

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 78-10286

Case No: 39576)

CERTIFICATE OF MAILING

I certify that on the 2 day of August, 2007, I mailed the original and copies of the Amended Notice of Claim to a Water Right Acquired Under State Law, 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. IDWR Document Depository
PO Box 83720
Boise, Idaho 83720-0098

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

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



Scott Rose, ISB #4197
Attorney at Law
300 Main Street, Ste. 153
Boise, Idaho 83702

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 78-10286
Date Received: 7/6/1988
Receipt No: M000284
Received By:

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

1. Name of Claimant(s)
LIGHTFORCE USA INC Phone: 208-476-9816
1040 HAZEN LN
OROFINO ID USA 83544
2. Date of Priority: 11/03/1905
3. Source: SPRINGS , SPRINGS Trib. to: LITTLE SALMON RIVER , LITTLE SALMON RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
23N	01E	16	SE SW NE	IDAHO	
23N	01E	16	SW SW NE	IDAHO	
5. Description of diverting works:
TWO SPRINGS MANIFOLDED PIPED TO THE HOUSE AND STOCK TANKS
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	
DOMESTIC	01/01	12/31	0.04	
7. Total Quantity Appropriated is:
0.06 C.F.S.
8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
23N	01E	16	SE	NW	DOMESTIC	0.2
			SE	NW	STOCKWATER	
Section Acres						0.2
Total Acres						0.2

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

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: _____

For Organizations:

I do solemnly swear or affirm that I am JEFF Huber _____ of _____

Lightforce USA Inc _____, that I have signed the foregoing
Organization

document in the space below as Vice Pres _____ of _____

Lightforce USA Inc _____ and that the statements contained in the
Organization

foregoing document are true and correct. Jeff Huber _____
Signature of Authorized Agent

Vice Pres. Lightforce USA Inc.
Title and Organization

7-31-07 _____
Date

State of Idaho _____)

County of Clearwater _____) SS.

Subscribed and sworn (or affirmed) before me this

of July 2007

31st
April Kuer

Notary Public

Residing at Oran

My commission Expires 10-25-11

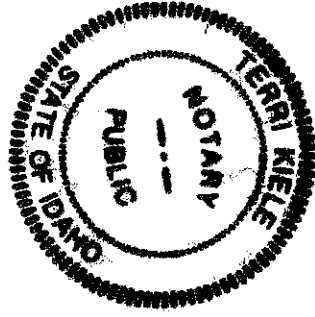


EXHIBIT LIST

- A. BLM Records of Patentee Lizzie Hoxie
- B. USA Deed to Lizzie Hoxie dated 2/12/34
- C. Homesteader Deed Docket Sheet
- D. US Bureau of Land Management Map
- E. USA Deed to Edwin Nelson dated 4/7/14
- F. USA Deed to Henry R. Gear dated 11/7/19
- G. USA Deed to Lizzie Hoxie dated 5/17/48
- H. USA Deed to John H. Killoran dated 11/3/13

Printer Friendly Land Patent Details - BLM GLO Records

Page 1 of 1

Accession/Serial #: 1034644 BLM Serial #: IDBL 0041589

Names

Patentees: LIZZIE HOXIE,
CROFFORD HOXIE

Survey

State: IDAHO
Acres: 320
Metes/Bounds: No

Title Transfer

Issue Date: 2/12/1930
Land Office: Blackfoot
Cancelled: No

U.S. Reservations: Yes
Mineral Reservations: Yes

Authority: December 29, 1916: Homestead Entry-Stock Raising
(39 Stat. 862)

Document Numbers

Document Nr.: 041589
Misc. Doc. Nr.: 0
Accession/Serial Nr.: 1034644
BLM Serial Nr.: IDBL 0041589

Aliquot Parts	Sec./ Block	Township	Range	Section	Fract.	Meridian	State	Counties	Survey Nr.
SW	15/	23-N	1-E	No		Boise	ID	Idaho	
W½NW	15/	23-N	1-E	No		Boise	ID	Idaho	
N½NW	22/	23-N	1-E	No		Boise	ID	Idaho	

PENGAD 800-631-6989

CLAIMANT'S
EXHIBIT

A

Blackfoot 041589

4-1007-R

The United States of America,

Do all in whom these presents shall come. Certifying:

WHEREAS, a Certificate of the Register of the Land Office at Blackfoot, Idaho,

has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862,

"To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Lizzie Horie, widow of Crofford Horie,

has been established and duly consummated, in conformity to law, for the west half of the northwest quarter and the southwest quarter of Section fifteen and the north half of the northwest quarter of Section twenty-two in Township twenty-three north of Range one east of the Boise Meridian, Idaho, containing three hundred twenty acres,

* according to the Official Plat of the Survey of the said Land, as file in the GENERAL LAND OFFICE:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant, the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested 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 there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, however, to the United States all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same pursuant to the provisions and limitations of the Act of December 29, 1916 (39 Stat., 862).

IN TESTIMONY WHEREOF, Herbert Hoover,

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 TWELFTH

(SEAL)

day of

FEBRUARY

in the year of our Lord one thousand

one hundred and

THIRTY

and of the Independence of the

United States the one hundred and FIFTY-FOURTH.

By the President:

Herbert Hoover
Diola C. Coughlin, Secretary.

By

M. P. DeLoach
Deputy of the General Land Office

RECORD OF PATENTS: Patent Number

1002111

1002111

PENGAD 800-631-6988

CLAIMANT'S
EXHIBIT

8

ENGAD 800-631-6989

[illegible]

34423.

United States.)
)
 To)
)
 Edwin Nelson.)

THE UNITED STATES OF AMERICA:

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

CERTIFICATE No. 3920.

WHEREAS, Edwin Nelson, has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Boise, Idaho, whereby it appears that full payment has been made by the said Edwin Nelson, 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 Southeast quarter, the Southwest quarter of the Southeast quarter and the Southeast quarter of the Southwest quarter of Section Nine, in Township Twenty-three, North of Range One East of the Boise Meridian, Idaho, Containing one hundred Sixty acres, according to the Official Plat of the Survey of the said Lands, returned to the General Land Office by the Surveyor General, which said Tract has been purchased by the said Edwin Nelson.

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 Edwin Nelson, and to his heirs, the said Tract above described:

TO HAVE AND TO HOLD, the same, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature, thereunto belonging, unto the said Edwin Nelson, and to his heirs, and assigns forever; subject to any vested 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; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals, constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Theodore Roosevelt, 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 Seventeenth day of February, in the year of our Lord one thousand nine hundred and Eight, and of the Independence of the United States the one hundred and Thirty-second.

By The President: Theodore Roosevelt.

By M. W. Young, Secretary.

H. W. Sanford, Recorder of the General Land Office.

Recorded, Vol. 736, Page 230.

State of Idaho,)
) ss.
 County of Idaho.)

Filed for record in the office of the Recorder of Idaho County, at the request of G. W. Manning, on the 7 day of April, A.D. 1914, at 1 o'clock P.M.

J. A. Bradbury, County Recorder.
 By Emma Bowman, Deputy.

Fee, \$ 1.00.

State of Idaho)
County of Idaho } as
D. 1919, at 4:55 o'clock P. M.

Fee 30¢
Henry Telcher, County Recorder.
By Florence Murray, Deputy.

58303
United States } Boise 04579.
To
Henry R. Gear.

THE UNITED STATES OF AMERICA,
To all to whom these presents shall come, Greeting:
WHEREAS, a Certificate of the Register of the Land Office, at Boise, Idaho, has been deposited in the General Land Office, whereby it appears that full payment has been made by the claimant, Henry R. Gear, according to the provisions of the Act of Congress of April 24, 1850, entitled "An Act making further provision for the sale of the Public Lands," and the acts supplemental thereto, for the

South half of the southwest quarter of Section Twenty-one and the East half of the southeast quarter of Section Twenty in Township twenty-three North of Range one East of the Boise Meridian, Idaho, containing one hundred sixty acres,
according to the Official Survey of the said Land, returned to the General Land Office, by the Surveyor-General;

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, Has Given and Granted, and by these presents Does Give and Grant, unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested 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 there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, William H. Taft, 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 Twenty-third day of November, in the year of our Lord one thousand nine hundred and Eleven, and of the Independence of the United States the one hundred and Thirty-sixth.

By the president: Wm. H. Taft
By M. P. LeRoy, Secretary.

H. W. Sanford, Recorder of the General Land Office.

State of Idaho)
County of Idaho } as
Filed for record in the office of the Recorder of Idaho County
at the request of H. K. Aubin on the 7 day of Nov. A.D. 1919, at 9 o'clock A. M.

Fee \$1.00
Henry Telcher, County Recorder.
By Florence Murray, Deputy.

CLAIMANT'S
EXHIBIT

PENGAD 800-631-6999

TOGETHER with all and singular, the hereiditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion or reversions, remainder or remainders, rents, issues, and profits thereof, and all estate, right, title, and interest in and to said property of said parties of the first part.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances, unto the party of the second part and to his heirs and assigns forever. And the parties of the first part covenant that they have a good and lawful right to sell and convey the said land and that they are possessed of fee simple title thereto and that they and their heirs and assigns will forever WARRANT and DEFEND the same against all persons lawfully claiming the same.

IN WITNESS WHEREOF, The said parties of the first part hve hereunto set their hands and seals the day and year first above written.

A. G. Sathre
WITNESS.

Frank J. Hayden (SEAL)

Esther Hayden (SEAL)

(Int. Rev.\$11.00)

STATE OF IDAHO }
County of Idaho } ss. On this 20th day of APRIL in the year 1948, before me, A. G. Sathre, a Notary Public in and for said County and State, personally appeared FRANK J. HAYDEN and ESTHER HAYDEN, his wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they ex---- 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.

" A. G. Sathre, Notary Public "
" State of Idaho "
" My Commission Expires: May 20th, 1951.

A. G. Sathre, Notary Public, Residing
at Cottonwood, Idaho.

STATE OF IDAHO }
County of Idaho } ss.

I hereby certify that this instrument was filed for record in the office of the Recorder of Idaho County at the request of John F. Mager at 9 o'clock A.M., this 15 day of May, A. D. 1948.

Fee, \$1.80

Carl T. Reuter, County Recorder.

A Blackfoot 041589
159566

4-1007.

The United States of America }

to }

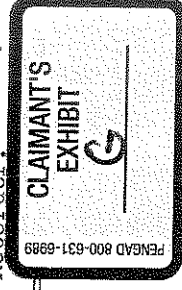
Lizzie Hoxie }

THE UNITED STATES OF AMERICA,
To All to Whom These Presents Shall Come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at Blackfoot, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Lizzie Hoxie, widow of Crofford Hoxie, has been established and duly consummated, in conformity to law, for the west half of the northwest quarter and the southwest quarter of Section fifteen and the north half of the northwest quarter of Section Twenty-twoⁱⁿ Township twenty-three north/Range one east of the Boise Meridian, Idaho, containing three hundred twenty acres, according to the Official Plat of the Survey of the said Land, on file in the

GENERAL LAND OFFICE:

NOW KNOW YE, That there is therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested 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 there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, however, to the United States all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same pursuant to the provisions and limitations of the Act of December 29, 1916 (39 Stat., 862).

IN TESTIMONY WHEREOF, I, Herbert Hoover, 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 Twelfth day of February in the year of our Lord one thousand nine hundred and Thirty and of the Independence of the United States the one hundred and Fifty-Fourth.

United States General Land Office
RECORDED: Patent Number 1034644

By the President: Herbert Hoover
By Viola B. Pugh, Secretary.

M. P. LeRoy, Recorder of the General Land Office.

6-2176

STATE OF IDAHO } ss.
County of Idaho) I hereby certify that this instrument was filed for record in the office of the Recorder of Idaho County at the request of Mrs. W. F. Parks at 9 o'clock A. M., this 17 day of May, A. D. 1948.

Carl T. Reuter, County Recorder.
By Bob J. Waite, Deputy.

Fee, \$1.00

159569

Leonard K. Floan et ux

to

Twin Feather Mills, Inc.

DEED

THIS INDENTURE, Made this 24th day of February, 1948, between LEONARD K. FLOAN and MILDRED S. FLOAN, his wife, of Clearwater County, Idaho, parties of the first part, and TWIN FEATHER MILLS, INC., a corporation, duly organized, created and existing under and by virtue of the laws of the State of New York, and lawfully doing business within the State of Idaho, by virtue of full compliance with the Constitution and the Laws thereof relating to foreign corporations, party of the second part,

WITNESSETH:

That the parties of the first part, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, to them in hand paid by the said party of the second part, the receipt of all of which is hereby acknowledged, have bargained and sold and by these presents do bargain, sell, assign, transfer, convey and confirm unto the party of the second part, its successors and assigns, the following described real property, situate in the County of Idaho, State of Idaho, to-wit:

PARCEL NO. 1 Blocks numbered 1, 2, 5, 6, 7 and 8 in Plat of Townsite, in Section 35, Township 34 North, Range 3 East of Boise Meridian, in Idaho County, State of Idaho, as shown by the said plat which is recorded in Vol. 1, page 48, of Plats, in the office of the Recorder of Idaho County, State of Idaho, with right of use of the south half of 3rd Street, as shown on the said plat, and the grantors reserving to themselves the right-of-way and right for perpetual use of the road and right-of-way lying on the east of Blocks 1, 6 and 7 of said plat of townsite.

PARCEL NO. 2 Blocks 3, 4, 9, 10, 11, 12, 13, 14 20, 21, 22, 23 of Townsite, Idaho as

Homestead Pat.

Book 3. Pg 327.

The United States of America.

Homestead Certificate No. 2159 }

Application 7154 }

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 Chico, Idaho whereby it appears that, pursuant to the Act of Congress approved 20th May, 1862, "To Secure Homestead to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of John H. Hillman has been established and duly consummated, in conformity to law, for the

North West quarter of the North West quarter of section twenty one and the South half of the South West quarter and the South West quarter of the South East quarter of section sixteen in Township twenty three, North of Range one, East of Boise Meridian, 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

John H. Hillman the tract of land above described:

TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said

and to

his heirs and assigns, forever, subject to any vested and accrued water rights for mining, agriculture, 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, and there is reserved from the lands hereby granted a right-of-way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Theodore Roosevelt

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 third day of November, in the year of our Lord one thousand nine hundred and four hundred and thirtieth, and of the Independence of the United States the one

BY THE PRESIDENT: T. Roosevelt

By J. M. McLean Secretary.

Recorded, Vol. 61

Page 165

Recorder of the General Land Office.

Filed for Record at 3 o'clock P. M., Nov. 15

A. D. 1906.

By

Deputy.

See 100

J. D. Overman
County Recorder

CLAIMANT'S
EXHIBIT

D 800-631-6989