

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 78-10287
	)	
Case No: 39576	)	AFFIDAVIT
	)	
_____	)	

STATE OF IDAHO)
 ss.
COUNTY OF Idaho)

DAVID WILSON, being first duly sworn upon penalty of perjury, deposes and says:

1. I have personal knowledge in the facts set forth in this Affidavit;
2. I reside at the Cross O Ranch in Pollock, Idaho County, Idaho;
3. The Cross O Ranch was homesteaded by my grandfather Firmin Gotzinger approximately 100 years ago;
4. That the neighboring ranch now owned by Jeff Hueber, Lightforce USA, Inc. was previously owned by William Dryden.
5. That I remember stories told by my grandfather of the Dryden's cows using the old ditches

for water.

6. That for as long as I can remember the Dryden ranch, now owned by Jeff Hueber, Lightforce USA, Inc. has used the water on the property for personal use and ranch use.

Dated this 25 day of April, 2007.

DAVID WILSON
HC 2 Box 600
Pollock, Idaho 83547

STATE OF IDAHO)

: SS.

County of Los Angeles)

David Wilson being first duly sworn, under oath, deposes and says:

That he has read the foregoing AFFIDAVIT knows the contents thereof and believes the statements therein contained to be true and correct.

David Wilson

Subscribed and sworn to before me this 25 day of Dec., 2007.

Christine Hertz
Notary Public for Idaho
Residing at Winterset Rd 83554
My Commission Expires 3-13-2013

CERTIFICATE OF MAILING

I certify that on the May 1, 2007, 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

 #4197

RECEIVED
MAY
DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA	)	Subcase 78-10286
	)	
Case No: 39576	)	STANDARD FORM 4
	)	MOTION TO FILE:
	)	AMENDED NOTICE OF CLAIM
	)	
_____	)	

I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

I am an attorney representing Lightforce, USA, Inc.

My name is Scott Rose.

My address is 300 W. Main Street, Ste. 153, Boise, Idaho 83702.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

I must amend the Notice of Claim to the use of water in the SRBA because the Claim should amend back to reflect its uninterrupted use since the early 1900's.

I am providing legal and factual documentation to support my amended Notice of Claim by submitting and attaching the affidavit of David Wilson and the Objection by Claimant.

I have attached the affidavit of David Wilson and the Objection by Claimant; and do not believe either an amended notice of claim or additional fees are owing.

VERIFICATION

State of Idaho)
County of Ada) ss:

Scott Rose, duly sworn, upon oath, deposes and says:

That I am attorney for LightforceUSA, Inc. the party/claimant filing this amended claim and that I have read this motion, know its contents and believe that the statements are true to the best of my knowledge.

Scott Rose

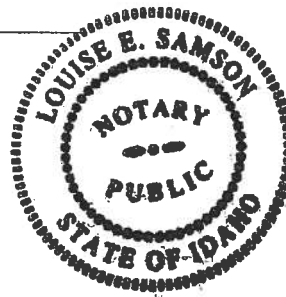
By:

[Signature]

Attorney signing in representative capacity
Idaho Bar License Number 4197

Subscribed and sworn to before me on: May 1, 2007

[Signature]
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 10/30/10



INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SBRA Court. **FAX filings will not be accepted by the SBRA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on the 1st of May, 2007, 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. 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

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that case.

 4197

Signature of attorney
Mailing on Objector's behalf

a
RECEIVED

MAY 02 2007

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA	)	Subcase 78-78-10286
	)	
Case No: 39576	)	STANDARD FORM 1
	)	OBJECTION
_____	)	

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTION

Name: Lightforce USA, Inc.; Attn: Jeff Huber
Address: 1040 Hazen Lane
Orofino, Idaho 83544
Daytime Phone: 208-476-9816

Name & Address of Attorney, if any:
Scott Rose
300 W. Main Street, Ste. 153
Boise, Idaho 83702

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

Name: Lightforce USA, Inc.; Attn: Jeff Huber
Address: 1040 Hazen Lane
Orofino, Idaho 83544
Daytime Phone: 208-476-9816

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

1. ☐ Name and Address
Should be: _____
2. **XX** Source
Should be: multiple sources by multiple springs
3. **XX** Quantity
Should be: greater than 0.06 CFS
4. **XX** Priority Date
Should be: around 1900.
5. **XX** Point of Diversion
Should be: multiple
6. ☐ Instream Flow Beginning and Ending Point
Should be: _____
7. **XX** Purpose(s) of Use
Should be: Domestic
8. **XX** Period of Year
Should be: January 1 to December 31
9. **XX** Place of Use
Should be: multiple
10. **XX** I object because the filed claim of 1981 does not reflect the actual water right date of initial uninterrupted use.

E. REASONS SUPPORTING OBJECTIONS(S): Historical continuous beneficial use prior to 1981 filing date is believe to be going back to the turn of the century around the 1900's.

F.

VERIFICATION

State of Idaho)

County of Clearwater ^{SS:}

JEFF HUBER, duly sworn, upon oath, deposes and says:

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

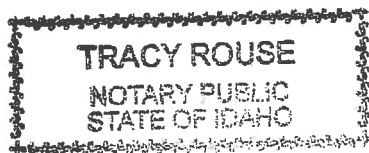
Lightforce USA, Inc.

By:

Jeff Huber
Its Vice President

Subscribed and sworn to before me on:

April 25, 2007



Notary Public for

Residing at:

Idaho
OROFINO
My Commission Expires: 11-2-2010

G.

CERTIFICATE OF MAILING

I certify that on the May 1, 200 7, 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:

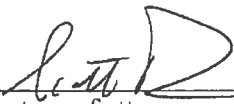
Lightforce USA, Inc.; Attn: Jeff Hueber
1040 Hazen Lane
Orofino, Idaho 83544

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



Signature of attorney

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: A78-10286
Date Received: 7/06/1988
Receipt No: M000284
Received By: GS

Department of Water Resources
Res. and Reg. Div. Boise

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RALPH YATES 208-628-3872
Address: HC 1 BOX 840
POLLOCK, ID 83547

OR
Name: ALTA C. YATES 208-628-3872
Address: HC 1 BOX 840
POLLOCK, ID 83547

2. Date of Priority: MAR 15, 1981

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
23N	01E	16	SW	SW	NE		IDAHO
			SE	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.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
ONE DOMESTIC HOUSEHOLD AND 50 HEAD OF BEEF CATTLE

A78-10286

Page 1

Date: 07/06/88

MICROFILMED

OCT 06 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
23N	01E	16	SE	NW		DOMEST	0.2
			SE	NW		STOCK	
						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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): X Ralph L Yates Date: X 7/6/88
_____ Date: _____

State of Idaho)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 6 day

of July 19 88

Seal

John Dale Packer
Notary Public

Residing at Boise, Id

My Commission Expires 9/3/94

RECEIVED

DEC 07 1998

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s): R78-10286
Adjudication Claim No(s): _____
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Ralph and Alta Yates
Pollock, Idaho 83549
4. New Owner/Claimant(s) Lightforce U.S.A., Inc.
Name Connector (Check one): ☐ and ☐ or ☐ and/or
New Mailing Address 19226 66th Avenue South #L-103
City, State and ZIP Code Kent, WA 98032
New Telephone Number (425) 656-1577
5. Date you acquired the property October 14, 1994
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate 0 Number and type of stock Approximately 50 cattle
Diversion rate in CFS _____ Number of homes 1 Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
Lightforce U.S.A., Inc.
7. Signature of New Owner or Claimant(s) Jeff Huber
By: Jeff Huber, Vice President
- (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

376975

WARRANTY DEED

RECORDED
INDEXED
FILED
OCT 19 1994

FOR VALUE RECEIVED

RALPH L. YATES and ALTA C. YATES, husband and wife
do hereby grant, bargain, sell and convey unto

LIGHTFORCE U.S.A., INC., a Washington Corporation,
whose current address is: Riggins, Idaho 83549

the Grantee, the following described premises in Idaho County,
Idaho to wit:

See Exhibit "A" attached hereto

TO HAVE AND TO HOLD the said premises, with their appurtenances
unto the Grantee, its heirs and assigns forever. And the said
Grantors do hereby covenant to and with the said Grantee, that they
are the owners in fee simple of said premises; that they are free
from all encumbrances except as herein set forth and that they will
warrant and defend the same from all lawful claims whatsoever.

DATED: Oct 14 1994

Ralph L. Yates
RALPH L. YATES

Alta C. Yates
ALTA C. YATES

STATE OF IDAHO)

NOTARY)
County of Idaho)

On this 14 day of October, 1994, before me, the
undersigned a Notary Public in and for said State, personally
appeared RALPH L. YATES and ALTA C. YATES, known to me to be the
persons whose names are subscribed to the within instrument and
acknowledged to me that they executed the same.

Daniel Thompson
NOTARY PUBLIC for State of Idaho
Residing at: Grangeville
Comm. Exp.: 02-21-97

EXHIBIT "A"

Parcel 1

Situated in Idaho County, State of Idaho, to wit:

Tax 27 described as follows:

Beginning at the Southeast corner of SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, Township 23 North, Range 1 East, Boise Meridian, thence North 780.00 feet, more or less, along the East line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ to a point in the center of Sheep Creek; thence Westerly along the center of said Sheep Creek 465.00 feet, more or less, to a point in the Easterly right-of-way line of U.S. Highway 95 project No. F-4113 (16) Highway Survey as described in that certain Warranty Deed dated August 27, 1959, and recorded September 4, 1959, in Book 93 of Deeds at Page 247, as Instrument No. 199180, records of Idaho County, Idaho; thence Southeasterly along said right-of-way line 760.00 feet, more or less, to a point in the South line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence Easterly along said South line 210.00 feet, more or less, to the place of beginning.

LESS: Commencing at the NW corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 9; thence South 45°36'16" East, 1513.57 feet to the East line of U.S. Highway 95 and the Point of Beginning; thence North 22°32'33" West along said right-of-way line 502.35 feet to the center line of Sheep Creek; thence North 67°29'00" East, along the center line of Sheep Creek 339.35 feet; thence South 27°12'27" West, 91.56 feet; thence South 35°13'27" West, 50.22 feet; thence South 1°05'43" East, 205.50 feet; thence South 4°38'43" East, 272.11 feet; thence North 86°00'54" West, 76.26 feet to the point of beginning.

Township 23 North, Range 1 East, Boise Meridian:

Section 9: SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$

Section 15: W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$

Section 16: NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ lying East of U.S. Highway 95 project No. F-4113 (16), W $\frac{1}{2}$ SW $\frac{1}{4}$ lying East of U.S. Highway 95 project No. F-4113 (16), E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$

Section 21: NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ East of U.S. Highway project No. F-4113 (16) and part of the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 20 and S $\frac{1}{2}$ of Section 21 described as follows: Beginning at a point on the East bank of the Little Salmon River, 180 feet East of the $\frac{1}{4}$ corner common to Sections 20 and 21, Township 23 North, Range 1 East; thence East 4180 feet on the center line Section 21 to a point where said center line intersects the main ridge North of Hat Creek; thence following the top of said ridge in a general course of South 70° West for about 5900 feet to a point on the North bank of Hat Creek 168 feet from

(Continued)

Exhibit "A" Continued (Parcel 1)

its mouth; thence along the Richardson Tract: North 44°30' East, 1142 feet and North 45°30' West 276 feet to the East bank of the Little Salmon River; thence along said bank downstream 1250 feet to the point of beginning. All lying East of U.S. Highway 95 Project No. F-4113 (16).

LESS Tax No. 64.

ALSO LESS NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20 and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21.

Section 22: N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$

SUBJECT TO A MORTGAGE DATED AUGUST 28, 1984 AND RECORDED AUGUST 28, 1984 AS INSTRUMENT NO. 315129 IN FAVOR OF FARMER'S HOME ADMINISTRATION.

Parcel 2

That portion of the Northeast Quarter of the Southeast Quarter lying East of highway, in Section 20, Township 23 North, Range 1 East, Boise Meridian, Idaho County, Idaho.

The Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$); in Section 22, Township 23 North, Range 1 East, Boise Meridian, Idaho County, Idaho.

The Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) lying East of highway in Section 21, Township 23 North, Range 1 East, Boise Meridian, Idaho County, Idaho.

STATE of IDAHO	{ ss
County of Idaho	
Recorded at request of <u>INLAND TITLE CO.</u>	
at <u>45</u> minutes past <u>11</u> o'clock <u>A.M.</u>	
this <u>17</u> day of <u>Oct</u> , 19 <u>94</u>	
<u>ROSE E. GERTZ</u>	
By <u>Sandy Goin</u>	Recorder
Fee <u>9.00</u>	Deputy



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 28, 2005

Lightforce USA
1040 Hazen Lane
Orofino, ID 83544

RE: 78-10286 & 78-10287

The date of priority for 78-10286 is listed as March 15, 1981 and for 78-10287 is July 15, 1981. When a new diversion of surface water is started after May 20, 1971, an appropriation permit had to be obtained first. The date of priority is the date the water was first used regardless of who owned the property. If the priority dates of your claims are incorrect then amended claims can be submitted.

A review of the point of diversion for 78-10287 indicates that it is located on land owned by the BLM. Is there some kind of agreement to run the pipeline on their ground?

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Knoblock', written over a horizontal line.

Kenneth Knoblock
Water Resources Agent

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: 7/6/88
Receipt No: M000284
Received By:

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

1. Name of Claimant(s): LIGHTFORCE USA INC
19226 66TH AVE S #L 203
KENT WA USA 98032

Phone: (425) 656-1577

2. Date of Priority: 03/15/1981

3. Source: SPRINGS Trib. to: Little Salmon River

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
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
DOMESTIC	1/01	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
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:

OWNERSHIP CHANGED BY DB 9/6/2000.

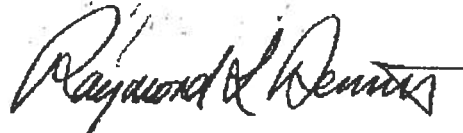
15. Basis of Claim: Beneficial Use

16. Signature(s) N / A

Minutes of Annual Meeting of Directors of Lightforce U.S.A., Incorporated

I the undersigned directors of Lightforce U.S.A., Inc. do hereby memorialize that the annual director's meeting was held on the below date. The following business was transacted: the following officers are appointed to serve for one year: President, Raymond L. Dennis; Vice President, Jeff Huber.; Secretary, Raymond L. Dennis; Treasurer, Kevin Stockdill There being no other business, the meeting was adjourned.

March 20, 1998.



Raymond L. Dennis, Director



Kylie Jane Gale, Director



6th May, 1998

To Whom It May Concern,

Lightforce USA Inc., has retained Karen Hollis of Coldwell Banker Classic Properties to attend to the brokering needs of our property in Riggins, Idaho.

Karen is therefore duly authorised to request and receive any information regarding this property from the Inland Title Company.

If any further information is required please feel free to contact the undersigned.

Yours sincerely,

DR. R. L. DENNIS

President - Lightforce USA Inc.

Director - Lightforce Australia Pty Ltd

N02

9

CRUSS O RANCH INC.

O RANCH INC.

16

LIGHTFORCE
U.S.A.
INC.

MARSHALL L. DRYDEN ET AL

Grouse

Creek

MARSHALL L. DRYDEN ET AL

Prospect x

21

RALPH L. YATES ET UX

RALPH L. YATES

JACK O. HUBBARD ET AL

RALPH L. YATES ET UX

Law Offices Of
SANDERS, YEOMANS & GOODWIN L.L.P.
Attorneys at Law

Michael R.E. Sanders
Russell Allen Yeomans (1943-1997)
Carl B. Goodwin, Jr.

Of Counsel
Lloyd Dixon Oaks

1325 Fourth Avenue
Suite 1730
Seattle, WA 98101
Phone (206) 623-3062
Facsimile (206) 623-0720

RECEIVED

DEC 07 1998

WATER RESOURCES
WESTERN REGION

December 2, 1998

Adjudication Bureau Staff
State of Idaho--Department of Water Resources
Western Region
1735 Airport Way
Boise, ID 83705-5082

Re: Lightforce U.S.A., Inc.--Notice of Change of Water Right Ownership

Dear Sir or Madam:

I represent Lightforce U.S.A., Inc., a Washington corporation which purchased real property in Idaho County, Idaho, in 1994. Apparently the corporation failed to also transfer the water rights at the time it purchased this property. My client received your letter of November 19, 1998 with an enclosed form for this purpose.

I enclose that form, which is filled out and signed by Mr. Jeff Huber, the Vice President of the corporation. I also inclose a copy of the Warranty Deed, evidencing the conveyance of the property to my client, as well as a copy of the most recent minutes of the annual meeting of the Directors of the corporation, reflecting the appointment of Mr. Huber as the Vice President.

Please let me know if you need any other information to process the transfer of water rights from Mr. and Mrs. Yates to Lightforce U.S.A., Inc.

Sincerely,



Carl B. Goodwin, Jr.

CBG:kp

cc: Lightforce U.S.A., Inc.

09/07/2000

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

RIGHT NUMBER: 78-10286

NAME AND ADDRESS: LIGHTFORCE USA INC
19226 66TH AVE S #L 203
KENT, WA 98032

SOURCE: SPRINGS TRIBUTARY: Little Salmon River

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT
EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 03/15/1981

POINT OF DIVERSION: T23N R01E S16 SWSWNE Within IDAHO County
T23N R01E S16 SESWNE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1-01 12-31	0.04 CFS
STOCKWATER	1-01 12-31	0.02 CFS

PLACE OF USE:

DOMESTIC Within IDAHO County
T23N R01E S16 SENW 0.2
STOCKWATER Within IDAHO County
T23N R01E S16 SENW
0.2 ACRES TOTAL

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

STOCKWATER, 50 RANGE CATTLE



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

September 7, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LIGHTFORCE USA INC
19226 66TH AVE S #L-203
KENT WA 98032

Re: Notice of Claim to a Water Right No. A78-10286

Dear Claimants:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water right(s) covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Thank you for your patience and cooperation, as we have had several ownership changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB:db

Enclosure

DATE: 12/07/98
PAGE: 1

Water Source:	SPRINGS	Tributary to:	LITTLE SALMON RIVER	Stage:	BENEFICIAL USE
Point(s) of Diversion:	T23N R01E S16	SWSHNE	SESWE		IDAHO County

[illegible][illegible]

Conditions of Approval:

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

Remarks: EXP STOCKWATER, 50 RANGE CATTLE

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

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

Hold - Surface water after 1971

AJ0749NP
No. R78-10286

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

DATE: 12/07/98
PAGE: 2

Comments: Date: 11/30/1998 User-ID: LHARRIS Subject: WATER USES
STOCKWATER WAS ADDED TO THE WATER USES FOR .02 CFS SINCE 50 RANGE
CATTLE WERE CLAIMED IN THE NON-IRRIG. USES AND A TOTAL CFS OF .06
WAS CLAIMED.

Audit: 12/07/98 CWALKER

AJ0749NP
No. R78-10286

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

DATE: 11/18/98
PAGE: 1

OWNER CODE NAME & ADDRESS
C RALPH YATES
C ALTA C YATES
HC 1 BOX 840
POLLOCK ID 83547
(208) 628-3872

PRIORITY DATE 03/15/1981
WATER USE DOMESTIC
USE PERIOD FROM 01-01 TO 12-31
DIVERSION RATE 0.04 CFS
DIVERSION VOLUME 0.06 CFS

TOTAL DIVERSION: 0.06 CFS

Water Source: SPRINGS
Tributary to: LITTLE SALMON RIVER
Stage: BENEFICIAL USE
Point(s) of Diversion: T23N R01E S16 SWSWNE SESWNE IDAHO County

Place of use Legal Description for: DOMESTIC
NE
NENE N4NE SWNE SENE : NENW N4NW SWNW SENW : NESH NWSW SWSW SESW : NESE NWSE SWSE SESE :
T R S : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac :
23N 01E 16 : : : : : .2 : : : : : 0.2

POU County: IDAHO

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

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

Remarks: EXP STOCKWATER, 50 RANGE CATTLE
Dates: Exam Made Date: Verified Date: Objection Filed Date:
Misc: Water District Number: Field Inspection Flag:
Presumption Flag:
Audit: 11/18/98 CHALKER



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

11/19/98
PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Highway 200 E
19226 6th Ave S
#2 - 105
Ken. 204 98032

RE: Snake River Basin Adjudication (SRBA)
Adjudication Claim # 78-10280

Dear Claimant:

We have been advised you are the current owner of the property and water right shown above. Before we can modify our records to reflect your ownership of the property and water right referenced above, we need Form 42-248/42-1409(6) completed and returned. We have enclosed this form for your use.

Please return the completed form with warranty deed copy and map to our Boise Region office by , 1998.

Idaho Department of Water Resources
Adjudication Bureau
2735 Airport Way
Boise, ID 83705-5082

If you have any other water rights which have changed ownership, enter each water right number on the form before mailing it.

Please call us at 208/334-2190 if you have any questions.

Sincerely,

Adjudication Bureau Staff

KW:region

Enclosure:

Form 42-248/42-1409(6)

AJ5856NP

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

DATE: FEB-13-1998

PAGE: A-89

RIGHT NUMBER: 78-10286

NAME & ADDRESS: RALPH YATES
ALTA C YATES
HC 1 BOX 840
POLLOCK ID 83547

Lightforce USA Inc.
18226 - 66th Ave. S.
Ste. L-103
Kent WA 98032

SOURCE: SPRINGS

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.06 CFS

PRIORITY DATE: 03/15/1981

POINT OF DIVERSION: T23N R01E S16

SWSNE
SESWE

Within IDAHO County

PURPOSE AND

PERIOD OF USE: PURPOSE OF USE
DOMESTIC ONE DOMESTIC HOUSEHOLD AN

PERIOD OF USE
01-01 12-31

QUANTITY
0.04 CFS

PLACE OF USE:

DOMESTIC
T23N R01E S16

Within IDAHO County
SENW 0.2

STOCKWATER
T23N R01E S16

Within IDAHO County
SENW

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

SW, 50RC

03-16-98