 CFS	SENE S21 T17N R03E	NENE(10) NWNE(15) SWNE(20) S28 T17N R03E * 45 ACRES*	BENEFICIAL USE
<i>Rev</i> 65-3865	SCHLINE, CHESTER P. O. BOX 666 DONNELLY ID 83615 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-2632 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	05-01-1938	IRRIGATION	04-15 10-15	--- AFA .40 CFS	NENW S33 T17N R3E	NENW(17) SENW(26) S33 T17N R03E * 43 ACRES*	BENEFICIAL USE
<i>Rev</i> 65-9744	NOKES, HERALD S. NOKES, DONNA RT. 1 BOX 107 MC CALL ID 83638 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF LAKE IRRIGATION DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	01-01-1946	IRRIGATION STOCKWATER IRRIGATION FROM STOR	04-15 10-15 01-01 12-31 04-15 10-15	--- AFA .80 CFS 6.70 AFA .12 CFS 2.00 AFA --- CFS *---*AFA *.92*CFS	SWSE S14 T18N R03E	SAME-AS OTHER USE SAME AS OTHER USE NENE(08) NWNE(08) SWNE(19) NWSE(08) S23 T18N R03E * 43 ACRES*	BENEFICIAL USE
65-9747	NOKES, HERALD S. NOKES, DONNA RT. 1 BOX 107 MC CALL ID 83638 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS 65-9734, 65-9735, 65-9736, 65-9737, 65-9738 & 65-9748 SHALL PROVIDE NO MORE THAN .03 CFS NOR 1.4 AFA.	01-01-1954	STOCKWATER	01-01 12-31	1.40 AFA .03 CFS	NWSW S13 T18N R03E	NWSW S13 T18N R03E	BENEFICIAL USE

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FILE

FEB 12 1987

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF IDAHO

APR 07 1986

STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

Department of Water Resources

IN THE MATTER OF THE GENERAL
DETERMINATION OF THE RIGHT TO
THE USE OF SURFACE AND GROUND-
WATERS OF THE PAYETTE RIVER
DRAINAGE BASIN.

) Civil No. 3667
)
) ORDER AND PARTIAL DECREE
) PURSUANT TO I.R.C.P. 54(b)
)
)

Helma R. Kobig

The foregoing Stipulation, of Lake Irrigation District, Edward A. Cruzen and the Department of Water Resources, having come duly and regularly before the Court and good cause appearing therefore,

IT IS ORDERED AND DECREED that the water rights, priority dates, uses, periods of use, quantification of rights, diversion points, places of use and basis of claim identified in Exhibit A attached hereto and incorporated herein by reference are adopted by this Court, and the Proposed Finding of Water Rights in the Payette River Drainage Basin (hereinafter "Proposed Finding") shall be amended accordingly. Some of the rights listed in Exhibit A were previously decreed by the court in its judgment of January 21, 1986. They are included here to provide a complete listing of all rights on Lake Fork Creek. Claim No. 65-10095, a reserved right claimed by the Forest Service, is not included because the State of Idaho and the United States are currently planning to become engaged in negotiations concerning federal reserved water right claims.

IT IS FURTHER ORDERED that all protests and objections

ORDER AND PARTIAL DECREE

Page 1

RECEIVED

FEB 24 1987

Department of Water Resources

COMPARED _____
INDEXED - DIRECT _____
INDEXED - INDIRECT _____

filed by Lake Irrigation District and Edward A. Cruzen against the water rights adopted by this Court in the preceeding paragraph are dismissed with prejudice.

IT IS FURTHER ORDERED AND DECREED that the Proposed Finding of Fact No. 10 and Conclusion of Law No. 6 as set out in the foregoing Stipulation and Finding of Fact No. 4 and Conclusion of Law No. 3 as set out in Exhibit B of the foregoing Stipulation are amended by said Stipulation.

IT IS FURTHER ORDERED AND DECREED that for purposes of operating Water District 65K the gauging station located in the SW1/4SE1/4NW1/4 section 8 township 18N range 4E B.M., above Jumbo Creek and above Tyee Creek shall have 10 per cent added to said gauge readings to account for the added flows of Jumbo and Tyee Creeks and other less distinctive sources between the old site of the gauging station and the present site, unless modified by order of this Court due to changes in the measured flows.

IT IS FURTHER ORDERED AND DECREED that for purposes of operating Water District 65K, reference may be made to the decree of Paul Michelson et al v. M. H. Williams et al (7th Judicial District, Valley County, 1928) for a period of five years following the date of this order, to answer questions arising as to the distribution of water rights listed in Exhibit A. The director of the Department of Water Resources, pursuant to his authority under Chapter 6, Title 42, Idaho Code, will initially

IT IS FURTHER ORDERED AND DECREED that jurisdiction is reserved by the Court, upon 10 days notice to the parties hereunto, to make corrections of clerical errors, inadvertences or omissions in the listing of water rights of Exhibit A to the foregoing Stipulation, and the reservation of jurisdiction for this purpose will date one year from the date of this Order.

DATED this 28th day of March, 1986.

Jim R. Doolittle
JIM R. DOOLITTLE
DISTRICT JUDGE

With respect to the issues determined by the above judgment, it is hereby CERTIFIED, in accordance with the Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final decree and that the court has and does direct that the above partial decree shall be a final judgment upon which execution may issue and appeal may be taken as provided by the Idaho Appellate Rules.

STATE OF IDAHO)
County of Gem) ss.

DATED this 28th day of March, 1986.

I certify that the foregoing is a true and correct copy of the original on file in this office.


JIM R. DOOLITTLE
District Judge

DATED 2-5-87
Thelma R. Kolodziej, Clerk

By: Lois Kimbrough AND PARTIAL DECREE, Page 3