

RECEIVED

SEP 13 2017

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

FEB 22 2017

WATER RESOURCES
WESTERN REGION

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
65-2417	Yes ☐	Yes ☐	65-1765	Yes ☐	Yes ☐
65-2443	Yes ☐	Yes ☐	65-1766	Yes ☐	Yes ☐
65-2460	Yes ☒	Yes ☐	65-23565	Yes ☐	Yes ☐
65-11376B	Yes ☐	Yes ☐	65-23566	Yes ☐	Yes ☐
65-22670	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Cabarton Land & Livestock LP; Hopkins Western Fund, LLC; Eddie L. Matlock
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): L&J Land and Livestock LLC an Idaho limited liability company
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|------------------------|-------------------------|-----------|--------------|
| <u>105 Lazy J Road</u> | <u>Garden Valley</u> | <u>ID</u> | <u>83622</u> |
| Mailing address | City | State | ZIP |
| <u>208-462-4661</u> | <u>jbeq54@gmail.com</u> | | |
| Telephone | Email | | |
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☒ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: See attached warranty and grant deeds
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
 ☐ \$25 per *undivided* water right.
 ☐ \$100 per *split* water right.
 ☐ No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE # 65-1765

8. Signature: [Signature] Member 2-14-17
 Signature of new owner/claimant Title, if applicable Date
- Signature: _____ _____ _____
 Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 2/22/17 Receipt No. W044970 Receipt Amt. \$300⁰⁰

Active in the Water Supply Bank? Yes ☐ No ☒ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☒

Name on W-9 X Approved by _____ Processed by [Signature] Date 9-22-17

Instrument # 386171
VALLEY COUNTY, CASCADE, IDAHO
07-26-2014 13:43:19 No. of Pages: 7
Recorded for: AMERITITLE CASCADE
DOUGLAS A. MILLER Fee: \$28.00
Ex-Officio Recorder Deputy: JLP
Electronically Recorded by Simplifile

When recorded, return to:

Michael C. Creamer
Givens Pursley LLP
601 W. Bannock Street
PO Box 2720
Boise, Idaho 83701-2720

GRANT DEED
(Base Property)

For good and valuable consideration and effective the 25 day of July, 2014, Hopkins Western Fund, LLC "as trustee for the benefit on a parity for all Series "W" Debenture Holders" ("Grantor"), does hereby grant, bargain, sell and convey unto L & J Land and Livestock LLC, an Idaho limited liability company, whose address is 105 Lazy J Road, Garden Valley, ID 83622 ("Grantee"), all of Grantor's right, title and interest in and to the real property located in Valley County, Idaho, legally described on the attached Exhibit A, which exhibit is made a part hereof, together with all appurtenant water and water rights, ditches and ditch rights, storage and storage rights and all other appurtenances thereto (the "Property").

To have and to hold said Property, unto Grantee and to Grantee's heirs, successors and assigns forever. Grantor, for itself and its heirs, does hereby covenant to and with Grantee and its heirs, successors and assigns that (i) Grantor has not conveyed the same estate, or any right, title or interest therein, to any person or entity other than Grantee; (ii) the Property is free from all encumbrances done, made or suffered by Grantor, or any person claiming under Grantor, and except those items on Exhibit B, and general taxes and assessments, including irrigation assessments (if any) for the current year, which are not yet due and payable; and (iii) Grantor will warrant and defend the same forever.

(End of text, signatures on next page)

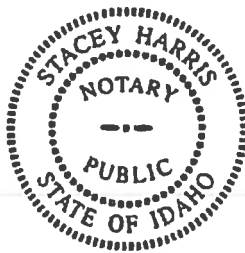
GRANTOR:

Hopkins Western Fund, LLC "as trustee for the benefit on a parity for all Series "W" Debenture Holders"

By: [Signature]
Brian L. Murphy, Manager

STATE OF IDAHO)
) ss.
County of Ada)

On this 25th day of July, 2014, before me, a Notary Public in and for said State, personally appeared **Brian L. Murphy**, known or identified to me to be a **Manager** of Hopkins Western Fund, LLC "as trustee for the benefit on a parity for all Series "W" Debenture Holders", who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he executed the same in said limited liability company name as such trustee.



[Signature]
Notary Public for Idaho
Residing at Boise, Idaho
My Commission expires 5-8-18

EXHIBIT A

Legal Description of the Base Property

The NE1/4 NE1/4 of Section 36, Township 13 North, Range 3 East, Boise Meridian, Valley County, Idaho,

EXCEPTING THEREFROM:

A parcel of land located in the NE1/4 of Section 36, T. 13 N., R 3 E., B.M., Valley County, Idaho, being more particularly described as follows:
Commencing at the north 1/4 corner of said Section 36, a found brass cap monument; thence a bearing of S. 75° 06' 12" E., a distance of 1713.39 feet to the POINT OF BEGINNING. Thence a bearing of S. 28° 27' 21" W., a distance of 1350.16 feet to a point; thence a bearing of N. 61° 32' 39" W., a distance of 350.00 feet to a point on the centerline of Snowbank Road; thence a bearing of N. 28° 27' 21" E., a distance of 853.43 feet on the centerline of Snowbank Road to a point;
Thence on a curve to the right, on the centerline of Snowbank Road, which curve has a radius of 300.00 feet, a length of 118.50 feet, and a chord which bears N. 39° 46' 19" E., a distance of 117.73 feet to a point; thence a bearing of N. 51° 05' 17" E., a distance of 202.24 feet on the centerline of Snowbank Road to a point; thence on a curve to the right, on the centerline of Snowbank Road, which curve has a radius of 250.00 feet, a length of 174.80 feet, and a chord which bears N. 71° 07' 05" E., a distance of 171.26 feet to a point; thence a bearing of S. 88° 51' 06" E., a distance of 149.70 feet to the POINT OF BEGINNING.

AND FURTHER EXCEPTING THEREFROM:

A 200' wide strip of land received by the Oregon Short Line Railroad Company, per "Final Order of Condemnation", filed on November 14, 1913 in Book 1 of Judgment Records at page 128, records of Valley County, Idaho.

TOGETHER WITH:

An easement being a portion of the N1/2 NE1/4, portion of the SW1/4 NE1/4, portion of the SE1/4 NW1/4, portion of the NE1/4 SW1/4, and a portion of the S1/2 SW1/4, of Section 36, Township 13 North, Range 3 East, Boise Meridian, and Government Lot 1 of Section 31, Township 13 North, Range 4 East, Boise Meridian, Valley County, Idaho, more particularly described as follows:

This strip is 70.00 feet in width being 35.00 feet left, and 35.00 feet right, of the following described centerline as per Easement Deed instrument number 73231. The sidelines will be lengthened or shortened as needed to maintain the recited strip width.

BEGINNING at a point on the south boundary of the SW1/4 SW1/4, of Section 36 and centerline of road, said point lying east 713.00 feet, more or less from the southwest corner of Section 36;

Thence along a curve to the right through an angle of 54° 28' 47", having a radius of 200.00 feet, and whose long chord bears N. 32° 41' 34" E a distance of 183.09 feet to a point;

Thence N. 59° 56' 58" E a distance of 440.13 feet to the beginning of a curve;

Said curve to the left through an angle of 32° 40' 04", having a radius of 500.00 feet, and whose long chord bears N. 43° 36' 56" E a distance of 281.23 feet to a point;

Thence N. 27° 16' 54" E a distance of 188.09 feet to the beginning of a curve;

Said curve to the left through an angle of 13° 14' 46", having a radius of 500.00 feet, and

whose long chord bears N. 20° 39' 31" E a distance of 115.34 feet to a point;
 Thence N. 14° 02' 08" E a distance of 347.41 feet to the beginning of a curve;
 Said curve to the right through an angle of 10° 59' 03", having a radius of 500.00 feet, and
 whose long chord bears N. 19° 31' 39" E a distance of 95.71 feet to a point;
 Thence N. 25° 01' 11" E a distance of 100.91 feet to a point;
 Thence N. 15° 32' 41" E a distance of 63.97 feet to the beginning of a curve; Said curve to
 the right through an angle of 36° 02' 33", having a radius of 400.00 feet, and whose long
 chord bears N. 33° 33' 58" E a distance of 247.50 feet to a point;
 Thence N. 51° 35' 14" E a distance of 349.28 feet to the beginning of a curve; Said curve
 to the left through an angle of 180° 00' 00", having a radius of 100.00 feet, and whose
 long chord bears N. 38° 24' 46" W a distance of 200.00 feet to a point;
 Thence S. 51° 35' 14" W a distance of 152.00 feet to the beginning of a curve; Said curve
 to the right through an angle of 180° 00' 00", having a radius of 100.00 feet, and whose
 long chord bears N. 38° 24' 46" W a distance of 200.00 feet to a point; Thence N. 51° 35'
 14" E a distance of 316.61 feet to the beginning of a curve; Said curve to the right
 through an angle of 37° 08' 22", having a radius of 150.00 feet, and whose long chord
 bears N. 70° 09' 25" E a distance of 95.54 feet to a point;
 Thence N. 88° 43' 36" E a distance of 173.24 feet to the beginning of a curve; Said curve
 to the left through an angle of 123° 56' 12", having a radius of 75.00 feet, and whose long
 chord bears N. 26° 45' 30" E a distance of 132.40 feet to a point; Thence N. 35° 12' 36" W a
 distance of 110.80 feet to the beginning of a curve; Said curve to the left through an
 angle of 39° 56' 21", having a radius of 200.00 feet, and whose long chord bears N. 55° 10'
 47" W a distance of 136.61 feet to a point;
 Thence N. 75° 08' 57" W a distance of 146.00 feet to the beginning of a curve;
 Said curve to the right through an angle of 132° 17' 57", having a radius of 100.00 feet,
 and whose long chord bears N. 08° 59' 58" W a distance of 182.92 feet to a point;
 Thence N. 57° 09' 00" E a distance of 144.47 feet to the beginning of a curve;
 Said curve to the right through an angle of 40° 22' 19", having a radius of 125.00 feet, and
 whose long chord bears N. 77° 20' 09" E a distance of 86.27 feet to a point;
 Thence S. 82° 28' 41" E a distance of 389.64 feet to the beginning of a curve; Said curve
 to the left through an angle of 47° 55' 01", having a radius of 275.00 feet, and whose long
 chord bears N. 73° 33' 48" E a distance of 223.34 feet to a point; Thence N. 49° 36' 18" E a
 distance of 332.57 feet to the beginning of a curve; Said curve to the left through an
 angle of 21° 08' 57", having a radius of 300.00 feet, and whose long chord bears N 39° 01'
 50" E a distance of 110.11 feet to a point;
 Thence N. 28° 27' 21" E a distance of 233.45 feet to a point, from said point 35.00 left and
 35.00 right and perpendicular to said centerline to the beginning of a 222.77 foot long
 taper;
 Thence continuing along said centerline N. 28° 27' 21" E varying distances left and right
 of said centerline a distance of 220.00 feet to a point, from said point 70.00 left and 00.00
 right and perpendicular to said centerline to the end of said 222.77 foot long taper, said
 strip of land is 70.00 feet in width, shifting to being 70.00 feet left, and 00.00 feet right, of
 the following described centerline as per Easement Deed instrument number 73231.
 The sidelines will be lengthened or shortened as needed to maintain the recited strip
 width.
 Thence continuing N. 28° 27' 21" E a distance of 853.43 feet to the beginning of a curve;
 Said curve to the right through an angle of 22° 37' 56", having a radius of 300.00 feet, and
 whose long chord bears N. 39° 46' 19" E a distance of 117.73 feet to a point; Thence N.
 51°
 05' 17" E a distance of 202.25 feet to the beginning of a curve;
 Said curve to the right through an angle of 40° 03' 37", having a radius of 250.00 feet, and

whose long chord bears N. 71° 07' 06" E a distance of 171.26 feet to a point; Thence S. 88° 51' 06" E a distance of 149.69 feet to a point, from said point 70.00 left and 00.00 right and perpendicular to said centerline to the beginning of a 156.31 foot long taper; Thence continuing along said centerline S. 88° 51' 06" E varying distances left and right of said centerline for a distance of 152.34 feet to a point, from said point 35.00 left and 35.00 right and perpendicular to said centerline to the end of said 156.31 foot long taper, said strip of land is 70.00 feet in width shifting to being 35.00 feet left, and 35.00 feet right, of the following described centerline as per Easement Deed instrument number 73231. The sidelines will be lengthened or shortened as needed to maintain the recited strip width.

Thence along a curve to the left through an angle of 72° 25' 57", having a radius of 75.00 feet, and whose long chord bears N. 54° 55' 56" E a distance of 88.63 feet to a point; Thence N. 18° 42' 57" E a distance of 116.17 feet to the beginning of a curve; Said curve to the right through an angle of 73° 44' 46", having a radius of 100.00 feet, and whose long chord bears N. 55° 35' 20" E a distance of 120.01 feet to a point; Thence S. 87° 32' 17" E a distance of 637.26 feet to the POINT OF TERMINUS, said point being S. 06° 21' 00" E a distance of 277.94 feet, more or less from the northwest corner of said Section 31 as per Easement Deed instrument number 73231.

EXHIBIT B

1. Any adverse claim based upon the assertion that
 - a) Some portion of the Land forms the bed or bank of a navigable river or lake, or lies below the mean high water mark thereof;
 - b) The boundary of the Land has been affected by a change in the course or water level of a navigable river or lake;
 - c) The Land is subject to water rights, claims or title to water
2. Liens, levies and assessments of Valley County for garbage collection (Lake Shore Disposal 634-7176).
3. Taxes, including any assessments collected therewith, for the year 2014 which are a lien not yet due and payable.
4. All minerals in or under said land including but not limited to metals, oil, gas, coal, stone and mineral rights, mining rights and easement rights or other matters relating thereto, whether expressed or implied.
5. Right of way for ditches, tunnels, telephone and distribution lines constructed by authority of the United States, as granted to the United States under the provisions of Section 58-604 Idaho Code.
6. Exceptions and reservations contained in the deed from the State of Idaho wherein mineral rights are reserved to the state. (47-701 Idaho Code). Recorded: May 8, 1923
7. WATERWAY AGREEMENT FOR WATER LINE, as filed for record in the office of the Recorder of Valley County, Idaho in Book 3 of Miscellaneous at page 387 on September 23, 1920 as Instrument No. 41355.
8. PERPETUAL EASEMENT, as filed for record in the office of the Recorder of Valley County, Idaho in Book 3 of Miscellaneous at page 395 on October 01, 1920 as Instrument No. 4156.
9. AGREEMENT REGARDING WATER AND DITCH RIGHTS, as filed for record in the office of the Recorder of Valley County, Idaho in Book 8 of Miscellaneous at page 56 on March 5, 1946 as Instrument No. 34276. AGREEMENT, as filed for record in the office of the Recorder of Valley County, Idaho on June 6, 2011 as Instrument No. 360713.
10. CONTRACT TO MAINTAIN AND OPERATE IRRIGATION CANAL, as filed for record in the office of the Recorder of Valley County, Idaho in Book 8 of Miscellaneous at page 451 on November 17, 1949 as Instrument No. 40582.
11. POWER LINE EASEMENT to Idaho Power Company as filed for record in the office of the Recorder of Valley County, Idaho on January 31, 1968 as Instrument No. 68093.
12. EASEMENT FOR ROAD, as filed for record in the office of the Recorder of Valley County, Idaho on December 14, 1970 as Instrument No. 73231.
13. UNDERGROUND POWER LINE EASEMENT to Idaho Power Company as filed for record in the office of the Recorder of Valley County, Idaho on October 26, 1972 as Instrument No. 77572.

14. MEMORANDUM AGREEMENT between MacGregor Land & Livestock Company and Valley County, dated March 19, 1976 for roadwork on Cabarton Road, and filed for record in the office of the Recorder of Valley County, Idaho on July 12, 1976 in Drawer 1 of Miscellaneous as Instrument No. 88560.
15. EASEMENT TO Boise Cascade Corporation, dated August 6, 1986, and filed for record in the office of the Recorder of Valley County, Idaho on September 5, 1986 in Drawer 1 of Miscellaneous as Instrument No. 150025.
16. EASEMENT AS SET FORTH THEREON, Warranty Deed, as filed for record in the office of the Recorder of Valley County, Idaho on October 19, 1999 as Instrument No. 243673.
17. Rights, interests, or claims which may exist or arise by reason of the following fact(s) shown on a survey plat entitled Record of Survey Recorded: January 21, 2004 Instrument No.: 279550
18. Lien for any taxes deferred by virtue of the designation of the insured premises or any portion thereof as forest lands as provided in Section 63- 1701 et seq, Idaho Code.
19. Rights of the public in and to that portion of the premises lying within the right-of-way of Cabarton Road
20. Navigable Water Abuts the Land
 - (a) Rights, if any, of the property owners abutting North Fork of the Payette River, or adjoining streams or water in and to the waters of the lake and in and to the bed thereof.
 - (b) Boating and fishing rights of property owners abutting the lake or the stream of water leading thereto or therefrom.
 - (c) Navigable servitudes and all other rights, titles, and powers of the United States, the state, local government and the public over said lake, its bed, and its shore lands extending to the ordinary high water line thereof.
 - (d) The consequence of any change in the location of the lake which forms a boundary line of the land, including any determination that some portion of the land has been included within North Fork of the Payette River.
21. Navigable Water Abuts the Land
 - (a) Rights, if any, of the property owners abutting Hurdy Creek, or adjoining streams or water in and to the waters of the lake and in and to the bed thereof.
 - (b) Boating and fishing rights of property owners abutting the lake or the stream of water leading thereto or therefrom.
 - (c) Navigable servitudes and all other rights, titles, and powers of the United States, the state, local government and the public over said lake, its bed, and its shore lands extending to the ordinary high water line thereof.
 - (d) The consequence of any change in the location of the lake which forms a boundary line of the land, including any determination that some portion of the land has been included within Hurdy Creek.

Accommodation

When recorded, return to:

Michael C. Creamer
Givens Pursley LLP
601 W. Bannock Street
PO Box 2720
Boise, Idaho 83701-2720

RECEIVED

AUG 25 2014

Givens Pursley LLP

Instrument # 386176
VALLEY COUNTY, CASCADE, IDAHO
07-26-2014 16:00:42 No. of Pages: 10
Recorded for: AMERITITLE MCCALL
DOUGLAS A. MILLER Fee: \$37.00
Ex-Officio Recorder Deputy: JLP
Electronically Recorded by Simplifile

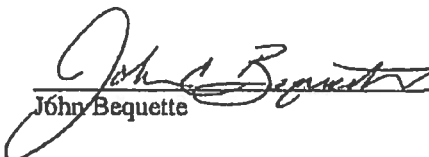
GRANT DEED
(Ranch)

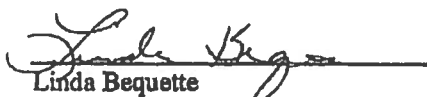
For good and valuable consideration, John Bequette and Linda Bequette, husband and wife (collectively "Grantor"), do hereby grant, bargain, sell and convey unto L & J Land and Livestock LLC, an Idaho limited liability company, whose address is 105 Lazy J Road, Garden Valley, ID 83622 ("Grantee"), all of Grantor's right, title and interest in and to the real property located in Valley County, Idaho, legally described on the attached Exhibit A, which exhibit is made a part hereof, together with all appurtenant water and water rights, ditches and ditch rights, storage and storage rights and all other appurtenances thereto (the "Property").

To have and to hold said Property, unto Grantee and to Grantee's heirs, successors and assigns forever. Grantor, for itself and its heirs, does hereby covenant to and with Grantee and its heirs, successors and assigns that (i) Grantor has not conveyed the same estate, or any right, title or interest therein, to any person or entity other than Grantee; (ii) the Property is free from all encumbrances done, made or suffered by Grantor, or any person claiming under Grantor, and except those items on Exhibit B, and general taxes and assessments, including irrigation assessments (if any) for the current year, which are not yet due and payable; and (iii) Grantor will warrant and defend the same forever.

IN WITNESS WHEREOF, Grantor has caused its name to be hereunto subscribed this 24 day of July, 2014.

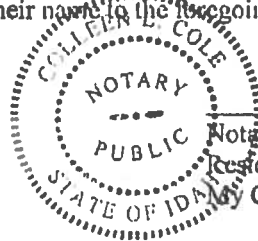
GRANTOR:

By: 
John Bequette

By: 
Linda Bequette

STATE OF IDAHO)
) ss.
County of Valley)

On this 24 day of July, 2014, before me, a Notary Public in and for said State, personally appeared **John Bequette and Linda Bequette**, known or identified to me to be the persons who subscribed their name to the foregoing instrument, and acknowledged to me that they executed the same.



Colleen L. Cole
Notary Public for Idaho
Residing at Cascade
My Commission expires 6-10-2017

EXHIBIT A

Legal Description of the Ranch Property

PARCEL A:

All that certain lot, piece or parcel of land situate in Valley County, Idaho more particularly described as follows:
All of Section 25, Township 13 North Range 3 East Boise Meridian Valley County, Idaho.

EXCEPTING THEREFROM:

A 100 foot wide strip of land deeded to the Oregon Short Line Railroad Company on October 31, 1914 and filed for record in the office of the Recorder of Valley County, Idaho in Book 7 of Deeds at Page 522 records of Valley County, Idaho.

FURTHER EXCEPTING THEREFROM:

That certain parcel of land deed to the Oregon Short Line Railroad Company on October 30, 1918 and filed for record in the office of the Recorder of Valley County, Idaho on in Book 1 of Deeds at Page 248 records of Valley County, Idaho.

AND

Government Lot 1 of Section 30, Township 13 North, Range 4 East, Boise Meridian, Valley County, Idaho.

EXCEPTING THEREFROM:

That certain parcel of land deeded to the Oregon Short Line Railroad Company, filed on September 29, 1913, in Book 9 of Deeds at Page 117, records of Valley County, Idaho.

PARCEL B:

The NE1/4; Government Lot 1; Government Lot 2 lying East of rail road right-of-way; NW1/4 SE1/4 lying East of rail road right-of-way of Section 36, Township 13 North, Range 3 East, Boise Meridian, Valley County, Idaho, including the "Snowbank Road" right of way, as described in that certain "Easement Deed", filed on December 14, 1970, as Instrument No. 73231, Records of Valley County, Idaho.

EXCEPTING THEREFROM:

Government Lot 3 and NE1/4 NE1/4

ALSO EXCEPTING THEREFROM:

A parcel of land located in the NE1/4 of Section 36, T. 13 N., R 3 E., B.M., Valley County, Idaho, being more particularly described as follows:
Commencing at the north 1/4 corner of said Section 36, a found brass cap monument; thence a bearing of S. 75° 06' 12" E., a distance of 1713.39 feet to the POINT OF BEGINNING. Thence a bearing of S. 28° 27' 21" W., a distance of 1350.16 feet to a point; thence a bearing of N. 61° 32' 39" W., a distance of 350.00 feet to a point on the centerline of Snowbank Road; thence a bearing of N. 28° 27' 21" E., a distance of 853.43 feet on the centerline of Snowbank Road to a point;
Thence on a curve to the right, on the centerline of Snowbank Road, which curve has a radius of 300.00 feet, a length of 118.50 feet, and a chord which bears N. 39° 46' 19" E., a

distance of 117.73 feet to a point; thence a bearing of N. 51° 05' 17" E., a distance of 202.24

feet on the centerline of Snowbank Road to a point; thence on a curve to the right, on the centerline of Snowbank Road, which curve has a radius of 250.00 feet, a length of 174.80 feet, and a chord which bears N. 71° 07' 05" E., a distance of 171.26 feet to a point; thence a bearing of S. 88° 51' 06" E., a distance of 149.70 feet to the POINT OF BEGINNING.

AND FURTHER EXCEPTING THEREFROM:

A 200' wide strip of land received by the Oregon Short Line Railroad Company, per "Final Order of Condemnation", filed on November 14, 1913 in Book 1 of Judgment Records at page 128, records of Valley County, Idaho.

AND

Government Lot 4 of Section 30, Township 13 North, Range 4 East, Boise Meridian, Valley County, Idaho.

AND

The SE1/4 NW1/4 lying west of county road right-of-way; and Government Lots 1, 2, 3 & 9, all in Section 31, Township 13 North, Range 4 East, Boise Meridian, Valley County, Idaho

EXCEPTING THEREFROM:

That certain parcel of land deeded to Valley County, by that certain "Corporation Warranty Deed", filed on July 12, 1976, as Instrument No. 88559.

ALSO EXCEPTING THEREFROM:

That certain parcel of land described in that certain "Disclaimer of Interest", to the State of Idaho, filed on March 12, 2009 as Instrument No. 339594

PARCEL C:

The West 1/2; Government Lot 2 lying West of rail road right-of-way; the NW1/4 SE1/4 lying west of rail road right-of-way, of Section 36, Township 13 North, Range 3 East, Boise Meridian, Valley County, Idaho, including the "Snowbank Road" right of way, as described in that certain "Easement Deed", filed on December 14, 1970, as Instrument No. 73231, Records of Valley County, Idaho.

SAVE AND EXCEPT:

A 200' wide strip of land received by the Oregon Short Line Railroad Company, per "Final Order of Condemnation", filed on November 14, 1913 in Book 1 of Judgment Records at page 128, records of Valley County, Idaho.

AND

The SE1/4 SW1/4 of Section 30, Township 13 North, Range 4 East, Boise Meridian, Valley County, Idaho.

AND

The NE1/4 NW1/4; SE1/4 NW1/4 lying East of county road right-of-way; Section 31, Township 13 North, Range 4 East, Boise Meridian, Valley County, Idaho.

SAVE AND EXCEPT:

That certain parcel of land deeded to Valley County, by that certain "Corporation Warranty Deed", filed on July 12, 1976, as Instrument No. 88559.

TOGETHER WITH:

An easement being a portion of the N1/2 NE1/4, portion of the SW1/4 NE1/4, portion of the SE1/4 NW1/4, portion of the NE1/4 SW1/4, and a portion of the S1/2 SW1/4, of Section 36, Township 13 North, Range 3 East, Boise Meridian, and Government Lot 1 of Section 31, Township 13 North, Range 4 East, Boise Meridian, Valley County, Idaho, more particularly described as follows:

This strip is 70.00 feet in width being 35.00 feet left, and 35.00 feet right, of the following described centerline as per Easement Deed instrument number 73231. The sidelines will be

lengthened or shortened as needed to maintain the recited strip width.

BEGINNING at a point on the south boundary of the SW1/4 SW1/4, of Section 36 and centerline of road, said point lying east 713.00 feet, more or less from the southwest corner

of Section 36;

Thence along a curve to the right through an angle of 54° 28' 47", having a radius of 200.00

feet, and whose long chord bears N. 32° 41' 34" E a distance of 183.09 feet to a point;

Thence N. 59° 56' 58" E a distance of 440.13 feet to the beginning of a curve;

Said curve to the left through an angle of 32° 40' 04", having a radius of 500.00 feet, and whose long chord bears N. 43° 36' 56" E a distance of 281.23 feet to a point;

Thence N. 27° 16' 54" E a distance of 188.09 feet to the beginning of a curve;

Said curve to the left through an angle of 13° 14' 46", having a radius of 500.00 feet, and whose long chord bears N. 20° 39' 31" E a distance of 115.34 feet to a point;

Thence N. 14° 02' 08" E a distance of 347.41 feet to the beginning of a curve;

Said curve to the right through an angle of 10° 59' 03", having a radius of 500.00 feet, and whose long chord bears N. 19° 31' 39" E a distance of 95.71 feet to a point;

Thence N. 25° 01' 11" E a distance of 100.91 feet to a point;

Thence N. 15° 32' 41" E a distance of 63.97 feet to the beginning of a curve; Said curve to the right through an angle of 36° 02' 33", having a radius of 400.00 feet, and whose long chord bears N. 33° 33' 58" E a distance of 247.50 feet to a point;

Thence N. 51° 35' 14" E a distance of 349.28 feet to the beginning of a curve; Said curve to the left through an angle of 180° 00' 00", having a radius of 100.00 feet, and whose long chord bears N. 38° 24' 46" W a distance of 200.00 feet to a point;

Thence S. 51° 35' 14" W a distance of 152.00 feet to the beginning of a curve; Said curve to the right through an angle of 180° 00' 00", having a radius of 100.00 feet, and whose long chord bears N. 38° 24' 46" W a distance of 200.00 feet to a point; Thence N. 51° 35'

14" E a distance of 316.61 feet to the beginning of a curve; Said curve to the right through an angle of 37° 08' 22", having a radius of 150.00 feet, and whose long chord bears N. 70° 09' 25" E a distance of 95.54 feet to a point;

Thence N. 88° 43' 36" E a distance of 173.24 feet to the beginning of a curve; Said curve to the left through an angle of 123° 56' 12", having a radius of 75.00 feet, and whose long chord bears N. 26° 45' 30" E a distance of 132.40 feet to a point; Thence N. 35° 12' 36" W a distance of 110.80 feet to the beginning of a curve; Said curve to the left through an angle of 39° 56' 21", having a radius of 200.00 feet, and whose long chord bears N. 55° 10' 47" W a distance of 136.61 feet to a point;

Thence N. 75° 08' 57" W a distance of 146.00 feet to the beginning of a curve;

Said curve to the right through an angle of 132° 17' 57", having a radius of 100.00 feet, and whose long chord bears N. 08° 59' 58" W a distance of 182.92 feet to a point;

Thence N. 57° 09' 00" E a distance of 144.47 feet to the beginning of a curve;
 Said curve to the right through an angle of 40° 22' 19", having a radius of 125.00 feet, and whose long chord bears N. 77° 20' 09" E a distance of 86.27 feet to a point;
 Thence S. 82° 28' 41" E a distance of 389.64 feet to the beginning of a curve; Said curve to the left through an angle of 47° 55' 01", having a radius of 275.00 feet, and whose long chord bears N. 73° 33' 48" E a distance of 223.34 feet to a point; Thence N. 49° 36' 18" E a distance of 332.57 feet to the beginning of a curve; Said curve to the left through an angle of 21° 08' 57", having a radius of 300.00 feet, and whose long chord bears N 39° 01' 50" E a distance of 110.11 feet to a point;
 Thence N. 28° 27' 21" E a distance of 233.45 feet to a point, from said point 35.00 left and 35.00 right and perpendicular to said centerline to the beginning of a 222.77 foot long taper;
 Thence continuing along said centerline N. 28° 27' 21" E varying distances left and right of said centerline a distance of 220.00 feet to a point, from said point 70.00 left and 00.00 right and perpendicular to said centerline to the end of said 222.77 foot long taper, said strip of land is 70.00 feet in width, shifting to being 70.00 feet left, and 00.00 feet right, of the following described centerline as per Easement Deed instrument number 73231. The sidelines will be lengthened or shortened as needed to maintain the recited strip width.
 Thence continuing N. 28° 27' 21" E a distance of 853.43 feet to the beginning of a curve; Said curve to the right through an angle of 22° 37' 56", having a radius of 300.00 feet, and whose long chord bears N. 39° 46' 19" E a distance of 117.73 feet to a point; Thence N. 51° 05' 17" E a distance of 202.25 feet to the beginning of a curve; Said curve to the right through an angle of 40° 03' 37", having a radius of 250.00 feet, and whose long chord bears N. 71° 07' 06" E a distance of 171.26 feet to a point; Thence S. 88° 51' 06" E a distance of 149.69 feet to a point, from said point 70.00 left and 00.00 right and perpendicular to said centerline to the beginning of a 156.31 foot long taper; Thence continuing along said centerline S. 88° 51' 06" E varying distances left and right of said centerline for a distance of 152.34 feet to a point, from said point 35.00 left and 35.00 right and perpendicular to said centerline to the end of said 156.31 foot long taper, said strip of land is 70.00 feet in width shifting to being 35.00 feet left, and 35.00 feet right, of the following described centerline as per Easement Deed instrument number 73231. The sidelines will be lengthened or shortened as needed to maintain the recited strip width.
 Thence along a curve to the left through an angle of 72° 25' 57", having a radius of 75.00 feet, and whose long chord bears N. 54° 55' 56" E a distance of 88.63 feet to a point; Thence N. 18° 42' 57" E a distance of 116.17 feet to the beginning of a curve; Said curve to the right through an angle of 73° 44' 46", having a radius of 100.00 feet, and whose long chord bears N. 55° 35' 20" E a distance of 120.01 feet to a point; Thence S. 87° 32' 17" E a distance of 637.26 feet to the POINT OF TERMINUS, said point being S. 06° 21' 00" E a distance of 277.94 feet, more or less from the northwest corner of said Section 31 as per Easement Deed instrument number 73231.

PARCEL D:

A parcel of land lying within Government Lot 3, Section 1, Township 12 North, Range 3 East, Boise Meridian, Valley County, Idaho, and being more particularly described as follows:

Beginning at the meander corner, located at the intersection of the North boundary line of said Section 1 with the West bank of the North Fork of the Payette River, the Real Point of Beginning; thence in a southerly direction along the mean high-water mark, on said

West bank, to its intersection with the East property line of the Union Pacific Line branch of the Union Pacific Railroad right-of-way; thence in a northerly direction, along the East line of the railroad right-of-way, to its intersection with the above said North boundary line of Section 1; thence in an easterly direction, along said North boundary line, to the Real Point of Beginning.

EXHIBIT B

1. Any adverse claim based upon the assertion that,
 - a) Some portion of the Land forms the bed or bank of a navigable river or lake, or lies below the mean high water mark thereof;
 - b) The boundary of the Land has been affected by a change in the course or water level of a navigable river or lake;
 - c) The Land is subject to water rights, claims or title to water
2. Liens, levies and assessments of Valley County for garbage collection (Lake Shore Disposal 634-7176).
3. Taxes, including any assessments collected therewith, for the year 2014 which are a lien not yet due and payable.
4. All minerals in or under said land including but not limited to metals, oil, gas, coal, stone and mineral rights, mining rights and easement rights or other matters relating thereto, whether expressed or implied.
5. Right of way for ditches, tunnels, telephone and distribution lines constructed by authority of the United States, as granted to the United States under the provisions of Section 58-604 Idaho Code.
6. Exceptions and reservations contained in the deed from the State of Idaho wherein mineral rights are reserved to the state. (47-701 Idaho Code). Recorded: May 8, 1923
7. ROAD RIGHT OF WAY, as filed for record in the office of the Recorder of Valley County, Idaho in Book 1 of Deeds at page 212 on June 29, 1918 as Instrument No.1300.
8. WATERWAY AGREEMENT FOR WATER LINE, as filed for record in the office of the Recorder of Valley County, Idaho in Book 3 of Miscellaneous at page 387 on September 23, 1920 as Instrument No. 41355.
9. PERPETUAL EASEMENT, as filed for record in the office of the Recorder of Valley County, Idaho in Book 3 of Miscellaneous at page 395 on October 01, 1920 as Instrument No. 4156.
10. AGREEMENT REGARDING WATER AND DITCH RIGHTS, as filed for record in the office of the Recorder of Valley County, Idaho in Book 8 of Miscellaneous at page 56 on March 5, 1946 as Instrument No. 34276. AGREEMENT, as filed for record in the office of the Recorder of Valley County, Idaho on June 6, 2011 as Instrument No. 360713.
11. CONTRACT TO MAINTAIN AND OPERATE IRRIGATION CANAL, as filed for record in the office of the Recorder of Valley County, Idaho in Book 8 of Miscellaneous at page 451 on November 17, 1949 as Instrument No. 40582.
12. POWER LINE EASEMENT to Idaho Power Company as filed for record in the office of the Recorder of Valley County, Idaho on January 31, 1968 as Instrument No. 68093.
13. EASEMENT FOR ROAD, as filed for record in the office of the Recorder of Valley County, Idaho on December 14, 1970 as Instrument No. 73231.

14. UNDERGROUND POWER LINE EASEMENT to Idaho Power Company as filed for record in the office of the Recorder of Valley County, Idaho on October 26, 1972 as Instrument No. 77572.
15. MEMORANDUM AGREEMENT between MacGregor Land & Livestock Company and Valley County, dated March 19, 1976 for roadwork on Cabarton Road, and filed for record in the office of the Recorder of Valley County, Idaho on July 12, 1976 in Drawer 1 of Miscellaneous as Instrument No. 88560.
16. SUBJECT to an easement for right of way for railway purposes, as described on that certain document as filed for record in the office of the Recorder of Valley County, Idaho on March 24, 1978 as Instrument No. 95379.
17. EASEMENT DEED for a road and an existing road, as filed for record in the office of the Recorder of Valley County, Idaho on March 24, 1978 as Instrument No. 95380.
18. GRANT OF EASEMENT to Continental Telephone Company of the West as filed for record in the office of the Recorder of Valley County, Idaho on March 24, 1978 as Instrument No. 95381.
19. The provisions contained in Reservation of Mineral Rights, Recorded: September 5, 1986, Instrument No.: 150024.
20. EASEMENT TO Boise Cascade Corporation, dated August 6, 1986, and filed for record in the office of the Recorder of Valley County, Idaho on September 5, 1986 in Drawer 1 of Miscellaneous as Instrument No. 150025.
21. Lack of a right of access to and from the land. (Parcel D)
22. EASEMENT AS SET FORTH THEREON, Warranty Deed, as filed for record in the office of the Recorder of Valley County, Idaho on October 19, 1999 as Instrument No. 243673.
23. Rights, interests, or claims which may exist or arise by reason of the following fact(s) shown on a survey plat entitled Record of Survey Recorded: January 21, 2004 Instrument No.: 279550
24. Lien for any taxes deferred by virtue of the designation of the insured premises or any portion thereof as forest lands as provided in Section 63- 1701 et seq, Idaho Code.
25. Rights of the public in and to that portion of the premises lying within the right-of-way of Cabarton Road
26. Navigable Water Abuts the Land
 - (a) Rights, if any, of the property owners abutting North Fork of the Payette River, or adjoining streams or water in and to the waters of the lake and in and to the bed thereof.
 - (b) Boating and fishing rights of property owners abutting the lake or the stream of water leading thereto or therefrom.
 - (c) Navigable servitudes and all other rights, titles, and powers of the United States, the state, local government and the public over said lake, its bed, and its shore lands extending to the ordinary high water line thereof.
 - (d) The consequence of any change in the location of the lake which forms a boundary line of the land, including any determination that some portion of the land has been included within North Fork of the Payette River.

27. Rights, interests, or claims which may exist or arise by reason of the following fact(s) shown on a survey plat entitled Record of Survey Recorded: May 19, 2008, Instrument No.: 331686
28. DISCLAIMER OF INTEREST to the State of Idaho from G. David MacGregor, as filed for record in the office of the Recorder of Valley County, Idaho on March 12, 2009 as Instrument No. 339594.
29. STATE OF IDAHO Acquired Easement No. 800, as filed for record in the office of the Recorder of Valley County, Idaho on March 12, 2009 as Instrument No. 339595.
30. Rights, interests, or claims which may exist or arise by reason of the following fact(s) shown on a survey plat entitled Record of Survey. Recorded: November 2, 2011, Instrument No.: 363943
31. Navigable Water Abuts the Land
 - (a) Rights, if any, of the property owners abutting Hurdy Creek, or adjoining streams or water in and to the waters of the lake and in and to the bed thereof.
 - (b) Boating and fishing rights of property owners abutting the lake or the stream of water leading thereto or therefrom.
 - (c) Navigable servitudes and all other rights, titles, and powers of the United States, the state, local government and the public over said lake, its bed, and its shore lands extending to the ordinary high water line thereof.
 - (d) The consequence of any change in the location of the lake which forms a boundary line of the land, including any determination that some portion of the land has been included within Hurdy Creek.



This document has been recorded electronically.
Please see the attached Copy to view the County
Recorder's stamp as it now appears in the public
record.

Submitted by: AMERITITLE

WARRANTY DEED

Order No.:18800AM

FOR VALUE RECEIVED

G. David MacGregor, an unmarried man

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

L & J Land and Livestock LLC

whose current address is:

105 Lazy J Road
Garden Valley, ID 83622

the grantee(s), the following described premises, in Valley County, Idaho, TO WIT:

**A parcel of land located in the NE1/4 of Section 36, T. 13N., R. 3E., B.M., Valley County, Idaho being more particularly described as follows:
Commencing at the north 1/4 corner of said section 36, a found brass cap monument; Thence a bearing of S 75° 06' 12" E, a distance of 1713.39 feet to the POINT OF BEGINNING.**

**Thence a bearing of S 28° 27' 21" W, a distance of 1350.16 feet to a point;
Thence a bearing of N 61° 32' 39" W, a distance of 350.00 feet to a point on the centerline of Snowbank Road; Thence a bearing of N 28° 27' 21" E, a distance of 853.43 feet on the centerline of Snowbank Road to a point;
Thence on a curve to the right, on the centerline of Snowbank Road, which curve has a radius of 300.00 feet, a length of 118.50 feet, and a chord which bears N 39° 46' 19" E, a distance of 117.73 feet to a point;
Thence a bearing of N 51° 05' 17" E, a distance of 202.24 feet on the centerline of Snowbank Road to a point; Thence on a curve to the right, on the centerline of Snowbank Road, which curve has a radius of 250.00 feet, a length of 174.80 feet, and a chord which bears N 71° 07' 05" E, a distance of 171.26 feet to a point; Thence a bearing of S 88° 51' 06" E, a distance of 149.70 feet to the POINT OF BEGINNING.**

Together with and Subject to a 2 inch water line, beginning at a point in the SW1/4SW1/4 Section 25, Township 13 North, Range 3 East, B.M. Valley County, Idaho, and running in a Southeasterly direction through the S1/2SW1/4 of said Section 25 and continuing through the NE1/4NW1/4 and the N1/2NE1/4 of Section 36, Township 13 North, Range 3 East, B.M. to a point on the easterly boundary of the described parcel.

Together with and Subject to an ingress and egress easement, along a driveway as it currently exists or may be relocated over and across the N1/2NE1/4 Section 36, Township 13 North, Range 3 East, B.M., Valley County, Idaho to its intersection with that certain roadway known as Snowbank Road, as described in that certain "Easement Deed" filed for record as Instrument No. 73231 and following said roadway in an easterly direction to its intersection with Cabarton Road in Government Lot 1, Section 31, Township 13 North, Range 4 East, B.M. Valley County, Idaho, the point of ending.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said

premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

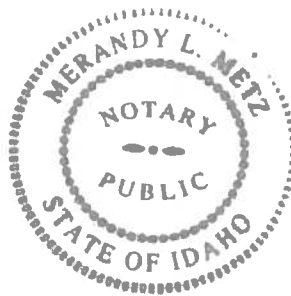
Dated: 9.12.14

G. David MacGregor
G David MacGregor

State of IDAHO } ss
County of Valley }

On this 12 day of Sept, 2014, before me,
Merandy L Metz, a Notary Public in and for said state, personally
appeared Co. David MacGregor, known or
identified to me to be the person(s) whose name(s) is/are subscribed to the within
Instrument and acknowledged to me that he/she/they executed same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the
day and year in this certificate first above written.

Merandy L Metz
Notary Public for the State of IDAHO
Residing at: Cascade ID
Commission Expires: 12/13/14



[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

5/27/2014

WATER RIGHT NO. 65-2417

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CABARTON LAND & LIVESTOCK LTD PARTNERSHIP PO BOX 1428 CASCADE, ID 83611 (208)382-3449
Original Owner	MAC GREGOR LAND & LIVESTOCK CO PO BOX 5128 BOISE, ID 83705-5128

Priority Date: 02/05/1941
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
HURD CREEK	NORTH FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

HURD CREEK|NWSW|Sec. 36|Township 13N|Range 03E|VALLEY County

Place(s) of use:

Place of Use Legal Description: IRRIGATION VALLEY County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
13N	03E	36		NENE	3		NWNE	0.5						

Total Acres: 3.5

Conditions of Approval:

1. THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 65-02454B, 65-02460 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION
2. C18 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.

Dates:

Licensed Date:

Decreed Date: 10/31/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 65

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

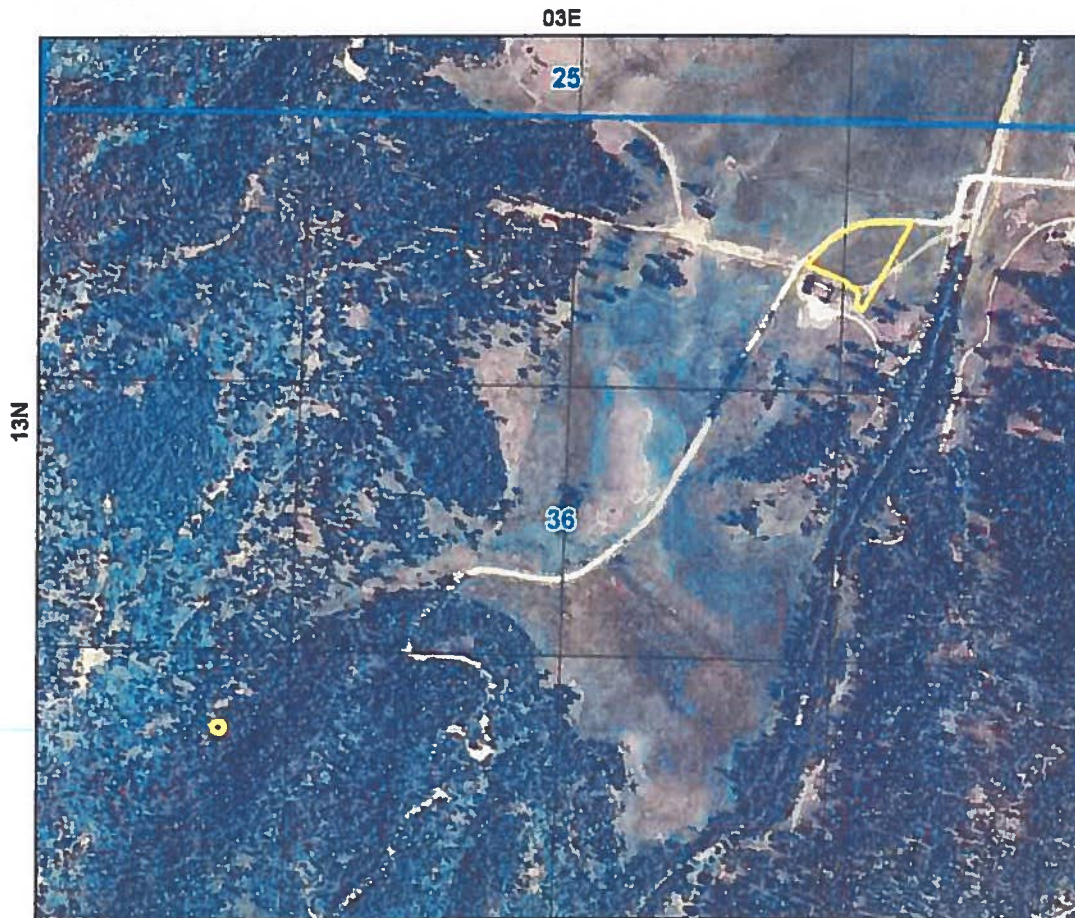
Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right
65-2417

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.1 0.2 0.4 Miles



[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

5/27/2014

WATER RIGHT NO. 65-2443

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CABARTON LAND & LIVESTOCK LTD PARTNERSHIP PO BOX 1428 CASCADE, ID 83611 (208)382-3449
Original Owner	MAC GREGOR LAND & LIVESTOCK CO PO BOX 5128 BOISE, ID 83705-5128

Priority Date: 10/16/1942

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	NORTH FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/15	10/15	1 CFS	
DOMESTIC	1/01	12/31	0.04 CFS	1.2 AFA
Total Diversion			1 CFS	

Location of Point(s) of Diversion:

UNNAMED STREAM|SESW|Sec. 25|Township 13N|Range 03E|VALLEY County

Place(s) of use:

Place of Use Legal Description: IRRIGATION VALLEY County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
13N	03E	25		SESE	36									
	04E	30	4	SWSW	18		SESW	40						
		31		NENW	40									

Place of Use Legal Description: DOMESTIC same as IRRIGATION

Total Acres: 134

Conditions of Approval:

1. THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 65-23565, 65-23566 & 65-02454B SHALL PROVIDE NO MORE THAN .02 CFS/ACRE
2. N12 THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. 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.
4. N10 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Dates:

Licensed Date:

Decreed Date: 10/31/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 65

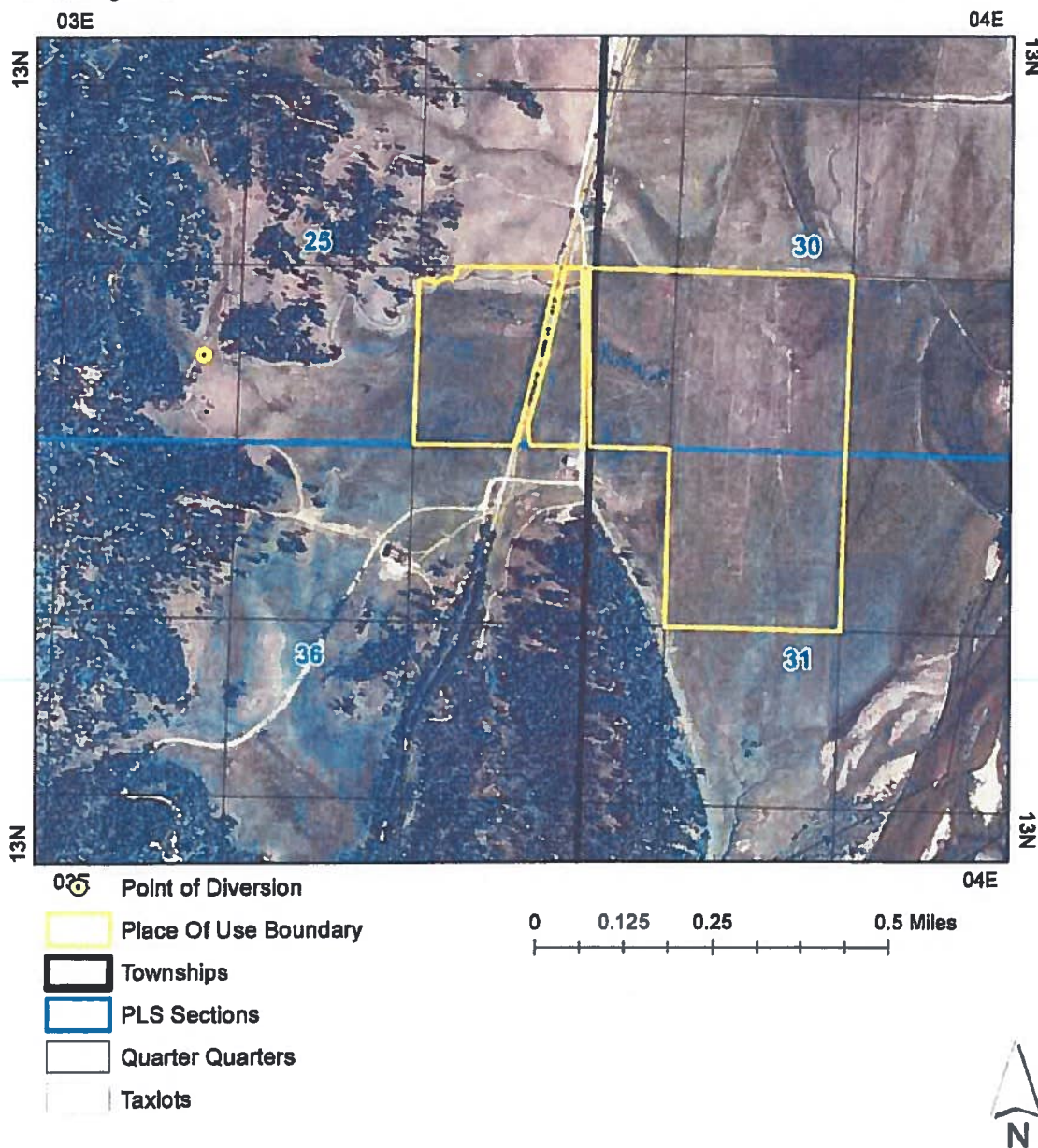
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False
Close

State of Idaho
Department of Water Resources

Water Right
65-2443

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Map produced on May 27, 2014

[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

5/28/2014

WATER RIGHT NO. 65-2454B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HOPKINS WESTERN FUND LLC PO BOX 670 MERIDIAN, ID 83680 (208) 467-5467
Original Owner	MAC GREGOR LAND & LIVESTOCK LP PO BOX 1410 CASCADE, ID 83611 (208)382-4266

Priority Date: 12/15/1944

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
FAWN CREEK	NORTH FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/15	10/15	0.55 CFS	
Total Diversion			0.55 CFS	

Location of Point(s) of Diversion:

FAWN CREEK|NENW|Sec. 03|Township 12N|Range 03E|VALLEY County

Place(s) of use:

Place of Use Legal Description: IRRIGATION VALLEY County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
13N	04E	31		SENW	24									

Total Acres: 24

Conditions of Approval:

1. THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 65-02443, 65-23565, 65-23566 & 65-11376B SHALL PROVIDE NO MORE THAN .02 CFS/ACRE
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE
2. C18 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.

Dates:

Licensed Date:

Decreed Date: 10/31/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 65

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

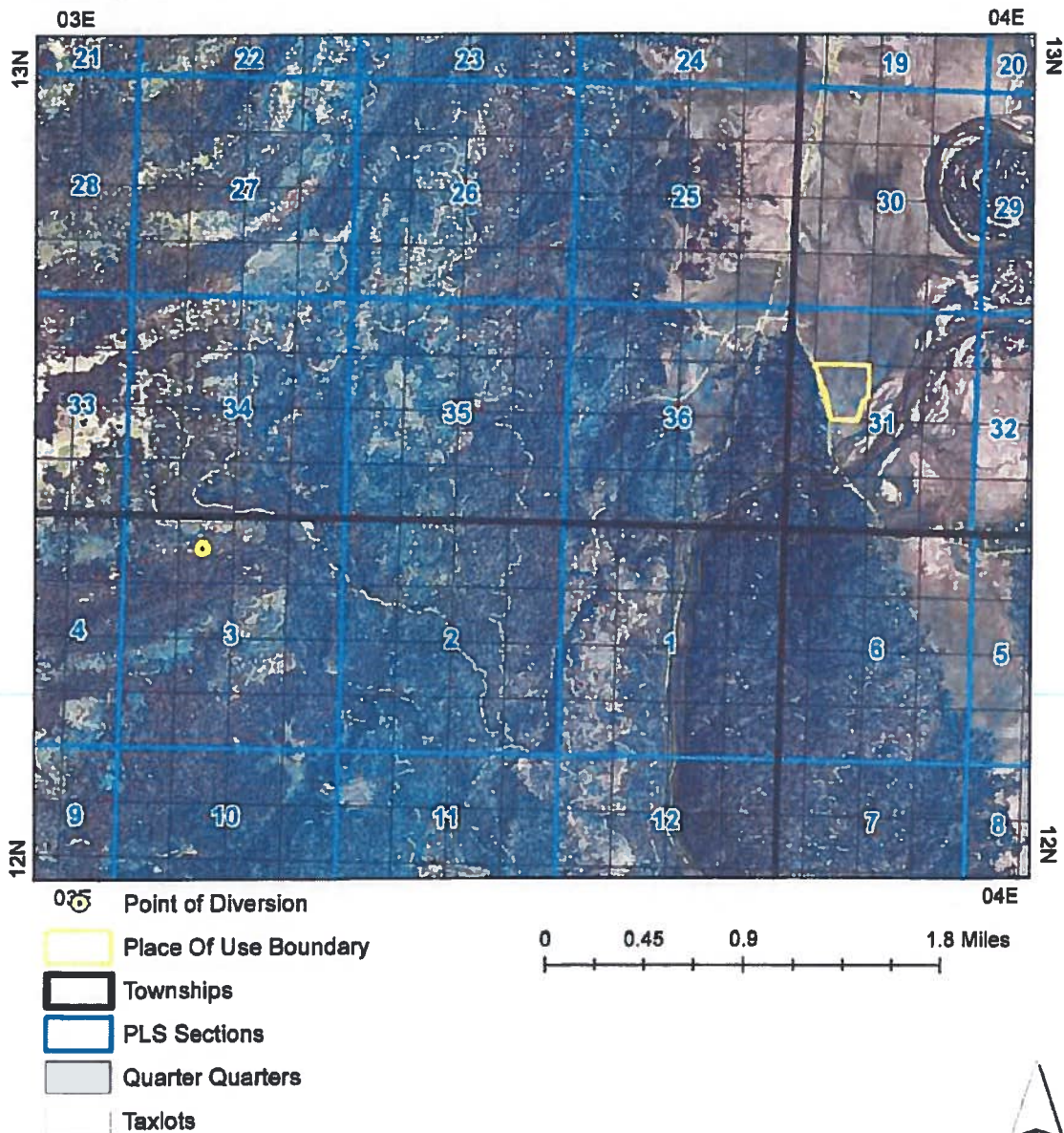
DLE Act Number:
Cary Act Number:
Mitigation Plan: False
Close

State of Idaho
Department of Water Resources

**Water Right
65-2454B**

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

5/27/2014

WATER RIGHT NO. 65-2460

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CABARTON LAND & LIVESTOCK LTD PARTNERSHIP PO BOX 1428 CASCADE, ID 83611 (208)382-3449
Original Owner	MAC GREGOR LAND & LIVESTOCK LP PO BOX 1410 CASCADE, ID 83611 (208)382-4266

Priority Date: 06/08/1945

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
NORTH FORK FAWN CREEK	FAWN CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	2.21 CFS	
Total Diversion			2.21 CFS	

Location of Point(s) of Diversion:

FAWN CREEK	NENW	Sec. 03	Township 12N	Range 03E	VALLEY County
FAWN CREEK	NENW	Sec. 03	Township 12N	Range 03E	VALLEY County

Place(s) of use:

Place of Use Legal Description: IRRIGATION VALLEY County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
13N	03E	24		SWNE	5									
				NESW	5									
				NESE	20		NWSE	33		SWSE	17		SESE	37
		36		NENE	3		NWNE	0.5		SWNE	1			

Total Acres: 121.5

Conditions of Approval:

1. THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 65-02417 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE
2. 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.

Dates:

Licensed Date:

Decreed Date: 10/31/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 65

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

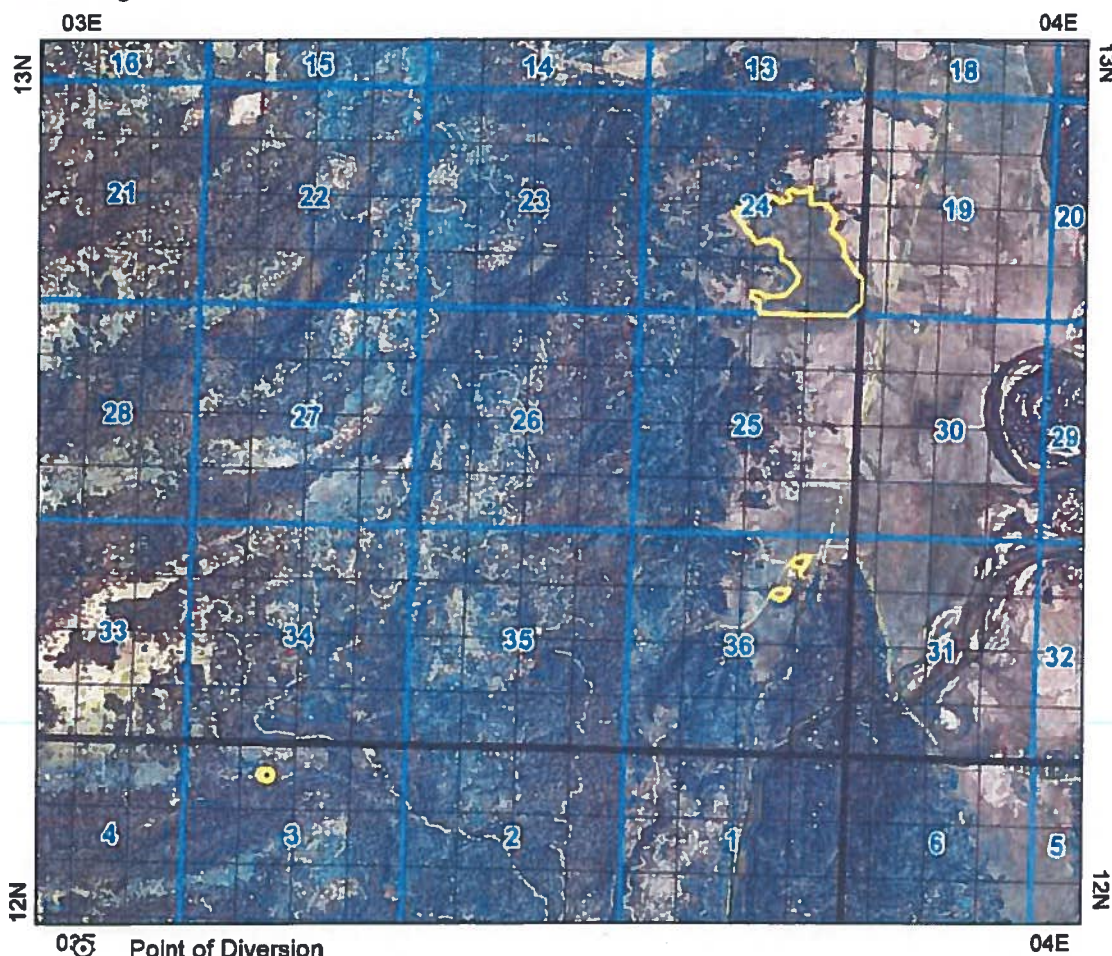
Close

State of Idaho
Department of Water Resources

**Water Right
65-2460**

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.5 1 2 Miles



[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

5/27/2014

WATER RIGHT NO. 65-11376B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HOPKINS WESTERN FUND LLC PO BOX 670 MERIDIAN, ID 83680 (208) 467-5467
Original Owner	MAC GREGOR LAND & LIVESTOCK CO PO BOX 5128 BOISE, ID 83705-5128

Priority Date: 10/30/1946
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
BLUE LAKE	FAWN CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION STORAGE	1/01	12/31		6.46 AFA
IRRIGATION FROM STORAGE	4/15	10/15		6.46 AFA
Total Diversion			6.46 AFA	

Location of Point(s) of Diversion:

BLUE LAKE|NWNW|Sec. 05|Township 12N|Range 03E|VALLEY County

Place(s) of use:

Place of Use Legal Description: IRRIGATION FROM STORAGE VALLEY County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
13N	04E	30		NWNW	8									
		31		SENW	24									

Total Acres: 32

Conditions of Approval:

1. THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-02417 & 65-02454B SHALL PROVIDE NO MORE THAN .02 CFS/ACRE
2. 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.

Dates:

Licensed Date:

Decreed Date: 10/31/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 65

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:
Mitigation Plan: False

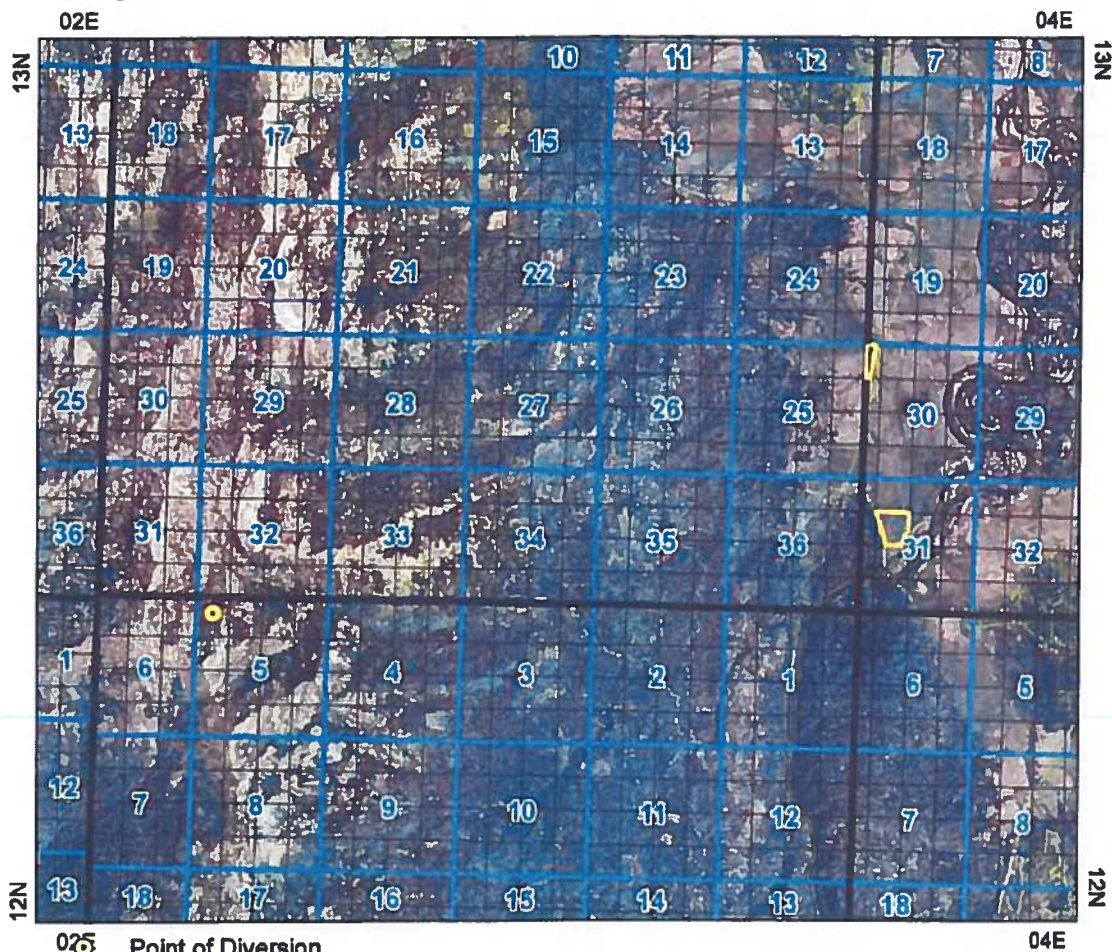
[Close](#)

State of Idaho
Department of Water Resources

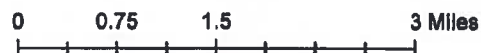
**Water Right
65-11376B**

IRRIGATION FROM STORAGE

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots



[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

5/28/2014

WATER RIGHT NO. 65-22670

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CABARTON LAND & LIVESTOCK LTD PARTNERSHIP PO BOX 1428 CASCADE, ID 83611 (208)382-3449

Priority Date: 01/01/1918

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	NORTH FORK PAYETTE RIVER
UNNAMED STREAM	NORTH FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.02 CFS	
Total Diversion			0.02 CFS	

Location of Point(s) of Diversion:

UNNAMED STREAM End of Stream Flow	NESW Lt 9	Sec. 31	Township 13N	Range 04E	VALLEY County
SPRING	NESW Lt 9	Sec. 31	Township 13N	Range 04E	VALLEY County
UNNAMED STREAM Beginning of Stream Flow	NESW Lt 9	Sec. 31	Township 13N	Range 04E	VALLEY County

STOCKWATER Use:

Number of other uses: 400 COW-CALF PAIR

Place(s) of use:

Place of Use Legal Description: STOCKWATER VALLEY County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
13N	04E	31	9	NESW										

Conditions of Approval:

1. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
2. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
This partial decree is subject to such general provisions necessary for the definition of the rights or for
3. C18 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.

Dates:

Licensed Date:

Decreed Date: 07/20/2004

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 65

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

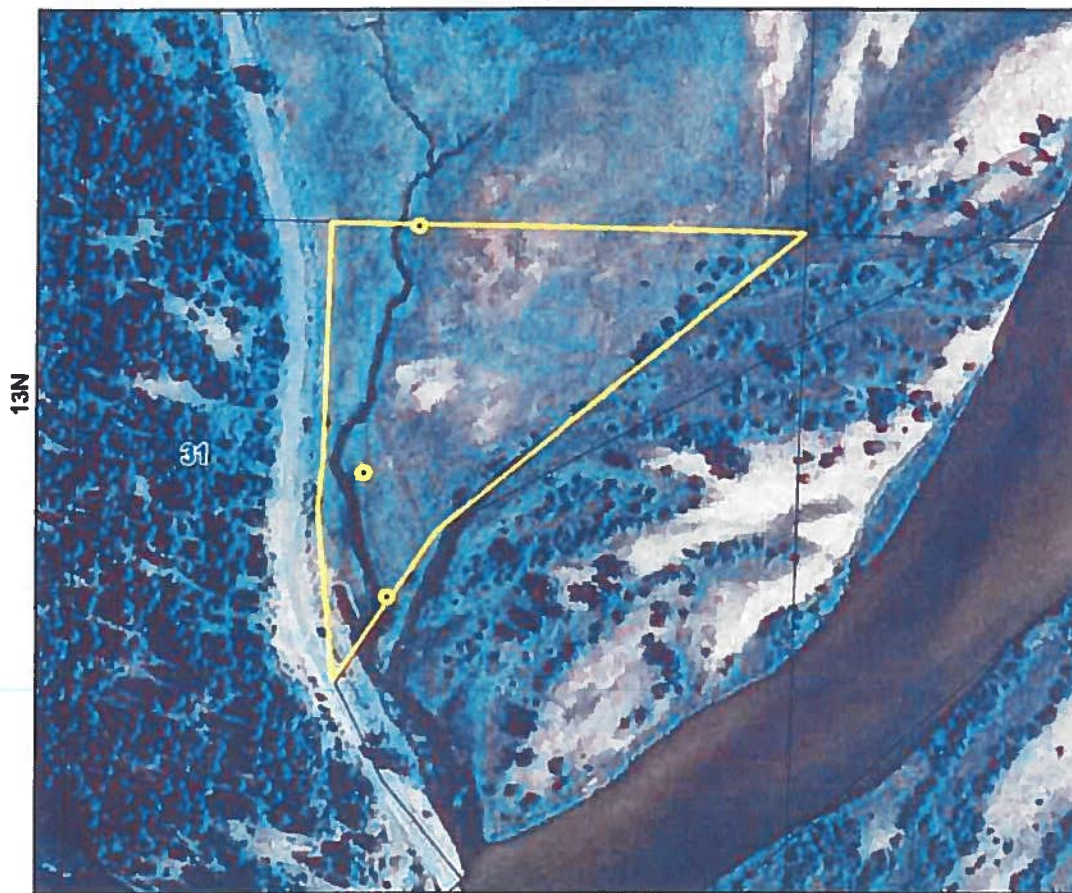
State of Idaho
Department of Water Resources

**Water Right
65-22670**

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

04E



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.035 0.07 0.14 Miles



[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

5/28/2014

WATER RIGHT NO. 65-1765

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EDDIE L MATLOCK STAR RT CASCADE, ID 83611

Priority Date: 04/01/1930
Basis: Decreed
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>Volume</u>
DOMESTIC	1/01	12/31	0.04 CFS	1.2 AFA
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWNW|Sec. 04|Township 12N|Range 04E|VALLEY County

Place(s) of use:

Place of Use Legal Description: DOMESTIC VALLEY County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
13N	04E	31		NWNW										

Dates:

Licensed Date:

Decreed Date: 01/21/1986

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 65

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

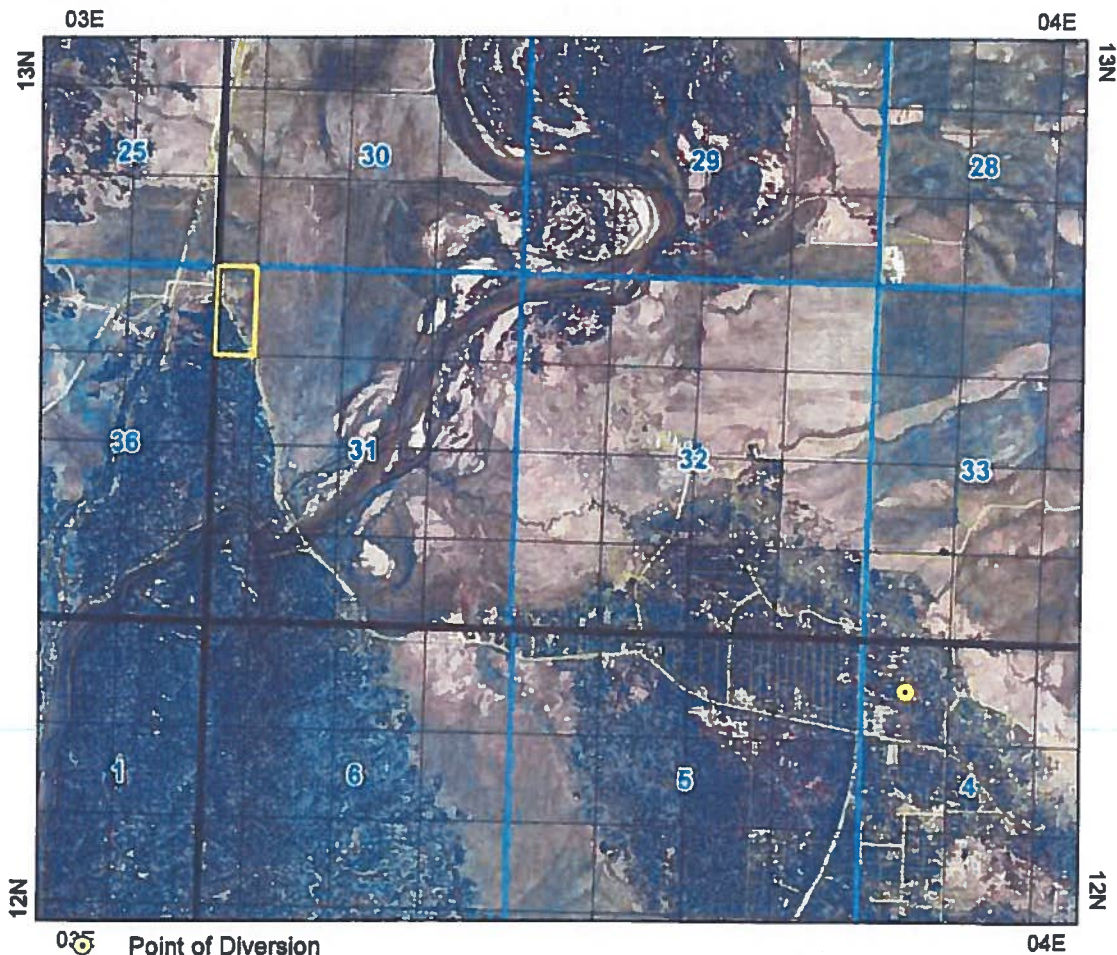
Close

State of Idaho
Department of Water Resources

Water Right
65-1765

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.3 0.6 1.2 Miles



Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

5/28/2014

WATER RIGHT NO. 65-1766

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EDDIE L MATLOCK STAR RT CASCADE, ID 83611

Priority Date: 04/01/1942
Basis: Decreed
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>Volume</u>
DOMESTIC	1/01	12/31	0.04 CFS	2.4 AFA
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWNW|Sec. 04|Township 12N|Range 04E|VALLEY County

Place(s) of use:

Place of Use Legal Description: DOMESTIC VALLEY County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
13N	04E	31		NWNW										

Dates:

Licensed Date:

Decreed Date: 01/21/1986

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 65

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

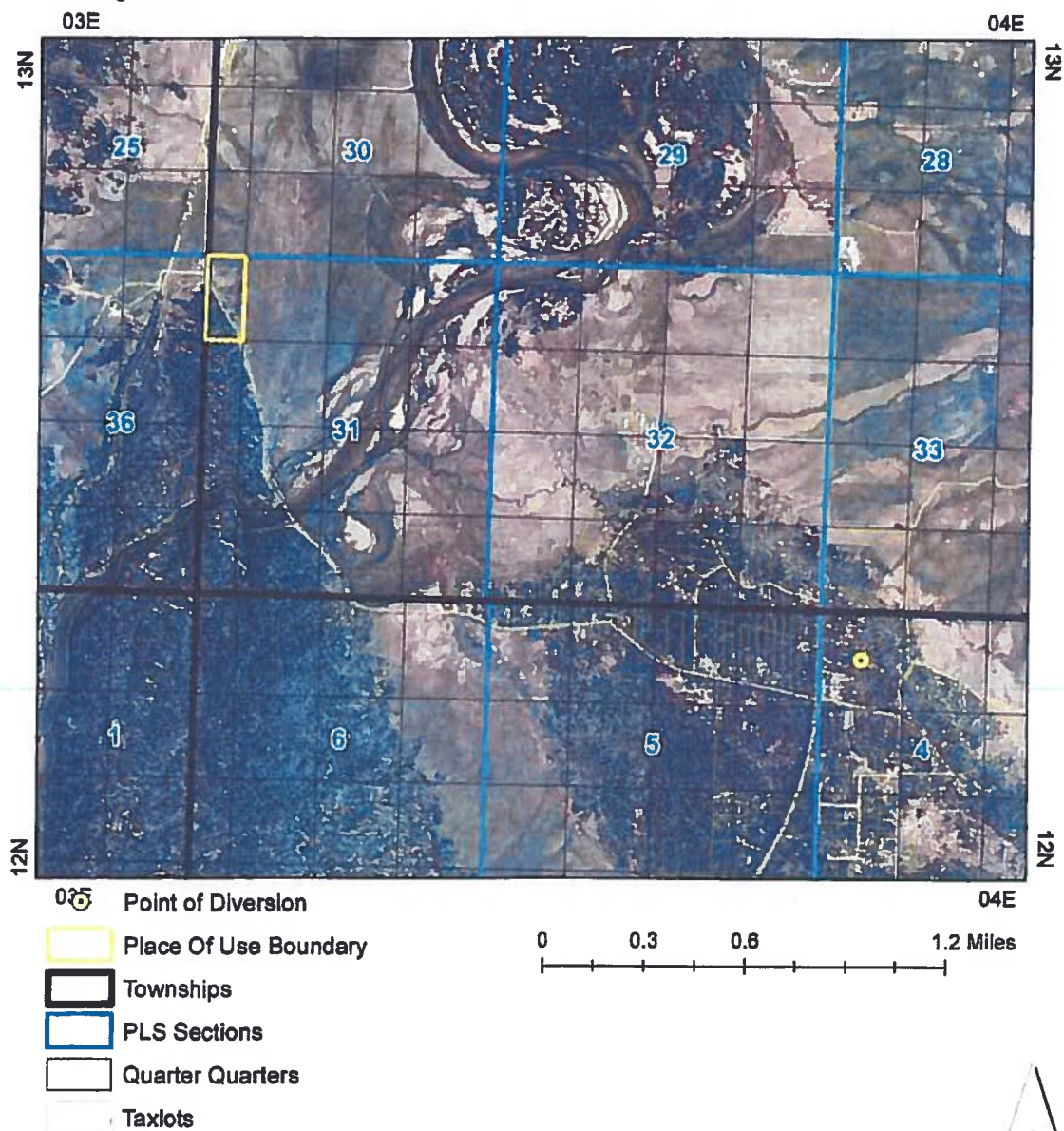
Close

State of Idaho
Department of Water Resources

**Water Right
65-1766**

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



[Close](#)**IDAHO DEPARTMENT OF WATER RESOURCES**
Water Right Report

5/27/2014

WATER RIGHT NO. 65-23565

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HOPKINS WESTERN FUND LLC PO BOX 670 MERIDIAN, ID 83680 (208) 467-5467
Original Owner	MAC GREGOR LAND & LIVESTOCK CO PO BOX 5128 BOISE, ID 83705-5128

Priority Date: 02/05/1941

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
HURD CREEK	NORTH FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	1.96 CFS	
Total Diversion			1.96 CFS	

Location of Point(s) of Diversion:

HURD CREEK|NWSW|Sec. 36|Township 13N|Range 03E|VALLEY County

Place(s) of use:

Place of Use Legal Description: IRRIGATION VALLEY County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
13N	03E	25		SESE	30									
		36		NENE	10		NWNE	6.5						
	04E	30	4	SWSW	19		SESW	39						
		31		NENW	38		NWNW	10		SENW	24			

Total Acres: 176.5

Conditions of Approval:

1. THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-23566, 65-2443, 65-2454B AND 65-11376B SHALL PROVIDE NO MORE THAN .02 CFS/ACRE
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION
2. C18 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.

Dates:

Licensed Date:

Decreed Date: 10/31/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 65

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

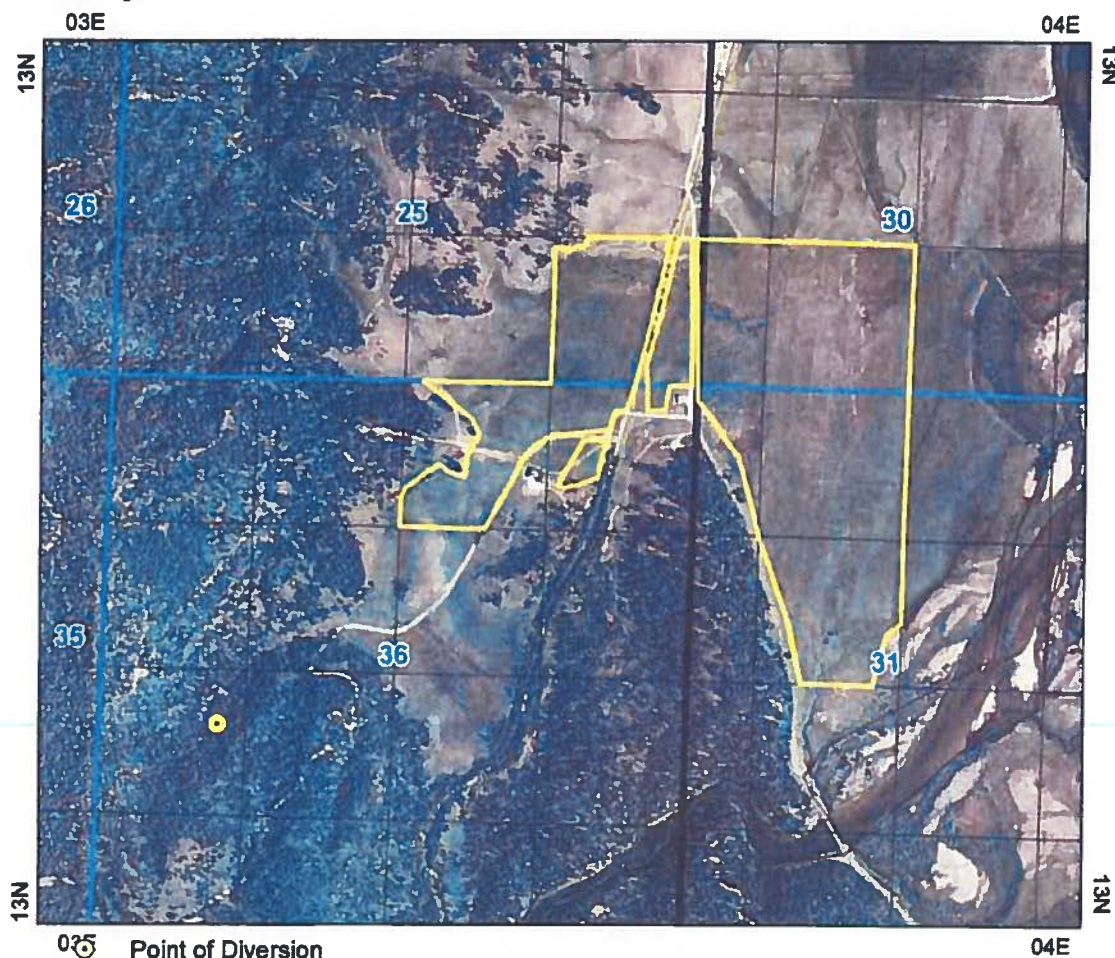
DLE Act Number:
Cary Act Number:
Mitigation Plan: False
Close

State of Idaho
Department of Water Resources

**Water Right
65-23565**

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- 025 Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots

0 0.175 0.35 0.7 Miles



[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

5/27/2014

WATER RIGHT NO. 65-23566

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HOPKINS WESTERN FUND LLC PO BOX 670 MERIDIAN, ID 83680 (208) 467-5467
Original Owner	MAC GREGOR LAND & LIVESTOCK LP PO BOX 1410 CASCADE, ID 83611 (208)382-4266

Priority Date: 06/08/1945

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
NORTH FORK FAWN CREEK	FAWN CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	1.69 CFS	
Total Diversion			1.69 CFS	

Location of Point(s) of Diversion:

FAWN CREEK	NENW	Sec. 03	Township 12N	Range 03E	VALLEY County
FAWN CREEK	NENW	Sec. 03	Township 12N	Range 03E	VALLEY County

Place(s) of use:

Place of Use Legal Description: IRRIGATION VALLEY County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
13N	03E	25		NWNE	20									
		36		NENE	10		NWNE	19.5		SWNE	27			
				NWSE	16									

Total Acres: 92.5

Conditions of Approval:

1. 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.
2. THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-23565, 65-2443 AND 65-2454B SHALL PROVIDE NO MORE THAN .02 CFS/ACRE

Dates:

Licensed Date:

Decreed Date: 10/31/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 65

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

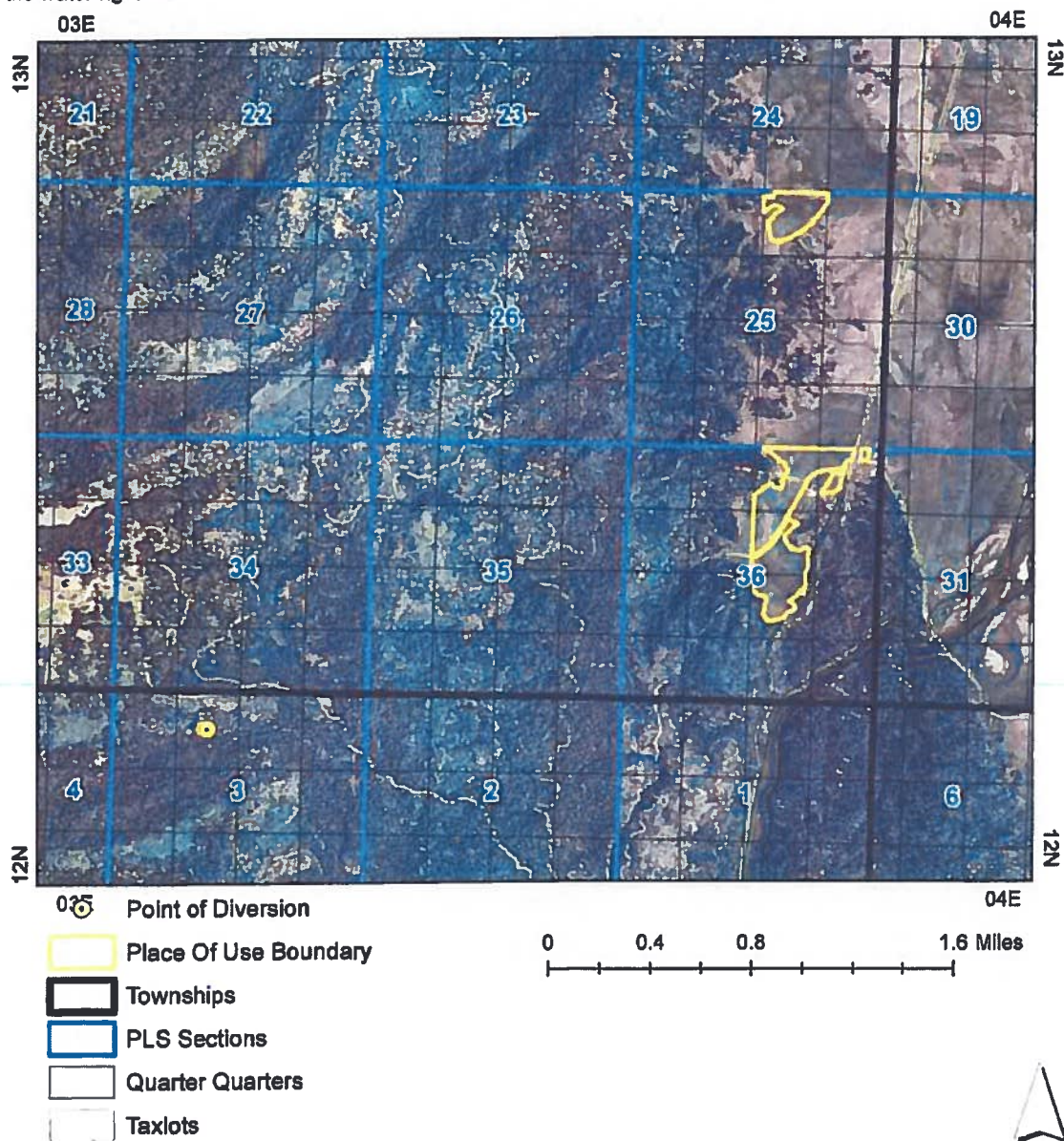
Close

State of Idaho
Department of Water Resources

Water Right
65-23566

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



GIVENS PURSLEY LLP

Attorneys and Counselors at Law

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Boise, ID 83701
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Judson B. Montgomery
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W. Hugh O'Riordan, LL.M.
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P. Mark Thompson
Jeffrey A. Warr
Robert B. White

Don E. Knickrehm, of counsel
Angela M. Reed, of counsel

Kenneth L. Pursley (1940-2015)
James A. McClure (1924-2011)
Raymond D. Givens (1917-2008)

February 21, 2017

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

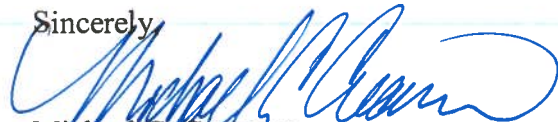
RECEIVED
FEB 22 2017
WATER RESOURCES
WESTERN REGION

Re: Notice of Change in Water Right Ownership – Water Right No. 65-2417
L&J Land and Livestock LLC

Dear Sir or Madam:

I am enclosing a Notice of Change in Water Right Ownership application, along with copies of the Grant Deeds, Warranty Deed and the back file for Water Right No. 65-2417. I am also enclosing a check in the amount of \$300.00 to cover the application fee. I would appreciate your providing me proofs of the water right reports showing the requested changes when they have been completed. Please let me know if you have any questions. Thank you.

Sincerely,



Michael C. Creamer

MCC:lah
Enclosures
cc: John Bequette w/o enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 25, 2017

L & J LAND AND LIVESTOCK LLC
105 LAZY J RD
GARDEN VALLEY ID 83622

Re: Change of Ownership for Water Right Nos: 65-1765, 65-1766, 65-2417, 65-2443, 65-2460,
65-11376B, 65-22670, 65-23565, and 65-23566

Dear Water Right Holder:

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water rights to you. The Department has modified its records to reflect this change in ownership and has enclosed a computer-generated report for your records. Water right 65-2460 did not require a split and I have requested a refund, which will arrive under separate cover.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Also note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within 120 days of the change. Change reporting forms are available from any office of the Department, or at www.idwr.idaho.gov.

Thank you for your patience. If you have any questions concerning the enclosed information, please feel free to contact me at (208) 287-4920.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

c. Michael C Creamer – Givens Pursley LLP

MEMORANDUM

TO: Sascha Marston
FROM: Debbi Judd
DATE: September 22, 2017
RE: Refund: Ownership change

Please refund \$75. Ownership change of water right was not split.

NAME: L & J LAND AND LIVESTOCK LLC
ADDRESS: 105 LAZY J RD
GARDEN VALLEY ID 83622

RECEIPT #: W044970

Thank you.

Debbi
