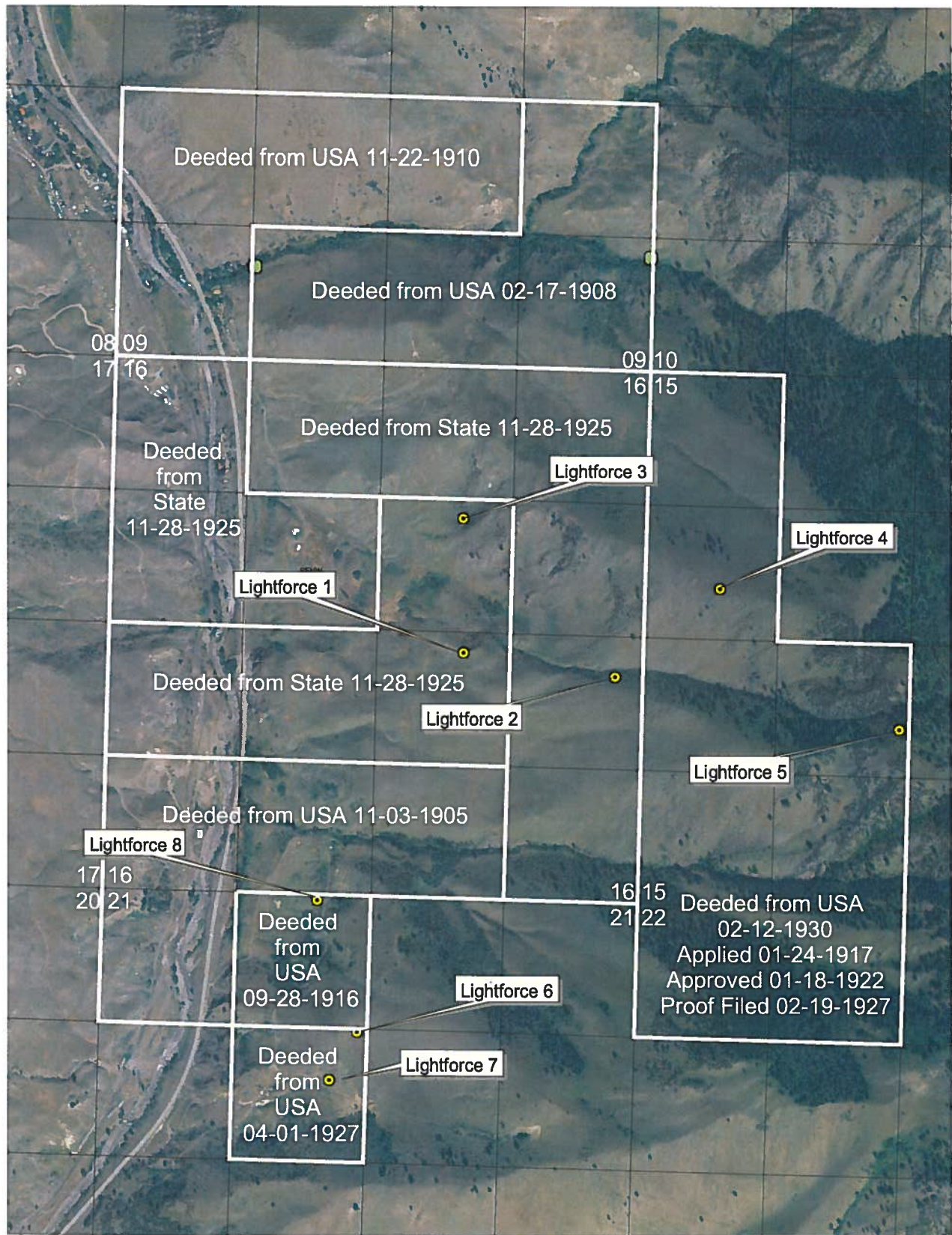


Lightforce USA



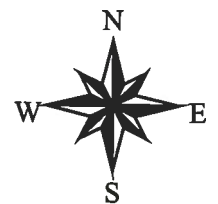
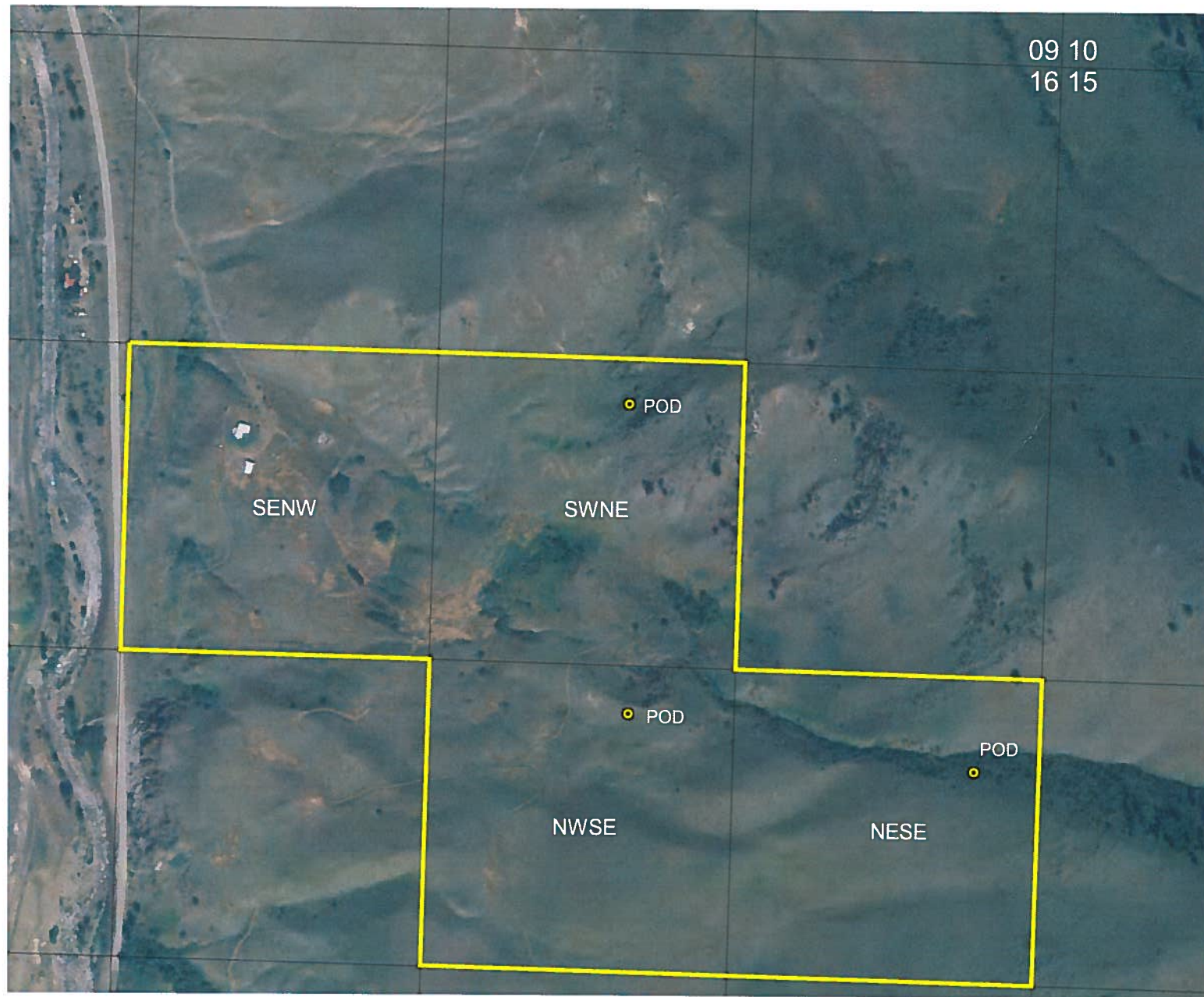
2000 0 2000 4000 6000 Feet

**T23N R01E S15
S16 S21 & 22**



78-10286

**T23N R01E
S16**



1000 0 1000 2000 Feet

2004 NAIP Photography
Map Revised 11/19/08
Map Prepared By: Carter Fritschle

Settlement Proposal

- A. Spring 1 is the main spring that feeds the house; the overflow runs to the pond.
- B. Spring 3 has a stock tank and overflow runs to spring/tank number 2 and is gravity fed and connected by a black poly pipe.
- C. Springs 2 and 3 overflow down to the pond and this pond is used for watering cattle when herding them into the corrals by the house.
- D. Spring 4 is used for stock tank and watering area.
- E. Springs 5 and 6 were modified by ITD in approximately 1996 after the floods and slides took place in this area. ITD modified them by placing diversion culverts near the sources of the spring and diverting to a central culvert that is sent under the highway.

01/26/2009

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

RIGHT NUMBER: 78-10286

NAME AND ADDRESS: LIGHTFORCE USA INC
1040 HAZEN LN
OROFINO ID 83544

SOURCE: SPRINGS TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.040 CFS

Right Nos. 78-10286 and 78-12327 are limited to a total combined diversion rate of 0.04 cfs.

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

PRIORITY DATE: 11/28/1925

POINT OF DIVERSION:

T23N R01E S16 NESWNE Within IDAHO County

T23N R01E S16 NENESE Within IDAHO County

T23N R01E S16 NENWSE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

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

PLACE OF USE: STOCKWATER in IDAHO County

T23N R01E S16	SWNE	T23N R01E S16	SENW
T23N R01E S16	NESE	T23N R01E S16	NWSE

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.

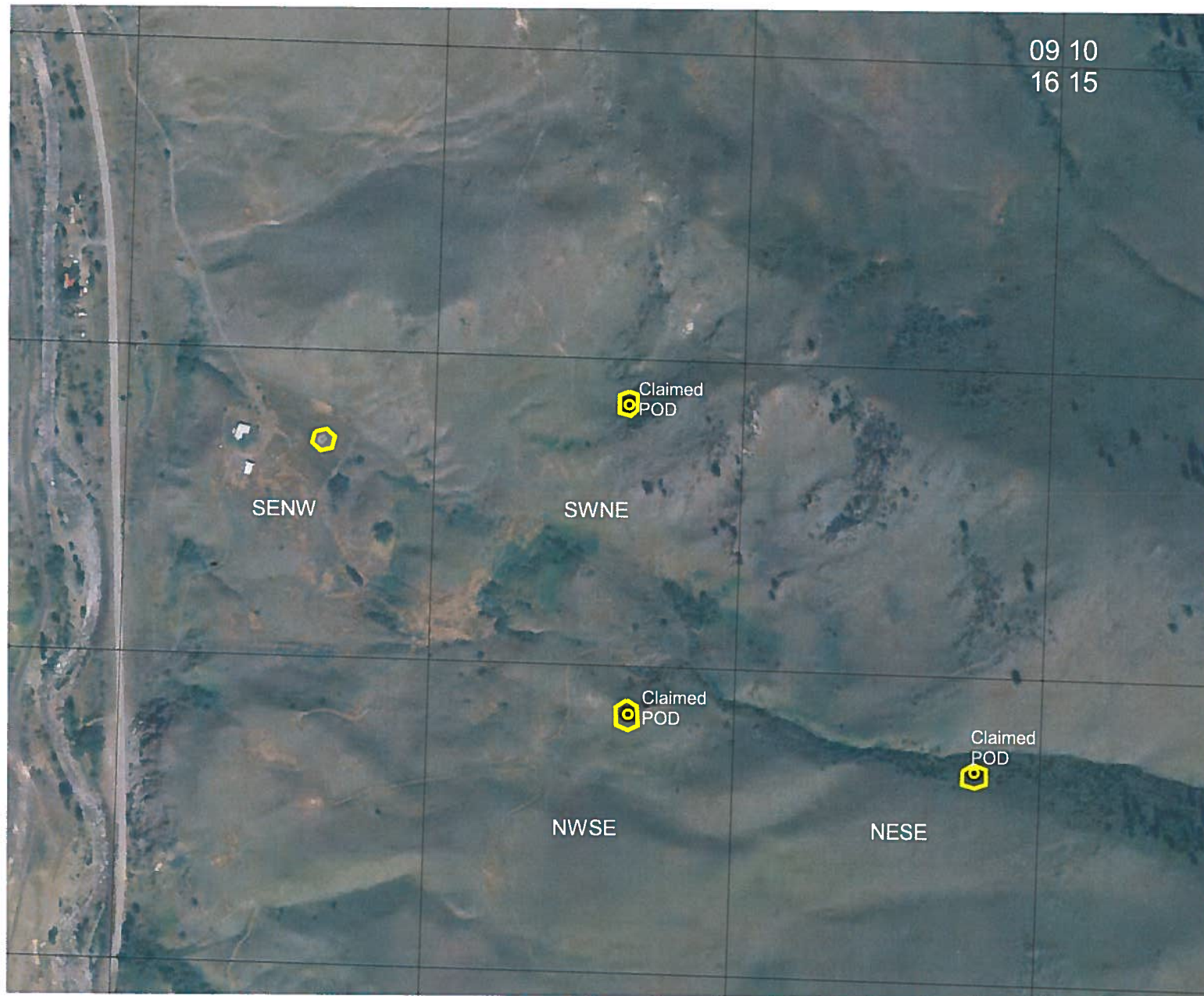
The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right No. 78-12327 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

78-10286

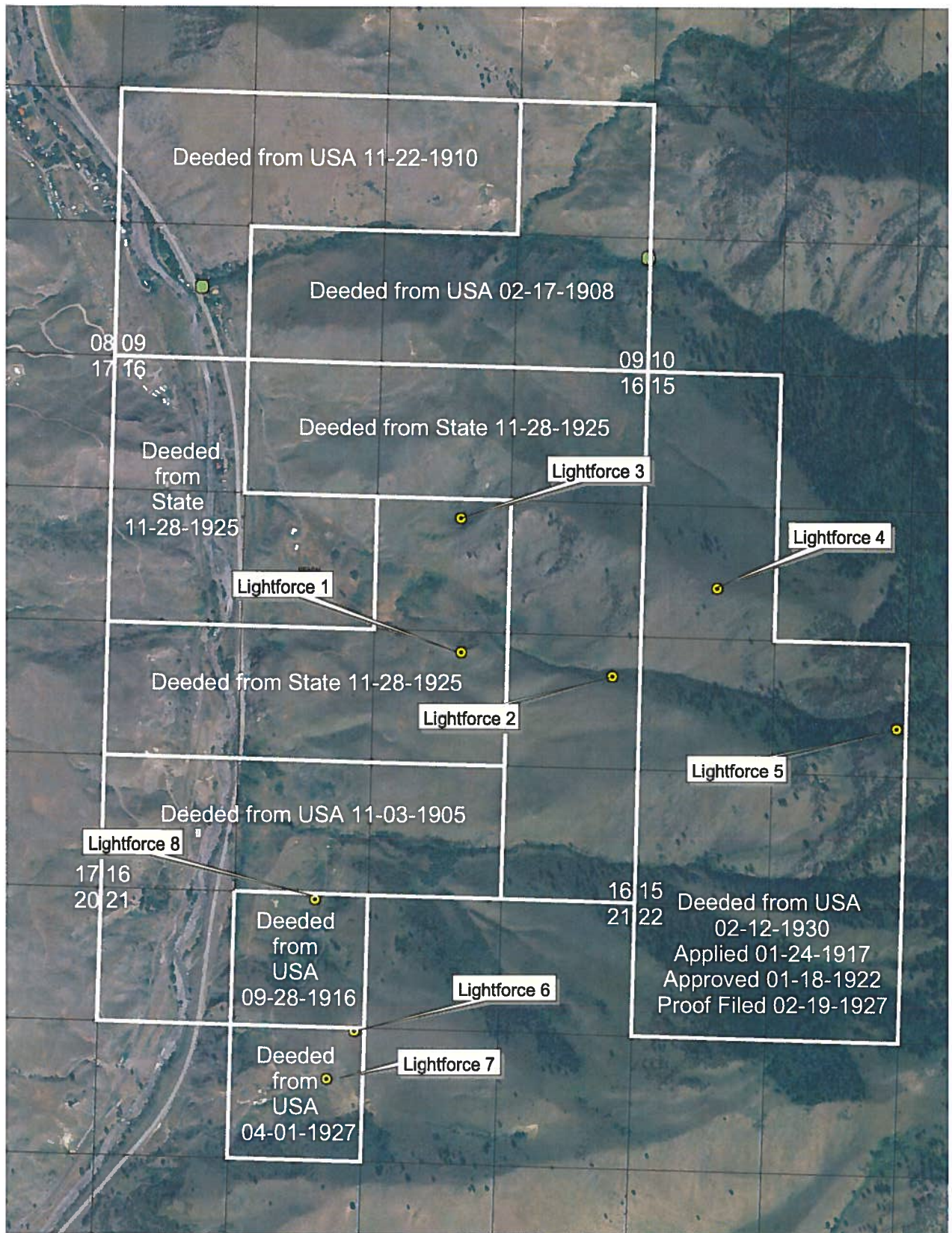
**T23N R01E
S16**



1000 0 1000 2000 Feet

2004 NAIP Photography
Map Revised 11/19/08
Map Prepared By: Carter Fritschle

Lightforce USA

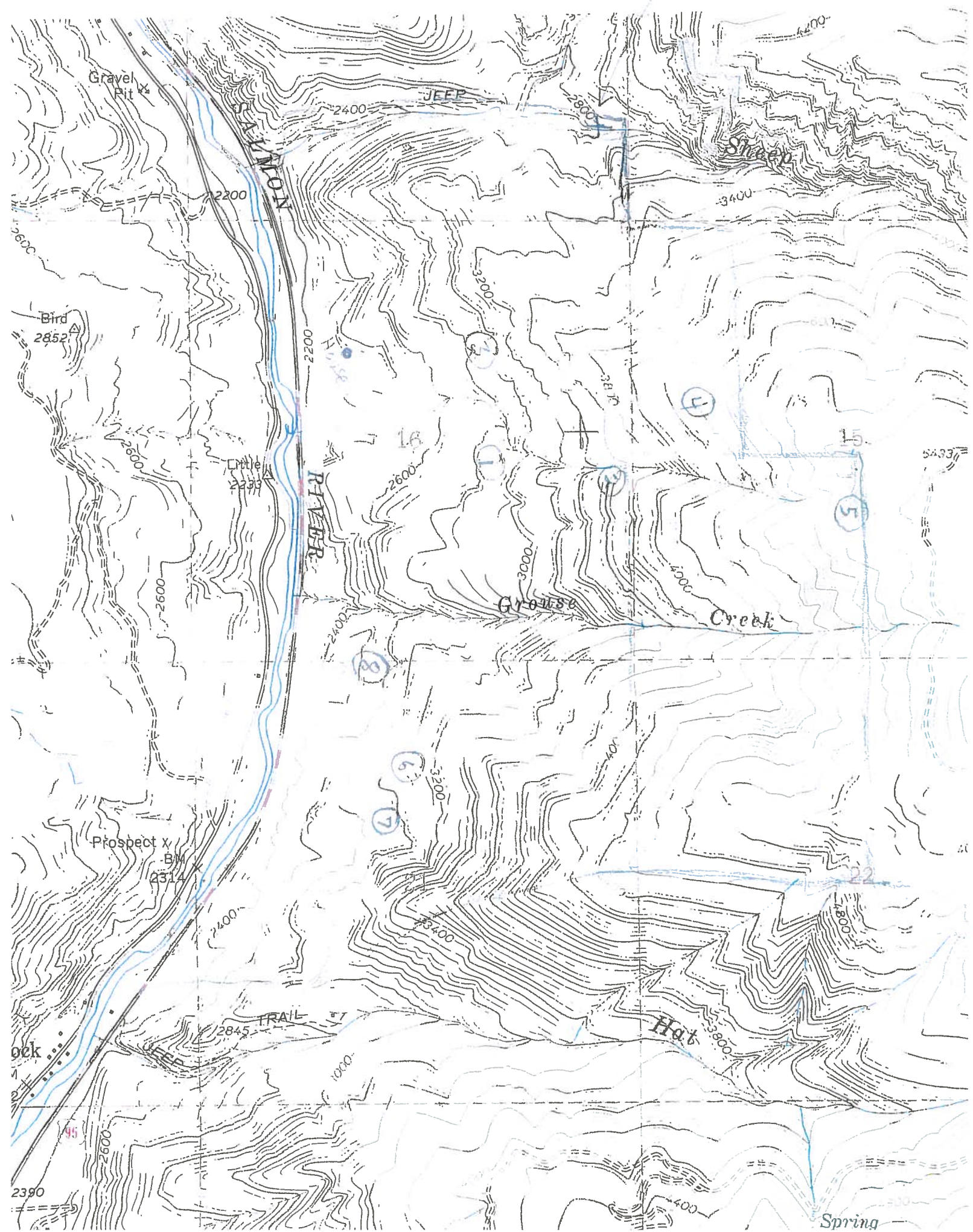


2000 0 2000 4000 6000 Feet

**T23N R01E S15
S16 S21 & 22**



78-10261 is for Spring - 5



NNV 1 4 7NR

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 78-10286
Date Received: 7/6/1988
Receipt No: M000284
Received By:
Spring Nos.: 1, 2, & 3

AMENDED CLAIM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LIGHTFORCE USA INC Phone: 208-476-9816

1040 HAZEN LN
OROFINO ID USA 83544

2. Date of Priority: 11/03/1905

3. Source: SPRINGS, Trib. to: LITTLE SALMON RIVER , LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
23N	01E	16	NE NW SE	IDAHO	SPRING 1
23N	01E	16	NE NE SE	IDAHO	SPRING 2
23N	01E	16	NE SW NE	IDAHO	SPRING 3

5. Description of diverting works:

DIRECTLY FROM SPRINGS
THREE SPRINGS MANIFOLDED PIPED TO THE HOUSE AND STOCK TANKS
COW CAMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.69	
DOMESTIC	01/01	12/31	0.12	

7. Total Quantity Appropriated is:
0.81 C.F.S.

8. Total consumptive use: 1000 HEAD, ONE HOUSE, ONE COW CAMP

9. Non-irrigation uses: 1000 HEAD, ONE HOUSE, ONE COW CAMP

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
23N	01E	16	SE	NW	DOMESTIC STOCKWATER	0.2
			NW	SE	DOMESTIC STOCKWATER	0.2
			NE	SE	DOMESTIC STOCKWATER	0.2
			SW	NE	DOMESTIC STOCKWATER	0.2
					Section Acres	0.8
					Total Acres	0.8

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

16. Signature(s)

[Signature] Attorney for Claimant
ISR # 497

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

Number of attachments: No additional

For Organizations:

I do solemnly swear or affirm that I am Attorney of

Lightforce USA, Inc. Title
Organization

document in the space below as Attorney of

Lightforce USA, Inc. Title
Organization

and that the statements contained in the
foregoing document are true and correct. [Signature] #4197

Signature of Authorized Agent

Attorney

Title and Organization

11/18/08

Date

State of Idaho)

County of Ada) SS.

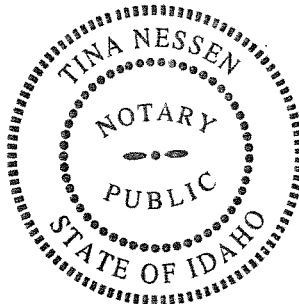
Subscribed and sworn (or affirmed) before me this

of November 2008

18th day

Tina Nessen

Notary Public



Residing at

Eagle

My commission Expires

5/13/14



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

July 23, 2008

SCOTT ROSE
300 MAIN ST, SUITE 153
BOISE ID 83702

Dear Mr. Rose,

On June 24, 2008, IDWR received several motions to file late claims in the name of Lightforce (78-12327, 78-12328, 78-12329, and 78-12341). After reviewing the claims, it appears that the intent of the claims is to claim more than the 4 water rights that were filed. In essence, based on the information I have, I think there should be more than 4 claims, and I thought it would be appropriate to amend the claims that were submitted for clarity.

I will go through each of the late claims filed individually below, but in general, the attachments represent my interpretation of what I think your client meant to claim. They do not necessarily represent what I would recommend were I to review these claims.

If you choose to amend any of the claims or file new ones, you will need to submit a motion to the court again to make sure the court has the most updated copies of the claims at the time of the hearing set for 9-16-08.

If you choose to file motions for the additional 5 claims as I am proposing, a \$25 filing fee will be applicable to each of the claims assuming your clients intent is to claim a de minimus water right.

78-12327:

78-12327 originally claimed 4 different springs: Spring #1, Spring #2, Spring #4, and Spring #9

The way the motion was filled out, it appeared that a separate claim form was filled out for each spring, but each of the claims were given the same number 78-12327. Unless the claims are interconnected into one system, it is appropriate to file separate claims for each spring. At least two of the springs (Spring #4 and Spring #9) needed to be separated out into it's own claim due to different priority dates.

I propose amending 78-12327 to just claim use from spring #1. Then I have created the following claims for the remaining springs.

78-12343: spring #2 Attached with map
78-12344: spring #4 Attached with map
78-12346: spring #9 Attached with map (I cannot find spring #9 on the map
you submitted so I put it in the center of the 40 acre tract it was claimed in.)

Based on the claimed POU, the spring water would have to be piped a long way. The diversion works on the original claims says, "PIPES, TROUGHS, AND TANKS". Does the place of use represented on the claim seem accurate? Please note that the place of use for a stockwater right would be where the stock actually drink the water, rather than all the property the stock may graze on which is often a point of confusion.

Source: I updated the source to claim "Spring" which is tributary to the "Little Salmon Creek"

Diversion rate: The total diversion rate was claimed for 0.04 cfs despite that the individual diversion rate for stockwater was claimed at 0.23 cfs. I updated the total diversion rate to claim 0.23 cfs

78-12328:

This claim appeared to be for in stream stock. I have amended the claim to represent my interpretation of what I think the intent of the claim was and attached a map for your review.

I reduced the claimed diversion rate to 0.02 cfs because that is the greatest diversion rate that can be recommended for instream stock.

78-12329:

This claim appeared to be for in stream stock. I have amended the claim to represent my interpretation of what I think the intent of the claim was and attached a map for your review.

I reduced the claimed diversion rate to 0.02 cfs because that is the greatest diversion rate that can be recommended for instream stock.

78-12341:

78-12341 originally claimed 3 different springs: Spring #6, Spring #7, and Spring #8

The way the motion was filled out, it appeared that a separate claim form was filled out for each spring, but each of the claims were given the same number 78-12341. Unless the claims are interconnected into one system, it is appropriate to file separate claims for each spring.

I propose amending 78-12341 to just claim use from spring #6. Then I have created the following claims for the remaining springs.

78-12347:	spring #7	Attached with map
78-12348:	spring #8	Attached with map

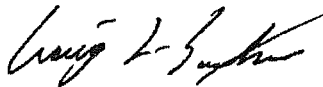
Based on the claimed POU, the spring water would have to be piped a long way. The diversion works on the original claims says, "PIPES, TROUGHS, AND TANKS". Does the place of use represented on the claim seem accurate? Please note that the place of use for a stockwater right would be where the stock actually drink the water, rather than all the property the stock may graze on which is often a point of confusion.

Source: I updated the source to claim "Spring" which is tributary to the "Little Salmon Creek"

Diversion rate: The total diversion rate was claimed for 0.04 cfs despite that the individual diversion rate for stockwater was claimed at 0.23 cfs. I updated the total diversion rate to claim 0.23 cfs

This is a lot of information so please contact me with any questions.

Respectfully submitted,



Craig L. Saxton
Water Right Supervisor
Adjudication Bureau
craig.saxton@idwr.idaho.gov
208-287-4916

Enclosure(s): Amended claim 78-12327 & map
Amended claim 78-12328 & map
Amended claim 78-12329 & map
Amended claim 78-12341 & map
New Claim 78-12343 & map
New Claim 78-12344 & map
New Claim 78-12346 & map
New Claim 78-12347 & map
New Claim 78-12348 & map

The United States of America,

To all to whom these presents shall come, Greeting:

Certificate No. 3920.

WHEREAS,

EDWIN NELSON

has deposited in the GENERAL LAND OFFICE of the United States a Certificate of the Register of the Land Office at Boise, Idaho, whereby it appears that full payment has been made by the said Edwin Nelson

according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for the sale of the Public Lands," and the acts supplemental thereto, for the east half of the southeast quarter, the southwest quarter of the southeast quarter, and the southeast quarter of the southwest quarter of Section nine in Township twenty-three north of Range one east of the Boise meridian, Idaho, containing one hundred sixty acres,

according to the Official Plat of the Survey of the said lands, returned to the GENERAL LAND OFFICE by the Surveyor General, which said Tract has been purchased by the said Edwin Nelson:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAVE GIVEN AND GRANTED, and by these presents DO GIVE AND GRANT, unto the said Edwin Nelson

and to his heirs, the said Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said Edwin Nelson

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

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

GIVEN under my hand, at the City of Washington, the
(SEAL) seventeenth day of February, in the year
of our Lord one thousand nine hundred and eight
and of the Independence of the United States the one hundred
and thirty-second.

By the President: Theodore Roosevelt

By M. W. Young, Secretary,

SCANNED

JAN 13 2009

9/24/2008 12:03 PM

Ex 1

34429.✓

United States.)
 To :
 Edwin Nelson.)

THE UNITED STATES OF AMERICA:

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

CERTIFICATE No. 3920.

WHEREAS, Edwin Nelson, has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Boise, Idaho, whereby it appears that full payment has been made by the said Edwin Nelson, according to the provisions of the Act of Congress of the 24th. of April, 1820, entitled "An Act making further provision for the sale of the Public Lands" and the acts supplemental thereto, for the

East Half of the Southeast quarter, the Southwest quarter of the Southeast quarter and the Southeast quarter of the Southwest quarter of Section Nine, in Township Twenty-three, North of Range One East of the Boise Meridian, Idaho, Containing one hundred Sixty acres, according to the Official Plat of the Survey of the said Lands, returned to the General Land Office by the Surveyor General, which said Tract has been purchased by the said Edwin Nelson.

NOW KNOW YE, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress, in such case made and provided, have given and granted and by these presents do give and grant, unto the said Edwin Nelson, and to his heirs, the said Tract above described:

TO HAVE AND TO HOLD, the same, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature, thereunto belonging, unto the said Edwin Nelson, and to his heirs, and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches, and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of Courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals, constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Theodore Roosevelt, President of the United States of America, have caused these letters to be made Patent and the seal of the General Land Office to be hereunto affixed. Given under my hand, at the City of Washington, the Seventeenth day of February, in the year of our Lord one thousand nine hundred and Eight, and of the Independence of the United States the one hundred and Thirty-second.

By The President: Theodore Roosevelt.

By M.W.Young, Secretary.

H.W.Sanford, Recorder of the General Land

Office.

Recorded, Vol. 736, Page 230.

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

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

J.A.Bradbury, County Recorder.

By Emma Bowman,

Deputy.

Fee, \$ 1.00.

SCANNED

Ex 2

Land Patent Image

[Quick Help](#)
[Home](#) > [Land Patent Search](#) > [Results List](#) > [Land Patent Details](#) > [Land Patent Image](#)

Acc./Ser. Nr.: 162778

Patentee: ARTY HOLLENBEAK

Issue Date: 11/21/1910

Image Formats: Small GIF | [Large GIF](#) | [TIFF](#) | [PDF](#)

Ad

 RD
 BOISE 03259.

4-1003-R.

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at **BOISE, IDAHO,** has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of

ARTY HOLLENBEAK

has been established and duly consummated, in conformity to law, for the **WEST HALF OF THE SOUTHWEST QUARTER, THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, AND THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION NINE IN TOWNSHIP TWENTY-THREE NORTH OF RANGE ONE EAST OF THE BOISE MERIDIAN, IDAHO, CONTAINING ONE HUNDRED SIXTY ACRES,**

according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, **WILLIAM H. TAFT**

President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the **TWENTY-FIRST**

day of **NOVEMBER** in the year of our Lord one thousand

nine hundred and **TEN** and of the Independence of the

United States the one hundred and **THIRTY-FIFTH.**

By the President:

Wm H. Taft

Ex 3

(SEAL)

1708026

SCANNED

JAN 13 2009

9/24/2008 12:00 PM

Accession/Serial #: IDIDAA 000001 HV **BLM Serial #:** IDIDAA 000001 HV

Note: This record has not been checked against the Legal Land Patent. We don't have an electronic image for this document.

Names

Patentee: IDAHO STATE

Survey

State: IDAHO

Acres: 2880

Metes/Bounds: No

Title Transfer

Issue Date: 11/25/1903

Land Office: Idaho

Cancelled: No

U.S. Reservations: No

Mineral Reservations: No

Authority: March 3, 1863: Idaho Territorial Act (12 Stat. 808)

Document Numbers

Document Nr.: 7031890

Accession/Serial Nr.: IDIDAA 000001 HV

BLM Serial Nr.: IDIDAA 000001 HV

	Aliquot Parts	Sec./ Block	Township	Range	Fract. Section	Meridian	State	Counties	Survey Nr.
	W½	16/	22-N	1-E	No	Boise	ID	Adams	
3	W½E½	16/	22-N	1-E	No	Boise	ID	Adams	
	SESE	16/	22-N	1-E	No	Boise	ID	Adams	
	N½	16/	23-N	1-E	No	Boise	ID	Idaho	
2	N½S½	16/	23-N	1-E	No	Boise	ID	Idaho	
	SESE	16/	23-N	1-E	No	Boise	ID	Idaho	
		36/	23-N	1-E	No	Boise	ID	Idaho	
		16/	24-N	1-E	No	Boise	ID	Idaho	
	N½	16/	25-N	1-E	No	Boise	ID	Idaho	
	SW	16/	25-N	1-E	No	Boise	ID	Idaho	
	NWSE	16/	25-N	1-E	No	Boise	ID	Idaho	
4	NENE	16/	22-N	1-E	No	Boise	ID	Adams	

SCANNED

JAN 13 2009

EX 4

9/24/2008 11:49 AM

77-618

STATE OF IDAHO }
County of Idaho } ss. Filed for record in the office of the Recorder of Idaho County at the
request of Hugh Vigneron on the 3 day of Dec. A.D. 1946 at 11:30 o'clock A.M.

Henry Telcher County Recorder

By Nora Derrig, Deputy

Fees \$1.00

154497 ✓ STATE OF IDAHO)
to ;) ss.
R. C. WOODRUFF)
TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

STATE OF IDAHO

Deed No. 6380
Certificate No. 18476,
18482, 18483, 18485.

WHEREAS, on the 28th day of November 1925, all that tract or parcel of Public School land of the State of Idaho, hereinafter mentioned and particularly described, was sold in the manner provided by law to R.C. Woodruff of Pollock, State of Idaho, for the aggregate price of One Thousand Nine Hundred Forty and ⁸⁰/₁₀₀ DOLLARS.

AND WHEREAS, the said sum of One Thousand Nine Hundred Forty and ⁸⁰/₁₀₀ DOLLARS has been fully paid to the proper receiving officer for the State of Idaho, by Thomas J. Carrey, Assignee as shown by the records in the office of the State Board of Land Commissioners the said sum being the whole amount of the purchase price for the said tract or parcel of land hereinafter described.

NOW, KNOW YE, That the said State of Idaho, in pursuance of law in such case made and provided, and in consideration of the premises aforesaid, and of the aforesaid sum of One Thousand Nine Hundred Forty and ^{no}/₁₀₀ DOLLARS to the said State of Idaho paid, doth by these presents grant, bargain, sell, convey and confirm, in fee, unto the said Thomas J. Carrey his heirs and assigns, all of the said tract and parcel of land situated in the County of Idaho and State of Idaho, and described as follows, to-wit:

The Southwest Quarter of the Northeast Quarter (SW¹NE¹), the North Half of the Southwest Quarter (N¹SW¹) and the Northwest Quarter of the Southeast Quarter (NW¹SE¹), Section Sixteen (16), Township Twenty-three (23) North, Range One (1) East B.M. Containing One Hundred Sixty (160) Acres, More or Less.

To have and to hold the said premises and parcel of land above particularly described, with the appurtenances thereon, unto the said Thomas J. Carrey, his heirs and assigns, in fee simple forever, subject to the provisions of Section 56-504, Idaho Code Annotated, which grants over all lands belonging to the state a right of way for ditches, tunnels and telephone and transmission lines, constructed by authority of the United States; and to the provisions of Section 46-701, Idaho Code Annotated, reserving to the state all mineral rights in lands sold subsequent to the 8th day of May, 1923.

IN WITNESS WHEREOF, I, C.A. Bottoltsen, the Governor of the State of Idaho, have hereunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the State Board of Land Commissioners to be hereunto affixed, this 20th day of December A.D. 1943.

Countersigned:
Geo. H. Curtis
Secretary of State

C. A. Bottolfsen
Governor of Idaho and President of State
Board of Land Commissioners.

"GREAT SEAL OF THE STATE OF "
" IDAHO ESTO PERPETUA"

Countersigned:
Robert Coulter
State Land Commissioner (Int.Rev.\$2.20)

STATE OF IDAHO }
COUNTY OF ADA } ss. On this 20th day of December, in the year 1943, before me, a Notary Public
in and for said State, personally appeared C.A. Bottolfson, known to me to be the Governor of
the State of Idaho, and George H. Curtis, known to me to be the Secretary of State of Idaho, and
Robert Coulter, known to me to be the Land Commissioner of the State of Idaho, who executed said
instrument and acknowledged to me that such State of Idaho executed the same.

SCANNED
JAN 13 2009

Σχ 5

94514

59-124

State of Idaho

To

Lizzie Hoxie

Deed No. 5013

Certificate Nos. 18474-18475
18477-18478
18484-18486

STATE OF IDAHO

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, on the 28th day of November, 1925, all that tract of parcel of School land of the State of Idaho, hereinafter mentioned and particularly described, was sold in the manner provided by law to Crofford Hoxie, of Pollock, County of Idaho, and State of Idaho, for the aggregate price of Twenty-four Hundred Nineteen and 60/100 Dollars

AND WHEREAS, The said sum of Twenty-four Hundred Nineteen and 60/100 Dollars has been fully paid to the proper receiving officer for the State of Idaho, by
Lizzie Hoxie, widow of Crofford Hoxie, deceased,
as shown by the records in the office of the State Board of Land Commissioners the said sum being the whole amount of the purchase price for the said tract or parcel of land hereinafter described.

NOW, KNOW YE, That the said State of Idaho, in pursuance of law in such case made and provided, and in consideration of the premises aforesaid, and of the aforesaid sum of Twenty-four Hundred Nineteen and 60/100 Dollars, to the said State of Idaho paid, doth by these presents grant, bargain, sell, convey and confirm, in fee, unto the said Lizzie Hoxie, her heirs and assigns, all of the said tract and parcel of land situated in the County of Idaho and State of Idaho, and described as follows, to-wit:

The North Half of the Northeast quarter (N $\frac{1}{2}$ of NE $\frac{1}{4}$), the Southeast quarter of the Northeast quarter (SE $\frac{1}{4}$ of NE $\frac{1}{4}$), the Northeast quarter of the Northwest quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) and the East Half of the Southeast quarter (E $\frac{1}{2}$ of SE $\frac{1}{4}$) of Section Sixteen (16), Township Twenty-three (23) North, Range One (1) East of the Boise Meridian, containing Two Hundred Forty (240) acres, more or less.

TO HAVE AND TO HOLD the said premises and parcel of land above particularly described, with the appurtenances thereunto, unto the said Lizzie Hoxie her heirs and assigns, in fee simple forever.

IN WITNESS WHEREOF, I, H. C. Baldridge the Governor of the State of Idaho, have hereunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the State Board of Land Commissioners to be hereunto affixed, this 28th day of March, A. D. 1929.

Great Seal of the
State of Idaho

H. C. Baldridge,
Governor.

Countersigned:
Fred E. Lukens, Secretary of State.

State Board of Land Com-
missioners, Idaho. Seal

Countersigned:
I. H. Nash, State Land Commissioner.

State of Idaho

County of Ida

ss

On this 28th day of March, A. D. 1929, before me, a Notary Public in and for said State, personally appeared H. C. Baldridge, known to me to be the Governor, and Fred E. Lukens, known to me to be the Secretary of State, and I. H. Nash, known to me to be the Land Commissioner, of the State of Idaho, and acknowledged to me that they, as such Governor, Secretary of State, and State Land Commissioner, of the State of Idaho, and the State of Idaho, executed the foregoing deed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.

Jeanne L. Anderson, Notary Public
State of Idaho

Jeanne L. Anderson,
Notary Public, residing at Boise,
Idaho.

SCANNED

JAN 13 2009

EX 6

H645

3-327

The United States of America.

Homestead Certificate No. 2159Application 7154

TO ALL TO WHOM THESE PRESENTS SHALL COME—GRETING:

WHEREAS, There has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Poise, Idaho whereby it appears that, pursuant to the Act of Congress approved 20th May, 1882, "To Secure Homestead to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of John H. Killoran has been established and duly consummated, in conformity to law, for the

North West quarter of the North West quarter of Section twenty one and the South half of the South West quarter and the South West quarter of the South East quarter of Section fifteen in Township twenty three, North of Range one, East of Boise Meridian, containing one hundred and sixty acres.

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General:

NOW KNOW YE, That there is, therefore, granted by the United States unto the said John H. Killoran the tract of land above described:

TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said John H. Killoran and to his heirs and assigns, forever; subject to any vested and accrued water rights for mining, agriculture, manufacturing or other purposes, and rights to ditches and reservoirs and in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of Idaho and also subject to the right of the proprietor of a vein, or lode, to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law, and there is reserved from the lands hereby granted a right-of-way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Theodore Roosevelt President of the United States of America, have caused these Letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the third day of November, in the year of our Lord one thousand nine hundred and five and of the Independence of the United States the one hundred and thirtieth.

BY THE PRESIDENT: T. RooseveltBy F. M. McKeon Secretary.G. H. Brush

Recorder of the General Land Office.

Recorded, Vol. 61 Page 165Filed for Record at 3 o'clock P. M., Nov 15 A. D. 1906.By J. A. Overman Deputy.See 100

SCANNED

JAN 13 2009

EX 7

repaired by G. J. W.



PETITION FOR DESIGNATION
(Act of March 4, 1915)
DEPARTMENT OF THE INTERIOR



UNITED STATES LAND OFFICE AT Boziz Lake No. 021248

To the Secretary of the Interior:

Esphard Horie of Pollack Lake

having made application for Additional entry under the Act of

(Original or Additional.)

February 10, 1909, as amended, for the N²W²N²Sec. 22,

SW⁴ and N²W²

Township 23 N., Range 1 East, Boziz Meridian, Section 15

respectfully requests that the said lands (together with those embraced in his original entry if present application is for additional entry) be designated as of the class subject to entry under the said act.

(Applicant will answer fully the following questions.)

Question 1. Are you now holding an original entry made under the general homestead laws of the United States? If so describe same.

Answer. Yes 04880 & 017829 for NE⁴SW⁴, N²Sec⁴ and

SW⁴ Sec⁴ Sec. 21 and N²Sec⁴ Section 21

Township 23 N., Range 1 East, Boziz Meridian,

The following questions relate to the lands included in the original entry, if any, as well as to those included in the present application.)

Question 2. Is any portion of the land now under irrigation or susceptible of irrigation from any source? If so give the acreage and location of such lands, state source and volume of water supply and give any other pertinent facts relating thereto.

Answer. 12 acres is susceptible to irrigation, the water to come from East Creek. Said 12 acres is on the NW⁴Sec⁴ Sec. 21, Twp 23 N. R. 1 East. Boziz

Question 3. Is any portion of the said land under or adjacent to any irrigation ditch or canal? If so state why such lands cannot be irrigated therefrom, and give relation of such lands to said ditch.

Answer. Not except upon small patches.

Question 4. What streams, springs, or bodies of water are upon or near this land and why cannot same be used for irrigating this land?

Answer. East Creek runs from the original entry. The said 12 acres includes all the land on the eastern 640 that can be cultivated at all, balance being too steep to cultivate.

Question 5. Describe all wells, either ordinary or artesian, on or near this land, giving the elevation of water plane relative to the surface and any other facts which will show the possibility of irrigating this land from underground waters.

Answer. None.

The land contains no water holes or springs.

For further info

(Over)

Ex 8

Question 6. Has this land, or any portion of it, ever been entered under the desert laws, or has any attempt been made to irrigate any portion of it? If so give full particulars.

Answer. No. Have irrigated the 11 acres on my original entry.

Question 7. Is any portion of this land covered with a growth of timber, or does it contain scattering trees of any kind? If so give acreage so covered and describe the trees as to species, height, diameter, and number.

Answer. Just a few scattering tall pine trees not much lumberable.

Question 8. Are there any trees on this land which could be sawed into lumber? If so give full particulars as to their location, kind, number of trees, average diameter and height, and estimated feet of lumber which could be sawed therefrom.

Answer. None. This land is chiefly valuable for grazing and the raising of range crops and is of such a character that I believe me personally regard for the support of a family.

Brofford F. Fitch
(Signature of Applicant.)

We, Arty Hollenbecker, of Pellrock Idaho
and Patrick Drumpsey, of Pellrock Idaho

do solemnly swear that we are well acquainted with the above-named affiant and the lands described, and personally know that the statements made by him relative to the character of the said lands are true.

Arty Hollenbecker
(Sign plainly, with full Christian Name.)

Patrick Drumpsey
(Sign plainly, with full Christian Name.)

I HEREBY CERTIFY that the foregoing affidavit was read to or by affiants in my presence before affiants affixed signatures thereto; that affiants are to me personally known (or have been satisfactorily identified before me by _____);

and that said affidavit was duly subscribed and sworn to before me at North Bend Idaho this 19 day of June, 1917

[Signature]
United States Commissioner.

NOTE—The filing of this petition and affidavit does not give the applicant the right to fence or improve the lands, and if the lands are found not to be of the character contemplated by the enlarged homestead act, the erection of improvements on said lands will not confer any right to equitable consideration of the application. After filing an application to enter and petition for designation the applicant cannot exercise his homestead right elsewhere, or file another petition for designation of a separate tract, until the pending application has been finally passed upon by the Land Office, but the application may be withdrawn any time prior to its allowance and applicant may then make a new application for other lands.

CD/la

Ex 9

RECEIVED
U. S. LAND OFFICE
DOESL
9/24/17

A. Menden
PETITION FOR DESIGNATION
Stock-raising Homestead Law (Act of December 29, 1916.)

DEPARTMENT OF THE INTERIOR
UNITED STATES LAND OFFICE AT LEWISTON, IDAHO.

No. *021248*

To the Secretary of the Interior:

Carroll Price of *Pollock Idaho*
having made application for *additional* entry under the Act of

December 29, 1916, for the *Original or Additional* *N 2 N 4, NW 4 Sec. 15*

and N 2 N 4
Township *23 N.*, Range *1 East*, *Brian* Meridian, *22*
respectfully requests that the said lands (together with those embraced in his original entry if present application is for additional entry) be designated as of the class subject to entry under the said act.

Question 1. Are you now holding an original entry made under the homestead laws of the United States? If so describe same.

Answer. Entry No. *046807 017829* made *June 19 1915*
(Original Entry is patented) for NE 4 NW 4, N 2 E 4 NW 4 Sec. 15
and N 2 E 4
Township *23 N.*, Range *1 East*, *Brian* Meridian, *21*

Question 2. Is any portion of the land now under irrigation or susceptible of irrigation from any source? If so give the acreage and location of such lands, state source and volume of water supply and give any other pertinent facts relating thereto.

Answer *Sacrus on NW 4 E 4 Sec. 21, now in alfalfa*
water from Fat Creek, this land lying adjacent
to said Creek.

Question 3. Is any portion of the said land under or adjacent to any irrigation ditch or canal? If so, state why such lands cannot be irrigated, therefrom, and give relation of such lands to said ditch.

Answer *Sacrus as above, from short local ditch.*

Question 4. What streams, springs, or bodies of water are upon or near this land and why cannot same be used for irrigating this land?

Answer *Fat Creek flows thru it. The said Sacrus is*
all the land subject to cultivation or irrigation on
this entry.

Question 5. Describe all wells, either ordinary or artesian, on or near this land, giving the elevation of water plane relative to the surface and any other facts which will show the possibility of irrigating this land from underground waters.

Answer *None*

Question 6. Has this land, or any portion of it, ever been entered under the desert laws, or has any attempt been made to irrigate any portion of it? If so give full particulars.

Answer *Not to my knowledge - just the Sacrus*
is described.

Question 7. Is any portion of this land covered with a growth of timber, or does it contain scattering trees of any kind? If so give acreage so covered and describe the trees as to species, height, diameter, and number.

Answer *about 20 acres of small jack pines and small scrub*
fir tree, not merchantable.

Question 8. Are there any trees on this land which could be sawed into lumber? If so give full particulars as to their location, kind, number of trees, average diameter and height, and estimated feet of lumber which could be sawed therefrom.

Answer *None.*

Question 9. Are 640 acres of this land reasonably required for the support of a family?

Answer

Yes.

Question 10. Does this land contain any water holes or bodies of water used by the public for watering purposes? If not so used explain why, and where do you propose to secure water for your own stock. Answer

No. Will water at Fort Creek. The adjoining range is all mountains and well watered.

Question 11. Is this land chiefly valuable for grazing and raising forage crops, and if so state fully why the land should be classified.

Answer

No. Range in character and makes the surface and valuable chiefly for grazing.

Question 12. Give a complete classification of the character of the surface of all this land as it is at the present time.

Answer

8 acres of agricultural land, 20 acres of small growth timber land, 30 acres of broken waste land, and 580 acres of open bunch grass grazing land.

Question 13. Give the acreage in each legal subdivision which is capable of producing agricultural or forage crops by cultivation?

Answer

8 acres on SW 4 Sec 4 Sec 21.

Question 14. State how much of said acreage on your original entry has been so cultivated for the last five seasons; also the kind, yield and value of the crops so raised.

Answer

8 acres for 5 seasons in alfalfa hay. Average crop 16 tons value \$1600.

Question 15. Have the grazing lands above referred to been used for that purpose? If so at what season; and how many head of cattle or other livestock can be maintained on said land throughout the year?

Answer

Yes. Spring and fall range. Will support 50 head of cows or horses.

Question 16. What established public survey corner or corners did you locate to identify or determine the situation of this land you are applying for?

Answer

SE also NE corner of Sec. 16 Twp. 23 N. R. 1 East.

We, Loy V. Hollenback,

of

Blaine Idaho

and

Patrick Dempsey

of

Pollock Idaho

do solemnly swear that we are well acquainted with the above-named affiant and the lands described, and personally know that the statements made by him relative to the character of the said lands are true.

I HEREBY CERTIFY that the foregoing affidavit was read to or by affiants in my presence before affiants affixed signatures thereto; that affiants are to me personally known, and that said affidavit was duly subscribed and sworn to before me at Whitebird, Idaho, this 16 day of March, 1917.

Loy V. Hollenback
Patrick Dempsey

United States Commissioner.

Ex 11

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

NamesPatentees: LIZZIE HOXIE,
CROFFORD HOXIESurvey

State: IDAHO

Acres: 320

Metes/Bounds: No

Title Transfer

Issue Date: 2/12/1930

Land Office: Blackfoot

Cancelled: No

U.S. Reservations: Yes

Mineral Reservations: Yes

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

Document Nr.: 041589

Misc. Doc. Nr.: 0

Accession/Serial Nr.: 1034644

BLM Serial Nr.: IDBL 0041589

Aliquot Parts	Sec./ Block	Township	Range	Fract. Section	Meridian	State	Counties	Survey Nr.
SW	15/	23-N	1-E	No	Boise	ID	Idaho	
W $\frac{1}{2}$ NW	15/	23-N	1-E	No	Boise	ID	Idaho	
N $\frac{1}{2}$ NW	22/	23-N	1-E	No	Boise	ID	Idaho	

SCANNED

JAN 13 2009

Ex 12

5/23/2007

The United States of America,

Do all to whom these presents shall come. Greeting:

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

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

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant, the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, however, to the United States all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same pursuant to the provisions and limitations of the Act of December 29, 1916 (39 Stat., 862).

IN TESTIMONY WHEREOF, I, Herbert Hoover,

President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the TWELFTH

(SEAL)

day of FEBRUARY in the year of our Lord one thousand nine hundred and THIRTY and of the Independence of the United States the one hundred and FIFTY-FOURTH.

By the President:

By

Herbert Hoover
Viola B. Cough, Secretary.
M. P. LeRoy
 Recorder of the General Land Office.

Ex 13

RECORD OF PATENTS: Patent Number

104,204

SCANNED

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11/17/19

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Council & Administration
Address: 1000
Columbia St. - New York

Albert-László

Prof. Dr. J. J. van der Vliet

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NOTATIONS.

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DATE 11-22-2009



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Accession/Serial #: 547213 BLM Serial #: IDB 0018628

[< previous](#) [next >](#)[Patent Description](#)[Legal Land Description](#)[Document Image](#)[Certified Copy](#)

Names

Patentees: CHARLES GALLOWAY,
JOHN MCGHEE,
WILLIAM GOODALE,
DAVID R BURGESS

Survey

State: IDAHO
Acres: 40
Metes/Bounds: No

Title Transfer

Issue Date: 9/28/1916
Land Office: Boise City
Cancelled: No
U.S. Reservations: Yes
Mineral Reservations: No
Authority: May 20, 1862: Homestead
EntryOriginal (12 Stat. 392)

Document Numbers

Document Nr.: 018628
Misc. Doc. Nr.: 0
Accession/Serial Nr.: 547213
BLM Serial Nr.: IDB 0018628

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JAN 13 2009

Ex 16



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Accession/Serial #: 547213 BLM Serial #: IDB 0018628

[< previous](#) [next >](#)[Patent Description](#) [Legal Land Description](#) [Document Image](#) [Certified Copy](#)

Aliquot Parts	Sec./ Block	Township	Range	Fract. Section	Meridian	State	Counties	Survey Nr.
NENW	21/	23-N	1-E	No	Boise	ID	Idaho	

Note: Legal land descriptions can be used to help find the precise location of the land. For more information, please see our description of the [Rectangular Survey System](#).

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Ex 17

SCANNED

JAN 13 2009

Boise 018628

4-1003-R.

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at **Boise, Idaho,**

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

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

Charles Galloway, assignee, involving the rights of John McGhee, William Goodale, and David R. Burgess.

has been established and duly consummated, in conformity to law, for the **northeast quarter of the northwest quarter of Section twenty-one in Township twenty-three north of Range one east of the Boise Meridian, Idaho, containing forty acres,**

according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, **Woodrow Wilson**

President of the United States of America, have caused these letters to be made

Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the **TWENTY-EIGHTH**

(SEAL)

day of **SEPTEMBER** in the year of our Lord one thousand

nine hundred and **SIXTEEN** and of the Independence of the

United States the one hundred and **FORTY-FIRST.**

By the President:

By

Woodrow Wilson
M. D. Le Roy, Secretary.
L. L. Lamar
 Recorder of the General Land Office.

RECORD OF PATENTS: Patent Number

547213

6-9177

SCANNED

JAN 13 2009

Ex 18

Accession/Serial #: 547213 **BLM Serial #:** IDB 0018628

Names

Patentees: CHARLES GALLOWAY,
JOHN MCGHEE,
WILLIAM GOODALE,
DAVID R BURGESS

Survey

State: IDAHO
Acres: 40
Metes/Bounds: No

Title Transfer

Issue Date: 9/28/1916
Land Office: Boise City
Cancelled: No
U.S. Reservations: Yes
Mineral Reservations: No
Authority: May 20, 1862: Homestead EntryOriginal (12 Stat. 392)

Document Numbers

Document Nr.: 018628
Misc. Doc. Nr.: 0
Accession/Serial Nr.: 547213
BLM Serial Nr.: IDB 0018628

Aliquot Parts	Sec./ Block	Township	Range	Fract. Section	Meridian	State	Counties	Survey Nr.
NENW	21/	23-N	1-E	No	Boise	ID	Idaho	

Ex 19

SCANNED

JAN 13 2009

1/6/2009 10:56 AM



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Accession/Serial #: 547213 BLM Serial #: IDB 0018628

[< previous](#) [next >](#)

[\[Patent Description \]](#) [\[Legal Land Description \]](#) [\[Document Image \]](#) [\[Certified Copy \]](#)

Aliquot Parts	Sec./ Block	Township	Range	Fract. Section	Meridian	State	Counties	Survey Nr.
NENW	21/	23-N	1-E	No	Boise	ID	Idaho	

Note: Legal land descriptions can be used to help find the precise location of the land. For more information, please see our description of the [Rectangular Survey System](#).

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EX-20
JAN 13 2009

Accession/Serial #: 999501 BLM Serial #: IDB 0025517

Names

Patentee: HARVEY J POTTER

Survey

State: IDAHO
Acres: 40
Metes/Bounds: No

Title Transfer

Issue Date: 4/1/1927
Land Office: Boise City
Cancelled: No
U.S. Reservations: Yes
Mineral Reservations: No
Authority: May 20, 1862: Homestead EntryOriginal (12 Stat. 392)

Document Numbers

Document Nr.: 025517
Misc. Doc. Nr.: 0
Accession/Serial Nr.: 999501
BLM Serial Nr.: IDB 0025517

Aliquot Parts	Sec./ Block	Township	Range	Fract. Section	Meridian	State	Counties	Survey Nr.
SE1/4	21/	23-N	1-E	No	Boise	ID	Idaho	

EXHIBIT LIST

- A. BLM Records of Patentee Lizzie Hoxie — Issued 2-12-1930 Sec 15 SW 1/4 + W 1/2 NW
Sec 22 N 1/2 NW
- B. USA Deed to Lizzie Hoxie dated 2/12/34 — Same POA Sec 15 W 1/2 NW + SW
Sec 22 W 1/2 NW
- C. Homesteader Deed Docket Sheet Sec. 22 + 10?
- D. US Bureau of Land Management Map
- E. USA Deed to Edwin Nelson dated 4/7/14 Sec 9 E 1/2 SE, SWSE + SESW
- F. USA Deed to Henry R. Gear dated 11/7/19 Sec 20 E 1/2 SE Sec 21 S 1/2 SW
- G. USA Deed to Lizzie Hoxie dated 5/17/48 Sec 15 Sec A
- H. USA Deed to John H. Killoran dated 11/3/13 Sec. 21 NWNW
Sec. 16 S 1/2 SW + SWSE

Nothing for sec. 16 SWNE or SENW

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

NamesPatentees: LIZZIE HOXIE,
CROFFORD HOXIESurvey

State: IDAHO

Acres: 320

Metes/Bounds: No

Title Transfer

Issue Date: 2/12/1930

Land Office: Blackfoot

Cancelled: No

U.S. Reservations: Yes

Mineral Reservations: Yes

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

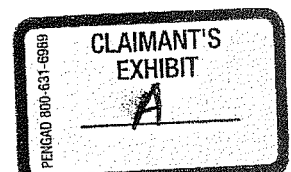
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Misc. Doc. Nr.: 0

Accession/Serial Nr.: 1034644

BLM Serial Nr.: IDBL 0041589

Aliquot Parts	Sec./ Block	Township	Range	Fract. Section	Meridian	State	Counties	Survey Nr.
SW	15/	23-N	1-E	No	Boise	ID	Idaho	
W $\frac{1}{2}$ NW	15/	23-N	1-E	No	Boise	ID	Idaho	
N $\frac{1}{2}$ NW	22/	23-N	1-E	No	Boise	ID	Idaho	



Blackfoot 041589

2-1007-R

The United States of America,

On all its minn these prerogatives shall come. Creating:

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

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

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant, the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, however, to the United States all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same pursuant to the provisions and limitations of the Act of December 29, 1916 (39 Stat., 362).

IN TESTIMONY WHEREOF, I, Herbert Hoover,

President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the TWELFTH

(SEAL)

day of FEBRUARY In the year of our Lord one thousand nine hundred and THIRTY and of the Independence of the United States the one hundred and FIFTY-FOURTH.

By the President:

By

Herbert Hoover
Viola B. Cough, Secretary.
M. P. LeRoy
Recorder of the General Land Office

RECORD OF PATENTS: Patent Number

041589

PENGAD 800-631-6080

CLAIMANT'S
EXHIBIT

B

34423.

United States. }
 To }
 Edwin Nelson. }

THE UNITED STATES OF AMERICA:

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

CERTIFICATE No. 3920.

WHEREAS, Edwin Nelson, has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Boise, Idaho, whereby it appears that full payment has been made by the said Edwin Nelson, according to the provisions of the Act of Congress of the 24th. of April, 1820, entitled "An Act making further provision for the sale of the Public Lands" and the acts supplemental thereto, for the

East half of the Southeast quarter, the Southwest quarter of the Southeast quarter and the Southeast quarter of the Southwest quarter of Section Nine, in Township Twenty-three, North of Range One East of the Boise Meridian, Idaho, Containing one hundred Sixty acres, according to the Official Plat of the Survey of the said Lands, returned to the General Land Office by the Surveyor General, which said Tract has been purchased by the said Edwin Nelson.

NOW KNOW YE, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress, in such case made and provided, have given and granted, and by these presents do give and grant, unto the said Edwin Nelson, and to his heirs, the said Tract above described:

TO HAVE AND TO HOLD, the same, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature, thereunto belonging, unto the said Edwin Nelson, and to his heirs, and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches, and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of Courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals, constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Theodore Roosevelt, President of the United States of America, have caused these letters to be made Patent and the seal of the General Land Office to be hereunto affixed. Given under my hand, at the City of Washington, the Seventeenth day of February, in the year of our Lord one thousand nine hundred and Eight, and of the Independence of the United States the one hundred and Thirty-second.

 " United States General Land Office."

By The President: Theodore Roosevelt.

By M.W. Young, Secretary.

H.W. Sanford, Recorder of the General Land

Office.

Recorded, Vol. 736, Page 230.

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

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

J.A. Bradbury, County Recorder.

By Emma Bowman, Deputy.

Fee, \$ 1.00.

PENGAD 900-631-6593

CLAIMANT'S
EXHIBIT

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State of Idaho)
County of Idaho) ss Filed for record in the office of the Recorder of Idaho
County, at the request of B. Auger on the 6 day of Nov.,
A.D. 1919, at 4:55 o'clock P. M.

Henry Telcher, County Recorder.

Fee 30¢

By Florence Murray, Deputy.

58303

United States) Boise 04579.

To)

THE UNITED STATES OF AMERICA,

Henry R. Gear.)

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office, at Boise, Idaho, has been deposited in the General Land Office, whereby it appears that full payment has been made by the claimant, Henry R. Gear, according to the provisions of the Act of Congress of April 24, 1880, entitled "An Act making further provision for the sale of the Public Lands," and the acts supplemental thereto, for the

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

NOW KNOW YE, That the United States of America, in consideration of the premises, and in conformity with the several acts of Congress in such case made and provided, Has Given and Granted, and by these presents Does Give and Grant, unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, William H. Taft, President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the Twenty-third day of November, in the year of our Lord one thousand nine hundred and Eleven, and of the Independence of the United States the one hundred and Thirty-sixth.

United States
General Land Office

By the president: Wm. H. Taft

By M. P. LeRoy, Secretary.

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

RECORDED: Patent Number 235142

State of Idaho)
County of Idaho) ss

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

Henry Telcher, County Recorder.

Fee \$1.00

By Florence Murray, Deputy.

PENGAD 900-631-6889

CLAIMANT'S
EXHIBIT

F

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

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

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

A. G. Sathre
WITNESS.

Frank J. Hayden (SEAL)

Esther Hayden (SEAL)

(Int. Rev. \$11.00)

STATE OF IDAHO }
County of Idaho } ss.

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

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

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

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

STATE OF IDAHO }
County of Idaho } ss.

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

Fee, \$1.80

Carl T. Reuter, County Recorder.

Deed Book
Book B.
80 623

Blackfoot 041589 4-1007.
159566



The United States of America }
to }
Lizzie Hoxie }

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

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

NOW KNOW YE, That there is therefore, granted by the UNITED STATES unto the said
claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land
with the appurtenances thereof, unto the said claimant and to the heirs and assigns of
the said claimant forever; subject to any vested and accrued water rights for mining,
agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used

in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, however, to the United States all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same pursuant to the provisions and limitations of the Act of December 29, 1916 (39 Stat., 862).

IN TESTIMONY WHEREOF, I, Herbert Hoover, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the Twelfth day of February in the year of our Lord one thousand nine hundred and Thirty and of the Independence of the United States the one hundred and Fifty-Fourth.

United States General Land Office
RECORDED: Patent Number 1034644

By the President: Herbert Hoover
By Viola B. Pugh, Secretary.
M. P. LeRoy, Recorder of the General Land Office.

6-2176

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

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

Fee, \$1.00

159569

Leonard K. Floan et ux

to

DEED

Twin Feather Mills, Inc.

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

WITNESSETH:

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

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

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

Homestead Pat.
Book 3, Pg 327.

The United States of America.

Homestead Certificate No. 2159
Application 7154

TO ALL TO WHOM THESE PRESENTS SHALL COME--GREETING:

WHEREAS, There has been deposited in the General Land Office of the United States a Certificate of the Land Office at Chase, Idaho whereby it appears that, pursuant to the Act of Congress approved 20th May, 1862, "To Secure Homestead to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of John H. Killoran has been established and duly consummated, in conformity to law, for the

North West quarter of the North West quarter of Section twenty one and the South half of the South West quarter and the South West quarter of the South East quarter of Section sixteen in Township twenty-three, North of Range one, East of Boise Meridian, containing one hundred and sixty acres.

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General:

NOW KNOW YE, That there is, therefore, granted by the United States unto the said John H. Killoran the tract of land above described:

TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said John H. Killoran and to his heirs and assigns, forever; subject to any vested and accrued water rights for mining, agriculture, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of Courts, and also subject to the right of the proprietor of a vein, or lode, to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law, and there is reserved from the lands hereby granted a right-of-way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Theodore Roosevelt President of the United States of America, have caused these Letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the third day of November, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and thirtieth

BY THE PRESIDENT: T. Roosevelt

By J. M. McKeen Secretary.

Recorded, Vol. 61 Page 165

C. H. Brush
Recorder of the General Land Office

Filed for Record at 3 o'clock P. M., Nov. 15 A. D. 1906

By J. A. Overman Deputy, See 100

CLAIMANT'S
EXHIBIT
H



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

July 23, 2008

SCOTT ROSE
300 MAIN ST, SUITE 153
BOISE ID 83702

Dear Mr. Rose,

On June 24, 2008, IDWR received several motions to file late claims in the name of Lightforce (78-12327, 78-12328, 78-12329, and 78-12341). After reviewing the claims, it appears that the intent of the claims is to claim more than the 4 water rights that were filed. In essence, based on the information I have, I think there should be more than 4 claims, and I thought it would be appropriate to amend the claims that were submitted for clarity.

I will go through each of the late claims filed individually below, but in general, the attachments represent my interpretation of what I think your client meant to claim. They do not necessarily represent what I would recommend were I to review these claims.

If you choose to amend any of the claims or file new ones, you will need to submit a motion to the court again to make sure the court has the most updated copies of the claims at the time of the hearing set for 9-16-08.

If you choose to file motions for the additional 5 claims as I am proposing, a \$25 filing fee will be applicable to each of the claims assuming your clients intent is to claim a de minimus water right.

78-12327:

78-12327 originally claimed 4 different springs: Spring #1, Spring #2, Spring #4, and Spring #9

The way the motion was filled out, it appeared that a separate claim form was filled out for each spring, but each of the claims were given the same number 78-12327. Unless the claims are interconnected into one system, it is appropriate to file separate claims for each spring. At least two of the springs (Spring #4 and Spring #9) needed to be separated out into it's own claim due to different priority dates.

I propose amending 78-12327 to just claim use from spring #1. Then I have created the following claims for the remaining springs.

78-12343: spring #2 Attached with map
78-12344: spring #4 Attached with map
78-12346: spring #9 Attached with map (I cannot find spring #9 on the map
you submitted so I put it in the center of the 40 acre tract it was claimed in.)

Based on the claimed POU, the spring water would have to be piped a long way. The diversion works on the original claims says, "PIPES, TROUGHS, AND TANKS". Does the place of use represented on the claim seem accurate? Please note that the place of use for a stockwater right would be where the stock actually drink the water, rather than all the property the stock may graze on which is often a point of confusion.

Source: I updated the source to claim "Spring" which is tributary to the "Little Salmon Creek"

Diversion rate: The total diversion rate was claimed for 0.04 cfs despite that the individual diversion rate for stockwater was claimed at 0.23 cfs. I updated the total diversion rate to claim 0.23 cfs

78-12328:

This claim appeared to be for in stream stock. I have amended the claim to represent my interpretation of what I think the intent of the claim was and attached a map for your review.

I reduced the claimed diversion rate to 0.02 cfs because that is the greatest diversion rate that can be recommended for instream stock.

78-12329:

This claim appeared to be for in stream stock. I have amended the claim to represent my interpretation of what I think the intent of the claim was and attached a map for your review.

I reduced the claimed diversion rate to 0.02 cfs because that is the greatest diversion rate that can be recommended for instream stock.

78-12341:

78-12341 originally claimed 3 different springs: Spring #6, Spring #7, and Spring #8

The way the motion was filled out, it appeared that a separate claim form was filled out for each spring, but each of the claims were given the same number 78-12341. Unless the claims are interconnected into one system, it is appropriate to file separate claims for each spring.

I propose amending 78-12341 to just claim use from spring #6. Then I have created the following claims for the remaining springs.

78-12347:	spring #7	Attached with map
78-12348:	spring #8	Attached with map

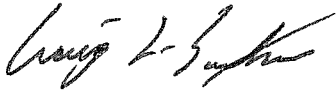
Based on the claimed POU, the spring water would have to be piped a long way. The diversion works on the original claims says, "PIPES, TROUGHS, AND TANKS". Does the place of use represented on the claim seem accurate? Please note that the place of use for a stockwater right would be where the stock actually drink the water, rather than all the property the stock may graze on which is often a point of confusion.

Source: I updated the source to claim "Spring" which is tributary to the "Little Salmon Creek"

Diversion rate: The total diversion rate was claimed for 0.04 cfs despite that the individual diversion rate for stockwater was claimed at 0.23 cfs. I updated the total diversion rate to claim 0.23 cfs

This is a lot of information so please contact me with any questions.

Respectfully submitted,

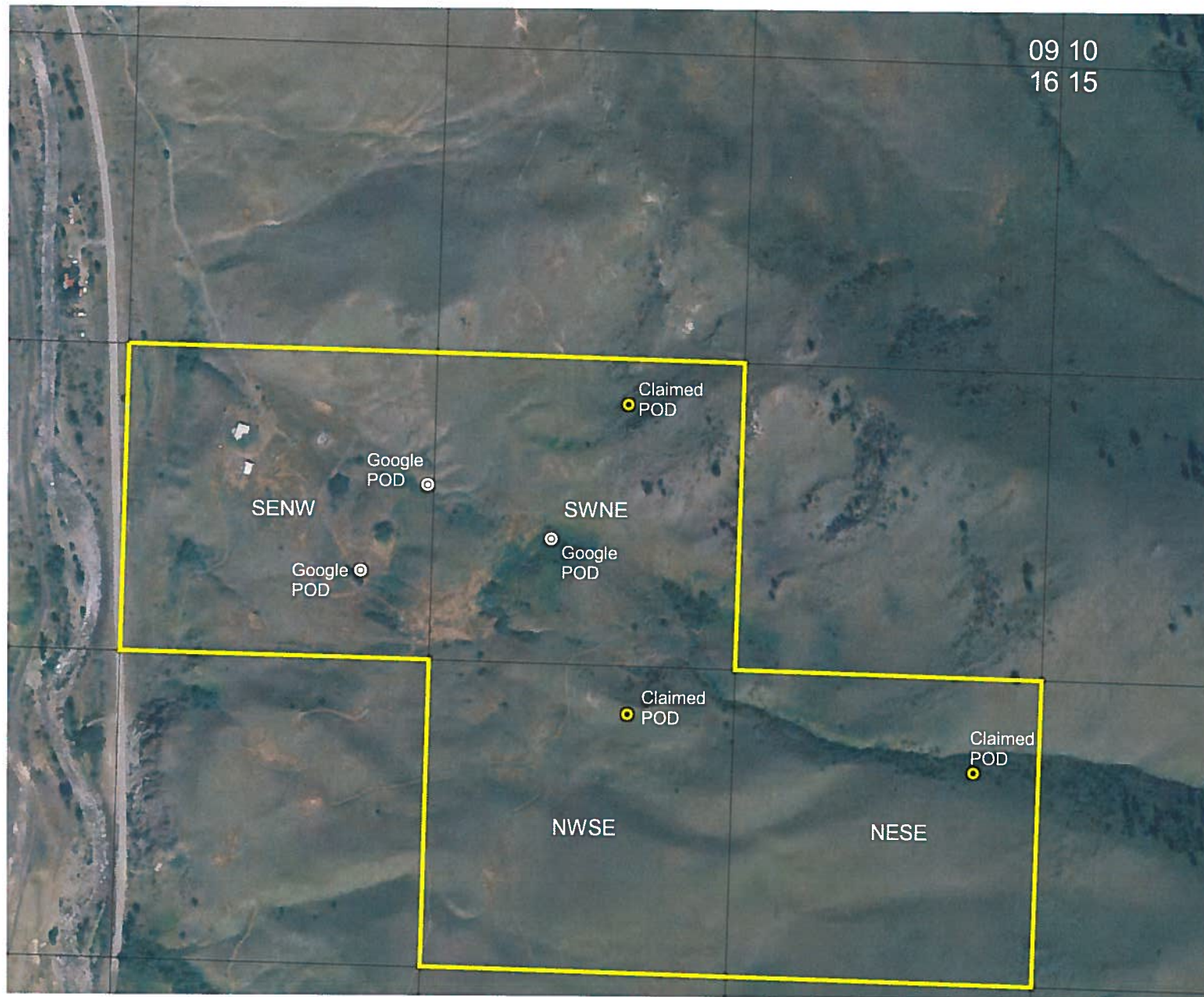


Craig L. Saxton
Water Right Supervisor
Adjudication Bureau
craig.saxton@idwr.idaho.gov
208-287-4916

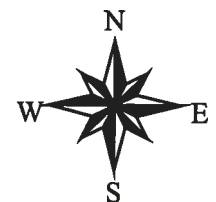
Enclosure(s): Amended claim 78-12327 & map
Amended claim 78-12328 & map
Amended claim 78-12329 & map
Amended claim 78-12341 & map
New Claim 78-12343 & map
New Claim 78-12344 & map
New Claim 78-12346 & map
New Claim 78-12347 & map
New Claim 78-12348 & map

78-10286

**T23N R01E
S16**



09 10
16 15



1000 0 1000 2000 Feet

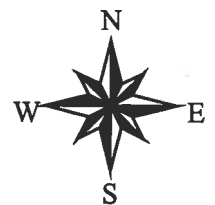
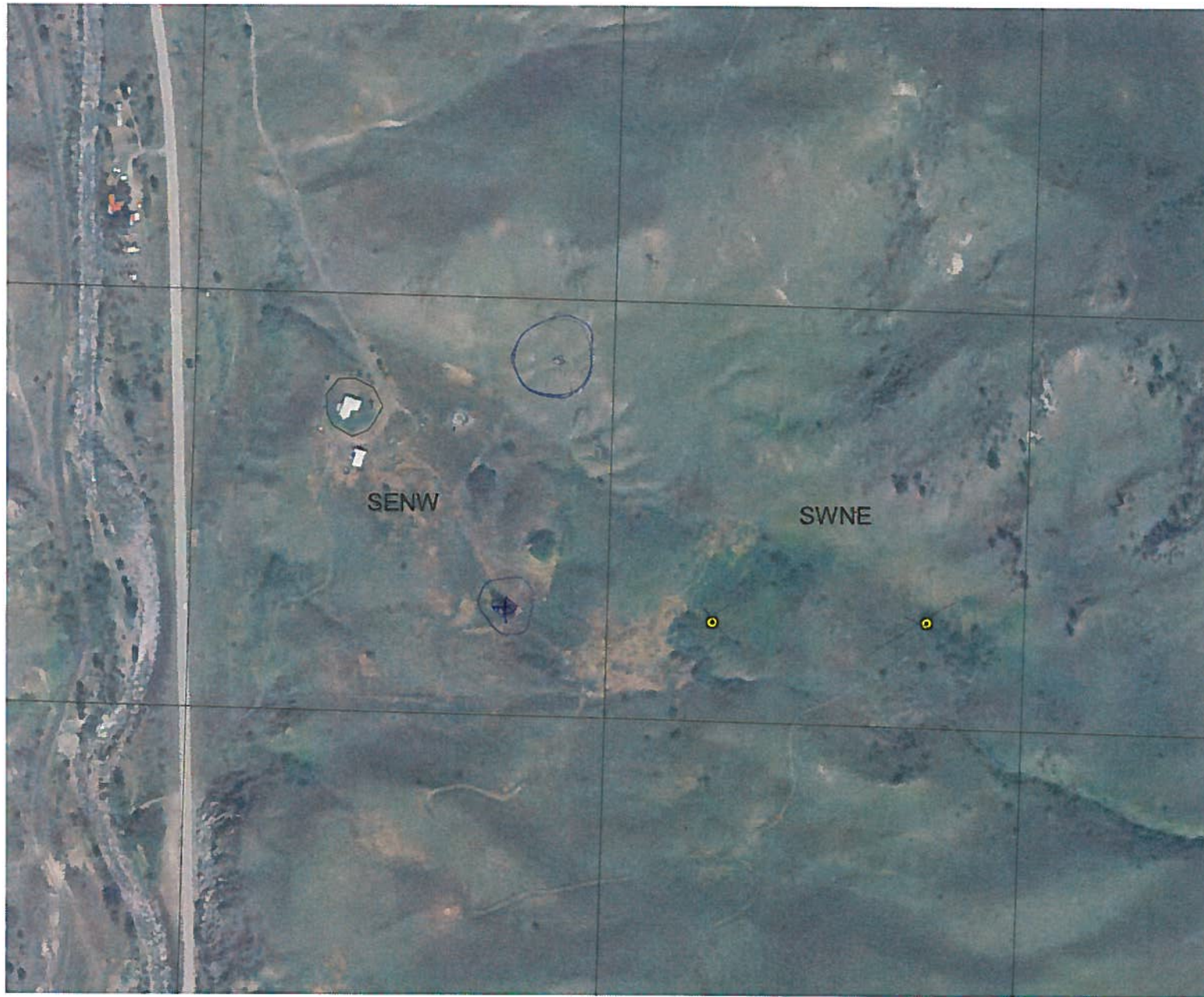
A scale bar with four segments. The first segment is labeled '1000', the second '0', the third '1000', and the fourth '2000 Feet'. The bar is black with white markings.

2004 NAIP Photography
Map Revised 11/19/08
Map Prepared By: Carter Fritschle

78-10286

House

**T23N R01E
S16**



1000 0 1000 2000 Feet

Same Spring as 78-10286 ?

Form No.42-1409 (2)a (Internet)

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 _____

Date Received: _____

Receipt No: _____

Received By: _____

Claim No. 78-12327

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Spring #1

Please type or print clearly

1. Name of Claimant (s) Light Force USA, Incorporated Phone 208 476-9816

Mailing Address 1040 Hazen Ln. Orofino ID ZIP 83544
Street or Box City State

2. Date of Priority (Only one (1) per claim) _____
Month Day Year (YYY)

3. Source of water supply (Check one) Ground Water (X) or Other () (a) Springs
which is tributary to (b) _____

4. a. Location of Point of Diversion is: Township 23N, Range 1E, Section 16
NW, 1/4 of SE, 1/4 of _____, 1/4 Govt. Lot _____, BM., County of Idaho

Additional points of diversion if any: _____

If available, GPS Coordinates _____

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

Township 23N, Range 1E, Section _____, _____, 1/4 of _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of Idaho

ending point is: Township 23N, Range 1E, Section _____, _____, 1/4 of _____, 1/4 of

_____, 1/4 Govt. Lot _____, BM., County of Idaho

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. pipes, Tanks, Truyls

Last Name Light Force USA, Inc Ident No. _____

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Livestock purposes from 1/1 to 12/31 amount 0.23 or _____

For Domestic purposes from 1/1 to 12/31 amount 0.04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.27 (cfs) and/or (b) _____ (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) One Household, Livestock 1000 sheep + horses/cattle

9. 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.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23N	12	16														L			1
23N	12	16								D									1

Total number of acres irrigated _____

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

11. 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.

12. Describe any other water rights used at the same place and for the same purposes as described above.

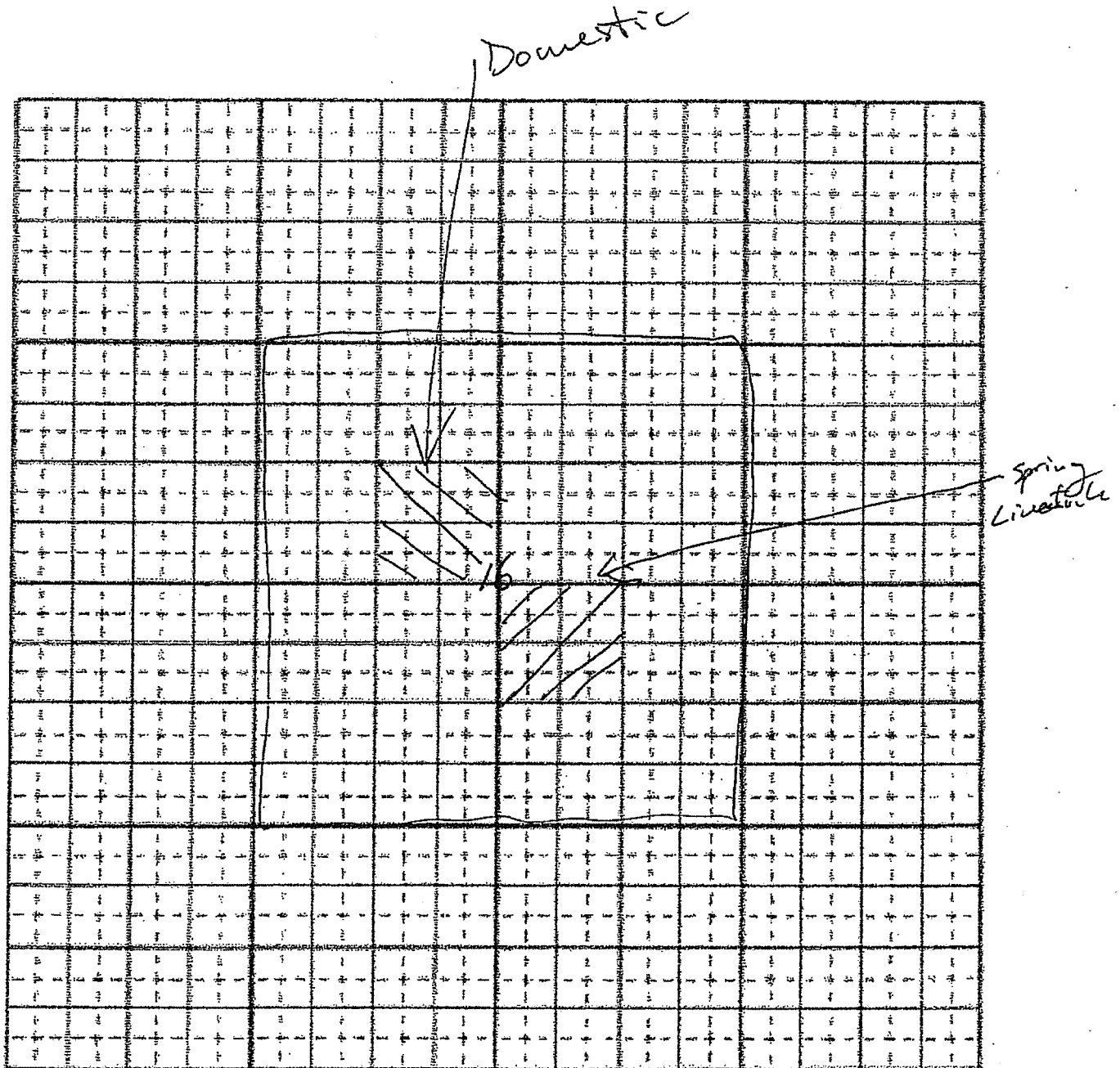
See Subcases 78-10286 and 78-10287 or None ()

13. Remarks: _____

Last Name Light Force USA, Inc. Ident No. _____

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 Inches equals 1 mile



Last Name Light Force USA, Inc. Ident No. _____

14. Basis of Claim (Check One) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐ Decree ☐

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

15. 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: 3

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) [Signature] Date: 6-23-08

Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

Attorney Title of Light Force USA, Incorporated Organization

that I have signed the foregoing document in the space below as

Attorney Title of Light Force USA, Incorporated Organization

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

Signature of Authorized Agent [Signature] Date 6-23-08

Title and Organization Attorney and Light Force USA, Incorporated

Please Print Name

16. Notice of Appearance:

Notice is hereby given that I, Scott Rose, 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 [Signature]

Address 300 W. Main St., Ste. 153, Boise ID 83702

Date 6-23-08

Last Name Light Force USA, Inc. Ident No. _____

80172

State of Idaho }
To }
A. J. Woods }

Deed No. 4502
Certificates Nos. 18478
18480
18481

STATE OF IDAHO

To All To Whom These Presents Shall Come, Greeting:

WHEREAS, on the 28th day of November, 1925, all that tract or parcel of school land of the State of Idaho, hereinafter mentioned and particularly described, was sold in the manner provided by law to A. J. Woods, of Pollock, County of Idaho, and State of Idaho, for the aggregate price of Fifteen Hundred Twenty-four and no/100 Dollars,

AND WHEREAS, the said sum of Fifteen Hundred Twenty-four and no/100 Dollars has been fully paid to the proper receiving officer for the State of Idaho, by A.J. Woods, as shown by the records in the office of the State Board of Land Commissioners, the said sum being the whole amount of the purchase price for the said tract or parcel of land hereinafter described.

NOW, KNOW YE, That the said State of Idaho, in pursuance of law in such case made and provided, and in consideration of the premises aforesaid, and of the aforesaid sum of Fifteen Hundred Twenty-four and No/100 Dollars, to the said State of Idaho paid, doth by these presents grant, bargain, sell, convey and confirm in fee, unto the said A. J. Woods, his heirs and assigns, all of the said tract and parcel of land situated in the County of Idaho and State of Idaho, and described as follows, to-wit:

The Northwest quarter of the Northwest quarter (NW $\frac{1}{4}$ of NW $\frac{1}{4}$) and the South Half of the Northwest quarter (S $\frac{1}{2}$ of NW $\frac{1}{4}$) of Section Sixteen (16), Township Twenty-three (23) North, Range One (1) East of the Boise Meridian, containing One Hundred Twenty (120) acres, more or less.

TO HAVE AND TO HOLD, the said premises and parcel of land above/described, with the appurtenances thereon, unto the said A. J. Woods, his heirs and assigns, in fee simple forever. The State reserves the right to all coal, oil, gas, shale, phosphate, sodium and other mineral deposits contained in this land as required by Chapter 95 of the 1925 Session Laws.

IN WITNESS WHEREOF, I, C. C. Moore, the Governor of the State of Idaho, have hereunto signed my name and caused the Great Seal of the State of Idaho, and the Seal of the State Board of Land Commissioners to be hereunto affixed this 19th day of December, A.D. 1925.

Great Seal of the State
of Idaho

C. C. Moore,

Governor.

Countersigned:
F. A. Jeter,
Secretary of State
Countersigned:
I. H. Nash,
State Land Commissioner.

State of Idaho }
County of Ada }

On this 19th day of December, A.D. 1925, before me, a

Notary Public in and for said State, personally appeared C. C. Moore, known to me to be the Governor, and F. A. Jeter, known to me to be the Secretary of State, and I. H. Nash, known to me to be the Land Commissioner, of the State of Idaho, and acknowledged to me that they as such Governor, Secretary of State, and State Land Commissioner, of the State of Idaho, and the State of Idaho executed the foregoing deed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.

Jeanne L. Anderson, Notary
Public, State of Idaho

Jeanne L. Anderson,
Notary Public, residing at Boise, Idaho.

SCANNED

JUN 25 2003

09/12/2008

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

RIGHT NUMBER: 78-10286

NAME AND ADDRESS: LIGHTFORCE USA INC
1040 HAZEN LN
OROFINO ID 83544

SOURCE: SPRINGS

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 11/28/1925

POINT OF DIVERSION:

T23N R01E S16 SWNE Within IDAHO County

T23N R01E S16 NWSE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER in IDAHO County

T23N R01E S16 SENW

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: BASIS OF CLAIM - Beneficial Use

MAP KEY

Homestead Cabin	SE1/4 SE1/4	Section 9	Claim Number 78-12328
Ranch House	SE1/4 SE1/4	Section 16	Claim Number 78-12327
			Claim Number 78-12386
		(Spring 9)	Claim Number 78-12387
			Claim Number 78-123_____
Hat Creek House	SE1/4 SW1/4	Section 21	
Sheep Creek	Flow inside the northern border		Claim Number 78-12328
Grouse Creek	Flow in center of ranch		Claim Number 78-12329
Spring #1	NW1/4 SE1/4	Section 16	Claim Number 78-12327
Spring #2	NE1/4 SE1/4	Section 16	Claim Number 78-12327
Spring #3	SW1/4 NE1/4	Section 16	Claim Number 78-12386
Spring #4	SW1/4 NW1/4	Section 15	Claim Number 78-12327
Spring #5	NE1/4 SW1/4	Section 15	Claim Number 78-12387
Spring #6	SE1/4 NW1/4	Section 21	Claim Number 78-123_____
Spring #7	SE1/4 NW1/4	Section 21	Claim Number 78-123_____
Spring #8	NE1/4 NW1/4	Section 21	Claim Number 78-123_____
Spring #9	SE1/4 SW1/4	Section 15	Claim Number 78-123_____

*No beneficial use
found for domestic*

*78-10286
78-10287*

*instream
stock water only*

instream stock wa

78-10286

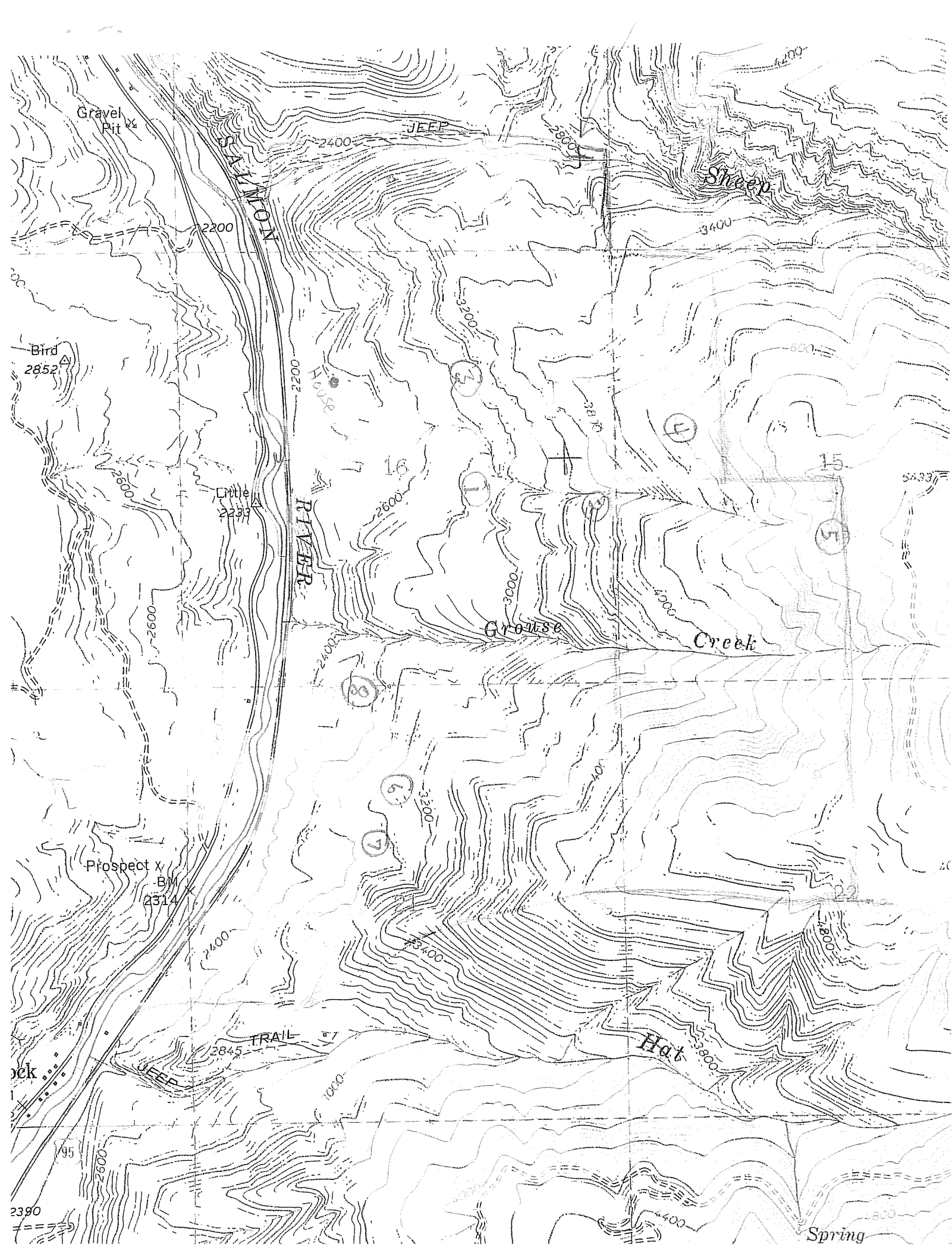
- ?

78-10286

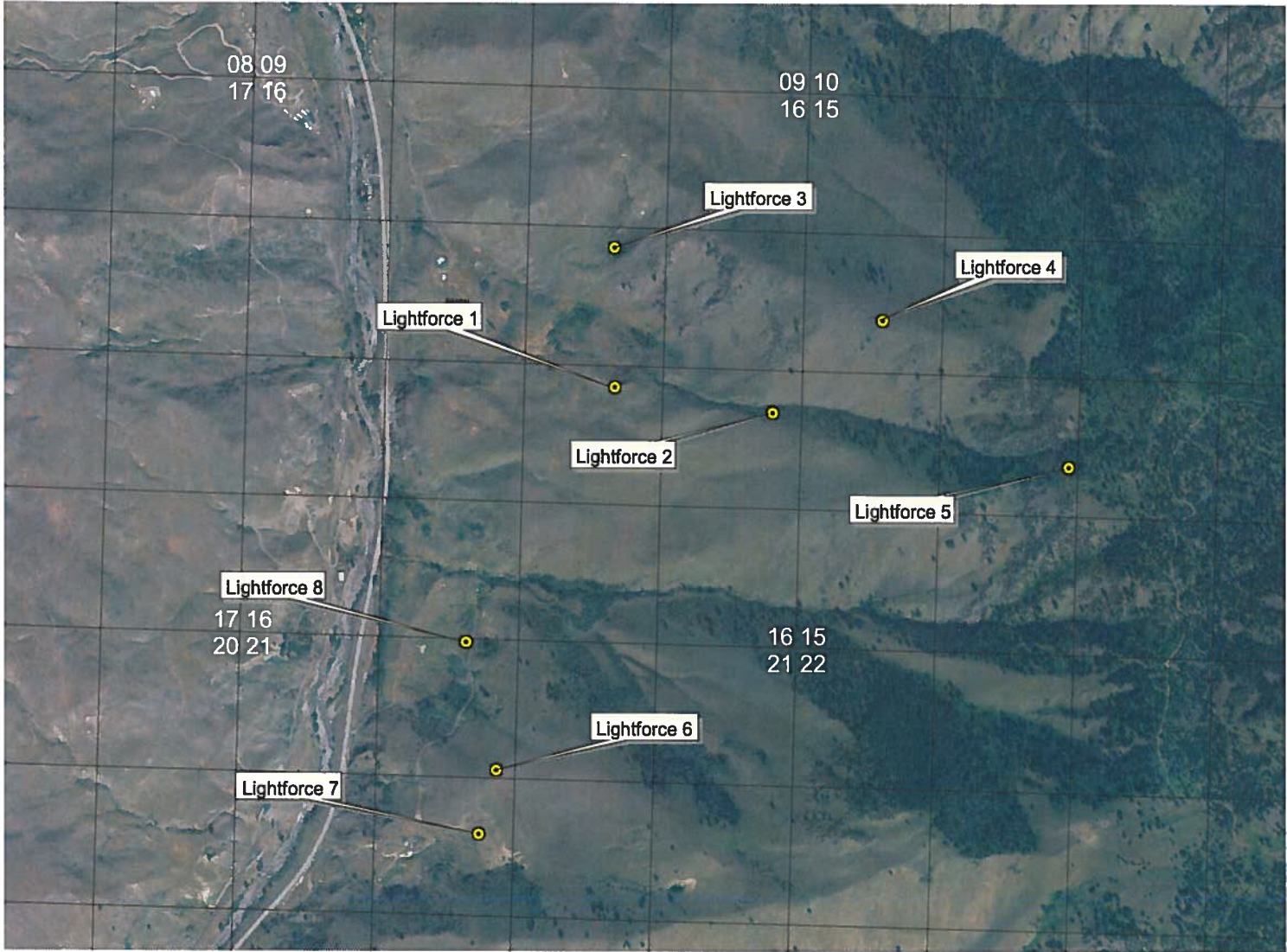
- ?

78-10287

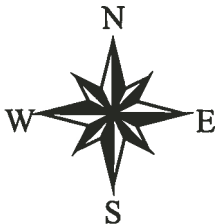
Not mapped



Lightforce USA



T23N R01E S15 S16 & S21



80172

State of Idaho
To
A. J. Woods

Deed No. 4508
Certificates Nos. 18479
18480
18481

STATE OF IDAHO

To All To Whom These Presents Shall Come, Greeting:

WHEREAS, on the 28th day of November, 1925, all that tract or parcel of school land of the State of Idaho, hereinafter mentioned and particularly described, was sold in the manner provided by law to A. J. Woods, of Pollock, County of Idaho, and State of Idaho, for the aggregate price of Fifteen Hundred Twenty-four and no/100 Dollars,

AND WHEREAS, the said sum of Fifteen Hundred Twenty-four and no/100 Dollars has been fully paid to the proper receiving officer for the State of Idaho, by A.J. Woods, as shown by the records in the office of the State Board of Land Commissioners, the said sum being the whole amount of the purchase price for the said tract or parcel of land hereinafter described.

NOW, KNOW YE, that the said State of Idaho, in pursuance of law in such case made and provided, and in consideration of the premises aforesaid, and of the aforesaid sum of Fifteen Hundred Twenty-four and No/100 Dollars, to the said State of Idaho paid, doth by these presents grant, bargain, sell, convey and confirm in fee, unto the said A. J. Woods, his heirs and assigns, all of the said tract and parcel of land situated in the County of Idaho and State of Idaho, and described as follows, to-wit:

The Northwest quarter of the Northwest quarter (NW $\frac{1}{4}$ of NW $\frac{1}{4}$) and the South Half of the Northwest quarter (S $\frac{1}{2}$ of NW $\frac{1}{4}$) of Section Sixteen (16), Township Twenty-three (23) North, Range One (1) East of the Boise Meridian, containing One Hundred Twenty (120) acres, more or less.

TO HAVE AND TO HOLD, the said premises and parcel of land above described, with the appurtenances thereon, unto the said A. J. Woods, his heirs and assigns, in fee simple forever. The State reserves the right to all coal, oil, gas, shale, phosphate, sodium and other mineral deposits contained in this land as required by Chapter 96 of the 1923 Session Laws.

IN WITNESS WHEREOF, I, C. C. Moore, the Governor of the State of Idaho, have hereunto signed my name and caused the Great Seal of the State of Idaho, and the Seal of the State Board of Land Commissioners to be hereunto affixed this 19th day of December, A.D. 1925.

Great Seal of the State
of Idaho

C. C. Moore,
Governor.

Countersigned:
F. A. Jeter,
Secretary of State
Countersigned:
I. H. Nash,
State Land Commissioner.

State Board of Land Com-
missioners, Idaho Seal

State of Idaho
County of Ada

25

On this 19th day of December, A.D. 1925, before me, a Notary Public in and for said State, personally appeared C. C. Moore, known to me to be the Governor, and F. A. Jeter, known to me to be the Secretary of State, and I. H. Nash, known to me to be the Land Commissioner, of the State of Idaho, and acknowledged to me that they as such Governor, Secretary of State, and State Land Commissioner, of the State of Idaho, and the State of Idaho executed the foregoing deed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.

Jeanne L. Anderson, Notary
Public, State of Idaho

Jeanne L. Anderson,
Notary Public, residing at Boise, Idaho.

SCANNED

JUN 25 1988

Scott Rose
Attorney at Law
300 West Main Street, Suite 153
Boise, ID 83702

(208) 342-2552 Telephone
(208) 342-3669 Fax
Scott@idahoiplaw.com
Idaho State Bar # 4197

Attorney for Plaintiff

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

In Re SRBA)

Subcase Nos.: 78-10286
78-10287

Case No: 39576)

AFFIDAVIT OF MARSHALL DEAN DRYDEN

STATE OF IDAHO)

ss.

COUNTY OF Valley)

MARSHALL DEAN DRYDEN, being first duly sworn upon penalty of perjury, deposes
and says:

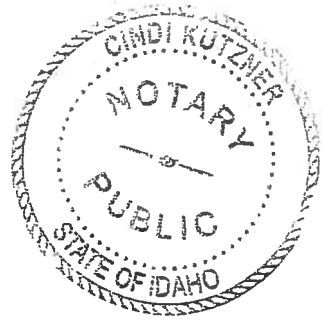
1. That the statements contained herein are made with personal knowledge, and are true and correct to the best of my information;
2. Your affiant ranched along side my dad and grandfather on the Little Salmon River ranch at issue in this matter, and as I grew older I helped run the ranch operations; and as such I am competent to make the following statements;
3. I readily remember the ranch and ranch activities going back to the early 1960's;

4. From the early 1960's I remember ranch hands, my father, and I drank water directly out of the pipe (and trough) from the spring on the ranch that presently supplies water to the house;
5. From the early 1960's I remember ranch hands, my father, and I filled our canteens (for drinking water) directly out of the pipe from the springs on the ranch that presently supplies water to the house;
6. From the looks of the metal pipe during the 1960's it appeared to have been in place a long time; the springs were developed before or shortly after my grandfather's ownership of the property; I remember my dad saying that some of the springs were developed before my family purchased the ranch including the springs that is servicing the current home; the springs were improved upon as maintenance and repairs required; the springs were always developed for as long as we owned and operated that portion of the ranch; and I remember very well working upon repairing spring boxes, piping and troughs on all of the developed springs including the springs that is servicing the current home;
7. My grandfather purchased the Little Salmon River portion of the Dryden and Sons Ranch in the late 1940's and early 1950's, and I have no reason to believe my grandfather and father just started drinking out of the pipe when I came along;
8. The State of Idaho constructed pipe and concrete troughs in about 1962 or 1963 by the highway directly below the house and south as well; and these springs also supplied drinking water to men and livestock.

Dated this 7 day of Feb, 2008.


MARSHALL DEAN DRYDEN

Subscribed and sworn to before me this 4 day of Feb, 2008.



Cindi Kutzner
Notary Public for Idaho
Residing at McCall
My Commission Expires 2-23-13

CERTIFICATE OF MAILING

I certify that on the Feb 4, 2008, 2008, I mailed the original and copies of this objection, including all attachment, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Lightforce USA, Inc.; Attn: Jeff Hueber
1040 Hazen Lane
Orofino, Idaho 83544

3. Copies to:

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

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

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

A handwritten signature, likely of the notary, written over a horizontal line.

05/21/2008

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

RIGHT NUMBER: 78-10286

NAME AND ADDRESS: LIGHTFORCE USA INC
1040 HAZEN LN
OROFINO ID 83544

SOURCE: SPRINGS

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 05/17/1948

POINT OF DIVERSION:

T23N R01E S16 NESENW Within IDAHO County

T23N R01E S16 SESENW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.020 CFS

PLACE OF USE: STOCKWATER in IDAHO County

T23N R01E S16 SENW

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Superseded

DRAFT

08/29/2007

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

RIGHT NUMBER: 78-10286

NAME AND ADDRESS: LIGHTFORCE USA INC
1040 HAZEN LN
OROFINO ID 83544

SOURCE: SPRINGS

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 05/17/1948

POINT OF DIVERSION:

T23N R01E S16 SWSWNE Within IDAHO County

T23N R01E S16 SESWNE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.020 CFS

PLACE OF USE: STOCKWATER in IDAHO County

T23N R01E S16 SENW

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Superseded

DRAFT

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

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

CIVIL CASE NUMBER: 39576

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

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

1. Name of Claimant(s)

LIGHTFORCE USA INC Phone: 208-476-9816

1040 HAZEN LN
OROFINO ID USA 83544

2. Date of Priority: 11/03/1905

3. Source: SPRINGS , SPRINGS Trib. to: LITTLE SALMON RIVER , LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
23N	01E	16	SE SW NE	IDAHO	
23N	01E	16	SW SW NE	IDAHO	

5. Description of diverting works:

TWO SPRINGS MANIFOLDED PIPED TO THE HOUSE AND STOCK TANKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.06 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

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

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

16. Signature(s)

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

Number of attachments: _____

For Organizations:

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

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

document in the space below as Vice Pres. of _____
Title

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

foregoing document are true and correct.

Signature of Authorized Agent Jeff Huber

Vice Pres. Lightforce USA Inc.
Title and Organization-

7-31-07

Date

State of Idaho)

County of Clearwater) SS.

Subscribed and sworn (or affirmed) before me this 31st
of July 2007 TERRI KIELE

Notary Public

Residing at Orfimo

My commission Expires 10-25-11



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

In Re SRBA

Subcase 78-10286

Case No: 39576

CERTIFICATE OF MAILING

I certify that on the 2 day of August, 2007, I mailed the original and copies of the Amended Notice of Claim to a Water Right Acquired Under State Law, including all attachments, to the following persons:

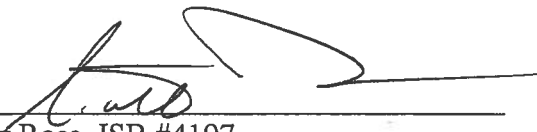
1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. IDWR Document Depository
PO Box 83720
Boise, Idaho 83720-0098

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

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



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

SCANNED

AUG 13 2007

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

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

CIVIL CASE NUMBER: 39576

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

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

1. Name of Claimant(s)

LIGHTFORCE USA INC Phone: 208-476-9816

1040 HAZEN LN
OROFINO ID USA 83544

2. Date of Priority: 11/03/1905

3. Source: SPRINGS , SPRINGS Trib. to: LITTLE SALMON RIVER , LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
23N	01E	16	SE SW NE	IDAHO	
23N	01E	16	SW SW NE	IDAHO	

5. Description of diverting works:

TWO SPRINGS MANIFOLDED PIPED TO THE HOUSE AND STOCK TANKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.06 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

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

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

16. Signature(s)

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

Number of attachments: _____

For Organizations:

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

Lightforce USA Inc., that I have signed the foregoing
Organization
document in the space below as Vice Pres. of
Title

Lightforce USA Inc. and that the statements contained in the
Organization
foregoing document are true and correct. Jeff Huber

Signature of Authorized Agent

Vice Pres. Lightforce USA Inc.
Title and Organization

7-31-07

Date

State of Idaho)

County of Clearwater) SS.

Subscribed and sworn (or affirmed) before me this 31st

of July 2007

Terrill Kiele

Notary Public

Residing at Orfimo

My commission Expires 10-25-11



EXHIBIT LIST

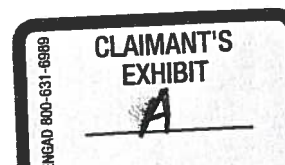
- A. BLM Records of Patentee Lizzie Hoxie
- B. USA Deed to Lizzie Hoxie dated 2/12/34
- C. Homesteader Deed Docket Sheet
- D. US Bureau of Land Management Map
- E. USA Deed to Edwin Nelson dated 4/7/14
- F. USA Deed to Henry R. Gear dated 11/7/19
- G. USA Deed to Lizzie Hoxie dated 5/17/48
- H. USA Deed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

SCANNED

AUG 13 2007

Accession/Serial #: 1034644 **BLM Serial #:** IDBL 0041589**Names****Patentees:** LIZZIE HOXIE,
CROFFORD HOXIE**Survey****State:** IDAHO**Acres:** 320**Metes/Bounds:** No**Title Transfer****Issue Date:** 2/12/1930**Land Office:** Blackfoot**Cancelled:** No**U.S. Reservations:** Yes**Mineral Reservations:** Yes**Authority:** December 29, 1916: Homestead Entry-Stock Raising
(39 Stat. 862)**Document Numbers****Document Nr.:** 041589**Misc. Doc. Nr.:** 0**Accession/Serial Nr.:** 1034644**BLM Serial Nr.:** IDBL 0041589

Aliquot Parts	Sec./ Block	Township	Range	Fract. Section	Meridian	State	Counties	Survey Nr.
SW	15/	23-N	1-E	No	Boise	ID	Idaho	
W $\frac{1}{2}$ NW	15/	23-N	1-E	No	Boise	ID	Idaho	
N $\frac{1}{2}$ NW	22/	23-N	1-E	No	Boise	ID	Idaho	

SCANNED**AUG 13 2007**

Blackfoot 041589

4-1007-R

The United States of America,

On all in whom these presents shall come, Greeting:

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

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

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, however, to the United States all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same pursuant to the provisions and limitations of the Act of December 29, 1916 (39 Stat., 862).

IN TESTIMONY WHEREOF, I, Herbert Hoover,

President of the United States of America, have caused these letters to be made

Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the TWELFTH

(SEAL)

day of FEBRUARY in the year of our Lord one thousand

nine hundred and THIRTY and of the Independence of the

United States the one hundred and FIFTY-FOURTH.

By the President:

By

Herbert Hoover
Viola B. Cough Secretary.
M. P. LeRoux
Recorder of the General Land Office

RECORD OF PATENTS: Patent Number 1000000

SCANNED

AUG 13 2007

CLAIMANT'S
EXHIBIT

B

ENGAD 800-631-6888

34489.v

United States.)

To)

Edwin Nelson.)

THE UNITED STATES OF AMERICA:

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

CERTIFICATE No. 3920.

WHEREAS, Edwin Nelson, has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Boise, Idaho, whereby it appears that full payment has been made by the said Edwin Nelson, according to the provisions of the Act of Congress of the 24th. of April, 1820, entitled "An Act making further provision for the sale of the Public Lands" and the acts supplemental thereto, for the

East half of the Southeast quarter, the Southwest quarter of the Southeast quarter and the Southeast quarter of the Southwest quarter of Section Nine, in Township Twenty-three, North of Range One East of the Boise Meridian, Idaho, Containing one hundred Sixty acres, according to the Official Plat of the Survey of the said Lands, returned to the General Land Office by the Surveyor General, which said Tract has been purchased by the said Edwin Nelson.

NOW KNOW YE, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress, in such case made and provided, have given and granted, and by these presents do give and grant, unto the said Edwin Nelson, and to his heirs, the said Tract above described:

TO HAVE AND TO HOLD, the same, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature, thereunto belonging, unto the said Edwin Nelson, and to his heirs, and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches, and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of Courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals, constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Theodore Roosevelt, President of the United States of America, have caused these letters to be made Patent and the seal of the General Land Office to be hereunto affixed. Given under my hand, at the City of Washington, the Seventeenth day of February, in the year of our Lord one thousand nine hundred and Eight, and of the Independence of the United States the one hundred and Thirty-second.

By The President: Theodore Roosevelt.

By M.W. Young, Secretary.

H.W. Sanford, Recorder of the General Land

Office.

Recorded, Vol. 736, Page 230.

State of Idaho,)

ss.

County of Idaho.)

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

J.A. Bradbury, County Recorder.

By Emma Bowman,

Deputy.

Fee, \$ 1.00.

SCANNED

AUG 13 2007

CLAIMANT'S
EXHIBIT

E

PENGAD 800-631-6989

State of Idaho }
County of Idaho } ss Filed for record in the office of the Recorder of Idaho
County, at the request of B. Auger on the 5 day of Nov.,
A.D. 1919, at 4:55 o'clock P. M.

Henry Telcher, County Recorder.

Fee 30¢

By Florence Murray, Deputy.

58303

United States } Boise 04579.

To

Henry R. Gear.

THE UNITED STATES OF AMERICA,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office, at Boise, Idaho, has been deposited in the General Land Office, whereby it appears that full payment has been made by the claimant, Henry R. Gear, according to the provisions of the Act of Congress of April 24, 1820, entitled "An Act making further provision for the sale of the Public Lands," and the acts supplemental thereto, for the

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

NOW KNOW YE, That the United States of America, in consideration of the premises, and in conformity with the several acts of Congress in such case made and provided, Has Given and Granted, and by these presents Does Give and Grant, unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, William H. Taft, President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the Twenty-third day of November, in the year of our Lord one thousand nine hundred and Eleven, and of the Independence of the United States the one hundred and Thirty-sixth.

United States
General Land Office

By the president: Wm. H. Taft

By M. P. LeRoy, Secretary.

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

RECORDED: Patent Number 235142.

State of Idaho }
County of Idaho } ss

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

Henry Telcher, County Recorder.

Fee \$1.00

By Florence Murray, Deputy.

SCANNED

AUG 13 2007

CLAIMANT'S
EXHIBIT

F

PENGAD 800-631-6889

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

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

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

A. G. Sathre
WITNESS.

Frank J. Hayden (SEAL)

Esther Hayden (SEAL)

(Int. Rev. \$11.00)

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

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

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

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

STATE OF IDAHO }
County of Idaho } ss.

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

Fee, \$1.80

Carl T. Reuter, County Recorder.

Deed Book
Book Pg 159566
80 623

4-1007.

The United States of America }

to }

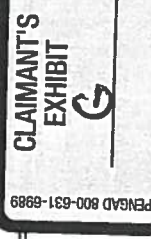
Lizzie Hoxie }

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

WHEREAS, a Certificate of the Register of the Land Office
at Blackfoot, Idaho, has been deposited in the General Land Office, whereby it appears
that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual
Settlers on the Public Domain;" and the acts supplemental thereto, the claim of Lizzie
Hoxie, widow of Crofford Hoxie, has been established and duly consummated, in conformity
to law, for the west half of the northwest quarter and the southwest quarter of Section
fifteen and the north half of the northwest quarter of Section Twenty-two¹/₄ Township twenty-
three north/Range one east of the Boise Meridian, Idaho, containing three hundred twenty
acres, according to the Official Plat of the Survey of the said land, on file in the

GENERAL LAND OFFICE:

NOW KNOW YE, That there is therefore, granted by the UNITED STATES unto the said
claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land
with the appurtenances thereof, unto the said claimant and to the heirs and assigns of
the said claimant forever; subject to any vested and accrued water rights for mining,
agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used



in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, however, to the United States all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same pursuant to the provisions and limitations of the Act of December 29, 1916 (39 Stat., 862).

IN TESTIMONY WHEREOF, I, Herbert Hoover, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the Twelfth day of February in the year of our Lord one thousand nine hundred and Thirty and of the Independence of the United States the one hundred and Fifty-Fourth.

""
" United States General Land "
" Office "
""

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

RECORDED: Patent Number 1034644

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

6-2176

STATE OF IDAHO } ss.

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

Fee, \$1.00
Leonard K. Floan et ux }
to }
Twin Feather Mills, Inc. }

Carl T. Reuter, County Recorder.

By Bob J. Waite, Deputy.

159569

DEED

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

WITNESSETH:

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

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

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

Homestead Pat.

Book 3, p. 327.

The United States of America.

Homestead Certificate No. 2159
Application 7154

TO ALL TO WHOM THESE PRESENTS SHALL COME—GREETING:

WHEREAS, There has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Boise, Idaho
Congress approved 20th May, 1862, "To Secure Homestead to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of John A. Killoran
has been established and duly consummated, in conformity to law, for the

North West quarter of the North West quarter of Section twenty one and the South half of the South West quarter and the South West quarter of the South East quarter of Section sixteen in Township twenty-three, North of Tangle one, East of Boise Meridian, containing one hundred and sixty acres.

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General:

NOW, KNOW YE, That there is, therefore, granted by the United States unto the said John A. Killoran

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

John A. Killoran and to

any vested and accrued water rights for mining, agriculture, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of Courts, and also subject to the right of the proprietor of a vein, or lode, to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law, and there is reserved from the lands hereby granted a right-of-way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Thornton Casswell

President of the United States of America, have caused these Letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the third day of November, in the year of our Lord one thousand nine hundred and five hundred and thirtieth, and of the Independence of the United States the one

BY THE PRESIDENT: T. P. Casswell

By J. M. McLean Secretary.

Recorded Vol. 61

Page 165

Recorder of the General Land Office.

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

A. D. 1906

By

Deputy.

See 100

J. A. Overman
County Recorder

SCANNED

6869-1631-6888

CLAIMANT'S
EXHIBIT



Main spring overflow/pond

Stock tank-2

Spring / stock tank-3

Main spring for house-1

