

07/24/2006

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

RIGHT NUMBER: 79-2012

NAME AND ADDRESS: STATE OF IDAHO  
DEPT OF FISH & GAME  
PO BOX 25  
BOISE ID 83707

SOURCE: DEER CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.500 CFS

PRIORITY DATE: 08/27/1908

POINT OF DIVERSION:

T31N R03W S22 NESW Within LEWIS County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| DOMESTIC              | 01/01 12/31          | 0.040 CFS       |
| IRRIGATION            | 03/15 10/31          | 0.500 CFS       |

PLACE OF USE: IRRIGATION Within LEWIS County

|                     |      |      |                          |      |
|---------------------|------|------|--------------------------|------|
| T31N R03W S27       | NWNE | 8.90 | T31N R03W S27 Lot 3 SWNE | 3.00 |
| T31N R03W S27 Lot 1 | NENW | 9.50 | T31N R03W S27 Lot 1 SENW | 3.60 |

DOMESTIC same as IRRIGATION

25 ACRES TOTAL

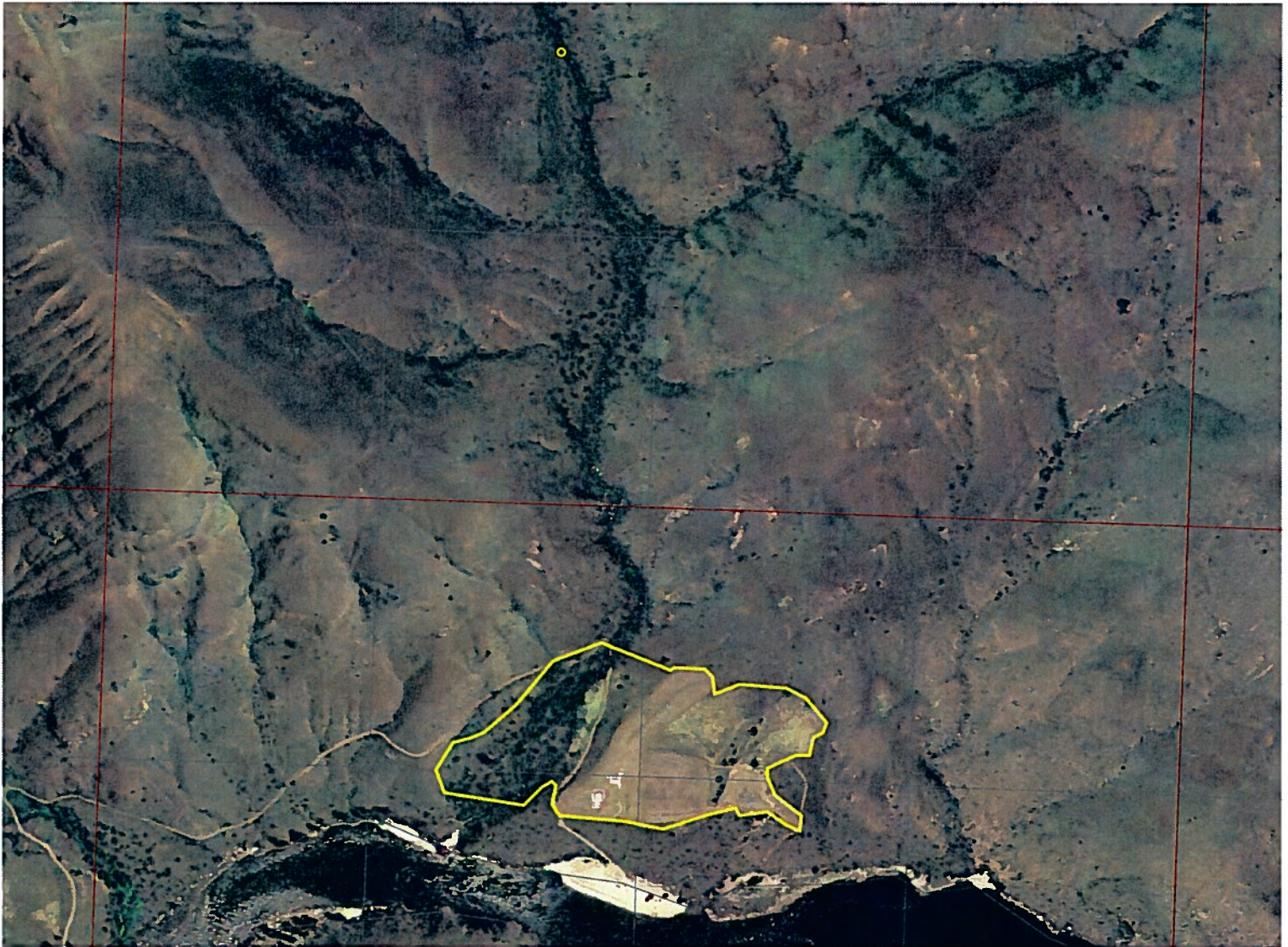
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

# 79-2012

**T31N R3W  
Section(s) 22 & 27**



0 1000 2000 3000 4000 Feet

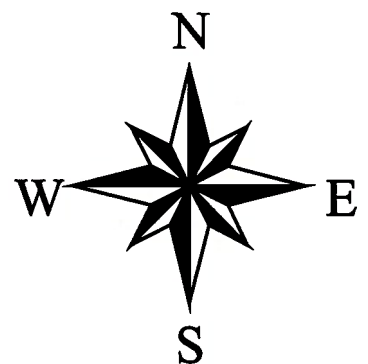
A horizontal scale bar with alternating black and white segments, marked with the numbers 0, 1000, 2000, 3000, and 4000, followed by the word "Feet".

**Place of Use**



**Point of Diversion**

**Layout prepared on July 24, 2006  
By Greg Taylor  
Idaho Department of Water Resources**



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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.  
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| <u>SEE</u>            | <u>ATTACHMENT</u>            |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).  
**OR**  
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) USA - BONNEVILLE POWER ADMIN.  
PO Box 3621
4. New Owner/Claimant(s) Idaho Fish and Game Commission  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address PO Box 25
- City, State and ZIP Code Boise ID 83707
- New Telephone Number (208) 334-3180
5. Date you acquired the property 1995

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

7. \* Signature of New Owner(s) or Claimant(s)  
(include title if applicable)

*Erin M. Mansfield for Director*  
*Deputy Director*

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

**For Office Use Only**

Received by \_\_\_\_\_ Date \_\_\_\_\_ Fee \_\_\_\_\_  
 Receipted by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

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MICROFILM NO.  
599821

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FILMED  
DELIVERED  
MAILED

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A ( )

192 cards  
599821

Crag Mountain Wildlife Mitigation Site  
Case No. 950281

### QUITCLAIM DEED

The UNITED STATES OF AMERICA, acting by and through the Administrator of Bonneville Power Administration, under and pursuant to the powers and authority contained in applicable provisions of the Bonneville Project Act of August 20, 1937 (50 Stat. 732, 16 U.S.C. § 832a), as amended October 23, 1962 (76 Stat. 1129, 40 U.S.C. § 319) and regulations and delegations of authority issued pursuant thereto, (hereinafter referred to as "Grantor"), does hereby convey and quitclaim to STATE OF IDAHO, (hereinafter referred to as "Grantee"), its successors and assigns, all of Grantor's right, title and interest in and to the property (hereinafter referred to as "Property") described in Special Warranty Deed dated March 30, 1992, recorded April 1, 1992, File No. 559805, records of Nez Perce County, Idaho, attached hereto as Exhibit A, incorporated hereto by this reference, and located in Nez Perce County, Idaho.

The Grantor, for and in consideration of the use and maintenance by the Grantee of the Property as a reserve for the conservation of wildlife, and the benefits which shall accrue to the Grantor from the continued use of such property for such purpose, does hereby convey and quitclaim the property unto Grantee.

TOGETHER WITH improvements located thereon.

TOGETHER WITH appurtenant water rights acquired in Quitclaim Deed to The United States of America dated March 30, 1992, and recorded April 1, 1992, File No. 559806, records of Nez Perce County, Idaho.

SUBJECT TO existing easements for public roads and highways, public utilities, railroads and pipelines and to other easements and encumbrances of record.

**WILDLIFE RESTRICTIONS.** Management of the real property described in Exhibit A shall be to protect, mitigate, and enhance wildlife and wildlife habitat affected by the construction and operation of the Dworshak Project. Management shall be pursuant to the following: 1) Bonneville Contract No. DE-MS79-92BP93728, Wildlife Mitigation Agreement for Dworshak Dam (March 10, 1992); 2) Wildlife Harvest Management Agreement for Dworshak Mitigation Lands (February 28, 1995), and 3) the Dworshak Wildlife Mitigation Project Finding of No Significant Impact and Record of Decision (June 19, 1995), all on file in the official records of Grantor's Real Property Management Group.

TO HAVE AND TO HOLD the Property together with all the privileges and appurtenances thereto belonging, unto Grantee, its successors and assigns, forever.

**AFTER RECORDING, RETURN TO:**  
**Bonneville Power Administration**  
**TTRB**  
**P.O. BOX 3621**  
**PORTLAND, OR 97208-3621**

IN WITNESS WHEREOF, Grantor has caused this instrument to be effective as of

July 17, 1995

UNITED STATES OF AMERICA

Department of Energy

Bonneville Power Administration

By

John K. Conger  
Manager, Real Estate

This conveyance is accepted on behalf of the STATE OF IDAHO subject to the terms and conditions contained herein.

By

Director - IDAHO FULT & GOME DIST.  
Title

STATE OF OREGON )

) ss.

County of Multnomah )

On this day personally appeared before me John Conger to me known to be the Manager, Real Estate, Bonneville Power Administration, described in and who executed the within and foregoing instrument and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.



Sue Kinish  
7-17-95

INST. NO. 599821  
FILED FOR RECORD  
FEE 42.00 REG. BY Bonneville Power Admin  
1995 JUL 28 A 9:23 T-TRB  
PO Box 3621  
Portland, OR  
97208-3621  
BETTY J. WILSEY  
RECORDER, NEZ PERCE CO. ID.  
BY July Knight DEPUTY

# CORPORATION ACKNOWLEDGMENT

Washington, Oregon, Idaho, Montana, and California

State of Idaho )  
County of Ada ) ss

On this 12<sup>th</sup> day of July, 1995, before me personally  
appeared Jerry M. Conley  
known to me, or proved to me on the basis of satisfactory evidence, to be the Director

\_\_\_\_\_ of the corporation that executed the within instrument or the  
person(s) who executed the within instrument as authorized agent(s) on behalf of the corporation,  
acknowledged to me that such corporation executed the same; acknowledged said instrument to be the free  
and voluntary act and deed of said corporation, for the uses and purposes therein mentioned; and on oath  
stated that he was authorized to execute said instrument and its seal, if any,  
affixed is the corporate seal of said corporation.

Jerry L. Vinkholm  
Notary Public in and for the  
State of Idaho  
Residing at Emmett, Idaho  
My commission expires 8-15-99

(SEAL)

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: **A79-02012**  
Date Received: 4/28/1989  
Receipt No: C005871  
Received By: \_\_\_\_\_

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

1. Name: UNITED STATES OF AMERICA 503-230-3252  
Address: DOE/BONNEVILLE POWER ADMIN  
LAND MGT SEC MMLC  
PO BOX 3621  
PORTLAND OR 97208

2. Date of Priority: AUG 27, 1908

3. Source: DEER CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 31N      | 03W   | 22      |        | NE     | SW     |     | LEWIS  |

5. Description of diverting works:  
PIPE, PUMP

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/01 | 11/15 | 0.500 |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.040 |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.230 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
D/1 HOUSE, S/1000 RANGE STOCK

**MICROFILMED**

**AUG 08 1994**

10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|-----|----|-----|-----|-----|-------|
| 31N      | 03W   | 27      | NW  |    | NE  |     | IRR | 10.0  |
|          |       |         | SW  |    | NE  |     | IRR | 3.0   |
|          |       |         | NE  |    | NW  |     | IRR | 10.0  |
|          |       |         | SE  |    | NW  |     | IRR | 2.0   |

Section Acres 25.0

Total Acres 25.0

11. Place of use in counties: LEWIS

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: LICENSE

Water Right Number: 3917

16. Signature(s)

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

Number of attachments: \_\_\_\_\_

**For Individuals:**

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

**MICROFILMED**

**AUG 08 1994**

State of Idaho )  
 ) SS.  
County of \_\_\_\_\_ )

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

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

MICROFILMED

AUG 08 1994



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type  
(see instructions on back of page)

DATE OF CLOSING: March 31, 1992

LEGAL DESCRIPTION OF PROPERTY: Township \_\_\_\_\_ Range \_\_\_\_\_ (See attached de  
Section \_\_\_\_\_, 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_, BM.  
Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision/Townsite \_\_\_\_\_.  
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)  
Assigned by IDWR: Unknown

☐ Name and Address of Former Owner/Claimant(s)(Seller): Aerna Life Insurance Company  
242 Trumbull, Hartford, CT 06156

☐ New Owner/Claimant (Purchaser): The United States of America (Bonneville Power Administrat

☐ New Mailing Address: Land Management Section - MMLC  
P.O. Box 3621, Portland, OR 97208-3621

☐ New Telephone Number: ( 503) 230-3252

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no  
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: 2 special warranty deeds (one describing property in Lewis County, one describing property in Nez Perce County)  
2 quitclaim deeds (as above)

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) Rebecca Hallgath Date 6/26/92  
Realty Specialist Date \_\_\_\_\_

☐ Signature of Former Owner/Claimant(s): \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

(Signature of former claimant(s) is not required if proof of ownership is attached.)

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 7-21-92 By: [Signature]

Further Action Needed:

Further Action Taken

Date: \_\_\_\_\_ By: \_\_\_\_\_

Final Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

Claim Numbers of Split, if any:

MICROFILMED

AUG 08 1994

Original to be mailed to Idaho Department of Water Resources  
Copies to Former Owner and New Owner

559805

DECLASSIFIED

**SPECIAL WARRANTY DEED**

IN CONSIDERATION of SEVEN MILLION ONE HUNDRED THOUSAND DOLLARS (\$7,100,000), the receipt and sufficiency of which are hereby acknowledged, the undersigned

THE CONSERVATION FUND, a non-profit corporation organized and existing pursuant to the laws of the State of Maryland, of Suite 1120, 1800 North Kent Street, Arlington, Virginia 22209 ("Grantor"),

does hereby grant and convey to:

THE UNITED STATES OF AMERICA and its assigns ("Grantee"),

all of Grantor's right, title and interest in and to the real property and attached fixtures in the County of Nez Perce, State of Idaho, described on Exhibit A attached hereto and incorporated by reference (the "Property"), including:

1. All hereditaments, appurtenances and improvements to said Property;
2. All mineral and mineral rights underlying the Property which are owned by Grantor; and
3. All timber and timber rights associated with the Property which are owned by Grantor.

Grantor, for itself and its successors and assigns, expressly limits the covenants of this Deed to those herein expressed, and warrants and covenants to Grantee only that prior to the execution of this Deed, Grantor has not conveyed the above-described property, or any right, title, or interest therein, to any person other than the Grantee, and that the above-described property is free from encumbrances done, made or suffered by the Grantor or any person claiming under it.

The Property described herein is acquired by the United States acting through the Bonneville Power Administration, Department of Energy.

Dated this 30th day of March, 1992.

## THE CONSERVATION FUND

By: [Signature]  
Its: PRESIDENT

INST. NO. 55980  
FILED FOR RECORD  
FEE 3.75 REG. BY \_\_\_\_\_  
92 APR -1 PM 4: \_\_\_\_\_  
SECURITY

BETTY J. WILSEY  
RECORDER, NEZ PERCE CO  
BY Mary Lee DEPU

STATE OF VIRGINIA )  
COUNTY OF ARLINGTON ) ss:

The foregoing instrument was acknowledged before me on March 30th, 1992, by Patrick F. Noonan as President and Richard L. Edmuns as Assistant Secretary of The Conservation Fund, a Maryland non-profit corporation.

Witness my hand and official seal.

My Commission expires:

ELIZABETH TRYON  
NOTARY PUBLIC  
Commonwealth of Virginia

AUG 08 1994

M Elizabeth Tryon  
Notary Public

EXHIBIT "A"

SITUATE IN THE COUNTY OF NEZ PERCE, STATE OF IDAHO, TO-WIT:

PARCEL C:

Township 29 North, Range 3 West of the Boise Meridian:

Section 6: Lots 1, 2, 3, 4, 5, 9 and 10; SE½NW¼, E½SW¼,  
and NW½SE¼

Section 7: Lot 3

PARCEL D:

Township 30 North, Range 3 West of the Boise Meridian:

Section 5: Lots 3 and 4

Section 6: Lots 1, 2, 3, 4, 8, 9; SE½NW¼, SW½NE¼, NW½SE¼  
and E½SW¼

Section 7: Lots 3, 4, 9, 10, and NE½NW¼

Section 18: Lots 3, 6, 7, 8, and 9

Section 19: Lots 3, 4, 9, 10 and E½SW¼

Section 29: SW½SW¼

Section 30: Lots 3, 4; W½NE¼, E½NW¼, E½SW¼ and SE¼

Section 31: Lots 2, 3, 4; E½W¼ and E¼

Section 32: NW½SW¼ and NW¼ EXCEPT NE½NW¼NE½NW¼ and NW½NE½NE½NW¼

EXHIBIT "A" (Continued)

PARCEL E:

Township 30 North, Range 4 West of the Boise Meridian:

Section 1: Lots 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14,  
SW $\frac{1}{4}$  and W $\frac{1}{2}$ SE $\frac{1}{4}$

Section 2: Lots 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, and S $\frac{1}{2}$

Section 3: Lots 3, 4, 5, 9, 12, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$  and  
E $\frac{1}{2}$ SE $\frac{1}{4}$

Section 4: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and N $\frac{1}{2}$ SE $\frac{1}{4}$

Section 9: E $\frac{1}{2}$ N $\frac{1}{2}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$

Section 10: All of Section 10

Section 11: All of Section 11

Section 12: W $\frac{1}{2}$ N $\frac{1}{2}$ , NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$

Section 13: All of Section 13

Section 14: S $\frac{1}{2}$ N $\frac{1}{2}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$

Section 15: NW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , and NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 17: E $\frac{1}{2}$ W $\frac{1}{2}$ , W $\frac{1}{2}$ E $\frac{1}{2}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$

Section 20: Lots 1, 2, 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ N $\frac{1}{2}$ , and SE $\frac{1}{4}$

Section 21: Lots 2, 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ N $\frac{1}{2}$ , SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$

Section 22: Lots 1 and 2, S $\frac{1}{2}$ N $\frac{1}{2}$ , and S $\frac{1}{2}$

Section 23: All of Section 23

Section 24: All of Section 24

Section 25: N $\frac{1}{2}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 26: N $\frac{1}{2}$ N $\frac{1}{2}$ , W $\frac{1}{2}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$

EXHIBIT "A" (Continued)

PARCEL E: (continued)

Section 27: N½, SW½, W½SE½, and SE½SE½

Section 28: E½W½, SE½NE½, E½SE½, and W½E½

Section 33: NE½

Section 34: N½, N½S½, and SE½SE½

Section 35: NE½, NW½NW½, SE½NW½, and S½

PARCEL F:

Township 31 North, Range 3 West of the Boise Meridian:

Parcel 1:

Section 4: SW½SW½ and SW½SE½

Section 5: E½SW½ and SE½

Section 6: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13,  
14, 15, 16, and 17

Section 7: Lots 10, 11 and SW½SE½

Section 8: W½W½ and NE½NW½

Section 9: E½

Section 16: E½NE½

Section 18: Lots 1, 2, 3, 5, 6, N½NE½, SW½NE½, SW½SE½

Section 19: Lots 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12;  
W½NE½, and SE½

Section 20: W½SW½

Section 21: S½SE½

Section 28: N½NE½

Section 29: W½, W½E½

Section 30: Lots 1, 2, 3, 4; E½W½, NE½, NW½SE½, and S½SE½

Section 31: Lots 1 and 3, NE½NW½, E½SW½, and E½

Section 32: W½, W½NE½, and NW½SE½

PARCEL H:

Township 32 North, Range 3 West of the Boise Meridian:

Parcel 1:

Section 4: Lots 3, 4, S½N½, and E½SE½  
Section 5: W½SW½, E½SW½, Lots 3 and 4; S½NW½  
Section 6: Lots 1, 2, 4, 5, 6, 7; SE½NW½, S½NE½, and SE½SW½  
Section 7: Lots 1, 2, 3, 4; E½NW½, NE½SW½, SE½, SE½SW½  
Section 8: SW½NE½, and W½SE½  
Section 9: E½NE½, S½NW½, N½SW½, and SW½SW½  
Section 21: W½NE½, SW½, SW½SE½  
Section 28: W½NE½  
Section 29: W½  
Section 30: Lots 3, 4, E½SW½ and SE½  
Section 31: All of Section 31  
Section 32: N½, and SE½  
Section 33: S½NW½, and N½SW½

Parcel 2:

Section 6: SE½, NE½SW½, Lot 3 EXCEPT beginning at the Northwest corner of said Lot 3, thence South along the West line of said Lot 3 a distance of 660 feet to a point, thence East 400 feet more or less to the East bank of Webb Creek, thence in a Northerly direction on and along the East bank of Webb Creek to a point on the North line of Lot 3, thence West on and along the North line of Lot 3 a distance of 314 feet more or less to the place of beginning.

Section 17: NW½SW½  
Section 18: NE½, SE½, E½SW½, and NE½NW½  
Section 19: N½  
Section 20: NW½NW½  
Section 33: SW½SW½

EXHIBIT "A" (Continued)

PARCEL F: (continued)

Parcel 2:

- Section 4: Government Lots 4, 5, 12, 13, 14, 15, N%SW%, SE%SW%, and NW%SE%; EXCEPTING from all the Bonanza Lode, Giant Lode Deposit No. 1 Lode and Paris Lode Mining Claims.
- Section 5: Government Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and W%SW%
- Section 6: Government Lots 10, 18, 19 and SE%
- Section 7: Government Lots 1, 2, 5, 6, 7, 8, 12, NE%, N%SE% and SE%SE%
- Section 8: SE%NW%, S%NE%, E%SW%, and SE%
- Section 9: NE%NW%, S%NW%, and SW%
- Section 17: All of Section 17
- Section 18: Government Lot 7, SE%NE%, N%SE%, and SE%SE%; EXCEPT the Evening Star Lode Mining Claim
- Section 19: E%NE%
- Section 20: N%N%, SW%NW%, SE%NE%, and E%SE%
- Section 21: N%, SW%, N%SE%
- Section 28: Government Lots 1, 2, 3, NW%, SW%NE%, N%SW%

Parcel 3:

- Section 29: E%NE%, NE%SE%

PARCEL G:

Township 29 North, Range 4 West of the Boise Meridian:

- Section 1: All of Section 1
- Section 2: Lots 1, 2, 3, 4; S%NE%, and S%
- Section 3: Lot 1, and NE%SE%
- Section 11: N%NW%, SE%NW%, NE%, and N%SE%
- Section 12: N%NE% and NW%

PARCEL J:

Township 33 North, Range 3 West of the Boise Meridian:

Section 31: Lots 2, 3, 4; S½N½NW½, SE½NW½, E½SW½, S½NE½ and SE½

Section 32: Lot 4, W½NW½, and NW½SW½, EXCEPT that portion heretofore conveyed to F. D. Warner by Instrument recorded in Book 84 of Deeds at page 14 on September 14, 1905.

PARCEL K:

Township 33 North, Range 3½ West of the Boise Meridian:

Section 36: Lots 3 and 4

PARCEL L:

Township 31 North, Range 4 West of the Boise Meridian:

Section 1: Lots 1, 2, 3; S½NE½, SE½NW½, E½SW½, SE½, and W½SW½

Section 2: Lot 4, SW½NW½, N½SW½

Section 3: Lot 1, SE½NE½, and SE½

Section 4: Lots 1, 2, 4; S½NE½, SW½NW½, SW½SW½ and E½SW½

Section 5: Lots 1, SE½NE½ and E½SE½

Section 8: NE½SE½

Section 9: NW½NW½, W½SW½, and SE½SW½

Section 10: N½N½, SW½NE½, SE½NW½, NE½SW½, and SE½

Section 11: SW½, SW½SE½, S½NE½, N½SE½, SE½SE½

Section 12: NE½NE½, W½NE½, E½NW½, W½NW½, SW½ W½SE½, SE½SE½

Section 13: S½NW½, SW½SW½, Lots 2, 3, 4, SW½NE½, N½SW½, SE½SW½, and NW½SE½

Section 14: Lot 1, SE½NE½, S½ and N½NW½

Section 15: E½E½, NW½NE½, SW½SE½ and W½

EXHIBIT "A" (Continued)

PARCEL L: (continued)

Section 21: E%NEX

Section 22: All of Section 22

Section 23: All of Section 23

Section 24: All of Section 24

Section 25: All of Section 25

Section 26: All of Section 26

Section 27: E%

Section 32: N%NEX

Section 33: W%NW%, SW%, and NW%SEX

Section 34: W%NEX, and N%SEX

Section 35: E%NEX, N%SW%, SE%SW%, and SE%

Section 36: N%NEX

EXHIBIT "A" (Continued)

PARCEL N:

Township 32 North, Range 4 West of the Boise Meridian:

Parcel 1:

- Section 1: Lots 1, 2, 3, 4, 5, 6, 7, SW $\frac{1}{4}$ NEX, S $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and W $\frac{1}{4}$ SE $\frac{1}{4}$
- Section 2: Lots 1, 2, 3, 4, and S $\frac{1}{4}$ N $\frac{1}{4}$ , E $\frac{1}{4}$ SW $\frac{1}{4}$  SE $\frac{1}{4}$
- Section 3: Lots 1 and 2, S $\frac{1}{4}$ NEX, and SE $\frac{1}{4}$
- Section 4: SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$
- Section 8: SE $\frac{1}{4}$ NEX, SW $\frac{1}{4}$ SE $\frac{1}{4}$ , and E $\frac{1}{4}$ SE $\frac{1}{4}$
- Section 9: NE $\frac{1}{4}$ NEX, S $\frac{1}{4}$ NEX, W $\frac{1}{4}$ , SE $\frac{1}{4}$
- Section 10: All of Section 10
- Section 11: NW $\frac{1}{4}$ , S $\frac{1}{4}$ SW $\frac{1}{4}$ , except SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; E $\frac{1}{4}$ SE $\frac{1}{4}$ , and N $\frac{1}{4}$ NEX
- Section 12: Lot 1 and SW $\frac{1}{4}$
- Section 13: SW $\frac{1}{4}$  Except that part of the SW $\frac{1}{4}$  of Section 13 of Township 32 North, Range 4 West, B.M., Nez Perce County, Idaho, more particularly described as follows: Beginning at the Northwest corner of said SW $\frac{1}{4}$ ; thence Easterly along the North line of said SW $\frac{1}{4}$  a distance of 0.87 feet; thence South 0° 14' 05" West a distance of 173.16 feet to a point on the West line of said SW $\frac{1}{4}$ ; thence North 0° 03' 06" West along said West line a distance of 173.16 feet to the place of beginning.
- Section 14: W $\frac{1}{4}$  Except That part of the SW $\frac{1}{4}$  of Section 14 of Township 32 North, Range 4 West, B.M., Nez Perce County, Idaho, more particularly described as follows: Beginning at the Northeast corner of said SW $\frac{1}{4}$ ; thence South 89° 55' 48" West a distance of 14.66 feet; thence South 0° 14' 05" West a distance of 2633.27 feet; thence South 89° 59' 01" East a distance of 20.53 feet to a point on the East line of said SW $\frac{1}{4}$ ; thence North 0° 06' 26" East along said East line a distance of 2633.27 feet to the true place of beginning.
- Section 15: E $\frac{1}{4}$ NEX, SW $\frac{1}{4}$ NEX and NW $\frac{1}{4}$
- Section 17: E $\frac{1}{4}$ NEX
- Section 19: SE $\frac{1}{4}$ SE $\frac{1}{4}$
- Section 20: E $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$  and E $\frac{1}{4}$
- Exhibit A - page 8

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AUG 08 1994

EXHIBIT "A" (Continued)

PARCEL N: (continued)

- Section 21: N%, N%SW%, SW%SW%, SE%SE%
- Section 22: W%, SE%
- Section 23: All of Section 23
- Section 24: W%
- Section 25: N%, N%SW%, SE%SW%, SE%
- Section 26: E%NW%, SW%NW%, SW%, and NE%
- Section 27: NW%NE%, S%N%, SE%, and NE%NE%
- Section 28: S%NE%, W%, W%SE%, and SE%SE%
- Section 29: N%, N%SW%, SE%SE%,
- Section 30: Lots 1, 6, 7, 8, 9, 10, 11, 12, and E% EXCEPT S%SE%
- Section 31: Lots 1, 2 and 3
- Section 32: Lot 1, E%NE% and NE%SE%
- Section 33: Lots 2, 3, and 4, N%, N%SW%
- Section 34: W%NW%, NE%SE%, Lot 1
- Section 35: Lot 4, NW%SW%
- Section 36: Lots 1, 2, 3, NW%NE%, NE%NW%

Parcel 2:

- Section 11: SE%NE%, SW%NE% Except SW%SW%SW%NE%

Parcel 3:

- Section 11: SW%SW%SW%NE%

Parcel 4:

- Section 11: SW%SW%SW%

Parcel 5:

- Section 24: NE%

EXHIBIT "A" (Continued)

PARCEL P:

Township 33 North, Range 4 West of the Boise Meridian:

Section 21: S½S½

Section 22: SW½SW½

Section 26: NW½SW½, S½SW½

Section 27: S½NE½, W½W½, SE½SW½, SE½

Section 34: N½N½, SE½NE½

Section 35: NE½NW½, W½W½, SE½SW½, and SE½ EXCEPT beginning at the Southeast corner of said Section 35, thence North along the section line between Sections 35 and 36, 545 feet, thence West 696 feet, thence North parallel to the East line of said Section 35, 375 feet, thence East 696 feet, thence South 375 feet to the point of beginning.

Section 36: SE½, and NE½ south of county road.

Section 35: Beginning at the Southeast corner of the SE½NE½, thence North a distance of 15 rods to the county road, thence Northwesterly along the county road to a point on the West line of said SE½NE½, 30 rods North of the Southwest corner thereof, thence South to Southwest corner of said SE½NE½, thence East to place of beginning.

PARCEL Q:

Township 31 North, Range 4 West of the Boise Meridian:

Section 8: NE½

PARCEL R:

Township 31 North, Range 4 West of the Boise Meridian:

Section 28: NE½SW½, N½SE½, SE½SE½

Section 33: E½NW½, NE½, S½SE½, NE½SE½

Section 34: S½NW½, SW½, S½SE½

Section 35: SW½SW½

Township 30 North, Range 4 West of the Boise Meridian:

Section 2: Lot 4

SPECIAL WARRANTY DEED

IN CONSIDERATION of SEVEN MILLION ONE HUNDRED THOUSAND DOLLARS (\$7,100,000), the receipt and sufficiency of which are hereby acknowledged, the undersigned

THE CONSERVATION FUND, a non-profit corporation organized and existing pursuant to the laws of the State of Maryland, of Suite 1120, 1800 North Kent Street, Arlington, Virginia 22209 ("Grantor"),

does hereby grant and convey to:

THE UNITED STATES OF AMERICA and its assigns ("Grantee"), all of Grantor's right, title and interest in and to the real property and attached fixtures in the County of Lewis, State of Idaho, described on Exhibit A attached hereto and incorporated by reference (the "Property"), including:

1. All hereditaments, appurtenances and improvements to said Property;
2. All mineral and mineral rights underlying the Property which are owned by Grantor; and
3. All timber and timber rights associated with the Property which are owned by Grantor.

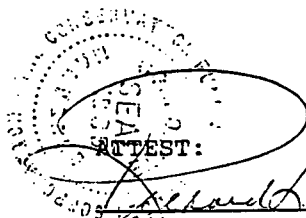
Grantor, for itself and its successors and assigns, expressly limits the covenants of this Deed to those herein expressed, and warrants and covenants to Grantee only that prior to the execution of this Deed, Grantor has not conveyed the above-described property, or any right, title, or interest therein, to any person other than the Grantee, and that the above-described property is free from encumbrances done, made or suffered by the Grantor or any person claiming under it.

The Property described herein is acquired by the United States acting through the Bonneville Power Administration, Department of Energy.

Dated this 30th day of March, 1992.

THE CONSERVATION FUND

By: [Signature]  
Its: PRESIDENT



[Signature]  
Assistant Secretary

STATE OF VIRGINIA )  
COUNTY OF ARLINGTON ) ss:

The foregoing instrument was acknowledged before me on March 30th, 1992, by Patrick F. Worman as President and Richard L. Edmann as Assistant Secretary of The Conservation Fund, a Maryland non-profit corporation

Witness my hand and official seal.

My Commission expires:

MICROFILMED

AUG 08 1994

[Signature]  
Notary Public

ELIZABETH TRYON  
NOTARY PUBLIC  
Commonwealth of Virginia  
My Comm. Expires 2/21/95

EXHIBIT "A"

Situate in Lewis County, State of Idaho, to-wit:

Township 31 North, Range 3 West of the Boise Meridian.

Section 2: SW $\frac{1}{4}$ NW $\frac{1}{4}$ .  
Section 3: S $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{4}$ SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ .  
Section 10: SW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ .  
Section 15: N $\frac{1}{4}$ , SW $\frac{1}{4}$ , N $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ .  
Section 22: Entire Section.  
Section 23: SW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ .  
Section 25: N $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ .  
Section 26: E $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{4}$ NW $\frac{1}{4}$ .  
Section 27: Lot 2, E $\frac{1}{2}$  of Lot 3 and N $\frac{1}{4}$ NE $\frac{1}{4}$ .

Township 32 North, Range 3 West of the Boise Meridian.

Section 3: W $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{4}$ SE $\frac{1}{4}$ .  
Section 10: W $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{4}$ SE $\frac{1}{4}$ .  
Section 15: S $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{4}$ .  
Section 22: NW $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ .  
Section 26: SW $\frac{1}{4}$ .  
Section 27: W $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{4}$ SE $\frac{1}{4}$ .  
Section 34: W $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{4}$ SE $\frac{1}{4}$ .  
Section 35: SW $\frac{1}{4}$ .

113317

STATE OF IDAHO }  
COUNTY OF LEWIS }  
FILED FOR RECORD }  
ALL 10:30 O'CLOCK }  
REQUEST OF }  
LEWIS COUNTY ABSTRACT CO., LTD.

*Cathy Larson*  
*Anne V. Crea*  
FEE \$ 6.00

*my Security Title*  
*P.O. Box 398*

*Lewiston, Id. 83501*

MICROFILMED

AUG 08 1994

QUIT CLAIM DEED

FOR A VALUABLE CONSIDERATION, the receipt and sufficiency of which is acknowledged, the undersigned,

THE CONSERVATION FUND, a non-profit corporation organized and existing pursuant to the laws of the State of Maryland, of Suite 1120, 1800 North Kent Street, Arlington, Virginia 22209 ("Grantor")

hereby remises, releases, and quit claims unto

THE UNITED STATES OF AMERICA ("Grantee")  
and its assigns

all of its right, title and interest in and to the water rights appurtenant to the real property located in the County of Lewis, State of Idaho, (the "Property"), described on Exhibit A attached hereto and incorporated herein. The property described herein is acquired by the United States acting through the Bonneville Power Administration, Department of Energy.

TO HAVE AND TO HOLD unto the Grantee, and Grantee's successors and assigns, forever.

DATED this 30th day of March, 1992.

THE CONSERVATION FUND

By:  
Its:

David F. Noonan  
PRESIDENT

ATTEST:

Richard L. Erdmann  
Assistant Secretary

STATE OF VIRGINIA )  
COUNTY OF ARLINGTON ) ss:

The foregoing instrument was acknowledged before me on March 30th, 1992, by Mr. Patrick F. Noonan as President and Mr. Richard L. Erdmann as Assistant Secretary of The Conservation Fund, a Maryland non-profit corporation.

Witness my hand and official seal.

MICROFILMED

My Commission expires:

AUG 08 1994

ELIZABETH TRYON  
NOTARY PUBLIC  
Commonwealth of Virginia  
Comm. Exps. 3/31/95

Elizabeth Tryon  
Notary Public

EXHIBIT "A"

Situate in Lewis County, State of Idaho, to-wit:

Township 31 North, Range 3 West of the Boise Meridian.

Section 2: SW $\frac{1}{4}$ NW $\frac{1}{4}$ .  
Section 3: S $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ .  
Section 10: SW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ .  
Section 15: N $\frac{1}{2}$ , SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ .  
Section 22: Entire Section.  
Section 23: SW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ .  
Section 25: N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ .  
Section 26: E $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ .  
Section 27: Lot 2, E $\frac{1}{2}$  of Lot 3 and N $\frac{1}{2}$ NE $\frac{1}{4}$ .

Township 32 North, Range 3 West of the Boise Meridian.

Section 3: W $\frac{1}{2}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ .  
Section 10: W $\frac{1}{2}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ .  
Section 15: S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ .  
Section 22: NW $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ .  
Section 26: SW $\frac{1}{4}$ .  
Section 27: W $\frac{1}{2}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ .  
Section 34: W $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ .  
Section 35: SW $\frac{1}{4}$ .

113318

STATE OF IDAHO  
COUNTY OF LEWIS } ss.  
FILED FOR RECORD APR 2 1992  
AT 11:30 O'CLOCK A M AT THE  
REQUEST OF  
LEWIS COUNTY ABSTRACT CO., LTD.

*Cathy Larson*  
COUNTY RECORDER  
*Anne V. Crea*  
DEPUTY

FEES \$ 6.00

*Security Title*

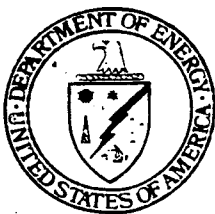
P.O. Box 398

Lewiston, Id.

83501

MICROFILMED

AUG 08 1994



Department of Energy  
Bonneville Power Administration  
P.O. Box 3621  
Portland, Oregon 97208-3621

RECEIVED  
JUN 30 1992

Department of Water Resources

June 26, 1992

In reply refer to: MMLB  
Craig Mountain

Idaho Department of Water Resources  
Statehouse Mail  
Boise, ID 83720-9000

Attention: Adjudication Bureau

Ladies and Gentlemen:

The United States, acting through the Bonneville Power Administration, bought about 60,000 acres of land in Lewis and Nez Perce Counties in a transaction that closed on March 31, 1992. The property was formerly owned by Aetna Life Insurance Company, who sold it to The Conservation Fund; the United States purchased from The Conservation Fund in a back-to-back closing.

Aetna Life Insurance Company has filed numerous "Notice of Claim to a Water Right" documents (Form No. 42-1409(2)a) for this property, in connection with Civil Case Number 39576, which concerns adjudication of rights to use water from the Snake River Basin water system. The forms do not include an identification number. The very great majority of the notices are for amounts described as "de minimus" and are for stock water. A sample of these notices is enclosed. A few of the notices pertain to other amounts of water for other uses.

I've enclosed a completed Form 42-1409(7), "New Property Owner, Notice of Change of Water Right Ownership," along with copies of the deeds conveying the property to the United States.

Please take whatever steps are necessary to document the change of ownership in your records. Any notices issued in connection with the adjudication of water rights for the property should be sent to the address shown on the enclosed "Notice of Change of Water Right Ownership" and, if possible, also to Robert Walker - PJSP, Fish and Wildlife Program, Bonneville Power Administration, P.O. Box 3621, Portland, OR 97208-3621.

MICROFILMED

AUG 08 1994

If you need other information, please call me at (503) 230-3283.

Sincerely,

*Rebecca Hallgarth*

Rebecca Hallgarth  
Realty Specialist  
Realty Negotiation Section

Enclosures (6)

MICROFILMED

AUG 08 1994

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: A79-02012  
Date Received: 4/28/1989  
Receipt No: \_\_\_\_\_  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: AETNA LIFE INSURANCE COMPANY 203-275-2094  
Address: 242 TRUMBALL  
HARTFORD, CT 06156

2. Date of Priority: AUG 27, 1908

3. Source: DEER CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 31N      | 03W   | 22      |        | NE     | SW  |     | LEWIS  |

5. Description of diverting works:  
PIPE, PUMP

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/01 | 11/15 | 0.500  |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.040  |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.230  |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
D/1 HOUSE, S/1000 RANGE STOCK

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 31N      | 03W   | 27      | NW     | NE  |     | IRR | 10.0  |

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Date: 04/28/89

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10. Place of Use: Continued

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 31N      | 03W   | 27      | SW  |    | NE  |     | IRR           | 3.0   |
|          |       |         | NE  |    | NW  |     | IRR           | 10.0  |
|          |       |         | SE  |    | NW  |     | IRR           | 2.0   |
|          |       |         |     |    |     |     | Section Acres | 25.0  |
|          |       |         |     |    |     |     | Total Acres   | 25.0  |

11. Place of use in counties: LEWIS

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: LICENSE  
Water Right Number: 3917

16. Signature(s)

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

Number of attachments: \_\_\_\_\_

**For Organizations:**

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

\_\_\_\_\_  
Signature of Authorized Agent

\_\_\_\_\_  
Title and Organization

\_\_\_\_\_  
Date

State of Idaho )  
County of \_\_\_\_\_ ) SS.

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

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

1/23/1988

## SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Aetna Life CLAIM IDENT. NO. AA-02012DATE RECEIVED 3/16/89 CK # 0005871 AMOUNT \$ 75<sup>00</sup>

- |                                                                                                                                                                                                                          | YES                                 | NO                       | Required Info? |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------|----------------|
| 1. Is the name and address complete with zip code?                                                                                                                                                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 2. Is a priority date entered?                                                                                                                                                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| Is the priority date acceptable in view of mandatory filing dates?                                                                                                                                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| See Adjudication Memos #1 and #4 to determine if a Permit is required.                                                                                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 3. (a) Is a source entered?                                                                                                                                                                                              | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| (b) Is a tributary to entered? (if required) N/A                                                                                                                                                                         | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 4. Is the legal description of the p.d. sufficient?                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 5. Is there a description of the diverting works?                                                                                                                                                                        | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.              | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| Is the period of use included?                                                                                                                                                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| Is a quantity claimed for each use?                                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 7. Is a total quantity claimed entered?                                                                                                                                                                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 8. If required is a consumptive use entered? N/A                                                                                                                                                                         | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| Is the consumptive use correct? N/A                                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 10. Is (are) the place(s) of use and purpose(s) indicated?                                                                                                                                                               | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 11. Is (are) the county(ies) entered?                                                                                                                                                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 12. Is the ownership of p.u. checked?                                                                                                                                                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 13. Are other water rights listed or "none" indicated?                                                                                                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A                                                              | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 15. Is the basis of the claim indicated?                                                                                                                                                                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A                                                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.                                                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 18. Has the claim been signed, sealed, and dated by a notary?                                                                                                                                                            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 19. Was this claim filed on time, or was an extension granted?                                                                                                                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 20. Is the fee enclosed correct? Exempt                                                                                                                                                                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | *              |
| 21. If this claim is based on an existing water right, has the identification number been entered? N/A                                                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |
| 22. Should this claim be receipted and data entered?                                                                                                                                                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                |

should be 50

was incorrect on claims as 7-00-29-02012

Claim checked by: Anna BaumhoffDate: 3/20/89

Claim must be returned to claimant:

(Yes) ☒ (No)

Claimant must be sent a copy of amended claim for approval:

(Yes) ☒ (No)Receipt Prepared by: Kim

Claim data entered by:

Date: 3/16/89

Sent to claimant by:

Date:

Checked by: \_\_\_\_\_ Date: \_\_\_\_\_

Comments:

late fee needed this is a Lewis County Claim

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State of Idaho  
**DEPARTMENT**  
STATE OFFICE, 450

JOHN V. EVANS  
Governor

A. KENNETH DUNN  
Director

*Lewis Co.  
Late fee  
needed*

**MICROFILMED**

**AUG 08 1994**

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 A79-02012

Date Received \_\_\_\_\_

Receipt Number \_\_\_\_\_

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED

MAR 16 1989

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Life Insurance Company Phone (203) 275-2094Mailing Address 242 Trumbull  
City of Hartford, CT Zip 061562. Date of Priority (Only one (1) per claim) August 27, 19083. Source of water supply (a) Deer Creek  
which is tributary to (b) Salmon River4. a. Location of existing point of diversion is: Township 31N Range 03W Section 22,  
1/4 of NE 1/4 of SW 1/4, Govt. Lot, B.M., County of LewisAdditional points of diversion if any: None

b. If instream flow, beginning point of claimed instream flow is:

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4,

Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

ending point is: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_

\_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),  
including the dates of any changes or enlargements in use, the dimensions of the diversion works as  
constructed and as enlarged and the depth of each well: Irrigation pipe in creek delivers water to  
irrigation pump which supplies irrigation systems.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/1 to 11/30 amount 0.500 or \_\_\_\_\_

For Domestic purposes from 1/1 to 12/31 amount \_\_\_\_\_ or \_\_\_\_\_

For Stockwater purposes from 1/1 to 12/31 amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 0.500 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is 75 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 1,000 head range cattle, 1 household

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RNG | SEC | NE 1/4 |           |          |       | NW 1/4      |       |       |          | SW 1/4 |       |       |       | SE 1/4 |       |       |       | Totals |
|-----|-----|-----|--------|-----------|----------|-------|-------------|-------|-------|----------|--------|-------|-------|-------|--------|-------|-------|-------|--------|
|     |     |     | NE1/4  | NW1/4     | SW1/4    | SE1/4 | NE1/4       | NW1/4 | SW1/4 | SE1/4    | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 |        |
| 31N | 03W | 27  |        | S<br>10.0 | S<br>3.0 |       | S/D<br>10.0 |       |       | S<br>2.0 |        |       |       |       |        |       |       |       | 25.0   |
|     |     |     |        |           |          |       |             |       |       |          |        |       |       |       |        |       |       |       |        |
|     |     |     |        |           |          |       |             |       |       |          |        |       |       |       |        |       |       |       |        |
|     |     |     |        |           |          |       |             |       |       |          |        |       |       |       |        |       |       |       |        |
|     |     |     |        |           |          |       |             |       |       |          |        |       |       |       |        |       |       |       |        |
|     |     |     |        |           |          |       |             |       |       |          |        |       |       |       |        |       |       |       |        |
|     |     |     |        |           |          |       |             |       |       |          |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated 25.0

11. In which county (ies) are lands listed above as place of use located? Lewis

12. Do you own the property listed above as place of use? Yes X No \_\_\_\_\_  
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.  
\_\_\_\_\_ or None ( X )

14. Remarks:

None

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Last Name Aetna Ident No. \_\_\_\_\_

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License ☒ Permit \_\_\_\_\_

Decree \_\_\_\_\_

If applicable provide IDWR Water Right Number 29-2012

Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_

Plaintiff vs Defendant \_\_\_\_\_

16. Signature (s)

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

Number of attachments 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am Assistant Secretary

Title

of Aetna Life Insurance Co., that I have signed the foregoing

Organization

document in the space below as Ass't Sec of Aetna Life Ins. Co.

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Edward L Buckley

Title and Organization Ass't Sec. Aetna Life Ins. Co Date 3/15/89

State of Idaho/or CT )  
County of Hartford ) SS.

Subscribed and sworn (or affirmed) before me this 15th day of March 1989

SEAL

Notary Public A. Eleanor Fanelli

Residing at Hartford, Ct.

My Commission Expires 3/31/1992

Please Print Name A. ELEANOR FANELLI

17. Notice of Appearance:

Notice is hereby given that I, \_\_\_\_\_ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

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Last Name Aetna Ident. Number \_\_\_\_\_

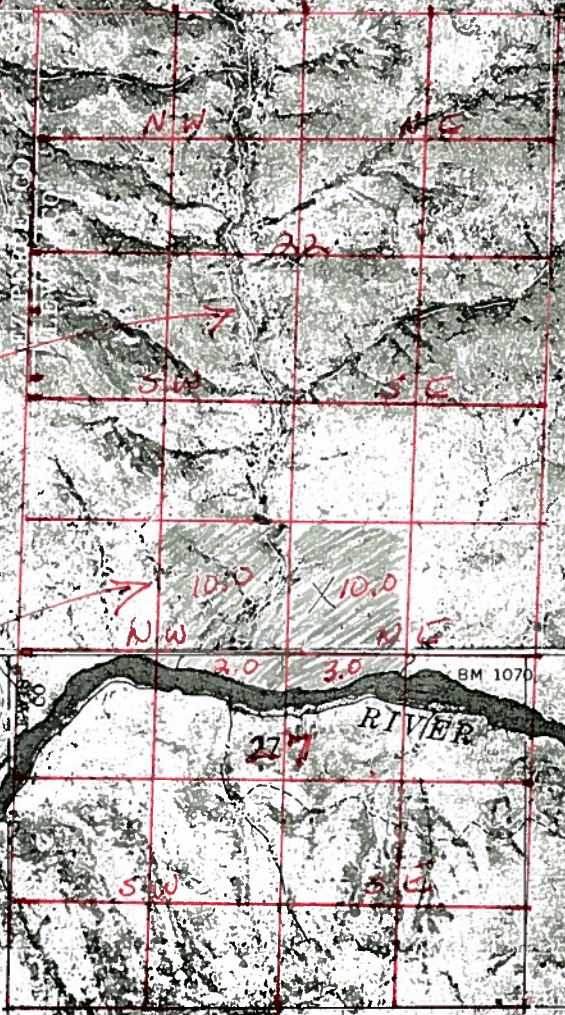
Copies White-State, Yellow-Claimant

POOR ORIGINAL

T. 31 N.  
R. 03 W.

Point of  
Diversion

Place  
of  
Use



10.0

10.0

2.0

3.0

27

RIVER

BM 1070

BM 1057

NEZ PERCE CO

BM 1060

SALMON

MICROFILMED  
AUG 08 1994

Lewis  
 County, Nez Perce  
 Stream: Deer Creek  
 Amount:  $\frac{1}{2}$  of 1 cu.ft.  
 Use: irrigation  
 Priority: August 27, 1908

# STATE OF IDAHO

Water License No. 3917

WHEREAS, On the 17th day of August, A. D. 1908,  
 John A. Platt

of Forest, County of Nez Perce, State of Idaho, duly made application  
 (No. 3955) to me for a permit to use  $\frac{1}{2}$  of 1 cubic foot per second of the waters of  
 DEER CREEK

County of Nez Perce, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 22nd day of August, A. D. 1908, Permit No. 3917 was issued  
 to said applicant for the diversion of said water and providing for the completion of the works of diversion  
 therein described on or before the 22nd day of August, A. D. 1911, and for the application to ben-  
 efitial use of said water on or before the 22nd day of August, A. D. 1913, and,

WHEREAS, On the 26th day of September, A. D. 1911, the time for completion  
 of works was extended to April 1, 1912, and the time for beneficial use of water  
 to April 1, 1914, and

WHEREAS, On the 1st day of July, A. D. 1912,

John A. Platt

the holder of said permit, duly made proof of the completion of adequate works for the diversion of  
 $\frac{1}{2}$  of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 3917  
 dated August 28, 1912, confirming the completion of works of sufficient capacity for diverting and  
 conveying to the place of intended use  $\frac{1}{2}$  of 1 cubic foot per second of said water,  
 with date of priority of August 17, 1908, and

WHEREAS, On the 11th day of April, A. D. 1914,

John A. Platt

the holder of said permit, duly made proof of the application to beneficial use of  $\frac{1}{2}$  of 1 cubic  
 foot per second of said water.

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I  
 hereby grant and confirm to John A. Platt

of Forest, County of Nez Perce, State of Idaho, the holder and owner  
 of said Permit No. 3917, a perpetual right, dating from August 27, 1908,  
 to the use of  $\frac{1}{2}$  of 1 cubic foot per second of the waters of Deer Creek

in the County of Nez Perce and State of Idaho, or so much thereof as may be necessary for the  
 purposes hereinbelow mentioned to be diverted at a point in the NE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 22, T.  
 31 N., R. 3 W.B.M.,

and conducted to and upon 25 acres, divided as follows: 2 acres in the SE $\frac{1}{4}$  of NW $\frac{1}{4}$ ,  
 10 acres in NE $\frac{1}{4}$  of NW $\frac{1}{4}$ , 3 acres in SW $\frac{1}{4}$  of NE $\frac{1}{4}$  and 10 acres in NW $\frac{1}{4}$  of NE $\frac{1}{4}$ , all in  
 Sec. 27, T. 31 N. R. 3 W.B.M.

for the purpose of irrigation and domestic use, subject, however, to the laws of the  
 State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local  
 or community customs, rules and regulations which have been or may be adopted from time to time by  
 a majority of the users from a common source of supply, canal or lateral from which such water may  
 be taken, when such rules and regulations have for their object the economical use of such water.

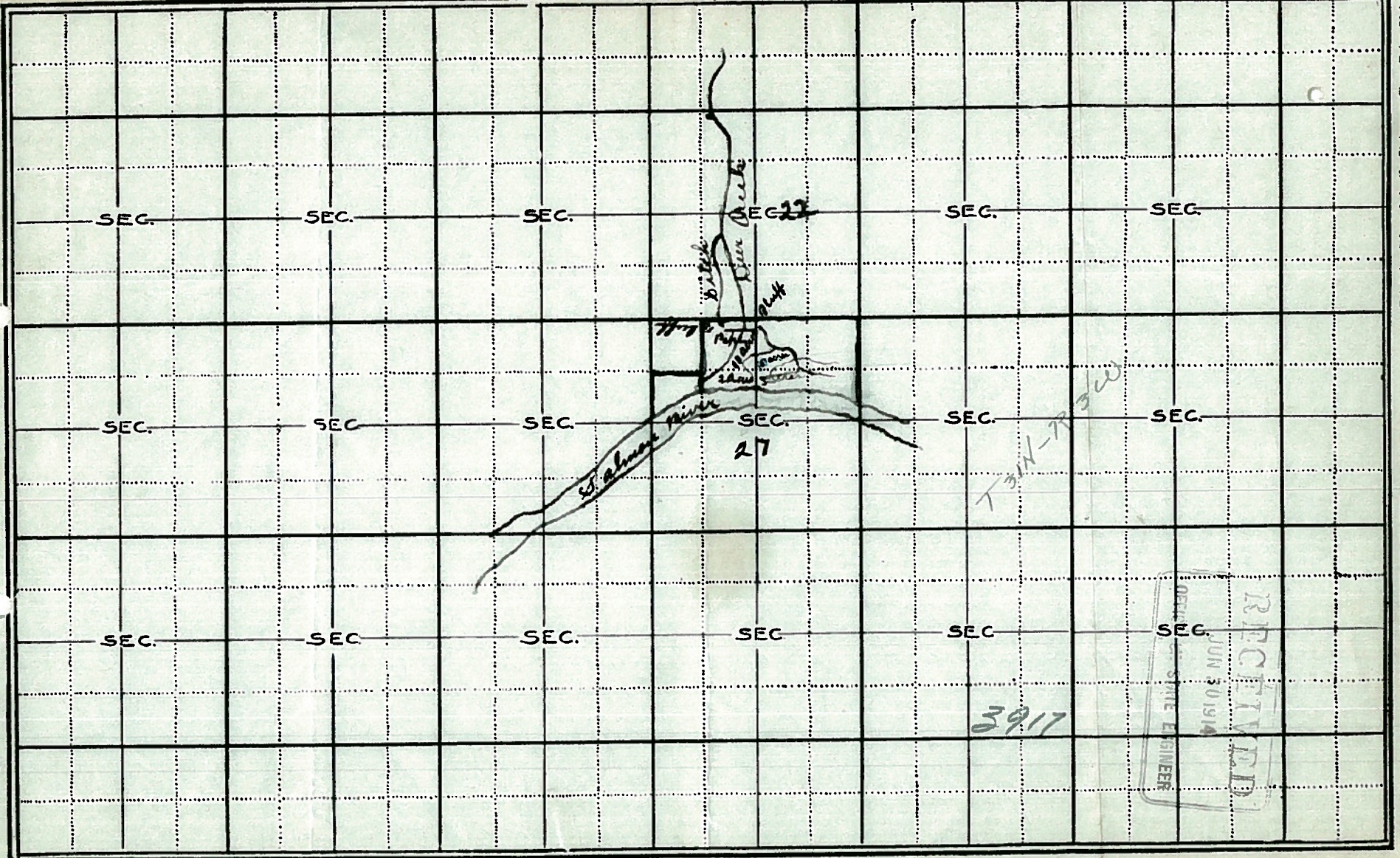
WITNESS, My hand and the seal of my office at Boise, Idaho, this 30th day of June  
 A. D., nineteen hundred and fourteen.

F. P. KING,

(Seal)

State Engineer.

Name of Applicant



SCALE: 2 INCHES=1 MILE. DRAW PLAN IN INK.

Printed and for sale by the Stateman Shop, Boise, Idaho.