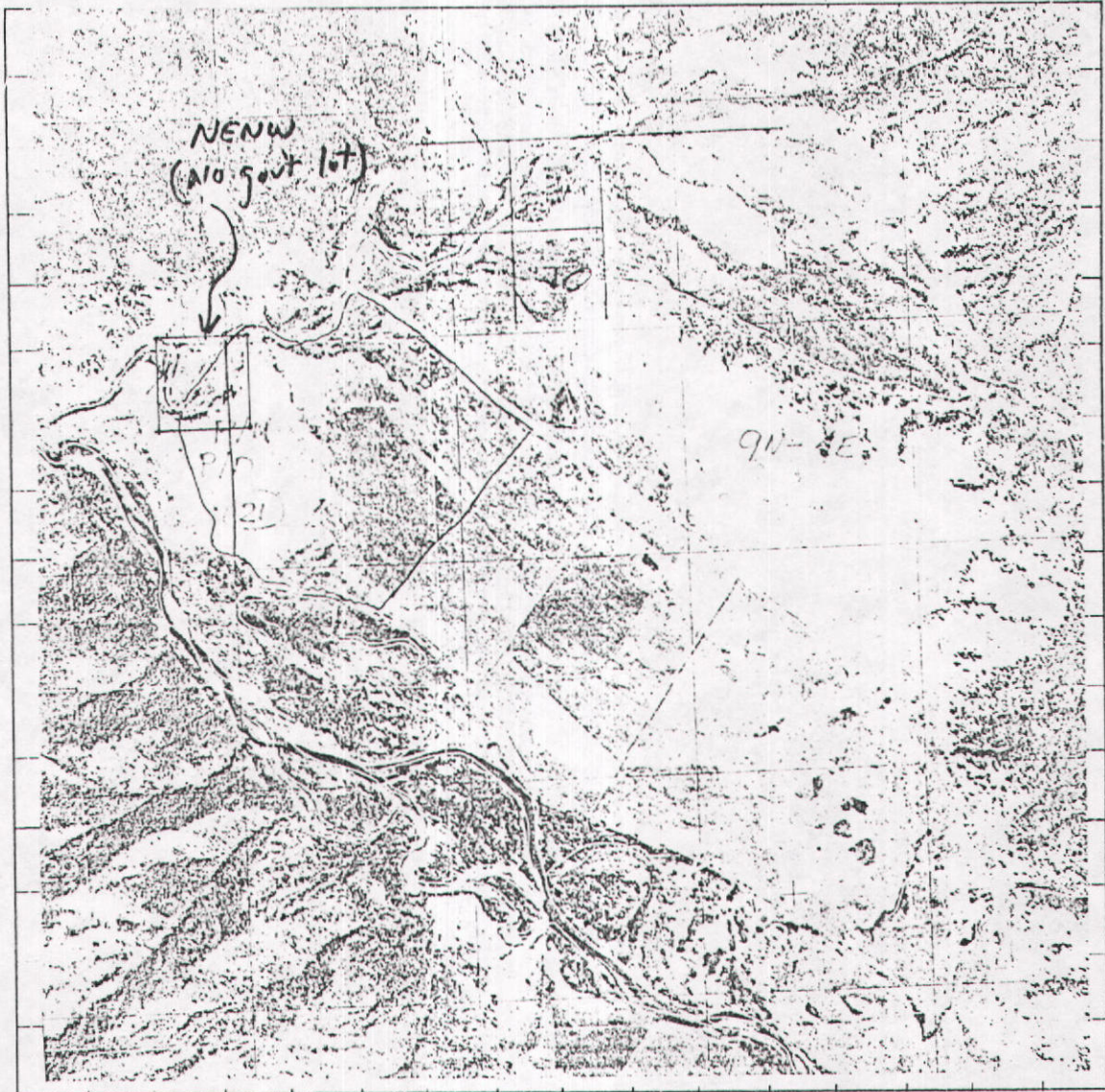


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

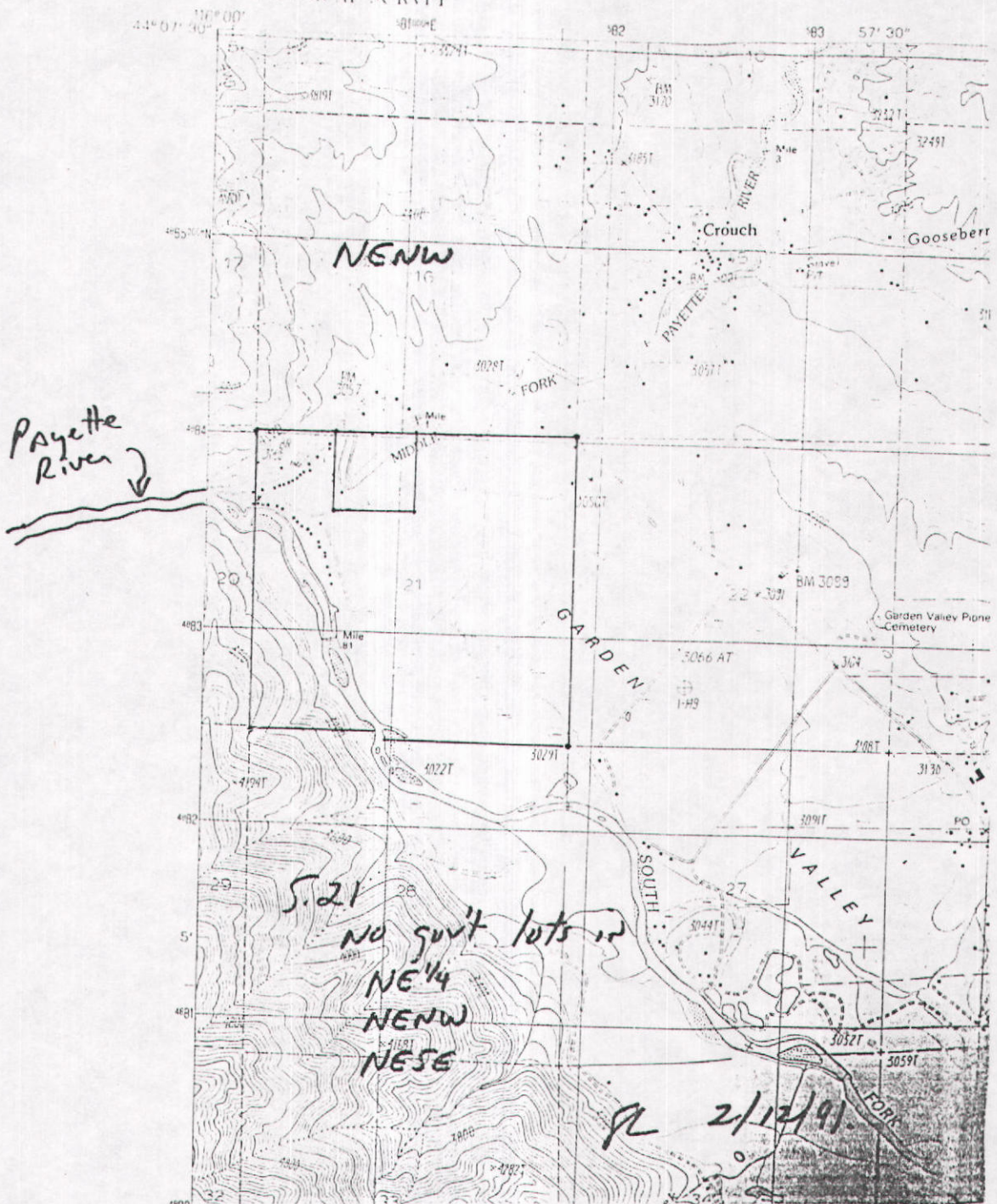


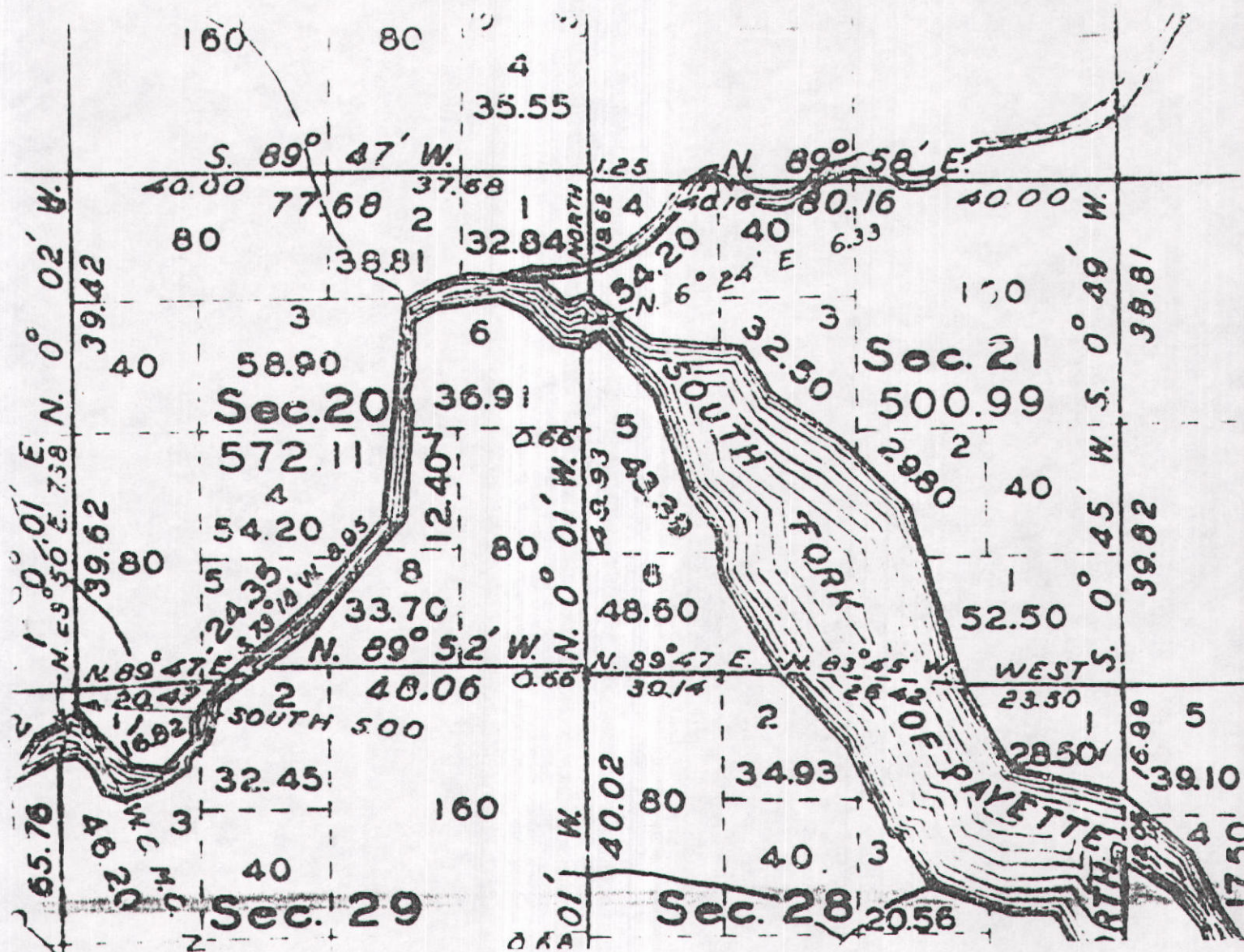
Scale 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

William R. Ricketts 2/8/91
(Applicant)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY





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
Rec	65 2887	W W LAND, W W LAND,	ANDERSON CREEK	09N04E21	31		1	40									30	22		1	125
Rec	65 9042	JAMES A WARNER,	ANDERSON CREEK	09N04E21													7			9	16
Right	65 2887	DAN ROTTHOFF, MARGIE ROTTHOFF,	ANDERSON CREEK	09N04E21	31		1	40									30	22		1	125
Right	65 9042	BEN C WARNER, JAMES A WARNER,	ANDERSON CREEK	09N04E21													7			9	16
Rec	65 12045	RIVERS POINT PROPERTY OWNERS ASSN INC,	GROUND WATER	09N04E21					0	0											0
Rec	65 12765	RIVERS POINT PROPERTY OWNERS ASSN INC,	GROUND WATER	09N04E21					0	0	0	0									0
Rec	65 21533	RAYMOND H AHRENS, FAYE A AHRENS,	GROUND WATER	09N04E21						0											0
Right	65 10630	FRANK P LANGLINAIS, ANN F LANGLINAIS,	GROUND WATER	09N04E21						0											0
Right	65 12045	RIVERS POINT PROPERTY OWNER WATER USERS,	GROUND WATER	09N04E21					0	0											0
Right	65 12765	RIVERS POINT PROPERTY OWNERS ASSN INC,	GROUND WATER	09N04E21					0	0	0	0									0
Permit	65 13305	MICHAEL R EVANS, PRISCILLA J EVANS,	PAYETTE RIVER	09N04E21					0.5												0.5
Permit	65 13801	SCOTT RHEAD,	PAYETTE RIVER	09N04E21						0											0
Rec	65 12243	CAROL E SMITH,	PAYETTE RIVER	09N04E21					1												
Rec	65 12243	CAROL E SMITH,	PAYETTE RIVER	09N04E21					0												
Rec	65 12304	RIVERS POINT PROPERTY OWNERS ASSN INC,	PAYETTE RIVER	09N04E21					1	1											2
Rec	65 12523	RIVERS POINT PROPERTY OWNERS ASSN INC,	PAYETTE RIVER	09N04E21						1	1	1									3
Rec	65 12601	JEAN L MILLER,	PAYETTE RIVER	09N04E21						1											1
Rec	65 12602	WENDA L COONS,	PAYETTE RIVER	09N04E21						1											1
Rec	65 12652	CAROL E SMITH,	PAYETTE RIVER	09N04E21					1												1
Rec	65 12691	LINDA A VANDERWYK, HENRY VANDERWYK,	PAYETTE RIVER	09N04E21							1										1
Rec	65 12744	CHARLES DAHLGREN, SUSAN DAHLGREN,	PAYETTE RIVER	09N04E21						0											0
Rec	65 12744	CHARLES DAHLGREN, SUSAN DAHLGREN,	PAYETTE RIVER	09N04E21						1											1
Rec	65 12758	CHARLIE H GRAVES, SHARON L GRAVES,	PAYETTE RIVER	09N04E21						1											1
Rec	65 12774	ALAN SHIGETA,	PAYETTE RIVER	09N04E21							0										0
Rec	65 12777	FRANK LANGLINAIS, ANN LANGLINAIS,	PAYETTE RIVER	09N04E21						1											1
Rec	65 13092	O CONNOR ENTERPRISES INC,	PAYETTE RIVER	09N04E21							0.1										0.1
Rec	65 22385	BARBARA FACKRELL, ED FACKRELL,	PAYETTE RIVER	09N04E21					X												0
Rec	65 7346	W W LAND, W W LAND,	PAYETTE RIVER	09N04E21				40									30	22			92
Rec	65 7346B		PAYETTE RIVER	09N04E21				40									30	22			92
Rec	65 7608	ED FACKRELL, BARBARA FACKRELL,	PAYETTE RIVER	09N04E21					6.8												6.8
Right	65 12243	ELEANOR J STUDER, JOHN E STUDER,	PAYETTE RIVER	09N04E21					1												1
Right	65 12304	RIVERS POINT PROPERTY OWNERS ASSN INC,	PAYETTE RIVER	09N04E21					1	1											2
Right	65 12383	LAURA C BOWMAN, GERALD E BOWMAN,	PAYETTE RIVER	09N04E21					0												0
Right	65 12523	RIVERSPOINT PROPERTY OWNERS ASSN,	PAYETTE RIVER	09N04E21						1	1	1									3
Right	65 12601	CHARLES L WOLFE, JEAN L WOLFE,	PAYETTE RIVER	09N04E21						1							1				1
Right	65 12602	LLOYD COONS, WENDA COONS,	PAYETTE RIVER	09N04E21						1											
Right	65 12641	REVA L HOOBERY,	PAYETTE RIVER	09N04E21							0										
Right	65 12652	JOHN E STUDER, ELANOR J STUDER,	PAYETTE RIVER	09N04E21					1												1
Right	65 12691	WILLIAM DURHAM, HAROLD A TAYLOR,	PAYETTE RIVER	09N04E21							1										1
Right	65 12744	EDITH VAN SLOOTEN, HENRY VAN SLOOTEN,	PAYETTE RIVER	09N04E21						1											1
Right	65 12758	ELAINE C BAKER,	PAYETTE RIVER	09N04E21						1											1
Right	65 12774	MARGUERITE L EMERSON, GEORGE D EMERSON,	PAYETTE RIVER	09N04E21							0										0
Right	65 12777	FRANK LANGLINAIS, ANN LANGLINAIS,	PAYETTE RIVER	09N04E21						1											1
Right	65 12830	VIKKI LYNN MCQUEEN, ANTHONY MARK MCQUEEN,	PAYETTE RIVER	09N04E21							1										1
Right	65 12858	JANET WILSON, DAVID WILSON,	PAYETTE RIVER	09N04E21							0										0
Right	65 12903	CHARLES R DAVIS,	PAYETTE RIVER	09N04E21							0.2										0.2
Right	65 12940	CAROL GODBOUT, NORMAN GODBOUT,	PAYETTE RIVER	09N04E21						0.5											0.5
Right	65 12982	MILLICENT S SMITH,	PAYETTE RIVER	09N04E21						0.2											0.2
Right	65 13069	DAN V FRY,	PAYETTE RIVER	09N04E21					0.5												0.5
Right	65 13070	DAN C FRY,	PAYETTE RIVER	09N04E21						0.2											0.2

Idaho Dept. of Water Resources
Place of Use Comparison Report



Right	65 13073	BARBARA D FIELDS, JACK D FIELDS,	PAYETTE RIVER	09N04E21						0.2										0.2
Right	65 13092	O CONNOR ENTERPRISES INC,	PAYETTE RIVER	09N04E21							0.1									0.1
Right	65 13264	GERALD E BOWMAN, LAURA C BOWMAN,	PAYETTE RIVER	09N04E21						0.5	0.5									1
Right	65 13305	MICHAEL R EVANS, PRISCILLA J EVANS,	PAYETTE RIVER	09N04E21						0.5										0.5
Right	65 13450	KAREN POST, JOHN POST,	PAYETTE RIVER	09N04E21							0									0
Right	65 13746	ALBERT L JOHNSON,	PAYETTE RIVER	09N04E21								0								0
Right	65 7346	MARGIE ROTTHOFF, DAN ROTTHOFF,	PAYETTE RIVER	09N04E21					40								30	22		92
Right	65 7608	BARBARA FACKRELL, ED FACKRELL,	PAYETTE RIVER	09N04E21						6.8										6.8
Permit	65 13624	RIVERS POINTE PROPERTY OWNERS ASSN INC,		09N04E21						0	0	0	0	0	0					0
Rec	65 19993	UNITED STATES OF AMERICA ACTING THROUGH,		09N04E21								0				0	0			0



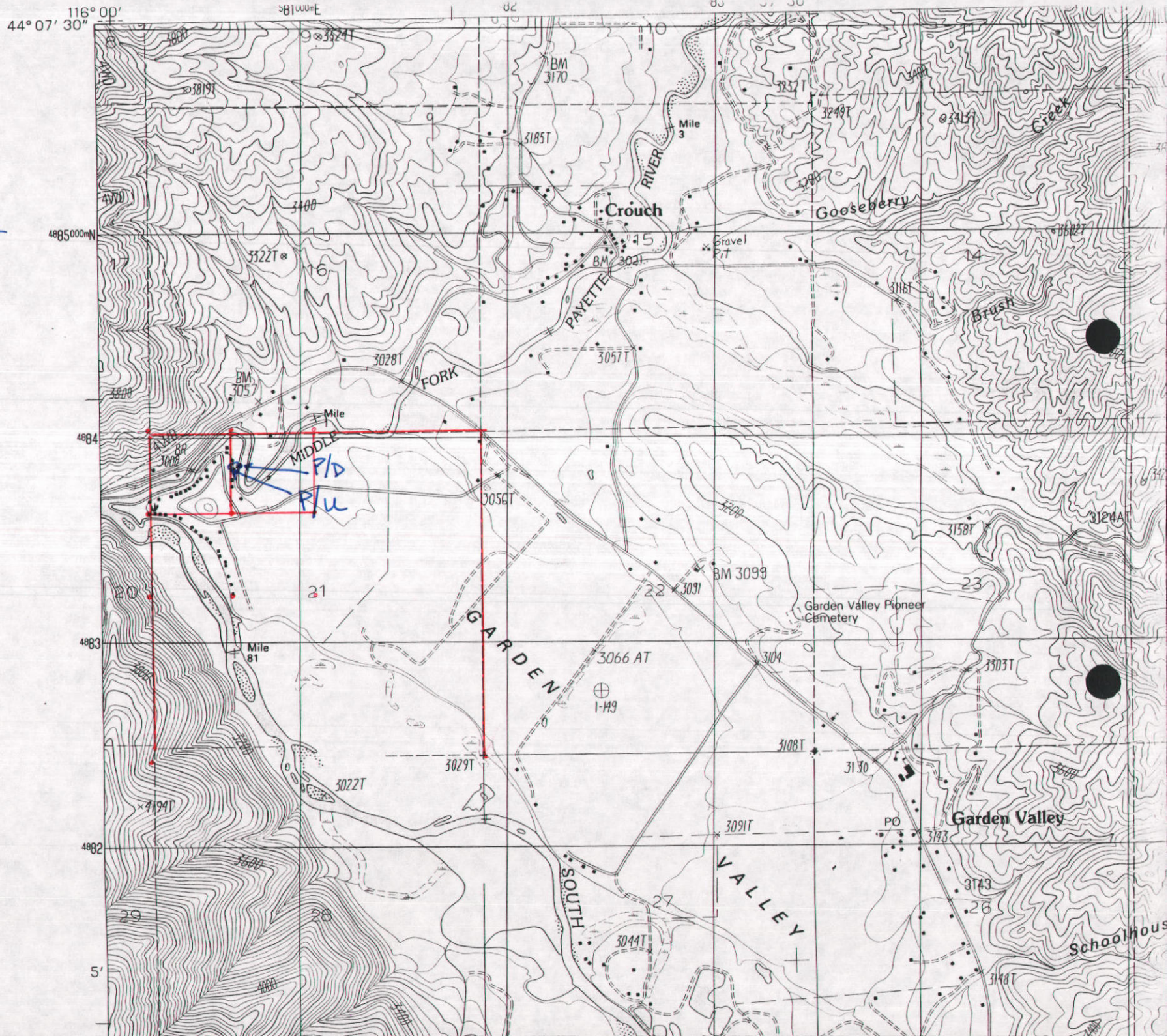
65-13305

T 09N

R 04E

Sec. 21

MICROFILMED
JUN 20 2001



While this map is a photographic reproduction of that on file in either the recorder's or surveyor's office, the company assumes no liability for variation, if any, with another or re-survey.

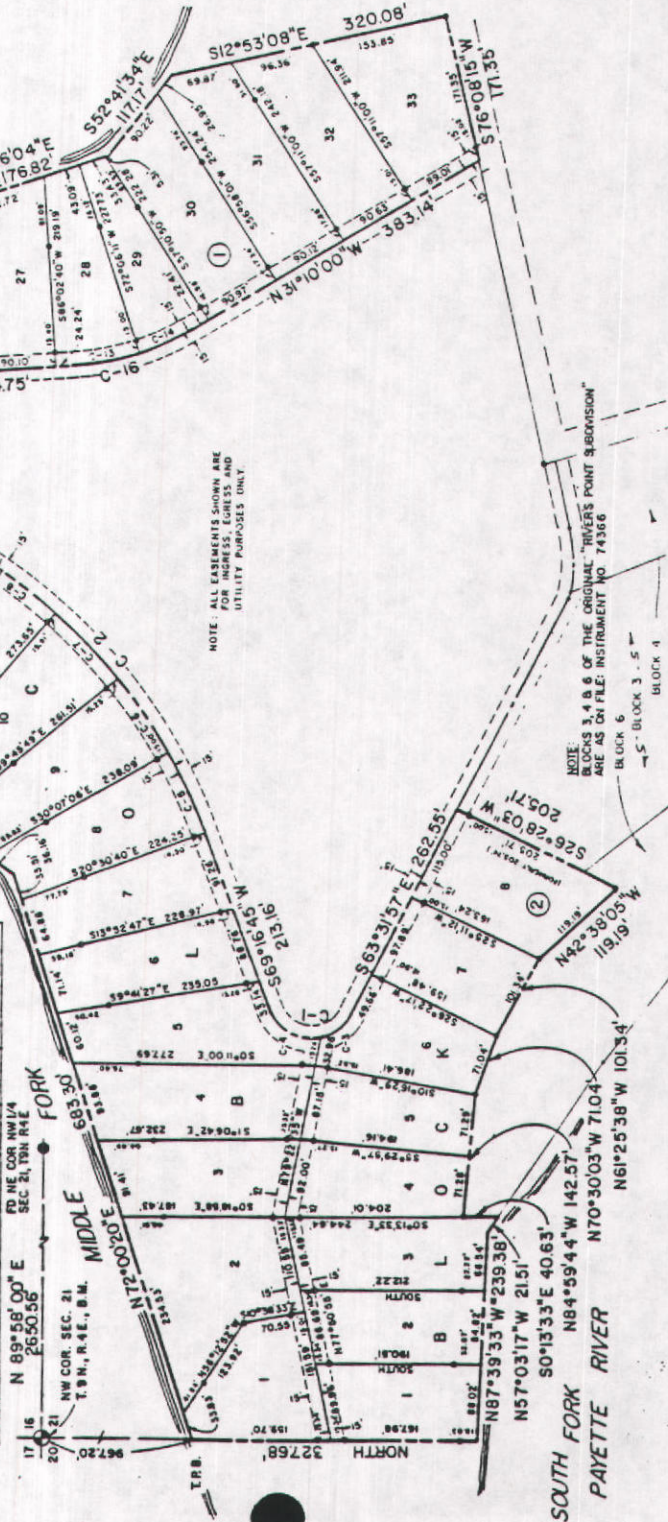


LEGEND

- SUBDIVISION BOUNDARY
- LOT LINE
- EASEMENT LINE
- SECTION LINE
- 1/2" Ø REBAR
- BRASS CAP - FOUND
- TRUE POINT OF BEGINNING
- T.P.B.
- 5/8" Ø REBAR

SCALE: 1" = 100'

CURVE DATA						
CURVE	R	Δ	T	L	L.C.	L.C. BEARING
C-1	81.88'	132°48'42"	118.78'	120.26'	95.09'	S 2°52' 84"W
C-2	81.19'	48°03'00"	288.25'	207.30'	483.76'	548°15' 15"W
C-3	81.88'	91°52'54"	232.28'	47.07'	453.37'	537°32' 30"E
C-4	81.88'	80°44'48"	44.18'	73.18'	87.32'	528°31' 51"W
C-5	81.18'	9°12'38"	81.78'	803.30'	103.18'	564°35' 37"W
C-6	81.18'	9°12'38"	81.78'	103.18'	103.18'	555°12' 51"W
C-7	81.18'	9°12'38"	81.78'	103.11'	103.05'	545°50' 47"W
C-8	81.18'	9°12'38"	81.87'	103.18'	103.26'	535°28' 32"W
C-9	81.18'	9°12'38"	81.87'	94.23'	94.14'	525°01' 15"W
C-10	81.50'	18°33'01"	9.92'	19.64'	19.34'	535°11' 15"W
C-11	81.50'	8°38'44"	38.05'	87.03'	63.15'	507°08' 08"W
C-12	81.50'	8°48'30"	35.95'	84.04'	60.16'	535°24' 10"E
C-13	300.00'	17°37'18"	34.70'	73.19'	72.92'	510°54' 54"E
C-14	300.00'	13°16'11"	34.90'	69.48'	69.32'	528°31' 54"E
C-15	48.50'	152°45'00"	213.93'	150.71'	109.84'	N 80°21' 31"W
C-16	48.50'	152°45'00"	213.93'	42.58'	144.24'	N 17°35' 05"E



NOTE: BLOCKS 3, 4 & 6 OF THE ORIGINAL "RIVER'S POINT SUBDIVISION" ARE AS ON FILE: INSTRUMENT NO. 74366
BLOCK 6
BLOCK 3 - 5
BLOCK 4

SOUTH FORK PAYETTE RIVER
N87°39'33"W 239.38'
N57°03'17"W 215.1'
S0°13'33"E 40.63'
N84°59'44"W 142.57'
N70°30'03"W 71.04'
N61°25'38"W 101.34'

STATE OF IDAHO S.S. COUNTY OF BOISE

I, RONALD M. BLAKLEY, a Licensed Land Surveyor in and for said County and State, do hereby certify that the survey of the AMENDED PLAT OF ALL OR BLOCK 1 AND LOTS 1-8 OF BLOCK 2 OF RIVER'S POINT SUBDIVISION in Boise County, Idaho, as described on the back of this plat was by me or under my direction and that this plat correctly shows the survey as made.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 17th day of JULY A.D. 1960



I hereby certify that this instrument was filed for record at the request of RONALD M. BLAKLEY at _____ minutes past _____ o'clock _____ M., this _____ day of _____ A.D. _____

Fee _____
Instrument Number _____
Recorder _____
Deputy _____

MICROFILMED
JUN 20 2001

Sanitary Restrictions are removed as per letter on file in the Recorder's Office.

Sanitarian _____

inst # 44804

J. T. Tupper
1-2-6
4/1/61
1/61

C. G. G. G. G. G.

10.00



P/D
Submersible pump



P/u Backyard

MICROFILMED
JUN 20 2001

65-13305



P/u FRONT YARD



MICROFILMED

JUN 20 2001

65-13305



STATE OF
COUNTY OF
I, FORWARD M.
said County
of the A.
AND LOTS
SUBDIVISION
on the book
direction of
survey as
IN WITNESS
and seal

I hereby c
record at
at
this
Fee
Instrument
Recorder
Deputy

MAXI-PAW™/MAXI-PAW SAM

Full or Part Circle
Impact Rotor
Pop-Up Sprinklers

NEW

Maxi-Paw SAM

Same as Maxi-Paw except has optional Seal-A-Matic™ (SAM) feature

Operating Range

Precipitation Rate:

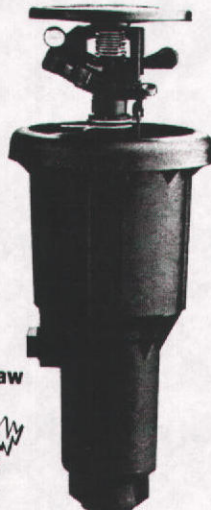
.18 to .79 inches per hour

Spacing: 28 to 54 feet

Pressure 25 to 60 psi

Features

- Six color-coded, MPR nozzles:
 - Five interchangeable, standard trajectory
 - One non-interchangeable, low angle
- Heavy-duty, plastic case with sturdy, reinforced ribbed design
- Double-weighted arm for slower rotation and increased distance of throw
- No tools required to change nozzles
- 3" pop-up height
- Self-flushing inner trip with improved inner trip lever
- Powerful reverse action
- Adjustable arm spring for low pressure operation
- Proven impact drive
- Straight-through flow
- Full circle or adjustable arc — 20° to 340°
- Energy efficient-low pressure and low gallonage operation
- Precision Jet tube (PJ™)
- Hooded bearing
- Distance control diffuser pin
- Pressure activated wiper seal
- FP trip for full or part circle operation
- Inlet filter screen
- Combination 1/2" or 3/4" bottom inlet



Maxi-Paw



SAM Features (Optional)

- Internal Seal-A-Matic™ (SAM) prevents puddling, run-off and erosion caused by low head drainage
- Extra-strength retract spring works against 10' of elevation change and provides greater vandal resistance
- Increases system life by trapping water in lateral pipes, reducing water hammer
- Conserves water and saves money
- Serviceable through the top of the case

For complete explanations of product features, see page 31.

Specifications

- Combination 1/2" or 3/4" female bottom inlet
- 1/2" female side inlet
- Overall height — 9-3/10"
- Top diameter — 5"
- Nozzle 06-red; 07-black; 08-blue; 10-yellow; 12-beige; LA-non-interchangeable-white
- For LA nozzle at normal operating pressure, the highest point of stream is 2' above nozzle; for 08 nozzle, it is 6' above nozzle
- Nozzle outlet trajectory is 8° for LA, 23° for 07, 08, 10 and 12 nozzles



*Precipitation Rates based on half circle operation.

For true MPR, all radii must be equal; use 06 nozzle for a quarter pattern, 08 for a half pattern, 10 for 3/4 pattern and 12 for full circle.

■ Square spacing based on 50% diameter of throw.

▲ Triangular spacing based on 60% diameter of throw.

‡Standard Nozzle Size recommended

Maxi-Paw/Maxi-Paw SAM Performance

PSI	Radius'	GPM	Nozzle	*Precip.■	*Precip.▲
25	—	—	LA	—	—
	—	—	06	—	—
	36	1.9	07	.29	.23
	‡37	2.8	08	.39	.32
	40	4.2	10	.50	.40
30	39	5.5	12	.70	.56
	28	2.0	LA	.49	.39
	36	1.5	06	.22	.18
	37	2.1	07	.29	.24
	‡38	3.0	08	.40	.32
35	41	4.5	10	.52	.41
	40	5.9	12	.71	.57
40	30	2.2	LA	.47	.38
	37	1.6	06	.23	.19
	38	2.3	07	.30	.24
	‡38	3.3	08	.43	.35
	41	4.8	10	.55	.44
45	42	6.3	12	.69	.55
	31	2.3	LA	.47	.37
	38	1.8	06	.24	.19
	39	2.4	07	.30	.24
	‡39	3.5	08	.44	.35
50	41	5.2	10	.59	.47
	44	6.7	12	.67	.54
	32	2.5	LA	.47	.38
	38	1.9	06	.25	.20
	39	2.5	07	.32	.26
55	‡40	3.7	08	.44	.35
	42	5.4	10	.59	.47
	44	7.1	12	.70	.56
	33	2.6	LA	.46	.37
	38	2.0	06	.27	.22
60	40	2.7	07	.32	.26
	‡41	3.9	08	.44	.35
	44	5.7	10	.57	.46
	45	7.4	12	.70	.56
	33	2.7	LA	.48	.38
65	38	2.1	06	.28	.23
	41	2.8	07	.32	.26
	‡41	4.1	08	.46	.37
	44	6.0	10	.60	.48
	45	7.9	12	.75	.60
70	33	2.8	LA	.50	.40
	38	2.2	06	.30	.24
	41	2.9	07	.33	.27
	‡42	4.2	08	.47	.37
	44	6.4	10	.63	.51
75	45	8.4	12	.79	.64

JUN 20 2001

65-13305

AMENDED PLAT OF ALL OF BLOCK 1 AND
LOTS 1-8 OF BLOCK 2 OF

RIVER'S POINT SUBDIVISION

(INSTRUMENT NO. 74366
(DATED: JULY 14th, 1969))

BOISE

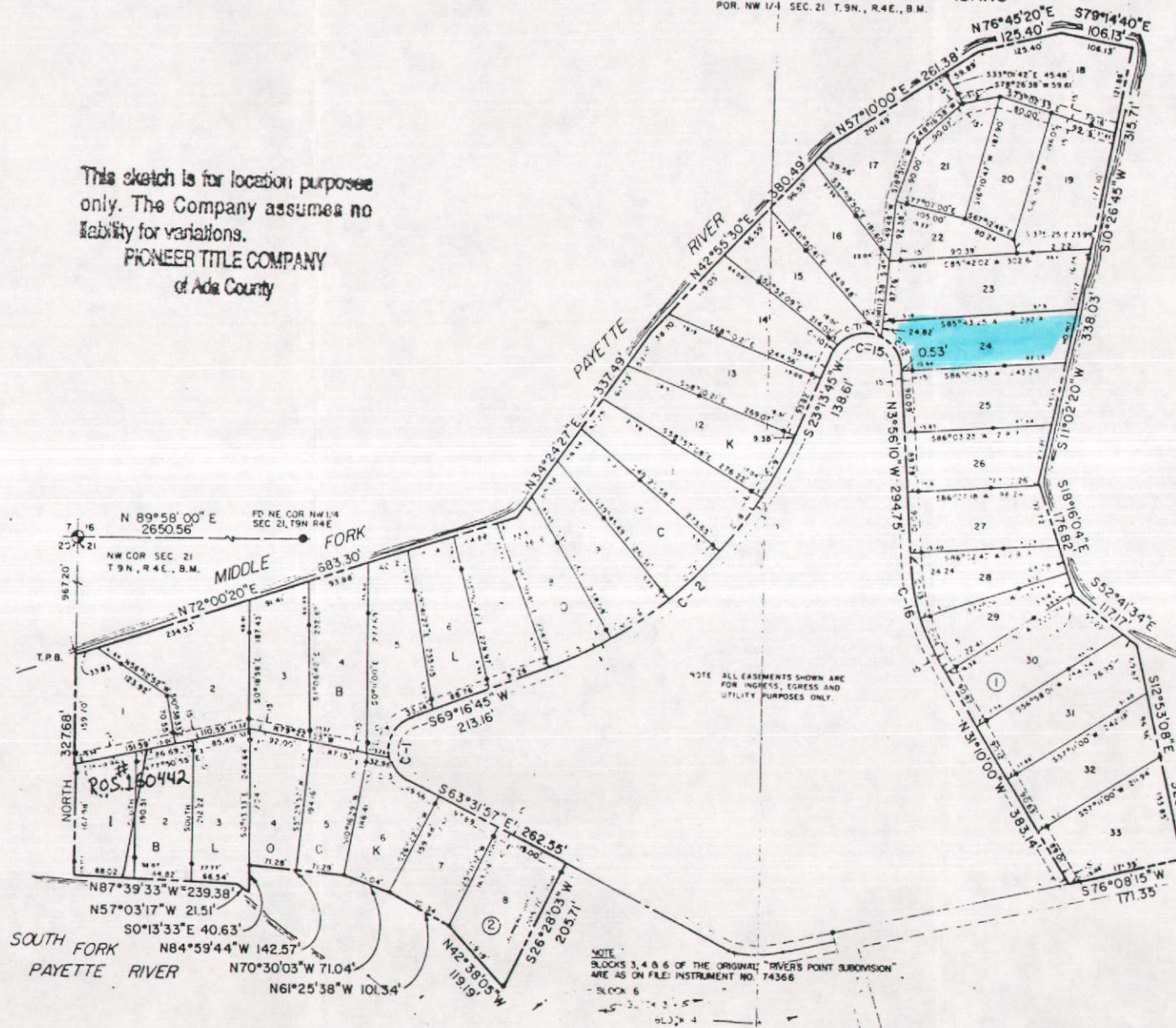
COUNTY

IDAHO

POR. NW 1/4 SEC. 21 T.9N., R.4E., B.M.

This sketch is for location purposes
only. The Company assumes no
liability for variations.

PIONEER TITLE COMPANY
of Ada County



While this map is a photographic reproduction of that on
file in either the recorder's or surveyor's office, the company
assumes no liability for variation, if any, with another
or resurvey.

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-13305

Priority: October 12, 1999

Maximum Diversion Rate

0.02 CFS

Maximum Diversion Volume

1.8 AF

It is hereby certified that MICHAEL R EVANS And PRISCILLA J EVANS
9955 MASKED DUCK AVE
LAS VEGAS NV 89117 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated February 08, 1991, and have
submitted Proof of Beneficial Use on October 12, 1999. An examination indicates that the works have a
diversion capacity of 0.02 cfs of water from

SOURCE

MIDDLE FORK PAYETTE RIVER

Tributary: PAYETTE RIVER

and a water right has been established as follows

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

03/15 to 10/31

DIVERSION RATE

0.02 CFS

**ANNUAL
DIVERSION VOLUME**

1.8 AF

LOCATION OF POINT(S) OF DIVERSION:

MIDDLE FORK PAYETTE RIVER NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 21, Twp 09N, Rge 04E, B M, BOISE County

PLACE OF USE:

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	
09N	04E	21					5												5

Total Acres 0.5

CONDITIONS OF APPROVAL

- 1 Use of water under this water right will be regulated by the watermaster of State Water District No 65
- 2 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion
- 3 This right when combined with all other rights shall provide no more than 0.02 cfs nor more than 1.8 afa at the field headgate for irrigation of the land described above

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources

Signed and sealed this 16TH day of MAY, 2001

MICROFILMED

Acting for


KARL J. DREHER
Director

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF LAPSED PERMIT)
NO. 65-13305 IN THE NAME OF)
CHALMER D BARKER AND SARAH) REINSTATEMENT ORDER
BARKER)
_____)

This matter having come before the Idaho Department of Water Resources ("Department"), the Department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On May 2, 1991, the Department issued Permit No. 65-13305 authorizing the diversion of 0.02 cfs of water from the Middle Fork Payette River to be used for the irrigation of 0.5 acres of land in the NE1/4NW1/4 Section 21, T9N, R4E, B.M. A condition of permit approval was that proof of beneficial use of water ("proof") be submitted to the Department on or before April 1, 1993.
2. On January 31, 1993, the Department sent a proof due notice to the permit holder by certified mail requiring the submittal of proof or a request for extension of time in which to submit proof.
3. On April 6, 1993, the Department sent a lapse notice to the permit holder, since neither the proof nor a request for extension of time had been submitted to the Department.
4. On October 12, 1999, Michael R. Evans and Priscilla J. Evans ("permit holder") submitted proof of beneficial use for the lapsed permit.

CONCLUSIONS OF LAW

1. Section 42-218a.2, Idaho Code, provides as follows:

That upon receipt of proof of beneficial use after sixty (60) days after such notice of lapsing, the director shall require sufficient evidence to be submitted by the permit holder to clearly establish the extent of beneficial use made during the time authorized by the permit and any extensions of time

MICROFILMED
JAN 28 2005

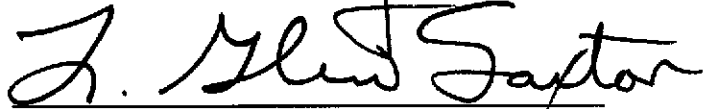
previously approved. Upon finding that beneficial use had occurred during the authorized period and upon a showing of reasonable cause for filing a late proof of beneficial use, the director may reinstate the permit with the priority date advanced to the day that proof of beneficial use was received;

2. The permit holder has provided reasonable cause for the Department to reinstate the permit by submitting proof of beneficial use on October 12, 1999.

ORDER

IT IS THEREFORE, HEREBY ORDERED that Permit No. 65-13305 is **REINSTATED** with the priority advanced to **October 12, 1999**.

Dated this 24th day of January, 2000.



L. GLEN SAXTON, P E.
Chief, Water Allocation Bureau

For Office Use Only
Amt. of Fee \$ 50.00
Date 10-13-99
Receipt No. 0946848
Received by: J. Mann

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 65-13305 Telephone No. 702-524-6471

Name(s) of Permit Holder(s): MICHAEL R. EVANS & PRISCILLA J. EVANS

Post Office Address: 9955 MASKED DUCK AVE LAS VEGAS, NV. 89117

Source of Water: MIDDLE FORK OF PAYETTE RIVER

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:
Domestic X (No. of households) Irrigation .5 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted .02 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 5-1-1991

One of the following may be a condition of approval of your permit:

Measuring device: Required? ___Yes XNo Installed? ___Yes ___No

OR

Flow Measurement Port: Required? ___Yes XNo Installed? ___Yes ___No

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

MIKE EVANS 702-524-6471
Name Telephone No.

9955 MASKED DUCK AVE LAS VEGAS, NV. 89117
Address

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

10-5-99
Date

M.R. Evans
Signature (and title if on behalf of a company or organization)

See Glen Saxton's
memo dated 1/24/2000
explaining why this
change of ownership
was accepted and the
permit updated to new
owners with an assignment
form and fee
JAN 28 2000

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

FEB 25 1999

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.

RECEIVED

JUN 28 1999

1. Water Right Number(s) 65-13305
Adjudication Claim Number(s) _____
Department of Water Resources

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 on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) CHALMER D. BARKER, SARAH J. BARKER

HE 76 BOX 1122 GARDEN VALLEY ID
83602

4. New Owner/Claimant(s) MICHAEL R. EVANS + PRISCILLA J. EVANS

Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR

New Mailing Address 9955 MASKED DUCK AVE

City, State and ZIP Code LAS VEGAS, NV. 89117

New Telephone Number (702) 341-6970

5. Date you acquired the property 12-11-98

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 actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

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/Claimant(s) Michael R. Evans Date 2-18-1999

Priscilla J. Evans Date 2-18-1999

8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

JAN 28 2000

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you.

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

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

NOTICE

This file has been REPRODUCED
from MICROFICHE

For a possible reinstatement

L. O. Black
Person Recreating File

Nov. 03, 1999
Date

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-13305

Proposed Priority: February 8, 1991 Maximum Diversion Rate: 0.02 CFS
This is to certify, that CHALMER D. BARKER

SARAH J. BARKER
HC 76 BOX 1122
GARDEN VALLEY, ID 83602

has applied for a permit to appropriate water from:

PAYETTE RIVER, MIDDLE FORK tributary of PAYETTE RIVER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION: NENW Sec. 21, Township 09N, Range 04E
BOISE County

<u>PLACE OF USE:</u> IRRIGATION				
<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09N 04E 21	NENW 0.5			0.5

Total number of acres irrigated: 0.5

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1993.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Use of water under this permit is subject to control by the watermaster of State Water District No. 65.
5. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this permit.
6. The Director retains jurisdiction of this permit to require purchase or lease of storage water to compensate for diversion of the streamflow authorized by this right.
7. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.04 cubic feet per second for each acre of land.

PAGE 2

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13305

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

2nd day of may, 1991.

for

J. Glen Saxton
R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident No 65-13305

To appropriate the public waters of the State of Idaho

1. Name of applicant CHALMER D E SARAH J. BARKER Phone 462-3353
Post office address HC 16 Box 1122 GARDEN VALLEY ID 83602 *
2. Source of water supply MID. FR. PAYETTE RIVER which is a tributary of Payette River
3. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Govt. Lot
Sec 21 Township 9N Range 4E B M FOUR County, additional
points of diversion if any
4. Water will be used for the following purposes
Amount 0.02 for IRRIGATION purposes from 2/1 to 11/1 (both dates inclusive) *
(cfs or acre feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)
5. Total quantity to be appropriated is (a) 0.02 and/or (b)
cubic feet per second acre feet per annum
6. Proposed diverting works
a. Description of ditches, flumes, pumps, headgates, etc
Pump and irrigation system for water gardens & yard

b. Height of storage dam feet, active reservoir capacity acre-feet, total
reservoir capacity acre-feet, period of year when water will be diverted to storage
 to inclusive
c. Proposed well diameter is inches, proposed depth of well is feet
d. Is ground water with a temperature of greater than 90°F being sought?
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
2 years (minimum 1 year)

* changes per top map/orthophoto.
* IOWA irrigation sensor standards.

8/ 2/12/91

8 Description of proposed uses (if irrigation only go to item 9)

- Hydropower, show total feet of head and proposed capacity in KW _____
- Stockwatering, list number and kind of livestock _____
- Municipal, show name of municipality _____
- Domestic, show number of households _____
- Other, describe fully _____

9 Description of place of use

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below
- If water is used for other purposes, place a symbol of the use (example *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols

TWP	RANGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9n1	40	31					E												5 ac

Total number of acres to be irrigated 5 ac

10 Describe any other water rights used for the same purposes as described above

None

11 a Who owns the property at the point of diversion? Applicant

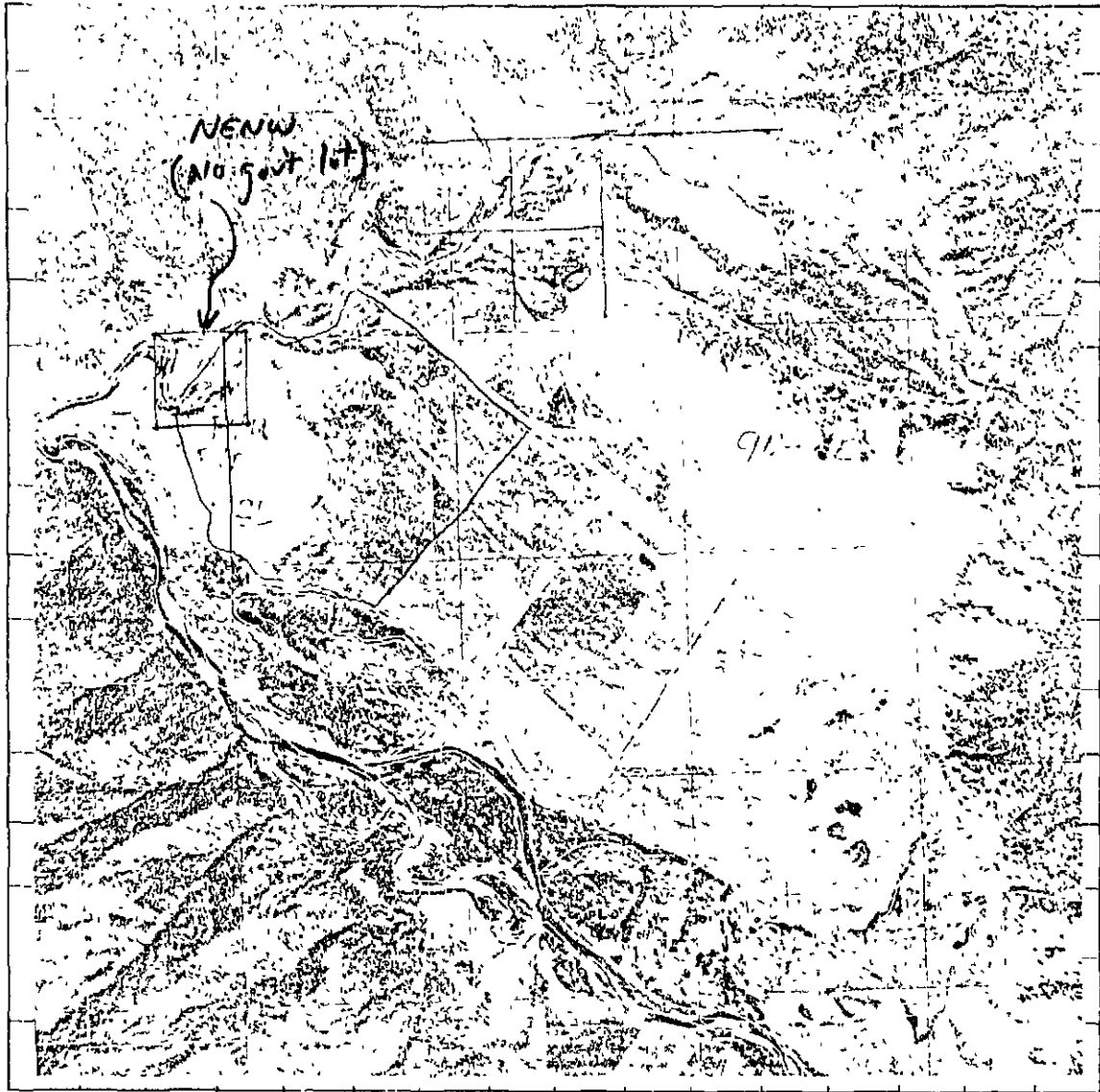
b Who owns the land to be irrigated or place of use? Applicant

c If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

12 Remarks _____

JUN 10 1991

13 Map of proposed project show clearly the proposed point of diversion, place of use, section number, township and range number

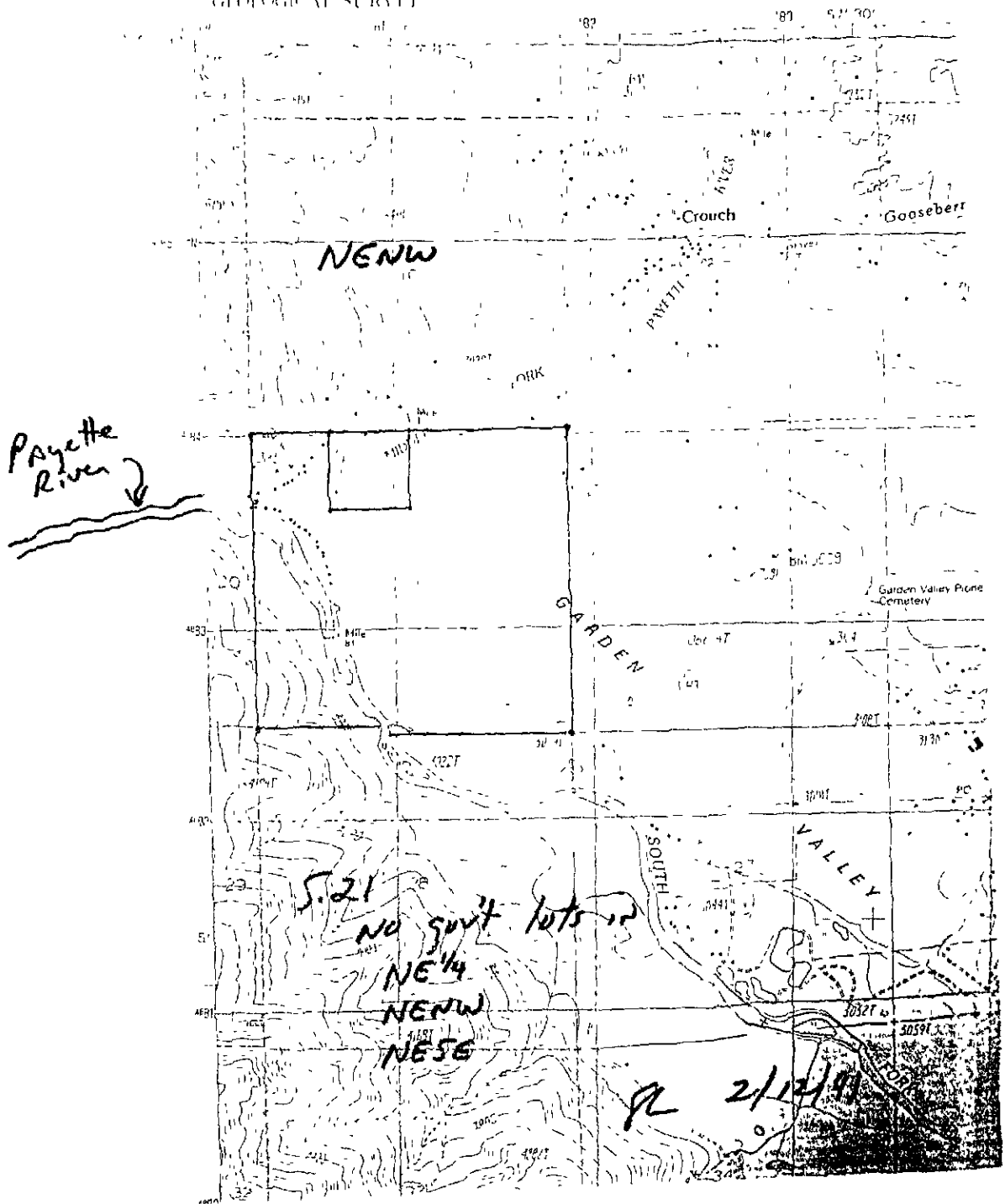


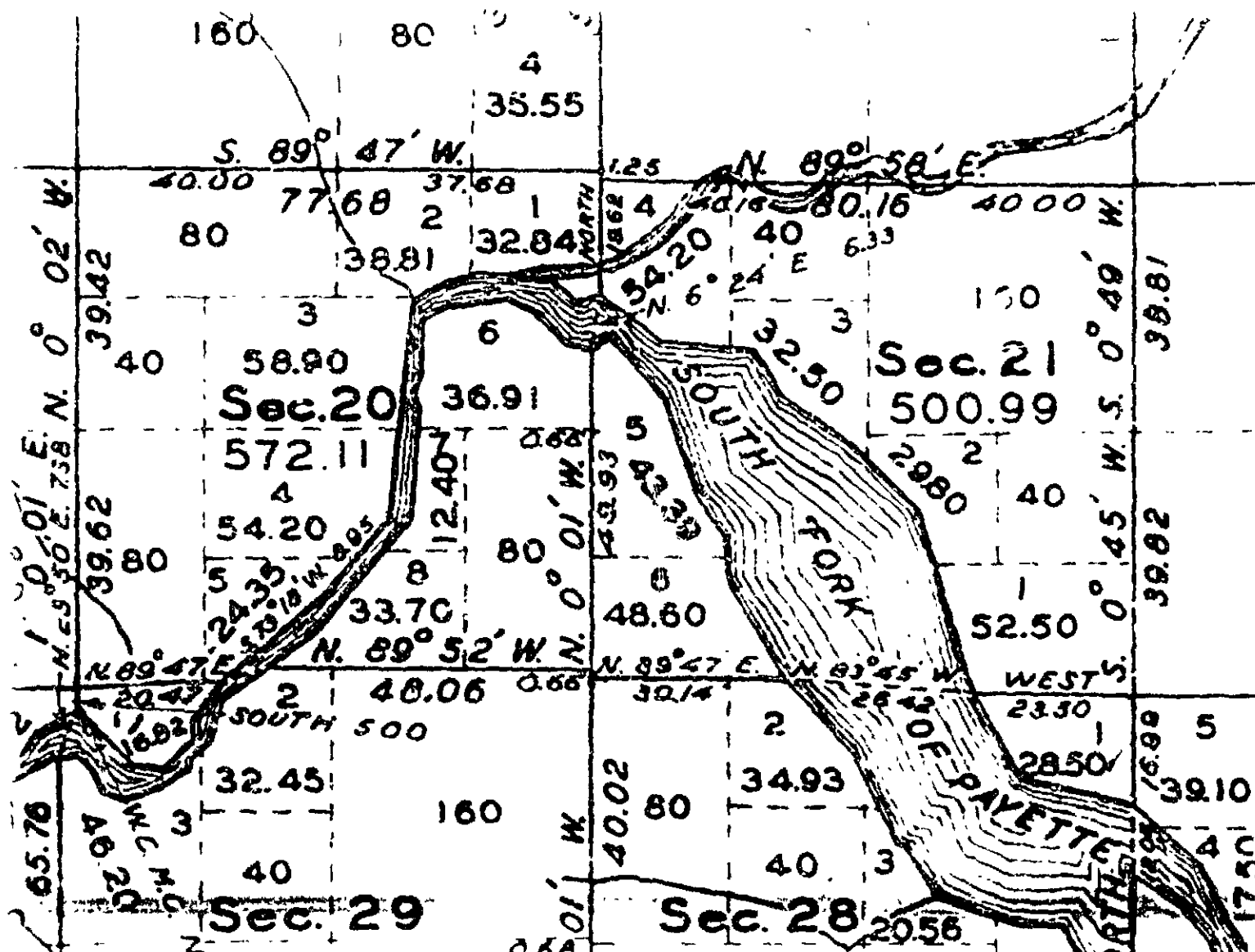
Scale 2 inches equals 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth

Richard E. Mark 2/2/91
(Applicant)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY





Received by JFW Date 2/1/91 Time 1:30 PM Preliminary check by R
Fee \$ 30.00 Receipted by JFW # W 012993 Date 2/5/91
Publication prepared by GC Date 2-13-91 Published in ID World
Publication approved ST Date 3-12-91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No _____, and said application is hereby _____

1 Approval of said application is subject to the following limitations and conditions

a SUBJECT TO ALL PRIOR WATER RIGHTS

b Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land

d The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e Other _____

The Idaho

P.O. Box 220, Idaho
209 392-

State of Idaho

County of Boise

Wayne Hart, being duly sworn, deposes and says that he is the manager and principal clerk of THE IDAHO WORLD, a weekly newspaper published in the County of Boise and in the vicinity of Idaho City; that the general circulation in the county aforesaid, a copy of which is hereto attached, was published in said newspaper week for 16 consecutive weeks the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks previous to the first publication of this notice. Such notice was published with the issue beginning with Feb. 20, 1991 and ending with the issue of Feb. 27, 1991.

State of Idaho

County of Ada

On this 1 day of March in the year 1991, before me, a notary public, personally appeared WAYNE HART known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho

Residing at
My commission expires

NOTICE OF APPLICATION FOR WATER RIGHT

The Following applications have been filed to appropriate the public waters of the State of Idaho.
(65-13305)

BARKER, CHALMER D.
BARKER, SARAH J.
HC 76 BOX 1122
GARDEN VALLEY, ID 83602
Source: PAYETTE RIVER, MIDDLE FORK
Tributary: PAYETTE RIVER
Diversion Pt. NENW Sec 21 T09N R 04E
Use: IRRIGATION (020 CFS)
Total Diversion (020 CFS)
Date Filed: 2/8/1991
In: T09N R04E S21 NENW
0.5 ACRES TOTAL

65-13307
BIGGERS, L W
BIGGERS, JOYCE
MAC GREGOR LAND AND LIVESTOCK LTD PTNR
P.O. BOX 95
SWEET, ID 83670
Source: SPRING
Tributary: BROWNLEE CREEK
Diversion Pt. NWSNW Sec 9 T10N R 07E
SWSNW Sec 9 T08N R 02E
Use: STOCKWATER (070 CFS)
DOMESTIC (040 CFS)
Total Diversion: (110 CFS)
Date Filed: 1/31/1991
In: T08N R02E S09 SENW SWSW

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before MARCH 11, 1991.

R. KEITH HIGGINSON, Director

Published in The Idaho World February 20 and 27, 1991

CLAVE AR

The Idaho World

P O Box 220, Idaho City, ID 83631
208 392-4989

State of Idaho >
>
County of Boise >

Wayne Hart, being duly sworn, deposes and says that he is the manager and principal clerk of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City, that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for 6 consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with Feb. 2, 1991 and ending with the issue of Feb. 2, 1991.

Wayne Hart

State of Idaho >
>
County of Ada >

On this 11 day of Feb. in the year 1991, before me, a notary public, personally appeared WAYNE HART known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same

Notary Public for Idaho

Residing at
My commission expires 11/1/91



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

May 17, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MICHAEL R EVANS
PRISCILLA J EVANS
9955 MASKED DUCK AVE
LAS VEGAS NV 89117

RE License No 65-13305 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

MICROFILMED

JUN 20 2001

SWK.klt

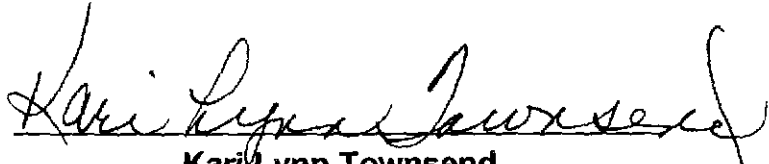
Enclosure(s)

CERTIFICATE OF MAILING

I hereby certify that on May 17, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 65-13305

**MICHAEL R EVANS
PRISCILLA J EVANS
9955 MASKED DUCK AVE
LAS VEGAS NV 89117**


**Kari Lynn Townsend
Secretary**

**MICROFILMED
JUN 20 2001**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED

JUN 20 2006

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

• The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

LICENSE REVIEW CHECKLIST

Permit No 65-13305 Date 5-15-2001 Reviewer Kay Walker

Change/OK

Name/Address OK

Source OK
Point of Diversion OK

Does change clarify original intended source? If no, void permit
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): see examiner's findings
File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.02 cfs
Fee Limit 0.20 cfs
Measured _____ cfs
Theoretical 0.02 cfs

Recommended Total Diversion Rate 0.02

Water Uses

OK Change (P46)

Season of Use per new Standards

3-15 10-31

Irrigation 0.02 cfs 1.8 af
Stockwater _____ cfs _____ af
Domestic _____ cfs _____ af
_____ cfs _____ af
_____ cfs _____ af
Total 0.02 cfs 1.8 af

OK Irrigation - overlap (R58-R61, R62-R65, R66-R69)
supp Gw (WB7/065/104)
overlap spec combined rts (W35)
<1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (081/R07)
Payette - ~~(W22/047/274)~~
Stockwater for US (R37)

Volume Determination

0.02 cfs x 1 9835 x 131 days = 9.2 af (vs) 0.5 acres x 3.5 (FHR) = 1.8 af
2.5 (con)

Remarks:

Bc4(65) W31

Additional Conditions

65 Watermaster Control yes
R02 GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051)
Non-trust (048/049)

GW Dist? 0
Water Msmt Dist? 0
Cnt. GWMA? 0
GWMA? 0
Government Lots? _____

Advance Priority? yes If yes, explain why below
no

SRBA Claim? not req'd

Adjust memo _____

Amend Letters

P87, S06

Second Amendment Notice

S06

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Rec	65 2887	W W LAND, W W LAND,	ANDERSON CREEK	09N04E21													30	22		1	228
Rec	65 9042	JAMES A WARNER,	ANDERSON CREEK	09N04E21													7			9	18
Right	65 2887	DAN ROTTHOFF, MARGIE ROTTHOFF,	ANDERSON CREEK	09N04E21	31		1	40									30	22		1	125
Right	65 9042	BEN C WARNER, JAMES A WARNER,	ANDERSON CREEK	09N04E21													7			9	16
Rec	65 12045	RIVERS POINT PROPERTY OWNERS ASSN INC,	GROUND WATER	09N04E21					0	0											0
Rec	65 12765	RIVERS POINT PROPERTY OWNERS ASSN INC,	GROUND WATER	09N04E21					0	0	0	0									0
Rec	65 21933	RAYMOND H AHRENS, FAYE A AHRENS,	GROUND WATER	09N04E21						0											0
Right	65 10630	FRANK P LANGLINAIS, ANN F LANGLINAIS	GROUND WATER	09N04E21							0										0
Right	65 12045	RIVERS POINT PROPERTY OWNER WATER USERS,	GROUND WATER	09N04E21					0	0											0
Right	65 12765	RIVERS POINT PROPERTY OWNERS ASSN INC,	GROUND WATER	09N04E21					0	0	0	0									0
Permit	65 13305	MICHAEL R EVANS, PRISCILLA J EVANS,	PAYETTE RIVER	09N04E21					0.5												0.5
Permit	65 13801	SCOTT RHEAD,	PAYETTE RIVER	09N04E21							0										0
Rec	65 12243	CAROL E SMITH,	PAYETTE RIVER	09N04E21					1												1
Rec	65 12243	CAROL E SMITH,	PAYETTE RIVER	09N04E21					0												0
Rec	65 12304	RIVERS POINT PROPERTY OWNERS ASSN INC,	PAYETTE RIVER	09N04E21					1	1											2
Rec	65 12523	RIVERS POINT PROPERTY OWNERS ASSN INC,	PAYETTE RIVER	09N04E21						1		1	1								3
Rec	65 12601	JEAN L MILLER,	PAYETTE RIVER	09N04E21						1											1
Rec	65 12602	WENDA L COONS,	PAYETTE RIVER	09N04E21						1											1
Rec	65 12652	CAROL E SMITH,	PAYETTE RIVER	09N04E21					1												1
Rec	65 12691	LINDA A VANDERWYK, HENRY VANDERWYK,	PAYETTE RIVER	09N04E21								1									1
Rec	65 12744	CHARLES DAHLGREN, SUSAN DAHLGREN,	PAYETTE RIVER	09N04E21						0											0
Rec	65 12744	CHARLES DAHLGREN, SUSAN DAHLGREN,	PAYETTE RIVER	09N04E21						1											1
Rec	65 12758	CHARLIE H GRAVES, SHARON L GRAVES,	PAYETTE RIVER	09N04E21						1											1
Rec	65 12774	ALAN SHIGETA,	PAYETTE RIVER	09N04E21								0									0
Rec	65 12777	FRANK LANGLINAIS, ANN LANGLINAIS,	PAYETTE RIVER	09N04E21						1											1
Rec	65 13082	O CONNOR ENTERPRISES INC,	PAYETTE RIVER	09N04E21								0.1									0.1
Rec	65 22385	BARBARA FACKRELL, ED FACKRELL,	PAYETTE RIVER	09N04E21					X												0
Rec	65 7346	W W LAND, W W LAND,	PAYETTE RIVER	09N04E21				40									30	22			92
Rec	65 7346B		PAYETTE RIVER	09N04E21				40									30	22			92
Rec	65 7608	ED FACKRELL, BARBARA FACKRELL,	PAYETTE RIVER	09N04E21					6.8												6.8
Right	65 12243	ELEANOR J STUDER, JOHN E STUDER,	PAYETTE RIVER	09N04E21					1												1
Right	65 12304	RIVERS POINT PROPERTY OWNERS ASSN INC,	PAYETTE RIVER	09N04E21					1	1											2
Right	65 12383	LAURA C BOWMAN, GERALD E BOWMAN,	PAYETTE RIVER	09N04E21					0												0
Right	65 12523	RIVERSPOINT PROPERTY OWNERS ASSN,	PAYETTE RIVER	09N04E21						1		1	1								3
Right	65 12601	CHARLES L WOLFE, JEAN L WOLFE,	PAYETTE RIVER	09N04E21						1											1
Right	65 12602	LLOYD COONS, WENDA COONS,	PAYETTE RIVER	09N04E21						1											1
Right	65 12641	REVA L HOOBERY,	PAYETTE RIVER	09N04E21							0										0
Right	65 12652	JOHN E STUDER, ELANOR J STUDER,	PAYETTE RIVER	09N04E21					1												1
Right	65 12691	WILLIAM DURHAM HAROLD A TAYLOR,	PAYETTE RIVER	09N04E21								1									1
Right	65 12744	EDITH VAN SLOOTEN, HENRY VAN SLOOTEN,	PAYETTE RIVER	09N04E21						1											1
Right	65 12758	ELAINE C BAKER,	PAYETTE RIVER	09N04E21						1											1
Right	65 12774	MARGUERITE L EMERSON, GEORGE D EMERSON,	PAYETTE RIVER	09N04E21								0									0
Right	65 12777	FRANK LANGLINAIS, ANN LANGLINAIS,	PAYETTE RIVER	09N04E21						1											1
Right	65 12830	VIKKI LYNN MCQUEEN, ANTHONY MARK MCQUEEN,	PAYETTE RIVER	09N04E21								1									1
Right	65 12858	JANET WILSON, DAVID WILSON,	PAYETTE RIVER	09N04E21								0									0
Right	65 12903	CHARLES R DAVIS,	PAYETTE RIVER	09N04E21								0.2									0.2
Right	65 12940	CAROL GODBOUT, NORMAN GODBOUT,	PAYETTE RIVER	09N04E21						0.5											0.5
Right	65 12982	MILLICENT S SMITH,	PAYETTE RIVER	09N04E21							0.2										0.2
Right	65 13069	DAN V FRY,	PAYETTE RIVER	09N04E21					0.5												0.5
Right	65 13070	DAN C FRY,	PAYETTE RIVER	09N04E21							0.2										0.2

5/15/01

Idaho Dept. of Water Resources
Place of Use Comparison Report

Page2

Right	65 13073	BARBARA D FIELDS, JACK D FIELDS,	PAYETTE RIVER	09N04E21						0 2									0 2
Right	65 13092	O CONNOR ENTERPRISES INC,	PAYETTE RIVER	09N04E21							0 1								0 1
Right	65 13264	GERALD E BOWMAN, LAURA C BOWMAN,	PAYETTE RIVER	09N04E21					0 5	0 5									1
Right	65 13305	MICHAEL R EVANS, PRISCILLA J EVANS,	PAYETTE RIVER	09N04E21					0 5										0 5
Right	65 13450	KAREN POST, JOHN POST,	PAYETTE RIVER	09N04E21						0									0
Right	65 13746	ALBERT L JOHNSON,	PAYETTE RIVER	09N04E21							0								0
Right	65 7346	MARGIE ROTTHOFF, DAN ROTTHOFF,	PAYETTE RIVER	09N04E21				40								30	22		92
Right	65 7608	BARBARA FACKRELL, ED FACKRELL,	PAYETTE RIVER	09N04E21					6 8										6 8
Permit	65 13824	RIVERS POINTE PROPERTY OWNERS ASSN INC,		09N04E21					0	0	0	0	0						0
Rec	65 19993	UNITED STATES OF AMERICA ACTING THROUGH,		09N04E21							0				0	0			0

3992

3. **Delivery System Diagram:** indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

SEE ATTACHED SHEET.

☒ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres).

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Submersible Pump	Unknown	¾ hp	Unknown	Unknown	Unknown

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calibration Date
System was temporary down. No measurements were made.						

2. Measurements: None. See note above.

MICROFILMED

JUN 26 2001

E. NARRATIVE/REMARKS/COMMENTS

The place of use and point of diversion are located in the NENW of Section 21, in Township 09N, Range 04E. Water is diverted from the Middle Fork of the Payette River by a ¾ hp submersible pump. The water is pumped through a 1¼-inch mainline to the sprinkler system. The system is capable of providing enough water to run three Maxi-Paw Rain Bird sprinklers (non-commercial) with 50-ft radius. The owner, Mike Evans, estimated the flow to be about 10 gallons per minute. These types of sprinklers generally require 3-4 gallons per minute depending on the pressure that is supplied. A range of 9 to 12 GPM is probable based on information found in the 1987 Rain Bird Product Catalog. This gives a range of 0.020 to 0.027 cfs for the system.

The area irrigated is under ½ acre per visual observation also per subdivision plat.

The overlapping water rights (65-12045, 65-12765, 65-13624) belong to the Rivers Point Property Owner Water Users. Two of these water rights are for domestic use and the third is for irrigation of a 2-acre common area. Individual property owners are not allowed to use water from these rights to irrigate their individual property, because the system does not have the capacity to provide enough water for all of the users to irrigate their property.

The pump is installed in a manner that would allow the watermaster control over the diversion. The pump is held under the surface of the water by a cinder block and could be removed from the river very easily.

Have the conditions of permit been met? X YES NO

MICROFILMED

APR 23 2001

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measurement Method: Theoretical based on the type of sprinkler heads

$$9 \text{ GPM} \times [1 \text{ cfs} / 448.83 \text{ GPM}] = 0.020 \text{ cfs}$$

$$12 \text{ GPM} \times [1 \text{ cfs} / 448.83 \text{ GPM}] = 0.027 \text{ cfs}$$

The permit limits the diversion rate to **0.02 cfs**.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 0.5 \text{ acre} \times 3.5 = 1.8 \text{ AFA}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.02 \times 231 \times 1.9835 = 9.2 \text{ AFA}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 1.8 \text{ AFA}$$

The permit specifies the water use as irrigation. The water use also meets the definition for external domestic use because only 0.5 acre is irrigated. The volume allowed for external domestic use is 0.6 AFA.

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (AFA)
	From	To		
Irrigation	03/15	10/31	0.02 cfs	0.6 AFA
Totals:			0.02 cfs	0.6 AFA

2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above X None

___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATION

Richard D. Hansen – Field Examiner

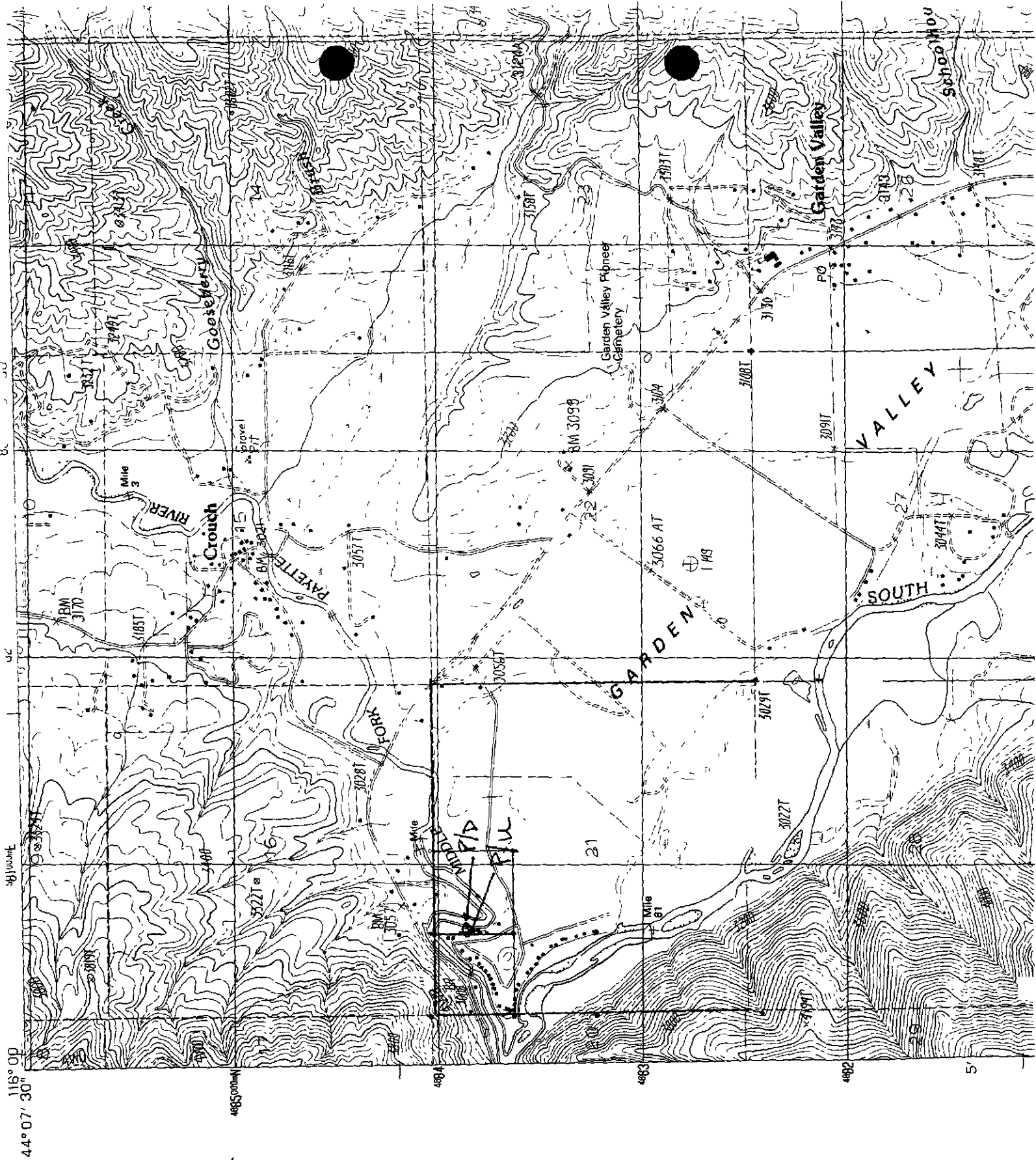
Field Examiner's Name Richard D. Hansen Date: 6/20/2000

Reviewer _____ Date: _____

seal

MICROFILMED

JUN 20 2001



65-13305

T 09N

R 04E

Sec. 21

MICROFILMED

1982 2 2 2001



1 1/4"
mainline
to sprinklers

P/D
Submersible pump



P/u Backyard

10/11/11

65-133CS



P/u FRONT YARD



65-13305

FIELD REPORT NOTES

65-13305

MICROFILMED

JAN 23 2001

$1\frac{1}{4}$ " mainlines

$\frac{3}{4}$ hp

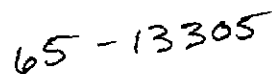
3 rainbirds (Non-commercial type)
~50 ft radius
Maxi-Pow Model # 2045 A

10-15 gallons per min

Irrigation of $\sim \frac{1}{2}$ acre by observation

Pump is installed such that
the watermaster can have
control over the diversion point

All conditions of Permit
have been met.



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MAXI-PAW™/MAXI-PAW SAM

Full or Part Circle
Impact Rotor
Pop-Up Sprinklers

NEW

Maxi-Paw SAM

Same as Maxi-Paw except has optional Seal-A-Matic™ (SAM) feature

Operating Range

Precipitation Rate:

.18 to .79 inches per hour

Spacing: 28 to 54 feet

Pressure 25 to 60 psi

Features

- Six color-coded, MPR nozzles:
 - Five interchangeable, standard trajectory
 - One non-interchangeable, low angle
- Heavy-duty, plastic case with sturdy, reinforced ribbed design
- Double-weighted arm for slower rotation and increased distance of throw
- No tools required to change nozzles
- 3" pop-up height
- Self-flushing inner trip with improved inner trip lever
- Powerful reverse action
- Adjustable arm spring for low pressure operation
- Proven impact drive
- Straight-through flow
- Full circle or adjustable arc — 20° to 340°
- Energy efficient-low pressure and low gallonage operation
- Precision Jet tube (PJ™)
- Hooded bearing
- Distance control diffuser pin
- Pressure activated wiper seal
- FP trip for full or part circle operation
- Inlet filter screen
- Combination 1/2" or 3/4" bottom inlet



Maxi-Paw



SAM Features (Optional)

- Internal Seal-A-Matic™ (SAM) prevents puddling, run-off and erosion caused by low head drainage
- Extra-strength retract spring works against 10' of elevation change and provides greater vandal resistance
- Increases system life by trapping water in lateral pipes, reducing water hammer
- Conserves water and saves money
- Serviceable through the top of the case

For complete explanations of product features, see page 31.

Specifications

- Combination 1/2" or 3/4" female bottom inlet
- 1/2" female side inlet
- Overall height — 9-3/10"
- Top diameter — 5"
- Nozzle 06-red; 07-black; 08-blue; 10-yellow; 12-beige; LA-non-interchangeable-white
- For LA nozzle at normal operating pressure, the highest point of stream is 2' above nozzle; for 08 nozzle, it is 6' above nozzle
- Nozzle outlet trajectory is 8° for LA, 23° for 07, 08, 10 and 12 nozzles



*Precipitation Rates based on half circle operation

For true MPR, all radii must be equal, use 06 nozzle for a quarter pattern, 08 for a half pattern, 10 for 3/4 pattern and 12 for full circle

■ Square spacing based on 50% diameter of throw

▲ Triangular spacing based on 60% diameter of throw

‡ Standard Nozzle Size recommended

Maxi-Paw/Maxi-Paw SAM Performance

PSI	Radius'	GPM	Nozzle	*Precip.■	*Precip.▲
25	—	—	LA	—	—
	—	—	06	—	—
	36	1.9	07	.29	.23
	‡37	2.8	08	.39	.32
	40	4.2	10	.50	.40
	39	5.5	12	.70	.56
30	28	2.0	LA	.49	.39
	36	1.5	06	.22	.18
	37	2.1	07	.29	.24
	‡38	3.0	08	.40	.32
	41	4.5	10	.52	.41
	40	5.9	12	.71	.57
35	30	2.2	LA	.47	.38
	37	1.6	06	.23	.19
	38	2.3	07	.30	.24
	‡38	3.3	08	.43	.35
	41	4.8	10	.55	.44
	42	6.3	12	.69	.55
40	31	2.3	LA	.47	.37
	38	1.8	06	.24	.19
	39	2.4	07	.30	.24
	‡39	3.5	08	.44	.35
	41	5.2	10	.59	.47
	44	6.7	12	.67	.54
45	32	2.5	LA	.47	.38
	38	1.9	06	.25	.20
	39	2.5	07	.32	.26
	‡40	3.7	08	.44	.35
	42	5.4	10	.59	.47
	44	7.1	12	.70	.56
50	33	2.6	LA	.46	.37
	38	2.0	06	.27	.22
	40	2.7	07	.32	.26
	‡41	3.9	08	.44	.35
	44	5.7	10	.57	.46
	45	7.4	12	.70	.56
55	33	2.7	LA	.48	.38
	38	2.1	06	.28	.23
	41	2.8	07	.32	.26
	‡41	4.1	08	.46	.37
	44	6.0	10	.60	.48
	45	7.9	12	.75	.60
60	33	2.8	LA	.50	.40
	38	2.2	06	.30	.24
	41	2.9	07	.33	.27
	‡42	4.2	08	.47	.37
	44	6.4	10	.63	.51
	45	8.4	12	.79	.64

65-13305



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

January 24, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MICHAEL R. EVANS
9955 MASKED DUCK AVE
LAS VEGAS NV 89117

RE: PERMIT NO. 65-13305 - REINSTATEMENT ORDER

Dear Mr. Evans:

The department acknowledges receipt of the proof of beneficial use ("proof") form submitted for the above referenced lapsed permit.

Enclosed is an order reinstating the permit, since proof was submitted after the proof due date. Please note that the priority date has been advanced to October 12, 1999, pursuant to Section 42-218a.2, Idaho Code.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. If you have questions concerning the field examination, please contact the **WESTERN** Regional Office of the department in Boise at (208) 334-2190.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosure

c: IDWR - Region

MICROFILMED

JAN 28 2000

MEMORANDUM

To: File 65-13305
From: L. Glen Saxton *WGS*
RE: FILE ANALYSIS AND RECOMMENDATION
Date: January 24, 2000

Michael R. Evans and Priscilla J. Evans should be considered the permit holders in this case without the filing of an assignment of permit or requiring the Notice of Change of Water Right Ownership which was submitted by the Evans for the following reasons.

1. Once a permit has lapsed and become of no force nor effect, either the original permit holder or successor-in-interest should have the opportunity to seek reinstatement of the permit. If reinstated, the advancement of permit priority is a severe penalty.
2. In this case, the current land owner could have applied for a new permit and would have ended up with about the same priority of use as going through the reinstatement process with the lapsed permit.
3. Assignment of a lapsed permit to be reinstated under Section 42-218a.2, Idaho Code, appears to be burdensome and does not seem to be a reasonable requirement.

MICROFILMED

JAN 28 2000

October 5, 1999

State of Idaho
Department of Water Resources
P O box 83720
Boise, ID. 83720-0098

Attn: Julie Yarbrough

RE: Permit # 65-13305

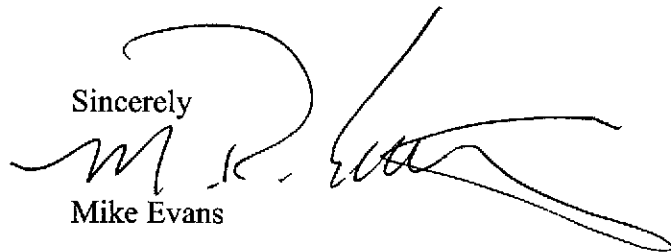
Dear Ms. Yarbrough

I'm enclosing the Proof of Beneficial Use along with a check in the amount of \$50.00 as you requested in your letter of 9-7-1999.

Should you have any further questions, don't hesitate to call.

Sincerely

Mike Evans



RECEIVED

OCT 12 1999

Department of Water Resources

MICROFILMED

JAN 28 2000



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

KARL J. DREHER
DIRECTOR

September 7, 1999

Mike Evans
9955 Masked Duck Ave
Las Vegas NV 89117

RE: Lapsed Water Right Permit No. 65-13305

Dear Mr. Evans:

I am in receipt of the information you submitted on June 28, 1999, concerning the reinstatement of the above referenced lapsed permit. However, the permit cannot be reinstated until you complete and return the enclosed Proof of Beneficial Use Statement along with the appropriate license examination fee. Additionally, the name on the permit cannot be changed without an assignment from the permit holder of record. Since you have provided proof of ownership however, you will be noted in the file and will be authorized to act on the permit.

Please complete the enclosed Proof of Beneficial Use Statement and return it as soon as possible along with the appropriate license examination fee.

Please contact me at (208)327-7953 should you have any questions or concerns.

Sincerely,

JULIE L. YARBROUGH
Administrative Assistant, Water Allocation Bureau

c: IDWR - Western Region

MICROFILMED

SEP 18 1999

RECEIVED

JUN 28 1999

June 23, 1999

Department of Water Resources

State of Idaho
Department of Water Resources
P O box 83720
Boise, ID. 83720-0098

Attn: Julie Yarbrough

RE: Permit # 65-13305

Dear Ms. Yarbrough

I'm enclosing the following information that you requested in your letter dated 5-17-1999. A letter from my neighbor, stating that the original applicant was using water from the river before 4-1-1993. A receipt for the purchase of the pump dated 4-1-91. A copy of Warranty Deed and plot map. A copy of your May 17th letter. A copy of the change of ownership form that I submitted in Feb. 1999.

I could not get the Assignment of Permit signed as I have no idea where the original applicant is or even if that person is still alive.

I'm requesting that the lapsed permit be reinstated and transferred to my name. If there's a fee to accomplish this I would be happy to pay it.

Should you have any further questions, don't hesitate to call.

Sincerely,



Mike Evans

MICROFILMED

JAN 28 2005



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

May 17, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Mike Evans
9955 Masked Duck Ave
Las Vegas NV 89117

RE: Lapsed Permit No. 65-13305

Dear Mr. Evans:

This letter is in response to your request to reinstate Lapsed Permit No. 65-13305. Pursuant to Section 42-218a, Idaho Code, the permit can be reinstated only if you submit a completed Proof of Beneficial Use statement, the appropriate license examination fee and the following information for department consideration:

- ▶ **Two (2) pieces of evidence** to show that beneficial use of the water did commence and to show the extent of the use of water during the authorized permit period, i.e. from the time the permit was issued until the proof due date, and;
- ▶ Reasonable cause why the license examination fee was submitted late.

You can submit pump records, receipts from equipment purchased and/or installed, affidavits from persons with first hand knowledge of development or other information to verify use during the authorized development period.

Please be aware that this permit is **lapsed** and is of no force nor effect unless it is reinstated.

Additionally, since you are not the original permit holder, you will need to provide the department with proof of ownership of the property in question, or you can have the permit holder assign the permit to you using the Assignment of Permit form I have provided.

If you have any questions regarding this matter, please contact me at (208)327-7953.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

Enclosures

C: IDWR - Region

MICROFILMED

JAN 28 2000



DATE _____

4/11/95

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SHIPTO

SAME

TOM A 201.70
TAX1 10.09
TOTAL \$211.79
2424 12:51PM 4/19/91
TAX1 10.09
TOTAL \$211.79
CASH 212.00
2424 12:51PM 4/19/91

X

JAN 28 2000

SUB TOTAL	201.70
TAX	10.08
TOTAL	211.78

CUSTOMER COPY

May 27, 1999

**State of Idaho
Department of Water Resources
P O Box 83720
Boise, ID.83720-0098**

Attn: Julie L Yarbrough

RE: Lapsed Permit # 65-13305

Dear Ms Yarbrough

I'm pleased to confirm that the property located at 21 Circle Dr Garden Valley, ID Has been pumping irrigation water from the middle fork of the Payette River since the spring of 1991 The lot has many trees and approximately a 1/3 of an acre lawn

Should you have any further questions, don't hesitate to call.

Sincerely



Mrs Windy Coons
66 Circle Dr.
Garden Valley, ID.

MICROFILMED

JAN 28 2000



PIONEER TITLE COMPANY
OF ADA COUNTY

8151 W. Rifleman Ave / Boise, Idaho 83704 / (208) 377-2700

INSTAL 171307
REQUEST mtr Jew

98 DEC 11 PM 4:12

BOISE COUNTY RECORDER

BY Dianna L. Stork

TYPE Deed FEE 3.00/ck

FILED AND INDEXED

ME PE

174618

WARRANTY DEED
(INDIVIDUAL)

FOR VALUE RECEIVED SHARON R. NIELSEN, WHO ACQUIRED TITLE AS SHARON TREMBLAY, A MARRIED WOMAN, AS HER SOLE AND SEPARATE PROPERTY

Grantor , does hereby grant, bargain, sell and convey unto MICHAEL R EVANS AND PRISCILLA J. EVANS, HUSBAND AND WIFE

the Grantee s , whose current address is 9955 MASKED DUCK AVENUE, LAS VEGAS, NV 89117 the following described real property in BOISE County, State of Idaho, more particularly described as follows, to-wit

LOT 24 IN BLOCK 1 OF THE AMENDED PLAT OF BLOCK 1 AND LOTS 1-8 IN BLOCK 2 OF RIVER'S POINT SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 7, 1981, AS INSTRUMENT NO 99804, AND AMENDED BY AFFIDAVIT RECORDED APRIL 13, 1981, AS INSTRUMENT NO 99876, RECORDS OF BOISE COUNTY IDAHO.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee sand Grantee heirs and assigns forever And the said Grantor does hereby covenant to and with the said Grantee s, the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee s and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (includes irrigation and utility assessments, (if any) for the current year, which are not yet due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever

Dated December 10, 1998

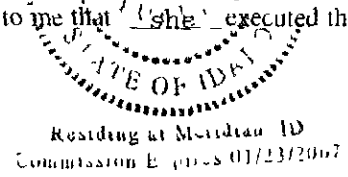
Sharon R. Nielsen
SHARON R. NIELSEN

MICROFILMED

144 2 8 2000

STATE OF IDAHO , County of ADA , ss

On this 11 day of December , in the year of 1998 , before me DIANNA L. STORK , a notary public, personally appeared SHARON R. NIELSEN known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same



Notary Public Dianna L. Stork
Residing at: MERIDIAN, IDAHO
My Commission Expires JANUARY 23, 2002

AMENDED PLAT OF ALL OF BLOCK 1 AND
LOTS 1-8 OF BLOCK 2 OF

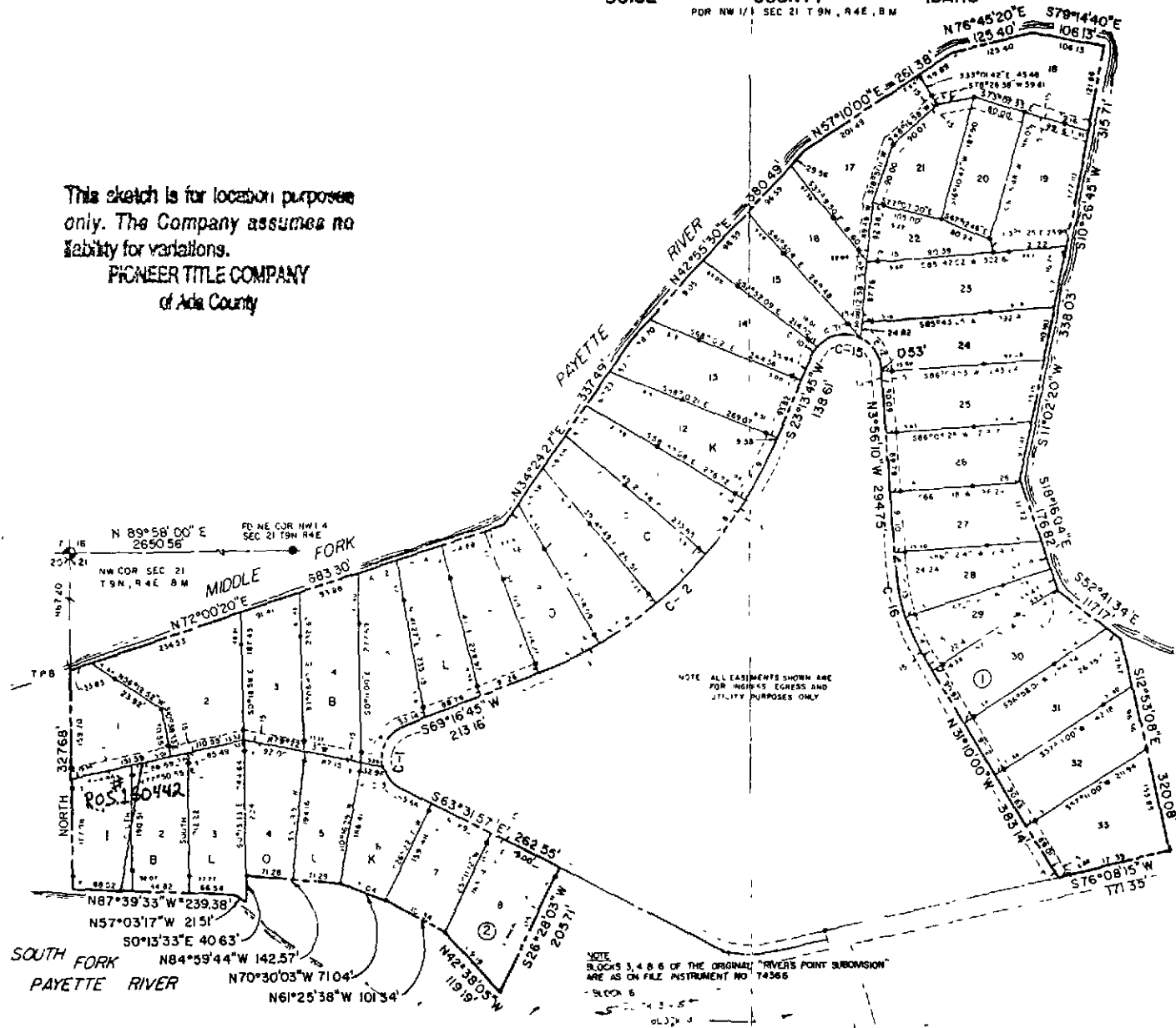
RIVER'S POINT SUBDIVISION (INSTRUMENT NO. 74366
DATED JULY 14th, 1969)

BOISE COUNTY IDAHO

PDR NW 1/4 SEC 21 T9N, R4E, BM

This sketch is for location purposes
only. The Company assumes no
liability for variations.

PIONEER TITLE COMPANY
of Ada County



MICROFILMED
14X 28 2000

While this map is a photographic reproduction of that on
file in either the recorder's or surveyor's office, the company
assumes no liability for variation, if any, with another
or resurvey

NOTICE

This file has been REPRODUCED
from MICROFICHE

for a possible reinstatement

Barbara J. Black
Person Recreating File

Nov. 03, 1999
Date

I certify that file No. 62-15305

has been reviewed and is ready to be

MICROFILMED and DESTROYED.

*The attached proof report is the water right as it appeared in the database
prior to final status entry and deletion from the database.*

C. Zimmerman

Signature

4/95

Date

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

07/27/93 15:28:18
Page 1

Water Right Number - 65-13305 Prefix Translation: WATER RIGHT Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***

BARKER CHALMER J. 1 - HC 76 BOX 1122
2 -
3 -
City- GARDEN VALLEY State- ID Zip- 83602
Phone - 208-462-3353
1 - HC 76 BOX 1122
2 -
3 -
City- GARDEN VALLEY State- ID Zip- 83602
Phone - 208-462-3353

BARKER SARAH J.

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +

02/08/1991 14 WESTERN P - PERMIT

+ - - - - Source - - - - + + - - - - Tributary - - - - - +

PAYETTE RIVER, MIDDLE FORK PAYETTE RIVER

+ - - - - Point of Diversion - - - - - +

Twn Rng Sec Tract Lot Rf(g) County Diversion Name Diversion Rate Diversion No.

09N 04E 21 NE NW (15) BOISE

+ - - - - Water Use - - - - - +

Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 11/01 0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +

0.020

+ - - - - Place of Use - - - - - +

Twn Rng Sec Tract Lot Acres Code Description County

09N 04E 21 NE NW 0.5 01 IRRIGATION (15) BOISE

Total Acres: 0.5

+ - - Diversion Means - PUMP AND IRRIGATION SYSTEM

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +

No Remarks found.

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers found.

WR5808NP
(00-26)

IDaho DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

07/27/93 15:28:18
Page 2

Water right number - 65-13305

Prefix Translation: WATER RIGHT

+ - - - - Conditions of Approval - - - - - +

- 26A - Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
- 005 - Use of water under this right is subject to control by the watermaster of State Water District No. 65 DISTRICT.
- 01W - A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this right.
- 059 - The Director retains jurisdiction of this right to require purchase or lease or storage water to compensate for diversion of the streamflow authorized by this right.
- 060 - The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 840000 cubic feet per second for each acre of land.

+ - - - - Decree Plaintiff - - - - - + + - - - - Decree Defendant - - - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +

Date: 04/06/1993 User Id: VAULT Subject: Lapse Notice Sent
Lapse Notice Sent

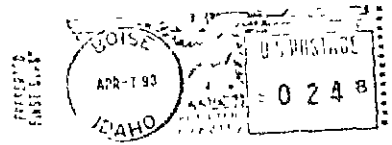
+ - - Audit Fields - 02/13/91 GARRETT 04/05/91 SKAGGS 04/09/91 SKAGGS 04/17/91 SKAGGS 04/18/91 SKAGGS
04/06/93 COMMENTS

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 04/01/1993	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 05/02/1991	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	- W012993	Water District	- 65
Licensed Date	- 00/00/0000	Appl Received	- 02/08/1991	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
100 South Orchard Street
Boise, Idaho 83726-2237

11:00 AM TO 12:00 PM (10-03-93) 10:00 AM



- ☐ No postage meter stamp
- ☐ No postage meter stamp
- ☒ Meter stamp not legible
- ☐ Attempted delivery failed

6-1330509

APR 12 1993

WV

April 6, 1993

CHALMER D. BARKER
SARAH J. BARKER
HC 76 BOX 1122
GARDEN VALLEY ID 83602

LAPSE NOTICE

RE: PERMIT NO. 65-13305

Dear Permit Holder:

You are hereby notified that under the provisions of Section 12-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated January 31, 1993. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau
Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 4/6/93 —
a true and correct original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Lig

MEMORANDUM

TO: File

FROM: Karen Gustafson

DATE: February 3, 1993

RE: Returned proof of beneficial use

The certified letter containing the proof of beneficial use was returned to the Department as "Moved with no forwarding address". I contacted the Boise County Assessors office and they list no property owner with the name in the water right file.

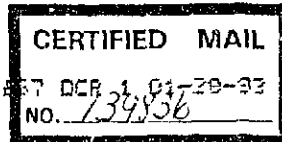
I will proceed with that lapse process as usual. If the permit holder does not contact the office prior the end of the lapse period, we will proceed with the film and destroy process.


Karen L. Gustafson

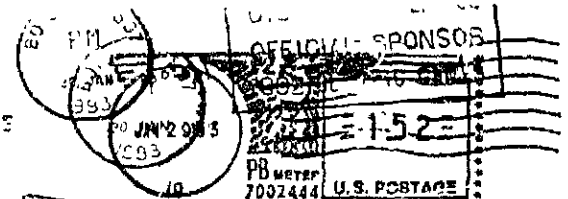
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
North Orchard Street
Boise, Idaho 83706-2237

83706

X1801 ID # 57 DEC 1 01-20-93 12:15



☐ Registered letter
☒ Registered letter
☒ Registered letter



*No such listing
in Boise
County files
do a
property
owner*
RECEIVED
FEB 2 1993
Department of Water Resources

|||||

January 31, 1993

CHALMER D. BARKER
SARAH J. BARKER
HC 76 BOX 1122
GARDEN VALLEY ID 83602

RE: PERMIT NO. 65-13305 PROOF DUE NOTICE

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

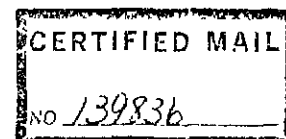
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosure.



May 19, 1992

CHALMER D. BARKER
SARAH J. BARKER
HC 76 BOX 1122
GARDEN VALLEY ID 83602

RE: Water Right No. 65-13305

Dear Water Right Holder(s):

Department water right records show that you divert water from the Snake River or its tributaries under a water right that has a priority date later than December 29, 1976. This is the priority of the established minimum stream flow of the Snake River at the Weiser Gage (Weiser) in the amount of 4,750 cubic feet per second.

Because of the continuing drought conditions in the Snake River Basin, department hydrologists project that during 1992, there could be periods when the required minimum flow will not be satisfied due to low flows of the Snake River. The department urges you to not divert at a higher rate than authorized by your water right and to not use your right in any manner different than authorized. In addition, when the minimum flow will not be satisfied or is not being satisfied, you are required to cease diverting water under your water right, because your right is of later priority than the minimum stream flow at Weiser.

If the department determines the minimum flow will not be satisfied, the department will advise you and will provide as much lead time as possible in requiring that you temporarily cease your diversion of water. The greatest likelihood for this to occur is during a period from mid-June to late June.

While the department expects good cooperation from junior water right holders, water users should be aware that Section 42-357, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversions of water.

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement

purposes. This type of coordination could minimize the impact on existing water users and reduce the need to curtail diversions.

The department has scheduled public information meetings relative to this potential regulation as follows:

Mountain Home - June 4, 1992 - 10:00 a.m. - gymnasium at North Elementary School, 290 E. 12th N.

Caldwell - June 4, 1992 - 7:00 p.m. - Ballroom in the Student Union Building, Albertson College of Idaho, 2112 Cleveland

If you have questions concerning this letter or wish to provide the name of a different contact person or address to receive department correspondence, please contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 9, 1991

CHALMER D. BARKER
SARAH J. BARKER
HC 76 BOX 1122
GARDEN VALLEY, ID 83602

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-11305

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

Natural flow of the Payette River is fully appropriated except during periods of flood flow. Your permit is conditioned to require you to obtain storage water to compensate for your diversion of natural flow from the river. The amount of storage

which you will be required to obtain is approximately 3 acre-feet per acre of irrigated ground. You will be notified in the future of the necessity to obtain storage water.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

APPLICATION FOR PERMIT REVIEW

Application #: 6-1-3265
Date: 4-9-91

Reviewer: Pam Skaggs

Existing:

No - 26A-P17
Complete in 1 year - P16

Yes
Proof not submitted - P16
Proof submitted - N/A

Groundwater:

GT. 0.7 cfs - 01G-P03, 01C-P03(existing well)
LT. 0.7 cfs - N/A

Drilling Permit:

Approved w/permit - P99
Not included - 046-P23(All GW, even existing wells)

Location:

Water Districts - WD No. 65
Surface water - 005, 005-01H-P01(LT.7 w/pump)
005-01J-P08(GT.7)
Groundwater - P05
Irrigation Districts - 023
Canal Co. Areas - 023
Drainage Districts - 024
Boise Front (63) - 058 (Groundwater)
Swan Falls Flag - (1, Blank or Other)
Trust - 051-052-053-P74(Cons.), 041(DCMI, w/Irr
Non Trust - 048-049 or Irr & Dom)

River Basins:

(Surface Water) Water District Control Condition &....
Boise (63) - 05A & 11E
Payette (65) - 047-P04, 059-P71
Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

Use:

Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
042(req.), 002-P06(MD), 07A(Spec.),
044(Policy 5G)
Power - Use Power Review
Mining - 06A or 010, 09E-P10 & 054(req.)
Storage - 18A-for multiple measuring devices(In WD),
18B-P09(Size)
Rec. & Aesthetic - 027(Non-Consumptive)
Domestic - 021(restricted areas)

Ownership:

Non land owner - 004

Protested:

Agreement - 020

Minimum Stream Flow:

Overlapping uses - 029-P20

Beneficial Use Due Date: 01-01-99
Other Conditions Recommended

4-11-91

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region
2735 AIRPORT WAY

Boise, Idaho 83705
(208) 334-2190

FEBRUARY 13, 1991

The Idaho World
P.O. BOX 220
Idaho City, ID 83631

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 11, 1991.

Yours truly,

GAIL GARRETT
Secretary

Encl.

65-13305

BARKER, CHALMER D.
BARKER, SARAH J.
HC 76 BOX 1122
GARDEN VALLEY, ID 83602

Source: PAYETTE RIVER, MIDDLE FORK Tributary: PAYETTE RIVER

Diversion Pt: NENW Sec 21 T 09N R 04E

Use: IRRIGATION (.020 CFS)
 Total Diversion: (.020 CFS)

Date Filed: 2/ 8/ 1991

In: T09N R04E S21 NENW

0.5 ACRES TOTAL