

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 63-22076
Date Received: 4/17/1990
Receipt No: W012068
Received By:

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

1. Name of Claimant(s)

KATHRYN ALBERTSON Phone: (208) 424-3840

PO BOX 70001
BOISE ID USA 83707-0101

2. Date of Priority: 10/28/1927

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	05W	31	SE NE NE 1	PAYETTE	

5. Description of diverting works:

WELL WITH PUMP & PIPELINE TO 3 HOMES, SPRINKLER IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.15	
DOMESTIC	1/01	12/31	0.06	

7. Total Quantity Appropriated is:
0.21 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					
07N	05W	31	NE	NE	1	DOMESTIC						
			NE	NE	1	IRRIGATION	3					
								Section Acres	3			
07N	05W	32	NW	NW	6	IRRIGATION	2					
											Section Acres	2
											Total Acres	5

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

AKA GAMBEL ISLAND (LODGE). NOTE-IRRIGATION IS FOR A SMALL 3 HOLE GOLF COURSE
 CONSISTING OF APPROX. 5 ACRES.
 Ownership changed by DB 10/10/2000.
 Ownership changed (corrected) to Kathryn Albertson per conversation with Dennis Moyer
 1/2/2001. DB See memo in file.

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 x 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.

ESTATE OF KATHRYN ALBERTSON

Signature of Claimant(s): [Signature] P.R. Date: 5/31/06

May 31, 2006 Date:

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this

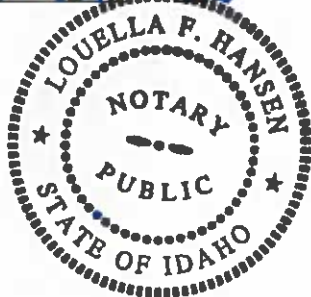
of 05-31-2006

[Signature: Louella F. Hansen]

Notary Public

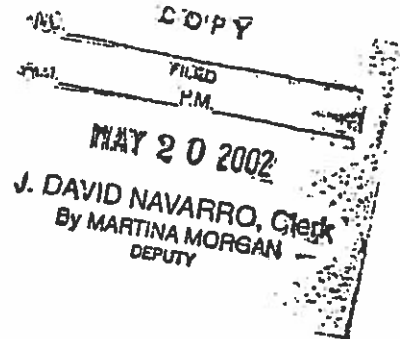
Residing at Caldwell ID

My commission Expires 12/02/2010



J. Frederick Mack (ISB #1428)
HOLLAND & HART LLP
Suite 1400, U. S. Bank Plaza
101 South Capitol Boulevard
Post Office Box 2527
Boise, Idaho 83701
Telephone: (208) 342-5000
Attorneys For Applicant

COPY



IN THE DISTRICT COURT OF FOURTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

SP 1E 0200242M

IN THE MATTER OF THE ESTATE OF)

Case No: _____

KATHRYN M. ALBERTSON,

ACCEPTANCE OF APPOINTMENT

(I.C. § 15-3-602)

Deceased.)

STATE OF IDAHO)

: ss.

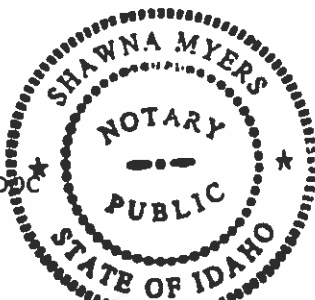
COUNTY OF ADA)

The undersigned hereby accepts appointment to the office of personal representative of the Estate of the above-named Decedent and agrees to perform and discharge the trust of said office. The undersigned hereby submits personally to the jurisdiction of this Court in any proceeding relating to the Estate that may be instituted by an interested person as defined by the Idaho Uniform Probate Code.

DATED: May 2, 2002

Thomas J. Wilford
THOMAS J. WILFORD
Alscott, Inc.
501 Baybrook Court
Boise, Idaho 83706
208-424-3840

SUBSCRIBED AND SWORN to before me this 9th day of May, 2002.



Shawna Myers
NOTARY PUBLIC

Residing at: Boise ID

My Commission Expires: 12/14/06

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 63-22076
Date Received: 4/17/90
Receipt No:
Received By:

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

1. Name of Claimant(s): KATHRYN ALBERTSON
PO BOX 70001
BOISE ID USA 83707-0101

Phone: (208) 424-3840

2. Date of Priority: 01/01/1956

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
07N	05W	31	SE NE NE 1	PAYETTE

5. Description of diverting works:

WELL WITH PUMP & PIPELINE TO 3 HOMES, SPRINKLER IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.15	
DOMESTIC	1/01	12/31	0.06	

7. Total Quantity Appropriated is:
0.21 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
07N	05W	31	NE NE	1	DOMESTIC	
			NE NE	1	IRRIGATION	3
					Section Acres	3
07N	05W	32	NW NW	6	IRRIGATION	2
					Section Acres	2
					Total Acres	5

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

AKA GAMBEL ISLAND (LODGE). NOTE-IRRIGATION IS FOR A SMALL 3 HOLE GOLF COURSE
CONSISTING OF APPROX 5 ACRES

Ownership changed by DB 10/10/2000.

Ownership changed (corrected) to Kathryn Albertson per conversation with Dennis Moyer 1/2/2001. DB See memo
in file.

15. Basis of Claim: Beneficial Use

**CORRECTION
WARRANTY DEED**

This deed is executed to correct the description contained in a deed from Kathryn Albertson to Alscott Limited Partnership #1, a Texas Limited Partnership authorized to do business in Idaho, recorded as document #256787:

Kathryn Albertson, for good and valuable consideration, the receipt of which s hereby acknowledged, does hereby grant, bargain, sell and convey unto Alscott Limited Partnership #1, an Idaho limited partnership, herein referred to as grantee, whose current address is

Suite 100
380 E. Park Center Blvd.
Boise, Idaho 83706

the following described real property situated in Payette County, State of Idaho, together with all improvements thereon and appurtenances thereunto appertaining.

Government Lots 5, 6, 7 and 8 in Section 29, Twp. 7 N, R.5 WBM, Payette County, Idaho

Government Lots 1 and 3 in Section 30, Twp. 7 N, R.5 WBM, Payette County, Idaho

Government Lots 1 and 2 in Section 31, Twp. 7 N, R.5 WBM, Payette County, Idaho

Government Lots 5 and 6 in Section 32, Twp. 7 N, R.5 WBM, Payette County, Idaho

also known as Gambel Island; provided, however, that a six (6) acre tract described as:

Commencing at the Southwestern tip of Gambel Island and then proceeding approximately 1,040 feet north along the east line of the Snake River on the West Side of Gambel Island **which is the point of beginning**; thence continuing North along that line approximately 480 feet in a line extending beyond the turnaround curve in the Snake River; thence due east approximately 470 feet; thence south along the east side of an existing roadway approximately 350 feet; thence 300 feet west; thence west-southwest approximately 180 feet; thence south-southwest approximately 180 feet; thence west approximately 80

feet to the point of beginning less a 42' x 80' building located approximately 157 feet north northeast of the point of beginning

all of which is marked on the sketch which is attached hereto is excluded from the property conveyed and is retained by the grantor.

Grantor, for herself, her heirs, successors and assigns, hereby covenants that she is the owner in fee simple of said premises and that she does warrant and will defend the quiet and peaceable possession of said premises by Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, Grantor has hereunto subscribed her name to this instrument on this ~~3rd~~^{9th} day of August, 1995.

GRANTOR:

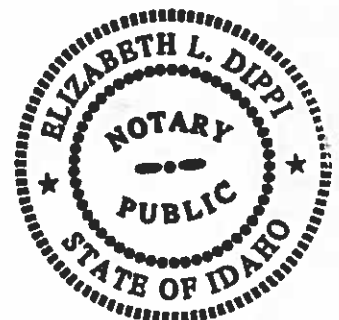
Kathryn Albertson
Kathryn Albertson

STATE OF IDAHO)
)ss
County of Ada)

On this 9th day of July, 1996, before me, a Notary Public in and for the State of Idaho, personally appeared Kathryn Albertson, a widow, known or identified to me to be the person whose name is subscribed to the above and foregoing instrument and acknowledged to me that she executed the same.

IN WITNESS I have hereunto set my hand and affixed my notary seal the date last above written.

Elizabeth L. Dippi
NOTARY PUBLIC in and for the State of Idaho.
Residing at Boise. My commission expires Jan. 11, 2001



Gambel Island Property

GAMBLE ISLAND PROPERTY PLAT MAP

RIVER . . . →

Snake River

Idaho
Oregon

30	III 29
31	32

1"=660'

(T7N R5W)
(Idaho)

←○ = Photo # & Location

←⊗ = Dwelling # & Location

ACREAGE BREAKDOWN

- 6.0 Acres Improved Home & Building Sites
- 130.6 Ac III Deep silt to fine sandy loam irrigated cropland
- 89.2 Ac IV Mostly excessively drained sandy loam irrigated cropland
- 10.1 Ac V Shallower sandy soils, small fields, handline sprinkled pasture
- 28.54 Ac VI Brushy pasture, river banks, ponds
- 16.5 Ac Roads/waste
- 280.94 Acres Total**

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Date Received: 4/17/90
Receipt No: W012068
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**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s): ALSCOTT FARMS LLC
PO BOX 70001
BOISE ID USA 83707-0101

Phone: (208) 424-3840

2. Date of Priority: 01/01/1956

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
07N	05W	31	SE NE NE 1	PAYETTE

5. Description of diverting works:

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11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

AKA GAMBEL ISLAND. NOTE-IRRIGATION IS FOR A SMALL 3 HOLE GOLF COURSE CONSISTING OF APPROX. 5 ACRES
Ownership changed by DB 10/10/2000.

15. Basis of Claim: Beneficial Use

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED
FEB 06 1998

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources

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).: A63-22076✓ A03-10013✓
~~A63-22076~~ A63-22080NO A03-02054
 Adjudication Claim No(s).: A63-22081✓ A63-22079✓ A63-22078✓

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 J A ALBERTSON
380 E Park Center #100 BOISE 83706

4. New Owner/Claimant(s) ALSCOTT FARMS LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address PO BOX 70001
 City, State and ZIP Code BOISE ID 83707-0101
 New Telephone Number (208) 424-3840

5. Date you acquired the property 8/3/95

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS PER ATTACHED Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) ALSCOTT Farms LLC, by ALSCOTT Inc. Manager
by [Signature] Pres. [Signature]
 (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..

**CORRECTION
WARRANTY DEED**

This deed is executed to correct the description contained in a deed from Alscott Limited Partnership #1 to Alscott Farms, LLC recorded as document #256788:

Alscott Limited Partnership #1, a Texas Limited Partnership, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto Alscott Farms, LLC, herein referred to as grantee, whose current address is

Suite 100
380 E. Park Center Blvd.
Boise, Idaho 83706

the following described real property situated in Payette County, State of Idaho, together with all improvements thereon and appurtenances thereunto appertaining.

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also known as Gambel Island; provided, however, that a six (6) acre tract described as:

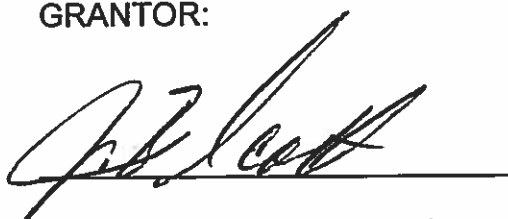
Commencing at the Southwestern tip of Gambel Island and then proceeding approximately 1,040 feet north along the east line of the Snake River on the West Side of Gambel Island **which is the point of beginning**; thence continuing North along that line approximately 480 feet in a line extending beyond the turnaround curve in the Snake River; thence due east approximately 470 feet; thence south along the east side of an existing roadway approximately 350 feet; thence 300 feet west; thence; thence south-southwest approximately 180 feet; thence west approximately 80 feet to the point of beginning less a 42' x 80' building located approximately 157 feet north northeast of the point of beginning

all of which is marked on the sketch which is attached hereto is excluded from the property conveyed and was retained by Kathryn Albertson.

Grantor, for itself, its successors and assigns, hereby covenants that it is the owner in fee simple of said premises and that it does warrant and will defend the quiet and peaceable possession of said premises by Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, Grantor has hereunto subscribed its name to this instrument on this 3 day of August, 1995.

GRANTOR:



STATE OF IDAHO }
)ss
County of Ada)

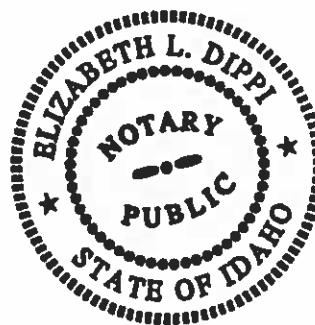
Attest:



On this 10th day of July, 1996, before me, a Notary Public in and for the State of Idaho, personally appeared Joseph B. Scott, known or identified to me to be the President of Alscott, Inc., the Corporation that executed the instrument as a General Partner of Alscott Limited Partnership #1, a Texas Limited Partnership, the person who executed the instrument on behalf of the corporation, and acknowledged to me that such corporation executed the instrument as such General Partner and Thomas J. Wilford, known or identified to me as the Secretary of Alscott, Inc. acknowledged that he attested said instrument on behalf of said corporation.

IN WITNESS I have hereunto set my hand and affixed my notary seal the date last above written.


NOTARY PUBLIC in and for the State of Idaho.
Residing at Boise, Idaho
My commission expires Jan 11, 2001.



GAMBLE ISLAND PROPERTY PLAT MAP

RIVER

Snake River

Oregon

Idaho

Pump

Well Pump

Bass Pond

1"=660'

(T7N R5W)
(Idaho)

←○ = Photo # & Location
←◐ = Dwelling # & Location

ACREAGE BREAKDOWN

- 6.0 Acres Improved Home & Building Sites
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SEC. 16

SEC. 15

CHANNEL

RIVER

GAMBEL

SEC. 29

143.26

26.38

WEST ISLAND

SEC. 30

61.95

ISLAND

ISLANDS

36.40

EAST

ISLAND

39.92

80.00

33.26

15.50

West

31.24

Resu

THOMPSON

CHANNEL

EAST

ALLEN

SEC. 31

20.55

19.05

27.66

42.40

SURVEYED

SEC. 32

52.94

SWAKE

1054

WATER

HOUSE

PUMPING PLANT

WATER

HOUSE

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ALSCOTT FARMS, LLC

380 E. ParkCenter Blvd., Suite 100, Boise, ID 83706
TELEPHONE: (208) 342-2712 • FAX: (208) 336-0123

July 11, 1996

Payette County Clerk
P. O. Drawer D
Payette, Idaho 83661

Attn: Debbie Smith

Enclosed are two correction warranty deeds that we wish to have recorded. I have enclosed \$18.00 (6 pages @ \$3) for the recording fee.

The first deed transfers farm property from Kathryn Albertson to Alscott Limited Partnership #1. The second deed then transfers the property from Alscott Limited Partnership #1 to Alscott Farms, LLC.

Our attorney, Phil Peterson, has worked with Doris Manker in the assessor's office . You may wish to confer with her on this matter, or please call me if you have any further questions.

Thank you for your assistance.

Sincerely,



Thomas L. Wilford
Secretary-Treasurer

Enclosures

MANAGEMENT AGREEMENT

WHEREAS, Alscott, Inc. has facilities adequate for management of the accounts of the undersigned Limited Liability Companies, Alscott Real Estate, LLC, Alscott Farms, LLC and Alscott Investment LLC and is willing to undertake management and management of the accounts and records of the undersigned Limited Liability Companies; and

WHEREAS, the companies recognize that Alscott, Inc. is the designated manager of all of the Limited Liability Companies; and

WHEREAS, the undersigned companies request that Alscott, Inc., as part of its responsibility as manager of the companies, undertake specific administrative tasks as indicated below;

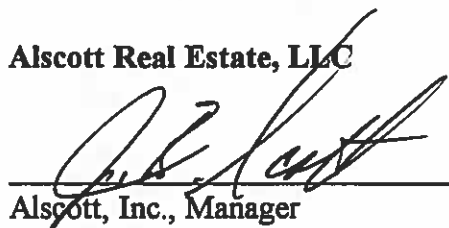
NOW, THEREFORE, Alscott, Inc. does agree to undertake administration, including administration of designated accounts and payrolls and to perform other administrative services for the companies as requested and that these shall include:

- 1. Managing employees, which shall include:**
 - a. Interviewing, selecting, and training employees;**
 - b. Setting and adjusting their rate of pay and hours of work;**
 - c. Planning, apportioning, and directing their work;**
 - d. Maintaining any records necessary for use in supervision or control;**
 - e. Appraising their productivity and efficiency for the purpose of recommending promotions or other changes in status;**
 - f. Handling complaints and grievances and disciplining them when necessary; and**
 - g. Providing for the safety of the employees and the property of the companies.**

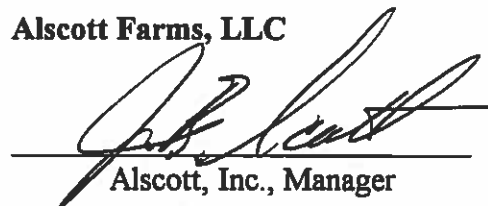
2. Providing services for the common benefit of the associated group of companies, such as:
 - a. Maintaining the headquarters office of Alscott, Inc. for the benefit of all companies with the expense of this maintenance allocated to the companies in a proportion to be established by Alscott, Inc. on the basis of experience with the affairs of the companies.
 - b. Providing insurance protection through common policies with the expense of the policies allocated to the companies in a portion to be established by Alscott, Inc. on the basis of experience with the affairs of the companies.
3. Paying certain direct costs of the companies:
 - a. Paying the wages associated costs of permanent (as opposed to temporary) employees of specific companies with the costs allocated directly to the companies with the understanding that this will include worker's compensation, the cost of which will be based upon the activity and experience of the specific company by which an employee is employed. Alscott, Inc. does agree to obtain and maintain General public liability insurance, automobile, worker's compensation, employer's liability and occupational disease insurance with reasonable amounts of coverage. Upon request by a member of any company, Alscott, Inc. shall furnish evidence of such insurance by providing a certificate of insurance.
 - b. Paying the employee benefits package of specific companies with the costs allocated directly to the company by which the employee is employed.
4. The method of allocation will be furnished to the members of the affected companies and any objections to the allocation will be considered by Alscott, Inc. and necessary adjustments made by it.

5. This contract shall not be assigned without the agreement of all parties to the contract.
6. This agreement may be amended or modified in writing by an agreement signed by all parties hereto.
7. The undersigned companies do agree to compensate Alscott, Inc. for its efforts by paying its necessary and reasonable expenses and paying to Alscott, Inc. the sum of 10% of such costs. This compensation will be the subject to revision and specifically will be reconsidered after a period of three (3) months with the intention of providing for reasonable compensation for the services rendered and with the understanding that further adjustment may be necessary after additional experience and, in particular, in the event there is an increase or decrease in services rendered.
8. This agreement is a fully integrated contract and contains all stipulations and agreements among the parties.

Alscott Real Estate, LLC

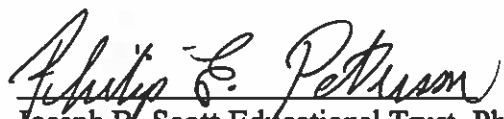

Alscott, Inc., Manager

Alscott Farms, LLC


Alscott, Inc., Manager

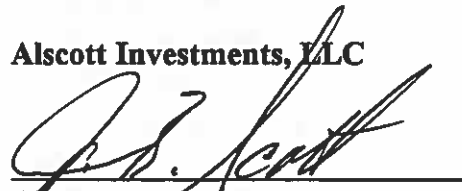

Alscott Limited Partnership #1, Member


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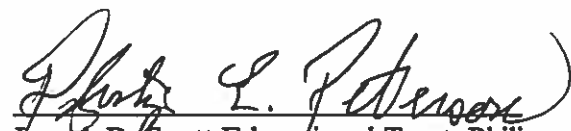

Joseph B. Scott Educational Trust, Philip
E. Peterson, Trustee, Member


Kathryn Albertson, Member

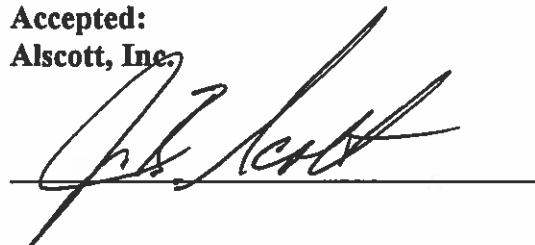
Alscott Investments, LLC


Alscott, Inc., Manager

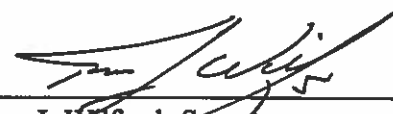

Alscott Limited Partnership #1, Member


Joseph B. Scott Educational Trust, Philip
E. Peterson, Trustee, Member

Accepted:
Alscott, Inc.



Attest:


Thomas J. Wilford, Secretary

MINUTES OF QUARTERLY MEETING OF THE
BOARD OF DIRECTORS OF
ALSCOTT, INC.

THE quarterly board meeting of the Board of Directors of Alscott, Inc., an Idaho Corporation was held at the Corporate offices at 380 East ParkCenter Blvd., Suite 100, Boise, Idaho on the 28th day of April 1997 at 9:30 a.m.

The following directors were present at the meeting:

Kathryn Albertson
J.B. Scott
Thomas J. Wilford

The meeting was called to order and presided over by Kathryn Albertson, President, with Thomas Wilford, Secretary/Treasurer, keeping the minutes.

The following items of business were discussed:

1. Tom Wilford discussed the actual December 31, 1996 financial statements and preliminary March 31, 1997 financial statements. J.B. Scott, Vice President, reported on major events of the prior quarter including:

A. Status of lease of substantially all of Riverview Place to Albertson's, Inc.

B. Personnel issues as summarized in monthly status report.

C. Status of sales contract for West Park Plaza, Billings, Montana.

D. Farm operating statement and cost containment program.

E. Formation of DSRG, Inc. REIT and transfer of ADS, LLC interest to UPREIT for partnership units. Completed 1/29/97. J.B. Scott updated for the first board meeting held by telephone 4/8/97.

RESOLVED, that any officer of the corporation, President, Vice-President and/or Secretary and/or Treasurer may sign any document on behalf of the corporation singly without the signature of any other officer of the corporation.

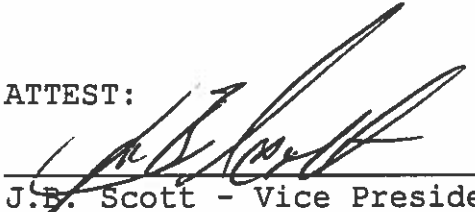
5. On motion by Kathryn Albertson and seconded by J.B. Scott, and Thomas J. Wilford the following were elected unanimously:

Chairman of the Board	J.B. Scott
President	Thomas J. Wilford
Vice President	Kathryn Albertson
Secretary/Treasurer	Thomas J. Wilford

Thereupon, no further business coming before the meeting, upon Motion duly made and approved unanimously, said meeting was declared adjourned.

DATED THIS 28th day of April, 1997.

ATTEST:


J.B. Scott - Vice President


Thomas J. Wilford
Secretary/Treasurer

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: A63-22076
Date Received: 4/17/1990
Receipt No: 4013068
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J. A. ALBERTSON
Address: 380 E. PARK CENTER BLVD.
SUITE 100
BOISE, ID 83706
208-342-2712

2. Date of Priority: JAN 01, 1956

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	05W	31	SE	NE	NE	1	PAYETTE

5. Description of diverting works:
WELL WITH PUMP & PIPELINE TO 3 HOMES, SPRINKLER IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.060		
IRRIGATION	03/15	11/15	0.150		

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

8. Total consumptive use is 17.5 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC USE FOR 3 HOMES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07N	05W	31	NE	NE	1	DOMEST	

A63-22076

Page 1

Date: 04/17/90

MICROFILMED
SEP 08 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	05W	31	NE	NE	1	IRR	3.0
						Section Acres	3.0
		32	NW	NW	6	IRR	2.0
						Section Acres	2.0
						Total Acres	5.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

A03-02054/10013-SNAKE R. RTS., A03-22078/79/80/81/DOM. RTS.

14. Remarks:

AKA GAMBEL ISLAND. NOTE-IRRIGATION IS FOR A SMALL 3 HOLE GOLF COURSE CONSISTING OF APPROX. 5 ACRES.

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am CONTROLLER of

JA ALBERTSON ENTERPRISES that I have signed the foregoing
Organization

document in the space below as CONTROLLER of
Title

JA ALBERTSON ENTERPRISES and that the statements contained in the
Organization
foregoing document are true and correct.

David Pater
Signature of Authorized Agent

Controller, JA Albertson Enterprises
Title and Organization

4-17-90
Date

State of Idaho)
County of ADA) SS.

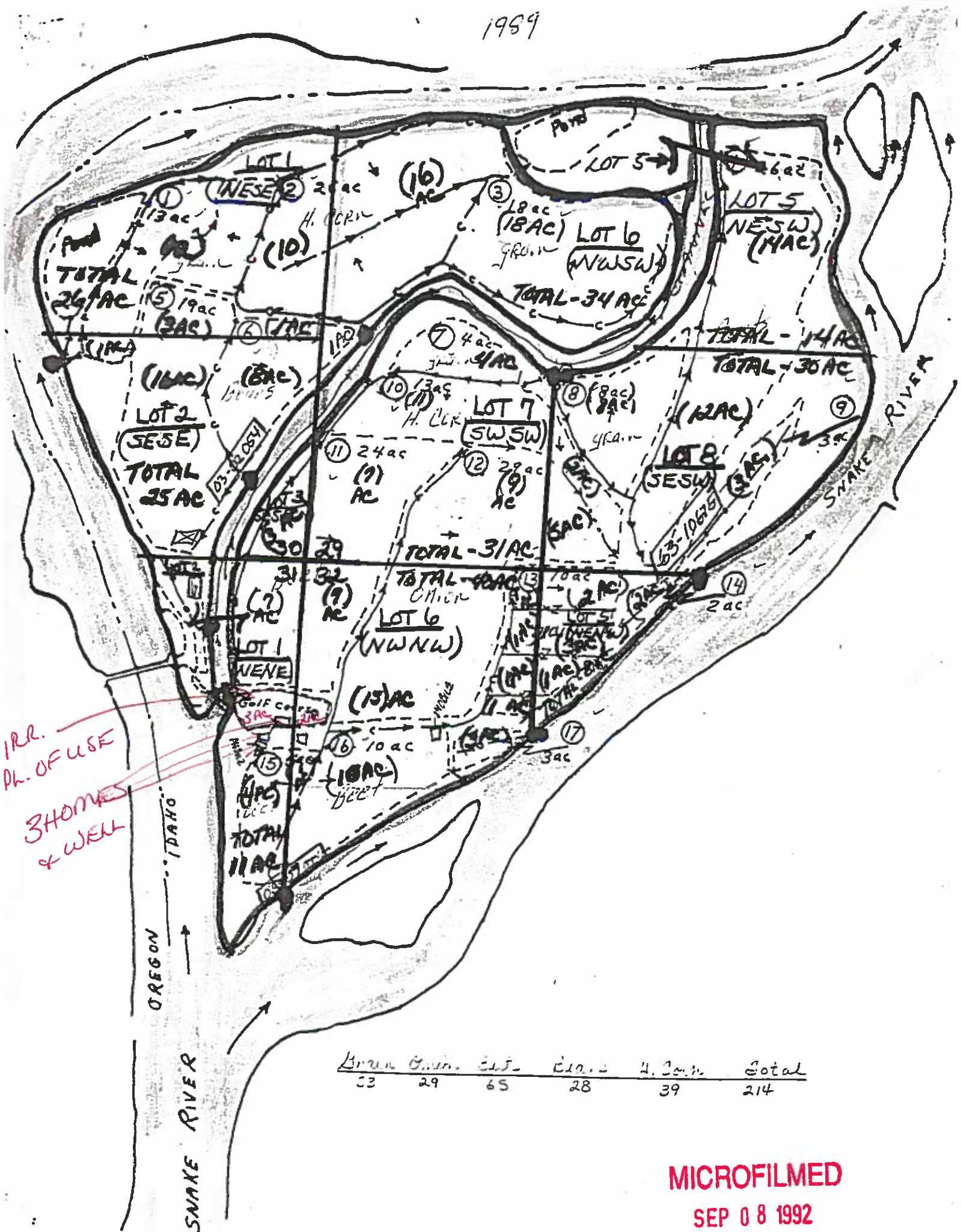
Subscribed and sworn (or affirmed) before me this 17th day
of April 19 90

Jan Shurtz
Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-14-94

1959



Green	Blue	Red	Black	Total
23	29	65	28	39
				214

MICROFILMED
SEP 08 1992

06/05/2006

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

RIGHT NUMBER: 63-22076

NAME AND ADDRESS: KATHRYN ALBERTSON
PO BOX 70001
BOISE ID 83707-0101

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.190 CFS
18.900 AFY

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

PRIORITY DATE: 10/28/1927

POINT OF DIVERSION:

T07N R05W S31 SENENE Lot 1 Within PAYETTE County

T07N R05W S31 SENENE Lot 1 Within PAYETTE County

T07N R05W S32 SWNNW Lot 6 Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.060 CFS
IRRIGATION	03/01 11/15	0.130 CFS
		18.90 AFY

Domestic use is for 3 homes for in-house use only.

PLACE OF USE: IRRIGATION Within PAYETTE County

T07N R05W S31 Lot 1 NENE 3.30 T07N R05W S32 Lot 6 NWNW 0.90

DOMESTIC Within PAYETTE County

T07N R05W S31 Lot 1 NENE T07N R05W S32 Lot 6 NWNW

4.2 ACRES TOTAL

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

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

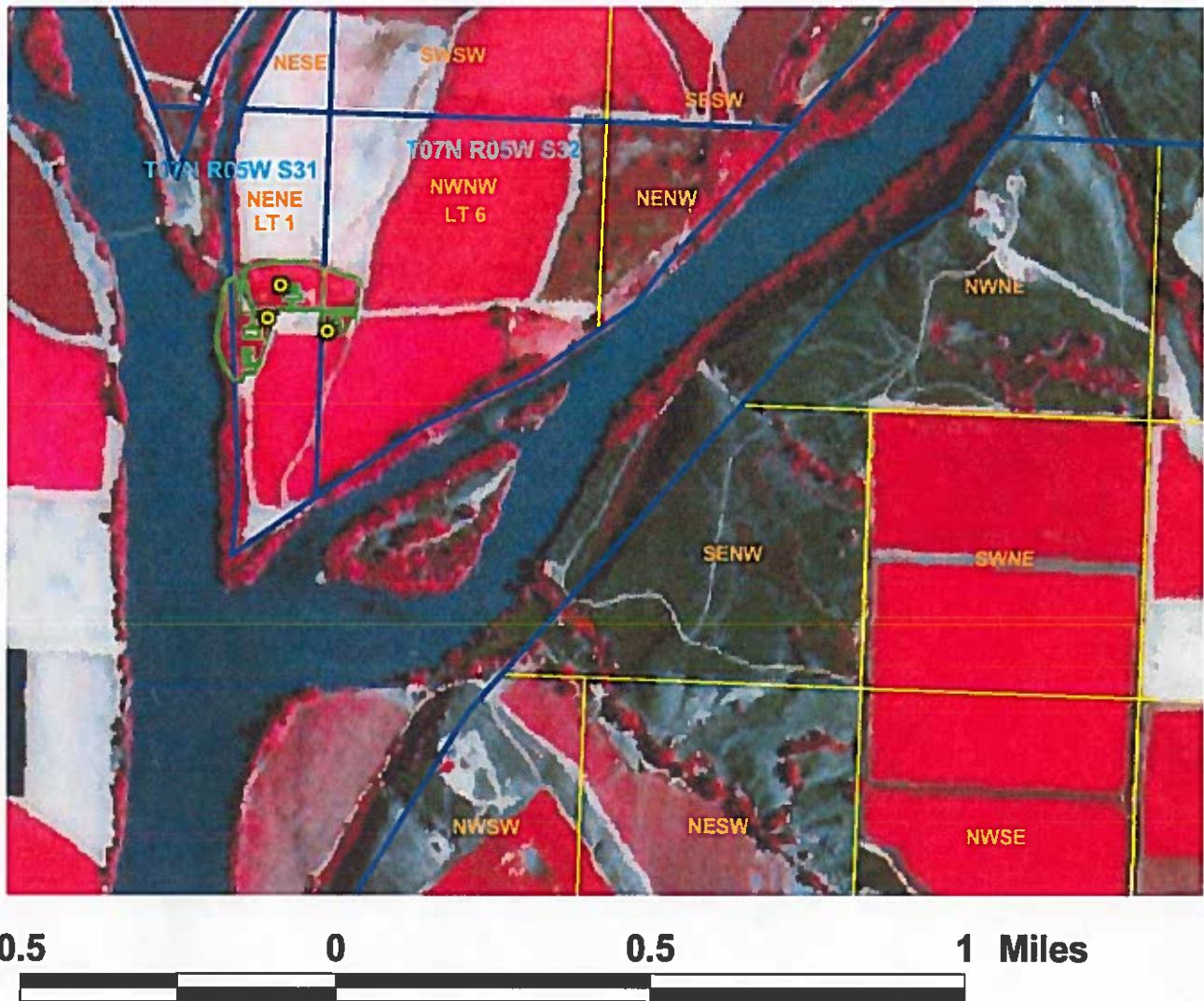
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



State of Idaho
Idaho Department of Water Resources
Western Region

T7N R5W SECTION(S) 31 & 32
WATER RIGHT(S) : 63-22076
IRRIGATION USE



- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

Total Irrigated Acres = 4.2 acre(s)

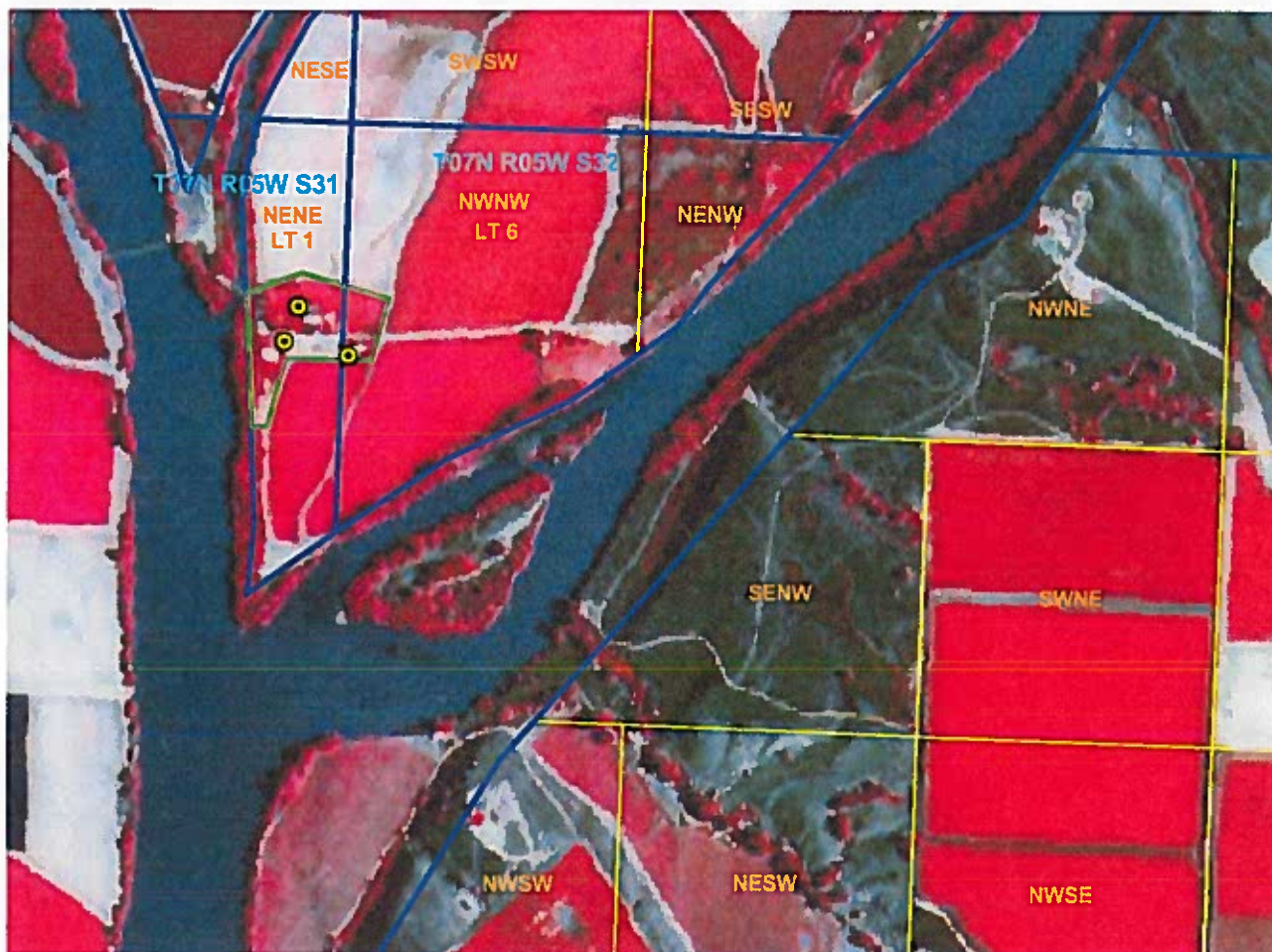
GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Dan Nelson
Date: May 2006





State of Idaho
Idaho Department of Water Resources
Western Region

T7N R5W SECTION(S) 31 & 32
WATER RIGHT(S) : 63-22076
DOMESTIC USE



-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Dan Nelson
Date: May 2006



Adjudication Recommendation Report 63-22076 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	J A ALBERTSON ENTERPRISES 380 E PARKCENTER BLVD BOISE, ID 83706 (208)342-2712
Directors Report Owner	ALSCOTT FARMS LLC PO BOX 70001 BOISE, ID 83707-0101 (208)424-3840
Current Owner	KATHRYN ALBERTSON PO BOX 70001 BOISE, ID 83707-0101 (208)424-3840

Status: Active

Tributary

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.060 CFS	
IRRIGATION	03/01 to 11/15	0.130 CFS	18.90 AF
	Total Diversion:	0.190 CFS	18.90 AF

GROUND WATER	L1 (SE1/4NE1/4NE1/4)	Sec. 31,	Twp 07N,	Rge 05W, B.M.
PAYETTE County				
GROUND WATER	L1 (SE1/4NE1/4NE1/4)	Sec. 31,	Twp 07N,	Rge 05W, B.M.
PAYETTE County				
GROUND WATER	L6 (SW1/4NW1/4NW1/4)	Sec. 32,	Twp 07N,	Rge 05W, B.M.
PAYETTE County				

DOMESTIC

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-22076 V1

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	05W	31	3.3																3.3
			L 1																
07N	05W	32					.9												.9
							L 6												

Total Acres: 4.2

Conditions of Approval:

1. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
2. C18 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.
3. X01 Domestic use is for 3 homes for in-house use only.
4. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-22076 V1

Comments:

1. dnelson 6/5/2006 Text

Comment: AKA GAMBEL ISLAND (LODGE). NOTE-IRRIGATION IS FOR A SMALL 3 HOLE GOLF COURSE CONSISTING OF APPROX. 5 ACRES.

Ownership changed by DB 10/10/2000.

Ownership changed (corrected) to Kathryn Albertson per conversation with Dennis Moyer 1/2/2001. DB See memo in file.

2. dnelson 6/5/2006 Claim Review

Comment:

This claim was originally filed with a 1956 priority date, and was later amended to the current date of 1927. The reason for the 1927 date was that this property was mentioned in the Cadastral Engineer files. These files describe the property and the home and several outbuildings. The 1956 priority date originally filed was the date the owner purchased the property. These files only describe one home, but the claim requests a domestic use for three homes. The three homes can be added to this claim as long as the total overall domestic use does not exceed 13,000 gallons per day. Whereas the irrigation use is covered separately, the 13,000-gallon per day limitation should be acceptable for the three homes. With the standard of 150 gallons per day per person for a standard home, the 13,000-gallon limitation for in-house use is very unlikely to be exceeded. Therefore, I recommended the domestic use for 3 homes limited to 13,000 gallons per day. The diversion rate was left at 0.06 cfs, since it is reasonable to ask for a higher rate of diversion and Idaho code 42-111 in part A does not limit the diversion rate.

Using the 2004 and 1987 aerial photography, I found 4.2 irrigated acres instead of the 5 acres claimed. Therefore, the diversion rate and volume were limited to department standards for the 4.2 acres or 0.13 cfs and 18.9 afa (0.03 X 4.2 acres = 0.13 cfs and 4.5 afa X 4.2 acres = 18.9 afa).

No other water rights are used on this ground, so I am recommending this right a primary water right for irrigation purposes. It should not be incorporated with any other water rights for this ground.

Only one point of diversion was placed on the map, but three wells are used for the domestic and irrigation uses. The applicant thought that all three points were in the same legal description, but by mapping the points it was discovered that one actually fell into another legal description. Therefore, all three points have been include in the recommendation.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			04/04/2006	scurtis	Active
Summary			04/04/2006	scurtis	Active

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-22076 V1

Contacts	6/5/2006 11:15:00 AM	dnelson	Active
Priority Date	6/5/2006 11:16:30 AM	dnelson	Active
POD	6/5/2006 11:19:37 AM	dnelson	Active
Source	6/5/2006 11:23:20 AM	dnelson	Active
POU	6/5/2006 11:26:07 AM	dnelson	Active
Use	6/5/2006 11:27:39 AM	dnelson	Active
Season	6/5/2006 11:29:19 AM	dnelson	Active
Quantity	6/5/2006 11:31:08 AM	dnelson	Active
Summary		06/05/2006 dnelson	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	4/4/2006 6:26:34 AM	scurtis	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?
Summary	4/4/2006 6:26:50 AM	scurtis	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?
Contacts	6/5/2006 11:15:01 AM	dnelson	(No) 1. Do you want to schedule an appointment? Comment for 1: The actual use for this claim is under the 0.20 cfs requirement for requesting a field exam.
POD	6/5/2006 11:19:37 AM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	6/5/2006 11:18:39 AM	dnelson	Updated shape
POU	6/5/2006 11:25:30 AM	dnelson	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-22076 V1

General	6/5/2006 11:16:31 AM	dnelson	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Cadastral Enginner files describe the use in 1927.
POD	6/5/2006 11:19:18 AM	dnelson	Updated shape
POU	6/5/2006 11:25:58 AM	dnelson	Updated shape for Active POU
Source	6/5/2006 11:23:20 AM	dnelson	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Three wells are the points of diversion for this claim, so groundwater has to be the source.
POU	6/5/2006 11:26:08 AM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - A map was supplied showing the location of the wells and place of use.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-22076 V1

Season	6/5/2006 11:29:19 AM	dnelson	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (Yes) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 18. Is a Period of Use remark and/or condition required?
Summary	6/5/2006 11:32:34 AM	dnelson	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 4. Is any portion of the claim be recommended? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Use	6/5/2006 11:27:40 AM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (Yes) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Cadastral Engineer report, claimant description, and aerial photos.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-22076 V1

Quantity	6/5/2006 11:31:08 AM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - The recommended use for this claim is under the 0.20 cfs requirement for a measurement. Description for Question 10 - Domestic use limited to 13,000 gallons per day for all three homes, the irrigation use was determined by 4.5 afa X 4.2 acres = 18.9 afa total.
POD	6/5/2006 11:18:08 AM	dnelson	Updated shape

Water Supply Bank:

MEMORANDUM

TO: ADJUDICATION CLAIM FILE 63-22076

FROM: DANIEL A. NELSON

DATE: 6/5/06

SUBJECT: CLAIM REVIEW

This claim was originally filed with a 1956 priority date, and was later amended to the current date of 1927. The reason for the 1927 date was that this property was mentioned in the Cadastral Engineer files. These files describe the property and the home and several outbuildings. The 1956 priority date originally filed was the date the owner purchased the property. These files only describe one home, but the claim requests a domestic use for three homes. The three homes can be added to this claim as long as the total overall domestic use does not exceed 13,000 gallons per day. Whereas the irrigation use is covered separately, the 13,000-gallon per day limitation should be acceptable for the three homes. With the standard of 150 gallons per day per person for a standard home, the 13,000-gallon limitation for in-house use is very unlikely to be exceeded. Therefore, I recommended the domestic use for 3 homes limited to 13,000 gallons per day. The diversion rate was left at 0.06 cfs, since it is reasonable to ask for a higher rate of diversion and Idaho code 42-111 in part A does not limit the diversion rate.

Using the 2004 and 1987 aerial photography, I found 4.2 irrigated acres instead of the 5 acres claimed. Therefore, the diversion rate and volume were limited to department standards for the 4.2 acres or 0.13 cfs and 18.9 afa ($0.03 \times 4.2 \text{ acres} = 0.13 \text{ cfs}$ and $4.5 \text{ afa} \times 4.2 \text{ acres} = 18.9 \text{ afa}$).

No other water rights are used on this ground, so I am recommending this right a primary water right for irrigation purposes. It should not be incorporated with any other water rights for this ground.

Only one point of diversion was placed on the map, but three wells are used for the domestic and irrigation uses. The applicant thought that all three points were in the same legal description, but by mapping the points it was discovered that one actually fell into another legal description. Therefore, all three points have been include in the recommendation.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-22076

WATER RIGHT NUMBER: 63-22076

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	J A ALBERTSON ENTERPRISES 380 E PARKCENTER BLVD BOISE, ID 83706 (208)342-2712
Directors Report Owner	ALSCOTT FARMS LLC PO BOX 70001 BOISE, ID 83707-0101 (208)424-3840
Current Owner	KATHRYN ALBERTSON PO BOX 70001 BOISE, ID 83707-0101 (208)424-3840

Priority Date: 10/28/1927

Basis: Beneficial Use

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

DOMESTIC

IRRIGATION

From To

1/01 to 12/31

3/15 to 11/15

Diversion Rate

0.060 CFS

~~0.150 CFS~~ 0.13Total Diversion:

0.210 CFS

0.19 CFS.

Annual Volume

OK in-house ONLY.
 $4.2 \text{ acres} \times 0.03 = 0.13 \text{ CFS}$
 NO volume domestic limited to 13,000 gal/day
 $18.9 \rightarrow 4.2 \times 4.5 = 18.9$

Location of Point(s) of Diversion

GROUND WATER

PAYETTE County

L1 (SE1/4NE1/4NE1/4)

Sec. 31, Twp 07N, Rge 05W, B.M.

2 P10's in S-31
 1 P10 in S-32

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
07N	05W	31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			X																
			L1																

7N 5W 32

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
07N	05W	31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			X																
			L1																3.0

3.3

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-22076

07N 05W 32			2.0			2.0
		L 6	.9			

Total Acres: 5

Conditions of Approval:

1. AKA GAMBEL ISLAND (LODGE). NOTE-IRRIGATION IS FOR A SMALL 3 HOLE GOLF COURSE CONSISTING OF APPROX. 5 ACRES.
Ownership changed by DB 10/10/2000.
Ownership changed (corrected) to Kathryn Albertson per conversation with Dennis Moyer 1/2/2001.
DB See memo in file.

} comments

Remarks:Comments:Dates and Other Information:

Claim Received Date: 4/17/1990
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

N-10

N-13

X01 - Domestic use FOR 3 Homes
 FOR in-house use only!

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-22076

WATER RIGHT NUMBER: 63-22076

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	J A ALBERTSON ENTERPRISES 380 E PARKCENTER BLVD BOISE, ID 83706 (208)342-2712
Directors Report Owner	A L SCOTT FARMS LLC PO BOX 70001 BOISE, ID 83707-0101 (208)424-3840
Current Owner	KATHRYN ALBERTSON PO BOX 70001 BOISE, ID 83707-0101 (208)424-3840

Priority Date: 01/01/1956

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.060 CFS	
IRRIGATION	3/15 to 11/15	0.150 CFS	
<u>Total Diversion:</u>		0.210 CFS	

Location of Point(s) of Diversion

GROUND WATER	L1 (SE1/4NE1/4NE1/4)	Sec. 31, Twp 07N, Rge 05W, B.M.
PAYETTE County		

Place of Use

DOMESTIC																			
Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	05W	31	X																
			L 1																
IRRIGATION																			
Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	05W	31	3.0																3.0
			L 1																
07N	05W	32						2.0											2.0
								L 6											

Total Acres: 5

Conditions of Approval:

1. AKA GAMBEL ISLAND (LODGE). NOTE-IRRIGATION IS FOR A SMALL 3 HOLE GOLF COURSE CONSISTING OF APPROX. 5 ACRES.
Ownership changed by DB 10/10/2000.
Ownership changed (corrected) to Kathryn Albertson per conversation with Dennis Moyer 1/2/2001.
DB See memo in file.

Dates and Other Information:

Claim Received Date: 4/17/1990

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

ALSCOTT

501 Baybrook Court
Boise, Idaho 83706-3963
P.O. Box 70001 • Boise, Idaho 83707-0101

TELEPHONE: (208) 424-3840

FAX: (208) 424-3850

June 1, 2006

Mr. Daniel Nelson
Senior Agent
Western Regional Office
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

RE: Claim A63-22076

Dear Dan:

Enclosed is Notice of Claim To A Water Right for the above noted Claim. The enclosed claim amends the Date of Priority to October 28, 1927 which was provided after the evidence review and as a result of our discussions in our meeting last week.

The Claim has been signed by the personal representative for the Kathryn Albertson Estate and notarized. I have also enclosed a copy of the court document authorizing that signature.

Please let me know if you have any questions.

Thank you for your time and assistance in this matter.

Sincerely,



Dennis Moyer

Vice President, Real Estate for the Kathryn Albertson Estate and Alscott Farms, LLC

Enclosure

Cc: Doug Tracy

ALSCOTT

501 Baybrook Court
Boise, Idaho 83706-3963
P.O. Box 70001 • Boise, Idaho 83707-0101

TELEPHONE: (208) 424-3840

FAX: (208) 424-3850

May 23, 2006

Mr. Daniel Nelson
Senior Agent
Western Region Office
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

RE: Claim A63-22076

Dear Dan:

Enclosed are documents from the US Department of Interior's Cadastral Engineer files which include actual field notes from the 1927 survey of the region of Southwestern Idaho. Please note that there are specific references to cultivated land, power lines to pumping plants, farm houses and barns, etc. on Gamble Island recorded at the time the engineers worked at the property.

The subject claim as attached to your April 20, 2006 letter shows a 1/1/956 priority date. However, this information should provide the evidence necessary to support an even earlier priority date for the historic use of water at this location. In particular please note Page # 650 which refers to a house, barn, and chicken house belonging at the time to A.J. Richey located "bet. frac. sec. 31 and 32." T 7N R5W. Also included is a copy of the survey map for reference to this location. This evidence shows that there was an operating farm with house, outbuildings and yard in existence at least as early as 1927 and probably even earlier. We would like to amend the claim to the earlier date.

Please note that these documents have also been submitted as supportive evidence of establishing priority dates for Water Right Claim #3-10013. That claim was amended after discussions with Ms. Jennifer Dean -telephone 208-287-4918- at the IDWR offices at 322 East Front Street, Boise, Idaho. I have enclosed a copy for your reference.

Please let me know if you have any questions or require additional information. Thank you for all your assistance in this project.

Sincerely,



Dennis Moyer

Vice President, Real Estate for the Kathryn Albertson Estate and Alscott Farms, LLC

Enclosures

Cc: Doug Tracy

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
Alpha J. Richey
has been established and duly consummated, in conformity to law, for the **Lot one of Section thirty-one and**
the Lot six of Section thirty-two in Township seven north of Range five
west of the Boise Meridian, Idaho, containing sixty-one acres and forty-
nine hundredths of an acre,

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.

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 **TWENTY-THIRD**

(SEAL)

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

also hundred and **THIRTY** and of the Independence of the

United States the one hundred and **FIFTY-FIFTH**

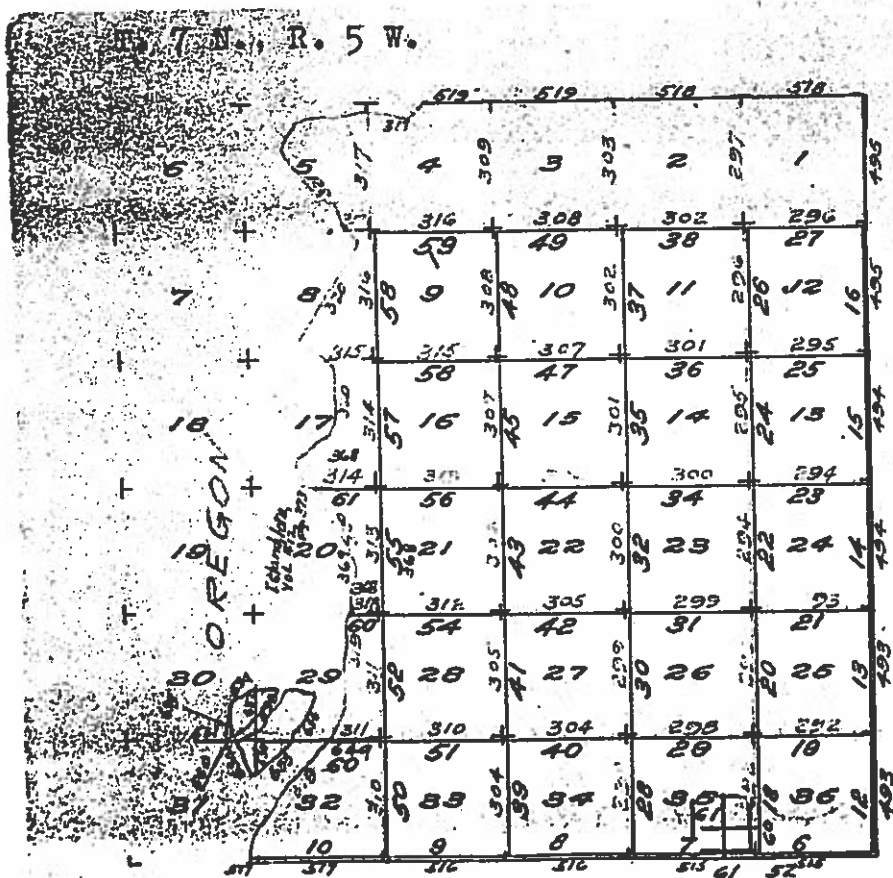
By the President:

By

Herbert Hoover
Viola B. Pugh, Secretary.

John O'Connell
Acting
Recorder of the General Land Office.

No warranty is made by the Bureau of Land Management for the use of the information for purposes not intended by BLM.



Legend;

COLOR	BY WHOM SURVEYED	DATE	VOL.
	Allen M Thompson	1868	9
	Geo W Thompson	1887	73
	F.L. Vauxwell	1927	346
	Kurtzweil & Davis	1936	369
	Subdivision of Secs., page 63		369
	G.A.T. KURTZWEL	1940	371
	Ronald J. Brown	1978	412
	Ronald J. Brown	1985	419
	Resurveying Port P & Sec 20 + Islands in Snake River (Cross Island)	2001	469
	Subdivision of Sec. 20 - Vol. 412, Pg. 372		
	Survey of Lot 7, Sec. 20 - Vol. 419, Pg. 190		

DATE AND

Township 2 NORTH, Range 5 WEST.

[illegible]

Red represents page number.

Blackboard project date:

survey, commenced Oct. 19, 1927, and executed with Bufr
and Bufr solar transit No. 4186 with Smith solar attach-
ment, and Young & Sons solar compass No. 3112, both
instruments property of the General Land Office; unless
otherwise specified all azimuth determinations are com-
pleted with solar attachment.

The instruments were examined and tested by the District Cadastral Engineer and approved for this work, conditional upon satisfactory field tests.

Oct. 20, 1927. At camp near the cor. of secs. 16, 17, 20 and 21, T. 19 S., R. 47 E. Willamette Meridian, Oregon, in latitude 43° 55' N., longitude 117° 0' W., at 3h 40m a.m., 1 mi. E observe 20 stars at western elongation, making four observations, two each with the telescope in direct and reversed positions; and mark the mean point in the line thus determined, on a peg driven closely in the ground, 10 chains E.

Secretary of the Western Association of Police.

Oct. 20, 1927: At 7:45 a.m., I lay off the azimuth of Polaris at 30° to the east, and mark the meridian thus determined by a tack in a peg driven firmly in the ground. 10 chains N.

At the same station, at 8h 0m a.m., applying I, put off 43° 55' N. on the lat. arcs, 10° 51' S. on the decl. arcs of both instruments, and determine meridians with the solar, which I find to agree with the true meridian.

At apparent noon, with the lat. arc on the transit un-
changed, and with $10^{\circ} 14' 15''$ set off on the decl. arc of
the solar compass, I observe the sun on the meridian; the re-
sulting reading of the declination arc on the transit is
 $10^{\circ} 14' 15''$, which agrees with the computed declination of
the sun; and the reading of the lat. arc on the solar
compass is $43^{\circ} 55' N$.

Page 1, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

At 10:00 p.m., approx., with the lat. circle unchanged, I set off 12° 42' S. on the decl. arcs of both instruments and determined meridians with the solar, which I find to agree with the true meridian.

As all of the solar observations during the usual hours of solar work come within 1° 30' of the true meridian, I consider that the adjustments of the instruments are satisfactory.

Latitude and repeated meridian observations were taken daily, weather permitting, and the instruments were kept in adjustment throughout the survey.

At the conclusion of this survey, on the meridian meridian described.

On 28, 1927: At 8h on a.m., approx., I set off 12° 42' S. on the decl. arcs, 12° 42' S. on the decl. arcs, and determined meridians with the solar, which I find to agree with the true meridian.

These observations specified, all measurements are made with the 2 and 5 chain steel tapes, found correct by comparison with a Larkin standard steel tape. The measurements were made on the slope, the vertical angle determined, and the slope measurements properly reduced to the true horizontal distances.

Frank D. Maxwell,

U. S. Cadastral Engineer.

Result.

From the recognized cor. of secs. 28, 29, 32 and 33, which is pine post, 2x12 ins. above ground, firmly set, mtd. as described in the official records.

Against west side of post, set an iron post, 2 ft. long, 2 ins. diam., 24 ins. in the ground, with brass cap mtd.

27 N 35 W
329 328
332 333

1927

Traverse west on true line.

Over rolling through dense undergrowth.

2000 Descend 70 ft. over NW slope.

2500 Gully, course NW, ascend 70 ft. over NE slope.

3000 Spur, slopes N, descend 35 ft. over NW slope.

3100 Find no trace of the old meander cor.

Set an iron post, 3 ft. long, 1 in. diam., 26 ins. in the ground, for meander cor. of true secs. 29 and 32, with brass cap mtd.

27 N
329 328
332 333
1927

Dig pits, 18x18x12 ins., 3 and 6 ft. dist., E. of cor. Original survey.

34.50 Right Bank of East Channel of Snake River, course NE.

40.00 Point for sec. cor. fall in river.

Right angle width of channel, 7.00 chest water 5.00 ch.

44.50 Left Bank of East Channel of Snake River, course NE.

48.75 Point for meander cor.

Set an iron post, 3 ft. long, 1 in. diam., 26 ins. in the ground, for meander cor. of true secs. 29 and 32, on east bank of East Channel of Snake River, with brass cap mtd.

27 N
329 328
332 333
1927

Subdivision of Fractional T. 7 N., R. 5 W.

Chains.		
	Dig pits, 18x18x12 ins., 3 and 6 ft. dist., W. of cor. Thence over level land. Road, bears E. and SW. Set an iron post, 3 ft. long, 2 ins. diam., 24 ins. in the ground, for cor. of frac. secs. 29, 30, 31 and 32, with brass cap mkd. T 7 N R 5 W S 30 S 29 S 31 S 32 1927	
67.83		
80.00		
	Dig pits, 18x18x12 ins., in each sec., 3 ft. dist. Land-rolling and level. Sill- sandy loam, 1st rate. Undergrowth- sage, rose brush, wild current brush and willow. S. 0° 1' E., on a true line, bet. frac. secs. 31 and 32. Over level cultivated land. Fence, bears E. and W. Irrigation ditch, 5 lks. wide, course NE. Fence, bears N. and W. Road, bears NE. and SW. Chickadee house- bears W., 2-25 chs. dist. Intersect east edge of barn. A. J. Riney's house bears N., 3.75 chs. dist. Cow barn bears W., 50 lks. dist. Fence, bears E. and W. Irrigation ditch, 4 lks. wide, course NE. Left bank of East Channel of Snake River, course NE. Set an iron post, 3 ft. long, 1 1/4 in. diam., 26 ins. in the ground, for marker cor. of frac. secs. 31 and 32, on south bank of Snake Channel Island, with brass cap mkd. T 7 N R 5 W S 31 S 32 1927	

Chains.

	Dig pits, 18x18x12 ins., 3 and 6 ft. dist., W. of cor. Land-rolling and level. Sill- sandy loam, 1st rate. Undergrowth- none. From the cor. of frac. secs. 29, 30, 31 and 32, heretofore described. West, on a true line bet. frac. secs. 30 and 31. Over level land. 1.80 Power Line, bears N. 50° 10' E. and S. 50° 10' W. 6.50 Right Bank of Island Channel of Snake River, course NE. Set an iron post, 3 ft. long, 1 in. diam., 26 ins. in the ground, for marker cor. of frac. secs. 30 and 31, on west bank of East Channel Island, with brass cap mkd. T 7 N S 30 S 31 R 5 W 1927	
9.23	Dig pits, 18x18x12 ins., 3 and 6 ft. dist., E. of cor. Left Bank of Island Channel of Snake River, course NE. Set an iron post, 3 ft. long, 1 in. diam., 26 ins. in the ground, for marker cor. of frac. secs. 30 and 31, on east bank of West Channel Island, with brass cap mkd. T 7 N S 30 S 31 R 5 W 1927	
	Dig pits, 18x18x12 ins., 3 and 6 ft. dist., W. of cor. Continue over level land. Road, bears E. and S. East side of E. A. Riney's house, bears N. and S. West side of E. A. Riney's house, bears N. and S. Right Bank of Main Channel of Snake River, course NE. T 7 N S 30 S 31 R 5 W 1927	

Division of Fractional A. 7. 3. N. 3. 3. 3.

Chains.

Set an iron post, 3 ft. long, 1 in. diam., 26 ins. in the ground, for meander cor. of frac. secs. 30 and 31, on west bank of West Gambel Island, with brass cap and

MC
S 30
T 7 N 3 W
1927

Dig pits, 18x18x12 ins., 3 and 6 ft. dist., E. of cor. from this cor.

point for cor. of secs. 16, 17, 20 and 21, T. 19 S., R. 47 E., W. 1/2, Oregon, bears N. 89° 49' W., 32.20 chs.

dist.

SW. cor. of E. A. Bodner's chicken house, bears N. 43° 0' E., 50 lks. dist.

Ornery, bears N. 55° 30' E., 3.50 chs. dist.

Barn, bears N. 42° 0' E., 4.00 chs. dist.

Land- level.

Soil- sandy loam, 1st rate.

Undergrowth- willow.

From the cor. of frac. secs. 29, 30, 32 and 33, here to- fore described.

N. 0° 1' W., on a true line bet. frac. secs. 29 and 30.

Over level land.

1.80 Power line, bears N. 50° 10' E. and S. 50° 10' W.

10.50 Right Bank of Island Channel of Snake River, section NE.

Set an iron post, 3 ft. long, 1 in. diam., 26 ins. in the ground, for meander cor. of frac. secs. 29 and 30, on north bank of East Gambel Island, with brass cap and

MC
S 30
T 7 N 3 W
1927

Dig pits, 18x18x12 ins., 3 and 6 ft. dist., S. of cor.

Division of Fractional A. 7. 3. N. 3. 3. 3.

Chains.

15.74 Left Bank of Island Channel of Snake River, course NE. Set an iron post, 3 ft. long, 1 in. diam., 26 ins. in the ground, for meander cor. of frac. secs. 29 and 30, on SW. bank of West Gambel Island, with brass cap and

MC
S 30
T 7 N 3 W
1927

MC
1927

Dig pits, 18x18x12 ins., 3 and 6 ft. dist., N. of cor. Thence over level cultivated land.

19.00 Road, bears NE. and SW.

21.50 Fence, bears E. and W.

21.70 Irrigation ditch, 5 lks. wide, course E.

27.70 Fence, bears NE. and SW.

32.26 Irrigation ditch, 5 lks. wide, course NE.

36.15 Right Bank of Main Channel of Snake River, course NE. Set an iron post, 3 ft. long, 1 in. diam., 26 ins. in the ground, for meander cor. of frac. secs. 29 and 30, on north bank of West Gambel Island, with brass cap and

MC
S 30
T 7 N 3 W
1927

Dig pits, 18x18x12 ins., 3 and 6 ft. dist., S. of cor.

Land- level.

Soil- sandy loam, 1st rate.

Undergrowth- willow.

Meanders of fractional 2. 7 Sta. N. 5 W.

Meanders of East Central Island, right bank of Island Channel of Snake River, up stream.
 From the meander cor. of frac. secs. 30 and 31, on right bank of Island Channel, hereafter described.
 Run with meanders in sec. 30, 7/16 mi.
 Over level land, at edge of cultivation.
 S. 7° 30' W., 5.40 chs. fence bears E. and W.
 At 0.80 chs. power line, bears E. and W.
 At end of course, thence along right bank of main channel of Snake River, up stream.
 At 9.75 chs. road to A. J. Richey's ferry, bears N. and S. 4° 30' E., 22.00 "
 At 10.00 chs. end of ferry cabin, bears W. NW. cor. of orchard.
 At 11.00 chs. SW. cor. of orchard.
 S. 3° 30' N., 4.00 "
 At 1.20 chs. power line, bears N. 6° 7' E. and E. and W.
 At end of course, south end of East Central Island.
 Thence along left bank of Snake River, down stream.
 To the meander cor. of frac. secs. 31 and 32, on south bank of East Central Island.
 At 5.40 chs. power line, bears E. and W.
 At 5.56 chs. irrigation ditch.
 4 1/2 mi. wide, course N.

Meanders of fractional 1. 7 Sta. N. 5 W.

At 5.80 chs. turning point bears E., 0.50 chs. dist.
 At 6.30 chs. upper end of low gravel island bears SE., 4.00 chs. dist.
 Land- level.
 Soil- sandy loam, 1st rate.
 Undergrowth- willow.
 Meanders of East Central Island.
 Left bank of Snake River, down stream.
 Run with meanders in sec. 32.
 Along level cultivated land.
 W. 54° 45' E., 8.50 chs. At 2.70 chs. fence bears N. E. 62° 30' E., 9.40 "
 At 6.40 chs. division fence, between A. J. Richey and Mrs. L. A. Cunningham, bears N. 2° 18' W.
 At 7.00 chs. lower end of low gravel island bears SE., 4.00 chs. dist.
 E. 54° 15' E., 3.50 "
 At end of course Mrs. L. A. Cunningham's house bears N. 5° 30' E., 3.50 chs. dist.
 At 1.20 chs. fence bears NW. At end of course chicken house bears W., 2.50 chs. dist.
 At 2.70 chs. barn bears W., 0.60 chs. dist.
 E. 35° 0' E., 3.60 "
 E. 41° 0' E., 11.50 "
 E. 36° 45' E., 1.24 "
 To the meander cor. of frac. secs. 29 and 32, on east bank of East Central Island.

Meanders of Fractional T. 7 N., R. 8 W.

Land- level.

Soil- sandy loam, 1st rate.

Undergrowth- willow.

Thence in sec. 29, along left bank of East Channel of Snake River, down stream.
Over level cultivated land.

N. 40° 45' E., 20.00 chs.

N. 3° 30' W., 2.20 " At end of course, upper end of low gravel island, bears N. 60° 0' E., 7.00 chs. dist.

N. 40° 45' W., 7.30 "

N. 27° 30' E., 7.80 "

N. 1° 0' W., 9.10 "

At end of course, lower end of East Pambel Island.

Lower end of low gravel island bears N. 81° 0' E., 0.00 chs. dist.

Thence on right bank of main channel of Snake River, up stream.

S. 83° 30' W., 6.60 "

N. 82° 0' W., 2.60 "

N. 73° 0' W., 7.50 "

N. 81° 15' W., 2.10 "

S. 88° 30' W., 5.00 "

At 2.60 chs. power line, bears N. 16° 30' E. and S. 16° 30' W.

S. 68° 0' W., 3.10 "

At end of course, leave main channel of Snake River.

Thence on right bank of Island Channel of Snake River, up stream.

S. 39° 0' E., 14.70 chs.

N. 80° 30' E., 7.40 "

S. 55° 30' E., 2.80 "

S. 34° 30' E., 2.70 "

S. 29° 30' E., 5.00 "

S. 16° 30' W., 6.00 "

S. 37° 0' W., 5.40 "

At end of course, A. V. Wilson's house bears S. 41° 30' W., 4.20 chs. dist.

Snake house bears S. 2° 30' W., 3.40 chs. dist.

Chicken house bears S. 10° 30' E., 3.10 chs. dist.

Granary bears S. 30° 0' E., 3.00 chs. dist.

Burn bears S. 44° 15' E., 1.90 chs. dist.

S. 73° 45' W., 7.10 chs.

S. 53° 30' W., 2.40 "

N. 81° 0' W., 1.60 "

N. 38° 0' W., 4.10 "

At 1.30 chs. power line, bears N. 50° 10' E. and S. 50° 10' W.

At 1.30 chs. irrigation ditch, 5 ft. wide, course SW.

At 1.30 chs. pumping plant

bears NW., 50 chs. dist.

At 1.80 chs. fence bears NE.

and SW.

Meanders of Fractional T. 7 N., R. 5 W.

N. 18° 0' W., 2.00 chs.
 S. 77° 0' W., 4.60 "
 S. 36° 45' W., 4.80 "
 S. 2° 0' W., 4.00 "
 S. 34° 0' W., 6.20 "
 To the meander cor. of frac.
 sec. 29 and 30, on right bank
 of Island Channel of
 Snake River.

Land- level.

Soil- sandy loam, 1st rate.

Undergrowth- willow.

Thence in sec. 30.

Over level cultivated land, ur stream.

S. 39° 30' W., 4.80 chs.

S. 26° 45' W., 7.65 "
 To meander cor. of frac. sec.
 30 and 31, on right bank of
 Island Channel of Snake
 River.

Land- level.

Soil- sandy loam, 1st rate.

Undergrowth- willow and rose brush.

Meanders of West Gambel Island.

Left bank of Island Channel of Snake River, down stream.

Thence in sec. 29, from meander cor. of frac. sec. 29

and 30.

Along level cultivated land.

N. 14° 45' W., 2.50 chs.

S. 31° 15' W., 4.60 "

N. 51° 30' W., 7.20 "

N. 81° 45' W., 1.40 "

At 3.34 chs. division fence,
 between A. V. Wilson and E.
 A. Bodner, bears N. 2° 18' W.

Meanders of Snake River, N. 5 W.

S. 59° 15' E., 5.40 chs.
 S. 68° 45' E., 9.00 "
 At 3.40 chs. power line, bears
 N. 16° 30' E. and S. 16° 30'
 W.

N. 62° 0' E., 2.50 "

N. 39° 45' E., 3.80 "

N. 0° 45' W., 6.50 "

West 5.20 "

S. 68° 15' W., 4.20 "

At 2.60 chs. power line, bears
 N. 16° 30' E. and S. 16° 30'
 W.

N. 57° 15' W., 5.00 "

N. 18° 0' W., 5.30 "
 At end of course, thence up
 stream, on right bank of
 Main Channel of Snake River.

N. 61° 45' W., 5.20 "
 At 4.00 chs. division fence
 between A. V. Wilson and E.

A. Bodner, bears S. 2° 18' E.

S. 78° 30' W., 4.30 "

At 3.10 chs. fence bears S.

S. 62° 5' W., 5.98 "

To meander cor. of frac. sec.

29 and 30, on north bank of
 West Gambel Island.

Land- level.

Soil- sandy loam, 1st rate.

Undergrowth- willow and rose brush.

Thence in sec. 30, on right bank of Main Channel of

Snake River, up stream.

Along level cultivated land.

S. 71° 15' W., 1.60 chs.

S. 78° 30' W., 2.50 "

S. 68° 0' W., 7.40 "

At 3.60 chs. mouth of slough,
 20 lvs. wide, course NE.

At 4.70 chs. fence, bears NE.

and SW.

Meanders of Fractional 1/4 Sec. 31, R. 3 N.

S. 79° 30' W., 2.60 chs.
 S. 61° 0' W., 4.20 "
 S. 25° 30' W., 11.40 "
 S. 14° 15' E., 9.10 "
 S. 21° 15' E., 4.50 "

At 2.40 chs. slough, 20 lks.
 wide, course NE.

S. 24° 8' E., 9.90 " To meander cor. of frac. sec.
 30 and 31, on west bank of
 West Gambel Island.

Land- level.

Soil- sandy loam, 1st rate.

Undergrowth- willow.

Thence in sec. 31, on right bank of Main Channel of
 Snake River, up stream.
 Along level cultivated land.

S. 23° 30' E., 2.60 chs. At 0.75 chs. power line, bears
 N. 09° 40' W. and S. 09° 40'
 E.

S. 45° 0' E., 3.70 " At 0.30 chs. road to E. A.
 Bodner's ferry, bears NE.
 and SW.

At 0.40 chs. ferry cable bears
 SW.

At end of course, south end of
 West Gambel Island.

Thence on left bank of Island
 Channel, down stream.

N. 17° 2' E., 5.21 " At 3.70 chs. fence, bears E.
 and W.

At 4.50 chs. power line, bears
 N. 89° 40' W. and S. 89° 40'
 E.

To meander cor. of frac. sec.

Meanders of Fractional 1/4 Sec. 31, R. 3 N.

30 and 31, on left bank of
 Island Channel of Snake
 River.

Land- level.

Soil- sandy loam, 1st rate.

Undergrowth- willow.

Thence in sec. 30:

Along level cultivated land.

N. 17° 30' E., 3.80 chs. At 0.50 chs. pumping plant
 bears E., 40 lks. dist.

At 0.70 chs. fence, bears E.
 and W.

Thence along east side of
 orchard.

At 2.40 chs. fence, bears E.
 and W.; leave orchard, bears
 W.

N. 31° 15' E., 11.90 "

N. 45° 15' E., 2.83 " To meander cor. of frac. sec.
 29 and 30, on SE. bank of
 West Gambel Island.

Land- level.

Soil- sandy loam, 1st rate.

Undergrowth- willow.

4-090
Invest. Item

1-800-
LAW-211

FIELD ASSISTANTS.

[illegible]

General Description. The islands included in this survey are known as Islands. The land is level, the soil is a sandy loam, 1st rate. There is no natural timber on these islands. Some cottonwood and maple trees have been planted by claimants around their residences. The undergrowth consist of willow and rose brush, along the river banks.

No mineral or mineral indications were noted upon these islands.

These islands are claimed and occupied by E. A. Bohner, A. V. Wilson, A. J. Ribney and Mrs. L. A. Cunningham, all actual residents. All of the land is under cultivation and used for agricultural purposes. The improvements of these residents are of substantial nature, habitable but not elaborate.

The nearest Post Office, is Myasa, Oregon, situated about 2 miles in a southwesterly direction, on the main line of the Oregon Short Line Railroad, reached by a 1000 foot descent from the main level, to the main level, on the Oregon side.

The islands show the same character of soil and produce usually the same elevation above the water line, all the main land on the Oregon side of Snake River. The land on the Idaho side rises abruptly from the river to a bluff, about 85 ft. high. The old meander lines on both sides of the river provide ample space for these islands and in my opinion these islands existed in practically their present state at the time of the original survey of T. 7 N., R. 5 E., Idaho, in 1862, and at the time of the original survey of T. 19 N., R. 47 E. Oregon, in 1874 and in 1890 when Idaho was admitted to the Union.

The mean magnetic declination on these islands is 19° 01' E. The variation values being from 18° to 20° E.

Frank D. Maxwell,
D. A. Industrial Engineer.





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

April 18, 2006

DIRK KEMPTHORNE
Governor

KATHRYN ABLERTSON
PO BOX 70001
BOISE ID 82707-0101

KARL J. DREHER
Director

RE: EVIDENCE OF PRIORITY

Snake River Basin Adjudication Claim No(s): A63-22076

Dear Claimants,

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated printout of the claim(s) for your reference only, it is not necessary to return this printout. You indicated, when this claim was filed, that the water right(s) was based on a "Statutory Claim" or "Beneficial Use" of the water.

Water rights of this type are established by historical beneficial use of the water, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources, since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled, "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date.**"

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

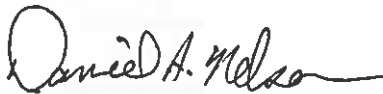
Page 2
Albertson

In addition, since it is our goal to decree the historical water right within the Snake River Basin as accurately as possible, I will need an accurate location of the well used for irrigation under this water right. I will also need the exact location of the three homes and lands irrigated under this right. Please carefully mark on the enclosed 2004 aerial photo the exact location of the well, homes, and lands irrigated for this right.

The required evidence supporting the priority date(s) requested and the aerial photo needs to be returned to me by May 12, 2006. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

If you have any questions or concerns, please contact me at the above address.

Respectfully,



Daniel A. Nelson
Senior Agent
Western Region Office - IDWR

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim for 63-22076
2004 aerial photo

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.

**Idaho Dept. of Water Resources
Place of Use Comparison Report**

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	63 22076	KATHRYN ALBERTSON,	GROUND WATER	07N05W31	3																3
Claim	63 22076	KATHRYN ALBERTSON,	GROUND WATER	07N05W31	X																0
Rec	63 22076	KATHRYN ALBERTSON,	GROUND WATER	07N05W31	X																0
Rec	63 22078	KATHRYN ALBERTSON,	GROUND WATER	07N05W31	3																3
Right	63 22079	KATHRYN ALBERTSON,	GROUND WATER	07N05W31	X																0
Claim	3 10013	A L SCOTT FARMS LLC,	SNAKE RIVER	07N05W31	11																11
Rec	3 10013	A L SCOTT FARMS LLC,	SNAKE RIVER	07N05W31	11																11
Right	63 22012	SPECTRA PRODUCTIONS INC,	SPRING	07N05W31													X				0

ADJUDICATION MEMORANDUM

CLAIM NO: 103-22080

SUBJECT: Ownership

EMPLOYEE: DR

DATE: 1-3-2001

Per conversation w/ Dennis Meyer of Alscott, the above # (for shop use) should be in the name of Alscott Farms. Kathryn Albertson retains the rights associated w/ the lodge on Gambel Island. 103-22076 = lodge.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

January 3, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ALSCOTT REAL ESTATE LLC
ATTN: DENNIS MOYER
PO BOX 70001
BOISE ID 83707-0101

Re: Notice of Claim to a Water Right No. A63-22076

Dear Claimant(s):

Enclosed is a copy of the above referenced claim, which reflects the necessary name changes for the land and appurtenant water rights 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.

In addition, the necessary changes have been made for water right number 63-22080, which has been decreed by the SRBA Court.

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 I
Adjudication Section
Western Region Office

DB:db

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

October 10, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ALSCOTT FARMS LLC
PO BOX 70001
BOISE ID 83707-0101

Re: Notice of Claim to a Water Right No. A63-22076 & A03-10013

Dear Claimant(s):

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

April 5, 1999

KARL J. DREHER
DIRECTOR

J A ALBERTSON
C/O J A & KATHRYN ALBERTSON FOUNDATION
PO BOX 70002
BOISE ID 83707-0102

Dennis Mayer 424-3065

424-3050 FAX

Re: Snake River Basin Adjudication (SRBA) *dlc*
Water Rights #A03-02054, A03-10013, A63-22076, 63-22078, *dlc*
63-22079, 63-22080, 63-22081, A65-08728 & A65-17346
dlc Change of Address *dlc*

Dear Claimant:

Denise B. has made changes for ea. right there.

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by April 19, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right(s) referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

Sally Sherman

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

Telephone No.

RECEIVED

APR 15 1999

WATER RESOURCES
WESTERN REGION

063-22076
63-22078
✓-22079
✓-22080
✓-22081
A03-02054
✓-10013
✓-08728
✓-17346

return
to sender ↓

fee due 50c

U.S. POSTAL SERVICE
PS FORM 3547

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

IDAHO DEPARTMENT OF WATER RESOURCES
135 N. Orchard St.
P.O. Box 83720
Boise, ID 83725-0098
(208) 327-7900

TO

J A ALBERTSON
380 E PARK CENTER BLVD STE 100
BOISE ID 83706

ALBES360* 837062221 1C97 05 11/07/98
J A & KATHRYN ALBERTSON FOUNDATION
PO BOX 70002
BOISE ID 83707-0102



RECEIVED

APR 15 1999

WATER RESOURCES
WESTERN REGION

Receipt Details for ID W012068

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
4/17/1990 11:31:50 AM	4/17/1990	Western	\$477.00	Check
Payer		ALBERTSON, J. A.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
8515			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEES

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$477.00	ADJUDICATION CLAIM FEES	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
3	2054		\$110.00	Claim
3	10013		\$212.00	Claim
63	22076		\$55.00	Claim
63	22078		\$25.00	Claim
63	22079		\$25.00	Claim
63	22080		\$25.00	Claim
63	22081		\$25.00	Claim