

02/07/2005

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

RIGHT NUMBER: 79-10202

NAME AND ADDRESS: DENNIS K HARVEY  
HC 01 BOX 140  
WHITE BIRD ID 83554

LEAH A HARVEY  
HC 01 BOX 140  
WHITE BIRD ID 83554

SOURCE: SPRING

TRIBUTARY: WHITEBIRD CREEK

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1877

POINT OF DIVERSION:

T28N R01E S11 SENESE Within IDAHO County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| STOCKWATER            | 1/01 12/31           | 0.040 CFS       |

PLACE OF USE: STOCKWATER Within IDAHO County

T28N R01E S11 NESE

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

PARCEL NO. 28N01E11 6760

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 79-10202  
Date Received: 7/25/1988  
Receipt No: N000743  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MYRTIE HAGEN  
305 W CHESTNUT AVE  
YAKIMA WA USA 98902

Phone: (509) 457-6858

2. Date of Priority: 01/01/1877

3. Source: SPRING Trib. to: WHITEBIRD CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 28N      | 01E   | 11      | NE SE                 | IDAHO  |      |

5. Description of diverting works:

SPRING PIPED TO TROUGH

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| STOCKWATER | 1/01 | 12/31 | 0.04   |            |

7. Total Quantity Appropriated is:  
0.04 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 |
|----------|-------|---------|------------|-----|------------|-------|
| 28N      | 01E   | 11      | NE         | SE  | STOCKWATER |       |

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:

Ownership changed by DH 6/27/2002

15. Basis of Claim: Beneficial Use

STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 04 1998

WATER RESOURCES  
WESTERN REGION

## NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.  
Incomplete forms will be returned.

1. Water Right No(s): A79-10204, A79-10205, A79-10206  
 Adjudication Claim No(s): 79-10201 79-10202, 79-10203
  
2. The following REQUIRED information must be submitted with this form:
  - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.  
AND
  - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)  
OR
  - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
  
3. Name and Address of Former Owner/Claimant ANDREW L. DAHLQUIST
  
4. New Owner/Claimant(s) MYRTIE E. HAGEN  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or  
 New Mailing Address 305 W. CHESNUT  
 City, State and ZIP Code YAKIMA WA. 98902  
 New Telephone Number (509) 457-6858 or 509 549-3767
  
5. Date you acquired the property 29 DEC. 1994
  
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.  
 Number of acres you irrigate \_\_\_\_\_ Number and type of stock \_\_\_\_\_  
 Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_  
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
  
7. Signature of New Owner or Claimant(s) Stephen T. Hagen  
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
  
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

Denise. I queried under Dallquist  
the following rights showed up & were covered by  
legal

79-10201 }  
79-10202 } no pd's have been issued  
79-10203 }  
79-10205 }

79-10204 - Does not Fall w/ dead.

79-10206 - Does not Fall w/ dead.

✓  
JH

379572

DURABLE POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that I, the undersigned, MYRTIE E. HAGEN, of Idaho County, State of Idaho, have made, constituted and appointed, and by these presents do hereby make, constitute and appoint, STEPHEN T. HAGEN, the true and lawful attorney for the undersigned, and in her name, place and stead, and for her use and benefit, to ask, demand, sue for, recover, collect and receive all such sums of money, debts, dues, accounts, legacies, bequests, interests, dividends, annuities checks and demands whatsoever as are now, or shall hereafter become due, owing, payable or belonging to her, and have, use and take all lawful ways and means in her name or otherwise for the recovery thereof, by attachments, arrests, distress or otherwise, and to compromise and agree for the same, and to make, sign, seal and deliver acquittances, or other sufficient discharges for the same, for her and in her name; also to transfer funds out of and from one bank account to another whether checking, savings or otherwise; to bargain, contract, agree for, purchase, receive and take lands, tenements, and accept and seize possession of all lands, and all deeds and other assurances in the law therefor; and to lease, let, demise, bargain, sell, remise, release, convey, mortgage and hypothecate lands, tenements and hereditaments, upon such terms and conditions and under such covenants, as he shall think fit. ALSO, to bargain and agree for, buy, sell, mortgage, hypothecate, and in any and every way and manner deal in and with goods, wares and merchandise, choses in action and other property, in possession or in action, and release mortgage on lands or chattels, and to make,

1 do and transact all and every kind of business, of whatsoever kind  
2 and nature, AND also for her and in her name and as her act and  
3 deed, to sign, seal, execute, deliver and acknowledge such deeds,  
4 leases and assignments of leases, covenants, indentures, agree-  
5 ments, mortgages, hypothecations, bottomries, charter parties,  
6 bills of lading, bills, bonds, notes, receipts, evidence of debt,  
7 releases and satisfaction or mortgage, judgment and other debts,  
8 and such other instruments in writing, of whatever kind and nature  
9 as may be necessary or proper in the premises. To draw and endorse  
10 checks, drafts, notes and bills of exchange upon any such account  
11 in any bank, and to give other orders and directions for the  
12 payment of money to be charged against such account. Further to  
13 contract for and sign any and all documents for her nursing and  
14 helath care needs and to authorize any medical procedures which in  
15 her discretion she deems to be necessary and beneficial.  
16

17 This Power of Attorney shall not be affected by the subsequent  
18 disability or incapacity of the principal, MYRTIE E. HAGEN, hereby  
19 creating a durable power of attorney under Section 15-5-501 of the  
20 Idaho Code.

21 Giving and granting unto her said attorney full power and  
22 authority to do and perform all and every act and thing whatsoever  
23 requisite and necessary to be done in and about the premises, as  
24 fully to all intents and purposes as she might or could do if  
25 personally present, with full power of substitution or revocation,  
26 hereby ratifying and confirming all that her said attorney, or her  
27 substitute or substitutes, shall lawfully do or cause to be done by  
28 virtue of these presents.

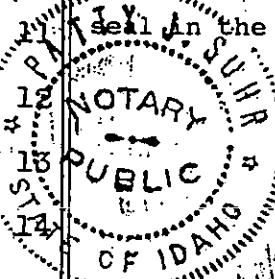
1 IN WITNESS WHEREOF, the undersigned has hereunto set her hand  
2 and seal in the day and year in the certificate below written.  
3

4 Myrtie E. Hagen  
MYRTIE E. HAGEN

5 STATE OF IDAHO )  
6 County of IDAHO) ss.

7 On this 4 day of April, 1995, before me, the undersigned a Notary Public  
8 in and for the State of Idaho, personally appeared MYRTIE E. HAGEN, and known to  
9 me to be the person whose name is subscribed to the within and foregoing  
instrument, and acknowledged to me that she executed the same.

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



12 Patty J. Suchs  
13 Notary Public in and for the State of  
14 Idaho; Residing at Grangeville, ther-  
15 ein. My commission ex-  
16 pires: 4/23/98

ATTORNEYS AT LAW

GRANGEVILLE, IDAHO 83530

|                        |                                                     |
|------------------------|-----------------------------------------------------|
| STATE of IDAHO         | ss.                                                 |
| County of Idaho        |                                                     |
| Recorded at request of | <u>Myrtie E. Hagen</u>                              |
| at                     | <u>4</u> minutes past <u>11</u> o'clock <u>A.M.</u> |
| this                   | <u>4</u> day of <u>April</u> 19 <u>95</u>           |
|                        | <b>ROSE E. GEHRING</b>                              |
| By                     | <u>Edith L. Anderson</u>                            |
|                        | Recorders<br>Deputy                                 |
| Fees \$                | <u>9.00</u>                                         |

m/3305 W. Chestnut  
Yakima, WA 98902

COMPUTER 11  
INDEXED 11  
TRACTED 11  
FILMED 11  
ASSESSOR 11

377982

DEED TO PURCHASER AT EXECUTION SALE

(Hn)

THIS INDENTURE, Made on this 29 day of ~~October~~ <sup>December</sup>, 1994, by and between GENE MEINEN, Sheriff of the County of Idaho, State of Idaho, hereinafter referred to as party of the first part, and MYRTIE E. HAGEN, aka MYRTLE HAGEN, and the Personal Representative of the Estate of HARRY M. HAGEN, deceased, hereinafter referred to as the parties of the second part.

WHEREAS, by Writ of Execution issued out of the District Court of the Second Judicial District of the State of Idaho, in and for the County of Idaho, upon a Judgment dated and filed January 10, 1992, in favor of the plaintiffs Myrtle E. Hagen aka Myrtle Hagen and the Personal Representative of the Estate of Harry M. Hagen, deceased, and against the defendants, Andrew L. Dahlquist and Neola J. Dahlquist, husband and wife, and Philip A. Wimer and Marilyn L. Wimer, husband and wife, by virtue whereof a Writ of Execution was issued out of said Court on the 31st day of January, 1992, by which the said Sheriff of Idaho County, Idaho, was required to take the total sum of \$762,854.89, together with interest on the contract balance at the rate of \$127.20 daily until judgment was entered, then interest at the legal rate set by law from the date of judgment until paid, said judgment including principal, interest, attorneys fees and Court costs and taxes, plus Sheriff's costs in the amount of \$80.40 to satisfy said Judgment, out of certain real property of the defendants all of which more fully appears in that Judgment which reference is hereby made as though fully set forth herein; that pursuant to said Judgment and in obedience thereto,

DEE, MACGREGOR, FALES AND MACGREGOR  
ATTORNEYS AT LAW  
GRANGEVILLE, IDAHO 83530

1 the said Sheriff of Idaho County did levy upon and sell the  
2 described real property located in Idaho County, State of Idaho, as  
3 set forth in Exhibit "A" which is attached hereto and made a part  
4 hereof as though fully set forth herein. That said property was  
5 sold to the plaintiffs, Myrtie E. Hagen aka Myrtle Hagen and the  
6 Personal Representative of the Estate of Harry M. Hagen, deceased,  
7 who made the only bid and the highest bid thereof by and through  
8 their attorneys of record, Dee, MacGregor, Fales and MacGregor,  
9 bidding the sum of \$780,510.29 which was the amount of the  
10 plaintiffs' judgment and was the whole price bid for such property  
11 and by virtue thereof I did sell the said property to the aforesaid  
12 Myrtie E. Hagen, aka Myrtle Hagen and the Personal Representative  
13 of the Estate of Harry M. Hagen, deceased, and

14 WHEREAS, after such sale, the Sheriff of Idaho County, Idaho,  
15 did prepare a Sheriff's Certificate of Sale of Real Property as is  
16 by law directed to be given and the same was filed in the office of  
17 the Recorder of the County of Idaho, State of Idaho, and a copy of  
18 which is attached hereto and made a part hereof as though fully set  
19 forth herein, and

20 WHEREAS, more than two years have gone by since the date of  
21 such sale without any redemption of said premises having been made,  
22 and

23 WHEREAS, the said Myrtie E. Hagen, aka Myrtle Hagen and the  
24 Estate of Harry M. Hagen are the legal owners and holders of said  
25 Certificate of Sale executed by the said Sheriff of Idaho County,  
26 Idaho, executed on the 2nd day of March, 1992, to them,  
27

1 NOW THIS INDENTURE, WITNESSETH:

2 That GENE MEINEN, as the present Sheriff of Idaho County,  
3 Idaho, and the party of the first part hereof, by virtue of said  
4 Writ and Certificate of Sale of Real Property aforesaid, and in  
5 pursuance of the statute in such cases, for and in consideration of  
6 the sum of money above mentioned to him bid, as aforesaid, by the  
7 said parties of the second part and so paid by acceptance of such  
8 bid, the undersigned has granted, bargained, sold, conveyed and  
9 confirmed and by these presents does grant, bargain, sell, convey  
10 and confirm unto the said MYRTIE E. HAGEN, aka MYRTLE HAGEN, and  
11 the Estate of HARRY M. HAGEN, deceased, their heirs, executors,  
12 successors and assigns, all of the following premises, situate,  
13 lying and being in the County of Idaho, State of Idaho, and more  
14 particularly described as follows, to-wit:

15 See Exhibit "A"

16 TOGETHER WITH ALL AND SINGULAR, the hereditaments and  
17 appurtenances thereunto belonging or in anywise appertaining.

18 TO HAVE AND TO HOLD, the above mentioned and described  
19 premises with the appurtenances to the said MYRTIE E. HAGEN, aka  
20 MYRTLE HAGEN, and the Estate of HARRY M. HAGEN, deceased, and their  
21 heirs, executors, successors and assigns forever as fully and  
22 absolutely as he, the Sheriff aforesaid, can, may or ought to, by  
23 virtue of the said Writ and of the statute in such case made and  
24 provided, grant, bargain, sell, release, assign, convey and confirm  
25 the same.

26 IN WITNESS WHEREOF, the said Sheriff, the party of the first  
27

part, has hereunto set his hand and seal in the day and year hereinabove first written.

SHERIFF OF THE COUNTY OF IDAHO,  
STATE OF IDAHO

By: Gene Meinen

GENE MEINEN

STATE OF IDAHO )

ss.

County of IDAHO )

On this 29 day of December (1994), before me, the undersigned a Notary Public in and for the State of Idaho, personally appeared GENE MEINEN, known to me to be the Sheriff of Idaho County, Idaho, and the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he executed the same.

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

Rose E. Gehring  
Notary Public in and for the State of  
Idaho; Residing at Grangeville, ID, there-  
in. My commission expires: 9-15-99

**MAIL DEED TO:**

MYRTIE E. HAGEN  
512 West South 1st  
Grangeville, ID 83530

**MAIL TAX NOTICES TO:**

MYRTIE E. HAGEN  
512 West South 1st  
Grangeville, ID 83530

|                                                            |                    |
|------------------------------------------------------------|--------------------|
| STATE of IDAHO                                             | ss.                |
| County of Idaho                                            |                    |
| Recorded at request of                                     | <u>Steve Hagen</u> |
| at <u>15</u> minutes past <u>10:00</u> o'clock <u>A.M.</u> |                    |
| the <u>29</u> day of <u>Dec</u> , 19 <u>94</u>             |                    |
| <b>ROSE E. GEHRING</b>                                     |                    |
| Recorder                                                   |                    |
| By <u>Gloria J. Mack</u>                                   | Deputy             |
| Fee \$ <u>32.00</u>                                        |                    |

44 3305 W. Chestnut  
Yakima WA 98902

DEE AND MACGREGOR  
ATTORNEYS AT LAW  
CHANGEVILLE, IDAHO 83820

The following property located in Idaho County, Idaho, to wit:  
Township Twenty-eight (28) North, Range One (1) East of the Boise Meridian, Idaho County, Idaho,

Section Two (2): West Half (W $\frac{1}{2}$ ) and that part of the East Half (E $\frac{1}{2}$ ) lying West of new U. S. Highway #95.

Section Three (3): Lot One (1), Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ ), Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$ ), South Half of the Southeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$ )

Section Ten (10): Northeast Quarter (NE $\frac{1}{4}$ ), Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$ ), South Half of the Southeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$ )

Section Eleven (11): West Half of the Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$ ), Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ ), and those parts of Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ ), East Half of the Northwest Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$ ), East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$ ) lying West of new U. S. Highway #95 and those parts of East Half of the Southeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$ ), Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ ) lying East of old U. S. Highway #95

EXCEPT Tax #10 described as:

Beginning at a point whence the Southeast (SE) corner of Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ ), Section Eleven (11), bears South 27°30' East, 158.5 feet,

thence North 52°30' West, 50 feet to the East boundary of State Highway #95,

thence North 37°30' East, 100 feet along said East boundary,

thence South 52°30' East, 50 feet;

thence South 37°30' West, 100 feet to the point of beginning.

EXCEPTING ALSO Tax #21 described as:

Starting at a point on the left bank of White Bird Creek, 690 feet North of the Section corner common to Section Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), said Township and Range,

thence following said left bank downstream;

South 61° West, 390 feet, South 6° West, 315 feet

and South 54° West, 320 feet,

thence East 635 feet to said Section corner,

thence North 690 feet to the place of beginning.

Section Twelve (12): Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ ), Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ ) lying East of Old Highway #95, Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$ ) lying North of White Bird Creek and Southeast of Old Highway #95

EXCEPT Tax #17 described as:

Beginning at a point 795 feet North of the Southwest (SW) corner of Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ ),

thence North 708.1 feet,

Page One  
EXHIBIT "A"

CERTIFIED COPY

DEE AND MACGREGOR  
ATTORNEYS AT LAW  
CHICAGO, ILL. (IRONG 8199)

1 thence South 84°57' East, 240.13 feet;  
2 thence North 40°37' East, 255.16 feet;  
3 thence North 67°07' East, 199.78 feet;  
4 thence North 47°01' East, 295.19 feet;  
5 thence North 85°31' East, 195.48 feet;  
6 thence North 65°48' East, 139.1 feet;  
7 thence South 47°37' East, 143.46 feet;  
8 thence North 87°39' East, 188.74 feet;  
9 thence North 78°01' East, 273.27 feet;  
10 thence North 64°30' East, 341.1 feet;  
11 thence North 55°35' East, 95.41 feet;  
12 thence South 23°10' East, 411.7 feet;  
13 thence along the middle of the channel of White Bird  
14 Creek South 49°15' West 455 feet;  
15 thence South 73° West, 360 feet;  
16 thence South 56° West, 458 feet;  
17 thence South 72°20' West, 1214.3 feet to the place of  
18 beginning.

19 Tax #19 described as:

20 Beginning at a point 20.96 chains South of the North-  
21 west corner of the Northeast Quarter of the Northeast  
22 Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ ) of said Section Twelve (12) and  
23 running thence South 58°15' West 10.46 chains;  
24 thence South 32° East 5.50 chains;  
25 thence North 70°45' East 6.40 chains;  
26 thence North 8.04 chains to the point of beginning.

27 ALSO including Tax #20 described as:

28 Beginning at a point 20 chains South of the Northeast  
29 Quarter (NE $\frac{1}{4}$ ) corner of the Northwest Quarter of the Northeast  
30 Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ ) of said Section Twelve (12);  
31 thence South 669 feet to the middle of channel of  
32 White Bird Creek;  
thence South 70°45' West 445 feet;  
thence North 23°10' West, 411.7 feet;  
thence South 55°35' West, 95.51 feet;  
thence South 64°30' West, 340.1 feet;  
thence South 78°01' West, 273.27 feet;  
thence South 87°39' West, 188.74 feet;  
thence North 47°37' West, 143.46 feet to the forks of  
the road;

thence North 32°24' East, 279.93 feet;  
thence North 37°57' East, 299.59 feet;  
thence North 43°33' East, 436.98 feet;  
thence North 30°10' East, 467.59 feet;  
thence North 4°12' East, 96.76 feet;  
thence North 7°37' East, 575.5 feet to a point 759  
feet East and 78.75 feet South of the Northwest (NW)  
corner of Section Twelve (12);  
thence South parallel to West line of Northwest Quarter  
of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section Twelve (12),  
1240.5 feet to North line of Southwest Quarter of the  
Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section Twelve (12),  
thence East on said subdivision 561 feet to place of  
beginning, lying Southerly and Easterly of Old Highway  
#95.

30 Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ )  
31 EXCEPT Tax #14 described as:

32 Beginning at the Southwest (SW) corner of the South-  
east Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ ),

Page Two  
EXHIBIT "A"

CONFIRMED COPY

DEE AND MARGIEGOR  
ATTORNEYS AT LAW  
ORANGEVILLE, TEXAS 77630

1 Section Twelve (12);  
2 thence North 0°04' East, 610 feet;  
3 thence North 61°51' East, 1497.4 feet to the Northeast  
4 (NE) corner of Southeast Quarter of the Northeast  
5 Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ ) of said Section;  
6 thence South along the Section line 1320 feet;  
7 thence North 89°54' West, 1319 feet to the place of  
8 beginning.

9 Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ )  
10 lying Northerly of White Bird Creek and South of Old  
11 Highway #95

12 EXCEPT Tax #7 described as:

13 Beginning at a point 1072.5 feet North and 25 feet  
14 West of the Southeast (SE) corner of the Northwest  
15 Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ ) of Section  
16 Twelve (12), said Township and Range;  
17 thence westwardly 398.5 feet;  
18 thence North 24°32' West 27 feet to the South boundary  
19 of U. S. Highway 95;  
20 thence North 60°45' East 470 feet along said South  
21 boundary;

22 thence South 247.5 feet along the West boundary of the  
23 county road to the point of beginning, being a portion  
24 of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$   
25 SW $\frac{1}{4}$ ).

26 EXCEPTING ALSO Tax #11 described as:

27 Beginning at a point 1072.5 feet North of the Southeast  
28 (SE) corner of the Northwest Quarter of the Southwest  
29 Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ ) of Section Twelve (12) said Township  
30 and Range;

31 thence West 363 feet;  
32 thence North 50 feet to the South boundary of Highway  
No. 95;

thence South 60°45' West 82.5 feet on said South  
boundary;

thence South 24°32' East 150 feet;

thence South 39°37' East 360 feet to the left bank of  
White Bird Creek;

thence North 51°22' East 210 feet up White Bird Creek;  
thence 277.5 feet North to the point of beginning.

EXCEPTING ALSO from the Northwest Quarter of the South-  
west Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ ) Tax #22 described as:

Beginning at a point on the South boundary of U. S.  
Highway 95, 25 feet West of the Northeast (NE) corner  
of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$   
SW $\frac{1}{4}$ ) of said Section Twelve (12), and 479 feet South-  
westerly along said highway boundary;

thence South 24°32' East, 150 feet;

thence South 39°37' East 266 feet;

thence along the right bank of White Bird Creek  
downstream;

South 10°30' West, 150 feet and South 24°30' West,  
390 feet;

thence North 24°32' West 737 feet;

thence Northwesterly on the South boundary of said  
Highway No. 95, 370 feet to the point of beginning,  
being a portion of the Northwest Quarter of the  
Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ ) of said Section Twelve  
(12).

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CHICAGO, ILL. 60610

1 ALSO INCLUDING Tax #5, a portion of the Southwest Quarter  
2 of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ ), Section Twelve (12),  
3 Township Twenty-eight (28) North, Range One (1) East,  
4 B.M., more particularly described as:  
5 Commencing at the Northwest (NW) corner of the Southwest  
6 Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ ) of Section  
7 Twelve (12) and running East 672 feet on the North line  
8 of Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ )  
9 of Section Twelve (12) to the West bank of White Bird  
10 Creek,  
11 thence in a southwesterly direction along the West bank  
12 of creek to the West line of Section Twelve (12),  
13 thence North along said West line 322 feet to the place  
14 of beginning.

15 Section Fourteen (14): Northeast Quarter of the Northeast  
16 Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ )  
17 EXCEPT Tax #23 described as:  
18 Starting at a point on the left bank of White Bird  
19 Creek 635 feet West of Section corner common to Sections  
20 Eleven (11), Twelve (12), Thirteen (13) and Fourteen  
21 (14);  
22 thence following said left bank downstream;  
23 South 54° West 332 feet, South 38° West 181 feet and  
24 South 58° West 358 feet;  
25 thence South 787 feet to the Southwest (SW) corner of  
26 Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ )  
27 Section Fourteen (14),  
28 thence East 1320 feet;  
29 thence North 1320 feet to said Section corner;  
30 thence West 635 feet to the place of beginning.

31 Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ )  
32 EXCEPT Tax #28 described as:  
Beginning at the point 10 feet West of the Southeast  
(SE) corner of Northeast Quarter of the Northwest  
Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ ), Section Fourteen (14), said Township  
and Range,  
thence 330 feet North,  
thence 330 feet West,  
thence 330 feet South,  
thence 330 feet East to the place of beginning.  
And also LESS New U. S. Highway #95.

West Half of the Northwest Quarter (NW $\frac{1}{2}$ NW $\frac{1}{2}$ ), Southeast  
Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{2}$ ) lying North  
and West of Old U. S. Highway #95,  
LESS New U. S. Highway #95.

Section Fifteen (15): West Half of the Northeast Quarter  
(W $\frac{1}{2}$ NE $\frac{1}{4}$ ), Southeast Quarter of the Northeast Quarter  
(SE $\frac{1}{4}$ NE $\frac{1}{4}$ ), East Half of the Northwest Quarter (E $\frac{1}{2}$ NW $\frac{1}{2}$ ),  
North Half of the Southeast Quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$ ), Southwest  
Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ )  
EXCEPT Tax #40 described as follows:  
Beginning in the middle of White Bird Creek 415 feet  
South of the East 1/16th corner on the Section line  
between Sections Fifteen (15) and Twenty-two (22) in  
Township Twenty-eight (28) North, Range One (1) East,  
B.M.,  
thence North about 1265 feet,

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1 thence North 70°30' West about 635 feet to a pine tree  
2 on top of a 29 foot high bluff,  
3 thence South 22° West about 460 feet on a line above a  
4 lone pine tree in a gully, and to the lower one of two  
5 Pine Trees close together on the West side of said gully,  
6 thence South 12° East about 550 feet to the top of a  
7 bluff rising from near White Bird Creek,  
8 thence South 425 feet along the top of said bluff,  
9 thence South 40° West about 390 feet on top of said  
10 bluff to a gully,  
11 thence South 16° East about 430 feet down said gully  
12 to the middle of White Bird Creek,  
13 thence Northeasterly up the Middle of said Creek about  
14 1100 feet to the place of beginning, being a portion  
15 of the Northwest Quarter of the Northeast Quarter (NW¼NE¼)  
16 of Section Twenty-two (22) and a portion of the  
17 Southwest Quarter of the Southeast Quarter (SW¼SE¼) of  
18 Section Fifteen (15), all in Township Twenty-eight (28)  
19 North, Range One (1) East, B.M.

20 Section Twenty-two (22): Lot One (1), Lot Two (2), North-  
21 west Quarter of the Northeast Quarter (NW¼NE¼) lying  
22 North and West of White Bird Creek  
23 EXCEPT Tax #40 previously described.  
24 EXCEPTING ALSO a parcel of land situated in Lots One (1)  
25 and Five (5) of said Section, Township and Range, more  
26 particularly described as follows:

27 Tax #38-A:

28 Beginning at a ½" x 36" rebar set in the corner of an  
29 old rockbuck on the right bank highwater line of the  
30 Salmon River, from which point the West Quarter Corner  
31 of said Section Twenty-two (22) bears South 60°03'  
32 West, 1723.9 feet;

thence North 18°21' West, 745.04 feet along said High  
water line to a ½" x 36" rebar;

thence North 55°55' East, 428.69 feet to a ½" x 36"  
rebar,

thence South 18°32' East, 871.10 feet to the North  
line of that land described in Idaho County Deeds  
File 236856 and from which point a ½" x 36" rebar  
witness corner bears North 18°32' West, 181.76 feet;  
thence South 73°00' West, 415.60 feet along said North  
line to the place of beginning.

All bearings being based on the stated directions  
between USGS Stations SKOOK and SOTIN

EXCEPTING ALSO Tax 55 described as follows:

Part of Lot Five (5), said Section, Township and Range,  
described as:

Beginning at the intersection of the East line of said  
Lot Five (5) and the center of White Bird Creek, from  
which point the North ¼ corner of Section Twenty-two  
(22) bears North 1500 feet, more or less;

thence South along said East line to the South line  
of U. S. Highway #95 as established;

thence Southwesterly along said South line of U. S.  
Highway 95 to the South line of Lot Five (5);

thence West along the South line of Lot Five (5) to  
the East line of Lot Six (6);

thence North along the East line of Lot Six (6) to the  
highwater line of the Salmon River;

Page Five  
EXHIBIT "A"

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thence Northerly along the highwater line of the Salmon River to the center of White Bird Creek;  
thence North 5° West, 420 feet along said highwater line;  
thence North 73° East 835 feet, through the saddle crossed by a road leading down river, to a 5/8" x 30" rebar;  
thence South 20° East, 176.7 feet to a 5/8" x 30" rebar;  
thence continuing South 20° East, 30 feet to the center of White Bird Creek;  
thence Northerly along the center of White Bird Creek to the East line of Lot Five (5) and the place of beginning.

Township Twenty-nine (29) North, Range One (1) East, Boise Meridian  
Idaho County, Idaho

Section Eleven (11): East Half of the Southeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$ )

Section Twelve (12): Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ )

Section Thirteen (13): Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ ), South Half of the Northeast Quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$ ), West Half (W $\frac{1}{2}$ )

Section Fourteen (14): East Half of the East Half (E $\frac{1}{2}$ E $\frac{1}{2}$ )

Section Twenty-three (23): East Half of the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$ ), Southeast Quarter (SE $\frac{1}{4}$ )

Section Twenty-four (24): All

Section Twenty-five (25): All

Section Twenty-six (26): East Half (E $\frac{1}{2}$ ), East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$ )

Section Thirty-five (35): East Half (E $\frac{1}{2}$ ), East Half of the West Half (E $\frac{1}{2}$ W $\frac{1}{2}$ )

Section Thirty-six (36): Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ ) East of Old U. S. Highway #95

ALSO the reservation of the right to trail livestock, including the terms and conditions thereof, across that portion of the West Half of the Southeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$ ) of said Section Thirty-six (36) as described in Warranty Deed to the United States of America, Instrument No. 235692 recorded October 24, 1969.

Township Twenty-nine (29) North, Range Two (2) East of the Boise Meridian, Idaho County, Idaho

Section Nineteen (19): Lots Three (3) and Four (4)

Section Thirty (30): Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ ), Lots Three (3) and Four (4), all that part and portion of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$ ) and of the South Half of the Southeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$ ) of Section Thirty (30) said Township

Page Six  
EXHIBIT "A"

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Section Thirty-one (31): Northwest Quarter (NW $\frac{1}{4}$ ) North  
and West of old U. S. Highway #95.

By Dana Wells  
Deputy

**Ex-Officio Auditor and Recorder  
Idaho County, Idaho**

Fee \$ 24.00

my 416 w main  
Changerville, Ga

1643

DEE AND MCDONALD  
MAY 14 1964

Page Seven  
EXHIBIT "A"

1. Ross E. Gehring, Clerk of the above entitled court, do hereby certify that the within and foregoing to be a true and correct copy of the original instrument on file in my office.

Witness my hand and official seal this 31st day of June 1964.

92

12. 1 Clerk

**CERTIFIED COPY**



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: A79-10202  
Date Received: 7/25/1988  
Receipt No: N000743  
Received By: EJR

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: ANDREW L. DAHLQUIST 208-839-2249  
Address: BOX 54  
WHITEBIRD, ID 83554

2. Date of Priority: JAN 01, 1877

3. Source: SPRING Trib. to: WHITEBIRD CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 28N      | 01E   | 11      | NE     | SE     |     |     | IDAHO  |

5. Description of diverting works:  
SPRING PIPED TO TROUGH

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| STOCKWATER | 01/01 | 12/31 | 0.040 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
S/ 1200 SHEEP

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use   | Acres |
|----------|-------|---------|--------|-----|-----|-------|-------|
| 28N      | 01E   | 11      | NE     | SE  |     | STOCK |       |

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:  
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: \_\_\_\_\_

**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: \_\_\_\_\_

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 \_\_\_\_\_

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: 39356

Ident. Number

A79-10202

Date Received

07/25/88

Receipt Number

N000743

RECEIVED  
JUL 29 1988

Department of Water Resources  
Western Regional Office

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

Domestic and Stockwater  
less than 13,000 gal.

JUL 25 1988

Please type or print clearly

1. Name of Claimant (s) Andrew L. Dahlquist Phone (208) 839-2249  
Mailing Address Box 54 White Bird Id. Zip 83554
2. Date of Priority (Only one (1) per claim) Jan 1877
3. Source of water supply (a) Spring  
which is tributary to (b) White Bird Creek
4. a. Location of existing point of diversion is: Township 28N Range 1E Section 11,  
1/4 of NE 1/4 of SE 1/4, Govt. Lot, Idaho B.M., County of Idaho  
Additional points of diversion if any: \_\_\_\_\_
- 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. Spring piped To Trough

Department of Water Resources  
Northern District Office

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Stockwater purposes from 1-1 to 12-31 amount 0.04 or \_\_\_\_\_

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

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

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

7. Total quantity claimed (a) 0.04 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is \_\_\_\_\_ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 1200 head Sheep

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 |        |
| <u>28N</u> | <u>1E</u> | <u>11</u> |        |       |       |       |        |       |       |       |        |       |       |       | <u>5</u> |       |       |       |        |
|            |           |           |        |       |       |       |        |       |       |       |        |       |       |       |          |       |       |       |        |
|            |           |           |        |       |       |       |        |       |       |       |        |       |       |       |          |       |       |       |        |
|            |           |           |        |       |       |       |        |       |       |       |        |       |       |       |          |       |       |       |        |
|            |           |           |        |       |       |       |        |       |       |       |        |       |       |       |          |       |       |       |        |
|            |           |           |        |       |       |       |        |       |       |       |        |       |       |       |          |       |       |       |        |
|            |           |           |        |       |       |       |        |       |       |       |        |       |       |       |          |       |       |       |        |

Total number of acres irrigated \_\_\_\_\_

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

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

14. Remarks:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Last Name Dahlgist Ident No. A79-10202

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15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree \_\_\_\_\_  
If applicable provide IDWR Water Right Number \_\_\_\_\_  
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 \_\_\_\_\_

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

Signature of Claimant (s) Andrew Dahlquist Date 22 July 1988  
\_\_\_\_\_  
Date \_\_\_\_\_

**For Organizations:** I do solemnly swear or affirm that I am \_\_\_\_\_

Title

of \_\_\_\_\_, that I have signed the foregoing  
Organization

document in the space below as \_\_\_\_\_ of \_\_\_\_\_  
Title Organization

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

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

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

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

Subscribed and sworn (or affirmed) before me this 22nd day of July 19 88

SEAL

Notary Public Patricia M. Cope

Residing at White Bird

My Commission Expires 10-2-93

Please Print Name

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 \_\_\_\_\_

Last Name Dahlquist Ident. Number A79-10202

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Copies White-State, Yellow-Claimant  
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|                                                                                                                                                                                                                                                                                                                                                                                             | YES                                 | NO                       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------|
| Is the name and address complete with zip code?                                                                                                                                                                                                                                                                                                                                             | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Is priority date entered?                                                                                                                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?<br>A Permit is required for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd). A Permit is required for surface water developed after May 20, 1971 (except for instream stockwater). |                                     |                          |
| (a) Is a source entered?                                                                                                                                                                                                                                                                                                                                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) Is a tributary to entered? (if required)                                                                                                                                                                                                                                                                                                                                                | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Is the legal description of the p.d. complete?                                                                                                                                                                                                                                                                                                                                              | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Is there a description of the diverting works?                                                                                                                                                                                                                                                                                                                                              | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Are the water uses appropriate for the form? The short form limited domestic and stockwater. 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"/> |
| Is a total quantity claimed entered?                                                                                                                                                                                                                                                                                                                                                        | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Is the consumptive use correct?                                                                                                                                                                                                                                                                                                                                                             | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| If required is a consumptive use entered?                                                                                                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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, each household must file a separate claim.                                                                                                                                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 0. Is (are) the place(s) of use entered?                                                                                                                                                                                                                                                                                                                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 1. Is (are) the county(ies) entered?                                                                                                                                                                                                                                                                                                                                                        | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is the ownership of p.u. checked?                                                                                                                                                                                                                                                                                                                                                        | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Are other water rights listed or "none" checked?                                                                                                                                                                                                                                                                                                                                         | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. 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.)                                                                                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Is the basis of the claim checked?                                                                                                                                                                                                                                                                                                                                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Is the claim signed by the claimant?<br>Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)                                                                                                                                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Has the claim been signed, sealed, and dated by a notary?                                                                                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Is the fee enclosed correct?                                                                                                                                                                                                                                                                                                                                                                | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Should this claim be receipted and data entered?                                                                                                                                                                                                                                                                                                                                            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| If this claim is based on an existing water right, has the identification number been entered?                                                                                                                                                                                                                                                                                              | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Claim checked by: LW

Comments: \_\_\_\_\_

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OCT 06 1992



AJ0749NP  
No. R79-10202

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

DATE: 11/10/98  
PAGE: 1

=====

| OWNER<br>CODE    | NAME & ADDRESS                                                           | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|--------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | ANDREW L DAHLQUIST<br>PO BOX 54<br>WHITE BIRD ID 83554<br>(208) 839-2249 | 01/01/1877       | STOCKWATER | 01-01 12-31           | 0.04 CFS          |                     |
| TOTAL DIVERSION: |                                                                          |                  |            |                       | 0.04 CFS          |                     |

Water Source: SPRING

Tributary to: WHITEBIRD CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T28N R01E S11 NESE

IDAHO County

Place of use Legal Description for: STOCKWATER

|     |     |    |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |   |
|-----|-----|----|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|---|
| T   | R   | S  | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | : |
| 28N | 01E | 11 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | : |
|     |     |    |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |   |

POU County: IDAHO

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. 28N01E11 6760  
STOCKWATER, 1200 SHEEP

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

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

Audit: 11/10/98 CWALKER

AJ0749NP  
No. R79-10202

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

DATE: 10/23/98  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                        | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-----------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | ANDREW L DAHLQUIST<br>BOX 54<br>WHITE BIRD ID 83554<br>(208) 839-2249 | 01/01/1877       | STOCKWATER | 01-01 12-31           | 0.04 CFS          |                     |
| TOTAL DIVERSION: |                                                                       |                  |            |                       | 0.04 CFS          |                     |

Water Source: SPRING

Tributary to: WHITEBIRD CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T28N R01E S11 NESE

IDAHO County

Place of use Legal Description for: STOCKWATER

|     |     |    |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |   |
|-----|-----|----|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|---|
| T   | R   | S  | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | : |
| 28N | 01E | 11 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | : |
|     |     |    | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | : |

POU County: IDAHO

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. 28N01E11 6760  
STOCKWATER, 1200 SHEEP

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

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

Audit: 10/23/98 CWALKER

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: FEB-13-1998  
PAGE: A-336

RIGHT NUMBER: 79-10202

NAME & ADDRESS: ANDREW L DAHLQUIST  
BOX 54  
WHITEBIRD ID 83554

SOURCE: SPRING TRIBUTARY: WHITEBIRD CREEK

QUANTITY: 0.04 CFS

PRIORITY DATE: 01/01/1877

POINT OF DIVERSION: T28N R01E S11 NESE Within IDAHO County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE           | PERIOD OF USE | QUANTITY |
|-------------------------------|--------------------------|---------------|----------|
|                               | STOCKWATER S/ 1200 SHEEP | 01-01 12-31   | 0.04 CFS |

PLACE OF USE: STOCKWATER Within IDAHO County  
T28N R01E S11 NESE

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP 28N 01E 11 6760

SW, 1200 Sh

10-5-98  
Q. Records

N11 & N13



# State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

[ AUGUST 17, 1995 ]

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

DENNIS HARVEY  
LEAH HARVEY  
1187 CEDAR RIDGE RD  
KENDRICK ID 83537

Dear Wateruser(s):

This office has reviewed the **Notice of Change of Water Right Ownership** form submitted to our office. However, due to the items checked below, we cannot continue to process this ownership change. We are returning the Notice of Change of Ownership to you to **COMPLETE OR RESEARCH ONLY THE FOLLOWING ITEM(S) SHOWING A CHECKMARK IN THE BLANK FOR THAT ITEM(S)**. *See page 2*

\_\_\_\_\_ There is no existing water right in our records either under the former owner's name or for the legal description given. If, after contacting the former owner, you find more information concerning a water right, please contact us.

\_\_\_\_\_ Legal description of property. Please complete showing the legal description by 1/41/4 (40-acre tract), section, township and range for the property changing ownership. If you only have a subdivision lot & block legal description, please send us a copy of your subdivision plat map.

\_\_\_\_\_ It appears you receive your water from an irrigation district, ditch company, municipality or community water company. If this is the case, then the water right remains in the name of this entity and you should contact them concerning the ownership change.

\_\_\_\_\_ Name and address of former owner (seller). This will clarify the original owner of the water right.

\_\_\_\_\_ Name, address and phone number of new owner (purchaser).

\_\_\_\_\_ This change in ownership appears to result in a splitting of the water right. A split of the water right occurs when the ownership change affects only a portion of the original right. In order to accurately split this right we must know what portion of the right was sold. The amount of water in CFS, the place of use by 1/4 1/4 with the number of acres in each 1/41/4 (if applicable) and the point of diversion by 1/41/4, Section, Township and Range is needed. If this right is not being split, please submit proof of ownership for the remaining portion.  
Enclosed is a computer copy of this right for your review.

\_\_\_\_\_ Proof of ownership is needed. This proof can be a copy of the warranty deed, sales contract or tax assessment in your name which includes a description of this property by 1/41/4, Section, Township and Range.

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Signature of new owner (purchaser) is needed on this form.

X **Other:** THESE CLAIMS ARE IN THE NAME OF ANDREW L. DAHLQUIST. WE NEED TO HAVE  
SOME PROOF OF THE SALE BETWEEN DAHLQUIST AND HAGEN BEFORE WE CAN PROCESS YOUR CHANGE OF  
OWNERSHIP.

Please complete the above item(s), if required, on the Notice of Change of Water Right Ownership form and return it with the requested information to the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705. If we do not hear from you within 30 days, the claim upon which this form was filed(if one exists), will remain in the original owner's name.

Feel free to contact this office if you have any questions concerning this letter.

Sincerely,

Adjudication Staff  
Department of Water Resources  
Western Region Office  
(208) 334-2190

LH:1  
Enclosures

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OCT 24 1980



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

JUN 02 1995

WATER RESOURCES  
WESTERN REGIONDATE OF CLOSING: 03-25-95

LEGAL DESCRIPTION OF PROPERTY: Township 28N Range 01E  
 Section 11, 1/4 of NE 1/4 of SE 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) ~~XXXXXX~~ XXXXXX, A79-10202, A79-10203  
 Assigned by IDWR:       

☐ Name and Address of Former Owner/Claimant(s)(Seller): ANDREW L. DAHLQUIST

BOX #54

WHITEBIRD, ID 83554

☐ New Owner/Claimant (Purchaser): DENNIS HARVEY OR LEAH HARVEY

☐ New Mailing Address: 1187 CEDAR RIDGE RD.  
KENDRICK, ID 83537

☐ New Telephone Number: (208) 289-3857

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ~~XX~~ 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: WARRANTY DEED

(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) Leah Harvey Date 5/31/95

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: By:

Further Action Needed:

Further Action Taken

Date: By:

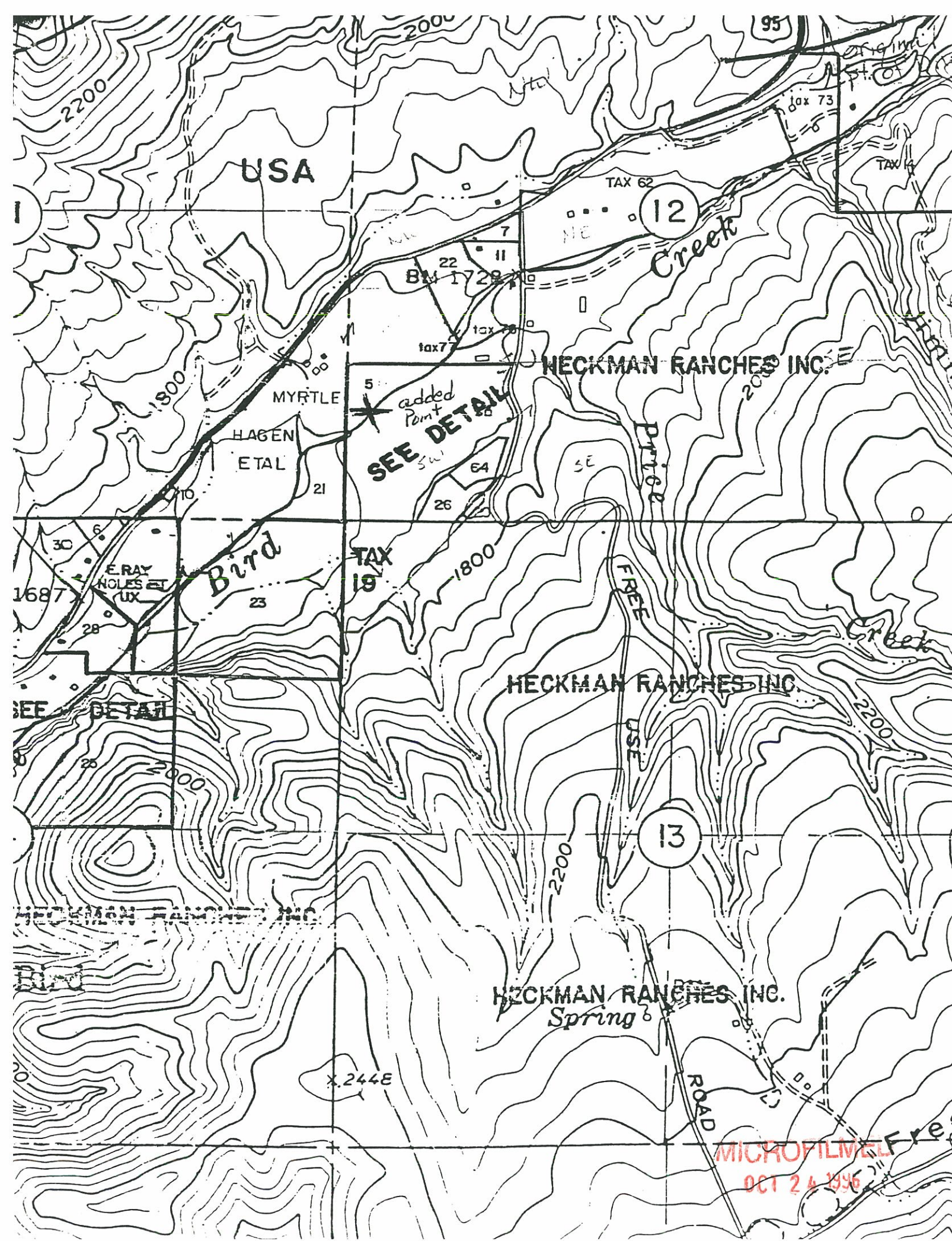
Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

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OCT 24 1996

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



ATTACHMENT A

JUN 02 1995

WATER RESOURCES  
WESTERN REGION

COMPUTER ( )  
INDEXED ( )  
TRACTED ( )  
FILMED ( )  
ASSESSOR ( )

379412

WARRANTY DEED

THIS INDENTURE, Made on this 24 day of March, 1995, by and between the ESTATE OF HARRY M. HAGEN, and MYRTIE E. HAGEN, aka. MYRTLE HAGEN, the personal representative and sole heir thereof, of Idaho County, State of Idaho hereinafter referred to as the parties of the first part, and DENNIS K. HARVEY and LEAH A. HARVEY, husband and wife, of Kendrick, Idaho, hereinafter referred to as the parties of the second part.

W I T N E S S E T H :

That the said parties of the first part, for and in consideration of good and valuable consideration, to them in hand paid by the parties of the second part, the receipt thereof is hereby acknowledged, by these presents do hereby grant, bargain, sell, convey and confirm, unto the said parties of the second part, and to their heirs, successors and assigns forever, the following described real property, situated in the County of Idaho, State of Idaho, to wit:

See Exhibit "A" attached hereto and incorporated herein as if set forth in full.

SUBJECT to the following, to wit:

Taxes for the second half of 1994 are an accruing lien and not yet due or payable.

Easement, dated December 10, 1954, by and between HARRY M. HAGEN AND MYRTIE HAGEN, husband and wife, and HANS L. HAGEN a widower, and IDAHO COUNTY, a quasi-municipal corporation, for road, including terms and conditions thereof, recorded January 26, 1955, in Book 88 of Deeds, Inst. #182441, records of Idaho County, Idaho.

Scenic Easement, dated October 1, 1969, by and between HARRY M. HAGEN AND MYRTLE E. HAGEN, husband and wife, and BERNICE MCPHERSON AND A.J. MCPHERSON, husband

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OCT 24 1996

DEE, MACGREGOR, FALES AND MACGREGOR

ATTORNEYS AT LAW

GRANGEVILLE, IDAHO 83530

and wife, and UNITED STATES OF AMERICA AND ITS ASSIGNS, including terms and conditions thereof, recorded October 24, 1969, as Instrument No. 235690, records of Idaho County, Idaho.

TOGETHER WITH ALL AND SINGULAR, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

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, successors and assigns forever.

And, parties of the first part and their heirs, successors and assigns, hereby covenant to and with said parties of the second part and their heirs, successors and assigns the parties of the first part are lawfully seized in fee simple of the above granted premises free from all encumbrances and that the parties of the first part will warrant and defend the above premises against all and every person and persons whomsoever lawfully claiming or to claim the same.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals in the day and year hereinabove first written.

ESTATE OF HARRY M. HAGEN  
BY: Myrtle E. Hagen  
MYRTLE E. HAGEN  
PERSONAL REPRESENTATIVE

Myrtle E. Hagen  
MYRTIE E. HAGEN aka MYRTLE HAGEN

MICROFILMED  
OCT 24 1996

|                             |                 |
|-----------------------------|-----------------|
| STATE of IDAHO              |                 |
| County of Idaho             | ss              |
| Recorded at _____ of _____  |                 |
| INLAND TITLE CO.            |                 |
| at 30                       | 4 o'clock P. M. |
| this 24                     | March 1995      |
| ROSE E. GELINAS             |                 |
| By <u>Edith L. Anderson</u> | Recorder        |
|                             | Deputy          |
| Fees \$ 15.00               |                 |

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STATE OF IDAHO )  
County of IDAHO )  
SS.

On this 24<sup>th</sup> day of March, 1995, before me, the undersigned a Notary Public in and for the State of Idaho, personally appeared MYRTIE E. HAGEN aka MYRTLE HAGEN, individually, and as the personal representative of the ESTATE OF HARRY M. HAGEN, known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that she executed the same.

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

*Janis Ash*  
Notary Public in and for the State of Idaho; Residing at Grangeville, therein. My commission expires: 6/3/2000

MAIL DEED TO:

DENNIS K. HARVEY  
LEAH A. HARVEY

MAIL TAX NOTICES TO:

DENNIS K. HARVEY  
LEAH A. HARVEY  
1187 Cedar Ridge Road  
Kendrick ID 83537

JUN 02 1995

WATER RESOURCES  
WESTERN REGION

Exhibit "A"  
HAGEN TO HARVEY

Township 28 North, Range 1 East, Boise Meridian, Idaho County, Idaho

Section 11: NE $\frac{1}{4}$ SE $\frac{1}{4}$  East of old Highway 95  
S $\frac{1}{2}$ SE $\frac{1}{4}$  East of old Highway 95

LESS Tax #10 described as: Beginning at a point whence the SE corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$  Section 11 Township 28 North, Range 1 East, Boise Meridian, Idaho County, Idaho, bears S. 27°30' E., 158.5 feet, thence N. 52°30' W. 50 feet to the East boundary of State Highway #95, thence N. 37°30' E. 100 feet along said boundary east, thence S. 52°30' E. 50 feet, thence S. 37°30' W. 100 feet to the point of beginning being 50' by 100' lying along the East boundary of said Highway.

LESS Tax #21 described as: Starting at a point on the left bank of Whitebird Creek, 690 feet North of the Section corner common to Sections 11, 12, 13, 14, Township 28 North, Range 1 East, Boise Meridian,

thence following said left bank downstream;

S. 61° W. 390 feet,

S. 6° W. 315 feet and

S. 54° W. 320 feet,

thence East 635 feet to said Section corner,

thence North 690 feet to the place of beginning, being a portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 11, Township 28 North, Range 1 East, Boise Meridian.

LESS ROAD

Tax #5 described as: Commencing at the NW corner of SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 12 and running east 672 feet on the north line of SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 12 to the west bank of Whitebird Creek;

thence in a south westerly direction along the west bank of creek to the west line of Section 12;

thence North along said west line 382 feet to place of beginning.

Section 12: NW $\frac{1}{4}$ SW $\frac{1}{4}$  South of old Highway 95 and North of Whitebird Creek

LESS TAX #7 described as: Beginning at a point 1072.5 feet north and 25 feet west of the southeast corner of the Northwest quarter of the Southwest quarter of Section 12, Township 28 North, Range 1 East, Boise Meridian,

thence westerly 398.5 feet;

thence N. 24°32' W. 27 feet to the south boundary of U. S. Highway 95;

thence N. 60°45' E. 470 feet along said south boundary;

thence S. 247.5 feet along the west boundary of county road to point of beginning, being a portion of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ .

LESS Tax #11 described as: Beginning at a point 1072.5 feet N. of

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UGT 24 1996

1 the Se corner of the NW $\frac{1}{4}$ SW  $\frac{1}{4}$  of Section 12, Township 28 North,  
2 Range 1 East;  
3 thence W. 363 feet;  
4 thence N. 50 feet to the S. boundary of Highway 95;  
5 thence S. 60°45' W. 82.5 feet on said S. boundary;  
6 thence S. 24°32' E. 150 feet;  
7 thence S. 39°37' E. 360 feet to the left bank of Whitebird  
8 Creek;  
9 thence N. 51°22' E. 210 feet up Whitebird Creek;  
10 thence 277.5 feet N. to the point of beginning being a portion  
11 of the NW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 12.

12 LESS Tax #22 described as:Beginning at a point on the South  
13 boundary of U.S. Highway 95, 25 feet west of the NE corner of the  
14 NW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 12, Township 28 North, Range 1 East, and 470 feet  
15 Southwesterly along said Highway boundary;  
16 thence S. 24°32' E. 150 feet;  
17 thence S. 39°37' E. 266 feet;  
18 thence along the right bank of Whitebird Creek downstream S.  
19 50°30' W., 150 feet, and S. 24°30' W. 390 feet;  
20 thence N. 24°32' W. 727 feet;  
21 thence Northeasterly on the South boundary of said Highway 95,  
22 370 feet to the point of beginning, being a portion of the  
23 NW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 12, Township 28 North, Range 1 East, Boise  
24 Meridian.

25 Township 28 North, Range 1 East, Boise Meridian, Idaho County,  
26 Idaho  
27 Section 14:NE $\frac{1}{4}$ NE $\frac{1}{4}$   
28 LESS Tax #23 described as:Starting at a point on the left bank of  
Whitebird Creek 635 feet West of the Section Corner common to  
Sections, 11, 12, 13, 14, Township 28 North, Range 1 East;  
thence following said left bank downstream;  
S. 54° W. 332 feet,  
S. 38° W. 181 feet,  
S. 58° W., 358 feet;  
thence South 787 feet to the SW corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of  
Section 14;  
thence East 1320 feet;  
thence North 1320 feet to said Section corner;  
thence West 635 feet to the place of beginning, being a  
portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 14, Township 28 North, Range  
1 East.