

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

DATE OF CLOSING 2/28/99

- [] Water Right Number(s) /
SRBA Claim No(s):

33-00088, 33-00089, 33-02089

- [] Name and Address of Former
Owner/Claimant(s) (Seller)

United States of America Acting through
the Farm Service Agency
9173 West Barnes, Suite B
Boise, ID 83709-1555

- [] New Owner/Claimant
(Purchaser):

Keith D. and Connie A. Waymire

- [] New Mailing Address:

P.O. Box 47Howe, ID 83244

FSA has a mortgage
interest in the property.

- [] New Telephone Number:

(208) 767-3486767-3035 Keith's Home

- [] Attach proof of ownership; Proof must include legal description.
(i.e. Warranty Deed). Describe proof attached Quitclaim deed.

- [] Please submit a map or aerial photo showing the property purchased if one is available.

- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no

- * If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right(s) held by the seller. (See back for explanation)

- [] Signature of New
Owner/Claimant(s):

Keith WaymireDate 10/24/99Connie A. WaymireDate 10/24/99

- [] Notice of Appearance:

Notice is hereby given that I, _____, will be acting as attorney at law on behalf of the claimant signing above, and all notices required by law to be mailed by the director to the claimant above should be mailed to me at the address listed below.

Signature _____

Address _____

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

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

Western Region
2735 Airport Wy
Boise ID 83705
(208) 334-2190

Northern Region
1910 Northwest Blvd Ste 210
Coeur d Alene ID 83814
(208) 769-1450

State Office
1301 N Orchard St
Boise ID 83706
(208) 327-7900

Original to be mailed to IDWR Regional Office in your area.

FmHA 1955-49
(Rev. 10-28-81)UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

FEB 28 1996

QUITCLAIM DEED

A.M. 3:40 P.M.
BUTTE COUNTY RECORDER
Judy D. Dyer

The UNITED STATES OF AMERICA, acting through the Administrator of the Farmers Home Administration, United States Department of Agriculture, CONVEYS and QUITCLAIMS to

CONNIE A. WAYMIRE and KEITH D. WAYMIRE, wife and husband
, Grant for the sum of EIGHTY-FIVE THOUSAND AND NO/100 DOLLARS

all interest in the following described real estate situated in the County of BUTTE

State of IDAHO

, to-wit:

See attachment for legal description

TOGETHER WITH the following water rights:

IDWR NO. 33-00088 priority 4/15/1906, Source: Little Lost River

IDWR NO. 33-00089 priority 4/15/1891, Source: Dry Creek

IDWR NO. 33-02089 priority 12/3/1959, Source: Well - 2.30cfs

TOGETHER WITH the following irrigation equipment:

1 GE Electric 75 hp motor

1 Fairbanks Morse Turbine Pump 10 inch 100 foot

4800 feet of portable aluminum mainline 6, 8, and 10 inch

4620 feet 5" Western Wheel lines (3.5)

2640 feet 4" Hook & Latch Handlines (2)

Steel mainline 6, 8, and 10 inch

TOGETHER WITH THE FOLLOWING OUTSIDE GRAZING RIGHTS AND CRP CONTRACTS

BLM

Allotment	Livestock	Grazing Period	Active AUM'S
Squaw Creek	67 cattle	5/19 to 6/30	83
Bell Mtn.	49 cattle	5/16 to 6/30	56
Bell Mtn.	49 cattle	11/16 to 12/31	55
Wet Creek	27 cattle	5/16 to 7/14	54

USFS

Pass Creek	137 cattle	7/1 to 10/10	462
Bell Mtn.	17 cattle	5/16 to 6/30	26
Bell Mtn.	17 cattle	11/16 to 12/15	17

Acquired Property (McDaniel)
Legal Description

Township 9 North, Range 27 East of the Boise Meridian, Butte
County, Idaho.

Section 4: SW1/4SE1/4, E1/2SW1/4

Section 9: S1/2NE1/4, NW1/4NE1/4, NE1/4NW1/4

Less the following: (Containing 78.90 Acres) Deeded to
B.L.M. (See the attached legal description)

Post-It™ brand fax transmittal memo 7671		pages ▶ 5
To	DAVID A. LACY	
From	A. RUBERRY	
Co.	CONTRACT INVESTIGATOR	
Dept.	U.S.D.A.	
Fax #	(301) 953-3185	
Phone #	(208) 525-7161	
Fax #		

No. 1

SUPPLEMENTAL AFFIDAVIT

STATE OF: Idaho

COUNTY OF: Bonneville

I, Allen Ruberry, senior water resource agent, Idaho Department of Water Resources, 900 N. Skyline Drive, Idaho Falls, Idaho 83402, make the following statement freely and voluntarily to David Aaron Lacy, who has identified himself to me as a Contract investigator for the U.S. Department of Agriculture, investigating a complaint of discrimination filed by Renee Catherin (aka Boyles), knowing that this statement may be used in evidence. I understand that this statement is not confidential and may be shown to any interested party (those with a legal right to know). I hereby solemnly swear:

In 1996, I read an advertisement where the FmHA had put the McDaniel's place up for sale and it was advertised, as I recall, for One Hundred Seventeen Thousand Dollars (\$117,000.00), with water rights. Then, according to Mr. Allan H. "Buzz" Banta, FmHA, Agriculture Credit Manager, Arco, Idaho, the FmHA became concerned about abandonment and forfeiture of the water rights under Idaho State law. The sale was withdrawn. It was later readvertised as 194 acres of dry crop land for Eighty Five Thousand Dollars (\$85,000.00). A quitclaim deed was issued defining, in detail, the water rights. Keith and Connie Waymire were the successful bidders by the deed. As of today, there is no recommendation of record to the court for these claims [to the water rights].

Prior to the Waymire's acquisition, the property had been leased for livestock grazing without use of the water rights. In 1996, the Waymire's made a call to the district watermaster to have the surface rights delivered. The surface rights were delivered in 1996.

I have read the above statement consisting of 2 pages and it is true and correct to the best of my knowledge and recollection. I have been given an opportunity to review the statement and make any changes, corrections, additions, or deletions. I have initialed each page and signed the statement below. THIS IS THE EDITED VERSION.

Allen B. Ruben
(Signature of Affiant)

Subscribed and sworn before me at:

(City, County, State)

On THIS _____ DAY OF _____ 1998

(Witness)

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

FEB 28 1996

QUITCLAIM DEED

The UNITED STATES OF AMERICA, acting through the Administrator of the Farmers Home Administration, United States Department of Agriculture, CONVEYS and QUITCLAIMS to

CONNIE A. WAYMIRE and KEITH D. WAYMIRE, wife and husband

, Grantee, for the sum of EIGHTY-FIVE THOUSAND AND NO/100 DOLLARS

all interest in the following described real estate situated in the County of BUTTE

State of IDAHO

, to-wit:

See attachment for legal description

TOGETHER WITH the following water rights:

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TOGETHER WITH THE FOLLOWING OUTSIDE GRAZING RIGHTS AND CRP CONTRACTS

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USFS			
Pass Creek	137 cattle	7/1 to 10/10	462
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From: BUTTE COUNTY RECORDER'S OFFICE
25 April 1996 8 PAGES

ABR

This deed is executed and delivered pursuant to the provisions of sale of inventory property formerly owned by Karl McDaniel case #12-012-0519262483, advise #12-012-12733 and the

authority set forth in 7 CFR 1900, Subpart A.

No member of Congress shall be admitted to any share or part of this deed or to any benefit that may arise therefrom.

Dated

July 21

, 19 95

UNITED STATES OF AMERICA (Grantor)

By

(successor in interest to the

State Director, Rural Economic and Community Development, acting on behalf of the Farmers Home Administration, Rural Housing & United States Department of Agriculture Community Development Service

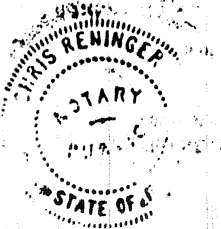
In the presence of:

ACKNOWLEDGMENT

State of Idaho
County of Ada

On this 21st day of July, before me, the undersigned, a Notary Public in and for said State, personally appeared Loren A. Nelson, known to me to be the State Director, RECD, formerly Farmers Home Administration, USDA, and person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

In WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year last above mentioned.



Chris Reninger

CHRIS RENINGER
Notary Public in and for
State of Idaho
Residing at Meridian, Idaho
My Bond Expires 7-6-2000.

Acquired Property (McDaniel)
Legal Description

Township 9 North, Range 27 East of the Boise Meridian, Butte
County, Idaho.

Section 4: SW1/4SE1/4, E1/2SW1/4

Section 9: S1/2NE1/4, NW1/4NE1/4, NE1/4NW1/4

Less the following: (Containing 78.90 Acres) Deeded to
B.L.M. (See the attached legal description)

LOT 6, SECTION 4, T. 9 N., R. 27 E.

Lot 6 of Section 4, Township 9 North, Range 27 East, located in the County of Butte, State of Idaho, as per official plats and field notes of the dependent resurvey and surveys accepted by the Chief Cadastral Surveyor for Idaho on June 12, 1989, and December 13, 1994, and officially filed at the Idaho State Office of the Bureau of Land Management at Boise Idaho, more particularly described as follows:

Beginning at the SE 1/16 section corner of section 4, identical with Angle Point No. 1 of Lot 6, and true point of beginning, which is an aluminum post as described in the official field notes of the 1989 dependent resurvey;

thence S. 89° 43' W., 16.87 chs. dist., on the east and west center line of the SE 1/4 of section 4, on line 1-2, to Angle Point No. 2, which is an aluminum post as described in the official field notes of the 1989 dependent resurvey;

thence S. 16° 59' E., 9.35 chs. dist., on line 2-3, to Angle Point No. 3, which is an aluminum post as described in the official field notes of the 1989 survey;

thence S. 30° 29' E., 5.06 chs. dist., on line 3-4, to Angle Point No. 4, which is an aluminum post as described in the official field notes of the 1989 survey;

thence S. 42° 41' E., 7.399 chs. dist., on line 4-5, to the witness point at the northwesterly corner of the water gap easement in section 4, which is an aluminum post as described in the official field notes of the 1994 dependent resurvey;

thence S. 42° 41' E., 0.595 chs. dist., on line 4-5, to the witness point at the southwesterly corner of the water gap easement in section 4, which is a stainless steel post as described in the official field notes of the 1994 dependent resurvey.

thence S. 42° 41' E., 1.046 chs. dist., on line 4-5, to Angle Point No. 5, identical with Angle Point No. 2 of Lot 7 in section 9, on the line between sections 4 and 9, which is a stainless steel post as described in the official field notes of the 1994 dependent resurvey.

thence N. 89° 42' E., 5.53 chs. dist., between sections 4 and 9, on line 5-6, common to line 2-1 of Lot 7 in section 9, to the E 1/16 section corner of sections 4 and 9, identical with Angle Point No. 6, identical with Angle Point No. 1 of Lot 7 in section 9, which is an aluminum post as described in the official field notes of the 1989 dependent resurvey;

thence N. 0° 12' W., 10.00 chs. dist., on the N. and S. center line of the SE 1/4 of section 4, on line 6-1, to the C-S-SE 1/64 section corner of section 4, which is an aluminum post as described in the official field notes of the 1989 dependent resurvey;

thence N. 0° 12' W., 10.00 chs. dist. on the N. and S. center line of the SE 1/4 of section 4, on line 5-1, to the SE 1/16 section corner of section 4, identical with Angle Point No. 1, and point of beginning, containing 25.27 acres, more or less,

subject to the following water gap easement:

From the witness point common to the southwesterly corner of the water gap easement in section 4, on line 4-5, hereinbefore described;

thence N. 62° 32' E., 1.326 chs. dist., across the Little Lost River to the witness corner at the southeasterly corner of the water gap easement, which is an aluminum post as described in the official field notes of the 1994 survey;

thence N. 19° 33' W., 0.592 chs. dist., to the witness point at the northeasterly corner of the water gap easement, which is an aluminum post as described in the official field notes of the 1994 survey;

thence S. 62° 05' W., 1.563 chs. dist., to the witness point at the northwesterly corner of the water gap easement, on line 4-5 of Lot 6, hereinbefore described.

thence S. 42° 41' E., 0.595 chs. dist., on line 4-5 of Lot 6, to the witness point at the southwesterly corner of the water gap easement, and place of beginning.

LOT 7, SECTION 9, T. 9 N., R. 27 E.

Lot 7 of Section 9, Township 9 North, Range 27 East, located in the County of Butte, State of Idaho, as per official plats and field notes of the dependent resurvey and surveys accepted by the Chief Cadastral Surveyor for Idaho on June 12, 1989, and December 13, 1994, and officially filed at the Idaho State Office of the Bureau of Land Management at Boise Idaho, more particularly described as follows:

Beginning at the E 1/16 section corner of sections 4 and 9, identical with Angle Point No. 1, identical with Angle Point No. 6 of Lot 6 in section 4, and true point of beginning, which is an aluminum post as described in the official field notes of the 1989 dependent resurvey;

thence S. 89° 42' W., 5.53 chs. dist., between sections 4 and 9, on line 1-2, common to line 6-5 of Lot 6 in section 4, to Angle Point No. 2, identical with Angle Point No. 5 of Lot 6 in section 4, which is an aluminum post as described in the official field notes of the 1989 dependent resurvey;

thence S. 1° 20' E., 18.552 chs. dist., on line 2-3, to the witness point at the northwesterly corner of the water gap easement in section 9, which is a stainless steel post as described in the official field notes of the 1994 survey;

thence S. 1° 20' E., 1.463 chs. dist., on line 2-3, to Angle Point No. 3, identical with Angle Point No. 3 of Lot 10, on the E. and W. center line of the NE1/4 of section 9, which is an aluminum post as described in the official field notes of the 1994 dependent resurvey;

thence N. 89° 43' E., 1.816 chs. dist., on the E. and W. center line of the NE1/4 of section 9, on line 3-4, common to line 3-2 of Lot 10, to the witness point at the southeasterly corner of the water gap easement in section 9, which is an aluminum post as described in the official field notes of the 1994 dependent resurvey;

thence N. 89° 43' E., 3.311 chs. dist., on the E. and W. center line of the NE1/4 of section 9, on line 3-4, common to line 3-2 of Lot 10, to the NE 1/16 section corner of section 9, identical with Angle Point No. 4, identical with Angle Point No. 2 of Lot 10, which is an aluminum post as described in the official field notes of the 1994 dependent resurvey;

thence N. 0° 14' W., 20.01 chs. dist., on the N. and S. center line of the NE1/4 of section 9, on line 4-1, to the E 1/16 section corner of section 4 and 9, identical with Angle Point No. 1, identical with Angle Point No. 6 of Lot 6 in section 4, and point of beginning, containing 10.64 acres, more or less,

subject to the following water gap easement:

From the witness point at the southeasterly corner of the water gap easement in section 9, on the E. and W. center line of the NE1/4 of section 9, on line 3-4 of Lot 7, on line 2-3 of Lot 10, hereinbefore described;

thence N. 51° 51' W., 2.353 chs. dist., to the witness point at the northwesterly corner of the water gap easement, on line 2-3 of Lot 7, hereinbefore described;

thence S. 1° 20' E., 1.463 chs. dist., on line 2-3 of Lot 7, to Angle Point No. 3 of Lot 7, identical with Angle Point No. 3 of Lot 10, on the E. and W. center line of the NE1/4 of section

9, hereinbefore described.

thence N. $89^{\circ} 43'$ E., 1.816 chs. dist., on the E. and W. center line of the NE1/4 of section 9, on line 3-4 of Lot 7, on line 3-2 of Lot 10, to the witness point at the southeasterly corner of the water gap easement, and place of beginning.

LOT 10, SECTION 9, T. 9 N., R. 27 E.

Lot 10 of Section 9, Township 9 North, Range 27 East, located in the County of Butte, State of Idaho, as per official plats and field notes of the dependent resurvey and surveys accepted by the Chief Cadastral Surveyor for Idaho on June 12, 1989, and December 13, 1994, and officially filed at the Idaho State Office of the Bureau of Land Management at Boise Idaho, more particularly described as follows:

Beginning at the N 1/16 section corner of sections 9 and 10, identical with Angle Point No. 1, and true point of beginning, which is an aluminum post as described in the official field notes of the 1989 dependent resurvey;

thence S. 89° 43' W., 5.005 chs. dist., on the E. and W. center line of the NE1/4 of section 9, on line 1-2, to the C-B-E-NE 1/256 section corner of section 9, which is an aluminum post as described in the official field notes of the 1989 dependent resurvey;

thence S. 89° 43' W., 15.015 chs. dist., on the E. and W. center line of the NE1/4 of section 9, on line 1-2, to the NE 1/16 section corner of section 9, identical with Angle Point No. 2, identical with Angle Point No. 4 of Lot 7, which is an aluminum post as described in the official field notes of the 1994 dependent resurvey;

thence S. 89° 43' W., 3.311 chs. dist., on the E. and W. center line of the NE1/4 of section 9, on line 2-3, common to line 4-3 of Lot 7, to the witness point at the southeasterly corner of the water gap easement in section 9, which is an aluminum post as described in the official field notes of the 1994 dependent resurvey;

thence S. 89° 43' W., 1.816 chs. dist., on the E. and W. center line of the NE1/4 of section 9, on line 2-3, on line 4-3 of Lot 7, to Angle Point No. 3, identical with Angle Point No. 3 of Lot 7, which is an aluminum post as described in the official field notes of the 1994 dependent resurvey;

thence S. 20° 23' E., 14.852 chs. dist., on line 3-4, to the intersection with the N. and S. center line of the NE1/4 of section 9;

thence S. 20° 23' E., 6.461 chs. dist., on line 3-4, to Angle Point No. 4, on the E. and W. center line of section 9, which is an aluminum post as described in the official field notes of the 1989 dependent resurvey;

thence N. 89° 44' E., 17.81 chs. dist., on the E. and W. center line of section 9, on line 4-3, to the 1/4 section corner of sections 9 and 10, which is an aluminum post as described in the official field notes of the 1989 dependent resurvey;

thence N. 0° 17' W., 20.02 chs. dist., between sections 9 and 10, on line 5-1, to the N 1/16 section corner of sections 9 and 10, identical with Angle Point No. 1, and point of beginning, containing 42.99 acres, more or less.