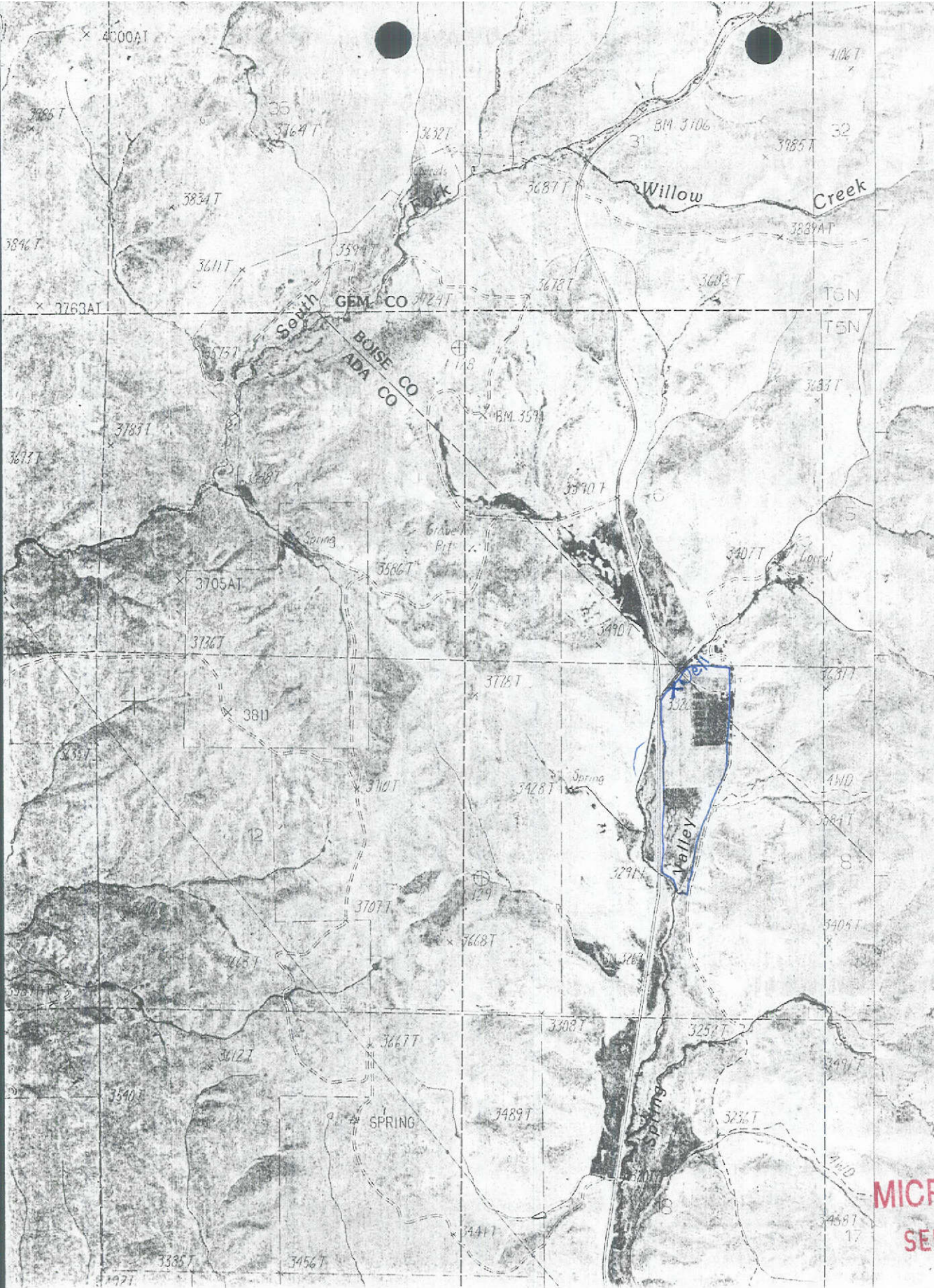


A63-18974



T6N

T5N

MICROFILMED
SEP 01 1992

ADA COUNTY HISTORIC RESOURCES: A RECONNAISSANCE SURVEY



PREPARED BY BELINDA DAVIS/BARBARA PERRY-BAUER, CONSULTANTS
AND THE ADA COUNTY DEVELOPMENT SERVICES DEPARTMENT

FOR THE ADA COUNTY HISTORIC PRESERVATION COUNCIL

MADE POSSIBLE BY A CERTIFIED LOCAL GOVERNMENT GRANT FROM THE NATIONAL PARK SERVICE,
DEPARTMENT OF THE INTERIOR, THROUGH THE IDAHO STATE HISTORIC PRESERVATION OFFICE

August 1989

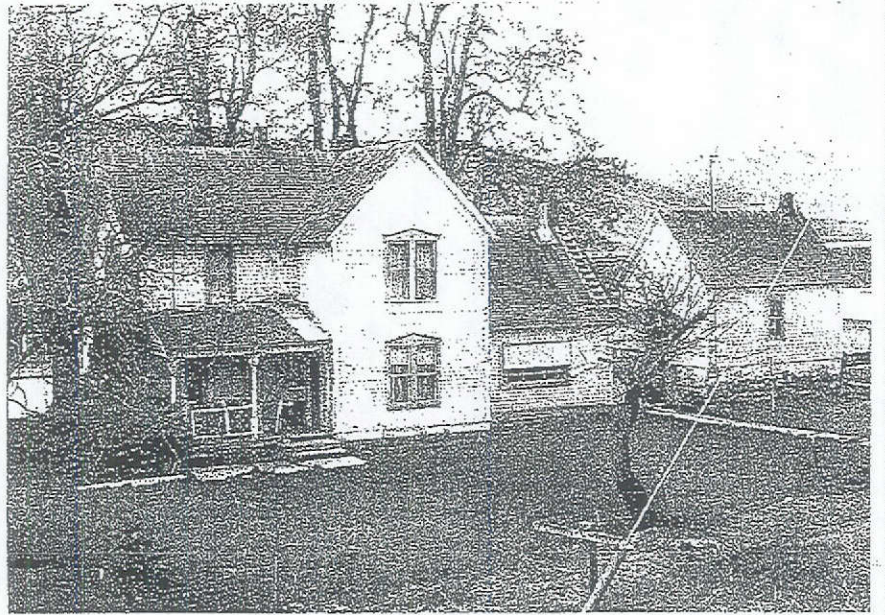
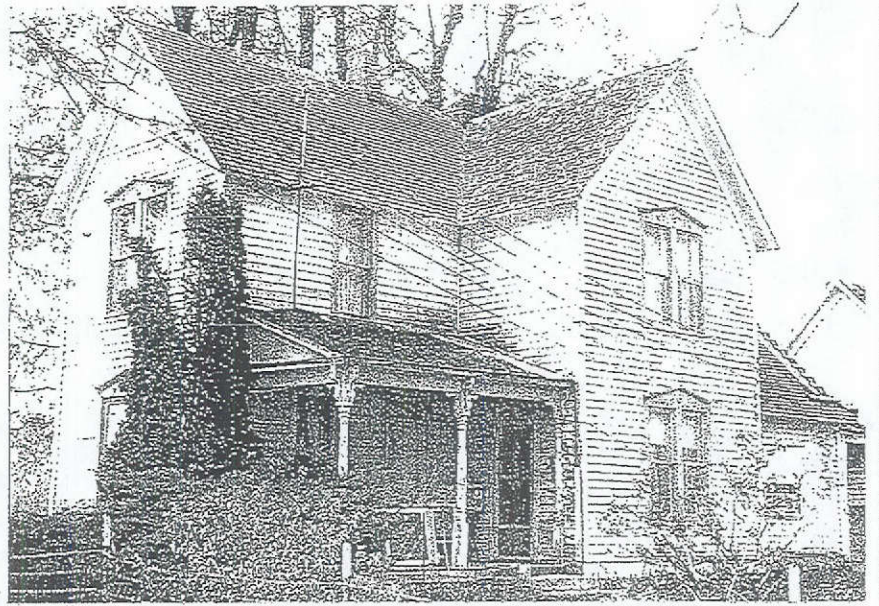


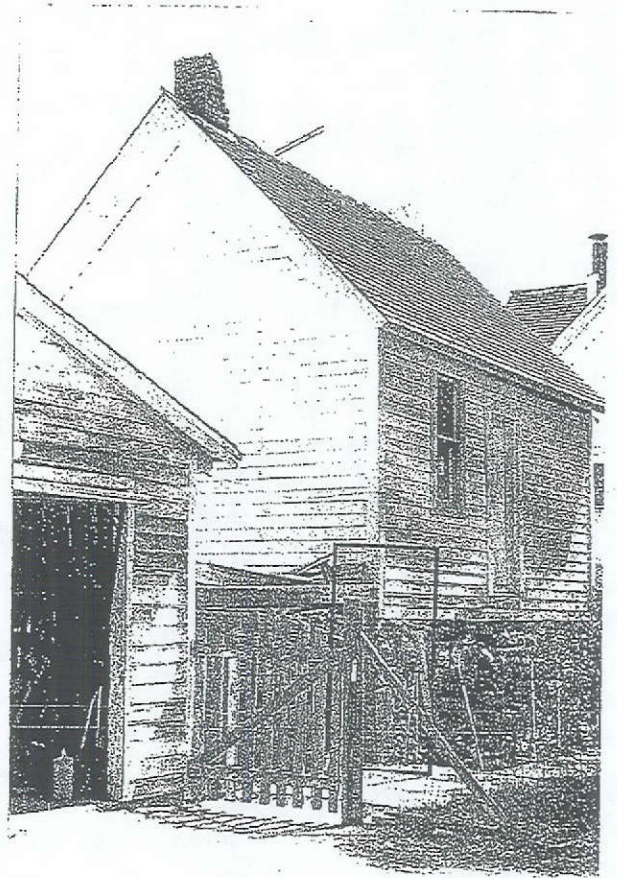
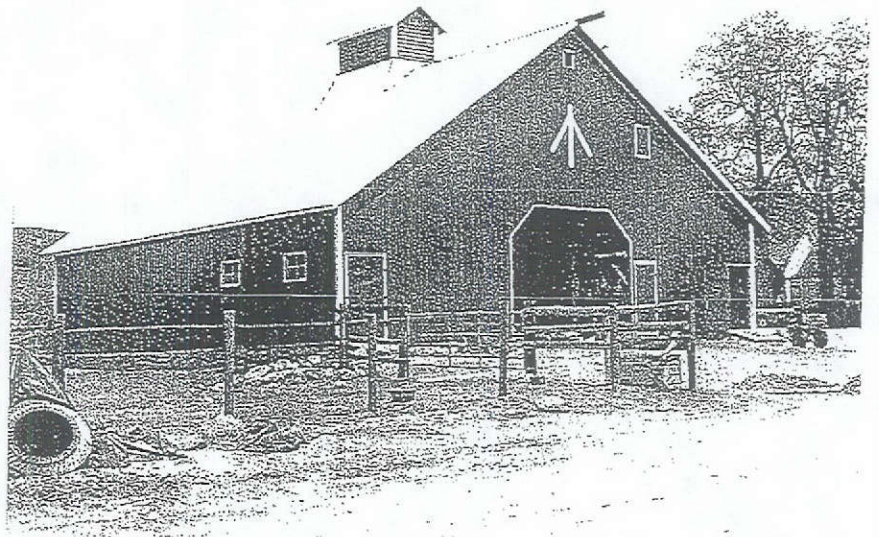
BOARD OF ADA COUNTY COMMISSIONERS

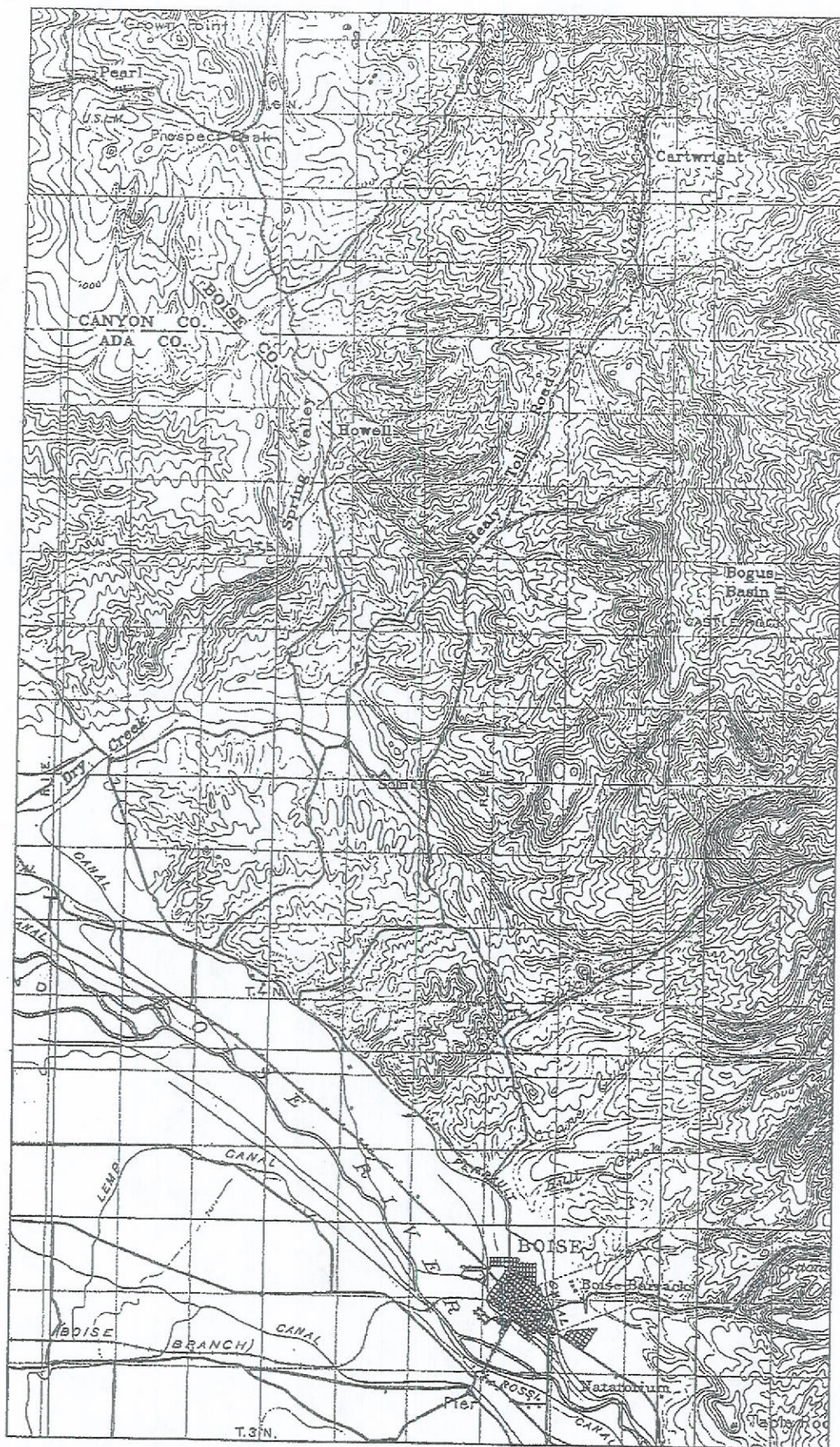
Vernon E. Bisterfeldt, Chairman
Michael L. Johnson
Judy M. Peavey

ADA COUNTY HISTORIC PRESERVATION COUNCIL

Robert L. Alameda, Chairman
John R. Crowe, Vice-Chairman
David Baghard
Janet Harrison Carver
Dan N. Magleby







AVIMOR



Not To Scale
Figure 4

SOURCE: IDAHO STATE HISTORICAL LIBRARY

A SunCor Planned Community

USGS Map of 1897

18/537

The United States of America

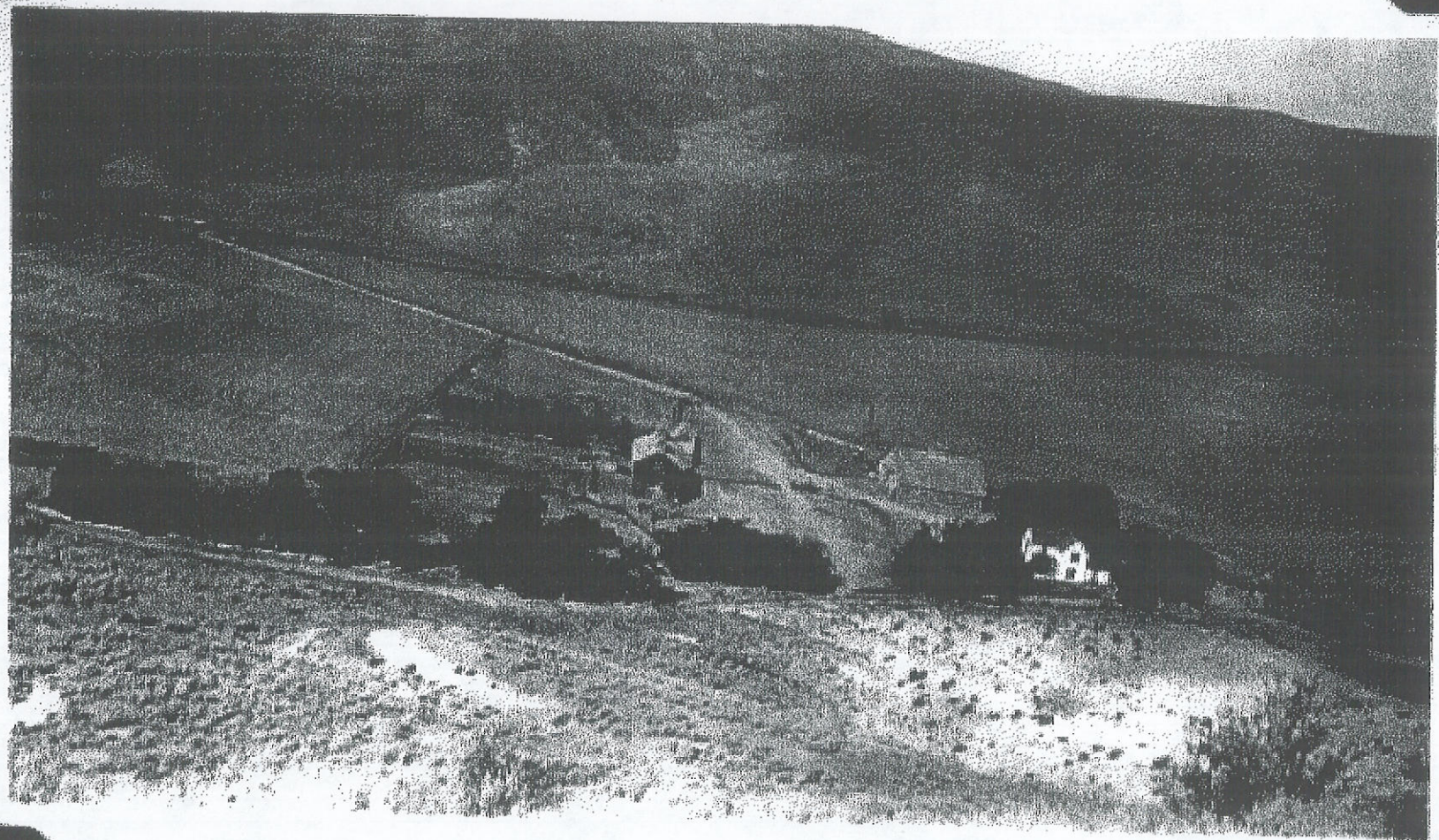
Be it remembered that for and in witness whereof
Homestead Certificate No. 1019
Applications 1987 and 2722
in the General Land Office of the
the Register of the Land Office at
1101, pursuant to the Act of Congress
concerning Homesteads to Naturalization
the act supplemental charter the
and abt. 1. and hereby consummated
the East half of the Section East quarter
Section East quarter and the East
quarter of Section side in Town
of these Indians in Indian country
according to the official Plat of
to the General Land Office by the
New Mexico, that there is, to wit
to the said William Hunt the
to have and to hold the said tract
names thereof, unto the said William
and assigns forever; subject to
water rights for mining, agricultural
purpose, and rights to ditch
convey such water rights, and
to be had by the local irrigation
also subject to the right of
tract and removal therefrom
to penetrate or intersect the
by law. And these conditions
to the East quarter and the
quarter of Section 15
East of the above described
ditches of canal
United States
In testimony whereof, I have hereunto set my hand
United States of America, General Land Office
Patron and
affirmed
Secretary of the Interior
Be it remembered that for and in witness whereof

The United States of America

Be it remembered that these presents shall come before the
Honorable Patented No. 1019.
Application 1987 and 2722. Whereas, Therese has been
in the Service Land Office of the United States at
the District of the Land Office at Boise City, Idaho, where
she, pursuant to the Act of Congress approved 20th May 1890,
has been engaged to assist in the Public Domain
and to supplement the claim of William Hunt in
the said land and to be commemorated, in conformity with
the Act of the said land quarter, the North West quarter of
the said land quarter and the North East quarter of the said land
quarter of Section Six in Township Five North of Range Three East
of the above described lands, containing one hundred and fifty
acres, to the official Plat of the Survey of the said land
to the General Land Office by the Surveyors General
of the said land, that there is, therefore, granted by the United States
to the said William Hunt the tract of land above described
to have and to hold the said tract of land, with the appur-
tenances thereof, unto the said William Hunt and to his he-
irs and assigns forever; subject to any vested and accreted
rights to farming, agricultural, manufacturing, or
other uses, and right to the ditches and reservoirs used in con-
nection with the said land, as may be recognized and
regulated by the local customs, laws, and decisions of courts in
the said right of the proprietor of a mine or lode in
the said land and remove his ore therefrom, should the same be
discovered or interest the premises being granted, except
by law. And there is reserved from the North West quarter of the
said land quarter and the North East quarter of the said land
quarter of Section Six in Township Five North of Range Three
East of the above described lands, as well as from the
ditches or canals constructed by the said land of the
United States.
In Testimony Whereof, I have hereunto set my hand and
the United States of America, this 10th day of June 1890,
at Boise City, Idaho, and the seal of the District of the Land Office
affixed.
Given under my hand and the seal of the District of the Land Office
at Boise City, Idaho, this 10th day of June 1890.







A63-18974
SPRING VALLEY LIVESTOCK COMPANY

WELL

POU



A63-18974
WELL AND POU



A63-18974
POU NORTH AND SOUTH OF HOUSE

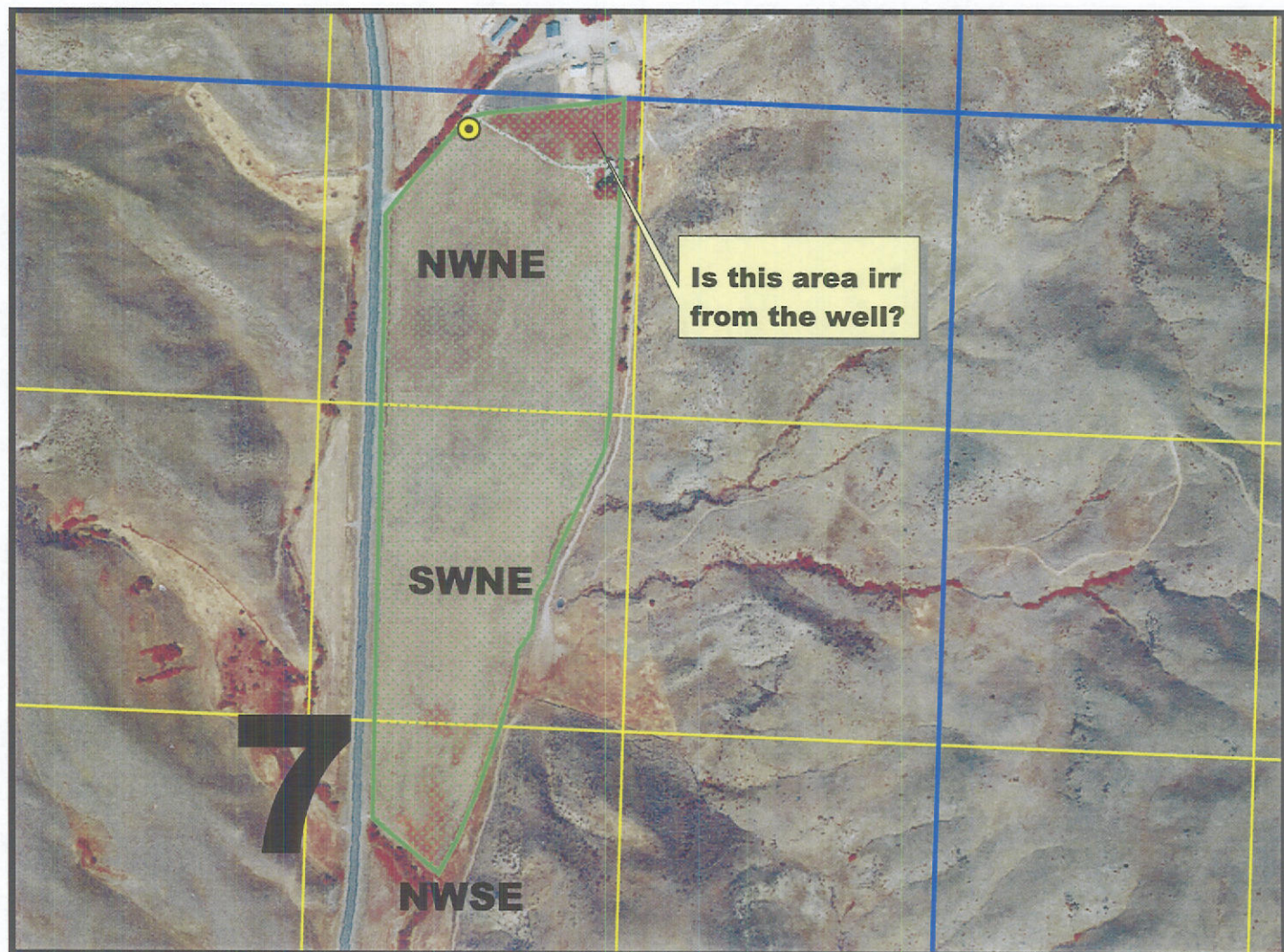


A63-18974
IRRIGATION PIPE





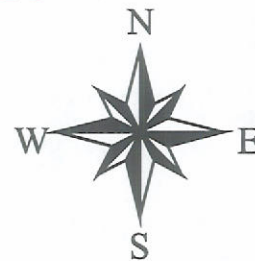
POU location Map 2000 Photography 63-18974



1320 0 1320 2640 Feet

-  Point of Diversion
-  Claimed POU
-  Ada County Tax Lot Data
-  Quarter Quarter Lines
-  Section Lines

Total claimed Acres: N/A



Prepared by: C. Saxton
Date: January 2004



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: A63-18974
Date Received: 9/18/1989
Receipt No: COLLUSU
Received By: RET

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SPRING VALLEY LIVESTOCK CO., INC. 208-286-7975
Address: P.O. BOX 9
STAR, ID 83669

2. Date of Priority: JUN 01, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	02E	7	NW	NW	NE		ADA

5. Description of diverting works:
WELL, 240' DEEP, 12" PERF. CASING, 24" HOLE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.140		

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

8. Total consumptive use is 199.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	02E	7	NW	NE		IRR	27.0
			SW	NE		IRR	24.0
			NW	SE		IRR	6.0
						Section Acres	57.0

A63-18974

Page 1

Date: 09/18/89

MICROFILMED

SEP 01 1992

10. Place of Use: Continued

Total Acres 57.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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: 1

For Organizations:

I do solemnly swear or affirm that I am Secretary, Treasurer of Spring Valley Livestock Co. Inc. that I have signed the foregoing document in the space below as Sec. Treas. of Spring Valley Livestock Co. Inc. and that the statements contained in the foregoing document are true and correct.

Verna D. Deed
Signature of Authorized Agent
Spring Valley Livestock Co. Inc.
Secretary, Treasurer
Title and Organization
9-18-89
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of September 19 89

Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994

State of Idaho
Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Spring Valley Livestock Co., Inc
Name of Claimant

P.O. Box 9
Post Office Address

Star, Id 83669
City, State, Zip Code

Ada
County(s) where Place of Use is located

Sept 8, 1989
Date Claim Originally Due

irrigation - stock - domestic
Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

There is some confusion on what I thought I must file
on - (1 well and 1 spring) and what is on file -
(appears to be more than 1 spring and no well.)

Claimant requests an extension to Sept 18, 1989.

We have an appointment
on Monday 9-18-89

Mesa M. Reed
Signature

Sec. Treasurer Spring Valley
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby
X granted denied,
and the filing deadline extended to 9/18/89, 1989.

Signed this 16 day of September, 1989.

David B. Shaw
Director or his designated agent

DAVID B. SHAW

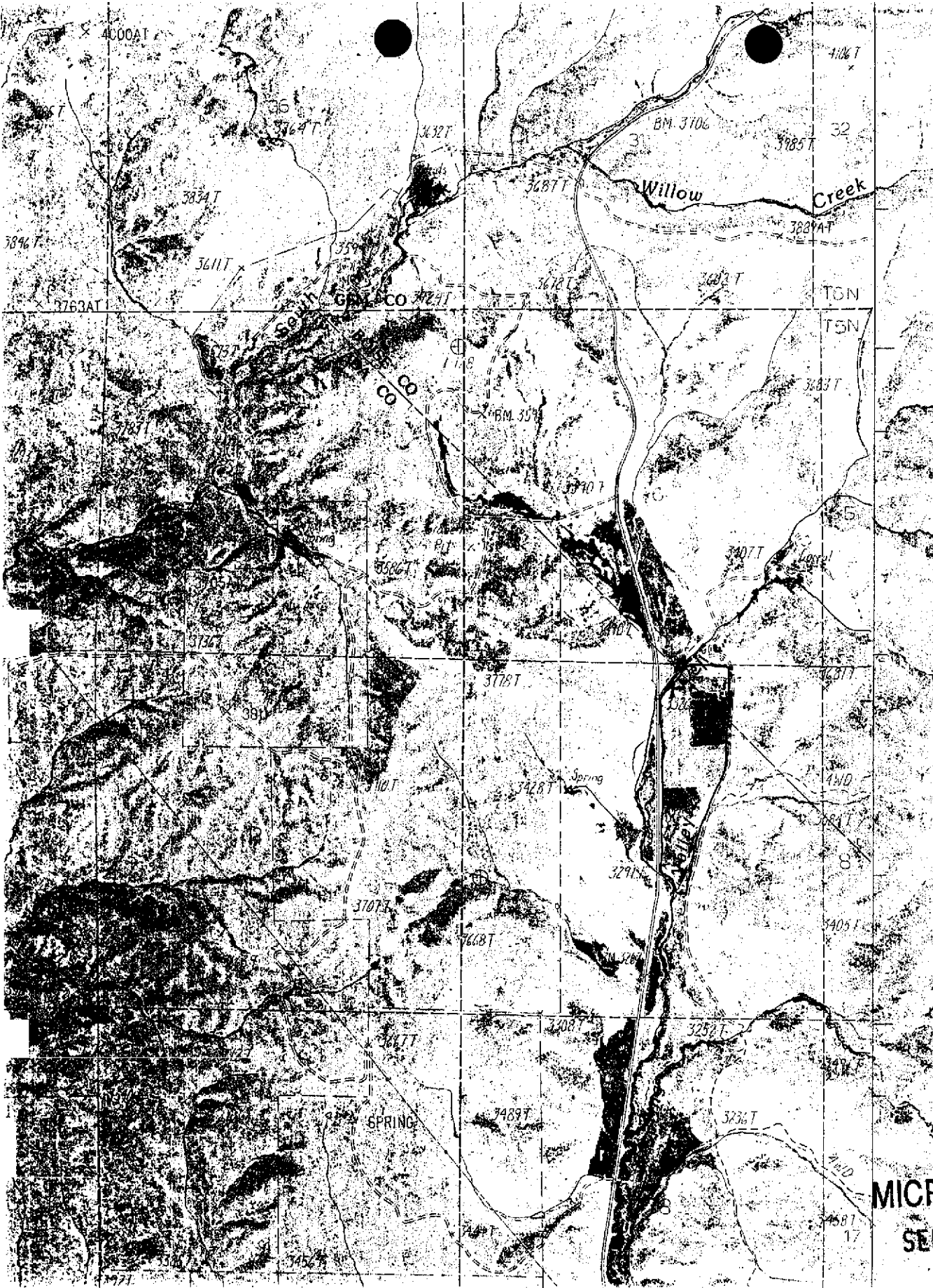
MICROFILMED

SEP 01 1992

A63-18974

T6i

T5i



MICROFILMED
SEP 01 1992

RECEIVED

APR 24 2008

DEPARTMENT OF
WATER RESOURCES

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

) A. Subcase 63-18974

(Insert water right number)

) Case No. 39576

) STANDARD FORM 1
) OBJECTION

)
Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Bob Taunton
Avimor, LLC.
Address: 485 E. Riverside Drive
Eagle, ID 83616
Daytime Phone: (208) 939-0343

Name & Address of Attorney, if any:

Albert P. Barker
Barker, Rosholt & Simpson, LLP
PO Box 2139
Boise, ID 83701

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Spring Valley Livestock Co Inc.
Address: PO Box 9
Star, ID 83669

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ **Name and Address**
Should be: Avimor, LLC., 485 E. Riverside Drive, Eagle, ID 83616
2. ☒ **Source**
Should be: Groundwater
3. ☒ **Quantity**
Should be: 1.14
4. ☒ **Priority Date**
Should be: 1958
5. ☒ **Point of Diversion**
Should be: Groundwater NWNWNE § 7 T5NR2E
6. ☐ **Instream Flow Beginning and Ending Point**
Should be:
7. ☒ **Purpose(s) of Use**
Should be: Irrigation
8. ☒ **Period of Year**
Should be: 4/15 to 10/15
9. ☒ **Place of Use**
Should be: T5NR2E § 7 NWNWNE 27 acres, NWSE 6 acres, SWNE 24 acres
10. ☒ **I object because:**
 - ☐ This water right Should not exist.
 - ☒ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S):

See attached Memorandum and Affidavits of Mike Wardle and Eldon "Red" Ward.

F. VERIFICATION (must be completed)

State of IDAHO)
)ss.
County of ADA)

ALBERT P. BARKER, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

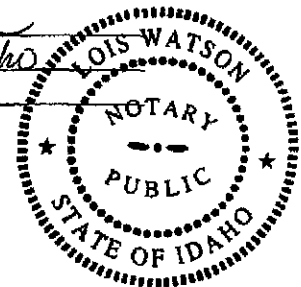
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and(6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Albert P. Barker
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: April 20, 2006

Notary Public for Lois Watson
Residing at: Ada County, Idaho
My Commission Expires: 12/08



INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on the 20 of April, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

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 the claimant of the water right at the following address:

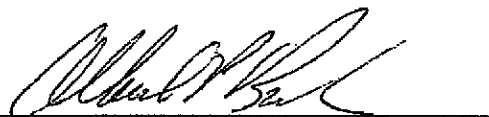
Name: Spring Valley Livestock Co Inc.
Address: PO Box 9
Star, ID 83669

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449



Signature of objector or attorney
mailing on Objector's behalf

Albert P. Barker, ISB #2867
Paul L. Arrington, ISB #7198
BARKER ROSHOLT & SIMPSON LLP
205 North Tenth St., Suite 520
P.O. Box 2139
Boise, Idaho 83701-2139
Telephone: (208) 336-0700
Facsimile: (208) 344-6034

Attorneys for Avimor, LLC

**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

Case No. 39576

)
) Subcase No. 63-18974
)
)
) **AVIMOR, LLC'S MEMORANDUM**
) **IN SUPPORT OF OBJECTION**
)
)

COMES NOW, Avimor, LLC, by and through its attorneys of record, Barker, Rosholt & Simpson, LLP, and hereby enters this MEMORANDUM IN SUPPORT OF OBJECTION. In its recommendations for water right claim no. 63-18974, the Department of Water Resources (hereinafter "Department") recommended that the water right be disallowed because it did not have evidence of beneficial use prior to 1964. However, given that the well was drilled and used beginning in 1958, this recommendation is wrong.

STATEMENT OF FACTS

The Spring Valley Livestock Co., Inc. (hereinafter "SVLC") filed a claim for water right no. 63-18974 seeking 1.14 cfs of ground water for irrigation with a priority date of June 1, 1948. The SVLC was owned and operated by the McLeod family since Colin McLeod purchased the property in 1916. *See Affidavit of Michael D. Wardle*. Exs. A & B. SVLC is the predecessor in interest to Avimor, LLC of the Spring Valley Ranch – the land in question. However, after

asserting insufficient proof of beneficial use prior to 1964, the Department recommended the water right be disallowed since, in 1964, a permit would be required for ground water. Yet, a history of the area shows that the well was actually drilled in 1958.

On October 4, 1916, Colin McLeod and W.J. Hodgson acquired the following property: (1) the east ½ of each of the SW¼, Section 6, the NW¼ and SW¼ of Section 7, and the NW¼ and SW¼ of Section 18; (2) the SW¼ SW ¼ of Section 6; and (3) the west ½ of each of the NE¼ and SE¼ of Section 7, and the NE¼ and SE¼ of Section 18 – all in Township 5N of Range 2E. *See Id.* at Ex. A; *see also Id.* at Ex. B (wherein Colin McLeod acquired W.J. Hodgson's interest in the property on November 16, 1917). Thereafter, the McLeod family ran the SVLC for until it was purchased by Avimor, LLC, in 2003.

Throughout the years, the McLeod's had a number of ranch managers who became personally familiar with the property's surface and ground water irrigation system. Eldon "Red" Ward worked on the Spring Valley Ranch as a farm worker and/or manager from 1945 through 1977. *See Affidavit of Eldon "Red" Ward.* Ward recalls that the well was initially drilled in 1958 with the assistance of B&M Equipment Company from Caldwell. *Id.* The water was pumped from the well with a turbine pump that fed into a tank. *Id.* From there, the water was pumped through sprinklers using a centrifugal pump. *Id.* Water from the well was used to irrigate "the field south of the old house and barn, and west of the current rang manager's house." *Id.*

ARGUMENT

I. Since the Well was Drilled and Used Beginning for the Irrigation Season in 1958, the Department's recommendation is incorrect.

The recommendation that water right 63-18974 be disallowed should be rejected. The priority date will be set at the date that a claimant shows that the water was first diverted and

placed to a beneficial use. See I.C. § 42-106; *Rabido v. Furey*, 33 Idaho 56, 190 P. 73 (1920).

This right should have a priority date of March 1, 1958.

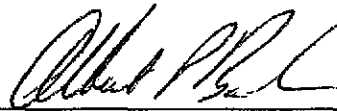
Relying on a 1964 aerial photograph, the Department incorrectly determined that water right 62-18974 was not appropriated prior to 1963. After operating the Spring Valley Ranch for over 40-years, the McLeods decided that more water would be necessary to irrigate certain portions of their property. *Ward Aff.* Therefore, in 1958, the B&M Equipment Company, of Caldwell, was hired to assist in the drilling of a 10-12 inch well 350 foot deep to irrigate “the field south of the old house and barn, and west of the current rang manager’s house.” *Id.* The water was used in that irrigation season and was pumped with a turbine pump, collected in a tank, then pumped with a centrifugal pump to the sprinklers. *Id.* Since the well was drilled, and has been used, since 1958, the priority date for water right 63-18974 should be March 1, 1958.

CONCLUSION

The well used to divert water for water right 63-18974 was originally drilled in 1958. It has been used since that time. As such, this water right should be allowed with a priority date of March 1, 1958.

Dated this 20th day of April, 2006.

BARKER ROSHOLT & SIMPSON, LLP



Albert P. Barker

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of April, 2006, I served a true and correct copy of the foregoing AVIMOR, LLC'S MEMORANDUM IN SUPPORT OF OBJECTION on the person(s) listed below, in the manner indicated

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

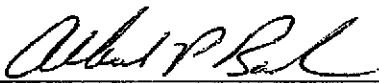
☒ U.S. Mail, Postage Prepaid
☐ Hand Delivery
☐ Overnight Mail
☐ Facsimile
☐ Email

United States Department of Justice
Environmental & Nat'l Resources Div.
550 W. Fort Street, MSC 033
Boise, ID 83724

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivery
☐ Overnight Mail
☐ Facsimile
☐ Email

Chief, Natural Resources Division
Office of Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivery
☐ Overnight Mail
☐ Facsimile
☐ Email



Albert P. Barker

Albert P. Barker, ISB #2867
Paul L. Arrington, ISB #7198
BARKER ROSHOLT & SIMPSON LLP
205 North Tenth St., Suite 520
P.O. Box 2139
Boise, Idaho 83701-2139
Telephone: (208) 336-0700
Facsimile: (208) 344-6034

Attorneys for Avimor, LLC

**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

Case No. 39576

)
) Subcase Nos. 63-5386, 63-5287 & 63-
) 18974
)
) **AFFIDAVIT OF MICHAEL D.**
) **WARDLE IN SUPPORT OF**
) **AVIMOR, LLC'S MEMORANDUM**
) **IN SUPPORT OF OBJECTION**
)

COMES NOW, MICHAEL D. WARDLE, being first duly sworn upon oath and states as follows:

1. I am the Vice President, Planning and Governmental Affairs for Avimor, LLC. The exhibits attached hereto are from the files and records maintained by Avimor in relation to the Spring Valley Ranch property.
2. Attached hereto as Exhibit A is a true and correct copy of an Indenture dated October 4, 1916, wherein Colin McLeod and W.J. Hodgson first acquired property in the Spring Valley Ranch – specifically, (1) the east ½ of each of the SW¼, Section 6, the NW¼ and SW¼ of Section 7, and the NW¼ and SW¼ of Section 18; (2) the SW¼ SW ¼ of Section 6; and (3) the west ½ of each of the NE¼ and SE¼ of Section 7, and the NE¼ and SE¼ of Section 18 – all in Township 5N of Range 2E. The Indenture also conveys “all

irrigation ditches or laterals or water rights therein belonging or in any wise appertaining thereto," suggesting that water rights had been obtained by the time of transfer.

3. Attached hereto as Exhibit B is a true and correct copy of an Indenture dated November 16, 1917, wherein Colin McLeod acquired W.J. Hodgson's interest in the Spring Valley Ranch. This Indenture also conveyed "all irrigation ditches or laterals or water rights therein or belonging in any wise appertaining thereto," suggesting that water rights had been obtained by the time of transfer.
4. Attached hereto as Exhibit C is a true and correct copy of an Indenture dated December 10, 1883, and a United States Land Patent Certificate dated May 15, 1884, wherein Llewellyn Argabright acquired the east ½ of the NW ¼ and the west ½ of the NE ¼ of Section 18, Township 5N, Range 2E (containing 160 acres).
5. Attached hereto as Exhibit D is a true and correct copy of an excerpt from "Ada County Historic Resources: A Reconnaissance Survey," dated August 1989 and prepared by Belinda Davis/Barbara Perry Bauer and the Ada County Development Services Department for the Ada County Historic Preservation Council. This excerpt describes the Spring Valley Ranch area in the 1890s.
6. Attached hereto as Exhibit E is a true and correct copy of the United States Geological Services Map of 1897 showing the community of Howell (which was located where Spring Valley Ranch is now located). A portion of the land that became the Spring Valley Ranch was originally patented by Eliza Howell. That land is immediately adjacent to the land patented by Hurt in Spring Valley.

7. Attached hereto as Exhibit F is a true and correct copy of an Indenture dated April 23, 1889, wherein Llewellyn Argabright acquired the east ½ of the SW¼ and the west ½ of the SE¼ of Section 18, Township 5N, Range 2E.
8. Attached hereto as Exhibit G is a true and correct copy of an Indenture and a Homestead Certificate, each dated September 13, 1890, wherein Charles Hurt acquired the SE¼ of the NW¼ and the west ½ of the NE¼ of Section 7, and the SW¼ SE¼ of Section 6, Township 5N, Range 2E.
9. Attached hereto as Exhibit H is a true and correct copy of a United States Land Patent Certificate dated January 07, 1896, wherein William Hurt acquired the east ½ of the SE ¼, the NW ¼ of the SE ¼, and the NE ¼ of the SW ¼ of Section 6, Township 5N, Range 2E.
10. The Spring Valley property originally patented by Argabright, Hurt and Howell all passed to McLeod through the transactions set out in Exhibits A & B hereto.
11. On or about July 27, 2003, the Spring Valley Ranch property and all appurtenant water rights were transferred from McLeod to First American Title in trust for SunCor Idaho, LLC.
12. On or about March 7, 2006 SunCor Idaho, LLC filed articles of amendment changing its name to Avimor, LLC. A true and correct copy of the articles of amendment are attached hereto as Exhibit I.

DATED THIS 20th day of April, 2006.

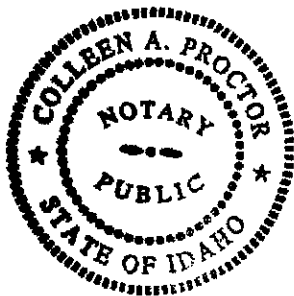


Michael D. Wardle

STATE OF IDAHO)
) ss.
County of Ada)

On this 20th day of April, 2006, before me, a Notary Public for said County and State, personally appeared **MICHAEL D. WARDLE**, known or identified to me, to be the person whose name is subscribed to the within 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 in this certificate first above written.



Colleen A. Proctor
NOTARY PUBLIC FOR IDAHO
Residing at: Boise, Idaho
My commission expires: 8-15-09

CERTIFICATE OF SERVICE

I hereby certify that on the 20 day of April, 2006, I served a true and correct copy of the foregoing AFFIDAVIT OF MICHAEL D. WARDLE IN SUPPORT OF AVIMOR, LLC'S MEMORANDUM IN SUPPORT OF OBJECTION on the person(s) listed below, in the manner indicated

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

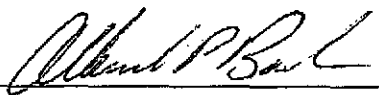
☒ U.S. Mail, Postage Prepaid
☐ Hand Delivery
☐ Overnight Mail
☐ Facsimile
☐ Email

United States Department of Justice
Environmental & Nat'l Resources Div.
550 W. Fort Street, MSC 033
Boise, ID 83724

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivery
☐ Overnight Mail
☐ Facsimile
☐ Email

Chief, Natural Resources Division
Office of Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivery
☐ Overnight Mail
☐ Facsimile
☐ Email



Albert P. Barker



This Indenture, Made this Fourth day of October

in the year of our Lord one thousand nine hundred and sixteen between

W. C. Cleveland and Nettie J. Cleveland, husband and wife
John Archibald and Benedicta Archibald, husband and wife

of Boise County of Idaho State of Idaho
 the parties of the first part, and

McLeod and Hodgson
(Colin McLeod and W. J. Hodgson)

of Caldwell County of Canyon State of Idaho
 the parties of the second part,

Witnesseth, That the said parties of the first part, for and in consideration of the sum of One dollar and other good and valuable considerations Dollars, lawful money of the United States of America, to them in hand paid, by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all the following described real estate, situated in Idaho County, State of Idaho, to-wit:

The Lots numbered two (2) and three (3), the southwest quarter of northwest quarter (S.W. 1/4 of N.W. 1/4), the north one half of southwest quarter (N. 1/2 of S.W. 1/4), the southwest quarter of southwest quarter (S.W. 1/4 of S.W. 1/4) of section one (1), the south one half of section two (2), the southeast quarter of southwest quarter (S.E. 1/4 of S.W. 1/4) of section eleven (11), the southwest quarter of southeast quarter (S.W. 1/4 of S.E. 1/4) of section fourteen (14) all in township five (5) north range one (1) east of Boise Meridian. Area six hundred forty (640) acres according to Government Survey, some being more or less.

Also the southwest quarter (S.W. 1/4) southeast quarter (S.E. 1/4) and east half of southwest quarter (E. 1/2 of S.W. 1/4) of section six (6), the west half of northeast quarter (W. 1/2 of N.E. 1/4) the east half of northwest quarter (E. 1/2 of N.W. 1/4), the west half of southeast quarter (W. 1/2 of S.E. 1/4) and east half of southwest quarter (E. 1/2 of S.W. 1/4) of section seven (7), the west half of northeast quarter (W. 1/2 of N.E. 1/4), the east half of northwest quarter (E. 1/2 of N.W. 1/4), the west half of southeast quarter (W. 1/2 of S.E. 1/4) and east half of southwest quarter (E. 1/2 of S.W. 1/4) of section eighteen (18), all in township five (5) north, range two (2) east of Boise Meridian. Area seven hundred sixty (760) acres according to Government Survey.

(The southwest quarter of southeast quarter (S.W. 1/4 of S.E. 1/4) and northeast quarter of southwest quarter (N.E. 1/4 of S.W. 1/4) of section six (6), township five (5) north, range two (2) east of Boise Meridian are situate in both Ida and Boise counties.)

Together with all irrigation ditches or laterals or water rights therein belonging or in any wise appertaining thereto.

In Witness Whereof, The said parties of the first part have hereunto set their hands and seal on the day and year first above written.

Signed, Sealed and Delivered in the Presence of

W. F. Canfield

W. C. Cleveland

Nettie J. Cleveland

John Archabal

Benedicta Archabal



State of Idaho,

County of Ada ss.

On this 10th day of October in the year 1916, before me,

W. F. Canfield

Notary Public

in and for said County, personally appeared W. C. Cleveland and Nettie J. Cleveland, husband and wife, and John Archabal and Benedicta Archabal, husband and wife. known to me to be the persons whose names subscribed to the within instrument, and acknowledged to me that they executed the same.

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

W. F. Canfield

Notary Public for Idaho residing at Boise, Idaho.

B

This Indenture, Made this sixteenth day of November

in the year of our Lord one thousand nine hundred and seventeen between

W. J. Hodgson

of Caldwell County of Canyon State of Idaho

the part of the first part, and Colin McLeod

of Caldwell County of Canyon State of Idaho

the part V. of the second part,

Witnesseth, That the said part of the first part, for and in consideration of the sum of Forty-three thousand six hundred twenty-eight \$ 86/100 (\$43628.86 Dollars,
lawful money of the United States of America, to have in hand paid by the said part V.
of the second part, the receipt whereof is hereby acknowledged, ha ve granted, bargained, sold and
conveyed, and by these presents do grant, bargain, sell and convey unto the said part V. of the
second part, and to his heirs and assigns forever, all those
piece s or parcel s of land situate, lying and being in
County of Ada and State of Idaho, and particularly described as follows, to wit:

The Lots numbered Two (2) and Three (3), the Southeast
quarter of Northwest quarter (SE $\frac{1}{4}$ of NW $\frac{1}{4}$), the North one-half of
Southwest quarter (N $\frac{1}{2}$ of SW $\frac{1}{4}$), the Southwest quarter of Southwest
quarter (SW $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section One (1), the South half of Section
Two (2), the Southeast quarter of Southwest quarter (SE $\frac{1}{4}$ of SW $\frac{1}{4}$)
of Section Eleven (11), the Southwest quarter of Southeast quarter
(SW $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section Fourteen (14), all in Township Five (5)
North Range One (1) East of Boise Meridian. Area six hundred forty
(640) acres according to Government Survey, the same being more or less.

Also the Southwest quarter (SW $\frac{1}{4}$) Southeast quarter (SE $\frac{1}{4}$)
and East half of Southwest quarter (E $\frac{1}{2}$ of SW $\frac{1}{4}$) of Section Six (6)
the West half of Northeast quarter (W $\frac{1}{2}$ of NE $\frac{1}{4}$) the East half of
Northwest quarter (E $\frac{1}{2}$ of NW $\frac{1}{4}$), the West half of Southeast quarter
(W $\frac{1}{2}$ of SE $\frac{1}{4}$) and East half of Southwest quarter of Section Seven (7)
the West half of Northeast quarter (W $\frac{1}{2}$ of NE $\frac{1}{4}$), the East half of
Northwest quarter (E $\frac{1}{2}$ of NW $\frac{1}{4}$), the West half of Southeast quarter
(W $\frac{1}{2}$ of SE $\frac{1}{4}$) and East half of Southwest quarter (E $\frac{1}{2}$ of SW $\frac{1}{4}$) of
Section Eighteen (18), all in Township Five (5) North Range Two (2)
East of Boise Meridian. Area seven hundred sixty (760) acres
according to Government Survey.

(The Southwest quarter of the Southeast quarter (SW $\frac{1}{4}$ of SE $\frac{1}{4}$)
and the Northeast quarter of Southwest quarter (NE $\frac{1}{4}$ of SW $\frac{1}{4}$) of
Section Six (6), Township Five (5) North Range Two East of Boise
Meridian are situate in both Ada and Boise counties.)

Together with all irrigation ditches or laterals or
water rights therein belonging or in any wise appertaining thereto.

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or
in anywise appertaining.

This Grant is intended as a Mortgage to secure the payment of one
certain promissory note..... of even date herewith, executed and delivered by the said

W. J. Hodgson

..... to the said part y.. of the second part, which
note, is in words and figures following, to wit:

\$ 43628.86

Caldwell, Idaho, November 16, 1917

One year after date, I, we, or either of us, promise to pay to

Golin McLeod or order.

Forty-three thousand six hundred twenty-eight & 86/100 dollars.

For value received, negotiable and payable at FIRST NATIONAL BANK, of Caldwell, Idaho, in Gold Coin of the United States of America, with interest at the rate of eight per cent. per annum from date, and a reasonable attorney's fee in case this note, or any part thereof, is collected by an attorney, either with or without suit. If this note is not paid at maturity it shall thereafter bear interest at the rate of twelve per cent. per annum until paid, both before and after judgment. All makers and endorsers of this note each hereby expressly waive demand, notice of non-payment and protest, and guarantee the payment of this note at maturity or at any time thereafter.

No. W. J. Hodgson

Due Nov. 16, 1918

P. O. Caldwell, Idaho 9/23 M. R. S. Caldwell

And these Presents shall be Void if such payment..... be made. But in case default shall be made in the payment of said principal sum..... of money or any part thereof as provided in said note....., or if the interest be not paid as therein specified, then and from thenceforth it shall be optional with the said part y.. of the second part, ... h. is. executors, administrators or assigns, to consider the whole of said principal sum..... expressed in said note..... as immediately due and payable, although the time expressed in said note..... for the payment thereof shall not have arrived; and immediately to enter into and upon all and singular the above described premises, and to sell and dispose of the same

15

Argabright
to
Stull

This Indenture, Made the 10th day of December in the year of our Lord one thousand eight hundred and eighty three, Between Llewellyn Argabright of the County of Ada, Territory of Idaho party of the first part and W. H. Stull of same County the party of the second part, Witnesseth, That the said party of first part for and in consideration of the sum of two thousand one hundred and fifty dollars, lawful money of the United States of America to him in hand paid by the said party of the second part the receipt whereof is hereby acknowledged, does by these presents grant, bargain and sell, convey and confirm unto the said party of the second part and to his heirs and assigns forever, all those certain lots and parcels of land situate lying and being in the County of Ada, Territory of Idaho and bounded and particularly described as follows, to wit:

The east half of the North west quarter and the West half of the North east quarter of Section numbered Eighteen (18) in Township numbered Five (5) North of Range numbered Two (2) East. Containing one hundred and sixty (160) acres.

Together with all and singular the tenements hereditaments and appurtenances thereto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

To Have and to Hold, all and singular, the said premises, together with the appurtenances unto the said party of the second part and to his heirs and assigns forever.

In Witness Whereof, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed sealed & delivered
in the presence of
John S. Gray.

L. H. Argabright

Seal

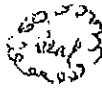
Territory of Idaho
County of Ada

On this Tenth day of December A. D. one thousand eight hundred and eighty three personally appeared before me John S. Gray a Notary Public in and for the County of Ada Llewellyn Argabright

5 960

whose name is subscribed to the annexed instrument as a party thereto personally known to me to be the same person described in and who executed the said annexed instrument as a party thereto and the said Hewellyn Ayabright duly acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes therein mentioned.

In Witness Whereof, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



John S. Gray
Notary Public

Recorded at the request of John M. Lamb Dec 29th 1893.
at 25 minutes past 4 o'clock P.M.

B. S. Brickett
Recorder

The United States of America,

To all to whom these presents shall come, Greeting:

CERTIFICATE

No. 604

Territory

~~Whereas~~ *Llewellyn Argabright of Ada County Idaho*

has deposited on the General Land Office of the United States a Certificate of the Register of the Land Office at Boise City, Idaho Territory, whereby it appears that full payment has been made by the said *Llewellyn Argabright*

according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for the sale of the Public Lands," and the acts supplemental thereto for the east half of the north-west quarter and the west half of the north-east quarter of section eighteen in township five north of range two east of Boise Meridian in Idaho Territory, containing one hundred and sixty acres

according to the Official Map of the Territory of the said Lands, returned to the General Land Office by the Surveyor General, which said Tract had been purchased by the said *Llewellyn Argabright*

Now know ye, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, have given and granted, and by these presents do give and grant unto the said *Llewellyn Argabright*

and to his heirs, the said Tract above described, To have and to hold the same, together with all the rights, privileges, commodities, and appurtenances, of whatsoever nature, thereto belonging, unto the said *Llewellyn Argabright*

and to his heirs and assigns forever, subject to any vested and unvested water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

In testimony whereof, *Leicester A. Arthur* President of the United States of America, has caused these letters to be signed, sealed, and the Seal of the General Land Office to be hereunto affixed.

CERTIFIED

to be a true copy of a document on file in the Idaho State Office

MAR 03 2004

BUREAU OF LAND MANAGEMENT

Given under my hand, at the City of Washington, the *fifteenth* day of *May*, in the year of our Lord, one thousand eight hundred and *eighty-four*, and of the Independence of the United States the one hundred and *eighty*

BY THE PRESIDENT

Leicester A. Arthur

S. W. Clark

Recorder of the General Land Office.

Secretary

P

ADA COUNTY HISTORIC RESOURCES: A RECONNAISSANCE SURVEY

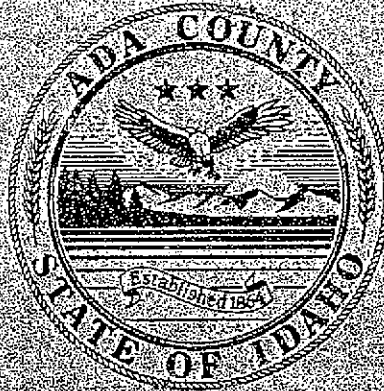


PREPARED BY BELINDA DAVIS/BARBARA PERRY BAUER, CONSULTANTS
AND THE ADA COUNTY DEVELOPMENT SERVICES DEPARTMENT

FOR THE ADA COUNTY HISTORIC PRESERVATION COUNCIL

MADE POSSIBLE BY A CERTIFIED LOCAL GOVERNMENT GRANT FROM THE NATIONAL PARK SERVICE,
DEPARTMENT OF THE INTERIOR, THROUGH THE IDAHO STATE HISTORIC PRESERVATION OFFICE

August 1989



BOARD OF ADA COUNTY COMMISSIONERS

Vernon L. Bisterfeldt, Chairman
Michael L. Johnson
Judy M. Peavey

ADA COUNTY HISTORIC PRESERVATION COUNCIL

Robert W. Alaridge, Chairman
John R. Crowe, Vice-Chairman
David Baghard
Janet Harrison Carver
Dan M. Magleby

There were not many properties located around the Dry Creek area, but Dry Creek is a unique area where a small farming community was once located. Two properties inventoried there are the Pedro Echanove house, a National pyramidal-styled structure (Field No. 48) constructed of quarried stone and the Sam Goldbloom house, a National-style farmhouse (Field No. 50).

The Spring Valley Ranch (Field No.'s 32-34) area located on the northern edge of the county apparently was a thriving community (once known as Howell) boasting a general store, blacksmith shop and post office. Remnants of an old road which extended to Pearl are still visible to the east of the main house. Both Howell and the road appear on an 1890 map of the area. The ranch currently exists of a massive gabled barn constructed with hewn joints and wooden pegs and a well preserved folk Victorian house. Portions of this ranch also lie within Boise County.

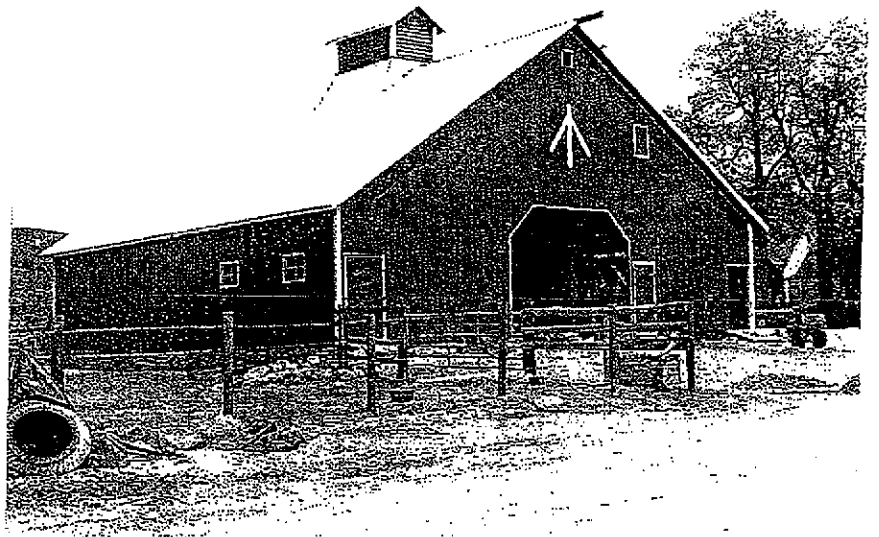
The aforementioned areas, in addition to others not mentioned here, do have potential historical value and could best be approached by first researching documents to determine what types of sites are likely to occur and following up with a pedestrian survey.

Under the present Phase II Reconnaissance Survey, eleven sites were determined to be eligible for listing in the National Register of Historic Places. They are: 1) Dallas Forrey Lava Rock Structure (Field No. 37), 2) Delbert McFarland House (Field No. 70), 3) Linder Road National House with turned posts (Field No. 70), 4) Craftsman House with wagon wheels (Field No. 79), 5) Ustick Road Prairie House with pine trees (Field No. 100), 6) White Cross School (Field No. 112), 7) John D. Turnball House (Field No. 127), 8) Cosgrove House (Field No. 146), 9) Herridge House (Field No. 159), 10) Star Depot (Field No. 159), and 11) Hipped Roof Craftsman House (Field No. 63). Eighteen sites were determined to be not eligible for listing and 116 sites remain unevaluated. These figures do not include the re-recording of sites reviewed during Phase I of the project.

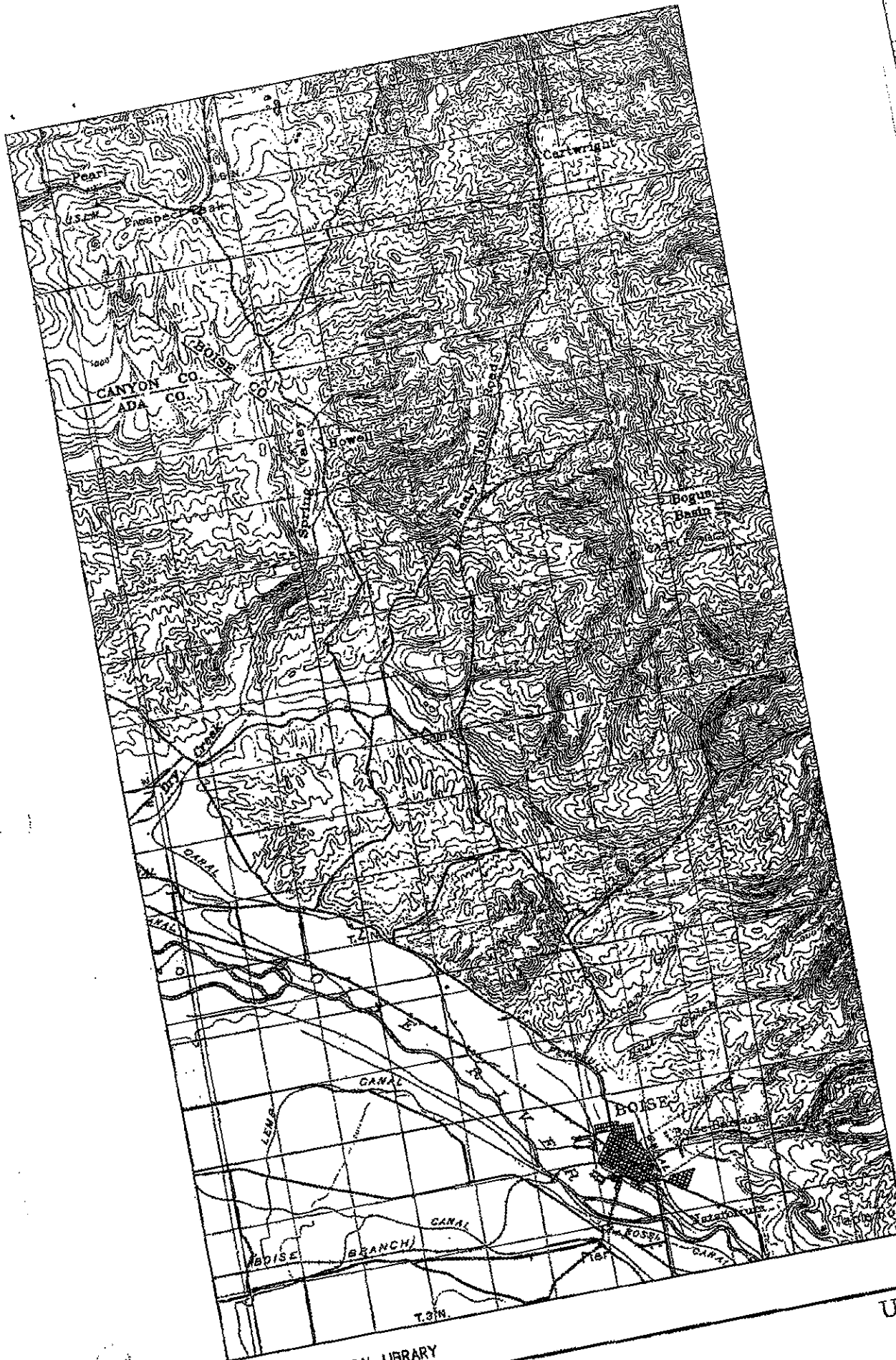
The consultants recommend that the eleven sites mentioned above should undergo further research in order to more fully document their historic significance in terms of the National Register criteria.

There are some areas where architectural properties were not found. The area south of Kuna-Mora Road and west of Swan Falls Road to the county line did not produce any areas of architectural significance. Also, the area between South Cloverdale Road east to I-84 did not produce many architectural structures. These areas consist mainly of rangelands with few or no amenities to attract settlement. Since no significant architectural properties were identified, these areas should be removed from further consideration of such properties. On the other hand, in future Ada County studies it is recommended that a field inspection be conducted specifically to identify archaeological and historical sites which may be within Ada County's jurisdiction. Suggested areas in the Ada County Reconnaissance Survey area south of Kuna and the undeveloped lands comprising the eastern and northern edges of the county.





E



AVIMOR™

Not To Scale
Figure 4

USGS Map of 1897

SOURCE: IDAHO STATE HISTORICAL LIBRARY

A SunCor Planned Community

17

Argabright. This Indenture, made the 23^d day of April in the year of our Lord
 William King one thousand eight hundred and eighty nine Between Clewellyn Argabright
 and his wife Belle Argabright his wife of Spring Valley Ada County Idaho
 Territory of the first part and Benjamin William of same County and Territory
 the parties of the second part Witnesseth: That the said parties of the first part have
 in consideration of the sum of Eight Hundred dollars lawful money of the
 United States of America, to them in hand paid by the parties of the
 second part, the receipt whereof is hereby acknowledged, do by these
 presents grant, bargain, sell, convey and confirm unto the said
 parties of the second part, and to their heirs and assigns forever all that
 piece and parcel of land situate and being in the County of Ada
 and Territory of Idaho, bounded and described as follows to wit:
 The East half (1/2) of the Southwest Quarter (1/4) and the West half (1/2) of
 the Southeast Quarter (1/4) of Section Eighteen in Township Five
 North of Range Two (2) East of Boise Meridian in Idaho Territory
 containing one hundred and fifty acres according to the Official
 Plat of the Survey of the said lands returned to the General Land Of-
 fice by the Surveyor General. Together with all and singular the
 tenements hereditaments and appurtenances thereto belonging or in any
 wise appertaining, and the rents, issues and profits thereof. To have and to
 hold, all and singular the above mentioned and described premises together
 with the appurtenances unto the said parties of the second part and
 to their heirs and assigns forever. And the said parties of the first part and
 their heirs, the said premises in the quiet and peaceable possession
 of the said parties of the second part their heirs and assigns, against the
 said parties of the first part, and their heirs, and against all and every
 person and persons whomsoever, lawfully claiming or to claim
 the same, shall and will warrant and by these presents forever defend
 In Witness Whereof, the said parties of the first part have here-
 unto set their hands and seals the day and year first above written
 signed, sealed, and delivered in the Presence of
 of S. B. Mason
 Chas. Thurman
 Clewellyn Argabright
 Belle Argabright

Territory of Idaho

County of Ada

} On this 23rd day of April in the
year one thousand eight hundred and eighty nine before me S.B.
Quinn County Recorder, in and for said County of Ada personally
appeared Llewellyn Argabright personally known to me
to be the person who is described in, and whose name is subscribed
to the within instrument and acknowledged to me that he executed
the same also, at the same time and place appeared before me
Belle Argabright wife of Llewellyn Argabright known to
me to be the person described in, and whose name is subscribed
to the within instrument, described as a married woman; and
upon examination, without the hearing of her husband, I made
her acquainted with the contents of the instrument, and there-
upon she acknowledged to me that she executed the same, and
that she does not wish to retract such execution In Witness
Whereof, I have hereunto set my hand and affixed my official
seal, the day and year last above written.

S.B. Quinn

County Recorder.

Recorded at request of S. W. Williams Apr. 24th 1889 at 10 A.M.

S.B. Quinn

Recorder

5

Here Charles Hurt and Phoebe Hurt, his wife of Ada County, Idaho,
 parties of the first part, and William Howell, Sanford W. Carhart
 and Almon M. White of Ada County, Idaho, the parties of the
 second part, Witnesseth, That the said parties of the first part,
 for and in consideration of Twentyseven hundred & fifty Dollars
 lawful money of the United States of America, to them in hand
 paid by the said parties of the second part, the receipt whereof is
 hereby acknowledged, have granted, bargained and sold and by
 these presents do grant, bargain, sell, convey and confirm unto the
 said parties of the second part, and to their heirs and assigns forever
 all the following described real estate, to wit: The Southeast quarter
 of the Northwest quarter, and the West half of the Northwest quarter
 of Section Seven, and the Southwest quarter of the Southeast
 quarter of Section Six in Township five North of Range Two East of
 Boise Meridian, situate, lying and being in Ada and Boise Counties
 in the State of Idaho, and containing one hundred and sixty
 acres, also all right, title and interest in and to all springs,
 water ditches, reservoirs and streams, which the said parties of
 the first part have used for the irrigation of said lands
 and for home or domestic purposes.
 Together with all and singular the tenements, hereditaments and
 appurtenances thereto belonging or in anywise appertaining, and
 the reversion and reversions, remainder and remainders, rents, issues
 and profits thereof and also all estate, right, title, interest in and
 to the said property, possession, claim and demand whatsoever,
 as well in law as in equity, of the said parties of the first part,
 of in or to the said premises, and every part and parcel thereof,
 with the appurtenances, to have and to hold, all and singular
 the above mentioned and described premises, together with the
 appurtenances, unto the parties of the second part, and to their
 heirs and assigns forever. And the said parties of the first
 part, and their heirs, the said premises in the quiet and peace-
 able possession of the said parties of the second part, their heirs
 and assigns against the said parties of the first part and their
 heirs and against all and every person and persons whatsoever,
 lawfully claiming or to claim the same shall and will

now and by these presents forever defend.
In Witness Whereof the said parties of the first part have hereunto set their
hands and seals the day of the year first above written.

Signed Sealed and Delivered in the presence of

Charles Hunt

Seal

T. D. Cahalan

Phoebe Hunt

Seal

State of Idaho

County of Ada

On this 13th day of September 1890, before me, Chas A. Clark
a Notary Public in and for said County, personally appeared Charles Hunt
and Phoebe Hunt, his wife, known to be the persons whose names
are subscribed to the within instrument, and acknowledged to me that
they executed the same, and the said Phoebe Hunt, above described as
a married woman, upon an examination without the hearing of her
husband, I made her acquainted with the contents of the instrument
and thereupon she acknowledged to me that she executed the same
and that she does not wish to retract such execution, In testimony Whereof
I have hereunto set my hand and official seal on this day
of Seal and year in this certificate above written.

Chas. A. Clark

Notary Public

Recorded at request of Wm. Howell Sept. 13th 1890 at 40 min past 4 P. M.

S. B. Mann

Recorder

Amended certificate
No. 413
Application 111

The United States of America, To all to whom these presents shall come, Greeting; Whereas there has been deposited in the General Land Office of the United States, a Certificate of the Register of the Land Office at Boise City, Idaho Territory, whereby it appears that, pursuant to the Act of Congress approved 20th May, 1862, "To secure Homesteads to Actual Settlers on the Public Domain"; and the acts supplemental thereto, the claim of Charles Hunt has been established and duly consummated for conformity to law, for the Southeast quarter of the Northwest quarter and the West half of the Northeast quarter of Section Seven and the Southwest quarter of the Southeast quarter of Section Six, in Township Five North of Range Two East of Boise Meridian, in Idaho Territory, containing one hundred and sixty acres according to the Official Plat of the Survey of the said land returned to the General Land Office by the Surveyor General; Now know Ye, that there is, therefore, granted by the United States unto the said Charles Hunt the tract of land above described, To have and to hold the said tract of land, with the appurtenances thereof, unto the said Charles Hunt and to his heirs and assigns forever, subject to any created and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted as provided by law.

In testimony Whereof, I, Grover Cleveland, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the twentieth day of March, in the year of our Lord one thousand eight hundred and eighty-six, and of the Independence of the United States the one hundred and tenth.

Seal

By the President Grover Cleveland
By Mr. McKean

Secretary

(Recorded, Vol. 1 Page 412) E. W. Clark, Recorder of the General Land Office
Recorded at request of Mr. Howell Sept 13th 1870 at 80 min past 4 P. M.

E. B. Mann
Recorder

9

11

718801

Form 1810-2
(July 1965)
(formerly 4-207c)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Idaho Land Office
Boise, Idaho
June 5, 1969

49-1382
Ada County, Idaho, et
Request of

Idaho Title Co.

True 1000 M.

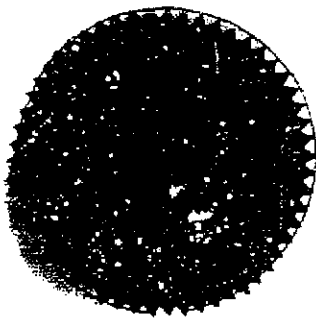
Date JUN 20 1969

CLARENCE A. PLANTING
RECORDED

BY Shirley H. Kelly
120 Deputy

I HEREBY CERTIFY That the annexed copy of patent is a true
and literal exemplification from the record which is in my custody
in this Office.

IN TESTIMONY WHEREOF I have hereunto subscribed my name and
caused the seal of this Office to be affixed,
at Boise, Idaho
on the day and year above written.



D

William G. Reiter
Certifying Officer
William G. Reiter

The United States of America

To all to whom these Presents shall come, Greeting:

Whereas, **William**, of the County of **Jefferson**, State of **Missouri**, has been appointed as the Special Agent of the United States a Certificate of the Register of the Land Office for **Boone Co. Mo.**

It appears that pursuant to the act of Congress approved 25th May, 1862, the said **William** has been appointed as the Special Agent of the United States a Certificate of the Register of the Land Office for **Boone Co. Mo.**

It appears that pursuant to the act of Congress approved 25th May, 1862, the said **William** has been appointed as the Special Agent of the United States a Certificate of the Register of the Land Office for **Boone Co. Mo.**

It appears that pursuant to the act of Congress approved 25th May, 1862, the said **William** has been appointed as the Special Agent of the United States a Certificate of the Register of the Land Office for **Boone Co. Mo.**

It appears that pursuant to the act of Congress approved 25th May, 1862, the said **William** has been appointed as the Special Agent of the United States a Certificate of the Register of the Land Office for **Boone Co. Mo.**

It appears that pursuant to the act of Congress approved 25th May, 1862, the said **William** has been appointed as the Special Agent of the United States a Certificate of the Register of the Land Office for **Boone Co. Mo.**

It appears that pursuant to the act of Congress approved 25th May, 1862, the said **William** has been appointed as the Special Agent of the United States a Certificate of the Register of the Land Office for **Boone Co. Mo.**

It appears that pursuant to the act of Congress approved 25th May, 1862, the said **William** has been appointed as the Special Agent of the United States a Certificate of the Register of the Land Office for **Boone Co. Mo.**

It appears that pursuant to the act of Congress approved 25th May, 1862, the said **William** has been appointed as the Special Agent of the United States a Certificate of the Register of the Land Office for **Boone Co. Mo.**

It appears that pursuant to the act of Congress approved 25th May, 1862, the said **William** has been appointed as the Special Agent of the United States a Certificate of the Register of the Land Office for **Boone Co. Mo.**

It appears that pursuant to the act of Congress approved 25th May, 1862, the said **William** has been appointed as the Special Agent of the United States a Certificate of the Register of the Land Office for **Boone Co. Mo.**

It appears that pursuant to the act of Congress approved 25th May, 1862, the said **William** has been appointed as the Special Agent of the United States a Certificate of the Register of the Land Office for **Boone Co. Mo.**

It appears that pursuant to the act of Congress approved 25th May, 1862, the said **William** has been appointed as the Special Agent of the United States a Certificate of the Register of the Land Office for **Boone Co. Mo.**

It appears that pursuant to the act of Congress approved 25th May, 1862, the said **William** has been appointed as the Special Agent of the United States a Certificate of the Register of the Land Office for **Boone Co. Mo.**

It appears that pursuant to the act of Congress approved 25th May, 1862, the said **William** has been appointed as the Special Agent of the United States a Certificate of the Register of the Land Office for **Boone Co. Mo.**

18/537

The United

to all to whom these papers
Homestead Certificate No. 1019
Applications 1987 and 2722
in the General Land Office of the
the Register of the Land Office at
1101, pursuant to the Act of Congress
concerning Homesteads to Natural Settlements
the act supplemental thereto the
established and duly consummated
the East half of the South East quarter
South East quarter and the East
quarter of Section six in Township
of House Mountain in Indian
according to the official Plat of
to the General Land Office by the
Now know ye, that there is, to wit
to the said William Hunt the
to have and to hold the said tract of
names thereof, unto the said William
and assigns forever; subject to
water rights for mining, agriculture
forever, and rights to ditch
and such water rights
and paid by the local community
also subject to the rights
tract and unless the
to penetrate or intersect
by law. And these are the
South East quarter and
quarter of Section six
East of the above
divided of certain
United States
In testimony
United States
Patented
affirmed
have

The United States of America

Let all Grants here presented shall contain

Homestead, Reclamation No. 1019.

Application 1987 and 2722.

Thomas, Head of the

is the Senior Survey Office of the United States Survey Office of the District of the Survey Office at Boise City, Idaho, who is

and pursuant to the Act of Congress approved 20th May 1862

concerning Homesteads to Natural Settlers on the Public Domain

and all supplemental thereto, the claim of William Hunt

established and duly commemorated, in conformity to

the Act of the Senate and House of Representatives, the North West quarter of

South East quarter and the North East quarter of the North West

quarter of Section six in Township five North of Range three East

of Range three East, containing one hundred and eighty

acres, as shown on the official Plat of the Survey of the said land

to the General Land Office by the Surveyor General

has been made, that there is, therefore, granted by the United States

to the said William Hunt the tract of land above described

to have and to hold the said tract of land, with the appur-

tenances thereto, unto the said William Hunt and to his heirs

and assigns forever; subject to any valid and adverse

claim or right to the same, agricultural, manufacturing or

mining, and right to the same and succession, such as

water, coal and other rights, as may be recognized and

regulated by the local customs, laws, and decisions of the

also subject to the right of the proprietor of a mine or

tract and remove his ore therefrom at will, the same

to be held on interest the premises hereby granted, as

by law, and there is reserved from the North West

South East quarter and the North East quarter of the

quarter of Section six in Township five North of Range

East of the above described land, as shown on the

decades or Canada constructed by the

United States.

In Testimony Whereof, I have hereunto set my hand

United States of America, this

Palmer, and the seal of the

affixed.

Given under my hand and seal of the

at the City of Washington

I

254

FILED EFFECTIVE

ARTICLES OF AMENDMENT TO ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

JUL 22 2003

(Instructions on back of application)

1. The name of the limited liability company is:

SunCor Idaho, LLC

If the LLC has been administratively dissolved and the name is no longer available for use, §3 below must include an amendment of name.

2. The date the articles of organization were filed was: July 22, 2003

COMPLETE ONLY THE APPLICABLE ITEMS

3. The name of the limited liability company is amended to read:

Avamor, LLC

4. The management of the limited liability company shall henceforth be vested in:

☐ Manager(s) ☐ Members

5. The information on the managers/members shall be amended as follows:

Name	Address	Add	Delete	Other
		☐	☐	
		☐	☐	
		☐	☐	
		☐	☐	
		☐	☐	

6. Signature of at least one manager, if any, or at least one member.

Signature: DBL

Typed Name: Duane S. Black

Capacity: Executive Vice President & COO

By: SunCor Development Company,

Its: Sole Member

Secretary of State use only

IDAHO SECRETARY OF STATE
63/07/2006 05:00
CX: 34639 CT: 176891 IN: 941697
1 P 20.00 = 30.00 ORGAN AMEN # 2
1 P 20.00 = 20.00 EXPEDITE C # 3

ScriptForm
Form 1000
Rev 04/03/03

© 2003 Form

W25199

Albert P. Barker, ISB #2867
Paul L. Arrington, ISB #7198
BARKER ROSHOLT & SIMPSON LLP
205 North Tenth St., Suite 520
P.O. Box 2139
Boise, Idaho 83701-2139
Telephone: (208) 336-0700
Facsimile: (208) 344-6034

Attorneys for Avimor, LLC

**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

Case No. 39576

)
) Subcase No. 63-5386 & 63-5287
)

) **AFFIDAVIT OF STEVE GIVENS IN**
) **SUPPORT OF AVIMOR, LLC'S**
) **MEMORANDUM IN SUPPORT OF**
) **OBJECTION**
)
)

COMES NOW Steve Givens, being first duly sworn upon oath and states as follows:

1. I am a resident of Star, Idaho, and have lived in Idaho most of my life.
2. I am familiar with the property known as the Spring Valley Ranch.
3. My father is Orin Givens and my grandfather was Guy Givens. I spoke with them often about the Spring Valley Ranch.
4. My grandfather ran the Spring Valley Ranch for Colin McLeod from 1931 through 1942. He took care of the horses and the hayfields and worked with the irrigation of the property. The Ranch property was irrigated when my grandfather worked there, and part of his job was to irrigate the property. My father grew up on the Ranch where he learned to ride, shoot and work.

5. The first year that my grandfather worked on the ranch, he raised alfalfa seed for the McLeods.
6. In addition to the main ranch, my grandfather told me how Mr. McLeod purchased several smaller homesteads adjoining the Ranch and expanding it to the west.
7. The attached photographs are from our family photo album, which has been in my family for generations.
8. I can identify the attached photos as photos of the Spring Valley Ranch. They were taken during the time period that my grandfather ran the Ranch for the McLeods, and appear to be from the early 1930s.
9. Exhibit A is a photograph of the barn and yard with the Ranch house behind the trees.
10. Exhibit B is a photograph taken from the east above the Ranch showing the Ranch house and buildings and the cultivated fields, west and south of the Ranch house, in the same location as the fields today.
11. Exhibit C is taken from ground level on the west side of the cultivated fields looking towards the Ranch house and buildings.

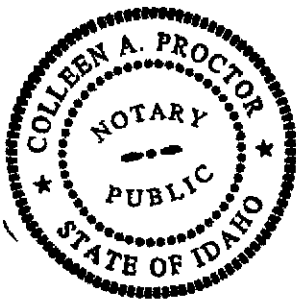
DATED THIS ____ day of April, 2006.


Steve Givens

STATE OF IDAHO)
) ss.
County of Ada)

On this 20th day of April, 2006, before me, a Notary Public for said County and State, personally appeared **STEVE GIVENS**, known or identified to me, to be the person whose name is subscribed to the within 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 in this certificate first above written.



Colleen A. Proctor
NOTARY PUBLIC FOR IDAHO
Residing at: Balse, Idaho
My commission expires: 8-15-09

CERTIFICATE OF SERVICE

I hereby certify that on the 22 day of April, 2006, I served a true and correct copy of the foregoing AFFIDAVIT OF STEVE GIVENS IN SUPPORT OF SUNCOR IDAHO, LLC'S MEMORANDUM IN SUPPORT OF OBJECTION on the person(s) listed below, in the manner indicated

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

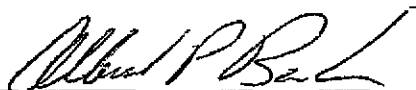
☒ U.S. Mail, Postage Prepaid
☐ Hand Delivery
☐ Overnight Mail
☐ Facsimile
☐ Email

United States Department of Justice
Environmental & Nat'l Resources Div.
550 W. Fort Street, MSC 033
Boise, ID 83724

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivery
☐ Overnight Mail
☐ Facsimile
☐ Email

Chief, Natural Resources Division
Office of Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivery
☐ Overnight Mail
☐ Facsimile
☐ Email



Albert P. Barker







Albert P. Barker, ISB #2867
Paul L. Arrington, ISB #7198
BARKER ROSHOLT & SIMPSON LLP
205 North Tenth St., Suite 520
P.O. Box 2139
Boise, Idaho 83701-2139
Telephone: (208) 336-0700
Facsimile: (208) 344-6034

Attorneys for Avimor, LLC

**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

Case No. 39576

)
) Subcase No. 63-5386, 63-5287 & 63-
) 18974
)
) **AFFIDAVIT OF ELDON "RED"**
) **WARD IN SUPPORT OF AVIMOR,**
) **LLC'S MEMORANDUM IN**
) **SUPPORT OF OBJECTION**
)

COMES NOW Eldon "Red" Ward, being first duly sworn upon oath and states as follows:

1. I am a resident of Horseshoe Bend, Idaho, and I have been a resident of Idaho for most of my life. I am 83 years old and of sound mind. I make the following statement based upon personal knowledge of the facts and circumstances set forth herein below.
2. I worked for the Spring Valley Livestock Company, on the Spring Valley Ranch, from 1945 through 1977, as a farm worker and a farm manager.
3. When I began working at the Ranch, surface water was used to irrigate the area north of the ranch headquarters and the central part of the valley from diversions on Willow Creek and Spring Valley Creek.

4. Willow Creek was diverted into a ditch by damming the creek with dirt and boards. The ditch ran from the creek down to the fields and was used to irrigate the area north of the ranch headquarters, which I understand is more accurately described as the SW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, Township 5N of Range 2E.
5. Water was diverted from Spring Valley Creek and used to irrigate the central part of the valley below the Ranch headquarters, which I understand is more accurately described as the E $\frac{1}{2}$ of the NW $\frac{1}{4}$, the E $\frac{1}{2}$ of the SW $\frac{1}{4}$, the W $\frac{1}{2}$ of the NE $\frac{1}{4}$, the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, Township 5N of Range 2E.
6. In the mid-1950's, the Soil Conservation District installed the head-gate structures now in Spring Valley Creek. Before the Soil Conservation District installed the structures, there was a concrete head gate in the Spring Valley Creek. From its appearance, that that head gate had obviously been there for a long period of time before the Soil Conservation structures were installed.
7. I recall speaking with Colin McLeod about the Spring Valley Creek diversion. He informed me that the old diversion was in use long before I started working at the ranch in 1945.
8. Colin McLeod also informed me that the Willow Creek ditch was being used "from the beginning." I took this to mean that it was in use before Colin McLeod bought the ranch in 1916.
9. In 1958 the B&M Equipment Company, from Caldwell, assisted in the drilling of a well west of the ranch manager's house. The well was 10 or 12 inches in diameter and was originally drilled about 350 feet deep. It was drilled deeper later.

10. The well was used to irrigate the field south of the old house and barn, and west of the current ranch manager's house. More specifically, the well was used to irrigate the W½ of the NE¼ and a portion of the NW¼ NE¼ of Section 7, Township 5N of Range 2E.
11. Irrigation from that well was always done by sprinklers.
12. Originally, the well pump was a turbine pump that fed into a tank. A centrifugal pump was used to run the sprinklers.

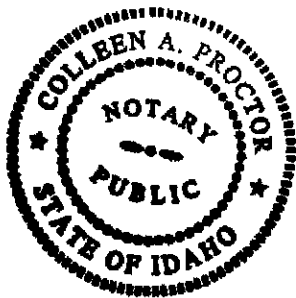
DATED THIS ___ day of April, 2006.

Eldon "Red" Ward
Eldon "Red" Ward

STATE OF IDAHO)
County of Ada) ss.

On this 18th day of April, 2006, before me, a Notary Public for said County and State, personally appeared ELDON "RED" WARD, known or identified to me, to be the person whose name is subscribed to the within 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 in this certificate first above written.



Colleen A. Proctor
NOTARY PUBLIC FOR IDAHO
Residing at: Boise, Idaho
My commission expires: 8-15-09

CERTIFICATE OF SERVICE

AFFIDAVIT OF ELDON "RED" WARD IN SUPPORT OF SUNCOR IDAHO, LLC'S
MEMORANDUM IN SUPPORT OF OBJECTION

I hereby certify that on the 20 day of April, 2006, I served a true and correct copy of the foregoing AFFIDAVIT OF ELDON "RED" WARD IN SUPPORT OF SUNCOR IDAHO, LLC'S MEMORANDUM IN SUPPORT OF OBJECTION on the person(s) listed below, in the manner indicated

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivery
☐ Overnight Mail
☐ Facsimile
☐ Email

United States Department of Justice
Environmental & Nat'l Resources Div.
550 W. Fort Street, MSC 033
Boise, ID 83724

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivery
☐ Overnight Mail
☐ Facsimile
☐ Email

Chief, Natural Resources Division
Office of Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivery
☐ Overnight Mail
☐ Facsimile
☐ Email



Albert P. Barker

05/31/2005

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

RIGHT NUMBER: 63-18974

NAME AND ADDRESS: SPRING VALLEY LIVESTOCK CO INC
PO BOX 9
STAR ID 83669

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.140 CFS

PRIORITY DATE: 06/01/1948

POINT OF DIVERSION:

T05N R02E S7 NWNWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/15 10/15	1.140 CFS

PLACE OF USE: IRRIGATION Within ADA County

T05N R02E S07	NWNE	27.0	T05N R02E S07	SWNE	24.0
T05N R02E S07	NWSE	6.0			

57 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.

No beneficial use found.

EXPLANATORY MATERIAL:

No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-18974

WATER RIGHT NUMBER: 63-18974

Owner Type Name and Address
 Current Owner SPRING VALLEY LIVESTOCK CO INC
 PO BOX 9
 STAR, ID 83669
 (208)286-7975

Priority Date: 06/01/1948

Basis: Beneficial Use

Status: Active

SourceTributary

GROUND WATER

Beneficial Use

IRRIGATION

From ToDiversion RateAnnual Volume

445 to 10/15

1.140 CFS ✓

256.5

315 11-15

Total Diversion:

1.140 CFS ✓

4.65 x 57 = 256.5
 1.14 x 229.835 = 261.3
 646.1023 = 556.3

Location of Point(s) of Diversion

GROUND WATER

NW1/4NW1/4NE1/4

Sec. 7, Twp 05N, Rge 02E, B.M.

ADA County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	02E	7		27.0	24.0											6.0			57.0 ✓

Total Acres: 57

Conditions of Approval:Remarks:Comments:Dates and Other Information:

Shows on 1964
 photography but
 that is after
 1963 mandatory
 GW filing

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-18974

WATER RIGHT NUMBER: 63-18974

Owner Type Name and Address
 Current Owner SPRING VALLEY LIVESTOCK CO INC
 PO BOX 9
 STAR, ID 83669
 (208)286-7975

Priority Date: 06/01/1948

Basis: Beneficial Use

Status: Active

*shows on 1964 photography as irrigated
 no 1939 photography*

Source Tributary
 GROUND WATER

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION	4/15	10/15	1.140 CFS ✓	256.5
	3/15	11-15	Total Diversion: 1.140 CFS ✓	

*4.5 x 57 = 256.5
 1.14 x 1.9835 x 246 days = 556.3*

Location of Point(s) of Diversion

GROUND WATER

NW1/4NW1/4NE1/4

Sec. 7, Twp 05N, Rge 02E, B.M.

ADA County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
05N	02E	7	27.0	24.0	6.0	57.0	✓

Total Acres: 57

Conditions of Approval:Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-18974

04/14/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
18974	Claim	05N	02E	7	NW	NE		IRRIGATION	27/57	SPRING VALLEY LIVESTOCK CO INC
18972	Water Right	05N	02E	7	NW	NE		STOCKWATER		SPRING VALLEY LIVESTOCK CO INC
18972	Water Right	05N	02E	7	NW	NE		DOMESTIC		SPRING VALLEY LIVESTOCK CO INC
18974	Claim	05N	02E	7	SW	NE		IRRIGATION	24/57	SPRING VALLEY LIVESTOCK CO INC
18974	Claim	05N	02E	7	NW	SE		IRRIGATION	6/57	SPRING VALLEY LIVESTOCK CO INC

Receipt Details for ID C011656

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
9/18/1989 10:14:29 AM	9/18/1989	State	\$275.00	Check
Payer		SPRING VALLEY LIVESTOCK		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2871			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$275.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	18972		\$25.00	Claim
63	18974		\$107.00	Claim
63	5386		\$143.00	Claim

Print Report

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A63-18974

1. No Change NAME IS SAME

NEW OWNER: _____

No Change ADDRESS

NEW ADDRESS: _____

2. No Change - DATE OF PRIORITY: Completed evidence submitted
Incomplete - Claimant should be asked during the exam when was water first
used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

The Attorneys for Sun Cor is researching the priority date

3. No Change — SAME SOURCE

Source is different than that claimed:

Source found: _____

4. No Change — POINT OF DIVERSION 2318041 - 1401543

Point of diversion is different than the claim and/or new P/D's:

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. No Change - DESCRIPTION OF DIVERTING WORKS

Incomplete description, list below:

The motor is A 25 HP Sub. with A static water level
of 50'. The discharge pressure is approximately 30
lbs

6. No Change - WATER USES

Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. No Change - TOTAL VOLUME

Incomplete on claim, the total is, Amount _____ CFS _____ AFA

Changes found, the new total is, Amount _____ CFS _____ AFA

8. No Change - NON-IRRIGATION USES:

Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) See additional attachment

Some day the well may have to be deepened and a larger
motor put on to maintain the appropriation of 1.14 cfs,
at the present time in a normal year there is no
problem

SYSTEM DIAGRAM INCLUDED

NA

Shown on GIS Layout

CK IF IN OFFICE EXAM
DATE EXAM CONDUCTED: _____

FIELD EXAMINER:

M. Gene Gibson

Print Name

M. Gene Gibson

Signature

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: 63-18974
Examiner: Melvin Gene Gibson
Date of Field Exam: May 4, 2004

P/D No.:	OPTION 1	OPTION 2	OPTION 3
PUMP HORSEPOWER	25	0	0
BOOSTER HORSEPOWER	0	0	0
PUMPING LEVEL	50	0	
DISCHARGE PRESSURE	30	0	0
RATE OF FLOW (cfs)	1.29	#DIV/0!	#DIV/0!

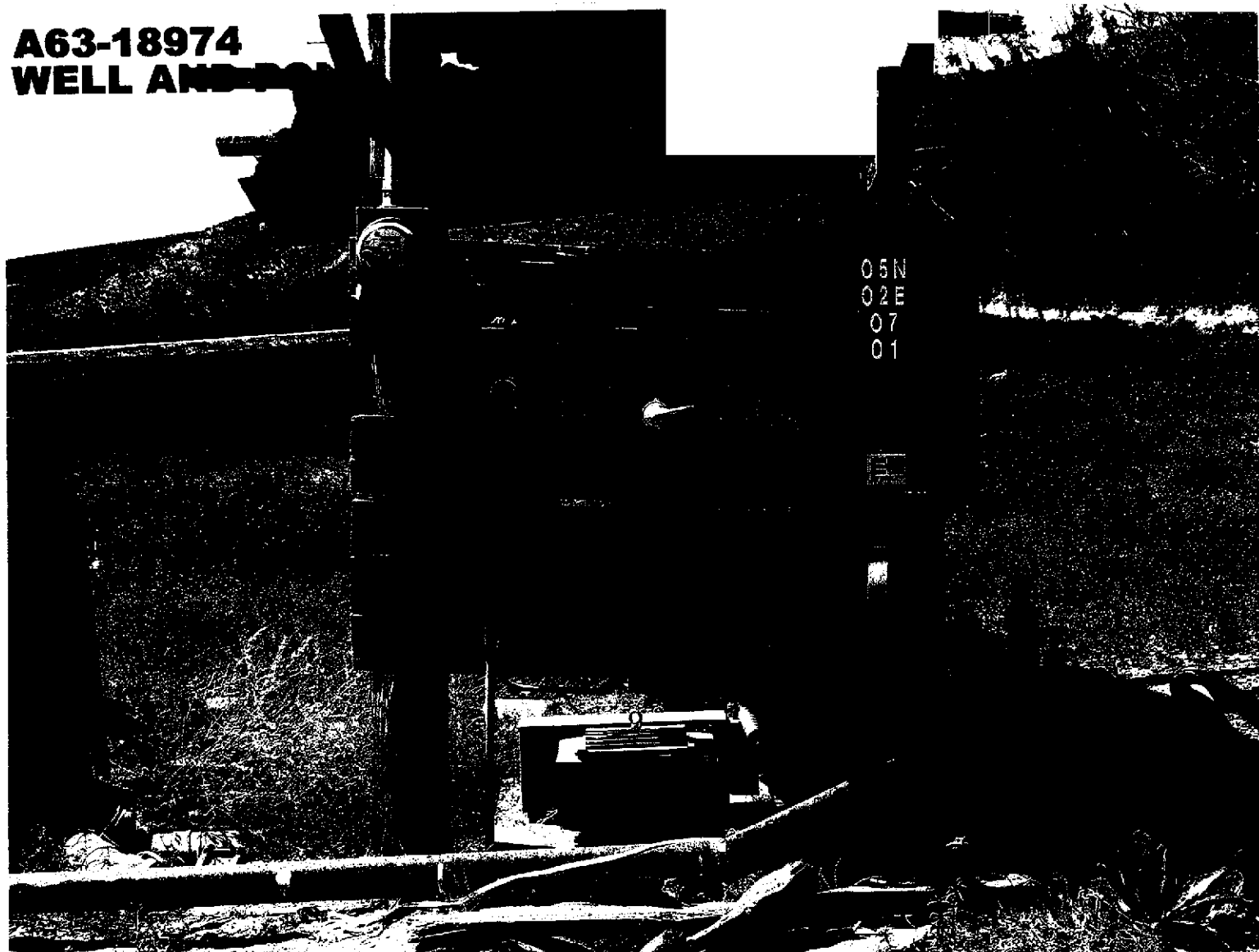
A63-18974

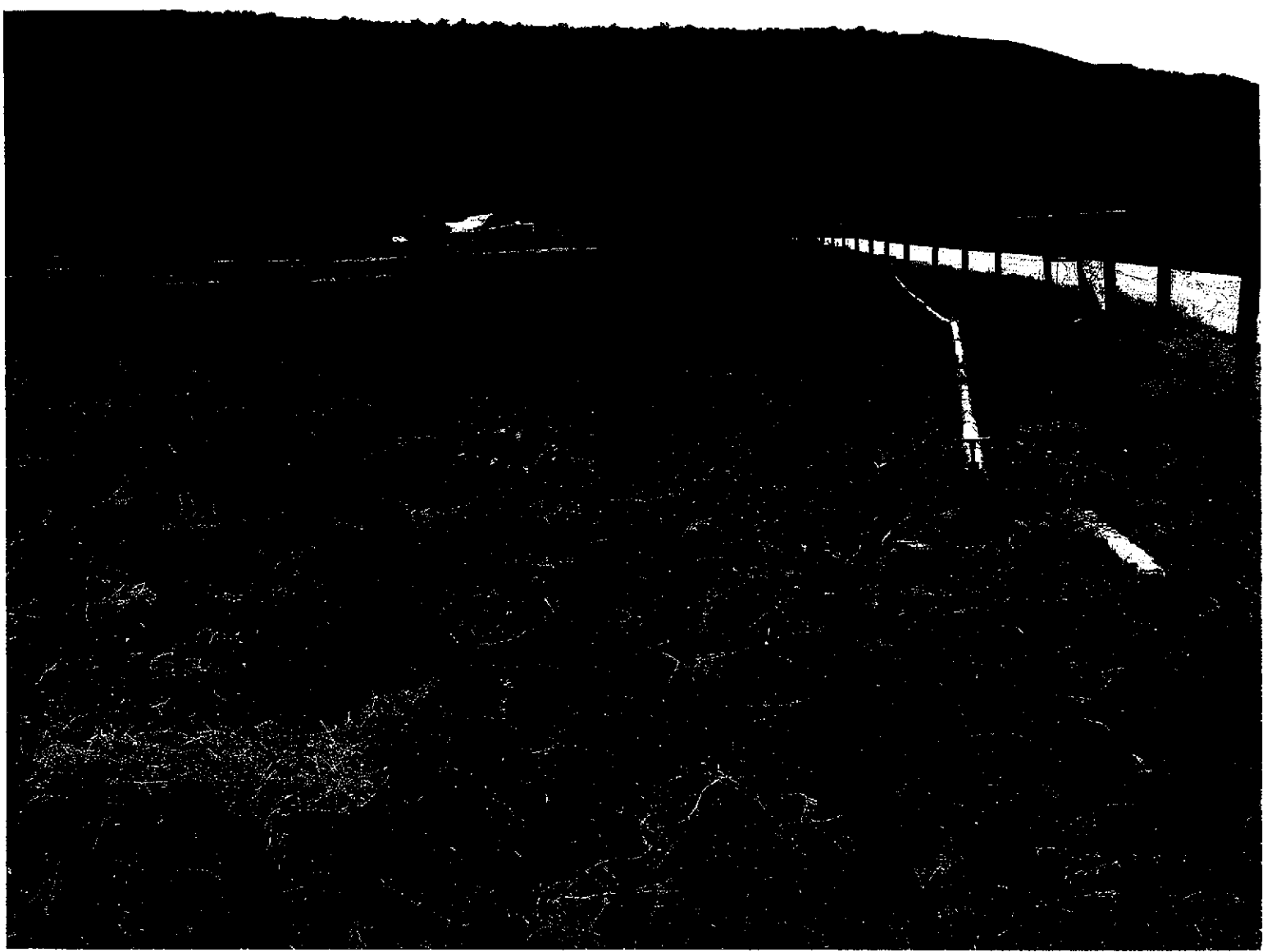
SPRING VALLEY LIVESTOCK COMPANY

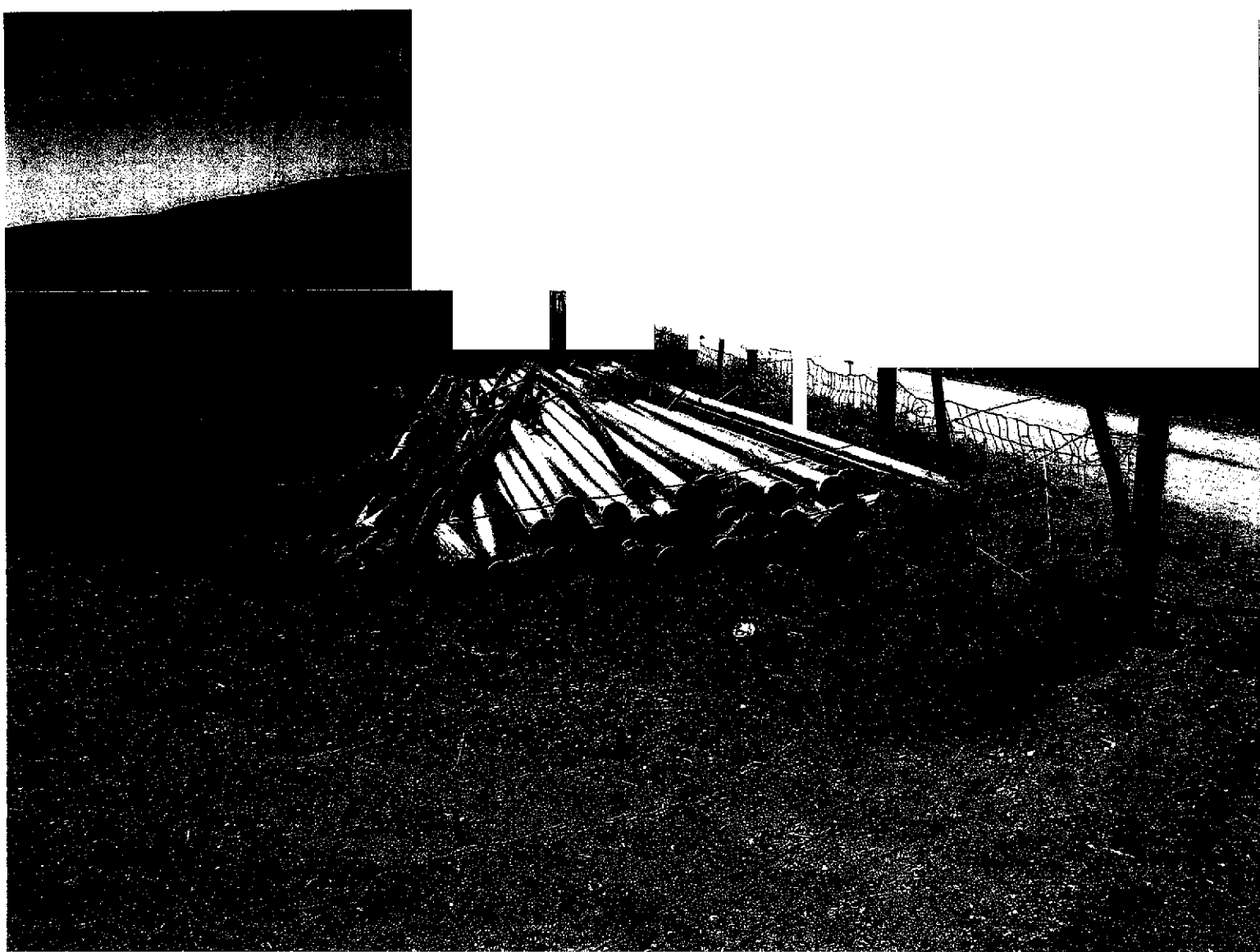
WELL

POU

A63-18974
WELL AND







Saxton, Craig

To: terimcled@aol.com
Subject: Water Rights 63-05386, 63-05387, and 63-18974

Hello Teri,

I found your files. I had them in a box waiting to give to an IDWR contractor to conduct a field exam. He will be in the office today and I will give him the files. I found the Ground water file as well.

The contractor's name is Gene Gibson. He is a former IDWR employee and is very good. He should be contacting you soon. In the mean time, I would work on the evidence of priority documentation that we spoke about. Gene can give you some guidance or I can too.

Besides the field exam to confirm beneficial use of the water, we need evidence of when it was first put to use from:

63-05386 - Spring Valley Ck - you claimed an 1880 priority date
63-05387 - Willow Ck - you claimed an 1880 priority date
63-18974 - Groundwater - you claimed an 1948 priority date

I realize it is hard to find evidence of these priority dates that are this old. Just get the most information that you can and we can adjust the recommendation as needed. Again, probably your best bet is to find someone that is an "old timer" that can supply or sign off on an affidavit that confirms the water was used at a particular date, and the extent it was used.

Keep in mind, that these recommendations will be sent to the Snake River Basin Adjudication court. After that is submitted, the recommendations will become public record and anyone else will have a chance to object to your recommendation. If an objection is made, for instance on the priority date, it will your responsibility to support it. So you want to try to find some sort of evidence that you are comfortable supporting if an objection occurs.

You can mail that information to me for review, or you can give it to Gene Gibson when he conducts a field exam.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

MEMORANDUM

Date: 3/4/04

To: File

From: Craig L. Saxton

Subject: SRBA Claim 63-05386, 63-05387, and 63-18974

I spoke with Teri (Teresa) McCloud from Spring Valley Ranch at 286-7975. She had a question about an evidence of priority letter I sent her. I addressed her concerns, but I could not find the files to answer her specific questions. I got off the phone with her with the understanding that I would be calling her back or E-mailing her after I reviewed the files. What I found was that the files had already been set aside for Gene Gibson to do the field exam and that is why I couldn't find the file.

The claimant will be out of town till next week, but I will inform her via E-mail the situation. At this time, I plan on having Gene Gibson or Darwin Vander Stelt review this claim.

terimcleod@aol.com

1-25-04 : No apparent overlaps

: Need Evidence of Priority

: No Well Logs Found

: Don't Trust Intrepid Data

: Needs Measurement

: Need to Confirm Place of Use and Historical Practice.

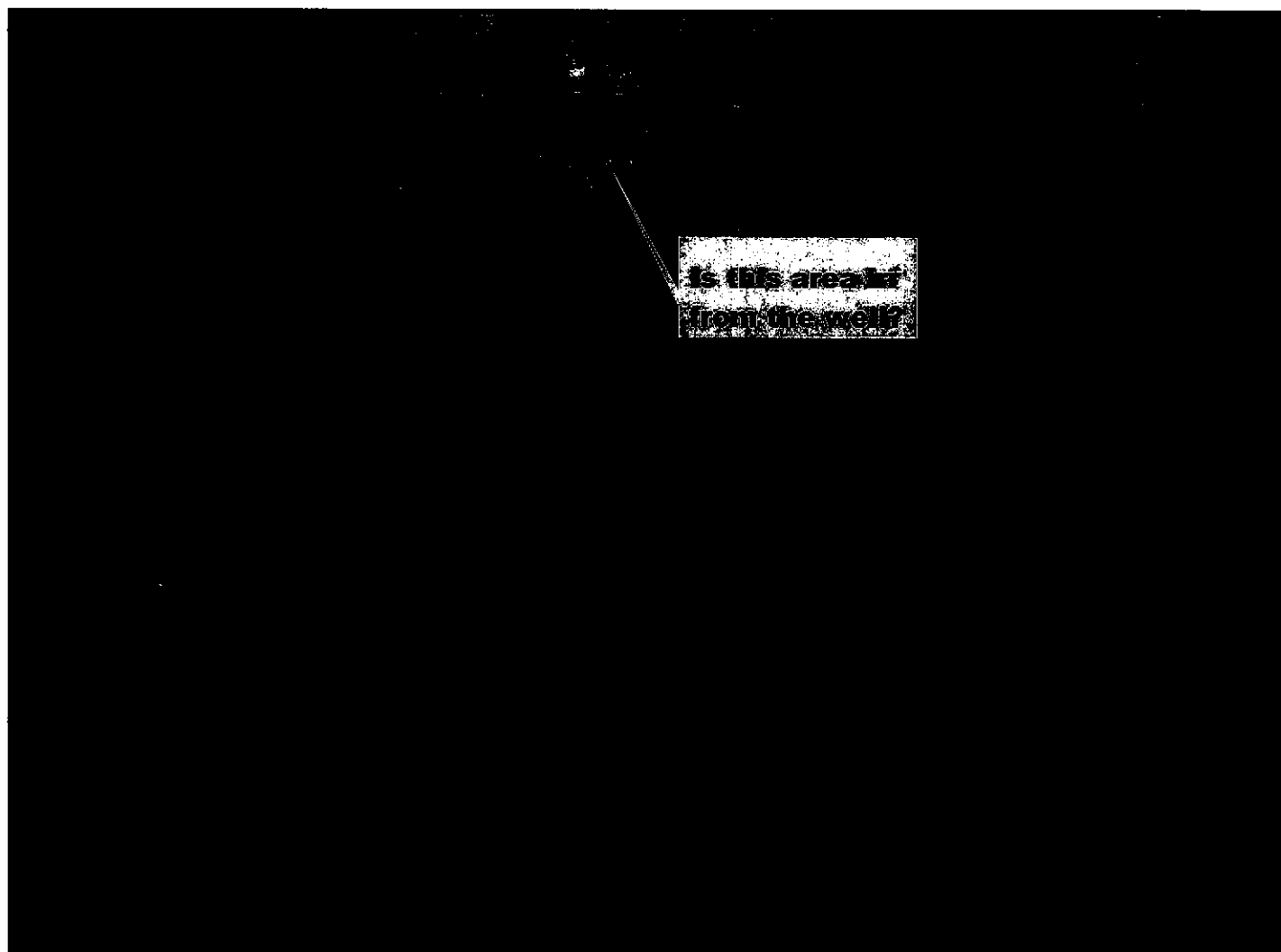
: Does this well service areas to the North
Part of QQ NWN - North of the Road

: Need System description - How does water make it
to the Fields.

: 63-18972 PD'd - Copy in the file



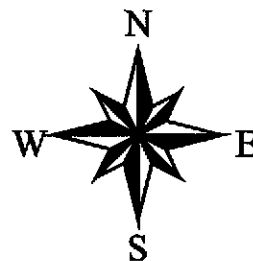
POU location Map 2000 Photography 63-18974



1320 0 1320 2640 Feet

- Point of Diversion
- Claimed POU
- Ada County Tax Lot Data
- Quarter Quarter Lines
- Section Lines

Total claimed Acres: N/A



Prepared by: C. Saxton
Date: January 2004



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63

RIGHT ID 63 18974
POD ID 175104
Quad Pearl
Claim Type Large
Easting 318115
Northing 301554
GPSID A0009217

Diversion Description

WELL, 240' DEEP, 12" PERF. CASING, 24" HOLE. Submersible (apparently to irrigation). Could not contact claimant (no answer to phone calls).

Assumptions

Horse power and elevation head.

Invoice

2000-055-01

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked

Photos\175104a.jpg

Photos

EPE (ft)

11

Date (M/D/Y)

11/13/01

Time

16.52

Flow Rate (CFS)

0.13

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity 0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning

(If used, include photo of representative channel section)

Channel Slope

Channel Description	
Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System



HP 5

Pressure Head (psi) 60

Elevation Head (ft) 100

Motor Mfg

Motor Serial #

Pump Type Submersible

Pump Mfg

Pump Serial#

New Contact Information



New Contact Comments

This Form and the associated query are the exclusive Intellectual property of Intrepid Engineering Services, and may not be copied, modified, or distributed without the express written consent of Intrepid Engineering Servic, Inc.



INTREPID
Engineering Services, Inc. (IESI)
Enabling People and Solutions

RIGHT ID

63 18974

